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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 14, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: II Corinthians 3: 3: *Ye are the letters of Christ, written, not with ink, but with the Spirit of the living God.*

Almighty God, who hast added this new day to our life, may we add to our trust in Thee, the virtues of faith, patience, self-control, and a great love and may we not miss the good, which we are privileged to do with this day.

Since we are to pass this way but once, let us strive to do all the good we can, in all the ways we can, and to all the people we can and may there never be any vain regrets or shattered ruins to lament over but only happy memories and the prospects and foretastes of a glorious future.

Grant that this day our lives may reveal some likeness to Him in whom Thou hast revealed Thyself and who went about doing good and proved Himself to be a friend and brother of all mankind.

We beseech Thee that His spirit may be incarnated in us and in the life, law, literature, and character of all humanity and may our little lives be as letters and a part of His biography, conveying unto our fellow men something of His compassion, courage, good cheer, and unconquerable hope.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 2, 1965:

H.R. 1314. An act for the relief of Foster Masahiko Gushard; and

H.R. 1322. An act for the relief of Mrs. Ana Cristina Rainforth.

On August 3, 1965:

H.R. 70. An act to provide for the conveyance of approximately 80 acres of land to the heirs of Adam Jones, Creek Indian not enrolled;

H.R. 1987. An act for the relief of Nabhane M. Nickley (Nabhane M. Karam);

H.R. 2012. An act for the relief of Dr. Ignace D. Liu;

H.R. 2499. An act for the relief of Remedios Ocampo;

H.R. 4131. An act for the relief of Mrs. Phoebe Thompson Neesham;

H.R. 8862. An act to amend the act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions; and

H.R. 9041. An act to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma.

On August 4, 1965:

H.R. 1989. An act for the relief of Krystyna Stella Hancock;

H.R. 2351. An act for the relief of Teresita Centeno Vandez;

H.R. 2360. An act for the relief of Dr. Antonio R. Perez;

H.R. 2985. An act to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers, and for other purposes;

H.R. 5508. An act to facilitate the work of the Department of Agriculture, and for other purposes; and

H.R. 5860. An act to amend the law relating to the final disposition of the property of the Choctaw Tribe.

On August 5, 1965:

H.R. 237. An act to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior.

On August 6, 1965:

H.R. 903. An act to add certain lands to the Kings Canyon National Park in the State of California, and for other purposes;

H.R. 6622. An act to exempt the postal field service from section 1310 of the Supplemental Appropriation Act, 1952; and

H.R. 8620. An act to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965.

On August 9, 1965:

H.R. 1771. An act to establish a 5-day workweek for postmasters, and for other purposes; and

H.R. 2984. An act to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes.

On August 10, 1965:

H.R. 7984. An act to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities.

On August 12, 1965:

H.R. 8111. An act to establish the Herbert Hoover National Historical Site in the State of Iowa.

On August 13, 1965:

H.R. 4714. An act to amend the National Arts and Cultural Development Act of 1964 with respect to the authorization of appropriations therein;

H.R. 7954. An act to amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960);

H.J. Res. 324. Joint resolution to provide for the reappointment of Robert V. Fleming as Citizen Regent of the Board of Regents of the Smithsonian Institution; and

H.J. Res. 481. Joint resolution to amend the joint resolution of March 25, 1953, to expand the types of equipment furnished Members of the House of Representatives.

On August 14, 1965:

H.R. 4346. An act to amend section 502 of the Merchant Marine Act, 1936, relating to construction differential subsidies.

On August 16, 1965:

H.R. 7997. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes.

On August 17, 1965:

H.J. Res. 454. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty Monument, and for other purposes.

On August 21, 1965:

H.R. 9075. An act to increase the basic pay for members of the uniformed services, and for other purposes; and

H.R. 10139. An act to amend the act of June 23, 1949, relating to the telephone and telegraph service furnished Members of the House of Representatives.

On August 24, 1965:

H.R. 8856. An act to amend section 271 of the Atomic Energy Act of 1954, as amended.

On August 26, 1965:

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training; and

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training.

On August 28, 1965:

H.R. 546. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wis.;

H.R. 2176. An act to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes;

H.R. 3037. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes;

H.R. 3044. An act to authorize payment of incentive pay for the performance of hazardous duty on the flight deck of an aircraft carrier;

H.R. 3320. An act to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes;

H.R. 4024. An act for the relief of Lewis H. Nelson III;

H.R. 4025. An act for the relief of Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg;

H.R. 5034. An act to amend section 2575 (a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions;

H.R. 5819. An act for the relief of John Henry Taylor;

H.R. 6097. An act to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes;

H.R. 7595. An act to amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available;

H.R. 7843. An act to amend titles 10 and 37, United States Code, to authorize the survivors of a member of the armed forces who dies while on active duty to be paid for his unused accrued leave;

H.R. 9947. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes; and

H.J. Res. 431. Joint resolution extending the duration of copyright protection in certain cases.

On August 30, 1965:

H.R. 10306. An act to amend the Universal Military Training and Service Act of 1951, as amended.

On August 31, 1965:

H.R. 881. An act to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument;

H.R. 1291. An act for the relief of the children of Mrs. Elizabeth A. Dombrowski;

H.R. 7181. An act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes;

H.R. 7596. An act to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers;

H.R. 7765. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes; and

H.J. Res. 95. Joint resolution to designate the lake to be formed by the waters impounded by Sanford Dam, Canadian River project, Texas, as "Lake Meredith."

On September 1, 1965:

H.R. 89. An act to authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes;

H.R. 1481. An act for the relief of the estate of Donovan C. Moffett;

H.R. 5519. An act to amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances;

H.R. 10132. An act to authorize the Honorable JOSEPH W. MARTIN, JR., of Massachusetts, former Speaker of the House of Representatives, to accept the award of the Military Order of Christ with the rank of grand officer; and

H.J. Res. 639. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

On September 2, 1965:

H.R. 485. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws;

H.R. 1763. An act to amend section 1825 of title 28 of the United States Code to authorize the payment of witness' fees in habeas corpus cases and in proceedings to vacate sentence under section 2255 of title 28 for persons who are authorized to proceed in forma pauperis;

H.R. 3750. An act for the relief of certain individuals;

H.R. 3990. An act to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors;

H.R. 3992. An act to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts;

H.R. 3997. An act to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the United States district courts by means of electronic sound recording as well as by shorthand or mechanical means;

H.R. 4719. An act for the relief of Josephine C. Rumley, administratrix of the estate of George S. Rumley;

H.R. 5497. An act to amend paragraphs b and c of section 14 of the Bankruptcy Act;

H.R. 8639. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1966, and for other purposes; and

H.R. 9544. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 620,000 long tons of natural rubber from the national stockpile.

On September 6, 1965:

H.R. 5401. An act to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes;

H.R. 7750. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; and

H.J. Res. 632. Joint resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

On September 8, 1965:

H.R. 4822. An act to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960; and

H.R. 6007. An act to amend title 10, United States Code, to authorize the promotion of qualified reserve officers of the Air Force to the reserve grades of brigadier general and major general.

On September 9, 1965:

H.R. 6927. An act to establish a Department of Housing and Urban Development, and for other purposes; and

H.R. 5280. An act to provide for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States.

On September 10, 1965:

H.R. 496. An act to designate lock and dam 3 on the Cape Fear River, N.C., as the William O. Huske lock and dam;

H.R. 2263. An act to provide for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation; and

H.R. 6964. An act to amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States.

On September 11, 1965:

H.R. 1044. An act to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands;

H.R. 4905. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.; and

H.R. 10342. An act to authorize the Honorable FRANCES P. BOLTON, of Ohio, a Member of the House of Representatives, to accept the award of Officier in the French National Order of the Legion of Honor.

INCORPORATE THE YOUTH COUNCILS ON CIVIC AFFAIRS—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 292)

The SPEAKER. The unfinished business is the further consideration of the veto message from the President on the bill H.R. 3329. Without objection the message and the bill will be referred to the Committee on the District of Columbia and ordered to be printed.

There was no objection.

THE LATE HONORABLE JOE BATES

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, it is my sad duty to report the passing of former Congressman Joseph Bengal Bates who was elected to this body in a special election in 1938 and served more than 14 years prior to his retirement when his district was reshuffled in 1952.

It was my privilege to serve two terms in this House with Joe, as he was always known to his many friends.

After Joe Bates left the Congress, he continued to serve the public until he passed away last Friday following an operation at the Kings Daughters Hospital, Ashland, Ky.

His 40 years of public service as a county, State, and Federal official were marked by his patient and energetic efforts to improve the lot of his fellow men. His public service began as a school superintendent and this background had much to do with his philosophy of public service.

Born at Republican, Ky., he was a lifetime Democrat. However, as a Member of Congress, he rose above partisan politics and continuously supported measures which he considered good for the country. He rose to prominence as a member of the Rules Committee during the war and postwar period, when legislation had an important effect on the economic development of the period.

His record is his own monument, of which not only his widow and two children but also his many friends and eastern Kentucky may feel proud. I am sure that his many colleagues in this body realize that the country has lost a statesman and his community has lost a public-spirited citizen who will not be readily replaced.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the gentleman from Kentucky in this word of tribute to Joe Bates. He was a fine Congressman, a fine man. He was my good friend. I offer my deepest sympathy to his loved ones.

Mr. PERKINS. I thank the majority leader.

Mr. CHELF. Mr. Speaker, it was shocking to receive the sad news of the passing away of our erstwhile colleague, the Honorable Joseph B. Bates, who represented the old Eighth District of Kentucky from June 4, 1938—when he was elected to fill the vacancy caused by the resignation of Fred M. Vinson—to January 3, 1953.

Joe Bates was a man of outstanding ability which permitted him to rise from a modest beginning in Knott County, where he was born, to reach the eminence of a seat in Congress. He taught school after graduating from Eastern Kentucky State College and then studied law and passed the bar examination. He served a number of years as Greenup County clerk.

While a Member of the House, Joe served on both the Appropriations and Rules Committee, where he met fully and completely the trust imposed by the great responsibility of these important committees.

He was patriotically motivated and represented faithfully and well the Eighth District of Kentucky, his State and his Nation. He was a kind and lovable person who was unswervingly sincere and loyal to his friends, both personal and political.

He will be remembered dearly and mourned deeply in this Chamber where he served with such distinction. His passing will be grievous to his many friends, both in and out of the State which could ill afford to lose a citizen and leader of his integrity and sterling character, his devotion to duty and his high sense of purpose and dedication.

I pray that God's blessing will rest with his widow and children and that He will give them solace in this sorrowful time.

Mr. STUBBLEFIELD. Mr. Speaker, while it was not my privilege to know Joseph Bates personally, the outstanding record which he established during the 14 years he served in the Congress is well known to all Kentuckians. I, therefore, join my colleagues in paying tribute to the memory of this man who, throughout his life, upheld the fine traditions of a loyal and devoted American. During his tenure of service in the Congress and after his retirement to private law practice, Joseph Bates maintained a keen interest in people and made many valuable contributions to their welfare. His was indeed a life of service from the early days when he taught in the rural schools of Knott County until the time of his passing. Surely he has left behind him worthy examples for all of us to follow.

I join the Kentucky delegation and his many friends in expressing sincere sympathy to his widow, his daughter, and his son.

Mr. Perkins. Mr. Speaker, I ask unanimous consent to revise and extend my remarks; and that all Members have 5 legislative days in which to extend their remarks on the life and service of Joe Bates.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RECESS TO RECEIVE GEMINI 5 ASTRONAUTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess later today for the purpose of receiving the Gemini 5 astronauts, Lt. Col. L. Gordon Cooper, U.S. Air Force, and Comdr. Charles Conrad, U.S. Navy.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

INTEREST EQUALIZATION TAX EXTENSION ACT OF 1965

Mr. MILLS submitted a conference report and statement on the bill (H.R. 4750) to provide an extension of the interest equalization tax, and for other purposes, which was ordered to be printed.

NORA ISABELLA SAMUELLI

Mr. SENNER submitted a conference report and statement on the bill (S. 618) for the relief of Nora Isabella Samuelli, which was ordered to be printed.

HIGH-SPEED GROUND TRANSPORTATION

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. Harris, Staggers, Friedel, Jarman, Pickle, Ronan, Williams, Springer, Devine, Cunningham, and Watson.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOURTEENTH SEMIANNUAL REPORT OF THE OFFICE OF MINERALS EXPLORATION, GEOLOGICAL SURVEY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the 14th Semiannual Report of the Office of Minerals Exploration, Geological Survey, from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its Territories, and possessions by encouraging exploration for minerals, and for other purposes."

Lyndon B. Johnson.

The White House, *September 14, 1965.*

OFFICE SPACE IN THE DISTRICTS OF MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10014) to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That", insert "(a)"

Page 1, after line 11, insert:

"(b) The second paragraph under the subheading 'Administrative Provisions' under the heading 'SENATE' in the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 52), is amended to read as follows:

"'Each Senator shall be entitled to office space suitable for his official use at not more than two places designated by him in the State he represents. The Sergeant at Arms is authorized and directed to secure for each Senator such suitable office space in post offices or other Federal buildings at the places designated by each Senator in the State he represents: *Provided,* That in the event suitable space is not available in post offices or other Federal buildings at one or both of the places designated by a Senator within his State, such Senator may lease or rent other office space for the purpose at such place or places, and the Sergeant at Arms shall approve for payment from the contingent fund of the Senate vouchers covering bona fide statements of rental due in an amount not exceeding $2,400 for any fiscal year for such Senator.'"

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

The title was amended so as to read: "An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the act of June 27, 1956, relating to office space in the States of Senators."

A motion to reconsider was laid on the table.

COMMITTEE ON VETERANS' AFFAIRS—INVESTIGATION AND STUDY AUTHORIZED BY HOUSE RESOLUTION 68, 89TH CONGRESS

Mr. FRIEDEL. Mr. Speaker, I call up House Resolution 553, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 553

Resolved, That the further expenses of the investigation and study authorized by H. Res. 68 of the Eighty-ninth Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, not to exceed $75,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistance, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all meetings held in the District of Columbia unless otherwise officially engaged.

SEC. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Veterans' Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendment:

Line 5, strike out "$75,000" and insert "$25,000".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS TO RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD RETIREMENT TAX ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill, H.R. 10874, to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, will the chairman please explain the bill?

Mr. HARRIS. Very briefly, Mr. Speaker, this is an emergency.

It may be recalled that some time ago the committee reported and the House approved a bill to do away with the so-called dual provisions applicable to a spouse of a railroad employee.

The bill went to the other body. The social security and medicare bill came along, and made modifications which drastically changed some of the provisions of the Railroad Retirement Act. As a result thereof, the Senate committee conducted hearings and reported what has been commonly referred to as the Pell amendment. That amendment provided an additional tax, which originated in the other body.

It is well known that under the rules of the House any provision for a tax should initiate in the House of Representatives.

That created somewhat of a controversy. In addition, the provision in the Pell amendment seemed to be displeasing to a great many people.

Under the circumstances, and because October 1 is the deadline for action to be taken, or the administration of this phase of the medicare program affecting railroad retirees will go to the Social Security Administration, our committee conducted hearings on this bill and has reported a bill which has for its purpose a reduction of taxes beginning October 1 for a period of 3 months, of 1 percent on each side, and one-fourth of 1 percent for each year for the following 4 years, to get back to what would be the case under the Pell amendment.

At the same time, this would increase the requirement under the social security medicare program on the taxable base from the present $5,400 to $6,600.

This will equalize the tax impact on both the employees and the employers, and ultimately, over a period of 4 years, will graduate it to the point that the benefits will remain the same and thereby meet the requirements of the social security medicare program. It will give us a program which will be satisfactory both to railroad employers and employees.

Because of the emergency phase we have asked that it be considered under this procedure.

GENERAL LEAVE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD with reference to this bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10874

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SPOUSES' ANNUITIES

SECTION 1. Subsection (e) of section 2 of the Railroad Retirement Act of 1937 (45 U.S.C. 228b(e)) is amended by changing the colon before the last proviso to a period and by striking out all that follows down through the period at the end of such subsection.

INCREASE IN BASE FOR BENEFIT COMPUTATION PURPOSES

SEC. 2. (a) Subsection (a) of section 3 of the Railroad Retirement Act of 1937 is amended by striking out "the next $300" and inserting in lieu thereof the following: "the remainder up to a total of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater".

(b) The second sentence of subsection (c) of such section 3 is amended by inserting before ", shall be recognized" the following: "and before the calendar month next following the calendar month in which this Act was amended in 1965, or in excess of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any calendar month after the month in which this Act was so amended".

(c) Subsection (f) (2) of section 5 of such Act is amended by inserting after "so amended" where it appears the second time in the first parenthetical phrase after clause (vi) the following: "and before the calendar month next following the month in which this Act was amended in 1965, and in excess of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after the month in which this Act was so amended".

(d) Subsection (l) (9) of section 5 of such Act is amended—

(1) by striking out "and" where it appears the fourth time and inserting in lieu thereof a comma;

(2) by inserting after "so amended" where it appears the second time the following: "and before the calendar month next following the calendar month in which this Act was amended in 1965, and any excess over (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any calendar month after the month in which this Act was so amended";

(3) by striking out "$6,600" both times it appears in such subsection and inserting in lieu thereof "an amount equal to the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954"; and

(4) by striking out "$450" where it appears the second time and inserting in lieu thereof "(i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater,".

(e) Subsection (l) (10) of section 5 of such Act is amended by striking out "$450" and inserting in lieu thereof "(i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater".

INCREASE IN BASE FOR TAX PURPOSES

SEC. 3. Sections 3201, 3202, 3211, and 3221 of the Internal Revenue Code of 1954 (relating to taxes under the Railroad Retirement Tax Act) are each amended by inserting after the phrase "or $450 for any calendar month after the month in which this provision was so amended", wherever such phrase appears in such sections, the following: "and before the calendar month next following the calendar month in which this provision was amended in 1965, or (i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any month after the month in which this provision was so amended".

CHANGES IN TAX RATES

SEC. 4. (a) Section 3201 of the Internal Revenue Code of 1954 (relating to rate of tax on employees under the Railroad Retirement Tax Act) is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following:

"(1) 6¼ percent of so much of the compensation paid to such employee for services rendered by him after September 30, 1965,

"(2) 6½ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1965.

"(3) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1965,

"(4) 7 percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1967, and

"(5) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1968,".

(b) Section 3211 of such Code (relating to rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following:

"(1) 12½ percent of so much of the compensation paid to such employee representative for services rendered by him after September 30, 1965,

"(2) 13 percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1965,

"(3) 13½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1966,

"(4) 14 percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1967, and

"(5) 14½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1968,".

(c) Section 3221 of such Code (relating to rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following:

"(1) 6¼ percent of so much of the compensation paid by such employer for services rendered to him after September 30, 1965,

"(2) 6½ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1965,

"(3) 6¾ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1966,

"(4) 7 percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1967, and

"(5) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1968,".

EFFECTIVE DATES

SEC. 5. The amendments made by the first two sections of this Act shall take effect with respect to annuities accruing and deaths occurring in months after the month in which this Act is enacted, and shall apply also to annuities paid in lump sums equal to their commuted value because of a reduction in such annuities under section 2(e) of the Railroad Retirement Act of 1937, as in effect before the amendments made by this Act, as if such annuities had not been paid in such lump sums: *Provided, however,* That the amounts of such annuities which were paid in lump sums equal to their commuted value shall not be included in the amount of annuities which become payable by reason of section 1 of this Act. The amendments made by section 3 of this Act shall take effect with respect to calendar months after the month in which this Act is enacted. The amendments made by section 4 of this Act shall take effect with respect to compensation paid for services rendered after September 30, 1965.

Amend the title so as to read: "A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates."

With the following committee amendments:

Page 2, after line 2, insert the following new section:

"COVERAGE OF TIPS

"SEC. 2. (a)(1) Subsection (a) of section 3202 of the Internal Revenue Code of 1954 (relating to deduction of tax from compensation) is amended by adding at the end thereof the following new sentence: 'An employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (3) of section 3231(e) is applicable may deduct an amount equivalent to such tax with respect to such tips from any compensation of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20.'

"(2) Such section 3202 is amended by adding at the end thereof the following new subsection:

" '(c) SPECIAL RULE FOR TIPS.—

" '(1) In the case of tips which constitute compensation, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month (or, if paragraph (3) applies, the 30th day following the quarter) in which the tips were deemed paid, by deducting the amount of the tax from such compensation of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) as are under control of the employer.

" '(2) If the tax imposed by section 3201, with respect to tips which are included in written statements furnished in any month to the employer pursuant to section 6053(a), exceeds the compensation of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee may furnish to the employer on or before the 10th day of the following month (or, if paragraph (3) applies, on or before the 30th day of the following quarter) an amount of money equal to the amount of the excess.

" '(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

" '(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053(a) in any quarter of the calendar year,

" '(B) to determine the amount to be deducted upon each payment of compensation (exclusive of tips) during such quarter as if the tips so estimated constituted actual tips so reported, and

" '(C) to deduct upon any payment of compensation (other than tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) to such employee during such quarter (and within 30 days thereafter) such amount as may be necessary to adjust the amount actually deducted upon such compensation of the employee during the quarter to the amount required to be deducted in respect of tips included in written statements furnished to the employer during the quarter.

" '(4) If the tax imposed by section 3201 with respect to tips which constitute compensation exceeds the portion of such tax which can be collected by the employer from the compensation of the employee pursuant to paragraph (1) or paragraph (3), such excess shall be paid by the employee.'

"(b)(1) The second sentence of subsection (e)(1) of section 3231 of such Code (relating to definition of compensation for purposes of the Railroad Retirement Tax Act) is amended by inserting '(except as is provided in paragraph (3))' after 'tips'.

"(2) Subsection (e) of such section 3231 is further amended by adding at the end thereof the following new paragraph:

" '(3) Solely for purposes of the tax imposed by section 3201 and other provisions of this chapter insofar as they relate to such tax, the term "compensation" also includes cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20.'

"(3) Such section 3231 is further amended by adding at the end thereof the following new subsection:

" '(h) TIPS CONSTITUTING COMPENSATION, TIME DEEMED PAID.—For purposes of this chapter, tips which constitute compensation for purposes of the tax imposed under section 3201 shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received; and tips so deemed to be paid in any month shall be deemed paid for services rendered in such month.'

"(c) Section 3402(k) of such Code (relating to income tax collected at source on tips) is amended (1) by inserting 'for section 3202(c)(2)' after 'section 3102(c)(2)' and (2) by inserting 'or section 3202(a)' after 'section 3102(a)'.

"(d)(1) Section 6053(a) of such Code (relating to reports of tips by employees) is amended by inserting 'or which are compensation (as defined in section 3231(e))' after 'or section 3401(a)'.

"(2) Section 6053(b) of such Code (relating to statements furnished by employers) is amended (A) by inserting 'or section 3201 (as the case may be)' after 'section 3101', and (B) by inserting 'or section 3202 (as the case may be)' after 'section 3102'.

"(e) Section 6652(c) of such Code (relating to failure to report tips) is amended (1) by inserting 'or which are compensation (as defined in section 3231(e))' after 'which are wages (as defined in section 3121(a))', and (2) by inserting 'or section 3201 (as the case may be)' after 'section 3101'.

"(f)(1) Subsection (h) of section 1 of the Railroad Retirement Act of 1937 is amended (A) by inserting '(1)' after '(h)', (B) by inserting in the second sentence thereof '(except as is provided under paragraph (2))' after 'tips', and (C) by adding at the end thereof the following new paragraphs:

" '(2) Solely for purposes of determining amounts to be included in the compensation of an individual who is an employee (as defined in subsection (b)) the term "compensation" shall (subject to section 3(c)) also include cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20.

" '(3) Tips included as compensation by reason of the provisions of paragraph (2) shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received; and tips so deemed to be paid in any month shall be deemed paid for services rendered in such month.'

"Page 2, line 4, strike out 'SEC. 2.' and insert in lieu thereof 'SEC. 3.'

"Page 4, line 12, strike out 'SEC. 3.' and insert in lieu thereof 'SEC. 4.'

"Page 5, line 2, strike out 'SEC. 4.' and insert in lieu thereof 'SEC. 5.'

"Page 6, line 18, strike out '3221' and insert in lieu thereof '3221(a)'.

"Page 7, line 13, strike out 'Sec. 5.' and insert in lieu thereof 'Sec. 6.'

"Page 7, line 13, strike out 'the first two sections' and insert in lieu thereof 'sections 1 and 3'.

"Page 7, strike out 'The amendments' in line 25 and all that follows through page 8, line 5, and insert in lieu thereof the following:

"The amendments made by section 2 of this act shall apply only with respect to tips received after 1965. The amendments made by section 4 of this act shall apply only with respect to calendar months after the month in which this act is enacted. The amendments made by section 5 of this act shall apply only with respect to compensation paid for services rendered after September 30, 1965."

Mr. HARRIS (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendments be dispensed with and that they be printed in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates."

A motion to reconsider was laid on the table.

SENATE AMENDMENT TO H.R. 3157, TO AMEND THE RAILROAD RETIREMENT ACT OF 1937

Mr. HARRIS. Mr. Speaker, I rise to a question of the privilege of the House and offer a resolution.

The Clerk read the resolution, as follows:

H. Res. 578

Resolved, That the amendment in the nature of a substitute added by the Senate to the House bill (H.R. 3157) to amend the Railroad Retirement Act of 1937 in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House, and that the said bill, with the amendments, be respectfully returned to the Senate with a message communicating this resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMEND SECTION 170 OF ATOMIC ENERGY ACT

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 579, Report No. 990) which was referred to the House Calendar and ordered to be printed:

H. Res. 579

Resolution, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1954, as amended, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMEND CONSOLIDATED FARMERS HOME ADMINISTRATION ACT

Mr. BOLLING (on behalf of Mr. Sisk), from the Committee on Rules, reported the following privileged resolution (H. Res. 580, Rept. No. 991) which was referred to the House Calendar and ordered to be printed:

H. Res. 580

Resolved, That upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10232) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After passage of H.R. 10232, the Committee on Agriculture shall be discharged from the further consideration of the bill S. 1766, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 10232 as passed.

JEFFERSON NATIONAL EXPANSION MEMORIAL

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 581, Rept. No. 992) which was referred to the House Calendar and ordered to be printed:

H. Res. 581

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6519) to amend the Act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. ROUDEBUSH. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 294]

Adair
Andrews, George W.
Arends
Ashbrook
Baring
Bolton
Bonner
Casey
Celler
Conyers
Cunningham
Daddario
Derwinski
Farnsley
Fogarty
Ford, Gerald R.
Gallagher
Griffiths
Harvey, Ind.
Harvey, Mich.
Hébert
Hungate
Ichord
Johnson, Okla.
Jones, Mo.
Kelly
Keogh
Lindsay
Long, Md.
McClory
McDowell
Martin, Ala.
May
Morton, Md.
Moss
Multer
Pirnie
Poage
Pool
Powell
Resnick
Rivers, Alaska
Roosevelt
Rosenthal
Ryan
Sickles
Sisk
Stalbaum
Thomas
Thompson, Tex.
Toll
Weltner
Willis
Wright

The SPEAKER. On this rollcall, 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RELATING TO THE ESTABLISHMENT OF CONCESSION POLICIES IN THE AREAS ADMINISTERED BY NATIONAL PARK SERVICE

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 520 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 520

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill

> (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The **SPEAKER** pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Tennessee [Mr. Quillen] and I yield myself such time as I may consume.

Mr. Speaker, House Resolution 520 provides an open rule with 2 hours of general debate for consideration of H.R. 2091, a bill relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes.

The principal purpose of H.R. 2091 is to put into statutory form policies which, with certain exceptions, have heretofore been followed by the National Park Service in administering concessions within units of the national park system and in writing contracts for concessionaire services there. These policies have been in force since 1950 by virtue of an understanding between the Committee on Interior and Insular Affairs and the then Secretary of the Interior. Among other things, they deal with the subjects of a concessionaire's possessory interest in improvements constructed or acquired by him on national park land, the compensation to which he is entitled if, in various circumstances, he wishes or is obliged to give up this possessory interest, and the granting of preferential rights to established concessionaires to furnish additional facilities and services when needed and in the renewal and extension of contracts.

The bill also deals with other matters related to concessions.

Visitation to the various units of the national park system has expanded steadily since World War II and the need for this legislation has been growing year by year.

Mr. Speaker, I shall not go further into the details or the merits of this legislation, because it will be ably presented a little later by those who favor and oppose the legislation.

I urge the adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the able gentleman from Iowa, my learned friend.

Mr. GROSS. I thank the gentleman for yielding.

Let me say to the gentleman that I am pleased to see the House back today to normal procedure. Not only that, but I note this bill has been around for quite some time, apparently about 4 weeks. That is somewhere in the neighborhood of 28 days, not 21 days. If I am informed correctly, the rule was granted on this about 4 weeks ago.

So I say to the gentleman I am pleased to see we are back to normal procedure, that the 21-day rule has been more covered, without resort to it and everything appears to be lovely and the goose hangs high.

Mr. PEPPER. Mr. Speaker, in behalf of our able chairman and my colleagues on the committee, I thank the able gentleman.

It is always a pleasure for this committee to serve this great House.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, we are considering House Resolution 520, which would grant a 2-hour open rule for H.R. 2091—a bill relating to the establishment of concession policies in the areas administered by the National Park Service. The committee report states:

> The principal purpose of H.R. 2091 is to put into statutory form policies which, with certain exceptions, have heretofore been followed by the National Park Service in administering concessions within units of the national park system and in writing contracts for concessionaire services there. These policies have been in force since 1950 by virtue of an understanding between the Committee on Interior and Insular Affairs and the then Secretary of the Interior. Among other things, they deal with the subjects of a concessioner's possessory interest in improvements constructed or acquired by him on national park land, the compensation to which he is entitled if, in various circumstances, he wishes or is obliged to give up this possessory interest, and the granting of preferential rights to established concessioners to furnish additional facilities and services when needed and in the renewal and extension of contracts. H.R. 2091 also deals with many other matters related to concessions.

There is a controversy on the purposes of this bill between two of the most outstanding committees of the House—the Committee on Interior and Insular Affairs and the Committee on Government Operations.

The Rules Committee first took up H.R. 2091 with the very able chairman of each of the committees appearing and presenting their testimony.

It was hoped that the membership of the two committees could get together and agree on a bill. The chairman of each committee reported that they were hopelessly deadlocked.

Under date of July 29, 1965, the distinguished and able chairman of the Committee on Interior and Insular Affairs, Hon. Wayne N. Aspinall, wrote to the chairman and members of the Rules Committee. The gentleman will explain this during the general debate. I am, however, including his letter for Record purposes:

> I ask your support of the request for a rule on H.R. 2091 (to establish concession policies in the areas administered by the National Park Service), which will be considered by your Committee in the near future.
>
> This urgently needed legislation has been endorsed by the National Park Service, by Interior Secretary Udall, and by many organizations and individuals familiar with the problems in the National Park Service. It was reported from our committee by a unanimous vote.
>
> We recognize that there is opposition outside the Committee on Interior and Insular Affairs to this legislation and that the chairman of the Committee on Government Operations wrote to all members of the Rules Committee on July 19 and July 26 expressing his reasons for thinking that H.R. 2091 should not be enacted. We are also glad to note, however, that Chairman Dawson's letters do not oppose the granting of a rule on this bill.
>
> Some background on the bill and our committee's reasons for thinking it important that it be acted on at this time follow:
>
> During recent years, visits to National Park Service areas have increased at a fantastic pace and last year reached more than 110 million. There is a pressing need for all kinds of additional visitor facilities, including hotels, restaurants, etc. Most of the new facilities must be provided by private capital obtained by companies and individuals holding concession contracts with the National Park Service. For the last several years the National Park Service has been under pressure from the Hill not to enter into the new or renewed long-term contracts which are necessary to cope with this situation. Nearly all the contracts it has negotiated and entered into have been 1-year renewals of existing contracts as they expire This is thoroughly unsatisfactory and only enactment of H.R. 2091 or something like it can cure the problems at hand.
>
> I mention this first because of the emphasis Congressman Dawson's letters put on the desirability of a Government-wide review of concession policies. I agree that such a review is desirable; I hope that it will be undertaken, and I will be glad to help in it. But we cannot let the shadowy prospect of (to quote the Bureau of Budget) "a special study of this matter" which may or may not be "undertaken under its leadership within the next year" and which "might (or might not) lead to the submission of recommendations for appropriate legislation, either in an omnibus bill on a Government-wide basis, or in a series of bills for the agencies concerned (which might or might not be enacted)" stand in the way of consideration by the House at this time of a bill that is long overdue and that has been thoroughly considered by our committee two Congresses in a row.
>
> H.R. 2091 would simply enact into law the policies which now and for many years have been used by the National Park Service with the approval of the House Interior Committee. It is time that these policies be incorporated into the statutes, for it has been extremely difficult for the national park concessioners to obtain equity or loan capital where there is no statutory statement of Government policy applicable to these business operations.
>
> Opposition to the bill comes from people who we believe fail to appreciate the special problems and difficulties of park concessioners. While the concessioners in many instances have an exclusive franchise, they operate under great restraints not imposed on the rest of the tourist services industry. For example:
>
> 1. The concessioners do not own the lands on which they erect expensive buildings and improvements; they are thus prevented from borrowing money on ordinary mortgage arrangements.
>
> 2. Most of the concessioners operate highly seasonal businesses with their assets idle

the rest of the year. They are often located far from established communities and suppliers.

3. They operate under rigorous, detailed Government contracts which frequently require nonprofitable services and under which their rates and prices are subject to control by the Secretary of the Interior.

4. The concessioners must pay, in addition to all regular taxes and business expenses, a Park Service franchise fee.

The assumptions of the opponents of H.R. 2091 bear little or no resemblance to reality. They assume that National Park Service concessioner enterprises are businesses which can be conducted under the normal rules of free competition and that in granting concessions the end in view should be that of procuring as much income for the Government as possible. We, on the other hand, are convinced that the results of applying the usual competitive bidding rules would be as unsatisfactory in the future as they have been in the past, that the object of having concessioners must be more to satisfy the public's needs for good services in our parks than to get money into the Federal till, that satisfactory concessioner services cannot be procured by seeing who bids highest for the privileges involved, and that fairly long-term contracts with a preferential right of renewal are necessary not only to induce the necessary capital to come into the market but to assure that continuity of experience which is important to the public as well as to the Government and to the concessioner himself. These are the premises on which H.R. 2091 is built and which furnish answers to most of the detailed criticisms of its opponents. We believe we are correct in the premises and that our opponents are mistaken and that, right or wrong, they are matters which can and ought to be argued out and decided on the floor of the House.

I conclude, therefore, as I began—H.R. 2091 deserves consideration by the membership of the House as a whole and not only by members of the Committee on Interior and Insular Affairs and the Committee on Government Operations. To this end, I ask your support for the necessary rule.

Sincerely yours,

WAYNE N. ASPINALL,
Chairman.

Under date of August 11, 1965, the distinguished and able chairman of the Committee on Government Operations, Hon. WILLIAM L. DAWSON, wrote the chairman and members of the Rules Committee.

The gentleman will explain this during general debate. I am, however, including his letter at this point:

HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., August 11, 1965.

Hon. JAMES H. QUILLEN,
1318 Longworth Office Building,
Washington, D.C.

DEAR COLLEAGUE: We appreciate your giving us this further opportunity to place before your committee the chief arguments on which we base our opposition to H.R. 2091, relating to the establishment of concession policies in the areas administered by the National Park Service.

H.R. 2091 would prepetuate, in statutory form, many practices and policies relating to Park Service concession contracts which the Government Operations Committee, the Appropriations Committee, and the Comptroller General have long branded as deficient and detrimental to the public. Let me be brief but specific:

1. The bill almost entirely disregards the potential benefits of promoting even a moderate degree of competition among existing and prospective concessioners.

2. The bill virtually guarantees to an established concessioner that he will always be able to get reconstruction-cost value for his concession improvements whenever his contract is terminated—regardless of how much he may already have amortized it.

3. The bill in effect tells the Secretary to set franchise fees by giving first consideration to the concessioner's interest. It shows insufficient regard to appropriate and reasonable returns to the Government and to protecting the public.

4. The bill would legalize a practice now used to permit concessioners to obtain a reduction in franchise fees on condition they build new facilities. The Comptroller General has held this violates section 321 of the Economy Act. Yet, the Park Service persists in the practice. When this subsidizing through reduction of franchise fees is combined with the right of the concessioner to receive almost full reconstruction cost of his improvements on termination of a contract, one can see that the Government would be not only giving away the improvements but later buying them back all over again.

5. The bill grants special contract renewal and extension privileges to established concessioners. Thus, they can easily become permanently entrenched. This, of course, means that competition for concession contracts would be eliminated forever.

We have been informed by the Bureau of the Budget that the Executive Office of the President is undertaking a complete study of the concession policies of the various agencies of the Federal Government. These agencies include the Forest Service, the Corps of Engineers, and many other agencies in similar circumstances. Such a study will consider carefully from the standpoint of the public interest the types of contracts that should be entered into, the types of compensation that should be provided when they are terminated, the types of franchise fees, and all other related matters. This is well known to the proponents of H.R. 2091, and, in fact, may be a factor in their efforts to rush through a bill unconscionably favorable to the concessioners before the subject matter is considered on a Government-wide basis. If H.R. 2091 does pass, property rights will be created and given to the concessioners which subsequent legislation can never alter.

We understand that the Committee on Interior and Insular Affairs has finally and reluctantly, after 2 years of insistence by the Government Operations Committee and by the Comptroller General, agreed that the Comptroller General should have the same rights with respect to inspecting books of concessioners that he has with respect to nearly all other holders of negotiated contracts with the Government. Unfortunately, as we have shown above, this does not even touch the basic evils of the bill.

We urge, therefore, that no action be taken on H.R. 2091 at this time.

Sincerely yours,

WILLIAM L. DAWSON,
Chairman.

It is my understanding that there was an agreement made between the two committees that the Comptroller General should have the same rights with respect to inspecting books of concessionaires that he has had with respect to nearly all other holders of negotiated contracts with the Government.

It is my opinion that this measure tends to eliminate free enterprise and competition.

I know of no objection to the rule, and I recommend the adoption of House Resolution 520.

Reserving the balance of my time, Mr. Speaker, I have no further requests for time.

Mr. PEPPER. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, reluctantly I oppose H.R. 2091. This bill infringes on the enjoyment of our national parks by the public for whom the parks exist. The Congress set forth the purposes of our national park system almost 50 years ago with the establishment of the National Park Service in 1916. Those purposes have not changed and must continue to be uppermost in our minds when legislation on the national parks is being considered.

The purposes of the national parks are restated in this legislation we are considering today. However, immediately after the restatement of those purposes is the phrase, "without limitation of the foregoing." That phrase is somewhat ambiguous, making it difficult to determine whether the preceding sections or the following sections are to be unlimited. The discussion in the report on this bill, which incidentally is shorter than the bill itself, does nothing to clarify the meaning of that phrase. Unfortunately, this phrase, which can be interpreted to exempt concessionaire practices from the longstanding policy of Congress, sets the general tone which is maintained throughout the bill.

Practically every sentence of this legislation is objectionable. This bill would enact into law the very policies of the National Park Service which the Committee on Government Operations, the Appropriations Committee, and the General Accounting Office have criticized for years. Three years ago the Subcommittee on Government Activities of the Committee on Government Operations held hearings involving park concessionaire policies of the Interior Department in which some glaring deficiencies were uncovered. Now, instead of resolving those problems, we are being asked to enact the very causes of the problems into law.

The most objectionable feature of the legislation is the provision that the park concessioners will be given a possessory interest in the national parks. These parks are set aside for the use and enjoyment of the entire public and the Secretary of the Interior should not be given the power to grant possessory interests to individuals, groups, or corporations. Under this bill the concessioner's possessory interest would extend beyond the period of his contract and, indeed, in perpetuity unless it is bought back by the U.S. Government at reconstruction cost less physical depreciation, but not to exceed fair market value. In effect, the Secretary of the Interior would be empowered under this legislation to permanently give away possessory rights in national parks.

Certainly the concessioner's interest should be protected. But, this does not demand giving him a permanent possessory right. The concessioner is granted a monopoly franchise to provide a service needed in a national park area. His rates and his franchise fees are set so that he can provide the service at a reasonable rate to the public and at the same time realize an adequate profit on his investment.

Under this bill, the concessioner can pass his possessory right on to the highest bidder, thus receiving a windfall profit in addition to the profits on his services. Or, if the United States rebuys the possessory right, it must pay the concessioner reconstruction cost at the time of taking less physical depreciation even though the concessioner has fully amortized his costs and the rates charged the public have included the full return of his investment.

For example, a concessioner may have invested $100,000 in a facility in 1920 which would cost $500,000 to build today. He may have fully recovered his $100,000 years ago, but, if the United States does not renew his contract, it could divest the concessioner of his possessory right only by paying him the $500,000 less some physical depreciation.

A more reasonable protection would be to provide for payment to the concessioner of the unamortized book value of the facilities. In that way he is assured of recovering his investment but his profit is made on the services provided. He can no longer gamble on windfall profits from appreciated park property values to be reflected in higher charges by subsequent concessioners to the traveling public.

The park concessioners contend they need a possessory interest in order to obtain adequate financing for constructing facilities. In view of the facts that these contracts are generally for long periods of time—authorized up to 30 years—the entire cost of construction can usually be amortized during the period of the contract. Any bank should be willing to finance facilities that will be completely paid for before the contract expires. For those facilities on which the useful life extends beyond the contract period, a guarantee of payment of the unamortized portion of the cost would guarantee full return of the investment in the event the contract is terminated or is not renewed. The granting of a possessory interest in park facilities is not necessary to provide the concessioners with the security they need to obtain financing.

This bill is totally destructive of any competition in the awarding of concessionaire contracts. The holding of a possessory interest by one of the bidders so prejudices his offer over that of his competitors that no competition can survive since their proposals must include a payment for purchasing the possessory rights at an amount equal to the cost of reconstructing a replica of the facilities. The public may therefore be denied better services and lower rates because the competition is unable to compete with the possessory interest of the present concessioner.

There are several other objectionable features in this legislation in addition to the possessory interest which completely destroy all competition. The most obvious of these is the preferential treatment the present concessioners will be given.

Park concessioners, like any other businessmen, should be subjected to the rigors of competition at least every 20 or 30 years. Most businessmen face competition every day. We Members of Congress must face election every 2 years. Is it asking too much for a park concessioner to meet the competition on equal ground every decade or so? Some of the park concessioners have lived in and on the national parks since before I was born.

This bill would direct Secretary Stewart Udall to give preferential treatment to present concessioners in the renewal of contracts and in the negotiation of new contracts. It further would freeze into law the extremely unwise and unjust practice of negotiating new contracts with the present concessioners before expiration of the old contract. The Secretary would be permitted to negotiate a new long-term contract at any time at his discretion. This practice of preferential treatment and unpredictable contract negotiation completely destroys the competitive spirit upon which our economic system is built.

Another section of this bill expressly removes concession contracts at historic sites from competitive bidding.

It seems to me that the whole purpose of this bill is spelled out in its possessory interests, its preferential treatment, its renegotiation of contracts at any time, and its express exemptions from competitive bidding. The whole purpose of this bill is to remove all competition from park concessionaire contracts and to enact into law perpetual monopolies in our national parks.

Mr. Speaker, this bill would also permit the continuance of a practice that has been declared illegal by the Comptroller General and condemned by the Supreme Court.

In the past the Secretary of the Interior has allowed the reduction of franchise fees in return for an agreement by the concessioner to construct needed facilities. This practice is contrary to the Economy Act of 1932. The effect of it is to subsidize the construction of specific facilities with money that should be paid into the U.S. Treasury. In other words, the Secretary of the Interior agrees to reduce a franchise fee from 5 to 2 percent if the concessioner will construct a facility. The concessioner then, in effect, uses the 3-percent fee which should be paid into the Treasury to construct the building. This procedure short circuits the appropriations functions of Congress by permitting the Secretary of the Interior rather than the Congress to determine what facilities will be constructed with U.S. funds. Not only will the facility be constructed with what should be public funds, but, in addition, the concessioner would have a permanent possessory interest in it under this bill and we would have to pay him construction costs again to divest him of that interest. In this way the taxpayers pay for the facilities twice.

No reason has been cited to show why park concessioners should be freed from the ever-watchful eye of the Congress over the public purse. We would be consciously shirking our obligation to the taxpayers to affirmatively approve of this practice.

Enactment of this bill will also subject the United States to liability for discretionary acts of a public official. This is a new and possibly unbounded area of liability. Government officials have an obligation to carry out the duties of their offices. They will hardly have a free hand in performing their functions to the best of their ability if one or maybe all of the alternatives will subject the Government to extensive liability. I wonder if the opinion of the Justice Department was ever requested on the advisability of opening up this new area of liability and possibly hamstringing the Government in carrying out its obligations to the public?

Mr. Speaker, there are many other objectionable features in this legislation such as improper determination of rates and franchise fees and inadequate congressional and GAO review.

In short, the entire bill is solely in the interest of the concessioners and primarily at the expense of the public. Concessioners perform an indispensable function and there are some risks involved in every undertaking. Furthermore, they have many unique problems. On the other hand, there are many compensating factors. They receive millions of dollars in free advertising each year. All roads and highways and other facilities are provided them so as to encourage the public to utilize their concessions and, once the visitor enters the park, the concessioner has a monopoly insofar as the visitor's business is concerned. My objections to this legislation do not ignore the legitimate interests of the concessioner and the opportunity for him to do a good job and make a reasonable profit. My objections rest with the fact that there must be a proper balance between the interests of the concessioner, the Government, and the public. Enactment of this bill would give the concessioners much more than protection. It would give them ownership interest in our national parks paramount to the interest of the Federal Government and to the millions of American citizens who visit our parks each year.

One final factor merits our consideration. As we know, there are a number of Federal departments and agencies offering services to the public requiring concessioner contracts and agreements. At this time there is no uniformity in policy concerning concessionaire contracts on a governmentwide basis. The Bureau of the Budget recognizes this deficiency and points out that an overall policy should be developed for the management of concessions generally throughout the Government. This being the case, it would be more appropriate, in view of the long-lasting nature of these contractual agreements, that the formulation of government-wide concession policies precede any further enactments in this area. Such a study as the Bureau of the Budget suggests and as the Government Operations Committee so strongly advocates need not take an unduly long period of time. Based upon the findings of such a study, Congress could enact comprehensive legislation providing a uniform policy applicable to all concessions. As legislation relating to national park concessions does not require emergency action, it would be both reasonable and appropriate that consideration of this legislation be postponed pending the results of a comprehensive study. The interests of the Government or the thousands of Americans visiting our national parks would not be prejudiced by such an approach, nor would the legitimate interests or our concessionaires.

In closing, I urge rejection of this legislation.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes.

The SPEAKER pro tempore. The question is on the motion by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2091, with Mr. MCFALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado [Mr. ASPINALL] will be recognized for 1 hour and the gentleman from Kansas [Mr. SKUBITZ] will be recognized for 1 hour.

The Chair recognizes the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as the Committee on Interior and Insular Affairs brings H.R. 2091 to this commitee for consideration today let me say it is my opinion as chairman of this committee—for the last 9 years—that the committee and the subcommittee handling the legislation have done everything in their power to bring good, substantial, and honest legislation before the Congress.

This legislation is reported out of our committee by a unanimous vote. There is no objection to the report as it is written. This situation has not always been true, as we study the legislation, because there have been times when different members of the committee in the 88th and 89th Congresses wondered whether or not we were proceeding on the right course. After great and extended deliberation we decided this is the only avenue left open to us.

We believe that the needs of the Park Service, the visiting public and the concessionaries themselves demand a law patterned after this legislation. We have tried diligently to work with the opposing committee, the great Committee on Government Operations. This has been the practice of the Committee on Interior and Insular Affairs over the years. Whenever we have a bill that seems to cut across jurisdictional lines, we advise the other committee as to what is involved and ask for their position and ask for their help.

May I say in this particular operation it appears that we have come to an honest impasse. The gentleman from Texas [Mr. BROOKS] has just addressed you. The Committee on Interior and Insular Affairs does not agree with the position taken by the gentleman from Texas [Mr. BROOKS]. Because of the fact of fundamental differences we have not been able to get together. So we bring the legislation to the House for resolution because we think that is absolutely necessary. And may I say further our only aim as the Committee on Interior and Insular Affairs is to make needed services available for a public which is demanding to be served.

If any member of this committee thinks he can help the bill he has the right, of course, to offer amendments, and we welcome any criticism, constructive criticism, or any amendment that will make the bill better.

There are only two new factors involved in this legislation. One is the requirement of section 5 that the Secretary give advance notice of any intention to extend or renew a contract, and he shall consider and evaluate all the proposals received as a result of such notice.

This takes care to a great extent, although it does not meet the objections of the gentleman from Texas, of out and out competition procedures as usually understood. If an amendment which I shall propose is adopted the concessionaire's books will be open to the GAO for inspection and audit. Some of us thought our original bill provided for this. There was some question, so we went to the GAO and we got their agreement.

Mr. Chairman, enactment of the bill we are now about to take up, H.R. 2091, will establish in statutory form a number of fundamental policies relating to concessions in the areas administered by the National Park Service. Most of these policies are already in force and have been in force for 15 years or more by virtue of an understanding arrived at in 1950 between the Secretary of the Interior and the Committee on Interior and Insular Affairs, but they need to be firmed up by being enacted into law.

I wish I could assure the House that all of these policies are satisfactory to everyone concerned, but I cannot do so. Although the bill was reported unanimously by the Committee on Interior and Insular Affairs, I recognize that there are substantial and honest differences of opinion between the members of our committee on the one hand and some other members of the House. These differences will no doubt come out in the course of the debate. All I ask at this time is that attention be given to the size of the problem that needs to be met in the park concession field, to the ways in which we think the problem can best be met, and to the reasons we have for so thinking.

There are now 203 areas in the national park system with a total of over 26 million acres of land. Last year more than 102 million people visited these areas, and the number has been increasing year by year at a compound interest rate of 7½ to 8 percent per year. Nearly all of these visitors need services of one sort or another. Some of them want no more than to buy a souvenir postcard or a bottle of soft drink. Others find they need fishing tackle or equipment for a cross-country hike. Still others want sleeping accommodations for a night or a week.

To meet the needs of all these people requires the investment of substantial amounts of private capital. As of the end of the last fiscal year there were, as a matter of fact, 195 concessioners operating in our parks with a capital investment in their facilities of over $73 million. The Government can and does make the initial investment in the parks themselves, their roads and trails, their visitor centers, and their campgrounds. But it cannot and, in my judgment, ought not to be asked to install hotels and motels and cafeterias and lunch counters and gift shops in any except the most extraordinary circumstances. That is a job for private investment.

The need for private investment and the need for flexibility in order to encourage such investment has been recognized in the law for at least 50 years. The act of August 25, 1916, authorized the Secretary of the Interior to "grant privileges, leases, and permits for the use of land for the accommodation of visitors in the various parks, monuments, or other reservations."

It also authorized him to "grant said privileges, leases, and permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids" and it further authorized him to allow "such grantees, permittees, or licensees to execute mortgages and issue bonds, shares of stock, and other evidences of interest in or indebtedness upon their rights, properties, and franchises, for the purposes of installing, enlarging, or improving plant and equipment and extending facilities for the accommodation of the public within such national parks and monuments."

By a later provision of law, all concession contracts involving a gross annual business of $100,000 or more or having a life of 5 years and upward are required to be reported to the Speaker of the House and the President of the Senate 60 days before they are awarded.

Merely to write such provisions as these on the statute books, however, is not enough to attract capital. There must also be an atmosphere of assurance that the investor—whether he be an investor of equity capital or an institutional lender—will probably earn a fair return on his money over a reasonably long period of time. H.R. 2091 is intended to give this assurance, as far as any law can do so when we consider the inevitable hazards of weather and other factors that influence the comings and goings of our people. I shall outline in brief form some of the ways in which it does so, leaving details to my colleagues who will wish to speak on the matter.

One of the most important parts of H.R. 2091 is its recognition that the concessioner has a possessory interest—an interest which he can mortgage, assign, or relinquish—in improvements which he lawfully constructs in our national parks. Since the term "possessory interest" may not be familiar to many of you, let me explain the importance of this provision this way. Concessioners are allowed to occupy land in the national parks, but they do not own the land they occupy or even have a leasehold interest in it. They are, in the words of the 1916 act which I read a few minutes ago, licensees or permittees. Under the law as it stands, title to their improvements is in the Government just as title to the land on which their improvements are placed is in the Government. Many lenders, therefore, refuse to make capital available to the concessioners, for they think they have inadequate security for their loans. It is this difficulty that the provision of H.R. 2091 I am speaking of seeks to overcome. Its importance, I am sure, is obvious to all.

As a corollary to the point I just made, the bill provides for compensation to a concessioner whenever he is deprived of the use of his facilities. Normally this compensation will be measured by the reconstruction cost of the improvement less depreciation, but the bill allows the Secretary to bargain for a different measure if that appears to be justifiable in the circumstances.

The proper measure of compensation was a matter of long discussion in our committee in both the 88th and the 89th Congresses. There were those who thought that it should be what is sometimes referred to as prudent investment with provision for amortization over a period of years. This idea was given careful consideration. The trouble with it is that, good though it may be from the standpoint of financing with borrowed capital, it does little to encourage that investment of equity capital which is also needed. Others thought that the standard should at all times be fair market value, but this also has its problems for, in many cases in our national parks, there is simply no market for an improvement in any normal sense of the word. In the end, therefore, we came back to what has been the usual formula over the years in park concession contracts—a formula which we believe is fair to both types of investor and to the public and the Government as well.

A third important feature of H.R. 2091 directs the Secretary of the Interior "to encourage continuity of operation and facilities and services in the renewal of contracts and permits and in the negotiation of new contracts or permits who have performed their obligations to the satisfaction of the Secretary." This provision is important to the National Park Service, to the concessioners, and to the public which both of them serve. Certainly the value of an experienced concessioner, familiar with the problems of the national park in which he operates, the policies of the National Park Service, and the needs and expectations of the public which visits his area cannot be overestimated. Continuity of service—as Members of the House well know from their own experience here—is a valuable asset in any walk of life. It is not something to be thrown away, as opponents of the bill would throw it away, if I understand them correctly, if someone else outbids an established concessioner and thus brings in a few dollars extra income to the Government.

In this connection, I want to point out one very important provision of the bill to which too little attention has been paid. It is the one which is found at the end of section 5 and which requires the Secretary, before he extends or renews any contract, to give "reasonable public notice of his intention to do so" and to "consider and evaluate all proposals received as a result thereof." Our committee received and acted on a suggestion last year that any concession bill should include such a provision and I want, here and now, to thank the Appropriations Committee members who interested themselves in this matter for making that suggestion to us. It was a most valuable suggestion. Though it does not go, and ought not to be construed as going, the whole way toward competitive bidding, and might be disastrous if it did, it will help to assure everyone that all factors are taken into account when old contracts are renewed or extended—the satisfactoriness of the existing concessioner's operations, the desirability of allowing him to continue them, the amount which he and those who are competing against him are willing to pay for the concession privilege, the amount of capital he and they are willing to invest to meet new needs, the prices he and they charge for services, and so on and on. The chance to bring knowledge of all these factors into focus and to weigh them against each other will be a great help to all of us.

Mr. Chairman, I could continue with details of the bill for a long time, but I want now to close with attention to three other aspects of the legislation that is before us. The first is that I understand an amendment will be offered relating to the auditing of concessioners' books by the General Accounting Office. Such an amendment is acceptable to me and I shall support it.

The second is my desire to assure all Members that this bill is not a hasty product and that it is not the product of doctrinaire thinking on the part of the 33 members of the Committee on Interior and Insular Affairs. It is the result of an honest attempt to get to the heart of a problem and to solve it as best we know how. It is, moreover, the product of many years of work—work that, in my case and the case of the ranking minority member of our committee, the gentleman from Pennsylvania [Mr. SAYLOR], goes back almost as long as we have been Members of this House. I can recall our discussions with the Department of the Interior in the early 1950's when some members of that Department had a very different notion from the committee on what concession policy should be and how facilities for visitors in the parks should be financed. I can recall hearings that we held in the early 1960's when, in reviewing a number of concession contracts we found that the Department was proposing to deviate from the policies that were agreed upon in 1951 between Secretary Chapman and the committee. I can recall the lengthy hearings we held during the 88th Congress on the predecessor to H.R. 2091 and, on one hand, the concessioners were asking for far more than we were willing to recommend they be given and, on the other hand, the General Accounting Office, going deep into realms of policy that belong to the Congress alone, was fighting for a position under which it would have been well-nigh impossible to attract capital into the national parks. And I can, of course, recall our further hearings this year as a result of which H.R. 2091 is being presented to the House today. I mention all this so that everyone may know that H.R. 2091 is not a hasty product, that it has been carefully considered, and that I consider it worthy of the support of every man here present.

A third matter I want to mention before I close is this: We must think of the concessioner as an integral part of our national park system. He is there to serve the public and he must be selected with this in mind. Our concern here in Congress must not be so fixed on the question of how much his franchise fees yield the Government that we lose sight of the needs of visitors to the parks. It is not dollars but service that we must keep our eyes on.

Mr. Chairman, in answer to some of the questions which have been propounded and advanced, I wish to explain our committee's position.

"Concessioners should not be extended an ownership interest in property within our national parks," it has been said by opponents of this bill.

Why not? What sort of an interest should they be extended if not a possessory interest? And what other sort of an interest will induce the capital that it takes to come into the field? These are the fundamental questions to which no one has supplied an answer as yet. It is all right to be critical at the term "possessory interest" but it would be better still to come up with some constructive approach that would take care of the problems that this concept is intended to take care of. This has not been done by the opponents.

"Any claim they—the concessioners—might have upon contract termination should be based on the unamortized book value of the facilities" rather than on reconstruction cost less depreciation. This states another objection that has been made to the bill.

The question that this objection raises is, again, whether the unamortized book value formula will induce capital to take over a job that the Government is not prepared to do. This formula may conceivably fit the case of borrowed money and give adequate protection to the lender. It will not fit the case when equity capital is involved as it is and as it ought to be in the area which we are discussing. If the object of this proposal is to give a windfall to the Government or to a successor concessioner whenever a contract has run its course or is terminated, this is the way to do it. If the object is to get ready, reliable, reputable concessioners into the picture, it is not.

Moreover, let me point out three other things:

First. This is the formula that has generally been used by the National Park Service for years under the direction of and in agreement with the Committee on Interior and Insular Affairs. It is not something new.

Second. The question of the proper formula to use in these cases was debated at length in the committee last year and, after much soul-searching and vigorous argument, the committee could come up with nothing better to fit the normal case.

Third. The use of the reconstruction-cost-less-depreciation formula is not mandatory. The bill—page 6, lines 16 and 17—specifically provides for its use only if it is not otherwise provided by agreement of the parties, meaning the Secretary of the Interior and the concessioner. Thus room is left for bargaining and for tailoring the formula to fit the situation on a case-by-case basis.

H.R. 2091 does not "disregard the potential benefits of promoting even a moderate degree of competition among existing and prospective concessioners." In the first place, it does not touch the award of initial contracts for concessioner services in the parks. The practice of the National Park Service has been to solicit publicly for offers when new concession areas are opened up and to negotiate the best contract they can. H.R. 2091 does not disturb this practice at all.

Second. All it does in the case of an existing concession contract is to give its holder a preferential—not an absolute—right to renewal. This is as it should be if the concessioner is doing a good job. Why should he be displaced by some unknown who has contributed nothing to the service of the public?

Third. H.R. 2091 requires, even in this situation, that the Secretary of the Interior give reasonable public notice of his intention to grant extensions or renewals of contracts and to "consider and evaluate all proposals received as a result thereof." This is not competitive bidding, in the true sense of business procedures, but it is competition.

It is completely wrong to say that "the bill in effect tells the Secretary of the Interior to set franchise fees by giving first consideration to the concessioner's interest" and that it "shows insufficient regard for the Government's interest and the need for protecting the public." The very language of section 3(d) of the bill says the contrary:

> Franchise fees * * * shall be determined upon consideration of the probable value to the concessioner of the privileges granted by the particular contract or permit involved.

How could it be said more clearly than this that the concessioner is to be required to pay for what he gets? Or again:

> Consideration of revenue to the United States shall be subordinated to the objectives of protecting and preserving the (park) areas and of providing adequate and appropriate services for visitors at reasonable rates.

How better than this can the public interest and the "need for protecting the public" be made clear?

But I do grant one thing to the argument of the opposition—it does not guarantee the Government the last dollar it might extract from every concessioner. To this I say that it ought not to do so. Protection of the parks themselves and the availability of proper and needed services to the visitors to the parks is much more important. And this is what the bill does.

Section 321 of the Economy Act provides:

> Except as otherwise specifically provided by law, the leasing of buildings and properties of the United States shall be for a money consideration only, and there shall not be included in the lease any provision for the alteration * * * or improvement of such buildings or properties as a part of the consideration for the rental to be paid for the use and occupation of the same.

For years an argument has been going on between the General Accounting Office and the Department of the Interior over whether this section is or is not applicable to Park Service concession contracts. There is no need at this time to get into the merits of the argument but I, for one, believe the Park Service has the better of it, since concession contracts do not normally involve any lease of buildings or properties and the concessioners do not normally pay rent as such. But whether this is right or wrong, the place to settle this argument between two agencies of Government is right here in the Congress. After all, we are the legislators and should establish such policy. H.R. 2091 will settle it, just as a little bill we had a few years ago—Public Law 87-608—settled the same sort of argument as far as repair and maintenance of the same buildings in park areas.

Why should we not have this sort of flexibility? Why should a concessioner who agrees to put in improvements—whether to a Government-owned building or otherwise—not have this taken into consideration when it comes to his franchise fees? Is this not a sensible, businesslike approach to the problems that come up? I think it is.

But it is said that this is subsidizing the concessioner and that, in the end, "the Government would have to pay to the concessioner virtually full reconstruction cost of the facilities if the contract were not renewed." This is not so. I have already pointed out that the question of how much the Government will pay for the concessioner's possessory interest, if and when his contract expires, is left to negotiation between the parties. The bill specifically provides for this. The Secretary is free both to require the concessioner to waive any possessory interest he might otherwise have in this sort of improvement and to adapt the valuation formula to suit the circumstance of such improvement as he sees fit. We cannot write these contracts here on the Hill but we can make it clear—as this record is making it clear—that there is no absolute right to the claim of possessory interest or to a claim of compensation for something that the Government has itself helped to finance.

Mr. Chairman, I recommend the passage of H.R. 2091.

Mr. BURTON of Utah. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to my friend from Utah.

Mr. BURTON of Utah. Is it not true that in the hearings held in the last session of Congress before our committee, concessionaire after concessionaire appeared before our committee to say it was almost impossible to obtain institutional financing for a facility to serve our constituents when they visit national parks, on land not owned and facilities in which they have no possessory interest and on a contract which might extend 4 or 5 years?

Mr. ASPINALL. The gentleman is correct. If I had more time I could tell of a personal experience.

Mr. SKUBITZ. Mr. Chairman, I yield 2 minutes to the gentleman from Utah.

Mr. BURTON of Utah. I should like to give my committee chairman an opportunity to respond.

Mr. ASPINALL. The gentleman is correct. Of course, under the present situation the concessionaires cannot depend upon the future so that he can build to take care of the needs of the public.

I wish I had time to tell of what has happened at the Mesa Verde National Park, in the southwestern part of my district, where the militancy of youth and the willingness to gamble has made it possible for a young man 35 years of age, who has taken over the concession operation because of the death of his father, are permitting him—even driving him, in fact—to enter into a contract with the Park Service to serve the visitors to the park with newly constructed facilities.

If July and August of this year had been like June, he would have lost out, but July and August of this year have been good tourist months and he will be able to go through with his commitments at least for this year.

But, Mr. Chairman, and Members of the Committee, he has 20 or more years of such operations as this before he will be sure he can take care of his obligations, which are presently personal obligations and not obligations placed upon his concessionaire property.

Mr. BURTON of Utah. It is true that the Committee on Interior and Insular Affairs does not regard this bill as a bill which is going to protect the vested interest of any present concessionaire or future concessionaire. Do we not regard this as a bill which will enable concessionaires, present and future, to provide adequate facilities which will give us an opportunity to be proud of what is there when our people visit the national parks?

Mr. ASPINALL. The gentleman is correct. I say once again that this places the National Park Service and the concessionaires and the visitors all in their proper roles so far as enjoying the values to be found in these areas is concerned.

Mr. BURTON of Utah. Mr. Chairman, I thank the chairman of the committee.

Mr. SKUBITZ. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman from Kansas for yielding to me.

Mr. Chairman, in general I am in agreement with the comments that you have made, but a couple of questions have come to my mind that I am concerned about, because, as you know, we have the Point Reyes National Seashore in the process of development in my district. I am concerned about the opportunity for congressional review and protection against abuse with respect to the policies that may be established by any Secretary of the Interior. Is there adequate opportunity to have his contractual arrangements reviewed by the committee or the Congress?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the chairman of the committee.

Mr. ASPINALL. Under the circumstances, in the matter which had been brought to our attention by my friend from California, may I state that the monetary amount of the concessionaires gross would amount to $100,000 to come under the review provisions. It is automatic under the provisions of existing agreements and automatically comes before our committee if the amount is $100,000 annually. May I say that it has been the policy of the chairman of the committee, working with the ranking member of the Committee on Interior and Insular Affairs, that we always send notice of prepared contracts to the Congressman representing the area in which the concessionaire's contract is to be enforced. So if we have any questions at all, we are right back to the Representative, that is, the Member of Congress, and can see that the questions are ironed out before the concessionaire's agreement is entered into by the Secretary.

Mr. DON H. CLAUSEN. I am always concerned when you are dealing in the field of monopoly about setting up something Congress itself has no opportunity to review, and I wanted that assurance.

Mr. ASPINALL. You have that assurance in our present modus operandi.

Mr. DON H. CLAUSEN. We are all looking to maintaining the free enterprise concept. I am concerned about communities themselves that may be located not in or immediately contiguous to the national park but which generally serve that area. Are we going to be creating a problem for them by establishing new facilities which would, in effect, endanger their opportunity to continue their own enterprises?

Mr. ASPINALL. I do not think so. My thought is as soon as one gets out of the park area itself, he gets into a place where the operations of competitive free enterprise take over entirely.

Mr. DON H. CLAUSEN. I thank the gentleman. With those assurances from our very able chairman, I feel safe in adding my support to the legislation before us. I think it behooves us to improve the facilities and accommodations in our national parks as rapidly as possible. At the same time, we must be consistently vigilant in the protection of existing entrepreneurs, both in the parks and areas contiguous to the parks. As a matter of fact, we want to encourage opportunities for the communities affected by the establishment of national parks.

Mr. SKUBITZ. Mr. Chairman, I yield 2 minutes to my colleague from Massachusetts [Mr. Keith].

Mr. KEITH. Mr. Chairman, I would like to ask the chairman of the committee [Mr. Aspinall] some questions if I could.

I recognize, Mr. Chairman, that there is considerable need for improvement in the services that must be supplied by concessionaires to the public when they go to visit our national parks and national seashores. However, I do not believe that the policy need necessarily be uniform throughout all of our seashores. Certainly, with reference to the Cape Cod National Seashore, where we have a rather unique situation, this fact is true. The Cape Cod National Seashore stretches along 30 miles of beach. One of the concerns that confronted the Cape Codders as they pondered this park with relation to its shores was the impact on established motels, hotels, and camping sites. It is my recollection that as the seashore debate proceeded, both in the hearings and on the floor, those who were in the private sector furnishing these services to the visiting public were reassured that by and large the services of that sort would be provided within the private sector of our economy and not within the enclave at the seashore except as those enclaves were private properties which were incorporated into the seashore and in turn made available to the previous owners to continue their present use.

So we have in Cape Cod 30 miles of beach and backing it up 30 miles of private sector.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. Keith] has expired.

Mr. SKUBITZ. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KEITH. My question is, with this preface, what arrangements are there to make certain that the private concessionaires on the outskirts of a public park of this sort will not find unfair competition by reason of those who enjoy the advantages of concessions within the park?

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield further, my answer to that is that in that regard we do not do anything in this bill that does not presently exist. I do not know of any unfair competition, although I have heard of some criticism. But I do not know of any instances of unfair competition existing at the present time. This bill does not attempt to give the concessionaires within particular national areas any particular advantage over the nonnational areas existing adjacent thereto.

On the other hand, if the private enterprisers refuse to take care, or do not perform the services necessary for the operation of the national park facility, then, of course, the National Park Service would try to get somebody who does.

Mr. KEITH. There is an advantage which they do have by reason of the fact that they do not pay taxes for the services that are required by the concessionaire on the outskirts of the park.

Mr. ASPINALL. I think it should be plain here that the franchise fee, the flat fee as well as the percentage fee on gross income is supposed to make this equitable situation come into being. The only place, you might say, that we digress from that is where it is necessary to build further improvements and the fee is lessened a little bit. But the investment goes into the operation just the same.

As I understand the gentleman from Texas, this is one of his complaints about the bill, because we permit the person who invests inside of the national park areas to recoup under our formula in this bill which, by the way, is the formula that is in use at the present time.

Mr. KEITH. I think the GAO was concerned, and I am sure some of my constituents were concerned, that the arrangements that might be made within the park would give a preferential advantage to the people who are operating those concessions as contrasted to those on the outskirts.

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield further, let me ask my friend another question. Does my friend have any instance so far in this particular facility where this unfairness has come into being because if he has, he has not brought it to the attention of the chairman of the Committee on Interior and Insular Affairs?

Mr. KEITH. Mr. Chairman, I appreciate the gentleman's question. The Cape Cod Seashore is just in its infant state. The gentleman states that prior to a concession being approved it is customary to advise the Congressman from the district?

Mr. ASPINALL. Not only customary, it is regular, provided the gross returns were over $100,000.

Mr. KEITH. Oh, I see. I do not know what the gross returns are for the two concessions we have now within the seashore. But I do know that I was not advised. I am not positive that I should be advised, because I would not want to think that this man's right to a concession would depend upon any approval on my part or on any assistance on my part.

Mr. ASPINALL. This is not the purpose of the procedure that we use. All we try to do is to see that the Congressman knows what is going on and that the procedures established by law are applied to everybody. That is all we do. There is to be no political stress placed upon any of these operations. If there were, we would all be in trouble.

Mr. KEITH. Mr. Chairman, I would point out that there are four concessions within the seashore currently and they are paying a modest fee for the privilege of conducting their business within a national park. If this practice is expanded it seems to me, in the case of the Nation's seashores, it would be providing services which could be more readily and more profitably and in effect more efficiently provided to the public outside of the park—within the private sector of our economy. And, if the gentleman can recall the debate and the legislative history on this, I would appreciate the gentleman's comment as to whether or not it is not his recollection that by and large we expected the services of this sort would be provided by the private sector insofar as Cape Cod is concerned?

Mr. ASPINALL. Wherever it can be done; that is correct.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. SKUBITZ. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. KEITH. Mr. Chairman, I noticed that the legislation pending before us affects only the National Park Service. I have also within the congressional district which it is my honor to represent some U.S. property which is managed by the Army Engineers, namely, the Cape Cod Canal and the land along its banks. There are concessions here which have the same problem with which we are faced within the Park Service.

Mr. Chairman, I wondered what is the policy which the Engineers follow with reference to the same kind of problem, and is there any attempt to correlate their operations with yours?

Mr. ASPINALL. If my friend will yield again, insofar as I know there has been no suggestion of this kind made to the committee which handles this bill. The committee which handles this bill has no jurisdiction over the Army Engineers. We have endeavored to coordinate the activities under the Land and Water Conservation Fund Act and in accordance with the recreation formula which we have brought out. But, as far as concessions are concerned, that is a matter for the other committee and so far as I know they have not brought it up. That is the Committee on Public Works.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Texas.

Mr. BROOKS. If I might try and clarify my position, one of my objections and one of the objections of the Committee on Government Operations to this legislation is that it represents a piecemeal solution to a problem that is faced governmentwide. There is no uniformity now in the policy concerning concessioners in the Corps of Engineers' properties, or in the national forests or in the national parks. This legislation deals with the national parks. There has been a determined effort on behalf of many people in Government to obtain a uniform policy which would take into consideration concessioner problems and other problems.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. ASPINALL. Mr. Chairman, I yield the gentleman from Texas [Mr. BROOKS] 1 minute.

Mr. BROOKS. On the basis of this problem with reference to uniformity the Congress should enact comprehensive legislation that provides a uniform policy.

The Bureau of the Budget is now exploring this thorny problem. In their letter of July 22, 1965, the Bureau of the Budget said:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C.

Hon. WILLIAM L. DAWSON,
Chairman, Committee on Government Operations, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing with regard to your letter of June 24, 1965, to the President, previously acknowledged by Mr. O'Brien, in which you discuss H.R. 2091 on concession policies in areas administered by the National Park Service.

We note that you have advised the chairman of the House Committee on Interior and Insular Affairs of your concern.

The Secretary of the Interior in reporting on the bill to the latter committee on May 14, 1965, said, in part:

"We believe that legislative consideration of national park concession policy is very timely, in light of the positions taken by the various congressional committees. We recognize fully the legitimate concern of each committee involved, and we believe it is appropriate to have a policy reduced to a legislative directive at this time. We recommend enactment of the bill if amended as suggested herein. However, we wish to call the committee's attention to the fact that the administration may wish to make recommendations at a later date for the consideration of the Congress with respect to concession policies generally throughout the Government.

* * * * *

"The Bureau of the Budget advises that while there would be no objection to the presentation of this report to the committee, the Bureau points out that should an over-all policy be developed for the management of concessions generally throughout the Government, the provisions of H.R. 2091 would have to be reconsidered in the light of that policy."

We would expect that such a study might lead to the submission of recommendations for appropriate legislation, either in an omnibus bill on a Government-wide basis, or in a series of bills for the agencies concerned.

Sincerely,

ELMER B. STAATS,
Deputy Director.

This, as far as I know, is the problem about uniformity, to the best of my knowledge.

Mr. ASPINALL. Mr. Chairman, I yield myself 1 minute to advise further with the gentleman from Texas [Mr. BROOKS].

We agree that the Budget Bureau's proposal for an over-all study of concession policies is good and we will be glad to assist in it. But this is an idea that has been kicking around for at least 10 years and nothing has happened yet and there is no guarantee that anything is going to happen or that what happens will meet with approval here on the Hill.

A study running all the way from the barber shop concession in the Pentagon to the hotel concession in Mount McKinley National Park is going to run into such a variety of problems and such a diversity of local situations that it cannot possibly come up with any single, all-embracing formula that is applicable at all times and in all places.

Let the study be made but, in the meantime, let us not hold up what progress has been made in this corner of the field—that is, the national parks corner of the field. The need for clarification is too great and the problems to be handled under H.R. 2091 have been hanging fire much too long to be delayed any longer.

Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, as the author of this bill I urge my colleagues to approve it because it is a good bill.

The Committee on Interior Affairs of the House is not known for its sloppy or incomplete consideration of measures. This bill was considered both in this Congress and the last Congress. Every objection that the gentleman from Texas has made here today was heard by our committee, and when the vote was taken on reporting the bill there was not a single vote against it. The gentleman from Pennsylvania [Mr. SAYLOR], the gentleman from Kansas, the gentleman from Utah, the gentleman from Florida [Mr. HALEY], the gentleman from North Carolina [Mr. TAYLOR], the gentleman from Alaska [Mr. RIVERS], and other committee members are people who believe just as strongly in the public interest, who are just as opposed to unfair arrangements with private concessionaires as anyone on the Committee on Government Operations. This bill has had careful consideration.

What is the problem? We have a great system of national parks. There are 191 areas that are administered by the Park Service, 31 national parks, 80 monuments, 3 seashores, battlefields, and so on. Since 1916, when we established this park system we have had two conflicting goals. On the one hand, we want to preserve all the scenic and natural wonders for posterity and for ourselves; on the other hand we want to make them reasonable accessible to visitors, and have the visitors provided services when they get there. Sometimes these two goals conflict. So what do we do?

You can do one of three things: You can have the Government run them, and there have been suggestions in the past that the Government run it, with Government ownership. Certainly, while they do not say it, and they do not mean it, this would be the result if we do not get sound policies where a private enterprise man can survive.

You can have open competition, which they seem to hint, and have billboards and have more and more of the park land taken up by hotels and curio shops, which will be the result if you open it up to wide-open competiton, you can have the present concessionaire policy, which this bill ratifies, in which you have a reasonable, workable, moderate concessionaire policy. This bill does not prohibit competition. It says the Secretary can, if the public interest requires it, have a one-concessionaire park, or a one-concessionaire operation. The policies in this bill are the policies now, and they have been the policies for years. We have had the policies in every administration. This bill would simply put these policies into statutory form. These policies were recommended by the ORRC Commission appointed in the Eisenhower administration, headed by Mr. Laurence Rockefeller.

It is true that under the present setup sometimes a park concessionaire has some advantage. He does have a building on Government property, he does have the right to use a national park area to make a profit. There is nothing wrong with profits in our country if they are reasonable profits, if they are not made at the unfair advantage of the Government or someone else.

Here is the crux of the need for this legislation, and let us lay it right on the table, because the gentleman from Texas does not give us any solutions, he just gives objections. In the units of the Park Service last year 110 million people came to visit. In just one National park in the State of the chairman of our committee, in Colorado, more people will visit this year than all the American tourists going to Europe. We need more and more facilities, more and more hotels, we need restaurants, we need campgrounds, we need barber shops, horseback riding, and all of these things. So the National Park Service goes to the concessionaire and he says "Under your contract you have to provide more service. We need 200 more rooms in your hotel, or out you go."

The fellow goes down to the bank and says, "I need a million dollars to use in my operation in the park." The banker says, "Of course you can give me a mortgage." And the fellow says, "No, I do not own the land. My building is on Government land."

"Well, you have a contract, do you not? You can use that as security, can you not?"

The fellow says, "Yes, it has 12 years to run or 15 or 18 or 3 or whatever it may be."

Then the banker says, "Well, can this contract be canceled?"

And the fellow says, "Oh, yes, it can be canceled at any time if I do not provide a satisfactory service or if the park service decides that they do not want it there any longer."

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. ASPINALL. Mr. Chairman, I yield the gentleman another 5 minutes.

Mr. UDALL. Then the banker might say, "Well, if they cancel you out and remove the operation from the park, can you get your money from this facility or hotel that we are going to put in."

The answer would be, "Well, maybe I can get it and maybe I cannot. It depends on the policy of the current Secretary of the Interior or the Secretary of Interior who may be there at the time."

So these people of whom we are demanding more and more facilities find that they cannot get the equity capital or the loan capital to do the job. The heart of this bill is the thing that the gentleman from Texas complained about—the possessory interest and saying that we are really doing an outrageous thing in this bill when we say that when a businessman goes in and builds a facility in a national park, he has a possessory interest in it. That Uncle Sam is not going to throw him out and take his property without compensation, and we will give him some protection of his interest in the property—and we are told that this is an outrageous thing to do. You can go to Las Vegas and build a gambling casino and find all sorts of bankers to lend you money. But because of the peculiar problems of the National Park Service and our desire to keep these areas for future generations, we have written laws and written regulations that make it impossible for a man to give us adequate service and have adequate security in his investment in these national park areas. This bill would go a long way to correct this situation and the public interest would be adequately protected, I can assure you.

Mr. TAYLOR. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. TAYLOR. In the Smoky Mountain National Park which is not remote, the Government has never established housing concessions since the public is served by privately owned facilities at Gatlinburg and Cherokee and other nearby places. Is there anything in this legislation which changes that policy of not establishing housing concessions in the Smoky Mountain National Park and in similar parks?

Mr. UDALL. Not at all.

Let me comment on this important point. It has never been the National Park policy or the policy of any administration to try to jam as many concessions as possible in a park. The idea has always been to have as few as are really needed to serve the public. Where you have a long strip as you have in the Blue Ridge Parkway and the Great Smoky Mountains which is only 10, 20, or 30 miles wide with all kinds of tourists and visitors who may go in, but they are usually within 10 miles on either side, of a community where private services are available. This bill does not change that policy. It is only in remote areas like Yellowstone Park and Grand Canyon 100 miles away from facilities that we really have to have concessionaires in order to serve the public interest and traveler.

Mr. TAYLOR. I agree fully with the gentleman's statement. Let me say that I supported this bill in committee and I am glad to support it here in the House today.

Housing facilities are not needed in the Smoky Mountain National Park, but in many parks many concession facilities must be constructed during the next few years to satisfy the great public demand.

This can be done by the Government at Government expense or it can be done by private enterprise through concession contracts with the Government.

I favor the private enterprise approach. In order for private enterprise to do the job that needs to be done, this legislation should be enacted.

Mr. UDALL. I thank the gentleman.

Let me say I wish I had the time to take up each one of the objections made by the gentleman from Texas.

Let me say to my friends, we went into each and every one of them. We heard testimony in this Congress and in the last Congress and there was not a vote in our committee against this legislation when the vote came to reporting it.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. VANIK. I just want to say this. I have gone to many national parks and wherever possible I have stayed outside the parks because of the deplorable conditions and the service inside the park, some of which conditions were due to the contractural relationships that you mentioned but some were due to the monopolistic situation on which you had no choice if you were in the park.

It seems to me that the problem of investment could be pretty much taken care of by a negotiated contract. Certainly if someone spends money to build accommodations, we can work out a formula for preserving the property interest and taking care of it. I do not know that we need the proposed legislation to do it.

Mr. UDALL. I do not know what parks the gentleman has been in or in what respect the Service failed. But it has failed in many parks because the concessionaire is under contract to provide many of these services—some profitable and some not. Thousands more visitors are pouring in upon him, and he cannot get the necessary money to improve his services where he wants to. He is caught in a bind. The bill would correct that situation and give the gentleman the kind of service he desires.

Mr. SKUBITZ. I yield 1 minute to the gentleman from Tennessee.

Mr. DUNCAN of Tennessee. I wish to ask the gentleman from Arizona [Mr. UDALL] a question. I was glad to hear the gentleman's remarks about the Great Smoky Mountain National Park. I represent a district that borders on a portion of the park. I would like to know who would make the decision as to whether service outside the park was adequate or inadequate?

Mr. UDALL. That kind of decision has always been made by the National Park Service, which is a professional career organization. Their guidelines have been the policy that the national park areas should be preserved, and that we should not use those areas for facilities except where they are needed for the convenience of the public, and, to the greatest extent possible, the policy has been to let the traveling public get their services outside the park.

Mr. DUNCAN of Tennessee. We do not have commercial firms inside the park and do not want them. Would the

National Park Service continue to make decisions in respect to whether service outside the park is adequate or inadequate?

Mr. UDALL. Oh, yes. They have the authority to decide to what extent the traveling public needs services within the park.

Mr. SKUBITZ. I yield 3 minutes to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I wonder if I could have the attention of the gentleman from Arizona [Mr. UDALL]?

The gentleman from Arizona and I have discussed this question in depth on the floor of the House informally. Could the gentleman give me the assurance that in relation to Point Reyes National Seashore and the King's Range Conservation Area contemplated in my area the existing philosophy will not be altered, and we shall do everything we can to enhance private sector development in the parks and, further, we shall not disturb the private sector opportunities in areas contiguous to the parks?

Mr. UDALL. I have no authority to speak for the National Park Service. I believe I can speak for the intent of my bill. There is no intention on my part, as author of the bill, or the committee which approved it, to change that policy in any way. That has been the policy followed by the National Park Service.

Mr. SKUBITZ. I yield 2 minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I should like to ask the gentleman from Colorado a question. Have I overlooked, in the bill, authority for the General Accounting Office to go into the books and records of the concessionaires?

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield, in my opening statement I suggested that I had an amendment which I would offer. I have it here on my desk and I shall offer it. The amendment provides for the General Accounting Office to examine the books and records.

Mr. GROSS. I notice that the General Accounting Office made an issue of the fact that it had been written out of this legislation, and a letter to that effect is made a part of the report accompanying the bill. I would certainly want the GAO to have authority to inspect books and records as it has with other agencies and departments.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ASPINALL. Some of us understood that the operation involved was just about the same as that of any other Government operation. The General Accounting Office, as the arm of the legislative branch of the Government, under the amendment could come in and examine the books. They did not think under the general law that they had the authority so we drew up an amendment. That was after we went before the Rules Committee.

Mr. GROSS. Mr. Chairman, I yield back the remainder of my time.

Mr. ASPINALL. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, first I should like to reply to my distinguished and able friend [Mr. UDALL], who mentioned me and was worrying about the concessionaires.

When we worry about how long these people can survive, how difficult their lives are, I want to read a couple of little examples of initial contract dates of concessionaires now serving in the national parks.

I do not want to be unkind, but I want to be factual. This is from their hearings, at page 151.

Here is one at the Acadia National Park. The initial contract date is January 1, 1933.

The National Park Concessions, Inc., at Mammouth Cave National Park, have an initial contract date of January 1, 1942.

The initial contract date at Cedar Breaks National Monument is January 1, 1930.

These people have been worried all this time, and some of them were worried before I was born.

Here is one who started worrying—the Crater Lake National Park—and sweating it out in 1912. They are still getting by with the lodgings, meals, transportation, service station, souvenirs et cetera.

There is another group at the Grand Canyon National Park. I do not know these people, but I want to give you an example of the rough life these boys and girls and their in-laws and grandchildren have in these concessions.

This is one that started out January 1, 1921, about a year before I arrived in this world. It is called the Babbitt Bros. Trading Co. They may be fine people. I do not know them.

Among the officers listed are: E. D. Babbitt, president and director; Paul J. Babbitt, vice president and director; Ralph Bilby, vice president and director; G. W. Jakle, Jr., vice president and director—I do not know whether they are in-laws—R. G. Babbitt, Jr., secretary-general manager, director; John G. Babbitt, treasurer and director; James B. Babbitt, director; and Joseph R. Babbitt, Sr., director.

Since 1921 they have been right there getting along with Secretaries of the Interior just like they were all brothers-in-law.

I just want to point out that it does not look to me like it is such a risky business. If it is not, why should we not let the Hot Shoppes or the Howard Johnsons or other professional caterers go in there and give the American people decent food at prices they can pay, when they haul the children in an unair-conditioned car 1,500 miles from east Texas way out to the Midwest?

There are a couple of other points I wish to make. I do not have too much time, but I will yield to the gentleman from Arizona [Mr. UDALL] before I finish.

With respect to the concessioner possessory right, I should like to refer to the Federal Power Act. This provides for licensing power facilities. Huge investments often are made in constructing these facilities and providing equipment. Upon the expiration of the license the Government is authorized to take over the facilities. If it does not renew the license and takes the property, the Government must pay an amount equal to the net investment in the property. The net investment is defined in the Federal Power Act as "actual legitimate original cost less unappropriated surplus, accumulated depreciation, and amortization reserve, if any."

In other words, the Government, on a big power installation, must pay the unamortized book value less a few other deductions. The licensee of such power facilities is not given any possessory right, nor is he paid for the reconstruction costs at the time of the taking.

There is one other point I should like to cover.

In considering appropriations for the Department of the Interior in 1964 the House Committee on Appropriations, a body which looks after these funds carefully, reported that park concessioners—these folks whom we are talking about, who have a little trouble, as surely everybody who is in business has problems—received $48.8 million in gross receipts in 1961. I do not have the figures since then. Of this amount in that year they paid to the Government $660,000 in franchise fees. That is about 1.35 percent of the total gross receipts of their concession operations. In other words, the Government provides the site, builds the roads, does the advertising, builds them up, provides guards and guides and all sorts of operations, and then for a monopoly franchise they pay 1.35 percent of their gross receipts—or did in the year 1961.

In at least one instance subconcession contract commissions received by the prime concessionnaire totaled $448,000 while the prime contractor paid the Government only $16,500 in franchise fees on the same sales. A pretty good markup.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to my friend from Pennsylvania.

Mr. MOORHEAD. I would like the gentleman from Texas to discuss this valuation of the possessory interest. It appears to me when we refer to reconstruction costs less depreciation as the measure of value of the possessory interest, we could get into trouble. For example, if a building were constructed 20 years ago at a cost of $300,000 and it were completely depreciated and written off the concessionaire's books, but if today because of price rises it would cost $600,000 to reproduce the building, would not this be a windfall to the concessionnaire if the Secretary decided to terminate his contract?

Mr. BROOKS. It certainly would, and at the cost to every one of the 195 million people in this country who want to go out and participate in the benefits of our great national parks. You are exactly right.

Mr. MOORHEAD. I thank the gentleman.

Mr. BROOKS. The original cost might be $300,000 and 20 years later it might cost $600,000 to build it. He may have depreciated every single dollar of it and have it on the books for nothing. Yet for another concessionaire to come in under this legislation, the Government will be required to recoup for that concessionaire his reconstruction cost minus the physical depreciation, which might be 10 or possibly 20 percent.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Arizona.

Mr. UDALL. I do not want to take up as much time as would be necessary to answer the last point, but the gentleman made one point in saying here that some of these concessionaires had been there for 30 or 40 years.

Mr. BROOKS. For 50 years.

Mr. UDALL. Does the gentleman think that we ought to change them every year or every 2 years or throw them out, or does he think that there is some value in continuity?

Mr. BROOKS. Of course, I do not think they ought to change them every month or so, but I do think that they should open them up and give the people a chance to compete with them. I want competition for these things just as we have competition in Congress. These contracts that they have now run for 20 or 30 years and sometimes 10 or 15 years. There is nothing wrong with a long-term contract, but why do you want to lock it in and give the Secretary of the Interior this right? I will read you the legislation. It is disgraceful. You do not have to do this in order to protect these people. It says on page 5:

> To this end, the Secretary, at any time in his discretion, may extend or renew a contract or permit, or may grant a new contract or permit to the same concessioner upon the termination or surrender before expiration of a prior contract or permit.

They can come in and renew before anybody else knows it is coming up for bid.

Mr. ASPINALL. Mr. Chairman, if my colleague will yield?

Mr. BROOKS. I yield to the chairman.

Mr. ASPINALL. I know he wants to be fair. This is the present practice.

Mr. BROOKS. Yes. And I think it is reprehensible.

Mr. ASPINALL. We go ahead and limit this authority by asking and demanding that notice be published so that anybody can come in and make their position known.

Mr. BROOKS. Mr. Chairman, if they have to pay reconstruction costs minus physical depreciation, there is no benefit to anyone, because you cannot possibly compete against those odds.

Mr. ASPINALL. If my colleague will yield further here, if there is any value to it, it is because the concessionaire has given the service that he has seen fit to render. Nobody else can offer these services until he has a permit, license, or lease. He has built up the park services. If he has not been giving satisfactory services, his facilities would be of little value.

Mr. BROOKS. Mr. Chairman, why would it not be wise and more in the public interest to give these people only their unamortized book value?

Mr. RONCALIO. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. RONCALIO. The answer to that, I would like to submit, is that the rules of law for condemnation of private property are that it should not be depreciated to a concessionaire in the park any more than in some city. In a court of law, in determining the value of property, certainly the reproduction cost of the property is a factor. Why jeopardize the rights of the concessionaire because you say that he does not have a right to have reproduction cost considered, when you are going to terminate his contract?

Mr. BROOKS. Even if his property has been depreciated, every dollar of it has been depreciated?

Mr. RONCALIO. That is the free enterprise system that you are attacking, the rule of depreciation.

Mr. BROOKS. But there is no competition in this alleged free enterprise system that the gentleman talks about.

The CHAIRMAN. The time of the gentleman from Texas [Mr. BROOKS] has expired.

Mr. ASPINALL. Mr. Chairman, I yield the gentleman from Texas 5 additional minutes.

Mr. BROOKS. Mr. Chairman, I want to say, while this colloquy is going on, that we in the Committee on Government Operations—and I speak at the suggestion of our distinguished and able chairman, BILL DAWSON of Chicago—have the highest regard for WAYNE ASPINALL, the gentleman from Colorado, who has worked long and faithfully on his committee and is highly respected and well loved by us on our committee and by the Congress. I must say that he has been gracious in hearing our complaints and our suggestions and our objections. But I have to be candid and say that he has not paid much attention to us other than being gracious and kind and thoughtful and considerate.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. BROOKS. Of course, I yield to the gentleman from Colorado.

Mr. ASPINALL. So that I may return the compliment. It has been a pleasure to serve with the gentleman from Texas [Mr. BROOKS] and with the distinguished chairman of the Government Operations Committee [Mr. DAWSON]. They have always been open and aboveboard in every respect in their relations with our committee. They have been as cooperative as anybody possibly could be. I said in my opening statement that here seemed to be a matter which we could not resolve unless we brought it to the floor. We in the Committee on Interior and Insular Affairs think that we are right. They, in the Committee on Government Operations, think that they are right. May I say that it is a distinct pleasure on the part of our committee to know that we have this Oversight Committee working as it does and paying attention to its responsibilities.

Mr. BROOKS. I thank the Chairman.

Mr. RIVERS of Alaska. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman.

Mr. RIVERS of Alaska. In the context of the discussion of reconstruction cost less depreciation, I want to point out——

Mr. BROOKS. Physical depreciation only.

Mr. RIVERS of Alaska. I am talking about the discussion had with the gentleman from Pennsylvania and the gentleman from Texas about reconstruction cost less depreciation. That is for the purpose of evaluating these properties, perhaps at the termination of the contract.

The language in the bill says in line 22, "but not to exceed fair market value." You can talk about the windfalls, but does not the gentleman think that this is modifying language to do away with any unconscionable windfall?

Mr. BROOKS. To my distinguished friend I would say that any windfall is unconscionable and undesirable, in my opinion. As to fair market value, let us take the example that we used a few moments ago. The cost 20 years ago was $300,000. It would cost $600,000 to construct it now. The fair market value might be $500,000, $600,000—either one would be unconscionable from the standpoint of the Government, if another concessionaire had to pay that $600,000, which might be the fair market value or reconstruction cost, and then compete with them on services, when the original builder has depreciated that property, starting at $300,000 over the 20-year period to $2 on his books, taking it off his tax return.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. UDALL. Here is the nub of the question. Let us say that I build a $1 million hotel inside a park.

Mr. BROOKS. Does the gentleman want to use the same example we have been using?

Mr. UDALL. This is the same example. You build a hotel outside the park. Both were built 30 years ago. Both cost the same amount of money. We have each taken care of our hotel.

Mr. BROOKS. Both have franchises from the Government?

Mr. UDALL. No. Yours is free enterprise and I am inside the park. At the end of 30 years my hotel is worth $2 million, because I have taken good care of it. Yours is worth $2 million. They are building a superhighway that wipes out one of these hotels. You want $2 million fair compensation. The National Park Service says that they do not want me in the park and that I should get out. You say that they should give me nothing.

Mr. BROOKS. Give you nothing, or give you the unamortized book value, because you have had 20 years to profit out of it. And you did not go in there as a public service.

Mr. UDALL. Under my example, we would both be amortized. We have both been fully amortized. The gentleman talks about a windfall. This situation is a windfall for the Government, taking advantage of my situation.

Mr. BROOKS. There is quite a bit of difference between being inside of the park and operating a hamburger stand or a hotdog stand outside and all of a sudden finding a change in highways, or in zoning requirements. Inside of a national park you have got the U.S. Government promoting business and getting new customers for you every day and providing services, such as roads, and advertising your place, in a general aura of encouragement for people to come inside of that park.

Mr. UDALL. And, you also have the U.S. Government coming in there saying what rates you can charge, what signs you can put up, what months of the year during which you can stay open, and everything else.

Mr. BROOKS. You do not think the Secretary would be unfair?

Mr. SKUBITZ. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the distinguished and able chairman of the Interior Committee [Mr. ASPINALL] and the able Congressman from Arizona [Mr. UDALL] have given you an excellent analysis of the bill. They have explained why this legislation is necessary.

Anything that I might say would in a sense be repetitious, so to conserve the time of this committee—I shall be very brief.

When this bill was before our committee last year, I had certain reservations with respect to certain provisions of it. But after further study and a better understanding of the problems involved and the goals we seek to attain, I have revised my thinking.

This is a good bill, and I support it.

Basically, the problems we are faced with today are the ever-increasing uses that are being made of our national parks facilities.

As our population increases and as people have more leisure time, more of them are visiting our national parks. They are demanding more places to eat, more places to sleep, more places to stay, more places to see. Hence, the question: How shall these requirements be met?

Long ago we established the policy that private enterprise—under contract with the National Park Service—should provide these services—and not the Federal Government. But—if private enterprise is to provide the facilities—and the services required to accommodate the ever-increasing number of park visitors, it must have some assurance that it will not have the rug pulled out from under it. It must be able to negotiate loans. To provide facilities—takes money. Business must be in a position to secure capital. To do this—it must meet the demands of capital.

The Outdoor Recreation Resources Review Commission, in its report to Congress, stated:

> A clear statement of Federal policy toward the concession system is badly needed. Such a system should set forth the role of the concessionaires in a national recreation program as precisely and forthrightly as possible—the goal should be to rewrite the agreements in terms that would fully protect the public interest, but which would be more reassuring to the prospective investors and leaders.

That is what your committee has attempted to do. For the past half century, the National Park Service has developed policies to carry out this intent.

These policies have been approved by the Department, affirmed and reaffirmed by the Committee on Public Lands of the House and by the Committee on Interior and Insular Affairs.

What we are doing here today is providing in statutory form a clear statement of the policy and authority that the Secretary of the Interior shall follow, in administering concessions within the National Park System, and in contracting for services provided by the concessioners.

If this body in its wisdom passes this bill today—

First. We affirm the policy—that—in the development of facilities in our national parks, the Secretary of the Interior shall encourage private enterprise to provide them.

Second. We recognize that concessioners have a "possessory interest" in any structure, fixture or improvement which they provide with the approval of course of the Secretary—on land owned by the United States within the National Park System.

Third. The "possessory interest" is an interest in the physical structure and is separate and apart from a right to do business.

Fourth. It does not terminate upon the termination of the concession contract.

Fifth. We recognize that compensation must be paid for the "possessory interest" if it is taken by the Government for its own use—unless otherwise agreed: "The compensation to be equal to the sound value of the structure or improvement at the time of taking based on reconstruction cost less depreciation but not to exceed the fair market value." Note: Usually no market value if the concessioner has no right to do business.

Sixth. We encourage private persons or corporations to provide and operate facilities by providing that the Secretary may include in contracts, such terms and conditions to assure the concessioner of adequate protection against loss of investment—but not against loss of anticipated profits. If such loss is the result of some discretionary act, change in policy or a decision of the Secretary occurring after the contract became effective.

Seventh. Another important policy development is the granting of a contract to one principal concessioner and requiring him to provide a balanced service. Too often, if more than one concessioner is present, each wants to provide the profitable services, neither the unprofitable. Under section 4, the Secretary may authorize the operation of all accommodations and facilities in each area by one responsible concessioner and may grant him a preferential right to provide new accommodations.

Eighth. We recognize that good service is usually related to continuity of operations. The operation of facilities within a park is seasonal in nature. A company must be able to keep its key personnel. This cannot be done unless there is a central charge in management. These are specialized businesses calling for special knowledge and understanding of Government operations.

This bill provides that the Secretary shall encourage continuity of operation by giving preference in the renewal of contracts to those who have performed satisfactorily.

However, by granting an extension, the Secretary must give reasonable public notice of his intention to do so and consider and evaluate all new proposals.

Section 1 of the bill states that Congress recognizes that public accommodations or services to be provided in the national park system should be carefully controlled, and limited, to those accommodations and services needed for the public use and enjoyment of the areas consistent with the preservation and conservation of the areas.

Section 2 provides that the Secretary of the Interior shall encourage and enable private persons and corporations to provide and operate facilities and services desirable for the accommodation of visitors in these areas.

Section 3(a) authorizes the Secretary to include in contracts providing for facilities and services such terms or conditions required to assure the concessioner adequate protection against loss of his investment, but not the loss of anticipated profits resulting from the discretionary acts, policies, or decisions of the Secretary which may occur after a contract has been entered into.

Subsection (b) requires the Secretary to exercise his authority in such a manner to allow the concessioner a reasonable opportunity to earn a profit on his whole operation, considering the capital invested and the obligations assumed.

Subsection (c) provides the basis on which the reasonableness of a concessioner's rates and charges to the public shall be judged, comparing the rates and charges for like facilities and services outside national park areas and taking into consideration any differences such as length of season, peakloads, occupancy, accessibility, and availability and other factors.

Subsection (d) sets forth the manner in which the Secretary shall determine franchise fees and reconsideration of the same at least every 5 years unless the contract be for a lesser period of time.

Section 4 allows the Secretary to vest in a sole concessioner, the operation of all facilities and services in an area or portion thereof, and further permits the Secretary to grant to such concessioner a preferential right to provide new or additional services, and so forth, if necessary for the convenience of the public. This section also gives the Secretary discretion in extending, renewing, or entering new contracts with present nonpreference concessioners.

Section 5 directs the Secretary, to encourage continuity of operation by giving a preference to those concessioners satisfactorily providing the facilities and services in the renewal of contracts or permits. This section also provides that the Secretary in his discretion may extend or renew a contract or permit, grant a new contract or permit to the same concessioner upon termination, surrender or expiration of a prior contract or permit, provided that before so doing the Secretary must give reasonable public notice of that intention, and he then must consider and evaluate all proposals received as a result of such notice.

Section 6 grants a "possessory interest" to a concessioner who has acquired or constructed, heretofore or hereafter, any structure, fixture, or improvement with the approval of the Secretary on land owned by the United States within the national park system, recognizing the legal title to the same to be in the United States while providing that such possessory interest may be assigned, transferred, or encumbered by the concessioner. The possessory interest so granted by the Secretary is an interest in the physical structure with all incidents of ownership except legal title which may not be taken for public use without just compensation.

Section 7 of the bill states that the provisions of section 321 of the act of June 30, 1932, the Economy Act—47 Stat. 412; 40 U.S.C. 303(b)—is not applicable to privilege, leases, permits and concession contracts in areas administered by the National Park Service.

Section 8 amends subsection (h) of section 2 of the act of August 21, 1935—49 Stat. 666; 16 U.S.C. 462(h)—to conform with this bill, H.R. 2091, by amending the language which required competitive bidding.

Section 9 requires each concessioner to keep records prescribed by the Secretary and permit access thereto by the Secretary or his duly authorized representative to determine that all terms of the concession contract have been performed.

Mr. Chairman, this legislation, has passed the careful and deliberate scrutiny of the House Committee on Interior and Insular Affairs and its Subcommittee on National Parks and Recreation. The bill, H.R. 2091, is very similar to H.R. 5886 on which the committee held extensive hearings during the 88th Congress. H.R. 2091 is an attempt to improve upon the previous legislation considered by this body.

In speaking to the necessity and desirability of this legislation, I should like to refer my colleagues to the committee report on H.R. 2091. On page 7, paragraph 2, of this report the Department charged with the primary responsibility of operating our national park system has stated, after recognizing the legitimate concern of the various Congressional committees of the Congress regarding concession policies, "we believe it is appropriate to have a policy reduced to a legislative directive at this time."

And, in speaking of the timeliness of this legislation, I should like to point out to my colleagues that although concession policies have been under consideration by the Congress for several years, at the present time the National Park Service has only a few long-term contracts in effect and has 19 concessioners operating on 1-year extensions, and three additional contracts will terminate on December 31, 1965.

The long history of the policies and practices as stated in the departmental report of the committee report points out more fully the necessity and desirability of reducing the concession policies and practices to a statutory form.

But more than this, I wish to remind my colleagues that we as the Congress have created the national park system for the fundamental purposes of conserving the natural and historic beauty of our Nation for the public use and enjoyment and to be left unimpaired for the enjoyment of future generations. It is, therefore, our responsibility to see that this system is properly administered.

This responsibility and the need for legislation of this kind is growing year by year. Since World War II, the number of visitors to our national parks has steadily increased. In 1964 it reached an alltime high. More than 102 million visitors were attracted to the various national parks. Twenty-nine of these areas, excluding the Capital National Parks, attracted more than 1 million visitors. Another 22 such areas attracted between 500,000 to 1 million visitors each.

Enactment of H.R. 2091 will be a step forward in meeting our responsibility. I think this is a good bill. It is a sound bill. I urge its passage.

Mr. SKUBITZ. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I wish to commend the work of the gentleman from Kansas [Mr. SKUBITZ] and also I wish at this time to commend the work of the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. SAYLOR] who has worked diligently on this legislation for a long time, and also the services of Mr. Kyl of Iowa, who gave his services in the 88th Congress on behalf of this legislation.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. MORRIS].

Mr. MORRIS. Mr. Chairman, I rise in support of this legislation, H.R. 2091. As former chairman of the Subcommittee on National Parks and Outdoor Recreation, may I say we conducted hearings on this legislation in the last session of the Congress, and reported the bill favorably to the House, but were unable because of the lateness of the session to bring the bill to the floor for consideration.

I heard all the arguments presented very ably by my distinguished colleague from Texas [Mr. BROOKS] while this legislation was being considered in the last session of Congress. The subcommittee went into each and every one of those thoroughly, we explored every possibility and every question that has been raised about this legislation, and came to the conclusion, the same conclusion that the committee has come to in this session of the Congress; namely, that this is a good bill, it is in the national interest, it is essential if we are going to provide these services, and this bill should be passed.

Mr. ASPINALL. I commend the gentleman for his services rendered in the 88th Congress on behalf of this legislation. It was through his efforts this year, as well as other members of the committee, that permitted us to get the bill before the Congress, and I am glad for the legislation.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Montana.

Mr. OLSEN of Montana. Mr. Chairman, I wish to join in the remarks made by those who are for this bill, also the remarks of the gentleman from California and the remarks made by our wonderful chairman, the gentleman from Colorado, and I thank them for bringing this legislation to the floor of the House today for consideration. I feel, as does the gentleman from New Mexico, that service to the public in the national parks requires that we pass this legislation. I therefore wholeheartedly support this bill.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. Mr. Chairman, I am pleased to associate myself with the remarks and the position of my chairman, the eminent gentleman from Colorado [Mr. ASPINALL], and to urge in other words upon my colleagues the passage of H.R. 2091.

This is a matter of more than normal concern to my district—the State of Wyoming—in which there are located two of the largest national parks, both in area and in numbers served, of our Nation.

I am not altogether sure that H.R. 2091 is the ultimate answer for improving the tourist facilities in Yellowstone National Park, but it would seem if we are to protect what is good about tourist facilities today, and hope to improve them, surely the passage of this act is better than its alternative which is a continuation of an uncertain and entirely unsatisfactory present situation.

I would answer the gentleman from Texas, insofar as the objections he finds in H.R. 2091, by merely indicating that any compensatory features of this act following termination of a lease, are based on the accepted rules of law for the compensation of private property dedicated to public use. Certainly no concessionaire should pay a penalty for being in the national park, when his property is taken, nor should he be discriminated against in comparison to the concessionaire in the jungle of free enterprise which borders most national parks, particularly in the seashore areas.

This bill does not give concessionaires an exclusive right in any national park; that right, when one enjoys it, is granted as a contractual fact by the Secretary of the Interior. This has been the policy for several generations. It is my hope, in the case of Yellowstone National Park and other parks of this kind, that perhaps in the course of the next few years the existing concessionaire may, with the benefit of H.R. 2091, triple and quadruple the accommodations and facilities, so that it will no longer appear to be the mobbed hodgepodge of automobiles in the various tourist sectors that it now is.

Certainly these matters left in the sound discretion of the Secretary of Interior are undisturbed in this bill. On the other hand, it does provide some security in the form of a possessory right upon which there can be long range planning for modernization of the facilities, so sorely in need of improvement now in many of the Nation's parks.

In short, I believe this is good legislation and I am happy to support it. The objections I have heard on the floor today are certainly not valid to defeat this bill and I hope my colleagues will join me in voting its passage.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I want to take this opportunity to say that I am in support of this legislation, having four very fine national park facilities in my congressional district, being a member of the Subcommittee on National Parks and also the full Committee on Interior and Insular Affairs, and having had 5 years of experience working on this piece of legislation.

I want to say that one of these parks in my district is one of the largest parks in the national park system, the Yosemite National Park. The concessionaires there depend on their contract and for a good many years have rendered a very fine service to the people who visit Yosemite National Park. Since I have been a Representative of that district for the past 7 years, I have never received any complaint in that entire time from anyone who visited the park as to the way they were treated by the concessionaires in that park.

But there is one section in the bill that bothers me somewhat. It bothered me in the subcommittee and it bothered me in the full committee. I have talked to the major concessionaires in the parks on it.

I refer to section 4 of the bill and I would like to ask a question of the author of the bill, the gentleman from Arizona [Mr. UDALL]. Under section 4 you point up the advisability and the probability of one concessionaire in our various parks throughout the country. I know that is an ideal situation for the concessionaire and probably for the Government too. But we have had some very fine concessionaires operating in these parks as small concessionaries, some holding rights under contracts issued by the National Park Service and others who have subcontracted with the principal concessionaire. I want to ask this question. I want to know whether this bill would in any way restrict the rights of such concessionaires to remain in the park.

Mr. UDALL. I would rather refer that question to the chairman of the full committee.

Mr. JOHNSON of California. I would prefer the author of the bill to answer that question.

Mr. UDALL. My understanding is that it makes no change in the policy that the gentleman refers to.

Mr. JOHNSON of California. If the chairman of the full committee now would want to make any further comment on this, I would appreciate it.

Mr. ASPINALL. I agree with the gentleman from Arizona. In this particular, this bill follows the procedures presently in force.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASPINALL. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TAYLOR. Mr. Chairman, every Member of the House of Representatives with constituents who have ever been inconvenienced by overcrowded, underdeveloped, or unprovided accommodations in the Nation's national parks will be interested in the merits of this bill.

While it tends to confirm rather than revolutionize longstanding concession policies, passage will have the immediate, desirable effect of making it easier for National Park concessioners to obtain loan capital from private lending sources for improvements and major expansions.

Under existing policies, concessioners have been businessmen without recognized collateral. Lending agencies have turned down their loan requests because there was no statutory policy applicable to their operations. Concessioners have been skeptically viewed as lessees with an understood, but unconfirmed possessory interest in their property.

As a result, concessioners have found it difficult, sometimes impossible to secure financing for large expansion programs.

It was my privilege recently to join with nine other members of the House Interior Committee in coauthorship of a letter to the House membership in which the following points were offered:

First. Concessioners do not own nor hold title to the lands on which they erect expensive buildings and improvements and are thus prevented from borrowing money under conventional mortgage arrangements.

Second. Most concessions are highly seasonal, with assets idle most of the year. Nonetheless, the facilities must be maintained, protected, and, in some cases, operated by the concessioner during these off months.

Third. All concession operations are conducted under rigorous, detailed Government contracts which fix rates and prices and which often require the concessioner to provide many nonprofitable services. The contract is also subject to cancellation at any time.

Fourth. The concessioner must pay, in addition to all regular taxes and business expenses, a Park Service franchise fee.

In the meantime, the demand for concession-provided overnight accommodations, restaurants, service stations, camping equipment and provisions, and other services for travelers have skyrocketed and will continue to do so.

It is estimated that visits to National Park Service areas last year reached more that 110 million. The figure is certain to continue to climb.

This legislation will put concessioners on a better financial footing to provide these urgently needed facilities.

I realize there is opposition to this bill from a few who would have us believe that the concession policies and practices followed by the Federal Government for the past 30 or 40 years have been detrimental to the public.

Opponents who contend it unwise to offer concessioners "possessory interest" overlook the fact that the Interior Department has recognized these rights for some 15 years. However, concessioners have never enjoyed them as a matter of law.

I have been surprised during this debate when the contention has been made by the gentlemen from Texas and others that increases in the value of a concessioner's property interest because of inflation is a windfall. Under the free enterprise system when a man takes his own money and acquires property and builds buildings he has a right to enjoy any increase in value of that property due to inflation. He also assumes the risk of a loss in value because of deflation and a person who builds buildings at today's high prices may some day suffer from deflation.

This legislation gives to a concessioner the same right and the same obligation enjoyed and assumed by every other businessman in America. This is necessary in order for our free enterprise system to operate successfully in national parks.

H.R. 2091 would simply enact into law time-tested policies which now and for several decades have been followed successfully by the National Park Service with the approval of the House Interior Committee.

I am informed that some 20 long-term concession contracts which have expired or will soon expire are being renewed on an annual basis pending the outcome of this legislation. The effect of this has been frustrating to both the Government and the concessioners.

This legislation is the result of 2 years of intensive study by the Interior Committee and I believe passage will serve to stimulate expansion of badly needed facilities in our Nation's Federal recreation areas.

Mr. ASPINALL. Mr. Chairman, I yield to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Chairman, I rise in support of H.R. 2091.

This legislation is needed to put into statutory form what has been practiced by the National Park Service in fact. The stability of investment which is insured to concessionaires by this bill is vital to the continued growth and development of our national parks.

With leisure time of American citizens ever on the increase, the services rendered by our parks is becoming—and will continue to become—more important. It is necessary to expand the facilities of these parks but private concessionaires have found it difficult to secure financing for expansion and improvement of their businesses without the assurances contained in this bill.

I urge our colleagues to accept this measure without further delay.

Mr. ASPINALL. Mr. Chairman, I yield to the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I want at this point to ask, in behalf of the gentleman from California [Mr. MOSS] who is opposed to this legislation, that he may extend his remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MOSS. Mr. Chairman, H.R. 2091 is an unnecessary bill and a bad bill.

Those who have opposed the bill are described as people who fail to appreciate the special problems and difficulties of park concessioners. They are saying that the Committee on Government Operations, the Committee on Appropriations, and the Comptroller General of the United States, all of whom have seriously criticized concession operations of the Park Service in the past, have no appreciation of the concessioners' problems and difficulties. What they say is nonsense. The criticisms I speak about were issued only after the most detailed investigations including congressional hearings.

The supporters of this bill tell us the legislation is urgently needed and has been endorsed by the National Park Service, by the Secretary of the Interior, and by many organizations and individuals familiar with the problem in the National Park Service. They claim that the bill is necessary to make adequate, private financing available to Park Service concessioners for the building or acquisition of improvements.

The problem, they say, is that concessioners are having or will have difficulty in obtaining financing for their improvements.

There are over 140 major concessioners in our National Park system. Obviously they have had financing in the past. Probably the vast majority will be able to obtain necessary capital in the future, regardless of passage of this bill.

We all know how in recent years the public has increased its use of our National Park areas. In 1962 there were 82 million visits. In 1964, that figure exceeded 110 million. And the first 5 months of 1965 show almost a 7 percent increase over the same period last year. This upward trend gives every indication of continuing. I think it is fair to ask whether year after year more and more millions of visitors would be coming to our National Park areas if the concessioners there were not able to furnish them the services they need and want.

We hear of no great financing problem for concessioners operating in the National Forests or at reservoir projects of the Corps of Engineers. I know of no basic differences between the major concessioners there and the concessioners of the National Park Service. As a matter of fact, the policies and contracts under which the Forest Service and the Corps concessioners operate are on the whole less liberal to the concessioner than those of the National Park Service. Great and growing use of parks and recreation areas carries with it an outstanding opportunity for concessioners to sell goods and services at a fair profit. No other factor I can imagine would be more conducive to the attraction of capital for the financing of concessioner improvement. Last year, the Bureau of the Budget wrote to the Secretary of the Interior concerning a proposed bill to guarantee loans to concessioners.

The Bureau did not suppport the proposed guarantee legislation. In its letter to the Secretary, it offered some interesting comments. It said that the Bureau had not seen even a rough estimate of the extent to which concessions had been unable in the past to obtain adequate financing. Then it stated, and I quote:

> The high investment record of concessioners in recent years, coupled with the outlook for a rapid and continuing rise in the recreation-seeking population, combine to argue that capital is now and will likely in the future be available to existing and potential concessioners for development purposes to a greater extent than in the past.

I simply am not convinced that the basic problem about which the hue and cry is being raised is of such serious general importance that an act of Congress is necessary.

The record simply does not demonstrate that the changes the bill would make are necessary in order to influence sources of capital more favorably toward Park Service concessioners.

Mr. ASPINALL. Mr. Chairman, I yield to the gentleman from Alaska [Mr. RIVERS].

Mr. RIVERS of Alaska. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. RIVERS of Alaska. Mr. Chairman, I support H.R. 2091 and I urge its passage by the House.

There is an old adage to the effect that it is always easier for a legislative body to do nothing than to do something and that it is therefore far easier for it to do a little than a lot.

That is the situation we are in today. We could, if we wished to, refuse to pass the bill and leave the whole national parks concession policy in its present state of uncertainty. We could, if we wished, strip the bill of a number of its provisions and come out with something only a little better than nothing. These would be the easy courses to follow. They are not courses that I choose to follow or that I can advise the House to follow. Let me tell you why.

For years the Interior Department's policies relating to national park concessions have been on an uncertain foundation. For years they have been under attack, notwithstanding the fact that the Park Service has been faithfully trying to abide by the principles that were agreed upon between the Secretary of the Interior and the Committee on Interior and Insular Affairs in 1950. It is high time that these doubts and uncertainties be laid to rest. It is high time for the Congress to dispel them by the enactment of legislation. I am almost tempted to say that the passage of any bill, regardless of its contents, would be better than continued inaction on our part. But I need not go that far, for I think we have a good bill here.

What are the prerequisites for such a bill? The first is a recognition on our part that we are dealing with a wide variety of situations. Some concessioners have very short seasons—witness Mount McKinley National Park and Katmai National Monument—while other have virtually year-round businesses.

Some concessioners are in parks to which visitors come by the millions, others are in parks where they are numbered in the thousands. Some concessioners have businesses that they can operate on a shoestring, but others have businesses that require very substantial sums of capital. Some parks, and the concessions within them, are so located that there is direct and immediate competition from hotels and shops in the near vicinity; others are so located that they are the only source to which the public can go to obtain the services they need when they visit the parks. Some concessioners may be required by public demand to carry on a part of their business at a loss and to make up the deficit through other operations; others are not in this position. The point is that any bill must be designed broadly enough to allow all these situations to be handled equitably.

The second prerequisite for a good concession bill is a recognition on our part that it is primarily the public that the concessioners are serving, not the Government. Some of the purists among the conservationists would no doubt like to see all concessions abolished in the national parks. Fortunately they are a minority. But concessions must be adapted both to the environment in which they operate and to the public they are called upon to serve. They must always be so operated that they do not interfere with the purposes for which the parks are established. They must, above all, be so operated that those who visit the parks are taken care of at reasonable prices. This is far more important to the Government than any revenues that may accrue to it through concession contracts. It is for this reason that H.R. 2091 lays as much stress as it does on continuity of operations and recognizes that this is not a field adapted to competitive bidding.

Finally, I must mention the need for flexibility as another prerequisite for a good concession bill. This is implicit in the other points I have made, but I want to lay particular stress on it. The Secretary of the Interior must be given broad authority, and he will be given broad authority by this bill, to gear his granting of concessions and his renewal of concession contracts to the needs of the particular area and the type of people who visit it. He must be given broad authority to gear the operation of concessions to the paramount purposes of the parks. He must be given broad authority to encourage good concessioners—not fly-by-nights, not those inadequately financed, not those who are out simply for a fast dollar—to do the same job in meeting the needs of the visitors to eat and sleep that the parks themselves do in meeting their needs to see and enjoy nature.

Mr. Chairman, I urge enactment of H.R. 2091.

Mr. ASPINALL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes, had come to no resolution thereon.

COMMITTEE OF ESCORT FOR ASTRONAUTS

The SPEAKER. The Chair appoints as members of the committee to escort our distinguished visitors into the Chamber the gentleman from Oklahoma, Mr. Albert; the gentleman from Wisconsin, Mr. Laird; the gentleman from Louisiana, Mr. Boggs; the gentleman from Arizona, Mr. Rhodes; the gentleman from California, Mr. Miller; and the gentleman from Massachusetts, Mr. Martin.

RECESS

The SPEAKER. The Chair desires to state for the information of the Members, it is expected that the distinguished guests of the House will arrive at the Capitol within a very short time, within 15 minutes.

The Chair declares the House in recess at this time subject to the call of the Chair.

Accordingly (at 2 o'clock and 44 minutes p.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF THE GEMINI 5 ASTRONAUTS

At 2:55 o'clock p.m., the Doorkeeper of the House of Representatives, the Honorable William M. Miller, escorted into the House Chamber the families of the Gemini 5 astronauts and Dr. Charles Berry and his family.

At 3 o'clock p.m., the Speaker of the House of Representatives called the membership to order.

The Gemini 5 astronauts, Lt. Col. L. Gordon Cooper, Jr., and Comdr. Charles Conrad, Jr., entered the hall of the House of Representatives at 3:01 o'clock p.m., preceded by Sergeant at Arms Zeake W. Johnson, Jr., and escorted to the Speaker's rostrum by the Honorable William M. Miller, Doorkeeper, Vice President Humphrey, the Honorable Carl Albert, the Honorable Melvin R. Laird, the Honorable Hale Boggs, the Honorable John J. Rhodes, the Honorable George P. Miller, and the Honorable Joseph W. Martin, Jr. [Applause, Members rising.]

Astronaut Conrad was seated to the left of the Speaker and Astronaut Cooper to the right of the Speaker. [Applause, Members rising.]

The SPEAKER. Mr. Vice President, my distinguished colleagues, members of the families of the two distinguished Americans whom we honor today, the two distinguished gentlemen the House is honoring today, and ladies and gentlemen, this afternoon marks an auspicious moment in the annals of this Chamber of the House of Representatives. We are privileged at this time to lay aside for a brief period our legislative duties and to welcome here two distinguished, courageous Americans of whom we are very proud—two Americans that have made great records, outstanding records, in what might be termed the field of outer space and in the pioneering of the days that lie ahead. They have brought dignity and honor and glory to our great country.

One of these distinguished men was our guest on a previous occasion, and we are so glad that he is here with us again today and that his family is accompanying him.

I have the great pleasure and honor, the personal privilege of presenting to my colleagues one who has brought, as I said, honor and glory and prestige to our great country, Lt. Col. L. Gordon Cooper, Jr. [Applause, Members rising.]

Lieutenant Colonel COOPER. Mr. Speaker, ladies and gentlemen: Approximately 28 months ago, I had the very real great privilege of being your guest after an earlier flight that I made. At that time we were in the timespan of making flights of approximately 34 hours, and today my colleague and I am here after having advanced on up to the period of 8 days, some 190 hours. [Applause.]

I hope that I might have the privilege of being your guest again one of these years. [Applause.]

It is a very distinct privilege, and over these years I have had occasion to work with a great many of you and to get to know you and appreciate all of your dedication.

You know, we in the lower echelons of all the agencies, like any other large organization, tend to criticize the headquarters and all of the higher echelons at times because we do not, perhaps, really understand what goes on up here and do not understand a lot of the problems that are involved and many of the decisions that are made.

I must say that over the years, as I have gotten to know many of you and have had occasion to work with you and to have direct association, I have come to have a very much greater understanding and appreciation for all of your problems. I must say I think I have a much easier job than you do.

It is a great privilege to be here and to be able to give you a very brief account of our flight. We set out with our prime objective on Gemini 5 to fly 8 days. We were to fly this 8 days primarily to show that man, with all the various equipment on board, and the machines, could safely and very functionally do this 8-day mission with no adverse effects. We were entirely successful in this.

We had a few of our systems with minor discrepancies, but by far the majority of the systems on board worked not only well, but worked beautifully.

We had as a secondary objective to evaluate and conduct and gather data on radar and computer and platform combinations of the same type we will be using for later rendezvous as we go on into the lunar mission.

I might add that although we did not get the initial part or portion of this data due to a minor failure of a small heater, we did gather the majority of this data, and we gathered even more data on this system on another test. So this portion of the experiment was highly successful; in fact, even better than we had dreamed.

Then we had some 17 scientific experiments which we conducted. Some of them we did not gather at the exact time that we anticipated, but we would pick up other parts of them later on when we could power up the system and control the attitude of the spacecraft in order to get them. So we wound up getting a great majority of some 16—either 100 percent completed or 85 percent or better completed—some 16 of the 17 experiments, including a great many pictures again of some very beautiful areas of the world.

Again, I think one of my greatest impressions of this flight, like the first flight I made, was that it makes man feel rather small and insignificant to see all the great beauties that there are available to see from space and to realize just how small one individual is as compared to this great universe.

I think at this point I would like to turn it over, if I may, Mr. Speaker, to my colleague here, "Pete" Conrad, whom I had the very great pleasure of making the flight with. And I think probably one of the greatest pleasures to me in the flight was watching his reactions to all these things I had seen before and note his enjoyment of them also. [Applause, Members rising.]

The SPEAKER. From the achievements and the records made by these two outstanding Americans, there was—

First. The longest manned space flight;

Second. The longest total U.S. man-hours in space;

Third. The longest multimanned space flight;

Fourth. Most orbits for a manned space flight;

Fifth. Most manned flights;

Sixth. First man to make a second orbital flight—Colonel Cooper;

Seventh. Of these two distinguished gentlemen, the one with the most space flight time is Colonel Cooper; and

Eighth. Both individuals making the longest single space flight in the history of man.

All of these events have brought great honor, and greater glory and prestige to our beloved country. Therefore, it is a great pleasure to me and a high honor to present to you the other distinguished American and dedicated officer, Comdr. "Pete" Conrad. [Applause, Members rising.]

Commander **CONRAD**. Mr. Vice President, Mr. Speaker, ladies and gentlemen and distinguished guests, I cannot say right at the moment that I am not confused. When I first got in here and they seated me on Gordo's left, that broke up everything. I have been sitting on his right for 6 months now.

Gordo did outline to you some of the flight. I would like to tell you a little bit more about it.

Gemini 5 was a significant advance in the whole program in that we flew the first all-out spacecraft. We would not have been able to go without the fuel cells for 8 days. This was the first time they were flown. We had the first radars from which we got some very excellent data to enable the GT6 to continue with their present rendezvous plans. It was the first time that the cryogenic storage of liquid hydrogen and liquid oxygen had been run that long in space.

We did have a problem or two. I think it looked a lot worse to you on the ground than it did to us in flight. As Gordo said, we managed to overcome those problems and continued with the flight.

The scientific measurements were to me extremely interesting to make. I think that it showed that our nature is about the same as that of scientists. After all, a test pilot is a curious person; so is a scientist.

We enjoyed getting the answers and bringing back the data.

My feeling is that I have had 11 days to debrief the flight and had a couple of good nights' sleep and I am ready to go again. [Applause, Members rising.]

The **SPEAKER**. With the indulgence of my colleagues, I should like to present for a bow Mrs. Cooper and her children.

[Mrs. Cooper and her children rose.]

[Applause, Members rising.]

The **SPEAKER**. I also have the pleasure to present for a bow Mrs. Conrad and her family.

[Mrs. Conrad and her family rose.]

[Applause, Members rising.]

The **SPEAKER**. Present with us today is Dr. Charles Berry with his wife and family. He is medical director at NASA and he received from President Johnson the NASA Medal for Distinguished Service.

[Dr. Berry and his family rose.]

[Applause, Members rising.]

The **SPEAKER**. The committee will escort the distinguished visitors from the Chamber.

At 3 o'clock and 18 minutes p.m., the astronauts and their families retired from the Hall of the House of Representatives.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 30 minutes p.m.

CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA

Mr. **WHITENER**. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The **SPEAKER**. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and appoints the following conferees: Messrs. McMillan, Whitener, Dowdy, Williams, Fuqua, Nelsen, Harsha, Roudebush, and Broyhill of Virginia.

PRINTING PROCEEDINGS HAD DURING THE RECESS

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess of the House be printed in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

U.S. CONTRIBUTION TO INTERNATIONAL COMMITTEE OF THE RED CROSS

Mr. **FASCELL**. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida? The Chair hears none and appoints the following conferees: Messrs. Fascell, Fraser, and Gross.

WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The **SPEAKER** laid before the House the following communication from the Committee on Public Works, which was read and referred to the Committee on Appropriations:

Congress of the United States,
House of Representatives,
Washington, D.C., September 10, 1965.

Hon. John W. McCormack,
The Speaker, House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

State and watershed	Executive committee No.	Committee approval
		1965
Arkansas: Cooper Creek	1323	Sept. 9
Maine: Limestone Stream	1323	Do.
Mississippi: Long Creek	1323	Do.
Mississippi and Tennessee: Tuscumbia River	1323	Do.
Missouri: Grindstone-Lost-Muddy Creek	1323	Do.
North Carolina and Virginia: Stewarts Creek-Lovills Creek	1323	Do.
Oklahoma: Upper Elk Creek	1323	Do.
Utah: Ferron	1323	Do.
Alabama: Choccolocco Creek	1426	Do.
Arkansas: Little Clear Creek	1426	Do.
Georgia:		
Grove River	1426	Do.
South Fork Broad River	1426	Do.
Indiana: Supplement to Busseron	1426	Do.
Massachusetts: Supplement to SuAsCo	1426	Do.
Delaware and Maryland: Upper Choptank River	1533	Do.
Indiana: Little Raccoon Creek	1533	Do.
Kansas: Timber Creek	1533	Do.
Minnesota: Tamarac River	1533	Do.
Oklahoma: Quapaw Creek	1533	Do.
Texas: Buck Creek	1533	Do.
Virginia: Cherrystone	1533	Do.
Oklahoma: Rock Creek	1549	Do.

Sincerely yours,
George H. Fallon,
Chairman, Committee on Public Works.

CALL OF THE HOUSE

Mr. **HALL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 295]

Abbitt
Adair
Andrews, George W.
Andrews, Glenn
Arends
Ashbrook
Blatnik
Bolton
Bonner
Buchanan
Carey
Celler
Conyers
Daddario
Derwinski
Devine
Diggs
Dowdy
Farnsley
Fisher
Ford, Gerald R.
Fulton, Tenn.
Gallagher
Griffiths
Hanna
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Henderson
Irwin
Jones, Mo.
Kelly
Keogh
Lindsay
McClory
McEwen
Macdonald
Martin, Ala.
May
Morton
Moss
Multer
Pirnie
Poage
Poff
Pool
Powell
Resnick
Roosevelt
Rosenthal
Ryan
Sisk
Smith, Calif.
Talcott
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Whitten
Williams
Wilson, Charles H.
Wright

The **SPEAKER**. On this rollcall, 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. **BURLESON**. Mr. Speaker, I ask unanimous consent that the Committee on House Administration may be permitted to sit tomorrow during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONCESSION POLICIES BY NATIONAL PARK SERVICE

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 2091, with Mr. McFALL in the chair.

Mr. SKUBITZ. Mr. Chairman, I yield such time as he may use to my colleague from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I am in favor of the passage of this bill. It is a good piece of legislation. I congratulate the gentleman from Colorado, the gentleman from Pennsylvania, my colleague from Arizona, and every other member of the committee who had something to do with bringing this legislation to the House floor.

The national parks are certainly very important elements of our Federal Establishment. They afford education and recreation to great segments of our people. Certainly they should be served by the best of concessionaires and, in my opinion, the enactment of this bill is the best way to insure that this will be done.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C. 1), which directs the Secretary of the Interior to administer national park system areas in accordance with the fundamental purpose of conserving their scenery, wildlife, natural and historic objects, and providing for their enjoyment in a manner that will leave them unimpaired for the enjoyment of future generations, the Congress hereby finds that the preservation of park values requires that such public accommodations, facilities, and services as have to be provided within those areas should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that the heavy visitation will not unduly impair these values and so that development of such facilities can best be limited to locations where the least damage to park values will be caused. It is the policy of the Congress that such development shall be limited to those that are necessary and appropriate for public use and enjoyment of the national park area in which they are located and that are consistent to the highest practicable degree with the preservation and conservation of the areas.

SEC. 2. Subject to the findings and policy stated in section 1 of this Act, the Secretary of the Interior shall take such action as may be appropriate to encourage and enable private persons and corporations (hereinafter referred to as "concessioners") to provide and operate facilities and services which he deems desirable for the accommodation of visitors in areas administered by the National Park Service.

SEC. 3. (a) Without the limitation of the foregoing, the Secretary may include in contracts for the providing of facilities and services such terms and conditions as, in his judgment, are required to assure the concessioner of adequate protection against loss of investment in structures, fixtures, improvements, equipment, supplies and other tangible property provided by him for the purposes of the contract (but not against loss of anticipated profits) resulting from discretionary acts, policies, or decisions of the Secretary occurring after the contract has become effective under which acts, policies, or decisions the concessioner's authority to conduct some or all of his authorized operations under the contract ceases or his structures, fixtures, and improvements, or any of them, are required to be transferred to another party or to be abandoned, removed, or demolished. Such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment, as aforesaid.

(b) The Secretary shall exercise his authority in a manner consistent with a reasonable opportunity for the concessioner to realize a profit on his operation as a whole commensurate with the capital invested and the obligations assumed.

(c) The reasonableness of a concessioner's rates and charges to the public shall, unless otherwise provided in the contract, be judged primarily by comparison with those current for facilities and services of comparable character under similar conditions, with due consideration for length of season, provision for peakloads, average percentage of occupancy, accessibility, availability, and costs of labor and materials, type of patronage, and other factors deemed significant by the Secretary.

(d) Franchise fees, however stated, shall be determined upon consideration of the probable value to the concessioner of the privileges granted by the particular contract or permit involved. Such value is the opportunity for net profit in relation to both gross receipts and capital invested. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving the areas and of providing adequate and appropriate services for visitors at reasonable rates. Appropriate provision may be made for periodic reconsideration and adjustment of franchise fees.

SEC. 4. The Secretary may authorize the operation of all accommodations, facilities, and services for visitors, or of all such accommodations, facilities, and services of generally similar character, in each area, or portion thereof, administered by the National Park Service by one responsible concessioner and may grant to such concessioner a preferential right to provide such new or additional accommodations, facilities, or services as the Secretary may consider necessary or desirable for the accommodation and convenience of the public. The Secretary may, in his discretion, grant extensions, renewals, or new contracts to present concessioners, other than the concessioner holding a preferential right, for operations substantially similar in character and extent to those authorized by their current contracts or permits.

SEC. 5. The Secretary shall encourage continuity of operation and facilities and services by giving preference in the renewal of contracts or permits and in the negotiation of new contracts or permits to the concessioners who have performed their obligations under prior contracts or permits to the satisfaction of the Secretary. To this end, the Secretary, at any time in his discretion, may extend or renew a contract or permit, or may grant a new contract or permit to the same concessioner upon the termination or surrender before expiration of a prior contract or permit. Before doing so, however, and before granting extensions, renewals, or new contracts pursuant to the last sentence of section 4 of this Act, the Secretary shall give reasonable public notice of his intention so to do and shall consider and evaluate all proproposals received as a result thereof.

SEC. 6. A concessioner who has heretofore acquired or constructed or who hereafter acquires or constructs, pursuant to a contract and with the approval of the Secretary any structure, fixture, or improvement upon land owned by the United States within an area administered by the National Park Service shall have a possessory interest therein, which shall consist of all incidents of ownership except legal title, which title shall be vested in the United States. Such possessory interest shall not be construed to include or imply any authority, privilege, or right to operate or engage in any business or other activity, and the use or enjoyment of any structure, fixture, or improvement in which the concessioner has a possessory interest shall be wholly subject to the applicable provisions of the contract and of laws and regulations relating to the area. The said possessory interest shall not be extinguished by the expiration of other termination of the contract and may not be taken for public use without just compensation. The said possessory interest may be assigned, transferred, encumbered, or relinquished. Unless otherwise provided by agreement of the parties, just compensation shall be an amount equal to the sound value of such structure, fixture, or improvement at the time of taking by the United States determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. The provisions of this section shall not apply to concessioners whose current contracts do not include recognition of a possessory interest unless in a particular case the Secretary determines that equitable considerations warrant recognition of such interest.

SEC. 7. The provisions of section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303(b)), relating to the leasing of buildings and properties of the United States, shall not apply to privileges, leases, permits, and contracts granted by the Secretary of the Interior for the use of lands and improvements thereon, in areas administered by the National Park Service, for the purpose of providing accommodations, facilities, and services for visitors thereto, pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended, or the Act of August 21, 1935, chapter 593 (49 Stat. 666; 16 U.S.C. 461–467), as amended.

SEC. 8. Subsection (h) of section 2 of the Act of August 21, 1935, the Historical Sites, Buildings, and Antiquities Act (49 Stat. 666; 16 U.S.C. 462(h)), is amended by changing the proviso therein to read as follows: "*Provided,* That the Secretary may grant such concessions, leases, or permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids."

SEC. 9. Each concessioner shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed, and the Secretary and his duly authorized representative shall, for the purpose of audit and examination, have access to said records and to other books, documents, and papers of the concessioner pertinent to the contract and all the terms and conditions thereof.

Mr. ASPINALL (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that the bill be printed in the RECORD at this point and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

> Page 2, line 21, strike out "the limitation" and insert "limitation".
>
> Page 4, lines 11, 12, and 13, strike out the last sentence of section 3(d) and insert in lieu thereof: "Appropriate provisions shall be made for reconsideration of franchise fees at least every five years unless the contract is for a lesser period of time."
>
> Page 6, line 1, after "title," insert "and except as hereinafter provided,".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ASPINALL: Page 4, line 1, after "availability" strike out the comma.

Mr. ASPINALL. Mr. Chairman, this is a technical amendment.

The CHAIRMAN. Without objection, the amendment will be agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ASPINALL: Page 8, after line 4, insert a new paragraph reading as follows:
>
> "The Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of five (5) calendar years after the close of the business year of each concessioner or subconcessioner have access to and the right to examine any pertinent books, documents, papers, and records of the concessioner or subconcessioner related to the negotiated contract or contracts involved."

Mr. ASPINALL. Mr. Chairman, this is the amendment to which I referred in my opening statement. It is the amendment which gives to the General Accounting Office the authority to come in and audit the books of any concessioner. It is placed in a section which has to do with keeping of the records and the use of those records. I think the amendment speaks for itself. I have nothing further to say.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. Yes. I will be glad to yield to the gentleman.

Mr. GROSS. The gentleman has not offered an amendment, has he, to provide that the General Accounting Office can look at the records only after a period of 5 years?

Mr. ASPINALL. No. The amendment is that the General Accounting Office has the right to look at the records for a period of 5 years.

Mr. GROSS. Why the limitation?

Mr. ASPINALL. Of course, the keeping of books, Mr. GROSS, is a rather, shall I say, voluminous operation. Unless there is something found in the 5-year period, it seems to me that the General Accounting Office should show fraud or the like before it has the right to ask for books and accounts over 5 years old. That is the reason.

Mr. GROSS. This question is suggested to me by a colleague, Does this right expire with respect to the contract within 5 years or after 5 years?

Mr. ASPINALL. The contracts are reviewable every 5 years. This amendment is the amendment that the General Accounting Office said would serve their purposes. That is the reason why we accepted it.

Mr. SKUBITZ. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS: On page 2, strike all of lines 22 through 25, and on page 3, strike all of lines 1 through 14.

Mr. GROSS. Mr. Chairman, the following is a totally unacceptable section of the bill as far as I am concerned. It goes this way.

> Without limitation of the foregoing, the Secretary may include in contracts for the providing of facilities and services such terms and conditions as, in his judgment, are required to assure the concessioner of adequate protection against loss of investment in structures, fixtures, improvements, equipment, supplies, and other tangible property provided by him for the purposes of the contract (but not against loss of anticipated profits).

And so forth, on down to line 11, and then this language:

> Such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment, as aforesaid.

This amounts to a business insurance policy paid for by the taxpayers of this country. I would like to see a farm bill to provide that farmers produce on contract for the Government with the assurance that they would be guaranteed everything but a profit; that if they fell behind in their contracts the Government would step in and compensate them. How in the world could you dream up a better deal for these concessioners? I do not understand how you could put this kind of a provision in this bill or any bill and still say that you are providing for free and private enterprise. The only thing you do not provide for is a profit, a guaranteed profit.

I would like to have someone tell me why this provision is in this bill.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. UDALL. I will tell the gentleman why it is in the bill. You are about to get a concessioner to go in and build a large hotel and large, expensive facilities and you have to assure any prudent businessman that he is not going to be wiped out by the decision of some Secretary of the Interior.

The language that the gentleman did not read, on page 3, says, on line 5, is that these losses that we are talking about "resulting from discretionary acts, policies, or decisions of the Secretary" and let me give you a concrete example that occurred in Colorado in the district of the chairman of our committee, the Mesa Verde National Park, a good national park.

A concessioner had a hotel that he had built and that he had been operating for many years. The Park Service comes along and says, "We do not want a hotel at this point any more. It is too beautiful. This is a nice area and it ought to be preserved in its natural state. We want a hotel 6 miles away."

Without this language Uncle Sam could simply tear down the hotel or make him tear it down and he has no protection against the loss of his investment. What is a prudent businessman going to do in a situation of this kind?

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BROOKS. He would have a lot of protection because you have got him covered in another place in this bill, on page 6, line 18, where it says:

> Just compensation shall be an amount equal to the sound value of such structure.

As I said, that is on page 6, line 18.

That is on page 6, line 18, fixtures or improvements at the time of taking by the United States is determined on the basis of reconstruction costs, less depreciation, and so forth.

In effect, if they tear down a building they have to pay him the complete reconstruction cost, less whatever physical deterioration there is, and this could be possibly considerably more than he has invested as book value on a given piece of property. He might have amortized it and depreciated it for 30 years and then charged the Government or whoever his competitor would be the full or fair market value at the time of the taking. This, I think, is the unconscionable part of the bill and is the basic problem involved in it.

Mr. GROSS. Even without the provision to which the gentleman from Texas [Mr. BROOKS] refers, it is not necessary to put in this bill this kind of shotgun protection and load it on the taxpayers of the Nation. This is a guarantee that will cover every concessioner.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Colorado.

Mr. ASPINALL. The language to which the gentleman from Texas has referred of course has to do with the expiration and terms of the concessioner contract.

This section has to do with actions that have taken place because of the desires of the Secretary to move in. The gentleman from Arizona [Mr. UDALL] has called to the attention of the House the very example, of course, that has happened, and this has happened and can happen at any place where the Secretary says, "Well, now, you are not operating in accordance with our master plan," as he did at Mesa Verde—having once before agreed that the master plan that they had was the right plan—a concessioner is at the mercy of the Secretary. Then the Department changed plans and said, "We have got to limit your contract." It was a year-to-year contract at the time. The Secretary kept him hanging out in limbo for a period of about 12 years before renewing it.

This provision of the present bill permits the concessioner to have some protection from being wiped out of his entire operations without due consideration being shown him.

Mr. GROSS. I will say it certainly does give him protection. It gives him almost unlimited protection.

I cannot understand why you make it so broad; why you did not write language to protect a concessioner in an instance such as you gave without saying to every concessioner, and I mean every concessioner, that "The only thing we will not assure you is a profit." That is all you leave out.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes, I yield to the gentleman from Colorado.

Mr. ASPINALL. Of course, that is not right. This has to do with those discretionary powers of the Secretary. My colleague said that this is a shotgun approach. My colleague, however, has taken a shotgun approach in his amendment. He wishes to strike the whole of section (a). However, his argument goes primarily to the last section of section (a).

Mr. GROSS. My protest goes to the whole section and especially to this language, "such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment." That goes much too far.

Mr. ASPINALL. Well, I will answer in conclusion that this is not an automatic power or an automatic decision.

Mr. GROSS. What is the limitation on it?

Mr. ASPINALL. It is just what I have suggested.

Mr. GROSS. There is no real limitation. It is wide open.

Mr. Chairman, I urge the adoption of the amendment.

Mr. UDALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe the chairman of our committee has nailed down the important things that ought to be said in opposition to this amendment. But let me just make a couple more points here.

First. The section to which reference is made and which the amendment attempts to strike appears at the bottom of page 2 on line 23 says that the Secretary 'may." He may include in contracts adequate protection against loss of investment.

Second. We are talking about two entirely different things. These contracts run for 10 years, 5 years, or 20 years, or whatever happens to be the negotiated length of the contract. At the end of that term, if the contract is not renewed, we provide in the bill that the concessioner has a possessory interest and we give a man dignity and status who holds one of these contracts which he has never had.

The section that the gentleman from Iowa seeks to strike out of the bill is as the gentleman from Colorado said, an entirely different matter. These contracts are made so that the Secretary can cancel them at any time in a number of situations. One of the situations I described earlier is where the existing concession does not fit into our master plan. We say, if it is a hotel or other facility, "we wanted it at one time, it is all nice, but we do not want it any longer. We bid you goodbye. It has been nice having you here."

All this section says that the gentleman from Iowa is attempting to strike out is when you make a contract with the concessioner and get him to invest money on Government land under this contract, where his rates are fixed and everything else, and he is under the thumb of the National Park Service, once put in that contract, Mr. Secretary, if you want to, here is a provision to protect him against loss of investment.

Mr. Chairman, I fail to see anything outrageous in this. I fail to see why it is that the gentleman from Texas and my friend, the gentleman from Iowa [Mr. GROSS] who I thought were friends of business and believe in private enterprise, want to put a man under the thumb of the National Park Service and the Secretary in a position where they can be wiped out by a decision, and by wiping them out, they have no protection against loss of investment.

It is a very deep and important provision.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. This is not private enterprise. The concessioner is given what amounts to an insurance policy, paid right out of the Federal Treasury.

Mr. UDALL. It is not an insurance policy. I am asking you to come in and I am asking you to spend your money to build on my property, attempting to make this a going business. I say we can wipe you out at any time. Are you going to enter into such a contract?

Mr. GROSS. I cannot believe that we have a Secretary of the Interior who would do this.

Mr. UDALL. I would hope we do not.

Mr. GROSS. I would not dream we could have a Secretary of the Interior who would be so unjust.

Mr. UDALL. Let us hope that the present Secretary would not do that. But I have cited to the gentleman a concrete example in Colorado of how this has occurred.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I have a lot of campers in my district who visit these Federal parks. The Secretary does give the insurance to such a concessionaire, and the concessionaire builds a big hotel, and it develops business is not as expected. So the concessionaire asks the Secretary to reduce the number of campsites in order to exist. Does he then come under the spirit of this act?

Mr. UDALL. This says as a result of a discretionary act of the Secretary.

Mr. PUCINSKI. That is what I am worrying about; if the Secretary was pressured by his concessionaire to take out campsites in order to encourage driving people into this hotel.

Mr. UDALL. You can dream up a situation, perhaps, where an injustice would occur.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Colorado.

Mr. ASPINALL. This is done under conditions where the authority of the Secretary would cease. The authority of the Secretary would have ceased. He would be in operation, and the Secretary cannot, in my opinion, do this under the terms of any contract I know of.

Mr. UDALL. I agree with the gentleman, and I urge defeat of the amendment.

Mr. BERRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to add to what the gentleman from Arizona has already said, that the purpose of this bill and the purpose of this section is that a concessionaire can get credit to improve and to build these concessions, these hotels, or whatever they may be, motels. We have many, many instances where these facilities would be improved if credit were available. That is the purpose of this legislation, and at the same time to curb, if you please, the authority of the Secretary.

Mr. KEITH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I share some of the concern that the gentleman from Iowa has expressed with reference to section 3(a). But I think our attention is being diverted from the real problem of the concessioner. If you have a policy, as described in the master plan, to encourage development outside of a park and the private hotel or motel operator is faced with the possibility of competition how can he be certain we would not have unfair competition? As one of my correspondents has indicated, there could be very advantageous arrangements between a concessioner and the Park Service. He could get more favored treatment, obviously, than would be enjoyed by his competitors outside the park.

Take the case of our seashore at Cape Cod. They have four concessions within the park operating on a lease basis—two motels and two snack bars. If they should arrange for more of this kind of concession within the seashore park, would it encourage development outside of the seashore?

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Arizona.

Mr. UDALL. The problem raised, as I see it, has nothing to do with the pending amendment that is before us.

This deals with a situation where the Secretary has decided there is a public need and that public convenience will be served by concession operation within a national seashore or within a national park. Having made that decision, this language says that he may include in the contract some protection against this man being wiped out or his investment being wiped out by an arbitrary decision of the Secretary. That is all it covers. If the gentleman is concerned about the Park Service adding additional concession units within the Cape Cod Seashore, I think he has a legitimate concern if there is no public need for them and if private interests outside the seashore can do the job, they should have a chance to do it. I would be glad to lobby with the gentleman to see that they have that opportunity. But none of these abuses, rather, these alleged abuses, have been called to the attention of our committee so far as I know and I would like to look into the matter.

Mr. KEITH. There just does not seem to be adequate assurance that there would not be unfair competition engendered by such a policy on the part of future Secretaries of the Interior—and there is from time to time change of policy.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman.

Mr. GROSS. This is the first time in my time in the House of Representatives that we wrote legislation that I know of where such legislation has been written to provide guarantees against the capricious acts of a Secretary, a member of the Cabinet of this Government. I have never heard of anything like this.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman, the brother of the Secretary of the Interior.

Mr. UDALL. The gentleman from Iowa has made many speeches around here wanting to protect people from big government and from arbitrary actions of the Government. Today he is apparently resisting any provision which would protect private businessmen, to whom I would suppose he would be friendly, against arbitrary acts by the Government. I cannot understand the gentleman.

Mr. KEITH. I am sorry I do not have time to yield further except to say I do think the gentleman from Iowa has a real concern for the greater number of private development people outside a national park or a national seashore.

Mr. Chairman, I support the motion to recommit, which is an indication of my disapproval of this legislation. I recognize that in many national parks throughout the country there is no area of competition between concessioners operating on Federal property and private interests on the outskirts.

But, when we are dealing with Cape Cod and the national seashore there, we are not dealing with the usual, relatively undeveloped national park area. Within the Cape Cod National Seashore we have several important commercial centers—well-developed and long-established communities. The 87th Congress recognized the unique nature of this area and consciously attempted to provide adequate protection for property owners, along with sufficient space within the overall area of the national seashore for the normal economic growth and development of the towns involved, and the private, commercial firms so necessary to that end.

H.R. 2091 authorizes the Secretary of the Interior to enter into contracts with private interests in which he could guarantee them against loss of investment or even financial losses in connection with fixtures and equipment. In other words, the Secretary could guarantee the concessionaire against most everything except a loss of anticipated profits. And though I was unable to convince the gentleman from Arizona [Mr. Udall], the author of this bill and a member of the committee which brings it to the floor, that there was any possible adverse effect on the competitive private interests that may be adjacent to a national park or seashore, the fact remains that private capital will be less likely to be invested in park areas when the investor is faced with the prospect of a competitor underwritten and protected by the Secretary of the Interior.

Mr. Chairman, pointing out some of the dangers of this legislation and possible inequities is a letter I received just yesterday from the vice chairman of the Cape Cod National Seashore Advisory Commission, which will be able to exercise some influence in behalf of local communities and private businessmen during the 10 years of its statutory life, but which will unfortunately cease to exist under the law at that time.

The letter to which I refer, Mr. Chairman, was written by Mr. Joshua Nickerson of Orleans, Mass. I would like to insert a pertinent excerpt from that letter at this point:

> I should like to point out the following significant factors as (H.R. 2091) applies to the Cape Cod National Seashore:
>
> 1. Since a concessioner would have no cost for land and pay no real estate taxes, he would be placed in an unfair competitive relationship with similar enterprises outside boundaries of the national seashore.
>
> 2. The towns would nevertheless be forced to provide police, health, and fire services—especially the first two of these—paid for out of local taxes which would necessarily be higher for the real estate owned by competitive enterprises outside the seashore because of the extra people-load produced by the operators of the concessions which would be operating tax free within the boundaries of the national seashore.
>
> 3. The suggestion made by the Comptroller General of the United States in the final paragraph on page 12 of Report No. 591 sums up succinctly the proper way in which the possessory interest of the concessioner should be determined upon termination of his contract. To follow the procedure provided in the act, in this period of long term inflationary development, could mean that a concessioner investing a half-million dollars now, could be, years hence, compensated at a then value in excess of the original investment, when in fact he should be reimbursed only, as the Comptroller points out, for the unamortized balance of his cost.
>
> 4. The preferential terms specified in the act coupled with the words on page 2, line 17, "to encourage" could mean that the Congress would find itself in the position of having directed the Secretary to promote "sweetheart" deals of a nature not dissimilar to the scandalous carryings-on of such favored friends of the executive department as Bobby Baker and Billie Sol Estes. It seems to me that the Congress should not specifically instruct the Secretary of the Interior to encourage such shenanigans.

Basically, Mr. Chairman, I recognize and appreciate the need for improved contractual arrangement between the National Park Service and concessioners on public lands. But I feel that provisions could have been written into this bill affording a better safeguard to the private, taxpaying businessman, as opposed the businessman who operates as his competition on Federal land and under the sponsorship of the Federal Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 40, noes 69.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes, pursuant to House Resolution 520, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

MOTION TO RECOMMIT

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. GROSS moves to recommit the bill H.R. 2091 to the Committee on Interior and Insular Affairs.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the nays appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 73, nays 298, not voting 61, as follows:

[Roll No. 296]

YEAS—73

Anderson, Ill.
Annunzio
Ashley
Bandstra
Beckworth
Brock
Brooks
Broyhill, N.C.
Buchanan
Burleson
Burton, Calif.
Cabell
Collier
Colmer
Curtis
Dawson
Devine
Dickinson
Diggs
Dingell
Duncan, Tenn.
Dwyer
Edwards, Calif.
Erlenborn
Fountain
Greigg
Grider
Gross
Grover
Hall
Hamilton
Hansen, Iowa
Hardy
Hechler
Hull
Irwin
Karth
Kastenmeier
Keith
Kluczynski
Krebs
Leggett
McMillan
Machen
Mills
Mink
Monagan
Moorhead
Morse
Murphy, Ill.
O'Hara, Ill.
Patman
Pickle
Price
Pucinski
Quillen
Randall
Rogers, Colo.
Ronan
Rostenkowski
Rumsfeld
Schisler
Schmidhauser
Secrest
Shipley
Smith, Iowa
Stalbaum
Sweeney
Todd
Vanik
Wydler
Yates
Young

NAYS—298

Abernethy
Adams
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Ashmore
Aspinall
Ayres
Baldwin
Baring
Barrett
Bates
Belcher
Bell
Bennett
Berry
Betts
Bingham
Boggs
Boland
Bolling
Bow
Brademas
Bray
Broomfield
Brown, Calif.
Broyhill, Va.
Burke
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Callaway
Cameron
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Conte
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Dent
Denton
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Edmondson
Edwards, Ala.
Ellsworth
Evans, Colo.
Everett
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffin
Gubser
Gurney
Hagen, Calif.
Haley
Halleck
Halpern
Hanley
Hanna
Hansen, Wash.
Harris
Harsha
Hathaway
Hawkins
Hays
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Kee
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Love
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
MacGregor
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Michel
Miller
Minish
Mize
Moeller
Moore
Morgan
Morris
Morrison
Mosher
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Powell
Quie
Race
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Fla.
Rogers, Tex.
Roncalio
Rooney, Pa.
Roudebush
Roush
Roybal
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schneebeli
Schweiker
Scott
Selden
Senner
Shriver
Sickles
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Younger
Zablocki

NOT VOTING—61

Abbitt
Adair
Addabbo
Andrews, George W.
Arends
Ashbrook
Battin
Blatnik
Bolton
Bonner
Carey
Celler
Conable
Conyers
Daddario
Delaney
Derwinski
Dyal
Evins, Tenn.
Farnsley
Fino
Ford, Gerald R.
Fulton, Tenn.
Gallagher
Gilbert
Griffiths
Hagan, Ga.
Hansen, Idaho
Harvey, Ind.
Harvey, Mich.
Hébert
Jones, Mo.
Kelly
Keogh
Lindsay
Long, Md.
McCarthy
McClory
Macdonald
Martin, Ala.
May
Minshall
Morton
Moss
Multer
Pirnie
Poage
Poff
Pool
Purcell
Resnick
Rooney, N.Y.
Roosevelt
Rosenthal
Ryan
Sisk
Thomas
Thompson, Tex.
Toll
Williams
Wright

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gallagher for, with Mr. Fulton of Tennessee against.

Mr. Addabbo for, with Mr. Wright against.

Mr. Conyers for, with Mr. Farnsley against.

For this day:

Mr. Williams with Mr. Ashbrook.
Mr. George W. Andrews with Mr. Poff.
Mr. Pool with Mr. Battin.
Mr. Delaney with Mr. Fino.
Mr. Macdonald with Mrs. May.
Mr. Gilbert with Mr. Lindsay.
Mr. Rooney with Mr. Gerald R. Ford.
Mr. Hébert with Mr. Arends.
Mr. Celler with Mr. Conable.
Mrs. Kelly with Mrs. Bolton.
Mr. Evins of Tennessee with Mr. Adair.
Mr. Carey with Mr. Pirnie.
Mr. Keogh with Mr. Minshall.
Mr. Resnick with Mr. Harvey of Indiana.
Mrs. Griffiths with Mr. Harvey of Michigan.
Mr. Rosenthal with Mr. McClory.
Mr. Daddario with Mr. Derwinski.
Mr. Thomas with Mr. Morton.
Mr. Moss with Mr. Hansen of Idaho.
Mr. Bonner with Mr. Martin of Alabama.
Mr. Toll with Mr. Ryan.
Mr. Sisk with Mr. Purcell.
Mr. Poage with Mr. Hagan of Georgia.
Mr. Abbitt with Mr. Long of Maryland.
Mr. Roosevelt with Mr. McCarthy.
Mr. Blatnik with Mr. Thompson of Texas.

Mr. DIGGS changed his vote from "nay" to "yea."

Mr. MACKAY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXPANDING THE WAR ON POVERTY

Mr. POWELL submitted a conference report and statement on the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, which was ordered to be printed.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

UNITED NATIONS PARTICIPATION ACT AMENDMENTS

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 1903, with Mr. McFALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. FASCELL] will be recognized for 30 minutes and the gentleman from Iowa [Mr. GROSS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the subject matter of this bill is relatively simple and yet very important.

Mr. Chairman, S. 1903 contains two basic provisions:

In section 1, the bill amends subsections (a), (b), and (d) of section 2 of the United Nations Participation Act to provide greater flexibility in the assignment of persons appointed to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies of the U.N. as are concerned with nuclear energy or disarmament.

There are at present five persons who fit that definition and who would be affected by this legislation. They are the principal U.S. representative to the United Nations: his deputy; the deputy U.S. representative to the Security Council; and U.S. representatives to the Trusteeship Council and the Economic and Social Council.

The bill does not increase the number of these principal appointees to the United Nations. It does not change or lessen the requirement that each and every one of them has to be appointed subject to Senate confirmation.

What the bill does, however, is to give the principal U.S. representative to the United Nations more discretion and authority to use his four principal assistants as he sees fit to carry out the task of representing our country in the United Nations.

At present, only three of the five persons we are talking about may represent the United States in the Security Council; and only two of them may represent our country both in the Security Council and in the other principal organs and commissions of the United Nations. The remaining two appointees are frozen in their positions: they can only serve in the Trusteeship Council and in the Economic and Social Council respectively.

S. 1903 would change this. It would enable Ambassador Goldberg to use all four of his principal associates on a flexible basis to advance our national interests in the various organs and bodies of the United Nations.

Now let me comment briefly about section 2 of S. 1903.

Section 2 of the bill would raise the position of the U.S. representative to the European office of the United Nations in Geneva to the rank of statutory Ambassador.

At the present time, there is an ambassador serving in that position. He is Ambassador Roger Tubby. However, he carries the personal rank of Ambassador by a Presidential appointment. He is not subject to Senate confirmation and he is not entitled to draw the salary established in the law for statutory Ambassadors.

Section 2 of S. 1903 would change this. It would authorize the President to appoint, by and with the advice and consent of the Senate, a representative of the United States to the European office of the United Nations with "appropriate rank and status." Executive branch witnesses testified that the President intends—if this bill is enacted—to assign the rank of statutory Ambassador, class 3, to that position. This mean that Ambassador Tubby's salary would be raised by $2,500 and that his position would become subject to Senate confirmation.

His name would have to be resubmitted and he would have to be reconfirmed in order to hold that position.

Mr. Chairman, this legislation has been recommended by both of our Ambassadors, both Ambassador Stevenson, who testified before our committee, and also our present Ambassador, Ambassador Goldberg. I have his wire to the committee which I should like to read into the RECORD:

> NEW YORK, N.Y.,
> *August 8, 1965.*
>
> Hon. DANTE B. FASCELL,
> *Chairman, Subcommittee on International Organizations, House Foreign Affairs Committee, U.S. Capitol, Washington, D.C.:*
>
> Mr. Chairman, I wish to take this opportunity to express my complete support of the amendments to the U.N. Participation Act of 1945 now under consideration by the House of Representatives. I agree with the testimony of Assistant Secretary Harlan Cleveland and Ambassador Charles W. Yost on these amendments before your subcommittee earlier this year.
>
> The proposed amendments will provide me with the necessary flexibility to utilize the members of my staff to maximum advantage in the various councils and organs of the United Nations. Moreover, they will accord to our Ambassador in Geneva the rank and status which he needs to deal with his counterparts on an equal footing. The United Nations has grown in size and complexity since the original legislation was passed in 1945. The U.S. representative should be able to respond to increased technical and political demands in the various U.N. bodies by assigning the members of his staff with the greatest expertise and background in the topic then under consideration.
>
> I therefore support the sense of the amendments now before the House and urge you and your colleagues to give them your full and sympathetic consideration.
>
> Ambassador ARTHUR J. GOLDBERG.

Mr. Chairman, I believe that this legislation is sound and needed. It will increase the efficiency of our representation in the United Nations by permitting more flexible utilization of the top personnel of our mission in New York. At the same time, it will bring the appointment of the U.S. Representative to the European office of the United Nations under closer congressional scrutiny by making that appointee subject to Senate confirmation.

Mr. Chairman, I reserve the remainder of my time.

Mr. GROSS. Mr. Chairman, I yield myself such time as I may consume.

I am not at all enamored of this bill, as I am sure the chairman of the subcommittee well knows. I do not believe that it is a good bill from the standpoint of the language contained on page 2, which provides for the appointment of additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created. This seems to me to be almost unlimited. At the proper time I expect to offer an amendment to at least provide that any additional organizations which are created have the approval of Congress before Americans are assigned to represent the U.S. Government.

I am opposed to "beefing up" the United Nations office in Geneva, Switzerland, for I believe that is what will be the result of the language to be found on page 4 of this bill.

Mr. Chairman, I reserve the remainder of my time and I yield 5 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Chairman, I rise in support of the bill S. 1903.

Two years ago, I had the honor to serve—together with our distinguished colleague from New York [Mrs. KELLY]—as U.S. delegate to the 18th General Assembly of the United Nations.

During the 3½ months which we spent at the United Nations, we had ample opportunity to observe not only the operations of that organization, but also the activities of our U.N. mission in New York. And I came away convinced that much needed to be done to streamline, and to make more effective, our permanent representation in the United Nations.

I am very pleased to observe, therefore, that one of the recommendations which Mrs. KELLY and I submitted to the Congress upon our return from the United Nations, is embodied in the legislation which we are now discussing.

On page 2—and again on page 21 of our report—House Report 1103, 88th Congress, 2d session—was said, and I quote:

> The permanent U.S. representative in the United Nations should be given more flexibility in allocating work among the five principal officers of the U.S. Mission [to the United Nations].

This is precisely what S. 1903 proposes to accomplish. It makes our principal representative in the United Nations, the chief of our delegation to that organization, and the boss of the five-man team which represents our country in the various principal organs and commissions of the United Nations.

Under this bill our principal representative in the United Nations is given by law the authority which he needs to do his job well—to represent our country effectively. With this authority, he can utilize the talents—and the time—of his principal associates to the best advantage.

This is the major change embodied in S. 1903. The bill does not remove the requirement of a Senate confirmation for U.S. representatives in the principal organs of the United Nations. It does not increase the number of such representatives. It simply provides that all five of them will serve as a team under the direction of our principal representative—at present, Ambassador Goldberg.

I should like to add a brief note. In our January 1964, report on "United Nations in Crisis," we also voiced some strong objections to the cumbersome, and often picayune, procedures devised by the Department of State to assure State supervision over our mission to the United Nations. Of course, such supervision is proper and necessary, but in some instances these procedures are so complicated as to be ridiculous. I want to express my personal hope that if the Congress approves this legislation, that the State Department will also endeavor to take a step in the right direction by freeing our mission from the petty controls which also clog the wheels of effective representation.

Mr. Chairman, in order to develop this point, I should like to place in the RECORD that section of our report which dealt with "Relations Between the U.S. Mission and the Department of State." Its text follows:

B. RELATIONS BETWEEN THE U.S. MISSION AND THE DEPARTMENT OF STATE

In the course of our assignment as members of the U.S. delegation, we had an opportunity to study the relations between the U.S. mission and the Department of State. We find that the structure of these relationships, and the performance resulting from it, leave much to be desired. This is perhaps the most glaring shortcoming of U.S. participation in the United Nations—a shortcoming which has persisted in spite of repeated criticisms directed against it by the congressional members of U.S. delegations to earlier sessions of the General Assembly.

We recognize at the start that the U.S. mission to the United Nations, like any U.S. diplomatic post abroad, is an extension of the Department of State and must be subservient to the central foreign policy authority in Washington. We find, however, that the manner in which the State Department exercises its control over the mission, the manner in which questions of policy, strategy, and tactics are decided, is unbearably cumbersome and picayune. At times it deprives the mission of meaningful participation in the formulation and execution of U.S. policy with regard to the United Nations. Quite often, it relegates policymaking to second- and third-echelon personnel in the Department of State, and in the mission. We will attempt to show how this happens.

The main outline of U.S. foreign policy is shaped in Washington and then transmitted to the U.S. mission and to the various U.S. diplomatic posts abroad. We are not aware of the existence of any major problem in this area insofar as the mission in New York is concerned. The permanent U.S. representative in the United Nations has probably easier and more frequent access to the White House and to the President's principal foreign policy advisers than any other chief of a U.S. diplomatic mission. We assume that his views are fully considered in the formulation of the broad outline of our Government's foreign policy. It is our impression, however, that, at times, decisions affecting our posture in the United Nations are not promptly communicated to him and his staff. Such slipups should not be allowed to recur.

The process of policy formulation does not stop at this point, however. The world is in a state of change—and a dynamic foreign policy has to respond to this condition. Long-range objectives have to be reviewed and adjusted as necessary. Policy positions have to be prepared as new crises and issues arise. Numerous policy decisions may have to be made, or changed, and implemented, each day. It is in this sphere—the sphere of day-to-day foreign policy formulation and implementation—that the structure of relationships between the U.S. mission and the Department of State comes fully into play and produces, we are convinced, some undesirable results. The major weaknesses of that structure are as follows:

First, there are obvious shortcomings in forward policy planning—particularly decision-making—with respect to U.N. issues. At the beginning of the 18th session of the General Assembly, whose agenda was predictable with a large measure of certainty for several months in advance, the U.S. delegation did not have the official State Department positions on most of the agenda items. On many of the issues considered during the session, 11th-hour decisions were made by the Department of State. The Department's failure to make decisions sufficiently in advance hampers the U.S. delegation in the discharge of its duties and makes it impossible to prepare an effective overall strategy for the session.

Second, lines of communication between the U.S. mission and the Department of State, and the levels at which policy is developed, are not clearly established. Each time that a policy decision is needed, the search for the proper authority seems to begin anew. The request for a decision is generally initiated by a midechelon officer at the mission and transmitted to a midechelon officer in the Department. From there it proceeds to wander laterally, clearing a succession of desks and bureaus—even other Government departments—each of which has staked a claim to an opinion on that particular issue. If an appropriate policymaking official—e.g., an Assistant Secretary of State—happens to be busy with more weighty problems, as they generally seem to be, decisions are made by lower echelon officers who may lack clear understanding of the situation at the U.N. or of the implications of their decision for the overall U.S. position in that organization. In those instances, the decisions may have to be challenged up and down the line before the necessary modifications are authorized.

Third, the mission is allowed virtually no latitude not only with respect to minor policy decisions, but also—and more importantly—with respect to strategy and tactics. Texts of speeches to be given by U.S. delegates, minor changes in approved texts, small tactical maneuvers, and all departures from minutely detailed instructions have to be cleared with, and approved by, the Department of State. The rigidity and the excessive detail of the Department's instructions at times border on the ridiculous; the U.S. delegation, for instance, while negotiating the text of a draft resolution with the delegates of 112 countries, may have no authority to accept any deviation from the Department's preconceived notion of how the resolution should be worded—not even a comma, or an "and/or" phrase.

These are but the most glaring shortcomings in the structure of relationships between the Department of State and the U.S. mission. We find no excuse for them. We believe that means must be contrived between the White House, the Department of State, and the U.S. mission whereby these shortcomings will be rectified promptly. The permanent U.S. representative in the United Nations should be kept fully informed on all major foreign policy matters since all of them have implications for U.S. posture in the United Nations. He should have more latitude with respect to policy formulation and execution within the broad framework of policy made in Washington. And he and his staff, as well as U.S. delegations to the sessions of the General Assembly, should be accorded considerably more flexibility with respect to strategy and tactics employed to implement U.S. policy in that organization.

There is one more thing we would like to add: the United Nations offers unusal opportunities for the advancement of U.S. interests which may be outside the range of the immediate U.N. issues. These opportunities have been used with skill and effect by Ambassador Adlai E. Stevenson. We believe that the U.S. representative in the United Nations should be entrusted—as a matter of policy—with the responsibility for utilizing all such opportunities in that organization for advancing our national interest.

Mr. GROSS. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I might take something of a different attitude toward the well known "Tower of Babel" in New York City otherwise known as the United Nations if it were performing any kind of a substantial service with respect to world affairs, but it is not carrying out any part of the mission for which it was organized. It is intriguing to note that the new so-called ambassador to the United Nations, Arthur Goldberg, has convinced President Johnson that what he ought to do now is start exporting the Great Society. This would be humorous if the end result were not so serious for American taxpayers. The Great Society is mostly a socialistic foreign import. It must sound real strange to foreigners to hear that this Government is now going to export to them the socialism they already have in adequate supply. I refer, for instance, to medicare, which the British and Italians have had for a long time. I assume from the activities of Mr. Goldberg that we are now about to try to export medicare to the British, who are today in serious trouble with the pound sterling.

Around the first of this year, we put up the substantial end of $3 billion to bolster the pound sterling. Only the other day, according to press reports, we handed out another half a billion dollars to prop up the pound sterling. The pound sterling is in trouble, and one of the reasons it is in trouble is because of the socialistic government they have in Great Britain.

Mr. YATES. Mr. Chairman, will the gentleman yield for a question?

Mr. GROSS. Certainly.

Mr. YATES. Do I gather from the gentleman's initial comment that he favors the withdrawal of the United States from the United Nations?

Mr. GROSS. Unless the United Nations starts to pay its bills, unless the United Nations starts to perform some of the services for which it was intended, I would say yes, we ought to withdraw. And certainly if those who assumed the responsibility of paying their bills when they become members of the United Nations continue to refuse to pay them, then we ought to withdraw or force their withdrawal.

Mr. YATES. Do I understand the gentleman favors a withdrawal by the United States from the United Nations at the present time?

Mr. GROSS. Unless the countries that are debtors, that refuse to live up to their obligations to the United Nations, meet those obligations. I said before, they either ought to be forced to withdraw or we ought to get out of the United Nations. One or the other.

Mr. YATES. Will the gentleman yield further?

Mr. GROSS. Yes.

Mr. YATES. Does not the gentleman agree, however, that as long as the United States is a member of the United Nations our mission to the United Nations should be run as efficiently as possible? My own view, of course, is this is a necessary bill. Having served there and having seen the pigeonholing of the representation of the various ambassadors, it seems to me that a good thing to do is the very thing sought to be done in this bill; that is, to give the permanent delegate, the Chief Ambassador to the United Nations, the opportunity to use the various ambassadors in various positions so that there is not an inflexibility in their representation.

Do not the gentlemen agree that there ought to be as efficient an operation as possible in the U.S. mission to the U.N.?

Mr. GROSS. Yes, I would like to see efficiency, but I fail to see any in the organization now.

Mr. YATES. If the gentleman will permit me a further comment, may I say that the reason for this bill, I think, is to satisfy the gentleman's desire for additional efficiency. With the passage of this bill such additional efficiency will be made possible.

Mr. GROSS. I do not know about additional efficiency, because I do not know of any efficiency now.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am happy to yield to the gentleman.

Mr. HALEY. I wonder if the gentleman could tell me if, by the passage of this bill, we might be able to recover some of the hundreds of millions of dollars that we have poured into this debating society.

Mr. GROSS. That is one of the questions the gentleman will have to ask some of the financial experts on the United Nations. Of course, there is no indication that the passage of this bill, or any other bill, will provide for the collection of the obligations that are owed to the United States.

Mr. HALEY. And which probably the people of the Congress knew at the time that we voted it.

Mr. GROSS. Of course.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. HALL. Mr. Chairman, I appreciate the gentleman's yielding. I would like to associate myself with his remarks. I think it is time that we quit pumping money into an organization which will not pay its just and levied debts, at least when they are so determined by the International Court of Law whose decision it was agreed to recognize. The question is becoming serious, as we meet in the city of Washington on World Law Day, who is going to enforce whatever laws we might agree to.

The gentleman referred to importing ideas from other members of the United Nations and, in turn, reexporting those. Does he think this has any relationship to the European Common Market and our Reciprocal Trade and Tariff Agreement Act of 1962 which brought on the chicken war and the impact of imports of beef and other related items?

Mr. GROSS. I certainly do, I will say to the gentleman.

Mr. HALL. I would say that at the time we are shoring up the pound sterling, for the second time, and when we have lowered the protective tariff against the interests of the people here who are wage earners under a high standard of living, in the United States, to say nothing about the matter of medicare or other pigs in the poke that have been proposed and brought in here for reexport eventually to these same countries, when they are losing their technically trained people by the hundreds to their own colonies and elsewhere, it is a rather sorry situation and I doubt that our taxpayers can afford this.

I wonder if the gentleman knows from what contingency fund this money came that we sent over to England to shore up the pound sterling while we are having here an outflow of gold and an imbalance of payments?

Mr. GROSS. No; I have not been able as yet to ascertain that. Apparently this occurred only during the last weekend, at least in the last few days. I am not aware where the money came from to the tune of half a billion dollars that was poured into the kitty to shore up the pound sterling.

Mr. HALL. It certainly seems to me that at a time when we are demonetizing our own silver and taking the backing of gold off our money and still selling nickel and silver for export, in quantities more than we are mining, that we ought to reopen our own mines and quit giving away Uncle Sam's taxpayers' money; because, in addition to what the gentleman has pointed out, we are also oversubscribing above what this Congress has approved to the Technical Assistance Fund of the United Nations, regardless of how efficient we can make these people by putting the right man in the right pigeonhole.

Mr. GROSS. Well, of course, what Mr. Goldberg really wants to export is some more of our money. This is what he wants to export, because it is impossible to export medicare to Great Britain or to Italy. They already have it in their Great Society and that is where we got it.

Mr. HALL. Or to Germany where it started, if I may interpolate.

Mr. GROSS. Yes. You cannot export many of the theories of the Great Society and actual practices of the Great Society because they already have them over there. What Goldberg seeks to do in the program being set up is to export some more of the American taxpayers' cash.

Mr. HALL. I thank the gentleman for yielding.

Mr. FASCELL. Mr. Chairman, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. KELLY. Mr. Chairman, I am very pleased to associate myself with my colleagues who have spoken before me, in urging the enactment of H.R. 6283.

This is a very worthy bill and one which is much needed to take some of the pressures off our principal Representative in the United Nations.

One of the things that impressed me in 1963, during my service as U.S. Delegate to the 18th General Assembly of the United Nations, was the tremendous work burden shouldered by our principal representative—then the late Ambassador Adlai E. Stevenson—and his deputy.

From early in the morning until late at night, day in, and day out, these men were continuously occupied holding conferences, attending meetings, and participating in various representational functions. They worked under great pressure—primarily because there were not enough hours in each day to respond to all the demands made upon them.

The bill before the Committee of the Whole House would help to remedy that situation. It would lighten the workload of our principal representative to the United Nations, Ambassador Goldberg, by authorizing him to assign some of his tasks to his four associates—the men and women who represent our country in the principal organs and commissions of the United Nations.

We must remember that these men and women will not be making individual policies. They will continue to carry out the policy of this country made by the President of the United States and the Secretary of State. But in carrying out this policy they will have more flexibility in the division and allocation of specific tasks.

I believe, therefore, that this is a good bill, and a needed bill. I hope that the House will approve it overwhelmingly.

I would like to add a word about section 2 of this legislation.

As we all know, several dozen international organizations—including the United Nations—have offices in Geneva. Our country is represented in those organizations. We also have an Ambassador who represents us in the European office of the United Nations in that city. The problem is that while he should act as our senior representative in Geneva, he only holds the rank of Ambassador by a Presidential letter. He is not a full-fledged, statutory Ambassador. As a result, he is outranked by many other emissaries, ours and those of other nations. This creates some problems.

The bill before us addresses itself to that problem and proposes to solve it in a very reasonable and inexpensive way. It simply raises our representatives to the European office of the United Nations to the rank of Ambassador and makes him subject to Senate confirmation. The total amount involved in this change is only $2,500.

Mr. Chairman, I urge that the bill be adopted.

Mr. FASCELL. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Chairman, I rise in support of the amendments now before the House.

Twenty years ago the Congress passed a bill which was adequate to the needs of the day. It provided for the appointment, by and with the advice and consent of the Senate, of a U.S. representative to the United Nations, two deputies, one of whom would serve on the Security Council, and certain other representatives who would serve on the Economic and Social Council and the Trusteeship Council. It also authorized the President to appoint certain other persons to represent the United States in the other organs and agencies of the United Nations.

This was at a time when the Economic and Social Council could be depended upon to limit itself largely to economic and social concerns and when the Trusteeship Council could be depended upon to restrict itself primarily to trusteeship affairs. The other U.N. organs not only were less numerous in 1945; they were also less busy and less preoccupied with political matters not normally within their jurisdiction.

Today, 20 years later, the United Nations has expanded from 51 to 114 members. Its Councils and other organs have also grown, including the two principal councils whose size was established by the framers of the U.N. Charter in San Francisco.

The scope of the problems taken up by each of these bodies is no longer circumscribed by its agenda. U.S. actions in Vietnam may come up in the Economic and Social Council or in a subcommittee on the status of women. The OAS presence in the Dominican Republic can arise in a committee on U.N. finances.

In this changed environment, it only makes sense for this country to be able to field its ablest technicians and political experts in the issue then being discussed. The U.S. representative to the U.N. should be able to assign the members of his staff to the particular tasks that they are best qualified by talent and training and experience to perform.

Mr. Chairman, this is the purpose of the amendments now before us. They do not authorize any additional personnel for the United States Mission or provide any pay increases for our U.N. representatives in New York. They merely permit Ambassador Goldberg to do what any supervisor is expected to do to conduct his business efficiently and well.

Surely there can be no serious objection to our extending this flexibility to Ambassador Goldberg in the conduct of his important mission. Indeed we would be remiss in our obligations and hobble the operation of our country's foreign policy in this vital arena should we fail to provide the freedom of operation demanded by the circumstances prevailing today.

Mr. Chairman, the other aspect of the proposed amendments has to do with our Ambassador to the European office of the United Nations in Geneva. Geneva is the site of some 3,000 conference sessions a year. It is the location of 20 international organizations and the headquarters of four specialized agencies of the United Nations. Several thousand foreign and international official personnel and 36 resident missions are located there. Thirty-one of these are headed by representatives with ambassadorial rank and status.

The amendments now under consideration would extend statutory ambassadorial rank and status to our representative in Geneva. It would provide the U.S. representative equal footing and status with the representatives of most of the other countries stationed there. It would facilitate his work and accord him the diplomatic prestige and dignity to which our Ambassador at this important post should be entitled.

The cost of this amendment is small, representing only the difference between the incumbent's foreign service rank and that authorized by existing legislation for our Ambasadors in the capitals of other countries of the world. I submit that the returns are potentially greater than the small amount of money involved.

Mr. Chairman, as a member of this House soon to become a part of Ambassador Goldberg's staff, I urge the most careful and unbiased consideration of these proposed amendments. Politics and partisanship to the side, they cannot fail to make sense to anyone wishing to strengthen the hand of our U.N. team as it faces up to a new and important session of the General Assembly.

The United Nations is 20 years old this year. It has made changes in its charter and in its organization to account for its growth and the changed international environment in which it operates. I submit that we cannot fail in this House to take similar stock of the changed requirements of our representation there.

Mr. Chairman, I strongly urge the adoption of these pending amendments to the U.N. Participation Act of 1945.

Mr. FASCELL. Mr. Chairman, I have no further requests for time.

Mr. GROSS. Mr. Chairman, I yield for a unanimous-consent request to the gentleman from New York [Mr. Halpern].

Mr. HALPERN. Mr. Chairman, I fully support the amendments to the United Nations Participation Act embodied in S. 1903, because I believe that this legislation will provide the necessary flexibility to enhance our representation at the United Nations.

I believe that the recent appointment of our highly distinguished colleague, the gentleman from California [Mr. Roosevelt], will prove to be a source of great strength to the U.N. His extensive experience in legislative affairs, his concern with peace and justice the world over, and his unquestioned stature as a humanitarian of the first order, are ample evidence of the rare qualifications he brings to this high post.

I salute this legislation and this appointment because I believe that they clearly demonstrate the high regard and earnest hopes we in the United States have for the U.N. If we are to live at peace, we need a strong United Nations and an effective U.S. representation in its highest offices.

Finally, Mr. Speaker, once again I urge that the fullest advantage be taken of the machinery of the United Nations, in decelerating the course of the war in Vietnam. Once again, I call upon the President to direct Ambassador Goldberg to secure a General Assembly resolution which would authorize the dispatch of a U.N. peacekeeping force to South Vietnam. This force, through aerial reconnaissance and ground patrols, could put an end to the infiltration of men and materiel into South Vietnam, and could secure areas of relative safety where the beleaguered civilian population could find refuge and succor from the scourge of war.

If the United States has to bear the lion's share of the costs of providing such a force, I believe we should accept this as the price of leadership in an anxious world. We have today, 125,000 men in South Vietnam, at a cost of $3 million a day. I think we need the U.N. to help grind this war to a halt. If by this U.N. involvement, an end could be put to the infiltration which prompted our bombing of North Vietnam. We would be in an excellent position to cease this retaliation.

Mr. Speaker, I support this bill and will support other efforts to strengthen the United Nations, because in this troubled world this institution has responsibilities of enormous proportion; and its strength is a prerequisite to the effective action needed to meet these responsibilities.

The CHAIRMAN. Does the gentleman from Iowa desire to yield any further time?

Mr. GROSS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

S. 1903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a), (b), and (d) of the United Nations Participation Act of 1945, as amended by Public Law 341, Eighty-first Congress, October 10, 1949, are hereby further amended to read as follows:

"(a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the United Nations who shall have the rank and status of Ambassador Extraordinary and Plenipotentiary and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and may serve ex officio as representative of the United States in any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may, from time to time, direct.

"(b) The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament). Such persons shall serve at the pleasure of the President and subject to the direction of the Representative of the United States to the United Nations. They shall, at the direction of the Representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council, and perform such other functions as the Representative of the United States is authorized to perform in connection with the participation of the United States in the United Nations. Any Deputy Representative or any other officer holding office at the time the provisions of this Act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this Act, as amended.

"(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States to act without additional compensation as the representative of the United States in either the Economic and Social Council or the Trusteeship Council (1) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative or (2) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representative provided for under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter."

SEC. 2. Section 2 of such Act as hereby further amended by redesignating subsections (e) and (f) to be subsections (f) and (g) respectively; and by adding after subsection (d) the following new subsection:

"(e) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the European office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such person shall, at the direction of the Secretary of State, represent the United States at the European office of the United Nations, and perform such other functions there in connection with the participation of the United States in international organizations as the Secretary of State may, from time to time, direct".

Mr. GROSS (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On the first page, line 3, strike out "That subsections (a), (b), and (d)" and insert in lieu thereof "That (a) subsections (a) and (b) of section 2".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 5, strike out "amended." and insert in lieu thereof "amended.' ".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, immediately after line 5, insert the following:

"(b) Subsection (d) of section 2 of such Act is amended to read as follows:".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 15, immediately before the quotation marks insert a period.

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 2, line 16, delete the period and insert the following: "and which the United States may join or assent to by a treaty hereafter ratified or by authorization through an Act of Congress hereafter passed."

Mr. GROSS. Mr. Chairman, my amendment would make the pertinent language on page 2 of the bill, beginning on line 10, read as follows:

> The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament), and which the United States may join or assent to by treaty hereafter ratified or by authorization through an act of Congress hereafter passed.

Mr. Chairman, my amendment is prompted by the susceptibility of the language of this bill to a misinterpretation which could have a far-reaching impact. The specific language to which I refer is contained in subsection "(b)" and appears on page 2 of the bill on lines 10 through 16. This provision of the bill, without my amendment, states:

> The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament).

The effect of this language is to authorize the President to appoint persons to represent the United States in international bodies to which the United States is not yet a member and even to international organizations which have not yet been created. Judging from the testimony by the Department of State on this measure, it is not the expressed intention of this language to authorize U.S. membership in such organs, commissions, and other bodies which may be created by the United Nations with respect to nuclear energy or disarmament. One cannot, however, escape the susceptibility of this language, and the power which it grants to the Executive, to interpretation as an authorization for U.S. membership in such bodies. In the absence of such a construction, U.S. membership would be contingent on a treaty ratification by the Senate.

If there is no intention for this act to authorize U.S. membership in such organizations even before they are formed, then certainly there should be no objection to the amendment which I have offered. The amendment merely limits the power of appointing a representative to those international bodies to which U.S. membership is authorized by a treaty hereafter ratified by the Senate or an act of Congress hereafter passed.

By no means should the Congress leave this language so ambiguous that it is susceptible to being construed as a left-handed approval of U.S. membership in international organizations which may be created in the future. U.S. adherence to, or membership in, any international organization should be approved in the specific manner specified by the Constitution.

Mr. Chairman, I urge the adoption of my amendment.

Mr. YATES. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, one gets the impression from the remarks of my good friend from Iowa that what is proposed in this paragraph is the authority to join international organizations other than those created within the United Nations itself. That is not the fact at all.

An examination of this language indicates that it proposes to grant the President authority to appoint with the approval of the Senate to any commission or groups created within the United Nations, membership which the United States now has as a result of a treaty with the approval of the Senate and in only two fields—in the field of nuclear energy or disarmament.

The amendment of the gentleman from Iowa would require that in the event the United Nations were to create a commission, a committee, a formal group of some kind to look into the possibility of establishing a basis for disarmament, in such a situation it would be necessary for our representatives not to participate as a member of such a commission until the participation of the United States were approved by an act of Congress or by a treaty with the consent of the Senate.

Of course, as the gentleman from Iowa indicated earlier, he does not hold in high regard the United Nations and he does not hold in high regard our membership in the United Nations. I think that is the essence of this amendment, that it hamstrings the participation and cooperation of the United States in the functioning of the United Nations. As long as we are full-fledged members of that organization, we ought to be able to participate in all of its activities.

Mr. Chairman, I urge the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee will rise.

The Committee rose; and the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736), pursuant to House Resolution 562, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INSPECTION OF THE HAVOC CAUSED BY HURRICANE BETSY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I have just now come back from an inspection of the damage caused by hurricane Betsy in Louisiana.

Hurricane Betsy which struck southeast Louisiana on Thursday night and early Friday morning did incredible damage. There are many areas that are still under water and there are thousands upon thousands of refugees. There are areas within my own congressional district such as Grand Isle on the Gulf of Mexico that have been totally destroyed. The damage to crops, to homes, to businesses, to public utilities is still incalculable.

In the Parish of St. James as of yesterday there was not a telephone or an electric light in operation.

The port of New Orleans, one of the great shipping centers of the world, suffered unbelievable losses when ships tore away from their moorings, barges, and other marine vessels were thrown against the docks and many lodged on dry land on the levees and battures.

The dispatch and efficiency with which the Government of the United States, under the direction of the President has responded, has earned the praise and gratitude of the people everywhere throughout my State.

Upon learning of the extent of the disaster throughout our congressional delegation, the President went to New Orleans almost immediately. He saw the flood waters, he saw the damage, and he saw the human misery. He personally talked with the people. Since that time the Government, working with the State, municipal, and parish governments, has acted with fantastic speed.

Units of the 4th Army were airborne almost within hours after the President returned to Washington. They flew in food, medicine, blankets, cooking equipment, and so forth. Now they are feeding thousands of people. Likewise all of the other agencies of the Government have been mobilized: the Bureau of Public Roads to open highways; the Department of Agriculture to provide food stocks; Housing and Home Finance to assist in home repair, renovation, and restoration; Small Business Administration to make direct loans to homeowners and businesses; the Army Engineers to direct port and levee restoration; Coast Guard in rescue operations everywhere; Health, Education, and Welfare, to give medicine and supplies; and the Office of Emergency Planning, coordinating all of their activities through Governor McKeithen in Baton Rouge, and agencies of the State, municipal, and parish governments throughout the area.

It has been a major disaster, Mr. Speaker. But it has strengthened my faith in man's humanity to man, in the compassion of our people everywhere, and in the dispatch with which our public officials from President Johnson and Governor McKeithen down, have responded to the needs of our people and our State.

My State has suffered a blow, but it will rebuild and rebuild quickly. Our greatest blow has been the loss of life, which cannot be restored. But to the families of these unfortunate people every help from public and private agencies is being made available.

President Johnson summed up the sentiment of all Americans when he said that the Nation grieves for its hurricane-stricken neighbors in Louisiana. But the President did much more than just act as a national spokesman. He acted as the national leader that he is.

Despite the overwhelming burdens of his office, President Johnson put everything else aside to fly to Louisiana.

He wanted to see for himself the extent of the devastation.

He wanted to let the stunned and grief-stricken people there know that the Nation had not forgotten them.

And he wanted to let them know that help was on the way.

I was privileged to be with the President in New Orleans last Friday evening. I know the tremendous impact which his visit made there. His compassion was translated into hope for an entire State—and that hope gave them the will to carry on.

We will never be able to fully express our thanks to this great President.

But we will never forget his concern in our time of need.

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I would be happy to yield to my colleague, the gentleman from Louisiana [Mr. Morrison].

Mr. MORRISON. Mr. Speaker, last Friday, Louisiana was hit by one of the worst hurricanes in the history of mankind. Hundreds were injured. Thousands were rendered homeless. And tens of thousands were without food and water. The human suffering that I saw will remain forever in my mind.

But into the midst of that suffering—before the wind had even died down—came our great President of the United States. I was on the plane with him and I know what that visit meant to the suffering and beleaguered citizens of all Louisiana. President Johnson brought to them a new hope—when hope seemed farthest away. He brought them the will and the courage to fight back against the catastrophe of wind and water wrought by nature that had befallen them. And he brought to them the assurance that the mighty U.S. Government was fighting beside them and for them.

President Johnson has always shown himself to be a man of deep compassion and unusual understanding. And for me, that compassion and unusual human understanding will always be symbolized by his timely and sympathetic visit to a great American State in its darkest hour of destruction and suffering.

Saturday, after a meeting with Governor McKeithen and other officials I traveled over a lot of my district by automobile and finished traveling over the district on Sunday. Destruction was everywhere looking as if thousands of tornadoes had hit everywhere. One thing stood out above all else—our people. They were brave and gallant and even elderly men and women were working, helping, and giving their very all, cleaning up debris and doing all kinds of jobs.

In the words of Mayor Woody Dumas of Baton Rouge, which suffered over $50 million in damages, who himself has been magnificent and tireless in his efforts, who said:

> President Johnson could not be doing more. He has cut the redtape * * * every Government agency has thousands of people working while many thousands are being fed and cared for. President Johnson has given his all and his dynamic efforts are a great and magnificent hour for Louisiana in this great catastrophe and tragedy.

On behalf of all the citizens of the Sixth Congressional District I wish to thank President Lyndon B. Johnson from the bottom of our hearts.

Mr. WILLIS. Mr. Speaker, will the distinguished majority whip yield?

Mr. BOGGS. I yield to my colleague, the gentleman from Louisiana [Mr. Willis].

Mr. WILLIS. Mr. Speaker, last Friday evening, the President of the United

States stood on the windswept runway at the New Orleans International Airport and delivered a brief message to the hurricane-stricken citizens of Louisiana. He told them he had come to view the damage with his own eyes. He told them he knew of their suffering. And he told them that the Nation was behind them in their efforts to fight their way back.

Then he went into the city where the storm had left its mark; where rubble was everywhere; where half the streets were under water; where stunned children were crying out for food and water. What he saw and said in New Orleans applies to the Sugar Belt and all the other affected areas of the State of Louisiana.

His presence acted as a shot in the arm for the entire State of Louisiana. Suddenly the people knew that they could fight their way back. Suddenly they stood a little straighter and began to look to the future with a new spirit of determination.

This is the stuff that leadership is made of—and I would like to take this opportunity to express our gratitude to our great and compassionate President for providing it at a time when we needed it most. A friend in need is a friend indeed.

THE DEVASTATING EFFECTS OF HURRICANE BETSY

Mr. BRADEMAS. Mr. Speaker I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I wish to commend the distinguished majority whip, the gentleman from Louisiana [Mr. BOGGS] for the remarks that he addressed to the House a few minutes ago with respect to the terrible disaster which recently hit many communities in his State and elsewhere in that part of the United States. I express to him the deep compassion and sympathy of the people of northern Indiana for the victims of hurricane Betsy.

On April 11, 1965—last Palm Sunday—a devastating series of tornadoes tore through my State leaving death and destruction in their wake. The loss to my district alone, with many dead and injured, and property damage in the millions of dollars, was catastrophic. In one small community, Dunlap, the desolation in some places was total and the individual suffering was and remains beyond total measurement or belief. We can truly identify with the people who have met America's most recent natural disaster.

Mr. Speaker, one must see the results of a storm like Betsy to fully appreciate the force with which she strikes. Three days after the holocaust, President Johnson, my colleagues, the senior Senator from Indiana, Senator HARTKE, and the junior Senator from Indiana, Senator BAYH, Indiana Gov. Roger Branigin, Buford Ellington, Director of the Office of Emergency Planning, and I, visited the stricken area. The crippling effects of the storm were overwhelming. The evidence of personal and community tragedy, on all sides, stunned and moved us all.

We were surrounded, Mr. Speaker, by the remnants of what had previously been clean suburban homes in neat divisions. We saw a battlefield of broken boards, dirt, shattered glass, splintered furniture, and fragmented household goods. Neat rows of mobile housing units had been reduced to lifeless rubble.

Entire families were killed; others deprived of one or more of their members. Hospitals were filled to capacity. The human loss was the worst of any natural disaster in Indiana memory.

We bear witness to all of this and more.

Mr. Speaker, we in Indiana found that for the most part, the aid of the Federal Government came quickly and effectively. We found that medicines, foodstuffs, and provisions of all kinds came as soon as the President declared our territory a "disaster area." But, we also found that, necessary and comforting as these immediate short-term measures were, it soon became clear that Federal machinery required to give meaningful long-term resource therapy to the stricken individual or family either did not exist or fell far short of what was required. Economic aid in the forms of loan adjustment or mortage postponent came, if at all, too little or too late. The best aid available was just not enough.

Mr. Speaker, on May 11, 1965, I introduced H.R. 8069, a bill designed to provide additional assistance for areas suffering a major disaster. The gentleman from Indiana [Mr. ROUSH] has introduced a similar bill. On June 22 of this year I stated before the Senate Public Works Committee, then considering a bill cosponsored by Senators BAYH and HARTKE which deals with additional aid to areas suffering a major disaster:

> We have found, to our dismay, in Indiana, as have other unfortunate communities, which have been victims of major disasters, that, notwithstanding the impressive battery of general Federal disaster relief relating to public property losses, as the people go courageously about the trial of rebuilding their homes, farms, businesses, and lives, little or no direct assistance is available to them. Our experience, and that of other hapless citizens in Alaska, Iowa, California, Minnesota, Oregon, Missouri, Washington, Idaho, Wisconsin, Kansas, and Colorado, has made it clear that new legislation is required aimed at providing proper financial help for people who lose everything except their obligations in tornadoes, floods, hurricanes, tidal waves, and earthquakes. Our present knowledge of meteorology may limit what we can do to influence the weather, but it does not confine our compassion for those who have been damaged nor our responsibility to assist those whose lives have been devastated.
>
> It is imperative that we act with dispatch. For some, such as farmers, help must come now or it shall be too late to revive their operations. There are many who desperately watch our actions and await our assistance. While we mediate, disaster, and its resulting toll in suffering, hovers in the wings. It would be unconscionable if another tragedy should find us unprepared.
>
> The Nation can wait no longer. We, in Congress, must take the initiative. We must establish continuing authority to enable the executive agencies to deal adequately with the multitude of problems which follow every disaster.
>
> It is within our power to mitigate the economic hardship which has been thrust upon some members of our community by forces beyond their control.

On July 22, 1965, the Senate passed its Disaster Relief Act of 1965. Parallel legislation has been introduced as H.R. 9885 by the Chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL] and a similar bill was introduced yesterday in the House of Representatives by the gentleman from Louisiana [Mr. BOGGS]. I want to reaffirm my hope that in the wake of the Louisiana disaster we can have hearings on this legislation now and enact it into law before Congress adjourns.

The SPEAKER. The time of the gentleman has expired.

GENERAL DISASTER ACT NEEDED

Mr. ROUSH. Mr. Speaker, I would like to extend the deep sympathy of the people of the State of Indiana to the citizens of the State of Louisiana who are now recovering from the disastrous effects of hurricane Betsy. Parts of my State felt the destructive force of nature this past April when tornadoes struck the central and northern parts of Indiana.

As my distinguished colleague [Mr. BOGGS] has said, the Federal agencies were quick to offer aid to Louisiana in its distress. Indiana received the same quick attention when recovery began following the tornadoes on Palm Sunday. For this aid, we were deeply grateful. However, as the initial shock quieted and recovery progressed, we became aware that there are still inadequacies and shortcomings in the present Federal recovery programs.

This most recently declared "natural disaster" in Louisiana marks the 47th time in the past 20 months where we have seen the horror and havoc which results when nature's forces reach an extreme stage. Disaster relief is currently operating on the basis of the Federal Disaster Act of 1950. But each time the President declares a "natural disaster," additional and special legislation appears to be necessary. Yet the people of Indiana discovered, and I am certain that we shall also discover in the aftermath of hurricane Betsy in Louisiana, that this is not enough.

One shortcoming in particular will stand out in the weeks ahead when all of these efforts to assist the hurricane-torn cities and parishes of Louisiana are reviewed. This will be the insufficient aid available to the individual in his effort to regain his original physical and fiscal status. Five months ago when tornadoes swept through my congressional district in Indiana, this shortcoming in Federal assistance to disaster areas was quickly spotlighted. It was succinctly described by the mayor of one of the stricken cities in these words: "We have a void in assisting people."

A bill providing for a comprehensive overhaul of existing disaster programs was introduced last spring by myself in the House of Representatives and in the Senate by Indiana's junior Senator BIRCH BAYH. After an extensive and exhaustive study by all agencies concerned, this measure was adopted in revised form by the Senate. The revised bill has been introduced in the House of Representatives by the distinguished gentleman from Colorado [Mr. ASPINALL]. It is now awaiting consideration by the House Public Works Committee. Its early consideration is imperative. Its early approval is mandatory if we hope to respond adequately to the needs of those persons in Louisiana and other States with declared disaster areas who find themselves left with only life itself as their sole possession.

WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, yesterday in our Capital and country occurred an event of great historical significance. This was the convening of the Washington World Conference on World Peace Through Law.

Mr. Speaker, to our Capital have come over 3,000 of the most eminent judges and lawyers of the world to dedicate themselves to the pursuit of that old dream of the human heart, world peace through world law.

Mr. Speaker, on this occasion a great address was delivered by the illustrious Chief Justice of the United States—an address filled with wisdom, inspiration, and hope.

Mr. Speaker, at this point in the RECORD I include the address of the Chief Justice of the United States, the Honorable Earl Warren.

The address follows:

I bid you welcome to my country and to our Nation's Capital City. Especially do I welcome my colleagues of the high courts of nations and judges of international courts who are our honored guests, this being our first meeting together on a worldwide basis. I have met many of you in my travels and look forward to renewing the warm friendship thus created. And I am certain many new friendships will be born here among those of you whom we meet for the first time. May I say that anything I or my colleagues on the Supreme Court of the United States can do to make your visit more pleasant and fruitful will be done.

We of the law are gathered here from the four corners of the earth to make our personal contributions to a program to help achieve mankind's greatest need—world peace. We come from more than 100 nations. Collectively, we live under all political systems, adhere to all religions and creeds, use all languages, and are composed of all races; yet we possess a common core of understanding which springs from universal ideals of fairness and reasonableness which are inherent in the principles of the rule of law. Thus the rule of law gives us a "common language" which bridges our differences and enables us to work together on the great task for which we are assembled.

The control of force in international relations is the paramount problem of our day. I believe that the legal profession has a unique contribution it can make to the solution of that problem. The lawyer's skills in problem solving, the judge's experience in deciding, the leadership of all elements of the law in public affairs are sources of strength we must draw upon as we face up to our challenge and responsibilities.

Our task at this conference is to move humankind forward along the road to peace. We will do this by counseling together upon concrete steps to strengthen existing rules of law and existing judicial institutions. We will do this also through the formulation of ideas for new rules and new adjudicating institutions.

This year has been designated International Cooperation Year by proclamation of the U.N. General Assembly—a year "to direct attention to the common interests of mankind and to accelerate the joint efforts being undertaken to further them." No more important common interest exists than our shared interest in a world ruled by law; for mankind's most practical hope for world peace lies in an orderly world community under the rule of law.

We live in an era in which concentrated research involving worldwide exchanges of knowledge and experience in the physical sciences has brought dramatic achievements.

When the scientists split the atom, their success was the end result of the combined cumulative research of men of science from throughout the world. The knowledge and experience of these thousands of scientists was used to achieve this great goal. Centuries of hard work were thus finally crowned with success, and a seemingly impossible result was thereby accomplished.

My thesis is that we can and must accomplish our objective in like manner. But our approach must be different. Instead of breaking society down to its most minute elements, we must bind it together into a viable whole. Achieving and maintaining a rule of law strong enough to regulate actions of nations and individuals in the world community is no more dreamy, impossible, or impracticable than was the idea of splitting the atom, or putting a man on the moon, or sending a missile to Mars a few years ago. I believe we of our generation can translate the centuries-old dream of a world ruled by law from dream into reality. In part, my belief is based upon the imperatives of our day which make this a necessity to save mankind from nuclear holocaust. In part, my belief is based upon the fact that there is more law and judicial institutions today, nationally and internationally, than ever before in the history of mankind. Given this knowledge and reliance and taking note of the necessity that we succeed in order to survive, I would like to comment upon factors we possess which should enable us to move forward in our quest for a world ruled by law.

First. We know more about law in the world internationally and within nations than any other generation of the legal profession. There is an ever-growing worldwide dialog among men of the law which is making itself a factor in world affairs. Human unity and interdependence of men and nations upon each other have reached such a degree that none of us can remain ignorant or indifferent to what is happening in law in other nations or in international organizations. Because of the faster and more comprehensive communications which now exist we know more about the basic facts of the law systems and judicial systems of the world than ever before.

This is not to say our knowledge is as complete as it should be, but only that it is greater than in the past and is continuing to grow. Through exchanges of law books, law journals and other media, we are learning more about law and justice all over the world. In the field of law, we will soon be able to bring the totality of man's legal knowledge and experience to bear on our task of creating enough law and enough judicial agencies to enable the world to operate under the rule of law.

Second. More and better law exists today in each nation than ever before. All recent surveys prove this fact. Nearly every nation is reforming, updating, and expanding the rule of law within its borders. This tremendous ferment and growth in the field of law on a global basis is the response by the law to the great changes which are the hallmark of our day.

In England they are doing a major overhaul of their ancient criminal laws, as are we on many subjects. Newly developing nations have new constitutions and new law codes. Many illustrations could be cited nation by nation. The most obvious development is the expansion of protections for the individual, a response to the universal striving for human dignity and freedom.

As we learn more about the law systems of other nations, our respect is increased for some of the improvements many nations have made in such fields as criminal law, family law, commercial law, and others. By exchanging ideas and experiences on a worldwide basis we will enable ourselves to perform a better service in our respective nations.

We must get to know each other as well as to know each other's law because from personal friendships we can forge links of great worth to the people we serve and provide continuous contacts for further collaboration on matters of mutual interest.

The unique exhibit at this conference of great historic and current instruments of law gives us an opportunity to share the law heritage upon which we must build the world of law we seek. These great documents like the Magna Carta, the Code of Justinian, the Declaration of Rights of Man, the Code of Napoleon, the U.N. Charter, and many others of even earlier times which are on display, lend a glowing inspiration to our meeting and our work together.

When such an exhibit for this conference was suggested, it was with the thought that this common heritage of the law would give impetus to our work by spotlighting the ideals we have in common, thus minimizing our differences. It was an acknowledgement that we, a young nation, honor the older nations for their contributions to the laws and institutions which we cherish.

Third. More international law exists today than ever before. The pace of discovery and invention has forced this rapid development of law. In the past 20 years, the U.N. and its specialized agencies have spurred, spawned, updated, or sponsored more international law and legal institutions than was created in all human history. In the preoccupation with some of the more divisive problems of the United Nations, we sometimes overlook the law that has been generated by it. But when one takes an inventory of what has happened, this growth of law and legal institutions stands forth as conclusive proof of how tremendously valuable the U.N. has been, and is today.

The United Nations has updated such ancient world as the law of the sea and the law of diplomatic immunity. It has drafted new law on subjects such as the nuclear test ban, human rights, space, aviation and communications. The new law and the new legal institutions which the U.N. and its specialized agencies have brought into existence are tremendous in their scope and volume.

In aviation, for example, there is a worldwide regulatory agency for rates and one for safety operations. There are also agencies for decision of airline disputes and law rules relative to a veritable host of related needs like weather, customs, and accidents on the ground and in the air. Domestic law on aviation in nation after nation complements international aviation law, and together they form an excellent example of how wise it is to develop each in step with the other.

Regional agencies under the U.N., and non-U.N. agencies like the European Common Market and the recently born South American and Central American Common Markets, are also creating a vast volume of new law and new law agencies. By necessity the interdependent nations and peoples of our day are demanding the creation of new rules of law to govern and guide their ever-accelerating international trade, travel, investment, and other relations—new transnational law for both men and nations.

Above all, one must note that in every field, on every subject, where law and judicial agencies are in existence they are working well and their acceptance and use are at an all-time high. That law which is adequate will work where used internationally is easily proved. Those relations of men and nations now amply covered by world law provide this proof. I cite the law of the sea, the law of diplomatic immunity, and the Postal Convention. For relations and contacts in those fields operate smoothly under law rules that are well-nigh universal because so many nations are parties to those treaties.

If we had hundreds of other subjects covered by such universally accepted laws rules, frictions and disputes would be lessened and world peace through law would be within reach. Our great task is to draft and sell to the peoples and governments of nations the hundreds, perhaps thousands, of agreements needed to cover in an adequate manner transnational relations of men and nations. And the most certain fact is that, with the ever-growing increase in international trade, travel, and other contacts, the number of such agreements needed for this purpose will increase greatly in the years ahead. We must, therefore, set up law-drafting, law-creating procedures and methods to meet this obvious need.

Fourth. International judicial bodies have grown in number and use. We have a World Court (International Court of Justice) whose use and prestige are increasing constantly; in fact there is a growing tendency in treaties to expressly provide for jurisdiction of the World Court over disputes involving their provisions. I am happy to know that the distinguished Chief Justice of the World Court will soon follow me to this podium. The European Court of Justice has had brought before it more than 1,000 international cases arising out of the functioning of the European Common Market. The Conciliation Commission of the European Human Rights Court has considered, mediated, or dismissed over 2,000 complaints, making it necessary for the Court itself to consider only 2 cases.

Many U.N. and non-U.N. international agencies have quasi-judicial bodies as a part of their legal structure to which governments and individuals may take disputes for decision under prescribed law rules. Last year the use of international arbitration bodies in the commercial area reached an alltime high. The World Bank's recent proposed convention to create a world dispute center to provide judicial arbitration and conciliation panels to decide commercial disputes over foreign investments will accelerate this use of international adjudication manifold.

Domestic courts, too, are increasingly called upon to decide international law questions. My own court has recently decided such questions as whether to uphold the "law of the flag" and the "act of state" doctrines. I am sure that you judges of national courts are having similar experiences, the exchange of which among us will add to the value of this conference.

Fifth. The rapid expansion of the scope of international law and the expansion of the jurisdiction of international judicial institutions to encompass rights and protections for the individual have brought to this field thousands of new supporters. While fully recognizing that traditionally international law and its institutions have been largely confined to governmental relations among nations, we cannot blind ourselves to the impact of this new and growing constituency, who out of self-interest, are demanding that international law be developed to meet their needs as individuals.

The individual of our day trades and travels on a worldwide basis and feels the necessity for law to govern, guide, and protect his constantly increasing relations with his fellow man in other nations. The European Court of Justice for the European Communities and the European Human Rights Court both allow individuals to bring cases before them. Most of the new international courts now proposed would allow individuals to appear before them, and much of the new world law of recent years has as its main object the needs and desires of the individual.

Sixth. We are reexamining traditional concepts of international law in the light of the world of today, not only as to applicability of international law to individuals, but in an attempt to insure that international law of our day takes into consideration the history, traditions, customs, and needs of newly independent and newly developing nations. Thus the gap between East and West is being bridged. New international law is being created which is acceptable both to lawyers and the peoples of the East and West because it is a molding of the ideas and ideals of all mankind.

Seventh. Heads of state and other leaders of nations are giving more and more attention to world law and are resorting to it with increasing frequency in their dialog among themselves in their conduct of foreign affairs. In part, this is because more international law exists and it, therefore, offers an excellent starting point for many efforts in foreign relations. Nearly every dispute between nations today begins with a citation by both sides of alleged rights or claims under international law.

At this conference and previous conferences leading up to this meeting, more than 100 heads of state have sent messages stating their adherence to the idea of a world rule of law. I believe that this increasing interest in and increased reliance on world law by governmental leaders is a relevant fact as we consider the road to peace through law.

Eighth. The peoples of the world are more and more aware of the promise and potential of a world ruled by law. This is shown by reports in news media and publications on a worldwide basis. One finds that religious, scientific, and other organizations in their resolutions and statements more and more are urging a world rule of law. True, they ask for it in wondering sort of way without specifying the steps to achieve it. But discussions, arguments, speeches, and debates on this subject all tend to educate both lawyers and laymen on the value of law in the search for ways and means of achieving and maintaining world peace. Law, in ultimate thrust, is the end result of conferences, discussions, diplomacy, resolutions, and other public consideration. Especially valuable in building world law is public enlightenment, education, interest, and support. All world law must result from international cooperation and agreement by nations and leaders of nations will hardly agree to any treaty or convention unless their people want them to agree. That is why I commend my colleague Chief Justice Yokota, of Japan, for his proposal of World Law Day which has resulted in so much international public attention being focused at this very moment upon world law and its promise and potential.

Ninth. Judges, professors, and lawyers of the world are becoming organized to take advantage of the facts I have just enumerated. This organized strength of the legal profession helps make possible a breakthrough in the growth and development of world law parallel to those in science and other disciplines. We are learning to think and act globally for the first time in history. We can no longer await the slow and episodic growth over the centuries as was the case, for example, of the law of the sea. A more speedy and orderly process is essential and is evolving out of necessity.

This is only the second world conference of the legal profession attended by delegates from more than 100 nations. The reports, addresses, and discussions at this conference will demonstrate the value of the organized effort thus far generated. The igniting of ideas on an international basis, the bringing to bear of this assemblage of manpower and brainpower on what to do and how to do it are all exciting new advances toward our towering goal of a world rule of law.

Tenth. This historic first world gathering of chief justices and high court judges is also a plus factor in the movement toward world peace through law. As in the case of law and lawyers, we have more courts and more judges than ever before in all history both nationally and internationally.

Since one objective of the world peace through law program is to have legal disputes decided in courts rather than by violence, we who devote our lives to deciding such disputes may be able to make a major contribution to this quest for peace under law. Just what our role should be in this program is yet to be developed but we should make a beginning here at this conference. Perhaps we can begin to define the proper role for judges in this great effort by a frank exchange of ideas on this subject at our joint discussions. I feel certain that we can evolve a role for judges that is proper, beneficial, and adequate as our contribution to the great need which exists.

Knowledgeable observers of the development of law in the world community agree with the obvious conclusion which flows from this recitation of the incontrovertible facts describing the ever-accelerating expansion of the field of law. In every instance where the law is plentiful and strong enough to be effective, it works well.

This story of the law's dramatic growth is not intended to present the rule of law as a panacea for peace or as creating a utopia in ultimate thrust. Nations are run by men, and differences and disputes are inherent in human nature. The rule of law in a nation or internationally does not end all disputes or prevent the breaking of the law. In its simplest form, a law system is a set of rules to govern and guide human conduct so as to avoid conflicts and a court system for peaceful decision of the inevitable disputes that will arise.

No law system is put forth as providing perfection. Perfect justice is an ideal we all strive for but never quite accomplish. But the lesson of history is that when law systems and court systems become adequate within nations they do provide order and peace. When such systems are developed for the world community, they can and will perform the same service internationally. The international law that exists already is a force for peace and as we strengthen and expand it the occasions for disputes leading to war will lessen.

My message is one of hope and accomplishment—a report of achievements in the field of law which are clearly preludes to great advances—advances which will benefit the status of all peoples by advancing the cause of peace. The law is on the march everywhere. We now have a sound foundation upon which to erect a more complete rule of law for the world community.

We are matching our words about a world ruled by law with a program to give them substance. That the task is not easy and that it requires years of dedicated effort should make us determined rather than fainthearted. For success in our ultimate program means we will so harness mankind's newly developed power under the rule of law that it will be used for man's benefit rather than be used for his death in nuclear holocaust. The only provable harness for the peaceful containment of power yet developed by the mind of man is the rule of law.

I for one believe we can create just as mightily in the law field as our scientific brethren did in the field of science. We can, because we must, create sufficient law to prevent use of the awesome power of the atom to destroy man and civilization.

It is now time for us to get with our task. Certain it is that no man or woman can engage in a greater enterprise, for it is no less than a joint endeavor to save humankind from extinction by creating a world order under law wherein all men, women and children everywhere can live in peace and decency.

INVESTIGATION OF USE OF POLYGRAPH BY THE DEPARTMENT OF DEFENSE

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, hearings were held last month by the Subcommittee on Foreign Operations and Government Information of the Committee on Government Operations, on the investigative use of the polygraph by the Department of Defense. We on that subcommittee were particularly concerned with determining if any new legislation was needed to safeguard employees and servicemen whose rights and privacy were being restricted.

During the hearings, which I chaired, an official witness, the Deputy Assistant Secretary of Defense for Security Policy, admitted that investigative material collected under the industrial security program sometimes gets back to employers.

With the legislation that I am introducing today, I hope to remedy this deplorable situation.

The Office of Industrial Personnel Access Authorization Review is established by Executive order of July 28, 1960. The Secretary of Defense is directed to investigate and clear employees of private industry who must have access to classified security information because their companies have defense contracts.

The Department of Defense runs approximately 300,000 clearances of private industry employees each year. These clearances require a full background check of the employees by Defense Department investigators, including interviews of friends, neighbors, and coworkers.

The polygraph is also used to determine such things as emotional stability although experts testified before our subcommittee that a true lie detector simply does not exist.

It is this material from the investigation files that is occasionally turned over to an employer, even in cases where the Government investigators have found nothing to prohibit clearance.

There may be something on the man's background or habits which would induce an employer to dispense with the employee's services even if the Government finds him to be a loyal citizen.

Currently, the only protection against divulging investigative material is contained in an Executive order and departmental directive. This apparently has not completely stopped such information from leaking out, however. What we seem to need is a law with some teeth in it.

My bill would make it a Federal crime to divulge information acquired by Government investigation to anyone other than proper Government officials. My bill would set a penalty of up to $1,000 fine and an up to 1 year imprisonment for improper disclosure of personnel information.

We must act quickly to terminate this kind of activity that can flaunt a person's personal life without regard for his rights to privacy. People receiving security clearance investigations should not have to worry about irrelevant personal information getting into the hands of inappropriate persons and hurting their lives and opportunities.

CHALLENGE TO PREVENT THE SEATING OF REPRESENTATIVES CERTIFIED TO HOUSE OF REPRESENTATIVES FROM THE STATE OF MISSISSIPPI

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. VIVIAN. Mr. Speaker, on the 4th of January of this year a legal challenge, under the Constitution and laws of the land, was formerly presented to this House. This challenge seeks to prevent the seating of Representatives certified to us by the State of Mississippi. On that date, 149 Members of the House formally recorded their desire to delay the seating of the Mississippi delegation until the charges could be formally heard, and a determination of their merit made.

It is said, Mr. Speaker, that the House will be asked early this week to vote on a motion to dismiss that challenge.

Last week, the attorney general of the State of Mississippi went into court in that State to institute suits aimed at disqualifying individuals, largely, of course, Negroes, who have been registered by Federal registrars in the few weeks since the Voting Rights Act of 1965 was signed into law.

The decision of the State of Mississippi to further delay the registration of qualified Negro applicants has, it seems to me, made even more urgent the necessity for serious consideration of the merits of the challenge placed before this House. For, unless this House clearly demonstrates, under provisions of the Constitution of the United States, and duly enacted Federal laws, that only Members who have been legally elected in legal and open elections in the several States shall have the right to sit in this body, we will be giving encouragement to yet another stage in the continuing effort by the State of Mississippi to prevent qualified Negro voters from participating in the elections and government of that State.

Mr. Speaker, I urge Members who support the Voting Rights Act of 1965 to reject the motion to dismiss the challenge to the seating of the Representatives from Mississippi. For only by hearing that challenge on its merits, and only by then voting to unseat Members if they were illegally elected, will the House clearly show the State of Mississippi as well as other States now sincerely trying to comply with the Voting Rights Act of 1965, that it is our intention to encourage compliance with the Voting Rights Act of 1965, and to sharply discourage efforts to obstruct its application.

I ask that two newspaper articles dealing with this serious matter be reprinted at this point in the Record.

[From the Washington Post, Sept. 8, 1965]

MISSISSIPPI CHALLENGES VOTERS UNITED STATES ENROLLED

JACKSON, MISS., September 7.—State Attorney General Joe Patterson asked Mississippi courts today to keep off the voting rolls persons registered by Federal examiners under the new voting rights law.

Patterson filed the suits in the chancery courts of Leflore, Madison, and Jefferson Davis Counties. He said a similar suit would be filed in Jones County tomorrow. These are the four Mississippi counties to which Federal registrars have been assigned.

Filing of the suits sets the stage for a legal showdown on conflicting Federal and State requirements for voting.

In the suits, Patterson said the Federal law ignored the State voting requirements and required the county registrars to act in a manner contrary to State law.

"The clerks are on the horns of a dilemma," Patterson told the Associated Press. "They are put in the position of accepting these people registered by Federal registrars and violating State law, or refusing to list the names compiled by the Federal registrars and violating Federal law."

Informed sources said the State apparently would launch its court challenge of the Federal Voting Rights Act in this manner, rather than file suit directly challenging the act itself.

"This is the kickoff," was Patterson's only comment.

If Patterson secures the State court injunctions blocking the listing of federally registered persons on county rolls, the Federal Government is expected to go into Federal court in an effort to dissolve the State court injunction. This would lead to a head-on contest between the State and Federal Governments over voting laws.

The State suit said each circuit clerk is charged by law with registering "the names of all residents of said county who have complied with the laws of the State of Mississippi prerequisite to such registration."

Patterson said Federal registrars are signing up as voters persons who do not meet State qualifications "without requiring such persons to comply with valid nondiscriminatory State requirements."

He said the State "will be immediately and irreparably injured and damaged through the multiplied violation of its said civil and criminal laws through the intimidation and coercion of the defendant officials (the clerks) to breach and violate said laws, and through an illegal dilution of the individual voting rights of its citizens who are properly qualified under its laws as State electors."

[From the Jackson Daily News, Sept. 2, 1965]

LATER THIS MONTH—EFFORT TO DISMISS CHALLENGE AGAINST STATE SOLONS EXPECTED

(By William Peart)

The U.S. House of Representatives is expected to vote during the week of September 13 to dismiss a seating challenge against Mississippi's five Congressmen, it was learned today.

A Washington source reported that Representative OMAR BURLESON, of Texas, chairman of the House Committee on Administration, is expected to introduce a resolution calling for the dismissal.

And, the source added, the House is expected to approve the resolution.

Mississippi's five-Member delegation filed motions with BURLESON'S committee Tuesday asking that the challenge filed by the mostly Negro Freedom Democratic Party be dismissed.

The source reported that House Speaker JOHN W. MCCORMACK, of Massachusetts, has instructed the committee "to get busy and do something."

After the committee studies the delegation's arguments for retaining its congressional seats. BURLESON is expected to offer the dismissal resolution on the House floor.

The delegation is quietly confident it has the votes for approval of the resolution.

The source reported that these four recent developments have benefited the congressional delegation's battle to retain its seats:

The Los Angeles riots.

Lowered requirements in Mississippi's voter registration laws.

Passage of the Federal voting rights act.

The Freedom Democratic Party's action relative to members ignoring draft action into the armed services.

UNSEATING ASKED

The Freedom Democratic Party initiated the seating challenge when Congress convened in January. It claimed the Congressmen should be denied their seats because, it contended, Negroes have been systematically excluded from voting in Mississippi.

Exactly 149 Members of the 435-Member House voted in January to unseat the delegation.

To bolster its case, the Freedom Democratic Party took depositions in the State during the spring.

Representative WILLIAM FITTS RYAN, of New York, a Freedom Democratic Party spokesman, has threatened to introduce a resolution in the House September 21 calling for the immediate unseating of the delegation.

MASS MARCH PLANNED

Additionally, the Freedom Democratic Party official Lawrence Guyot has called for a mass demonstration in Washington on the challenge beginning September 18.

The source reported that at least some Members of the House frown on prior associations of the attorneys-of-record representing the Freedom Democratic Party.

Civil rights organizations have been active in the predominantly Negro party's efforts to unseat the Congressmen.

"They have created an atmosphere of hysteria," the source reported.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES NEEDED NOW

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, there is a bill awaiting our consideration which I believe to be of great importance for the development of our society and of the individuals in it. I wish now to reiterate my support for H.R. 9460, a bill to establish a National Foundation on the Arts and Humanities.

Our society has become a science-orientated society. Science is not only directly related to our ability to operate more efficiently and more profitably, but now is of great importance to our national defense. Perhaps this is why the sciences receive the great public and Federal support which they do. But there is now widespread concern that this emphasis on science is creating an imbalance in our society and civilization. It is creating a society which runs the risk of being very shallow and shortsighted and either ignorant or unconcerned with the larger issues involved. In our great attempt to keep pace with the new developments and the "knowledge explosion" in the field of science, we often forget that science can show us "how to" but does not necessarily tell us "why."

It is the arts and the humanities which deal with the lives and aspirations of men. They are at once the record and the very product of our imaginations, our creativity, and our hopes. Barnaby C. Keeney, president of Brown University, summarized very well the importance of the arts and the humanities to our society.

Upon the humanities and the arts—

He said—

> depend the national ethnic and our morals, the national esthetic and our beauty or lack of it, the national use of our material environment and, above all, of our accomplishments * * *. On our knowledge of men, their past, their present, their aspirations depends our ability to make judgments—especially those judgments that influence our control of our environment, of ourselves, and of our destiny.

That is why, Mr. Speaker, I believe it to be in the national interest to support the humanities and the arts. A National Foundation on the Arts and the Humanities can be a clear expression of our national concern and regard for the arts and the humanities. It can also help us to meet the needs of the arts and humanities for support and to meet the needs of the country for the arts and humanities. But Government support of the arts and humanities is not to replace private initiative, reduce private responsibility, or restrict artistic freedom. Rather it is meant to recognize the important place which the arts and humanities have in our national life, to develop a broad policy of national support for the arts and humanities, and to give them a permanent base. H.R. 9460 fulfills these objectives.

The bill establishes a National Endowment for the Arts and a National Endowment for the Humanities within the Foundation. Each endowment is authorized the sum of $5 million. The Endowment for the Arts will use this money to carry out a program of matching grants to groups and individuals for productions and projects of high artistic quality. The Endowment for the Humanities will make grants, loans, and fellowships to individuals and institutions for research and training, and will support the publication of scholarly works and the interchange of information. The bill is also intended to stimulate private philanthropy and encourage State activities in the arts and humanities. To attain this end the endowments are authorized additional funds to match private donations and to support State projects.

The arts and humanities have a vital role to play in the educational system of the country. But this role has been all but overshadowed and neglected by the stress which has been placed on the physical and life sciences. The establishment of the National Science Foundation testifies to the status of the sciences in our country. We fail, however, to assist, in a similar way, the arts and the humanities which are equally important. H.R. 9460 takes remedial action against this deficiency. It makes funds available to the Commissioner of Education to make payments to State educational agencies for the strengthening of instruction in the arts and humanities. It also authorizes the Commissioner to arrange for teacher training institutes. In this way the bill will strengthen the teaching of the arts and the humanities in our elementary and secondary schools. At a time when education is such a vital national concern and when we seek to make as much education as possible to as many people as possible, we must take steps to insure that the education our citizens receive is of as high a quality as is possible. This means that the study of science must be balanced by the study of the arts and the humanities. It is important that we know about the world around us and how it operates, but it is also very important that we understand and are able to communicate all that man has thought and created and experienced during his life on earth.

As one scholar stated, the case for the support of the arts and the humanities is the case for the preservation and improvement of the very bases of our civilization. This echoes something President Johnson wrote last June:

> The continued vitality of the humanities and the arts in America is required not only for the enrichment of our lives as individuals, but also for the health and strength of our society.

H.R. 9460 will insure the continued vitality of the arts and humanities. We cannot afford to hesitate, the time to act is now. I enthusiastically support and I encourage the support of my fellow Congressmen for H.R. 9460.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, in recent days we have had a great deal of discussion about the subject of home rule for the District of Columbia. At this time I would like to read the words of a great American on this subject:

> From time to time there is considerable agitation in Washington in favor of granting the citizens of the city the franchise and constituting an elective government. I am strongly opposed to this change. The history of Washington discloses a number of experiments of this kind, which have always been abandoned as unsatisfactory. The truth is this is a city governed by a popular body, to wit, the Congress of the United States, selected from the people of the United States, who own Washington. The people who come here to live do so with the knowledge of the origin of the city and the restrictions, and therefore voluntarily give up the privilege of living in a municipality governed by popular vote. Washington is so unique in its origin and in its use for housing and localizing the sovereignty of the Nation that the people who live here must regard its peculiar character and must be content to subject themselves to the control of a body selected by all the people of the Nation. I agree that there are certain inconveniences growing out of the government of a city by a national legislature like Congress, and it would perhaps be possible to lessen these by the delegation by Congress to the District Commissioners of greater legislative power for the enactment of local laws than they now possess, especially those of a police character.

Those are the words of President William Howard Taft in a message to the House in 1912.

NEWS MEDIA APPLAUD LAWRENCE F. O'BRIEN'S APPOINTMENT AS POSTMASTER GENERAL

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, the appointment of Lawrence F. O'Brien of Springfield, Mass., Special Assistant to the President for Congressional Relations, as the new Postmaster General, continues to be universally acclaimed by the news media, both in his home State of Massachusetts and in the mass circulation national weekly news magazines.

The Springfield Daily News, Mr. O'Brien's hometown paper, says of the appointment:

> His talented and dedicated labors for the Democratic Party, for two Presidents, and for the country have been fittingly recognized by his appointment to the President's family of highest advisers.

The Holyoke, Mass., Transcript-Telegram, editorialized on the O'Brien appointment as follows:

> He is a thoroughbred political pro. He was the late President Kennedy's workhorse in the political arena, handling the White House relations with the Congress. He is versatile and a realist.

Mr. Speaker, I would also like to read excerpts from Time magazine of September 10, 1965, concerning the Lawrence F. O'Brien appointment, and include with my remarks the complete editorials from the Springfield Daily News of August 30, 1965, and the Holyoke Transcript-Telegram of August 31, 1965:

[From Time magazine, Sept. 10, 1965]

BACKROOM BOY UP FRONT

For all their divided loyalties and divergent styles, Lyndon Johnson and President Kennedy's political legatees have apparently reached a working truce. Bobby Kennedy, who earlier this year was shafting the Johnson administration for deepening the U.S. military involvement in Vietnam, of late has had only praise for the President's policies. While most other top advisers to J.F.K. have now left the White House, one of the most valued of all has stayed on to play an even more influential role in the Johnson administration. He is Larry O'Brien, John Kennedy's most artful campaign manager and Capitol Hill strategist, who has since shouldered the bigger burden of pushing Johnson's mighty legislative raft through Congress.

Last week L.B.J. showed his own high opinion of J.F.K.'s key aide by naming him to the politically potent Cabinet post of Postmaster General. The appointment drew added piquancy from the fact that O'Brien wanted to give up his White House duties even before John Kennedy's death, and in recent months had been hotly wooed to direct the top-to-bottom reorganization of the Massachusetts Democratic machine sought by yet another Kennedy—Senator Teddy. In any case, Larry had let it be known that he would definitely leave Washington when the present Congress adjourns. By putting him in the Cabinet instead, Johnson thus wrested from the Irish Mafia a man who might have loomed as large in Teddy's career as he had in Jack's—and plainly has plenty of loom in Lyndon's plans.

Of all Kennedy men who suddenly became Johnson's retainers in 1963, Larry O'Brien's prospects for advancement hardly seemed the most radiant. While he was a relative stranger in 1961 to the complexities of Capitol Hill—though hardly to politics—O'Brien was largely responsible for passage of the few bills that J.F.K. managed to get through Congress. His success sorely dismayed Vice President Lyndon Johnson, the old maestro of Senate consensus, who had naturally expected to be No. 1 New Frontiersman on Capitol Hill. Yet, to O'Brien's amazement, on the plane back from Dallas after Kennedy's assassination, Johnson asked him to stay on—and promised him a "blank check."

BRIDGING THE GULF

Despite Johnson's reputation for pressuring Congress, he has scrupulously observed his pledge to O'Brien, twists the congressional arms of Larry's choosing and, mostly, at Larry's request. With an expanded corps of operatives—5 men for floor work, 12 women researchers and secretaries—O'Brien has shown unprecedented ability in spanning the hazardous chasm between the Hill and the White House—maintaining what Bryce Harlow, President Eisenhower's legislative man, called an ambulatory bridge across a constitutional gulf.

O'Brien is, for all his skill, essentially a backroom boy. The Great Society's architect and principal prophet has been, and will continue to be, Lyndon Johnson, and his extraordinary legislative record is 90 percent his own. The importance of O'Brien's 10 percent was demonstrated nonetheless by the fact that the entire Congress, Republicans as well as Democrats, had planned an unprecedented party to bid him farewell when—as he fully expected—he quit Washington this fall.

GENERAL DELIVERY

With this year's congressional blitz all but completed, Johnson's challenge next year will be to preserve all be can of his Democratic congressional majority. O'Brien will have a critical part in that effort, too, both as campaign strategist and patronage dispenser, with 35,000 appointive postmasterships and 33,000 rural lettercarrier jobs at his disposal.

Larry's move out front may also benefit the Nation. So highly do Congressmen regard his drive and organizational talents that many last week were already looking forward to better postal service under "General" O'Brien, as his 600,000 employees will now call him. After all, without reasonably efficient mail, how could its citizens ever convince each other that Lyndon's society was great?

[From the Springfield Daily News, Aug. 30, 1965]

POSTMASTER GENERAL O'BRIEN

Lawrence F. O'Brien is the 31st Massachusetts man but the first Springfield native to be named to the President's Cabinet.

A former resident of Springfield was named to a Cabinet post 120 years ago, but George Bancroft was a Worcester native. Only when President Johnson announced his designation of Larry O'Brien to be Postmaster General could Springfield boast of a native son in the White House Cabinet.

"I know of no single individual who has contributed more to the enactment of legislation that touches the lives of so many Americans," said the President as he announced his selection of Mr. O'Brien.

Mr. O'Brien friends will recall that he seemed to have retired from politics at an early age when a Congressman of exactly the same age asked him to organize his U.S. Senate campaign in this State in 1952. In 1960, he was national organizer of that Senator's successful campaign for the Presidency, and became his liaison man between the White House and the Congress. Mr. O'Brien was with the President in Dallas on November 22, 1963, and decided to remain in his job to work for the legislation the late President had favored.

Mr. O'Brien's political rise from 1952 obscurity to 1965 secretariat has been swift, but not surprising to those who have seen him at work. His talented and dedicated labors for the Democratic Party, for two Presidents, and for the country have been fittingly recognized by his appointment to the President's family of highest advisers.

We happily join Mr. O'Brien's many other friends and neighbors in wishing him well in his new post of honors and responsibilities.

[From the Holyoke Daily Transcript-Telegram, Aug. 31, 1965]

LARRY O'BRIEN, A POLITICAL PRO

Western Massachusetts again will have a son in the Cabinet of the President of the

United States. Lawrence F. O'Brien, of Springfield, moves into the mighty inner circle of our National Government as Postmaster General. The first citizen of this area to serve in a Cabinet was the late William F. Whiting, of Holyoke, who was Secretary of Commerce under his friend, President Calvin Coolidge, from July 1928 until the close of the Coolidge administration on March 4, 1929.

The Postmaster General's role traditionally has been completely political. Its zenith in modern times was reached when James M. Farley presided over that branch of Government during the first two terms of the late President Franklin D. Roosevelt. Never before or since has the Postmaster General been so powerful. Mr. Farley was a 100-percent professional and we use that term with respect.

Lawrence F. O'Brien comes as close in comparison to him as anyone could. He is a thoroughbred political pro. He was the late President Kennedy's workhorse in the political arena, handling the White House relations with the Congress. He is versatile and a realist. He alone of the inner Kennedy group—the Irish Mafia—was able with satisfaction to move over into the Johnson team. The others have departed. They couldn't be happy under the new regime. Larry O'Brien could make the transition.

For certain the Post Office Department will be managed by a strong willed man who will supervise all patronage. He will require complete partisan loyalty. There will be the regular civil service examinations but you can be sure the postmaster appointments will go to the tried and true faithful. It may be a cynical observation, but it's practical politics and this is what keeps the blood of life flowing through political machines.

Larry O'Brien will do nothing shabby. But you need not expect a nod from him unless you are a 100-percent Democrat.

RULES FOR ROLLCALL VOTES

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, one of the things that has made this great House of Representatives perhaps the greatest deliberative body in the world is the fact that even when it is inconvenient, this House abides by its rules—and by its rules whatever they may be. For a number of months I have been concerned, however, about one rule, one of the basic rules of this body, the rule which prescribes the manner of voting on constitutional roll calls. Yesterday in 1 day there were over 100 cases of apparent violations of this rule. I asked for a special order this afternoon to point out the results of my study and I ask all Members of the House, and particularly members of the Committee on House Administration, to meet with me and join in with me on this special order because I sincerely believe the best way to preserve the dignity of this House is to enforce all of our rules.

The SPEAKER. The time of the gentleman has expired.

PRESIDENT JOHNSON SAYS SMALL TOWNS MUST NOT BE ALLOWED TO DIE—THAT THEY ARE REALLY THE BACKBONE OF THE COUNTRY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, President Johnson, more than any other Chief Executive in the history of this country, understands the needs and the problems of our rural areas and communities.

President Johnson was born and grew up in a rural section of Texas. His roots are deep in this central Texas land of farms and ranches. He and his family participated in and led the hard-fought battles to develop this area of his native State.

Mr. Speaker, today our rural areas—areas like those where the President was raised—are at an important crossroads in their development. The country can continue, if it chooses, to go down the road to big corporate farms, to the continued deterioration of the family farm and the depopulation of our countryside cramming our industries and people into a few crowded cities.

The Nation can, however, take action to revitalize our rural areas, to decentralize industry, and to take advantage of the tremendous resources which today go unused. If we but give our people the tools, they are more than willing to do the job. Through programs such as provided by the Area Redevelopment Administration and the new Economic Development Act, we can make available the credit which the rural people need to buy the capital goods essential to a modern business or farm. We can supplement this with the necessary economic substructure in terms of roads, sewers, and water systems and provide the impetus for rural America to grow and farms and industries to prosper.

The Public Works and Economic Development Act which the President signed into law on August 26 will be a vital tool in the development of these areas. In signing the bill, the President eloquently described the needs and the hopes of our rural communities. His words should hearten rural people throughout the Nation. I include these excerpts from the President's remarks in the Record:

> I go back to my hometown and I find difficulty locating anyone under 21 years of age that has finished high school. They have moved on. I see the men sit around under the shade playing dominoes—but they are in the late sixties and early seventies.
>
> Now two courses of action are open to us in the face of these conditions. One is to do nothing. That is the thing we have been doing for a good many years, and we just let these little towns die. Their schools and their churches will grow empty each year. The "for rent" signs will appear with depressing frequency before their stores and their little modest cottages.
>
> If we take that course, we do more than just write off small town life as unimportant to America. We make certain that thousands upon thousands of families will be compelled to move away and go into the great cities, and when they get there, they are going to be concentrated in slums, they are going to live on the edge of poverty, they are going to be separated from all that would give them security and give them confidence if they could stay back home.
>
> Now the other course is the course of opportunity. If we choose that, we say that empty fatalism has no part in the American dream. Like the lawmakers in our past who created the Homestead Act, some of them who wrote the Land-Grant Act, some of you out there who helped write the Farmers Home Act, we say that it is right and that it is just and that it is a function of government, and that we are going to carry out that responsibility to help our people get back on their feet and share once again in the blessings of American life. We say that we are not helpless before the iron laws of economics, that a wise public policy uses economics to create hope—and not to abet despair.
>
> That is the course we are taking today under the leadership of you men that sit there in that front row and all those other rows. We are embarking this morning on a new program of grants and loans to those cities and those towns where too many men have been out of work too long, and we think that is the proper function of government. We want them in these little towns, to put their men to work, to improve their water systems, stop the pollution of the streams and lakes, and I do hope that some of you can help Senator Muskie and the members of the House Public Works Committee, Congressman Blatnik, to get that pollution bill out—let's not get it tied up in conference. I know it is difficult and I know we have some disagreements and I know we have some other disagreements too—I have been observing them—but if we could, we could pass that bill now and make a great contribution to our country. We could develop our harbors and our channels, control our rivers and lay out roads and provide utilities for new industry. We want them to do whatever it takes to bring hope back to the people of these smaller towns.
>
> The question has really never been how to do these things. The question always has been where do we find the means to do them. In my judgment this new act—the Public Works and Economic Development Act of 1965—gives us the authority and gives us the vision that we need. And under the leadership of these substantial numbers of progressive Congressmen and Senators who are here this morning, the fine Secretary of Commerce and that brilliant new Assistant Secretary of Commerce, Gene Foley, who is going to be Assistant Secretary for Economic Development, I believe we are going to open the gates of opportunity for yet another body of this people.
>
> So this morning, I sign into law with gratitude to each of you in the Congress that passed this bill, and I am confident in the future that you and your posterity will remember being participants here in the East Room in this forward looking step to try to save people, save human beings, save the small towns that are really the backbone of our country. We can always put off these things, and we have had a habit of doing that in bygone years, but we are facing up to most of our responsibilities—sometimes we face up to them a little late.

THE GREAT HIEBERT FAMILY—AN ADDRESS BY DR. J. MARK HIEBERT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am inserting an article entitled "The Public Responsibilities of the Manufacturer of Home Remedies," by Dr. J. Mark Hiebert, chairman of the board of Sterling Drug, Inc., which is included in the annals of the New York Academy of Sciences, July 14, 1965, in the RECORD with my statement.

Dr. Hiebert, born in Kansas, the son of a minister and educator, typifies the farm boy who rose with the dawn and completed his assigned chores before going on to school. On completing high school, he took time out for a year to become the one teacher in a 1-room school of 47 pupils in all 8 grades. After that experience, he enrolled in Tabor College, an institution founded by his father, and received his A.B. degree.

But the Hiebert family has a doctoral tradition. Some 18 Hieberts—brothers, uncles, nephews, and cousins—are doctors. Dr. Hiebert earned his M.D. degree at the Boston University School of Medicine where, incidentally, he found his bride, the former Dorothy Prior, who also received her M.D. from the same university. The doctoral Hieberts are engaged in many fields: As general practitioners, surgeons, internists, radiologists, pathologists, professors, and medical reseachers.

In addition to his association with Sterling Drug, Mark Hiebert is vice chairman of the board of trustees of Boston University; a trustee of the Columbia University College of Pharmacy, and of the American Child Guidance Foundation. In commerce and industry, he is a trustee of the U.S. Council of the International Chamber of Commerce; director and past president of the Commerce and Industry Association of New York, and member of the executive committee of the Proprietary Association of America. His professional memberships include: American Association for the Advancement of Science; American Medical Association; the New York Academy of Medicine; the New York Academy of Sciences. He is licensed to practice medicine in New York, Maine, Illinois, and Michigan.

This article is an example of industrial statesmanship in the public interest. In the article Dr. Hiebert points out that the primary public responsibilities of the manufacturer of home remedies are to earn, hold and build public confidence in his products, in home medication, and in the industry. He urges manufacturers to work unceasingly to achieve these goals because the public deserves home medication products and the public interest demands it.

THE PUBLIC RESPONSIBILITIES OF THE MANUFACTURER OF HOME REMEDIES

(J. Mark Hiebert, Sterling Drug, Inc., New York, N.Y.)

The most important link that joins home medication with the public welfare is, it seems to me, described by a single word: confidence. The primary responsibilities of the manufacturer are to earn, hold, and build public confidence in his products, in home medication, and in the industry of which he is a part.

This paper includes a few observations concerning home medication; but major emphasis is placed on the ways in which public confidence can be earned, held, increased. I present my views as a physician and as chief officer of a company that is a major producer of prescription and nonprescription medicinal preparations.

A salient fact about home remedies is that they form the first and most inexpensive line of defense against minor ailments. And so they have served throughout the history of mankind. There is reference to the binding up of wounds and the pouring in of oil and wine in the story of the Good Samaritan.

Mother is the first line of health defense in the home. From time immemorial, she has ministered to her young in response to an instinct that "the ages cannot wither, nor custom stale." Modern nonprescription medicines help the 20th century American mother—already housewife, cook, teacher, seamstress, chauffeur, volunteer worker—to increase her usefulness as family nurse and acknowledge authority on the application and reliability of the home remedies in the family medicine chest.

She is part of a sophisticated generation. Her knowledge of medicaments is derived from actual use as well as from keeping up to date on many things that affect the home and family, particularly in matters of health. She is familiar with many minor ailments that affect her family and knows pretty well when to call the doctor. Mother knows, too, that the Congress of the United States shares her confidence in home medication products and is mindful of the future needs and demands of the people in this area.

We appreciate that the Durham-Humphrey Act of 1951 recognized the public's right to home medication, nor did the Drug Amendments of 1962 repeal that right. In fact Congress, by its enactments, has sought to make the public's possession and exercise of that right more valuable and more helpful. The clear, overriding purpose of the Congress has been to assure the physician and the layman that the medicines offered to them will be effective and safe when taken as directed.

The mother-nurse of the American household would, I submit, be quick to resent any action that she would interpret as interference with this right to home medication.

Chester Scott Keefer looked at home medication from another point of view when he said about a year ago: "In the group of minor illness, we have such disorders as the common cold in the head, slight indigestion, transient headaches, diarrhea, itching, constipation, sleeplessness, musculo-skeletal pains and aches. These complaints are so common and so frequent that if a doctor had to be called or consulted about every case, the number of doctors required might be 10 to 20 times the number available today. It is in this large group of minor diseases which are transitory and temporary that we need home medication which is safe and effective, i.e., drugs which will act in the manner claimed for them." Merely to contemplate the implications of this statement—in terms of multibillions of dollars of added cost, or effect on the quality of medical care—is sobering. The public rightly believes that it is sound public policy to preserve the professional time, training, and expert skills of the physician for the important work of his profession. Home medication contributes to his ability to concentrate his activities on the treatment of illness obviously of a serious nature, or serious enough to bring patients to physicians.

In this connection, we might ask ourselves: What does the speedy elimination of a headache mean to the individual? Or fast and economical relief from pain or discomfort? What benefits are there for the individual and the economy in time saved that might otherwise be lost in absenteeism? The answers to these questions are useful in arriving at a realistic appreciation of the value of home medication.

But, of course, the fundamental element of public confidence is home medication that is safe and effective—i.e., drugs that will act in the manner claimed for them.

All medicines ought to be able to pass a reasonable test for efficacy, and their usefulness should be determined by modern technology, pharmacology, and clinical response. But I would remind you that in many types of home medicaments the users themselves are best able to determine whether the relief they seek is delivered. It is hardly necessary for mother to consult a scientific panel to learn whether her headache or muscular pain has disappeared or her child's fever come down.

As a physician and drug manufacturer, I am ever urging scientists and technologists to continually seek for increased safety of our medicinal preparations. But I also recognize that absolute safety, like absolute purity and absolute zero on the thermometer, is still beyond the reach of man. In this connection, all of us recognize the danger that lies in abuse—abuse not only in taking overdoses of good medicines that are safe in normal use—abuse in driving a car too fast, in overindulging in food or drink—abuse in a thousand or more ways that the perverse human mind can all too easily conceive. One serious abuse lies in the thoughtless and careless leaving of medicines around the house—within easy reach of small children.

I hold, and believe that the American people hold, that a medicine efficacious for treatment of the illness for which it is indicated and safe when taken as directed is a good medicine that ought to be available to the public.

There is always room for improvement in medicines, as in other things. If necessity is the mother of invention, dissatisfaction is the father of progress. We appreciate that public confidence in home medication will increase to the degree that the industry conscientiously and realistically directs its effort to the further improvement of established products and the development of new products. But we are disturbed that improvement of established home remedies appears to have become a more difficult and more expensive undertaking since any change in the established product might classify it as a "new drug," requiring the exhaustive procedures involved in the filing of a new drug application.

Public confidence in home medication also requires of the manufacturer that he accept and discharge certain other responsibilities—that he produce his products in accordance with the latest advances in technology and that he employ the finest quality control procedures in order to assure their uniformity, purity, potency, and stability. The public benefits from the conscientious striving of the industry to attain ever higher standards; and, in turn, the industry benefits from the public confidence such performance inspires.

The public has a right to other benefits. It properly expects a social profit from the manufacturer in the form of research. The industry is expanding its research year by year, particularly in those companies that produce both prescription and nonprescription drugs. And, I am glad to say, the public has become increasingly well informed about this important phase of our industry's activities.

I would like to address myself next to the active principle of our free enterprise system: competition. The economic philosophy of the United States is based on competition. Competition gives the consumer a full complement of home remedies from which she can choose the product that she considers best. In the case of aspirin, one brand—Bayer—created and expanded the market; there are now 1,000 brands in that market, offering a plentitude of quality and price alternatives.

Competition, to be sure, develops a by-product of this proliferation of alternatives. Some call it product duplication, which is another way of saying that competing manufacturers are ever anxious to share in the profits of a product that another manufacturer has nursed to popularity. Freedom of entry into a market created by another is a major distinguishing characteristic of a free enterprise system. In the case of medicines, is it not better for the pharmacist, guided by the disclosed preferences of physician and consumer, to decide what his pharmacy should stock rather than for some individual in government to make that decision for him? I think it is and so, I believe, do most Americans.

There is another form of competition that has critical effect in building up, or breaking down, public confidence in home medication. I refer to the competition in communications. In this instance, we manufacturers are competing not only among ourselves. Our interest as manufacturers of home medication products and the public interest are also being affected when public communication concerning home medication products is made by any public or private agency; by legislative bodies and committees; by individuals—public and private, professional and lay, authoritative and uninformed. We have often heard our era characterized as the "golden age of medicine." Every one of us feels himself a part of this era of medicinal miracles. We have been witness to—and some of us have participated in bringing about—the discovery and development of a remarkable group of therapeutic agents that have saved literally millions of lives: chemotherapeutic preparations, from antimalarials to sulfa drugs; antibiotics; steroids; vaccines; and so many other wonderful drugs. They have contributed heroically to medical progress. Take away the medicines introduced in the United States during the 30 years of my business career, and we would be returned to what would seem to us the dark ages of disease, epidemic, and plague.

And yet an incredible change seems to be taking place. This process of change began before thalidomide, although it was undoubtedly accelerated by reason of that disaster.

We find that the golden age of medicine is being replaced by an age of destruction. Fear is replacing confidence in therapeutic agents. The values that won universal plaudits for medicinal preparations, established and new, are being overlooked as, more and more, it becomes popular to accentuate the negative. The power of these agents to protect health and preserve life is being lost sight of as concern about side effects overshadows the on-balance benefits of even long-recognized and proven therapeutic agents.

None of us would minimize side effects. The memory of thalidomide is still green. But it is equally a disservice to the public to overstate the medical signficance of side effects when the preponderance of clinical evidence—often accumulated over years and years of clinical experience—argues against such emphasis. I suggest that the age of destruction, which affects nonmedicinal products as well as drug preparations, is a cause for national concern. The sooner we return to accentuating the positive, the better for the national well-being.

In one area of communication—advertising—we are perhaps unwittingly undermining public confidence in home medication as manufacturers compete for a larger share of the market. The advertising of his products to the public is important to the manufacturer of home remedies, as it is to any manufacturer of consumer goods. For this reason the manufacturer must take great pains to assure that his advertising message is believable and truthful. To advertisers in other fields this problem of supporting advertising claims with incontrovertible proof may not be as perplexing. When his products are medicines, however, he is subject to the uncertainties of science and to the vagaries of the human body—for he is dealing with many variables and areas that are still largely matters of opinion. Uncertainties abound and will continue to abound. The fact that certainty is difficult to attain, however, constitutes no license to abandon the effort.

As cautious and careful as we must be concerning the truthfulness of the claims we make for our own products and ingredients, so much more cautious and careful must we be concerning the truthfulness and accuracy of the comparisons we make with competitor's products and ingredients used by competitors. And one who presumes to disparage a competitor's product or the ingredients used by a competitor assumes a still greater burden. For such advertising tends to erode confidence not only in the competitor's product but also in his own and, indeed, in all products in the advertised product classification—if not in the entire range of home remedies. It may be sound business sense to forego disparagement of this type regardless of the status and weight of the evidence.

As I said at the outset, the primary public responsibilities of the manufacturer of home remedies are to earn, hold, and build public confidence in his products, in home medication, and in the industry. Public confidence translates into good will. Good will is what makes tomorrow's business more than an accident. The public deserves home medication products; the public interest demands it. Let us, as manufacturers, work unceasingly to earn, hold, and increase public confidence in home medication even as we compete with one another for a larger share of the home medication market.

DEPARTMENT OF DEFENSE MOVES AGAINST LOAN SHARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am happy to announce that the Department of Defense, on August 27, issued a directive establishing a positive policy on credit unions serving Department of Defense personnel. This directive will be an important element in the Department's welfare and morale programs. Basically, it establishes that within the Department of Defense, credit union operations will be encouraged to promote thrift, combat usury, provide family financial counseling, and to provide participants with experience in organization management and administration.

The subject of the Department's position on credit unions was discussed during hearings before the Subcommittee on Domestic Finance of the Committee on Banking and Currency in June. My subcommittee was conducting hearings into the practices of Federal Services Finance Corp., a worldwide lending institution dealing primarily in personal and automobile loans to the military.

INTEREST RATES OF NEARLY 100 PERCENT

A review of Federal Services' record revealed shocking abuses in the treatment of its customers. The subcommittee learned of instances where servicemen were charged interest rates that amounted to nearly 100 percent on a 2-year loan. The former legal assistance officer of an Army installation on the west coast reported numerous cases where Federal Services was involved in sharp practices against servicemen.

It quickly became apparent to the members of the subcommittee and myself that action by the Department was necessary in order to protect servicemen against camp-following finance companies. One of the best ways of combating loan sharks is the credit union. And members of the subcommittee and myself urged the Department of Defense to do all in its power to provide credit union services to its military and civilian personnel.

I view the Department of Defense directive on credit unions as a strong endorsement of the views expressed by members of the subcommittee and myself. I am not entirely happy with the directive, primarily because it makes no reference to overseas personnel. The subcommittee investigation has brought to light the fact that some of the worst abuses take place overseas. However, the issuance of the directive is a long step in the right direction and is not to be discounted.

DIRECTIVE DOES NOT DISCRIMINATE

I am sure that representatives of the camp-following loan sharks will vigorously protest to the Department of Defense that the new directive discriminates against their operations. I think a look at the record of our subcommittee investigation will show that whenever loan sharks are permitted to operate without competition from credit unions, the servicemen suffer. Thus, rather than discriminating, the directive sets out to provide a healthy competition in the credit field. Once the directive is implemented, servicemen in the continental United States will be permitted to choose among sources of credit—they will still be free to go to the camp-following loan sharks and pay 36, 42, or 100 percent on loans. This is a right which no one can deny them. At the same time, the serviceman will be able to make use of a credit union where the maximum rate, inclusive of all charges incident to making the loan, can be no more than 12 percent per annum.

I think it is a tribute to the Department of Defense, to Cyrus Vance, Deputy Secretary of Defense, who issued the directive, and to Norman S. Paul, Assistant Secretary of Defense, Manpower, who will carry out the directive, that in face of the certain opposition of the loan sharks the directive was issued. I wish to commend them for their public spirited action and to express my support for the position they have taken which can only lead to financial peace of mind for servicemen.

The directive follows:

DEPARTMENT OF DEFENSE DIRECTIVE

Subject: Credit unions serving Department of Defense personnel.

(a) Federal Credit Union Act (12 U.S.C., 1751 et seq.).

(b) U.S. Government Organization Manual.

(c) DOD Directive 7330.1, "Voluntary Military Pay Allotments," December 12, 1956.

(d) DOD Instruction 1330.3, "Space Criteria for Providing Religious, Welfare and Recreational Facilities," September 4, 1963.

I. PURPOSE

This directive:

(a) Sets forth Department of Defense (DOD) policy on cooperation and relationships with credit unions serving military and civilian personnel in the United States, the District of Columbia, the possessions of the United States, the Canal Zone, and Puerto Rico;

(b) Prescribes the extent of logistical and administrative assistance to be uniformly provided by DOD components; and

(c) Assigns responsibility for the policy direction of the credit union program.

II. APPLICABILITY

The provisions of this directive apply to all DOD components.

III. RESPONSIBILITY

Subject to the direction, authority and control of the Secretary of Defense, the (ASD(M)) shall administer the provisions Assistant Secretary of Defense (Manpower) of this directive and assure its effective implementation throughout the DOD.

IV. POLICY

A. Credit unions encouraged in the Department of Defense.

1. Federal Government policy (references (a) and (b)):

(a) To establish convenient credit union facilities as cooperative organizations created for the purpose of stimulating systematic savings and creating a source of credit for provident or productive purposes.

(b) To emphasize self-help and wise management of resources, thereby raising the standard of living, strengthening the family unit, and increasing the self-reliance of the member.

2. Department of Defense policy.

The DOD:

(a) Recognizes the right of all military and civilian personnel to organize and affiliate with credit unions, without restriction or discrimination, formed pursuant to reference (a) or other duly constituted authority.

(b) Will provide appropriate guidance and assistance in conduct of credit union operations.

(c) Permits and encourages the operation of one credit union at each DOD installation without charge for accommodations when space is available; *Provided*, The commander responsible for allocating the space has determined that the credit union permits membership for all qualified military and civilian personnel without discrimination including, but not limited to, grade, rank, race, component, etc. At those installations where the credit union will not meet the foregoing standards of membership, commanders may encourage the formation of a second credit union which will meet the standards, and thereby receive the benefits of this directive. With the approval of the membership involved and the regulatory authorities (subsection IV. C.), mergers may also be accomplished to better serve the total defense community stationed on the installation.

B. Recognition of and assistance to credit unions: Credit unions organized by and for Defense military and civilian personnel are to be recognized and assisted at all echelons as important morale and welfare resources, and organized by law and regulation as cooperative associations for mutual benefit and self-help by:

1. Encouraging the accumulation of savings and the granting of loans for provident purposes at reasonable rates of interest;

2. Inculcating habits of thrift;

3. Combating usury or the patronage of lenders who charge exorbitant rates of interest;

4. Analyzing consumer credit problems including the true costs of installment buying;

5. Counseling in family financial planning; and

6. Providing experience in organization management and administration.

C. Organization of credit unions serving DOD personnel:

1. Federal credit unions: Credit unions organized as Federal credit unions are incorporated and operated under the authority granted by the Federal Credit Union Act, as amended (Reference (a)), are legal entities with specific powers and authorities as approved by law, and are examined periodically by the Bureau of Federal Credit Unions of the Department of Health, Education, and Welfare.

2. State credit unions: Credit unions organized under State credit union laws operate on the same general principles as Federal credit unions. Generally, State credit unions are under the jurisdiction of the State banking departments.

V. CREDIT UNION OPERATIONS IN DOD

Credit unions organized by and for DOD military and civilan personnel may be provided with the property and logistic support contemplated by section VI. below, provided operating policies are consistent with the following:

(a) Lending: In accordance with proven credit union practice, lending policies should be as liberal as possible and still be consistent with the interests of the credit union and the individual member. To be avoided are unnecessarily restrictive, unreasonable, or out-of-date rules on the size of loans, type, and amount of security, or waiting periods before loan eligibility can be granted. Special attention should be given to the youthful military member in pay grades of E–1, E–2, and E–3 in assisting such member to secure necessary loans for provident purposes.

(b) Counseling: Skilled counseling service, without charge, should be made available to Defense credit union members with every effort made to help the members, particularly the youthful and inexperienced serviceman and the young married families, to solve money problems, to budget, and to continue assistance and instruction until they can solve their problems without guidance.

(c) Savings: Members should be encouraged to participate in a regular savings plan:

1. with reasonable limitations as to amounts which may be deposited at any one time or the total amount which may be held in shares; and

2. by a reasonable dividend or return on savings.

(d) Relations:

1. Exchange of information: Cooperation, liaison and exchange of information between credit unions of all DOD components will be observed.

2. By credit unions: All credit unions serving DOD personnel will cooperate with the installation commander, keep him advised of the credit union operation, inclduing submission of a copy of the monthly financial report, other credit union publications, and invite him or his designees to attend annual meetings and other appropriate functions.

3. By installation commanders: The support and symapthetic understanding intended by this directive is not to be construed as control or supervision by installation commanders.

VI. PROPERTY AND LOGISTIC SUPPORT

(a) Credit unions serving DOD personnel will be afforded advertising space in appropriate publications, the use of bulletin boards for promotional or information purposes, and other appropriate facilities to further the aims of the organization.

(b) Station clearance forms will provide a block reserved for the credit union to be executed by personnel on permanent change of station.

(c) DOD military personnel and credit unions are encouraged to use the service allotment privilege permitted by reference (c).

(d) The transaction of credit union business during duty hours will be permitted providing there is no interference with the performance of official duties.

VII. UTILIZATION OF MILITARY REAL PROPERTY AND SPACE

(a) When available, the furnishing of office space and related real property to credit union tenants will be governed by section 1770 of reference (a).

(b) All other services such as telephone lines, or long distance toll calls, space alterations, etc., provided credit unions, resulting from assignment of military real property or space for these purposes will be subject to reimbursement by the credit union tenants.

(c) Assignment of existing space facilities or construction of new space facilities (when authorized) to credit union tenants will be in accordance with the criteria specified in reference (d).

(d) The erection of structures at credit union expense may be authorized if such proposals are first reviewed and approved for conformity to long range master utilization plans by the appropriate military departments and the Assistant Secretary of Defense (Installations and Logistics). Credit unions submitting such plans for consideration must also agree to be financially responsible for the maintenance, utilities, and services furnished.

(e) Land required for approved construction at credit union expense shall be made available only at fair rental by lease, provided that structures erected thereon will be conveyed to the Government without reimbursement in the event of installation inactivation, closing or other disposal action, liquidation of the credit union, or the lease is revoked.

VIII. IMPLEMENTATION

Within 30 days from the date of this directive, the Secretaries of the military departments (and other DOD components, as applicable) will submit to the ASD (M) for approval, their proposed implementing regulations.

IX. EFFECTIVE DATE

This directive is effective immediately.

CYRUS VANCE,
Deputy Secretary of Defense.

"CORRESPONDENT" BANKING IS VIGOROUS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, traditionally, the system of correspondent banking has provided a solid framework for small and large banks to cooperate in providing flexibility to our banking system.

There is a tendency in some quarters to look down on correspondent banking as old fashioned and out of step with the current trend toward concentration of banks and extensive branching.

During the last Congress the Banking and Currency Committee conducted an extensive survey of correspondent banking in this country and, when the returns came in, we were very pleased to see that this time-proven system is vigorous and healthy. It permits the smaller banks to maintain their independence while at the same time allowing them the opportunity to improve their services and flexibility through correspondent relations with larger banking institutions.

In preparing and processing our questionnaire and assessing the results, the Banking Committee was aided by Prof. Ira O. Scott, Jr., of the Graduate School of Business at Columbia University. It was Dr. Scott who supervised our extensive inquiry, which involved some 3,000 banks. Dr. Scott has subsequently written an article summarizing in very succinct fashion some of the main findings of that survey, and it is gratifying to note that his article has been printed in the Banker, a British financial journal.

The article follows:

[From the Banker, August 1965]

"CORRESPONDENT" BANKING IN THE UNITED STATES OF AMERICA

(By Ira O. Scott, Jr.)

The unique characteristic of the banking system of the United States is the unusually large number of commercial banks that it embraces. Whereas in Canada, for example, there are only 11 chartered banks and in England and Wales only 11 clearing banks, the United States today has more than 13,000 individual banks. This figure refers to separately chartered banking corporations. The total of all banking offices, including branches and other subsidiary places of business, is more than twice as large, as will be seen from the table on page 521; but this comparison serves to emphasize how relatively small is the role of branch banking in the United States by comparison with almost every other advanced community.

The origin of correspondent banking in the United States, and of the important part it has come to play in the functioning of this mainly "unit" banking system, lies essentially in the legal restrictions on the establishment of branch banks. Fourteen States prohibit the establishment of new branches altogether, while in only 10 States and the District of Columbia are commercial banks entirely free from statutory limitations governing the establishment of branches. In no case, moreover, is a commercial bank permitted to establish branches across State boundaries. The range of these prohibitions by the several States, and of the broad categories of restricted freedom for branching, is clearly shown in the tabulation on page 522. These legal limitations that have prevented the establishment of nationwide branch networks have led in the United States to the evolution of the correspondent relationship as a substitute for the usual head office-branch relationship characteristic of banking systems in other parts of the world.

The original, and still the primary, purpose served by a correspondent relationship is to facilitate the clearing of checks and other cash items. A system of commercial banks that have unlimited branching privileges can manage its clearings without a nationwide network of correspondent relationships. But in a country in which nationwide branching is prohibited and statewide branching is severely restricted, a network of connecting links is necessary for the operation of a checkbook money system.

Bankers' balances, therefore, are the heart of the correspondent banking system. Commercial banks in the United States hold assets in the form of deposits at other banks amounting to almost 10 percent of their own demand deposit liabilities. On June 30, 1964, aggregate balances held by banks with other domestic banks amounted to $12,693 million, exclusive of reciprocal bank balances. At the same time, "adjusted" demand deposits (that is, excluding demand deposits held for other domestic commercial banks and for the U.S. Government, and also after deducting cash items in process of collection) amounted to $122,537 million.

TABLE I.—*Number of commercial banking offices in the United States at June 30, 1964*

	Total	Member of Federal Reserve System			Nonmember		
		Total	Nationally chartered	State chartered	Total	Insured by FDIC	Noninsured
Banks (head offices)	13,669	6,180	4,702	1,478	7,489	7,215	274
Branches, additional offices, and facilities [1]	14,016	11,032	7,752	3,280	2,984	2,936	48

[1] Facilities are provided at military and other Government establishments through arrangements made with the Treasury Department.

Source—Federal Reserve Bulletin. All nationally chartered banks must be members of the Federal Reserve System and must insure their deposits with the Federal Deposit Insurance Corporation (FDIC). All nonmember banks are, therefore, State chartered, as are noninsured banks.

The number of banks with which correspondent relations are maintained naturally varies with the size of the bank, as does the amount of the demand balances kept with correspondents. It will be seen from the first section of table III that, on the average, banks having total deposits of $100 million or more each had links with 32 correspondents if they were unit banks, and only slightly fewer than this if they were branch systems.

The same section shows that only minor proportions of the banks in each category hold time deposits with their correspondents. The paucity of such accounts reflects the fact that the maintenance of deposit balances is usually the principal means of compensating the city bank for services rendered; there is, therefore, a general reluctance on the part of such banks to pay interest on correspondent accounts. In the United States, commercial banks may pay interest on time deposits, but not on demand deposits.

To an important extent the establishment of the Federal Reserve System in 1913–14 provided the network of banking connections required in the operation of the clearing mechanism. But the Federal Reserve System only supplements—it did not supplant—the correspondent banking system. Despite the existence of 12 Federal Reserve banks and 24 branches, U.S. commercial banks still rely heavily upon their correspondents as clearing agents. Large banks process over 40 percent of their out-of-town checks through correspondents, while small banks process over 90 percent of such items in this manner (see second section of table III). The clearing mechanism may also involve a two-way relationship. Thus, city banks sometimes keep balances on deposit with their country correspondents. Such connections are especially popular with large banks, reflecting the mutual character of clearing arrangements as the banks involved become relatively large.

TABLE II.—*Status of branch banking in the United States*

State or district	New branches prohibited	New branches permitted		
		Within the State without restriction	Within the State with restriction	Within a limited area
Alabama				X
Alaska				X
Arizona		X		
Arkansas				X
California		X		
Colorado	X			
Connecticut			X	
Delaware		X		
District of Columbia.		X		
Florida	X			
Georgia				X
Hawaii				X
Idaho			X	
Illinois	X			
Indiana				X
Iowa				X
Kansas	X			
Kentucky				X
Louisiana			X	
Maine			X	
Maryland		X		
Massachusetts				X
Michigan				X
Minnesota	X			
Mississippi				X
Missouri	X			
Montana	X			
Nebraska	X			
Nevada		X		
New Hampshire	X			
New Jersey				X
New Mexico				X
New York				X
North Carolina		X		
North Dakota				X
Ohio				X
Oklahoma	X			
Oregon			X	
Pennsylvania				X
Rhode Island		X		
South Carolina		X		
South Dakota			X	
Tennessee				X
Texas	X			
Utah			X	
Vermont		X		
Virginia				X
Washington		X		
West Virginia	X			
Wisconsin	X			
Wyoming	X			
Total	14	11	7	19

Source—Arnold H. Diamond, "Comparative Regulations of Financial Institutions," Committee on Banking and Currency, Washington, 1963.

Correspondent banks are preferred to the Federal Reserve banks in the performance of the clearing function because correspondents may provide services not normally supplied by the Fed. Such services include the following: (1) Accepting "loose" items (i.e., those not grouped according to destination) without limitation, (2) permitting a late close-off time, (3) clearing "nonpar" cheques (those paid only at a discount), (4) handling foreign items, (5) microfilming out-of-town clearings, (6) accepting noncash items, (7) providing immediate credit, and (8) offering short-haul services (carriage of cheques and currency over short distances).

CREDIT ACCOMMODATION

A second correspondent banking service, which is not nearly so prevalent as cheque clearing, but which may be of considerable importance, is the provision of credit accommodation. Although these arrangements vary with bank size and organizational structure (see the third section of table III), almost 10 percent, on the average, of the "country" banks have established credit lines with their "city" correspondents. Such credit arrangements are usually made with only one or two correspondents and they vary in size from $100,000 to almost $8 million.

Borrowing may be short- or intermediate-term purposes. Typically such borrowing arrangements call for the provision of collateral, with U.S. Government securities by far the most popular form used.

An alternative means of obtaining funds from a correspondent is through the sale of an asset. Thus, "country" banks may sell mortgages, municipal bonds, or even consumer loans, to their "city" correspondents. These sales assume the nature of a loan when they are made, as they sometimes are, with provisions for repurchase by the seller, or for recourse to him by the buyer in certain circumstances. Finally, a bank may borrow through its correspondent by purchasing Federal funds arranged for or provided by the correspondent.

Usually a bank cannot make a loan to any one borrower for an amount greater than 10 percent of its capital and surplus. Thus, a "country" bank may be squeezed on the one hand by lending limits and on the other by expanding loan demands from the branches of regional and national corporations as well as local businesses. In this situation, the "country" bank is subject to a pressing need for loan participation by the "city" correspondent. Such participations promote the centrifugal flow of capital, from national and regional centers, to outlying areas. Typically, in such cases the amount of a particular loan held by the "city" correspondent exceeds that retained by the originating bank (see third section of table III).

Funds also flow in centripetal fashion from outlying areas to regional and national centers. Thus, "country" banks may participate in loans originated by their "city" correspondents. As measured by the number of loans, the centripetal flow appears to be dominant. However, from the point of view of dollar volume, no clear-cut picture emerges of the direction of the net flow of funds. In addition to providing an outlet for excess funds of "country" banks, participations in correspondent-originated loans may be a potential source of liquidity for them. Thus, a "city" bank may agree to repurchase, at its "country" correspondent's request, a portion of a loan it has originated.

The range of miscellaneous services offered by the "city" correspondent bank is extremely wide. It includes the following:

1. Provision of new lending opportunities and deposits through the referral of new customers.

2. Investment advice.

3. Management advice on accounting systems, operational procedures, data processing and trust administration (in some cases with a cofiduciary relationship).

4. Assistance in the recruitment and training of personnel.

5. Facilitation, as agent or dealer, of transactions in Federal funds, U.S. Government securities, municipal securities, commercial paper, bankers' acceptances, and negotiable time certificates of deposit.

6. Safekeeping of securities.[1]

7. Assistance in setting up group insurance and retirement plans for bank employees.

9. Bank wire (teletype) services.

9. Collections.

10. Provision of credit information as well as forecasts of economic activity and trends in the money and capital markets.

11. Absorption of the cost of wrapping and shipping currency and coin.

12. International banking services, including the provision of letters of credit, purchase, and sale of foreign exchange, handling foreign collections, and remittances, arranging for export-import credits and supplying foreign credit information and forecasts of business conditions abroad.

The extent of utilization of the more important of these services is indicated in the final section of table III.

The "country" bank as already noted, normally "pays" for services rendered by maintaining a deposit balance with its "city" correspondent. There appears to be no uniformity in the method of determining the proper size of the balance. In some instances the "city" bank may set a minimum balance base, for example, on an evaluation of the cost of clearing transactions. In other cases the "city" bank appears to accept as sufficient whatever the "country" correspondent deems to be a necessary working balance. "Country" banks generally favor this system of remuneration because some minimum balance is required in any case for clearing purposes. State nonmember banks have an added inducement to favor the balance system, since bankers' balances typically satisfy legal reserve requirements (see table IV).

SPECIFIC CHARGES

In addition to the minimum-balance system of remuneration, specific fees are now being increasingly adopted for particular correspondent services. Services especially suitable for the assessment of specific charges include: domestic collections, foreign collections, nonpar check clearance, dispatch of securities, provision of amortization schedules, providing letters of credit, remittances, arrangement of export-import credits, provision of foreign drafts, safekeeping of securities, provision of wire and cable services, foreign exchange transactions, data processing services, handling collateral on brokers' day loans, advice on systems of operation or control of expenditure, advice on service charges, handling securities transactions, posting, foreign transactions, employee training, and acting as trustee for retirement fund.

From this account of the recent surveys it can be seen that the correspondent system in U.S. banking deserves to be rated a unique form of financial institutional innovation in response to a specific legal and economic environment. The vast complex of business interrelationships over the broad expanse of the U.S. economy demands a financial counterpart in the area of banking services. There is, therefore, a natural tendency for the banking sector to gravitate toward a branch system. This tendency, however, has been effectively contained through the erection of barriers to widespread branching. These barriers have been circumvented through the establishment of the correspondent banking system.

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[1] Member banks of the Federal Reserve System keep securities on deposit with their respective Federal Reserve banks so that these securities will be conveniently available as collateral at the discount window and for U.S. Treasury deposits.

TABLE III.—*Characteristics of correspondent banking*

	Banks with deposits totaling—$100,000,000 and over		Banks with deposits totaling—$50,000,000 to $100,000,000		Banks with deposits totaling—$25,000,000 to $50,000,000		Banks with deposits totaling—$10,000,000 to $25,000,000		Banks with deposits totaling—Under $10,000,000	
	Unit banks	Branch systems [1]	Unit banks	Branch systems [1]	Unit banks	Branch systems [1]	Unit banks	Branch systems [1]	Unit banks	Branch systems [1]
Deposits with correspondents:										
Average amount of demand balances (million dollars)	12.2	10.1	4.8	3.9	2.7	2.2	1.3	1.2	0.4	0.6
Average number of correspondents	32.0	30.0	18.0	12.0	13.0	10.0	8.0	.7	5.0	6.0
Percent of banks also holding time deposits with correspondents	9.0	7.0	13.0	6.0	3.0	2.0	1.0	1.0	1.0	7.0
Clearing: Average percent of out-of-town checks cleared through correspondents [2]	43.0	45.0	50.0	73.0	79.0	79.0	87.0	87.0	93.0	92.0
Credit and related services: Percent of surveyed banks which reported—										
Credit lines with correspondents	3.0	8.0	5.0	13.0	8.0	11.0	8.0	12.0	9.0	10.0
Average number of credit lines	1.0	2.0	2.0	2.0	2.0	2.0	1.0	1.0	1.0	2.0
Average (million dollars)	.4	7.8	1.0	1.7	1.2	1.3	.8	.6	.1	.2
Borrowed from correspondents for short or intermediate purposes [2]	2.0	5.0	5.0	15.0	11.0	12.0	8.0	16.0	7.0	7.0
Obtained funds from correspondents through sale of assets [2]	3.0	5.0	----------	4.0	1.0	3.0	1.0	8.0	1.0	2.0
Purchased Federal funds through correspondents [2]	78.0	75.0	68.0	58.0	35.0	46.0	19.0	31.0	23.0	28.0
Correspondent participated in loans of depositor bank	88.0	85.0	80.0	63.0	65.0	64.0	55.0	60.0	35.0	55.0
Percent of dollar amount held by correspondent	53.0	50.0	55.0	62.0	54.0	78.0	61.0	61.0	60.0	69.0
Participated in correspondents' loans	92.0	89.0	74.0	75.0	59.0	55.0	52.0	37.0	24.0	28.0
Average participation (million dollars)	11.9	12.0	1.5	1.2	1.1	.6	.4	.3	.2	.3
Selected additional services: [2] Percent of banks using correspondents' services for—										
Safekeeping of securities	97.0	85.0	91.0	94.0	93.0	87.0	91.0	84.0	77.0	77.0
Bank wire service	87.0	79.0	80.0	90.0	86.0	83.0	80.0	86.0	47.0	53.0
Data processing	58.0	58.0	48.0	50.0	38.0	28.0	24.0	16.0	9.0	18.0
Accounting advice	44.0	38.0	35.0	41.0	32.0	33.0	34.0	35.0	19.0	28.0
Investment advice	45.0	51.0	58.0	67.0	68.0	67.0	68.0	61.0	68.0	72.0
Transactions in U.S. governments	71.0	61.0	73.0	67.0	78.0	63.0	81.0	75.0	75.0	84.0
Transactions in municipals	44.0	39.0	51.0	38.0	51.0	36.0	47.0	44.0	39.0	43.0
Transactions in commercial paper	16.0	9.0	18.0	22.0	18.0	15.0	19.0	15.0	20.0	15.0
Foreign exchange	98.0	90.0	92.0	92.0	94.0	87.0	74.0	78.0	41.0	47.0

[1] Banks having 1 or more branches.
[2] During preceding 12 months.

Source: Federal Reserve Bank of Chicago, "Business Conditions," March 1965.

TABLE IV.—*State reserve requirements for U.S. commercial banks*

State or district	Percent of demand deposits			Percent of time deposits		
	I[1]	II[2]	III[3]	I[1]	II[2]	III[3]
Alabama	0	15.0	0	0	4.0	0
Alaska	0	20.0	0	0	8.0	0
Arizona	0	10.0	0	0	4.0	0
Arkansas	0	15.0	0	0	15.0	0
California	6.0	6.0	0	1.0	0	4.0
Colorado	0	0	15.0	0	0	15.0
Connecticut	2.0	8.0	2.0	0	0	0
Delaware	0	11.0	0	0	4.0	0
District of Columbia	0	16.5	0	0	4.0	0
Florida	0	0	20.0	0	0	20.0
Georgia	0	15.0	0	0	0	5.0
Hawaii	0	12.0	0	0	5.0	0
Idaho	0	10.0	5.0	0	10.0	5.0
Illinois	0	0	0	0	0	0
Indiana	0	12.5	0	0	3.0	0
Iowa	1.05	5.95	0	.45	2.55	0
Kansas	0	12.5	0	0	5.0	0
Kentucky	2.33	4.67	0	1.0	2.0	0
Louisiana	0	20.0	0	0	0	0
Maine	0	11.0	0	0	5.0	0
Maryland	0	15.0	0	0	0	4.0
Massachusetts	2.25	6.75	6.0	0	0	0
Michigan	0	12.0	0	0	0	12.0
Minnesota	0	12.0	0	0	5.0	0
Mississippi	0	15.0	0	0	7.0	0
Missouri	0	12.0	0	3.0	0	0
Montana	0	10.0	0	0	10.0	0
Nebraska	0	12.0	3.0	0	4.0	1.0
Nevada	0	11.0	0	0	5.0	0
New Hampshire	0	7.2	4.8	0	0	5.0
New Jersey	0	12.0	0	0	4.0	0
New Mexico	0	6.0	6.0	0	2.0	2.0
New York	0	11.0	0	0	4.0	0
North Carolina	0	15.0	0	0	5.0	0
North Dakota	0	10.0	0	0	5.0	0
Ohio	0	15.0	0	0	4.0	6.0
Oklahoma	0	15.0	0	0	5.0	0
Oregon	0	15.0	0	0	5.0	0
Pennsylvania	0	7.2	4.8	0	2.4	1.6
Rhode Island	6.0	9.0	0	0	0	0
South Carolina	0	7.0	0	0	3.0	0
South Dakota	0	7.0	10.5	0	7.0	10.5
Tennessee	0	10.0	0	0	3.0	0
Texas	0	15.0	0	0	5.0	0
Utah	0	12.0	0	0	4.0	0
Vermont	0	12.0	18.0	0	3.2	4.8
Virginia	0	10.0	0	0	3.0	0
Washington	0	15.0	0	0	6.0	0
West Virginia	2	8.0	0	1.0	4.0	0
Wisconsin	0	8.0	4.0	0	8.0	4.0
Wyoming	0	20.0	0	0	10.0	0

[1] Vault cash.

[2] Vault cash or deposits with other banks.

[3] Vault cash, deposits with other banks, or securities.

Source: "Compilation of Federal and State Laws Relating to Reserves in Banking Institutions," Federal Reserve System, 1964.

POVERTY PROGRAM

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. DICKINSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DICKINSON. Mr. Speaker, the chairman of the House Education and Labor Committee has asked me to inform him of anything I find wrong with the poverty program.

In glancing through a magazine named "DAV: Official Voice of the Disabled Veterans of America," I, to my horror, came across a statement that with 15,000 eligible veterans on their waiting lists, Veterans' Administration hospitals have been thrown open to Job Corps members.

Immediately the question arose in my mind: Are the new inductees of the war on poverty to take precedence over the veterans of Vietnam, Korea, World War II and World War I?

I investigated and found out that there has indeed been an official circular issued by the Veterans' Administration authorizing initial physical examinations of Job Corps applicants and "short-term hospital care"—whatever that means. My investigation also disclosed that this order was issued very quietly on January 18—exactly 5 days after the Executive order for mass closings of VA hospitals.

The Veterans of Foreign Wars informed me that there were "close to 15,000 veterans on waiting lists to be admitted to VA hospitals" and further, that "it is illegal to take care of merchant seamen in VA hospitals." These seamen participate in keeping the American flag flying on the seas from Vietnam to the Dominican Republic.

I am for the poor. I am so strongly for them that I would like to protect them from the swarm of bureaucrats who are taking the Federal money they should be getting and who seem to be making a shambles of the program for the poor.

But surely the National Health Service and other Federal or private agencies, or even volunteer physicians, could examine newcomers to the Job Corps.

It makes anyone wonder whether this administration is not putting the voter—who is getting the taxpayer's aid at home—above those who have fought for our country and those who are today being wounded in its battles.

The circular follows:

CIRCULAR 10–65–13,
January 18, 1965.

VETERANS' ADMINISTRATION,
Department of Medicine and Surgery,
Washington, D.C.

Subject: Physical examinations of Job Corps applicants and short-term hospital care for Job Corps members.

To area medical directors, directors of VA hospitals, domiciliaries, and VA outpatient clinics, and managers of regional offices with outpatient clinics.

1. General: Section 102, Public Law 88–452, Economic Opportunity Act of 1964, established the Job Corps. To assist in the physical examination of applicants and the provision of short-term hospitalization of enrolled members, VA hospitals and clinics may be used to the extent that there is no interference with the care and treatment of veterans.

2. Request for service: When such services are necessary, Job Corps or its designated agent will authorize the nearest appropriate Federal medical facility to arrange for physical examination of an applicant. Travel costs to and from the VA medical facility will not be paid by VA.

3. Clinical reports: The results of physical examinations performed in accordance with instructions attached to the letter of authorization will be recorded on SF–88 (original and two) and SF 89 (original and one). Explanatory information provided on an examination is often of key significance in determining medical clearance for an applicant. Special attention should be given, therefore, to complete item 40 of SF 89. The proper completion of SF 88 includes the signature of the reviewing physician who certifies that the report is adequate and that instructions have been complied with. Field stations will transmit completed reports promptly to the requestor, who will forward them to the Job Corps.

4. Charges: Charges will be made in accordance with instructions contained in D.M. & S. Circular 10–64–218 for Federal agencies.

5. Billing: Requests for reimbursement for services rendered should be made on standard form 1080, Voucher for Transfers between Funds and Appropriations. The original of the authorization from the Office of Economic Opportunity, Job Corps, must accompany the standard form 1080. These forms should be mailed to: Budget and Finance Division, Office of Economic Opportunity, 1200 19th Street NW., Washington, D.C.

By direction of the Chief Medical Director.

M. J. MUSSER, M.D.,
Deputy Chief Medical Director.

THE CASE AGAINST THE UNITED NATIONS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. UTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the body of the CONGRESSIONAL RECORD, I wish to include an address delivered by Mr. Charles T. Reeser on August 11, of this year.

Mr. Reeser ably presents the case against the United Nations and our involvement therein. There is an arising awareness of the futility of relying on the United Nations as an instrument of international peace. The successive failures of the United Nations in this field are ample evidence of the need for more dependence on our own country, and less interdependence upon any world organization.

The address follows:

SPEECH DELIVERED BY CHARLES T. REESER, AUGUST 11, 1965

Mr. Chairman, members of the Las Vegas Breakfast Lions' Club, and fellow guests, I'd be embarrassed by that wonderful introduction if it weren't for the fact that I so richly deserve it. As you can see, modesty in all things is another of my more admirable qualities.

Seriously, though, I can assure you that I have tried never to make a boring speech, and I think I have been successful. This doesn't, of course, mean that I haven't from time to time addressed some pretty sleepy people. Although a good speaker tries to tell a funny story about now, I am handicapped through happening to favor a joke that requires exactly 32 minutes to tell. I believe, though, the subject of my speech will, due to the official position of the Lions, be hilarious to some, maddening to others, and at least disturbing to the remainder.

I can't help wondering, as I look at our American flag and hear you give the Pledge of Allegiance, what you would think if Congress were to ask your approval of establishing a foreign nation, complete with its own government, its own courts, and its own military forces on American soil? I also wonder what you will think when I tell you that not only has this already been done, but has been done without your consent, advice, or even knowledge. I am, of course, referring to an international enclave, situated on American soil, in which no level of American government has any jurisdiction. The boundaries of this "Nation within a Nation" are from

46th Street to 49th Street, and from 1st Avenue to the East River, in New York City. Our own newspapers and magazines have already told us that murderers, rapists and spies can, and have, taken refuge in the sanctuary of this enclave, thereby evading the punishment which is visited on all other criminals who reside within the environs of our Nation.

The New York City police have no jurisdictions within this enclave; the New York State troopers have no jurisdiction there; the Federal marshals have no jurisdiction there; the FBI can't even enter on official business, nor can the mayor of New York City, the Governor of New York State, or the President of the United States—without the express permission of the person in charge—Mr. U Thant, Secretary General of the United Nations.

Since this information may be somewhat startling to some of your companions (and even to you), let's review the legal aspects of our "great and wonderful" U.N. affiliation. Our first mistake was in ratifying the United Nations Charter. In so doing, we bestowed treaty status on that worthy document and then, just to be certain of our entanglement, we proceeded to supplement the ratification with the treaty which gave the United Nations a physical portion of our Nation.

Now, let's see what the Constitution of the United States says of treaties: "Article 6, section 2; this Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." This includes Executive agreements made by the President without the consent of the Senate (and certainly without your knowledge), and was recently clarified by a decision of the Supreme Court of California which accepted the previous interpretations that treaties supersede the provisions of the Constitution and Bill of Rights.

As you can see, the plot is beginning to thicken already. But, let's look at this U.N. Charter which is, in fact, a treaty which, in turn, supersedes our own Constitution:

"Chapter 1, article 2; All members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter." Let me again remind you to keep in mind at all times during this speech, that we are bound to the provisions of this charter by the very same Constitution it supersedes. With this thought in mind, let's just see what we are bound to. For instance, some logical questions should come to mind at this time. One such question is: Might we be denied the "rights and benefits resulting from membership"?

The answer is found in chapter 2, article 5 of the U.N. Charter: "A member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of Membership by the General Assembly upon the recommendation of the Security Council."

Thus, the Security Council, composed of 11 members (reference ch. 5, art. 23, sec. 1) which may convene whenever it pleases (ch. 5, art. 30) and wherever it pleases (ch. 5, art. 28, sec. 3), and needs only 7 affirmative votes to carry a proposal (ch. 5, art. 27, sec. 2), can deny us the so-called protection of the U.N. machinery. The Security Council has, in the past, met and acted without the presence of the U.S. member, and it could do so again. Even if we were present, the potential protection of our veto power is little more than a myth, since members who are parties to any dispute are not allowed to vote in their own behalf under the terms of the very same charter we ratified. Treaty status, remember?

Another section which is frequently cited as offering us protection is chaper 1, article 2, section 7. It says: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter * * *." What is seldom pointed out is the punctuation used here, and what follows. The punctuation is a semicolon, and what follows is: "but this principle shall not prejudice the application of enforcement measures under Chapter Seven." This is what brings us down to the meat of things.

Chapter 7, article 39, says, "The Security Council shall determine the existence of any threat to the peace." Now, although the Hungarian revolt apparently didn't qualify as a threat to the peace, I can't help again wondering if such bits of Americana as race riots and violent strikes (which the Communists are constantly trying to initiate) might not meet the stringent United Nations criteria? Suppose, for a moment, that such things did constitute a threat to the peace according to the U.N. What could this Security Council do to us? As an interested party to the issue, we could not vote in our own defense, and chapter 7, article 42, says that: "The Security Council may take such action by air, sea, or land forces as may be necessary to restore peace." Such action would, under the provisions of chapter 2, article 5, deprive us of our right to object to such an invasion of our land. Cute? No, it's merely treaty status—remember?

Now, I don't intend to leave you wondering how we got suckered into such a trap, because the story is too interesting not to tell. Let's go back a few years, to the 1943–44 period of our history. Our wartime Department of State, and in particular, the Office of Special Political Affairs, was responsible for planning the U.N. as it is today.

The man who directed that office was a real go-getter. He was the most active person in setting up the 1944 Dumbarton Oaks Conference. As a matter of fact, he was a member of the agenda committee at Dumbarton Oaks; a member of the document drafting committee at Dumbarton Oaks; an alternate on the armament committee at Dumbarton Oaks; executive secretary for the American delegation at Dumbarton Oaks; a secretary in the general conference, secretary of the steering committee, and responsible for the administrative arrangements of the Conference. All this activity at Dumbarton Oaks, where the first drafts of the U.N. were drawn. These plans were later completed at Yalta in early 1945.

Our go-getter was a member of the committee which prepared for the Conference at Yalta, and attended it as a special adviser to the President and according to reputable sources, sitting at the President's side during many of these meetings. The United Nations was formally launched in 1945, at the Conference in San Francisco. Our boy was not content, naturally, to merely attend the Frisco meeting. He was secretary of the organizing group on arrangements, and Secretary-General of the International Secretariat—literally running the show. It was also he who, after the Conference, brought the original text of the Charter (which now fetters our freedom) back to Washington with him. Now, don't be misled. Despite all of this activity, he is not "Jack Armstrong, the all-American boy." Care to take a guess at his identity?

Well, I'll tell you. Alger Hiss, who later served time in a Federal penitentiary for perjuring himself in testifying about his communistic activities. This is the man who, almost single handedly, built the United Nations. Is it any wonder that we now face a marked and stacked deck in the U.N.? Even the wildest Las Vegas gambler (and I know some wild ones) wouldn't play against odds like these.

Another question comes to mind. Just why was the United Nations located in the United States in preference over such traditional site of international mediation as Geneva or The Hague? Let's let the first man to serve a full term as Secretary-General of the U.N., Mr. Trygve Lie, answer that question. In his book, entitled "In the Cause of Peace," Mr. Lie says: "The Americans declared their neutrality as soon as the Preparatory Commission opened its deliberations. The Russians disappointed most Western Europeans by coming out at once for a site in America. Andrei Gromyko, of the U.S.S.R., had come out flatly for the United States. As to where in the United States, let the American Government decide, he had blandly told his colleagues. Later, the Soviet Union modified its stand to support the east coast."

Obviously, there was no incentive for the Communists to infiltrate Geneva or The Hague, but the United States was another matter entirely. Arch enemy of tyranny and communism. World leader in atomic power. Symbol of freedom, and may God grant we remain so, to the entire world. But, guarded against illegal entry by the immigration and customs departments, and by the FBI. Is it all starting to add up? What could be better than to base the United Nations in America, and flood the country with trained spies protected by diplomatic immunity? Treaty status, remember?

But this is only a very small peek into the diabolical treachery which faces us from the U.N. What of our own people there? What of the American employees upon whom we might rely to protect and defend American interests in the face of an international threat? As one of the conditions of their employment, all Americans employed by the United Nations must take the following oath, and I quote it without alteration or abridgement.

"I solemnly affirm to exercise in all loyalty, discretion, and conscience the functions entrusted to me as a member of the International Service of the United Nations, to discharge those functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in respect to the performance of my duties from any government or other authority external to the Organization."

Sounds like a Mafia oath, doesn't it? Yet, we rely on the integrity of men and women bound by this oath to deter U.N. subversion in America. I ask you, how stupid can we be? And, there's more yet. Let's look into the background of the people who aren't bound by this oath. In doing this, let's also switch our sources of authority and fact. Let's switch to Department of State documents, House Committee on Un-American Activities reports, Senate Internal Security Subcommittee reports, public laws that are even now in effect, and a perfect jewel of a Government publication commonly known as Index Nine.

Despite the things you may have heard about Index Nine, it is simply a compilation of names of men and women who have, knowingly or unknowingly, served the Communist conspiracy, and documentation of how and how often they did it. If there is any doubt as to whether the actions described were conscious or not, a little commonsense will serve to resolve that doubt.

We have already met Mr. Alger Hiss, and if you want more information on him, the Senate Internal Security Subcommittee and the House Committee on Un-American Activities, between them, have published or caused to be published, several hundred thousand pages of reports in which Mr. Hiss' patriotic activities are prominently noted.

We had, and still have, a Deputy Ambassador who took over temporarily on Mr. Stevenson's death. His name is Francis T. P. Plimpton. You can check both the spelling of his name and a portion of his past activities in Index Nine. A note of interest might be brought out here by mentioning the fact that our new Ambassador, the past Supreme Court Justice, Mr. Arthur Goldberg, also has a few notices in Index Nine. The only woman on our first U.N. delegation was the late Miss Virginia Gildersleeve (no relation to the "Great Gildersleeve") who also received a rave notive in Index Nine. We have a Mr. S. M. Keeny, Director of the Asia Regional Office for UNICEF—he has three pages in Index Nine.

Now, I could understand such cases as (and listen to these good Irish names) Valentin A. Gubitchev, Aleksandr P. Kovalev, Rotislav Shapovalov, Victor Ivanovich Petrov, and Cristache Zambeti. Gubitchev was, of course, the Russian U.N. employee who was arrested with Judith Coplon for espionage against America. Miss Coplon, by the way, has never paid for her treason. She is still free on bail, married, and the all-American mother of four rapidly growing little patriots.

Kovalev and Shapovalow were both members of the Soviet mission to the U.N., and covered by diplomatic immunity. As a result, all we could do was declare them persona non grata and let Russia ship them home.

Petrov was an employee of the U.N., and very wisely skipped the country one day before the FBI was due to collar him. Zambeti, a member of the Rumanian legation, was another example of diplomatic immunity. We were forced to allow him to depart with no stronger action than stating officially that he was an "unwelcome person" to translate the Latin. Such cases as these, even without detailing the unprincipled methods they used, are understandable, and even to be expected, as long as we harbor the U.N. on our shores. These people are dedicated Communists, from Communist nations, working to achieve Communist objectives. Obviously, despite what our State Department says to the contrary, a Communist, like a leopard, cannot be expected to change its spots. What is more difficult to understand, though, is the self-declared American who caters to these totalitarian ambitions.

To better understand this problem, we must first understand the significance of "pleading the fifth amendment." If I may digress for a moment to quote from a House Committee on Un-American Activities Report on hearings held in Los Angeles in 1962. The witness is a Mr. Ben Dobbs—a high-ranking Communist Party member. Committee Counsel, Mr. Tavenner, asks the question, and I quote from the record: "Let me read to you a paragraph appearing on page 30 of the report, the title of which is 'Dobbs, Ben.' Dobbs is administrative secretary for the Communist Party's southern California district as well as a member of the executive board of the southern California district council. He attended three Communist Party conventions during the first quarter of 1957."

From there, the testimony continues with two paragraphs detailing Mr. Dobbs' Communist activities. At the conclusion of this itemized record, Mr. Tavenner offers Mr. Dobbs the opportunity to refute these facts. Bear in mind, please, that a false denial opens Mr. Dobbs to a prison sentence for giving false testimony before a congressional investigating committee.

Mr. TAVENNER. "Now will you tell the committee, please, whether any statement contained in that report relating to you is in error?"

Mr. DOBBS. "I am going to refuse to answer that question on the grounds already stated; namely, on the first and fifth amendment."

This, friends, is fifth amendment innocence at its best. If he admits the evidence, he admits being a Communist, and if he denies it, he goes to jail for perjury. Mr. Dobbs is, however, protected from possible embarrassment by the entire weight of the Communist Party hard selling the American public on the idea that it is the patriotic thing to hide behind the fifth amendment; that it is the American way to protest against the horrible HCUA.

Such examples of the truth as this are many, and I hope that none of you will ever be fooled into believing the Communists on this point. Now, with an understanding of the real significance of "pleading the fifth," let's progress in our investigation into the ethics, morals, and operation of the United Nations.

Remember an agency called UNRRA—the United Nations Relief and Rehabilitation Administration? Like a flame, it drew such red moths as David Weintraub—pleader of the 5th amendment, and identified by the SISS as an active Communist agent. Harold Glasser—pleader of the 5th amendment. Communism is a family project with Mr. Glasser, and even his wife receives notice in Index Nine. Sol Lashinsky—5th amendment Communist. George Perazich—5th amendment Communist, and others literally too numerous to name.

How about the IMF—International Monetary Fund? It's characterized as one of the most important of the U.N. specialized agencies, with nearly eight billion dollars (contributed principally by you and I and the rest of the American suckers) to use in the international stabilization of currencies. Important? Sure, it's important, and the recurring devaluation of the once solid British pound is a good example of its success. The IMF was conceived, founded, and first administered by Harry Dexter White, and if the name sounds familiar, it should. He was later proven a Communist agent, and supposedly committed suicide rather than face the SISS—but, that's another story * * * He was, in turn, succeeded by Virginius Frank Coe—also identified in Senate hearings as a Communist agent. Please bear in mind that, for each person I name, there are at least a dozen more who time limitations prevent me from praising properly.

The list is both impressive, and shocking. Particularly in that, for a variety of reasons, it has not been more widely publicized. It includes such Index Nine celebrities and 5th amendment Communists as: Frank Carter Bancroft—U.N. Documents Control Division—5th amendment Communist, and 13 pages of activities in Index Nine. Ruth Crawford—publications officer for UNICEF—that's the U.N. kiddy emergency fund. She is another 5th amendment Communist.

Abraham H. Feller, U.N. General Legal Counsel.

Joel Gordon, Chief of the U.N. Trade Analysis Division.

Irving P. Schiller, U.N. Registrar.

Alexander H. Svenchanski, U.N. information officer.

Alfred J. Van Tassel, Chief of U.N. Special Economics Projects.

Eugene Wallach, U.N. Reporter.

David Zablodowsky, in charge of the U.N. Publishing Division.

Herman Zap, U.N. training officer and on, and on, and on, ad infinitum, ad nauseum.

This would, at least to me, appear to bear out the sworn testimony of various Communist diplomatic officials who have defected to the West that, and I quote: "the headquarters of * * * the United Nations are centers of Communist espionage activity." This appears in House Document 119, free upon request.

Perhaps, to progress, you have heard rumors about a U.N. agency known as UNESCO—United Nations Educational, Scientific, and Cultural Organization. Whatever you may have heard, if it's bad—it's true. UNESCO is probably the most insidious of the U.N.'s proliferous specialized agencies. This is the agency which is right now attacking you through the minds of your own children. Hard to believe? Shouldn't be. Despite the almost total control of news media in America, the facts have been made a part of the public record, for you to use. These are provable facts, just as are the 14 Index Nine Citations earned by only 4 of the people who prepared the first draft of the U.N. Charter. It is a widely known tenet of world communism, and a true one, that the subversion of only one generation will result in the victory of communism over freedom. Ladies and gentlemen, UNESCO is attempting that subversion right now. Paul Harvey summarized UNESCO very well when he said: "American children are being indoctrinated to live under one world government while Russian children are being taught to run that world government."

Hard to swallow? Just write to the Department of Health, Education, and Welfare, in Washington, and ask for information on the U.N., UNESCO, and UNICEF. You'll receive a small assortment of pamphlets containing what they apparently must feel is mild propaganda. If these pamphlets are mild, I would certainly like to see some of the material they withdrew from circulation as obsolete 3 years ago.

Let me quote a bit. This is from one entitled, "Do You Know the Facts About UNESCO and UNICEF?" "From time to time, doubts and questions are raised about UNESCO and UNICEF. Long laid to rest, they still reappear, and others—some so irresponsible as to be called misrepresentations—spring up. Here, briefly, are the misstatements, answered by the facts. (Statement) UNESCO literature is slanted away from the traditions of the United States and toward a nebulous one-world government. The facts: Since its creation in 1946, UNESCO has published millions of pages of literature, out of which only two pamphlets discuss world citizenship but do not promote world government in any way. (Statement) UNESCO seeks to indoctrinate American school children with ideas contrary to American ideals and traditions, and seeks to influence teachers by placing materials and texts in the classrooms of America. The facts: UNESCO publishes only a limited amount of material suitable for classroom use, and supports this production only at the request of member states. The United States has never requested such assistance, and there is no known instance of schools using UNESCO books and manuals in this country."

Oddly enough, I have no intention of refuting the body of either contention, because they are both true—as far as they go. I will, however, attack both U.N. statements on the grounds of incompleteness. Point No. 1: The U.N. does publish only a limited amount of material suitable for classroom use. However, such alternative and external sources as: The National Education Association's Committee on International Relations, the American Association for the U.N., Stanbow Productions, U.S. Committee for the U.N., World Publishing Co., Doubleday & Co., Fisher and Rabe Plays, Inc., Franklin Watts Co., E. P. Dutton & Co., Oceana Publications, and numerous others, make it unnecessary for the U.N. to engage in large scale publication of textbooks.

In point of fact, it is not UNESCO materials which are being used in our schools, but privately produced materials which accomplish the same goals. And, if you doubt the efficient job this material is doing on our children, just consider two—only two—facts. (1) The increasingly restricted amount of patriotic materials used in our schools. (2) The same kids who are rioting on college campuses, tearing up their draft cards rather than fight for imperialism and practicing (unsanitarily at that) free love to the accompaniment of filthy speech—these are the same kids who have matured during the period of U.N. existence. Point No. 2: The UNESCO published material does not promote world government per se, because the private productions are doing it for them.

There is another pamphlet, entitled "The World in Your Classroom—Suggestions for Teachers for U.N. projects." It covers elementary, intermediate, and high school grades. It suggests for elementary grades; "A classroom scrapbook project on the U.N." "A play or skit, emphasizing cooperation." (and I assume that includes the commies) "Study of the customs and life of children in other lands." Now, this is not the all encompassing Geography which we studied, but the study of foreign customs to the exclusion of our own national traditions. "Discussion of How UNICEF benefits other countries." Not discussion of the U.S. "CARE" program, nor how America benefits other countries, but UNICEF. "Class participation in the "Trick or Treat for UNICEF project. And, the best one of all, which I quote verbatim: "When your class talks about health, food, aviation, farming, and other topics, explain the work of the people at the United Nations in these fields. Use the stories of the U.N. Intergovernmental Agencies to give graphic pictures of these worldwide efforts." Now, if that doesn't suggest a really comprehensive program of brainwashing, I don't know what does. Emphasizing the U.N. over our own nation, and suggesting that it is only "people" rather than a fully organized international pseudo-governmental organization with world conquest as its goal.

This program continues through the intermediate grades; "Use audio-visual aids, filmstrips, etc. Name a student to lead class discussion on the subject being viewed. Student's participation is very important." "Art class assignment to draw posters on specific U.N. themes. The school newspaper should call attention to the project." Assign students during the year to keep a U.N. bulletin board. Set up a U.N. bookshelf in the school library." If you are now getting a feeling that there is some contradiction between what UNESCO says it doesn't do, and the suggestions I have just quoted, it just shows that you've been paying attention. And don't think that the high school grades get away without attention.

"Present a model U.N. Assembly session with students acting as delegates" (that's a good idea, providing they can find a school with enough students to portray all the Communist roles.) "Establish U.N. clubs in your high school." "Arrange for the school dramatic society to present a play with a U.N. theme—show a U.N. film after the play." And, here's another goodie—"Schedule a class debate on important issues such as the U.N. decade of development, international police force, disarmament, etc." How does that affect your digestive processes?

And, what resources and materials do the teachers use—since the UNESCO doesn't provide them? The U.N. offers a list of recommended materials which ought to make the hair stand up on your head—no offense to any baldies present. "People and Places," by Margaret Mead—who, strangely enough, is cited for Communist front activities in index 9. "The United Nations in a Developing World," by Vera Micheles Dean—cited in index 9. U.N.: "The First 16 Years" by Clark M. Eichelberger—one of the founders of the U.N., and cited in index 9. Seven citations, in case you were wondering. "First Book of the U.N.," by Edna Epstein—cited in index 9. "Radio Plays for Young People To Act," by Rose Schneiderman—a real, true-blue American—with only 21 citations in index 9. This is a good one, because in plays, the kids have to memorize the commie propaganda.

Is it any wonder that, after 20 years of this, we are today faced by: the W. E. B. Du Bois Clubs, Mario Savio's free and filthy speech movement, the May 2d movement, the progressive labor movement, students for a democratic society, the Young Communist Party, and the rest of the growing list of Communist youth organizations?

Now, I've been hitting my subject hot and heavy, and just touching on the high points of the glorious history of our U.N. I've avoided getting tangled up in the U.N. role in Katanga, where they deliberately raped and pillaged an orderly, Christian, anticommunistic country and turned it over to a chaotic, cannibalistic, communistic, antichrist dominated Congo. I haven't mentioned how the U.N. deliberately allowed the Russians to send in tankloads of Mongols to massacre the Hungarian Freedom Fighters, and then blocked a motion to officially condemn the action. I have tried to limit my comments to the U.N. threat to America which we support through treaty status—remember?

Now, some of you might ask what difference Communists make in the U.N. Let me cite the answer of Mr. Jay Sourwine, a veteran of 15 years with the Senate Internal Security Subcommittee, graduate of National University Law School, and legal counsel to the Senate Judiciary Committee. Mr. Sourwine explains that, "every member of the Communist Party has been indoctrinated. Each member has been put under discipline, has been accepted by the party as loyal and reliable, and has accepted as one of his personal obligations to the party the responsibility of using any position he gets for the furtherance of the party's purposes and objectives. This he does on his own initiative where he is not given instructions, and does in strict accordance with party instructions when instructed. The whole job of the Communist is to do those things which will help the party obtain its objective, advancing its propaganda, and making new recruits for the party."

To paraphrase, you can trust a Communist to be and act a Communist, no matter what the situation, and no matter what he says to the contrary—and the U.N. is full of Communists.

Please believe me when I say that lack of military strength is the only reason this conglomeration of Communists and cannibals hasn't yet tried us, and this is rapidly being changed. I wonder, and I would like to have a show of hands if possible, how many of you are familiar with State Department document 7277? How about Public Law 87–297, Public Law 89–27, and Senate Concurrent Resolution 32?

Well, since your business, your freedom, and your very life may literally depend on the effect of these documents, you might be interested in learning more of them: 7277, 87–297, 89–27, and Senate Concurrent Resolution 32 are the combined laws, pending laws, and official proposals which are intended to strip us of our arms, and to turn our military forces over to the United Nations.

Coincidentally, such a move would put our Army, Navy, Air Force, Marine Corps, and Coast Guard under the direct authority and control of Evgeny Suslov, the Russian Communist who is the Assistant Secretary-General for Political and Security Council Affairs.

Don't look so startled. Under the terms of a verbal agreement between Americans Alger Hiss and Secretary of State Stettinius, and Russians Molotov and Vishinsky, and described in detail by Trygve Lie, the men who have controlled the U.N. military activities (including the Korean conflict) since the formation of the U.N. have been:

Arkady Sobolev, 1946 through 1949, from Russia.

Konstantine Zinchenko, 1949 through 1953, from Russia.

Ilya Tchernyshev, 1953 through 1955, from Russia.

Dragoslav Protitch, 1955 through 1957, a Yugoslavian commie for a change.

Anatoly Dobrynin, 1959 through 1960, from Russia again.

Georgy Arkadev, 1960 through 1962, from Russia.

Evgeny Kiselev, 1962 through 1963, from Russia.

Vladimir Suslov, from 1963 through the present day, from Russia.

Don't you just know that, with our Armed Forces under such leadership, we wouldn't have a single thing to fear from the United Nations? Since we are confronted by Soviet domination of U.N. military affairs, it would pay us to take a closer look at the documents I have mentioned. First, State Department Document 7277, entitled "Freedom From War—The United States Program for General and Complete Disarmament in a Peaceful World." This proposal duplicated, almost point for point, a similar Russian disarmament proposal. Proposing accomplishment in three stages, the document suggests that all nations participate, but also suggests that it would not be impractical for the United States to "set the pace" for other nations by initiating unilateral disarmament.

Now 7277 makes the initial proposal, and Congress passed Public Law 87–297 to implement these proposals. It was Public Law 87–297 that created the infamous U.S. Arms Control and Disarmament Agency, and it was Public Law 89–297 which extended the power of that Agency for another 3 years, and which gave them another $33 million to spend while rendering us defenseless; 7277 states, and let me go back to quoting directly: "In order to make possible the achievement of 'complete disarmament,' the program sets forth the following specific objectives toward which nations should direct their efforts. The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal peace and for contributions to a United Nations peace force."

The elimination from national arsenals of all armaments including all weapons of mass destruction and the means for their delivery, other than those required for a United Nations peace force and for maintaining internal order. The establishment and effective operation of an International Disarmament Organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations: "The negotiating states are called upon to develop the program into a detailed plan for general and complete disarmament and to continue their efforts without interruption until the whole program has been achieved. To this end, they are to seek the widest possible area of agreement at the earliest possible date. At the same time, and without prejudice to progress on the disarmament program, they are to seek agreement on those immediate measures which would contribute to the common security of nations and that could facilitate and form part of the total problem."

Of the three stages, the first stage is described as follows: "All states would have adhered to a treaty effectively prohibiting the testing of nuclear weapons." Gentlemen, we have actually done so, but the Russians haven't.

"The production of fissionable materials for use in weapons would be stopped and quantities of such materials from past production would be converted to nonweapons uses." You should have seen this for yourselves in the newspapers. The Department of Defense stated that America has ceased to produce additional nuclear weapons materials because our present stockpiles were adequate.

It further stated that the larger warheads presently in our inventory were, under current strategy, "obsolete," and were being converted for use in peaceful applications. Russia, on the other hand, is doing just the opposite—constructing ever larger warheads, and increasing their production to the limit of their capability. "States owning nuclear weapons would not relinquish control of such weapons to any nations not owning them, and would not transmit to any such nation information or material necessary for their manufacture." Gentlemen, could not this be the reason why we haven't armed our NATO allies? "Strategic nuclear weapons delivery vehicles of specified categories and weapons designed to counter such vehicles would be reduced to agreed levels by equitable and balanced steps; their production would be discontinued or limited; their testing would be limited or halted." We've done this too, but Russia hasn't.

We have been led down the garden path by fuzzy headed legislators who believe that man is intellectually and spiritually mature enough to capitalize on the United Nations; who believe that Communists are human enough, and trustworthy enough (in a Western concept) to do unto us as we are doing unto them. One of the local papers carried an item on July 16, stating that both Secretary of Defense McNamara, and Secretary of State Rusk had admitted to practicing unilateral disarmament in the hope (and I quote) "that other nations would follow suit." And, if you still don't believe that we have been disarming, in every sense of the word, just ask yourself what happened to:

> The Thor missile, the Redstone missile, the Jupiter missile, the Atlas missile, the Skybolt missile, the Mobile Minuteman missile program, the Nike-Zeus antimissile missile, the Davy Crockett missile, the Pentomic Army plan, the fleet of nuclear aircraft carriers, the fleet of nuclear missile frigates, the B–47 program, the B–52 program, the B–58 program, the B–70 program, our overseas bases and men, our domestic bases and men, including Stead Air Force Base, right here in Nevada. It has been claimed on the floor of Congress that we are fighting the Vietnam war off the shelf. What happens when our shelf stocks of weapons are used up?
>
> I say that every time we close a base and Russia opens one.
>
> I say that every time we scrap a plane and Russia builds one.
>
> I say that every time we dismantle a missile and Russia assembles one.
>
> I say that every time we discharge a soldier and Russia drafts one.
>
> I say each of these—no matter how "economical" our Government tells us it might be—each step puts us one step closer to surrender to a Communist dominated United Nations.

Now, I've already spoken longer than I should, and I've barely skimmed the surface of a conspiracy so massive that the mind boggles at its magnitude. Each of the charges I have made, each of the conclusions I have drawn, and each of the quotes I have cited can be borne out by public documents. If there are any of you who would like to ask some questions on this subject, I will be glad to stay around for a short while after the meeting. If you would like to do your own research, the House Committee on Un-American Activities, and the Senate Internal Security Subcommittee will be happy to provide you with all the free literature and reports you want. In summation, let me say this: if you love America just half as much as I do, you will make it a point to become familiar with the truth for a change. The time is long overdue to get the United States out of the United Nations, and the United Nations out of the United States. Benjamin Franklin once said that, "I believe in Faith, but it is Doubt which provides education." Seek out the truth, base your opinions on the truth, and then express your opinions to your elected Representatives in Washington. It's up to you. Thank you very much.

IMMIGRATION AND NATIONALITY ACT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I take this opportunity to express my support for H.R. 2580, to amend the Immigration and Nationality Act, which recently passed the House of Representatives.

I believe that legislation of this nature is long overdue and that its eventual enactment has been a foregone conclusion for some time. I should like to congratulate and express my appreciation to the members of the Immigration Subcommittee for the constructive work they have done in formulating this bill. It is the product of many months of hard work on their part.

I have supported this bill because I feel that it will place our immigration selection system upon a more rational basis and one which will better serve the needs of this country. The existing national origins quota system has resulted in an unfair distribution of immigrant visas that has been having some countries allotted many more than their needs require while other countries have built up huge waiting lists. The normal forces of supply and demand cannot function under such a system.

The basic inequities in the existing quota system have impelled Congress to enact numerous laws during the past dozen years to meet emergency conditions. These have included laws for the relief of refugees and the victims of natural disasters and to assist in the reunification of families with some of their members barred from entrance by oversubscribed quotas.

The bill that passed the House is designed to take care of problems like these as well as to incorporate other improvements in the law. This legislation emphasizes the importance of reuniting families and at the same time, includes safeguards to protect the American working people from unfair competition and the lowering of wages.

While I supported the bill, I felt that it could have been improved by the adoption of the so-called McGregor amendment limiting the volume of immigration from the Western Hemisphere. Since one of the purposes of the legislation is to eliminate discrimination based on place of birth, I think that we should complete the job by eliminating preference based upon the hemisphere in which a prospective immigrant happened to be born.

The dire predictions that have been made claiming that this legislation will swamp the country with a new wave of immigration are completely without foundation. The bill would make a moderate increase in the total number of immigrants admissible. At the same time the qualitative controls, excluding certain types of immigrants such as subversives and those likely to become public charges, are retained and even strengthened by the bill.

For these reasons, Mr. Chairman, I supported this legislation.

CLEVELAND SAYS "WELCOME ABOARD" TO DEMOCRATS URGING PAUSE IN HEADLONG LEGISLATIVE PACE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as one of the growing number of Members of Congress who, along with many news commentators and private citizens, is deeply concerned by the effects of the headlong pace of this Congress, I welcome similar expressions of concern from the Democratic side. It was with particular gratification that I read of the letter sent today to the President by the gentleman from Indiana [Mr. HAMILTON] calling for a pause in the pace of legislation in order to give the country time to digest the massive new programs enacted and, indeed, to find the means of paying for them during a period when we shall have to meet increasingly heavy military obligations.

When we Republicans raise these points, the tendency is to dismiss our commentary as partisan carping, in spite of the gravity of the issue to the Nation. So, it is very good to see that similar concerns are being voiced by Members of the majority. Perhaps the views of the gentleman from Indiana, who is president of the organization of first-term Democrats, will receive a more sympathetic hearing. I say to the gentleman, "Welcome aboard." While I hope that my endorsement of his position does not weaken his case with the powers that be, I must say that I think he was absolutely right when he wrote the President that:

> It is time to pause. We must take time to work out the most efficient administration (of these programs). Budgetary limitations must be kept in mind, especially with the uncertain costs of continuing our effort in Vietnam.

FEDERAL SALARY ADJUSTMENT ACT OF 1965

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, on September 13 I sent a letter notifying all Members that I proposed to offer an amendment to the Federal Salary Adjustment Act of 1965 eliminating the 11-step pay structure for employees of Members of the House of Representatives. I now have the amendment prepared, and, in order that every Member may have the opportunity to read it before it is offered, I have asked that it be printed in full here along with the text of my September 13 letter, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 13, 1965.

DEAR COLLEAGUES: Simplification of Members' staff salary allowance will be the subject of an amendment I will submit on the floor when H.R. 10281, the Federal Salary Adjustment Act of 1965, is considered during the week of September 13.

The ridiculously complicated and confusing salary system should be repealed. Many Members in voicing criticism have expressed the opinion that the purpose of the present system was to make our staff salaries appear smaller. Aside from this being a reflection on the Congress, no one is fooled by it. The press has repeatedly attacked it as deceptive and has reported the gross allowance used by each office as well as the gross pay received by individual employees.

Eleven steps of computation are now needed to convert basic pay into gross pay. The increase for congressional employees in section 114 of H.R. 10281 would install a 12th step.

My amendment will provide that a gross staff salary amount be established. The allowance under my amendment will be equal to the maximum now attained by any combination of basics plus the 4.5-percent pay raise in H.R. 10281. Each Member may then adjust the gross salaries in his office at his discretion. It will set a precedent for future raises to increase the total allowance rather than individual salaries.

The amendment will set the maximum payable to any one person at the present gross limit plus 4.5 percent. It will not change the limits on total number of employees allowed. It applies solely to those employed on the office staff of individual Members. However, it is obvious that your support of this amendment would encourage the Committee on House Administration to take similar action in behalf of other employees of the House of Representatives.

I hope you will join with me in eliminating an archaic, cumbersome feature in our disbursing methods and gain greater flexibility and simplicity in the operation of our individual offices.

Sincerely,

JOEL T. BROYHILL.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA TO H.R. 10281

(Amendment fixing on an aggregate (gross) rate basis the clerk hire allowance of House Members and the compensation rates of employees in House Members' offices; and providing that salaries of employees of House Members be fixed in all cases by action of the individual Member rather than by law and paid from clerk hire)

Page 29, immediately following line 4, insert: "This subsection shall not apply to any employee paid from the clerk hire of a Member or Resident Commissioner of the House of Representatives."

On page 29, immediately following the period at the end of line 14, insert: "This subsection shall not apply to the compensation of any employee paid from the clerk hire of a Member or Resident Commissioner of the House of Representatives."

On page 30, immediately following line 14, insert the following:

"(f) Beginning with the effective date of this section—

"(1) the annual rate of compensation of each employee paid on such effective date from the clerk hire of a Member or Resident Commissioner of the House of Representatives shall be a single per annum rate in an amount which is equal to the sum of the annual basic compensation of such employee in effect immediately prior to such effective date and the rate of his additional compensation in effect immediately prior to such effective date; and

"(2) the annual rate of compensation of any employee paid from the clerk hire of a Member or Resident Commissioner of the House of Representatives whose compensation is fixed or adjusted on or after such effective date shall be a single per annum rate constituting his total rate of compensation.

"(g) Section 11(a) of the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 60g–1), is amended to read as follows:

"'(a) Notwithstanding any other provision of law, the clerk hire of each Member and Resident Commissioner of the House of Representatives shall be at a single per annum (gross) rate, as follows:

"'(1) in the case of each Member and Resident Commissioner the population of whose constituency is less than five hundred thousand (as currently estimated by the Bureau of the Census), such single per annum (gross) rate shall be $69,130.69; and

"'(2) in the case of each Member and Resident Commissioner the population of whose constituency is five hundred thousand or more (as currently estimated by the Bureau of the Census), such single per annum (gross) rate shall be $75,827.74.

No person shall be paid from such clerk hire at a single per annum (gross) rate in excess of $19,303.51. Not more than one person shall be paid at a single per annum (gross) rate of $19,303.51 from such clerk hire at any one time.'

"(h) The amounts specified in section 11(a) of the Legislative Appropriation Act, 1956, as amended by subsection (g) of this section, shall each be increased by an amount equal to the amount of the increase provided by subsection (a) of this section.

"(i) The amendment made by subsection (g) of this section shall not be construed to—

"(1) reduce the amount of clerk hire which any Member or Resident Commissioner is receiving immediately prior to the effective date of such amendment;

"(2) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the compensation for, any position for which the compensation is paid from the clerk hire of a Member or Resident Commissioner;

"(3) affect the continuity of employment of, or reduce the compensation of, any employee paid from such clerk hire; or

"(4) affect the authority provided by H. Res. 294, Eighty-eighth Congress, as continued by H. Res. 7, Eighty-ninth Congress, for the employment of an additional clerk by any Member or Resident Commissioner."

HOME RULE LEGISLATION FOR DISTRICT OF COLUMBIA

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, unfortunately, as the result of a petition discharging the Committee on the District of Columbia from further consideration of home rule legislation, the Committee on the District of Columbia had to bring the hearings to an abrupt close.

There were many, many witnesses awaiting the opportunity to testify on this important subject who were unable to have the benefit of oral testimony and cross examination.

Some of these individuals and organizations did submit their statements for the record which I hope the Members will take the time to read. However, there is one particular statement, submitted by John M. Kyle II, executive vice president of the Kalorama Citizens Association of the District of Columbia, which I would like to read here and urge that all who read this RECORD note carefully.

Colonel Kyle's statement reads as follows:

STATEMENT OF JOHN M. KYLE II, EXECUTIVE VICE PRESIDENT, THE KALORAMA CITIZENS ASSOCIATION OF THE DISTRICT OF COLUMBIA

Mr. Chairman, I am John M. Kyle II, executive vice president of the Kalorama Citizens Association. The association was organized in 1919 and there are about 25,000 people in the area served by the organization. By profession I am a legislative research consultant. I have been a citizen of this area for more than 39 years. From 1919 to date our association has supported the present form of District of Columbia government.

I have been a student of retrocession all during my residence here. I supported the Kyle retrocession bill in the 88th Congress and I now support the Broyhill bill, H.R. 10264. I may also say that for the past several years I have been preparing a source book of District of Columbia history.

Mr. Chairman, I support retrocession of the District to Maryland because it is the only lawful way under the Constitution to provide self-government for the people of the District of Columbia. Any other means would require a constitutional amendment. Once fully informed, however, I seriously doubt if the people of this country, or the several States, would ever consent to placing the vast complex of the National Capital under a local government, regardless of form, to rule over it.

There can be no question, however, about the legality of Mr. BROYHILL's plan. We have the unshakable precedent of 1846 when the Virginia portion of the original District was retroceded to Virginia. That was 120 years ago. In the 88th Congress there was considerable support for the Kyle bill in this committee and even the present president of the Board of Commissioners of the District of Columbia placed the entire Commission on record as having a favorable attitude toward the bill.

As was to be expected, however, the Commissioner's favorable remarks touched off violent newspaper opposition, and one paper editorialized that every public official in Maryland was against the bill. But when the editor was asked to furnish the names of such officials the request was not granted. The facts are that the people of Maryland nor the general assembly thereof have never had an opportunity to pass upon the question and the recent curbstone remarks of the Governor of that State, while a bit witty, have no meaning.

Then the Attorney General of the United States stepped in and furnished the committee a voluminous adverse report on the

Kyle bill and upon which the opponents of the Broyhill bill now rely. That biased and colored report filled throughout with trivia and nonsequiturs is a scare document and it is little more than picayunish argument.

He cites numerous instances, in disregard of the 1846 precedent, where retrocession might be illegal or unconstitutional once it is placed before the courts, but in another place, and apparently to save face, he tells the Committee that the Department of Justice is not passing on the constitutionality of the bill since such must be left to the courts.

One argument against the Kyle bill was that retrocession would make Silver Spring a larger city than Baltimore. This was thrown in, no doubt, for Baltimore's consumption; but how does the Attorney General know that Maryland would not fragment the ceded territory by constituting one or more new counties and by chartering new cities and towns in the ceded territory? Certainly Georgetown would ask for the restoration of its 1764 charter. The report is as silent as death on the fact that retrocession would give Maryland two or possibly three additional seats in the House of Representatives and many more seats in the Maryland General Assembly not to mention that the tax revenues paid by an additional half million people.

In the report the Attorney General attempts to throw out another scare by pretending that the status of wills and title deeds would be legally affected. But he doesn't say how? Does he not know that these have never presented any trouble with the transference of other jurisdictions during our long history?

As another scare he pretends that the transference of public utilities corporations might bring on fatal consequences.

Although Mr. Broyhill's bill would make that question moot the Attorney General points out that it would be necessary for the District to obtain a permit from Maryland to put on an inaugural parade—as if such parades hold status in law. The indication is, I suppose, that Maryland might not issue the permit so that we couldn't inaugurate a President.

In justification of the report the Attorney General claims that with its three electoral votes the District of Columbia holds a life or death stranglehold over the election of a President. He cites the three instances of presidential elections being thrown into the House of Representatives. How stupid does he believe you gentlemen to be? Since when has the most arduous partisan ever claimed that the District has a tie-breaking status? And if the same three electoral votes should be transferred to Maryland could the result not be the same in any close election? How can any Attorney General foresee the result of any election when the most noted pollsters have often been wrong? Perhaps the Attorney General has been reading some old preelection copies of the Literary Digest.

Actually the most energetic opponents of retrocession have not scored a single point against Mr. Broyhill's bill, for the simple fact that law, precedent, and history are against them. Do the opponents really want complete self-government plus real voting representation in the Senate and the House of Representatives or do they rather not seek to set up an illegal single party government in the District of Columbia with an unconstitutional method of financing it as contemplated by the Senate-passed bill, S. 1118? Do they not intend to establish a political machine with all the evils of a spoils system?

If the Senate-passed bill should become law what may we expect?

The bill does not provide employment security for the thousands of present District employees. It authorizes the new government to institute its own merit system. It is generally known that those who would control the new government are bitter enemies of our police department and this means the ultimate destruction of that force and its replacement with loyal machine but inexperienced personnel and civilian review boards such as are advocated by race agitators, bleeding hearts, and do-gooders about the country.

If the crime situation is bad now, what are we to expect under the new government?

Although proponents of the Senate bill claim that employees of the new government will be protected by the Hatch Act, such simply isn't the case. These employees will, to all intents and purposes, become cogs in the political machine—if they are to survive. As the bill is drawn this is inescapable.

The city government payrolls will be doubled in less than 2 years. There is no limitation so that the city council can create as many new positions as it sees fit.

There can be no question about it, the new government will institute and enlarge welfare and poverty programs that will practically make every District resident eligible for some form of relief or handout. The man in the house will be here to stay. Prostitutes, homosexuals, and dope pushers could ride the relief roles without detection. There will be no sincere effort to promote training programs looking to the rehabilitation of the unskilled and placing them in self-respecting and gainful employment. The outright dole will be the order of the day.

The National Capital Planning Commission will not have veto power over the new zoning commission; the Federal Government which owns one-half of the District land area will have no representation on the city council nor the zoning commission. This is absolutely preposterous. To protect the Federal interest it will be vitally necessary for the Congress to intervene from time to time. Not only should at least two members of the city council be representatives of the Federal Government, at least two members of the zoning commission should also be Federal officials. Under this impossible situation but little imagination is required to envision the numerous conflicts that are certain to arise.

Spokesmen for the Senate bill have indicated that the new government will emerge on a public housing program that staggers the imagination. Apparently such housing and rent subsidies are to be provided for all applicants regardless of means. The "impoverished" have been led to expect this utopia and thus we are to have a welfare city on a scale beyond the wildest dreams of the most dedicated Socialist.

What about the elected school board provided for by the Senate bill? What have the potential leaders in the new government led us to expect?

This board will scrap the present progressive building program and will launch its own program that would break the treasury of a Croesus or of any ancient Persian prince.

The people who would make up this new board are pledged to abolish the track system so that gifted pupils will be compelled to waste their time and talents while grouped with those of less brilliance. There is nothing new or revolutionary about this system. It just makes for commonsense.

Those who will control the new board would eliminate discipline in the schools by pulverizing corporal punishment for which there is no known substitute.

They will immediately gerrymander the school districts and start bussing schoolchildren from one side of the city to the other to promote school integration which no law or court decision now requires.

The Superintendent of Schools will no doubt be required to put on a chef's apron and operate a chain of restaurants to feed every "hungry" pupil in the city, including breakfast as it is to be presumed that there is no food for them in their homes. More than that, the city welfare program is certain to provide shoes and clothing for schoolchildren whose parents or guardians cannot or will not provide them. There are also proposals to pay dropouts to attend school.

Regardless of experience, ability, or academic attainment, those who will control the board will see to it that school administrators are chosen according to race, however, low it may be necessary to fix standards. The same criteria will also be applied in the selection assignment and promotion of teachers.

The present method of appointing the school board by Federal judges with lifetime tenure and, therefore, free from pressures, is one of the finest in the world. Yet the Senate bill would destroy it. "The angels wept and justice took a holiday."

How do those who support the Senate bill propose to finance the new government? According to the chairman of the District of Columbia Democratic Central Committee there will be a soak the rich and skin the poor policy. That chairman says that District of Columbia income taxes will be raised on those in the higher income brackets and on real estate—a scheme which if carried out is certain to chase the most substantial citizens to the suburbs of Maryland and Virginia.

Another home rule source proposes outlandish increases in the sales tax including groceries which the poor must also pay.

Then, of course, there is the scheme to levy a payroll tax on nonresident employees in the District. The same home rule boosters at the same time cry "taxation without representation." If this crazy scheme should be effected Maryland and Virginia are certain to retaliate. So whose ox will be gored? Now listen.

Perhaps the most unconstitutional and ridiculous proposal to be submitted to the Congress since the late President Roosevelt submitted the AAA and NIRA legislation, which the Supreme Court voided, is the brazen device to permit the new government to tax Federal property without the necessity of congressional appropriations. The Constitution emphatically states that no money will be paid out of the Treasury without congressional appropriations. Not only is the language emphatic it is indefeasible. Yet the Department of Justice contends that the proposal is perfectly legal. But did not that Department's lawyers also argue for the constitutionality of the AAA and the NIRA and other Roosevelt reforms which were struck down by the Supreme Court?

If by some miracle the Congress should be pressured into this delegation of its control over the spending of the Nation the end of representative government will be close at hand. The situation will be akin to that of King Lear after he gave his kingdom and all of his property to his eldest daughters. As Shakespeare relates it, Lear was chided by his jester who told him that he became a weakling "Whence thou made thy daughters thy mother, gave them the rod and lowered thy breeches." Then in answer to Lear's question "Think you me to be a fool?" the jester replied: "All thy other titles thou hast given away that thou wast born with."

There is always the possibility, however, that the presently constituted liberal Supreme Court would uphold this provision and thereby open a Pandora's box to hasten the end of constitutional government as it was known in America for more than 150 years.

In summary, Mr. Chairman, will the Congress be pressured into illegally setting up a one party government with a poisonous political machine in the District of Columbia with no protection of the Federal interests? Can the Congress be blackjacked into delegating its constitutional power to appropriate the public moneys to satisfy the demands of a temporary majority? Shall Congress turn its collective back upon all reason, sanity, and prudence, to keep misinformed constituents "off our backs"? If the people of the District of Columbia really want self government Mr. BROYHILL's bill will provide it. I hope that it will prevail.

How can any conscientious citizen support a bill such as S. 1118 which is made to order for the machine politician? Political machines breed corruption, graft, and special privilege. Who does not know that presidential elections are now largely decided by less than 10 such machines? In some States, however, the big city machine vote can be considerably offset by the downstate vote as in New York and Illinois, but this could never be so here. For voting purposes we would simply have a one party vote delivered by a machine. The evil of the big city machines are too well known to repeat here. The dangers of one party government have been sung throughout the land by the political reformers for 100 years; but so far as can be ascertained no responsible political leader in the District of Columbia has uttered a word against the Senate bill.

Indeed the chairman of the local Democratic Central Committee has freely admitted that political machines are bad; "but," says he, "we must have democracy at all cost and regardless of the consequences." And this man will, no doubt, be the political czar here should the Senate bill become law. Do the ends justify the means?

Although the Constitution is clearly against them, proponents of the Senate bill cite James Madison as their authority for the institution of "home rule," as they call it, here. Whatever Mr. Madison's views may have been, let us note, they did not prevail in the Constitutional Convention; nor is any such "promise" found in his notes nor in the official proceedings of the Convention as recorded by Mr. Tomson, the Clerk. But lawyers long ago found Madison to be a weak reed. Over 30 years ago a Federal district judge actually relied on Madison's notes when he declared the 18th amendment to the Constitution to be invalid. In a unanimous decision, however, the Supreme Court nullified that ridiculous decision. The Madison "authority," let us note, is found in the Federalist which was written after the Convention. Does it not follow, therefore, that his opinions were merely his own and that they could not have changed the Constitution in the slightest degree. Moreover Mr. Madison's utterances on this subject were arguments addressed in support of the Constitution. To cite them now is something like a drowning man grasping for a straw. Madison was allied with the leading Federalists of the day such as John Jay and Alexander Hamilton who believed that "the people who own the country should run it," which is a far cry from what those who quoted Madison now advocate for the District of Columbia. It is noted that even the President has fallen for this Madison "authority."

Before people can lead they must learn to follow. All during our history it was always the national policy to grant statehood to territories only after proper organization and a demonstration of capability to govern. This policy was firmly laid down in the Ordinance of 1787 or 2 years before the Constitution was adopted; and within the memory of most of us we know that Hawaiian statehood was withheld for at least 25 years with a breakdown of law enforcement there in the early 1930's, but the crime rate there—as bad as it was—was insignificant when compared with the present crime rate in the District of Columbia and before the President undertook to promote home rule here he should have augmented the local police force with enough soldiers and marines to clean up the city—as Andrew Jackson or Theodore Roosevelt would have done. In the Ordinance of 1787 we find the following: "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, they shall be forever encouraged." And this admonition is said to have come from the pen of Thomas Jefferson.

RAPS VEEP'S VISIT TO POLISH EMBASSY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, there is much emphasis these days, despite Soviet and satellite government support of the war against freedom in Vietnam, on the President's policy of "bridges of understanding." Stripped of its double talk, the administration's policy is to appease the Communist tyrants of Europe in the vague hope that they will somehow be moderate rather than militant Communists.

This administration policy is typical of the completely misdirected and self-defeating administration conduct of foreign affairs.

Since one of the greatest spokesmen for "bridges of understanding" has been the Vice President, it is practical for us to note public reaction to his attempts at liaison with Communist governments. Columnist John Switalski, of the Polish American, a Chicago publication, had a detailed, penetrating commentary in his column of September 4 on a recent visit of the Vice President to the Polish Communist Embassy here in Washington, which I include at this point:

RAPS VEEP'S VISIT TO POLISH EMBASSY

At the Third of May Constitution Day rally in Chicago's Humboldt Park, Vice President HUBERT HUMPHREY told more than 100,000 Polish Americans that the U.S. Government fully supports their demands for Poland's freedom. Less than 2 months later—and during Captive Nations Week—HUMPHREY went to the Polish Communist regime's Washington Embassy to take part in the 20th anniversary of the Communist takeover in Poland.

When spokesmen of Polish and other groups protested HUMPHREY's incredible action, he tried to explain that he was merely expressing his friendship for the people of Poland. HUBERT HUMPHREY is not that politically naive.

However, in fairness to the Vice President, we must state that his action was undoubtedly dictated by the White House. And President Johnson unfortunately leans heavily on the advice of State Department officials who see nothing incongruous in sending American boys to fight and die in a war against communism in Vietnam while giving all kinds of aid that helps keep Communist regimes in power in Poland.

I can think of no more constructive way for Polish Americans to protest HUMPHREY's Captive Nations Week behavior than to suggest that he read the "Letter From Poland" in the August 16 issue of the New Leader. This is a translation and condensation of articles that appeared in the Parish Polish exile magazine Kultura under the pseudonym of "Gaston de Cerizay." A July 31 dispatch to the New York Times stated that the Gomulka regime denounced Stanislaw Mackiewicz as the author.

I wonder what Mr. Johnson, Mr. HUMPHREY, and Secretary of State Dean Rusk would say about Mackiewicz-Cerizay's opening statement that the regime has no followers and "obviously, if there are no followers, 99.99 percent of the people hate the people's republic."

"The bureaucracy and white-collar groups," Cerizay-Mackiewicz writes, "are undeniably privileged. They constitute the ruling social class, because the peasants and the industrial workers have no say at all in our people's republic. This bureaucratic class has a considerable majority in the United Polish Workers Party. But anyone who imagines that the party members are Communists by conviction, probably believes in the stork as well. Imperial Russia was supported by pillars of bureaucracy and officialdom, yet the mere fact that a man held an official position did not make him automatically a czarist monarchist as well.

"Membership in the party is peculiar. It is important chiefly to the educated white-collar worker. No one refuses membership. Afterward, one sleeps at party meetings, unless one chooses to indulge in party intrigues or in illicit business speculations facilitated through party connections."

"Ironically," the article continues, "the one class which is most hostile to the regime, and which hates the very term 'working man' were faced with the type of socialism represented, say, by the Socialist Party of Sweden." But in Poland, socialism means nothing but a completely nationalized economy. Industrial workers' councils do exist and a certain, though not overly large, a number of workers does belong to the party. But a worker who is a member of these organizations would never dare speak up for a wage increase. That would be an antigovernment act, an act of presumption upon the budget. The representatives of labor in the so-called capitalist countries protect the working man's interests; in Poland they serve to keep a tight grip on the workers, to make sure that he neither complains nor strikes, but keeps clapping his hands and remaining obedient toward the superboss and sole capitalist, the Polish state itself. Labor is indeed the most dissatisfied and exploited class in Poland.

"The Polish worker is industrious, able, and above all, not stupid. The comic inconsequence of the Government's actions is all too apparent to him. The doctrinaire harangues at meetings, the trashy, propagandistic newspaper articles all abound with predictions of the impending demise of capitalism—despite the strength of capitalist money in our marketplaces. Right here in Warsaw certain kinds of liquor can be bought for dollars only; wherever exchange is possible Polish currency is shunned, downgraded, while capitalist currency is eagerly sought.

"People are human, and want to live like human beings. The Polish worker receives packages from his relatives in the United States and West Germany. He knows that the working man in capitalist countries earns more, and pays less for what he buys. And he draws the appropriate conclusions."

The Kultura-New Leader article tells how Government suppression of religious observances has results exactly opposite to those desired. Instructed to shun the church, young people at summer camp run off to the church services en masse. "Even the sons and daughters of party dignitaries, who parade at mass rallies with antireligious slogans, are caught up in religious fervor."

Mackiewicz-Cerizay relates how when the Government ordered removal of crucifixes from the rooms of the sick, the hospital staffs refused to carry out the order. "This display of resistance was enough; the regime was frightened, and it retreated. Now, just as before, crucifixes hang above the beds of the sick."

The late President Kennedy used to read the New Leader. I hope Mr. Johnson does, too. He might then realize that while Vice President HUMPHREY's attendance at a Communist celebration in the Polish Embassy was dismaying and repugnant to both Polish and non-Polish Americans, it was nauseating and demoralizing to the freedom-loving people of Poland who were betrayed into Communist hands by their World War II allies in London and Washington.

FEDERAL AID INEVITABLE FORERUNNER OF FEDERAL CONTROL

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, on June 1 of this year I addressed this body on the subject of Federal aid as inevitably a forerunner of Federal control.

On many many occasions over the past few years, and indeed back into history to the time of the Magna Carta, men have spoken of the dangers inherent in a paternalistic central government.

When a national bureaucracy undertakes the role of provider, and benefactor, then it moves into the role of counselor. From there it is just one short step further to the role of policeman and dictatorship.

There seems to be little concern for this, especially in academic communities. There appears to be little worry that an overly powerful central government might present a threat to liberties we cherish, such as academic freedom.

As many of us have said: there is a threat, there is a serious cause for concern, not just for some of us, but for all Americans. We have today a Washington bureaucracy directed by a very ambitious political administration engaged in expanding its authority and devising new plans for imposing itself on the American people as a master, rather than as a servant.

In today's Washington Post newspaper, the column by Rowland Evans and Robert Novak brings to light some startling facts regarding proposals within the executive branch of the Government to embark on influencing the publication of textbooks for use in American schools. This must never happen.

I include the text of the column in the general interest:

THE FEDERAL TEXTBOOKS

(By Rowland Evans and Robert Novak)

Tentative plans are quietly being made inside the Federal Government for a long-range pressure campaign on local school boards and publishers to give the Negro better treatment in history textbooks.

Although no final decision has been made, the top brass of the Community Relations Service—created by the 1964 Civil Rights Act to help mediate racial disputes—is leaning toward adoption of the plan. Indeed, it has already been spelled out in some detail in a confidential memorandum drafted by Ben Holman, head of the Service's media relations office.

Although the goal of giving the Negro his rightful place in history books is commendable, there is considerable doubt whether the Community Relations Service is empowered by law to perform this function. The 1964 act is to "provide assistance to communities and persons" in settling racial disputes—and nothing more.

More fundamental, however, is the danger of the Federal Government getting into the business of editing the Nation's school books. The authoritarian implications of Washington officials censoring what Johnny reads in school disturbs even some officials at the Community Relations Service who look at the textbook project with some misgivings.

The Holman memorandum on textbook revision begins by stating the problem: "Negroes usually are ignored in textbook illustrations, and the Negro's role in history is either ignored or inaccurately presented."

Consequently, Holman concludes, the Community Relations Service should mount "a massive educational and informational campaign" directed at "publishers, school administrators and boards, parents and teachers groups" to get the textbooks changed. Though this scarcely falls within the agency's statutory mission, it seems generally inoffensive.

But the Holman memo goes on to suggest the beginnings of Federal high pressure: "Once the educational and informational campaign is solidly under way, we should conduct a systematic effort to contact all publishers and school boards to encourage their publication and adoption of textbooks conforming to established standards."

The term "established standards" has a particularly ominous ring. The intervention of many State legislatures (particularly throughout the Deep South) in textbook selection is ominous. But the idea of the Federal leviathan with its incomparable powers of coercion getting into the textbook business is enough to make publishers break out in a cold sweat. It smacks of rewriting of history in Orwellian style.

Actually, the textbook project is only the most far-reaching of the Community Relations Service's digressions from its legislative purpose.

The Service was originally conceived in 1960 by then Senator Lyndon B. Johnson as a counterpart in racial relations to the Federal Mediation Service in labor relations. The proposal went into the 1964 Civil Rights Act.

In operation, however, the Service has relegated mediation to a secondary role. Only a handful of mediators are in the field while a Washington-based staff dreams up projects such as the textbook scheme.

Holman also has in preparation elaborate programs of improving the treatment of the Negro in the press, establishing mobile exhibits for use at fairs and exhibitions and influencing Hollywood.

In a memorandum, Holman has suggested:

"We ought to mount a specific project aimed at Hollywood film makers to produce films for purely entertainment purposes that would help further the cause of better human relations * * * the current Negro revolution and the crescendo of the civil rights movement provide a wealth of material for fiction story plot. Plots centered on the problems of intergroup relations are as legion as those for westerns."

This is Government propaganda—a domestic "Voice of America"—at its worst. No matter how deep the need, the Federal Government has no right to try to shape the thinking of Americans in such insidious ways. Besides, there is a surplus or work for practical conciliation in every city in the Nation for the Community Relations Service.

If textbooks need rewriting, the educators are the people to do it.

THE ADVERSE EFFECTS OF FEDERAL GRANTS ON SCIENCE IN THE UNITED STATES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, since 1953, expenditures for science in this country have increased at an average rate of 13 percent a year to the point where we will spend nearly $21 billion—3.2 percent of our gross national product—on research and development this year. By far the leading contributor has been the Federal Government, which has increased its expenditures at a rate of nearly 20 percent a year since 1953. Federal funds now account for two-thirds of the contributions for scientific research and development. Since Federal laboratories carry out less than 15 percent of the work, a large part of federally financed research and development falls to our colleges and universities.

An article in the July issue of the Scientific American, by Dael Wolfle, points out some of the problems that have arisen as a result of the large contributions by the Federal Government to research and development projects in colleges and universities. One unwanted result has been a maze of rules and regulations governing fiscal and administrative details and reports which universities and individual scientists must deal with in order to benefit from Federal grants. Simplification and standardization is called for here to reduce wasted effort and confusion.

The impact that massive Federal contributions have on the relationship of the college or university to its faculty members also deserves increased attention. Project grants are presently nominally made to a university or other institution but in reality are awarded to an individual. The scientist and Government official frequently deal directly with each other on both substantive and budgetary matters, largely excluding the university administration from any important role in reaching decisions about the research done in the university. As a consequence, the faculty member's loyalty and attention are apt to shift from the institution to his project and the source of his funds. In addition, there is a substantial body of opinion that, while education at the graduate level has improved as a result of the availability of better equipment and more competent staffs, teaching on the undergraduate level has suffered. If this continues, we are apt to face a deficit of well-trained scientists in the future.

Not only may the institutions where research is carried out be affected by massive Government support, science itself may be affected. According to Dr. Wolfle, of all the money spent for basic research in the U.S., only about one dollar in five comes from a source that does not have specific goals in mind.

The danger is that research will be increasingly directed along the lines dictated by "mission oriented" Federal agencies, stifling and starving those projects which do not fit into any Government program but which may be valuable nevertheless. The possibility of shifting the responsibility for research decisions from the supporting agencies to the universities or the National Science Foundation, which is free from any special mission, should be studied.

Mr. Speaker, early in this session I introduced a bill, (H.R. 3791), that, if enacted, would permit tax credits to individuals and corporations for their contributions to basic research. This approach, designed to encourage private contributions to basic research projects of the individual's or corporation's own choosing, would supplement the Government program by inducing support of the smaller but very valuable basic research programs, as well as research of an interdisciplinary nature, which involves teams of scientists from many different and seemingly unrelated fields. Both of these areas are presently neglected by the Government's emphasis on large-scale, single field projects. I think that Dr. Wolfle's recommendations and my bill point the way to vastly improving contributions to research and development programs and their impact on science and technological progress.

I include Dr. Wolfle's article in the Record at this point:

THE SUPPORT OF SCIENCE IN THE UNITED STATES

(The sharp and sustained increase in funds has improved research and has benefited the investigator. Nevertheless, serious questions are being raised about the financing of research in universities.)

(By Dael Wolfle)

This year in the United States nearly $21 billion—3.2 percent of the gross national product—will be spent for research and development. Some two-thirds of the funds will be supplied by the Federal Government. "Research and development" includes basic research, applied research and engineering, design and even the development of prototypes; it is a broad category, but it does encompass all forms of scientific research. Not long ago the support of science was primarily the business of the colleges and universities and some voluntary agencies; before World War II the Federal Government's contribution was largely in agricultural research and the work of such agencies as the U.S. Geological Survey and the Naval Observatory. It was not until 1942 that the country's expenditures on science reached $1 billion. A steady growth in the support of science continued through the war and afterward; beginning in 1953 there was a sharp and sustained rise of huge proportions. Since 1953 the country has increased its expenditures for science at an average rate of 13 percent a year. The most striking rise has been in the contribution of the Federal Government, which has grown at a rate of nearly 20 percent a year. Although spending for development is leveling off, appropriations for academic research will continue to increase at about the present rate for some years.

The funds spent for scientific work during the past two decades have provided research opportunities on a scale previously unimagined. All fields of science have benefited from the better equipment, special facilities, greater freedom from constraints and larger number of workers made possible by the increased budgets. The award of Nobel prizes is one measure of the growing strength of basic research in this country; in the 1930's Nobel Prizes were awarded to nine American scientists, in the 1940's to 13 of them and in the 1950's to 27. Meanwhile the economy of the country has gained enormously from the upsurge in technological research and development. In 1953 research and development accounted for 11 percent of all industrial investment; in 1962 research and development absorbed about 25 percent.

The subject is nonetheless surrounded by disquiet. In Congress and in the Executive branch, in the universities and learned societies and foundations questions are being raised about the manner in which science is financed. Most of the questions deal not with the adequacy of the national effort but with the effects of the massive Federal contribution on the course of science and in particular on the conduct of basic research in the universities.

Evidence of this concern is found in a rapidly growing list of policy studies and program analyses. The National Academy of Sciences is midway in a series of reports dealing with various aspects of the scientific enterprise. The U.S. Chamber of Commerce has advocated the establishment of a national review body that would decide on major new programs. Two committees of Congress—the House Select Committee on Government Research and the House Subcommittee on Science, Research and Development—have reviewed many aspects of the Federal program, and their reports have become valuable sources of detailed information. Moreover, Congress has begun to insist that executive agencies prepare special reports on certain areas of investigation such as oceanography so that the Federal effort can be examined as a whole instead of in its budgetary and departmental fragments. The White House Office of Science and Technology has appointed a blue-ribbon committee of industrial, scientific and educational leaders to review the policies and programs of the National Institutes of Health. The Bureau of the Budget has taken the lead in reexamining the administrative practices of the Federal agencies that support basic research. The National Science Foundation has reorganized and strengthened its staff sections responsible for studies of scientific policy, planning and resources. "Science policy" has become the topic of a number of university seminars and analyses.

All this ferment of analysis and reexamination makes it clear that major changes in policies governing the support of science are underway or in the offing. These analyses have also served to provide reassurance that many of the past policies and practices are sound and should be continued. The magnificent achievements of recent decades are evidence that the support system has been a fundamentally healthy one.

Support for research and development comes from many sources; some contribute only a few dollars, other billions. Some 300 firms provide 80 percent of the industrial money that goes into research and development; another 13,000 firms provide the remainder. Some 200 private foundations grant significant amounts to science and medicine. Universities and many colleges provide research talent, laboratories, and financial help. A number of private research institutions finance their own investigations. State and local governments conduct a variety of research programs. Four agencies are responsible for 95 percent of the Federal funds: the Department of Defense, the National Aeronautics and Space Administration, the Atomic Energy Commission and the Department of Health, Education, and Welfare. In addition to these giants there are another four agencies that account for 4 percent of the Federal total: the Department of Agriculture, the National Science Foundation, the Department of the Interior and the Federal Aviation Agency. The remaining 1 percent of Federal research and development funds is spent by 21 other agencies.

In the 12 years from 1953 to 1965 every major source of research and development funds increased its support substantially. Federal funds are five times what they were in 1953. Industrial support has tripled, and the universities have done almost as well. The other nonprofit institutions are contributing 6 times their 1953 amount.

Just as the amounts of money supplied by these 4 sectors vary greatly, so do the amounts they use. The Federal Government supplies two-thirds of the funds, but Federal laboratories carry out less than 15 percent of the work. Industry contributes a third of the funds but conducts three-fourths of all the work (mostly with Federal funds). The colleges and universities provide about a tenth of the funds, and the other nonprofit institutions about a fortieth. (The universities' contribution is underrepresented in the financial reports, perhaps by several hundred million dollars a year; they provide substantial additional support, in the form of laboratory facilities and faculty time, that is not budgeted explicitly for research.)

From 1953 until 1960 about 8 percent of the Nation's research and development budget was devoted to basic research. The percentage has been rising since 1960, reaching almost 12 percent in 1965. As for the Federal Government's funds, in 1953 less than 7 percent went for basic research. The figure has been rising since 1960, to about 11 percent in 1965. The universities are relatively much more prominent in basic research than in the total research and development effort, being responsible for almost half of all basic research. In contrast the industrial laboratories, which dominate in development activity, conduct only about a fourth of the basic research.

Development activity is directly associated with identifiable industrial, economic, military or other practical objectives. Its cost and the cost of any associated research are therefore justified and budgeted in terms of its expected contribution to the attainment of specific objectives. In the case of basic research the situation is quite different. The ultimate beneficiaries of basic research are many, but they are hard to identify in advance. As a result the costs of basic research tend to be shared widely. Some basic research of notable quality is done in industrial laboratories, but most of it is conducted in universities with support from public funds. In some cases this public support involves Congress directly in decisions on priorities. Modern basic research sometimes calls for large-scale facilities such as particle accelerators, oceanographic research vessels and astronomical observatories. Such big science enterprises are so expensive that they must be considered individually at top Government levels, where the cost and promise of each can be compared with those of other claimants for available funds.

On the other hand, little science, typically the work of a university faculty member and his assistants and advanced students, will continue to be budgeted on an a priori basis and to be supported by means of a large number of project grants. Little science, the principal subject of the remainder of this article, is an area of central concern to science as a whole, not least because it involves the education of future scientists. It is the kind of science that is most characteristic of academic research and hence is most often involved in Government-university relations. It is also the area in which those relations are most likely to change.

Sustained scientific work of high quality requires the effective union of three elements: a self-renewing population of able scientists; appropriate research facilities with the necessary supporting structure for institutional management; a source of money. In a few well-endowed research institutions all three elements are happily present in an almost totally self-contained and self-supporting organization. Such unity, however, is rare. More commonly under present conditions there is a scientific staff, a university with multiple obligations, and an external source of funds. All three sides of this triangle are interested in science, but their interests differ in detail; tensions arise and compromises become essential. The scientist must serve three masters: the internal logic and the opportunities of his own discipline, the policies and requirements of his institution, and the customs and wishes of his financial supporter. The university must meet the demands of science, of its many other endeavors and of the agencies that provide support. The Government agencies have an equally complex problem: in supporting a large number of individual scientific projects they must also consider the general welfare of the universities and be mindful of the wishes of Congress and the public it represents.

One useful change in the interrelations of scientists, universities and Federal agencies would be the simplification and standardization of what has grown to be a maze of rules and regulations governing fiscal and administrative details and reports. The complexity of grant administration was summarized last year by the House Select Committee on Government Research: "One of the ironies of the research grant is that while it is sometimes itself a simple one-page (if not a one-paragraph) document, it is accompanied by a bulky manual of instructions, explanations, and amendments. For example, although the NIH (National Institutes of Health) grant form is a 1-page instrument, it incorporates by reference the NIH grant manual, which runs to more than 100 pages."

The National Institutes of Health manual of course explains only NIH procedures and requirements; other agencies have adopted different rules and procedures. Congress has sometimes added to the confusion by setting arbitrary limits on the amounts that some agencies can pay to reimburse an institution for the indirect costs of conducting research. This overhead rate varies, moreover, depending on the agency that grants the funds. Sometimes overhead can be paid on some budgetary items but not on others, or at one rate on some items and at another rate on other items. The multiplication of administrative redtape slows decisions, harasses both agency and university personnel and puts the emphasis on form rather than substance. Fortunately these difficulties are widely recognized, and simplification and standardization would bring such obvious advantages that they will surely come about.

Standardization of procedures will be welcome, but more fundamental changes are required. Project grants are nominally made to a university or other institution, but in reality they are awarded to an individual. The scientist and Government official frequently deal directly with each other on both substantive and budgetary matters, largely excluding the university administration from any important role in reaching decisions about the research done in the university. Not all of the consequences have been happy ones.

When a faculty member looks outside his university for the major sources of support for his work, his interest and loyalty are likely to go where the dollars are. When the continuation of his work depends on his maintaining good relations and an effective record with private foundations and Washington agencies, and when his professional reputation depends primarily on his research productivity, he is likely to devote more and more of his time to writing project proposals and reports and to supervising the increased number of research assistants that liberal grants enable him to hire. Correspondingly less of his interest and loyalty go to the university that happens to be his home for the present, and less of his time is devoted to teaching and to doing actual laboratory work with his own hands.

There are many contentions that the increase in research has been bought at the expense of a depreciation of teaching. The research programs at most colleges and universities are not large enough to have an adverse effect on teaching. In the universities with large research budgets, however, complaints are heard that there is a schism between the teachers and the researchers; that the ablest graduate students are research assistants, whereas the less able ones become teaching assistants; that the big-time research operator has become the admired model in the eyes of graduate students; that in return for the explosive growth of research we are building up a deficit in the training of future scientists and in the general education of other students in science. There is a substantial body of opinion to the effect that whereas education at the graduate level has improved as a result of the availability of better equipment and larger and more competent staffs, undergraduate teaching has suffered.

The emphasis on research supported by outside funds on an individual-project basis has also tended to strengthen the divisive forces and weaken the integrative forces that are always at work on a university campus. By and large faculty scientists like the change to off-campus support; it means that each researcher is judged by colleagues in his own field of specialization. Physicists judge physicists, biochemists judge biochemists, and geologists judge geologists. A man can take pride in the fact that specialists from other institutions have judged his work and found it worthy of support.

Bringing new funds to the campus enhances the scientist's prestige and gives him some freedom from local control. He can buy equipment or hire a secretary, travel to a national meeting to discuss work with other people in his field, and even invite a man from another institution to pay him a visit—with expenses paid—to consult on research plans. And he can do all this without having to ask his dean or president for permission, because the grant is his. (That is, he can pay for these extras if he has had the foresight to provide for them in his project proposal. If not, it may take weeks for a busy office in Washington to let him know whether or not he can transfer $100 from one budget category to another.

The result of all this is that the project-grant system undoubtedly weakens the scientist's ties with his own university. It means that many decisions about the research conducted on a campus are made in Washington instead of at the campus level and are made piecemeal rather than with full account taken of all the other programs and responsibilities of the university. A university is not solely a group of individualistic faculty members. It is a community of scholars and of students who wish to learn from them. It includes a central administration responsible for the development of the entire university, not simply the uncoordinated expansion of individual units or empires. Professor X would rather entrust his research proposal to the judgment of his professional colleagues on a Washington reviewing panel than to what he may consider the uninformed or biased decisions of his own dean and president. President Y, however, would prefer to have a larger measure of control at the university level, because he remembers that the university is responsible for teaching as well as research, for history and philosophy as well as physics and biochemistry, for the library as well as the observatory—and he wants funds that can be used in the best interests of the university.

Not only may the institutions in which research is carried out be changed by the methods of support; science itself may also be affected. One cannot help worrying about what subtle distortions in the course of scientific progress may result from the fact that nearly all the Federal support now comes from mission-oriented agencies. The National Institutes of Health are interested in certain diseases, the Atomic Energy Commission in nuclear energy, the Department of Defense in weapons systems and countermeasures. Each supports basic research, but each selects projects in terms of its own mission. Of all the Federal grantmaking agencies, only the National Science Foundation is free from this necessity. To be sure, many researchers have secured support from the mission-oriented agencies for exactly what they as scientists most wanted to do. The fact remains that, of all the money spent for basic research in the United States, only about one dollar in five comes from a source that does not have specific missions in mind. It is still a matter of opinion whether or not this fact is threatening the future health of basic science, but there is a widespread feeling that the National Science Foundation should assume a greatly increased share of the responsibility for supporting basic research.

Certainly agencies with special missions will continue to support basic research; funding decisions will often be controlled by immediate objectives; projects will continue to be supported largely on the basis of their individual merits and those of the scientists involved. Yet basic improvements in the system are possible. Now that massive Federal support is accepted as an obligation, the most necessary change is to shift a substantial amount of the decisionmaking responsibility closer to the point of research. The fact is that decisions that should be made by the executive agencies are now being made by Congress. Decisions that should be made by the universities are being made by the agencies.

In Great Britain, Parliament avoids political and governmental control of science and education by making block grants to the University Grants Committee, which in turn allots funds to the British universities. For a number of reasons this mode of operation is not feasible in the United States. Don K. Price of the Harvard School of Public Administration has pointed out that Congress takes a very different attitude toward the relation between ends and means than Parliament does. Parliament is content to decide on the ends, authorize the necessary funds and leave the details of the means to administrative agencies and the civil service. Congress, on the other hand, pays much attention to the means by which national objectives are to be attained. It reviews the budgets of Federal agencies in great detail, sometimes instructing an agency that no more than (and occasionally no less than) a stipulated amount is to be spent on a particular kind of activity. Congress is not likely to surrender its control of means as well as ends but it might well give the agencies a freer hand with the details and subcategories of their research budgets.

There will have to be, in turn, a substantial shifting of responsibility for research decisions from the supporting agencies to the universities. Some of the Federal agencies are now supplementing the project grant with newer forms of support that will help the universities to regain this responsibility: general-research support grants; program grants that support an established group of research colleagues not for a specific project but for work in an area in which they have demonstrated their competence; institutional grants that can be used in whatever way the university officials believe will best advance science on the campus; grants to help with the construction or equipping of laboratories, and the new science development grants to help selected institutions that are already quite good take a major step up the quality ladder.

These newer forms of grants will help to shift responsibility back to the campus, but the universities also have some work to do. A university's functions include both teaching and research; it has to maintain a reasonable balance between the two and also decide on the kind and amount of research that make sense in the context of its total program. The university president will sometimes say wearily that he knows these are his responsibilities but that his hands are tied—that there is no way to stop the very competent Professor X when he wants to start a new project because half a dozen other universities are eager to have the professor, willing to take him on his own terms and confident that plentiful grants will follow him to his new home. If the president lets his hands remain tied, the project grant will continue to be the dominant form of research support. It now seems likely, however, that universities that develop strong institutional controls and excel in the management of research funds can expect to receive a larger amount of support in more flexible forms.

Both the Government and the universities need to reconsider their interrelation. The makers of science policy must recognize that the Nation is as dependent on the universities as the latter have come to be on the Government. The universities are institutions with major responsibilities for the Nation's future and not just for its present eminence in science; institutions with a broad role in the Nation's intellectual life and not merely laboratories qualified to solve current problems.

The universities have always adjusted their policies and programs to changing social and economic requirements, and they will have to continue to do so. The universities cannot, however, merely respond to outside forces. They must also be independent innovators and stubborn conservators of old values. The weight of history urges that control of the universities by any one benefactor must be prevented if they are to preserve their independence, play their full roles as critics, conservators, and innovators, and retain control over their own destinies.

RULE XV—ON CALLS OF THE ROLL AND HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from Georgia [Mr. CALLAWAY] is recognized for 20 minutes.

Mr. CALLAWAY. Mr. Speaker, I think we would all agree that one attribute we in this Nation have always had that divides us from many other nations is the fact that most of our citizens believe we are and should be a nation of laws and not men.

Certainly in this deliberative body, we have felt from our earliest days in history that we in the House of Representatives represent a House based on the rule of law and not the rule of men. This means that from the various beginnings of Jefferson's rules, Cannon's rules, and down through the rules of the House that we have today, we are a House of Representatives based upon our rules.

This is essential, even when we find that our rules are inconvenient, even when we find that our rules may delay. It has been the position of both parties that our rules must be adhered to. Certainly I think we all agree to that.

I see a parallel in another body today, in the United Nations, where a particular rule is being flaunted by the Soviet Union. The Soviet Union has said, "We do not chose to obey this rule," and our nation has agreed that since we cannot enforce the rule, they do not have to obey the rule. We have said that this is a precedent, and no longer do we, the United States, have to obey the rule.

Many scholars have said that the failure to obey these rules may destroy the United Nations. Similarly, if we fail to obey our rules we may destroy this great House of Representatives.

There is no point in having a rule which we do not obey, no matter whether the rule seems outworn or whether it seems trivial. Whatever the rule is, it should be enforced if we have it.

I want to speak now of a particular rule which has been enforced more by its violation than by its enforcement since I have been a Member of the Congress. It is not a petty rule. It is not a trivial rule. It is a basic rule set out by our Constitution as to how we shall vote each and every time there is a constitutional rollcall vote.

I should like to read the pertinent portion of rule XV, which has to do with calls of the roll and House. It is shown on page 376 of the House Rules and Manual, section 765. It says:

> Upon every roll call the names of Members shall be called alphabetically by surname—

Continuing with the pertinent portion—

> and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair unless the Member's name has been noted under clause 3 of this rule.

And clause 3 refers to something not pertinent here. The rule is clear. The Clerk will call the roll alphabetically once. He will call the roll alphabetically twice. At the end of that time, if the Member has not voted, he shall not be permitted to vote.

However, during the history of the House, an exception has been made to protect a Member from the possibility that the Clerk might have failed to call his name. So there has been a precedent handed down through the years which says that a Member under certain specified conditions may qualify to vote after both roll calls have been completed. These conditions are very specific. They are spelled out in detail in the rules and the precedents of the House, which every Member of the House is given in each session of the Congress.

I quote from section 765, on page 387:

> But when a Member declares that he was listening when his name should have been called and failed to hear it, he is permitted to record his vote. In order to qualify to vote the Member must have been within the Hall, and listening when his name was called, and it is the duty of the Speaker to qualify a Member asking to vote at the end of the roll, but it is for the Member and not the Speaker to determine whether he was in the Hall and listening when his name was called, and unless he answers categorically in the affirmative he may not vote.

This means that three things must happen each and every time a Member says he qualifies. All three must happen.

First, he must state he was within the House when his name was called. Second, he must state he was listening to the Clerk when his name was called. Third, he must state he failed to hear his name called.

In other words, the only way a Member may be expected to qualify is for the Clerk to make a mistake and fail to call his name.

The ruling on this has been so specific in the past that when a Member in the well of the House said, "Mr. Speaker, I was present, I was in the House, I was listening but my colleague interrupted me and I did not hear the Clerk call my name," past speakers have ruled the Member not qualified to vote. As I say, it is very specific as to what "qualify" means.

It has come down that this rule, as I said, is not obeyed at all. Members almost indiscriminately come to vote in the well of the House on constitutional votes almost the same as they do on automatic votes, when it is not necessary to qualify.

In saying what I am about to say I certainly do not impugn the motives of any Member here. I believe it is only natural for Members to know that this rule has been violated so many times that it is really just not a rule.

When I first came to the Congress and asked about it, I was told immediately, "All you need to do is to go in the well of the House and vote if you miss the roll call."

Many Members sincerely believe this. As a matter-of-fact, yesterday on one of many of the rollcall votes, when I was watching the Members stand to qualify to vote in the well, a man came up to me, who has been in the Congress for five terms, and laughed and said, "Do not put my name down on your list. I qualify. I was in the House at the time my name was called." I said, "Did you hear your name called?" He said, "No." I said, "Were you listening?" He said, "No, I was talking on a bill that is coming up."

He did not qualify under the rules of this House, yet he genuinely thought he did.

Let me cite some examples as to what happened only yesterday. I am speaking of only 1 day in the history of Congress, to show the kinds of violations that each of us see every day in this House.

One Member of Congress, when his name was called alphabetically for the second time, looked directly at the Clerk and indicated he did not want to vote then, but wanted more time to think about the issue. He came down into the well of the House at the end of the rollcall and said that he qualified. Clearly he was under some misunderstanding about the rule, because he could not qualify according to the rules as they are stated.

Another man I saw came down to the well of the House and said that he qualified to vote on three separate occasions. I think it is highly unlikely that any one man should have been listening to his name on three separate occasions on three separate rollcall votes and have failed to hear it on three separate times.

As a matter of fact, yesterday more than 100 Members of the House came to say that they were sitting here and failed to hear their names called 100 times yesterday alone. That is why I say the rule is followed more in the breach than in the observance.

The main reason that Members "qualify" is because they are late arriving on the floor of the House, and were not present during the rollcalls. They are looking after the affairs of their constituents. Their offices are remote from this room, and many times the Members stay with their constituents or in their offices too long.

In line with this reasoning, I thought it was interesting to check on something. Yesterday I took the names of the Members who said that they qualified to vote in the well, and I divided them into groups, one being composed of Members whose names occur in the first half of the alphabet and the others those whose names occur in the second half of the alphabet. By the law of averages, there should have been an equal amount of those in the first half and those in the second half. However, I found that by a margin of 2 to 1 those in the first half of the alphabet outnumbered those whose names occurred in the second half of the alphabet. This is understandable only if it is true that many Members arrive on the floor after their names are called and still say they qualify to vote. Such is obviously the case. Those with names near the beginning of the rollcall must arrive sooner and are thus more likely to be late. I am no statistician, but I feel certain that this kind of ratio did not happen by chance. Now, we know it is a disadvantage to Members whose names occur early in the alphabet, but as one who has such a name, I have no complaint about it. The person to whom it is a real disadvantage is the Member who refuses to go in the well and to say that he qualifies, because he knows the rules and will not say that he qualifies when he does not.

This morning I spoke to one of the senior Members of this House and his name incidentally is near the very first of the alphabet. He told me that he had never once gone into the well to qualify and on one occasion it was an extremely important vote that he had to miss. Only yesterday the gentleman from Missouri [Mr. ICHORD] came into the well of the House and asked the Speaker whether he could qualify or not. He asked what the rules were, and the Speaker told him quite correctly what they were. Mr. ICHORD said, "Mr. Speaker, I cannot qualify." At the time around him were some 15 people who were saying they did qualify. Obviously this was a disadvantage not only to the gentleman from Missouri [Mr. ICHORD] but all of his constituents who sent him here to Congress, who were deprived of their vote.

Another flagrant violation of the rule occurred yesterday. On the first constitutional vote of the day, a number of Members presented themselves in the well after the roll had been called twice. Each of them was allowed to vote without the usual warning of "On this vote Members must qualify." Members just voted "yea" or "nay" without even saying whether they qualified. This is in spite of the requirement that each Member must "answer categorically in the affirmative" that he qualifies in order to vote.

At the time I attempted through a parliamentary inquiry to clear this matter up, and the Speaker quite properly ruled that I was not in order at that time. I was not allowed to ask him my question until all of the voting was over. After the vote was over I asked my parliamentary inquiry of the Speaker, and, he said I was correct in that Members had to qualify and he could only assume that each Member had so qualified even though they never so stated.

Let me say again I do not impugn the motives of any single Member here, but I do think if we have a rule and one where a Member must state a fact to be a fact, we should either enforce it or we should abolish it.

I have talked to hundreds of Members of this House and found the overwhelming opinion to be that we should enforce our rules. Several have said I should have some recommendation on what should be done. I do not think it is up to me to tell the House what should be done, but it is up to me to point out what I see that is wrong.

However, there are several things that could be done, and certainly the Committee on House Administration is capable of considering them. Several have been suggested to me. One is to treat the constitutional vote the same as the automatic rollcall, which would mean that anyone could vote in the roll at the end of a rollcall without "qualifying" or making any statement. This would solve the problem of the rules, but it might cause other problems.

This afternoon, I am told, on one automatic rollcall vote, 95 Members came to the well to vote. No doubt this would continue to occur under such a rule change and there might be a problem of delay.

I would suggest that this subject be studied for the future Congresses but in the meantime I think every day we go along and see our rules violated, that this is 1 day too long. I would suggest in the meantime that several things might be done.

In the past, various Speakers have individually qualified Members by asking them one by one, as the Member comes up to vote, "Were you present in the House when your name was called?" And the man would have to say, "Yes." And the Speaker would say, "Were you listening to the Clerk when your name was called or should have been called?" And he would have to say, "Yes."

And then he would ask, "Did you fail to hear your name called?" And the Member woud say, "Yes." On that basis the Speaker would say that the gentleman qualified and that he could vote If this were pointed out by the Speaker to each and every person who comes to the well to vote the problem would be solved. Certainly in this case no Member would say that he qualified unless he in fact did. Failing this another suggestion might be merely to put the names of those who say they qualified in the RECORD. As it is now, there is no record kept of this. I have had to keep my own records for the last few months.

I was not trying to single out any Member but was merely trying to see if it was actually true that this rule is being violated wholesale. I can say that on each and every rollcall we have had since I have been in Congress, in my opinion, this rule has been violated. I think it is an absolute "must" that we should uphold our rules. Otherwise the integrity of the House is challenged, if we do not stand by our rules. I ask the leadership of both parties in the House to work together with the Members of Congress so that we may take some action either to enforce the rules that we now have or to change the rules, so that we will not be violating them every day.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I yield to the gentleman.

Mr. HALL. Mr. Speaker, I would like to compliment the gentleman from Georgia who has made this study. Certainly he has brought to the attention of the House that the House must properly govern itself and not bend or fracture the rules by which we proceed. I should hope that none of us will look on individual rules to the point of exasperation of other Members, that we be not obstructionists but, as the gentleman has said in offering his prescription here, that we be constructive in maintaining those rules, to emphasize their importance, so that we may work coequally and together to maintain the functions for which our Republic was founded.

Mr. Speaker, particularly I want to comment on the statement of the gentleman concerning some of the frustrations on rollcalls and the so-called constitutional votes, because this has been a matter that has been constantly before the House and Senate Joint Committee on the Organization of the Congress and its Relation to Other Agencies. I appreciate the work that the gentleman in the well has done with that committee on this subject.

This involves the entire gamut of the question of electronic voting, which is present in many of our State legislatures at this time. It would solve the problem, but it would bring up other inherent problems; for example, how long before we come to punch the button would the Member be required to be on the floor for a constitutional vote? Would they be alerted ahead of time? How long a delay could there be? All of these things are being considered, and certainly the comments of the gentleman are most commendable and I, for one, appreciate them and thank him for what he is doing.

Mr. CALLAWAY. I thank the gentleman for his contribution and for the courtesy he extended to me when I testified before his joint committee on this subject. I would like to say that some others have testified before that committee and some have disagreed with me on one point about this. They have said to me, "Let us wait until this committee reports and perhaps they will come up with a rule which will solve this problem."

Mr. Speaker, I have said, however, that each and every day we see a basic rule violated and it is not stopped on that very day, then we have seen the dignity of the House of Representatives go down a little bit that day.

Mr. Speaker, I believe it is important right now that something be done to either enforce this rule or to change it so we can have a rule that can be enforced.

Mr. Speaker, I yield back the balance of my time.

PROBLEMS CONCERNING THE UNREASONABLY HIGH COST FOR THE USE OF MONEY

The SPEAKER pro tempore (Mr. KEE). Under previous order of the House, the gentleman from Georgia [Mr. WELTNER] is recognized for 30 minutes.

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, a few days ago I submitted to the Members of the House an initial report outlining some problems concerning the unreasonably high cost for the use of money. These problems are properly the subject of study by a Special Subcommittee of the Committee on Banking and Currency, recently appointed by our chairman, the Honorable WRIGHT PATMAN of Texas.

In appointing the subcommittee, Mr. PATMAN designated also another field for inquiry—the loan shark.

Today loan sharking is a $1-billion-a-year racket. It operates outside the law through an invisible structure, staffed by the bosses of the underworld. Usury laws do not apply—only the going rate of 5 percent per week. There is no court procedure, only a mobster court known as the "sit down."

There is no sheriff's writ for collection of debt, only the underworld's unique enforcement procedure. No collateral is required of the borrower—except his body.

The New York State Commission of Investigation spent the better part of 2 years in a detailed study of loan sharking in New York City.

It reports that of the five criminal syndicates in greater New York City—Genovese, Gambino, Colombo, Luchese, Bonanno—no less than 121 top mobsters were engaged in loan sharking during the year 1964.

The appeal of loan sharking to the underworld is quite plain. It is as profitable as gambling. It can be conducted without the complicated system of writers, wire rooms, and horse parlors, and without the additional expenses of avoiding scrutiny by authorities.

In addition, there is usually no criminal penalty involved, no matter what terms are forced upon the helpless borrower. It is a lucrative way of diverting excess racket money.

Loan sharking has its own hierarchy. A top racketeer will turn over to trusted lieutenants a large sum of money, requiring "vigorish," or interest of 1 percent per week.

These men in turn will place the money in the hands of retailers, requiring of them 2 percent weekly. This third echelon lends the money at "vigorish" of 5 percent per week. Thus, $1 million produces $50,000 per week, or $2,600,000 a year. Almost half of this amount is paid to underworld superiors.

Although there is no license, practical considerations seem to require connection with established syndicate bosses. Otherwise, the independent—known in the trade as an "overlook"—is unable to hide his money, or move it through covering fronts, or obtain experienced distributors who can be relied upon to return his capital plus 52 percent annual profit.

The New York Commission's report details some frightening aspects of the loan shark racket.

In an effort to avoid death or disfiguration, many victims are forced into criminal acts, such as operating a bookie joint in a previously legitimate lunch counter; converting a securities business into a "boiler room," or illicit stock operation; shipment and storage by a trucking firm of stolen goods; and embezzlement to meet loan shark demands.

Even banks have not been immune. Earlier this year, our committee held hearings concerning persons of unsavory background who extended their influence into two banks, as far apart as Virginia and Long Island, to manipulate them to their great profit and to the banks' ultimate collapse. Bank loans were arranged, accompanied by huge "finder's fees" to the arrangers, constituting merely a polite form of "vigorish."

In another case, a bank in the garment district of New York City was so corrupted as to steer desperate borrowers to loan sharks, for which the officers and agents of the banks regularly received compensation.

Admittedly, usurpation and infiltration of banking institutions are rare. Yet, a single instance serves in some degree to undermine public confidence in commercial banks. Swift remedies and adequate controls are essential.

Thus far, the specific instances of loan sharking have been related to the Nation's largest city, New York. As previously noted, all five of the major "families" in the criminal network of that city are heavily engaged in lending money at unconscionable rates of return..

It should not be assumed that loan sharking is confined to New York City. The facts are quite the contrary.

The subcommittee has in its files the names of the leading loan sharks in 12 major cities over the country. Our preliminary inquiry has disclosed that established loan sharks are operating in major cities across the country. The cities, and the number of identified racketeers involved, are as follows:

Boston	13
Buffalo	5
Chicago	12
Cleveland	3
Detroit	1
Kansas City	3
Los Angeles	4
Milwaukee	4
New Jersey area	8
New York City	21
Philadelphia	21
Miami	8

Mr. Speaker, the Justice Department has for years attempted to cope with organized, interstate crime. This includes all kinds of rackets which move across State lines—gambling, narcotics, prostitution, protection, bootlegging, and stolen goods. Loan sharking is an interstate racket, along with the others.

So far, New York State alone has given any real attention to the special need for protection of the public. The investigation of the New York commission resulted in the passage of a statute defining a new offense, criminal usury. Enacted June 7, 1965, the law provides felony punishment for anyone lending money at an annual rate in excess of 25 percent. Additional provisions are designed to prevent bodily assault in connection with collection efforts, and to prohibit the possession of records pertaining to criminal usury.

New York has acted. No other State has yet made the effort. Yet, doubtless the same underworld elements operate in other cities. The same criminals employ the same ruthless methods to extort the same vigorish from hapless borrowers. The same side effects occur—corruption of legitimate businesses, desperate efforts of the insolvent borrowers, and ruin of honest lives and careers.

Mr. Speaker, there are many indicated areas for inquiry here. What connections exist between the New York criminal syndicates and loan sharks in other cities? What means are adopted for transferring loan shark money? What interstate communications are employed? What financial institutions or financial channels contribute to loan sharking? To what extend do "finder's fees" enter into bank loans?

The officer of a bank in Texas recently advised an applicant that he was ineligible for credit, but offered to introduce him to someone who could help him. The borrower closed the loan, paying a substantial "finder's fee." The fee went to the bank officer. The money for the loan came from the same bank, through the lender. Is this transaction covered by the Federal usury statute?

Should there be a Federal loan sharking statute, limiting any transaction subject to Federal jurisdiction to a maximum rate of interest, similar to the 25 percent per annum criminal usury law of New York State?

These, and other questions, naturally arise from consideration of a $1 billion racket.

Loan sharking, along with usurious consumer practices, complete the province of our special subcommittee. Again, I solicit the cooperation of all concerned citizens in this endeavor.

BANKS IN VIOLATION OF ANTITRUST LAWS

Mr. TODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, I have previously introduced six private bills concerning six banks which are either in violation of our antitrust laws as determined by the courts—including the Supreme Court—or have antitrust suits pending against them. Retroactive exemptions from prosecution of these six banks is granted by S. 1698, presently being heard in the Subcommittee on Domestic Finance. I believe each of these cases should be examined separately and on its own merits, rather than being included in legislation dealing with overall antitrust policy for the banking industry.

These six pieces of private legislation were referred by the Parliamentarian to the Judiciary Committee, which traditionally examines and reports upon legislation giving special relief to individuals or corporations which have suffered injury by the application of the law.

Today I have introduced a bill which modifies the nonspecial interest portion of S. 1698 to overcome certain generally agreed-upon omissions of that bill, as presently written. My bill would do the following: First. Retain the 1960 Bank Merger Act criteria for bank mergers and retain authority for the supervisory agencies to approve mergers; second, retain application of our antitrust laws to the banking industry, except that they would be subject to a 90-day statute of limitation insofar as the given merger transaction is concerned—this is a portion of the so-called Proxmire amendment extended to 90 days rather than 30; third, provides that if an anti-trust suit is brought, a restraining injunction against consummation of the merger is automatic and remains in effect until the suit is resolved; fourth, exempts the merging transactions of all banks which have merged in the past, except those six cases which have been challenged in court, from the antitrust laws.

Let me deal with these points, one by one.

First. As a result of the hearings before our subcommittee, there seems to be a general consensus that the bank supervisory agencies should continue to have the power to deny merger applications to banks when the proposed merger is not in accordance with good banking practice, even though it may not be in strict violation of the antitrust laws. This was the power granted to the supervisory agencies by the 1960 Bank Merger Act, as a result of a rash of uncontrolled bank mergers in the 1950's.

Second. S. 1698 as it reached the House retained the authority of the courts to finally determine whether or not a merging transaction was in violation of the antitrust laws. This provision is retained in my bill. Although the wording of S. 1698 was, in my view, vague, it is interpreted by some to prohibit antitrust action for any cause, including collusion and price fixing, against a merged bank once the 30-day statute of limitations provision expires. To correct this ambiguity, the wording of my bill makes it clear that a bank, by merging, is not by that action exempted from future violations of the antitrust laws.

Three. To prevent the difficulties for the banks of unscrambling mixed assets, my bill provides that merger transactions cannot be consummated pending resolution of an antitrust suit, should such a suit be filed, in the manner of the Proxmire amendment.

Fourth. My bill further provides that mergers unchallenged in the past shall not be challenged in the future, thereby allaying the fears of some 2,000 previously merged banks that their mergers will be subject to an antitrust suit. The Attorney General, in his testimony before the subcommittee, has stated that he does not plan to bring suits against these banks unless there have been misrepresentation of fact. This provision would make his intention a point of law, not subject to change by a policy decision of his successors.

It is my hope, Mr. Speaker, that this bill will contribute to a resolution of the issues before our subcommittee, so that proper action on the bank merger problem can be taken, which is in keeping with our independent and competitive banking system.

BIRTH CONTROL AID

Mr. TODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, perhaps the most important speech of the year by an administration official was made in New York on September 9. Katherine Oettinger, head of the Federal Children's Bureau, declared that family planning information and birth control services should be available to all parents—and I would emphatically add "prospective parents"—as a matter of right.

I congratulate her and the administration on her forthright and courageous statement. It is a logical outgrowth of the concern of our President for those in our society who are not receiving its full blessings of knowledge and understanding.

The hearings which have been conducted by Senator GRUENING have fully established the desires of our citizens who now are not receiving family planning and birth control information to acquire it. Instances of mothers collapsing because of their inability to care for their unspaced children, of child abandonment in desperation, and of other heartbreaking acts which result from impossible pressures are commonplace. They would have been avoided if family planning information had been available.

The OEO should fully heed Mrs. Oettinger's words. For she makes it perfectly clear that we have no right to withhold the right to this information from those who want and need it, and that this right to information is most frequently denied to the families of the poor.

Portions of a report on Mrs. Oettinger's speech in the Washington Post of September 10 are called to the attention of the Members as follows:

INCREASED FEDERAL ACTION PLANNED—BIRTH CONTROL AID IS A RIGHT, SAYS HEW OFFICIAL

(By Eve Edstrom)

> A Children's Bureau spokesman said the conference was attended by the Nation's top public and voluntary health and welfare officials who exchanged information on public family planning services.
>
> Until Mrs. Oettinger's speech, HEW had emphasized population research, and had usually parried questions about Federal support of direct birth control services. They have insisted that it is "entirely a matter of State discretion" whether Federal matching funds are used for family planning.
>
> But last night, Mrs. Oettinger revealed that the Children's Bureau is beginning this year to ask all States for the numbers of persons receiving family planning services. These data will be used to determine whether additional new approaches may be needed if existing programs are unable to serve all persons requesting advice.
>
> Mrs. Oettinger said HEW was the appropriate Federal agency to carry forward research, training and service programs in the family planning field. She all but told local public health and welfare agencies to include birth control services.
>
> "The conviction has grown that education and instruction in effective family planning should be an essential component of both the health and welfare agencies responsible for the payment of health services for dependent families," she said.
>
> "For it is the families of the poor who too long have suffereed spiritual dejection and demoralization after bearing successive babies without hope of these children being able to achieve their full potential or breaking the cycle of poverty."
>
> Mrs. Oettinger then spelled out the family planning services that could be paid for with Federal matching funds available through the public relief programs of the Social Security Act.
>
> "Such services," she said, "may include inpatient and outpatient hospital services, physicians' services, clinical services, prescriptions for drugs and devices, and other preventative and rehabilitative services associated with a comprehensive program for family planning."
>
> If family planning is a useful tool in providing better health for children and mothers, Mrs. Oettinger declared that "it should be available on a universal basis as a right to parents, without coercion, but with a genuine and sympathetic attention to the needs of each human being." She emphasized that individuals from all faiths should determine freely the family planning methods "morally acceptable to them."

HALL COUNTY, TEX., CELEBRATES ITS 75TH ANNIVERSARY

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, this Saturday and Sunday the good citizens of Hall County, Tex., in the district I have the honor to represent, are going to celebrate the 75th anniversary of the founding of their county. They will pay tribute to the pioneers who settled on the trackless prairie late in the 19th century, to the settlers who forged the bonds of local government with formal organization of the county in 1890, and to those who have brought Hall County to its present high state of development.

I am looking forward to attending a highlight of the weekend jubilee, the barbecue to be held at noon Sunday in the Memphis city park. A number of other interesting and pleasureful events are planned as part of the festival.

The full story of Hall County is a long and fascinating one. It is the kind of story told many times over as our United States grew to maturity. A most interesting account of the early beginnings of Hall County, its organization, and its position today has been prepared by Bill Combs, Paula Sherry, and Cliff Farmer of the staff of the Memphis Democrat, one of the finest newspapers in the State of Texas. The publishers of the Memphis Democrat, J. Claude Wells and Herschel Combs, have given impressive leadership in the development of Memphis and the Hall County area, and their city, county, State, and Nation are the richer for their distinguished service.

I am pleased to be able to share the Hall County story:

The first white settlers in Hall County were ranchers and cowboys who found the hardy grass covering the rich rolling plains ideal for fattening their herds of longhorn cattle. Land where buffalo roamed became a cattle paradise. Improved beef breeds, mostly Herefords, soon replaced the lanky longhorns, and by the end of the 19th century vast herds of beef cattle were being marketed from this fertile land. Estelline and Giles became the largest cattle shipping points on the Fort Worth & Denver Railroad.

Hall County became the headquarters for several famous early-day ranches. The Shoe Bar, the Mill Iron, and other well-known brands headquartered in this area before Hall County was formally organized. In fact, the Shoe Bar headquarters west of the present city of Memphis was the meeting place of settlers May 4, 1890, when a petition to organize the county was signed.

The fine grassland was destined to become farmland. When the Shoe Bar ranch was sold in small tracts the plow took over where the buffalo and longhorn had grazed. Cotton became the first choice of the settlers as a cash crop.

In the latter part of 1889 Hall County residents began to consider self-government. Several mass meetings were held. In April 1890, a petition for organization was written. As time passed feeling became bitter between the towns of Memphis, Salisbury, and Lakeview, since all three were contestants for the county seat. Salisbury was the oldest town in the county and the only railroad town, since Memphis had not been able to induce the Fort Worth & Denver Railway Co. to stop trains there; Lakeview was located near Goat Island, the geographical center of the county. Each town employed its own lawyer for the fight. When it became evident that Memphis would control the majority of votes the promoters of Salisbury influenced a number to erase their names from the petition and thus delay organization. J. C. Montgomery of Memphis, accompanied by several other citizens, went to Salisbury and demanded the petition, which S. A. Simpson, a druggist, was glad to deliver. Final details were completed at a May 4 mass meeting at the Shoe Bar headquarters on Oaks Creek.

The election was set for June 17, 1890. The date was preceded by another month of strife and excitement. Newspapers at Salisbury and Memphis took up the fight. Bloodshed was narrowly averted. Each town began a building program. Laborers were brought into Salisbury, whose votes the promoters expected to control. Memphis gave town lots to all cowboys who would promise to vote for that town. Lakeview had invited former citizens to return and participate in the election and based its claim on location. On election day all voting boxes were closely guarded by representatives from each contesting town and great excitement prevailed, but the day passed without serious trouble. The final tabulation was Memphis, 84; Lakeview, 43; Salisbury, 19.

Since Memphis was located in the extreme northeast corner of the county special legislative acts were necessary to sustain the election.

The first Commissioners' Court of Hall County met in Memphis June 24, 1890, and continued thereafter until all pressing needs of the newly organized county were served. The following officers were present at the first meeting: Judge J. H. Lafferty; Commissioners P. N. Wolffarth, J. B. Pope, P. M. Harrison, and J. H. Drury; County Clerk S. A. Simpson, and Sheriff C. A. Embree.

Hall County was named in honor of Warren D. C. Hall, Texas patriot, who fought for Texas during the Mexican revolution and who played an important part in Texas government during its life as an independent republic and early statehood. Hall's two outstanding contributions to early Texas life were his activities at the San Felipe convention in 1832 and his services to the Republic as second in command of the Texans in their battle for civil rights at Anahuac in the same year. Hall was born in 1788 and died in 1867.

Hall County has been moving forward during the past several years. Two important industries have been established in Memphis, the county seat. It is the headquarters of the division offices of General Telephone Co. of the Southwest. Two years ago, Burlington Industries, Inc., established Hall Plant, Postex Mills, in Memphis. The plant now employs approximately 150 men and women.

Cotton is the leading product of Hall County, with from 25,000 to 50,000 bales grown annually. Small grains, alfalfa, and other field crops are grown. With cotton, they make up three-fourths of the county's agricultural income. Beef production, dairying, and poultry production account for the remainder. Hall's annual agricultural income is approximately $9 million.

Memphis, the county seat of Hall County, had an estimated population in 1962 of 3,260. Other Hall County towns are Turkey, Estelline, and Lakeview. Small communities are Newlin, Parnell, Leslie, Brice, and Plaska. In 1962, the estimated population of the county was 7,888. Memphis is the market and banking center of the county, with grain and cotton processing and storage its leading industry. Turkey serves the productive farming and livestock area in the southwest part of the county. Estelline is a farm commercial center at a highway junction in the eastern part of the county.

Irrigation in recent years has become important in Hall County, adding to the producing ability of the good soil. There are now approximately 200 wells; more are to be added. One of the promising possibilities is the development of vegetable production.

Hall County citizens are looking to the future with optimism. Among goals is the establishment of a huge dam upon the Prairie Dog Town fork of the Red River to provide a major recreation center. The pioneer spirit still prevails, and its residents foresee a bright future as Hall County advances in step with the rest of our Nation.

LAKE ERIE-OHIO RIVER CANAL PROJECT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DENT. Mr. Speaker, recently the Honorable Frank M. Clark, our colleague from the 25th Pennsylvania District, held a press conference on a very important subject.

The question discussed by the gentleman from Pennsylvania dealt with the long debated Lake Erie-Ohio River Canal project.

While there have been many statements pro and con on this controversial subject the discussion by the gentleman from Pennsylvania [Mr. Clark] is important in that it brings fresh arguments to an old argument.

Coming from western Pennsylvania, I am fully aware of the many questions this project raises. Whether or not it will even be built will depend upon action by the Congress.

Before Congress acts upon the proposal every Member ought to read the

attached statement by the Honorable FRANK M. CLARK, of Pennsylvania:

STATEMENT OF FRANK M. CLARK, MEMBER OF CONGRESS FROM THE 25TH DISTRICT OF PENNSYLVANIA, ON THE PROPOSED LAKE ERIE-OHIO RIVER CANAL, AUGUST 27, 1965

I have called this press conference, my first one in six terms in Congress, because I feel that my constituents, taxpayers all, are vitally concerned about the proposed canal between Lake Erie and the Ohio River. Until now I have reserved judgment on the proposal, as I am a member of the House Public Works Committee, which is responsible for waterways development projects and deals with all types of flood control, rivers and harbors projects for the good of all parts of the country. But today, before the project comes to my committee, I feel it is my duty as your Congressman to outline my position and to discuss the facts which have brought me to that position.

The feasibility of the Lake Erie-Ohio River Canal project is now being considered by the Board of Engineers for Rivers and Harbors. This is a step in its progress through the Corps of Engineers which is the executive agency responsible for waterway development. The project was found to be economically feasible by the Pittsburgh District Engineer in his review of reports, and the division engineer in Cincinnati, Ohio, concurred in this finding, although reducing the benefit-cost ratio from the district engineer's estimate of 2.2 to 1 to a slightly, less optimistic 1.8 to 1.

Since the publication of the district engineer's review of reports on March 3 of this year I have been giving careful consideration to all sides of this highly controversial project. I have studied the engineer's review of reports. I have met with proponents and opponents alike and have heard their arguments, read their written presentations and discussed with them the issues presented. I read in the newspaper the other day that the Army Engineers are swamped with written opinions, pro and con, approximating 100 letters from individuals, 106 letters and booklets from organizations and 38 letters from State and Federal legislators. This indicates the wide public interest in this project.

Up until now I have not taken a stand for or against the canal, desiring to have the benefit of public reaction, of opinions of experts, and of my own conclusions from reading the material presented to me.

I feel that now is the time to express publicly my position with regard to the canal project.

My decision is not political. I am a Democrat, and was elected to the 84th Congress in 1954 and since then have continually served all the people in my district to the best of my ability. I am a member of the House Public Works Committee and of its Flood Control, Roads, and Watershed Development Subcommittee and its ad hoc Subcommittee on Appalachia. My good friend and political colleague, MICHAEL J. KIRWAN, is the principal congressional advocate for the canal. I have the greatest respect for Mr. KIRWAN. However, in this country of ours we have the right and duty to disagree, without being disagreeable, when we feel that a proposal is not in the best interest of those most directly concerned. I am fulfilling this duty today.

My decision to oppose the canal is not a rash one, nor one considered in haste. It was arrived at after much time-consuming effort and considerable thought. I have had the benefit of my many years' experience on the Public Works Committee where we consider the needs of the whole country, and weigh the merits of thousands of projects presented to us for authorization. I am naturally most interested in my own district and in the welfare of my constituents who have seen fit to elect me to this important job.

With this in mind I wish to set forth my reasons for opposing the Lake Erie-Ohio River Canal.

The costs which must be borne by local interests in my district are enormous and will result in financial chaos. As an example, the Army Engineers have estimated the cost of relocating the Beaver Falls Municipal Water Authority facilities at $383,705. This figure itself is staggering. The authority was naturally interested, and hired the highly respected engineering firm of Michael Baker, Jr., Inc., to review the engineers' report, and to file its own report with the Board of Engineers for Rivers and Harbors.

This was done on June 24, 1965. The Michael Baker report concludes that the relocation costs of the Beaver Falls Municipal Water Authority facilities will not be $383,705 as estimated by the Army Engineers, which is bad enough, but will be $764,300.

This is just one example and relates to only one local interest.

The city of New Castle is presently expanding its sewage treatment plant. The Corps of Engineers estimate that costs of alterations to that plant would amount to $395,442. What will be the actual cost to New Castle in view of the underestimation found at Beaver Falls?

Other substantial costs to local interests in my district, using the Army Engineer's own figures, are: $123,151 to the city of Beaver Falls; $7,734 to Taylor Township, Lawrence County; $302,334 for Beaver County bridges; $179,284 for Lawrence County bridges. These figures alone rightly throw a scare into any municipality which must raise the money. Considering costs which have not been mentioned and the probability that the actual costs will be much higher, the prospect is alarming. The local cooperation which would be required not only for construction but also for maintenance and operation of the project would in some instances be impossibly burdensome.

The pollution problem will be worsened by the proposed canal at a time when citizens are earnestly striving to improve a dangerous and troublesome condition. The Army district engineer's report itself calls attention to a conclusion in the study of the U.S. Department of Health, Education, and Welfare, Public Health Service, that construction of the canal "would have a substantial adverse effect on water quality control in the Mahoning River. This would result from the formation of substantial slack water pools which would reduce the aeration of the water normally obtained when flowing in a natural stream channel." The district engineer says this adverse effect will be offset by the benefit resulting from improvement in the quantity and temperature of the water supply for industrial use. This benefit, if true, will not apply to my district. This adverse effect, which is accepted as a fact by the Army Engineers themselves, will apply to my district.

It has been asserted that the steel industry will obtain a great lift from this canal. My district is a steel district with several large steel plants being located there. I am vitally interested in their prosperity and am aware of the problems they are encountering today. I am very apprehensive of increasing amounts of foreign steel being delivered via the canal into this area and its adverse effect on the steel industry and the economy of the district.

I am not convinced that the steel companies would benefit by reason of reduced transportation costs of iron ore which are claimed for the canal. We must look at the facts as they exist today. The iron ore which the proposed canal might carry to the Pittsburgh and Youngstown districts is today received via the ports of Cleveland, Ashtabula, and Conneaut on Lake Erie. The ore then goes by rail either to Youngstown, or else to such vital industries in my district as United States Steel Corp., multimillion-dollar sintering plant at Saxonburg, Butler County, Pa., Jones & Laughlin at Aliquippa, and Crucible Steel at Midland, as well as to mills important to other parts of my State. These port, railroad, and sintering facilities represent a huge investment. They are in use today and do an effective job. I doubt that even free barge transportation on the canal would induce steel companies to change their ore movement systems. To do so would involve, among other costly actions, the abandonment of the Saxonburg plant, and a drastic reduction in the scale of operations at Conway, where the Pennsylvania Railroad has the largest classification yard in the Nation. These effects of the canal would certainly be an enormous loss to my district, and must be taken into account as offsetting the benefits claimed for this proposal.

If, despite my doubts, transportation savings were to develop along the lines expected by the district engineer, the benefits would accrue principally to Youngstown, to the disadvantage of steel plants in my district. A study for the engineers estimates that Youngstown's transportation savings per ton of steel making raw materials would be twice as much as at Pittsburgh. This distortion of the comparative economics of location could only be detrimental to the steel companies in my district and to their employees.

As a member of the ad hoc subcommittee on Appalachia and as a Congressman, I am naturally interested in improving the economic atmosphere of my district. Harm to two major industries and to their employees will becloud the atmosphere and run counter to the very purpose of the Appalachia program. I am speaking of the steel and railroad industries. I do not have to tell anyone how important these industries are and have been and will be in the future to my district. I am grateful for the support from so many steel and railroad employees residing in the 25th district and I assure them that I shall work to protect their jobs. In opposing the canal, I am doing just that. It has been estimated that in the State of Pennsylvania 2,700 railroad workers will lose their jobs if the canal is built and handled the tonnage projected by the U.S. Engineers in their report. Whatever the actual figure is, it is too much.

I was very much impressed with the letter which was sent to the Board of Engineers for Rivers and Harbors on June 28, 1965, by the Southwestern Pennsylvania Regional Planning Commission. This commission represents six counties in Pennsylvania, two of which, Beaver and Butler, are in my district. Its primary purpose is planning. After consideration of this project, it has found it must oppose the same. The letter points out several weaknesses in the engineer's report. A serious problem which it calls to the board's attention is that local interests are required to provide assurances that they will not withdraw water for consumptive use or divert water around the locks from the water supply provided by the project works. It emphasizes that this requirement could have serious consequences upon the water supply problems of Beaver County. I concur in the commission's concern about this.

In conclusion, after several months of studying the matter I find that I must oppose the canal project as being against the best interests of my congressional district. In my opinion, it would be detrimental both to local government and to industry, and therefore, to the people of my constituency. Industries which have invested so much money in improving their plants would be hurt tremendously by the competitive advantage which would be unfairly handed to the Youngstown-Warren area. The steel industry in the district I represent has invested no less than $40 million that I know of during just the past 2 years. I will protect such investment in the future of my district.

Every municipality or local government and county government would be assessed beyond its taxing ability. Even if we wanted the canal, my investigations have found that supplementary funds will not be available under the Appalachia or similar Federal programs to ease the local burden. It is therefore unrealistic to think that the local responsibility could be shifted to the Federal Government.

I thank all of you for attending this meeting, and if there are any questions I will try to answer them.

RURAL ELECTRIC COOPERATIVES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, on last Thursday, September 9, Vice President HUMPHREY delivered a stirring speech to the thousands of people attending the Eastern Iowa Rural Electric Show which was held at Wilton Junction, Iowa, located in my congressional district. I would like to extend my compliments to Mr. HUMPHREY for his perceptive recognition of the great contributions that the rural electric cooperatives have made to brighten rural lives on the domestic scene. I thought it especially fitting that the Vice President also recognized the tremendous contributions of the rural electrics overseas—helping to build a better, peaceful life abroad as well as at home.

Following is the text of Vice President HUMPHREY's address of last Thursday:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, 30TH ANNUAL MEETING, THE BARBECUE AND ELECTRIC SHOW, WILTON JUNCTION, IOWA, SEPTEMBER 9, 1965

It is a genuine privilege for me to participate today in the 30th anniversary meeting of the largest rural electric cooperative in the State of Iowa.

The Eastern Iowa Light & Power Cooperative was one of the first organizations of rural people to make use of financing from the Rural Electrification Administration.

Later you were joined by more than 1,000 other cooperatives and public bodies in 46 States and Puerto Rico. Through your efforts and the force of your example, you have lifted the proportion of electrified farms in this country from less than 11 percent in 1935 to more than 98 percent today.

Your rural electric cooperatives have revolutionized life in rural America.

You freed the farm housewife from a lifetime of bondage to the handiron and cookstove, the washboard and hand pump.

You showed people how to farm more productively, how to use electric power for hundreds of different farm chores.

You put electric lights and running water in the schoolhouse, and you have put an end to the old one-room school, so rich in sentimental memories but so poor in educational facilities.

You have generated thousands of new jobs for rural America and have opened up the countryside to social and economic development and improvement.

And you helped erase forever that sharp line of demarcation that used to separate country people from city people.

President Roosevelt established the REA 30 years ago as part of a broad, emergency relief program. A year later the late and revered Speaker Sam Rayburn and that great Nebraskan, Senator George Norris, guided through to passage the Rural Electrification Act. Few people at that time shared these men's vision of a completely electrified rural America. And fewer people still foresaw that the first small, struggling cooperatives—operated by farmers who weren't supposed to know anything about running an electric company—would grow into strong, progressive power suppliers and establish themselves within a few years as a permanent segment of the American power industry.

But that is precisely what has happened. And it has happened without a single handout from the Federal Government, without a penny's worth of grants-in-aid. The cooperative rural electrification program in the United States has been financed entirely on the basis of loans—loans repayable to the Government with interest. And the credit record of REA-financed cooperatives is probably the best of any business of any kind in the country.

You in the rural electrification program have written one of the best success stories in history.

But rural electrification means more than lights in the farmhouse and milking machines in the barn. And it also means more than a local rural success story.

President Johnson stated it well when he said, and I quote, "the rural electrification program was from the beginning the foundation program for the success of our national effort to strengthen the whole economy by strengthening the agricultural economy * * * we have through REA made our Nation stronger and made the horizons of today's generation broader."

Your President has been a champion of REA since its beginning in 1937 when the Pedernales Electric Cooperative in Johnson City, Tex., applied for a REA loan. Several times the REA had to return the application because there were not enough consumers signed up for service.

President Johnson, then newly elected to the House, worked in the fields with the Pedernales sign-up workers and awarded western hats to those who got the most people to sign up.

This extra effort proved successful and in September 1938 the Pedernales Cooperative received an REA loan for $1.3 million. This cooperative serves that area today.

President Johnson is well aware that the lessons of history, both here and abroad, make it clear that there can be no firm foundation for an enduring national prosperity as long as the rural economy limps along far behind the urban economy. For 50 years, since World War I, there has been a continuing struggle to win parity for rural people. It still is our goal to win parity of income and parity of opportunity for our farm people.

It has dawned on many only gradually that it is equally important that rural people achieve parity of certain vital community services—such necessities of modern life as pure drinking water, electric and telephone service, and health, recreational and educational facilities.

These, too, form a part of our battle for parity.

It is proper concern of all Americans that all of our people, whether they live in town or country, enjoy an equal opportunity to contribute to a developing economy. But parity of opportunity continues to be denied to far too many people today simply because they happen to live in rural areas. In a number of places in the country, pockets of poverty and pools of economic stagnation continue. It is the Johnson administration's firm resolve to make a definite improvement in these conditions.

It is an unpleasant fact that while only one-third of all Americans live in rural areas, fully one-half of the families which we classify as impoverished live in the country.

No matter what the general level of prosperity—and that level has never been higher than it is in the United States today—our economy is not operating anywhere near its capacity as long as even part of our rural life is characterized by poverty, blight, and hopelessness. With the help of our rural electric cooperatives we can step up the pace of economic development in these areas of the country.

If all America is to participate fully in our future economic growth, it is essential that utility services, which in large measure represent tools for commercial and industrial development, be provided to rural people under rates and conditions comparable to those available to people residing in our towns and cities.

In the rural electrification program, the barriers to parity are offset to some degree by the provision of long-term, low-interest loans and technical assistance by REA. These are essential to eventual parity of electric rates and services.

But parity in American life will only be reached if we work on many fronts, in many places.

We can find ways to continue to improve and develop the American countryside, just as you found ways to organize your cooperative, set the first poles, and string the first lines.

We can slow down the migration of our young people from rural areas by opening up new opportunity for rural youth through better education and training.

We can find ways to encourage more rapid expansion of business and industry in rural areas, to provide more off-the-farm employment for our young people and for others displaced from agriculture.

We can strengthen the family farm pattern, helping families to apply new technological innovations to their operations, while making sure that increased efficiency does not mean less income to the producer.

We can readjust rural land use to make more land available for outdoor recreation and open spaces.

We can continue to press for adequate public facilities and services in rural areas.

And we can help all rural people to adjust to the rapid changes taking place in America today.

As you pursue these broad national goals for the fuller development of rural America, you will receive the strongest possible support for your efforts from this Administration. But you must define your problems. You must initiate the action and seek the solutions.

In doing this, you should start with a feeling of optimism. You have so many resources in rural America that already are in short supply elsewhere. You have open space and fresh air. You can offer people freedom of movement and a nearness to the beauties of the natural countryside.

You can offer relaxation and recreation, and you can offer that most wonderful resource of all—the neighborliness of the rural community.

You may not realize it, but what you already have accomplished shines forth as a lamp of hope for people everywhere. The pattern of cooperative rural electrification developed in the rural United States today is being widely studied and imitated by the underdeveloped nations of the world.

In South Vietnam, a six-man team of rural electrification experts from the United

States has just staked out that Nation's first three rural electric cooperatives, under contract from the Agency for International Development. Actual construction is scheduled to begin in November under supervision of an American engineer, and the first rural system will be energized next April.

The size of the task faced by these men is a big one. More than 11 million of South Vietnam's 14 million people are without electricity. And fewer than 100 of its 3,000 villages have any means of generating power. But we should remember that in the 30 years that your cooperative has been in existence, more than 5 million farmers and other rural consumers in this country have obtained electricity through rural cooperatives.

The contribution that cooperatives can make to the social and economic development of other nations is recognized in the Humphrey amendment to the Foreign Assistance Act of 1961. This is the act which established the Agency for International Development and I sponsored that amendment while serving in the Senate.

At the time, there were no cooperative development programs being carried out through private groups as part of our foreign aid program. My amendment declared it "to be the policy of the United States * * * to encourage the development and use of cooperatives, credit unions, and savings and loan associations."

Today a Cooperative Advisory Committee of 13 nationally known leaders of the American cooperative movement assist the Administrator of AID. One member is Clyde Ellis, general manager of the National Rural Electric Cooperative Association.

Under a contract which NRECA signed with AID, rural electric systems in the United States are providing advisory, organizational, and managerial services to the emerging countries of the free world in their efforts to obtain electric service. So far, more than 40 rural electric have been recruited by NRECA under this contract to provide help in 21 countries abroad. These include many of our neighbors in Latin America as well as in the Philippines and Thailand. The application of the REA pattern already has established new rural electric cooperatives in Ecuador and Nicaragua.

Exporting the REA-cooperative pattern is not limited to sending engineers, managers, and other technicians abroad. The University of Wisconsin, with AID assistance, now offers an International Cooperative Training Center, where officials and potential cooperative leaders from all parts of the free world are studying. They are studying what you have built here in these counties of eastern Iowa. They are learning about member-owned cooperative enterprises and how they can be used to serve the needs of people everywhere.

Because of the efforts of rural people like you, the cooperative rural electrification program has become a symbol, both in this country and abroad, of the great things that can be accomplished through the helpful cooperation of local people and their government.

Let us keep working together to build a better life in rural America and in the world.

AUTHORITY OVER INTELLIGENCE OPERATIONS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, recent revelations from Singapore and Washington dramatize once more the total inadequacy of executive and congressional authority over intelligence operations.

For at least 10 years, it has been clear that the distinction between the gathering of raw information and the implementation of actual policy is a tenuous one. An intelligence agent assigned to a mission with considerable resources and influence cannot help but make moves carrying high political significance. It is the very nature of such operations that information and policy become almost indistinguishable. It is likewise clear that intelligence operations can sometimes tend to reinforce the image of America as an indiscriminate agent of intervention all over the globe. I, myself, find it difficult to believe that the value of such intensive and systematic intelligence offsets the increase in ill will which is its inevitable result. It seems to be clear that contemporary world politics obliges some sort of system of intelligence from the great powers. I am prepared to accept the argument that such a system, properly controlled and executed, can often be an agent of necessary international stability. I am less convinced of the need for extensive operations in countries, mainly those of the "third world," where American interests and American competition are not so clearly at stake.

If those responsible for the conduct of American diplomacy judge that intelligence is a crucial mechanism for security, and if they can exercise restraint and sensitivity to the intense political and psychological implications of this activity, then the case for intelligence operations can be made with reason and effect. It is intolerable, however, that intelligence activities of the Central Intelligence Agency and other organizations be free from rigorous democratic review. And this is clearly the case now.

Since the outset of the cold war, and the growth of the intelligence community, individual public servants and special expert commissions have urged the establishment of a Joint Congressional Committee on Intelligence Operations. The Hoover Commission, for example, put the case strongly over 10 years ago. The report stated:

> The task force is concerned over the absence of satisfactory machinery for surveillance of the stewardship of the CIA. It is making recommendations which it believes will provide the proper type of watchdog commission as a means of reestablishing that relationship between the CIA and the Congress so essential and characteristic of our democratic form of government, but which was abrogated by the enactment of Public Law 110 and other statutes relating to the Agency. It would include Representatives of both Houses of Congress and of the Chief Executive. Its duties would embrace a review of the operations and effectiveness, not only of the CIA, but also of all other intelligence agencies.

The report continued:

> Although the task force has discovered no indication of abuses of powers by the CIA or other intelligence agencies, it nevertheless is firmly convinced, as a matter of future insurance, that some reliable, systematic review of all the agencies and their operations should be provided by congressional action as a checkrein to assure both the Congress and the people that this hub of the intelligence effort is functioning in an efficient, effective, and reasonably economical manner.

From time to time, special study commissions have been assigned to overlook the general structure of the intelligence community. Thus, after the Bay of Pigs, President Kennedy established machinery for extensive review of the CIA. Temporary oversight, however, is not the answer, particularly when it is forced to operate in an atmosphere of disquiet and recent crisis. What is needed is deliberate, calm, and most important, continuous review of our intelligence activities. In short, a congressional committee.

No one need be reminded of the significance of intelligence in foreign affairs. Nor should it be necessary to remind ourselves that the oversight of administration and executive operations is a crucial function of the legislative branch. These two points, supplemented by extensive evidence of disorder in the intelligence community, provide an air-tight argument for the establishment of a Joint Congressional Committee on Intelligence Operations.

I am today submitting legislation designed to meet such a goal. Congress long ago recognized the peculiar importance of atomic energy policy, and, therefore, established the Joint Committee on Atomic Energy, which has been remarkably effective and vigilant. The Joint Committee on Intelligence Operations should be patterned after this success. It would be composed of seven Members of the House of Representatives and seven Members of the Senate, selected by the Speaker of the House and by the President of the Senate on a bipartisan basis. The committee would be instructed to initiate continuing studies and review of intelligence activities, and would require the CIA and similar organizations to keep it currently and adequately apprised of American policy and operations.

The case for such action is unimpeachable. Past events have dramatized the admissibility of oversight. Democratic theory and practice oblige it. The performances of congressional Committees on Foreign Affairs and Armed Services are evidence of legislative responsibility in the national security sphere. A Joint Committee on Intelligence Operations should be established forthwith.

THE UNITED NATIONS: INSTRUMENT OF INTERNATIONAL COOPERATION FOR PEACE AND DISARMAMENT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SISK. Mr. Speaker, as a member of the U.S. delegation to the Interparliamentary Union Conference now going on in Ottawa, Canada, it was my good fortune on Friday of last week to hear an address by my distinguished colleague, the gentleman from Connecticut [Mr. DADDARIO]. This speech very clearly sets forth the position of our country with reference to our desire for peace and disarmament, but also it makes clear our determination to carry out our commitments in Vietnam and at the same time, indicates our readiness to negotiate with responsible parties anytime, any place.

I am inserting the complete speech by Mr. DADDARIO and I recommend its reading to my colleagues:

THE UNITED NATIONS, INSTRUMENT OF INTERNATIONAL COOPERATION FOR PEACE AND DISARMAMENT

(By Hon. EMILIO Q. DADDARIO, U.S. Delegate)

The climate of international relations varies as the weather around us. Two years ago, it was summer, and the conference of the Inter-Parliamentary Union was invigorated by the sunshine of the nuclear test-ban treaty. Unfortunately, this year our conference meets in the winter of increasing hostilities in Vietnam and raging battle in Pakistan and India. The cold reality of the existence of warfare in Vietnam dominates the background for our discussions on the agenda topic: "The United Nations, instrument of international cooperation for peace and disarmament."

On this 20th anniversary year of the United Nations, it would be pleasant if we could confine our debate to the many nonpolitical fields in which the achievements of the United Nations form an impressive record. The habit of international cooperation which is gradually being formed in widely scattered fields of interest will clearly contribute to the long-term prospects for peace.

Even when we consider the more controversial area of international political relations, it is still honest to state that the United Nations has been an essential instrument for international peace during its first 20 years and that it has played a leading role in encouraging members to work for disarmament. In Korea, Suez, the Congo, Lebanon, and other crisis situations the United Nations has been the key mechanism for restoring or maintaining peace.

If looked at in the long perspective of history, the successful completion of its first 20 years by the United Nations is a landmark in itself. The machinery furnished by the United Nations places the nations of the world in a situation in which they can discuss and act on international problems with unprecedented speed and efficiency. Only one lifespan ago, at the turn of the century, there was no permanent organization in which nations were regularly meeting to discuss and act upon international problems. Although our own Inter-Parliamentary Union was organized in 1889, discussions of international problems and consideration of measures to promote peace required the convocation of special conferences and congresses such as those at The Hague.

In the future, however, history will judge the United Nations on its success in fulfilling its primary purpose: the maintenance of international peace and security. The League of Nations also provided a regular forum for the discussion of international problems and brought about new heights of international cooperation. Its many accomplishments, however, seemed forgotten when the League could not stem the aggression which led to the Second World War.

In this conference, therefore, let us direct our thought and energy to encouraging a constructive role for the United Nations in the situation which most threatens world peace: Vietnam. Progress in the field of disarmament will undoubtedly be affected until the mounting military requirements and the high level of international tensions wrought by Vietnam are brought back down to normal levels. Progress toward a more secure world peace is dependent on the ability to solve world crises such as this.

The actions we take here can be significant. It was a unanimous vote of the Inter-parliamentary Union in 1904 that started the wheels turning toward the Second Hague Peace Conference, a milestone in the development of international law and organization. At this meeting, let us do all that we can, all within our power, to start the wheels turning toward negotiations for peace in Vietnam.

The position of my Government on this matter is clear. On July 28, 1965, President Johnson wrote the Secretary General of the United Nations that "the Government of the United States is prepared to enter into negotiations for peaceful settlement without conditions." He reiterated his hopes expressed at the celebration of the 20th anniversary of the United Nations Charter "that the members of the United Nations, individually and collectively, will use their influence to bring to the negotiating table all governments involved in an attempt to halt all aggression and evolve a peaceful solution."

On July 30, 1965, in a letter to the President of the Security Council, Ambassador Goldberg pointed out that in the past 4½ years the United States had on at least 15 occassions initiated or supported efforts to bring about negotiations for peaceful settlement of the issues in southeast Asia. Among the efforts of the United States to open a path to peaceful solution in Vietnam which Ambassador Goldberg cited are the following:

"Various approaches to Hanoi, Peiping and Moscow.

"Support of peaceful overtures by the United Kingdom, Canada, and the British Commonwealth of Nations.

"Favorable reactions to proposals made by 17 nonalined nations and later by India.

"Approval of efforts by the Secretary-General to initiate peace discussions.

"Endorsement of a larger role for the United Nations in southeast Asia, including a U.N. mission of observers along the Vietnam and Cambodian frontier, a U.N. mission to investigate alleged suppression of minority rights in Vietnam, and a U.N. invitation to Hanoi to participate in Security Council discussions of the Tonkin Gulf incident.

"Major participation, directly and through the United Nations, in economic and social development projects in southeast Asia."

These efforts to bring peace have been rebuffed by the Hanoi regime, which in addition denies the competence of the United Nations to concern itself with the conflict. Nevertheless, as Ambassador Goldberg has made clear, the United States will continue to explore all possible routes to an honorable and durable peace in southeast Asia, and stands ready to collaborate unconditionally with members of the Security Council in the search for an acceptable formula to restore peace and security in the area.

Negotiations cannot be undertaken unilaterally, however. Both sides in a conflict must be willing to go to the conference table before there can be any prospect for a peaceful solution. As long as Hanoi and Peiping continue to turn down all initiatives in the direction of peace, the United States has no alternative but to continue to assist the Republic of Vietnam in its defensive efforts.

If the aggressors were to succeed in their attempt to gain South Vietnam by force of arms, it would be an invitation to attempt further aggression by the same methods. If the United States and the others providing assistance were to abandon the people of South Vietnam, no small nation threatened with outside aggression or subversion could have confidence that aid which had been pledged would be forthcoming. The Vietnamese people have a stake in our commitment which is literally vital; thousands have died in the faith that this commitment will be honored. If no one were willing to assist the self-defense efforts of the people in Vietnam, those harboring aggressive goals would be emboldened everywhere.

In short, it is precisely because we do believe in the principles of collective security on which the United Nations is based that we are determined to honor our commitment to help the victim of aggression. The United States seeks no territory for itself. It does not seek the destruction of any government. It seeks only that the people of South Vietnam have the right to choose their own form of government rather than have any government forced upon them by outside terror and arms. Our President has stressed, in a public statement of July 28, that "we did not choose to be the guardians at the gate, but there is no one else."

It seems apparent that Hanoi and Peiping have thus far shown no interest in negotiations for peace, despite the urgings of some 40 nations throughout the world who have assisted the 15 efforts which have been made by the United States to start discussions. We are making every effort to convince our adversaries that we cannot be defeated by force. As President Johnson has said, they are not easily convinced. The tempo of hostilities has increased, but the other side has still not recognized that the conference table is the only location where peace may be won.

If the United Nations is to grow as an instrument for international cooperation for peace, its members must utilize its machinery to help resolve difficult crises such as Vietnam, and now India and Pakistan. They must search for any effective way in which an agent or agency of the United Nations can promote peace in Vietnam. They must make every effort to persuade those who now refuse to negotiate that needless suffering will be the only consequence of continuing their military efforts. The United Nations holds in trust the hopes and fears of all in the world who believe that reasonable men and women can forge a future free of the threat of war. It works in two shadows, the nightmare of a future conflict with horrible destructive possibilities, and the recollection of a past in which honorable men, through an inability to meet the challenges which were thrown at collective security in the League of Nations, could not find a solution in time to avoid a surrender to new aggressions and so inevitably fell victim to World War II.

Those who are responsible for the aggression in Vietnam cannot be unaware that the United States has maintained its position steadfastly through the administrations of three Presidents. President Eisenhower pledged that so long as American strength could be useful, we would continue to aid Vietnam in her difficult yet hopeful struggle. President Kennedy reaffirmed the willingness of the United States to help the Republic of Vietnam to protect its people and to preserve its independence. And President Johnson regards this as one of the most solemn pledges of the America nation.

Nor can the other side be wholly oblivious to world opinion. They hope to distort the facts enough to mask their acts of aggression. They seek to win others to their cause. If world opinion demonstrates that it is not deceived, however, its pressure will be exerted against the aggressor where it belongs. We have noted, and we are grateful, that 30 nations give direct support to South Vietnam. That beleaguered nation has received wide international sympathy and understanding. If those people whom the aggressor seeks to win to its ideology demonstrate their revulsion to the tactics being used against the Republic of Vietnam, they will add the weight of their votes to peace. The achievement of the test ban treaty is evidence that world opinion can wield an important influence.

The topic on our agenda which we will now discuss, "The United Nations, Instrument of International Cooperation for Peace and Disarmament," offers a unique opportunity for the Inter-Parliamentary Union to make it clear that it favors United Nations efforts to bring about peace in the troubled areas of the world. In the debate which follows, let us not speak with rancor and add to the international tension which already hampers the finding of solutions. But neither let us go to the other extreme and ignore the hostilities which threaten the peace of the world. Instead, let us search together for practical solutions which will help bring peace. Just as the United Nations has been the instrument of peace in the past, let us seek to make it the instrument of peace in the present.

We of the U.S. delegation are ready and eager to explore ways of enlisting the capacities of the United Nations to act for peace—in this as in other situations that threaten peace and security. As Ambassador Goldberg said in the U.N. on August 16, "the world needs—the world desperately needs—a strengthened, not a weakened, United Nations peacekeeping capacity * * *. Those who are prepared to help strengthen it—the overwhelming majority—must be in a position to do so with or without the support of the reluctant few until they learn, as they surely will, that a workable and reliable international peace system is in the national interest of all members of the United Nations." Let us join in that noble and indispensable task.

DISASTER RELIEF LEGISLATION

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I rise to express the concern and sympathy of the people of my district for those who have been victimized by America's most recent natural disaster: Hurricane Betsy. We in Indiana were exposed to a similar experience just a few short months ago and the horror and the waste of human lives and property is one with which we can truly identify. President Johnson has visited New Orleans and has pledged that "the Federal Government's total resources will be turned to Louisiana to help this State and its citizens find its way back from this tragedy."

Mr. Speaker, we in Indiana found that for the most part the aid of the Federal Government came quickly and effectively. We found that medicines, foodstuffs, and provisions of all kinds came as soon as the President declared our territory a disaster area. But, we also found that, necessary and comforting as these immediate short-term measures were, it soon became clear that Federal machinery required to give meaningful long-term resource therapy to the stricken individual or family either did not exist or fell far short of what was required. Economic aid in the forms of loan adjustment or mortgage postponement came, if at all, too little and too late. The best aid available was just not enough.

Mr. Speaker, on June 22 of this year I stated before the Senate Public Works Committee, then considering a bill to provide additional assistance for areas suffering a major disaster:

> We have found, to our dismay, in Indiana, as have other unfortunate communities, which have been victims of major disaster, that, notwithstanding the impressive battery of general Federal disaster relief relating to public property losses, as the people go courageously about the trial of rebuilding their homes, farms, businesses, and lives, little or no direct assistance is available to them. Our experience, and that of other hapless citizens in Alaska, Iowa, California, Minnesota, Oregon, Missouri, Washington, Idaho, Wisconsin, Kansas, and Colorado, has made it clear that new legislation is required aimed at providing proper financial help for people who lose everything except their obligation in tornadoes, floods, hurricanes, tidal waves, and earthquakes. Our present knowledge of meteorology may limit what we can do to influence the weather, but it does not confine our compassion for those who have been damaged nor our responsibility to assist those whose lives have been devastated.
>
> It is imperative that we act with dispatch. For some, such as farmers, help must come now or it will be too late to revive their operations. There are many who desperately watch our actions and await our assistance. While we meditate, disaster, and its resulting toll in suffering, hover in the wings. It would be unconscionable if another tragedy should find us unprepared.
>
> The Nation can wait no longer. We, in Congress, must take the initiative. We must establish continuing authority to enable the executive agencies to deal adequately with the multitude of problems which follow every disaster.
>
> It is within our power to mitigate the economic hardship which has been thrust upon some members of our community by forces beyond their control.

Mr. Speaker, on May 11, 1965, I introduced H.R. 8069, a bill to provide additional assistance for areas suffering a major disaster. My distinguished colleague from Indiana, Congressman EDWARD J. ROUSH, introduced companion legislation. On July 22, 1965, the Senate passed the Disaster Relief Act of 1965, which was submitted by the distinguished junior Senator from Indiana [Mr. BIRCH BAYH]. This legislation parallels H.R. 9885 introduced in this House by the Honorable WAYNE N. ASPINALL, the distinguished chairman of the Committee on Interior and Insular Affairs.

Mr. Speaker, we have not acted with dispatch. Another disaster has found us unprepared. Let us act now.

WORLD LAW DAY

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, Monday, September 13, was an important occasion in our quest for world peace, for people in almost every country on this earth observed the first World Law Day. Monday also marked the opening of the Washington World Conference on World Peace Through Law, at which the highest judicial officials and the leaders of the international legal profession are exploring ways in which law and legal institutions may aid in the resolution of international disputes and the maintenance of world peace.

The international observance of World Law Day, coupled with the meeting of the world's most esteemed jurists and legal scholars, demonstrates the importance of the role of the law to individual freedom and mankind's hope for a peaceful and orderly world.

This year has been proclaimed International Cooperation Year by the General Assembly of the United Nations, and I can think of nothing more indicative of man's fervent desire for peace than these two related events. Citizens the world over are coming to recognize that peace and order can be achieved and maintained in the world community only when law rules and legal institutions are strong enough to prevent war.

The rule of law in world affairs means that nations shall conduct themselves as do responsible individuals in all civilized societies. It means that men and nations shall settle their disputes peacefully, according to agreed rules, principles, and procedures, without force or the threat of force.

This certainly is not a new concept, for it reflects the deepest traditions of nearly every area of the world. If individual nations and societies have realized that the rule of law is something which can exist independent of the will or whim of a particular sovereign, we should be prepared to accept the idea that there is a rule of law which should govern the international conduct of nations and under which their differences should be resolved.

In his address to the Conference on World Peace Through Law yesterday, Earl Warren, Chief Justice of the U.S. Supreme Court, cited the factors which should enable the nations of the world to move forward in a common drive for a world ruled by law. In addition, our distinguished Chief Justice declared:

> I believe we of our generation can translate the centuries-old dream of a world ruled by law from dream into reality. The imperatives of our day make this a necessity to save mankind from nuclear holocaust.

Law must replace force as the controlling factor in the fate of humanity. I think these two landmark events yesterday constitute a bright beacon of hope that we are moving in the proper direction.

THE 100TH ANNIVERSARY OF THE ACADEMY OF ST. ALOYSIUS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I am proud to rise to pay tribute to one of the great educational institutions of the State of New Jersey and the Nation.

This year in Jersey City we celebrate the 100th anniversary of the founding of the Academy of St. Aloysius. From a humble beginning on York Street, the Sisters of Charity have produced a great school which has been graduating women who have continually raised the stature of the academy. A century later, the academy still maintains its high standards and it has earned an honored place in the educational world.

St. Aloysius graduates have been honored in the arts and sciences and in all the professions and as mothers and wives, they have done their part toward molding a better community.

At a time in the history of this Nation when moral values are often ignored, the time honored precepts taught by the good sisters are of special value. We live in an era when many of our fellow citizens have forgotten the Judaeo-Christian heritage which has brought this Nation to greatness in the world's councils in sharp contrast with the decline in moral values. The Sisters of Charity still practice and teach the centuries old message of the fatherhood of God and the brotherhood of man which is as old as Moses on Sinai or as timely as today's newspaper.

At this time, Mr. Speaker, I would like to pay tribute to all the graduates of St. Aloysius, both those who have earned public notice and those whose good deeds are found in the "short and simple annals of the poor."

Mr. Speaker, as a native of Jersey City, as well as a lifelong resident, I am very grateful for all that the Academy of St. Aloysius has done for our city and our State.

Her contribution has been so great and so all pervading that it can never be measured. All of this has been due to the inspired work of the Sisters of Charity of New Jersey of whom it can truly be said that they have, by their devotion to the education of thousands of young women, exemplified the ideal expressed by Chaucer, centuries ago, when he said of the Clerk of Oxenford, "and gladly would he learn and gladly teach."

THE ACADEMY OF ST. ALOYSIUS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, in these times it is not strange to read in the papers stories of young people in trouble. It seems that only the bad stories find their way to the front page and these stick in the mind of the public.

But underneath, in the little talked of world of the everyday, there takes place a much more beneficial and worthwhile action. While a very small minority of today's youth is committing crime and disturbance, there stands in quiet splendor the great majority of our young people. Boys and girls—young men and women—are carrying on their lives as responsible and dedicated citizens faithful to the laws of the land.

I submit that the reason such a large majority of our young people turn out to be fine and upstanding adults is the training they receive during their formative years.

A prime example of this excellent and dedicated guidance is the Academy of St. Aloysius in Jersey City, N.J. This year the academy is celebrating its 100th anniversary—a century of devoted endeavor toward the building of young girls into mature responsible women.

Since its beginning under Sister Ann Elizabeth in 1865, the Academy of St. Aloysius has graduated thousands of women who have excelled in the arts, sciences, religion, and most of all as wives and mothers. These alumnae have gone on to influence and inspire others to a code of true moral values, buttressed by a thorough appreciation of and respect for the ideals of our American heritage.

Today St. Aloysius has grown from a small framt building to the modern, well-equipped, and well-staffed facility on John F. Kennedy Boulevard.

My distinguished colleague from Jersey City, Congressman Dominick Daniels, is well acquainted with one outstandinging example of the finished and polished products of St. Aloysius Academy. His daughter, Dolores, graduated in 1955 and is now engaged in teaching in Jersey City.

I would like to join with my colleague from New Jersey in saluting the outstanding achievements of the Academy of St. Aloysius and wish them a happy 100th birthday with the hope that the academy will continue to guide and inspire for many years to come.

PERSONAL ANNOUNCEMENT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, yesterday was an unusual day in the deliberations of this honorable body. There were 7 quorum calls and 15 record votes on which I am not recorded.

I am not remiss in my legislative duties and have maintained a record of over 90 percent on my quorum calls and record votes to date.

However, yesterday it was necessary for me to be in my congressional district because of arrangements which have been made several months ago on the assumption that Congress would have adjourned by this date, and it would have been extremely embarrassing for me not to be present in the congressional district which I have the honor to represent in this honorable body.

Had I been in Washington, I would have answered all the quorum calls and would have voted as follows on the various record votes. On rollcall No. 273, "yea"; rollcall No. 275, "yea"; rollcall No. 279, "yea"; rollcall No. 281, "yea"; rollcall No. 282, "nay"; rollcall No. 283, "yea"; rollcall No. 284, "yea"; rollcall No. 285, "nay"; rollcall No. 286, "yea"; rollcall No. 287, "yea"; rollcall No. 288, "nay"; rollcall No. 290, "yea"; rollcall No. 291, "yea"; rollcall No. 292, "yea"; rollcall No. 293, "yea."

It was my desire to fly in for at least part of the day, but the events within the district precluded this desire and I had to be necessarily absent from the sessions of the House.

Mr. Speaker, I humbly request that these remarks be spread upon the Journal and the Record of this date.

GOVERNMENT OF ITALY MAKES GIFT TO THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Addabbo] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ADDABBO. Mr. Speaker, it is a matter of considerable gratification to me, as it must be to all Americans of Italian ancestry, that the Government of Italy has made a magnificent gift of marble for construction of the John F. Kennedy Center for the Performing Arts. This gift was originally promised personally by President Segni of Italy on the occasion of President Kennedy's visit to Italy in July 1963. It was to be used for the building then known as the National Cultural Center, which has been renamed as the official national memorial to the late President. President Segni's promise was to provide all exterior and interior marble for the building. This promise was fulfilled on June 30, 1965, in a presentation ceremony at the Italian Embassy, in which Ambassador Sergio Fenoaltea made a formal presentation to Mr. Roger L. Stevens, chairman of the board of trustees of the Kennedy Center.

The monetary value of this generous gift is significant, as it will reduce the cost of constructing the Kennedy Center by about $1,100,000. But by far the greater significance of this gift is its expression of the warm friendship of the Italian people for those of the United States. Truly, a mutual cultural bond, such as is symbolized in this Center for performing arts, is the strongest which two nations can share. These sentiments were aptly expressed by Ambassador Fenoaltea in the presentation, when he remarked that:

> As durable as marble is, something even more durable is the friendship between our two countries.

It is most appropriate that the beautiful white marble of Italy will contribute to the physical setting in which the masterworks of Italian composers and playwrights, along with those of other nations, will be performed. As Signor Fenoaltea said:

> Italy, as one of the mother countries of Western culture, could not fail to give a contribution to the Center.

Italy's contribution will be not only that of the marble, but Italy's great music and drama, and Italy's great performers. In accepting the gift, Mr. Stevens remarked that he hoped that "La Scala will come pay us a visit." This hope I share, and I look forward to attending the performances of La Scala, as well as others, at the Kennedy Center. I am sure that many of my colleagues in this House share my anticipation.

HUMPHREY ON DISSENT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SICKLES. Mr. Speaker, I wish to call to the attention of my colleagues the following article from the Baltimore Sun of Wednesday morning, August 25, 1965. I feel it shows, once again, the keen understanding that Vice President Hubert H. Humphrey, has of our system of representative government:

Humphrey on Dissent

Vice President Humphrey has just read a lesson in elementary civics to a few young Americans who seem to have missed the subject in high school. He was addressing a students' meeting, and among other things, he chided "dissenters" who for several months have been announcing hourly on the hour that they have been silenced. Nonsense, said Mr. Humphrey, with an ear cocked to the ringing welkin of opinion in this country, and so, he said, was it nonsense for some Americans to join organizations of the "unrepresented."

Of course, it is true that the duly elected representatives of the people don't reflect in their official action every whim of every voter. In a system working by majority vote it is obvious that those who lose the election will have to accept some policies they voted to prevent. But that that leaves them "unrepresented" by the elective officials is a mere play on words, and a mischievous one, as every Republican knows who has ever asked a Democratic Congressman for a pass to the visitors' gallery—or vice versa. Nothing bigger than a New Hampshire town meeting can decide every question by direct and specific vote, and that is why we have representative government—one in which officials elected by a majority represent all in a broad, though by no means unlimited, exercise of political discretion.

The main reason the today's "unrepresented" style themselves that way is that they don't like Vietnam policy. Can it be assumed in advance that they will pay hospitable attention to the report of several students who have just returned from a 2-months' stay in the battle areas? "They're not just crackpots," said one of these young men of the stateside objectors, "but they just don't understand what's going on out there."

Home objection is legitimate, indeed valuable, and dissent on Vietnam like dissent on other policy is essential to rounded policymaking. But Mr. Humphrey rightly chided dissenters who cry that they have been silenced and claim themselves "unrepresented" because a majority dissents from them.

THE LEAGUE OF WOMEN VOTERS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SICKLES. Mr. Speaker, there is not a single Member of this House who is unaware of the work of the League of Women Voters—in his district, in his State, and nationally. We always respect the work, thoughtfulness, experience, and care which go into arriving at their positions. I agree wholeheartedly with the stand taken by the League of Women Voters of the District, and ask leave to insert in the Record the statement prepared by them for the recent hearings on home rule:

Statement of League Women Voters of the District of Columbia Before Subcommittee No. 5, District of Columbia Committee of the U.S. House of Representatives, on Local Self-Government for the District of Columbia, August 1965

(By Mrs. Anthony Schwartz, president)

The League of Women Voters of the District of Columbia appreciates this opportunity to reiterate its support for local self-government for Washington, D.C. League members here and throughout the country have urged home rule in Washington for many years. We are committed to democratic government based on informed and active participation of citizens. We know that Washington residents, like those in State and local jurisdictions throughout the country, must elect their own officials, responsive to their own needs, in order to have effective government. We are convinced, too, that the unquestioned need to protect the Federal interest in this city is amply met by provisions of S. 1118 and H.R. 4644 which retain in the Congress ultimate legislative power over the District and give the President of the United States the right to veto all legislation enacted by a local body.

Washington's electorate, of both parties, unequivocally expressed its desire to govern itself by voting in favor of home rule in the primary elections of 1964. It is fully as capable of self-government as those in other jurisdictions. The average number of school years completed by District residents aged 25 years and over is 11.7. Only nine States surpass this level of educational attainment.

The league's day to day, month to month, year by year activity in following legislation for the District of Columbia has taught us that Members of Congress, despite the best will possible and knowledge available, are too absorbed by matters of national scope and of their own constituencies to give the necessary attention to the complexities of District government. Washington is beset by problems similar to those which plague other urban areas, problems resulting from rapid metropolitan growth and a population distribution which concentrates low-income residents in the central city. These are problems which tax the brains, imagination, and organizing ability of the most dedicated full-time legislators and executives. They must be met by officials whose first responsibility and deepest concern are the welfare of the people who elect them, by a form of government which permits action in a far simpler and more sensible line of authority than the complicated Federal structure which now disperses decisionmaking on District affairs to the vanishing point.

League members can cite from their intimate experience all too many instances of essential local governmental programs which have been adopted too late or too little or not at all. Most are in the fields of health, education, welfare, housing, and employment—programs to meet human needs and inhibit the growth of destructive circumstances which result in crime, delinquency, illness, and incompetence. If the city had begun to adopt them 10 years ago, when their importance became apparent to us, we would not now need to combat the most rapidly rising crime rate in the country.

We are not saying that local self-government will automatically solve the District's problems. We are saying that it will give us the opportunity to confront these problems squarely and the tools to act on them rationally with sufficient speed.

We recommend to this committee, and to the House of Representatives, S. 1118 as recently passed by the Senate. It satisfies in nearly all particulars the carefully considered judgment of members of the League of Women Voters, judgment based on intensive study of the issues. We favor especially the bill's provisions for an elected mayor as well as city council, for some councilmen elected by wards and some at large, for a nonvoting delegate to the House, for an automatic Federal payment formula, and for borrowing power commensurate with ability to repay. The last two measures will give the District a firm and predictable revenue base on which to plan and carry out its governmental programs.

The Senate has passed a home rule bill for the sixth time, by more than two-thirds vote, without the full House of Representatives ever having been allowed to vote on one. The most elementary rules of fair play and of democratic government require that the House exercise its prerogative to express its will on such legislation. We therefore urge this committee to report out a bill without further delay.

HURRICANE BETSY

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, as you know, President Johnson flew to Louisiana last Friday to survey the staggering damage suffered by my State as a result of Hurricane Betsy. He was kind enough to invite me, other Members of the House delegation and the two Senators from Louisiana, to accompany him.

We made this trip at a time when the hurricane was still alive in the State. This display of concern, even at a time of some threat to his own personal safety, must not go unrecognized. For that reason, I would like to insert here in the Record a copy of the letter I wrote the President on the morning following our return to Washington.

We of Louisiana appreciate all he has done and continues to do in the wake of the disaster which has befallen our State.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 11, 1965.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have just returned to my desk after our trip to Louisiana to survey the damage caused by Hurricane Betsy. Uppermost in my mind is to thank you, personally and on behalf of the people of Louisiana, for your deep concern over the grave disaster which has befallen us.

Your tour of the State has heartened the people. By making available to the victims of the hurricane the assistance of the Federal Government in the generous manner you have, you have lessened a great deal of the sorrow and hastened our recovery.

For these acts of humanity and for your unselfish concern, we are appreciative. I wanted you to know of our gratitude.

Sincerely yours,
JOE D. WAGGONNER, JR.

"HOME RULE" A SLOGAN

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DOWDY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DOWDY. Mr. Speaker, we have been hearing and reading a great deal about the bill, H.R. 4644, which was successfully discharged by petition signed by 218 Members of the House, to provide an elected mayor, city council, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes.

This bill, and the discharge petition was promoted under the catch-phrase, "home rule," which is simply a Madison Avenue type political slogan. I hope and pray that our Nation has not reached the point that the Congress legislates only by slogan, and under the influence of threat and duress; I trust that the Members, and especially those who signed the discharge petition, will take time to read H.R. 4644 ere it comes on for debate and vote. Surely, no conscientious Member will want to cast a vote merely for the slogan, without first being sure what is concealed beneath it. Logically, we would not expect the local reporters and editorialists to read the bill, as their omnipotence and all-inclusive knowledge makes it unnecessary, but we legislators, as mere mortals, should inform ourselves before acting. I imagine that very few, if any, of the signers of the discharge petition are aware, for instance, that the bill, H.R. 4644, gives the proposed council authority to levy ad valorem taxes without limitation as to the rate or amount.

Is this revelation, alone, not enough to cause my colleagues to read this bill before it comes on for debate?

Mr. Speaker, the Evening Star, of September 10, carried a column written by James J. Kilpatrick on this "home rule" subject. I respectfully incorporate it as a part of my remarks:

[From the Evening Star, Washington, (D.C.), Sept. 10, 1965]

HOUSE DISTRICT OF COLUMBIA UNIT DESERVES A HEARING

(By James J. Kilpatrick)

The House Committee on the District of Columbia is so recklessly maligned these days in the liberal press that it is widely supposed, abroad in the land, that nothing good can come from it. The myth cries out for dispelling.

In the current rage for "home rule," the committee has opposed a bill that is bad in law and bad in principle, and it has offered an alternative that makes a certain rough sense. Before the committee is beaten down, horse, foot, and dragoons, as John Randolph used to say, its position ought to be heard.

The home rule bill approved by the Senate on July 22 would turn over the government of the entire District of Columbia, in effect, to a mayor, city council, and school board who would be elected by those persons, over the age of 18, residing in the District. To be sure, the bill does retain for Congress a right to repeal or modify any action of the local council, but no political realist imagines this power would ever be used. For all practical purposes, the Congress would abandon its constitutional power to exercise "exclusive legislation in all cases whatsoever" over the seat of the Nation's Government.

The heart of the Senate bill lies in section 741, which lays down a formula for computing a permanent, indefinite Federal payment to the District of Columbia. Under this provision, the new mayor of Washington would transmit to the U.S. Treasury, every January, a "request" for a Federal payment in lieu of taxes. The Treasury would forward this request to the Administrator of General Services. It is important to see what happens next, for here we enter the foggy fields of poor draftsmanship. Notice what the bill says:

"After review by the Administrator of the request for Federal payment and certification by him * * * that such request is based upon a reasonable and fair assessment of real and personal property of the United States, the Secretary of the Treasury shall, not later than September 1, cause such payment to be made to the District out of any money in the Treasury not otherwise appropriated."

Notice that this is not a mere authorization. Once the request is reviewed and certified, the Secretary "shall cause such payment to be made." Notice that no provision is made for an administrator's refusal to certify. What then? The Administrator is directed to enter into "cooperative arrangements with the mayor whereby disputes, differences or disagreements involving the Federal payment may be resolved." What legal meaning attaches to such fuzzy phrases? The fact is that the annual payment of unknown millions of dollars in Federal tax funds is to depend upon a request, a review, and a certification by persons who are politically beyond the effective reach of Congress. And this is sound legislation?

The House committee wisely refused to report a bill so badly drawn, but last week, when President Johnson's bucket-shop pressures produced 218 signatures on a discharge petition, the committee offered an alternative. This alternative has been widely ridiculed. It merits serious thought.

The emotional steam behind the Senate bill has been fired up by piteous cries that residents of the District are now denied the right of self-government. Under the committee's alternative proposal, most of the District residents could get self-government, all right, for the bill would provide for a referendum on the retrocession to Maryland of everything except the original "Federal City of Washington." This would make the residents of Georgetown, for example, voters and citizens of Maryland; and it would retain for congressional jurisdiction a compact District of Columbia about the size of Fort Belvoir.

The proposed new District would contain all the shrines, monuments, major buildings and parks that have historic importance. These would continue to belong to all the people of the United States, and to be administered by their Congress. Meanwhile, residents of the retroceded area would have all the rights that appertain to such free, self-governing Marylanders as the residents of suburban Hyattsville, Takoma Park, and Silver Spring; and the House would be enlarged temporarily by one more seat from Maryland, in order to give these liberated captives a voting Representative in the Congress.

What is wrong with this idea? The only objection rests in the humane consideration that its approval probably would cause such frenzy in liberal quarters that half a dozen editors, and five Senators would die of apoplectic seizures at their desks. It is a lamentable prospect, but not, perhaps, too high a price to pay.

THE PEANUT INDUSTRY

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. ABBITT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ABBITT. Mr. Speaker, the peanut industry is one of the most important segments of industry in my area of Virginia. It means much to our economy—more perhaps than many people realize. The farmers who produce the peanuts, the shellers who buy the crop, and the farmer suppliers all contribute immensely to our economy. It is true, we have had a long haul and at times rough going in trying to stabilize our economy. As producers, we have had our ups and downs but by working together much progress has been made.

Some years ago, the Association of Virginia Peanut and Hog Growers, Inc., was organized to help our farmers help themselves. This has been a most progressive and outstanding farm organization. It has kept our peanut producers informed of vital and needed information. It has done an outstanding job in keeping farm prices steady and in presenting to governmental agencies and legislative committees needed legislation. Its officers and directors have rendered outstanding service to its membership. It has been my pleasure to cooperate with this organization ever since I have been a Member of the House of Representatives. We work together closely and harmoniously. I commend the organization for the outstanding work it has done in trying to protect the producers as well as keep them informed of the many problems they face.

On Friday, September 10, 1965, the Association of Virginia Peanut and Hog Growers, Inc., held their annual meeting at Courtland, Va. At the meeting, Mr. George B. Ligon, president of the association, presented a most enlightening statement outlining the activities of the

association since its origin. It was so interesting and informative that along with my remarks, I include the president's report which is as follows:

HIGHLIGHTS SINCE ORGANIZATION OF ASSOCIATION OF VIRGINIA PEANUT AND HOG GROWERS, INC.

The executive secretary and general counsel has distributed to the members present a rather detailed report covering the activities of our Association of Virginia Peanut and Hog Growers since our last annual meeting.

It has been suggested by the executive committee that I take a few minutes to review the highlights of the accomplishments of our commodity organization since the first bylaws were adopted on June 8, 1946.

Initially, there was very little financing available for the association to use for operations. Local boards of supervisors and other groups made modest contributions and this, added to a $2,000 a year annual appropriation by the General Assembly of Virginia provided the financing with which the association began activities.

The Association of Virginia Peanut and Hog Growers in 1948 sponsored legislation in the General Assembly of Virginia which brought into being the Virginia Peanut Commission. Under this legislation, the Virginia Peanut Commission, consisting of nine members appointed by the commissioner of agriculture, was charged with the responsibility of administering a fund which was known as the peanut fund. This fund was derived from a 1-cent per hundred pound deduction on all farmers stock peanuts produced and sold in Virginia. The fund, until the 1964 crop, averaged $18,000 per year, depending upon the size of the peanut crop. The Virginia Peanut Commission has, and continues to work closely with the Association of Virginia Peanut and Hog Growers and under annual contractual arrangements with the association makes a substantial portion of the peanut fund available to the association to conduct promotion, research, and educational work in the best interest of Virginia peanut producers.

I think it should be understood that this move in 1948—that is to say—the creation of a self-help program for Virginia peanut producers, was the first such effort on the part of peanut producers in any State. Since that time, North Carolina, Alabama, Georgia, and Oklahoma have followed with the creation of similar funds, all of which bring in substantially more revenue than the original Virginia fund or the recently stepped up Virginia fund.

So that each of you will know the finances available to the growers of the before mentioned States, I would point out to you that the States of Georgia, Alabama, and Oklahoma all make a deduction of $1 per ton on peanuts produced in their respective States: North Carolina makes a deduction of 40 cents per ton and this is the same as the Virginia deduction was increased to, effective with the 1964 peanut crop. However, there is considerably more tonnage involved in North Carolina than in Virginia and consequently the fund amounts to considerably more.

Based upon current yields, it is estimated that the respective State grower funds return the following amounts—Georgia, $315,000; Alabama, $105,000; North Carolina, $70,000; Oklahoma, $75,000. These State funds add up to a total of $603,000 and of that total Virginia's available funds are only $38,000 and until the 1964 crop, they were only $18,000.

It is my thought that it is important to understand that with relatively limited funds the grower association in Virginia is continuing to be a leader among the various peanut grower groups and continues to make significant contributions to the total peanut industry as well as the economy of the peanut producing area of Virginia.

Since the creation of the self-help program in Virginia, $40,190 has been made available for additional peanut research at the Virginia and North Carolina Experiment Stations. In practically every case, the money was spent to get a research project started and soon thereafter, the State, from State funds, took over the continuation of the needed research project. Therefore, the $40,000 has multiplied many times and has been of much benefit to all peanut growers.

Other major expenditures of the peanut fund have been for direct peanut promotion through the National Peanut Council in an amount of $8,000—$4,100 as our part of underwriting the film, "The Peanut Story" with the North Carolina Peanut Growers Association—$4,000 on the mold or aflatoxin problem and several thousand dollars for miscellaneous projects such as the peanut production contest sponsored by this association, research on damage done to crops by blackbirds and related matters.

In 1951, the association was in the forefront in having the Abbitt bill passed which permitted the Secretary of Agriculture to increase allotments by types. At that time, there was a distinct shortage of Virginia-type peanuts and we were in a most serious situation in the Virginia-Carolina area.

In 1951, 1952, 1955, and 1956 there were increases in peanut acreage allotments which were directly the result of this legislation. In the State of Virginia only, these increases amounted to 68,000 acres. I think it is conservative to figure that over such a period of time, the gross value of these additional acres—at $300 per acre—added approximately $20,400,000 to the economy of the eight major peanut producing counties in Virginia. This is a material and measurable result of the activities of this association and if the association had accomplished nothing before or since, the additional income generated from these increased acreage allotments would justify the modest deduction from producers for generations to come.

In 1951 and 1952 the Association of Virginia Peanut and Hog Growers took on the task of organizing the Peanut Growers Cooperative Marketing Association to service the price support program in Virginia, North Carolina and parts of South Carolina and Tennessee. There was no similar grower organization in North Carolina at the time this project was initiated and it was a major undertaking for a small commodity association with one full time employed person—the executive secretary. With cooperation of many groups and individuals, Peanut Growers Cooperative Marketing Association was organized, preferred stock was sold in sufficient quantity to initiate operations and the cooperative has continued, since that date, to render a real service to the peanut growers of our entire area. During the first year of operation, the executive secretary and general counsel of the Association of Virginia Peanut and Hog Growers served in the dual capacity of executive secretary and general counsel of the association, as well as, manager of the cooperative, and, until the present permanent manager was employed.

There were 2 years in the early fifties when there was a less abundant supply of peanuts and some manufacturers went to the tariff commission with a request that would have opened the floodgates to the importation of foreign peanuts into this country. Again, in the forefront at the hearings before the tariff commission, and, with days and weeks of effort to keep the imports to the absolute minimum necessary to supply the demands of the trade, was the Association of Virginia Peanut and Hog Growers. Our own executive secretary and general counsel, together with specialized counsel employed by our association and others, was able to limit the imports to a quantity that was not damaging to producers and to the peanut support program.

In 1955, our association and the North Carolina Peanut Growers Association, began publication of the Virginia-Carolina Peanut News. This publication has been published each quarter since April 1955 and has carried numerous articles by extension and research personnel of interest to Virginia peanut and hog growers. Further, there have been regular columns by extension personnel, by the manager of Peanut Growers Cooperative Marketing Association and ASCS personnel.

The two grower associations put up $2,000 to start this worthwhile project and since then, with the cooperation of our advertisers, this amount has been returned more than 10 for 1. In addition to the publication being more than self-sustaining, it has filled a great need in getting important information to our growers. It is difficult and even impossible to put an approximate dollar value upon the good that this publication has done since 1955 and will continue to do in the years ahead. Also in 1955—to be exact on May 4 and 5, peanut growers went through a most trying 48-hour period. By a teller vote of 186 to 150, the House of Representatives adopted an amendment to H.R. 12, offered by Congressman GREEN, of Pennsylvania, to eliminate the peanut price support program. The night of May 4, our executive secretary and general counsel, together with Mr. Wingate, president of the Georgia Farm Bureau, Assistant Secretary of Agriculture John Baker, then with the National Farmers Union, Joe Parker of the National Grange, and Congressman "WATT" ABBITT, stayed up all night in Washington seeking to bring about a reversal of the vote when the House convened on May 5. On a rollcall vote, on May 5, the adverse vote of the previous day was reversed by a vote of 215 to 193 and the peanut price support program was saved.

It is hard to figure what would have happened had the all night work and contacting by our association's executive secretary had not been done. I do know that he immediately went to Washington, that on behalf of our association, he put his shoulder to the wheel and the record is clear that the vote was reversed the next day. Again, it is impossible to put a dollar value on this activity of our association.

In 1960, our association worked closely with friends in the general assembly to have added to the appropriations bill, the sum of $15,000, to provide for a badly needed greenhouse at the Holland Experiment Station and items totaling $45,000 added to the bill for essential swine facilities at the same Holland Experiment Station. These items had not even been included in the budget submitted by VPI. It was not an easy task to have these items added to the appropriations bill. It was because of the initiative and forcefulness of our association, together with the cooperation of our members of the general assembly, especially delegate Shirley T. Holland, who was a ranking member of the House Appropriations Committee, that these facilities were provided.

In 1960 our association went to the House Agriculture Committee with a protest over the practice of the USDA of placing oil stock or No. 2's, in cold storage in order to pad the supply to force a lower support price for growers. This matter was given a thorough hearing by a committee in the House as well as a committee in the Senate and the net result was that the support price in 1960 was increased $7.74 over the support price in 1959. This was a significant contribution to producer income as well as to the general economy of the entire producing area.

In 1962, the association was in the forefront of bringing into being the Virginia-Carolina Peanut Advisory Committee. This committee is made up of representatives of growers, shellers, research, and extension workers. The purpose of this committee is to coordinate the research and extension efforts between the two States for the mutual good of the Virginia-Carolina peanut producing area. The first chairman of this committee was the executive secretary and general counsel of our association. This committee is continuing to be a very useful tool in making our research and extension dollars accomplish more for area growers as well as other segments of the peanut industry.

In 1963, the association was in the forefront of bringing into being a nine member committee to fully explore the potential of foreign markets for American produced peanuts and peanut products. Serving as chairman of this nine-man industrywide committee was our executive secretary. This effort resulted in a peanut exhibit at the Amsterdam food fair and two trips to Europe by a survey team made up of industry representatives and foreign agricultural personnel of the USDA.

Essential data was gathered, important contacts made and the groundwork laid for what now promises to be a growing and profitable export market which could be of material importance to the entire peanut industry. In 1964, our association forcefully brought to the attention of the Department the fact that the use of the pneumatic sampler stood to unduly penalize growers in the form of additional loose shelled kernels and additional foreign material. Although the Department—and in my opinion very wrongfully—refused to make any correction for the 1964 crop, the results of our protest brought about arrangements to collect additional grade data during the movement of the 1964 crop.

On the basis of this grade data, the 1965 support price is $2.30 more per ton than would have otherwise been the case. The executive secretary and general counsel has previously reported on the approximate dollar value to our growers as a result of this action; namely, approximately $700,000 extra per year net income, for area peanut growers.

In closing, I would say that it has been my observation that we have an extremely effective commodity organization here in our peanut area—an organization that has over the years done a job for producers that is perhaps now too often taken for granted. I know of no investment such as the small deduction made from Virginia growers that has resulted in such returns to producers.

We were the first producers to go this route and since then we have assisted and advised with producers in North Carolina, Georgia, Alabama, and Oklahoma as to what our experiences have been and the result has been that now the producers in each major peanut-producing State, other than Texas, have adopted the example set by Virginia producers in 1948.

During the same period of time, our present executive secretary and general counsel has become the senior representative of any producer or sheller group in the country.

The late President Kennedy twice appointed him to be a member of the President's National Agricultural Advisory Commission—a 25-member commission of farm representatives, consumers, and other interests. This speaks for the national regard in which our relatively small commodity association is held and certainly recognizes Bill Rawlings in a most high and appropriate manner.

Our effectiveness has increased with maturity and I hope that this brief summary of some of the highlights since the organization of our association will serve to be a constructive review as to what our association has done in the past and what its capabilities are for the future.

STANDARDS AND PROCEDURES FOR BANK MERGERS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHLEY. Mr. Speaker, today I have been joined by 19 of my colleagues on the House Committee on Banking and Currency in the introduction of a bill to amend the Bank Merger Act of 1960.

The purpose of this bill is to provide a clear, rational, and orderly body of standards and procedures for the governmental review and approval or disapproval of proposed mergers in the commercial banking field. This was the objective of the Congress in 1960 when the Bank Merger Act was enacted. However, decisions of the Supreme Court of the United States in the Philadelphia National Bank case on June 17, 1963, and the First National Bank & Trust Co. of Lexington, Ky., case on April 6, 1964, have left the law applicable to bank mergers in a confused and uncertain state. This confusion and uncertainty must be removed, and only the Congress has the power to provide a practical and adequate remedy.

A review of the relevant events that preceded the two aforementioned Supreme Court decisions is essential to a complete understanding of the problem which our legislation seeks to solve. The Clayton Act—and more specifically section 7 of that act—has over the years proved to be the Federal Government's most effective legal tool for dealing with the anticompetitive effects of corporate acquisitions and mergers. In its original form section 7 was only applicable to mergers achieved through stock acquisition. Because a vast majority of modern corporate mergers occur through asset rather than stock acquisition, it became necessary to extend the law's reach to cover and prohibit anticompetitive asset acquisitions. This was done in 1950 with the enactment of the so-called Celler-Kefauver Act. However, the Celler-Kefauver amendment to the Clayton Act was specifically phrased so as to limit its applicability to acquisitions made by corporations which were subject to the jurisdiction of the Federal Trade Commission. Commercial banks have never been subject to the jurisdiction of the FTC.

During the 1950's, as our economy completed its conversion from wartime to peacetime emphasis, a marked increase in the number of bank mergers developed. These mergers occurred through asset acquisitions. As this development continued, it became apparent to many in the Congress and the executive branch that the Federal Government lacked effective legal tools for dealing with bank mergers, especially those in which anticompetitive factors might be present. Accordingly, beginning in 1955, several attempts were made to broaden section 7 of the Clayton Act, as amended by the Celler-Kefauver Act, to cover bank mergers. These efforts failed, largely because of a prevailing view in the Congress that bank mergers should not be judged solely on the basis of competitive effect. Then in 1960 the Congress enacted the Bank Merger Act, establishing special procedures and standards for the review of proposed bank mergers.

The 1960 act placed the primary responsibility for the review of proposed bank mergers in the three Federal bank supervisory agencies. It provided that bank mergers should be analyzed on the basis of seven statutory factors, one of which was the merger's effect on competition, and that no merger should be approved unless, after consideration of all seven factors, the banking agency found the merger to be in the public interest. The 1960 act provided that the bank supervisory agency having primary responsibility for review should obtain from the other two banking agencies and the Department of Justice advisory reports with respect to the single factor of the merger's effect on competition. While the competitive aspect of a merger was certainly expected to receive significant attention under the 1960 act, nevertheless, an objective reading of the legislative history established in both the House and Senate makes unquestionably clear the fact that Congress intended that bank mergers should be reviewed not just on the competitive factor but on the banking factors as well and that after such a balanced review a merger should be approved only if the banking agency determined it to be in the public interest. Thus, immediately after passage of the Bank Merger Act in 1960, the legal standards applicable to bank mergers would seem to have been these:

First. Section 7 of the Clayton Act had no practical application, because bank mergers were achieved through asset acquisitions and banks were not subject to the jurisdiction of the Federal Trade Commission.

Second. The Bank Merger Act was the paramount statute law governing bank mergers. Its provisions placed primary regulatory jurisdiction in the Federal bank supervisory agencies, and provided that bank mergers should only be approved when found to be "in the public interest" after careful review of the competitive factor and six specific banking factors.

Third. Section 1 of the Sherman Act, if deemed applicable to bank mergers, would only be applied under the "rule of reason" established in the Standard Oil case, thereby permitting the courts to take into account the specialized and unique nature of the banking industry in determining whether or not a particular merger would "unduly diminish competition."

This legal climate was drastically modified by the decisions of the Supreme Court in the so-called Philadephia and Lexington cases. A review of those two cases is necessary to a clear understanding of just what the status of the bank merger law is today. First the Philadelphia case:

On February 25, 1961, the Department of Justice filed suit to block the proposed merger of the second largest bank in Philadelphia, the Philadelphia National Bank, and the third largest bank in Philadelphia, the Girard Trust Corn Exchange Bank. Although this merger had been approved by the Comptroller of the Curency under the Bank Merger Act of 1960, the Justice Department alleged that the merger violated section 1 of the Sherman Act and section 7 of the Clayton Act. The banks agreed to postpone the consummation of the merger pending the outcome of the litigation.

After trial the Federal District Court for the Eastern District of Pennsylvania held that section 7 of the Clayton Act did not apply to the bank mergers, but that, if it did, the merger did not violate section 7. Assuming that the substantive test of section 7 was more stringent than that of section 1 of the Sherman Act, the court also held that section 1 was not violated by the merger (201 F. Supp. 348 (1962)).

On June 17, 1963, the U.S. Supreme Court reversed the district court, holding that the merger violated section 7 of the Clayton Act. The majority opinion was written by Justice Brennan who was joined by four other justices. Justice Harlan, joined by Justice Stewart, dissented on the ground that section 7 did not apply. Justice Goldberg, agreeing with Justice Harlan that section 7 did not apply, withheld judgment on the Sherman Act aspect of the case. Justice White did not participate.

The majority opinion in the Philadelphia National Bank case noted that, prior to 1950, section 7 of the Clayton Act applied only to stock acquisitions and that the Supreme Court had held that a merger was not a stock acquisition. *Arrow-Hart & Hegeman Elec. Co.* v. *Federal Trade Commission,* 291 U.S. 587. The 1950 amendment to section 7 of the Clayton Act applied the act to asset acquisitions of corporations—but only those subject to the jurisdiction of the Federal Trade Commission. The majority opinion recognized that banks were not subject to the jurisdiction of the Federal Trade Commission. However, the opinion argued that a merger did not fit neatly into either the stock or asset acquisition categories, and concluded:

> Thus, the stock-acquisition and asset-acquisition provisions, read together, reach mergers, which fit neither category perfectly but lie somewhere between the two ends of the spectrum. * * * So construed, the specific exception for acquiring corporations not subject to the FTC's jurisdiction excludes from the coverage of section 7 only asset acquisitions by such corporations when not accomplished by merger (374 U.S. at 342).

The majority also held that the Bank Merger Act of 1960 had no effect on the application of the antitrust laws—as construed by the majority—to bank mergers.

Justice Harlan, in his dissenting opinion, noted that the Justice Department, after passage of the 1950 amendment to section 7, repeatedly took the position that the amended section 7 did not apply to bank mergers. Justice Harlan pointed out:

> The inapplicability of section 7 to bank mergers was also an explicit basis on which Congress acted in passing on the Bank Merger Act of 1960.

Hence the passage of the Bank Merger Act clearly evidenced a congressional intent not to subject bank mergers to section 7, but rather to provide an administrative procedure for the approval of bank mergers. Congress had on several occasions refused to apply section 7 to bank mergers. Criticizing the majority opinion, Justice Harlan said:

> The result is, of course, that the Bank Merger Act is almost completely nullified; its enactment turns out to have been an exorbitant waste of congressional time and energy (374 U.S. at 384).

The landmark 1963 decision of the Court in the Philadelphia case, holding section 7 of the Clayton Act to be applicable to bank mergers, was followed in less than a year by the precedent-shattering decision with respect to the Sherman Act in the Lexington case.

Following approval by the Comptroller of the Currency, a consolidation of the First National Bank & Trust Co. of Lexington—First National—and the Security Trust Co. of Lexington—Security Trust—was effected on March 1, 1961. The consolidation brought together the largest and the fourth largest bank in Fayette County, Ky., to form the First Security National Bank & Trust Co. which controlled over 50 percent of the assets, deposits, and loans held by commercial banks in the county. A civil suit, alleging violations of sections 1 and 2 of the Sherman Act, was filed the same day.

The District Court for the Eastern District of Kentucky, while expressly recognizing the applicability of the Sherman Act, found that the consolidation did not constitute an unreasonable restraint of trade in the field of commercial banking or constitute an unlawful combination or attempt to monopolize commercial banking. It therefore dismissed the complaint. *U.S.* v. *First National Bank and Trust Company of Lexington,* 208 F. Supp. 457 (1962).

The Supreme Court reversed and found an unreasonable restraint of trade in violation of section 1 (376 U.S. 665 (1964)). The majority opinion, written by Justice Douglas and joined in by four other Justices, stated that the case was governed by a standard which the Court derived from four so-called railroad cases decided between 1904 and 1922. This stringent standard held:

> That where merging companies are major competitive factors in a relevant market, the elimination of significant competition between themselves, by merger or consolidation, itself constitutes a violation of section 1 of the Sherman Act (376 U.S. at 671–672).

The dissenting opinion, written by Justice Harlan and joined by Justice Stewart, pointed out that the test laid down in the railroad cases had been all but expressly overruled by the Court in *U.S.* v. *Columbia Steel Co.,* 334 U.S. 495 (1947).

The Columbia Steel case, which dealt with the acquisition of a competitor by the United States Steel Corp., held that the Sherman Act prohibited any acquisition which "results in or is aimed at unreasonable restraint."

> In determining what constitutes unreasonable restraint, we do not think the dollar volume is in itself of compelling significance; we look rather to the percentage of business controlled, the strength of the remaining competition, whether the action springs from business requirements or purpose to monopolize, the probable development of the industry, consumer demands, and other characteristics of the market. We do not undertake to prescribe any set of percentage figures by which to measure the reasonableness of a corporation's enlargement of its activities by the purchase of the assets of a competitor. The relative effect of percentage command of a market varies with the setting in which that factor is placed (334 U.S. at 527–528).

Although the Justice Department in Columbia Steel urged that the Supreme Court follow the railroad cases the Supreme Court said:

> We do not stop to examine those cases to determine whether we would now approve either their language or their holdings. The factual situation in all those cases is so dissimilar from that presented here that they furnish little guidance in determining whether the competition which will be eliminated through the purchase of Consolidated is sufficient to warrant injunctive relief requested by the Government (334 U.S. at 531).

The dissenting opinion in the Lexington case characterized the majority opinion as "the revitalization of a properly moribund rule of antitrust law" (376 U. S. at 679). While agreeing with the majority that the Lexington bank merger was unlawful on the facts there presented, a concurring opinion by Justices Brennan and White also would have rejected the test laid down in the railroad cases in favor of the more sophisticated test of Columbia Steel.

As a result of the Philadelphia and Lexington decisions, we now find the law relating to bank mergers dramatically different from what it was generally assumed to be in 1960. Today—only 5 years after its enactment—the procedures and substantive tests on the Bank Merger Act have been relegated at best to a secondary position—if, indeed, they have any practical importance at all. The Clayton Act—section 7—and the Sherman Act—section 1—now are the crucial and controlling standards against which any bank merger must ultimately be tested.

It was against this background that the Senate earlier in this session passed S. 1698, the so-called Robertson-Proxmire bill. The original version of this bill by Senator ROBERTSON would have exempted bank mergers past, present and future, approved under the Bank Merger Act. In other words, it would have restored the situation to what it was considered to be for all practical purposes at the time of the enactment of the Bank Merger Act and before the Supreme Court's decisions in the Philadelphia and Lexington cases. The bill was amended in the Senate committee to prevent banks from merging if the Justice Department, within 30 days after approval of a bank merger by the appropriate agency, instituted an antitrust suit. If the Justice Department did not sue within this 30-day period, or if the

Court held that the merger did not violate the Antitrust Acts, it could be consummated, and it would no longer be subject to antitrust action. In the case of mergers already consummated, at the date of enactment of the bill, exemption from all proceedings under the antitrust laws would be provided.

As to the future, the Robertson-Proxmire bill provides that the Justice Department would be as free as it now is to institute suits during the 30-day period and those mergers affected would be judged under the strict criteria of the Clayton and Sherman Acts without regard to the banking factors.

While this bill would eliminate the problems inherent in unscrambling banks and make mergers certain and final after the passage of the 30-day waiting period, it does violence to the concept of the original Bank Merger Act. It abandons the precepts of the act that banking is an industry which could and should be distinguished from antitrust rulings applicable to industry generally which the Supreme Court has applied to banking in the Philadelphia and Lexington Court cases.

While competition is important in the banking industry, the history of the United States is replete with disastrous events which in the past have arisen from uninhibited competition in banking. The laws of both Federal and State governments recognize that banking is unique. It is inconceivable that the laws and regulation applicable to banking would be applied to business generally. In banking, entry and branching are strictly controlled. Capital structure is controlled. Borrowing is controlled. Limits are placed upon loans to any one borrower, and upon types of loans. Debt is limited in form and amount. Reserves are regulated in amount and form.

Indeed the nature and extent of regulation is so detailed and complex as to be almost impossible to describe.

The reasons are apparent. In addition to the fearful consequences of bank failures, not to be compared with failures of other businesses, the banking industry is at the heart of the Nation's monetary and economic health. The Federal Reserve System exists for the primary purpose of regulating the supply and distribution of credit through the banking system.

As banking is unique, so the criteria for measuring the public interest involved in bank mergers should be tailored to the public interest involved in banking and should be different from those applicable to business generally, just as other regulated industries are excepted from section 7 of the Clayton Act: those regulated by the Civil Aeronautics Board, the Federal Communications Commission, the Federal Power Commission, the Interstate Commerce Commission, and the Securities and Exchange Commission.

It was for these reasons that Congress in 1960 designed a method of regulating bank mergers specifically adapted to the public interest in banking. And it is for these reasons that a substitute bank merger bill has been introduced in the House which would restore the original intent of the Bank Merger Act but at the same time strengthen its standards and procedures.

The bill may be summarized as follows:

First. The competitive considerations in passing upon bank mergers are strengthened by making predominant the attorney general's judgment as to the effect upon competition rather than the judgment of the banking agency. The banking agency, however, would retain the power to approve the merger if "after considering all of such factors"—the competitive factor and the so-called banking factors—"it finds the transaction to be in the public interest."

Second. It is specifically provided that the banking agencies should consult and advise with the other two agencies and with the Attorney General. This is an effort to achieve coordination of policy on bank mergers. The mechanics are not defined but this language does constitute a mandate to consult and advise, rather than merely to receive reports.

Third. Judicial review in the United States Court of Appeals is provided by the insertion of language from the Bank Holding Company Act. This language is supplemented by a specific provision that the Attorney General, as well as any aggrieved party, may obtain judicial review. The Court, however, is specifically required to consider all of the factors set forth in the Bank Merger Act, that is, the banking factors as well as the competitive factors.

Fourth. It is provided that mergers consummated prior to June 17, 1963, the date of the landmark Supreme Court decision in the Philadelphia case, would be exempt from the antitrust laws. This case held for the first time that the Clayton Act applied to bank mergers. The three cases subsequent to this decision would be adjudicated under the substantive criteria referred to in paragraph 3 above.

Fifth. The Justice Department would have continuing power to invoke the antitrust laws with respect to any activities of the resulting bank after the merger.

Let me compare for a moment the provisions of the new House bill with S. 1698.

As to the some 2,200 mergers already consummated and not under challenge by the Justice Department, the Robertson-Proxmire bill provides that the merger transactions shall be immunized from antitrust attack. Our bill provides identical relief. It has been stated by the authors of S. 1698 that the immunity granted is meant to be limited strictly to the transaction of merger, and is in no sense intended to protect the merged institutions from suit for antitrust violations which may occur after the merger is consummated. While this is the intent, I find the actual language of S. 1698 somewhat ambiguous on this point. Our bill contains specific language in section 2(d) clearly spelling out the limitation of immunity.

With respect to the procedures and substantive law applicable to future mergers, our bill differs rather significantly from S. 1698, as approved by the Senate. S. 1698 leaves unchanged the provisions of the Bank Merger Act of 1960 up to the point of administrative approval of a merger by one of the three Federal bank supervisory agencies. It is after the approval process that S. 1698 modifies existing law. S. 1698 provides that, once a merger has been approved by the appropriate banking agency, a 30-day waiting period would intervene before the merger could be formally consummated. During this 30-day period the Department of Justice could file suit to challenge the merger on antitrust grounds, and should suit be so filed, then the merger could not be consummated until after the suit had been finally adjudicated and then only to the extent consistent with the judgment. Such suit would be judged strictly on the basis of antitrust standards and thus no consideration would be given to the six banking factors which the banking agency reviews in its balanced study of a proposed merger. A merger transaction not challenged within the 30-day waiting period would, under the provisions of S. 1698, be immunized from later antitrust attack.

By contrast, our bill makes a fundamental change in the banking agency review provisions of the Bank Merger Act. It changes the role of the Attorney General on the factor of competition from advisory to determinative; for if, under the House bill, the Attorney General finds that a proposed merger will have an adverse effect on competition, the banking agency may not approve the merger, unless after considering this competitive factor along with the six banking factors it finds the merger to be in the public interest. Thus, the banking agency is compelled to assemble a substantial body of probative evidence to support its finding.

While this proposal substantially strengthens the role played by the Attorney General during the agency review of a proposed bank merger, it does counterbalance his expanded powers with provision for a more balanced judicial review of an approved merger which may be challenged by the Attorney General. At present, if a merger approved in full conformity with the procedures of the Bank Merger Act is challenged by the Attorney General under the authority of the Clayton Act or the Sherman Act, a Federal court is obliged to consider only the competitive consequences of that merger. It cannot consider such important banking factors as the adequacy of capital structure, the general character of management, and the needs and convenience of the community to be served by the merged bank. These banking factors are extremely important in reaching a reasoned judgment as to whether or not a particular merger will be in the public interest. The Robertson-Proxmire bill does nothing to change the scope of judicial review. Our bill directs that a U.S. Court of Appeals, in reviewing a merged approved by the banking agencies, shall consider the banking factors as well as the antitrust factors in determining whether the agencies act in the public interest. I sincerely believe that this expanded scope of judicial review is essential to assuring that our Nation will be served in the future by a banking system with the capacity to respond effectively to the needs of an urban economy.

So that there shall be no misunderstanding, I wish to make abundantly clear that the fact that I join with Senator Proxmire and many others in the Congress in the desire that the Department of Justice should play a more determinative role in the regulation of bank mergers than was permitted to it under the terms of the original Bank Merger Act. On this point, we have a common objective. The House bill merely suggests a somewhat different method for achieving that common objective.

Our bill differs from S. 1698 on one other point. This is the matter of the treatment to be accorded the six bank mergers, which are the subject of antitrust suit by the Department of Justice and which are still in the process of adjudication. S. 1698, in laying down its new rules for bank merger regulation, would wipe the slate clean, thereby granting all six of these merger transactions relief from the antitrust laws. Our proposal does not go quite that far. It would grant relief to the three transactions which were consummated prior to the Supreme Court's decision in the Philadelphia case on June 17, 1963. For the three transactions occurring after that date, the bill provides that the Federal courts shall adjudicate these cases under the broadened standards of review which our bill establishes for the future. Accordingly, in passing on the three post-Philadelphia mergers, the courts would be obliged to look not only at the antitrust factor but the six important banking factors as well.

I feel strongly that the focus of our attention should be on the establishment of a clear, orderly, and rational public policy for the future governmental regulation of mergers in the banking field. There is no clear public policy at the present time. Banking plays so fundamental a role in our total national economy that we endanger our economy by permitting this chaotic state of the law on banking concentration to continue. Only the Congress has any effective power to bring order to this situation. I suggest that we exercise that power, that we exercise it with dispatch in this session, and the House bill is offered in the hope that it will aid in the achievement of this goal.

HURRICANE BETSY POINTS UP NEED FOR LEGISLATION

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KEITH. Mr. Speaker, it was a great disappointment to me that the ruckus of last evening prevented us from considering H.R. 7397, the House version of S. 408 which would authorize a study of methods of helping to provide financial assistance to victims of future natural disasters.

The recent tragedies along our gulf coast wrought by disastrous Hurricane Betsy should certainly be reason enough to bring this bill to the floor for consideration.

I sincerely trust that we will not further forsake our obligation to the unfortunate victims of natural disasters by failing to reschedule this important piece of legislation.

It was my privilege to have introduced one of the original bills dealing with this very subject early in the session. My reasons for declaring that this legislation is vitally necessary are indeed reinforced by the example of the mass of destruction maifested by Hurricane Betsy.

But not only gulf States residents are victims of the mighty storms which originate in the tropics.

I know personally the losses that were experienced by many residents of my district as a result of hurricanes and accompanying tidal waves that have hit southeastern Massachusetts. In my memory major tropical storms struck this area in 1938, 1944, 1954, and 1955. In each of these years, there were extensive losses of life and property. Insurance can be bought for hurricanes and windstorms but insurance against abnormal high tides is almost impossible to find, and the cost is almost prohibitive.

In 1956, the staff of the Senate Banking and Currency Committee prepared a study on natural disasters in the United States. I have selected certain years from a table included in that study to give my colleagues an indication of the extent to which abnormally high tides—caused usually by hurricanes—wreak havoc on human lives and property:

	Estimated damage
1938 (600 lives lost)	$300,245,000
1944 (64 lives lost)	165,010,000
1954 (193 lives lost)	755,472,500
1955 (231 lives lost)	1,776,120,000

I would remind my colleagues that these figures relate only to losses from tropical storms on the Atlantic and gulf coasts. Losses from other disasters such as tornadoes and earthquakes would multiply these figures many times.

In the 84th Congress, a great deal of consideration was given to the problem of natural disaster insurance. The 85th Congress passed the Federal Flood Insurance Act (42 U.S.C. 2401), but there have never been any appropriations made to fund the program.

We are now in the 89th Congress and we still do not have an effective coordinated approach dealing with the problem. The Federal Government has been proceeding on an ad hoc basis, providing assistance when needed—frequently after the Congress, on an emergency basis, has enacted legislation to deal with the immediate disaster.

In my opinion, this problem has been left in limbo long enough. The Government, in cooperation with the private insurance industry, can surely find a way to protect these citizens. These two forces, working together, can, I am sure, come up with a solution that will strengthen our free enterprise society and protect the Nation against the unforeseen ravaging of its resources by natural disasters.

MISSISSIPPI COLLEGE

The SPEAKER pro tempore (Mr. Kee). Under previous order of the House, the gentleman from Mississippi [Mr. Williams] is recognized for 30 minutes.

Mr. WILLIAMS. Mr. Speaker, every Member takes pride in the educational institutions—and their achievements—in his district. I am no exception.

One of the outstanding colleges in the Nation is located at Clinton, Miss. I speak of Mississippi College, a private institution maintained by the Mississippi Baptist Convention. It is the oldest senior college in our State, having been founded in 1826.

Graduates of Mississippi College can be found around the world, participating in a myriad of endeavors. The many contributions to society of those who attended Mississippi College can never be cataloged. Such a task would be impossible; but each, in his own way has and will carry forward the Christian principles taught at Mississippi College. The 1965 class will continue this tradition.

In tribute to this educational giant, I ask permission to place in the Record selected portions of the 139th commencement program held on May 30, 1965, at which time 322 degrees were awarded.

It will be of more than passing interest to the House to note that one graduate on that date was Sarah Patsy Miller, daughter of our delightful and resourceful Doorkeeper Hon. William M. Miller.

The baccalaureate address was given by Dr. John D. W. Watts, president of the Baptist Theological Seminary in Ruschlikon—Zurich, Switzerland, a 1941 graduate. It follows:

CHRISTIAN REALISM

(Baccalaureate address by Dr. John D. W. Watts at Mississippi College, May 30, 1965)

Dr. McLemore, respected members of the faculty, honored graduates of the class of 1965, dear students and friends, the entire process of higher education has changed drastically since I sat where you sit 24 years ago. There is hardly a subject which is taught today on the same basis or in the same way, or even with the same content with which it was taught 24 years ago.

Still the basic question of all education remains that which the psalmist spoke in Psalm 8, "What is man?" The aim of a liberal arts education has not changed in this time: to help us see ourselves and our world with analytic insight and synthetic appreciation; to help us to look at ourselves and our world without pretense or prejudice.

Unfortunately religion is highly prone to both pretense and prejudice. Mind you, I said "religion." Faith, true faith, Biblical faith—from Moses through the prophets to John the Baptist, Jesus, and Paul—is scornful of all such. They sought in faith a realistic understanding of themselves and their world beyond pretense and prejudice and found it. We can find it, too, if we read our Bibles with open eyes, minds, and hearts. Appearances are deceiving, but genuine reality can be visible to all who have eyes and use them.

Yes, appearances are deceiving. The appearances of culture, progress, affluence, joy which may be seen in the world capitals of London, Berlin, Vienna, Beirut, Léopoldville, or Saigon, those appearances of civilization or culture which cloak the world of New York, Washington, or for that matter of Meridian, Philadelphia, Jackson, or Clinton.

In any of these, a deceptive calm and apparent order even gaity covers the inescapable reality of human sin and depravity which lurks behind the facade. We are all too likely to be led to pretend that the great evils of the world could not happen to us and could not happen here.

In 1949, soon after we had taken up residence in Switzerland, I was invited to attend the dedication of a new church in the Ruhr area of Germany. It was in a city which had been completely destroyed by bombs. Amid the ruins a little chapel had been built. I was asked to dinner in the home of a decon whose home had been mercifully spared and in which we sat, a single part of an apartment building with ruins all around us. As we sat at dinner, the motherly woman who presided at the table came to speak about the war. Some mention was made by someone of the feelings of neighboring peoples who had suffered atrocities under German aggression. With a little exclamation she said, "But that could not have been true, our fine German boys would never do anything like that." Her son who sat at my elbow had been an officer in the Luftwaffe in Holland and he protested mildly saying, "Mother, I was there, it was true." It is hard for any American mother to conceive of her son or boys like her son doing anything violent or atrocious. And we all sit ever and again in the spot where that German mother sat, deceived into the thought that these things could not be for the young men that she knew.

But anyone who has eyes to see in our world can see that this appearance of civilized culture is deceiving. Modern writers, from Camus and Sartre to William Faulkner and Tennessee Williams have pictured this human existence of ours in no uncertain terms. Yet, we have often turned away from them, saying that this must be someone else. It is not me, it is not our kind. The Bible implies that this picture of utter depravity is our picture. The pretense that it does not exist does not rid us of its reality. This picture of depraved, rotten humanity is man. Appearances to the contrary, man is a sinner, evil from his heart, capable of rivaling the Devil himself in iniquity.

Christian life and faith in such a society of sinful man is and must be a struggle to build up and to tear down. T. S. Eliot has caught this in his poem. "Why Should Men Love the Church?"

"It is hard for those who have never known persecution,
And who have never known a Christian,
To believe these tales of Christian persecution.
Do you think that the Faith has conquered the World
And that lions no longer need keepers?

Do you need to be told that whatever has been, can still be?
Do you need to be told that even such modest attainments
As you boast of in the way of polite society
Will hardly survive the Faith to which they owe their significance?
Why should men love the Church? Why should they love her laws?

She tells them of Life and Death, and of all that they would forget.
She is tender where they would be hard, and hard where they would like to be soft.
She tells them of Evil and Sin, and other unpleasant facts.
They constantly try to escape
From the darkness outside and within
By dreaming of systems so perfect that no one will need to be good.

But the man that is will shadow
The man that pretends to be.
And the Son of Man is crucified always
And there shall be Martyrs and Saints."

But if appearance of affluence and culture can deceive, so can appearance of evil in man which makes one despair and give up. If one tours the trouble spots of the world, the slums of the great cities, the borderlands of Congo, the villages of Vietnam, the pattern would be pretty much the same, and one would very quickly despair. What is man that God should care? "Nothing," cry the philosophers and the writers today, "Nothing worth having."

But appearances are deceiving. There are human values which remain valid, true, indestructible within this chaos, living amid death, showing themselves in the most surprising way. Browning knew this when he had Pippa cry "God's in his heaven. All's right with the world." Pippa did not know the evil being perpetrated behind the walls of the house she passed, but Browning did and had her say it anyway.

William Rose Benét has caught the sense of this enduring value in man in his poem "Song Under Shadow." He writes:

"Fear not the despots raging,
The loud and brazen lie,
The blood that unassuaging
Pours down the noonday sky,
What man thou wert than man thou art
For all that they can do.
A door stands open in the heart
And all good things are true.
Then rise with every morning
Thy risen Lord to find
With fear and hate and scorning
The blind lead on the blind,
But love who has a world apart
Knows all they never knew.
A door stands open in the heart
And all good things are true."

Ah, that's it. "A door stands open in the heart." That is the hope of man. When man is open to God and his fellows—there is hope. There, indestructible faith rises and reliable character is born.

While I was a student in Mississippi College a group of us from the BSU traveled with Chester Swor to a southwide BSU convention in Memphis. In those troubled days before World War II we thrilled at the pictures of faith around the world given us by many speakers. Charles Wells, the well-known Quaker journalist told us the story of Martin Niemüller's imprisonment. This decorated U-boat captain of World War I had strongly resisted Hitler's attempt to take over the Christian churches. He was thrown in prison and cast into a very tiny cell with an electric light globe that shone down on him day and night. There, for weeks he was left incommunicado, in the hope that it would break his spirit. But the Nazis had misjudged their man. Martin Niemüller reached up to the bars in the tiny window high above his head and chinned himself repeatedly every day, keeping his muscles toned and hard. Niemüller could speak to no one in prison but to his God. But his heart was tuned to a wavelength that his prison guards would never understand, and he communed with his God. When the judges expected to find before them a broken man, they found a poised tiger who, instead of a defense, brought an attack upon the competency of the court to deal with the matters that belong to the King of kings and Lord of lords. Three Nazi judges instructed to convict, apparently would rather face Hitler's wrath than Martin Niemüller's attack. They declared him innocent, but before he could leave the room he was taken by his SS guards back to a cell which he would not leave till the end of the war. When God can enter through the open door of the heart, an indestructible faith arises and a reliable character. These are the values of humankind that cannot be denied.

Isn't it inconsistent, however, to hold that man is unimaginably evil, yet of inestimable value? For the wisdom of man yes, but it is God's logic with which we deal. It is no accident that both Eliot and Benét routed their ideas in the Gospel.

Listen to Peter's words at Pentecost (Acts 2: 22–23, 32–33 plus verse 36):

"Men of Israel, hear these words: Jesus of Nazareth, a man attested to you by God with mighty works and wonders and signs which God did through him in your midst, as you yourselves know—this Jesus, delivered up according to the definite plan and foreknowledge of God, you crucified and killed by the hands of lawless men.

"This Jesus God raised up, and of that we all are witnesses. Being therefore exalted at the right hand of God, and having received from the Father the promise of the Holy Spirit, he has poured out this which you see and hear. Let all the house of Israel therefore know assuredly that God has made him both Lord and Christ, this Jesus whom you crucified."

Jesus, whom God attested, whom God delivered up, whom God raised up, whom God exalted and made both Lord and Christ. This Jesus, man crucified.

There you have it! That is what man is! Capable of crucifying God's own son! And if that, capable of every other crime to which he might be called to account in human history. What should be done to those guilty of such a crime? Germany's courts still drag out the attempt to purge her of the executioners of the third Reich.

Those whom Peter had indicted for the crucifixion of Christ, cried out, "What shall we do?" What retribution or penalty would suffice for such crime?

Peter, amazingly answers those who crucified the Saviour: "Repent and be baptized every one of you in the name of Christ Jesus for the forgiveness of your sins; and you shall receive the Holy Spirit." If there is hope for man—any man for you or me or those with blood on their hands and hearts in any part of the world—this is it. That God continues to address the invitation of the Gospel to him, that forgiveness is available from the cross of Christ, that the Holy Spirit may enter the "open door," Benét speaks of, to purge, renew, and use, that Christ, the Saviour is indeed Lord and Messiah over time and the end.

That is Christian realism which recognizes the almost unlimited evil which man, any man, is capable of, but which lives and works and fights the fight of faith in the knowledge that God knows this evil and has conquered it. What we now experience are the mopping up operations in God's history, the battle is won and the victory assured. The sign of that victory is that God can address man unhindered and man can hear because Christ died and is raised.

But this affirmation also means that in the framework of this faith and hope everyone who lives by this hope must be a tool of the Spirit of God to purge, renew, and rebuild broken man and society which Christian realism has recognized. This faith is no reason for Christians or Christian churches to be still in society. Rather it challenges the pretense of normality, the prejudice of established culture with the affirmation that this world belongs to God, and that every part of it stands both under His leadership and His judgment. This is what Eliot understood as he spoke both of the quiet building operation of the church and of the place for martyrs in an unredeemed society.

Conclusion. Now in closing let me ask the pragmatic question. How does this realistic faith work out?

Surely a 25-year sentence to a Siberian work camp must be one of the hardest tests of life or faith possible. The world has recently been given a remarkably realistic and convincing glimpse of that hard and raw life in the book "A Day in the Life of Ivan Denisovich." The book among other characters tells of a mild but strong man called Alyosha the Baptist who occupied a bunk across from Denisovich in the barracks. While others smuggle bread to eat or metal for knives, Alyosha smuggles the handwritten copy of the Scriptures which he treasures and reads in every spare moment. While others distract themselves with dirty stories Alyosha prays or talks to another prisoner about God. He pulls his weight in camp, helps others as opportunity arises, something no other Zech would dream of doing. His simple faith lights several of the pages of that book chronicling the day in the life of Ivan Denisovich. If the Baptist in the Siberian camp made such an impression on the author of that book, it is no wonder that Baptists in Russia have grown, despite all of their difficulties, to have the largest number of Baptists in any one country outside the United States.

Ah, but you say that was a concentration camp. No wonder he stood out. But young men and women, faith that succeeds in a work camp will bear watching anywhere. I venture such faith would stand out on Main Street just as well. May God help you to prove it.

Mr. Speaker, the invocation at the graduating exercises was delivered by Rev. Carey E. Cox, pastor of the First Baptist Church at Brandon, Miss., as follows:

INVOCATION

We would, dear God, Thy power to know,
Before we forth to service go,
Or else we serve in vain.
We care not for human will or might,
Our souls are helpless in the fight,
Until Thy power we gain.

Holy Father, we thank Thee for Thy Son Jesus Christ, our wonderful saviour. We pray that Thy great power may be made the servant of Thy wonderful love in bringing abundant blessings out of the storehouse of Thy mercies to each of these graduates.

Shower abundant grace upon Mississippi Baptists for following the leadership of Thy Holy Spirit in establishing and maintaining this great educational institution. We thank Thee for education at its best, education with a Christian environment for the student, for teachers and an administration which seeks to emulate Thy teachings.

We rejoice as parents and friends in the privilege to be present as witnesses to the triumph of our young people, and at the same time, place the welfare of these graduates in Thy loving care. We come to Thee who alone knowest the future of Thy children. As these young people set out upon the uncharted seas, may they as mariners check with regularity the compass of their souls and keep their souls sensitive to the mysterious movements of Thy spirit.

We pray for these, Thy disciples of the coming generation. Wilt Thou open opportunities which will enable them to show their debt to Thee, their parents, teachers, and fellow Americans? May each make the noblest use of mind and body in the advancing years. Grant that the ties of friendship established here will be strengthened with the passing years and that new and wonderful friendships may be begun. Forgive, we pray Thee, if any have thought success better than righteousness, and ease more desirable than service. May each seek to be like our Saviour who went about doing good.

Wilt Thou be with each of these throughout this day and all of God's eternal tomorrow. In Jesus' name we pray. Amen.

The graduation speaker was Dr. G. Baley Price, chairman of the department of mathematics at the University of Kansas. A former president of the Mathematical Association of America, Dr. Price on that occasion celebrated his 40th anniversary as a graduate of Mississippi College. At this point I include Dr. Price's address.

TO THE GRADUATING CLASS OF 1965, MISSISSIPPI COLLEGE, MAY 30, 1965

President McLemore, members of the board of trustees, members of the faculty, members of the graduating class of 1965, parents, friends, ladies and gentlemen: I address my remarks on this occasion to the members of the graduating class of 1965.

Today your preparation ends. The Nation and the world summon you to positions of responsibility and service. These commencement exercises signal your entrance onto the stage of the world. Tomorrow you must begin.

You graduate in one of the great periods of the world's history. Other great periods have preceded our own. Greece and Rome, the advent of Christianity in the first century, the Renaissance in the 15th century, the Elizabethan era in the 16th and 17th centuries, and the industrial revolution in the 18th and 19th centuries—these ages of the past have shaped the course of history. You graduate in the 20th century: the age of science, the nuclear age, the jet age, the space age. You graduate in one of the great and awful periods of the world's history.

The age of science, through research, has discovered and invented plastics, synthetic fibers, antibiotics, polio vaccine, hybrid corn, the vacuum tube and the transistor, radio, television, long distance dialing, satellite communication, nuclear power, the jet airplane, and the automatic electronic digital computing machine. These and other inventions and discoveries have bestowed untold blessings on the peoples of the world. But the 20th century has also brought the most devastating wars of all times, madmen such as Hitler, the hydrogen bomb, and the threat of the destruction of civilization itself.

The age of science is characterized by change. As a result, your professors have not been able to teach you all that you will need to know for the remainder of your lives. No one can foresee the future, but swift, sudden, and accelerating change is certain. New knowledge, new discoveries, and new inventions will force you to continue your education throughout your lives. Your education thus far will enable you to continue successfully—many with the help of some years of graduate and professional school, but all with the help of constant study, occasional workshops, refresher courses, or sabbatical leaves.

I have said that the age of science is characterized by change. Four changes have occurred which will strongly influence the courses of your lives.

First, as a result of the development of the jet airplane and modern electronic communications systems, the world has become small. When I was in graduate school, the trip from Jackson to Boston—by train, of course—took almost 48 hours, and about 4 days were required to cross the United States. Now Trans-World Airlines flight 800 leaves Kansas City at noon and, after stops in New York, Paris, and Cairo, terminates in Bombay, India, early in the morning 2 days later. The total elapsed time for the trip is less than 30 hours. Canadian Pacific Air Lines has a flight which starts in Hong Kong, makes stops in Tokyo, Vancouver, Mexico City, Lima (Peru), Santiago (Chile), and terminates in Buenos Aires. Airmail letters are now delivered to any part of the world within 3 or 4 days. Telephone calls can be made to nearly all parts of the world, and international direct dialing telephone service will soon be in operation. The international character of the student bodies of most of our colleges and universities is convincing evidence that the world has become small. Students from India, Pakistan, China, Japan, other countries in the Far East and in the Near East, Africa, Latin America, and Western Europe are found in large numbers on campuses throughout the United States.

At the beginning of the 20th century the United States was separated by wide oceans from most of the rest of the world. Although aware of its historical connections with Western Europe, the United States lived in relative isolation from other nations. Until very recent times, our colleges and universities taught the history, languages, and culture of the Western World—that is, Western Europe and the United States—with only occasional references to Russia, India, China, Africa, and Latin America. Because these countries were far away and outside the world in which the United States lived, we found it possible and convenient to ignore them. But Russia, India, China, Africa, and Latin America are no longer far away. The world is now small, and the welfare of the United States is closely linked with the welfare of nations everywhere.

The new, small world in which we live has brought new responsibilities and obligations. We must develop sympathies for all nations, an understanding of the histories and cultures of all nations, and an interest in the welfare of all nations so that we can work effectively with them toward the creation of a better world. The colleges and universities of the United States have responded to these demands by developing many new programs to teach the languages, histories, and cultures of Russia, Latin America, Africa, India, and the Far East. Many students have entered these new programs, and their eagerness to learn about the nations of the entire world assures the United States an informed public and highly qualified leaders.

A second change concerns the population of the world. The world itself has become small, but the populations of countries everywhere are increasing rapidly. Furthermore, the jet airplane has made all nations our neighbors. Thus, both the increase in population itself and the decrease in the size of the world have contributed to the increase in the number of people with whom me must deal.

The rapid increase in the population—usually described as the "population explosion"—has brought a first set of problems. The problem created by the population explosion in the world as a whole is this: Today's parents have more children than they can feed, clothe, and educate. In many parts of the world the standard of living has fallen because nations have been unable to expand agricultural production fast enough to provide the food required for their rapidly increasing populations. Even in the United States this generation is unable to provide the education needed by its sons and daughters. There are severe shortages of qualified teachers at the college and university level. Funds are not available to build the schoolhouses and the college and university buildings needed for our children.

A second set of problems arises from bigness itself. Bigness creates problems of planning, organization, and administration. The New England town meeting is an institution of great simplicity for administering the affairs of a village. Today, however, there exists the need for a world government to supervise the affairs of all nations. The new, heavily populated, world of today requires planning, organization, and administration of great complexity and on a grand scale. Bigness requires educated leaders, skillful administrators, and planners with vision and imagination who can devise new patterns of organization to administer the affairs of ever larger and more diverse groups of nations and peoples.

One aspect of the bigness of the modern world concerns scientific computing and data processing. The modern world requires that great masses of data be analyzed, that huge quantities of records be kept, and that a tremendous volume of reports be rendered. The requirements can be met only by the most skillful employment of modern data processing equipment. Financial records of banks and other business organizations were formerly kept by bookkeepers who sat on high stools and wrote numbers on sheets of paper with steel pens. The corresponding records are now produced by the modern electronic digital computing machine. The records of both the registrars' offices and the business offices of most of our colleges and universities are also processed by computing machines. Members of the graduating class of 1965, you must understand the revolution produced by the automation of data processing; to be effective in the world you are about to enter, you must understand the capabilities and the employment of modern data processing equipment.

A third change in the world is the growing gap between the developed and the developing nations of the world. The decreases in the size of the world has made the developing nations aware of the riches of the developed nations and has produced "the revolution of rising expectations." The age of science has witnessed—and, indeed, has helped to produce—the widening gap between the rich nations and the poor nations of the world. In some cases rapid population growth has followed advances in medicine and public health and forced a decline in the standard of living. America is rich and is burdened with farm surpluses; many parts of the world are hungry. The standard of living in the United States is high; in many parts of the world it is low. The gap between the developed and the developing nations constitutes perhaps the most serious of all threats to the welfare of the world today. Our efforts to help the rest of the world are efforts to secure our own safety and well-being. The world's best efforts thus far have not succeeded in reducing the gap between the developed and the developing nations. The problem remains—the problem grows.

I have named three important changes in the world in the age of science: the world has become small, the populations of the world are increasing rapidly, and the gap between the developed and the developing nations of the world has widened. A fourth change has thrust the United States into a position of world leadership. The Communist nations of the world have become strong and aggressive. The relative strength of Western Europe has declined. The United States has advanced rapidly in scientific, technological, industrial, economic, financial, and military strength. The United States, as the strongest power in the free world, has heavy responsibilities for world leadership.

The leader of the free world faces many difficult problems. In earlier times it was possible for a nation to dominate by force of arms and thus to exercise world leadership, but such is no longer the case. The age of science has produced the hydrogen bomb and military stalemate. Military might is still necessary, but it is no longer overpowering and decisive. It is not easy for a leader to rally support for the common cause. Nations are separated by the gap, and nationalism is rampant among the newer nations of the world. The time has passed when the United States could live peacefully behind its broad oceans. Today, as the only means of protecting itself, the United States seeks to build a better world for all.

A leader must excel. As a result, the United States feels great pressure to excel in every type of activity in which nations compete: in sports, in music and the arts, in literature, and especially in scientific research and technological development. The United States suffered a defeat when Russia launched Sputnik I; this fact explains the great efforts made by the United States since that time in the exploration of space. Our spectacular accomplishments and solid achievements in the exploration of space have not yet gained for the United States the position of leadership in space travel and research. In today's world, the responsibilities of leadership cannot be taken lightly. The pressure of these responsibilities is felt in many ways by the Nation's colleges and universities.

If change is the characteristic feature of the age of science, certainly the struggle with communism is the dominant feature of the political life of the 20th century. In a very real sense, there is no peace—the world is at war. The United States, as a leader of the free world, has a heavy responsibility to preserve the values, traditions, and institutions of the Western World, and to help build a new world in which there will be real peace.

Members of the graduating class of 1965, I am happy to report that there is a demand for your services. There are problems to be solved that are worthy of your best efforts. I would like to describe two of them for you.

The first problem is to reduce the gap between the developed and the developing nations of the world. The missionary programs of our churches, the Peace Corps, the international educational activities of our schools, colleges, and universities, and Government service all provide channels through which you can work. The ends to be achieved are the educational, scientific, medical, social, political, economic, industrial, and agricultural development of the countries of the world. Those in the Western World are a minority of the peoples of the world. If we reduce the gap sufficiently, we shall gain friends and allies, and the opportunity to work with them in building a better world in the future.

It would be possible to give many examples of the efforts being made by the United States to reduce the gap between this country and other nations, but two must suffice. The first example is an effort by the U.S. Government to strengthen the educational system of India. In 1953 the National Science Foundation began the development of its program of summer institutes for high school and college teachers of science and mathematics. These summer institutes were designed to modernize and strengthen the teachers' knowledge of the subjects they teach. The summer institutes proved to be remarkably effective. After the launching of Sputnik I, Congress provided funds for a massive expansion of the program of summer institutes. The funds appropriated by Congress paid all operating costs of the institutes and provided stipends for teachers to enable them to attend. These institutes have been one of the important factors contributing to the great improvement in the teaching of science and mathematics in our schools in the past 6 or 8 years. In the summer of 1964 the United States helped India with the organization and operation of a program of summer institutes for the teachers of India, and a similar program has been planned for the summer of 1965. Many professors have been sent from the United States to teach in these institutes. Since the United States does not have qualified professors to spare, the extent of the gift to India is clear. Those who have participated in the educational programs abroad have found their efforts interesting and rewarding. Both they and the United States have learned much from those they have attempted to help.

The second example concerns the efforts of the Ford Foundation to assist in the educational development of Latin America. In 1963 I was a member of a team of three who visited the National Engineering University in Lima, Peru, for the Ford Foundation. The trip resulted in a cooperative program between the National Engineering University and Iowa State University for the development of the former; the program is supported by grants from the Ford Foundation. This spring I was one of four department chairmen from the University of Kansas who visited the new University of Oriente in Cumaná, Venezuela, to plan a program in which my university will assist the university in Venezuela in the development of its departments of biology, physics, chemistry, and mathematics. Students and staff members will come to the University of Kansas from the University of Oriente to receive further education. Staff members from the University of Kansas will go to Venezuela to teach and to assist in the development of the four departments there. Members of the graduating class of 1965, you also will be asked to participate in the programs designed to improve the educational systems of the nations of the world—to assist in narrowing the gap between the developed and the developing nations of the world.

A second problem demands your attention: you must establish the rule of law—a world government of some kind—over the entire world. Regulation of the affairs of nations by law has become a necessity in the age of the hydrogen bomb. War must be banished. Some who have worked on the problem believe that the rule of law over the world can be established by the year 2000, that is, in your lifetime. The age of science, by producing the hydrogen bomb, has made the establishment of law a necessity. Furthermore, science has provided the communication facilities—radio, television, and the jet airplane—without which the administration of world law would be impossible. The establishment of a world government will certainly be difficult, but it cannot be considered impossible. The Common Market has made progress toward uniting the nations of Western Europe. France and Germany—mortal enemies for centuries—have played a dominant role in the establishment of the Common Market. Their example shows what can be done.

I have described two problems. The world calls for your help in solving these problems and others, now and throughout your lifetime. The world needs the energy, the enthusiasm, the imagination, and the vision of youth to help it in solving its problems. You will be called to serve in high and in low positions. Whatever your position, strive for greatness: create some new thing of beauty, formulate some new truth, contribute some new institution or pattern of organization to help the world, or solve some significant problem of science or medicine. In the words of James Russell Lowell.

> "Greatly begin! though thou have time
> But for a line, be that sublime—
> Not failure, but low aim, is crime."

I repeat: you graduate in one of the great and awful periods of the world's history. Success in solving the problems that confront us will bestow matchless blessings on the peoples of the world, failure may be fatal for our civilization. Your problems, though great, are not insuperable. You must not be overconfident; you must not underestimate the abilities of those who have preceded you—many were giants. You cannot expect to win: continuing struggle, military stalemate, ever rising levels of performance are more characteristic of our age than success, victory, and established record. You will surpass the records of those who have preceded you, but those who follow you will in turn surpass your performance. You must have courage and determination and persistence. You must not give up. Edgar Allan Poe's poem entitled "Eldorado" describes the qualities demanded of those who search for a better world.

"Gaily bedight,
A gallant knight,
In sunshine and in shadow,
Had journeyed long,
Singing a song,
In search of Eldorado.

"But he grew old—
This knight so bold—
And o'er his heart a shadow
Fell as he found
No spot of ground
That looked like Eldorado.

"And, as his strength
Failed him at length,
He met a pilgrim shadow—
'Shadow,' said he,
'Where can it be—
This land of Eldorado?'

" 'Over the Mountains
Of the Moon,
Down the Valley of the Shadow,
Ride, boldly ride,'
The shade replied—
'If you seek for Eldorado.' "

You must have faith in God and in your fellow man. You must have faith that a better world is possible. You must believe that the quest for a better world is worth your best efforts. I cannot promise you fame or riches, but the knowledge that you have made a noble effort in the search for a better world will be a reward that will endure forever.

At this significant exercise, the benediction was pronounced by Rev. Joseph B. Flowers, pastor of the West Hampton Baptist Church, Hampton, Va., as follows:

BENEDICTION

(Delivered by Joseph B. Flowers, pastor of West Hampton Baptist Church, Hampton, Va., at graduating exercises, Mississippi College, May 30, 1965)

We come in the name of Jesus, Our Father, Thou God of the unending years, to pray that as these members of this graduating class, stand on the threshold of tomorrow dawning, God the Spirit will brood over, guide and protect.

When they come to the Red Sea crossings, and the barriers that stand between them and life's purposes and the achievement of much to be desired spiritual goals, loom awesome and tremendous, let the power of the Almighty roll back the waters so they might know in their own generation, the mighty works of God.

When on the weary, dusty road of life's pilgrimage they drink the bitter waters of disappointment, let the waters be sweetened with hope.

When the world builds her golden calves and calls them to dance around the man made, synthetic gods of our Western culture, and tempts them to conform to the moral code of an unregenerate age, call them back to the old time faith and to the unchanging truths of an immutable God.

When the lethargy of indifference to human need and the forgetfulness of their relation to eternity would make laggards of them all, let the silver trumpet of God, that called Israel to move on, sound in their hearts and call them also to advance.

So that—

"When the spirit clothed immortal
Wings its flight to endless day.

And they stand on that bright golden shore—

"This their song through endless ages
Jesus led me all the way."

And then, even as now, "Unto the King, eternal, immortal, invisible, the only wise God, be honor and glory, forever and ever. Amen."

Mr. Speaker, it is now my privilege to read the following newspaper item into the RECORD:

[From the Clarion-Ledger Jackson Daily News, May 30, 1965]

MC DEGREES GO TO 322 TODAY—BACCALAUREATE AT 11 A.M., COMMENCEMENT AT 5:30 P.M.

CLINTON.—Mississippi College will award degrees to 322 students Sunday afternoon as the college conducts its 139th commencement program.

Commencement activities got underway on Saturday with the annual senior breakfast sponsored by the alumni association. Following throughout the day were rehearsals, picture taking, reunion meetings for the classes of 1925 and 1955, and other related activities.

Today's activities will begin with a breakfast at 8:30 a.m. for the class of 1915 in the B. C. Rogers Student Center. Each returning member will be presented with a special "Golden anniversary" diplomat.

Later in the morning the graduates-to-be, their parents and friends, will attend the annual baccalaureate service in Nelson Auditorium starting at 11 a.m.

Dr. John D. W. Watts, president of the Baptist Theological Seminary in Ruschlikon, Switzerland, will deliver the sermon. Dr. Watts is a 1941 graduate of Mississippi College.

The invocation for the morning service will be given by Dr. Russell McIntire, pastor of the Clinton Baptist Church, while Rev. Alexander J. Bibighaus, pastor of the Park Avenue Alliance Church, Greenville, S.C., will pronounce the benediction. Rev. Bibighaus has a son among the graduates.

From 3 to 4:30 p.m. Dr. and Mrs. R. A. McLemore, president and first lady of the college, will hold their yearly President's Reception for members of the graduating class and their families. The reception will be in the Reserve Lounge of the student center building.

Commencement activities will climax with the conferring of degrees and the charge by the graduation speaker. The exercises will get underway at 5:30 on Robinson Field.

Dr. G. Baley Price, chairman of the department of mathematics at the University of Kansas and former president of the Mathematical Association of America, will be the graduation speaker. Dr. Price will be celebrating his 40th anniversary as a graduate of Mississippi College.

The commencement invocation will be given by Rev. Carey Cox, pastor of the First Baptist Church of Brandon. Pronouncing the benediction will be Rev. Joseph B. Flowers, pastor of the West Hampton Baptist Church, Hampton, Va. Reverend Cox has a daughter graduating, while Reverend Flowers has a son among the graduates.

Degrees and awards will be presented by Dr. McLemore, assisted by Dr. Howard F. Spell, academic dean of the college, and Dr. J. W. Lee, dean of the graduate school.

Honorary degrees will be conferred on two distinguished Mississippians: Rev. L. Gordon Sansing, secretary of evangelism for the Mississippi Baptist Convention, will receive the doctor of divinity degree, while Howard Cleland, president of Belhaven College in Jackson, will be presented the doctor of law degree.

Finally, Mr. Speaker, I would like to read into the RECORD the program for the entire affair, the 139th annual commencement, which is as follows:

139TH ANNUAL COMMENCEMENT, MISSISSIPPI COLLEGE, MAY 29–30, 1965

SCHEDULE OF EVENTS FOR COMMENCEMENT

Friday, May 28, 1965:

At 12 noon, luncheon meeting, board of directors, Alumni Association.

Saturday, May 29, 1965:

At 8:30 a.m., annual alumni breakfast honoring 1965 senior class, B. C. Rogers Student Center.

At 10 a.m., senior rehearsal for graduating exercises, Nelson Hall Auditorium.

At 12 noon, reunion luncheons for classes of 1925 and 1955, B. C. Rogers Student Center.

Reception at the home of Dr. and Mrs. William H. Sumrall honoring class of 1925.

Sunday, May 30, 1965:

At 8:30 a.m., breakfast for class of 1915, President's Dining Room, B. C. Rogers Student Center.

At 11 a.m., baccalaureate service, Nelson Hall, Dr. John D. W. Watts, Ruschlikon—Zurich, Switzerland.

At 3–4:30 p.m., president's reception honoring seniors, guests, and alumni, Reserve lounge, B. C. Rogers Student Center.

At 5:30 p.m., commencement exercises, Robinson Stadium, Dr. G. Baley Price, Lawrence, Kans.

BACCALAUREATE

(Nelson Hall, Sunday morning, May 30, 1965, 11 o'clock, President McLemore, presiding)

Prelude: "A Festal Prelude," arrangement by Walther.

Processional: "Praise to God," Bach.

Invocation, Dr. Russell M. McIntire.

Solo: "Andante from Sonata III," Bach, Dr. Charles Knox, trombonist, arrangement by Knox.

Announcements.

Hymn: "Fairest Lord Jesus," Volkslieder.

"Fairest Lord Jesus, Ruler of all nature,
O thou of God and Man the Son, Thee will I cherish.
Thee will I honor, Thou my soul's glory, joy, and crown.

Fair are the meadows, Fairer still the woodlands,
Robed in the blooming garb of spring; Jesus is fairer,
Jesus is purer, Who makes the woeful heart to sing.

Fair is the sunshine, Fairer still the moonlight,
And all the twinkling, starry host; Jesus shines brighter,
Jesus shines purer, Than all the angels heaven can boast."

Sermon: Dr. John D. W. Watts, B.A., Mississippi College, 1941; Th. M., New Orleans Baptist Theological Seminary, 1944; Th. D., Southern Baptist Theological Seminary, 1948; president, Baptist Theological Seminary, Ruschlikon—Zurich, Switzerland.

Solo: "I know That My Redeemer Liveth (Messiah)" Handel, Henrietta Lee, soprano.

Benediction, Rev. Alexander J. Bibighaus.

Prayer hymn.

Recessional: March, Grieg, Miss Mary Berner, organist.

GRADUATING EXERCISES

(Robinson Stadium, Sunday Evening, May 30, 1965, 5:30 o'clock, President McLemore, Presiding)

Processional: "Trumpet Voluntary," Purcell.

Invocation: Rev. Carey E. Cox.

Address: Dr. G. Baley Price, B.A., Mississippi College, 1925; M. A. Harvard University, 1928; Ph. D., Harvard University, 1932.

Hymn: "O For a Thousand Tongues," article by Mason.

"O for a thousand tongues to sing
My great Redeemer's praise
The glories of my God and King,
The triumphs of His grace.
My gracious Master and my God,
Assist me to proclaim.
To spread through all the earth abroad
The honors of Thy name.
Jesus! the name that charms our fears,
That bids our sorrows cease;
'Tis music in the sinner's ears,
'Tis life, and health, and peace.

He breaks the power of canceled sin,
He sets the prisoner free:
His blood can make the foulest clean:
His blood availed for me."

Conferring of degrees and delivery of diplomas.

Conferring of honorary degrees.

Presentation of awards.

Recognition of classes 1905, 1915, 1925, 1935, 1945, 1955.

Alma Mater:

"Fairest of all is our dear Mississippi,
Rising in state as the crest of a hill,
Staunch as a rock is our dear Alma Mater,
Round her so noble our hopes ever live,
When in the future our hearts may be yearning,
For the bright scenes of our dear college youth,
Back to thy portals our memories turning,
Clear beams thy beacon of virtue and truth,
M. C., we hail thee, our dear Mississippi,
Queen of our hearts no foe shall alarm,
Faithful and loyal thy children will ever
Cherish thy memory, acknowledge thy charm."

Benediction: Rev. Joseph B. Flowers.

Recessional: "Festival March," Handel, Miss Mary Berner, organist.

Allen Organ Courtesy of Townsend Piano Co., Jackson, Miss.

CANDIDATES FOR DEGREES

May 30, 1965

Adkins, Loyd Hueston, B.A., Route 2, Raleigh.

Adkins, Mary Elaine Donald (Mrs.), B.A., Route 6, Box 110, Jackson.

Anderson, Alfred Lamar, B.M.E., Route 2, Forest.

Anderson, Linda Jean, B.S. Ed., Route 1, Box 313, Jackson.

Anderson, W. L., B.S., Route 1, Raymond.

Armstrong, Nancy Doris, B.A., Route 3, Box 128, Wesson.

Askew, John Henry, B.S., 405 21st Avenue, Hattiesburg.

Atkison, Ellen Delores, B.S., Box 424, Indianola.

Autrey, Anne Robin, B.A., 883 Cooper Road, Jackson.

Baddley, William Thomas, Jr., B.A., 206 North Monroe, Clinton.

Bailey, Roddie Festus, B.S., 249 Robin Road, Grenada.

Ballew, Judith Ann, B.A., 600 East McKinsey, Moberly, Mo.

Banks, Barbara Ann Clark, B.S. Ed., 709 Whitney, Memphis.

Barnes, Richard Grant, Jr., B.A., 1787 Cheswood, Jackson.

Barry, Carolyn Ann, B.A., 114 North 17th Avenue, Laurel.

Barlow, Kenneth Harold, B.S. Ed., P.O. Box 433, McComb.

Bass, Janice Marie, B.S. Ed., 806 Beauvoir, Columbia.

Baxter, Edward Lee, B.S., Box 233, State Line.

Bennett, Benny Joe, B.S., Route 5, Box 188A, Jackson.

Bibighaus, Alexander Joseph, III, B.S., 17 Bradley Boulevard, Greenville, S.C.

Birdsong, Dixie Faye, B.A., 2412 41st Avenue, Meridian.

Bishop, Walters Flowers, B.S., 4711 Clinton Boulevard, Jackson.

Blackwell, Claiborne Richard, Jr., B.S. Ed., 2337–24 Avenue, Meridian.

Blackwell, Marjorie Palmer (Mrs.), B.A., 123 North Denver Street, Jackson.

Blick, Lynette Agnes, B.A., 3011 Woodside, Jackson.

Bobo, Linda Sue McMullan (Mrs.), B.S. Ed., 737 Lakeland Drive, Apartment D–20, Jackson.

Booth, Linwood Hall, B.A., 3552 Cromwell, Jackson.

Boswell, Aubrey Allan, B.S., 380 Woody Drive, Jackson.

Boyd, James Cleveland, B.M.E., Route 1, Bogue Chitto.

Bozeman, Norma Jean, B.S., Route 1, Hazlehurst.

Bozeman, Thomas Earl, Jr., B.S. Ed., 231 Ainsworth, Hazlehurst.

Brandt, Robert Edward, B.A., 4323 Highway 80, West, Jackson.

Breeden, Roy Levern, B.S., 3565 Bowers, Jackson.

Breeland, Sylvia Jo, B.S. Ed., Route 5, Tylertown.

Broome, Edward Lewis, B.S., 224 Mount Salus, Clinton.

Brown, Gloria Margaret Nunley (Mrs.), B.A., 466 Boling Street, Jackson.

Brown, Frances Lorraine, B.S. Ed., 4207 Larchmont Drive, Jackson.

Brown, Syble Anne, B.S., Inverness.

Buchanan James Ellis, B.A., Blue Mountain.

Burgess, Jessie Harriet, B.S. Ed., Route 6, Box 235–A, Brookhaven.

Burnham, Carolyn Sue, B.S. Ed., 1216 Lamar, Yazoo City.

Burrage, Gloria Dean, B.S. Ed., Twin Pine Drive, Louisville.

Busby, James Hamilton, B.S., 1834 Saint Charles, Jackson.

Carter, Floydette Hawkins (Mrs.) B.A., Route 5, Box 188, Jackson.

Cartwright, Marilyn Elizabeth, B.A., 2566 Pennsylvania Avenue Extended, Warren, Pa.

Chapman, Kathryn Geneva Worsham (Mrs.) B.S., 1865 West Chase Street, Pensacola, Fla.

Chittom, Jimmy Harold, B.S., Route 5, Louisville.

Chittom, John Thomas, B.S., Box 312, Inverness.

Clark, Susan, B.S., 611 South 19th Avenue, Hattiesburg.

Clift, Shelby Jean, B.S. Ed., 1619 Dodson Drive, Atlanta.

Coggin, Larry Lee, B.S., 205 Ventura, Apartment 111 North Prentiss Street, Jackson.

Cole, Thomas Lyndal, B.S. Ed., Route 2, Crossville, Ala.

Coleman, Henri Lou, B.S., Route 4, Mendenhall.

Cooke, James Jerome, B.A., Route 2, Box 122, Vicksburg.

Cooper, James Virgil, B.A., 102½ Fairmount, Clinton.

Cooper, Sudie Frances, B.S., Star Route, Morton.

Corbin, Sheila Jean, B.S. Ed., Route 1, Box 474, Vicksburg.

Cotten, Lora Odessa Thompson (Mrs.) B.S. Ed., Box 505, Clinton.

Covert, Benjamin Whitworth, Jr., B.S., Box 1701, Meridian.

Covington, Judieth Annette, B.A., 8 Hurlbert, Mobile, Ala.

Cox, Robert Harvey, B.S., 1653 Robinson Street, Jackson.

Cox, Sarah Louise, B.A., Box 13, Brandon.

Cox, Virginia Ryan (Mrs.) B.A., 2267 Alta Woods Terrace, Jackson.

Cupit, Mary Frances, B.S. Ed., Route 2, Brookhaven.

Daniel, Donnie Ladd, B.S., Post Office Box 131, Silver Creek.

Davenport, James Guython, B.A., Murfreesboro, N.C.

Davis, Lynda Katherine, B.M.E., 1004 Chicago Avenue, Pascagoula.

Denham, Hilda Elizabeth, B.A., 2207 Third Avenue, Laurel.

Dennis, Joe Rex, B.A., 691 Roosevelt, Forest.

Dillon, Mona Gayle, B.S., Box 64, Tylertown.

Dodge, Sarah Jean Bradshaw (Mrs.) B.S., Route 2, Box 298, Vicksburg.

Donahoe, Estelle Touchstone (Mrs.) B.S. Ed., Route 1, Box 69, Crystal Springs.

Douglas, Lavoid Edwin, B.S., Route 1, Box 200, High Springs, Fla.

Doyle, Gary Raymond, B.S., 3111 NW., 16th Street, Miami, Fla.

Droke, Patricia Ann, B.S. Ed., 525 Mt. Pleasant Road, Hernando.

Dudley, Alice Carol, B.S. Ed., Old Highway 51 North, Winona.

Duncan, Nancy Geraldine, B.A., 3111 Chaucer Lane, Memphis, Tenn.

Dykes, Verl Parker, B.S. Ed., 239 Moss Avenue, Jackson.

Earnhart, George Robert, B.A., 316 Calhoun Street, Jackson.

Early, Judith Goodwin (Mrs.) B.S. Ed., 3204 Lee Street, Pensacola, Fla.

Easterwood, Claude Braxter, Jr., B.S., 5013 Tulane, Jackson.

Edmondson, Judy Geren, B.S. Ed., 6220 Robin Hill Road, Nashville, Tenn.

Ellington, Barbara Ann, B.S. Ed., 920 North 69th Avenue, Pensacola, Fla.

Ellzey, Ronald Harrison, B.S. Ed., Box 466, Collins.

Evans, Marguerite Karen, B.A., Rolling Fork.

Faust, Ruby Carolyn, B.S. Ed., 315 Creston Jackson.

Fife, Katherine Sawyer (Mrs.) B.S. Ed., Hermansville.

Fillingim, Eugene George, B.S., Route 1, Box 263, Pensacola, Fla.

Finch, James Edward, B.M., 1609 West Capitol, Jackson.

Fisher, Byron Eugene, B.A.. 406 East Main, Clinton.

Flowers, David Stevens, B.A., 24 Briar Drive Hampton, Va.

Fountain, Carol Howard, B.S., 231 East First Street, Forest.

Fulton, William Edgar, III, B.S., Apartment L., Clinton Villa, Clinton.

Furr, James Carl., B.A., 234 Texas Avenue, Jackson.

Galloway, Jamie Frances, B.S. Ed., 1202 Winfield Street, Fayette, Ala.

Gardner, George Barry, B.S., 1203 Linden Place, Jackson.

Gary, Glenda Sue, B.S. Ed., Newton.

Gill, Thomas Wallace, B.A., Box 455, Lucedale.

Gordon, Emily Carol, B.A., 103 South New Prospect, Clinton.

Gordon, Saundra Elaine, B.A., 1014 Adkins Boulevard, Jackson.

Gore, Kathryn Dianne, B.M., 1600 South Joyce Street, Apt. C–212, Arlington, Va.

Green, Howard Louis, Jr. B.S., 514 Gallatin, Hazlehurst.

Gregory, Nan Hollingsworth, B.S. Ed., 455 Stillwood, Jackson.

Guy, Patsy Lynn, B.S., Ruth.

Hackler, Jerry Jack, B.S., 4128 El Paso, Jackson.

Hamil, Iris Lucille, B.S., Sebastopol.

Hand, Noah Shelton, Jr., B.A., 4041 Meadowlane, Jackson.

Harkins, Delma Fontaine, B.S., Route 3, Box 127, Kosciusko.

Hartzog, Fred, B.S., 731 Dorgan Street, Jackson.

Hastings, Elizabeth Lurabell, B.A., 171 Vassar Drive, Pensacola, Fla.

Haughton, Jerry Wayland, B.A., Route 9, Box 612, Pensacola, Fla.

Hawkins, Roy Dell, B.A., Route 1, Weir.

Henson, Joan Hannah, B.S. Ed., Itta Bena.

Henderson, Patsy Ruth, B.S., Box 82, Louin.

Herrington, Russell Arnette, B.M., 519 South Prentiss, Jackson.

Hewitt, William Clifton, B.S., 509 West Street, McComb.

Hill, Gloria Jeannette, B.S. Ed., 539 Erie Street, Wylam, Birmingham, Ala.

Hill, Rollin, B.A., Dorchester Apartments, 665 South Skinker, St. Louis, Mo.

Hinman, Elizabeth Burgin (Mrs.) B.A., 2435 Drummond Street, Vicksburg.

Holly, Geneva Brister (Mrs.) B.S. Ed., 221 Nichols, Greenwood.

Hooks, Brenda Lucile, B.A., 303 West Monroe, Greenwood.

Hosey, Hardin Irwin, B.S. Ed., Route 1, Box 908, Bentonia.

Howington, Andrew Coy, B.A., 206 North Monroe, Clinton.

Hubbard, Cecil Edward, B.A., Lyon.

Hubbard, Sandra Mabry (Mrs.) B.S., Derma, Miss.

Huff, Nancy Gayle, B.S. Ed., 321 Jonte Terrace, Pascagoula.

Hughes, Michael Lavelle, B.A., 732 West Porter Street, Jackson.

Humphries, Linda Lee, B.A., 3401 Byers Drive, Monroe, La.

Hurst, Sylvia Lenore, B.A., 261 South Denver, Jackson.

Jackson, Gayle Marie, B.A., 2047 West Long Street, Orlando, Fla.

Jackson, Johnnie Smith (Mrs.), B.S. Ed., Route 2, Brookhaven.

Jacob, Marynell, B.A., 906 South Court, Cleveland.

Jahnke, Susan Rae, B.S., 6235 Reber Place, St. Louis, Mo.

Johansen, Oscar Wilhelm, B.S., 3252 North State, Jackson.

Johnson, J. D., B.A., 206 West Madison, Clinton.

Johnson, Mathew Bowen, B.S. Ed., 1043 Wynwood, Jackson.

Johnson, Mary Jane McDonald (Mrs.) B.A., 123 South Denver Street, Jackson.

Johnston, Larry Drake, B.S., 1218 Maria Street, Memphis.

Jolley, Doris Ann, B.S., Ed., Route 3, Box 119–A, Ocean Springs.

Jones, Cynthia Camille, B.S., Inverness.

Jones, David Harold, B.S., 2419 Cherry, Vicksburg.

Jones, Gerald Milton, B.S., 238 Deville Apartments, 712 North Jefferson, Jackson.

Jones, Jean Elizabeth, B.S. Ed., Senatobia.

Jones, Mattie Pearl, B.S. Ed., Route 1, Tillatoba.

Jones, William Sims, B.S., 1520 Robinson Street, Apartment 3, Jackson.

Kabarrubias, Cornelia Paulette, B.S., Post Office Box 24, Florence.

Kayse, Margin Ray, B.A., 710 SW.—Fifth Avenue, Hallandale, Fla.

Kelly, Phillip Lamb, B.S., Route 2, Box 179, Itta Bena.

Kellum, James Lewis, B.A., Route 4, Gloster.

Kellum, Paulette Wolfe (Mrs.), B.S. Ed., Route 4, Gloster.

Kern, Helen Bickerstaff (Mrs.), B.S. Ed., Route 2, Box 4, Jackson.

Keveryn, Dennis Seay, Jr., B.S., 626 Beaverbrook Drive, Jackson.

Kinard, Virginia Neal, B.S. Ed., 377 Naples Road, Jackson.

King, Mary Ruth Wahlstedt (Mrs.), B.S. Ed., 2825 Hemingway Circle, Jackson.

Kirby, Jerry Mearl, B.A., Route 2, Box 244, Mendenhall.

Kirton, Angela Lopez (Mrs.), B.E. Ed., 3815 Hawthorn, Jackson.

Knight, Frances Kay, B.S. Ed., Route 6, Box 101, Meridian.

Kurtz, Jacqueline Mable, B.A., 1042 SW. Seventh Avenue, Delray Beach, Fla.

Laesser, Jerald Edwin, B.S., 7740 SW. 53d Avenue, Miami, Fla.

Land, Jane Carlyle, B.A., 701 Berkshire, Clinton.

Lee, James Larry, B.S., 3962 Hanging Moss, Jackson.

Lee, Thomas Drayton, B.A., Box 370, Forest.

Leung, Kit Mui, B.A., 2B Sai Yeung Choi Street, 2/F Kowloon, Hong Kong.

Littell, Max Baer, B.S., 1407 Garden Park Drive, Jackson.

Little, Stella Marie, 3745 Northview, Jackson.

Lloyd, Margaret Gwendolyn, B.S. Ed., 417 North Fourth Street, Hayti, Mo.

Luen, Lau Yiu, B.S., 7–G Victory Avenue, 3d Fl. Kowloon, Hong Kong.

Lunceford, Judith Clarilee, B.A., Box 216, Sardis.

McCleskey, Rolfe Warren, B.S., Post Office Box 552, Gulf Breeze, Fla.

McCormick, John Charles, B.S., 342 Cedarhurst, Jackson.

McPhail, Boyd Leland. B.S., 657 Ewing Street, Jackson.

Madden, James Wesley, Jr., B.S. Ed.. Box 126, Walnut Grove.

Malone, Charlotte Lane, B.S. Ed., Rt. 5, Carthage.

Martin, James Lee, B.S., 5002 Clinton Boulevard, Jackson.

Martin, Twyla Sue, B.S., Box 375, Steelville, Mo.

Mask, Jerry Dale, B.S., 3218 Susan Circle, Jackson.

Massey, Shirley Ann Sloan (Mrs.) B.S. Ed. 119 Wellington, Bessemer, Ala.

May, Gale Burke (Mrs.) B.S. Ed., 111 North Prentiss, Apartment 104, Jackson.

Mazur, Sandra Josette, B.S. Ed., 1857 Westover, Jackson.

Meadows, George Edward, B.A., Pelahatchie.

Megginson. William James, III, B.A., 858 Brandon Avenue, Jackson.

Merrill, John Wayne, B.A., 170 West Vest, Marshall, Mo.

Miller, Chester Lewis, B.S., 2421 Sarullo Circle, Greenville.

Miller, Sarah Patsy, B.A., 3119 North Harrison Street, Arlington, Va.

Mitchell, Ernest Harold, B.S., Raymond.

Mitchell, Seth Wayne, B.S. Ed., 204 North Monroe, Clinton.

Moak, Sandra Sue, B.A., 358 Woodie Drive, Jackson.

Moore, Patricia Irene, B.S. Ed., Box 334, Lambert.

Montgomery, Clarence Chester, B.M.E., Box 65, North Carrollton.

Montgomery, William Franklin, Jr., B.S., 1320 North West, Apartment 105, Jackson.

Morris, James Polk, III, B.S., 302 Avenue H, Kentwood, La.

Morris, James Riley, Jr., B.M.E., Box 291, Raymond.

Moseley, Lonnie Bondurant, B.S., Hoover Lake, Florence.

Mullins, Lillie Brenda, B.M., Box 294, Mendenhall.

Munday, Linda Sue, B.S. Ed., 1207 Farmer Street, Cleveland.

Myers, David Al, B.A., Box 92, Pinola.

Myers, Monroe Hugh, B.S., Route 2, Morton.

Nelson, Tedd Lee, B.A., 3121 Northwest 16th Street, Miami, Fla.

Nettles, Cecil Yvonne Pierce (Mrs.) B.S. Ed., Route 1, Smithdale.

Nettles, Charles Philip, B.S., Route 1, Smithville.

Newman, Janet Olivette Basford (Mrs.) B.S. Ed., 324 Windsor Drive, Jackson.

Norris, Bonnie Dean, B.S. Ed., Route 1, Box 127, Shaw.

O'Bryan, Everett Delmar, B.A., Box 213, Syracuse, Mo.

Oliver, Mary Kay, B.S. Ed., Highway 25, South, Amory.

Osborne, Ilar Willard, Jr., B.S., Tallulah, La.

Pahlman, Mary Ann, B.S., Route 1, Bay St. Louis.

Parker, James Earl, B.A., Pheba.

Parker, Thomas Moody, B.S., Hinds Junior College, Raymond.

Peacock, Janice Elizabeth, B.A., Stella Route, Box 268–C, Florala, Ala.

Pearson, Patricia Ann, B.A., Box 188, Tutwiler, Miss.

Peeples, Ethel Ann, B.A., Glendora.

Pennebaker, James Bruce, B.S., Route 1, Lucedale.

Pereira, Raymond Lawson, B.A., 101 East Main Street, Clinton.

Perkins, Mary Lynn, B.S. Ed., Prairie Point.

Perritt, Mary Louise Way (Mrs.) B.S. Ed., Box 313, Wesson.

Phillips, Cindy Ellen Segraves (Mrs.) B.S. Ed., Apartment 11, Clinton Villa, Clinton.

Pittman, Robert Edward, B.S., 607 Berkshire Street, Clinton.

Polk, Joyce Saulters (Mrs.) B.S. Ed., Box 93, Forest.

Polk, Noel Earl, B.A., 815 Williams, Picayune.

Polk, Sandra Fay, B.S. Ed., Route 3, Box 438, Columbia.

Powell, Martha Alice, B.S., 2015 Briarwood Drive, Laurel.

Powell, Thomas Allen, B.S., 912 Pine Lake Drive, Jackson.

Pugh, James Edwin, Jr., B.A. Box 822, Clinton.

Pugh, Martha Fortune, B.S., 1504 St. Charles, Jackson.

Putnam, Sandra Crowell, B.S. Ed., 276 B South Prentiss, Jackson.

Quick, Shelly Smyly (Mrs.) B.S. Ed., Box 211, Clinton.

Quisenberry, William Young, III, B.S., 309 East Main, Clinton.

Rainey, Cecil Baxter, B.S., 3434 Rainey Road, Jackson.

Rankin, John Shelton, Jr., B.A., 2672 Emerald Drive, Jackson.

Ratcliff, Frances Tabb (Mrs.) B.A., 323 Redwood Avenue, Jackson.

Ray, Bobby Rand, B.S., Ed., 115 West Lakeview, Clinton.

Ray, Mary Jane, B.S. Ed., 1455 East Meadowbrook Road, Jackson.

Ray, William Glen, B.S., Route 1, Box 13A, Terry.

Reed, Johnny Moore, B.S., 2438 Belverdere Drive, Jackson.

Reese, Frances Carolyn Norwood, B.S., 1315 North Jefferson, Apartment 214, Jackson.

Reynolds, Frances Alice, B.A., 264 Line Street, Grenada.

Roberts, Willie Ray, B.A., Route 3, Guntown.

Rodgers, Betty Gail, B.S. Ed., 444 College Street, Pontotoc.

Rodgers, Frances Gleaton (Mrs.), B.M., Box A, Delta Station, Jackson.

Rogers, Charles Keith, B.A., Silver Creek.

Rogers, Linda Joyce, B.A., Route 1, Carthage.

Rogers, Robert Hartley, B.S., 139 First Street, North, St. Petersburg, Fla.

Ross, Mary Elizabeth, B.A., 509 Merriweather, Jackson.

Russum, Ronald Kay, B.S. Ed., Route 2, Forest.

Saliba, Minnie Patricia, B.A., 1001 Williams Street, Pascagoula.

Sandifer, Theresa Gaile, B.S. Ed, 603 Avenue G, Bogalusa, La.

Sawyer, Byron Randolph, B.S. Ed., 130 Bon Air, Jackson.

Scarborough, James Jackson, B.A., 308 East Jefferson, Kosciusko.

Scales, Roy Williams, B.S., Roosevelt Street Park, Morton.

Schaffer, Frances Currey (Mrs.), B.S. Ed., 108 Second Avenue, Vicksburg.

Screws, Carolyn Ann., B.A., 240 Leonard Avenue, Chicago Heights, Ill.

Shaw, Herman Sidney, Jr., B.S., 1829 East Drive, Jackson.

Shearer, Hugh Kenneth, B.S. Ed., 5660 Heard, Jackson.

Sheppard, Ann Barker (Mrs.), B.S. Ed., Brandon.

Shirley, Fred Z., B.A., 4617 McRaven Road, Jackson.

Shivers, Billie Rae, B.S., 803 Franklin Drive, Clinton.

Simmons, Charles Thomas, B.S. Ed., 5045 Tulane Drive, Jackson.

Simmons, Jane Ellen, B.A., Box 407, Kosciusko.

Skinner, Ruth, B.A., Route 4, Box 185B, Union.

Simoneaux, Michel Saville, B.M.E., 2909 Bienville Avenue, New Orleans, La.

Simrall, Bell Newell, III, B.S., Redwood.

Smith, Doris Kay, B.S. Ed., Route 2, Box 252, Brookhaven.

Smith, Estelle, B.A., Route 3, Box 88, Brookhaven.

Smith, Jon David, B.S., 106 Donna Drive, Jackson.

Smith, Syble Katherine, B.A., 3182 Casann Cove, Memphis.

Speed, Roger Burkett, B.S., Box 274, Collins.

Spencer, Peggy Harrell (Mrs.) B.A., Terry.

Stephens, Carl Clinton, Jr., B.S., 1740 Smallwood, Jackson.

Stewart, Helen Patricia, B.S., Gillsburg Road, Osyka.

Stewart, Michael Scott, B.A., 3434 McKinley Street, Lake Charles, La.

Stovall, Clement Ewing, Jr., B.S., Post Office Box 668, Clinton.

Stowers, Lewis Hunter, III, B.A., 363 Northside Circle, Jackson.

Strum, Marvin Kent, B.A., 156 Alabama Drive, Jacksonville, Ark.

Sudbeck, Paul Thomas, B.S., Route 3, Box 451, Florence.

Sumrall, Dudley Denton, B.A., Route 6, Meridian.

Swartz, Martha Ann, B.S., 828 15th Avenue, Laurel.

Tate, Jerry Clayton, B.A., West.

Terry, Bobby Sweede, B.A., 406½ College Street, Clinton.

Thompson, Curtis Webb, Jr., B.S., 125 Texas Avenue, Parkside Apartments 104, Jackson.

Trotter, Henry Alexander, B.S. Ed., Route 2, Bolton.

Tullos, Jerry Earl, B.S. Ed., Route 2, Box 213, Jackson.

Tutor, Barbara Dean West, B.S. Ed., 915 East Lynn Circle, Greenville.

Tweedy, Nancy Jo, B.A., 5216 Meadow Oaks Park Drive, Jackson.

Van Devender, Carolyn Lee, B.S. Ed., 369 Naples Road, Jackson.

Versen, Gregory Ryan, B.A., 3101 Laughlin, Vicksburg.

Walker, Brent Durr, Jr., B.S., Route 1, New Hebron.

Walker, Frances Simpson (Mrs.), B.A., 3125 Drummond Street, Vicksburg.

Walker, Thad Oscar, B.S., Box 304, Baker, Fla.

Wallace, Ethel Mae, B.S., Pontotoc.

Walther, James Glenn, B.A., Route 1, Box 814, Cantonment, Fla.

Watkins, Belva Jane, B.A., 1103 Second North, Vicksburg.

Watson, Tenry Barnes, B.S., Box 22, Brandon.

Weaver, Dianne, B.S., Box 84, West.

Wesson, Thomas Wilson, B.S., Route 1, Tupelo.

West, Karen Jeannette, B.S. Ed., 626 North Union Place, Tulsa, Okla.

Westbrook, Kenneth Ray, B.A., P.O. Box 225, Yazoo City.

Whatley, Gwindelin Jenell Crimm (Mrs.), B.S. Ed., Route 1, Forest.

White, Jane Ellen, B.A., Box 306, Mendenhall.

Wiggers, Bert Edward, B.A., 1312 33d Street, Columbus, Ga.

Wilkinson, Linda Taylor (Mrs.) B.S. Ed., 1819 Raymond Road, Jackson.

Williams, Jacquelyn Jean, B.A., Hughesville, Mo.

Williams, Van Wagner, III, B.S., Box 269, Pontotoc.

Wolfe, Mary Frances, B.S. Ed., Route 1, Box 140, Silverhill, Ala.

Wooldridge, Judith Ann, B.S. Ed., Box 428, Hayti, Mo.

Wright, Peggy Jo, B.S. Ed., 159 Semmes Street, Canton.

Yeary, Patricia Kay Patterson (Mrs.), B.A., Box 44, Mount Hermon, La.

Yeary, Ronald Lee, B.A., 1216 Hilltop Drive, Cleburne, Tex.

Younge, Ethel Charlene, B.S., 533 Frederica, Jackson.

McNeel, Harry Brantley, Jr., B.S., 2746 Old Canton Road, Apartment A–14, Jackson.

HONORS PROGRAM GRADUATES

With high honors

Howard Green, Jr., "The Granny Knot and the Square Knot," mathematics, Prof. W. E. Strange.

David H. Jones, "A Limited Study of Plausible Reasoning," mathematics, Prof. W. E. Strange.

With honors

Henri Lou Coleman, "The 'Weakening' of Cauchy's Convergence Theorem," mathematics, Prof. W. E. Strange.

William James Megginson III, "The Political and Journalistic Significance of the Gazette of the United States—National Gazette Dispute, 1791–1793," history, Prof. Jack W. Gunn.

Richard G. Barnes, Jr., "James Baldwin: A Writer's Retreat from Art," English, Prof. Louis E. Dollarhide.

William Montgomery, "The Effect of Epinephrine and Norephinephrine on the Cardiovascular and Respiratory Systems," biology, instructor Charles E. Price.

Donnie Lad Daniel, "The Mississippi Economy and the Development Process," economics, Prof. D. Gray Miley.

Ilar W. Osborne, "The Revenue Act of 1964 and Its Effect on the Economy of the United States," economics, Prof. D. Gray Miley.

Jerald Edwin Laesser, "Residential Home Construction in the United States," economics, Prof. D. Gray Miley.

CANDIDATES FOR THE DEGREES OF MASTER OF ARTS AND MASTER OF EDUCATION

Sunday, May 30, 1965

Master of arts

Eleanor Foster Terry (Mrs. Bob), 406½ East College, Clinton.

B.A. Mississippi College, Clinton.

Graduate major: English.

Thesis: Representative children in William Faulkner's fiction.

Master of education

Helen Taylor Barlow (Mrs. J. L.), 703 West Northside Drive.

B.S. Mississippi College, Clinton.

Graduate major: Elementary education.

Helen Fisher Beall (Mrs. V. R.), Route 5, Box 222, Winnsboro, La.

B.A. Greenville College, Greenville, Ill.

Graduate major: Social studies.

Jean Flinn Carroll, 506 Taylor, Jackson.

B.S. Millsaps College, Jackson, Miss.

Graduate major: Secondary education (mathematics).

Linda Elizabeth Cooper, 4019 Pinehill Drive, Jackson.

B.A. Millsaps College, Jackson, Miss.

Graduate major: Social studies.

Carroll Talmadge Crow, 1307 South Walnut, Tallulah, La.

B.S. Arkansas A. & M. College, College Heights, Ark.

Graduate major: The school principalship.

Ford Dawson, 501 Berkshire Street, Clinton.

B.S. Boston University, Boston, Mass.

Graduate Major: The School Principalship.

Charlen Dumas Godard (Mrs. C. G.), 4627 Estelle Drive, Jackson.

B.A. Millsaps College, Jackson, Miss.

Graduate Major: Elementary Education.

Nelda Denson Hardage (Mrs. T. W.), 220 Colonel Circle, Jackson.

B.S. Mississippi College, Clinton, Miss.

Graduate Major: Secondary Education (Mathematics).

Thomas Wayne Lee, Louise.

B.S. Delta State College, Cleveland, Miss.

Graduate Major: Combined Sciences and Education.

Chiri Meesukh, 88 Siakhin Rongmuang, Bangkok, Thailand.

B.A. University of Thammasat, Bangkok, Thailand.

Graduate Major: The School Principalship.

Carolyn C. Moore (Mrs. Wayne), 223 East Lakeview Drive, Clinton.

B.M.E. Georgetown College, Georgetown, Ky.

Graduate major: elementary education.

Marjean Patterson, Box 311, Clinton.

B.A. Carson-Newman College, Jefferson City, Tenn.

Graduate major: guidance.

Bobby Jean Shoops (Mrs. R. C.), Route 2, Yazoo City.

B.S. Delta State College, Cleveland, Miss.

Graduate major: elementary education.

Mary Turk Shows (Mrs. O. H.), Box 34, Ellisville.

B.S. University of Southern Mississippi, Hattiesburg, Miss.

Graduate major: elementary education.

Margie E. Vaughan (Mrs. W. L.), Route 1, Yazoo City.

B.M. Belhaven College, Jackson, Miss.

Graduate major: elementary education.

RECIPIENTS OF HONORARY DEGREES

May 30, 1965

Doctor of laws

Mr. Howard J. Cleland, Jackson, Miss.

Doctor of divinity

Rev. L. Gordon Sansing, Jackson, Miss.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BONNER (at the request of Mr. PURCELL), for the remainder of the week, on account of illness.

Mr. ST. ONGE, for Monday, September 13, 1965, on account of official business.

Mr. FARNUM (at the request of Mr. DINGELL), for Monday, September 13, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. YOUNGER (at the request of Mr. HUTCHINSON), for 15 minutes, on September 16.

Mr. CALLAWAY, for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. WILLIAMS (at the request of Mr. SMITH of Iowa), for 30 minutes, today.

Mr. WOLFE (at the request of Mr. SMITH of Iowa), for 20 minutes, on Wednesday, September 15.

Mr. PATMAN (at the request of Mr. SMITH of Iowa), for 30 minutes, Thursday, September 16.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BENNETT.

Mr. FINO.

Mr. MAILLIARD to revise and extend remarks made during consideration of S. 1903 and to include extraneous matter.

(The following Members (at the request of Mr. HUTCHINSON) and to include extraneous matter:)

Mr. MARTIN of Alabama in four instances.

Mr. BOW.

Mr. HANSEN of Idaho.

Mr. BROCK.

Mr. CONTE.

(The following Members (at the request of SMITH of Iowa) and to include extraneous matter:)

Mr. OLSEN of Montana.

Mr. VAN DEERLIN.

Mr. BOLAND.

Mr. DINGELL.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 76. An act for the relief of Anna Maria Heiland;

S. 135. An act for the relief of Elizabeth Kam Oi Hu;

S. 136. An act for the relief of Angel Lagmay;

S. 192. An act for the relief of Maria Liberty Burnett;

S. 440. An act for the relief of Jose L. Rodriquez;

S. 454. An act for the relief of Lee Hyang Na;

S. 517. An act for the relief of John William Daugherty, Jr.;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 573. An act for the relief of Dr. Sedat M. Ayata;

S. 584. An act for the relief of Ming Chup Chau;

S. 586. An act for the relief of Maria Tsillis;

S. 614. An act for the relief of Evangelia Moshou Kantas;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 828. An act for the relief of Cha Mi Hi;

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 879. An act for the relief of Kim Sa Suk;

S. 971. An act for the relief of Mrs. Elena Guira;

S. 1084. An act for the relief of Shu Hsien Chang;

S. 1170. An act for the relief of Chung J. Clark;

S. 1186. An act for the relief of Kris Ann Larsen;

S. 1209. An act for the relief of Specialist Manual D. Racelis;

S. 1736. An act for the relief of Jennifer Ellen Johnson Mojdara; and

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters;

H.R. 727. An act to provide for the administration of the Coast Guard Band;

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona;

H.R. 1892. An act for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired;

H.R. 2305. An act for the relief of Zenaida Quijano Lazaro;

H.R. 3039 An act to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, under certain conditions, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due;

H.R. 3128. An act for the relief of Angelo Iannuzzi;

H.R. 3684. An act for the relief of Maj. Alexander F. Berol, U.S. Army, retired;

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883);

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty;

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve;

H.R. 8027. An act to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes;

H.R. 8218. An act for the relief of Walter K. Willis;

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations;

H.R. 8351. An act for the relief of Clarence L. Aiu and others;

H.R. 8469. An act to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 9854. An act for the relief of A. T. Leary;

H.R. 10586. An act making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes;

H.R. 10775. An act to authorize certain construction at military installations, and for other purposes; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens.

ADJOURNMENT

Mr. SMITH of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 11 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 15, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1576. A letter from the Assistant Executive, OASA (R. & D.), Office of the Assistant Secretary, Department of the Army, transmitting report on research and development contracts during the period January 1, 1965, through June 30, 1965, pursuant to section 4 of Public Law 557; to the Committee on Armed Services.

1577. A letter from the Assistant Secretary of Commerce, transmitting a report that it conducted no commissary activities outside the continental United States during fiscal year 1965, pursuant to the provisions of 5 U.S.C. 596a; to the Committee on Interstate and Foreign Commerce.

1578. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases, as of June 30, 1965, pursuant to Public Law 554; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee on Interior and Insular Affairs. S. 1190. An act to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska; without amendment (Rept. No. 984). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 7919. A bill to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes; with amendment (Rept. No. 985). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of Alaska: Committee of Interior and Insular Affairs. H.R. 9515. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; with amendment (Rept. No. 986). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 553. Resolution providing additional funds for further expenses of the investigation and study authorized by House Resolution 68, 89th Congress; with amendment (Rept. No. 987). Ordered to be printed.

Mr. MILLS: Committee of Conference. H.R. 4750. An act to provide an extension of the interest equalization tax, and for other purposes; (Rept. 988). Ordered to be printed.

Mr. ASHMORE: Committee of Conference. S. 618. An act for the relief of Nora Isabella Samuelli; (Rept. No. 989). Ordered to be printed.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 579. Resolution for the consideration of S. 2042, a bill to amend section 170 of the Atomic Energy Act of 1954, as amended; without amendment (Rept. No. 990). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 580. Resolution for the consideration of H.R. 10232, a bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; without amendment (Rept. No. 991). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 581. A resolution for the consideration of H.R. 6519, a bill to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes; without amendment (Rept. No. 992). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. S. 1516. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed 5 years, and for other purposes; with amendment (Rept. No. 993). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 9830. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor; with amendment (Rept. No. 994). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 3351. A bill to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes; without amendment (Rept. No. 995). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 9734. A bill to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; without amendment (Rept. No. 996). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee of Conference. H.R. 8283. An act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964; (Rept. No. 1001). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource; without amendment (Rept. No. 1002). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 7608. A bill to provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Okla.; without amendment (Rept. No. 997). Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 9351. A bill to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota; with amendment (Rept. No. 998). Referred to the Committee of the Whole House.

Mr. ULLMAN: Committee on Ways and Means. H.R. 9587. A bill to provide for the free entry of a Craig counter-current distribution apparatus for the use of Colorado State University, Fort Collins, Colo.; without amendment (Rept. 999). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Ways and Means. H.R. 9588. A bill to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.; with amendment (Rept. No. 1000). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. DWYER:

H.R. 11049. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. KLUCZYNSKI:

H.R. 11050. A bill to provide for scenic development and road beautification of the Federal-aid highway systems; to the Committee on Public Works.

By Mr. GARMATZ:

H.R. 11051. A bill to clarify and amend the act to amend the Merchant Marine Act, 1936, in order to extend the life of certain vessels under the provisions of such act from 20 to 25 years, approved June 12, 1960 (Public Law 86–518, 74 Stat. 216); to the Committee on Merchant Marine and Fisheries.

By Mr. GONZALEZ:

H.R. 11052. A bill to amend the National Housing Act to provide mortgage insurance, and authorize direct loans by the Housing and Home Finance Administrator, to help finance the cost of constructing and equipping facilities for the group practice of medicine or dentistry; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 11053. A bill to prohibit banks from engaging in the business of personal property leasing; to the Committee on Banking and Currency.

H.R. 11054. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 11055. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 11056. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket No. 237, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KING of Utah:

H.R. 11057. A bill to amend chapter 93 of title 18 of the United States Code to prohibit unauthorized disclosure of information acquired in connection with certain security clearance investigations; to the Committee on the Judiciary.

By Mr. KUNKEL:

H.R. 11058. A bill to prohibit the use of appropriated funds by officials or agencies of the Government for the purpose of influencing the vote in any referendum or election held pursuant to an act of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 11059. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 11060. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and volunteer rescue squads, and for other purposes; to the Committee on Government Operations.

By Mr. RONCALIO:

H.R. 11061. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SHRIVER:

H.R. 11062. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 11063. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 11064. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. CABELL:

H.R. 11065.A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 11066. A bill to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. McEWEN:

H.R. 11067. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 11068. A bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 11069. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide an orderly procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. BURTON of Utah:

H.J. Res. 662. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 663. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. McMILLAN:

H. Con. Res. 509. Concurrent resolution authorizing the printing of additional copies of hearings on crime in the District of Columbia and House Report No. 176, entitled "District of Columbia Crime;" to the Committee on House Administration.

By Mr. WILLIAM D. FORD:

H. Con. Res. 510. Concurrent resolution requesting the President of the United States to refer the matter of a study of a plan for providing a new supply of water for the Great Lakes to the International Joint Commission; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE:

H.R. 11070. A bill for the relief of the Troubadors Drum & Bugle Corps of Bridgeport, Conn.; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 11071. A bill for the relief of Cheng Pong Sing; to the Committee on the Judiciary.

By Mr. BURTON of Utah:

H.R. 11072. A bill to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CONTE:

H.R. 11073. A bill for the relief of Brother Albin Larwa; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 11074. A bill for the relief of Alexis E. Lachman; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 11075. A bill for the relief of Gdala Wierzbicki and Rosa Wierzbicki; to the Committee on the Judicary.

By Mr. MACKIE:

H.R. 11076. A bill for the relief of Mrs. Irma Veres and her son, Tibor; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 11077. A bill for the relief of Miss Benigna S. Perez; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11078. A bill for the relief of Benedetto Di Maggio; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

270. The SPEAKER presented a petition of Jeanne Struck of Novalo, Calif., and others, relative to seating the congressional delegation from the State of Mississippi, which was referred to the Committee on House Administration.

SENATE

TUESDAY, SEPTEMBER 14, 1965

(Legislative day of Monday, September 13, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of our fathers and our God, whose mercy is like the wideness of the sea, amid all life's changing scenes, make us ever conscious of Thy overshadowing presence. In spite of the hellish gravitation of evil, we thank Thee for the unquenchable impulse toward the high and holy Thou hast planted within us.

Open our eyes, we pray, to see and touch the hem of Thy garment not just on the outer rim of the universe where whirling orbs seem always to chorus, "forever singing as they shine, the hand that made us is divine," but also in the human love which hallows our individual lives and sanctifies our homes and shines in the kindly light which guides our steps.

Gird us, with all our shortcomings to be exemplars of a love which at its best bears witness to Thee and which alone is the balm to burn barriers away and to cure the hurt of the world.

We ask it in the name of that One through whose life there flows Thy love for all mankind. Amen.

FOOD AND AGRICULTURE ACT OF 1965

The ACTING PRESIDENT pro tempore. Following the recess, under the unanimous-consent agreement, the Chair lays before the Senate the unfinished business, which is H.R. 9811.

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield me 3 minutes on the bill?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. I ask unanimous consent that the reading of the Journal of the proceedings of Monday, September 13, 1965, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT OF OFFICE OF MINERALS EXPLORATION, GEOLOGICAL SURVEY—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the 14th semiannual report of the Office of Minerals Exploration, Geological Survey, from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories, and possessions by encouraging exploration for minerals, and for other purposes."

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 14, 1965.*

VISIT TO THE SENATE BY ASTRONAUTS COOPER AND CONRAD

Mr. MANSFIELD. Mr. President, for the information of the Senate, and on behalf of the distinguished minority leader and myself, I wish to inform the Senate that Astronauts Lt. Col. L. Gordon Cooper and Comdr. Charles Conrad, Jr., and members of their families will visit the Senate at about 4 o'clock this afternoon. It is anticipated that at that time there will be a recess of some duration.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance, the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare, and the Special Ad Hoc Subcommittee of the Committee on Public Works were authorized to meet during the session of the Senate today.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs may be permitted to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on the remainder of my time, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business to consider the nominations on the Executive Calendar to the International Atomic Energy Agency only.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

INTERNATIONAL ATOMIC ENERGY AGENCY

The Chief Clerk proceeded to read sundry nominations in the International Atomic Energy Agency.

Mr. MANSFIELD. I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request by Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be charged to the time on the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, on behalf of the joint leadership, I request that as many Senators as possible remain in the Chamber, to the end that perhaps the pending bill may be disposed of today. Much will depend upon the attendance of Senators, so I hope that the Senators will take notice accordingly.

Mr. BREWSTER obtained the floor.

Mr. PROXMIRE. Mr. President, will the Senator from Maryland yield 2 minutes?

Mr. BREWSTER. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I thank the distinguished Senator.

AMERICAN FARMER THE BIG LOSER IN PRESENT PROSPERITY

Mr. PROXMIRE. Mr. President, Sylvia Porter is a remarkably clearheaded economic commentator. She has been concerned with economic problems of our cities, of our consumers, and generally of all our people. Rarely if ever has she commented on farm economics.

Recently she analyzed the current prosperity, and in her clearheaded objective manner she found that the biggest winners were the wage earners, that American corporations had also won a huge increase in profits, and that those who own bonds and mortgages had won a sharp hike in interest. Proprietors and small businessmen had lagged behind but had still enjoyed some increase in profits. Professional people had enjoyed a steady and sharp increase.

But the big loser is the American farmer.

Let me quote Miss Porter:

> A big loser was, as you might suspect the American farmer. Total farm income was actually down 8 percent in 1964 to $12 billion. The farmer's share of the national income pie today is a scant 2.3 percent, less than one-third what it was in 1948. The total share of the national income that we receive in the form of interest is larger than the farmer's share and the decline in the farmer's position has not yet ended.

Mr. President, as we consider this farm bill and hear some say, as a Senator said on this floor just last Friday, that farmers are riding around in air-conditioned Cadillacs, let us remember the farmer is at the very bottom of the barrel. His income, as Miss Porter says, is one-third as high a proportion of total national income as it was in 1948—just think of that.

He works longer hours than almost anyone else in the economy, makes a big investment, takes a whale of a risk, and receives a pitifully inadequate income. In my State our dairy farmers earn far less than 50 cents for each hour they work, according to the Department of Agriculture, and they are the most efficient dairy producers in the world.

I ask unanimous consent that the Porter article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAGE EARNERS BIGGEST WINNERS

(By Sylvia Porter)

Which of you got how much of the spectacular $33.3 billion rise in our national income last year? To what extent are you—the individual wage earner, big businessmen, investor—spurting ahead? To what extent are you—the farmer, small businessman—lagging behind?

The biggest chunk of 1964's rise—$22.3 billion—went to U.S. workers in wages and salaries, a new compilation by the Commerce Department discloses. In terms of dollars, you, the wage earner, have been the biggest winner and you're now getting a record 64.8 percent of the national income pie.

The next biggest chunk—$6.4 billion—went to U.S. corporations in the form of profits. In terms of percentages, corporation profits rose the most last year—a full 11 percent. The overall share of the national income pie going to corporations has been declining, though, and is now at 12.5 percent.

FARMER BIG LOSER

The third biggest chunk—$1.6 billion—went in the form of interest to tens of millions of Americans who have savings accounts and who hold Government and corporation bonds. Due to the dramatic rise in the level of interest rates in the past 15 years and the upsurge in the volume of our savings, interest is accounting for an ever-rising total of our national income. The share of the income pie going to interest last year was 3 percent against 0.8 percent in 1948.

Lagging behind on the U.S. income ladder were proprietors—small businessmen and professionals. Their combined slice of the increase in our national income was only $1.3 billion and this was despite the fact that the income of professionals alone has been rising steadily and sharply.

A big loser was, as you might suspect, the American farmer. Total farm income was actually down 8 percent in 1964 to $12 billion. The farmer's share of the national income pie today is a scant 2.3 percent, less than one-third what it was in 1948. The total share of the national income that we receive in the form of interest is larger than the farmer's share and the decline in the farmer's position has not yet ended.

RENT SHARE HOLDS STEADY

The share going to rent—which includes the rental value of owned homes—is holding steady these days. After skyrocketing in the early postwar era it has stabilized at around 3.5 percent of the national income.

A most significant development in recent years is the soaring importance of fringe benefits in the national income picture. As recently as 1948, fringe benefits accounted for only 2.6 percent of the national income. Last year, the share of our income going out in the form of fringe benefits was up to 6.2 percent. With contributions to private and public pensions and welfare funds in a relentlessly steep uptrend, there is no doubt that fringe benefits will continue to account for a rising share.

The following table gives you a long-range perspective on how our income pie has been changing. The year 1929 reflects the division of a generation ago and 1948 was selected as the first normal postwar year:

[In percent]

	1929	1948	1964
Wages and salaries	58. 1	60. 4	64. 8
Fringe benefits	.8	2. 6	6. 2
Small business and professionals	10. 3	10. 1	7. 6
Farmers	7. 1	7. 8	2. 3
Landlords (rent)	6. 3	3. 6	3. 5
Corporation profits	12. 1	14. 7	12. 5
Net interest	5. 4	.8	3. 0

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. BREWSTER. Mr. President, I yield myself 15 minutes.

Yesterday I advised the Senate that I would call up amendment No. 441, and it was laid before the Senate. I should like to speak for the next 15 minutes in support of that amendment. I advise the Senate that at the conclusion of my remarks, I shall ask for the yeas and nays on this proposal.

I rise to offer an amendment that would effectively prevent any producer from receiving more than $10,000 annually from our overburdened American taxpayers. My amendment would prohibit the Department of Agriculture from making excessive price support payments and crop loans to any agricultural producer.

I offer this amendment because I firmly believe our agricultural support programs are out of hand. As they are now operated, they are not helping the small family farmer, they are not helping the consumer, and they are not helping the taxpayer. The plain fact is that our present agricultural commodity stabilization program is, in effect, benefiting large farmers at the taxpayer's expense, while the small family farmer is being tossed the remaining crumbs.

I call to the attention of Senators the fact that on the recent wheat referendum in my State of Maryland, the wheat producers, by a margin of 2 or 3 to 1, voted against the 4 wheat program. Our wheat producers are all small farmers.

Let us, for a moment, consider the shocking increased costs of our ineffective price support programs.

The annual cost of stabilization programs has increased 900 percent since 1955. It has been my privilege to serve in Congress since 1958. I have heard program after program brought into these halls by dedicated and sincere Members who assert that their programs would cut the cost of the main program. It has not happened. In 1955, the program I am speaking about cost $260 million. It has now hit an all-time record of $2.6 billion.

I ask: Where will this outrageous burden to the taxpayer end, if we do not place some limits on it now?

My amendment seeks to put the brakes on extravagant Federal spending programs.

While I fully recognize the difficulty of totally eliminating our gigantic price support and crop loan programs overnight, I believe that it is imperative that these ineffective and wasteful programs be reduced to reasonable proportions without delay. The time to start is now.

I am reminded of the brilliant words of a great American now gone:

> To start a thousand-mile journey you must take the first step.

This is what I propose.

It is difficult for me to comprehend why the Department or Agriculture keeps coming back to Congress year after year to renew an agricultural program which is a holdover from the depression years of the 1930's.

The problems which existed then and those which exist today are entirely different. It is sheer folly for the "doctors" to continue to give the same medicine. What we need today is an agricultural program suited to the needs of the growing and dynamic economy of modern America.

Our farm subsidy programs only postpone the day on which we shall have to confront our Nation's agricultural problems fairly and squarely.

In the meantime, why should so many farmers have to suffer as the result of unimaginative farm programs?

Why should the taxpayers continue to be saddled with this multibillion-dollar burden? Why should the consumers be forced to pay, in part, artificially high prices?

I have been to the Department of Agriculture to find out who is being paid how much. I was shocked at the lack of available information on the subject. I was unable to find the names of the producers collecting over $10,000 in annual benefits from Uncle Sam.

I obtained this information from the Government accounting agencies. With some difficulty, I then obtained some statistics regarding the number and size of price support loans made by the Commodity Credit Corporation of the Department of Agriculture.

Mr. President, before I discuss these figures, let me remind the Senate that the figures will be only a portion of the billions of dollars we are spending on agriculture today.

I ask unanimous consent to have printed in the RECORD a table designated "A," obtained from the General Accounting Office on the operations of the Commodity Credit Corporation.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE A.—*Price-support loans made on 1964 crops, dollar size distribution (grains excluding corn)*

	Number of loans	Quantity pledged	Amount loaned
BARLEY		*Bushels*	
Under $500	1,753	1,870,951	$1,439,733.14
$500 to $999.99	1,809	1,722,501	1,315,397.56
$1,000 to $1,499.99	1,077	1,722,504	1,321,565.21
$1,500 to $1,999.99	622	1,399,332	1,073,195.05
$2,000 to $2,499.99	382	1,113,196	852,654.74
$2,500 to $2,999.99	258	923,642	708,459.53
$3,000 to $3,999.99	266	1,177,558	919,102.06
$4,000 to $4,999.99	115	658,187	513,300.08
$5,000 to $9,999.99	196	1,639,312	1,283,249.80
$10,000 to $24,999.99	37	631,799	504,065.99
$25,000 to $49,999.99	6	200,589	183,048.81
$50,000 and over	7	1,857,742	1,753,175.76
Total	6,528	14,917,313	11,866,947.73
BEANS, DRY EDIBLE		*Hundred-weight*	
Under $500	154	32,625	239,563.71
$500 to $999.99	238	25,231	182,214.04
$1,000 to $1, 499. 99	235	42,436	291,428.22
$1,500 to $1,999.99	253	63,034	444,134.50
$2,000 to $2,499.99	196	64,273	440,734.54
$2,500 to $2,999.99	177	68,667	479,618.79
$3,000 to $3,999.99	275	137,991	951,737.11
$4,000 to $4,999.99	224	143,394	998.003.83
$5,000 to $9,999.99	345	340,184	2,382,485.25
$10,000 to $24,999.99	93	176,773	1,227,497.88
$25,000 to $49,999.99	3	12,792	92,021.30
$50,000 and over	2	22,317	166,861.96
Total	2,195	1,129,717	7,896,301.13
FLAXSEED		*Bushels*	
Under $500	5,694	1,430,075	4,056,407.04
$500 to $999.99	3,735	965,296	2,733,876.13
$1,000 to $1,499.99	2,229	965,220	2,734.163.25
$1,500 to $1,999.99	1,236	750,483	2,122,804.74
$2,000 to $2,499.99	692	542,696	1,534,519.20
$2,500 to $2,999.99	443	424,343	1,200,501.81
$3,000 to $3,999.99	402	487,976	1,379,216.72
$4,000 to $4,999.99	185	289,838	817.418.47
$5,000 to $9,999.99	160	367,387	1,034,482.74
$10,000 to $24,999.99	19	82,894	236,461.38
$25,000 and over			
Total	14,795	6,306.208	17,849.851.48
GRAIN SORGHUM		*Hundred-weight*	
Under $500	3,293	2,199,066	4,038,494.02
$500 to $999.99	3,039	1,248,501	2,268,006.59
$1,000 to $1,499.99	2,488	1,689,707	3,089,853.80
$1,500 to $1,999.99	1,849	1,754,307	3,226,763.71
$2,000 to $2,499.99	1,415	1,713,206	3,174,184.36
$2,500 to $2,999.99	1,181	1,742,300	3,233.306.87
$3,000 to $3,999.99	1,664	3,069.211	5,749,609.06
$4,000 to $4,999.99	1,247	2,968,690	5,572,478.44
$5,000 to $9,999.99	2,749	10,167,469	19,148,923.81
$10,000 to $24,999.99	1,734	13,622,103	25.784,429.87
$25,000 to $49,999.99	283	4,727,058	9,104,973.70
$50,000 and over	42	1,413,765	2,772,576.06
Total	20,984	46,315,383	87,163,600.29
OATS		*Bushels*	
Under $500	5,664	7,380,289	$4,253,461.54
$500 to $999.99	4,303	5,400,224	3,081,002.07
$1,000 to $1,499.99	2,426	5,190,111	2,952,750.94
$1,500 to $1,999.99	1,375	4,133,175	2,362,620.09
$2,000 to $2,499.99	772	2,980,303	1,708,850.55
$2,500 to $2,999.99	478	2,263,348	1,294,383.09
$3,000 to $3,999.99	546	3,247,262	1,874,101.28
$4,000 to $4,999.99	257	1,968,840	1,140,473.29
$5,000 to $9,999.99	389	4,297,809	2,555,578.38
$10,000 to $24,999.99	100	2,278,122	1,383,156.42
$25,000 to $49,999.99	10	539,163	358,480.80
$50,000 and over	1	953,125	691,015.62
Total	16,321	40,631,771	23,655,874.07
RICE		*Hundred-weight*	
Under $500	5	5,977	30.287.29
$500 to $999.99	3	531	2,290.50
$1,000 to $1,499.99	7	1,858	8,465.34
$1,500 to $1,999.99	11	4,336	19,683.89
$2,000 to $2,499.99	10	4,932	22,472.11
$2,500 to $2,999.99	11	6,565	30,495.04
$3,000 to $3,999.99	20	15,428	71,068.56
$4,000 to $4,999.99	30	28,437	136,456.43
$5,000 to $9,999.99	139	217.518	1,056,364.02
$10,000 to $24,999.99	361	1,223,811	6,022,484.28
$25,000 to $49,999.99	241	1,687,572	8,364,854.76
$50,000 and over	108	4,432,061	22,531,968.91
Total	946	7,629,026	38,296,891.13
RYE		*Bushels*	
Under $500	1,563	1,054,417	1,045,094.39
$500 to $999.99	1,130	848,110	833,813.67
$1,000 to $1,499.99	541	674,066	660,004.58
$1,500 to $1,999.99	308	553,035	538,682.67
$2,000 to $2,499.99	197	439.710	436,535.82
$2,500 to $2,999.99	118	319,597	320,888.79
$3,000 to $3,999.99	109	380,404	379,627.11
$4,000 to $4,999.99	61	263,295	265,070.99
$5,000 to $9,999.99	77	491.530	510,120.28
$10,000 to 24,999.99	18	232,644	250,041.77
$25,000 and over			
Total	4,122	5,256,808	5,239,880.07
SOYBEANS			
Under $500	1,186	671,214	1,471,601.05
$500 to $999.99	2,247	804,254	1,762,109.09
$1,000 to $1,499.99	2,732	1,553,394	3,416,661.52
$1,500 to $1,999.99	2,638	2,105,845	4,637,588.47
$2,000 to $2,499.99	2,212	2,245,972	4,960,998.58
$2,500 to $2,999.99	1,412	1,752,075	3,865,472.11
$3,000 to $3,999.99	1,865	2,924,786	6,468,528.99
$4,000 to $4,999.99	1,123	2,256,903	4,997,315.91
$5,000 to $9,999.99	1,470	4,375,542	9,725,026.70
$10,000 to $24,999.99	322	2,064,429	4,620,918.96
$25,000 to $49,999.99	26	374,063	841,217.59
$50,000 and over	27	7,446,089	17,125,956.63
Total	17,260	28,574,566	63,893,395.60

TABLE A.—*Price-support loans made on 1964 crops, dollar size distribution (grains excluding corn)*—Continued

	Number of loans	Quantity pledged	Amount loaned
WHEAT			
Under $500	14, 540	11, 359, 765	$14, 868, 780. 81
$500 to $999.99	13, 968	7, 963, 859	10, 429, 679. 12
$1,000 to $1,499.99	13, 276	12, 490, 904	16, 441, 073. 13
$1,500 to $1,999.99	9, 371	12, 403, 414	16, 266, 693. 24
$2,000 to $2,499.99	7, 241	12, 480, 390	16, 256, 678. 92
$2,500 to $2,999.99	5, 837	12, 218, 530	15, 950, 054. 46
$3,000 to $3,999.99	7, 404	19, 716, 057	25, 576, 145. 63
$4,000 to $4,999.99	4, 676	16, 219, 478	20, 892, 305. 28
WHEAT—continued			
$5,000 to $9,999.99	8, 598	45, 854, 142	$58, 375, 083. 76
$10,000 to $24,999.99	3, 076	35, 068, 758	43, 953, 736. 19
$25,00 to $49,999.99	350	9, 233, 159	11, 565, 608. 81
$50,000 and over	45	2, 571, 697	3, 253, 788. 88
Total	88, 382	197, 580, 153	253, 829, 628. 23

Mr. BREWSTER. Mr. President, the table shows that seven barley producers received over $50,000 each. Those seven producers received in price support loans more than the 1,753 small farmers, who received less than $500 each. Only 50 out of a total of more than 6,500 barley producers received price support loans exceeding $10,000.

With respect to grain sorghum, $25.7 million was loaned in amounts ranging from $10,000 to $25,000 each. This represents the largest sum loaned to any category of grain sorghum producers.

It came as a considerable shock to me to learn that one-ninth of the loans made to rice producers—this is the total number of loans—accounted for nearly two-thirds of the total of $38 million loaned in 1964.

Soybeans are another crop which requires close scrutiny. In 1964, 375 price support loans were made to the tune of $10,000 or more. These large loans amounted to an additional $22.5 million. One lone producer, the Arkansas Grain Corp.—a business company, and not a small farmer—was loaned for soybeans, last year, $16,300,000 under the price support program.

I have a second table which lists who got how much, from what, from Uncle Sam, and from the taxpayer.

Briefly, I should like to introduce the table as follows:

The attached lists include not only those producers who received individual loans of $25,000 or more on one commodity, but it is possible that other producers received $25,000 or more from CCC loans by obtaining several loans on the same or different commodities, each for less than $25,000 a year.

It is also possible that the producers named on the attached lists obtained additional amounts on the loans for less than $25,000. The CCC carries out its loan operations on a decentralized basis at many locations throughout the country, and maintains all records on a commodity basis. Therefore, preparation of lists showing the total amounts received from CCC loans by producers who obtain more than one loan would not be administratively feasible.

I take exception to that statement from the Department of Agriculture, but I hold in my hand table B, the lists on the various programs showing the loans, all in excess of $25,000 on many different commodities, and I ask unanimous consent to have the table printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*

(NOTE.—The lists below include only those producers who received individual loans of $25,000 or more on one commodity. It is possible that other producers received $25,000 or more from CCC loans by obtaining several loans on the same or different commodities, each for less than $25,000. It is also possible that the producers named on the attached lists obtained additional amounts on other loans, each for less than $25,000. CCC carries out its loan operations on a decentralized basis at many locations throughout the country and maintains all records on a commodity basis; therefore, preparation of lists showing the total amount received from CCC loans by a producer who obtained more than one loan would not be administratively feasible.)

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
BARLEY			
Arizona:	*Bushels*		
Youngker Farms Co., Buckeye	218, 205	$200, 748. 60	$200, 748. 60
Gila River Ranches, Inc., Gila Bend	71, 530	65, 807. 60	65, 807. 60
Enterprise Ranch, Inc., and Arizona Land & Cattle Co., Buckeye	30, 057	27, 652. 44	27, 652. 44
California:			
Westlake Farms, Stratford	971, 333	937, 336. 20	937, 336. 20
Five Points Ranch, Inc., Five Points	296, 374	284, 519. 04	284, 519. 04
E. L. Wallace, Woodland	58, 258	56, 801. 62	56, 801. 62
J. H. Austin, Fresno	26, 257	25, 731. 86	25, 731. 86
Idaho:			
Robert W. Hubbard, Soda Springs	59, 750	50, 280. 41	50, 280. 41
W. S. Shufeldt & Sons, Soda Springs	56, 741	47, 946. 31	47, 946. 31
Gaylen Christensen, Tremonton, Utah	36, 180	30, 753. 00	9, 238. 39
Minnesota: Keith Driscoll and Raymond Driscoll, East Grand Forks	31, 590	25, 272. 00	16, 128. 00
Oregon: Tulana Farms, Klamath Falls	182, 292	157, 682. 29	157, 682. 29
Washington: S. T. S. Farms, Inc., Prescott	19, 764	25, 693. 20	25, 693. 20
BEANS, DRY EDIBLE	(*Hundredweight*)		
California: Gnesa Bros., Patterson	6, 324	52, 671. 94	52, 671. 94
Idaho: William Hepworth and Jack Duncan, Rupert	5, 300	38, 531. 00	7, 270. 00
Michigan:			
Michigan Cooperative Bean Marketing Association, Lansing	15, 993	114, 190. 02	34, 272. 00
Mable Graham, Breckenridge	3, 985	28, 451. 11	----------
Frank Kulhanek, St. Charles	3, 507	25, 039. 19	----------
GRAIN SORGHUM			
Arizona:			
Jack Robison & Sons, Willcox	49, 903	98, 308. 91	----------
Kinard & Greer, Willcox	33, 702	78, 820. 18	----------
Floyd H. Robbs, Willcox	25, 561	62, 075. 56	1, 634. 41
Gilmore & Riggs, Willcox	12, 436	30, 468. 43	1, 057. 07
Kansas			
Glen C. Gaskill, Moscow	16, 718	29, 256. 01	----------
J. David Sullivan, Ulysses	15, 886	26, 052. 87	2 6, 052. 87
J. R. Kapp, Moscow	14, 473	25, 327. 22	----------
GRAIN SORGHUM—continued	*Hundredweight*		
Nebraska			
F. Lucile Hammond and Tad D. Hammond, Nebraska City	31, 683	$58, 296. 72	----------
Guy J. Barr, York	22, 176	39, 473. 28	----------
A. L. Rosener & Sons, Daykin	20, 868	37, 979. 76	----------
Dale Lovegrove, Geneva	20, 966	37, 948. 46	----------
Wayne Lyon, Merna	22, 261	37, 621. 09	----------
Kreutz Bros., Inc., Giltner	18, 850	33, 176. 00	----------
Frank Higgins, Schuyler	18, 954	32, 411. 56	----------
Sheridan Bros., Sutton	17, 735	31, 745. 65	----------
Robert D. Lovegrove, Fairmont	17, 136	31, 022. 16	$6.00
Forrest Binder, Table Rock	16, 330	30, 047. 20	----------
Lamonte Sahling, Kenesaw	17, 136	29, 816. 64	29, 816. 64
John E. Halloran, Hastings	16, 378	29, 152. 84	----------
John Kroger, Jr., Rosalie	15, 271	27, 335. 09	----------
Shurigar Bros., Inc., and Shurigar Farms, Inc., Kenesaw	14, 816	26, 372. 48	----------
Marion Johnson, Loomis	16, 127	26, 341. 36	26, 341. 36
Fred Schwindt, Jr., Clay Center	14, 144	25, 317. 76	----------
New Mexico:			
Delbert Holloway, Clovis	25, 892	49, 052. 07	----------
Jewel Castor, Clovis	22, 152	42, 753. 17	----------
Texas:			
Tyline N. Perry, Kress	67, 422	135, 814. 15	----------
Charles Heck, Jr., Nazareth	53, 730	107, 104. 75	----------
J. Meredith Tatton, Refugio	46, 111	96, 832. 90	----------
Lloyd M. Bentsen, Mission	41, 625	90, 040. 91	----------
J. C. Mills, Abernathy	37, 568	82, 929. 81	----------
Taft McGee, Hereford	44, 853	78, 044. 31	----------
Carl Easterwood, Dimmitt	43, 663	75, 973. 44	75, 973. 44
T. A. and K. G. McKamey, Taft	35, 456	75, 813. 17	----------
Warner Reid, Tulia	41, 375	72, 669. 11	----------
Miller Farms Co., Tulia	38, 858	67, 612. 55	----------
John A. Raymond Smith, Hereford	30, 770	65, 034. 05	----------
Martin & Marion, Hereford	33, 120	63, 965. 65	----------
G. L. Willis, Dimmitt	31, 378	63, 294. 95	----------
Simmonds & Perry, Robstown	29, 493	62, 230. 86	----------
W. J. Giles, Dimmitt	29, 956	60, 991. 90	----------
Don Williams, Farwell	34, 853	60, 644. 92	----------
Stiles Farm Foundation, Thrall	26, 602	60, 531. 34	----------

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
GRAIN SORGHUM—continued			
Texas—Continued	*Hundred-weight*		
Miller Farms, Fort Worth	29, 589	$60, 480. 56	------------
Corliss H. Currie, Happy	28, 262	58, 552. 82	------------
S. A. McCathern, Hereford	33, 504	58, 297. 13	$28, 910. 10
Nelson D. Durst, Eleanor Chance Couch, and Patience Chance Thomason, trustees under the wills of George G. Chance, deceased, and Georgia Chance, deceased, Bryan	28, 839	58, 254. 78	------------
O. A. and C. E. Webb, and Charles Saigling, Abernathy	33, 451	58, 205. 43	------------
J. L. Massey, Robstown	27, 556	58, 142. 67	------------
Gerald McCathern, Hereford	32, 340	58, 094. 90	------------
Autry & Baldridge, partnership, Dimmitt	28, 690	55, 945. 89	------------
Ware Farms Co., Dimmitt	30, 435	55, 375. 37	------------
John H. Goodwin, Sunray	31, 740	55, 227. 25	------------
J. C. Mills, Abernathy	25, 056	54. 883. 26	------------
Elmo Stevens, O'Brien	31, 394	54, 625. 71	------------
John Trimmier, Jr., Hale Center	31, 249	54, 373. 97	------------
J. D. Kirkpatrick, Bovina	30, 580	54, 232. 34	------------
L. G. Mahagan, Kress	28, 920	52, 620. 89	------------
David Nelson, Hart	30, 075	52, 330. 50	------------
Mrs. Anna Blake Head, Ind. executrix, estate of Rand Morgan, deceased, Clarkwood	23, 731	51, 733. 19	------------
Hosea Foster, Canyon	26, 128	51, 730. 76	------------
Aubrey Harper, Robstown	24, 380	51, 440. 93	------------
George E. Bennett, Hart	24, 396	50, 662. 54	------------
Tom Miller, Dimmitt	25, 767	50, 335. 03	------------
Floyd Webb and Smith Webb Burruss, Mathis	22, 254	49, 848. 82	------------
Frank Wise, Dimmitt	22, 717	49, 522. 86	------------
Jack Miller, Dimmitt	25, 739	49, 402. 44	------------
Amko Farming, Inc., Corpus Christi	22, 458	48, 958. 75	------------
C. B. Brittain, Sinton	23, 027	48, 586. 33	------------
Aubrey Harper, Jr., Robstown	22, 808	48, 125. 24	------------
Mrs. Ollie Knight Jackson, Corpus Christie			
Monroe Bros., Sunray	27, 633	48, 081. 54	------------
Tommy Stanton, Dimmitt	22, 296	48, 013. 36	------------
L. T. Wood, South Plains	26, 121	47, 721. 82	------------
R. J. Cluck, Dimmitt	24, 308	47, 457. 23	------------
Raymond Blodgett, White Deer	23, 449	47, 133. 19	------------
F. J. Mears, Jr., Dimmitt	22, 302	47, 012. 02	------------
Roy Montague, Silverton	26, 646	46, 364. 03	------------
Harvey Brock, Hereford	25, 239	45, 934. 17	------------
Marble Bros. and Paul Kropp, South Plains	23, 109	45, 647. 74	------------
Brorman Bros., Hereford	21, 115	45, 400. 78	------------
Wade E. Clark, Kress	23, 454	45, 265. 63	------------
W. W. Walton, Corpus Christi	20, 430	44, 458. 29	------------
L. D. Griffin, Silverton	23, 966	44, 216. 53	------------
Allan Webb, Dimmitt	22, 532	43, 487. 14	------------
C. H. Mayo, Taft	20, 461	43, 173. 35	------------
J. M. Dellinger, Jr., Alice	20, 373	42, 927. 01	------------
Bennett Bros., Pearsall	19, 756	42, 865. 52	------------
B. L. Moore, Dimmitt	20, 067	42, 668. 28	------------
W. H. Gentry, Hereford	24, 135	41, 995. 25	------------
Una C. Dowd, Chapman Ranch	19, 244	41, 951. 98	------------
J. H. Burkett, Sunray	23, 998	41, 756. 45	------------
Travis Dyer, Bovina	22, 151	41, 564. 82	------------
Glenn Merritt, Hart	19, 172	41, 356. 11	------------
Don Dimball, Wildorado	21, 227	40, 967. 41	------------
Fred Dunn, Dimmitt	20, 259	40, 914. 17	------------
John Cole, Waka	23, 420	40, 750. 80	------------
Dan Heard, Dimmitt	18, 718	40, 640. 21	------------
Palo Alto Farms, Bishop	18, 956	40, 636. 93	------------
Tide Products, Inc., Edinburg	18, 511	39, 880. 29	------------
Merrill Dryden, Sunray	18, 818	39, 767. 89	------------
Dulaney Bros., Dimmitt	20, 109	39, 763. 79	------------
J. H. Kirby & Sons, Hale Center	20, 383	39, 338. 82	------------
H. N. Keisling, Sunray	22, 393	38, 964. 64	------------
Roy M. Lamb, Amarillo	21, 443	39, 919. 27	------------
Harlan L. Barber, Hereford	19, 745	38, 503. 04	------------
Ralph W. Shelton, Friona	22, 118	38, 485. 32	------------
Epperson & Downing, Inc., Hereford	19, 726	38, 465. 67	------------
Lloyd Glenn, Tulia	21, 585	38, 007. 55	------------
Ocker Bros., Corpus Christi	17, 388	37, 905. 84	------------
John Renner, Friona	21, 705	37, 766. 70	------------
Joseph F. Green Heirs, Taft	17, 882	37, 730. 98	------------
Lester Cole, Friona	21, 660	37, 689. 10	------------
Berta Cunningham Estate, Chapman Ranch	17, 268	37, 644. 58	------------
Meyer Bros., Wildorado	19, 463	37, 563. 58	------------
James Fangman, Hereford	17, 695	37, 474. 07	------------
V. H. Kellison, Lockney	18, 523	37, 230. 44	------------
Ivan Block, Hereford	18, 648	37, 109. 52	------------
J. C. Mills, Abernathy	16, 976	37, 007. 03	------------
Calvin Petty, Dimmitt	16, 958	36, 968. 43	------------
Donald J. Meyer, Hereford	21, 199	36, 886. 73	------------
Bill Bourlon, Farwell	19, 178	36, 576. 34	------------
Houston Lust, Dimmitt	16, 744	36, 501. 93	------------
Roy Strasburger, Temple	16, 119	36, 490. 57	------------
Clinton Glenn, Canyon	20, 882	36, 454. 49	------------
Jackson & Hoepfner & Driscoll Foundation, Corpus Christi	16, 764	36, 416. 36	------------
Wilbur Wilson, Plainview	17, 383	36, 330. 47	------------
Tom Priestly, Corpus Christi	17, 085	36, 049. 63	------------
Charles and Mabel Elliff, Agua Dulce			
Higgins & London, Hereford	20, 712	36, 039. 23	------------
Jack R. C. Vincent, Amarillo	19, 000	35, 881. 24	------------
Adkins & Son, Amarillo	18, 660	35, 828. 04	------------
Jim Sam Howze, Robstown	17, 024	35, 792. 99	------------
GRAIN SORGHUM—continued			
Texas—Continued	*Hundred-weight*		
H. L. Wilson, Refugio	17, 171	$35, 724. 07	$30, 360. 68
E. D. Chitwood, Jr., Muleshoe	17, 968	35, 641. 10	13, 958. 77
Marble Bros., South Plains	17, 985	35, 583. 99	------------
Gordon Taylor, Sunray	16, 906	35, 512. 08	------------
Lyons Bros., Hereford	18, 348	35, 499. 83	------------
Charles Norfleet, Hale Center	18, 231	35, 186. 60	------------
T. L. Abernathy, Jr., Tulia	16, 808	35, 004. 56	------------
Don Motheral, Kress	20, 117	35, 004. 45	------------
Clayton Bros., Springlake	20, 115	35, 000. 10	------------
John Range, Farwell	17, 991	34, 903. 31	------------
T. C. Garner, White Deer	17, 000	34, 849. 99	------------
Bob Anthony, Dimmitt	15, 818	34, 483. 46	------------
R. D. and Billy McClellan, Sunray	19, 791	34, 436. 69	34, 436. 69
Robert E. Hooper, Plainview	17, 739	34, 414. 82	------------
Oscar Mayfield & Sons, Taft	16, 291	34, 373. 50	------------
Harvey and W. A. Spurlock, Sunray	19, 717	34, 308. 34	------------
Chester Clark, Hereford	19, 627	34, 151. 75	------------
Jack Smith, Lazbuddie	16, 924	34, 101. 83	------------
H. H. Parker, Hart	17, 984	34, 050. 00	------------
D. C. Dilley, Borger	19, 517	33, 960. 42	------------
Calvan Robertson, Plainview	18, 051	33, 950. 63	------------
Akin & Tunnel, Plainview	19, 489	33, 910. 16	------------
Morgan Sturgess, Tulia	19, 459	33, 858. 20	------------
Mildred Lowman, Bishop	16, 019	33, 799. 20	------------
G. A. Parr, Alice			
Wallace Corse, Sunray	19, 299	33, 580. 66	------------
W. G. Sanderson, Dimmitt	15, 388	33, 544. 93	------------
Billy John Thorn, Friona	19, 250	33, 495. 00	------------
Bill Brown, Lazbuddie	19, 250	33, 495. 00	------------
Gordon H. Branham, Plainview	19, 211	33, 426. 33	------------
Dalton Caffey, Friona	19, 000	33, 060. 00	------------
C. B. Womble and R. R. Strain, Hereford	18, 977	33, 020. 71	9, 952. 80
Rayphard Smithson, Dimmitt	15, 135	32, 993. 64	------------
L. D. Ballard and Howard Hurt, Plainview	17, 814	32, 870. 62	------------
Buford Carter, Vega	15, 000	32, 549. 69	------------
Garner Bros., Bovina	18, 661	32, 469. 44	------------
J. T. Holcomb and W. E. Uselton, Springlake	14, 870	32, 417. 48	------------
James Cannon, Lockney	18, 563	32, 300. 31	------------
S. A. Fangman, Hereford	18, 535	32, 250. 81	------------
Jack Middleton, Tulia	16, 868	32, 196. 97	------------
Jack Robertson, Plainview	18, 471	32, 140. 33	------------
R. R. Rule, Friona	16, 649	32, 046. 54	------------
Roy Browder, Sunray	18, 404	32, 022. 41	------------
L. M. Britten, Groom	15, 239	32, 020. 67	------------
O. D. Jackson, Vega	14, 738	31, 891. 73	------------
C. Ralph Blodgett, Spearman	15, 247	31, 866. 02	------------
W. M. Sherley, Lazbuddie	18, 295	31, 833. 30	------------
A. L. Hartzog, Farwell	18, 124	31, 536. 11	------------
Wallace Cannon, Plainview	14, 652	31, 500. 94	------------
Leroy Robison, Sunray	18, 006	31, 330. 44	------------
W. E. Burnett and Neal Burnett, Plainview	17, 980	31, 285. 72	------------
Dennis L. Allison, Happy	14, 281	31, 275. 39	------------
Andrew Price, Kress	17, 010	31, 060. 60	------------
H. C. Davis, Hart	15, 339	30, 991. 80	------------
Taylor and Fortenberry, Lockney	17, 787	30, 950. 06	------------
H. W. Sisemore and J. W. Treadwell, Hale Center	15, 366	30, 885. 27	------------
Jimmy Cluck, Hart	17, 649	30, 709. 78	------------
Silvas Bros. and Alex Boyd, Port Lavaca	14, 011	30, 603. 10	------------
Robert Huseman, Nazareth	14, 988	30, 557. 88	------------
Edwin Adams, Plainview	15, 796	30, 443. 46	------------
J. E. McCathern, Jr., Hereford	16, 795	30, 406. 07	------------
Joe P. Hart, Hart	15, 702	30, 305. 62	------------
Jim Bob Curry, Hale Center	16, 363	30, 224. 64	12, 768. 00
Herbert Friemel & Sons, Hereford	13, 955	30, 003. 26	------------
Luther Browder, Sunray	17, 240	29, 997. 72	------------
Jack George, Hart	17, 226	29, 973. 46	------------
O. V. Wilson, Kress	17, 208	29, 941. 75	------------
B. R. Bennett, Hart	14, 158	29, 872. 87	------------
J. M. Kendrick, Nazareth	15, 383	29, 843. 20	------------
Dryden Farms, Robstown	14, 526	29, 788. 90	------------
Wright Bros., Robstown	14, 114	29, 781. 18	5, 727. 18
Don Sudderth, Bovina	17, 057	29, 678. 48	------------
M. N. Smith, Tulia	15, 287	29, 657. 56	------------
Richard Lupton, Nazareth	15, 543	29, 615. 04	------------
Gilbert Wenner, Friona	16, 943	29, 480. 48	------------
Alton Morris, Muleshoe	13, 992	29, 459. 24	------------
Victor Harman, Happy	16, 930	29, 457. 67	29, 457. 67
W. C. McDaniel, Sinton	13, 932	29, 396. 67	------------
Brooks & Brooks, Hart	15, 125	29, 342. 49	------------
R. W. Barton, Kress	16, 862	29, 340. 23	------------
Melvin Jennings and O. Sheppard Thomas, Tulia	14, 787	29, 339. 38	------------
Phillip Haberer, Earth	13, 910	29, 329. 12	------------
L. A. Lance & Sons, Bovina	16, 705	29, 066. 70	------------
T. G. and R. L. Jackson, Austwell	13, 814	29, 008. 99	------------
Fred Bruegel, Jr., Dimmitt	16, 669	29, 003. 37	------------
J. S. Hays, Tulia	14, 128	28, 902. 65	------------
R. W. Shelton, Friona	16, 596	28, 877. 57	------------
Walter E. Stone, Robstown	13, 622	28, 741. 66	------------
Ray Groce, Petersburg	13, 179	28, 729. 36	------------
Robert W. Kinkaid, Plainview	14, 844	28, 648. 15	------------
Lee Renner, Friona	16, 413	28, 557. 92	------------
Max Rarick, Bushland	14, 799	28, 413. 90	------------
Dick Geries, Farwell	15, 693	28, 389. 30	------------
Mike Allen, Friona	14, 059	28, 328. 06	------------
Daniel P. Moore, Portland	13, 417	28, 309. 12	------------
Horne Bros., Plainview	16, 255	28, 283. 79	------------

TABLE B.—*1964 crop price-support loans made of $25,00 0 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
GRAIN SORGHUM—continued	*Hundred-weight*		
Texas—Continued			
S. R. Hutto, Hart	13, 078	$28, 232. 44	------------
G. O. King, Plainview	13, 960	28, 129. 90	------------
Walter Mattiza, Robstown	13, 525	28, 128. 78	------------
J. F. Whitsett, Tulia	14, 249	28, 096. 19	------------
P. P. Stubblefield, Kress	14, 408	28, 095. 43	------------
Dehnisch Bros., Mathis	13, 304	28, 072. 33	------------
Earl Hillman, Kress	15, 346	28, 036. 13	------------
A. T. Frye and Steve Barousett, Dawn	16, 072	27, 964. 55	------------
Walterschied Bros., Hereford	16, 070	27, 962. 03	------------
Ernest Sluder, Bushland	14, 525	27, 887. 54	------------
M. A. Snyder, Jr., Farwell	14, 429	27, 848. 75	------------
Milburn Haydon, Hart	16, 000	27, 840. 00	------------
Alban Farms, Hereford	15, 984	27, 812. 51	------------
C. C. Ellis, Hereford	15, 984	27, 811. 81	------------
Iris Touchstone, Dimmitt	13, 938	27, 693. 47	------------
Odell Jennings, Tulia	14, 137	27, 666. 64	------------
A. E. Lewellen, Plainview	15, 895	27, 657. 53	------------
Vernon Garrison, Silverton	14, 199	27, 609. 18	------------
R. K. Brooks, Tulia	15, 836	27, 554. 22	------------
Paul Kropp and Mae Bryant, Lockney	14, 169	27, 538. 25	------------
J. W. Setliff, Robstown	13, 037	27, 508. 54	------------
J. M. Wright, Dimmitt	15, 806	27, 502. 44	$19, 517. 58
J. F. Clark, Nazareth	14, 156	27, 406. 48	------------
Melvin Barton, Hereford	14, 362	27, 363. 50	------------
C. R. Kay, Plainview	14, 103	27, 336. 35	------------
Howard Sharp, Tulia	12, 682	27, 266. 75	------------
Deta Blodgett, Spearman	13, 011	27, 193. 20	------------
C. N. Cooke, Corpus Christi	12, 473	27, 190. 61	------------
W. H. Long, Friona	15, 625	27, 186. 92	------------
J. M. Young, Dimmitt	12, 877	27, 183. 76	------------
Jack W. White, Summerfield	14, 120	27, 110. 39	------------
Bob Kay, Dimmitt	12, 428	27, 093. 92	------------
James D. Doan, Tulia	13, 016	27, 085. 58	------------
Walter Taack, Lockney	14, 318	27, 014. 02	------------
Harold Ray Caraway, Tulia	13, 472	26, 977. 40	------------
J. W. Taylor Estate, Lockney	15, 466	26, 909. 97	------------
A. L. Hollingsworth, Hereford	15, 464	26, 906. 66	------------
O. W. Machen, Banguete	12, 740	26, 882, 25	------------
Ray Copeland & Son, Olton	13, 903	26, 832. 42	------------
Dennis Kotara, Panhandle	13, 237	26, 831. 87	------------
Mrs. Mary A. Sanders, Corpus Christi Mrs. Gertrude Luby, Corpus Christi	12, 307	26, 829. 39	------------
John A. Williams, Canyon	13, 538	26, 827. 07	------------
Charles H. Friemel, Canyon	14, 914	26, 790. 93	------------
George Heard, Hereford	12, 286	26, 783. 49	------------
A. J. Givens, Plainview	13, 507	26, 743. 07	------------
Carl Pate, Kress	15, 361	26, 728. 49	------------
T. G. McKinney, Dimmitt	12, 235	26, 671. 23	------------
E. M. Gossett, Jr., Dumas	15, 859	26, 600. 84	26, 600. 84
Everett Wiseman, Vega	15, 991	26, 545. 06	26, 545. 06
Roman Friemel, Hereford	12, 219	26, 515. 23	------------
W. D. Howard, Jr., Farwell	15, 210	26, 465. 40	------------
Lorenza Lee, Hart	13, 785	26, 426. 46	------------
Fred Mercer, Silverton	15, 180	26, 413. 90	------------
Virgil Marsh, Hereford	15, 172	26, 399. 72	------------
Jimmy McLaughlin and Pete McLaughlin, Plainview	12, 102	26, 382. 35	------------
Robert E. and Eugene O. Heath, Hale Center	13, 107	26, 345. 46	------------
Doyle Davis, Hart	13, 612	26, 310. 97	------------
Alice B. Simmonds estate and L. S. T. Farms, Robstown	12, 442	26, 251. 96	------------
Mercer T. Ivey, Taft	12, 437	26, 241. 03	------------
J. E. Howard, Plainview	15, 077	26, 233. 63	------------
Harvey Milner, Tulia	15, 075	26, 229. 74	18, 381. 14
John C. Carter, Plainview	13, 485	26, 161. 28	------------
H. D. Moore and Vinita McClain, Wildorado	15, 027	26, 147. 61	------------
Forrest Vise, Happy	12, 788	26, 086. 21	------------
Lewis Sharp, Tulia	14, 550	26, 064. 18	------------
Roma Boggs, Kress	13, 553	26, 022. 35	------------
Felix Mote, Tulia	12, 984	26, 007. 05	------------
Kenneth Heard, Littlefield	11, 922	25, 990. 18	------------
Donal Akin, Floydada	12, 638	25, 974. 64	------------
A. C. Glenn, Kress	13, 441	25, 940. 95	------------
Young Bros. and R. E. Young, Floydada	13, 290	25, 914. 73	------------
Melvin May, Hereford	14, 859	25, 854. 97	25, 854. 97
George Heck, Tulia	13, 175	25, 847. 07	------------
Bob Hammonds, Farwell	14, 847	25, 833. 43	------------
Clyde Bradford, Happy	12, 177	25, 808. 63	------------
Nelson Burton, Sunray	14, 820	25, 786. 88	------------
Claude Higley, Stinnett	12, 211	25, 764. 64	------------
Edgar Rathkamp, Tivoli	12, 268	25, 762. 80	------------
C. F. Harris, Plainview	13, 378	25, 724. 87	------------
Sam Rundell, Farwell	13, 595	25, 722. 76	------------
Floyd Tomlinson, Canyon	14, 769	25, 697. 36	------------
Ralph Britten, Groom	12, 596	25, 646. 36	7, 113. 27
Jerry Young, Plainview	12, 921	25, 615. 68	------------
Jack Jackson, Abernathy	12, 148	25, 534. 18	------------
Everett Heller, Kress	11, 634	25, 496. 45	------------
Roy Roberts, Olton	12, 869	25, 477. 59	------------
Leo Szydloski, Happy	11, 628	25, 466. 20	------------
Paul Schniederjan, Bushland	13, 217	25, 376. 56	------------
A. T. Kleman, Dimmitt	12, 538	25, 367. 27	------------
Mrs. Jessie Herring, Johnson Estate, Vernon	14, 554	25, 324. 48	------------
John A. Abbott, Harlingen	12, 919	25, 321. 44	25, 321. 44
Ted Richardson, Hereford	14, 552	25, 319. 78	------------
Homer Bartram & O. C. Harris, Lockney	11, 313	25, 228. 88	------------
E. L. Howard, Friona	13, 100	25, 209. 65	------------
Bobby McCormick & Paul Cooper, Lockney	13, 103	25, 158. 33	------------
Wayne Foster, Farwell	12, 479	25, 144. 56	------------
Carl Bruegel, Dimmitt	14, 477	$25, 138. 48	------------
Melvin Brock, Lockney	12, 807	25, 102. 29	------------
F. L. Eicke, Hereford	11, 532	25, 025. 30	------------
Paul Toliver, Plainview	11, 963	25, 001. 84	------------
OATS	*Bushels*		
Georgia: C. T. Kersey, Sr., Elko	45, 900	34, 884. 00	$34, 884. 00
Idaho: Robert Myers, Bonners Ferry	62, 100	39, 744. 00	------------
Mississippi: Loyce Makamson, Sidon	69, 636	47, 842. 76	27, 655. 38
North Dakota: Ballantyne Bros., West Hope	57, 150	29, 718. 00	------------
Oregon:			
Tulana Farms, Klamath Falls	953, 125	691, 015. 62	555, 078. 13
Murel A. Long, Merrill	61, 875	43. 312. 50	393. 75
South Carolina:			
Kirkland & Best, Ulmers	51, 030	37. 432. 80	18, 262. 80
W. R. Mayes, Mayesville	44, 959	34, 168. 84	34, 168. 84
J. C. Oswald, Allendale	39, 478	29, 791. 95	29, 791. 95
South Dakota:			
Elkhorn, Martin	57, 600	33. 408. 00	------------
J. E. Cheek Estate, Pierre	49, 435	28, 177. 95	28, 177. 95
RICE			
Arkansas:			
Arkansas Rice Growers Cooperative Association, Stuttgart	1, 975, 974	10, 192, 868. 95	10, 192, 868. 95
Producers Rice Mill, Inc., Stuttgart	729, 000	3, 717, 900. 00	3, 717, 900. 00
McAlister Seed Service Co., Walnut Ridge	29, 676	146, 163. 14	146, 163. 14
Alice Sidney Farms, Lake Village	26, 142	135, 440. 55	135, 440. 55
W. B. Bynum, Dermott	26, 928	129, 505. 56	129, 505. 56
Lee Wilson & Co., Wilson	23, 007	110, 560. 13	110, 560. 13
Charles J. Peacock, Jr., McCrory	16, 793	89, 832. 61	83, 810. 99
James E. McDaniel, Jonesboro W. C. Bradley, Walnut Ridge	17, 817	86, 621. 09	86, 621. 09
Kehi Plantation, Marion	16, 042	81, 631. 71	------------
F. K. Bradshaw & Son, Hamburg	14, 700	77, 929. 98	77, 929. 98
W. A. Baker, George Birmingham, and Aubrey E. Birmingham, Grady	12, 422	68, 227. 86	------------
W. H. Hanna, Montrose	12, 895	67, 377. 46	67, 377. 46
Charles H. Smith and Charles Bullock, Boydell	12, 958	66, 557. 45	66, 557. 45
James E. McDaniel, Jonesboro	11, 432	61, 564. 45	60, 759. 45
Tucker Blankenship, Corning	12, 592	60, 854. 50	60, 854. 50
R. D. Williams, Jr., Diaz	12, 633	57, 879. 95	57, 879. 95
David N. and James D. Ford, Sherrill	10, 570	57, 872. 64	57, 872. 64
Taggart & Taggart, Inc., Augusta	10, 470	56, 474. 64	56, 474. 64
Hildebrand Farms, Inc., Stuttgart Raymond Hildebrand, Moscow	11, 051	55, 288. 12	55, 288. 12
Doyle & Wilmans, Diaz	12, 186	53, 876. 35	53, 876. 35
Elmer Ferguson, DeWitt	10, 526	53, 487. 70	53, 487. 70
Leon J. Garot, DeWitt	10, 671	52, 604. 25	52, 604. 25
Robert P. Lewis and Carl Price, England	10, 225	50, 305. 77	------------
C. E. Newman, Fair Oaks	9, 921	48, 323. 36	32, 743. 55
Powell Bros., Eudora	9, 178	48, 161. 44	48, 161. 44
Pinchback Planting Co., Grady	8, 856	44, 645. 40	44, 645. 40
Lester Fetzer, Hickory Ridge	8, 297	43, 295. 45	43, 295. 45
R. C. Gilbrech, Holly Grove	8, 740	43, 021. 50	43, 021. 50
Lawrence Digman and Hines Digman, Walnut Ridge	7, 652	42, 561. 74	42, 561. 74
Lovett Farms, Grady	8, 185	42, 065. 99	28, 589. 75
J. T. Carothers, Lake Village	7, 868	41, 543. 04	41, 543. 04
John Schenk, Monticello	8, 260	41, 064. 77	41, 064. 77
E. R. Coleman, Dowdy	8, 145	40, 684. 95	40, 684. 95
J. P. Duncan, Dermott W. R. Smith, Lake Village E. F. Smith & Sons, Readland	7, 983	40, 665. 35	7, 938. 00
Ralph Wimpy, Harrisburg	8, 295	40, 277. 51	40, 277. 51
Truman Loftis, Bob Carllee, and Louis Carllee, England	8, 819	40, 213. 63	------------
Nehon Hagler, Cherry Valley	7, 841	40, 000. 07	40, 000. 07
A. L. Marsh, Ruth Marsh, and Kathleen M. Barber, McCrory	8, 403	38, 396. 97	38, 396. 97
Tommy Hillman, Stuttgart Southern Rice Farms, Carlisle	7, 160	38, 023. 30	38, 023. 30
Ralph R. Watkins, Stuttgart Geeridge Farm, Inc., Stuttgart Big Ditch Irrigation Co., Stuttgart	6, 729	37, 844. 04	37, 844. 04
Robert Johnson, Cash	6, 859	37, 667. 20	35, 810. 10
H. B. Chambliss, Pine Bluff	6, 894	37, 046. 70	------------
Chester Rutledge, Leon Rutledge, and C. S. Castleberry, Newport	7, 737	36, 209. 16	36, 209. 16
Clinton and Harold Anderson, Sherrill	6, 716	35, 766. 27	------------
B. O. Geunther, Sherrill	6, 716	35, 766. 22	------------
McAlister Seed Service Co. and Clifford Micklish, Cash	6, 281	34, 929. 29	34, 929. 29
Raymond Barrett, Jonesboro	6, 802	32, 873. 18	32, 873. 18
Guy M. Beene, Wynne	6, 718	32, 649. 48	32, 649. 48
Ray Weaver, Cash	5, 750	32, 568. 10	32, 568. 10
Noble Lake Planting Co., M. D. Morgan, and M. N. Rush, Pine Bluff	6, 446	32, 399. 49	3, 916. 60
Erskine Harriman and Harry Lauhon, Hamburg	5, 994	31, 807. 89	31, 807. 89
Sam Abowitz & Son, Arkansas City	6, 723	31, 655, 61	31, 655. 61
David Knoll, Stuttgart Ray and Don Daugherty, Stuttgart	6, 075	30, 946. 05	30, 946. 05
R. G. Holden Land Co. and John L. Conner, Newport	6, 388	30, 941. 50	30, 941. 50
R. A. Greer, Weldon	7, 038	30, 753. 00	30, 753. 00
Otmar Hageman and Joe Freeman, Gould	5, 629	30, 446. 43	30, 446. 43
Mary O. McGregor, Sherrill Paul Young, Sherrill	5, 521	30, 035. 87	------------
Leland Jones, Alicia	5, 265	29, 694. 60	29, 694. 60

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
RICE—continued			
Arkansas—Continued	*Bushels*		
Eldon Simmons, Harvey Simmons, and Rudy Jones, Minturn	6,073	$29,447.99	$29,447.99
Paul Gaines, I. N. Arnof, and G. L. Morris, McCrory	6,276	28,430.28	28,430.28
H. S. Bramlett, McCrory	6,109	27,694.39	14,102.07
Burns Bros., Palestine	4,770	27,027.90	27,027.90
R. B. Oliver, Stuttgart	5,221	26,874.81	26,874.81
Albert Bullard, Minturn Earl Simms, Hoxie	5,702	26,713.84	26,713.84
Keiser Supply Co., Keiser	5,527	26,495.77	26,495.77
David Knoll, Stuttgart	5,062	26,477.87	26,477.87
Ralph and Anna Wood, Cherry Valley	4,860	25,952.40	25,952.40
Lamar and Willie L. Miles, Monticello	4,859	25,825.53	25,825.53
Robert Johnson and Joy Ledbetter, Jonesboro	4,657	25,816.02	25,816.02
J. C. Emenhiser, Eudora	5,670	25,636.50	25,636.50
E. W. Hahn, Hazen Raymond Hahn, Stuttgart	4,737	25,554.01	25,554.01
Ethan Dodd, Minturn	5,262	25,546.54	25,546.54
California:			
Thomas Mezger, Woodland	9,983	43,925.20	43,925.20
Louisiana:			
Mayo Romero, New Iberia	25,380	114,509.70	114,509.70
Zaunbrecher Bros., Jones	16,799	80,654.19	45,933.54
W. P. Tomlinson, Lake Providence	15,307	76,433.63	76,433.63
Rheinoldt J. Leonards, Lake Charles Open Al Ranch, Inc., Lake Charles	14,027	64,799.55	64,799.55
Brady Oswalt, Lake Providence	12,028	62,034.56	62,034.56
James B. Lingo, Oak Grove	10,934	56,934.30	56,934.30
Larry Guidry, Oberlin	11,916	52,978.21	52,978.21
Byron L. Rye, Pioneer	10,170	50,737.14	50,737.14
Arthur Loewer, Branch	8,298	38,813.33	38,813.33
Orin Andrepont, Kinder	7,971	36,532.49	36,532.49
Ashton S. Petitjean, Rayne	7,944	35,459.38	35,459.38
Eve Fontenot, Oberlin	7,364	33,442.87	33,442.87
Weston Monceaux, Oberlin	6,412	31,781.17	31,781.17
Clarence LaPoint, Reeves	6,531	29,648.32	29,648.32
Louis Fuselier, Mittie	5,393	26,826.62	26,826.62
Earl K. Oswalt, Lake Providence	4,859	26,813.58	-----------
Elmo J. Bollick, Jones	5,832	26,156.52	26,156.52
John R. Denison, Iowa	4,952	25,150.93	25,150.93
Sagrera Bros., Bonita	8,100	34,720.65	34,720.65
Mississippi:			
Albert Prevot, Dwight McCollum, Frank Orlicek, and Thounissen, Hollandale	32,649	172,872.07	39,332.82
Nott Wheeler, Cleveland	25,054	130,965.82	130,965.82
J. A. Howarth, Jr., Cleveland	24,473	130,349.73	130,349.73
Allen Gray Estate, Benoit	24,600	122,516.13	122,516.13
Laudig & Cole Farms, Boyle	23,057	122,298.32	122,298.32
Dominic P. Rizzo, Cleveland	22,030	112,191.51	112,191.51
J. and V. Aguzzi, Cleveland	19,504	108,575.57	108,575.57
Greer Bros. & Son, Hollandale	21,056	103,205.64	103,205.64
Mills Bros., Benoit	18,855	102,856.62	17,471.05
J. C. O'Neal, Jr., Cleveland	18,726	96,112.86	96,112.86
W. P. Skelton, Rosedale	15,636	83,012.98	-----------
Richard Bros., Doddsville	16,121	76,467.32	76,467.32
Edward A. Lyons, Cleveland	15,530	73,920.94	73,920.94
Maryland Planting Co., Clarksdale	12,423	67,005.50	67,005.50
Hall & Hawkins, Merigold	12,311	65,444.87	17,151.95
W. J. Chudy, Cleveland	11,576	64,308.04	-----------
Barbour & Parker, Cleveland	12,376	63,290.09	63,290.09
Wilton Richard, Greenville	12,812	60,492.08	60,429.08
Dan Seligman, Shaw	11,235	60,130.52	21,196.02
Raymond Murrell, Avon	10,910	59,284.88	59,284.88
Kenneth Frey, Hollandale	10,044	54,257.16	54,257.16
A. R. Mann, Jr., Skene	9,247	48,824.16	48,824.16
David E. Greer, Hollandale	9,362	47,818.16	47,818.16
Harden Farms, Cleveland	9,169	47,788.46	1,719.62
Cone & Richard, Greenville	10,419	47,456.28	47,456.28
Patterson Bros., Merigold	8,465	46,652.47	-----------
Isabell S. Welshan & W. A. Welshan, Jr., Rosedale	9,241	46,339.29	46,339.29
Heinsz & Heinsz, Shelby	8,495	45,582.30	45,582.30
McGarrh & McGarrh, Merigold	8,481	45,461.91	-----------
Ewing & Son, Inc., Robinsonville	8,856	43,690.59	42,903.09
Verl Fullen, Shaw	7,754	42,702.66	9,934.80
Eifling Farms, Hollandale	7,983	42,179.64	42,179.64
George F. Stock, Hollandale	7,766	41,553.18	2,395.50
L. E. Grant, Isola	8,434	41,486.09	41,486.09
J. L. Wilson, Jr., Rosedale	8,617	39,772.43	39,772.43
L. F. Foreman, Clarksdale	7,293	39,127.69	12,698.98
Robert E. Smith, Cleveland	7,135	38,660.18	38,660.18
Glenn E. McCoy, Clarksdale	7,329	38,417.17	-----------
Joseph H. Theunissen, Hollandale	7,458	38,177.10	38,177.10
H. D. and T. A. Tharp, Isola	7,123	37,503.75	-----------
E. D. Strain, Jr., Morgan City	6,989	36,802.72	36,802.72
Homewood Farms, Inc., Greenville	7,269	36,566.46	33,078.96
W. B. Tackett, Belzoni	7,119	35,858.70	35,858.70
Gerald and Henry Frey, Hollandale	6,582	35,819.48	35,819.48
A. and N. Fioranelli, Cleveland	6,753	35,538.97	-----------
F. P. Unkel, Shaw	6,822	34,502.04	1,940.33
Charles Berry, Memphis, Tenn	6,057	33,439.95	-----------
Harris & Wilson, Inc., Hollandale	5,953	32,830.16	32,830.16
L. A. Peeples, Merigold	6,526	32,644.33	-----------
S. R. Phebus, Banks	6,480	31,112.10	31,112.10
Eckward N. McKnight, Cleveland	6,099	30,638.18	-----------
Wade McCollum, Hollandale	5,606	27,908.50	27,908.50
F. H. Nance, Cleveland	4,932	26,879.40	26,879.40
H. B. Mullins, Merigold	5,273	26,692.26	-----------
Joe B. Dakin, Skene	4,924	26,638.84	22,814.92
L. B. Wilkinson & Purvis Richardson, Shaw	5,182	26,635.48	26,635.48
Sunrise Dairy, Cleveland	4,891	26,365.59	12,365.53
Josephine Plantation & Charles Lawrence, Merigold	4,990	25,919.40	25,919.40
RICE—continued			
Mississippi—Contiuued	*Bushels*		
J. C. Willis, Jr., Hollandale	4,762	$25,655.25	-----------
M. D. Dossett, Beulah	4,957	25,558.14	$25,558.14
M. B. Litton, Shaw	4,786	25,411.61	-----------
Turner Arant, Blaine	4,653	25,172.73	-----------
L. B. Pate & Sons, Cleveland	4,693	25,093.69	-----------
Texas:			
Anderson Farming Co., Lissie	45,419	217,422.39	171,935.02
Chocolate Bayou Rice & Canal Co., Alvin	36,261	162,066.47	162,066.47
J. A. Jenkins, B. M. Jenkins, and W. E. Jenkins, Jr., Hankamer	29,932	146,707.21	146,707.21
E. J. Stoesser, Dayton	25,837	135,318.09	135,318.09
Texas West Indies Co. Farm, El Campo	23,825	126,776.96	126,776.96
J. O. and G. F. Dennison, Liberty	24,105	118,435.45	118,435.45
T. F. Jenkins, Glen M. Kolemay, and Jeffrey Jenkins, Winnie	24,268	117,526.71	117,526.71
Pfeffer & Son Farms, Houston	22,876	115,106.88	74,701.45
A. J. and J. R. Carter, Victoria	23,781	114,153.04	114,153.04
J. H. Clipson, Sr., Eagle Lake	19,663	107,755.82	107,755.82
Harry Hafesnick and T. J. Babb, Edna	21,808	107,317.20	107,317.20
Henderson Farms, El Campo	20,825	103,911.28	103,911.28
R. M. Middleton Estate and Ed, Roy, George, Shirley, and L. E. Turner & Son, Anahuac	18,583	95,573.58	95,573.58
Floyd & Kenneth Henderson, El Campo	19,785	93,608.27	93,608.27
Martin Bros. & Son, Houston	19,591	92,253.42	92,253.42
Jess Mathews and Katherine Vance, Beaumont	18,694	90,315.03	90,315.03
Eddie Blackman, Sr., and Hornbeck Bros., DeKalb	18,023	85,871.06	85,871.06
Henry Huff, Edna	19,170	84,903.48	84,903.48
Francis Koop, Edna	16,719	82,209.12	59,301.63
J. R. Reed, El Campo	16,979	80,982.04	56,619.23
J. R. Thomas, Eagle Lake	15,365	80,765.10	80,765.10
Marvin Wiede and John Koop, Edna	16,689	80,751.53	41,526.53
E. P. Duke, Elmo Duke, Jr., and Anthony Duke, Rosharon	15,870	80,554.08	80,554.08
N. & M. Farms, Linke Nolte, and Rupert Myzell, Anahuac	14,578	78,461.48	78,461.48
R. L. Clipson, Eagle Lake	14,714	76,802.20	-----------
Joe R. Anderson and T. L. Davidson, East Bernard	14,005	74,226.50	74,226.50
W. C. McBride and J. C. Emenhiser, Stowell	12,968	73,095.80	73,095.80
Harold Koop, Edna	15,394	72,837.90	72,837.90
Cinco Ranch, Clodine	14,915	70,798.35	57,409.05
Blue Creek Rice Farms & Kountz & Couch, El Campo	13,394	68,576.00	68,576.00
Blue Creek Rice Farms, by Frank L. Ramsey, agent, El Campo	14,105	66,915.21	66,915.21
Euel Dugat & E. J. Dugat, Winnie	13,058	64,888.70	64,888.70
E. P. Duke & Sons, Rosharson	12,575	63,057.58	63,057.58
Curtis A. Seaberg & Seaberg Farms, Inc., Dayton	12,095	62,117.14	62,117.14
Henderson Farms, El Campo	13,173	61,849.40	61,849.40
Floyd & Kenneth Henderson & Clyde DeFoor, El Campo	13,003	61,447.79	61,447.79
Roger C. Brown, Dayton	12,633	60,817.17	60,817.17
Walter A. Virnau & Sons, Sealy	11,808	60,122.40	60,122.40
T. E. Reidland & Son, Crosby	12,575	60,106.63	60,106.63
A. G. & M. T. Simons, Jr., Edna	12,167	59,972.14	47,991.26
Robert Rasmussen & D. W. Beck, Louise	12,442	59,536.86	59,536.86
Harry and Everett Anderson, East Bernard	11,569	58,847.28	23,519.82
Ed H. Helwig, Fulshear Cinco Ranch, Clodine	12,090	58,206.39	45,509.78
John Clipson, Eagle Lake	11,993	57,732.22	57,732.22
Marsalia Bros., Eagle Lake P. D. Gertson, Sr., Lissie	10,755	57,580.05	17,723.85
John Pearson and T. J. Babb, Edna	11,897	56,990.15	56.990.15
J. H. Taylor, Hamshire	11,750	56,323.26	56,323.26
Frank R. Duke, Liberty	13,181	55,051.68	55,051.68
Joe R. Anderson, East Bernard	10,598	54,960.11	10,937.08
Ike, Morriss and Woodrow Prejean, Winnie	11,201	54,893.67	54,893.67
Jack Stoesser, Dayton	11.781	54,623.76	54,623.76
L. D. Ware, Fulshear	11,585	53,589.73	46,061.38
B. D. Fussell, Eagle Lake	9,774	52,779.60	-----------
Blue Ribbon Mills, Inc., Houston	10,682	52,550.02	52,550.02
Johnson & Johnson, West Columbia	11,237	51,813.78	51,813.78
Marsalia Bros., C. C. Brasher & T. L. Davidson, Eagle Lake	10,370	51,331.50	51,331.50
L. G. Raun & Sandy Creek Ranch, El Campo	10,578	50,034.65	50,034.65
Mitchell Bros., Beaumont	10,645	49,433.25	49,433.25
Jarrell E. Brown, Edna	9,757	48,942.88	48,942.88
K. Saibara & Son, Webster	10,260	48,619.63	48,619.63
Jack C. McBride, J. F. Guidry & W. S. Edwards, Winnie	9,868	48,435.66	48,435.66
Billy Halfen, Collegeport	9,495	47,911.32	47,911.32
Lowell G. Raun & Stockton Estate, El Campo	9,153	47,318.68	47,318.68
H. E. Moor & J. T. White Estate, Anahuac	10,295	46,863.70	46,863.70
Adolph S. Hankamer, Hankamer	9,774	46,812.50	46,812.50
Jack B. Willis, Eagle Lake	9,040	46,498.29	46,498.29
Paul McGown, Winnie	9,470	46,071.14	46,071.14
Clark Farms, S. J. Clark, Sr., and Gerald M. Clark, Edna	9,249	45,818.94	45,818.94
George Way and J. T. White Estate, Stowell	9,053	45,749.48	45,749.48
Frank A. Higgins, Eagle Lake	9,285	45,699.45	17,665.45

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
RICE—continued	*Bushels*		
Texas—Continued			
Maurice Willis and T. L. Davidson, Eagle Lake	9,320	$45,667.56	$45,667.56
Ferdinand J. Leonards and John Oscar Devillier, Winnie	9,099	45,657.41	45,657.41
R. M. Middleton Estate and I. Jett Hankamer, Hankamer	8,635	45,579.56	45,579.56
E. B. Kirkham and H. B. Haynes, Anahuac	8,770	45,166.64	45,166.64
Emmett Herbert, Stowell	9,371	45,014.49	45,014.49
Noel Clark, Edna	10,934	44,799.35	44,799.35
J. B. Wyatt, Clodis H. Cox, and Seaberg Farms, Inc., Dayton	10,129	44,457.90	40,809.75
Joe F. Terry, Victoria	9,182	43,971.67	43,971.67
Wilfred LeBlanc, Doris LeBlanc, and S. D. Fontenot, Winnie	9,730	43,365.33	43,365.33
N. S. Bean, Raymond	9,225	42,385.95	42,385.95
Naomi L. Kole, Winnie	8,118	42,166.32	42,166.32
J. S. and W. W. Winzer, Winnie	8,392	42,156.63	42,156.63
Donald Henderson, El Campo	8,579	42,139.84	42,139.84
Alfred J. Ash, Dayton	9,094	41,857.30	41,857.30
Howard Watson, Angleton	7,690	41,310.46	41,310.46
C. A. Kiker, Beaumont	7,573	41,059.56	27,404.04
C. W. Sisk; George, William D., and H. E. Dishman, Beaumont	8,159	40,401.44	40,401.44
Seaberg Farms, Inc., Dayton	8,129	40,252.34	40,252.34
A. W. Peveto, Flurry Joe Peveto, and Lutcher & Moore Lumber Co., Orange	8,492	40,122.02	40,122.02
Carlton W. Trant and W. H. Keenan, Liberty	8,490	39,994.56	39,994.56
William H. Whetstein Farms, Alvin	8,383	39,477.30	39,477.30
Daniel J. Hankamer and R. M. Middleton Estate, Wallisville	7,574	38,930.36	38,930.36
Louie L. W. Lunday, Alvin	7,554	38,831.78	38,831.78
Arthur Lemke, Jack Daigle, Loranzo Daigle, and W. E. Bogan, China	6,866	38,728.35	38,728.35
Bobby Shellhammer and M. L. Shellhammer, Hamshire	7,807	38,685.26	28,685.26
Albert, Jewell, and Albert Dutcher, Jr., Wells Farm, and Frank C. Gordon, Lissie	8,022	38,522.59	38,522.59
Mrs. P. H. Sherer and Phil Baker, Anahuac	8,051	38,504.00	38,504.00
E. A. Turner and W. M. McBride and Son, Winnie	7,808	38,486.43	38,486.43
Ivan Hebert and E. L. Chaney, Beaumont	7,485	38,398.05	38,398.05
James Weaver, Hankamer	7,811	38,125.00	38,125.00
C. W. Smith, Louise Sample Germer and W. F. Germer, Ganado	7,947	37,800.35	37,800.35
Lester J. Cranek, Garwood	7,826	37,773.25	37,773.25
F. W. Fontenot, Broussard and Hebert, Anahuac	7,626	37,469.94	37,469.94
J. W. and John Isaacs, Alvin	8,308	37,381.67	37,381.67
J. H. Sandlin, Anahuac	6,994	37,340.55	37,340.55
Schiurring Bros., Garwood	7,793	37,331.65	37,331.65
W. W. McBride, Winnie	7,131	37,133.10	37,133.10
L. L. Fontenot, Winnie	7,413	37,079.20	37,079.20
Jack C. and Eloise McBride, Winnie	7,043	36,812.75	36,812.75
E. J. and Euell Dugat and E. C. Devillier, Winnie	7,352	36,647.02	36,647.02
Bert Harbour and Mrs. Lucille Harbour, Hankamer	7,835	36,416.87	36,416.87
J. T. Herin, Edna	8,712	36,329.46	36,329.46
Louis Watson, Angleton	7,193	35,836.82	35,836.82
N. S. and Jesse Wittman, Hamshire	6,928	35,709.26	35,679.63
Jay and Dexter Anderson, Lissie	6,936	35,457.46	33,287.43
B. D. Hart and Frank Galloway, Devers	7,581	35,428.55	35,428.55
William Zboril, Garwood	7,232	34,203.88	34,203.88
M. A. Ellis & Son and Mitchell D. Ellis, Collegeport H. A. Norris & Son, Bay City	6,008	34,020.84	25,767.38
Guy Myrick and Otto Truksa, Alvin	7,040	34,013.44	34,013.44
Lowell, George, and Norris Raun, El Campo	6,420	33,962.59	33,962.59
Denver Poland and Doornbos Bros., Winnie	7,495	33,803.55	33,803.55
Ivo Phend, Sr., Russell Phend, and Marie Weir et. al., Hamshire	6,734	33,772.94	33,772.94
J. W. Gober, Nome	6,659	33,496.98	33,496.98
W. J. Winzer, Winnie	6,407	33,472.36	33,472.36
P. W. Douglas, Sour Lake	6,939	33,374.81	33,374.81
P. D. Kinser and R. M. Middleton Estate, Anahuac	6,802	33,126.72	33,126.72
Charles and Quintin Shult, and Frank L. Ramsey, El Campo	6,398	32,895.26	32,895.26
Mrs. Maggie Wisegerber, Lester Ray Wisegerber, and Seaberg Farms, Inc., Dayton	6,672	32,834.52	32,834.52
Chester Hicks and Frank S. Bulher, Edna	7,211	32,789.01	32,789.01
M. D. Shillings, Port Lavaca	7,508	32,738.40	32,738.40
Jesse Copeland and M. L. Shellhammer, Hamshire	6,186	32,723.94	32,723.94
James R. and Henry J. Hlavinka and Boettcher & Wasicek, East Bernard	5,955	32,690.75	----------
E. E. and H. L. Adams, Alvin	6,981	32,690.50	32,690.50
Norris Raun, El Campo	6,371	32,681.43	32,681.43
Ben McCormick, Alvin	6,876	32,549.99	32,549.99
Jay and Dexter Anderson, Lissie	6,572	32,282.53	24,710.65
W. W. and J. S. Winzer and Edward C. Devillier, Winnie	6,611	32,133.46	32,133.46
Alvin E. Johnson, Louise	6,744	$32,129.52	$32,129.52
Billy Ray Smith, Ganado	6,854	32,048.84	32,048.84
J. C. Lewis, E. L. McDonald, and G. R. McKelvy, Bay City	6,570	31,829.76	----------
Joe F. and Raymond Terry and George Musselman, Victoria	6,774	31,758.84	31,758.84
Wilfred LeBlanc, Winnie	6,091	31,423.29	31,423.29
J. B. Miller, Jr., Beaumont	6,575	31,186.31	28,632.92
J. K. and R. G. Allen, El Campo	6,275	31,141.93	31,141.93
Pete Eaton and B. D. Anderson, Rock Island	6,563	31,107.38	----------
Richard Hahn, Ganado	6,797	30,518.53	30,518.53
C. D. Fenner, Paul Slatter, O. B. Fenner, A. J. Carter, and Floyd Slatter, Edna	5,574	30,376.66	----------
A. J. Hungerford, Midfield	5,915	30,315.81	28,145.78
Adolph Jr., and Calvin E. Ebner, Orange	5,830	30,097.67	30,097.67
Pat H. Flowers and Seaberg Farms, Inc., Dayton	5,637	30,092.30	30,092.30
Elroy J. Ortego, Alta Loma	6,399	29,971.23	29,971.23
B. G. and F. M. Elkins, Devers	5,847	29,629.34	29,629.34
Alfred J. Ash and Sophie Graves Estate, Dayton	6,606	29,580.72	29,580.72
Warren Craigen, Beaumont	6,353	29,544.33	13,256.77
B. F. Metzger, Katy Ethel M. Campbell, Welsh, La	6,053	29,517.05	20,474.75
F. J. Merta, Louise	6,274	29,331.46	29,331.46
Schiurring Bros., Garwood	6,710	29,322.70	29,322.70
J. T. Hare, Crosby	6,143	28,958.30	28,958.30
Keith Flournoy, Liberty	6,289	28,866.51	28,866.51
Eugene Bourque, Rosharon	6,557	28,315.37	28,315.37
J. W. Parker, Arnold Wolf, Jr., and B. F. Troxell, Dayton	5,759	28,275.21	28,275.21
George V. Miller, China	6,152	28,106.58	28,106.58
N. T. Stansbury, Beaumont	6,068	28,094.84	28,094.84
C. S. Brown, Devers	5,639	28,079.06	13,460.82
Jack Duke, Rosharon	6,049	28,056.59	28,056.59
Duward Harper, Alvin	5,970	27,843.06	27,843.06
O. C. Devillier, Jr., Winnie	6,000	27,779.12	27,779.12
Curtis S. Penick, Anahuac	5,398	27,771.75	25,211.01
R. B. Christ, Sr., Hamshire	5,237	27,608.80	27,608.80
J. C. Wall, Beaumont	5,708	27,398.40	27,398.40
Raymond Randel, Liberty	5,475	27,375.00	27,375.00
C. T. Wiese, Eagle Lake	5,590	27,245.70	22,048.95
Louie Mollnar, El Campo	6,282	27,236.16	27,236.16
A. E. Elliott, Bay City	5,606	27,020.92	27,020.92
B. E. Wilber and D. L. Heckaman, Hamshire	5,079	26,545.85	26,545.85
Frank Smaistrla, Martha Losack, and Wm. Lee Frederickson, East Bernard	5,671	26,479.07	20,762.46
Lynn and Donald Herbert, Waller	5,586	26,421.78	26,421.78
Johnnie Garrett, Garrett Bros., and Walter L. Roome, Louise	5,714	26,421.49	26,421.49
Rudolph Skalicky, Ganado	5,598	26,311.41	26,311.41
W. C. Jenkins, Hankamer	5,385	26,132.42	26,132.42
Lester R. Wisegerber and Seaberg Farms, Inc., Dayton	5,701	25,882.54	25,882.54
Wanda S. and Wayne Bunton, Edna	5,217	25,877.81	25,877.81
J. Harland Bell, Rock Island	4,925	25,823.41	4,771.20
Buren J. Kallina, Garwood	5,260	25,601.90	25,601.90
George W. Stansbury, Raywood	4,864	25,536.00	25,536.00
Harvey E. Johnson, Port Lavaca	5,888	25,495.86	25,495.86
R. L. Poskey and Roy Dawson, Anahuac	4,871	25,475.33	25,475.33
Johnnie Garrett, Guy Stovall, Jr., and S. C. Cappell, Louise	5,265	25,444.90	21,466.90
James L. Adkins, Lissie	4,729	25,442.02	25,442.02
W. H. Huseman and Mrs. Annie Carmichael Estate, Louise	5,420	25,394.49	25,394.49
R. B. Christ, Sr., R. B. Christ, Jr., Ed Lohmann, and Elvan Bourque, Hamshire	5,480	25,373.28	25,373.28
W. H. Oetken, Anahuac	5,003	25,140.50	17,581.24
J. W. Murrell, Winnie	4,710	25,072.90	25,072.90
M. I. Janes and Remie Fontenot, Beaumont	5,310	25,010.10	25,010.10
SOYBEANS			
Arkansas:			
Arkansas Grain Corp., Stuttgart	7,103,230	16,353,580.93	10,454,477.76
McAlister Seed Service Co., Walnut Ridge	42,120	94,888.80	32,316.30
Hugh E. Richardson, H. B. Richardson and Richland Plantation, Inc., Hughes	34,344	77,960.88	77,960.88
Ralph Wimpy, Harrisburg	15,585	35,997.26	35,997.66
J. W. Prescott, Hughes	15,390	34,935.30	34,935.30
Pirani Bros., Marion	15,000	34,050.00	34,050.00
James E. McDaniel, Jonesboro	13,500	30,645.00	30,645.00
David N. Ford, Sherrill James D. Ford, Pine Bluff	13,500	30,510.00	30,510.00
J. B. Davis, Ogden	12,375	27,225.00	21,780.00
W. B. Bynum, Dermott	11,713	26,998.47	26,998.47
Phinn Reynolds & Son, Harrisburg	11,700	26,559.00	26,559.00
Illinois:			
A. E. Deal, Morrisonville	11,070	25,571.70	25,571.70
Indiana:			
Donald Kolb, Evansville	13,500	30,375.00	30,375.00
Donald E. Stewart, Robert Revell, and Harold Revell, Lebanon	11,115	25,119.90	25,119.90

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
SOYBEANS—continued	*Bushels*		
Iowa:			
Herbert P. Turin, Odebolt	18,784	$40,484.04	$40,484.04
Kenneth Johnson, Callender	12,690	28,171.80	----------
Louisiana:			
W. P. Tomlinson, Lake Providence	15,840	35,640.00	35,640.00
Orville A. Coody, Lake Providence	11,681	26,581.36	12,406.36
Mississippi:			
Joe Priddy & Sons, Rolling Fork	32,168	72,802.88	72,802.88
Greer Bros. & Son, Hollandale	29,250	66,397.50	66,397.50
J. R. Flautt & Sons, Swan Lake	27,180	61,426.80	61,426.80
Evanna Plantation, Inc., Cary	23,130	52,273.80	52,273.80
F. B. Swearengen, Philipp	18,289	40,510.66	----------
W. P. Skelton, Rosedale	16,392	37,209.84	37,209.84
Dominic P. Rizzo, Cleveland	15,961	36,231.47	36,231.47
Annapeg, Inc., Minter City	13,265	29,382.41	----------
L. L. Walker, Minter City	13,050	28,904.22	28,904.22
Ray Roberson Farms, Inc., Philipp	13,009	28,815.44	28,815.44
Missouri:			
A. C. Riley, New Madrid	22,500	51,075.00	----------
W. V. Riley, New Madrid	22,500	51,075.00	----------
The Albert Painton Co., Inc., Painton	17,280	39,052.80	39,052.80
Wallace Farms, Gideon	17,100	38,304.00	38,304.00
North Carolina:			
A. D. Swindell, Pantego	41,850	93,325.50	63,220.50
McNair Investment Co., Laurinberg	19,814	44,185.22	44,185.22
South Carolina:			
W. R. Mayes, Mayesville	41,043	91,525.89	----------
J. A. Harvin, Sumter	26,774	59,623.65	6,021.00
J. T. Duncan, Martin	11,430	25,488.90	25,488.90
Wisconsin: Charles H. Kuiper, Union Grove	15,030	34,268.40	34,268.40
WHEAT			
Arkansas: Lake Plantation, Hughes	19,244	27,807.00	----------
California:			
E. L. Wallace, Woodland	59,345	83,858.11	----------
Jackson & Reinert, Paso Robles	50,806	69,096.16	69,096.16
Colorado:			
Sprague Bros., Holyoke	31,915	34,302.11	34,302.11
Harold Kuckartz, Arriba	27,000	31,860.00	15,525.00
Kalcevic Farms, Inc., Aurora	27,000	31,050.00	----------
Ralph and Jack Bowman, Wray	24,300	29,889.00	----------
Idaho:			
Wagner Bros., Lewiston	81,892	101,546.08	101,546.08
Ira McIntosh & Sons, Lewiston	63,102	78,246.48	78,246.48
Meacham Land & Cattle Co., Lapwai	59,997	73,738.23	18,411.00
Heglar Ranch, Inc., Burley	46,882	51,335.65	51,335.65
Drechsel Bros., Worley	41,196	49,187.57	19,298.57
Herndon Farms, Inc., Culdesac	34,162	41,408.25	31,248.00
Gaffney & Howe, Plummer	35,615	41,197.22	----------
Wittman Farms, Inc., Lapwai	34,839	40,111.90	----------
Sam Alm & Sons, Inc., Grangeville	31,497	38,111.37	----------
W. W. Riggers & Sons, Craigmont	33,828	37,979.34	37,979.34
Stanton Becker, Genesee	31,587	36,049.07	36,049.07
Harold Heaton & Son, Tekoa, Wash	24,266	35,598.47	----------
Pfaff Bros., Inc., Garfield, Wash	27,900	34,596.00	34,596.00
Arthur P. Meier, Peck	30,084	34,192.19	28,699.68
Matsuura Bros., Blackfoot	29,700	33,264.00	33,264.00
Herb Millhorn, Worley	27,610	31,496.63	31,496.63
Alvin Barker & Sons, Soda Springs	27,000	30,510.00	30,510.00
Shayne Linderman, Newdale	27,200	29,376.00	----------
George and Otto Brammer, Lewiston	23,220	28,792.80	28,792.80
Leland Woodbury, Burley	27,000	28,755.40	28,755.40
John Campbell, Idaho Falls	22,214	26,529.21	26,529.21
J. J. Driscoll & Son, Troy	22,604	25,881.69	25,881.69
Hilding Frick, Plummer	22,248	25,814.76	25,814.76
Anderson Bros, Troy	22,145	25,305.11	21,396.35
McLeod Bros., Nezperce	22,377	25,174.82	25,174.82
Iowa:			
Payne Valley Farms, Inc., Hamburg	21,032	26,057.06	26,057.06
Kansas:			
Earl, Elsie S., and Frank Weisenberger, Scott City	45,608	62,482.96	----------
Albert Frahm et. al., Colby	38,844	49,331.88	----------
B. A. Hutton, Brewster	37,260	47,320.20	----------
Robert W. Thierolf, Beloit	34,574	45,211.48	45,211.48
Neil Fuller & Sons, Beloit	31,673	44,885.63	----------
S. Everett Dennis, Scottsbluff, Nebr	31,495	43,153.57	----------
Harold N. Hobart, Sr., Harold N. Hobart, Jr., and Gano H. Tschudy, Hutchinson	28,244	40,510.93	----------
C. Wilber White, Goodland	27,702	36,008.19	1,931.67
Herman Bott, Palmer	24,984	34,129.44	----------
R. T. McCreight, Ness City	23,220	33,156.00	----------
Adrian Schweitzer, Osborne	22,626	32,019.58	----------
Vestring Bros., Burns	22,807	31,124.21	6,172.20
W. T. Rooney, Jr., Garden City	23,580	30,720.60	----------
John Kriss Farms, Colby	23,850	30,289.50	----------
Benton Jones, Glasco	21,173	29,819.66	6,010.29
Ferguson Bros., Kensington	20,250	29,767.50	----------
E. A. Baalman & Sons, Menlo	20,754	26,504.82	3,682.80
Hattendorf Bros., Scott City	21,884	26,466.62	19,795.87
John D. Deforest, Peabody	20,608	25,739.63	----------
Richard L. and Jack Spiegel, Formoso	18,900	25,515.00	----------
C. H. Moore Trust Estate, Dodge City	20,453	25,390.49	----------
Minnesota:			
Keith Driscoll, East Grand Forks	30,780	46,146.60	16,310.25
John Bogestad, Karlstad	22,500	31,050.00	----------
Vernon Hagen, East Grand Forks	18,879	26,767.36	----------
Montana:			
Campbell Farming Corp., Hardin	200,212	206,218.36	73,233.00
Nash Bros., Redstone	49,320	57,704.40	----------
Onstad Grain Co., Carter	51,480	56,113.20	----------
WHEAT—continued			
Montana—Continued	*Bushels*		
Kraft & Martin, Havre	44,460	$55,859.40	----------
J. G. Robertson, Inc., Great Falls	49,905	54,396.45	$54,396.45
Juedeman Grain Co., Geraldine	48,285	52,630.65	----------
Warren Swenson, Cut Bank	46,660	50,859.40	6,714.40
Otis Waters, Richey	37,170	47,949.30	1,161.00
Pryor Land Co., Billings	43,625	47,551.25	47,551.25
Floyd Warren, Inc., Hardin	44,100	45,423.00	45,423.00
Oscar A. Kalgaard, Big Sandy	40,526	43,746.68	43,746.68
Westermark Bros., Levon	38,610	42,084.90	42,084.90
Francis Maurer, Dutton	37,800	41,202.00	----------
Bill McCarter, Galata	34,570	36,591.30	36,591.30
Roy Killenbeck, Scobey	32,040	36,525.60	----------
Birkeland & Son, Inc., Fort Benton	32,850	35,806.50	----------
Gaylen Vernon, Ray Stoner, and Richard McCarty Outlook	28,440	35,661.60	----------
Lazy K. T. Ranch, Billings	32,193	35,090.37	35,090.37
Clair Schillinger and Schillinger Farms, Inc., Wolf Point	29,430	35,021.70	1,392.30
Kenneth Schillinger, Vida	26,091	34,566.57	----------
Adolph Fix, Ekalaka	25,524	34,148.88	1,206.00
Royce Applegate, Square Butte	30,240	32,961.60	----------
Sikorski & Sons, Inc., Willard	24,641	31,749.21	5,945.04
John H. Leuthold, Molt	28,800	31,392.00	----------
D. K. Hereford Ranch, Ballantine	27,810	30,312.90	----------
F. E. Davison & Sons, Highwood	27,812	30,181.23	2,713.23
John Keil & Sons, Ledger	27,000	29,430.00	----------
Kenneth G. Axvig, Kremlin	22,500	28,632.60	----------
A. C. Kammerzell, Chester	25,920	28,252.80	28,252.80
Donald Norman and Arnold Dees, Kremlin	24,660	28,225.80	----------
Allan and Leo Schillinger, Vida	21,240	28,170.00	----------
Roland and Burton Wright, Moore	25,200	27,468.00	27,468.00
Leo M. Kraft, Havre	22,320	27,342.00	----------
Ralph Lee, Buffalo	24,930	27,173.70	27,173.70
Conover Ranch Co., Broadview	24,500	26,705.00	----------
Ivan Dahlman, Forsyth	23,220	26,470.80	26,470.80
Herbert G. Bitz and Selma McClintock, Box Elder	21,150	26,464.50	----------
Ole Jensen, Chester	24,102	26,271.18	----------
Swank & Son, Poplar	21,960	25,912.80	----------
Elmer and Mary P. Dostal, Geraldine	23,400	25,506.00	----------
Frank Kukla, Blue Creek	23,130	25,211.70	----------
Nebraska:			
Grace Land & Cattle Co., Lewellen	52,200	64,728.00	----------
Raymond, Ronald, Pamela, Michael, Leo, Morris, and Ilse Jessen, Lodgepole	39,600	48,312.00	----------
Knipp Land Co., Big Springs	33,300	41,958.00	----------
Ruth Hunt, Hastings	31,178	40,227.67	10,067.40
A. L. Rosener & Sons, Daykin	26,809	37,179.88	----------
Bailey Partnership, Big Springs	29,700	36,828.00	----------
Glen F. Burns, Chappell	28,342	34,317.52	10,918.72
Svoboda & Hannah, Ogallala	26,100	32,886.00	----------
Eugene Schefcek, Alliance	25,038	32,048.64	32,048.64
Leo Jessen, Oshkosh	23,400	29,250.00	----------
Robert R. Elliott, Solvang, Calif	22,410	28,012.50	----------
Ed and Beulah Jelinek, Alliance	20,002	26,807.64	----------
Nevada:			
Rio King Land & Investment Co., San Francisco, Calif	20,327	25,205.48	25,205.48
New Mexico:			
Archie Baker, Clovis	24,337	31,227.94	31,227.94
W. L. Lockmiller, Clovis	25,360	31,065.58	----------
Virgle Harrison, Texico	22,018	28,954.11	220.19
Albert and Monte Matlock, Clovis	20,510	26,765.55	26,765.55
North Dakota:			
Arvel Glinz, Eldridge	38,904	57,073.29	2,260.59
Ballantyne Bros., Westhope	36,000	50,760.00	----------
Benjamin Schaible, Mott	34,650	49,999.50	----------
The Witteman Co., Mohall	36,900	46,125.00	----------
L. J. Johnson, Plaza	34,200	42,408.00	----------
Polries Bros., Sykeston	28,512	40,487.04	----------
Roscoe W. Kelly, Niagara	27,900	39,078.00	----------
August C. Kirschemann, Mott John D. Kirschmann, Bismarck	25,200	35,932.50	----------
Henry Grain & Stock Farm, Westhope	28,440	35,550.00	4,725.00
T. A. Dilse, Scranton	27,720	35,481.60	----------
Norman Glinz, Bottineau	26,370	35,406.00	----------
Alvin Kenner, Leeds	25,200	35,280.00	----------
Edwin Netzer, Regent Dan Netzer, Bismarck	23,525	34,197.08	----------
W. J. Thoreson, York	25,000	34,125.00	----------
Ernest P. Jensen, Williston	24,300	33,777.00	----------
Stair Bros., Newburg	24,930	33,655.50	----------
Willis Glinz, Newburg	25,429	33,496.25	----------
Carl M. Hodenfield & Sons, Ray	27,000	33,210.00	1,451.40
Helen, Wayne, Cecil, and Dennis Zahnow, Roseglen	25,650	32,832.00	32,832.00
Alfred Johnson, Plaza	26,100	32,364.00	----------
Jack Follman, York	23,808	31,546.49	----------
Reginald and Kenneth Henry, Westhope	24,300	30,375.00	----------
August and Ronald Wagner, Englevale	20,367	29,403.00	2,268.00
Earl Schwartz Co., Kenmare	23,400	29,250.00	----------
Walter E. Johnson, Courtenay	18,990	27,830.70	----------
Roger Redel, Fressenden	18,211	25,850.62	----------
Leo and Anthony Muggli, Vincent Muggli, Jr., and Vincent Muggli, Sr., Carson Rose Weinhandl, Shields	17,280	25,423.20	----------
Carlton Larson, Sykeston	18,203	25,309.46	----------
Harold Hosfstrand, Leeds	18,251	25,198.74	1,192.00
Raymond Foerster, Conway	16,420	25,048.20	----------

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
WHEAT—continued	*Bushels*		
Ohio:			
Ward Walton & Associates, Inc., Upper Sandusky	25,576	$33,375.96	$33,375.96
Orleton Farms, Inc., London	21,039	26,825.27	26,825.27
Oklahoma:			
John A. Francis, Kingfisher	20,250	27,315.00	------
Joe Steichen, Ponca City	22,000	27,170.00	------
James W. Sharrock, Ponca City	20,483	26,934.71	------
Oregon:			
McCormmach Bros., Pendleton	69,570	83,622.36	83,622.36
Glenn Thorne, Pendleton	54,265	65,308.85	65,308.85
John Proudfoot and Leo Gorger, Ione	47,025	61,602.75	61,602.75
Raymond & Son, Inc., Helix	50,138	60,903.45	------
Ralph S. Crum, Ione	43,647	57,177.57	------
R. & T. Ranches, Athena	42,301	51,270.80	51,270.80
King Ranches, Pendleton	38,365	49,874.50	------
Robert Kilkenny, Heppner	39,344	49,476.72	40,044.72
Les King, Inc., Helix	38,846	46,809.44	46,809.44
F. L. Watkins, Wasco	34,816	45,791.02	42,713.66
4 R Ranches, Wasco	38,840	45,254.20	45,254.20
Mud Springs Ranches, Pendleton Ranches, Cunningham Sheep Co., and Hoke Ranches, Pendleton	34,650	45,045.00	45,045.00
Adolph, Jr. or Georgia Shaffer, Condon	36,309	44,722.66	44,722.66
Key Bros., Inc., Milton Freewater	33,705	43,816.50	------
Richard W. Hampton, Pendleton	33,735	42,774.35	13,758.34
V. R. Ranch, Helix	35,059	42,246.48	42,246.48
Weber, Inc., and Vernita Adams, Athena	30,360	39,354.24	37,908.00
R. A. Brogoitti, LaGrande	31,444	39,305.00	39,305.00
Foster, Wernsing & Coffman, Athena	32,548	39,090.96	7,969.77
Charles Carlson, Ione	29,160	38,199.60	------
M. Smith, Condon	26,608	36,950.64	36,950.64
H. H. McIntyre, Pendleton	30,348	36,633.42	36,633.42
Alvin Bunch, Heppner	29,577	36,372.70	36,372.20
Holdman Ranches, Pendleton	30,078	36,352.84	36,352.84
Hill Ranches, Inc., Helix	30,000	36,150.00	------
Larry E. Kaseberg, Wasco	26,100	34,713.00	34,713.00
Marion T. Weatherford, Arlington	27,756	34,567.92	------
W. D. Hardie & Sons, Condon	25,043	34,259.79	4,835.75
Merton S. Wade, Lostine	28,088	33,520.74	9,180.52
E. Earl or S. Bernice Pryor, Condon	27,148	33,517.83	33,517.83
Storie Ranches, Pendleton	27,384	33,271.86	33,271.86
Coppinger & Son Ranches, Echo A. C. and R. C. Moll, Pendleton	24,750	32,175.00	32,175.00
H. T. Rea, Inc., Walla Walla, Wash	26,211	31,444.60	------
F. N. Johns, Athena	24,075	31,298.79	31,298.79
McElligott Bros., Ione	23,827	31,213.37	31,213.37
H. M. Zell, Wasco	24,260	30,806.42	30,806.42
Johns Smith and Beamer, Athena	23,418	30,443.52	30,443.52
C. O. Burnet or Althea Burnet, Moro	24,496	30,378.38	------
Tad O. McCoy, The Dalles	23,524	30,236.64	30,236.64
W. L. Hulse, Dufur	22,050	29,988.00	------
R. M. and Delta Johnson, Wasco	23,926	29,844.28	29,844.28
A. C. Warren, Ione	22,063	28,902.53	------
Bill Wolfe, Wallowa	24,183	28,740.44	10,184.24
G. W. Temple, Pendleton Albert L. McCormmach, Walla Walla, Wash	22,060	28,679.04	28,679.04
T. M. Campbell, Helix	23,444	28,303.49	28,303.49
Sieg & Sieg, Baker	23,484	27,486.05	------
David Horne, Pendleton	22,732	27,392.27	27,392.27
Glen Brogoitti, Helix	22,597	27,229.18	------
Powell Goodin Farms, Moro	21,841	27,192.41	16,741.76
R. & H. Farms and Archie Harris, Milton-Freewater	20,821	27,067.30	27,067.30
Sandhollow Ranches, Helix	22,163	26,928.54	12,005.71
C. N. Jones & Sons, Heppner	21,857	26,714.38	26,714.38
J. Smith, Inc., Condon	19,270	26,689.41	26,689.41
Verne W. Dale, Helix	22,025	26,540.51	26,540.51
Robert Rothrock, Adams	20,798	26,457.27	20,475.00
Rosco E. Moore, Moro	21,226	26,365.03	------
Campbell Ranch, Inc., Echo	20,984	26,349.95	26,349.95
Walker Whitacre Ranch, Athena	21,500	26,122.96	26,122.96
Harvey Smith, Ione	19,593	25,862.76	25,862.76
Earl Meeker, The Dalles	18,900	25,704,00	------
Stirrup Ranch, North Powder	21,664	25,248.44	------
G. L. Pratt, Visalia, Calif	21,664	25,248.43	------
Harry Proudfoot, Echo	20,854	25,069.17	7,177.17
South Dakota:			
William J. Stanley and William D. Asmussen, Agar	117,387	168,397.20	1,297.80
J. E. Cheek Estate, Pierre	50,797	70,326.89	------
Elkhorn Farm, Martin	42,570	54,242.10	------
Alfred and Johanna Ehlers, Presho	36,000	52,560.09	------
Dennis L. Anderson, Rapid City	37,291	51,625.11	8,199.76
Leo J. Terca, Presho	31,500	46,076.40	------
John Hippen, Martin Raymond Jessen, Lodge Pole, Nebr	32,760	41,767.20	------
Louie E. Bartels, Gettysburg	25,110	37,776.60	------
Bartley Mills, Winner	28,800	37,440.00	------
Kenneth Kinkler, Blunt Hugo Kinkler, Littlefield, Tex	24,840	35,272.80	------
Krier Bros., Presho	23,580	33,069.60	------
James S. Brown, Chamberlain	23,130	31,784.40	31,784.40
Arvid Ambur, Presho	24,030	31,719.60	------
Bruno Wieczorek, Chamberlain	23,580	31,131.60	31,131.60
G. K. Hutchison, Presho	21,600	29,331.00	------
Robert E. Duncan, Pierre	20,430	29,316.60	------
Roy Norman, Hayes	21,852	29,063.16	------
Earl E. Kinder, Onida	21,600	28,728.00	1,915.20
Verdun Stanley, Presho	21,600	28,512.00	19,483.20
Orville Schwarting, Gordon, Nebr	22,950	28,458.00	------
K. R. Rhiley, Creighton	22,500	28,350.00	24,080.60
Myron D. and Mildred A. Johnson, Rapid City	21,780	27,952.20	------
WHEAT—continued	*Bushels*		
South Dakota—Continued			
H. G. Ehlers Sons, Presho	20,890	$27,943.80	$6,878.10
Jerry Geeringer, Castle Rock	21,330	26,875.80	26,828.10
Leonel M. Jensen, Wall	21,150	26,818.20	21,319.20
Robert Bartels, Fort Pierre	19,440	25,660.80	25,660.80
Jetter Bros., Milesville	19,880	25,542.00	------
Wm. G. and Lyle Schoulte, Presho	19,000	25,080.00	------
Texas:			
Hill Farms, Hart	38,760	68,379.05	------
Taft McGee, Hereford	43,528	55,933.48	55,933.48
Homer Hill, Hart	32,520	55,303.86	------
Buddy Hill, Hart	35,342	55,231.81	------
Gerald L. Lasley, Dalhart	40,582	53,419.06	53,291.86
Frank Robinson, Panhandle	35,204	51,573.38	------
Berkley Stringer, Dumas	38,561	50,520.24	50,520.24
D. G. Cluck, Gruver	36,797	48,755.59	48,755.59
Sam R. Cluck, Gruver	36,297	47,730.99	47,730.99
Harold H. Hogue, Dalhart	36,011	46,274.56	46,274.56
A & O Farms, Dumas	34,496	46,028.39	46,028.39
Mrs. M. W. McCloy & Sons, Morse	34,349	43,451.70	------
Monroe Bros., Sunray	31,825	40,895.13	------
Gordon Taylor, Sunray	29,697	40,536.18	------
Dale Schuman, Dumas	29,944	39,076.47	8,173.64
Dale Coleman, Dumas	28,661	37,633.20	22,386.42
Rose C. or R. C. Porter, Spearman	30,000	36,450.00	36,450.00
Merrill Dryden, Sunray	26,069	35,844.65	35,844.65
Lyons Bros., Hereford	23,242	35,225.77	14,572.87
Glen Scribner, Sunray	25,860	35,040.07	------
Weatherford Bros., Sunray	25,405	34,169.05	------
Marshall Cator, Sunray	23,871	32,455.26	------
Don Williams, Farwell	24,630	32,388.45	------
A. R. Bort, Gruver	24,377	32,164.26	32,164.26
Gene Cluck, Gruver	23,471	30,394.52	------
Joe Schuman, Dumas	22,260	28,826.96	------
Everett Bros., Stratford	21,064	28,541.76	210.64
Fred W. Mercer, Silverton Velma W. McGraw Estate, Fort Worth	19,068	26,849.14	26,849.14
John Cole, Waka	19,235	26,832.83	------
Claude Higley, Stinnett	19,379	26,453.01	26,453.01
George Farms, Charlene and G. George, Perryton	18,000	25,740.00	25,740.00
J. H. Burkett, Sunray	20,268	25,638.38	------
Claude Johnson & Son, Dalhart	18,909	25,621.70	------
John A. and Raymond Smith, Hereford	14,447	25,302.90	------
Washington:			
Glen Miller & Sons, Amber	133,542	166,927.50	41,927.50
D. Everett Phillips, Lind	110,500	139,482.99	------
Leonard and Henry Franz, Lind	86,038	106,541.33	101,626.13
Kenneth Smith, Waltsburg	63,653	79,249.74	79,249.74
George D. Brown & Sons, Pomeroy	58,563	73,360.03	13,352.53
Staley & Boyd, Pullman	58,500	73,125.00	73,125.00
Robert V. Phillips, Lind	49,995	63,204.86	------
Lehn Bros., Farmington	45,180	56,475.00	------
Curtis Cattle Co., Garfield	41,427	50,694.20	50,694.20
Roy Peringer, Pullman	43,753	50,683.36	50,683.36
W. M. Boyd & Sons, Moscow, Idaho	39,195	48,993.76	48,993.76
Osborne Belsby, Amber	39,150	48,549.00	48,549.00
Baumann Farm, Washtucna	37,710	48,268.80	48,268.80
DeZellen & Son, Bridgeport	37,548	47,871.96	1,517.45
Richard E. DeSpain, Winona	41,081	47,773.02	47,773.02
Urgel Bell, Lacrosse	41,578	47,708.87	47,708.87
Robert J. and Lewis Patton, Waitsburg	36,073	46,534.17	46,534.17
O. H. Woodward, Inc., Dayton	38,535	46,492.58	7,099.85
Donovan Farms, Prescott	34,747	45,171.10	45,171.10
Ford Gumm & Sons, Tekoa	38,309	44,630.16	------
Thomas J. Byers & Sons, Pomeroy	34,756	44,558.61	19,580.68
J. R. Damon, Lind	35,693	44,071.22	23,140.00
Pearl Gwinn, Pomeroy	31,626	43,275.89	2,674.62
S. T. S. Farms, Inc., Prescott	33,273	43,254.90	6,048.90
Ferrell & Luvaas, Pomeroy	35,902	42,902.29	42,902.29
Joe McCown and Charles E. Neace Estate, Waitsburg	34,433	41,146.96	41,146.96
J. L. Williams, Lind	32,040	41,011.20	39,168.00
Fred and Cecil Rommel, Pomeroy	32,832	40,453.25	40,453.25
Godfrey Meilke, Lind	33,747	40,267.60	40,267.60
Higginbotham Bros., Hartline	33,163	39,629.45	39,629.45
C. C. Wolf & Sons, Pomeroy	32,671	38,214.08	------
Laura C. Gilliland Estates, Lafayette, Ind	32,211	38,170.21	18,206.13
Casey Farms, Inc., Eureka	31,297	37,970.98	------
Lester Camp, Lacrosse	32,793	37,876.03	37,876.03
Nelson Bros., Waterville	28,530	36,518.40	------
Lasater Farms, Inc., Walla Walla	30,004	36,455.06	36,455.06
Dippel Bros., Garfield	29,070	36,337.50	------
Wayne Beale, Pomeroy	29,013	35,787.62	35,787.62
John E. Hair, Walla Walla	27,276	35,458.80	35,458.80
Allen Struthers, Eureka	28,460	35,307.53	------
Ralph Colley, Connell	27,000	35,100.00	4,680.00
The Sheffels Co., Govan	27,627	35,086.66	19,108.67
John W. Smith, Lancaster	28,264	34,543.40	10,018.40
Marvin Carstens, Espanola	29,518	34,403.11	19,298.47
Franklin D. Rockwell, Endicott	29,596	34,382.45	34,382.45
Jack Clodius, Waitsburg	28,408	34,343.43	34,343.43
Rockdale Farms, Edwall	28,997	34,338.89	------
Harp Bros., Farmington	29,437	34,122.45	21,227.66
Heglar Bros., St. John	28,837	33,594.84	33,594.84
Wilbur Morgan, Pomeroy	26,400	33,528.00	------
Calvin Raugust, Farmington	26,640	33,300.00	33,300.00
Ed Faure, Jr., Ritzville	27,500	33,109.64	33,109.64
Ellsworth Conover, Waitsburg	27,447	33,073.78	33,073.78
Howard Jorgensen, Coulee City	25,695	32,889.60	32,889.60
R. F. Young, Starbuck	27,486	32,845.89	32,845.89
Earl M. Pierson, Colfax	26,100	32,624.98	------
Phillips Farms, Inc., and Merlin Phillips, Walla Walla	25,020	32,526.00	------
E. E. Watkins, Spokane	27,356	32,416.33	32,416.33

TABLE B.—*1964 crop price-support loans made of $25,000 or more and amount repaid, by producer*—Continued

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
WHEAT—continued	*Bushels*		
Washington—Continued			
Bennett Land Co., Farmington	25,830	$32,287.50	$32,287.50
Dick Edwards, Hartline	26,359	32,097.64	32,097.64
Virgil Feezell, Mabton	23,985	31,900.05	------
Ferrell & Luvass, Pomeroy	27,095	31,836.12	31,836.12
Eugene Valaer, Walla Walla	24,300	31,590.00	------
Morris Ganguet, Waitsburg	25,829	31,254.73	31,254.73
Yoshino Bros., Quincy	23,116	31,109.07	31,109.07
Nick Seivers, Jr., Lind	24,300	31,104.00	31,104.00
Orval Painter, Waterville	24,120	30,873.60	------
George H. Ellis, Reardan	25,912	30,657.22	------
Lawrence Timm, Harrington	25,760	30,525.37	------
Kenny Foulkes, Lind	24,281	30,296.37	30,296.37
Dwelley Jones, Walla Walla	25,164	30,159.39	------
Elmer Schoesler & Sons, Ritzville	25,354	30,159.34	------
Heitstuman Bros., Clarkston Robert Heitstuman, Pomeroy	25,413	30,028.50	16,171.20
Cornwall Farms, Fairfield	24,347	30,018.39	11,604.39
Matthew Lyons, Waitsburg	24,875	29,974.38	------
Klicker Bros. & Sons, Walla Walla	23,006	29,907.80	29,907.80
Blacklaw Bros., Eureka	24,408	29,771.91	------
C. B. Stonecipher, Waitsburg	24,706	29,675.43	------
J. I. Kupers, Harrington	24,995	29,618.72	29,618.72
Neihenke & Pavlik, Colfax	25,360	29,543.81	29,543.81
Erwin Bros., Prescott	24,384	29,306.83	29,306.83
Mary Hanger, Dayton	24,258	29,058.29	29,058.29
Feigenhauer Bros., Fairfield	23,400	29,016.00	------
Hofer Bros., Waitsburg	23,998	28,917.10	28,917.10
John Stephenson, Elda Stephenson, and Ella Stephenson Estate, Benge	22,500	28,800.00	------
Willard C. Hennings, Ritzville	22,500	28,800.00	28,800.00
Dave Repp & Son, St. John	24,850	28,796.07	28,796.07
Walter A. Zellmer, Davenport	24,061	28,765.28	------
Carl Boyd, Pullman	22,950	28,687.50	28,687.50
Gale O. Gfeller, Lind	22,410	28,684.80	------
Frank J. or Frank Wolf, Pomeroy	20,866	28,199.21	4,875.52
WHEAT—continued	*Bushels*		
Washington—Continued			
Herbert Sackmann, Odessa	23,702	$28,087.18	$28,087.18
Robison Land & Livestock Co., Walla Walla	21,600	28,080.00	------
Chester Powers & Son, Starbuck	23,202	27,726.64	27,726.64
C. L. Nelson & Sons, Thornton	23,496	27,372.75	27,372.75
Byron G. Dague, Walla Walla	21,052	27,367.60	27,367.60
David V. Adams, Coulee City	22,071	27,323.10	27,323.10
Roy M. Auvil, Farmington	23,601	27,259.05	------
Earl T. Sherry, Prescott	22,513	27,127.89	14,451.77
C. C. King and J. C. Kinzer, Pullman	21,600	27,000.00	27,000.00
Weishaar Farms, Marlin	21,175	26,892.25	------
Ray L. Small, Jr., Lowden	22,238	26,757.66	------
A. S. Miller & Son, Colfax	21,330	26,662.48	26,662.48
James F. Ferrel, Walla Walla	21,998	26,288.09	------
Clarence Strohmaier, Lind	20,520	26,265.60	------
Paul Webb, Jr., Walla Walla	21,833	26,212.74	26,212.74
I. A. Zakarison Estate, Pullman	20,855	26,068.50	26,068.50
Clyde Davis, Pullman	22,488	26,043.19	26,043.19
Lowell Baker, Pomeroy	22,312	26,033.78	26,033.78
Paul E. and Glenn D. Hofer, Prescott Paul S. Hofer, Waitsburg Waneita Heilman, Los Angeles, Calif.	20,025	26,032.50	------
Harris Bros., Dayton	21,690	25,823.19	25,823.19
Edgar L. Smith, St. John	20,610	25,762.50	25,762.50
Myklebust Bros., Lacrosse	22,271	25,709.73	25,709.73
Fred Mader, Palouse	22,237	25,636.88	25,636.88
Pioneer Stock & Grain Farm, Inc., Colfax	22,043	25,443.46	25,443.46
Virgil Stevens, Wilson Creek	21,044	25,366.72	12,115.52
Norman Hansen, Tekoa	21,990	25,365.38	23,123.78
R. C. Walker, Hartline	21,028	25,339.19	25,339.19
Raymond B. Williams, Almira	21,423	25,110.00	25,110.00
Scheele Bros. and Theodore F. Scheele, Fairfield	20,250	25,110.00	25,110.00

Mr. BREWSTER. Mr. President, by way of example, I name, under "soybeans," the Arkansas Grain Corp., Stuttgart, Ark. Quantity pledged in bushels, 7,103,230. Amount loaned, $16,353,580.93. Amount repaid, $10,454,477.76, or a net gain to this corporation of some $6 million.

Let us review the 1964 figures for wheat loans. The figures show that 88,000 price-support loans, totaling almost $254 million, were made to wheat farmers.

Of this total number, approximately 3,500 loans were payments exceeding $10,000.

When I carefully reviewed the facts for Maryland from information I could find, I found that one producer of any crop in the State of Maryland received more than $10,000.

Of the 3,500 loans, 400 received loans exceeding $25,000. But these totaled close to $15 million.

The amount of the so-called support loans over $10,000 to wheat farmers reached the sky-high figure last year of $59 million. That is $59 million that is not being spent for the benefit of the poor farmers, or even middle-income farmers. The money spent is actually serving to encourage the big farms or corporate farms to grow more wheat which is sold to the taxpayers at a profit. If these gigantic farmers are not able to sell these surplus crops, Uncle Sam—you and I and the people we represent—is ready to take it off their hands and store it at the taxpayers' expense.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. BREWSTER. I yield myself an additional 10 minutes.

A recent report prepared by the Joint Economic Committee states that losses under the price-support program have totaled $13 billion over the life of the program, and they continue to go up.

In addition, the CCC has now nearly used up all of its $14,500 million borrowing authority.

I charge that this is another way to raid the Treasury, to use a hackneyed phrase, through the back door.

During the 1964 fiscal year—last year—the CCC had a net loss of $2,700 million.

I point these losses out in order to emphasize the extent of the Federal Government's involvement in agriculture. Over the last 30 years the United States has followed the protectionist approach to agriculture. The costly results of this approach are a testament to its inadequacies.

Our price-support programs have not only cost the taxpayers and consumers vast sums of money, but have forced a sizable part of our economy to be dependent on the Government for its mere existence.

I believe that now is the time to put on the brakes. My amendment is designed, in a small way, to accomplish that job. I urge my colleagues to join me in placing a $10,000 annual limitation on the money that any single agricultural producer can receive in either price-support loans or direct payments.

In this way we can be sure that our agricultural programs are taxpayer and consumer oriented, as well as designed to help the family farmer. The family farmer, the genesis for the entire operation that we now find ourselves embarked upon, is not deriving the full benefit of the program. If Senators want to help him, I cannot see any reasonable argument that can be advanced for cutting off the large business enterprises, the corporate farmers, who produce acre after acre, bushel after bushel, and sell to the taxpayer at a profit.

I would advise the Senate that, as a prudent producer of any commodity or any product, I would not go into the venture unless I knew I could make a profit. And for the big man, corporate or individual, I see no reason why the Government—the taxpayer—should support his profitmaking scheme.

I would be happy to accept—and several of my colleagues have indicated to me that they are in agreement—amendments to my amendment. I make this talk and propound this amendment because I believe the American people should take stock of what they are doing. The program is exceedingly costly. It is ineffective. It is not doing the job that it was designed to do—to protect the small farmer, his wife, and family in the homestead or on the family farm.

Mr. President, I yield to the Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, I have an amendment to offer to the Senator's amendment, and can speak on my own time. I can offer my amendment and speak on my own time, if the Senator is willing.

Mr. BREWSTER. Mr. President, I yield the floor and reserve the remainder of my time.

The **PRESIDING OFFICER.** The amendment is not in order until all time on the pending amendment is exhausted.

Mr. ROBERTSON. Mr. President, my amendment is an amendment to the Brewster amendment. My amendment is No. 445, and I would like the clerk to state it.

The **PRESIDING OFFICER.** That is not in order until all time has been utilized or yielded back on the amendment of the Senator from Maryland.

Mr. BREWSTER. Mr. President, I yield to the Senator from Virginia on my time.

The **PRESIDING OFFICER**. The amendment can be offered at this time only by unanimous consent. Is there objection? The Chair hears none and the Senator from Virginia may call up his amendment at this time.

Mr. **ROBERTSON**. Mr. President, I am in thorough sympathy and accord with the proposal that the time has come to put on the brakes. I believe it is long past the time.

I stated briefly yesterday on the floor of the Senate, when I sent the amendment to this amendment to the desk, that in 1949 I voted for farm bills—which we will secure at the end of this year—to end all price supports, and that we should return farming to where it was prior to this program since World War II.

The House insisted on it, and in conference the Senate yielded, and we have had a support program ever since. As the senior Senator from Maryland pointed out, the program has cost $13 billion; and what has it accomplished? The surpluses are worse than they were when we started.

The **PRESIDING OFFICER**. Since the Senator is discussing his amendment—does he want to offer his amendment at this time?

Mr. **ROBERTSON**. Could I obtain unanimous consent to do that?

The **PRESIDING OFFICER**. Yes. The Senator has already been granted unanimous consent.

Mr. **ELLENDER**. Mr. President, a point of order.

As I understand the situation, the first vote will be taken on the amendment to the amendment of the Senator from Maryland.

The **PRESIDING OFFICER**. That is correct.

Mr. **MANSFIELD**. Will the Senator from Virginia ask for the yeas and nays on his amendment?

Mr. **ROBERTSON**. I would like to have my amendment stated. I wish to make a change in my amendment with respect to sugar.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read as follows:

> On page 1, beginning with line 2, strike out all down through the period in line 5, and insert in lieu thereof the following: "after January 1, 1967, no corporation except a producer of sugar shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture, and no producer other than a corporation shall be eligible for price-support loans or payments under any such program or programs in any amount in excess of $25,000 for any one year."

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on the Robertson and Brewster amendments.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none; and it is so ordered.

Is the request for the yeas and nays sufficiently seconded?

The yeas and nays were ordered.

Mr. **HOLLAND**. Mr. President, will the Senator yield?

Mr. **ROBERTSON**. I yield.

Mr. **HOLLAND**. I appreciate the fact that the Senator exempted sugar from his amendment because it is covered by a different type of proposal.

I wonder if the Senator recalls that wool is likewise covered by a different proposal and would be included in the same classification as sugar. They are both deficit crops.

Mr. **ROBERTSON**. We can develop that, but wool goes generally to the small farmer, and my limitation on corporations is that we should not subsidize corporations. We could not do so under the $25,000 provision of my amendment.

If there is anybody in Virginia who has that much wool I have not heard about it. I doubt if anyone in Florida has that much either.

Mr. **BREWSTER**. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. **ROBERTSON**. I yield.

Mr. **BREWSTER**. Is it my understanding that the Senator from Virginia offered an amendment to my amendment?

Mr. **ROBERTSON**. The Senator is correct.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **ROBERTSON**. It is time for the Senate to put on the brakes. In 1949 I favored not only putting on the brakes but going back to a system of private enterprise. Under such a system of private enterprise, when there was overproduction, we had always had low prices in the marketplace because they were regulated and the Government did not have to take charge.

This is another illustration of a favorite maxim of Thomas Jefferson, who said:

> If we have to go to Washington for advice on when to sow and when to reap, we will soon lack bread.

We have looked to Washington to regulate production of farm crops, and it has not succeeded. It has cost $13 billion, as the Senator from Maryland pointed out. He proposes that from now on no one shall get more than $10,000 a year on all the crops he produces.

I could go along with that proposal, except that I know from past experience with respect to these limitations that it will not be adopted.

With the hope that something may be adopted, and in view of the fact there was a large vote at one time on a limitation of $25,000, my amendment raises the limit.

The theory is that we must preserve farming as a manner of life.

Thomas Jefferson said he hoped the time would never come when less than 50 percent of our people would be engaged in agriculture, because, he said, farmers are the backbone of our representative democracy and their independence and their manner of living must be preserved if we are to preserve our democracy and independence.

Mr. **ELLENDER**. Now farmers represent 7½ percent.

Mr. **ROBERTSON**. The distinguished chairman of the committee says that the figure is down to 7½ percent.

We have some trends in Government that I do not think are in keeping with the views of the Founding Fathers. The situation is very disturbing.

Why should we subsidize corporations that are engaged in farming? We subsidize farmers for two reasons: First, we wish to preserve a manner of life; and second, we wish to produce a sufficient amount of food and fiber to take care of our personal needs. Is there any question about our doing that?

Our cottongrowers are greatly disturbed over the fact that one-half of our fabrics are now made from materials other than cotton. We are disturbed, under the cotton bill, that if the price of cotton is too high, more and more shifts will be made to other fibers to replace cotton in clothing and various other items, such as automobile tires and materials in which cotton is used.

The Senator from Maryland pointed out the number of farmers who are receiving more than $10,000 a year.

The average farm in Virginia is less than 100 acres. The average wheat allotment in Virginia is only 10 acres. The average barley allotment is 3¼ acres.

In Virginia $10,000 would take care of 95 percent of the farmers under this program. But what do we find? We find 400 wheatfarmers getting $15 million, according to the figures of the Senator from Maryland.

I do not see how anybody can stand on the floor of the Senate and say that we owe a duty to support prices above $25,000. Agriculture is a manner of living. I do not see how anybody can stand on the floor of the Senate and say we owe a duty to insurance companies and others who bought farmland and used the various soybean, cotton, wheat, and other allotments to sell their product to the Government.

That is what the loan program means. A loan is made at a certain percentage of parity. But that is a sale to the Government. They never get it back.

As a result, we get a million bushels of wheat, thousands of bales of cotton, feed grains, and soybeans. We have everything. Unfortunately, we are now beginning to accumulate two other products that worked pretty well for a while: tobacco and peanuts. Why? We have such small acreages that Government regulators could find out what was being planted, and the allotments down from year to year. We kept production fairly in line with the visible market.

Our tobacco growers produced a heavier type tobacco, but it was a poor quality. They applied more and more fertilizer. Where they had been producing 1,000 pounds an acre, they increased the production to 1,500 pounds. I believe some of the production was as high as 2,000 pounds an acre.

Maryland is a fine tobacco-producing State. Maryland's tobacco has a fine flavor. Much of it goes into the manufacture of cigarettes. I have seen Maryland tobacco that grew as high as my shoulder. It has a heavier leaf.

Mr. **BREWSTER**. Mr. President, will the Senator from Virginia yield?

Mr. **ROBERTSON**. I yield.

Mr. BREWSTER. We Marylanders are proud of our tobacco, but few tobacco farmers would be affected by the $10,000 limitation. Tobacco is grown primarily in small amounts by our tobacco farmers. Only one-quarter of the Maryland tobacco farmers have more than 10 acres. This means that three-quarters of our tobacco farmers earn less than $12,000 from tobacco.

Mr. ROBERTSON. That is correct. Since we have voted down the $10,000 limitation in previous years, it may be said that this proposal is socialistic. It is not socialistic at all. We merely have a bear by the tail and do not know how to cut loose. We want to cut down the expense to the taxpayers.

The Senator from Maryland says that if we want to preserve farming as a manner of life, we want to be sure that we have enough food and fiber. If we limit the amount to $10,000, that will take care of about 90 percent of our farmers. Why should we proceed further to subsidize rich men and corporations?

I hope that my amendment will be adopted. I had offered an amendment in the nature of a substitute. But after preparing it so as to exempt all corporations, I found that sugar is in a separate category and operates under a different law.

We collect about $70 million in money to finance the sugar program in lieu of the 2-cent tariff that could be imposed under the Smoot-Hawley tariff, which is still in effect, except where it is set aside temporarily. The amount fell to $60 or $65 million in sugar.

In Hawaii—and I have had the privilege of visiting that grand State—a large amount of sugar is produced, but it is primarily for great corporations. I visited the sugar fields of the great State of Louisiana. Some of them have been hard hit by a storm called Betsy, and many of them may never spring up again. But I am told that two large corporations in Louisiana produce 80 to 85 percent of the sugar. So I modified my amendment before it was read so as to exempt corporations that produce sugar; so sugar is not covered by the amendment.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HARTKE. I compliment the Senator from Maryland [Mr. BREWSTER] and the Senator from Virginia [Mr. ROBERTSON]. Having followed the struggle in this regard, I think it is high time that we recognize some of the factors of life. The Government operates a high-cost agriculture program. I come from a great agricultural State. I favor keeping the farmer going. But we must be fiscally responsible, and it is important that this type of legislation be enacted. I want the Senator from Maryland and the Senator from Virginia to know that their amendments will have my support.

Mr. FONG. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield to the Senator from Hawaii.

Mr. FONG. I am happy that the Senator from Virginia has seen fit to exempt sugar from his amendment. As I read the amendment, I find that it will not do the job that I should like to have it do. I wonder whether the distinguished Senator from Virginia would accept a modification. I understand that I would not be able to offer an amendment to his amendment, because that would be an amendment in the third degree. But perhaps the Senator will accept my proposal by unanimous consent.

Mr. ROBERTSON. Before the Senator from Hawaii makes his proposal, and since the Senator from Louisiana is interested in sugar, I hope the Senator from Louisiana will listen to the proposal, so that I may have the benefit of his advice, since he is chairman of the Committee on Agriculture and Forestry.

Mr. FONG. The Senator's amendment exempts producers of sugar. I should like to add the following words: "except a producer of sugar as defined in section 101(k) of the Sugar Act of 1948, as amended under title III of such Act."

Mr. ROBERTSON. That would be satisfactory. I accept that modification.

Mr. President, I ask unanimous consent that I may modify my amendment along the lines suggested by the Senator from Hawaii so as to refer to the Sugar Act. Then everyone will know who is covered by the amendment.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Virginia is so modified.

Mr. FONG. I thank the distinguished Senator from Virginia.

Mr. BREWSTER. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. BREWSTER. I thank the Senator from Virginia for his remarks. I should like to read one sentence from a summary of 30 years of operation of the Commodity Credit Corporation, published by the U.S. Department of Agriculture. The sentence reads:

> Of the $56.3 billion in price support extended by CCC since 1933, loans account for $41.9 billion, or 74 percent. Of those loans, $14.3 billion, or 34 percent, were repaid by the borrowers.

Therefore, out of every $3 that the taxpayers have put up since 1933, they have got $1 back.

Mr. ROBERTSON. That is why the Senator from Virginia said the program has not worked. It was said that the production would be well within reach of a visible market and that the loans would be temporary; that the market would absorb them. But that has not happened. As the Senator from Maryland has just said, the Government has got back only $1 out of every $3. The Government has gone in the red on this program by more than $13 billion, and the Commodity Credit Corporation has about exhausted its loan money. It will be necessary to return to the Committee on Appropriations for funds, if we do not do something about putting on the brakes. We should stop providing more and more money to be paid out to more and more rich farmers and more and more corporations, to be followed by more and more surpluses. If that happens, we shall have to pass a law to give the surpluses away or sell them for soft currency, which is practically the same thing, because when we get the soft currency, we have something we cannot use. That is only a little device to say that we are not giving the surpluses away, when actually we are.

Mr. LAUSCHE. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. It might be well at this point to mention what recently happened when Yugoslavia devalued its dinar. The dinar was selling at the rate of 750 for $1 of American money. It was devalued by 60 percent. So the dinar became worth 1,250 for $1.

In addition, prices in Yugoslavia were increased by 24 percent when Tito, by a stroke of the pen, devalued the dinar. When prices were raised, that took from us practically 84 percent of the value of the dinars, which we had acquired under the Public Law 480 program.

That subject has not been given any attention, but it is a vital one. If the issuers of dinars and other foreign currency to our country can devalue their currency, all the soft currency we have can be reduced to nothingness by a simple devaluation of the currency which we possess and by an increase in the price, which, of course, brings less for the currency that we expend.

Mr. ROBERTSON. Mr. President, my distinguished colleague, the Senator from Ohio, has developed another phase of this matter, which shows the futility of saying, "The Government will get this cotton, wheat, or peanut oil, but we can sell it abroad."

We would sell it abroad for soft currency and then the currency would be devalued. The product would go abroad at far below what the Government had paid for it. Then, as has been pointed out in the case of Yugoslavia, they could cut the value of our money by simply devaluing their currencies.

The entire program is unsound. We should rely on private enterprise. That is the only system that has ever worked or that ever will work.

I know that this bill will be passed. It will not be passed by my vote, but it will be passed. I know that we are a long way from returning our farmers to a system of private enterprise, which the majority of us prefer. However, in the process of transition, why could we not make a small step in the right direction by reducing the enormous cost of this program?

I asked several farmers, leaders in the grain industry, and the president of the Farm Bureau Federation what this program would cost. They said that it would not make a great deal of difference under either the House bill or the Senate bill. One bill would involve a higher cost in one respect and the other would involve a higher cost in another respect. Under either bill, it is estimated that in 4 years' time it would cost $16 to $20 billion.

I received a telegram from Mr. Shuman this morning. He said that this bill is fundamentally unsound and should not be enacted into law, but that this is one way by which we can improve the measure.

I do not know whether it will be finally enacted into law. However, I am satisfied that something will be enacted into law. We have always passed farm bills. This one will be passed.

Various provisions will be ironed out in conference. However, the fundamental procedure will be substantially the same, because, regardless of which provision prevails, or how the provisions are compromised—I do not know how much we can save—I believe that it would be encouraging to the taxpayers who must pay the bill if we were to say, "We will preserve the farm as a way of life, and we will let you have enough food and fiber, but we will cut down on those who receive more than $25,000 a year from the Government, and we will cut down on all crops except that which is covered under the Sugar Act, which is a different thing entirely." I am told that it is not actually costing the Government money. It is costing the consumers money. We put an artificial price on sugar to protect the sugar producers against cheaper offshore sugar. We have done that for a long time. However, that is neither here nor there.

I was glad to hear the distinguished Senator from Hawaii [Mr. FONG] call attention to the fact that in his State most of the sugar is produced by corporations, and it would be unfair to them, because they could not adjust their program. Incidentally, the last time I was in Hawaii, a long time ago, I was told that sugar land sold for anywhere from $500 to $700 an acre. The land is not cheap.

Mr. FONG. Mr. President, some of that land costs from $3,000 to $4,000 an acre.

Mr. ROBERTSON. That is what I have heard since. The average corporations can buy such land, but not many of the small farmers could pay the price for sugar land.

Mr. FONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. FONG. Mr. President, my attention has been called to the fact that the exception which is incorporated in the amendment only deals with the first part of the amendment. It is very necessary, to be sure that sugar is exempted, that we incorporate another exemption in the sixth line of the amendment of the Senator, to read the same as I have presented it, so that corporations would be entitled to something more than $25,000 a year.

In the first exemption, the Senator deals with the fact that corporations should not be included in any kind of payment. In the second provision, we talk about $25,000 a year being the limit.

I ask the Senator if he will modify his amendment.

Mr. ROBERTSON. Mr. President, will the Senator be kind enough to state his proposal? When I proposed an exemption for sugar, I intended to make it a complete exemption for sugar. I did not believe that the limitation of $25,000, which was for individual producers, would apply to corporations. Therefore, I did not believe that it was necessary to include a separate provision pertaining to $25,000 a year limitation for corporations when the first provision covered only individual producers. I then exempted corporations which produce sugar. When I do that, that would exempt them from everything under the first provision.

Mr. FONG. Because the amendment has two provisions, it is necessary for clarification, that we include the exemption again. After the words, "and no producer other than a corporation" insert the following: "except a producer of sugar, as defined in section 101(k) of the Sugar Act of 1948, as amended under title III of such Act."

Mr. ROBERTSON. Mr. President, is that the language that the Senator wishes to have incorporated?

Mr. FONG. The Senator is correct.

Mr. ROBERTSON. That is what I intended to do and what I wish to do for clarification.

Mr. President, I ask unanimous consent that my amendment be modified accordingly.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. FONG. Mr. President, it is the intent that sugar not be included under this amendment.

Mr. ROBERTSON. Mr. President, I hope now that everyone is satisfied.

The Senator has asked that my amendment be voted on. Before that vote, I should like to have the views of the author of the original amendment with respect to my proposed modification.

I call attention to how gradual the change is. We make no change with respect to what is already planted and to be harvested this year, or what will be planted next spring and harvested next fall. The cutoff date is January 1967. That would give a year and a half for everyone to know that, to the extent he is not farming for sale to the Government in an amount over $25,000.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BREWSTER. Mr. President, I am deeply impressed by the brilliant remarks of the Senator. If the Senator from Virginia will permit me to do so, I should be very happy to accept his suggestion.

As I understand, the amendment would go to three points. First, it would raise the amount provided in my amendment from a $10,000 cutoff to $25,000. Second, it would bar the big corporate interests or any corporate interest, which is necessarily a business interest, from collecting from the taxpayer. Third, it would exempt the sugar industry, which seems to be running on a rather even keel.

Mr. ROBERTSON. Mr. President, in view of the fact that the author of the amendment is willing to accept my amendment, as modified, we can dispose of the matter on one vote.

I ask unanimous consent to rescind the order for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Does the Senator from Maryland so modify his amendment?

Mr. BREWSTER. Mr. President, it is my understanding that I have a right to so modify my amendment. I do so modify my amendment and accept the amendment of the distinguished Senator from Virginia.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, without objection, the Brewster amendment is modified so as to include the Robertson amendment as modified.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. Will the vote be on the Brewster amendment, as modified?

The PRESIDING OFFICER. The Senator is correct.

Mr. FONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. FONG. Mr. President, I am happy that the distinguished Senator from Virginia has accepted my amendment to exempt sugar compliance payments from the provisions of his amendment.

The Brewster amendment and the Robertson amendment, without excepting sugar compliance payments from their provisions would destroy Hawaii's sugar industry.

They would deal a staggering blow to Hawaii's economy, for sugar is our leading farm crop.

In 1964, the approximate value to Hawaii's economy of raw sugar and molasses produced and Sugar Act compliance payments earned totaled $163 million.

The Brewster amendment would drastically reduce the compliance payments to Hawaii's sugar producers. For all practical purposes, the $10,000 limit and the $25,000 limit under the Robertson amendment would amount to wiping out these essential compliance payments.

For those not familiar with compliance payments, let me briefly explain.

At present, there is a Federal excise tax of one-half cent per pound on raw sugar processed in the United States. In 1964, the U.S. Treasury collected $10,837,210 on processing of cane sugar produced just by Hawaii sugar companies. The tax collected by the Federal Government on sugar produced each year by each company in Hawaii is more than the same company receives in compliance payments.

The purpose of the tax is to provide funds to pay U.S. sugar producers or processors for maintaining good wages and working conditions, promoting orderly development of the sugar industry, and stabilizing the price of sugar for consumers.

Federal law permits conditional compliance payments to producers, or to processors who are also producers, when they first, comply with sugar production and marketing restrictions; second, pay at least the official minimum wages to workers; third, do not employ child labor; and fourth, in the case of processors, pay at least the official minimum prices for sugarbeets or sugarcane.

Compliance payments received by 25 of the 26 Hawaii sugar producers in 1964 totaled $8,679,132. Figures are not available for one company.

Thus, in 1964 the U.S. Treasury collected on Hawaii sugar processed some $2 million more than Hawaii sugar companies received in compliance payments.

In fact, since 1937, the Federal Government has collected more in processing taxes on Hawaii sugar than has been paid to Hawaii sugar producers. So it is clear compliance payments do not represent a net drain on the U.S. Treasury.

On the other hand, compliance payments are crucial to the continuance of the Hawaii sugar industry. In 1964, compliance payments to Hawaii companies ranged from $51,000 to $1,074,000, with the majority of companies receiving more than $200,000.

While these payments are large, the cost to the U.S. Treasury per ton in Hawaii is substantially less than any other domestic producing area. Payments in 1964 to Hawaii producers per ton were $8.96, whereas compliance payments to sugar producers in other areas of the United States ranged from $12.93 a ton to $16.20 a ton.

Even with these compliance payments, the return on invested capital in Hawaii's sugar industry is extremely nominal. In a substantial number of years, the majority of Hawaii sugar companies have wound up in the red despite receiving compliance payments.

Limiting compliance payments to $10,000 or $25,000 per producer, as the amendments respectively propose, would for all practical purposes hurt Hawaii's sugar producers as much as outright elimination of these payments.

Our sugar producers just could not survive such a blow. Last year, without these compliance payments, 17 of Hawaii's 25 sugar producers would have suffered net losses.

I would also like to point out that production of cane sugar in Hawaii is vastly different from production of other commodities, which can be grown by thousands of small farmers on small acreage.

Hawaii sugar can be efficiently produced only by corporate entities. They cannot operate on a fragmented basis. Thousands of acres are needed for efficient and profitable operations. Also, sugarcane requires 22 to 24 months before harvest; other crops only a single growing season.

This is why Hawaii's sugar yield of 1,110,000 tons annually is produced by only 26 companies in operations integrating production and processing. A $10,000 limit on compliance payments for any one company is completely unrealistic for Hawaii.

The sugar industry in Hawaii provides year-round employment for some 12,500 workers. The payroll totals about $65,500,000. Hawaii's sugar workers are the highest paid in the world.

These workers would face unemployment if Hawaii's sugar industry collapses, as it would under the Brewster amendment. Where would these workers find jobs?

Hawaii's sugar industry, although owned by only 26 companies, is owned by about 12,300 individual stockholders, of whom almost two-thirds live in Hawaii.

Hawaii's sugar industry is a world leader in sugar technology and mechanization. It has served America well in war and in peace to help supply our Nation with sugar so basic to human needs.

I am happy that the distinguished Senator from Virginia has accepted my amendment to exempt sugar compliance payments from the provisions of his amendment. I am also happy that the distinguished Senator from Maryland has accepted the amendment of the distinguished Senator from Virginia as amended.

I will now support the Brewster amendment as modified by the Robertson amendment as modified by my amendment.

Mr. ROBERTSON. Mr. President, I am ready to yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Maryland controls the time on his amendment. Is he willing to yield back the remainder of his time?

Mr. BREWSTER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Maryland has 30 minutes remaining.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield to the Senator from Ohio.

The PRESIDING OFFICER. How much time does the Senator yield to the Senator from Ohio?

Mr. BREWSTER. I yield as much time to the Senator from Ohio as he may require.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. The statement shows the name of the producer, the quantity of bushels pledged, the amount of money loaned by the Government to the producer, and the amount repaid.

It was my original understanding that the farm program was intended to preserve the existence of the small farmer, the family farmer. On the subject of barley, the Westlake Farms of Stratford, Calif., pledged 971,000 bushels and borrowed $933,000.

I point to the following examples: Youngker Farms Co., amount repaid, $200,748.60; Westlake Farms, $937,336.20; Five Points Ranch, Inc., $284,519.04; Tulana Farms, $157,682.29.

How different those figures are from the principle that the program was intended to preserve the family farm, the little farm. The point I am trying to make is that the program has departed far from its original structure. There are many other examples, involving huge sums of money. On the first page of the report dealing with barley and dried beans, the high figure is $937,000 and the low figure is about $25,000. There is one item of $200,000, another of $284,000, and a third of $157,000.

The number of borrowers whose loans exceed $25,000 is rather substantial. It seems to me that if the program was intended originally to preserve the small family farm, it has departed completely from that objective. Mr. President, I ask that this tabulation be printed in the RECORD.

Mr. BREWSTER. Will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. BREWSTER. The Senator was momentarily absent from the Chamber. I have already placed that same report in the RECORD.

Referring to pages 2, 3, 4, 5, 6, and 7 of the report that he is quoting from, I invite the Senator's attention to the fact that we find few repayments to the Government.

Mr. LAUSCHE. The Senator is correct.

Mr. BREWSTER. With respect to soybeans, let me emphasize that, as shown on page 20, one company, the Arkansas Grain Corp. of Stuttgart, Ark., borrowed $16 million, and paid back $10 million. I ask the Senator, Does that make any sense?

Mr. LAUSCHE. That is the reason why I shall support the Senator's amendment. As to the Arkansas Grain Corp. which borrowed $16,353,580 and paid back $10,454,477, I do not know whether it means that the balance of $6 million is a loss, but it might be. I cannot subscribe to the program, and I support the proposed amendment of the Senator from Maryland.

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

The amendment of the Senator from Maryland would limit the amount of price support loans or payments which could be made to any producer for any year to $25,000.

Much consideration has been given to limitations of that kind in the past. A limitation of $50,000 was enacted in the Agricultural Appropriation Act of 1960. The General Counsel of the Department of Agriculture issued a 33-page opinion covering a number of questions concerning that limitation, but still it was found unworkable. It was not extended after 1960.

Price support purchases would not be covered by the pending amendment, but even if they were, how could the amendment be applied to dairy products, which are purchased from brokers, where the producer of the product cannot be identified? How would corporate producers be covered? Where price support is made through payments, the amendment might wipe out the larger producers, but where the price is supported by loans, it is probable that enough of the product would be put under loan to support the loan price for both large and small producers.

At present, the Secretary of Agriculture has considerable discretion to use either price support payments or diversion payments to accomplish program purposes. The Senator's amendment would not apply to diversion payments.

Price support programs are designed to protect both producers and consumers, and to achieve price stability and orderly marketing. The provision proposed by the Senator from Maryland would make it most difficult to achieve the purposes of the program.

Mr. President, from the discussions I have heard today, I believe it is possible that the Senator does not quite understand the workings of the program. I was particularly interested in the comments by my good friend the Senator from Ohio [Mr. LAUSCHE].

Mr. ROBERTSON. Will the Senator yield for a moment on that question?

Mr. ELLENDER. Just a minute.

The purpose of price support loans is to provide for the orderly marketing of wheat, corn, or other commodities produced in large quantities by making it possible to remove them from the market temporarily, in many instances, so as to stabilize it. Of course, such action assists all growers of the particular commodities. It inures to the benefit of the small farmer, because if such large amounts of wheat or corn were to be dumped on the open market, it would break the price of the commodity drastically. This would hurt all producers, not just the large producers. As a matter of fact, it is highly likely that small producers would be hurt most, because they cannot stand much of a price reduction without being in grave trouble.

From the beginning of the program, the purpose was to provide a method whereby producers could borrow money and store their crops as harvested and later could repay the loans if the market price went up, or if they could sell at a profit. That happened in many, many cases. The law provides, of course, that if the market does not improve, the commodity remains in the hands of the Federal Government.

I think that the program has worked well. I agree that it is costly. But it has been a savior to the producers of these commodities.

If the Senator's amendment is adopted, it would mean that many of the larger producers would continue to produce much more than our requirements are, and thereby break the market hurting the small farmers. I know that my good friend, the Senator from Virginia [Mr. ROBERTSON], would not wish to see that happen.

I hope that my good friend the Senator from Maryland would not wish to see that. I believe that the program has directly stabilized the production of our major commodities, our five or six main commodities, such as corn, wheat, cotton, tobacco, and other staple commodities, and indirectly stabilized the production of others. If the amendment is enacted into law, it will be akin to throwing a bombshell into the whole program. The purpose of the law is to try to keep production, if possible, in line with our requirements. The adoption of the amendment would do just the opposite.

As I said before, in 1961 it was necessary for us to devise a new program for corn and other feed grains. The stocks had grown so large that it was necessary for us to reduce the surplus.

How could we reduce the surplus? By encouraging producers not to plant, by offering them a diversion payment or a price support if they will comply by cutting back on their acreage.

In my opinion, this is the only way to do it. I do not know of any other way which could be devised to accomplish that end.

Inasmuch as the principal purpose of the diversion payments and the loan payments is to reduce surpluses, it goes without saying that the larger farmers who produce most of the commodities can contribute most. That is why the program should be uniform. And that is why there should be no limitation on the payments. If ever we amended the law whereby payments to the producer would be limited we would destroy the purpose of the act because it is, in effect, the larger producers, be it individuals or corporations—we have them with us—that account for the greatest cut in production. To limit their opportunities, we would cetrainly, in my opinion, be increasing surpluses. The purpose of all the laws we are considering today is to keep our production in line with consumption requirements both at home and abroad.

Accordingly, I hope that the amendment will be defeated.

Mr. ROBERTSON. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. ROBERTSON. Let me point out, first of all, that the amendment is an amendment to another amendment. The Senator obtained the drafting services of the Senate to prepare the amendment. The original amendment was prepared by the drafting service. No one needs to tell me that the staff of the drafting service is so dumb that it does not know how to prepare an amendment that would be useless and of no effect. The fact is that the distinguished Senator from Louisiana has finally admitted the fact that it would have effect, when he called it a bombshell. That is what we hope it will be, by going over the heads of the little farmers and hitting the farmers receiving $25,000 or more, whom we should not subsidize.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Mr. President, I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 additional minutes.

Mr. ELLENDER. The protection the small farmer obtains is due to the fact that we keep a great deal of production off the market. If we did not have a place where the larger producers could obtain loans to keep his product off the market, there is no doubt that the price of the commodity would go down. In other words, if we caused the larger producers to dump all their production on the market, it would ruin the market. Those who would lose most would be the small growers.

Mr. ROBERTSON. I do not see how the small grower would lose. Why should we assume that the big grower is going to produce at a loss when he knows it will cost more? He will go out of business.

Mr. ELLENDER. If we wish to put the large growers out of business, we can succeed by doing the very thing the Senator is advocating now. But my fear is that there will be shortages, because today many farmers receive some kind of protection for the production of their crops, or they would not be in business.

I repeat that the method of providing for loans on the commodity as it is harvested has stabilized the price of the commodity in the market; and unless we have such a device, the large producer would be forced to dump his commodities on the market, it would lower the market price and seriously affect the small farmer, because he would have to sell at lower prices.

Therefore, Mr. President, I hope that the amendment will be defeated.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield back the remainder of his time, except for 1 minute, after he is through speaking?

Mr. BREWSTER. I should like to make a few closing remarks but prior to doing that would like to suggest the absence of a quorum.

Mr. MANSFIELD. If the Senator from Maryland will withhold his request for a moment I should like to yield to the distinguished Senator from Michigan [Mr. MCNAMARA] to file a privileged matter.

Mr. BREWSTER. I am glad to yield for that purpose.

(At this point Mr. MCNAMARA submitted a report from the Committee on Public Works, which appears elsewhere, under an appropriate heading.)

Mr. MANSFIELD. Mr. President, I now suggest the absence of a quroum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BREWSTER. Mr. President, I should like to summarize the present status of the amendment which I originally introduced and which has been amended by the distinguished Senator from Virginia [Mr. ROBERTSON].

This is what we propose:

First. The Department of Agriculture, or the taxpayer, makes no loan or payment to any producer for more than $25,000 in any 1 year. Let me point out that this provision would not go into effect until January 1, 1967, and, therefore, no crop now on the ground would be affected.

Second. We propose to bar payments to corporate business ventures.

Third. At the suggestion of both Senators from Hawaii, the sugar industry is in no way affected.

By way of example, I point out one venture which I discussed earlier in the day. In soybeans, the Arkansas Grain Corp., of Stuttgart, pledged, over 7 million bushels of soybeans, received a loan in excess of $16 million, and paid back $10 million.

The overall record since 1933, when we got into this business—and I read from the Department's own report—shows that of the $56 billion in price supports extended by CCC since 1933, loans account for nearly $42 billion, or 47 percent.

Of these loans, $14 billion has been repaid, or only 34 percent.

For every $3 expended by the taxpayers on commodity loans, the Government has received back $1.

I do not argue that our cutoff amendment is the answer to the agricultural program. I argue that we must put a brake on it. It is wasteful. It is extravagant. It does not work. It is time for someone to do something to stop it.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I support the Senator's amendment. On previous occasions I have supported similar amendments. The amendment is in line with the President's stated objective when he said in his message last January that in any approach to the farm problem he wanted to make sure that the benefits would go to the small farmers. If that is what the administration wants, this amendment should be adopted.

Mr. BREWSTER. I thank the Senator for his support.

Mr. President, there are only two basic reasons for the Government's intervention in the field of agriculture, as the Senator from Virginia pointed out. The first is that we want to have adequate food and fiber in the United States to protect our population. Second, we want to protect the small family farmer.

My amendment would not affect either of those two objectives. I have heard no one else suggest any other approach to the problem.

Mr. President, I am ready to yield back my time.

Mr. TALMADGE Mr. President, will the Senator yield?

Mr. BREWSTER. I am glad to yield.

Mr. TALMADGE. The amendment which the Senator has at the desk does not apply to the shipbuilding subsidy, does it?

Mr. BREWSTER. As the Senator from Georgia knows, it does not apply to the shipbuilding subsidy. I really do not think that has anything to do with the "price of eggs."

Mr. TALMADGE. Would the Senator be willing to modify his amendment to have it apply to shipbuilding?

Mr. BREWSTER. As the Senator knows, I would not.

Mr. TALMADGE. Would the Senator be willing to modify his amendment to have it apply to magazine postal subsidies, which have been estimated at $10 million?

Mr. BREWSTER. That is a subject with which I am not conversant. If we are subsidizing magazines, it is news to me.

Mr. TALMADGE. It is my understanding that considerably cheaper postal rates apply to magazines distributed through the mail, hence, a subsidy. Why should the Senator limit his amendment only to farmers, who have average annual incomes of approximately one-half the average annual incomes of nonagricultural workers?

Mr. BREWSTER. The Senator included two subjects in his earlier questions. One is shipbuilding and the other is magazines? I happen to be of the opinion that the Post Office Department—which, I gather, is what the Senator is referring to—has the obligation to all Americans to get them as much information as possible, at reasonable rates, so they can form adequate judgments on policies of the Government, and, indeed, on our own performance here.

Mr. TALMADGE. The obligation of the U.S. Government to supply her peoples with an abundance of food and fiber is, in my opinion, no less binding than her obligation to supply them with educational materials. Subsidies for farmers are criticized by people, mostly urbanites, who have not give full and considerate thought to the fact that the greatest subsidy existing in our country is the subsidy that the rural areas provide our cities. There are two examples of this subsidy.

First. The rural areas incur enormous expense educating young people out of county revenues. When these same young people mature, rather than remain on the farms, they migrate to the cities in search of better employment opportunities. Although these young people were educated with rural tax dollars and used county public facilities all their lives, it is the city that collects taxes from these migrants once they become taxpaying citizens.

Second. The American farmer produces for the people of the United States the greatest abundance of food found anywhere in the world, which is sold at lower prices than anywhere in the world. The American consumer can buy more food of a greater variety with 1 hour's wages than can most people anywhere else in the world with 1 week's wages.

It seems to me that if the Senator is determined to attack subsidies, instead of limiting his amendment to farmers, who earn the lowest net return of any group in our economy, he ought to include shipbuilders, for example, who have huge subsidies, much greater than any farmer receives.

Mr. BREWSTER. I agree that perhaps the entire subsidy program should be reviewed. I happen to look at shipbuilding as a part of our national defense program.

Mr. TALMADGE. If the Senator will yield, does he not think farm production is an essential component of our national defense?

Mr. BREWSTER. I do not yield. Since we have an army, air corps, and navy, I also think we should have a viable merchant marine. But, as the Senator knows, this subsidy does not go to the family farmer, so it does not go to the heart of the agricultural problem. My amendment would eliminate the big producers who are profiting at the taxpayers' expense.

Mr. President, I yield back the remainder of my time.

Mr. ELLENDER. Mr. President, I yield 1 minute on the bill to the Senator from Wyoming.

Mr. McGEE. Mr. President, while I am in complete sympathy with the desire of my good friend the Senator from Maryland [Mr. Brewster], to reduce the costs of farm programs and to eliminate the subsidization of those for whom farm payments are just additional income, not a part of their basic livelihood, I must oppose his amendment to impose a blanket ceiling of $10,000 a year on price support loans or payments for any agriculture program.

In my opinion, this proposal does not take into account the wide variety of operations and the vast latitude in expenses and incomes which exists in the various segments of our agricultural industry. To try to impose a simple ceiling with no regard to the operating conditions of the individual farmer and the differences in costs and procedures from one type of operation from another and between various sections of our Nation would be unfair to many farmers, who for reasons beyond their control, have had to depend upon some type of Federal assistance to remain on the farm.

However, Mr. President, I would like to point to section 705 of the bill now under consideration and suggest that it contains the seeds for the development of a workable program for eliminating useless assistance in our farm programs. This section provides that the Secretary of Agriculture conduct a study on a county-by-county basis to determine the degree to which the multiplicity of programs under his direction benefit the farmer and to develop criteria for defining commercial family farms and how these criteria might apply in the implementation of farm programs. This report would be due on February 1, 1966. I commend it as a reasonable means of approaching the problem at issue here which could provide for its settlement in a logical and consistent manner.

The PRESIDING OFFICER. All time on the amendment has expired or has been yielded back.

The question is on agreeing to the amendment of the Senator from Maryland [Mr. Brewster] as modified, to the committee amendment in the nature of a substitute.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from Rhode Island [Mr. Pell], the Senator from Maryland [Mr. Tydings], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], the Senator from West Virginia [Mr. Randolph], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia [Mr. RANDOLPH] would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Missouri would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Pennsylvania would vote "yea."

The result was announced—yeas 33, nays 56, as follows:

[No. 256 Leg.]

YEAS—33

Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Case
Church
Cotton
Dodd
Douglas
Fong
Gruening
Hartke
Hickenlooper
Jackson
Lausche
McGovern
McNamara
Miller
Morton
Moss
Nelson
Neuberger
Prouty
Proxmire
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Smith
Williams, Del.

NAYS—56

Allott
Bass
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Harris
Hart
Hayden
Hill
Holland
Hruska
Inouye
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Mundt
Murphy
Muskie
Pastore
Pearson
Russell, S.C.
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—11

Aiken
Anderson
Bennett
Clark
McCarthy
Pell
Randolph
Scott
Symington
Tydings
Williams, N.J.

So Mr. BREWSTER's amendment, as modified, was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I offer the amendment which I send to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> At the end of the bill add a new section as follows:
>
> "SEC. 707. Notwithstanding any other provision of law, no producer shall be eligible for price support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $50,000 for any one year. The foregoing dollar limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment in kind made to a producer."

Mr. WILLIAMS of Delaware. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. I yield myself 5 minutes. I see no reason for debating the amendment extensively. It is exactly the same principle as that which was defeated by the Senate a moment ago, except that the amendment which was just voted on proposed to place a $25,000 limitation. I supported that amendment and wish it had been adopted. But since it was rejected, I am offering the same proposal except with a limitation of $50,000.

In his state of the Union message on January 4, the President stated:

> Our economy owes much to the efficiency of our farmers. We must continue to assure them the opportunity to earn a fair reward. I have instructed the Secretary of Agriculture to lead a major effort to find new approaches to reduce the heavy cost of our farm programs and to direct more of our effort to the small farmer who needs help most.

On February 4, when the President submitted his farm message to Congress, he mentioned the words "small farmers" at least half a dozen times. He said he wanted his program to be directed to the benefit of small farmers and not large, corporate-type farmers. If it is the small farmers whom we want to help, by all means this amendment should be adopted.

Certainly, $50,000 is adequate and is more than a liberal amount. It is double the amount proposed in the amendment just rejected. My amendment will take care of the so-called small farmers throughout the country but will eliminate the corporate-type farming. What we are deciding is whether we want to help the small farmers of America or to perpetuate underwriting large corporate types of farm operations as we have been doing in the past.

The arguments for my amendment are the same as those which the Senator from Maryland made in behalf of his amendment, therefore I will not take the time of the Senate to repeat. With that suggestion, I rest my case.

Mr. BREWSTER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BREWSTER. Do I correctly understand that the proposal offered by the Senator from Delaware is precisely the same as the amendment just voted on, except that the $25,000 limitation with respect to any producer, not including sugar producers, would be raised to $50,000, and that all corporate enterprises would be eliminated?

Mr. WILLIAMS of Delaware. That is correct, except that my amendment does not include the exception of sugar. I did not know that that had been offered by the Senator from Hawaii.

Mr. FONG. My proposal was accepted.

Mr. WILLIAMS of Delaware. I am willing to accept that proposal as a modification of my amendment, so as to make it the same amendment as that which was offered earlier.

Mr. President, I ask unanimous consent that I may modify my amendment so as to include the proposal of the Senator from Hawaii.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Is there objection? The Chair hears none, and it is so ordered.

The amendment, as modified, is as follows:

> At the end of the bill add a new section as follows:
>
> "SEC. 707. Notwithstanding any other provision of law, no producer, except a producer of sugar, as defined in section 101(k) of the Sugar Act of 1948, as amended under title III of such act, shall be eligible for price support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $50,000 for any one year. The foregoing dollar limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment in kind made to a producer."

Mr. PASTORE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. I am curious to know why sugar should be exempt.

Mr. WILLIAMS of Delaware. Personally, I would be agreeable to including sugar if there were enough votes to adopt such an amendment, but I do not know whether there are sufficient votes. I am trying to have some amendment along this line adopted. This amendment does cover all commodities mentioned under the pending bill.

Mr. PASTORE. In other words, we can sustain the rich sugar producer but not the poor cotton producer.

Mr. WILLIAMS of Delaware. I would be perfectly willing to support an amendment to include sugar producers, and we could vote on both amendments, if that would suit the Senator from Rhode Island. I am trying to have some amendment adopted that will provide a limitation. If an amendment were offered later to include sugar production, I should be glad to support it.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MORTON. One reason for excluding sugar is the nature of the crop and the fact that in order to grow sugar efficiently, it must be produced on a large scale.

In Hawaii, the average wage of a worker in the sugar fields is $24.50 a day. Such a wage could not prevail—it would be $6, $8, or $10 a day—if it were not for the large-type operation.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. I yield myself an additional 5 minutes.

The statement of the Senator from Kentucky is true.

In addition, the sugar quota is related to a tax on imports which will be coming over from the House in the next few days and will be before the Senate, and in which sugar can be dealt with as a separate issue. If it is not dealt with as a separate issue before we adjourn, there will be no sugar program of any kind that would be affected. It is only appropriate that the sugar question be handled in a sugar bill.

Mr. FONG. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. FONG. Is it not true that the sugar program is the only self-financing program in the entire agricultural program?

Mr. WILLIAMS of Delaware. I do not wish to engage in a discussion of how the program is financed, but I will agree that the sugar program is a separate act. Sugar is not one of the commodities which is stored by the Commodity Credit Corporation. The sugar program is administered under a separate law, entirely apart from the general farm program.

As I just said, a bill will be coming from the House in the next few days that will deal with the entire question of renewing or establishing a sugar program. Any modification that may be made in relation to that program should be made on that bill, which will be before Congress before this session is concluded.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YOUNG of North Dakota. While the sugar program is self-financing through the imposition of excise taxes, the wheat program, too, would be practically self-financing if the use of wheat certificates was not disturbed. Does the Senator's proposal include loans as well as subsidy payments?

Mr. WILLIAMS of Delaware. Yes, it does.

Mr. YOUNG of North Dakota. Loans that are repaid?

Mr. WILLIAMS of Delaware. That is correct.

Mr. YOUNG of North Dakota. This would present a real problem to the average operator.

Mr. WILLIAMS of Delaware. I appreciate that.

Mr. YOUNG of North Dakota. We pay a very high price for labor in the wheatfields in North Dakota, too.

Mr. WILLIAMS of Delaware. I appreciate that, but this would cover the situation. I read the amendment, "No producer shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $50,000 for any 1 year. The foregoing dollar limitation shall include the fair dollar value—as determined by the Secretary of Agriculture—of any payment in kind made to a producer."

It does include all payments or loans which would be made on the various commodities affected under this bill, I want no misunderstanding on that.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOMINICK. Mr. President, I want to ask about that corporation provision. I did not understand it. Would this provision eliminate any payment of any kind to a corporation?

Mr. WILLIAMS of Delaware. It would limit payments to $50,000 to any group, whether corporation or individuals.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MORTON. Mr. President, any corporation in a nonfarm business can go to the bank and borrow money. This would not prohibit a nonfarm corporation from going to a bank and borrowing money.

Mr. WILLIAMS of Delaware. No, this would pertain to a Government loan subsidy under this bill.

Mr. ELLENDER. Mr. President, I have no further argument to advance. All of the arguments against the amendment of the Senator from Maryland apply equally to the amendment of the Senator from Delaware. Everything that Congress has worked out in the way of a farm program would be destroyed by this amendment. We have provided that prices shall be supported but this amendment would prevent their being supported. We have provided incentives for reducing production, but this would remove those incentives. This would play havoc with the balance between commodities. It would not apply to milk at all, but it would be destructive of the cotton program, the corn program, and the wheat program. The purpose of a price-support loan is to take crops off the market, particularly, during the flush marketing period at harvest time, and more or less stabilize the price of the commodity and assist the smaller farmers.

I hope that this amendment will receive the same vote as it did the last time.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BREWSTER. Mr. President, I point out the overall sorry record of the so-called loans. Since 1933 $42 billion has been loaned and, of this amount, $14 billion has been repaid.

Mr. ELLENDER. Mr. President, I yield 1 minute to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 1 minute.

Mr. YOUNG of North Dakota. Mr. President, the figures used by the distinguished Senator from Maryland are rather out of date with the present program.

Years ago we had a high price support with loans on a high value. Under the cotton bill now, there are low-level loans. We have the same situation with respect to wheat. Most of these loans are repaid.

This provision would seriously interfere with the operation of the farm bill.

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Missouri.

AGRICULTURE EFFICIENCY SHOULD NOT BE PENALIZED

Mr. SYMINGTON. Mr. President, in considering the various amendments proposed today that price support loans or payments for any 1 year be limited to $10,000, $25,000, $50,000, or $100,000, I believe it important that we keep in mind the fact that these are economic and not welfare programs.

Never before in the history of the world have the people of any nation been so well fed and clothed at so small a percent of their income. This is the direct result of the productive genius of the American farmer, genius that has been a blessing for us all.

Under the American system, we believe that those making this bounty of food and fiber possible should have the opportunity to share in the wealth they create according to their contributions.

If the farm people could individually cut their total production to 98 or 99 percent of market needs, we could discontinue the price support and loan programs. Our farm people would then be in a sellers' market and would be receiving far more for their production. We can all be thankful that instead of scarcity we have plenty.

In Missouri last year, 154,500 farms produced feed grains—corn and small grains. Of this number, more than 12,000 had a feed grain base of over 100 acres. These 12,000 farms, although only about 8 percent of all the farms in the State, accounted for one-third of the grain production in Missouri.

Were these farmers, each of whom produced more than $10,000 in price supported crops, to be limited to $10,000 maximum in price support loans or payments, they would logically cease to cooperate in the programs, would produce the maximum on their farms, and sell on the open market at prices just below the umbrella furnished by price-support loans to the covered producers.

Once again production would far exceed consumption, our feed grain stocks would be on the rise, and the cost to the Government would go up rather than down.

What would happen on feed grains under such a limitation would also take place on cotton and all other supported commodities.

If we were to set a limit on price support loans or payments, then it would seem equally reasonable to limit present subsidies on shipping, on postal rates, and benefits under the tariffs.

The owner of 10,000 shares of General Motors stock profits from the automobile tariff on each share of stock just as does the owner of 10 shares.

I know of no suggestion to put a ceiling on the benefit an individual could derive from tariff subsidies, nor should there be.

Neither should there be a dollar ceiling on the amount of participation in the farm programs, and I hope the Senate will continue to vote down these proposals.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Delaware as modified. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Rhode Island [Mr. Pell], the Senator from Maryland [Mr. Tydings], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Missouri [Mr. Symington] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken] and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

If present and voting, the Senator from Utah [Mr. Bennett] and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

The result was announced—yeas 42, nays 49, as follows:

[No. 257 Leg.]

YEAS—42

Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Cotton
Curtis
Dodd
Dominick
Douglas
Gore
Gruening
Hartke
Hickenlooper
Jackson
Jordan, Idaho
Lausche
McGovern
McIntyre
McNamara
Miller
Morton
Moss
Mundt
Nelson
Neuberger
Prouty
Proxmire
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Simpson
Smith
Williams, Del.
Young, Ohio

NAYS—49

Bass
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hart
Hayden
Hill
Holland
Hruska
Inouye
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
Metcalf
Mondale
Monroney
Montoya
Morse
Murphy
Muskie
Pastore
Pearson
Randolph
Russell, S.C.
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NOT VOTING—9

Aiken
Anderson
Bennett
McCarthy
Pell
Scott
Symington
Tydings
Williams, N.J.

So the amendment of Mr. Williams of Delaware, as modified, was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. CASE. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. CASE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment ordered to be printed in the Record is to insert, at the proper place in the bill, the following new title:

TITLE VII—EGGS

(1) Subsection 8c(2)(B) is amended (a) by inserting "and laying chickens, which, when used in this title, shall be deemed to include baby chicks and pullets produced, acquired, or handled for the production of table eggs," after "turkeys" where it first appears; (b) by inserting "and chicken table and hatching eggs other than chicken hatching eggs used for producing poultry meat," after "turkey hatching eggs" where it first appears; (c) by inserting "except as to liquid, frozen, or dried chicken eggs" after the phrase "including canned or frozen commodities or products" where it first appears; and (d) by striking the word "and" where it first appears in (ii) and inserting a comma in lieu thereof, and striking the period in (ii) and inserting in lieu thereof the following: ", and (iii) chicken table eggs, chicken hatching eggs, laying chicken hens, baby chicks and pullets may be treated as individual commodities under individual orders or may be combined in any combination under one order and treated as a single commodity for the purpose of regulating the quantity of chicken table eggs to be marketed in order to improve the economic conditions of chicken table egg producers."

(2) By adding a new subsection as follows:

"8c. (20) Laying chickens and chicken table eggs—Terms and conditions of orders.

"In the case of laying chickens and chicken table eggs, orders issued pursuant to this subsection shall contain one or more of the following terms and conditions and (except as provided in subsection 6, other than paragraphs (D), (E), (F), (G), (H), and (I) thereof, and subsection 7 of this section) no others; for the purpose of this section the hatching of baby chicks shall be considered handling of hatching eggs; and further for the purpose of this subsection it is determined that by reason of the widespread production and handling of laying chickens and chicken table and hatching eggs throughout the United States and the competition in marketing of such commodities throughout the United States all handling of such commodities is in interstate commerce or directly burdens or affects such commerce in laying chickens and chicken table and hatching eggs in the United States.

"(A) Limiting or providing methods for the limitation of the total quantity of laying chickens which may be marketed or otherwise handled during any specified period or periods by any or all handlers thereof.

"(B) Distinguishing, or providing methods for distinguishing, the different persons in the chicken table egg industry involved in the production and marketing of such eggs, including, but not restricted to, defining and classifying such groups of persons and providing for such different terms and conditions applicable to persons within each such class and to such classes as is determined to be appropriate to effectuate the purpose of the program in an equitable manner. Producer status may be limited to persons having a flock of laying chickens above a certain size where the Secretary determines, after hearing, that the regulation of the marketing of eggs from smaller flocks is not necessary to effectuate the policy of the Act and would impose an unwarranted burden upon the owners thereof or unnecessarily burden the administration of the order.

"(C) Determining, or providing methods for determining, the desirable quantity of chicken table eggs to be produced and marketed during any period and the desirable quantity of laying chickens necessary to allow the production and marketing of such desirable quantity of chicken eggs as determined. Table eggs shall be defined as edible eggs for human consumption other than those used for hatching.

"(D) Allotting, or providing methods for allotting, the total quantity of laying chickens or chicken table eggs available or to be available during a specified period, or periods, equitably among chicken table egg producers upon the basis of the total quantity of laying chickens acquired by each producer, or chicken table eggs marketed by each producer, during such prior period which the Secretary determined to be representative, and the size, production and age of the laying chickens in his current flock(s), due allowance being made in the provisions of the order for abnormal conditions, hardship cases, and producers who did not produce chicken table eggs during all or part of the representative period; such apportionment shall constitute an allotment fixed for the producer within the meaning of subsection 8a(5) of this title.

"(E) When allotments for producers with respect to laying chickens or chicken table eggs have been established under this section, the order may contain provisions allotting or providing a method for allotting the quantity which any handler may handle so that any and all handlers will be limited as to each producer to the quantity allotted to each producer, and such allotment shall constitute an allotment fixed for each handler within the meaning of subsection 8a(5) of this title.

"(F) Providing for a market diversion program for chicken table eggs and/or laying chickens which may include open market purchases of chicken table eggs, and liquid, frozen, or dried eggs, of any grade, size, type, or quality, when the Secretary determines that the then current or the estimated price for chicken table eggs is such that the average return therefor to producers would not be reasonable in view of the prices of feed, the available supplies of feeds, economic conditions affecting table egg production, and other economic conditions which affect market supply and demand for chicken table eggs in the production area, and providing for the distribution of the net return derived from the disposition of such eggs or laying chickens to the market diversion fund and any amount determined by the Secretary to be in excess of such funds requirements to be equitably distributed among those contributing to such fund.

"(G) Establishing or providing for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of eggs or egg products; the expense of such projects to be paid from funds collected pursuant to the marketing orders.

"(H) Subsections 8c(8), 8c(9), the first section of 8c(10), 8c(11), 8c(12), 8c(13)(B), and 8c(19) of this title shall not be applicable to orders issued under this subsection.

"(I) The authorization for provisions contained in subsection 8c(7)(D) shall be applicable to orders containing provisions under this subsection with the same force and effect as though this subsection was specified therein."

(3) By adding a new subsection 8c(21) as follows:

"8c(21) Producer referendum for approving orders applicable to laying chickens and chicken table eggs.

"The Secretary shall conduct a referendum among chicken table egg producers for the purpose of ascertaining whether the issuance of an order under subsection 8c(20) is approved or favored by them. For the purpose of such a referendum a chicken table egg producer shall be a person (a) who provides the labor for caring for a flock of egg producing hens, which flock would be subject to an order, if approved, and (b) who has an interest in the resulting egg production, and (c) who owns or leases and operates the producing facilities resulting in production of chicken table eggs subject to the order. No order shall be issued under this section unless approved by more than one-half of the eligible producers voting in said referendum. The terms and conditions of the proposed order shall be described by the Secretary in the ballot used in the conduct of the referendum. The nature, content, or extent of such description shall not be a basis for attacking the legality of the order or any action relating thereto."

(4) The prefatory language of subsection 608c(6) is amended by inserting after the words "other than" as they first appear, the words "laying chickens, chicken table eggs, and".

(5) Subsection 10(b)(2)(ii) is amended by adding at the end thereof the following: "Orders issued under subsection 8c(20) may provide for such assessments to be paid only by handlers of baby chicks, laying chickens, or chicken table eggs and, further, if the order provides for a market diversion program for chicken table eggs, the Secretary may determine the amount of funds necessary for such a market diversion program and this amount shall be assessed upon all handlers of chicken table eggs and each such handler shall pay his pro rata share of this amount to the authority or agency established to administer the order: *Provided, however,* That the Secretary may, after hearing, establish such quantities of chicken table eggs handled as he determines necessary to be exempt from both the administrative and market diversion assessments to avoid unnecessary burdens on handlers and, further, that the Secretary, after hearing, may determine at what point in the handling of baby chicks, chickens for laying, or chicken table eggs such assessments shall attach."

Renumber present title VII, title VIII.

Mr. CASE. Mr. President, the amendment proposed by myself, the Senator from North Dakota [Mr. BURDICK] and the Senator from Connecticut [Mr. DODD], to H.R. 9811, would authorize an eggmarketing order.

In that connection, I ask unanimous consent to have printed in the RECORD at this point an article from the Newark Evening News of May 5, 1965, entitled "Egg Income Down."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EGG INCOME DOWN: FARMERS' TAKE FROM MILK ALSO OFF

TRENTON.—Farm income from poultry and egg sales in New Jersey declined 15 percent in 1964, the New Jersey Crop Reporting Service announced today.

The reporting service, a division of the State agriculture department, said that receipts from milk sales also declined, but only about 3 percent.

Income from sales of eggs and poultry totaled $53.3 million during 1964 compared to $62.7 million in 1963, the department said. Eggs accounted for $48.6 million of last year's total, down from $56.7 million the preceding year.

FEWER HENS

The number of layers on New Jersey farms declined 11 percent to 8.2 million. White egg production dropped 10 percent to 1.6 billion. Average production for each bird was 199 eggs for the year, a new record, the department said.

Monmouth County led the State in egg production, accounting for 316.4 million eggs. Cumberland was second and Ocean third.

Agriculture officials said that income from meat chickens amount to $2.5 million, down 30 percent from 1963. Farm chicken sales declined 9 percent to $2.2 million, but turkey sales were up 48 percent to $1.4 million.

The dairy industry reported $57.3 million in income from milk in 1964 compared to $59.3 million in 1963.

PRICES HIGHER

Wholesale milk prices were up 4 cents per hundred pounds in 1964 to $5.08 from a 12-year low in 1963.

Some 112,000 milk cows, 5,000 less than in 1963, produced an average of 9,770 pounds of milk each, a record high for New Jersey. The rate is topped only by California and Arizona.

Sussex County's milk production was tops in New Jersey again in 1964 with 240 million pounds. Warren was second and Hunterdon third.

Mr. CASE. Our amendment would amend the Agriculture Marketing Act of 1937 to authorize an egg marketing order. Such an order would provide for allocation among table egg producers of the estimated human egg consumption during specified periods.

The procedure to be followed is similar to that used for other marketing orders. The Secretary of Agriculture would publish a proposed order and hearings would be held, followed by a referendum among eligible producers. A majority would have to approve before the order would go into effect. Thus our proposed amendment is only enabling legislation.

Among other things, the purpose of such an order would be to, first, improve the economic conditions of producers of eggs for human consumption, and second, insure the public interest by keeping egg production widespread, in the hands of many people instead of a few. Prevention of a monopoly is the best insurance against exploitation of the public. Dispersion is also a protection against disaster to our total egg supply.

There are approximately 150 Federal and State marketing orders in effect today covering a wide variety of commodities including fruits, vegetables, tree nuts, cranberries, and milk among others. I am told that a survey conducted among those directing these orders indicates that they have resulted in developing order out of chaos, eliminating cutthroat activities in most cases, and stabilizing the price structure of the commodities involved.

Egg producers in my State are in dire straits. In 1957 gross cash receipts from egg production amounted to $92.2 million. In 1958, it dropped to $90.6 million, a loss of $1.6 million. In 1959, the cash receipts dropped to $72.6 million, a drastic reduction of $18 million. And in 1964, preliminary estimates indicate that cash receipts from eggs will amount to only $49.7 million. This represents a total drop in an 8-year period of $42.5 million.

As of January 1, 1959, the number of farmers keeping poultry flocks in my State was 9,200. As of January 1, 1965, this figure was reduced to 3,900. Thus 5,200 farmers who kept poultry flocks went completely out of business. A similar decline has occurred in a number of other States. If we do not do something about this trend, we shall soon find a handful of giants in complete control of egg production, a situation in nobody's interest.

There are no subsidies provided in this legislation. But there is provision for purchases of eggs and egg products on the open market by the Secretary of Agriculture in times of oversupply. Under our amendment these purchases and administration of this program will be borne entirely by the producers themselves through an assessment at either the hatchery, producer, or egg processor level.

This amendment would give egg producers the right, enjoyed by so many other farmers, to decide whether they want a marketing order. I emphasize that the costs of administering the order would be borne by the egg farmers themselves.

I should be happy, Mr. President, to hear any comment that the chairman of the committee might have concerning my amendment.

Mr. ELLENDER. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ELLENDER. Mr. President, this amendment has been before the committee for the past 4 years, but this year no hearings were held on it.

The amendment would authorize the issuance of marketing orders for, first, laying chickens—including baby chicks and pullets for the production of table eggs, second, chicken table and hatching eggs—other than eggs used for the production of poultry meat, and third, liquid, frozen, or dried chicken table eggs.

The Senator's amendment was referred to the committee on August 26. The committee has had no bill before it on this subject this Congress, and the subject matter was not brought up at the committee's hearings. It is a very complex amendment and a very complex subject. In 1961 the committee studied somewhat similar suggestions at great length, and it was a subject of considerable controversy in the passage of the Agricultural Act of 1961. At that time the Senate decided to limit this authority insofar as poultry and eggs were concerned to turkeys and turkey hatching eggs.

Mr. President, there is much opposition to this amendment. Personally, as chairman of the committee, I would suggest to my good friend the Senator from New Jersey [Mr. CASE] that he not press his amendment. Early next year, when the committee meets, I shall be glad to hold special hearings on the subject, in an effort to find ways and means of assisting the egg and chicken industry if possible. But I hope that the Senator will withdraw his amendment.

Mr. CASE. Mr. President, I have discussed the measure with the chairman of the committee on several prior occasions, and just before I offered the amendment this afternoon. I realize that its subject matter is controversial. Those of us who represent northern States, in particular, feel that our situation is becoming more drastic all the time in regard to the egg business, and that if something is not done soon, we shall be out of business and, in effect, a monopoly will very quickly result, to the detriment of the consumer as well as the economy as a whole.

I am not minded to press the amendment at this point, because, as the chairman says, there were no hearings before the committee on it at this session. I feel, however, that the situation has drastically changed for the worse since the matter was previously considered, and that we must have hearings at the earliest possible date. I accept the chairman's offer of hearings for early next session in complete good faith, and with that understanding, I am happy to withdraw the amendment from consideration on this particular bill.

Mr. ELLENDER. As I pointed out, the Senator submitted his amendment on the 26th of August, when we had already had hearings on the bill.

Mr. CASE. The chairman is absolutely correct. That was called to my attention, and this is the only course I have at this time.

Mr. ELLENDER. That was the reason we did not conduct hearings on the amendment. But I assure the Senator that if he submits his amendment and has it referred to the Committee on Agriculture and Forestry, hearings will be held early next year.

Mr. CASE. With that understanding, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment, and ask unanimous consent that the reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment ordered to be printed in the RECORD is to add, at the end of the bill, a new section, as follows:

> SEC. 707. Notwithstanding any other provision of law, no producer except a producer of sugar as defined in section 101(k) of the Sugar Act of 1948 as amended, under title III of such act shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $100,000 for any one year. The foregoing dollar limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment in kind made to a producer.

Mr. WILLIAMS of Delaware. This is the same amendment voted upon previously today, except that this time I am trying to see if the Senate will agree to a limitation of $100,000 in Federal payments to any one individual or corporation as far as the farm program is concerned. It affects, again, all the commodities included in the bill, except sugar, which will be dealt with in a special sugar bill when it comes over from the House of Representatives.

This amendment is the same language as the former amendment, as was offered by the Senator from Maryland [Mr. BREWSTER] except that it proposes a limit of $100,000 instead of $25,000. Otherwise, it is identical. The same arguments that were made before are made in behalf of this proposal. Surely when we increase the limitation to $100,000 to any individual, no one can say, "You are limiting this too strict as far as the small-type farmer is concerned."

The President, in his state of the Union message, mentioned specifically his interest in legislation for the small farmer. He never said a word about being interested in taking care of the large-type operator, the corporate-type operator. As the Senator from Maryland pointed out earlier, there was one individual company engaged in the production of rice which received $2,609,820 in price-support loans in 1 year. There was another receiving over $11 million on another commodity. Certainly no one can say those are small-type farming operations. There should be a reasonable limit.

I regret to delay the Senate in voting on numerous amendments, but I know of no other way than to move forward progressively to see whether the Senate really means what it says, whether it wishes to pass a farm bill for the bona fide farmers, or for the corporate type of operation.

Mr. COOPER. Mr. President, will the Senator from Delaware yield at that point?

Mr. WILLIAMS of Delaware. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. I say to the Senator, as he knows so well, that it is unpopular to vote against such an amendment as the Senator from Delaware is offering. However, does not the Senator believe that the success of any farm program depends upon compliance by a large number of farmers, and certainly the larger farmers?

Mr. WILLIAMS of Delaware. There is no question about that.

Mr. COOPER. Does not the Senator know that the kind of amendment which he offers and continues to offer, if it should be adopted, would really strike at a program which itself benefits all farmers, large and small, and gives them an opportunity to earn a reasonable income, as well as providing the food needed by all the people of this country. I believe that the Senator knows that it might be one of his purposes to defeat the farm program. Am I correct?

Mr. WILLIAMS of Delaware. No; the Senator is not correct. I admit I do not like the farm program which is before the Senate. I do not mind saying that. But, on the other hand, the small farmer who has 100 or 200 acres cannot afford to take advantage of the provisions of the bill, and accept payments to cut back his acreage. He has to buy a tractor to cultivate the 100 or 200 acres. He has to buy cornpickers, combines, and all the other machinery that goes with any farm operation.

When the small farmer cuts back his acreage his cost of operation is almost the same as it would be if he did not cut back. Therefore, he cannot afford to cut back. A farmer with a thousand acres or several thousand acres can cut back a few hundred acres, put it in the Soil Bank and collect his money from the Government, and put the rest of his production in a price-support loan. All he has to do is lay off one or two of his hired men. He can efficiently utilize his machinery on the reduced acreage.

By subsidizing big operations under the farm program, we will gradually force the small-farmer type of operation out of business.

Theoretically, under the bill, the small farmer has the same benefits as the large farmer except that, as I said before, in order to maintain the efficiency of his operation, to efficiently make use of the equipment which he must buy for 100 acres or 200 acres, he cannot afford to take advantage of the Soil Bank provisions of the bill.

Therefore, it is not exactly true to say that the small farmer will benefit under the bill to the extent that the large operator will, because the small farmer cannot take advantage of the programs. Certainly a man operating a farm with a $100,000 annual income, should be able to do it without coming to the U.S. Government for a subsidy.

Mr. President, I see no reason for delaying this matter further. I am willing to yield back the remainder of my time. I ask again for a yea and nay vote, because I wish to know exactly how far the Senate wishes to go with the farm program.

Mr. WILLIAMS of Delaware subsequently said: Mr. President, I ask unanimous consent that there be printed in the RECORD immediately following my earlier remarks, a list prepared by the Department of Agriculture, as of June 21, 1965, showing the loans that were made in excess of $100,000 in price support loans under this program.

This list includes "loans only" and does not include the amounts these same people may have received under the feed grain program or other programs.

The amendment I offered covers all together under the proposed limitation.

There being no objection, the list was ordered to be printed in the RECORD, U.S. DEPARTMENT OF AGRICULTURE, COMMODITY CREDIT CORPORATION

1963 crop price-support loans made of $100,000 or more and amount repaid, by producer

State, producer, and address	Quantity pledged	Amount loaned	Amount repaid
CORN			
Illinois:			
Tallmadge Ranch, Inc., Momence	115,930	$128,682.28	---
Cote Farms, Inc., St. Anne	167,239	180,618.12	---
Iowa: V. Bell, Chrystal Bros., E. E. Reid, Roy Reid, Max Naylor, Jake Bell, Toshiama Co., R. Garst, Tr. et al., A. Stein, Dr. W. Mackin, Garst Co., and L. M. Brannon, Coon Rapids	153,123	153,123.00	---
Nebraska: Hundahl Farms, Tekamah	99,120	100,111.20	---
BARLEY			
Arizona: Youngker Farms Co., Buckeye	192,357	173,121.30	$173,121.30
California:			
Five Points Ranch, Inc., Five Points	219,147	201,615.24	201,615.24
Westlake Farms, Inc., Stratford	833,333	766,666.40	766,666.40
BEANS, DRY EDIBLE	*Hundredweight*		
California: C. J. Segerstrom & Sons, Costa Mesa	12,000	122,400.00	---
GRAIN SORGHUM			
Arizona: Jack Robinson & Sons, Willcox	52,365	100,017.15	---
OATS	*Bushels*		
Oregon: Tulana Farms, Klamath Falls	718,750	524,687.50	524,687.50
RICE	*Hundredweight*		
Arkansas:			
Producers Rice Mill, Inc., Stuttgart	486,000	2,609,820.00	2,609,820.00
Arkansas:			
Alice Sidney Farms, Lake Village	24,456	123,502.80	123,502.80
W. B. Bynum Cooperage Co., Inc., Dermott	34,102	169,476.33	169,476.33
Craighead Rice Milling Co., Jonesboro	41,178	190,578.73	190,578.73
James M. Thomas, Tuckerman	18,810	105,524.09	6,452.62
Redbud Farms, Inc., Wabash	34,161	171,077.76	171,077.76
Willard C. Wilson, Harrisburg	20,938	104,269.43	104,269.43
Louisiana:			
Edmond and Vincent Zauenbrecher, Bonita	27,146	126,756.06	126,756.06
J. C. Larrison, Wilmot, Ark	46,533	220,932.23	220,932.23
Mississippi:			
Allen Gray Estate, Benoit	22,928	117,921.79	27,145.80
Greer Bros. & Son, Hollandale	25,052	126,770.79	126,770.79
Texas: Anderson Farming Co., Lissie	39,377	204,756.09	204,756.09
SOYBEANS	*Bushels*		
Arkansas: Arkansas Grain Corp., Stuttgart	5,036,039	11,644,375.24	2,701,898.61
WHEAT			
Montana: Campbell Farming Corp., Hardin	179,429	269,125.32	269,125.32
Oregon:			
Ralph S. Crum, Ione	59,604	107,160.49	29,154.62
Kay Bros., Inc., Milton Freewater	59,670	109,196.10	109,196.10
Glenn Thorne, Pendleton	60,491	105,027.53	105,027.53
Washington:			
Leonard and Henry Franz, Lind	77,821	137,464.42	137,464.42
Glen Miller & Son, Amber	66,463	118,304.12	118,304.12
COTTON	*Bales*		
Alabama: James & Bamberg, Uniontown	634	110,326.98	---
Arkansas:			
Miller Lumber Co., Marianna	923	142,173.82	---
W. M. Smith & Son, Birdeye	759	129,861.54	18,219.52
S. C. Chapin, Traumann	1,450	255,728.01	---
Louisiana:			
West, Inc., Oak Ridge	1,209	209,345.72	---
M. P. Utz, Tallulah	1,199	191,276.85	60,382.18
Mississippi:			
J. W. Patrick, Jr., Brandon	605	102,520.37	---
J. T. Brand, Prairie	558	101,037.75	---
Allen-Brashier Planting Co., Indianola	840	136,506.82	---
F. B. McKee, Friars Point	801	135,886.07	---
COTTON—continued			
Mississippi—Continued	*Bales*		
J. & M. McKee, Friars Point	675	$110,358.86	---
Billups Plantation, Indianola	1,187	203,088.33	---
Emile T. Schaefer, Yazoo City	858	138,392.87	$124,494.14
S. C. Coleman, Yazoo City	705	120,985.42	68,630.60
H. M. Haney, Jonestown	783	136,693.87	1,492.17
Oasis Plantation, Stovall	673	114,440.65	2,140.88
Yandell Bros., Vance	1,661	272,683.28	---
C. B. Box Co., Midnight	2,004	335,685.95	174,734.49
Kline Planting Co., Alligator	1,325	231,709.86	---
King Plantation, Greenwood	1,822	316,586.80	31,596.76
Roberson Plantation, Minter City	1,201	208,667.91	741.83
O. F. Bledsoe Plantations, Greenwood	1,667	283,244.90	2,080.38
Klondike Planting Co,, Greenville	1,380	218,490.54	167,649.06
Billups Plantation, Inc., Indianola	794	134,347.50	90,502.05
Self & Co., Marks	1,206	212,717.27	---
L. H. Fedric Farms, Glendora	1,010	170,162.65	14,650.73
Trail Lake Planting Co., Greenville	1,195	194,876.87	193,051.76
Withers & Seabrook, Tunica	657	109,225.32	---
J. J. Hill & Co., Webb	1,000	170,587.60	37,186.14
Posey Mound Planting Co., Marks	553	100,198.11	---
M. J. Commer, Jonestown	588	100,207.73	736.16
Byron A. Seward, Louise	596	102,968.68	155.82
Greenhill Plantation, Midnight	812	142,339.50	---
Roy Flowers, Mattson	2,868	468,995.13	13,321.37
Flowers Bros. Planting Co., Dublin	822	132,965.89	683.86
H. R. Watson & Sons, Tunica	1,595	262,395.17	---
J. R. Flautt & Sons, Swan Lake	870	138,163.73	18,780.51
T. E. Pemble, Merigold	1,010	168,589.65	15,875.20
Torrey Wood & Son, Hollandale	994	173,821.92	23,928.55
Race Track Plantation, Greenwood	1,121	182,735.23	43,030.07
Ralph T. Hand, Jr., Glendora	600	100,240.82	4,509.09
W. P. Scruggs, Doddsville	1,376	235,227.56	97,711.88
Sturdivant & Bishop, Inc., Minter City	849	146,313.17	---
Borles Bros., Inverness	1,040	167,441.20	167,441.20
Oaklawn Plantation, Dundee	587	103,613.87	235.00
W. M. Duncan, Inverness	1,807	305,621.63	305,621.63
Evans Townes Estate, Minter City	706	116,670.88	51,805.22
Ed Hunter Steele, Morgan City	757	131,570.01	2,196.23
Howard & Blythe Planting Co., Lake Cormorant.	944	163,277.20	49,442.38
William M. Pitts, Indianola	833	136,817.59	44,607.94
Stonewall Plantation, Greenwood	760	124,750.57	8,919.35
Buchkorn Planting Co., Greenwood	635	102,410.34	---
Jerry Falls, Webb	819	131,695.52	1,801.22
New Hope Plantation, Greenwood	640	110,315.48	11,077.98
Dean & Co., Tribbett	783	124,804.26	115,058.22
S. H. & Dorothy W. Kyle, Clarksdale	1,040	169,605.40	---
T. G. Flowers, Mattson	1,372	224,066.43	7,720.34
W. T. Touchberry, Glen Allan	1,703	267,219.56	187,289.38
J. E. Cunningham, Jr., Tchula	744	123,432.02	5,108.95
R. W. Owen, Tunica	770	130,906.18	124,064.18
L. W. Wade, Greenwood	2,213	373,149.17	9.381.81
Fred Tavoleti & Sons, Clarksdale	843	134,052.64	7,384.78
R. W. Jones & Son, Lula	611	100,132.47	13,365.88
B. W. Smith Planting Co., Louise	921	161,552.51	9,624.57
Fairfax Plantation, Tribbett	918	152,914.52	33,692.18
Byron B. Sharpe, Tchula	771	126,831.29	11,391.90
Mike P. Sturdivant Plantation, Glendora	2,243	382,870.53	---
Norman Brown, Duncan	712	118,716.79	5,595.83
Chiana Grove Plantation, Belzoni	937	163,050.85	74,597.24
Tennessee:			
Atlantic Place, Memphis	735	118,231.80	---
Pacific Place, Memphis	1,785	286,369.87	---
Texas:			
Mike Maros, Fabens	483	131,092.92	---
Lee Moor Farms, Clint	1,263	315,489.96	---
L. R. Allison, Tornillo	382	101,741.92	---
Mrs. R. T. Hoover and estate, R. T. Hoover, El Paso	1,515	404,493.42	---
E. Cockrell, Jr., Fort Stockton	856	135,963.82	---
Chandler Co., Fort Stockton	875	130,048.90	---
COTTON			
Mississippi:	*Bales*		
Mississippi County Farm, Blythville	158	27,266.20	---
Mississippi State Penitentiary, Parchman	476	82,999.38	82,820.13
Do	523	91,348.42	91,348.42

Mr. **WILLIAMS** of Delaware. This list includes those receiving in excess of $100,000. Some go as high as $11 million for one operation.

In defeating the proposed amendments the Senate has established that it does not want limitations at all. I see no need to debate it further.

I notice from the list that the Mississippi State Penitentiary gets over $175,000.

I wonder how any State penitentiary could be described as a small farmer.

The question comes to mind: If they violate the provisions and are brought to court, how can a penitentiary be prosecuted? But I am sure this Great Society will have a ready explanation. Perhaps even the inmates may be invited to the bill signing.

In the future I do not want to hear administration officials making pious speeches about how interested they are in the small farmer. It is evident they are not interested in the small farmer. They are more interested in a bill that takes care of the larger corporate type of operations.

I suggest that they discontinue the hypocrisy of referring to the farm program as being in the interest of the small farmer.

Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. HART. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I am happy to yield to the Senator from Michigan.

Mr. HART. Mr. President, in 1960 it was my privilege to serve on the Committee on Agriculture and Forestry. I recall that at that time—in the committee and later on the floor of the Senate—I argued as strongly as I could in support of the dollar limitation on amendments. As I recall, we managed to place a $50,000 ceiling on. I like to think that my position was sound at that time.

I have voted consistently today, and will vote again in a moment, against the application of a dollar ceiling to present programs.

Briefly, let me explain why. First, in 1960, we had no experience with the administrative problems of a dollar ceiling. Second, unlike today, the programs then were largely nonvoluntary. In the intervening years, we attempted to develop a farm program based upon voluntary use and application.

It seems to me, therefore, that to apply a dollar ceiling would be self-defeating. The situation was not thus in 1960. The question which confronts us is not so much whether it should be $25,000, or $50,000, or $100,000, but whether there should be a voluntary or mandatory program.

So long as the majority seek to develop a voluntary program, we are fooling ourselves when we treat it as though there is some difference in the results achieved between $25,000 and $200,000.

Under the present programs a limitation on payments would not—in itself—increase the incomes of small farmers. It could well cut their income by encouraging large farmers, who would lose incentives for program cooperation, to increase production and depress the marketplace returns of small producers.

The money saved by forcing large farmers out of program participation could well be lost in the cost of storing and handling the additional surpluses.

We are adding, I believe, desirable flexibility to our farm and food policies and programs through the 1965 legislation. This flexibility must run through the entire fabric. The payment limitation, meaningful in earlier programs, is not suited to the present situation.

This does not imply that the payment limitation concept might not be reasonably restored in the future in response to new situations.

The Senate bill directs the Secretary of Agriculture to make a study of commercial family farms that will indicate, among other things, the degree to which farm programs are of benefit to such farmers. Certainly such a study must give attention to program payment limitations and the results that might be anticipated, favorable or unfavorable to farmers, consumers, and taxpayers.

Therefore, Mr. President, unlike my position in 1960, today I have opposed and shall continue to oppose the application of a dollar ceiling.

Mr. ELLENDER. Mr. President, I have no further arguments to advance. If the Senate wishes to destroy the farm program the way to do it is to vote for the Williams amendment. Whether the limit is fixed at $25,000, or $50,000, or $100,000, so long as it has any effect at all, that effect is to prevent the farm program from working as it has been written by Congress.

I think before we wreck the program designed to provide our citizens with plentiful food and fiber, we might look at some of the other programs which may involve subsidies.

Mr. President, I ask unanimous consent to insert in the RECORD at this point, a listing of such subsidies, as contained in a joint committee print of materials prepared for the Joint Economic Committee, entitled "Subsidy and Subsidy-Effect Programs of the U.S. Government."

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CHAPTER II. SCOPE OF SUBSIDIES

A better understanding and appreciation of the sweeping, amorphous character of subsidy programs may be gained by a mere listing of the various Federal programs, past and present, which, by one criterion or another, might be considered to partake of or involve an element of subsidy regardless of original intent of any particular program. This chapter undertakes such a classified listing. Needless to say, it would be easy in such a listing to overlook some program which should be included, just as it is to expand the listing unduly in order to underscore the many and graded facets of the concept. It will be readily apparent, moreover, that in a number of instances the listed subsidy programs could be included in more than one category. To avoid duplication, an attempt has been made to classify each program only in its primary category.

I. GRANTS TO BUSINESS FIRMS AND CORPORATIONS TO CARRY OUT SPECIFIC OBJECTIVES

Shipbuilding differential subsidy—Maritime Administration.[1]

Shipbuilding subsidy for fishing vessels—Interior Department.

Ship-operating differential subsidy.

Subsidies to wartime producers of various raw materials and consumer items to stimulate production without violating price ceilings.

Land grants and cash contributions for railroad construction.

Government subscriptions to railroad securities.

Subsidies for carrying mail—ship and civil air carriers.

Partial financing of plants to generate electricity from atomic fuels.

II. FARM SUBSIDY PROGRAMS

Commodity price support program, administered by the Commodity Credit Corporation, which maintains a floor under the price of certain agricultural commodities, by guaranteeing such prices through nonrecourse loans to farmers.

Surplus disposal programs, domestic and export.

Conservation and soil bank payments.

International Wheat Agreement, under which the price of wheat to American farmers is maintained at levels above those on the world market.

Sugar Act payments, a subsidy to domestic sugar producers who meet certain conditions of employment, production, and marketing.

Irrigation and flood control.

Grazing rights in national forestry and other public lands.

Agricultural extension services.

III. TAX BENEFITS TO SPECIFIC ECONOMIC GROUPS

Depletion allowances to minerals producers and other extractive industries.

Accelerated amortization of defense facilities, for holders of certificates of necessity.

Specific concessions to small business under the Technical Amendments Act of 1958.

Liberalized depreciation schedules.

Tax credits to modernize plants and machinery.

Authorized deductions on income tax computations are of particular assistance to particular groups of individuals, such as borrowers (including home mortgagors), the elderly, blind, and sick.

Any reduction in taxes will, of course, benefit certain individuals and firms more than others.

IV. INDIRECT ASSISTANCE TO SPECIFIC ECONOMIC GROUPS

Financing of highway construction, costs of which may be borne unequally, resulting, some maintain, in a subsidy to the trucking industry.

Financing of airport construction.

Construction of air navigation aids—traffic control equipment, weather reporting facilities, radio beams, instrument landing systems.

Improvements to harbors, dredging of rivers, construction of canals, and assisting in financing construction of canals.

Protective tariffs.

Government purchase restrictions under the Buy American Act.

Reserving coastal trade and trade with noncontiguous areas of the United States to American-flag shipping.

Cargo preference—several laws stipulating various kinds of cargo preference; e.g., requiring goods purchased for the Army and Navy, exports financed by Government loans, and half of foreign aid shipments to be transported in American-flag vessels.

V. GOVERNMENT ECONOMIC PROGRAMS WITH INCIDENTAL ECONOMIC EFFECTS SIMILAR TO THOSE OF SUBSIDIES

Letting of Government contracts for supplies, research, and development, etc.

Special provisions favoring (1) small businesses, and (2) depressed areas in awarding of Government contracts.

Disposal of surplus property, e.g., manufacturing plants, ships, and many other items at less than market value.

Stockpiling of mineral and other strategic materials.

Silver purchasing.

VI. FREE SERVICES OR SERVICES BELOW COST, OFFERED BY THE FEDERAL GOVERNMENT[2]

Statistical information of many kinds of importance to business, industry, and labor. The more important Federal agencies furnishing statistical services free or at small charge to the public are:

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[1] This subsidy is supplemented by (1) Government's assuming the full cost of defense features built into a ship; (2) generous trade-in allowances on old vessels; (3) easy payment plans for vessel purchases; (4) Government loans of up to 75 percent of a vessel's purchase price; and (5) exemption of profits of subsidized shipping companies from corporate income tax, when placed in reserves for new construction.

[2] Loan, loan guarantee, and insurance programs are listed separately, below.

Department of Agriculture: Agricultural Marketing Service.

Department of Commerce: Bureau of the Census; Office of Business Economics.

Department of Labor: Bureau of Labor Statistics.

Department of the Interior: Bureau of Mines.

Post Office Department.

Treasury Department: Internal Revenue Service.

Board of Governors of the Federal Reserve System.

Civil Aeronautics Board.

Federal Communications Commission.

Federal Trade Commission.

Housing and Home Finance Agency.

Interstate Commerce Commission.

Securities and Exchange Commission.

Maps, charts, and aids to navigation by the Coast and Geodetic Survey and Geological Survey.

Crop estimates by the Crop Reporting Service.

Weather forecasts by the Weather Bureau.

Scientific and industrial research by such agencies as the National Bureau of Standards, Geological Survey, Bureau of Mines, Forest Service, Fish and Wildlife Service, Tennessee Valley Authority, Bureau of Public Roads, Department of Agriculture, Food and Drug Administration, and the Atomic Energy Commission.

Certain postal services, provided free and various others below cost, such as second- and third-class mail and rural free delivery.

Management and technical assistance to small businesses and area redevelopment agencies.

Assistance to small business in obtaining Government contracts.

Protection against forest fires.

Land grants and land sales to farmers.

Construction and assistance in maintaining farm-to-market roads.

VII. LENDING AND LOAN GUARANTEE PROGRAMS OF FEDERAL AGENCIES IN EFFECT IN FISCAL YEAR 1965

(a) Direct loan programs:

Department of Agriculture:

Rural Electrification Administration: Loans, chiefly to cooperatives, to provide electric power and telephone service to farms.

Farmers Home Administration: Loans to farmers to "strengthen the family type farm and encourage better farming methods"; include operating, ownership, rural housing, land use, watershed, and emergency loans.

Commodity Credit Corporation: Loans to farmers with commodities as collateral.

Department of Commerce: Area Redevelopment Administration: Loans for industrial, commercial, and public facilities in redevelopment areas.

Department of Health, Education, and Welfare: Office of Education: Loan funds for student financial aid, construction, and acquisition of teaching equipment.

Department of State: Agency for International Development: Loans under the Agricultural Trade Development and Assistance Act to promote unilateral trade and economic development, and other loans to develop resources of underdeveloped nations.

Department of the Interior: Bureau of Commercial Fisheries: Loans to fisheries.

Export-Import Bank: Loans to finance exports and imports and to promote economic development in lesser developed countries.[3]

Housing and Home Finance Agency: Federal National Mortgage Association: Purchase of Government-insured mortgages.[3]

Urban Renewal Administration: Loans to local public agencies for slum clearance and urban renewal projects.[3]

Community Facilities Administration: Construction loans for college housing, for public facilities, and for facilities for the elderly.

Public Housing Administration: Loans to local authorities for construction of low-rent public housing.[3]

Office of Economic Opportunity:

Loans to combat poverty in rural areas.

Loans to small businesses and individuals interested in establishing small businesses.

Small Business Administration:

Business loans to small businesses.

Disaster loans to small businesses.

Purchases of debentures of and loans to small business investment companies.

Loans to State and local development companies.

Veterans' Administration: Direct housing loans in rural areas and small towns.[3]

(b) Loan guarantee and insurance programs: [4]

Housing and Home Finance Agency, Federal Housing Administration: Insures wide range of real estate loans.

Veterans' Administration: Housing, business, and farm loans to veterans guaranteed.

Farmers Home Administration: Insures farm ownership and soil and water conservation loans.

Commodity Credit Corporation: Private loans on commodities guaranteed.

Maritime Administration: Guarantees private construction loans and mortgages on most types of passenger and cargo-carrying vessels.

Civil Aeronautics Board: Guarantees loans for aircraft purchases by local air services and other small airlines.

Interstate Commerce Commission: Guarantees loans to railroads for certain purposes under Transportation Act of 1958.

Defense Production Act (sec. 301): Authorizes guarantees by various agencies on loans to defense contractors and subcontractors.

Export-Import Bank.

Small Business Administration.

VIII. INSURANCE PROGRAMS UNDERTAKEN BY THE FEDERAL GOVERNMENT [5]

Agricultural crop insurance—Federal Crop Insurance Corporation.

Bank deposit insurance—Federal Deposit Insurance Corporation.

Savings and loan association deposit insurance—Federal Savings and Loan Insurance Corporation.

Federal employees group life insurance—Civil Service Commission.

Federal employees civil service retirement insurance—Civil Service Commission.

Health insurance for Federal employees (participation in)—Civil Service Commission.

U.S. Government life insurance—Veterans' Administration.

National service life insurance—Veterans' Administration.

Veterans' special term life insurance—Veterans' Administration.

Old-age and survivors insurance—Bureau of Old-Age and Survivors Insurance.

Disability insurance—Bureau of Old-Age and Survivors Insurance.

Service-disabled veterans' insurance—Veterans' Administration.

Unemployment insurance (jointly with the States)—Bureau of Employment Security.

Railroad unemployment and sickness insurance—Railroad Retirement Board.

Maritime war risk insurance—Maritime Administration.

Aviation war risk insurance—Department of Commerce.

IX. FEDERAL AID PAYMENTS TO STATES AND LOCAL UNITS [6]

Department of Agriculture:

Agricultural experiment stations.

Cooperative agricultural extension work.

School lunch program.

National forests fund, shared revenues.

National grasslands, shared revenues.

Cooperative projects in marketing.

State and private forestry cooperation, etc.

Watershed protection and flood prevention.

Special milk program.[7]

Removal of surplus agricultural commodities:

Food stamp program.[8]

Value of commodities distributed.

Commodity Credit Corporation, value of commodities distributed.[9]

Department of Commerce:

Bureau of Public Roads, construction:

Federal-aid highways (trust fund).

Other.

Grants for public facilities.

State marine schools.

Department of Defense.

Army:

Lease of flood control lands, shared revenues.

National Guard.

Civil Defense.

Funds appropriated to the President:

Disaster relief.

Accelerated public works program.

Department of Health, Education, and Welfare:

Office of Education:

Colleges of agriculture and the mechanic arts.

Cooperative vocational education.

Assistance for school construction.

Maintenance and operation of schools.

Library services.

Defense education activities.

Expansion of teaching in education of the mentally retarded.

Public Health Service:

Control of venereal diseases.

Control of tuberculosis.

Community health practice and research.

Mental health activities.

National Cancer Institute.

National Heart Institute.

Water supply and water pollution control.

Chronic diseases and health of the aged.

Radiological health.

Communicable disease activity.

Construction, hospital activities and health research facilities.

Construction, waste treatment works.

Welfare Administration.

Children's Bureau.

Maternal and child health services.

Services for crippled children.

Child welfare services.

Bureau of Family Services:

Old-age assistance.

Aid to dependent children.

Aid to the permanently and totally disabled.

Aid to the blind.

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[3] Currently self-supporting.

[4] Several of these programs do not now involve net losses to the Federal Government. Insurance and loan guarantee programs involve Federal commitments which could result in losses to the Government at some future time. These programs are in the nature of subsidies in the sense of providing insurance or loan guarantee services not available or available only at higher cost from private enterprise.

[5] See above, pp. 14–15, for loan and mortgage guarantee and insurance. Several of the programs listed here do not involve net contributions by the Federal Government. See also footnote 4, p. 14.

[6] As reported in the 1964 Annual Report of the Secretary of the Treasury.

[7] Cash payments to States to increase consumption of fluid milk by children in nonprofit schools; net of refunds.

[8] Federal share of the value of food stamps redeemed under the pilot food stamp plan.

[9] Cost of food commodities acquired through price-support operations.

Aid to the aged, blind. or disabled.

Medical assistance for the aged.

American Printing House for the Blind.

Vocational Rehabilitation Administration.

Department of the Interior:

Federal aid in wildlife restoration and fish restoration and management.

Migratory Bird Conservation Act and Alaska game law, shared revenues.

Payments from receipts under Mineral Leasing Act, shared revenues.

Payments under certain special funds, shared revenues.

Bureau of Indian Affairs.

Department of Labor: Unemployment Compensation and Employment Service Administration (trust fund).

Federal Power Commission: Payments under Federal Power Act, shared revenues.

Federal Aviation Agency: Federal airport program.

Housing and Home Finance Agency:

Office of Administrator:

Low income housing demonstration programs.

Open space land grants.

Urban renewal program.

Urban planning assistance.

Public Housing Administration: Low-rent public housing program.

Small Business Administration: Grants for research and management counseling.

Tennessee Valley Authority: Shared revenues.

Veterans' Administration: State homes for disabled soldiers and sailors.

Miscellaneous grants.[10]

X. FEDERAL AID PAYMENTS TO INDIVIDUALS, ETC., WITHIN THE STATES [11]

Department of Agriculture:

Agricultural conservation program.

Sugar Act program.

Conservation reserve program.

Land-use adjustment program.

Great Plains conservation program.

Rural housing grants.

Department of Commerce: State marine schools (subsistence of cadets).

Department of Defense:

Army National Guard.

Air Force National Guard.

Civil defense.

Department of Health, Education, and Welfare:

Office of the Commissioner:

Cooperative research.

Assistance to refugees in the United States.

Juvenile delinquency and youth offenses.

Office of Education:

Educational improvement for the handicapped.

Foreign language training and area studies.

Defense educational activities.

Cooperative research.

Expansion of teaching in education of the mentally retarded.

Expansion of teaching in education for the deaf.

Educational television facilities.

Public Health Service:

Mental health activities.

Arthritis and metabolic disease activities.

Allergy and infectious disease activities.

Neurology and blindness activities.

Chronic disease and health of the aged.

National Cancer Institute.

National Heart Institute.

National Institute of Dental Research.

Community health practice and research.

Cancer research facilities.

Hospital and medical facility research.

General research and services.

General research support grants.

Nursing services and research.

Water supply and water pollution control.

Air pollution control.

Milk, food, interstate and community sanitation.

Occupational health.

Radiological health.

Accident prevention.

Hospital construction activities.

Construction of health research facilities.

Dental services and resources.

Communicable disease activities.

Child health and human development.

Environmental health sciences.

Welfare Administration:

Children's Bureau:

Services for crippled children.

Child welfare research and demonstration grants.

Child welfare training grants.

Other.

Bureau of Family Services: assistance for repatriated U.S. nationals.

Vocational Rehabilitation Administration:

Grants for special projects.

Training and traineeships.

Department of Labor:

Unemployment compensation for Federal employees and ex-servicemen.

Area Redevelopment Act.

Manpower development and training activities.

National Science Foundation:

Research grants awarded.

Fellowship awards.

Atomic Energy Commission: fellowships and assistance to schools.

Veterans' Administration:

Automobiles, etc., for disabled veterans.

Readjustment benefits and vocational rehabilitation.

It will be apparent from an examination of this list that, first, there is some inevitable duplication and, second, there are a number of the programs, particularly in section IX, "Federal Aid Payments to States and Local Units," where the subsidy element may widely be considered to be negligible. Sections IX and X, which list Federal-aid payments to States and local units, and Federal-aid payments to individuals within States, are taken directly from the 1964 Annual Report of the Secretary of the Treasury. Much of the health and education assistance indicated in section IX is of such broad and general benefit and does not involve payments to businesses or subsidies as commonly defined that it need not be of further concern in this report.

From this list a further problem suggests itself. It is in many cases impossible to determine the incidence of these subsidy and subsidy-like programs. The school lunch program subsidizes the farmer by helping cut back on farm surpluses, but clearly also subsidizes the recipients of this food and their parents. The second-class postage rates are far from covering the costs of carrying the magazines and newspapers within this class, but the benefit of the subsidy is shared among publishers, advertisers, subscribers, and other readers.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back.

The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] to the committee amendment in the nature of a substitute.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. TYDINGS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Oklahoma [Mr. MONRONEY], are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. MONRONEY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 42, nays 50, as follows:

[No. 258 Leg.]

YEAS—42

Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Cotton
Curtis
Dodd
Dominick
Douglas
Gore
Gruening
Hartke
Hickenlooper
Jackson
Jordan, Idaho
Lausche
McGovern
McIntyre
Miller
Morton
Moss
Mundt
Nelson
Neuberger
Prouty
Proxmire
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Simpson
Smith
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—50

Bass
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hart
Hayden
Hill
Holland
Hruska
Inouye
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McNamara
Metcalf
Mondale
Montoya
Morse
Murphy
Muskie
Pastore
Pearson
Pell
Randolph
Russell, S.C.
Smathers
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Yarborough

NOT VOTING—8

Aiken
Anderson
Bennett
McCarthy
Monroney
Scott
Tydings
Williams, N.J.

So the amendment of Mr. WILLIAMS of Delaware to the committee amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KUCHEL. Mr. President, I have the honor to move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 436

Mr. JAVITS. Mr. President, I call up my amendment No. 436, on behalf of myself, the Senator from Delaware [Mr.

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[10] Includes transitional grants to Alaska, flood-control payment, open space land, low-income housing, Federal payment to District of Columbia, Center for Cultural and Technical Interchange between East and West, White House Conference on Aging, drainage of anthracite mines, loan program of the Bureau of Reclamation, land acquisition of National Capital Park, Parkway and Playground System, Internal Revenue collections for Puerto Rico (shared revenues).

[11] As reported in the 1964 Annual Report of the Secretary of the Treasury.

Boggs], and the Senator from Texas [Mr. Tower].

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. **JAVITS**. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

The **PRESIDING OFFICER**. Without objection, it is so ordered. The amendment will be printed in the Record.

The amendment offered by the Senator from New York [Mr. Javits], on behalf of himself, the Senator from Delaware [Mr. Boggs], and the Senator from Texas [Mr. Tower], is as follows:

TITLE VIII—ESTABLISHMENT OF COMMISSION ON UNITED STATES FOOD AND FIBER POLICY

Declaration of policy and purpose

Sec. 801. It is hereby declared to be the policy of the Congress to promote the effective utilization of the agricultural production of the United States so that (1) the markets for United States agricultural commodities, insofar as possible, will be competitive in the markets for such commodities in the world, (2) the present and future requirements for such agricultural commodities in the United States and the world can be fully met, (3) the interests of taxpayers and consumers may be fairly safeguarded, and (4) the producers of agricultural commodities in the United States will receive a return on their investment and labor commensurate with their contribuiton to the national welfare. It is further declared to be the policy of the Congress to promote programs recognizing the necessity for consumers in this country to be assured an adequate supply of agricultural commodities of the best possible quality and at the lowest possible prices. It is, therefore, the purpose of this title to provide for a study and investigation of the Federal laws and programs pertaining to agriculture with a view to revising and modernizing such laws and programs in order to achieve the policies stated above, and to provide for a better coordinated national food and fiber policy.

Establishment of the Commission on United States Food and Fiber Policy

Sec. 802. In order to achieve the purpose set forth in section 1 of this joint resolution, there is hereby established a bipartisan commission to be known as the Commission on United States Food and Fiber Policy (hereinafter referred to as the "Commission").

Membership of the commission

Sec. 803. (a) Number and Appointment.—The Commission shall be composed of twelve members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government and two from private life.

(2) Four appointed by the President of the Senate, two from the Senate and two from private life.

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) Political Affiliation.—Of each class of two members mentioned in subsection (a), not more than one member shall be from each of the two major political parties.

(c) Vacancies.—Vacancies in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

Organization of the commission

Sec. 204. The Commission shall elect a Chairman and a Vice Chairman from among its members.

Quorum

Sec. 805. Seven members of the Commission shall constitute a quorum.

Compensation of members of the commission

Sec. 806. (a) Members of Congress.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members From the Executive Branch.—Any member of the Commission who is in the executive branch of the Government shall receive the compensation which he would receive if he were not a member of the Commission, plus such additional compensation, if any, as is necessary to make his aggregate salary not exceeding $22,500; and he shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive not exceeding $75 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

Staff of the Commission

Sec. 807. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

Expenses of the Commission

Sec. 808. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this joint resolution.

Expiration of the Commission

Sec. 809. Sixty days after the submission to Congress of the report provided for in section 10(b), the Commission shall cease to exist.

Duties of the Commission

Sec. 810. (a) Investment.—The Commission shall make a comprehensive study and investigation of all Federal laws and programs pertaining to agriculture, including all matters relating to the food and fiber policies of the United States and the effect of such policies on all segments of our society, with a view to revising and modernizing such laws and programs to achieve the aims set forth in section 701 of this title. In carrying out such study and investigation the Commission shall consider such matters relating to agriculture as it deems necessary or appropriate, but shall specifically consider, with regard to the various agricultural commodities produced in the various regions of the United States, (1) effectiveness of price support and production controls, including acreage allotments and production and marketing quotas, which may be in effect for such commodities, (2) the future requirements of the United States and the world for such commodities, (3) suitable uses for land which may not be needed at the present time for the production of such commodities, but which may be needed for such purpose in the future, (4) methods for effectively coordinating domestic agricultural policies with the export opportunities for such commodities, (5) the effectiveness of our present policies in the use of food and fiber internationally and how such policies might be improved, (6) the problems of rural economic opportunity in the United States, (7) the national requirements for the stockpiling of agricultural commodities, (8) import and export policies of the United States with respect to food and fiber and the effect of such policies on the foreign policy of the United States, (9) methods of extending and expanding programs under the Agricultural Trade Development and Assistance Act of 1954, as amended, without adversely affecting commercial markets, and (10) the need for consolidating the activities of the United States Department of Agriculture with other Federal agencies on the development of rural resources. The Commission shall also give particular attention to the formulation of programs to facilitate the economic adjustment of agricultural producers who decide to transfer to other occupations. Such programs may include, but shall not be limited to, retraining programs, relocation allowances, assistance in obtaining alternative employment opportunities, early retirement, and provision for minimum compensation for land, dwellings, and equipment which such producers no longer want or need.

(b) Report.—The Commission shall make a report of its findings and recommendations to the Congress on or before February 1, 1967, and may submit interim reports prior thereto.

Powers of the Commission

Sec. 811. (a) (1) Hearings.—The Commission or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(b) Official Data.—Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this title.

Mr. **JAVITS**. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. **HOLLAND**. Mr. President, will the Senator yield?

Mr. **JAVITS**. I yield.

Mr. **HOLLAND**. I wonder if the Senator from Louisiana will yield me 4 minutes on the bill.

Mr. **ELLENDER**. I yield.

The **PRESIDING OFFICER**. The Senator from New York has the floor.

Mr. JAVITS. I yielded myself time but if the Senator wishes to speak he may do so. I reserve my time.

Mr. HOLLAND. Mr. President, I voted "nay" today on every one of the recent amendments. I think they are wrong because the approach is wrong. It is so completely wrong to deal with these matters without sufficient hearings and in ignorance of the results that would be accomplished.

I believe it is wrong, after weeks of hearings and after weeks of effort in the Committee on Agriculture to apply arbitrary limitations on the floor without there being any knowledge to supply to the Senate as to how they would apply to various commodities.

There has not been a single proposed amendment that excluded both of the deficit crops, wool and sugar, although the Senator from Florida suggested that course earlier during debate. The amendments proposed to exclude sugar but made no such provision for wool.

The Senator from Florida does not have to explain his position on agricultural legislation. He has been one of the cosponsors of the so-called Farm Bureau bills in every Congress for the past 8 or 10 years, along with the Senator from New Mexico [Mr. ANDERSON], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Vermont [Mr. AIKEN].

Everybody knows that those bills make a much more conservative approach to this entire program than existing law and everyone knows it is a much less expensive approach.

But I cannot make myself a party to this kind of attack on the floor of the Senate when we do not have the necessary information.

Senators offering amendments have not realized that along with the exemption of sugar, which has customarily been exempted, wool should have been placed on the same basis.

It seems to me that this is the wrong way to approach a problem affecting the most vital industry of our Nation.

I thank the Senator from New York for yielding.

Mr. JAVITS. Mr. President, I yield myself 10 minutes.

The purpose of the amendment is to seek the appointment by the President of a U.S. Commission on Food and Fiber Policy, whose function would be to consider every aspect of the farm policy which we are following with respect to the subjects of limitations on production, the effectiveness of price support programs, the conservation of land, and the reservations of land use, the problems of rural economic opportunities in the United States, national stockpile requirements, and the import and export policies of the United States with respect to food and fiber, including the food-for-peace program. In short, it would include every aspect of the farm-price policy of the United States, with the purpose of relating one program to others in a final way, so that we may put our farm policy on a new and constructive road. The purpose of this Commission, is to reexamine the effectiveness of our Federal agricultural laws and programs and to conduct a thorough review of our national food and fiber policies in order to provide recommendations to the Congress for updating and improving them. This amendment takes the form of legislation which I previously introduced in the 87th Congress as Senate Joint Resolution 238, and with the Senator from Texas [Mr. TOWER] in the 88th Congress as Senate Joint Resolution 152, and in the 89th Congress as Senate Joint Resolution 20. The establishment of such a Commission is expressly called for in the President's farm message which he submitted to the Congress on February 4, 1965.

Similar legislation was introduced in both the 88th and 89th Congresses by the distinguished Senator from Delaware [Mr. BOGGS]. On January 16, 1964, the then senior Senator from Minnesota and now the Vice President introduced similar legislation and on March 2, 1964, introduced an amendment to this end to H.R. 6196, the wheat-cotton bill. I also introduced an amendment to H.R. 6196 to establish such a Commission and assurances were given at that time that consideration would be given to these proposals by the Agriculture Committee.

It is most important in this respect that I point out that this Commission is exactly what the President recommended in his farm message to the Congress of February 4, 1965. He called for the appointment of exactly such a commission for exactly this purpose. The President has not appointed the Commission since February 1965. It is our understanding that an Executive order has been prepared for this purpose for some time, but that no action has been taken on it as yet.

In any case, it is important that such a policy should be proceeded with. I should like to read into the RECORD at this point an excerpt from the President's message of February 4, 1965, in which he said:

> COMMISSION ON U.S. FOOD AND FIBER POLICY
>
> All Americans have shared in the fruits of an efficient agriculture. All Americans share also the problems we face in the farm economy and in rural America in the years ahead.
>
> Accordingly, to assist in adapting our farm programs to the needs of tomorrow, and in making rural America a full partner in our national economic progress, I intend to conduct a fundamental examination of the entire agriculture policy of the United States. I will reorganize the National Agricultural Advisory Commission—which has made an invaluable contribution in years past—into a new Commission on Food and Fiber. It will be broadly representative of rural communities, consumers, producers, industry, government, and the public. I expect it to make a detailed study of our food and fiber policies and to bring additional viewpoints to bear on the place of rural America.

I point out that the National Agricultural Advisory Commission is a body which has a very much more limited purpose. It is to deal with review of the policies and administration of farm programs within the jurisdiction of the U.S. Department of Agriculture, and is composed principally of farm representatives including some distinguished citizens like the former Secretary of Agriculture, Mr. Wickard. It does not presently serve the intended purpose which the President himself described as the intended function of the U.S. Food and Fiber Commission. That is why he said he would reorganize it. Proposed purposes of this new Commission are described in the amendment which is now pending before the Senate.

That an overall approach and review to the farm problem is vitally necessary is very clear from the fact that farms are becoming much bigger.

I have today voted to defeat amendments embodying arbitrary dollar limitations on farm loan and price support programs.

The business of trying to back up a deficient program and cover up by putting some overall dollar limitation on farm payments only permits the deficient program to continue to fester unimproved. So I consider it completely inconsistent with the policy that I think is best for the people of my State, 18 million strong, and therefore voted against those fixed-dollar limitations. What we need is a general review of all farm programs on existing Federal farm loan and payment programs. The President himself has recognized that.

In my judgment, there is powerful support for this approach in the Committee on Agriculture and Forestry itself. The Senator from Delaware [Mr. BOGGS], who has honored me by joining in offering the amendment, has written an extremely important set of individual views on this very bill. He says:

> For example, we considered the farm bill without knowing how this country's tremendous production capacity can best be used in relation to the world's fast-expanding population.

The Senator from Delaware also said:

> One of the miscellaneous sections of the bill provides for a study by the Department of Agriculture of the extent to which farm programs are of benefit to full-time commercial family farms. This is a good step as far as it goes, but agriculture includes much more than full-time family farms. We need to look at the whole picture.

The Senator from Delaware concludes as follows:

> Unless we do devise an overall agriculture program I have grave fears that the representatives of the urban areas of our country will soon despair of priming the agricultural pump with money.

In my judgment, that is exactly what is bound to happen. As time goes on, this problem is bound to catch up with us, unless we have some basic policy which is different, because the situation now is totally different from the wartime policy. At that time, we wanted everybody kept on the farms to produce. Today, approximately one-third of the farm families are producing all the food and fiber we need, including healthy surpluses, as against production a little more than a decade ago. Today, there are some 7 million families on the farm compared with 20 million at that time.

In addition, the country is becoming increasingly urbanized. A program of this character, backed up by the sound factual findings of a high-level commission, will be most beneficial.

Mr. TOWER. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield to the Senator from Texas.

Mr. TOWER. Does not the Senator believe that the vitality of a strong farm economy is highly important to the United States? Although we are now producing surpluses, is it not conceivable that with the anticipated growth in population in the not too distant future we shall need all the production capacity we now have plus additional capacity?

Mr. JAVITS. I agree that this may be entirely possible and that is what we ought to be looking forward to and anticipate.

I hold with the Senator from Vermont [Mr. AIKEN] that we can afford surpluses. They are the most powerful asset we have in this country. I am not afraid of the production of our factories; I am not afraid of the production of our farms. But let us produce intelligently and with a minimum of governmental intercession. There must be some governmental intercession in order to keep the farm economy vitally effective and stable. I thoroughly agree with that. But we have not taken an overall look at the system by an independent Federal comprehensive study. The amendment which is sponsored by the Senator from Delaware [Mr. BOGGS], the Senator from Texas [Mr. TOWER] and myself is designed to provide authority for such a Federal review. The President himself agrees with us, as is evident from his farm message.

This is like the situation in the Gilbert and Sullivan opera "The Pirates of Penzance." The police are supposed to go and catch the pirates. They say, "We must go; we must go."

But the fact is that they do not go.

The President says, "You must go"; and the general opinion is, "You must review the program from the ground up."

But no action has been taken yet on this important problem.

There is no Senator for whom I have higher regard than the manager of the bill, the distinguished Senator from Louisiana [Mr. ELLENDER]. I am sure all Senators agree with me. But the bill leaves no alternative. We have been trying to stimulate interest in this necessary review of agricultural policy for a considerable time, in fact since 1962. On March 4, 1964, former Senator Keating, of New York, and I sponsored a similar amendment. At that time I said:

> I ask the chairman of the committee whether, in pursuance of his usual generous practice, he feels that he could provide for a hearing on these measures—my own, introduced with my colleagues and measures introduced by the Senator from Delaware [Mr. BOGGS] and the Senator from Minnesota [Mr. HUMPHREY]—

Who is now the Vice President of the United States—

> at some appropriate time which would fit in with the other work of the committee.
>
> Mr. ELLENDER. I can give that assurance, provided the hearings on the measures referred can fit in with the other work of the committee; and I understand that is the course contemplated.
>
> Mr. JAVITS. Exactly so.

Mr. President, we have not had a hearing since then. I am not in any way complaining about individual action. The committee chairman is a dear friend. We esteem him highly. But the fact is that we still have not had an opportunity to consider the question.

Mr. TOWER. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. TOWER. I am happy to join with the Senator in offering the amendment. I have sponsored similar legislation in the past. We are not indulging in preconceived notions about what should or must be done by this legislation. We are only asking for a comprehensive, nonpartisan study that will help to remove the farm problem from politics, so that we can reach to realistic solution and, hopefully, restore the farm program to market regulation.

Mr. JAVITS. I thoroughly agree with the Senator from Texas.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am pleased to yield to the Senator from Vermont.

Mr. AIKEN. The Senator from New York has brought up an important matter. I am happy to support his efforts. I am not so sure whether the policy is as I would propose it, but certainly the idea is excellent.

I realize the President intended to do this, as he said so a long time ago, but it has not yet been done. So I shall support the amendment of the Senator from New York, who is a devoted public servant.

Mr. JAVITS. I cannot tell the Senator from Vermont how much appreciated his words of support are. I know that the Senator from Delaware [Mr. BOGGS] and the Senator from Texas [Mr. Tower] agree with me when I say that the Senator from Vermont is an outstanding expert on farm policy. So it is extremely gratifying that he should think so well of these efforts.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BOGGS. I thank the distinguished Senator from New York and also the distinguished junior Senator from Texas [Mr. TOWER] for their interest in this important, basic subject.

I consider it a high honor and privilege to serve as a member of the Committee on Agriculture and Forestry. My association with the members of the committee is most pleasant. I hold every one of them in high esteem. It is a distinct privilege to work with our distinguished and able chairman, the Senator from Louisiana [Mr. ELLENDER].

But my experience on this committee in the past 4 years has led me to believe more and more, every day, that a study of the overall agricultural program in depth and detail is essential if we are eventually to devise an agricultural policy that will serve not only the hopes and ambitions of the agricultural population, but will best serve and strengthen our whole economy and our national objectives.

We have been trying a variety of farm programs for many years now, and the result always seems to be the same. The efficiency and hard work of our farmers outstrips the programs, and the surpluses and costs remain too high.

Again this year we have a farm bill which attempts to patch up the leaks in the dike holding back the surpluses, but I do not have much hope that these patches will surpass the productivity of the farmer.

Instead of stumbling on year after year it appears to me to be essential that we take a long look at agriculture. We need to devise a policy which looks ahead as far as possible and takes into account the well-being of the farmer, the needs of the consumer, the health of our economy, and the strength of the Nation's domestic and foreign policies.

Because mechanization and automation are changing the farming industry drastically, it is essential to the continued success of American agriculture that this Nation develop and follow a sound and comprehensive policy for agriculture.

As matters stand, each crop is considered largely on its own. Too little attention is given to the interdependence of crops, and the vital role farming plays in the Nation's overall economy. As has been pointed out before on this floor, farming is the largest single industry in the Nation. Not only are we all dependent on it for our daily bread, but it is the largest single cog in our industrial machine.

The 12-member commission provided for in Senator JAVITS' bill would represent a cross-section of informed citizens. Its recommendations would serve as a basis for taking a fresh look at our agricultural problems, and hopefully, at the same time, these recommendations would contain ideas for making better use of our tremendous ability to produce food and fiber.

Mr. President, nearly 2 years ago I introduced a bill calling for a Hoover-type commission to study the Nation's agriculture. No action was taken on this proposal. I am very happy now to join the senior Senator from New York in cosponsoring his amendment which I sincerely believe is needed if we are to begin to solve our agricultural problems.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. I yield myself an additional 5 minutes.

Mr. BOGGS. Mr. President, this study is as basic, essential, and necessary for the good of our economy and for the good of every aspect of our national life as anything that I know of.

I hope this amendment will be accepted. I am very proud to be associated with the distinguished senior Senator from New York [Mr. JAVITS] and the distinguished Senator from Texas [Mr. TOWER] in offering this amendment for the consideration of the Senate.

Mr. JAVITS. Mr. President, I point out that I am especially gratified to join with my two colleagues in offering this amendment. We are on the minority side, 2 to 1. I believe that the challenge to us is to make affirmative, positive, and constructive contributions to the welfare of the country.

It seems to me that when we propose a measure of this kind to take cognizance at last of the things that have happened in the agricultural field and relate them, one to another, and to take cognizance of the shift of population from the farms to the cities and the shift of people from the farm to even the rural nonfarm areas, and to suggest, as this proposal suggests, a practical way in which to develop a new policy more intelligently adapted to the needs of the farmers and to the needs of the country which may be adopted by the Nation, we are performing a true and meaningful function of the minority.

I am gratified to be associated with my two colleagues in this endeavor. I point out one thing which I believe is very important. The question relates to what is being done now along this line. There is very good evidence that the Commission which we are suggesting is badly needed.

I am gratified to see that the distinguished Senator from Vermont [Mr. Aiken] supports this proposal. I say in answer to the statement of the Senator from Vermont that, as to the composition of the Commission, there would be 12 members, 4 appointed by the President, 2 from the executive branch of the Government and 2 from private life; there would be 4 appointed by the President of the Senate, 2 from the Senate and 2 from private life; there would be 4 appointed by the Speaker of the House of Representatives, 2 from the House of Representatives and 2 from private life. The Commission members would be from both political parties, equally represented.

If that is not the right way to do it, it can be easily dealt with in conference. That is not the main thrust of what we are debating. This work should be undertaken. It is not being done.

The President himself recognized that in calling for such a Commission in February of 1965. That is the most conclusive evidence. The President called for exactly what we are seeking now.

I have already pointed out that the National Agricultural Advisory Commission, which was organized by Executive order on July 20, 1953, and recognized by another Executive order on May 5, 1961, is devoted to advising the Secretary on the programs which are now underway in agriculture. This does not take a complete look at the entire existing and future agricultural picture of shifts in population, new methods of production, the domestic and the foreign responsibilities, and how the programs have worked out.

The National Advisory Commission, composed of 25 members, is concerned with the internal operations of the Department of Agriculture and advising concerning such problems. That is fine. However, it does not approach the performance of the job which the President says needs to be done, and which this amendment seeks to set up a commission to do.

There is a National Commission on Food Marketing by virtue of a law adopted on July 3, 1964. That law deals with machinery for study of the marketing structure of the food industry. That is a specialized application and is very desirable in its way and is entirely worthy of support. However, it is not getting to the basic job of trying to build a basic farm program to meet the needs of the country.

This amendment is the only proposal for that, other than the proposal made by the President, which can be implemented by the proposal contained in this amendment.

Our proposal does not conflict with or invalidate anything in the farm bill. It does not knock anything out. It only tries to place us, in a national way, by the use of the best brains we can muster, on a new and better road. Who would not agree that there is a new and better road and that it is high time that we start to seek it? The President himself has affirmed this.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BOGGS. Mr. President, one of our needs is for a fuller and better understanding of the farmers' problem, the agricultural problem.

I cannot think of a better way to get across to the entire country a fuller appreciation of the dependence which all of us have on agriculture than to have a careful and full study such as this made.

Mr. JAVITS. Mr. President, I am grateful to my colleague whose views, as expressed in the report, were highly persuasive and very important in what we are seeking to do.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. Montoya in the chair). Who yields time?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana is recognized for 5 minutes.

Mr. MANSFIELD. Mr. President, the amendment offered by the distinguished Senator from New York [Mr. Javits], cosponsored by the distinguished Senator from Delaware [Mr. Boggs], and the distinguished Senator from Texas [Mr. Tower] is most interesting because at the present time the President has on his desk an Executive order which would establish a President's Committee on Food and Fiber, a National Advisory Commission on Food and Fiber.

It is my understanding that the President intends to issue an Executive order shortly to establish this National Advisory Commission on Food and Fiber. The National Advisory Commission on Food and Fiber would be composed of 25 members appointed by the President. The President would designate the Chairman of the Commission from among its members.

It is my understanding that the members of the Commission have been selected and cleared and that the President has decided on a Chairman. The Commission would have a number of functions, including the following:

First, the making of a comprehensive study and appraisal of the current economic situation and trends in American farming, including productivity, costs, prices, incomes, farm employment, labor standards, foreign trade, and related matters.

Second, evaluating current farm policies of the Federal Government as they bear upon the welfare of farmers, workers, consumers, and taxpayers upon the stability, growth, and efficiency of American economy and upon our foreign relations.

Third, exploring and evaluating alternative policies available to American agriculture and to the Federal Government.

Fourth, developing such recommendations for action by the Government or private enterprise as it deems appropriate.

The Commission would submit its final report and recommendations not later than 18 months after the date of its first meeting, and could make any interim reports which it deemed would expedite the work of the President's Committee on Food and Fiber.

In view of the proposed President's Commission and the fact that it would be in operation shortly, and because the Commission would have a great deal of flexibility, it would be my feeling that we should not pass the pending amendment, but rather allow the President to go ahead with the filing of his Executive order at an appropriate time so that this work which the distinguished Senators would want to see done can be done more expeditiously.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield to the Senator from New York.

Mr. JAVITS. I say with a smile that I had a similar experience with the President on the National Advisory Council on the Arts. The very morning on which I asked for the prompt announcement of the appointment of the Council the witness before us in the Labor Committee announced that the President that day, was going to appoint a commissioner to work with the administration. So I am not unfamiliar with the alacrity with which the President can act when he wants to.

Mr. MANSFIELD. While I cannot give the distinguished Senator that much in the way of specific information, I can say that the matter has been on the President's desk and has been waiting for an appropriate time to make the announcement, which I think will be forthcoming within a month.

Mr. JAVITS. Within the month? Within September?

Mr. MANSFIELD. I would think within September.

Mr. JAVITS. Could the Senator give us one further word of assurance? I have been consulting with my colleagues on this matter. Does the Senator know whether the President would contemplate a bipartisan commission?

Mr. MANSFIELD. I cannot speak for the President in that respect, but on the basis of his appointments heretofore, I would say that to my mind there would be no question that any commission created would be bipartisan.

As far as the distinguished Senator from Louisiana [Mr. ELLENDER], and the distinguished ranking minority Member [Mr. AIKEN], whom I am glad to see on the floor at the moment, and I are concerned, we would all urge upon the President that this be done, although I do not think such urging would be necessary, especially in view of the question just raised.

Mr. JAVITS. One other question, if the Senator will allow me—my colleagues may have some further questions—is whether or not this could be a Hoover-type commission, so that Members of Congress might be named upon it? The Senator may have some ideas as to the disposition of the President in that respect.

Mr. MANSFIELD. That I cannot say. But in view of the fact that there is a somewhat similar commission operating at the present time on the domestic basis—I believe it is called the Food and Marketing Commission—which does include Members of Congress, I suppose that this commission likewise would include Members of Congress on a bipartisan basis.

Mr. JAVITS. Could we hope, then, that Senator MANSFIELD, Senator ELLENDER, and Senator AIKEN, if they feel that way, as they obviously do, on the bipartisan point, would lend their influence toward that end, so that this might truly be, generally speaking, a very authoritative, Hoover-type commission?

Mr. MANSFIELD. Does the Senator from Louisiana, the chairman of the committee, care to make a comment?

Mr. ELLENDER. Mr. President, I hesitate to comment about what ought to be done. The Senator from New York knows my position on all the commissions and subcommittees that have been created in the past and have spent a great deal of money, but got nowhere.

If the President desires to create such a commission as the Senator from Montana has stated, of course I would have no objection.

But I say to my good friend that before we went into the hearings on the bill that we are now discussing, I wrote to every agricultural college in the country for advice. We have stacks of correspondence and data that we obtained before we went to the hearings, and I think the Committee on Agriculture and Forestry——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ELLENDER. I yield myself 5 minutes on the bill.

We have stacks of information now that the committee has studied, and as the Senator knows, a commission was created on food marketing, to study the food industry from the processor to the consumer. I, of course, opposed it as I did others in the past, because I do not believe we would get data sufficient to enact any legislation to change our pattern. I wish to add that in my judgment, the commission which is now at work could do a good deal of the work that is proposed in the Senator's proposal.

As I have stated, I am opposed to it. If the President desires, by Executive order, to create a commission to make a study, I certainly will not interfere. But I doubt that anything more can be done than has already been accomplished by the committees.

Mr. JAVITS. Mr. President, may I ask the distinguished majority leader whether he personally thinks well of the idea of having some congressional representation?

Mr. MANSFIELD. I think it has a great deal of merit. However, I do not believe we should infringe upon the President's responsibility and prerogatives.

I know that the Senator from New York is well aware of the line which divides us, but I am sure the President, based on his experience in both Houses, would not be at all adverse to that; and so far as I am concerned, as majority leader I should certainly recommend that he give it due consideration.

Mr. JAVITS. May I suggest to the distinguished majority leader, so that I may have time to consult with my colleagues, that there be a quorum call, with the time charged against the bill? I make that request.

Mr. MANSFIELD. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I yield 10 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, this is a most important amendment. For several years now I have joined in sponsoring legislation calling for creation of a nonpartisan commission of experts to examine the entire American farm problem and the governmental policies involved.

In the last session I was pleased to cosponsor with the Senator from New York [Mr. JAVITS] a resolution that would create just such a commission. This session, we again introduced the plan as Senate Joint Resolution 20.

I was glad to see earlier this year that the President had endorsed the idea in his original farm message to the Congress.

We simply must, in my opinion, conduct nonpartisan studies into the problems of our farms, and act upon the findings of those studies in a nonpartisan manner.

We never will achieve any real attack on farm problems unless we get politics out of agriculture. Farm lands are worked by men and women of all parties. Those American farmers deserve better than the political manipulation they have gotten in the past.

We have created a patchwork of laws, often temporary expedients adopted to meet crises of varying degrees and kinds. Our farm laws, because they too frequently conflict with economic principles, have become the progenitors and perpetuators of our current farm problem. The farm programs have become a part of the problem.

American agriculture has passed and is passing through a period of vast and rapid change. No longer are our farms characterized by man-and-mule operation. As recently as 1940, 1 farmworker supplied 11 people with food and fiber. In 1961, 1 farmworker supplied the needs of 26 people. Productivity per man-hour in the past 10 years has increased 80 percent in agriculture, compared with 25 percent in industry. About twice as much capital is invested per worker in agriculture as in industry.

Technological change in agriculture has not reached any end point. There are some signs that the agricultural revolution is even accelerating. Technological change is remaking American agriculture at a pace unprecedented in human history.

Farm programs are necessarily based upon prices, practices, production, yields, and marketing of the past. But the past never fits the future. Farm programs try vainly to prevent change. To the extent they are able to delay change, they create new problems. Controls have bred many of the problems with which farmers are now confronted.

One of the inescapable results of the farm programs as they have operated is that they have held an umbrella over the world price, have encouraged expansion of competitive production in other countries. Actually, this problem would have been more crucial than it has been, except for the political turmoil and uneconomic practices of governments in other countries which has interfered with their normal growth and productive development.

A second inescapable result of price fixing is the development of substitutes. Ask any informed cotton man what price support programs for cotton at too high levels have done to substitute synthetics for cotton in Europe and in the United States. Markets once lost are hard, often impossible to regain.

Controls cannot be imposed on one crop without affecting others. Land idled by a control program for one crop is likely to be used to produce other crops. Much of the land taken out of cotton and wheat production, for example, has been shifted to feed grains with the result that there is currently a surplus of feed grains.

The economist speaks of the inelasticity of demand for farm products. By this he means that consumption does not change very much when price is lowered. Therefore, a small excess of production results in a major change in price. This is most clearly illustrated by the case of tobacco. Consumption of tobacco appears to be virtually independently of change in price. Therefore, a small surplus of tobacco, in the absence of price supports, would result in a drastic reduction in the price of tobacco.

Acreage controls and price supports cannot provide an adequate income for a farm family with an acreage allotment too small for efficient and modern farming practices. A farm family with inadequate land resources cannot hope to increase its income from agriculture materially unless it is able to enlarge its operations so as to permit the adoption of modern technology. The rigidities of farm support and control programs are an obstacle to such progress.

The efficient farm, small, or large, is penalized by controls. Costs for many farm operations are about the same, even if acreage is reduced. Controls, therefore, increase unit costs. Efficient farmers, who could profitably produce for export and domestic markets at a particular price, are foreclosed from producing for such markets if the price is raised to a level resulting in the loss or reduction of such markets.

During the emergency of the depression of the 1930's, many measures were taken to alleviate desperately critical situations, including price support, and production controls for a number of farm commodities. I am not inclined to be critical of everything that was done in New Deal Days although I have criticized most things that were done in the New Deal Days. Desperate situations sometimes warrant desperate remedies. But it does not follow that what may have been desirable, or at least warranted during the dark days of the depression is necesarily the desirable approach to the problem under different circumstances. In fact, I am sure it is not. Amazing as it may appear, some of the congressional debate of the farm problem still harks back to the depression years. The argument is still made that if it was good then, it is good now. It is even suggested that all that keeps agriculture out of the conditions that existed in 1930–33 are the Government farm programs. This is ridiculous when it is recalled that only some 22 percent of U.S. farm production has been subject to production control programs. Actually, the most prosperous part of American agriculture has been that part not involved with controls and price supports.

To continue down the road of controls and high, artificial price supports is to court disaster.

The choice confronting us is clear. One is based on Government intervention and control, the other on a farmer's freedom to farm; one on a Government market, the other on a free market; one on dependence on Federal appropriations for farm income, the other on consumer demand.

For all these reasons, Mr. President, I hope we can adopt this farseeing amendment in an attempt to remove politics from agriculture and to permit dispassionate, reasoned study of where we are in the farm economy, how we got there and what best we can do to get ourself out of the current confusion.

I urge adoption of this amendment to create a nonpartisan commission to study agriculture problems. I believe the amendment is fully consistent with stated desires of the White House, represented by one party, and I know it is consistent with the desires of those on this side of the aisle, representing the other party.

It is time for the parties to join in a nonpartisan approach to farm problems. The commission provided by the amendment would enable us to do just that.

I should like to note further that one of the first measures I introduced during my first year in the Senate was a measure calling for a study, by the Secretary of Agriculture, comparable to that now proposed.

I believe the approach of having a commission of experts, nonpartisan in character, to study the matter, as proposed by this amendment, is far better. I believe it would result in a more comprehensive and objective study. The principle is a good one. Such a study is long overdue, and is needed from every angle.

In any study, it should be kept in mind that we must maintain a strong, viable agricultural economy, because the time will come when, instead of producing too much for our people to consume, we shall be producing perhaps too little, by reason of the growth in population and reduction in the amount of land available for cultivation and pasturage.

All these things must be taken into consideration. We must have in mind long-range solutions, and not merely transient, temporary, politically oriented solutions that turn out not to be solutions at all. The idea, in principle, is good, and I think it is one that should be voted upon. Should it fail of agreement at this time, we should probably pursue the matter further, unless the administration comes forth with a program that meets the objectives of the amendment offered by the distinguished senior Senator from New York.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

I have consulted with my colleagues and with our distinguished ranking Member, the Senator from Vermont [Mr. AIKEN]. It seems to us that we have every right to expect that the proposed Commission would be promptly appointed, and that the composition would include the element of bipartisanship in a significant way, and the element of congressional representation, so that we may have a Hoover-type commission with great responsibility.

Congress will be in session, apparently, for 3 or 4 more weeks, and we feel, after assessing our collective judgment, that under the circumstances, in deference to the dignity of the Presidency and the dignity of the Congress, we should at this time withdraw our amendment, to give the President an opportunity to take the action which he says he is going to take. But I do it, in all fairness I should state to the Senate, for myself and my cosponsors, with the thought that if we do not arrive at a fruition of the idea, as now seems to be assured, before Congress adjourns, we reserve the right, on a future bill, to again propose an amendment of this character; and we serve such notice, so that no one will accuse us of trying to block or obstruct anything at a later date.

I have every confidence, and my cosponsors feel the same way, as I believe the Senator from Vermont [Mr. AIKEN] does, that the Commission will be appointed as scheduled. I make the reservation on behalf of all of us only as a matter of prudence and not as a matter of doubt.

Therefore, if it is satisfactory to the majority leader and the Senator in charge of the bill, I ask unanimous consent to withdraw the amendment, and that the order for the yeas and nays be revoked.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn; and the order for the yeas and nays is revoked.

OBSTRUCTION OF PERFORMANCE OF DUTY BY THE ARMED FORCES BY OBSTRUCTION OF TRANSPORTATION OR PERSONNEL OR PROPERTY THEREOF

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Ohio on the bill.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. Mr. President, several days ago, I introduced a bill, S. 2482, which would make it a crime for any person to purposely and willfully obstruct by physical force the movement of troops, military equipment, and military property of the United States. The bill would give authority for the imposition of a severe penalty, graduated down to practically nothing, giving discretion as to the severity of the penalty to be imposed.

Any person who willfully and purposely, by resort to force, interferes with the movement of troops, military equipment, or military property, would be guilty of a crime against the dignity of the United States.

Mr. President, I ask unanimous consent that the names of the Senator from Florida [Mr. HOLLAND], the Senator from Delaware [Mr. WILLIAMS], the Senator from Wyoming [Mr. SIMPSON], the Senator from North Carolina [Mr. ERVIN], the Senator from Colorado [Mr. DOMINICK], the Senator from Connecticut [Mr. DODD], and the Senator from Nevada [Mr. CANNON] be added as cosponsors to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Let me point out the significance of the bill. Reports are coming out of California concerning a mass movement of sit-downers for some time in October to interfere openly with the free movement of military equipment.

In my judgment, the bill is needed.

I asked the experts of the Justice Department to examine the law to determine whether there is any criminal prohibition now in existence. I was told that there is not.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, returned to the Senate the amendment of the Senate, in the nature of a substitute, to the bill (H.R. 3157) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits, and transmitted the resolution of the House thereon.

The message announced that the House insisted upon its amendments to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. STAGGERS, Mr. FRIEDEL, Mr. JARMAN, Mr. PICKLE, Mr. RONAN, Mr. WILLIAMS, Mr. SPRINGER, Mr. DEVINE, Mr. CUNNINGHAM, and Mr. WATSON were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 10014) to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President, with the exception of House bill 8469:

S. 76. An act for the relief of Anna Maria Heiland;

S. 135. An act for the relief of Elizabeth Kam Oi Hu;

S. 136. An act for the relief of Angel Lagmay;

S. 192. An act for the relief of Maria Liberty Burnett;

S. 440. An act for the relief of Jose L. Rodriguez;

S. 454. An act for the relief of Lee Hyang Na;

S. 517. An act for the relief of John William Daugherty, Jr.;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 573. An act for the relief of Dr. Sedat M. Ayata;

S. 584. An act for the relief of Ming Chup Chau;

S. 586. An act for the relief of Maria Tsillis;

S. 614. An act for the relief of Evangelia Moshou Kantas;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 828. An act for the relief of Cha Mi Hi;

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 879. An act for the relief of Kim Sa Suk;

S. 971. An act for the relief of Mrs. Elena Guira;

S. 1084. An act for the relief of Shu Hsien Chang;

S. 1170. An act for the relief of Chung J. Clark;

S. 1186. An act for the relief of Kris Ann Larsen;

S. 1209. An act for the relief of Specialist Manuel D. Racelis;

S. 1736. An act for the relief of Jennifer Ellen Johnson Mojdara;

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon;

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters;

H.R. 727. An act to provide for the administration of the Coast Guard Band;

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona;

H.R. 1892. An act for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired;

H.R. 2305. An act for the relief of Zenaida Quijano Lazaro;

H.R. 3039. An act to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, under certain conditions, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due;

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty;

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve;

H.R. 8027. An act to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes;

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations;

H.R. 8469. An act to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes;

H.R. 10586. An act making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes; and

H.R. 10775. An act to authorize certain construction at military installations, and for other purposes.

FOOD AND AGRICULTURE ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

Mr. MAGNUSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Washington yield, without losing his right to the floor?

Mr. MAGNUSON. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. MANSFIELD. On the bill.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section as follows:

> SEC. 707. Section 301 (a) (8) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:
>
> "(8) The term 'person' means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or any agency of a State or Federal Government; and in the case of any State in which lands granted to such State by the Federal Government or owned by the Federal Government are under lease. The Federal Government and such State shall be considered as a separate 'person' with respect to each farm unit in which it has an interest."

Mr. MAGNUSON. Mr. President, I have discussed this amendment with several Senators, including the distinguished chairman of the Committee on Agriculture and Forestry. If the amendment is what I understand it to be, the language would take care of a situation that is present not only in my State, but also in other States, including Kansas—and I believe the Senator from Kansas has an amendment thereon. It is an amendment that should be taken to conference, and if the particular language we have suggested is not satisfactory, the language could be modified to take care of the situation.

Mr. President, I do not propose this amendment myself. It comes as a result of an actual situation in my State and other States in the Union.

I wish the RECORD to be made clear that what we are trying to do is to correct what we believe to be a bad situation.

The Washington State Department of Natural Resources, which is comparable to State commissions in other States having to do with the development of resources, manages approximately 130,000 acres of State-owned cropland on a share-crop basis. There are 481 share-crop leases in 16 counties. The State's share of the revenue helps to support State public schools. The same situation applies to the timber land which we use to support our State schools. But there are 130,000 acres which are suitable for small grain production, mainly wheat.

The State director, Mr. Bert L. Cole, has sent me communications on this subject, and I have talked with him on the telephone concerning it. His problem is real. He states that:

> Due to certain provisions of the 1938 Agricultural Adjustment Act, set forth in Agricultural Handbook 192, State of Washington, educational funds may lose as much as 30 percent of the revenue from the 1965 crop.

This is the reason why:

> As the regulation now stands, the Department of Natural Resources falls under a definition of a single "person" for purposes of determining compliance or noncompliance with the Federal farm wheat allotment or cereal grain program. What this means is that if 99 percent of our lessees comply with the Federal programs and 1 percent fails to comply, the State and all its

> lessees are not eligible for Federal crop diversion payments. This is true even if the 1 percent failed to comply through a misunderstanding, or because of other circumstances.
>
> For example—

And this happens all the time in my State, particularly on the eastern side, in the mountain area where much of this land is located—

> perhaps land left standing in 1964 has "volunteered."

Mr. President, this is an agricultural term with which I am not familiar, but this is what the Department says:

> This term means that scattered seeds from a previous crop may take root and grow spontaneously. When this occurs, the ACSC's current ruling is that the farmer is growing wheat on normal conserving areas. Some county provisions allow farmers to leave wheat standing on diverted acreage as a soil conservation measure, and this wheat in some cases has "volunteered." One case of this happening can result in a ruling of noncompliance so that the entire State—

The 130,000 acres presently leased by the State—

> is ineligible for crop payments on any of its leased crop land.

As far as can be determined, the degree of noncompliance yields in these 340 wheat farm leases this year is about 1 percent, as stated in the second letter.

The percentage on other cereal grain leases may, says the director, run a little higher, since guidelines for the program were not laid down until after part of the 1965 crop had been planted.

Much of it is winter wheat, planted in the fall, for the programs were not laid down until after part of the 1965 crop had been planted.

In essence, the present regulation penalizes 99 lessees for every 1 who fails to comply, even unknowingly. No State lessee can receive diversion payments if one State lessee fails to comply. The rules could even be interpreted so that a farmer who leases part of his land from the State is ineligible for diversion payments on any of his farm acreage, even though he had complied fully with the Federal program.

It has always been the policy of the department of natural resources to encourage and virtually insist on compliance by lessees with Federal farm program regulations. The State regards it as a sort of moral obligation in the interest of controlling farm surpluses and maintaining stability in our farm economy.

The exemption is very specific, and it would in no way alter efforts to obtain as complete compliance as possible. I also want to point out that individual State lessees who do not comply would still be ineligible for Federal diversion payments.

I urge the committee to give serious consideration to this proposal. It appears that the loss to the Washington State education trust funds for the 1965 harvest could be as high as $125,000 to $150,000.

From reading an explanation of the situation, and based on a letter as recent as July pointing out the whole situation, and by virtue of the experience in 130,000 acres in previous years, it seems to me this is a good amendment. It would clear up a matter which may be peculiar only to the State of Washington. I understand there are other States where the same situation occurs in Federal lands, which may be leased grazing lands. I see present the Senator from Oregon [Mrs. NEUBERGER]. I am sure there are some such lands in eastern Oregon.

All that is attempted is to make the law uniform, so that State funds, or even Federal funds from Federal lands, will not be lost. The money goes to schools. No one gets any profit from it.

I do not know what is wrong with it, but the distinguished chairman of the committee said he had checked with the Department and the Department had some objection to it. I cannot find any real reason in my mind why the Department should object. The situation exists. I have referred to language from the Legislative Reference Service of the Library of Congress. Those involved have suggested this amendment. I hope the committee will accept the amendment and take it to conference. Perhaps the conferees will want to change the language, but this was the language that was presented to me.

Mr ELLENDER. Mr. President, I yield myself 10 minutes.

As the Senator from Washington stated, this amendment was submitted to me last week. I told him I would take the matter up at the time, in an effort to try to devise appropriate language. But the Department is opposed to this amendment, as I was when it was first presented to me. Both Federal and State land are involved. We are having trouble now with surpluses under the law as it now stands. If an individual or corporation owns, let us say, 10,000 acres of land, and the individual or corporation should lease those 10,000 acres of land to 20 tenants, it would be necessary for all to comply with the program if anyone of them were to receive the benefits of the program. The law does not permit some to comply and others not. That is the law now. The amendment would place the State and Federal Government in a preferential position which would not apply to the individual. I do not believe that is right.

A little later I should like to read into the RECORD the objections stated by the Department. I think they are valid ones. Under the existing law, in the event it can be found that an error was made by a tenant, or he did something he did not mean to do, the Department has the right to adjust any deficiencies that may have been made, or for any overplanting that may have been made, and in many instances, the Department does just that.

There was mentioned by the Senator from Washington a case in Kansas in which a widow who had inherited a farm subsequently married another farmer who had land of his own. Since, after the marriage, these two farms under the law were to be considered as one, in order to obtain benefits from the program, it was necessary that both the husband and wife comply with the law. If one did not, it meant there would be no benefits. And this did occur. But under the authority that was vested in the Department of Agriculture, as the Senator from Kansas stated last week, the matter was adjusted. A good case was made by the farmer and his wife.

There is now authority for the Department to adjust cases in which there has been error or in which ignorance may have resulted in violations.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. It was adjusted for 1 year.

Mr. ELLENDER. That is correct.

Mr. CARLSON. But this farmer was assured that he could not continue this type of operation.

That is the point I want clarified. That situation is different from the one stated by the Senator from Washington. I do not want to become involved in this. The situation is as the chairman mentioned.

One farmer had been farming, and they had to get farms in compliance. There was the case of a young man, who had been farming for 6 years. His farm was not in compliance. They forced his father to go in compliance, or out of compliance. I do not see the justification for that.

If the chairman can give me any encouragement or help, I will be grateful. I have an amendment which I did not offer. I have such a high regard for the chairman I will not offer it again.

Mr. ELLENDER. It was done in this case. But if a farm is owned by one person and is worked by two or three, all of them should comply. It would not be fair if two complied and the other did not comply and as a result more of the commodities are produced than should be on that one farm.

Let me state the Department's objections to the amendment.

The proposed amendment—that is, the amendment of the Senator from Washington—of section 301(a)(8) of the Agricultural Adjustment Act of 1938, as amended, would permit the Federal Government or a State to act as a completely separate entity with respect to each farming unit in which it has an interest. This would allow participation and benefits under diversion or allotment programs on one or more farms although there may be an interest in other farms not complying with the crop reduction programs. In short, it would eliminate the current offsetting-compliance provision that is now applied to all producers.

We are opposed to this amendment for the following reasons:

First. We do not believe that voluntary programs can be expected to accomplish their objectives if any entity, including the Federal Government and any State or agency thereof, is permitted to receive program benefits on one farm while counterbalancing crop reduction by overplanting on another farm.

Second. To grant special privileges to Federal and State Governments would be inviting extreme dissatisfaction and criticism from private producers not granted such leniency.

Third. Federal and State Governments have ample opportunity through the terms of leases to require compliance with programs as a condition of access to the land for farming purposes. This is not an uncommon condition applied to leases involving privately owned land.

Diversion programs for wheat and feed grains as proposed under pending legislation would be offered on a voluntary basis. Any producer or entity feeling the need to produce in excess of the total base or allotment established for his farm or farms could do so without incurring any penalty or jeopardizing his opportunity to participate for program benefits in a later program year. Such a producer only foregoes program benefits in the year of excess.

Further, in the case of wheat a producer may plant as much as 150 percent of his allotment without being considered in noncompliance provided he stores his excess production in accordance with regulations issued by the Secretary. This should provide some relief for a wheat producer who feels it is not feasible to plant within his allotment even though he is not participating in the program with respect to a particular farm.

Participation in diversion programs is voluntary. Therefore, it is axiomatic that producers cannot be permitted to participate and earn benefits on one farm while this compliance is offset by increased production on other farms. To do otherwise would not only make the programs self-defeating, but would also be poor public policy.

If this privilege were granted only to the Federal or State governments, it would tend not only to defeat the purpose of the programs but would create strong resentment and dissension from producers who are dependent on farming for a living.

When publicly owned land is operated by private producers, leases which require compliance with allotments and bases can be required. Owners of privately owned land commonly require this of their tenants.

If the Senate should adopt this amendment, it would mean giving preferential treatment to State and federally owned land in contrast to privately owned land.

I hope the amendment will be defeated.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. MAGNUSON. Mr. President, I yield myself as much time as I may need within the time limitation.

I believe there is some misunderstanding, and this is what I am trying to correct.

If 1 sharecropper out of 431 in the entire State leasing program says, "I do not want to be in compliance," none of them can be in compliance.

This is what I am trying to correct. The Department does not answer that argument.

Secondly, they say this might be done in a lease now, but we are talking about leases that have already been made. Some were made for a long period of years by the State to allow people to cross crops on this land because we have a great amount of land, the proceeds go to schools. This is timber and farming land. The Department does not answer that point.

I would withdraw the amendment if we could figure out how to take care of this situation.

I do not see why one person, who has a lease for perhaps 10, 12, or 15 years on State land, because they fall within the definition of a single person for the terms of compliance, can say, "I do not want to be in," so the other 430 cannot.

It seems to me that that situation ought to be corrected. Two years ago we had this same matter of crosscompliance. I agree with the Senator from Louisiana that one farmer should not have it both ways. Let us put it that way.

But we encountered situations in which a man owned his own farm and he wanted to be in compliance. He was a tenant farmer. Up the road 10 miles there was a section of wheat owned by a bank for some heirs; the bank being of such political persuasion as banks usually are, did not like this system of agricultural allotments and it said "No."

The result was that the farmer could not go in, and we left it up to the county committees. They would determine whether or not it was the fault of the person.

Here it is the fault of no one, but the two, and the 130,000 acres, are treated as one entity.

What we not are trying to do is to get them out, but to get them in so there will be less production. This is what the State wants to do. I do not know how it can be done in any other way than by this amendment. I do not believe the Department answers what I conceive to be the problem.

If I am wrong, I would be the first one to say in conference, "Do not accept the amendment; it is taken care of by what the Department says."

I included Federal land. I did not intend to include Federal land, but certain Senators said the situation has been true on some Federal grazing land. All should be under compliance, so that less wheat will be raised.

But less than 1 percent of State lands are not under compliance, and they keep all of the rest of them out. I do not think that is right. I want to have them under compliance. Otherwise, I would not be for this bill.

I hope the Senator will take this amendment to conference to discuss it a little.

Mr. ELLENDER. Mr. President, I yield myself 2 minutes.

I did my level best to try to frame language to do what the Senator states.

There are quite a number of corporations and individuals that own large areas of land. Under the laws as they now stand, the lessor, the owner of the land, can make it a condition precedent that the lessee plant within the regulations of the Department.

The only way by which this could be done would be when a lease was entered into with the State by the Federal Government, or with anyone else who leases land. Many farmers want to get in under the program; others do not.

It seems to me that if the State of Washington or any other State that had lands of this kind would insist that no wheat or corn may be planted except in compliance with the rules and regulations established by the Department, there would be no trouble. But as I said, the Secretary, under the law, now has the authority to rectify any mistake that may have been made. But where it is done irrespective of whether the farmer desires to violate the law or not, the Department took that into consideration. Where it was found that there was an error, even in Washington, the Department paid. I do not know how much was paid; I do not have the record before me. But many of the farmers were paid—in fact, all the farmers except the few who had actually violated the rule. That was done under the present law, and it can still be done.

Mr. MAGNUSON. The Senator from Louisiana is surely more knowledgeable about the various rules and interpretations of the agricultural acts in the Department than probably most other Senators. If he could suggest to me, and I in turn could suggest to the State officials, who are the ones involved, that if they have 481 leases on State-owned land, with one person leasing 100 acres and keeping all the rest out, and the Department would show us the rule, I would take my seat. But they say they are a single person, under the ruling of the Department, and they have to take it, too.

A corporation that owns a great deal of land can make separate leases. But the State has to make the same type of lease to each person on the same basis, by law, and the return to the school fund of the State is the same percentage. That is the problem.

Mr. ELLENDER. As I said at the beginning, if any farmer or lessee of a large landowner or corporation owning a large tract of land produces more than he should, all of the tenants of the corporation or landowner are affected. I do not want to change that system; I want the law to remain as it is, because if that is not done, violence will be done to the program.

Mr. MAGNUSON. That still does not answer the problem; 481 farmers want to get in, while 1 fellow sits there and says, "No." So none of them can get in.

Mr. ELLENDER. The State should cancel the lease of the one who says no.

Mr. MAGNUSON. Perhaps the State cannot do that under the law.

Mr. ELLENDER. But that is the way to reach him. There is an easy way to reach it, and that is to provide that the State shall insist that the tenant comply with the law.

Mr. MAGNUSON. The State director, in a long letter, says that he personally wants to have them all under compliance, because that would mean a better regulated use of State lands. It would mean that the State school fund would get its share of the rental. The present operation of the program results in complete chaos.

With the State lands comprising 130,000 acres, I cannot see why the Department should be so concerned over big corporations that are trying to cheat. A sovereign State is not trying to cheat; it is trying to reduce surpluses.

I seems to me that the Department is acting out of pure stubbornness. It can handle corporations and big farmers, whom we are trying to eliminate. But this situation relates to State-owned land. The State could not sell it if it so desired. The State is subject to State law as to the way in which tne lands may be leased.

In this instance, one person is obstructing action. Instead of having 130,000 acres in compliance, which is the objective, one person, having 100 acres, is saying that 129,000 acres should go out. So the farmers plant fence to fence and add to the surplus, and we cannot get any help. We are trying to do what every supporter of the bill has been trying to do for years—to secure compliance and reduce surpluses.

Mr. President, I yield back the remainder of my time.

Mr. ELLENDER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was rejected.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a letter lated June 29, 1965, addressed to me by Bert L. Cole, Commissioner of Public Lands, Department of Natural Resources, State of Washington. The letter deals with the entire problem.

I suggest to the members of the Committee on Agriculture and Forestry and to the Department of Agriculture that if they want to have 129,900 acres of land out of compliance, this is a good way to proceed.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF RESOURCES,
Olympia, Wash., June 29, 1965.

Hon. WARREN G. MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR WARREN: The Washington State Department of Natural Resources manages about 130,000 acres of State-owned cropland on a sharecrop basis. There are 481 sharecrop leases in 16 counties, and the State's share of the revenue helps support our State's public schools.

Due to certain provisions of the 1938 Agricultural Adjustment Act, set forth in Agriculture Handbook No. 192, states our educational funds may lose as much as 30 percent of the revenue from the 1965 crop.

As the regulation now stands, the department of natural resources falls under the definition of a single "person" for purposes of determining compliance or noncompliance with the Federal farm wheat allotment or cereal grain program. What this means is that if 99 percent of our lessees comply with the Federal programs and 1 percent fails to comply, the State and all its lessees are not eligible for Federal crop diversion payments. This is true even if the 1 percent failed to comply through misunderstanding or other special circumstances.

For example, perhaps land left standing in 1964 has volunteered. This term means that scattered seeds from a previous crop may take root and grow spontaneously. When this occurs, the ACSC's current ruling is that the farmer is growing wheat on normal conserving areas. Some county provisions allow farmers to leave wheat standing on diverted acres as a soil conservation measure, and this wheat in some cases has volunteered. One case of this happening can result in a ruling of noncompliance so that the State is ineligible for crop payments on any of its leased cropland.

As far as can be determined, the degree of noncompliance in our 340 wheat farm leases this year is just over 1 percent. The percentage on other cereal grain leases may run a little higher, since guidelines for the program were not laid down until after part of the 1965 crop had been planted.

In essence, the present regulation penalizes 99 lessees for every 1 who fails to comply, even unknowingly. No State lessee can receive diversion payments if one State lessee fails to comply. The rules could even be interpreted so that a farmer who leases part of his land from the State is ineligible for diversion payments on any of his farm acreage, even though he had complied fully with the Federal program.

It has always been the policy of the department of natural resources to encourage and virtually insist on compliance by our lessees with Federal farm program regulations. We regard it as a sort of moral obligation in the interest of controlling farm surpluses and maintaining stability in our farm economy.

The exemption is very specific, and it would in no way alter efforts to obtain as complete compliance as possible. I also want to point out that individual State lessees who do not comply would still be ineligible for Federal diversion payments.

I urge you to give serious consideration to our proposal. It appears that the loss to our education trust funds for the 1965 harvest could be as high as $125,000 to $150,000 and we are extremely anxious to prevent this loss in future years.

We will be most happy to provide you with any additional technical information you think would be helpful.

Sincerely,

BERT L. COLE,
Commissioner of Public Lands.

Mr. MANSFIELD. Mr. President, I yield 1 minute on the bill to the Senator from Oregon.

Mr. MORSE. Mr. President, although the Senate adopted yesterday by an extremely close vote the amendment of the Senator from Tennessee [Mr. BASS] to strike out section 706 of the committee amendment to H.R. 9811, the Holland amendment relating to agricultural labor, I wish to invite the attention of Senators to certain important communications on this topic which deserve consideration for future reference. I ask unanimous consent that there be printed in the RECORD remarks from a letter dated September 10, addressed to me by Mr. Ernest Falk, manager of the Northwest Horticultural Council, Yakima, Wash., and a wire dated September 10, addressed to me by Mr. William M. Carson, president of the Nampa Beet Growers Association.

I have also received two wires in support of the Proxmire amendment relating to the dairyman's class I base plan which was adopted by the Senate yesterday, and which had my support. The communications to which I allude were addressed to me by Messrs. Richard Sorensen, president of the board of directors of the Lower Columbia Cooperative Dairy Association of Astoria, Oreg., and Harry L. Graham of the National Grange. I ask unanimous consent that these items be included in the RECORD.

In addition, I have received a wire from Mr. Al Lamb, manager of the Morrow County Grain Growers, Inc., Lexington, Oreg., relating to the exportation of wheat. Mr. R. J. Elkins, president of the Oregon-Washington Farmers Union expressed support of the Ellender cotton bill in a wire dated September 10. I ask unanimous consent that these communications also be included in the RECORD at the conclusion of my remarks.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

NORTHWEST HORTICULTURAL COUNCIL,
Yakima, Wash., September 10, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wired you as follows:

"Strongly urge your support section 706 of H.R. 9811, Senator Holland amendment to farm bill which would transfer responsibility of determining availability and need for farmworkers from Secretary of Labor to Secretary of Agriculture. Based on current experience harvesting apples in Massachusetts this is vital to Oregon pear and apple growers."

I want to explain the reference to Massachusetts. The Massachusetts apple industry asked for authorization to bring in a number of Canadian apple pickers. This request was rejected on the assertion that unemployed Massachusetts workers could harvest the crop. This morning I was told of the experience of one fairly large Massachusetts grower using pickers furnished through the employment service; 61 pickers picked less than 2,300 bushels, or an average of 38 bushels per day. (Our pickers have averaged about 110 boxes per day, according to our State department of labor releases.) To compound the matter, the fruit picked in Massachusetts by these people recruited from the unemployment rolls was terribly bruised.

The U.S. Department of Labor as a prerequisite to permitting the growers to request use of the Canadian apple pickers required that each domestic employee be guaranteed a minimum hourly wage, even though they did not earn this amount at established piece rates. This regulation is completely without congressional authorization; in fact, the Congress rejected proposed bills which would have made the minimum wage applicable to agricultural labor. The net result has been that the per box picking cost for this Massachusetts grower was more than doubled—the fruit was not harvested at the proper time, and its quality was further reduced due to excessive bruising.

Finally, the U.S. Department of Labor belatedly agreed that Canadians could be cleared to help harvest the Massachusetts crop but by the time the clearance was granted, the Canadian workers were gainfully employed elsewhere and the Massachusetts grower was taking a beating. This is only the most recent example of the way the foreign farm labor program has been misadministered by the U.S. Department of Labor and why we believe the grower should get a fairer break if the responsibility of making the factual determination is transferred to the Secretary of Agriculture.

In passing, may I add that we are just beginning to get into our apple harvest. It is too early to tell what problems we will be faced with this season. We were fortunate in that crops in the Northwest are about a week early this year. This gave us a good jump on the season before school started; also, as you know, we have only about a 65-percent apple crop in Yakima. If we had a full crop this year and a normal or delayed season, we could be in serious trouble. Under the circumstances, we are hopeful that we may be able to get the crop off without too serious a loss. However, last year about one-third of the apples remained on the trees too long belong they were harvested. This resulted in advanced maturity, reduced storage life, and forced sales for much of this fruit at heavy discounts. This condition will be seriously aggravated in the future if the agricultural labor supply is arbitrarily diminished and necessary labor is not available.

We have always paid fair piece rates in the Northwest. Experienced pickers have been able to make good money. The average, willing picker has earned from $18 to $20 per day but the unemployed worker who is unwilling to pick fruit cannot solve our problem and if we have to pay transportation from centers of employment throughout the United States for these unwilling workers, we will be face to face with disaster.

It looks like Medford may come through on pear picking. The early season was a big help because the Bartlett harvest was finished and a start made on Anjous before school starts. Two benefits were obtained:

(1) Use of students as pickers.

(2) Students worked as baby sitters freeing housewives for picking.

As you know the pear harvest is touchy and growers sustain heavy losses if harvest help is not available.

Therefore, we urge that you support the Holland amendment.

Yours very truly,

ERNEST FALK,
Manager.

CALDWELL, IDAHO,
September 10, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

This association urges your support of the amendment to the labor section of the farm bill, under section 706 of title VII to authorize the Secretary of Agriculture to make all determinations of the amount of labor needed or available for the production and harvesting of any agricultural crop whenever such a determination is required in the application of any laws of the United States.

The experiences of farmers in the Southwest where tremendous crop losses were sustained because of shortage of needed labor at harvesttime indicates the Secretary of Agriculture should be the determining factor on the subject of farm labor. Our reasons are as follows:

1. The Department of Agriculture is the logical agency to make determinations in matters relating to agriculture.

2. The Department of Agriculture, through its county and State committee system, its extension services, and its land-grant college system is better equipped to evaluate the needs of agriculture throughout the United States. Adoption of this amendment will not alter the responsibilities of the Secretary of Labor under existing law but will merely make available to him the specialized knowledge and experience of the Department of Agriculture on the subject of farm labor supply and production and harvesting needs.

Crop losses, resulting from a short supply of labor at crop harvesttime will destroy our national agricultural superiority and will place an unnecessary and unreasonable additional cost upon each family in our Nation dependent on agriculture for its daily provisions.

WILLIAM M. CARSON,
President,
Nampa Beet Growers Association.

WASHINGTON, D.C.,
September 10, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

Deletions of dairy section by committee from farm bill prolongs critical situation in major milk markets by denying producers right to vote on program to reduce production of unprofitable surplus while retaining historical share of profitable class 1 market. Respectfully request that you again support Proxmire bill when offered.

HARRY L. GRAHAM,
National Grange.

ASTORIA, OREG.,
September 10, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The Lower Columbia Cooperative Dairy Association of Astoria, Oreg., asks your support of amendment to farm bill as regards the class 1 base plan on milk when introduced on floor of Senate.

RICHARD SORENSEN,
President of Board of Directors.

LEXINGTON, OREG.,
September 9, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We submit 100-percent parity principle for wheat used for domestic consumption and are in favor of a 4-year program. We feel these provisions will provide efficient growers an opportunity to make a living if we maximize the exportation of wheat. Short-range solutions make financing for farmers and their bankers almost impossible. The necessity of long-range planning cannot be overemphasized. Shipping restrictions on sales of wheat to Russia serve no useful purpose and hold down exports that would help both wheat farmers and our balance-of-payments position.

Sincerely,

AL LAMB,
Manager, Morrow County
Grain Growers, Inc.

MOLALLA, OREG.,
September 10, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We urge your support of the Ellender cotton bill. We do not support the Talmadge amendment to the bill. This is very urgent in support of the Texas Farmers Union.

R. J. ELKINS,
President, Oregon-Washington
Farmers Union.

AMENDMENT NO. 444

Mr. MUNDT. Mr. President, I call up my amendment No. 444 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 44, between lines 8 and 9, it is proposed to insert the following:

> SEC. 507. Section 407 of the Agricultural Act of 1949, as amended, is amended by changing the period at the end of the third sentence to a colon and adding the following: "*Provided*, That, notwithstanding any other provision of law, the Commodity Credit Corporation shall not make any sales of wheat at less than 115 per centum of the current support price for wheat, plus reasonable carrying charges."

Renumber subsequent sections accordingly.

Mr. MUNDT. Mr. President, I ask unanimous consent that out of my time there be a short quorum call, so that Senators who are interested in the amendment may be alerted.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUNDT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, for the benefit of Senators, my amendment has been read. It seems to me that we have in this approach an opportunity to reduce the cost of the agricultural program, to increase the net income of the wheat farmers, and, at the same time, to move in the direction of a free agricultural economy.

The amendment which I have sent to the desk is offered on behalf of myself, the distinguished Senator from North Dakota [Mr. YOUNG], the distinguished Senator from Kansas [Mr. PEARSON], and the distinguished Senator from Nebraska [Mr. CURTIS].

The amendment would provide that the Commodity Credit Corporation shall not make sales of wheat at less than 115 percent of current support prices plus reasonable carrying charges, rather than the prevailing rule of 105 percent of current support prices now provided.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MUNDT. I shall yield in a moment.

Mr. President, it is seldom that all of the major farm organizations agree on any segment of our farm policy. However, on this matter there is complete agreement on the need to change the resale formula. All have testified before the Agricultural Committees of the Congress in support of the change.

I now yield to the distinguished Senator from Nebraska.

Mr. CURTIS. Mr. President, I thank the distinguished Senator from South Dakota for yielding to me.

I hope the Senate will agree to this amendment. I am a coauthor of the amendment. I urge that the amendment be agreed to.

It seems to me that the enactment of this amendment into law would be of direct benefit to the wheat farmers of the country. In addition, it would be a move in the right direction from the standpoint of the entire farm program.

I believe that the purpose of farm programs is to raise the prices paid to farmers for a particular commodity. If farm prices were not too low, no one would be in favor of a farm program.

The individual farmers cannot receive a fair, just, and equitable price for what they produce. Today there is a tendency on the part of the farmer toward depending on the Federal Government for his income.

Our amendment would use the support price loan in such a way as to raise the price in the marketplace. That is the real objective.

I hope that the amendment will be agreed to. I thank the Senator for yielding.

Mr. MUNDT. Mr. President, I thank the Senator for his contribution. What the Senator has said is exactly correct. The purpose of these farm programs is, first, to prevent the piling up of unconscionable surpluses; and second, to increase the net returns to American farmers.

I believe that this amendment moves in that direction.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MUNDT. Mr. President, I am happy to yield to the distinguished Senator from North Dakota, Mr. "Wheat," who has had an important part to play in developing what I believe to be some highly commendable improvements in the wheat program as they appear in the pending bill.

Mr. YOUNG of North Dakota. Mr. President, I thank my friend for those very gracious comments. I do not know of anyone who has been a better friend of agriculture than he.

This amendment would do what the distinguished Senator from South Dakota says. It would permit the market to operate much better. It would, in effect, hold cash prices considerably above the loan level. There would be many advantages to that. It has a direct relationship to the amendment offered awhile ago, to limit the amount of loans that any one farmer could receive and the so-called farm subsidy.

If the cash prices were allowed to be a little higher than the loan level, I believe that most, if not all, of the loans on cotton, wheat, and the major commodities would be repaid. There would be little need of taking out loans if the cash price were a little above the loan level.

I believe this would be a most important feature and accomplishment of this amendment.

Mr. MUNDT. Mr. President, the Senator makes an excellent point. I am glad that he emphasizes that because this would provide the goal toward which we all work ultimately when dealing with farm legislation. It seems to me that that goal can be succinctly stated in a few words, and that would be to provide a fair price for a full crop to the American farmer.

This has no magic about it. It would not do it all alone, but, in combination with the rest of the farm legislation, it would help markedly to move it in that direction.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. AIKEN. Mr. President, I do not like to disagree with my colleagues from the North Central States, and very seldom do. However, in this case, I believe Senators may have overlooked the rapid shift in grains used for feed in the Northeast.

There has been a shift to wheat of a good many million bushels from the other feed grains for use in chicken feed, cow feed, duck feed, or any other feed uses. I do not know exactly how many million bushels are involved.

I am afraid that if the price went up, we would see a shift back, with a consequent accumulation of more wheat in the hands of the Government, which would please the storage interests immensely, I am sure, but which would not help the poultry and livestock growers of the East.

I do not know how much feed is used in other States. I believe that my own State buys about 700,000 tons of feed a year. I do not even know how much of this is wheat. I do know that a great deal more wheat is being used than was used formerly.

So I would guess that the principal beneficiaries of the amendment among my friends from the West would be the storage interests. At 25 cents a bushel a year for storage and handling, it is worth looking into on their part.

Mr. YOUNG of North Dakota. I believe my friend, the Senator from Vermont, is correct to this extent: It raises the cash price above the low level to some extent, but we must bear in mind that under the administration's farm program, loan rates for both wheat and cotton are going to be lowered. Wheat price supports are now tied to those of feed grains. The price support—that is, the loan plus other cash payments—will keep the return to the farmer at about the same level, so the farmers from the northeastern part of the United States who want cheaper feed grain will, I think, be receiving it as cheaply as they are now.

Mr. AIKEN. Not much corn is used now in the dairy business but is used mostly by the poultry producers in my area. But apparently the amendment does help the wheatgrower, and I am glad it does.

As I understand, the President desires two conditions for a farm bill: One is that it reduce the cost to the Government, and the other that it discourage the accumulation of surpluses. At least that is the information I get from the administration.

We are adding 9 cents a bushel over and above the price voted by the House of Representatives. Adding to that the increase in land readjustment payments and the increase for cotton producers of some $700 or $800 million, I believe we should be very generous with the wheatgrower, but not generous at my expense, if the Senator will understand.

Mr. MUNDT. This might help the President achieve the second part of his goal, which the bill as now written does not achieve, and that is the reduction in costs, because it would enable recapture by the Government of considerably more than it is now getting.

Mr. President, the figure of 105 percent of support price worked reasonable well when we had price supports for wheat in the 75 to 90 percent of parity range. However, when the Congress adopted the certificate program for wheat it gave a more important role to the CCC resale operations and also made unrealistic the 105-percent minimum for triggering resales by CCC. As we now know the support price of wheat is $1.25 per bushel, national average. Thus, the 105-percent figure permits the CCC to sell wheat at $1.31¼ or allows a range in which the market can operate of only 6¼ cents. This is much too narrow and the result is that the normal channels of grain trade are hesitant to move into the market and purchase wheat for their use. Further, they are hesitant about storing any grain and as a matter of statistical fact the Government is becoming the complete storage of all wheat inventories. It was pointed out in testimony in hearings on the farm bill that the Government now owns between 75 and 90 percent of all of the wheat in the Nation.

If this amendment is adopted it will add to the range of price spread before CCC can sell wheat another 12.5 cents, or a total range of 18.75 cents in which the market can operate. This would have the wholesome effect of removing the straitjacket from the marketing system.

By freeing the marketing system we move toward the goals of President Johnson when he said in his farm message of February 4:

> Our objective must be for the farmer to get improved farm income out of the marketplace, with less cost to the Government

In this same message he also stated:

> To do this I am asking the Secretary of Agriculture to so utilize the Commodity Credit Corporation as to make the free market system work more effectively for the farmer. We must encourage the private segment of our economy to carry its own inventories, bought from farmers rather than depending on the Government as a source of supply. We must urge the private sector to perform as many services as possible now performed by Government agencies.

I agree 115 percent with that statement.

There is no reason why the Government should pay the storage to maintain inventory for the private grain trade or for the processors. If we adopt this amendment the private sector of the grain trade will enter the marketplace and seek its own grain for its own uses and provide its own storage and inventory and thus reduce those charges to the American taxpayer.

It is a known fact that under the present 105-percent figure the Secretary has dumped some 500 million bushels of wheat on the market in order to, in his words "keep prices below supports—to make the program effective." He further stated:

> We must not yield to the temptation to make prices so high the programs become unworkable.

While the Secretary professes that the wheat program is a voluntary program, he testified before the committee in opposition to legislation to increase the CCC resale price and makes the statement:

> This can't be done if we are required to hold stocks from the market to obtain prices so far above loan levels that we can't get farmers into the program.

Mr. President, it does not seem to me that we should give the Secretary of Agriculture the power to make coercive and compulsory a program which we in the Congress are tailoring to keep voluntary. When we give him the power to dump great quantities of wheat into the market, we give him the power to force reluctant wheat producers into a program which they might prefer to avoid entering.

I ask unanimous consent to have printed at this point in the RECORD a broadcast under the heading "GTA Daily Radio Roundup," for Thursday, September 2, as a part of my remarks.

There being no objection, the broadcast script was ordered to be printed in the RECORD, as follows:

GTA DAILY RADIO ROUNDUP, SEPTEMBER 2, 1965

We're talking about Commodity Credit Corporation's grain resale price today because it is very important. There have been a lot of half-truths, quarter-truths, and 100-percent untruths bandied around about this, so there is some confusion and misunderstanding. Let's look at the facts.

This is fact: The law permits the Secretary of Agriculture to sell Government-owned stocks of wheat back on the market at 105 percent of loan level and feed grains at the loan level.

Fact No. 2: The Secretary does not have to sell these grains at those minimum prices. He doesn't have to sell at all. He can set the resale price higher if he does sell.

Here is fact No. 3: CCC is not selling wheat in the domestic market for unrestricted use at present. It hasn't for some months—a highly commendable bit of restraint. But it has the unrestrained and absolute power to jump into the market and start dumping wheat at 105 percent of loan today, tomorrow, or whenever it darn well pleases. CCC has an uncommitted stock of 562 million bushels of wheat that it can dump if it so decides. It can legally put the whole kit and kiboodle of that wheat on the market.

Fact No. 4: Wheat today in the Minneapolis market is selling at 107 percent of loan.

These facts bring us to a supposition: Suppose that Secretary Freeman decides to start dumping his wheat on the markets at 105 percent of loan. We hope he doesn't, but if he did, what do you think would happen to that 107 percent of loan price on the Minneapolis market? Would it go down? It has in the past when CCC sold.

That's what Representative QUIE, of Minnesota, meant when he said that "the Secretary of Agriculture has been successful in depressing farm market prices."

It is a matter of record that the Secretary personally told the House Agriculture Committee that "we purposely sold in order to move prices down far enough so that they would be way below the support level, the loan level, so that we could thereby get compliance."

Well, that's the record. Now wheat prices are at 107 percent. And how about farmer compliance with the wheat program? It's wonderful. Kinda blows up the argument that better prices discourage compliance, doesn't it?

Yet the USDA bureau chiefs are dutifully trudging the halls of Congress telling that strictly nonfactual story about noncompliance and also saying unfactually that it would cost the Government $90 million to raise CCC's resale price to even 110 percent. That's just guff, but it seems to work, and the administration isn't doing anything to stop it. So the efforts of farm-State representatives and Senators from both parties, with a notable exception or two, to raise CCC's resale price by act of Congress are defeated time after time. That's something to keep in mind.

Meanwhile, USDA continues its firm grasp on the unrestrained and unprecedented power to whop grain farmers over the head with a low-ceiling price any time it decides to do so. Is this what Congress intended?

Please don't misunderstand what we say. We are strong advocates of good farm programs. Those are the words of none other than the general manager of your GTA. M. W. Thatcher said just the other day that "Good farm programs and good administration of them, have no stronger advocate than your general manager. We'll match our record with anybody's, and we'll continue to work for a more just and effective margin between loan value and the price at which CCC can sell its stocks."

Mr. MUNDT. It has been said by opponents of the change that by increasing the resale price by CCC which would result in an increase in the market price that the number of cooperators would go down. Well, now let us look at this charge. I know that farmers in my State of South Dakota do their farm planning with a sharp pencil. I know that they will figure out a method of operation for their unit which will bring them the optimum return on their investment. If he drops out of the program he stands a chance of receiving in the marketplace about $1.43 to $1.44 per bushel for his wheat in the marketplace on all of the acres he can plant. However, will he forego for that price the right to participate in the voluntary program under which he will receive a certificate valued at the support price of $1.25 on domestic wheat plus payments on diverted acres, plus a share of export certificates purchased from CCC which will bring him a told blend price of at least $1.90 on allotted acres on projected normal yield. Will he forego the advantages of good soil conservation practices as developed by the diverted acre program? Knowing the farmers of South Dakota it would be my prediction that all those who are cooperators today under the present resale program would be cooperators under the program even with the adoption of this amendment.

In fact, Mr. President, during the past marketing months the Secretary has not sold wheat in the domestic market. What has happened? Wheat prices are at 107 percent of support price on the market and farmer compliance with the program has remained high.

Let me say in conclusion what I believe some of the results would be should my amendment to raise the minimum resale price be agreed to.

First, it would raise the net returns to wheat producers by approximately 10 cents per bushel, on an average.

Second, there would be substantial savings to the Government by greatly reducing transportation costs and elevator in-and-out charges which now accrue as a result of selling farm products with one hand, and buying equivalent amounts through the storage loan program. As a result, this could provide a greater return to the taxpayer on his investment in surplus grains now owned by the Government, thereby reducing the overall cost of the wheat program and of the farm program in general.

Third, the farmer would receive his increased income in the marketplace and not through a direct Government payment. This would result in less cost to the Treasury, and be a move toward the second objective which the Senator from Vermont [Mr. AIKEN] has pointed out, which he says he was advised by the President that he would like to see incorporated in the Farm Act of 1965.

Fourth, it would provide tighter restrictions on CCC sales, thus giving farmer-owned cooperatives and the private grain trade an increased opportunity to carrying out their historic function as the buyers and merchandisers of the output from American farms. There would be added incentive for all segments of the trade to carry larger inventories of farm commodities, thereby reducing the Government's enormous storage costs.

Therefore, Mr. President, I urge the Senate to adopt this amendment and while the Secretary of Agriculture seems unwilling to support the President in his objective of assisting the farmer to get improved farm income out of the marketplace with less cost to the Government we can by our action here today give the President that support which he asked us to make available to him last February 4.

I ask unanimous consent that there be printed in the RECORD at this point the text of a broadcast dated September 10, 1965, produced by the GTA Public Relations Department at St. Paul, Minn., and broadcast over a great many States in a five- or six-State area of the Midwest.

There being no objection, the broadcast script was ordered to be printed in the RECORD, as follows:

GTA DAILY RADIO ROUNDUP, SEPTEMBER 10, 1965

We understand from sources in Washington that an increase in the Commodity Credit Corporation grain resale price to at least a compromise at 110 percent has a fair chance of being included in the farm bill when it finally reaches the President's desk.

It would be good news to all concerned—farmers, the legitimate grain business, and Government—to have a higher minimum resale price established. Now it must be stated that for some time it has been USDA's policy not to sell wheat on the domestic market for unrestricted use, and this policy has been widely and highly commended. But CCC can go back today, tomorrow, next week, or next month to selling wheat freely at 105 percent of loan value. That's a bargain for the millers and other buyers, and naturally they shop at the Government's big discount house.

It must also be pointed out that the Government now owns unrestricted less than 600 million bushels of wheat, an adequate but not overlarge national reserve. Farmers and the private and cooperative grain industries are perfectly capable of storing and handling commercial supplies. The Government does not have to load up its inventories with more wheat and is not forced to do so.

For example, right now a good many farmers have 1964 wheat stored under the loan program. They are intelligent and capable people, and they work with sharp pencils to determine how to market that wheat to their best advantage. Should they turn it over to the Government or market it at their elevators and pay back the loan?

If they desire to pay back the loan, they must pay interest for the period they have used the Government loan money. They were forced at the time they took out the loan to pay the first year's storage. So, they must realize in the marketplace at least 10 cents more per bushel than the loan value to come out even. That means the market price would have to be at least 110 percent of loan. We figured the market price one day last week, and it was at 107 percent of loan, approaching the point where farmers could redeem without loss.

These redemptions keep grain out of Government bins which is considered to be desirable at this time. Thus the Government saves money. Farmers benefit. Farmers' cooperatives are able to market and

> merchandise grain and use their arsenal of facilities to improve returns to farmers. It also gives the co-ops a chance to bargain for better protein premiums, which they obtained for farmers in the first place. When grain goes into Government hands CCC enforces rigid control of protein premiums with its own schedule of values.
>
> But if CCC resumes wheat sales at only 105 percent of loan, you know from experience that market prices will hover at just about that level. The lower CCC schedule of protein premiums will prevail. Farmers will have little or no incentive to redeem their grain. They are almost forced to turn it over to the Government. Then the whole round robin of putting wheat into and selling it out of Government bins goes on. USDA is put on the defensive, forced to try to defend itself against its critics in and out of Government. Farmers get a bad name with taxpayers. They get lower prices for their grain. Their cooperatives are hamstrung in the marketplaces.
>
> So you see the value in simply raising the CCC grain resale price to allow the CCC to operate within the charter given to it by Congress—and in full recognition of farm program goals as outlined by President Johnson himself.
>
> NOTE.—Reprints of this radio broadcast, prepared by the public relations staff, are available from Farmers Union Grain Terminal Association, St. Paul, Minn.

Mr. MUNDT. Mr. President, I sincerely hope that we can get favorable action on what I believe to be a most constructive proposal.

I reserve the remainder of my time.

Mr. PEARSON. Mr. President, will the Senator from South Dakota yield for a question?

Mr. MUNDT. I am happy to yield to the Senator from Kansas.

Mr. PEARSON. First, let me say that I am pleased to be a cosponsor of the amendment with the Senator from South Dakota, and I compliment him on the thoroughness and logic of the argument he has presented to the Senate today.

I should like to ask the Senator, if it is not true that under section 407 of the Agricultural Adjustment Act of 1949, as amended, it is specified that in selling commodities for unrestricted use in the domestic market, the sale price to the Government should not be less than 105 percent of the current support price, with reasonable care and charges for storage and handling? I believe that the experts who testified at the hearing stated that the Secretary of Agriculture, in truth and in fact, could sell at a higher percentage?

Mr. MUNDT. The Senator is correct. We would elevate the floor of 105 percent as it presently appears in the act to 115 percent; and still, if the Secretary wished to do so, he could sell at a higher price.

Mr. PEARSON. I ask the Senator, in line with the recommendations of the President in his agricultural message of February 4, from which the Senator quoted at some length, why it is, when he specifically referred to action of the Secretary of Agriculture and to the use of the CCC mechanisms, that the percentage has not been raised by Executive action pursuant to law?

Mr. MUNDT. The Secretary of Agriculture made that clear in his testimony, when he said he was reluctant to hold up the price because, by dumping Government storage into the markets, there could be some compulsion on nonparticipants to become participants in the program. This is a club he likes to exercise, to provide a little Executive coercion in the legislative "volunteerism" which we have written into the act.

Mr. PEARSON. What is the magic in 105 percent? If we accept the argument as being valid, would not the same coercive action exist if it were 110 percent or 115 percent?

Mr. MUNDT. No, because every percentage point we push it up, we would restrict the ability of the Secretary of Agriculture to dump into the market at harvest time great quantities of storage grain, thereby forcing down the cash price which should be received by the noncooperative.

Mr. PEARSON. Let me ask the Senator this question: I understand that the Secretary of Agriculture has opposed the amendment because of the increased cost to the Government. Is that correct? Is that the second leg he stands on?

Mr. MUNDT. I do not believe that would be a defensible leg, if he does that, because this should actually reduce the cost to the Government.

Mr. PEARSON. Let me say to the Senator that I came in a little late, and the Senator may have covered the point, but I should like to make note of the fact that in all the controversy concerning farm legislation, and in all the differences of opinion in farm organizations, this particular amendment has their support, with some reservations, as to whether it should be 125 percent, 115 percent, or 110 percent. It has the support of the Farmers Union, the American Farm Bureau, the Farmers Grain Terminal Association, the National Grain Trade Council, the National Grain Feed Dealers Association, the National Federation of Grain Cooperatives, and the National Association of Farm Growers.

I should also like to note that on the House side, when the amendment was presented in the Wheat Subcommittee, the 115 percent failed by a 7-to-6 vote. When it was presented in the full committee on the House side, the 110 percent failed by 18 to 17. Therefore, it has wide support, not only from the words of the President, not only from the action of the House on both sides of the aisle, but also from various farm agencies and bureaus throughout the country.

Mr. MUNDT. The Senator from Kansas makes an excellent point in his usual cogent manner.

During the many long years I served as a member of the Senate Committee on Agriculture and Forestry, and the many additional years I served on the Appropriations Subcommittee for Agriculture, and the full Committee on Appropriations, I believe that this is only the second time I can recall when all the major farm organizations have been able to agree on farm policy.

I remember when the distinguished, hard-working and perceptive chairman of the Senate Committee on Agriculture and Forestry called in all the leaders of the farm organizations at one time, and said to them:

> We wish to help the farmer of this country. Therefore, we are going to lock you up in this room, and have you sit around this table. We wish you to sit there and cooperate with one another and discuss this problem and arrive at a consensus. We will send you in coffee and luncheon, and when you have arrived at a farm policy, call us back in and we shall be most happy to enact into law what you have decided.

I do not know whether he was bluffing or not. I do not believe he was. In those days, we all lived with a sense of frustration.

However, the farm leaders did not call the bluff. They did not sit there and agree. They did not call us back in.

The first time I can remember when the farm organizations were all agreed was when I was sitting as a member of the Committee on Agriculture and Forestry, and all the farm organizations came up together with approval of the soil bank. It was adopted, as everyone knows. It also developed many bugs, loopholes, and escape hatches. Some people even chiseled a little bit in connection with it. They let out whole farms in areas of the country where they deprived areas of tax returns, and small towns of their customers.

But it is interesting to note that the concept of the soil bank has continued. We have never quite gotten away from it. It is back in the bill again. It has a new, fancy name. We will support it. We will have plugged up some of the loopholes. We will make refinements. We have learned from experience. But when the farm organizations of this country agreed on a formula, Congress went along. It is still going along with the soil bank concept.

The second time I find them in agreement is in connection with the pending amendment. All the various farm organizations have testified for this concept, as the Senator from Kansas has pointed out. On the formula, some wish to go a little higher, some a little lower, but all higher than 105 percent, because they do not believe it is good to place the American farmer in competition with his Government when it can dump tens of millions of bushels of wheat into the market at harvestime to force prices down.

Therefore, I believe that we are on sound ground in finding ourselves in concert with the various farm organizations of the country, which certainly have a great interest in the overall agricultural economy, whether it be the producer, the man who buys feed, or the man who lives in one section of the country or another.

Mr. MILLER. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield.

Mr. MILLER. Let me say to the Senator from South Dakota that I recognize the merit in his arguments but, at the same time, I am concerned over why the amendment does not include feed grains as well as wheat. It is my recollection that many of these organizations to which the Senator from Kansas referred have advocated an increase in the resale percentage rate from 105 percent by the CCC not only for wheat but also for feed grains as well. I was wondering whether the Senator has some basic reason for not including feed grains because it seems to me that they should be handled in the same way.

Mr. MUNDT. Yes. I have a very good reason: the practical reason that it is good agricultural legislation. As in so much other legislation, we have to make progress one step at a time. We cannot cure all problems in one particular legislative act. Therefore, I feel that the logical place to start at this time is with wheat. As the able Senator from North Dakota pointed out in colloquy a few moments ago, there is an interrelationship between the prices of feed grains and wheat. This will help all of it, to a certain extent, as it helps wheat primarily and will work so effectively that the next time we deal with the problem we can include the same formula for corn and for feed grains.

Mr. MILLER. Let me say to the Senator from South Dakota that I recognize there is a different interrelationship. It is for that reason, it seems to me, that since there is this interrelationship, the same resale percentage should apply to them.

I was hoping that I could persuade my friend the Senator from South Dakota to modify his amendment so as to cover both wheat and feed grains.

Mr. MUNDT. I would not be willing to do that for the simple reason that it would weigh down the ship too heavily when we are wallowing in stormy seas now. I am not convinced that the chairman of the committee would accept the amendment. We must move slowly, but move in the right direction.

Mr. MILLER. It is true that if the ship is loaded down too heavily it may sink, but that is begging the question. The question is whether we are going to have an adequately loaded ship. That is what I am advocating now. I do not believe the problem will be solved and the ship adequately loaded unless feed grains and corn are included.

I emphasize that most of the farm organizations to which the Senator alluded, which have advocated an increase in the percentage, have done so in terms of feed grains and wheat both. They have not singled out feed grains or wheat. They say, "We want both to be covered."

We had extensive testimony before the committee by various representatives of the grain trade, who pointed out that, because of the present unstable situation now which results from the 105 percent, the grain trade is reluctant to buy and store its own grain with the prospect that the Secretary of Agriculture may direct the dumping of some of these stocks, which would result in losses to them. They assured us that if this percentage were increased, it would mean the grain trade would buy and store more of its own grain, which would cut down the cost of storage to the Government.

I think they made a good case, but they talked not only of covering wheat, but wheat and feed grains.

While I recognize that this would be progress, we ought to make progress across the board with respect to both feed grains and wheat, as the different farm organizations have advocated.

Mr. MUNDT. Mr. President, I had agreed to yield to the Senator from Kansas [Mr. CARLSON] such time as he might desire. Then I think the subject would have been pretty well covered on this side.

Mr. CARLSON. Mr. President, if the Chair will let the chairman of the committee speak first, I shall be glad to speak later.

Mr. MUNDT. Very well.

Mr. ELLENDER. Mr. President, this amendment would increase the CCC minimum sales price from 105 to 115 percent of loan plus reasonable carrying charges. This would result in an increase in CCC sale minimum of about 12.5 cents.

It would discourage voluntary diversion.

It also would result in an increase in substitution of wheat for feed grains, especially barley, thus resulting in a rather substantial increase in wheat production.

The higher market price that would result under a higher minimum resale provision would destroy the present favorable competitive relationship between wheat and feed grains in terms of their feeding equivalent. This would result in considerable less wheat consumed for livestock feed purposes.

The net result of these three unfavorable effects would be an increase rather than a decrease in Government stocks. This in turn would increase storage and other related costs—and would substantially destroy the effectiveness of the wheat program.

The committee rejected a similar amendment which provided for an increase to 110 percent, instead of 115 percent.

OBJECTIONS TO INCREASING WHEAT RESALE MINIMUM PRICE TO 115 PERCENT OF SUPPORT

With $1.25 per bushel support for wheat, not accompanied by certificates, the legal minimum the first month of the marketing year would be $1.44 per bushel; and midyear about $1.53 per bushel; and from April on, about $1.59 per bushel.

Undesirable effects of increasing the wheat minimum include:

First. Reduced compliance: The man with a small allotment in comparison to available cropland would probably stay out of the program and plant all available land. A man with a 100-acre allotment, diverting the minimum under the 1965 program, gets benefits of $1,200. Accepting $1.51 per bushel he would need to produce only about 795 bushels more wheat to equal the $1,200 benefit. With a 27-bushel per acre yield, he would need to plant only about 29 more acres than his allotment. It should be recognized that in the major wheat producing areas, substantial quantities of fallow land would be available for planting in excess of the allotment.

Second. Reduced voluntary diversion: If participants anticipated a price of around $1.51, those who participated would not divert additional acreage.

Value of production per acre—$1.51 per bushel×27 bushels	$40.77
Less production cost	8.00
Total	32.77
Diversion payment—50 percent×$1.25 per bushel×27 bushels	16.90
Advantage to be gained by planting	15.87

Third. Additional program costs: Each 1 cent increase in the price of wheat means 1 cent increase in export subsidy on about 60 percent of the crop. Assuming an increase of only 12 cents per bushel times 700 million bushels equals $84 million more subsidy costs.

Fourth. Benefits to producers would be limited: In the past 4 years approximately 46 percent of the entire wheat crop was sold by producers during the first quarter of the marketing year. Fifteen percent was sold in the second quarter, 19 percent was sold in the third quarter, and only 20 percent in the last quarter. It is reasonable to assume that higher market prices resulting from the resale policies of CCC would not occur until well into the third quarter of the marketing year. On the basis of the past pattern of marketing, it becomes obvious that only a limited number of producers could obtain any monetary benefits from an increased resale price, since much of the wheat would be marketed before the market would reflect the increase.

Fifth. Substitution: The basic principle of substitution is that wheat and feed grains be completely competitive in terms of their feeding equivalent. If wheat is priced even a cent higher on the basis of its feeding value than corn or milo, the smart feedlot operator or independent feeder would not feed wheat. While we cannot control market prices to make these equal to all times throughout the year, we do have the mechanics of the loan and resale policy to try to keep these in line.

Mr. President, I express the hope that my good friend from South Dakota will not press the amendment. The committee considered this matter, not at 115 percent but at 110 percent, the same as provided in the amendment the Senator from Kansas desires to offer. The committee voted it down.

It is my belief that the producers of wheat have a very fine bill in the pending measure. My fear is that the adoption of this amendment would doubtless raise the cost of the program. I have no doubt it would do violence and would probably kill the substitution clause in the corn as well as the wheat provisions. That substitution provision provides that a farmer may plant corn on wheat acreage and retain his history, and vice versa.

The amendment would increase the price of wheat. It would no doubt affect the cost of feed grains to poultry and other farmers who feed animals.

The problem of increasing price supports in addition to what is provided in the law has been before our committee for some time. As chairman of the committee, I am still willing to continue a study of this matter.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUNDT. I wonder if we could arrive at some kind of understanding—we all desire to be cooperative with the distinguished chairman—that would be in the interest of the whole agricultural economy. Hearings have been held from time to time, but usually in conjunction with other legislation. I wonder if the distinguished chairman would be willing, if we desist from offering the amendment—we want to see the farm bill passed—to assure us that hearings will be held on this particular aspect of the farm problem, in which the Secretary of Agriculture will appear, and in which he can give his point of view, and in which the farm organizations can be heard, and in which the Senator from Iowa can propose his corn and feed grains provision, so we can see where we come out with respect to this problem.

Mr. ELLENDER. I am sure I can do that. I am confident that I can get the committee to cooperate in order to settle this matter. It has been before us——

Mr. MUNDT. Many, many times.

Mr. ELLENDER. I give assurance that I am willing to have hearings held on the matter.

Mr. MUNDT. I appreciate that. I was on the Senator's committee, and I recall——

Mr. ELLENDER. I will go further. I would like men like the distinguished Senator from South Dakota to be present and participate.

Mr. MUNDT. I shall be happy to do so.

Mr. ELLENDER. I have been on this committee for almost 29 years. My objective has always been to assist the producer and keep him in business, because I consider agriculture the main foundation of our economy. I shall be glad to comply with the suggestion made by the Senator from South Dakota. I am sure I shall not have any difficulty in persuading the members of the committee to cooperate. My good friend from Iowa is a member of the committee. The Senator from North Dakota [Mr. YOUNG] is a member of the committee. The Senator from Vermont [Mr. AIKEN] will be there to protect the feeders. All those matters can be considered by the committee.

Mr. MUNDT. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. MUNDT. I remember being on the Senator's committee at the time we wrote into the law the 105-percent provision. There is nothing sacred or holy about that figure. We had debate as to whether it should be more or less. I think it would be good to ventilate the whole subject, on which the Secretary, the grain operators, the producers, can concentrate their attention, and the committee can learn what is the best policy in the national interest.

Mr. ELLENDER. I think it would be a good idea. If we could have all those interested in the matter present, we might be able to come to some conclusion.

Mr. MUNDT. I thank the Senator.

Mr. ELLENDER. I will go further and say that it might be well to get some of the departmental heads who oppose this proposal to be present and listen, and, while we examine the proponents, let them answer the proponents.

Mr. MUNDT. I think it is perfectly proper that they should be.

Mr. ELLENDER. Yes.

Mr. MUNDT. With that understanding—and I understand the pressure of time under which the distinguished majority leader is operating—I am perfectly willing to withdraw my amendment, on the assurance of the chairman of the committee, and in view of the comments and remarks which have been made.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. CARLSON. Mr. President, the distinguished chairman mentioned an amendment which I had pending at the desk. The amendment is No. 422 and would set the resale of Commodity Credit wheat to 110 percent of parity loan support and carrying charges.

I offered this amendment because I thought it was time, based on the present marketing system and the present price of crops, that we should have 110 percent of parity.

I will say to the distinguished chairman of the committee that I was encouraged with what happened to cotton the other day.

> That beginning August 1, 1964, the Commodity Credit Corporation may sell upland cotton for unrestricted use at not less than 105 per centum of the current loan rate for such cotton under section 103(a) plus reasonable carrying charges.

I find that the amendment passed last Friday dealing with cotton reads as follows:

> Notwithstanding any other provision of this section, for the period August 1, 1966, through July 31, 1970, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 110 per centum of the loan rate.

In order to secure increased farm income, it is necessary to either increase farm payments or increase the price of the farm commodity in the marketplace—or both.

I had offered an amendment to the pending farm legislation which would prevent the Commodity Credit Corporation from selling wheat at less than 110 percent of the current support price, plus reasonable carrying charges. Presently, the Commodity Credit Corporation is permitted to sell wheat in the open market at 105 percent of the current support price, plus carrying charges.

I believe it is urgent that we take action to remove, or at least ease, the ceiling price provisions of the present law.

Presently, we are applying ceiling prices on our wheat producers at levels which penalize in a most drastic manner the wheat farmer when he takes his production to market.

Price supports for wheat have been drastically reduced from an average of $2 per bushel just a few years back to approximately $1.25 per bushel this year. I do not believe it is fair to wheat farmers, nor that it is a sound national policy to prevent the market price from operating above these support levels if the market system indicates that it should.

Under the existing law, the Secretary of Agriculture is authorized to move Government-owned wheat into the market when the cash price reaches a level equal to 105 percent of the support price—plus carrying charges.

The Secretary has exercised this authority—and by so doing—has placed a ceiling price on wheat in the marketplace at this level, and in fact, in many instances has purposely sold wheat at these levels in order to hold down the price. In simple language, the Secretary has used the weight and size of Government stocks of wheat to break the market price. This, of course, reduces the income of the Nation's producers.

Government manipulation of prices impairs the market system and can ultimately destroy it.

Government-owned wheat begins to move into the cash market when the cash wheat price increases about 6 cents over the loan price. This complies with the 105-percent requirement.

Under the proposal that I have offered, Government-owned wheat cannot move into the cash market until it reaches $1.38 per bushel, which would be 110 percent of the loan price—plus carrying charges.

The proposed farm bill will give Congress an opportunity to include a provision which would authorize the Secretary to sell Government-owned wheat at a price higher than the 105 percent of loan price.

The principle of securing an increase in the sale of this Government-owned wheat is approved by most of the farm organizations in our State, and while they favor a much higher release price than 110 percent of parity—they all agree on the principle.

Personally, I would favor a much higher cash release price for Government-owned wheat, but I believe one must be practical. By this I mean we must not get the release price so high that the Government would be forced to build even greater surpluses, which would be a deterrent to increased price for wheat.

At the present time we have a carryover—or a surplus—of some $819 million bushels, plus a very large crop produced this year. Our domestic consumption stays at about 650 million bushels for food, feed, and seed. Our exports have been running between 600 to 800 million bushels and present indications are that this year's exports will maintain that level.

There is no doubt that the world needs more of our wheat, but the problem, of course, is to get it into the world markets through Public Law 480 and cash sales.

We need to get more wheat into the private trade channels of our Nation and under the 105 percent sales policy, the Government will own 90 percent of our wheat. This policy has a way of nationalizing the wheat business.

What we need is a system which will permit—which will make it attractive to people with capital to invest in wheat, so that the Government does not have to carry all of the wheat. One way to do this is to keep up a progressive program of reducing our stocks as rapidly as possible—but at the same time—increase the Government sales to at least 110 percent of loan.

There is only one way that the Government can own less wheat, and that is for somebody else to own some wheat and the only way we are going to make it interesting for anybody with money to own wheat is to up the sale price.

The sale of Government-owned wheat at 110 percent of loan would raise farm income—reduce Government costs—and help restore a healthy grain market system.

I felt somewhat encouraged when I read that, so far as 110 percent would be concerned for wheat. Other commodities we can consider separately but I understand our distinguished chairman agreed to hold hearings. I am in accord with that. I shall not offer my amendment.

I appreciate his understanding of the problem and his generosity in trying to work with us. I shall cooperate with the chairman.

Mr. McGOVERN. Mr. President, I am pleased to hear the exchange between the Senator from South Dakota [Mr. MUNDT] and the chairman of the committee, because I believe these hearings can be helpful in throwing light on these problems.

I am in sympathy with what Senator MUNDT tried to accomplish, and I am in sympathy with what Senator CARLSON tried to accomplish.

I agree that we should not do anything at this point to delay passage of this important farm bill.

I believe the spirit of the two Senators, in being willing to withdraw their proposals so the committee can go into the whole question, is commendable.

I assure the chairman of the committee that I shall be more than happy to cooperate in attending hearings.

Mr. ELLENDER. I appreciate that.

Mr. MILLER. I express my appreciation to the distinguished chairman for agreeing to hold hearings on this subject.

I am sure the chairman will recall that there was a great division on the part of not only members of the committee, but officials of the Department of Agriculture on how resale price is computed. Hearings can be helpful in clearing up not only how price is computed, but its effect on the market and its distribution.

I appreciate what the chairman said, and I assure him that I will be interested in and be present at the hearings.

Mr. ELLENDER. I thank the Senator.

Mr. MUNDT. Mr. President, I withdraw my amendment.

The **PRESIDING OFFICER.** The amendment is withdrawn.

Mr. ELLENDER. Mr. President, this morning I had a discussion with my good friend the Senator from Georgia [Mr. TALMADGE], the author of the cotton amendment adopted by the Senate on Friday last.

I read his speech over the weekend. In that speech, he outlined benefits accruing to producers under his amendment. As I understood it, it was his intention to provide cotton farmers of the Nation at least 65 percent of parity on allotted acres and perhaps more as the surplus was reduced.

Since that is his stated intention, and in order to clarify the matter and make certain that that will be the case; that is, that the cotton farmer will receive between 65 and 90 percent of his allotted acres either through direct loan, direct payment, or diversion payments. I have prepared an amendment. I have discussed this amendment with the Senator from Georgia, and it carries out his intention.

I would like to explain my amendment to the Senate.

Under existing law the cotton producer is guaranteed support of at least 65 percent of parity on all of his production from his allotted acreage. The amendment I have proposed would merely preserve this protection for him. This would give the cotton producer about the same treatment accorded producers of other basic commodities. Wheat producers are assured by the bill of at least $1.90 on the yield from their full-planted acreage within their allotments.

Corn producers are assured of at least 65 percent of parity on all the acres planted within their permitted acreage.

Rice and peanuts are supported at not less than 65 percent of parity on all of the crop produced on the acreage allotment.

Tobacco producers receive support on their entire quota at a level fixed by Congress.

Similarly for wool, the Senate has seen fit to provide a precise statutory support price.

Congress has seen fit to assure dairy farmers of price support between 75 and 90 percent of parity on their full production.

But under the pending legislation the cotton support price is left to the discretion of the Secretary, except for a guarantee of 65 percent of parity on 65 percent of the farm allotment.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

> SEC. —. Notwithstanding any other provision of law, for each of the 1966–1967–1968–1969 crops of upland cotton, the total amount of price support made available to a cooperator shall not be less than an amount determined by multiplying the farm acreage allotment by the projected farm yield by 65 per centum of the parity price for cotton as of the beginning of the marketing year.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TALMADGE. As the able chairman of the Committee on Agriculture and Forestry has said, we discussed this amendment earlier today. I believe it is a very good amendment, and strengthens the bill. I hope the Senate will adopt it.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Louisiana to the committee amendment.

The amendment to the amendment was agreed to.

The **PRESIDING OFFICER.** The question is on agreeing to the comittee amendment in the nature of a substitute, as amended.

The committee amendment, in the nature of a substitute, as amended, was agreed to.

Mr. AIKEN. Mr. President, I offered an amendment last night, which was printed, I believe. I offered that amendment because it appeared to me that the cotton section of the bill was slanted wholly toward cotton manufacturers and left the producer far out in left field.

I believe the amendment just approved, which was offered by the Senator from Louisiana, assures that the cotton producer can at least get honorable mention once in a while and a little of the money, a little more than he otherwise would have gotten.

In view of the fact that the Senate accepted the amendment offered by the Senator from Louisiana, I announce that I shall not offer or ask for a vote on my amendment to restrict the cotton program to 2 years.

The **PRESIDING OFFICER.** The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I yield 6 minutes to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I contemplate voting against the bill.

I earnestly hoped that this would be the year that the Congress of the United States would take affirmative steps toward the development of a sound and realistic farm program.

Experience has proved that Government acreage allotments and marketing controls do not work. Experience has demonstrated that Government rigged prices do not help farmers, adversely affect consumers, and are exorbitantly expensive to taxpayers. Experience has called for a complete revision of our farm programs. This is why I joined with other Senators in introducing S. 891 which represented a fresh approach for wheat and feed grains. S. 891 would, first, abolish acreage and marketing controls for wheat and feed grains; second, establish price supports for wheat based on the 3-year world market average; third, establish price support for corn at 90 percent of the 3-year market average, with price supports on other feed grains related to corn; fourth, permit the market to operate by requiring that the Commodity Credit Corporation not release stocks at less than 125 percent of the support price; and, fifth, establish a cropland retirement program designed to reduce an over-expanded agricultural plant through the voluntary retirement of cropland on a competitive bid basis.

Such a program would reduce Government intervention in agriculture and reduce substantially the expenditures from the Federal Treasury. Such a program would signal the return of our great grain industry to an effective market-price system.

It was a great disappointment to me therefore to see in the House-passed bill, H.R. 9811, what appeared to me to be a rehash of programs which had proved ineffective and which have been largely discredited.

H.R. 9811 contained programs for dairy, wool, feed grains, cotton, and wheat. In view of the complexity, expense, and futility of these programs, it is little wonder that the Senate Agriculture Committee decided that these programs had to be substantially revised. I am only sorry that the committee did not find it possible to completely rewrite the bill.

With respect to wheat, the House bill would establish price supports at the world market price, or about $1.25 per bushel. Payments would be made to farmers who joined the program of about $1.25 per bushel on that portion of the wheat crop estimated by the Secretary to be consumed domestically by humans. Seventy-five cents of this payment would be financed through a processing tax placed on domestic mills, and 50 cents would come out of the Federal Treasury. Additional payments would be made to farmers who reduced their planted acreage by at least 10 percent, but not more than 50 percent.

As we consider H.R. 9811, the language of S. 1702 has been substituted by the Senate committee. S. 1702 would also support the price of wheat at the world market price with payments on all wheat produced—based on the projected yield—sufficient to bring the total price support to approximately $1.90 per bushel. For example, if the price support were $1.25 per bushel, payment to producers in the program would amount to 65 cents per bushel.

PROCESSING TAX

The bill contemplates a processing tax of 75 cents per bushel on domestically milled wheat to finance a part of the subsidy payment, with the remainder coming out of the Federal Treasury.

I will vote against the farm bill for the following reasons: First, the bill contemplates a processing tax of 75 cents per bushel on domestically milled wheat to finance a part of the subsidy payments, with the remainder coming from the Federal Treasury. I oppose financing the wheat program through a processing tax on the American consumer. I believe this is a device to hide the most of the program, and that it is a mechanism designed to tax those least able to pay. It does not make sense to me for the Senate in the same session to remove excise taxes on jewelry, furs, perfumes, and cosmetics, while imposing a processing tax on wheat, the ultimate cost of which must be paid by the buyers of bread.

The processing tax will cost $375 million. The greater the purchase of bread by the consumer, the greater will be the contribution to the fund necessary to finance the bill, in accordance with the intention of the drafters and promoters of it.

How can I go back to Ohio and say we have eliminated the excise tax on jewelry and furs, but have imposed indirectly a tax on bread?

It cannot be done.

Second, the wheat program in the bill is not voluntary. When a wheat farmer is dependent upon the Government for payments for more than one-third of the price of his wheat, and when such payment is denied unless he joins the program, this, in my opinion, constitutes compulsion and cannot be placed in the category of a voluntary subscription by the wheat growers of the United States to the Federal program.

Third, the program discriminates prejudicially against wheat producers who produce wheat that is in short supply. For example, the Soft Red Winter wheat grown in Ohio is not in surplus, as many other types of wheat are. Yet the Ohio producer of wheat is forced to cut his acreage the same as a producer whose wheat is in surplus.

Practically every bushel of wheat farmed in Ohio is Soft Red Winter wheat. Ohio produced 38,316,000 bushels for the year ending June 30, 1965. That is practically our whole product. At the end of June 30, 1965, 819 million bushels of all wheats were in surplus. Only 8 million bushels of the 819 million were the Soft Red Winter wheat—1 percent of the 819 million bushels. Yet the Ohio wheat producer will have to cut back, in order to get domestic certificates, in the same manner as the producer of wheat that is in huge surplus.

Fourth, the certificate plan contained in the bill is especially discriminatory so far as Ohio producers are concerned. Payments are supposedly made on the basis of domestic consumption for human use.

The **PRESIDING OFFICER.** The time of the Senator from Ohio has expired.

Mr. **LAUSCHE.** Mr. President, may I have more time?

Mr. **MANSFIELD.** I yield an additional 4 minutes to the Senator from Ohio, and shall yield additional time after that if he needs it.

Mr. **LAUSCHE.** Yet this percentage is an arbitrary, across-the-board percentage which is computed without regard to quality of the wheat produced or the actual use of the wheat.

Fifth, the bill continues, through indirect taxes, to subsidize the manufacturer of cotton goods. These manufactures will double in the sum of $382 million under the bill, a bill which is supposed to help the cotton farmer. Within the past 10 minutes, some improvement of this aspect has been made.

I cannot subscribe to a bill which is supposed to help the farmer, but which contains $382 million of aid to the processors of cotton goods. Let us remember that the cotton surplus has gone up; the price of cotton goods paid by the consumer has not gone down. Every prediction and promise made when the subsidy for cotton processors was passed has proved to be untrue.

Sixth, the bill, because of its complexities and uncertainties, ought not to be made operative for a 4-year period. The controversies on the bill demonstrate that there is no clear thinking by a consensus on the provisions of the bill. There is a deep difference of judgment growing out of the complicated, complex aspects of what we are trying to do. Yet the bill provides that the program shall continue for 4 years. In my judgment, the program ought automatically to come before Congress for review at an earlier time than at the expiration of 4 years.

The producers of scarce Soft Red Winter wheat will receive domestic certificates for 45 percent of their normal yield. Even if the Ohio producer raises high quality wheat that goes 100 percent for domestic food, his allocation would still be 45 percent of his normal yield.

During the 5-year period 1959–63, 188 million bushels of American Soft Red Winter wheat were used; 71.3 percent of that wheat went for domestic uses. Nevertheless, the Soft Red Winter wheat producer received a 45-percent allocation just as a producer received whose low quality wheat may have gone entirely to export or feed.

Mr. President, I believe that the cropland adjustment program contained in S. 1702 is based on a sound principle of long-term retirement of cropland which is not needed for current market requirements. This is a program very similar to the one which I have previously advocated and which is contained in S. 891. However, I very much fear that its effect will be seriously impaired by other features in the bill.

In the feed grains, cotton, and rice titles of S. 1702, we again have programs of tremendous expense and little likelihood of success.

We have spent over $7 billion in the years 1961–65 on a feed grain program and may well see a record production in 1965.

COTTON

We continue a cotton program with export subsidies, mill subsidies, and producer subsidies despite the fact that the program has resulted in the prospects for the highest cotton carryover in history. The cost to the Federal Treasury for the cotton program is indefensible—over $800 million. Despite these subsidies, the price of cotton cloth did not decline over the past year. In fact the average price of 20 cloth products has been consistently higher this year as compared to last. Yet the combined value to farmers of cotton and cottonseed from the 1964 crop totaled $2.5 billion, 8 percent less than the $2.8 billion value for the 1963 crop. This was true even though the 1964 crop was as large as the 1963 crop.

The fact has been demonstrated—we cannot buy our way out of the cotton chaos. We must drastically revise the cotton program. The drain on the Federal Treasury is too great; the results are too meager. Payments to producers or to mills are not the answer. We must start from where we are and cut the subsidies drastically.

Mr. President, both the House and Senate bills contain very complex and highly expensive farm programs. The fact that these programs differ so widely in many of their aspects indicates the dilemma that we are in. It is very likely that the conference bill that finally emerges will be quite dissimilar to the bill we are now considering.

Therefore, I urge that we not pass a bill authorizing such programs for 4 years. Obviously there is a great deal of disagreement over many of the essential features of the programs. Prudence demands if this bill is passed by the Senate that the authority be limited to one year and that this Congress immediately move to the task of designing a long-term farm program which will increase farmers' opportunities, expand markets, and reduce Federal expenditures.

Mr. AIKEN. Mr. President, I yield 3 minutes to the distinguished Senator from Iowa [Mr. MILLER].

Mr. MILLER. Mr. President, as in the case of any omnibus farm bill providing for many commodities, this bill is bound to be controversial. It is bound to contain some bad as well as some good. I am disappointed that more improvement has not been made to the bill than could have been made. I still have hope that because the bill is so much different from the bill passed by the House, the committee of conference will in effect be authorized to write a new farm bill, one which will delete from the bill now before the Senate some of the portions which I consider to be undesirable.

I made extensive comments on this point in my remarks in the committee report. I am particularly interested in what I considered to be a step forward when the committee adopted an alternate feed grains program, one which, in my judgment, is far superior to the present program, and will, I think, upon close examination by the Secretary merit being put into effect following the next feed grains year, when I understand he will follow the program.

Mr. President, I ask unanimous consent that extracts from the report as noted by me on pages 25, 26, 27, 28, and 29 of the committee report be printed at this point in the RECORD, together with that portion of my supplemental views from pages 136 through 144 with the deletions as noted.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TITLE II—FEED GRAINS

Short explanation

This title provides the Secretary of Agriculture with a choice of using either of two voluntary feed grain programs for the 1966 through 1969 crops. Subtitle A provides authority for continuation of the voluntary program in effect during the current year, but makes possible improvements in the program. Subtitle B provides an alternative program, which can be used at the Secretary's discretion, under which no price support payments would be authorized, but diversion payments could be made at levels adequate to assure program participation. Under this alternative program, land could be voluntarily diverted on either an annual or a 5-year basis.

* * * * *

Subtitle B retains many of the provisions contained in subtitle A, and differs primarily as follows:

(1) Price support for corn at 60 or 90 percent of parity (and comparable levels for grain sorghums, barley, oats, and rye).

(2) Price support payments are not authorized except up to 25 cents per bushel could be paid to participants who were unable to plant, due to natural disaster.

(3) Payments for diverting acreage to conservation uses under the 1-year diversion program could not be less than 50 percent of the county support rate on the projected yield of the acreage diverted; payments for that diverted for 5 years could not be less than 70 percent.

(4) A minimum of 40 percent of the base would have to be diverted under the 5-year diversion program.

* * * * *

BACKGROUND

This title provides for a 4-year extension of the voluntary feed grain program—1966 through 1969 crops—and is designed to consolidate the gains made by the 1961–65 programs. This legislation builds on the experience gained under the voluntary feed grain programs of the 1960's to date. The legislation is aimed at (1) reducing feed grain surplus stocks, (2) reducing costs to taxpayers, (3) providing greater freedom and flexibility to feed grain producers in their farm operations, (4) providing an opportunity to feed grain producers to maintain and strengthen their farm income, and (5) providing adequate supplies of feed grains to livestock producers and other users at fair and equitable prices.

The Secretary of Agriculture would have a choice as to whether the voluntary program authorized by subtitle A or by subtitle B could best achieve the objectives of this bill. The Department of Agriculture advises that the 1966 program would be the one authorized by subtitle A. In future years, a program authorized under subtitle B could be used if farm income could be maintained or increased, production more effectively controlled, and costs reduced by such a program.

The committee received assurance from the Department representatives that there was no objection to having this alternative program in the bill and that, since the bill provides for a 4-year farm program, such an additional "tool" for the Department to use instead of the program under subtitle A would provide flexibility to meet changing situations which cannot now be foreseen. Moreover, the Department will have the time needed to contact farmers to assess their potential responsiveness to the alternate program and to evaluate it in terms of overall cost and effectiveness relative to developing situations in feed grains production.

The alternative program provided in subtitle B, like the program provided in subtitle A, seeks to meet the problem of feed grain surpluses through the diversion of acreage devoted to the production of feed grains to soil conserving uses. However, it provides the farmer with a choice between retiring a limited portion of his feed grains acreage base for 1 year (20 percent minimum under present regulations) or retiring 40 percent of his feed grains acreage base for 5 years. Instead of providing complying farmers with both diversion payments and payments per bushel of "projected yield" on nondiverted acres, the alternate program provides only for diversion payments, but in an increased amount intended to be substantially as attractive as the combination of payments under the program established by subtitle A. Thus, the diversion payments are to be not less than 50 percent of the support price on the normal production of the diverted acres for a 1-year period; but in order to provide an incentive for farmers to choose the 5-year retirement plan (taking out at least 40 percent of their feed grains base acreage from production), diversion payments of not less than 70 percent are authorized.

As an additional incentive to participate, the alternative program provides a form of insurance to complying farmers who are not able to plant feed grains on their nondiverted acres, because of drought, flood, or other natural disaster. In such a situation, a payment of not to exceed 25 cents per bushel of expected yield may be made with respect to such acreage.

It is specifically provided that the alternative program be administered in such manner as will limit the amount of reduction in production in a county or local community area to prevent the program from adversely affecting the economy of the country or community.

It is recognized that under a 1-year program, entered into from year to year, a farmer can retire 20 percent of his base acreage, for example, in 1 year and a different 20 percent in the next year; that this enables him to bring the first 20 percent into production in the next year and, after lying fallow for 1 year, it would be more productive. Also, there is the likelihood that more of better productive land would be retired if one farmer elects to keep the same acres continuously retired for 5 years in an amount equal to at least 40 percent of his base acreage than two farmers electing to take out only 20 percent of their base acreage, with the same amount of acres being diverted in each case. Thus the alternative program is calculated to effectively achieve the reduction in production goal of the Secretary of Agriculture with a possible lower cost for the program.

It is recognized that the cropland adjustment program provided for under title V permits contracts for a period as short as 5 years and as long as 10 years. However, Department representatives indicated that efforts would be made toward longer term contracts and the retirement of whole farms and substantial portions of base grain acreage, so that if the alternative program provided under subtitle B is put into effect, it would harmonize with the program established under title V.

The remaining provisions of subtitle B are substantially the same as those contained in subtitle A.

SUPPLEMENTAL VIEWS OF MR. MILLER

The bill reported out by the Senate Committee on Agriculture and Forestry is a better bill than the one passed by the House of Representatives and much better than the bill recommended by the administration. However, as is always the case with an "omnibus" bill, it has both good and bad features—leaving the Members of the Senate with the difficult task of balancing the good against the bad in reaching a decision on how to vote.

I have said many times that there are few Members of Congress who advocate doing away with farm programs. Studies by research economists at Iowa State University, Cornell University, Penn State University, and Oklahoma State University make it clear that without Government farm programs, net annual farm income would fall from $12 billion (for 1964) to $6 billion, and this would have a disastrous effect on all segments of the national economy. This is why I have consistently supported the appropriation bills for the Department of Agriculture, without which no farm program could have been put into effect. Those who speak of the "danger" of Congress doing away with farm programs at a time when the agricultural sector of our economy is not sharing fairly in the national net income, are merely throwing up a "strawman" in an effort to fool the farmers.

Nor do farmers have to be apologetic about the cost of so-called farm subsidies. The annual appropriations for the Department of Agriculture amount to around $5 billion, but farmers receive only half of this amount through the various farm programs—the balance being used for foreign aid, Veterans' Administration, Armed Services, school lunch, disaster, and similar programs. Subsidies for American business amount to $1.5 billion, and American labor receives subsidies amounting to over a half billion dollars. One could also point to the billions of dollars in Federal Government contracts as a source of income for American business and their employees; and billions of dollars are being spent on numerous programs designed to meet the needs of the poverty and low-income sectors of our society.

If they understand the facts about our agricultural economy, I do not believe the American taxpayers should or would complain about the costs to the Federal Government which must be met to help provide a decent living for our farmers and their families. Throughout our history, the American public has been abundantly supplied with food and raw materials for manufacturing, and prices for these goods have been low. Moreover, our Nation's farmers have furnished large quantities of food for the relief of hunger in other countries. In 1964 only 19 cents of the consumer dollar was spent for food. Ten years ago it was 22 cents. Last year it was 30 cents in Western Europe, 50 cents in Russia, and up to 90 cents in some of the underdeveloped countries. In short, our national farm policy has provided both abundance and rapid technical progress, which are of great value to the Nation. But this policy has failed, at the same time, to bring to farmers the rewards commensurate with their hard work, managerial competence, initiative, and enterprise—particularly in comparison with other segments of our economy.

Some facts about agriculture

In order to evaluate the farm programs of recent years, it is necessary to bear in mind the following:

1. From 1961 through 1964, over 2,600,000 farmers and their families left the farm.

2. From 1960 through 1964, the number of farms declined by over 470,000. The Department of Agriculture projects nearly another 100,000 decline for 1965.

3. From 1961 through 1964, farm employment dropped by 920,000, including 287,000 hired farmworkers.

4. Farm parity prices were at 81 in December of 1960 and have been consistently below this figure ever since. In fact, the figure has averaged 76.5 since October of 1962.

5. From 1961 through 1964 costs of farm production increased over $3 billion, and farm debt increased by over $12 billion (from $26.2 to $38.3 billion).

6. From 1961 through 1964, Federal Government payments to farmers under farm programs increased by $1,475 million.

7. From 1961 through 1964, total net farm income increased by $700 million (from $12 to $12.7 billion). Since "total net farm income" includes Federal Government payments, it is clear that without any increase in such payments, total net farm income for 1964 would have been $775 million less than in 1960. In other words, farm prices were depressed $775 million in 1964 as against 1960, which is why the parity ratio has been so poor.

8. It is true that total cash receipts from livestock and products have increased; but this is deceptive unless one realizes that the quantity marketed has increased still more, so that farmers have actually received less per unit marketed and less for their labors—not more. For example, such cash receipts amounted to $19,929 million for 1964 as against $19,880 million for 1963, an increase of $49 million. But aggregate live weight of meat animals marketed in 1964 was 4 percent more in 1964, so that a comparable increase in cash receipts would have been $795 million instead of the $49 million actually obtained.

9. Although total net farm income in 1964 was $700 million more than in 1960,[1] the dollar was worth 46.9 cents (yearly average) in purchasing power (compared to a 1939 dollar worth 100 cents) in 1960 as against only 44.8 cents (yearly average) in 1964. Therefore, to calculate the "real value" of the total net farm income for 1964 of $12.700 billion, one would have to reduce it by 4.5 percent, or $530 million, leaving a total of only $170 million increase in real net farm income over 1960. Gross farm income in 1964 amounted to $42.2 billion compared to $37.9 billion in 1960, an increase of $4.3 billion. In other words, out of $4.3 billion increased gross income, our Nation's farmers received a real net income increase of only $170 million, or 4 percent. The normal relation between net and gross runs around 30 percent (gross of $42.2 billion in 1964 produced net of $12.7 billion). During the same period (1961 through 1964), total compensation of employees in other businesses increased by over $52 billion ("real" income). The record is clear that, since 1960, the Nation's farmers have been falling far behind the rest of the economy in their share of our national net income. Long-term comparisons are just as bad or worse. The well-known farm economist Carl H. Wilken has compiled figures comparing a base period (1946–50) to 1964, which show that wages increased 176 percent, national net income increased 140 percent, corporate profits (before taxes) increased 88 percent, and net farm income declined 16 percent.

Some conclusions

If one is willing to face the facts, it is apparent that the cost-price squeeze on farmers has been worsening.

On the cost side of the ledger, the November issue of the Farm Cost Situation, published annually by the Economic Research Service of the Department of Agriculture, shows an increase in the index of costs of goods and services used in production from 103 to 108 from 1960 through 1964. Feed, farm machinery, seed, and wages represent the largest increases. Inflation is a major factor. When the purchasing power of the dollar goes down, one cannot blame the wage earner for asking for a wage increase. Since all of his dollars are worth less, he needs more dollars to meet his family responsibilities. Many farm machinery factories operate under an escalation clause which provides for an automatic wage increase when the retail Consumer Price Index goes up. The net result of all these reactions is an increase in farm costs of production.

On the price side of the ledger, the problem has been an excess of supply over demand (both domestic and export). Until production and consumption are brought into balance, farmers are fighting for higher prices for their production with one hand tied behind their backs. Farm programs have been designed to achieve this balance so that farmers will receive fair prices, and while these programs are supposedly moving toward this objective, Government payments to farmers through the various programs are provided as a means of seeing them through the difficult transition period.

It is alarming to farmers that notwithstanding substantially increased costs of farm programs, farm prices have remained depressed. And the programs themselves do not appear to be effecting the reduction in production required to bring about a balance with consumption. I have the uneasy feeling that some of my colleagues prefer to wink their eyes at the capitalistic economic system when it comes to agriculture in favor of "cheap" food and "cheap" feed, but whatever their motivation they should not use our farmers and their families as pawns in their game of market control. Their voices would be among the first to be raised if the Federal Government imposed wage or price controls for industries in their States.

Evaluation of the bill

Like the House bill and unlike the administration's bill, the bill reported by the committee leaves the processing tax on wheat milled for domestic consumption at approximately 75 cents per bushel. The administration would have increased this by 50 cents per bushel to around $1.25. While this is one way to increase the income of wheat farmers, it does so in a way that bears most heavily on large family, low-income groups. Naturally the flour millers pass the additional cost on to the bakers, who in turn pass the additional cost on to the consumers, principally through an increase in bread prices. Whether the wheat certificate costs 75 cents or $1.25, the principle is wrong, and this is one reason why I voted against the cotton-wheat bill last year. Government price supports for farmers should be paid for out of the general fund of the Treasury into which tax money is largely paid on the basis of relative ability to pay.

The administration bill would have provided an exemption for wheat milled for other than human consumption, thus bringing about an artificially low price for wheat clears used for starch. This would have had a seriously disruptive effect on the cornstarch industry, which uses in the neighborhood of 300 million bushels of corn annually. The committee bill meets this problem so that the wheat starch industry will not be prejudiced in relation to competition from foreign imports while at the same time preserving the relative shares of the market of the wheat and cornstarch industries.

The committee bill continues the multiple-price program for wheat resulting in an artificially high price for food wheat and an artificially low price for feed wheat which, of course, competes with regular feed grains still in overproduction. The danger to regular feed grains from this artificial, Government-sponsored competition is revealed by the following figures on sales of wheat for feed:

[In millions of bushels]

Marketing year:	*Quantity*
1960–64 (average)	41
1964–65	72
1965–66 (estimated)	95

The committee bill is defective in that it continues the power of the Secretary of Agriculture, through sales by the Commodity Credit Corporation, to depress the market price of grains. This action, of course, has been taken in the past for the purpose of "encouraging" farmers to "voluntarily" participate in the programs; but the result has been a lowering of farm income generally. It is true that surplus stocks have been reduced, resulting in a savings to taxpayers through reduced storage costs of such stocks, but this has been at the expense of a segment of our economy which has not been receiving its fair share of our national net income. Some idea of the relationship between large disposals of Commodity Credit

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[1] $12 billion for 1960 and $12.7 billion for 1964, according to Economic Indicators for July 1965, prepared for the Joint Economic Committee by the President's Council of Economic Advisers.

Corporation stocks can be obtained from the table set forth below:

[In bushels]

Month	Quantity of CCC sales	Average price No. 2 corn Chicago market
October 1961	36, 328, 886	$1. 12
November 1961	43, 401, 624	1. 12½
December 1961	73, 977, 718	1. 12½
January 1962	109, 121, 759	1. 09
February 1962	113, 091, 495	1. 10
March 1962	214, 091, 495	1. 12
April 1962	159, 351, 950	1. 14
May 1962	86, 514, 940	1. 16½
June 1962	91, 946, 649	1. 15½
July 1962	4, 739, 862	1. 14
August 1962	15, 298, 448	1. 11
September 1962	22, 829, 715	1. 13
October 1962	48, 071, 730	1. 13
November 1962	41, 790, 605	1. 10
December 1962	44, 041, 933	1. 16
January 1963	62, 297, 911	1. 19
February 1963	87, 654, 186	1. 21
March 1963	152, 999, 412	1. 22
April 1963	96, 224, 168	1. 21
May 1963	78, 610, 432	1. 24
June 1963	84, 987, 788	1. 31
July 1963	1, 488, 507	1. 33½
August 1963	12, 695, 861	1. 33
September 1963	20, 846, 425	1. 36
October 1963	16, 096, 342	1. 25½
November 1963	14, 958, 929	1. 17
December 1963	13, 510, 265	1. 22½
January 1964	24, 159, 603	1. 24
February 1964	27, 358, 474	1. 22
March 1964	19, 058, 069	1. 24½
April 1964	13, 653, 048	1. 26
May 1964	8, 172, 163	1. 29
June 1964	21, 902, 406	1. 27½
July 1964	1, 105, 504	1. 25
August 1964	4, 026, 550	1. 26
September 1964	3, 515, 475	1. 29
October 1964	4, 191, 798	1. 23
November 1964	4, 415, 923	1. 19½
December 1964	4, 885, 740	1. 27½
January 1965	25, 497, 367	1. 29
February 1965	61, 440, 178	1. 31
March 1965	55, 129, 660	1. 33
April 1965	63, 962, 681	1. 35
May 1965	41, 190, 156	1. 37½

Present law requires that Commodity Credit Corporation stocks be disposed at not less than 105 percent of the loan price plus "reasonable carrying charges." The Department interprets this to mean 105 percent of $1.10 for 1964 corn, or $1.15½. Its interpretation of "reasonable carrying charges" is interesting. These are computed at 1½ cents per month, starting in October and running through July, with nothing for August and September. Then the charges are dropped, and the 1½ cents per month starts all over again in October. Thus, using the $1.15½ as a base, the Department is able to add from 1½ to 15 cents per bushel onto the disposal price. It would seem that the variation of as much as 15 cents per bushel during a year has a tendency to unstabilize the market.

The Secretary of Agriculture has made it clear that he has fully intended to use his power to dispose of Commodity Credit Corporation stocks as a means of depressing the market. Thus, he testified before the House Agriculture Committee:

"We must not yield to the temptation to make prices so high that the programs become unworkable."

And again:

"To interpret the feed grains situation, we must remember that in 1961 and 1962, heavy sales of feed grains by Commodity Credit Corporation were an integral part of the program. Congress intended and Congress directed Commodity Credit Corporation to sell corn to keep prices below supports to make the program effective." (Hearings before the Committee on Agriculture, House of Representatives, 89th Cong., 1st sess., Apr. 6, 1965, pp. 10–11.)

The Secretary did not reveal where such "intention" by Congress was set forth, but the fact that Congress gave him so much discretion in disposing of Commodity Credit Corporation stocks might be said to "intend" the consequences of the grant of such power. In any event, it is time for the Congress to curtail this power by placing a higher disposal price on the sale of such stocks.

It might be pointed out that the supply of feed grains is down to around a 4½-month supply. The Department of Agriculture "tentatively" suggests that a national security reserve level of 3½ months is required (p. 1369 of hearings), so that the opportunity for the Commodity Credit Corporation to depress the market by disposing of its stocks is somewhat more limited than it has been. The committee, unwisely in my opinion, decided to not legislate minimum national security reserves of stocks for grain—although earlier this year in his farm message the President recommended that such reserves be established.

An evaluation of the feed grains title appears below.

Feed grains

The feed grains program provided by the Congress prior to 1961 was anything but successful. However, to claim that the programs provided by Congress in 1961 and subsequent years are an "improvement" over what went before does not necessarily mean that they have been a "success." Nor is it responsive to say that the programs for 1961 through 1965 are better than no programs at all. It is claimed that a net reduction in carryover of feed grain stocks for the years 1961 through 1964 amounted to 29 million tons. But this reduction was not due to the new feed grains program, because the reduction is more than accounted for by a reduction in the production of barley and oats (not covered by the feed grains program) totaling 12.5 million tons; and by an increase in domestic use and exports totaling 23.5 million tons.

The 1961 so-called emergency feed grains program was extended in 1961 to cover the 1962 crop, and in 1962 to cover the 1963 crop year with some alleged "improvements"; and it was further extended to cover the 1964 and 1965 crop years with some more alleged "improvements."

Unfortunately these "improvements" haven't worked. Since 1961, production of feed grains has increased 16.9 million tons. Production of corn, grain sorghums, and barley for 1961 totaled 124.4 million tons. It increased to 126.6 million tons in 1962; and to 140.7 million tons in 1963. In 1964, a year characterized by abnormal drought conditions, the total was 122.8 million tons.

Apologists for the present program say that what is needed is "more compliance"; that the loan price for corn, for example, should be lowered to "force" more farmers to "voluntarily" come into the program. For 1965 the support price for those who are in the program is $1.25, with a loan price of $1.05 and a payment of 20 cents per bushel of projected yield on nondiverted acres. In 1964 the loan price was $1.10 with a 15-cent-per-bushel payment. Now there is talk of the Secretary's dropping the loan price to $1 with a 25-cent-per-bushel payment for 1966.

The trouble with this approach is that it ignores the fact that what is wrong is not so much the number of farmers who are in the program as the quality of their compliance. In Iowa, one of the two leading corn-producing States, 65 percent of the farmers are in the program. On the other hand, only about 25 percent of the corn acreage has been diverted from production. What is needed is more diversion of better productive acres from production. A mandatory program is not needed as some have suggested. Also, it is doubtful that a further reduction in the loan price is going to be effective in bringing more farmers into the program, because (*a*) a number of smaller farmers cannot afford to reduce their feed grains acreage and make a living; (*b*) a number of farmers who followed recommended crop planting methods were left with too low a base acreage in comparison with their neighbors who had overplanted their acreage to feed grains; and (*c*) a large number of farmers feed their own feed grains production and prefer to take their chances with the livestock market.

Under the present program, a farmer can qualify by retiring only 20 percent of his base feed grains acreage. The next year he can qualify by retiring a different 20 percent of his acreage, bringing back into production the acres which have lain fallow for a year and which will be more productive as a result. Moreover, it is only natural that the poorest 20 percent of the feed grains base will be retired each year.

The committee would continue this program notwithstanding its obvious defects. And authority in the Secretary to further reduce the loan price and increase the payments per bushel of projected production on nondiverted acres has been provided under section 201 of subtitle A as follows:

"Such portion of the support price for any feed grain included in the acreage diversion program as the Secretary determines desirable to assure that the benefits of the price support and diversion program inure primarily to those producers who cooperate in reducing their acreage of feed grains shall be made available to producers through payments-in-kind. * * * that portion of the support price which is made available through loans and purchases for the 1966 through 1969 crops may be reduced below the loan level for the 1965 crop ($1.05) by such amounts and in such stages as may be necessary to promote increased participation in the feed grain program, taking into account increases in yields, but so as not to disrupt the feed grain and livestock economy: *Provided*, That this authority shall not be construed to modify or affect the Secretary's discretion to maintain or increase total price support levels to cooperators."

Present law provides for price support between 65 and 90 percent of parity, which is currently calculated at $1.58 per bushel of corn. Thus the support price is set at $1.25 per bushel for 1965. Under section 201 of the committee bill, the Secretary could drop the loan price to below $1 and make up the difference by increased production payments as long as this does not "disrupt the feed grain and livestock economy." It is my view that this type program has been given ample opportunity to work, and that the record is clear that it has not worked and has at the same time cost the taxpayers a great and increasing amount of money. I don't believe that they would or should be heard to complain if the program was resulting in a reduction in production, but when it has resulted in increased production their complaints are understandable.

Alternative program

Although the committee refused to substitute a program which would overcome the defects in the present program, it did write into the bill an alternative feed grains program which the Secretary may decide to change over to as the situation develops during the next 4 years. It is impossible for anyone to forecast developments, and since the bill is designed to legislate for the years 1966 through 1969, it would seem prudent to give the Secretary another "tool" to use when he finds that the continued use of the present program is not producing the results intended at a reasonable cost to the taxpayers.

The principal differences between the program authorized under subtitle A and the alternative program authorized under subtitle B are these:

1. The alternative program offers a feed grains farmer a choice between a 1- and a 5-year program. Under the 1-year program he

can retire the minimum amount prescribed by the Secretary (currently 20 percent of his feed grains base). Under the 5-year program he must retire at least 40 percent of his feed grains base.

2. With a view to encouraging farmers to retire 40 percent of their feed grains base and keep this retired for 5 years, payments for diversion under the 5-year program would be substantially higher. The Secretary is authorized to pay not less than 50 percent of the support price on the projected yield of the acreage diverted from production for 1-year contracts; and not less than 70 percent for 5-year contracts.

3. Under the alternative program, there would be only diversion payments (much higher than under the present program) and no production payments, as under the present program.

4. A form of insurance to compliers would be furnished by providing that where they are unable to plant on their nondiverted acres due to flood, drought, or other natural disaster, they will receive a payment of not to exceed 25 cents per bushel on their projected yield.

An example of how the alternative program would work in comparison with the present program is set forth below. The example assumes the case of a farmer having a 100-acre corn base acreage with projected yield of 80 bushels per acre and $1.05 loan price established by the Secretary. It further assumes that the Secretary decides to pay at a rate of 70 and 85 percent for diversion payments on the 1- and 5-year programs, respectively. (NOTE.—If the loan price was set at $1.10 per bushel, for example, the diversion payment rate could be lowered to result in a like amount of income to the complier.)

1. If the farmers retired 20 percent or 20 acres

Under Present Program

He receives one-fifth of the support price of $1.25 ($1.05 loan plus 20 cents payment), or 25 cents per bushel, or $20 per acre, or $400 diversion payment.

He also receives 20 cents per bushel of projected yield of 80 bushels per acre on the remaining 80 acres, or 6,400 bushels, or $1,280.

Total received under present program: $400 plus $1,280 equals $1,680.

Under Alternative Program

He receives a diversion payment of 70 percent of loan price of $1.05, or 73½ cents per bushel, or $58.80 per acre, or $1,176.

2. If the farmer retires 40 percent or 40 acres

Under Present Program

He receives the higher rate on all 40 acres, or 50 percent of price support of $1.25, or 62½ cents per bushel, or $50 per acre, or $2,000 diversion payment.

He also receives 20 cents per bushel of projected yield of 80 bushels per acre on the remaining 60 acres, or 4,800 bushels, or $960.

Total received under present program: $2,000 plus $960 equals $2,960.

Under Alternate Program

He receives a diversion payment of 85 percent of loan price of $1.05, or 89¼ cents per bushel, or $71.40 per acre, or $2,856.

From the foregoing, it may be noted that it is costing taxpayers $84 per acre to retire 20 acres for 1 year ($1,680 total payments divided by 20). Under the alternate program it would cost $58.80.

Where 40 acres are retired, it is costing taxpayers $74 per acre, whereas under the alternate program it would cost $71.40 per acre.

Thus it is seen that under the present program, there is far more incentive to retire only 20 percent of the base acreage. Under the alternate program there is far more incentive to retire 40 percent of the base acreage. The alternate program places the incentive where it should be if better results are to be obtained.

It should also be pointed out that under the alternate program it is provided that the Secretary is to administer it in such a way as to limit the amount of production retired in a county or community area so that the business economy of the county or community area will not be adversely affected.

JACK MILLER.

Mr. AIKEN. Mr. President, I yield 3 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I shall vote "nay" on the farm bill. I think it is still a makeshift bill which fails to take account of the enormous shift of population from the farm and the enormous needs of the consumers. We must get a much better and sounder policy before we properly and prudently spend this huge amount of Government money.

I certainly favor the stated overall objectives of H.R. 9811, the Food and Agriculture Act of 1965; namely, the need for maintaining farm income, stabilizing prices, assuring adequate supplies of agricultural commodities, reducing surpluses, lowering Government costs, promoting foreign trade, and providing greater economic opportunity in rural areas. These bill's objectives are absolutely essential to this Nation's agricultural economy and should be implemented. But in totality this bill does not effectively carry out these objectives. I believe the cotton provisions of the bill as contained now in the Talmadge amendment which the Senate approved on the floor and which I supported and voted for does carry out many of these important objectives. In endeavoring to obtain "one-price cotton" the new cotton provisions of the bill will do much to improve the competitive position of this country's textile industry. A major part of the textile industry is located in New York. I believe the textile industry will be aided materially by the Talmadge amendment which incorporates the principle of Government loans to cotton farmers at a level which will permit and encourage the movement of cotton into expanded trade channels. U.S. cotton is expected to be fully competitive in world markets with foreign produced cotton and surplus stocks of cotton are expected to be reduced as well as Government storage costs. I believe the new one-price cotton plan as passed by the Senate and in essentially the same form in the House will help the textile industry and I support it.

However, as happened last year, farm programs which probably could not have passed independently, were thrown together in a package in the House committee in an omnibus bill, in an effort to obtain support for all the component programs. I believe this procedure is most unfortunate in that it prevents consideration by the Members of Congress of the individual commodity programs on their own merits. The practice of jamming imperfect bills together impairs the capacity of the Congress to improve and perfect the individual programs.

Among the problems presented by the bill are:

The base excess production quota dairy plan which the Senate included in the bill by a vote of 57 to 27 yesterday afternoon is, in my judgment, on the whole inadvisable. This plan, as it was on October 10, 1963, was opposed by almost every Senator representing the Northeast portion of this country. A substantial number of the dairymen in my State have opposed the plan and strongly resist the principle of tight controls on dairy production. In my judgment, it is not in the best interest of our dairymen or consumer to permit the imposition of tight production controls. I do not believe that the curtailment of productive incentive for a sustained period provides the best method of improving the dairyman's income. As I mentioned yesterday, there is a marked lack of consensus among representatives of the dairy industry behind this plan which the Senate adopted and noticeable lack of enthusiasm by the administration as indicated by testimony by the Department of Agriculture before both the House and Senate Agriculture Committees. The Senate Agriculture Committee by an overwhelming vote chose to eliminate the base excess dairy plan from this bill.

Also, I am not in accord with the provisions of the bill which permit the continuation of the processing tax on wheat milled for domestic consumption at approximately 75 cents per bushel for 1966 and possibly more for 1967 and subsequent years. The administration's original proposal would have increased this so-called bread tax by 50 cents per bushel, the increase, it was expected, being passed on by the flour millers to the bakers and then on to the consumers. The House bill was rewritten to prevent the imposition of this additional burden by requiring financing of the additional 50 cents from Treasury general revenues. While the Senate bill differs from the House wheat program, it does provide a possibility that the burden of the 50-cent increase may be transferred from the Treasury to the processor for the 1967 and subsequent crops and, in turn, would permit the processor to pass on this additional cost to the consumer in the form of increased bread prices, which would, of course, have the most serious economic impact on low income families.

Consequently, while I support the important cotton provisions of the bill which the Senate adopted on the floor in the form of the Talmadge "one price" cotton plan, I cannot support the bill as a whole. I very much hope that future farm legislation will be considered on the basis of the recommendations of the U.S. Food and Fiber Policy Commission which I, together with the Senator from Delaware [Mr. BOGGS], the Senator from Texas [Mr. TOWER], and the Senator from Vermont [Mr. AIKEN] called for today, and which the majority leader advised us will be appointed within the month by the President, and will be available for an improved farm program.

Mr. AIKEN. Mr. President, the Senator from New York has made an excellent statement about the bill. I shall, however, vote "Yea."

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Rhode Island.

Mr. PELL. Mr. President, I support the pending bill together with the Talmadge one-price cotton amendment, but I must say that I approach both the amendment and the committee bill with a sense of regret and reservation.

With regard to the Talmadge amendment, I must say that I do not believe that our ailing textile industry can be cured by piling subsidy upon subsidy. It would be far preferable if our domestic industries did not have to contend with an artificial price structure in acquiring their raw materials. But since they do, the Talmadge amendment at least means that our domestic textile mills can at least enjoy the initial opportunity, which they should have, of buying their raw materials on the same basis as mills outside the United States. In the past, we have had an unconscionable system whereby U.S. taxpayers subsidized the purchase of U.S. cotton abroad, but under which equal treatment was denied to domestic users of cotton. Under the one-price system, the domestic mills at least have been given an equal break at the starting line, as it were, and I believe the system should be continued. But while I have voted for the Talmadge amendment, I must emphasize that while I believe it improves a questionable bill, I am not overwhelmed by the merits of the principal bill itself.

On past agricultural bills, I have frequently voted to support measures which seemed to decrease surpluses and diminish artificial stimulation of our farm economy and to oppose measures which seemed to overly subsidize one element of our ecomony and to expand artificial stimulation of that economy. I shall continue to do so.

In the present case, I must say that there have been pervasive forces within my constituency which have favored at least those portions of the bill which deal with the production of fibers so essential to our New England textile industry. Last week, for example, the Governor of my State telephoned my office to urge continuation of the one-price cotton system. His call was followed by a visit from influential businessmen, leaders in the textile industry, with the same message. Their official trade organization, the Northern Textile Association, then followed with a most persuasive letter, pointing out that 23 percent of Rhode Island's manufacturing employment is involved in the textile business and therefore greatly is dependent, one way or another, on continuation of the present cotton and woolen programs. I ask unanimous consent that the text of this letter be printed in the Record at the conclusion of my remarks. I also ask unanimous consent that an editorial from the Providence Evening Bulletin entitled "Dropping One-Price Cotton Would Be a Senseless Step," be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. Mr. President, these are persuasive voices in support of the one-price cotton provision of the farm bill. But I must say that I regret exceedingly that we are not given the opportunity to vote separately on the different portions of the bill relating to separate sectors of the farm economy. It seems to me an outrageous imposition on our loyalties that we from New England, in order to help our struggling industries, must also accept as part and parcel of the same bill, a jerry-built structure of price supports for such unrelated crops as wheat, rice and feed grains. We are given no opportunity to sort out those elements of the programs which may provide Government assistance where it is least needed, or which may be perpetuating drastic chaos in the natural relationship of supply and demand. Such legislation really offers us no opportunity to exercise legislative selection and judgment and I regret that it comes before us at all. Only the most pressing involvement of my constituency in what amounts to a small part of the bill compels me to support this legislation.

I realize, too, that we as U.S. Senators must think of the overall effect of such legislation. And I realize too that the total cost to the Nation of our farm programs will be more rather than less if no farm bill is passed and we revert to older support plans, or as in the case of wheat face the prospect of vastly expanded production and storage. The costs of our present programs, for example, are $3.840 billion, while under the provisions of H.R. 9811 as it passed the House they will drop to $3.796 billion. Only in the light of these facts can I cast my vote with reluctance for this legislation.

EXHIBIT 1

H.R. 9811

NORTHERN TEXTILE ASSOCIATION,
Boston, Mass., September 7, 1965.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: We in the New England textile industry are dismayed by the action of the Senate Agriculture Committee in reporting a farm bill which would reestablish a two-price system for the sale of American cotton. The Agriculture Committee last week in considering H.R. 9811, which has been adopted by the House, voted substantial changes in the cotton section which would set up a system whereby cotton is sold to American mills at one price and sold for export to foreign competitors at a substantially lower price. We consider this inequitable and unfair and damaging not only to the textile mills but to the raw cotton industry as well.

The National Cotton Council says of the committee bill: "It would turn back the clock to a system which has failed and which would destroy the American raw cotton industry." The New York Cotton Exchange points out that foreign mills would be subsidized by anywhere from 5 to 12 cents a pound or as much as 40 percent lower than the American price, and that the selling procedure for export would amount to dumping. Textile manufacturers have characterized the committee proposal as tragic.

As you will recall, one-price cotton was established in 1964 for 2 years. The cotton textile industry responded to the 1964 legislation by increased employment, increased consumption of cotton, increased capital expenditures, and increased earnings for workers and investors. It would be most unfortunate to return now to a two-price system advocated by the Agriculture Committee. If no legislation is enacted, we would also automatically return to a discriminatory two-price system. Imports of cotton textiles into this country already exceed 1 billion square yards annually.

H.R. 9811 as adopted by the House will reduce the cost of the present program by $100 million annually by providing incentives to farmers to reduce acreage and overproduction and by providing a lower loan level to stimulate exports. Payments would no longer be made to mills, but would be made directly to the cottongrowers. Cotton would be marketed through the regular free channels of trade instead of piling up in warehouses at great expense to the Government.

We realize that certain cotton growers do not support the House-passed version and have succeeded in having the Agriculture Committee report a two-price bill with relatively high supports and a subsidy provision. The committee bill is contrary to the position of the administration. It is our understanding that Senator TALMADGE will introduce an amendment which would substitute a cotton section substantially similar to that contained in the House bill. We respectfully urge you to support this amendment and if adopted to support the passage of H.R. 9811.

As you know, there are still in New England 100,000 workers in textiles and an additional 100,000 engaged in producing apparel. Together they account for 13 percent of New England and 23 percent of Rhode Island manufacturing employment.

Enactment of this legislation is important not only to the cotton mills but to the wool textile mills in New England because it extends the National Wool Act of 1954 for 4 years and provides incentive payments to growers to encourage the production of raw wool.

New England mills manufacture one-half of the wool fabrics produced in the United States, and the continuation of a substantial supply of raw wool in this country is of obvious importance to us. At present, about one-half the raw wool domestically consumed is produced in the United States. If the act is not renewed, U.S. raw wool production would undoubtedly decline further and the domestic wool industry would be even more dependent on foreign stocks. We believe that it is in the national interest, both in peace and war, to encourage production of raw wool in this country.

A number of our mill representatives are planning to come to Washington on Wednesday and Thursday of this week and I hope that we will have an opportunity to talk with you about these matters personally before debate begins.

Very truly yours,
WILLIAM F. SULLIVAN.

DROPPING ONE-PRICE COTTON WOULD BE A SENSELESS STEP

If anything needs knocking down in a hurry, it is this notion in the Senate Agriculture Committee that the one-price cotton system which is now law, should be abandoned.

In a closed-door session, secret because the committee has not completed action on cotton, it was voted eight to seven not to continue equalized prices for another 4 years.

That leaves the committee, unless it does something about it, with a program proposed by committee chairman, ALLEN J. ELLENDER, Democrat, of Louisiana, which calls for 3-cents-a-pound payment instead of full equalization to "persons other than producers" or, in other words, cotton mills.

Up to the time when the existing law was passed, cotton was sold to mills at the U.S. support price which was 6 to 8 cents higher than world market prices. Foreign competitors of the mills thus had a 6- to 8-cent cost advantage which they put to good use in manufacturing cotton fabrics for shipment into this country at prices domestic mills simply could not meet.

It took a long time to convince Congress that this kind of competition was wrong, but finally the present law was passed which provides for Government payment to mills of the difference between the U.S. support price and world prices.

Now Senator ELLENDER wants to go back to something approaching the old dual price system. He has managed to prevail, persuading a majority of the Agriculture Committee to accept his complicated proposal.

This may be a good deal for Louisiana cottongrowers, but it makes no sense at all, either for mills having to compete with foreign producers or for that segment of the U.S. economy depending on textiles, and it is large.

The Senate Agriculture Committee went fully into the pros and cons of dual cotton prices and foreign competition when the existing law was passed. It ought to remember this, get back on track, and continue the only system that gives U.S. mills a fair shake in the competitive open market.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, as one who has been privileged to represent the greatest agricultural State, for over 20 years, I feel I should help put the record straight on the way we are swiftly moving with agricultural programs.

Current Government programs have failed and will continue to fail if the bill now before the Senate should become law. As I study this bill, I am convinced that it would just place more patches on a wornout, discredited program.

What is the record of the farm programs we have had these last 5 years?

They claim to protect the family farm, yet in these last 5 years the farm population has decreased about 3 million.

Net budget expenditures for USDA for fiscal year ending July 1, 1965, were $7.3 billion, the third highest on record. They amounted to $7.7 billion in fiscal 1963 and $7.9 billion in 1964. This compared with $5.4 billion for the year ending July 1, 1960. Who in agriculture is proud of this? Problems do not go away just by throwing money at them—there must be constructive use of the money; spending should have a purpose.

The parity ratio—at 75 percent—average for the entire year of 1964, averaged the lowest since 1934. I have heard no one brag about this fact.

Realized net farm income, at $12.9 billion, in 1964, was up from $12.5 billion in 1963. This $400 million increase in realized net farm income was $81 million less than the $481 million increase in direct Government payments to farmers in 1964 as compared to 1963. It takes real genius to write checks to farmers for an additional $481 million in order to raise realized net farm income $400 million. What happened to the other $81 million?

In 1964 about $2.1 billion of the $12.9 billion in realized net farm income was in direct payments from Government to farmers. In 1965 close to $2.5 billion will be in direct payments to farmers. Thus, we have the unhappy and dangerous spectacle of about 20 percent of total realized net farm income being paid by direct payments to farmers from the Federal Treasury. Who on this floor is there to boast about this fact? The farmer would prefer to get his income in the marketplace—but this omnibus bill would increase the ratio of direct payments and the dependence on the Government, and lower the ceiling further on the farmer's receipts in the market.

In spite of the continued heavy Federal payments to farmers and total USDA expenditures—at an alltime high—because of the so-called emergency programs for feed grains, wheat, and cotton, the amount of commodities under price support programs and in CCC inventory continue to be extremely large. As of May 31, 1965—the latest available figure I have—CCC had $13.5 billion of its $14.5 billion in use. Is this anything to brag about?

Expanded use of direct Federal Government payments to farmers to offset depressed market prices, caused by unwise Government programs, continues. In many cases Government programs and dumping of CCC stocks have helped depress market prices.

By design, now, we have Government programs to hold the domestic market price down to world price or below, so that direct payment to farmers from the Government can be used to force compliance with the programs. The new concept is to hold the domestic market price down rather than use Government influence to increase market prices to farmers.

Many people in and out of Congress have promoted unworkable market-wrecking farm programs that have failed. These same people, in order to cover up this failure, are now the strongest advocates of direct-payment programs.

We now have various forms of compensatory payment programs for feed grains, wheat, cotton, sugar, and wool. This list has grown each year and is the prime reason why the USDA budget annual expenditures have averaged the highest on record the last 3 years—$7.7 billion.

Congress realized back in the late 1940's, when the Brannan plan direct-payment approach was made, how futile and costly this type of program would be, if applied to all of agriculture. They wisely rejected the approach. Now it is creeping up on us step by step, encouraged by cheap food and fiber advocates who do not believe in the market system. The surest way for Government controllers to take over is to force farmers to get their incomes from checks from the Federal Government.

This year will be the fifth year of the so-called emergency feed grain program.

In the face of strong producer opposition to compulsory controls on feed grain production, Congress rejected the compulsory approach and extended the emergency program on three separate occasions.

The program now uses compensatory payments and a low loan rate in order to bribe or force compliance.

The program has been one of the most expensive of any program we have had for any commodity since the beginning of farm programs in the early 1930's.

Feed grain program costs and acres diverted

Crop year	Acres diverted	Payments to farmers
1961	26,700,000	$782,000,000
1962	32,700.000	843,000,000
1963	25,700,000	845,000,000
1964	34,300,000	1,171,000,000
1965 (estimate)	36,700,000	1,600,000,000
Total	156,100,000	5,241,000,000

In spite of this expenditure of money, the August crop report of USDA indicates an alltime high record feed grain production in 1965. In 1963 we also had an alltime high feed grain production up to that time.

Feed grain carryover has been reduced, but not as much as feed grain consumption has increased, since the beginning of the feed grain program. The increased feed grain consumption—because of CCC dumping of feed grain stocks in order to hold prices down to force compliance—helped cause the depressed livestock prices in 1963 and 1964. I believe analysis would show this loss to livestock producers was far more than the payments made under the feed grain program. When will Congress and the administration give the feed grain producer and the livestock producer a fair shake?

The current wheat certificate program is a stopgap 2-year program, which was put into effect after a majority of the producers voting in a 1963 referendum had rejected a similar program.

Here are a few facts that should be considered in evaluating this program as well as its extension in this bill before us.

First. Farmers from my State have long opposed the principle of multiple price plans because the Government rigged pricing is detrimental to producers of other crops and livestock and poultry. Wheat used for feed in competition with feed grains under this program has jumped from 1960 to 1964—average—of 41 to 95 million bushels this year and is still increasing. This is unfair to feed grain producers, for it adds considerably to the feed supply and forces down the market price. Cheap feed means cheap hogs, beef, and poultry—as any farmer knows.

Second. The certificate plan for wheat is a bread and flour tax on the user of the product; only part of the certificate cost is to be paid from general revenues.

Third. The certificate plan does not give producers a choice between supported prices and a free market.

Fourth. The use of CCC stocks to depress prices—a key necessity of the certificate plan—imperils the market system. The program is designed to hold the market price down to feed grain price level. The administration has succeeded in defeating any amendment to prevent CCC dumping on the market at some level higher than 105 percent of loan level—it wants this power to break the market.

Fifth. Wheat acreage is increasing under the certificate plan.

Wheat production, according to the USDA August crop report, is up 7 percent from last year and 16 percent above average.

It has now been proven that the 1964 emergency cotton law, in effect for the 1964 and 1965 crops, has failed to fulfill the claims made for it at the time it became law last year. Proponents of the current law claimed that under the program consumption of cotton would increase, cost to the U.S. taxpayer would decline, consumer prices of cotton goods would be lowered, the upward trend in manmade fiber use would be halted, and farm income from cotton would be maintained.

As Al Smith once said, "Let's look at the record."

First. Cotton consumption did increase domestically but much less than the increase shown by manmade fibers. Cotton's share of the fiber market actually dropped by more than a full percentage point.

Second. Exports of cotton for the marketing year ending August 1, 1965, are now estimated to be down by a fifth or more from a year earlier.

Third. Total cost of the cotton program ran to more than $900 million, far exceeding the cost of the previous program.

Fourth. Prices of cotton cloth did not decline; in fact, the average price of 20 cloth constructions was 64.65 cents in May 1965, compared to 61.29 cents in May 1964.

Fifth. Cotton mill margins in May 1965, as reported for 20 major cloth constructions, averaged 37.30 cents compared to 25.62 cents in May 1964.

Sixth. The combined value to farmers of cotton and cottonseed from the 1964 crop totaled $2.546 million, or more than 8 percent less than the value of $2.784 million from the 1963 crop. The production in 1964 was about the same as 1963.

Seventh. Carryover of cotton is up again dramatically. The USDA cotton situation of July 26, 1965, indicates that carryover of cotton on August 1, 1965, at 14.2 million bales was estimated to be at the highest level since the alltime high record set in 1956. The carryover is up 2 million bales from just 1 year earlier. If anyone calls this a success story, I do not know the meaning of the word.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, there is indeed irony in the situation that exists with regard to agriculture in the United States and in the rest of the world. We have developed our agricultural efficiency to the point where we can easily produce much more than we need. Much of the rest of the world, meanwhile, and many of our own people suffer in an agony of hunger.

Our own ability to produce more than we need would be fine, were it not for the operation of the inexorable law of supply and demand. It is elementary economics that in a free market, if supply exceeds demand at a given price, the price will fall. Because we are a humane society, we would not stand idly by when it became apparent that our agricultural productivity was increasing to the point where if nothing was done, farm incomes would fall drastically, millions of farmers would lose the fruits of the toil of many generations, and poverty and misery would descend upon rural America.

And so the Federal Government stepped into the agricultural picture with programs aimed at easing the transition to an extremely high productivity agricultural sector. Our objectives all this time, as I understand them, have been to maintain farm income, to assure adequate supplies of agricultural commodities, and to reduce agricultural surpluses.

Mr. President, I believe the time is coming when we are going to have to expand this list of objectives. For we as a nation have dedicated ourselves to the eradication of poverty in our midst. Thus far we have not used all the resources at our disposal.

We are talking about cutting back agricultural production when we cannot feed all our people properly. A former Director of the Bureau of the Budget, a very able economist but mistaken in his analysis of agriculture, argues for the removal of millions of farmers from the land to the cities, when in 1963 probably one-third of the excessive unemployment was due to workers forced off the land during the previous decade.

The fact is that we have not been making optimum use of our agricultural productivity. And now that we have made a commitment to aid the poor among us, we should give thought to our agriculture programs in connection with our war on poverty.

And so I urge the Secretary of Agriculture to institute a study and come back to Congress next year with a report on how the agricultural sector of our economy can more effectively be utilized to deal with unemployment and undernourishment in this country. We have been rather shortsighted and unimaginative thus far. I do not believe it is asking for the impossible to suggest that fresh ideas may come from a Government bureau; it has happened before, but in agriculture we are suffering from an inability to take a large enough view of the situation. Our agricultural programs should be more to our country than they have been.

For the next few immediate years, and in terms of our traditional concepts of agriculture programs, this farm bill is very important.

COTTON

The cotton section of the bill is of immense importance to my State, the leading cotton-producing State. Although I favored the cotton section as reported out by the Senate Agriculture Committee, I am hopeful this cotton program adopted by the Senate and so ably presented by the distinguished junior Senator from Georgia, will accomplish what it is intended to. It is far better than the House bill. I believe it to be a good bill also. It will provide a basic price support for cotton at a rate not to exceed 90 percent of the world market price. For the 1966 crop the price will be set at 21 cents per pound. In addition, a cash payment of at least 9 cents per pound will be made to offset the lower price support of 21 cents per pound in the new program. Finally, acreage diversion payments will be made to farmers who divert up to 35 percent of their domestic allotment. This payment shall be not less than one-half of the basic price support. Farms of 10 acres or less will not have to divert in order to receive payments under this provision, because they are so small already that requiring them to reduce their activity still further would not serve a useful purpose, but would reduce their already small incomes to a disastrously low point.

WHEAT

Mr. President, wheat brings in cash receipts of $1,786 million annually. The wheat program in the bill would boost the price for wheat to about $1.90 per bushel, $0.09 higher than in the House bill. The price support would be about $1.25 per bushel. Then direct payments would bring the price to the farmer up to at least $1.90. This is a voluntary program. Farmers who wish to participate must divert part of their wheat-producing land to land-conserving purposes.

FEED GRAINS

The feed grains section of the bill, provides improved means of dealing with feed grain surpluses. There are two alternative voluntary programs. The first continues basically the present program but lowers the support price and raises the direct payment. Thus, participating farmers incomes would not be hurt, but since the price level would probably fall, there would be added incentive to participate and thus lower our surpluses.

The alternative feed grain program would offer a low support price and longer and more lucrative land diversion contracts. The farmer could retire 40 percent of his feed grain acreage base for 5 years and receive diversion payment of not less than 70 percent of the support price.

RICE

Over the past several years, rice has maintained a reasonably good relationship between supply and demand, primarily due to increased exports. There was no rice section in the House bill. The Senate provision provides a diversion program if the national rice allotment for 1966–69 is increased above the current allotment. The goal here is to maintain the income of rice growers if national allotments are reduced.

WOOL

The Senate bill extends the National Wool Act for 4 years. It sets a 1966 price for shorn wool of 65 cents a pound, compared with the 64 cents in the House bill. In addition, small producers who do not market more than 1,000 pounds will be supported at a level not more than 5 cents a pound higher.

DAIRY

And finally, Mr. President, the amendment of the distinguished senior Senator from Wisconsin on milk was added yesterday on the Senate floor. Under this plan if two-thirds of the farmers in a market order area vote to do so, they can modify the prevailing blend price system whereby dairy farmers producing under the same marketing order receive a relatively higher price for the part of the milk that actually goes into fluid consumption and a relatively lower price for the excess which goes into cheese and other milk products. Under the old plan, the farmer receives the single blend price, no matter how much he produces. This can hurt the dairy farmer because as production increases, the amount of fluid going into excess production increases, and the blend price drops lower and lower. Thus he cannot protect himself against overproduction by others.

Under the new plan the farmer will receive the established price for each part of his own production that goes either into production of fluid or the excess that goes into cheese, et cetera. This will enable the farmer to protect himself against overproduction by others, since he could count on the established fluid price. Second, overall production would decrease, since he would receive a lower excess price for his own increased production.

Mr. President, I urge enactment of this very important measure. I also renew my call for an overall study within the Agriculture Department to determine how our agricultural production can better be utilized by our whole society. With better utilization of the fruits of production, the problem of surplus would disappear.

Mr. **MANSFIELD**. Mr. President, I yield 10 minutes to the Senator from Nebraska.

Mr. **HRUSKA**. Mr. President, the omnibus farm bill, H.R. 9811, is a culmination of many months of long and thoughtful consideration by the members and staff of the Senate Agriculture Committee.

This complex and difficult legislation has been studied with special diligence by this Senator and his staff because not only do its provisions affect many aspects of American agriculture, but also because farming and ranching now, and far in the future, will dominate Nebraska's economy. Farm legislation is vital to all of our citizens.

The bill is lengthy. It covers a wide variety of subjects. It includes intricate arrangements, provisions, and formulas. It contains both good features and bad. The task of weighing the good against the bad is not easy.

On balance, and after careful analysis, it is my judgment that this bill's shortcomings far outweigh its advantages. I cannot, in good conscience, support it.

THERE IS A NEED FOR A FARM PROGRAM

For a Senator to reach this decision, of course, does not mean that he is opposed to all farm bills. It does demonstrate that he believes that not all farm bills are good, and that some are unworthy of support.

Too often, we are told that the danger of Congress doing away with all farm programs and the catastrophe that would result. Attention is called to the study released during the presidential campaign of 1964 which concluded that the net farm income would drop $6 billion—from the $12.5 billion of 1964—if all programs were eliminated.

Those who raise such thoughts now, as then, were clearly erecting a "straw man" or a "bogey man" in an effort to mislead and to frighten and especially to mislead and frighten farm folks.

There is no movement, nor any expressed thinking in the Congress that this Senator knows anything about, which advocates or even proposes complete and sudden repeal of all farm programs. Such a course would be foolhardy and unthinkable; any fair and thoughtful person knows this.

Those who say a vote against the bill now before us is a vote against the farmer or a vote against all farm programs, are necessarily assuming that they alone have a monopoly of wisdom and knowledge on the subject; that they alone in the present bill know how to deal with it, and that anyone who disagrees with them is derelict. Such a claim to infallibility is scarcely worthy of passing consideration.

This Senator is for a farm program and for the farmer. But he wants a program that will help, not hurt; one that will improve the position of the farmer, and not just repeat the mistakes of the past, and continue to worsen his economic position.

POSITION OF FARMER STEADILY DECLINES

Statistics clearly demonstrate how the position of the farmer has steadily declined these past 5 years.

Farm income has not significantly improved. In fact, when compared with the gains made in nonfarm income, it has substantially decreased.

Farm indebtedness has soared to alarming levels. The farmer has been forced to borrow against the inflated value of his land in order to survive; or simply to postpone the time he must leave the land.

Farm families have engaged in steady exodus from the land because they simply cannot make ends meet. Over a half million families have left in the past 5 years. What a dreary monument to the failure of the administration program.

Yet in the bill before us the Congress is asked to continue those unsuccessful programs for 4 more years.

For any prospect of improvement a different approach is required. We must shift away from the goal of making the farmer and rancher completely dependent on the U.S. Treasury for his income.

Let us consider the consistent record of failure which has accompanied pursuit of that goal.

USDA EXPENDITURES—FARM INCOME

Net budget expenditures for U.S. Department of Agriculture for the fiscal year ending June 30, 1965, are estimated to be $7.3 billion, the third highest on record. They amounted to $7.7 billion in fiscal 1963 and $7.9 billion in 1964. This compares with $5.4 billion for the year ending June 30, 1960.

The complete tabulation is as follows:

Fiscal year:	*Billions of dollars*
1960	5.4
1961	5.9
1962	6.7
1963	7.7
1964	7.9
1965 (estimated)	7.3

Source: USDA.

However, there is a billion dollars in CCC losses for fiscal year 1961 that the administration has not asked Congress to reimburse and almost another billion dollars for fiscal 1964.

These last two amounts will have to be paid for sooner or later. The $2 billion will have to be added to the totals when appropriated. In the meantime, we are paying interest on this deception.

It should be noted, however, that only about one-half of the farm budget goes for the direct benefit of the farmer. Included in Agriculture expenditures are billions for food for peace, public works, school lunches, food stamp plan, Veterans' Administration, strategic stockpile, and other similar projects which are primarily of benefit to others than the farmer. A detailed analysis of this fact appears in the hearings of the Senate Agriculture Appropriations Committee for the fiscal 1966 appropriations.

The parity ratio—at 75 percent—for the entire year of 1964, was the lowest yearly average since 1934.

Realized net farm income, at $12.9 billion in 1964, was up from $12.5 billion in 1963. This $400 million increase in realized net farm income loses its glamour almost completely when we note the $481 million increase in direct Government payments to farmers in 1964 as compared to 1963—an $81 million shortchange for the farmer.

Mr. President, I ask unanimous consent that the detailed table of farm income figures be inserted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Farm income, United States, 1960–64

[In millions of dollars]

Year	Cashreceipts from farm marketings	Government payments	Realized nonmoney income	Realized gross farm income	Farm production expense	Realized net farm income
1961	34,923	1,484	3,179	39,586	27,013	12,573
1962	36,187	1,763	3,146	41,069	28,526	12,543
1963	37,253	1,686	3,134	42,073	29,572	12,501
1964	36,899	2,169	3,122	42,190	29,249	12,941

Source: U.S. Department of Agriculture.

Mr. **HRUSKA**. Mr. President, in 1964 about $2.1 billion of the $12.9 billion in realized net farm income was in direct payments from Government to farmers. In 1965 close to $2.5 billion will be in direct payments to farmers.

Thus, we have the unhappy and dangerous spectacle of about 20 percent of total realized net farm income being paid by direct payments to farmers from the Federal Treasury. Like the Nation, agriculture cannot exist half slave and half free. If the trend of providing a substantial share of farm income from the Treasury continues, we can expect increasing control and domination of the farmer amounting to economic slavery.

In spite of the continued heavy Federal payments to farmers and total U.S. Department of Agriculture expenditures because of the so-called emergency programs for feed grains, wheat, and cotton, the amount of commodities under price support programs and in Commodity Credit Corporation inventory continue to be extremely large.

The sorry, overall situation of our farmers is seen in the following facts: From 1961 to 1964 over two and a half million farmers and their families have left the farm. The number of farms has declined almost a half million. Another 100,000 farms are being lost this year. Farm employment has dropped by almost a million in the past 4 years. Farm debt has increased by $12 billion to a total of $38 billion—a 50-percent increase. Farm production costs have increased over $3 billion while net farm income has remained on about the same average level of $12.5 billion.

This dreary record was achieved under virtually the same provisions we are now being asked to ratify for another 4 years.

COMPENSATORY PAYMENTS

Expanded use of direct Federal Government payments to farmers to offset depressed market prices, caused by unwise Government programs, continues. In many cases Government programs and dumping of CCC stocks have resulted in worsening the problem.

By design now we have Government programs to hold the domestic market price down to the world price or below, so that direct payments to farmers from the Government can be used to force concept is to hold the domestic market compliance with the programs. The new price down rather than use Government influence to increase market prices to farmers.

Many people, in and out of Congress, have promoted unworkable market-wrecking farm programs that have failed. These same people, in order to cover up this failure, are now the strongest advocates of direct payment programs.

We now have various forms of compensatory payment programs for feed grains, wheat, cotton, sugar, and wool. This list has grown each year and is the prime reason for the sky-high USDA budgets of the past 4 years.

Congress realized in the late 1940's, when the Brannan plan direct payment approach was made, how futile and costly this type of program would be, if applied to all of agriculture. It wisely rejected the approach. Now this discredited scheme is creeping up on us step by step, encouraged by cheap food and fiber advocates who do not believe in the market system. The surest way for Government controllers to take over, is to force farmers to get their income from a check from the Federal Government.

The following table show how direct Government payments to farmers have grown from 1933 to 1964.

It shows such payments totaling $693 million in 1960.

The annual average for the 10 years ending 1960 was about $670 million.

In 1964 the total was $2.16 billion.

For 1965 the estimated total is $2.5 billion. If this farm bill is approved, it will push the total to over $3 billion.

Mr. President, I ask unanimous consent that the table to which I refer be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Government payments, by programs, 1933–64[1]

[In millions of dollars]

Year	Conservation	Sugar Act	Wool	Soil bank	Feed grain	Wheat	Rental and benefit	Cotton[2]	Price adjustment	Parity	Total[3]
1933							131				131
1934							395	51			446
1935							558	15			573
1936	24						213	41			278
1937	324						11				386
1938	309	22						114			446
1939	527	28						8	201		763
1940	496	27							10	190	723
1941	382	27								134	544
1942	450	25								175	650
1943	332	36								254	[4] 623
1944	378	27								1	[4] 406
1945	259	24									[4] 283
1946	285	31									[4] 316
1947	277	37									314
1948	218	39									257
1949	156	30									185
1950	246	37									283
1951	246	40									286
1952	242	33									275
1953	181	32									213
1954	217	40									257
1955	188	41									229
1956	220	37	54	243							554
1957	230	32	53	700							1,016
1958	214	44	14	815							1,089
1959	228	44	82	323							682
1960	217	50	51	370							693
1961	230	45	56	334	772	42					1,484
1962	224	54	54	304	841	253					1,736
1963	222	57	37	304	843	215					1,686
1964	227	67	25	199	1,163	438		39			[5] 2,160

[1] Details may not add to totals due to rounding.

[2] Includes cotton price adjustment and cotton option and producer's pool payments.

[3] Includes Great Plains conservation payments since 1958, 1 in 1958, 5 in 1959, 6 in 1960, 1961, 1962, 8 in 1963, and 9 in 1964.

[4] Excludes wartime production subsidy payments on dairy products 1943–46 and beef cattle, sheep, and lambs 1945–46 because these payments are reflected in the published index of prices received.

[5] Includes milk indemnity payments ($155,000).

Source: American Farm Bureau Federation.

COTTON

Mr. **HRUSKA**. Mr. President, last week an amendment to this bill was proposed and adopted calling for payments to cottongrowers to supplement the price support loans. The very substantial majority by which this amendment carried undoubtedly resulted from the fact that the only available alternative was much more expensive. The alternative, which was contained in the bill reported from the Senate Agriculture Committee, would have cost almost $4 billion over the 4-year period. In contrast, the plan which was approved by the Senate is estimated to cost $2.8 billion, a difference of $1.1 billion. In addition to the reduced cost, the substitute version will result in a far lower cotton surplus carryover. At the end of 4 years the carryover under the amendment should be about 8.7 million bales as against 12.6 million bales under the plan which was rejected. To this Senator it was clear that the version which was adopted was the better of the two available choices for maintaining and improving the industry until such time as the Congress acts to remove the Government from the business of financing, storing, and merchandising cotton at prices established in Washington.

WHEAT

The current wheat certificate program is a stopgap, 2-year program, put into effect after a majority of the producers voting in the 1963 referendum had rejected a similar program. This bill would extend that program for another 4 years with some modification.

This Senator has consistently opposed the principle of multiple price plans because Government-rigged pricing is detrimental to producers of feed grains, livestock, and poultry. It is especially harmful to the feed grain program because in recent years we have seen substantial substitution of wheat for feed due to low prices. This, in turn, has depressed feed grain prices.

Here are a few facts that should be considered in evaluating this program:

First. The certificate plan allocates the premium market for milling wheat to cooperating producers without regard to quality or actual use.

Second. The certificate plan does not give producers a choice between supported prices and a free market.

Third. The certificate plan operates to bear most heavily on large-family and low-income groups, even though it is one way to increase the wheat farmers' income. The better way of achieving such income increase is to make payment out of the Treasury general fund, into which tax money is largely paid on the basis of relative ability to pay.

Fourth. The use of CCC stocks to depress prices—a key necessity of the certificate plan—imperils the market system.

Fifth. Contrary to what some would have us believe, wheat acreage is increasing under the certificate plan. Wheat production, according to the USDA September 1965 crop report is up 5 percent from last year and 14 percent above average.

THE FEED GRAINS PROGRAM

This year will be the fifth year of the so-called emergency feed grains program. We are asked to extend it another 4 years. On at least two occasions, this Senator voted for this program in the hope that it would be succeeded by a bill which would improve the situation. The hope was a vain one.

In the face of strong producer opposition to compulsory controls on feed grain production, Congress rejected the compulsory approach and extended the emergency program on three separate occasions.

The program now uses compensatory payments, a low loan rate, and dumping of CCC-owned inventories in order to bribe or force compliance.

It has been one of the most expensive programs we have had for any commodity since the beginning of Government farm programs in the early 1930's.

Feed grain program costs and acres diverted

Crop year	Acres diverted	Payments to farmers
1961	26,700,000	$782,000,000
1962	32,700,000	843,000,000
1963	25,700,000	845,000,000
1964	34,300,000	1,171,000,000
1965 (estimated)	36,700,000	1,600,000,000
Total	156,100,000	5,241,000,000

Source: U.S.D.A.

In spite of this expenditure of money, the September crop report of the USDA indicates an alltime high record feed grain production in 1965. In 1963 we also had an alltime high feed grain production up to that time.

Feed grain carryover has been reduced, but not as much as feed grain consumption has increased, since the very beginning of the feed grain program.

SOYBEANS

There is no need whatsoever for the incentives proposed by the administration and partially reflected in the Senate bill to encourage greater production of soybeans—a crop widely known as the wonder crop.

The soybean crop is the third largest cash crop a farmer grows. It is the largest cash export. The United States produces about 90 percent of the soybeans that find their way into the world export arena. Truly an amazing story when one considers that it was a novelty crop less than 30 years ago.

But the biggest story of all is that soybeans is the only major field crop that is free of Government incentives, controls, and doles.

The price of beans is good. Our carryover from year to year is minimal. All this occurs in a true supply and demand market.

Now comes the administration, seeking artificially to increase production by allowing the planting of soybeans on acreage diverted from wheat and feed grains. But soybean production this year is up a whopping 24 percent over last year's record production, and 38 percent above average, and without Government incentives.

Why can we not leave this crop alone?

There is no necessity, no justification for this interference.

CCC BORROWING AUTHORITY

The Commodity Credit Corporation operations are financed largely by borrowings, mostly from the U.S. Treasury, under statutory borrowing authorization of $14.5 billion. This amount is the limit on borrowings that may be outstanding at any one time. CCC reserves a sufficient amount of this borrowing authority to purchase at any time all loans and other obligations held by financial institutions under the Corporation's programs. As of May 31, 1965—the latest figures available—CCC had in use $13,488,893,000 of this authority. Actual borrowings from the Treasury amounted to $12,995 million and obligations to financial institutions financing commodity loans amounted to $493,893,000 includes interest of $9,946,000. This left a statutory borrowing authority available of only $1,011,107,000 at the end of May.

Last January, we had witnessed the spectacle of the CCC's operations being temporarily suspended because it had run out of borrowing authority. A supplemental appropriation of over $1½ billion was needed and enacted to bail the CCC out of its difficulties.

The Senate Agriculture Appropriations Subcommittee, under the able leadership of the distinguished senior Senator from Florida [Mr. HOLLAND], added almost a billion to the House-passed version of the fiscal year 1966 budget for the Department of Agriculture to make a start in returning the CCC's activities to a sounder basis. I am hopeful that this action will be upheld by the conferees on the money bill who are still meeting.

SALE OF WHEAT TO RUSSIA

Current reports indicate that the Johnson administration is about to give the go-ahead for sales of wheat to the Soviet Union.

With or without the cargo preference requirement, about which there was much debate, this Senator is opposed to such sales. It only gives aid and comfort to our enemies. That they are our enemies is well known to all. The annual Defense budget expenditures of almost $1 billion a week are a continuous reminder that they are in fact our enemies.

The fact is that the Soviets have failed woefully in their collective approach to farming. It is now being abandoned in favor of a return to a limited form of private ownership in farming.

It is not because of lack of technical know-how that the Soviets have failed. Numerous Soviet agricultural missions have come to this country to pick our brains. Even Chairman Khrushchev himself visited our farms.

Secretary Freeman has gone to Russian farms.

Russian farming to date is the classic failure of communism versus capitalism.

But there is no compulsion that Soviet agriculture succeed. They are apparently confident that if their crops fail, Western nations, including the United States, will jump at the chance to bail them out. The substantial purchases abroad this year are ample evidence of that.

What this means is that the Soviets have been able to direct their resources and talents in other efforts such as aid to Cuba—which is currently running at a rate of a million dollars a day—continued subjugation of the captive nations; sending missiles and technicians to Vietnam to shoot down American planes and pilots; and continued space exploration and development for military purposes.

While certain nations are exporting wheat to Russia, she is continuing to export Communist totalitarianism throughout the world.

The wheat that we and other nations are selling the U.S.S.R. helps it to continue its nefarious schemes. It will get around to agriculture when it feels like it.

Without wheat from the free world, the Soviets would be faced with a serious crisis on the homefront. To eliminate that disadvantage by wheat sales is not in the national interest for the United States.

Mr. President, food for peace, yes; food for war and to our enemies in that war, no.

SUPPLEMENTAL FARM LABOR

One of the provisions of the bill that had my support is section 706. In it the Secretary of Agriculture would have been given authority and responsibility for determining what supplementary labor is needed for the production and harvesting of farm crops.

As often as Mr. Freeman and this Senator have had our differences of opinion on agricultural issues, the Secretary of Agriculture gets my complete endorsement as being the Cabinet member most able to decide the important question of what supplemental labor is needed to plant, care for, and harvest certain crops.

Virtually all of the crops where the assistance of Mexican and other nationals are needed to help are perishable commodities which are not in surplus or underwritten by Government farm programs. These include strawberries, tomatoes, peaches, citrus fruit, sugarcane, and the like.

Many States were hard hit this year by the administration's arbitrary and unreasonable policy of drastically reducing the number of Mexican nationals and others to be allowed to enter the country to help our farmers. The junior Senator from California [Mr. MURPHY], the senior Senator from Florida [Mr. HOLLAND], the junior Senator from Texas [Mr. TOWER], and several others have so effectively brought to the Senate the grim story of the hardships and financial losses the present policy has cost many of our farmers.

In any event, the transfer of authority from the Secretary of Labor to the Secretary of Agriculture would have been in the best interest of American agriculture.

I regret the Senate's decision to delete this section. Had only one more vote been cast on the side of the farmer, Vice President HUMPHREY's tie-breaking vote for the union-supported position would not have been necessary.

ALTERNATIVES

Mr. President, while this bill has some objectives which may be laudable, I cannot support it. It perpetuates programs which have failed. It makes the farmer increasingly dependent on the Federal Government. I believe the American farmer is entitled to something better than the administration has given him in the form of this bill.

Fortunately, there are alternatives. Other Senators as well as I have suggested them during debate on agricultural legislation for the past few years. We can set for ourselves goals which will go in precisely the opposite direction to which the present bill aims. The direction of the farm program toward ever-increasing dependence on direct checks from the Government to bolster farm income can lead only to making of agriculture a virtual public utility, with a Washington bureaucracy in effect issuing licenses and franchises.

The opposite direction is the one which holds greater promise. That is toward fewer, not more, Government controls.

Let us decide on a transition with order and equity.

We should begin by taking the farmer from the precipice where the present bill puts him with an order to jump or else, and lead him gradually to the safety and benefits of the free and open market.

We should develop a long-range program which each year will see the Government withdrawing more and more as farmers adjust to the changing situation.

This transition period would necessarily be a long one. It would take years. It would not be a cessation of all farm programs at once.

During the transition period, the farmer must be assisted financially and, even more important, he must be supported with sensible programs of research which find new uses for his products, new markets, and new approaches to reducing his cost of doing business.

The direction toward a solution to our difficulty has already been pointed out. Its ingredients include an effective land retirement program which profits from the mistakes of the past and avoids them in the future; elimination of the vicious competition between the farmer and the Government with its huge stores of Commodity Credit Corporation stocks; an orderly cutoff of wheat allotments and marketing quotas; a relationship between the support price for wheat and that for corn and other feeds that will be sensible and practical; limitation of agricultural conservation payments.

This approach is to be found in bills I have cosponsored in the past. In fact, a bill for this congressional session, namely, S. 891, is still pending in the Senate Agriculture Committee. Unfortunately, scant consideration has been given to this measure. Bills such as this provide a vehicle, however, upon which to embark in this quest for a new approach and a new philosophy in our Government farm programs. One in which there will be hope. One which will not constantly continue to drag agriculture down to ever lower depths. It can be done.

I cannot believe that the genius which can place men in orbit around the earth for days on end, and that can aspire to landing men on the moon and bringing them back; and that can produce revolutionary farm technology as well as other wonders in industrial and commercial areas—I cannot believe that such genius cannot solve the problem of abundance. It can be done if only we have the will to set ourselves to the task.

Mr. President, these remarks are based on the assumption that the American farmer wishes to be free.

It is more than an assumption. It is a conviction.

Unhappily, this bill delays the day that he will be freed of Government interference and Government dictation under self-defeating programs which have failed in the past and will fail in the future.

The American farmer deserves something much better than this bill.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I am supporting H.R. 9811—the farm bill—not because I feel this bill will bring the farmers the full parity of income to which they are entitled but because it appears this is the best farm bill we can enact at this time. I am disappointed in the fact that with rising farm costs and with the parity figure standing at 78 percent that the legislation before us does not contain provisions to bring the farmer full parity and assuring him of the right to equal status in our economic society.

It is encouraging to note that the Senate Agriculture Committee and the Senate as a whole has determined that the program will be effective for 4 years. This will give the farm operator an opportunity to plan his operations on a systematic basis so as to implement his sagging economic status.

It is encouraging that the Senate Agriculture Committee and the Senate have adopted provisions advanced by "Mr. Wheat," Senator MILTON YOUNG, of North Dakota, which would assure wheat farmers of a blend price of $1.90 for their wheat in the next 4 years. This is 21 cents over the blend price of the past crop year and 9 cents above the blend price as approved in the House of Representatives. I sincerely hope that the Senate version will prevail in conference and that wheat farmers will be able to make their plans for the next crop years based on a minimum blend price of $1.90 per bushel.

While there are only few minor changes in the feed grain portion of the bill I am disappointed that more discretionary authority is granted to the Secretary to lower the loan price still further and to make up the difference through increased production payments, if he so desires. This increased flexibility could well mean a reduced return to the farmers in the future.

The new provision in the extension of the Wool Act is most encouraging. It should increase price support levels by at least 2 to 3 cents per pound.

Both bills contain land retirement programs which compensate the farmer for his idle crop acres. These contracts will be for from 5 to 10 years and they can be either made on a bid basis or on a negotiated price basis. Provisions are contained to protect the various communities from suffering economic losses by prohibiting the placing under soil bank contracts too many acres in any one area.

All in all the new programs mean some improvement over present programs. While it does not provide as high an income to our farm producers as it should it does help. I hope that the programs will be administered as effectively as possible to give to our farmers an improved financial return at least moving their income upward from the disastrous 78 percent of parity which currently prevails after even worse disparities running as low as 75 percent of parity the past few years. Our farmers are entitled to a fair price for a full crop. Unhappily, this bill does not even remotely approach that goal but it does at least provide a modest step in the right direction.

I am also encouraged and gratified by the fact that Chairman ELLENDER has agreed to hold special committee hearings on the desirability of increasing the present 105-percent floor under which CCC stocks of wheat cannot be sold. I am hopeful these hearings will produce changes increasing this floor to 110 or 115 percent of current price supports plus carrying charges.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Wyoming.

Mr. McGEE. Mr. President, we have spent many hours of late in discussion of the farm bill, but I would now like to turn, for a short while, to the other end of the transmission belt of life. We have all heard a good deal of late, too, about the rising cost of food; indeed, about the rising cost of living. And many people have been wondering, no doubt, why they spend so much on groceries.

Mr. President, Changing Times, the Kiplinger magazine, this month carries an elucidating article entitled "Why You Spend So Much on Groceries." It amounts to a good explanation of at least part of the factors that go into determining the price the American housewife pays for her family's sustenance at the supermarket checkout counter—including an explanation of the margin used by the retailer to determine what he makes on any given item. Many practices common to the trade are discussed briefly in this article—practices which currently are being examined in minute detail by the National Commission on Food Marketing, which has been charged by the Congress with probing the gap that exists between the prices paid to producers of our food and those charged the consumer.

Mr. President, I ask unanimous consent that the article from September's issue of Changing Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Why You Spend So Much on Groceries: Unless You're Savvy Inside the Supermarket, You Always Spend More Than You Mean To

You've just done your weekly stint at the supermarket. As you unload, a question nags you: Where did all that money go?

It's not that you mind the grocer's getting his. You really don't feel the farmer has sandbagged you, either. In general, you appreciate that food is one of the biggest bargains around. What nettles you in this sense of personal ineffectiveness, this feeling that your spending is out of control. You always come out of the supermarket having spent more than you meant to. How come?

Well, look at that price tape again. How many items are nonfood items—cooking utensils, phonograph records, cosmetics, light bulbs, even encyclopedias and stretch pants?

Only a few years ago, you would have bought those things elsewhere, not at a food store.

Now they all go on one ticket. So maybe it isn't just your food buying that is out of line; several kinds of spending may share the blame.

To understand what comes over you in the supermarket, though, you've got to recognize that you may know less about shopping there than you think you do—and that the supermarket men may know things about your habits that you hardly suspect yourself.

DO YOU REALLY KNOW PRICES?

One food industry executive claims that the average housewife can "give lessons to a Yankee horse trader." As he sees it, her computer-like mind leads her straight past all promotional pizzazz to the best buys for her money.

The sad truth, however, seems to be that the average shopper knows the exact price of hardly anything.

A couple of years ago, a study by the Colonial food chain and Progressive Grocer magazine found that among 59 heavily advertised products, shoppers could consistently and accurately give the price of only one item—cokes by the carton. Even with such staples as Crest toothpaste, Heinz catsup and giant-size Tide soap, no more than 15 shoppers in 100 could hit the exact price and only 1 out of 4 could come within 5 percent.

"Our typical shopper," the report concluded, "can recognize a bargain in only about 20 percent of the items regularly promoted. She has only a vague idea of what the regular price of the promoted item is."

DO YOU KNOW THE GROCER'S WAYS?

That isn't all the grocer knows about you, either. His insight into your psyche also tells him that many of you are restless, never satisfied and lousy at arithmetic.

He knows you'll spend about 30 minutes in his store and that, if you are feeding four mouths, you'll spend about $40. He also knows that for every minute you tarry over half an hour, you'll spend 50 cents more.

Accordingly, he does all he can to encourage you to come in—and to linger. He cools his store, pipes in soft music, paints the ceiling mauve, cashes your checks, installs kiddie corners and coffee bars.

Then he has many little ploys and gambits to tempt the hand that fills the basket, such as multiple pricing. If a can is stamped "two for" sales soar. Sales of a 46-ounce can of tomoto juice at 33 cents each zoomed 70 percent when offered "3 for 99 cents." Sales of items normally sold in multiples plummeted when switched to singles.

The grocer can even make you spend just by the way he shows his wares, whether or not the item is a bargain.

One Saturday recently a mountain of canned fruit punch stood at the end of an aisle. A modest blue-lettered sign announced it was a "spotlight-of-the-week" item. But the price was the same as usually charged.

Meanwhile, farther back and harder to reach was another stack of a similar fruit punch. Over this hung a very large red sign marking these as specials, which indeed they were. Yet the "special" lay almost untouched while the "spotlighted" item—offering no bargain at all—was moving briskly.

Apparently, if you have to stretch or bend to get at anything, you won't buy it. If you have to walk into it, you will buy. And you'll buy more from a full shelf or display rack than from one that's half empty.

Attention getters like bright little signs, shelf extenders and dangling baskets are magnets for your money, too. An extender display of hand lotion in one store's detergent section, for instance, boosted lotion sales 60 percent.

Who is most vulnerable to these blandishments? The shopper who enters the store with only a sketchy shopping list or none at all?

A Du Pont Co. survey showed that while about 30 percent of supermarket patrons carefully chart their course ahead of time, more than 50 percent shop with only fuzzy notions of what they will buy. And more and more buying decisions are being made after the customer gets in the store—58 percent in 1949, 73 percent in 1959.

IS CONVENIENCE EXPENSIVE?

Once when you shopped for potatoes, that was what you got—potatoes, by the sack. Today the store still carries "old-fashioned" potatoes, but you also can get them au gratin, scalloped, hash browned, flaked, dehydrated and in little frozen puffs.

Hundreds of other foods have, like the potato, become convenience foods. That is, they have undergone away from home some of the preparation traditionally done in the home. These partly prepared foods now account for about 15 percent of all foods sold in grocery stores.

As you might expect, convenience has its price. But it would be a mistake to assume that its price is always high. Indeed, when the Agriculture Department studied 158 convenience foods, it found 42 that would have cost more to buy and fix from scratch.

In this category, the biggest bargain was frozen concentrated orange juice. Others were frozen lima beans, canned orange juice, packaged and canned spaghetti, canned cherries, chicken chow mein and devil's food cake mix. At the other end of the scale ready-to-serve yeast rolls, brown-and-serve yeast rolls, frozen chicken and turkey dinners, frozen broccoli and precooked rice were the items most expensive in comparison to their do-it-yourself equivalents.

SHOP THE WEEKEND SPECIALS?

During 1 year an Agriculture Department survey found two neighboring Greensboro, N.C., supermarkets advertised 20 weekend specials on chuck roast at 33 cents to 49 cents a pound. Had you bought 5 pounds of chuck roast on each of these weekends, your bill would have come to $39.30. Had you bought the same meat on Tuesday, it would have cost you $62.30, or $23 more.

After pricing 230 items in the two stores, the report concluded: "Tuesday prices averaged from about 7 percent to 10 percent higher than Friday (weekend) prices."

It was found that one store changed prices more often than the other, but the second store's price cuts were more substantial. Yet prices between the two averaged out almost exactly over a 3-month period. So you can't watch prices for a short time, conclude that "prices always are lower" at one store and shop there forever after. To benefit from special prices, you have to keep comparing.

WHAT ABOUT STAMPS? AND DISCOUNTS?

Debate still rages over whether trading stamps are good or bad and who pays for them. The grocer knows they cost him 2 to 2½ cents out of every sales dollar, but just who absorbs this cost is still in question.

Willard Mueller, a Federal Trade Commission economist, says "Quite obviously the increasing use of trading stamps has accounted for a substantial share of recent increases in operating expenses of large retailers. Trading stamps may prove an effective promotion technique for an individual store because they expand its demand, thereby cutting per-unit costs by an amount exceeding the cost of the stamps.

"But they lose most of their effectiveness once a majority of food retailers in an area adopts them. They then tend to increase costs by an amount nearly equal to the cost of the stamps. While people may disagree as to the net effect of trading stamps on retail margins, stamp costs clearly raise margins when all, or most, retailers in an area employ them."

The moral: If everybody in town is giving stamps, you probably can ignore the stamps in making your buying decisions and shop on the basis of normal price comparisons.

Many shoppers apparently would prefer lower prices to stamps anyway. When Colonial asked its customers if they would continue to shop there if stamps were eliminated and prices lowered, only 11 percent said they would take their business elsewhere; 6 percent were undecided.

A still newer wrinkle is the "discount supermarket." These are growing fast. There were six discounters in Detroit in 1961 and 79 2 years later. Many try to look austere. Appearances are no substitute for comparisons, though. A spot check of a large discount operation and a nearbly "regular" chain retailer uncovered a number of items on which the "regular" store undersold the discounter.

DO YOU FIGURE PRICE PER UNIT?

You can't make your money go further unless you know what you get when you spend it. That principle is easier to preach than to practice, thanks to the oddities of modern packaging with its incomparable confusion of weights, measures, and sizes.

Esther Peterson, the President's Assistant for Consumer Affairs, put it this way to a convention of grocers: "I defy anyone to figure out the best buy among these choices in a relatively short period of time:

"Family size—6.75 ounces, 66 cents; extra large—5 ounces, 55 cents; large—3.25 ounces, 42 cents; medium—1.75 ounces, 25 cents."

All these, incidentally were products made by a single manufacturer. Your problem is multiplied by the number of competing brands standing cheek to cheek on the same shelf.

When you come to a package with a measure too intricate to fathom by normal arithmetic, there is something you can do. Buy another brand and be sure to tell the store manager why you switched.

FOUR KEYS TO CONTROL

It's an enticing world, inside that supermarket. It's exciting, even bewildering. But there's no reason to despair. You can enjoy your shopping and yet stay solvent by following four rules.

Pay attention to prices. Even prices for the lowliest staples go up and down. You'll never be able to recognize a good buy until you know what you usually pay.

Note cost per unit. When things are sold in multiples, figure out what you pay for one. Do the same for things sold by weight. Then you have a solid basis for comparing prices.

Make a list. Know what you need, go get it and fight back that impulse to pick up stuff you neither want nor need.

Compare. Simple rules. They don't oblige you to cinch in your belt, vow poverty, or lower your living standard.

In fact, you can live as high as you please. Luxury in the supermarket is okay—if you want it, if you can afford it, and if you can learn the art of living well while keeping your spending under control.

WHERE YOUR MONEY GOES

Out of every dollar you spend at a chain supermarket, the store uses 78 cents on the average to buy the merchandise it sells you. The other 22 cents goes for the store's (and the chain's) operating expenses—everything from salaries to cash register repairs—and profit. After all the expenses are paid, including income taxes, the company will have a little over a penny of your dollar left. And when all the pennies have been added up, the stockholders will show a profit of about 10 percent on invested capital.

Those figures are national averages—actual amounts vary from chain to chain, place to place, store to store. They are the 1963-64 results of a continuing study of supermarket economics that has been carried on for years by Harvard and Cornell.

The key figure in grocery-store accounting is a percentage that is commonly called "margin." It's the share of sales revenue that goes for expenses, taxes, and profit, and it currently averages about 22 percent. You can learn some interesting behind-the-scenes facts by inspecting margin figures.

The trend is up

Average supermarket margins have inched up over the past 10 years. Higher payrolls plus two other cost items account for most of the rise. Proportionately more is spent on real estate, heat, light, refrigeration, etc.—a reflection of bigger and fancier stores. And more is spent on advertising, including "promotional giveaways" and trading stamps. Look at this comparison:

[In percent]

In the year—	Margins in large supermarkets averaged—	Expenses for advertising, stamps, and giveaways averaged—
1955	18.1	0.7
1963	22.5	2.6

Some items yield more than others

The store's margin is not the same on everything it sells. On some merchandise—gourmet foods, some nonfood items, for example—the margin tends to be relatively high; on others—coffee, flour, sugar—the margin is generally small. The Du Pont survey mentioned in the text checked item-by-item margins in 225 supermarkets across the country. Here are some samples. Note both the difference between items and the range among the various stores:

	Margin (percent)
Bread	16-25
Coffee	8-14
Candy	25-30
Meat—fresh	18-28
Baby food	12-16
Flour	9-13
Gourmet foods	25-50
Soups	10-15
Spices	29-32
Soap, soap flakes, detergents	10-30
Eggs	9-15
Milk—fresh	11-17
Tomatoes	28-38
Frozen juices	17-20
Drugs, toiletries	23-35

Where do the profits come from?

Margins on individual items are only one little piece of the store's profit picture. High-margin items may contribute relatively little to the overall profits, and low-margin ones may contribute a great deal. It depends on such things as sales volume, shelf space used, the inventory kept in stock.

The study of the Colonial supermarket chain, referred to in the accompanying article, gives a good idea of how all the pieces fit together. The average Colonial market was operating on a 20-percent margin—of the $44,000-plus that went into the cash registers in an average week, it had just under $9,000 left for operating expenses and profit. Margins on individual items ranged all over the lot: as little as 3 percent on corn bread mix, as much as 57 percent on toothbrushes. But suppose you were a typical Colonial shopper. By the time you had spent $100 in the store, here is what you would have bought, and here is what the store would have realized from your spending:

The items you bought	The amount you spent	The store's percentage margin	The store's dollar margin
Meat	$24.09	17.4	$4.20
Produce	6.80	28.4	1.93
Dairy products	9.34	16.6	1.55
Frozen foods	3.75	27.3	1.03
Bakery goods	4.63	18.1	.84
Dry groceries	45.78	19.2	8.81
Nonfood items	5.61	29.3	1.64
Total	$100.00	--------	$20.00

A LOGICAL APPROACH TO THE WOOL SECTION

Mr. McGEE. Mr. President, the section of the bill we are now considering which relates to our domestic wool industry is to me a most commendable section and one which will go a long way toward preserving and strengthening the economic independence of this vital part of our agricultural economy. This is not to say that I consider this section without shortcoming, and I would like briefly now to spell out its advantages vis-a-vis the House provisions of this same section and what I consider to be some shortcomings in our version of this proposal.

The Senate version of the wool section establishes the formula for incentive price supports based on the cost of production for determining the incentive price. This price would increase or decrease in direct relationship to production costs. However, the House version would establish a floor of 77 percent of parity for the incentive price level. This proposal fails to take into account that the parity price of wool is affected by prices of other farm commodities and will vary from month to month regardless of factors affecting sheep and wool production.

A second difference in the two versions of this section is that the Senate bill would put to rest any speculation that the incentive level could or should be increased simply to spend all of the funds authorized. In our version of this section, the 3-year period—1958-60—was selected as the base to calculate the level since wool production increased during that period. The House version provides for a minimum incentive level so it still could be contended that the Secretary should increase the incentive level beyond logic and reason.

The version of the section proposed by this body relieves the Secretary of Agriculture of the responsibility of establishing each year the incentive price level and would thus relieve the wool industry from annual distress and uncertainty as to what the incentive level would be for the next year.

Mr. President, I should like to point out that the incentive price level for wool has remained at 62 cents during the 11 years that the National Wool Act has been in effect, even though production costs have risen 15 percent during that time. The version of this bill we have considered would permit an increase in the incentive level of 4½ percent for 1966 and a moderate increase of ½ to 1 cent per pound annually provided the cost-of-living index continues to rise.

The preceding is an explanation why I think our version of this bill is demonstrably superior to the version considered by the other body. However, in one instance, I believe that we have included a provision which has not been sought by any segment of the wool industry and which will create considerable confusion and promote inequities in this program. I refer to the provision which would "make price support available to producers marketing not in excess of 1,000 pounds of wool in any marketing year at a level not more than 5 cents per pound higher than the level made available to producers marketing in excess of 1,000 pounds in such marketing year."

Under this provision the distinct possibility arises that unscrupulous growers could defraud the Government through the splitting of sales and the selling of wool under the names of different members of the same family to obtain the higher price supports per pound.

This provision would also increase the costs of this program by more than $2 million annually and would create a substantial increase in the costs of the administration of the program.

It should be pointed out that, under this provision, payments would vary from a few cents to some producers to a maximum of $50 to others. The average would be approximately $12.50 per year, a figure which I do not believe would spell the difference between economic success and failure for any farmer.

The proposal to make payments on a flat per pound rate would discourage the efficient production and marketing of wool by increasing payments to the small producer who markets wet and dirty wool and thus would receive more money because of the heavier shearing weight. And, finally, Mr. President, it seems to me incongruous that we are supporting a program which would pay higher payments to a man marketing 1,000 pounds of wool than to a man who markets several hundred pounds in excess of that amount.

The above reasons, Mr. President, explain why I believe that this bill has basic strengths which make it superior to that considered in the other body and point out a significant weakness in the proposal to provide additional incentive payments to the small producer.

Mr. AIKEN. I yield back the remainder of my time on the bill.

The PRESIDING OFFICER. All time having been yielded back, the question is, Shall the bill pass? On this question the yeas and nays have been requested and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RIBICOFF (when his name was called). On this vote I have a pair with the Senator from Oklahoma [Mr. MONRONEY]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Jersey [Mr. WILLIAMS] is absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Utah would vote "nay."

Mr. KUCHEL. I announce that the Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

The Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Utah would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 72, nays 22, as follows:

[No. 259 Leg.]

YEAS—72

Aiken
Allott
Bartlett
Bass
Bible
Burdick
Byrd, W. Va.
Carlson
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hill
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McNamara
Metcalf
Miller
Mondale
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Russell, S.C.
Russell, Ga.
Smathers
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—22

Bayh
Boggs
Brewster
Byrd, Va.
Cannon
Case
Cotton
Curtis
Fong
Hickenlooper
Holland
Hruska
Javits
Jordan, Idaho
Lausche
McIntyre
Morton
Robertson
Saltonstall
Simpson
Smith
Williams, Del.

NOT VOTING—6

Anderson
Bennett
Monroney
Ribicoff
Scott
Williams, N.J.

So the bill (H.R. 9811) was passed.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the bill (H.R. 9811) was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make certain technical corrections in the engrossment of the Senate amendment.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I move that the bill as passed be printed.

The motion was agreed to.

Mr. ELLENDER. Mr. President, I move that the Senate insist on its amendments and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER conferees on the part of the Senate.

THE NATIONAL WOOL ACT

Mr. ALLOTT. Mr. President, the sheep industry of this country has been hard pressed for many years. It has suffered principally from cheap foreign competition in form of excessive meat imports and excessive wool and wool products imports. As I pointed out in this Chamber on March 5, 1964, during the debate on the Hruska amendment to the Agricultural Act of 1964 (H.R. 6196), lamb and mutton imports from Australia increased from 1957 to 1963 by 4,583 percent, or from 1.4 million pounds in 1957, to 67.5 million pounds in 1963. Virtually no domestic industry could survive such a situation, and the sheep industry is no exception. Unlike the cattle industry, the sheep industry is based on two crops: namely, wool and meat. Both markets must be in a reasonably healthy condition in order for the sheepman to come out on his expenses in these days of high costs. Imports of finished woolen products have also greatly increased over the years, while at the same time consumption of wool by domestic mills has greatly decreased. In 1957 our imports of finished woolen apparel exceeded our exports by 67 million pounds, whereas in 1963 our imports exceeded our exports by 112.4 million pounds. Virtually all of the domestic wool production finds its way into domestic mills, whereas wool imports, now entering this country primarily in the form of finished products, are merely distributed to the retail outlets. Consequently, the economic health of the domestic woolgrower has a direct bearing upon the economic health of the domestic woolen mill, and this in turn has an effect on the level of unemployment and upon the economy as a whole.

Statements have been made that the National Wool Act has failed to boost wool production in the United States. While it is true that shorn wool production in 1964 was 14 million pounds less than it was in the year of enactment of the National Wool Act, 1954, nevertheless, during the first 6 years of its operation there was a steady increase in the domestic production of shorn wool by about 29 million pounds: from 236 million pounds in 1954, to 265 million pounds in 1960. By correlating this trend with the increase in lamb and mutton imports one can see that these imports were an important factor in offsetting the beneficial effects of the National Wool Act.

Another important factor is the administration of the program. The Secretary of Agriculture established the incentive price at 62 cents 11 years ago when the National Wool Act became law. Since that time the incentive price has not changed. Considering the inflation we have experienced during recent years, a price that may have been an incentive price 11 years ago will no longer have that effect. While the incentive price remained static at 62 cents per pound, farmers were experiencing an increase in their costs by about 12.6 percent. Another way of expressing it is that when the 62-cent incentive price was established it was approximately parity or a little above, however, that price is now only about 75 percent of parity. For whatever reason, the incentive price was not increased to keep pace with changing conditions. Since 1960, at least, it has not only not produced the desired results, but in fact, domestic production in 1964 dropped to a level which was 14 million pounds less than in 1954. The crop for 1965 promises to be even smaller. An incentive price that fails to keep pace with changing conditions becomes ineffective. It is not the National Wool Act that has failed, it is the administration of the Wool Act that has failed. While our sheep production continues to decline from the 1960 level and domestic wool production has also necessarily declined, foreign goods are taking an increasingly larger share of the U.S. market.

Another factor contributing to the decline of wool production has been the serious drought conditions that have affected several of our important sheep-producing States since the inception of that program. Texas, for example, which accounts for approximately one-fifth of the Nation's wool production, has had several serious drought periods since 1954. New Mexico in the last year has had a decline of sheep production due to drought conditions.

Other contributing factors to the decline of wool production have been reductions in grazing allotments on Federal lands, difficulties in securing efficient herders, and losses from predatory animals.

It can be seen, therefore, that while there are several factors contributing to our failure to reach the statutory production goal of 300 million pounds of shorn wool per year, the two chief obstacles to achieving that goal were the failure to keep the incentive price alined to any degree with the increases in costs, and massive imports of foreign meat which depressed the lamb and mutton market. By 1961 the average farm price of lambs had dropped to a low of $15.80 per hundred pounds. This hit the sheep producers in my State of Colorado particularly hard because income from lamb is a most important factor in Colorado sheep production. This is also true of a number of our Western States. However, the February 1964 meat agreements between the United States and Australia and New Zealand did have some effect in stabilizing the situation by limiting increases in the level of imports from those countries.

It should also be pointed out that the National Wool Act was responsible for alleviating the liquidation trend caused by drought and marketing conditions. Furthermore, the Wool Act was a factor in increasing our sheep production during the 3 years 1958 through 1960. Many growers have stated to me that they would not be in the sheep industry today if it had not been for the National Wool Act.

Because the Secretary has failed to act or has declined to act for whatever reason, it has become obvious that if wool is to remain a domestically produced commodity of any significance, affirmative action must be taken by the Congress. The formula contained in this measure as reported by the committee would automatically adjust the incentive price to a level which would approximate 78 percent of parity. According to recent Department of Agriculture figures, prices for all farm products averaged at 78 percent of parity. So, establishing the wool support formula at approximately 78 percent of parity would be in keeping with the general economic level of agriculture, and would not amount to a windfall for the woolgrower. Increases in the incentive prices would be triggered by increases in production costs, and by the same token, decreases in production costs would trigger decreases in incentive prices.

Under the terms of the National Wool Act, up to 70 percent of the duty collections on wool imports may be utilized to make payments to the wool producer under the incentive price program. Total incentive payments have decreased to nearly a third of their 1960 level of $59 million to an estimated $21 million in 1964. Whereas, 70 percent of the duty collections have climbed from $72 million in 1960, to $85 million in 1964. In other words, the differential in 1960 of about $13 million has increased to a differential in 1964 of about $64 million. The cost of the modest increase under the committee bill would be more than offset by the increase in duties collected on wool imports. However, to the woolgrower this modest 3-cents-per-pound increase may make the difference between economic life and economic death.

The National Wool Act has been one of the better farm programs, and it was for that reason, that I was happy to join with over 40 of my colleagues as a cosponsor of the bill to extend this legislation. It is my belief that this measure will tend to stabilize the domestic wool industry, and, it is hoped, arrest its further decline.

DAIRY FOOD PURCHASES PROVISION STRENGTHENS OMNIBUS FARM BILL

Mr. NELSON. Mr. President, the farm bill which was passed today includes a most important new provision, significant both in terms of increased dairy farm income and of greater expansion of agricultural markets overseas. This badly needed shift in national food policy also has an important humanitarian purpose.

It authorizes purchases of dairy products at market prices to meet the needs of foreign and domestic food programs. This will permit orderly and reliable planning of these programs, resulting in more effective administration.

I am pleased that this is in the bill because it is similar to my proposal to permit the Government to make long-term commitments for overseas sale and donation of farm commodities that normally are in surplus.

Domestic and foreign school lunch, welfare and other programs have been extremely important outlets for large stocks of dairy products acquired under the mandatory dairy price-support program. Using cheese, dried milk, and other manufactured dairy products for these programs has prevented accumulation of stocks beyond available storage space.

Donation programs of this size require extensive long-range planning and negotiating and, as a result, program supplies must be committed well in advance. Wide fluctuations in supplies and temporary interruptions in the flow of supplies have led to major problems in establishing and operating these programs.

Fluctuating supplies of surplus nonfat dry milk, for example, have made it difficult to assure a reasonably uniform and continuous flow to donation outlets, both in this country and overseas. And a few months ago butter surplus stocks dipped so low that school lunch allocations were sharply cut and oleomargarine was substituted in domestic programs for welfare and charitable institutions.

There are two major reasons why this occurs. One is the wide seasonal variation in production—and therefore in volume—of surplus available for program uses. The second is the wide fluctuation in commercial sales. Sales of dairy products by the Commodity Credit Corporation to both the domestic and export commercial market have been extremely erratic as a result of changing market supply and demand conditions.

Authorizing the Government to purchase for the purpose of guaranteeing a steady supply also is good for the dairy producer because it tends to strengthen the domestic market. The uneasiness of unprogramed supplies tends to depress the market.

The ability to supply overseas programs on a predictable basis is essential. At the present time the United States is feeding about 40 million schoolchildren in about 80 countries. The main limitations are the shortage of high protein foods such as dairy products and the problem of supplying this program on an orderly basis.

In Latin America, as a result of an intensive Operation Ninos child-feeding food for peace program, the number of schoolchildren participating in school lunch programs has increased to more than 12 million. This means that a generation of bread eaters and milk drinkers is growing up in this area of our hemisphere, creating a major U.S. farm market opportunity for the years ahead.

Assurance of high protein commodities on a predictable basis will encourage governments or other agencies overseas to invest in port, storage, transportation, processing, and distribution facilities needed to utilize more U.S. imports and to integrate the use of more U.S. food into permanent school and welfare programs. These facilities are needed both for intergovernmental and commercial sales through private channels.

This new provision of the farm bill will remove the uncertainty of supply that nations and private relief agencies now face in trying to plan long-range projects involving high protein surplus commodities. It will make it easier to build permanent dollar-earning markets for agricultural commodities, especially dairy products, by guaranteeing supplies for present programs and encouraging new market development projects modeled after the Japanese school milk program.

This program, which has been built on an unofficial long-term commitment policy to assure an adequate and steady supply, has helped make Japan one of our best markets for U.S. farm exports. The supply feature, used first for donations and later for sales to Japan, was essential in developing the lunch program into a major dollar market.

The program began in 1947 with Japanese school distribution by U.S. military forces of fluid milk made with 5 million pounds of nonfat dry milk. At that time Japanese children normally did not drink milk. Since then the program has developed into a permanent cash market with Japan.

The 99 million pounds of nonfat dry milk sold to the Government of Japan on June 2 of this year for use in the school lunch program brought total sales since 1950 to nearly 868 million pounds. In 1964–65 more than half of Japan's school age children were supplied at school with high quality U.S. milk.

It is clear that Japan has become, by virtue of this program, an assured and growing dollar market for nonfat dry milk. It is clear too, that the demand for milk also is strong among those now grown beyond school age and that these milk-consuming adults constitute a major market for private commercial exports from this country.

This dairy products provision of the farm bill will make this major condition of the successful Japanese experience—a dependable supply over a period of several years—more generally available to other nations and to our many overseas relief agencies. It also will make our domestic school lunch and other welfare programs more orderly and effective.

Mr. McCARTHY subsequently said: Mr. President, I believe the farm bill approved by the Senate today is a very constructive measure.

It does not represent a radical departure from the progams of the past but continues what is valuable from the traditional programs and adds to them.

First. The programs will provide substantial assistance to farmers in their efforts to secure a fair return for their work and investment. In the absence of commodity programs, net farm income would be cut in half and the entire farm family system put in jeopardy. Of course, the programs provided by the bill will not fully solve the farm income problem. Even if the programs can be carried out to the maximum support level permitted by the bill, the American farmers would not receive full parity of income. However, the programs approved today will provide a floor under the market price of several important farm commodities. From this it will be possible to move with a variety of other means to improve farm income.

Second. The bill is a comprehensive measure. It contains an extension of the feed-grain program which has enjoyed general acceptance and greatly reduced the feed grain problem. This program is important in itself as an assistance to feed grain producers. It is also important to livestock and poultry producers. If we had no feed grain program, there would be a sharp drop in feed prices and a resulting overproduction of livestock and lower prices.

The bill provides a continuation and improvement of the wheat program with a provision to raise wheat income. The McGovern amendment further improves the program and provides a better procedure for exports. I believe that the proposal of Senator TALMADGE for the cotton program which was adopted on the floor, offers a better long-run prospect for improving the cotton situation and will be more effective both to maintain cotton income and to make cotton competitive for export and for use by domestic mills.

The measure also extends the wool program and improves it by fixing the support at a percentage level and by providing a higher support to producers whose annual marketings do not exceed 1,000 pounds. The costs of production for wool have increased year by year but the support level has been the same since 1955. Wool production has decreased in recent years. The provisions of the bill will help this situation.

The bill also includes a cropland adjustment program, which is a revision and improvement of the soil bank. Taken together with the diversion provisions of the commodity programs, it will be useful in bringing supplies somewhat into line with the demand for food and fiber.

Third. The Senate bill extends the major commodity programs for 4 years. The recent feed grain, wheat and cotton programs have been approved for only 2 years, and the effectiveness of the programs has been limited by doubt and insecurity about the future of the programs. The 4-year authorization will make it easier for farmers, processors and all related farm industries to plan with greater knowledge and confidence.

Fourth. The provisions of the bill provide more flexible programs and will give farmers a better opportunity to make adjustments suited to their individual farming operations.

I regret that the bill does not contain a provision for a comprehensive dairy program. The return to dairy farmers has been discouragingly low for several year. A large surplus continues to hang over the market and tends to keep the price at the 75 percent of parity support level. In my opinion the Proxmire amendment is a minor adjustment and inadequate to meet the serious dairy problems. It is possible that over a period of years, depending upon how many Federal orders are amended to adopt the class I base plan, the incentive to expand milk production will be reduced. However, the provision is of little or no value in meeting the present serious economic difficulties of dairy farmers in areas where production is used largely for manufacturing purposes.

Since 1959 dairy farmers and their families have earned less for their labor than have farmers generally. The average hourly return to the dairy farmer is only one-half to two-thirds as large as the hourly earnings from farming generally—and that general average is only $1.06 per hour in 1964. Dairying is a demanding occupation and it requires farmers to be most attentive to their work every day of the year. Dairy farmers, as have other farm producers, have been making adjustments in their operations and increasing productivity and the efficiency of their operations. Yet they are economically worse off than before.

The bill adopted by the House contained language not only for a class I base plan but also to clarify that Federal order markets can be established for milk used for processed dairy products. I urge that this section be accepted in conference. I hope that the conferees will consult with Department officials about the most effective language to authorize Federal orders for manufacturing milk and that they will give consideration to the provision in the bill which I introduced, S. 2242, relating to Federal orders for manufacturing milk.

However, even if both the class I base plan and authorization of orders for manufacturing milk are included in the conference report, the major problems of dairy farmers will still remain. It is my hope that with the adoption of 4-year programs for wheat, feed grains, cotton and wool, the Congress will have the opportunity to make a thorough study of the dairy situation and to develop a better dairy program.

Mr. MANSFIELD. Mr. President, few legislative measures are as vital to the economy and well-being of this country and at the same time as complex as the Food and Agriculture Act of 1965, which the Senate has just passed. A brief statement of the purposes of the agriculture bill is sufficient proof of both its importance and its complexity. The goals of the bill are to maintain farm income, to stabilize prices, and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, and to afford greater economic opportunity in rural areas.

Mr. President, that is a mouthful. But one thing has been made very clear by this body's treatment of the bill—that is, that it would require an equal mouthful to sing the praises of the Senate as a whole and of the able manager of this bill in particular for the meticulous and complete treatment which this vital measure has received.

There is no floor manager of any bill who is more diligent, fair and well-prepared than the very capable senior Senator from Louisiana [Mr. ELLENDER]. In his own inimitable fashion, he has educated himself on all aspects of the complicated farm problem; he has investigated all suggestions and all possibilities; he has patiently put together a piece of legislation which has gone far toward satisfying many interested groups and coping with a multitude of problems. He is to be congratulated and thanked for his unselfish dedication to the goal of solution of the very difficult problems faced by our farming community.

There is no doubt that the task of the distinguished senior Senator from Louisiana was lightened by the hard work and unselfish participation of the other members of the Senate Committee on Agriculture and Forestry. Each member of that committee, both Democrat and Republican, has performed ably and conscientiously in hammering out the provisions of this bill. Important amendments were persuasively presented by committee members, including especially the distinguished junior Senator from Georgia [Mr. TALMADGE], the distinguished junior Senator from Tennessee [Mr. BASS], the distinguished junior Senator from South Dakota [Mr. MCGOVERN], the distinguished senior Senator from Vermont [Mr. AIKEN], the distinguished senior Senator from North Dakota [Mr. YOUNG], and the distinguished junior Senator from Iowa [Mr. MILLER].

Equally important amendments were inserted in the bill in committee at the capable suggestion of many of its members. Of special import were the proposals of the senior Senator from Florida [Mr. HOLLAND], the junior Senator from Minnesota [Mr. MONDALE], the senior Senator from Vermont [Mr. AIKEN], and the senior Senator from North Dakota [Mr. YOUNG]. And undaunted efforts were consistently put forth, by way of participation in debate and discussion and just plain hard, deliberative work on the bill and amendments, by the senior Senator from Mississippi [Mr. EASTLAND], the junior Senator from North Carolina [Mr. JORDAN], the junior Senator from New Mexico [Mr. MONTOYA], the junior Senator from South Carolina [Mr. RUSSELL], the junior Senator from Kentucky [Mr. COOPER], and the junior Senator from Delaware [Mr. BOGGS].

But—and this is an indication of both the importance of the farm bill and the typically high level of the deliberation of the Senate—committee members were far from alone in their work on this bill. Amendments were also proposed and ably argued by Senators not on the committee. I refer especially to the senior Senator from Wisconsin [Mr. PROXMIRE], the senior Senator from Kansas [Mr. CARLSON], the senior Senator from Washington [Mr. MAGNUSON], the senior Senator from Maryland [Mr. BREWSTER], the senior Senator from Connecticut [Mr. DODD], the junior Senator from Virginia [Mr. ROBERTSON], the senior Senator from New York [Mr. JAVITS], the senior Senator from Delaware [Mr. WILLIAMS], the senior Senator from South Dakota [Mr. MUNDT], and others.

Debate and discussion by many other Members of this body was of a uniformly high character. I could literally go down the entire roll of Senators in congratulating and thanking individual Senators for hard and thoughtful work on this measure. I will not, however, detain this body longer except to say that I am especially proud to be a Member of this body in view of its unparalleled deliberation on the farm bill.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the program for the remainder of today, and also for tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, it is the intention of the joint leadership to request shortly that the Chair declare a recess, subject to the call of the Chair, for the purpose of receiving two distinguished guests, their families, and others in their party. I refer specifically to the two astronauts.

Following the convening of the Senate again this afternoon, the leadership has indicated that it would like to take up the Vienna Convention on Diplomatic Relations and Optional Protocol, which is, to the best of my knowledge, noncontroversial, having been reported unanimously out of the Foreign Relations Committee. It has to do with etiquette and things of that sort. There will be a yea-and-nay vote on it.

Next will be the consideration of conference reports and others which have been acceded to.

Then, the highway improvement bill will be laid before the Senate, and will be the unfinished business tomorrow.

Mr. President, I ask unanimous consent that the distinguished junior Senator from Louisiana [Mr. LONG], be allowed to speak for 20 minutes at the conclusion of the morning hour tomorrow on the Louisiana disaster.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

VISIT TO THE SENATE BY ASTRONAUTS LT. COL. L. GORDON COOPER AND COMDR. CHARLES CONRAD, JR.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself and for the entire Senate, I ask unanimous consent that the Senate stand in recess.

The VICE PRESIDENT. Will the Senator withhold until the Chair appoints a committee of escort?

Mr. MANSFIELD. Yes.

The VICE PRESIDENT. The Chair appoints the Senator from Montana [Mr. MANSFIELD], the Senator from Illinois [Mr. DIRKSEN], the Senator from Louisiana [Mr. LONG], and the Senator from California [Mr. KUCHEL], as a committee of escort for the astronauts and their party.

RECESS

Mr. MANSFIELD. Mr. President, I now renew my request.

The VICE PRESIDENT. Without objection, the Senate stands in recess subject to call of the Chair.

Thereupon, at 4 o'clock and 8 minutes p.m., the Senate took a recess, subject to call of the Chair.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the proceedings in connection with the reception be printed as a part of the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The astronauts, Lt. Col. Gordon Cooper and Comdr. Charles Conrad, Jr., escorted by the committee appointed by the Presiding Officer, and accompanied by Dr. Charles Berry and Dr. Robert C. Seemans, Jr., entered the Chamber and took the places assigned to them immediately in front of the Vice President. [Applause, Senators rising.]

The VICE PRESIDENT. Members of the Senate, distinguished astronauts, members of the NASA organization, wives and families, today, our Capital City has been singularly honored by the presence of Lt. Col. L. Gordon Cooper, Comdr. Charles Conrad, Jr., and Dr. Charles Berry, three gentlemen who have been honored today by the President of the United States, who presented to them the NASA Medal for Exceptional Service. [Applause.]

We are also greatly honored to have with us today Dr. Robert C. Seamans, Jr., Associate Director of the National Aeronautics and Space Administration.

Early today, the National Academy of Sciences was host for a presentation by these distinguished astronauts to scientists and engineers, as they described their 8-day orbital flight.

Later this afternoon, the House of Representatives received them.

I am sure that the Senate wishes to hear from them; and I now take the liberty to present, first, the command pilot, one who has been in outer space in flight time longer than any person in the world, who has broken all records. He has been with us before, because his previous flight was for some 34 hours.

I now present to the Senate, with great honor and privilege, Lt. Col. Gordon Cooper, astronaut. [Applause, Senators arising.]

Colonel COOPER. Mr. Vice President, distinguished guests, and ladies and gentlemen, it is a rare privilege to be here again. I hope we can visit frequently. [Laughter.] It is a rare honor. We appreciate it very much.

Some 5 years ago, we were working very hard to see how many experiments we could put on board a manned space flight. That flight was to go a little over 100 miles in altitude and it was to last the sum total of 15 minutes. We made it.

We conducted several experiments on board, and we proved several people wrong. We proved that man really could last for 15 minutes in space.

As time went on, we moved the flights up to a little longer time, and still a little longer in time, and we got up to the orbital time of six orbits.

Then I was fortunate enough to be able to make a flight of 22 orbits, about 28 months ago. At that time, I was privileged to appear here before many of you.

I was hopeful at that time that I would be given the privilege of making another space flight in which I would have enough time to do many of the things that I ran out of time to do in that 34 hours.

We finally made a flight in which we had enough time to do quite a number of things. The flight lasted a few minutes short of 8 full days, or 190 hours of flight time.

The prime mission of the flight was to show that the man-machine combination could exist in space, that it could do a good job, and return in good shape for a period equal to that of a manned-stay lunar mission.

We have proved that it can be done, that we have environmental control systems which will do the job, that man can remain in a healthy condition and be in a healthy condition when he returns to earth.

Second, we were proving a great many systems on board, including our radar, including onboard computers, including a stable table, by which we could navigate, all of which are vitally necessary for the lunar mission. We have proved that these systems will work, that they are accurate and reliable, and that they do the job they are supposed to do.

Third, we took along some 17 scientific experiments, some of which we did not quite complete. We completed the great majority of them by 100 percent. Several were 85 percent or more completed, and one we were unable to complete.

We had some minor problems onboard. These were primarily concerned with the new and to a certain extent unknown cryogenics, oxygen and hydrogen systems which powered our fuel cells; also several complete new items which had never been flown before in this type of configuration. The fuel cells worked very well, the cryogenics power did not work very well at first, but did work later after we determined that it would operate at a lower pressure than that designed. We managed by "catch as catch can," in some cases, while in drift in flight, to conduct most of the experiments.

We learned a great deal.

I felt many of the same things on this flight that I felt on previous flights.

It was a great deal of pleasure to me, for instance, to observe the feelings of my fellow pilot, Pete Conrad, on many things of great beauty and significance encountered in space, and to observe his reaction as he noticed them for the first time.

We found a great many new things we had not found in space before. We had plenty of time to do it, and a great deal more opportunity to do a great deal of data gathering than we had an opportunity to do before.

I thank you very much for this privilege of appearing before you. I hope I shall have the privilege before very long again, when we have some later space flights. [Applause, Senators rising.]

The VICE PRESIDENT. The partner in Gemini 5, a gentleman who brought honor to himself, his family, and his country, just as did the command pilot, Colonel Cooper, is with us today. He is affectionately known as "Pete." So I introduce to you Comdr. "Pete" Conrad. [Applause, Senators rising.]

Commander CONRAD. Mr. Vice President and Senators, it is a great pleasure to be here today. I mentioned at the press conference, after the flight was over, that the most significant scientific fact that I had noted was that after the flight was over, addressing a group such as this, my heart was at least 50 beats higher than it was at the time of the flight. However, I have my doctor here in case I get into trouble.

"Gordo" has mentioned some of the things about the flight. In particular, it was my joy to see some of the interesting phenomena that we observed. I might mention a few of them to you. Probably for the first time, we observed meteorites entering. I do not remember any other flight reports that mentioned these. The meteorites entered below us. I had to stop to think about that for a minute. When it was said that we might see them, I realized we were going to fly high. I had completely forgotten that we were flying above the atmosphere and that would be the place where we saw the meteorites entering—below us. That was a beautiful sight.

In scientific terms, we observed the aurora south of Australia, and many other interesting phenomena.

We as test pilots are curious people, and I think we like answers to questions, as scientists do. I believe we have brought back some useful data. As I said in the House of Representatives, I have had 11 days of rest and debriefing and 11 days of good sleep, and I am ready to fly again. [Applause, Senators rising.]

The VICE PRESIDENT. While Dr. Berry was not in the space capsule, he operated a good deal of equipment in the space capsule that was attached to these two great astronauts. This noon, as I listened to Dr. Berry explain the medical findings of this flight, I noticed Colonel Cooper and Commander Conrad squirm and twitch as they thought about the little gadgets that were hooked onto them for the purpose of pleasing this doctor. But we are very proud of Dr. Berry. I want him to take a bow and say a few words to the U.S. Senate.

Dr. Berry. [Applause, Senators rising.]

Dr. BERRY. I am very glad that I am not censored at the moment, myself, because I am sure my heart rate would be better than 200 right now. I had no idea, Mr. Vice President, when we talked about coming in earlier to your office that it would be this way.

We are conducting a program such as this, of course, to make man a vital part of such a research effort and to show the facility that man has to gain scientific information, using vehicles such as we are able to build in this country.

"Pete" and Gordon have shown remarkable ability to utilize these vehicles to the fullest extent. Our job is to try to see that they always remain in good condition to perform that particular function.

I think I can report, so far as information has been obtained in this country to date and at the moment, that we are the only ones who have that sort of information for the duration of which we are speaking. We can confidently say that man has been able to perform very well up to 4 days in a weightless State earlier, and on this mission 8 days in a weightless State. He has then been able to readapt back to a 1-G environment. We have living proof of that.

The VICE PRESIDENT. Lest fear and trepidation come to the hearts of the male Members of the Senate, I want you to know that the three ladies in the front row are not as yet Senators, but I think Senator SMITH has been talking to them about that possibility.

May I, therefore, on behalf of the Senate, present to the Senate and to our fellow Americans three ladies with us today, Trudy Cooper, or Mrs. Cooper; Jane, or Mrs. Conrad; and Mrs. Berry. [Applause.]

May I present to my colleagues the members of the families who are in the diplomatic galleries—the Cooper family, the Conrad family, and the Berry family. I believe, Bob Seemans, there must be some of your family up there. I know that Commander Conrad's mother is there.

Is Mrs. Conrad there?

(Mrs. Conrad stood in the diplomatic gallery.) [Applause, Senators rising.]

The VICE PRESIDENT. I know also that three of the Berry children are here. Will they stand?

(The three Berry children stood in the diplomatic gallery.) [Applause, Senators rising.]

The VICE PRESIDENT. I understood that the 2 daughters of Colonel and Mrs. Cooper are present. Will they stand?

(The two daughters of Colonel and Mrs. Cooper stood in the diplomatic gallery.) [Applause, Senators rising.]

The VICE PRESIDENT. I must inform the Senate that the four junior astronauts of the Conrad family whom we met earlier today are drifting about as though in orbit. They are not in orbit right now; they are drifting, and apparently they are not with us. They are at the zoo. [Laughter.] But we had them with us. To show you their intellectual attainment, they were at the National Academy of Science earlier today.

We are very honored to have you with us today, gentlemen. Your achievements, while they are great personal honors to you, and indeed, to our Nation, are also great personal honors to your respective families.

Our space program is a team enterprise—Government, industry, science, universities, skilled workers, astronauts, Department of Defense, NASA.

It sets a good example for the whole country. I am pleased to find a principle of excellence and performance. What better principle could we have than the living manifestation of excellence and performance in our two astronauts, Commander Conrad and Colonel Cooper?

Welcome to the U.S. Senate.

[Applause, Senators rising.]

The VICE PRESIDENT. I am sure that Senators will want to greet our guests.

Thereupon, the astronauts were greeted by Senators in the well of the Senate Chamber.

The Senate reconvened at 4:41 o'clock p.m., upon the expiration of the recess, when called to order by the Presiding Officer (Mr. MONDALE in the chair).

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider Executive H, the Hague Protocol to the Warsaw Convention.

There being no objection, the Senate proceeded to the consideration of executive business.

VIENNA CONVENTION ON DIPLOMATIC RELATIONS, TOGETHER WITH THE OPTIONAL PROTOCOL CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES

The Senate, as in Committee of the Whole, proceeded to consider Executive H (86th Cong., 1st sess.), the Vienna Convention on Diplomatic Relations, Together with the Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 18, 1961, which was read the second time, as follows:

UNITED NATIONS CONFERENCE ON DIPLOMATIC INTERCOURSE AND IMMUNITIES—VIENNA CONVENTION ON DIPLOMATIC RELATIONS

The States Parties to the present Convention,

Recalling that peoples of all nations from ancient times have recognized the status of diplomatic agents,

Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security, and the promotion of friendly relations among nations,

Believing that an international convention on diplomatic intercourse, privileges and immunities would contribute to the development of friendly relations among nations, irrespective of their differing constitutional and social systems,

Realizing that the purpose of such privileges and immunities is not to benefit individuals but to ensure the efficient performance of the functions of diplomatic missions as representing States,

Affirming that the rules of customary international law should continue to govern questions not expressly regulated by the provisions of the present Convention,

Have agreed as follows:

ARTICLE 1

For the purpose of the present Convention, the following expressions shall have the meanings hereunder assigned to them:

(a) the "head of the mission" is the person charged by the sending State with the duty of acting in that capacity;

(b) the "members of the mission" are the head of the mission and the members of the staff of the mission;

(c) the "members of the staff of the mission" are the members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission;

(d) the "members of the diplomatic staff" are the members of the staff of the mission having diplomatic rank;

(e) a "diplomatic agent" is the head of the mission or a member of the diplomatic staff of the mission;

(f) the "members of the administrative and technical staff" are the members of the staff of the mission employed in the administrative and technical service of the mission;

(g) the "members of the service staff" are the members of the staff of the mission in the domestic service of the mission;

(h) a "private servant" is a person who is in the domestic service of a member of the mission and who is not an employee of the sending State;

(i) the "premises of the mission" are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission.

ARTICLE 2

The establishment of diplomatic relations between States, and of permanent diplomatic missions, takes place by mutual consent.

ARTICLE 3

1. The functions of a diplomatic mission consist inter alia in:

(a) representing the sending State in the receiving State;

(b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;

(c) negotiating with the Government of the receiving State;

(d) ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;

(e) promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

2. Nothing in the present Convention shall be construed as preventing the performance of consular functions by a diplomatic mission.

ARTICLE 4

1. The sending State must make certain that the agrément of the receiving State has been given for the person it proposes to accredit as head of the mission to that State.

2. The receiving State is not obliged to give reasons to the sending State for a refusal of agrément.

ARTICLE 5

1. The sending State may, after it has given due notification to the receiving States concerned, accredit a head of mission or assign any member of the diplomatic staff, as the case may be, to more than one State, unless there is express objection by any of the receiving States.

2. If the sending State accredits a head of mission to one or more other States it may establish a diplomatic mission headed by a chargé d'affaires ad interim in each State where the head of mission has not his permanent seat.

3. A head of mission or any member of the diplomatic staff of the mission may act as representative of the sending State to any international organization.

ARTICLE 6

Two or more States may accredit the same person as head of mission to another State, unless objection is offered by the receiving State.

ARTICLE 7

Subject to the provisions of Articles 5, 8, 9, and 11, the sending State may freely appoint the members of the staff of the mission. In the case of military, naval or air attachés, the receiving State may require their names to be submitted beforehand, for its approval.

ARTICLE 8

1. Members of the diplomatic staff of the mission should in principle be of the nationality of the sending State.

2. Members of the diplomatic staff of the mission may not be appointed from among persons having the nationality of the receiving State, except with the consent of that State which may be withdrawn at any time.

3. The receiving State may reserve the same right with regard to nationals of a third State who are not also nationals of the sending State.

ARTICLE 9

1. The receiving State may at any time and without having to explain its decision, notify the sending State that the head of the mission or any member of the diplomatic staff of the mission is persona non grata or that any other member of the staff of the mission is not acceptable. In any such case, the sending State shall, as appropriate, either recall the person concerned or terminate his functions with the mission. A person may be declared non grata or not acceptable before arriving in the territory of the receiving State.

2. If the sending State refuses or fails within a reasonable period to carry out its obligations under paragraph 1 of this Article, the receiving State may refuse to recognize the person concerned as a member of the mission.

ARTICLE 10

1. The Ministry of Foreign Affairs of the receiving State, or such other ministry as may be agreed, shall be notified of:

(*a*) the appointment of members of the mission, their arrival and their final departure or the termination of their functions with the mission;

(*b*) the arrival and final departure of a person belonging to the family of a member of the mission and, where appropriate, the fact that a person becomes or ceases to be a member of the family of a member of the mission;

(*c*) the arrival and final departure of private servants in the employ of persons referred to in sub-paragraph (*a*) of this paragraph and, where appropriate, the fact that they are leaving the employ of such persons;

(*d*) the engagement and discharge of persons resident in the receiving State as members of the mission or private servants entitled to privileges and immunities.

2. Where possible, prior notification of arrival and final departure shall also be given.

ARTICLE 11

1. In the absence of specific agreement as to the size of the mission, the receiving State may require that the size of a mission be kept within limits considered by it to be reasonable and normal, having regard to circumstances and conditions in the receiving State and to the needs of the particular mission.

2. The receiving State may equally, within similar bounds and on a non-discriminatory basis, refuse to accept officials of a particular category.

ARTICLE 12

The sending State may not, without the prior express consent of the receiving State, establish offices forming part of the mission in localities other than those in which the mission itself is established.

ARTICLE 13

1. The head of the mission is considered as having taken up his functions in the receiving State either when he has presented his credentials or when he has notified his arrival and a true copy of his credentials has been presented to the Ministry for Foreign Affairs of the receiving State, or such other ministry as may be agreed, in accordance with the practice prevailing in the receiving State which shall be applied in a uniform manner.

2. The order of presentation of credentials or of a true copy thereof will be determined by the date and time of the arrival of the head of the mission.

ARTICLE 14

1. Heads of mission are divided into three classes, namely:

(*a*) that of ambassadors or nuncios accredited to Heads of State, and other heads of mission of equivalent rank;

(*b*) that of envoys, ministers and internuncios accredited to Heads of State;

(c) that of chargés d'affaires accredited to Ministers for Foreign Affairs.

2. Except as concerns precedence and etiquette, there shall be no differentiation between heads of mission by reason of their class.

ARTICLE 15

The class to which the heads of their missions are to be assigned shall be agreed between States.

ARTICLE 16

1. Heads of mission shall take precedence in their respective classes in the order of the date and time of taking up their functions in accordance with Article 13.

2. Alterations in the credentials of a head of mission not involving any change of class shall not affect his precedence.

3. This article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See.

ARTICLE 17

The precedence of the members of the diplomatic staff of the mission shall be notified by the head of the mission to the Ministry for Foreign Affairs or such other ministry as may be agreed.

ARTICLE 18

The procedure to be observed in each State for the reception of heads of mission shall be uniform in respect of each class.

ARTICLE 19

1. If the post of head of the mission is vacant, or if the head of the mission is unable to perform his functions, a chargé d'affaires ad interim shall act provisionally as head of the mission. The name of the chargé d'affaires ad interim shall be notified, either by the head of the mission or, in case he is unable to do so, by the Ministry for Foreign Affairs of the sending State to the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.

2. In cases where no member of the diplomatic staff of the mission is present in the receiving State, a member of the administrative and technical staff may, with the consent of the receiving State, be designated by the sending State to be in charge of the current administrative affairs of the mission.

ARTICLE 20

The mission and its head shall have the right to use the flag and emblem of the sending State on the premises of the mission, including the residence of the head of the mission, and on his means of transport.

ARTICLE 21

1. The receiving State shall either facilitate the acquisition on its territory, in accordance with its laws, by the sending State of premises necessary for its mission or assist the latter in obtaining accommodation in some other way.

2. It shall also, where necessary, assist missions in obtaining suitable accommodation for their members.

ARTICLE 22

1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.

2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

3. The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

ARTICLE 23

1. The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in this Article shall not apply to such dues and taxes payable under the law of the receiving State by persons contracting with the sending State or the head of the mission.

ARTICLE 24

The archives and documents of the mission shall be inviolable at any time and wherever they may be.

ARTICLE 25

The receiving State shall accord full facilities for the performance of the functions of the mission.

ARTICLE 26

Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the receiving State shall ensure to all members of the mission freedom of movement and travel in its territory.

ARTICLE 27

1. The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and the other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless trasmitter only with the consent of the receiving State.

2. The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.

3. The diplomatic bag shall not be opened or detained.

4. The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use.

5. The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.

6. The sending State or the mission may designate diplomatic couriers ad hoc. In such cases the provisions of paragraph 5 of this Article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.

7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of packages constituting the bag but he shall not be considered to be a diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

ARTICLE 28

The fees and charges levied by the mission in the course of its official duties shall be exempt from all dues and taxes.

ARTICLE 29

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

ARTICLE 30

1. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.

2. His papers, correspondence and, except as provided in paragraph 3 of Article 31, his property, shall likewise enjoy inviolability.

ARTICLE 31

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:

(a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;

(b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;

(c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.

3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b), and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

4. The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.

ARTICLE 32

1. The immunity from jurisdiction of diplomatic agents and of persons enjoying immunity under Article 37 may be waived by the sending State.

2. Waiver must always be express.

3. The initiation of proceedings by a diplomatic agent or by a person enjoying immunity from jurisdiction under Article 37 shall preclude him from invoking immunity from jurisdiction in respect of any counterclaim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgment, for which a separate waiver shall be necessary.

ARTICLE 33

1. Subject to the provisions of paragraph 3 of this Article, a diplomatic agent shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this Article shall also apply to private servants who are in the sole employ of a diplomatic agent on condition:

(a) that they are not nationals of or permanently resident in the receiving State; and

(b) that they are covered by the social security provisions which may be in force in the sending State or a third State.

3. A diplomatic agent who employs persons to whom the exemption provided for in paragraph 2 of this Article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

4. The exemptions provided for in paragraphs 1 and 2 of this Article shall not preclude voluntary participation in the social security system of the receiving State provided that such participation is permitted by that State.

5. The provisions of this Article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

ARTICLE 34

A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

(a) Indirect taxes of a kind which are normally incorporated in the price of goods or services;

(b) dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending S'ate for the purposes of the mission;

(c) estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of Article 39;

(d) dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State;

(e) charges levied for specific services rendered;

(f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of Article 23.

ARTICLE 35

The receiving State shall exempt diplomatic agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

ARTICLE 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on:

(a) articles for the official use of the mission;

(b) articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this Article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the diplomatic agent or of his authorized representative.

ARTICLE 37

1. The members of the family of a diplomatic agent forming part of his household shall, if they are not nationals of the receiving State, enjoy the privileges and immunities specified in Articles 29 to 36.

2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households, shall, if they are not nationals of or permanently resident in the receiving State, enjoy the privileges and immunities specified in Articles 29 to 35, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 1 of Article 31 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in Article 36, paragraph 1, in respect of articles imported at the time of first installation.

3. Members of the service staff of the mission who are not nationals of or permanently resident in the receiving State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption contained in Article 33.

4. Private servants of members of the mission shall, if they are not nationals of or permanently resident in the receiving State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

ARTICLE 38

1. Except insofar as additional privileges and immunities may be granted by the receiving State, a diplomatic agent who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the mission and private servants who are nationals of or permanently resident in the receiving State shall enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

ARTICLE 39

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the Ministry for Foreign Affairs or such other ministry as may be agreed.

2. When the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country, or on expiry of a reasonable period in which to do so, but shall subsist until that time even in case of armed conflict. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission immunity shall continue to subsist.

3. In case of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the country.

4. In the event of the death of a member of the mission not a national of or permanently resident in the receiving State or a member of his family forming part of his household, the receiving State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the country the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the mission or as a member of the family of a member of the mission.

ARTICLE 40

1. If a diplomatic agent passes through or is in the territory of a third State, which has granted him a passport visa if such visa was necessary, while proceeding to take up or to return to his post, or when returning to his own country, the third State shall accord him inviolability and such other immunities as may be required to ensure his transit or return. The same shall apply in the case of any members of his family enjoying privileges or immunities who are accompanying the diplomatic agent, or travelling separately to join him or to return to their country.

2. In circumstances similar to those specified in paragraph 1 of this Article, third States shall not hinder the passage of members of the administrative and technical or service staff of a mission, and of members of their families, through their territories.

3. Third States shall accord to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as is accorded by the receiving State. They shall accord to diplomatic couriers, who have been granted a passport visa if such visa was necessary, and diplomatic bags in transit the same inviolability and protection as the receiving State is bound to accord.

4. The obligations of third States under paragraphs 1, 2 and 3 of this Article shall also apply to the persons mentioned respectively in those paragraphs, and to official communications and diplomatic bags, whose presence in the territory of the third State is due to force majeure.

ARTICLE 41

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State.

2. All official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.

3. The premises of the mission must not be used in any manner incompatible with the functions of the mission as laid down in the present Convention or by other rules of general international law or by any special agreements in force between the sending and the receiving State.

ARTICLE 42

A diplomatic agent shall not in the receiving State practise for personal profit any professional or commercial activity.

ARTICLE 43

The function of a diplomatic agent comes to an end, inter alia:

(a) on notification by the sending State to the receiving State that the function of the diplomatic agent has come to an end;

(b) on notification by the receiving State to the sending State that, in accordance with paragraph 2 of Article 9, it refuses to recognize the diplomatic agent as a member of the mission.

ARTICLE 44

The receiving State must, even in case of armed conflict, grant facilities in order to enable persons enjoying privileges and immunities, other than nationals of the receiving State, and members of the families of such persons irrespective of their nationality, to leave at the earliest possible moment. It must, in particular, in case of need, place at their disposal the necessary means of transport for themselves and their property.

ARTICLE 45

If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled:

(a) the receiving State must, even in case of armed conflict, respect and protect the premises of the mission, together with its property and archives;

(b) the sending State may entrust the custody of the premises of the mission, together with its property and archives, to a third State acceptable to the receiving State;

(c) the sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State.

ARTICLE 46

A sending State may with the prior consent of a receiving State, and at the request of a third State not represented in the receiving State, undertake the temporary protection of the interests of the third State and of its nationals.

ARTICLE 47

1. In the application of the provisions of the present Convention, the receiving State shall not discriminate as between States.

2. However, discrimination shall not be regarded as taking place:

(a) where the receiving State applies any of the provisions of the present Convention restrictively because of a restrictive application of that provision to its mission in the sending State;

(b) where by custom or agreement States extend to each other more favourable treatment than is required by the provisions of the present Convention.

ARTICLE 48

The present Convention shall be open for signature by all States Members of the United Nations or of any of the specialized agencies or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention, as follows: until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York.

ARTICLE 49

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

ARTICLE 50

The present Convention shall remain open for accession by any State belonging to any of the four categories mentioned in Article 48. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

ARTICLE 51

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

ARTICLE 52

The Secretary-General of the United Nations shall inform all States belonging to any of the four categories mentioned in Article 48:

(a) of signatures to the present Convention and of the deposit of instruments of ratification or accession, in accordance with Articles 48, 49 and 50;

(b) of the date on which the present Convention will enter into force, in accordance with Article 51.

ARTICLE 53

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States belonging to any of the four categories mentioned in Article 48.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

DONE AT VIENNA, this eighteenth day of April one thousand nine hundred and sixty-one.

For Afghanistan:

For Albania:

S. Açrçani

For Argentina:

C. Bollini Shaw

For Australia:

J. Plimsoll 30 March 1962

For Austria:

Kreisky

For Belgium:

G. Delcoigne Le 23 Octobre 1961

For Bolivia:

For Brazil:

J. de Souza Leão

For Bulgaria:

Iv. Daskalov

Y. Golémanov

For Burma:

For the Byelorussian Soviet Socialist Republic:

S. Shardyko

For Cambodia:

For Cameroun:

For Canada:

C. S. A. Ritchie, February 5th, 1962.

For the Central African Republic:

M. Gallin-Douathe, 28 mars 1962.

For Ceylon:

R. S. S. Gunewardene

For Chad:

For Chile:

Luis Melo Lecaros

For China:

Hu Ching-yu

Chen Tai-chu

For Colombia:

M. Agudelo G.

Antonio Bayona

For the Congo (Brazzaville):

For the Congo (Léopoldville):

J. Kahamba

For Costa Rica:

Gonzalo Ortiz, 14 febrero de 1962.

For Cuba:

M. G. Inchaustegui, 16 de enero de 1962.

For Cyprus:

For Czechoslovakia:

Dr. Richard Jezek

For Dahomey:

For Denmark:

H. H. Schroder

For the Dominican Republic:

Carlos Sanchez y Sanchez, 30 March 1962.

For Ecuador:

Con. reserva a los parágrafos 2, 3, y 4 del articulo 37.[1]

N. M. Ponce

For El Salvador:

For Ethiopia:

For the Federal Republic of Germany:

Werner Dankwort

For the Federation of Malaya:

For Finland:

Otso Wartiovaara, Le 20 octobre 1961.

For France:

Armand Berard, Le 30 mars 1962.

For Gabon:

For Ghana:

E. O. Asafu-Adjaye

E. Kodjoe Dadzie

For Greece:

With the reservation that the last sentence of paragraph 2 of article 37 of the Convention shall not apply.

Dimitri S. Bitsios

29th March 1962.

For Guatemala:

Francisco Linares Aranda

For Guinea:

For Haiti:

For the Holy See:

Sac. Agostino Casaroli

Sac. Ottavia de Liva

For Honduras:

For Hungary:

Ustor Endre

For Iceland:

For India:

For Indonesia:

For Iran:

Prof. Dr. A. Matine-Daftary

27 mai 1961.

For Iraq:

With the reservation that paragraph 2 of article 37 shall be applied on the basis of reciprocity.

Adnan Pachachi

20 February 1962.

For Ireland:

T. J. Horan

D. P. Waldron

For Israel:

Joseph Linton

For Italy:

Vittorio Zoppi March 13th 1962.

For the Ivory Coast:

For Japan:

It is understood that the taxes referred to in Article 34(a) include those collected by special collectors under the laws and regulations of Japan provided that they are normally incorporated in the price of goods or services. For example, in the case of the travelling tax, railway, shipping and airline companies are made special collectors of the tax by the Travelling Tax Law. Passengers of railroad trains, vessels and airplanes who are legally liable to pay the tax for their travels within Japan are required to purchase travel tickets normally at a price incorporating the tax without being specifically informed of its amount. Accordingly, taxes collected by special collectors such as the travelling tax have to be considered as the indirect taxes normally incorporated in the price of goods or services referred to in Article 34(a).

Katsuo Okazaki 26 March 1962.

For Jordan:

For Kuwait:

For Laos:

For Lebanon:

E. Donato

For Liberia:

N. Barnes

For Libya:

For Liechtenstein:

Heinrich Prinz von Liechtenstein

For Luxembourg:

M. Steinmetz 2 février 1962

For Madagascar:

For Mali:

For Mexico:

Carlos Darío Ojeda

Federico A. Mariscal

Manuel Cabrera

For Monaco:

For Morocco:

For Nepal:

For the Netherlands:

For New Zealand:

M. Norrish 28th March 1926

For Nicaragua:

For the Niger:

For Nigeria:

Alhaji Muhammadu 31st March 1962

For Norway:

Egil Amlie

For Pakistan:

Zafrulla Khan March 29, 1962

For Panama:

J. E. Lefevre

For Paraguay:

For Peru:

For the Philippines:

Roberto Regala Oct. 20, 1961

For Poland:

Henryk Birecki

Miroslaw Gasiorowski

For Portugal:

For the Republic of Korea:

Soo Young Lee 28 March 1962

For the Republic of Viet-Nam:

For Romania:

Dimitriu

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[1] Translation by the Secretariat: With reservation to paragraphs 2, 3 and 4 of article 37.

For San Marino:
Dr. Will Müller-Fembeck 25.X.1961
For Saudi Arabia:
For Senegal:
L. Boissier-Palmer
For Somalia:
For Spain:
For the Sudan:
For Sweden:
Z. Przybyszewski Westrup
For Switzerland:
Paul Ruegger
For Tanganyika:
V. K. Kyaruzi 27 February 1962
For Thailand:
O. Vanikkul 30 octobre 1961
For Togo:
For Tunisia:
For Turkey:
For the Ukrainian Soviet Socialist Republic:
K. Zabigailo
For the Union of South Africa:
B. G. Fourie 28th March 1962
For the Union of Soviet Socialist Republics:
Tunkin
For the United Arab Republic:
For the United Kingdom of Great Britain and Northern Ireland:
Patrick Dean December 11, 1961
For the United States of America:
H. Freeman Matthews June 29, 1961
Warde M. Cameron March 23, 1962
For the Upper Volta:
For Uruguay:
Nelson Iriniz Casas
For Venezuela:
Ramón Carmona
avec les réserves en pli accompagné
con las reservas que se inclyyen [1]

En nombre del Gobierno que represento, formulo las siguientes reservas a la Convención de Viena sobre Relaciones e Inmunidades Diplomáticas:

1°) Venezuela no admite, conforme al Decreto Ley de 23 de Mayo de 1.876 articulo 2, la concurrencia en una misma persona del carácter diplomático y consular, por lo cual no puede aceptar el numeral 2° del artículo 3° de la Convención citada.

2°) La legislación venezolana vigente no admite la extensión de privilegios e inmunidades al personal tecnico y administrativo, así como a las personas de servicio, por lo cual no acepta las Disposiciones de los parágrafos 2, 3 y 4 del artículo 37 de la misma Convención.

3°) Conforme a la Constitución de Venezuela, todos los nacionales son iguales ante la ley y ninguno puede gozar de privilegios especiales, por lo cual hago formal reserva del artículo 38 de la Convención.

Viena, 18. abril de 1961

Ramón Carmona,
Representante de la República de Venezuela.

For Yemen:
For Yugoslavia:
Sous la réserve de ratification.
Milan Bartos
Iazar Ilic

I hereby certify that the foregoing text is a true copy of the Vienna Convention on Diplomatic Relations adopted by the United Nations Conference on Diplomatic Intercourse and Immunities, held at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961, the original of which is deposited with the Secretary-General of the United Nations.

For the Secretary-General, The Legal Counsel:
C. A. Stavropoulus
United Nations, New York, 20 March 1963.

UNITED NATIONS CONFERENCE ON DIPLOMATIC INTERCOURSE AND IMMUNITIES—VIENNA CONVENTION ON DIPLOMATIC RELATIONS—OPTIONAL PROTOCOL CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES

The States Parties to the present Protocol and to the Vienna Convention on Diplomatic Relations, hereinafter referred to as "the Convention," adopted by the United Nations Conference held at Vienna from 2 March to 14 April 1961,

Expressing their wish to resort in all matters concerning them in respect of any dispute arising out of the interpretation or application of the Convention to the compulsory jurisdiction of the International Court of Justice, unless some other form of settlement has been agreed upon by the parties within a reasonable period,

Have agreed as follows:

ARTICLE I

Disputes arising out of the interpretation or application of the Convention shall lie within the compulsory jurisdiction of the International Court of Justice and may accordingly be brought before the Court by an application made by any party to the dispute being a Party to the present Protocol.

ARTICLE II

The parties may agree, within a period of two months after one party has notified its opinion to the other that a dispute exists, to resort not to the International Court of Justice but to an arbitral tribunal. After the expiry of the said period, either party may bring the dispute before the Court by an application.

ARTICLE III

1. Within the same period of two months, the parties may agree to adopt a conciliation procedure before resorting to the International Court of Justice.

2. The conciliation commission shall make its recommendations within five months after its appointment. If its recommendations are not accepted by the parties to the dispute within two months after they have been delivered, either party may bring the dispute before the Court by an application.

ARTICLE IV

States Parties to the Convention, to the Optional Protocol concerning Acquisition of Nationality, and to the present Protocol may at any time declare that they will extend the provisions of the present Protocol to disputes arising out of the interpretation or application of the Optional Protocol concerning Acquisition of Nationality. Such declarations shall be notified to the Secretary-General of the United Nations.

ARTICLE V

The present Protocol shall be open for signature by all States which may become Parties to the Convention, as follows: until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York.

ARTICLE VI

The present Protocol is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

ARTICLE VII

The present Protocol shall remain open for accession by all States which may become Parties to the Convention. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

ARTICLE VIII

1. The present Protocol shall enter into force on the same day as the Convention or on the thirtieth day following the date of deposit of the second instrument of ratification or accession to the Protocol with the Secretary-General of the United Nations, whichever day is the later.

2. For each State ratifying or acceding to the present Protocol after its entry into force in accordance with paragraph 1 of this Article, the Protocol shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

ARTICLE IX

The Secretary-General of the United Nations shall inform all States which may become Parties to the Convention:

(a) of signatures to the present Protocol and of the deposit of instruments of ratification or accession, in accordance with Articles, V, VI and VII;

(b) of declarations made in accordance with Article IV of the present Protocol;

(c) of the date on which the present Protocol will enter into force, in accordance with Article VIII.

ARTICLE X

The original of the present Protocol, of which the Chinese, English, French, Russian, and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in Article V.

In witness whereof the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Protocol.

Done at Vienna, this eighteenth day of April one thousand nine hundred and sixty-one.

For Afghanistan:
For Albania:
For Argentina:
For Australia:
For Austria:
Kreisky
For Belgium:
G. Delcoigne
Le 23 octobre 1961
For Bolivia:
For Brazil:
For Bulgaria:
For Burma:
For the Bylorussian Soviet Socialist Republic:
For Cambodia:
For Cameroun:
For Canada:
For the Central African Republic:
M. Gallin-Douathe
28 mars 1962
For Ceylon:
For Chad:
For Chile:
For China:
Hu Ching-yu
Chen Tai-chu
For Colombia:
M. Agudelo G.
Antonio Bayona

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[1] Translation by the Secretariat:
With the annexed reservations.

On behalf of the Government which I represent, I wish to formulate the following reservations to the Vienna Convention on Diplomatic Relations:

(1) Venezuela, under article 2 of the Legislative Decree of 23 May 1876, does not permit the performing of both diplomatic and consular functions by the same person. It cannot, therefore, accept article 3, paragraph 2, of the above-mentioned Convention.

(2) Under present Venezuelan law, privileges and immunities cannot be extended to administrative and technical staff or to service staff; for that reason Venezuela does not accept the provisions of article 37, paragraphs 2, 3 and 4, of the same Convention.

(3) Under the Constitution of Venezuela, all Venezuelan nationals are equal before the law and none may enjoy special privileges; for that reason I make a formal reservation to article 38 of the Convention.

Vienna, 18 April 1961

Ramón Carmona,
Representative of the Republic of Venezuela.

For the Congo (Brazzaville):
For the Congo (Léopoldville):
For Costa Rica:
For Cuba:
For Cyprus:
For Czechoslovakia:
For Dahomey:
For Denmark:
H. H. Schroder
For the Dominican Republic:
Carlos Sanchez y Sanchez
30 March 1962
For Ecuador:
N. M. Ponce
For El Salvador:
For Ethiopia:
For Federal Republic of Germany:
Werner Dankwort
For the Federation of Malaya:
For Finland:
Otso Wartiovaara
Le 20 octobre 1961
For France:
Armand Berard
Le 30 mars 1962
For Gabon:
For Ghana:
E. O. Asafu-Adjaye
E. Kodjoe Dadzie
For Greece:
For Guatemala:
For Guinea:
For Haiti:
For the Holy See:
For Honduras:
For Hungary:
For Iceland:
For India:
For Indonesia:
For Iran:
Prof. Dr. A. Matine-Daftary
27 mai 1961
For Iraq:
Adnan Pachachi
20 February 1962
For Ireland:
T. J. Horan
D. P. Waldron
For Israel:
Joseph Linton
ad referendum
For Italy:
Vittorio Zoppi
March 13th 1962
For the Ivory Coast:
For Japan:
Katsuo Okazaki
March 26, 1962
For Jordan:
For Kuwait:
For Laos:
For Lebanon:
E. Donato
For Liberia:
For Libya:
For Liechtenstein:
Heinrich Prinz von Liechtenstein
For Luxembourg:
M. Steinmetz
2 février 1962
For Madagascar:
For Mali:
For Mexico:
For Monaco:
For Morocco:
For Nepal:
For the Netherlands:
For New Zealand:
M. Norrish 28th March 1962
For Nicaragua:
For the Niger:
For Nigeria:
For Norway:
Egil Amile
For Pakistan:
For Panama:
For Paraguay:
For Peru:
For the Philippines:
Roberto Regala Oct. 20, 1961
For Poland:
For Portugal:
For the Republic of Korea:
Soo Young Lee 30 March 1962
For the Republic of Viet-Nam:
For Romania:
For San Marino:
For Saudi Arabia:
For Senegal:
For Somalia:
For Spain:
For the Sudan:
For Sweden:
Z. Przybyszewski Westrup
For Switzerland:
Paul Ruegger
For Tanganyika:
V. K. Kyaruzi 27 February 1962
For Thailand:
For Togo:
For Tunisia:
For Turkey:
For the Ukrainian Soviet Socialist Republic:
For the Union of South Africa:
For the Union of Soviet Socialist Republics:
For the United Arab Republic:
For the United Kingdom of Great Britain and Northern Ireland:
Patrick Dean December 11, 1961
For the United States of America:
H. Freeman Matthews June 29, 1961
Warde M. Cameron March 23, 1962
For the Upper Volta:
For Uruguay:
For Venezuela:
For Yemen:
For Yugoslavia:
Sous la réserve de ratification.
Milan Bartos
Lazar Lilic

I hereby certify that the foregoing text is a true copy of the Optional Protocol concerning the Compulsory Settlement of Disputes adopted by the United Nations Conference on Diplomatic Intercourse and Immunities, held at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961, the original of which is deposited with the Secretary-General of the United Nations.

For the Secretary-General, The Legal Counsel:
C. A. Stavropoulos
United Nations, New York, 20 March 1963.

Mr. FULBRIGHT. Mr. President, I recommend that the Senate give its advice and consent to ratification of the Vienna Convention on Diplomatic Relations and the optional protocol thereto.

The convention is largely a codification of diplomatic practices as they have developed over the years. It sets forth the rights, privileges, and duties of the members of a diplomatic mission, their families, and private servants. It thus covers a variety of subjects including the functions, size, and location of such missions; diplomatic privileges and immunities; and the obligations of the missions and its members toward the state in which they serve.

This is the first truly comprehensive convention regulating diplomatic relations among sovereign states. The original Congress of Vienna in 1815 was attended only by European states, and the 1928 Conference of American States was attended only by American states. In 1952 the United Nations General Assembly expressed an interest in securing the common observance by all governments of both existing principles of international law and current practice with regard to diplomatic intercourse and immunities. The Assembly asked the International Law Commission to study the subject. The Commission adopted draft articles in 1958, and these articles formed the basis for discussions at the Vienna Conference which was held in the spring of 1961. The convention which was signed at Vienna is what we have before us today.

The provisions of the convention are discussed in detail in the report of the Committee on Foreign Relations, and I shall comment on them only briefly today. The convention clarifies the treatment to be accorded to diplomatic missions and the personnel of these missions. The result should be to reduce the possibility of misunderstandings between governments in this field. For the most part, the convention is a codification of principles which governments have observed over the years—in some cases since the Vienna Conference of 1815; in other cases even before that time. Where practice has not been uniform, the convention establishes new rules. One such rule provides that while members of the administrative and technical staff of the mission shall continue to have complete immunity from criminal jurisdiction, immunity from civil jurisdiction will apply only to their official acts. Another new rule is that a diplomatic agent and his family will not have immunity from jurisdiction with respect to certain nonofficial activities such as those of a private, professional or commercial nature.

The convention also states, and this is the first such statement in a legal covenant, that it is the duty of all persons enjoying privileges and immunities to respect the laws and regulations of the receiving state. Let me point out that in general this convention is more restrictive in its provisions regarding diplomatic privileges and immunities than current U.S. practice. Only one group, the members of the families of the administrative and technical staff of a diplomatic mission, will receive immunities to which they are not now entitled; they are presently accorded no immunities. I should also like to emphasize that the convention is limited strictly to the permanent diplomatic missions maintained by foreign governments at the seat of other foreign governments. It does not apply, for example to consular officials, members of trade missions, representatives to international organizations or special envoys.

A word about the optional protocol to the convention. The "Optional Protocol concerning the compulsory settlement of disputes" provides that disputes arising from the interpretation or application of the convention be submitted to the jurisdiction of the International Court of Justice unless the parties to the convention agree to some other form of settlement. The so-called Connally reservation would not apply, therefore, in cases relating to the application or interpretation of the convention in which the United States might become involved.

In sum, the convention resolves in an orderly fashion many questions regarding the privileges and immunities of diplomatic personnel. The convention is largely a restatement of existing international law but where it changes international law or makes new law, these changes have been on balance of a restrictive rather than broadening nature. Both from the point of view of how the United States wishes its personnel abroad to be treated and from the standpoint of the treatment the United States is willing to accord foreign diplomatic personnel, the provisions of the convention appear to the Committee to be equitable, reasonable, and practical. Sixty-three nations have signed the convention which entered into force on April 24, 1964. Forty of these have already distributed instruments of ratification or accession. I hope that the United States will be the next nation to ratify this convention which the Committee sees as an important contribution to international law and thus to furthering friendly relations among States.

The distinguished senior Senator from Idaho [Mr. CHURCH] was chairman of the subcommittee which considered this convention and brought it to the full committee with a unanimous vote. There was no dissent in the committee.

Mr. President, on the question of agreeing to the resolution of ratification, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from Executive Report No. 6.

There being no objection, the excerpts from the report (Exec. Rept. No. 6) were ordered to be printed in the RECORD, as follows:

VIENNA CONVENTION ON DIPLOMATIC RELATIONS

I. MAIN PURPOSE

The convention, based largely on diplomatic practices as they developed over the years, sets forth the rights, privileges, and duties of all members of a diplomatic mission, of their families and private servants, and the rights and obligations of the state on whose territory they perform their functions. As a partial codification of these practices, it covers a variety of subjects, such as the functions, size and location of missions, diplomatic privileges and immunities—including the treatment of mission premises and archives, freedom of movement, personal privileges and immunities such as immunity from jurisdiction, tax exemptions, and customs privileges—the obligations of a mission and its members toward the state in which they serve, and termination of missions. In general, this convention is more restrictive in its provisions on diplomatic privileges and immunities than current U.S. practices. A detailed description of the convention follows in a later section of the report.

II. BACKGROUND

One of the most ancient and basic tenets of relations between nation states has been the mutual respect accorded each other's envoys. According to Charles Cheney Hyde:

"Long before the Christian era the idea prevailed that the person of an envoy sent by one ruler to another should be inviolable. * * * The Persians in the time of Xerxes were possessed of the same idea, as were also the Greeks. The Roman law gave recognition to it * * *. Upon the murderer of such a person the Salic Law imposed a penalty, and likewise the codes of the Alamanni, the Saxons, the Frisians, and the Lombards."

As early as 1790 the United States began according to the diplomatic representatives of other countries the privileges and immunities then customary. One of the first attempts to set this developing body of customary international law on paper was made at the Congress of Vienna in 1815 which was attended only by European states. However, most of the nations of the world generally followed the Congress of Vienna regulations. In 1928 another attempt was made, this time by the States of the Western Hemisphere, to codify international law in the area of diplomatic relations but the draft convention never entered into force.

Diplomatic intercourse and immunities was selected as a topic suitable for codification by the International Law Commission of the United Nations in 1949 and work on it was begun in 1954. Draft articles were transmitted to member nations in 1957 and on the basis of comments received a revision was drawn up which formed the basis for discussions at the Vienna Conference in 1961, which resulted in this convention. This, then, is the first comprehensive international convention on the subject of diplomatic relations between sovereign states.

III. PROVISIONS OF THE CONVENTION

A. Definitions (art. 1)

Article 1 contains definitions of terms used in the convention such as "head of mission," "members of the mission," "diplomatic agent," "premises of the mission," etc.

B. Diplomatic intercourse in general (arts. 2–20)

Article 2 provides that diplomatic relations and missions are established between States by mutual consent. The main functions of a mission are set forth in article 3: representation, protection of the interests and nationals of the sending state, negotiations, reporting on conditions and developments of the receiving state, promoting friendly relations, and developing economic, cultural, and scientific relations.

The custom of requiring an agreement from the receiving state for acceptance of a head of mission is preserved in article 4; dual accredition is covered in article 5, and article 6 makes possible the accredition of one person as the representative of two or more states.

Articles 7 and 8 concern the appointment of members of the staff of a mission. Generally, the sending state may freely appoint such persons but they should be, in principle, of its nationality. If they are not, the consent of the receiving state must be obtained. In the case of military attachés of any service, a receiving state may require the submission of their names before they will be received. The right of a receiving state to declare any member of a diplomatic mission, including its head, persona non grata or not acceptable is recognized in article 9.

Article 10 concerns notification of arrival and departure of all mission personnel. In article 11 it is stated that the receiving state may require that the size of a mission be kept within limits considered by it to be reasonable and normal. In practice, the United States has not imposed restrictions on the size of foreign missions in Washington, except for a few Eastern European countries. The United States needs flexibility in determining the size of its missions in foreign countries and almost invariably the size of U.S. missions exceed those of foreign missions in the United States. Without prior approval of the receiving state, offices of the mission cannot be opened in a locality different from that of the mission itself (art. 12).

Article 13 defines the time when a head of mission is deemed to have assumed his official role and establishes his precedence in the diplomatic corps. The various classes of heads of missions are described in article 14 and the nature of the mutual agreement necessary to determine those classes is defined in article 15. Articles 16, 17, and 18 concern precedence of heads of mission, precedence of diplomatic staff, and their mode of reception. These articles are patterned on the broad outlines of the Vienna Regulations of 1815.

Article 19 recognizes the position of a chargé d'affaires ad interim, whose name, however, must be officially communicated by the foreign ministry of the sending state to make clear that the chargé is not self-appointed. Article 20 relates to the display by the mission and its head of the national flag or emblem.

C. Diplomatic privileges and immunities (art. 21–40)

1. Mission Premises and Archives

Article 21 obligates the receiving state to facilitate the acquisition, "in accordance with its laws," of premises necessary for a foreign mission or to assist the latter in obtaining accommodations, including for its members, in some other way. The phrase "in accordance with its laws" recognizes the present authority of Congress to enact legislation governing the construction, alteration, repair, and occupancy of premises for chancery purposes as it did in 1964.

Article 22 relates to the inviolability of the premises of diplomatic missions and the duty of the receiving state to protect them from intrusion or damage and disturbances of the peace or impairment of its dignity. The District of Columbia Code now makes it a criminal offense under certain conditions to picket or congregate within 500 feet of a diplomatic mission. The Department of State does not construe article 22 to preclude the exercise of the right of eminent domain for public purposes, if prompt and adequate compensation and assistance in obtaining new quarters is given.

This article also provides that the premises of a mission, furnishings and other property thereon, and the means of transport of a mission shall be immune from search, requisition, attachment, or execution. The committee was assured that this immunity does not preclude the taking of reasonable measures of self-help to deal with emergency situations created by improperly parked embassy cars.

Article 23 provides that the sending state and the head of the mission shall be exempt from taxation in respect of the premises of the mission, whether such premises are owned or leased, but that such exemption does not apply to taxes payable by persons contracting with the sending state or the head of the mission. The hearing brought out the fact that the exemption also does not apply to the owner of premises leased for diplomatic purposes and such lessor remains subject to such taxes. By article 24, the archives and documents of the mission shall be inviolable, as they now are under international practice.

2. Facilitating the Work of the Mission and Freedom of Movement and Communication

Article 25 provides that the "receiving state shall accord full facilities for the performance of the functions of the mission." The Department of State construes this to refer to providing assistance in obtaining licenses, permits, the installation of equipment, or making of repairs when, as in many cases, authorities of the receiving state act as suppliers and/or contractors. It will not, in implementing this article, go beyond the scope of authorizing legislation and appropriations.

The obligation of a receiving state to insure to all members of missions freedom of movement and travel in its territory is set out in article 26, subject however, to the receiving state's laws and regulations concerning zones, entry into which is prohibited or regulated for reasons of national security. This preserves the right of the United States to impose travel restrictions for reasons of national security. It does not impair the right of the United States to restrict travel of foreign diplomats when that restriction arises from discriminatory treatment in contravention of article 47.

Freedom of communication is the subject of article 27 and it protects the right of free communications by a diplomatic mission, for official purposes, including diplomatic couriers and messages in code or cipher. However, a wireless transmitter may be installed and used only with the consent of the receiving state. This accords with the provisions of the Federal Communications Act of 1934 as amended by Public Law 87–795 in 1962 which authorizes the President, on such terms and conditions as he may prescribe, to permit foreign governments to construct and operate in Washington radio stations for transmission of messages, provided that substantially reciprocal privileges are accorded the United States abroad.

Article 27 also provides that the official correspondence of the mission shall be inviolable; that the diplomatic bag, visibly marked and containing only diplomatic documents or articles intended for official use, shall not be opened or detained; that the diplomatic courier, officially identified, shall be protected in the performance of his functions and enjoy personal inviolability. Provisions are also made for the status of an ad hoc diplomatic courier and the entrusting of the diplomatic bag to commercial pilots. Official fees and charges levied by a mission shall be exempt from all dues and taxes, according to article 28.

3. Personal Privileges and Immunities of Diplomatic Agents

(a) Immunity from jurisdiction: Article 29 sets forth the personal inviolability of a diplomatic agent and his immunity from any form of arrest or detention. The receiving state shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom, and dignity. Several U.S. laws already give effect to this provision. (See 22 U.S.C. 252; 22 U.S.C. 2253; 5 U.S.C. 170e–1; and 18 U.S.C. 112.) Article 30 extends the same inviolability to his residence, his papers, and his correspondence except as provided in article 31(3).

Article 31 provides that a diplomatic agent, in the absence of express waiver by his government, shall continue to have complete immunity from the criminal jurisdiction of the receiving state. He shall also enjoy immunity from civil and administrative jurisdiction except in actions relating to (a) private immovable property situated in the territory of the receiving state; (b) acts relating to succession in which he is involved as executor, administrator, heir, or legatee as a private person; and (c) professional or commericial activities exercised by him in the receiving state outside his official functions. These exceptions are new in international law and serve to limit the complete immunity from the civil jurisdiction of the United States presently granted by title 22, United States Code, section 252, to diplomatic agents. However, the complementing legislation (S. 2320) would give the President discretionary authority to extend more favorable treatment than is provided for in the Vienna Convention. Article 31 further exempts a diplomatic agent from the obligation to give evidence as a witness, provides that no measures of execution may be taken against him except in the cases listed above and then only when those measures can be taken without infringing the inviolability of his person or his residence. The agent's immunities from the jurisdiction of the receiving state do not exempt him from the jurisdiction of the sending state.

Article 32 concerns waiver of immunity by the sending state and defines its effect more precisely than has been the case heretofore.

(b) Social security legislation: The social security provision in article 33 is the first international regulation ever adopted in this field. It exempts diplomatic missions or the sending state from complying with local social security legislation for services rendered to the mission. It also exempts from social security obligations private servants who (a) are not nationals or residents of the receiving state, and (b) are covered by social security provisions in force in a sending state or a third state. For persons not covered by these exemptions, diplomatic agents are to observe the social security laws of the receiving state. The article further provides for voluntary participation by exempted persons if such participation is permitted by the receiving state. Existing and future bilateral or multilateral agreements concerning social security moreover are not to be affected by article 33.

Articles 37 and 38 extend the same obligations contained in article 33 with respect to social security laws to members of the administrative and technical staff and the service staff who are not nationals or residents of the receiving state. Nationals and residents of the receiving state are not entitled to the exemptions of article 33. Such Americans are considered to be self-employed under social security legislation.

In sum, these provisions will not require changes in existing U.S. social security legislation but will result in a change in practice in two respects; these provisions will require members of diplomatic missions to pay certain taxes from which they are now exempt and will exempt certain private servants from the present coverage under U.S. law, thus slightly narrowing the group now subject to the old age, survivors, and disability insurance program.

(c) Tax exemptions and customs privileges: Article 34 provides with certain well-defined exceptions, that diplomatic agents shall be exempt from all dues and taxes, personal or real, national, regional, or municipal. The exceptions, upon which there is no exemption, are indirect taxes; taxes on private income having its source in the receiving state and on capital gains on investments; estate taxes; taxes on private immovable property; charges levied for specific services rendered; and registration, court or record fees, mortgage dues, and stamp duties with respect to private immovable property. These tax exemptions are already provided in various sections of the Internal Revenue Code of 1954, the District of Columbia tax regulations, and laws in Virginia, Maryland, and New York. In fact Revenue Ruling 296 of December 21, 1953, as amended, accords even greater tax exemptions.

Article 35 exempts diplomatic agents from all personal and public services (like jury duty), and military obligations. The customs privileges set forth in article 36 accord with present usage and provide for free entry of articles for the official use of the mission and the personal use of a diplomatic agent or his family. It also provides exemption from baggage inspection but not when there are serious grounds for presuming that the baggage contains articles not intended for personal or family use of the diplomatic agent or that the import or export laws and regulations of the receiving state were being violated. This proviso is new and is a lesser immunity than the total inviolability now given by the United States to diplomatic baggage.

(d) Other persons entitled to privileges and immunities: Article 37, paragraph 1, provides that members of the family forming part of the household of a diplomatic agent, shall, if they are not nationals of the receiving state, enjoy the privileges and immunities specified in articles 29 to 36. Paragraph 2 states that the administrative and technical staff and their families, who are not nationals or permanent residents of the receiving state, shall enjoy the same personal privileges and immunities including complete immunity from criminal jurisdiction as diplomatic agents except that immunity from civil and administrative jurisdiction applies only to acts performed during the course of their duties and customs exemptions only for articles imported at the time of first arrival. Members of the service staff are even more restricted and will enjoy immunity, civil and criminal, from jurisdiction only with respect to official acts, exemption only from income taxes on their salaries, and exemption from local social security provisions. The families of the service staff enjoy no privileges and immunities at all. Finally, with respect to private servants (not nationals or residents of the receiving state) the article accords them exemption only from the income tax. It obliges the receiving state, however, to exercise its jurisdiction over private servants in such a manner as not to interfere unduly with the performance of the functions of the mission.

All of these provisions are considerably more narrow than the immunities now granted by the United States. For instance, the U.S. wife or offspring of a foreign diplomatic agent presently enjoys the immunities of articles 29–36. Also under present practice, the members of the administrative and technical staff and of the service staff and private servants enjoy complete immunity from civil and criminal jurisdiction. Their privileges and immunities will now be much restricted. Only one group will receive immunities to which they are not now entitled, that is the members of the families of the administrative and technical staff which presently are accorded no immunities. Upon enactment of the complementing legislation, it will be possible for the President to extend more favorable treatment to the person to whom article 37 applies.

(e) Nationals and residents of the receiving state: Article 38 provides that a diplomatic agent who is a national of, or permanently resident in, the receiving state shall enjoy immunity from jurisdiction and inviolability only with respect to official acts performed in the exercise of his functions. This is academic insofar as the United States is concerned since it has long been the practice of the United States neither to send nor to recognize as diplomatic officers persons who are nationals or residents of the receiving state. The second paragraph, providing that private servants and other staf members of the mission who are nationals or residents of the receiving state are to be entitled to enjoy privileges and immunities only to the extent admitted by the receiving state, accords generally with the present practice of the United States.

(f) Duration of privileges and immunities: Article 39 provides that every person entitled to diplomatic privileges and immunities shall enjoy them from the moment he enters the territory of the receiving state or, if already in this territory, from the moment his appointment is notified to the appropriate ministry. These immunities normally cease when the individual leaves the country or has had a reasonable time to do so.

(g) Duties of third states: Article 40 provides inviolability and such other immunities as are required for persons going to or coming from their posts through the territory of third states. It does not grant an absolute right of entry or transit; consequently the United States retains control over entry of such persons by means of the visa procedure. This means that the United States is not obliged to allow diplomatic personnel from countries it does not recognize to transit the United States. The same treatment is also to be accorded diplomatic couriers and official communications and correspondence.

D. Conduct of the missions and its members toward the receiving state (arts. 41 and 42)

Article 41 states for the first time in a legal covenant the duty of all persons enjoying privileges and immunities to respect the laws and regulations of the receiving state. They also have a duty not to interfere in the internal affairs of that state. The committee attaches great importance to this article both from the standpoint of its personnel abroad and from the standpoint of diplomatic personnel in Washington, D.C. Illegal parking, speeding, and other violations by cars bearing diplomatic licenses are frequently the subject of newspaper reports. The committee was assured by Department of State witnesses that the provisions of this article will be helpful in securing better compliance with local laws by members of the diplomatic communities here and abroad.

This article also states the general rule that all official business of the mission is to be conducted with or through the ministry for foreign affairs or such other ministry as may be agreed. As a result of its study of the activities of nondiplomatic representatives of foreign governments, the Committee on Foreign Relations would like to see greater reliance on this principle.

Article 42 provides that "a diplomatic agent shall not in the receiving state practice for personal profit any professional or commercial activity." The Department of State at present makes exceptions to this principle for those engaged in educational and cultural pursuits. It has been the practice of the Department to permit diplomatic agents to accept teaching or similar positions which contribute to the knowledge or culture of the United States particularly since the Department encourages its own Foreign Service personnel to engage in occasional educational or cultural activities abroad. However, the discussion at the Vienna Conference indicated that this article is not intended to prevent a diplomatic agent from pursuing literary or artistic activities or from teaching at educational institutions.

E. End of the function of a diplomatic agent (arts. 43–46)

Article 43 provides that the functions of a diplomatic agent terminate on notification by the sending state that his function has come to an end, or on notification by the receiving state that it refuses to recognize him.

Article 44 speaks of the duty of a receiving state in the event of armed conflict. Article 45 covers situations where diplomatic relations are broken off between states and provides for the protection of the mission, and custody of the mission and protection of interests and nationals by third states, acceptable to the receiving state. Article 46 authorizes a sending state with the approval of the receiving state to undertake the temporary protection of third state interests.

F. Nondiscrimination (art. 47)

Article 47 sets forth a general rule of nondiscrimination as between states in applying the provisions of the convention subject to two qualifications. Discrimination, however, shall not be deemed to be taking place (a) where the receiving state applies any of the provisions of the present convention in a restrictive manner because of like restrictions placed on its mission in the sending state, and (b) where by custom or agreement states extend to each other more favorable treatment than is required by the convention. The first exception will permit the United States to take restrictive action against any state which applies the convention restrictively to U.S. personnel, such as by establishing large zones prohibited to travel. The second exception will permit the United States to grant, subject to enactment of S. 2320, special treatment with respect to certain Federal taxes, and immunity from civil and criminal jurisdiction of the United States on a reciprocal basis.

G. Final articles (arts. 48–53)

These articles (48–53) contain formal provisions such as those regarding signature, ratification, accession, entry into force, and notification. They are similar to others found in various international agreements to which the United States is a party.

H. The optional protocol

The Vienna convention is accompanied by an optional protocol, signed by the United States, concerning the compulsory settlement of disputes. It provides that disputes arising out of the interpretation or application of the convention may be brought before the International Court of Justice by any party to the dispute, which is also a party to the protocol, unless some other form of settlement—negotiation, conciliation, or arbitration—has been agreed upon within a reasonable period of time. The so-called Connally reservation, therefore, would not apply in cases in which the United States might become involved relating to application and interpretation of the Vienna convention. The protocol has the effect of eliminating application of the Connally amendment to a narrow group of cases which might arise only out of disputes as to the meaning or application of this particular convention. Similar provisions have been included in at least 31 treaties and 10 other international agreements to which the United States has become a party in recent years. Eighteen nations are parties to the optional protocol to date.

IV. COMMITTEE ACTION

The Vienna convention was signed by the United States on April 18, 1961. It was transmitted to the Senate on May 14, 1963. On May 28, 1965, it was referred to a subcommittee composed of Senators CHURCH, chairman, CLARK, and CARLSON. A public hearing was held on July 6, at which members of the full committee were invited to be present. The Legal Adviser of the Department of State, the Honorable Leonard C. Meeker, made the executive branch presentation and answered questions. Further questions were answered in writing. No one else requested to be heard and the committee knows of no opposition to the convention. The record of the hearing is printed for the use of the Senate but a corrected version of certain pages appears in the appendix.

The committee considered the convention in executive session on August 31, 1965, and decided by voice vote to order the convention reported favorably to the Senate.

The matters of particular interest to the committee are discused in the section that follows.

V. MATTERS OF PARTICULAR INTEREST

A. Departures from present international law and practice

For the most part, the Vienna convention is a codification of principles hitherto observed by governments in their diplomatic relations. For instance, the categories of chiefs of mission and the manner of determining precedence go back to the Congress of Vienna in 1815. Others, such as the inviolability of premises, archives, communications, and the immunity of diplomatic officers go far back into history.

In other areas where practice has not been uniform or established, the convention establishes new rules and these were given particular attention by the committee. The effect of these new rules has been to limit in some places the scope of diplomatic privileges and immunities. For instance, as noted in the discussion of article 31, the exemptions from criminal and civil jurisdiction of diplomatic agents are somewhat narrower, and for administrative and technical staff and service staff (art. 37) they are even narrower yet. These more limited privileges concern tax and customs matters and immunity from local jurisdiction.

Of a broadening nature only are the provisions granting certain privileges and immunities to families of persons forming the administrative and technical staff of a foreign mission.

B. To whom the convention applies

Since there are a great many more foreign official representatives in the United States than those attached to permanent diplomatic missions accredited to the Government of the United States, the committee received assurances that the Vienna convention applied only to the latter group. Members of trade missions and other negotiating groups, representatives to international organizations headquartered in the United States, visiting foreign heads of state or government or other high officials, special envoys, etc. (except insofar as provided for in complementing legislation), are not within the scope of this convention. It is strictly limited to the permanent diplomatic missions maintained by foreign governments at the seat of other foreign governments. The convention does not apply to consular officials. Their privileges and immunities for the most part are governed by bilateral consular conventions between the United States and other countries and are more restricted. To the extent that these conventions contain most-favored-nation clauses these clauses do not apply to the Vienna convention. The United States has signed a Vienna Convention on Consular Relations for which the advice and consent to ratification by the Senate may be sought in the future.

It should be noted, however, that article 15 of the United Nations Headquarters Agreement provides that designated persons forming part of a resident mission to the United Nations (not members of the U.N. Secretariat) shall be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as the United States accords to diplomatic envoys accredited to it. And article 104 of the Charter of the Organization of American States provides that representatives of the Governments on the Council of the Organization, the representatives on the organs of the Council, the personnel of their delegations, as well as the Secretary General and the Assistant Secretary General of the Organization shall enjoy the privileges and immunities necessary for the independent performance of their duties. To the extent that the Vienna convention has narrowed or changed the customary privileges and immunities accorded by the United States to diplomatic missions in the District of Columbia, these will be applied to the persons covered by article 15 of the United Nations Headquarters Agreement and, by reference, to missions to the OAS as well. Altogether, the number of persons enjoying diplomatic status in Washington, D.C., and New York City is about 3,000.

C. Effect on Federal-State relationships

Since the convention is self-executing and becomes the supreme law of the land, the committee questioned the treaty's effect on Federal-State relationships. In only one small area does the treaty affect the powers of the several States of the Union and that is with respect to exemption from taxation of real property no matter where located, as long as it is used for diplomatic purposes. This means that if chanceries or embassies should be established in Virginia or Maryland those States could not collect real property taxes on exempt premises. In actuality, neither State is presently collecting any such taxes. Except to this extent, the committee was assured that the powers of the Federal Government vis-a-vis the States are not being enlarged in any degree by this treaty.

D. Effect on domestic laws

According to a memorandum from the Department of State, the Vienna Convention on Diplomatic Relations would in and of itself, and without implementing legislation, supersede any Federal, State, or local legislation which does not accord the privileges, immunities, and exemptions required by the convention. The convention will not automatically supersede Federal, State, and local legislation which accords greater privileges and immunities than is required by the convention. At the present time, mission members are considered exempt, in accordance with international practice or on the basis of courtesy and comity, from the requirements of certain legislation which contains no reference to or exemption for foreign diplomatic personnel.

Specific areas in which Federal, State, and local legislation may be affected by the convention with respect to countries parties thereto are:

(1) Diplomatic agents and members of the administrative and technical staff and their families, provided they are not nationals or permanent residents of the United States, will be exempt from direct taxes as provided in articles 36 and 37 and from estate taxes as provided in article 39.

(2) Pursuant to article 33, private servants of diplomatic agents, provided they (a) are not nationals or permanent residents of the United States and (b) are covered by the social security provisions in force in the sending state or a third state, will be exempt from coverage under the present old-age, survivors, and disability program.

(3) Mission members and their families will henceforth not be exempted from Federal and State taxes on income received from private sources within the United States, and will not be exempted from paying the employer's share of social security taxes due with respect to household employees who are covered by such legislation.

(4) The provision in article 23 that the sending state and the head of the mission will be exempt from all dues and taxes, except those in payment for specific services rendered, with respect to the premises of the mission (defined in art. 1(i) as the chancery and the residence of the head of mission) will assure that states grant exemption from their real property taxes even though their laws do not specifically provide for such an exemption.

What the Department of State terms "complementing" legislation has been submitted and is pending before the committee. A report on this legislation (S. 2320) will be submitted to the Senate after full committee consideration. In brief, the bill would (1) provide discretionary statutory authority for according the privileges and immunities specified in the Vienna convention to diplomatic missions and the personnel thereof of states not parties to the Vienna convention; (2) authorize according more favorable treatment to foreign diplomatic missions in the United States and their personnel, depending, inter alia on reciprocal treatment of U.S. diplomatic missions and their personnel in the territory of the sending states concerned; (3) clarify the status in the United States of foreign heads of state and of government and special envoys, and specify the privileges and immunities to which they and members of their official parties shall be entitled during their sojourn; and (4) repeal of Revised Statutes sections 4063–4066 (22 U.S.C. 252–254), relative to definitions of diplomatic personnel and their privileges and immunities, which are inconsistent with the Vienna convention. These sections, touched in somewhat archaic language, now allow the granting of greater privileges and immunities than contained in the Vienna convention.

The Department of State intends to recommend to the President that ratification be withheld until the complementing legislation is enacted.

E. Enforcement and safeguards

The committee was mindful of recurrent violations of the standard of conduct laid down in the Vienna convention such as damage done to American diplomatic premises abroad, unjustified expulsion of American diplomatic personnel, and occasional disregard for domestic laws by foreign diplomatic personnel in the United States. Significant disputes arising from the treaty can, of course, be dealt with by the optional protocol which provides for the reference of disputes on the application and interpretation of the convention to the World Court, if they cannot be settled through negotiations, conciliation, or arbitration. Short of that there are other remedies such as declaring an individual who violates the provisions of the convention a persona non grata, discussing the conduct of mission personnel with a chief of mission, and by engaging in action which is permissible under the terms of the nondiscrimination clause of article 47 which reserves to a State the right to take certain action if it is not securing the kind of treatment to which it is entitled to in another state. Through the visa process, moreover, the United States retains control over who may be admitted to the United States as a member of a mission.

The presence of article 41 in the convention should be useful, stressing as its does the duty to respect the laws and regulations of the receiving state. Members of American diplomatic missions abroad are instructed to follow these meticulously and the committee attaches great importance to this. By the same token, it attaches great importance to like conduct by foreign diplomatic personnel stationed in the United States.

VI. RECOMMENDATIONS AND CONCLUSIONS

In considering the Vienna convention, its reciprocal nature must constantly be borne in mind. Each party to the treaty both sends and receives diplomatic personnel. This report has stressed the obligations which the United States will assume toward the local diplomatic community. Of greater real importance, of course, are the reciprocal privileges and immunities which U.S. diplomatic personnel will obtain abroad, since the U.S. missions abroad are almost invariably larger than the corresponding ones in Washington, D.C. The convention therefore must be regarded from the standpoint of how the United States wants its personnel abroad treated as well as the treatment the United States is willing to accord foreign personnel in its territory. From both points of view, the committee believes that provisions of the convention are equitable, reasonable, and practical.

There are other positive benefits from becoming a party to the Vienna convention. It specifies exactly what privileges and immunities shall be provided for the members of diplomatic missions and their families. With increasing number of countries and the increasing size of mission staffs the practice of governments in this respect was beginning to vary. The convention resolves, in an orderly fashion, many questions regarding immunity from jurisdiction, customs privileges, and tax exemptions.

As already noted, the convention is largely a restatement of international law. Where it changes international law or makes new law, on balance these changes have been of a restrictive rather than broadening nature.

Prospects for universal application of the convention are good. Sixty-three nations signed it at Vienna and New York; 40 of these have already deposited their instruments of ratification or accession. The convention entered force on April 24, 1964.

The safeguards, to which the committee paid particular attention, are considered adequate. They are certainly no less than those available now, and in some ways they are greater.

The committee concurs in the opinion of the Department of State that "the convention constitutes an important contribution to the progressive development of international law, and should contribute to the development of friendly relations between states."

It urges the Senate to give its advice and consent to ratification of the Vienna Convention on Diplomatic Relations and the accompanying optional protocol at an early date.

Appendix

(Excerpt from hearing before the Subcommittee of the Committeee on Foreign Relations, U.S. Senate, 89th Congress, 1st session, on Executive H, 88th Congress, 1st session, the Vienna Convention on Diplomatic Relations, together with the Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 18, 1961)

Vienna Convention on Diplomatic Relations, Tuesday, July 6, 1965

U.S. Senate,
Subcommittee of the
Committee on Foreign Relations,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 4221, New Senate Office Building, Senator Frank Church presiding.

Present: Senators Church and Clark.

Also present: Senators Sparkman and Case.

Senator Church. The subcommittee will please come to order.

The subject for the hearing this morning is Executive H of the 88th Congress, 1st session, of the Vienna Convention on Diplomatic Relations, together with an optional protocol on the settlement of disputes under it.

(For text of Vienna convention see p. 40.)

Senator Church. This is the first time a comprehensive international convention on this subject has been before the Committee on Foreign Relations, and I hope that members other than the subcommittee members who are interested in this subject will be present today. I understand that several other Senators plan to attend the hearings this morning.

The principal witness from the Department of State is the Honorable Leonard C. Meeker, Legal Adviser of the Department of State.

Mr. Meeker, you are here, are you not? Please come up and be seated.

STATEMENT OF LEONARD C. MEEKER, LEGAL ADVISER, DEPARTMENT OF STATE

Mr. Meeker. Thank you, Mr. Chairman.

* * * * *

Need for expanding world law

I have only one other matter I want to mention to you which is not really relevant to this treaty. I heard a very interesting talk the other day before a group which calls itself Members of Congress for World Peace Through World Law, by Prof. Roger Fisher at Harvard University Law School, in which he suggested the possibility of making a perceptible extension of the field of international law by arranging through diplomatic channels to permit courts to take a wider jurisdiction of judicial controversy than is presently the case, such as matters which were now reserved. For example, if the limousine or the automobile of the American Ambassador to Paris runs over a French citizen, it is my understanding that this becomes a diplomatic matter rather than a matter for the courts; is that correct?

Mr. MEEKER. Well, it can be if immunity is not waived; yes.

Senator CLARK. I just mention this for your consideration and perhaps later I will come up and talk to you about it. Perhaps we could make a really rather significant contribution to the spread of international law if our State Department took a somewhat less conventional view toward the controversies which could be considered justiciable before the courts of foreign countries rather than insisting on handling them as a diplomatic matter. In this way we might even build up the jurisdiction of the World Court. I make those observations not for any particular comment from you but just to indicate the possibility at a later date we might talk about it.

Mr. MEEKER. I think it is a very interesting suggestion. One of the things we have been interested in is arranging for a very comprehensive, broad coverage plan of insurance for diplomats' cars, both the mission vehicles and the individually owned cars. We have discussed this with the Superintendent of Insurance here in Washington, and with representatives of some associations of insurance companies, and I think it will not be impossible or indeed difficult in the end to work out an entirely satisfactory plan.

We are at the moment trying to gather some further information from misisons here in Washington on which to base our proposals.

Senator CLARK. As you know, in many States, the interest of an insurance company cannot be revealed to the jury. In this situation you are speaking of, would this result—in the event there was disagreement between the plaintiff and the insurance company as to the amount of recovery—in a case getting into court, or would it still have to be handled through diplomatic channels?

Mr. MEEKER. It could go to court and what we would expect would be to have the normal immunity waived for the purposes of the lawsuit.

Senator CLARK. In connection with the insurance there would be an automatic waiver?

Mr. MEEKER. Yes.

Senator CLARK. Professor Fisher's suggestion was a good deal broader than that and I just give you an example which may or may not have any merit. He said for years and years the United States and United Kingdom have been arguing about the status of Christmas Island out in the Pacific. This seemed to him to be a typical kind of a situation that ought to go to the World Court for solution. It is handled in diplomatic channels and pretty far down the line in the line of priority and it would be an action of timidity to give in, in the interests of your own country.

I don't know whether you know that and wonder whether you would comment on it.

Mr. MEEKER. I would only comment that we did 4 years ago make a rather large survey of a number of disputed island territories, especially in the Pacific, to see whether there would be some real purpose to be served by litigating their proper title, ownership, and sovereignty.

We came to the conclusion that the effort would probably not be justified by the results. The amount of work that would have to be done by the other countries and by ourselves would be very large. The amounts of real estate are very small.

Quite frequently, the basis of the U.S. claim is a lot less strong than we might like to see it, and our ultimate conclusion was that we would do better to leave the legal situation alone and to continue to make agreed arrangements from time to time with the other country asserting claims. We have done this very successfully in a very large number of instances. and that approach has appeared to be satisfactory even though, perhaps, not as intellectually satisfying as to have the legal issues finally resolved.

Senator CLARK. Thank you, sir. Thank you, Mr. Chairman.

The PRESIDING OFFICER. If there is no objection, the Convention will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Vienna Convention on Diplomatic Relations, together with the optional protocol concerning the compulsory settlement of disputes, signed at Vienna under date of April 18, 1961 (Executive H, 88th Congress, 1st Session).

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

The Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Wyoming [Mr. SIMPSON] is detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], and the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

The yeas and nays resulted—yeas 85, nays 0, as follows:

[Ex. No. 260]

YEAS—85

Aiken
Allott
Bartlett
Bass
Bayh
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—15

Anderson
Bennett
Brewster
Byrd, Va.
Eastland
Jordan, N.C.
Kennedy, N.Y.
McGee
Monroney
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smathers
Williams, N.J.

The PRESIDING OFFICER. On this vote the yeas are 85 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the ratification of the convention.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCMILLAN, Mr. WHITENER, Mr. DOWDY, Mr. WILLIAMS, Mr. FUQUA, Mr. NELSEN, Mr. HARSHA, Mr. ROUDEBUSH, and Mr. BROYHILL of Virginia were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FASCELL, Mr. FRASER, and Mr. GROSS were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 3128. An act for the relief of Angelo Iannuzzi;

H.R. 3684. An act for the relief of Maj. Alexander F. Berol, U. S. Army, retired;

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883);

H.R. 8218. An act for the relief of Walter K. Willis;

H.R. 8351. An act for the relief of Clarence L. Afu and others;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 9854. An act for the relief of A. T. Leary; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Receipt of Application for Loan Under the Small Reclamation Projects Act of 1956

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, an application for a loan by the Hooper Irrigation Co., of Hooper, Utah, for a supplemental loan under the Small Reclamation Projects Act of 1956 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Operations in Connection With the Bonding of Government Officers and Employees

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on operations in connection with the bonding of Government officers and employees, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

S. 1013. A bill to clarify the components of, and to assist in the management of, the national debt and the tax structure (Rept. No. 710).

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 709)

Mr. McNAMARA. Mr. President, on behalf of the Senator from West Virginia [Mr. Randolph], chairman of the Subcommittee on Public Roads, from the Committee on Public Works, I report favorably, with an amendment, the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Kentucky [Mr. Cooper].

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United States;

Arthur J. Goldberg, of Illinois, to be a representative of the United States of America to the 20th session of the General Assembly of the United Nations;

Charles W. Yost, of New York, to be a representative of the United States of America to the 20th session of the General Assembly of the United Nations;

Barratt O'Hara, U.S. Representative from the State of Illinois, to be a representative of the United States of America to the 20th session of the General Assembly of the United Nations;

Peter H. B. Frelinghuysen, U.S. Representative from the State of New Jersey, to be a representative of the United States of America to the 20th session of the General Assembly of the United Nations;

William C. Foster, of the District of Columbia, to be a representative of the United States of America to the 20th session of the General Assembly of the United Nations;

James M. Nabrit, Jr., of the District of Columbia, to be an alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations;

James Roosevelt, U.S. Representative from the State of California, to be an alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations;

Mrs. Eugenie Anderson, of Minnesota, to be an alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations;

William P. Rogers, of Maryland, to be an alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations; and

Miss Frances E. Willis, of California, to be an alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND:

S. 2525. A bill for the relief of Mr. and Mrs. William G. Allen, Jr.; to the Committee on the Judiciary.

By Mr. FONG:

S. 2526. A bill for the relief of Peter Soon Sang Rhee; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2527. A bill for the relief of Mary Anilyan; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2528. A bill for the relief of Alexander Wyon; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 2529. A bill for the relief of Dr. Felix Hurtado Perez; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 2530. A bill to effect entry of a minor child to be adopted by U.S. citizens; and

S. 2531. A bill for the relief of Alex Peter and Helene A. Antzoulatos; to the Committee on the Judiciary.

By Mr. MORSE (for himself and Mr. Mondale):

S. 2532. A bill to increase educational opportunities thoughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 2533. A bill for the relief of Lawrence S. Levy; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

ESTABLISHMENT OF JOINT SELECT COMMITTEE TO STUDY EAST-WEST TRADE

Mr. DODD submitted a concurrent resolution (S. Con. Res. 59) to authorize establishment of Joint Select Committee to Study East-West Trade, which was referred, by unanimous consent, to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Dodd, which appears under a separate heading.)

GRANTS FOR CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AND SUPPLEMENTAL EDUCATIONAL CENTERS

Mr. MORSE. Mr. President, I send to the desk for appropriate reference a bill providing grants for the construction of public elementary and secondary schools and supplemental educational centers.

I ask unanimous consent that the bill be held at the desk until the close of business September 20, in order to permit such Senators as may wish to join me to add their names as cosponsors of the legislation, following which time the bill can be appropriately referred.

Mr. President, the first session of the 89th Congress has been one marked by significant action in the field of educational legislation. Tremendous progress, long overdue, has been made in terms of programmatic support for every level of education from the kindergarten to the graduate centers of our great universities.

When final action has been taken on bills now pending in committee or in conference, we will have redeemed, in almost every part, the pledge given to bring to the floor for action every segment of the education program proposed by President Kennedy, and in addition to that action will have been taken on the further programs and the expanded programs proposed by President Johnson.

The bill I introduce today complements this historic series of measures, at the elementary and secondary level, by meeting the bricks-and-mortar needs in an important part of our education system.

One does not have to go too far from this Chamber to view schools, still in use, which were constructed before many of the Members here were born. Too many of such schools are still in service in this country, and in every section of this country they constitute a health hazard for the children attending them. They are antiquated structures, and functionally obsolete structures, and inadequate structures for the job which needs to be done.

The bill which I offer to the Senate this morning is already under discussion and review in the House of Representatives. It was introduced in that body as H.R. 9948 on July 20 by a distinguished educational statesman from Kentucky, the Honorable CARL PERKINS. His subcommittee has already initiated hearings upon the measure and the testimony taken in the 9 days of hearings which have been held, according to my understanding, emphasizes the existing need for legislation of this character if we are to attain, even in part, the objectives we seek.

Mr. President, I ask unanimous consent that at this point in my remarks the text of the proposed legislation be printed, together with a short summary of the major provisions.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Oregon.

The bill (S. 2532) to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes, introduced by Mr. MORSE (for himself and Mr. MONDALE), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2532

TITLE I—FINANCIAL ASSISTANCE FOR CONSTRUCTION AND ACQUISITION OF FACILITIES AND EQUIPMENT FOR SCHOOLS SERVING CHILDREN OF LOW-INCOME FAMILIES

SECTION 101. The Act of September 23, 1950, Public Law 815, Eighty-first Congress, as amended (20 U.S.C. 631–645), is amended by inserting: "TITLE I—FINANCIAL ASSISTANCE FOR SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITY" immediately above the heading of section 1, by striking out "this Act" wherever it appears in sections 1 through 10, inclusive (other than where it appears in section 5(c), for the second time in section 5(f), and for the first time in the fourth sentence of section 9), and inserting in lieu thereof "this title", and by adding immediately after section 10 the following new title:

"TITLE II—FINANCIAL ASSISTANCE FOR CONSTRUCTION AND ACQUISITION OF FACILITIES AND EQUIPMENT FOR SCHOOLS SERVING CHILDREN OF LOW-INCOME FAMILIES

"Short title

"SEC. 201. This title may be cited as the 'Elementary and Secondary School Construction Act of 1965'.

"Declaration of policy

"SEC. 202. In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate programs for the construction of facilities for their public elementary and secondary schools, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in this title) to local educational agencies serving areas with concentrations of children from low-income families to construct, reconstruct, renovate, and improve elementary and secondary school facilities (including preschool facilities) so as to meet more effectively the special educational needs of educationally deprived children.

"Duration of grants

"SEC. 203. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for grants to local educational agencies for the period beginning July 1, 1966, and ending June 30, 1969.

"Grants—Amount and eligibility

"SEC. 204. (a) (1) From the sums appropriated for making grants under this title for a fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall allot such amount among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands shall be eligible to receive shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) In any case in which the Commissioner determines that satisfactory data for that purpose are available, the maximum grant which a local educational agency in a State shall be eligible to receive under this title for any fiscal year shall be an amount equal to one-half of the average per pupil expenditure in that State or in all the States, whichever is the larger, multiplied by the sum of (A) the number of children aged five to seventeen, inclusive, in the school district of such agency, of families having an annual income of less than the low-income factor (established pursuant to subsection (c)), and (B) the number of children of such ages in such school district of families receiving an annual income in excess of the low-income factor (as established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act. In any other case, the maximum grant for any local educational agency in a State shall be determined on the basis of the aggregate maximum amount of such grants for all such agencies in the county or counties in which the school district of the particular agency is located, which aggregate maximum amount shall be equal to one-half of such average per pupil expenditure multiplied by the number of children of such ages and families in such county or counties and shall be allocated among those agencies upon such equitable basis as may be determined by the State educational agency in accordance with basic criteria prescribed by the Commissioner. For purposes of this subsection the 'average per pupil expenditure' in a State or in all the States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, and in all the States (without regard to the sources of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.

"(3) For purposes of this subsection, the term 'State' does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) A local educational agency shall be eligible for a grant for a fiscal year under this title only if it meets the following requirements with respect to the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor (as established pursuant to subsection (c)):

"(1) In any case (except as provided in paragraph (3)) in which the Commissioner determines that satisfactory data for the purpose of this subsection as to the number of such children of such families are available on a school district basis, the number of such children of such families in the school district of such local educational agency shall be—

"(A) at least one hundred, or

"(B) equal to 3 per centum or more of the total number of all children aged five to seventeen, inclusive, in such district,

whichever is less, except that it shall in no case be less than ten.

"(2) In any other case, except as provided in paragraph (3), the number of children of such ages of families with such income in the county which includes such local educational agency's school district shall be one hundred or more.

"(3) In any case in which a county includes a part of the school district of the local educational agency concerned and the Commissioner has not determined that satisfactory data for the purpose of this subsection are available on a school district basis for all the local educational agencies for all the counties into which the school district of the local educational agency concerned extends, the eligibility requirement with respect to the number of children of such ages of families of such income for such local educational agency shall be determined in accordance with regulations prescribed by the Commissioner for the purposes of this subsection.

"(c) For the purposes of this section, the 'low-income factor' shall be $2,000.

"(d) For the purposes of this section, the Commissioner shall determine the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor (as established pursuant to subsection (c)) on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a county are available in the Department of Commerce, such data shall be used in making calculations under this section. The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act on the basis of the best available data for the period most nearly comparable to those which are used by the Commissioner under the first two sentences of this subsection in making determinations for the purposes of subsections (a) and (b). When requested by the Commissioner, the Secretary of Commerce shall make a special estimate of the number of children of such ages who are from families having an annual income less than the low-income factor (established pursuant to subsection (c)) in each county or school district, and the Commissioner is authorized to pay (either in advance or by way of reimbursement) the Secretary of Commerce the cost of making this special estimate. The Secretary of Commerce shall give consideration to any request of the chief executive of a State for the collection of additional census information.

"Application

"Sec. 205. (a) A local educational agency may receive a grant under this title for any fiscal year only upon application therefor approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish under section 206)—

"(1) that, except as provided in subsection (c), payments under this title will be used for projects for the construction of school facilities of the local educational agency which are designed to serve school attendance areas having high concentrations of children from low-income families, including facilities for special projects conducted by the local educational agency in which children from such areas who are enrolled in private elementary or secondary schools, may participate as authorized by section 205 of title II of the Act of September 30, 1950, as amended;

"(2) that the local educational agency has provided satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property;

"(3) that such projects are not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 210 will be complied with on all such projects;

"(4) that the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this title, and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports.

"(b) The State educational agency shall not finally disapprove in whole or in part any application for funds under this title without first affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

"(c) The provisions of clause (1) of subsection (a) of this section limiting projects to certain areas shall not be applicable with respect to an application where (1) the local educational agency is eligible for a special incentive grant under section 204 of title II of the act of September 30, 1950, as amended, and (2) the State educational agency determines (A) that there is a need for the facility, and (B) that the facilities for carrying out the provisions of section 205 of title II of the act of September 30, 1950, as amended, are adequate and appropriate.

"Basic criteria

"Sec. 206. As soon as practicable after the enactment of this title, the Commissioner shall by regulation prescribe basic criteria to be applied by State educational agencies under section 205. In addition to other things, such basic criteria shall include the requirement that in approving applications under section 205 priority shall be given to projects which provide for (1) the replacement or restoration of hazardous or unsafe facilities, the consolidation of school facilities where the existing facilities do not provide separate classrooms for each grade, the modernization or replacement of facilities which are antiquated or functionally obsolescent, or the modernization or replacement of facilities to provide innovative facilities or equipment.

"Assurances from States

"Sec. 207. (a) Any State desiring to participate in the program under this title shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance—

"(1) that, except as provided in section 208(b), payments under this title will be used only for projects which have been approved by the State educational agency pursuant to section 205(a) and which meet the requirements of that section, and that such agency will in all other respects comply with the provisions of this title, including the enforcement of any obligations imposed upon a local educational agency under section 205 (a);

"(2) that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this title; and

"(3) that the State educational agency will make to the Commissioner such reports as may be reasonably necessary to enable the Commissioner to perform his duties under this title (including such reports as he may require to determine the amounts which the local educational agencies of that State are eligible to receive for any fiscal year), and assurance that such agency will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve an application which meets the requirements specified in subsection (a), and he shall not finally disapprove an application except after reasonable notice and opportunity for a hearing to the State educational agency.

"Payment

"Sec. 208.(a)(1) The Commissioner shall, subject to the provisions of section 209, from time to time pay to each State, in advance or otherwise, the amount which the local educational agencies of that State are eligible to receive under this title. Such payments shall take into account the extent (if any) to which any previous payment to such State educational agency under this title (whether or not in the same fiscal year) was greater or less than the amount which should have been paid to it.

"(2) From the funds paid to it pursuant to paragraph (1) each State educational agency shall distribute to each local educational agency of the State which is not ineligible by reason of section 204(b) and which has submitted an application approved pursuant to section 205(a) the amount for which such application has been approved, except that this amount shall not exceed an amount equal to the maximum amount of the grant as determined for that agency pursuant to section 204.

"(b) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this title, except that the total of such payments in any fiscal year shall not exceed—

"(1) 1 per centum of the total of the amount of the grants paid under this title for that year to the local educational agencies of the State, or

"(2) $75,000, or $25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands, whichever is the greater.

"(c) (1) No payments shall be made under this title for any fiscal year to a State which has taken into consideration payments under this title in determining the eligibility of any local education agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

"(2) No payments shall be made under this title to any local educational agency for any fiscal year unless the State educational agency finds that the combined fiscal effort (as determined in accordance with regulations of the Commissioner) of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was at least equal to such combined effort for the fiscal year ending June 30, 1964.

"Adjustments where necessitated by appropriations

"Sec. 209. If the sums appropriated for the fiscal year ending June 30, 1967, for making the payments provided in this title are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this title for such year, such amounts shall be reduced ratably. In case additional funds become available for making payments under this title for that year, such reduced amounts shall be increased on the same basis that they were reduced.

"Labor standards

"Sec. 210. All laborers and mechanics employed by contractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 265c)."

Technical and conforming amendments

Sec. 102. (a) The Act of September 23, 1950, Public Law 815, Eighty-first Congress, as amended (20 U.S.C. 631-645), is amended—

(1) by inserting before section 11 the following title heading: "TITLE III—ADMINISTRATIVE PROVISIONS", and

(2) by redesignating sections 11, 12, 13, 14, and 15, as sections 301, 302, 303, 304, and 305, respectively.

(b) The section of such Act redesignated as section 302 is amended by adding at the end thereof the following new subsection:

"(c) No funds appropriated to carry out the provisions of this Act shall be used for the purpose of religious worship or instruction or for the construction of facilities as a place of worship or religious instruction."

(c) Subsection (c) of the section of such Act redesignated as section 303 is amended by inserting "title I of" immediately before "this Act" both times it appears.

Definitions

Sec. 103. (a) The section of the Act of September 23, 1950, Public Law 815, Eighty-first Congress, as amended, redesignated as section 305 is amended by adding at the end thereof the following:

"(17) The term 'current expenditures' means expenditures for free public education to the extent that such expenditures are made from current revenues, except that such terms does not include any such expenditure for the acquisition of land, the erection of facilities, interest, or debt service.

"(18) The term 'county' means those divisions of a State utilized by the Secretary of Commerce in compiling and reporting data regarding counties."

(b) Paragraph (4) of such section is amended by inserting before the period at

the end thereof the following: ", except that such term does not include any education provided beyond grade 12".

Extension of Public Law 815, Eighty-first Congress

SEC. 104. (a) The first sentence of section 3 of the Act of September 23, 1950, Public Law 815, Eighty-first Congress, as amended, is amended by striking out "1966" and inserting in lieu thereof "1969".

(b) Subsection (b) of the section of such Act redesignated as section 304 is amended by striking out "1966" each time it appears and inserting in lieu thereof "1969".

(c) Paragraph (15) of the section of such Act redesignated as section 305 is amended by striking out "1963-1964" and inserting in lieu thereof "1966-1967".

TITLE II—CONSTRUCTION OF SUPPLEMENTARY EDUCATIONAL CENTERS

SEC. 201. (a) Section 301(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "four" and inserting in lieu thereof "five".

(b) Section 301(b) of such Act is amended to read as follows:

"(b) For the purpose of making grants under this title for purposes other than construction, there is hereby authorized to be appropriated the sum of $100,000 for the fiscal year ending June 30, 1966, $150,000,000 for the fiscal year ending June 30, 1967, $200,000,000 for the fiscal year ending June 30, 1968, $250,000,000 for the fiscal year ending June 30, 1969, and $300,000,000 for the fiscal year ending June 30, 1970. For the purpose of making grants under this title for construction of supplementary educational centers, there is hereby authorized to be appropriated the sum of $250,000,000 for the fiscal year ending June 30, 1967, $400,000,000 for the fiscal year ending June 30, 1968, $500,000,000 for the fiscal year ending June 30, 1969, and $500,000,000 for the fiscal year ending June 30, 1970. For the fiscal year ending June 30, 1971, there is hereby authorized to be appropriated the sum of $500,000,000 for the purpose of making grants under this title."

The summary presented by Mr. MORSE is as follows:

DISTRIBUTION OF FUNDS UNDER TITLE I

Title I of the bill would distribute funds to local public educational agencies on the basis of a formula similar to the formula contained in the Elementary and Secondary Education Act of 1965, Public Law 89-10, with the modification that each school district would be entitled to receive 50 percent of the average per pupil expenditure in the State or 50 percent of the average per pupil expenditure of all the States whichever expenditure figure is higher, for each child coming from a low-income family.

USES OF FUNDS UNDER TITLE I

A local educational agency could use funds granted pursuant to this title for the construction of school facilities of the local educational agency which are designed to serve school attendance areas having high concentrations of children from low-income families including facilities for special projects conducted by the local educational agency in which children from such areas who are enrolled in nonpublic elementary and secondary schools may participate as authorized by title I of Public Law 89-10.

The Commissioner of the U.S. Office of Education is required to establish basic criteria to be applied by the State educational agency in approving applications by local public educational agencies for the use of funds under title I of the bill. Such basic criteria shall include priorities given to projects which provide for (1) the replacement or restoration of hazardous or unsafe facilities; (2) the consolidation of school facilities; (3) the modernization or replacement of facilities which are antiquated or functionally obsolescent; and (4) the modernization or replacement of facilities to provide innovative facilities or equipment.

OTHER USES OF FUNDS UNDER TITLE I

In those school districts where a maximum effort is being made by the local public educational agency to provide broadened educational opportunities for children in school attendance areas where there are concentrations of educationally deprived children, the local public educational agency could use construction grants provided by title I for the construction of any needed school facility in the district. Such maximum effort must be evidenced by (1) the local educational agency is eligible for special incentive grants under section 204 of title I of Public Law 89-10; (2) the facilities in the school district for carrying out the provisions of section 205 of Public Law 89-10 relating to education programs for educationally deprived children, are adequate and appropriate.

These determinations are to be made by the State educational agency under broad criteria prescribed by the Commissioner of the U.S. Office of Education. The State educational agency also makes the determination with respect to the need for the construction of a facility other than one to carry out the program authorized by section 205 of Public Law 89-10 in the event that the local educational agency qualifies for this special use of funds granted pursuant to title I of the bill.

DISTRIBUTION OF FUNDS FOR CONSTRUCTION UNDER TITLE II

Title II of the bill would amend section 301 of title III of the Elementary and Secondary Education Act of 1965 by adding additional authorizations for the purpose of constructing facilities to house programs authorized by title III of such act. Authorization for construction grants for this purpose would be as follows:

[In millions of dollars]

Fiscal year:	*Amount of grant*
1967	250
1968	400
1969	500
1970	500
1971	500

In addition, additional authorization for regular program activities authorized by title III of Public Law 89-10 are provided as follows:

[In millions of dollars]

Fiscal year:	*Amount of grant*
1967	150
1968	200
1969	250
1970	300

GENERAL PROVISIONS

The language under title I of the bill would become a permanent title II of Public Law 815 of the 81st Congress, title I of which, upon the enactment would deal with school construction in areas affected by Federal activities and title II would deal with school construction in areas where there are concentrations of educationally deprived children.

Mr. MORSE. Mr. President, in introducing this bill at this time, I am aware that many feel that the days of the 1st session of the 89th Congress are numbered and that hearings on a measure such as this might not take place immediately. However, I also note from press reports that a contrary point of view has been stated and that there is a possibility that the Senate may still be in session for some period of time. I can assure the Senate that when the bill is referred to the committee and referred to the Subcommittee on Education, I shall try to accommodate my schedule, and I hope the schedules of my colleagues on the subcommittee can be similarly accommodated, to permit us to take the bill under consideration in open hearings, and it is for this purpose that I issue an open invitation to all those having a concern with this legislation to review it with care in the course of preparing such testimony, either written or oral, as they may care to give for our guidance. I shall at a later date, upon receipt of the legislation in the subcommittee, be prepared to make further announcement regarding time and place of the hearings.

To close, Mr. President, I ask unanimous consent that there be printed at this point in my remarks excerpts from the remarks of the chairman of the General Subcommittee on Education of the House Committee on Education and Labor, at the opening of his hearings on the companion measure, H.R. 9948.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

REMARKS OF CONGRESSMAN CARL D. PERKINS AT THE HEARINGS OF THE GENERAL SUBCOMMITTEE ON EDUCATION CONCERNING THE ELEMENTARY AND SECONDARY SCHOOL CONSTRUCTION ACT OF 1965, H.R. 9948

The 89th Congress has made a great stride forward in placing a floor under educational opportunities throughout the Nation. This has been accomplished by the enactment of the Elementary and Secondary Education Act, Public Law 89-10, which recognizes a national need for improved educational programs at the elementary and secondary level, in those school districts in which there are concentrations of children coming from extremely low income families.

The funds provided under that act for such programs, however, while envisioning a wide variety of special educational programs and a strengthening of existing educational programs to serve the special needs of such children, are inadequate to enable the construction of new classroom and other educational facilities in the school attendance areas in which these programs will operate. Of course in some instances, the construction of facilities is authorized by title I of Public Law 89-10, as well as under title III. However, situations are limited in which the urgent needs of educationally deprived children will give any priority to the construction of facilities which are nevertheless urgently needed. In some respects I have the feeling that we may have placed the cart before the horse in authorizing funds for programs before providing funds to adequately house such programs.

Many of our school facilities today are themselves stark examples of poverty and it is difficult for the best education programs to meet the needs of disadvantaged children in overcoming poverty in a setting of poverty. If a real breakthrough is to be achieved in providing educational opportunities in the poorest areas of our Nation, it is essential that school facilities be up to date, safe, healthy, modern, and thoroughly conducive to impressing upon the students the importance with which the Nation regards the educational process and academic achievement. It is little wonder to me that our dropout rates are high in low-income areas when we have placed so little value on the educational process as to house this most important activity so poorly.

SELECT JOINT COMMITTEE TO STUDY EAST-WEST TRADE

Mr. DODD. Mr. President, last week I submitted an amendment to the omnibus farm bill, to strike the so-called Mondale amendment and substitute in its place a proposal to establish a Select Joint Committee To Study East-West Trade.

The deletion of the Mondale amendment was only a part of the purpose of my amendment and although the Mondale amendment has been taken out of the bill, I intend to pursue my objective of obtaining Senate approval of my select joint committee proposal.

I feel that the question of East-West trade is one of the most important problems before us today.

It is also one of the most controversial.

The President has set up a special committee to report on the question; and it has also been the subject of fragmentary testimony before the Foreign Relations Committee. But there has not yet been any truly definitive study of this complex and many-faceted problem.

No matter how Senators may feel about East-West trade, no matter whether they are disposed to favor more restrictive or less restrictive policies, I think all of them will agree that we would be in a better position to make up our minds if the pros and cons were examined exhaustively in hearings before the kind of joint committee I now propose.

For this reason, I am submitting today, as a Senate concurrent resolution, the substantive part of my amendment which calls for the establishment of a Select Joint Committee To Study East-West Trade, with instructions to report to Congress and the President by February 1, 1966.

I ask unanimous consent that my resolution be left at the desk until the close of business tomorrow night, so that Senators who wish to do so may join with me as cosponsors.

I ask that my proposal be referred to the Foreign Relations Committee and the Senate Commerce Committee for consideration. I hope that in the Foreign Relations Committee this resolution may be considered as part of the hearings to be held starting this Friday on the subject of the shipment of surplus commodities on American bottoms.

The PRESIDING OFFICER. The concurrent resolution will be received; and, without objection, the concurrent resolution will be referred to the Committee on Foreign Relations, and when reported by that committee, will be referred to the Committee on Commerce; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Connecticut.

The concurrent resolution (S. Con. Res. 59) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a Select Joint Committee of Congress to Study East-West Trade (hereinafter referred to as The Select Committee), to consist of a total of Twenty-Four members, 2 majority members and 1 minority member each from the House Agriculture Committee, the House Foreign Affairs Committee, The House Interstate and Foreign Commerce Committee, the House Ways and Means Committee, the Senate Agriculture and Forestry Committee, the Senate Commerce Committee, the Senate Finance Committee and the Senate Foreign Relations Committee, to be chosen by the respective committees.

SEC. 2. The Select Committee shall report its findings and make recommendations to Congress and to the President on or before February 1, 1966, after hearings, studies and consideration of the whole range of East-West trade, to include:

(a) the historical background and development of trade between the Free World and Communist or Communist-dominated countries;

(b) the present state of trade relations between the Free World and Communist or Communist-dominated countries; and

(c) the possible advantages and disadvantages to the United States and other Free World countries of expanded trade with Communist or Communist-dominated countries.

SEC. 3. The Select Committee shall pay particular attention to the various devices which have been suggested to encourage greater trade between the United States and the Communist or Communist-dominated countries, including but not limited to:

(a) the waiving of restrictions, limitations, or conditions connected with the sale through normal commercial channels of agricultural commodities;

(b) the guarantee by agencies of the Federal Government of credit arrangements, worked out through normal commercial channels; and

(c) the development of a modified list of strategic goods, intended to make our policy more consistent with those of other Free World nations.

SEC. 4. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the members representing each House, taken separately.

SEC. 5. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

SEC. 6. The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

SEC. 7. The expenses of the committee, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

SEC. 8. The Select Committee shall expire once it has made its report of findings and recommendations, in any event not later than February 1, 1966.

REPEAL OF SECTION 14(b) OF NATIONAL LABOR RELATIONS ACT—AMENDMENTS

AMENDMENT NO. 448

Mr. FANNIN submitted amendments, intended to be proposed by him, to the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, which were ordered to lie on the table and to be printed.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966—AMENDMENTS

AMENDMENT NO. 449

Mr. SALTONSTALL (for himself, Mr. YOUNG of North Dakota, Mr. MUNDT, Mr. HRUSKA, Mr. ALLOTT, and Mr. COTTON) submitted amendments, intended to be proposed by them, jointly, to the bill (H.R. 10871) making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes, which were ordered to lie on the table and to be printed.

IMPLEMENTATION OF AGREEMENT CONCERNING AUTOMOTIVE PRODUCTS WITH CANADA—AMENDMENT

AMENDMENT NO. 450

Mr. MURPHY (for himself and Mr. KUCHEL) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 9042) to provide for the implementation of the Agreement Concerning Automotive Products between the Government of the United States of America and the Government of Canada, and for other purposes, which was referred to the Committee on Finance, and ordered to be printed.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS—AMENDMENTS

AMENDMENT NOS. 451 AND 452

Mr. COOPER submitted amendments, intended to be proposed by him, to the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Mr. LAUSCHE. Mr. President, at its next printing, I ask unanimous consent that the names of Mr. HOLLAND, Mr. WILLIAMS of Delaware, Mr. SIMPSON, Mr. ERVIN, Mr. DOMINICK, Mr. DODD, and Mr. CANNON be added as additional cosponsors of the bill (S. 2482) to prohibit obstruction of performance of duty by the Armed Forces by obstruction of the transportation of personnel or property thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the names of Senator HARRIS, Senator RIBICOFF, and Senator MONTOYA be added to the list of cosponsors of Senate Joint Resolution 85, the measure I introduced proposing a constitutional amendment relating to equal rights of men and women, and that their names be listed among the sponsors at the next printing of the joint resolution.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **PEARSON**. Mr. President, I ask unanimous consent that the names of the Senator from Hawaii [Mr. FONG], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Ohio [Mr. LAUSCHE] be added to the sponsors of S. 2411 at its next printing.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. **EASTLAND**. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Bernard J. Brown, of Pennsylvania, to be U.S. attorney, middle district of Pennsylvania, term of 4 years—reappointment.

Beverly W. Perkins, of Nevada, to be U.S. marshal, district of Nevada, term of 4 years—reappointment.

John G. Chernenko, of West Virginia, to be U.S. marshal, northern district of West Virginia, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 21, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. **RANDOLPH**:

Testimony delivered before the Senate Committee on Post Office and Civil Service, on August 27, 1965, relating to the Government Employees Salary Comparability Act.

EFFECTS OF LAWLESSNESS ON YOUTH

Mr. **ALLOTT**. Mr. President, there has come to my attention a very perceptive editorial, written by James O. Duncan, editor of the Capital Baptist, discussing various aspects of lawlessness in this country and its effect on our youth.

I ask unanimous consent that the editorial, from the September 26, 1963, issue of the Capital Baptist, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONE OF THE SIDE EFFECTS

A growing number of people, both white and Negro, are becoming concerned about one of the byproducts of efforts of Negroes to achieve social justice and freedom. Thousands of children, of both races, are being taught, by precept and example, that the end justified the means, that laws may be broken and disrespect may be shown to officials whose duty it is to enforce them, if it suits the purposes of the lawbreakers. Countless teenagers have been encouraged—even by their mothers and fathers—to look with contempt upon laws which inhibit them, and to earn status by disobeying the police.

Will these youth ever unlearn what they have learned during these days of crisis? Will attitudes toward laws and law enforcement officers change? Are we in the years just ahead going to have more juvenile delinquents than ever before?

The church and the home have a major task before them today, to give proper guidance to our youth.

Mr. **ALLOTT**. I have also in my hand, an article written by Mr. Raymond Moley, entitled "The Bracero Blunder." This is a clear and concise editorial on what many of us have been trying to awaken the Senate to for many years, particularly the distinguished senior Senator from Florida [Mr. HOLLAND] and the distinguished junior Senator from California [Mr. MURPHY].

I ask unanimous consent that the article, from the issue of Newsweek of July 19, 1965, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BRACERO BLUNDER

(By Raymond Moley)

LOS ANGELES.—The scarcity of farmworkers is a hotter subject in California this summer than the weather in the Imperial Valley. This crisis in agriculture, California's largest industry, was caused by the termination of the bracero program on January 1. The program was adopted in 1951 as a means of regulating the movement of Mexican farmworkers, braceros, into the United States in the summer and fall. Under the plan, administered by the U.S. Department of Labor and validated by the Governments of the United States and Mexico, large numbers of such workers were admitted for a period of 6 to 12 weeks, were paid wages equal to those of Americans and were required to return after the harvest to their homes below the border. Most of the same workers returned year after year to the same employers. It was mutually profitable.

The pressure for the termination of the bracero program came from the AFL–CIO, largely because of its desire to unionize farmworkers. Liberals in Congress supported the termination of the program because of their deluded belief that it would reduce unemployment in the large industrial centers. Union labor has not been able to supply workers necessary to the harvest. And no unemployed worker now enjoying Government benefits is willing to migrate to another State for a temporary job.

HEADACHE FOR HOUSEWIVES

The impact upon California agriculture has been most severe. Many millions have been lost because of unharvested, rotting produce. And the flow of money into the State from exports to the East and abroad has been drastically curtailed.

As a result of this debacle, housewives elsewhere in the Nation have been confronted with rising prices for the many products imported from California and other States in the Southwest. In New York one purchaser of a head of lettuce after hearing the price asked that it be gift wrapped. This rise in prices will continue as the various crops ripen on into September and October. And after that, the prices of canned goods will rise during the winter.

As the crops ripened this spring, the Department of Labor attempted to supply the need for workers by recruiting high school students in the States west of the Mississippi into what are called A teams. Indians were bestirred from their abodes to the east and north and transported to the fields. But the high school boys—athletes back home—found the work too hard and the sun too hot, and the teams melted away. College students, who a few months ago were "standing up for their rights," found stooping over in the fields to earn a few dollars quite another matter. Of 300 Indians recruited in the Dakotas, who were flown in at a cost of $6,400 to Salinas growers, all but 20 vanished within a few days.

THE HUMAN SIDE

The cream of the comedy is a notice that the war-on-poverty program is spending $106,000 in Oxnard to educate and train 12 community advisers and leaders to train seasonal workers. According to the person doing the organizing, there isn't any teaching material ready, but that will be developed in time. It will take more uplifters to develop techniques. If workers were available, growers could easily enough tell them what to do.

A lasting loss to California is the trend of large growers to lease lands in Mexico and develop them along with Mexicans under more tolerable conditions in a country which has no Secretary Wirtz to "help" with their problems. California can ill afford this strain on its economy at this time because in several communities I have visited there are signs of declining business.

There is a human element in the termination of the bracero program. While the bleeding hearts in the Washington regime are spending billions to help the poor in Egypt, India, and elsewhere abroad, and while there is much talk about the Alliance for Progress, the Federal Government has visited a cruel hardship on the people of our nearest neighbor to the south. The termination of the bracero program has hacked away the livelihood of tens of thousands of Mexican workers, for this visit to the north had come to be their way of life. Their feelings can well be imagined.

AMENDMENT OF BONDING PROVISIONS OF LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959 AND THE WELFARE AND PENSION PLANS DISCLOSURE ACT

Mr. **MANSFIELD**. Mr. President, if my colleagues will allow me briefly, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 681, H.R. 5883.

The **PRESIDING OFFICER**. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5883) to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 5883) to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 698), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

BACKGROUND AND PURPOSE OF LEGISLATION

The Labor-Management Reporting and Disclosure Act was signed into law September 14, 1959. The purpose of this act was to provide certain safeguards for the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives. Under title V of the act, "Safeguards for Labor Organizations," a provision in section 502(a) requires the bonding of every officer, agent, shop steward, or other representative or employee of any union (other than a union whose property and annual financial receipts do not exceed $5,000) or any trust in which a labor union is interested, who handles funds or other property for the faithful discharge of his duties. Section 502(a) also provides that the surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury as an acceptable surety on Federal bonds.

A. Bond

With regard to the language "faithful discharge of his duties," former Secretary of Labor Mitchell said in his first annual report of the administration of the Labor-Management Reporting and Disclosure Act:

"Although many facets of section 502(a) were susceptible to differing interpretations, neither the act nor the legislative history provides specific guidance or direction. For terms like "faithful discharge," where legal meaning was sought there was a paucity of case precedence on the subject."

Secretary of Labor Wirtz in his testimony before the Senate Subcommittee on Labor said:

"The bill will substitute an honesty bond for the faithful discharge bond now required of union officials and employees who handle union funds.

"Very briefly, the original legislation provided for a faithful discharge bond, but nobody was clear about what it meant, so premium prices went up. This would be changed by the bill to allow an honesty bond in place of the faithful discharge bond."

In further explanation of the Department of Labor's position with regard to the bonding requirements under the Labor-Management Reporting and Disclosure Act, Secretary Wirtz in a letter to Senator McNamara, as chairman of the Subcommittee on Labor, dated July 1, 1965, said:

"Union officials are presently held to the general standard of fiduciaries. Section 501 (a) of the Labor-Management Reporting and Disclosure Act spells out that standard of responsibility and section 501(b) provides an appropriate civil remedy for any breach of that obligation.

"It has been the position of the Department of Labor since the passage of the act that the bond required by section 502 need not cover all violations of section 501(a). Shortly after the enactment of the act, the then Secretary of Labor promulgated an interpretative bulletin which states in part: 'The bonding requirement in section 502(a) relates only to duties of the specified personnel in connection with their handling of funds or other property to which this section refers. It does not have reference to the special duties imposed upon representatives of labor organizations by virtue of the positions of trust which they occupy. which are dealt with in section 501(a), and for which civil remedies for breach of the duties are provided in section 501(b).'

"The honesty bond which would be required by H.R. 5883 is the same type of bond which has been used by corporations, banks, and other financial institutions and has proven effective and adequate. It is the same kind of bond which is required under the Welfare Pension Plans Disclosure Act."

The Senate Committee on Labor and Public Welfare, in reporting H.R. 5883 without amendment, approves the following language in Report No. 182 of the House Committee on Education and Labor:

"The legislative history of the Welfare and Pension Plans Disclosure Act as amended in 1962, which is similar to the Labor-Management Reporting and Disclosure Act in nature but applicable to the much more affluent welfare and pension funds, indicates that Congress intended to correct many of the basic defects of section 502(a) of the Labor-Management Reporting and Disclosure Act in the writing of section 13, the bonding provision of the Welfare and Pension Plans Disclosure Act. The American Surety Association, in a letter to the Secretary of Labor dated March 21, 1963, outlined the basic changes which resulted as follows:

" 'The adoption of the Welfare and Pension Plans Disclosure Act Amendments of 1962 change the situation radically so far as welfare and pension plans are concerned by eliminating the multiple penalty requirement, the separate bond requirement, and the faithful discharge of duty requirement with the result that welfare and pension plans may now be covered under an aggregate penalty form of bond on an honesty basis only and more than one insured may be included in a single bond under circumstances prescribed in the regulations of the Secretary of Labor.

" 'These changes in requirements will result in substantial reduction of premium because the cost of multiple penalty coverage is a 13-percent increase over the cost of aggregate penalty coverage, elimination of the faithful discharge coverage eliminates the 25-percent surcharge, and coverage on more than one welfare or pension plan in a single bond eliminated the basic charge which is necessarily involved when separate bonds are issued to several insureds.'

"The committee is convinced that there is no reason to continue any distinction between the Labor-Management Reporting and Disclosure Act and the Welfare and Pension Plans Disclosure Act with regard to their bonding provisions, particularly in light of the testimony of the great additional cost to the unions under the Labor-Management Reporting and Disclosure Act provisions.

"The U.S. Treasury list for surety companies was originally established for the purpose of providing reputable guarantors for specific performance of Government contracts.

"A bond from a corporate surety is required under the Welfare and Pension Plans Disclosure Act and the Labor-Management Reporting and Disclosure Act. Under the Welfare and Pension Plans Disclosure Act the Secretary of Labor may issue an exemption from that act's provisions that only bonding companies holding a grant of authority from the U.S. Treasury Department may issue the required bond. However, the Labor-Management Reporting and Disclosure Act gives the Secretary no such authority with regard to the bonding provisions of that act.

"The committee must take note that there are 231 bonding companies on the Treasury list, but that not all these companies are either able (because of their size) or want to write the type of bond required under the Labor-Management Reporting and Disclosure Act.

"The bill proposes the substitution of a fraud or dishonesty bond for the presently required faithful discharge bond. The question had been raised as to whether or not the proposed substitution would dilute the protections afforded to union funds, and whether or not the fraud or dishonesty bond would adequately cover the violations of section 501(a) of the act.

"Solicitor of Labor Charles Donahue, in a letter to Congressman James Roosevelt, chairman of the General Subcommittee on Labor, presented the well-considered views of the Labor Department favoring the bill and the proposed substitution of bonds. He states that it is and has been the position of the Department that the bond required by section 502(a) need not cover all violations of section 501(a). This position is expressed in an interpretative bulletin promulgated by then Secretary of Labor Mitchell shortly after the Labor-Management Reporting and Disclosure Act was enacted which states in part:

" 'The bonding requirement in section 502(a) relates only to duties of the specified personnel in connection with their handling of funds or other property to which this section refers. It does not have reference to the special duties imposed upon representatives of labor organizations by virtue of the position of trust which they occupy, which are dealt with in section 501(a), and for which civil remedies for breach of the duties are provided in section 501(b). The fact that the bonding requirement is limited to personnel who handle funds or other property indicates the correctness of these conclusions. They find further support in the differences between sections 501(a) and 502(a) of the act which sufficiently indicate that the scope of the two sections is not coextensive.'

"The committee endorses the soundness of that interpretation.

"The bond which is substituted is the same type of bond which is required under the Welfare and Pension Plans Disclosure Act, as amended. Clearly, the individual union member has as great if not a greater interest and stake in the union's welfare and pension plan funds, and in their honest administration, as in any other funds of his union. The committee can see no reason why officers and other representatives of labor organizations who handle funds other than those of welfare and pension plans should be bonded in a manner any different from those who handle such funds. Indeed, in terms of the gross amounts, the welfare and pension plan funds are much greater than any of the accumulated union funds. There has been no testimony suggesting that the fraud or dishonesty bond provided under the Welfare and Pension Plans Disclosure Act has failed to protect those funds and, as indicated earlier, there is no reason to think that such a bond will not protect equally well any funds other than welfare and pension plan funds. Further, the committee is concerned with the 25-percent surcharge for faithful performance bonds which extra charge fails to secure any defined increase in protection. Such a frittering away of union funds is a shameful waste of the assets which the act seeks to protect.

"B. Surety companies authorized to issue bonds

"Under rules and regulations promulgated by the Secretary of Labor pursuant to section 13(e) of the Welfare and Pension Plans Disclosure Act, as amended, the Secretary may approve bonding arrangements other than those with a surety company 'which is an acceptable surety on Federal bonds under authority granted by the Secretary of the Treasury pursuant to the act of July 30, 1947 (6 U.S.C. 6–13).'

"Accepting the formula of the Welfare and Pension Plans Disclosure Act the proposed legislation gives the Secretary of Labor the authority to exempt labor organizations from placing the bond required under the Labor-Management Reporting and Disclosure Act through a surety company holding a grant of authority from the Treasury Department, when in his opinion, such labor organization 'has made other bonding arrangements which would provide the protection required.' Experience under the similar provisions of the Welfare and Pension Plans Disclosure Act, which were enacted in 1962, reveals that the Secretary has used this discretionary power most carefully and cautiously, thereby assuring to the union funds involved the utmost protection. He has granted an exemption to those labor organizations which make arrangements with the underwriters at Lloyd's, London, contingent on certain conditions which must be first met by Lloyd's. (See CFR secs. 465.17 and 465.18.)

"The proposed legislation also provides that such other bonding arrangements under the Labor-Management Reporting and Disclosure Act must be at a cost which is comparable or less than that of securing the requisite bond from a surety company holding a grant of authority from the Treasury Department.

"It is not the intention of the committee, in giving this discretionary power to the Secretary, to sanction self-insurance on the part of labor organizations. Since the Secretary has recognized that the language of the Welfare and Pension Plans Disclosure Act does not give him authority to recognize self-insurance as offering adequate protection to the union funds affected by that act, the committee is assured that self-insurance shall not be recognized as adequate protection under the Labor-Management Reporting and Disclosure Act.

"However, it is the intention of the committee that both foreign and domestic surety companies, other than those holding a grant of authority from the Treasury Department, shall be eligible, upon prior consent of the Secretary of Labor, to issue the bonds required by the Labor-Management Reporting and Disclosure Act.

"C. Reporting

"Following the basic concept of the reporting and disclosure requirements of the Labor-Management Reporting and Disclosure Act and the Welfare and Pension Plans Disclosure Act, the legislation proposes that each surety company which issues any bond required by either act shall file with the Secretary a report describing its bond experience under each such act. These reports shall be in such form and detail as the Secretary may prescribe by regulation, but shall include information as to the premiums received, total claims paid, amounts recovered by way of subrogation, administrative and legal expenses. By giving the Secretary discretion as to what information shall be required in these reports the committee feels that both the public interest and the policy of the acts can best be served."

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF FEDERAL-AID HIGHWAY SYSTEMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 2084.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

PENALTIES FOR HANDLING AND COLLECTION OF DISHONORED CHECKS OR MONEY ORDERS

Mr. McINTYRE. Mr. President, I ask unanimous consent that the Chair lay before the Senate the amendments of the House of Representatives on the bill (S. 1317) to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1317) to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders, which were, on page 1, line 7, strike out "or money order"; on page 1, line 9, strike out "or money order"; on page 2, line 4, strike out "or money orders"; on page 2, line 7, strike out "or money order"; and to amend the title so as to read: "An Act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks."

Mr. McINTYRE. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

AMENDMENT OF PART II OF THE DISTRICT OF COLUMBIA CODE RELATING TO DIVORCE, LEGAL SEPARATION, AND ANNULMENT OF MARRIAGE

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 948, which was read as follows:

Resolved, That the House agree to the amendment numbered 1 of the Senate to the bill (H.R. 948) entitled "An Act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia."

Resolved, That the House disagree to the amendment of the Senate numbered 2 to aforesaid bill.

Resolved, That the House disagree to the amendment of the Senate numbered 3 to aforesaid bill.

Mr. McINTYRE. Mr. President, the action by the Senate in receding to its amendment No. 3 is technical and more fully explanatory in nature, and does not alter that portion of the bill amending section 16-904(b) of the District of Columbia Code, providing that a judgment of legal separation from bed and board may be enlarged into a judgment of divorce from the bond of marriage upon application of the innocent party, a copy of which shall be duly served upon the adverse party, after the separation, which is intended to mean the legal separation, of the parties has been continued for 1 year next before the making of the application.

Mr. President, I move that the Senate recede from the Senate amendments numbered two and three.

The motion was agreed to.

DESIGNATION OF FRANCIS CASE MEMORIAL BRIDGE

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 5) designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets Southwest the "Francis Case Memorial Bridge," which were, to strike out all after the resolving clause and insert:

That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately one hundred yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteenth and G Streets Southwest, shall be known and designated as the "Francis Case Memorial Bridge". Any law, regulation, map, document, record, or other paper of the United States or of the District of Columbia in which such bridge is referred to shall be held to refer to such bridge as the "Francis Case Memorial Bridge".

SEC. 2. The Commissioners of the District of Columbia shall place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design.

SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Williams; and his granddaughters, Catherine and Julia.

And to insert the following preamble:

Whereas the Congress and the citizens of the District of Columbia are sorely saddened by the tragic and untimely passing of one of the District's most dedicated and resourceful friends, the distinguished Senator from South Dakota, Francis Case; and

Whereas during his long and distinguished career in the United States House of Representatives and the United States Senate, Francis Case was known and respected for his courage and untiring devotion to duty, and was loved for his sincerity, modesty, and understanding; and

Whereas he attained enviable stature and esteem for his constant cooperation, his wise counsel, and his broad comprehension of planning and development in the District of Columbia; and

Whereas Francis Case was an architect of the twenty-third amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President; and

Whereas during his years of service Francis Case sponsored many measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954; and

Whereas, through diligent study of past, present, and future District of Columbia needs, Francis Case gained a thorough grasp of District activities and helped fashion firm policies that will guide the District for decades; and

Whereas, after having served on the Senate Committee on the District of Columbia through the years 1951 to 1954, Francis Case returned voluntarily to the committee in 1959 and 1960 to serve again the people of the District despite his increased responsibilities in the United States Senate; and

Whereas his able and dedicated service as a member of the Senate Committee on Public Works contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia; and

Whereas it was through this remarkable dedication to duty that Francis Case helped bring about major District of Columbia expansion of highway and bridge construction, through the enactment of the District of Columbia public works program in 1954, that is a lasting monument to his service: Now, therefore, be it

Mr. McINTYRE. Mr. President, the amendments of the House are acceptable, and I move that the Senate concur in the House amendments.

The motion was agreed to.

CASE MEMORIAL BRIDGE

Mr. McGOVERN. Mr. President, I wish to thank my distinguished colleague, the chairman of the Senate District Committee, Mr. Bible, for his prompt and patient handling of Senate Joint Resolution 5, which has now required his attention a half dozen times since I first introduced it in 1963.

Likewise, I want to thank my associates in the South Dakota congressional delegation, Senator Karl Mundt, Congressman Ben Reifel, and Congressman Berry, for assisting in putting this resolution through the Congress, as well as my old associate, Congressman John McMillan, of South Carolina, who has cleared it through the House District Committee.

The late Senator Francis Case, of South Dakota, whom this resolution honors by naming the Washington Channel Bridge for him, was a constructive and diligent Senator, who performed his duties as a U.S. Senator and as chairman of the District Committee with great zeal and statesmanship.

Senator Case sponsored many measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954. He joined the committee originally in 1951, and returned to it voluntarily in 1959 and 1960, despite his increased responsibilities in the Senate.

One of the Senator's greatest contributions to the District of Columbia was his support and leadership for enactment of the District of Columbia public works program of 1954, bringing about a major expansion of highway and bridge construction. He paralleled this work for the District with his efforts as a member of the Senate Public Works Committee to bring about the enactment of the Federal Aid to Highways Act of 1962, which actually made possible the bridge across Washington Channel, located on Interstate Route 95 as it enters the city of Washington.

Francis Case was a constructive exponent of economic development throughout the Nation. In addition to highways, he was a leading advocate of the inland waterway system and of our western reclamation program. He was an untiring student of the measures which were before his committees, devoted to his duty, sincere and modest about the contributions he made to District, regional, State, and national advancement.

Naming the Washington Channel bridge in honor of his memory is peculiarly appropriate, as his widow has pointed out to me, because the bridge links the city to which he contributed so much with the Interstate Highway System.

SPRUCE KNOB-SENECA ROCKS NATIONAL RECREATION AREA, WEST VIRGINIA

The PRESIDING OFFFICER laid before the Senate the amendment of the House of Representatives the bill (S. 7) to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes, which was, to strike out all after the enacting clause and insert:

That, in order to provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia.

Sec. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia, not to exceed in the aggregate one hundred thousand acres comprised of the area including Spruce Knob, Smoke Hole, and Seneca Rock, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled "Proposed Spruce Knob-Seneca Rocks National Recreation Area", dated March 1965, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture; and

(2) publish notice of the designation in the Federal Register, together with a map showing the boundaries of the recreation area.

Sec. 3. (a) The Secretary shall acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, transfer from any Federal agency, or otherwise, such lands, waters, or interests therein within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purposes of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands, waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

(b) Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act.

(c) In exercising his authority to acquire lands by exchange the Secretary may accept title to non-Federal property within the recreation area and convey to the grantor of such property any federally owned property in the State of West Virginia under his jurisdiction.

(d) The portion of the moneys paid to the State of West Virginia under the provisions of section 13 of the Act of March 1, 1911, as amended (16 U.S.C. 500), for expenditure for the benefit of Pendleton and Grant Counties, West Virginia, may be expended as the State legislature may prescribe for the benefit of such counties for public schools, public roads, or other public purposes.

Sec. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of section 2 of this Act that is in his opinion efficiently administrable to carry out the purposes of this Act, he shall institute an accelerated program of development of facilities for outdoor recreation. Said facilities shall be so devised to take advantage of the topography and geographical location of the lands in relation to the growing recreation needs of the people of the United States.

(b) The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

Sec. 5. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

Sec. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Department of Natural Resources of the State of West Virginia.

Mr. BYRD of West Virginia. Mr. President——

The PRESIDING OFFICER (Mr. Mondale in the chair). The Senator from West Virginia is recognized.

Mr. BYRD of West Virginia. Mr. President, S. 7 passed the Senate earlier this year. Recently, it passed the House of Representatives with two minor amendments. These amendments were suggested by the public officials of Grant and Pendleton Counties in West Virginia, the two counties in which the national recreation area would be established. Specifically, the amendments deal with the acreage and with the disposition of national forest revenues in the two counties involved.

The amendments had the approval of the U.S. Forest Service. This being the case, I have cleared the matter with the chairman of the Senate Committee on Agriculture and Forestry, the senior Senator from Louisiana [Mr. Ellender], and also with the ranking minority member on that committee, the senior Senator from Vermont [Mr. Aiken]. I have also cleared it with the distinguished majority leader and the distinguished minority leader.

Therefore, in order that the Senate may not have to have a conference with the House of Representatives, I move that the Senate concur in the House amendments.

The motion was agreed to.

THE IMMIGRATION BILL

Mr. BYRD of West Virginia. Mr. President, one of the major issues yet to come before the Senate, before adjournment this year, is the proposed revision of the U.S. immigration laws. The subject of immigration has appeared on most of the lists of "must" legislation I have seen in recent weeks. The President has made several statements stressing its importance.

The national origins concept, which underlies the present system, was first proposed on April 11, 1924, and was based on the national origins of the inhabitants of the United States according to the 1920 census, exclusive of, first, natives of independent countries of the Western Hemisphere, second, persons of Asian ancestry, third, descendants of African immigrants, and fourth, descendants of American aborigines. The proposal was voted down in the House of Representatives, but it was inserted in the Senate and retained in conference. The Senate and House agreed to the conference report, and the bill, as amended, became law on May 26, 1924. The original objective of the 1924 act was to maintain the ethnic composition of the American people, on the premise that some nations are far closer to the United States in culture, customs, standards of living, respect for law, and experience in self-government. The act was denounced by some people as racially biased, statistically incorrect, and a clumsy instrument of selection based on discrimination against nations.

In 1952, the Immigration and Nationality Act was passed, this legislation being a codification of a multitude of laws governing immigration and naturalization in the United States. The immigration quotas provided therein were, in general, patterned after the national origins system, contained in the Immigration Act of 1924, in that the number of quota immigrants entering the United States during any one year was limited and a distribution of the annual quota among the various quota areas was provided. The national origins provision was the subject of debate in both Houses of the Congress. President Truman vetoed the bill but, notwithstanding his strong opposition, the President's veto was overridden by the Congress and the Immigration and Naturalization Act became law.

I have only two objections to the present system. One is that it applies no limitation on immigration from South America and other Western Hemisphere countries and, theoretically, any number of persons could emigrate to the United States from the Western Hemisphere countries immediately. This weakness has not had too great an impact upon our country up to the present moment, largely because South American countries have been absorbing their own population increase very well. Yet, the day is not far off, when the population explosion in Latin American countries will exert great pressures upon those people to emigrate to the United States. It will be my intention, therefore, to support a limitation on the number of immigrants from Western Hemisphere countries, but I fear that such a limitation, if it is retained in the Senate bill, may be scrapped in the subsequent conference with the House of Representatives. My other objection is that under the present system, certain countries, such as Italy and Greece, for example, whose peoples do assimilate readily and easily into the American society, have been disadvantaged.

Notwithstanding the two objections I have iterated, I think the basic national origins quota system should be retained. I realize that it has been nullified to a great extent by amendments and special refugee laws and other legislation in the form of private bills. The system has been castigated and vilified by those who declare that it discriminates against other nations, but, on the whole, I consider it to be a just and wise system. Relatively larger quotas, of course, are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population. Naturally, those immigrants can best be absorbed into our modern population whose backgrounds and cultures are similar. It is indubitably clear that if the majority of Americans had sprung, not from Western, central, and southern Europe, but from central Africa or southern Asia, we would today have a vastly different country. Unquestionably, there are fine human beings in all parts of the world, but people do differ widely in their social habits, their levels of ambition, their mechanical aptitudes, their inherited ability and intelligence, their moral traditions, and their capacities for maintaining stable governments.

The advocates of this legislation state that the increase in immigration brought about by its passage will be miniscule and will amount to only a few additional thousand persons annually, but I fear that the practical result will be otherwise. In my judgment, it is completely unrealistic for us to be considering legislation that is going to permanently increase our immigration to any degree whatsoever. I grant that the immigrants who have come to this country have made a magnificent contribution to our development. Anyone who attempts to articulate this contribution is doomed to understatement because, certainly, this Nation was put together by immigrants and would not exist if they had not come here.

It is true also that immigrants have continued to play an important role in our Nation's development. But that role has been and is dwindling in importance. Most of us are descendants of immigrants, but this is no longer a nation that needs immigration as it once did. Indeed, the problems we will face in the years ahead will be those of a surplus population rather than needed population. In this respect we are like most other nations of the world. But, unlike other nations, we have not yet learned how to give primary consideration to immigration as it will affect us internally, without developing a guilty conscience. We have yet to make the philosophical transition from an immigrant-seeking nation, which we were until fairly recently, to one whose population has developed to the capabilities of our present resources.

But why, Mr. President, should the United States be the only advanced nation in the world today to develop a guilt complex concerning its immigration policies, when it is already far more liberal than other countries in this respect, and in view of the fact that other advanced nations are selective in dealing with immigrants and without apology?

Every other country that is attractive to immigrants practices selectivity and without apology. For example, Trinidad is an island country that gained its independence from Great Britain a few years ago. Yet, under a new British law, immigration from Trinidad is closely restricted. Australia has no quota at all. It simply excludes anyone of non-European ancestry. I am told that the Japanese Government discourages immigration from many countries. I am also informed that Israel has a policy—as it has every right to have—based on religion. Why should the United States, therefore, not reflect careful selectivity and be more restrictive in the formulation of its immigration policies?

Our first responsibility in matters of immigration, at a time when automation is on the rise and the population explosion is giving cause for concern, is to the people of the United States and not to the entire population of the world.

The advocates of change assure us that under the proposed legislation it will be easier for people of special skills to come into the country and help the U.S. economy. Yet, under the new legislation, there would be an increase in quotas for such countries, as Trinidad, Jamaica, Tanzia, Malawi, Yemen, and Nepal, and I would imagine that persons with special skills needed in the United States might be very hard to find in those countries. Moreover, under existing law, skilled aliens are granted first preference status which entitles them to monopolize the first 50 percent of a country's quota. Yet, we continue to hear general platitudes about attracting skilled workers.

A collateral question that arises is whether we really want or need to permanently attract skilled workers away from other countries. This policy seems at odds with our other efforts to help these countries improve their economic conditions. It seems to me that these countries need the services of their talented and trained people more than we do.

I think it is rather inconsistent on our part, Mr. President, to permit an increase in immigration—which is sure to be the effect of a more lenient immigration statute—at a time when we are becoming more and more aware of the population problems we are faced with in the world and in this country. These problems are bound to increase in dimension in the years ahead. The continent with the highest birth rate in the world today is South America. Yet, under our present immigration laws, unlimited immigration is allowed to natives of Central and South American countries. It is time we were looking to this aspect of our immigration policy with a view to applying restrictions rather than trying to rectify discriminations against Asian and African countries that exist in our quota system. As I said earlier, I intend to support the application of a limitation on immigration from Western Hemispheric countries, but any change in our present immigration laws should be largely limited to just this aspect and should not encompass such a wholesale revision as that with which we are about to be faced.

Sooner or later, it seems to me, we are going to have to recognize the realities of this situation and to admit to ourselves that our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world. If we think that we are going to be able to alleviate the problems of expanding population of other countries of the world by permitting increased immigration into this country we have some more hard thinking to do on the subject. It would be completely unrealistic for us to attempt to do this when the current annual net increase in world population is 70 million people, or more than one-third of the present population of the United States. The plain fact is that the United States is not hurting for population or jobseekers. Our population is now between 190 and 200 million people, and our current birth rate is far in excess of our death rate.

The problems we face due to expanding population may not presently be as serious as those faced by other countries of the world. Our agricultural and other productive capacities have not yet been put to the test. But we are now experiencing a number of troubles which are directly or indirectly attributable to our increasing population. These include pollution of our rivers and streams, and the air we breathe in our great metropolitan areas; the first serious water shortages in the northeastern part of the country; progressive extinction of wildlife; and ever-increasing welfare costs as the nonproductive segments of our population continue to expand. A good deal of the legislation we have enacted in recent years has been directed toward finding solutions to these problems. Liberalizing our immigration policies cannot help but compound such problems.

In my opinion, revising our immigration laws by removing the Asia-Pacific triangle provisions will add to the many social problems that now confront us across the Nation. What effect will all the "new seed" immigrants that will be allowed to enter under the bill have upon these social crises? I doubt that they will add stability to our population in meeting these problems.

Moreover, the crime rate is increasing alarmingly in our urban centers. The great bulk of immigrants in recent years have settled in these metropolitan areas. I would not claim that, generally speaking, immigrants as a class are especially prone to criminal conduct, but I should think that their increased migration into the cities would add to the problems that are already there.

Another point raised by those who would have us scrap the national origins quota system is that a new system of selection will be devised which will be in the national interest. In other words, they would have us believe that our foreign policy will be ineffective and hampered if we retain the national origins quota system. This is pure drivel. Why have other advanced nations not felt it in the interest of their own foreign policies to let down their immigration bars? The plain fact is that there will always be cries of rage from people who would like to get into this country and cannot. One can live more comfortably on relief in a New York tenement than under the most advantageous conditions existing in most of the areas of Asia, Africa, and Latin America.

We are also told that the proposed new immigration legislation is needed to reunite families. But the Congress of the United States has always been sympathetic to requests for entry of separated families. As to Italians, Lebanese, and other immigrants who wish to unite with their families already here, I have personally introduced legislation many times to reunite husbands and their wives, and parents and their children, and I shall continue to do so as the necessity arises. I believe that this system is workable and should be continued.

But, Mr. President, if we scuttle the national origins quota system, we will have many years and many reasons to regret it. I do not claim that the existing national origins quota system is perfect, but it has provided a reasonably effective means of controlling immigration, and where it has not worked, we have enacted special legislation to alleviate special problems as they have arisen.

The national interest must come first. Sentimental slogans have been all too adroitly exploited, and the time is at hand when we must resist the pressures for sharply increased immigration of persons with cultures, customs, and concepts of government altogether at variance with those of the basic American stocks. We must not throw open the gates to areas whose peoples would be undeniably more difficult for our population to assimilate and convert into patriotic Americans. The alien inflow to America from potential waiting lists of applicants from Jamaica, Trinidad, Tobago, Indonesia, India, Nigeria, and so forth, can profoundly affect the character of the American population, and, in the long run, can critically influence our concepts of government.

In my capacity as a member of the Senate Appropriations Committee, I review, with other members of the committee, budgetary requirements for operations of various Federal departments and agencies. I feel it expedient that we consider the necessity of funding administrative costs arising from processing and admitting the increased number of immigrants which will certainly result from the enactment of the proposed legislation.

I ask also where the medical specialists are coming from, both here and abroad, to efficiently screen the state of physical and/or mental health of various immigrant applicants who are anticipated as being admissible under the changed wording of the areas of this bill dealing with physical and/or mental health and past history of mental illness? Any person who has ever reviewed court testimony by experts in the field of mental problems, mental health, mental capability to judge moral or legal responsibility, mental capacity for safe driving, and related problems, will well wonder what Pandora's box we may be opening.

I am advised that the term "mentally retarded" will be substituted for the term "feebleminded" in the exclusion of aliens who are feebleminded to conform to current American usage as in the Mental Retardation Facilities Construction Act of 1963—Public Law 88–164—and the Maternal and Child Health and Mental Retardation Planning Amendments of 1963—Public Law 88–156. This may be a simple change in nomenclature, Mr. President, but its implications can be very significant. In the United States today, there are approximately 5 million persons in the largest group of mentally retarded, who, I am told, cannot usually be distinguished from the remainder of the population until they have difficulty in learning school subjects. To quote from President Kennedy's Panel on Mental Retardation in 1962:

> Without special attention, they often become the problem members of our society, capable only of a marginal productive role. They are the workers who are the most frequently displaced by the economic adjustments in our competitive society. However, given timely supervision, guidance and training early enough in life, many will be capable of complete assimilation into our society.

It is readily apparent, Mr. President, that under the proposed alteration in verbiage, we will facilitate the immigration of persons into our country who, to quote the 1962 panel, "often become the problem members of our society, capable only of a marginal productive role."

Of course, we are told that developments in the field of mental health are such that, with careful supervision, those mentally retarded persons admitted under the new immigration concept will be capable of assimilation into our society. The advocates of the proposed legislation assure us that the services necessary for the retarded immigrant child or adult will be provided without his becoming a public charge. But, Mr. President, I fear that the assurances of proper safeguards will not work out in actual practice as they are envisioned to do so in theory. It seems to me that we are making a serious mistake if we enact legislation which will result in adding to our already increasing burden of costs and care in the field of mental health, those immigrants who have histories of some form of mental illness. We must not overlook the fact that each young immigrant afflicted with some form of mental illness or retardation is a potential parent of children who may inherit the same mental defects.

With reference to physical health, Mr. President, anyone who has traveled very broadly throughout the world can certainly find himself, or herself, wondering whether the very vocal advocates of an open door to the promise of America truly realize what the destruction of our present national origins quota system and the elimination of the Asia-Pacific triangle provisions may involve. As one example, Japan with its teeming millions, has so polluted its coastal waters that infectious hepatitis is indigenous to that area to such an extent that persons are warned against swimming in the waters, from drinking the water, from eating the seafood until it has been completely treated with heat, or otherwise, to destroy bacteria. And still the disease spreads. Recent newspaper photographs showed beaches in Japan, during a late summer hot spell, literally covered with human beings for miles of shoreline. The intense overpopulation has so increased the dangers of spreads of infections that it is not an uncommon sight to walk down Japanese streets, to ride street cars, to travel in trains, and see numbers of Japanese wearing gauze surgical masks as a primary means of reducing the dangers of epidemics.

I am not critical of the Japanese, nor of the Indians, for their overpopulation problem. I am truly sympathetic with them. But, even more important, I am concerned with the fact that these nations are now at a point where we in the United States are heading—and one only has to pick up our census reports and prognostications to learn this.

There are, of course, persons who sincerely believe that, because there has been some stabilization of applications for admissions to the United States, over the past several years, under our national origins quotas, there will be but a minute increase in applications for immigration into the United States, as a result of these proposed amendments.

However, the facts of our present immigration laws, and the policies under which they operate, are well known throughout the world and have for decades served as deterrents to many potential immigrants in their efforts to enter the United States.

The passage of the proposed legislation will remove these deterrents, and, in view of the fact that many northern European nations, under the present system, have unused quotas, I fear that the practical results of the new legislation will be a considerably increased immigration, in addition to the many serious concomitant problems, some of which I have discussed.

We take justifiable pride in the heritage of the American melting pot, but, unless the national origins quota system is maintained and unless limitations are placed on immigration from Western Hemispheric countries, the melting pot will no longer melt, and eventually ours will become a conglomerate, characterless society.

I believe deeply that we owe future generations the simple service of preserving the American heritage with its traditional social and political customs, its culture, and its national characteristics. Our national immigration policy must be an immigration policy that is in the national interest, and it must aim to establish the proper relationships between immigration and employment as well as between immigration and stable government.

Every 7½ seconds the clock in the U.S. Department of Commerce building in Washington records a new birth. Every 17 seconds one person dies in the United States. A foreign national enters the country every 90 seconds, and an immigrant leaves every 23 minutes. This all adds up to a net gain, I am told, of one every 12 seconds, which means a net annual increase of about 2.6 million. It is time that we awaken ourselves to the fact that future generations have no one to look to but ourselves for the preservation of the Nation, of liberty, freedom, and opportunity, and a republican form of government. Therefore, I intend to cast my vote, when the moment comes, against the proposal to scrap the national origins quota system because the proposed legislation will permit a greater inflow of immigrants from Asian and African countries and because our own problems of chronic and persistent unemployment and underemployment, housing, job retraining needs, growing welfare caseloads, crime, and juvenile delinquency are so great that we should not be considering any liberalization of the immigration laws.

I recognize that this is a very delicate issue and that the position I have taken will not be popular with some people, particularly those who misunderstand my reasons therefor. Nonetheless, I feel it my duty to vote against the proposed legislation, in my judgment, it not being in the best interests of the United States.

I ask unanimous consent to have printed in the RECORD at this point in my remarks an article entitled "The Situation as U.S. Population Nears 200 Million," published in the Washington Sunday Star of September 5, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SITUATION AS U.S. POPULATION NEARS 200 MILLION

Anyone contemplating a big celebration for the day when the U.S. population reaches 200 million should start planning fairly soon. According to the Population Reference Bureau, there are only about 21 months to go.

The 195 million mark was reached this month. At the present rate of growth the next 5 million needed to top 200 million would be added about May 1967.

Currently, the population is growing by about 7,200 a day, requiring some 700 days to accumulate a 5 million increase. The first census in 1790 enumerated 3.9 million persons. For two decades thereafter the Nation's growth averaged only about 450 persons a day, requiring 30 years to add 5 million. The birth rate around 1790 was more than twice as high as it is now. However, today's larger population base of 195 million can roll up a 5 million increase much faster than a base of 3.9 million.

Once a country's population passes the 100 million mark, even a moderate fertility rate produces a sizable numerical increase. India's population, for example, is increasing by 5 million every 150 days. If India suddenly cut both her birth rate and death rate in half, making them roughly equal to the U.S. rate (21.2 births and 9.4 deaths per 1,000 population), her population would still increase at well over 5 million a year. This is what comes of having a population of nearly half a billion. If population growth in the United States continues at the present rate, in just over 60 years this Nation will have as many people as India has today.

Japan, to take another example, has cut her birth rate to among the lowest in the world, 17.2. With a population just under 100 million, Japan will still realize a 5 million increase in 5½ years. In Canada, on the other hand, where the population is less than 20 million, it would take over 10 years at the current rate of growth to reach a total of 25 million.

U.S. RATE DECLINED

Around 1800, when the U.S. birth rate was over 50, the annual population increase was about 165,000. Today, with a moderate birth rate of 21.2, the increase is over 2.6 million each year.

The uncertainty of the family size preferences of upcoming parents makes the future of U.S. population growth difficult to predict. During the post-World War II baby boom, the U.S. birth rate reached 26.6 in 1947—the highest since 1921. Although the rate has declined somewhat in recent years, the population gain for the intercensal decade (1950–60) was an unprecedented 28 million—almost identical to the 28.5 million increase for the 20-year period, 1930–50.

While the birth rate has gone down since 1957 and shows no signs of leveling off, the rising tide of young women just entering the high-fertility age group, 20–29, is expected to make an impression on the total fertility of the Nation.

"The 195-million mark in August may become a turning point in U.S. population growth," according to Robert C. Cook, president of the Population Reference Bureau.

"In view of the very large fertility potential which now confronts us, the decades immediately ahead must be viewed as crucial ones," said Cook. "Even with a leveling off of the birth rate, we will be adding nearly 3 million a year to our population. If present trends continue, we will reach a growth level of 5 million a year during the last decade of the century." The highest projection of the Bureau of the Census, based on a return to the high-fertility rates of the postwar years, shows the U.S. population increasing by 7.5 million per year between 2000 and 2010.

DEPENDENT AGE GROUPS

At present, American parents of a newborn baby can expect their child to live past the age of 70. In 1900, life expectancy at birth was less than 50 years. The population aged 65 and over has increased by almost 500 percent since 1900, from 3 million to nearly 18 million. The number of children under 19 has risen from 34 million in 1900 to 77 million today.

The median age of the population is now 28.5 years and could drop to 25 years if U.S. fertility reverts to the postwar pattern. Thus, over half the population is in the dependent age groups of under 19 and over 65.

"Urban concentration is adding to the problems created by this socially demanding age structure," Cook said. "Over 70 percent of all Americans live in cities. Already we are nationally distraught by the perplexing problems of urban congestion, water shortage, juvenile crime, chronic deficiency in educational facilities, and inadequate care of the aged.

"Those who think growth to 195 million Americans should be celebrated with noisemakers and paper hats might well prepare their children to celebrate the 400-million mark with padlocked personal water bottles and oxygen masks."

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. COOPER. Mr. President, today the majority leader announced that tomorrow the Senate would begin the consideration of S. 2084, known as the highway beautification bill. I serve on the Committee on Public Works and voted to report the bill to the Senate.

In committee, I offered several amendments to the bill. Some were adopted, and I hope they will be maintained by the Senate. Other amendments that I offered were rejected and I expect to offer them on the floor of the Senate.

I strongly supported the first bill considered by Congress with respect to the beautification of highways. That was a bill that was introduced in the administration of President Eisenhower and provided for the control of advertising on the Interstate Highway System. The bill was strongly contested, but was passed by Congress.

In 1961 and again in 1963 I joined the distinguished Senator from Oregon [Mrs. NEUBERGER] in introducing bills to extend that act. Against strong opposition, our bills were approved by Congress.

The bill that will be considered tomorrow differs from the bill which was enacted in 1958 providing for the control of advertising on the Interstate Highway System. S. 2084, in title 1, would provide for Federal control of signs and billboards located in areas adjacent to both the interstate and primary highway systems within 660 feet of the nearest edge of the highway.

Title 2 provides for the screening or removal of junkyards located in areas within 1,000 feet of the nearest edge of the right-of-way.

Title 3 provides for the landscaping and the scenic enhancement of all Federal-aid highways.

The bill introduced on behalf of the administration provided that the cost of the program, with the exception of title 3, was to be borne by the Federal Government and the States from general appropriations in the same proportion as is now applicable to the construction of the two systems; that is, 90 percent by the Federal Government and 10 percent by the States with respect to the Interstate System, and 50 percent by the Federal Government and 50 percent by the States with respect to the primary system.

The full cost of title 3 for the landscaping and scenic enhancement of all Federal-aid roads would be borne wholly by the Federal Government.

The amounts authorized to be appropriated in the bill would be, for the Federal Government, $160 million for fiscal year 1966, $160 million for fiscal year 1967; and $40 million by the States in fiscal year 1966, and $40 million by the States in fiscal year 1967, or a total Federal cost of $320 million. This was admitted to be merely an estimate; the total cost of the entire program is speculative.

The bill would require that the States, through their legislatures, accept this program, if it should be enacted by Congress, by January 1, 1968. If the States did not accept the program, then all Federal funds, including matching funds, either for the Interstate Highway System, the primary system, the secondary system, or the urban system, would be denied the States, and these funds could be reapportioned among the complying States. I point this out because, worthy as the objectives of the bill are, the program is essentially mandatory upon the States. It requires them to accept the plan and also requires their legislatures to appropriate the money to pay the States' part of the program.

In committee, I offered several amendments. As I said, some of them were adopted. Today I wish to submit two amendments. The first amendment that I send to the desk would provide that the Federal Government pay the entire cost of the program. In the subcommittee, my amendment was adopted; but in the full committee, the action of the subcommittee was reversed. I should like to state briefly the reasons which led me to offer the amendment, and which will lead me to offer it tomorrow in the Senate.

First, this is a national program. It is so announced in the bill. It has been proclaimed by the President—and I think correctly so—that it is national in its scope. I think it should be considered as a national bill with the full cost to be paid by the Federal Government.

My second reason is that I believe this is the first bill of its type, that has been introduced in Congress, at least during during my stay here. Dozens of Federal-aid programs are actually in existence. They are voluntary programs in the sense that the State must accept them generally. The reasons for aceptance are strong, the States do accept them, and their legislatures provide the funds for the States share of the cost.

However, I do not consider this bill to be based on voluntary compliance—that is, one which the States can accept voluntarily.

It is declared that this is a national program; that the beautification of the highways is essential; and that the program should be accepted by Congress and then by the States. It may be argued that it is a voluntary program so far as the States are concerned, because the State legislatures must act to accept it. But I point out that the penalty—the denial of all highway funds to a State—does not give the States a chance to make voluntary decisions. It is, in effect, coercive, because no State could refuse to accept the program, and no State legislature could refuse to appropriate the money to pay its share of the cost; otherwise, the State would lose its entire apportionment for the construction of all Federal and State roads within its jurisdiction.

The chief reason that I believe the full cost should be paid by the Federal Government is the unusual character of the pending bill and the precedent that it could set if Congress were to declare that a program—perhaps one not as worthy as this—is essential to the national interest, and then, after enactment, require the States, pursuant to penalty, to accept the program and to appropriate money to pay for what in actuality is a Federal program. I believe we would be establishing an unusual precedent.

With all the dozens of Federal aid programs, I do not know of any other program in which a State is compelled to accept the program and to appropriate money for its share because of the penalty that would be imposed upon the State.

It might be said that we represent the States and that, therefore, we are adopting this program for the States. However, we cannot place ourselves in the position of substituting for State legislatures. I do not believe, as a matter of precedent, that we should impose upon the States this tremendous penalty which, in effect, would force them to accept this program.

I shall offer my amendment again tomorrow to require the Federal Government to pay the full cost of this program. I offered in the subcommittee another amendment which would extend the time for the removal of advertising and the screening of junkyards from 1970 to 1972.

I have noted in some articles that this has been termed an amendment to postpone the effective date of the highway beautification program. Of course, if one had read the bill, he would know that conclusion is not correct. The effective date for controls of advertising and the screening of junkyards remains the same—January 1, 1968. When the States act—and they are compelled to act under this bill on or before that date—this program of control would go into effect immediately.

My amendment would simply extend the time for the removal of the advertising and the screening of the junkyards for 2 years. I believe that we would have certain advantages by so doing. First, it would actually only extend the time only 2 years because if a legislature acts in 1966, as it could, 6 years would be provided for the removal of advertising or for the screening of junkyards. If a legislature were to act in 1967, there would be 5 years.

If this cost were to be placed in part upon the States—and the cost is speculative—it would simply give the States an additional 2 years in which to distribute the cost of the burden.

If my amendment should be agreed to, thus placing the entire cost on the Federal Government, we would give the Federal Government 2 years in which to distribute the cost of the entire program.

Considering the state of the deficit of the Federal Government and the state of the budgets of many States, I should think that this would be helpful to both State and Federal Governments.

Another reason for offering my amendment is that it has been stated by members of our staff—and it has been confirmed by representatives of the Department of Commerce—that a great deal of this type of outdoor advertising is based on a 5-year lease.

If my amendment should be agreed to, an additional number of contracts would expire and which would reduce the total final cost of the program.

I offered a third amendment in committee. It was rejected both in the subcommittee and in the full committee. However, I shall offer it again.

This amendment would provide that the same standards be maintained which were accepted by Congress when the Interstate Highway System was enacted. The bill before us is much less restrictive in its standards than the standards Congress adopted for the Interstate Highway System.

There may be some reason—and I understand that there are reasons—for making the requirements less stringent upon the primary system. The primary system has been in the course of development since 1921. It comprises approximately 225,000 miles of road, running through thousands of communities, in which the advertising, thus far, at least, has not been prohibited by any act of the Federal Government. It has been subject only to the zoning powers and the police powers of the State. These controls upon the primary system, taking into account its mileage and the passage of the roads through thousands of communities, and the establishment of advertising as a legitimate business should be less restrictive. However, I see no reason for the open end provision in this bill applying to the Interstate Highway System. I believe that it should be made clear that, under this bill, the States—and of course they act through their municipalities—can zone additional commercial areas along the interstate system.

With respect to the Interstate Highway System, this would mean that along this 41,000 miles of road, running mostly through open country, bypassing towns and cities, additional areas could be opened up for outdoor signs and billboards.

I believe that the Interstate Highway System should be at least kept as clear of advertising and junkyards as it is today under the existing law. However, this bill is less restrictive.

Mr. President, two amendments which I offered were accepted and incorporated in the bill. I hope that they will be agreed to in the Senate. One amendment was to give assistance to the traveling public on interstate highways. As one knows who travels the Interstate Highway System, there are directional signs, but they are of a general nature. Usually they indicate that fuel, food, and lodging, are available at the nearest town.

My amendment provides with respect to the Interstate System the Secretary, in consultation with the States, could designate an area at an appropriate distance from an interchange, and, in that area, signs could be established according to standards fixed by the Secretary to give specific information to the traveling public, such as the location of hospitals, motels, hotels, restaurants, and service stations. This is particularly important when we considered the fact that the traveling public uses to great extent credit card facilities.

This amendment was adopted by the full committee.

I had one other amendment which was accepted, and which I hope will be agreed to in the Senate. The bill which was introduced on behalf of the administration would authorize the Secretary of Commerce to prescribe standards for on-premise signs; that is, signs on an owner's premises of advertising the business or activity that he conducts on his own property.

Take, for example, the situation of a town or city traversed by a segment of the primary system, having a drugstore, a motel or a hotel, or any other business enterprise, owned and operated by an individual, who had erected signs to advertise his own business. The bill as introduced would have authorized the Secretary to prescribe standards for those signs, to require the owner to take down his signs and replace them at his own cost with signs conforming to the Secretary's standards.

When I brought that provision to the attention of the committee members, I am happy to say that they approved my amendment to remove this authority. I understand that this amendment is also acceptable to the administration.

Another question deserves the consideration of the Senate. Title II, providing that compensation to owners of junkyards shall be paid, also provides that the first $1,500 of cost should be paid by the owners. While this would reduce the cost to the Federal Government and the States, I doubt that such a provision would be sustained in the courts. The elements of "just compensation" have been determined by the courts in innumerable cases. 1 do not believe the courts would hold that $1,500 could be deducted from "just compensation." This should be removed from the bill.

I have filed individual views with the report, and I ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the individual views of Mr. COOPER were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR JOHN SHERMAN COOPER TO S. 2084

I supported the objectives of S. 2084 and voted in the Public Works Committee to report it to the Senate. Nevertheless, I intend to offer amendments to the bill, as I did in committee, and one purpose of my individual views is to explain the reasons which I consider support the adoption of the amendments.

The bill before us, S. 2084, in its title I, provides for Federal control of advertising, displays, and devices in areas adjacent to the interstate and primary highway systems within 660 feet of the nearest edge of the right-of-way; title II provides for the screening or removal of junkyards in such areas within 1,000 feet of the nearest edge of the right-of-way; title III provides for landscaping and scenic enhancement of all Federal-aid highways. The cost of the first two programs is to be borne by the Federal Government and the States from general appropriations in the same proportion now applicable to the construction of the two systems—that is, 90 percent by the Federal Government and 10 percent by the States with respect to the Interstate System, and 50 percent by the Federal Government and 50 percent by the States with respect to the primary system. The full cost of the title III program is to be borne by the Federal Government. The amounts authorized to be appropriated for the three titles are, respectively: $20 million, $20 million, and $120 million through fiscal 1966; and $20 million, $20 million, and $120 million through fiscal 1967, a total cost to the Federal Government of $320 million, and to the States of $80 million for the next 2 fiscal years. It is admitted that the authorizations are estimates and that the total cost for the entire program is speculative.

It should be emphasized that S. 2084 differs in two important respects from Public Law 85–767 enacted by the Congress in 1958, and amended in 1959. Public Law 85–767 applied to the control of advertising only on the Interstate Highway System, comprising approximately 41,000 miles, while S. 2084 extends controls to the primary system, which includes the urban system of highways, and comprises approximately 224,000 miles. The second major difference, and one of great importance, is that Public Law 85–767, which expired on July 1, 1965, was a voluntary program which required the legislative consent of the States, while S. 2084, although requiring legislative action by the States by January 1, 1968, is essentially mandatory upon the States. This is its effect, for upon failure to adopt the Federal plan, all funds apportioned to the State for the Interstate Highway System, the primary system and the secondary system, would be withheld and, at such time as fixed by the Secretary of Commerce, would be reapportioned to States complying with S. 2084. As I shall point out later, this is an unusual and coercive condition which I do not believe is applied to the States under any other Federal-aid program.

I supported Public Law 85–767, the first road beautification bill, one proposed by President Eisenhower. In 1961, and again in 1963, I joined with Senator MAURINE NEUBERGER in introducing bills to extend the provisions of the act for additional 2-year periods, and they were adopted against strong opposition. Twenty-five States, including my State of Kentucky, voluntarily accepted Public Law 85–767 by legislative action. These States have exercised the advertising controls required by the act, either by providing compensation to the advertising businesses and property owners affected, or without compensation under their police powers.

COMPENSATION

S. 2084, as reported, provides for compensation to sign owners and property owners where advertising is required to be removed, and for compensation to junkyard owners and property owners where screening or removal is required. The original bill proposed by the administration authorized the use of the States' police powers to effect removal of advertising and screening of junkyards,. without requiring compensation. I introduced in the Senate an amendment requiring just compensation. I support the committee amendment requiring just compensation, although the committee language differs from the language of my amendment. The acceptance by the committee of the principle of just compensation evidently took into account the situation existing on the primary system, which has been developing since 1921. It passes through thousands of cities and communities throughout the United States. Advertising on the primary system has been accepted throughout the years as a legitimate business, and as useful to the traveling public, and has not been heretofore prohibited except through the zoning powers of the States. It is proper and just that the taking of the property rights of the sign owners and land owners should be accompanied by compensation.

COST

The principle of compensation having been agreed to by the committee, the question arose—who should pay compensation? As I have noted, the bill introduced on behalf of the administration provided that with respect to titles I and II, the cost should be allocated between the Federal Government and the States, 90–10 percent with respect to the Interstate System and 50–50 percent with respect to the primary system. This requirement presumably follows the analogy of the division of cost for the construction of the two systems.

I introduced in the committee an amendment providing that the full cost of the title I and title II programs be paid by the Federal Government. My amendment was adopted in the subcommittee, but the full committee reversed the decision of the subcommittee. I shall offer my amendment on the Senate floor and for the following reasons:

1. The program to be completed within a limited period is a national program of beautification reflecting a national policy which the bill declares. Although it is a program of worthy objectives, with which I agree, it is not a program which has been proposed or voluntarily accepted by the States.

2. The existing Federal-State programs for the apportionment of the cost of construction of the Federal-aid system between the Federal Government and the States is not a true analogy with respect to the beautification program intended by S. 2084. Residents of States have a direct interest in the construction of the interstate and primary systems, more specifically in the primary system, as they are needed to serve the local economy, and the traveling public in the actual use of the roads. The States propose the initiation of construction of segments of the primary systems, basically because of State and local needs, paying 50 percent of the cost, and receiving aid from the Federal Government. But the choice of initiating a particular segment of the primary system and providing appropriations for its share of the cost, rests with the State. The Interstate System has been established to join the States and their principal cities in the interest of interstate communication and defense and, as the payment of 90 percent of its cost by the Federal Government indicates, it is a national rather than a local system of roads.

The esthetic values of beautification, and they are important and should be achieved, do not directly affect the economic use of the highways. Title III of the bill, which provides for landscaping and scenic enhancement of all Federal-aid highways, as part of the national beautification program, recognizes this fact. It specifies that the entire cost shall be borne by the Federal Government. In reality, all three titles represent integral parts of one program and one national policy.

3. The division of cost between the States and Federal Government with respect to the construction of the Federal-aid highway system is measured by accepted factors, largely determined by mileage, such as the cost of rights-of-way and construction. The cost of beautification under titles I and II bears no relation to these known factors, but instead will be determined by the number and investment cost of signs and billboards and of junkyards. The expenditure for some States will be proportionately much larger than others, dependent upon the volume of existing advertising, and the number and size of the junkyards.

4. A principle and a precedent are involved in requiring the States to pay a proportionate share of the costs of titles I and II. It is that the Federal Government, through the Congress, can require mandatorily that the States take legislative action to appropriate funds for a program declared national and essential by the Congress. It may be argued that the States will accept the program voluntarily by legislative action. But the fact is that the provision requiring the cutoff of all Federal-aid funds for the construction of necessary interstate and primary roads is an instrument of such coercive strength that no State could refuse to appropriate its share of the cost required by the committee bill.

This is illustrated by the following table from Senate Report No. 1162, accompanying H.R. 10503, the Federal-Aid Highway Act of 1964, showing the approximate apportionments of Federal-aid highway funds to be made for fiscal year 1967:

Approximate apportionments of Federal-aid highway funds, fiscal year 1967

[Thousands of dollars]

State	A-B-C, pursuant to H.R. 10503				Interstate[1] (2,900,000)	Total (3,900,000)
	Primary (450,000)	Secondary (300,000)	Urban (250,000)	Subtotal (1,000,000)		
Alabama	8, 536	6, 522	3, 361	18, 419	59, 673	78, 092
Alaska	24, 019	16, 119	164	40, 302	----------	40, 302
Arizona	6, 509	4, 220	1, 869	12, 598	40, 505	53, 103
Arkansas	6, 404	5, 098	1, 362	12, 864	30, 193	43, 057
California	22, 693	10, 486	27, 062	60, 241	275, 823	336, 064
Colorado	7, 405	4, 802	2, 545	14, 752	38, 249	53, 001
Connecticut	3, 338	1, 833	3, 937	9, 108	40, 734	49, 842
Delaware	2, 216	1, 478	574	4, 268	10, 740	15, 008
Florida	8, 217	5, 089	7, 030	20, 336	59, 844	80, 180
Georgia	11, 439	8, 598	4, 051	24, 088	53, 159	77, 247
Hawaii	2, 216	1, 478	928	4, 622	22, 652	27, 274
Idaho	4, 948	3, 551	528	9, 027	13, 540	22, 567
Illinois	16, 805	9, 213	16, 053	42, 071	150, 480	192, 551
Indiana	10, 043	7, 267	5, 610	22, 920	71, 441	94, 361
Iowa	10, 058	7, 493	2, 672	20, 223	36, 506	56, 729
Kansas	9, 937	6, 942	2, 453	19, 332	22, 366	41, 698
Kentucky	7, 250	6, 155	2, 496	15, 901	58, 844	74, 745
Louisiana	6, 671	4, 799	3, 913	15, 383	83, 324	98, 707
Maine	3, 307	2, 511	848	6, 666	13, 626	20, 292
Maryland	4, 459	2, 798	4, 521	11, 778	52, 845	64, 623
Massachusetts	5, 682	2, 520	8, 627	16, 829	61, 815	78, 614
Michigan	13, 836	8, 689	11, 337	33, 862	112, 403	146, 265
Minnesota	11, 217	7, 908	4, 098	23, 223	74, 612	97, 835
Mississippi	7, 056	5, 911	1, 468	14, 435	35, 050	49, 485
Missouri	11, 865	8, 122	5, 555	25, 542	73, 782	99, 324
Montana	8, 144	5, 651	572	14, 367	26, 994	41, 361
Nebraska	8, 031	5, 724	1, 442	15, 197	16, 853	32, 050
Nevada	5, 113	3, 400	377	8, 890	14, 539	23, 439
New Hampshire	2, 216	1, 478	661	4, 355	12, 940	17, 295
New Jersey	6, 341	2, 201	10, 742	19, 284	75, 211	94, 495
New Mexico	6, 824	4, 605	1, 209	12, 638	28, 794	41, 432
New York	20, 217	8, 806	28, 794	57, 817	136, 683	194, 500
North Carolina	10, 412	9, 320	3, 279	23, 011	23, 594	46, 605
North Dakota	5, 633	4, 130	439	10, 202	12, 740	22, 942
Ohio	15, 653	9, 768	14, 128	39, 549	196, 870	236, 419
Oklahoma	8, 893	6, 191	2, 758	17, 842	34, 707	52, 549
Oregon	6, 797	4, 753	2, 089	13, 639	50, 103	63, 742
Pennsylvania	16, 278	10, 434	15, 911	42, 623	129, 028	171, 651
Rhode Island	2, 216	1, 478	1, 503	5, 197	10, 626	15, 823
South Carolina	5, 691	4, 970	1, 790	12, 451	24, 909	37, 360
South Dakota	6, 165	4, 465	455	11, 085	18, 939	30, 024
Tennessee	8, 847	6, 966	3, 561	19, 374	72, 698	92, 072
Texas	26, 909	16, 998	13, 894	57, 801	130, 513	188, 314
Utah	4, 846	3, 143	1, 304	9, 293	41, 762	51, 055
Vermont	2, 216	1, 478	268	3, 962	19, 909	23, 871
Virginia	8, 829	6, 846	4, 334	20, 009	87, 666	107, 675
Washington	7, 072	4, 780	3, 740	15, 592	60, 129	75, 721
West Virginia	4, 446	3, 979	1, 316	9, 741	43, 419	53, 160
Wisconsin	9, 863	6, 962	4, 837	21, 662	25, 509	47, 171
Wyoming	5, 040	3, 429	295	8, 764	27, 679	36, 443
District of Columbia	2, 216	1, 478	1, 569	5, 263	41, 476	46, 739
Puerto Rico	2, 216	2, 465	1, 921	6, 602	----------	6, 602

[1] Based upon the total cost estimate. These will be revised by the 1965 cost estimate now being prepared for submission to the Congress in January 1965.

Dozens of Federal-State aid plans have been enacted by the Congress. These plans are based upon agreement between the Federal Government and the States. I do not know of any Federal-aid program, in existence or proposed, with the exception of this bill, which requires States to take legislative action and make appropriations under penalty of losing Federal-aid available under another program.

A very basic question is involved in this requirement of S. 2080. Should the Federal Government, by the imposition of penalties, require a State to appropriate funds to support a program, worthy as it may be, determined by the executive branch and the Congress to be a matter of national interest? This precedent, if established, could be applied in the future to programs less worthy, if the Congress so determined. It may be argued that Members of the Congress, as representatives of the States, are acting for the States, but I know of no authority we have to substitute ourselves for State legislatures, and require mandatorily State appropriations for national programs, established by the Congress.

For these reasons, I believe that the Federal Government should pay the entire cost. The program is national in scope and for the benefit of all of the traveling public throughout the United States.

EXTENSION OF TIME

The full committee rejected an amendment which I offered to extend the time for the removal of advertising and the screening of junkyards from 1970 to 1972 which had been previously considered and adopted by the Subcommittee. As this amendment has been characterized incorrectly as one to delay control, I point out its correct purposes. The amendment would not change the basic provision that States, in order to receive

Federal-aid funds, must institute mandatory controls by January 1968. At that time the program would become effective in all States complying. My amendment would extend from 1970 to 1972, the time for the removal of prohibited advertising, and the time for the removal or screening of junkyards.

Whether the States are to bear a proportionate part of the cost, or all is to be borne by the Federal Government, the cost would be distributed over a 4-year period rather than a 2- or 3-year period as provided by the committee bill. Taking into account the state of the Federal budget and many State budgets, my amendment would lessen their burden. Second, as a larger number of outdoor sign owners and property owners would complete their contracts by 1972 than by 1970 (I am informed by the committee staff that the usual term is 5 years), the cost of the program would be reduced. Third, the short-time extension would allow the private industry affected a more reasonable time to adapt their operations, particularly upon the primary system, and I believe this is fair.

MAINTAINING INTERSTATE SYSTEM STANDARDS

S. 2084 is less restrictive upon advertising and junkyards on the Interstate System than Public Law 85–767. For this reason, I offered in committee an amendment which proposed that the standards adopted by the Congress under Public Law 85–767 be maintained with respect to the zoning of areas adjacent to the Interstate System.

In my view, Congress should maintain the Interstate System free from additional commercial signs and billboards. S. 2084 is less restrictive than Public Law 85–767, as it would enable the States to zone additional areas along the Interstate Highway System on which commercial signs and billboards may be erected.

I believe it important that we recall the basic distinction between the Interstate System and the primary system. The Interstate System was authorized by the Congress in 1956 to provide for the national transportation and defense needs of the country. Its 41,000 miles bypass cities and traverse, for the most part, open and sparsely populated areas which had not been used for advertising purposes. The primary system, on the other hand, has been in course of development since 1921. Its 224,000 miles, including the urban system, pass through thousands of towns and cities and industrial and commercial areas where outdoor advertising has been long established.

Section 131(b) of Public Law 85–767 and section 131(a) exempt certain segments of the Interstate System from the control provisions of section 131(a). The exempted areas include the following:

1. Segments of the Interstate System constructed on rights-of-way acquired prior to July 1, 1956.

2. Segments of the Interstate System which "traverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control."

3. Segments "which traverse other areas where the land use, as of the date of the approval of this act, is clearly established by State law as industrial commercial."

The pending bill broadens the exemption by including the following:

1. Areas "zoned industrial or commercial under authority of State law."

2. Areas unzoned but "used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States, which shall be consistent with the purposes of this act."

Under Public Law 85–767 the exemption for commercial or industrial zoning on the Interstate System is limited to areas subject to municipal regulation or control within the municipality's boundaries then existing at the time of the effective date of the act, viz, 1958, and to those areas clearly established by State law as industrial or commercial as of 1958. Although the committee bill removes the exemption with respect to those segments of the system constructed on rights-of-way acquired prior to July 1, 1956, nevertheless the old law is more restrictive: first, in limiting the areas eligible to be zoned industrial and commerical and, secondly, in establishing a cutoff date of 1958 with respect to future zoning. Without a cutoff date the committee bill would authorize future zoning of additional areas adjacent to the Interstate System upon which outdoor advertising may be displayed.

Let it be remembered that State legislatures will not zone specific areas on Interstate roads. Municipalities, counties, and townships, authorized by the State legislatures, will exercise the power to establish additional commercial and industrial zones, exempt from the controls of S. 2084. This open-end authority should not be permitted with respect to the Interstate System.

I offered in committee amendments which were adopted, and which I hope will be maintained.

DIRECTIONAL SIGNS ON THE INTERSTATE SYSTEM

In place of the present system of permitting only signs on the Interstate System indicating "fuel, food, and lodging," the committee adopted my amendment to require the Secretary, in consultation with the States, to "provide for an area at an appropriate distance from an interchange on the Interstate System on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained." To avoid possible abuse, these signs will conform to national standards promulgated by the Secretary. Establishments such as motels, hotels, service stations, restaurants, and hospitals in communities bypassed by the Interstate System would be afforded an opportunity to have their services notified to the traveling public under appropriate standards.

ON-PREMISE SIGNS

The committee agreed to an amendment I introduced, striking the section empowering the Secretary to set national standards concerning number, size and lighting of on-premise advertising—that is, advertising by the owner on his property concerning his business activities conducted on his property. Under the original bill the Secretary was authorized to prescribe the types of signs which commercial and business establishments, located along the primary system, could display on their property advertising their products and services. In cases where the property owner's signs did not conform with the Secretary's standards, the property owner could be required to remove, at his expense, such signs and, where replaced, by signs meeting the Secretary's standards. The States have power to exercise such authority, and such controls, by zoning or other methods under their police powers. I do not consider it proper that the Federal Government be given authority to prescribe to property owners the manner in which they may advertise legitimate business activities conducted by them on their own property.

Mr. COOPER. To close, I say again that I have always supported the principle of the beautification of our highways. I have introduced bills to that effect, and they have been passed against very strong opposition. But I have noted what I believe to be undesirable effects in the bill before the Senate. I proposed corrective amendments in committee, and those which were not accepted I shall offer again on the floor of the Senate, unless, prior to the time when the Senate considers and takes action upon this bill, the administration itself takes action to remove some of the provisions of the bill which I do not deem proper.

I do not wish to extend my remarks further, but to point out again the very unusual character of the bill. I doubt if any bill has ever been passed which allowed the Federal Government to prescribe a program for the whole Nation, essential and worthy though it might be, and then fix a penalty on the States so that their legislatures would be required in effect to appropriate money for the payment of the costs assigned the States by the Federal Government.

NOMINATION OF DAVID W. BRESS, TO BE U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA

Mr. MILLER. Mr. President, recently President Johnson sent to the Senate the nomination of David W. Bress to be U.S. attorney for the District of Columbia.

In today's Des Moines Register, there is an article by the distinguished reporter Mr. Clark Mollenhoff of the Register's Washington Bureau, which brings out that Mr. Bress was the lawyer of record for the Serv U Corp. from October of 1963 until last December. This is the corporation which was controlled by Bobby Baker, and it was involved in litigation with one of Mr. Baker's former associates. The case was apparently settled without going to trial last December.

What is important to note, however, is that Mr. Baker is involved in grand jury proceedings here in the District of Columbia, and any prosecution which might grow out of these proceedings would be under the jurisdiction of the U.S. attorney for the District of Columbia.

In such an event, Mr. Bress and his staff would be placed in a most difficult position. Actions involved in the subject of a prosecution could have arisen at the time he was representing Mr. Baker's Serv U Corp. These actions might involve the corporation. This could well involve a conflict of interest. Other members of Mr. Bress' staff would, as his employees, and subject to his control, be deprived of that freedom from suspicion which must exist in the public mind if confidence in our system of justice is to be preserved.

Also, if Mr. Bress should take office prior to the conclusion of the grand jury proceedings, a foundation for suspicion in the public mind would be laid if these proceedings do not result in an indictment, or in an indictment for a less serious violation of law than some members of the public might think proper.

Under the circumstances, it would seem to me that action on this nomination should be held up pending grand jury action and any prosecution which might arise out of the grand jury's deliberations. I would hope that this could be done so that Mr. Bress when he takes office, will do so under the very best of circumstances.

DEAN RUSK: L.B.J.'S "JUST-A-MINUTE MAN"

Mr. PROXMIRE. Mr. President, in an article in last Sunday's New York Times, Max Frankel has brilliantly discussed the Secretary of State Dean Rusk. The article is happily titled "The President's Just-a-Minute Man." And this quality of a loyal but extraordinarily competent and remarkably informed Secretary of State who has the character to disagree with the President when he is convinced he should—this rarely appreciated quality of Mr. Rusk is well documented by Mr. Frankel.

Mr. President this article helped me greatly to understand the contribution Mr. Rusk makes to our foreign policy, how he recognizes that the President—not the Secretary of State must really run America's foreign policy program. It explains how the strong and able Secretary of Defense fully understands that his Department must be subordinate in a real sense to the State Department in military as well as foreign policy. And it shows how and why Dean Rusk has worked so well with the Congress as well as the Pentagon and the President.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S "JUST-A-MINUTE MAN"

(By Max Frankel)

WASHINGTON.—Ironically but characteristically, Dean Rusk, the Secretary of State, became the subject of lively controversy here this summer not because of anything he did or decided but simply because of what he is—a decent, dignified, dogged, self-effacing, circumspect and dispassionate manager of the international diplomacy of the United States.

Typically, this personalized controversy pained him deeply, but typically, too, it seemed to buttress his standing in the Government, particularly with Lyndon B. Johnson. For the first time in 5 years public men were moved to take a position on Dean Rusk and they rallied to his side. Incidentally, therefore, the brief flurry of attention provided a focus for appraisal of a man whose bland exterior has defied penetration even by some of his closest associates.

The Washington ruckus that Rusk had for so long eluded was triggered by Arthur M. Schlesinger, Jr.'s public recollection that President Kennedy had planned to find a new Secretary of State after the 1964 election and had really wished he could do so even sooner. That single piece of gossip from the former President's aide, a historian, gave wing to the rest of his magazine memoir, a polemic against the timidity and sluggishness of American diplomats and a portrait of Rusk as their honorable and talented, but insufficient, leader.

Actually, there was nothing novel about Schlesinger's catalogue of credits and complaints, except his ability to attribute many of them to Mr. Kennedy, who had appointed and, despite his evident doubt, retained Rusk as the leading member of his Cabinet.

No one who has known Rusk has failed to like him or to respect his mastery of the technical details of innumerable foreign-affairs problems, his gift for concise and persuasive exposition, his extraordinary diligence, his patient yet skillful deportment as a negotiator, his remarkably happy relations with the Congress and the Pentagon—two traditional citadels of hostility toward a Secretary of State—and his inherent courtesy, gentility and durability.

But neither could anyone long in Washington have failed to encounter, now here, now there, the harsher judgments that Schlesinger collected, namely that Rusk was unsuited for command, that he rarely had strong views and rarely argued a position with adequate force, that he was reluctant to decide and wholly unwilling to confide in his subordinates, that his thoughts tended to be conventional and his assertions pedestrian, and that his instincts for service instead of self-assertion had made him all his life the ideal Chief of Staff, the perfect No. 2 man.

This slapdash list of virtues and deficiencies, though contradictory in some important respects, is widely accepted here as a fair evaluation of Dean Rusk. Much of the furor about the Schlesinger article dealt with the value and propriety of citing a dead President's random judgments of an important official now serving another administration. But the endless waves of Washington gossip had rolled over Dean Rusk many times before, questioning his influence and estimating his net worth and thus creating the impression that no one here would be surprised either by his dismissal tomorrow morning or his survival through one or even two Johnson terms, longer than any predecessor.

Rusk's studied reticence and political pallor have made many of the complaints appear credible, especially since he has had to labor in the shadows of first a dynamic President and now an overbearing one. Neither President, however, was easily persuaded to exchange Rusk's experience and demonstrated value for the more flamboyant but unpredictable talents of another man. And both Presidents did their best to protect the Secretary from the gossip that he himself has scrupulously ignored.

"The things that man puts up with," President Johnson remarked recently. "The way they talk about him, even in his own Department. I said to him the other day, 'Dean, I hope the next time they'll say something about your wife or daughter. I want to see you get mad, just once.' And he just sits there and laughs.

"He's kind, maybe too kind. Decent. He's got the compassion of a preacher.

"He's got courage. A Georgia cracker. When you're going in with the marines he's the kind you want at your side * * *.

"And he's also the man, like Sam Rayburn used to say, whom you look to, when you're all set on something, to speak up calm and say, 'Now, just a minute.' He's the just-a-minute-man around here, not feisty like McNamara and Bundy."

"Besides," the President continued, without a smile, "even if I did want to get rid of him, my wife wouldn't let me. She loves that man like her daddy. He's No. 1 in the Cabinet, not only in protocol, but in the heart of his President."

Dean Rusk has sat serenely through the public arguments, as he has through much private though more substantial debate. He countered Schlesinger with the simple remark that no President, colleague or foreigner would ever find Dean Rusk betraying a confidential comment (but also by deciding, after much hesitation, that he would record his views and have his say—for history).

Rusk is forever mindful of the fact that he is a poor boy off a tenant farm in Georgia, become the 54th Secretary of State of the United States, that he is the creature and the agent of a Presidency that he reveres and the representative of a nation whose ideals of law and order, charity and civility he not only upholds publicly but worships privately. The Secretary of State of the United States simply does not get mad or rattled, and he does not argue, least of all for himself.

"Dean is almost egoistic about denying the ego," says a colleague.

"The course of wisdom," Dean Rusk has said, "lies in reducing the impact which accidents of personality have upon the relations among nations. * * * National interests reach far beyond the idiosyncrasies of holders of public office. * * * One of the purposes of diplomacy, including its elaborate formality and high style, is to exclude from great affairs of state the many irrelevancies which spring from human frailty."

As he makes this point, at times defensively, at times didactically, Rusk probably has in mind the accidents that placed him atop the State Department, midst the desks and chairs of illustrious predecessors like Jefferson, Madison, Monroe, and John Quincy Adams and midst the portraits of commanding Secretaries who raised him through the bureaucracy and into the American establishment, George Marshall, Dean Acheson, and John Foster Dulles.

Much of his conduct in office is self-consciously patterned after General Marshall's, especially the aloofness from subordinates, the dignified silence toward critics, the fierce loyalty to the President, the impatience with academic distinctions between military and political sides of a problem, and, always, the self-control. Much of Rusk's careful and successful coordination with the Congress and the Defense Department is obviously a reaction to the disastrous experiences of Dean Acheson with both. And much of his fear of "making policy by phrase" and flamboyant rhetoric is clearly a reaction to John Foster Dulles' troublesome penchant for slogans such as "massive retaliation," "brinkmanship," "rollback," and the like.

Yet, like all men, Rusk has probably defined his job to himself by stressing the qualities that come most easily to him. "Rusty" Rusk at Boys' High in Atlanta was no rugcutter. He was a lanky, freckled lad remembered for his inquisitiveness and maturity and his determination to reach Davidson College in North Carolina, "the poor man's Princeton" that his father had attended, and then Oxford, by the only financial route possible, as a Rhodes scholar. He did.

Even at the age of 29, sobriety must have been written all over the face of Prof. Dean Rusk at Mills, a girls' college in Oakland, Calif., for they made him dean of faculty. And then came that charming, revealing effort to serve decorum by reviving his given name, David D. Rusk. It failed because "Dean Dean" was just too tempting for most of the students, including the former Virginia Foisie, of Seattle, who became Mrs. Rusk after a discreet campus courtship.

Not derring-do but dutiful, intelligent, and diligent staff work with Gen. Joseph Stillwell's international command in Burma made him Colonel Rusk in World War II. And then, after 6 years of sub-Cabinet assignments in the Defense and State Departments, he seemed to fit comfortably into the prudent mold of the Rockefeller Foundation, where he dispensed cautious charity as President Rusk.

"Only small things ever irritate Dean," Mrs. Rusk has observed, "petty annoyances, say, like taking a shortcut that turns out to be the longest way around." Even then, however, it takes a trained eye to detect impatience in the quickening puffs on the chain of Chesterfields or in the surest sign of all, a sudden silence.

The stolid record and reticent manner are complemented by a mild appearance. Rusk stands 6 feet 1 inch, tall without towering; he weighs 195 pounds, sturdy but not stately. (He was, he says, "the last of the midget centers" in college basketball.) The figure is cut down by the suit—loose, large, and square—and by the round and open face and bald brow. (With an apron, they were saying, when he joined the Kennedy team, he could pass for your friendly neighborhood bartender.)

His deportment is courtly, his tone is even, his accent is lightly Georgian, his grammar is often conditional ("I would think that the answer to that would probably be "No"). The eyes are deep and wary until they grasp the circumstance or the purpose of an inquiry, but a thin smile is always poised. With a rebuke, the smile grows broader; with a jest, crinkles fan from eye to temple and the shoulders heave first up, then down.

Unseen, and therefore often unnoticed, is the sturdy backbone. In the defense of national interest as he perceives it, Rusk is, quite simply, tough. There is an ever-present readiness to contemplate the necessity of supporting diplomatic objectives with military power; there is a stern expectation that foreign governments and leaders will be accountable for their words and deeds, and there is a fierce endurance of tedious repetition and negotiation to protect sound positions against the widespread passion for novelty.

It is Rusk's veiled strength that most impresses the handful of men who deal with him regularly, up close. Invariably, they begin a description of him with the remark that "he's a lot tougher than he looks, you know." Probably it is because his appearance and self-control have so often been mistaken for vacillation and infirmity that Rusk has an abiding fear that his country's inherent decency, indulgent democracy and desire for peace will be mistaken for docility and weakness and invite the kind of attack that will draw it into war. That thought has preoccupied him in every major crisis.

No single incident, however, can gage the range of Rusk's wisdom or the temper of his toughness. Hardly any single foreign affairs crisis, policy, decision or achievement of the past 5 years bears the personal imprint of the Secretary of State. No major public utterance by him marks a turn in the Nation's diplomacy. No office of the Department of State, not even his own, has been shaped in his image.

Understanding the American Secretary of State, therefore, requires a sense of Cherokee County, Ga., where Dean Rusk ran about in flour-sack underwear under the constant admonition of his father—a Presbyterian preacher diverted to farmer and mail carrier—to be morally firm and to excel.

It requires a sense of the pride and feeling of privilege with which Dean Rusk wore the uniform of an ROTC cadet, from high school on; of the youthful debater defending the League of Nations in isolationist America, and the Rhodes scholar studying ways of achieving peace and finding his formula in the Oxonian norms of international law and order and trust among honorable men. It requires an awareness of how Dean Rusk came within 3 days of joining the Regular Army after World War II, aiming to become General Rusk, until his idol, General Marshall, called him to the State Department.

It requires a sense of this Spartan man of 56 being tied by phone and radio to the alarms of a thermonuclear world, even while catching snatches of a Yankee game from a pocket transistor in his official Cadillac or while hiking occasionally across a suburban golf course.

And it requires a sense of nuclear-age diplomacy, which politicians understandably find fluffy. Politicians play in a world of climax-by-election and by norms of compromise and conciliation derived from a common, national law. Diplomats, in contrast, are forever trying to cope with societies that they never really understand and to influence governments almost always beyond their control.

The politician yearns for quick results and public acclaim. The diplomat usually wants to smother conflict in calculated confusion and yearns for privacy and anonymity until subtle and gradual accommodations are achieved.

That is why the State Department, even at its best, has been inside, as outside, a shapeless hulk. Six thousand persons, of a worldwide diplomatic force of 24,000, labor in its antiseptic offices in uncertain coordination, processing a daily flow of 3,000 messages and many more homegrown papers in Kafkaesque pursuit not of climactic decisions but of attitudes and ideas that might impress or influence foreign friends and foes.

Ideally, it is the Secretary of State's task to try to control that process as well as the Nation's more active programs of foreign aid and propaganda, in collaboration or competition with the Departments of Defense, Treasury, Agriculture, and Commerce, a dozen entrenched intelligence services, scores of congressional committees and hundreds of private pressure groups. It is the Secretary's job to be the President's principal foreign policy adviser and deviser, the Nation's chief negotiator, the diplomatic world's most-prized host and visitor and, on the crucial issues of peace and war, the administrator's foremost expositor.

Few men, if any, can bear this load without concentrating on some parts of the job at the expense of other parts. That has been especially evident since World War II propelled the United States toward relations with 110 countries (and conflict with a handful of others that it does not formally recognize), and since the political and military importance of those relations and conflicts have made most postwar Presidents wish to be, quite literally, their own Secretaries of State.

Rusk came to the job fully aware of its absurdly great dimensions. His temperament, and the circumstances of his appointment have governed his selection of preferred duties. Only two Secretaries before him and only one President before his own, he told himself, had had to navigate in a nuclear world without a nuclear weapons monopoly, a world in which every major crisis implied the risk of disaster and in which the lines between domestic and foreign affairs, between peace and war and between victory and defeat had become dismayingly blurred. In such murky seas he could be the navigator, but never the captain.

He came unknown to President Kennedy and to the public, with no independent political standing, ambition or—most important, perhaps—opposition. He was recommended by Dean Acheson and Robert A. Lovett, activists who remembered him for adroit and forceful management of Far East policies at the start of the Korean war. Clearly, however, he was hired back from the Rockefeller Foundation because he posed no personality challenge to the eager young President.

Kennedy in 1960 wanted no rival at State; his political obligations to such well-established figures as former Governors Stevenson, Harriman, Bowles, and Williams were paid off with lesser foreign policy posts in the Department. Only then, after a half-hour get-acquainted meeting and a glance through something Dean Rusk had written 8 months earlier, Kennedy made his choice.

The impressive article that Rusk had published in the quarterly magazine, Foreign Affairs, made this central point: "While Mr. Truman's remark, 'The President makes foreign policy,' is not the whole story, it serves very well if one wishes to deal with the matter in five words." To the surprise of many and the dismay of some, Rusk meant it, all five words of it.

He believed then and still believes that the President makes, manages and alters policy, pronounces it and leads in legislating it. He believes that the Secretary of State can be the President's principal assistant and chief adviser and foreman in directing the more routine business with other governments, with a duty, however, not only to defer to the President but to expose him to significant differences of opinion and to help him to select from among possible alternatives.

Circumstances and temperament thus led Rusk to choose for himself a clearly subordinate and collegial role to be limited and shaped not only by the President but by his fellow counselors and, to some extent, by events.

It was a painful role at the start. The young men of the New Frontier in the White House, the Defense Department and even the Justice Department under the President's brother, Attorney General ROBERT F. KENNEDY, ran wildly through Rusk's preserve, trying to get the country moving with ideas, innovations, initiatives, while Rusk was settling into office with a warning to the Foreign Service that "an idea is not a policy" and that "the transformation of an idea into a policy is frequently an exhausting and frustrating process." That transformation, and not innovation, was his main concern.

"The pilot of a jet aircraft has a checklist of many dozens of questions which he must answer satisfactorily before he takes off his plane on a flight," he remarked in discussing policy machinery. "Would it not be interesting and revealing if we had a checklist of questions which we should answer systematically before we take off on a policy?"

Rusk came opposed to the then universal but spasmodic yearning for summit meetings. He came determined to cut down even the travels of the Secretary of State. He brought doubts and suspicions about some of his predecessors' hastily constructed military alliances around the world. He arrived with a strong bias for professional and quiet diplomacy, and an apparent desire to work slowly, events and the President permitting, to develop a respectful new relationship with the Soviet Union, a constructive partnership with Western Europe, a hardheaded but not moralistic approach to the uncommitted nations and, with time, possibly even the beginnings of a relationship with Communist China.

Yet within a few months Rusk found himself rushing around the world as frequently as John Foster Dulles while his President rushed off to an ill-considered summit conference with Nikita Khrushchev. The diplomatic tinkering that Rusk had hoped for in dealings with both Western and Eastern Europe became impossible and the faint efforts to evolve a new Far Eastern position, beginning with the recognition of Outer Mongolia, were shot out from under him by more aggressive politicians.

The checklist theory of diplomacy had really been destroyed by the disastrous adventure of the Bay of Pigs invasion, which Rusk, against his better judgment and along with most other Kennedy aides, had failed to question. On the night of the Cuba crash he showed one side of his steadfast character when he asserted of President Kennedy, with rare passion, "What matters now is this man. We have to save this man."

But Kennedy sought to save himself by multiplying the channels of advice and information, a technique that conferred no special status even on the Secretary of State. Rusk found himself competing with better known and more socially attuned and more outspoken men. His weapons were patience, a restrained pride, expertise, and an impressive ability to impress the wise and foolish alike among foreign diplomats and Members of Congress.

He might never have gained his balance on the New Frontier if not for the Berlin crisis, which rapidly became Kennedy's most hazardous foreign problem and was an almost perfect outlet for Rusk's diplomatic temperament. Along with others, the Secretary urged the appropriate demonstration of force that he believes to be an essential overture to all big-power diplomacy.

But he then took personal charge of a heroic though not then appreciated exercise in tedium—"to talk the inflammation out of the problem," as he put it. For months, he juggled the same old tired arguments with the Russians until even Andrei Gromyko took to joking about their broken-record dialog. Yet Rusk refused to yield to the pressure for new ideas and persisted in the effort "to turn this thing over to my successor exactly as I inherited it."

Other men continued to capture the headlines and the President's ear on European policy and the Alliance for Progress, the Congo, Laos, Vietnam, and Indonesia, even nuclear testing and other Soviet problems. Moreover, Rusk shrank from essentially economic problems, with which he felt insecure, as well as from much administration, and he never displayed the politician's desire or instinct for seizing personal or bureaucratic advantage from events.

He sat almost silently through the tempest of the hawk-and-dove debate in the week of the 1962 Cuban missile crisis, waiting until nearly the moment of decision to draft a personal advisory memorandum for the President urging what by then had become a consensus view, a partial blockade. Critics complain about Rusk's aloofness from the tense argument and even friends believe that by this reserve he misjudged the wishes of the President, but he believed that his responsibility was a shade deeper than that of his colleagues, that he should not embrace a policy until all the experts had spoken and that his penultimate judgment had to be delivered only to Mr. Kennedy.

Rusk's relationship with Kennedy, most of their associates agree, was never easy. Differences in age and upbringing seemed to hold them apart; this the Secretary recognized without ever faltering in his devotion. In a moving memorial tribute last spring, he groped hard for the right phrases and decided finally to describe Kennedy as an "extraordinary and incandescent man" who "shall be forever young."

Yet he was not only kept but valued. The same combination of traits that prevented him from uttering sweeping ideological formulas and engaging in flamboyant tactics evoked in him a wholesome suspicion of all dogmatic views and a rational moment-to-moment desire to define a foreign affairs problem in terms of the national interest and capacity.

He did not let faiths like communism or neutralism blind him to the opportunities for traditional diplomacy nor did he let his personal distaste for the Sukarnos of this world overcome his calculation that the United States should cling to the last sliver of influence it can wield through aid or flattery, cajolery, and courtesy.

Some say that his pragmatism and rationality do not altogether reach across the Pacific, that the bitter experiences of the Korean war made Rusk something of a zealot in his dread of Communist China. The evidence suggests that Rusk has been no more successful than most Americans in understanding the many Asian nationalisms, but in Asia, as elsewhere, he has no taste for ideological or missionary wars. He seems to favor a pattern of action and diplomacy that will reproduce the imperfect stability of Europe, a condition in which nations "will leave their neighbors alone"—a phrase he has used so often that he draws laughter where he means to speak in dead earnest.

Where diplomacy can function or where the stakes strike him as negligible, as in Laos, Rusk has been shrewd and flexible in promoting accommodation. Where the stakes remind him of Korea and diplomacy seems barred, as in Vietnam, he has never hesitated to aline himself with the hawks.

At such moments he has been impatient of the demand that he represent the "diplomatic" or less belligerent side of an issue. He insists that there is no "State Department position" until he takes a position, and in his view there can be no diplomacy where the Nation's desire to live in peace is mistaken for weakness.

The net value of Rusk's service, beliefs, temperament, and professional skill can be gaged only by the President he serves, the only man to whom he will account. His best performances, colleagues testify, come in tense but private diplomatic exchanges in which he will make his points with perfect control, in just the right order and balance, with a courtesy and forcefulness that are rarely found in such combination, and his most valuable advice, they say, amounts to a large dose of prudence in the exercise of force, as in the consideration of targets for bombing in North Vietnam.

"When we were going to take out those PT boats that hit our ships in Tonkin last summer," President Johnson remembers, "it was Dean Rusk who said: 'Now, just a minute—one of those bases is oh-so-close to the Chinese and if one of our planes gets over there and they don't understand what we're trying to do, then what?' Oh, he wanted to get them all right, because they hit our ships. But then he asked how many boats they had in all and Bob (McNamara) says 47 and he asked how many at that target up there and Bob says 13 and Dean Rusk finally said: 'I'm for getting 34, just as hard as we can, and forgetting about those 13,' and that's what we did."

To the end, President Kennedy probably found it difficult to decide whether Rusk's traits were the ones he wanted most in a Secretary of State. How President Johnson will decide the same question remains to be seen. But for Rusk, the change in Presidents clearly meant a change to an older, more comfortable shoe.

Though no closer, really, in temperament, Johnson and Rusk are close in age, social origin, and political coloration. "I'm a liberal in the South and a conservative in the North," the Secretary has said. And he has been from the beginning more consistently prominent among those who influence Mr. Johnson.

For one thing, the Congress counts for much more in the tactics of the Johnson administration and Rusk has always been strong on Capitol Hill. He can sit there, broaden the Georgia accent a bit and slacken the grammar some and sound fresh and candid even in what he has uttered a hundred times. The most stubborn Members have come to trust him not because he is artful but because he combines real knowledge with an elemental (one Cabinet colleague said "primitive") patriotism.

Moreover, the Secretary of State, as such, counts for more now because foreigners, as a group, count for much less at the White House these days. Mr. Johnson has not sought Mr. Kennedy's rapport with the leaders of other lands, but he knows and values their responsiveness to Rusk's civility.

Also, under President Johnson, the lines of responsibility run more clearly through the Cabinet members. Though Rusk is only one of a triumvirate of senior foreign policy advisers—with Robert McNamara and McGeorge Bundy—and must occasionally share the President's confidence with new appointees like Thomas Mann, the Under Secretary for Economic Affairs, and Arthur Goldberg, the Ambassador to the United Nations, he sees the President as much as anyone, often three times a day, and has been left much more firmly in command of the resources of his Department.

Rusk has not visibly altered his methods of command, and the Department's sluggishness and frequent divisions into contending forces remain the source of many complaints in the Government. He is described as decisive, but only as issues percolate to the top. He has widened his circle of confidants to include especially his Deputy, George Ball, whose friendship and intellectual range he values despite frequent disagreements, but that circle still does not extend very far down.

As a departmental commander, Rusk is often held up as the very opposite of the self-assured and forceful Secretary of Defense, Robert McNamara. Yet one of the more remarkable and probably valuable Washington developments has been their harmonious relationship. It is fashionable here to hunt for evidence of conflict between them and their Departments, yet it is the unanimous testimony of many officials who should know—and of some who wish it were different—that there is no such conflict.

In part this is due to McNamara's conviction that the Armed Forces must never be more than a tool of foreign policy. At least as much, however, it is due to Rusk's personal esteem for those who wear the Nation's uniform. Like George Marshall, Rusk does not like to discuss a problem in military terms lest it become a military problem. But, as a colleague has observed: "He not only values the difficulty of a military problem and of the terrain of military action, he appreciates the fact that the military men are stuck with that problem and terrain—maybe more than the Secretary of Defense."

When the administration ran afoul of world opinion for the use of nonpoisonous gas in Vietnam, Rusk quickly urged an end of gas operations. He would not, however, publicly commit the administration to permanent abstinence because, it is said, he simply cannot bring himself to tie the hands of the American soldiers whom he is daily asking to risk their lives.

Rusk's greater comfort in the Johnson administration has not prevented some difficult moments. The new President's gait and gallop took some getting used to.

Mr. Johnson, too, threatened an early rush for meetings at the summit. Then, with an anxious eye on his old friends in the Senate, the President personally directed the protracted semantic haggling with Panama about a new Canal Zone treaty, an exercise in which Rusk sensed unnecessary rigidity on both sides. Most difficult of all was the President's hasty and controversial contention that Communists had seized control of the Dominican rebellion and his broad vow to intervene against communism anywhere in the Americas—assertions that Rusk did not prevent but worked hard later to defuse.

Under Johnson as under Kennedy, the Secretary's forbearance has been phenomenal. He had no sooner issued his most persuasive arguments against a pause in the bombing of North Vietnam than the administration decided to pause. He had no sooner denied that Americans faced combat in South Vietnam than they were ordered into combat. He tolerated campaigns by his subordinates to force a nuclear navy upon the European allies and a showdown over dues payment at the United Nations, campaigns that clearly exceeded his wishes in their force. He left it to the President's staff to devise important proposals for the economic development of Vietnam and to formulate the President's public offer of "unconditional discussions" to end the war, not because he opposed them but probably because he misgaged the mood at the White House.

Fundamentally, therefore, Rusk's conduct in office has not changed since the Kennedy years and he has remarked, with obvious approval, that Kennedy and Johnson were fundamentally alike in that they were "more interested in what is required of us in a particular situation than in the long-range broad, philosophical aspects of a situation."

Rusk lacks the time even more than the interest for contemplation of the deeper forces at work in the world. But he is not without a vision. He speaks of it often, though some dismiss it as simple. Mankind's great contest, he believes, is quite simply between the "forces of consent" and the "forces of coercion." And the United States great hope in leading the first of these forces, he thinks, is the fact that the desire for freedom is "deeply rooted in human nature" everywhere. The Nation's great contribution, he insists, is restraint, even in the years of its greatest power, and its appealing yearning for simple law and order.

For this, Rusk labors to the point of exhaustion, in the interests, as he sees them, of people everywhere, yet without really touching people anywhere. He is articulate, but rarely eloquent. He has a gift for pithy phrase, but mistrusts it deeply.

Washington will not soon forget Rusk's comment, as he awoke the night after Moscow was challenged to pull its missiles out of Cuba: "Well, we're still here." Or, on learning that Soviet missile-bearing ships had turned in their tracks at sea: "We're eyeball to eyeball and I think the other fellow just blinked." Or when baited in a Senate committee to confess that communism profits from civil rights demonstrations: "If I were denied what our Negro citizens are denied, I would demonstrate." And when challenged to concede the complexity of the southeast Asia tangle, that Ruskian refrain: "The issue is simple, if everyone will just learn to leave his neighbors alone."

He mistrusts what he calls "making policy by phrase" not only because a glib word may hamper him, the 54th Secretary of State, but perhaps also the 55th and the 65th. Not fame, not phrase, not flamboyance, not even power—what satisfaction, then does he find in his burden?

"I would say it's kind of Calvinistic," he replies.

THE EXPERIENCE OF THE PLAINS

Mr. CHURCH. Mr. President, those of us who come from the American West are proud of the fact that our great region helped shape the man who now serves as President of all the American people.

Tom Wicker, the distinguished Washington Bureau chief of the New York Times, has written one of the best analytical pieces to appear on President Johnson. As Mr. Wicker notes:

> Just as Lyndon Johnson can be seen as the symbolic man of that first great drawing-together of the sections, it must be understood that he also is the product of those other strains and conditions that made the West different and more than an extension of things eastern. * * * But that experience, expressed in Lyndon Johnson, can become an exhilarating and dynamic new part of the whole American experience. Here, on the edge of the Plains, it is easier to sense the possibility than in that East of other standards, other ways.

I ask unanimous consent to have Mr. Wicker's article from the New York Times printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Austin: The Experience of the Plains

(By Tom Wicker)

Austin, Tex., July 10.—This is a city near the eastern shoreline of the Great Plains—those endless rolling plains of the American interior that Josiah Gregg called the "grand prairie ocean." Along this shoreline the westward migration, stunned by the immensity and loneliness and aridity of the land-sea ahead, halted for nearly a half century.

Then bold and acquisitive men began again to push westward, virtually into the unknown, in their prairie schooners and on horseback. The world they found on the plains was as new and hazardous as that beyond the other shore on which the Pilgrims and the Cavaliers had landed more than two centuries earlier. And the life and society they built for themselves was different from that of the forests and cities behind them—breeding a new and different kind of man in a land of survival and innovation.

UNDERSTANDING FOR EASTERNERS

This is important for men bred in the East and the great cities to comprehend in the age of Lyndon Johnson. For he is a man of the plains and the dust and the endless horizons and, while he also is President of the United States, he is no more separable from the life and society and environment of the West than was the cowboy—that enduring and romantic symbol of man's emergence upon the Plains.

When easterners, Walter Prescott Webb wrote, became aware of the cowboys and the cattle barons and the peace officers and the bad men and the buffalo hunters who were surviving and innovating on the distant plains, "when the easterner came in contact with this man of the West, whose vision had been enlarged by a distant and monotonous horizon, whose custom it was to live and work on horseback, and who carried at his side the power of life and death over his adversaries (the six shooter), the easterner was at once impressed with the feeling that he had found something new in human beings."

But there were other sides of the West that were not so romantic. It was a lawless place because the old laws of the East and the forces and the cities did not fit the conditions of life on the Plains. It was a radical place in its politics, Webb wrote because of its necessary "effort at adjustment through political action to new conditions, a searching for the solution of problems where the old formulas fail and the new ones are unknown."

Finally, it was a land of suffering and toil and danger and loneliness, "far from markets, burned by drought, beaten by hail, withered by hot winds, frozen by blizzards, eaten out by the grasshoppers, exploited by capitalists and cozened by politicians."

Therefore, Webb pointed out, "the key to an understanding of the history of the West must be sought in a comparative study of what was in the East and what came to be in the West. The salient truth, the essential truth, is that the West cannot be understood as a mere extension of things eastern."

THE TRUTH ABOUT JOHNSON

It cannot be said often enough that "the salient truth, the essential truth" about Lyndon Johnson is that he cannot be considered "a mere extension of things eastern" either. Webb even points out that before the great cattle migrations on the Great Plains, northerners moving westward had remained essentially in the North and southerners moving westward had kept essentially to the South; it was in the West that northerners and southerners at last began to mingle, to encounter problems as common and like in North Dakota as in the Panhandle of Texas.

Just as Lyndon Johnson can be seen as the symbolic man of that first great drawing-together of the sections, it must be understood that he also is the product of those other strains and conditions that made the West different and more than an "extension of things eastern."

The outsized visions (of a Great Society, for instance), the commanding, horseback manner, the faith in power (God made men large and small, they used to say out here, but Colonel Colt could make them all equal), the willingness to confront new and demanding conditions with innovation and boldness, the inborn sense of a land "burned by drought, withered by hot winds" and of men struggling and surviving and conquering, the limitless confidence in man's ability to solve his problems (by action, by power, by energy, by cooperation—in short, by government as it is conceived today), all these meet in Lyndon Johnson, product of the western experience, the Plains experience.

QUALITIES OUT OF PROPORTION

And if in some men, even the President of the United States, these qualities can be magnified out of proportion by pride and power and the ancient bitterness of the West toward those who exploited and cozened it, if the commanding man can become domineering and the unconventional garb, speech, and manner of the harsh and radical West become grating, these things are part of the western experience, too, and inseparable from it.

But that experience, expressed in Lyndon Johnson, can become an exhilarating and dynamic new part of the whole American experience. Here, on the edge of the Plains, it is easier to sense the possibility than in that East of other standards, other ways.

SMUT AND THE MAILS

Mr. HRUSKA. Mr. President, my colleague from Nebraska, Congressman Glenn Cunningham, has for many years led the fight to protect our society from obscene and pornographic material which has been circulating through the mails in ever-increasing quantities.

While a number of laws directed to this problem have been enacted, the evidence indicates that we are losing the battle. Each Member of the Congress can attest to this, because it is documented by the increasing number of complaints from outraged constituents. With this in mind, Congressman Cunningham introduced a bill in the 88th Congress which would have enabled the recipient to put a stop to unsolicited mailings of pornographic material. The bill, H.R. 319, was passed by the House last year by a vote of 325 to 19. Unfortunately, it came to the Senate too late in the session to allow action on it.

This bill met the problem of obscenity in the mails in a responsible and direct manner. It would have allowed the recipient of such mail to inform the Postmaster General that he had received "morally offensive" matter in the mail and request that his name be removed from the sender's mailing list. If the sender failed to honor this request, the recipient could then file a statement with the Postmaster General noting this fact. Following this the Postmaster General could request the Attorney General to apply for a court order directing compliance with the order to refrain from sending any further matter.

Substantially the same bill, H.R. 980 was reintroduced in this Congress and was passed by the House on April 5 by a vote of 360 to 21. Several improvements were made in the bill. The House Post Office and Civil Service Committee concisely summarized them as follows:

> The differences are that H.R. 980 characterizes the mail matter as "obsecene, lewd, lascivious, indecent, filthy, or vile" rather than "morally offensive." Second, H.R. 980 makes provision for barring subsequent mailing of "additional such mail" to the objecting recipient rather than barring all mail.

Third, H.R. 980 affords an opportunity to a sender to have an "appropriate hearing" before request is made of the Attorney General to apply for a court order directing compliance with the Postmaster General's notice directing the sender to refrain from sending mail to the complainant.

The opponents of this legislation claim that it makes everyone a censor, that it tends to infringe on the constitutional rights of freedom of speech, and due process. This is essentially the position taken by the Post Office Department and by the Department of Justice.

There is no legitimate basis for the claim of censorship. The restriction under this legislation would result from the request of a single postal patron and would apply only to him. It would result in no restriction whatever on the right of the public to have access to the material involved. There is no provision in the bill which authorizes the Government or anyone else to pass upon what other people should or should not read or write or circulate.

The provision in the bill providing for an appropriate hearing before the Postmaster General if requested and the requirement for action by the court in contempt proceedings before the mailer is subject to any penalty appear to provide the requisite due process for those who would run afoul of this legislation.

On many pieces of legislation the Congress must look to the balancing of competing rights. Here the question is balancing the right of privacy of the addressee with the right of the distributor of freedom of speech or the right to distribute the mail matter to the particular addressee. H.R. 980 does achieve an effective and equitable balance.

It is time that the American public has protection from unwanted filth sent through the mails. It is my hope that there will be early and favorable action on this important legislation, first by the Senate Post Office and Civil Service Committee to which this bill has been referred, and then by the Senate itself.

AUTOMOBILE TIRE SAFETY

Mr. NELSON. Mr. President, the president of the Kankakee Federal Savings & Loan Association at Kankakee, Ill., Mr. James G. Schneider, has sent me an excellent article on automobile tire safety which was published in the association's monthly report for August 1965.

This article reviews some of the disclosures on automobile tires which have been made recently. For instance, it quotes from an article in Motor Trend magazine to the effect that many station wagons have seriously overloaded tires, even when they are carrying only normal loads.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIME TO RETIRE?

We fail to be impressed with the auto makers' claims that "you cannot get a better tire than an original equipment tire" (Wall Street Journal, Aug. 13, 1965, p. 1, col. 6). It reminds us too much of the story about the reporter who just before blastoff asked the astronaut what worried him most about the coming flight. "Oh," he replied, "the fact that everything in the capsule was supplied by the lowest bidder."

The temptation to cut down on costs (and possibly quality, too) by purchasing tires that are just a little bit cheaper can mean a whopping sum to Detroit. Try figuring it with a reduction of just a dollar a tire, and then multiply that by 5 tires per car and 8 million cars and you wind up with a $40 million annual saving for the auto companies.

This is one of the reasons there seems to be a good deal of merit in the proposal by Senator GAYLORD NELSON, Democrat, of Wisconsin, to have the Government set mandatory safety standards for tires on new cars, and for replacement tires, too. No doubt many of the motorists who have had unsatisfactory experiences with original equipment tires are in favor of the Senator's idea.

Right now, the law of the jungle seems to be the only thing governing retail tire sales. The average motorist doesn't have the faintest idea as to what constitutes a good tire or a good tire value. All the talk about 2-ply, 4-ply, 6-ply and then "2-ply rated 4-ply" only adds to the confusion stirred up by the nylon-rayon argument and the so-called 1-cent sales, the vacation tire sales, 24-month guarantees, etc.

And it's sometimes impossible to get any satisfaction from those fabulous guarantees. Take the example of one of our acquaintances who had a fast flat while driving his heavily loaded station wagon on a turnpike. He immediately pulled over to the shoulder and coasted to a stop. When he got out to examine the tire the last of the air was leaving it. After removing the tire he found that the inner lining had separated from the body. When he applied to the local dealer of the company which had supplied the original equipment tire he was told: "Sorry, we can't make any kind of an adjustment—this tire has been run flat." Guess you're supposed to stop instantly when you're traveling 65 m.p.h.

As illustrated by that example, much of the controversy now centers on the question of whether auto manufacturers are providing adequate tires on station wagons. For several years "Consumers Reports" has called attention to the dangers of overloaded tires. Just a year ago after field testing 10 leading station wagons Motor Trend magazine in an article entitled "The World of Wagons" (July 1964, p. 22, et seq.) flatly stated: "The maximum tire load rating (as established by the Tire & Rim Association) seldom exceeds the actual curb weight of the car (wagon) by enough margin to make it realistic for our use. In a few cases, the curb weight of the wagon was already greater than its tires' load rating—even without a driver aboard." The tests were conducted with simulated six-passenger loads of 920 pounds (driver and observer weighed a total of 320 pounds and four 150-pound sandbags were carried in the back) and Motor Trend claimed that each wagon carried an "overload of from 400 to 1,100 pounds."

The article flatly stated that "the manufacturers aren't equipping their wagons with tires that have an adequate load rating. The wagon owner who does carry a load, even a so-called normal one, is in most instances badly overloading his tires. As a tire's load increases over its maximum rating, it runs at greatly increased temperatures, and its mileage life decreases rapidly. In some instances, the higher temperatures can cause tread separation or a dangerous blowout. All manufacturers offer larger, higher capacity tires as options. We feel they should be standard."

Until some kind of mandatory standards are enacted, about the only thing the average motorist can do is get on good terms with a reputable tire salesman, and hope (1) that he knows his business and (2) that he'll give you a decent deal. Go sic 'em, Senator NELSON.

SOME QUESTIONABLE RULINGS BY THE NATIONAL LABOR RELATIONS BOARD

Mr. FANNIN. Mr. President, in recent weeks I have called the attention of the Senate to numerous questionable rulings by the National Labor Relations Board which have disturbed many observers of labor-management relations in our country.

The pattern and weight of these decisions amount to a strange distortion of the labor law as enacted by the Congress. Another example of this has been pointed out forcefully by the Wall Street Journal in an editorial on September 13.

The editorial describes what happened to a union member who sought an election to determine if a majority of the workers in his plant wanted to continue their union affiliation. In dismissing his complaint, the NLRB displayed total lack of concern for the individual union member by holding that unions must be able to penalize members who file such petitions.

This has a direct bearing, Mr. President, on a legislative matter which will soon be brought to the floor of the Senate. In that regard, the Phoenix Gazette of September 9 has commented editorially that repeal of section 14(b) of the Taft-Hartley Act cannot be justified on any grounds other than payment of a political debt.

In order that these two timely editorials may have the wider distribution they deserve, I ask unanimous consent to have them appear in the RECORD following my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Phoenix (Ariz.) Gazette, Sept. 9, 1965]

IN ALL ITS SHABBINESS

Whether one agrees with the basic philosophies expounded, or not, the trademark of the Johnson legislative program which has, so far, been stampeded into enactment is a strong—virtually maudlin—appeal to the emotions.

It has been, for all intents and purposes, foolproof and the fruits of the program grow in profusion around us already—the skeletal framework of a monolithic bureaucracy devoted to the elimination of every real and imagined ill to which man is heir. The fact that so much of it is slanted to the lowest common denominator, substitutes froth for solid effort and equates busyness with achievement is beside the point. All of it centers on goals with an almost overwhelming emotional appeal and makes it possible for a pliant Congress to rationalize its pliancy as being essential to the building of a truly great Great Society.

But, with Senate consideration this week of the repeal of section 14(b) of the Taft-Hartley Act, the mask is missing. Here, in all of its ugly nakedness, is a key platform of the Great Society that cannot be prettied up and sold as a compassionate, heart-rending effort to solve some persistent evil in the economy. Here is a crude payoff on an old political debt to organized labor. Period.

Let the Senators who feel they must vote for repeal of 14(b) to avoid the wrath of the

President—and the labor leaders—go right ahead and do so.

But let us hear from them no pious flap later about the overwhelming need for it "to save the workingman."

Let them merely stand on their record of having voted to impose compulsory unionism on their constituents.

[From the Wall Street Journal, Sept. 13, 1965]

MISPLACED CONCERN

Plainly there is something wrong when a citizen who happens to be a member of a labor union can be penalized for asking an election at the plant where he works to find out whether a majority of his fellow employes want the union to continue to represent them. It's even worse when his penalty is upheld by a Federal agency which is supposed to protect him against abuses of union power.

If an employee is forbidden to use the legal avenue making possible the ouster of a union a majority of workers no longer wants, then he may be doomed to belong to the union as long as it exists. That would seem to be the case where the union shop, requiring union membership as a condition of employment, prevails. Of course he can try to find other work. Either way, it is not much of a choice, as a member of an AFL–CIO Steelworkers local employed at a steel plant in California has discovered.

This employee filed a petition, as he legally was entitled to do, with the National Labor Relations Board asking an election to determine whether a majority of workers at the plant wished to continue their union membership. Affronted by this challenge to its position, the union suspended the petitioner's membership and, for good measure, fined him $500, the fine later being withdrawn.

In turn the employee appealed to the NLRB, charging that his union was interfering with his right to file a decertification petition. The NLRB dismissed his complaint, on the ground that since such petitions are of serious "union concern," the unions must be able to protect themselves by penalizing employees who file them.

To be sure, any move to decertify a union as the workers' bargaining agency is of "union concern"—especially when to date about two-thirds of all decertification elections have been lost by the challenged unions. But in its eagerness to protect unions against collapse the NLRB shows an almost incredible lack of concern for the welfare of the individual member and for his right to determine whether or not the union in fact represents a majority voice.

Bv coincidence, Congress now seems close to repealing section 14(b) of the Taft-Hartley Act, a move that would invalidate State right-to-work laws that protect employees against compulsory unionism. The NLRB's sanction of union coercion should, at the very least, persuade the lawmakers to take another look at what they are asked to endorse.

THE VICE PRESIDENT'S FAITH IN AMERICAN YOUTH

Mr. McGOVERN. Mr. President, at a time when America's youth are frequently under sharp criticism, it is refreshing to read of the faith which our Vice President, HUBERT HUMPHREY, has in our young men and women.

The Vice President has set forth this faith in an inspiring article, which appears in the September 5, 1965, issue of Parade magazine.

I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT'S RIGHT WITH TODAY'S YOUTH—SOME RIOT; OTHERS DO GOOD DEEDS—THE VICE PRESIDENT LOOKS AT OUR CONTROVERSIAL YOUNGER GENERATION

(By HUBERT H. HUMPHREY)

WASHINGTON, D.C.—Young Americans give their lives for freedom in South Vietnam, while other young Americans demonstrate against our involvement there. Some young people rip apart seaside resorts, others work night and day to repair the flood-ravaged dikes of the Middle West. Our universities turn out the brightest, best-educated graduates in history, but at the same time we face a problem of school dropouts.

Which is the true picture of the younger generation? Are more and more young people finding their release in rioting, protests and crime? Or is the trend upward toward honor and achievement? Will they send America into decline, or will they build a greater, more dynamic nation?

I believe the latter is true, and I can back up my belief with facts and personal experience. This is no reason for complacency. For we cannot allow even a fraction of our youth to squander themselves while we, who like to boast that we are older and wiser, stand by lamenting.

My interest in youth is by no means academic. As the father of four children (three still in school), I am concerned at the increase in juvenile crime not only in the slums, where there is the goad of dismal poverty, but among children who have never known want, children who should know better.

Like any other father of my generation, I have my share of skepticism about Beatle mops and dances like the swim, the frug, and the watusi. But then I find myself asking: Was there ever a young generation that didn't have crazes, and was there ever an old one that approved of them? What of the flappers of the Roaring Twenties, many of them now sedate grandmothers? What of the grandfathers who once sported Rudolph Valentino sideburns and those wide trousers known as Oxford bags? What about the Black Bottom and the Charleston? But we grew out of them.

I do not condone the excesses of youth. I don't mean the fads; I mean the rioting, violence, and crime that cause us worry in our society. But again, I must ask how much we, the older generation, are responsible for the startling increase in juvenile lawlessness?

The war broke up families and reduced parental discipline. Then came the postwar years of the "fast buck" with an inevitable eroding of morality and family responsibility. Children were left to bring themselves up while their parents made up for lost time.

Now we are in a period of unprecedented prosperity, and I cannot help feeling that prosperity is a more severe test of character than adversity. Hard times, as I remember from my own youth, bring families together. In good times, it is all too easy to drift apart. Though the young people today enjoy luxuries never known to their parents, they are also exposed to pressures and frustrations their parents never encountered.

MORE PEOPLE THAN JOBS

Our youth are quite conscious they live in a world that has the capacity to destroy itself and that the detonators are in the hands of the older generation. They are also conscious of the fact that, in our affluent society, there are more people of their age than there are jobs to go around. The number of workers 18 and 19 years old is expected to increase by half a million this year—twice the increase of last year. Before 1970, more than 3 million young people will swell the labor force each year.

Those without training and skills will face a bleak future. The unemployment rate for the young already is more than three times as high as for older workers. We are past the time when a living, even a humble one, can be made without anything but willing hands.

Our country does not owe anybody a living, but it does owe its youth at least the opportunity to work. Government and private industry are now alert to this problem, and we are doing everything we can to help these young people. There are youth opportunity centers, the poverty program, the Job Corps, the Neighborhood Youth Corps, the community action programs.

Of course, youth must be willing to work, and most of them are. I have spoken to thousands of young people at Job Corps camps and other training centers. Many come from broken homes; many are barely able to read and write. Almost all have been bitterly disappointed in their short lives. Yet most are determined to pick up their second chance, acquire new skills and face the world with hope.

Even more impressive are the thousands of young Americans who have an acute conscience about their own generation and want to help the less fortunate. They are intelligent, courageous, well-informed young people, willing to work long hours for little or no pay to correct what they feel is injustice.

Some of the student protests, picketing, marches, sit-ins have caused dismay among us older folk. Frankly, I have shared it because some of the issues, in my view, have been false. But I must admit that America today might be a better place if the people of my generation had shown the same awareness. Fiery speeches and angry placards on the campus are to my mind far less dangerous to the Nation's future than the silence that stifles new ideas. Age in itself is no guarantee of wisdom. In a world changing as rapidly as ours, there can be as many old fools as young fools. Young Americans who get into trouble, who kick against the established order, are often the most alert.

Who of our older generation has not been a rebel? I have been one, and so has our President. Lyndon Johnson was a school dropout who left his native Texas to work with his hands in the fields of California. But he returned to enter college and begin his career as a teacher in a Mexican-American public school. His former students still remember him as a man who gave them knowledge and encouragement to face a world that all too often seemed stacked against them.

Lyndon Johnson held his first Presidential appointment at 27, his first political office at 29. He has said: "No one knows better than I the fires that burn in the hearts of young men who yearn for the chance to do better what they see their elders doing not well * * * or not doing at all."

FAMOUS BEATNIKS

Today's young people—as students, as citizens, yes, even as demonstrators—are showing that they, too, want to do better. Of course, we have our beatniks. There have been beatniks in every age. Some of them are now listed among the world's leading artists, writers and musicians. Gauguin was a beatnik. So were Van Gogh and Edgar Allan Poe.

But I am less concerned with the eccentricities of genius, which can flower in the most unlikely soil, than I am with the mass of our young people today. I don't find them a "beat" generation at all, and I have met them by the thousands across this great country.

Our young people are a healthy and wholesome generation, less hypocritical, more frank than we were at their age. They speak more openly about sex, religion, politics, and other subjects that used to be taboo. In the age of computers, satellites, and almost instant communications, they are also more intelligent and competent. For this is the age of excellence.

Not long ago, I visited the nuclear aircraft carrier *Enterprise* and was amazed to find boys under 20 manning consoles of multimillion-dollar radar equipment. They were responsible for the safety of American pilots and million-dollar aircraft miles away at sea. At Loring Air Force Base, I talked with a grease-stained enlisted man whom I found working under a jet plane. "I understand you are pretty good," I said, "at keeping these planes in tiptop shape."

"No, Mr. Vice President," the GI replied. "We're not pretty good. We're the best." His commanding officer, Brig. Gen. Frank Elliott, completely agreed. "I have been in the Air Force a long time," he said. "This crop of youngsters is the best yet. They are more responsive and responsible."

No fewer than one-quarter of the members of our armed services are under 20. Our generals and admirals agree they are the finest young fighting men this country has ever produced, as tough as their fathers of World War II and Korea, more alert and adaptable and so more fit to use the complex weapons of the space age.

If I had to give the younger generation a label, I would call them, as the President has, Volunteer Generation. I may not always agree with the causes they serve, but I must always admire the spirit with which they fight. It could shame some of us older people who pride ourselves on being concerned citizens.

HOW FAR?

For example, a poll in a national news magazine asked American students how far they would go—beyond mere talk—to support a cause in which they believed. Some 93 percent said they would sign a petition; 72 percent had already done so. Some 87 percent said they would contribute money; 58 percent had already done so. An amazing 43 percent were even ready to go to jail.

More than 10,000 young volunteers are now serving in the Peace Corps. Another 3,000 have already returned after tours of duty. But most significant, more than 100,000 have asked to take part in this bold and idealistic experiment. When VISTA (Volunteers in Service to America—the domestic Peace Corps) was launched, more than 3,000 inquiries were received from young people on the first day of business.

When Parade's own editor, Jess Gorkin, had the inspired idea to ask the young people of America to "Work a Day for J.F.K.," the response was staggering. They went out by the thousands to mow lawns, clean cars, run errands, sell cookies and lemonade so they could donate their earnings to the John F. Kennedy Memorial Library. There was no compulsion such as is brought by the Commissars in a Communist society. It was merely a suggestion in one magazine for young people to accept or reject.

All it takes to rouse today's young people is motivation. They need to know that their contribution has a purpose. I grew up when it was important to help the family. It was important that we dug vegetables out of the sand and stored them in the root cellar. It was important that we earned money to help feed the family. Now in our prosperous suburbs, it is no longer important for young people to contribute to the livelihood. They are inclined to look upon the daily chores as merely an exercise in discipline.

I have complete faith in our young generation. Whenever I am weary or worried, I seek out young people. Many times, I have walked out of a meeting, depressed and discouraged, looking for some teenagers. I have found them to be a tonic; they rekindle my spirit and sharpen my wits. I am able to go back refreshed and revitalized.

We parents expect the young to learn from us and from their teachers. But this holds good only if we are prepared to learn from the young—to probe their problems and to admit, as history has proven time and again, that the "follies" of today can be the truths of tomorrow.

WE MAY WIN THE WAR BUT LOSE THE PEOPLE

Mr. PROXMIRE. Mr. President, James Reston of the New York Times writes in the Sunday magazine section of the Times some refreshing and persuasive observations on the Vietnamese war which he has been observing at first hand in South Vietnam.

Among other things Mr. Reston says that the mood and attitude of American officials in Vietnam is quite different than the mood and attitude in this country. For instance, in Vietnam the view is that talk of negotiations now may be very harmful to us in Vietnam. It can be interpreted as a sign of weakness, as a reason for the Vietcong and the North Vietnamese to hold out longer, press harder, feel more confidence in their eventual victory. Reston also reports a reassuring observation about the competence and ability of our forces in Vietnam, and how well our forces have established a military defense that will not be defeated militarily.

At the same time, Reston also observes that we could lose. In all probability the loss would not be a military loss but a loss resulting from our losing the support of the people. On the economic front, the social, psychological front we are in grave, serious danger. This relatively unreported front is where we must continue to fight and win.

I ask unanimous consent that the article by Mr. Reston "We May Win the War But Lose the People," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE MAY WIN THE WAR BUT LOSE THE PEOPLE

(By James Reston)

SAIGON.—The face of the war is not the same in Saigon as in Washington. It may look the same, like the face of a clock in different time zones, but it is noon in Washington when it is midnight in Saigon.

Time and distance make a difference. The mood of American officials here is not at all the same as the mood of their colleagues in Washington. They worry about different things, but on the whole the Americans here worry less and are more optimistic about the future than when they left the Potomac.

This may be because they are under fire. Bombs have a way of making people pay attention to the urgencies of the present, but there are other more tangible reasons.

First, the performance of the American military forces here is impressive. They have demonstrated already that they can cross half the world with their bulldozers, their engineering skills, their air and naval power; and establish bases quickly under tropical conditions in the face of a well-trained and ingenious foe. They hold limited points in a limited area mainly on the seacoast, but at least they have removed the fear that the American command might be overrun before it could be securely established.

"The trained American," General Eisenhower wrote in 1948, "possesses qualities that are almost unique. Because of his initiative and resourcefulness, his adaptability to change, and his readiness to resort to the expedient, he becomes, when he has attained a proficiency in all the normal techniques of battle, a most formidable soldier." There has been a lot of evidence to support this conclusion—at least enough to give the American community here a sense of confidence that the short-term problem of the war can be met.

Second, there is a growing feeling in Saigon that the Vietcong cannot organize large enough units in the face of constant harassment from the air to win a major victory over regimental sized units of the American forces. And even if they did manage to get together a large enough force to risk it, the armed helicopter can now bring reinforcements to the battle much faster than the enemy can.

Even the French observers here, who are not given to wild exaggeration of America's capabilies, are impressed by this new mobile power of the armed helicopter. They point to it as one of the major advantages the Americans have over the French Army when it was dealing with the same problem.

Third, the Vietcong are showing some signs of feeling pressure under fire. They have been conscripting 16-year-olds and 17-year-olds and sending them far from home in spite of promises to the contrary, and often with insufficient training. They have been increasing their exactions from the peasants, often taking as much as two-thirds of the rice crop. Also, unlike their disciplined actions of the past when they sought to win over the civilian population, some of their units have recently engaged in brutalities designed to terrorize the civil populations, and in some areas their actions have amounted to little more than a form of armed banditry.

Finally, as the United States has stabilized the military situation and gone over to the initiative in the air, it has begun to get more cooperation and intelligence from the people.

The authority of the white man may be gone in Asia, but respect for power has not. In fact, respect for power is evident in every traffic jam at every corner in Saigon.

The Vietnamese have an almost hierarchical system of power in these streets, and everybody pushes his power to the last millimeter. The pedestrian—even the dainty female pedestrian, tiptoeing around the puddles in her ankle-length pantaloons, has to give way to the bicycle, while the bicycle defers at the very last critical instant to the scooter, and the scooter to the little blue-and-yellow Renault taxi, and the taxi to the jeep, and the jeep to the truck.

These local factors undoubtedly contribute to the short-term optimism here. Other local factors also give Americans in this capital a way of looking at the war that is somewhat different from Washington's.

The military strategy, for example, affects the thinking here about a negotiated settlement. Defensively, this strategy is to hunt the Vietcong from the air. Offensively, the purpose is to drive the Vietcong into the forests and deny them time to rest and replenish their supplies in the hamlets.

American diplomats here, unlike their colleagues in Washington, are counting, not on bringing the enemy to a big splashy peace or truce conference, but on forcing the Vietcong gradually to fade away or reduce their actions to manageable proportions, so that the job of pacifying South Vietnam and establishing a stable responsible government can make some progress. Meanwhile, General Westmoreland is working on a plan to encourage the defection of Vietcong troops by promising them safe conduct back to their native hamlets. But nobody here is talking about negotiations in order to placate public opinion in the United States.

It is opinion in Vietnam that officials here are worrying about. I have not found a single official, either in the American community in Saigon or the diplomatic community here, who thought the constant appeals for negotiations out of Washington were helpful. Most of them were for a negotiated settlement in the end, but felt this was a function of private diplomacy and insisted that the way to avoid negotiations was to keep talking about them publicly.

The best judgment here seems to be that it will take a year—some of our experts think two—to produce a sharp decrease in Vietcong raids. This raises a central question about American strategy. For while the short-run outlook here seems fairly good, the long-run prospect is quite different and much more complicated. Officials here are constantly coming up against the question: Will the Vietcong crack under the steady American bombardment and the power of the helicopters, or will the social and political structure of South Vietnam crack first?

The war has already produced more than half a million refugees. Feeding and housing them alone is an immense problem that is not being done with any sense of pity, or even decency, and the air war is just beginning.

By the end of this year, American air power will have doubled at the very least—a fact that raises two prospects, neither of them very pleasant. The first is that in order to attack the Vietcong, who terrorize and hide in the villages, the bombers will have to hurt the civil population in the villages even more. The second is that the Russians will put more and more antiaircraft weapons into this country and thus increase the casualties among American airmen and planes.

Incidentally, this problem illustrates another difference between American officials in Saigon and American officials in Washington. In Washington, officials are being very solicitous and understanding of the Russians. They are saying it is hard for the Russians to watch a Communist ally in North Vietnam being overwhelmed by American bombers, and, therefore, that we must expect Moscow to provide some defense against our air attacks.

In Saigon, however, American officials feel that the Russians are not only trying to help the Communists here, but are using this war as a testing ground for new weapons, as the Communists and the Nazis did in the Spanish Civil War in the 1930's.

Accordingly, while Washington talks about the possibility of Chinese intervention in the ground war, American officials here are even more concerned about the reality of Russian surface-to-air missiles, Russian fighters and Russian light bombers in the air war. Thus, the longer range prospect is not so good here. It raises several basic questions:

How will American opinion react to mounting casualties among our own fighter-bomber crews? And how will American opinion react if U.S. air attacks produce more and more casualties, not only among Communist Vietcong guerrillas, but among South Vietnamese civilians?

The dilemma is increasingly clear. On the one hand, there is almost no disagreement in Saigon, even among the French, that without the introduction of American bombers this war would probably have been lost already. But with the introduction of American air power, especially as used indiscriminately by the South Vietnamese forces, the danger of losing the people in the long run, even while winning the military war in the short run, is very real.

Two things may modify this U.S. problem of hurting our friends or potential friends in order to hurt, our enemies. The first is that a great many of the air raids are not in densely populated areas. And the second is that the Vietnamese are a stoical people, who have suffered so much under the Mandarins, the French, the Japanese, and their own leaders in Saigon—which most Vietnamese regard as a remote and hostile center of authority and corruption—that they will probably endure punishment longer than anybody from the West might think possible.

Part of the reason for pessimism about the future beyond the immediate crisis is that South Vietnam does not really have a government that governs, or even an army that fights, in our sense of these terms. It is true that the Vietnamese have taken most of the casualties in the past year, but most of their 500,000-man army is either on defense or on reserve.

Premier Ky is very frank about it. He conceded the other day that his troops had been shelling and bombing the Vietcong because it was easier and safer for them to do so rather than go into the night and fight them on the ground. He concluded that his problem was to win the people by revolutionary programs while trying to win the war, but it is not at all clear that he will have the support of his military associates—and competitors—for such a policy.

In short, our generals here can deal, and are dealing for the moment, with the immediate military problems. And they are dealing with them rather better than their associates in Washington thought likely.

But behind the tactical and strategic military questions of the moment lie the occult immensities of the past—and these are not so easy either for the Americans in Saigon or for those in Washington. We do not really know how to deal effectively with a Government like this one. What Lord Curzon called the trail of the serpent lies over the curious collection of military sovereigns here. It is, Curzon said, "the vicious incubus of officialdom, paramount, selfish, domineering, and corrupt. Distrust of private enterprise is rooted in the mind trained up to believe that the Government is everything and the individual nothing."

He defined the oriental mind as meaning: "In character, a general indifference to truth and respect for successful wile; in deportment, dignity; in society, the rigid maintenance of the family union; in government, the mute acquiescence of the governed; in administration and justice, the open corruption of administrators and judges, and in everyday life, a statuesque and inexhaustible patience, which attaches no value to time, and wages unappeasable warfare against hurry."

Asia is moving, and the observations of the English aristocracy about this part of the world at the end of the Victorian era may not now be exact. But the fact is that our officials here in Saigon have run into a great deal of evidence that much of this is still true.

The Americans in Saigon have discovered that they can influence the course of the war, but the Americans in Washington have to deal with longer perspectives and are not at all sure that what they can influence they can control. Maybe this is what explains the greater optimism of American officials in Saigon: They have seen the power of America to influence the military situation. But they cannot control it without the support of the South Vietnamese Government and people, and so far they are not assured of either.

ADDRESS DELIVERED BY VICE PRESIDENT HUMPHREY ON KING TURKEY DAY AT WORTHINGTON, MINN.

Mr. MONDALE. Mr. President, on this last Saturday, Vice President Hubert Humphrey made a speech in Worthington, Minn., that is worthy of our very close and detailed attention. He made the point so well that in the United States our true task is to create a state and environment of equal opportunity where every man will have an equal chance to do something for himself and his fellowman. And he rightly emphasized that our fellowman lives not only in Worthington, Minn., not only in the United States, but in the entire expanse of this world.

Mr. President, I ask unanimous consent that the Vice President's speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by Vice President Hubert Humphrey on Turkey Day, Worthington, Minn., September 11, 1965

Thank you, Governor Rolvaag. I'm not surprised to see both you and Senator Mondale here today. King Turkey Day has always been a time when we politicians descend on Worthington.

I remember my first visit to Turkey Day. I literally descended on Worthington—in a light plane, and in bad weather. There were a few anxious moments, but we made it.

That was in 1948. I was mayor of Minneapolis and running as hard as I could for a seat in the U.S. Senate. Bad weather or not, I was coming to Turkey Day. I might add that my opponent, Joe Ball, didn't make it that Turkey Day. And he didn't make it that November either.

Since then, I've been to nearly a dozen King Turkey Days in Worthington. But none of them is as sharp in my memory as my first one.

When I came here in 1948, as a candidate for high public office, I did not talk about the turkey industry, or about Minnesota, or even about agriculture. I talked about the Marshall plan.

The Marshall plan was something important happening in 1948.

There were people then—and there are people today—saying that Worthington was not the place to talk about war and peace, about the great challenges facing Western man, about the moving tides of history.

But I said then—as I do today—that this is exactly the place.

For, in this nuclear age, Worthington is as close to Moscow, or to Cairo, or to Santiago, as my boyhood home was to Minneapolis. In fact, as I think about it, Minneapolis was even more distant to us then than those other places are today.

The time is past in this world—and we all know it—when what happens someplace else has nothing to do with us.

The Marshall plan had something to do with us in 1948. It revived Western Europe and helped make us secure from a very real and present danger. Korea had something to do with us. So did Hungary. So did Cuba.

So today do India and Pakistan and Vietnam. No one knows this better than the families in Worthington, and there are several of them, who have sons in Vietnam today. And, might I add, so today do Watts, Calif., and Harlem, N.Y., have something to do with us.

No man, no country can live in isolation.

There was a time when we thought we could. Some of us can still remember it first hand.

We had prosperity in this country. And we decided to keep that pot of gold all for ourselves.

We wouldn't share with anybody.

We closed our immigration. We said: "We just don't want anymore of those foreigners, thank you."

We closed our trade. We said: "We don't want to do business with people abroad."

We closed our eyes and our minds to terrible things happening in the rest of the world—aggression, persecution, international bullying.

And it wasn't long 'til we closed our banks, and we closed our businesses, and our farms, and we opened up breadlines. We found ourselves in world depression and, then, Pearl Harbor.

When people turn selfishly inward, it's not a turn for the better. We do injustice to ourselves. And we lessen all men for what is less in us.

Today, in 1965, as Vice President of the United States, it is my privilege to return to Worthington to talk again about things that are important.

There are things being done in this Nation, and by this Nation, that are worth some of our time.

We Americans face great burdens ahead.

That is why we are building the great resources—both material and human resources—of this country to meet long, hard tasks at home and in the world.

We are trying to create an environment in this country where every single citizen will have the equal chance to do something for himself and for his fellow man. We seek to create a true state of opportunity.

There is no equal chance for the young man or woman, for the family, imprisoned in the ghettos and slums of urban America.

There is no equal chance for the American denied a life of choice because his skin is black, or because he has the wrong last name.

There is no equal opportunity for the school dropout—a boy or girl without skill—in a society which increasingly demands education and skill.

That is why we today are making great national investments to improve education, to defeat poverty, to remake our cities, to lift rural areas left behind, to give men and women their full constitutional rights.

The Job Corps camp is not a make-work project. It is nothing less than an effort to help young men learn how to make a living—to help them become taxpayers and not taxeaters.

Federal aid to education is not a means of exerting Federal control over towns and school districts, teachers and students. It is a way to bring better education to children living in places without enough money to pay for that education.

Yes, we are making basic, long-term investments in America and its people.

Our country is rich and prosperous. We can afford it. We can afford a strong national defense. We can afford billions of dollars to put a man on the moon and we can afford to help put a man on his feet right here on earth. Yes, today we help our neighbor. It is good economics. It is also right.

The author, Thomas Wolfe, wrote it a generation ago. Today we work for it:

"To every man his chance, to every man regardless of his birth, his shining golden opportunity—to every man the right to live, to work, to be himself and to become whatever thing his manhood and his vision can combine to make him—this * * * is the promise of America."

And where will this strong and free America stand in the world?

Will we, as before, turn inward to keep what we have? Will we let the rest of the world go its own way—even if that way leads to disaster?

We must not and we will not.

We will not close the doors of our rich city until the less fortunate of the world are driven to storm its walls.

We will not stand idly by while the totalitarians and the takers of the world work their will by force on those unable to alone defend themselves.

And, we will not—living under the shadow of a great nuclear cloud—give up our search for a world of peace.

For peace is like a great cathedral. Each generation adds something to it. It requires the plan of a master architect. It requires the labors of many.

We will build peace with foreign aid. We will build peace with food for peace, with the Peace Corps, with technical assistance, with the Alliance for Progress in Latin America.

We will build peace with exchanges of people. We will build peace in the United Nations and in other international organizations. We will build peace at the conference table.

We will stand firm against those who would break or abuse the peace.

We will bend all our efforts so that our own great and terrible national military power need never be used.

Yes, we have things to talk about in 1965, just as we did in 1948.

We have the things that all men have in common: Our hopes for a freer and better life, for a chance to build something better for our children, for a world living in peace and in justice.

Let us work for the fulfillment of those hopes.

THE PTA UNDER ATTACK

Mr. CHURCH. Mr. President, in auditoriums and across living room tables, a subtle war is being fought over how America's schools should be run. The weapons include innuendo, parliamentary maneuver and sometimes—violence.

This is a story told in the current issue of Look magazine in an article entitled, "The Plot to Take Over the PTA." It is the story of how an organization which has been working for good schools under local control is being undermined and its numbers reduced by a "takeover" plot of national proportions.

All those concerned about our schools will want to read this article. I would like to call it to the attention of the Senate by asking unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Look magazine, Sept. 7. 1965]

THE PLOT TO TAKE OVER THE PTA

(By Ernest Dunbar)

"We have to live with these people day in and day out, in all of our clubs and our schools and our children. Until you're in the middle of it, you don't realize what it entails."

The speaker was a housewife in Wheaton, Ill., a Chicago suburb. She was troubled, thinking back over incidents that seemed somehow like a bad dream and yet were part of a reality that had forced its way in upon her tranquil, tree-shaded world. The battlelines of an ugly, unheralded war began at her doorstep, and the opposing troops were neighbors, acquaintances, and onetime friends.

Who are "these people?" They are other American—superpatriots, self-appointed Paul Reveres, confused mothers, bewildered businessmen, professional "anti-Communists." Their stated goal: to rid America's schools of alleged Communist influences. Their intended vehicle: the local parent-teachers' association.

Would the Wheaton housewife talk to a Look reporter? Hesitantly, she agreed. What she had to say mirrored the anguish, the turmoil and strife that are becoming distressingly familiar in many school PTA's across these United States.

Her PTA had come under the domination of ultraconservative members of the community, and they had invited a traveling lecturer on anticommunism to address them in the high school auditorium. His talk shocked the mild mannered suburbanite. According to the speaker, most Federal officials in Washington do not believe in God or the Constitution, and are under the influence of a foreign Communist power; the State Department and the U.S. Supreme Court are being directed by the same Communist conspiracy; the news media of the country are dominated by Communists, and the United Nations exists solely for subverting the United States and other nations, and dragging them into one world government.

"I couldn't believe my ears," the housewife says. "What's worse was that everybody was sitting there nodding in agreement. There was almost no objection to anything this man said," she recalls. Later, during the discussion period, when she questioned the accuracy of some of the lecturer's statements, "there were people glaring at me and muttering, and frankly, I felt afraid."

Late one evening, 2 weeks after this incident, two men tried to force their way into her home while her husband was out of town. They said they had come to have it out with her because of her opposition to the conservative direction taken by the local PTA unit. The men left only after she threatened to call for help.

Last winter, in St. Augustine, Fla., before an important meeting of a high school PTA, the chairman of the local (white) Citizens Council, a segregationist organization, took his PTA membership card to a printer and had 500 counterfeit cards made in order to pack the meeting with his non-PTA supporters. Not only did another council member ask the PTA president to sign the bogus membership cards (the request was rejected), but the printing bill for the fake cards was sent to PTA.

At Portland, Oreg., Wilson High earlier this year, the PTA scheduled a series of speakers on civil rights to coincide with a study project being conducted by the school's students. One of the talks was given by J. Belton Hamilton, a Negro assistant attorney general of Oregon. The committee of parents that had arranged the meeting reported numerous phone calls were received which labeled the speaker, the principal, and the PTA president as Communist and put unusual pressure on us to have a speaker representing their special interests. The report said that those responsible for the pressures "have taken their action in the name of patriotism and Americanism."

Last year, in Upper Saddle River, N.J., a well-to-do New York City suburb, businessman Jerry Schlossberg, vice president of the Edith Bogert School PTA, was selected by a nomination committee to become president. In that PTA, the vice president usually succeeds the outgoing president. Then things took an untraditional turn. Schlossberg says a telephone campaign spread the word around town that he, Schlossberg, a member of a local fair-housing group, was going to bring some Negro families into the all-white community. Three days before the election, a meeting was held in the home of Mrs. Ordeen Knight, Schlossberg's nomination was withdrawn and a substitute slate headed by Mrs. Knight put up. Some board members later asserted that Schlossberg lacked the "temperament" for the job.

After the election of Mrs. Knight as president of the Bogert School PTA, a local newspaper revealed that both she and the new vice president were members of the extremist John Birch Society.

In North Hollywood, Calif., PTA members at the Victory Boulevard Elementary School prepared to put on their third annual skit to raise money for school activities. Fifty parents and the school principal, Francis Williams, were to take part in the program, which they had been rehearsing for 3 months. Shortly before the play was to open, one Victory Boulevard School parent objected to a show that spoofed George Washington, Benjamin Franklin, and other historical figures. News of the objection appeared in the press, and the principal began receiving telephone calls from people who were not in PTA and had no children in the school. One caller warned him that the show must be canceled "if you want to see daylight tomorrow."

Williams submitted the script to the two most conservative members of the Los Angeles City Board of Education, who did not oppose his going ahead with the show. After the first of four scheduled performances of the "Victory Boulevard Follies," a powerful bomb was set off in the restaurant owned by Konrad Schloss, one of the authors of the controversial skit. School authorities, fearing for the safety of the children, canceled the remaining three performances. The $500 that the parents had hoped to raise for the school fund was lost.

What's happening in the PTA? In airy kitchens, high school auditoriums, over living room tables and on sun-swept patios across the Nation, a shadowy but frequently vicious war is being fought. The stakes are the minds of American schoolchildren.

The antagonists are housewives, principals, teachers, physicians, school board members, and veterans leaders. They range from do-gooders, standpatters, middle-of-the-roaders, to the lunatic fringe. The weapons are parliamentary procedure, delay, disruption. Sometimes, they include innuendo, character assassination, racial or religious bigotry, harassment, threats, and—violence.

No community is immune. Some of the participants are unaware of the true nature of the fight, and many are equally unaware that the same kind of fight is going on at the same moment in dozens of other communities around the country. Ordinary housewives have suddenly had to become experts on extremist tactics and literature because what they had thought was going to be a pleasant tour of duty as a PTA officer has instead plunged them into a dirty, underground war in which reputations have been destroyed overnight and school systems commandeered by kooks.

The assault on the PTA has come from a number of rightwing organizations, but the most persistent campaign—and the most difficult to combat—is being waged by the secretive John Birch Society. Officials of the National Congress of Parent and Teacher Associations believe their troubles can be traced to this much-quoted directive from founder Robert Welch to Birch members, contained in the society's September 1960 Bulletin: "Join your local PTA at the beginning of this school year, get your conservative friends to do likewise, and go to work to take it over. You will run into real battles, against determined leftists who have had everything their way. But it is time we went on the offensive, to make such groups the instrument of conservative purpose, with the same vigor and determination that the 'liberals' have used [to] the opposite aims. When you and your friends get your local PTA group straightened out, move up the ladder as soon as you can to exert a wider influence."

The Birchers have been busy doing just that in the years since, and although they have not "straightened out" the PTA yet, that 68-year-old organization has been dealt some damaging blows. In 1964, for the first time since the depression, the PTA lost members—138,592, to be exact. In the year ending March 1965, the association lost an additional 201,295 members. Current membership totals 11,791,431, compared with the association's 1963 all-time high of 12,131,318. Since the school population has been expanding during this same period, the drop in PTA membership is even more significant.

Some of the losses are attributed to the consolidation of school districts, which also has the result of consolidating PTA's. But the PTA officials believe it is the extremist campaign, not school consolidation, that is mainly responsible for the membership drop.

The PTA is no stranger to conflict. What many a parent has come to think of as a combined Kaffeeklatsch and Tuesday-night debating society was actually founded in 1897 by a group of determined women, concerned with improving the environment of America's school age children. In the years since then, the National Congress of Parents and Teachers and its local PTA units have fought successfully for a long list of programs affecting children—from the establishment of hot lunches in schools in 1912 to the National Defense and Education Act of 1958. They have backed free kindergartens in public schools, the tightening of child labor laws (in 1910, 1 child in 6 was a child laborer), the creation of the U.S. Children's Bureau, higher salaries and standards for teachers, dental clinics and special courts for juvenile offenders, to name a few.

The impressive record amassed by the PTA came after battles with legislators in State capitals and Washington, wrangles with industrial bigwigs, and the bruising of many a politician's ego.

Today, there are 46,000 PTA units in the United States and in affiliated American schools abroad. Husbands have joined the ranks, and today, the membership is one-third male.

But the gains of the past are taken for granted. Ironically, PTA's active support of progressive legislation and policies is now the lightning rod that draws the ire of many of its opponents. The association's endorsement of Federal aid to education and equal-opportunity legislation, for example, has infuriated many of its more conservative members and led some of its units to withdraw.

In a number of communities, conservatives have worked hard to gain dominant positions in local PTA units and then successfully urged the members to drop their link with the State and National organizations. To spur the withdrawal movement, PTA's opponents have worked steadily, spreading half-truths and misinformation about the organization. Last fall in St. Augustine, where the PTA was under attack not only by the Birchers but by the Ku Klux Klan and the Citizens Council as well, a local physician, Dr. George Hopkins, addressed the R. B. Hunt Elementary School PTA. In his speech, Hopkins accused the national PTA of supporting or promoting: "a Federal Board of Education * * * legal invasion of personal privacy through sociological and psychological testing of minors, unlimited endorsement of the U.N. in the following categories: (a) the destruction of our constitutional Republic through one-world government; (b) the surrender of our military forces to U.N. control; (c) the favorable indoctrination of our children in socialism through the Communist-dominated UNESCO (United Nations Educational, Scientific, and Cultural Organization)." Hopkins also told the group that the national organization had been charged with defending textbooks sympathetic to communism.

After the Hopkins speech, the R. B. Hunt School parents voted to withdraw from the national PTA and form an unaffiliated PTO, Parent Teachers Organization. (Dr. Hopkins' wife had been president of the PTA unit at a local junior high school when it, too, voted to withdraw from the PTA in 1963.)

Hopkins and another physician, Dr. Hardgrove S. Norris, whose office adjoins that of Hopkins, had previously tried to get the St. Augustine High School PTA unit to withdraw from the national body, but failed to win the necessary two-thirds vote. Dr. Norris has been listed on the Committee of Endorsers of the Birch Society.

To illustrate the intertwining of the anti-PTA forces, Norris is also active in the ultraconservative Florida Coalition of Patriotic Societies, another group active in the attack on the PTA. The FCPS, in a resolution earlier this year, asserted that "we want it fully understood that the Florida Coalition of Patriotic Societies does not in any way imply that the PTA has any Communist sympathies, but we believe that the PTA is being used by our enemies without its knowledge * * *."

The catalog of accusations against the PTA hurled by Hopkins occurs repeatedly in rightwing assaults on the organization around the country. The targets—Federal aid to education, "psychological testing" in the schools, the United Nations, UNESCO and "world government"—are pounded at by waves of rightwing literature, widespread radio broadcasts, and a traveling stable of "anti-Communist" lecturers.

Mrs. Bertha Cohoon, a housewife who is president of the St. Johns County (St. Augustine) Council of PTAs, has called Dr. Hopkins' statements "fallacious." The attacks on PTA, she says, are being made by the same groups who have been attacking educators and educational groups for years. "Posing as superpatriotic organizations and using the battle cry of 'Communist,' they have, in my opinion, misused our constitutional rights of freedom of speech and the press. They use fine, sincere Americans to spread the hate and fear, in what they believe to be good Americanism. We have lost two fine ministers from our community. Neighbor is looking at neighbor, saying to themselves, 'Is he—or isn't he?' "

On at least one occasion, says Mr. Cohoon, a local unit was simply stampeded out of the national PTA. "Without any prior notice or discussion, one person recommended that the unit get out of the State and county PTA. Most of those present didn't even know what they were voting for. After the vote, the meeting was immediately adjourned, and everybody was flabbergasted.

"My phone rang all night. I've been in the PTA for 15 years, and when something comes up, people automatically call me, thinking 'Bertha has the answer.' But Bertha doesn't always have the answer—I wish I did. They were out. People said they wanted to do something, but they tend to let things go, and they never did," she says.

Bertha Cohoon, like other PTA leaders across the country, is convinced that the move to establish PTOs is calculated to do away with the PTA. "I'm willing to let them start a PTO in any school that has a PTA, and then let's see which one is most effective," she says. "But they don't want that—they want to destroy the PTA."

Apathy and small attendance at meetings are frequently the biggest boons to PTA's opponents. In Hardin, Tex., a PTA with 137 members held a meeting, and only 18 people showed up. Fourteen voted to disband, four abstained, and Hardin lost its PTA. At North High School in Phoenix, Ariz., PTA members rejected the policies of the National PTA by a vote of 19–11 among its 296 possible voting members. (In a later vote, 150 alarmed parents voted against the anti-PTA faction, and pro-PTAers regained leadership of the unit.)

As the war in the PTAs grows hotter, the parliamentary skirmishing becomes more involved. In some PTA meetings, attempts are made to prolong discussion, frequently by the persistent injection of irrelevant issues, so that weary parents will depart in disgust and an important vote can be taken in their absence. Another gambit is to pack a nominating committee with ultraconservatives, who, in turn, nominate their slate for control of a unit.

In some of the PTA battles, a strategy has emerged. Extremists nominate a few of their number for important posts, and suddenly alarmed moderates rush in and nominate a host of their candidates. In the voting, the moderates' votes are spread among a number of candidates, while the extremists concentrate their votes on their few men. Result: The extremists win.

The tactic of making a sudden motion for withdrawal is one that has frequently been used in PTA units where rightwingers, counting on the usual apathy and small attendance, have sought control. A mother in an Arizona PTA with a membership of 800 describes a meeting she attended last year. There were only 50 parents present. "Right out of the clear blue sky, somebody makes a motion to withdraw," she exclaims. "Fifty members is our quorum, there were 50 members there. A vote was taken by show of hands, the withdrawal motion was defeated. Then someone proposed the motion be reconsidered at the next meeting. She had voted against the motion, and it was out of order for one who voted against it to propose a reconsideration; it was done anyhow. This time, I worked to get people to come. We got 200 at the next meeting. The withdrawal motion was defeated again."

The PTA has been under particularly heavy attack in Arizona. PTA membership there has dropped from 84,714 in 1963 to 69,410 in 1965. A woman who moved to Phoenix from the East 4 years ago says: "At my first PTA meeting, I knew something was wrong. It was like no other PTA meeting I'd ever gone to. The program was not about the kids, it was all about patriotism, 'Americanism.' "

Other Arizona women complain of being pressured to adopt the conservative view. "If you are for Federal aid to education, UNESCO or the UN, you're a 'Communist.' There's no gray area, it's all black and white." Says another who had spoken up for Federal aid: "My telephone would ring. A male voice would say: 'When the Communists take over the schools, you are going to be very happy.' "

Mrs. Walter Hafley, wife of a Tucson druggist and ex-president of the Arizona Congress of Parents and Teachers, feels the Birchers are definitely the leaders of the anti-PTA drive in her State. She cites the 1962 State PTA convention as an example of the lengths to which the opposition will go. "We were flooded with people who did not have membership cards and were not affiliated with our units. It was a planned attack. It was at this convention that a vote was taken which reversed our previous stand and put us on record as being opposed to Federal aid to education."

But that position has now been reversed again. "In order to deal with them," says Mrs. Hafley, "I had to get their material and read it. I know what their aims and objectives are. They pick up one statement from one area and parrot it over and over. The best way to throw them is to ask questions. They don't know the answer because all they know is the question. When you ask them, 'Why do you think this will work better?' they are stymied. I've spent 2 years studying them—that's why my garden has gone to pot. I've bought more John Birch material than the Birchers themselves."

The most articulate critic of the Arizona PTA says he's no Bircher. George P. Lasley, vice president of KRUX, a Phoenix radio station, has broadcast frequent editorials blasting the organization for being involved in controversial legislation and for supporting the United Nations and its agencies. "If people knew exactly what they were being asked to support when they joined the organization, I would have no quarrel with it—but they don't know."

The critics of PTA are by no means all Birchers or members of other extremist groups. Many voice dissatisfaction with the organization, which suggests that one of PTA's biggest problems is communication—getting its principles and internal workings fully understood by its rank-and-file members.

The most frequently heard complaints about PTA are:

Too much of the local members' dues goes to the national and State PTA organizations, from which local units get few services.

PTA involves itself in political issues, contrary to its rules.

PTA is dominated from the top—by the national leaders—and local units are powerless to make their voices heard.

The national PTA endorses controversial organizations (the U.N., UNESCO, etc.) or policies (integration, Federal aid) to which many of its members are opposed.

Parents joining PTA are unaware of the policies they are endorsing, policies they are committed to support.

Yet a close examination of PTA does not bear out the charges.

The dues of each of the 46,000 local units are set by the unit itself, and the parent organization, the National Congress of Parents and Teachers, receives the same sum from each unit, 5 cents per member per year, with which it helps maintain a headquarters staff in Chicago and finances its national activities, including the monthly publication, the PTA magazine. State and local units apportion the rest of the dues between themselves.

PTA has been involved in political activity since its founding, say the association's officials, when politics affect children's welfare. The PTA has a national legislative program, which, under PTA's bylaws, must be approved by at least 31 of the association's 52 congresses, and the organization suggests that each unit have a legislative committee. Although PTA's bylaws prohibit it from endorsing or opposing political candidates, the association's handbook encourages members to work for laws that promote its goals.

The charge that the PTA is dominated from the top does not square with the organization's makeup. Delegates from local units elect the officials of the district and State PTA congresses. The national convention elects the national officers. The national PTA is governed by a 91-member board of managers consisting of the State presidents, the national officers and the chairmen of the standing committees. Its policies come from the national convention.

Though it is true that some of the stands taken by the association have been controversial, controversy, like beauty, is frequently in the eye of the beholder. At their May national convention, PTA members voted approval of a resolution supporting Federal, State, and community action to ensure "all citizens full and equal opportunities for the exercise of their civic rights and responsibilities." While this PTA stand may displease some of its members, it is considered mild by others. The important thing is that the members, through elected delegates, had a chance to vote on it. Democracy cannot guarantee more.

Do parents join PTA without knowing what they are pledging to support? Are they unaware that they are simultaneously becoming members of the State and national PTA? The last question is easiest to answer. The card issued to every member tells him that he is now a member of the State and National bodies.

It is possible that new members may not know about all the policies and programs of the organization. As any congressman or school principal can testify, the PTA has a lot of interests. But its aims and activities are spelled out in a 272-page manual for members, and the national PTA uses part of that 5-cent contribution to turn out an avalanche of pamphlets describing its work.

If some of the criticism of PTA stems from legitimate disagreement over some of its activities, it is becoming increasingly apparent that a combined effort is being made by Birchers and other extremist groups to control or destroy the organization.

A big weapon in the plot against the PTA is a nationally distributed booklet called "Parents Are Puppets of the PTA." This tract asserts that the PTA "promotes world government by support of the United Nations," assails it for backing mental health programs ("the aim of the mental health movement is unmistakable: nonconformists are in actual peril of being adjudged insane") and fluoridation ("Does PTA Promote Poisoning Public Water Supplies?").

"Parents Are Puppets of the PTA" bears the imprint, "Tarrant County Public Affairs Forum," of Fort Worth, Tex., and lists a local post office box, but inquiries to the chamber of commerce and the better business bureau revealed that neither knew more about the organization than that. The "Forum" remains cloaked in the anonymity given to renters of post office boxes, while it spews out anti-PTA diatribes.

False and inflammatory literature is only one of the tools used by the extremists. PTA leaders across the Nation report a continuing effort by opponents to disrupt meetings by harassment of speakers, concerted coughing and moving of chairs. Mrs. Jennelle Moorhead, president of the national PTA, says, "I first became alarmed in 1962 when we held our convention in Iowa. A national newsmagazine called me to say they had been tipped that there would be a riot on the floor. 'What are you going to do to cause a riot?' they asked me."

Mrs. Moorhead and other prominent PTA officials do not believe the attacks, the attempts at disruption, the intimidation of speakers are coincidental. "Take the letters we get, for example," she says. "The same vocabulary is used, whether it comes from the east, north, west or south. The letters all read alike. Someone is giving the orders, and I wish I knew who it was. I can tell when the line changes—it's like the shifting of gears—if they've been attacking us on UNESCO, all of a sudden they'll change and begin attacking something else."

The PTA now knows it is in a fight. The national organization has issued a pamphlet on extremism and advises its members on ways to combat it. But the battle is growing bigger than PTA. The extremist drive has begun to shift toward school boards. The Birchers and others have realized that school boards pick school superintendents who, in turn, pick teachers, books, and establish curriculums. Since few people turn out for school board elections, they are ripe pickings for a determined undercover campaign by a small group of zealots.

Joseph Stocker, public-relations director of the Arizona Education Association, warned the convention of the National Education Association recently: "Extremists of the right may be expected to continue their thrust at the public schools with the object, plainly and simply, of controlling the curriculum and brainwashing children. They will seek these ends through election to school boards, control of PTA's and censorship of the content of education, in libraries and in classrooms. They will seek to elude identification as extremists by putting forth candidates for school boards and PTA offices who have not been members of the Birch Society or of other extremist groups.

But he concluded, "in recent elections where extremists have run under extremist labels, or with the open support of extremist organizations, they have been soundly defeated in a very large majority of instances.

The American people, when fully informed, simply won't buy extremist doctrine and extremist candidates."

While not every hard-pressed member of the PTA would concur with Joe Stocker's optimism, most would agree that things are humming at the PTA meetings these days. Housewives are boning up on the Birch Society Blue Book and pouring over Robert's Rules of Order. The "takeover" plot has not been stopped, but at least most PTAers are beginning to know what the battle's all about.

FOOD AND POLITICS

Mr. HRUSKA. Mr. President, an article in the August 16 issue of NAM Reports, points out some of the political pressures from various sources, with various conflicting objectives, which are being focused on our food production and distribution system.

This article serves to remind us that more and better food for a constantly declining share of the family budget is now being provided by America's food industry. Furthermore, it counsels that care and caution be exercised in consideration of any new legislative or other measures which would tend to impair the progress that can be achieved by its own innovations and competitive activities.

I ask unanimous consent, Mr. President, to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From NAM Reports, Aug. 16, 1965]

FOOD AND POLITICS—HOW GOVERMENT FOCUSES CONFLICTING PRESSURES

Food is the basic industry of the United States, and it would be incredible if the world's largest government remained aloof from the production, processing, and marketing of what we eat. It does not.

Food came before governments, but the moment governments appeared upon the scene food became one of their primary concerns. Men's first fights were over food; order-keeping, the first duty of government, required the adjustment of such disputes. Men still fight over food, and the background of the trouble in Vietnam is that one of Asia's richest rice producing areas is coveted by the Communists.

However, today's relationship between America's $84 billion food industry and its $100 billion Government is more intricate than earlier involvements, because within the Government are many agencies directly concerned with food, but with totally conflicting purposes.

In the White House, for example, is a Special Assistant for Consumer Affairs, dedicated to making food available at minimum cost to the eater. Some blocks away in the Agriculture Department men and women on the same Federal payroll fight to wrest more money from the eater for the benefit of the farmer.

Caught between such political pressures so focused by government are the hundreds of food processors and retailers whose margins of profit are slim in good times and tend to disappear entirely under a variety of circumstances. Fierce competition, both in buying raw materials and in selling finished products is one reason for the low-profit margins. Shifting consumer preferences, seasonal use of costly plants and equipment, the whims of weather and the fluctuations of supply are among the others.

Yet, no one could call the tremendous food industry as a whole a "sick industry." It employs more than a million and a half workers, provides an astonishing variety of food in ample quantities at reasonable prices to 192 million people and has revolutionized eating habits with its innovations.

Newest governmental factors on the food industry's horizon are the Food Marketing Commission, the President's Committee on Consumer Affairs and the food stamp program. But many of the older agencies dealing with the food industry are taking new approaches and considering still others.

A few Federal programs are designed to benefit the food industry, although an individual company may in some cases be damaged by them. These include:

Interior, State, Agriculture, and Commerce Departments' several programs to improve commercial supplies of fish.

Agriculture Department research into new varieties and processes.

Area Redevelopment and Small Business Administration loans for new and expanded processing plants (which may help you if you get them, and provide new competition for you it someone else does).

But by far the larger part of Federal activities relating to the food industry are for the benefits of others—labor, farmer, consumer, foreign nations. The interest of these groups often conflict.

In the creation of the Food Marketing Commission it is implicit that more Federal activity in the food industry will be forthcoming, but not for the industry's benefit. The Commission has been engaged in a series of hearings, at which its members solemnly have undertaken to put into the record a most detailed description of how our food is grown, processed, and sold. Patiently, it is eliciting from growers, processors, and retailers the most minute details of their operations. Recently, it has suggested it may resort to subpenas.

One of the purposes set down for the creation of the Commission was to determine what kind of food marketing system would suit the Nation's needs in the years ahead. This clearly indicates the possibility—even probability—that the Federal Government expects to make the ultimate decisions.

The Commission ultimately will write a report and recommendations. Its data will be used but actual legislation is likely to originate with the executive branch and may bear little resemblance to the Commission's ideas. These are factors that probably will influence the kind of legislation Congress will be asked to pass:

The basic necessities are food, clothing, and housing. For some years, Government programs in housing have been based on the idea that a family should have the housing adequate for its needs for whatever it is able to pay (public housing, and now rent supplement). Now we have a food stamp program based on the idea that a family should have the food it needs for what it is able to pay. As has happened in housing, this could be extended into the middle income brackets.

Important elements in the Government believe that the present variety offered the consumer is wasteful, that choices based on brand names are confusing, that convenience features do not justify their costs. The pressures for grade labeling and standardized packaging could grow.

The Commission is intrigued by a recent upturn in the retailer markup after a long period of decline. Members have publicly expressed an interest in allocating "fair shares" of the consumer dollar, and are musing about whether these increases are justified. (They have occurred in a period of unionization of store personnel, expansion of customer facilities such as parking lots and a shift in product lines carried, including some which like frozen foods require more expensive storage and display facilities.)

Despite the appearance of a single Commission to study the whole food industry, it appears unlikely that a single code will be drawn up to govern the industry. The reason lies in the Government's embodiment of conflicting political interests. A single code could not be written until these interests were reconciled by the Government—an unlikely eventuality. It can be expected that any new law will overlay the old ones, leaving the food industry's executives saddled with the problem of compliance at minimum price increases regardless of cost increases that may be entailed.

Continuing will be the importance of such factors as:

Extension of the minimum wage for farm labor, and encouragement and assistance to unions which seek to organize farm labor.

The attempt to capture farm employment for unemployed Americans, wiping out the importation of seasonal labor from elsewhere in the hemisphere.

Price support programs supplemented by marketing agreements to keep raw material prices high, coupled with the new farm bill approach (the so-called bread tax idea) designed to limit Federal spending for farm programs by engineering mandatory price increases on foods to the growers.

Federal purchases for the Armed Forces, school lunch programs, and food for peace, whose timing affect the market. (During the recent abrupt rise in beef prices, more than 10 million pounds of beef was shipped abroad under Public Law 480.)

Federal sale of commodities which force down prices persuasively just before farmers are asked to vote on a crop control program.

Diplomatic decisions on food importations and prices. The Government has decreed that consumers will pay more than a free market price for coffee and sugar, for instance, as a form of indirect foreign aid. It has encouraged importation of some foreign food products, such as Polish hams, in the hope of easing cold war pressures.

These lists far from exhaust the Federal activities bearing upon food production and marketing. One important element in the picture is antitrust action.

The Federal Trade Commission is interested in price discrimination, and "cost justification" concepts are still wending their way through the courts.

Mergers often are attacked by FTC or the Justice Department, and the definitions of markets and market shares are a wilderness yet unpenetrated. In Beatrice Foods, the FTC, in addition to ordering divestiture of some units of one of the larger corporations in the field, issued some warnings which appear to indicate that a dairy firm now in the multi-hundred-million-dollar bracket will be in the clear as long as it does not make acquisitions, or hasn't recently made some, but that a newer growth company may be approaching danger of prosecution when it hits a $50-million volume. This bemuses lawyers, who wonder if the FTC means to preserve the present larger companies from new major competition.

In *Amalgamated Meat Cutters* v. *Jewel Tea*, union immunity to antitrust prosecution was reestablished in a way that seems to place many aspects of food marketing within the control of union leaders.

Reciprocal trading, a common practice for obvious reasons among many food manufacturers with many product lines, was attacked successfully in Consolidated Foods.

Conflicting decisions in Borden and Universal-Rundle place in doubt pricing of brand name products and private label products of similar grade and quality.

Now in Washington, official thinking has turned to the economists' textbook term of monopsony—the market power of a few buyers in a field with many sellers. Theoretically, these are covered by the Sherman Act, but there could be new legislation.

The gist of the antitrust activity and thinking tends to attack food industry practices which achieve economies that can be passed on to consumers, while elsewhere the pressure is on to assure low prices and to reduce prices at retail.

Senator Long has asserted that the Food and Drug Administration has come to take a dim view of the utility of diet foods, health foods, and diet supplement activities, and it appears that if he is right there could be more harassment along this line.

In addition to all the governmental problems uniquely its own, the food industry shares the problems of industry in general.

The food industry has been successful in keeping prices down largely through increasing productivity. The Commission heard testimony on one product line, for example, in which raw material increased in price by 80 percent, wages increased 100 percent, and price increased only 20 percent.

But while Washington rejoices when prices fail to rise, it officially wrings its hands when the labor content of products is reduced, reducing employment. While the investment credit and liberalized depreciation rules were intended to encourage new plant and modernization, the very efficiencies thus brought about are deemed to call for counter-measures—such as federalized and liberalized unemployment compensation systems, higher premium overtime, shorter workweeks and even—perhaps—a mandatory guaranteed annual wage.

At present, the food industry is exempt from some wage-hour regulations because of its seasonal peaks, but the pressure in Washington always is on to remove such exceptions, however sensible.

The food industry, like others, is believed by many in Government capable of "absorbing" large increased costs out of present small profits. Mathematics is one of Washington's fuzzier subjects.

Emerging on the left side of Washington official thought is a doctrine growing out of the war on poverty that earnings should not have to be spent on necessities—such as food and housing—but should be discretionary income, so much of them as are not removed by taxes. In other words, a citizen should not have to pay for what he needs, but only for his wants above his needs.

A larger body in the Capital would concur in this only to the extent that it believes each citizen should have what he needs and pay as much as he is able.

So far, the food stamp plan, now spreading over the Nation, is a device to make this possible at the taxpayers' expense. Experience has shown, however, that the Government seldom pays the full price of things for long, but seeks preferred treatment on prices. Just as the consumer is now asked to bear part of the cost of the farm program in bread prices, some observers feel, the food industry will someday be asked to bear part of the cost of the food stamp plan, perhaps through discounts on food sold under them.

The NAM, through its marketing and other committees, is monitoring the currents affecting the food industry in Washington, and has participated in a number of actions in support of the industry. Today it is exploring new ways to persuade Washington to allow the food industry to continue to compete to develop new products, better values and higher standards without artificial or arbitrary restraints which blunt the edge of the consumer's best weapon—the ability of manufacturers to compete for the hand of the consumer.

There are many agencies representing many points of view in Washington. Industry must represent its own.

MILWAUKEE'S PORT SETS RECORDS FOR GROWTH

Mr. PROXMIRE. Mr. President, one of the brightest chapters in recent Wisconsin economic history has been the steady and sharp, I might say, sensational growth of Milwaukee's world trade.

There are many reasons for this. Of course, the big reason is the completion of the St. Lawrence Seaway. But many lake ports might have taken advantage of this and did not. Milwaukee did.

Milwaukee is blessed with Harry Brockel, a port director of top caliber. He has done a great job.

The whole Milwaukee community has enthusiastically supported its port. Business leaders have aggressively and imaginatively exploited it.

The port has been physically improved. Recently Congress gave the green light for Milwaukee harbor dredging. Milwaukeeans expected the dredging to take 4 years. It took 4 months.

The dredging will permit fully loaded ocean ships with 28-foot drafts to be accommodated at all municipal docks in 1966.

I ask unanimous consent that a recent article in the New York Times on this new "Miracle of Milwaukee" be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Milwaukee's Port Sets Record; Looks to Europe for Business

Milwaukee, September 11.—In 2 weeks Milwaukee Port Director Harry C. Brockel will start a European trade mission armed with figures showing Milwaukee to be one of the busiest ports on the St. Lawrence Seaway.

The trip will come at an especially impressive period in the port's history. Mr. Brockel believes that overseas trade flowing this year will set a "smashing new record." Through the end of August seaway trade already was up 28 percent over the same period last year.

Besides this, Mr. Brockel will be able to boast of physical improvements at the port. A Federal program to dredge channels is nearing completion about 4 months after it began. Local officials thought it would take 4 years.

AVOIDS GUIDING SHIPS

The dredging will permit fully loaded ocean ships with 28-foot drafts to be accommodated at all municipal docks in 1966. Until now partly loaded deep-draft ocean ships had to be guided through water only 21 feet deep in many places.

Also the city is preparing to build its fourth general cargo terminal, at a cost of $750,000. The Milwaukee Common Council is expected to authorize design plans next week. The 50,000 square foot terminal will help relieve frequently overcrowded conditions at the port.

"There is tremendous pressure for us to build this terminal," Mr. Brockel said. "Sometimes our terminals are so chooked it's difficult to keep the aisles open."

Another factor spurring use of the port is the new fats-an-oils terminal that was recently placed in operation. It is expected to handle 100,000 tons of cargo annually.

The terminal helped raise the city's reputation as one of the most diversified ports on the seaway. On the basis of cargo flowing through it, Milwaukee ranks fourth among 27 ports on the U.S. side of the seaway. Ahead of it are Duluth-Superior, which has a huge grain shipment, Chicago and Toledo.

This year, Mr. Brockel said, Milwaukee should handle about 800,000 tons of cargo, compared to 685,000 tons during the record year of 1961. For the first time, the number of ocean sailings should go over 500. A record of 439 was set last year.

Tonnage through August totaled 500,228, compared to 390,147 in the same period last year. Notable increases were shown in bulk grain shipments, up 69 percent; and heavy-lift cargo and steel, up 251 percent.

The port has suffered somewhat, Mr. Brockel said, because Government shipments of powdered milk had dropped sharply and iron and steel scrap shipments had been reduced to nothing because that business is dormant.

"But we are making great strides as a mercantile port and this is where there is the most competition," he added. "European countries are making increasing use of Great Lakes ports for high-grade cargo—machinery, tools, wines, ceramics, and manufactured goods. This is the cargo that takes men and machinery to move and what brings money into a port."

CHICAGO A RIVAL

In order to get this trade Milwaukee has had to compete with other seaway ports, especially the sprawling one in Chicago, and also overcome skepticism from its own common council.

The $7,500 authorization for the European trip was made by the council only after months of debate and an accusation by Brockel that the council was imposing "the most restrictive form of shackles on the port's operations."

He has called for an expanded promotion for the port, noting that "New York spends more on promotion than we do for our entire operation."

Mr. Brockel will visit 11 western European countries on his trip, attempting to convince them, he said, of the importance of the Great Lakes ports.

"The problem of the Midwest," he said, "is to blow away the last vestiges of provincialism."

THE ST. LOUIS POST-DISPATCH ON PRESIDENT JOHNSON

Mr. CHURCH. Mr. President, the St. Louis Post-Dispatch, although a liberal newspaper, has never hesitated to express its disagreements with President Johnson's policies. Therefore, the highly favorable editorial which appeared in the Post-Dispatch, after a recent Presidential press conference, assumes special significance. This editorial correctly concluded:

> Altogether, this was one of the President's most successful press conferences. He is very much the man in charge, and he is moving steadily in a number of right directions. The country has every reason to grant him the confidence he inspires.

I ask unanimous consent to have this editorial printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Man in Charge

President Johnson made a good deal of news at his press conference Wednesday, none of it more important than the general impression he conveyed of a confident, masterful Executive who is on top of his job in all respects. He looks well and obviously feels well. The legislative record his administration is compiling continues to add up impressively. He is moving with care and skill to cope with the race relations crisis. He has completed forming a new United Nations staff with "a passion for peace." He expressed the national interest in a noninflationary steel wage settlement. Above all, he aroused hopes that the road to peace in Vietnam may yet open up.

VIETNAM

The President left no doubt that his Cabinet's renewed emphasis on negotiation for a peace settlement based on the 1954 Geneva accords is part of a calculated effort to bring Hanoi to the conference table. There will be no letup of the military pressure, but the limited character of his military objective was again made clear. It is to stabilize the fighting so that a negotiated political settlement can finally end the fighting. He is right in saying that the country is united behind this goal. If North Vietnam and the Vietcong can be convinced of this, then a prudent assessment of their own interests should suggest that negotiating fair terms for an ultimate end of all foreign intervention offers much more than expansion of a hopeless war.

WAR POLITICS

With smooth finesse Mr. Johnson isolated the House Republicans' feeble white paper which sought to draw a party line on Vietnam. He needed only to hint at the high-level Republicans who back his leadership and generously to grant a few others the right of dissent. The GOP dissenters are, of course, trying to reconcile the irreconcilable, they disclaim responsibility for our commitment in Vietnam but have nothing to offer except an irresponsible expansion of the war. In accepting limited objectives and a political settlement instead, the President unquestionably has the country with him. Yet he is on warning that, if he fails to obtain peace, the Republicans will not hesitate to charge him with "Johnson's war."

UNITED NATIONS

The appointment of James Roosevelt as U.S. representative on the U.N. Economic and Social Council, the post once held by his mother, aptly symbolizes the President's concern for development of impoverished lands through U.N. action. In southeast Asia, only peace is needed to unleash a surge of energy directed against the real enemies of the people there—hunger and ill-used resources.

STEEL

By strongly supporting his economic advisers' guidelines for wage and price stability in the steel negotiations, Mr. Johnson served notice that he intends to use his powers to restrain inflationary forces before they get out of hand. His determination is all the more welcome in view of new wage contracts in the west coast construction industry which bend, if they do not break, the guidelines. Similar action in steel could set off a chain reaction throughout the economy. The President laudably makes it clear that he wants the guidelines to apply also to salary increases for Federal workers.

LEGISLATION

Mr. Johnson continues to exert his seemingly effortless mastery of an unprecedented legislative program. He urges House leaders to force the District of Columbia home rule bill out of a committee pigeonhole by discharge petition. He warns against crippling of his immigration bill, which promises a long-overdue revision of the obnoxious national origins basis for quotas. He still wants repeal of the Taft-Hartley license for State right-to-work laws. He notes with satisfaction a fine pace of Negro voter registration under the Civil Rights Act. And he holds out a carrot to Congress with a promise that, if it will do all its work this year, he won't ask so much next year.

Altogether, this was one of the President's most successful press conferences. He is very much the man in charge, and he is moving steadily in a number of right directions. The country has every reason to grant him the confidence he inspires.

WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. McGOVERN. Mr. President, I am most pleased that the Senate last Friday adopted the concurrent resolution expressing the support of the Congress for the World Conference on World Peace Through Law which opens today in Washington, D.C. As the principal Senate sponsor of the measure, I was gratified that congressional approval was speedily obtained.

Yesterday's Washington Post carried a fine editorial on the meaning and significance of this important Conference. I ask unanimous consent that this editorial, entitled "The Quest for World Law," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE QUEST FOR WORLD LAW

Washington today becomes the focal point of the world-law movement. Four continental conferences in recent years led to the Conference on World Peace Through Law in Athens 2 years ago, and now some 2,500 judges and lawyers from 110 countries have assembled here for the similar purpose of extending the boundaries of international justice. They will talk in lofty terms of replacing violence with law, but most of their time will be spent on the vital business of improving courts, extending research, bridging legal gaps, and analyzing the so-called treatymaking explosion.

These lawyers and judges are practical men. They have no expectation of substituting world law for diplomacy and military force in the present context of international relations. What they seek is a speedup in the natural evolution of international law and judicial institutions. One of the problems they will tackle here will be the unification of some aspects of commercial law and the promotion of arbitration arrangements so that business may be more easily transacted across international lines. Another important question for discussion will be the extension of law to the no man's land of outer space.

To the pessimists who see no hope for a lawful world the sponsors of this movement reply that 80 percent of all the treaties known to man have been drafted in the last 20 years. Treaties are the primary staple of international law. Not all of them are constructive in purpose, but the mere proliferation of treaties suggests a widespread desire for orderly international relations. Treaties have multiplied faster than the means of interpreting and enforcing them, and this problem too will get much attention from the Conference.

We are especially hopeful that the Conference will be able to show how the World Court can be made more effective. This is one area in which the United States, with its crippling restriction as to the jurisdiction of the Court, is sadly out of harmony with the growing demand for law in the settlement of international disputes. By simply embracing the principle of judicial settlement of all legal disputes that may be properly carried to the World Court, the United States could make an enormous contribution to the new world law that every statesman likes to talk about.

THE EXTRAORDINARY POWERS OF THE BUREAU OF THE BUDGET NARRATED IN AMERICAN LEGION MAGAZINE

Mr. YARBOROUGH. Mr. President, I am sure that many of my colleagues have felt the frustration when we as a legislative branch of the Government have been seriously handicapped by action of the Bureau of the Budget which we found unsound govermentally.

In the August 1965 issue of the American Legion magazine, a fine article is printed entitled "The Extraordinary Powers of the Bureau of the Budget," written by Deane and David Heller. Although the American Legion magazine often prints articles of exceptional quality and interest, I believe this article on the Bureau of the Budget should be read by everyone who is interested in the preservation of the legislative function of Congress. For this reason, I ask unanimous consent that this article which begins on page 8 of this August issue of the American Legion magazine be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EXTRAORDINARY POWERS OF THE BUREAU OF THE BUDGET

(How a superbureau in Washington manipulates the laws, censors witnesses before Congress, and dictates to departments and agencies by the exercise of powers never set forth in the American Constitution.)

(By Deane and David Heller)

Does America have an invisible government within the Government? Is there a Government agency so powerful that it can—and does—overrule, frustrate, or emasculate an act of Congress when it decides, on its own or in a huddle with the President's aids, that Congress has acted unwisely? Is there a Federal agency so powerful that it can, in the words of a leading U.S. Senator, terrorize other agencies of the Government?

Is it possible that a superpowerful agency of unelected officials can instruct Cabinet officers testifying before Congress? Can this agency black out unfavorable information and censor the opinions of Government officials who disagree? Can it kill or cripple a Government program legally enacted by Congress?

Let's take a look at some words of Lyndon Baines Johnson about the Bureau of the Budget, an agency of unelected officials which exercises amazing powers, whether it legally possesses them or not.

In 1958, a furious war raged in Congress over the refusal of the Budget Bureau to spend money authorized by Congress for dams, national defense, missions, space research, and a wide variety of other purposes. Lyndon Johnson, then Senate majority leader, rose from his seat in the front row of the Senate Chamber. The dark-suited Senator, standing tall like a Texas Ranger out to draw a rifle bead on the bad guys, took out after the Bureau of the Budget.

Lyndon Johnson's quarrel with the Bureau of the Budget had a long and fascinating history.

Seven months earlier, on August 30, 1957, he had written a hot letter to the then Budget Director, Dr. Percival Brundage:

"I am deeply concerned about the practice of the Bureau of the Budget of controlling, through the apportionment procedure, the expenditure of funds appropriated by Congress," the future President wrote.

His letter had noted that the subcommittee of the Senate Appropriations Committee had heard 1,132 witnesses in 40 lengthy sessions that brought forth a bill on civil construction to offset growing unemployment. The bill passed the Senate with only one dissenting vote.

"This bill thus may be conservatively said to represent the will of Congress," the Texas

Senator wrote acidly. "Yet, a letter over your signature suggests that a portion of the funds appropriated by Congress for construction projects by the Corps of Engineers will be placed in budgetary reserve by the Bureau of the Budget." The Senate majority leader then asked "by what authority" the Budget Director derived such powers "by which such action, overriding the will of Congress" was taken.

On another occasion, Mr. Johnson had complained that the Budget Bureau was a "czar."

Now Lyndon Johnson's angry words of March 11, 1958, made on the Senate floor, turned to the matter of a dam in Oregon (the John Day Dam) for which Congress had voted funds and the President had signed an authorization.

"The President, by the exercise of his own judgment and discretion could have vetoed it (the dam)," Johnson said. "But instead he chose to approve it. He permitted a budget official who had responsibility to no one, who was an appointee of the Executive, to impound the funds and vitiate the will of the Congress and the Executive."

Johnson then struck at the growing habit of the Budget Bureau to present an "approved" list of projects to Congress on a "take it or leave it" basis.

"I do not intend to let the Budget Director pick out, pick out and pick out and finally tell us: 'If you will knuckle under and get down on your knees and take exactly what I tell you, I will let you have a bill. If you do not, I will send you a veto.' "

Lyndon Johnson's next words stated the case for the constitutional power of Congress to exercise the legislative power of the Nation:

"When I have passed judgment on a bill and have voted for it, the simple fact that someone in the Bureau of the Budget objects to it will not change my conviction and make me turn tail and abandon the position I took when I voted for the bill originally."

How revealing of the inner workings of power in Washington, where—the average layman may think—Congress passes laws and the administration carries them out.

For decades, the obscure Bureau of the Budget, a 500-man agency housed in the Executive Office Building near the White House, has stirred up fierce controversy, fear, and anger inside Washington. Lyndon Johnson's words denouncing it were, in fact, courageous. The Budget Bureau has teeth and claws. It can fight back—hard. Money—or the control of money—equals power. Even a majority leader of the U.S. Senate might find it prudent not to tangle with this little-known agency—far and away the most powerful in the Nation's Capital. Of all the heads of bureaus, the Budget Director is the only one the President can appoint without approval in the Congress.

The Budget Bureau can kill virtually any bill introduced in the Congress with seven words: "Not in accordance with the President's program." In this it wields the political power of the President with Congress. It can (and often has) overruled Congress by refusing to expend funds voted by Congress for Federal programs. In the past, these have included funds for veterans medical care; housing; urban renewal; atomic submarines; the army reserves; research and development for the Army, Navy, Marine Corps, and Air Force; public works projects; missile and atomic energy plants; water and power projects; hospitals—and scores of other things.

This may be an eye opener. If you've ever thought about the Bureau of the Budget at all (most people haven't), a mental picture may come to mind of a group of dedicated bookkeepers toting up long columns of figures in red ink in their ledger books. But you couldn't be more wrong. The Budget boys are the fellows with muscle in Washington. The Director of the Bureau of the Budget carries far more weight than some members of the Cabinet. And it isn't just anybody who can overrule an Act of Congress. On the law books, that authority is supposed to be reserved for the Supreme Court in open trial.

It isn't easy to get a top administrator in the executive branch to talk about its secrecy-shrouded operations. But listen to this (from a man who wishes to remain anonymous, but who formerly held a top Government administrative post):

"There's little that any administrator can do when the Budget Bureau interferes in the details of his work. It's a tough thing. Every administrator serves at the pleasure of the President. If he doesn't like it, he can only get out.

"It is a serious problem for Congress, whose lawmaking power is often usurped by the control of the purse strings. Congress passes an appropriation for a certain thing to be done. Then the administrator who'd do the job is denied the funds by the Budget Bureau and he is not allowed to tell the public or Congress the facts. Congressmen tell the people back home that the matter has been taken care of but nothing happens and nobody on the outside can understand it. I once had a confrontation with the Budget Director of my time on his arbitrary rulings affecting the policy of my agency. In exasperation he said to me: 'Listen. The Budget Bureau can do anything it pleases.' "

The National Education Association has been waging a war with the Defense Department over the condition of its overseas schools. Congress passed a law (Public Law 86-91) to put the oversea schools for children of servicemen on a par with better U.S. schools. The Defense Department did not bring the schools up to par, and pays its teachers about $2,000 less than the standard set by Congress. In the face of protest from educators, it simply repeated over and over that it didn't have the money. But the Defense Department had not asked Congress for the money needed to carry out its law.

The American Legion took up the cudgels for the NEA in this fight last fall, and in an editorial advised it that perhaps the villain was elsewhere. "Defense can't ask for more money than Budget OK's and if Budget is the pinchpenny, Defense isn't allowed to say so, under rules that keep the facts behind our budgeting a secret to the extent the Budget Bureau desires."

The Legion has had long experience with the Budget Bureau's policymaking, its vitiating of law, and its sense of values and thinking. For two decades, career men in the Budget Bureau have interfered in the operation of veterans legislation and have sought to impose policies of their own, antagonistic to those established by Congress, while Budget Directors, Presidents and Congresses have come and gone.

Several examples in the field of veterans affairs are enlightening.

Several years ago, President Kennedy authorized 2,000 nursing care beds for the Veterans' Administration, and Congress enacted a law calling for 2,000 more. The House Veterans Affairs Committee, in drafting the law, specifically called for the nursing care beds in addition to the VA's hospital beds. The Budget Bureau fought this law bitterly before it was passed. Today, it is forcing the VA to reduce its hospital bed facilities by 4,000 beds instead of adding the nursing care beds to the total VA bed space. At this writing, only 550 of the nursing beds have been put in operation. Meanwhile, the VA is reported to be planning to run the nursing programs eventually on money saved by closing VA hospitals.

The Budget Bureau is generally opposed to both veterans hospitalization and the bulk of the Public Health Service hospital services. In spite of the laws creating them and providing their services it would like to reduce them and put them both in one hospital system. Congress has rejected every proposal either to cut them down or combine them. Nothing daunted, the Bureau of the Budget has been proceeding toward both objectives on its own. In January, under Budget Bureau pressure, both the VA and the Department of Health, Education, and Welfare announced closings of VA and Public Health Service hospitals, respectively. At the same time they announced an "agreement" under which the VA, which was created by law to care for eligible war veterans, would accept such PHS patients as merchant mariners and commercial fishermen in VA hospitals. This has naturally created a storm, especially as the VA hospital system had, in March, a waiting list of more than 17,000 eligible veteran patients before closing 6 VA hospitals and before taking in PHS patients. When the Comptroller General issued an opinion that aspects of the PHS agreement are illegal, the Budget Bureau's hospital spokesman told a congressional committee that he doubted the opinion was binding, though the Government Operations Manual sets forth that by law the opinions of the Comptroller General are binding on the executive. This one issue presently has the Budget Bureau and Congress heading on a collision course with respect to the legality of Budget Bureau activities.

A competent reporter who has been on the Washington scene for more than two decades notes that it is almost impossible to find who makes decisions like this. The Budget Bureau refers to them as "decisions arrived at by the President," while the actual architects are "faceless and nameless."

How the Budget Bureau thinks about veterans was revealed in House testimony on a pension bill last year. A VA spokesman said that the Budget Bureau was not only opposed to the bill but was opposed to publicizing it because "this would cause a large number of new veterans to apply." We will see more about the Budget Bureau's work in making it hard for veterans to receive benefits already awarded them by law.

At its May 5–6 meeting this year, the executive committee of the American Legion unanimously approved a resolution urging President Johnson to curb the power of the Bureau of the Budget, charging, among other things, that the Bureau is establishing national policy on its own, thereby usurping the power of Congress. The Legion took this dire action following the latest attack upon veterans' benefits by the Budget Bureau.

On January 13, 1965, the VA, without warning, announced its intention to close 11 hospitals, 4 veterans' homes, and 16 regional offices where veterans' claims are received, processed, and awarded or denied. The national commander of the American Legion, Donald E. Johnson, immediately protested, calling it "shocking" that Members of Congress, who are supposed to set veterans' policy, were not consulted. Commander Johnson charged that the announced closings were not the considered judgment of the VA, but were forced upon it by the Bureau of the Budget. John J. Corcoran, director of the Legion's National Rehabilitation Commission, charged "the Veterans' Administration has lost control of its medical program to the Bureau of the Budget." On March 4, 1965, the Assistant Director for Legislative Reference of the Bureau of the Budget admitted to the Legion's Rehabilitation Conference that the Budget Bureau "did press the VA to close hospitals."

Out in the field, citizens' committees looked at some facts. Thus a special committee of experienced North Dakota veterans' service officers, representing volunteer groups, investigated the VA's justification of the proposed consolidation of the Fargo

VA regional office with the one in St. Paul, Minn., 200 miles away.

The VA had made two basic claims, never mentioning Budget Bureau pressure. It said (1) that $139,740 would be saved, chiefly in salaries paid at Fargo; (2) North Dakota veterans could easily process their claims by mail to St. Paul, because experience showed nearly all of the claims handled at Fargo were being handled by mail already.

The North Dakota committee found that it would cost more to move than to stay in Fargo; that the savings estimate was based chiefly on salary eliminations at Fargo; that it was almost double the actual salary elimination; and that it did not deduct from savings the new costs that would be assumed in St. Paul.

Far worse, the VA's report on handling claims by mail turned out to be a pathetically transparent attempt to justify the unjustifiable. In attempting to minimize the impairment of services by withdrawing from Fargo, the VA claimed that only 2.3 percent of its service in Fargo in 1964 had been made by personal contact with veterans, while 97.7 percent had been by mail—which could, of course, simply continue at St. Paul at no inconvenience to anyone.

The VA reported 270,483 mail contacts at Fargo in 1964 and only 6,506 personal contacts with veterans.

The North Dakota committee reported that the figures were outrageously false. Only 19,500 of the pieces of mail reported had anything to do with service contacts with veterans. The rest (more than 261,000) were just mail received—junk mail, ads, bills, inter-VA mail, personal mail of employees and patients—anything with a canceled postage stamp.

And personal contacts with veterans, instead of being 6,506 were 40,008. They came not to 2.3 percent of the total contacts with veterans, but more than 66 percent.

Similar committees in other parts of the country reported the same discrepancies with respect to justifications of VA closings in their areas.

This incredible situation concerning public responsibility is not like the usually meticulous Veterans' Administration. It is like the wriggling of a Government agency under orders from the Bureau of the Budget to cut back its operation with a tough command to make the cutback look good.

On the surface it looks like insanity for the Budget Bureau to force the VA to close offices when the reputed savings are only myth. But it makes sinister sense when you recall the Budget Bureau's desire not to have veterans claim what has already been awarded them by Congress. Intensive studies by both the VA and the House Committee on Veterans Affairs have revealed that veterans who have been eligible for millions of dollars of vets benefits didn't claim them because they did not understand the law in spite of VA mail in governmentese explaining it to them. In this light, the hanky-panky unveiled at Fargo (only one of 16 regional offices that were proposed to be closed) to force more veterans to use the mail suggests that the Budget Bureau sees the real savings to lie in unclaimed benefits if services to veterans are withdrawn hundreds of miles.

The outcry at this sort of thing resulted in President Johnson taking the matter out of the hands of the VA and the Budget Bureau and referring the VA closings to a special Presidential committee. On June 9, the closing order was rescinded for Fargo and seven other regional offices, for two of the soldiers homes and five of the hospitals. This was clearly a compromise of a situation in which his own Budget Bureau had embarrassed the President. Six hospitals, caring for 11,500 patients; eight regional offices, and two soldiers homes remained on the list to be closed unless Congress should specifically legislate their continuance, as it has sometimes done in the past. To a number of bills already proposed to prevent further arbitrary closings at the whim of the Budget Bureau, the House Veterans Affairs Committee promptly added another (H.R. 202) to restrict either the closing or adding of VA hospitals and homes in the future without approval of the committee. So much for a sampling of the Budget Bureau's operation in veterans affairs.

Fear is one of the weapons by which the Bureau of the Budget enforces its dominance "It is common knowledge," former Senator Dennis Chavez, of New Mexico, once remarked, "that most Government agencies are scared green of the Budget Bureau."

The gagging of high Government officials in testimony before Congress goes right to the heart of the American system of representative government. It is a form of controlled ignorance of the people's representatives.

Nor is this confined to verbal testimony. The Budget Bureau controls the content of letters sent by agencies to Congress and of letters sent by independent agencies to the President. It censors the mail in both of these channels by demanding that whatever such agency heads write must be submitted to them for approval, disapproval or alteration. The Congress seeks a written appraisal on virtually every bill before it, from the agency that the bill would come under. But if any agency head has a different opinion from that of the Budget Bureau, it is out of the letter before a congressional committee sees it.

The Member of Congress who, over a period of many years, has been the Budget Bureau's most persistent critic on Capitol Hill is Representative DANIEL FLOOD, of Pennsylvania. FLOOD has referred to the Budget Bureau as a menace to the general welfare and has, along with numerous other Members of Congress, often introduced bills to abolish it in its present form.

FLOOD was the author of a stinging attack on the Bureau when he charged in 1959 that it had made groveling, heelclicking, faceless wonders of the Department of Defense witnesses before the Armed Services and Appropriations Committees of Congress. "No wonder Gen. James Gavin, Gen. Matthew Ridgway and other civilian and military leaders in the Department of Defense will not stomach this regimentation," FLOOD said angrily on the House floor.

Representative FLOOD created a sensation when he read into the CONGRESSIONAL RECORD a confidential memorandum (obtained by means not publicly stated) addressed to the then Secretary of Defense, Neil McElroy, by the then Budget Director, Maurice H. Stans. It reads very much like the orders of a tough top sergeant passing down the word to the troops:

"It is expected," Stans wrote to the Secretary of Defense, "that witnesses (before congressional committees) will carefully avoid volunteering views differing from the budget, either on the record or off the record. While direct questions at hearings must be answered frankly, it is expected that a witness who feels that he must set forth a personal view inconsistent with the President's budget will point out that the President's judgment on the matter was reached from his overall perspective as head of the Government and in the light of overriding national policy. The witness should make it clear that his personal comments are not a request for additional funds.

"Please see that a reminder of this reaches all officials and employees who participate in hearings on appropriations and on legislation directly related to budget proposals."

Not everyone was gagged, but they didn't have their way either. The Congressional Quarterly published the names of numerous able Americans who had quit the Government service in rebellion against the invisible Budget Bureau rather than support policies to which they were opposed, with gags in their mouths. At the same time the Quarterly listed a host of charges that had been made against the Bureau.

Adm. Hyman Rickover said it had withheld "funds to design nuclear power plants to keep submarines under water indefinitely." The outspoken father of our nuclear subs declared, "They should either release the funds or cancel the project."

The head of the National Bureau of Standards charged that the Budget Bureau had held up funds for missile research. The Army Research Director said that weapons development was lagging because too many budget experts were trying to run the Army research program. Representative CHET HOLIFIELD said there'd been a clear substitution of the judgment of the Budget Bureau for Atomic Energy Commission experts at the Hanford, Wash., plutonium project. Senator CLINTON ANDERSON said the Budget Bureau had slowed rocket development by impounding $9.1 million appropriated for Project Rover, and that it had drafted the President's space agency bill and given interested agencies only 24 hours' notice before submitting it to Congress. Senator MIKE MANSFIELD said that the Bureau had frozen $22 million of $32 million appropriated for the National Guard.

To the Stans letter, Representative FLOOD commented acidly:

"The Bureau of the Budget is a Frankenstein insofar as the legislative processes of Congress are concerned. It proposes and discloses as this group of glorified clerks directs. The Budget Bureau is making policy on the minute, on the hour, on the day. It is torturing beyond all reason what Congress meant when it created the Bureau."

Such intimate glimpses into the inner exercise of power by the Bureau of the Budget do not come to light often. You do not see television programs or magazine articles on the Budget Bureau—and the only newspaper comments you are likely to see are brief, routine announcements such as that of the recent replacement of Budget Director Kermit Gordon by Charles L. Schultze, a 40-year-old Maryland University economics professor.

The late Senator Thomas Hennings, of Missouri, counted by many as the most scholarly constitutional lawyer to sit in Congress for decades, was upset about the Budget Bureau's muzzling of witnesses before congressional committees:

"Congress," Senator Hennings said, "ought to have access to opinions and facts from Government officials to carry out its own serious responsibilities to the people." He read to his fellow Senators a short, sharply pointed editorial from the Columbia Missourian re: the Budget Bureau's gagging of witnesses:

"Budget Bureau spokesmen denied that this (the Stans letter) was intended as a gag on prospective witnesses. But if it was not this, what was it?

"It is the duty of Congress to make appropriations, and in carrying out this duty, it should have all possible sources of information. The most natural sources of information are Government officials. Congressmen must try to find out whether or not their requests are justified."

Senator MIKE MANSFIELD, of Montana, now the majority leader, has questioned the constitutionality of the powers exercised by the Budget Bureau.

"Congress," he said frankly, "faces a constitutional problem which we will have to meet some day if we do not want to see our (lawmaking) power steadily eroded and our constitutional position as a coequal branch of the Government reduced still further."

The constitutional problem still has not been faced.

The Bureau was established in 1921 after a dozen years of hassle on Capitol Hill. But it did not become really controversial until the late 1930's, when Franklin D. Roosevelt proposed to reorganize it, vastly enlarge its powers, and put it in the Executive Office of the President.

Republican Members of Congress bounced up and down off the Capitol Dome at the very thought of that. Capitol Hill resounded with anguished cries that Roosevelt wanted to become a dictator. Enough Democrats joined in opposing the move so that it was defeated in Congress. An angry F.D.R. from the little White House in Warm Springs, Ga., wrote his famous "Dear John" open letter in which he denied that he possessed the talent or inclination to become a dictator.

Finally, F.D.R. got his way. The bill passed. On September 9, 1939, Reorganization Plan No. 1 for 1939 made the Budget Bureau a part of the President's staff.

With the recasting of the Bureau as a private arm of the President, its Director beyond congressional confirmation, the Bureau became a storm center and has been one ever since.

What went wrong?

Both the Congress, and President, and all the agencies, badly need a budget bureau to estimate how much income the Government may have from any and all revenue sources, and how much the various old programs and new programs entertained by the Congress, the President, and the agencies will cost. Such a bureau is also needed to suggest ways and means of doing the most with the least money. Nobody has ever objected to this, the primary function of the Budget Bureau. And it is an enormous and responsible job.

But all of this is an advisory and coordinating job.

The power to see to it that the laws that are enacted are, or are not, carried out, does not go with an advisory job.

The power to alter the details of the work of other agencies so as to alter the effect of the law does not go with it.

The power to censor the agencies of Government so that they may tell Congress only what the Budget Bureau permits them to does not go with it. Any agency should be permitted to tell the Congress anything it wants to, and the Budget Bureau should then be permitted to testify that it disagrees with such agency, so that Congress can have the facts on both sides.

We have seen that the Budget Bureau is not above telling Congress what laws it should and should not pass, not as mere testimony, but with threats of getting a Presidential veto in some cases, or simply declining to spend the money (or permitting it to be requested) to carry out a law that may be enacted by Congress over the Bureau's objection.

Because the Bureau was made an arm of the President himself, it easily looks upon itself as the President speaking. Unlike Presidents, the career staff of the Bureau doesn't stand for election every 4 years. Presidents of both parties and Budget Directors come and go while the career staff stays on. It stays on under Republican and Democratic Presidents, giving orders to and making decisions for Republican and Democratic Cabinet Departments and lesser agencies under secretaries who come and go, and wielding the political power of succeeding Presidents in Congress.

This is heady medicine indeed—a temptation to an exercise of power which the Constitution sought to avoid above all else. It makes of the Budget Bureau a disembodied, unelected, permanent super President of the United States. The same men spoke for Truman and Eisenhower and Kennedy who are speaking for Lyndon Johnson today. Had Barry Goldwater been elected they would have been speaking for him. Presidents themselves shrink in stature beside this silent, secretive organ of continuing power. Small wonder that the Budget Bureau is seen by many as the invisible Government of the United States. Small wonder that Lyndon Johnson, as majority leader of the Senate, cried out "by what authority?" and got no answer.

The Budget Bureau is needed—back in its former position as a potent advisor whose estimates and counsel on income and expenditures should be heard with respect. But it should be divested of all powers—actual and sub rosa—to be the enforcer of its own policies in both the executive and legislative branches of a Government that is supposed to be representative of the people. By making the Budget Bureau an arm of the President, too much power was delegated to a continuing group of men who are not politically answerable to the people of a Republic. President Johnson will have no power to speak for his successor as President, but the career men in the Budget Bureau who now speak for him will speak for the next President, and the next, and the next.

"The Bureau of the Budget has usurped the constitutional powers of Congress for decades," declares Senator Ralph Yarborough, of Texas. "The Budget Bureau has gone far beyond its proper and constitutional place in Government by the arbitrary exercise of powers not properly granted to the Executive. I would be in favor of abolishing it as it now exists and replacing it with another agency to coordinate rather than to command.

"It's really dangerous," says Yarborough. "It's not safe for the country. The Founding Fathers: Washington, Jefferson, Madison, and the others who framed our Government, set up a Constitution of checks and balances. The Founding Fathers learned from the experience of centuries that the average man would fare better with a diffusion of power in Government.

"If, under the guise of being economical, the Budget Bureau refuses to spend money appropriated by Congress to carry out the laws enacted by Congress, the balance of constitutional powers is destroyed. And that is precisely what has happened over the past several decades.

"Congress must some day face up to the problem by abolishing the Bureau of the Budget and setting up something else in its stead. It is the duty of the Congress to have the nerve and the drive and the energy to go back and recapture its constitutional powers. Some day it will."

HUMAN SUFFERING IN SOUTH VIETNAM EMPHASIZES THE IMPORTANCE OF INCREASING MEDICAL AID

Mr. PROXMIRE. Mr. President, our military effort in Vietnam seems to be slowly but steadily improving.

And yet we may lose the peace. We may lose the support of the people of South Vietnam simply because their suffering has become unbearable.

Last Sunday Dr. Howard Rusk, the eminent New York Times medical correspondent, reported the heartbreaking story of sickness and death in Vietnam.

He also described in detail the pathetic lack of doctors, of hospitals, and medicines. These are shortages we are working desperately to solve. It is vital that we do even better—in fact far better in the future—if we are to win the hearts and minds of these long-suffering people, and that is the key to genuine victory in Vietnam.

I ask unanimous consent that the article by Dr. Rusk, "Refugee in Vietnam," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Refugee Crisis in Vietnam—Constant Shifting of Homeless Makes Difficult Job Almost Insurmountable

(By Howard A. Rusk, M.D.)

Saigon.—Only by seeing can one believe the extent and depth of human suffering in Vietnam.

The complexities of relieving suffering in this war-ravaged nation are incredible. They would be insurmountable were it not for the programs already established by the U.S. forces, both military and civilian, international voluntary agencies and other groups from the free world.

Of the 15 million people in Vietnam, 600,000 or 1 in 15 are refugees. This is the second time in the brief history of the Republic of Vietnam that the uprooting of lives has reached enormous proportions.

In 1954 and 1955, following the partition of Vietnam, almost 1 million refugees left the Communist north because of political and religious beliefs. Only 140,000, primarily elements of Ho Chi Minh's army, moved from the south to Communist North Vietnam.

The situation today, however, is completely different from 10 years ago. At that time there was a clear line of demarcation between the forces of communism and democracy.

LAND OF ISOLATION

Now South Vietnam resembles a large lake dotted with numerous islands. The "water" portion is the Vietcong and the "islands" the secure and semisecure territory of the Vietnamese. As the tide of battle fluctuates, these islands increase or decrease in size.

When the islands decrease the rural population seeks refuge in the secure territories and, as a result, the refugee population swells. As the government and U.S. forces counterattack and regain territory the refugees return to their farms and hamlets.

When the United States and Vietnam marines began a combined air and amphibious offensive in the coastal lowlands at Cape Batangan, about 340 miles northeast of here recently, the refugee population of nearby secure areas increased rapidly. Leaflets are dropped in advance of an attack to warn the civilian population to seek safety.

The current influx of refugees results from the increased Vietcong terrorism and confiscatory taxation, and increased Vietnam and U.S. military operations.

Refugees are almost 100-percent women, children, and older men. Practically all of the country's men of working age are in its armed forces. Primarily farmers, the refugees have no other skills and are dependent upon the government and the U.S. Agency for International Development.

In theory, the government provides each adult refugee with seven piasters a day (about 5 cents) and three piasters a day for a child. With the rising prices, resulting from shortages of commodities, it has become increasingly necessary for the United States to provide the refugees with supplementary food. Distribution of food, which comes from U.S. surplus stocks, presents an extraordinarily difficult logistical problem because the secure areas are isolated.

RAIL TRANSPORT OUT

There is no rail transport because the Vietcong have destroyed all railway bridges. When wood and other supplies become depleted, the government has to deploy thousands of its troops to clear a highway through Vietcong territory and then has to keep it open for the long truck convoys. In many areas, the only communication with the outside world for months has been by airlift.

Food and its delivery is the No. 1 problem for Vietnam's refugees and its provincial population. The second major problem is health. Vietnam has about 900 physicians, most of whom are in the military service. In one secure area, which last week had a population of about 300,000 persons, there are only 4 physicians, all of whom are in the military service and must meet the civilian health needs on a part-time basis.

Tuberculosis is highly prevalent, as are skin infections, intestinal parasites, trachoma, and other diseases of the eyes, typhoid, and leprosy. A remarkably good job has been done by Vietnamese and United States health workers in controlling serious epidemics among the refugees by inoculations against smallpox, cholera, plague, and typhoid.

In vast areas of the country the only health services are medicines distributed by U.S. military teams. These are not special medical units but regular forces, all of whom carry medicines to distribute to the civilian population, especially refugees.

Added to the health problems of an uprooted population are the ravages of conflict. This writer saw the effects of the war on a visit to Mytho, a provincial capital in the lush Mekong Delta. Mytho is 30 minutes from here by helicopter over Vietcong territory. There had been heavy fighting the night before in the area. Refugees were just beginning to struggle in with their wounded.

The most touching of all was a frantic mother with a 3-year-old child, a large portion of whose face had been destroyed by Vietcong land mines. She had walked 11 kilometers (nearly 7 miles) through Vietcong territory to find help for her child.

Other casualties included amputees and a 12-year-old boy with hundreds of skin wounds, who was blinded by a Vietcong land mine.

COULD BE REHABILITATED

There was an outstanding team of Philippine surgeons in the provincial hospital, which, like many hospitals in Vietnam, had two patients in most of its beds. There are numerous Philippine and other free world groups working in health activities among the Vietnamese civilian population.

Particularly distressing to this writer was the problem of the paraplegic veterans. Most of them have been collected at one center, which is a 2-hour drive from Saigon through Vietcong territory. The authorities, having had no experience in the modern management of paraplegia and no personnel trained to meet the complicated problems of this condition, are helpless.

These men are excellent candidates for rehabilitation, but unless they receive outside help quickly they are doomed.

Vietnam is a political struggle with violent military overtones. It is a Vietnamese war, which must be won by the Vietnamese with our support. It is a war that can be lost in Saigon, but can only be won in the countryside. It is a war with hundreds of pressing needs in the fields of health, education, and welfare.

The solutions to these problems have political as well as humanitarian implications. The Vietnamese peasant wants security, food, social justice, and a better life for his children than he has had. He has a great yearning for education for his children. He will cast his lot with the political system under which he thinks his chances are best for the achievement of his aspirations.

Failure of the United States and the free world to provide sufficient help to the Republic of Vietnam to make these aspirations a reality could result in our winning the war but losing the peace.

RICHARD NIXON IS OFF BASE

Mr. CHURCH. Mr. President, by making inflammatory statements during his recent trip to the Far East, Richard Nixon has done a distinct disservice to our Government's goal of a peaceful settlement in southeast Asia. Some of the Nation's most responsible newspapers, including the New York Times on September 8, and the Lewiston Morning Tribune on August 29, have condemned Mr. Nixon's statements. As Bill Hall noted in the Lewiston Morning Tribune:

> Former Vice President Richard Nixon, currently on a tour of the Far East, is taking astounding liberties in announcing what this Nation's policies should be and will be in the Vietnamese war. He is showing no regard for the fact he is a distinguished former high official in the U.S. Government, and that many in the Far East may take his words for more than the idle comments of another American tourist.

I ask unanimous consent to have these two excellent editorials printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times, Sept 8, 1965]

Nixon Off Base

Richard M. Nixon's 16-day tour of Asia, described as a "private business trip," has been accompanied by public statements at every stop calling for "victory" in Vietnam and denouncing proposals for peace negotiations. In a Saigon news conference, the former Vice President said the Republican Party would make a campaign issue out of Vietnam in 1966 and 1968 if President Johnson ended the war there by compromise.

The propriety of carrying an American political debate abroad, doubtful in any circumstances, is even more questionable when controversial statements concerning a war situation are emitted from a platform in the war zone itself. But the issue raised by Mr. Nixon's remarks—which oppose a settlement based on concessions by both sides—is far more important than the unfortunate location he chose for the purpose.

The idea that unconditional surrender can be imposed on North Vietnam is an illusion that most Americans long since have abandoned. President Johnson has recognized that military victory is impossible for either side. He has accompanied military pressure with proposals that offer North Vietnam a way out of the present impasse.

The effect of the President's proposals on the nonalined countries—and on Moscow and Hanoi—seems to have Communist China worried. Peiping in recent weeks has felt it necessary to urge Hanoi to fight on. But the Chinese leaders are evidently unable to offer any more solid encouragement than the will-o'-the-wisp hope that other "liberation wars" in Asia, Africa, and Latin America ultimately will help the Vietnamese Communists defeat the United States.

In these circumstances, Mr. Nixon's remarks can only be tragically harmful, encouraging an unrealistic intransigence just at the moment when a vital debate seems to be going on within the Communist world.

[From the Lewiston (Idaho) Morning Tribune, Aug. 29, 1965]

We Read You—Loud and Mistaken

Secretary of State Dean Rusk proclaimed knowingly Friday that he is keeping his "antenna * * * very much alert" for peace signals from the Communists. If he had tuned to another frequency Saturday he would have heard, not a peace overture, but a symphony in saber rattling. And it came not from Hanoi, Peiping, or Moscow war rooms. The transmitter was a former Vice President of the United States.

Former Vice President Richard Nixon, currently on a tour of the Far East, is taking astounding liberties in announcing what this Nation's policies should be and will be in the Vietnamese war. He is showing no regard for the fact he is a distinguished former high official in the U.S. Government, and that many in the Far East may take his words for more than the idle comments of another American tourist.

Stopping in Japan, Nixon told the residents of Tokyo that the Communists "have slapped us in the face with a wet fish" after each U.S. peace offer, and that Communists misinterpret a willingness to negotiate "as a sign of weakness." Constant talk of negotiation has actually prolonged the war, he said.

And at Taipei, Formosa, Nixon declared that the Communists know the Republic of China will attack the mainland if they intervene in Vietnam. He said not only that the Communists know that, but, in the event of such intervention, "there would certainly be justification for the Chinese Nationalists to counterattack the Chinese Communists."

In one busy day, a former Vice President of the United States has announced to the world that the search for peace in Vietnam is a sign of weakness, and he has given his blessing in advance to a Nationalist Chinese attack on mainland China.

The Communists may know that the Nationalists will attack the mainland if they intervene in Vietnam, but one wonders if the President of the United States knows it.

Perhaps that is a possibility being considered by the Johnson administration in the event of Red Chinese intervention, but that is a decision to be made when the time comes by the Commander in Chief, the Secretary of Defense and the Joint Chiefs of Staff. It is not a course to be proclaimed as fact by an itinerant American politician.

It is one of the blessings of U.S. citizenship that any American can become an expert on foreign policy and tell the President and the world what we should do in Vietnam. But no one, and especially a man of such stature that he might be believed by many abroad, has the right to announce whether we will or will not invite the Formosan Chinese to apply counterpressure against the mainland.

Even when Nixon only discusses what the United States should do, rather than what it will do, his declaration is incompatible coming from a man who once sought to become Commander in Chief himself. To suggest that attempts at peacemaking are wrong because they will be misinterpreted as signs of weakness is preposterous.

There would seem to be a faint possibility that they might be interpreted as signs of peaceful intent.

Right or wrong, the U.S. policy in South Vietnam should by now be crystal clear to the Red Chinese, the North Vietnamese. the Russians, our allies, the American people, and even former Vice Presidents. Johnson, Rusk and practically every member of the Cabinet has stated on countless occasions that the American and Vietnamese forces will maintain the pressure on the Vietcong and North Vietnam making it clear that there is no weakness of resolve of military force.

At the same time, it has been explained time and time again, we remain ready to talk peace whenever the Vietcong, the North Vietnamese, the United Nations or anyone else is ready to talk peace. Meanwhile, American forces engage the Vietcong, and American bombers pound the north. It's a strange way to demonstrate weakness.

It is easy to understand the President's frequent exasperation over his foreign policy critics. No matter what he does, he is wrong. If he prosecutes the war too vigorously, he is wrong for not seeking more avenues to peace. If he offers to negotiate, he is showing signs of weakness.

In the meantime, however, the President continues to put the weight of action behind the words of policy. The pressure on the Vietcong is being increased, and the attempts to find a peaceful solution are becoming ever more intensive. American troops continue to be sent to Vietnam in ever-increasing numbers, and Rusk reports he is under orders to seek out every possible road to peace. There are, in fact, dozens of attempts now underway through Moscow, through the United Nations and through a flock of other third parties.

And through it all, Rusk keeps his antennae alert. Hopefully, he soon will pick up more than the static transmitted from Tokyo and Taipei Saturday.

THE VOLUNTARY FEED GRAIN PROGRAM

Mr. MONDALE. Mr. President, it would be difficult to overstate the importance of continuing the national feed grain program through the next 4 years.

The feed grain program is a tremendous success. Over two-thirds of all the farmers in the United States have feed grain bases, growing one or more of the three grains primarily used for livestock and poultry feeding, corn, barley, and sorghum grains.

Corn and the other feed grains are used for human consumption, for the feeding of dairy cows, for the feeding and fattening of beef cattle, hogs, chickens, and turkeys, for cash export, and for many industrial uses. Feed grains either accounted for or had a direct bearing on over $3 of every $5 received by all American farmers in 1964.

It should be continued because it has proved to be a success and because the trend of success can be continued.

Also, it should be continued because the alternative would be extremely bad for farmers and bad for the Nation.

First, let us look at the success story.

During the past 4 years, it has chalked up these achievements:

First. It has increased producer income. Producers have realized $3 billion more for their crops than would have been possible under pre-1961 programs. In Minnesota alone, continuation of this program will mean an additional $21 million in farm income next year, increasing feed grains returns to $534 million.

Second. It has reduced the surplus. This fall the combined carryover of feed grains will be down more than 1 billion bushels from the 3.2 billion bushel peak in 1960.

The program has also saved money for the taxpayer in the long run. For example, in 1960, CCC stocks of feed grains, stored at the taxpayers' expense totaled some 85 million tons. The 1961-64 programs reduced that amount from 85 million tons to 56 million tons, at a substantial saving to the Government. USDA experts say that had this program not been law, stocks would otherwise have continued to increase to 125 million tons, costing the American taxpayer increased storage and handling and transportation costs.

Third. It has cut Government costs. Government outlays, though large under the program, ultimately would have been more than $2 billion greater under the pre-1961 program.

The cost to the Government per harvested acre has been, for example, for feed grains only $11 per acre, as compared to $34 per acre for cotton, $41 for wheat, and $101 for rice. On a per farm basis, the results are even more revealing. Feed grains, per farm, cost the Government an average of $436 per farm, while cotton went to $626 per farm, wheat $1,109, and rice slightly under $12,400.

But in any way that costs can be analyzed, it is the most efficient, the most economical, and the most beneficial to the farmer of any of the other major commodity programs.

Fourth. It has promoted foreign sales. Feed grain exports have expanded rapidly in recent years and are a major dollar earner without need of Government export payments.

Fifth. It has brought stability into grain markets and the livestock industry. The pressure of climbing surpluses and lower prices under pre-1961 programs would have extended through the entire agricultural economy with particularly serious implications for the multibillion dollar livestock and poultry industry.

The alternative to an effective feed grain program is disaster. Without a feed grain program, the acreage of feed grains would go up around 30 to 35 million acres the first year. Farmers would inevitably produce an extra 40 to 50 million tons of feed grains that we cannot use now. This extra feed grain would mean millions of extra hogs or billions of pounds of additional beef.

Mr. President, the majority of the Senate committee reviewed the facts that I have just mentioned concerning the success of this program, and I think it is fair to state the consensus was that this is the first truly successful feed grain program that we have ever had in the history of farm legislation and farm programs.

Time after time I have heard farmers from my own State of Minnesota, sometimes even those who were not participants in the feed grain program, say that this is the best program they have ever had made available to them. They appreciate most of all that it has helped bring about stability in livestock supplies and in livestock prices. For many producers, this is why we have a feed grain program—to promote stability with reasonable supplies in the livestock economy.

Minnesota's feed grain crop is crucial to the health of our agricultural sector, for although as a cash crop it accounts for only 13.6 percent of Minnesota marketing receipts, it is grown on 85 percent of our farms, and is fed on farms to cattle, hogs, calves, poultry, and dairy cows, which together account for almost 70 percent of Minnesota's marketing receipts.

And Minnesota's farmers participate in the Government programs. 71 percent of our farmers signed up, compared to the nationwide average of 36 percent, and the loss of that program would mean to those farmers an immediate drop in income in excess of $45 million. It can readily be seen what such a loss would do to the State of Minnesota. And this would be true for many other States having a high participation rate in the voluntary feed grains program.

I am not talking about the large commercial farmer. Studies of Minnesota reveal that in our 42 principal feed grain counties, an average of 80 percent of the payments made by the Government went to cooperating producers with a base acreage of 200 acres or less. In some of those counties, this figure goes as high as 96 or 97 percent.

Basically, the feed grain program included in the omnibus farm bill now before the Senate is a continuation of the successful program we now have. Production needs to be compared with utilization to provide any meaningful measure of the program's success. Total stocks have been cut about 30 million tons during the first 4 years of the program. It is clear, therefore, that the program has been successful in reducing production substantially below the level of utilization. In contrast, during the 1950's, increases in utilization were more than offset by increases in production.

But the committee recognized that as productivity goes up, the basic price relationships of these grains must be reviewed. We recognize that in the last 6 years corn yields have increased nearly 33 percent—from 54.5 bushels per acre in 1960 to an estimated 72.4 bushels per acre in 1965. About the same percentage increase occurred in the preceding 6 years. We are advised this increase in productivity—in yields—is likely to continue in the foreseeable future—certainly in the 4 years covered by this new bill—and we must, therefore, recognize that the price support rate must take into account the changes in technology and productivity that are occurring. We have done that, Mr. President, by providing the authority for the Secretary of Agriculture to modify the components of total support available to the cooperator. We have provided that total support must be in the range of 65 to 90 percent of parity. Under present conditions, this would be $1.03 to $1.42 per bushel for corn.

In the bill, as well as in the report, the committee has indicated that the Secretary of Agriculture should take into account these changes in determining the levels of the loan and, therefore, the level of the price support payment. I believe I am accurate in stating that a majority of the members of the committee do not mean in any way to force the Secretary of Agriculture to reduce the basic loan level in a manner which would be disruptive to the livestock economy. There were suggestions presented in the committee that this be done by statute so as to drop 1 nickel per year for each of the 4 years involved with the feed grain program. This was not accepted by the majority of the committee. Instead, we preferred to give the authority to the Secretary of Agriculture to take into account—and I quote from H.R. 9811 now pending before the Senate, on page 78, line 10: "taking into account increases in yields, but"—and now I emphasize, Mr. President: "but so as not to disrupt the feed grain and livestock economy."

Also, I believe I am correct in stating that a majority of the committee—being interested in maintaining farm income of cooperators—wanted to be sure that any reduction in the loan rate would not be accompanied by a reduction in total support paid to the participating feed grain farmer. We look for improvement, not diminishment, of feed grain farmer income.

In summary, the majority of the Senate Committee on Agriculture and Forestry are saying to the Secretary and administrators of this program: "We recognize that rapid changes are taking place, we recognize that there may need to be modifications in the mix of price support loan and price support payments in order to get the best results of the feed grain program in the years ahead, but in making your decisions we want it clear that you shall take into consideration the effects of any new loan levels on supplies, and therefore, returns to producers involved in feed grain and livestock production.

We do not intend that the Secretary of Agriculture should reduce, for example, the loan level to 85 or 90 cents, since to do so may well be disastrous to the feed grain farmer and to the livestock farmer.

The committee also included authority to sharply change the feed grain program from the way it has operated in the last 4 years if changing conditions should indicate the need. Subtitle B provides for all of the incentives for participation to be directed toward land diversion payments, with no price support payments available to cooperators. As part of our consideration of this amendment we asked the Department of Agriculture to analyze this approach and to give us the benefits of their analysis. In brief, the Department technicians advised the committee that to obtain an equal amount of diversion, the approach provided in subtitle B would require diversion payment rates at between 70 and 90 percent of the loan, times the projected yield. This compares to the 20- and 50-percent payments which have been used in recent years.

Furthermore, the Department indicates that the approach embodied in subtitle B would not be used in the immediate future. They indicated no objection to having the authority included so that it might be used in some future years—such as 1968 or 1969—if circumstances were such that this approach would obtain the desired results at minimum cost while maintaining farm income and providing stability in the livestock economy. On the basis of that analysis and counsel from the Department, this provision was included in the feed grain title.

This is in line with our effort to provide the executive branch with a full kit of program tools to carry out the purposes of the Congress. We recognize that conditions change and that program methods must be adapted in order to assure continuing good results.

In conclusion, Mr. President, let me point out again that two-thirds of all the farms in the Nation produce feed grains and that most farms are users of feed grains in the production of meat, milk, and eggs. Hence, in dealing with the feed grain program, we are dealing with the livelihood of millions of farm families, the business interests of the meat, dairy, and poultry and egg industries, and a major share of the food supply of the Nation. This is a tremendous responsibility. In this bill, it is being handled responsibly.

RICKOVER'S ADDITIONAL 2 YEARS SERVICE GOOD NEWS FOR AMERICA

Mr. PROXMIRE. Mr. President, the decision by President Johnson to keep Adm. Hyman Rickover on duty for 2 years beyond his compulsory retirement next year is mighty welcome. The President's action represents a rare exception and it should. It makes sense for our military officials to be relatively young, alert, at the peak of their mental powers. At the same time, when the rare genius with the imagination of a Rickover comes along and when he is as highly expert as Admiral Rickover is in a field of immense importance—the nuclear powered submarine in Rickover's case—we should use his rare talent as long and as well as we can.

I ask unanimous consent that an article in the New York Times reporting the President's decision with regard to Admiral Rickover be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHNSON EXTENDS RICKOVER'S ACTIVE DUTY 2 YEARS—CONGRESSIONAL SUPPORT HELPS TO BAR FORCED RETIREMENT—APPEAL BY SENATOR ANDERSON IS ACCEPTED BY PRESIDENT

(By Jon W. Finney)

WASHINGTON, September 10.—President Johnson has ordered a 2-year extension of active duty for Vice Adm. Hyman G. Rickover, thus once again preventing the controversial developer of the atomic submarine from being forced into retirement.

Without the Presidential intervention, Admiral Rickover, who will be 66 years old in January, would have been forced to retire from active duty early next year.

Once again the admiral's congressional supporters, who repeatedly in the last 8 years have saved him from forced retirement by the Navy, rallied to his defense.

Senator CLINTON P. ANDERSON, of New Mexico, a senior Democrat on the Joint Congressional Committee on Atomic Emergy, was understood to have sent a letter to the President urging the retention of Admiral Rickover—a suggestion promptly accepted by Mr. Johnson.

CONTINUITY IS SOUGHT

The point being made by the Congressmen—and by Admiral Rickover in testimony repeatedly before congressional committees—is that in highly technological enterprises it is becoming increasingly important to have continuity of leadership.

In contrast with the rapid turnover in most other military development projects, Admiral Rickover has remained in essentially one job since he first started developing an atomic reactor for a submarine 18 years ago.

It is to this continuity that Admiral Rickover attributes the success and relatively low cost of his expanding program. Slightly more than $1 billion has been spent in research and development in the nuclear reactor program—less than has been spent in the development of some major missiles.

Out of the Rickover program has come a still expanding nuclear fleet as well as the basic reactor technology for the present generation of atomic powerplants.

There are presently 30 Polaris and 22 atomic attack submarines in operation, as well as 3 atomic-powered surface ships. Under construction or authorized are 11 additional Polaris submarines, 35 attack submarines, and 2 more surface ships.

In the face of repeated pressure from the Navy to force him into retirement, Admiral Rickover has made no secret of his desire to remain on active duty "as long as I am able and both I and others feel I can do a useful job."

For successful development and safe operation of the nuclear fleet, he has emphasized that it was "mandatory" that there be a permanent organization. He has expressed fears that the Navy would dismember this group upon his retirement because "it does not fit into the neat pattern of Navy organization."

Aside from his length of duty, dating back to his commissioning as an ensign in 1922, Admiral Rickover is unusual in the Navy for his two-hat assignment in two organizations. He serves as director of naval reactors in the Atomic Energy Commission and director of nuclear propulsion in the Navy's Bureau of Ships.

Admiral Rickover faced retirement from his post nearly 2 years ago when he reached the Navy's compulsory retirement age of 66. But then, under a little used provision of naval regulations, the Navy agreed to recall Admiral Rickover to active duty for 2 years upon his retirement. This tour will now be extended until January 1968 under the new Presidential directive.

With the exception of Adm. Chester W. Nimitz, who remains on active duty by virtue of his five-star rank, Admiral Rickover now has the longest active duty service of any officer in the Navy. Although he suffered a serious heart attack 4 years ago, he still maintains his rigorous 6- and 7-day-a-week pace.

TRIBUTE TO THE HONORABLE ORVILLE FREEMAN, SECRETARY OF AGRICULTURE

Mr. BASS. Mr. President, it is most appropriate at this time to be able to recognize some of the achievements of a man who has "the most unpopular job in Washington." The Senate has focused its attention on the Food and Agriculture Act of 1965 for several days now. The man who is charged with the responsibility of carrying out the programs contained in this legislation, Secretary of Agriculture Orville Freeman, has done a remarkable job in contending with some of the most worrisome problems in the field of government. An editorial in the Nashville Tennessean, in discussing the remarkable accomplishments of the Secretary, recently stated that:

> Mr. Freeman has demonstrated that he is a man who exercises power with judicious care. He is devoted to the task of raising rural income to a level comparable with that of other sectors of the American economy. He deserves all the help he can get.

I heartily concur in these thoughts and commend this editorial to the reading of all the Members of this body. Mr. President, I ask unanimous consent to have the editorial reprinted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AGRICULTURE SECRETARY DESERVES MUCH CREDIT

Dramatic changes, unless their impact is unfavorable, have a way of creeping up on Americans, virtually unnoticed.

Just past the middle of 1965, the long deplored stockpiles of surplus farm products have melted down to at least a respectable minimum. And it has happened in a manner that attracted almost no notice. Cotton storage is the only major exception.

Almost while nobody was looking a problem, long considered an impossibility to solve, has become manageable. Typical of what has happened is the reduced carryover of feed grains down from 85 million tons in 1961 to 55 million tons today. A bumper feed grain crop this year, 20 million tons up from 1964, can only increase slightly the margin of safety in existing reserves.

For a nation which assumes as a part of its responsibility the easing of hunger around the globe, the grain elevators may be down too low.

Secretary of Agriculture Orville Freeman, who has the most unpopular job in Washington, is the man responsible for this achievement.

He succeeded in office Mr. Ezra Taft Benson, who spent his 8 years denouncing the surpluses as sinful but doing nothing to reduce them. Mr. Freeman was still a newcomer on his job when circumstances beyond his control cornered him behind the political eight ball of the Billie Sol Estes case.

While the Estes case haunted him, the Secretary entered quietly upon his tremendous task of whittling the stockpiles and restoring the American farmer to a position in the economic yardsticks approaching parity. Most of the time Mr. Freeman had to tread a maze of contradictory laws to achieve these goals.

The surplus problem has not disappeared, but it has been greatly reduced. As one reward Mr. Freeman deserves a sympathetic understanding and support for his farm legislation now pending before the U.S. Senate. The bill is not the final answer to the continuing farm problem, but it is the best thing available until a new assessment can be made of the long-range future of farming. It is hoped a congressional committee now making a full study of farm and food prices will be able to come up with some new ideas on how to solve today's farm problems.

Charges by opponents, that the proposed legislation now before the Senate gives to the Secretary of Agriculture the broadest discretionary powers in both production controls and incentive payments ever given a man in his office, are true. This is not necessarily an end.

Mr. Freeman has demonstrated that he is a man who exercises power with judicious care. He is devoted to the task of raising rural income to a level comparable with that of other sectors of the American economy. He deserves all the help he can get.

CANADA'S WHEAT BOOM

Mr. McGOVERN. Mr. President, Canada, and especially Canadian wheat farmers, are enjoying an era of prosperity.

The Canadian wheat crop this year is 27 percent above last year, and 60 percent above the 10-year average.

The crop is not giving the nation any surplus problems. On the contrary, Canada's problem is one of transport—getting the wheat transported from the prairie Provinces and loaded aboard ships for delivery abroad.

I am delighted to see Canadian wheat farmers prospering. I am disappointed only that U.S. wheat farmers, who have had to cut acreage time after time to avoid surpluses, are not sharing in the sales to Russia which have made the Canadian prosperity possible. They could have done so, and some of the 60-percent expansion in Canadian wheat production could have occurred in the United States, except for the self-defeating, ill-advised requirement which the United States imposes on cash wheat sales to the Soviet countries that 50 percent of our wheat must move in American ships. This results in costs which make our wheat producers unable to produce for this large market.

I ask unanimous consent, Mr. President, to put three brief articles on the situation in Canada in the RECORD. Two are from the Winnipeg Tribune, reporting the size of the wheat crop and the problem of transporting their wheat to ships—a problem that it would be novel if not pleasant to have in this country. The third is from our own Journal of Commerce and reports the impact of the Russian wheat sales on the Canadian economy and her balance-of-trade problem.

I repeat, Mr. President, that I am delighted that the Canadians have done so well, but would be even happier if our Nation had shared a little in the trade which has proved such a bonanza for our northern neighbors.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Winnipeg (Canada) Tribune, Sept. 4, 1965]

PARKER SEEKS TEMPORARY HALT TO TRAIN

Movement of grain to terminal positions is behind schedule and Canada will not be able to fulfill her export commitments unless immediate action is taken, W. J. Parker, president of Manitoba Pool Elevators, said today.

Speaking for 30,000 Manitoba farmers who deliver grain to pool elevators throughout the province, Mr. Parker said rail movement of grain from country to terminal elevators must be speeded up if the farmer is going to be able to deliver the required amount of grain to satisfy export contracts.

"We have only 3 or 3½ months until the close of navigation of the Great Lakes, and we must move quickly."

Referring to a plan by the Canadian Pacific Railway to discontinue operating the Dominion, Mr. Parker said the Manitoba Pool Elevators favors temporary removal of the passenger train.

There is an apparent serious shortage of diesel units in the Canadian Pacific Railway, Mr. Parker said.

"We would support the Canadian Pacific Railway in a temporary suspension of the Dominion for a period of at least 3 months, thereby clearing 24 or 25 diesel units for freight, and I would urge the Federal Government to immediately release the railway from its obligation in this period.

HOLD HEARINGS

"In the meantime, the board of transport commissioners could hold hearings and bring forth their findings on the original application of the railway for the abandonment of the Dominion."

The interest of the nation in this regard is clear, Mr. Parker said. It is unthinkable Canada should miss an export grain target because of delay or failure to take the needed action.

"Our future trade relations with the Russians and the Chinese are at stake, and the buoyant effects on the economy of heavy grain exports are already known from past experience."

Mr. Parker pointed out that passenger traffic has other alternatives—automobile, bus and air travel. But there is no other way to get grain to terminal positions than by pulling a string of box cars with a diesel engine.

Therefore, he said, grain definitely must be given priority over passenger traffic, and the government should immediately give the Canadian Pacific Railway a temporary suspension in the operation of the Dominion.

[From the Winnipeg (Canada) Tribune, Sept. 4, 1965]

BUREAU PREDICTS RECORDS

OTTAWA.—The Bureau of Statistics Friday estimated 1965 wheat production at a record 759,804,000 bushels, beating the old high of 723,400,000 bushels in 1963. Many other crop records also were forecast.

The predicted wheat yield per acre of 26.9 bushels would also be a record by a paper-thin margin. The current record is 26.8 set in 1952.

Estimated prairie wheat yield of 743 million bushels is 29 percent ahead of last year's crop of 578 million and also well ahead of the 1963 record production of 703 million.

Rapeseed production forecast is for a record 28 million bushels, more than double the old high of 13.2 million set last year. Rapeseed yield of 19.5 bushels an acre would also be a record, surpassing the 1951 figure of 18.5.

Forecast flaxseed output of 29.1 million bushels would be the second largest crop on record. Last year's was 20.3 million.

Estimated yields per acre of oats, barley, and rye surpassed the old highs. Predicted production of every grain exceeded last year's output. Mixed grain production of 74.4 million bushels would be a record as would the yield per acre of 49.4.

HARVEST JUST STARTED

The crop estimates by the Federal agency were based on an August 15 survey when the prairie harvest had just started. The Bureau report warned that the estimates would hold good only if satisfactory weather conditions prevailed for the remainder of the growing and harvest season.

Bad weather and heavy rains in some areas last month halted harvest operations. The current need is for warm, dry harvest weather.

The total predicted wheat crop would be 27 percent larger than the 1964 bumper crop of 600.4 million bushels, and 60 percent above the 10-year average (1954–63) of 475.1 million.

The all-Canada wheat yield of 26.9 bushels an acre is well ahead of the 20.2 yield last year and the 19.5 yield of the 10-year average. Spring wheat formed the bulk of the crop with a predicted output of 746.6 million bushels yielding 26.7 bushels an acre.

Prairie wheat production of 743 million bushels is 64 percent ahead of the 10-year average yield of 453.3 million. Manitoba production is set at 86 million, compared to 85 million last year. Saskatchewan is 476 million compared to 348 million and Alberta is 181 million compared to 140 million last year.

[From the Journal of Commerce, Aug. 31, 1965]

CANADA ECONOMY GETS BOOST FROM WHEAT SALE

For the second time in 24 months, says the current Monthly Review of the Bank of Nova Scotia, a huge wheat sale to the Soviet Union has happily occurred when Canada's balance of international payments was moving in an unfavorable direction. The Russian purchase will serve to sustain growth in exports. It will also give an indirect boost to the tempo of domestic activity.

The volume of gross national product for 1965 as a whole, the Review suggests, should now appreciably exceed the 5 percent increase officially forecast at the beginning of the year. Coming on top of last year's 6½-percent growth this would be more than enough to keep the economy on the annual growth target projected for the period 1963–70 by the Economic Council of Canada.

STRONGEST INFLUENCE

The strongest influence in the current picture is provided by capital investment projects. The pace of capital expenditures has accelerated sharply over the past 4 years; following an upward revision in the midyear forecast they are now expected to rise 19 percent in 1965. Consumer demands so far this year have also shown a strong underlying trend. While the rise in consumer expenditures has been broadly based, the biggest element of growth has been car sales which for the 1965 model year could show a rise of as much as 14 percent over the previous year.

On the external front, the Review says that the less favorable trend in exports which developed in late 1964 following completion of the large wheat sale to Russia continued into 1965, exports in the first half showing a year-over-year gain of only 2 percent as against a rise of 22 percent in the comparable period of 1964. With exports less buoyant and imports continuing to grow under the pressure of strong domestic demands, Canada's international transactions on current account have since the last quarter of 1964 shown a considerably larger deficit.

The strong demands in domestic markets have also found expression in some upward movement in prices and costs. Wage demands which have been strengthening as a result of shortages of skilled or specialized workers in important sectors of the economy hold out the danger of further pressure on costs, particularly if the boost to activity now in prospect generates a renewed spurt in employment. These pressures, both actual and in prospect, have induced a gradually rising note of caution in official policies. While the money supply has continued to expand at a fast pace to meet unusually strong loan demands interest rates have been moving upwards for several months now and this trend could continue until it becomes apparent that the strain on resources is easing.

The concomitant to domestic pressures—a worsening trade balance—has now been forestalled by the wheat sale to Russia, while the U.S. market has strengthened as a result of stepped-up commitments in Vietnam. In some other countries export prospects are still clouded by economic difficulties. In the year ahead, however, the Review points out, Canada now has good prospects for sustaining strong and viable economic growth, though increasing efforts will be needed to hold costs in line if the country's longer-term competitive position is to be maintained.

ABOVE AND BEYOND THE CALL

Mr. LONG of Missouri. Mr. President, only too infrequently do we see a clear and decisive victory of justice over injustice, right over wrong, and light over darkness.

Last week, one of these rare victories occurred, and I wish to pay the highest tribute to the three men who made the victory possible after a ceaseless struggle of more than 10 years.

Two of these men are public servants, well known for their many struggles for the public good. They are the President of the United States and the distinguished senior Senator from Illinois. I am certain that both of these gentlemen would join me in calling attention to and especially paying tribute to the third who is much less well known outside the Senate. I refer to Mr. Howard Shuman, Senator DOUGLAS' extremely able administrative assistant. Without Mr. Shuman's idealism and dogged persistence, the victory could never have been won.

You may wonder of what victory I speak.

It is not the kind of victory that receives worldwide attention, but it is the kind that should receive wide attention here in the Congress. It is the kind of victory from which we can take comfort that our system of government has certain hidden strengths which serve it well.

The victory concerns the granting of a Presidential pardon to a marine sergeant named Carl H. Buck who was cashiered out of the Marine Corps more than 10 years ago. He was accused of stealing chevrons. Through the years, he maintained his innocence. And, due primarily to the dogged determination of Mr. Shuman, new evidence was discovered which proved his innocence.

I know that President Johnson, Senator DOUGLAS, and Sergeant Buck will join me in congratulating Mr. Shuman on the happy results of his long struggle.

SENATOR SPARKMAN ACHIEVES BREAKTHROUGH IN BEEF EXPORTS

Mr. DOUGLAS. Mr. President, the expansion of our exports has never been more crucial to our economic well-being than it is at the present time. Thanks to the excess of exports over imports, which is now running at an annual rate of over $6 billion a year, this Nation is permitted the luxury of heavy private overseas investments, substantial foreign aid, and extensive military establishments in Europe and the Far East. Were it not for the steady and substantial margin provided by our export trade, the dollar would indeed be in serious difficulty.

Under these circumstances, it is most regrettable that so many people are still lulled by the old, mistaken notion that because our exports represent a small fraction of the total goods and services produced in this Nation, they are not important.

As a matter of fact, exports are very important to many sectors of the economy. Agricultural commodities presently make up one-fourth of U.S. exports, and such sales are responsible for 16 percent of farm income. It is the export market that provides an outlet for 75 percent of our wheat production, 66 percent of our rice, and more than half of our dried peas.

Unfortunately, there are other agricultural commodities which we produce with great efficiency that are still barred from foreign markets. Of these poultry is a notorious example.

In a reversion to protectionism the Common Market has raised tariffs so as to virtually exclude American poultry from that market.

Another is beef. This country produces 40 percent of the world's beef; yet, up to this year, only a fraction of 1 percent of our production went overseas, in spite of its universally recognized superiority. When we consider that 25 percent of the annual income of American farmers derives from beef and cattle, the large aspect of this problem becomes apparent. As our representatives prepare for the Kennedy round trade negotiations in Geneva later this month, they will do well to keep in mind the great prospective importance of beef cattle in our exports.

We are all indebted to my distinguished colleague, Senator SPARKMAN, not only for focusing attention on the prospective importance of the beef and cattle exports, but also for far-sighted and steadfast efforts to increase them.

Through our mutual association on the Joint Economic Committee, I have been privileged to share Senator SPARKMAN's concern about the role of discriminatory freight rates in keeping down U.S. exports. For 2 years, he and I have been working to bring to light the adverse effects of ocean freight rate discrimination on our foreign trade. Unwarranted differentials as between incoming and outgoing rates deprive our business enterprises of millions and millions of dollars in possible sales each year.

Senator SPARKMAN was quick to explore the implications of this situation for beef exports. Through his efforts on the Small Business Committee, of which he is chairman, he has succeeded already in reducing ocean freight rates by 25 percent on most categories of beef and beef products sold to Western Europe. Largely as a result of this accomplishment, American exports of beef and veal for the first quarter of 1965 were double those of the preceding year, and live cattle exports were almost 70 percent above last year's first quarter.

But keep in mind that this is only the first quarter. Like John Paul Jones, our Alabama colleague has just begun to fight. Already, he has made us all aware of how vast a potential for the U.S. farmer exists in the field of beef exports.

The fact that the people of Alabama are prime beneficiaries of his efforts in no way detracts from the gratitude that the rest of the Nation owes Senator

SPARKMAN. It is the South, in particular, that stands to gain tremendously from such a development. It is there that we find livestock growing rapidly in economic importance, and experts look to it as a source of great expansion in Alabama and the adjoining States, with attendant development and enrichment of the area. But other parts of the country will also benefit from increased beef exports—a fact that we in Illinois are very much aware of. We are grateful to Senator SPARKMAN for his achievements and urge him to continue his valiant efforts on behalf of the U.S. farmer.

UNITED STATES RESTRAINT ON CHINA NOT APPRECIATED

Mr. PROXMIRE. Mr. President, too few Members of Congress and the public fully realize the role this country is playing as a restraining influence for peace and freedom from Communist domination in this world. It is true that the world is suffering a highly dangerous clash between India and Pakistan. In Vietnam we are engaged in war ourselves.

And yet as James Reston wrote Sunday in the New York Times that without American power used as a restraining influence—and now I quote:

> Vietnam and probably the rest of southeast Asia would probably have been taken over by China already and without the threat of U.S. intervention in the Indian-Pakistan conflict China would be sorely tempted to intervene in that war in order to expand its influence if not control over the whole Indian subcontinent.

Reston calls the United States the greatest influence for restraint and sanity—if not for peace—in the present world situation.

I ask unanimous consent that an article in Sunday's New York Times entitled "Washington: The United States and Asia," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON: THE UNITED STATES AND ASIA

(By James Reston)

WASHINGTON, September 11.—The world at the moment seems even more perverse than usual. It is blazing hot in Washington when it is supposed to be cool. India, which invented nonviolence, is at war. Berlin, the flash-point of Europe, is calm, and the imperious New York Yankees are in sixth place in the American League. It is all a little odd. The Communists are vilifying one another like Eastern and Midwestern Republicans. The Western allies are staggering, blundering and squabbling like schoolboys. Asia is using the techniques of the West to destroy the dwindling influence of the West, and for the moment a tornado of angry voices dominates the Asian majority of the human race.

All this noisy disorder of little men in big jobs sends a shudder through the rest of the world, and suggests a vast and irreparable breakdown of organized society.

WORDS AND ACTIONS

Yet bad as it all looks and sounds—and is—two qualifications probably ought to be made. There is still a great difference between the words and the actions of all these bawling patriots, and there is less military power involved in their dangerous adventures than the headlines seem to suggest.

The Vietcong, for example, are carrying on their war against half a million South Vietnamese and over 100,000 Americans in southeast Asia with about 10 tons of supplies a day from North Vietnam. This amounts to little more than four 2-ton trucks full of arms and ammunition every 24 hours, and gives some idea of how much trouble can be caused with a little gunpowder, and how hard it is to stop such a trickle of supplies in so large a peninsula.

THE INDIAN CONFLICT

India and Pakistan have more power, but certainly not enough to wage serious war for a long time over the vast subcontinent of India. They do have the capacity and apparently the irresponsibility to risk the slaughter of a religious war among their peoples, but they are both short of oil and ammunition, and this may limit the consequences of their action.

This is an awkward and disturbing period, but nations no longer resort to total war because of the murder of archdukes. They still talk as if they would bring down the world if they don't get what they demand on Monday morning, but on the whole they do not seem to take their own threats quite as seriously as the headline writers for whom their threats are obviously intended.

The world is naturally horrified by the outbreak of yet another war—this last one between peoples who have lectured the human race on the virtues of philosophy and passive resistance—but even the moral monsters of the world outside the Indian subcontinent seem to have learned to put some limits on the use of military power since the advent of nuclear weapons.

What is surprising in this immense struggle for influence over the unredistributed areas left over from the last World War is not that so much power is being used to control these borderlands of the Communist empire, but that so much power is being held back in the fighting.

The United States may not be prevailing in Vietnam, but it is limiting its war power and limiting its war aims; and China is retaliating mainly with words.

Even Sukarno in Indonesia is not acting as viciously as he is talking, and it can be taken for granted that this comparative restraint is not due to any moral scruples on his part.

AMERICA'S POWER

At least one reason for this is that American power is a restraining influence—from Berlin to India, Pakistan, Vietnam, Korea, and China.

Despite all Washington's mistakes of the past in dealing with the postwar redistribution of power and influence in Asia, the influence and power of the United States in that part of the world is still considerable.

Without it Vietnam and probably the rest of southeast Asia would probably have been taken over by China already, and without the threat of United States intervention in the Indian-Pakistani conflict, China would be sorely tempted to intervene in that war in order to expand its influence if not control over the whole Indian subcontinent.

China may still do so. It is too early to tell. People hope vaguely and fear precisely, and for the moment they are fearing a great many alarming things. But other factors are at work for restraint and sanity if not for peace, and the greatest of these is the power of the United States.

DAVID BRODER ON THE NEW POSTMASTER GENERAL

Mr. CHURCH. Mr. President, the recent selection of Larry O'Brien as Postmaster General was correctly hailed as yet another success in President Johnson's brilliant series of appointments to high Federal office. One of the best articles written about this appointment was that by David Broder which appeared in the New York Times on September 5. I ask unanimous consent to have this article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

O'BRIEN AS HEAD OF POST OFFICE CAN WIELD VAST POLITICAL POWER

(By David Broder)

WASHINGTON, September 4.—"The immense patronage of the Post Office Department is justly a subject of jealousy. If wielded with a view to acquire or retain political power, it is far more dangerous than that of all the other departments, not even excepting the Treasury. The postmasters are usually intelligent and active and, if disposed, are able to bring an influence to bear that may determine, in the divided state of parties, the fate of the most important elections."

This warning against possible abuses by the Jacksonian Democrats then in power was voiced in 1834 by the Whig minority of the House Post Office Committee at a time when the Post Office Department was about one-twentieth its present size.

This week, to direct the activities of 34,000 postmasters and some 600,000 employees, President Johnson named as Postmaster General the most successful Democratic political organizer of the 1960's, Lawrence Francis O'Brien.

It was a tribute to Larry O'Brien's personal popularity that the Republicans on the Senate Post Office and Civil Service Committee Wednesday joined their Democratic colleagues in unanimously recommending Mr. O'Brien to the Senate (which quickly confirmed him by voice vote), knowing full well with what skills he would employ the power they had placed in his hands.

The marriage of politics and postal affairs is almost as old as the country. The Postmaster General is a Cabinet member; he has patronage to dispense; the job provides excuse for travel and intimate connection with the affairs of thousands of communities. All that makes the post a politician's dream. Since Theodore Roosevelt named Republican National Committee chairman George B. Cortelyou as Postmaster General in 1905, the post has more often than not been filled by a politician: Will Hays, Frank Walker, Robert Hanagan, Arthur Summerfield and, of course the man with whom Mr. O'Brien was being compared this week, Jim Farley.

Like Mr. Farley in his prime, Mr. O'Brien is a gabby, indefatigable Irish Catholic politician, with a host of acquaintances whose names he can recall and a delight in doing favors for them. A native of Springfield, Mass., the 48-year-old Mr. O'Brien has been immersed in politics up to his crew-cut red hair his whole adult life.

He ran John F. Kennedy's first campaign for the Senate and every Kennedy campaign thereafter. When Mr. Kennedy became President, Mr. O'Brien became his top lobbyist, a job he did not like but which he filled more fully than any predecessor in the post. He was with John Kennedy the day the President was shot. He helped bear his body off the Air Force 1 at the end of the flight back to Washington.

But he did not join the exodus of other Kennedy aides from Lyndon Johnson's White House that winter. He stayed and helped the new President complete the legislative work that had been begun and he worked to elect President Johnson last fall with all the skill, if not all the joy, that he would have extended on behalf of President Kennedy. Despite his weariness in his job as special assistant for congressional relations, he even agreed to serve through this session as legislative strategist for the Great Society bills. But he planned to leave this fall, for business or Massachusetts politics.

And then, late last week, the President called him and offered him another option. At his Texas ranch last Sunday Mr. Johnson named Mr. O'Brien as his new Postmaster General, succeeding John A. Gronouski, who was named Ambassador to Poland.

The O'Brien appointment was hailed widely as another brilliant Presidential stroke, preserving in the employ of the administration one of its prime political resources. Tom Wicker, chief Washington correspondent of the New York Times, wrote that the new Postmaster General was "in the finest tradition. * * * He knows nothing whatever about delivering the mail, but he * * * has shown two Presidents that he knows how to deliver the goods."

That he will use his knowledge in this new job was made clear by Mr. Johnson. Mr. O'Brien, he said "will continue to be a very strong right arm to the President."

CONTEMPT FOR LAW AND ORDER

Mr. BYRD of West Virginia. Mr. President, on August 23, I delivered a Senate floor speech on "Contempt for Law and Order." My speech dealt with the Los Angeles, Chicago, Springfield, and Morganfield race riots, and, in the course of my remarks, I deplored willful violations of law committed in the name of civil rights, and I called attention to the growing disrespect for law and order which street demonstrations and acts of so-called civil disobedience have helped to foster.

Considerable editorial comment subsequently appeared in various West Virginia newspapers. In this regard, I ask unanimous consent to insert in the Congressional Record editorials from the Wheeling News Register of August 24; the Wheeling Intelligencer of August 25; the Williamson Daily News of August 26; the Huntington Advertiser of August 26; the Parkersburg News of August 28; the Bluefield Sunset News Observer of August 30; and the Romney Hampshire Review of September 1.

I also ask unanimous consent to include an editorial by David Lawrence from the September 6 issue of U.S. News & World Report.

There being no objection, the various editorials were ordered to be printed as follows:

[From the Wheeling (W. Va.) News Register, Aug. 24, 1965]

Senator Byrd Speaks Out

U.S. Senator Robert C. Byrd of West Virginia again has shown he is not afraid to speak out on the controversial issues troubling our Nation.

In his speech Monday before the Senate, Senator Byrd debunked the theory that poverty ignited and incited the recent racial riots in Los Angeles, Chicago and two other American cities.

Senator Byrd's concern extends beyond the riot-torn cities, however.

"Not to be overlooked," he declared, "are the willful disobeying of court orders, the numerous sit-ins, wade-ins and other violations of law which have become the order of the day."

The Senator points out that "ragtag beatniks, agitators and professional troublemakers" have subjected and exposed the American public to every conceivable kind of inconvenience.

In the innocuous name of civil disobedience, Senator Byrd asserts, these individuals have sprawled in the streets, blocked traffic, formed human walls in front of business establishments, swarmed over public property, staging noisy sit-ins and demonstrations.

Senator Byrd is concerned that few citizens have denounced these actions because of a fear—the fear of being branded a bigot.

This newspaper shares of the Senator's concern.

Until Americans, by the thousands and millions, denounce this widespread flouting of the law, it will continue.

There will be more deaths.

There will be more destruction.

"Laws are made to be obeyed by all of the people all of the time," Senator Byrd told his colleagues.

Respect for the law, he added, "is the basis for orderly government."

We wholeheartedly agree with the Senator that law-abiding citizens, regardless of race, must rally around the police who are called upon to enforce the law and guarantee the rights of the individual by protecting him against molestation and loss of personal property.

"Too often," Senator Byrd says, "police play a thankless role in difficult and dangerous situations. All too often the charge of police brutality is made by individuals and groups when they have resisted arrest and have openly incited the use of force."

The law-abiding citizen has no need to fear police brutality, the Senator adds.

We have seen the enactment of the most sweeping civil rights legislation in the Nation's history.

But the riots and racial strife continue.

We have seen the U.S. Supreme Court render decisions highly favorable to the cause of human rights.

But the riots and racial strife continue.

The majority of the people—not the mobs in the streets—must prevail if our democracy is to survive.

[From the Wheeling (W. Va.) Intelligencer, Aug. 25, 1965]

On Target: Byrd Helps Put Want in True Perspective as Riot Motivation

West Virginia's Robert C. Byrd, who has gone down the line on most of the Great Society projects aimed at helping those classified as impoverished, is showing signs of disenchantment.

Although an enthusiastic supporter of the administration's 1965 amendments to the Economic Opportunity Act as well as the Appalachian project, Senator Byrd is finding the war on poverty a little hard to swallow in the light of recent developments.

During last week's debate on the poverty war's new money bill, the West Virginia representative voiced grave misgivings. He went along with the bill doubling the appropriation—the price tag is $1.65 billion in the Senate bill—because the President considers the legislation "important within the framework of his economic security planning for the better interests of our Nation." But he voiced in doing so his concern over some of the things reportedly going on in various parts of the country, "including particularly, charges of political favoritism."

And now Senator Byrd has said something that has badly needed saying in the place where he chose to give it voice—the Senate of the United States.

In a bristling speech on the floor of the Chamber Senator Byrd rejected the popular notion that economic deprivation and the denial of civil rights are the root cause of street rioting, and told his associates that "those who disgrace our Nation by violent disobedience and willful flouting of the law must be dealt with severely," whether they be "black or white, whether in the South, North, East, or West."

Particularly to the point, we thought, was Senator Byrd's reminder that with the enjoyment of civil rights goes the responsibility of obedience to the law that alone makes their exercise possible, and this word of advice to those who are, this newspaper believes, chiefly responsible for the disorder:

"Militant civil rights groups should stop blaming the white power structure for all of the ills that are visited upon the Negro community. Negroes must themselves take the lead in doing something constructive for themselves, and they can do this by waging war upon the evils of illegitimacy as one important beginning."

It would prove more effective if men like Senator Byrd implemented their disapproval of the trend of events by refusing to appropriate money for projects that cater to the notion that the world owes everybody a comfortable living and it is the duty of the Federal Government to see to it that it is forthcoming, and for laws which encourage the belief that minority groups are entitled, not to equality with their neighbors, but to preferential treatment. But it is at least a helpful sign when a few men in high places of public responsibility display the political courage necessary to stand up and testify that the policy of catering to the so-called disadvantaged has been carried to dangerous extremes.

[From the Williamson (W. Va.) Daily News, Aug. 26, 1965]

Senator Robert Byrd Speaks Out

Poverty and alleged police brutality are not the causes of the recent racial riots "but only the scapegoats for the senseless outbreaks of violence and destruction."

U.S. Senator Robert C. Byrd made this declaration in a speech delivered in the Senate Chamber in which the lawmaker from West Virginia demonstrated that he is not afraid to speak out on controversial issues troubling the Nation.

Senator Byrd said that "overworked expressions" such as heat, frustration, poverty, exclusion from the main stream of society, police brutality, etc., are being used to explain why the riots took place in Los Angeles, Chicago, Springfield, and Morganfield, Ky.

"While none of these factors can be ignored, I cannot believe they are the sole, or perhaps, the major cause of the Los Angeles insurrection," the Senator said.

The West Virginia solon pointed out that he represents "a State which has had more than its share of poverty in the past. Conditions are better now and much of the State is prospering. But I have seen the days when thousands of Negroes, and whites alike, in the Appalachian lived in conditions of squalor, deprivation and ill health.

"Despite this mass depression, malnutrition and misery," he continued, "the people never resorted to burning, looting, assaulting and destroying. There were no welfare programs, no antipoverty programs, no Federal aid as we know it. But there was no disorder and there was a wholesome respect for law. Negroes and whites got along well in the community.

"This is not to say that laws were never broken. They were. But those who violated the laws were punished and the sociologists, the psychiatrists, the judges and politicians were not expected to find excuses for their crimes."

Senator Byrd's concern extends beyond the riot-torn cities, however.

"Not to be overlooked," he declared, "are the willful disobedience of court orders, the numerous sit-ins, wade-ins and other violations of law which have become the order of the day."

The Senator points out that "ragtag beatniks, agitators and professional troublemakers" have subjected and exposed the American public to every conceivable kind of inconvenience. In the innocuous name of "civil disobedience," Senator Byrd asserts, these individuals have sprawled in the streets, blocked traffic, formed human walls in front of business establishments, swarmed over both private and public property, staging noisy sit-ins and demonstrations. And few people have dared to voice an objection for fear of being labeled "bigot."

This newspaper shares the Senator's concern.

Until Americans, by the thousands and millions, denounce this widespread flouting of the laws, it will continue.

There will be more deaths. There will be more destruction.

"Laws are made to be obeyed by all of the people all of the time," Senator Byrd told his colleagues. "Respect for the law is the basis for orderly government."

This newspaper wholeheartedly agrees with the Senator that law-abiding citizens, regardless of race, must rally around the police who are called upon to enforce the law and guarantee the rights of the individual by protecting him against molestation and loss of personal property. Too often, Senator Byrd says, police "play a thankless role in difficult and dangerous situations. All too often the charge of police brutality is made by individuals and groups when they have resisted arrest and have openly incited the use of force."

The law-abiding citizen has no need to fear police brutality, the Senator adds.

We have seen the enactment of the most sweeping civil rights legislation in the Nation's history.

But the riots and racial strife continue.

We have seen the U.S. Supreme Court render decisions highly favorable to the cause of human rights.

But the riots and racial strife continue.

Senator Byrd has wisely warned "let no man or group or race of men err in the belief that the law can best be administered by taking it into one's own hands" for "the law that protects the wealth of the most powerful, protects also the earnings of the most humble; and the law which would confiscate the property of one would, in the end, take the earnings of the other."

Disobedience to law and acts of violence by a few can hurt the just cause of many. The majority of the people—not the mobs in the streets—must prevail if our democracy is to survive.

[From the Huntington (W. Va.) Advertiser, Aug. 26, 1965]

Contempt for Law and Order

In a thoughtful and long-deliberated speech to the U.S. Senate Monday, West Virginia's Senator Robert C. Byrd joined the growing number of public officials who have voiced their dismay at the recent outburst of racial rioting and the obvious breakdown in the rule of law and order and civic pride in many parts of the country under the guise of righting civil wrongs.

The Senator makes the point in his speech that "it is an obvious fact that there has been a violent breach of two cardinal principles of our American society—the respect for law and order, and the recourse to orderly process of law to seek redress of wrongs."

The contempt for law and order—and that was the title of Senator Byrd's speech—cannot continue if America is to continue strong. Those who are clamoring in the streets, calling on people to disobey what they arbitrarily consider "bad" laws and to obey only those laws which they consider "good" laws—in other words, that it is morally right to resort to disobedience whenever a citizen's conscience tells him that a law is unjust—can only bring chaos and anarchy.

Senator Byrd puts it sharply in his speech: "Laws are made to be obeyed by all of the people all of the time. Respect for the law is the basis for orderly government and law-abiding and peace-loving citizens, regardless of race, need to rally around the police, who, too often, play a thankless role in riotous and difficult and dangerous situations. Of course there have been instances of police brutality, and there can be no excuse for the use of undue force by a policeman. But, all too often, the charge of police brutality is made by persons and groups when they have resisted arrest and have openly invited the use of force. The law-abiding citizen has no need to fear police brutality."

What needs to be done will take hard work and understanding by every member of the community of men. It cannot be done by reformers or "civil rights" groups or militant approach. It is the white man's job as much as the Negro's.

In his list of things that must be done, the Senator suggested that:

1. Those who cherish equal rights under the law should be taught to assume equal responsibility before the law.
2. Every effort should be made to stamp out illiteracy, with education the cornerstone for amicable race relations.
3. The opportunity for employment on the basis of merit, education, training, experience, industry, and character must be given.
4. Family planning is imperative.
5. The Nation cannot continue to close its eyes to the problem of illegitimacy.
6. No amount of government paternalism can take the place of drive and ambition, when it comes to developing the substantial and upright citizen.

These are simple things, but their implementation has confounded our Nation for many years. It is good that more and more citizens are beginning to be concerned about them.

[From the Parkersburg (W. Va.) News, Aug. 28, 1965]

True Perspective in Riot Motivation

West Virginia's Robert C. Byrd, who has gone down the line on most of the Great Society projects aimed at helping those classified as impoverished, is showing signs of disenchantment.

Although an enthusiastic supporter of the administration's 1965 amendments to the Economic Opportunity Act, as well as the Appalachian project, Senator Byrd is finding the war on poverty a little hard to swallow in the light of recent developments.

During last week's debate on the poverty war's new money bill, the West Virginia representative voiced grave misgivings. He went along with the bill doubling the appropriation—the price tax is $1.65 billion in the Senate bill—because the President considers the legislation "important within the framework of his economic security planning for the better interests of our Nation." But he voiced in doing so his concern over some of the things reportedly going on in various parts of the country, "including, particularly, charges of political favoritism."

And now Senator Byrd has said something that has badly needed saying in the place where he chose to give it voice—the Senate of the United States.

In a bristling speech on the floor of the Chamber Senator Byrd rejected the popular notion that economic deprivation and the denial of civil rights are the root cause of street rioting, and told his associates that "those who disgrace our Nation by violent disobedience and willful flouting of the law must be dealt with severely," whether they be "black or white, whether in the South, North, East, or West."

Particularly to the point, we thought, was Senator Byrd's reminder that with the enjoyment of civil rights goes the responsibility of obedience to the law that alone makes their exercise possible, and this word of advice to those who are, this newspaper believes, chiefly responsible for the disorder:

"Militant civil rights groups should stop blaming the white power structure for all of the ills that are visited upon the Negro community. Negroes must themselves take the lead in doing something constructive for themselves, and they can do this by waging war upon the evils of illegitimacy as one important beginning."

It would prove more effective if men like Senator Byrd implemented their disapproval of the trend of events by refusing to appropriate money for projects that cater to the notion that the world owes everybody a comfortable living and it is the duty of the Federal Government to see to it that it is forthcoming, and for laws which encourage the belief that minority groups are entitled, not to equality with their neighbors, but to preferential treatment. But it is at least a helpful sign when a few men in high places of public responsibility display the political courage necessary to stand up and testify that the policy of catering to the so-called disadvantaged has been carried to dangerous extremes.

[From the Bluefield (W. Va.) Sunset News-Observer, Aug. 30, 1965]

Things That Needed Saying

West Virginia's Senator Byrd made some telling points in a Senate speech last week on the race riots in Los Angeles and other cities.

Much has been made of the Negroes' poor economic condition, he said, which it is contended prompted them to loot, destroy, and kill. But said Senator Byrd:

"I have seen the days when thousands, Negroes and whites alike, lived in the coalfields of Appalachia in conditions of squalor, deprivation, and ill health which could scarcely be equalled in the slums of Chicago or the ghettos of Los Angeles * * * yet these people never resorted to burning, looting, assaulting, and destroying."

If poverty were the root cause of crime and violence, he said, there would have been continual chaos and revolution in the depressed coal camps of West Virginia and other States.

Those who violate the law in these areas, he said are punished, and "psychiatrists, sociologists, politicians, and judges are not expected to find excuses for crime."

Commenting on so-called civil disobedience, he said:

The American public has been subjected and exposed to every conceivable kind of inconvenience by hordes of ragtag beatniks, agitators, and professional troublemakers who insist upon lying down in the streets, blocking traffic, swarming over private property, staging noisy sit-ins and demonstrations, all in the innocuous name of "civil disobedience."

Few, he said, have dared to voice an objection to these disorders for fear of being labeled "bigot."

Whatever the causes for these and other mob actions in American communities, he said, "it is obvious there has been a violent breach of * * * respect for law and order and the recourse to orderly processes to seek redress of wrongs."

"Those who cherish equal rights under the law," he said, "should be taught to assume equal responsibility before the law"—and that is the crux of the matter.

It is indeed ironic, as he pointed out, at the very time when the greatest gains for civil rights have been made, that some have shown the greatest irresponsibility.

He underlined this point by recalling that one of the arguments advanced for passage of civil rights measures has been "to get the demonstrators off the streets."

"Let no man or group or race err in the belief that the law can best be administered by taking it into one's own hands," he said. "For the law that protects the most powerful * * * protects also the * * * most humble."

BYRD, a stanch churchman himself, raised the question of whether such things as the Los Angeles riots have not stemmed in part from the statements of some church leaders that it is appropriate, even desirable, to obey only those laws with which one agrees—that it is morally right to resort to disobedience whenever a citizen's "conscience" tells him a law is "unjust."

It is "shocking," he said, and we agree, that some church leaders have endorsed such a program. The law-abiding citizen, he correctly pointed out, has no reason to fear "police brutality."

As for constructive measures, BYRD points to the immediate necessity for this country to "stamp out illiteracy."

Rather than "integration for integration's sake," he said, education to equip the disadvantaged to hold jobs that will enable them to take their place in society is the urgent need.

This effort must be pushed hard, he said, together with an effort to reduce the excessive birth rate and illegitimacy among uneducated, low-income Negroes. Unemployment can never be wiped out, he said, as long as illiteracy flourishes and the birth rate soars.

We think these things needed saying.

[From the Romney (W. Va.) Hampshire Review, Sept. 1, 1965]

Riot Causes

Talks by news commentators, newspaper columns, editorials and reports of a number of Government commissions have been full of explanations for the recent riots in Los Angeles and Chicago as well as those of last summer in Rochester and New York. Practically all of them use the terms that have become slogans of the civil rights movement and that have been worn thin by constant repetition by the liberals. Practically none of them have talked about the cause in the sense of why they happen.

To be sure, the slogans are based on fact. No one denies that we have a poverty problem in the Nation and the additional fact that the nonwhite population suffers more poverty proportionally. There is also basis for the term "second-class citizen" as applied to some of our ethnic groups and our society is full of inequalities.

The point is, however, as Senator ROBERT C. BYRD of West Virginia pointed out in a recent speech in the United States Senate, these things have existed in this country for a very long time and have been the cause of riots in only the rarest of instances. Although the past few years have seen the passage of more civil rights legislation than we have had in the past, this legislation has been the culmination of an effort that has been going on for decades to improve the lot of our more unfortunate citizens.

The explanation of why these riots have broken out and the reason why more of them can be expected to occur at any time and in almost any place in the country lies in the fact that they have been encouraged. Sometimes this encouragement was given deliberately and sometimes inadvertently by well-meaning people, but it was encouragement to lawlessness all the same. The leaders of the Negro organizations, NAACP, SCLC, SNCC, CORE and the rest, have repeatedly advocated what they call "civil disobedience." This is far more than a demonstration or a march on some city for the purpose of calling attention to some real or fancied wrong, this is a form of anarchy. This attitude has been bolstered by some churchmen who have preached the doctrine of resisting any law that the individual or group doesn't like.

When they add to this the approval and sometimes the encouragement of the Government, the chance of riots is greatly increased. Dr. Martin Luther King, during a recent visit to Washington, threatened disturbances and the same old civil disobedience if Congress did not immediately pass the desired home rule legislation for the District of Columbia. Approval and encouragment came from the White House itself in the President's recent statement in which he repeated Dr. King's warning in a statement designed to pressure Congress into swift approval of this legislation.

Certainly, if Dr. King can threaten to turn his followers loose on the Nation's Capital and the President approves this threat by adopting and using it, why should anyone who feels he has a grievance, or feels that his wants are being denied, restrain himself from taking violent physical action against all authority and against all restrictions. Here is the cause of the riots and here is the reason that they can and will break out again. The pattern is set and has received what amounts to official approval: Make your demand and accompany it with a threat of civil disobedience, then if your demands are not met on your timetable, demonstrate, and if that doesn't get immediate results, riot. You will be excused by one of the old slogans, or the liberals will invent a new one for you.

[From U.S. News & World Report, Sept. 6, 1965]

The Right To Loot?

(By David Lawrence)

There seems to be a new civil right—the right of the have-nots to take whatever they want from the haves. It is supposed to justify, if not to sanction, the wrecking and burning of private property, the theft of goods from stores, and the assaulting of white persons as well as Negroes. All this is a corollary of "demonstrations" which nowadays lead to rioting and violence.

We hear spoken frequently in this connection the word "revolution." Various ministers of the gospel tell assembled crowds approvingly that what's happening today is "just like the Boston Tea Party." The inference is that the right of insurrection is being exercised, and hence is to be regarded as no more than "freedom of petition" or "freedom of assembly."

James Farmer, National Director of the Congress of Racial Equality, one of the prominent Negro organizations, said in a news conference at Los Angeles on August 25:

"This was more of a revolt than a riot. This was not a striking out with blind fury. The revolt had eyes. It picked its targets. And those targets were symbols of exploitation."

Mr. Farmer, who made a tour of the devastated business district, said that the stores hit were with few exceptions white-owned, and often had shoddy goods and comparatively high prices.

Will Federal power now be used under the "interstate commerce clause" of the Constitution to prosecute certain persons for "discriminatory" acts in failing to respect the property rights of white people? These severe interruptions of business certainly "affected commerce." Losses due to looting amounted to millions of dollars.

Does all this perhaps come under the right to loot or the right of "revolution?" Is this the result of the extremism in the crusade for equal rights? The Wall Street Journal, in an editorial, says:

"Among the more interesting comments on the tragic riots in Los Angeles was Senator ROBERT KENNEDY's remark that 'there is no point in telling Negroes to obey the law' when many of them have reason to feel that 'the law is the enemy.'

"And a man who has served as Attorney General, above all people, ought to know that the overriding role of the law is to protect society in order to protect the individual.

"What Senator KENNEDY should be reminding the Negro people is that, if our far larger society is to survive in freedom, it must live under a framework of law."

There may be some precedent for Senator KENNEDY's remark that "the law is the enemy." For this has been the attitude of many a minority group which has sought at gatherings and demonstrations to portray the constituted authority as hostile to their aims and purposes.

But does this give anyone the right to revolt, the right to loot, the right to carry on riots and demonstrations in which persons of all races are killed or injured? Senator ROBERT C. BYRD of West Vigirnia, Democrat, said recently in a speech to the Senate:

"It is known that fanatic Black Muslims have agitated and contributed to mob violence in American cities. FBI Director J. Edgar Hoover has warned that there has been a rising degree of undesirable infiltration of some civil rights groups.

"I desire to ask, as do other concerned Americans, whether the actions in Los Angeles, in Chicago, in Springfield, in Morganfield, and wherever violence of this nature may occur in the future, may be said to be a logical outgrowth, in part, of the leadership of certain clergymen who have stated a belief that it is appropriate, and even desirable, to disobey what they arbitrarily consider to be bad laws and to obey only those laws which they label good laws—in other words, that it is morally right to resort to disobedience whenever a citizen's 'conscience' tells him that a law is unjust.

"As Supreme Court Justice Frankfurter once said: 'If a man can be allowed to determine for himself what is law, every man can. That means first, chaos; then, tyranny.' It is shocking that some church leaders have endorsed such a program."

The American people have witnessed heretofore an extensive use of hundreds of agents of the Federal Bureau of Investigation and of Federal troops in States of the South. But somehow there has been no such manifestation of authority with respect to the riots in California, in which 37 persons were killed, hundreds were wounded, and an enormous property damage was inflicted. To be sure, commissions have been appointed to study the sociological factors and to consider more Federal aid. But what about prosecuting the instigators of the revolution?

Has the Federal Government itself begun to discriminate now in choosing the States whose citizens are to be protected? Is the right to loot in certain areas to be affirmed by passive acquiescence?

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, in accordance with the previous order, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 5 minutes p.m.), in accordance with the previous order, the Senate adjourned until tomorrow, Wednesday, September 15, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 14 (legislative day of September 13), 1965:

U.S. ATTORNEY

Hosea M. Ray, of Mississippi, to be U.S. Attorney for the northern district of Mississippi for the term of 4 years. (Reappointment.)

SUBVERSIVE ACTIVITIES CONTROL BOARD

Edward C. Sweeney, of Illinois, to be a member of the Subversive Activities Control Board for a term of 5 years expiring August 9, 1970.

IN THE NAVY

Lt. Cmdr. Charles Conrad, Jr., U.S. Navy, for permanent appointment to the grade of commander in the Navy in accordance with article II, section 2, clause 2 of the Constitution.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 14 (legislative day of September 13), 1965:

INTERNATIONAL ATOMIC ENERGY AGENCY

The following-named persons to the offices indicated:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the 9th session of the General Conference of the International Atomic Energy Agency.

Henry DeWolf Smyth, of New Jersey, to be alternate representative of the United States of America to the 9th session of the General Conference of the International Atomic Energy Agency.

John Gorham Palfrey, of New York, to be alternate representative of the United States of America to the 9th session of the General Conference of the International Atomic Energy Agency.

James T. Ramey, of Illinois, to be alternate representative of the United States of America to the 9th session of the General Conference of the International Atomic Energy Agency.

Verne B. Lewis, of Maryland, to be alternate representative of the United States of America to the 9th session of the General Conference of the International Atomic Energy Agency.

Kenneth Holum, of South Dakota, to be alternate representative of the United States of America to the 9th session of the General Conference of the International Atomic Energy Agency.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my newsletter to the people of the Seventh District of Alabama for May 27, 1965:

WASHINGTON REPORT

(From Congressman JIM MARTIN)

JOB OPPORTUNITIES NEEDED

Regardless of the good intentions of those who demand that the South immediately solve the problems facing its concentrated Negro population, the basic problem will remain until we have improved education and made more job opportunity. Employment for unskilled and uneducated whites and Negroes is the fundamental need. The right to vote means little to a man who cannot find a job by which he cannot support himself and his family.

With the heavy concentration of Negroes in many southern counties, it is not possible to create in those local areas the job opportunities needed. The so-called civil rights leaders, who shed crocodile tears over the plight of the Negroes, are not concerned with jobs for them. This is apparent in the efforts of Martin Luther King and other agitators to discourage industry from locating or expanding in Alabama and other Southern States—even though their boycott hurts most the very people they claim to want to help.

LETTER TO BISHOP LORD

Several months ago I wrote a letter to Bishop John Wesley Lord of the Methodist Church, pointing out the problem and the inability of the South to provide job opportunities without assistance. I suggested to the good bishop that the churches of America take the lead in promoting a plan to give those Negroes who would like to relocate in a section of the country where they could find jobs, an opportunity to do so. In my letter, I pointed out that if each church congregation in the Nation would open their arms and hearts to one, two or more good Negro families, making them welcome in their communities, help to educate them and find jobs for them, within 5 or 10 years at the most, the race problem would disappear.

Unfortunately, Bishop Lord never answered my letter. I received a form letter from him in which he presented arguments justifying his joining the Selma demonstration, but he made no mention of my letter or its contents. Perhaps he did not read it, although I did write him a second letter calling attention to the first, and this one he ignored completely.

There are many good people in the United States who are deeply concerned about the plight of the Negro in the South, but they are opposed to assuming any responsibility in their own communities. This was shown in a recent Gallup poll in which northern whites opposed relocation of Negroes from the South. Fifty-two percent of those questioned in the North opposed having Negroes move into their neighborhoods. Even of the 33 percent in the North who favored relocation, one-third opposed having them move in as neighbors.

This is the kind of hypocrisy prevailing among many northerners on the race issue. This prevents the only workable solution—giving Negroes equal job opportunity and educational opportunity in every State and section of this Nation. Until the Northern States, many of them with less than 1 percent Negro population, are willing to accept the colored as neighbors and friends as we do in the South, agitators will continue to flourish, and our country will be weakened by the hatred that has been generated against the Southern States for more than 100 years. I am trying to change this attitude by contacting national magazines, as well as civic and religious leaders, to urge them to at least consider lending their efforts toward taking concrete and effective action in helping impoverished southern Negroes to enjoy to the fullest the American dream in every section of this great land.

ANTIDUMPING BILL

On May 26, I introduced an amendment to the Anti-Dumping Act to plug loopholes in present laws which permit foreign manufacturers to injure American industry by dumping their goods on American markets at low prices. This practice hurts business, industry and, most of all, American workers. This bill to correct the situation is supported by a number of Members of Congress in both House and Senate and in both political parties. The bill is now pending before the Ways and Means Committee, and I am hopeful we can get action on it in this present session.

HOME RULE FOR THE DISTRICT OF COLUMBIA

There will be a determined effort in this Congress to give the District of Columbia home rule. Lyndon Johnson is urging it, and all the liberals, who control this Congress, are behind the effort. The next month will be devoted to citywide observances to push for turning the Federal City over to locally elected politicians. As the pressure for home rule is applied, it is interesting to study recent population figures. Twenty-five years ago 28.4 percent of the people in Washington were colored, 71.6 percent white. Today 58.2 percent are Negro. Among youngsters under 20, more than 70 percent are colored. There are 183,000 fewer whites in the District today than there were 15 years ago. Crime in the District has jumped upward by 83 percent in the last 7 years, with 87 percent of all major crimes committed by Negroes. Ten thousand Negroes are on relief. Of the 4,529 illegitimate babies born in the District in 1963, 4,145 were Negro—one-fourth of all the births in Washington.

THERE IS A DIFFERENCE BETWEEN THE PARTIES

The basic difference between the Republican and Democratic Parties was shown in a recent questionnaire sent by a California Congressman. These were some results:

On unseating the duly elected Mississippi delegation in the House at the demand of the Mississippi Freedom Party, 50 percent of the Democrats answering the questionnaire agreed; 55 percent of the Republicans answering opposed.

On a complete test ban of nuclear weapons to enable the United States to maintain its lead over the Communists, 46 percent of the Democrats favored it, while 61 percent of the Republicans were against such a ban.

Fifty-eight percent of the Democrats were in favor of liberalizing our immigration laws, while 46 percent of the Republicans were opposed to letting down the bars.

Montana Jurist Author of Nation's Pioneer Pension Plan for Aged

EXTENSION OF REMARKS

OF

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. OLSEN of Montana. Mr. Speaker, Judge Lester H. Loble of Helena, whose judicial work in the field of juvenile delinquency has achieved nationwide notice, has another unique accomplishment to his credit, and one which he recently shared with us: The old-age pension act which he introduced as a member of the 18th session of the Montana Legislature in 1923 was the first such bill ever passed in this country. Gov. Joe Dixon signed it into law on March 6, 1923, and presented the signatory pen to Judge Loble.

Besides the house bill itself, the society has received a transcript of the proceedings of the house of representatives of February 28, 1935, which included the passage of a resolution recognizing this pioneer legislation as humanitarian and "record in the records of this State this notable achievement so that generations to come may be duly appraised of this contribution to the welfare of mankind."

The first pension ever paid under any such measure was disbursed at the Lewis and Clark County Courthouse where Judge Loble now presides. Loble, who was called to Washington by President Roosevelt to consult in the matter of the national Social Security Act early in his administration, is a particular favorite of the historical society, and rightly so. A member of our board of trustees during several vital years, he was more responsible for the construction of our present building than any other individual.

Tennessee's Third Congressional District Shows Conservative Leanings

EXTENSION OF REMARKS

OF

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. BROCK. Mr. Speaker, I am pleased to announce that the results of my 1965 legislative questionnaire sent to 95,000 homes in the Third Congressional District of Tennessee reflect strong conservative sentiments. The poll which was taken in April and May was answered by 11,855 persons in the 11-county area of my district.

The strongest response was voiced on the question, "Do you approve of the Federal Government consistently spending more than its income?" 93.7 percent said, "No," while only 3.4 percent favored this action.

The results of the other questions for the district were as follows:

1. Do you feel Tennessee should continue to have the authority to pass State right-to-work laws? 87.4 percent said, "Yes," 8 percent "No," and no answer from 4.6 percent.

2. Do you think a regional approach such as the Appalachian program is the best approach to solving economic problems? 19.2 percent said, "Yes," while 68 percent said "No," and 12.7 percent did not answer.

3. Do you believe the United States should continue to give American wheat to Egypt's Nasser? 4.7 percent responded "Yes," while 90.8 percent said "No," and 4.5 percent declined to answer.

4. Do you approve of the Federal Government consistently spending more than its income? 3.4 percent said "Yes," while 93.7 percent said "No," and 2.9 percent did not answer.

5. Do you believe Tennessee should have the right to apportion seats in at least one of the two houses of its legislature on some basis other than population (based for example on area) if approved by a majority of the people of the State? 73.3 percent responded "Yes," while 16.6 percent said "No," and 10.1 percent did not answer the question.

6. Do you support legislation which permits voluntary prayer and Bible reading in public schools? 91.5 percent said "Yes," while 6.1 percent said "No," and 2.3 percent did not answer.

7. Do you favor Federal aid to education (a) for teacher salaries? 22 percent said "Yes," and 66.9 percent said "No," while 11.1 percent did not answer; (b) For school construction? 32.6 percent said "Yes," while 55.9 percent said "No," and 11.5 percent did not respond; (c) Through a tax reduction for parents? 40 percent said "Yes," 46.4 percent said "No," and 13.5 percent did not answer; (d) Through an automatic rebate from Federal income tax to the State government? 46.5 percent said "Yes," and 40.7 percent said "No," and 12.8 percent did not respond.

8. In regards to our Vietnam policy, should we (a) increase military action? 55.4 percent said "Yes" while 10.6 percent said "No," and 33.9 percent did not answer. (b) Stay on our present course? 15.7 percent said "Yes," 24.7 percent "No" while 59.5 percent did not answer. (c) Get out immediately? 12.6 percent said, "Yes" and 31.2 percent said "No." 56.5 percent did not answer. (d) Negotiate with Communists for neutralizing the country? 12.5 percent said "Yes" while 31.2 percent said "No," and 56.2 percent did not respond.

9. Do you favor an agricultural program which has (answer only one):

(a) Rigid controls and quotas to regulate farm economy? 4.8 percent.

(b) Flexible price supports and voluntary land retirement? 12.5 percent.

(c) Gradual program leading to no controls, no supports and a free economy? 74.7 percent. Eight percent did not respond to the three parts of question 9.

10. Do you favor a medical care program for the elderly through (answer only one):

(a) Increasing social security taxes? 11.1 percent.

(b) A tax reduction to purchase private insurance? 21.6 percent.

(c) Voluntary plans without Federal participation? 42.1 percent.

(d) A combination of the above? 14.9 percent—10.3 percent did not respond to question 10.

Proposed Amendment of H.R. 7371 on Bank Holding Company Act

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. BENNETT. Mr. Speaker, H.R. 7371 is before the House this week. I plan to offer an amendment to it and solicit support of my proposed amendment. For many years banks have been prohibited from engaging in nonbanking businesses; this on the theory that if the nonbanking business should experience financial difficulties, the bank might be inclined to bolster it to the detriment of the depositors of the bank.

In 1956 Congress, for the same reason, passed a law which said that even a bank holding company would be prohibited from undertaking nonbanking businesses on the side. Yet that 1956 law left many exemptions. The Federal Reserve Board has recommended sweeping elimination of such exemptions. When the hearings were held on H.R. 7371, it was pointed out that the Alfred I. du Pont testamentary trust will clearly be, by H.R. 7371, eliminated from the exemptions along with similar holding companies, if any; but there still remain vast areas of exemptions such as a large bank and subsidiaries, and church and labor organizations.

It is the purpose of my amendment to eliminate all exemptions, as recommended by the Federal Reserve Board. This carries out the intention of Congress in its original concept of the danger hoped to be eliminated. In my opinion the hearings on the bill are sufficently extensive to justify the elimination of all exemptions and that is precisely what H.R. 7371 will do after my amendments are added to it. I hope you can support me in this amendment. My amendment reads as follows:

AMENDMENT TO H.R. 7371 OFFERED BY MR. BENNETT

Page 2, add the following at the end of the bill: "Sec. 2. (a) The first sentence of section 2(a) of such Act is amended by changing 'each of two or more banks' to read 'any bank' each place it appears therein.

"(b) The first sentence of section 3(a) of such Act is amended by changing 'company becoming a bank holding company' to read: 'bank becoming a bank holding company or of any other company becoming a bank holding company with respect to more than one subsidiary bank'.

"Sec. 3. The second sentence of section 2(a) of such Act is amended (1) by striking 'no company shall be a bank holding company which is registered under the Investment Company Act of 1940, and while so registered prior to May 15, 1955 (or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such Act), unless such company (or such affiliated company), as the case may be, directly owns 25 per centum or more of the voting shares of each of two or banks, (C)', (2) by changing '(D)' to read 'and (C)', and (3) by striking ', and (E) no company shall be a bank holding company if at least 80 per centum of its total assets are composed of holdings in the field of agriculture'.

"Sec. 4. (a) Section 4(c) of such Act is amended—

"(A) by striking ', or to shares lawfully acquired and owned prior to the date of enactment of this Act by a bank which is a bank holding company, or by any of its wholly owned subsidiaries' from paragraph (4).

"(B) by adding 'or' at the end of paragraph (6).

"(C) by striking:

"'(7) to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954; or'.

"(D) by redesignating paragraph (8) as paragraph (7).

"(b) Section 4 of such Act is further amended by adding at the end thereof the following new subsection:

"'(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after two years from the date of the repeal of such exemption, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date of repeal of such exemption.' "

Springfield, Mass., Local 33, Amalgamated Meat Cutters, Food Store & Allied Workers of North America, AFL–CIO, Celebrates 25th Anniversary

EXTENSION OF REMARKS

OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. BOLAND. Mr. Speaker, Springfield, Mass., Local 33 of the Amalgamated Meat Cutters, Food Store & Allied Workers of North America, AFL–CIO, which encompasses Hampden, Hampshire, Berkshire, and Franklin Counties in Massachusetts, and the State of Vermont, celebrated its 25th anniversary over Labor Day weekend.

I had the distinct honor and pleasure of being a guest speaker at this dinner on September 5 at the Red Barn in Hatfield, Mass. This silver anniversary dinner for the members of this local was one of the most impressive events that I have attended in my 30 years of public service. I ask permission to have included with my remarks in the Appendix a letter of congratulations addressed to Mr. Stanley E. Dominick, secretary-treasurer of local 33, from Thomas J. Lloyd, international president, and Patrick E. Gorman, international secretary-treasurer; a copy of my address to the membership; and a copy of the 25th anniversary dinner program:

AMALGAMATED MEAT CUTTERS &
BUTCHER WORKMEN
OF NORTH AMERICA,
Chicago, Ill., August 30, 1965.

MR. STANLEY DOMINICK,
Local Union No. 33,
Springfield, Mass.

DEAR BROTHER DOMINICK: It is a distinct pleasure to congratulate local 33 on celebrating its 25th anniversary.

A quarter of a century ago neither your local nor the international union enjoyed in the labor movement the same strong position it holds today. When the charter was issued for your fine organization, the world was marching toward the brink of another horrible war. This all led to a madness which we thought could not occur again.

A lack of brotherhood throughout the world is still evident in the many small battlefields presently covering the entire face of the earth. It is to be regretted that most of the God-given intelligence of man is still being poured into strengthening the animal—Homo sapiens. Science is lengthening his arms, sharpening his claws, feeding his ferocity and developing him into a fiercer animal.

When we think of the enormous amount of intelligence required in preparing for our defense against modern war, we will realize the unholy effort that is being wasted in the awful game of killing. There is no hope for humanity even if civilization does survive if we continually concentrate our intelligence on merely becoming fiercer animals.

Even in the wonderful achievement of the two Gemini astronauts and the circling of the earth 120 times in 8 days, this brought on the accusation, at least from one great country, that this whole space project was a spy project. In such preparation there only lies the way of death. Even the experts cannot deny the reference in the Good Book "Except we repent of it, we shall all perish."

There is a consolation, therefore, in those of us who belong to the trade union movement because we do not teach hate—we teach brotherhood. We do not teach war—we hate it because we know that the vast majority of those who fight all wars are the workers and the sons of workers. "Pacem in Terris" means much to us.

During the 25 years of the existence of local 33, your local union has gained terrifically for its members. Their lives have been made better as a result of the charter issued. The members' children are going to high schools, universities and colleges. This would have been impossible had not the wage rates and working conditions been improved substantially as they have been. It shall be our responsibility and our duty to continue to preach brotherhood, love of neighbor, and fear of God.

We congratulate your local union and know that with the fine officers it has at present, the progress will continue.

With best wishes, we are,
Fraternally yours,
THOMAS J. LLOYD,
President.
PATRICK E. GORMAN,
Secretary-Treasurer.

LABOR DAY GREETINGS TO THE AMALGAMATED MEAT CUTTERS

(By U.S. Representative EDWARD P. BOLAND)

It is with particular pleasure that I join you in your celebration of Labor Day this year. It is indeed a triple celebration for all of us gathered together here.

First, we are, as are people all over the land, celebrating this day to honor the working men and women who have contributed to the growth, the strength and the prosperity of America.

Second, we are able to celebrate your 25th anniversary as a local of the Amalgamated Meatcutters—25 years of service in the interest of each of your members, and, of course, 25 years in which you as members have also contributed to the strength and stability of the union.

Third, we are able to celebrate the achievements in national legislation which, in their benefits to the working man, stand unrivaled at least since the days of the New Deal in the 1930's.

For over 80 years now, Labor Day has been celebrated in this country in order that all Americans can pause and give due recognition to the working men and women of this Nation. When we stop to consider how working men have increased their skills year by year, how they have struggled to improve living standards for themselves and their families, how they have outdone themselves in setting production records in war and in peace, this annual recognition is but a small token of the gratitude all of us must feel toward American labor and all it stands for.

Your local, part of a national union that is nearly 70 years of age, has without question done its part to achieve these goals here in Massachusetts. You have worked with some success to improve wages and working conditions and to create a better life for your families. It is a task that you will continue to work at for the next quarter of a century with equal vigor and devotion, I am sure, and I wish you well in this endeavor.

That the Congress this year has had the welfare of the working man in mind needs, I believe, little elaboration. The record is clear at hand. The House of Representatives has already passed the amendment to section 14(b) of the Taft-Hartley Act which would put an end to the so-called right-to-work laws, laws which more accurately would be called the freeloader laws, laws which permit a few workers to take wage increases but to avoid bearing the costs of operating the unions which were instrumental in bringing about these increases. The Senate will, I feel confident, follow the lead of the House, before adjournment.

Action is already well underway to extend minimum wage legislation to restaurant and service employees and to farm workers.

One of the greatest accomplishments of this—or for that matter any other Congress—is medicare. Adequate medical care for the elderly under social security has been a long time, too long a time, in coming. Now for the first time, the elderly citizens of this Nation can face the future without undue worry over their ability to meet the costs of hospital care and other health services. They won't have to lose their pride by taking public welfare, simply because they cannot afford to pay a doctor bill.

A major accomplishment of this Congress, one in which all Americans can take pride, is the voting rights bill which will help guarantee the right of all citizens to vote in Federal elections, regardless of race.

The Housing and Urban Development Act that has just passed the Congress is the most sweeping one since the Housing Act of 1949. It will do much to enable the poorer citizens of this land to get better housing than has been available to them heretofore, through an expansion of public housing, a new rent supplement program, and other liberalizing provisions.

The Public Works and Economic Development Act will make it possible for many of the poorer communities of this Nation to get help in strengthening their economic situation by the construction of water supply facilities, sewage systems, and community buildings. This special aid to distressed areas will make them more attractive to industry and will enable them to improve the living and working conditions of their citizens.

The new Department of Housing and Urban Development will prove a great benefit to millions of Americans in our larger cities, at last giving the problems of larger cities a a focus in the Federal Government that will facilitate their solution.

The elimination of many excise taxes and the reduction of others will benefit all of you who are contemplating buying automobiles, luggage, jewelry, handbags, radios and television sets, and scores of other items on which these taxes were formerly imposed either at the manufacturers' level or at the retail level.

In full recognition that the education of our young people is one of the most pressing needs of this Nation, if the future of our country is to be one of peace and prosperity, this Congress has already passed the Elementary and Secondary Education Act of 1965, and the House has passed the Higher Education Act, both of which provide additional assistance to educational institutions of our land.

I could go on for some time in adding to this imposing list. A program of aid to Appalachia is underway; the war on poverty has been expanded. But I do not need to go into details. The record stands for all to see. It is a record I am proud of. It shows that the Congress is well aware of the needs of the working people of this Nation and their families. Labor Day is indeed an appropriate occasion to call this record to your attention.

Thank you for allowing me to participate in this happy celebration with you.

TWENTY-FIFTH ANNIVERSARY, SUNDAY, SEPTEMBER 5, 1965, HATFIELD RED BARN IN HATFIELD, MASS.

PROGRAM

Smorgasbord served from 5 to 7 p.m.

Address of welcome, Harold B. Shea, vice president and general chairman.

Toastmaster, Stanley E. Dominick, secretary-treasurer, and honorary chairman.

HONORED GUEST SPEAKERS

Clifton C. Caldwell, district VI director and international vice president.

EDWARD P. BOLAND, Congressman from Massachusetts.

George D. Hammond, senator, representing Hampden-Berkshire districts.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my report to the people of the Seventh District of Alabama for May 20, 1965.

WASHINGTON REPORT

(From Congressman JIM MARTIN)

CRIME IN THE DISTRICT OF COLUMBIA

Crime is the Nation's No. 1 problem. Our greatest challenge is to make our streets and highways and homes safe against the violence of murderers, rapists, and thieves. Nowhere is the challenge greater than right here in the Nation's Capital. Serious crime in the District of Columbia increased for the 35th consecutive month during April. There was an increase of 3,018 offenses in April 1965 over the same month a year ago. In just this 1 month there were 385 robberies; 886 housebreakings; 19 rapes. Crime increased in every crime category except criminal homicide. Five criminal murders were committed in April. Compare this figure for this one city with crime figures in the whole State of Alabama.

One of the reasons for the rising crime rate in Washington and throughout the Nation is the increasing leniency by the courts toward criminals. This was noted by J. Edgar Hoover who said recently, "Some members of the judiciary appear to be more concerned for the rights of repeating criminal offenders than for the unfortunate members of the public who are victimized by unrehabilitated burglars, robbers, rapists, and murderers." The increase in crime is a problem to be faced by Congress as well as every law-abiding American citizen.

TRADE WITH REDS

Communist Russia has always used trade as one of its strategic weapons in accomplishing its goal of conquering the world. The trade history of those countries who have tried to deal with the Communists reveals the ugly facts of how the Reds manipulate trade agreements to further the end of aggression and world conquest. In the face of the facts of history, it is surprising to find President Johnson now advocating expanding trade with the Communists. It is logical that Americans should ask, "Should we help the Communists by furnishing them with the goods they apparently cannot produce for themselves?"

Our advantage over the Communists in the cold war has been our productive genius. We have outstripped them in every field. Much of the unrest behind the Iron Curtain is caused by the failure of communism to provide the goods and services the people demand of any economic system. Now we come to an important decision: Should we help the Communist leaders strengthen their control over their own people and the nations they hold in bondage by providing them with consumer goods they cannot produce in the same quantity or quality as we can? In other words, should we help the Communists strengthen their own economy and help them make good their boast to bury us? It seems to me Congress and the American people had better take a long hard look at President Johnson's proposal for expanding trade with the Communists. American businessmen had better note the warning of history before they go too far in approving expanded trade with a self-announced enemy whose sole objective is the complete destruction of private enterprise and those governments in which private enterprise flourishes.

NATO TASK FORCE

As a member of the Republican task force on NATO and the Atlantic community, I had an opportunity to discuss the worsening relations of the United States with our NATO allies. While Republicans almost unanimously support President Johnson's determined action against Communist aggression in Vietnam and the Dominican Republic, we are deeply concerned about the seeming tendency to conduct foreign policy on a basis of political expediency rather than on a well-thought-out and constructive course of action.

A number of problems were discussed by our task force in a day-long meeting with members of the Foreign Policy Research Institute. Heading the delegation from the Research Institute was Dr. Robert Strausz-Hupe, professor of political science at the University of Pennsylvania. For many years Dr. Strausz-Hupe has been recognized as an outstanding authority on Communist strategy, American foreign policy, the political, and military problems of NATO, and U.S. security affairs.

Our discussions with this eminent group of educators and experts in foreign policy will make it possible for me and the other members of the Republican task force to give to the people concrete facts. I hope our investigations may lead to the formulation of a foreign policy program which will be a much more effective force for keeping peace and freedom in the world than the confused and sometimes stumbling approach of both President Kennedy and President Johnson.

VOTING RIGHTS BILL FIGHT SHAPES UP

The liberals are determined to create havoc in the South. The House Judiciary Committee, under the chairmanship of Democrat EMANUEL CELLER of New York, has reported out a bill which contains a provision to abolish the poll tax in State and local elections. The Speaker of the House has endorsed this provision. Such a move to control State and local election laws is clearly unconstitutional, and I predict a real battle when this bill comes up for debate in the House. The Republicans will have a substitute bill which will protect the rights of the States to determine their own election laws and voter qualifications. The voting rights bill is now before the Rules Committee and can be expected to be sent to the House shortly. The Alabama delegation in the House will be unanimous in its determination to protect our State and the South against this punitive legislation.

George Durst: Metallurgist, Inventor, and Gentleman

EXTENSION OF REMARKS

OF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. CONTE. Mr. Speaker, on August 20, 1965, a ceremony was held at the Metals and Controls Division of Texas Instruments, Inc., in Attleboro, Mass., marking the manufacture of the one-millionth pound of clad metals for the new coinage established under the Coinage Act of 1965.

I was pleased to be able to attend that ceremony and witness the metal-bonding process in operation. I was particularly interested to learn that the perfection of the process was the result of the inventiveness of a single individual, a man whose life has been devoted to the progress of technology in the field of metallurgy. That man is George Durst.

The conversion of U.S. coinage from traditional coin silver to alloys containing no silver was dependent upon a workable metallic substitute for the coin silver. The "Treasury Staff Study of Silver and Coinage," compiled after 2 years of intensive research and investigation, recommended the use of clad metals for a new system of coins; a copper core clad with an alloy of copper and nickel. The feasibility of converting to clad metals, thereby conserving our Nation's dwindling silver supply for vital national defense and industrial uses, would not have been possible but for George Durst, who perfected the metal-bonding process.

While it is true that some new methods of uniting metals into composites are being explored and some older, slower and more costly methods of bonding metals are still used, this man pioneered the first continuous, versatile and low-cost bonding technique. It is his process which, in significant measure, is contributing to the Bureau of the Mint's supply of clad metal for reliable changeover to silverless dimes and quarters.

A native of Austria and graduate of the Technical University in Vienna, he gained his metallurgical proficiency in the leading metals-producing companies of Europe. Fleeing from Nazi tyranny to the United States in 1939, he encountered considerable personal misfortune. Overcoming the hardships of displacement by war, he arrived in the city of Attleboro, Mass., to begin anew. He became a naturalized American citizen in 1945 and his personal and professional accomplishments exemplified a life of usefulness and reputation to his adopted city, State and country.

Upon coming to Attleboro, he joined the General Plate Division of Metals and

Controls Corp., which today is known as the Metallurgical Products Group of Metals and Controls, Inc., a wholly owned subsidiary of Texas Instruments, Inc. He progressed in that organization from the position of technical assistant, to that of manager of its research and development effort. And, in the field of metal bonding, under his leadership—continuing to the present day—that research effort is preeminent in the area of advancing clad metal processes. Now retired, he continues to serve as a valued metallurgical consultant to Texas Instruments, and his keen mind as fluently as ever spurts ideas and theories for further advancing the technology of metals cladding.

Aside from the scores of United States and foreign patents he has been granted in his field, which, indeed, qualify and establish his renown as a metallurgist, he is thought of by his neighbors and associates not as a metallurgist at all, but rather as a kind and true gentleman.

It is a privilege for me to bring the accomplishments of Mr. George Durst of Attleboro, Mass., to the attention of my colleagues in the House. His technical expertise in the phenomena of metals has made possible the application of clad metals to advance the design, improve the quality, and often lower the cost of innumerable consumer and industrial products. No company working on the technical frontier—and few countries in the hard core—of the durable goods industries have not benefited from the clad metals made practicable by his processes and apparatus. In the years ahead, materials fabricated by his processes will make possible new products with performance characteristics otherwise impossible to achieve. Clad metal coinage is but one example.

Ohio's Constitution Town: Louisville

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. BOW. Mr. Speaker, Ohio's "Constitution Town," Louisville, is preparing once again for its observation of Constitution Day and Constitution Week, an activity that has twice won for the town the George Washington Medal of Honor of the Freedoms Foundation.

It was my pleasure to be the speaker at the first Louisville Constitution Day observance 13 years ago.

This year honor will be paid to Rick Whitemyer and Keith Minton, 1965 graduates of Louisville High School, for their outstanding essays on the Constitution of the United States. The usual parade is planned and the principal address at the Louisville stadium will be given by Prof. H. H. Walker of Malone College in Canton.

Much credit for this annual patriotic observance must go to its original organizer, Mrs. Olga T. Weber of Louisville, and to the Clapper family, editors and publishers of the Louisville Herald, who have supported the program throughout the years in their newspaper.

I would hope that this kind of program would spread to many other American cities and towns. Ceremonies observing Constitution Day and Constitution Week should refresh our understanding of the God-given document that protests our freedom and liberty.

Nikola Petkov Memorial Observance

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. DINGELL. Mr. Speaker, the tragic story of the establishment of Communist dictatorships in the nations of Eastern Europe is well known. In direct violation of sacred agreements to support self-determination and freedom for these peoples who had suffered so long under the Nazi occupation regimes, the Soviet Union forced tyrannical puppet regimes upon them. In no other country is their perfidiousness and ruthlessness seen better than in Bulgaria. Operating through a front regime which relied on the terror of the Russian Army and local Communist "militia" bands the Communists summarily executed and silenced most opposition groups. Eventually all opposition parties were either destroyed or kept as powerless window-dressing official opposition groups.

But, Mr. Speaker, before this dismal history of brutality had run its course there appeared an example of courageous resistance to the destruction of freedom in this tortured land. Nikola Petkov was the leader of one of the non-Communist parties which fought to prevent the Communist takeover. Even before the struggle against Communist tyranny began at the end of the war, he had established a record of fighting the supporters of the Nazis in Bulgaria. When it became apparent that the Communists would not allow free elections in late 1945, which would surely have seen them thrown out of the positions in which the Russian Army had put them, Nikola Petkov left the government and began his tragic fight. It was a foregone conclusion that the Russian bayonets would win. But still he led the opposition, risking his life to keep alive the hope of freedom.

Finally by July 1947 the Communists felt that they were ready to make their most atrocious move in wiping out all real opposition. They arrested Petkov on a series of ridiculous trumped-up charges and had their parliamentary majority—won earlier by rigged elections—declare his opposition party illegal. Then, in as blatant a mockery of a trial as Eastern Europe saw in those terrible days, they had Petkov convicted of what was the supreme crime, opposing their tyranny. His witnesses were intimidated into falsely accusing him. One important witness was not allowed to testify, probably because the torture used on him made him unfit to appear.

Mr. Speaker, in a crowning conclusion to his heroic stand against the Red terror engulfing his land, Nikola Petkov resolutely fought the charges against him. He never admitted his guilt, although we may imagine the barbarities used in an attempt to make him justify the Communists' accusations. He went to his martyr's death on September 23, 1947, without ever giving in to his enemies. His judicial murder has shocked the civilized world and provided an example of courage and hope to all those millions still living under the despotism of their Communist masters. So long as such men will arise to fight against their oppressors, there can be no doubt that someday the countries like Bulgaria, whose national memorial day we honor now on September 23, will again be free and democratic.

Girl Scout Roundup

EXTENSION OF REMARKS

OF

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. HANSEN of Idaho. Mr. Speaker, the Girl Scout Roundup which visited Idaho for 2 colorful weeks a short time ago had something of the greatness of a panoramic service in a great cathedral that took a long time in the building. Compared to the years of preparation the service was short, but its effects will certainly endure through the years.

Surely the roundup taught us a lot about America, with its 9,000 senior Girl Scouts and 2,000 administrative personnel from all over our Nation. And surely the event taught us a lot about Idaho, too. It gave Idaho a real challenge and we simply had to measure up to it. Preparing for a Girl Scout roundup is like preparing for no other convention or meeting or similar event in the world. The coming and going of the biggest roundup marked the termination of months and even years of work for many Idahoans and hundreds of northwest people from neighboring States, too.

First there was a great concerted effort on the part of devoted State officials and many private citizens to see that Idaho was selected for the roundup. Idaho's Girl Scout leaders, many of whom had gained national prominence, were a big force in bringing Idaho to the attention of national scouting authorities. The choice was made and Idaho had to prepare the site at Farragut on Lake Pend Oreille by getting rid of a city-size foundation—that of the famous wartime naval base—and giving the land back to nature. It was a Paul Bunyan sized task. But Idaho National Guard units and Army Reserve units made the old concrete foundations disappear and greenery start growing again. Great trenches were bulldozed out of the earth, the rubble was bulldozed in and the ground covered with fertile soil again. Roads were opened up and the five great centers which had housed the Navy's trainees became ideal camping ground. Water lines, and sanitary facilities were built.

Idaho's Girl Scouts made trial runs with other councils of the Girl Scouts Ninth Region. They tested equipment, kept comprehensive weather reports, charted the camping areas, hiked trails, and timed them for patrols and troop-sized groups. They did a job worthy of the devotion demonstrated by our space technicians in readying an astronauts jaunt out of our world. Other groups of State, and Federal workers and private personnel checked all the area surrounding for standards in good water, sanitary conditions, level spaces for pitching tents, and setting up supervisors for the visiting campers following the roundup spread far and wide over the area near Farragut. There was also the necessity of setting up security measures with police, sheriffs, and hospitals. Several thousand people were placed near the roundup through these efforts. As an example of hospitality, the 40 of Idaho's famous Basque dancers who performed at the rendezvous entertainments were housed and fed by ladies of Coeur d'Alene. All in all it was an effort in which hundreds participated, and thousands were accommodated.

It proved something big for Idaho.

Not only can we thank the Girl Scouts for bringing Idaho a great event and great demonstration of Americanism in action, we can thank the Girl Scouts for teaching us something about ourselves. As Idahoans we found that though our population is not large, we can tackle the large problems worthy of the future of our big State. We found that we can work together for an ideal and made the work bring results.

The proof of the accomplishment is that now Idaho has been selected to host the Boy Scouts World Jamboree in 1967. Governor Smylie has pointed out that the Boy Scouts jamboree as an international event will be larger than the roundup, which was more national in scope. This time, Idaho will be playing host to the free world. It is a happy thing that the Girl Scouts have given us such a wonderful experience in playing host to our own United States. Thanks to their honoring us with a truly big, all-American event we learned to become good hosts on a statewide scale.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include my newsletter to the people of the Seventh District of Alabama for September 13, 1965:

WASHINGTON REPORT

(From Congressman JIM MARTIN)

FOREIGN AID FUNDS APPROVED—RESTUDY REJECTED

The House of Representatives, with an overwhelming Democrat majority, approved a $4.1 billion foreign aid bill. Although this amount is about $147½ million less than the President asked for in the 1966 budget, it is almost $92 million more than was spent on foreign aid in fiscal year 1965. This is a bookkeeping trick of the L.B.J. administration to make the people believe he is saving money—appropriation bills are passed which are below budget estimates, but higher than the amount spent in the preceding year. Thus, a Congressman can have it both ways by telling the people he voted to save money by cutting the President's budget, while actually he approves increased spending.

The minority views of the Republicans, which called for a restudy of the whole foreign aid program before approving additional billions was, as usual, rejected by the Democrat majority. The minority report to the foreign aid bill clearly shows how little is known about how foreign aid funds are used and how they are spent. For many years Republicans have presented some very basic reasons for redirecting our whole foreign aid program. The Congress and the American people have the right to know the size of American foreign aid programs.

CUTS COULD BE MADE

The minority report shows that foreign aid spending for 1966 could be cut without endangering U.S. foreign policy, conduct of the war in Vietnam, or our commitments to friendly nations. Here are some facts on foreign aid the people generally do not know:

1. The magnitude of foreign aid spending is not fully known by the average taxpayer. Total requests for foreign assistance purposes have been submitted to Congress this year amounting to over $7½ billion.

2. The unexpended balance (money appropriated in previous years and not yet spent) as of June 30, 1965, is estimated to be over $10.6 billion. This means we would not have to make any new appropriations for 2 years, plenty of time to restudy the whole program.

3. Our commercial trade balance with countries receiving our aid has dropped sharply since 1960. The Latin American commercial trade balance is particularly alarming.

4. There is a definite relationship between the gold outflow and the Federal Government's programs of spending in foreign countries.

5. We are frequently told not to worry about the dollars spent for foreign aid because most of them are spent in this country. This is not quite true. Close examination shows that money spent in this country is for total commodity purchases. In fiscal 1963 total foreign aid appropriations were $5.17 billion, but only $855 million was spent on commodity purchases, so only a small portion of foreign aid money is spent in this country.

6. There is strong evidence that administration officials pay little attention to the intent of Congress when it comes to spending the foreign aid money which Congress authorizes.

I do not advocate the complete elimination of all foreign aid programs, but before supporting additional spending greater emphasis must be placed on encouraging private development resources of our own and in the developing countries; and initiating projects of a grassroots nature such as feeding the hungry and development of education programs in which we know our aid will reach the mass of the people and not just a selected few foreign government officials.

WHAT WE REALLY SPEND ON FOREIGN AID

The people are led to believe that all foreign aid funds are in the mutual security bill. However, the following table shows the many foreign assistance programs and the amount the President has requested in the first 6 months of 1965:

New foreign aid funds requested in 1965

[In thousand dollars]

Foreign assistance requests, as amended (mutual security)	3,459,470
Receipts and recoveries from previous credits	209,770
Military Assistance Advisory Group	76,000
Export-Import Bank (long-term credits)	900,000
Public Law 480 (agricultural commodities)	1,658,000
Inter-American Development Bank (Latin America)	705,880
International Development Association (IDA)	104,000
Peace Corps	115,000
Contributions to international organizations	96,953
Permanent construction overseas (military)	85,986
Education (foreign and other students)	69,200
Ryukyu Islands	14,733
Migrants and refugees	7,575
Atomic Energy Commission (overseas)	5,900
Inter-American Highway (Latin America)	4,000
Total new foreign aid requests, first 6 months of 1965	7,512,467

Federal Government and Michigan: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. FINO. Mr. Speaker, I would like to tell the Members of this House about the unfortunate partnership of the State of Michigan and the Federal Government in making Michigan gambling a mob monopoly. If the Michigan and Federal Governments would legalize and regulate gambling, its revenues could be made to work for the public good, but so long as they keep it illegal, and negligently allow the mob to reap the profits of illegal gambling, they will be partners in all the evil financed by mob gambling profits. So, by their ignorance, the governments in Lansing and Washington will be partners in maintaining a multitude of sins.

Gambling is big business in Michigan. Last year, the parimutuel turnover came to $174 million. Illegal gambling is more extensive. Offtrack betting was estimated before the McClellan committee to be about $50 billion annually, and it was estimated that this was some 42 percent of the national illegal gambling total which would then be about $120 billion. On a population basis, Michigan's share of this amount would be $5.04 billion annually. The 10 percent of this turnover that stays in syndicate treasuries will finance a lot of crime. That 10 percent makes the joint negligence of the governments in Lansing and Washington worth about a half billion a year to the underworld. If this seems far fetched, it should be remembered that a Massachusetts commission 10 years ago found more money gambled in that State than spent on groceries, and the Justice Department has estimated underworld gambling profits at $11 billion a year nationally.

If Michigan would face up to the moral facts of life, it would cease to be a feeding trough for organized crime and gambling. Our States and Nation need Government controlled and operated gambling to make gambling profits work for and not against the people. The best mechanism is a lottery.

Government Employees Salary Comparability Act

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 14, 1965

Mr. RANDOLPH. Mr. President, it is my belief that to have a good Government representing our Nation we must have capable people in it. Many jobs often demand long hours and ceaseless work.

I am in favor of the principle of the pay raise legislation. To attract qualified employees to the civil service system, we must provide pay scales comparable to those offered by private industries.

It is mandatory that we arrive at an equitable level of compensation for our dedicated Federal employees.

Mr. Vincent E. Jay, executive vice president of the Federal Professional Association and Hon. Robert Ramspeck, consultant to the association testified before the Senate Post Office and Civil Service Committee on August 27, on the Government Employees Salary Comparability Act.

Mr. President I ask unanimous consent that their testimony be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

STATEMENT OF VINCENT E. JAY, EXECUTIVE VICE PRESIDENT, THE FEDERAL PROFESSIONAL ASSOCIATION

Mr. Jay. My name is Vincent E. Jay, executive vice president of the Federal Professional Association. This association represents career professional and managerial personnel serving the Federal Government through the Nation and the world. I am accompanied by the Honorable Robert Ramspeck, consultant to the association, and Dr. Lewis P. McCann, president.

The association is a nonpartisan, nonprofit, individual membership organization engaged in consultation, education, and research. It is composed of Federal employees from most managerial and professional disciplines represented in the Federal service. Many of our members hold top-level career positions as well as staff and line positions, both in Washington and throughout the field service. We try to present the views of the entire professional segment of the Federal service, ranging from accountants to zoologists.

The Federal Government is finding it increasingly difficult to retain the best people for the most important managerial and professional positions, principally because of competition from private industry, universities, research organizations, trade associations, and the growing number of foundations.

While Government salaries have largely kept pace with rates paid in the private sector for employees in the densely populated clerical and postal grades, they lag in important higher level professional and managerial positions. It is imperative in the national interest that this discrimination against the most responsible members of the public service be ended as soon as possible.

The association's primary concern with regard to salary legislation is the early attainment of salary comparability for all Federal employees. The association believes that the administration has shown the way to this objective in the so-called administration bill, H.R. 8207.

This bill contains features that would facilitate early attainment of salary comparability for all grades. The most important feature in the bill is the responsibility assigned to the President of the United States to review and adjust salaries annually in accordance with the principle of salary comparability with the private sector of our economy, which the Congress established in 1962. The factual information gathered by the Bureau of Labor Statistics would make possible appropriate and proper comparisons.

For the Congress to authorize this responsibility and authority for the President would bring to the Federal Government one of the key management principles of major industrial organizations—that the Chief Executive must have the authority to make management decisions, while the board of directors—in our case, the Congress—and I have heard the former chairman, Olin Johnston, speak of the Congress as the board of directors—retains control in the form of veto rights. In effect, such a delegation of authority would raise the prestige and stature of the Congress. You have already given to the executive branch this kind of authority with respect to trade and craft employees whose salaries are periodically reviewed and adjusted locally by wage boards.

I will move over to the chart at this point, if you will excuse me.

This chart has two lines, and you have a copy of the chart in the statement. The orange line shows the wage board grade 7, the red is the GS–4.

Now, these two positions that are used here as a demonstration were comparable in 1943. The salaries were just about equal. By converting the 86 cents per hour, you come out with something like $1,786, or right close to the $1,800 for the GS–4.

In skills, training and so forth, they are comparable. As they go through, the trend shows that from 1943 through 1964, because of the annual review and adjustment, the wage board employee has been doing far better on his salary adjustment than the GS–4 employee to the extent where the difference is about $824, as of 1964 figures.

I was able to obtain the latest data on the wage board grade 7, which is $2.62, as opposed to $2.55 last year, so this would raise it still further to $968, or nearly a thousand dollars difference between these two formerly comparable positions.

We feel that this significantly demonstrates the importance of orderly salary review and adjustment on an annual basis for employees in the classified service, even at the lower grades. We strongly urge this committee to include in any bill you may adopt the provision that will allow the President to review and adjust Federal classified employees' salaries annually, with the President's recommendation to go into effect within a reasonable time period unless either body of the Congress disapproves.

We also urge the establishment of a Federal Salary Review Commission for the purpose of reviewing and adjusting congressional, executive, and judicial salaries every 4 years, also subject to the consideration and disapproval of the Congress.

The case for comparability needs no argument. It is true, however, that those Federal employees who are furthest from achieving salary comparability are those on whom the President and the Congress rely to perform the most important functions in the Federal service—the professional and managerial employees in the middle and upper grades.

This chart demonstrates the existing gap, in percentage and in dollars, between the salaries of these classified employees and their counterparts in the private sector of our national economy.

We have a green line showing the dollar lag between grades, starting at grade GS–2 through grade 18, showing that the dollar lag for, say, a GS–9, which seems to be about in the middle, is slightly more than $500, whereas the dollar lag at grade 17, where the point is the highest, is slightly over $2,500, and this, of course, would be an even greater lag if we had 1965 data.

The yellow line shows the percentage of increase that the Congress would have to provide for full comparability to be achieved at all grade levels.

The Chairman. I do not understand the green line.

Mr. Jay. The green line is the dollar difference.

The Chairman. The dollar figure?

Mr. Jay. The dollar difference; yes, sir.

The Chairman. All right.

Mr. Jay. It goes up much more sharply than the percentage line because of the salary differences in the higher grades.

The Chairman. In other words, you calculate in the grade 18 that the percentage would be 10 percent below comparable private wages, is that it?

Mr. Jay. Just about that; yes, sir.

The Chairman. It stays about 10 percent from grade 11 to grade 18, is that correct?

Mr. Jay. Yes, sir.

The Chairman. Below grade 11, down to grade 1, it gravitates between grade 10 and grade 6, at a comparability level of around 5 percent?

Mr. Jay. That is right. The lag varies between 5 and slightly over 10 percent through the entire grade level; but, in the grades that you have identified, it is between 5 and, perhaps, 8 percent.

The Chairman. I was just trying to identify the table, because I am concerned with it.

Mr. Jay. The chart that I have just described measures only the lag through 1964. It would show an increase if 1965 salary data were available. Average salaries have been rising at about 3 percent a year in recent years, perhaps more than that.

The dollar loss at GS–9 is approximately $600, extending to over $2,500 at GS–17. Much of this gap was caused by the transfer of approximately $120 million from the middle and upper grades to the lower grades in the last pay bill. It is only proper and equitable that this sum be restored to the managerial and professional employees.

However, as responsible employees, we are concerned about overburdening the budget which has been carefully planned by this administration. Therefore, this association supports and urges the passage of the administration's pay legislation, H.R. 8207, in toto, as originally submitted by Congressman Udall.

We believe we should willingly accept a 3-percent across-the-board pay increase now, even though this would leave us well below comparability, in exchange for the enactment of the orderly pay adjustment provisions.

We consider the latter of paramount importance, believing they would facilitate the eventual attainment of full comparability when, in the judgment of the administration, this could be done without jeopardy to the national economy.

If the Congress, in its wisdom, should decide not to approve the provisions for annual administrative adjustments and a quadrennial commission, we respectfully request the restoration of at least the lost $120 million to the middle and upper grades. Even restoration of the full $120 million would still leave the middle and upper grades below full comparability.

This ends my prepared statement, Mr. Chairman. I believe the Honorable Mr. Ramspeck and President McCann may have some additional comments to make, and I would appreciate it if Mr. Ramspeck would act as our anchor man. He is the best possible anchor man that we could have.

The Chairman. He has had a good deal of experience in all civil service matters.

Mr. Jay. We will be glad to answer any questions, of course, sir.

The Chairman. President McCann, do you have a statement?

Dr. McCann. Mr. Chairman, I think Mr. Jay has covered the issues that the association as a whole is concerned with. May we turn to our anchor man, Mr. Ramspeck?

STATEMENT OF HON. ROBERT RAMSPECK, CONSULTANT, THE FEDERAL PROFESSIONAL ASSOCIATION

Mr. Ramspeck. Mr. Chairman, as you and Senator Carlson know, I served in the House with both of you, enjoyed it very much. I was there from 1929 through 1945 and was a member of the Civil Service Committee of the House. At that time it was separate from the Post Office Committee.

The Chairman. You left the Congress then to become Chairman of the Civil Service Commission, did you not?

Mr. Ramspeck. No, I resigned from the Congress December 31, 1945, and became executive vice president of the Air Transport Association.

In 1951, when we were in the Korean war, the President asked me to take the chairmanship of the Civil Service Commission, which I did, on March 15, and I served through 1952.

I then spent 9 years as vice president of Eastern Airlines, and for the record I would like to say that both in Eastern and in the Air Transport Association I had some managerial administrative experience, and for 3 years after I retired from Eastern, I handled the hearings on grievances of nonunion employees of Eastern.

Out of the experience that I had, both in the Congress and in private industry, it became my very strong conclusion that the efficiency and the economy of any operation depends upon the administrative officials and the people who must be the leaders of numbers of employees if we are to have a good operation.

When these gentlemen began to organize the Federal Professional Association, they asked me to sit in on the founding committee, which I did, and I became very much interested in it and have since its formation acted as its consultant.

I became interested in it because it is the only organization of Federal employees that I know anything about which represents the people who must be the leaders in giving us good Government.

I do not mean to be critical of other organizations. I have great respect and admiration for the leadership of the postal clerks and the carriers and the other people in the postal service, and for the AFGE and the NFFE, but necessarily, they are oriented to the mass numbers of employees and they cannot be to the people that the Federal Professional Association represents.

In addition to the things I have mentioned, I have served on the panel which was set up by Senator Carlson when he was chairman of this committee, which studied the postal service, and recently I served on a panel for the Postmaster General on postal rates.

I served also on a salary study committee set up by the late President John F. Kennedy, at which time I recommended that the panel suggest a salary of $35,000 for the Members of Congress, with $5,000 of it being tax deductible if expended for expenses incident to the job.

I am sorry you did not accept the $35,000, because I know you need it. The last year I was in Congress, Mr. Chairman, I kept an accurate account of the money which I had to spend because of the job I held, and I would have been just as well off working outside of the Government for $4,500 a year as I was in 1945 as a Member of the Congress.

The next year I worked with the Air Transport Association and they paid me twice as much salary, and in addition all of my expenses, and I could save some money—which I did. The reason that I quit the Congress was simply because I could not save any money as a Member of Congress, so I sympathize not only with your financial problems, gentlemen, but also with your complex problems in legislating for Federal employees and also for executives.

I come here this morning to urge your consideration of the needs, in this complex age in which we are living, for the people in the middle and the higher grades who must give the leadership to this Government if we are to get economy and efficiency. I think it is of the utmost importance and, while I am not here to oppose anything you may wish to do for the other employees, based upon my own experience in life (and it has been a pretty long one) and my experience in employment outside the public service, I think that this Government can be improved if we can keep the good people who come into the Government that are now being siphoned off by trade associations, by corporations, and by other private employers.

I found when I went down to the Air Transport Association that most of those people down there came out of the Government and the present president of the Air Transport Association, with whom, Mr. Chairman, I know you are well acquainted, Mr. Tipton, started his business career in the Treasury Department of the U.S. Government. Many of the other people in all of trade associations that I got acquainted with when I was with the Air Transport Association are people who had been offered more money outside of the Government and, of course, those private employers pick the best persons they can find.

So I think this committee and the Congress have a responsibility, which I am sure they will meet, to give us the best leadership we can get in the responsible management positions in this Government.

I have learned from experience that people operate better if they have good leadership.

The Government has become more complex and the problems involved are such that we cannot operate with mediocre people, and if we were left in the Government only with those who do not have much ambition or whose abilities are limited, we are not going to have good government.

It is a pleasure, Mr. Chairman, to see you sitting in that seat. I served with you in the House, and with Senator Carlson and with Senator Jennings Randolph. In fact, Senator Randolph succeeded me as chairman of the House Civil Service Committee.

I am now what is called a senior citizen, I guess. I am retired. When I left the Civil Service Commission I retired under the Civil Service Retirement Act, not under the Congressional Act, I am sorry to say.

I also retired under the Social Security Act, having been employed outside, so my chief activity in life today is to be interested in what you all are doing up here and if I can be of any help, I am glad to do it.

I appreciate your listening to me and I hope you will give consideration to what is, in my personal opinion, a great need in Government today—to make salaries adequate so that we can keep the best people possible for us to get in the managerial and administrative, scientific, and professional fields. We need them, we must have them, and I am sure you all realize that.

Thank you, Mr. Chairman.

The Chairman. Mr. Ramspeck, thank you very much.

If we reach the comparable level that is paid in private industry to those in grades up to 18, you feel that these leaders in professional and scientific fields would continue—would choose to remain in Government rather than leaving and seeking careers in private industry?

Mr. Ramspeck. I think most of them would, Mr. Chairman, because the Government has a good retirement system. The fact is, I think many of them who have stayed in have stayed only because they have a good many years of service and the retirement has been made very good. It is a generous system and, with the exception of perhaps some private corporations who provide very large retirement for their executives, I do not know of anything that can be compared with it.

The Chairman. How many people would you estimate are the employees your group is seeking a comparable pay scale for? I do not mean the membership of your association, I mean how many in Government actually are involved in the type of leadership and the type of peculiar, unusual, and, in many cases, scarce skills in professions and knowledge?

Mr. Ramspeck. I think that there are approximately 250,000 of them, Mr. Chairman.

The Chairman. 250,000.

Mr. Ramspeck. That is the evidence I have been able to get. In other words, about 10 percent of the people who come under the Classification Act.

The Chairman. And these represent men of all degrees and all grades, probably ranging up from, what—a GS-10 or below that? Where would you say they start?

Mr. Ramspeck. Probably a few below that, but most of them are from there on up.

They are people, as you have described, with various capacities—scientists, lawyers, doctors and other professional persons. They are an important part of this Government, more so today than ever before, in my opinion.

The Chairman. We have gone into so many new activities that require these professional and scientific skills. That makes it even more important.

Mr. Ramspeck. Yes, sir.

The Chairman. Thank you.

Senator Randolph, do you have questions?

Senator Randolph. Mr. Chairman, I am especially happy to be at this hearing when our former colleague is testifying. I do not want to presume to express appreciation to him for his service over a long period of time, but I do wish to have this record reflect the leadership of Robert Ramspeck for so many years on behalf of the Federal employees.

I wish to discuss very briefly the matter that you, former Representative Ramspeck, are now discussing—the value of professional people drawn from other fields to the Federal service.

I do this with a criticism of the present program, and I hope it is not carping criticism. I believe there are too many persons that are called into Government on a rather shuttle basis—they go back and forth, they come from universities. These are capable people, but they are here for 6 months; then they depart.

There are men and women drawn from other fields of endeavor that come into the Government and are here for only a few months and then return to other vocations.

I think this is wrong. I think we are doing an injustice to our leadership program within the agencies of Government when these people come in for a few months and then leave.

Now, I realize that there are times when we must call these people in, but I would like to have the comment from Representative Ramspeck as to whether my observation is valid.

Mr. RAMSPECK. Mr. RANDOLPH, I think it is valid. I served on the task force of both Hoover Commissions. If my memory is correct, the average length of service of under secretaries and assistant secretaries in the executive branch of the Government at that time was listed at 18 months. I do not know what it is today, but I felt at the time—and I still feel—that no man can master the problems of one of our executive departments in so short a time. The last Hoover Commission task force recommended that some method be devised for getting a clear division between the career people and the political appointees, and to develop a panel of political people who could serve on appointment, and I still think that is a desirable objective.

Just how we can get it, I do not know, but I think your criticism is valid, Senator RANDOLPH. It is one of the problems of the Government to have people come and go, come and go. It is a very difficult problem.

Mr. JAY. Mr. Chairman, if I might respond to that also, I agree wholeheartedly. The Federal Professional Association is less than 3 years old, and at our founding conference the members at that time identified as one of the primary objectives of the association the establishment of a true career service for professionals.

It is important, indeed, to have people coming from universities, foundations, industry, and so forth from time to time, but in addition to this, it is even more important that a solid career service be established.

Senator RANDOLPH. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator RANDOLPH.

Senator RANDOLPH. I will not pursue the matter longer in connection with the important hearing today. However, I believe it is a subject that our chairman and members of the committee would wish to consider. It could well be studied by our staff and we could perhaps have a hearing on it at a later date.

The CHAIRMAN. Certainly the careermen in our scientific and professional levels are difficult to recruit and once we have them, we do not like to have them drained off by private industry. A reasonable salary is something comparable to what they would receive in industry.

Senator CARLSON. One of the joys you have out of having a rather lengthy service in the Congress of the United States is the pleasure of having been associated with, working with, and knowing people like Robert Ramspeck. I have known him for many years. I have appreciated the distinguished service he rendered in the Congress and outside of the Congress. He never hesitated to take some of these positions that are of real value to our Federal Government, by serving on various boards and commissions.

He has rendered service, he is still rendering it, and I not only hold him in high regard, but also his recommendations. I do appreciate so much your appearance and I would say that the professional men of our Government have outstanding representation in the three men who are here this morning.

Senator RANDOLPH. Thank you, Senator.

The CHAIRMAN. Thank you, Senator CARLSON.

We do appreciate your appearance here, President McCann, Mr. Jay, and your friend, Mr. Ramspeck, and we thank you for giving us the benefits of your testimony.

Mr. MCCANN. On behalf of our group we thank you very much, gentlemen, for giving us the opportunity to appear here this morning.

The People's Right To Know

EXTENSION OF REMARKS

OF

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. VAN DEERLIN. Mr. Speaker, one often hears the administration criticized for "news management" and infringement on the people's right to know. Some, but by no means all, of such criticism has stemmed from genuine grievances in press circles against bureaucratic obstruction in their work.

Important elements outside Government have recently sought to establish new standards of press privilege. My longtime associate, Larry Sisk, managing editor of the San Diego, Calif., Evening Tribune, has undertaken a series of articles on the subject. One installment consisted of an interview Mr. Sisk conducted with our distinguished House colleague, Representative JOHN MOSS. As chairman of a Subcommittee on Information in the Committee on Government Operations, Mr. Moss has long defended the right of access to all legitimate news in the public domain.

Mr. Speaker, under unanimous consent I insert Mr. Sisk's article from the San Diego Evening Tribune for August 25, 1965:

PRESS RIGHTS VITAL, REPRESENTATIVE MOSS SAYS

(By Larry Sisk)

Survival of a representative democracy depends on a public that is well informed by its newspapers, said the country's most active official exponent of the people's right to know.

That official is California's Representative JOHN E. MOSS, a Member of the U.S. House of Representatives since 1952. He has headed the House Government Information Subcommittee 10 years, continually fighting secrecy in Government and opposing restrictions on press access to information.

"A representative democracy depends on a good solid foundation of informed people able to make wise decisions of Government because they are well informed," he declared in an interview with the Evening Tribune.

"The reporter is a very important part in the pipeline that brings information from the source to the public," he said.

Moss was interviewed in his Washington office, his opinions solicited in view of recent bar association criticism of newspaper reporting, especially in the field of law enforcement and criminal trials.

Several bar associations in the East and a number of representative attorneys, including Attorney General Nicholas Katzenbach, have proposed secrecy codes that would restrict access by the press to news about crimes and criminals.

A dimout of information is desirable, they have said, because accused persons have better chances at fair trials if evidence of their crimes is kept secret until revealed in court.

"We need a lot of public dialog on the requirements for information about a person suspected of crime for the protection of his rights," Moss said, "and I don't think any of us wants to tramp upon those rights.

"Excessive publicity exploiting the handling of a criminal case for the advantages of the prosecuting attorney is known to have occurred; we should be intolerant to that.

"But we should be intolerant toward a too-protective attitude also."

Moss was especially critical of the restrictive guidelines issued to all Justice Department personnel.

"The guidelines are loose," Moss said. "They are inherently overly restrictive, and they should not have been promulgated without far more discussion."

Asked if he thought the Katzenbach guide sets a precedent on which police and other Government agencies might issue secrecy instructions, Moss replied:

"Very definitely; the Federal Government is a major force in developing public policy. The policy followed by the United States Department of Justice undoubtedly can spill over and become the policy followed by the local police force.

"There are always those local officials who want to prove that they're more competent and more imaginative than their big brothers in Washington."

Moss is neither lawyer nor newspaperman. He is a Sacramento businessman and real estate broker. In addition to representing his Third California District as a Democrat, elected in the past on both the Republican and Democratic tickets, he has made it his duty to be well informed on all phases of Government, on the public's need also to be well informed, and to battle to keep open the channels of information for free access by the press.

"The public is going to be informed only if there is a resourceful reporter on the job," Moss declared.

"A right of the newspapers to publish as provided by the first amendment, would be meaningless without a right of access. A right to speak without the right to have information upon which to base a judgment for such speech or statements would be meaningless.

"I think the rights to information are inherent in the rights of speech and press.

"The men who framed the Constitution had a reverent attitude toward the rights of the people—absolute, only modified as the overall body politic demanded for its own survival."

About sensationalism, of which some newspapers have been accused—sensationalism is not necessarily equated with irresponsibility, he said.

"If a newspaper wants to headline a grisly murder, it isn't necessarily irresponsible," Moss said. "It may be a matter of a little bit of bad taste or undue emphasis, but the murder actually took place and it was a grisly affair. That was the information available.

The interviewer asked, how can newspapers improve their service on behalf of the public's right to know?

"There must be a greater public awareness of the final impact of Government policies," the Congressman declared. "The little, apparently insignificant, withholding or refusal of information today—the little bit of bureaucratic arrogance—frequently becomes the precedent upon which reliance rests for a far more outrageous act of withholding. We can't permit this to go by the board. None of this is unimportant.

"The press has to be alert.

"Access to information is a public right, the press having no greater right than the individual. But the press is, peculiarly, the custodian of this right—trustee of it. It is a trust that should be taken very seriously."

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my report to my constituents for May 6, 1965.

WASHINGTON REPORT

(From Congressman JIM MARTIN)

CLEAN WATER BILL

By a unanimous vote of 396 the House passed S. 4, the Water Quality Act of 1965. This is now a bill I supported. It was improved in the Public Works Committee, of which I am a member, largely through Republican efforts. As stated in the Republican views in the report on the bill, "The critical and growing problem of pollution of the waters of our Nation has been of steadily increasing concern to us, and it has become obvious that a solution can be found only through the concerted action of all levels of government." The amendments we were able to add in committee removed Federal standards, gave more incentive to the States to bear their full share of responsibility for cleaning up our rivers and streams, and encouraged continued effort on the part of private industries to solve the pollution problem.

THE INEQUITY OF FINANCING SOCIAL SECURITY

In remarks to the House of Representatives last week I again pointed out the danger of increasing the inequity of financing the social security system by adding medicare and ever-increasing benefits and depending on future generations to pay the bill. I objected to the medicare bill when it was before the House because it is needlessly compulsory and because it is financed by a regressive payroll tax that will reduce the take-home pay of many people who cannot afford to pay additional taxes. We are proposing to take almost $5 billion more in taxes next year just for social security purposes. The present $17 billion we now collect in social security taxes will almost double by 1972, and the total will continue to mount after that.

Under medicare proposals we are adding many billions of dollars to the more than $300 billion of existing unfunded obligations of the social security system. This huge deficit in financing social security means that younger and future members of our working population will be subjected to the inequity of having to pay not only the cost of their own benefits, but also the cost of beneficiaries who had preceded them in the program.

As our young citizens become aware of the fact that social security is not the bargain it now appears, we will find a growing resentment developing with respect to the irresponsible way we have approached our responsibilities. In order to protect the social security program of the future, we must stop weakening it by adding new programs and new benefits without providing adequate financing.

OBSERVATIONS AT THE END OF THE FIRST 100 DAYS

Much is being made of the quantity of legislation passed by this Congress in the first 100 days under pressure from Lyndon Johnson. But it has been pointed out by the Washington Evening Star that "quantity is not the same as quality." Much of the legislation that has been passed will return to haunt us. The big push of the Johnson administration has been to fortify its political position by increasing spending, increasing handouts, increasing Federal control. Congress is given no opportunity to deliberate or to consider legislation reasonably and thoroughly.

The prevailing attitude among the liberal majority in Congress is to be one of "take this legislation as it is—or else. Do not question the President. Do not waste time pointing out flaws in the bill—just pass it." Usually, a controversial bill is discussed in detail. Its immediate effect is considered. Its long-range results are analyzed and debated. This is good government, the proper way to legislate. It means progress, sometimes slow, but sure and steady and keeps mistakes at a minimum. But during this 100 days, the deliberative process in Congress has gone by the board. Legislation affecting all our lives and the lives of generations to come, is being pushed through Congress, some even without debate.

As bad as legislating under pressure from the White House, and maybe worse as far as danger to our Republic is concerned, is the increasing secrecy surrounding congressional actions. No less an authority than Congressional Quarterly magazine reported that, during the first 3 months of this session, Senate and House Committees held 35 percent of their meetings behind closed doors, compared to 31 percent last year. Even the pro-Johnson Washington Post said this "is a serious reflection on the state of our representative Government."

Such a far-reaching bill as medicare was pushed through the Ways and Means Committee without public hearings. Bill after bill is being reported without giving the people a chance to be heard. With Congress in the control of the President's party by a 2-to-1 majority, the voice of the minority is being stifled and representative government is threatened with extinction.

There is still hope. Hope because the minority in Congress is alert. We are doing our best to get the truth out to the people. When they know the facts, I am confident in the ability of the American people to demand an end to legislation by pressure, coercion and bribery. We should take heart, too, in remembering that the original 100 days began at Elba and ended at Waterloo.

SENATE

WEDNESDAY, SEPTEMBER 15, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, in whose keeping, in spite of the willful folly of Thy wayward children, are the destinies of men and of nations, Thou hast called us whose time here is passing swiftly as a watch in the night to labor with Thee in the unfolding of Thy purpose for the ages.

In the midst of decisions that concern fearful forces of nature which if not harnessed by mutual good will or even by self-interest, may destroy us utterly, making a mockery of the flimsy pretension of our frontiers and spiteful walls, may there be given to those who speak for the nations in these dread times greatness of outlook that the keys of the new power in man's hands may be used to open doors not of peril but of plenty for the whole earth.

In all our deliberations strengthen us with the realization that in the supreme tests only the soul is decisive and that only the spirit can save the flesh.

We ask it in the name of Him who in human flesh revealed the soaring splendor of the spirit. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 14, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations; the Committee on Interior and Insular Affairs; and the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Vernol R. Jansen, Jr., of Alabama, to be U.S. attorney for the southern district of Alabama;

Macon L. Weaver, of Alabama, to be U.S. attorney for the northern district of Alabama; and

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia.

By Mr. BAYH, from the Committee on the Judiciary:

Casimir J. Pajakowski, of Indiana, to be U.S. marshal for the northern district of Indiana.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the executive calendar.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations on the Executive Calendar for the United Nations only.

The VICE PRESIDENT. Without objection, it is so ordered.

UNITED NATIONS

The legislative clerk proceeded to read sundry nominations to the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the VICE PRESIDENT:

Petitions signed by Valdis Bervalds and Ingeborg Bervalds, both of Manchester, Conn., relating to the liberation of the Baltic States; to the Committee on Foreign Relations.

A resolution adopted by the House of Delegates of the American Bar Association, approving in principle the provisions of title II, of House bill 8207, insofar as they provide procedures relating to judicial and congressional salaries; to the Committee on the Judiciary.

A resolution adopted by the Schenectady Typographical Union No. 167, favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; ordered to lie on the table.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts (Rept. No. 712).

By Mr. TYDINGS, from the Committee on the Judiciary, with an amendment:

S. 1804. A bill to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes (Rept. No. 711).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

S. 1407. A bill for the relief of Frank E. Lipp (Rept. No. 713); and

H.R. 4596. An act for the relief of Myra Knowles Snelling (Rept. No. 714).

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

S. 1049. A bill to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees (Rept. No. 715);

H.R. 1395. An act for the relief of Irene McCafferty (Rept. No. 716);

H.R. 2694. An act for the relief of John Allen (Rept. No. 717);

H.R. 4603. An act for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy (Rept. No. 718);

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps (Rept. No. 719);

H.R. 5902. An act for the relief of Cecil Graham (Rept. No. 720);

H.R. 6726. An act for the relief of William S. Perrigo (Rept. No. 721); and

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss (Rept. No. 722).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 27. Joint resolution providing for the establishment of an annual National Farmers Week (Rept. No. 723);

S.J. Res. 86. Joint resolution to authorize the President to proclaim a "Day of Recognition" for firefighters (Rept. No. 724);

S.J. Res. 90. Joint resolution to designate the 7th day of November in 1965 as "National Teachers' Day" (Rept. No. 725); and

S.J. Res. 101. Joint resolution to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible" (Rept. No. 726).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris (Rept. No. 727).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 331. A bill for the relief of Warren F. Coleman, Jr. (Rept. No. 729);

S. 337. A bill for the relief of F. F. Hintze (Rept. No. 730);

S. 577. A bill for the relief of Mary F. Morse (Rept. No. 731);

H.R. 1221. An act for the relief of Betty H. Going (Rept. No. 732);

S. 2273. A bill to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes (Rept. No. 747);

H.R. 2926. An act for the relief of Efstahia Giannos (Rept. No. 733);

H.R. 2933. An act for the relief of Kim Jai Sung (Rept. No. 734);

H.R. 3062. An act for the relief of Son Chung Ja (Rept. No. 735);

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal (Rept. No. 736);

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis (Rept. No. 737);

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force (Rept. No. 738);

H.R. 5903. An act for the relief of William C. Page (Rept. No. 739);

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes (Rept. No. 740);

H.R. 7090. An act for the relief of certain individuals (Rept. No. 741);

H.R. 8212. An act for the relief of Kent A. Herath (Rept. No. 742); and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States (Rept. No. 743).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1898. A bill for the relief of certain aliens (Rept. No. 728); and

S. 1924. A bill to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act (Rept. No. 744).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 405. A bill for the relief of Gabriel A. Nahas, Vera Nahas, Albert Gabriel Nahas, and Frederika-Maria Nahas (Rept. No. 745); and

S. 2039. A bill for the relief of Yasuo Tsukikawa (Rept. No. 746).

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—REPORT OF A COMMITTEE—MINORITY, ADDITIONAL, AND SEPARATE VIEWS (S. REPT. NO. 748)

Mr. KENNEDY of Massachusetts. Mr. President, from the Committee on the Judiciary, I report favorably, with an amendment, the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes, together with the minority views of the Senator from Mississippi [Mr. Eastland], and the Senator from Arkansas [Mr. McClellan]; the additional views of the Senator from North Carolina [Mr. Ervin]; and the separate views of the Senator from Michigan [Mr. Hart], the Senator from New York [Mr. Javits], and the Senator from Massachusetts [Mr. Kennedy], and I submit a report thereon.

I ask unanimous consent that the report, together with the minority views, additional views, and separate views be printed.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Massachusetts.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (by request):

S. 2534. A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 2535. A bill to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 2536. A bill for the relief of Shiad Tan Ming; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2537. A bill for the relief of Rina Centofanti; to the Committee on the Judiciary.

By Mr. BARTLETT (by request):

S. 2538. A bill to amend section 607(d) of the Merchant Marine Act of 1936, as amended; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

REGULATION OF DEPRECIATION ACCOUNTING OF AIR CARRIERS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers. I ask unanimous consent to have printed in the RECORD a letter from the Vice Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of purpose and need for the legislation, and a comparison with existing law.

The PRESIDING OFFICER (Mr. BASS in the chair). The bill will be received and appropriately referred; and, without objection, the letter, statement, and comparison will be printed in the RECORD.

The bill (S. 2534) to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, statement, and comparison, presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., August 24, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers."

The Board has been advised by the Bureau of the Budget that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the administration's program.

Sincerely yours,
ROBERT T. MURPHY,
Vice Chairman.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION; A BILL "TO AMEND THE FEDERAL AVIATION ACT OF 1958 SO AS TO AUTHORIZE THE CIVIL AERONAUTICS BOARD TO REGULATE THE DEPRECIATION ACCOUNTING OF AIR CARRIERS"

In common with other regulatory acts, and carrying forward the provision of section 407 (d) of the Civil Aeronautics Act, the Federal Aviation Act of 1958 directs that the Board shall prescribe a system of accounts to be kept by air carriers.

Under the authority of section 407(d) to "prescribe the forms of any and all accounts," the Board has proceeded, since its establishment, to prescribe the uniform system of accounts required to be kept by all certificated air carriers. The controlling purpose of such a uniform system of accounts is to provide the Board with financial statements which fairly reflect the financial condition of the air carrier, on the one hand, and the operating results of the carrier for a given period of time, on the other hand. The purpose of the system of accounts is to prescribe uniform practices which will provide, in general substance, comparable information in respect to each of the various carriers subject to the accounting regulations. Financial statements would, of course, be useless to the Board unless they fairly reflected the actual condition of the carriers and the actual operating results of the services performed for the period reported.

Since the enactment in 1938 of the Civil Aeronautics Act, the Board has, in general, prescribed rates of depreciation as a part of its ratemaking process. The depreciation rates so prescribed through the ratemaking proceedings of the Board were generally used by air carriers for accounting purposes, and so long as the depreciation rates fairly reflected the depreciation costs as determined in the rate proceedings, further prescription of these rates through accounting regulation would have served no useful purpose. Moreover, while the industry was largely dependent upon Federal subsidies, the frequent review by the Board of the operating results of the carriers, including appraisal of the reasonableness of charges to expense for depreciation on property and equipment, tended to insure uniformity in depreciation practices. However, with the emergence of a large part of the industry from dependence upon subsidy, the opportunity for such frequent review of the reasonableness of depreciation charges to expense by the Board no longer existed. Nevertheless, the need for reliable financial data from which to appraise the true financial condition and operating results of the various air carriers continued.

In recognition of this need, and in connection with the establishment of an adequate uniform system of accounts, the Board undertook to prescribe the depreciation accounting practices of air carriers by the issuance of appropriate regulations (E.R. 224, adopted November 18, 1957). The courts held that the Board lacked authority to prescribe depreciation accounting practices. *Alaska Airlines et al.* v. *C.A.B.*, 257 F. 2d 229 (C.A.D.C., 1958), cert. den. 358 U.S. 881. Consequently, in order that the Board may effectively carry out its functions with respect to the depreciation accounting practices of air carriers, legislation is essential. Reliable and comparable financial data from which to appraise the true financial condition and operating results of the various air carriers is necessary to effective regulation. This cannot be readily obtained under the Court's interpretation of the act which permits the carriers full liberty to account for depreciation in accordance with any method they elect.

Furthermore, the proposed legislation would not involve any departure from well-established concepts pertaining to the regulated industries generally. On the contrary, it would bring the powers of the Civil Aeronautics Board in this field in line with similar powers already expressly given to other agencies such as the Interstate Commerce Commission, the Federal Power Commission and the Federal Communications Commission. (See 49 U.S.C. sec. 20(4), sec. 220(c), and sec. 913(d), 15 U.S.C. 717h(a), 16 U.S.C. 825a(a), and 47 U.S.C. 220(b)).

COMPARISON WITH EXISTING LAW

TITLE IV—AIR CARRIER ECONOMIC REGULATION

* * * * *

Accounts, records, and reports

* * * * *

Depreciation Accounting

Section 407(e): The Board may prescribe for air carriers the classes of property for which depreciation charges may properly be included under operating expenses, the method of depreciation accounting, the rate or rates of depreciation which shall be charged, the depreciation period and the residual value, with respect to each of such classes of property, classifying the air carriers as it may deem proper for this purpose. The Board may, when it deems necessary, modify the classes and rates so prescribed. To the extent that the Board shall have exercised its authority under the foregoing provisions of this subsection, air carriers shall not charge to, or in any form include under, operations expenses any depreciation charges other than those prescribed by the Board, or employ a method of depreciation, depreciation period, or residual value other than those prescribed by the Board.

Inspection of Accounts and Property

Section 407(f): The Board shall at all times have access to all lands, buildings, and equipment of any carrier and to all accounts, records, and memorandums, including all documents, papers, and correspondence, now or hereafter existing, and kept or required to be kept by air carriers; and it may employ special agents or auditors, who shall have authority under the orders of the Board to inspect and examine any and all such lands, buildings, equipment, accounts, records, and memorandums. The provisions of this section shall apply, to the extent found by the Board to be reasonably necessary for the administration of this act, to persons having control over any air carrier, or affiliated with any air carrier within the meaning of section 5(8) of the Interstate Commerce Act, as amended.

INVESTMENT OF CAPITAL RESERVE FUND

Mr. BARTLETT. Mr. President, I introduce by request, for appropriate reference, a bill to amend section 607(d) of the Merchant Marine Act of 1936, as amended. This legislative proposal is similar to S. 1918 which was introduced earlier this year. The bill is a refined and amended form of the bill introduced before taking into consideration a number of suggestions made by executive departments and agencies when commenting upon S. 1918. It is my hope that these amendments will answer the problems raised in the previous agency reports so that this legislation can receive attention early next session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2538) to amend section 607(d) of the Merchant Marine Act of 1936, as amended, introduced by Mr. BARTLETT, by request, was received, read twice by its title, and referred to the Committee on Commerce.

TO PRINT AS A SENATE DOCUMENT A REPORT ENTITLED "A BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION" (S. DOC. NO. 58)

Mr. SALTONSTALL. Mr. President, on behalf of the Senator from New Mexico [Mr. ANDERSON], pursuant to the requirements of section 4 of Public Law 106, 84th Congress (69 Stat. 189), I submit to the Senate, from the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution, a report entitled "A Building for a Museum of History and Technology for the Smithsonian Institution," and request unanimous consent to have it printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL OF SECTION 14(b) of NATIONAL LABOR RELATIONS ACT—AMENDMENTS

COMPULSORY UNIONISM

AMENDMENT NO. 453

Mr. ERVIN. Mr. President, no amount of sophistry can erase the truth that those who work for their daily bread must have the right to join or to refrain from joining a union if they are to be really free. The recognition of this basic liberty of the individual does not impair in any way any privilege rightly belonging to any union. Each union is left free to number among its dues-paying members all those it can induce by voluntary persuasion to join it. Surely it is no injustice to require a labor union to obtain its members in the same way in which the churches secure theirs.

From February 1957, until March 1960, I participated in the investigation of improper activities in the labor and management field as a member of the McClellan committee. The investigation made it obvious that the imposition of union membership upon unwilling employees by violence, coercive picketing, secondary boycotts, and compulsory unionism agreements was a primary cause of the vast corruption and maladministration, which was shown to exist in numerous unions acting as collective bargaining agents for several millions of Americans.

When all is said, it is not strange that this was so. Union leaders possess great power in fact and in law. As Lord Acton noted almost 100 years ago, power tends to corrupt, and absolute power corrupts absolutely.

Compulsory unionism requires union membership as a condition of either securing or retaining the privilege of earning one's daily bread in a unionized industry, and thus has an almost irresistible tendency to subject those who labor in such in industry to the domination of those who control the union. By so doing, compulsory unionism takes from union members any real power to protect themselves against union leaders when such leaders happen to succumb to the temptations which the possession of power presents to all men.

For this reason, all forms of compulsory-unionism agreements should be prohibited in a country which professes the belief that freedom is the most precious value of civilization. To accomplish this end, I have prepared an amendment in the nature of a substitute, which I intend to offer when the Senate considers H.R. 77.

I ask unanimous consent that my proposed amendment in the nature of a substitute for H.R. 77 be printed and lie on the table until called up, and that a copy of the same be set out at this point in the body of the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 453) is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) subsection (b) of section 14 of the National Labor Relations Act, as amended, is amended by striking out the words 'in any State or Territory in which such execution or application is prohibited by State or Territorial law', and inserting in lieu thereof the words 'anywhere in the United States'.

"(b) Section 7 of such Act is amended by striking out the words 'except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employments as authorized in section 8(a)(3)'.

"(c) Paragraph (3) of subsection (a) of section 8 of such Act is amended by striking out the first and second provisos.

"(d) Subsection (f) of section 8 of such Act is repealed.

"(e) Subsection (e) of section 9 of such Act is repealed.

"Amend the title so as to read: 'An Act to amend the National Labor Relations Act so as to prohibit all forms of compulsory unionism in the United States.'"

AMENDMENTS TO H.R. 77 TO INSURE UNIFORMITY OF NATIONAL LABOR LAW AND PROPER ELECTION PROCEDURES

(AMENDMENTS NOS. 454 AND 455)

Mr. JAVITS. Mr. President, I feel that there is great concern that the Senate may fail to consider much-needed labor reform measures simultaneously with the debate over H.R. 77, the bill to repeal section 14(b) of the Taft-Hartley Act. This concern is heightened when the "reform" amendments offered are closely related to the enhanced authority to be given, by repeal of section 14(b), to unions that are recognized as collective-bargaining agents. The two amendments I am about to submit have been widely discussed as expressly falling within this category; that is, directly related to the enhanced authority unions will receive if section 14(b) is repealed.

In my judgment, the possibility of a successful filibuster against repeal of the so-called right-to-work section 14(b) is greatly enhanced by the failure of the administration to allow reform amendments to the repeal bill. In short, we ought to be dealing with section 14(b) as a part of our labor laws, not as a law unto itself.

I point out that the administration is directly opposed to amendments to section 14(b) and that, by a solid party vote, such amendments were voted down in the Committee on Labor and Public Welfare, of which I am the ranking minority member. I say this is not in the interest of the United States. I yield to no one as a friend of labor. I am for repeal of section 14(b). But I point out that there is nothing sacrosanct about 14(b). I believe that at the same time 14(b) is repealed, there should be other amendments which would be consistent with the repealer.

If there is a sound, sensible, and responsible way to cut through the controversy surrounding this measure, it is to broaden the base of the bill to include solutions to defects in the Taft-Hartley law so closely related to repeal of section 14(b) as to demand simultaneous consideration so that we may all feel confident that we have passed a bill which is truly in the public interest.

I say these things as one who feels that section 14(b) should be repealed to give us a truly national labor policy, to equalize the opportunity and competition among the States in industrial development, and to lift the restrictions on labor and management to bargain collectively regarding matters of importance to them—including the union shop.

Coupled with repeal should be measures to provide added responsibility to complement the added authority granted to unions and employers under this measure.

Accordingly, I am submitting two amendments today which are designed to insure that only majority unions exercise majority power, and that such power will be exercised responsibly.

ENFORCEMENT OF NO-STRIKE, NO-LOCKOUT CLAUSES—AMENDMENT NO. 454

Mr. President, I send to the desk, on behalf of myself and Senator PROUTY, an amendment to H.R. 77 which would give the Federal courts jurisdiction to enforce no-strike, no-lockout clauses in labor agreements containing the customary arbitration clause.

The two basic arguments made by the administration in support of repealing 14(b) are: First, that national law should be uniform; and, second, that the parties should be free to bargain about matters of importance to them. Both of these arguments support not only H.R. 77 but this amendment as well, for the amendment also involves an area where the parties now are not free to bargain for a meaningful agreement, and where the law now varies from State to State.

Under existing law, the parties may sign a labor agreement including a clause prohibiting strikes and lockouts during the term of the agreement. Ordinarily, such a contract also contains a clause whereby the parties agree to arbitrate contract disputes, in lieu of striking or locking out. The arbitration clause is enforcible in Federal courts; but the no-strike, no-lockout clause is not enforcible because the Federal courts, under the Norris-LaGuardia Act, have no jurisdiction to enjoin a strike—even a strike in breach of contract.

This amendment would give such jurisdiction to the Federal courts, provided the parties agree to arbitrate contract grievances rather than striking over them.

In short, this proposal would merely leave the parties free to bargain about the matter, as H.R. 77 would merely leave the parties free to bargain about the union shop. Likewise, this amendment, like H.R. 77, would eliminate one of the few remaining instances in which labor relations law is left to variation from State to State. The arguments for the amendment are as strong as the arguments for the bill—and there is no difference in rationale between the two.

The purpose of the National Labor Relations Act as a whole is the fostering of industrial peace by development of orderly procedures for the resolution of labor disputes. Repeal of 14(b) enhances that purpose, but I can think of nothing which would foster that purpose as much as a congressional mandate that when the parties agree not to strike, they should be held to that bargain.

EXPEDITED ELECTION IN LIEU OF RECOGNITION BY "CARD CHECK"—AMENDMENT NO. 455

Mr. President, I send to the desk an amendment to H.R. 77 which would provide for the holding of an expedited election in lieu of recognition of the basis of authorization cards or similar evidence purporting to show that a majority of an employer's employees wish to be represented by a union.

If we are to permit the majority to compel the minority unwillingly to pay dues to a union, then surely we at least ought to be certain that the union has majority support in the first place. The very basis of union security is the existence of such a majority. This amendment is designed solely to insure that such a majority exists.

The recent hearings on repeal of section 14(b) have amply demonstrated that the NLRB has increasingly allowed "card checks" as a basis for requiring union recognition. Under existing law, if a union presents an employer with cards signed by 51 percent or more of the employees, the employer is legally obligated to recognize and bargain with the union, unless the employer has a good faith doubt as to the authenticity of the union's showing of a majority. Under this rule, an employer can be effectively deprived of his right to present his arguments about unionization and then have the employees decide after having heard both sides. The employees can likewise be deprived of the right to a secret ballot, even though section 9 of the act provides machinery for conducting such a secret ballot election. And a racket posing as a union, therefore, has a much better chance to get in.

On the other hand, it has been argued that the ordinary election procedures of the act, except in organizational picketing cases, may in some cases unnecessarily delay the process of determining the wishes of the employees. This amendment, however, would extend the right to a secret ballot without being a vehicle for delay.

The amendment makes two changes in existing law. First, it would create a new section 9(c)(6) of the act, and thereby provide that an employer faced with a "card check" of more than 50 percent may file a petition and get an election. If he files such a petition, no unfair labor practice proceeding based solely upon refusal to recognize the card check will be processed unless the employer dissipates the majority by other unfair labor practices or so "poisons the air" by unfair labor practices that it would be futile or unfair to hold an election at all. Any petition filed under this amendment would be followed by an expedited election under procedures comparable to those now in use under section 8(b)(7)—the high speed election in cases of organizational or recognition picketing. Under this procedure, the time lapse between filing of the petition and issuance of a certification would rarely exceed 30 days and often be much shorter.

Second, the amendment would create a new section 8(g) of the act, under which, if a card check is presented, the employer is given a reasonable time to verify whether the signatures on the cards are genuine and have been signed voluntarily by the employees and have not been revoked. Thereafter, if the employer has no good faith doubt as to the authenticity of the union's majority showing on the basis of cards, the employer is obligated either to recognize the union or request an expedited election.

These two amendments should, in my judgment, be considered along with the repeal of section 14(b), and I urge my colleagues to give them close attention and support.

Mr. President, I ask unanimous consent that the text of these two amendments be printed in the RECORD.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments (Nos. 454 and 455) are as follows:

AMENDMENT No. 454

At the end of the bill add the following:

"SEC. 2. (a) Section 301 of the Labor-Management Relations Act, 1947, is amended by adding the following new subsection:

"'(f) The provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C. 101–115), shall be inapplicable in any proceeding to enjoin the violation of, or to enforce an arbitration award arising out of an alleged violation of, a contract between an employer and a labor organization representing employees in an industry affecting commerce as defined in this Act, if the contract includes a provision for submission to binding arbitration of any claim asserted by such labor organization alleging a violation of such contract by such employer.'

"(b) The amendment made by this section shall apply only with respect to (1) proceedings arising out of violations of contracts entered into on or after the effective date of this Act, and (2) proceedings arising out of violations occurring at least three years after the effective date of this Act of contracts entered into prior to such date."

AMENDMENT No. 455

At the end of the bill add the following:

"SEC. 2. (a) Section 9(c) of the National Labor Relations Act is amended by adding the following new paragraph:

"'(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1)(B), that a labor organization seeking recognition as the representative of the employees of such employer has presented evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization, it shall be the duty of the Board, if it determines that in all other respects a question of representation affecting commerce exists, to forthwith, without regard to the provisions of paragraph (1), direct the holding of such an election in such unit as the Board finds to be appropriate and to certify the results thereof. The consideration of the petition and the holding of the election, in any such case, shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of unfair labor practices committed by the employer (other than unfair labor practices under section 8(a)(5)), (a) such labor organization is no longer authorized to represent such majority or (b) the conditions required for the holding of a fair election no longer exist."

(b) Section 8 of such Act is amended by adding the following new subsection:

"'(g) It shall be an unfair labor practice under subsection (a)(5) of this section for any employer to refuse to recognize a labor organization as the representative of his employees if such employer—

"'(1) has been presented with evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization;

"'(2) has no bona fide doubt that such majority desires to be so represented; and

"'(3) has failed within a reasonable time to file a petition pursuant to paragraph (1)(B) of section 9(c) containing the allegations referred to in paragraph (6) of such section.'"

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF FEDERAL-AID HIGHWAY SYSTEMS—AMENDMENT

AMENDMENT NO. 456

Mr. WILLIAMS of Delaware proposed an amendment to the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, which is pending.

NOTICE OF HEARING ON BILLS RELATING TO APPOINTMENT OF WOMEN

Mr. RANDOLPH. Mr. President, as chairman of the Civil Service Subcommittee of the Post Office and Civil Service Committee, I wish to announce that a hearing will held on S. 1769 and H.R. 6165 at 10 a.m., Tuesday, September 21, in room 6202 of the New Senate Office Building.

These are identical bills which provide for the repeal of section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments.

Anyone wishing to testify may arrange to do so by calling 225-5451.

NOTICE OF HEARING ON NOMINATION OF WILLIAM T. PECORA TO BE DIRECTOR OF THE GEOLOGICAL SURVEY

Mr. JACKSON. Mr. President, I announce for the information of the Senate and others who may be interested, that the Committee on Interior and Insular Affairs has scheduled a hearing on the nomination of Mr. William T. Pecora, of New Jersey, to be Director of the Geological Survey.

Mr. Pecora has been a career Federal servant in the Geological Survey since 1939. He has had extensive experience and a solid background in geology. This is an instance where a career public servant has been rewarded by the recognition of his service and talents which have been devoted to the public over the years.

The hearing will begin at 10 a.m. on Monday, September 20, in room 3110 of the New Senate Office Building. The public is invited to attend, and the committee would be delighted to have the views of any Member of the Senate. I ask unanimous consent at this point in the RECORD that a biographical sketch of Mr. Pecora be printed in full.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

WILLIAM THOMAS PECORA, NOMINATION FOR DIRECTOR, GEOLOGICAL SURVEY, INTERIOR

Born: Belleville, N.J., February 1, 1913, age 52.

Education: Primary and secondary schools, Newark, N.J. Bachelor of science, geology, 1933, Princeton University (scholarship). doctor of philosophy, geology, 1940, Harvard University (Woodworth Fellow).

Family: Parents deceased. Married, April 7, 1947, Ethelwyn Elizabeth Carter, of Frankfort County, Ky. Two children: son, William C., age 16, student at Lawrenceville (N.J.) Preparatory School; daughter, Ann S., age 12, student at National Cathedral School for Girls. Residence, 4572 Indian Rock Terrace NW., Washington, D.C.

Positions: 1937-39, instructor in geology, Harvard University; 1939, entered as research geologist, U.S. Geological Survey; 1957, appointed branch chief; 1964, appointed chief geologist; 1965, nominated for Director.

Experience: Field and laboratory investigations in Western Hemisphere including: nickel deposits in United States, Alaska, Brazil, and Venezuela (1939-42); mica and related pegmatite mineral deposits of Brazil and Colombia (1943-46); rare mineral deposits in alkalic igneous rocks and carbonatite complexes; phosphate mineralogy; geologic field mapping and mineral evaluations; published more than 40 scientific and technical papers.

Advisory committees: National Science Foundation; educational testing service; Princeton and Harvard University; National Research Council; U.S. Civil Service Commission Board of Examiners; President's Office of Science and Technology; scientific societies.

Honors: Elected member National Academy of Sciences (1964); fellow, American Academy of Arts and Sciences; fellow and councilor, Geological Society of America; fellow and councilor, Mineralogical Society of America; president, 1964, Geological Society of Washington; frequent guest speaker at universities, civic clubs, professional and public gatherings.

Extra curricular: Member and board of management, Cosmos Club; U.S. intercollegiate fencing champion, 1933; U.S. Olympic team, 1936; early hobbies in gemology, minerals and coins. Recent hobby in horticulture of azaleas and camellias.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 15, 1965, he presented to the President of the United States the following enrolled bills:

S. 76. An act for the relief of Anna Maria Heiland;

S. 135. An act for the relief of Elizabeth Kam Oi Hu;

S. 136. An act for the relief of Angel Lagmay;

S. 192. An act for the relief of Maria Liberty Burnett;

S. 440. An act for the relief of Jose L. Rodiquez;

S. 454. An act for the relief of Lee Hyang Na;

S. 517. An act for the relief of John William Daugherty, Jr.;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 573. An act for the relief of Dr. Sedat H. Ayata;

S. 584. An act for the relief of Ming Chup Chau;

S. 586. An act for the relief of Maria Tsillis;

S. 614. An act for the relief of Evangelia Moshou Kantas;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 828. An act for the relief of Cha Mi Hi;

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 879. An act for the relief of Kim Sa Suk;

S. 971. An act for the relief of Mrs. Elena Guira;

S. 1084. An act for the relief of Shu Hsien Chang;

S. 1170. An act for the relief of Chung J. Clark;

S. 1186. An act for the relief of Kris Ann Larsen;

S. 1209. An act for the relief of Specialist Manuel D. Racelis;

S. 1736. An act for the relief of Jennifer Ellen Johnson; and

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon.

IS YOUR DOLLAR IN TROUBLE AGAIN?

Mr. SYMINGTON. Mr. President, there is a growing, and it would appear logical, apprehension about the future of the dollar.

An interesting article "Is Your Dollar in Trouble Again?" appears in the latest issue of U.S. News & World Report.

I ask unanimous consent that excerpts from this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS YOUR DOLLAR IN TROUBLE AGAIN?

You hear it on all sides now—

People are complaining about high and rising prices. Just about everything seems to cost more.

This is known as creeping inflation. This erosion of the dollar promises to go on and on.

Not only are prices higher, but also there are more things to buy, more demands on paychecks.

It's true that pay is up too—for most people. But higher pay doesn't stop the grumbling over prices. Question: Is the dollar in real trouble?

Grumbling about the high cost of living is beginning to be heard from one end of the country to the other.

This grumbling is a sign that the dollar is in trouble again—its purchasing power eroded at a rising rate by the pressures of inflation.

Housewives complain about the shrinking supply of groceries that a $20 bill will buy. Families worry about the high and rising price of shoes for children going back to school.

Autumn is a time to buy winter clothing, and many items of clothing cost more.

Pay checks, it is true, are growing larger for most people. The rise in pay, over all, is greater than the rise in cost of living. And food costs, about which housewives complain most still take less of the weekly pay check, relatively, than in years past.

Yet the grumbling grows.

The public, it seems, wants more and more of the luxuries of life and is more and more irritated by the fact that each of the rising number of dollars in pay gradually will buy less in the way of goods and services.

Vacations, people find, cost more. Color TV is something new to own. Demand is for more and more extras on cars.

A flood of youths is entering the Nation's colleges, and inflation of the costs of such higher education goes on year after year.

Now there is to be an increase in taxes to support social security.

In addition, real estate taxes rise year by year. Sales taxes are in an upward creep in States and localities.

As dollars buy less, everybody wants—and often demands—more dollars.

Yet, as pay goes up, it follows that wage costs to business tend to rise.

Soon business is under pressure to raise more prices in order to maintain profit margins.

The pay raise now taking place in the basic steel industry under terms of a recent contract settlement is expected to be followed by selective increases in the price of steel and of steel products.

So the prospect is that wage costs will go on rising and prices will go on rising, and dollars gradually will buy less and less.

This is what is known as creeping inflation. More dollars are required to buy the same amount of goods and services.

BALANCE OF PAYMENTS

Mr. SYMINGTON. After the close of the morning hour tomorrow, Thursday, I plan to speak for a few minutes on the also growing problem of our continuing unfavorable balance of payments, to which problem the dollar's future is so closely bound.

In that as a result of agreements reached at Bretton Woods in 1944 the pound as well as the dollar is considered comparable to gold in its reserve capacity, the trade balance position of Great Britain is also a matter of primary interest to those interested in the dollar.

In this connection, I ask unanimous consent that an article in today's Wall Street Journal, "Britain's August Trade Gap Grew Sharply Wider," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Sept. 15, 1965]

Britain's August Trade Gap Grew Sharply Wider—Report Causes a Brief Drop in Pound's Exchange Rate, Decline in London Stocks—Deficit Was $263.2 Million

London.—Britain's trade gap, the excess of imports over exports, took a sharp turn for the worse in August.

The deficit, on a seasonally adjusted basis, widened to the equivalent of $263.2 million from July's $140 million deficit, the Government's Board of Trade reported. The deficits were $229.6 million in June and $305.2 million in May.

The adverse trade news tempered the optimism about Britain's financial outlook created by Friday's announcement of new international central bank support for the pound. Financial quarters received the report with disappointment and some gloom.

Some deterioration in the trade position had been expected, as the July figures were considered exceptionally favorable. But the size of the August deficit came as a shock, particularly in view of recent optimistic official reports of trade prospects.

An immediate effect was a temporary halt in the upsurge in the foreign exchange rate for sterling, which had carried the pound Monday to its highest level since mid-May. That rise reflected the increased confidence in the stability of sterling inspired by the central bank arrangements.

The trade report also brought a downturn in the stock market, although declines rarely exceeded minor fractions.

OPTIMISTIC NOTE IS SOUNDED

As if to take the sting out of the worsened trade figures, the Bank of England expressed an optimistic view of the overall balance-of-payments situation in a bulletin prepared for issuance today. It said that the second quarter payments position "may well prove to have been roughly in balance," although full details aren't yet available, and that it would be "the best quarterly report in 2 years." First quarter figures showed a deficit equivalent to $280 million on current and long-term capital accounts taken together.

The long-term capital account deficit, which amounted to $252 million in the first quarter may have fallen to "practically nothing" in the second quarter, the bank said. It added that remittances abroad by British subsidiaries of foreign companies were "unusually large earlier in the year" but later "returned to a normal level."

Governmental restrictions on capital transactions imposed in July, the bank said, "should result in a considerable and continuing easing of the pressure on resources and a corresponding improvement in the balance of payments."

BREAKDOWN OF FIGURES

Seasonally adjusted totals for August that produced the $263,200,000 trade gap were: Imports, $1,400 million, up from $1,355,200,000 in July and $1,318,800,000 in June; exports, $1,094 million, down from July's record $1,167,600,000 but up from June's $1,050 million; reexports of goods previously imported, $42 million, compared with $47,600,000 in July and $39,200,000 in June.

The Board of Trade also gave August figures on a so-called balance-of-payments basis, crediting against the merchandise trade deficit British earnings from such sources as shipping, insurance and freight charges. It calculated the seasonally adjusted deficit on that basis at $145.6 million, compared with a deficit rate of only $14 million in July.

On this balance-of-payments basis, the board said, the deficit for the past 3 months has averaged $84 million a month, compared with $140 million a month in the like 1964 period; for the first 8 months it put this deficit figure at $75.6 million a month down from an average $128.8 million monthly deficit a year earlier.

Douglas Jay, Board of Trade president, said of the August figures: "They are pretty good. I wouldn't say I am completely satisfied. The import figures were swollen by an exceptional increase in food imports." He added that the favorable showing of July "couldn't be expected to be continued every month."

The Board of Trade report commented that food imports "tend to fluctuate erratically from month to month."

Some expressions of disappointment came from nonofficial sources. A London foreign exchange trader termed the trade figures "very bad," and said, "even if food is blamed for the import rise, it is still imports. We don't mind exports leveling a bit, but the high import figure, despite the surcharge, is just too bad."

The surcharge he mentioned is an extra 10 percent added to the customs duty on a variety of imports, exclusive of foods, as part of a series of austerity measures imposed by the Government to bring the balance-of-payments deficit under control. The extra duty was set at 15 percent last October but in April was cut to 10 percent.

So far there is little indication that the surcharge is doing much to limit imports; the average value of imports in this year's first 8 months topped the like 1964 period by nearly 1 percent. However, the board of trade president said, there is no chance of any change in this import surcharge.

Immediately after the August trade report appeared, the spot rate for the pound for immediate delivery, in relation to the U.S. dollar fell to $2.7963 from its overnight level of $2.7970. Later it rallied to $2.7969, helped by support the Bank of England is said to have given by buying pounds in the market.

In New York's foreign exchange market, the pound-dollar rate, after a brief hesitation, resumed its rise. The closing spot quotation of $2.7975, several hours later than the London close, was up from Monday's final rate of $2.7970.

The London stock market, which had opened strong, eased in reaction to the trade report. Fractional losses were widely distributed at the close. Gold shares advanced strongly on revived speculative buying; they had declined over the weekend.

Late selling brought declines of as much as $1.50 in British government bonds, as nervous profit-taking followed Monday's sharp advance. Industrials sagged, with mostly small losses; prominent in this trend were oil, chemical, and auto stocks. Tin shares, with some overseas support, made gains, but copper and other nonferrous metal stocks showed few changes. Dollar stocks were narrowly mixed.

The Financial Times index closed at 328.9, off 2.3 points; Reuters industries, 414.0, off 4.5; government securities, 72.5, off 0.4. Kaffirs, a measure of gold mining stocks, rose 0.6 points to 67.8.

Heavy market activity developed in the new $140 million issue of Imperial Chemical Industries loan stock, traded yesterday for the first time. The price held firm all day at more than the equivalent of $11 premium on the issue price. Brokers noted substantial institutional demand.

WORLD MONEY REFORM

Mr. SYMINGTON. Our able Secretary of the Treasury, Henry Fowler, recently returned from a 2-week trip to the European countries, apparently did much to point up the need for some additional form of liquidity as well as dollars, so as to provide the working tool necessary for additional world trade.

Once again the French have expressed their disinterest in the problems of other countries of the free world by refusing to join the group of 10 nations—of which France is a member, incidentally—in concrete efforts to work out current problems incident to the British pound.

I was glad to note, however, that the Secretary has implied that an adequate and proper world money reform could probably proceed without the cooperation of the French.

In this connection, I ask unanimous consent that another article from the Wall Street Journal, "World Money Reform Possible in 2 Years, Fowler Says, Perhaps Without French Aid," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Sept. 15, 1965]

World Money Reform Possible in 2 Years, Fowler Says, Perhaps Without French Aid

Washington.—Reform of the world's monetary system could be achieved in less than 2 years, Treasury Secretary Fowler said, and he implied that it could be done even without French cooperation.

At a news conference reviewing his 2-week trip to Europe, Mr. Fowler said his most optimistic estimate is that a full-scale monetary conference could be called in the fall of 1966, and that plans could be ratified by legislators of the countries involved in another 7 to 9 months.

He didn't provide any outside timetable, but his optimistic one is a good deal shorter than officials generally have held possible. Typically, they have talked of reforms going into effect in 3 or 4 years and perhaps even much later.

UNANIMOUS POSITION HELPFUL

Privately, some officials have hinted that negotiations could continue and a new plan could be brought at least to the threshold of use without French participation. Although he didn't mention France specifically, Mr. Fowler said that it would be helpful for the major nations to be unanimous but that he didn't think it would be the U.S. position that those in agreement should stand silent if this wasn't the case.

France is regarded as the nation most likely to shun any creation of additional reserves. French officials have said the most pressing need is rather to reduce the current reserve level to dampen inflationary dangers.

French unwillingness to go along with 10 other nations last week in providing fresh financial help for Britain added to this appraisal among other countries.

But the fact that the others agreed on the British aid without France has encouraged those who have been worried that the French might be able to thwart monetary reform. In visiting other countries, Mr. Fowler said, he found a general consensus that the reform move should be accelerated.

The reform in mind basically would create a new unit of exchange that governments and central banks could hold in their reserves in addition to gold, dollars, and pounds. The reserves are used to tide nations over balance of payments deficits, which occur when more of a country's money enters foreign hands than is returned by foreigners in all transactions.

Whatever the timetable, Mr. Fowler expressed confidence that the reform drive wouldn't come to naught. He said that even those countries that expect current reserves to prove adequate within the next few years agree with the inevitable logic that elimination of the U.S. payments deficit would prevent their reserves from being bolstered with fresh outpourings of U.S. dollars. Moreover, because reserve totals must be enlarged to support growing world trade, some new kind of reserve ultimately will be needed "as surely as night follows day," he declared.

Mr. Fowler laid out the following proposal of how reform could be pursued: The deputy finance ministers of the group of 10 nations that have done most of the preliminary analysis could receive a mandate later this month at the International Monetary Fund's annual meeting here to resume their deliberations. These deliberations were interrupted last year to await a technical study completed in the spring. The top financial officials would soon start active negotiations, too, so that the 10 countries could at least produce a progress report by next spring. The nations involved are the United States, Britain, Belgium, Canada, France, West Germany, Italy, Japan, the Netherlands, and Sweden.

PART FOR LESS DEVELOPED NATIONS

These 10 would then bring in a wider group, conceivably the 20-nation executive board of the IMF; the United States strongly believes, Mr. Fowler said, that the less-developed countries should be included in the discussions, presumably at this point. If others agree, a proposal would be polished by this wider group to present to a special meeting of the full 102-member IMF in the fall of next year. This would be the final conference needed to get the plan approved, but an additional 7 to 9 months probably would be required for legislative approval by each country.

The United States still doesn't have a plan of its own, Mr. Fowler stated, and in answer to a question, he said he has refrained from reading the chapter in Robert V. Roosa's recent book that proposes a detailed plan for the creation within the IMF of a new unit of exchange for use in reserves. The plan, widely believed to have strong support within the administration, is one he will thoroughly study shortly, Mr. Fowler said.

He hinted, however, that something along the lines Mr. Roosa, a former high Treasury aid, has proposed is in the works. Once nations ratify a plan for a new reserve unit, Mr. Fowler said, they will begin a "continuous process" of deciding "when you crank the machine" to generate it. One possibility, he continued, is that nations might agree that a minimum fixed amount of new reserves be pumped out each year, with the option of providing additional amounts from time to time as circumstances change.

PROPOSAL APPEARS COMPROMISE

Mr. Fowler didn't elaborate, but such a plan would appear to be a compromise between proposals of two administration consultants. One, Mr. Roosa, envisions nations rather frequently assessing needs and creating extra reserves, while the other, Edward M. Bernstein, has suggested that they agree perhaps 5 years in advance on fixed amounts to be added each year.

In addition to the reserves question, Mr. Fowler said nations are showing strong interest in finding better ways to correct deficits in the payments balances. The coming IMF meeting might also give the group of 10 a mandate to pursue this topic, he noted. This was suggested during his trip by the Germans, he said, commenting that the United States "would generally favor" such a move. At present, countries typically try to narrow payments deficits by such belt-tightening measures as slowing their domestic economy to reduce the ability of their people to buy imported goods.

MADAM CHIANG KAI-SHEK

Mr. YOUNG of Ohio. Mr. President, Madam Chiang Kai-shek is in Washington. A great many people come and go in Washington. Madam Chiang, in her first interview following the date she favored our country with her presence, called for the destruction of Red China's atomic installations. She declaimed:

> This should be done before they expand further.

She added:

> Red China's possession of the atomic bomb jeopardizes the position of every nation in the world.

Of course, her demand is that the United States perpetrate another day of infamy by using our warplanes and atomic bombs and missiles to destroy Red China's atomic installations. She urges this knowing, if she has any sense whatever, that thousands of Chinese men, women, and children would be killed and that Communist China would certainly declare war upon this Nation immediately following our aggression in response to her advice.

Madam Chiang added:

> You should always try to cut out the cancer before it permeates any further.

Of course, she uses the pronoun "you," as she must realize her husband, Chiang Kai-shek, is a tiger without any teeth. This corrupt old warlord has an army of 600,000 on Taiwan, maintained over the years at the expense of American taxpayers. I have been in Taiwan, and have had grave doubts personally whether Chiang's army is a topflight fighting force comparable to our soldiers.

Over the years Chiang has boasted of invading the Chinese mainland, provided he has all-out support from our Air Forces and the 7th Fleet. Except for that protection and American financial aid since 1947, Chiang would not be enjoying his repose in Taiwan, nor would Madam Chiang be in our country voicing demands that we change our foreign policy to suit her whims. A few years back, while a guest at the White House, she demanded silk sheets, apparently so she could repose in peace.

Ours is an open society, and we welcome anyone to our shores. Her visit, however, is reminiscent of Madam Nhu's.

Very likely Madam Chiang Kai-shek has or will announce an offer to send some soldiers of the Chinese Nationalist Army of Taiwan to Vietnam provided, of course, that our Government furnishes logistic support. In other words, this warlord Chiang Kai-shek, who has been maintained in power by the expenditure of billions of dollars of American taxpayers' money, may offer to send some Chinese or Formosan soldiers under his control to South Vietnam provided we equip his soldiers, arm them, maintain them, convey them on our transports or by our airplanes, feed them, protect them with our Air Force and then clothe and train them. Such a proposal is so fantastic as to be insulting. Furthermore, at a time when we are announcing our hope that the Red Chinese will not intervene in the conflict in Vietnam, it would seem unthinkable and a stupid action for us to use Chinese troops to fight with us against the Vietcong.

So much for Madam Chiang Kai-shek.

THE 400TH ANNIVERSARY OF THE SETTLEMENT OF ST. AUGUSTINE, FLA.

Mr. HOLLAND. Mr. President, on September 8, last Wednesday, which was the 400th anniversary of the landing of the Spaniards for the settlement of St. Augustine, Fla., the oldest city in the continental United States, I was happy to call attention to the outstanding quadricentennial celebration at St. Augustine which I had been privileged to attend during the preceding weekend, and which was being attended on that date by my distinguished colleague [Mr. Smathers].

At that time, I placed in the Record the eloquent speech of Secretary General Dr. Jose A. Mora, of the Organization of American States, which had been one of the outstanding features of the quadricentennial celebration, and I also stated that I had requested translations of the inspiring addresses of the Spanish Minister of the Interior, Lt. Gen. Alonso Vega, dedicating the beautiful Spanish building, and of Ambassador Plate, of Paraguay, present Chairman of the OAS, dedicating the Pan American Building. I stated that upon receipt of the translations of both of the aforementioned speeches, I would ask to place them in the Congressional Record along with the delightful address of Secretary of the Interior Udall, which was delivered at the dedication of the Spanish building. I have now received copies of all three of these addresses which not only contributed so much to the dignity of the quadricentennial celebration, but also were truly outstanding features of the celebration, and I ask unanimous consent that they may be printed in the body of the Record as a part of my remarks.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

English Version of the Speech by H. E. Camilo Alonso Vega, Spanish Minister of the Interior, at the Inauguration of the Casa Del Hidalgo, September 1965, St. Augustine, Fla.

Ladies, gentlemen, and distinguished guests, through your kindness in inviting us to these ceremonies, we have been given the opportunity to join in the commemoration of the 400th anniversary of the foundation of St. Augustine. On this occasion I would like to express not only my personal gratitude but also the appreciation of Spain, mother of so many American territories, who watches with great pride and deep emotion their current development and prosperity.

To all these territories I bring warm greetings from the Spanish head of state. Recently he had the pleasure of meeting with a delegation of this centennial and was presented with the Commemorative Medal of the Foundation of St. Augustine.

Now, as on my former visit to this gracious State of Florida, I cannot help recalling the famous words of Menéndez Pelayo: "Where one does not faithfully conserve the inheritance of the past, poor or rich, great or small, one must not ask for original thoughts or creative ideas."

Today, with the spirit and vitality of its founders, the city of St. Augustine, its Spanish name conserved for four centuries, honors the patron of the day on which it was founded.

We find clear example of these ideals, the significance of St. Augustine's inheritance, in the kind words expressed by President Johnson in his speech delivered on the 12th of March 1963; in the very beginnings of these commemorations; in the labors of the Historical Restoration Committee, established by your late and beloved President Kennedy; in the activity expended by the State of Florida and the local commissions; in the investigation of her architectural history in which so much of the sentiment as well as the technique has been preserved; and foremost, in the program of urban development, which has looked predominantly to the past, to what St. Augustine once was, to what it is unwilling to surrender—a valiant, traditional town, a contrast to the towns of urban Europe so often beset by urban struggles in which the victorious conquests of modern avenues, plazas, boulevards or gardens tend to supplant monuments, works of art, history and spirit.

Spaniards who have recently visited you have told us in Madrid that the present citizens of St. Augustine are justly proud of their city, the oldest in the United States, and are determined to maintain and honor their Spanish heritage. The Ministry of Information and Tourism and the Institute of Hispanic Culture want to join in this enterprise with the building of the house of an hidalgo, which we inaugurate today.

Spain hopes to render lasting tribute to St. Augustine by means of this house of an hidalgo. The atmosphere, that of the chivalrous olden times, will be felt throughout. I want to emphasize that the atmosphere overrules the material installations, for it is something spiritual. The "hidalgos" did not project their personalities or minds in furniture, pictures, costumes, or swords. (Although a sword can be either an heroic or homicidal arm, according to one's use of it.) The idea of the "hidalgo" transcends all material concepts, and resides solely in the spiritual realm. For this reason, it is difficult to identify this idea with a certain historical period. The spirit that endures is so intermingled with history that I would say, rather, that it is that spirit which made history.

If you are looking for a definition of an "hidalgo," you will find that the dictionary says: "He is one with a generous and noble soul." I believe that Spain has been wise to erect this Spanish house on American soil for we believe firmly that it will be understood what the house of an hidalgo represents, that its meaning is very much alive in the souls of the American people.

Although "hidalgo" could indicate belonging to the noble class, its nobility is rooted deeply in the soul. The house of an hidalgo in St. Augustine is meant to evoke the past. It is the desire of the inhabitants of St. Augustine to keep alive the memory of those brave and generous men who arrived in this territory and, despite hunger and infirmity, arrived and stayed in a land that 400 years later would become the most powerful country of the world.

St. Augustine could be called the birth certificate of the United States, and it was a Spaniard, Pedro Menéndez de Avilés, who wrote it. We believe that it was the will of God that a Spaniard was the first to come to this land bearing with him the torch that would illuminate the new world. That torch, symbol of the Spanish culture, which Spain had inherited from Greece and Rome, was to become the lighthouse of the Americas. It is the torch that today your great country continues to carry forward.

The name of Menéndez de Avilés does not limit itself to the fort of San Marcos, but is linked also to the mission of Nombre de Dios. Aside from being a military man, Menéndez de Avilés was also religious and kind. In the American land his humane and Christian influences are still felt today.

The Spanish discoverers of the 15th and 16th centuries exemplified that theirs was a vocation for the stoic, the poet, the ascetic, as well as for the hero and the adventurer. At times, their drives seemed oriented toward ambitious goals. Sometimes their ambition proved to be mere fantasy.

How can we explain the deeds of Ponce de Leon when he first sighted the coast of Florida in 1512? How does one explain his return in later years in search of the fountain of youth? Was he truly searching for that magical water? Or was he perhaps a poet hoping to see a legend become a reality in this charming State of Florida where springs bloom and winters sleep. Here again fantasy and poetry were the goals of the Spaniards who discovered this wonderful land. Following the same road, Hernando de Soto, the lover of the sea, and many other Spaniards came to this land, carrying with them the spirit of chivalry.

In the pursuit of these dreams and fantasies a new world found its beginnings. The country on which the Spanish were the first to step was heading the world in less than three centuries, and today it has become the discoverer of space, the explorer of a new world.

We believe that we have explained the meaning of the house of an hidalgo which Spain offers as a permanent legacy to the city of St. Augustine. Today, on behalf of the Spanish Government, in your most distinguished and cordial company, in the presence of the representatives from other American countries, the mayor of the city of Avilés, and other honorable citizens, it is my pleasure to inaugurate the house of an hidalgo.

Thank you very much.

ADDRESS BY AMBASSADOR JUAN PLATE, ACTING CHAIRMAN OF THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES, AT THE DEDICATION CEREMONIES OF THE PAN AMERICAN CENTER OF THE CITY OF ST. AUGUSTINE, SEPTEMBER 4, 1965

It has justifiably been said that it honors one to pay honor, and I believe that this ancient city of St. Augustine, Fla., can and should feel honored as it commemorates so worthily and suitably the historic fact of its founding just 400 years ago. This tribute is all the more significant and worthy because it comes from a people of another race and another tongue; from a people that is tied to the city's most distant historical past only by an imponderable spiritual bond.

In this there is something that should be emphasized, because perhaps, in it lies the most noble and significant aspect of the celebration that brings us together, since only peoples that have arrived at full political maturity, thus properly constituting a nation, which is something more than a mere phenomenon of living together in the shade of the same flag, are in a position to evoke their past without reservation or resentment. To the extent that we are beginning to interest ourselves in our origin, to explore the sources that feed the present, with the noble aim of establishing a permanent bond of historical continuity between yesterday and today; to the extent that we are beginning to feel proud of our ancestors without distinction of race, creed, or social position—to that extent we shall be affirming our national personality.

Nationality is not a historical accident, nor much less the product of a laboratory. It is not something that can be improvised, as a political formula is invented. On the contrary, a nation is the resultant of a complicated and long process of integration of material and spiritual values. We are not what we believe ourselves to be and what we propose for ourselves, but what we have been and what we turn out to be.

There is nothing more absurd or more contrary to historical philosophy than the attitude of the Marxist false political reformers, who consider the cult of the past as a bourgeois prejudice and who in their effort to violate the historical process deny or condemn all genuine manifestations of national tradition.

It is for this reason, first of all, that I wish to record the recognition and applause that is due to all who have participated in and sponsored the celebration of the extraordinary historical fact of the founding of the first city of Christian-Western culture in what was to be the territory of the United States of America. This joint initiative of the city of St. Augustine and the U.S. Congress is all the more worthy of recognition because this first urban settlement in Florida was made not by the great Anglo-Saxon people that in the end gave its language and its institutions to this part of the New World, but by another European power of the era that for many years was the former's irreconcilable rival, Spain—the same colonizing nation that sowed forever, to the south of the Rio Grande, a seedbed of vigorous Hispano-American nationalities.

Spain could not have remained apart from this celebration. Its presence in the festivities of the fourth centenary is the logical consequence of all that I have said and the importance of the representation it sent to St. Augustine as well as the valuable testimony it has erected in stone at its expense in this beautiful museum-city proclaim to what extent the antagonisms between the two colonizing races have dissipated and how America continues to be a crucible of cultures and land of tolerance, of spiritual identification, and brotherly friendship.

Likewise, perhaps no other place in the United States is more appropriate than St. Augustine for erecting a Pan American Center to provide a place for art exhibitions and serve as a headquarters for many other inter-American cultural activities, inasmuch as, while this continues to be a strategically located point on the geographic map of this hemisphere, on the spiritual map of America this city of strictly Spanish origin is, by antonomasia, a center of cultural confluence. Because St. Augustine, I repeat, in addition to being tied forever to the Latin American nations for basic historical reasons, seems now engaged—and this is much more important—in continuing to be part of Hispano-America, as it carries out with a true love of tradition an extraordinary job of architectural reconstruction that will soon restore to it its original appearance.

As a representative of a country that takes legitimate pride in what it has today of its two cultures, the native and the Spanish, and even more, in my capacity as Acting Chairman of the Council of the Organization of American States, it is with profound satisfaction that I attend the inauguration of this new center of mutual spiritual understanding of all the brother nations of America, and express my warmest good wishes for its future expansion and strengthening. I am sure that the fertile seed that we have planted will find a propitious soil in the ideals of hemisphere union and fraternity that inspire our Organization and that are constantly putting down deeper roots in the awareness of the people of the Americas.

Address by Secretary of the Interior Stewart L. Udall at Dedication of Spanish Pavilion During Celebration of 400th Anniversary of Founding of the City of St. Augustine, St. Augustine, Fla., September 5, 1965

Anniversaries are occasions when friends or members of a family gather together to honor an event or an individual to whom they owe esteem and gratitude. Often it is a parent whom we so honor, remembering a common bond of inheritance.

In a deep and pervasive sense we Americans are doing that today. We are gathered here, North, South and Central Americans alike, in a parent's house, this casa del hidalgo, which a sire of the Americas, Spain, has built anew in this historic city.

We, who think of ourselves as young, fast-growing nations, often forget the cultural lineage of the New World. We North Americans whose cultural centers are younger than our neighbors', are particularly proud to observe the 400th anniversary of this first permanent settlement in the United States. We are proud, too, that the other members of our American family are with us to share in the occasion. And we are grateful that the Spanish people, who have given the New World such a great and lasting cultural legacy, have now provided this center of history here in St. Augustine, Fla.

It is particularly fitting at this place. Dr. Guillermo de Zendegui, editor in chief of Americas, magazine of the Organization of American States, has pointed out that St. Augustine was "the first meeting place of two cultures that share a hemisphere, two cultures that many political, social, and economic reasons indicate must unite and identify with each other for the better defense of their common interests."

I myself am especially grateful that our great Hispanic heritage is being suitably recognized and appreciated in these observances. Coming as I do from a southwestern State, where the Spanish heritage is strong—where the rivers and mountains and cities bear Spanish names—I am convinced that this culture and kinship are not fully appreciated in our land today. Too often we in the United States think only of the North European, English-speaking side of our New World family tree. We remember heroes in buckskin more often than those even more daring and determined conquisitadors of iron, or those, braver still, whose only armor was a friar's robe.

I am sure President John F. Kennedy felt this lack when, in appointing the National St. Augustine Quadricentennial Commission, he said: "When I recall how Colonial Williamsburg has served so effectively as a symbol of the bond between English-speaking people on both sides of the Atlantic, I can see how valuable it will be to have a similar symbol of the cultural heritage which came to us from Hispanic-American sources. This can be a most important new symbolic bond with our Latin-American neighbors to the south, as well as to Spain across the ocean."

We owe much to the bravery, the faith, the dreams of our predecessors from Spain. Thus always we shall recall with equal appreciation and respect, as we do today, those Iberian deeds and qualities that helped to build the Americas.

Anniversaries like this quadricentennial remind us that we—all of us, from Alaska to Cape Horn and from the Pacific to the Caribbean—are inheritors of a rich culture and the tradition of adventure, of enterprise, of freedom the product of which is the democratic concept we all share today.

Men founded those traditions: First, the indomitable conquistadors, marching through the swamps and forests; riding over mountains and deserts; fighting, thirsting, pushing on. The names of these tough men read bold today, though their outposts and graves be lost: Ponce de Leon, Vasques de Ayllon, Narvaez, De Soto, Coronado, Cabeza de Vaca.

Then came the colonizers, Adelantados like Pedro Menendez de Aviles, who stepped ashore on this bay 400 years ago. And the Padres, the Father Serras and Father Kinos, who founded missions and ministered in pueblos. They civilized rather than subdued. They built beautifully. They brought cattle and seeds and saintliness, and understood as so few other colonizers did the vital heritage of the land and the importance of man's relationship to it.

The counties these men explored and colonized so long, long ago, are in another era now: free, democratic, pressing on toward new goals of human welfare and happiness. Yet the rich heritage they left us is evident today in every one of our American States: faith in destiny, determination to achieve the high goals we have set, a pride in the brotherhood of free and active men.

It is evident also in personal qualities which Spain has bequeathed us—graciousness, and a sensitivity to the beauty of form, of action and of courage.

We in the United States cherish a number of tangible relics of our Hispanic heritage. We wish there were more, but, considering their antiquity, feel fortunate that those we do possess have survived for us to appreciate.

A total of 10 Spanish-American sites and buildings is in our National Park System, among them the Castillo de San Marcos that still stands guard here at St. Augustine. Tangible evidence of four centuries of American history here, it is symbolic, as well, of a people's determination to be free, to be strong, and to defy all who would intrude, subvert, or deprive.

And now, in addition to the conservation of historic monuments, our sense of history is being further strengthened here by means of restoration and reconstruction. This is not mere antiquarianism. Dr. de Zendegui has pointed out that the growing concern for restoring the past is a sign of national maturity.

"Only nations that have come of age can look backward into the past without reservation, rancor, or doubt," he has written. "It is only then that the concept of nationhood takes on a new meaning of continuity."

The nations of the new world are doing this today, and we are privileged to witness it here today.

President Johnson eloquently expressed the importance of this attention to our past when, as Vice President, he addressed you here in 1963.

"In these times," he said, "we of the United States, like responsible people in all the lands of the West, are focusing our effort and our resources on the future. We guide our policies and our purposes by the faith that wise efforts today can build a better tomorrow—a tomorrow of peace and justice and freedom for men everywhere. * * * But the men who came from the old world to open and explore and build the new world endowed us with an heritage of faith.

"In efforts such as this St. Augustine restoration, we honor that special legacy. For certainly no American can come here and see the restoration of the first city on the North American mainland without appreciating anew how great was the faith of the men who landed on these shores 450 years ago.

"From these shores we are reaching for new worlds. We need both the faith and vision of those earlier times to guide us forward. I can think of nothing more appropriate than that; travelers can come to this coast to see the launching site of America's venture in the age of space and to have the privilege of seeing at St. Augustine this site where the age of freedom itself was launched in North America."

Mr. HOLLAND. Mr. President, in closing my remarks relative to the quadricentennial celebration at St. Augustine, I wish to express for myself and for the citizens of St. Augustine, and of Florida in general, our appreciation to the Post Office Department for recognizing the historic importance of this occasion by the issuance of a special commemorative stamp appropriately embossed with the picture of a Spanish conquistador, backed by the banner of Spain of 400 years ago, with an ancient sailing vessel showing still farther in the background. This commemorative stamp, first issued in St. Augustine on the opening day of the celebration, carries the appropriate words "The Settlement of Florida 1565–1965."

I hope that this unforgettable celebration may serve to renew and strengthen our memories of the great debt which our Nation owes to Spain and to make stronger and more permanent the friendly relations between our Nation and Spain as well as between our Nation and the other Spanish-American Republics which have the common heritage, with us, of original settlement by Spanish explorers, soldiers, and priests.

THE SPOKESMAN FOR MEDICAL SCHOOLS TESTIFIES THAT GI BILLS ENABLE NEEDY YOUNG MEN TO BECOME EXCELLENT PHYSICIANS

Mr. YARBOROUGH. Mr. President, in testimony September 8, before the Senate Subcommittee on Health, Dr. Robert Berson, executive director of the American Association of Medical Colleges, told the subcommittee two very important things about the impact which the World War II and Korean GI bills had upon medical education in the United States.

First. That the GI bills enabled many young men to become doctors who had not even thought about attending medical school previously, because it costs so much.

Second. That these same young men went on to become some of the most promising doctors of their generation of medical students.

This experience of the medical profession has been repeated in every educational field or profession which ever testified on the cold war GI bill. All our professions will benefit from its enactment, just as they were upgraded by the previous GI bills.

Mr. President, it is important to realize that the GI bill has not only educated more young Americans, but the level of education and the level of achievement has also been upgraded by the GI's themselves who went to college under the GI bills.

In connection with Dr. Berson's testimony as to the great benefit the medical profession received as a result of the

GI bills, it is important to point out that 24 percent of the interns in American colleges today are foreign students. That is because we are giving our American boys and girls so few opportunities to obtain a medical education.

Let me repeat, 24 percent of all the interns in American hospitals today are foreign students—27 percent of all the residents in America today are being filled by foreign students because so few Americans are getting the opportunity to go to medical school. They should have the aid of the GI bill so that they may have an opportunity to obtain a medical education.

Mr. President, I ask unanimous consent that a portion of Dr. Berson's testimony on the Health Professions Educational Assistance Amendments dealing with the GI bill and a short colloquy I had with Dr. Berson be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Excerpt From Testimony of Dr. Robert Berson, Before Senate Health Subcommittee, Hearings on H.R. 3141, Health Professions Educational Assistance Amendments, September 8, 1965

The medical schools had an interesting experience after World War II, because we had a large wave of students who were benefiting from the GI bill of rights and men who had previously not thought of studying medicine found that they could, and they entered medical schools and most medical educators found that generation of medical students some of the most promising and satisfactory people we have seen going through medical school.

Colloquy Between Senator Yarborough and Dr. Berson

Senator Yarborough. Dr. Berson, I want to comment briefly on this last paragraph on page 6, where you mention the benefits of the GI bill.

Dr. Berson. Yes, sir.

Senator Yarborough. You mentioned there the thrust that medical education was receiving for those GI's.

The Senate has passed a GI bill for the cold war veterans this session by a vote of more than 4 to 1, which bill came out of this committee. The bill is now pending in the House. Many different people in our educational community testified that when these GI's came on the campuses, they were studying harder and making higher degrees and displaying higher motivation than the other students who had not been through that experience. Is that true in the medical schools?

Dr. Berson. Very much so. There was really a tremendously encouraging group of students. They were mature. They knew what they wanted. They were very fine people, and many of them said that they had never thought that they could study medicine, so they had made no serious plan to do it. It was just out of their reach.

But when they came out of the service and the GI bill provisions were there, they had the opportunity, and I think that they have turned out to be very excellent physicians.

INTEREST IN COMPENSATION FOR VICTIMS OF CRIME GROWS

Mr. YARBOROUGH. Mr. President, interest in the criminal injuries compensation bill is growing rapidly. Mr. James E. Starrs, in an informative letter published in the September 6 Washington Post urges the District of Columbia and National Crime Commissions to consider the plight of the crime victim.

He argues eloquently:

> It would seem that our best energies and massive resources are being channeled into a single-minded effort to apprehend, convict, and rehabilitate the offender. Meanwhile the crime victim remains unnoticed, unredeemed, secreted behind an impenetrable drapery of public indifference.

Mr. President, this problem deserves to be placed high on our list of the unfinished business of the American people.

Mr. President, a bill is pending in Congress which I introduced last July. I have been advocating publicly for over a year that we enact a bill to compensate innocent victims of crimes.

New Zealand passed such a law in 1963. England adopted such a plan in 1964. It is time for Congress to adopt such a plan for the United States of America.

I ask unanimous consent to have the letter from James E. Starrs published in the September 6 Washington Post printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post Sept. 6, 1965]

Consider the Victim

The District of Columbia and National Crime Commissions are now at work but no word has yet come down informing us that the plight of the crime victim will be considered by them. Once again, it would seem that our best energies and massive resources are being channeled into a single-minded effort to apprehend, convict and rehabilitate the offender. Meanwhile the crime victim remains unnoticed and unredeemed, secreted behind an impenetrable drapery of public indifference.

No one would urge that the problems created by the offender be minimized. Neither, for that matter, should the crime victim continue to exist in a limbo of semiofficial banishment.

Recently the residents of Washington, D.C., were startled to learn that rape victims are treated with disdain and discourtesy by our local police and medical facilities. Yet no one seems particularly startled by the daily and unrelieved suffering of all crime victims, who are treated less like victims than like pawns to be deployed to assure the apprehension and conviction of the offender.

Yet all is not lost. California has recently enacted into law a program of aid to victims of crimes of violence and their families. The modest sum of $100,000 has been appropriated for the fiscal year 1965–66. In addition, Senator Yarborough deserves high praise for presenting to Congress a bill to compensate crime victims. Much more remains to be done to close the gap between our attention to the offender and our inattention to his victim.

For example, Attorney General Katzenbach is interested in obtaining legislation providing for a work-release program for Federal prisoners. Under this proposal, Federal prisoners could engage in gainful outside employment during the term of their imprisonment. Is it not possible to require of such prisoners that they share some part of their wages with the crime victims?

In any event, is it a fantasy to suppose that these newly created crime commissions might study this and other possible remedies for the crime victims?

James E. Starrs.

Washington.

HON. FELTON M. JOHNSTON

Mr. YOUNG of Ohio. Mr. President, it was a matter of great regret to me when I read the announcement of Felton M. Johnston, Secretary of the Senate, that he was retiring from that position at the end of the present year, following my election as U.S. Senator in 1958, I did not come to Washington immediately, but sometime that December I decided to spend a day in Washington to ascertain what committees I might possibly be elected to and where my office would be located. At that time I called at the office of the Secretary of the Senate and was most cordially welcomed by Felton M. Johnston. He was exceedingly generous in his attitude toward me. I liked him immediately.

In the years following I have come to hold "Skeeter" Johnston, as he is affectionately called by all of us who know him, in the very highest admiration. I desire to pay my deference and manifest my devotion to him and attest my admiration of him as a man and as a public official.

I consider that he is a fine public servant. Over the years he has been most helpful to me and I know that he has been helpful to my colleagues. It is a matter of great regret to me that this intelligent, personable and able official has announced his retirement from public life.

He has acquired very great knowledge of the history and tradition of the Senate of the United States, and it is always a pleasure to meet with him in his office. I have taken pride in having him as a friend. In my judgment Felton M. Johnston has earned the respect of every Senator. I think that without a doubt he has always tried to be helpful and cooperative. He has always been available to Senators in his office or in and near the Senate Chamber.

It is my understanding that over the years he has worked his way up the legislative ladder. He was first, I believe, a member of the staff of Senator Pat Harrison, of Mississippi, and then following that became assistant clerk of the Senate Committee on Finance. Then, at a later period he became clerk of that committee and in that capacity served notably and most capably.

Then came World War II, and for a time "Skeeter" Johnston served as congressional liaison officer for the State Department, and, according to information given me, he rendered devoted service to his duties. Then he joined the Army of the United States and served his country with a full measure of devotion. In the years after World War II he was first elected secretary of the Senate majority, and when that majority was turned into a minority, he served as secretary to the Democratic minority of the Senate. This service continued for a period of about 10 years, and on January 5, 1955, Felton M. "Skeeter" Johnston was elected Secretary of the Senate. He has continued to render a full and complete measure of service in that capacity from 1955 to this time.

Now may I add a little further comment regarding this fine friend and distinguished public servant.

During his long years of service to the Senate, Felton Johnston ably performed the duties that were entrusted to him. More than that, he won the friendship of the Senators he came to know and they included all the Members of the Senate, not just those on that side of the aisle which had selected him for his many positions of trust and responsibility.

He rendered great service to his party at its national conventions in 1948 and 1952 as secretary of the committee on platform and resolution.

He was born on March 10, 1909, in Tallulah, La., and was educated in the public schools of Clarksdale, Miss. He received his higher education at the University of Mississippi, where he was graduated in 1929.

His wife is the former Wanda Stippich, of Norfolk, Nebr., and the Johnston children are Mrs. A. B. Chatfield, Jr., and Lt. Felton McLellan Johnston, Jr., of the U.S. Air Force. They have justifiable pride in Felton Johnston's Senate service.

The Members of the Senate, his fellow Senate employees, and his many friends on and off Capitol Hill will all be very sorry indeed that he has chosen to retire.

His record as Secretary of the Senate was one of achievement, of unfailing courtesy, of competence, knowledge, and efficiency. For an entire decade the Members and employees of the Senate have relied on his great ability and his great affability. His reputation for integrity and honesty will not soon be forgotten. He was a credit to the Senate as an institution which he loved and which he served with complete dedication.

As he makes preparations for his well-earned retirement, we wish him many, many years of life and joy. He has earned a place in the affections of all who came to know him and, by knowing him, learned to value his friendship. We congratulate him on his distinguished and able service to the Senate. We wish him well, and we shall sincerely miss him. Commencing with the second session of the 89th Congress, things will not be the same, and I personally shall have a feeling of emptiness with the departure of Felton M. "Skeeter" Johnston as Secretary of the Senate.

On many occasions with the distinguished assistant majority leader, Senator RUSSELL LONG, and my colleagues, Senators EVERETT JORDAN, of North Carolina; JOE CLARK, of Pennsylvania; DANIEL INOUYE, and others, I have enjoyed accounts of the football prowess of "Ole Miss" and famed coaches and players of the Southern Conference. Also, from the limitless fund of memories of "Skeeter" Johnston, of Senators who are no longer with us, I have been regaled and enlightened. I shall miss him when, following a habit I have adopted, watching Presidential press conferences, achievements of our astronauts, and other notable public events on his television. He is one of the finest and most personable and most knowledgeable men I know. Were he to write a book of his recollections throughout his long years of service and his comments regarding public men he has met, I know it would be most readable—probably a bestseller. I have no knowledge or information that he has any intention of writing such a volume. To him and his beautiful and accomplished wife, Wanda, I join with many other of my colleagues to wish Godspeed and happy landings to this fine public servant who is leaving us, and all good things for members of his family.

PRIVACY, OUR VANISHING FREEDOM

Mr. BURDICK. Mr. President, I ask unanimous consent that the article entitled "Privacy, Our Vanishing Freedom," written by the distinguished Senator from Missouri, which appeared in the July 1965 issue of Frontier be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRIVACY, OUR VANISHING FREEDOM

(By U.S. Senator EDWARD V. LONG)

In the course of 3 months of testimony heard by the Senate Subcommittee on Administrative Practice and Procedure, the public has been awakened, as never before, by exposure of threats to individual privacy from governmental snooping and eavesdropping. Some of the communications media and the public have chosen to treat many of the revelations as a joke—the olive transmitter in the martini glass, the tiny microphone in a picture frame of George Washington, or the miniature tape recorder in a lady's purse.

It is difficult, however, to find any humor in these disclosures when they are placed in their proper perspective with relation to other facts unearthed during the hearings. As chairman of the subcommittee conducting these hearings, it was gratifying to see that not all newsmen and citizens treated the revelations lightly. The prompt and intense reaction which these exposures evoked amongst the press and the greater proportion of the American citizenry clearly showed that the menace was clearly and widely recognized.

It was heartening to learn from the immediate flood of mail to my office that thousands of Americans arrived at the same conclusions as those reached by the subcommittee. These were that representative agents of the U.S. Government were the perpetrators and private citizens the victims of what can be described only as "police-state tactics" of well-equipped and obedient zealots of an increasingly inquisitive governmental bureaucracy.

How else could we explain practices by post office inspectors of regularly spying on employees by watching them from peepholes and two-way mirrors in work areas, cafeterias, dressing rooms, and rest rooms? What other explanation could possibly account for the frequent use of mail covers by governmental agencies in "fishing expeditions" on unsuspecting citizens when all other attempts at investigation and prosecution fail? How else could the Post Office Department explain the handing over of mail of certain delinquent taxpayers to the Internal Revenue Service which, in turn, opened it in violation of statutory provisions? What else could account for the view of the Food and Drug Administration that some small vitamin manufacturers, food processors, and churches pose such a threat to this Nation that gangbuster-type raids are justified? How else could Food and Drug and certain other agencies defend their practices of trial by press in which the names and reputations of many innocent citizens are ruined through adverse publicity with little or no regard for due process of law?

The answers to these questions, and many more like them, clearly demonstrated to the subcommittee the degree to which ethical and legal considerations had been superseded by administrative agency desires to gain prosecutions and convictions.

The subcommittee has encountered far too many instances of power abuse by administrative agencies to remain indifferent. Instead of concerning themselves with those matters which are legitimate and conducive to the public welfare, we find many of their agents engaged in bizarre and juvenile games of cops and robbers. Far from viewing power as a public trust which must be employed with discretion and restraint, representatives of agencies appearing before the subcommittee reflected attitudes of police orientation, total indifference to the constitutional rights of their victims, and an unsatiated desire to acquire and use the most sophisticated snooping gear to pry and invade the citizen's right of privacy.

The one thread of continuity permeating the entire content of the revelations made before the subcommittee is all too clear and all too disturbing for those who have the eyes to see—the constitutional rights of the man in the street are being violated and trampled by agents of his very government. The basic rights of the individual citizen are, in short, jeopardized by those supposedy protecting these rights.

This abuse of legitimate power serves no possible good. It brings the Federal Government into disrepute in the public eye, and makes a mockery of the idea that the Government exists for the people.

THE TECHNIQUES OF THE POLICE STATE

The subcommittee revelations about the tools and techniques of the snoopers are deeply disturbing to those of us who cherish our democratic heritage. When it is logically assumed that other individuals are imitating some of the eavesdropping attitudes and methods employed by Government agents, it is difficult to contest the fact that many of our fellow countrymen are leading a slow but steady drift toward the degradation of police-state morality. The permissive mentality which tolerates and even encourages such activity is in radical contrast to the spirit and the letter of our Constitution and its guarantees. Those who allow themselves to become so parochial and self-centered in the importance of their snooping tasks that they ignore or minimize the ethical implications of their behavior must be reminded of the fact that the rights of none of us are any stronger than the rights of any one of us. Liberty exists, and can continue to exist in our society, only in proportion to wholesome restraint on the part of every citizen toward his fellow citizen. We must never forget that this Nation was founded on the basic premise that the individual is a free human being with certain inalienable rights. Among these many rights is that of the right of privacy. In the early history of our Nation, the right of privacy was considered so important that extensive protections of it were included in the Bill of Rights. This right has become even more dear to Americans as we have become an industrialized and urbanized society in which the areas where a person can enjoy privacy have become increasingly limited.

AN ALMOST TOTAL ABSENCE OF ETHICS

A brief look at some of the snooping paraphernalia demonstrated before the subcommittee and admittedly used by governmental agencies clearly demonstrates the extent to which ethical and constitutional inhibitions have been overcome by practices of peeping permissiveness.

Miniature microphones concealed in tieclasps, pens, wristwatches, telephones, and picture frames which can monitor conversations in any locality are in the inventory of many Government agencies.

Small cameras and tape recorders disguised in the most ingenious ways are purchased by the agencies in significant quantities.

Telephone tapping devices are widely used by various agencies.

"Spike mikes" and "tube mikes" concealed in the walls of buildings have been known to be used by Federal agents.

Two-way mirrors have long been in the arsenal of Government snoopers.

The proliferation of eavesdropping devices, unfortunately, does not end at this point. The ingenious and inventive human mind is constantly devising new and more pernicious means to pry into the privacy of the individual citizen. The progress of laser beam research, infrared photography techniques, and other exploratory projects put the imagination of James Bond to shame. Their implications for the future privacy of the American citizen are, to say the least, alarming. It becomes distressingly clear that George Orwell's "1984" need not be fantasy and need not be fiction of a distant future. The technology of eavesdropping on the privacy of the individual upon which Orwell bases the control of his "thought police" is already developed two decades before his scene.

What is equally disturbing is that the electronic snooping gadgetry is not restricted to governmental use alone. It is widely used by police, private detectives, and private citizens. The odious ear and the invidious eye have, unfortunately, become as much a part of the American way as apple pie and mother, although it is hardly as savory as the one or as beneficent as the other. Modern Americans are exposed, peered into, inquired about, and spied upon so as to be increasingly without privacy; they are members of a naked society with little or no personal privacy.

Such commentaries on life in this Nation today make it quite apparent that surveillance is becoming more and more pervasive in our lives, and that privacy is becoming harder and harder to protect. Every day we hear of new ways to spy on and overhear the private conversations—we are tempted to say, even the private thoughts—of our fellow citizens. A steadily growing arsenal of insidious eavesdropping devices, uncomplicated in operation, virtually incapable of detection, and relatively inexpensive, is widely advertised in many of our leading newspapers and periodicals. At the present time there is nothing to prevent the abnormally curious and the unscrupulous individual from purchasing and using such gear.

Strange as it may seem, no effective legislation has yet been formulated to curb these incursions. Unfortunately, in the whole subject area of invasions of privacy, the legislator is in both a legal desert and a legal jungle: a legal desert because of the sparsity of law and a legal jungle because of the conflicting nature of that which does exist. For example, the only Federal laws on wiretap and eavesdropping are sections 302 and 605 of the 1934 Federal Communications Act. Neither of these sections has been enforced, partly because technological innovations have circumvented them and because the proverbial fox has been put in charge of the henhouse. Agencies of the Federal Government, as repeated violators of these sections, have been understandably reluctant to enforce them. The legal jungle is clearly shown when five States enact and enforce laws which are in direct conflict with the Federal law; yet no protest is heard.

EVERYBODY'S LIBERTY IS AT STAKE

These facts clearly point to the need for action to correct these deficiencies and conflicts. It is my basic contention that the use of any type of concealed surveillance equipment poses a direct threat to the constitutional liberties guaranteed to every American. Spying in any form smacks of gestapo methods, and is incompatible with every principle of human decency for which our Nation stands. Something must be done and done soon, if we are to restore and safeguard a reasonable degree of personal privacy in the lives of our citizens in the years to come.

While the subcommittee clearly recognizes the need for remedial legislation, it is difficult to predict the final form that such a corrective statute will take. It becomes increasingly clear to the subcommittee that a curb could not and should not be put on the inventive genius of scientists and engineers. The area of possible restrictions in electronic eavesdropping would appear to lie, rather, in the direction of licensing the manufacturers, purchasers, or users of the equipment. Any of these alternatives, or some combination of them, would undoubtedly fall within the administrative sphere of the Federal Communications Commission. Needless to say, any type of restrictive legislation which can appreciably reduce the widespread practices of electronic snooping while restoring the constitutional right of privacy should serve as a safeguard for the dignity and the integrity of every individual citizen in the United States.

As chairman of the Senate subcommittee entrusted with this formidable task, I am determined to use all the powers at my command to formulate effective legislation to correct this situation which has been ignored for too long. Finding a solution will not be easy. Once found, persuading Congress to correct the situation may not be easy. I am convinced, however, that the results will justify the efforts expended.

DEDICATION OF INTERSTATE HIGHWAY 70, SPANNING THE STATE OF MISSOURI

Mr. SYMINGTON. Mr. President, next Sunday afternoon, September 19, Missouri will dedicate its 252-mile segment of Interstate 70 as a completely divided highway spanning the State from the Kansas to the Illinois lines; Kansas City to St. Louis. The Secretary of Commerce, the Honorable John T. Connor, will be the dedication speaker in the ceremonies to be held at the exact midpoint of the route, adjoining the 126-mile marker at Columbia, Mo.

In recognizing this achievement, Secretary Connor will be joined by my colleague, Senator EDWARD V. LONG; the Governor of Missouri, Warren E. Hearnes; Federal Highway Administrator Rex M. Whitton; and other National and State officials.

Nine years ago, on August 2, 1956, just 35 days after President Eisenhower signed the Federal Aid Highway Act into law, work on the 41,000-mile Interstate Highway System was initiated in Missouri, with groundbreaking on Interstate 70 in St. Charles County just west of St. Louis.

Missouri was in the forefront then, because we had an outstanding highway department under the capable leadership of one of the great public servants of America, Rex M. Whitton.

In 1956, Missouri's chief highway engineer, Mr. Whitton, had no idea that he would later be called by President Kennedy to become Federal Highway Administrator in charge of this, the greatest of all peacetime construction programs, and later would be asked by President Johnson to continue in that position.

We in Missouri are proud of the leadership being given nationally by Rex Whitton. In recognition of the progress made to date, the ceremonies this Sunday were planned under the sponsorship of the Missouri Good Roads Association, through the capable leadership of Fred Hughes, president.

Mr. President, I ask unanimous consent that there may be inserted at this point in the RECORD an article from the September issue of that association's magazine, Missouri Good Roads, reporting plans for the dedication, and two reports on the status of the Interstate System and the Federal aid highway program.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INTERSTATE 70 DEDICATION SCHEDULED FOR SEPTEMBER 19 AT COLUMBIA

The date was August 2, 1956, just 35 days after President Dwight D. Eisenhower signed the Federal Aid Highway Act into law. The place was St. Charles County, Mo. The occasion was the beginning of the world's greatest construction project—the Nation's System of Interstate Highways.

It was a project to bring Americans 41,000 miles of superhighways by 1972. Estimated cost of the nationwide program is $46.8 billion.

On September 19, Missouri will dedicate its 252-mile segment of Interstate 70 as a completely divided highway spanning the State. The ceremony will take place at the exact midpoint of the route, Columbia, Mo. Secretary of Commerce John T. Connor will be the dedication speaker.

The commemoration begins at 4:30 p.m. from a speakers platform erected at the Parkade Plaza in Columbia. By coincidence, this large parking and shopping center is adjacent to the 126-mile marker on Interstate 70, the exact halfway point of the statewide highway. On the platform will be Secretary Connor, Missouri Gov. Warren E. Hearnes, Senator EDWARD V. LONG, Federal Highway Administrator Rex M. Whitton, and other top National and State officials.

A 6 p.m. dinner, where Secretary Connor will deliver the principal address, is scheduled at nearby Holiday Inn. More than 500 persons have purchased tickets to the dinner, filling the banquet room to capacity.

Missouri Good Roads Association president, Fred Hughes, of Joplin, is master of ceremonies at both programs.

The dedication is sponsored by the Missouri Good Roads Association, a nonprofit statewide organization interested in an adequate system of highways for Missourians. Plans for the commemoration were drawn by a committee of representatives from each of the cities along the Interstate 70 route, the Government office, the State highway department, the highway patrol, and the Missouri Good Roads Association.

Federal Highway Administrator Rex M. Whitton was Missouri's chief engineer at the start of the interstate program. At the time the first shoveful of dirt was turned on Interstate 70, Whitton little realized that he would eventually head the Nation's vast highway program.

Contractor on the Interstate 70 job was Missouri Good Roads member Cameron, Joyce & Co.

The Nation's Interstate System will save 8,000 lives a year and $11 billion to users each year. Its effects on the Nation's economy—its agricultural, business, commercial, industrial and recreational benefits—can only be measured in astronomical terms. It will pay for itself in 5 years through benefits to its users who enjoy more than a penny savings for each mile they drive on the modern highway.

Interstate 70 is the key route of the Interstate System as it connects the Midwest with the country's two coasts, from Frederick, Md., to western Utah where Interstate 15 whisks the traveler across corners of Arizona and Nevada into California.

Missouri's Interstate 70 is proving miraculously safer than the stretches of old U.S. 40 it replaces. A 3½-year study by the State highway department revealed that a 21-mile segment of Interstate 70 replacing old Highway 40 between Boonville and Columbia had 114 accidents, 95 injuries, and 4 fatalities during the study period. However, during the 3½-year period before the new highway was opened there occurred 400 accidents, 296 injuries, and 13 fatalities on the old road.

The interstate is 3½ times safer than the obsolete road it replaces.

In fact, one Federal official points out that while Federal highway spending totals about $8 billion annually, the economic loss now due to accidents exceeds that amount.

Interstate 70's role in Missouri's tourist business becomes increasingly apparent in view of the ease of entering our State now provided the tourist. American motorists chalk up more than 215 million vacation and pleasure miles annually on trips more than 100 miles from home or requiring an overnight stay. The greatest percentage of these trips are under 500 miles and represent weekend trips and short vacations. The average traveling couple spends $31 a day and any area attracting two dozen extra tourists a day is gaining revenues comparable to adding a new industry with a $150,000 annual payroll.

Unfortunately, there isn't enough money currently available for a speedup in the State highway program to provide better roads into Missouri's magnificent recreation areas after the motorist leaves the interstate.

However, the completion of Interstate 70 reflects the kind of roads that can be built—roads that can meet today's needs—roads that save more than they cost.

THE INTERSTATE SYSTEM

In 1956, President Eisenhower signed into law the Federal Aid Act creating a 41,000-mile system of interstate and defense highways. This system, criss-crossing the United States, was scheduled for completion in 1972.

Although Federal aid to State highway programs had been utilized in Missouri since 1921, this act created the highway trust fund earmarking, as Missouri had been doing for years, highway user moneys. Previously, Federal aid projects had been financed out of Federal general revenues.

The Interstate System is a sharing of Federal and State funds on a 90–10 percent basis. Other Federal aid funds are shared on a 50–50 basis. The Federal Aid Act of 1956 was the result of planning for an Interstate System envisioned for years. At the time of the original appropriations, the "windshield estimate" by highway engineers was $27 billion. This was a hurried estimate. The 1961 estimate, which took into consideration rising costs of construction and materials as well as the fact that Congress changed the law and required construction to be adequate for anticipated traffic 20 years hence, was more accurate at $41 billion. The 1965 estimate, the most recent, is $46.8 billion for the system.

The House has recently passed Senate Joint Resolution 81 to provide:

1. Three billion dollars in appropriations for the interstate program.

2. A post-1972 needs study to be made by the Department of Commerce.

3. Withdrawal of Federal funds from States which do not have safety laws after 1968.

Four hundred and ninety miles of Missouri's interstate routes are completed, including Interstate 70.

Under contract and exepected to be completed in 1965 are 117 additional miles. Other interstate segments totaling 77 miles are under contract.

This leaves 435 miles of Missouri's 1,119-mile portion of the interstate not built and not under contract.

No interstate contracts have been let this year. This is a critical situation which is slowing Missouri's highway program. The reason for this slowdown is a lack of money in the highway trust fund. When Congress established the highway trust fund it required that there be no deficit financing, that there has to be money in the fund before it can be released to the States. For this reason, even though Congress appropriates money for the program, the money has to be in the fund before it can be released to the States. Missouri's share has been lagging a full 3 months and no contracts have been let for 1966 under this program.

The highways that are built under the interstate program belong to the State. Missouri will have ownership of the 1,119 miles of Missouri interstate and will have to maintain and repair these highways. The Interstate System as such is not a federally owned system. It is merely a system of highway marking. Highways built under the interstate program have to meet standards established by the Federal Bureau of Public Roads.

The Nation's interstate program began in Missouri on August 2, 1956 in St. Charles County, Mo.

FEDERAL-AID HIGHWAY PROGRAM

The enactment of the first Federal Aid Highway Act in 1916 had four important effects upon State highway administration in Missouri.

First, since the receipt of Federal funds was conditional upon the matching of funds by the recipient States, it created a need for a State agency which would be in power to make the State commitments. In Missouri the Federal act contributed, therefore, to the establishment of the State highway commission.

Next, the Federal legislation stipulated certain minimum technical qualifications for the State highway agencies. These encouraged the development of Missouri's State Highway Department.

Thirdly, the participation of the State on a continuing basis in the construction and maintenance of State roads and bridges is in part traceable to the requirement that roads constructed with Federal aid be maintained by the recipient State.

Finally, the availability of Federal aid has encouraged Missouri and other States in their efforts to provide more adequate roads.

In 1921, the Federal Highway Act amended the 1916 act, eliminating the requirement which restricted the use of Federal aid to the construction of rural roads by permitting the expenditure of Federal funds on any roads chosen by the State and approved by Federal authority. Formerly, the Federal contribution had been restricted to 7 percent of the total rural mileage in the Nation.

As required by this Federal legislation, the State highway department submitted a report in 1922, designating the State's first primary and secondary systems. These road systems were to connect 25 of the State's cities with a population of 25,000 or more.

The Federal Aid Highway Act of 1936 appropriated additional funds which were to be expended on secondary roads under the provisions of the 1921 act. For the first time, funds were made available for elimination of hazards at railroad crossings. Federal legislation enacted in 1944 extended the use of Federal aid to urban extensions of the Federal aid highway system.

The 1944 legislation also introduced the now familiar classification of primary, secondary, and urban highways. The primary highways are the trunk systems connecting towns or cities and can be either interstate or intrastate. The supplementary roads are of a local nature and are short distance routes. A good example of a primary route is U.S. 63, and the supplementary or secondary routes are lettered routes. The urban highways are extension of primary or secondary routes through metropolitan areas. These road classifications are also the ABC highways. Every 2 years the Federal bill covering the Federal aid primary, secondary, and urban area extensions is commonly called the ABC bill.

CONGRESS AND ONE MAN, ONE VOTE

Mr. HRUSKA. Mr. President, Prof. Robert G. Dixon, of the George Washington University Law School, has been studying the problem of legislative reapportionment under a Rockefeller Foundation grant during the last year.

Earlier this year, in testifying before the Constitutional Amendments Subcommittee, Professor Dixon showed a deep knowledge and understanding of this problem and its implications. In a recent issue of the George Washington University magazine he discussed the reapportionment issue.

In this article it is pointed out that Chief Justice Warren's stated objective in the reapportionment decisions is the ultimate goal of fair and effective representation. In order to achieve this, Professor Dixon suggests:

> The need for the future will be to pick apart the meaning of the one man, one vote slogan.

As those of my colleagues who have taken an active interest in this issue know, that is not a simple task, but it is of vast importance. The article notes:

> It is a far more subtle and many-faceted concept than most persons yet realize and may have a future out-reach far beyond its present dimension.

There is one point upon which I would disagree with Professor Dixon. He states:

> Granting the importance of the district system, and recognizing also its imperfections as an instrument for fair and effective representation, there may be much merit in considering a reapportionment constitutional amendment.

With this I agree; however, he continues:

> For a variety of reasons not wholly related to the merits of the matter, the prospects for adoption of such an amendment appear dim.

It is my belief that prospects for adoption of such an amendment are not dim. After my colleagues have had an opportunity to go home after adjournment to visit with the voters, I believe that they will come back with a renewed faith in their constituents and their ability to understand and make an intelligent judgment on the issue of reapportionment. Then we can adopt the Dirksen amendment.

I ask unanimous consent that the entire article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS AND ONE MAN, ONE VOTE

(By Robert G. Dixon, Jr.)

The Supreme Court's reapportionment decisions in June 1964, rank as one of the most far-reaching series of decisions since the beginning of judicial review (*Reynolds* v. *Sims* from Alabama and related cases from 14 other States). The Court, utilizing the "equal protection of the laws" clause of the 14th amendment, embraced a one-man, one-vote principle which means, said the Court, that legislators in each house of a bicameral legislature must be elected from districts of approximately equal population. Under this new equal population district standard—whose strictness is still uncertain a year later—at least one legislative house and in most instances both houses in virtually every State became unconstitutional.

A few months earlier in February 1964 in a case from Georgia (*Wesberry* v. *Sanders*) the Supreme Court had laid down the rule that congressional districts for the election of the lower house of Congress must be of substantially equal population. The U.S. Senate and the weighted voting system for the election of President and Vice President (electoral college system) remain untouched, so far. A suit to attempt to readjust voting weight in the election of the President is being seriously discussed, and Delaware may take the lead. State equality in the Senate, however, is fixed as an apparently unamenable part of our Constitution.

UNCERTAINTY OF STANDARDS

A year after the Supreme Court mandated drastic change in legislative apportionments and congressional districts, far fewer than half of the States had succeeded in accomplishing change, although there had been furious activity in virtually every State. Even in the steadily increasing number of States with new apportionment plans and new congressional districts there is no assurance of ultimate constitutionality because of continued uncertainty concerning the Supreme Court's eventual standards for fair representation and substantial population equality among legislative districts.

For example, one figure commonly considered is the maximum percentage deviation from average or "ideal" district. (The average or "ideal" district for each house may be obtained by dividing the State's population by the number of seats in each house of the legislature.) In regard to congressional districts the House of Representatives passed and sent to the Senate a bill permitting a 15-percent leeway either way. One Federal district court (Georgia) in April 1965, also spoke favorably of a 15-percent leeway for State legislative districts. But at least one of the new congressional districts in 4 of the first 10 States to redistrict after Wesberry exceeds a 15-percent deviation, and it may be some time before the Supreme Court rules on whether a 15-percent deviation yields substantial equality. It could be argued that the allowable percentage deviation for the House of Representatives should be less than for State legislatures, because only half of Congress is apportioned on a population basis whereas both houses of State legislatures are to be apportioned substantially on a population basis.

Some of the newly reapportioned State legislatures show major variations in terms of maximum deviation percentage points. Deviations in Washington run to 20 percent, and in New York to 11 percent (both approved by lower Federal courts). But Michigan's deviations of under 1 percent for the Senate and under 3 percent for the House are being challenged. It is being urged that the price of this allegedly unnecessary strictness was a major cutting of county lines in drawing district boundaries, ignoring of community-of-interest factors, gerrymandering, and violation of parts of the Michigan constitution deemed not to be intrinsically in conflict with a substantial population equality rule.

Gerrymandering arguments may come to be even more important than arguments over population percentage points as the reapportionment crisis unfolds in the next few years. The Supreme Court itself seemed to invite this argument in an opinion handed down in January 1965, in a Georgia case (*Fortson* v. *Dorsey*) which challenged the at-large (winner-take-all) election of seven State senators from Fulton County (Atlanta). Although the Court refused to disturb the at-large election system on the record presented, Justice Brennan did say, in his opinion for the Court, that a system might be suspect if it operated "to minimize or cancel out the voting strength of racial or political elements of the voting population."

This statement was made in a State legislative apportionment case, as noted above, involving election from the county at large, without subdistricts, of all of the members apportioned to the county for the State senate. The force of this statement seems equally applicable to the construction of congressional districts. Its essence seems to be to identify a "political equity" or "racial equity" interest as a further outreach of the one-man, one-vote concept. On this basis a system of equal population districts which was so constructed as to prevent the weaker political party from capturing a share of seats roughly proportional to its share of the popular vote would be suspect, and perhaps unconstitutional.

GOAL OF PROPORTIONATE REPRESENTATION

This "political equity" possibility relates directly to what seems to be the crux of our present crisis in reapportionment and redistricting. When we talk about one man, one vote inside a given district, we are simply talking about the concept of majority rule. The candidate who polls the most votes should win, and each vote should count the same. This thought was the essence of the Georgia "county unit" case in 1963 which invalidated Georgia's system of weighted voting for such statewide officers as Governor and U.S. Senator. This "county unit" system was quite similar in operation to the "State unit" system (electoral college system) still used for President and Vice President.

Simplicity vanishes when we shift from one man, one vote inside a given district to the construction of a representative assembly intended to represent fairly all of the interests in the State, and comprised of members chosen through separate district elections. Those interests which constitute a majority, or are in an important balance-of-power position in a district or series of districts, will get representation, although it may not always be proportionate to their numerical strength. Those interests which constitute a locked-in minority in a series of districts will, realistically speaking, get no effective representation.

People are notably unhappy when they feel they are not receiving representation in the legislature proportionate to their strength in the State as a whole. Indeed, this feeling was the primary motivation for most of the plaintiffs in most of the reapportionment suits dating back to the leading case from Tennessee (*Baker* v. *Carr*) in 1962. Although the battle cry has been one man, one vote the purpose has been to achieve representation in the legislature more proportionate to voting strength. The goal has been to effectuate certain interests, not just to achieve a mathematical abstraction by treating all voters as interchangeable grains of sand who can be shifted from district to district in pursuit of a bare equality of numbers.

It comes down really to a conundrum: How can we have a PR result without the PR form? (In a proportional representation voting system, districts are abolished and parties are allocated seats in proportion to their overall strength.) How can we retain our traditional subdistrict system of electing our central legislature and still have it give us a proportional representation result for all of the interests in the State as a whole?

In short, the logic of one man, one vote, when applied to legislative elections, points to PR and away from the district system with its wasted votes for all those who are a minority in the district where they dwell. But PR has its own shortcomings because in wiping out district lines it opens the door for the rise of minor parties who can pick up a few electoral quotas, and the two-party system is weakened.

ONE MAN, ONE VOTE IN LEGISLATURES

When applied to the legislative arena as a whole, one man, one vote—which Chief Justice Warren also said includes the idea of making every vote as effective as possible—puts in question the whole range of antimajoritarian rules and practices in Congress and State legislatures. As Chief Justice Warren said in one of his opinions in the reapportionment decisions of June 1964, the ultimate goal is fair and effective representation. Any device which impedes or thwarts the dominant represented view is therefore suspect. It short-weights the representation function. From this perspective a number of legislative practices are suspect under a one man, one vote concept, functionally viewed. They would include, at the least, the following: (1) The filibuster, (2) seniority practice in "electing" committee chairmen, (3) seniority practice in committee assignments, (4) powers of committee chairman to delay or block action, (5) all extraordinary majority requirements in legislative voting, (6) inequitable staffing for committees and for legislators individually.

Some of these possible out-reaches of one man, one vote, placed in functional context, are doubtless somewhat distant. Of more immediate relevance are the equality and gerrymandering issues which are affecting current apportionment litigation, as outlined above, and the possibility of a Federal constitutional amendment.

PROPOSED REAPPORTIONMENT AMENDMENT

The proposals for a Federal constitutional amendment, particularly those made by Senators JAVITS and CHURCH, are designed to modify partly the reapportionment-decisions of June 1964. Specifically, these proposals—which are far narrower than the original draft of Senator DIRKSEN's better known proposal—would permit the people of a State to place one house of a bicameral legislature on a mixed representation basis (i.e. deviating from a straight population principle in one house) provided the change was approved in an initial statewide one man, one vote popular referendum, and reapproved or modified by popular referendums every 10 years thereafter. A Senate subcommittee in June approved language of this type. The other house, and of course the Governorship, would remain on a straight population basis. Thus, the substance of the Court's decisions and the starting premise of equal population districts in both houses of a bicameral legislature would remain intact, modifiable only by an alternative form of one man, one vote, namely—the statewide referendum.

All district systems—including equal population district systems—may yield unequal and distorted representation as mentioned earlier. District lines frequently carve up and submerge indentifiable interests, often unavoidably. The balance-of-power position of better organized interests frequently leads to exaggeration of their influence. The prohibitionists demonstrated this by going all the way and getting a constitutional amendment. All district systems tend to exaggerate—sometimes grossly so—the position of the dominant political party. The great merit of the district system lies in discouraging splinter parties, promoting stability, and protecting the power to govern.

Granting the importance of the district system, and recognizing also its imperfections as an instrument for fair and effective representation, there may be much merit in considering a reapportionment constitutional amendment. For a variety of reasons not wholly related to the merits of the matter, the prospects for adoption of such an amendment appear dim. The two essential elements for such an amendment would be: (1) a provision for placing before the people, either automatically or by petition, the question of electing one house under a mixed representation system, without need for approval of the sitting legislature however it be apportioned; (2) provision for decennial review of the representation question, either automatically or by petition. The sitting legislators, whether or not they be the product of an "equal population district" system, may have a role in the process but should not be in a position to block popular review and modification of the representation system. The curse of the system that prevailed before *Baker* v. *Carr* was the people had no power to act, except through the sitting legislators, and the courts refrained from acting by treating the matter as a political question.

To fear popular control and experimentation in this matter is to fear democracy itself. The people being the ones to be represented, it would seem that they should be the ultimate judges of the adequacy and fairness of that system. This is the principle on which the whole power of constitutional amendment rests—including a power to add to or subtract from the Bill of Rights.

THE NEEDED DIALOG

It is implicit in this entire essay that in regard to reapportionment and redistricting we are dealing not merely with a simple civil right of the individual voter. Voting is involved. But in the creation, out of arbitrary districts, of a representative system for indirect democracy, the right of the individual voter becomes intertwined with large corollary questions concerning group dynamics—i.e., concerning political philosophies and practices of representation in a public order in which groups are as relevant as individuals. The individual does vote. The issue is: how effective is his vote, and the votes of those who think as he does, when filtered through a system of frequently changing districts?

Reapportionment restructures government at its core. It calls for a national dialog at the philosophical level and at the practical political level on the theories and mechanics of effective representation, both in district voting and inside legislatures. The need for the future will be to pick apart the meaning of the "one man, one vote" slogan. It is a far more subtle and many-faceted concept than most persons yet realize and may have a future outreach far beyond its present dimension.

(NOTE.—Robert G. Dixon, professor of law, was on leave in 1964–1965 under a Rockefeller Foundation grant for legislative reapportionment research, and has been awarded a grant from the American Philosophical Society for continued research in this field in the summer of 1965. Funds for research assistants have been provided by a supplemental grant from the Evening Star-George Washington Research Fund.

(In the past year Professor Dixon has spoken on reapportionment before several groups including the Conference of Chief Justices, the National Association of Attorneys General, the Association of American Law Schools, the National Association of Counties, the Midwest Conference of Political Scientists, the Columbia University Law Forum, and the regional American Assembly of George Washington University. He is scheduled to be a panelist at annual meetings of the American Political Science Association in September, of the American Society for Political and Legal Philosophy in December. He testified on the proposed reapportionment amendments before the Senate Subcommittee on Constitutional Amendments and the House Judiciary Committee.

(Although concentrating primarily on legislative reapportionment in the past year, his recent publications also include articles and contributed chapters in the fields of civil rights, church-state relations, metropolitanism, and intergovernmental relations. He is known also for his authorship of many works in other fields.

(Professor Dixon was professor of political science at Maryland, American, and Syracuse Universities before joining the university law faculty in 1956. He holds the doctor of philosophy in political science from Syracuse University and the bachelor of laws with distinction from George Washington, and was a Ford Foundation Faculty Fellow at Stanford University Law School.

(He expressed his belief in the practical as well as the theoretical in a recent publication for students, saying: "Maintaining the rule of law is of primary importance, especially in these times of crisis. Law, without liberty, has been the frequent lot of mankind. But liberty, without law, is an impossibility. Both are a precondition to that balance of freedom and order, of public need and private right, which men call justice.")

BOISE COLLEGE COMES OF AGE

Mr. CHURCH. Mr. President, in recent years I have been privileged to cast my vote in the Senate for a continuing series of the most progressive aid-to-education bills ever enacted. Others who support these bills in aid of elementary, secondary, and higher education may have wondered, as I have, how effectively this kind of assistance would be put to use.

I have just had the satisfaction of seeing an entire new era open for a college in my home city of Boise, Idaho; a college for which I once served as a night-school instructor. The rapid expansion of its curriculum and facilities has been the result of bootstrap efforts by the people of the district, combined with State-enabling legislation and financial assistance from the Federal Government which we have established. The rise of Boise College from a 2-year junior college to a 4-year baccalaureate school is a highly gratifying one.

This story has been told in the September 2, 1965, issue of the Idaho Observer and I ask unanimous consent, Mr. President, that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A COLLEGE COMES OF AGE AFTER A SWIFT SWITCH IN GEARS

(By Alice Dieter)

A new era opened this week, with the start of the 1965–66 academic year, for one of Idaho's major educational institutions, which 6 months ago was just another junior college offering vocational courses and a steppingstone to the bachelor's degree.

For fast growing Boise College, now a 4-year, degree-granting institution, the week marked the culmination of three decades of patient development and 6 months of frantic preparation.

When the bill to make Boise Junior College a 4-year school bounced through the Idaho Legislature without a hitch last winter, no one was more surprised than the college administration.

At the time the college was in the midst of a factfinding study designed to pave the way for eventual addition of a junior and senior curriculum. An upper division was bound to come eventually, they knew, but suddenly they found themselves called upon to shift gears in months instead of years.

The major responsibilities for shifting the gears fell on the shoulders of a three-man team that is remarkably complementary and reflects, in three quite diverse individuals, a strong similarity of views as to the future of the college. The three: President Eugene Chaffee, Vice President William Gottenberg and Dean of Faculty Acel Chatburn.

Dr. Chaffee is a dapper, broad-shouldered man with silver streaks in his dark hair. He has a voice grown hoarse with telling the story of Boise Junior College at innumerable service club luncheons since he joined the faculty in 1932.

Dr. Chaffee was born in Nebraska. He came to Idaho as a boy when his family acquired a ranch in the Boise Valley. After earning his bachelor of arts degree at Occidental College he returned to Idaho to look for a teaching job. There was an opening in Meridian, with 35 candidates for it. Chaffee beat the field, taught several years there and at Ustick and then returned to California, to the university at Berkeley, where he earned a master's degree in history. His master's thesis on the history of the Boise Valley is a well-worn reference volume at the Boise public library.

Meanwhile, back in Boise, educators and civic leaders had recognized the need for an institution of higher education in the community. The Episcopal Church took the first steps. The church had operated St. Margaret's Hall in Boise since the 1880's. In 1932 Bishop Middleton S. Barnwell hired an expanded faculty, authorized a new curriculum, and began phasing out the high school work of the school.

The only full-time male member of the new faculty serving as dean of men, athletic coach and dean of social sciences was Eugene Chaffee.

Two years later, faced with mounting financial burdens, the church relinquished its interest to an organization of businessmen. The school functioned under their direction until 1939 when passage of the Idaho junior college law authorized the organization of a junior college bonding district.

Dr. Chaffee stayed all the way. Only once did he consider leaving. He had been offered the administrative deanship in 1934, but felt the conditions were unacceptable.

The trustees were offering no real authority, they still wanted to run the school themselves.

Besides, Dr. Chaffee was still deeply interested in history. His plans became more specific and in 1936 he had decided to leave for Brazil to research the history of Brazilian border disputes for a doctoral disseration.

"Very interesting subject," he says, "very complicated because Brazil shares a border with every other South American country except Chile."

But Dr. Chaffee didn't go to Brazil. The trustees made him a new offer of the presidency of the college. And they offered him the authority he wanted. The Brazilian border disputes stayed unresearched and the two doctoral degrees which Chaffee now holds are both honorary.

When he accepted the presidency he told his family, "I'm going to stick at this long enough to get this institution on its feet * * * and if the people of Boise want me I'll stay here all my life."

Money was a problem at the college. Dr. Chaffee recalls that economic conditions were so adverse in 1932 that the only bank left in town closed its doors the week the school opened. "Sometimes we had to wait until another student registered before we knew we would have coal to heat the classrooms, but we always paid our bills."

It was the community that built the college. One wall of his new office in the remodeled administration building is lined with photographs of Boiseans who have worked through the years.

Dr. Chaffee had a taste of this support for himself as an individual when he was stricken early in 1964 with a severe viral infection. Hospitalized in San Francisco and on the critical list, his room and the hall outside were banked with flowers. The messages stacked up at his bedside.

He recovered, but to the distress of his friends he cut his convalescence in half to return to the project that would culminate in the 4-year college bill a year later.

Says the college president:

"It is many people working together who have built this college, even sworn enemies. Not many men can have in their lives what I have. It is the road I drive, the lights of my town. I've been here so long now that I know everyone * * * and their children, and few people can do that anymore. This is the greatest satisfaction of all. It is basic to being a human being, like family. You can change businesses, but not families."

The vice-presidential slot on the administrative team is filled by a more recent Idahoan, William Gottenberg, who joined the college faculty in 1947.

Gottenberg is a trim, quick man who radiates energy and speaks in direct, clipped sentences. A Montanan, he served in the Navy in World War II, as did Dr. Chaffee, and returned to Missoula to teach.

A chance meeting with Dr. Chaffee in Butte in 1947, a summer trip to look over the Idaho State College campus, and an impulse to drive to Boise resulted in Gottenberg's joining the BJC faculty that fall.

"I saw an outstanding community and a small, but promising school," said Gottenberg.

He taught classes (English and Spanish) for only 2 years. A secondary responsibility as student government advisor became part of a major need for a man to work with all phases of student life. This was Gottenberg's dish of tea.

As he describes it, "My area is the students, loans, finances, housing, feeding and counseling."

His secretary can vouch for his concern. "He is late now because he went over to the hospital to see a boy who has had an accident," she explained to a waiting visitor. "He wanted to be sure the boy planned to come back to school."

"He insists on an open-office-door policy with the students and that makes his load very heavy, but he has an ability to switch his attention easily from one problem to another. He is here early and late."

"When they offered me the vice-presidency," Gottenberg recalls, "I told them then I wouldn't do it if it took me away from the students." He took 3 days to decide, then accepted.

It was Gottenberg who stepped into the breach during the months when Dr. Chaffee was convalescing from the virus attack. With the president back at his desk the vice president has been able to spend more time again on student affairs, but the responsibilities are expanding rapidly.

"Even though the early passage of the bill surprised us," says Gottenberg, "we were ahead because we had already rewritten the student constitution. We are working toward the student self-government that a more mature student body requires."

Gottenberg believes decisions about social life, campus regulations and dormitory administration belong properly to the students. "Students respond to responsibility * * * and this protects against 'Berkeley' behavior."

It is Gottenberg's responsibility to keep up with the expanding Government programs that provide funds for student loans and supplemental training programs. He says that the college is taking advantage of every Federal fund source available except the Manpower Development and Training Act, which the trustees decided was unacceptable because the admission procedure involved selection of students by an agency other than the college.

He prides himself on his skill at combining available resources to fit individual student problems. "As opportunities expand we have many types of students, some of them husband-wife teams with families to feed. We find a way. It is part of our job as a community college."

Gottenberg is deeply involved in the expansion of the vocational school and the need to provide challenges for the post-high school students.

"Last summer we needed to dig a trench to bury some electrical cable for our new vocational building," he says. "I hired a trench digger and operator, and we held a contest between the machine and a student. The rest of the boys watched and figured the time and cost involved in both methods of trench digging. They saw for themselves the pittance of their own strength against a machine."

In measuring the future importance of vocational training Gottenberg quotes Labor Secretary Willard Wirtz: "It takes 14 years of education to equal a machine—and a machine doesn't eat." He adds to this the estimate that the average worker now requires retraining at least three times during his working life.

Will town-grown friction develop as the student body expands? Gottenberg says this isn't an immediate possibility.

"We are giving the students increased responsibilities. Guidance counseling and involvement with the life of the community will continue. Most of our students will be from Ada and Canyon Counties and we will have more commuters as the Interstate is completed. Sixty-seven percent of our students work, many of them hold evening jobs. The community hires our kids."

The dean of faculty, Dr. Acel Chatburn, is a native Idahoan. Large boned, sandy haired and bespectacled, he moves and speaks with the quiet voice of a rancher, even though his "spread" is a mere 2 acres now.

Dr. Chatburn began teaching in Idaho schools in 1931. He served in the Boise school system for 10 years and then received an appointment to 1 year of an unexpired term as Idaho superintendent of public instruction.

He speaks with wryness of "having the honor of serving in that office for the shortest period in Idaho history." Although Dr. Chatburn was buried, with the rest of the Republican slate, in the Roosevelt landslide of 1944, he is proud of the fact that he drew more votes than any other member of the ticket.

But that year marked the end of his excursion into politics and he returned to the classroom. It was a complete return. He joined the BJC faculty and taught all the psychology courses, gave all the guidance tests, taught all the education courses and also directed the student teachers and managed the film library.

"My responsibilities gradually 'dwindled' or 'concentrated' to heading the department of education."

He was appointed dean of the faculty in 1956 and later took a leave of absence to complete his doctorate at Washington State University.

When the legislature suddenly flashed that green light in the direction of the Boise campus it was Dr. Chatburn's responsibility to lead in decisions concerning expansion areas, and to recruit that all-important element, a new faculty.

The enabling bill specified the fields of business and education plus liberal arts for the upper division. But the college was left to decide which liberal arts.

Dr. Chaffee and Dr. Chatburn knew the curriculum committee's decisions would be crucial. They decided to begin where the community's needs were the greatest and where the faculty was already strong.

Says Dr. Chatburn: "A good case could be made for several different disciplines. Our choice fell on history because of the present strong staff and some people we knew we had a chance of getting, the proximity of the Idaho Historical Society Library, the college's own significant history collection, and the nearby Law Library.

"Mathematics was another choice because of the presence on our faculty of Dr. Elsie Buck to head the new department and because of the surge of interest in the fields of mathematics.

"We decided early that rather than dissipate our energies we would do a good job in a few areas and avoid duplication of strong departments in other Idaho schools.

"A big factor is the size of the authorized levy for upper division (1 mill). Costs have to be held down and conducting classes for less than 10 students is prohibitive. Therefore, although the music faculty is strong, expansion in that department was postponed because the classes must of necessity be very small."

With intensive recruitment the college faculty has been raised to 100 members. This represents 20 new positions. With necessary replacements Dr. Chatburn brought 27 new members to the school's teaching staff. Of the new faculty 11 hold doctoral degrees.

The most fruitful efforts were in the northern Midwest, where "they are fed up with the climate and the rat-race." Entering a highly competitive market for faculty, Dr. Chatburn could not offer a starting salary schedule that was particularly attractive. He could offer good maximum salaries and a competitive merit system devised by the BJC faculty which "works although the experts say it isn't supposed to."

But the recruitment leaned heavily on the very qualities that Dr. Chaffe, Gottenberg, and Dr. Chatburn found so satisfactory in their own careers.

"We sold the community, the climate, and the opportunity to grow with the school." As one who could remember when the BJC campus was sandwiched in between the city dump and the airport, Dr. Chatburn could tell his story with graphic detail.

"We answered initial inquiries with the chamber of commerce book on Greater Boise. We described the community as balanced, conservative in tone, and with no dominant industrial or religious group pressures. We found that if we could get a man to visit us on campus for an interview we could usually hire him * * * the climate, culture, scenery, fishing, and skiing do the job. Our main bait is a new and growing institution."

CRIME IN THE DISTRICT OF COLUMBIA

Mr. PELL. Mr. President, on July 28 last, I spoke to the Senate of my increasing concern of the unequal and losing contest between the forces of law and the forces of crime in our Nation's Capital.

At that time I was joined in my sentiments by Senator MORSE, of Oregon, and Senator KENNEDY of New York. The Metropolitan Police of the District of Columbia is unquestionably making every effort that it can to combat this almost overwhelming wave of crime which would seem that sometime in our lives to strike at every family who resides in the District.

Much of the seeds of crime can be traced to the great social and economic problems that exist in our cities and which are even magnified in this city, our Nation's Capital. Therefore, it is incumbent upon our police department to not only apprehend criminals but also to make every attempt to inspire respect for the law and for their law enforcement personnel.

We have seen the results in Los Angeles of a breakdown in communication between those who are charged with law enforcement and those who are involved in social and economic upheaval. It is unquestionably most difficult to relate respect for law and order to the illiterate, the undereducated and the disadvantaged. It is obvious that extraordinary efforts must be made to do just that in the District of Columbia.

I am extremely pleased, as I know many of my colleagues are, that the Washington Police Department is moving firmly in this direction. For in the last few days, Howard F. Mowry was appointed acting deputy police chief and head of the recently created special division on community relations.

Howard F. Mowry is a man in whom I have the utmost confidence both as a working policeman and as an individual with an acute sensitivity to social problems and humane relations. It is significant to note that on August 15, 1963, I spoke on the floor of the Senate of his courage and coolheadedness in dealing with a violent and possibly deranged criminal, and for this act of bravery, he received public acclaim and recognition.

Mr. President, at this point I ask unanimous permission to insert into the RECORD several articles and editorials concerning Deputy Chief Mowry's appointment and also that of his assistant in the special division on community relations, Inspector George E. Causey, with whom he has worked closely for many years.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Editorial broadcast by WMAL AM/FM/TV, Aug. 29, 1965]

COMMUNITY RELATIONS UNIT

The Metropolitan Police Department's community relations unit serves as a sounding board between the community and key city officials. The unit gained added stature when Police Chief Layton named Acting Deputy Chief Howard Mowry to become the unit's new commanding officer. Deputy Chief Mowry has been on the force since 1935 and has gained a citywide reputation for his ability to work with all factions. The appointment received immediate and enthusiastic support from the community. Negro leaders believe the action will improve relations and want to broaden the unit's role.

Another valuable member of the unit, Inspector George Causey, was to have retired, but will stay on as second in command. His return after a month's illness is welcome news.

We are confident that, under the leadership of Deputy Chief Mowry, the community relations unit will improve communications between District residents and the Metropolitan Police Department.

[From the Washington (D.C.) Post, Sept. 2, 1965]

MOWRY TO LEAD POLICE RELATIONS UNIT: INSPECTOR CAUSEY WILL STAY AT NO. 2 POST

(By Alfred E. Lewis)

Inspector Howard F. Mowry, a member of the force for 30 years, has been appointed head of the Metropolitan Police Department's Community Relations Division.

Police Chief John B. Layton announced Mowry's promotion to acting deputy chief yesterday and said the 52-year-old veteran would devote full time to his new assignment.

Washington's Negro leaders hailed the action as an indication that the year-old division is being given more priority in the department.

They also expressed pleasure with Layton's announcement that he and Commissioner Walter N. Tobriner had persuaded Inspector George E. Causey, who was about to retire as second in command of the division, to remain on a sick leave basis.

Mowry and Causey, both former captains of the 14th precinct, are acknowledged tacticians in community relations work and enjoy the respect of many civic groups.

Several community leaders had indicated that Causey's retirement because of a recurring spinal ailment—a retirement already approved by the board of police and fire surgeons—would hamper the work of a division still struggling to get on its feet.

The blue-ribbon committee that launched the young unit and is now reevaluating it was expected to recommend that Causey be hired as a part-time consultant after he left the force.

Causey has been on sick leave for more than a month, but has been making periodic visits to the division office. "How much he can work and how long will depend on the doctors," Layton said.

Causey was described as "devoted and knowledgeable" by Tobriner, who said, "The most impressive thing about him is his overwhelming desire to improve human relation."

Deputy Chief Thomas Rasmusen, who has nominally headed the division since July 1, was praised by Layton for taking on an additional workload when he already was night supervisor of uniformed police. He has been relieved of any responsibility for the division.

Mowry, who joined the force October 16, 1935, has worked in the 1st, 3d, 8th, and 14th precincts, has headed the narcotics squad and has held headquarters staff jobs.

He is considered by many Negro leaders as being sensitive to ghetto problems as well as competent at maintaining open communications between city officials and the key Negro leadership.

They expressed hope that he would be aided in his new job by an expanded division staff and improved offices at headquarters.

[From the Washington (D.C.) Star, Sept. 1, 1965]

POLICE SHAKEUP SHIFTS HEAD OF RACIAL UNIT—TOP POSTS GO TO MOWRY AND CAUSEY

(By J. Theodore Crown)

A shakeup in the Metropolitan Police Department's community relations unit—engineered by the District Commissioners—resulted today in the appointment of a new supervisor and the retention of a veteran officer who had sought retirement.

Police Chief John B. Layton announced that Inspector Howard F. Mowry would be named acting deputy chief and placed in charge of the unit, which seeks to establish good relations between the police and the community, especially Negroes.

Inspector George E. Causey, who has served as the unit's second in command since its inception in September 1964, returned to duty this morning. He had been on sick leave and went before the board of police and fire surgeons yesterday.

CAUSEY, TOBRINER MEET

The surgeons cleared Causey for retirement, and he was scheduled to go before the retirement board September 9.

He reversed his decision to retire after a conference late yesterday with Walter N. Tobriner, president of the Board of District Commissioners.

Mrs. Ruth Bates Harris, associate director of the Commissioners' Council on Human Relations, called today's developments "the best thing that could have happened to Washington."

She said Causey and Mowry were "two men the community as a whole has confidence in, and these actions will advance the cause of community-police relations and human relations in the District as a whole."

Causey's intention to retire, disclosed in the Star Sunday, disturbed Negro leaders who described him as one of the department's most effective community relations experts. The unit had suffered from the retirement earlier in the summer of Deputy Chief George Wallrodt, who, like Causey, had won the respect of District Negroes.

URBAN LEAGUE CHIEF PLEASED

Sterling Tucker, executive director of the Washington Urban League, said Causey's loss would have resulted in "an absence of seasoned experience in community and human relations in the department."

Today's actions, Tucker said, "indicate a new priority being given by the police to community relations, which is a kind of recognition * * * of the needs in this area."

Deputy Chief Thomas Rasmusen was relieved of his duties as supervisor of the unit, but retains his job as one of the department's three deputy chiefs in charge of the uniformed force.

[From the Washington (D.C.) Star, Sept. 2, 1965]

POLICE GET BRIEFING ON RACIAL UNIT AIMS

(By J. Theodore Crown)

The new head of the Washington Police Department's community relations unit today began a series of sessions with all captains on the force to explain their responsibilities in achieving good relations between the police and the public.

The new supervisor, Inspector Howard F. Mowry, began this morning by telling a group of captains:

"You have a responsibility to get out to meet with these citizens, listen to their problems, and be as helpful as you can."

The captains, in each of the department's five inspection districts, in turn are to explain these aims to the policemen at the precinct level.

MEETS WITH CITIZENS

Mowry also is meeting with "grassroots" groups of citizens in homes and churches, telling them:

"We have a sympathetic ear for all the problems in the community, but we expect you responsible citizens of the community to cooperate with us to help this city to be a better place for all to live.

"It is a two-way street. The police department can only go so far and we must have the cooperation of responsible citizens or we cannot succeed."

Mowry explained that he was trying to cram as many of these meetings as possible in today and tomorrow in advance of the long Labor Day weekend.

Until Mowry's appointment to the post yesterday, the community relations unit had been relative inactive for about a month. Inspector George Causey, the unit's second in command, had been on sick leave.

Mowry was named acting deputy chief in his position as the new head of the unit. Causey has reversed his decision to retire because of bad health and plans to remain on the job.

HEADS SECOND UNIT, TOO

Today Mowry also was named by Chief John B. Layton to head the department's civil disturbance unit. Lt. Willie Harp had been acting head of the unit since the retirement of Deputy Chief George R. Wallrodt. Causey is a longtime member of that unit, too.

The Star had reported Sunday that there were reports of high-level disagreement over methods and emphasis in the community relations unit.

Layton also disclosed yesterday that Deputy Chief Thomas Rasmusen was relieved of his duties as supervisor of the community relations unit but will continue as one of the department's three deputy chiefs in charge of the uniformed force.

Mowry temporarily will retain his duties as fifth district inspector. The district includes the 14th, 9th and 12th precincts.

[From the Washington (D.C.) Star, Sept. 4, 1965]

OPEN LINES

The creation of the police department's special division on community relations a year ago seemed a sensible, logical action. But the importance of that step was not fully evident until the Star's disclosure last weekend that the unit's second in command, Inspector George E. Causey, planned to retire for reasons of health.

Expressions of regret and concern poured in from virtually every Negro leader in the community. It is hard to recall a more unqualified vote of confidence in a police officer from spokesmen from the major Negro groups—if indeed there has ever been one.

In persuading Inspector Causey to forgo his retirement and remain on the job, Commissioner Tobriner and Chief Layton did an excellent day's work. The icing on the cake, however, came with the appointment of Howard F. Mowry, who has done a good job in the precincts on racial problems, to head the special unit. One Negro leader called the two actions "the best thing that could have happened to Washington." Another applauded both officers' sensitivity to racial problems.

Perhaps the most consistent and significant thought they expressed, however, had to do with the importance of keeping open lines of communications between Negroes and city officials. For without this, grievances, real or imagined by either side, can never be resolved. The lines now open must remain open.

[From the Washington (D.C.) Post Sept. 13, 1965]

THE VALUE OF RESTRAINT

For a police department, as for anyone else, openly admitting a mistake requires both self-confidence and strength of character. For the Metropolitan Police to concede poor judgment in the detention of four boys in the 10th precinct station house last Wednesday night, also demonstrates an encouraging willingness to listen to citizens' complaints.

The incident could have led to an ugly confrontation. The boys were picked up for playing football in an alley; a crowd gathered, demanding their release, and a scuffle began. With the help of Mr. Hailes, the executive director of the Washington NAACP, the police managed to disperse the crowd. But a cloud of rancor remained. Now the atmosphere is markedly improved by Acting Deputy Chief Mowry's public statement that the patrolmen ought not to have arrested the boys. The confidence of various groups in society in the fairness of the police is of course the key to public cooperation.

The incident also illustrates the value of a police community relations division under an able and forthright officer like Chief Mowry. It was his first test in a highly demanding job, and he deserves the community's confidence. Washington's Metropolitan Police constitute one of the most efficient forces in the country. It is now showing that it understands the value of restraint and tact as well.

Mr. PELL. Mr. President, both Deputy Chief Mowry and Inspector Causey have been captains of the 14th precinct and are good tacticians in community relations work and because of this, enjoy the respect of every segment of the committee.

I would hope and expect, and I am sure many of my colleagues would agree, that they will get the fullest cooperation in their endeavors for I am certain the community will be far better off for their efforts.

It is both interesting and pleasing for me to note that Howard Mowry comes from an old and much respected Rhode Island family. So I take this opportunity to wish him well in his new position and to reiterate my interest and hope for a vigorous effort against crime by those who are charged with the responsibility of law enforcement in the District of Columbia.

WHO WILL WATCH THE WATCHMAN?

Mr. HRUSKA. Mr. President, for some time it has been the proud boast of the managers of America's space effort that unlike the Soviets, our experiments are conducted in full view of the public. This, it has been asserted, is characteristic of the differences in our form of government and the closed society of the Communist world.

Now, a dark cloud has been cast on that claim. Assertions of censorship and news management have been made by the respected science writer of the Washington Evening Star, William Hines.

Some of the clumsy attempts at censorship are both silly and stupid.

But, more importantly, they seriously undermine not only this Nation's confidence, but that of the world, in our ability and determination to tell the truth.

Since the time of the Bay of Pigs fiasco when Mr. Arthur Sylvester, the voice of the Pentagon, asserted the Government's right to lie to save itself, we have seen recurring examples of news management and cover up and censorship. We have seen a President reciting cheery little items of economic good tidings to a national television audience, days before the appropriate Government bureau would ordinarily release such news and the sole purpose is to conceal or counteract such hard and unhappy facts as the chronic unemployment figures.

Some time ago, Mr. President, after the Pentagon had claimed smashing victories in our air strikes against the North Vietnamese, I asked to see photographs of the damaged areas. I was told they were "not available." I asked why U.S. television networks were carrying films by Vietcong photographers but were seemingly unable to obtain footage showing the effects of our raids. There was no explanation.

And now there are distressing signals that the space program is falling prey to the same dread disease of secrecy.

It would be my hope, Mr. President, that the communications media themselves, which argue so eloquently for the freedom of the press which our Constitution guarantees them, would increase their protests against news management and censorship.

Mr. Hines has done a great service both to his craft and to the public in his article which appeared in the September 1 issue of the Star. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Sept. 1, 1965]

WHO WILL WATCH THE WATCHMAN?

(By William Hines)

The Pentagon has surprised almost everyone with its promptness in applying the first squeeze of censorship and news management to its new manned orbiting laboratory (MOL) program.

Most people assumed that soon after the military got a manned role in space, it would start classifying it, but few could have foreseen the rapidity with which restrictions came. The elapsed time from President Johnson's announcement of the start of MOL at his press conference last week to the Pentagon's first fumbling bit of news management was exactly 2 hours.

The restriction was picayune and worse than pointless: It was unenforcible.

Reporters trooping to an MOL briefing at the Pentagon were instructed that they would not be allowed to make tape recordings or to mention the name of the official (Dr. Albert C. Hall, Deputy Director of Research and Engineering), who was briefing them. This exchange then occurred:

"Why not?"

"Because that's the way we prefer to do it."

The briefing was highly technical and contained many points that could be misunderstood by reporters and thus misinterpreted for readers who, in the final analysis, will be paying the expensive tab for MOL. A tape would have been helpful.

The briefing was later transmitted by telephone to the National Aeronautics and Space Administrations Houston Center, where a large contingent of reporters was covering the flight of Gemini 5.

The same "no tape, no attribution" rule was invoked at Houston, but was ignored by many reporters who refused to be bound by secrecy they knew could not be enforced. Tape recordings were made and freely circulated.

The handling of the MOL briefing is by no means unique. The current longstanding new gag on Russian space accomplishments is another excellent example.

Soon after the Kennedy administration came in, the Government ceased reporting Soviet space launchings, including attempts that failed. Manifestly the Russians knew when they launched; they also knew we knew. The people left in the dark were—and are—those here in the United States who are paying for the Nation's elaborate and presumably efficient spacecraft detection system. Nobody in the Government defends this policy, yet it persists.

The Defense Department is not the only traducer of a free news flow. The space agency gives news management the old college try every time a manned spacecraft goes up.

Of all the significant news locations in a Gemini flight, the only one not covered by the combined news media (meaning press, radio, and TV) is the most important one of all, the mission control center at Houston.

It is not a secret place, nor one in which unnecessary traffic is discouraged. Flight Director Christopher C. Kraft already has stated publicly that he would rather have a Soviet observer in his control center than an American journalist. Further, every clerk and secretary among the 4,600 NASA civil servants who could spare 5 or 10 minutes from work was encouraged to look in.

On one flight the motion picture actor Jimmy Stewart was an interested observer. Even newspaper publishers have been admitted, possibly on the theory that they are not really "working press," and hence harmless.

But neither camera nor tape recorder nor pen-and-paper reporter is allowed in the nonsecret room at any time during a flight. This is a measure of how far we have come in 20 short years. Even in the supersecret atom bomb project, the national press had a "pool" representative, William L. Laurence of the New York Times. This is not to suggest that there has been any "coverup" to date. In the course of missions, Kraft gives regular, full, and apparently frank accounts of flight activities, and opens himself to detailed questioning. So do his associates. A mission commentary of less consistent accuracy and authenticity is broadcast.

But whether or not there has been suppression to date is not the point. All flights so far have ended happily, and nothing succeeds like success. There has been no reason for a coverup.

The point is that the opportunity for news management definitely exists in mission control—and it is an axiom of political science that where opportunity exists, there are always people waiting to seize it.

The **PRESIDING OFFICER** (Mr. Bass in the chair). Is there further morning business? If not, morning business is closed.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** The bill will be stated by title.

The **Legislative Clerk.** A bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

The **PRESIDING OFFICER.** Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

AMENDMENT NO. 451

Mr. COOPER. Mr. President, on behalf of myself and the Senator from Montana [Mr. Metcalf], I send an amendment to the desk and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read the amendment (No. 451), as follows:

On page 12, lines 1 and 2, after the word "pay" in line 1 strike out the words "the Federal pro rata share of".

On page 16, line 15, after the word "pay" strike out the words "the Federal pro rata share of the".

Mr. COOPER. Mr. President, I would like to explain the purpose of the amendment which I have offered for myself and the Senator from Montana [Mr. Metcalf]. The committee bill provides that the cost shall be allocated between the Federal Government and the States in the same proportion that costs are allocated for construction of the Interstate Highway and primary systems—that is, 90 percent to be paid by the Federal Government and 10 percent by the States, in respect to the Interstate Highway System, and 50 percent by the Federal Government and 50 percent by the States with respect to the primary system.

I support the objectives of the bill, and voted to report it to the Senate. But yesterday, at the close of the session, I stated my reasons for having presented this amendment in committee, and the reasons which lead me to offer it today.

In the subcommittee this amendment was adopted by a large vote, but in the full committee the action of the subcommittee was reversed by a vote of 8 to 5.

I offer this amendment for two principal reasons. One reason is that it is a national program. It is so declared by the bill and by the President.

The second reason for requiring the full amount to be paid by the Federal Government is that the bill would impose a penalty upon States not acceding to its program—the penalty being the denial of all Federal-aid funds for construction of highways. With such a penalty, and no State could accept such a penalty, the program proposed in the bill—worthy as it is—cannot be considered a true voluntary Federal-State aid program. The denial of all funds to a State would amount to millions of dollars to a State.

In the case of California it would amount to a denial of $336 million annually. In my own State it would amount to $74 million. In other States it would be in similar proportions.

The bill would effectually require the States to accept this program and that their legislatures appropriate money to pay for its cost. It is a worthy program. I voted to report it to the Senate, but I do not approve its mandatory features.

Over 100 Federal-aid programs have been enacted. None mandatorily requires State acceptance. If it is to be exercised, I believe the Federal Government should pay its full cost.

I understand there are others who desire to speak. I shall not speak further at this time.

Mr. METCALF. Mr. President, will the Senator yield to me for a moment?

Mr. COOPER. I yield.

Mr. METCALF. Mr. President, I concur in this amendment for all of the reasons outlined. This is a coercive program.

We are saying to the States that they have to go into the secondary road system where always we have had the provision that billboards were permitted. We are saying to them that they must remove billboards on the 50–50 allocation that has always been proposed.

There is a difference in the Interstate System, which is new, which goes through new areas and new territory. We say that under the law we will give the same proportion of assistance to the State to remove billboards that we gave for the financing of other highway systems, such as under the 90–10 Interstate System.

So far as the secondary systems are concerned, we have always had the right to erect billboards. This is a prevailing system in all the States. Yet, we are saying to the States that they must remove the billboards or they will not be permitted to share in the Federal highway program. It is coercion.

We are taking away from the States their police power to remove billboards and we are saying they have to make compensation.

This is a national program. We have decided we are going to remove billboards from the interstate and secondary systems. Therefore, I concur that we should pay that cost out of the national budget. We should not force the States to forgo all of their participation in the interstate program if they do not want to take away a man's livelihood, or a man's business, which he has had for many years.

I feel strongly that the States should use their funds for secondary road systems and the farm-to-market roads, and for the development of primary highways on the present allocation, and should not be forced to compensate the billboard operators. I feel strongly that the cost should come out of the Federal budget.

Therefore, I concur in the amendment.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, even though the remarks of the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee [Mr. Fulbright], will not be germane to the pending legislation (S. 2084), I ask unanimous consent that the chairman of the Foreign Relations Committee [Senator Fulbright] be allowed to speak for not to exceed 1 hour.

The **PRESIDING OFFICER** (Mr. Young of Ohio in the chair). Without objection, it is so ordered. The rule of germaneness is waived.

Mr. COOPER. Mr. President, I do not intend to object, but I wish to have the assurance that the amendment which has been stated will be the pending question at the conclusion of the remarks by the distinguished chairman of the Foreign Relations Committee.

The **PRESIDING OFFICER.** The Chair states to the senior Senator from

Kentucky that his amendment will be the pending question.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly without losing his right to the floor?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SITUATION IN THE DOMINICAN REPUBLIC

Mr. FULBRIGHT. Mr. President, the formation of a provisional government in Santo Domingo under the leadership of Dr. Hector Garcia-Godoy is good news. It provides reason for cautious optimism as to the future and testifies as well to the arduous and patient efforts of the OAS mediating team. I wish to pay tribute especially to Ambassador Bunker for his wisdom and patience in handling this difficult affair. The formation of a provisional government is not the end of the Dominican crisis, but it does bring to an end a tragic and dangerous phase of the crisis. Many problems remain, particularly the problem of establishing the authority of a democratic government over the Dominican military. Nonetheless, the situation now seems to be moving into a less dangerous and more hopeful phase. At this time of relative calm it is appropriate, desirable, and, I think, necessary to review events in the Dominican Republic and the U.S. role in those events. The purpose of such a review—and its only purpose—is to develop guidelines for wise and effective policies in the future.

I was in doubt about the advisability of making a statement on the Dominican affair until some of my colleagues made public statements on the floor. Their views on the way in which the committee proceedings were conducted and, indeed, on the Dominican crisis as a whole, are so diametrically opposed to my own that I now consider it my duty to express my personal conclusions drawn from the hearings held by the Committee on Foreign Relations.

The suggestions that have been made that the committee was prejudiced in its approach against the administration's policies are, in my opinion, without merit. The committee was impartial and fair in giving a full and detailed hearing to the administration's point of view, so much so, in fact, that it heard only one witness from outside the Government.

U.S. policy in the Dominican crisis was characterized initially by overtimidity and subsequently by overreaction. Throughout the whole affair, it has also been characterized by a lack of candor.

These are general conclusions I have reached from a painstaking review of the salient features of the extremely complex situation. These judgments are made, of course, with the benefit of hindsight and, in fairness, it must be conceded there were no easy choices available to the United States in the Dominican Republic. Nonetheless, it is the task of diplomacy to make wise decisions when they need to be made and U.S. diplomacy failed to do so in the Dominican crisis.

It cannot be said with assurance that the United States could have changed the course of events by acting differently. What can be said with assurance is that the United States did not take advantage of several opportunities in which it might have changed the course of events. The reason appears to be that, very close to the beginning of the revolution, U.S. policymakers decided that it should not be allowed to succeed. This decision seems to me to have been based on exaggerated estimates of Communist influence in the rebel movement in the initial stages and on distaste for the return to power of Juan Bosch or of a government controlled by Bosch's party, the PRD—Dominican Revolutionary Party.

The question of the degree of Communist influence is of critical importance and I shall comment on it later. The essential point, however, is that the United States, on the basis of ambiguous evidence, assumed almost from the beginning that the revolution was Communist dominated, or would certainly become so. It apparently never occurred to anyone that the United States could also attempt to influence the course which the revolution took. We misread prevailing tendencies in Latin America by overlooking or ignoring the fact that any reform movement is likely to attract Communist support. We thus failed to perceive that if we are automatically to oppose any reform movement that Communists adhere to, we are likely to end up opposing every reform movement, making ourselves the prisoners of reactionaries who wish to preserve the status quo—and the status quo in many countries is not good enough.

The principal reason for the failure of American policy in Santo Domingo was faulty advice given to the President by his representatives in the Dominican Republic at the time of acute crisis. Much of this advice was based on misjudgment of the facts of the situation; some of it appears to have been based on inadequate evidence or, in some cases, simply inaccurate information. On the basis of the information and counsel he received, the President could hardly have acted other than he did.

I am hopeful, and reasonably confident, that the mistakes made by the United States in the Dominican Republic can be retrieved and that it will be possible to avoid repeating them in the future. These purposes can be served, however, only if the shortcomings of U.S. policy are thoroughly reviewed and analyzed. I make my remarks today in the hope of contributing to that process.

The development of the Dominican crisis, beginning on April 24, 1965, provides a classic study of policymaking in a fast-changing situation in which each decision reduces the range of options available for future decisions so that errors are compounded and finally, indeed, there are few if any options except to follow through on an ill-conceived course of action. Beyond a certain point the Dominican story acquired some of the inevitability of a Greek tragedy.

Another theme that emerges from the Dominican crisis is the occurrence of a striking change in U.S. policy toward the Dominican Republic and the possibility—not a certainty, because the signs are ambiguous, but only the possibility—of a major change as well in the general Latin American policies of the United States. Obviously, an important change in the official outlook on Dominican affairs occurred between September 1963, when the United States was vigorously opposed to the overthrow of Juan Bosch, and April 1965, when the United States was either unenthusiastic or actually opposed to his return.

What happened in that period to change the assessment of Bosch from favorable to unfavorable? It is quite true that Bosch as President did not distinguish himself as an administrator, but that was well known in 1963. It is also true, however, and much more to the point as far as the legitimate interests of the United States are concerned, that Bosch had received 58 percent of the votes in a free and honest election and that he was presiding over a reform-minded government in tune with the Alliance for Progress. This is a great deal more than can be said for any other President of the Dominican Republic.

The question therefore remains as to how and why the attitude of the U.S. Government changed so strikingly between September 1963 and April 1965. And the question inevitably arises whether this shift in the administration's attitude toward the Dominican Republic is part of a broader shift in its attitude toward other Latin American countries, whether, to be specific, the U.S. Government now views the vigorous reform movements of Latin America—such as Christian Democracy in Chile, Peru, and Venezuela, APRA in Peru and Accion Democratica in Venezuela—as threatening to the interests of the United States. And if this is the case, what kind of Latin American political movements would now be regarded as friendly to the United States and beneficial to its interests?

I should like to make it very clear that I am raising a question not offering an answer. I am frankly puzzled as to the current attitude of the U.S. Government toward reformist movements in Latin America. On the one hand, President Johnson's deep personal commitment to the philosophy and aims of the Alliance for Progress is clear; it was convincingly expressed, for example, in his speech to the Latin American Ambassadors on the fourth anniversary of the Alliance for Progress—a statement in which the President compared the Alliance for Progress with his own enlightened program for a Great Society at home. On the other hand, one notes a general tendency on the part of our policymakers not to look beyond a Latin American politician's anticommunism. One also notes in certain Government agencies, particularly the Department of Defense, a preoccupation with counterinsurgency, which is to say, with the prospect of revolutions and means of suppressing them. This preoccupation is manifested in dubious and costly research projects, such as the recently discredited Camelot; these studies claim to be scientific but beneath their almost unbelievably opaque language lies an unmistakable military and reactionary bias.

It is of great importance that the uncertainty as to U.S. aims in Latin America be resolved. We cannot successfully advance the cause of popular democracy and at the same time aline ourselves with corrupt and reactionary oligarchies; yet that is what we seem to be trying to do. The direction of the Alliance for Progress is toward social revolution in Latin America; the direction of our Dominican intervention is toward the suppression of revolutionary movements which are supported by Communists or suspected of being influenced by Communists. The prospect of an election in 9 months which may conceivably produce a strong democratic government is certainly reassuring on this score, but the fact remains that the reaction of the United States at the time of acute crisis was to intervene forcibly and illegally against a revolution which, had we sought to influence it instead of suppressing it, might have produced a strong popular government without foreign military intervention. Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning, the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere.

We simply cannot have it both ways; we must choose between the Alliance for Progress and a foredoomed effort to sustain the status quo in Latin America. The choice which we are to make is the principal unanswered question arising out of the unhappy events in the Dominican Republic and, indeed, the principal unanswered question for the future of our relations with Latin America.

It is not surprising that we Americans are not drawn toward the uncouth revolutionaries of the non-Communist left. We are not, as we like to claim in Fourth of July speeches, the most truly revolutionary nation on earth; we are, on the contrary, much closer to being the most unrevolutionary nation on earth. We are sober and satisfied and comfortable and rich; our institutions are stable and old and even venerable; and our Revolution of 1776, for that matter, was not much of an upheaval compared to the French and Russian revolutions and to current and impending revolutions in Latin America, Asia, and Africa.

Our heritage of stability and conservatism is a great blessing, but it also has the effect of limiting our understanding of the character of social revolution and sometimes as well of the injustices which spawn them. Our understanding of revolutions and their causes is imperfect not because of any failures of mind or character but because of our good fortune since the Civil War in never having experienced sustained social injustice without hope of legal or more or less peaceful remedy. We are called upon, therefore, to give our understanding and our sympathy and support to movements which are alien to our experience and jarring to our preferences and prejudices.

We must try to understand social revolution and the injustices that give it rise because they are the heart and core of the experience of the great majority of people now living in the world. In Latin America we may prefer to associate with the well-bred, well-dressed businessmen who often hold positions of power, but Latin American reformers regard such men as aliens in their own countries who neither identify with their own people nor even sympathize with their aspirations. Such leaders are regarded by educated young Latin Americans as a "consular bourgeoisie," by which they mean business-oriented conservatives who more nearly represent the interests of foreign businessmen than the interests of their own people. Men like Donald Reid—who is one of the better of this category of leaders—may have their merits, but they are not the force of the future in Latin America.

It is the revolutionaries of the non-Communist left who have most of the popular support in Latin America. The Radical Party in Chile, for example, is full of 19th century libertarians whom many North Americans would find highly congenial, but it was recently crushed in national elections by a group of rambunctious, leftist Christian Democrats. It may be argued that the Christian Democrats are anti-United States, and to a considerable extent some of them are—more so now, it may be noted, than prior to the intervention of the United States in the Dominican Republic—but they are not Communists and they have popular support. They have also come to terms with the American copper companies in Chile; that is something which the predecessor conservative government was unable to do and something which a Communist government would have been unwilling to do.

The movement of the future in Latin America is social revolution. The question is whether it is to be Communist or democratic revolution and the choice which the Latin Americans make will depend in part on how the United States uses its great influence. It should be very clear that the choice is not between social revolution and conservative oligarchy but whether, by supporting reform, we bolster the popular non-Communist left or whether, by supporting unpopular oligarchies, we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro in Chile.

In my Senate speech of March 25, 1964, I commented as follows on the prospect of revolution:

> I am not predicting violent revolutions in Latin America or elsewhere. Still less am I advocating them. I wish only to suggest that violent social revolutions are a possibility in countries where feudal oligarchies resist all meaningful change by peaceful means. We must not, in our preference for the democratic procedures envisioned by the Charter of Punta del Este, close our minds to the possibility that democratic procedures may fail in certain countries and that where democracy does fail violent social convulsions may occur.

I think that in the case of the Dominican Republic we did close our minds to the causes and to the essential legitimacy of revolution in a country in which democratic procedures had failed. That, I think, is the central fact concerning the participation of the United States in the Dominican revolution and, possibly as well, its major lesson for the future. I turn now to comment on some of the events which began last April 24 in Santo Domingo.

When the Dominican revolution began on Saturday, April 24, the United States has three options available. First, it could have supported the Reid Cabral government; second, it could have supported the revolutionary forces; and third, it could do nothing.

The administration chose the last course. When Donald Reid Cabral asked for U.S. intervention on Sunday morning, April 25, he was given no encouragement. He then resigned, and considerable disagreement ensued over the nature of the government to succeed him. The party of Juan Bosch, the PRD, or Dominican Revolutionary Party, asked for a "U.S. presence" at the transfer of government power but was given no encouragement. Thus, there began at that time a chaotic situation which amounted to civil war in a country without an effective government.

What happened in essence was that the Dominican military refused to support Reid and were equally opposed to Bosch or other PRD leaders as his successor. The PRD, which had the support of some military officers, announced that Rafael Molina Urena, who had been President of the Senate during the Bosch regime, would govern as Provisional President pending Bosch's return. At this point, the military leaders delivered an ultimatum, which the rebels ignored, and at about 4:30 on the afternoon of April 25 the air force and navy began firing at the National Palace. Later in the day, PRD leaders asked the U.S. Embassy to use its influence to persuade the air force to stop the attacks. The Embassy made it clear it would not intervene on behalf of the rebels, although on the following day, Monday, April 26, the Embassy did persuade the military to stop air attacks for a limited time.

This was the first crucial point in the crisis. If the United States thought that Reid was giving the Dominican Republic the best government it had had or was likely to get, why did the United States not react more vigorously to support him? On the other hand, if the Reid government was thought to be beyond salvation, why did not the United States offer positive encouragement to the moderate forces involved in the coup, if not by providing the "U.S. presence" requested by the PRD, then at least by letting it be known that the United States was not opposed to the prospective change of regimes or by encouraging the return of Juan Bosch to the Dominican Republic? In fact, according to available evidence, the U.S. Government made no effort to contact Bosch in the initial days of the crisis.

The United States was thus at the outset unwilling to support Reid and unwilling to support if not positively opposed to Bosch.

Events of the days following April 24 demonstrated that Reid had so little popular support that it can reasonably be argued that there was nothing the United States could have done, short of armed intervention, to save his regime. The more interesting question is why the United States was so reluctant to see Bosch returned to power. This is part of the larger question of why U.S. attitudes had changed so much since 1963 when Bosch, then in power, was warmly and repeatedly embraced and supported as few if any Latin American presidents have ever been supported by the United States.

The next crucial point in the Dominican story came on Tuesday, April 27, when rebel leaders, including Molina Urena and Caamano Deno, called at the U.S. Embassy seeking mediation and negotiations. At that time the military situation looked very bad for the rebel, or constitutionalist, forces. Ambassador Bennett, who had been instructed four times to work for a cease fire and for the formation of a military junta, felt he did not have authority to mediate; mediation, in his view, would have been "intervention." Mediation at that point might have been accomplished quietly and without massive military intervention. Twenty-four hours later the Ambassador was pleading for the marines, and as we know some 20,000 soldiers were landed—American soldiers.

On the afternoon of April 27 General Wessin y Wessin's tanks seemed about to cross the Duarte bridge into the city of Santo Domingo and the rebel cause appeared hopeless. When the rebels felt themselves rebuffed at the American Embassy, some of their leaders, including Molina Urena, sought asylum in Latin American embassies in Santo Domingo. The administration has interpreted this as evidence that the non-Communist rebels recognized growing Communist influence in their movement and were consequently abandoning the revolution. Molina Urena has said simply that he sought asylum because he thought the revolutionary cause hopeless.

An opportunity was lost on April 27. Ambassador Bennett was in a position to bring possibly decisive mediating power to bear for a democratic solution, but he chose not to do so on the ground that the exercise of his good offices at that point would have constituted intervention. In the words of Washington Post Writer Murrey Marder—one of the press people who, to the best of my knowledge, has not been assailed as prejudiced:

> It can be argued with considerable weight that late Tuesday, April 27, the United States threw away a fateful opportunity to try to prevent the sequence that produced the American intervention. It allowed the relatively leaderless revolt to pass into hands which it was to allege were Communist.[1]

The overriding reason for this mistake was the conviction of U.S. officials, on the basis of evidence which was fragmentary at best, that the rebels were dominated by Communists. A related and perhaps equally important reason for the U.S. Embassy's refusal to mediate on April 27 was the desire for and, at that point, expectation of an antirebel victory. They therefore passed up an important opportunity to reduce or even eliminate Communist influence by encouraging the moderate elements among the rebels and mediating for a democratic solution.

Owing to a degree of disorganization and timidity on the part of the antirebel forces which no one, including the U.S. Embassy and the rebels themselves, anticipated, the rebels were still fighting on the morning of Wednesday, April 28. Ambassador Bennett thereupon urgently recommended that the antirebels under Air Force General de los Santos be furnished 50 walkie-talkies from U.S. Defense Department stocks in Puerto Rico. Repeating this recommendation later in the day, Bennett said that the issue was one between Castroism and its opponents. The antirebels themselves asked for armed U.S. intervention on their side; this request was refused at that time.

During the day, however, the situation deteriorated rapidly, from the point of view of public order in general and of the antirebels in particular. In midafternoon of April 28 Col. Pedro Bartolome Benoit, head of a junta which had been hastily assembled, asked again, this time in writing, for U.S. troops on the ground that this was the only way to prevent a Communist takeover; no mention was made of the junta's inability to protect American lives. This request was denied in Washington, and Benoit was thereupon told that the United States would not intervene unless he said he could not protect American citizens present in the Dominican Republic. Benoit was thus told in effect that if he said American lives were in danger the United States would intervene. And that is precisely what happened.

It was at this point, on April 28, that events acquired something of the predestiny of a Greek tragedy. Subsequent events—the failure of the missions of John Bartlow Martin and McGeorge Bundy, the conversion of the U.S. force into an inter-American force, the enforced stalemate between the rebels under Caamano Deno and the Imbert junta, the OAS mediation and the tortuous negotiations for a provisional government—have all been widely reported and were not fully explored in the committee hearings. In any case, the general direction of events was largely determined by the fateful decision of April 28. Once the Marines landed on that day, and especially after they were heavily reinforced in the days immediately following, the die was cast and the United States found itself deeply involved in the Dominican civil conflict, with no visible way to extricate itself, and with its hemisphere relations complicated in a way that few could have foreseen and no one could have desired.

The danger to American lives was more a pretext than a reason for the massive U.S. intervention that began on the evening of April 28. In fact, no American lives were lost in Santo Domingo until the Marines began exchanging fire with the rebels after April 28; reports of widespread shooting that endangered American lives turned out to be exaggerated.

Nevertheless, there can be no question that Santo Domingo was not a particularly safe place to be in the last days of April 1965. There was fighting in the streets, aircraft were strafing parts of the city, and there was indiscriminate shooting. I think that the United States would have been justified in landing a small force for the express purpose of removing U.S. citizens and other foreigners from the island. Had such a force been landed and then promptly withdrawn when it had completed its mission, I do not think that any fair-minded observer at home or abroad would have considered the United States to have exceeded its rights and responsibilities.

The United States intervened in the Dominican Republic for the purpose of preventing the victory of a revolutionary force which was judged to be Communist dominated. On the basis of Ambassador Bennett's messages to Washington, there is no doubt that the threat of communism rather than danger to American lives was his primary reason for recommending military intervention.

The question of the degree of Communist influence is therefore crucial, but it cannot be answered with certainty. The weight of the evidence is that Communists did not participate in planning the revolution—indeed, there is some indication that it took them by surprise—but that they very rapidly began to try to take advantage of it and to seize control of it. The evidence does not establish that the Communists at any time actually had control of the revolution. There is little doubt that they had influence within the revolutionary movement, but the degree of that influence remains a matter of speculation.

The administration, however, assumed almost from the beginning that the revolution was Communist-dominated, or would certainly become so, and that nothing short of forcible opposition could prevent a Communist takeover. In their apprehension lest the Dominican Republic become another Cuba, some of our officials seem to have forgotten that virtually all reform movements attract some Communist support, that there is an important difference between Communist support and Communist control of a political movement, that it is quite possible to compete with the Communists for influence in a reform movement rather than abandon it to them, and, most important of all, that economic development and social justice are themselves the primary and most reliable security against Communist subversion.

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[1] Washington Post, June 27, 1965, p. E3.

It is, perhaps, understandable that administration officials should have felt some sense of panic; after all, the Foreign Service officer who had the misfortune to be assigned to the Cuban desk at the time of Castro's rise to power has had his career ruined by congressional committees. Furthermore, even without this consideration, the decisions regarding the Dominican Republic had to be made under great pressure and on the basis of inconclusive information. In charity, this can be accepted as a reason why the decisions were mistaken; but it does not change the conclusion that they were mistaken.

The point I am making is not—emphatically not—that there was no Communist participation in the Dominican crisis, but simply that the administration acted on the premise that the revolution was controlled by Communists—a premise which it failed to establish at the time and has not established since. The issue is not whether there was Communist influence in the Dominican revolution but its degree, which is something on which reasonable men can differ. The burden of proof, however, is on those who take action, and the administration has not proven its assertion of Communist control.

Intervention on the basis of Communist participation as distinguished from control of the Dominican revolution was a mistake in my opinion which also reflects a grievous misreading of the temper of contemporary Latin American politics. Communists are present in all Latin American countries, and they are going to inject themselves into almost any Latin American revolution and try to seize control of it. If any group or any movement with which the Communists associate themselves is going to be automatically condemned in the eyes of the United States, then we have indeed given up all hope of guiding or influencing even to a marginal degree the revolutionary movements and the demands for social change which are sweeping Latin America. Worse, if that is our view, then we have made ourselves the prisoners of the Latin American oligarchs who are engaged in a vain attempt to preserve the status quo—reactionaries who habitually use the term "Communist" very loosely, in part out of emotional predilection and in part in a calculated effort to scare the United States into supporting their selfish and discredited aims.

If the United States had really been intervening to save American lives, as it had a moral if not a strictly legal right to do, it could have done so promptly and then withdrawn and the incident would soon have been forgotten. But the United States did not intervene primarily to save American lives; it intervened to prevent what it conceived to be a Communist takeover. That meant, in the terms in which the United States defined the situation, that it was intervening against the rebels, who, however heavily they might or might not have been infiltrated by Communists, were also the advocates of the restoration of a freely elected constitutional government which had been forcibly overthrown. It also meant that the United States was intervening for the military and the oligarchy—to the detriment of the Dominican people and to the bitter disappointment of those throughout Latin America who had placed their hopes in the United States and the Alliance for Progress.

On the basis of the record, there is ample justification for concluding that, at least from the time Reid resigned, U.S. policy was directed toward construction of a military junta which hopefully would restore peace and conduct free elections. That is to say that U.S. policy was directed against the return of Bosch and against the success of the rebel movement.

In this connection it is interesting to recall U.S. policy toward Bosch when he was in power in the Dominican Republic between February and September of 1963. He had been elected, as I have already mentioned, in the only free and honest election ever held in the Dominican Republic, in December 1962, with 58 percent of the votes cast.

The United States placed such importance on his success that President Kennedy sent the then Vice President Johnson and Senator Humphrey, among others, to attend his inauguration in February 1963. In September 1963, when he was overthrown in a military coup, the United States made strenuous efforts—which stopped just short of sending the Marines—to keep him in power, and thereafter the United States waited almost 3 months before recognizing the successor government. Recognition came, by the way, only after the successor government had conducted military operations against a band of alleged Communist guerrillas in the mountains, and there is a suspicion that the extent of the guerrilla activities was exaggerated by the successor government in order to secure U.S. recognition.

It may be granted that Bosch was no great success as President of the Dominican Republic but, when all his faults have been listed, the fact remains that Bosch was the only freely elected President in Dominican history, the only President who had ever tried, however ineptly, to give the country a decent government, and the only President who was unquestionably in tune with the Alliance for Progress.

Despite these considerations, the United States was at the very least unenthusiastic or, more probably, opposed to Bosch's return to power in April 1965. Bosch himself was apparently not eager to return—he vacillated in the very early stages and some well-informed persons contend that he positively refused to return to the Dominican Republic. In any case, he missed a critical opportunity. But the United States was equally adamant against a return to power of Bosch's party, the PRD, which is the nearest thing to a mass-based, well-organized party that has ever existed in the Dominican Republic. The stated reason was that a PRD government would be Communist dominated.

This might conceivably have happened, but the evidence by no means supports the conclusion that it would have happened. We based our policy on a possibility rather than on anything approaching a likelihood. Obviously, if we based all our policies on the mere possibility of communism, then we would have to set ourselves against just about every progressive political movement in the world, because almost all such movements are subject to at least the theoretical danger of Communist takeover. This approach is not in the national interest; foreign policy must be based on prospects that seem probable, hopeful and susceptible to constructive influence rather than on merely possible dangers.

One is led, therefore, to the conclusion that U.S. policymakers were unduly timid and alarmist in refusing to gamble on the forces of reform and social change. The bitter irony of such timidity is that by casting its lot with the forces of the status quo, in the probably vain hope that these forces could be induced to permit at least some reform and social change, the United States almost certainly helped the Communists to acquire converts whom they otherwise could not have won.

How vain the hopes of U.S. policymakers were is amply demonstrated by events since April 28. The junta led by Gen. Antonio Imbert, which succeeded the junta led by Colonel Benoit, proved quite intractable and indeed filled the airwaves daily with denunciations of the United States and the Organization of American States for preventing it from wiping out the Communist rebels. These are the same military forces which on April 28 were refusing to fight the rebels and begging for U.S. intervention. Our aim apparently was to use Imbert as a counterpoise to Caamano Deno in the ill-founded hope that non-Communist liberals would be drawn away from the rebel side.

In practice, instead of Imbert becoming our tractable instrument, we, to a certain extent, became his: he clung tenaciously to the power we gave him and was at least as intransigent as the rebels in the protracted negotiations for a provisional government.

The resignation of Imbert and his junta provides grounds for hope that a strong popular government may come to power in the Dominican Republic, but that hope must be tempered by the fact that the military continues to wield great power in Dominican politics—power which it probably would not now have if the United States had not intervened to save it from defeat last April 28. Even with a provisional government installed in Santo Domingo, and with the prospect of an election in 9 months, there remains the basic problem of a deep and widespread demand for social change. The prospect for such social change is circumscribed by the fact that the military has not surrendered and cannot be expected voluntarily to surrender its entrenched position of privilege and outrageous corruption.

The United States has grossly underestimated the symbolism of the Bosch constitution of 1963. It can be argued that this contains unrealistic promises, but it has stirred the hopes and idealism of the Dominican people. The real objections to it, the part of conservative Dominicans, seem to be that it provides for separation of church and state and that it provides that Dominican citizens have the right to live in the Dominican Republic if they so desire—that is, that Dominican citizens who happen also to be Communists cannot be deported. In passing, one may note a similarity to the U.S. Constitution on both of these points.

The United States has also misread the dedication of the Dominican miltary to the status quo and to its own powers and privileges. It may be said that the United States has overestimated its ability to influence the military while failing to use to the fullest the influence it does have.

The act of United States massive military intervention in the Dominican Republic was a grievous mistake, but if one is going to cross the bridge of intervention, with all of the historical ghosts which it calls forth throughout Latin America, then one might as well cross all the way and not stop in the middle. It is too late for the United States to refrain from intervention; it is not too late to try to redeem some permanent benefit from that intervention. Specifically, I think that the influence of the United States and the Organization of American States should be used to help the Dominican people free themselves from the oppressive weight of a corrupt and privileged military establishment. It is entirely possible, if not likely, that if the military is allowed to retain its power it will overthrow any future government that displeases it just as it has done in the past. The OAS mediating team made a contribution by bringing about the installation of a provisional government; the OAS can still make a solid contribution to Dominican democracy by urging or insisting that as part of a permanent solution the Dominican military establishment be substantially reduced in size and some of the more irresponsible generals be pensioned off or sent on lengthy diplomatic holidays abroad. If the United States and the OAS are going to impose a solution in the Dominican Republic, they might as well impose a good solution as a bad one.

Since preparing these remarks, I note in this morning's press that General Wessin has been induced to leave the Dominican Republic. This, I believe, is a step in the right direction.

The Foreign Relations Committee's study of the Dominican crisis leads me to draw certain specific conclusions regarding American policy in the Dominican Republic and also suggests some broader considerations regarding relations between the United States and Latin America. My specific conclusions regarding the crisis in Santo Domingo are as follows:

First. The United States intervened forcibly in the Dominican Republic in the last week of April 1965 not primarily to save American lives, as was then contended, but to prevent the victory of a revolutionary movement which was judged to be Communist-dominated. The decision to land thousands of marines on April 28 was based primarily on the fear of "another Cuba" in Santo Domingo.

Second. This fear was based on fragmentary and inadequate evidence. There is no doubt that Communists participated in the Dominican revolution on the rebel side, probably to a greater extent after than before the landing of U.S. marines on April 28, but just as it cannot be proved that the Communists would not have taken over the revolution neither can it be proved that they would have. There is little basis in the evidence offered the committee for the assertion that the rebels were Communist-dominated or certain to become so; on the contrary, the evidence suggests a chaotic situation in which no single faction was dominant at the outset and in which everybody, including the United States, had opportunities to influence the shape and course of the rebellion.

Third. The United States let pass its best opportunities to influence the course of events. The best opportunities were on April 25, when Juan Bosch's party, the PRD, requested a "United States presence," and on April 27, when the rebels, believing themselves defeated, requested United States mediation for a negotiated settlement. Both requests were rejected, in the first instance for reasons that are not entirely clear but probably because of United States hostility to the PRD, in the second instance because the U.S. Government anticipated and desired a victory of the antirebel forces.

Fourth. U.S. policy toward the Dominican Republic shifted markedly to the right between September 1963 and April 1965. In 1963, the United States strongly supported Bosch and the PRD as enlightened reformers; in 1965 the United States opposed their return to power on the unsubstantiated ground that a Bosch or PRD government would certainly, or almost certainly, become Communist dominated. Thus the United States turned its back on social revolution in Santo Domingo and associated itself with a corrupt and reactionary military oligarchy.

Fifth. U.S. policy was marred by a lack of candor and by misinformation. The former is illustrated by official assertions that U.S. military intervention was primarily for the purpose of saving American lives; the latter is illustrated by exaggerated reports of massacres and atrocities by the rebels—reports which no one has been able to verify. It was officially asserted, for example—by the President in a press conference on June 17 according to an official State Department bulletin—that "some 1,500 innocent people were murdered and shot, and their heads cut off." There is no evidence to support this statement. A sober examination of such evidence as is available indicates that the Imbert junta was guilty of at least as many atrocities as the rebels.

Sixth. Responsibility for the failure of American policy in Santo Domingo lies primarily with those who advised the President. In the critical days between April 25 and April 28, these officials sent the President exaggerated reports of the danger of a Communist takeover in Santo Domingo and, on the basis of these, recommended U.S. massive military intervention. It is not at all difficult to understand why, on the basis of such advice, the President made the decisions that he made.

Seventh. Underlying the bad advice and unwise actions of the United States was the fear of another Cuba. The specter of a second Communist state in the Western Hemisphere—and its probable repercussions within the United States and possible effects on the careers of those who might be held responsible—seems to have been the most important single factor in distorting the judgment of otherwise sensible and competent men.

I turn now to some broader and longterm implications of the Dominican tragedy, first to some considerations relating to the Organization of American States and its charter, then to the problem of reaction and revolution in Latin America, finally to a suggestion for a freer and, I believe, healthier relationship between the United States and Latin America.

Article 15 of the Charter of the Organization of American States says that:

> No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state.

Article 17 states that:

> The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any grounds whatever.

These clauses are not ambiguous. They mean that, with one exception to be noted, all forms of forcible intervention are absolutely prohibited among the American States. It may be that we should never have accepted this commitment at Bogotá in 1948; it is obvious from all the talk one hears these days about the obsoleteness of the principle of nonintervention that some U.S. officials regret our commitment to it. The fact remains that we are committed to it, not partially or temporarily or insofar as we find it compatible with our vital interests but almost absolutely. It represents our word and our bond and our willingness to honor the solemn commitments embodied in a treaty which was ratified by the Senate on August 28, 1950.

There are those who might concede the point of law but who would also argue that such considerations have to do with our ideals rather than our interests and are therefore of secondary importance. I do not believe that is true. We are currently fighting a war in Vietnam, largely, we are told, because it would be a disaster if the United States failed to honor its word and its commitment; the matter, we are told, is one of vital national interest. I do not see why it is any less a matter of vital interest to honor a clear and explicit treaty obligation in the Americas than it is to honor the much more ambiguous and less formal promises we have made to the South Vietnamese.

The sole exception to the prohibitions of articles 15 and 17 is spelled out in article 19 of the OAS Charter, which states that "measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in articles 15 and 17." Article 6 of the Rio Treaty states:

> If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

The United States thus had legal recourse when the Dominican crisis broke on April 24, 1965. We could have called an urgent session of the Council of the OAS for the purpose of invoking article 6 of the Rio Treaty. But we did not do so. The administration has argued that there was no time to consult the OAS, although there was time to consult—or inform—the congressional leadership. The United States thus intervened in the Dominican Republic unilaterally—and illegally.

Advising the Latin American countries of our action after the fact did not constitute compliance with the OAS Charter or the Rio Treaty; nor, indeed, would advising them before the fact have constituted compliance. One does not comply with the law by notifying interested parties in advance of one's intent to violate it. Inter-American law requires consultation for the purpose of shaping a collective decision. Only on the basis of advance consultation and agreement could we have undertaken a legal intervention in the Dominican Republic.

It is possible, had we undertaken such consultations, that our Latin American partners would have delayed a decision; it is possible that they would have refused to authorize collective intervention. My own feeling is that the situation in any case did not justify military intervention except for the limited purpose of evacuating U.S. citizens and other foreigners, but even if it seemed to us that it did, we should not have undertaken it without the advance consent of our Latin American allies. We should not have done so because the word and the honor of the United States were at stake just as much—at least as much—in the Dominican crisis as they are in Vietnam and Korea and Berlin and all the places around the globe which we have committed ourselves to defend.

There is another important reason for compliance with the law. The United States is a conservative power in the world in the sense that most of its vital interests are served by stability and order. Law is the essential foundation of stability and order both within societies and in international relations. A great conference is taking place here in Washington this week on the subject, World Peace Through Law. As a conservative power the United States has a vital interest in upholding and expanding the reign of law in international relations. Insofar as international law is observed, it provides us with stability and order and with a means of predicting the behavior of those with whom we have reciprocal legal obligations. When we violate the law ourselves, whatever short term advantage may be gained, we are obviously encouraging others to violate the law; we thus encourage disorder and instability and thereby do incalculable damage to our own long term interests.

There are those who defend U.S. unilateral intervention in the Dominican Republic on the ground that the principle of nonintervention as spelled out in the OAS Charter is obsolete. The argument is unfortunate on two grounds. First, the contention of obsoleteness justifies an effort to bring about changes in the OAS Charter by due process of law, but it does not justify violation of the Charter. Second, the view that the principle of nonintervention is obsolete is one held by certain U.S. officials; most Latin Americans would argue that, far from being obsolete, the principle of nonintervention was and remains the heart and core of the inter-American system. Insofar as it is honored, it provided them with something that many in the United States find it hard to believe they could suppose they need: protection from the United States.

Many North Americans seem to believe that, while the United States does indeed participate in Latin American affairs from time to time, sometimes by force, it is done with the best of intentions, usually indeed to protect the Latin Americans from intervention by somebody else, and therefore cannot really be considered intervention. The trouble with this point of view is that it is not shared by our neighbors to the south. Most of them do think they need protection from the United States and the history of the Monroe Doctrine and the "Roosevelt corollary" suggest that their fears are not entirely without foundation. "Good intentions" are not a very sound basis for judging the fulfillment of contractual obligations. Just about everybody, including the Communists, believes in his own "good intentions." It is a highly subjective criterion of national behavior and has no more than a chance relationship to good results. With whatever justice or lack of it, many Latin Americans are afraid of the United States; however much it may hurt our feelings, they prefer to have their security based on some more objective standard than the good intentions of the United States.

The standard on which they rely most heavily is the principle of nonintervention; however obsolete it may seem to certain U.S. officials, it remains vital and pertinent in Latin America. When we violate it, we are not overriding the mere letter of the law; we are violating what to Latin Americans is its vital heart and core.

The inter-American system is rooted in an implicit contract between the Latin American countries and the United States. In return for our promise not to interfere in their internal affairs they have accepted a role as members of our "sphere" and to support, or at least not to obstruct, our global policies. In the Dominican Republic we violated our part of the bargain; it remains to be seen whether Latin Americans will now feel free to violate theirs.

In the eyes of educated, energetic and patriotic young Latin Americans—which is to say, the generation that will make or break the Alliance for Progress—the United States committed a worse offense in the Dominican Republic than just intervention; it intervened against social revolution and in support, at least temporarily, of a corrupt, reactionary military oligarchy.

It is not possible at present to assess the depth and extent of disillusion with the United States on the part of democrats and reformers in Latin America. I myself think that it is deep and widespread. Nor am I reassured by assertions on the part of administration officials that a number of Latin American governments have secretly expressed sympathy for our actions in the Dominican Republic while explaining that of course they could not be expected to support us openly. Why cannot they support us openly, unless it is because their sympathy does not represent the views of their own people and they do not dare to express it openly? In fact, real enthusiasm for our Dominican venture has been confined largely to military dictators and ruling oligarchies.

The tragedy of Santo Domingo is that a policy that purported to defeat communism in the short run is more likely to have the effect of promoting it in the long run. Intervention in the Dominican Republic has alienated—temporarily or permanently, depending on our future policies—our real friends in Latin America. These, broadly, are the people of the democratic left—the Christian and social democrats in a number of countries, the APRA Party in Peru, the Accion Democratica Party in Venezuela, and their kindred spirits throughout the hemisphere. By our intervention on the side of a corrupt military oligarchy in the Dominican Republic, we have embarrassed before their own people the democratic reformers who have counseled trust and partnership with the United States. We have lent credence to the idea that the United States is the enemy of social revolution in Latin America and that the only choice Latin Americans have is between communism and reaction.

If those are the available alternatives, if there is no democratic left as a third option, then there is no doubt of the choice that honest and patriotic Latin Americans will make: they will choose communism, not because they want it but because U.S. policy will have foreclosed all other avenues of social revolution and, indeed, all other possibilities except the perpetuation of rule by military juntas and economic oligarchies.

The dominant force in Latin America is the aspiration of increasing numbers of people to personal and national dignity. In the minds of the rising generation there are two principal threats to that aspiration—reaction at home and domination from abroad. As a result of its Dominican actions the United States has allowed itself to become associated with both. We have thereby offended the dignity and self-respect of young and idealistic Latin Americans who must now wonder whether the United States will one day intervene against social revolutions in their own countries, whether one day they will find themselves facing U.S. marines across barricades in their own home towns.

I, myself, am sure, as I know President Johnson and, indeed, most U.S. citizens are sure, that our country is not now and will not become the enemy of social revolution in Latin America. We have made a mistake in the Dominican Republic, as we did at the Bay of Pigs in 1961, but a single misjudgment does not constitute a doctrine for the conduct of future policy and we remain dedicated to the goals of the Alliance for Progress.

We know this ourselves but it remains to convince our true friends in Latin America that their social revolutions will have our sympathy and support. It will not be easy to do so, because our intervention in Santo Domingo shook if it did not shatter a confidence in the United States that had been built up over 30 years since the liquidation of the Caribbean protectorates and the initiation of the "good neighbor policy."

It will be difficult but it can be done. President Johnson took a positive step on the long road back in his statement of rededication to the Alliance for Progress to the Latin American Ambassadors on August 17. It remains for us to eliminate the ambiguity between the antirevolutionary approach symbolized by Project Camelot and the preoccupation with problems of counterinsurgency on the one hand and the creative approach of the Alliance for Progress on the other. If we do this—and I am both sure that we can and reasonably hopeful that we will—then I think that the Dominican affair will be relegated in history to the status of a single unhappy episode on the long road toward the forging of a new and creative and dignified relationship between the United States and Latin America.

In conclusion, I suggest that a new and healthier relationship between the United States and Latin America must be a freer relationship than that of the past.

The United States is a world power with world responsibilities and to it the inter-American system represents a sensible way of maintaining law and order in the region closest to the United States. To the extent that it functions as we want it to function, one of the inter-American system's important advantages is that it stabilizes relations within the western hemisphere and thus frees the United States to act on its worldwide responsibilities.

To Latin Americans, on the other hand, the inter-American system is politically and psychologically confining. It has the effect, so to speak, of cooping them up in the Western Hemisphere, giving them the feeling that there is no way to break out of the usually well-intentioned but often stifling embrace of the United States. In their hearts, I have no doubt, most Latin Americans would like to be free of us, just as a son or daughter coming of age wishes to be free of an over-protective parent. A great many of those Latin Americans for whom Castro still has some appeal—and there are now more, I would guess, than before last April 28—are attracted not, I feel, because they are infatuated with communism, but because Cuba, albeit at the price of almost complete dependency on the Soviet Union, has broken out of the orbit of the United States.

It is the nature of things that small nations do not live comfortably in the shadow of large and powerful nations, regardless of whether the latter are benevolent or overbearing. Belgium has always been uncomfortable about Germany and France; Ireland has never been able to work up much affection for Great Britain. And in recent years some of the Eastern European governments have demonstrated that, despite the Communist ideology which they share with the Soviet Union, they still wish to free themselves as much as they can and as much as they dare from the overbearing power of Russia. It is natural and inevitable that Latin American countries should have some of the same feelings toward the United States.

Perhaps, then, the foremost immediate requirement for a new and more friendly relationship between Latin America and the United States in the long run is not closer ties and new institutional bonds but a loosening of existing ties and institutional bonds. It is an established psychological principle—or, for that matter, just commonsense—that the strongest and most viable personal bonds are those which are voluntary, a voluntary bond being, by definition, an arrangement which one is free to enter or not to enter. I do not see why the same principle should not operate in relations between nations. If it does, it would follow that the first step toward stronger ties between Latin America and the United States would be the creation of a situation in which Latin American countries would be free, and would feel free, to maintain or sever existing ties as they see fit and, perhaps more important, to establish new arrangements, both among themselves and with nations outside the hemisphere, in which the United States would not participate.

President Frei of Chile has taken an initiative to this end. He has visited European leaders and apparently indicated that his Christian Democratic Government is interested in establishing new political, economic, and cultural links with European countries. For the reasons suggested, I think this is an intelligent and constructive step.

I think further that it would be a fine thing if Latin American countries were to undertake a program of their own for "building bridges" to the world beyond the Western Hemisphere—to Europe and Asia and Africa, and to the Communist countries if they wish. Such relationships, to be sure, would involve a loosening of ties to the United States in the immediate future, but in the long run, I feel sure, they would make for both happier and stronger bonds with the United States—happier because they would be free, stronger because they would be dignified and self-respecting as they never had been before.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CLARK. Mr. President, I should like to express my complete accord with the position taken by the Senator in his most interesting and very important speech about the Dominican Republic and the events which have taken place there.

It has been my privilege as a junior member of the Committee on Foreign Relations to sit through most of the hearings which have been held on the Dominican Republic and to read that part of the testimony which I did not actually hear.

I believe that this speech is overdue, sound, and wise. I hope that it will be given great effect by the policymakers of the executive branch of our Government.

Mr. FULBRIGHT. Mr. President, I thank the Senator very much for his comment.

Mr. LONG of Louisiana. Mr. President, the Senator from Arkansas is certainly entitled to his opinion with regard to the action of the President of the United States, as are all Senators. However, I should like to say as a member of the Committee on Foreign Relations, I do not believe the Senator from Arkansas' remarks reflect the sentiment of that committee on this matter. The members of the committee were invited by the President to give him advice on the decision to send American troops to the Dominican Republic. That is true of the distinguished chairman of the committee also. When that decision was made, not one dissenting voice was heard. The Senator was there. He had an opportunity to advise the President about what should be done. I believe his advice was taken on that occasion.

Mr. FULBRIGHT. I think the Senator is mistaken. We were not asked as to what action should be taken. We were told what had been done. As far as we knew, it had been done.

Mr. LONG of Louisiana. That is not my impression. My impression is that the Senator attended the meeting at the White House. He was there. I know I was there.

Mr. FULBRIGHT. I was there.

Mr. LONG of Louisiana. Not one American marine had been landed up to that time.

Mr. FULBRIGHT. But the decision had been made.

Mr. LONG of Louisiana. I am not going to quote the Senator because that was a secret meeting and much secret information was discussed.

My understanding was that the President—and I say this with regard to our Republican friends also—said certain things to indicate that he did not want to act until he had consulted with us; and the decision had not been made.

My impression of the matter was that the Senator from Arkansas made a suggestion of what should be done. He can use his best judgment on the protocol about matters of that sort. But my impression was, insofar as the Senator's suggestion, was concerned that it was followed.

So far as I am concerned, this was simply a matter of whether this country was going to stand aside and risk another Cuban type Communist takeover, or whether we were going to move on the theory that this looked very much as though it might be a Communist takeover, and that we would rather take the chance of moving when it might not be necessary, than take the risk—as President Eisenhower did—that this would be a Communist takeover.

We have information now that the Communists in the Dominican Republic are stronger than Castro was when he started out to take Cuba.

We have information, available to the Senator from Arkansas, to lead us to believe there is a real threat of Communist subjugation and conquest of that island. That we do not wish to see take place.

I have heard some criticism of the fact that the President sent more troops than were necessary. In Louisiana we had some contact with this type of problem.

I recall a time, while my father was a prominent official in Louisiana government, when some people who could not win an election decided to take charge and organized an army at the airport. The National Guard arrived and the only fellow who was injured was a man who shot himself with his own shotgun trying to get through a barbed wire fence.

At another time, in the city of New Orleans, when the police force was under control of the existing organization, which was opposed to our group and would not assure our faction an honest election count, we called out the National Guard. After awhile we agreed on a procedure to assure a fair election and we took out the National Guard. We got an honest count.

On both occasions the man in charge of the troops did not have to shoot anybody, but he said:

> The best way to be sure you do not have to fight is to have enough troops there so the opposition will know that they cannot defeat you if there is to be fighting.

That would be my advice to the President. "Do not send 200 or 300 marines and have them exterminated. Send enough boys so that if there is a fight, and the opposition will know that if they start a fight, they will be defeated."

The Senator had a different idea than I did in regard to the Bay of Pigs. My thought about the Bay of Pigs was that the idea of helping people to go there and liberating that island was not a bad idea. The only thing was that we did not send enough people to whip Castro.

If that were to have been done, that would have been the time to do it, in my judgment. Many people would like to be free of Castro's enslavement on that island. If the general philosophy of the Senator's speech had been followed, Castro would have taken not only that island, but the Dominican Republic, also.

If we follow the general view that if the Communists attempt to take over, we ought to do what is within our power to keep that from happening, not only would we not have lost the Dominican Republic to the Communists; we would never have lost Cuba to the Communists.

Suppose President Eisenhower had it to do all over again, and he had heard one group argue the Fulbright doctrine: "Do not interfere; you might be criticized"; and another group saying, "This is a Communist takeover; go on in." Suppose President Eisenhower, sincere, anti-Communist, and good man that he is, had been confronted with such a situation again.

I believe he would not have taken a chance that there would be a Communist takeover. He would have gone in. He would have resolved the doubt in an effort to try to save the people from Communist subjugation.

So far as I know—and I believe this is correct—every responsible person who had any contact with the matter urged the President to do what he did; and the President proceeded to do what he thought was best, after explaining the problem as he saw it. He invited everyone, including the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], to offer advice. I had the opportunity to offer my advice. My advice was: "If you have any thought whatever that this might be a Communist takeover, please, Mr. President, move, because the American people will never forgive you if you merely sit here and watch the Communists take that island."

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. I want to associate myself with the remarks just made by the distinguished Senator from Louisiana. I am one of those who were privileged to sit in on the particular meeting that has been referred to. There were many there from both sides of the aisle. As I recall, the distinguished minority leader [Mr. DIRKSEN] was present, as, of course, was the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. I believe the overwhelming consensus was that we wanted to be certain that the island of the Dominican Republic was not lost to the Communists. No one was absolutely certain as to what was happening. At this point there was no time for a study by the Foreign Relations Committee or any other committee. The country was on fire; people were dying; property was being destroyed; Communists were on hand and chaos was in charge. Something had to be done and it had to be done based on the best information then available. The President was told by our Ambassador, by the representatives of the CIA, the Peace Corps, the USIA, and the Air Force, the Army, the Marines, and the Navy. All spoke with a loud and unanimous voice—and they said, "the revolution has been going on for 4 days—it is now out of hand and you Mr. President must send in troops to save lives and property." It was very clear that at the White House, at that time that the overwhelming consensus was of the belief that we had better send in enough forces to make certain that the indiscriminate shooting and looting would be stopped, and that the Communists would not take over. I do not agree that too many troops were sent into the Dominican Republic. For that matter, I do not believe we are sending too many troops to Vietnam. If one argued the same philosophy as that expressed by the Senator from Arkansas, perhaps he could say we are sending too many troops to Vietnam, because we are now beginning to win there.

Surely no one would argue that we are not supposed to win just because we are opposing Communists, and some misled liberals who are on their side. We are fighting Communists in Vietnam. We are having to oppose them—one way or another, all around the world, and for a certainty they sought to take over the Dominican Republic just as they did Cuba, and that was a matter of grave concern to us when the President sent in our troops to Santo Domingo. I do not see anything wrong with that, as the distinguished Senator from Louisiana has indicated. What is wrong with trying to save a country from communism?

We had already lost Cuba to Castro. It has been admitted that there were only about 12 known Communist leaders in Cuba with Castro when he started his revolution. He was acclaimed—when he started out—the greatest social revolutionary to come along in modern day. I remember when the New York Times and other newspapers were writing lyrical articles about Castro and what a great man he was. I recall his appearance before the American Society of Newspaper Publishers and Editors, where he was lauded and applauded. I also recall when he sat with the Committee on Foreign Relations in the Capitol and I asked him, "When are you going to have elections?"

Castro replied, "There is no use in having elections, because I will be elected over and over again."

Castro made that statement in the Committee on Foreign Relations, and still many thought he was a great democratic leader. Castro proved that it was not necessary to have a large number of Communists present in order to deliver a country to communism. When a country like Cuba falls to communism it costs us hundreds of lives and millions of dollars. So we could not afford to take a chance in the Dominican Republic.

I do not understand the philosophy of the Senator from Arkansas in this respect. I have the greatest affection and highest respect for my former chairman, the Senator from Arkansas [Mr. FULBRIGHT], but I do not understand, for the life of me, what the objection is to sending enough troops to the Dominican Republic to do the job, or even perhaps sending 200 or 300 more. The job was done. The country has not been lost. It is today moving in the direction of establishing a constitutional government, so that, hopefully, constitutional rights will be in the near future preserved.

I again totally associate myself with the remarks of the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, if it could be done as the Senator from Arkansas proposes, I would much prefer to treat the Communists with Christian fellowship, love, and truth, without having to resort to violence. A number of fine people, such as Cardinal Mindszenty, used that approach, but did not get far with it. If we are to keep the Communists from taking over, we cannot rely on them to tell the truth; we cannot rely on them to admit that they are Communists; we cannot rely on their regime not to murder and exterminate people who do not agree with communism.

I would be willing to take a chance on meeting Communists in free elections. Why will they not agree to free elections? They will not agree to them here or anywhere else. About the only time Communists are willing to agree to free elections is when the Communists cannot win by force of arms nor by blackmail, assassination, or brutality. They have yet to win their first free election.

A program of good will, kindness, truth, and love they neighbor, while it is fine to be extended toward Communists, is never seen coming from the opposite direction, toward us.

Mr. FULBRIGHT. Mr. President, to try to keep the record straight—and it was not my intention to engage in a general, running debate on how much we disagree with communism—I assure the Senator from Louisiana that I am not a Communist and do not wish to promote that system.

The policies I am talking about involve a judgment as to whether they do or do not promote communism.

The only election in the Dominican Republic that we are told was absolutely free and without any threat, was the one that resulted in the election of Mr. Bosch. But he was thrown out by a coup.

The Senator from Louisiana is saying that the whole movement of U.S. troops was to prevent Communists from taking over. At the meeting at the White House it is my impression—and I believe the press reports will confirm it—that we were told that the movement was to save American lives. Much was said about the saving of 1,500 American lives and several hundred other lives. It was put on the basis of saving innocent people, particularly Americans and the nationals of other countries. I said in my speech that I thoroughly agreed with that proposal.

When a situation endangers the lives of people who had nothing to do with the occurrence, it is quite proper for us to act. That was the theory on which our action was based at the meeting. We were not told that a Communist takeover was in progress.

I recall asking—and perhaps someone else asked—what the situation was with respect to communism. We were told that three individuals had been identified as Communists. This is out of several thousand who were engaged in the uprising.

I must say this in all charity to the Director of the CIA, who had been sworn in that very noon, so he could not have been expected to know what had taken place. He had been the Director of the CIA only about 10 hours, perhaps 6 hours. I do not blame him at all for either inadvertence or anything else. About a week later, after the situation had been reviewed, it was announced that 55 persons were Communists.

No one believed that Rafael Molina Urena was a Communist. He had been the President of the Senate under the Bosch regime. Under their Constitution, as I understand it, since Bosch did not return, Molina was what we would consider to be the legitimate successor. I understand that that was the process of succession. He was designated by the party in power, the PRD Party, which is the only legitimate party which had won an election, by 58 percent, in 1962. The party was thrown out by a coup, as the Senator knows.

This was an effort to reestablish themselves. The leaders of this revolution were not accused of being Communists. The Senator is assuming the very fact in controversy. The very fact that I question is that there was any firm and convincing evidence that this was a Communist takeover, that the revolutionary power, the revolutionary movement was dominated and controlled by Communists.

We had 13 meetings on this matter. To me, there is very little evidence from the testimony of administration witnesses. Every witness was an administration witness except Muñoz-Marín, who is certainly no enemy of the administration. He has been a very close friend of this administration. As the Senator knows, he was a long-time Governor of Puerto Rico. There was no serious and convincing evidence, or even anything close to being convincing evidence, that the leaders of the revolution in the beginning were Communists. They were members of the PRD Party. They were people who wished to reaffirm their claim to the presidency. They had been thrown out by a coup.

The Senator assumes that this was a Communist takeover.

Mr. LONG of Louisiana. Mr. President, I decline to yield further.

Mr. FULBRIGHT. I raised the point in my speech that there was not any evidence to show that it was a Communist plot. I think that it was more likely a PRD revolution.

Mr. LONG of Louisiana. The Senator has failed to distinguish between non-Communist liberals who were involved there and the hard-core Castro-trained Communists who were trained to take over. When Castro took over Cuba, knowing the experience we have had if we had followed the Fulbright doctrine, the takeover would have occurred nevertheless, because many sincere liberals were opposed to Batista while hard-core Communists were prepared to kill the Socialist or non-Communist liberals and take the place over.

That is what they did and they did it as quickly as these honest and sincere people who believed in freedom discovered that they had made a mistake and fallen into a trap. The people discovered that it was then too late. They could not extricate themselves. Some of those people gave up their lives and were injured and taken prisoners at the Bay of Pigs invasion when they tried to liberate Cuba from Castro.

We had enough information to know that the Dominican revolt was a move in the direction of communism. This country had all the justification that it needed to intervene. It had sufficient justification to require our going in there and protecting our citizens and the citizens of other countries.

Oddly enough, De Gaulle can find more reason to criticize our country, a country which has defended France more than any other country, than any man who has ever had a position of great responsibility and power in the free world.

Mr. de Gaulle found fault with the United States sending troops to a country to protect human life. However, De Gaulle's Ambassador rushed down and asked that the French Embassy be protected by American troops against irresponsible revolutionaries who were running down the corridors with machineguns and killing people. We took it upon ourselves to protect innocent people from friendly nations, people who were not a party to the revolt at all.

Mr. FULBRIGHT. There is no question about that.

Mr. LONG of Louisiana. The Senator suggests something that is inconsistent, with respect to this Nation contributing troops in this situation. We did not do it when Mr. Bosch was run out of there.

As a practical matter, the President was right in taking the position which he did in the military coup which involved Mr. Bosch. It was a fight between one crowd of anti-Communists and another crowd. I do not believe that we would have had any right to go in there with troops at that time. However, on the other hand, if this were a Communist takeover, or if it had the possibility of being a Communist takeover, if we had the information, which we did, that a great many hard-core Communist Moscow-trained or Castro-trained Communists were in there seeking to start a revolution and to take charge and take over the country, we should have attempted to frustrate that effort if we could.

I believe the record shows that every person whose advice the President sought on Capitol Hill, be he Republican or Democrat—and if any Senator wants to question this statement, he can say so—either advised the President to go or did not advise him not to go.

I believe that every single person advised the President to go, with the exception of the suggestion made by the Senator from Arkansas, and, to the best of my knowledge, the President followed that advice.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. Mr. President, the Senator from Arkansas talks about his recollection with regard to how many Communists we thought were in Santo Domingo. It was all a guess. My recollection is that it was approximately 58. And the 58 were Communist leaders. Actually nobody had any idea for a certainty how many Communists were there or how many of the revolutionists were on the Communist side.

At the time that Bosch was thrown out by internal revolution, I do not believe that anybody advised the then President of the United States that our people were being fired on and that our property was being destroyed, nor that we should send troops. I do not believe that the then Ambassador, nor the Army, nor the Navy, nor the CIA, nor the Peace Corps gave such advice. I do not believe that any of the people who, on this April 1965 occasion, advised the President that we needed troops there to protect our property and the lives of people, advised that we should send troops on that other occasion. When Bosch was forced by a coup to leave Santo Domingo and move to Puerto Rico.

I believe that it might be said about that meeting at the White House to which we have been making reference, and I do not believe this will violate to any great extent the rules with regard to keeping such meetings secret—that everybody who was there recalls that when the President was advising us as to what he was going to do—a telephone call come through, the fellow who was talking from the Dominican Republic said that he was at that moment under the table and the bullets were coming through the window and surging all around him.

Mr. LONG of Louisiana. Bullets were whizzing through the window of the Embassy by the Ambassador.

Mr. SMATHERS. The Senator is correct. At the very moment of the telephone conversation, bullets were coming through the window. What is the President supposed to say—"Let us go out and reason with these people?" This was no time to reason. These people were not in a reasoning mood. Something had to be done, and the President was advised to take a firm and courageous course and he took it.

At that time, we thought that some 1,560 people were killed in the first few days. Remember the President did not send our troops until the revolution had been going on for 4 days. Everybody's hindsight is better than their foresight. It may be that there were not 1,560 people killed. However, many of them were killed, and millions of dollars worth of property was destroyed. Our Embassy was being fired upon. Other embassies were being looted. Thank God our troops finally showed up.

The Senator from Louisiana has pointed out that by virtue of the fact that we had our troops down there, some 5,600 people, nationals of other countries, were safely evacuated. Because of the presence of our troops, there was no great loss of life.

If we had delayed; if we had had a study; if the President had vacillated, hundreds and hundreds of other people would have been killed and untold damage would have been done. But most importantly that country would be in the hands of the Communists today.

One of the significant things that is never talked about when we discuss this Dominican matter is the Organization of American States. At its fourth interparliamentary session—in the official meetings or consultations, the Organization of American States directed that one of their groups go to Santo Domingo and make a study. These are Latin people, not from the United States—but from various countries of Latin America. The official OAS group concluded that the President of the United States did the only sensible and practical thing that could have been done under the circumstances, when he dispatched troops to restore law and order.

I repeat these are Latins, familiar with the area, the conditions, the people. They approved the President's action. It seems to me that what we ought to be doing is applauding the President. Thank God that most of the people are doing that. The Gallup poll shows that 85 percent of the people approve of what the President did in Santo Domingo. I believe that those people who approve of the action of the President are correct. And I believe a majority of the members of the Foreign Relations Committee, and a majority of this Senate believe our President acted correctly and courageously.

Mr. LONG of Louisiana. Mr. President, the President had the advice of a nine-man American team in Santo Domingo. The team included those who had responsibility, anybody in charge of any organization, from the Peace Corps up to the Ambassador himself. He had the advice of the State Department, and the advice of his own White House staff, which is supposed to be available to him for such purpose. Some reference was made to the fact that the man from the CIA had only been there a short time. But that man was a naval admiral, and he was not merely saying what he learned in 5 days; he was giving the best judgment he could based on the advice of experts who have been studying such problems for many years.

If those who had responsibility to tell us how to deal with the Communists in Santo Domingo, and how to deal with the Communists in the Dominican Republic, and all those people, so far as I know unanimously—and the record will show—provided such advice to the President, who would say that should be done?

The Senator said when he was there that perhaps he did not advise us not to go because he thought the decision had been made. That is my understanding. My understanding is that the President had taken the precaution to do what he should have done, that is, to put the carriers in a position so that he would have the troops available if the decision was made to go in.

Now he has been criticized for going in with too much. I suppose next year he will be criticized for going too soon.

But if we were compelled to move, I would want to be able to avoid a complete Communist takeover. If we had to go in, it was better to go with too much too soon than to go with too little too late.

Mr. FULBRIGHT. Will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. FULBRIGHT. On the question of what the record shows, I based my speech upon the records of the hearings before the committee. Many wild rumors were published in the newspapers which our own people did not confirm. For example, the Senator from Florida [Mr. SMATHERS] says 1,560 were killed in the first 4 days.

As of May 8, the Red Cross confirmed a count of 150 dead and 605 wounded in hostilities. They were not Americans. No American citizen was killed or shot or injured until after the Marines were landed and the Marines exchanged shots with the revolutionists.

So subsequent events did not confirm the advice about the necessity and the danger that came from the Embassy.

Mr. RANDOLPH. Mr. President, a parliamentary inquiry.

Mr. LONG of Louisiana. Mr. President, I believe I have the floor.

Mr. RANDOLPH. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Louisiana has the floor at this moment, unless he will yield for a parliamentary inquiry.

Mr. LONG of Louisiana. I have not yielded, Mr. President. I wish to make this statement, and I will try to cut it short.

I know the Senator from Arkansas [Mr. FULBRIGHT] has a responsibility to the Senate. He is trying to discharge it. I shall try to cooperate with him.

It is one thing to think about these matters, ask for hearings, bring people in, see what the record shows, and take a nice vacation and analyze the matter, and come back in a week and say, "I am not sure this was necessary at all."

But it is quite another thing if the man is there, and shooting is going on.

and he must move now or it will be too late. He cannot stop to figure whether 315 or 575 or 1,500 people have been killed. He must move now.

It is easy to find fault with the President of the United States. Senators have, and I am sure they will continue to do so.

But one thing we cannot say about the man who is President of the United States: We cannot say he cannot move. I say to the Senate that when hurricane Betsy hit Louisiana last week, the worst disaster in our history, I called the President and said, "Mr. President, the most horrible thing that has ever happened to Louisiana has just occurred. The people ought to see you and know that their Government and their President are interested in their welfare. It will give them the courage to try to hold out and try to help themselves, if they just know that help is on its way, and that they have this great country on their side."

That man has on his hands the war in Vietnam, but he called me and said, "Be at the White House in 15 minutes. If you are not at the White House in 15 minutes, I will be on my way to Louisiana by myself." I got there and we went down there, and he told those people that all of the redtape would be cut, and that help was on its way.

We are getting help. If I had to choose between one man who thinks it might not be all that serious, and says, "Let us wait and get the report and analyze it and think about it a little longer," and the man who says, "Wait a minute; if we do all this, it might be too late," I think I would take the fellow who could move.

Many battles have been lost by waiting to see. The South would be a separate nation today—and I am glad we are not—had it not been that a citizen of Louisiana, Gen. P. G. T. Beauregard, waited until the smoke lifted on the first day of the Battle of Shiloh, down in Tennessee.

Had that man had the aggressive instincts of our President, he would have pushed Grant's army into the Tennessee River before General Buell was able to bring up a whole new Federal Army to join the fight. On that occasion, Albert Sidney Johnson had bled to death in his saddle pressing the attack. When Johnson died, and Beauregard found himself in command, he preferred to halt the attack and renew it on the following day. By that time Beauregard was facing two Union armies instead of one.

Had Beauregard possessed the initiative of our President, he would have run the Union Army into the river on the evening of the first day, and instead of Grant defeating the Southern Army, and proceeding to capture one army at Vicksburg and another at Appomattox, Grant would have been relieved of duty as an incompetent, and Lincoln would have never found himself a great general.

But, Mr. President, we have a President who moved. He moved in the tradition of our great country, and in the tradition of all great Americans, who do not believe in waiting until the smoke lifts in Santo Domingo or until the dust settles in China to do something about these things. Mr. President, I thank the merciful Lord that our President possesses a sense of urgency and that he possesses initiative.

I yield the floor.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, the Senator from West Virginia will cooperate, as always, with his colleagues. He knows that the subject matter which has been discussed is important. As the assistant majority leader has stated, legislation is pending in the Chamber. It, too, deals with important subject matter of concern to the American people.

I ask unanimous consent, however, that the Senator from Delaware be permitted to address the Senators on a subject which is not germane.

Mr. ROBERTSON. How long does the Senator from Delaware wish to hold the floor?

Mr. RANDOLPH. Approximately 10 minutes. He talked with me about an hour and a half ago about his request. At that time, we did not know that the Senator from Arkansas and the Senator from Louisiana would take as much time as they have taken.

I, too, wish to go forward with the pending legislation, but I feel that I at least implied to the Senator from Delaware that I would submit this unanimous-consent request, and I do so with the understanding that he speak not more than 10 minutes.

Mr. ROBERTSON. With that understanding I shall not object, but I hope after that we may proceed with the bill, because it is not a minor bill.

Mr. RANDOLPH. I agree with the Senator from Virginia, and for that reason, very frankly, I hope Senators will not discuss this nongermane subject.

I ask unanimous consent that the Senator from Delaware be permitted to speak.

The PRESIDING OFFICER. Does the request of the Senator from West Virginia include any time limitation? The Chair is asking for information.

Mr. WILLIAMS of Delaware. No.

The PRESIDING OFFICER. Does the Senator make any request as to retention of the floor?

Mr. WILLIAMS of Delaware. No; I do not do that.

The PRESIDING OFFICER. Is there objection to the request? None is heard, and it is so ordered.

Mr. WILLIAMS of Delaware. Before I proceed, I understand that there is no time limitation; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. I shall be brief. As I told the Senator from West Virginia I would not want a time limitation. I appreciate the fact that there is an important bill before the Senate, and I appreciate the fact that he wishes to proceed to discuss it.

I point out, however, that there is nothing world shaking in the bill. I tried to obtain a copy of it this morning as late as 10 o'clock, and it had not even come back from the printer, which shows how fast we are moving. It is about a $320 million bill which is before the Senate for consideration. It had not even been printed until about an hour ago, and certainly the Texas steam roller, even under the Great Society, can slow down that long.

I am correct, then, in my understanding that there is no time limitation as far as I am concerned; however, I assure the Senators that I shall take no longer than necessary.

NOMINATION OF DAVID BRESS TO BE DISTRICT ATTORNEY FOR DISTRICT OF WASHINGTON, D.C.

Mr. WILLIAMS of Delaware. Mr. President, the nomination of Mr. David Bress to fill the vacancy as district attorney for the District of Washington, D.C., has been submitted to the Senate.

I do not know Mr. Bress. He may be a very able man. He may be a man of the greatest integrity; however, in the light of the past position which Mr. Bress had as one of the attorneys, for Bobby Baker's vending company, it is not proper that he be appointed at this time as the U.S. attorney in Washington, D.C.

It is common knowledge that a Federal grand jury is at work in the District of Columbia on the affairs of Mr. Robert G. Baker. Although Mr. Bress might disassociate himself from the work of the Baker grand jury, I do not believe this is enough. There must be an investigation that is thorough and aggressive and one that appears to be thorough and aggressive in every respect.

It is not only important that the investigation be honest; it is equally important that the investigation gives the appearance of being honest.

The public must be shown that Bobby Baker and his kind will be investigated and prosecuted in the same manner as any other influence peddlers. The appearances are particularly important in the Baker case because of his former influential position as Secretary to the Democratic majority in the Senate and because of his past associations with some of the highest public figures in this Nation.

The public must be shown that there is no double standard of justice by which the Bobby Bakers are shielded by friends in the Senate, investigated by friendly U.S. attorneys, or brought before courts stacked with his political cronies.

The attempted whitewash of the Baker case by the Democratic majority of the Rules Committee has disillusioned many citizens. This Nation needs assurance that the whitewashing is ended in this Baker matter. The nomination of Mr. Bress does little to restore confidence in the Johnson administration. Instead it can only be interpreted as a continuation of the efforts to protect Bobby Baker and keep a tight lid on the whole Baker operation.

If the administration did not know that Mr. Bress represented Serv-U in the civil suit that launched the Baker matter, then the administration was lax in its preliminary study in making this nomination.

If the facts were known by the President and others then the nomination can be regarded as an arrogant disregard for normal ethical sensitivity and for public opinion.

If a lawyer for the Teamsters Union were named as U.S. attorney or judge in an area where Mr. Hoffa was under investigation it would be regarded as shocking. I consider it no less shocking when an influence peddler, such as Mr. Baker has been proven to be, ends up with so many friends in court. I hope it is carelessness. I hope there are no callous efforts to stack the deck.

This nomination should be withdrawn by the administration.

If it is not the Senate should hold it up until after the whole Baker investigation and prosecution is disposed of.

Mr. President, yesterday, in response to a suggestion concerning the advisability of having his nomination either withdrawn or held up until after the Baker case had been disposed of, Mr. Bress is quoted as having said that while he admitted he was the attorney for the Serv-U Corp. he was not aware that Mr. Baker was a stockholder. Such an excuse is ridiculous.

As evidence that Mr. Bress did know or at least that he should have known that Mr. Baker was connected with this company I ask unanimous consent to have printed in the RECORD a copy of a document filed in the district court by Mr. David G. Bress in his capacity as the attorney for the Serv-U Corp. Under date of October 22, 1963.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—CAPITOL VENDING CO., INC., WASHINGTON, D.C., PLAINTIFF *v.* ROBERT G. BAKER, U.S. CAPITOL; FRED BLACK, JR.; ERNEST C. TUCKER, SERV-U CORP., WASHINGTON, D.C., DEFENDANTS—CIVIL ACTION NO. 2249-63

(Filed October 22, 1963, Harry M. Hull, clerk.)

ANSWER OF DEFENDANT SERV-U CORP.

The defendant, Serv-U Corp., by its attorney, for its answer to the complaint says as follows:

First defense

The complaint fails to state a valid claim upon which relief can be granted.

Second defense

1. Defendant admits the jurisdiction of this court.

2. Defendant does not have sufficient information or knowledge to either admit or deny the averments of paragraph 2.

3.-5. Defendant admits the averments of paragraphs 3, 4, and 5.

6. Defendant denies that it is a corporation organized under the laws of California, but avers that it is a corporation organized under the laws of Delaware and has an office in the District of Columbia at 2000 P Street NW., Washington, D.C.

7-9. Defendant does not have sufficient information or knowledge to either admit or deny the averments of paragraphs 7, 8, and 9.

10. Defendant admits that it is engaged in the coin operated vending machine business in California and that it has contracts relating to the installation and operation of such machines in various plants in California, including certain plants of North American Aviation Corp. but this defendant denies that Robert G. Baker is a stockholder of record and is without sufficient information or knowledge to admit or deny any equitable interest.

11. Defendant denies the averments relating to this defendant but has not sufficient information or knowledge to admit or deny the remaining averments of paragraph 11.

12. Defendant admits that Ernest C. Tucker is a stockholder of record in defendant and that he is its chairman of the board.

13-14. Defendant does not have sufficient knowledge or information to either admit or deny the averments of paragraphs 13 and 14.

15-19. Defendant denies the averments of paragraphs 15, 16, 17, 18, and 19.

Wherefore, defendant, Serv-U Corp., prays that a judgment be entered herein in its favor and that the complaint herein be dismissed with costs and that this defendant be awarded attorneys fees incurred by it herein.

DAVID G. BRESS,
Attorney for defendant,
Serv-U Corp.

WASHINGTON, D.C.

Mr. WILLIAMS of Delaware. Mr. President, this document relates to the suit which the Capitol Vending Co. had filed against Robert G. Baker, Fred Black, Jr., Ernest C. Tucker, and the Serv-U Corp. under Civil Action No. 2249-63.

While in this document they did not admit specific knowledge that Mr. Baker was a stockholder in the Serv-U Corp., nevertheless, as an attorney for Serv-U certainly Mr. Bress was aware of the facts of life, and as specific proof that at the time this document was filed Mr. Baker was actually a stockholder of the corporation I ask unanimous consent to have Mr. Baker's financial statement of February 1, 1963, printed in the RECORD.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

Robert G. Baker, Washington, D.C., statement of condition, Feb. 1, 1963

Assets	Market value of assets Feb. 1, 1963	Liabilities and net worth	Amount
Current assets:		Current liabilities:	
Cash on hand and in banks	$51,000	Accounts payable	$43,000
Accounts receivable	58,000	Mortgages payable (installments due within 1 year (schedule 2))	31,800
Notes receivable	287,000	Notes payable (banks secured by stocks (schedule 3))	290,000
Cash-surrender value of life insurance	2,000		
U.S. Government retirement reserve	10,000		
Stocks (schedule 1)	1,582,630		
Total current assets	2,158,630	Total current liabilities	364,800
Fixed assets:		Fixed liabilities:	
Real estate owned (schedule 2)	456,666	Mortgages payable (schedule 2)	120,500
Furniture and equipment	5,000	Less installment due within 1 year	31,890
Total assets	2,620,296	Total, fixed liabilities	88,610
		Total liabilities	453,410
		Net worth	2,166,886
		Total liabilities and net worth	2,620,296

Real estate owned and mortgages payable, Robert G. Baker, Washington, D.C., Feb. 1, 1963

Description	Title in name of—	Market value, Feb. 1, 1963		Mortgages payable	
		Share owned, (percent)	Amount	Amount	Annual payment
Residence: 3324 Northampton St. NW., Washington, D.C	Bobby G. and Dorothy C. Baker	100	$35,000	$13,000	$1,530
1 house and 2 apartments: Blue Ridge Dr., Pickens, S.C	Robert G. Baker and D. A. Holder	50	10,000	2,500	360
Entire block ocean front: 47th St. to 48th St., North Ocean City, Md	Robert G. Baker, Gertrude and Don Novak	33	41,666	15,000	5,000
40 acres: Colesville Rd. Extended, Silver Spring, Md	Don Novak and Robert G. Baker	50	120,000	15,000	10,000
42-unit motel: Howard Johnson, Charlotte, N.C	Mecklenberg Enterprises	50	250,000	75,000	15,000
Total market value, Feb. 1, 1963			456,666		
Total mortgages payable (Robert Baker's share), Feb. 1, 1963				120,500	
Total annual payment on mortgages					31,890

Stocks owned, Robert G. Baker, Washington, D.C., Feb. 1, 1963

Description	Shares owned	Market value Feb. 1, 1963	Pledged as collateral
Mortgage Guaranty Insurance Co	15,130	$453,900	8,835 shares with Fidelity National Bank & Trust Co., Oklahoma City Okla. 5,995 shares with First National Bank of Dallas, Dallas, Tex.
Serv-U Corp. (5 times earnings)	2,850	1,000,000	2,850 shares with Fidelity National Bank & Trust Co., Oklahoma City, Okla.
Winn Dixie	100	2,800	100 shares with Suburban Trust Co., Silver Spring, Md.
District of Columbia National Bank	1,500	45,000	1,500 shares with American Security & Trust Co., Washington, D.C.
Carolina Pipeline Co	2,500	20,000	2.500 shares with South Carolina National Bank, Greenville, S.C.
First Virginia Corp	3,000	15,000	3,000 shares with American Security & Trust Co., Washington, D.C.
Blue Ridge Development Corp	50	15,000	
Greenville (S.C.) Memorial Gardens	180	10,000	180 shares with Pickens Bank, Pickens, S.C.
Maikiki Savings & Loan Association	2,500	8,000	
Don Reynolds Insurance Co	10	5,000	
Mansfield Industries	200	1,600	
Truck Insurance Exchange	50	2,400	
Pickens Bank	48	1,680	48 shares with Suburban Trust Co., Silver Spring, Md.
National Bank of Maryland	75	2,250	75 shares with Suburban Trust Co.
Total market value of stock Feb. 1, 1963	----------	1,382,630	

Mr. WILLIAMS of Delaware. Mr. President, in this financial statement Mr. Baker lists his ownership of 2,850 shares of Serv-U stock with a market valuation of $1 million. These 2,850 shares of Serv-U stock owned by Mr. Baker were at that time being held by the Fidelity National Bank & Trust Co. in Oklahoma City, Okla., as collateral for a loan which he had obtained from that bank.

Thus, Bobby Baker's ownership of Serv-U was a matter of record in February 1963, 8 months prior to the time that Mr. Bress was acting as the attorney for the Serv-U Corp.

It is utterly ridiculous for him now to claim that he did not know that Mr. Baker was the prime factor and principal stockholder in the Serv-U Corp. If, as the attorney for this corporation, he did not know, then he is too naive for the position to which he has been nominated.

"FOOT IN MOUTH" DISEASE OF OUR STATE DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, after spending millions of dollars the Agriculture Department was able to eradicate the foot-and-mouth disease that had been so prevalent among animals.

Perhaps we should launch a research program now to eradicate the "foot in mouth" disease of our State Department.

I ask unanimous consent to have printed in the RECORD an editorial published in the September 2 issue of the Washington Daily News entitled "Foot in Uncle's Mouth."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Sept. 2, 1965]

FOOT IN UNCLE'S MOUTH

Every once in a while, somebody opens his mouth and puts his foot, not in it, but in Uncle Sam's. That hurts us all.

We don't know the exacts ins and outs of the charge by Singapore Prime Minister Lee Kuan Yew that back in 1960 a bribe of $3 million was offered by a CIA agent and that later a letter of apology arrived from incoming Secretary of State Dean Rusk, along with a statement that the new Kennedy administration would not countenance such goings on.

We do know that both at the State Department and in Malaysia on Tuesday, U.S. spokesmen denied flatly that the incident ever occurred. And that on Wednesday, the State Department discovered the Rusk letter after Mr. Lee revealed he had not only a copy of it but a tape recording of conversations with the CIA agent.

The point at issue is not to criticize Mr. Lee, who apparently brought up the matter for domestic political reasons. Nor is it to castigate the CIA, since details of the original affair are obscure.

What bothers us—and considerably—is that the State Department could be so positive on one day that nothing of the sort ever happened and so positive on the next day that it did.

In the famous U-2 incident which also occurred in 1960, misrepresentation by U.S. officials made this country look ridiculous in the eyes of the world. Handling of this latest affair gives us reason to wonder if our official spokesman really have learned anything since then.

SINK OR SWIM FOR U.S. SHIPS

Mr. WILLIAMS of Delaware. Mr. President, the Nation was, of course, relieved and pleased at the end to the strike which has tied up the U.S. merchant fleet for the past 2½ months.

It would be pleasant to suppose that the end of the strike meant the end of the difficulties facing the merchant fleet, but unhappily it does not. Whether we like to think about it or not, the United States, a nation whose strength at sea should certainly be equal to its strength in other vital areas of commerce and defense, stands perilously close to becoming a third-rate maritime nation.

On July 30, 1965, Life magazine briefly reviewed the plight of the merchant fleet in its lead editorial entitled "Sink or Swim for U.S. Ships." The editors of Life have clearly outlined the challenge which faces the maritime industry, and their editorial is one which should be read quite carefully by officials in industry, labor, and government.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SINK OR SWIM FOR U.S. SHIPS

The U.S. Government pays out some $350 million a year to subsidize a U.S.-flag, U.S.-built merchant marine. But when the Defense Department needed to expand its military shipments to Vietnam, it had to hire British and Danish vessels for some shipments and then to mobilize some 30 U.S. ships. The reason for this costly humiliation of a traditionally great maritime nation was that most of our best cargo vessels have been tied up for nearly 6 weeks in one of the industry's perennial strikes.

This one, kept going by the Marine Engineers' Beneficial Association, has been termed "intolerable" and "against the public interest" by the Secretary of Commerce. Since U.S. taxpayers already get up 72 cents of every maritime wage dollar, and would normally pay 100 percent of any increase, he can say that "public interest" again.

MEBA represents 16,000 seagoing engineers who already average $1,500 a month. It is known as the "head-kicking union" because at one session its president, Jesse Calhoon, was charged with jumping on the negotiating table and kicking a shipper in the jaw. Negotiations have since broken down, the tough issues being retirement income and automation. The owners have also lost confidence in the arbitrator but are willing to arbitrate almost anything under a new one, including any appointee of George Meany's. MEBA says no.

Joe Curran of the National Maritime Union, a third of whose sailors have been beached by it, calls this a political strike and a threat to all other workers in the maritime industry. Curran is gored because the strike plays into the hands and treasury of the Seafarer's International Union, which mans unsubsidized tramps and liners and whose chief, Paul Hall, has been Curran's bitter rival for many years. The fact that only part of the maritime industry is shut down also prevents the Government from invoking a Taft-Hartley emergency and sending the engineers back to work.

Chronic interunion feuding, extravagant demands, and ruthless tactics have cost the maritime industry 10 million man-hours since World War II. The subsidy formula, which offsets the fact that U.S. wage costs are 3 or 4 times foreign costs, has hitherto floatd off the exorbitant settlements. But not this time. This strike coincides with a more general crisis in the U.S. merchant marine.

President Johnson promised last January to introduce a whole new maritime policy to replace the 1936 system. His lively young (30) Maritime Administrator, Nicholas Johnson, has not only been scaring the unions and owners alike with boyish speeches but has threatened to keep new wage increases out of the subsidy formula and even disallow increases of several years past. U.S. shipowners, both struck and unstruck, are therefore fighting for their lives against rising costs, foreign competition and uncertain Government policy. By tonnage, U.S. shipping's share of U.S. foreign trade has fallen from 50 to 9 percent since 1945. Large parts of the fleet have been scuttling to Liberian and Panamanian registry or counting their last days as eldering tramps carrying give-away food-for-peace at subsidized rates. The U.S. maritime picture is gloomy indeed—except in one respect.

The authors of our 1936 subsidy policy, chiefly F.D.R. and Joseph P. Kennedy, knew what they were about. They wanted a first-class, liner-type cargo fleet sailing established routes—and that we have. It is second only to the British in size; in quality, second to none. The 15 leading U.S. lines (Grace, Lykes, Moore-McCormack, United States Lines, etc.) run their 300 vessels on a subsidy contract which requires them to keep their fleets modern; as a result, 80 percent of all cargo vessels in the world capable of more than 20 knots fly the U.S. flag. If U.S. foreign trade is measured by value instead of by tonnage, U.S. ships carry 37 percent of it.

Nicholas Johnson would like to see the Government out of the shipping business eventually. He sees no future in passenger subsidies and would cut cargo subsidies by relying on improved productivity through technological change, including such futuristic carriers as undersea pipelines and hydrofoils.

Undoubtedly great technological improvements lie ahead of ocean shipping, the most realistic being specialized bulk cargo ships. The industry itself has ordered 35 new automated freighters. But much of their automation is in the engineroom, and MEBA refuses to agree to any fixed manning schedules in advance. This puts all savings from automation in doubt—the more so since any maritime labor settlement is subject to later interunion whipsawing.

Some owners have suggested a "czar" to save their industry from further strife and stalemate. Czars seldom solve anything, but this one might provide what U.S. shipping desperately needs, a period of labor peace while it adjusts to the throes of technological change. No new maritime policy will make sense until Washington solves this problem. The jobs at risk from automation will either expand with an expanding industry or sink with a dead one.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) for the relief of Nora Isabella Samuelli.

The message also announced that the House had passed the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736), with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POWELL, Mr. PERKINS, Mrs. GREEN of Oregon, Mr. ROOSEVELT, Mr. BRADEMAS, Mr. CAREY, Mr. DENT, Mr. GIBBONS, Mr. AYRES, Mr. GRIFFIN, Mr. QUIE, and Mr. REID of New York were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2091. An act relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks; and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets Southwest the "Francis Case Memorial Bridge".

HOUSE BILL REFERRED

The bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. RANDOLPH. Mr. President, the pending bill is S. 2084, the Highway Beautification and Scenic Development Act of 1965. As chairman of the Subcommittee on Public Roads, I introduced this measure at the request of the administration on June 3, 1965. I stated that the Committee on Public Works would give prompt and deliberate consideration to the bill, and would give attention to all points of view.

This the committee has done.

I stated also, in introducing the bill, that the measure as proposed by the administration presented certain problems of equity in relation to the Government's treatment of private property, certain questions regarding Federal-State relationships, and certain problems of financing. It is my opinion that the Committee on Public Works effectively resolved these problems in the bill which was reported unanimously from the committee on Friday, September 10.

Mr. President, at the conclusion of my remarks I shall offer certain other amendments for the administration, of which the chairman, the able senior Senator from Michigan [Mr. MCNAMARA], and my fellow committee members have been apprised. I shall explain the purpose of those amendments when they are offered.

I commend the able chairman of the full committee, the Senator from Michigan [Mr. MCNAMARA], for his support and cooperation in handling a difficult and, in many respects, a controversial measure.

I commend also the distinguished ranking minority member of the Subcommitee on Public Roads and of the full committee, my good friend the diligent senior Senator from Kentucky [Mr. COOPER], for his conscientious and unfailingly courteous actions in attention to this proposed legislation. The chairman and the ranking minority member, as well as the Senator from West Virginia and others on the Public Works Committee, have had to divide their attention with other important legislation in the fields of education, labor, and agriculture. Therefore, it has been only through the cooperation of all the members that we have been able to move the bill through the committee with reasonable speed and effectiveness.

Mr. President, at this time, I desire the RECORD to show that the committee's consideration has been other than as portrayed by some of the more imaginative reporting in some newspapers.

The committee has not crumbled before the might of the lobbyists.

The standard outdoor advertising industry as a whole has supported the principle of the proposed legislation and, in most instances, the substance of the proposed legislation as well. So have the roadbuilding industry and the leaders of most other business groups which would be affected by this measure.

No Member of this body or of the House of Representatives is more dedicated to the preservation and development of natural beauty than is the senior Senator from West Virginia. But I am also dedicated to the protection of individual property rights. It is my firm conviction that S. 2084 as amended and reported unanimously by the committee serves both these goals.

Mr. President, the proposal submitted by President Johnson to the Congress came not as a spur of the moment thought, but after weeks and months of study in the executive branch and on consideration of the experience our Nation has had for the past decade or more with the problem of a growing clutter on the American scene.

The President stated the purpose of this legislation in his message of transmittal when he declared that the national economy "and the roads that serve it are not ends in themselves. They are meant to serve the real needs of the people of this country. And those needs include the opportunity to touch nature and see beauty."

As originally introduced, S. 2084 has four titles dealing with:

First. Control of outdoor advertising on the interstate and primary highway systems.

Second. Control of junkyards on the interstate and primary highway systems.

Third. Allocation of 3 percent of a State's apportioned Federal-aid highway funds to highway and scenic enhancement.

Fourth. Diversion of one-third of the annual apportionment of Federal-aid secondary road funds to the construction of scenic highways and roads to scenic and recreation areas.

The committee had dropped title IV on scenic roads from the reported bill. This action does not mean a lack of committee interest in such a measure. However, the proponents from the States and the counties indicated that the method of financing proposed by the administration would create severe hardships for many local government bodies in that effort to sustain their construction program for secondary roads. The committee, therefore, plans early consideration of a scenic road program next year after the Congress has received the report on the scenic road study now being conducted by the Department of Commerce, and the President's recommendations with reference to this study.

The committee made several substantive changes to the administration's draft legislation in addition to the one I just mentioned:

First, the committee has recommended funding the entire measure from appropriations from the general funds under the Treasury rather than from highway trust funds as originally proposed. In light of the impending deficit in the highway trust fund, which was reported to the Congress by the Secretary of Commerce earlier this year, and on which the Committee on Public Works conducted hearings, the committee has declared that no highway trust funds shall be used for the purposes set forward in S. 2084.

Second, the committee has rejected the administration proposal that would allow the States to use their police power in eliminating nonconforming outdoor advertising structures and junkyards. The committee provision in the reported bill requires that just compensation be paid to all those whose property rights are adversely affected by this legislation. The principle of just compensation has been a guiding axiom in the committee's consideration of this legislation, and this principle was effectively expressed by our distinguished colleague on the committee, Senator EDMUND S. MUSKIE, of Maine, when he stated at the hearing:

> When an individual suffers loss because of some broad public benefit or broad public interest * * * the public interest also requires that the loss be compensated for. If we cannot sustain that kind of concept in the public interest, then the public interest ought to be reviewed.

The committee unanimously supports that position.

Third, the committee established the controlled distance for outdoor advertising to 660 feet from the nearest edge of the right-of-way rather than 1,000 feet from nearest edge of the pavement as proposed by the administration. Our action in this instance was guided by the fact that 25 of the States, those States which signed agreements with the Department of Commerce under Public Law 85–767, have established this as the controlled distance under requirements of the U.S. Department of Commerce. Therefore, the original proposal of the administration in S. 2084 would have required those States to amend their statutes and to acquire additional rights immediately adjacent to the rights previously acquired under the provisions of Public Law 85–767. The committee decided that the difference between these two distances is not significant enough to warrant this burden on the States.

Before summarizing the bill as a whole, I would comment on the committee's consideration of the proposal for a program to dispose of junked automobiles, which was submitted by the distinguished Senator from Illinois [Mr. DOUGLAS] as an amendment to S. 2084. The committee conducted hearings on this proposal and gave careful consideration to the subject matter. It is a thoughtful and constructive suggestion which has been made by the senior Senator from Illinois. However, the pending measure, S. 2084, is limited in its application of junkyard controls to junkyards adjacent to the interstate and primary highway systems. Because the Douglas amendment was addressed to a disposal system for all junked automobiles, the committee withheld action on the measure.

However, as I stated in committee, and as I have counseled with the Senator from Illinois [Mr. DOUGLAS], I shall work with our friend from Illinois to enact this amendment as a part of the Solid Waste Disposal Act, which falls within the jurisdiction of the Committee on Public Works.

In summary, section 101 would provide control of outdoor advertising within 660 feet of the right of way of interstate and primary sections. It would require the States to establish means of effective control of the area by January 1, 1968.

States which fail to comply will be subject to the withholding of Federal and highway funds after that date.

Subsection (c) would establish uniform standards over official directional and information signs and provide for existence of on-premise signs.

Subsection (d), a committee amendment adopted on motion of the ranking minority member, the Senator from Kentucky [Mr. COOPER], would require the Secretary of Commerce, in consultation with the States, to devise a sign system for the interstate highways which would give specific information for the benefit of motorists. Such signs would be erected and maintained by the State highway departments on the public right-of-way. The signs would carry brand names and registered trade styles for motorists who need the facilities for food, fuel, and lodging.

This subsection, however, would not provide for privately maintained signs.

Subsection (e) provides for the erection and maintenance of advertising structures in industrially and commercially zoned areas, and in areas used industrially and commercially.

Subsection (f) establishes a final completion date on July 1, 1970, when nonconforming signs must be removed.

Subsection (g) provides just compensation for owners and leaseholders of signs that must be removed. This section is funded at $20 million for the fiscal year 1966, and $20 million for the fiscal year 1967 from the general fund, not from the highway trust fund.

The same penalties and the same compliance would apply to junkyards in title II as apply to outdoor advertising in title I. The junkyards would be allowed 1,000 feet in the industrial area.

I now yield to the diligent senior Senator from Maine [Mrs. SMITH].

Mrs. SMITH. Mr. President, I am keenly disappointed in S. 2084 as reported to the Senate. It is certainly not a thing of beauty. It is a far cry from the original form of the highway beautification proposal that has been so sincerely backed by the First Lady of the land and the President.

It is at best an emasculation of the administration's proposals. The flesh has been so cut from the original proposals that nothing but a skeleton remains. The original beauty has become a skeleton.

In fact, the form of the proposal presently before the Senate is so bad that some conservationists and beauty lovers feel that no bill at all would be better than the one scheduled for Senate debate today. They take issue with the bill's provision of reimbursement of billboard owners and junkyard operators for removal of billboards and screening of roadside junkyards, instead of following the administration proposal that the States use their police powers whenever possible to order the removal or screening.

They contend that the committee bill gives billboard interests a virtual carte blanche by allowing them to erect signs in areas zoned commercial or industrial by State legislatures and point to the power of the billboard lobby with State legislatures.

The working philosophy that roads should be built out of the highway trust funds—a long followed and honored philosophy—has been cast aside by this bill, which would provide the financing out of general funds. This is contrary to the position of the Federal Highway Administrator that roadside beauty is a part of highway costs.

I sincerely hope that before the Senate completes action on the bill, amendments will be offered to put flesh back on this skeleton, and that those amendments will be adopted, so that we will not have produced only a skeleton, or a zombie at best, out of the original highway beautification proposal.

To do anything less would be not only a disservice to the American people—but to do anything less would tragically let down the First Lady of this Nation.

Mr. RANDOLPH. Mr. President, I submit certain amendments proposed by the administration which apply to the bill in several particulars.

Does the Senator from Kentucky [Mr. COOPER] wish to make a statement before I refer to the amendments?

Mr. COOPER. May I ask a question?

Mr. ROBERTSON. Mr. President, I would like a few minutes before the amendments are taken up.

Mr. COOPER. Mr. President, I have an amendment pending now.

Mr. ROBERTSON. I wish to discuss all three amendments.

Mr. RANDOLPH. I yield to the Senator from Virginia [Mr. ROBERTSON].

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. ROBERTSON. Mr. President, in addition to the fact that Virginia has as good a climate as most any State in the Union because it is located in the Middle Atlantic area, which we call south of north and north of south, it also has the advantage of a wonderful seashore and a semitropical climate in its tidewater area and equally beautiful mountain scenery in its western area. And its valley area, which the Indians named Shenandoah, meaning "Daughter of the Stars," is the area of my home, and to which I sometimes refer, without undue boasting, as being as fertile as the Valley of the Nile but more centrally located.

Needless to say, Virginians always have been and always will be dedicated to all proper programs of beautification. The Garden Club of Virginia annually sponsors a tour of beautiful homes, many of which date back to the early colonial period. Thanks to the generosity of the Rockefellers, we have restored colonial Williamsburg, and the beauty of those restored buildings has become a mecca for tourists, not only nationally but from all over the world. We are likewise proud of the fact that annually there are more visitors to our Shenandoah National Park than to any other national park in the Nation.

But I frankly feel that the pending highway beautification bill, S. 2084, goes too far in encroaching upon the rights of the sovereign States and it unloads a burden upon them which they, at this time, are not in a position to carry. As a matter of fact, I am not too sure that it would be wise for the Congress to embark at this time upon a program that will start out with a cost in excess of $300 million, and eventually far more, when we know that we have already started new programs that will run our current spending budget to $105 billion without providing for possible increases in the cost of the war in southeast Asia, which could easily add $3 or $4 billion more. With the top revenue now anticipated of only $95.5 billion, that means of course that every dollar we now spend in the beautification of our highways will be borrowed money, and at 4 percent the interest on that borrowed money will equal the expenditure in just one generation. But since our debt is far more than $300 billion and we have no plans to balance the budget within the foreseeable future, we may reasonably anticipate that what we proposed to spend in borrowed money now for beautifying highways may have to be repaid by future generations many times over.

While I am in full sympathy and accord, as I say, with beautifying our highways, the State of Virginia is not in a position to accept any part of that cost because we now lack at least $80 million for financing present urgent needs for our own highway system.

I will pause to comment on the mellifluous way in which the distinguished floor leader refers to interstate and primary roads as if they were one and the same. They are not.

Primary roads under this system are State roads, for which the States get only 50 percent of Federal aid. We put up 50 percent, and we put up 100 percent for maintenance.

Under the proposed bill the primary roads must bear 50 percent of the cost of removing highway signs on State roads. These are not Federal roads but State roads. That is one point we cannot finance, and I object to it.

With regard to putting money into beautifying roads, I called the Federal Highway Commissioner today to ascertain how we stood on building these highways—not putting the lipstick on, but building the highways. He said we lacked $3 billion of having enough money in the highway trust fund to complete the project. That is $3 billion for Federal roads.

Before we start building red ramblers and planting pink flowering dogwoods on them, we lack $3 billion to build the roads. But we are going to beautify them.

It is a little unfortunate, Mr. President, that we have to vote on a bill of this importance on the same day that the committee report, which indicates what is contained in the bill, is made available.

I am not indulging in any imaginative reporting when I try to give a brief summary of what I read in the committee report. If there is any imagination, it is in the committee report.

TITLE I—ADVERTISING

A brief survey of that report indicates that this bill in title I, relating to advertising, would require the States to provide effective control of outdoor advertising on the interstate and primary systems, which would prohibit signs within 660 feet of the right-of-way.

There are three exceptions: First, directional and other official information signs; second, signs advertising sale or lease of the property on which located or activities conducted on such property; third, signs located in areas zoned industrial or commercial under State law, or areas used for industrial or commercial purposes.

Nonconforming signs would have to be removed by July 1, 1970, or at the end of the fifth year after they became nonconforming, in the case of secondary roads which may be added to the primary system. We are dealing with State roads and secondary roads.

The original bill would have required the States to use their police power to acquire advertising rights, without compensation. This means that the States will have to provide 10 percent of the compensation along the Interstate System and 50 percent along the primary roads. That is money that Virginia does not have.

To carry out title I, the bill authorizes the payment of $20 million a year for 1966 and 1967 out of the general fund of the Treasury.

TITLE II

Title II would require the States to provide effective control over junkyards along the interstate and primary systems by January 1, 1968. This would eliminate junkyards from within 1,000 feet of the edge of the pavement, unless they are first, effectively screened from view; second, located in industrial areas.

Compensation also is required for owners whose junkyards must be moved, and a cost-sharing formula is provided for screening facilities which do not have to be removed. Title II also authorizes the same appropriations as in title I for the next 2 years.

TITLE III

Title III authorizes landscaping and roadside development as a part of the cost of highway construction. It provides the equivalent of 3 percent of a State's annual apportionment for this purpose, without State matching funds. That means on both interstate and primary roads, as I understand. There could be 3 percent from State funds as a duplication, but the State would get that much less money, when actually it would need more than it is receiving now.

Title III requires the Secretary of Commerce to report to Congress by January 10, 1967, on the implementation of each of the programs and to provide detailed estimates of what they will cost after June 30, 1967.

That is an interesting requirement. No one knows what the program could cost if someone were really sold on the proposition that to make a Great Society, the fundamental thing is to let people travel over beautiful roads, as if they were moving on into heaven over those highways. There is no telling exactly what that could cost in the end.

TITLE III

Title III provides authorization for landscaping in the amount of $120 million a year for 1966 and 1967.

This makes the total authorization from the Federal Treasury for all three titles for the years 1966 and 1967, $320 million. That is only a start.

The original bill also contained a title IV, which would have required the States to spend one-third of their apportionment of Federal-aid secondary road funds for the construction of scenic roads and roads leading to recreational areas. But, as the Senator from West Virginia [Mr. RANDOLPH] has said, that title was eliminated.

The committee took note of the fact that many motorists are not satisfied with signs which merely tell them that "fuel, food, and lodging" are available at the next interchange. It was pointed out that many travelers prefer certain brands of fuel, and certain types of food or lodging. To meet this situation, the bill authorizes the Secretary of Commerce, upon consultation with the States, to provide for an area at an appropriate distance from an interchange in which a State could erect and maintain signs, including brand names available at the next stop.

That would make possible much logrolling when Howard Johnson or Holiday Inn, or Esso or Cities Service, or other names are advertised. That is an interesting provision.

The impact of these provisions upon States, some of which would have to change their constitutions in order to comply, was partially provided for in the subcommittee report, later rejected by the full committee.

I understand that the distinguished Senator from Kentucky [Mr. COOPER] will propose three amendments to S. 2084. Two of them were accepted by the subcommittee, but were rejected by the full committee.

The first amendment to be offered by the Senator from Kentucky, as indicated in the report, would provide that the Federal Government shall pay the entire cost of highway beautification under all three titles.

First. Federal Government to pay entire cost of all three titles of highway beautification bill.

Highway beautification, he says, is a national program, but S. 2084 as reported, forces the States to participate under threat of losing all Federal assistance. All other Federal-State programs are voluntary, but this one is not. If the Federal Government wants a highway beautification program, it should pay for it.

Second. Extend the time for removal of advertising and the screening of junkyards from 1970 to 1972.

Under the bill as reported the States have until January 1, 1968 to accept the program and until 1970 to comply. The Senator from Kentucky would extend compliance until 1972, thus giving the States—or the Federal Government, if his first amendment is adopted—2 more years in which to finance the operation. Also, he says most advertising contracts run for 5 years and this would allow time for existing contracts to expire.

Third. Continue interstate standards on advertising control.

The pending bill is less restrictive on advertising along interstate highways than Public Law 85-767 because the pending bill would allow the States to zone additional areas on interstate highways for advertising. The earlier law exempted only rights-of-way acquired before July 1, 1956, and areas subject to municipal control.

Mr. President, the State of Virginia is in favor of beautification in all its ramifications. Virginia is in favor of fine and beautiful highways.

If the Senate agrees to the three Cooper amendments to which I have referred, and this would enable Virginia to go along with the program without taking money from urgently needed construction funds to beautify the roads which we already have, then I shall vote for the bill on passage. Otherwise, I shall be forced to vote against the bill for the reasons that I have indicated.

Mr. President, I ask unanimous consent to have the following telegram inserted at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RICHMOND, VA.,
September 15, 1965.

HON. A. WILLIS ROBERTSON,
Senate Office Building,
Washington, D.C.:

Re telephone conversation with Mr. Harwood (director of programing and planning) today while in sympathy with objectives of highway beautification bills seriously question extent of controls on billboards on Federal aid primary system. Would require action by Virginia General Assembly with far-reaching impact to permit us to comply. Understand penalty for noncompliance by January 1, 1968, is loss of Federal aid. Also would mean large expenditure of highway construction funds to purchase rights. Virginia in substantial compliance on interstate routes. Junkyard control not quite as drastic but again requires highway construction funds to screen or relocate.

DOUGLAS B. FUGATE,
Commissioner, Department of Highways.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, with the consent of the Senator from Kentucky, I ask that his amendment be set aside temporarily so that I may offer an amendment.

Mr. COOPER. Mr. President, I ask unanimous consent that my amendment may be temporarily set aside so that the Senator from Illinois may offer an amendment, with the understanding that when action on his amendment is concluded, my amendment will be the pending question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert a new title, as follows:

TITLE IV

SEC. 401. There is authorized to be appropriated out of the Treasury in addition to all other sums herein authorized the sum of $5 million for expenditure by the Secretary of Commerce for research and development of methods, machinery, and processes for the destruction, conversion, and disposition of scrapped, discarded automobiles, trucks, and other motor vehicles. The results of such research and development shall be made available to all persons, firms, and corporations without cost.

Mr. DIRKSEN. Mr. President, it would not settle the problem if we were merely to screen junkyards and automobile graveyards. It would be a little like the experiences of Alexander Potemkin, who was close to Catherine the Second, the Czarina of Russia, who, when he ran out of money and manpower, tried to create a false impression by running ahead of her carriage and building facades to hide what he had not accomplished.

It is proposed that we merely screen with natural beauty the junkyards, used car and junk car lots, but the cars would still be there.

I wonder if anyone realizes how many cars are scrapped every year. I have some figures which have been obtained from the American Automobile Association. For the past 10 years these figures read as follows:

Passenger cars scrapped yearly

(Reported by the American Automobile Association)

1954	3,840,000
1955	3,773,000
1956	4,327,000
1957	3,703,000
1958	3,639,000
1959	4,644,000
1960	4,223,000
1961	4,326,000
1962	4,768,000
1963	5,200,000
1964 (approximate)	5,300,000

If we were to allow 10 feet for a car and the cars were stacked end to end, they would extend a distance of 10,000 miles.

The cars are here. It has been suggested that they be dumped in abandoned coal mines. There are not enough abandoned coal mines or caves in the country, or perhaps in the whole hemisphere, to take care of the junked cars.

Some method must be devised to process the cars, to separate the metal, to save the important metals in the car, and to dispose of the cars, if we are ever going to do the job. Otherwise, we shall only be hiding the ugliness, so to speak, rather than disposing of it. I have talked with the manager of the bill, the distinguished Senator from West Virginia, and he will accept my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. COOPER. Mr. President, the effect of the amendment which I propose would be to impose on the Federal Government the full cost of the program.

The bill, as reported to the Senate, would provide that with respect to the Interstate Highway System of some 41,000 miles, the Federal Government would pay 90 percent of the cost and the States 10 percent. With respect to the 225,000 miles of the primary system, the Federal Government would pay 50 percent of the cost and the States pay 50 percent.

Before I speak on the amendment, I wish to commend the distinguished Senator from West Virginia [Mr. RANDOLPH], who was the chairman of the subcommittee which considered this important bill, for the very fair statement which he has made concerning the work of the subcommittee and the full committee.

I should like also to state that as usual, he conducted the hearings with great fairness, and that he gave to every member of the committee, both those in the majority and those in the minority, full opportunity to express their views, to offer amendments, and to consider the amendments offered. I believe that, as a result of his work, the bill which was reported is a better bill than the one introduced.

As the ranking member of the committee, I attended the hearings and participated in the consideration of the bill in executive session. Every section of the bill and every amendment offered was discussed thoroughly. It represents, as it came from the committee, the best judgment of the committee.

In the hearings held by the full committee, under the leadership of the distinguished chairman of the committee, the Senator from Michigan [Mr. McNAMARA], the same exhaustive study and consideration was given.

I do not agree with every provision of the bill, as other members do not, but the improvements made are just improvements, and were accepted by the entire committee. The bill, as it came from the administration, would have enabled the States to exercise their police powers and require of advertisers and owners of businesses which are characterized as junkyards that they screen or remove, with respect to junkyards, and remove, with respect to advertising, without compensation.

Because the bill extends controls over advertising, for the first time, to the primary system, a system of 225,000 miles which has been developing since 1921, a system which runs through thousands of municipalities, large and small, and where advertising has been conducted as not only a legitimate business, but as a necessary business, without any prohibition except those exercised by the police powers of the States, we felt that the owners should be paid for their property rights. The Constitution provides that just compensation shall be paid for the taking of a person's property. There is an exception where the State exercises its police powers, but in this case, with the long-established practice of advertising as a legitimate business, the committee felt that as a matter of justice they ought to be paid.

The bill provides that advertisers should be paid for such property rights as they enjoyed in their advertising signs and devices, and the property owners upon whose premises the signs were erected should be paid for whatever their property interest would be by reason of their contracts with the advertisers.

This amendment has been criticized. I believe that the committee acted properly and justly.

Mr. MUSKIE. Will the Senator yield on that point?

Mr. COOPER. I yield.

Mr. MUSKIE. I think it should be emphasized that not only did the committee agree on the principle of compensation, but it agreed unanimously, without any dissent or serious question raised on the point.

Mr. COOPER. The Senator is correct.

Mr. MUSKIE. I agree wholeheartedly with the Senator on the point he is making on just compensation for property rights taken, because the principle of billboard control is being extended to the primary system, a system which, as the Senator has pointed out, has been growing up since 1921 under a set of rules then extant, which permitted the development of businesses along highways and the development of advertising along highways.

We are now changing those rules. When we change them, I think we must respect the property rights which have developed over that period.

Mr. COOPER. The Senator has expressed most appropriately the considerations which led to the committee's modification of the bill. It is true that every member of the committee agreed to such change, because justice recommended it to us.

A number of changes were made from time to time in the committee, and now before the Senate are a number of amendments which have been recommended, I understand, by the administration since the committee acted upon the bill, which will require full consideration by the Senate.

Another provision of the bill was changed by the committee. The bill as proposed to us would have given to the Secretary of Commerce the authority to regulate what is known as on-premise advertising, that is, advertising by the owner of property concerning the business which he conducts on his own property.

We thought that went too far. Again, the States can, by their police powers, regulate and control the kind of advertising on property, even that advertising of an owner's business. But we did not think it proper that the Federal Government should be given the power to control advertising upon property concerned with the business of the man who owns the property. As the bill came to us, the Secretary could have exercised the control—if he thought proper—of advertising along the main street of a town which happened to be on the primary system, for example a drugstore or motel or hotel, and say to the owners, "I do not like the looks of your advertising sign. You are directed to take it down at your own cost, and if you desire to put up another advertising sign at your own cost, you can do so."

It seemed to us that provision was too great an intrusion into the rights of the property owner advertising his own business. We will all admit that there are many signs on private property which, from an esthetic viewpoint, could be and ought to be improved. Nevertheless, this seems to be too great a Federal intrusion into the business of a property owner. Other proper amendments in other parts of the bill will be discussed as they are brought up.

Now I should like to address myself to the amendment which I have to offer.

Mrs. NEUBERGER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am happy to yield to the Senator from Oregon.

Mrs. NEUBERGER. I have been mulling over the remarks of the Senator regarding police power versus appropriation, or appropriation versus police power. What was the reason for advancing the date to 1970, giving that much time in order to eliminate the billboards?

Mr. COOPER. The bill provides that by January 1, 1968, the States must accede to the program—by legislative action, of course—or suffer the denial of apportionment of all Federal highway funds.

It was considered in the committee that the legislatures, which meet in 1966, or in 1967, could take such action. The States would then have 3 or 2 years to actually remove the advertising from the nonexempt areas and to screen the junkyards, depending on whether their legislatures acted in 1966 or 1967.

The reason, therefore, is to give time to the States to effect removal of advertising or screening of junkyards after January 1, 1968. The date 1970 does not delay the date of compliance, which is January 1968, but, after compliance by State legislatures, additional time of 2 years is given to carry it into effect.

Personally, I thought the time too limited. I proposed an amendment to extend it to 1972, because I do not believe that it will be possible to remove all advertising, or to screen all junkyards, in 2 years. Also those conducting their legitimate businesses deserve reasonable and fair time to adjust their operations.

Mrs. NEUBERGER. The point I was making was regarding the police power to rid the highways of these unsightly billboards. As I look through the testimony, I gather that the signboard industry feels that it can amortize its investments in signboards in 5 years. Thus, if we give them 5 years, from 1965 to 1970, to complete the amortization of their investments, I would say, as one of those who are opposed to billboards—which will be more concretely declared if this bill is enacted into law—Why should we use taxpayers' money to buy them out? Instead of giving them 5 years to know that they must get out, why not use the police power now and save the taxpayers' money?

Mr. COOPER. Whatever interest remains at the particular time the States act to compensate them, they would be paid, but as the amortization period advanced, of course, their property interests would be of less value.

Mr. MUSKIE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MUSKIE. Answering further, let me say that the 5-year period would be cut by whatever time it would take for the States to act to implement the legislation. That could be as long as 3 years, leaving only 2 years. Second, emphasizing the point which the Senator has made, under the bill, all that can be compensated for is whatever remains of the leaseholds or the unamortized values, so that if, in fact, the billboard has been completely amortized or the leasehold has expired, no compensation will be paid under the bill.

Mr. COOPER. That would be correct.

Mr. METCALF. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. METCALF. On the point made by the distinguished Senator from Maine, that we are compensating only for the remaining leasehold, or the remainder of the 5-year period, there are situations in which a secondary road could be declared to be a primary road, and it would come under the provisions of the bill.

Then, if a State declared that a secondary road was a primary road, on which billboards were located, it should have a reasonable period of time to purchase the billboard rights, or the rights which, as the Senator from Kentucky has pointed out, are long-established rights to billboards on property along those roads.

Mr. COOPER. The Senator is correct. Whatever one's position may be on the bill, we cannot question the fact that advertising is a legitimate business, and one we should not wipe out without compensation.

Mr. MURPHY. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MURPHY. For the benefit of the Senator from Oregon [Mrs. NEUBERGER], I should like to point out that we were told it would require more than a year to find out where all the remaining billboards were, and how they were placed. In spite of the fact that the committee wishes to act as quickly as possible, there are certain practical aspects in making this drastic change in an industry which has existed for a long time. We wish to do it as quickly as practicable, and as completely as possible, and with as little dislocation as possible, either in the overuse of public funds, or in the distress of the people involved.

I concur with the chairman of the committee, the chairman of the subcommittee, and my distinguished colleague, that the committee has done an excellent job. I was pleased to have been a member of the subcommittee. I believe that their unanimity is also a reflection of a great deal of thought and a great deal of conscientious and objective application to the problem, to come forth with a good bill. It is an excellent bill.

Mrs. NEUBERGER. Let me say to the Senator from California that I do not believe we shall have any trouble finding out where the billboards are. We see them everywhere. That is the trouble with them now.

Mr. COOPER. Mr. President, I thank the Senator from California. He participated fully in the discussions and made very valuable suggestions and contributions.

Mr. President, I should like to move along now, because I know that there are other amendments, to be voted on. Of course, I shall be glad to respond to any questions.

Mr. President, the first amendment which I offer is, as I said earlier, to place the cost of this program—title I and title II—upon the Federal Government.

I elaborated my reasons for doing so in the subcommittee, where my amendment was accepted. It was reversed in the full committee.

I have also elaborated my views in support of my amendment in the individual views in the committee report.

Briefly, in the first place, the bill involves a national program. It is so stated in the bill. It has been so proclaimed, and rightfully so, by the President of the United States. And I am glad to support it—title III provides for the landscaping and scenic enhancement of the Federal-State road system, and places the entire cost upon the Federal Government, this is another indication that the program and all of its integral parts—titles I, II, and III—constitute a national program and should be paid for by the Federal Government.

I know that all the taxpayers must pay for it eventually, but there are different tax systems in different States. Equality would come by payment by the Federal Government.

The second reason I say that it is a national program and should be paid for by the Federal Government, rather than by an allocation of cost between the States, in this:

The division of the cost between the States and Federal Government, as proposed by the administration, is based upon the analogy of division of cost in the construction of the interstate and primary systems. I do not believe it is a true analogy. The States naturally are concerned with the primary system because it is essentially a local system of roads. Its development assists primarily the local and State economy. I would assume, and believe, that the greatest number of users are those who live in the States.

The enhancement of the beauty of these highways, the removal of advertisements and the screening of junkyards, are not immediately related or necessary to the use of the roads. Therefore, I do not think the analogy is correct.

The third reason—and this is the chief reason why I propose the amendment—is that it is essentially mandatory on the States.

More than 100 Federal aid programs have been enacted by the Congress.

The distinguished Senator from Maine [Mr. MUSKIE] has been conducting a study of Federal aid programs to determine among other things, how they can be improved, merged, or eliminated. Existing Federal aid programs are voluntary in the sense that they may be rejected or accepted by the States, and when accepted by the States, the State legislatures—if it is so provided in the program—may appropriate or refuse to appropriate money to support them.

Because many are valuable programs, and because the States need them, in most instances they do accept them, and State legislatures will provide their share of the cost.

The programs envisaged in the bill before us, whose objectives I support, cannot truly be called voluntary programs under the terms of the committee bill. Why do I say this? It can be argued that the States do not have to accept them, but if they do not, such States are faced with a penalty which would deprive them of all Federal highway funds which might be apportioned to them for the construction of highways. The States cannot refuse to accept the program, and legislature could refuse to appropriate funds for them, for to do so would mean the loss of the total Federal-State highway program.

There is a table in my views which illustrates this point. The State of California—I see present the Senator from California [Mr. MURPHY]—would receive, under the Federal aid system, in 1966 and 1967, approximately $336 million in each year.

I see the Senator from Florida [Mr. HOLLAND] present. Florida would receive in those 2 years, each year, approximately $80 million.

My State of Kentucky would receive $74 million, in each year.

The State of Montana—and I see the Senator from Montana [Mr. METCALF] present—would receive $41 million.

Nevada—I see the Senator from Nevada [Mr. CANNON] present—would receive approximately $23 million in each of those 2 years. How could any State refuse to accept compliance with this bill?

So, in essence, worthy as the program is, it is not a voluntary program. It is a mandatory program. This being true, the Federal Government should pay the cost.

I doubt if this bill's mandatory features would become a precedent. I hope not. For it would not be good if Congress should use this bill as a precedent, and in later years, should enact a program which is considered essential and worthy, and then placing such penalties on the States for noncompliance that they could not refuse to accept the program, and thus force the States and their legislatures to appropriate money to pay their part of the costs.

We are not members of the State legislatures. We cannot speak for them. We cannot be a substitute for them.

It is because of this penalty, from which States cannot escape, and which in a way makes it a mandatory program imposed by the Federal Government, that I proposed in committee, and have offered an amendment today, that the Federal Government pay the full cost.

An amendment will be offered to reduce both the penalty and the allocation of cost. I am glad such an amendment will be offered, for it illustrates the validity of the amendment, which the subcommittee adopted, and of the same amendment which the Senator from Montana [Mr. METCALF] and I now propose to the Senate.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. COOPER. I yield to the Senator from Montana.

Mr. METCALF. I am in complete accord with what the Senator from Kentucky has just stated. I should like to add one particular thought. He has discussed the matter of State legislatures meeting. The amendment of the Senator from Kentucky is an amendment which strengthens the bill. He and I and the distinguished chairman of the subcommittee, the Senator from West Virginia [Mr. RANDOLPH], are anxious to have this program underway as soon as possible. If we adopted the amendment of the Senator from Kentucky, the program could get underway next year. But now, when we must have matching funds—25 percent or 50 percent or 10 percent, or whatever the figure may ultimately be—from the State legislatures, we must wait 2 years or 3 years until the State legislatures meet, appropriate the money, and take care of the matching provisions.

So what we are really doing by agreeing to this provision of 75-25 percent is postponing the operation of the beautification bill for 2 years.

The Senator from Kentucky suggested that we extend it 2 years on the other end, from 1970 to 1972. That proposal was voted down in committee. But his amendment would have provided that we start this program immediately, in 1966, instead of 1967 or 1968, when the State legislatures can appropriate the money.

I read in the newspapers that the amendment weakened it. Actually, it would strengthen it. It would get the program underway next year instead of 2 or 3 years from now, when the State legislatures meet.

Mr. COOPER. I thank the Senator for his valuable contribution.

The PRESIDING OFFICER. The question is on agreeing to the amendment by the Senator from Kentucky [Mr. COOPER].

Mr. RANDOLPH. Mr. President, I yield to the Senator from California.

Mr. MURPHY. My comment had to do with the remarks made earlier when one of the Senators said his State could not afford it.

Here again, it would further possibly delay the development of the beautification, which we want to expedite, and the entire control of the financing, which is one of the great obstacles.

I agree with the Senator from Kentucky. His amendment is a good amendment.

Mr. RANDOLPH. Mr. President, I oppose the amendment now pending, which was offered by the Senator from Kentucky.

I do so because the Cooper amendment, providing for 100-percent Federal payment, violates a basic principle followed for many years in our Federal-aid highway administration. It is the principle of Federal and State cooperation and participation. A 100-percent Federal payment would relieve the States of any responsibility regarding a sound approach to just compensation and would tend to lead toward inflated compensation payments. Lack of State responsibility in supporting the program would also tend to erode State rights in helping to carry out the development of the program.

An amendment which I shall propose for the administration—and I wish to say at this point that the administration opposes the amendment offered by the Senator from Kentucky—would provide 75 percent as a Federal share in both titles I and II. This would relieve the States of undue burden and should meet, I believe, the objection that has been raised.

In addition to payment authorized in subsection (g), the Federal Government will continue the bonus payments to the 25 States which have agreements functioning under Public Law 85-767. It is estimated that these payments will amount to approximately $104 million on completion of the interstate mileage in these States, and, of course, reserving control over advertising.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. May I proceed for just a moment?

Under the bill as reported the cost to the 50 States would be approximately $78 million. And under the amendment that I propose to offer that would be less than that amount of money. The committee bill would mean, of course, approximately $15 million annually to all 50 States in payment for acquisition of advertising rights until the final compliance date of July 1, 1970.

I do not believe this is an undue burden on the States. Certainly it does not warrant an additional delay of 2 years, and assuming that we would have by 1970 the necessary final compliance.

I yield to the Senator from California.

Mr. MURPHY. In the event the States, for whatever reason, whether because a State might claim it could not afford the 25 percent, or for any other reason, decided not to pay their share of 25 percent, what would happen? Would it be merely the penalty of funds being reallocated?

Mr. RANDOLPH. There would be a penalty of 10 percent withheld from the amounts payable until the State complies.

Mr. MURPHY. In other words, the entire program would suffer in this event, would it not? The conformity which the committee spoke of quite often, and which I enthusiastically think is an important part of this consideration, might be destroyed. Would not this possibly hold up the program, create endless lawsuits and get us into dislocation?

Mr. RANDOLPH. State administration would have that situation to solve and I doubt if it would be unduly difficult or inordinately burdensome.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HOLLAND. Mr. President, I asked several questions of the distinguished Senator from West Virginia a few minutes ago about the program. He suggested that I ask him on the floor of the Senate. It is for that purpose that I ask if he will yield at this time.

Mr. RANDOLPH. I am delighted to yield to the able senior Senator from Florida.

Mr. HOLLAND. My first question is this: Will the Senator indicate for the RECORD the precise mileage of highways proposed to be covered by the bill?

I understand that the present Interstate System is authorized at 41,000 miles. I understand that the whole of that mileage is proposed to be covered, whether presently existing or to be completed in the future. Is that correct?

Mr. RANDOLPH. The Senator is correct. There are 41,000 miles of Interstate Defense System Highways designated that would be covered under the provisions of the pending bill.

Mr. HOLLAND. Secondly, as to the primary system, does the Senator have figures indicating the mileage included within the primary system within the 50 States?

Mr. RANDOLPH. Yes. There are approximately 225,000 within the primary system. This mileage would also be affected by the provisions of the pending legislation.

Mr. HOLLAND. Is that mileage in the primary system all in being or is some merely projected?

Mr. RANDOLPH. It is in being, although as you know, primary mileage is not fixed at a certain figure by law. It changes as the States designate new mileage.

Mr. HOLLAND. Senators cannot keep up to date with all programs. I, at one time, had the honor of serving on the committee on which the Senator from West Virginia now serves so capably. I have not served on that committee for a while.

I am not sure, from my recollection, that what existed at that time exists now.

My recollection with reference to the primary system was that the sharing between the State and the Federal Government for the cost of construction was on a 50-50 basis.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. My recollection is that at that time the cost of acquiring rights-of-way fell upon the States. Is that still the situation?

Mr. RANDOLPH. Right-of-way acquisition costs are part of the cost of construction, and are shared by the State with the Federal Government.

Mr. HOLLAND. But it was not always that way. It was not always included in the cost of construction. As I understand the answer, it would be under the present law. The cost of acquiring rights-of-way for the primary system is included in the cost of construction, and shared on a 50-50 basis.

Mr. RANDOLPH. The Senator is correct as to the primary system. That sharing would be at the rate of 90-10 on the Interstate and Defense Highway System.

Mr. HOLLAND. I understand that. I hope that this is still the case because I remember it was in the law as it was enacted. Under the interstate system there was a provision with respect to beautification, at least so far as concerns control of the signs for a sizable area on each side of the center of the right-of-way. Am I correct?

Mr. RANDOLPH. The control distance under that law was 660 feet from the edge of the right-of-way, not the center line, and I would point out that 25 States have signed agreements with the Federal Government under Public Law 85-767, to which I have referred in the debate.

Mr. HOLLAND. I thank the Senator. In connection with the Interstate System, it is my understanding that provision was made for wide rights-of-way, and then for much wider areas for the control of signs to be erected adjacent to the Interstate System. Is my understanding correct?

Mr. RANDOLPH. That is true.

I stated that 25 States had signed agreements. Those agreements, as the Senator understands, were made under the law which expired June 30, 1965.

Mr. HOLLAND. I thank the Senator. Is the Senator able to state for the Record what the width of the area on each side of the center line of the right-of-way was under the Interstate System legislation, an area which was to be controlled so far as the erection of signs is concerned?

Mr. RANDOLPH. It is 660 feet from the nearest edge of the right-of-way, in the controlled area.

Mr. HOLLAND. From the right-of-way or from the center line of the right-of-way?

Mr. RANDOLPH. The nearest edge of the right-of-way. That is why I have referred to the right-of-way.

Mr. HOLLAND. In other words, under the interstate highway legislation, provision was made for the control of whatever was involved in the way of property rights over areas 660 feet in width on each side of the right-of-way?

Mr. RANDOLPH. Yes. I appreciate having the Senator from Florida carry forward this colloquy because it gives me the opportunity to note that interstate rights-of-way in rural areas are generally about 300 feet wide.

Mr. HOLLAND. The area as to which certain rights for the control of signs or obstructions are to be exercised is 660 feet on each side of the right-of-way?

Mr. RANDOLPH. Yes; that is true.

Mr. HOLLAND. As to the very large mileage in the primary system that is already constructed, some of it was constructed on a basis on which the States paid entirely for the rights-of-way, for 50 percent of the construction cost, and, as I understand, for all the cost of maintenance since the time of construction.

Mr. RANDOLPH. Yes; maintenance is the responsibility of the State.

Mr. HOLLAND. A part of this mileage must be under the new legislation, which the Senator has described, under which the cost of the acquisition of rights-of-way enters into and becomes a part of the cost of the construction of the highway.

Mr. RANDOLPH. That is true.

Mr. HOLLAND. As to that primary system, by what right of law does the proposed legislation seek to require the control of areas 660 feet on each side of the rights-of-way for the purpose of regulating signs? By what legal right can that function be exercised?

Mr. RANDOLPH. It is the right of public interest, the benefit to the public, which I think is the primary consideration in the type of legislation we bring before the Senate today. I believe 20 of the 25 States which signed agreements under Public Law 85-767 have used their police power to acquire these rights.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am glad to yield to the Senator from Kentucky, so that he may respond further to the inquiry of the Senator from Florida.

Mr. COOPER. In discussing the power of the State—the right by which a State can control advertising within 660 feet of a right-of-way—it was considered to be by right of eminent domain.

Mr. HOLLAND. That would involve, then, the payment of compensation for any part of a property right that was taken in a zone 660 feet in width on each side of the right-of-way of all primary-aid roads, would it not?

Mr. RANDOLPH. That is why we included the just compensation provision in the committee bill, substituting that section for the provision authorizing the use of police power in the original draft legislation.

Mr. HOLLAND. The point I am trying to make is this: Does the bill contemplate payment—I think it must and should provide for the payment—of any part of a property right that is taken by interference, which is accomplished when the right-of-way has on it signboards or other obstructions within 660 feet of the edge of the right-of-way?

Mr. RANDOLPH. Yes. That is why the bill contains a provision for just compensation. The committee believed this to be important. The administration legislation did not embody that concept when the bill was originally sent to Congress. We have written into the bill, as the Senator from Kentucky and other members of the committee know, a provision for just compensation.

Mr. HOLLAND. I am merely trying to place in the Record a clear picture of what is involved in the proposed legislation. As I understand, the bill has much more application to each mile of the primary system than it does to the interstate system, because in no instance has the Federal Government made such a requirement, so far as I know, with reference to such control of the 660 foot wide strip on each side of the rights-of-way of the primary system prior to this time.

Mr. RANDOLPH. That is true. Until this bill comes to passes, as we hope it will, that has not been done.

Mr. HOLLAND. That relates to the 225,000 miles of the primary system?

Mr. RANDOLPH. It relates to the 225,000 miles of the primary system.

Mr. HOLLAND. The 225,000 miles involved, by all means the major part of the major expenditure, by whomever it is to be made, would be covered and provided for in the proposed legislation?

Mr. RANDOLPH. That is correct.

Mr. HOLLAND. If the Senator from West Virginia will indulge with me for a moment, I should like to make a brief statement. At one time, as the Senator knows, I had the privilege of serving as Governor of my State of Florida. At that time, the same question had arisen. The State enacted legislation which at that time was suggested by the Garden Clubs of Florida—legislation which I think has not proved to be adequate to cover the situation entirely, because speeds have become much greater. Other factors also now make the problem more difficult to solve than it was at the time the legislation was passed.

Under the program which the legislature enacted at that time, and in which I cooperated, it was provided that no signs should be erected on the right-of-way itself, except the required directional signs permitted by law, such as route markings, directional signs with respect to turns, and the like.

Would that be the case with reference to both segments of the highway system covered by this bill? In other words, would there be a ban on commercial signs entirely on the right-of-way itself, both on the Interstate System and on the primary system right-of-way?

Mr. RANDOLPH. On the highway right-of-way itself—yes.

Mr. HOLLAND. My recollection is—and I may be in error—that when we passed the interstate legislation, we excluded areas within incorporated cities and towns from the coverage of the billboard sign portion of the legislation.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. Is that concept preserved in the pending legislation, or is it departed from?

Mr. RANDOLPH. I would say that, in a sense, it is a departure in the proposed legislation, as applied to towns, municipalities, and cities, because we are stressing the zoning for industrial and commercial purposes.

Mr. HOLLAND. In other words, even though within an incorporated town, and even though the rights-of-way on the adjoining land might belong to the incorporated unit, this law would provide the exemption that is now applicable under the Interstate System to all areas within incorporated towns, and to those portions, whether within or without incorporated towns, that could be designated as zoned for commercial or industrial uses.

Mr. RANDOLPH. Mr. President, I call attention to the language appearing on page 11, which reads as follows: "are used for industrial or commercial activities as determined in accordance with the provisions established by the legislatures of the several States."

Mr. HOLLAND. Does the Senator mean by that—and I assume that he does—that when the zoning legislation of the several States provides that there can be zoning based on commercial or industrial use, and where the zoning legislation of the respective States has been used to designate a certain area for commerical or industrial use, in such case that area would not be covered by the billboard provisions of this legislation?

Mr. RANDOLPH. Off-premise signs in such zoned areas would be subject to control criteria in the pending bill.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

The PRESIDING OFFICER (Mr. Harris in the chair). The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, with respect to the requirements of the present law, I think it might be useful to read the language. The exemption would apply to the segments of the interstate system which "transverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities."

Under the present law, to qualify for the exemption, the interstate system must not only be within the existing boundaries of an incorporated municipality, but must also be zoned commercial or industrial.

Mr. HOLLAND. Mr. President, under that concept, it would be correct to say, would it not, that the proposed law is a little broader than that, in that it would likewise apply the exemption to areas outside incorporated towns, which areas were zoned for commercial and industrial uses and were so used?

Mr. MUSKIE. That would have different application in different States. In my State, all the territory of the State, except the unincorporated wild lands, consists of incorporated municipalities, so that they would qualify, provided those municipalities had commercial and industrial zoning.

In other States, I believe that there are areas through which the Interstate System travels which are not within incorporated municipalities. As to those areas, the current bill would apply by permitting commercial and industrial zoning.

Mr. HOLLAND. Of course, this legislation would apply also to the primary system; and much of that, in my State, at least, would not be found within incorporated towns.

As I understand, the wording of the proposed legislation is such that areas which are not zoned for commercial or industrial use, whether they lie within or without incorporated towns or areas, would be exempt from this provision.

Mr. MUSKIE. The Senator is correct, provided the State legislatures so zoned them.

I believe that it is accurate to say also—and this might be the time to say it—that, in my opinion, the pending legislation operates less strictly on the primary system than on the interstate system.

Mr. HOLLAND. I wish the Senator would elaborate on that. I do not understand by reading the bill and report that it would operate in that manner. It seems to me that it would operate much more heavily, because, with regard to the interstate system, it has been operating from the beginning. There is no change, as I understand it, in the area that would be covered by the billboard requirement along the sides of the right-of-way, whereas this is completely new as to the 225,000 miles of the primary system.

Mr. MUSKIE. To that degree, the Senator is correct. The point I had in mind was that the bill provides for the exemption not only of areas which are zoned commercial and industrial, but also of areas which are not so zoned, but in which areas industrial or commercial activities are conducted, and which the legislature, with the approval of the Secretary, chooses to exempt from the impact of the bill.

In the Interstate System, such areas containing industrial and commercial activities have not grown because of the limited access feature of the Interstate System.

I do not believe that aspect of the bill would be of much consequence on the Interstate System. However, it can be of great consequence on the primary system in providing such relief as the legislature and the Secretary can agree upon.

Mr. HOLLAND. Mr. President, I call attention to a matter now that I do not believe has been mentioned in the debate thus far.

I have heard nothing about this legislation except what has been in the press, until today. I have not been able to obtain a copy of the committee report until today.

I have had quite a number of calls from people in my State who do not pretend to speak for the entire billboard industry, but who do speak for the segments of the industry in which they have a part.

Their understanding was—and I am asking for a very frank comment about this—that legislation was agreed upon by the national representatives of their industry together with this committee, under date of September 3, and that legislation was included within the terms of the reported bill. They feel that certain amendments, with which I am not familiar, were supposed to be offered today which are very large departures from that legislation.

Mr. MUSKIE. Mr. President, I know of no agreement between the committee and the national billboard industry or any other industry. The billboard industry may have approved of what the committee did. However, there was no agreement. The bill does not represent any agreement between the national billboard industry or any other industry and the committee. I take strong exception to that implication or to that statement by the industry.

Mr. HOLLAND. Mr. President, there is no implication at all. I merely state that I received these calls today and that those people are good citizens. Perhaps they felt that they were right in relying upon what the committee had agreed upon. The individuals were satisfied and felt that they had a right to rely on it. We have not been able to obtain a copy of the report until today.

Mr. MUSKIE. The point at issue concerns the billboard industry, and, more importantly in my judgment, the small businesses in our resort States particularly, which depend upon roadside advertising, and the question of exempting areas in which there are industrial and commercial activities, but which areas are not formally zoned for that purpose.

The committee was concerned that this technique of exemption be used to provide legitimate relief, if the legislatures can justify it, for industries which have grown up in our States, which industries depend upon roadside advertising to call the attention of motorists to the services which they offer.

As the committee worked with the problem, it left the decision in these areas to the legislatures in the respective States. Understandably, the national billboard industry would approve of this, for whatever reasons they may wish to advance. However, the reason that the committee acted as it did was that it felt that the legislatures were the proper forum in which to consider the special problems attached to this kind of industrial and commercial activity.

The amendment which the Senate will be asked to consider and which will be offered, as I understand, by the distinguished Senator in charge of the bill, would give this authority in those areas to the legislatures, subject to the approval of the Secretary, thus making it a shared responsibility instead of the sole responsibility of the State. That is the issue as to which the billboard industry is now concerned.

Mr. HOLLAND. That is a very generous attitude of the amendment, if it is proposed to share the authority on primary roads. It certainly is within the jurisdiction of the States at present, and I cannot help commenting that I could not go along and approve of that kind of approach, because these are State highways, maintained by State money, in my State, and have been rebuilt, some of them two or three times, with much more money expended on them than there was at the time of the original construction.

The thing that makes the matter of particular importance—and I have heard also from the motel industry in my State—is that along the primary highways, the motels are located close to the highways. There are thousands of motels in my State, and many of them are located near or adjoining the rights-of-way of the primary highways, whereas they could not be so located under the Interstate System.

Mr. MUSKIE. May I point out that on-premise signs were totally exempted from the provisions of the bill?

Mr. HOLLAND. When people travel along the highways of Florida at 70 or 75 miles an hour, it is of little aid to them to have a sign stuck up immediately in front of the motel, indicating for the first time that a motel is there, or to have an electric sign which can be seen for only a limited distance. This presents a very real problem, in my State at least.

Mr. MUSKIE. And in mine. The Senator has touched upon a problem which I emphasized in the hearings before the committee, the executive sessions of the committee, and the markup sessions of the committee. It is a problem with which the entire committee was concerned and that is why it took the action it did.

Mr. HOLLAND. Then the committee is not supporting the amendment the Senator mentioned?

Mr. MUSKIE. The committee members will have to speak for themselves. The committee has not met on this amendment.

I point out that under the primary system now, although they are State highways, as the Senator has stated, nevertheless, if the States undertake to take advantage of the Federal programs which are available on primary systems, they must now measure up to certain standards as to construction, imposed by the Federal Administrator and by Federal law.

Mr. HOLLAND. The Senator speaks of new construction on primary roads; and I agree with him completely.

Mr. MUSKIE. Not entirely new construction.

Mr. HOLLAND. But on construction that has long since been completed and subjected to reconstruction at State expense, in some instances time after time, where the right-of-way was paid for by the State, and where the people have invested their money in motels, service stations, and the like, relying upon the existence of the rights-of-way that then existed, and located their property there, there is in our State an immense problem which I would not want the committee to overlook. I do not know how many motels we have, but they number in the thousands. I am sure that is true in other States also. I see the distinguished Senator from Georgia [Mr. TALMADGE] is present. I have the pleasure, about once a year, of traveling over Highway 301 through his State. I believe I would be safe in saying that there are hundreds of motels along that highway, very fine motels, some of which I have been delighted to avail myself from time to time. The same thing is true all up and down the seaboard.

The matter of putting primary system mileage in exactly the same class as interstate mileage is the thing which disturbs me, for the purposes of considering this legislation. If we were merely proceeding a little further than we did before in the Interstate System, with full knowledge that we had taken an approach, at the time that system was established, which gave full notice that we proposed to protect wide belts along the edges of the right-of-way, and also to have very wide rights-of-way, both of which objectives are now being fulfilled, that is one thing. But if we turn to the 225,000 miles of the primary system now existing, as I understand from my distinguished friend from West Virginia [Mr. RANDOLPH], that is of concern to me.

I am not particularly concerned about new mileage on the primary system, yet to be constructed, because, from time to time, it is our right to prescribe conditions for Federal participation if such conditions be reasonable. But I am disturbed about the existing 225,000 miles, when we know that many millions of dollars have been expended by investors in good faith, in building motels, restaurants, filling stations, and other service establishments along primary aid roads, and frequently close to the road, making it impossible to recognize the pending legislation without great harm, it seems to me, to many of the investors.

I thank my distinguished friend, the Senator from West Virginia [Mr. RANDOLPH] for yielding. I have not wished to take undue advantage of his time, but I thought we might as well know exactly what is involved. I understand that some amendments are coming. I am not seeking to go into the details of them, except to say that the complaints I have received from both the signboard interests and the motel and gasoline interests have had to do with the proposed amendments. Perhaps they have received exaggerated reports as to what is involved.

However, they were relying confidently upon the contents of the proposed legislation which was reported by the committee and covered by the report—although the report was not available until this morning—and which, if I understand the amendments at all, would be nullified by the provisions of these amendments.

I thank the Senator for yielding.

Mr. RANDOLPH. I believe that the comments of the Senator from Florida have been helpful in the clarification of the pending legislation as proposed. With regard to certain aspects, we are in disagreement.

I wish the RECORD to show clearly that no sign will necessarily be removed until July 1970. The Secretary will report to Congress on the primary systems in January 1967. It is also important that I read from the report, at page 5:

> Therefore, subsection (d) provides that the Secretary shall, in consultation with the States, provide for an area at an appropriate distance from an interchange on the interstate system, on which informational signs, displays and devices may be erected and maintained in accordance with national standards to be promulgated by the Secretary.

Mr. HOLLAND. The Senator is now referring entirely to the interstate system interchanges, as I understand.

Mr. RANDOLPH. At that point.

Mr. HOLLAND. The communications that I have referred to this morning do not refer at all to that subject.

Mr. RANDOLPH. I proceed to read from the report:

> It is the committee's intention that the signs shall be erected and maintained by the State highway departments on the public right of way and shall designate by brand names and registered trade styles—

I said this earlier in my statement today—

> available facilities for fuel, food, and lodging at or near the interchange.
>
> The committee also emphasizes that such signs shall provide information regarding hospital facilities.

That was a concern of the committee.

> The committee notes the problem of extending outdoor advertising controls to the primary system on which roadside businesses and off-premise advertising have long been established.

That is the point that was made by the distinguished Senator from Florida.

> It is apparent from the testimony of administration and State highway officials, that there is no clear and determinate knowledge regarding the impact of the proposed controls on the primary system.

Then reference is made to the statement I have just made:

> It is expected that the necessary information would be available when the Secretary of Commerce reports to the Congress in January 1967, as required by section 303 of this act.

This is required under section 303.

Mr. MAGNUSON. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Does the Senator from West Virginia yield to the Senator from Washington?

Mr. RANDOLPH. I yield.

Mr. MAGNUSON. I should like to make my statement now because I may not have an opportunity later on, during debate on the bill.

I merely wish to take a moment to make my position as clear as possible on the bill.

I compliment the committee on making this step forward. If I had my way, we would be making a great leap forward instead of a step.

Someone has said that there is not too much virtue in consistency. At least I have been consistent on this subject.

Yesterday, I checked and found that 32 years ago, when I was a member of my State legislature, I introduced a bill to take billboards off State highways.

Therefore, if I had my way I would do the same thing 32 years later.

I appreciate that there are many problems involved, but I wish my position to be made clear. Although I shall vote for the bill, I would have gone much further and taken a leap forward instead of only a step.

I hope that someday we shall go further.

I believe that the time has come for the States to take a look at their laws relating to elections in regard to billboards. I am sure that all candidates for election would be profoundly happy if billboards were eliminated. I speak from some experience in campaigns. I am sure that my counterpart, the chairman of the Senate Campaign Committee on the Republican side, the Senator from Kentucky [Mr. MORTON], would agree with me that this would save a great deal of money and would not clutter the highways with the faces of political candidates running for office.

Of course, it is not so bad during election time, but the billboards seem never to be taken down. They seem to be there all the time. It is a terrible thing for the candidate who has been defeated in an election to ride up and down the streets after an election and see his "mug" still on a billboard.

I wish my position to be clear on this matter. This is certainly a step forward and I hope that it will work out the way the committee believes that it will. As I say, I am consistent. For 32 years I have believed in the purposes of the pending bill. Although signs serve a useful purpose usually they are out of proportion.

Signs can be controlled in the cities. The District of Columbia, for instance, does not allow billboards, which makes the city of Washington more beautiful.

Mr. McNAMARA. The Senator from Washington was never beaten.

Mr. MAGNUSON. I should like to ask the chairman if he might agree with me a little further because I took it upon myself—I should have asked the distinguished ranking member, who, I am sure agrees with me, too, as well as the members of my committee—to send a letter, the other day, to the railroads of the United States, suggesting that they might make a great public contribution, and help improve their public image, by doing some cleaning up on their rights-of-way.

The American Association of Railroads will start a campaign which will dovetail with what we are trying to do in the pending bill.

I wish the RECORD to show my position clearly insofar as this problem is concerned; and I hope that we can even go further, in a shorter period of time, than the dates in the pending bill.

Mr. RANDOLPH. Mr. President, I use 1 minute in response to the Senator from Washington.

First of all, I am grateful for his support of the pending legislation. Secondly, I believe the railroad industry could do a service for itself. And for its customers by bringing in a program of beautification along its trackage.

Mr. MAGNUSON. It will.

Mr. RANDOLPH. I believe also—although I had not thought to interject it—that we can beautify the areas adjacent to airports.

Mr. MAGNUSON. The Senator is correct.

Mr. RANDOLPH. This is a growing problem. The traffic which is generated by the air carriers, and by private and chartered aircraft, brings a new concept to the program of beautification which I believe we must consider in the future.

I am grateful for the remarks of the Senator from Washington. So far as the record indicates, I do not believe that the Senator from Washington has ever lost an election, so perhaps he has never been forced to look at his picture after the election returns have come in.

Mr. MAGNUSON. I do not like to look at it even when I am winning, after the election is over.

Mr. RANDOLPH. Mr. President, we have an amendment——

Mr. FONG. Mr. President, will the Senator from West Virginia yield for clarification at that point?

Mr. RANDOLPH. I yield.

Mr. FONG. For the comfort of some of my constituents who come from a State which has stringent billboard regulations, I should like to inquire whether, if the pending bill is enacted into law, the Federal Government will preempt this field as against State laws?

Mr. RANDOLPH. No. The more stringent State laws will prevail. The laws in the State of Hawaii will prevail.

Mr. FONG. Even if State law is more stringent?

Mr. RANDOLPH. Yes, even if State law is more stringent. During the hearings the Senator from Hawaii stated that Hawaii's laws were more stringent. It was upon that premise that I made this statement.

Mr. FONG. If State laws are more stringent, they will prevail?

Mr. RANDOLPH. The Senator is correct.

Mr. FONG. There are many jurisdictions which have stringent laws on outdoor advertising; is that not correct? There are many jurisdictions which already have strict laws on advertising and display.

Mr. RANDOLPH. Yes. There are some States—I believe Alaska is included with the State of Hawaii—that would have a stricter regulation. And this would apply also to county and municipal zoning regulations which would be more stringent than the pending measure.

Mr. FONG. Many of the States have either used the police power or have used the power of eminent domain and have expended funds for the beautification of their highways? The proposal which has been placed before the Senate by the distinguished Senator from Kentucky would force the Federal Government to pay all costs of compensation in this matter. As I understand the distinguished Senator from West Virginia, he is now asking that 75 percent be borne by the Federal Government and 25 percent by the State; is that not correct?

Mr. RANDOLPH. That will be proposed later. I have not yet offered the amendment.

Mr. FONG. I wish to state that, if the proposal of the Senator from Kentucky were adopted, I believe that we would be penalizing States such as Hawaii, Alaska, and other States which have already expended funds for the beautification of their highways. We would be asking them to bear a greater share of the Federal costs which would be paid from the general fund of the U.S. Treasury to take care of the portion which the States which have not controlled advertising ought to take care of. Is that not correct?

Mr. RANDOLPH. I am in thorough agreement with what has been said. I am sure that the Senator from Kentucky does not wish me to say that, but I believe it is correct.

Mr. COOPER. Of course, I believe that it would not be correct, because the State of Hawaii and my State have accepted the provisions of the Highway Act, and are now receiving payments under it. The Senator stated a few moments ago, and is arguing, that they would get a windfall, instead of being penalized.

Mr. FONG. There are many States under the primary system and many municipalities have enacted statutes, ordinances, taking care of this problem, which prohibits the displaying of signs and devices on the highways. They have already expended money to beautify their highways; and, now, if we should ask those States and municipalities to pay again for this additional beautification from the general fund—which, after all, they have to pay, because it is their money—we would be asking them to pay twice. We would be saying to them, "If you are a progressive State, we are going to penalize you. If you are not a progressive State, we will take money from the Federal Treasury to take care of you." I believe that the idea is not sound. I believe that there should be State responsibility.

Mr. COOPER. Let me say to the Senator from Hawaii that his State has acceded to the original interstate highway program. My State has also done so. The Senator's State has received bonus payments for having done so. My State has, also. Bonus payments are possibly exceeding the costs which some States have undertaken, and of the States exercising their police powers, they incurred no costs. So no double cost is imposed upon Hawaii or other States by my amendments.

Mr. FONG. But every State which complies with the requirements set forth in the previous statute came in for the bonus. Any State that desired to receive a bonus could have controlled advertising in accord with the Highway Act, could have entered into agreement with the Secretary of Commerce, and could have qualified for this bonus. This provision of the Highway Act expired June 30, 1965. So far as States which have taken care of the problem of advertising in the primary system are concerned, they have paid for that privilege. To ask them to pay for this privilege again, because States which are not progressive have not done so, is not fair.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. METCALF. The States have not paid for it on primary systems that have been long in existence. In many of the older States, we have had highway advertising. That has been a long-established industry. All we are saying is that we want to compensate for them on the new primary system where no advertising is permitted. Some long-established businesses have had advertising underway since 1920 or 1921. We are saying that on those highways they should not do this. The Senator is fortunate because he says advertising on the primary system in his State is not permitted.

Mr. FONG. The proponents are saying that those who have not taken care of it should be compensated. I am saying that the compensation should not all come from the Federal Government. The compensation should be prorated between the Federal Government and each State that must now control advertising. The amendment to be proposed by the Senator from West Virginia will be on the basis of 75 percent Federal, 25 percent State. There should be a prorating of the compensation.

If we want the States to participate, let us not have the Federal Government compensate altogether those that have not been progressive, when other States have paid for it under eminent domain or have taken care of it under their police powers.

Mr. President, I wholeheartedly concur with the purpose of the pending bill to beautify our Nation's major highways.

In Hawaii, for many years we have controlled outdoor advertising so that the beauty of our islands could shine forth unblemished and unhidden by billboard jungles.

This year our State legislature enacted an even more strict billboard control bill. Hawaii is so far ahead of the national effort in this field that many fear the bill before us would allow billboards along defense and primary highways in Hawaii where State law does not permit.

One organization, the Outdoor Circle, which has been for many years a leader in billboard control, expressed these fears to me.

Counsel advised me that an amendment would not be necessary; but I insisted that one be drafted to insure that where State law controlling billboards is more stringent than Federal, State law would prevail.

In the subcommittee I offered my amendment but was told that the intent of my amendment could be expressed by the committee in its report.

I would like to read the language from the committee report. On page 6, the committee report states:

> The committee emphasizes that when State or local law imposes more stringent controls than S. 2084 over outdoor advertising signs, displays, or devices—both on and off premise—the intent is that State or local law shall prevail. It is not the intent of the committee that the provisions of this section shall preempt or weaken State or local laws imposing more rigid requirements.

I wanted to read this so that these statements would be part of this legislative history of Senate debate on this bill.

As introduced, S. 2084 imposed a very severe penalty upon States which did not by January 1, 1968, provide effective controls on outdoor advertising and junkyards. The penalty was loss of all Federal highway construction funds.

At a time when 47,000 people lose their lives every year on our Nation's highways and millions of people are injured, we should not deprive States of funds needed to build safer highways and improve highways in all our States.

I concur with Governor Burns of my State who wrote me in regard to this bill. Governor Burns wrote:

> I also feel that jeopardizing Federal highway funds because of the actions of nonhighway users, resulting in junkyards, borrow pits, and other unsightly areas, unfairly penalizes the highway user.
>
> I feel that the pursuit of this phase of the program should be a program in itself and its implementation should not endanger a State's share of the Federal highway funds.

In subcommittee markup of this bill, I expressed my belief that the penalty was too severe, but neither in subcommittee nor full committee was the penalty reduced.

I am glad the manager of the bill, the senior Senator from West Virginia, who is chairman of the Roads Subcommittee, will offer an amendment providing that the penalty for States which do not have effective controls over advertising and junkyards by January 1, 1968, shall be a 10-percent reduction in their Federal highway construction funds.

Another feature of the bill as introduced which was objectionable to me was the reliance on police powers of a State. It is only fair and just that compensation be paid outdoor advertisers, property owners leasing land for outdoor advertising, and junkyard owners who will be forced to comply under terms of this bill.

Under the bill as proposed by the administration, junkyard owners would have to bear the entire cost of screening or removing their yards if they were within 1,000 feet of interstate or primary roads and visible from the road. This would have imposed a very severe burden on these private citizens to conform with a national purpose of beautifying our highways.

I am also in accord with the action of the committee in striking out the mandatory requirement that one-third of each State's Federal-aid apportionment for secondary roads be used to build scenic roads. In Hawaii two of our counties receive only secondary road funds. The requirement that one-third of these Federal-aid funds be used only for scenic roads would have a severe impact on these counties. As Governor Burns, of Hawaii, stated in a letter to me:

> Any provisions which would jeopardize the funding of our highway program would result in serious economic consequences to this State.

Mr. President, I shall not take the time of the Senate to discuss this bill further.

I would like to emphasize that this bill presents very complex problems and involves important matters of equity.

The Roads Subcommittee, of which I am a member, heard and studied the testimony, and devoted considerable attention to the language of this bill and the problems attendant thereto.

I want to emphasize that the subcommittee and the Public Works Committee are concerned that this legislation should not have an adverse economic impact, driving small businesses to the wall and causing unemployment.

The purpose of beautifying our major highways system is laudable. At the same time, such a program should be equitable to all involved and should not force businesses out of business or force workers out of jobs.

Mr. RANDOLPH. Mr. President, I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I do not want to delay the discussion. States which have complied with the program under the interstate program have not lost anything. They have received a bonus—compensation from the Federal Government for the costs they have incurred. The evidence shows that in some instances, the bonus payment has exceeded the cost. Some of them never paid a dollar, because they brought about removal of billboards by police powers. The Senator's argument that Hawaii is going to be penalized because it paid once does not hold water. Did Hawaii pay compensation to advertisers and owners on the Interstate System or did it use its police powers?

Mr. FONG. It used its police powers. I am sure the doctrine of eminent domain was used, because a State cannot take property without compensation.

Mr. COOPER. Four States have used eminent domain.

Mr. RANDOLPH. Mr. President, I yield now to the Senator from Florida.

Mr. HOLLAND. I thank the Senator.

The Senator realizes that when it comes to condemnation along the primary roads, it involves buying up easements of 660 feet on each side of the roadway; does he not?

Mr. RANDOLPH. Yes, where advertising structures are now maintained under agreements in effect on date of enactment of the pending measure.

Mr. HOLLAND. When it comes to beautification, that goes a good deal further than mere removal of signs. I do not know what the Senator has in mind. I do not find anything in the committee report on it, but I do find in the bill an estimate of the amount that will be needed, $20 million for each of the next 2 years. That would be a part of the expenditure——

Mr. RANDOLPH. That would be for purchase of rights, based on the Secretary's estimate of a total cost of $180 million for implementing section 101.

Mr. HOLLAND. This would cover the committee's hope that the Federal Government's part of the negotiations——

Mr. RANDOLPH. Of course, it is only an estimate.

Mr. HOLLAND. Does the Senator have any estimate whatever of what is involved in the acquisition of the easements over the 225,000 miles of the primary system?

Mr. DOMINICK. Mr. President, will the Senator kindly speak louder?

Mr. HOLLAND. I think I am competing.

Mr. DOMINICK. That is probably true.

Mr. HOLLAND. I shall try to compete a little more loudly.

I was asking the distinguished Senator from West Virginia if he had an estimate that he could give to the Senate as to what might be involved in the acquisition of easements, independent entirely of sign control, 660 feet wide on each side of the rights-of-way of the 225,000 miles of primary roads in the Nation. I had just concluded asking the Senator that question.

Mr. RANDOLPH. It is not intended that rights will be purchased on the entire mileage—only where structures are legally maintained on date of enactment. The pending law provides for payment only under those circumstances. This law and the police power of the States will be used to secure rights, without acquisition costs, in those areas where the rights have not been exercised prior to date of enactment. We have no intention of paying every farmer in the land for not erecting signs.

Mr. HOLLAND. Does my distinguished friend believe that if we embark on as expensive and ambitious a program as this we should have some idea as to what money will be expended out of Federal funds?

Mr. RANDOLPH. That is why the Senator from West Virginia would not go beyond funding for 2 years, 1966 and 1967. He thought it was a concern of the Congress, which has been so very well expressed by the Senator from Florida.

Mr. HOLLAND. Yet the legislation will go beyond 2 years.

Mr. RANDOLPH. Yes; but we can come back with corrections because we will have a report. This is new ground being plowed. I recognize it, and the Senator recognizes it.

Mr. DOMINICK. Mr. President, will the Senator yield on that point?

Mr. HOLLAND. I shall be glad to yield, if I may.

Mr. DOMINICK. If the Senator will permit me, because I could not hear the answer to the question of the Senator from Florida, am I correct that the prohibition on each side of the 660 feet of the primary system applies whether it goes through a town or an incorporated municipality or unincorporated territory?

Mr. RANDOLPH. It applies overall.

Mr. DOMINICK. It applies to all cities and towns. What is to be the effect on cities and towns if they cannot have any signs in that area?

Mr. RANDOLPH. They will have signs in industrially and commercially zoned areas if they so choose.

Mr. DOMINICK. It was my understanding that the proposed amendment of the administration changed that; is that true?

Mr. RANDOLPH. It is still allowed. I will discuss that later. It is still permissible under the amendments to be proposed.

Mr. HOLLAND. Speaking only for myself, I believe that the provisions of the bill on that point are probably more acceptable than the provisions in the present interstate bill.

Mr. RANDOLPH. Yes.

Mr. HOLLAND. I believe there are many areas that are not incorporated. The Senator knows, for instance, that Bethesda is not incorporated.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. The Senator knows that there are other areas of different populations, heavily settled around the District of Columbia, and around every city, which are not incorporated.

I believe a zoning provision comes nearer getting the facts than the wording in the present bill, although I am not satisfied that it goes far enough yet.

I am concerned that we are asked to embark on a brand-new program that involves the condemnation of easements, 660 feet wide on each side of the 225,000 miles of primary highways in the Nation. That is 1,320 feet, or a quarter of a mile wide through most of the Nation.

Of those easements, some are very valuable and some are less valuable; some belong to those who abut the highway, and many belong to people who do not front on the highway.

We are asked to embark upon a program of tremendous size and cost without much information. I am not blaming my distinguished friend. He has been very frank in what he said. It seems to me we are being asked to embark on a program of great cost, although nobody knows how much, without first trying to ascertain something about the cost involved.

The purchase of that same width of easement along the Interstate Highway System—660 feet wide on each side of the right-of-way—probably is not as valuable as it would be in the case of a primary system because of the great width of the right-of-way in the Interstate System.

As it is now, the Senator from Florida has no real information on which he can base a guess as to how many hundreds of millions of dollars are involved in the acquisition of easements along a quarter of a mile width, divided, on each side of every mile of 225,000 miles of the Nation.

I am sorry we do not have some figures.

Mr. RANDOLPH. In my opening statement I referred in part to this subject.

It is estimated that we shall need approximately $180 million for the advertising rights for the interstate and the primary systems. This means that signs, as well as easements, where the areas have been used for advertising, would be involved.

We do not contemplate the payment for easements over all systems, but only where the rights-of-way have been exercised. We will buy only rights-of-way which have been secured by effective agreement at the date of the enactment of the law.

We have spelled that out in subsection (g) on page 11 of the bill, and in section 101.

I have tried to be as factual as I can with the Senator from Florida. I appreciate the discussion which he brought to the attention of the Senate.

Mr. HOLLAND. I appreciate the candor of the Senator. I am sorry that we do not have greater information.

It seems to me that the last statement would indicate that where advertising exists we are anticipating the acquiring of easements. But in other places, where the property right exists, to resort to advertising at any time that the degree of travel justifies it, we would not be acquiring easements. Is that correct?

Mr. RANDOLPH. The Senator is correct. That is spelled out in the proposed legislation.

Mr. COTTON. Mr. President, will the Senator yield for one moment?

Mr. RANDOLPH. I yield to the Senator from New Hampshire.

Mr. COTTON. I am not asking the Senator to yield for the purpose of making a speech on the proposed bill or the amendment. However, I feel that I should inform the Senator of one thing, before any more time elapses.

Some of us wish to make observations which go to the roots of the proposed bill at sometime during the procedure. I can foresee that what frequently happens is going to here.

The distinguished Senator from West Virginia, who is the soul of courtesy and kindliness, has been most generous in yielding for questions, observations, and speeches—which is entirely proper, and I am not reproaching him for that—although if a point of order were raised only questions would be permitted, and we would vote on the amendment and proceed to the consideration of the bill.

The only reason I am raising this point of procedure—and it is no criticism of the Senator—is that I foresee that after we have had colloquy after colloquy, with someone in control of the floor, the majority leader, as is his duty, might propose that the time be limited to so many minutes on each amendment and on the bill.

I serve notice that when that proposal comes before the Senate, much as the Senator from New Hampshire regrets to do it, because he always wants to cooperate in expediting the business of the Senate, he will plan to be here, to object.

Eleven years ago, as a freshman Senator, along with the distinguished late and beloved Richard Neuberger, and as a member of the great Committee on Public Works, I was one of the sponsors of the original bill, which was defeated the first year but which, in modified form, later passed the Senate. That bill started the crusade for controlling billboard and general outdoor advertising in a legitimate fashion, and, so far as possible, without invading either private rights or the rights of the various States and legislatures, and without forcing the use of the stringent weapon of eminent domain unnecessarily.

Some fundamentals are involved in the pending bill. If we are to have interminable debate on the pending amendment, I serve notice that at some time, somewhere along the line, whether it be this evening, tomorrow, or the day after tomorrow, before we come to limiting time for debate, I hope to have the opportunity to discuss the bill, not at great length, but without being unduly pressed for time.

I felt I should say that, because I feel that the Senator from West Virginia, even though he is reluctant to do so, in his kindness, may be causing us to be deprived of that privilege because of the unanimous-consent agreement that will be propounded later in the debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offer by the Senator from Kentucky [Mr. COOPER].

Mr. RANDOLPH. Mr. President, before we vote on the amendment, I wish to say, with respect to the statement made by the Senator from New Hampshire, that, insofar as I am able to direct the debate, I assure him that he will be given time, which he indicates he desires, in order to discuss the pending amendment.

Mr. COTTON. I reiterate that what I have said is not intended to be critical of the distinguished Senator from West Virginia.

Mr. RANDOLPH. I understand.

Mr. COOPER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. JAVITS. I should like to ask a question. I shall be very brief.

I have read with the greatest interest the report on the bill, particularly at pages 9 and 10.

That part of the report deals with a very important question to those of us in major industrial areas concerned with raw material reclamation. I say to the Senator from West Virginia that I am very much in favor of the bill and will do everything I can to help enact it, including the fundamental purpose of the bill, namely, beautification. I am not asking this in any critical way, but only as a factual question.

Many firms, having huge quantities of equipment and large investments, are engaged in scrap metal processing or the reclamation of other materials for industrial use. As I read the report, the committee defines that kind of business and in subsection (g) provides an exemption for industrial uses and uses which are predominantly industrial.

I am merely trying to have this language clarified, because the expression in the report is perhaps not so clear as I think it could be. On page 10 of the report, a break occurs between the description of the scrap processing activities and a statement with respect to subsection (g) in the second full paragraph on page 10 which reads:

> Subsection (g) provided that notwithstanding any provisions of this section, junkyards, auto graveyards, and scrap metal processing facilities may be operated in industrially zoned areas or areas which are used for industrial activities.

Do I correctly understand it to be the committee's purpose to state and find as a fact that scrap metal processing is industrial processing and therefore, generally speaking, is of the nature of an operation that it is expected will fall within the provision of the section referred to, subsection (g), beginning on page 15, line 22, and extending to page 16, line 3?

Mr. RANDOLPH. Yes; it will go to the provisions of subsection (g), which have been discussed by the Senator from New York. The reason why the statement goes to some length in the report is that prevailing legal definitions of such facilities were not satisfactory to the committee for the purposes of this legislation. We wanted to be complete in our coverage. We realized that the point which has been raised by the Senator from New York is valid. It was discussed during the hearings.

The Senator from New York counseled with me and other members of the committee. I assure him that his understanding is the intent of the committee with reference to scrap metal processing facilities which, by their very existence, constitute a large industry. That is the intent of the language.

Mr. JAVITS. I thank the Senator from West Virginia.

Mr. HARRIS. Mr. President, I shall support the amendment of the Senator from Kentucky [Mr. COOPER] to place full cost of the new program, covered by the portion of the bill sought to be amended, on the Federal Government.

To do otherwise would force an unknown financial burden on the States and tend to reduce the funds available to the States for highway construction and maintenance.

Important as beautification of our highways is, much more important is the elimination of death traps from the highways, and the States under duress—the threat of the loss of a portion of their highway funds—should not be forced to use funds for highway beautification instead of highway construction and improvement.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], and the Senator from Mississippi [Mr. STENNIS], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], and the Senator from Oklahoma [Mr. MONRONEY], are necessarily absent.

I further announce that, if present, and voting, the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Wyoming [Mr. MCGEE], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Vermont [Mr. AIKEN], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS] and the Senator from Iowa [Mr. HICKENLOOPER] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Delaware would vote "nay" and the Senator from Nebraska would vote "yea."

The result was announced—yeas 31, nays 54, as follows:

[No. 261 Leg.]

YEAS—31

Allott
Bayh
Burdick
Carlson
Case
Cooper
Cotton
Dirksen
Dodd
Dominick
Ervin
Fannin
Harris
Hartke
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
Metcalf
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Saltonstall
Simpson
Talmadge
Tower
Young, N. Dak.

NAYS—54

Bartlett
Bass
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Douglas
Eastland
Ellender
Fong
Fulbright
Gruening
Hart
Hayden
Hill
Inouye
Jackson
Javits
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McGovern
McIntyre
McNamara
Mondale
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell, Ga.
Russell, S.C.
Smathers
Smith
Sparkman
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—15

Aiken
Anderson
Bennett
Boggs
Curtis
Gore
Hickenlooper
Kennedy, Mass.
Lausche
McCarthy
McGee
Miller
Monroney
Scott
Stennis

So Mr. COOPER's amendment was rejected.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MUSKIE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I shall offer certain amendments which are proposed by the administration. I wish to make that clear in my statement.

I shall send to the desk, one at a time, amendments which go to certain points in the pending bill.

Mr. President, I send to the desk my first amendment and ask that it be stated.

The amendment will be read.

The LEGISLATIVE CLERK. Page 9, delete lines 12 through 24, inclusive and substitute in lieu thereof the following.

Mr. RANDOLPH. Mr. President, I ask unanimous consent, since the amendments have been placed on the desks of the Senators, that further reading of the amendments be dispensed with and that the amendments be printed in the RECORD. I shall explain the purpose of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

> Page 9, delete lines 12–24 inclusive and substitute in lieu thereof the following: "(b) Federal-aid highway funds payable on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be payable to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is thus withheld from any State shall be reapportioned to the other States."

Mr. RANDOLPH. Mr. President, the amendment offered would go to section 131, subsection (b). Whereas the original bill provided that no Federal-aid highway funds should be apportioned after January 1968 to any State which had not made provision for effective control, within the area of 1,000 feet of the nearest edge of the right-of-way, the present proposal limits the possible penalty to 10 percent, and to a requirement of 660 feet from the edge of the right-of-way.

The reasoning which has been advanced to support the change is that a total withdrawal of Federal-aid highway funds is a penalty far too severe for any State to suffer, whereas 10 percent is a reasonable penalty, in view of the requirements placed upon the State, in both its financial and regulatory programs, as envisaged in the remainder of the legislation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. RANDOLPH].

The amendment was agreed to.

Mr. RANDOLPH. Mr. President, I call up my second amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

> Page 11, delete lines 1–13 inclusive and in lieu thereof, the following: "(e) Notwithstanding any provision of this section, signs, displays, and devices conforming to criteria determined by the States subject to concurrence by the Secretary concerning the lighting, size, number of signs, and such other requirements as may be appropriate, may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the interstate and primary systems which are zoned industrial or commercial under authority of State law, or which are not zoned under authority of State law but are used for industrial or commercial activities, which unzoned areas are determined by the several States subject to the approval of the Secretary."

Mr. RANDOLPH. My second amendment is to subsection (e) of section 131.

In the original proposal, subsection (c) provided for the regulation of signs on premises. Such regulations concerned lighting, size, number, and other appropriate requirements to be promulgated by the Secretary.

Subsection (d) exempted those areas adjacent to the interstate and primary systems zoned or used for commercial or industrial purposes, as determined in accordance with national standards established by the Secretary. Only directional and other official signs were authorized, in addition to the category I have just discussed.

The proposed subsection (e) provides for these two programs: First, States shall develop criteria concerning the lighting, size, number, and appropriate requirements of signs to be erected 660 feet of the nearest edge of the right-of-way, within areas adjacent to the interstate and primary systems, which are either zoned or used for commercial or industrial purposes. This requires the initiation of the criteria—I wish to emphasize this point—by the States, the Secretary being required to concur as to whether the criteria developed are reasonable.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am happy to yield to the Senator from Virginia.

Mr. ROBERTSON. If the Secretary says a criterion is unreasonable, he can veto it. In other words, he has the final word?

Mr. RANDOLPH. That is true.

Mr. ROBERTSON. I thank the Senator.

Mr. RANDOLPH. As to the second portion that the amendment seeks to cover areas used but not zoned for commercial or industrial purposes shall be defined by State action, subject to the approval of the Secretary.

The purpose is to provide that where such activity is in fact carried on, the definition should comprehend the area. On the other hand, it should not be possible for any State to designate areas as commercial or industrial solely for the purpose of this act, in order to permit a proliferation of outdoor advertising.

That is the amendment.

Mr. COOPER. Mr. President, I ask the Senator to yield to me for an interpretation of this section. I shall ask several questions for that purpose.

Mr. RANDOLPH. I yield.

Mr. COOPER. It is correct, is it not, that except for this section exempting two specified types of areas from the general provisions of the bill, outdoor advertising would be prohibited along the entire length of the primary system within 660 feet of the nearest edge of the right of way.

Mr. RANDOLPH. That is correct.

Mr. COOPER. The section, then, provides an exemption from the general prohibition of all outdoor advertising on the primary system, in two types of areas. The first type is such areas as have been zoned at the date of the enactment of this bill, or may be zoned in the future under State law as industrial or commercial areas. Am I correct?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. The second type of area upon which outdoor advertising could be established is in areas unzoned by State law, but which are determined now or in the future by legislatures as areas used for industrial or commercial activities.

Mr. RANDOLPH. The Senator is correct—that is, with concurrence of the Secretary.

Mr. COOPER. I wish first to define the areas now open or which may become open in the future for advertising. We have discussed the question many times in the committee.

Mr. RANDOLPH. Yes.

Mr. COOPER. States, under their police power, have the authority to zone, and can authorize the power to municipalities and counties. The amendment would permit advertising, in areas which have been zoned or may be zoned in the future; second, such unzoned area as a State legislature might declare as one used for industrial or commercial activities could be exempt from the general provisions of the bill and used for advertising.

We discussed in the committee the possibility of a situation along a primary road in an unzoned area where a major business activity, such as a steel mill, a lumber mill, a coal mine, was being conducted. Where it might be appropriate to exempt such an area from the prohibition of the bill—if so provided by State legislature. All of the above is contained in the committee bill.

But the amendment which is now proposed, as I understand, adds to the committee amendment as follows: In an area which is zoned under State law, the Secretary would not be able to prohibit advertising, but he would be able to set standards for advertising in such zoned areas?

Mr. RANDOLPH. Mr. President, in reply to the point which is raised, and properly, I call attention to page 12 of the report, which includes a letter from the Secretary of Commerce with respect to this matter. I read:

> The purpose of the administration language is to make sure that unzoned commercial or industrial areas along our interstate and primary highways will be defined on the same basis as those which are actually zoned. The administration feels that in order to avoid an obvious inequity, those areas which are actually used for commercial or industrial purposes should be treated as if they were zoned for such purposes.

Mr. COOPER. I thank the Senator. Now, looking at the language in the first clause:

> Notwithstanding any provision of this section, signs, displays, and devices conforming to criteria determined by a State subject to concurrence by the Secretary concerning lighting, size, number of signs, and such other requirements as may be appropriate, may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the interstate and primary systems which are zoned industrial or commercial under authority of State law.

Do I correctly understand, in referring to this first type of area, an area which is now zoned or may be zoned industrial or commercial under authority of State law, that the Secretary could not prohibit advertising signs? Signs could be erected in such an area; but the Secretary would have authority, under the proposed amendment to determine the standards for such advertising—the lighting, size, and number of signs which could be erected in such an area?

Mr. RANDOLPH. I continue by reading from the letter of the Secretary:

> In order to prevent an unchecked proliferation which not only results in a public eyesore but undoubtedly impedes the effectiveness of billboard advertising, reasonable standards pertaining to size, spacing, and number of billboards would be developed.

Mr. COOPER. With respect to signs in a zoned area, it is intended that the States shall develop criteria concerning the lighting, size, and number of signs that are erected in zoned areas; is that not correct?

Mr. RANDOLPH. Yes, it requires the initiation of the criteria by the States.

Mr. COOPER. The actual erection of signs would be accomplished by private business; is that not correct?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Suppose the States develop criteria relating to the lighting, size, and number of signs, and the Secretary then determines that the criteria are unacceptable. Would he have authority to veto the criteria which had been developed and accepted by the State?

Mr. RANDOLPH. Yes; he would have such authority.

Mr. COOPER. Then the effect of the first clause would be to give to the Secretary, in consultation with the States, the authority to develop criteria; but if he should not agree with the criteria, he could exercise a veto until criteria have been developed which would be acceptable to him. Is that correct?

Mr. RANDOLPH. The Senator is correct, but we feel that the States, working with the Secretary, will be able to initiate and administer reasonable regulations in the actual development of these programs.

Mr. COOPER. I refer now to the second type of area which is defined in the proposed amendment in the last clause: "or (areas) which are not zoned under authority of State law but are used for industrial or commercial activities, which unzoned areas are determined by the several States subject to the approval of the Secretary."

Am I correct in interpreting the language as follows: If there is an area which has not been zoned under authority of State law, by the State legislature itself, or a municipality, or county, and the State legislature should enact legislation asserting that an area along a primary system is an industrial or commercial area, and therefore eligible for the erection of advertising, the Secretary could nevertheless prohibit advertising in the area, if he determined such an area was not in reality an industrial or commercial area?

Mr. RANDOLPH. The Senator is correct. As I stated earlier, the States—I hope they would not, and we believe that they would not designate areas as commercial or industrial solely for the purpose of this act in order to bring about a proliferation of outdoor advertising signs.

Mr. COOPER. Mr. President, as this is a new amendment I desire to obtain a full interpretation of the proposed section as it would modify the section adopted by the committee. I wish to ask two more questions.

Mr. RANDOLPH. Let me say at this point, because it is necessary to bring it out, that the proposed amendment would give the authority to the States, not merely to State legislatures. The Secretary certainly would consult with the States before a determination would be made of the criteria. I believe that this is a reasonable assumption.

Mr. COOPER. This amendment would also be applicable to that part of the primary system which passes through municipalities, whether incorporated or unincorporated.

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Do I correctly understand that this section would give to the Secretary the authority to require the dismantling of advertising in such areas if he found that they did not meet the requirements of the criteria which would be established?

Mr. RANDOLPH. The Senator is correct. He would have that power.

Mr. COOPER. Is it the interpretation of the Senator in charge of the bill that compensation would be paid in such cases?

Mr. RANDOLPH. Compensation would be paid to any injured party.

Mr. COOPER. We know that there has been criticism of the latest amendment proposed by the distinguished Senator, and that questions have been raised concerning it.

Mr. RANDOLPH. Yes.

Mr. COOPER. It is said to be more restrictive than the committee bill. I believe that it is. But, do I correctly understand that it is the Senator's judgment that this section of the bill would authorize State legislatures or municipalities, acting under their authority, to open up additional zoning areas along the rights-of-way of the primary system upon which advertising could be erected?

Mr. RANDOLPH. That is the reason we have written into this proposal the concurrence of the Secretary; thus, right of local or State authority is subject to approval of the Secretary.

Mr. COOPER. To draw a comparison, under the Interstate System there was a cutoff beyond which advertising could not be erected in commercial areas which might be so established or zoned after the cutoff date. Do I correctly understand that there is no cutoff date with respect to the amendment?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Looking ahead to the future, the legislatures or municipalities, acting under their authority, could zone additional zones of commercial and industrial use, and those areas would be available for the erection of advertising; am I not correct?

Mr. RANDOLPH. The Senator is correct in that statement.

Mr. COOPER. Subject only to the restrictions which are embodied in the amendment which the Senator offered.

Mr. RANDOLPH. That is accurate. The Senator has explained the situation correctly.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. I yield to the Senator from New Hampshire.

Mr. COTTON. In order to make sure I understood the question propounded by the distinguished Senator from Kentucky and the answer given by the distinguished Senator from West Virginia, suppose at the present time there is an area along the interstate system which is not zoned, which is considered as commerical, in which there are hotels, motels, restaurants, gas stations, and other roadside businesses that have been doing business for years and are advertising their business and have not heretofore been covered by existing law; if the bill with this proposed amendment were enacted into law, am I to understand that the States, or the legislatures of the States, might be required to take steps, either directly or through municipalities, to zone such areas and establish criteria?

Mr. RANDOLPH. Yes; it would be intended to allow these provisions to be operative. Of course, there would be the provision "with the approval of the Secretary."

Mr. COTTON. The idea is that if such businesses and their signs are to be continued, the States will be required to take steps to zone the areas and establish proper criteria.

Mr. RANDOLPH. Is the Senator talking about on-premise or off-premise signs?

Mr. COTTON. Signs within the number of feet established in the bill.

Mr. RANDOLPH. If they are on-premise signs, there would be no control over those signs.

Mr. COTTON. And if they are on-premise, the Senator means out of the boundary line?

Mr. RANDOLPH. No; even within the boundary line.

Mr. COTTON. The amendment does not so provide

Mr. RANDOLPH. That is provided in the bill, on page 10, beginning on line 12, reading "signs advertising the sale or lease of property upon which they are located or activities conducted on such property." They are not subject to control.

I ask the Senator from Kentucky [Mr. COOPER] if that is correct.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. COTTON. One moment.

This applies to both interstate and the primary systems. Is that correct?

Mr. RANDOLPH. Yes.

Mr. COTTON. So it extends it to the primary system.

Mr. RANDOLPH. That is correct.

Mr. COTTON. Could any locality adjacent to either the interstate or primary system, where people are now doing business with the public and advertising their business, be shut off by the enactment of the bill with this amendment, if they have heretofore been doing so?

Mr. RANDOLPH. No; they will be allowed to continue.

Mr. COTTON. Then what does the Senator mean by taking down signs?

Mr. RANDOLPH. Off-premise signs. That is why I asked the Senator that question before.

Mr. COTTON. Off-premise. Within the limits of the highway?

Mr. RANDOLPH. It does not specify anything within the zoning.

Mr. COTTON. The Senator is referring to signs half a mile away advertising that "You are approaching X hotel." I am trying to get down to brass tacks. The Senator is referring to a sign apprising a motorist, half a mile before he gets to a hotel, of the fact that X motel is half a mile ahead. Is that what the Senator intends?

Mr. RANDOLPH. We would control that half-mile-away billboard.

Mr. COTTON. Under the bill, the only way the business could be continued would be if the State, or municipality acting under the State, responded to the requirements of the Secretary of Commerce by establishing criteria for such signs. Is that correct?

Mr. RANDOLPH. That is correct.

Mr. COTTON. If those criteria are not approved by the Secretary of Commerce, the State is to try again, and try different criteria and a different size and distance that might be approved by the Secretary of Commerce?

Mr. RANDOLPH. That is correct.

Mr. COTTON. And if the second time the sovereign State and its legislature failed to satisfy the Secretary of Commerce, and if the third time they could not satisfy him, would the result be that the Secretary of Commerce could require the taking down of those signs because the State legislature had not been able to satisfy his opinion or judgment of what would be proper criteria?

Mr. RANDOLPH. Not until after July 1, 1970.

Mr. COTTON. Oh, the gun is loaded.

Mr. RANDOLPH. I do not want the Senator to point at me.

Mr. COTTON. I am not pointing at the Senator from West Virginia. The gun is loaded and placed in the hands of the Secretary of Commerce. It cannot be fired until when—1970?

Mr. RANDOLPH. He is going to report in 1967.

Mr. COTTON. I shall come to that. The gun cannot actually be fired until 1970?

Mr. RANDOLPH. That is correct.

Mr. COTTON. In 1967 he is going to report to Congress at whom he is going to shoot?

Mr. RANDOLPH. No; he is going to report if he has any ammunition.

Mr. COTTON. Then if Congress does not succeed by appropriate action, by an amendment of the law, which may be designed for praiseworthy purposes, by 1970, unless the State complies with the requirements of the man who happens to be Secretary of Commerce, those signs will go down. Is that correct?

Mr. RANDOLPH. That is correct. No sign will be removed until 1970. The State could also elect to take the 10-percent withholding penalty and have no controls.

Mr. COTTON. So it boils down to the fact that we are placing not only the private rights but the rights of the States and their legislatures within the hands of one official to condemn signs and advertising and put people out of business, without any appeal to any court or tribunal, if the Senate passes the bill with this amendment.

Mr. RANDOLPH. The States would lose 10 percent of their funds if they did not comply.

Mr. COTTON. What would the man lose who had the business?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Florida.

Mr. HOLLAND. Some of these amendments are helpful. Amendment No. 1 certainly reduces the amount of the penalty to which a State could be subjected. If we are to have any penalties, it is much better than the original bill, and I congratulate the Senator.

Amendment No. 3 is helpful for the same reason. However, I do not believe the States should have to pay for this on the primary system.

But as to amendment No. 2, I call the Senator's attention to it to see if he does not think that amendment should be withdrawn.

If the Senator will look at page 11 of the bill, beginning in line 1, there is a provision in the pending bill, which I greatly prefer to the amendment. It reads:

> (e) Notwithstanding any provision of this section, signs, displays, and devices may be erected and maintained within areas adjacent to the Interstate System and the primary system within six hundred and sixty feet of the nearest edge of the right-of-way which are zoned industrial or commercial under authority of State law,

That is very clear, is it not?

Mr. RANDOLPH. Yes. I helped to draft the language.

Mr. HOLLAND. The Senator drafted it clearly. It is provided in the original bill that if there is a zoning provision—and this is commercial or industrial property, for 660 feet on each side of the primary highway—signs could be used, as State law might describe.

I am going to compare that with the wording in the proposed amendment, because those same lines are deleted. I start with this:

> (e) Notwithstanding any provision of this section, signs, displays, and devices conforming to criteria determined by the States subject to concurrence by the Secretary concerning the lighting, size, number of signs, and such other requirements as may be appropriate, may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems.

I will stop at that point. That is as far as I went in the original wording.

The Senator agrees that under this wording the lighting, signs, and so forth could be displayed in that area 660 feet on each side of the primary system, whether industrially or commercially zoned under State law, provided those signs, lights, and the like were approved under the regulations issued by the Secretary of Commerce. Is that correct?

Mr. RANDOLPH. That is our understanding.

Mr. HOLLAND. I invite the attention of the Senator to the situation: Let us use the District of Columbia as an example. I believe it is considered a State under the interstate system. Let us assume that Wisconsin Avenue is a part of the primary system. I believe it is. But whether it is or not, there are hundreds of streets of the same kind throughout this Nation that are.

As I understand the Senator from West Virginia, he would now propose, as to the commercial operation, 660 feet, or two blocks substantially, on each side of Wisconsin Avenue, if Wisconsin Avenue is transversed by primary roads, the signs, the lights, and other indications of ownership, or transaction of business could not be used, even though that area was zoned, unless those signs, lights, and other indication of business activities were approved by the Secretary of Commerce. Is that correct?

Mr. RANDOLPH. That is correct.

Mr. HOLLAND. I would not wish that kind of job on any Secretary of Commerce or anyone else. There are hundreds of miles of streets——

Mr. RANDOLPH. Is the Senator thinking of on-premise or off-premise signs?

Mr. HOLLAND. I am thinking of both, because both are there. As I understand the wording of the bill, they would be permitted within 660 feet.

Mr. RANDOLPH. Are they on-premise or off-premise signs?

Mr. HOLLAND. I was talking about all signs that would not be of the type indicated. They could be used only if the signs, lights, and other business indicia complied with the regulations that had been approved by the Secretary of Commerce. It is that to which I object.

I hope the Senator will permit the wording of the original bill to stand, because I cannot conceive our giving the Secretary of Commerce such a detailed job and such a horrible enforcement job applicable to every mile of the primary system extending through all the cities in the Nation. It is inconceivable to me that Congress would want to do a thing of that kind.

I hope the distinguished Senator will withdraw this amendment.

I have already said that I believe the first and third amendments are helpful. I have said they met all of my objections and that they are helpful.

I have said that I believe the wording in the original bill is easily understood, easily administered, and in accordance with State law and zoning authorities.

But to have the Secretary of Commerce the final authority on signs for an area a quarter of a mile wide on all primary roads extending through the business section of a city is an unthinkable thing to do. I hope the Senator will reconsider.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. RANDOLPH. I will yield in a moment. I wish to respond to the Senator from Florida.

Mr. DOMINICK. I am sorry.

Mr. RANDOLPH. I thank the Senator from Colorado for his indulgence. To the senior Senator from Florida, I respond that I stated earlier that the purpose of the administration language is to make sure unzoned industrial or commercial would be defined on the same basis.

Mr. HOLLAND. I believe that is fine. That relates to the latter part of the section. But that is not the part that I have been referring to in my discussion. I have been referring to the zoned portions along the primary highways that are commercial or industrial. I believe they ought to be controlled by State and local law under zoning authorities that have been set up by the States. I believe it would be a horrible job to wish it on the Secretary of Commerce to police that sort of situation.

I hope the Senator will withdraw the amendment.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I will yield in a moment. I must comment on what the Senator from Florida said.

In the letter from the Secretary of Commerce—I have read a part of the letter—there are these words:

> In any event, regulations will not be adopted without thorough consultation with the States, with reasonable provisions for public hearings and with full opportunity for private businesses to express their views and have them taken into account. It is the intention of the administration that the regulations, insofar as they are consistent with the purposes of this act shall be helpful to the advertising industry and that, for instance, standards of size which may be adopted would be insofar as possible consistent with standard size billboards in customary use.

That refers to the 300- and 400-square-foot billboards.

Mr. HOLLAND. If the Senator will yield further, I do not question that his motives are the best. In drafting the language of the original bill he has shown real skill in draftsmanship. I merely question whether Congress would wish to interfere with local zoning in such a way as I have described, as, for example, along Wisconsin Avenue, for an eighth of a mile on each side of the road with respect to signs and lights. I do not believe the Senator would want that to be done.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. DOMINICK. I wish to comment on the question of whether the language of the amendment covers "on premise" signs. It is my understanding that the Senator from West Virginia referred to line 14 on page 10 as indicating that it would not. That is subsection (c) of section 131.

The problem is that the amendment itself provides: "Notwithstanding any provision of this section, signs, displays and devices," with no alternatives at all, so far as I can see. I believe it applies to "on premise" as well as to "off premise" signs.

Mr. RANDOLPH. That is not the intention of the members of the committee who have discussed the amendment. I believe that the administration has a good intention. I am sure they would not do any violence to this purpose. That is my opinion after discussing it. That is why I have offered the amendment on behalf of the administration.

AMENDMENT OF UNITED NATIONS PARTICIPATION ACT

Mr. CHURCH. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1903.

The **PRESIDING OFFICER** (Mr. MONTOYA in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734–736), which were, on page 1, line 1, strike out "That subsections (a), (b), and (d)", and insert "That (a) subsections (a) and (b) of section 2"; on page 3, line 5, strike out "amended,". and insert "amended." "

(b) Subsection (d) of section 2 of such Act is amended to read as follows:", and on page 4, line 15, strike out "direct".", and insert "direct."."

Mr. CHURCH. Mr. President, inasmuch as the amendments are entirely technical in nature and constitute only drafting changes, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. MURPHY. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I yield.

Mr. MURPHY. I do not believe that the amendment under consideration reflects the feelings, the discussions, and the result of the work of the committee. I agree with the distinguished Senator from Florida [Mr. HOLLAND] and other Senators who have spoken that the language in the bill is good language. I believe the objection is a simple one. It was never the intention, nor is it the desire, to give complete control in this area to the Secretary of Commerce. I believe that is as simple and as clear an explanation as could be stated.

In spite of the joy I experience in serving on the committee, my enthusiasm for the bill, and my support of the bill, I shall have to vote against the amendment.

Mr. COOPER. Mr. President, I should like to have the attention of the Senator from West Virginia and the Senator from Colorado. One matter ought to be cleared up precisely before the Senate votes on the amendment.

The question has been raised as to whether the amendment would embrace and bring within control of the Secretary on-premise signs, which we know, from our work on the committee, were determined to be signs on the premises of the property owner and used to advertise his business or legitimate activities on his property.

At first impression, I thought the amendment would not affect on-premise signs. I am not certain that it does. But in reading subsection (e), as it was called to my attention by the Senator from Colorado [Mr. DOMINICK], we find these words:

> Notwithstanding any provision of this section.

The section referred to is section 131 of title 23, United States Code. Subsection (c) is the subsection which removes the control of on-premise signs from the jurisdiction of the Secretary of Commerce.

My question is: Would the language in subsection (e), "Notwithstanding any provision of this section," make nugatory subsection (c), which relates to on-premise advertising? I know that that is not the intention of the Senator from West Virginia, because we have discussed the question; but perhaps some modification might be made.

Mr. RANDOLPH. Mr. President, I should like to modify my amendment so as to read:

> Subject to the provisions of section 101(c).

Would that meet the objection of the Senator from Kentucky?

Mr. COOPER. Yes.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, the amendment is so modified.

Mr. COTTON. Mr. President, reserving the right to object——

The **PRESIDING OFFICER.** The Senator from West Virginia has a right to modify his amendment.

Mr. COTTON. Mr. President, I seek recognition.

The **PRESIDING OFFICER.** The Chair recognizes the Senator from New Hampshire.

Mr. COTTON. Mr. President, first, I should like to propound a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from New Hampshire will state it.

Mr. COTTON. Is a motion to recommit in order while an amendment is pending?

The **PRESIDING OFFICER.** Such a motion is in order.

Mr. COTTON. Mr. President, when I came to the Chamber this noon I had no intention of joining in the debate, despite the fact that over a period of 11 years I have, in company with other Senators, when I was a member of the Committee on Public Works, wrestled with the problem of trying to preserve the beauty of our Nation and its highways without riding roughshod over the rights of the people. It is no small problem.

The committee has worked long and hard. Their sincerity is absolutely beyond question. They comprise some of the ablest Members of the Senate on both sides of the aisle. There is no Member of the Senate in whom I would have more complete confidence in his objectivity, fairness, and sincerity than I have in the Senator from West Virginia, the Senator from Kentucky, and the other members of the committee.

Yet after considering this question long and carefully, in a struggle to define the rights of individuals and of the States and to promote the laudable purpose of the bill, the committee reported the bill to the Senate.

It was not until some of us began to read the report that the full vista, magnitude, and complexity of the problem was borne home to us. Now we have had submitted a set of amendments. I urge Senators to believe me that I am not opposing the amendments. Certainly I am not opposing them because they come from the administration, because I share with the administration the laudable purposes of the bill. But all we had to do was to listen to the colloquy between the distinguished Senator from West Virginia and the distinguished Senator from Kentucky, and to the questions that have been propounded, to be absolutely convinced that, able and sincere though the Senators are, they do not know at this minute the exact effect of the several amendments that have been submitted.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. ROBERTSON. The Senators are to be excused. They did not receive the amendments until 6:30 last evening. They have not had an opportunity to study them.

Mr. COTTON. I apologize to the Senators. But I am sure of one thing: Senators are not confident that they know what the amendments provide. These amendments greatly modify the bill.

Even though we are all interested in adjournment, and even though we are desirous of cooperating by not throwing roadblocks in the way of the distinguished majority leader and minority leader, and other Senators charged with trying to get the business of the Senate finished, is it good legislation, is it worthy of the Senate, either tonight or early tomorrow morning, to debate a series of amendments that have not been considered by the committee, at least not until a few hours ago?

Is it wise to dress up on the floor of the Senate a bill that reaches into every State and along the borders and boundaries of almost every highway in the Nation, and which can have serious effects on the fortunes of individuals who are earning their living?

We want to have a beautiful nation; but we can have a beautiful graveyard if we are careless with our money and our legislation.

Mr. President, they can bring it in the day after tomorrow, or on Monday. They can present the measure as fast as they wish. However, I honestly believe, in the interest of good, sound legislation, that a motion to recommit would not be a reflection upon the committee in the slightest degree. Usually if the Senate votes to recommit a bill, it is a reflection on the committee which considered it, or a reflection on the bill. In this case, it would not be a reflection on the committee considering this legislation, because the committee has demonstrated its ability. It would not be a reflection on these amendments. They may be very meritorious and may come from the highest source.

It is, in the interest of careful legislation that I move that this bill, together with these amendments, be recommitted to the Committee on Public Works for their consideration.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit.

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RANDOLPH. Mr. President, the Senator from Virginia, who is my cherished friend, would not want the record to reflect something that is untrue. The Senator has said that we had knowledge of these amendments last evening at 6:30. That is incorrect. I believe, as chairman of the Subcommittee of the Committee on Public Works, charged with handling this bill, that I must correct the error which has been made by the Senator from Virginia.

Mr. ROBERTSON. Mr. President, one member of the committee said that he did not know about it until this morning. When did the Senator get them—later than 6:30?

Mr. RANDOLPH. These amendments were considered over a period of 2 days. They were studied yesterday afternoon, and not after 6:30, but earlier in the day. These amendments were discussed with committee members and with the distinguished ranking minority member of the committee.

Mr. ROBERTSON. Then I was misinformed. I was acting under what I thought was reliable information. I shall have to let stand the charge of the distinguished Senator that Senators who explained these amendments did not explain them properly.

Mr. RANDOLPH. Mr. President, this is a problem area.

Mr. MURPHY. Mr. President, I am a member of that subcommittee. I should like to correct one statement. The first that I knew of the amendments was this morning. I did not get them at 6:30 yesterday evening. The first time that I saw a copy of the amendments was when the copy was placed on my desk in the Senate.

To keep the record straight, so far as the junior Senator from California is concerned, I have just checked with my office. These are the facts: We heard about the amendments this morning from committee counsel. That was the first that I had heard of the amendments. The first time I saw a copy of the amendments was when I came into the Chamber.

The letter of transmittal, signed by the President of the United States, shows that it was endorsed today. Perhaps he did not get them last night, either.

Mr. RANDOLPH. Mr. President, I shall not be embarrassed during this debate.

Mr. MURPHY. I did not make the statement with any intention to embarrass the Senator.

Mr. RANDOLPH. Mr. President, I did not make the statement that every member of the committee had studied these amendments.

Mr. MURPHY. I misunderstood the Senator. I apologize to the Senator. I thought the Senator said that they had been discussed for 2 days by the subcommittee.

Mr. RANDOLPH. I did not say that. I never mentioned the subcommittee.

Mr. MURPHY. There was a misunderstanding. I thought the Senator said that the amendments had been discussed for 2 days.

Mr. RANDOLPH. Mr. President, the second amendment which I have offered is a problem amendment. I shall be frank and say that. The other amendments have been discussed in committee. The second amendment is a problem amendment, and I have so stated. However, the other amendments have long been the subject of discussion within the subcommitte and within the committee.

This is a fact that can be attested to by committee members if they desire to support me in this situation. I am not bringing these amendments here out of a hat, as it were. The substance of all these amendments was considered by the committee at length. They are amendments, as I have said very clearly, which were worked out at the request and suggestion and cooperation of the administration. I have been very frank to make that statement during the debate in the Senate.

The Senator from Florida—and I thank him for his statement—indicated that there are amendments here with which he can agree, and that there are amendments here with which he cannot agree. This would be true of every Senator.

I am not going to be angry when an amendment is voted up or down. I do the very best that I can when I am in charge of a bill. I have explained very carefully at every stage of the debate exactly how these amendments, supplementary in nature, have been brought into the Chamber this afternoon. I believe that it would be an injustice in the legislative process—not a reflection, I do not use that word—to return the bill to committee. I do not agree with the Senator from New Hampshire [Mr. COTTON] that it would be in the interest of a better consideration of the proposed legislation.

Mr. COOPER. Mr. President, I wish to speak on the motion to recommit. Statements have been made which I believe should be answered fully.

I would like to say to my colleagues on both sides of the aisle that I participated fully in the consideration of the bill. I was present every day and every minute when discussions were made on the bill. We discussed the amendments proposed and every section of this bill fully.

I did not agree with every section of the bill. I offered amendments in committee; some were agreed to unanimously, and others were rejected by the committee. That amendment related to the allocation of the cost of the program.

As the bill came from the committee, I do not know why anyone cannot understand it. I know of no question that has been asked today—and I shall say this to my colleagues—that cannot be answered, and that has not been answered. The answers may perhaps not have been understood. Perhaps that is the fault of Senators who answered the questions, and I may be one of them. However, I do not believe there is any question relating to the bill reported by the committee which cannot be reasonably answered.

It is another question as to whether one would agree with the answer.

For there are several positions concerning any bill which relate to beautification. One position is opposition to any kind of bill. Others want a very strict bill. Some look toward the middle and hope to get a reasonable bill, one which would be fair, but will make substantial progress toward this goal of beautification.

The Senator from West Virginia has presented five amendments. These amendments were not considered as amendments in the committee. They were not offered in the committee. However, the substance of every one of the amendments was discussed in committee.

Yesterday afternoon some representatives of the administration came to my office, at their request, and discussed with me some of the proposals which they stated they intended to make.

These representatives of the administration discussed the amendment which I offered today to provide that the full cost be paid by the Federal Government. The fact that they discussed the amendment with me, and opposed my amendment did not cause me to withdraw it. I offered the amendment today and it was defeated.

Two of the amendments offered by the Senator are easily understood—to allocate costs on a 75- to 25-percent basis, between the Federal Government and the State, and to reduce the penalty of apportionment from 100 to 10 perment—move toward the position taken by a good many of the committee members, including my friend the Senator from California [Mr. MURPHY].

These gentlemen also discussed with me generally, their interest in providing additional power to the Secretary as now proposed in the pending amendment. I heard them, as was proper, but I made no agreement. I said I would consider and study the proposal.

The Senator from West Virginia has stated very accurately that, with the exception of the amendment we have just been discussing, not a single amendment which he has offered is complete or controversial. I shall read them.

The first amendment which the Senator offered, which was agreed to, was to reduce the penalty for noncompliance from 100 percent of Federal funds to 10 percent. The amendment corrects one of the provisions of the bill some of us complained about in the committee—the penalty to take away all Federal highway aid from a State if it did not comply. The amendment has already been agreed to.

A second amendment provides that instead of the 50–50 cost, for the primary system, and 90–10 for the Interstate System the Federal Government shall pay 75 percent and the States 25 percent. That is not difficult to understand—at least it is not to me. I am very much pleased that the administration moved toward this position.

I never saw these amendments until today but I think them understandable and capable of being voted on.

The third amendment proposed is to that section in the bill which provides that where States have entered into agreements with the Secretary of Commerce respecting controls on the Interstate Highway System they shall continue to receive their bonus payments. The amendment provides that they must maintain the standards that they agreed to maintain when they entered into contracts with the Secretary of Commerce.

The only thing that is added is that the States must maintain the standards they agreed to, to continue to receive their bonus. Of course, that is proper.

The one amendment which is difficult to understand, if I may say so, is the amendment now before us.

A few minutes ago, in a series of questions directed to the manager, I tried to develop, although perhaps not in as understandable a way as was possible—an interpretation of the amendment. The amendment is far reaching, it would provide the Secretary final authority, with respect to zoned areas, whether in a municipality or not, to determine the criteria for the type of sign erected.

I believe we have spent enough time on the amendment, so that we can get to the question. While I believe that part of the amendment protecting against abuse of unzoned areas is good, I would not vote for the amendment as proposed. But I see no reason for sending the bill back to the committee.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. ROBERTSON. I am quite sure that the Senator knows how he is going to vote, and that he understands what is in the amendment. I am sure he has offered three good amendments, one of which has been defeated; and the other two will be defeated.

Mr. COOPER. I am afraid so.

Mr. ROBERTSON. Why did not the Senator give us an opportunity to find out for ourselves what is in the bill? When did his report get to us?

Mr. COOPER. Please do not ask me what I do about it. I belong to the minority side. I do not control what happens on the majority side. I finished my supplemental views yesterday. I agreed to have my report ready by Tuesday morning, and it was ready Monday.

Let me say, in my discussions with the chairman as to time for filing, he was very fair. I was given a week to file my views. But I have nothing to do with the scheduling of a bill. That is the decision of the majority side.

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. I do not suppose anybody read my views, but they relate to a great many things we have been discussing here today.

Mr. McNAMARA. Mr. President, I agree with the statement made by the Senator from West Virginia [Mr. RANDOLPH] and the ranking minority member of the committee [Mr. COOPER].

There is no purpose in returning the measure to the committee. While the particular language is new, and was not considered in its exact wording by the committee, the substance of all these amendments was discussed over and over again. It is the substance of the amendments, more than the language, which counts. To send the matter back to the committee would serve no purpose. The committee has considered all these proposals. I compliment the distinguished Senator from West Virginia [Mr. RANDOLPH] and the ranking minority member on the committee [Mr. COOPER], because they have done an excellent job. They have worked hard, and brought out a bill. The problem here is merely a matter of language. The arrangement of the words is completely new.

Mr. RANDOLPH. Mr. President, I remind my colleagues that we have agreed to an amendment offered by the distinguished minority leader [Mr. DIRKSEN] this afternoon. There has been no adamant opposition within the committee to amendments which have been or will be offered from the floor. The amendments which I offer, I have been frank to state, are offered at the request of the administration. I have not attempted to hide behind the committee in any wise. Amendments offered by individual Senators will be considered. One has already been agreed to, as I have indicated, the one offered by the distinguished minority leader.

One of the amendments which I offered at the request of the administration has been adopted. The amendment which is now being considered has been modified. I believe the modification was in order. It was brought out during the colloquy that it would be preferable to have it apply to the section involved.

There were 4 days of hearings on the proposed legislation. I commend the members of the subcommittee. Most of them gave careful attention to the bill. When members were absent it was because they were at hearings held by other committees, which had an equal call on them, and sometimes a greater call than our subcommittee.

Then we met twice in executive session in our subcommittee and again in our full committee. We come here this afternoon with a bill which has been reported by the committee. The fact that amendments are offered at the suggestion of the administration certainly is not a valid reason to return the bill to the Committee on Public Works.

We should vote the amendments up or down. I will not become angry because certain amendments are voted down. Let us proceed in the orderly way in which we have been proceeding. I believe equities will be served in that way.

Mr. TOWER. Mr. President, let us be quite candid. The basic issue before us is whether Congress is a coordinate branch of Government with the executive branch of the Government, and whether the Senate is an independent, deliberative body, or whether we are merely going to give Pavlovian response to every request that comes to us from the administration, with nothing but the most cursory discussion and consideration. I believe the issue will be resolved when we vote on recommittal tonight.

Mr. RANDOLPH. Let us vote on the question of recommittal.

Mr. FONG. Mr. President, I am a member of the subcommittee which handled this bill. I do not believe the bill should be returned to committee. The members of the committee have performed yeoman service on this bill.

When the original bill first came to the committee, I was quite appalled. I asked my assistant to meet with the assistant of the distinguished Senator from West Virginia [Mr. RANDOLPH], to look over the provisions and to see whether there could be a meeting of minds on amendments to the bill.

I was pleased, after the first subcommittee meeting, at how close we came to a meeting of the minds. We have rendered fine service in the deliberations on the bill.

For example, under title IV, when the bill was first introduced, it was proposed that one-third of the funds allocated for secondary roads must be used for scenic roads. We struck that out. Then it was proposed that 3 percent of each State's Federal-aid highway apportionment must be used for enhancement of highways. Instead of taking these funds from construction funds of the States, we have called upon the Federal Government, out of general revenues, to pay an equivalent 3 percent for landscaping and scenic enhancement.

The administration wished to impose restrictions by use of the police power, and we said that that was not fair, that we should give just and equitable compensation for the taking away of property rights. That is all now in the bill.

In the original bill, there was no provision for the exemption of junkyards in industrial zones. We included this exemption for junkyards in industrial zones, so that junkyards in industrial zones would be allowed to exist.

We also changed the control zone distance for outdoor advertising which was originally 1,000 feet to 600 feet. Where there were unzoned areas being used for commercial or industrial purposes, the original bill called for the Secretary of Commerce in his discretion to determine which of these areas would be deemed industrial or commercial so that advertising might be permitted there. The committee decided the determination as to what areas are used for industrial or commercial purposes should be left to State legislatures.

Therefore, we have done a great deal of work on the bill. I believe every provision in the bill has been gone into in great detail.

Although I had not seen the amendments which have been proposed by the Senator from West Virginia until this morning, I feel that the subject matter of these proposals has been discussed in committee, and that it would do no good to have the bill recommitted to committee.

Therefore, Mr. President, I will oppose the motion to recommit.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I believe that the committee is entitled to have an opportunity to go over these proposals. I am looking now at the letter to the able chairman of the committee, signed by the Secretary of Commerce, and dated September 14, particularly the second paragraph of that letter which reads as follows:

> It should be kept in mind that under the administration bill the States have full authority under their own zoning laws to zone areas for commercial or industrial purposes, and the action of the States in this regard will, of course, be accepted for the purposes of this act.

Mr. President, the amendment which is now pending, coming from the same source which makes this presumably favorable report on the bill as reported by the committee, takes an entirely different course.

I have no particular feeling concerning this matter. I have no better friend in the Senate than the Senator from West Virginia [Mr. RANDOLPH]. I have gone to bat for him and have spoken on his behalf with political speeches, and, if he will give me an invitation again, to come to those parts of his State where he believes his constituents might listen to me, I will be glad to do so again.

I am sorry that this dilemma has come up, but we have a formal report from the spokesman of the administration, the Secretary of Commerce, which makes a statement completely out of line with what is proposed in the second amendment now being proposed.

The bill would be changed largely in the very field, if it should be adopted——

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. In a moment. The committee is entitled to have an opportunity to see these amendments, which apparently have not been presented to them until recently. Several members of the committee say that they have not seen them until today. I understood the distinguished ranking minority member to say that he had seen them yesterday afternoon——

Mr. COOPER. I have said that I have not seen them—three representatives discussed them with me yesterday. I did not agree or disagree, because I am opposed to——

Mr. HOLLAND. I am sorry to have misquoted the Senator. Apparently he saw it later than I said he saw it. My feeling is that the committee is entitled to measure the effect of the proposed amendments against the bill.

I mentioned the bill coming from the same source, the Department of Commerce. The letter of the Secretary of Commerce makes it plain that it was the intent of that Department, at the time of the writing of the letter on September 14—that was yesterday, was it not?—to have the zoning laws of the States respected and obeyed. Therefore, something has happened lately.

I am now glad to yield to the Senator from Virginia.

Mr. ROBERTSON. Let me point out that of the first five amendments, four amendments have no vital changes buried in them. Amendment No. 2 gives absolute veto power to the Secretary of Commerce, which the committee had never fully considered and never intended to put in there, and is in conflict with the report that we received this morning.

The important thing is not to send it back to committee, but to let the distinguished Senator from New Hampshire withdraw his motion and let the Senate vote on amendment No. 2, and vote it down. Then we shall have disposed of it. Is that satisfactory?

Mr. RANDOLPH. Yes.

Mr. MURPHY. Mr. President——

Mr. CANNON. Mr. President——

Mr. HOLLAND. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. Mr. President, I yield to the Senator from Nevada.

Mr. CANNON. I point out to the distinguished Senator from Florida that in addition to the Secretary's letter, the committee specifically reported on this point and commented on it on page 6 of the report, from which I read as follows:

> However, the legislation as originally proposed recommended that unzoned areas used predominantly for industrial and commercial activities be "determined in accordance with national standards to be established by the Secretary."
>
> It is the committee's opinion that this is primarily an issue of land use which should not be left to an administrative decision. It is an extension of the concept of zoning and therefore more appropriately belongs to the same authority—i.e., the legislatures of the States. The committee believes that the State legislatures, because of their more detailed knowledge of the topography and land use patterns of the States, are in a better position to define an industrial and commercial area for their respective States than is the Secretary of Commerce.

Part of the fifth paragraph on page 6 states:

> The committee is of the opinion that subsections (b) and (c) provide the Secretary with adequate authority to enforce compliance with the purpose of the act.

Therefore, the committee itself recommended opposition in the committee report to the very thing that is asked to be done in amendment No. 2.

Mr. HOLLAND. I thank the distinguished Senator from Nevada for inviting attention to that part of the report.

The trouble is, I do not believe that many Senators have had an opportunity to read the report.

I repeat to my beloved and distinguished friend the Senator from West Virginia that I believe the committee will be more fairly treated if it has an opportunity to reexamine this law as proposed, to reexamine it in connection with the proposed changes, because the report of the Secretary of Commerce is at variance with the amendments, and the report of the committee is at variance with the amendments, as was so ably pointed out by the Senator from Nevada.

The fact is that the legislative record will look terrible if it depends upon this report and debate on the floor, unless we have a more coherent handling of the matter.

I very much dislike to have the Senate return a bill to committee, but I believe that the committee itself will be fairly treated only by having an opportunity to reexamine the proposed legislation in the light of the changed recommendations made by the same authority which recommended the original bill.

Mr. MURPHY, Mr. COOPER, and Mr. COTTON addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, perhaps it is possible to save the time of the Senate and resolve this problem. Therefore, let me say to the Senate that I made this motion in complete good faith. It was not a delaying tactic.

It was not an attempt to throw a monkey wrench into the machinery. It was not a reflection on the committee. I believe that was plain. I thank the Senator from Florida [Mr. HOLLAND] for what he has said about the wisdom of further consideration by the committee. But, Mr. President, I was a trial lawyer for a great number of years—a country lawyer, a jury trial lawyer. I believe I know enough to know when I have a packed jury. I have listened to member after member of the committee say he does not want the bill back. They know all about it from A to Z, from Alpha to Omega. There is nothing wrong with it, in spite of the fact that the Senate did not have the advantage of the consideration of last minute amendments referred to in the report of the committee.

It is said there is nothing wrong with the amendment, except that there is dynamite in the second one.

I think we could probably recommit the bill 15 times, but all it would do would be to irritate the members of the committee, and they would report it back. I hope I was not speaking too highly of my colleagues when I praised them. I cannot conceive of this committee having the bill recommitted to it, and then bringing out this particular No. 2 amendment, which is perhaps the most drastic and unprecedented step that has ever been taken in the history of this country. I cannot conceive that the committee would bring it back in the form it is in now or anywhere near its present form.

If we could have some assurance that this particular amendment would not be brought to a vote tonight, if every Senator could have an opportunity to realize fully the implications of it, and there would be ample time, when the Senate reconvened tomorrow, to thrash out the No. 2 amendment, I would gladly withdraw my motion to recommit. I have no pride of authorship in that. But I regret that the committee does not feel it should be committed to the committee for further consideration. But I suppose that amendment No. 2, even if I were not able to understand the explanation of the Senator from Kentucky, is the real meat in the coconut.

I would not want to withdraw the motion to commit, I would even think of some other motions to make, if we could not get some agreement that this amendment was to have more consideration. If we can get that assurance, I will agree to withdraw the motion.

Mr. COOPER. Mr. President, may I say, to make my position clear that this is the amendment that is in question. Let me say to my colleagues that I intend to vote against it, but I would prefer, rather than recommit, that the suggestion of the Senator from New Hampshire be followed and that time be given to Senators who have not had an opportunity to consider or study it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the majority leader.

Mr. MANSFIELD. The distinguished Senator from Kentucky has taken the words out of my mouth. I am glad our minds are running in the same direction. I wonder, if it is agreeable to the Senator from West Virginia and other Members of the Senate, if we could consider the suggestion of the Senator from New Hampshire.

Mr. RANDOLPH. Yes, Mr. President. I think it should be discussed further. There may be reason to modify the amendment further. I have done it in one instance. I am not going to say now that the amendment will be withdrawn, but I believe that Members of the Senate should have an opportunity to study the amendment and then, after studying it, vote it either up or down if it is not withdrawn.

Mr. COTTON. How much time?

Mr. RANDOLPH. I would want adequate time on this amendment.

Mr. COTTON. Mr. President, with the assurance—and I hope I am not letting down any of my colleagues—and with the statement of members of the committee that they think it would come back with the same recommendations, I ask unanimous consent to withdraw my motion to recommit.

The PRESIDING OFFICER. Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object, first I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. If the distinguished Senator from New Hampshire withdraws his motion to recommit, would a motion to recommit made by any other Senator with respect to this particular section be in order?

The PRESIDING OFFICER. There is no limitation on the number of motions to commit that can be made.

Mr. ALLOTT. I thank the Chair. Then, I would like to say this by way of reservation, and I would like to have the attention of the distinguished Senator from West Virginia. This section has caused me no little anguish and pain. Even as it is modified, I do not believe there is any lawyer who would say that the meaning is clear and precise. There may be a hundred interpretations of it. But, more than that—and this is the important thing, and this is why I hoped the committee would take it back into its bosom and work on it—the amendment, even as modified, is inconsistent with the rest of the bill. The Senator from Nevada [Mr. CANNON] pointed that out a few minutes ago, as did the Senator from Florida [Mr. HOLLAND].

The amendment as modified is inconsistent with the language of the report of the committee, and it is inconsistent with the language of the Secretary of Commerce. What in the world are we to assume that it means? I do not believe it can be clarified through the kind of round robin that we have been having here this afternoon. These provisions are too technical and too far reaching to be acted upon without the benefit of committee analysis. How in the world are we in the Senate to assume what the action of the committee is? If the committee wants to rescind the thoughts it has written into the report, that is one thing. At least we would know how the committee felt about it. But as matters now stand, we do not know how the committee as a whole stands. We do not know what its members think.

It may be true that it has been discussed, but as to the most technical part of the bill brought in today, the report on the bill is quite conflicting. As the distinguished Senator from New Hampshire [Mr. COTTON] has said, it would have a more far-reaching effect upon the rights of private property than any bill the Senate has ever considered. Yet with all the conflict in various areas, we are asked to act on it.

I would hope the committee would take this amendment back to the committee and, if it did not do anything else, would sit down and talk about it and try to write a clear and precise section that we could vote either up or down in the Senate. I think I know what the provision means, but I am not sure. I have a few remarks to make at a later time about the substance of the bill.

I am reluctant to see the Senator from New Hampshire withdraw his motion. In view of the contradiction and the paradox in the position of the Department and the committee as stated in the report, I particularly regret that the distinguished chairman states that he feels he does not want to take it back to committee and write some precise language.

I will not object to the withdrawal of the motion to recommit if this is the wish of the distinguished Senator from New Hampshire. But I believe that the distinguished chairman of the committee, in view of all that has transpired, should take it to committee and sit down and try to work it out.

The PRESIDING OFFICER. Is there objection?

Mr. COTTON. I ask unanimous consent to withdraw the motion to recommit.

The PRESIDING OFFICER. Without objection, the motion to recommit is withdrawn.

Mr. RANDLOPH. Mr. President, I withdraw the amendment temporarily.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn temporarily.

Mr. RANDOLPH. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> Page 12, lines 1 and 2: On line 1 after the word "pay" delete "the Federal pro rata share" and substitute in lieu thereof "75 per centum".
>
> Page 16, line 15 delete "the Federal pro rata share" and substitute in lieu thereof "75 per centum", and on line 24 delete "the Federal pro rata share" and insert in lieu thereof "75 per centum".

Mr. RANDOLPH. Mr. President, I am a little concerned about the noise in the Chamber.

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. RANDOLPH. Has the amendment been stated?

The PRESIDING OFFICER. The amendment has been stated, and it is pending.

Mr. RANDOLPH. Mr. President, this amendment applies to the just compensation provisions for advertising structures and junkyards. It substitutes a straight 75-percent Federal aid rather than the 90–10 for the Interstate System and 50–50 for the primary system.

It is estimated that this would relieve the States of the payment of approximately $30 million for outdoor advertising and approximately $10 million for junkyards, as to compensation and screening.

I believe this is a good amendment. I have discussed it with the Senator from Kentucky [Mr. COOPER]. I hope that it will be approved.

Mr. COOPER. I hope Senators will understand what the amendment is. I hope we shall know exactly what the amendment would accomplish.

As the Senator stated, it changes the committee bill and provides that for allocation of cost under both systems, interstate, and primary, the Federal Government bearing 75 percent of the cost and the States bearing 25 percent of the cost.

This is similar to the objective I sought earlier in the day. That is not the important thing. It is my understanding that the amendment would reduce the costs to the States by about $30 million.

Mr. ERVIN. I would like to ask a question.

What provision is made for payment to a person for the power to prevent his using his land for advertising purposes where he is not now using it?

Mr. RANDOLPH. There would be no payment.

Mr. ERVIN. Would he not be entitled to pay?

Mr. COOPER. That question was asked earlier by the Senator from Florida.

Mr. ERVIN. Yes.

Mr. COOPER. The provision for compensation found in both title I and title II applies to areas where advertising and junkyards are already established. There would be compensation to the advertiser who is required to look to the landowner for whatever interest he has in the contract.

The Senator is talking about areas where there is no advertising.

The adoption of this proposal by a State would mean that the State legislature would immediately prohibit the establishment of signs in prohibited areas in the State under its police powers.

Mr. ERVIN. In other words, the Senator from Kentucky is telling me that where I own land on Federal aid highways, the State legislature can pass a law and say that I cannot use that land for the purpose of putting a sign on it, and I would not be entitled to compensation?

Mr. COOPER. More than 22 States did it under the Interstate Highway law.

Mr. ERVIN. Yes, but they had to condemn easements to do it.

Mr. COOPER. All but four States did it under police power, and there was no compensation. Four States provided compensation. This would still be within the decision of the State legislature.

As to areas where there is no advertising, they could either provide that it would be taken without compensation under the police powers or they could pay for it.

Mr. ERVIN. If the State legislature can pass a law to prevent a person from using his land for advertising without just compensation, it can pass laws providing that a person cannot use his land for any purpose, can it not?

Mr. COOPER. There is no question that it would have this power——

Mr. ERVIN. The right of a person to use his land includes the right to use it for all lawful purposes.

How can it be said that they cannot use their land in the State for advertising purposes, to the extent of 660 feet on each side of the Federal aid highway, and get no compensation for it?

I would say to the Senator from Kentucky that I appreciate very much his effort to be of help to me, but he has not removed my misgivings on this point.

Mr. COOPER. If the States could not do this, the whole bill would fall down.

Mr. ERVIN. The bill would deprive my State of over $4.6 million as a penalty if it did not pass a law denying citizens the right to use property, which use is protected by the due process clause.

I believe we would be enacting a law that would provide that a person cannot advertise on his land, cannot build a house on it, or build a barn on it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. COOPER. The Senator from North Carolina is one of the great lawyers of the Senate.

Mr. ERVIN. Property cannot be taken for public purposes without just compensation. When the right of a person to enjoy his property is taken away, property is taken without compensation, unless provisions is made therefor.

Mr. HOLLAND. Mr. President, I understood the Senator to say that if States did not exercise this police power the whole bill would fall through.

Does that mean a 10-percent penalty against States on their participation in the interstate highway program would fall through?

Mr. COOPER. Yes. But that is a separate question.

The Senator was asking me a question that was asked of the Senator from West Virginia earlier. Under what powers could the State act, either with respect to areas which are designated in the bill or for all the other right-of-way along the primary system? The Senator remembers asking the question.

Mr. HOLLAND. I remember that, but if I heard the Senator correctly, if the police power of the State could not be exercised in this way, to take without compensation, the whole bill would fail.

Would the 10-percent penalty against that State—the 10-percent reduction of its pro rata share of the Federal-aid program—also fall? I see no words in the bill that cover it.

Mr. COOPER. There is a provision in the bill that provides a grace period. If it turns out the State cannot exercise their constitutional power the penalty provision could be suspended by the Secretary, I so stated earlier today.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH].

The amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. COOPER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SIMPSON. Mr. President, on August 12, I appeared before the Subcommittee on Public Roads and urged that they eliminate title IV and portions of title III. I was pleased that the committee did agree with my views on this matter and did amend the bill as I had recommended.

It is important that we protect our State Highway Commissions and the Bureau of Public Roads in this matter. We should let no one through the use of emotionalism or pressure reinstate title IV.

Mr. President, I am not opposed to the concept of beautification—and, of course, neither are the people of Wyoming—but I am opposed to S. 2084 as proposed by the administration.

Let me address myself first to the assumptions which apparently are being made by the administration and the implications which stem from these assumptions. Later, I will address myself to the specifics of the bill and the application of the bill, as it is now written, to the State of Wyoming. It has become a truism, at least during the days of this administration, that political power seeks a void. It appears that the administration is attempting, under S. 2084, to extend the power of the Federal Government. The question before this subcommittee and before the Nation is whether there is truly a void in the field of beautification. The issue raised by this bill is a broad one. Indeed, it is the most basic issue of the day. The question is State versus Federal control.

Before Federal control should be exercised, there must be a showing of need for such control. After the needs have been defined, history has shown us that the wisest course is to first allow local and State Governments the opportunity to take care of these needs. If, and only if, local government fails to assume its responsibilities, then the Federal Government can act. There are areas in our lives today where a need has been shown and where local government has fallen short in its responsibilities. But my basic argument here today, Mr. President, is that beautification is not one of those areas.

Let me now turn to the specific proposals of S. 2084 and my specific objections to that bill. In the first place, the bill under title IV has made no effort to define what is meant by "scenic roads." The lack of definition in title IV can be strongly contrasted to the obvious attempt at definition in title II of the bill, section 135, subsection (c), wherein the term junkyard is defined in elaborate detail. The problem of definition is far reaching, for what constitutes a "scenic road" is really a matter of esthetic judgment. It is a matter which is best left to the people of the areas in which secondary roads will be built. It is a matter which cannot and never will be satisfactorily determined by a Washington bureaucrat.

If beautification really is the aim of the administration, then I maintain that the worst possible way to accomplish this would be under the direction of a Federal administrative agency. To attempt to apply a national formula to the many roads of our country would be to rob the local areas of their character and, at the same time, rob the people of those areas of any incentive to create with their own imagination a more pleasing environment. S. 2084 would rob the States of the opportunity to meet their varied economic needs just as it would keep them from making their own esthetic judgments. Worse yet the costs to the Federal Government would be astronomical.

The priorities for road construction within any State will vary greatly according to the area and according to time. While the State of Massachusetts may have completed a network of roads which by this time serve well its farm-to-market needs, the State of Alaska may be only beginning to construct roadways through its great wilderness.

As you know, the scenic wonders of Wyoming are perhaps its greatest asset. The people and the government of Wyoming are not unmindful of the need for developing these scenic and recreational resources. In fact, at the present time much of the road construction in Wyoming is being done to further the development of these scenic and recreational resources. However, the State is also looking to its future and is attempting to make itself attractive for industrial, mining, and agricultural development.

The State is aware of its needs. It is in its own best interest to develop these needs on a planned and responsible basis. It is not necessary for the Federal Government to say to Wyoming that now and hereafter a certain amount of money will be spent for a certain purpose. In the State of Wyoming the total mileage under our secondary highway system is 1,920 miles. The total approved mileage eligible for secondary road construction funds is 582 miles. Under the present plan, as approved by the Bureau of Public Roads, the next 12 years will be devoted to completing the planned secondary system in Wyoming.

Mr. President, it is a matter of great concern to me and to the people of my State that the administration should presume to interrupt the State's long-range planning for road construction and should attempt to impose a mandatory restriction upon all States regardless of their individual needs. Because Wyoming is one of the most beautiful States in the Nation, and because Wyoming is aware of this and is building roads to our scenic and recreational areas, I believe we can meet this need without Federal intervention. I urge my colleagues to oppose this bill as now amended.

Mr. DODD. Mr. President, no legislative proposal which the Senate has considered this year is more important to the future of America and its people than the Highway Beautification Act which we are dealing with today.

In the half century since the Federal Aid Highway Act of 1916, almost a million miles of highways have been constructed with Federal funds.

The total length of the U.S. road network now exceeds 3½ million miles.

This nearly incredible roadbuilding program has opened every corner of our country to its people.

Running through the spectacular American countryside, our road system should be a source of inspiration, education, and recreation for every traveler.

But too many of our roads are not pathways bordered by the panorama of America's magnificent natural beauty.

Frequently our highways have been reduced to blighted corridors between billboards which obstruct the traveler's view and mock the glory of the countryside.

The creeping cancer of roadside advertising has made a huge and garish want-ad of many of our Nation's highways.

My own State of Connecticut has been a leader in taking action to preserve the beauty along its roads and to further the safety of its motorists by preventing the erection of distracting roadside signs.

Prominent both in Connecticut and in the Nation in championing the cause of the motorist for safety and beauty has been Connecticut's highway commissioner, Mr. Howard S. Ives. The State of Connecticut and the entire Nation owes him a debt of gratitude for his constant efforts to secure safer and more beautiful highways.

In Connecticut's Legislature this year, Representative William Shea, minority leader of the house of representatives, introduced a bill to authorize the highway commissioner to acquire real estate along State highways to preserve the natural beauty of the Connecticut countryside.

In view of Connecticut's progress in highway beautification and my own long-standing concern, I was very pleased this spring when the President's Conference on National Beauty recommended legislation which represented a dynamic and bold step forward to preserve America's beauty for ourselves and for our posterity. That Conference proposed legislation to stem the creation of new roadside blights and to reduce the existing obstructions and hazards created along many of our Nation's highways by signs and billboards.

Many of the Conference's proposals were incorporated in the bill which the distinguished junior Senator from West Virginia [Mr. RANDOLPH] introduced on June 3 of this year and which we are considering today.

But a funny thing happened to that bill on its way to the Senate floor. To my great dismay, many of the suggestions of the President's conference were deleted by the committees which considered the Randolph bill.

I consider the form of the bill which was reported to the Senate for action to be totally inadequate to answer the problems the Nation faces, if we are to preserve at least a part of the beauty along our national highways.

And were I not assured that a number of amendments will be added to the bill today to strengthen it, I could not vote for the bill.

I will vote for every amendment which will strengthen this bill and make it more effective.

I want to serve notice, however, that even if this bill is strengthened, I intend to give its final form the closest scrutiny.

If it does not meet the crying need for effective control of advertising along our highways, I will introduce a brand-new bill in the next session of Congress to see that such control is created.

An essential part of our national heritage is the beauty with which God endowed this continent. For too long we have stood aside while the manmade blights along our road system have become the vicious destroyers of this heritage.

It is very late in the day for us to begin, by passing this legislation, to preserve at least a portion of the national landscape for the millions who are born each year in America.

The only people who oppose this legislation are the few commercial interests who have a stake in plowing up and scarring the roadside of America to plant their advertising posters.

The only people who will benefit by this legislation are the other 190 million Americans and the hundreds of millions who will come after us.

The public deserves protection of America's beauty.

The public demands an end to roadside blight.

I intend to see that they have it.

Mr. MANSFIELD. Mr. President, that concludes the consideration of the pending business for today.

Mr. WILLIAMS of Delaware. Mr. President, I offer the amendment which I send to the desk. I ask that it be read and that it be made the pending business for tomorrow.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

On page 13, between lines 17 and 18, insert the following:

"(k) (1) For the purposes of this section effective control also means that notwithstanding the provisions of subsection (f), after January 1, 1968, no sign or display shall be allowed if such sign or display may be construed as promoting the Federal Government or any of its departments, agencies, programs, projects, or expenditures.

"(2) The Secretary shall immediately request all States to remove as soon as practicable all signs and displays which will be in violation of this subsection after January 1, 1968."

On page 13, line 18, strike out "(k)" and insert in lieu thereof "(l)".

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this evening, it stand in recess until 11 o'clock tomorrow morning.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SYMINGTON ON THURSDAY MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning prayer tomorrow, the distinguished Senator from Missouri [Mr. SYMINGTON] be recognized for 20 minutes.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal aid highway systems.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks which will be delivered tomorrow morning by the distinguished Senator from Missouri on the subject of the dollar outflow, there be a time limitation on the highway beautification bill as follows: 2 hours on each amendment, to be equally divided between the sponsor of the amendment and the manager of the bill or some Senator whom he may designate; and 4 hours on the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, September 16, 1965, during the further consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from West Virginia [Mr. RANDOLPH]: *Provided,* That in the event that he is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: Provided, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

ASSATEAGUE ISLAND NATIONAL SEASHORE, MARYLAND AND VIRGINIA

Mr. BIBLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 20.

The PRESIDING OFFICER (Mr. MONDALE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 20) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia and for other purposes, which was, to strike out all after the enacting clause and insert:

That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A, November, 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal, and which is located in Maryland or Virginia. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes or for hunting purposes, as hereinafter provided, for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner: *Provided,* That such use and occupancy shall be subject to general rules and regulations established by the Secretary with respect to the outward appearance of any buildings on the lands involved. The term "improved property" as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1964, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxent Bay, including the offshore bay islands adjacent thereto, that is used chiefly for hunting and continues in such use: *Provided,* That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such lands, or interests therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such lands, or interests therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interests therein, and upon payments of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided,* That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost of the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management or public use and enjoyment: *Provided,* That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore: *Provided further,* That nothing in this Act shall add to or limit the authority of the Federal Government in its administration of Federal laws regulating migratory waterfowl. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each privately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.

SEC. 10. The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore and shall pay for such facilities an amount to the cost of constructing such facilities less depreciation.

SEC. 11. There are hereby authorized to be appropriated the sum of not more than $16,250,000 for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under this Act.

Mr. BIBLE. Mr. President, the matter under consideration is whether or not the Senate should concur in the House amendments to S. 20, the bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

Most of the amendments are minor in character, but there are two that should be commented on. The first has to do with the construction of a road through the seashore area. The Senate-passed bill provides for construction through wildlife area on the Virginia end of the island and continuing through the seashore to connect with the Sandy Point-Assateague Bridge in Maryland. The House amended this section by providing for two separate roads and leaves the selection of the route to the Secretary of the Interior. This could very well mean that the ultimate recommendation will be for a very expensive bridge, road, and causeway running north from the town of Chincoteague. When funds are requested for construction of the road, I expect, as a member of the Appropriations Committee, to examine carefully into the proposal. I trust that the Park Service will be able to substantially justify whatever their recommendation may be.

Following its usual custom, the Senate Committee on Interior and Insular Affairs wrote into the bill an authorization limitation on both land acquisition and development costs. Both bodies agree that $16,250,000 should be sufficient to acquire the properties. The House did, however, remove the $7,765,000 that was authorized for development and provided an open authorization for this purpose. The reasoning behind the deletion was that no one had made a study of the cost of the road and this expenditure had not been included in the $7,765,000. This, too, is a matter that the Appropriations Committee should and will give careful consideration.

It is rather obvious that it is impossible to give an estimate at this early date of the ultimate cost, so it seems to me that the House position on the deletion of the development ceiling is a correct one, because the subject will be under constant survey by the Committees on Appropriations as appropriations are made from year to year during the 5-year development program.

Mr. President, after conferring with Senator ROBERTSON, of Virginia and Senators BREWSTER and TYDINGS, of Maryland, and finding that they are satisfied with the measure that passed the House, I move that the Senate concur in the House amendment to S. 20, the bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia.

The motion was agreed to.

Mr. TYDINGS. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. TYDINGS. I commend the distinguished Senator from Nevada for the diligence and expertise which he has brought to bear in assisting my senior colleague from Maryland [Mr. BREWSTER] and myself and the other members of the Maryland delegation in steering to successful final passage the bill which the Senate has just passed, to create the Assateague Island National Seashore Park.

This is highly important legislation. The preservation of this beautiful natural seashore will mean much to all who live in the eastern section of the United States. The manner in which the Senator from Nevada persevered in the consideration of this piece of legislation, even though the area to be benefitted by the Assateague Seashore Park will be far from his native State, is deeply appreciated by my distinguished senior colleague from Maryland, by me, and by every other Marylander. We wish to thank the Senator from Nevada for his efforts in obtaining the passage of the bill, for his most valuable assistance in preserving Assateague Island from spoliation, for his assistance in making the dream of an Assateague Island National Seashore Park a living reality?

Mr. BIBLE. Mr. President, I appreciate those sentiments. I am happy that the committee of which I am honored to be the chairman was unanimous in reporting the bill.

We all recognize the great need to preserve some of these beautiful areas, particularly in the great population centers, where it is more difficult and expensive to preserve them.

The creation of this seashore park has really been too long delayed, and I am delighted that we have been able to make the progress that we have accomplished.

Mr. BREWSTER. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. BREWSTER. Mr. President, on September 10, 1963, I introduced a bill to establish a national seashore on Assateague Island, Md. Today, September 15, 1965, that bill has just come before the Senate for final action prior to Presidential signature.

In testimony before the House and Senate committees, and in many speeches here on the floor of the Senate, I have, over the past 2 years, described the recreational potential of this barrier reef. I have pointed out that Assateague's wide, sloping beach, clear water, mild climate, and extensive marshland, rank it among the finest places in the world for swimming, surfing, boating, camping, fishing, and hunting.

I have emphasized that Assateague's accessibility to the great population centers of Baltimore, Washington, Wilmington, and Philadelphia, make the development of Assateague for the recreational needs of these great urban centers, a prudent investment of the public money.

Mr. President, the bill which is before us for final action today is the embodiment and distillation of the most careful study by a host of governmental and private groups, officials, and citizens. It has been the subject of hearings at the local, State, and Federal level. It has been amended and improved upon at every stage.

Just a few weeks ago, the House Committee on the Interior added the final touches, making language changes and clarifications which met with the wholehearted approval of the bill's congressional sponsors and the members of the Senate committee.

The prompt reporting of the final version of this bill to the floor of the Senate is the work of the distinguished chairman of the subcommittee on parks and recreation, the senior Senator from Nevada [Mr. BIBLE].

Mr. President, on behalf of my colleagues in the House and Senate who sponsored this legislation, on behalf of the State of Maryland; on behalf of hundreds of thousands of Maryland citizens, the citizens of States adjacent to my own, and the millions of Americans the length and breadth of this land, let me say "thank you" to the senior Senator from Nevada [Mr. BIBLE] and to the other Members of his subcommittee, who have so nobly spearheaded recent efforts to preserve and protect the natural beauties of our land.

The record of dedicated service, sincere interest, and forthright action which the Senator from Nevada and the other Members of the committee have made in recent years in the conservation of priceless American resources is a record which will remain for all to see. Every American living today and every American which follows will have reason to be grateful and appreciative of their statesman-like conduct in discharging the responsibilities of your high office.

Mr. President, the public acquisition of Assateague Island, now authorized by the Congress, guarantees that each resident of Worcester County and every American, will be forever free to enjoy the beauties or profit from the proximity of this new park.

Today, Assateague is the largest undeveloped seashore between Cape Cod and Cape Hatteras. Tomorrow, it will rival both in attracting visitors from every State.

Mr. President, this island has been a precious, but neglected, possession. Its preservation and protection required bold thinking and bold action. Final approval today represents the culmination of years of effort by many of us to preserve this wild island for our citizens.

I am confident that every American, caught up in a growing megalopolis, will appreciate the foresight and determination of the many citizens and officials who have devoted themselves to this cause.

Mr. President, it is appropriate that the record bear the names of Secretary Udall; Governor Tawes; every Member of the Maryland congressional delegation; Mr. Joseph Kaylor of the Bureau of Outdoor Recreation; my legislative assistant, Ellery Woodworth; Mr. Claude Callegary, and Mr. Porter Hopkins, of the Citizens Committee for the Preservation of Assateague Island.

In the effort which we have been making as individuals, we enjoyed the support of distinguished conservationists and conservation groups—of the Maryland Wildlife Federation, the Maryland Farm Bureau, the Maryland State Division of the Izaak Walton League, the General Federation of Women's Clubs, and the National Council of State Garden Clubs. We have also had the unswerving support of newspapers, television, and radio stations who sought to assist us in the protection of the public interest.

To these people and to the thousands of Maryland citizens who have helped us, I want to say a deep and sincere "thank you." We have all worked hard for this day, but I am confident that our children and our children's children—this generation and the next—will be grateful for our thoughtful and timely action.

Mr. BIBLE. Mr. President, I thank the Senator from Maryland. It was a worthwhile project, and the hearings were most helpful.

Mr. President, I yield the floor.

AMENDMENT TO THE RAILROAD RETIREMENT ACT OF 1937

Mr. PELL. Mr. President, I ask unanimous consent that House bill 10874, an amendment to the Railroad Retirement Act of 1937, be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a bill (H.R. 10874) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act, which, without objection, will be read twice by title.

The bill was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PELL. Mr. President, the House passed a bill, H.R. 3157, on June 7, 1965, which would have eliminated the restriction placed on railroad retiree's spouses denying them the right to collect their full spouse's benefits under the Railroad Retirement Act in addition to any benefits under social security due them in their own right.

In light of a provision in the recently enacted Social Security Amendments of 1965 relating to the administration of the hospital insurance program, it was necessary to amend H.R. 3157 to increase the taxable wage base under railroad retirement from $5,400 to $6,600 per year. The Senate debated this proposal fully and passed the bill as amended by a vote of 88 to 0, on September 1, 1965.

During the course of the Senate debate, the Senator from Louisiana [Mr. LONG] raised a point of order with regard to the constitutionality of the amendment to H.R. 3157. His view was that the amendment was a revenue-raising measure originating in the Senate and thus violative of article I, section 7 of the U.S. Constitution which delegates such authority to the House.

It was pointed out by myself and the Senator from Oregon [Mr. MORSE] that the Senate clearly has the constitutional authority to initiate measures which may incidentally raise revenue in pursuit of some broader objective. There is ample precedent for such action by the Senate, and the U.S. Supreme Court has upheld this authority in two cases which I cited during the course of that debate—*Twin City Bank* v. *Nebeker*, 167 U.S. 196, and *Millard* v. *Roberts*, 202 U.S. 429.

The Senate sustained our position by rejecting the point of order, 41 to 44.

Now we have before us H.R. 10874, a clean bill introduced after the Senate's action on H.R. 3157, which embodies all of the provisions of the latter plus provisions to reduce the tax rate assessed against railroad employers and employees. This would reduce the financial impact on both parties of raising the taxable wage base. In fact, reducing the tax rate by the amount this new bill does, will save both parties $10.7 million in the last quarter of 1965—before the wage base raise becomes effective. This is a sound compromise which will benefit all concerned, and as such, I urge its adoption in this body. I am particularly concerned, because of the time factor, that we act quickly so as to meet the statutory deadline of October 1 in order to allow the Railroad Retirement Board to administer the hospital insurance program with regard to railroad retirees.

Mr. President, my desire to act favorably on H.R. 10874 at this time, should in no way be construed as a change in my position respecting the authority in the Senate to initiate measures which may incidentally raise revenue in the furtherance of their main purpose. We do have that authority, and any action that we may take on H.R. 10874, does not have any bearing upon that issue. As the then majority leader, Mr. Johnson, of Texas, stated with regard to a similar measure on May 5, 1959:

> In my mind there is no doubt about the constitutional power of the Senate to initiate such a measure. The Supreme Court has long held that the Senate can initiate and can pass general legislation which contains, as an incidental feature, a revenue provision.

I am in complete accord with that view.

Mr. President, I urge passage of this measure.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. DOMINICK. Mr. President, I shall be very brief. I took the position during the process of debate on the point of order about whether a point of order was legitimate, that the bill itself was dead unless that point of order was sustained.

Having served in the House, I know how jealous Representatives are of their prerogative on these tax-raising and tax-lowering measures. At least to that effect, I am proved right.

The point as to whether it is constitutional or unconstitutional because it originated in the Senate has not yet been decided. The bill was rejected by the House and the House sent back to the Senate a new bill.

I am delighted that the bill will pass shortly.

I introduced a companion bill in the Senate originally. I have worked on it and fought for it. The measure is designed to try to take care of the particular needs and deficits in the law regarding spouses of railroad employees.

The measure will cure the defect. It will also do, as I understand it, what the railway labor association wants, which is to raise the taxable base sufficiently so that the administration of the medicare provisions will be under its jurisdiction.

We have a rather reasonable compromise, even though the tax rate over a period of 4 years will go back to where it is now and the burden on the employee and the employer will be much higher at that point.

During the interim period, there will be opportunity for adjustment. I am happy that the bill will pass in this manner. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. MORSE. Mr. President, I extend once more to the Senator from Rhode Island [Mr. Pell] my compliments for the manner in which he has carried this legislation through to the point of final enactment tonight. He has done an exceptionally fine job.

As a result of his perseverence, we are now about to pass a bill that will greatly improve the retirement benefits for railroad workers and for their spouses.

Mr. President, what we are doing tonight is, in effect, somewhat similar to what we did back in 1959 when I was chairman of the Subcommittee on Railroad Retirement. We then passed a bill in the Senate. Some question was raised as to whether we had the constitutional power to pass the bill. Some of us pointed out then that the so-called revenue features were incidental and subsidiary, and we made our constitutional argument then.

The Senator from Rhode Island has already pointed out that the now President of the United States, who has been the majority leader of the Senate of the United States, took the position that there was no transgression on the constitutional prerogative of the House of Representatives so far as the revenue-raising legislative features in article I, section 7, of the Constitution are concerned.

A few days ago the constitutional issue was raised again in the Senate in connection with the bill that was passed by the Senate. I joined the Senator from Rhode Island [Mr. Pell] and others in taking the position that we had the constitutional authority to pass the legislation in the form in which we passed it. That question was put to the Senate for a vote by the Presiding Officer of the Senate. The Senate sustained the position that those of us took who held that we had the constitutional authority to pass the bill.

The House has now done pretty much what it did back in 1959, analogously, and now it sends to us a new bill, in effect, with some modifications of the Senate bill. However, the modifications do not in any way detract from the objectives of the original Pell bill.

I believe that it is a fair adjustment of the differences bteween the two bodies in regard to the substantive legislative features of the two bills.

I am very much in support of our agreeing, as the Senator from Rhode Island now proposes, to accept the substance of the House bill.

Mr. President, the pages of the Congressional Record that we are now making in this debate will be read for some years to come. They will be read whenever there is raised again the question as to whether a bill that is passed by the Senate has, as an incidental characteristic or provision thereof, some revenue feature that might conceivably be in violation of the Constitution of the United States and an encroachment upon the prerogatives of the House of Representatives.

The Supreme Court in the cases that I cited the other day made perfectly clear what the answer to the constitutional question really is. Neither the Morse bill of 1959 nor the Pell bill of 1965 violates that section of the Constitution. Therefore, I would have the legislative history on this bill tonight be crystal clear that, when we adopt the bill now offered to the Senate by the House and recommended by the chairman of our Subcommittee on Railroad Retirement, we establish no precedent that would estop the Senate from passing similar bills in the future, as the Morse bill of 1959 or the Pell bill of 1965. I believe that this is very important from the standpoint of legislative history.

All we are voting on tonight is the substantive features of the House bill as it compares with the substantive features of the Senate bill, which has come to be known as the Pell bill. Our vote does not represent, to any degree whatsoever any concession on the part of the Senate as to its jurisdictional right to pass such legislation as the Morse bill of 1959 and the Pell bill of 1965, insofar as the constitutional provisions are concerned in respect to the requirement that revenue raising bills shall originate in the House of Representatives.

When we have a bill of which the major characteristic is not revenue raising, but the so-called revenue aspects are subsidiary, incidental, and subordinate thereto, there is no violation of the constitutional prerogatives of the House. I wish that made crystal clear so far as the senior Senator from Oregon is concerned, who is a member of the subcommitte that is so ably presided over by the Senator from Rhode Island [Mr. Pell].

I have made this argument before, citing the precedents and the cases in support of the position which I have now again enunciated. In order to save the time of the Senate, I ask unanimous consent that the debate of the other day on the Pell bill, prior to the vote of the Senate on the constitutional question, be printed in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD RETIREMENT TAX ACT

Mr. Mansfield. Mr. President, I ask unanimous consent that the Chair lay before the Senate that unfinished business.

The Presiding Officer. Without objection, the Chair lays before the Senate the unfinished business, which is H.R. 3157.

The Senate resumed the consideration of the bill (H.R. 3157) amending the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act.

Mr. Pell. Mr. President——

The Presiding Officer. The Senator from Rhode Island is recognized.

Mr. Mansfield. Mr. President, if the Senator will yield without losing his right to the floor, I suggest the absence of a quorum.

Mr. Pell. I yield.

The Presiding Officer. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. Long of Louisiana. Mr. President, I ask unanimouns consent that the order for the quorum call be rescinded.

The Presiding Officer. Without objection, it is so ordered.

Mr. Long of Louisiana. Mr. President, I feel it necessary to make the point of order that the pending Senate amendment is a tax amendment on a nonrevenue bill. Since the Constitution requires that all revenue measures must originate in the House of Representatives, and since Senators by their oaths are sworn to uphold the Constitution, the Senate is clearly forbiddeen to originate a tax measure.

As the ranking majority member of the Committee on Finance, I am well aware—and it has been the experience of the committee—that the House of Representatives has consistently refused even to consider a tax measure that originated in this body, so much so that I do not recall an instance, during the period of my membership, when the Senate has even made an effort to originate a tax bill.

The pending measure is a House bill, but is not a revenue bill.

Mr. Pell. The bill is not yet before the Senate.

Mr. Long of Louisiana. I am sorry; I thought the bill was before the Senate.

Mr. President, I ask that the bill be laid before the Senate.

The Presiding Officer. The bill is before the Senate.

Mr. Pell. The bill is before the Senate? I misspoke.

Mr. Long of Louisiana. Then, Mr. President, I wish to make the point of order that the bill came to the Senate as a bill which was not a tax bill. The pending Senate amendment to the bill is a major tax amendment, and it is clearly unconstitutional for the Senate to attach a tax provision to a bill which is not a tax bill. To do so would be in violation of our oaths.

Mr. President, this question has been considered before in both the House of Representatives and the Senate. From my study of the precedents, it is clear—and I have discussed the question with the Parliamentarians of both the House of Representatives and the Senate—that inasmuch as revenue bills must originate in the House of Representatives, a bill providing for a tax must be a revenue bill when it comes to the Senate, and the Senate cannot convert a nonrevenue bill to a revenue bill. For the Senate to attach a tax provision to simple legislation that has nothing to do with revenue when it comes from the House of Representatives is not condoned.

Therefore, I am constrained to make the point of order that this amendment is unconstitutional.

Mr. Morse. Mr. President, a parliamentary inquiry.

The Presiding Officer. The Senator from Oregon will state it.

Mr. Morse. Is the point of order subject to discussion?

The Presiding Officer. Under the uniform practices of the Senate for more than 100 years, the Chair has no authority to pass upon points of order as to the constitutionality of a proposal. Those are questions for the Senate to determine. Therefore, the Chair submits to the Senate the question whether or not, under the Constitution, the Senate has a right to consider this amendment, or whether the point of order is well taken. The question, of course, is debatable.

Mr. Pell. Mr. President, first I ask unanimous consent that during the consideration of H.R. 3157, Mr. David Schreiber and Mr. Charles McLaughlin, of the office of the General Counsel of the Railroad Retirement Board, be granted the privilege of the floor, as has been the custom in previous years.

The Presiding Officer. Is there objection? The Chair hears none, and it is so ordered.

Mr. Pell. Mr. President, I recognize, as the Senator from Louisiana [Mr. Long] has pointed out, that article I, section 7, of the Constitution of the United States provides:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

First, I submit that the amendment to H.R. 3157, which would raise the taxable wage base under the Railroad Retirement Act from $450 to $550 a month, is incidental to the main purpose of the bill, which is to grant benefits to the spouses of railroad retirees.

In fact, in the annotated copy of the Constitution, which all Senators have, and which was prepared by the legislative reference service, I note the statement that only bills to levy taxes in the strict sense of the word are comprehended by the phrase "all bills raising revenue." Bills for other purposes which incidentally create revenues are not included. As an example, a case is cited wherein a bill which provided that the District of Columbia should raise by taxation and pay to designated railroad companies a specific sum for the elimination of grade crossings and the construction of the union railroad station did not have to originate in the House of Representatives.

Other cases decided by the Supreme Court are in point: In *Twin City Bank* v. *Nebeker*, a case dealing with a tax on bonds used to secure the national currency, the Court held that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.

The purpose of this amendment is corollary to the purpose of the bill, and my principal objective is to provide some method for maintaining the deficit in the Railroad Retirement Fund at a tolerable level. Without this amendment, the deficit will rise to approximately $62 million per year; with it, we can reduce the deficit to about $24 million.

Mr. President, at this point, I ask unanimous consent to have printed in the Record a brief concerning the case I have already cited, *Twin City Bank* v. *Nebeker*. Another case, too, is cited; that of *Millard* v. *Roberts*.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

"EXCERPT FROM THE DECISION OF THE U.S. SUPREME COURT IN THE CASE OF TWIN CITY BANK *v.* NEBEKER, 167 U.S. 196

"The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that 'all bills for raising revenues shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills' (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.

"The case is not one that requires either an extended examination of precedents, or a full discussion as to the meaning of the words in the Constitution, 'bills for raising revenue.' What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word and are not bills for other purposes which may incidentally create revenue. (P. 202.)"

"EXCERPT FROM THE DECISION OF THE U.S. SUPREME COURT IN THE CASE OF MILLARD *v.* ROBERTS, 202 U.S. 429

"The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention the case of *Twin City Bank* v. *Nebeker*, 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bill shall be said to be 'bills for raising revenue' within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, 'that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.' (1 Story on Constitution, sec. 880.) And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:

" 'The tax was a means of effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government.'

"This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act (pp. 436–437)."

Mr. Pell. Mr. President, a further point I wish to raise is that any money raised by this amendment does not go into the General Treasury, but rather goes to a special railroad retirement fund. Revenue is defined in Webster's New International Dictionary as:

"The annual or periodical yield of taxes, excise, customs, duties, rents, etc., which a nation, State, or municipality collects and receives into the treasury for public use; public income of whatever kind."

Insofar as the funds that would be raised by this amendment are for a private pension fund, I do not see any constitutional prohibition against its origination in the Senate.

Finally, I submit that from the viewpoint of precedent, we have already passed legislation similar to this; that in 1959 the Senate originated a raise in the base of the taxable income, passed it, and sent it to the House, which changed it to a House number but passed a bill in identical form, including a misplaced comma, and sent it back to the Senate.

At that point, various Senators rose to deplore the action of the House, and to defend the constitutionality of the original action of the Senate, including the then majority leader, Senator Johnson, of Texas, and including the present majority whip, the Senator from Louisiana [Mr. Long] and other Senators.

For these reasons, Mr. President, I submit that we are within our rights in passing this amendment as a method to keep the system fiscally sound, which it certainly is not at this time.

Mr. President, I yield the floor.

Mr. Morse. Mr. President——

The Presiding Officer (Mr. Jordan of Idaho in the chair). The Senator from Oregon is recognized.

Mr. Morse. Mr. President, in view of the fact that the chairman of the Subcommittee on Railroad Retirement—on which I am privileged to be a member—has made reference to the action in this body of May 5, 1959, in regard to the railroad retirement bill of that year, S. 226, I wish to discuss that precedent briefly.

Enactment by the Senate on May 5, 1959, of S. 226, provided for increases in tax rates under the Railroad Retirement Tax Act to cover the additional benefits provided by the bill. A House companion bill had been reported to, but not enacted by the House. The House reported bill was approved by the House Committee on Interstate and Foreign Commerce, but was unacceptable to railroad labor because the House approved bill failed to provide sufficient revenue and contained other unacceptable provisions. When the satisfactory Senate bill S. 226 reached the House floor, it was adopted by the House in substitution for the House reported bill. No constitutional question was raised by the House, at that time.

It was known, however, that President Eisenhower would veto the bill; and it was also known that if the bill were vetoed on its merits, the veto would be overridden by both Houses of Congress—at least, that was the belief.

It was feared, however, that if the President were to veto the bill because it had a Senate number, some Members of the House might be inclined into following the position of accepting the veto. To avoid this, a Member of the House moved, a few days later, to vacate the previous House action, and then moved to strike from the House-reported bill all after the enacting clause and insert in lieu thereof the Senate provision. This was done, and the enacted bill with a House number was reenacted by the Senate on May 5, 1959.

At that time I was chairman of the subcommittee of the Senate on railroad retirement occupying the same position which the Senator from Rhode Island [Mr. Pell] occupies today.

The majority leader was the Senator from Texas, Mr. Johnson. The majority leader and I thought that the whole procedure was unnecessary from the standpoint of parliamentary requirement. Nevertheless, we agreed to go along with it, because our objective was to get the bill passed.

I believe it is important that there be read into the Record at this time—because I believe it is of controlling and precedential value—the discussion which took place at that time, because in my judgment, if S. 226 on May 5, 1959, was not unconstitutional, the bill before us today is not unconstitutional.

For all intents and purposes, the substantive objectives are the same.

I read from the Record of May 5, 1959, starting on page 7472:

"AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937

"Mr. Johnson of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 5610, to amend the Railroad Retirement Act.

"The Presiding Officer. The bill will be stated by title, for the information of the Senate.

"The Legislative Clerk. A bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

"The Presiding Officer. The question is on agreeing to the motion of the Senator from Texas.

"The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, which was read the first time by title and the second time at length.

"Mr. Johnson of Texas. Mr. President, if I may have the attention of the Senator from Oregon [Mr. Morse], let me say that the House passed, on May 4, H.R. 5610, which amends the Railroad Retirement Act. H.R. 5610 is identical with Senate bill 226, which was passed by the Senate on April 29, and which had been reported by the Senator from Oregon [Mr. Morse].

"The House adopted every line, every word, every punctuation mark in the Senate bill—including a misplaced quotation mark.

"I am informed that the House took that action because the bill contained a revenue feature, inasmuch as the bill increases the rate of tax on employers and employees under the railroad retirement system. However, the tax-increase provision is only one of many changes effected by the bill in the railroad retirement law.

"Senate bill 226, as passed by the Senate, is not primarily a tax measure. The increase in tax is only part of a bill which is designed to provide much-needed increases in the benefits under the act. In my mind, there is no doubt about the constitutional power of the Senate to initiate such a measure. The Supreme Court has long held that the Senate can initiate and can pass general legislation which contains, as an incidental feature, a revenue provision. The case of *Millard* v. *Roberts*, decided in 1906, is specific on this point. The annotated constitution, compiled by Professor Corwin, contains numerous citations in support of this view.

"I have conferred with the distinguished chairman of the subcommittee who handled the bill, the Senator from Oregon [Mr. Morse]. It is our conclusion that we do not wish to quibble over the matter; we are primarily concerned with sending this proposed legislation to the President at an early date. In our judgment, the power of the Senate to initiate and to dispose of proposed legislation such as Senate bill 226 is clear and beyond any doubt; and we do not intend to delay the taking of final action on this matter by arguing the procedural question. It is far more important to the railroad workers that such a bill be passed and go to the President and be signed by him into law, rather than that there be long argument over the question of whether the bill bear a House bill number or a Senate bill number.

"So, Mr. President, after conferring with the Senator from Oregon and other members of the committee, I urge immediate Senate consideration of House bill 5610, which is identical in every respect with Senate bill 226, which was passed by the Senate on April 29, I believe, by unanimous vote.

"Mr. President, I yield now to the Senator from Oregon, so that he may make whateve comments he desires to make, and that then the Senate may perhaps take action on the bill.

"Mr. Morse. Mr. President, the majority leader has explained the reason why there has been some confusion in regard to railroad retirement legislation. In my judgment, he has stated the law accurately. There is no question about the fact that it was within the province of the Senate to initiate such proposed legislation and to pass it. I quite agree with the Senator from Texas that we should proceed to repass the bill, this time in the form of House bill 5610.

"In making legislative history on the bill, our obligation is to make sure that no question at all in regard to the legislative process can be raised successfully by anyone in any future litigation.

"Mr. President, until yesterday we had thought a conference would be necessary in order to resolve a difference between the bill which was passed by the Senate—Senate bill 226, the Morse bill—and the bill which was passed last Wednesday by the House—House bill 5610.

"Yesterday, however, the House passed a new bill, numbered H.R. 5610, with language identical to that of the Morse bill, Senate bill 226, as passed by the Senate.

"It is much to be desired that the Senate now pass House bill 5610, and thus permit a railroad retirement bill to reach the White House as soon as possible. In urging that the Senate take this action, I assure this body that such action by it will merely reaffirm the action the Senate took last week in passing Senate bill 226.

"Mr. Johnson of Texas. Mr. President, I yield to the minority leader first. Then I shall yield to the Senator from Louisiana [Mr. Long].

"Mr. Dirksen. Mr. President, I think we had some discussion of this matter when the bill first came up in the Committee on Labor and Public Welfare. I did not feel there was any doubt whatsoever that the Senate had authority to consider this bill originally and send it to the House. I do indeed concur in the opinion expressed by the majority leader; but, in the interest of felicity as between the two Houses, if this is what it takes in order to expedite action, certainly I have no objection.

"Mr. Long. Mr. President——

"Mr. Johnson of Texas. I yield now to my friend from Louisiana.

"Mr. Long. Mr. President, as one of those who greatly admire the majority leader, I hope he is not going to permit the House, in matters of this sort, continually to downgrade the Senate. This type of procedure can hardly be more than an excuse for the House to claim to be the author of legislation by acting first. If the House had proceeded expeditiously, it could have acted first on this measure, rather than second, as it has. Then the Senate might properly be denied credit for being the body of Congress to act first on this bill. The Senate is already bound in a number of ways when the House insists, unreasonably in some instances, on having its way. For example, the Senator from Louisiana has several times sponsored legislation involving veterans insurance, which the House has failed to consider because of objection on the part of a single Member of the House.

"I urge the majority leader to see that the responsibilities, duties, and powers of the Senate are maintained. I hope he will try to do something about it, as time goes on, so that the House will act reasonably in such matters.

"Mr. Johnson of Texas. I appreciate the remarks of the Senator from Louisiana. I shall do all I can, in a constructive manner, to see that the responsibilities of the Senate are recognized. In this instance I do not agree with the way the House has acted, but I do not see that there is any good purpose to be served by further quibbling and delay, and I certainly do not want to emulate the action of the House in this instance.

"Mr. President, if we can get action on this bill——

"The Presiding Officer. The bill is open to amendment.

"If there be no amendment to be offered the question is on the third reading of the bill.

"The bill was ordered to a third reading and was read the third time.

"The Presiding Officer. The question is, Shall the bill pass?

"The bill was passed.

"Mr. Morse. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

"Mr. Johnson of Texas. Mr. President, I move to lay that motion on the table.

"The motion to lay on the table was agreed to."

That is chapter No. 1 in my argument, Mr. President. I now turn to chapter No. 2.

We now deal directly with the constitutional question raised in 1959 and raised today, in 1965. The chairman of the subcommittee has already referred to the short legal brief that has been prepared in support of the position that the bill before the Senate is constitutional, and that it does not violate the Constitution in the sense that it violates the provision that requires that revenue-raising measures must originate in the House.

The chairman of the subcommittee, in citing this brief, calls attention to the U.S. Supreme Court case of *Twin City Bank* v. *Nebeker*, 167 U.S. 196. I read these excerpts from the decision of the Supreme Court. The Court said:

"The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation, and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that 'all bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills,' (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.

"The case is not one that requires either an extended examination of precedents, or a full discusion as to the meaning of the words in the Constitution, 'bills for raising revenue.' What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue."

Continuing, Mr. President, I call the attention of the Senate to an excerpt from the decision of the U.S. Supreme Court in the case of *Millard* v. *Roberts*, 202 U.S. 429. It is a case that the majority leader of the Senate in 1959, Mr. Johnson, alluded to. The Court said:

"The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention, the case of *Twin City Bank* v. *Nebeker*, 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bills shall be said to 'bills for raising revenue' within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, 'that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue' (1 Story on Constitution, sec. 880). And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of the notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:

" 'The tax was a means for effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government.'

"This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act."

Without taking the time to read the memorandum, I ask unanimous consent that another memorandum be inserted in the RECORD which discusses this constitutional question, citing additional cases, not only the Nebeker case and the Roberts case, but citing also the House of Representatives in regard to this matter.

There is a series of precedents, even from the House, which recognize that in a situation such as this, it is not a revenue bill, because the so-called tax or revenue features are not controlling, but incidental thereto.

I have no doubt that the Senator from Rhode Island is right when, as chairman of the subcommittee, he asks the Senate to sustain the bill on constitutional grounds.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

"MEMORANDUM: THE SENATE COMMITTEE'S AMENDMENT TO H.R. 3157 DOES NOT INFRINGE ON THE PREROGATIVE OF THE HOUSE TO ORIGINATE REVENUE MEASURES

"It is well established by both judicial and legislative precedents that measures originating in the Senate whose general purpose is within the jurisdiction of the Senate do not violate the prerogative of the House if they incidentally raise revenue, especially if the revenue raised is not for the general support of the Government but for a specific purpose related to the general purpose of the measure.

"Article 1, section 7 of the Constitution provides: 'All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.'

"Justice Story, in his 'Commentaries on the Constitution,' traced the origin of article 1, section 7 to the British Parliamentary system where tax revenue measures, there known as 'money bills,' could originate only in the House of Commons. The House of Lords could only oppose or concur with tax legislation initiated in the House of Commons.

"In defining the term 'bills for raising revenue,' Justice Story states: '* * * the practical construction of the Constitution * * * [a]nd, indeed the history of the origin of the power already suggested abundantly proves that it has been confined to bills to levy taxes in the strict sense of the words, and has not been understood to extend to bills for other purposes, which may incidentally create revenue' (1 Story on the Constitution, sec. 880).

"Precedents of the Supreme Court

"Justice Story's definition of a 'bill for raising revenue' under article 1, section 7 of the Constitution has been adopted by the Supreme Court and has been used by it as the measuring stick in each of the cases coming before the Court involving an interpretation of that constitutional provision.

"For example, in *United States* v. *Norton*, 91 U.S. 569, 23 L. ed. 454 (1876), the issue arose as to whether the act creating the postal money order system was a bill to raise revenue, under article 1, section 7. The contention was made that it was a bill to raise revenue since it provided that the Postmaster General was authorized to use a part of the moneys collected to pay post office employees.

"The Supreme Court, however, applying Justice Story's definition of what constituted a bill for raising revenue, rejected the contention. The Court reasoned that since the primary purpose of the act was not to raise revenue, indeed Congress showed 'a willingness to sink money, if necessary, to accomplish that purpose,' the act was not 'made for the direct and avowed purpose of creating revenue or public funds for the service of the Government,' and was, therefore, not a bill to raise revenue within the meaning of article 1, section 7.

"In *Twin City National Bank* v. *Nebeker*, 167 U.S. 196, 42 L. ed. 134 (1897), a contention was made that the act providing for a national currency was unconstitutional since that part of the act which imposed a tax upon the amount of notes held by a national banking association was originated in the Senate and the tax amounted to a bill to raise revenue under article 1, section 7.

"The Court, however, after setting forth Justice Story's definition of a revenue bill, found that the act in question was not a bill to raise revenue despite the provision for the levying of a tax. The Court stated (167 U.S. at 202):

" 'The main purpose that Congress had in view was to provide a national currency based upon U.S. bonds, and to that end it was deemed wise to impose the tax in question. The tax was a means of effectually accomplishing the great object of giving the people a currency that would rest, primarily, upon the honor of the United States, and be available to every part of the country. There was no purpose by the act or by any part of its provisions to raise revenue to be applied in meeting expenses or obligations of the Government.'

"In *Millard* v. *Roberts*, 202 U.S. 429, 50 L. ed. 1090 (1906), the Senate initiated an act which required certain railroads to eliminate grade crossings and to construct a railroad depot. A sum of money was to be paid to the railroads to be raised by the levy of a tax on the property of area residents. The Court, relying on its decision in *Twin City National Bank* v. *Nebeker, supra*, held that the tax did not convert the act into a bill to raise revenue. The Court concluded, 'Whatever taxes are imposed are but means to the purposes provided by the act' (202 U.S. at 437).

"Precedents of the House of Representatives

"1. On March 29, 1922, a motion was made on the floor of the House that a bill authorizing the extension of time for payment of a debt incurred by Austria be sent to the Ways and Means Committee on the ground that it was a bill to raise revenue.

"The Speaker decided that the bill was not one to raise revenue as defined in article 1, section 7, and stated:

" 'The best definition the Chair has seen is in the 13th of Blatchford, where the court says:

" ' "Certain legislative measures are unmistakably bills for raising revenue. These impose taxes upon the people either directly or indirectly, or lay duties, imports, or excise for the use of the Government, and to give to the persons from whom the money is exacted no equivalent in return, unless in the enjoyment in common with the rest of the citizens of the benefit of good government." ' (8 Cannon's Precedents of the House of Representatives, sec. 2278 (1936)).

"2. On May 4, 1922, the Speaker was called upon to deside whether a bill banning the importation of narcotics was a revenue bill since it also had provision for the raising of revenue. The Speaker decided that the bill was not a revenue bill stating:

" 'The Chair concludes that it is not privileged; that while [the bill] relates to revenues, yet that that is incidental; that the main purpose of the bill is not to raise revenue; and that therefore it is not privileged' (8 Cannon's Precedents of the House of Representatives, sec. 2279 (1936)).

"3. On December 18, 1920, the Speaker was called upon to decide whether a Senate resolution reviving the activities of the War Finance Corporation constituted a revenue bill. During the ensuing debate a Member of the House stated:

" '[Article 1, section 7 of the Constitution] provides that bills for the purpose of raising revenue shall originate in the House of Representatives. It does not provide that laws which take the effect and which will have the effect either of raising revenue or producing a deficit shall originate in the House * * * No one can tell whether the passage of this resolution, if it shall be carried out in the spirit of the resolution, will produce revenue or produce a deficit. But everyone knows that the purpose of the law is not to produce revenue' (6 Cannon's Precedents of the House of Representatives, sec. 315 (1936)).

"The Speaker decided that such questions were for the House rather than the Speaker, and the House voted that the bill was one which the Senate could originate.

"Applying these precedents specifically to the Senate committee's amendment to H.R. 3157, it would appear that no serious question arises concerning the infringement of the House prerogative to originate revenue measures.

"Although the Railroad Retirement Tax Act is a part of the Internal Revenue Code, the proceeds derived from it are devoted exclusively to the payment of benefits under and the expenses of administering the Railroad Retirement Act; no part of the proceeds is devoted to general revenue purposes.

"In the early years of the railroad retirement system it was the practice to appropriate annually to the railroad retirement account the estimated proceeds of the Railroad Retirement Tax Act, and to make adjustments in subsequent appropriations to correct any inaccuracy in the estimates.

"However, by title V of Public Law 452, 82d Congress, 2d session, 1952, it was provided that there is appropriated:

" 'For annual premiums after June 30, 1952, to provide for the payment of all annuities, pensions, and death benefits, in accordance with the provisions of the Railroad Retirement Acts of 1935 and 1937, as amended (45 U.S.C. 228–228s), and for expenses necessary for the Railroad Retirement Board in the administration of said acts as may be specifically authorized annually in appropriation acts, for crediting to the railroad retirement account, an amount equal to amounts covered into the Treasury (minus refunds) during each fiscal year under the Railroad Retirement Tax Act (28 U.S.C. 1500–1538).'

"This is a standing appropriation to the railroad retirement account that operates in each subsequent fiscal year; annual appropriations are then made from the account (not from general funds) for administrative expenses.

"Thus it has been established by law that the Railroad Retirement Act and the Railroad Retirement Tax Act are integral parts of a single insurance system. They are as closely related as the premium clauses and the benefit clauses of an insurance policy. When the House passes a bill that enlarges the insurance protection it necessarily opens up for consideration the question of the adequacy of the premium to cover the insurance benefits as so enlarged. In this instance the House chose to enlarge the deficit by enlarging the benefits without enlarging the premium. It would be indefensibly restrictive of the jurisdiction of the Senate to say that it is foreclosed from giving consideration to and possibly making amendments of the premium provisions to deal with the deficit in a different way.

"The indefensibility of such a restriction upon the Senate is well illustrated by the facts before the Senate Committee on Labor and Public Welfare in its consideration of H.R. 3157. That these facts motivated the amendment adopted by the committee appears clearly from the committee report (S. Rept. 645, 89th Cong., 1st sess.). These facts are:

"1. The enlargement of benefits provided by the bill introduced an additional cost estimated at $14 million per year without any premium to cover these costs;

"2. The railroad retirement system was already currently incurring an actuarial deficit equivalent to a level of about $20 million per year.

"3. After the passage of H.R. 3157 by the House and before its consideration by the Senate committee, Congress had enacted the social security amendments of 1965 (Public Law 89–97). The social security amendments had a far-reaching effect on the financing of the railroad retirement system:

"a. By reason of certain minimum and maximum provisions in the Railroad Retirement Act that are contingent upon the provisions of the Social Security Act, many railroad retirement benefits were automatically increased;

"b. By reason of the railroad retirement tax rates being contingent upon the social security tax rates the scheduled railroad retirement tax rates prior to 1973 were reduced with a consequent reduction in income;

"c. By reason of the increase in the social security maximum taxable wage base to $6,600 per year the railroad retirement account would be adversely affected in the interchange of funds between the two systems so long as the railroad retirement maximum taxable wage base remained at $450 per month ($5,400 per year);

"d. Congress made provision for the administration of the medicare program so far as railroad employees are concerned by the Railroad Retirement Board, but to become effective only if and when the railroad retirement monthly tax base should be the equivalent of one-twelfth of the social security annual tax base.

"Financially, the effect of the social security amendments was to enlarge the preexisting deficit and the additional deficit to be created by H.R. 3157 by an additional $28 million per year.

"To deny to the Senate the jurisdiction to consider and legislate in light of these events, largely supervening House passage of the bill, is to deny to the Senate jurisdiction to legislate intelligently.

"Under any such restrictive jurisdiction the only courses open to the Senate in its consideration of H.R. 3157 would be to accept the enlargement of the deficit, even though it might consider the enlargement of the deficit unwise, or to reject the enlargement of benefits because it was unwilling to enlarge the deficit.

"Furthermore, it is inherent in the structure of the railroad retirement system that the maximum limit of taxable compensation is also the maximum limit of creditable compensation for benefit purposes. Certainly no one can deny that the Senate has jurisdiction to originate increases in the maximum compensation creditable for benefit purposes. But that jurisdiction would as a practical matter be also effectively negated if it lacked jurisdiction to increase the corresponding base in the Railroad Retirement Tax Act."

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD another memorandum dealing with the facts of the bill itself.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

"MEMORANDUM: COMPARISON OF CARRIERS' INCREASED RAILROAD RETIREMENT TAX LIABILITIES UNDER H.R. 3157, AS AMENDED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, WITH SCHEDULED INCREASES IN TAX LIABILITY PRIOR TO 1965 LEGISLATION

"Under the present maximum taxable and creditable compensation base of $450 per month ($5,400 per year) in the railroad retirement system the level projected taxable payroll is $4.3 billion per year. If the monthly maximum base is increased to $550 ($6,600 per year), as proposed in H.R. 3157 as amended by the Senate committee, the level projected taxable payroll becomes $4.775 billion per year, an increase of $475 million.

"Under present provisions of the Railroad Retirement Taxing Act scheduled increases in the tax rate are contingent upon increases in the social security tax rate. By reason of scheduled increases in the social security tax rate in effect prior to the 1965 amendaments of the Social Security Act (Public Law 89–97) the railroad retirement tax rate was scheduled to increase by one-half of 1 percent each on carriers and employees on January 1, 1966, and by another one-half of 1 percent on each beginning January 1, 1968. These scheduled increases in tax rates would have increased the carrier tax obligations, based on a $4.3 billion taxable payroll, by $21.5 million per year in 1966 and another $21.5 million in 1968, or a total of $43 million.

"However, the Social Security Amendments of 1965 have reduced the 1966 and 1968 scheduled increases in the social security tax rate, and thereby automatically reduced the increases in the scheduled railroad retirement tax rate, with the consequence that the railroad retirement tax rate in 1966 will be 8.35 percent each on carriers and employees as compared with the previously scheduled 8.625 percent, and in 1967 and 1968 will be 8.4 percent as compared with the previously scheduled 9.125 percent in 1968.

"If the tax rate increases scheduled under the law as it stood at the beginning of this year had not been changed by the social security amendments, and the present $450 monthly base were also retained the carrier tax liability for 1968 would be $392.375 million. The carriers, by seeking to retain the present base despite the reduction in scheduled rates are trying to reduce that liability to $361.2 million, and thus pay $31.175 million less than they had been scheduled to pay.

"By contrast, if the new reduced rate is applied to the increased taxable payroll that would result from increasing the base to $550 per month their liability in 1968 would be $401.1 million, i.e., only $8.725 million over the $392.375 million they were already scheduled to pay.

"The decrease in scheduled social security tax rates, and the consequent decrease in scheduled railroad retirement tax rates, was made possible only by the fact that the social security tax base was increased to $6,600 per year. In objecting to an increase in the railroad retirement tax base to the same level as the social security base, the carriers are seeking to avail themselves of the lower rate made possible by an increased base without paying on the increased base.

"The foregoing figures are exclusive of the cost of medicare. In this connection it should be observed that during the last preceding Congress, and without change of position during the present Congress, the railroad managements agreed with the railway labor organizations that railroad employees should participate equally with other employees in the benefits of whatever medicare program might be enacted. At the time of this agreement it was generally believed that the medicare program would cost employers and employees each one-half to three-quarters of 1 percent of taxable payroll. The actual scheduled cost under Public Law 89-97 is 0.35 percent of payroll in 1966 and will not exceed three-quarters of 1 percent until 1987. This reduction below anticipated rates is likewise made possible by increasing the taxable wage base to $6,600 per year."

Mr. Morse. Mr. President, one who has those memoranda, he has all that is needed to support my argument that we are dealing with a matter which, under the precedents of the Supreme Court and the precedents of the House itself, raises no constitutional question.

Mr. Long of Louisiana. Mr. President, the Senator from Oregon made reference to arguments I made myself involving this general problem. I made that argument after hearing the statement by the then majority leader, Mr. Johnson, in the very case the Senator from Oregon is citing as a precedent, but said that where the Senate originated a bill inserting a tax, the House declined to send the bill back to the Senate, but, instead, passed its own bill, sent that bill to the Senate, and the Senate passed that bill. The very case the Senator from Oregon cites, including my statement, shows that the House should act first.

If the Senator from Oregon is right in what he says, the Finance Committee would have had a right to originate the social security bill and the medicare bill. The Senate Finance Committee agreed so strongly to the contrary that our chairman and the committee declined to hold hearings on that bill until the House acted and sent the Senate a bill.

This year, in this session, the Senate sent to the House a bill, S. 1734, to conserve and protect domestic fisheries. In connection with that bill the Senate imposed a 50 percent tax to protect fisheries.

The House sent the Senate back a blue sheet, which in polite language stated that the bill "in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States, and is an infringement of the privileges of this House, and that the said bill be respectfully returned to the Senate." That is what happened.

The Senate sent back a polite message to the effect that this was not correct procedure and "here is your bill back." The House returned the bill, which it had a perfect right to do.

This particular measure imposes a tax of about $90 million. In my opinion, that involves much more than incidental revenue.

I am not arguing about the necessity of the tax. It may well be necessary to have it, and that we will do it in due course.

When revenues are to be raised, those measures should originate in the House. The Senate Committee on Finance sometimes has to wait 3 months for the House to send to the Senate revenue bills so the Senate may act on them. Religiously and respectfully, the Finance Committee respects the House of Representatives in respect to the Constitution; and circumspect as we are, we feel we should show the same consideration and insist on the same consideration for others who have the same responsibility we have.

Mr. President, this matter was discussed with the policy committee. After we discussed it, it was agreed that a point of order would be made by the policy committee on this side of the aisle.

This Senator, as a ranking member of the Finance Committee, as well as being a member of the policy committee, believes it to be his responsibility and duty to do so, but I do not stand alone.

I hope the Senate will stand with those of us who take this view on revenue bills, in connection with a bill which is not a revenue bill, both in connection with the precedents laid down, which have already been mentioned—and even the Senator's case which he cites as a precedent sustains that position—and will consider the House's point of view that this is a tax on a nonrevenue bill.

Mr. Morse. Mr. President, I wish to reply briefly to the point made by my friend the Senator from Louisiana. I am completely lost in his maze of comments concerning the action taken on May 5, 1959, as being a precedent for his present position. I read every word spoken on the floor of the Senate on May 5, 1959. It was perfectly obvious that the Senate did not take the position that the House had a constitutional right to originate this particular measure. The language of the Senator from Louisiana makes it crystal clear that that was not the position he took on May 5, 1959. On the contrary, the Senator was for leaving the Senate bill. He suggested to the majority leader that we should not go along with the objections because, in the view of the Senator from Louisiana, that would be downgrading the Senate.

In May 5, 1959, the Senator from Louisiana thought the railroad retirement bill was set out in the proper framework of a Senate bill and he was for passing the Senate bill, not the House bill.

The point was raised in that debate very clearly that the Senate did not recognize any constitutional right of the House to originate all those bills in the first instance. It was perfectly clear from the statements of the then majority leader, Mr. Johnson, the chairman of the subcommittee which handled the railroad retirement bill, the senior Senator from Oregon, and the minority leader, that we were not going to take the House bill on any constitutional right of the House, but because we recognized the parliamentary realities that confronted the Senate, and that we had a better chance of getting the bill on the books. But there is no precedent, by the slightest stretch of the imagination, in the May 5, 1959, case, that there was any admission on the part of the Senate that the Houes had the constitutional right to originate the bill. This was what we call accommodation between the two Houses. There was no waiver of the right of the Senate to originate the legislation. That is perfectly clear.

Let me say if that action is a precedent—it does not have the slightest relevancy, but if the Senate did agree in May 1959, to do that—it does not rewrite the Constitution of the United States.

We cannot amend the Constitution of the United States by decreeing on the floor of the Senate that a bill is a revenue bill. That is a question of law.

All the Senate did was to parliamentarily accommodate the House of Representatives on May 5, 1959, in order to have a railroad retirement bill passed. The chairman of the Railroad Retirement Committee and Mr. Johnson, the then-majority leader of the Senate, and Mr. Dirksen, as the minority leader of the Senate agreed among themselves that that would be an appropriate parliamentary procedure to follow.

Let the senior Senator from Oregon state again for the Record, because it will be read 10, 15, 20 years from now, that not a word can be found in the May 5, 1959, Record of any admission on the part of the Senate that it had encroached upon the power of the House of Representatives in that it had initiated a revenue bill.

To the contrary, it was our position that it was not a revenue bill within the meaning of article I, section 7 of the Constitution of the United States, referred to by Justice Story in the Nebeker case, from which I have already quoted at length.

There is before the Senate the clear issue of whether or not the Senate is going to send the bill back to committee, or to some other committee, or refuse to take action on it because of a point of order, because we have said once again, acting as "Justices of the U.S. Supreme Court" that article I, section 7 of the Constitution of the United States would be violated thereby.

Let us face up to the issue. If there is any real question about the constitutionality of the bill, let us pass it and let the Supreme Court decide it. I tell Senators, in my judgment, the decision that will be rendered. There will be an even briefer decision than Justice Story rendered in the Nebeker case. The Court will dismiss it in a paragraph or two, unless it recites the Nebeker case and also the Roberts case, at the time the leader of the Senate referred to when the position was taken on May 5, 1955, that a constitutional question was not involved.

It is my opinion—and every Senator is entitled to his opinion—that this adds up to a parliamentary maneuver to avoid a decision on the substantive merits of the amendment. I am ready to vote on the substantive merits of the amendment. I am perfectly willing to vote on the substantive merits because I am satisfied the bill is constitutional.

I have great respect for my colleagues in the Senate, but I prefer to walk a few steps from the Senate of the United States to that great cathedral of justice, the U.S. Supreme Court building, for constitutional rulings.

I am satisfied what that ruling would be if the bill were passed, and whether or not the Senate, in passing it, acted constitutionally.

The Supreme Court will render a decision that the so-called tax features of the bill are incidental thereto and do not constitute a revenue measure in the sense that a revenue measure must originate in the House.

Mr. Long of Louisiana. I do not quarrel with the Senator on this matter.

If he had a different interpretation of the Constitution than I hold, when it says revenue bills shall originate in the House, so far as I am concerned, that applies to the $90 million tax. He is entitled to his opinion, and I am entitled to my opinion. A Senator should vote to uphold the Constitution of the United States. I do not have to vote for something I think is unconstitutional and rely upon the Supreme Court to tell me I did an unconstitutional act and save me from my own mischief.

If I believe it is wrong I should abide by my oath. That is my judgment.

The Senator said that it did not create a precedent for what we are doing here. I heard the majority leader say that we had not done an unconstitutional act. The House took the attitude that we had. Having proceeded to say that we had not done anything unconstitutional, we then proceeded to act as though we had. We passed the House bill. The House bill was enacted into law and signed by the President. We went along with the argument of the House on the House contention that we had done something unconstitutional. We said, in effect, that we had not done something unconstitutional, but said to the House, in effect, "Even so, we will do it your way."

So far as the merits of the amendment are concerned, what we are talking about here is a matter of increasing the tax base and increasing the tax on the working people and on the railroads. It means that the average workingman would have to pay $10 a month more to get the benefits of the medicare proposal that we added to the social security bill, which was passed recently. Am I stating the situation correctly?

Mr. PELL. That is not completely correct. The tax would be paid half and half by the railroad industry and by those workers who earn more than $450 a month. It would not cover hospital care through railroad retirement or social security. There would be, however, other benefits.

Mr. LONG of Louisiana. Would it cover medical benefits?

Mr. PELL. It would not.

Mr. LONG of Louisiana. In any event, this is a major tax increase. It is something that we can take care of later in the session or next year. It ought to be considered in connection with a revenue bill. The bill before us is not a revenue bill. I hold in my hand another bill, which the House in all propriety, in my judgment, based on the precedents that have been in effect in the time that I have been a Senator, declined to consider. The bill concerns fisheries. We imposed a tax, and the House politely sent the bill back to us.

I am sure the Senator would not say that the House took the wrong attitude. The House of Representatives has consistently acted in this fashion, at least while I have been a Member of the Senate. There is that precedent even in the 1959 debate, to which reference has been made. The House sent S. 1734 back to us with a polite note, rejecting it.

Mr. PELL. In this connection there should be printed in the RECORD a letter from the Executive Office of the President, Bureau of the Budget, addressed to the committee which says:

"We are opposed to this measure, as is the Railroad Retirement Board. However, we understand that you have introduced an amendment to this bill which would equate the wage base of the railroad retirement system to that of the social security system. We believe this provision is desirable not only because it will assist in keeping the railroad retirement and social security systems in step but because it will assist in maintaining the financial soundness of the railroad retirement system. We hope that this provision will receive favorable consideration by your committee."

I ask unanimous consent to have printed in the RECORD at this point the entire letter from the Bureau of the Budget.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 31, 1965.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Railroad Retirement, Committee on Labor and Public Welfare, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Your committee has under consideration H.R. 3157, a bill "To amend the Railroad Retirement Act of 1937, to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits."

We are opposed to this measure, as is the Railroad Retirement Board. However, we understand that you have introduced an amendment to this bill which would equate the wage base of the railroad retirement system to that of the social security system. We believe this provision is desirable not only because it will assist in keeping the railroad retirement and social security systems in step but because it will assist in maintaining the financial soundness of the railroad retirement system. We hope that this provision will receive favorable consideration by your committee.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. PELL. That is the administration's views on the merits. Why would it not be appropriate to let the bill be passed, without our being the judge of its constitutionality, and let the House politely decide the question?

Mr. LONG of Louisiana. We ought to pass on the question ourselves. We ought to exercise our own best judgment. We have a responsibility, just as the House has its responsibility. We should discharge our own responsibility.

The PRESIDING OFFICER. The Chair submits the question to the Senate as to whether the Senate, under the Constitution, has the right to consider this amendment, or whether the point of order is well taken on H.R. 3157, an act to amend the Railroad Retirement Act.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. The pending question, as I understand, is the point of order raised by the Senator from Louisiana [Mr. LONG], that the pending legislation is unconstitutional because of the allegation that it violates article I, section 7 of the Constitution, which prescribes that revenue measures shall originate in the House.

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Therefore, a vote of "nay" against the point of order will be a vote to sustain the constitutionality of the pending proposal offered by the Senator from Rhode Island [Mr. PELL]. Is that correct?

The PRESIDING OFFICER. A vote of "nay" would dispose of the point of order, and the amendment would continue to be before the Senate for action. A vote of "yea" would sustain the point of order, and the proposal would be removed from the Senate.

Mr. MORSE. I respect the Chair's language, but I respectfully say it means the same thing that I said.

Mr. MILLER. I point out that in the committee report on page 2, the committee states:

"There is now an actuarial deficit in the financing of the railroad retirement system of about $20 million a year, and Public Law 89-97 (approved July 30, 1965) will add about $28 million to the deficit, bringing it to a total of about $48 million a year on a level basis. The enactment of the bill H.R. 3157 would add to this deficit about $14 million a year, bringing the total deficit to about $62 million a year on a level basis."

On page 3 of the committee report this statement appears:

"By reason of such increase in the taxable compensation base, the railroad retirement taxable payroll would be about $4.8 billion a year, and the additional tax income to the system would be about $87 million a year. About $39 million of this amount would be applied to reducing the $62 million deficit to about $23 million."

Mr. President, in view of that language, it seems to me that to say the financing features or the tax features of the bill are incidental is not being realistic at all. They are very substantial. I shall support the point of order made by the distinguished Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. MCGEE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Minnesota [Mr. MCCARTHY], the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], and the Senator from New York [Mr. KENNEDY] are necessarily absent.

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Ohio [Mr. YOUNG]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Ohio would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Wyoming would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Utah [Mr. BENNETT] and the Senator from Nebraska [Mr. HRUSKA] are detained on official business.

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Maryland [Mr. BREWSTER]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Maryland would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Kentucky would vote "nay."

The yeas and nays resulted—yeas 41, nays 44, as follows:

[No. 246 Leg.]

YEAS—41

Allott, Bartlett, Bass, Byrd of West Virginia, Carlson, Cotton, Curtis, Dirksen, Dominick, Eastland, Ellender, Ervin, Fannin, Fong, Hickenlooper, Hill, Holland, Inouye, Jordan of North Carolina, Jordan of Idaho, Long, of Louisiana, Mansfield, McClellan, Miller, Mundt, Murphy, Pearson, Prouty, Randolph, Russell of South Carolina, Russell of Georgia, Scott, Simpson, Smathers, Smith, Sparkman, Stennis, Symington, Talmadge, Tower, Williams, of Delaware.

NAYS—44

Aiken, Anderson, Bayh, Bible, Boggs, Burdick, Cannon, Case, Clark, Cooper, Dodd, Douglas, Gruening, Harris, Hart, Hartke, Hayden, Jackson, Javits, Kennedy of Massachusetts, Kuchel, Long of Missouri, Magnuson, McGovern, McIntyre, McNamara, Metcalf, Mondale, Monroney, Montoya, Morse, Moss, Muskie, Nelson, Neuberger, Pastore, Pell, Proxmire, Ribicoff, Thurmond, Tydings, Williams of New Jersey, Yarborough, Young of North Dakota.

NOT VOTING—15

Bennett, Brewster, Byrd of Virginia, Church, Fulbright, Gore, Hruska, Kennedy

of New York, Lausche, McCarthy, McGee, Morton, Robertson, Saltonstall, Young of Ohio.

The PRESIDING OFFICER (Mr. Moss in the chair). The point of order is not well taken and is dismissed.

Mr. PELL. Mr. President, I move that the vote by which the point of order was not well taken and was dismissed be reconsidered.

Mr. PASTORE and Mr. MANSFIELD moved that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

* * * * *

Mr. PELL. Mr. President——

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, the bill H.R. 3157, now under consideration by this body, would change the Railroad Retirement Act so that payment of an annuity to a spouse of a retired railroad employee could be made in the full amount even though she is at the same time entitled to monthly benefits under the Railroad Retirement Act or Social Security Act derived from her own employment. The present law requires a reduction in the the spouse's annuity by the amount of benefits derived from her own employment, as well as by the amount of certain other benefits to which she may be entitled. The spouse's annuity is the only benefit under the Railroad Retirement Act which cannot now be paid in full concurrently with other benefits under the Social Security and Railroad Retirement Acts, although in the past there were others. The discriminatory provisions against spouses should be removed.

The change in the law as to spouse's annuities would, of course, increase the costs of the railroad retirement system. It is estimated that the added costs of this change would be about $14 million a year on a level basis. When H.R. 3157 passed the House in June of this year, there was a deficit on a long-range actuarial basis in the financing of the system of about $20 million a year. A deficit in this amount is considered to be within the range of actuarial tolerance, and the system was regarded as being in a satisfactory financial condition. Since that time, Public Law 89–97, the Social Security Amendments of 1965, has been enacted. The changes in the Social Security Act will have the effect of increasing certain direct financial benefits under the Railroad Retirement Act and will add an estimated $28 million a year to the costs of the system, increasing the deficit to about $48 million a year.

With a deficit of this amount, the railroad retirement system is now in an unsatisfactory financial condition and the additional costs of the effect of this bill on spouse's annuities would cause the financial conditions to be considerably worse. The deficit would then be approximately $62 million a year. The system cannot, of course, endure in an unsatisfactory financial condition.

The committee is cognizant of the fact that the situation cannot be corrected unless additional revenue is obtained. It, therefore, amended the bill to change the limit on creditable and taxable compensation for the railroad retirement system from the present flat $450 a month to an amount equal to one-twelfth of the limit on annual taxable wages for the social security system. As we know, the annual taxable wage base for social security has been raised to $6,600 from $4,800, an incerase of $1,800 a year. The effect of the amendment would be to raise the base for the railroad retirement system to $550 a month from the present $450, an increase of the equivalent of only $1,200 a year.

The increase in the base will provide additional benefits for those railroad employees whose earnings exceed $450 a month and who will have to pay additional tax amounts. Those employees, who do not earn over $450 a month, will pay no additional taxes and will gain no credits toward higher benefits.

The increase in the compensation base will reduce the deficit from the projected $62 million a year to approximately $24 million a year. The railroad retirement system would then be in a satisfactory financial condition. It is estimated that the change in base would produce an additional $87 million a year in the tax income. Over one-half of this amount, $48 million, would be required to pay the additional benefit amounts and the remainder, $39 million, would apply to the reduction of the deficit.

As I have indicated, the problem cannot be solved without legislative action. Tax revenue to the system can be increased only by increasing the taxable wage base, or by raising tax rates. A rate increase would have a harsh impact, particularly on employees with low earnings. Their tax amounts would be increased and they would get no additional benefits; Congress, to my knowledge, has never increased social insurance taxes without an accompanying increase in benefit amounts.

In the financing of the recent improvement of social security benefits, the Congress has relied principally on an increase in the wage base for the increase in tax rates was relatively slight.

Tax rates for the railroad retirement system are, under existing law, automatically geared to the tax rates for the social security system, although the railroad rates are approximately twice as large. Therefore, the increases in the social security tax rates will be reflected in the railroad retirement rates. There is not now a coordination as to the earnings base. Historically, the railroad retirement base has always, except for a few months in the late 1950's, equaled or exceeded the social security base. It is also significant that even with the change, a substantially lower percentage of gross railroad earnings would be taxable than was the case when the system was first established, and the monthly base was only $300.

The increase in the railroad retirement tax base will, of course, add to the taxes of railroad companies, but the larger increase in the social security tax base will also add to the taxes for companies in industry covered by the social security system.

Finally, it is to be noted that if there is a difference in the taxable wage law, those under railroad retirement or compared with those under social security, then the hospital insurance program would be administered by the Social Security Administration rather than by the Railroad Retirement Board as would be the case if this amendment were adopted.

In reporting this bill, it is recognized that benefits will accrue to those workers who pay the additional tax. Under the heading of "Conclusion," on page 5 of the report, it is stated:

"It is further recognized, because of the matching contribution of industry and labor, that those workers earning more than $450 per month and living more than 5 years after retirement will receive more than they have paid into the railroad retirement fund. This will naturally be a factor bearing on any future decisions in labor-management negotiations."

Mr. DOMINICK. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I appreciate the courtesy of the Senator from Rhode Island in yielding to me. As he well knows, the original bill on this proposal was introduced by me, so far as the Senate is concerned. It was a companion bill to one introduced by Representative HARRIS, of Arkansas, in the House of Representatives, which passed without this amendment.

My interest, at the time I introduced the bill, was to try to do something about the existing inequities so far as a specific class of railroad employees' spouses are concerned, in that they have their railroad retirement reduced by social security while their spouse is still alive, and yet they get both amounts when one of them has died.

It seems to me that this is wrong. This is the reason we included it in the bill. The bill passed the House, as I recall, almost unanimously, in a form without any taxation being added to it at all.

Mr. President, I suggest that the action which has just been taken by the Senate may easily result in the defeat of the entire bill, because I am positive that the House will not absorb this degree of autonomy by the Senate over what the House considers to be its private reserve.

Therefore, I believe that serious trouble lies ahead, so far as the future of the bill is concerned.

I intend to vote for it, because this was my original bill. I voted against the Pell amendment in subcommittee. I voted against it again on the floor. I am still going to vote for the bill, in the hope that we can get something out of conference. Perhaps, if the House remains adamant, we can show the Senate that if it is going to do anything for the spouses, it had better take the bill in the original draft as it was first introduced.

Mr. President, we are dealing with economic benefits which will accrue to 41,000 persons. Many of them will disappear as time goes on, which is inevitable to all of life, so that the drain on the retirement fund, which has been mentioned over and over again, will progressively decrease as time goes on.

It has already been stated that it would be 4 years before we really had to worry about retirement funds in any way whatsoever. Therefore, it seems to me, for us to take the position that we must move now, so far as railroad retirement funds are concerned is quite premature.

This assumes that Congress would not do anything after full hearings before the proper committee, in order to take care of the problem, if we presented it to them.

Thus, we are taking an action with the wrong committee, insofar as revenues are concerned, even within the Senate, not speaking of the fact that it comes from the wrong House.

I appreciate the Senator from Rhode Island yielding to me so that I may make these points, which I believe are important. They should be included in the RECORD. All Senators should know that the action taken in the Senate today may easily result in the inevitable defeat of the bill, if the Senate is refusing to move, and if the House will refuse to move—as I am sure it will.

AMENDMENT NO. 388

Mr. HARTKE. Mr. President, I call up my amendment No. 388, and ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment is as follows:

"On page 1, line 8, strike out 'SEC. 2. This Act' and insert '(b) This section'.

"At the end of the bill, add the following:

"'TITLE III COVERAGE OF TIPS

"'SEC. 301. (a)(1) Subsection (a) of section 3202 of the Internal Revenue Code of 1954 (relating to deduction of tax from compensation) is amended by adding at the end thereof the following new sentence: "An employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (3)(B) of section 3231 (e) is applicable may deduct an amount equivalent to such tax with respect to such tips from any compensation of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20."

"'(2) Such section 3202 is amended by adding at the end thereof the following new subsection:

"'"SPECIAL RULE FOR TIPS.—

"'"(1) In the case of tips which constitute compensation, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month (or, if paragraph (3) applies, the 30th day following the quarter) in which the tips were deemed paid, by deducting the amount of the tax from such compensation of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2) as are under control of the employer.

"'"(2) If the tax imposed by section 3201, with respect to tips which are included in written statements furnished in any month to the employer pursuant to section 6053(a), exceeds the compensation of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee may furnish to the employer on or before the 10th day of the following month (or, if paragraph (3) applies, on or before the 30th day of the following quarter (an amount of money equal to the amount of the excess.

"'"(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

"'"(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053(a) in any quarter of the calendar year,

"'"(B) to determine the amount to be deducted upon each payment of compensation (exclusive of tips) during such quarter as if the tips so estimated constituted actual tips so reported, and

"'"(C) to deduct upon any payment of compensation (other than tips), but including funds turned over by the employee to the employer pursuant to paragraph (2) to such employee during such quarter (and within 30 days thereafter) such amount as may be necessary to adjust the amount actually deducted upon such compensation of the employee during the quarter to the amount required to be deducted in respect of tips included in written statements furnished to the employer during the quarter.

"'"(4) If the tax imposed by section 3201 with respect to tips which constitute compensation exceeds the portion of such tax which can be collected by the employer from the compensation of the employee pursuant to paragraph (1) or paragraph (3), such excess shall be paid by the employee."

"'(b)(1) The second sentence of subsection (e)(1) of section 3231 of the Internal Revenue Code of 1954 (relating to definition of compensation for purposes of the Railroad Retirement Tax Act) is amended by inserting "(except as is provided under paragraph (3))" after "tips".

"'(2) Subsection (e) of such section 3231 is further amended by adding at the end thereof the following new paragraph:

"'"(3) Solely for purposes of the tax imposed by section 3201 and other provisions of this chapter insofar as they relate to such tax, the term 'compensation' also includes cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20."

"'(3) Such section 3231 is further amended by adding at the end thereof the following new subsection:

"'"(h) TIPS CONSTITUTING COMPENSATION, TIME DEEMED PAID.—For purposes of this chapter, tips which constitute compensation for purposes of the tax imposed under section 3201 shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received."

"'(c) Section 3402(k) of such Code is amended (A) by inserting "or section 3202(c)(2)" after "section 3102(c)(2)" wherever it appears therein and (B) by inserting "or section 3202(a)" after "section 3102(a)" wherever it appears therein.

"'(d) Section 6053(b) of such Code (relating to reporting of tips) is amended (1) by inserting "or section 3201 (as the case may be)" after "section 3101", and (2) by inserting "or section 3202 (as the case may be)" after "section 3102".

"'(e) Section 6652(c) of such Code (relating to failure to report tips) is amended (1) by inserting "or which are compensation (as defined in section 3231(e))" after "which are wages (as defined in section 3121(a))", and (2) by inserting "or section 3201 (as the case may be)" after "section 3101".

"'(f) (1) Subsection (h) of section 1 of the Railroad Retirement Act of 1937 is amended (A) by inserting "(1)" after "(h)", (B) by inserting in the second sentence thereof "(except as is provided under paragraph (2))" after "tips", and (C) by adding at the end thereof the following new paragraphs:

"'"(2) Solely for purposes of determining amounts to be included in the compensation of an individual who is an employee (as defined in subsection (b)) the term 'compensation' shall (subject to section 3(c)) also include cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20.

"'"(3) Tips included as compensation by reason of the provisions of paragraph (2) shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received."

"'302. The amendments made by this title shall apply only with respect to tips received by employees after 1965.'"

Mr. HARTKE. Mr. President, this amendment is one which came to my attention as a need in order to maintain the parallels between social security and railroad retirement. It came to my attention too late for consideration by the committee in connection with H.R. 3157, but I believe it is a worthy change and one which is needed in the light of action taken in the Social Security Amendments Act. It does just one thing; namely, secures for tip employees of the railroads the same treatment of their tips for retirement purposes as that which is now accorded tip employees in the social security law. That is, it allows dining car employees, porters, and those relatively few employees of the railroads who receive tips to furnish the employer with a statement of those sums thus received in a calendar month. The employer then deducts the tax required, and the employee receives credit in his payments for the additional earnings represented by the tips. As in the case of the social security law, there is no payment made by the employer.

The numbers of persons thus affected is small in relation to total railroad employment, but for each of them the opportunity to count tips as wages for retirement purposes should be extended just as we have done to hotel and restaurant workers and others under social security.

I have talked with the Associate General Counsel of the Railroad Retirement Board, and he informs me that the Board has no objections. Neither do the railroad unions as represented by the Railway Labor Executives Association, and since the employers do not under this bill acquire additional financial obligations, I do not believe they have objections.

Consequently, Mr. President, I would like to ask that the committee accept this amendment, so that equity may be maintained in this small area of employment where tips are received.

Mr. PELL. Mr. President, I congratulate the Senator from Indiana on his amendment. It is excellent. I accept the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

Mr. MORSE. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

The committee amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The bill having been read the third time the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. MCGEE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. KENNEDY], and the Senator from Minnesota [Mr. MCCARTHY] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Virignia [Mr. ROBERTSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. MORTON] and the Senator from Massachusetts [Mr. SALTONSTALL] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 247 Leg.]

YEAS—88

Aiken, Allott, Anderson, Bartlett, Bass, Bayh, Bennett, Bible, Boggs, Brewster, Burdick, Byrd of Virginia, Byrd of West Virginia, Cannon, Carlson, Case, Clark, Cooper, Cotton, Curtis, Dirksen, Dodd, Dominick, Douglas, Eastland, Ellender, Ervin, Fannin, Fong, Gruening, Harris, Hart, Hartke, Hayden, Hickenlooper, Hill, Holland, Hruska, Inouye, Jackson, Javits, Jordan of North Carolina, Jordan of Idaho, Kennedy of Massachusetts, Kuchel, Long of Missouri, Long of Louisiana, Magnuson, Mansfield, McClellan, McGovern, McIntyre, McNamara, Metcalf, Miller, Mondale, Monroney, Montoya, Morse, Moss, Mundt, Murphy, Muskie, Nelson, Neuberger, Pastore, Pearson, Pell, Prouty, Proxmire, Randolph, Ribicoff, Russell of South Carolina, Russell of Georgia, Scott, Simpson, Smathers, Smith, Sparkman, Symington, Talmadge, Thurmond, Tower, Tydings, Williams of New Jersey, Williams of Delaware, Yarborough, and Young of North Dakota.

NAYS—0

NOT VOTING—12

Church, Fulbright, Gore, Kennedy of New York, Lausche, McCarthy, McGee, Morton, Robertson, Saltonstall, Stennis, and Young of Ohio.

So the bill (H.R. 3157) was passed.

The title was amended, so as to read: "An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits, to amend the Railroad Retirement Tax Act and for other purposes."

Mr. PELL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I voted for the bill which was just passed because, in common with all Senators, I believe it should have been passed, and I am in sympathy with the humanitarian objectives of the bill; but I want to make it very clear that if the amendment which was attached to this bill that would tend to make the Railroad Retirement Fund solvent is eliminated from the bill by the House and it comes back in that form without the revenue provisions which would allow the Railroad Retirement Fund to remain solvent, I shall vote against it.

Mr. PELL. I quite understand. I sympathize with the view of the Senator.

Mr. MANSFIELD. Mr. President, we have just completed action on H.R. 8469, a bill to amend the Railroad Retirement Act of 1937. The main and most spirited issue involved was the constitutional question raised by the junior Senator from Louisiana [Mr. LONG] by his point of order. I want to commend him and the junior Senator from Rhode Island [Mr. PELL] and the senior Senator from Oregon [Mr. MORSE] for the articulate presentations of their respective points of view. The junior Senator from Rhode Island [Mr. PELL] demonstrated not only his persuasivenes, but also his mastery of the constitutional questions involved and the parliamentary precedents as was evidenced by the vote sustaining his position.

Again the Senate has demonstrated that a thorough presentation of legislation can be accomplished in a relatively short period of time when a genuine spirit of cooperation exists.

For this I thank every Member of the Senate.

Mr. MORSE. I thank the Senator from Rhode Island again for his leadership in the passage of a piece of legislation that I think is highly desirable.

We have in the House bill a good bill. I believe that it is in the interests of the railroad companies and in the interests of the railroad brotherhoods, and also in the interests of the Railway Retirement Board and its jurisdiction, and the continuation of its prerogatives, that this bill be passed. Therefore I shall vote for it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PELL. I am happy to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I wish to join the other Senators who have risen to speak about the measure and about its able manager. I commend the distinguished Senator from Rhode Island [Mr. PELL] for the skill he has shown in handling the measure, not only here in the Senate, where it passed originally, but also in the acceptance of the House measure. Mr. President, this skillful management of the bill demonstrate the Senator's understanding of the problem. He has amply evidenced that he is a veteran of this body.

I also wish to commend and compliment the distinguished Senator from Colorado [Mr. DOMINICK], who has shown his interest and his desire to be helpful in this particular bill, and who has indicated his support of it, now that some of the questions which he previously had in mind have been eradicated or overcome. This is proof of the constructive and bipartisan effort which has made this session of Congress a success. I commend and thank the Senator from Colorado.

In closing, let me add that I think this is another illustration of the humaneness of the distinguished Senator from Rhode Island, who has done much for the railroad industry. They need the type of help which the distinguished Senator from Rhode Island has so willingly offered.

The Senator from Rhode Island has recognized, through this legislation, the needs of labor. To me it is another indication of the warmheartedness, the tolerance, and the understanding he has for the various segments that make up our population, which we are honored to represent in this body. I commend the distinguished Senator from Rhode Island.

Mr. PELL. I thank the majority leader very much indeed for those kind remarks.

I gladly underscore the remarks of the senior Senator from Oregon, because the action I am suggesting in voting on this bill now in no way indicates agreement with the view that the basic bill the Senate passed was unconstitutional.

What we are voting on now is a bill which seeks a compromise between the various views that have been advanced, and we are voting on it on its merits. I continue to believe that the Senate was correct in its view and its wisdom in voting the original measure to be constitutional. The Senator from Oregon knows how grateful I am to him for his help and support the other day, and for the good advice and counsel he gave me at that time.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

CONTRIBUTION TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MORSE. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHURCH, Mr. CLARK, and Mr. CASE conferees on the part of the Senate.

TRIBUTE TO MORRIS FORGASH OF U.S. FREIGHT CO.

Mr. BREWSTER. Mr. President, one of the most vital segments of the American economy is transportation. The U.S. transportation system may be viewed, in fact, as the key to the entire future development of our economy.

For this reason, innovation and progress in this area is of vital importance. One of the greatest and most successful innovators in the transportation field has been Morris Forgash, of the U.S. Freight Co. He has made several major contributions in this respect during the past decade.

A most interesting article describing Mr. Forgash's achievements appeared in a recent issue of Business Week magazine. This is more than a success story; it is a story of important contributions to the continued economic growth of this Nation. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE BIG PACKAGE FOR THE SHIPPERS

Morris Forgash built up U.S. Freight by piggybacking and a new price policy. Now he wants to extend these ideas still further, revolutionizing the industry.

Outside the transportation industry, few people have ever heard of Morris Forgash, a fact that seems surprising to anyone who has watched this furious bundle of energy at work.

Forgash, the president of U.S. Freight Co., is a gadfly in an industry that is particularly set in its ways. It is filled with people who immerse themselves in the operating problems—and joys—of running trains, barges, ships, and trucks pretty much as they exist today. To most of these people, Forgash is a meddling nuisance.

But to Forgash, and his supporters, he is a miracle worker sweeping away cobwebs.

INNOVATOR

What he would like to do is to revolutionize transportation for the benefit of the economy, the shipping and traveling public, and, incidentally, U.S. Freight. The trouble is, lots of powerful people don't want it revolutionized—at any rate, not his way.

Whether or not the 64-year-old executive will succeed, at least in the manner or degree to which he aspires, is in doubt. But whatever happens, transportation will never be the same again.

EXPANDING BASE

The base from which he operates is a holding company that owns 39 subsidiaries—including domestic and international freight forwarding companies, local pickup and delivery trucking companies, equipment leasing, public warehousing, and Caribbean shipping and trucking companies—plus one division making pipe and steel.

Freight forwarding is the core of the operation. Most big freight forwarding companies were started and often controlled by railroad men, to do the job of making a few big shipments out of a lot of little ones. Even today Forgash's proposals are railroad oriented.

U.S. Freight was controlled by the New York Central Railroad until 1955. At that time, its stock was spun off to Central shareholders after U.S. Freight's management had bought a large block of stock. Forgash, in the meantime, had worked his way up in U.S. Freight from the shipping dock to the presidency, educating himself in rates and law as he went along.

In the years since, U.S. Freight has grown from revenues of $146 million to $245 million last year. Part of this growth has been internal, but much has come from acquiring small, family-owned forwarders, most of whom specialized in one geographical area or in one specific type of merchandise.

SPRINGBOARD

Spectacular as this 10-year growth has been, this is not what makes Forgash important or frightening to the transportation industry. What he is best known for—and the thing he is using for a springboard in his attempt to streamline transportation—is piggybacking, the practice of putting highway trailers on railroad cars.

Forgash did not invent piggybacking. It was started more than 100 years ago when Long Island vegetable farmers put their farm wagons on Long Island Railroad flatcars to carry the produce to Brooklyn.

But Forgash has become totally identified with piggybacking. Thanks to it, he is now the railroads' biggest single private customer—and second only to the Defense Department.

NEW PRICING CONCEPT

What Forgash did invent is a concept of pricing and service that strikes at the very roots of the traditional American transportation philosophy. Instead of charging a rate based on the value of the transportation service, he has created a rate based on the carriers' costs.

This one step, seemingly logical and innocuous to the uninitiated, has changed the practice of putting trailers on flatcars from a relatively little-used gimmick in 1958 into a massive and rapidly growing custom today. This year for the first time, U.S. railroads will load more than 1-million piggyback flatcars, and the end is nowhere in sight.

He looks forward to the day when a shipper almost anywhere in the world will be able to load a standard container and send it to any other point in the world. The shipper will neither know nor care how it gets there, so long as it arrives at the appointed hour, undamaged, and for the cheapest possible price.

The container may travel by rail, water, highway, air, or a combination of these. It will fit on or in anything. Instead of truckers, railroads, bargelines, and even airlines fighting each other for traffic, each will carry the traffic for which it is best suited.

Finally, in Forgash's millenium, there won't be warring railroads, truckers, and bargelines at all, but total service, "one-step" transportation companies. "We have shied away from the means of coordination that holds the greatest promise—diversification through common ownership," he says.

WHAT IS U.S. FREIGHT?

Obviously, Forgash expects one of the surviving all-purpose transportation companies to be U.S. Freight. That is the aim he has had in mind in the buildup of the company in the last 10 years.

The structure he has erected for the company is enough to give a textbook management consultant a nightmare. Yet, at least one official calmly compares the fundamental concept to General Motors.

Each subsidiary is wholly owned—but almost wholly independent. The head of each is rewarded, in addition to salary, through profit sharing—from the profits of his own operation alone. If his profits are increased by dealing with another U.S. Freight subsidiary, well and good. But if he can get a better deal outside the family, he is expected and encouraged to do so. All he must worry about is the bottom line on his own income account.

That is one reason why U.S. Freight is still so little known, since shippers, carriers, and consignees rarely deal with it directly.

CONSOLIDATORS

To understand why such a loosely controlled company makes sense, it is necessary to take a look at the forwarding business.

Its underlying premise is that transportation companies can carry big shipments more efficiently and economically than little ones—and charges less per pound for them. But a forwarder, in theory, can handle lots of little shipments more cheaply. He consolidates them into truckload and carload lots, then buys the transportation from the carrier. His profit comes from the spread between what he charges the shipper and pays the carrier.

A shipper can gain by dealing with him, because often the forwarder's rates are lower than the carrier's and his service better. U.S. Freight companies routinely have 40 or 50 freight cars a night leaving New York for the west coast alone. With this assured business, railroads would be insane not to expedite those cars; often they move in a single block in the fastest trains. A small shipper couldn't get anything like this service.

TIES THAT BIND

A forwarder's business is built on his reputation for honesty, service, price, perhaps a special knowledge in handling certain merchandise—fashions, textiles, furniture, machine tools. Loyalties between shipper and forwarder are carefully nurtured.

This is the most compelling reason for keeping U.S. Freight splintered. In one giant company, the expertise, loyalties, and personal relationships might vanish.

This is often cited as a reason why Republic Carloading, until recently a formidable U.S. Freight competitor, lost so much business and eventually dragged its purchaser, Yale Express System, into bankruptcy, when Yale consolidated broadly with Republic.

FIRM HAND

Yet, while U.S. Freight appears to be a loose confederation, all the equity is still owned by the parent company. Forgash, Executive Vice President G. R. Moir, or Vice President and Secretary F. N. Melius, Jr., are top ranking officers and directors of all subsidiaries. Since all subsidiaries are in the same kind of business, if costs get out of line in one it's easy to pinpoint the trouble by comparison with others.

In fact, loose as it seems, one of the things Wall Street admirers of U.S. Freight like best about it is its management.

Because the components are set up in a delicate system of checks and balances, U.S. Freight practically runs itself on a day-to-day basis. Occasionally Forgash or another officer will have to referee an intercompany squabble. But to a large extent, Forgash's agile if somewhat undisciplined mind is free to roam the broad transportation scene.

THE IDEA MAN AT WORK

It is just when this mind is roaming that friend and foe alike must look out.

Forgash literally thrives on ideas. If someone mentions something that interests him, he is on the phone in a flash, calling one associate to test out a certain angle, another to look up an applicable law. The U.S. Freight chief executive, in fact, spends most of the day and half the night on the phone.

Company executives wouldn't think of going anywhere without leaving word where they can be reached—days, nights, and weekends.

It's tough enough for them when Forgash is in the office, worse when he is in his telephone-equipped car or yacht, or in Europe on business (Forgash doesn't take vacations in the normal sense of the word). Then he can't waste time or money going through channels; he calls anyone deep within any of his companies directly, without warning—and wants an immediate answer.

CONTRADICTIONS

Forgash is full of strange contradictions. Under a deadline, his talk is sharp, to the point, brilliantly logical. When he sits back and ruminates, it is almost impossible to follow his train of thought.

He loves to speak in public, is quite proud of his speeches—but rarely talks to a large audience. He is also at his best speaking off the cuff in a question period afterward. Some of his speeches have such rolling titles as "Transportation Equation: Apathy Plus Inaction Divided by Talk Equals Crisis and Nationalization."

PIGGYBACKER'S PROGRESS

This is the kind of thinking that Forgash brought to bear on the advancement of piggybacking, and on the incredibly complicated world of freight rates he had to grapple with in order to push it.

Today's intricate structure began fairly simply when railroads had a monopoly and could charge what the traffic would bear. They carried low-value raw materials at a low rate, even a loss, and got their money back by charging high rates for high-value finished goods.

But when the truck came, motor carriers charged less and provided faster, more flexible service on manufactured goods, which they are ideally suited to carry. They took from the rails its most profitable business.

Then, one by one, major companies discovered that where even truck rates were high on certain commodities, they could haul the goods themselves for less.

This led to the dramatic growth in private hauling—which Forgash finds particularly upsetting, and "repugnant to basic economies."

NEW IDEA

Piggybacking came into vogue in a small way in the early 1950's. Either truckers contracted with railroads to haul their trailers, or railroads carried their own. Either way, rates for goods in the trailer were still based on the old commodity classification system.

Forgash's basic idea was to forget what was in the trailer, except for the rule that it must carry a mixed load. A shipper, he figured, should be allowed to present his own or a leased trailer at the railroad siding, and have it hauled for a flat fee based on mileage. This, he reasoned, would be "pure rail service," priced on exactly known rail costs, and both profitable to rails and economical to shippers.

The plan went into effect in 1958, and obviously drew some rail freight out of boxcars to the cheaper piggyback. But it also brought back to the rails some of the 30 million tons of such freight they had lost to trucks in the previous 10 years.

The plan was thus an immediate boon to the railroads, and an equal boon to shippers.

BATTLE

After the Interstate Commerce Commission approved the plan, truckers sought to use rail service the same way, and the ICC agreed. Thus, the trucking industry would become a shipper on the railroads.

This aroused Forgash. Since the law apparently won't let U.S. Freight acquire a long-haul carrier, he didn't see why a long-haul carrier should perform a forwarder's services. The railroads went to Federal court in Chicago, and only 3 weeks ago the court upheld their position. Now truckers and ICC may go to the Supreme Court.

ACQUISITION BENT

Forgash did try unsuccessfully to get the law changed to allow forwarders to acquire carriers. Then believing the law to be ambiguous, he sought approval to buy Seatrain Lines, Inc.—and still wants an ICC ruling, though someone else has acquired control of it in the meantime.

He has also tried to buy control of the railway-owned Railway Express Agency, had an option on American Export Lines but let it drop, and last year sought to buy Matson Navigation Co. Convinced that he will soon be allowed to break out of the forwarder field, Forgash had U.S. Freight keep plenty of money on hand for acquisitions. The latest annual report shows over $29 million in cash and marketable securities.

RISING NET

As a moneymaker, U.S. Freight sets no track records. Last year, on sales of almost $245 million, it netted under $6.6 million. But net grows steadily and consistently; it was up 17 percent in the first half of 1965. And because the investment needed in the forwarder business is small, U.S. Freight's 1964 net on invested capital less treasury stock was a remarkable 19.4 percent.

Speaking of investment, New York Central spun off U.S. Freight not because of dissatisfaction with it, but as a stock dividend to Central holders to keep the late Robert R. Young's promise to them of increased dividends. In view of what happened to U.S. Freight since, it may have been one of Young's biggest mistakes.

THE NATIONAL LABOR RELATIONS BOARD

Mr. TOWER. Mr. President, in the September issue of Nation's Business magazine there appears an informative and interesting article on the National Labor Relations Board and how it is operating today.

Among those whose views are featured is the junior Senator from Arizona, who is serving with distinction on the Committee on Labor and Public Welfare. He has ably outlined some aspects of the current labor-management scene which merit the serious attention of the American people.

Mr. President, I commend the article to my colleagues in the Senate, and in order that it may receive wider distribution, I ask unanimous consent to have the text of the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Nation's Business, September 1965]

Who Runs the Labor Board

(Employers feel that this Federal agency favors unions instead of being impartial.)

Businessmen are becoming convinced that the cards are stacked against them when they go before the National Labor Relations Board, the Federal agency charged with protecting the rights of employers, of unions, and of individual workers.

And with good reason. Growing union and other liberal influence on the agency and shifts in board policies in favor of unions began in the Kennedy administration and continue at an alarming rate today. This was found in a survey by Nation's Business.

The problem employers face was pinpointed in dozens of lengthy interviews with experts in labor law.

Says Theodore I. Iserman, a New York labor-management attorney: "Many union lawyers make no bones that they have the inside track with the Labor Board as now constituted, and even boast of it. Scores of the Board's decisions fully justify this view."

A member of the labor law section of the American Bar Association, Mr. Iserman is the author of two books on basic labor law.

Frank A. O'Connell, director of labor relations of Olin Mathieson Chemical Corp., says the Board "conceives its mission to be not merely to protect the right to organize, as the law says, but actively to promote unionization.

"I don't believe the Board members are consciously guilty of bias. The problem is not that simple. The problem is one of a philosophy which because it is sincerely (however mistakenly) espoused, is far more pervasive and dangerous than prejudice on the part of any individuals."

Senator Paul J. Fannin, of Arizona, a member of the Senate Labor Committee, accuses the Board of emasculating the Taft-Hartley law and undermining the rights of employees, employers, and the general public. By abandoning precedents and overturning previous decisions, he says the Board is legislating rather than applying the law as intended by Congress.

"It is my opinion, and that of many others," he told Nation's Business, "that the Board is reverting to the role it played during its early days—that of crusader for union officials."

The Senator cites specific examples which he says illustrate "this disquieting trend":

1. The Board has liberalized picketing restrictions so as to permit it at the premises of a neutral employer.

2. It has legalized picketing of a neutral secondary employer with signs asking the public not to buy goods made by the primary employer against whom the union may have a grievance.

3. The Board now permits a union which has lost a representation election to charge an employer with refusing to bargain.

4. The Board requires an employer to bargain with a union before deciding whether to close an unprofitable department.

5. Congress has outlawed hot-cargo contracts. But the Board has circumvented this by permitting a work-standard clause under which a union may forbid an employer to do business with others whose work standards are not up to his.

6. An employer who moved his business from New York to Miami was required by the Board to bargain at the new location with the union he had in New York even though the union was unable to show that the Miami employees wanted a union.

"These and many other rulings," the Senator asserts, "are cause for legitimate concern over how well the Board is performing its functions."

The Board has swung over so far in favor of big unions that the handling of unfair labor practice charges should be taken away from it and turned over to the Federal district courts, in the opinion of the coauthors of the 1959 labor reform law—Representatives Phil M. Landrum, Georgia, Democrat, and Representative Robert P. Griffin, Michigan, Republican. Under their plan the Board would be limited to the handling of union representation questions.

NLRB decisions on secondary boycotts, blackmail picketing, free speech, and other important areas have carved wide loopholes in the law in favor of unions and ignored the intent of Congress, according to Representative Landrum.

He says: "The Board has produced a series of decisions which, in their total impact, pose a serious threat to the free enterprise system itself as well as to the institution of collective bargaining."

CLIMATE FAVORS UNIONS

Many employers dealing with the NLRB feel that a prounion climate, reminiscent of the Wagner Act days when the Board was widely believed to be prejudiced against employers, pervades the agency from the staff on up through the trial examiners, to the five-man Board and even beyond—to the White House.

Although the Board has equal responsibility to labor, management and individual workers, the White House feels that major appointments, surely those to the Board itself, must have AFL–CIO approval.

George Meany, president of the labor federation, has been given a virtual veto power. His opposition blocked the reappointment to a third 5-year term last December of Boyd Leedom, former presiding judge of the Supreme Court of South Dakota, who had been chairman of the Board until deposed by the Kennedy administration in 1961.

The AFL–CIO wanted someone more friendly to the union's view than Judge Leedom and suggested names of possible replacements to the White House.

Before appointing Sam Zagoria, former newspaperman and president of the Washington Newspaper Guild, the President asked for the views of Mr. Meany and some management spokesmen. Labor's top leader considered Mr. Zagoria, who was administrative assistant to Senator Clifford P. Case, liberal New Jersey Republican, acceptable. Management spokesmen, however, objected largely because of his former connection with an AFL–CIO affiliate. They also felt that Judge Leedom deserved reappointment.

For months after the Leedom term expired efforts were made to find a Republican replacement who was acceptable to both sides. The President wanted to retain two Republicans on the Board, presumably on the theory that this would give it balance.

Finally, the President appointed Mr. Zagoria, who was a Republican and acceptable to Mr. Meany, although not to employer representatives.

Employer sources feel that if any balance is to be given to the Board, it should be on a labor and management basis, not that of political party, because the agency administers a labor-management law and political affiliation is not necessarily indicative of one's views in this field.

The President last month reappointed Chairman Frank W. McCulloch to a second term, although employer representatives have felt they have two strikes against them with regard to him because of his labor-liberal background—however fair he may try to be.

Those in management who know the chairman agree there is no question of his sincerity and honest intentions, but feel that he cannot be impartial because of his orientation toward labor and liberal objectives.

Here's a quick look at Mr. McCulloch's background.

A former aide to Senator Paul Douglas, Illinois Democrat, he was a member of the Teachers Union, director of the Labor Education Division of Roosevelt University, secretary of the Illinois Labor Party, and a founder of the ultraliberal Americans for Democratic Action. He once sought nomination for the U.S. Senate on the ticket of the Illinois Labor Party.

In the ADA leadership, Mr. McCulloch was associated with Walter P. Reuther, president of the United Automobile Workers, and Joseph L. Rauh, Jr., former ADA president. About 2 years ago Mr. Rauh became general counsel for Mr. Reuther's union and is responsible for pressing its cases before the Board.

Last April an associate general counsel of the UAW, Lowell M. Goerlich of Detroit, was appointed to the Board's staff of trial examiners. He had been on Mr. Reuther's legal staff for 19 years.

Board members John H. Fanning and Gerald A. Brown are viewed by some management representatives as being most partial to unions, and, with the chairman, as comprising an antiemployer majority.

The fifth board member, Howard Jenkins, Jr., the other Republican, had been for 7 years in the Department of Labor when he was appointed to the Board 2 years ago.

He brought with him to head up his 20-man legal staff Harry M. Leet, who for 17 years had been an attorney in the Department of Labor, whose function is to improve the welfare of workers.

The General Electric Co. is challenging Member Fanning's impartiality in the much publicized decision which said that the company was unfair to the International Union of Electrical Workers in its method of bargaining and communicating with employees.

In its appeal of the Board's decision in the courts, General Electric is citing, among other things, Mr. Fanning's refusal to disqualify himself from the case on grounds of bias. The company contends that he evidenced bias and prejudgment in a speech made while the case was pending in which he described the company's policy as hard bargaining and no bargaining.

Mr. Brown is a former school teacher and career board employee of almost 25 years' service. He is criticized as still being imbued with the philosophy of the Wagner Act, which preceded the Taft-Hartley law and was partial to unions. He was NLRB regional director in San Francisco when appointed to the Board by President Kennedy.

Earle K. Shawe, a member of the American Bar Association's committee on NLRB practices, told Nation's Business that the recent trend of board decisions in favor of unions was prophesied for those not already expecting it by Mr. Brown almost 4 years ago. This, he said, was in a speech in which Mr. Brown developed the view that the Board is unquestionably a policymaking tribunal, charged with encouraging collective bargaining.

Mr. Shawe, a former regional attorney for the Board in Baltimore, contends that when Congress in the Federal labor law declared a policy of protecting the rights of workers it was not encouraging unionization or directing the Board to decide cases in favor of unions.

He charges that since 1960 nearly every change in Board rulings permits unions to do something they were not able to do before, although Congress has made no change in the law.

T. C. Kammholz, of Chicago, former NLRB general counsel, agrees that changes in Board policies in recent years almost without exception have benefited unions.

"I disagree with these changes," he declared. "I believe they violate the law as Congress has written it. I believe they are bad for the country."

Thomas E. Shroyer, Washington attorney and chief counsel to the Senate Labor Committee which approved the Taft-Hartley law in 1947, cites the Supreme Court's view in reversing two NLRB decisions last spring as examples of how the Board substitutes its judgment for that of Congress.

The highest court, in the American Ship Building and Brown Food cases, criticized the Board for construing its functions too expansively when it claims general authority to define national labor policy.

The court also admonished lower reviewing courts not to rubber stamp decisions, stating, "The deference owed to an expert tribunal (the Board) cannot be allowed to slip into judicial inertia, which results in the unauthorized assumption by an agency of major policy decisions properly made by Congress."

Senator FANNIN told this magazine that he is "deeply disturbed by the trend of NLRB decisions away from legislative intent with an apparent trend toward domination by union officials.

In the opinion of Gerard D. Reilly, Washington attorney and himself a member of the Board during World War II, "Management is justified in thinking that in union representation questions the Board has weighted the scales in favor of union organizers to the detriment of employer rights and the real sentiments of rank-and-file workers."

A member of the late Senator Robert A. Taft's law firm, J. Mack Swigert, accuses the NLRB of failing to protect nonunion employees from union coercion as zealously as it protects union members.

"The nonunion employee today is the Board's forgotten man, a second-class citizen," the Cincinnati attorney said.

"If the Board finds that an employer influenced a representation election through some unfair labor practice, it punishes the employer by forcing him to recognize the union even though the employees may have voted against it.

"This makes the employees the whipping boy, forcing them to have a union representative even though they may not have wanted one and did nothing wrong."

Stanley R. Strauss, former chief counsel to a former Board member, points to new decisions on organizational picketing, free speech and size of bargaining unit as being particularly helpful to unions in new organizing drives.

A former chairman, Guy Farmer, believes that the Board's decisions tend to favor unions because of the members' backgrounds, their beliefs as to what is social justice and their lack of firsthand experience in labor-management relations."

UNIONISTS ON STAFF

Employers are disturbed by the growing number of staff members with union backgrounds or inclinations.

Lawyers and other professional employees at the nonsupervisory level in Washington organized the NLRB Professional Association, which the NLRB recognizes as bargaining agent for two groups—about 100 on General Counsel Arnold Ordman's staff and about 80 who work for the Board members.

Last year the General Counsel similarly recognized the NLRB union as agent for two units of field staff employees, one of some 600 professional employees and the other of 450 clericals.

The Board's executive secretary, Ogden W. Fields, a career employee, helped organize and was president in 1949 of a union for Washington office personnel which later became dormant.

The Board's solicitor, William Feldesman, was once associated with an attorney who represented the Seafarers' Union.

The 90 or so trial examiners, who play a key role in the prosecution of unfair labor practice charges, do not have a union. But more examiners are being added who seem to have union affinity, although the Board can point to others who don't.

The Board is sensitive about the suspected possible bias of a new trial examiner and, when it can, usually couples appointees of presumed balancing viewpoints when it announces them.

Objectivity in a trial examiner is particularly crucial because he plays a judicial role. He hears the evidence in unfair labor practice cases and makes findings which have such great weight that the Board has come to label them decisions. They used to be called intermediate reports.

Litigants who get an adverse decision from the trial examiner usually have great difficulty upsetting it, especially if the decision hinges, as it often does, on which witness is telling the truth.

The Board has a policy of attaching great weight to a trial examiner's findings as to credibility of witnesses unless a clear preponderance of the evidence shows that his conclusions are incorrect. It has been upheld in this position by the courts. Thus, an entire case can turn on the decision of a single trial examiner as to whom he wants to believe and whose testimony he rejects.

A Memphis attorney, Robert L. Taylor, says that his experience forces him to conclude that trial examiners and hearing officers go out of their way to help unions. He cites examples which he says show that they apply deadlines and other procedural rules strictly with respect to employers, but usually excuse any failure to observe them on the part of unions.

OUTSIDE SPECIALISTS

There has developed in Washington a thriving business of lawyers who specialize in matters before the NLRB, usually representing unions or employers, seldom both. Many of them were formerly on the Board or its staff and are believed to have special skills with respect to Board policies and procedures.

Two specialists on the union side are Bernard Duneau, former enforcement attorney for the Board and Mozart G. Ratner, who once was in charge of the Board's litigation in the Supreme Court. Both are lawyers' lawyers, and both have many friends in NLRB.

Utilizing his courtroom experience with the Board, Mr. Duneau specializes in preparing legal briefs for union lawyers.

Mr. Ratner currently is handling a case for the International Association of Machinists against United Aircraft Corp. that could cost the company between $10 million and $40 million in back pay to employees if the union wins.

It stems from a 9-week strike of 32,000 employees in 1960. At issue are the reinstatement rights of some 3,800 strikers. The trial examiner, who has conducted extensive hearings over a period of more than 2 years, has issued a partial decision in favor of the company which, if it stood, could seriously damage the union's case.

General Counsel Ordman has joined Mr. Ratner in an appeal to the Board to overturn the trial examiner's partial finding.

In 1955, 2 years after leaving the Board's staff, Mr. Ratner wrote a technical paper in which he criticized the decisions of the Board with regard to secondary boycotts, employer free speech, and other vital labor issues.

He also gave his views of what he considered the decisions should have been under the Taft-Hartley law.

Mr. Ratner's paper was quoted at length by Senator WAYNE L. MORSE, Oregon Democrat, in an attack on the Board in 1956 which filled more than 35 pages in the CONGRESSIONAL RECORD.

After President Kennedy took office and the membership of the 5-man Board began to change, an unprecedented number of policies and decisions of the old Board were overturned.

Management representatives say that many of the policies which Mr. Ratner advocated in 1955 are incorporated in the new decisions.

Disclaiming any credit for the policy changes, Mr. Ratner asserts that the Board has merely yielded to court decisions which overturned the positions of the earlier Board as favoring employers.

WORLD TRAFFIC ENGINEERING CONFERENCE

Mr. BIBLE. Mr. President, because 1965 has been designated "International Cooperation Year," I would like to call special attention to a meeting to be held October 17–22 in Boston, Mass.

This will be the 35th annual meeting of the Institute of Traffic Engineers. What makes this meeting significant from the international standpoint is its designation as "A World Traffic Engineering Conference." As a result, we will be welcoming to our shores some of the leading traffic engineers of the free world. At least 20 countries will be represented, and total attendance probably will exceed 1,200.

In these days when the dove of peace must seek a secluded spot, it is heartening to learn that a group of international authorities in the important field of traffic engineering are going to sit down together to discuss the challenges of the automotive society in which we live.

Topics to be covered during the conference's technical sessions include: The role of automobiles in urban transportation, transportation in urban regions, organization for research, multiple use of highway right-of-way, terminal design, highway design, traffic signal systems, improved engineering—a route to highway safety, roadway lighting, traffic flow theory, and highway capacity.

Providing a strong international flavor to the conference will be these speakers: The permanent observer of the Federal Republic of Germany to the United Nations, Ambassador Sigismund Freiherr von Braun—brother of the famous missile expert; Prof. Otto Sill, first construction director, Hamburg, Germany; Nicolas Manasseh, professor of transportation engineering, American University of Beirut, Lebanon; Sadamu Mino, chief of the Tokyo-Nagaya Expressway Department; Luiz R. Soares, Brazil Highway Research Institute, Rio de Janeiro; Giorgio Pellegrini, chief research engineer, Autostrade, Rome, Italy; Rae S. French, chief engineer, Department of Motor Transport, New South Wales, Australia; Samuel Cass, commissioner of traffic, Toronto, Ontario; John A. Hillier, principal scientific officer, Traffic Section, Road Research Laboratory, West Drayton, Middlesex, England; A. Boereboom, general director of the Ministry of Public Works, Brussels, Belgium; W. R. Blunden, professor of traffic engineering, University of New South Wales, Australia; and Prof. Habil Johannes Schlums, Technical University, Stuttgart, Germany.

Prominent U.S. speakers on the program include Rex M. Whitton, Federal Highway Administrator; Prof. Harmer E. Davis, director, Institute of Transportation and Traffic Engineering, University of California; and Wilbur S. Smith, who will receive the 1965 Theodore M. Matson Memorial Award "for outstanding contribution to the advancement of traffic engineering." Mr. Smith heads a large traffic engineering consulting firm.

The general chairman of the conference is Dwight M. McCracken, vice president of the Liberty Mutual Insurance Co., Boston.

DR. MARTIN LUTHER KING'S ACTIVITIES IN CONNECTION WITH U.S. FOREIGN POLICY

Mr. DODD. Mr. President, for all of my adult life I have been an advocate of, and active in the struggle for equal rights for Negroes.

And because of this I have had nothing but the highest respect for Dr. Martin Luther King, until very recently.

But Dr. King's use of his position as the prime leader of the civil rights movement to make foreign policy pronouncements, on admitting Red China to the U.N. and on negotiating with the Vietcong, to cite two recent examples, has diminished my respect for him.

To explain my views in greater detail, I ask unanimous consent to have printed in the Record the text of a statement I issued last week on Dr. King's foreign policy activities.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> I have been a lifelong advocate of Negro equality.
>
> And, as Dr. Martin Luther King will know, if he has followed the Congressional Record, I have been in the front ranks of the Senate in the fight for civil rights legislation.
>
> Indeed, as a member of the Civil Rights Division of the Department of Justice, I was fighting civil rights cases in the South in the 1930's, when Dr. King was still a boy—and at that early date I learned the meaning of racial hatred and intolerance and of having to be escorted out of towns by the police.
>
> For Dr. Martin Luther King as a civil rights leader, I have nothing but respect; and I believe that this respect is shared by all of my colleagues in the Senate whose combined support has in the past two sessions of Congress made possible the most dramatic advances in civil rights recorded since the close of the Civil War.
>
> But when Dr. Martin Luther King takes advantage of his pulpit as the prime leader of the civil rights movement in this country, to call for the admission of Red China to the United Nations; to demand that the United States commit itself to negotiate with the Vietcong; and to advocate that the United States reorient its foreign policy along the lines of accommodation with communism, then I can only regret that the leader of the civil rights movement, by his intemperate alinement with the forces of appeasement in foreign policy, has alienated much of the support which he previously enjoyed in Congress.
>
> Let me only point out that the steering committee of the Committee of One Million, which has been in the forefront of the fight against the admission of Red China against the U.N., includes in its membership men like Senator Paul Douglas, Senator William Proxmire, Senator Hugh Scott, Senator Bourke Hickenlooper, and Senator Karl Mundt, in addition to myself—all of us stanch advocates of civil rights.
>
> I hope no one will be turned against the civil rights movement by Dr. King's ill-advised adventure in the sphere of foreign policy.
>
> But, speaking as one Senator, I must say that this adventure will make it impossible for me hereafter to regard Dr. Martin Luther King with quite the same respect.
>
> Moreover, I believe that Dr. Martin Luther King's reputation for judgment is not at all enhanced by his statement that he plans to write letters to the Red Vietnamese President, Ho Chi Minh, to the South Vietnam Government leaders, to Communist China, and to the Soviet Union.
>
> Dr. Martin Luther King is a man of unquestioned competence in the field of civil rights. But he has absolutely so competence to speak about complex matters of foreign policy. And it is nothing short of arrogance when Dr. King takes it upon himself to thus undermine the policies of the President and of the United States, and to enter into personal negotiations with the heads of hostile governments.
>
> There has already been far too much private intervention in the sphere of foreign policy, and I think that the time has come when Congress will have to look into this entire situation with a view to drawing up more stringent statutes than now exist.
>
> The enemies of the civil rights movement have repeatedly made the charge that Dr. King is under Communist influence. I have myself defended Dr. King against this charge. But by the stand he has now taken on the whole series of vital foreign policy issues, I gravely fear that Dr. King has provided his own enemies and the enemies of the movements he heads with ammunition that they will know only too well how to use.
>
> I hope Dr. King will reconsider his position before it is too late. Because the hour is, in fact, very late.
>
> His fate and, I fear, to some extent the fate of the just civil rights movement is also at stake in the world struggle between the forces of freedom and the forces of Communist tyranny.

THE GREAT SOCIETY AND THE DISSENTERS

Mr. DOMINICK. Mr. President, the Chicago Tribune of September 5 carried an article by Willard Edwards bearing the headline "Johnson Seeks Defeat of Five Senators Opposing Program." Needless to say, the five Senators are Republicans—my friends and colleagues Senators Miller, Tower, Thurmond, Curtis, and Simpson.

The article explains in some detail the administration's efforts to ax these five Republican lawmakers. But, beyond that, Edwards has delved into the Presidential thinking which brooks no dissent in its objectives.

Mr. President, I have known the five Senators on the administration's "blacklist" for a good many years. I know them to be courageous, forthright, exponents of constitutional government, fiscal integrity, and a strong national defense structure. They were elected to their Senate seats by comfortable margins and they have an aggregate of 51 years of service in the Congress of the United States. Their contributions to the betterment of our Nation have been numerous and substantial, and their potential for the 90th Congress is even greater. But why does the administration so desperately wish their defeat? Why, out of 100 Senators, must these 5 bear the full brunt of White House efforts for their defeat? The answer can be found in Mr. Edwards' article:

> The stubborn resistance of a minority, however minute, baffles Johnson. * * * The President seems unwilling to believe that Members of Congress may have honest, philosophical objections to welfare state proposals. * * * Is he after a job for himself or someone else? He (the President) inquired about a Republican leader who had denounced and voted against one of the President's "must" measures, "Tell him to come and see me."

These five Senators have no desire to "come and see me," as the President put it. Their brand of lawmaking and their philosophical convictions allow no subservience to dictates from the other end of Pennsylvania Avenue, and the only thing they are "after" is the retention of the constitutional form of government to which we owe our freedoms, our liberties, and our welfare.

The respect accorded these five Republican Senators was eloquently expressed by Sally Martens of Grayslake, Ill., who, in several "letters to the editor," says in part:

> It seems L.B.J. is baffled because 5 Senators out of 100 have the courage to think for themselves by resisting proposals which the President thinks are mandatory for his Great Society. It appears that these five gentlemen are not merely politicians but are genuinely concerned about the preservation of our Constitution.

Mr. President, I ask unanimous consent that the text of the Chicago Tribune article to which I have alluded, the Sally Martens' letter to the editor, and an editorial from the Wyoming State Tribune be printed in the Congressional Record with my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Chicago Tribune, Sept. 5, 1965]

Johnson Seeks Defeat of Five Senators Opposing Program—He's Baffled by People Who Disagree

(By Willard Edwards)

Washington, September 4.—"Why does that fellow always vote against me?" President Johnson demanded last week in a conversation reported by a Senate leader. "What does he want?"

The President frequently expresses in similar words, his callers report, a sense of exasperation over the votes of the small minority in Congress who have opposed portions of his legislative program.

That program, involving innovations and precedent-breaking experiments, is now rolling to a triumphant conclusion. Except on a few minor occasions, Congress has voted its approval by staggering majorities.

RESISTANCE BAFFLES HIM

But the stubborn resistance of a minority, however minute, baffles Johnson. He is not so much angry, his listeners assert, as mystified by the motives which impel men of seeming intelligence to resist proposals which he considers manifestly designed to improve the national welfare.

The President seems unwilling to believe that Members of Congress may have honest, philosophical objections to welfare state proposals. He seeks more practical reasons for obduracy.

"Is he after a job for himself or someone else?" he inquired about a Republican leader who had denounced and voted against one of the President's "must" measures. "Tell him to come and see me."

PUZZLED AND HURT

The invitation, with its implication of a political bribe, was ignored. The President was described as both puzzled and hurt. Certain aspects of human behavior defy his comprehension, and one of them is a refusal to sense the benefits to be derived from flexible convictions.

If Members of Congress cannot be induced to reason, they are not worthy of the office, the President believes. In pursuit of that theory, he now is using his impressive political talents to obtain the removal of at least five Republican Senators in next year's election.

Fourteen Republican Senators are up for reelection next year. The five who have particularly irked the President by stubborn resistance to his blandishments are: Jack Miller of Iowa, Carl T. Curtis of Nebraska, Milward L. Simpson of Wyoming, John Tower of Texas, and Strom Thurmond of South Carolina.

ASKED TO ENTER RACES

In the five States where they will seek new 6-year terms, powerful Democrats, including at least two Governors, have been placed under White House pressure to become candidates for the Senate.

Some of these reliable vote-winners now are comfortably secure in State offices, and are reluctant to gamble their careers in a Senate race where victory would not be certain. They have good reason, however, to dread Presidential disapproval if they refuse to sacrifice themselves for the good of the party.

This message has gone out—the President regards the congressional elections in 1966 as a national plebiscite on his program. He is determined to increase, if possible, the already overwhelming Democratic majorities in the two Houses—68 to 32 in the Senate, 294 to 141 in the House.

CAN ONLY GO UP

Such a result would be contrary to the tradition of "midterm elections"—those held midway of a Presidential term—which customarily record gains for the party out of power. Republicans, reduced to their lowest congressional numbers in 30 years, have nowhere to go but up and hope they are headed in that direction.

But Johnson delights in breaking traditions and the midterm pattern was broken in 1962 when Republicans gained only two seats in the House and lost four in the Senate.

Johnson already has taken the first step in strengthening party organization by summoning his Capitol Hill political chief, Lawrence F. O'Brien, to service in his Cabinet. As Postmaster General, O'Brien will use that office as it was used by Jim Farley and other Democratic National Committee chairmen to fortify the administration's vote-seeking apparatus.

OUTLINE OF PLAN

Here are the plans outlined for defeat of five GOP Senators:

In Iowa, Gov. Harold E. Hughes, the strongest Democratic vote-getter in the State's history, is being urged by the President to run against Senator Jack Miller, Republican, the incumbent. This conflicts with the desires of State leaders who want Hughes to seek a third 2-year term as Governor. He ran well ahead of Johnson in the 1964 elections and his popularity, more than the Johnson candidacy, accounted for a Democratic sweep of the State.

In Nebraska, another popular Democratic Governor, Frank B. Morrison, is being pressed to oppose Senator Carl T. Curtis, Republican. Here also, State leaders would prefer that Morrison seek a fourth 2-year term as Governor. Curtis would have trouble with Morrison, but otherwise observers see little difficulty for him in seeking reelection.

MAKES BLACKLIST

In Wyoming, Senator Simpson has gained the White House blacklist because of his uncompromisingly conservative attitude. He may be opposed by Representative Teno Roncalio, Democrat, by State Supreme Court justice John J. McIntyre, a conservative Democrat, or Mike Manatos, an aid to President Johnson, who is reported to have been given the President's go-ahead. Big funds are being amassed for their candidacies.

In Johnson's home State of Texas, the continued presence of a Republican Senator, John Tower, for long has been offensive to the President. Tower was the first GOP Senator since reconstruction days. A host of candidates have been lined up to run against him.

Gov. John B. Connally, expected to announce his political plans in the near future, may oppose Tower, seek reelection, or retire. He is engaged in a feud with Senator Ralph W. Yarborough, Democrat, which could help Tower's fortunes. Other strong candidates for the Senate are available, and Texas remains an overwhelmingly Democratic State. Tower has a tough campaign ahead of him.

THURMOND A SPECIAL TARGET

In South Carolina, Strom Thurmond will be up for reelection, and he is a special White House target because he resigned from the Democratic Party in September 1964, at the height of the presidential campaign, declaring Johnson a traitor to the principles upon which the party was founded.

Thurmond is so strong that no prominent South Carolina Democrat has shown interest in challenging him, but money and effort will not be spared in a campaign to remove him.

In all, 14 Republican Senators are up for reelection. Of the remaining nine, eight appear safe. Only Senator J. Caleb Boggs, of Delaware, seems in danger. The others, generally favored if they seek reelection, and most of them will, are:

Gordon Allott, of Colorado, Len B. Jordan of Idaho, James B. Pearson, of Kansas, John Sherman Cooper, of Kentucky, Margaret Chase Smith, of Maine, Leverett G. Saltonstall, of Massachusetts, Clifford P. Case, of New Jersey, and Karl E. Mundt, of South Dakota.

SIX UP FOR REELECTION

On the other side of the aisle, 6 of the 20 Democratic Senators up for reelection face the prospect of strong opposition, either in primaries or in the general election. They are:

John J. Sparkman, of Alabama, Donald S. Russell, of South Carolina, Maurine B. Neuberger, of Oregon, Pat McNamara, of Michigan, Lee Metcalf, of Montana, and Thomas J. McIntyre, of New Hampshire.

All are faithful supporters of the Great Society and will have the backing of a political machine which can call upon the immense resources of a Government which spends $127 billion a year.

HIS VIEW ON DEFEAT

The President has made it clear in talks with congressional leaders that he will take as a personal affront any defeat of a Democratic candidate or any victory for a Republican.

Most Presidents would be content with 2 to 1 majorities in Congress, but Johnson would like to see 3 to 1 margins or even higher. He has never concealed his aversion for opposition in any form, even from a weak minority.

When he was majority leader of the Senate and summed up the work of a session, he reserved his most lavish phrase for unanimous votes. They were, he emphasized, the highest form of political expression.

Grayslake, Ill.,
September 6, 1965.

Letters to the Editor:

In the September 5 Chicago Tribune appeared an article, "Johnson Seeks Defeat of Five Senators Opposing Program." President Johnson was referring to Senators Jack Miller of Iowa, John Tower of Texas, M. L. Simpson of Wyoming, Strom Thurmond of South Carolina, and Carl Curtis of Nebraska. It seems L.B.J. is baffled because 5 Senators out of 100 have the courage to think for themselves by resisting proposals which the President thinks are mandatory for his Great

Society. It appears that these five gentlemen are not merely politicians, but are genuinely concerned about the preservation of our Constitution as it was originally sent up by our great patriotic forefathers. Anyone that would allow the L.B.J. machine to use them in order to unseat these five Senators hasn't any more intelligence than a rubber stamp and that is exactly what they would be. The unseating of any one of these Senators would not be his loss alone but the loss of all of us. If we are to preserve the American way of life we need more Senators such as these five in Washington.

SALLY MARTENS.

[From the Wyoming State Tribune, Sept. 11, 1965]

THE PEOPLE, WE HOPE, WILL DECIDE

The Chicago Tribune in an article that appeared last Sunday under the byline of that newspaper's ranking Washington political observer, Willard Edwards, reports that President Johnson is sharpening the political ax for five members of the U.S. Senate—among them Wyoming's Senator MILWARD L. SIMPSON.

Mr. SIMPSON will be seeking a second full term in the Senate in the 1966 election. Besides SIMPSON, according to the Chicago Tribune piece by Edwards, the President is particularly anxious to dispose of JOHN TOWER, Republican, from his own State, whose presence in the Senate Mr. Johnson reportedly regards as "particularly offensive"; and of Senators JACK MILLER of Iowa, STROM THURMOND of South Carolina and CARL CURTIS of Nebraska.

Edwards wrote that SIMPSON has gained the White House blacklist because of his uncompromisingly conservative attitude; among his possible opponents listed by the Tribune article are Congressman TENO RONCALIO who was elected to the House last year in an upset over Republican William Henry Harrison, White House Presidential Aid Mike Manatos and State Supreme Court Justice John J. McIntyre.

As for MILWARD SIMPSON's voting record, we should think it is fashioned in strict accord with his views of what he regards as being best for the people of Wyoming and of the United States. Lyndon Johnson should take some comfort from the fact that Mr. SIMPSON has stanchly supported the administration's basic policies in Vietnam, insofar as it has related to vigorous conduct of the war there, even though he has been an unrelenting opponent in most cases of the administration's welfare state proposals.

Edwards notes that the administration has gotten about everything it wanted from Congress by overwhelming majorities, but this is not enough apparently. Less than 100-percent approval irks the man at No. 1600 Pennsylvania Avenue.

A side issue that Mr. Edwards' article does not dwell on, but which has been discussed widely in Wyoming, is the apparent attempt by the Johnson administration to promote the political fortunes of Mr. Manatos against Congressman RONCALIO as the Democratic Senate prospect to get the party's nomination in the race against SIMPSON.

Mr. Edwards' article says President Johnson has made it clear to Democratic congressional leaders that he will regard any defeat of a Democratic candidate by a Republican in the 1966 off-year elections as a personal affront.

He is particularly desirous of an overwhelming Democratic victory in this off-year election, where traditionally the party in power nationally suffers a decline, as means of indicating a national endorsement of his policies, according to the Edwards article.

Edwards writes that the appointment of Lawrence O'Brien as Postmaster General is one in a series of steps to strengthen the Democratic Party organization nationally; O'Brien, says Edwards, is expected to use the Postmaster General's Office as Jim Farley did, as a fulcrum in the national party apparatus.

The five Senators who have been marked for political defeat next year have pursued a course of what Edwards describes as "stubborn resistance" to Johnsonian blandishments. Mr. Johnson is depicted as a man who is highly puzzled by their attitude; he cannot understand their motives in resisting certain features of the Great Society, and looks for "more practical reasons" for their stubborn independence.

If all that Mr. Edwards reports is true, and since he is one of the preeminent political reporters in Washington there is no reason to doubt his word, then we should think the American people ought to say: Thank God for men of courage, independence and determination such as these five, for they exemplify the virtues that have made this country great—traits that traditionally have been exalted among the American people.

They ought to be not only reelected to their offices but reelected overwhelmingly by the voters of their respective States to reaffirm not only those basic principles but also the very fundamental tenet of American freedom—that it is the people who rule.

SETTLEMENT OF LABOR-MANAGEMENT STEEL DISPUTE

Mr. MORSE. Mr. President, on September 8, I made a speech in the Senate giving an account of some of the events which led to a final settlement of the recent labor-management dispute in the steel case.

In the course of that speech, I pointed out that the President of the United States deserves the major credit for the negotiated settlement of the dispute because of the outstanding industrial statesmanship that he carried out in leading the disputants to a conscionable compromise of their differences on the various economic issues which had caused free collective bargaining in the industry to break down.

I also stated that our country would always be greatly indebted to the Secretary of Labor, Willard Wirtz; the Secretary of Commerce, John Connor; Mr. William Simkin, Director of the Federal Mediation and Conciliation Service; Mr. Joseph Califano, special aid to the President of the United States, assigned to the case; and my colleague, Under Secretary of Commerce LeRoy Collins, who was assigned with me by the President of the United States to go to Pittsburgh as the personal representatives of the President and make a factfinding analysis of the dispute.

Mr. Gardner Ackley, Chairman of the Council of Economic Advisers, had prepared for some time prior to the final settlement of the dispute a thorough economic analysis of the claims and counterclaims of the negotiators for the union and the steel companies. As the negotiations had progressed from day to day, and the negotiators on both sides made new proposals or modified previously made proposals, Mr. Ackley was able to give immediate advice to Government officials in the case on the economic effects in dollars and cents of the proposals made by the disputants. The accurate and reliable statistical analyses that Mr. Ackley was able to supply on an hourly basis, when requested by the Government officials who were at work on the case, kept them supplied with facts and figures needed in rebutting various proposals of the union and industry negotiators which would have an unjustifiable adverse affect upon the economy of the country from the standpoint of inflation control or any other economic problem involved in the case.

When I made my report to the Senate on September 8, about the settlement in the steel case, I pointed out that the financial settlements in the case did not do any violence to the national policy 3.2 percent guideline figure "when we take into account the fact that we are dealing with fringe benefits and historic inequities as well as basic wage increase problems."

I am pleased to tell the Senate today that I have received a letter from Mr. Gardner Ackley, Chairman of the Council of Economic Advisers, commenting favorably upon my speech and, in addition, pointing out:

> Actually, the result of the negotiations needs no qualifying apology from the standpoint of the guideposts. The total cost of the entire settlement package, including wages, improved pensions, insurance, and other benefits, was clearly within the wage-price guideposts.

Mr. Ackley's statistical analysis of the money settlement in the new labor-management collective bargaining agreement for the steel industry, as set forth in his letter to me of September 10, 1965, shows clearly that when the employment costs in the industry are figured from May 1, 1965, to July 31, 1968, a period of 39 months, the total costs fall within the 3.2 percent guideline figure.

Mr. President, I ask unanimous consent that Mr. Ackley's letter of September 10, addressed to me, be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, of course it should be pointed out that within that period of time, from May 1, 1965, to July 31, 1968, the first 4 months constituted a period in which the parties had extended their old contract with an agreement for an 11½-cent wage adjustment. The new agreement is an agreement that can be considered a 39-month agreement, if we go back to May 1, 1965, which was the deadline date for the end of labor-employer relationships between the union and the steel industry. However, the applicable date for the new contract just negotiated is September 1, 1965. It is from that date and for a 35-month period thereafter that the wages and other benefits will run.

Many newspaper stories and editorials, and some writings by economists and other authorities, tend to analyze the settlement on the basis of a 35-month agreement rather than a 39-month agreement, because the first 4 months, really, were covered by the so-called extension agreement. This difference between May 1, 1965, and September 1, 1965, as the starting date from which cost computations should be made gives rise to different interpretations as to the total cost of the settlement, vis-a-vis the 3.2-percent guideline formula.

But, Mr. President, I believe that Mr. Ackley is quite right in pointing out that when we take the 39-month period from May 1, 1965, to July 31, 1968, there is no doubt about the fact that the total money settlement involved in the steel case will be within the 3.2 percent guideline.

There is also a very important statistical analysis of the steel case settlement by Mr. Ackley contained in a brilliant speech he made on September 9 at the annual economic outlook luncheon of the American Statistical Association held in Philadelphia.

I also ask unanimous consent that at the end of my remarks, Mr. Ackley's speech of September 9, previously referred to, be printed in the CONGRESSIONAL RECORD.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 2.)

Mr. **MORSE**. Mr. President, in the course of that speech, he made the following comments on the settlement in the steel case:

> The steel settlement last week was a victory for the course of moderation and responsibility that has marked our labor history over the past 5 years. There has been so much said that could confuse the casual observer that I want to be very clear about how we regard that settlement. Its elements have been priced out by the parties as adding up to between 47 and 51 or 52 cents an hour. Our pricing of it is closer to the lower end of that range—let's say about 48 cents. One Government expert prices it even below 47 cents. I would remind you that the interests of the parties to the settlement may, quite innocently, influence their pricing of the settlement. Judging only by the newspapers, for example, the union apparently held during the negotiations that some elements included in the final package cost appreciably less than they now agree they are worth.
>
> But even 48 cents is interpreted by some observers as well in excess of 3.2 percent. They reach this conclusion by a process of reasoning for which I can find no shred of logical support. They argue that this is a 35-month settlement beginning September 1. On that basis, they conclude that this was a 3.5- to 3.7-percent settlement.
>
> But the 48 cents, or whatever figure you take, includes the 11½ cents granted as of last May 1. If you want to treat the settlement as running from September 1 you have no choice but to deduct this 11½ cents. You then must calculate the remaining 36½ cents increase against a base which includes the 11½ cents. Total hourly compensation last April was a shade above $4.41. Adding the 11½ cents brings the base as of September 1 to about $4.53. Based on this calculation, the percentage comes out well below 3 percent.
>
> But this is not sensible either. The only reasonable approach is to treat the total cost as including the 11½ cents downpayment, in a settlement running for 39 months beginning May 1, 1965, and calculated on the April base of $4.41. On this basis, 48 cents per hour comes out to a nice, guidepost figure of 3.2 percent.
>
> This guidepost settlement in steel should have an important impact on the labor settlements reached in other industries in the months ahead. It should help to assure that the average rise in hourly compensation will stay very close to the rise in economywide productivity, as it has done over the past 4 years. As you know, the index of unit labor costs in manufacturing now stands at about 97 (1957–59=100), slightly down from a year ago, or from 2, 3, or 4 years ago.

Mr. President, I have been very pleased to make these further observations today on the settlement in the steel case, because the additional economic facts and figures which Mr. Ackley, Chairman of the President's Council of Economic Advisers, has just supplied me not only strengthens the very favorable appraisal of the steel case settlement which I set forth in my speech in the Senate on September 8, but also illuminates with an ever brighter luster the industrial statesmanship of the President of the United States who led the negotiators for the United States Steel Workers Union and the steel industry to an eminently fair and just settlement of this major dispute, which for a time, if it had ended in a shutdown of the steel industry, threatened to do irreparable damage to the economy and security of the Nation.

EXHIBIT 1

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS,
Washington, September 10, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have read with great interest and pleasure your speech on the Senate floor on September 8 about the steel settlement. It is most useful to have the facts set down while they are still fresh in the participants' memories, and your speech will serve historians well.

There is one point that you made in the speech on which I would like to comment. You said in your speech that the settlement "did not do any violence to the guideline, when we take into account the fact that we are dealing with fringe benefits and historic inequities as well as basic wage increase problems." Actually, the result of the negotiations needs no qualifying apology from the standpoint of the guideposts. The total cost of the entire settlement package, including wages, improved pensions, insurance, and other benefits, was clearly within the wage-price guideposts. The present best estimate of the total cost of the package is 48 cents, including the 11½ cents obtained in the interim agreement of May 1. When this 48 cents package is converted into a percentage figure over the period May 1, 1965, to July 31, 1968, an annual average rate of increase of employment cost per hour is obtained, which is exactly equal to 3.2 percent, the guideline figure.

I know that in some circles the settlement has been priced at a higher percentage, by attributing the entire package to the period after September 1. But this is an unreasonable procedure because the union in fact gained the 11½ cents on May 1, and the contract settled the employment costs for the entire period May 1, 1965, to July 31, 1968, a period of 39 months. In the enclosed speech which I delivered yesterday I attempted to clarify these points.

I think all of us who were able to be of some small help to the President in reaching this peaceful, responsible, and decent settlement can take great pride in having played a role in it. With my best wishes.

Sincerely yours,

GARDNER ACKLEY.

EXHIBIT 2

REMARKS BY GARDNER ACKLEY, CHAIRMAN, COUNCIL OF ECONOMIC ADVISERS, AT THE ANNUAL ECONOMIC OUTLOOK LUNCHEON, AMERICAN STATISTICAL ASSOCIATION, PHILADELPHIA, PA., SEPTEMBER 9, 1965

The only time I can really enjoy talking about the economic outlook is between about January 15 and April 15. For then the Council has made a public forecast which I can explain and defend—a forecast which is both reasonably fresh and still very relevant because it covers nearly a full year ahead. At any other time of year, I find it awkward to talk for the record about the economic outlook. Right now, for example, our only specific forecast I can talk about in public is the one we made last January—which is neither very fresh nor very relevant. It was only in a moment of weakness that I agreed to speak to you today about the economic outlook.

Of course the Council has its own internal forecast of the outlook. We have one all the time, and we keep it always current. Our January public forecast is the one on which we do our most intensive work. It's got to be good—and sometimes it has been. But we work hard at trying to have a reasonably good forecast all the time. We wouldn't be able to carry out our responsibilities to the President if we didn't. But, for good and sufficient reasons, the Government makes its forecast public only once a year. And thank Heaven for that.

When any of us attempts to forecast now for 1966, we have to make some more or less educated guesses about what the President's fiscal program will be. At this stage, you and we are in essentially the same boat. Indeed, much of our work during budgetmaking season lies in doing alternative gross national product forecasts related to various possible budget programs. Budget guessing is a pleasant pasttime for economists, but I cannot take part in this sport publicly for obvious reasons.

So I cannot give you today the Council's current forecast for 1966. And there's no use pretending that I could just give you my own, unofficial, personal forecast. No such thing exists for a CEA chairman.

So what can I do? I can talk to you about some of the problems you have—and we have—in putting together our current forecasts. I can give you some idea of how we analyze those problems today. If you accept the general lines of my analysis, then you can make a forecast that I can bet will be reasonably close to ours. If you don't accept my analysis, then at least I may stimulate you to think these problems through again. In the process, your forecast—whether it is more or less perceptive than ours—will surely be improved.

THE STATE OF THE ECONOMY

Before I enumerate these problems, you must forgive me if I take a few minutes to review the present state of our economy and how far we have come in recent years. My formal excuse is that we need to know where we are and where we have been in order to have a good basis for knowing where we are going. But if, in the process, I am able to derive satisfaction from our economy's performance, I know you will recognize that—in times like these—it is one of the principal rewards that goes with my office.

The U.S. economy is currently in its 55th month of sustained, balanced economic expansion. As no one is allowed to forget, this is the longest peacetime expansion in our history. From the first quarter of 1961 to the second quarter of 1965 gross national product rose by $162 billion. In real terms (i.e., corrected for price changes) this represented an increase of around one-fourth, or an annual rate of expansion of 5.3 percent.

From February 1961 to August 1965 this expanding economy has provided nearly 6 million more jobs, including a growth of over 7 million nonfarm jobs. Unemployment has meanwhile declined from 6.9 to 4.5 percent of the civilian labor force, the lowest rate since October 1957.

Sustained expansion has been accompanied by a rather remarkable record of price and cost stability—unique in the industrialized world. The wholesale price index has risen from 101 in February of 1961 to only 102.9 in July of this year. The Consumer Price Index has risen from 103.9 to 110.2 over the same period, or by about 6 percent in 4½ years.

And the expansion has continued vigorously right up to the present. For the past year and a half, gross national product has advanced steadily by a little more than $10 billion a quarter, with the only marked deviations from that pattern during and just after last fall's auto strikes.

The hero of this recent expansion has been the consumer. In the past 6 quarters, the consumer absorbed 72 percent of the $62 billion rise in gross national product, while in the preceding 11 quarters of the expansion he had absorbed only a bit more than half of the $100 billion rise in gross national product. The difference has not primarily been in the consumer's willingness to spend. Rather it mainly shows the effects of the 1964 tax cut, which appreciably raised disposable income relative to gross national product, thereby providing a massive thrust to consumption and thereby to the expansion of gross national product. My colleague, Arthur Okun, will give you a quantitative estimate of that thrust at a session tomorrow.

A while back, there was talk that automobiles could not put 2 good years back to back. Then it was 3 good years. More recently, the subject is discussed in other terms. Demand for cars has certainly been strong. In the past 2½ years, consumers have spent on cars an average of 6 percent of disposable income, compared with an average of 5.6 percent over the decade of the 1950's. But even if consumers had spent only 5.6 percent of disposable income on cars, the last 2 model years would still have broken that old 1955 model year record—this year by a good 900,000. The main story about autos is what has happened to disposable income.

All other elements of consumer demand have been strong right across the board. Nondurables, which were growing at roughly $1½ billion per quarter prior to the tax cut, have since advanced by an average of more than $3 billion a quarter. Expenditures on household durable goods have also risen strongly. Even the service sector, which usually advances at a steady pace, has shown a marked step-up since the tax cut.

Next to consumption, business fixed investment has been the most important source of recent expansion. After a good gain from 1961 to 1962, the expansion of fixed investment slowed down. But in 1964 business fixed investment rose by more than $6 billion, and apparently will do so again in 1965.

On Tuesday the Commerce-SEC survey results were announced. They confirm that the percentage gain this year in nonfarm outlays for plant and equipment will almost repeat last year's 14-percent advance. This sharp expansion of fixed investment has, of course, led to significant increases in productive capacity, but apparently these increases are not outpacing the growth of output. Only in manufacturing do we have any guesses about capacity utilization. So far, this series has slowly risen, and, this year, has been hovering around 90 percent, not far below the estimated 92 percent preferred rate of operations. This is a sharp contrast with the 1956–57 period, when demand growth first pressed very hard against capacity; then, later in that period, capacity growth significantly outran demand—or demand growth significantly underran capacity, depending on your interpretation.

Important new factors which have stimulated spending on plant and equipment during this expansion have been the reduction of corporate tax rates, the investment tax credit, and the reform of the depreciation guidelines. After-tax corporate profits have responded vigorously to these programs and to rising gross national product. Such profits rose from $24.4 billion in the first quarter of 1961 to $44.4 billion in the second quarter of 1965—an increase of over 80 percent. And as a percentage of gross national product, after-tax profits have edged up steadily, to proportions about like those of 1955–56.

The resulting high level of corporate cash flow has helped to finance the solidly growing expenditures for plant and equipment In the past couple of quarters, investment expenditures have apparently risen somewhat faster than cash flow, for firms have tended to make greater use of external sources of funds. But the funds have been available, and at interest rates that are still moderate, although they have inched upward in the past few months. A recent NICB survey, reported in Newsweek magazine, finds that manufacturing firms have had no trouble obtaining the somewhat larger volume of external finance which they require.

Business inventory accumulation has, as we expected, made a somewhat larger contribution to the growth of demand in the last three quarters than earlier in the expansion—except during the initial postrecession restocking. Yet relative to the size of the economy stockbuilding has not been out of line. Indeed, it has been conservative, if one eliminates the extra stocking of steel. In July we had an exceptionally large rise in manufacturers' inventories. But the growth of shipments was so large that the inventory-shipments ratio actually declined. Both for manufacturing and trade, inventory-shipment ratios remain at or very close to the lowest points reached during the entire expansion. Our prosperity has not rested on an unsustainable building up of stocks.

Residential construction is the one area in which some imbalances have appeared. A sustained, 3-year rise in housebuilding—and particularly in apartment construction—brought, in early 1964, a temporary saturation of the market for apartments in several areas of the country. Fortunately, the adjustment to a lower rate of construction occurred promptly, but not precipitately. For the last year and a half, residential construction has been essentially on a plateau—high enough to avoid general weakness in the construction industry or depressive effects elsewhere, but not so high as to prevent an apparent gradual working off of the excess.

State and local governments have maintained the steady and rapid growth of their purchases, averaging better than $1 billion a quarter over the last 3 years, with the aid of expanding programs of Federal grants. Federal purchases—a big prop to expansion through mid-1962—have barely edged up since then. But successive tax cuts beginning in 1962 have more than made up for it. keeping the Federal budget a strong force for expansion.

I shall hold my further comments on the role of Government policy for a later point in my remarks, and also my analysis of the situation with respect to costs and prices.

This, then, is where we stand: The U.S. economy has been enjoying a prosperity unprecedented in duration and extent; our advance continues today at an uninterrupted pace; the absence of visible signs of imbalance or excess—other than in steel inventories—points to a continuation of our good fortune.

FACTORS AFFECTING THE BUSINESS OUTLOOK

I turn now to the problems with which we must grapple as we all try to refine our forecasts for the balance of 1965 and 1966.

Let's start with our hero, the consumer.

The aspect of consumer behavior that gets most attention is automobile sales. I have already noted that the strong automobile sales of recent years have absorbed a steadily rising proportion of disposable income. The same has been true for other durable goods.

Among the factors that might explain this rise, several seem fairly obvious. First, the relatively strong and sustained pace of housing starts in recent years has undoubtedly contributed to the demand for durable goods such as house furnishings. Further, various recent studies suggest a close relationship between multiple car ownership and the growing prevalence of residence in the suburbs. Second, the same studies imply a stimulus to multiple car ownership from the growing number of working wives; and I wouldn't be surprised by a similar influence on the sale of dishwashers. A third significant factor, which operates in the automobile market but is probably much less important than the markets for most other durables, is the rapid growth in the number of teenagers and very young adults in the population. Other influences might be cited, but these are surely among the most important. In each of these cases, there is little or no reason to expect the trend of recent years to be reversed in the near future.

The alternative possibility is that the large recent sales of consumer durables may have resulted in a rapid buildup of stocks that could depress future sales. A casual review of the ups and downs of new car sales in the 1950's might tend to support such pessimism in regard to the outlook for automobiles. However, the growth in the stock of cars has been held down by heavy scrappage, some due to the physical wearing out of cars from our vintage years of the past, some due to the consumer's strong preference for up-to-date models.

The sociological, demographic, and obsolescence factors just mentioned all give some support for a cautious optimism about the outlook for expenditures on consumer durable goods. Such optimism is also supported for the near-term by the results of surveys of consumer buying intentions, which continued, in the latest (July) survey, to show more plans to buy cars and household, durables than a year earlier.

Moreover, there is strong support for the view that total consumer spending is more dependable in relation to disposable income than is any single segment thereof. If expenditures on new autos and other durables decline relatively, spending on other consumer goods may well absorb the difference, and hold down the consumer saving rate.

The consumer is fundamentally an extremely reliable element in the economy. Through the adjustment of his consumption to changes in his income, he greatly magnifies the impact on total gross national products of changes in other forms of spending. And I have no doubt that he will continue to do so in the year ahead.

Turn next to that most volatile element—inventory accumulation. The change in business inventories during the rest of 1965 and into 1966 will, of course, be importantly influenced by the existing overhang of steel in the hands of consumers and mills. Because of the unsatisfactory character of our data on steel inventories and steel consumption, any quantitative forecast of the impact of steel destocking is somewhat hazardous. However, given the over-all economic picture, and the order rates and backlogs in many steel-using industries, it seems unlikely that steel inventories will be recklessly reduced. The net accumulation of steel in the third quarter should be roughly the same as our guess for the second quarter—about $1 billion (annual rate). The fourth quarter, however, should see a net decumulation. We guess that this would run at nearly a $2 billion annual rate in the fourth quarter, and at gradually diminishing rates for the following two quarters. A $3 billion swing due to the steel in the annual rate of total inventory investment is thus in prospect. It will certainly be noticeable in our statistical reports on inventories, sales, and industrial production. It may even dominate the overall movement of some of these series for a month or two. But the automobile, machinery, and defense industries all have excellent reasons to keep adjusting upward their inventories of items other than steel. And the steady pace in inventory growth in nondurables should not be interrupted.

For the fourth quarter, steel liquidation is not likely to halt the overall growth of inventories, and it is most unlikely to interrupt economic expansion. The economy withstood a heavier drag from auto strikes in the fourth quarter of last year and still came up with a $6½ billion rise in gross national product.

On the whole, therefore, the adjustment of the present imbalance in steel inventories should be absorbed by the economy without shock or strain. By mid-1966, the absorption of excess steel inventories will have been completed, and inventory accumulation should be expanding about in line with the growth of final demand. And, as you know, "in line" in recent years has clearly been less than in prior postwar years.

On business fixed investment, the available evidence all suggests a continuing high rate of expansion of expenditures. This evidence includes the upward revisions for 1965 provided by the recent Commerce-SEC survey, which raised the earlier estimates for 1965 by $500 million over the final three quarters of the year. Further support comes from the very substantial recent strength in machinery and equipment orders.

The evidence that points farthest ahead, however, comes from the recent NICB survey of capital appropriations by large manufacturing firms. These firms boosted their appropriations 17 percent to a new record of $5.8 billion in the second quarter, on top of a 10 percent increase in the first quarter. And advance indications picked up in that survey are that capital appropriations will be even higher in the second half of 1965 than in the first, leading to a record backlog of unexpended appropriations at yearend. So far, growing backlogs have not been excessive relative to the growing level of expenditures, indicating no serious problems of obtaining deliveries. The fact that delivery times are not falling behind is also suggested by the Commerce-SEC results for the second quarter, when businesses actually put more investment in place than they had anticipated at the time of the last survey in May.

As we have had more and more experience with these appropriations surveys, we have gained increasing confidence that they provide a meaningful foreshadowing of investment expenditures in manufacturing, with an average lead of about 1 year.

A supplementary NICB study on the adequacy of facilities relative to the expected growth of output, although necessarily inconclusive, nevertheless suggests that contemplated capacity expansion is reasonably related to the firms' own current order inflows and expectations of sales.

On residential construction I have little wisdom to offer. In our shop we are presently projecting residential construction as continuing on its high plateau throughout 1966, with, if anything, a slight creep upward, reflecting the continuing income growth that we expect. There has been much talk in recent years about the imminent appearance of a great new housing market, reflecting the coming of age of the postwar baby crop. This surely is in the offing, and it may begin gradually to show up in the near future. But we date its major role as closer to 1970 than to 1966.

This leaves us with the Government's contribution to demand. As to State and local government purchases, there is every reason to expect that this most predictable of all elements of gross national product will continue on its stable upward course, rising by more than $1 billion a quarter. If there were any doubts about it, the large expansion of Federal grant programs should remove them.

Federal purchases were expected to rise by something over $1½ billion over the next 12 months, quite apart from the impact of accelerated activities in Vietnam. The extra defense appropriations of $2.4 billion already requested step that up by an added $2 billion plus. Some further appropriation requests may be necessary, although their major impact on spending would mainly be felt in fiscal year 1967. Figures sometimes quoted in the press—that run to $10 to $14 billion—can at this point only be pure figments of someone's imagination. The estimates we at the Council have put into our tentative projections do not even approach that order of magnitude.

But there is no question that Vietnam has made a difference—in any reasonable projections of total Government purchases, and therefore in fiscal planning and in the economic outlook for 1966. I will try to characterize that difference in qualitative terms a little later.

The Federal Government's overall contribution to demand embraces a good bit more than its purchases. If we look at the impact of recent and prospective changes in excise and payroll taxes and transfer payments, we can summarize it about as follows: In the current fiscal year, excise taxes will be cut $3½ billion, slightly more than half of it effective from the end of last June, and the balance effective from next January 1, for a total fiscal year cut of about $2½ billion. Social security benefits will rise on a continuing basis by $2 billion, plus a retroactive payment of $0.8 billion made this month. The final effects of the Revenue Act of 1964 will yield a further tax cut next spring variously estimated to yield up to $1 billion in this fiscal year. Together, these provide a total gross stimulus of $6 to $6½ billion within this fiscal year.

But this fiscal year total should be reduced by about $2½ billion to allow for the rise in payroll taxes next January. Thus the net effect of these changes is a stimulus of around $3½ to $4 billion in this fiscal year, offsetting a good half of the normal increase in revenues from growth of the economy. The rest of our normal revenue growth will be more than offset by the expected expansion of other forms of Federal spending.

Conclusion: the Federal budget is a net expansionary force in fiscal 1966—but not an extremely large one. Last year, a major shift toward ease in the budget provided the primary force for expansion. This year, the budget remains easier and offers a modest expansionary influence, playing a supporting role to the forces of private demand.

The one thing we know now about fiscal 1967 is that, beginning next July, medicare payments will add a net $2 billion to the annual rate of Federal transfer payments. We can also expect that Federal purchases and grants may continue to increase. The amounts cannot be pinned down until next January's budget totals are finally decided.

It is clear to me that this picture adds up to an economy that will be expanding throughout the balance of 1965 and all of 1966. If we count residential construction as a standoff, we still have a strong prospective rise in business fixed investment, in State and local spending, and in the net fiscal impact of the Federal budget. These should far outweigh the one negative factor in the short-term outlook—the working off of steel inventories. The substantial net rise in investment plus Government outlays will be strongly augmented by rising consumer spending.

At the beginning of this year, we estimated that gross national product for 1965 would show an increase of $33 to $43 billion, with $38 billion as the midpoint of our forecast range. Both consumer spending and business investment outlays have been advancing a little more strongly than we counted on in January. Today it seems likely that the annual advance will be above the midpoint of the range—it should go a bit above $40 billion, bringing 1965 gross national product to a level of about $670 billion, on the new basis. A repeat performance of the $40 billion increase would be most welcome in 1966. I am not prepared to bet that we will experience such an encore, but nothing in the present outlook clearly points either to a slowdown or to an unsustainable spurt that would rule out such a happy outcome.

THE OUTLOOK FOR COSTS AND PRICES

And now let me climb out on a limb regarding costs and prices. Wholesale prices have been extremely stable over the entire expansion, in contrast to much of the 1950's. But sharp increases in prices of farm products and processed foods in April, May, and June of this year caused the overall index to rise 1.6 percent between March and July. (These same factors were the major cause of the 0.8 percent rise in the consumer index between April and July.) Higher farm, food, and related prices actually account for two-thirds of the 2.5 percent rise in the wholesale price index over the past 12 months.

The rise in the prices of farm products was basically caused by declining production of cattle, hogs, fruits, and vegetables. The worst of the shortages, however, is behind us, and wholesale prices of farm products have already eased. Farm and food prices are not likely to return to year-ago levels; but the bump they put into our price indexes is in the process of being smoothed down.

More worrisome—though not a source of acute concern—is the fact that the wholesale index of industrial prices—all prices other than farm products and processed foods—has risen 0.6 percent in the past 6 months and 1.4 percent in the past year, breaking out from a 5-year plateau of no change. The largest single part of this increase is in the area of metals and metal products, particularly nonferrous metals.

In the case of most nonferrous metals, we depend in whole or in large part upon imports. The price movements of these imported commodities are not grounded in cost or demand developments in the U.S. economy. Nor do they worsen our competitive position relative to other industrial nations. High world prices of nonferrous metals and some other imported materials reflect both high world demand and, often, political or other interruptions to supply. At the moment, it appears that the worst of the rise in nonferrous metals prices is behind us, although unpredictable events can always cause new troubles.

For domestic manufactured products, the basic determinant of prices is what happens to costs. The most significant element in costs is labor cost. Until last week it was possible to raise serious questions about the prospective trend of unit labor costs. Today, those questions can be answered more confidently.

The steel settlement last week was a victory for the course of moderation and responsibility that has marked our labor history over the past 5 years. There has been so much said that could confuse the casual observer that I want to be very clear about how we regard that settlement. Its elements have been priced out by the parties as adding up to between 47 and 51 or 52 cents an hour. Our pricing of it is closer to the lower end of that range—let's say about 48 cents. One Government expert prices it even below 47 cents. I would remind you that the interests of the parties to the settlement may, quite innocently, influence their pricing of the settlement. Judging only by the newspapers, for example, the union apparently held during the negotiations that some elements included in the final package cost appreciably less than they now agree they are worth.

But even 48 cents is interpreted by some observers as well in excess of 3.2 percent. They reach this conclusion by a process of reasoning for which I can find no shred of logical support. They argue that this is a 35-month settlement beginning September 1. On that basis, they conclude that this was a 3.5- to 3.7-percent settlement.

But the 48 cents, or whatever figure you take, includes the 11½ cents granted as of last May 1. If you want to treat the settlement as running from September 1 you have no choice but to deduct this 11½ cents. You then must calculate the remaining 36½ cents increase against a base which includes the 11½ cents. Total hourly compensation last April was a shade above $4.41. Adding the 11½ cents brings the base as of September 1 to about $4.53. Based on this calculation, the percentage comes out well below 3 percent.

But this is not sensible either. The only reasonable approach is to treat the total cost as including the 11½ cents downpayment, in a settlement running for 39 months beginning May 1, 1965, and calculated on the April base of $4.41. On this basis, 48 cents per hour comes out to a nice, guidepost figure of 3.2 percent.

This guidepost settlement in steel should have an important impact on the labor settlements reached in other industries in the months ahead. It should help to assure that the average rise in hourly compensation will stay very close to the rise in economywide productivity, as it has done over the past 4 years. As you know, the index of unit labor costs in manufacturing now stands at about 97 (1957=100), slightly down from a year ago, or from 2, 3, or 4 years ago.

The stability of unit labor costs depends, of course, not only on the course of hourly compensation but also on the movement of productivity. So long as vigorous expansion continues, we can expect productivity to keep on rising at a good rate. We are now examining the revised gross national product data to determine what new light they may throw on the movements of productivity in the private economy and in its major sectors over the past several years.

If unit labor costs remain stable, we will have basic stability in total production costs. Other significant elements of costs include the prices of materials—which continue to fluctuate, but with no strong trend—and indirect taxes. Although State and local tax rates are moving up in many areas, and an increase in employers' payroll taxes is in the offing, the recent and prospective further reductions in Federal excise taxes provide a strong offset.

Some producers who have an element of discretion in their markups over cost have been taking advantage of stronger markets to widen their gross margins. Most producers in major industries, however, recognize that any short-run gains they might achieve from efforts to widen their margins would—if generally practiced—be illusory. They have been, and remain satisfied with the very generous net profits, and with the often widened net profit margins, that have come from expanding volume and the spreading of overhead costs at generally stable prices and generally stable direct costs. In the absence of a widespread excess of demand over productive capacity, we can expect the good sense of American businesses, and their respect for the national interest, to prevent any significant inflation that might arise from producers' efforts to widen markups over a basically stable level of unit labor and materials costs.

Thus, on the basis of the cost and markup situation I think we can predict the continuation of basic stability of prices.

But can we be sure that productive capacity will remain adequate for the steadily enlarging volume of demand that we contemplate? Up to the horizon covered by our own forecasts, I am confident that it will. I do not see any basis for anticipating an "overheating" of the economy arising from generally excessive demand.

Fears of overheating of the U.S. economy seem to go in waves, often reflecting temporary speedups in the rate of actual expansion. These waves alternate with fears of imminent recession. This year illustrates the sequence. During the first few months, when output was undergoing a temporary spurt as we overcame the losses due to last fall's auto strikes, "overheating" began to be the theme of columns and editorials.

Then, when the temporary spurt was concluded, second thoughts about the durability of the expansion suddenly took root, amid undue fears about the deflationary impact of next January's payroll tax increase, worries about the sustainability of 1965 auto sales, premonitions of falling steel production, and excessive preoccupation with the daily fluctuations in stock prices. Fortunately, economic decisionmakers were not swept up by these shifting winds of sentiment. During these very months, businessmen were scaling up their plant and equipment plans, and consumers were carrying retail sales to new records. As a result, economic activity—unlike opinion about it—has shown stability and resiliency.

Once again, in recent weeks the pendulum of opinion has swung the other way, this time partly reflecting the uncertainties arising from enlarged U.S. defense requirements. Of course there are uncertainties. There always are, and they always deserve careful examination. One of the continuing uncertainties relates to the U.S. balance-of-payments position, which I have no time to discuss today. But the particular uncertainty, that has aroused renewed fears of overheating, reflects the sudden notion that we may soon have to choose between guns and butter. I see no basis for this fear.

We must never forget that our economy's productive capabilities are always growing, and currently growing somewhat faster than in the past. Our latest estimate—last January—was that our potential gross national product has been most recently growing by about 3¾ percent a year in constant prices, up from the 3½-percent growth rate of the last decade, and expected to average 4 percent a year between 1964 and 1970. This growth in our ability to produce reflects, of course, our expanding and improving manpower resources, and their growing productivity.

Our potential capacity is today more fully utilized than it has been in nearly a decade. But unemployment is still at 4.5 percent—well above even the "interim target" the Council set in 1961. And plant capacity is not yet utilized at the average rate preferred by managers. We have room for expansion of demand; and our economic growth is making more room all the time.

In the face of the inevitable uncertainties in the business outlook, the principal requirement of public policy is flexibility. And we have that flexibility. Next year's budget and other fiscal measures will be tailored to promote, so far as the science of economics and the art of forecasting will permit, a growth of demand that will be adequate to use our growing productive strength, but that will not strain it.

That is the most accurate and the most optimistic forecast I can make about the economic outlook for 1966.

RECESS UNTIL 11 A.M. TOMORROW

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 20 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, September 16, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 15, 1965:

CIVIL AERONAUTICS BOARD

Whitney Gillilland, of Iowa, to be a member of the Civil Aeronautics Board for the term of 6 years expiring December 31, 1971. (Reappointment.)

U.S. MARSHAL

Joseph V. Conley, of Rhode Island, to be U.S. marshal for the district of Rhode Island for the term of 4 years. (Reappointment.)

Victor L. Wogan, Jr., of Louisiana, to be U.S. marshal for the eastern district of Louisiana for the term of 4 years. (Reappointment.)

THE JUDICIARY

Frank Morey Coffin, of Maine, to be U.S. circuit judge for the first circuit vice John P. Hartigan, retired.

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the line subject to qualifications therefor as provided by law:

Adams, Lynn "W"
Adams, Robert E.
Alexander, Robert J.
Althoff, William B.
Anderson, Paul A.
Armstrong, Sam "T", Jr.
Arthur, Russel L.
Aubert, George A.
Auger, Thomas E.
Austin, Kenneth B.
Ayers, George "L", Jr.
Bachert, John O.
Bagley, Worth H.
Bailey, John D.
Bailey, John B.
Baker, Royal W.
Ball, James L.
Barnette, James B.
Bartlett, Albert J.
Baylis, John R.
Bean, George F.
Beaudoin, Jerome W.
Behm, Edward W.
Bell, Lloyd F.
Bennett, Jack W.
Bent, Jack
Bergner, Robert B.
Berude, John B.
Bettis, Alfred M.
Birdt, George
Bischof, William W.
Blair, Marvin S.
Blaylock, Mabry, Jr.
Bollenbacher, Robert M.
Bono, Vernon C.
Booker, Thomas F.
Boston, Ward, Jr.
Boutte, Lester H.
Bowen, Llewellyn D.
Bowling, Roland A.
Boyd, Edward A.
Boyle, Paul A.
Brandenburg, John H.
Brender, Bernard W.
Brite, Murrel C.
Brooks, Richard S.
Brown, Fred W. Jr.
Brown, Ian F.
Brown, John W.
Brown, Keith F.
Brozo, John G.
Brumsted, Robert B.
Bryce, Thomas A.
Buck, Clarence C., Jr.
Burns, William L.
Burrell, Robert E.
Burrill, James T.
Cadenas, Ernest M. M.
Camp, Herbert E.
Cannon, Herbert "B"
Cantwell, William P., Jr.
Carroll, Eugene J., Jr.
Castillo, Edmund L.
Chambers, Kenneth W.
Chapman, Arthur S.
Cobean, Warren R., Jr.
Cody, Harold R.
Cole, Nathan, Jr.
Collins, John D.
Collins, John T.
Collister, Louis J.
Connelley, Ernest C., Jr.
Cooke, Edward W.
Cooper, Lloyd F.
Cope, Harland B.
Corner, Sheldon L.
Cosgrove, Thomas A.
Coulter, Fred W.
Coursin, Jack T.
Crangle, Eugene V.
Cullen, John P.
Cummings, Arthur H., Jr.
Cummins, David E., III
Cutchall, Lee G.
Davis, Charles R.
Davis, Jack E.
Deibler, Robert R.
Dickey, George L., Jr.
Dise, Robert L.
Ditto, Carl B.

Donnelly, Grant L.
Downey, Denis J. J.
Doyle, James H., Jr.
Dunn, Richard J.
Dunning, Bruce B.
Dunning, Richard A.
Eckhart, Myron, Jr.
Edelman, Sidney
Edmonds, Leroy S.
Engel, Wilson F., Jr.
Evans, Jack R.
Everhart, Charles D.
Ewald, Frank W.
Fagan, John F., Jr.
Farnsworth, William D.
Faulders, Cyril T., Jr.
Fierce, Vernon R., Jr.
Finlay, Robert W., Jr.
Fitzgerel, John H., Jr.
Forgy, William J.
Franch, Ardwin G.
Freeman, Dewitt L.
Friedman, Robert
Fries, William D.
Fromknecht, George W.
Gately, Donald E.
Gilles, Donald A.
Goben, Howard G.
Gortney, William M.
Graham, Ralph E.
Greene, Joseph M.
Griffiths, Charles H.
Grojean, Charles D.
Haak, Frank S., Jr.
Hanks, Robert J.
Hansen, John E.
Harper, George A.
Hartley, Paul J., Jr.
Harvey, James H., Jr.
Haugh, Edward M.
Hayes, Robert V.
Hayward, Thomas B.
Heath, Leroy A.
Hemler, Frank T.
Hermann, Edward P.
Herrick, Ralph E., Jr.
Heuer, Edward H.
Hihn, Don E.
Hoop, Louie B., Jr.
Hooper, James A., Jr.
Hubert, William E.
Huff, Andrew F.
Jackson, Laurence L., Jr.
Jenkins, James D.
Johnson, Dean R.
Johnson, Keith V.
Johnston, Frank S.
Johnston, Harry D.
Jones, Robert S.
Joslin, Harold E.
Kaufman, Robert Y.
Kauth, John L., Jr.
Kaye, Alan J.
Kellam, Raymond O.
Kelley, Lawrence W.
Kelly, George R.
Kelly, Leslie D., Jr.
Kendrick, Harold E.
Kennedy, Alfred F.
Kenyon, Eugene C., Jr.
Kiley, Donald W.
Kimmons, George W.
King, Herbert T.
Kirkemo, Leland E.
Klepak, Philip H.
Koch, Ferdinand B.
Komorowski, Raymond A.
Kopps, Richard L.
Kulik, Adam P.
Lamb, Harold M.
Langille, Justin E., III
Laubach, Luther W. S.
Laws, Walter T.
Lessmann, Walter G.
Leuschner, Robert J.
Levi, Burna D., Jr.
Licko, Richard J.
Linder, Isham W.
Lindsay, John R.
Linville, James C.
Long, David A.
Lonnquest, Theodore C., Jr.
Lorenz, Samuel, Jr.
Lucas, Burke D., Jr.
Lulu, Michael T.
Lyon, Harvey E.
Lyons, Kenneth H.
MacMillan, Harold R.
Madson, Rae P.
Mahinske, Edmund B.
Malone, Walter J.
Mansfield, Samuel K.
Marshall, Daniel V., Jr.
Marshall, Leo J., Jr.
Masica, Eugene M.
Masuen, Francis N.
Matthes, Harold K.
Maulden, Hoyt P.
Mayer, James L.
Mayer, William S.
Mayes, Luther E., Jr.
McCaulley, Henry B.
McCormick, Gordon H.
McDonnell, John C.
McGarry, William J., Jr.
McLean, William O.
Merrick, John L.
Meyer, Joseph J., Jr.
Mikhalevsky, Nicholas
Miller, John "X", Jr.
Monson, Donald W.
Moore, Robert E.
Morgan, Henry S., Jr.
Morgan, Walter N.
Morgan, William H.
Morse, Kenneth L.
Mouton, Edison E.
Muncie, Wendell B.
Munns, David L.
Murphy, Francis J.
Neilson, Thomas L.
Nicholson, Robert H.
Nicholson, John H.
Nicklas, William C., Jr.
Niehaus, Herbert H.
Norin, Robert A.
Nott, Hugh G.
O'Hara, Hugh L.
Overn, John A.
Page, Robert A.
Parker, George A.
Pate, Jack A.
Pavis, George P.
Pelletier, Albert J., Jr.
Phillips, Chester G.
Pierce, Robert L.
Polk, Mavis X.
Pond, Robert B.
Porter, Edward M., Jr.
Price, Arthur W., Jr.
Quanstrom, Carl R., Jr.
Quarton, Thomas J.
Quelland, Obed R.
Raposa, William C.
Ray, Charles E.
Reaves, George A., III
Redden, Lawrence E.
Redgrave, DeWitt C., III
Reinhart, Leonard J.
Renaldi, Richard R.
Ricinak, Michael D.
Risch, Harry, Jr.
Robertson, Horace B., Jr.
Rogers, Harris G., Jr.
Rogerson, Reuben G.
Rooney, Frederick T.
Rorex, Sam. Jr.
Rose, Albert E., Jr.
Ruebsamen, Darrel D.
Russel, Joseph W.
Russell, James C.
Russell, Thomas B., Jr.
Sandeford, William H.
Savage, Richard A.
Scambos, Thomas T.
Schwitters, Merlin J.
Scott, Richard Y.
Seargeant, John A.
Searle, Willard F., Jr.
Sellers, Harry S.
Sells, Warren H.
Shaffer, James B.
Sharp, Wallace E.
Sheppard, Cedric W.
Sheppard, William L.
Sherman, Benjamin F., Jr.
Skoog, Joseph L., Jr.
Smith, Edwin P., Jr.
Smith, Lloyd S., Jr.
Smyer, Theodore M.
Somervell, Willis L., Jr.
Spargo, James
Spencer, Paul E.
Stahl, Lawrence E.
St. Clair, Robert H., Jr.
Stewart, Hal B.
St. George, William R.
Stirnweiss, Andrew P., Jr.
Stufflebeem, John D.
Sullivan, William P.
Tallent, Carson R.
Tartre, Robert J.
Thigpen, Francis Y.
Thompson, Bruce R.
Thompson, Robert D.
Tidd, Emmett H.
Tierney, John M.
Tisdale, Robert S.
Tollefson, Leif
Tonkovic, Andred A.
Trueblood, Harold J.
Tully, Claude I.
Turk, Carl F.
Turner, Stansfield
Upshur, Giles C., Jr.
Vaught, William J.
Vierregger, William T.
Vining, Pierre H.
Viscardi, Peter W.
Welsh, John A.
Weatherford, Jack E.
Welander, Robert O.
Wertheim, Robert H.
Wessinger, William D.
Westfall, Elmer T.
Wettlaufer, Warren H.
White, Arthur T.
Whittle, Alfred J., Jr.
Wieland, Dicky
Wilder, James D.
Wilkins, James C., Jr.
Willett, Elbert H.
Williams, "D" Hunt
Williamson, Robert, II
Willson, Lawrence E., Jr.
Witham, Burton B., Jr.
Wondergem, John M.
Wood, Robert D.
Woods, Charles E.
Work, David D.
Worrall, Alton H., Jr.
Wrzesinski, Robert
Wyman, Charles L.
Youell, Rice M., Jr.
Zartman, Walter F.
Zeni, Levio E.
Zenner, Harold J.

Herbert T. Woolley, Supply Corps, U.S. Navy, for transfer to and appointment in the restricted line, U.S. Navy (Special Duty) (Law), in the permanent grade of lieutenant and temporary grade of lieutenant commander.

Lieutenant John T. Werning, Dental Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Dental Corps, subject to qualification therefor as provided by law.

Lieutenant (junior grade) Donald L. Bridwell, Supply Corps, U.S. Navy, for temporary promotion to the grade of lieutenant in the Supply Corps, subject to qualification therefor as provided by law.

Lieutenant (junior grade) Joanne R. Mearls, U.S. Navy, a permanent lieutenant, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade), in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Ausuchon, Robert G.
Barton, Harry L.
Batie, Howard F.
Brown, Carroll D.
Coffman, John Y., III
Currie, Laurin C.
Drylie, Herbert D.
Dufresne, Michael P. Jr.
Dyches, Ken B.
Francis, William C
French, Christopher W.
Gonatos, Michael J.
Ghrer, Grady F.
Green, Robert L.
Harless, Charles W.
Hauck, Frederick H.
Holland, Howell W.
Hollingsworth, William L.
Howarth, Paul E.
Howell, James D.
Jackson, Douglas A.
Kozlowski, Neil L.
Laidlaw, Charles E.
Leonard, Edwin W.
Lindeman, Jon B.
Marano, Augustine C.
Mason, John A.
May, Cyril V., Jr.
McCracken, Wallace D.
McDaniel, Lowell R.
McKinnon, Clark D.
Meddings, William A.
Meisner, Julian R.
Mullins, Charles E.
O'Brien, Robert C.
Oldham, George R.
O'Sullivan, Edward J.
Pomykal, Glenn W.
Preston, Joe W.
Ramm, Edward J.
Russler, Dennis C.
Shepherd, Gary L.
Shoup, Linn T.
Spangler, Chester T.
Stuckemeyer, John A.
Thalken, Gerald E.
Walton, James A.
Zetterberg, Forrest L.

SUPPLY CORPS

Abbott, James E.
Anderson, Roger D.
Bissett, John L.
Conner, Frank H.
Duryea, Robert J.
Hislop, Charles E.
Hogan, Brian T.
Holland, Donald L.
Karosich, James C.
Klein, Richard B.
Knowles, Thomas N.
Koselka, James A.
Lawrence, Phillip L.
Lutz, Gerald G.
Marohn, Louis N.
Pedersen, Carl J.
Ryder, Thomas V.
Sareeram, Ray R.
Sekowski, Edwin E.
Watrach, Dennis K.

CIVIL ENGINEER CORPS

Buffington, Jack E.
Crane, Thomas C.
Watson, James P.

MEDICAL SERVICE CORPS

Anderson, Francis G.
Lewis, Barry W.
Santana, Frederick J.

NURSE CORPS

McDonald, Patricia K.

The following-named officers of the Navy for permanent promotion to the grades indicated:

LINE

To be captains

Ackerman, John F.
Adams, Ollie B.
Adamson, Robert E., Jr.
Ainsworth, Herbert S.
Almy, Charles B.
Alt, Earl J.
Arbo, Paul E.
Bailey, Bernard J.
Baker, Howard J.
Balestri, William L.
Barco, Leslie T., Jr.
Bartol, John W.
Bedsole, Donald S.
Bergstedt, William C.
Berriman, Joseph C.
Biddle, Edward
Biewer, Francis N.
Bishop, Ralph F.
Boice, Grant
Bothwell, Robert L.
Boyes, Jon L.
Brandt, Ralph K.
Bress, Henry
Brock, John R.
Brooks, Daniel P.
Brown, Clifford L.
Bryant, Carleton F.
Buckowski, George A.
Budnick, Lawrence E.
Bunce, Lawrence W.
Burgess, Emery L.
Burk, Raymond W.
Burnette, Oliver S.
Cady, Joseph
Caldwell, Harry H.
Callan, Allie W., Jr.
Carpenter, Albert P.
Carson, Albert C.
Casey, Martin M., Jr.
Cassidy, Richard M.
Castle, Hal C.
Chadwick, Walter D.
Chesky, Kaz P.
Chimiak, Walter
Christman, Thomas J.
Clark, Morris Y.
Clark, Weldon L.
Clingan, Forest M.
Coad, Richard J.
Collins, Vincent W.
Coogan, Robert P.
Cook, Creighton W.
Coulter, William G.
Courtin, Robert E., Jr.
Cowdrey, Roy B.
Cox, Donald V.
Cox, William R.
Cramer, Shannon D., Jr.
Craw, Nelson W.
Crawford, Jack H.
Crowder, Jonathan J.
Cruse, Carl M.
Cruser, Handford T., III
Cryan, John J.
Cummins, Laverne W. S.
Cummins, William E.
Cutler, Henry O.
Dankworth, Theodore P.
Dauphin, Oyd L.
Davis, Donald C.
Davis, John F.
Dawson, Howard W.
DeLamater, Stephen T. J.
DeLargy, John M.
DePrez, Richard J.
Dibrell, David McD.
DiCori, Ralph
Dixon, William C.
Donnelly, William E., Jr.
Douglas, John T.
Doyle, William J.
Driscoll, John F.
Dumas, Glenn I.
Dunham, Frank C., Jr.
Durna, Gordon A.
Dyar, Joseph E., Jr.
Ebel, August A.
Elliott, Michael M.
Ellis, Walter J.
Emerson, William D., Jr.
Engen, Donald D.
Everett, William H.
Faubion, Richard D.
Fifield, John G.
Fitzgerald, Robert E.
Fitzpatrick, Wayne N.
Flanagan, William R.
Ford, Raymond E.
Foreman, Robert P.
Foss, Newton P.
Franco, Thomas E.
Freeman, Rowland G., III
From, John L., Jr.
Fruin, Jack L.
Frye, Robert M.
Garvey, Hugh M.
Gibson, Robert C.
Godfrey, Jack E.
Godman, Robert
Grace, Joseph A., II
Graffy, Richard
Graham, Mac A.
Graning, Leonard G.

Gray, John A., Jr.
Greer, Howard E.
Grieve, John R.
Grossetta, Warren A., Jr.
Gustafson, Boyd E.
Hancotte, John J., Jr.
Hanks, Eugene R.
Hansen, John B.
Hanson, Robert J.
Hanssen, Henry R.
Harkins, John A.
Hart, Gordon McA.
Hartman, Raymond G.
Hawkins, Arthur R.
Hay, Lorin W.
Hazelton, Dewitt W.
Heising, Kenneth W.
Henderson, David W.
Henning, Richard E.
Hill, Clarence A., Jr.
Hiller, Harold W.
Hipp, Ernest C., Jr.
Hodgson, Gordon S.
Holbrook, James L.
Holder, Billy D.
Hollyfield, Ernest E., Jr.
Hooper, John H.
Hopkins, William A.
Horn, Dean A.
Horrocks, John N., Jr.
Howell, Jay S.
Huber, Robert L., Jr.
Hufstedler, Edward F.
Hurley, William G.
Iler, John R.
Johnson, Ivar A.
Kane, John P.
Karl, Paul J., Jr.
Kenyon, Jack S.
Kiernan, William A.
Kimener, Robert A.
Kincaid, John R.
King, Randolph W.
Kittel, Irving A.
Knight, Charles A.
Knopke, William R.
Knotts, Sanford L.
Koenig, Fillmore G., Jr.
Landis, Cary E.
Landon, James B.
Laney, Jack S.
Langer, Chester R.
Largess, Clifton R., Jr.
Larson, Richard
Lemon, Thomas M., Jr.
Lewellen, Robert S.
Lieber, James C.
Lindberg, Donald S.
Linnekin, Richard B.
Livington, William H.
Livingston, Robert L.
Lockee, Garette E.
Long, Robert L. J.
Lorentson, Adrian V.
Love, John J., Jr.
Lyon, Gaylord B.
Mackey, William A.
Mallick, Edgar E.
Manship, Herbert K.
Mason, James M.
Mayo, James O.
McCarthy, Cornelius A.
McClane, Joseph L., Jr.
McCue, Hartsel F.
McDonald, Robert R.
McKenzie, Frank E.
McLane, Alpine W.
McNair, William D.
McQuary, John E.
McVey, William J.
Mereness, Robert H.
Merryman, Charles A., Jr.
Meshier, Charles W.
Metze, George M.
Miehe, Frederick W., Jr.

Miller, Donald M.
Miller, Rupert S.
Mink, Robert O.
Montgomery, John A.
Morris, Robert L.
Mowell, Lawrence V.
Munroe, William R., Jr.
Murphy, James E., Jr.
Neal, Raymond G.
Newell, Arthur F., Jr.
Now, John G.
Oller, John S., Jr.
Osborne, Henry H.
Pahl, Herschel A.
Paolucci, Dominic A.
Papas, Louis J.
Patterson, William H.
Patterson, Joseph, Jr.
Payne, Paul E.
Peale, William T.
Pearson, James W.
Perry, John E.
Perry, Oliver H., Jr.
Pettitt, Robert B.
Pond, Robert McH.
Porter, Austin McC.
Porter, Phillip W., Jr.
Prigmore, William B.
Provost, William B., Jr.
Rains, David C.
Randolph, John B.
Reynolds, Ernest E., Jr.
Rhees, Thomas R.
Rian, Gerald R.
Robertson, Gordon H.
Robison, Bob J.
Rosen, Ralph J.
Rowe, Robert A.
Rozier, Charles P.
Rust, Charles C.
Sadler, Stuart T.
Sampson, Richard A. H.
Sanborn, Richard W.
Schaefer, William W., II
Schermerhorn, Dale V.
Schmidt, Charles K.
Schoulda, George C.
Schroeder, William A., Jr.
Schwass, Earl R.
Seaver, Clifford N.
Seiller, Aubrey R.
Setser, Lester E. G.
Sharp, George H.
Sharrai, Robert E.
Shawcross, William H.
Shonerd, David A.
Singleton, Royce A.
Skidmore, Howard H.
Slattery, Francis L.
Sloan, Stanley E.
Smith, Augustine W.
Smith, Floyd E.
Smith, John W.
Snodgrass, Joseph C., Jr.
South, Marvin P.
Stear, David S.
Stephens, Russel T.
Stevens, James H., Jr.
Stickles, Albert L., II
Stock, Glenn C.
Story, Emery G., Jr.
Streeper, Harold P.
Sudduth, Roy M.
Sullivan, Thomas J., Jr.
Surface, Wayne D.
Talley, George C., Jr.
Terrill, Scott E., Jr.
Teufer, William E.
Thomas, Lloyd H.
Thornton, Joseph H., Jr.
Trautmann, John R.
Trottier, Albert R.
Tucker, Charles E., Jr.

Upshaw, William W.
Vito, Albert H., Jr.
Volpi, Ray A.
Wakeland, William R.
Walker, Donald P.
Wallace, Robert Q.
Walters, Hilmon E., Jr.
Webster, David A.
Webster, Harvey O., Jr.
Weeks, John M.
Whidden, Wynn V.
Williams, Edward A.

Wish, James R.
Wohler, Jack L.
Wolf, Robert L.
Workman, Reginald L.
Worthing, Lewis K.
Wroblewski, Sigmund V.
Yatch, Walter A.
Yates, Earl P.
Yeich, Lloyd G.
Yesensky, Albert
Yount, Robert R.

MEDICAL CORPS

To be captains

Benavides, Jaime M., Jr.
Boyd, Winton R.
Burke, Francis W.
Callis, Charles M.
Climie, Charles F., Jr.
Davis, Robert L.
Dobbie, Robert P., Jr.
Doohen, Donald J.
George, Frederick W., III
Greenburg, Rolland E.
Hosp, David H.
Jones, Kenneth P., III

Jones, Roland W.
Kent, Donald C.
Loweecey, Edward D.
Margileth, Andrew M.
McClenathan, James E.
Millar, Jack W.
Mitchel, Robert E.
Montgomery, Duncan O.
Parmelee, Kenneth A.
Reinhardt, Roger F.
Spicer, Donald W.

SUPPLY CORPS

To be captains

Becker, Charles
Berning, John R.
Bishoff, Jack T.
Blankinship, Grover F., Jr.
Brosseau, Oswald J.
Burkhead, Franklin
Busby, John C., Jr.
Byrd, Hugh D.
Cornell, Alexander H.
Cummings, Newell J.
Dawson, Thomas H., III
French, Ferris L., Jr.
Gardiner, Charles V.
Hanson, Earl J.
Hempson, Donald A.
Huebner, Dale C.
Johnson, Carl P.
Keers, David B., Jr.
Kenyon, Lawrence H.
Kovar, Isadore M.
Lascara, Vincent A.
Law, Kenneth S.
Lee, Charles R.
Lenox, Wilbert W.
Maggard, Talmadge P.

Maiden, Robert W.
Mason, Stanley R.
Neely, Carroll E.
Nelson, George C. Q.
O'Connell, Arthur W., Jr.
Owen, Charles S.
Pawson, Richard P.
Race, William W.
Reid, Donald P.
Russell, George D.
Sanford, Edward A., Jr.
Scharf, Samuel L., Jr.
Scheela, Jerome J.
Sherman, Joel H., Jr.
Simpson, Harold W.
Smith, Joe G., Jr.
Van Pelt, James C.
Warren, James A.
Wieseke, Edward M.
Williams, Earl O.
Winkels, Fred C.
Woodard, William K.
Wright, John E. C.
York, Edward S.
Young, Gilbert S.

CHAPLAIN CORPS

To be captains

Austin, Henry E.
Brink, Frederick W.
Elliott, Robert E.
Garrett, Francis L.
Hemphill, Edward J., Jr.

Humphreys, David M.
Jones, Oliver W.
Jones, Robert "Q"
Lyons, Earle V., Jr.
Sneary, Earl D.
Walsh, William J.

CIVIL ENGINEER CORPS

To be captains

Beaver, John F.
Burke, John L.
Christensen, Wayne J.
Engram, Robert C.

Harper, Milton J., Jr.
Loeffler, Harry H., Jr.
Scanlan, Melvin E.

DENTAL CORPS

To be captains

Boyne, Philip J.
Brauer, Frank J.
Bruce, Robert W.
Cave, Amos W., Jr.
Courage, Guy R.
Evans, Joseph R.
Fedi, Peter F., Jr.
Firestone, Dale L.
Gunther, Lewis L.

Kratochvil, Frank J., Jr.
Marble, Howard B., Jr
Mazzarella, Maurice A.
Parry, Donald E.
Perkins, Robert R.
Prince, Clifford H., Jr.
Rigterink, Ray A.
Webre, Harvey P.

MEDICAL SERVICE CORPS

To be captain

Bell, Gordon C.
Edrington, Harold G.

Gilpin, John H.
Goldman, David E.

Herrmann, Robert S.
Hooper, Robert F.
Jacobs, Joseph J.
Johnson, Calvin F.
Madden, William F.

McGehee, William G.
Sanders, Ernest
Skow, Royce K.
Swanson, Robert W.

Commander, line

Adams, Clayton R.
Adkins, Joe D.
Aiken, Robert A.
Akins, Joseph W., Jr.
Alberta, Edward T.
Alexander, Charles S., Jr.
Alford, Zeb D.
Allen, Henry L., Jr.
Allison, George E.
Almonrode, Roland H.
Ames, Lionel E., Jr.
Anderson, Leo J.
Armstrong, Colin L.
Athow, Robert F.
Austin, William H., Jr.
Bacon, Francis W., Jr.
Baer, Joseph, Jr.
Bagwell, Wallace B.
Bailey, George G.
Ball, George F.
Barley, Cecil E.
Barondes, Earl D.
Bass, Richard W., Jr.
Baughman, Fred H.
Baumann, Hugh B.
Beaman, Percy S.
Bell, John H.
Benson, Harry L.
Berglund, Burton E.
Betts, Martin B.
Black, Charles H.
Blair, Ira W.
Bodnar, Andrew J.
Boushee, Frank L.
Bowen, James W.
Bradley, Claiborne S.
Brady, James "L", III
Brisco, Kenneth B.
Brockmann, Victor D.
Brooks, Wharton H., Jr.
Broun, LeRoy R.
Brown, Edward J.
Buck, Edward G.
Bueler, Charles M.
Bunganich, John, Jr.
Burkett, Alva D.
Byrd, William J.
Campbell, Ivan R.
Cantrell, Charles E., Jr
Carlquist, Roger
Carman, Warren E.
Carr, Herbert W.
Carraway, Bertram R.
Carter, John T., Jr.
Carter, Rodney B.
Chelgren, John L.
Chirillo, Louis D.
Christoph, Karl J., Jr.
Clark, William E.
Clay, Harold S.
Clemente, Angelo E.
Clifford, William F., Jr.
Clymer, Roy E., Jr.
Cocke, Edgar M.
Coggins, Jack C.
Corley, Frank W., Jr.
Corrigan, Paul T.
Cort, Walter W., Jr.
Cover, John H.
Crabtree, Alan B.
Crawford, Wayne H., Jr.
Crispin, Robert E.
Crouter, Robert W.
Crump, Frank L., Jr.
Cullen, James H.
Cullison, Chester D.
Culwell, Jackson P.
Cummings, Edward M., Jr.
Dadisman, Richard "A"

Darcy, Robert T.
Darling, Richard B.
Davidson, John D.
Davies, James W.
Davis, Cabell S., Jr.
DeBaets, Donald J.
DeBaets, Ronald M.
Decker, Harvey L.
Dedman, Tyler F.
Deffenbaugh, Robert M.
Denkler, John M.
Denny, Lewis E.
Dermody, Richard J.
Dibble, Henry M.
Dickieson, Robert W.
Doe, Willard C.
Donnelly, William N.
Donovan, Walter J.
Douglas, Stephen P., Jr.
Dowell, James W.
Downing, Joseph H., Jr.
Doxey, Robert C.
Dudley, Calvin C.
Durfos, Robert E.
Dyer, Philip M.
Eakin, John C.
Early, Paul J.
Edelson, Burton I.
Edwards, George D., Jr.
Edwards, Maurice M., Jr.
Eidson, George V.
Ekas, Claude P., Jr.
Eldridge, Richard A.
Elmer, Joseph S.
Epps, John H.
Ewing, John R.
Fargo, Robert R.
Faulkner, Doc G., Jr.
Fay, Lawrence J.
Fenn, Richard W.
Ferguson, Robert E.
Fisher, John H.
Fitzgerald, Jean
Flood, Robert H.
Fogarty, Francis C.
Forrester, John J.
Foulds, Donald D.
Foxgrover, James H.
Foxwell, David G.
Franklin, Isaac N., Jr.
Freeland, Harold H.
Fry, John C.
Fuller, Jack D.
Gammon, James M.
Garlinghouse, Bruce B.
Garner, Alan S.
Garvin, Wilbur C.
Gauthier, Gene F.
Gebler, Gerard P.
Geiger, Robert K.
Gibbs, John D., Jr.
Gibson, George W.
Gideon, Robert A., Jr.
Goldman, Peter J.
Gorder, Charles F.
Gormley, Robert H.
Graves, Robert F., Jr.
Gray, Joseph W.
Green, Norman K.
Gresham, John I.
Griffith, Harold F.
Gross, James R.
Guilday, Thomas J., Jr.
Gurney, Sumner
Hagler, Billy E.
Hale, Claude E.
Hale, Robert F.
Hancock, Burton W.
Hargarten, Robert W.

Harkins, William D.
Harlan, James D.
Harris, Jack H.
Harris, William H.
Harrison, James L., Jr.
Haupt, Richard W.
Hawvermale, Joseph R.
Hayes, James T.
Haynes, Kenneth G.
Heckert, Nelson E.
Herron, Russell G.
Highsmith, Frederick L.
Hinden, Harry J.
Hoag, Harold
Hodder, Arthur J., Jr.
Hodge, Alan G.
Hoffman, Richard A.
Hoffmann, Henry A.
Holland, John P.
Holmes, Robert C.
Holshouser, Jesse A., Jr.
Holton, Wallace C.
Hornbrook, James M.
Howard, Alfred M.
Howard, Cornelius S., Jr.
Huddle, Norman P.
Hunter, "H" Reid
Jagoe, William H.
Jahant, John W.
Janiec, Roy T.
Jefferson, Harry P.
Johnson, Harvey J.
Jordan, Glenn D.
Joss, Herbert L.
Juntilla, Harry W.
Jussel, Alfred R.
Kanak, Robert A.
Kearny, James D.
Keenan, Paul C., Jr.
Keener, Bruce, III
Keiser, Richard M.
Kelly, Eugene F.
Kelso, Quinten A.
Kern, John S.
Kile, Newton A.
King, John W., Jr.
Kline, John L., Jr.
Knock, Franklin C.
Knutson, Albert E.
Koehler, Robert H.
Koett, Lee E.
Kojm, Leonard R.
Kolda, Frank C.
Krejcarek, Donald J.
Krimmel, John E.
Lansden, Humphrey B.
Larsen, Norman E.
Lawrence, Kenneth W.
Lawson, Kent W.
Lebiedz, Edward F.
Lee, George H.
Lee, Harry B.
Lember, David B.
Leo, Joseph P., Jr.
Lewis, Chantee
Lewis, William S.
Livesay, Alvin R., Jr.
Lockwood, Warren H.
Loper, Ollie J.
Love, Warren H.
Lynch, Leslie "O"
Mac Onie, Robert T.
Maige, George N.
Manganaro, Francis F.
Mangold, John F., Jr.
Marsolais, Lawrence D.
Martin, Ward K.
Marzluff, Joseph O.
Masek, Floyd E.
Matthew, William McG.
Maurer, Richard C., Jr.
Maxwell, Robert A.
McArdle, Robert P.
McCann, Carl J.
McClinton, Robert B.
McConnell, John H., Jr.
McCook, John A.
McDaniel, Charles B.
McDonald, Carlton A. K.
McDonald, William M.
McDowell, Charles E.
McEachern, Harold O.
McGonagle, William L.
McKinley, William
McMakin, Charles H., Jr.
McNary, Johnnie W.
McVeigh, Paul J.
Mead, Frank C.
Mead, Merle P.
Measel, James G.
Metcalf, Wayne C., Jr.
Miko, Charles R.
Miles, Bernard L.
Milligan, Donald F.
Milner, William G.
Mitchell, Frank A.
Mitchell, John E.
Monger, Albert J.
Moorman, Eugene R.
Morgan, Clifford L.
Morris, Marion E.
Morris, Max K.
Morrison, Edward B.
Morrison, Wilbur M.
Munly, Richard E.
Murray, Richard D.
Navarrette, Claude, Jr.
Nealon, William G.
Neiss, Norman J.
Nelson, Robert E.
Nesbitt, James D.
Netherland, Roger M.
Neville, Joseph T.
Newcomb, Robert C.
Norman, Oliver L., Jr.
Nowers, William E.
Nuber, George E., Jr.
O'Connor, Roderick J., Jr.
Olds, Corwin A.
O'Leary, Stephen J., Jr.
Olson, Delbert A.
Olson, Robert C.
Osborn, Neri, III
Osmer, James W., Jr.
Palmer, John G.
Parish, George R., Jr.
Parker, Hugh G., Jr.
Parks, William L., Jr.
Patterson, Randolph F.
Pehrsson, Pehr H.
Pentinmaki, Walfred N.
Perry, Dale S.
Pfeiffer, Willard D.
Phillips, Kenneth E.
Pickens, Jackson R.
Pollard, Robert D.
Porcari, Thomas J.
Powell, Robert A.
Prange, William L.
Price, Mood B., Jr.
Prichard, Reuben P., Jr.
Puckett, Howard M.
Pyle, Robert E.
Radtke, Robert N.
Ragland, Roy J.
Rasmussen, John E.
Rauch, Charles F., Jr.
Rawlins, Robert D.
Rawson, Charles E.
Rectanus, Earl F.
Reichwein, Fremont E.
Richmond, John W., Jr.
Rideout, Joseph M., III
Rigot, William L.
Riley, Daniel P.
Riley, Jack
Robertson, William D., Jr.
Rockcastle, Charles H.
Rogers, David A
Rogers, Edmund D., Jr.
Rohrer, Leonard V.
Rose, Meyer H.
Ross, Claude M.
Ross, Seymour N.
Ross, William W.
Roth, Emil S.
Ruehrmund, James C.
Rumfelt, Milo
Rusche, Alvin E.
Russell, Paul E.
Russell, Wallace L.
Saar, Charles W.
Sanders, James E.
Sapp, Earle W.
Saubers, Maurice D.
Scappini, Mimo L.
Schaffer, William M.
Schock, Robert E.
Schuler, Foster R.
Scoggins, Marvin C., Jr.
Scott, Robert L.
Scudder, Harold
Shaver, William McC.
Sheehan, William R.
Shepard, Philip B.
Short, Edward A.
Shugart, Kenneth L., Jr.
Shute, John W.
Simmons, John A., Jr.
Simons, Joseph T.
Sisson, Jonathan A.
Skelly, Harold F.
Slater, Robert W.
Smith, Deming W.
Smith, Harold A.
Smith, Meredith A.
Smith, Robert H., Jr.
Smith, Robert P.
Somme, Maurice L.
Songer, Jack R.
Spangenberg, Walter, Jr.
Spoon, Donald D.
Spry, Warren L.
Stevenson, Norman M.
Stone, John F.
Stone, Troy E.
Styer, Robert T.
Talmadge, Charles J.
Taylor, Dean, Jr.
Tegfeldt, Carl G.
Tell, William M.
Terrass, Milford S.
Terry, Bernard E., Jr.
Thomas, Edward W.
Thomas, Lee R., Jr.
Thompson, Robert K.
Thummel, Gerald F.
Tilton, Charles N.
Tobin, Daniel P.
Townes, John W., Jr.
Trout, Roscoe L.
Trusso, Sebastian
Twedell, Jack L.
Ulm, Robert B.
Underwood, John "L", Jr.
Urbanczyk, Louis T., Jr.
Van Gundy, Bryson, Jr.
Van Lunen, Lloyd M.
Van Tol, John
Vecchione, Felix S.
Vermilya, Jay Jr.
Vermilya, Robert S.
Vollertsen, Russell A.
Vollmer, Cecil R.
Voves, Martin C.
Wadsworth, Dwight
Walker, Grant J.
Walker, Harrison M., Jr.
Ward, Edgar F.
Ward, "J" "D"
Warring, Leo B.
Weeks, Robert E.
Weidman, Robert M., Jr.
Welch, Edward F., Jr.
Welch, Paul R.
Wellons, Alfred G., Jr.
Wells, Frank P.
Wenzel, Harold F.
Wheeler, Clifford D.
Wiener, Richard "A"
Wilda, Gerald L.
Williams, Bernard P., Jr.
Williams, David T.
Williams, Hexter A.
Wineman, Gordon L.
Winkler, Cornelis, Jr.
Yates, Andrew J.
Yates, William K.
Yeatman, Richard P.
Zelov, Randolph D.
Zimmerman, William R., Jr.
Zinsler, Frank G.

MEDICAL CORPS

To be commander

Allison, Mack E., Jr.
Arthur, Ransom J.
Babalis, William J.
Barnwell, Frank M.
Burkhart, Vernon A.
Clarke, Pauline E.
Esterly, Harold D., Jr.
Frew, Mable A.
Horgan, Joseph T.
Hyams, Vincent J.
Johnson, Thomas S.
Kitrinos, Nicholas P.
Lynch, Mary T.
Maughon, James S.
Meekings, Walter J., Jr.
Mitchell, George D.
Ninow, Earl H.
Nuredini, Skender
Watkins, Tommie K.

SUPPLY CORPS

To be commander

Ahern, James R.
Allshouse, Thomas J.
Banghart, Robert J.
Barnett, William H., Jr.
Baumgardner, James M.
Beale, John W.
Benson, Bruce A.
Bow, Joseph R.
Bray, Walter H.
Calhoun, Thomas N.
Carlson, John C.
Chapman, John A., II
Cheshure, Joseph H.
Child, Arthur L., III
Cosby, Francis B.
Daley, Edward J.
Donnelly, Joseph A.
Edsall, Arthur R., Jr.
Elwood, Joseph L.
Fabian, Robert G.
Finn, John F.
Foil, John L.
Gifford, Robert L.
Graziadei, John D.
Grechanik, Walter
Growden, Ellwood W.
Hagedorn, Lawrence D.
Haines, Donald R.
Hamill, William T., Jr.
Hardy, John F.
Hatch, Bobby L.
Hatfield, John H.
Havener, Millard F.
Heasley, Gail L.
Heindel, Donald D.
Heitmeyer, Richard C.
Hency, Max E.
Henker, Donald E.
Hereford, James D., Jr.
Hobkirk, Carl M.
Honsinger, Jack E.
Houkom, Leif A.
Hutchison, Marvin S.
Johnson, William H.
Keyser, Carroll R.
Kolinsky, Jaromir J.
Kraus, Walter L.
Lake, Donald H.
Lillis, James F.
Longmire, Billy R.
Manion, Uriel V., Jr.
Martin, Donald V.
Martin John T.
Maurstad, Alfred S.
Maxon, Ivan B.
McCabe, John N.
McCrory, Walter J.
McGovern, Austin F.
McKeen, Edward N.
Nash, William T.
Nunn, Enoch W.
Nunnally, Roy S.
O'Connor, Thomas J.
Olin, William C.
Oliver, James C., Jr.
Ortland, Warren H.
Ouellette, Joseph F.
Packard, Harrison G.
Park, Jack M.
Pawlowski, Thomas J., Jr.
Pflueger, Paul J.
Phelps, Gordon W., Jr.
Pillar, Samuel A.
Purnell, Rodney K.
Rainey, Richard L.
Reichert, Harold H.
Reynders, William J.
Ryder, John K.
Ryon, George G.
Schultz, Jackson L.
Sharp, Herbert C.
Snyder, William J.
Spalding, Joseph E.
Stephens, Samuel S.
Stratton, Ogden K.
Sundberg, Daniel G.
Sutherland, Lawrence E., Jr.
Thompson, Edwin H.
Tylman, Frank J.
Van Tol, Peter H. B., Jr.
Veazey, John W.
Vogel, William J.
Waldron, William S.
Wallace, William E.
Walters, Melville J., Jr.
Welch, Gordon E.
Weyrauch, Gerald H.
Whelan, David W.
Wier, Richard A.
Wills, Thomas J., II
Wilson, Robert McL.
Ziegler, Bryan W.

CHAPLAIN CORPS

To be commander

Agnew, James F.
Anderson, Robert E.
Caldwell, Ralph G.
Detrick, Wayne N.
Duncan, Henry C.
Dunn, Edward J.
Hammerl, Paul C.
Hawkins, Elmo M. T.
Hunter, William M.
Killeen, James J.
Lineberger, Ernest R.
McDonnell, James T.
McMillan, Robert C.
Paulson, George I.
Powell, Willie D.
Prickett, Albert D.
Riley, George B.
Robertson, Alla W.
Smith, Vincent M.
Spinney, William J.
Sundt, Valery E.
Vanderpoel, George E.
Weber, Oscar
Weidler, Edwin R.
Williams, Bruce H.
Wootten, Thomas J.

CIVIL ENGINEER CORPS

To be commander

Bafus, Raymond A.
Butterfield, Ossian R.
Curione, Charles
Dewey, Elliot A.
Dunn, Robert H. P.
Floyd, Archie E.
Hardy, Richard T.
Heid, Charles C., Jr.
Johnson, William M., Jr.
Jones, Frank W.
Jortberg, Robert F.
Kirk, Randolph
LeDoux, John C.
Lemmon, William R.
Marron, James P.
Michael, Edwin M.
Miller, Robert H.
Nims, William E.
Padden, Thomas J., Jr.
Perkins, Anson C.
Pickett, Eugene L.
Reed, William F., Jr.
Richeson, William J.
Semple, William H.
Shockey, Dan N.
Simonson, Nelson C.
Stroh, Alfred, Jr.
Trompeter, Richard W.
Vivoli, Pierre L.
Wallace, Billy C.
Washburn, Jack E.

DENTAL CORPS

To be commanders

Allen, Ethan C.
Amman, Fred M.
Austin, Robert E.
Bagby, Robert W.
Bartosh, Andrew J.
Corthay, James E.
Duggan, Norman E.
Enger, Theodore C.
Farrell, Paul E.
Hickey, Loren V.
Hotz, Philip C.
Johnson, Walter N.
Kresl, Bernard F.
Leupold, Robert J.
Nelson, Jack D.
Sachs, Samuel J.
Schweitzer, John R.
Scruggs, Charles "S"
Weber, Irving J., Jr.
Wilkens, Carl H., Jr.
Wyda, Andrew, Jr.

MEDICAL SERVICE CORPS

To be commanders

Allen, Cleo R.
Allen, Robert V.
Munroe, Barbara
Noble, Howard F., Jr.

NURSE CORPS

To be commanders

Bittle, Miriam E.
Chelf, Anne J.
Cornelius, Dolores
Dalton, Marie F.
Dehler, Erma J.
Emery, Lura J.
Houghton, Arline D.
McCleary, Catherine M.
Miller, Lucile P.
Perry, Bessie M.
Richman, Anna
Rothermel, Alice M.
Shedyak, Alice M.
Tidwell, Dorothy C.
Vitzkievitch, Helen V.
Walker, Ella M.
Yankoski, Adelyn M.

LINE

To be lieutenant commanders

Abe, Henry H.
Abele, Henry F.
Abercrombie, Jerry T.
Abrahams, Thomas P.
Abrahamson, Dean A.
Adamson, Edwin C., Jr.
Adcox, James R.
Addams, John F.
Adler, Ronald E.
Adorney, Frank
Ahlgren, Kenneth L.
Ahlquist, Stanley W.
Aiau, Harvey C. K.
Aitcheson, George A., Jr.
Albers, William P.
Albertson, William H.
Albright, Richard K.
Alderson, James M.
Alexander, Marvin W.
Alexander, Charles F.
Alexander, Adelore L.
Alford, William J.
Alldredge, Donald L.
Allen, William D.
Allingham, James R.
Allison, Arnold W.
Altee, Thomas M.
Altmeyer, John M.
Andersen, Alexander R.
Anderson, Curtis O.
Anderson, David W.
Anderson, Forrest P.
Anderson, Robert P.
Anderson, Robert N.
Anderson, Richard N.
Andrassy, Michael F.
Ankrum, Glenn E.
Apted, George L.
Archambault, Jackson L.
Armstrong, Philip McC., Jr.
Armstrong, Stephen O., Jr.
Arnold, Robert B.
Asbacher, Martin A., Jr.
Ashley, Bruce H.
Atkinson, Robert J.
Aubuchon, Harvey
Aucoin, Leonard L.
Augustine, Grant, III
Austin, Carl G.
Avary, James C., Jr.
Avrit, Richard C.
Babcock, Donald E.
Bagby, Hallam O.
Bailey, Joe E.
Baker, Halbert E.
Baker, Robert O.
Balderston, Buele G.
Baldwin, Charles C.
Ball, Courtland D., III
Banham, Herbert G., Jr.
Banks, Sidney M.
Banta, Robert
Barke, Arthur R.
Barnes, Donald K.
Barnes, Harry G., Jr.
Barnes, Harold
Baron, Charles R.
Barrett, Thomas D.
Barry, Thomas M.
Barth, Joseph J., Jr.
Barthelenghi, George H., Jr.
Bartlett, Frederick R.
Bassett, Melvin S.
Bates, Carl M.
Bauchspies, Rollin L., Jr.
Bauer, Bruce A.
Baum, Joseph H.
Bayer, David A.
Beat, Robert S.
Beaumont, Eugene A. G.
Beaver, Alfred S.
Beaver, John T.
Beck, Donald A.
Becker, Glynn P.
Beers, Robert C.
Beeton, Harvey J.
Behnken, Clifford R.
Bekkedahl, Clifford L.
Belechak, Stephen C.
Bell, Bill J.
Bell, William R.
Bengel, Audrey L., Jr.
Benner, Leslie W., Jr.
Bennie, Donald B.
Bentley, William C.
Bergbauer, Harry W., Jr.
Berge, Norman K.
Berry, William H.
Besio, Louis F.
Best, Eddie F.
Bingham, Joseph L.
Bird, Charles F.
Bird, Joseph W., Jr.
Bishop, Richard D.
Bivens, Arthur C.
Blackmore, Thomas A.
Blackwood, Robert G.
Blanchard, Robert C.
Blandine, Robert E.
Block, Stanley H.
Block, Steven
Blouin, Stanley G., Jr.
Blundell, Peveril
Boaz, George L.
Boggs, Steve V.
Bolster, Harry E.
Borthwick, Robert B.
Bostwick, Charles G., Jr.
Bottenberg, Foster L.
Botts, Ronald H.
Bowling, David H.
Bowling, Roy H.
Bowman, Frank S.
Boyd, John H., Jr.
Boyer, Walton T., Jr.
Boyer, William E.
Boyett, Stephen G.
Boyle, Darrell D.
Boyle, Henry F., Jr.
Bozell, Rex K.
Brabec, Richard C.
Bradbury, John I.
Braden, Melvin E., Jr.
Bradley, Donald C.
Brady, Bernard F.
Braun, William K. G.
Breaux, Fred J., Jr.
Bredestege, Joseph J., Jr.
Britton, William L.
Brooks, Darrell H.
Brooks, Edwin H., Jr.
Brown, Cloyde I.
Brown, George P.
Brown, Kenneth R.
Brown, Larry J.
Brown, Lloyd H.
Brown, Walter H., Jr.
Browning, Siras D.
Bruce, George W., Jr.
Brummage, Richard L.
Brunson, Wright "A", Jr.
Buc, William J.
Bucher, Lloyd M.
Buckholdt, Robert A.
Bucy, John T., Jr.
Bueck, Robert K.
Bull, Joseph L., III
Bullard, John R.
Burgess, James A.
Burke, William C.
Burris, Raymond M.
Burt, Thomas E.
Bushong, Brent
Butcher, Nathan T.
Butcher, Paul D.
Butler, Charles T.
Butler, Harold E.
Butrym, Stanley B., Jr.
Butz, John T.
Byberg, Robert C.
Byrnes, Robert E.
Cagle, James B.
Callicott, Jack D.
Cammall, John K.
Campbell, George R.
Campbell, James B.
Campbell, Jack
Campbell, Robert J.
Campbell, William N.
Canant, Fred C., Jr.
Canfield, Gerald I.
Cannell, Donald T.
Cannon, David E.
Canon, George A., III
Cantlion, Henry C.
Carelli, Francis L.
Carlson, Olof M., Jr.
Carmody, Cornelius J.
Carnevale, Angelo M.
Caron, Robert R.
Carosia, Joseph J.
Carothers, Philip "F", Jr.
Carr, John H.
Carr, Nevin P.
Carr, Roland J.
Carrington, James H. Jr.
Carroll, James F.
Carter, James D.
Carter, Robert D.
Carter, Winfred G.
Carterette, Robert T.
Cash, Eugene J.
Cashman, Michael, II
Cassen, John S., Jr.
Cassidy, Thomas J., Jr.
Castro, William B.
Causey, Donald F.
Cave, David B.
Cavitt, William M.
Champlin, Gerald B.
Charest, Philip G.
Chase, Edgar M.
Chase, Robert T., Jr.
Chesley, James F.
Chezem, Norman B.
Childs, George M.
Chin, Donald
Christensen, Raymond J.
Clark, George K.
Clark, Philip K.
Clark, Richard G.
Clark, Robert A.
Clarkin, James J.
Clemens, Eugene M.
Clements, Billy R.
Coe, David C., Jr.
Cole, Edgar E.
Cole, William S., Jr.
Coleman, James O.
Colgan, John G.
Collins, Edward P.
Collins, Philip K.
Compton, Charles R.
Conn, Clayton "J"
Connelly, John J.
Connelly, John G.
Connolly, Timothy W.
Conrad, Charles, Jr.
Conroy, Robert O.
Coogan, Richard D.
Cook, Charles L.
Cook, Harry K.
Cook, Vernon H., Jr.
Cooley, Arthur W.
Cooper, Andrew N., Jr.
Cooper, Lowell H.
Cooper, Robert G.
Cooper, Tommy G.
Corbett, Eugene A.
Corley, Bennie L.
Cormier, Conrad R.
Cornell, Arthur F.
Coscina, Michael A., Jr.
Coskey, Kenneth L.
Coston, Stanford W., Jr.
Cottrell, Walter N.
Coughlin, Eugene F.
Coughlin, Paul G.
Cour, Edward E.
Cox, Gerald W.
Crabb, Eugene V.
Crader, Clifford L.
Craig, Earl C.
Crandall, Alan W.
Crater, Ray F.
Crawford, Bobby C.
Crawford, Nace B., Jr.
Crepeau, George A.
Cricchi, John V.
Crinklaw, Douglas L.
Cross, Charles H.
Cuccias, Leo P.
Culbert, Joseph M., Jr.
Cunningham, Edward F.
Curl, Kent W.
Curry, Thomas E.
Dagdigian, James J.
Daily, Hubert D., Jr.
Dally, David F.
Dalton, Richard V.
Daly, Harry P., Jr.
Daly, Richard G.
Daniels, James M.
Darville, Edmond J.
Davis, Bill N.
Davis, George K.
Davis, John B.
Davis, Robert C., Jr.
Deal, Walter C., Jr.
Dearcot, Michael E.
DeBolt, Frank C.
DeFeo, Modestino R.
De Hart, William
DeMaris, Darryl A.
Dempsey, Gerald M.
Denman, Charles C., Jr.
Dennis, Aubrey D.
Derda, James R.
Desrocher, Marvin P.
DeTonnancourt, Arthur E.
Devereaux, John R., Jr.
Dey, Gordon J.
Dick, Joseph L.
Dickman, Jerry A.
Dickson, John A.
Dierdorff, Loren M.
Diesel, Charles N.
Dietz, Richard J.
Di Giacomo, Joseph G.
Dillard, Marvin B.
Dillingham, Paul W., Jr.
Dimon, Charles G., Jr.
Divelbiss, Dallas R.
Dodds, Robert M.
Dolan, William R.
Domingue, William A.
Donaldson, Robert S.
Donnelly, Raymond D., Jr.
Donnelly, Robert G.
Donohue, David P.
Donovan, James F.
Doolittle, James E.
Dorland, John E.
Doroshuk, John Jr.
Douglas, Jack R.
Douglass, James G., Jr.
Dowd, Francis X.
Dowd, George G., Jr.
Dowe, Robert M., Jr.
Dowe, William J., Jr.
Drain, John F.
Drees, Morris C.
Dreghorn, Richard T.
Drew, Russell C.
Drummet, Richard C.
Drummond, Scott E., Jr.
Dubino, Andrew D.
Dubois, Roland H.
Duff, Robert G.
Duffy, Joseph A., Jr.
Duhrkopf, Don J.
Duke, Marshal D., Jr.
Dunaway, John A., Jr.
Dunbar, Vance O.
Dunkin, Ray L.
Dunlop, Thomas E.
Durant, Michael
Durbin, Peter
Dwyer, George M.
Eckerd, Kenneth C.
Eckhouse, Morton A.
Eddy, Denver D.
Edwards, Donald L.
Edwards, Jerry J.
Edwards, William R., Jr.
Eibert, Don C.
Eldridge, David B., Jr.
Elliott, Orville G.
Ellis, David E.
Elmore, John E.
Elster, James M.
Engelbrecht, Richard H.
Englander, Owen
English, Francis W., Jr.
Erickson, William K.
Erwin, Donald E.
Evans, George J.
Evans, Richard B.
Evans, Robert C.
Evans, Thomas B.
Eyres, Thomas D.
Falconer, Alastair S.
Fall, David R., Jr.
Farber, Karl H.
Farnham, Charles G.
Farris, Don M.
Feeks, Edmond M.
Fehl, Frederick C., Jr.
Fellows, Charles D.
Felt, Donald L.
Felt, Joseph A.
Fenn, Dan E.
Ferguson, William W.
Fergusson, Ernest W.
Ferrazzano, Fred J.
Fette, Estal J.
Field, Harford, Jr.
Fiene, Donald F.
Filkins, William C.
Fimian, James J.
Fischbein, Ernest
Fischer, David H.
Fischer, Edward J.
Fisher, John C.
Fisher, Russell H.
Fitzgerald, Thomas W., Jr.
Fitzgerald, David E.
Flatley, John E.
Fleischmann, William H., Jr.
Fleming, Raymond T., Jr.
Flom, Hewitt O.
Florance, John E., Jr.
Fong, Chong S.
Font, Carlos G.
Forsman, Arvid E.
Fossum, Paul G.
Fox, Charles W., Jr.
Fox, Richard V.
Frank, Benjamin L.
Frankenfield, Robert T.
Fraser, George K., Jr.
Fraser, Robert "E"
Frederick, Donald R. A.
Frederick, John L.
Freeman, Linus W., Jr.
Freeman, Robert W.
French, Fred H.
Freund, Herman C.
Frick, Joseph F.
Friedel, Gordon W.
Friesen, Floyd A.
Fudge, David A.
Furey, Laurence T.
Furgerson, John A.
Furmanski, John A.
Gall, Daune M.
Gallagher, Hugh L.
Gallagher, Robert S.
Gallipeau, Richard W.
Gallup, Shelley P.
Galvin, Bernard J.
Gandy, John D.
Garcia, William V.
Gardner, Louis J.
Gardner, Ruel E.
Garnett, Walter W.
Garrett, John E.
Gatterman, Raymond D.
Gavazzi, Robert R.
Gedney, George, Jr.
Gennette, Robert L.
Gentry, Osby Z., Jr.
Gentry, Timothy P.
Gherrity, Patrick F.
Giberson, William A., Jr.
Gigliotti, Felix P.
Gildea, Joseph A.
Giles, Thomas N.
Gillette, Halbert G.
Gilmore, Arthur H.
Gilroy, John W., Jr.
Giovanetti, William C.
Gjertson, Glenn R.
Glaves, Robert H.
Glazier, Alvin S.
Gleason, Joseph P.
Gleim, Ernest H.
Glickman, Walter
Goben, Robert D.
Goddard, Thomas B.
Goldner, Robert R.
Gomer, August W.
Good, Ronald P.
Gooden, Richard O.
Goodman, Kelsey B.
Goodrich, John R.
Goodwin, Frank O., Jr.
Gordon, Richard F., Jr.
Gorman, Hugh J., Jr.
Goschke, Erwin A.
Gowing, Richard M.
Gradel, Robert
Graf, Frederic A., Jr.
Grahlert, Walter H.
Graveson, George L., Jr.
Gray, Charles A.
Greeley, Michael T.
Green, Thomas B.

Greene, William F.
Greenwood, Eugene I.
Greer, Marvin S., Jr.
Greer, Wayne C.
Gregory, Donald G.
Gregory, George B.
Gregory, John J.
Greiwe, William H.
Gress, Donald H.
Grich, Richard J.
Grier, Robert W., Jr.
Griffith, Webster
Griggs, Norman E.
Groff, Noel E.
Gross, Arthur J.
Gunning, Patrick J.
Guzman, Indalecio
Haas, Kenneth R.
Hack, Arthur J., Jr.
Hackney, Benjamin F., III
Hagberg, Roy V.
Hageman, Roger H.
Haggquist, Grant F., Jr.
Hahn, Frederick, Jr.
Hairston, Thomas F.
Halsey, Charles H., Jr.
Halverson, Richard K.
Hamaker, Laurence P., Jr.
Hamel, James K.
Hamilton, Glenn D.
Hamm, Clement D., Jr.
Hammock, John W.
Hampton, Winfred F., Jr.
Hangartner, Lyle G.
Hannula, Brian K.
Hansard, Stonewall
Hansen, Rodney V.
Harlow, David L.
Harney, Russell F.
Harns, John H.
Harper, William W.
Harris, Dennis C.
Harris, James W.
Harris, Richard A.
Harrop, Robert D.
Harwood, John B.
Haslam, Edward H., Jr.
Hassett, Joseph K.
Hatch, Harold G.
Hatcher, Robert E., Jr.
Havens, Stanley L.
Havird, Lloyd B.
Hawk, Arthur L.
Hayes, Albert M., Jr.
Hayes, Jerome B.
Hays, Estel W.
Haywood, Jesse H.
Headland, Carl B.
Headrick, Billy J.
Hebbard, Leroy B., Jr.
Heft, James O.
Helgemoe, Raymond A.
Helgeson, Harry E, Jr.
Helms, Ronald L.
Henderson, Charles G.
Henderson, Jerry E.
Hendrick, David R.
Hennessey, Aloysius G., Jr.
Henson, James D.
Henson, John M.
Herkner, Richard T.
Herriott, Donald M.
Higginbotham, Allen B.
Higgins, Byron R.
Higgins, Hugh W.
Higgins, Thomas G.
High, James T., Jr.
Hill, Frank W.
Hill, James J.
Hille, Edward W.
Hilz, Harold J.
Hinden, Stanley
Hinman, Albert H.
Hoch, John E., Jr.

Hodson, Theodore L., Jr.
Hogan, Walter V.
Holbert, William H., Jr.
Holcomb, Gordon B.
Holcomb, "M" Staser
Holder, Luther C.
Holland, James N.
Hallenbach, William T.
Holly, Daniel T., Jr.
Holmes, Harold C., III
Holt, Ivey B., Jr.
Holt, John J.
Hope, Edgar G., Jr.
Horan, Robert A.
Horton, Edward R.
Horton, Robert L.
Hoskins, Bill J.
Hoskovec, William B.
Hostettler, Stephen J.
House, Edward C.
Houston, Albert W.
Howard, Albert W., Jr.
Howard, Donald L.
Howell, Roswell L.
Hoye, James M., II
Hoyt, Richard L.
Hozey, Ira D., Jr.
Hubal, Augustine E., Jr.
Hubbard, Samuel W., Jr.
Hubbell, Walter B.
Huber, John J., Jr.
Hudson, John P., Jr.
Huffman, Malcolm L.
Hughes, Kenneth P.
Hukill, Henry D., Jr.
Hull-Ryde, Donald
Humber, Marcel B.
Humphreys, Felton "M", Jr.
Hurd, John B.
Hurley, Robert J.
Hussey, Clifton M.
Ingraham, Talcott L., Jr.
Isaacks, Marion H.
Jackson, Nelson P.
Jacobs, Edward J.
Jacobs, Edward J., Jr.
James, Joe M.
James, Joel L., Jr.
Jasper, Charles R.
Jefferis, Allen S.
Jellison, Robert K.
Jenkins, Folsom
Johnsen, Roy M.
Johnson, Alfred C., Jr.
Johnson, Arne C.
Johnson, Bert W.
Johnson, Eldon D.
Johnson, Robert E.
Johnson, Theodore F.
Johnson, William R.
Johnston, John M.
Johnston, James I.
Jonasz, Fredric
Jones, Alfred L., Jr.
Jones, Arthur L., Jr.
Jones, Donald W.
Jones, Donald S.
Jones, Henry R.
Jones, Robert H.
Joy, Bernard I.
Kaiser, Dean E.
Kane, Charles K.
Kane, Paul E.
Karcher, Robert K.
Karge, Ronald E.
Karpaitis, Anthony J.
Kattmann, Roger H.
Kauderer, Bernard M.
Keenan, Richard L.
Keimig, Allen D., Jr.
Kelley, Alfred G., Jr.
Kelley, Roy A.
Kelly, James F.
Kelly, James M.

Kelly, John S.
Kendrick, William O.
Kennedy, William E.
Ketzner, Harry T.
Kiddle, Bradley D.
Killian, Donald J.
King, Donald E.
King, John E., Jr.
King, Julian B.
Kinsley, Harry W., Jr.
Kirkpatrick, Hollis H.
Kirksey, Robert E.
Kish, Steven E.
Klar, Norman
Klee, Robert E.
Kniss, Donovan E.
Knoerr, Don H.
Knowles, George I.
Koci, Vaclav H.
Kosar, William S., Jr.
Kostoch, Walter B.
Kratz, Marshall L.
Kretzschmann, Curt H.
Krisman, Frank A.
Krusi, Peter H.
Kunstmann, Clarence M.
Kurzenhauser, Alfred
LaBarre, Richard E.
Lage, Robert L.
Lahr, John J.
Laib, Ernest E., Jr.
Lake, Walter W.
Lancaster, William L., Jr.
Landers, John D.
Landers, Robert J.
Landersman, Stuart D.
Lane, Robert E.
Lane, Terry L.
Lang, James M.
Lange, Kenneth B.
Langner, David S.
Langston, John L.
Lappin, Robinson
Lardis, Christopher S.
Lashbrook, Durwood E.
Latham, William B.
Latta, Robert L.
Lauber, Ronald M.
Lauer, William C.
Laughlin, Gerald F., Jr.
Lavender, Robert E.
Lawler, Frederick W.
Lawler, James C.
Lawler, William A.
Lawrence, Donald S.
Leaman, Richard E.
Leavitt, Horace M., Jr.
Leckie, William O., Jr.
Leenerts, Rolland E.
Lenahan, Robert P.
Lent, Willis A., Jr.
Levenson, Lee E.
Levey, Sanford N.
Levin, Burt L.
Lewis, Dewey T.
Lewis, Robert
Lewis, Willis I., Jr.
Lewit, Howard L.
Lightsey, Elvin G., Jr.
Limbaugh, Harold D.
Limerick, Christopher J., Jr.
Lina, Robert A.
Lind, Anton F.
Lindsay, Robert B.
Lipford, Charles E.
Lloyd, Theodore L., Jr.
Locke, Barrie B.
Logan, Joseph B.
Lohr, Chester H.
Longman, Richard D.
Lorge, Eugene P.
Lott, Carl D.
Lott, William A.

Lowry, George C.
Lynch, William A.
Lynch, William C.
Lyon, Peter W.
Lytle, Donald E.
MacClary, David B.
MacGregor, John
Machak, Peter N.
Mack, Chester M.
MacKenzie, William W., Jr.
MacKinnon, James C., III
Mahony, Wilbur J.
Mallinson, William K.
Mallory, John S.
Mangin, Joseph N., III
Manke, Leo O.
Mann, Horace D., Jr.
Margeson, Alan "J"
Markham, Lewis M., III
Marks, Stanley J.
Marriott, Jack L.
Marsh, Alvin "F"
Marsha, Patrick P., Jr.
Marshall, Jack L.
Martin, Alan F.
Martin, Charles W., Jr.
Martin, Charles W., Jr.
Martin, James K.
Martin, Robert C.
Martinez, Lucian C.
Mason, Wesley R.
Matais, George R.
Matheson, Eugene C.
Mathews, Bobby D.
Mathews, Donald W.
Mathews, Thomas H.
Mathis, Glen A.
Matthews, William B., Jr.
Mauldin, Richard A.
Maxim, Rodney E.
May, Robert E.
Mayberry, Thomas A., Jr.
Mays, Clayton P.
McAlevy, John H.
McAlister, Roger C.
McBrayer, John E., Jr.
McBride, Thomas K.
McBurney, Cleland V.
McCabe, Billy E.
McCanna, Marvin G., Jr.
McCarthy, Thomas W.
McCartney, Rodney F.
McCarty, Charles M.
McComb, Robert B.
McConnell, Donald L.
McConnell, Giley R., Jr.
McCormack, William E.
McCrane, Brian P.
McDaniel, Johnny B.
McDonald, Raymond T.
McDowell, Curtis G.
McElrath, Thomas W.
McGathy, Charles L., Jr.
McGovern, Joseph J.
McGrath, William D.
McGreevy, Walter J., Jr.
McKay, John H.
McKee, Jack V.
McKenna, Gerard A.
McKenna, Patrick
McKenzie, Jon C.
McKeown, William G., Jr.
McLaughlin, Bernard R.
McLin, Robert D.

McLuckie, James D.
McMahon, Thomas J.
McMurtray, Robert A., Jr.
McNaughton, James M.
McNulty, James F.
McQuesten, John T., Jr.
McVay, Donald H., Jr.
McWaters, William A., Jr.
Mead, George R.
Meighan, John M., Jr.
Melton, Edward C., Jr.
Meredith, Stuart T.
Merget, Andrew G.
Merwin, Paul L.
Mesler, Robert A.
Metzler, Donald M.
Mhoon, John E.
Middleton, Charles O., III
Milano, Vito R.
Miles, Richard P.
Miller, Blount R., Jr.
Miller, Clarence W.
Miller, Curtis W., Jr.
Miller, James H., Jr.
Miller, Joseph J., Jr.
Miller, Kenneth F.
Miller, Robert L.
Millman, Larry
Mills, James R.
Mills, James P. W.
Mirtsching, Leonard C.
Mitchell, Howard C.
Mitchell, Joseph S.
Mitchell, Jerry L.
Mitchell, Lewis N., Jr.
Mitchell, Robert C.
Mock, Roy L.
Monroe, Edward H., Jr.
Monroe, Harvey N.
Monroe, William D., III
Mooney, John B., Jr.
Moore, Clarence E.
Moore, Earle G.
Moore, Harrison M.
Moore, Johnnie R.
Moore, Mark H., Jr.
Moore, Milton W., Jr.
Moore, Raphael B.
Moore, Thomas G.
Moran, Clifford D.
Moreau, Arthur S., Jr.
Morford, Dean R.
Morgan, Houston M.
Morgan, John M.
Morgan, Joseph R.
Morgan, Leroy W., Jr.
Morgan, Robert E.
Morin, Ronald D.
Moss, Daniel J.
Moury, Roger F.
Muench, Gerald W.
Muka, Joseph A., Jr.
Mulcahy, William J., Jr.
Mumford, Charles E.
Murdoch, Alan G.
Murnane, Frederick C.
Murphy, Elbridge F., Jr.
Murphy, George A.
Musorrafiti, Francesco A.
Myers, Coleman E.
Naschek, Marvin J.
Nason, Charles F., Jr.
Neill, Louis D., Jr.
Nelson, Charles W., Jr.
Nelson, George E., Jr.
Nelson, Herbert F.
Nelson, Joshua J.
Nelson, Keith
Nelson, Teddy N.
Nesbitt, Harry J.
Nevarez, Antonio
Neville, Paul E.

Newcomb, James A.
Newman, Robert L.
Neyland, James P.
Nichols, Jack H.
Nichols, Richard L.
Nicholson, John L., Jr.
Nielsen, Donald E.
Nielsen, Richard
Nokes, Neil M.
Nomady, Verne G.
Norby, Merlin R.
Nordhill, Claude H.
Nunnally, Edward H., Jr.
Nuss, Charles R.
Nystrom, Frederic L.
O'Connell, John D.
O'Connor, Joseph E.
O'Der, John T.
O'Donnell, Richard J.
O'Hara, John T.
O'Keefe, James L., Jr.
Olds, Robert B.
O'Lear, Joseph P.
Olson, Conrad B.
Olson, Gerard R.
Olson, Norman H.
Onorato, Ernest D.
O'Reilly, Charles W.
Orell, Quinlan R.
O'Rourke, Bernard J.
O'Rourke, Daniel, Jr.
Osborne, Arthur M.
Ott, Robert Y.
Ottey, William H.
Owens, Robert M.
Owesney, William T.
Padgett, Harry E.
Page, Jack A.
Painter, George V.
Pajak, Michael M.
Palmieri, John J.
Paolucci, Donald C.
Papio, Emil M.
Pappas, Pete A.
Parcher, Stuart M.
Parker, Joseph R.
Parker, Thomas C., Jr.
Parks, Joe
Parr, Donald R.
Passantino, Sebastian P.
Patton, Peter W.
Paul, David L.
Pawley, Sigmund B., Jr.
Payne, Dean M.
Payne, William C. B., Jr.
Peacock, Henry F.
Pearlman, Samuel S.
Peckworth, Dana
Pendergraft, George W., Jr.
Perkins, James E.
Perkins, Joseph "A", Jr.
Perkins, Richard L.
Perry, Lowell E.
Persels, Lyle D.
Person, Ross H.
Personette, Alan J.
Pertel, Joseph A.
Peters, William J.
Petersen, Edwin J., Jr.
Petersen, Leroy E.
Petersen, Walter R.
Peterson, Dale A.
Peterson, John W.
Peterson, Richard N.
Petry, William A.
Pettyjohn, William R.
Pfromer, Robert A.
Phelps, Robert L.
Phillips, Charles A.
Phillips, John T.
Phillips, Lawrence, Jr.
Phillips, Walter M., Jr.
Pieper, Thomas M.
Pifer, Charles E.
Pine, Gordon F.

Pitkin, Ronald E.
Pitts, Paul D.
Pixley, George D.
Place, Allan J.
Platt, Ralph E.
Ploss, John H.
Poland, James B.
Pollum, Edgar W.
Poore, Ralph E.
Porter, David N.
Porter, Robert D.
Porterfield, Robert E.
Potter, Arthur M., Jr.
Prentiss, Dickinson
Price, Oliver L.
Price, Walter P.
Prickett, Bruce L.
Priddy, Clarence L., Jr.
Prindle, Charles O.
Pringle, Donald B.
Pritscher, Robert L.
Profilet, Clarence J.
Purdum, William H.
Purvis, Ronald S.
Quamme, Lyle D.
Quin, John M., Jr.
Quirk, William J.
Raffaele, Robert J.
Ragsdale, Herbert W.
Ralph, Steve, Jr.
Rand, Donald H.
Randall, Howard W.
Randall, Howard F., Jr.
Ratcliff, Stephen D.
Rawls, Roy J.
Rayder, Daniel F.
Reddick, Robert E., Jr.
Redding, Robert M.
Reed, Charles A.
Reeg, Frederick J.
Reffitt, Raymond E.
Reger, William L.
Reid, Richard G.
Reilly, William F.
Reith, George, Jr.
Rennie, William B., Jr.
Reynolds, James H.
Reynolds, Stuart V.
Rhodes, Randolph L.
Rice, Daniel W.
Rice, Gary L.
Richards, Lloyd W.
Richards, Robert J.
Richardson, Harold M.
Richardson, Phillip D.
Ricketson, Francis B.
Ridge, James J.
Rigney, William J.
Riley, Kenneth J.
Riley, Raymond T.
Ritz, Merlin C.
Roach, Francis L.
Robbins, Noel
Roberson, George D.
Robertson, Coll E.
Robinson, Percy E., Jr.
Robinson, William A.
Rodgers, Dean T.
Rodgers, James B.
Rodgers, James R.
Rodgers, Thomas A.
Roe, Charles W.
Roepke, John R.
Roff, Ray, Jr.
Rogers, Charles E., Jr.
Rogers, Gerard F.
Rogers, Ralph E.
Rogers, Warren F.
Roland, Gerald K.
Rollins, James R.
Romano, Matthew E.
Roner, Charles R.
Rorie, Conrad J.
Rose, Hardy N.
Rose, William R.
Rossman, Robert H.
Rosson, James W.
Rowan, Thomas C.
Rubb, Milton R.
Ruch, Martin, Jr.
Rudolph, Francis A., Jr.
Ruhsenberger, Roger H.
Rusch, John M.
Russ, William A.
Russell, William F.
Rutzler, Joseph A.
Ryan, James A., Jr.
Ryan, Thomas J.
Ryan, William A.
Sanden, Oscar E., Jr.
Sanders, Ben T.
Sanford, Edward
Sargent, Richard E.
Saubers, Walter F.
Saucier, Gerald
Saylor, Thomas P.
Scarborough, Robert L., Jr.
Schaadt, Douglas D.
Schaaf, Thomas W.
Schafer, Edward D., Jr.
Schaff, Donald J.
Schaub, John R., Jr.
Schermerhorn, James R.
Schnetzler, Estill E., Jr.
Schulte, Jean H.
Schultz, Eugene D.
Schuman, Martin S.
Schuster, Dale G.
Schwartz, Wallace J.
Schweitzer, Robert J.
Scott, Jack E.
Scott, Kenneth M.
Scully, John J.
Sebring, Leland H.
Seeba, Herman A.
Seitz, Richard L.
Semple, William C., III
Sesow, Anthony D.
Seymour, Conrad L.
Shafer, William J. E.
Shappell, John R.
Sharp, Gail "J"
Sharrah, Ronald L.
Shaw, John H.
Shaw, John G.
Shaw, Warren L.
Shaw, William M.
Shay, Fred L.
Sheehy, Eugene E.
Sheeley, Elmer E., Jr.
Sheets, Jean P.
Sheets, Leonard G.
Shemanski, Francis B.
Sherrouse, James B.
Shilling, John D.
Shine, Maurice J.
Shirley, William B.
Shrewsbury, Lawrence H., II
Shropshire, Edwin D., Jr.,
Shughrou, John J., Jr.
Shuler, Ashley C., Jr.
Shuler, Olin J.
Silverman, Arnold M.
Simmons, Arlis J.
Simmons, Clayton M.
Simon, Douglas M.
Simpkins, George C.
Singer, Freeman J.
Skelton, Stuart A.
Skerrett, Robert J.
Skolnick, Alfred
Skomsky, Louis J.
Skubinna, Myron A.
Slawson, Ralph L.
Slyfield, Fredrick J.
Smevog, Herbert W.
Smiley, Charles B.
Smith, Alfred A.
Smith, Delvin W., Jr.
Smith, Fredrick D., Jr.
Smith, James H.
Smith, Joseph C.
Smith, Morgan H.
Smith, Robert M.
Smith, Thomas J.
Smith, William L.
Smith, William L.
Snively, Abram B., III
Snow, George M.
Snuffin, Jerry A.
Snyder, Aaron W. S.
Snyder, Herman L., Jr.
Solan, Thomas V.
Soldwedel, Eugene L.
Sonniksen, Ronald G.
Spanagel, Herman A., Jr.
Spar, Edwin F.
Spartz, John N.
Spaulding, Robert E.
Speelman, Thomas W.
Spiegler, Felix R.
Spohnholtz, James R.
Spradley, Van E.
Stafford, Kenneth B.
Stallings, Clyde, Jr.
Stanard, John D., Jr.
Stanley, Thomas A.
Starcher, Charles W., Jr.
Stark, Gerry L.
Steele, John T.
Stephens, Robert C.
Stephens, Wayne L.
Stevens, Duncan P.
Stevens, Harold F.
Stevens, Jack D.
Stewart, Blair
Stewart, Douglas A.
Stich, John D.
Stierman, Joseph W., Jr.
Strawn, James H.
Struven, Robert L.
Studebaker, Clayton A.
Sturgeon, William J., III
Sullivan, Joseph E., Jr.
Sullivan, Thomas J.
Sullivan, William W.
Sutherland, Doyle L.
Suzan, Frank M.
Sweeney, John F.
Swor, Jerry G.
Sykes, Lewis B.
Talbot, Frank R., Jr.
Talbot, James R., Jr.
Tall, Charles H., III
Tally, Billy F.
Tappan, Jeremy R.
Tarlton, Joe E.
Taylor, Don W.
Taylor, Reeves R.
Taylor, Thomas H.
Templeman, William E.
Terry, Daniel G. W.
Thomas, Donald P.
Thomas, Frederic J.
Thomas, George R.
Thompson, George I.
Thompson, Jack C., Jr.
Thonneson, Earling R.
Throop, James R.
Tietz, William A.
Timm, Alvin R.
Tinkler, David R.
Tips, David S.
Toland, Hugh J. C., Jr.
Tolson, Richard M.
Tomenendal, Robert J.
Tomlinson, Alva C.
Tortora, Anthony M.
Toscano, Eugene M.
Trabue, Howard W.
Traweek, Billy B.
Treat, Richard A.
Trebbe, Shannon L.
Treber, Gerald R.
Trebor-MacConnell, Barrie K.
Trieschman, Edward L.
Trowbridge, Vern H.
Trueblood, William E.
Turner, Sherman W.
Tuttle, George S.
Tuttle, John R.
Uelman, William C.
Umberger, Robert C.
Upshaw, Donald E.
Vaden, Donald E.
Vahlkamp, Eugene W.
VanHoof, Eugene R.
VanHorssen, David A.
VanValkenburg, George B.
VanWestendorp, Steven
Varner, Duane L.
Veach, Clarence E.
Velazquez-Suarez, Francisco A.
Verich, Demetrio A.
Vernon, Everett L.
Viera, John J.
Vitali, Burt M.
Vogt, Henry L., Jr.
Vojtek, Thomas M.
Volatile, Thomas M.
VonMoll, Francis J.
Voyer, Irving L., Jr.
Wachtel, Joseph J.
Waddington, Jack B.
Wagner, David F.
Wagner, James W.
Walker, Henry McD.
Walker, Peter B.
Walker, Peter R.
Wall, Joseph E.
Wall, Richard H.
Wallace, Thomas McC.
Walls, Richard B.
Walters, James V.
Ward, Robert B.
Warner, Laurance B.
Warren, Billy R.
Warren, Thomas C.
Warthen, Donald
Washchysion, John
Wasson, John E.
Watson, Max H.
Watson, Wyatt P.
Wayham, David E.
Weaver, James J.
Weaver, John H.
Webb, James I.
Weber, Lawrence K., Jr.
Webster James McA.
Weddington, George L. Jr.
Weeks, Alan L.
Weeks, Wayne F.
Wehling, Michael S.
Wehrman, Philip W.
Weinig, Raymond E.
Weishar, Charles F.
Weissman, Marvin M.
Wellings, John F.
Wells, Don V.
Wells, Walter H., Jr.
West, George D., Jr.
Westmoreland, Ralph M.
Westphal, Lloyd M., Jr.
Wetmore, Horace O., Jr.
Wetrich, Charles R.
Wheat, Billy V.
Wheeler, James B.
Wheeler, John R.
Whiddon, Elmer C., Jr.
Whitcomb, Richard A.
White, Charles E.
White, Donald C.
White, James R.
White, Richard E.
Whittier, James F.
Widman, Manfred W.
Wiederholt, Jerome B.
Will, Otto W., III
Willenbrink, James F.
Willever, Edward L.
Willhauck, Marion
Willhauck, Aarion
Williams, David W.
Williams, Louis A., Jr.
Williams, Randall L.
Williams, Ralph T.
Williams, Ralph E., Jr.
Williams, Wallace E.
Williamson, Robert L.
Williamson, James F.
Willis, Jack R.
Wilson, Jack L.
Wilson, James A., Jr.
Wilson, Richard V., Jr.
Wilson, Robert W., Jr.
Wilson, Vaughn E., Jr.
Wilson, William R., Jr.
Wilson, William D.
Wiltse, Irving M.
Winans, Gilbert L.
Winfree, Herman D., Jr.
Wirt, Robert O.
Wisdom, Robert W.
Wise, James E., Jr.
Wise, Peyton R., II
Witcher, John R.
Withrow, John E., Jr.
Wolf, James D.
Wolff. William F.
Wolke, Victor B. C.
Wood, Charles S.
Wood, Edgar K., Jr.
Wood, John P.
Woodall, Franklin T., Jr.
Woodberry, Earle B.
Woodburn, Craig E.
Woods, Paul G.
Woods, Robert C.
Worth, Edward R.
Wright, Charles H., Jr.
Wright, James D.
Wright, Kenneth L., Jr.
Wright, Richard H.
Wright, Richard T.
Wright, William W.
Wunsch, John R.
Wynn, Carl E., Jr.
Yanaros, John O.
Yeager, Donald R.
Yoder, Dwane F.
Yoder, William A.
Young, Alfred A., III
Young, David B., Jr.
Young, Joseph A.
Youngjohns, Richard P.
Youse, James A.
Zebrowski, Joseph P.
Zick, Richard A.
Zirps, Christos
Zitani, Genius A.

LDO—LINE

To be lieutenant commanders

Walter P. Schmidt
James K. Berger
William R. Knapp
Frederick M. Hollen
Douglas I. Smiley
Boyce "D" Evans
Harold L. Olsen
Robert D. Morris
Lynn R. Clark
Walter J. Blasczak
Fayne E. Curtis
Kermit E. Dearman
Alexis N. Charest
Harry E. Howell
John H. Larsen
Jack G. Belton
Arthur J. Meacham
Stanford E. Lichlyter
Forrest J. Godfrey
Edward K. Markley
Leonard "C" Ash
Donald H. Dowds
Kenneth N. Holt
Henry L. Wittrock
John S. Hoover
Clarence H. Smitter
David H. Stewart
Robert C. Alexander
Merle E. Mills
Joseph Pestcoe
Richard G. Rieken
Edmund F. Foley
William A. Bullock
Virgil J. Lemmon
Andrew T. J. Nutter
Elbert R. Holland
William F. Wright
Harry H. Williamson, Jr.
William T. Dickson
Walter J. Davis
Gayle Ramsey
Charles F. Skillman
Leonard B. Crane, Jr.
Frederick E. Groenert
John A. O'Shea, Jr.
Grant "W" Miller
James W. Hodges, Jr.
Edward C. Walshe, Jr.
Harris E. Steinke
Carroll K. Mitchell
Paul F. Bodling
James J. Holian
Charles N. Osborne
Robert J. Brunskill
Roy E. Lamphear
James B. Williams

MEDICAL CORPS

To be lieutenant commanders

Adeeb, Allan J.
Anctil, Arthur O., Jr,
Baird, Robert M.
Baker, Robert F.
Baker, William J.
Bason, William M.
Beach, Thomas B.
Beeby, James L.
Benoit, Fred L., III
Betts, Gordon D.
Biemer, James J.
Biser, Christopher H.
Bishop, Robert P.
Boring, Robert S.
Boucher, Wesley W.
Bouterie, Ronald L.
Braswell, Harold M., Jr.
Brayton, John R., Jr.
Brighton, Carl T.
Broadley, Paul H.
Burr, John B.
Cameron, Ronald R.
Chappelka, Alfred R., Jr.
Coil, Edmonston F.
Collier, Terry M.
Comer, Ralph D.
Corbett, John R.
Cremona, Frederick J.
Cureton, Richard K.
Curtin, Thomas L.
Curtis, John W.
Damato, Nicholas A.
Davis, John W.
Defiebre, Bruce K., Jr.
Defries, Hugh O.
Dewey, Albert W., Jr.
Dolan, Michael F.
Durrance, Fredrick T., Jr.
Elliott, Robert C.
Evans, Fred S.
Fouty, William J.

Fresh, James W.
Gallent, James H.
Garcia, Nicolas A., III
Gard, Howard E.
Gilson, Benjamin J.
Greaves, Edward D.
Hansbarger, Luther C.
Harmeling, James G.
Harmon, Stanley D.
Haswell, John N.
Hauler, Donald R.
Hauser, Roger G.
Hayes, Jude R.
Hebert, James E.
Hillis, Jon K.
Hoeffler, Dennis F.
Hoekzema, Arnold D.
Humbert, George F., Jr.
Inman, Charles E.
Irons, Howard S.
Jacobson, William A.
James, Stephen H.
Johnson, Bernett L., Jr.
Kasheta, John P., Jr.
Kendra, Stephen J.
Kent, Tommy S.
Kerwin, Joseph P.
Klein, Edward W.
Knapp, Robert W.
Langevin, Jack A.
Lansinger, Donald T.
Lee, Joseph D.
Leonard, John H.
Livingston, William O.
Loew, Albert G., Jr.
MacCarty, Denton E.
Majure, Oscar L., Jr.
Martin, Richard W.
McCree, Douglas G.
McHale, James J., Jr.
McLear, William Z., III
McMahon, George J.
Meehan, William L.
Meredith, Robert C.
Merrill, Raymond E.
Metz, George E.
Mills, Dennis E.
Miner, Walter F.
Mitts, Murray G.
Moquin, Ross B.
Morgan, Jacob R.
Mukomela, Arthur E.
Myers, Joseph S.
Myers, Robert C.
Oldershaw, John B.
Olesijuk, Andrew
O'Neal, David M.
O'Neill, James F.
Onofrio, Burton M.
Oriordan, Joseph P.
Phillips, Donald M.
Pine, Harry L.
Poley, Richard W.
Posatko, Robert J.
Potvin, Louis E.
Powers, Samuel A.
Rack, William A.
Rust, Wilbur C.
Ryan, Richard R.
Sacks, Ellsworth J., Jr.
Schaffer, Donald E.
Schmetz, Frank J., Jr.
Sims, Norman L.
Sirois, Joseph L., Jr.
Smith, Jose C. S.
Smith, Ronald W.
Southworth, Alvin J.
Spence, Kenneth F., Jr.
Steffenson, John L.
Steyn, Rolf W.
Strange, Robert E.
Sweeney, Lawrence
Theros, Elias P. G.
Thorp, James H. M.
Tolchin, Sidney
Torsney, Philip J., Jr.
Van Peenen, Peter F. D.
Wagner, Philip I.
Weibel, David C.
Weinshelbaum, Albert
Weitzman, Gerald
Williams, David L.
Woody, Ronald H., Jr.
York, Lowell T.

SUPPLY CORPS

To be lieutenant commanders

Alderman, Charles B.
Allinder, Joe A., Jr.
Almen, Richard E.
Avary, James L.
Badger, George R.
Bates, Robert L.
Bell, John L., Jr.
Bledsoe, William M.
Bogorowski, Robert J.
Breit, James A.
Briggs, Irving G.
Brown, Boyd F., Jr.
Brown, Russell M.
Bruyneel, Louis K.
Bunker, Donald J.
Canon, Roscoe H., Jr.
Carberry, Raymund G., Jr.
Carpenter, Charles F., Sr.
Carpenter, Arthur J.
Christensen, Harvey J.
Christopher, Robert N.
Clark, Roger S.
Coleman, Ernest B.
Conner, Walter E.
Corn, James R.
Curtis, Richard E.
Davidson, William I.
Davis, Raymond P.
Davis, William W.
Dempster, Darrell D.
Donzell, Richard J.
Earl, Robert J.
Eastwood, William O., Jr.
Ebert, Scott W.
Fiske, Leon S., Jr.
Flolid, Robert E.
Flores, Joseph L.
Freese, Ralph F.
Gapp, John J.
Garabedian, Edward J.
Giagni, Vincent J.
Gilmore, Roger W.
Gilpen, Franklin M.
Girod, Roy O.
Gray, Jack E.
Greenwood, Joseph L., Jr.
Gunther, Roy W.
Hendrickson, Richard
Hennessy, William J.
Henry, Gerald R.
Hohenstein, Charles R.
Hopgood, Roy E.
Howe, Donald K., Jr.
Hubbard, Charles C.
Jacobs, Frank S.
Johnson, James R.
Johnson, Lloyd R.
Johnson, Richard L.
Jordan, Alva F., Jr.
King, Braxton R.
Kispert, Lane A.
Kling, Fred A.
Knox, Arthur F., Jr.
Kollios, Achilleas E.
Kreutzinger, Donald R.
Kuhlmann, Dietrich H.

Lane, Anthony D.
Larson, Nelson S.
Larson, Rodney E.
Lathrop, Charles F.
Lazarus, Steven
Lemly, William D.
Lenz, Allen J.
Lindsay, William E.
Livermore, Robert E.
Long, Charles W.
Lovell, Donald E.
Lovell, "W" "B"
Lyons, John J.
McCandless, Claude C., Jr.
McCrabb, Donald E.
McGee, James E.
McGillivary, Duncan P.
McNeill, Neil E.
Mercier, Arthur G.
Merrick, Walter F.
Moore, Guy T.
Morehouse, Charles W.
Moyer, William R.
Newman, John F.
Normand, Robert L.
O'Donnell, Terrence
Olson, Harvey T.
O'Neil, Raymond L.
Ott, Matthew J.
Palmer, Donald R.
Perry, Robert P.
Petrie, Roland A.
Rady, William J., Jr.
Ranken, John T., Jr.
Recher, Bernard L.
Ross, Orrin B.
Ross, William T., Jr.
Rothenberger, Donald J.
Salgado, Paul R.
Sansone, Joseph S., Jr.
Schanz, Thomas L.
Schlaufman, Louis C.
Schucker, Robert McB.
Snyder, Earl L.
Stewart, George W., III
Stumbaugh, David C.
Taylor, Bayard A., Jr.
Taylor, James M.
Taylor, John B.
Temte, Knute P.
Tilton, Robert L.
Trimble, Philip
Vogel, Ralph H.
Vollmer, Merle J.
Wald, Stanley B.
Waldvogel, Henry J.
Walker, Elbridge, III
Weber, Robert J.
Weisend, John G.
White, Frank L.
Williams, Raymond L.
Williams, Rex M.
Wong, Ronald M.
Wood, Lee, Jr.
Woolley, Herbert T.
Young, Charles W.

CHAPLAIN CORPS

To be lieutenant commanders

Andress, Gene B.
Begg, Wendell R.
Carpenter, Elbert N.
Chambliss, Carroll R.
Clardy, William J.
Davis, Lex L.
Dodson, Leonard W., Jr.
Dwyer, Richard "K"
Fedje, Earl W.
Fitzgerald, Owen R.
Gillis, Edward F.
Kinlaw, Dennis C.
League, William C.
McAlister, Fred R., Jr.
McFarland, Cecil E.
Miller, Stanley D.
Newton, John G.
O'Connor, William B.
Ondo, Michael A.
Ota, Peter I.
Plank, David P. W.
Schneider, Otto
Shipman, "J" "T"
Slejzer, Ferdinand E.
Stevenson, Neil M.
Sweeney, Patrick F., Jr.
Swenson, William R.
Thornberry, Roy V., Jr.
VanBeck, Alfred F.
VanLaningham, Maurice R., Jr.
Vest, William T.
Warren, Robert H.
Wuebbens, Everett P.
Zemites, Joseph F.

CIVIL ENGINEER CORPS

To be lieutenant commanders

Allen, Roy L.
Anderson, Warren H.
Barber, Horace M.
Billet, Donald F.
Bischof, Ernest J.
Blough, Loney L.
Bowers, Richard A.
Burns, William J., Jr.
Callahan, Edward F., Jr.
Carioti, Bruno M.
Cottingham, Edward L.
Crockett, Billy G.
Crowley, Irwin D., Jr.
Deady, Ralph E.
D'Emidio, Joseph A.
Ecklung, Glenn L.
Erickson, James A.
Falk, Harvey A., Jr.
Gates, Charles W.
Hartell, William K.
Haynes, Howard H.
Hines, John C.
Hrnjez, Nicholas C.
Hughes, Edmund C.
Johnson, Durrell A.
Jones, Thomas K.
Lake, George
Lapolla, Joseph
Lawson, Leroy D.
Lewis, Frank H., Jr.
Mangan, Thomas J., Jr.
Mathews, Charles J.
Merica, Charles A.
Mitchell, Thomas J.
O'Brien, Thomas J.
O'Leary, John F.
Paulsen, Raymond E.
Pinch, William C.
Plante, George E.
Reese, Joseph L., Jr.
Reeves, Ronald B.
Robinson, Charles F.
Schellhardt, Richard H.
Scherer, Clark H., Jr.
Smith, George L.
Stewart, Stanley P., Jr.
Stultz, Bobby E.
Trunz, Joseph P., Jr.
Tyhurst, James E.
Uhe, James L.
Verdi, Stanley N.
Wear, John R.
White, Robert K.
Wilson, Dean G.
Witkowski, John A., Jr.
Wolf, Robert B.
Yoshihara, Takeshi

DENTAL CORPS

To be lieutenant commanders

Ackley, George W., Jr.
Allen, Robert W.
Atkinson, Robert A.
Barlow, Doil E.
Bodner, Joseph A., Jr.
Bottomley, William K.
Bradford, Paul L. J.
Bush, Richard D.
Carrothers, Richard L.
Charles, James H., Jr.
Christian, James T.
Cummings, Matthew R.
Cunningham, Charles J.
Davis, Malcolm S.
Diem, Charles R.
Dodds, Ronald N.
Driscoll, John M.
Edwards, Richard C.
Fenster, Robert K.
Firtell, David N.
Gibson, William V., Jr.
Gomer, Ronald M.
Good, Richard J.
Goska, John R.
Grimsley, William A., Jr.
Grove, David M.
Hale, William F.
Hanson, Richard K.
Hedge, Herbert R.
Hoffmann, Robert M.
Kitzmiller, John S., Jr.
Lindsay, John S.
Magnus, Walt W.
Mark, Leonard E.
Martin, William R.
McCann, Thomas F.
Messer, Eugene J.
Miller, James E.
Moore, Robert E.
Muldrow, Lewis M.
Neagley, Ross L., Jr.
Petruccelli, Francis
Plump, Ellsworth H.
Semler, Harry E., Jr.
Spearman, Glyn M., Jr.
Stanton, George A., Jr.
Stout, William A.
Strange, Charles G., Jr.
Stump, Thomas E.
Sugg, William E., Jr.
Tibbetts, Van R.
Trusz, Edward J.
Voyles, Wesley L.
Walsh, John D.
Watson, William J.
Wilkie, Noel D.
Williams, Frederick B.

MEDICAL SERVICE CORPS

To be lieutenant commanders

Adams, Chauncey C., Jr.
Arns, William E.
Ash, Lloyd M.
Bailey, Jack S.
Bauerschmidt, Alan D.
Becker, David E.
Beckwith, Joan M.
Cook, Paul E.
DeBerry, Patricia
DeGrotte, Henry C., Jr.
Diener, Richard V.
Feith, Joseph
George, Robert E.
Howard, John E.
Inman, Elmer E., Jr.
Jones, Philip E.
Jordan, Ray D.
Kelley, Donald R.
Nyman, George A.
Pribnow, James F.
Roach, Leon M.
Rowell, Dalton A.
Smith, Robert L.
Storms, Jack R.
Turner, David H.
Wagner, Carl M.
Wetzel, Orval B.
Wimberly, Clyde O.

NURSE CORPS

To be lieutenant commanders

Alexiou, Grace E.
Belair, Danya A. B.
Benedict, Marian M.
Brandt, Irene F.
Brannack, Elinor M.
Brogan, Mary A. M.
Burke, Lois E.
Burns, Patricia J.
Byron, Francine B.
Callahan, Dorothy H.
Cunningham, Alice T.
DeWig, Winona M.
Fehmer, Dolores A.
Fisher, Mildred K.
Halkowitz, Margaret M.
Harris, Vera
Hettinger, Jeanette M.
Hockenberger, Charlotte E.
Howard, Katherine A.
Lalley, Mary G.
Lane, Grace A.
Livirrie, Althea A.
Maynard, Mary E.
Middleton, Charlene
Miller, Grace E.
Motomatsu, Toshiko
Peterson, Eleanor V.
Redgate, Janet M.
Roberts, Catherine V.
Robichaud, Pauline H.
Ryan, Dorothy F.
Ryder, Dorothy J.
Schlosser, Joan M.
Shea, Claire M.
Slater, Beverly J.
Smith, Margaret A.
Staab, Patricia L.

LINE

To be lieutenants

Abel, Rudolph, Jr.
Ackart, Leon E.
Adams, Douglas N.
Adams, John W.
Adams, Kenneth W.
Adams, Richard D.
Adkins, James N., Jr.
Adler, Roy W.
Aiello, Robert J.
Ainsworth, Gerald I.
Akers, Max N.
Akin, Hurston B.
Albright, Donald W.
Albright, John D.
Alexander, Richard K.
Alexander, John R.
Alexander, Dawson, Jr.
Alkire, James C.
Allender, George R.
Allman, John I., III
Allsopp, Richard E.
Alvarez, Marcos I.
Alvarez, Raoul
Ambrogi, John F., Jr.
Amick, Carl W.
Anderson, Bryan R.
Anderson, John W.
Anderson, Richard S., Jr.
Apap, Antonio

Arata, William A., III
Aronson, Jack M.
Artim, Ronald N.
Astorino, Gerald P.
Atwell, Marion A.
Ayars, James E.
Babb, Richard L.
Bailey, Richard C.
Baker, Charles H., Jr.
Baker, Henry T.
Baldwin, Edwin McL.
Ballard, Ronald H.
Balsley, Stanley P.
Banta, Clifton E., III
Barnette, George W., III
Barnum, Lewis B.
Barrier, Lee E.
Barron, Douglas W.
Barry, Thomas J.
Bartels, Harlan B.
Bartels, Malcolm G.
Bartholomew, Thomas C.
Bass, Robert L.
Bassett, Frank E.
Batterby, Robert E.
Bauer, George T.
Bayne, James L.
Beamer, Barton D.
Beard, Percy M., Jr.
Beasley, Edwin L.
Beatty, John R.
Beaube, James D.
Bechtel, Henry M., Jr.
Becker, James G.
Beckner, Roy T.
Beil, David A.
Belcher, Samuel A., III
Bellay, Daniel J.
Bellows, Gerald E.
Bender, Wayne C.
Bennett, David G.
Bennett, David M.
Berg, Robert P.
Berg, Roger L.
Bergondy, Paul J.
Bernet, Karl R.
Bernsen, Harold J.
Bertke, David E.
Besecker, John A.
Biestek, James H.
Biggs, Gene E.
Bird, John P.
Bishop, Jack D.
Bitoff, John W.
Blackburn, Harry L., Jr.
Blackistone, David L.
Blackwell, Michael J.
Blair, Fredrick E.
Blanq, James V.
Blatchley, Robert D.
Blatt, Russel N.
Bliss, John R.
Bloh, William C.
Boatright, Jimmie R.
Boerner, Donald A.
Bolwerk, James M.
Booriakin, Walter A.
Borcik, David E.
Borden, Edward L.
Botkin, Harry L.
Bough, Bennie E.
Bower, William J.
Bowles, Howard A., Jr.
Bowman, Andrew L.
Boyd, James P., Jr.
Boyd, Rudolph C.
Boyle, Francis C.
Boyle, Ronald A.
Boynton, T. F.
Brace, James R.
Bradbury, Craig M.
Bradley, Carlton "S"
Brainerd, Walter S.
Branch, Lyle F.
Breast, Jerry C.
Bredbeck, William J.
Breidenstein, John F.
Brennan, John J.

Brenner, George H.
Brickell, Charles H., Jr.
Brickner, John S.
Bridgman, Walter E., Jr.
Brining, George
Brock, Virgil E.
Brodersen, Henry H.
Bromberg, Bruce L.
Brooks, Paul E.
Brown, Albert H.
Brown, Charles H.
Brown, Donald R.
Brown, Dorsey A.
Brown, Frank H.
Brown, John W.
Brown, Paul L.
Brown, Thomas W.
Brune, Charles M.
Brunner, Danny J.
Bryant, Lawrence D.
Buck, Ralph V.
Buckner, Gerald G.
Buell, Thomas B.
Buerger, Newton W., Jr.
Buhler, Conrad A.
Bullard, Lewis D.
Bump, Stanley E.
Bunting, Keith McA.
Burchardt, Robert J.
Burke, John P.
Burnett, James R.
Burns, Robert E.
Burt, David L.
Burton, Charles D.
Bussard, Vernon R., Jr.
Busse, Arnold L.
Butcher, Bradley A.
Butterworth, Frank W., III
Buzby, John S.
Byman, William E.
Cagle, George F.
Caldwell, Billy F.
Caldwell, James F.
Caldwell, Robert K.
Calhoun, John F.
Calkins, Delos S., Jr.
Callan, James R.
Calvert, John F.
Calvin, Donald U.
Campbell, Craig S.
Camper, James R.
Cannon, John W.
Cantrell, Walter H.
Carey, Charles W.
Cargill, Denny B.
Carleton, Reid P.
Caron, Gerald C., Jr.
Carpenter, Lawrence J.
Carr, Samuel F.
Carretta, Albert A., Jr.
Carroll, Thomas D.
Carson, Aubrey W.
Carver, Gerald J.
Casagranda, Raymond J.
Case, Arnold J.
Casebeer, Macey M.
Cash, Beveardge L.
Cass, Elijah J., Jr.
Cater, Michael C.
Cauvet, Kenneth B.
Cavalier, Anthony J.
Chadick, Wayne L.
Chafee, George B., Jr.
Chaires, Charles A.
Chamberlain, John D.
Chambers, Leroy
Chandler, David F.
Chapman, Frederick W.
Chapman, William F.
Chapple, Michael W.
Chase, Bertram P.
Chilcoat, John D.
Childs, Johnny H.

Chiocchio, Oddino S., Jr.
Chodorow, Alan M.
Chrisman, John A., Jr.
Chrisman, Virgil E.
Christensen, Robert
Christenson, William C.
Clardy, Herman S., Jr.
Clark, Charles W., Jr.
Clark, Frederic M.
Clark, Marfred C.
Clark, Warren C., Jr.
Clarke, Ronald E.
Clason, Roy E.
Clement, Frank J.
Clement, James M., Jr.
Cleveland, Robert M.
Click, Howard H.
Clifton, Claremont J.
Clinton, John C.
Clune, Edward M.
Coats, Barry W.
Cockrell, Wilbur W.
Coffee, Gerald L.
Coldwell, Thomas
Comly, Samuel P., III
Compton, William H.
Conery, Francis A., II
Coneys, Joseph E.
Conklin, Frank McC., Jr.
Connell, Raymond P.
Cook, Dennis P.
Cook, Gary D.
Cook, Lawrence W.
Cooke, Richard H.
Cooper, Grant A.
Cooper, James V., Jr.
Corbett, Robert L.
Cordova, Richard N.
Corr, Peter S., Jr.
Correll, Ward W.
Cosby, Millard A.
Cossairt, Larry A.
Cotham, "L" "C", Jr.
Coughlin, Leo J., Jr.
Coupe, Alan G.
Cowdrill, David T.
Cox, David R.
Cox, David B.
Cox, Duane A.
Cox, Jerry G.
Cox, Kenneth E.
Coyle, Francis X.
Coyne, George K., Jr.
Crane, Peter W.
Crawford, Lawrence R.
Creighton, Liles W., Jr.
Creighton, George C.
Crombie, Todd A.
Crusinberry, Walter O.
Culhane, William P.
Cullen, Charles W
Cummings, Michael A.
Cummins, Paul Z., II
Curtis, Wayne
Cuseo, Michael, A., Jr.
Cutrell, Leonard E., Jr.
Cyr, Joseph H., Jr.
Dalebout, Ronald A.
Daniels, Shane P.
Daniels, Thomas E.
Darby, Jack N.
Darling, Donald L.
Darmand, Monte
Darnauer, David E.
Davies, Richard E.
Davies, William
Davis, Billy E.
Davis, Chester C.
Davis, Dan A.
Davis, James V.
Davis, John D.
Davis, John R.
Davis, Vernie R.

Davis, William R.
Dawson, Phillip E., Jr.
Dawson, William H.
Dayharsh, Charles E.
Dean, William J.
DeBoer, Johan W.
Decosterd, Charles E.
Dee, James D., Jr.
Degnan, Thomas F.
Deibert, Edgar M.
Dellwo, Richard E.
DeLong, Edgar E.
Demand, Daniel H.
Denham, Michael E.
Dennison, Terry A.
Depass, Harry E., III
Desko, Daniel A.
Dewalt, Gary L.
Dewey, Robert T.
Dewrell, Martell E.
Dexter, Lincoln A., Jr.
Dietrich, William H.
Dillard, Theodis
Dipalma, Robert F.
Disney, Donald G.
Dittrick, John J., Jr.
Dodson, Paul E., Jr.
Doe, Burdell F.
Doe, Ralph F.
Doherty, Edward F.
Dombrowski, Henry R.
Doss, Dale W.
Doss, Marion T., Jr.
Dothard, John J.
Dougherty, William A., Jr.
Doyle, Thomas J.
Drees, Marvin J.
Dreessen, Francis McC.
Driggers, Theodore F.
Duff, Karl M.
Duffey, Russell G.
Dunbar, Richard P.
Duncan, Donald G.
Duncan, Pat
Duncan, William E.
Dundon, Alan M.
Dunn, William P.
Durbin, James D.
Duvall, Michael R.
Duvall, Thomas R.
Duxbury, Richard B.
Earley, William L.
Eastman, Leonard C.
Eaton, David G.
Eaton, James W., Jr.
Eddleman, Harold E.
Eddy, Roger A.
Edgemond, John W., III
Edmonds, James R.
Edmunds, Frank L., Jr.
Edson, Philip N.
Edwards, Marion R.
Edwards, Scott
Edwards, Steven H.
Eggleston, John R.
Eikel, Harvey A.
Eldridge, Gardner P.
Elliott, David J.
Elliott, Norman S.
Ellis, Herbert A., Jr.
Ellis, Howard B., III
Ellis, Howard R.
Endter, Elmer W., Jr.
Engelken, Ralph L.
Ensley, Arthur F.
Entwistle, Thomas W., Jr.
Eppert, Robert T.
Eppling, David C.
Erbacher, Anthony E.
Erhardt, Francis J., Jr.
Ericksen, Peter E.
Estep, Vonnie D.
Estes, Albert R., Jr.
Estock, George, Jr.
Ettel, Michael J.
Evans, Gordon E.
Evans, Larry D.

Evans, Rowland G.
Ewing, Robert A.
Eytchison, Ronald M.
Fabrizio, Charles B.
Fannon, James E., Jr.
Farlee, Bennett W.
Farnham, David W.
Farrell, Edmund F.
Feeney, John S., Jr.
Fees, Howard J., Jr.
Felderman, John L.
Fendley, John N.
Fenick, Joseph D., Jr.
Feran, Paul M.
Ferguson, John K.
Ferguson, Robert H.
Field, Blake E.
Figura, Robert R.
Finley, James C.
Finley, Robert H.
Fisher, James R.
Fisher, Troy R.
Fiske, Harry K.
Fisler, Louis H.
Fitzgerald, James L., Jr.
Fitzpatrick, Thomas J.
Flanagan, Thomas L.
Fleishman, Anthony T.
Fleming, Thomas E.
Flowers, Thomas C., Jr.
Fogarty, William M.
Foltz, Richard W.
Fordham, Charles R.
Fordham, Warren J.
Forsgren, Dean H.
Forsman, Charles J.
Forst, Frederick
Foster, Eugene V.
Fowlkes, John H.
Fox, James C.
Fox, Richard A.
Fraas, Frederick V.
Frank, Carl J.
Frank, Nicholas J., III
Franks, Richard N.
Frawley, Michael P.
Freakes, William
Frederick, Keith J.
Frederick, Paul E.
Freeman, Richard C.
Frick, Robert M.
Fuller, Gran F.
Fuller, Robert H.
Gadbaw, Coleman J., Jr.
Gales, George M.
Galstan, Gerald N.
Gamboa, John F.
Ganister, Frank J.
Gann, Dewey L.
Gard, Perry W., III
Gardner, John T., Jr.
Garland, Keith P.
Garrett, David W.
Garvey, William A.
Gary, Harris P., Jr.
Gatje, Peter H.
Gay, Warren L.
Geesaman, Wilbur L.
Gentry, Kerry F.
George, Hugo C.
Gessner, Bernard F., Jr.
Gibbons, Thomas
Gibson, David B.
Gibson, Richard C., Jr.
Gibson, Ronald C.
Gibson, William J.
Giddens, Jack L., Jr.
Gies, Leo C.
Giese, Carl E., Jr.
Giesea, James R.
Gifford, Laurence S.
Gilbert, William G.
Gillen, James F.
Gilles, John M.
Gilligan, John K.

Given, Philip R.
Gladding, Thomas, Jr.
Gladin, Jack R.
Glaser, Frederick K.
Glenn, Walter H.
Gloeckner, Frank J., III
Glossner, Locke H.
Goldenstein, Gordon R.
Goldsberry, Harold A.
Goldy, Mark A.
Goodman, Michael "E"
Goodrow, John E.
Goodwin, James J.
Goodwin, James C., Jr.
Goodwin, James L.
Gordon, Bruce P.
Gorham, David S.
Gosebrink, Fred J.
Goss, James E.
Goto, Irving K.
Gottsche, Albert L., Jr.
Gough, Melvin N., Jr.
Goulding, Robert S.
Graceffa, Joseph D.
Gram, Emil G.
Gray, James D.
Green, Frank C., Jr.
Green, William H.
Greer, George B., Jr.
Greer, Norman D.
Griffin, Gerald B.
Griffin, Hoke D.
Grimm, Thomas D.
Grocki, Chester J.
Groder, Richard A.
Gross, Alvin C.; Jr.
Grosse, Robert G.
Guccione, Joseph, Jr.
Gurke, Donald L.
Gustafson, Kenneth R.
Gustaveson, Robert E.
Haag, Ernest V.
Haenze, Leroy R.
Hagedorn, Edwin C.
Hagen, Peter A.
Hahn, Dwight E.
Haines, Charles E.
Haines, Donald A.
Hale, James W., Jr.
Hale, William B.
Hall, Donald E.
Hall, Harley H.
Hall, Marshall B.
Hall, William R.
Haller, Hubert M.
Hallier, Manuel A.
Halm, Terrence W.
Halverson, Ralph A.
Halye, Lawrence A.
Hamaker, Rex G.
Hamilton, Jackie D.
Hamrick, James M.
Hancock, Richard J., Jr.
Hanna, Donald V.
Hansen, Herbert W., Jr.
Harbrecht, Raymond J.
Hardy, Ray S., Jr.
Harmon, Jimmy J.
Harper, Glynn C.
Harper, Thomas J.
Harrell, Dowel W.
Harris, Jess M., III
Harris, Richard A.
Harrison, Charles E.
Harriss, David J.
Harshberger, Robert L.
Harvey, Wilford H.
Harwell, Layne H.
Hass, Edward V.
Hassel, Rolland R.
Hastings, Ralph L.
Haugen, Adolph B.
Hawkins, James R.
Hawkins, Ray M.
Hawn, Jere R.

Hawthorne, John L.
Hayes, William V.
Haynes, Jerry R.
Hebert, Larry
Heck, Alger R.
Heckathorn, Clair E.
Heeley, Eric W. L.
Heimbuecher, Frederick J.
Hekman, Peter M., Jr.
Henderson, Noel B.
Henderson, Arnold H.
Henderson, Joseph R., Jr.
Hendrix, Marion F.
Henris, James B.
Hernandez, Jesse J.
Herold, Lance
Herpick, Charles A.
Herrin, William F.
Hess, Ronald A.
Higgins, James D., Jr.
Hill, Martin G.
Hines, Rubert, Jr.
Hinson, Elbert F.
Hansen, Harry J., III
Hladik, Bernard L.
Hobbs, Watson L.
Hodgens, Jack A.
Hodgkins, William S.
Hodkins, William F.
Hoeffel, Jan C.
Hoel, Jack I.
Hoff, Michael G.
Hoffman, William C.
Hohmann, William D.
Holcomb, Don
Holland, John D., Jr.
Hollister, Floyd H.
Holloman, Floyd W.
Holmberg, Bruce A.
Holmes, Dan N.
Holmes, Edward C.
Holroyd, Robert E.
Holsten, Donald W.
Holt, Fred C.
Holt, Jerry L.
Holt, William C.
Holthaus, Hollis L.
Holzhaeuser, Arthur E.
Homuth, Richard W.
Hooks, Edward F.
Hopkins, Jae E.
Hopkinson, Francis G.
Horn, Leslie J.
Horne, William F.
Hospes, Alan E.
Hostetler, Glen W.
Hotard, William C.
Houston, Guy M., Jr.
Howard, Ronald C.
Howard, William S., III
Huckabay, William O., Jr.
Huddleston, Charles R., Jr.
Hudnall, Robert M.
Hughes, Clarence O., Jr.
Hulderman, George H.
Hulme, John B.
Hummer, John J.
Hunt, Alan G.
Hunter, Harold C.
Huntington, Stuart L.
Hurwitz, Paul M.
Hutchinson, Joseph D.
Hutchinson, Peter A.
Hynes, Donald J.
Ianson, Lawrence W., Jr.
Immel, Arthur R.
Immerman, Arthur L.
Ingle, Carl E.
Ingram, Forney H., Jr.
Ingram, Ronald F.
Irvin, Robert M.
Isaacson, Alan T.
Isherwood, Raymond T.
Ivey, Clarence G., Jr.
Izzard, James
Jackson, Kermit J.
Jackson, Milton, Jr.
Jackson, Morse R.
Jackson, Paul F.
Jackson, Perry Y., Jr.
Jackson, Warren D.
Jacobs, Paul H.
Jacobs, Thomas L.
Jacobson, Mark A.
Jaeger, James W.
Jakubczak, Jerome F.
Jamroga, John J.
Janes, Gregory H.
Jasman, David A.
Jelks, John L., III
Jenkins, George J., Jr.
Jensen, Robert L.
John, Arthur D.
Johns, Robert L.
Johnson, Curtis W.
Johnson, David H.
Johnson, Lester O., Jr.
Johnson, Ronald L.
Johnson, Robert D.
Johnston, William A.
Jokanovich, Peter
Jolliffe, Richard L.
Jones, Arden W. F., Jr.
Jones, Augustus B., III
Jones, David L.
Jones, Donald W.
Jones, Eugene P.
Jones, John S.
Jones, Meredith R.
Jones, William D.
Joslin, Ivan L.
Judis, Billy F.
Juliano, Julius R.
Kallal, James J.
Kane, Fredric C., Jr.
Karr, Richard P.
Kauber, Rodney K.
Kaufman, Jerald D.
Kaufman, Larry E.
Kazimir, Donald J.
Keen, Arthur E.
Keenan, John D.
Keene, Douglas L.
Keesler, Byron H.
Keim, Clarence H.
Keith, Frederick W., Jr.
Keith, Robert T. S.
Kelly, William S.
Kendall, Robert P.
Kenney, James A.
Kent, Philip S.
Kerby, Donald C.
Kersh, John McK.
Kessler, Edward L., Jr.
Kimmel, Leigh G.
Kineke, John I.
King, Larry N.
Kingston, Kenneth H.
Kirkconnell, William B.
Kirkman, Roger J.
Kirkpatrick, Milton W., Jr.
Kistler, George K.
Kistler, James L.
Kitchens, Charles R.
Klinedinst, Paul R., Jr.
Knapp, Norman E., Jr.
Koch, William A.
Koenig, John W.
Kofoed, Robert M.
Kolb, John R.
Konkel, Harry W.
Kornegay, Robert R.
Korslund, Robert G.
Kosoff, Tracy M.
Kraft, Jacob C.
Kreglo, Darrel D.
Kreitner, Clinton W.
Krichman, Harold S.
Krueger, Crton G.
Krumrei, William H.
Kruse, Henry J.
Kryway, John T.
Kuechmann, Jerome A.
Kuehn, Gordon N.
Kuhlke, Robert E.
Kuhn, James P.
Kuhn, Joseph L.
Kuhneman, Martin F.
Kunz, Chester A., Jr.
Lachance, George M., Jr.
Lamaur, Virgil J.
Lamb, Thomas J.
Lambden, Jerry D.
Lamott, David W.
Lamoureux, Robert J.
Landers, John D.
Landrum, Raymond G.
Lane, John W., Jr.
Larson, Charles R.
Larson, Jerold J.
Larson, Lawrence P.
Larzelere, Charles W., III
Lassiter, Eugene L.
Lavinder, Carlton L., Jr.
Lawrence, Charles M.
Lawrence, Kent B.
Laws, Charles F.
Laws, Fred R.
Lawson, John R.
Lax, Lee C.
Leake, Milton H.
Leap, David P.
Leary, John A., II
Leber, Jean R.
Lee, Bobby C.
Leiser, Edward L.
Leisy, Ned B.
Leroy, Franklin T.
Leslie, William H.
Leszcynski, Vincent J.
Levin, Roger L.
Lewis, Frederick E.
Lightstone, John L.
Lima, John A.
Lindsey, Eugene E., Jr.
Lineberger, Preston H.
Link, Richard "J"
Lipske, Robert S.
Lisle, George F.
Livens, Charles H.
Livzley, James G.
Lloyd, George M.
Lobb, Clarence E.
Lockard, William H.
Logan, Robert S., Jr.
Long, Charles W.
Long, George T.
Longo, Anthony J.
Lorts, Bryan M., Jr.
Lorusso, John M.
Louis, David R., Jr.
Lovejoy, Richard E.
Lovitt, Lewis D., Jr.
Lowe, Larry T.
Luallen, Joseph H., Jr.
Lubbers, Gary W.
Lucas, Clyde H., Jr.
Lucas, Robert P.
Luders, Ernest C.
Ludwig, Ronald E.
Luhrs, Larry L.
Lukenas, Leo A.
Lupfer, Alexander McC., Jr.
Lusk, James R.
Lyon, Edward, III
Lyon, Hylan B., Jr.
Lyons, Michael D.
Lysaght, Claude O.
Mabrey, Richard L.
Macauley, William F.
MacGregor, Robert M.
Machowski, Walter
MacKenzie, Franklin F.
MacKinnon, John H.
MacLean, Rupert E., Jr.
MacNeill, Donald W.
Madsen, Marvin D.
Magee, Francis H.
Magee, James A.
Magee, Robert F.
Mahoney, Robert D.
Major, James A.
Malone, Michael E.
Malone, Robert S.
Maloney, Thomas C.
Maloy, Larry L.
Manahan, Maurice H.
Maneely, Carl L.
Mansfield, Joseph S., Jr.
Maroldy, Thomas M.
Marr, William T.
Marsh, Arnold D.
Martin, Carl M.
Martinez, James R.
Martz, Bruce D., Jr.
Massa, Lawrence L.
Massey, Lance B.
Mather, Larry L.
Matheson, John W.
Mattingly, Thomas K., II
Maughlin, Richard K.
Maviglia, Frank A.
Maxton, James C.
May, David T.
May, Wesley
Maye, George T.
Mayers, Daniel F.
Mayfield, Howard E.
Mazeika, Robert G.
Mazzola, Vincent S.
McAtee, Donald E.
McBrien, Jack W.
McCain, John S., III
McCandless, Bruce, II
McCarter, Jonathan C.
McCarty, Kenneth R.
McConnell, Harry E.
McCorry, John H.
McCroskey, Bobby R.
McCullough, David U.
McCullough, Martin L.
McDonough, Robert N.
McFadyen, John B.
McGhee, Kenneth B.
McGruther, Gordon T.
McIntyre, William J.
McKenzie, Gene T.
McKenzie, Walter K.
McKneely, Jerry A.
McLaine, Warren E., Jr.
McLane, Michael J.
McLaughlin, Bruce C.
McMahon, Marvin R., Jr.
McMichael, John C., Jr.
McMillan, John G.
McNelly, Allen D.
McNulla, James E., III
McNulty, George R.
McPadden, Joseph G.
McQuay, Robert B.
McRight, Clarence, Jr.
McVadon, Eric A., Jr.
McVicker, James L.
Meador, Lee M.
Medlin, William R.
Meeks, John H.
Meers, Alfred J.
Meese, Richard E.
Megonigle, Carl E.
Meinhold, Richard J.
Meinig, George R., Jr.
Melillo, Michael J., Jr.
Merriken, Stuart A.
Merritt, Ernest A.
Merry, Theodore R.
Metzger, Delbert S.
Meyer, Dale A.
Meyer, Donald C.
Michl, Daniel J.
Middleton, Wesley L.
Midgarden, Peter N.
Midtvedt, Harold L.
Miklas, Ramutis K.
Miller, Aloysius R.
Miller, Billy G.
Miller, Charles L.
Miller, Clarence D.
Miller, David B.
Miller, Douglas A.
Miller, George A.
Miller, Henry W., Jr.
Miller, Larry S.
Miller, Latnay H., Jr.
Miller, Robert D.
Miller, Robert L.
Mills, Christopher M.
Miltenberger, James R.
Mitchell, Kenneth F.
Mitchell, Walter F.
Moll, Herbert
Monroe, Philip A.
Montag, Charles F.
Montalbine, Gary E.
Monteath, Gordon MacD., Jr.
Moore, Jack R.
Moore, William N.
Moran, Francis J., Jr.
Moreland, Floyd E.
Morgan, David E.
Morris, Clyde C.
Morrison, Jerry E.
Morrison, Orrin L.
Morrow, Billy R.
Mortenson, William P.
Moser, Robert L.
Mosman, Donald E.
Mott, George E., III
Mowery, Russell V.
Moynihan, John J.
Mueller, Lincoln H.
Mueller, William A.
Mullaly, William J.
Mullen, D. K.
Muller, Deighton J.
Munch, Charles H.
Murphy, Norbert P.
Murray, Gordon L., Jr.
Musgrove, Robert W.
Myers, Dale F.
Myers, George D., II
Nagle, Chester A.
Nahlovsky, Richard E.
Nakagawa, Gordon R.
Nance, Ivan V. A., Jr.
Narro, Arthur T.
Nash, Norman B.
Nazak, Robert M.
Nedry, Robert D.
Nelson, Henry E.
Nelson, Mark V. V.
Nelson, Richard M.
Nelson, Robert A.
Newcomb, David A.
Newell, James F., Jr.
Newton, George B., Jr.
Nicholas, Jack R., Jr.
Nichols, John B., III
Nicholson, Walker D.
Nickerson, John P.
Nicolls, Robert P.
Nida, Robert W.
Niedbala, Joseph T., Jr.
Nordhaugen, Lyle G.
Norfleet, Eric H.
Norton, Lee E., Jr.
Nutting, Roger M.
Nystrom, Peter C.
Obeirne, Frank, Jr.
O'Connor, Michael G.
Ogren, John P.
Oleary, John P., Jr.
Oleson, Charles A.
Oliver, William H.
Olmstead, Clifford D.
Olmstead, Edward A.
Olsen, Kenneth A.
Olsonoski, Richard L.
Omberg, William F.
Oncea, George
Ondishko, Christian N.
O'Neal, Edward A.
O'Neil, William A.
O'Neill, Cornelius T.
O'Neill, Thomas E.
Orme, Douglas L.
Osberg, John W., III
Osborne, James T.
Osborne, Robert B.
Ostrander, William E.
Otto, Carl H.
Overton, Dudley R.
Owen, Robert S.
Owens, Ramon R.
Pabst, Howard L.
Page, Richard L.
Paine, Paul W.
Painter, Philip C.
Palmer, Hugh L.
Palmer, James A., Jr.
Pape, Jerry L.
Parker, Donald F.
Parks, Terrence J.
Parks, William H.
Parrish, David F.
Parrish, Thomas D.
Parsley, James L.
Pate, Zachariah T., Jr.
Patella, Lawrence M.
Patrick, Meredith W.
Patrick, William D.
Paty, Charles R.
Pearce, Michael A.
Peechatka, Larry O.
Pellegrino, Daniel R.
Pellerin, Alfred E., III
Pelton, Lawrence E.
Pender, Thomas
Pendergrass, Curtis S.
Pendleton, David L.
Pendley, William T.
Penny, Lawrence A.
Peri, Victor P.
Perkins, Robert S., Jr.
Perusse, Robert E.
Peters, Donald L.
Peters, John D.
Peters, Milton G.
Peterson, Carl J.
Peterson, Charles B.
Pettit, John T., Jr.
Pfister, Donald L.
Phelps, George T.
Phillips, Clifford R.
Phillips, Ronald J.
Phillips, Robert E.
Phillips, Raymond C.
Pickering, Gary W.
Pidgeon, Edward T., Jr.
Pidgeon, Robert H.
Pierce, George E.
Pietkiewicz, Wesley
Pilcher, Eugene T.
Pinson, Peter C.
Pinto, John M., Jr.
Piskorski, Stanley
Pitman, John R.
Pittenger, Richard F.
Pivarnik, William D.
Pizinger, Donald D.
Plum, George E.
Poarch, Charles E.
Poarch, William H.
Poe, Gary R.
Poindexter, John M.
Pollock, Grant H.
Polski, Paul A.
Poore, James S.
Poremba, Stanley, Jr.
Port, Joseph C.
Porter, Gene H.
Porter, Oliver H.
Potter, John L.
Powell, Frederick C.
Powell, Ralph E.
Powers, Richard M.
Prather, Robert J., Jr.

Pratt, John L.
Pressly, James M.
Preston, Craig A.
Price, Billie L.
Pritchard, William J.
Proctor, Robert R.
Pugh, Jimmy B.
Pulling, Wayne E.
Purnell, Clement I.
Putnam, Wayne A.
Pyatt, Arnold F.
Pye, Reginald C., Jr.
Pyle, Ronald W.
Quay, Thomas W.
Quinn, Eugene F.
Quinn, Richard H.
Ragen, Jerome C.
Ramsden, Gerald L.
Ranes, George J.
Rasmussen, John D.
Rasmussen, Keith L.
Ratto, Lawrence J.
Rauber, Carl A., Jr.
Rauch, Leo A.
Raudio, Victor J.
Reed, John C.
Reed, Robert A., II
Reed, William T.
Reeger, Harold L.
Rehder, William A.
Reich, William F.
Reid, Lawrence R., Jr.
Reilly, Robert K
Reinhardt, Richard L.
Reister, Walter A.
Remoll, Charles M.
Rennie, John C.
Rentsch, Russell B.
Reitz, Michael J.
Retzlaff, Robert R.
Reveal, Leonard T.
Rice, Lloyd K.
Rice, William L.
Richard, Ronald D.
Riches, Raymond C.
Rigdon, William H.
Riggs, Donald E.
Riley, William E.
Ring, William R.
Ringler, Arnold H.
Riordan, William P.
Risen, Larry G.
Ritmire, Kenneth D.
Rivenbark, David C., Jr.
Rivera, Daniel R.
Roach, Alan G.
Robbins, Berton A., III
Robbins, John E.
Roberts, Gary K.
Roberts, James H.
Roberts, Jack L.
Robins, Harry B., Jr.
Robinson, Kenneth G.
Robison, Delma C.
Rocray, Samuel E.
Roder, Peter S.
Roegiers, Eugene L.
Rogers, Gerald W.
Rogers, Richard D.
Rohrbough, John D.
Rokowski, Ernest L.
Rosen, Robert S.
Rowden, Donald R.
Royse, Perry R., Jr.
Ruby, Scott McM.
Rueckert, Nils
Rufe, Robert W.
Rumney, Robert E.
Runzo, Melvin A.
Ruona, Keith V.
Russell, Harold B.
Ruth, John
Sachse, Clark D.
Sachse, William R.
Salmon, Walter W., Jr.
Sample, Bobbie L.
Sampson, James W.
Sanderson, David B.
Sandke, William K.
Sandusky, James R.
Sansom, Robert G., Jr.
Sauer, Robert C.
Sawdey, Phillip G.
Scanlon, Edward P.
Scantlin, William S.
Scarbrough, Vernon R.
Schaffer, Ruben W.
Schlauder, Wallace J.
Schloemer, Robert D.
Schnepper, Ronald A.
Schoenfeld, Jay K.
Schramm, William G.
Schroeder, Stephen F.
Schultz, Robert F.
Schulz, Russell K.
Schulz, William J.
Schwanemann, William L.
Schwartz, Donald M.
Scott, Milton M.
Scott, Wayne E., Jr.
Scram, Andrew D.
Sedam, Glenn J., Jr.
Seeberger, John J.
Segelbacher, George F.
Seger, Ralph L., Jr.
Sendek, Joseph M.
Severson, Laverne E.
Shand, Richard M.
Shane, Louis P.
Shapero, Allen L.
Shattuck, George W.
Shattuck, William D.
Shaw, Paul M.
Shawkey, Dallas W.
Sheehan, James E.
Shelton, James W.
Shepherd, Harold D.
Sheppard, Donald D.
Sherman, John E.
Shiflett, Edward E.
Shope, Theodore L.
Showman, Loyd "C", Jr.
Shriver, Norman W.
Shriver, Robert A.
Sickman, John F., Jr.
Siegwarth, Charles E., Jr.
Simmons, James L.
Simonson, Gerald L.
Skezas, George C.
Skinner, Albert G.
Skinner, George R.
Slaven, Robert K., Jr.
Slayman, Kelson E.
Sluyter, Verlin C.
Slye, Richard E.
Smedberg, Edwin B.
Sminkey, Robert L.
Smith, Charles J.
Smith, Darryl W.
Smith, David R.
Smith, David P., Jr.
Smith, David F.
Smith, Frank W.
Smith, James C.
Smith, Leon T.
Smith, Nepier V.
Smith, Paul D.
Smith, Peter T.
Smith, Ralph E.
Smith, Samuel
Smith, William B.
Smith, William L.
Smolnik, Daniel
Snow, Barry I.
Snyder, Jerry E.
Sommer, Henry J., Jr.
Sorensen, Richard S.
Sorna, Ronald E.
Soules, Charles W.
Southworth, Frank C., Jr.
Spadoni, Eugene A.
Spane, William T., Jr.
Spencer, Thomas J.
Spires, Fred, Jr.
Spraker, Irvin L.
Spydell, Robert E.
Stack, Richard B.
Stacy, Louis O., Jr.
Starrin, Roy E.
Stavropoulos, Ernest G.
Stebbins, Donald J.
Steckler, Joseph L.
Steed, Samuel
Steele, Robert J.
Stehlin, Donald A.
Stein, Edwin F., Jr.
Stephens, Melvin P., Jr.
Stephens, William L.
Steveley, Robert V.
Stevick, Jerold C., Jr.
Stibler, Robert W.
Stinson, William O.
Stockton, Cecil G.
Stokes, Carl J., Jr.
Stone, Robert L.
Storey, Edward L.
Story, Roy K.
Stoudt, William E.
Stred, Gordon J.
Streeter, Gregory F.
Strickland, George W.
Strole, Dennis S.
Stubbs, David W.
Stubbs, George R.
Stumcke, Frederick B., Jr.
Sturgill, Jack D.
Sturr, Henry D., Jr.
Sullivan, Donald K.
Sullivan, Gerald F.
Summers, Carl R.
Surratt, Henry C., Jr.
Sutton, Jack D.
Swain, Donald D.
Swain, John R.
Swallow, James R.
Swarthwood, Willis M.
Swendsen, Donald M.
Swisher, Dale W.
Sword, Curtis S., Jr.
Szczecinski, Jose L.
Taft, Denis J.
Tarkowski, Ronald C.
Tarquin, Donald C.
Taylor, Brent W.
Taylor, Donald A.
Taylor, James T., Jr.
Taylor, James R. C.
Taylor, Philip H.
Taylor, Thomas P.
Taylor, Vance A.
Tedder, James E.
Tenefrancia, Ambrose J.
Tennent, Richard E., Jr.
Terry, Bert D.
Terry, Ross R.
Thacher, Eric F.
Therrien, Leo E., Jr.
Thiemann, Henry J. F., Jr.
Thomas, Angus B.
Thomas, Jack R.
Thomas, John D.
Thomas, Kinnison H.
Thomas, Richard S.
Thomas, Robert H.
Thomasson, William O.
Thompson, Tyler H.
Thurston, John K.
Tibbatts, Thomas N.
Tilger, Billy R.
Toby, Kenneth R.
Topping, Robert L.
Torsen, Richard M.
Trayer, Edgar G.
Triebes, Carl J., Jr.
Troolin, Leslie P.
Trout, Michael D.
Troutman, Darrell C.
Troutman, Fred G.
Tuft, Markham D.
Turlay, William E.
Turner, Danny W.
Usalis, Jerome T.
Van Moppes, Russell G.
Van Petten, Thomas L.
Vargo, Henry G.
Veasey, Guy D.
Veenstra, Robert M.
Venable, Robert L.
Verner, Michael J.
Verney, George M.
Viccellio, John S.
Vick, John C.
Victor, Alfred E.
Vinson, John T.
Vold, Almer C.
Voss, John W.
Wachter, Gary L.
Wagner, William F.
Wales, Frederick L.
Walker, Dodson D., Jr.
Walters, Robert L.
Wandell, John J., Jr.
Wanglie, Eugene E.
Wardwell, Arthur F., Jr.
Warner, James S.
Warner, Lloyd
Warren, Robert L.
Wartenberg, Ernest H., Jr.
Wasloski, John E.
Waters, Ronald L.
Watkins, Robert M.
Watson, Ian McE.
Watts, Donald T.
Wear, Lawrence E., Jr.
Weaver, Daniel C.
Weaver, Robert E.
Webster, Stephen T.
Weeks, Theodore G., Jr.
Weibly, Robert L.
Weigand, James G.
Welles, Bradford W.
Wells, Robert D.
West, Ralph W., Jr.
Westbrook, Dale A.
Westerman, William R.
Wheeler, George C.
White, Charles E.
White, Clayton R.
White, Fred D.
White, Howard G.
Whitehead, James L.
Whitmire, Robert L.
Wickham, David W., II
Wicklund, Richard J.
Wiedemann, Franz R.
Wiedenbauer, Fred
Wiener, Thomas F.
Wilburn, Donald L.
Wilcox, Bruce A.
Wilcox, John B.
Wilder, Wallace G.
Wilhelmy, Christopher B.
Wilkerson, Charles A.
Wilkinson, Alan C.
Williams, Eldon G.
Williams, James D.
Williams, James R.
Williams, Kenneth W.
Williams, Robert C.
Williams, Wayne A.
Wills, Everette D.
Wilner, Arthur I.
Wilson, Claude D., Jr.
Wilson, Dennis K.
Wilson, James S., Jr.
Wilson, Richard J.
Wilson, Robert D.
Withers, William Z.
Wolfe, Philip W.
Wood, Leland E., Jr.
Woodbury, Michael G.
Woodley, Richard P.
Woods, Daniel C.
Woods, Robert N., Jr.
Woody, Melvin R.
Worden, Everett F.
Wren, Gregory S.
Wright, David J.
Wright, Frederick W., III
Wright, James C.
Wright, Lee F.
Wright, Leo C.
Wright, Thomas T.
Wyatt, Richard L.
Wyman, Harry N., III
Yasuk, John, Jr.
Yoes, Ernest C.
Yost, Albert N.
Young, Robert A.
Young, Wayne G.
Young, William K., Jr.
Zanin, Norman R.
Zanin, Wilbur F., Jr.
Zimdar, Robert E.
Zimmer, Gerald G.
Zon, Ernest
Zorn, Nicholas D.
Zwart, Ronald P.

MEDICAL CORPS

To be lieutenants

Altaker, Lawrence L.
Andrews, Enos T.
Armino, Anthony
Ashworth, Halbert E.
Baker, Fred L.
Baksic, Russell W.
Basiliere, James L.
Batcheller, John W.
Bendixen, Romaine L.
Bendorf, Ronald L.
Billharz, David W.
Blackburn, Frank C.
Blanchard, Peter B.
Blanton, Terrell D.
Bobo, Charles B.
Boensch, Frank N., Jr.
Bohan, Lawrence D.
Bohan, Michael E.
Bork, Duane L.
Bowman, Robert L.
Bradley, Bruce E., Jr.
Bradley, Charles K.
Bradley, Mark E.
Braun, William E.
Brien, Robert L.
Broussard, Nicholas D.
Buchanan, Robert D.
Burmeister, Ronald E.
Burnes, Keith C.
Burrow, Woody G.
Butler, Patrick L.
Carmick, Edward S., Jr.
Carr, Raymond E.
Casey, David F.
Cassady, Calvin R.
Cattano, Andrew N.
Cloherty, John P.
Collins, Terence R.
Combs, James A.
Condrin, William R.
Conrad, Federick E.
Cook, James H., Jr.
Cook, John P.
Cook, Joseph V., Jr.
Corcoran, Francis H.
Cottingham, James W.
Crittenden, Frank M., Jr.
Crosson, Robert C.
Crum, Paul M.
Davis, Donald F.
Davis, James E.
Davis, Henry F.
Day, Daniel H.
Delzell, Allen W.
Dennison, William L., Jr.
Dooley, John R.
Dorazio, Edward A.
Doxey, Clem M., Jr.
Driscoll, John M., Jr.
Duncan, William C., III
Earls, Jim H.
Espenchade, Park W., Jr.
Evans, Donald T.
Evans, Donald C.
Eyre, Warren G.
Eytel, Charles S.
Farmer, Raymond M.
Farrell, Robert E.
Field, Marshall P.
Flagler, Nicholas R.
Fong, Don L.
Gable, Thomas W.
Gail, Thomas A.
Gaskins, Ronald D.
Gaudry, Charles L., Jr.
Gibbons, James A.
Godbey, Asa L., Jr.
Goldstein, Norman A.
Goscienski, Philip J.
Graham, Curtis G.
Greene, James N.
Griffin, George E., III
Griffin, William M.
Grumbling, Hudson V., Jr.
Hailey, Stanley W., Jr.
Hale, Ralph W.
Hall, James N.
Hammer, David J.
Hand, John J.
Hayden, Donald J.
Hayworth, Ray M.
Heath, Victor C.
Heinz, Wilbur A., Jr.
Hemmings, Ira L., Jr.
Henrie, Edwin J.
Hensley, Ronald V.
Hesse, Charles F.
Hochheiser, Louis I.
Honigman, Joseph
Hood, Richard N.
Howell, James W.
Huff, Arden L.
Huurman, Walter W., Jr.
Jackson, Neil D.
Jay, George R.
Johnson, William C., Jr.
Johnston, Charles E.
Jones, Lawrence A.
Joyner, Raymond K.
Jung, Robert M.
Karney, Walter W.
Kenny, Geves S.
Killinger, Robert P.
Kloek, Jan G.
Kraus, Edward D.
Landis, Michael N.
Leupold, Arthur J.
Lewis, David H.
Lewis, Rodger P.
Lieberman, Edward W.
Lignelli, Gregory J.
Ling, Louis A.
Llewellyn, Henry J., II
Lloyd, Morgan P.
Lowry, Louis D.
Lucas, John T.
Mansfield, Donald L.
Maraist, Donald J.
Marriott, John D.
Martin, Miles H., Jr.
Martin, Russell D.
Masar, Maurice F. P.
Matan, Joseph A.
Mattern, Allan L.
Maxwell, George D.
McCabe, John S.
McCarthy, Joseph C.
McCreedy, James E.
McDonough, Edward R.
McLean, William E.
Meier, Gerald F.

Meighan, Jacob W.
Millikan, Larry E.
Mills, Robert D.
Mixon, William A.
Moffat, James W.
Mollycheck, Ralph
Moynan, Roland W.
Mueller, Maurice J., Jr.
Mulder, Martien A.
Mullen, James E.
Murray, James A.
Musser, John R., Jr.
Neel, Rufus G.
Nelms, Robert J., Jr.
Newman, Paul K.
Niebaum, Lowell T.
Nugent, Clifton "C"
Nuss, Robert C.
Obenchain, Theodore G.
Park, Richard K.
Parsons, David E.
Pepino, Alfred T.
Peters, Norman E.
Pierce, William B.
Prizzi, Anthony R.
Putnam, Theodore I.
Redfield, William J.
Reimer, Donald R.
Robbins, Thomas O.
Roberts, James G.
Robinson, Jerry M.
Rubottom, Richard L.
Ruggiero, Joseph A.
Sandri, Sandro R.
Schalker, David E.
Schmid, William H.
Schmidt, Rainer S.
Sheskey, Michael C.
Smith, David A.
Smith, Lee E.
Smith, Raphael F.
Sokolowski, Joseph W.
Sothoron, Warren H., Jr.
Stern, William K.
Stone, George M., II
Stone, Robert S.
Stone, William A.
Stoughton, Richard R.
Talcott, Donald A.
Terry, Warren O.
Texter, John H., Jr.
Thomas, Jerry L.
Thurmon, Theodore F., III
Turaids, Talvaris
Uhl, Richard R.
Vacanti, Charles J., Jr.
Vanderhooft, Gerard F.
Van Genderen, Larry
Vanpelt, Philip R.
Vidacovich, Richard P.
Wages, Tommy L.
Wagoner, Don J.
Wallin, John D.
Wandalowski, Roman T.
Warner, John F.
Wasson, Robert D.
Weinstein, Sheridan L.
Willard, Willis W., III
Williams, Arthur K.
Woods, Thomas A.
Worsham, Jerry C.
Wright, James W.
Yohn, Kenneth C.
Young, William D.

SUPPLY CORPS

To be lieutenants

Asche, Richard E.
Austin, Walter I.
Baker, James H.
Basley, Raymond C.
Bell, Thomas A.
Beyer, Robert K.
Blackburn, Richard C., Jr.
Blackford, John H.
Blazina, Joseph B.
Bonbright, John M., Jr.
Boorman, William R.
Bowne, Charles J., Jr.
Boylan, Charles T.
Brown, George C.
Brown, James W.
Buell, Robert M.
Burden, David G.
Caro, James McD.
Carver, Roy E.
Cejka, Joseph L.
Charette, Paul E.
Clarkson, James S.
Cobb, James L.
Cole, Brady M.
Cone, Paul J.
Coogan, Timothy P.
Cooper, Jackie R.
Craft, Thomas G.
Craig, Alan M.
Davis, Arthur R.
Davis, John R.
Dellis, Donald O.
Denny, James L.
Deruggiero, Saverio A.
Doddridge, Benjamin F.
Dolan, Henry J.
Drake, Claude H.
Drury, William R.
Dyches, James W.
Eilberg, James S.
Ekholm, Harry H., Jr.
Eye, Charles C.
Fischer, Gregory F.
Fish, Dennis J.
Flanagan, Patrick F.
Fraher, Jeremiah
French, Robert L.
Garner, Fred S.
Gavin, Victor M.
Gillingham, Roger D.
Goss, Roland A.
Gray, Lloyd C.
Gregory, Kenneth R.
Grogan, Arthur R.
Haj, Richard
Halstead, Clyde R., Jr.
Hanna, Robert M.
Hanson, Allan H.
Harnad, Paul K.
Hartlieb, Daniel G.
Hatchett, John W.
Hazlett, Harry L.
Heidelbaugh, Warren R.
Hicks, Chesley M., Jr.
Hinz, Dan H.
Hogan, Richard C.
Hoopes, Ronald G.
Huth, Carl F., Jr.
Jackson, Leon A.
Jaecques, Raymond C.
Johnson, Donald J.
Johnson, Omer L.
Jones, William G.
Kaplan, Sumner H.
Keith, Bobby P.
Klein, Carl C.
Knight, James W., Jr.
Konopik, Joseph F., Jr.
Leeson, Donald D.
Lemmo, Joseph G.
Lindberg, Arthur E.
Livingston, Kenneth E.
Lombard, Graydon F.
Lord, Charles W.
Lucas, Duane B.
Lyman, Lawrence G.
Malcewicz, Paul F.
Marbain, Max D.
Margulis, Frank
Marian, John B., II
Marshall, Robert J.
Masters, Edward R.
Maxwell, John R.
McCarthy, Donald L.
McCauley, Joseph M.
McCloskey, Michael A., Jr.
McElyea, Quinton L.
McGee, William A.
McKelvey, Paul N.
McNall, Phillip F.
McNary, William F.
Miller, Winston B.
Montgomery, Samuel S.
Nace, Wilbert J.
Natelson, Lawrence S.
Nix, Harvey W., Jr.
Oberhofer, Andrew O., Jr.
Olson, Engwall A., III
Owens, James C.
Patterson, James F.
Pollard, James O.
Powell, Hal B.
Powers, Richard F.
Rader, Lynden L.
Reed, David A.
Regan, Francis J.
Risinger, Robert E.
Rock, Peter
Rogers, William J., Jr.
Shindell, Richard H.
Sievers, Louis A., Jr.
Simmons, Troy W.
Slauson, John W.
Snyder, Alfred G.
Spence, George G., Jr.
Stehly, Frederick R.
Street, Edward L.
Stutts, Jack H.
Sveen, Gerald E.
Tatten, Richard J.
Tyree, David M., Jr.
Upton, Thomas H., Jr.
Vanni, Ralph J.
Walther, Harrison N.
Wardrup, Leo C., Jr.
Wareham, Harry B.
Watson, Junior J.
Webb, Robert D.
Welzbacker, Peter J.
Werbel, Samuel G.
West, Jay F.
Wheeler, Hugh H.
Willett, Roy
Willingham, David G.
Wilson, James, Jr.
Winn, Frank N.
Wood, Allen
Wyatt, John M.
Zanetti, Allen G.

CHAPLAIN CORPS

To be lieutenants

Ahern, Bernard J.
Beach, Stanley J.
Brennan, Joseph F.
Cowart, William G., Jr.
Ferguson, Edmond B.
Garver, Frank E.
Healer, Carl T.
Hunsicker, David S.
Jordan, Richard E.
Lefils, Leslie M.
McDonnell, Francis W.
Muenzler, Leroy E., Jr.
Reiff, Gerald N.
Rushing, Leslie W.
Scheer, Rodney R.
Schuster, David P.
Stewart, Wayne A.
Swierenga, Raymond C.
Threadgill, Cecil R.
Toland, Paul L.
Vogel, Leroy E.
Windle, David L.
Winslow, William J., Jr.
Witt, George R.

CIVIL ENGINEER CORPS

To be lieutenants

Alexander, Robert E.
Bednar, George J.
Biondo, Donald J.
Bodamer, James E.
Boennighausen, Thomas L.
Bolinger, Donald S.
Brockwell, John A.
Byers, Eugene W.
Carden, Orelan R., Jr.
Carter, Robert L.
Caughman, James B., Jr.
Cervenka, Norman L.
Christenson, James E.
Christiansen, Von O.
Connor, William C.
Cook, Jan W.
Dallam, Michael M.
DeVicq, David C.
Donovan, Lawrence K.
Dozier, Herbert L., Jr.
Engle, Richard M.
Enyedy, Joseph M., II
Fabianic, William S.
Farbarik, John J.
Fort, Arthur W.
Gilmore, Gordon R.
Harkless, Gerald A.
Harned, David W.
Harrell, Haywood H.
Harwell, Thomas W.
Holmes, Henry A.
Hutto, Robert E.
Kelley, Frederick G.
Key, Joe W.
Kirkley, Owen M.
Knox, Kenneth B.
Kohler, Arthur D., Jr.
Krauter, George E.
Lanoue, Robert J.
Leonard, Daniel B., Jr.
Lowery, Richard A.
Lutz, Donald F.
Lyons, James R.
Marshall, Jimmie G.
McLaughlin, Edwin W.
Montoya, Benjamin F.
Moody, Thomas W.
Peltier, Eugene J., Jr.
Riley, James L.
Sayner, William V., Jr.
Schroeder, Clyde C.
Simmons, William A., Jr.
Skiles, Alvin V., III
Smyth, Wayne S.
Steadley, Alfred M., Jr.
Stewart, Jack D.
Thoureen, Thomas H.
Tinker, Gordon W.
Updegrove, Loyal R.
Walter, John A.

DENTAL CORPS

To be lieutenants

Abeyta, Edward L.
Bass, Ernest B., Jr.
Beck, Ralph A., Jr.
Bies, Peter E.
Canal, John W.
Carmody, Robert B.
Clark, George E.
Coleman, Robert Y.
Copeland, Richard A.
Cunningham, Peter R., II
Debs, John F.
Donoho, Donald H.
Flynn, Dennis D.
Groat, Jack E.
Habig, Louis C.
Hohlt, William F.
Hurst, Thomas L.
Johnston, William C.
Kelty, Joseph P.
Kepley, Benjamin F.
Kulas, John P.
Leonard, Edward P.
Longenecker, David P.
Luhtala, Jay L.
Mach, Joseph S.
MacPherson, John H.
McGivney, Glen P.
Menges, Paul B.
Mohr, Richard W.
Nordberg, Kenneth J.
Oldfield, Ronald E.
Parrino, Patrick A.
Pierce, William F., III
Reed, Harold H., Jr.
Russell, Harold L.
Sabala, Clyde L.
Salmon, Thomas N.
Scoralle, Donald L.
Sewell, Richard H.
Sheller, Donald F.
Siracuse, Joseph T.
Smith, Carl J.
Stefl, Charles T.
Switala, Robert G.
Taba, Seikichi
Walters, Melvin W.
Wickord, Richard W.
Young, Guy E.

MEDICAL SERVICE CORPS

To be lieutenants

Anderson, Walter C.
Angelo, Lewis E.
Baker, George F., Jr.
Bender, Allen E.
Brown, Charles R.
Bullard, Henry B.
Cannady, John W., Jr.
Celeste, Vincent J.
Chipman, Albion P.
Comfort, Gerald G., Sr.
Corder, James E.
Crodick, William J.
DeWitt, James E.
Elfstrom, Berger R., Jr.
Fanning, Graydon E.
Hodges, Richard C.
Holliday, James P., Jr.
Hussey, Theodore A.
Keller, Eugene R.
King, William U.
Kovarik, Clifford V.
Lakey, Dean E.
Law, Malcolm K.
Livingston, Donald K.
Madison, Howard D.
McIntyre, Max N.
McNair, Harold E.
Mulvey, Joseph R.
Owen, Ivan B.
Perry, Vernon P.
Redding, Francis J.
Richards, William E., Jr.
Scott, Floyd C., Jr.
Shedlosky, Albert F.
Smith, Fred E.
Smith, Robert W.
Spurgeon, Troy L.
Ustick, Leo A.
Waters, Carl R.
White, Sheldon A.

NURSE CORPS

To be lieutenants

Allen, Janet N.
Barnes, Julia O.
Bushley, Nancy L.
Calloway, Emily F.
Cornwell, Norma J.
Henstock, June A.
Hudson, Marilyn R.
Kelly, Mary
Leonard, Mary J.
Lucerne, Dolores A.
Lundquist, Nancy L.
Lynch, Marie A.
Lyons, Barbara A.
Madden, Anne S.
Nelson, Marijean V.
Orofino, Gloria A.
Ruud, Donna R. E.
Scherer, Carolyn E.
Schrock, Doris M.
Scott, Frances A.
Sowash, Patricia A.
Spellman, Georgia E.
Stelzer, Kathleen
Stuart, Irene M.
Sullivan, Elinor M.
Uebel, Donna J.
Ueblacker, Martha M.
Weidt, Bew P., II
Zens, Nadine A.

Kenneth A. Gaines (Naval Reserve officer) to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Jack E. Giddings
James P. Senn

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Blair M. Barnett
Jon B. Closson
Bryan C. Crafts
Robert G. Kaufman
Charles F. Schroeder
Robert C. Sharp

The following-named (Naval Reserve officers) to be permanent lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

George A. Cervera, Jr.
Walter C. Wittgow, Jr.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the

Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Paul E. Hensley
Thomas A. Hunter
William H. Maastricht
James D. Shelton

Glen W. Poore (U.S. Navy retired officer) to be a permanent lieutenant in the line of the Navy, limited duty only (deck), subject to the qualifications therefor as provided by law.

The following-named candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

George A. Danchuck, Jr.
Donald J. Scott
Anthony R. Graham
Conrad L. Lapp
George R. Martin
Dale C. Vawter
Richard J. Dvorchak
Jerry S. Calabough
Lyndel W. Wilson
Charles W. Burton
Walter H. Lecompte, Jr.
Paul J. Simard
David A. Johnson
Larry L. King
Ronald W. Atkins
Richard Marcinko
Michael B. Manko
Gary Q. Phillips
Richard L. Lyons
Harvey F. Richt
Francis J. Januszewski
Guy L. Swendson
William E. Simons
Patrick M. Shepherd
Earl R. Wilson, Jr.
Raymond P. McPartlin
William R. Chambers
Carvel C. Gage
Barbara L. Clark
Daniel P. Stua
Armando A. Wiley
Eugene R. Egger
William M. Rule
Dale R. Dunn
Robert A. Dorsi
Frank I. Burley, Jr.
Robert T. Wroblewski
William L. Lupton
Thomas M. Syrko
Bruce Van Heertum
Ivan E. Hughes

The following-named candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

Thomas J. Moore
Freddie R. Lewers
Donald R. Holland
Gordon J. Sarver
Patrick P. Valenty, Jr.
Kenneth W. Lerner
Harry N. Wright
Ronald L. Moir
John M. Cain

IN THE MARINE CORPS

The following-named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

George R. Fitzgerald
John C. Maynard

The following-named (meritorious noncommissioned officer) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Ronald L. Czarnecki
Thomas L. Franklin
Marvin L. Jackson
Marion E. Mann
Philip H. Ray
Robert R. Stout

CONFIRMATION

Executive nominations confirmed by the Senate September 15, 1965:

United Nations

Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

Arthur J. Goldberg, of Illinois, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Charles W. Yost, of New York, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Barratt O'Hara, U.S. Representative from the State of Illinois, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Peter H. B. Frelinghuysen, U.S. Representative from the State of New Jersey, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

William C. Foster, of the District of Columbia, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

James M. Nabrit, Jr., of the District of Columbia, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

James Roosevelt, U.S. Representative from the State of California, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Mrs. Eugenie Anderson, of Minnesota, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

William P. Rogers, of Maryland, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Miss Frances E. Willis, of California, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of Scripture:

Matthew 5:9: *Blessed are the peacemakers: for they shall be called the children of God.*

Almighty God, Thou hast granted to our age to discover and explore the wonders of Thy mind and the mysteries of Thy handiwork and all to be used for the good of humanity and never for any cruel and unworthy ends.

We beseech Thee to deliver the mind and heart of mankind from the lust of power, from vanity of spirit, from envy, and ill will and fill them with that wisdom from above which is pure, peaceable, and full of mercy.

Touch our mind and heart that we may have a right understanding, compassion, and courage, patience, and perseverance, ever working with Thy help for a clear insight, a more just and wiser spirit and may all humanity labor for a better social order and be set free from the bondage of hatred and fear and be governed by the light of love.

Help us to reorder our thoughts and actions to fit our faith that Thy increasing purpose of good will is running through the ages and that a better day is dawning for it is the manifest will of God and His love never faileth.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9811. An act to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 9811) entitled "An act to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Ellender, Mr. Holland, Mr. Eastland, Mr. Talmadge, Mr. Aiken, Mr. Young of North Dakota, and Mr. Cooper to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalities for the handling and collection of dishonored checks or money orders; and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of Thirteenth and G Streets Southwest the "Francis Case Memorial Bridge."

The message also announced that the Senate receded from its amendments Nos. 2 and 3 to the bill H.R. 948, an act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia.

RULES AND REGULATIONS GOVERNING THE HOUSE OFFICE BUILDINGS, HOUSE GARAGES, AND THE CAPITOL POWER PLANT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the Chair for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, on August 26, 1965, the House Office Building Commission adopted rules and regulations governing the House office buildings, House garages, and the Capitol Power Plant.

I ask unanimous consent that these regulations be printed in the Congressional Record at this point, and a copy thereof be spread upon the Journal.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Pursuant to the authority conferred on the House Office Building Commission by the act of March 4, 1907 (34 Stat. 1365, as amended (40 U.S.C. 175)) the following rules and regulations are promulgated governing the use and occupancy of rooms and spaces, including all terraces, entrances, lobbies, foyers, corridors, cafeterias, restaurants and areas appurtenant thereto, in the Cannon, Longworth, and Rayburn House Office Buildings, in the House of Representatives garages, and the Capitol Power Plant.

1. Property damage: Willful destruction, damage, desecration or removal of any Government property or part thereof is prohibited.

2. Photographs: Photographing, televising, recording, or broadcasting of committee proceedings is not permitted by the rules of the House. Visitors are permitted to take photographs of the public areas in the House office buildings with hand-held cameras if the photographs are not intended for commercial purposes. The use of flash equipment or other special photolighting devices, tripods, or other bulky accessory equipment is not permitted unless special permission is obtained from the House Office Building Commission. Applications for such special permission should be made to the Speaker.

3. Soliciting, commercial ventures, and other nongovernmental activities: The soliciting of alms and contributions, commercial soliciting, and vending of all kinds, the display or distribution of commercial advertising, the collecting of private debts, or the distribution of material such as pamphlets, handbills, and flyers, in any of the areas covered by these regulations is prohibited. This section does not apply to national or local drives for funds for welfare, health, and other purposes sponsored or approved by the House Office Building Commission, or to personal notices posted by employees on authorized bulletin boards.

4. Weapons and explosives: No person, except members of the Capitol Police and individuals authorized by law, shall enter any of the areas covered by these regulations who has in his possession, either openly or concealed, any dangerous or deadly weapon, explosive, incendiary, or electronic device, and the use or discharge thereof is prohibited.

5. Disturbances: The making of any harangue, oration, or the utterance of any loud, threatening, or abusive language or sound, or the use of any device which emits any loud, threatening, or abusive language or sound, is prohibited.

6. Obstruction: It is forbidden to parade, stand, or move in processions or assemblages, or to obstruct the foyers, corridors, rooms or other areas covered by these regulations, or to display therein any flag, banner, or device designed or adapted to bring into public notice any person, party, organization, or movement.

7. Compliance with regulations: Persons entering, in, or on the areas covered by these regulations shall comply with all official signs of a prohibitory or directory nature, and, during emergencies, with directions of the Capitol Police or other authorized authority.

8. Enforcement of regulations: It shall be the duty of all persons employed in the service of the Government in the House Office Buildings to prevent, as far as may be in their power, violations of these regulations, and to aid the Capitol Police and other authorized authority, by information or otherwise, in securing the apprehension of persons violating these regulations.

Any person who fails or refuses to comply with these regulations, or who fails or refuses to comply with directives of the Capitol Police or other authorized personnel, shall be subject to arrest and prosecution.

The House Office Building Commission,
John W. McCormack,
Speaker and Chairman of the Commission.
Emanuel Celler,
Charles E. Goodell,
Members.

HIGHER EDUCATION ACT OF 1965

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9567), to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

The Chair hears none, and appoints the following conferees: Messrs. Powell, Perkins, Mrs. Green of Oregon, Messrs. Roosevelt, Brademas, Carey, Dent, Gibbons, Ayres, Griffin, Quie, and Reid of New York.

PERMISSION TO COMMITTEE ON APPROPRIATIONS TO FILE CONFERENCE REPORT ON DEFENSE DEPARTMENT APPROPRIATION BILL FOR FISCAL YEAR 1966

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 9221, the Department of Defense appropriation bill for fiscal year 1966.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

RE-REFERENCE OF HOUSE JOINT RESOLUTION 646, RELATING TO THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from further consideration of the joint resolution (H.J. Res. 646) directing the National Capital Planning Commission to make a study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such Center, and that the bill be re-referred to the Committee on Public Works, since that committee has already taken original action on this legislation.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

NORA ISABELLA SAMUELLI

Mr. SENNER. Mr. Speaker, I call up the conference report on the bill (S. 618) for the relief of Nora Isabella Samuelli and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 989)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) for the relief of Nora Isabella Samuelli, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: Strike out the matter proposed to be stricken out by the House amendment, and in lieu of the matter proposed to be inserted by the House amendment, insert the following: "$38,114.90 as a gratuity for the sacrifices"; and the House agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Robert T. Ashmore,
George F. Senner, Jr.,
Edward Hutchinson,
Managers on the Part of the House.

Thomas J. Dodd,
Edward M. Kennedy,
Jacob K. Javits,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) for the relief of Nora Isabella Samuelli, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

When the bill, S. 618, was passed by the House on August 3, 1965, it was amended to provide for a payment of $38,114.90, and was further amended to provide that the creditable service for civil service retirement provided in section 2 of the bill based on the period of imprisonment by Rumanian authorities would be granted to the beneficiary provided she made the required employee contribution. In the conference, the Senate agreed to the amount fixed by the House and the amendment to section 2 of the bill. However, it was pointed out that in amending the bill, the House had also changed the language describing the payment. The language originally provided that the payment would be "as a gratuity for the sacrifices," and the House language it as "for loss of compensation." This change resulted in a possible tax liability. The House conferees agreed to the restoration of the descriptive language originally carried in the Senate bill because the imposition of tax liability on the single payment would serve to defeat the basic purpose of paying the beneficiary the amount of $38,114.90, as stated in the bill as it passed the House. Had she not been imprisoned, Miss Samuelli would not have been subject to an equivalent tax liability as to her compensation as an overseas employee of the United States. It would therefore be inequitable to impose this single-payment liability at this time.

Robert T. Ashmore,
George F. Senner, Jr.,
Edward Hutchinson,
Managers on the Part of the House.

Mr. SENNER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. GIBBONS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 297]

Adair
Anderson, Tenn.
Andrews, George W.
Blatnik
Bolton
Bonner
Cahill
Corman
Daddario
Derwinski
Diggs
Edwards, Calif.
Farnsley
Frelinghuysen
Fulton, Tenn.
Fuqua
Gallagher
Grider
Hagan, Ga.
Hanna
Harvey, Ind.
Hébert
Jones, Mo.
Lindsay
Long, Md.
McClory
MacGregor
Machen
Martin, Ala.
May
Moss
O'Neal, Ga.
Pirnie
Poage
Pool
Reinecke
Resnick
Roosevelt
Roudebush
Ryan
Sisk
Thomas
Thompson, Tex.
Toll
Watson
Wright

The SPEAKER. On this rollcall 382 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Thursday night to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

Mr. POWELL. Mr. Speaker, I call up the conference report on the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1001)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Economic Opportunity Amendments of 1965.'

"AMENDMENTS TO TITLE I—YOUTH PROGRAMS

"Job Corps—Displacement of workers

"SEC. 2. Section 103 of the Economic Opportunity Act of 1964 is amended by inserting after 'SEC. 103.' the following new sentence: 'The Director of the Office shall prescribe regulations to prevent programs under this part from displacing presently employed workers or the impairment of existing contracts for services.'

"Job Corps—Payments to certain individuals or organizations prohibited

"SEC. 3. Subsection (e) of section 103 of the Economic Opportunity Act of 1964 is amended by striking out the period and adding after the word 'terminated' the following: ': *Provided, however*, That the Director shall make no payments to any individual or to any organization solely as compensation for the service of referring the names of candidates for enrollment in the Corps.'

"Job Corps—Cuban refugees

"SEC. 4. Section 104(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following: 'For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States.'

"Job Corps—Enrollee affidavits

"SEC. 5. Section 104(d) of the Economic Opportunity Act of 1964 is amended to read as follows: '(d) Each enrollee (other than an enrollee who is a native and citizen of Cuba described in section 104(a) of this Act) must take and subscribe to an oath or affirmation in the following form: "I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic." The provisions of section 1001 of title 18, United States Code, shall be applicable to the oath or affirmation required under this subsection.'

"Job Corps—Application of Federal Employees' Compensation Act

"SEC. 6. Section 106(c)(2)(A) of the Economic Opportunity Act of 1964 is amended retroactive to January 1, 1965, to read as follows:

" '(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty) authorized by or under the direction and supervision of the Corps.'

"Job Corps—Enrollee work activities

"SEC. 7. Section 110 of the Economic Opportunity Act of 1964 is amended by inserting the word 'male' before the word 'enrollees' in the first sentence.

"Work training programs—Cuban refugees

"SEC. 8. Section 114(a) of the Economic Opportunity Act is amended by adding at the end thereof the following new sentence: 'For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States.'

"Work training programs—Limitations on Federal assistance

"SEC. 9. The first sentence of section 115 of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three', and by striking out ', or June 30, 1966, whichever is later,'.

"Work-study programs—Limitations on Federal assistance

"SEC. 10. Section 124(f) of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three', and by striking out 'or June 30, 1966, whichever is later,'.

"AMENDMENTS TO TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

"Community action programs—Public information

"SEC. 11. Section 202(a) of the Economic Opportunity Act of 1964 is amended by striking out 'and' at the end of paragraph (3), by striking out the period at the end of paragraph (4) and inserting in lieu thereof ', and', and by adding at the end thereof the following new paragraph:

" '(5) which includes provision for reasonable access of the public to information including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups, and reasonable public access to books and records of the agency or agencies engaged in the development, conduct, and administration of the program, in accordance with procedures approved by the Director.'

"Types of programs

"SEC. 12. The last sentence of section 205(a) of the Economic Opportunity Act of 1964 is amended by inserting after 'including' the following: ', but not limited to,'.

"Special programs for the chronically unemployed poor

"SEC. 13. Section 205 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (e) and adding after subsection (c) a new subsection (d) as follows:

" '(d) The Director is authorized to make grants under this section for special programs (1) which involve activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs, (2) which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservaton, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, and (3) which are conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise consistent with policies applicable under this Act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment.'

"General community action programs—Limitations on Federal assistance

"SEC. 14. (a) The first sentence of section 208(a) of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three', and by striking out ', or June 30, 1966, whichever is later,'.

"(b) Section 208 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting a new subsection (b) as follows:

"'(b) The Director is authorized to prescribe regulations establishing objective criteria pursuant to which assistance may be reduced below 90 per centum for such community action programs or components as have received assistance under section 205 for a period prescribed in such regulations.'

"(c) Section 208(c) of such Act (as so redesignated by subsection (b) of this section) is amended by adding at the end thereof a new sentence as follows: 'The requirement imposed by the preceding sentence shall be subject to such regulations as the Director may adopt and promulgate establishing objective criteria for determinations covering situations where a literal application of such requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes sought to be achieved.'

"Participation of State agencies

"SEC. 15. Section 209(a) of the Economic Opportunity Act of 1964 is amended by inserting before the period the following: 'including, but not limited to, consultation with appropriate State agencies on the development, conduct, and administration of such programs'.

"Disapproval of plans

"SEC. 16. Section 209(c) of the Economic Opportunity Act of 1964 is amended to read as follows:

"'(c) In carrying out the provisions of part B of title I and title II of this Act, reasonable provision shall be made, pursuant to regulations issued by the Director, for an informal hearing at the Office of the Director upon the request of the Governor of a State as to his objections to any application from such State under such provisions: *Provided, however*, That this section shall not apply to contracts, agreements, grants, loans, or other assistance to any institution of higher education in existence on the date of the approval of this Act.'

"Notices

"SEC. 17. Section 209 of the Economic Opportunity Act of 1964 is amended by *redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:*

"'(d) When the Director receives an application from a private nonprofit agency for a community action program to be carried on in a community in which there is a community action agency carrying on a number of component programs, he shall, within five days, give notice to such community action agency and the Governor of the State in which the community is located of the receipt of such application. When the Director determines that a separate contract or grant is desirable and practical and that good cause has been shown, he is authorized to make a grant directly to, or to contract directly with, such agency.'

"Adult basic education programs—Payments; Federal share

"SEC. 18. Section 216(b) of the Economic Opportunity Act of 1964 is amended by striking out 'and the fiscal year ending June 30, 1966,' and inserting in lieu thereof 'and each of the two succeeding fiscal years,'.

"Adult basic education programs—Teacher training

"SEC. 19. Part B of title II of the Economic Opportunity Act of 1964 is amended—

"(1) by striking out 'From the sums appropriated to carry out this title' in section 213(a) and inserting in lieu thereof 'From so much of the sums appropriated or allocated to carry out this part as is not reserved pursuant to section 218; and

"(2) by redesignating section 218 as section 219 and inserting immediately after section 217 the following new section 218:

"'Teacher training projects

"'SEC. 218. Not to exceed 5 per centum of the sums appropriated or allocated to carry out this part for any fiscal year may be reserved and used by the Director to provide (directly or by contract), or to make grants to colleges and universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide, training to persons engaged or preparing to engage as instructors for individuals described in section 212, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Director may by or pursuant to regulation determine.'

"Voluntary assistance program for needy children

"SEC. 20. Title II of the Economic Opportunity Act of 1964 is amended by striking out the second sentence of section 220(a) of part C thereof.

"AMENDMENTS TO TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

"SEC. 21. Title III of the Economic Opportunity Act of 1964 is amended by striking out 'Grants and' in the heading, and by striking out the dash after the word 'make' in the first subsequent sentence and the subsequent number '(1)'.

"Cooperative association—Prohibition of loans to assist manufacturing

"SEC. 22. Section 305(f) of the Economic Opportunity Act of 1964 is amended by inserting immediately before the period at the end thereof the following proviso: ': *Provided*, That packing, canning, cooking, freezing, or other processing used in preparing or marketing edible farm products, including dairy products, shall not be regarded as manufacturing merely by reason of the fact that it results in the creation of a new or different substance'.

"Assistance for migrant and seasonally employed agricultural employees

"SEC. 23. Section 311 of the Economic Opportunity Act of 1964 is amended to read as follows:

"'Migrants and seasonally employed agricultural employees

"'SEC. 311. The Director is authorized to develop and implement a program of loans, loan guarantees, and grants to assist State and local agencies, private nonprofit institutions, and cooperatives in establishing, administering, and operating programs which will meet, or substantially and primarily contribute to meeting, the special needs of migratory workers and seasonal farm laborers and their families in the fields of housing, sanitation, education, and day care of children.'

"Indemnity payments to dairy farmers

"SEC. 24. Section 331(c) of the Economic Opportunity Act is amended by striking the words 'January 31, 1965,' and inserting in lieu thereof the words 'June 30, 1966'.

"AMENDMENT TO TITLE V—WORK EXPERIENCE PROGRAM

"SEC. 25. Section 502 of the Economic Opportunity Act of 1964 is amended (1) by inserting after the first sentence thereof the following new sentence: 'Workers in farm families with less than $1,200 net family income shall be considered unemployed for the purposes of this title.', and (2) by striking out of the last sentence the following: 'for the fiscal year ending June 30, 1965,'.

"AMENDMENTS TO TITLE VI—ADMINISTRATION AND COORDINATION

"Vista volunteers—Assignment; application of other provisions and Federal laws

"SEC. 26. (a) Subsection (a) of section 603 of the Economic Opportunity Act of 1964 is amended by striking out everything in paragraph (2) following the clause designation '(C)' and inserting in lieu thereof 'in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act.'

"(b) Subsection (d) of such section is amended to read as follows:

"'(d)(1) Each volunteer shall take and subscribe to an oath or affirmation in the form prescribed by section 104(d) of this Act, and the provisions of section 1001 of title 18, United States Code, shall be applicable with respect to such oath or affirmation; but, except as provided in paragraph (2) of this subsection, volunteers shall not be deemed to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, and Federal employee benefits:

"'(2) All volunteers during training and such volunteers as are assigned pursuant to paragraph (2) of subsection (a) shall be deemed Federal employees to the same extent as enrollees of the Job Corps under section 106 (b), (c), and (d) of this Act, except that for purposes of the computation described in paragraph (2)(B) of section 106 (c) the monthly pay of a volunteer shall be deemed to be that received under the entrance salary for GS-7 under the Classification Act of 1949.'

"National advisory council

"SEC. 27. Section 605 of the Economic Opportunity Act of 1964 is amended by striking 'fourteen' in the second sentence and inserting in lieu thereof 'twenty'.

"Programs for the elderly poor

"SEC. 28. Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"'Programs for the elderly poor

"'SEC. 610. It is the intention of Congress that whenever feasible the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act.'

"Affidavits

"SEC. 29. Title VI of the Economic Opportunity Act of 1964 is amended by striking out section 616 thereof and substituting a new section 616 as follows:

"'Transfer of funds

"'SEC. 616. Notwithstanding any limitation on appropriations under any title of this Act, not to exceed 10 per centum of the amount appropriated or allocated from any appropriation for the purpose of enabling the Director to carry out programs or activities under any such title may be transferred and used by the Director for the purpose of carrying out programs or activities under any other such title; but no such transfer shall result in increasing the amounts otherwise available under any title by more than 10 per centum.'

"Authorization of appropriations

"SEC. 30. (a)(1) The first sentence of section 131 of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $412,500,000 for the fiscal year ending June 30, 1965, and the sum of $700,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(b)(1) The first sentence of section 221 of such Act is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $340,000,000 for the fiscal year ending June 30, 1965, and the sum of $850,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(c)(1) The first sentence of section 321 is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $35,000,000 for the fiscal year ending June 30, 1965, and the sum of $55,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(d)(1) The first sentence of section 503 of such Act is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $150,000,000 for the fiscal year ending June 30, 1965, and the sum of $150,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(e)(1) The first sentence of section 615 of such Act is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title (other than for purposes of making credits to the revolving fund established by section 606(a)), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1965, and the sum of $30,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(f) Title VI of the Economic Opportunity Act of 1964 is further amended by inserting at the end thereof a new section as follows:

"*'Distribution of Benefits Between Rural and Urban Areas*

"'SEC. 617. The Director shall adopt appropriate administrative measures to assure that benefits of this Act will be distributed equitably between residents of rural and urban areas.'

"AMENDMENT TO NATIONAL DEFENSE EDUCATION ACT—MORATORIUM ON STUDENT LOANS TO VISTA VOLUNTEERS

"SEC. 31. (a) Paragraph (2)(A) of section 205(b) of the National Defense Education Act of 1958 (20 U.S.C. 425(b)(2)(A)) is amended by striking out 'or' before '(iii)' and by inserting before the proviso and after 'Peace Corps Act' the following: ', or (iv) not in excess of three years during which the borrower is in service as a volunteer under section 603 of the Economic Opportunity Act of 1964'.

"(b) The amendments made by this section shall not apply to any loan outstanding on the effective date of this Act without the consent of the then obligee institution."

And the Senate agree to the same.

ADAM C. POWELL,
JOHN BRADEMAS,
HUGH L. CAREY,
AUGUSTUS F. HAWKINS,
SAM GIBBONS,
WILLIAM D. FORD,
Managers on the Part of the House.

PAT MCNAMARA,
WAYNE MORSE,
RALPH W. YARBOROUGH,
GAYLORD NELSON,
JACOB K. JAVITS,
WINSTON L. PROUTY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964 submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

The differences between the House bill and the substitute agreed upon in conference are described in this statement, except for incidental minor, technical, and clarifying changes. References to the "Act" are to the Economic Opportunity Act of 1964.

JOB CORPS—DISPLACEMENT OF EMPLOYED WORKERS

The Senate amendment contained a provision, which had no counterpart in the House bill, which prohibited the Director from authorizing a Job Corps program which would result in the displacement of employed workers or impair existing contracts for services. The conferees have agreed upon a compromise under which the Director is required to prescribe regulations to prevent Job Corps programs from displacing presently employed workers or the impairment of existing contracts for services.

JOB CORPS—PAYMENTS TO RECRUITERS

The Senate amendment prohibited the Director from making payments to any individual or organization for the service of referring candidates for enrollment in the Job Corps or names of such candidates. The House bill contained no similar provision. The conference report contains a substitute which provides that the Director shall make no payments to any individual or organization solely as compensation for the service of referring the names of candidates for the Corps.

OATH OF ALLEGIANCE BY CUBAN REFUGEES

Both the House bill and the Senate amendment contained a provision permitting Cuban refugees to serve in the Job Corps and in work-training programs carried on under part B of title I. The Senate amendment also provided that the requirement that Job Corps enrollees take an oath of allegiance to the United States shall not apply in the case of Cuban refugees. The conference substitute includes this provision of the Senate amendment.

COMMUNITY ACTION PROGRAMS—ACCESS OF PUBLIC TO INFORMATION

The Senate amendment provided that community action programs must include provisions for feasible access of the public to information, including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups. The House bill contained no comparable provision. The conference agreement adopts the Senate provision, except that the word "feasible" is changed to "reasonable".

COMMUNITY ACTION PROGRAMS—TYPES OF PROGRAMS

The present act contains examples of programs which fall within the purposes of community action programs. The Senate amendment added to the list the fields of family planning, consumer credit education, and consumer debt counseling programs. It also gave emphasis to the fact that the list is merely to give examples by providing that the programs falling within the purpose of the part include, but are not limited to, the listed fields. The House bill contained no comparable provision. The conference substitute omits the listing of additional examples of types of permissible programs. It adopts, however, the Senate provision insuring that the listed fields are not the only ones in which programs may be carried. The managers on the part of the House wish it to be understood that the omission of the Senate provision in no way indicates that it is their intention or the intention of the Senate conferees to discourage the continuation and expansion of these programs. Programs in these fields are now being carried on and are to be encouraged.

SPECIAL PROGRAMS FOR THE CHRONICALLY UNEMPLOYED POOR

The Senate amendment authorized the Director to make grants for special programs directed at the needs of those chronically unemployed poor persons who have poor employment prospects, and are unable, because of age or otherwise to obtain appropriate employment or training assistance under other programs. These programs, in addition to other services, would enable such persons to participate in projects for the betterment or beautification of the community served by the program, including activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands. The programs must be conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise consistent with policies applicable under the act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment. It was also provided that $150 million of the funds appropriated for carrying out title II of the act for the fiscal year 1966 could be used for this purpose. The House bill contained no similar provision. The provisions for these special programs are retained in the substitute agreed upon in conference. However, the provision for earmarking a portion of the funds appropriated for title II for this purpose was not retained.

GENERAL COMMUNITY ACTION PROGRAMS—SELF-HELP HOUSING REHABILITATION

The Senate amendment contained a provision requiring the Director to give special consideration to programs which would, through self-help, rehabilitate substandard housing and provide instruction in basic skills associated with such rehabilitation. This provision is not included in the substitute agreed upon in conference. However, programs in these fields are now being carried on and are to be encouraged.

PARTICIPATION OF STATE AGENCIES

The Senate amendment required that the procedures established by the Director to facilitate participation of the States in community action programs must include continuing consultation with appropriate State agencies on the development, conduct, and administration of such programs. The House bill did not contain any comparable provision. The conference substitute adopts this provision, except that required consultation need not be continuing.

DISAPPROVAL OF PLANS

The present act provides that no assistance can be made available for work-training programs or community action programs until the Governor of the State in which they are to be carried on has been given notice of the plan for the assistance and has not disapproved it within 30 days.

The House bill amended this provision so that, in the event of the disapproval of a plan by a Governor, the Director could reconsider it, and if he found it fully consistent with the provisions and in furtherance of the purposes of this act, could override the Governor's disapproval.

The Senate amendment struck out this provision of the act and, in lieu thereof, inserted a requirement that provision be made, pursuant to regulations issued by the Director, for an informal public hearing at the Office of the Director upon the request of the Governor of a State as to his objections to any application from such State under such provisions.

The conference substitute is like the Senate amendment, except that the hearing need not be public.

COMMUNITY ACTION PROGRAMS—PRIVATE NONPROFIT AGENCIES

The House bill provided that when the Director receives an application for a community action program to be carried out in a community in which a community action agency is carrying on a program consisting of several component programs, he must give notice to that agency. The Senate amendment added a requirement that the Director also give notice to the Governor of the State. The Senate amendment also provided that when the Director determines that a separate contract or grant is desirable and practical and that special cause has been shown, he may make a grant directly to, or contract directly with, such agency.

The conference substitute includes both of these Senate provisions, except that the requirement that special cause must be shown before the Director may contract directly has been altered to require good cause to be shown.

POLITICAL ACTIVITIES

The Senate amendment contained provisions, which had no counterpart in the House bill, relating to the application of the Hatch Political Activities Act to persons employed by agencies administering or carrying on community action programs and to persons serving in the Vista volunteers.

The managers on the part of the House wish to make it clear that their insistence on the exclusion of these provisions was based upon the difficulty of applying the existing statutory restrictions to organizations and agencies for which they were not designed. They in no way intend any retreat from the principle that these programs must be conducted in a completely impartial manner, free of any partisan political activity or any activity designed to further the election or defeat of any candidate for public office.

VOLUNTARY ASSISTANCE PROGRAM FOR NEEDY CHILDREN

The House bill struck out part C of title II of the act providing for the establishment in the Office of Economic Opportunity a center to encourage voluntary assistance for deserving and needy children. The Senate amendment retained part C, but deleted the provision under which the center was directed to collect the names of persons who voluntarily desire to assist such children financially, and to obtain information concerning deserving and needy children from social welfare agencies. The conference report adopts the Senate provision.

INDEMNITY PAYMENTS TO DAIRY FARMERS

The Senate amendment extended until June 30, 1966, the program provided for by the act for making indemnity payments to dairy farmers who have been directed to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use at the time of such use. The conference substitute adopts the Senate provision.

PROGRAMS FOR THE ELDERLY POOR

The Senate amendment added a provision to the act stating the intention of Congress that whenever feasible the special problems of the elderly poor should be considered in the development, conduct, and administration of programs under the act. The conference report retains this provision of the Senate amendment.

The Senate amendment also provided for the establishment in the Office of Economic Opportunity of a Task Force on Programs for the Elderly Poor. The conference substitute does not include this provision.

TRANSFER OF FUNDS BETWEEN TITLES

The Senate amendment added a section to the act permitting up to 10 percent of the amount appropriated or allocated for any title to be transferred for use in carrying out other titles, but the amount available for use for any title could not be increased by more than 10 percent. The conference substitute includes this provision.

EQUITABLE DISTRIBUTION OF BENEFITS BETWEEN URBAN AND RURAL AREAS

The Senate amendment required the Director to adopt such administrative measures as are necessary to assure that benefits of the act will be distributed equitably between residents of rural and urban areas. The substitute agreed upon in conference contains a modification of the Senate provision under which the Director is required to adopt appropriate administrative measures to assure such equitable distribution.

AUTHORIZATIONS OF APPROPRIATIONS

The House bill authorized the appropriation for fiscal year 1966 of $825,000,000 to carry out title I of the act. The Senate amendment authorized the appropriation for such year of $535,000,000 for such purpose. The amount fixed in conference is $700,000,000.

The House bill authorized the appropriation for fiscal year 1966 of $680,000,000 to carry out title II of the act. The Senate amendment authorized the appropriation for such year of $880,000,000 for such purpose. The conference substitute authorizes the appropriation for such purpose for such year of $850,000,000.

The House bill authorized the appropriation for the fiscal year 1966 of $70,000,000 to carry out title V. The Senate amendment authorized the appropriation for such year of $55,000,000 for such purpose. The conference substitute adopts the Senate figure.

The House bill authorized the appropriation for the fiscal year 1966 of $300,000,000 to carry out title V. The Senate amendment authorized the appropriation for such year of $150,000,000 for such purpose. The conference report contains the Senate figure.

The House bill authorized the appropriation for the fiscal year 1966 of $20,000,000 to carry out title VI. The Senate amendment authorized the appropriation for such year of $30,000,000 for such purpose. The substitute agreed upon in conference adopts the Senate figure.

ADAM POWELL,
JOHN BRADEMAS,
HUGH L. CAREY,
AUGUSTUS F. HAWKINS,
SAM GIBBONS,
WILLIAM D. FORD,
Managers on the Part of the House.

Mr. POWELL. Mr. Speaker, this conference report that I bring before the House today assures that the war on poverty can continue in fiscal 1966 at an even more vigorous pace than it moved at in 1965.

When our deliberations began, the Senate and House conferees were by no means on the same side of the fence. But because of the cooperation and diligence of Members of both Chambers and on both sides of the aisle, we were able to reach an agreement that honors the wisdom of both bodies.

The most dramatic difference was the amount authorized for appropriations for fiscal 1966. The Senate figure was $1,650 million; the House, $1,895 million. The overall conference amount is $1,785 million, which represents a significant concession of $135 million on the part of the Senate and would still adequately provide for the activities under each title.

The conference allotted $700 million for the Job Corps, the Neighborhood Youth Corps, and the work-study program under title I; $850 million for community action programs and adult basic education under title II; $55 million for special programs to combat rural poverty in title III; $150 million for the work experience program set forth in title V; and $30 million for the administration of the Office of Economic Opportunity and the operation of the VISTA program under title VI.

In title I on the Job Corps the House conferees determined that it was in the best interest of the House to accept three Senate amendments that were not contained in our bill. The first would require the Director of the Office of Economic Opportunity to prescribe regulations to prevent Job Corps programs from displacing presently employed workers or impairing existing contracts for services.

The second amendment would prohibit the Director from making any payments to any individual or organization solely as compensation for referring the names of Job Corps candidates. The third amendment would exempt Cuban refugees from taking an oath of allegiance they are not able to take, but which would pose an obstacle to their participation in the corps, contrary to the intent of the House.

In title II there were several significant amendments involving the community action programs. The thrust of the committee amendment offered by the gentleman from New York [Mr. REID] on the House floor providing for reasonable public access to the Office of Economic Opportunity's books and records was extended by authorizing other reasonable public access to information, including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups.

The Senate conferees receded on their specific inclusion, in the list of the examples of programs within the purposes of community action, of programs involving family planning, consumer credit education, and consumer debt counseling. We wish to make sure, however, that the continuation and expansion of programs in these areas will not be discouraged. To this end, we agreed to adopt the Senate provision making it clear that the listed examples are not the only ones, that the list is inclusive, not exclusive.

The Senate conferees also abandoned their amendment requiring the Director to give special consideration to self-help programs involving the rehabilitation of substandard housing and concomitant instruction in the basic skills involved in such work.

The House conferees agreed to accept a Senate amendment specifically authorizing the Director to make grants for special programs for the chronically unemployed in the past—and probably unemployable in the future—poor. The grants would, among other things, enable these persons to participate in projects for the betterment or beautification of their community. I wish to assure the House that this is not a glorified leaf-raking provision. Rather it is a serious effort to put the elderly and other persons who cannot currently secure employment or training assistance under other programs to work to aid in the beautification of our countryside. The public interest is the paramount standard to be adhered to here. No employed workers will be displaced. These people will fill a gap, not create one. It is up to the Director to use as much or as little of title II funds for this purpose as he sees fit.

We had considerable difference of opinion when it came to determining the proper relationship between the Office of Economic Opportunity and the States in carrying out work-training and community action programs. The compromise we agreed upon accords with the House's desire to permit the Governors to have a voice and State agencies to be consulted. The conference agreed to the State participation in community action programs by, among other things, consulting with State agencies.

That part of the House bill which authorized the Director to override a Governor's disapproval of a work-training or community action program was deleted and in its place the Senate amendment was inserted requiring that the Director provide for an informal public hearing at the Director's office to entertain a Governor's objections to any application from his State. The House conferees also felt that it was proper to accept the Senate amendment requiring notice to a Governor when the Director receives an application for a community action program to be carried out in a community in which an umbrella-type community action agency is already operating.

We further agreed that, as the Senate stated, a grant to such a single program might be made when the Director determines that it would be desirable and practical and that good cause has been shown. The Senate agreed to substitute the term "good cause" suggested by us for the original "special cause."

Next, the Senate agreed to recede from their amendments making the Hatch Political Activities Act apply to persons employed by agencies administering or carrying on community action programs and to VISTA volunteers. While we were opposed to the coverage expansion, we do not wish the action to be construed on the part of anyone as an open invitation to indulge in partisan political activity while ostensibly engaged in the war on poverty.

We accepted several minor Senate amendments extending the life of the voluntary assistance program for needy children and of the program providing indemnity payments to dairy farmers. Neither of these programs are costly; both are of some social utility. Senate amendments calling for a task force on programs for the elderly poor and a revised National Advisory Council on Economic Opportunity were not adopted, but the Senate direction to the Director to consider, whenever feasible, the special problems of the elderly poor in the development, conduct, and administration of programs under the act was agreed to by the House as a reasonable guideline.

Finally, the conferees found merit in Senate amendments requiring the Director to adopt the necessary administrative measures to assure an equitable distribution of the act's benefits between the 46-percent rural poor and 54-percent urban poor and permitting the Director to transfer up to 10 percent of the amount appropriated or allocated for any title for use in carrying out another title, although no individual title could be increased by more than 10 percent. The practical wisdom of the administrative flexibility this would allow should be clear on its face. If some community action programs falter, then more Neighborhood Youth Corps workers could be provided, or vice versa.

These are the myriad compromises we worked out in a hard bargaining session. Each and every one of them is for the greater good of the entire poverty program and accords with the will of the House as expressed in debate on the original bill. I only hope that the sincere satisfaction of your conferees will be reflected in your acceptance of this conference report.

Mr. Speaker, I yield such time as he may desire to the distinguished author of this bill, the gentleman from Florida [Mr. Gibbons], who has done such a noble task.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. GIBBONS. I shall be glad to yield to the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, I would like to ask the gentleman if he will explain the effect of this section 16 with respect to the Governor's veto.

I believe, as I read it, it is considerably different from the way it was phrased when it left the House. I further believe that we ought to have in the Record exactly what the Governor's veto amounts to under this language.

Mr. GIBBONS. Mr. Speaker, I yield to the distinguished gentleman from Indiana to respond to the question of the gentleman from Virginia.

Mr. BRADEMAS. Mr. Speaker, I would be glad to explain to the gentleman from Virginia the change that was made from the House language.

The conference report now pending before us retains the present absolute veto power of the Governor with respect to the three essentially Federal programs; namely, the Job Corps program, the VISTA volunteers, and the adult basic education program.

Mr. Speaker, the House version of the bill which we took to conference provided, however, that with respect to the community action programs and the Neighborhood Youth Corps programs, both essentially local, community programs, there could be an overriding of a Governor's veto if the Director of the program, upon examining a Governor's veto of one of these two kinds of projects, found the projects fully consistent with the provisions and in furtherance of the provisions of the act.

Mr. Speaker, this is the version of the bill that we took to conference from the House.

The Senate version of the bill, however, provided for a requirement, pursuant to regulations issued by the Director, for an informal hearing in the office of the Director, upon request of the Governor of a State as to his objections to any application from his State.

The Senate had provided that such hearings should be made public. The conferees, feeling that the word "public" was not necessary, since these matters would be made public pretty fast anyway, deleted that particular word.

The final conference version that we bring to the House is, therefore, with the exception of the deletion of the word "public," like the Senate version.

Does this answer the question of the gentleman from Virginia?

Mr. HARDY. Mr. Speaker, if the gentleman will yield further, so that we can understand that the informal hearing would not in itself constitute a veto of the Governor's objection or an overriding of the Governor's veto, if one chooses to put it that way, the informal hearing would provide a forum for discussing objections?

Mr. BRADEMAS. That is correct.

Mr. HARDY. But it would not nullify the Governor's veto; is that correct?

Mr. BRADEMAS. I am not sure that I understand the gentleman's question.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Virginia take the microphone so that we can all hear this discussion?

Mr. HARDY. Mr. Speaker, if the gentleman will yield further, in the conference report there is language which provides for a hearing, presumably to be instituted by the Governor or requested by the Governor?

Mr. BRADEMAS. Yes.

Mr. HARDY. At which the Governor's objections, apparently, would be outlined to the Director: is that correct?

Mr. BRADEMAS. Yes; but I want to make it very clear to the gentleman from Virginia that the fact that the Governor raises objections would not constitute a veto power on the part of the Governor over either of these two kinds of programs.

Mr. HARDY. But if after the informal hearing, or whatever it is, the Governor should decide that in his wisdom the project should be vetoed, he would still have the authority to do it; is that correct?

Mr. BRADEMAS. That is not correct; no.

Mr. HARDY. That is what I would like to get explained.

Mr. BRADEMAS. The program would then go ahead.

Mr. HARDY. The program would go ahead? Then, this does, in effect, nullify the Governor's veto as provided for in the original bill?

Mr. BRADEMAS. That is correct.

Mr. HARDY. I thank the gentleman. I am sorry to learn that that is the situation.

Mr. GIBBONS. Mr. Speaker, I rise in support of this conference report.

I want to say at the outset that the conferees on both the House side and the Senate side on a bipartisan basis made an intensive effort to try to improve this legislation. As in any conference, you must give some and you must take some, and we both did the best we could without counting how many points first one side won or the other side won, but really trying as conferees should try to improve the legislation and to reconcile the differences that existed between the two Houses.

Mr. Speaker, the House has authorized this committee to institute an intensive study of the war on poverty. We are now doing so. A staff is being recruited, and is being trained so that an intelligent study of this program can be carried on at the congressional level.

I want to thank the Members of the House who have already cooperated with the committee most thoroughly in bringing to the committee's attention the items and areas which they thought needed particular study.

Mr. Speaker, in any piece of legislation such as this, one of the most vital areas of conference involves money. We know that this authorization committee of the House can only furnish guidelines, that the main work is to be done by the House and Senate Appropriations Committees and by the conferees of those committees. I think, though, we have provided intelligent and wise outlines for this particular program. I hope when this bill comes to the floor next year it will receive even wider support than it has received this year.

I would like to point out to the House the vote by which this bill was passed this year was much larger than last year. I think the war on poverty is well launched. We must not waver in this battle in which the stakes are so great. This country cannot afford to have one person out of every six locked in the bonds of poverty if we are to win the minds of the people on this fragile planet on which we live. It is incumbent upon us to demonstrate that under the American system men can be allowed to reach and be inspired and motivated to reach their highest development, for by that method, rather than by guns and by bombs and by persuasion, are we going to win this war.

The war on poverty is much more than a domestic program, it is a great international program, a program by which, using the American people as an example, we are demonstrating for all the world to see that the American ideal, our system of freedom, is the system that all should aspire to. We are launched on this program and Congress and this committee are determined to carry it forward.

Mr. POWELL. Mr. Speaker, I yield 25 minutes to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota, the ranking minority member of the subcommittee [Mr. QUIE].

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 298]

Adair
Adams
Addabbo
Anderson, Tenn.
Andrews, George W.
Ashley
Blatnik
Boland
Bolton
Bonner
Brown, Calif.
Cahill
Clark
Cooley
Corman
Daddario
Derwinski
Diggs
Fallon
Farnsley
Feighan
Fisher
Fogarty
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Gallagher
Giaimo
Gilbert
Hanna
Hansen, Idaho
Harsha
Hébert
Horton
Jones, Mo.
Kirwan
Leggett
Lindsay
Long, Md.
McClory
Macdonald
MacGregor
Martin, Ala.
Martin, Mass.
May
Miller
Morton
Moss
Murphy, N.Y.
O'Neal, Ga.
O'Neill, Mass.
Pirnie
Poage
Pool
Reinecke
Resnick
Roosevelt
Roudebush
Ryan
Sisk
Thomas
Thompson, Tex.
Toll
Tupper
Willis
Wilson, Charles H.
Wright

The SPEAKER. On this rollcall 358 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Speaker, I ask the gentleman from Minnesota whether or not the key issue facing us this afternoon is that in conference we have completely eliminated the power of the States and of the Governors—and I emphasize the word "power." In this poverty act, we have eliminated completely the veto, the diluted veto, that came out of the House. At this stage we are presented with a bill that goes further than the House bill did in diluting State powers than when we debated it in this Chamber a few weeks back with reference to the powers of the States.

Mr. QUIE. The gentleman from New York is absolutely correct. They have removed even what little bit of power we left remaining with the Governors of the States in the House bill.

Mr. GOODELL. Mr. Speaker, if the gentleman will yield further, there were some general and rather euphemistic statements made by Mr. POWELL about recognizing the right of the Federal Government to be involved in this process, in consultation with the States. This is a nice way of saying that the Federal Government runs the program and makes the decisions and they must offer an opportunity for the States and the Governor to be heard, if the Governor gets mad enough, but then they have complete power to go ahead and the Governors of the States can do nothing about; is that correct?

Mr. QUIE. That is absolutely correct.

I thank the gentleman for his contribution.

Mr. Speaker, as we look at this bill which is now pending before us, it totals $1,785,000,000. The amount requested by the administration was $1.5 billion. So, Mr. Speaker, we can see that the conferees have agreed to an amount which is greater than that for which the administration asked.

Mr. POWELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. POWELL. Is it not true that this body passed a veto power for the Governors which was meaningless?

Mr. QUIE. No, I would not say it was meaningless, but it had been greatly diluted.

Mr. POWELL. If the gentleman will yield further, is it not true that the language was that the Director had the power to override the Governor's veto?

Mr. QUIE. Only if the project is consistent with the provisions and the furtherance of the provisions of this act.

Mr. POWELL. That is correct. I thank the gentleman.

Mr. QUIE. Now, Mr. Speaker, we see that the conferees by giving this approval to more money than that for which the administration asked, one might think that this program was perfect and it was going along great guns. By listening to the observations of the majority one would think they had no qualms or reservations about it and that we ought to put up this money because it is going to do a great job for the poor.

But, Mr. Speaker, I should point out to the House the inconsistency of this action. Before the conference report is even adopted, before this poverty program is extended, the House has already granted authority to a subcommittee of the House Committee on Education and

Labor to investigate the poverty program and appropriated $100,000 for this purpose.

Mr. Speaker, I have never heard of such a thing before. I am glad we are investigating the program, however, because this program is in trouble. There are all kinds of abuses existing in the program. One can pick up the newspapers and magazines practically every day and read about the abuses which exist in the poverty program, where the benefits of the program are not going to the poor and where the poor are not adequately involved in the program; where people are receiving unreasonably high salaries, and yet we come in here today denying the right of a Governor to even express the veto of a project.

The conference reported bill has taken this authority away from him. The OEO comes into each country or municipality and says "set up a community action program the way we have it planned, do what we say or we will go around you and set up a program of our own using a private group.

Let us keep the Governor's veto. Let us keep at least the watered-down version in the House bill.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. AYRES. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I want to congratulate the gentleman on his remarks because many of us on both sides of the aisle who are for the program want this program guarded, supervised, and checked on the State and local level so it will work well. The Federal Government cannot know the local conditions in each State, and should not have the power to enforce policies over the veto of the Governor, the highest administrative officer chosen by the people of the respective States.

Our good Governor William Scranton of Pennsylvania has said that 37 Governors of the various States of the United States have been in touch with him stating they agree with Governor Scranton in his opposition to the provision of this legislation eliminating the veto power of the State Governors over poverty programs and policies in their respective States.

Governor Scranton states that 21 of these 37 Governors are Democratic Governors, representing Democratic administrations in 21 States in the United States. This is not a partisan situation, but a bipartisan position that we should have the States participating, and not just having the States looking on as bystanders, without power except advice.

Mr. QUIE. I thank the gentleman.

Let me point out what the conference has done as a substitute for the House language. All the Governor can do now is to go see Director Sargent Shriver, and the bill does not give the Governor full authority to see the Director. The Director is going to tell the Governors when and how the Governors can come to see him, and after they come to him the Governors can have a secret meeting with him in which they can discuss the situation. The Director issues regulations pertaining to informal, nonpublic hearings with the Director. The Governor would have to come to see the Director eating humble pie.

The importance of the Governor's veto is not the fact he vetoes projects, but that he has the power in his hands. Only then can Governors really coordinate programs, make sure that the people have the voice and the power to stop some of the abuses that have been going on. But this has been denied the governments in the operation of our Federal system. They have the power to write and operate the programs the way they see fit.

Mr. AYRES. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. BELL], member of the conference committee.

Mr. BELL. Mr. Speaker, I want to reiterate again the statements that were made by the gentleman from Minnesota relative to the Governor's veto. I think it is all important that this be reinstated.

I think many of you know in the past week when we had the Anti-Poverty Act before the House we discussed the Governor's veto power at that time, in which it was pointed out that Governor Brown of California, a member of the majority party, was very concerned about the Governor's veto power being denied or limited. He felt that any limitation on the Governor's veto would make more difficult the administration of the operations of the Poverty Act in his State.

In view of the fact that the chairman of the full committee stated that title 2, section 13, the special program for the chronically unemployed, is not a leaf-raking program, I want to relate to you, if I may, exactly what this program aims to do:

SPECIAL PROGRAMS FOR THE CHRONICALLY UNEMPLOYED POOR

SEC. 13. Section 205 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (e) and adding after subsection (c) a new subsection (d) as follows:

"(d) The Director is authorized to make grants under this section for special programs (1) which involve activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs, (2) which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, and (3) which are conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise consistent with policies applicable under this Act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment."

My colleagues, it seems fairly apparent that this is in effect a leaf-raking operation. Right now we have programs in operation, such as the manpower development and the retraining program, and the vocational and educational training programs, which do precisely what this program aims to do. We spend $32 billion in aid a year, a large part of which is to help the unemployed. It seems to me, this amendment is purely and strictly a leaf-raking project that is actually not going to improve the status of the unemployed at all. In fact, it might make it worse because many may find this an easier route than getting a really effective job that would help them in their training and in their ability to earn a living.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. PERKINS. I first wish to compliment the distinguished gentleman from California for all of his contributions in supporting these programs in the past. However, I must commend the conferees for the effective manner in which they have resolved the differences in the two bills, resulting in a strengthening of the provisions of the community action section 205. Contrary to the observation made by the gentleman from California, there are many, particularly elderly citizens, who, in spite of our efforts under the Manpower Development and Training Act, the adult basic education program, and the jobless parent program, are not being reached. The addition of subsection (d) to section 205 will give the Director flexibility in making grants for community action programs to meet the urgent needs of the chronically unemployed poor who have slim employment prospects and are unable, because of age or other circumstances, to secure appropriate employment or training assistance under these other programs which I have mentioned.

Particularly do I like the way the conferees have retained language which will enable such projects to involve the participation of these extremely needy and elderly persons to work on community projects for the beautification of the program areas, which will contribute to the management, conservation, recreation, or development of the natural resources of the project area.

I believe the section contains appropriate safeguards to assure that the public interest and policies of the act will be served in making the grants under this new authority.

Let me turn again to the people who will be served by our strengthening of the community action authority. The poverty program, through its Project Head Start, through the Neighborhood Youth Corps, through the jobless parent program, and through community action programs and projects has generated great interest among all people, particularly in those communities where rates of unemployment are high and economic activity is at a low ebb. Many of the people in greatest need in these areas, particularly the elderly, have had high hopes only to find that education and training programs are not of such a nature to enable them to participate. This improvement to the legislation will enable the antipoverty program to fulfill more completely its objective.

Let me again commend the conferees for their enlightened resolution of the issues involved in this legislation and urge my colleagues to promptly adopt the conference report.

Mr. BELL. Mr. Speaker, I refuse to yield further, but I must point out again to my colleague and friend that we have programs just like this in the manpower development and retraining program, and in other programs, for the purpose of actually providing on-the-job training and in educating the hard-core unemployed on a basic educational basis—that is, learning reading, writing, and arithmetic. All that needs to be done, if it has to be done, is to expand this program. But no, we have put one program on top of another program so this is simply nothing more or less than a leaf-raking plan, a bone thrown to somebody who could otherwise be more effective somewhere else.

I also want to say to my colleagues I had the experience of being in Watts previous to the riots, on hearings regarding the poverty program. It was one week before the riots. We had a session of hearings there of the ad hoc subcommittee on poverty. I was amazed at the confusion that came out as a result of those hearings. People were confused about this bill. They were confused about what was going on and how they were going to get the money, and how it was going to be appropriated and who was supposed to be in charge of it, and so on and so forth—the same kind of confusion that you have everywhere concerning this act. I will not say that it in any way caused the riots, but I certainly think it has been a contributing factor.

Mr. Speaker, I say that this bill should be recommitted.

I do not believe that the conference report has improved on the bill one iota.

Mr. AYRES. Mr. Speaker, I yield 2 minutes to the gentleman from New York.

Mr. CONABLE. Mr. Speaker, I voted for the program when it first came up with some misgiving. I generally support the ends of the program. I feel most of the Members of the House do. I have some grave misgivings as to the means that are employed.

I think it is time that the Congress should concern itself about some of those means, particularly with respect to the Governor's veto. As I understand it, the Governor's veto was substantially watered down by the original bill. It has now been virtually eliminated. I know of no way in which the cooperation and consultation of local and State officials can be insured except through the operation of substantial power over the program such as is embodied in the Governor's veto.

Unless this veto power is reinstituted, I shall find myself in the position of having to vote against the conference report.

My original support of the legislation was based primarily upon a very sound and well-executed policy in the Rochester area, which program has been of some pride to the community. Nevertheless, and irrespective of local pride I think we have an obligation to consider the direction that legislation of this sort is taking the Nation. It is my concern over means, as expressed in the change that has been wrought through the conference report, rather than a change in my attitude toward the goal of eliminating poverty, that has led to my opposition at this time.

Mr. AYRES. Mr. Speaker, I yield myself 5 minutes.

Due to a legislative oversight, I was not a member of the conference. Therefore, I am not in a position to discuss and debate what transpired regarding the elimination of the House version of the Governor's veto. So that Members will understand the parliamentary situation, when the hour's time is finished, or when the debate has been concluded, I shall offer a motion to recommit the conference report on H.R. 8283 to the committee of conference.

What that means is that my motion to recommit will be voted upon, and the motion would instruct the managers on the part of the House to insist on the language of section 10 of the House bill.

Section 10 of the House bill is the provision that would give Governors of our various States the right to veto the program. But even that would not be final. After a Governor has decided to veto a program, the Director, Mr. Shriver, could override that veto.

In my judgment, even though this is a very watered down version, if the Governor of a State, in his judgment, decides that a program is not good for his State and he vetoes it, there will be enough publicity that will arouse the general public, and perhaps public opinion will prevail.

Furthermore, I have great respect for Mr. Shriver, but it is difficult for him to feel the pulse of all the programs that he is administering. Mr. Shriver is one of the first to admit that the program needs help.

The program is in trouble in many respects. As the gentleman from Minnesota pointed out, the chairman of our committee, the gentleman from New York [Mr. Powell] is the first to agree that the program is in trouble. It was the gentleman from New York who went before the House Administration Committee, with the sanction of the minority, asking for $100,000 to confirm that the program was in trouble. We have investigators out in the field now confirming that the program is not operating as it should operate.

Mr. POWELL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to my distinguished chairman.

Mr. POWELL. I say to the distinguished minority member of the committee that we did not ask for money because the program is in trouble. We asked for money, and 30 percent of it I voluntarily gave to you [Mr. Ayres] to strengthen the program.

Mr. AYRES. As the gentleman from New York has said on many occasions in this Chamber, he is truly a Baptist minister.

Mr. Speaker, if the vote is cast to recommit the bill with instruction to restore the veto power, then our conferees can go back to the Senate and attempt to abide by the wishes of the House. There still would be a vote on the conference report.

The vote which will be cast on the motion to recommit will be merely to instruct the conferees to restore the wishes of the House.

Mr. Speaker, in view of the fact that when this came up before more than 30 Governors contacted me asking that the language be made even stronger, and in view of the fact that now 37 Governors have contacted the Governor in charge of trying to get the veto restored, Governor Scranton of Pennsylvania, I believe the least we can do is to give this little bit of local control to our States. I repeat, the Governor's veto is not even final.

The Governor is the top elected official in his State. He is the man whom the people hold responsible for the operation of the affairs of the State.

I believe it is most unfair and unjust for the Congress of the United States to say to a Governor, "We do not care what you think, we are not going to give you even a little bit of authority."

Mr. BELL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from California.

Mr. BELL. It is my recollection that the chairman of the full committee once referred to the poverty program as "a giant fiesta of political patronage." Does the gentleman believe that anything has been done as a result of the conference which has improved this act and made it any less of a giant fiesta of political patronage?

Mr. AYRES. I repeat, due to a legislative oversight I was not a member of the conference.

The SPEAKER. The time yielded by the gentleman has expired.

Mr. AYRES. Mr. Speaker, I yield myself 3 minutes additional.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Missouri.

Mr. HALL. I hold in my hand an article datelined Associated Press, Miami, Fla. The title is: "Powell's Storm Plea Irks Bahamas."

I wonder if perhaps this is not the reason why the distinguished gentleman from New York wanted additional funds, so that we could help our neighbors in Bimini in the Bahamas.

This very inflammatory article ends:

> "Wherever people are in trouble in the world, let's not play politics," he said. "It's not my concern. It's not my land. But they are human beings."

Mr. Speaker, under the circumstances I ask unanimous consent that the entire article may be included in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The article is as follows:

POWELL'S STORM PLEA IRKS BAHAMAS

MIAMI, FLA.—Representative ADAM C. POWELL, Democrat of New York, left Bimini in the Bahamas yesterday amid charges that he interfered in the internal affairs of the Bahamas government.

"Isn't that ridiculous," said POWELL at a news conference here after being flown from Bimini by a U.S. Coast Guard plane.

Bahamas officials charged that POWELL requested U.S. aid for Bimini residents hit by hurricane Betsy.

"The poor people there are in serious, serious trouble. The water is contaminated. There's no fresh water. The poor people don't have food," POWELL said in Miami.

POWELL rode out hurricane Betsy in Bimini. After the storm passed the small Bahamian island, POWELL reportedly asked the crew of a U.S. Coast Guard helicopter, which had stopped at the island, to "send food, water, and public health services for 1,700 people * * * and personnel to repair the electrical system."

Acting Premier Eugene Dupuch said in a telephone interview with the Miami Herald yesterday that Bimini needed no aid. Dupuch said his government "took offense" at POWELL's requests.

"We are certainly not blaming the Government of the United States for them," Dupuch said. "We are simply not paying any attention to them."

He denied reports that POWELL had been asked to leave the Bahamas. POWELL said he went to Bimini during the Labor Day weekend for rest.

He was accompanied by his secretary, Corrine Huff, 24, Miss Ohio in the 1960 Miss Universe contest.

POWELL's request for U.S. aid caught the Bahamas by surprise.

H. C. Wilkine, resident commissioner in Bimini, said his island had ample food, water, and medical supplies and electrical service was being quickly restored.

POWELL said the Government of the Bahamas "seemed to be ignoring" Bimini residents, so he sent his request for aid.

"Wherever people are in trouble in the world, let's not play politics," he said. "It's not my concern. It's not my land. But they are human beings."

Mr. POWELL. Mr. Speaker, will the gentleman yield again?

Mr. AYRES. I yield to my chairman.

Mr. POWELL. The only way to eliminate the giant fiesta of political patronage is to eliminate the power of the politicians to control this program. Furthermore, may I point out that not a penny in the war-on-poverty program comes from the State treasuries.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Michigan.

Mr. GRIFFIN. In view of all the concern about the power of politicians, was there not some provision in this legislation dealing with coverage of employees under the Hatch Act, which is affected by the conference report?

Mr. AYRES. Yes, there is; but that has not been brought out in detail.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Missouri.

Mr. CURTIS. I was amazed to hear the statement by the gentleman from New York that the money comes from the Federal Government and not from the States. The tax money comes from only one source, the people—and the people in these States are involved.

Mr. POWELL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the chairman.

Mr. POWELL. On the other hand, the poor do not pay any taxes.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Missouri.

Mr. CURTIS. If the gentleman will look at the income tax rates he will find that people who have incomes below $3,000 a year do pay incomes taxes. They certainly pay excise taxes, and they pay payroll taxes.

Mr. AYRES. Mr. Speaker, I repeat, for the benefit of those who have come in since the debate started, the motion to recommit to instruct the conferees to restore the veto power as passed by the House will be offered.

I would hope that the House in its wisdom will back up what it previously voted for which was included in the bill in its entirety as it passed this House.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Minnesota.

Mr. QUIE. I might point out what the gentleman from Michigan brought up with respect to the Hatch Act. The bill that went through the House did not provide that the employees under the poverty program would be subject to the Hatch Act. The Senate put it in and required the employees to be subject to the Hatch Act. However, in conference the Senate language was not approved.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman.

Mr. GRIFFIN. So, as the legislation now stands, politicians will be in charge of it; is that correct?

Mr. QUIE. Yes.

Mr. GRIFFIN. I wish only to add one comment. Mr. Speaker, some have expressed a concern about politicians controlling this antipoverty program. In view of that expressed concern, it seems a little odd that the conferees agreed to take out a provision which would have made employees in the program subject to the Hatch Act.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman.

Mr. PICKLE. I supported this program. I think it is worth all of the risk we put into it, but I do think that the gentleman raised a good point with his recommittal motion. I think we ought to keep a governing and participating hand in the States. If we do not do this, I think you are going to see the creation of thousands of sponsoring agencies all over the country rather than going through recognized committees in local communities. I hope the gentleman's motion prevails restoring the House language as it passed this body last month.

Mr. AYRES. I would like to say to the gentleman that your Governor is one of those who has most enthusiastically supported the restoration of the veto power.

Mr. PICKLE. I thank the gentleman.

Mr. POWELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. AYRES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. AYRES. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

MOTION TO RECOMMIT THE CONFERENCE REPORT ON H.R. 8283 TO THE COMMITTEE OF CONFERENCE

Mr. AYRES moves to recommit the conference report on the bill (H.R. 8283) to the committee of conference with instructions to the managers on the part of the House to insist on the language of section 10 of the House bill, which retains the veto power of State Governors in the form approved by the House.

Mr. POWELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes had it.

Mr. AYRES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 209, nays 180, not voting 43, as follows:

[Roll No. 299]

YEAS—209

Abbitt
Abernethy
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Baring
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bow
Bray
Brock
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain
Fulton, Pa.
Garmatz
Gathings
Gettys
Giaimo
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Halpern
Hansen, Idaho
Harsha
Harvey, Ind.
Harvey, Mich.
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kluczynski
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McDade
McEwen
McMillan
Mackay
Mahon
Marsh
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
Michel
Minshall
Mize
Moore
Morris
Morse
Morton
Mosher
Murray
Natcher
Nelsen
O'Konski
Passman
Patman
Pelly
Pickle
Pike
Poff
Purcell
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel

Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Rostenkowski
Rumsfeld
Satterfield
Saylor
Schisler
Schneebeli
Schweiker
Scott
Secrest
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Tupper
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wyatt
Wydler
Yates
Young
Younger

NAYS—180

Adams
Addabbo
Albert
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Carey
Celler
Clark
Clevenger
Cohelan
Corman
Culver
Daniels
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Dow
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Farbstein
Farnum
Fascell
Feighan
Flood
Fogarty
Foley
Ford,
William D.
Fraser
Friedel
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Krebs
Leggett
Love
McCarthy
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackie
Madden
Matsunaga
Meeds
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morrison
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Powell
Price
Pucinski
Race
Randall
Redlin
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roush
Roybal
St Germain
St. Onge
Scheuer
Schmidhauser
Senner
Sickles
Smith, Iowa
Staggers
Stalbaum
Steed
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Wilson,
Charles H.
Wolff
Zablocki

NOT VOTING—43

Adair
Anderson,
Tenn.
Andrews,
George W.
Bolton
Bonner
Cahill
Conyers
Daddario
Derwinski
Diggs
Evins, Tenn.
Fallon
Farnsley
Frelinghuysen
Fulton, Tenn.
Fuqua
Gallagher
Hébert
Jones, Mo.
Lindsay
Long, Md.
McClory
MacGregor
Mailliard
Martin, Ala.
May
Miller
Moss
O'Neal, Ga.
Pirnie
Poage
Pool
Resnick
Roosevelt
Rosenthal
Roudebush
Ryan
Sisk
Thomas
Thompson, Tex.
Toll
White, Idaho
Wright

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Toll against.

Mrs. May for, with Mr. Gallagher against.

Mr. O'Neal of Georgia for, with Mr. Roosevelt against.

Mr. Fuqua for, with Mr. Rosenthal against.

Mr. Pool for, with Mr. Sisk against.

Mrs. Bolton for, with Mr. Moss against.

Mr. Cahill for, with Mr. Miller against.

Mr. Roudebush for, with Mr. White of Idaho against.

Mr. Frelinghuysen for, with Mr. Conyers against.

Mr. Pirnie for, with Mr. Ashley against.

Mr. Mailliard for, with Mr. Fallon against.

Mr. MacGregor for, with Mr. Diggs against.

Mr. Adair for, with Mr. Resnick against.

Mr. Evins of Tennessee for, with Mr. Ryan against.

Mr. Martin of Alabama for, with Mr. Fulton of Tennessee against.

Mr. Derwinski for, with Mr. Daddario against.

Mr. McClory for, with Mr. Anderson of Tennessee against.

Until further notice:

Mr. Wright with Mr. Long of Maryland.

Mr. Thompson of Texas with Mr. Bonner.

Mr. George W. Andrews with Mr. Thomas.

Mr. BROOKS and Mr. PATMAN changed their votes from "nay" to "yea."

Mr. JARMAN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9460) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9460, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. POWELL] will be recognized for 1 hour, and the gentleman from Ohio [Mr. AYRES] will be recognized for 1 hour. The Chair recognizes the gentleman from New York.

Mr. POWELL. Mr. Chairman, I rise to urge passage of H.R. 9460, a bill providing for the establishment of a National Foundation on the Arts and the Humanities. The legislative diet of this Congress and certainly of my Committee on Education and Labor is basically meat and potatoes. We spend most of our parliamentary hours chewing over the staple problems of everyday life—jobs, education, food, housing. The time has come to redress this imbalance by turning our attention to nourishing our culture as well as our economy.

We made a meager beginning last September by creating in Public Law 88-579 a National Council on the Arts authorized to study and advise and consult and recommend and essentially take no positive action.

Some 138 years after the President of the American Academy of Fine Arts first urged the President of the United States to adopt a plan for the permanent Federal encouragement of the fine arts and 10 years after President Eisenhower proposed that the Federal Government do more officially to recognize the importance of cultural activities, we cannot be satisfied with merely inventing another advisory committee. Starved minds and spirits, unlike growling stomachs, may not be a very vocal lobby, but failure vigorously to encourage the development of our artistic and cultural resources would be just as harmful to the quality of life in this Nation as neglect of our manpower or our natural resources.

Today we must take giant strides with resources adequate to the appropriate Federal role if we hope to deal with the crisis of culture in this country. What crisis you ask? Did we not read recently that there are 1,401 symphony orchestras, 754 opera groups, 200 dance companies, and 40,000 theatrical enterprises? Have not the papers been heralding "waits" of up to 4 hours to view a Rembrandt, all-night lines to hear Horowitz?

Are we to applaud complacently those who queue up to see what a million dollars looks like on canvas or to cheer a musical celebrity emerging from retirement, when one-quarter of our high school students have no exposure whatsoever to art courses and one-third of those in music classes are taught by persons seriously lacking in training or experience?

Should we be proud of the fact that at the higher education level talented persons who might select a career in the arts or humanities are lured by the siren of disproportionate Federal graduate fellowships into the physical sciences where the living is easy? Socrates in 1965 would have ended up as a researcher at the National Institute of Mental Health.

The bill for which I seek your support today is no guaranteed cure for all of the sorry symptoms of sickness indicated above. Indeed, many critics think that the authorization of up to $20 million of Federal grants-in-aid on a matching basis to State arts councils, performing groups, or individuals engaged in artistic performance or humanistic research may be a cure worse than the disease.

That favorite old bogy, the camel who pokes his nose in the tent, is sure to be dragged into the picture to raise the issue of Federal dictatorship of taste. Whether or not tyranny and artistic achievement are incompatible, there will be none of the former in this proposal.

The restraining force of the broadly based 26-man national councils in both fields will assure that no council chairman could act as a cultural czar blanketing the country with productions to his liking. The few strings that will be attached to the grants will be of a housekeeping nature only to avoid profligate use of tax money, not to guarantee imposed mediocrity.

The congressional mandate, while it does not permit artistic benevolent despotism, does direct the National Council on the Arts to focus on such significant goals as the pursuit of professional excellence, accentuation of American creativity, and the spread of culture to regions that rarely have any contact with the arts. The bill also instructs the National Council on the Humanities to foster greater public understanding and appreciation of the humanities at the same time as it strengthens our research potential and product in these disciplines by awarding fellowships, providing funds for workshops, and supporting the publication of scholarly works.

Amateur productions will be eligible for up to 50 percent subsidy only where they develop citizens' enjoyment and appreciation of the arts.

The bill recognizes another hard fact of our cultural life—the existence of cultural dust bowls or, in the vernacular of the 1960's, Appalachias, that require special attention. To this end the bill would authorize nonmatching grants of up to $25,000 to those 24 States which have not yet evolved State agencies or commissions which furnish adequate programs, facilities, and services in the arts to their communities.

Two special sections of the legislation were devised to bring about a dramatic improvement in the quality of the teaching of the arts and humanities in our elementary and secondary schools. A sum of $500,000 is authorized for the acquisition of nontextbook teaching equipment to give our children meaningful sensual contact with the raw materials of the arts and humanities, including such objects as kilns, looms, metalworking tools, tape recorders, films, and slides.

A similar sum of $500,000 is allocated for teaching training institutes in the arts and humanities. The arts were excluded from the institutes created under the National Defense Education Act, although the need to upgrade the qualifications of teachers in music, art, and theater courses is a pressing one.

The overall cost of this legislation is minute in comparison to the good that would flow from it in terms of national self-respect and enrichment. The British Government already devotes approximately $10 million to support the arts alone, a per capita expenditure of 18.6 cents. The bill before you today providing quality growth incentives for the humanities as well as the arts would spend only 10.9 cents for every man, woman, and child in this country.

This amount would essentially be seed money, since the recipients of the initial $10 million would—with the exception of certain particularly needy groups—have to match each dollar given with a dollar from non-Federal sources, an additional $7,250,000 would not be available for grants until private donations to the two endowments equalled that amount, and the States which are entitled to $2,750,000 would be funneling their own funds to the arts. The object is not to have the Federal Government preempt the field, but to spur private giving.

At long last this would start us on the second and third legs of the intellectual journey envisioned by John Adams when in 1780 he wrote his wife that:

> I must study politics and war in order that my sons may have the liberty to study mathematics and philosophy in order to give their children the opportunity of studying poetry, music, and architecture.

Mr. Chairman, I now yield to the distinguished chairman of the subcommittee, the author of the bill and the gentleman who all of his life in this Congress has devoted himself primarily to this type of legislation that is before us now, the gentleman from New Jersey [Mr. Thompson].

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, during the debate on the rule, I listed some of the groups and individuals who are urging the House to enact this bill. At this time I want to discuss the high purpose of this legislation, and describe the bill itself.

Before I do so, I want to pay tribute to the members of the Special Subcommittee on Labor. This may be the last opportunity to do so this session. Each has cooperated with me, as the chairman, to the fullest in order that our work could move forward.

Although there have been differences of opinion, not alone on party lines, each Member has made important contributions to the work assigned to us by the chairman of the full committee [Mr. Powell]. As minority leader of the subcommittee, the gentleman from Michigan [Mr. Griffin] has been a brilliant spokesman for his point of view, but he has never thrown roadblocks which have prevented us from getting on with our business.

This has been a busy year for us. We have had important legislation—and controversial legislation. We have done our job. It could not have been accomplished without the cooperation and splendid assistance of every Member.

In connection with this particular bill, Mr. Chairman, it is appropriate to pay tribute to the gentleman from Pennsylvania [Mr. Moorhead]. He is not a member of the committee, but it was his bill in the 88th Congress, proposing a Foundation for the Humanities, which, together with bills proposing a Foundation for the Arts, paved the way for H.R. 9460. He sat with our subcommittee during the hearings. There was close consultation during the period when we were working with the Bureau of the Budget and the White House in the drafting of the bill submitted by the President. He has been most helpful and cooperative.

Mr. Chairman, the bill, H.R. 9460, comes to the floor with bipartisan support.

The need for this legislation has been pointed up under Republican and Democratic administrations.

The President's Science Advisory Committee in its 1960 report, "Scientific Progress, the Universities, and the Federal Government," said:

> We repudiate emphatically any notion that scientific research and scientific education are the only kinds of learning that matter to America. The responsibility of this committee is limited to scientific matters, but obviously a high civilization must not limit its efforts to science alone. Even in the interests of science itself it is essential to give full value and support to the other great branches of man's artistic, literary, and scholarly activity. The advancement of science must not be accomplished by the impoverishment of anything else, and the life of the mind in our society has needs which are not limited by the particular concerns which belong to this committee and this report.

I need not remind my colleagues that the committee was named by President Eisenhower and made its report to him.

President Johnson, of course, by his submission of a draft bill, endorses this legislation. It has also been endorsed by the National Council on the Arts, created last year by the Congress and appointed by President Johnson. At its first meeting last April, with 22 of its 24 members present, the Council—with but 1 dissenting vote—adopted a resolution supporting the legislation.

The Commission on the Humanities, which has recommended a National Humanities Foundation, was composed of 20 members. I have no idea of their politics. Dr. Glenn T. Seaborg served as Chairman, Atomic Energy Commission, under a Democratic administration. Devereux C. Josephs, retired board chairman of the New York Life Insurance Co., served as Chairman, Commission on Higher Education under President Eisenhower. Arthur H. Dean, a New York lawyer, was President Eisenhower's Korean peace negotiator. I would assume, then, that the Commission on the Humanities included men and women from both political parties.

So much, then, for the bipartisan nature of this bill.

Perhaps the finest summation of the high purpose of this bill was given by Dr. Kingman Brewster, president of Yale University, when he testified. I might point out that Dr. Brewster was invited at the request of the gentleman from Michigan [Mr. Griffin] as one who might give opposition views. This he did not do. He told us, in part:

> Perhaps an educator and a father of five is in a special position to appreciate the importance of having our country reminded of the roots of its culture and the goals of its more fundamental aspirations.
>
> Indeed, it seems to me the ultimate end is to develop the capacity of all our citizens for the full enjoyment of their lives intellectually, esthetically, and to the moral opportunities; all the rest is means.
>
> The importance of these ends will be magnified as we move in what one sociologist has already called the postindustrial era. If we have no intellectual, esthetic, or moral opportunities as we move into automation, we will be, indeed, a sick society and much of the sickness called delinquency is due to the fact many people lack that pur-

> pose which comes from values deeper than welfare and deeper than power.
>
> It seems terribly important to me that the people's representatives in the Houses of Congress should visibly and concretely declare their sense of the importance of the intellectual, the esthetic, and the moral aspects of life and declare it in a way which everyone can see and hear.

So much for the high purpose of this legislation.

We propose to accomplish that purpose by the creation of a National Foundation on the Arts and the Humanities, having three divisions, composed of a National Endowment on the Arts, a National Endowment on the Humanities, and a Federal Council on the Arts and the Humanities.

The National Endowment for the Arts will provide matching grants to groups—nonprofit organizations and State and other public organizations—and to individuals engaged in the creative and performing arts for the entire range of artistic activity, including construction of necessary facilities. Under special circumstances matching is not required. Special grants are earmarked for States to support State organizations which have a parallel function. A one-time $25,000 grant to States having no arts council, or parallel organization, to stimulate such activity is also authorized.

The National Council on the Arts established in 1964 by Public Law 88–579 is transferred to the National Endowment for the Arts. The Chairman of the Council will be the Chairman of the National Endowment. The Council, composed of private citizens, will advise the Chairman on policies and programs and will review applications for financial assistance.

The National Endowment for the Humanities will provide nonmatching grants and loans for research, award fellowships and grants to institutions or individuals for training, support publication of scholarly works, provide for the interchange of information, and foster understanding and appreciation of the humanities.

The bill H.R. 9460 will establish a National Council on the Humanities composed of private citizens with the chairman of the National Endowment for the Humanities serving as the chairman of the Council. The Council will advise the Chairman on policies and programs and will review applications for financial assistance.

A Federal Council on the Arts and the Humanities will be established to insure coordination of the two endowments and to promote coordination between the foundation and related programs of other Federal agencies. It will be composed of the representatives of Federal agencies whose programs are related to the arts and the humanities.

Each endowment will be authorized to receive appropriations of $5 million for fiscal year 1966 and for each of 2 succeeding fiscal years. Thereafter such sums may be appropriated to each endowment as may be authorized by the Congress. This is a new program. The committee deems it advisable to require legislative review before additional appropriations are made.

Additional sums are authorized to match total amounts given to each endowment. Amounts so appropriated to the National Endowment for the Arts may not exceed $2,250,000 for any fiscal year, and amounts so appropriated to the National Endowment for the Humanities may not exceed $5 million for any fiscal year. The National Endowment for the Arts is authorized to receive an additional sum of $2,750,000 for each fiscal year to be granted to the States, on a matching basis, to support State arts councils, or similar organizations, which are supporting the arts. The sums appropriated by the States are presumed to be gifts to carry out the purpose of this act.

For fiscal year 1966, and for each of 2 succeeding years, the Office of Education is authorized to receive $500,000 for payments to State educational agencies, and for loans to private elementary and secondary schools, for the acquisition of equipment and minor remodeling related to the arts and humanities; and $500,000 to be used for training institutes to strengthen the teaching of the humanities and the arts in elementary and secondary schools.

Maximum appropriations authorized for each of the first 3 fiscal years under the bill would be $21 million per annum.

Such sums as may be necessary are authorized for administration of the Foundation. It is not possible at this time to determine the volume of grant applications in each category. The grant review and processing staff depends largely on the volume of applications. Administrative expenses of the National Science Foundation were about 19 percent of program costs in 1952, and by 1956 they had dropped to 3 percent.

Based upon the actual authorization of $5 million for each endowment, it is expected that administrative costs will be about 15 percent. Depending upon the volume of applications, the success of the effort to obtain private gifts, and the additional funding authorized under this activity, it is anticipated that the administrative cost ratio of the Foundation eventually will parallel that of the National Science Foundation.

Members have expressed interest as to how the endowments will function. There has been some concern over the need for an executive committee, or a Board of Directors which will be responsible for making the grants.

At the moment we place full responsibility in the hands of the respective Chairmen. This means, of course, that the buck stops at the White House. It means that the legislative and Appropriations Committees will have one individual upon whom to rely. Because of the determination to place responsibility in the hands of men appointed by the President we permit their terms of office to run concurrently with that of the Presidency.

The present National Council on the Arts has its members appointed for staggered 6-year terms. We establish a National Council on the Humanities in the identical manner.

We charge each Council with the responsibility of advising each Chairman with respect to policies, programs, and procedures for carrying out his functions. Each Council must review applications for financial support and make recommendations thereon to the Chairman. Neither Chairman may approve or disapprove an application until he has received the recommendation from the appropriate Council, unless this is not made within a reasonable time.

In our opinion, a reasonable time would be the opportunity for the Council to meet and make its recommendations.

Authority has been previously granted to the National Council on the Arts to utilize panels of experts, and a similar authority is granted herein to the National Council on the Humanities. It is to be expected that these panels will be fully utilized in the evaluation of specific applications.

As the report points out, the committee deems it advisable to require legislative review. This bill provides that annual reports shall be made by the respective Councils, rather than by the Chairman as was provided in the original administration draft. This will enable the Congress to have the benefit of minority views.

There is a significant feature in the authorization of appropriations. The bill does not require further authorizations for sums that may be appropriated to match gifts, or to match appropriations by the States for support of the arts. The rationale for this is the obvious: If this program is able to mobilize sufficient funds from private and State sources to come to the Congress for the maximum matching appropriations it will have proved itself.

I urge the approval of this bill.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. Yes. I yield to the gentleman from Texas.

Mr. MAHON. I hesitate to ask the gentleman to yield at this particular moment, but I am most anxious to ask the gentleman to have a look at page 19 of the bill and that section entitled, "Establishment of the Federal Council on the Arts and the Humanities."

Now, the bill states, beginning on line 13—

> The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the U.S. Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art—

And so forth. As the gentleman knows, there has been some discussion of this problem of putting two representatives of the Smithsonian on this Federal Council. As I understand it, the Director of the National Gallery of Art is under the Smithsonian Institution. So, in effect, you have two representatives of Smithsonian on this Council.

Mr. THOMPSON of New Jersey. In response, I might say to the distinguished chairman of the Committee on Appropriations that technically, at least, that is so. In point of fact, however, each has an entirely different function and sphere of responsibility. In view of the fact one is an ornithologist, and the other is a specialist we felt it would be helpful to have both on this Council.

Mr. MAHON. It seems to me this might present somewhat of a difficulty. This was not in the Senate version of the bill?

Mr. THOMPSON of New Jersey. I believe not. This was an amendment to the original legislation which was written in the full Committee on Education and Labor.

Mr. MAHON. I would hope that the able gentleman from New Jersey and the committee would consider this portion of the bill and make sure that any action taken is in the public interest.

Mr. THOMPSON of New Jersey. I would like that opportunity myself and will give serious consideration to any proposition the gentleman might make. Obviously I would do that. Perhaps during the remainder of general debate the gentleman from Texas and I can discuss this matter and see if we can arrive at some suitable agreement.

Mr. MAHON. I thank the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. In answer to the gentleman from Texas Mr. Mahon's question, the Secretary of the Smithsonian Institution is in an administrative position over many institutions—museums, research agencies, and so forth—within the Smithsonian Institution. The secretary, Mr. S. Dillon Ripley, is a good administrator but is not actively participating in the arts on a day-to-day basis. If Mr. Ripley does his job well, he has more than enough to do already, and should welcome support from another competent member of the Smithsonian Institution team, who is specially competent in art, art schools, and administration in the fine arts. It is impossible to fathom Mr. Ripley's objection to two members of the Smithsonian Institution team, as members of the Federal Council on the Arts and the Humanities. I certainly compliment the committee on the addition of the Director of the National Gallery of Art, Mr. John Walker, and the chairman of the Commission of Fine Arts, Mr. William Walton.

The Secretary of the Smithsonian Institution is S. Dillon Ripley, an ornithologist, former director of the Peabody Scientific Museum at Yale University—nothing in relation to the arts whatsoever.

This is an arts bill, requiring judgment and supervision by an artist with a full rich artistic background for the top council.

Ripley is a scientist as have been all the former directors of the Smithsonian, and we may well expect future directors to be scientists as well.

Again this is an arts bill.

The Director of the National Gallery, John Walker, came to the National Gallery of Art after being Professor of Fine Arts at the American Academy in Rome, a position working with painters, architects, sculptors, and musicians—not scientists and administrators.

The National Gallery of Art has already the local contacts with small art museums and schools to insure the successful operation of a Federal assistance to the arts program, so of course the Director of the National Gallery of Art will be a real asset on the council.

These additional members are really excellent planning because we have two persons who are outstanding in the field of arts and highly respected throughout the world. To have a Federal Council on the Arts without the Director of the National Gallery of Art, Mr. Walker, or without the chairman of the Commission on Fine Arts, Mr. Walton, would be a serious mistake. From my long experience as a collector, and on the boards of cultural institutions, I can firmly state that when we have the Director of the National Gallery of Art, Mr. John Walker, an outstanding man in the arts, willing to serve, he is a valuable addition to this council.

Mr. THOMPSON of New Jersey. I will say to the gentleman from Pennsylvania, I am sure there is no question in the mind of the gentleman from Texas about the qualifications of Mr. Walker. I believe that the essential question here in the gentleman's mind which I will discuss with him following this colloquy, is structurally whether or not the Smithsonian should have two representatives.

Mr. FULTON of Pennsylvania. The answer to that is very clear. People who are active and experienced in the arts as Mr. John Walker, and Mr. William Walton, are necessary on this particular arts council. I must say to you further that the Secretary of the Smithsonian is so busy on so many things, he obviously will not have time to attend all these meetings of these various commissions and boards, let alone take an affirmative part in countrywide programs on the Federal Council on the Arts and the Humanities. So we need somebody who is specifically interested and active in the arts to represent this particular activity. Nobody even argues that such person would be an ornithologist.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Ohio.

Mr. BOW. In reply to the gentleman from Pennsylvania, may I say with reference to the Smithsonian not being interested in the arts, the National Gallery of Art is only one of the six Smithsonian bureaus which may contribute to this overall national program of arts and humanities. The others include the National Collection of Fine Arts, the Freer Gallery of Art, the Museum of History and Technology, the National Portrait Gallery and the John F. Kennedy Center for the Performing Arts.

If you are going to pick out one of these men from these various bureaus of the Smithsonian, I wonder why you do not take all of them?

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. FULTON of Pennsylvania. I believe my friend, the gentleman from Ohio, misunderstood me. I do believe that the Smithsonian Institution is very interested in the arts. I have been a member of a congressional joint Senate-House committee for construction of a building for the Smithsonian Institution; that is, the new Museum of History and Technology in Washington, D.C.

Mr. THOMPSON of New Jersey. I do not think there is any question here. I think this whole question revolves around what amounts merely to a technical point with respect to the institution. I repeat my offer to discuss it later with my colleague, the gentleman from Texas.

I assume, of course, that my friend, the gentleman from Ohio, is enthusiastically in support of the bill.

We are the last civilized nation on the earth to recognize that the arts and the humanities have a place in our national life.

I suppose it is fun to refer to ballet dancers as toe dancers, butterfly-chasing, and so on. But the fact is that in our background, each and every one of us, through our ancestors, has been exposed to a cultural environment in the nations of our origin which we have not provided for our children or for ourselves.

I urgently and respectfully request favorable consideration of this legislation.

Mr. KREBS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from New Jersey.

Mr. KREBS. I rise to commend my colleague and friend from New Jersey for bringing this bill to the floor of the House today. Of my own knowledge, the gentleman from New Jersey has been devoting his energies and talents for the last 10 years studying this program. I am privileged to associate myself with his remarks and with the purposes of this legislation.

Mr. THOMPSON of New Jersey. I thank the gentleman.

The CHAIRMAN. The gentleman from Ohio [Mr. Ayres], recognizes the gentleman from Michigan [Mr. Griffin] for 1 hour.

Mr. GRIFFIN. Mr. Chairman, I yield myself 10 minutes.

At the outset, I wish to acknowledge the kind remarks made by the chairman of our subcommittee, the distinguished gentleman from New Jersey [Mr. Thompson. I should like to reciprocate by saying that the gentleman from New Jersey performed in a very fair and exemplary manner as chairman of the subcommittee during the hearings on this legislation and during the deliberations of the subcommittee.

Needless to say, the point of view of a number of Members on our side did not prevail during the deliberations of the subcommittee. Accordingly, it was our hope and expectation that this bill would be adequately and thoroughly considered by the full committee on Education and Labor.

As incredible as it might seem, when this bill came before the full committee—this bill which obviously is very far reaching in its impact—it was dealt with and reported out after only 15 minutes of consideration in the full committee. Believe it or not, a simple motion to read the bill was voted down.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The gentleman's recitation of the action of the full committee, I am sorry to say, is correct. That, in my estimation, does not mean that the measure does not deserve the consideration that is due it, or that any of us are not familiar with it, or have not had an opportunity to study it. But we did have an unfortunate situation in which the gentleman from New Jersey was attempting to get a full discussion of the bill and another member of the committee kept moving the previous question in order to get to some legislation which was to follow.

I regret that. I regret it very much. I think it should not cause any Member to vote against the bill since it is sound. But I must acknowledge, reluctantly, that that was the situation. I wanted to make clear that the gentleman from New Jersey was not moving the previous question. An overzealous and highly esteemed colleague did it for him.

Mr. GRIFFIN. I want to make it clear that I did not intend to indicate—and certainly I did not say—that the gentleman from New Jersey was responsible for what happened in the full committee. But nevertheless the full Committee on Education and Labor has a serious responsibility to carefully consider legislation as complicated, as far reaching, and as novel as this legislation. That the committee would not even read the bill, and would report it out with less than 15 minutes of consideration, is shocking, to say the least.

Perhaps the fact has no bearing, but it so happens that the bill was reported out in this fashion on June 24—the same June 24, when there was a very important dinner downtown which the President addressed—a $100-a-plate Democratic fund-raising dinner.

Quite a few bills were reported out of various committees on that day, and the President told his audience and the rest of the Nation on that evening about the great job that Congress was doing. He ticked off nine important congressional achievements on that very day—and he referred to the reporting by the Committee on Education and Labor on that very day of this bill and the Higher Education Act. Surely, the scheduling of his address could not have been related in any way to the kind of consideration which this bill received.

The bill before us is very complicated legislation. One who seeks to understand the proposed organizational structure can easily get lost in a maze of councils and foundations. The bill contemplates the establishment of a National Foundation on the Arts and the Humanities, a Federal Council on the Arts and the Humanities, a National Endowment for the Arts, a National Endowment for the Humanities, a National Council on the Humanities, and so forth.

After one wades through all of that, he may finally discover a fact which the gentleman from New Jersey [Mr. THOMPSON] has already acknowledged. Although he will have advice, which he need not take, one man—the Chairman of the National Endowment for the Arts—will have the power and authority under the bill to hand out grants to those groups and to those individuals that he believes should be subsidized. That is a lot of power and control over the arts to vest in any one man.

Last year the House passed a bill to set up and establish a National Council on the Arts. I voted for that bill at that time. I said then, and I should like to say again, I believe there is a limited role which the Federal Government should assume in this field. The Federal Government could play a part in the promotion and encouragement of the arts and the humanities. But I said then that I hoped the National Council on the Arts would recognize there are many ways for the Federal Government to recognize and encourage the arts without launching a program of direct subsidies.

For example, certain changes in our copyright laws would be helpful. Certainly, there are indirect ways to encourage more financial support through revision of our tax laws. By providing tax incentives the Federal Government could be instrumental in channeling more private funds into the arts. There are a number of ways that the Federal Government could provide indirect support.

But the fears of many who voted against the establishment last year of the National Council on the Arts have been borne out. As I understand it, one of the first actions of the National Council on the Arts was to endorse this legislation. Other than that I know of no recommendations which the Council has made—despite the fact that Congress directed the National Council on the Arts to make studies and recommendations as to how creative activities and high standards and increased opportunities in the arts might be encouraged and promoted, as well as a greater appreciation of the arts. It was contemplated that before legislation such as this would be considered, there would be studies made by the Council and that, based upon such studies, recommendations would be submitted. To my knowledge, the Council has done nothing more than just endorse this legislation.

Actually, the Council on the Arts has not performed its function in accordance with the clear intent of the Congress.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes. I will be glad to yield to the gentleman.

Mr. FINDLEY. I will be glad to be corrected if I am mistaken, but I believe that the day the White House specialist on the arts appeared before the subcommittee on behalf of this legislation, the White House as of that day had not even yet made public the names of those people who would serve on the Arts Council.

Mr. GRIFFIN. That is correct. When the hearings began, although a number of months had elapsed since enactment of the legislation, the members of the National Council on the Arts still had not been appointed. Interestingly enough, very quickly after this fact had been brought into discussions at the hearing, an announcement appointing the members of the Council came from the White House.

There is genuine concern about the effect of direct subsidies on the arts? Russell Lynes, writing in Harper's magazine, said this:

> I am not worried about creeping socialism in the arts, but about creeping mediocrity. The less the arts have to do with our political processes, I believe, the healthier they will be.

Interestingly enough, the Rockefeller panel, composed of distinguished Americans, who devote a great deal of time and money to a study of this general subject, came up with limited recommendations in this area. That panel recommended that at this time the Federal Government should go no further than to provide Federal matching grants for the construction of such buildings as concert halls, auditoriums, and theaters. The panel did not recommend that the Federal Government should directly subsidize artists.

Mr. BROOMFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROOMFIELD. Mr. Chairman, there could be no more painful death to truly creative art in the United States, no surer punishment for the great artists in our country for daring to be different than passage into law of H.R. 9460.

I come from a congressional district which is blessed with more than its normal share of creative talent.

Many of the world's best architects and architectural firms are or were residents of my congressional district; such architects as Minoru Yamasaki and the late Eliel Saarinen.

Some of the Nation's great sculptors, such as Marshall Fredericks, make their homes in my district.

In deference to these artists and with a profound respect for their genius, I cannot and will not support a bill which can only lead to mediocre art and a Federal straitjacket over creativity.

This bill is being presented as something new, something daring, a great innovation. It is not daring. It is not an innovation. It is straight plagiarism. But worst of all, it is straight plagiarism of Federal control of the arts which has done nothing for the truly great artist and instead has rewarded that which has no meaning.

France has had a National Academy of Arts for years. But beaux arts has had a consistent habit of turning its back on the man with talent and rewarding the man who follows the safe party line and does not dare to deviate from the norm.

If the National Gallery of Art just a few blacks away from here could own the canvases of the artists who have been snubbed, vilified, and persecuted by official art in France since the turn of this century, it would be the most famous museum in the world.

To name just a few who were declared unfit and whose paintings were blackballed by official art in France, there were such men as Renoir, perhaps the greatest painter of the impressionist school; Cezanne, a genius who was slandered beyond endurance and forced to retire in disgrace; Van Gogh, who eventually shot himself after his paintings were "frozen out" by official critics who could not paint; Toulouse-Lautrec, who was despised and cast out for leaving his "class." There was Degas and Gauguin, who fled to the South Seas to find peace and acceptance.

Even the great Rodin, perhaps the greatest sculptor in five centuries, could not win official approval of the government-appointed czars of what was good or bad in art.

He was forced to show his works at a special pavilion while the French National Exhibition was being held, a pavilion erected in his honor by private citizens of Paris—not the government which could not forgive him for his genius.

Now we are being asked to inflict the same sort of punishment, the same sort of vilification upon our artists.

We are being urged to back a bill which will set up an official art czar similar to the cultural czar in the Soviet Union.

Things being what they are in Washington, we can be sure that if this bill is passed, the day will not be far off before we demand political allegiance of those who receive Federal gifts, that we see the controversial ignored and mediocre praised.

We will not have to worry about pop art. It will be pap art or poppa art in honor of the man who has the official word and his hands on the Federal purse strings.

We do not need this bill. There is no shortage of positions for qualified artists in all fields of endeavor. We are short 23,000 architects at present, for instance, and that is just the beginning.

In case official Washington does not know it, there is a great deal going on outside the limits of the District of Columbia, and a great deal of what is going on has to do with art.

The best things we can do for these budding artists, these soon-to-be avant garde-ists is to get out of their way and let them find themselves.

They are not asking for Federal handouts and official pats on the head from those who do not know what they are trying to do. When the time comes, they will want us to see what they have done, or listen to what they have composed, or read what they have written.

But until that time, the least we can do is get out of their way and let them alone so they can help create a better tomorrow for us and for themselves.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman.

Mr. GROSS. Mr. Chairman, since this bill is of such world-shaking importance, I think it ought to be heard by more than 25 or 30 Members of the House. Therefore I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 300]

Adair
Anderson, Tenn.
Andrews, George W.
Bolton
Bonner
Cahill
Chamberlain
Daddario
Derwinski
Diggs
Erlenborn
Evins, Tenn.
Farnsley
Fisher
Frelinghuysen
Fuqua
Gallagher
Green, Oreg.
Hébert
Jones, Mo.
Karth
Lindsay
Long, Md.
McClory
McDowell
MacGregor
Martin, Ala.
May
Moss
O'Hara, Mich.
O'Neal, Ga.
Pirnie
Poage
Pool
Powell
Resnick
Roosevelt
Roudebush
Ryan
Sisk
Steed
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Watson
Wright

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Young, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 9460, and finding itself without a quorum, he had directed the roll to be called, when 381 Members responded to their names, a quorum, and he submitted herewith names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Michigan has 3 minutes remaining.

Mr. GRIFFIN. Mr. Chairman, when the point of no quorum was made I had nearly completed my statement. I should like to conclude by focusing upon several provisions in the bill.

First, I refer again to the fact that power and authority to give away the Federal dollars will be vested under this bill in a czar, to be appointed by the President—one individual—and this appointment under the bill will not even be subject to confirmation by the Senate. This czar will have authority to make grants not only to groups and organizations, but also to individuals—those individuals whom he considers to be artists.

I should also like to focus the attention of the Committee on another provision. There are two Davis-Bacon type provisions in this legislation. One, section 5(k) refers to laborers and mechanics employed by contractors in connection with the construction of facilities. That is the usual and the familiar Davis-Bacon provision relating to construction which we have seen in other legislation. My objection does not go to that particular provision.

However, look carefully at section 5(g), the language at the bottom of page 11, line 22, which reads in part as follows:

> It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel * * * employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities.

This is a novel and a unique provision. It goes far beyond the traditional Davis-Bacon concept which applies to laborers and mechanics employed on the construction projects and under this provision the Secretary of Labor will determine the minimum compensation to be paid to performers in the arts. Members should note that the provision does not say "the prevailing minimum rate in the area or the locality." It says the "prevailing minimum compensation for persons employed in similar activities."

Imagine what will happen in the case of small-town theater groups. Many of those groups are interested in this bill, and they will eagerly seek Federal funds under it. If such a group does win the favor of the arts czar, then the Secretary of Labor will have the sole authority to determine the minimum compensation to be paid to the stars and to all of the supporting actors and other performers. Under the bill, such a small-town theater organization would have no appeal from a determination by the Secretary of Labor setting such compensation rates. Such a provision should not be in this bill.

Mr. Chairman, a French philosopher once made the observation that "the only artist who does not deserve respect is the one who works to please the public for official success."

I should like to quote from the writings of a distinguished American art critic. In his book, "Modern Art," Thomas Craven wrote:

> Paris, in 1900. was the charming hostess to all nations, but what was she doing for the artists? * * * It is fitting at this point to enumerate her heroes and record her official attitude toward the men whom she disobligingly neglected.
>
> At the (official) exhibition, contemporary art was lavishly displayed in the Grand Palais, occupying 10 rooms. * * * The honors went to artists glorifying bourgeouis ideals of saints and nudes * * * while the critics voted for Bouguereau, Dagnan-Bouveret and Gerome.
>
> Not a single artist of real merit was invited: not Renoir, Cezanne, Degas, Monet. Gauguin, Toulouse-Lautrec, or Seurat. * * * These men were suspect—they were supposed to hold subversive opinions and dangerous sentiments. * * * Official France could not appreciate the simple posters of the impressionists. She cannot appreciate them today. She judges artists, not by their pictures, but by their morals and their politics.
>
> The sculptors fared no better. There was plenty of room for the Joanne of Arc sculptors, but there was no room for Rodin.
>
> The impressionists, snubbed by the state, sold out to farsighted dealers like Durand-Ruel through which agency the poorer works of Monet and the specialists in sunlight dribbled slowly into America. The best canvases, like wines, were put away against a rising market. Cezanne, slandered beyond endurance, his masterpieces in storage, re-

tired in 1900 and died in 1906 to the great relief of the peasants. Van Gogh, one of his few supporters, shot himself in 1890; and in 1903, Gauguin's miseries were ended. Toulouse-Lautrec, the devil's advocate, concluded his Bohemian passage in 1901. A year before his death, he was being imitated by a young Spaniard on his first visit to Paris. The young Spaniard was Pablo Picasso.

Mr. Chairman, this bill, which received only 15 minutes of attention in the Committee on Education and Labor, should be recommitted to that committee for further study.

Mr. THOMPSON of New Jersey. I yield to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Chairman, on the previous automatic rollcall on the motion to recommit with instructions, dealing with the Economic Opportunity Act, I was unavoidably detained from being on the floor. Had I been here, I would have voted "nay."

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Alaska [Mr. RIVERS].

Mr. RIVERS of Alaska. Mr. Chairman I rise in support of H.R. 9460, a bill that would establish a National Foundation on the Arts and the Humanities, including appropriate national endowments and advisory councils. Last year the highly esteemed Commission on the Humanities issued a report calling for the establishment of a foundation such as that envisioned here to do for the humanities and arts what the National Science Foundation has done for the sciences. This year I was proud to be among those who introduced legislation to establish such a Foundation. Today I am pleased to give my support to this bill.

In these times when we stand ready to seize what our late President Kennedy called "the burden and glory of freedom," it is essential that we develop the capacity to live meaningfully and responsibly in an unpredictable and complex civilization. To simultaneously shoulder the burdens and achieve the glories of freedom and democracy, we must have a humane and enlightened society. To accomplish this we must of necessity look toward the humanities—those studies which preserve and develop our human values—those studies concerned with the quality and spirit of human existence.

The vital importance of the humanities for our lives and times is obvious. Yet, what is the state of the humanities in America today? Sadly, we know they are neglected. We know there is an ever widening schism between the scientific and humanistic studies. The affluence of the sciences has made them most attractive to students, thus depleting the ranks of potential scholars and teachers in the humanities. As a result, the respectable, but relatively "poor" humanities lack the resources to provide the prestige and wide influence so critically needed today.

The proposed Foundation would have as its purpose the development and promotion of a broadly conceived policy of support for the humanities and the arts, but could not attempt to direct, control, or otherwise influence the scholarship, teaching, research or artistic endeavors it supports. The term "humanities and the arts" is broadly defined and inclusive in character. Among the Foundation's major functions would be the awarding of scholarships and fellowships and grants for research and for creative work and performance in the humanities and the arts. In summary, the Foundation would redress to a degree the imbalance in prestige and finances with which the sciences have been favored, upon the premise that languages and literature, history and philosophy, and the visual and performing arts are as important to the progress and fulfillment of mankind as a science.

I am pleased to say that legislation to establish a Foundation on the Arts and Humanities has the support of Alaska's leading educators. Shortly after I introduced H.R. 358, very much like H.R. 9460 in purpose, Dr. William R. Wood, president of the University of Alaska, wrote me to express his enthusiastic support of such a Foundation, and soon thereafter forwarded to me a supporting letter from a faculty committee of the College of Arts and Letters of the University of Alaska, as follows·

UNIVERSITY OF ALASKA,
College, Alaska, February 1, 1965.

DR. WILLIAM R. WOOD,
President, University of Alaska,
College, Alaska.

DEAR PRESIDENT WOOD: Responding to your suggestion, the committee appointed by Dean Charles J. Keim, of the College of Arts and Letters, University of Alaska, offers the following statement in support of H.R. 358 and related bills:

"We, the undersigned of the faculty of the College of Arts and Letters of the University of Alaska, strongly support and feel a great need for Federal legislation and aid for the humanities, which have been sorely neglected in the past. We are especially gratified by the introduction of H.R. 358 and we strongly urge its careful consideration and passage. The proposed National Humanities Foundation as a corollary to the National Science Foundation should provide America with the much-needed humanistic values to supplement its accelerating technological advances.

"Apart from its national benefits, the proposed National Humanities Foundation would be especially significant for the State of Alaska. It would enable us to exploit more fully our specific geographical position which up to now has been utilized primarily by the natural sciences. It would make it possible for us to explore culturally the huge area of the North Pacific (northern Japan, Alaska, Northwest Canada, and, if possible, Siberia). It is anticipated that in time work in the North Pacific region would be closely associated with comparable educational activities in far-northern Euro-Asian countries adjacent to the Arctic Ocean—Scandinavia, Greenland, Iceland, and northern Russia. In the understanding of cultures and civilizations in this specific area, Alaska would become a natural center for new international exchanges. Technological contributions from the natural sciences here have much such cultural interchange feasible but it requires the humanistic endeavor to utilize it fully. Consequently, the contribution Alaska can make in the area of the humanities is a considerable one, particularly in regard to its multiracial population (Indian, Eskimo, Aleut, Russian, Japanese, etc.) and their values, traditions, languages and cultural achievements. Furthermore, Alaska would serve as a laboratory for studying man's spiritual values under extreme climatic and geographical conditions. Once established, the National Humanities Foundation would present new opportunities to Alaska and its people for self-expression, which would take place under the banner of international and interracial understanding."

RUDOLPH W. KREJCI,
Chairman of the Committee,
Assistant Professor of Philosophy, Head.
DONALD L. KAUFMANN,
Assistant Professor of English.
WALTER J. BENESCH,
Assistant Professor of History and Philosophy.
WARREN W. OTTEMILLER,
Assistant Professor of Art.

Committee of the College of Arts and Letters, University of Alaska, representing: Department of Art, Department of English, Department of Journalism, Department of Linguistics and Foreign Languages, Department of Music, Department of Philosophy, and Department of Speech, Drama, and Radio.

Mr. Chairman, the establishment of a National Foundation on the Arts and the Humanities to foster the arts and humanities is in the national interest. I urge passage of H.R. 9460.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I rise in support of this bill to establish a National Arts and Humanities Foundation. The need is becoming increasingly clear for such a foundation that can help to bring to bear more effectively the Nation's intellectual and artistic resources on the problems of man.

Last February I stated here that the creation of such a foundation "will take a monumental step toward achieving the goal of establishing the mind on an equal footing with matter."

This is necessary, not because of some vacuous concept of a race between the sciences on the one hand and the arts and humanities on the other. Nor is the necessity based on some idea of correcting a discrimination against the humanities.

The assistance given the sciences through the offices of the National Science Foundation is worthy and necessary. The need for similar assistance to the humanities and arts grows out of our certainty that man must know more about himself and his relationship to other men and his world.

The need is more pressing each day. For example, this is an age of specialization. Even the generalist is now a specialist at being a generalist. As each of us is drawn by the demands of occupational competence and the burgeoning body of knowledge into our own little cocoon of specialization, the very concepts with which the arts and humanities deal can atrophy.

And what are these concepts. They are the truly "big ideas" that man has contemplated and wrestled with since the beginning of enlightened civilization. They are concepts dealing with truth, God, beauty—concepts that provide the foundation and justification of man's very existence.

Without the guiding principles developed and examined and constantly interpreted and reevaluated by the humanities, man may very well be able to create ways to "get there" faster but will ultimately fail for the lack of having any meaningful place to go.

I cannot share the alarm of some, that ours is a decadent society bereft of values and goals. But I am deeply concerned that we never allow that decay to begin. The great civilizations of this world have all established their place in history not merely as great military powers, as great centers of commerce or as nations possessed of scientific and technical knowledge. They have also given the world superb achievements in art, music, history, the theater, literature, philosophy, and statecraft. We are a great nation. But, we have not reached our potential. The world is moving with such rapidity that today we must pay heed to all the aspects of our society to insure that each facet grows with the expansion of the whole.

The humanities and all they encompass; the arts in all their manifestations, must thrive. This bill, providing for a National Foundation of the Arts and Humanities, gives impetus and encouragement from which, hopefully, all mankind will benefit.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Chairman, I am pleased to add my voice to that swelling chorus of distinguished Representatives of this House in support of the proposed National Foundation on the Arts and the Humanities.

It seems to me that the time is long past when we as a Nation can assume our inherited role of world leadership without giving leadership in every area of human endeavor; that is to say, in those matters of the intellect and of the spirit as well as those matters of the physical world about us. Surely the great nations of the past have given equal attention to these two great realms of activity.

President Johnson, in transmitting the proposed bill as a part of the administration's specific legislative proposals, stated:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

Similarly, President Eisenhower's Commission on National Goals stated in its 1960 report:

> In the eyes of posterity, the success of the United States as a civilized society will be largely judged by the creative activities of its citizens in art, architecture, literature, music, and the sciences.

The arts and the humanities on one hand, and the sciences on the other, are inextricably bound together since they both represent part of man's unending search for the true and the beautiful. That the Congress has heretofore given such strong support to the sciences to the virtual exclusion of the arts and the humanities means only that we of this Congress share the inescapable responsibility to correct this imbalance in our national effort.

The proposed Foundation is important not only for this primary and most compelling reason of balance in our total Federal programs, but for other reasons as well. For example, the Foundation would give new and greatly needed incentives to faculty members in all areas of the arts and humanities who have felt in the recent past that the Federal Government cares only for the needs of the physical sciences. Whether we have intended it or not, the artist and humanist among our teachers and scholars has been forced to assume the role of a somewhat second-class citizen. As a result, many of our potentially brilliant students in the arts and the humanities have elected to follow other career fields in which the rewards and recognition could be considered more sure.

To those who say that a Federal agency for support of the arts and the humanities means control over these areas of our national life, I would point out that our experience in both municipal and State support has shown that this is definitely not the case. In those States where a State agency has been established in support of the arts—New York is a prime example—programs have flourished without a trace of government control over the content of these programs. The same can be seen many times over in cases involving municipal support of the arts. Our cities have granted assistance to such institutions as symphony orchestras and museums without attempting to exercise control over their programs or contents. Moreover, creation of a Federal agency devoted to the extension and improvement of the arts and the humanities in all aspects of our national life would provide incentives for the creation of comparable agencies at the State and local levels throughout the country. And the Federal Government can provide the needed leadership in this regard without inhibiting artistic or scholarly effort in any way. In point of fact, the bill under consideration is unmistakably clear on this issue. Section 4(c) states:

> In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

In conclusion, let me say that I am entirely convinced of the rightness and the need of this proposed legislation. More than that, I am convinced of its absolute inevitability. Frankly speaking, I want very much to have been a Member of the Congress which enacted the first legislation of this scope affecting the arts and the humanities. And I feel that each of you likewise will want to look back on this session as the one which, in addition to its broad achievements in other fields, first gave overdue and merited recognition to the place of the arts and the humanities in our American society. Failure to take action now in this area of our national endeavor will give a hollow sound to many of our other bold programs for the betterment not only of our own country but of the world.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado, [Mr. McVicker].

Mr. McVICKER. Mr. Chairman, the first bill I introduced when I came to the Congress last January was a measure to establish a National Humanities Foundation and to provide Government support for humanistic endeavors. I felt then, and I feel now, that this is a proper area for Federal participation; an area which any nation aspiring to leadership in the world community cannot afford to neglect.

I therefore wish to associate myself with many of my esteemed colleagues in endorsing the more comprehensive measure now before the House to "promote progress and scholarship in the humanities and the arts."

The point has been made repeatedly that we have concerned ourselves with scientific and material progress to the exclusion of spiritual values. I do not think anyone will dispute the desperate need for moral guidance and leadership in a confused and uncertain world. Such leadership is not altruism. It is national self-interest.

The nourishment of the mind and the spirit has become as important to our national welfare as technical assistance. Progress in human relations has lagged far behind modern scientific advances.

The wisdom democracy demands of the average man is obscured by intolerance, bigotry, and ignorance.

Our best hope for today and for the future is to reconcile the eternal conflict between man and "thing" and to restore the humanity of man.

The arts are fundamental to man's being. Through the ages, man has attempted to grasp and communicate the meaning of life through art. It gives form and meaning to the increasing complexities of living.

The humanities are equally basic. The future of democracy, freedom and man himself depends upon maintaining and developing the creative and imaginative abilities of mankind.

It goes without saying that the Government can never legislate into being a lively cultural life, for true expression cannot be achieved except in an atmosphere of independence and freedom.

The Government can, however, help to create such an atmosphere. That is the goal and the purpose of this bill. In fostering and encouraging individual creativity, we can contribute to the elevation of all human values. And it is ultimately the human values which are the universal values, with the power to unite mankind and shape its destiny.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. Hechler].

Mr. HECHLER. Mr. Chairman, I am very proud to be one of the sponsors of this very vital piece of legislation, through the introduction of H.R. 10705.

I have listened with great interest to the debate this afternoon, and I am quite surprised to hear several speakers state that the United States cannot afford to assist the arts and humanities. That attitude strikes me, if I may paraphrase a famous statement delivered in 1796 by Ambassador Charles C. Pinckney: "Billions for defense, but not 1 cent to contribute to the arts and humanities."

This bill is long overdue, Mr. Chairman. It represents a cultivation of the best spirit in our country. As a member of the House Committee on Science and Astronautics, I have watched the gap grow between Federal support of the natural sciences and the arts and humanities. We have tended to forget, in the pressure drive since the launching of sputnik, that there are many precious values in America that are being starved and neglected. The truly American spirit is the spirit of quality, the spirit of excellence, and the spirit contained in creativity and all that implies.

One of the easiest things to do in this House is to poke fun at the development of the arts and humanities. But in doing so we are hurting our Nation and hurting ourselves. I am proud of the efforts of the supporters of this legislation on both sides of the aisle, and I am very pleased to join in working with them in order that the American dream may be realized.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, this bill is before us today primarily because of the great legislative leadership of the gentleman from New Jersey, the chairman of the subcommittee [Mr. THOMPSON], and his subcommittee. But, Mr. Chairman, it is here today also because of the grassroots support for this legislation across the Nation and in the Congress.

Mr. Chairman, during this Congress some 114 Members of this body on this side of the aisle introduced one or more of the various bills to establish a national foundation to promote the arts and the humanities.

One reason that this legislation has more cosponsors than any other before this Congress is that this legislation is designed to help to rectify a situation created by Congress.

Year after year, Congress after Congress, we have voted millions and billions of dollars for scientific research and education.

And we were right to do so.

The Department of Defense wanted money for research and technology; so did NASA and the National Institutes of Health.

And we gave it to them and we were right.

But, to the young people of this Nation have we indicated that the Nation is interested only in scientists?

And in Congress after Congress we were concerned about, we debated about, and we adopted, programs to improve the material, the economic lot of Americans. We voted for the tax cut and the war on poverty, full employment and area redevelopment.

And we were right to do so because economic security is second only to national security in importance to the Congress.

But, to the young people of this Nation have we indicated that material wealth is the only goal of life?

Today, Mr. Chairman, we can do a little toward righting the imbalance between science and technology on the one hand and arts and letters on the other.

Today we can say to all Americans, but to young Americans in particular, we are interested not just in the quality of your goods, but more importantly in the quality of your lives.

The distinguished historian Arnold J. Toynbee has said:

> Man is astonishingly good at dealing with the physical world, but he is astonishingly bad at dealing with human nature; therefore, an inch gained in the understanding of and command over human nature is worth a mile in the understanding of and command over physical nature.

I urge you to take the first step toward gaining that inch by voting today for H.R. 9460 to establish a National Foundation on the Arts and Humanities.

Opponents of this legislation have raised the specter of Government control of arts and letters.

Let us face the issue squarely.

First. Government control of what? Of the Foundation?

The Chairmen of the two endowments and the members of the Federal Council would be, more or less, of Government; but the 26 board members of each of the two endowments would be very independent of Government and hopefully men of stature sufficient to withstand any improper pressure.

In order to give the Foundation an added measure of independence, section 10(a)(2) authorizes the Foundation to receive private donations and section 11(b) seeks to inspire such gifts by authorizing additional appropriations to match private donations.

Thus in the National Arts and Humanities Foundation we are creating not an institution of Government but an institution designed to be able to talk back to Government.

Therefore, if it be not control of the Foundation, then the fear must be of control by the Foundation of those institutions and individuals assisted by the Foundation.

Again we look first to the boards of the two endowments who are to be persons eminent in the fields of humanities or the arts. In a fight between Government and educators or artists, such persons would almost assuredly be on the side of academic and artistic freedom.

But let us look at the bugaboo of Government domination from the standpoint of the freedom of the institutions and individuals to be assisted.

If we look at it this way, I submit that the creation of a National Arts and Humanities Foundation will add to, rather than take away from, the freedom of the institutions and individuals.

We do not propose the creation of a monolithic structure of aid to education and culture.

On the contrary, we propose an addition to a pluralistic system of support for education and the arts.

The old saying is: "He who pays the piper calls the tune."

But, I submit to you that, if there are enough people willing to pay the piper, he can select his own tunes. That is the meaning of this addition to our pluralistic system of support for the arts and letters.

Mr. Chairman, I submit that enactment of this legislation will add to, rather than detract from, the freedom of men and women of arts and letters.

Finally, Mr. Chairman, some opponents question the complexity of the structure of the Foundation.

To a degree I share their sentiments. If I could disregard the facts of history, I would prefer one single foundation of learning and culture into which science, arts, and humanities would be poured so as to do as much as possible to bridge the gap between what C. P. Snow calls the "two cultures."

The facts of history, however, are real and the humanists and artists were concerned that they would be swallowed up if, newborn on the Government scene, they were, in effect, made part of the 15-year-old National Science Foundation.

The first alternative was to establish one foundation with jurisdiction, without distinction, over both the arts and the humanities. At this point, the men of arts felt that they would be outnumbered and swallowed up by the men of letters.

The next alternative was to establish two seperate and distinct foundations—one for the artists and another for the humanists. There were several objections to this idea. First, two foundations would be just as, if not more difficult to administer than the two endowments contemplated in H.R. 9460. Second, two separate smaller foundations would be less able to match the prestige of the single National Science Foundation. Third, it would mean a further and unnecessary fracturing of our learning and culture. Finally, and most important it would not recognize the interrelated importance of the arts and humanities to our civilization. The arts and humanities not only give us what is beautiful to see and hear but they also teach us what to look for and listen for. And it is important that an audience know these things. A great civilization needs the man who communicates to us in paint—but it is a greater civlization which can understand that communication to the fullest. And that understanding inspires the artist to even greater heights of creativity.

I conceive it to be a central function of a National Arts and Humanities Foundation to promote excellence in the creation and the understanding of art in America—to develop a great audience for great creative artists.

As Walt Whitman said of poetry:

> Poetry like a grand personality is a growth of many generations. To have great poets, there must be great audiences, too.

Or as T. S. Eliot said:

> A religion requires not only a body of priests who know what they are doing, but a body of worshipers who know what is being done.

H.R. 9460 is designed to accomplish these objectives, at the same time meeting the objections of the men of arts and the men of letters.

It recognizes the principle that there should be one foundation of prominence and visibility equal to that of the National Science Foundation to indicate that our Nation is not exclusively dedicated to the very important fields of science and technology.

H.R. 9460, however, would also recognize that, in the nonscientific fields, there is a difference between the practitioners of the arts and the teachers of the arts and humanities. For that reason the bill creates, under the one roof of the Foundation, two national Endowments, separate in their operation and budget—one for the arts and the other for the humanities.

To coordinate the activities of the two endowments not only with each other, but also with other related Government activities, the bill creates within the Foundation a Federal Council on the Arts and Humanities composed of Government officials having responsibility in this area. The members of the Council are the Chairman of the Arts Endowment, the Chairman of the Humanities Endowment, the Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, and a member designated by the Secretary of State. The inclusion of the Director of the National Science Foundation constitutes a symbolic bridge between the "two cultures."

This bill, this structure, has, in general, the approval of men of arts and men of letters. It has bipartisan support in the Congress. This legislation has the support of the President of the United States, who, in transmitting it to the Congress, said:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

Mr. Chairman, to secure that "honored place" I urge my colleagues to support this bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I compliment the gentleman on his excellent statement. As a personal friend, it is a pleasure to say that we in Pittsburgh are proud of Representative MOORHEAD because of the leadership that he has taken in developing his bill on the humanities, embodied in this legislation and we hope he is successful in the future in working for further progress along these lines.

May I inform the House that Duquesne University of Pittsburgh in June 1965 has awarded Congressman MOORHEAD, of Pittsburgh, a doctor's degree in the arts and letters because of his sponsorship and development this legislation. The applause of the House is well merited.

Mr. MOORHEAD. Mr. Chairman, I thank my colleague for his kind words.

Mr. GRIFFIN. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, America's evolving panorama is pulsating and dramatic. Our space exploration program has surpassed the wildest dreams of yesteryear. Our achievements in weaponry and defensive mechanisms continue far beyond what was considered the ultimate only a short time ago. Our progress in transportation would tax the imagination of a modern Jules Verne.

New and improved products move off assembly lines with almost monotonous velocity. Roadbuilders can scarcely keep ahead of the increasing volumes of automobiles, now appearing at the rate of 9 million units per year. Shopping centers rise almost overnight in areas only recently desolate. Electric power lines thread their way in every direction to bulging cities and emerging rural communities.

It is exciting and stimulating to watch America move forward, but only those who will not look can fail to see the dangers that walk hand in hand with the pace in which we are living. Not every individual is physically and mentally able to cope with the tension that comes with high-speed industry and high-speed society. Adding to the confusion is the uncertainty of world relations plus the pitious echos of bomb and artillery blasts from far away Vietnam.

Congress has provided amply for science and industry to reach new heights in the space program, for the domestic economy to absorb the requirements of an expanding population, for the military to carry out the operations necessary to the defense of the country. But I question whether we can consider our work complete unless we move now to repair a long-neglected phase of American life.

On March 15 of this year I introduced H.R. 6285, to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States. Numerous other bills akin or identical to H.R. 6285 have also been offered, and I would suggest that this Congress will be remiss if it fails to take affirmative action before adjournment.

Mr. Chairman, in our emphasis on the sciences, we have failed to provide encouragement of talents and interests that are basic to lifting the soul of the individual and improving the culture of a society. The facilities for bringing good music and drama to our communities, for instance, are extremely limited. Even in larger cities where spacious outdoor bowls and parks are available, box office prices are usually necessarily beyond the reach of many of those who crave such entertainment for their families.

H.R. 6285 would stimulate private philanthropy and State activities for cultural endeavors, and it would lead the way in providing humanistic studies and a pursuit of the arts for the poor as well as the rich in small communities as well as in large population centers.

Last June 27 Larry Wolters, columnist for the Chicago Tribune, devoted his daily contribution to Franklyn MacCormack, a midwest radio favorite on WGN for the past 35 years. These paragraphs are from that article:

> In a day when poetry has become anathema to many people, especially young ones, MacCormack's tremendous popularity rests largely on his gift at reading verse. His most popular item continues to be "Why Do I Love You," first recorded with Wayne King 24 years ago. Other favorites are "An Old Sweetheart of Mine," by James Whitcomb Riley, "September Song," and "When the World Was Young," done as poetry readings rather than songs. There are hundreds of other favorites including Elizabeth Barrett Browning's "How Do I Love Thee," from "Sonnets From the Portuguese," Kipling's "If," Bryant's "Thanatopsis," and "The Face on the Bar Room Floor."
>
> MacCormack appeals to the ailing, the shut-ins and even persons who threaten suicide. He kept one would-be suicide talking and going until dawn when he found surcease in a church.

The MacCormack program also features hit music from musical shows, durable songs, dance music, and polkas. But, according to Larry Wolters:

> No matter what the requests, he plays no "junk" music, as he calls rock 'n' roll.

It is most unlikely that the works of Riley or Kipling, a solo by Galli-Curci or Pinza, an orchestral number by Toscanini or Kostelanetz, or even the "Pennsylvania Polka" by Lawrence Welk could be heard above the din of ear-splitting toots and screeches that taunt youth with unbarbered manes to perform jungle gyrations, but America must plan beyond the generation-a-go-go. When young children are exposed to good music, poetry, and plays, the impression will carry through into adult life and bring a better appreciation of the arts.

The urgency for legislation is succinctly explained by Archaeology magazine in its appeal for support of a bill for a National Humanities Foundation offered by a colleague in Congress:

> As in any contest worth entering, the stakes are high—in this they are our national prestige, our spiritual life, our survival as a cultural entity.

Mr. GRIFFIN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman, I rise in strong support of H.R. 9460, which would establish a National Foundation on the Arts and the Humanities. I believe that this is an important step forward and an important bill. I would, however, confirm what my colleague, the gentleman from Michigan has recently said, that the bill was accorded very rapid treatment and consideration in the full committee. Having said this, however, I would pay particular tribute to the gentleman from New Jersey [Mr. THOMPSON] for his leadership, his thoughtfulness and his courtesy in the way the bill was handled in subcommittee. Would that the full committee had treated the bill with the same degree of time and care.

As regards the substance of the bill, I think it is clear that the arts and humanities deserve greater recognition and support at the national level, and that what we do on this bill and in the arts generally in the United States will reflect the quality and the excellence of our civilization.

Mr. Chairman, the purpose of the National Foundation on the Arts and the Humanities which this bill would establish is to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States.

The National Council on the Arts through its endowment would provide matching grants to groups and to individuals engaged in the creative and performing arts for the entire range of artistic activity, including construction of necessary facilities.

The National Council on the Humanities and its foundation would provide nonmatching grants and loans for research, award fellowships and grants to institutions or individuals for training, support publication of scholarly works, provide for the interchange of information, and foster understanding and appreciation of the humanities.

It should be noted, Mr. Chairman, that the maximum appropriation authorized for each of the first 3 fiscal years under this bill would be $21 million per annum.

This is a clear step forward, but I think it might be interesting to compare this sum with the amount spent by other countries to promote excellence in the arts.

In 1965 the Arts Council in Great Britain received $8 million. The total Federal and local subsidy in West Germany for repertory theaters and opera houses alone was $37,500,000 in 1961. The Canadians plan to raise their subsidy from $3 to $6 million—this is equivalent to an American expenditure of $60 million, or three times the figure per year proposed in this legislation.

It is very clear that the costs in the arts are going up very substantially. The Rockefeller Brothers Fund Report, "The Performing Arts: Problems and Prospects," points out that a tremendous expansion has taken place in the arts in the past two decades, but almost all of this expansion is amateur. By way of rough illustration, the recent total of 1,401 symphony orchestras is more than double the number existing in 1939, but only 54 are composed predominantly of professional musicians.

This is also true in the theater. At one point in America, in 1927, there were some 590 commercial theaters. This today has dropped to about 200, although the number of theatrical enterprises in general has risen 15 percent in the last 10 years.

The costs on Broadway illustrate the problem further.

In the 1930's a straight play produced on Broadway cost about $25,000. Today the costs are probably a minimum of $100,000, quadruple what they used to be.

It is very clear that in terms of private philanthropy the same sources that existed are no longer adequate to meet the needs of today. Mr. Chairman, the arts receive less than 3 percent of the corporate philanthropic dollars.

Further, there is recognition at the State level of the importance of art councils.

The New York State Arts Council, for example, which was established in 1961, provided assistance to some four professional companies, giving 92 performances in 46 different areas of the State. The cost to the State was $330,000. In 1963 some 57 professional companies gave 224 performances in over 88 locations. The cost to the State was $166,800. Although the number of performances tripled and the number of locations doubled, the cost was reduced by half because communities had absorbed a large part of it. Adequate financial stimulation by public sources will lead to greater public participation.

Mr. Chairman, many other States are doing the same thing and it is clear that the States throughout America recognize their responsibility at that level.

Here, I believe, we are concerned with what can be done at the Federal level. It is very clear in the statement and declaration of purpose of the bill that the Congress is concerned with the encouragement and support of national progress and scholarship in the humanities and the arts, but recognizes that while it is primarily a matter for private and local initiative, it is also an appropriate matter of concern to the Federal Government.

Now, Mr. Chairman, there is one principle, aside from the broad question of support for the bill, and it is important to the country, and this is the question of autonomy for the arts.

Mr. Chairman, I happen to be one of those, as the Members perhaps know, who has cared particularly about the freedom of the press. I have been equally concerned with freedom for the arts and with autonomy for the arts.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GLENN ANDREWS. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. REID of New York. The Congress, I believe, should take a very careful look at the question of autonomy for the arts.

I would ask the gentleman from New Jersey, the distinguished chairman of our subcommittee, if we might not have a little colloquy at this point on this matter.

First, I would state that this bill, H.R. 9460, lodges the authority in the several provisions of the bill with the two different chairman and not with the two Councils—the National Council on the Arts and the National Council on the Humanities. Am I correct in that, I would ask the distinguished gentleman from New Jersey?

Mr. THOMPSON of New Jersey. Well, to a very large extent; yes, in the respective chairmen. The respective chairmen, however, work under the direction of course and in connection with the respective Councils.

Mr. REID of New York. I would say to the distinguished gentleman from New Jersey that the bill as I read it is quite clear, that the chairman acts with the advice of the several Councils, but not with their approval.

Mr. THOMPSON of New Jersey. Mr. Chairman, if the gentleman will yield, on page 14, beginning with line 8 of the bill, there is this language:

> The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unles the Council fails to make a recommendation thereon within a reasonable time.

In my prepared remarks I have explained what "reasonable time" means.

Mr. REID of New York. My concern, however, as the gentleman knows, is that "recommendation" and "advice" are not the same thing as "approval."

Mr. THOMPSON of New Jersey. I agree.

Mr. REID of New York. I would call to the attention of the Members the experience of Great Britain, and I think it is not without some relevance. In Great Britain the Council on the Arts very clearly has the power lodged with the Council, specifically, and I quote from the charter:

> SECTION 1. The Arts Council shall have full power by and in such name—
>
> (a) to sue and be sued;
>
> (b) to enter into contracts or agreements in furtherance of the said objectives of the Council;
>
> (c) to accept, hold and dispose of money or other personal property in furtherance of said objectives, including such sums voted by Parliament to that end;
>
> (d) to accept trusts * * *.
>
> (e) to invest monies and funds of the Council which are not immediately required to be expended in furtherance of the said objectives;
>
> (f) generally to do all other lawful acts whatsoever that may be conducive or incidental to attainment of the objects for which the Council is hereby established.

It is very clear that the principle in Great Britain is keeping the Arts Council totally separate from any degree of government control.

This point is made by several prominent individuals: Eric W. White, assistant secretary of the Council writes:

> The Arts Council is not a Government department. No Minister directs its policies or decides how, and to whom, its grants shall be made. There is no record of any civil servant requiring or directing, or even advising, the Council on what or what not to do, and if ever some action of the Council is criticized in Parliament, successive Chancellors of the Exchequer have invariably declared that they will not interfere with the Arts Council discretion.

Sir William Emyrs Williams, secretary general of the Council, states that the Council is "wholly free from state control of any kind." The Council divides the funds at its disposal "as it deems best."

Finally, Sir David Ormsby-Gore, former British Ambassador to the United

States, speaking at the fifth assembly of the American National Theater and Academy, said:

> The Arts Council decides to the best of its ability which organizations, musical or theatrical, are doing the sort of job which deserves support from public funds * * *; how much support they need to do that job properly; and how their claims compare with those of others. * * * The individual organization is then left to make its own best use of the money available. The Council, for example, does not choose plays to be performed.

"Commitment to Culture," a book by Frederick Dorian, makes the same point very clearly on page 382:

> The chairman of the Arts Council presides at all official meetings, but he is not the chief who can insist on specific artistic policies.

The question, therefore, it seems to me, is whether or not the Congress wishes to establish an Arts Council where the authority is lodged with the chairman, and not with the Council itself. I personally have the greatest confidence in Roger Stevens. I think we are fortunate that he is willing to serve, and I think his contributions to the arts are clear; however, we are concerned not with an individual but with a principle.

I would ask the distinguished gentleman from New Jersey what his view is with regard to the role of the chairman in the determination of grants and specific amounts of money to the several areas mentioned in the bill, whether it is a project or a production or a group or workshop. I believe this should be done with the approval of the appropriate council.

Mr. THOMPSON of New Jersey. I feel that the council should, and indeed I think it will approve the ultimate action to be taken by the chairman. As the gentleman knows, and I might say our viewpoint is different on this point and only on this point, I do not feel that the situation is such it need to be changed since the ultimate responsibiliy rests in the President's appointee. I recognize what the council of Great Britain does, but I do not think we have an analagous situation because of the differences in our form of government.

Mr. REID of New York. But I might ask the gentleman whether it is his conviction that grants should not be made without the approval of the several councils, and that it should be a joint command with as much autonomy for the councils as possible rather than the command of an individual.

Mr. THOMPSON of New Jersey. I agree with the gentleman. I think with the language in the legislation and in the report and further, as a result of this colloquy, the gentleman will find that without his amendment such would be the case.

Mr. REID of New York. As the gentleman knows, I have reserved the right to offer an amendment. I have not done so as yet but I will say if this matter has the significance that I think it does, sooner or later I believe circumstances will clearly suggest the need for an amendment.

Mr. THOMPSON of New Jersey. The gentleman is aware I know, that the Council must be very careful about several things here, specifically a Federal disclaimer and also we have been very careful to provide language which would require councils to report each year. They must come to the Committee on Appropriations and to the legislative committee and will be held responsible on a continuing basis in that manner.

Mr. REID of New York. I agree with the chairman, but merely state there is a difference between advice and approval.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to my distinguished colleague, the gentleman from New Jersey.

Mr. WIDNALL. In further reply to the gentleman from New Jersey [Mr. THOMPSON], if the word "advice" were changed to "approval" which would effect what the gentleman from New York is speaking of at the present time, is there any objection to this being done? Because it seems to me we would give really czaristic powers to the one who is administering this program if all he gets is the advice of this council and then he does not have to follow that advice.

Mr. THOMPSON of New Jersey. I will say to the gentleman that that proposal is new to me and before we get to the consideration of the bill under the 5-minute rule, I will be glad to discuss it with him and to see if we can work something out.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield to the gentleman from California [Mr. DYAL].

Mr. DYAL. Mr. Chairman, I rise to urge strong support for H.R. 9460, a bill which will act as a catalyst to start cultural and artistic development in our Nation to equal the tremendous growth of the new aerospace technology.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield to the gentleman from Ohio [Mr. MOELLER] 3 minutes.

Mr. MOELLER. Mr. Chairman, my position on H.R. 9460 is clear. I have introduced identical legislation and I urge the creation of a National Foundation of the Arts and Humanities. Since I introduced my bill, I have received excelent and encouraging reaction from my constituency in southeastern Ohio. The academic community has been particularly strong in its praise of this piece of legislation.

Today our country is in many respects the envy of free men and the despair of despots. Our economy is vibrant. Our scientific achievements have won the grudging admiration even of those who compete against us in the race to the moon. Our system of education, though plagued by weaknesses this Congress has begun to attack through historic and constructive legislation, is still a dynamic demonstration to the world of what a free society can achieve under the benediction of Almighty God.

We have spent millions upon millions in scientific research—and properly so. We have invested billions in national defense—and properly so. Here we have set high goals for ourselves, and we have been willing to pay the price for excellence.

But in the area of the arts and the humanities we are not distinguished for our excellence but for our neglect. We have lived too long as a nation to continue to tolerate a laissez-faire attitude toward such an essential element in our national life. Our neglect in the arts and humanities border on the scandalous, and our indifference is an indictment of our sense of values.

We shall not impoverish ourselves by supporting that which brings enrichment to the core of human life. If we are willing to restore and enrich the natural beauty of our land, we need to be more ready to support that which can offer inner beauty to those who dwell in the land.

To establish this National Foundation of the Arts and Humanities is to tell our nation and the world community that we believe that the arts and the humanities are no longer to be dealt with as a "fringe benefit" in our national life, but that we intend to devote our energies also to the support of those pursuits which lie at the very base of our being as a free and cultured people.

Our indifference is an indictment of our sense of values.

We do not want to impoverish ourselves by failing to support that which brings enrichment to the core of human life. If we are willing to restore and enrich the natural beauties of our land, we need to be more ready to support that which can offer inner beauty to those who dwell in the land.

Mr. GLENN ANDREWS. Mr. Chairman, I yield to the gentleman from New York [Mr. HORTON] whatever time he might require.

Mr. HORTON. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I am pleased to reaffirm my support for the pending bill to establish a National Arts and Humanities Foundation. It is a legislative proposal with which I have been involved from the opening day of this 89th Congress. In fact, during the last Congress, my colleagues will recall that I urged congressional consideration of similar measures.

This bill is important to America in a manner that is not easily defined, at least in terms of precise standards which we use for scientific purposes. But, it is this very condition of not being able to define with scientific precision the benefits of the bill that lends the legislation its true significance.

What we will accomplish with the approval of H.R. 9460 is the provision of Federal patronage and encouragement, as well as complementing and assisting regional and local programs for the furtherance of two creative capacities which help to distinguish our democracy and American way of life, namely, education in the humanities and professional performance in the arts. In many respects, the National Arts and Humanities Foundation to be established by this legislation would have a purpose paralleling that of the National Science Foundation. However, where the National Science

Foundation fosters development of scientific progress, the proposed National Arts and Humanities Foundation would give needed financial encouragement to mankind's nonscientific pursuits.

Especially from the character of the 36th Congressional District in New York State, which it is my honor to represent, I am aware of how much such a Foundation could mean. Rochester, N.Y., as I am confident my colleagues know, is a truly outstanding community of culture and education. We who are its citizens speak with pride when we discuss our universities, theaters, orchestras, and the other elements of education and creative art.

I might point out that there is a depth of understanding in the Rochester area on this legislation that is remarkable. Many of my constituents are serious students of its contents. I have had repeated opportunities to meet with groups and individuals in Rochester to hear their views on the need for our enactment of this legislation. Their reasoning I find very well founded and wholesomely dedicated to the enrichment of the life of all Americans.

As a Member from New York State, which is a leading light among the States of the Union in public support of the arts, I am particularly pleased with provisions in this legislation to make available special grants to those States which have organizations that are active in helping the performing and creative arts. Such a section strengthens considerably the value this measure will have in inspiring other levels of government to do their utmost in accomplishing the underlying purposes of a National Arts and Humanities Foundation.

Mr. Chairman, just as man needs spiritual sustenance, since he does "not live by bread alone," so it is my belief that our legislative mission today should sustain progress and achievement in the art and humanities, so that the Congress of the United States will be remembered for the benefits with which it helped give greatness to all aspects of our lives.

Mr. GLENN ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, I appreciate the time yielded to me. It might be partly justified because I had the honor of serving on the subcommittee during early consideration of this legislation, although before it was reported I left the Committee on Education and Labor.

I recognize full well the importance of the arts and humanities in our national life. The central question before us today is whether there is a Federal responsibility which should be met in the form in which this legislation is written.

First, I should like to deal briefly with the humanities aspect, and then devote most of the time available to the arts.

One of the arguments frequently advanced in behalf of a Federal foundation for the humanities is that the humanities have been slipping behind the sciences.

I wonder if that is a valid assertion. Many of us may assume that with the arrival of sputnik, the Federal money dumped into the educational channels to support higher education for the sciences resulted in a faster rate of increase of students devoted to this field than the humanities.

The opposite is the truth. When sputnik occurred, the rate of increase and the number of students devoted to science was on the increase at a rate higher than in the humanities. Curiously, since sputnik, that trend has reversed. Today the number and rate of increase of students entering and getting degrees in the humanities is higher than the sciences.

So I believe we would be amiss if we were to vote on this legislation on the assumption that the humanities are lagging behind the sciences in the field of higher education.

The facts are on the other side of the balance sheet. I call attention to this article which appeared in the April 5, 1965, issue of the Wall Street Journal:

HEALTHY HUMANITIES: LIBERAL ARTS ENROLLMENT SOARS, BELYING WORRIES OVER STRESS ON SCIENCE—RISE FAR OUTSTRIPS INCREASES IN TECHNICAL AREAS—DEMAND FOR SOCIAL SCIENTISTS UP—IS U.S. HELP REALLY NEEDED?

(By Alfred L. Malabre, Jr.)

Not surprisingly, the present freshman curriculum at Boston University's College of Engineering features such courses as engineering calculus and engineering drawing. A freshman entering the college next fall, however, won't take a single engineering course until his junior year. Instead, he will spend his first 2 years concentrating on history, English, and sociology.

The drastic change in the engineering curriculum at Boston University helps point up an intriguing paradox in U.S. education. Many politicians and educators are bemoaning the Nation's neglect of the humanities and social sciences—a broad area encompassing such nontechnical fields as literature, languages, history, philosophy, economics, sociology, and political science. Yet, mounting evidence indicates these subjects occupy a swiftly expanding scholastic role.

Not only are engineering and other science students getting greatly increased liberal arts training, as the change at Boston University suggests. In addition, the number of college graduates receiving degrees in the humanities and social sciences is sharply rising—far more steeply, in fact, than the number of science graduates.

AFTER SPUTNIK

Since 1957—the year Russia's first sputnik roared into space and the big push for more scientists got underway in the United States—the annual number of U.S. college graduates with degrees in the humanities and social sciences has soared nearly 50 percent to more than 376,000, according to Government tabulations. In the same span, the total of science graduates has risen less than 20 percent, to not quite 126,000 a year. The recent trend is still more intriguing if one considers that in the 4 years before sputnik the picture was reversed; science graduates climbed some 30 percent while nonscience graduates increased only 23 percent.

In view of the record of recent years, how can the current fretting about the neglected humanities be explained?

There's no doubt about the concern, official as well as private. Last month President Johnson asked Congress to provide over $10 million yearly for liberal arts and to establish a National Foundation on the Arts and Humanities similar to the 15-year-old National Science Foundation. About the same time, a report by the Rockefeller Bros. Fund lamented the condition of the arts in the United States and urged increased financial aid.

Roger L. Stevens, President Johnson's special asssistant on the arts, voiced the view of many officials during a recent speech before a convention of educators in Chicago: "In this day when science is the apparent god in the United States, and the attention of the people, educators, and the Government is primarily pointed in that direction, the humanities seem to be neglected both in education institutions and in the attention of the public."

AN EDUCATIONAL IMBALANCE?

Much of this sort of fretting reflects understandable concern that post-sputnik measures to increase science study, such as the National Defense Education Act of 1958, have gone too far. In fact, those who hold this view contend, a serious imbalance has developed in U.S. classrooms, with too much stress on technical science subjects and too little on the broader humanities and social sciences.

The amazing feature of this concern is that those expressing it often appear unaware of the swift rise in nonscience degrees. For example, Presidential aid Stevens admits surprise when informed of the post-sputnik breakdown of degree holders.

What factors are behind the expansion of the nonscience sectors of U.S. education?

Part of the answer appears to lie in the basic economics of supply and demand. Engineers provide a case in point. Roughly 6 of every 10 engineers in the United States are tied directly or indirectly to defense work. During the early 1950's, defense spending climbed sharply, but in recent years these outlays have leveled off. The result is that industry demand for engineers is now moving upward at a much slower pace than formerly.

IMPACT OF CUTBACKS

"There's no question that publicity about defense cutbacks may have deterred some undergraduates from studying engineering, as well as some other scientific professions," declares Logan Wilson, president of the American Council on Education, a Washington-based federation of scholastic associations and institutions.

Recent surveys by the College Placement Council show a shift of industry demand toward nontechnical degree holders. This year, according to the Placement Council, seniors trained in nontechnical fields have received 33 percent of recruiters' job offers, up from 23 percent last year and only 16 percent 2 years ago.

A recent issue of the New England Business Review, published by the Boston Federal Reserve Bank, reports there are roughly two jobs available for every college graduate in economics. "Economists with doctorate degrees are even more scarce," the publication states. Liberal arts teachers, social workers, and linguists are among other nonscientists who are increasingly scarce, various surveys indicate.

Campus recruiters still generally offer higher starting salaries to science-trained collegians. The average starting salary of $627 monthly offered to a bachelor's degree candidate in engineering, for example, remains well above the average $485 monthly offered to his counterpart in the humanities and social sciences.

However, undergraduates show growing awareness that although the physicist or engineer initially commands more pay, the gap tends to narrow, or even may close, as time passes. Example: Half of graduate engineers earn less than $11,325 yearly, actually below the median income of $13,000 a year paid the Nation's economists.

Many educators report that companies, even for the most esoteric science jobs, display an increasing interest in graduates who have received at least a modicum of the liberal arts. There's considerable feeling, in fact, that the "well-rounded" science graduate, who knows his Euripides as well as his Einstein, stands a far better chance of eventually breaking into top management than the graduate of equal scientific skill who knows little of the humanities.

"More companies are looking for the well-rounded engineering graduate," reports an official at Boston University's engineering college. "This represents a definite shift in company thinking, and certainly is connected to the changes in our curriculum."

Programs such as the one planned at Boston University's engineering college also reflect the increasing role of graduate schools in providing specialized training for physicists, chemists, engineers, and the like. Under its new program, a Boston University official concedes that "we simply won't be able to provide as much engineering." But, he explains, "this can be done later at graduate school."

As U.S. affluence continues to grow, mounting numbers of students are finding it financially possible to go on to graduate work. Since 1957, the number of students gaining a master's degree each year has leaped about 50 percent, to nearly 93,000 last year.

Economic factors don't entirely explain the steep rise in nonscience degrees. A major reason appears to be the spectacular increase in women on the campus in recent years. In the past decade, the annual number of women freshmen entering U.S. colleges has soared 83 percent, dwarfing the rise of 57 percent for men. An unusually high proportion of the girls study for liberal arts degrees.

"The pressure for women's higher education seems to have become mainly a pressure for liberal arts education," says Paul L. Ward, president of Sarah Lawrence College.

The rise of nonsciences, some observers believe, also may be linked to what many educators feel is an explosion of social-consciousness among undergraduates.

"Activities such as the Peace Corps and the civil rights movement demonstrate that an ethic of social service has recently been assuming more moment in the lives of college students," declares Mervin B. Freedman, a Stanford University official. "The puritan ethic of hard work and success in competitive struggle is on the wane."

As a result, Mr. Freedman contends, students "are becoming increasingly dissatisfied with specialization of knowledge; they are instead seeking breadth in their studies." Thus, the educator says, "the number of undergraduates majoring in broadly defined fields such as literature, philosophy, and history is increasing at a considerable rate."

Wesleyan University provides an illustration of mounting undergraduate interest in social service. Roughly a quarter of the Connecticut institution's 1,150 students are engaged in such off-campus social work as serving as "companions" to patients in a nearby State mental hospital and as "tutors" for underprivileged Negro children in the area. The portion of Wesleyan students involved in such voluntary work has "more than doubled" in the past 5 years, reports Victor L. Butterfield, president of the university.

There is some feeling that the disproportionate increase in humanities and social-science graduates may also reflect the fact a larger segment of the population attends college nowadays. As the college population swells, this argument goes, the percentage of students with the intellectual ability to major in physics, chemistry, engineering, and other difficult scientific subjects tends to decline. This argument, however, doesn't account for the fact that back in the years when science degrees were increasing much more rapidly than nonscience degrees the college population also was rising sharply.

I should like to devote the balance of the time allotted to me to consideration of the arts part of this bill, which shares equally in the $20-million-a-year package.

First, may I call attention to the simple but often forgotten fact that the two greatest periods in American literature occurred when not one penny of either State or Federal money was spent to support the arts.

The golden period of American literature was back in the middle of the 19th century, when we had people like Mark Twain, Edgar Allen Poe, Walt Whitman, Nathaniel Hawthorne, Emily Dickinson, Henry and William James, Henry Wadsworth Longfellow, John Greenleaf Whittier, and Ralph Waldo Emerson. Those great literary lights came to brighten our Nation in a period in which there was no Federal program for the arts and no State programs either.

During the period between World War I and World War II occurred the second great period in American literature. During this period America produced William Faulkner, Ernest Hemingway, John dos Passos, Thomas Wolfe, F. Scott Fitzgerald, Sinclair Lewis, Sherwood Anderson, Theodore Dreiser and Eugene O'Neill.

The second great period in American literature—like the first— came to be in a period in which, to my knowledge, there was no Federal or State programs to support the arts.

In 1935 we began to invest Federal money in the arts, and so did States. Presently millions of dollars are being invested by State and local governments to support the arts.

I invite anyone to name from the period since 1935 a similar group of great literary lights to those produced in the two earlier periods of American history.

So we certainly cannot assume that the Federal spending proposal will automatically revive the literary arts in America.

A little interesting footnote to history indicates that Bach and Mozart were both applicants during their formative years for government aid by German provinces. They wanted to be subsidized. They were passed over in favor of two other budding artists—thought to be budding artists—who are unknown today. Yet these two great composers were able to do their work without the stimulus of the governmental subsidies.

The question then arises, are we doing badly in America today in the field of arts?

When I was on the subcommittee I asked several witnesses if they felt we were lagging behind the world, if we were slipping behind as a nation in artistic endeavors. No one suggested this was the case.

There are more symphony orchestras in the United States today than in the rest of the free world combined. So apparently symphony orchestras can and do flourish without Federal subsidy.

I noticed in the Saturday Evening Post of recent date that the attendance at concerts in the United States exceeds the attendance at baseball games.

So from these simple facts we should not jump to the conclusion that America is really doing badly—too badly in the field of the arts.

The question would then follow, will Federal dollars enable us to do better? We have to leave a question mark after it, because we can have no assurance that an injection of Federal dollars into the arts will be more productive than past injections.

Should a $20 million a year outlay to support the arts and humanities, given this background I have reviewed briefly, be a high priority item for the Federal Government? We just finished a fiscal year $8 billion in the red. We are heading into another fiscal year with an $8 billion deficit likely. We have a Federal debt ceiling of $328 billion, and there is no end in sight. We are presently spending $50 billion a year for national defense, and the uncertainties of the world situation make it likely that even this will not be enough. There may be a grave need for some belt-tightening. Indeed, I believe there is.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Missouri.

Mr. CURTIS. I commend the gentleman from Illinois for assuming a very difficult task of speaking sense against a very popular label. It seems that today in the Congress all one has to do is to come up with a popular label and the Members will automatically vote for it and pay little or no attention to the issues involved.

At the time this was proposed I was asked—and I was very appreciative of it—by some of the sponsors whether I would cosponsor it. I gave a lot a thought to it. As the gentleman from Illinois expressed, we are concerned about moving forward in the arts and humanities. I raised what I believed were some very serious points.

Will the intervention of the Federal Government, the central power, really assist in moving us forward in these areas? I got a very courteous reply from one of the sponsors saying that these were interesting questions, but there was no argument or discussion. In the debate here on the floor of the House, the gentleman from Illinois is one of the very few who has taken the floor to raise these very serious questions.

Now, may I say one other thing? Just before the gentleman began his talk I was listening to a speech being read by one of the supporters of this bill. Most of the speech seemed to be aimed at denigrating the United States. In fact, it called it a disgrace because of the way the United States has allegedly not moved forward in the fields of the arts and the humanities. I could not recognize the United States that I know in this description. We all want our society to move forward in these areas, but this denigration was completely unsupported by fact and therefore was unjustified. I doubly appreciate the gentleman from Illinois pointing out some of the specific facts of the case. I want to commend him again. I think this bill is ill conceived and untimely, and certainly I support his position.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I will be glad to yield.

Mr. THOMPSON of New Jersey. I might say the gentleman speaking, although I do not agree with much of what he said, was a very valuable and constructive member of the subcommittee in the last Congress and despite our disagreements I miss him.

The gentleman to whom you just yielded talked about Federal intervention. This is not Federal intervention, but this is assistance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMPSON of New Jersey. I yield the gentleman from Illinois 1 additional minute.

Will the gentleman yield to me?

Mr. FINDLEY. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The gentleman must know that the great St. Louis Symphony Orchestra recently had to threaten to cancel its season because it cannot get from private sources, since there is a great drying up of the private sources, the support it needs financially.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I will be glad to yield.

Mr. CURTIS. I will be very happy to discuss the situation of the St. Louis Symphony Orchestra which is, I think, the second oldest in the country. As one who has supported it over a period of years, let me say this: We are willing to undertake to handle these problems ourselves. If it comes about that we cannot, then something great has gone out of America, and one of the reasons why it has, I would suggest, is this business of Federal intervention or, if you will, call it Federal assistance. However, believe me, you turn the other side of the coin over, and it is intervention. I have tried to call attention in a sort of humorous way to what I refer to as Curtis' law; namely, Government money drives out private money.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GLENN ANDREWS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. FINDLEY. Mr. Chairman, let me respond briefly to what the gentleman from New Jersey had to say about St. Louis. I suspect St. Louis may be like Washington, D.C. There is ample money there to be spent for entertainment. The symphony orchestra has labor troubles, not patronage trouble. I do know they choose to spend their money for forms of entertainment that are appealing to them. What is lacking is not the spending money in the pockets of the American people. You can look at any theater where "Dr. No" or "'Mary Poppins" is playing and you will find people lined up to see them. Not all of them showing signs of wealth. They are lined up for blocks ready to spend $2 a throw. And yet Constitution Hall, where the Bach concert recently played, half the seats—many at prices even lower than "Mary Poppins"—were empty.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I cannot think of a stronger argument for this legislation than what was contained in the statement by Mr. CURTIS, who said that apparently the state of the arts and their appreciation here is such that we do not need any help in the United States. "Dr. No." and the Beatles are great while the symphony orchestras are starved. We need to assist them.

Mr. FINDLEY. If this can be limited to music appreciation and to create the desire on the part of people to attend concerts, that would be one thing, but I suspect from reading the report and the language of the bill that a lot of it will go to training violin players and similar performers way beyond public demand.

We should let the marketplace provide the needed adjustments in the supply of artistic performers, instead of injecting the arm of Government. If Federal dollars cause as much trouble for artists as they have for farmers, I pity the artists.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the majority leader.

Mr. ALBERT. Mr. Chairman, it seems to me, that in discussing this matter of public versus private participation in any educational endeavor including the arts and the humanities, we must realize that because of Government effort in defense, space, and other fields the Government has been a party to tipping the balance toward the natural sciences and technology. We have channeled funds, both public and private, into such programs at the expense of the arts and humanities. The Government should now undertake to help balance our cultural efforts. That, it seems to me, is what this bill seeks to do, and I for one support it. We need to encourage young people of talent into all fields and not just into the physical sciences and engineering.

Mr. FINDLEY. Perhaps the gentleman is not aware that even this heavy injection of Federal funds into the sciences did not adversely affect the humanities. The rate of increase and numbers of students going into the humanities is greater today than in the sciences.

Mr. ALBERT. But we have channeled some of the finest talent in the country into the sciences. We have channeled our major financial efforts, particularly our Federal financial efforts, into areas which are scientifically oriented in our universities.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield.

Mr. GROSS. Did I hear the gentleman say that this bill was going to cost the taxpayers of this country $20 million a year?

Mr. FINDLEY. That is my understanding.

Mr. GROSS. I have not yet had the heart to figure up how much money is to be spent under this monstrous bill. Does the gentleman have any idea what is meant by the language on page 18—"professional practitioners in the humanities"? I would not know one of these characters if I met him or her in the middle of the road. Maybe they have them in Oklahoma; I do not know. I have never heard of professional practitioners in the humanities in Iowa. Maybe we have them out there. Evidently they are to be found in Oklahoma and New Jersey.

Mr. FINDLEY. Mr. Chairman, I will say to the gentleman that I had the curiosity to look up in Webster what the term "humanities" meant. I too was a little bit distraught by the definition of humanities in the bill because it was so wide open. Webster says humanities deal with secular as opposed to theological learning. So I suppose anyone who is not a preacher could be considered a professional practitioner in the humanities and therefore would be eligible under this bill. This, according to my calculation, would qualify 433 Members of this body.

Mr. GRIFFIN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Chairman, I rise to say that I strongly favor this legislation for developing the arts and humanities because I feel that this legislation is a fine step forward for all our communities. The American people must realize that this legislation does not provide Federal control, but this is Federal assistance. It is a pattern which, if established, will certainly help progress in the two fields of arts and humanities in our whole country. As one of the cosponsors of this legislation I am glad to say I believe this will be a dynamic step forward for development of the arts and the humanities in America.

As a senior member of the House Science and Astronautics Committee since its formation, I do believe that the United States has made wonderful advances in research in technology and in science, both natural and pure science, as well as development science, and engineering. Federal Government action has greatly increased over U.S. progress in these fields.

Congress must likewise repair the imbalance which has occurred within these fields because of all the funds that are being spent—for example, $5 billion a year of the Federal budget on space science alone. The people working in the fields of the arts and humanities certainly need Federal help to make adequate progress in the fields of humanities and arts.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. ALBERT. On this question of student participation, what is the relative increase in the number of Ph. D's between the natural sciences and the humanities?

Mr. FULTON of Pennsylvania. On the gentleman's question on the increase of Ph. D's in the fields of general science and space science, I can give the rates of increase of Ph. D's through Federal Government programs under NASA, and the National Science Foundation which are under the jurisdiction of the House Science and Astronautics Committee of which I am a senior member.

NASA space-science fellowships have increased as follows:

Fiscal year:	
1962	100
1963	786
1964	1,075
1965	1,275
1966	3,646

National Science Foundation:

Fiscal year:	
1960	2,155
1961	2,373
1962	2,720
1963	2,904
1964	4,249
1965	6,430
1966	8,040

This certainly shows the emphasis of the Federal Government on space science and general science, and points up the need for starting to correct this imbalance in relation to the arts and humanities. I am speaking of emphasis needed, not like figures, of course.

I would like to give a specific example of the imbalance between science Ph. D.'s and in other fields, which would be indicative of many areas of our country. For example, in the metropolitan area of the city of Pittsburgh, which I represent in part, there are 2,400 people with Ph. D. degrees. Most of these are in science, numbering a little over 2,000 people with doctoral-level degrees in various fields of science and engineering. We have about 20 or 25 percent of doctoral-level degrees in other disciplines. However, you will note that in our area most of the people with doctoral degrees are in the scientific and engineering fields.

With this legislation the Congress must now correct the imbalance and disproportion of emphasis between the arts and humanities disciplines and Federal support of natural or pure sciences, applied science, technology, engineering, research, and development.

A shining future faces the development of the arts and the humanities in the national life and cultural advance of the American people.

Mr. GLENN ANDREWS. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, the arts in America today, despite some of the assurances to the contrary, are in trouble. This judgment is based upon a recent report of the Rockefeller Brothers Fund, which studied the situation in the performing arts for over 2 years. Nor is the picture any more promising when we consider the state of the humanities in the United States. The bill before us today, which I am privileged to cosponsor, affords us an opportunity to ameliorate the conditions which obstruct progress in these fields, and to promote the development of the great talent which abounds in America.

I believe we have a responsibility to give full bipartisan support to this measure, not only because it is our duty to help solve the problems which confront our country, but because the American people have the right to look to us for leadership. If we withhold that leadership today, the arts and humanities could be stifled for decades. If we provide that leadership, we can reflect the high regard which the Congress of the United States holds for excellence in the pursuit of esthetic values. I believe the reflection of this regard—and the concomitant rejection of anti-intellectualism—comprises the heart of this bill.

But high regard alone, of course, is not enough. Our struggling artists, our amateur performers, our historians and archeologists need more than a friendly "pat on the back." They need help, to take the sting out of seasonal unemployment, or a lack of early recognition. They need the physical facilities required to put on a performance, or a display of their works of art. This, of course, requires financial assistance, which is not always forthcoming from the private sector and from local governments, but which is provided in the modest, but sufficient authorizations of this bill.

The prospect of providing financial help to those who devote their creative talents to the enrichment of our society is by no means unprecedented. In 1958, we passed the National Defense Education Act to provide student loans, graduate fellowships, and teacher training grants in science, mathematics and foreign languages. The coverage was slightly broadened last year, and today we have the opportunity to insure that this country's educational effort will not be lopsided. We can show the world that Americans are not concerned solely with material possessions and pragmatic results—as our adversaries are wont to contend—but that we cherish, as well, artistic achievements and intellectual endeavors. I am firmly convinced that, just as we attained unquestioned leadership in scientific and technological fields, so too will our rich and varied ethnic composition, when coupled with the opportunities of this act, enable the United States to excel in the cultural contributions we make to the world.

The bill seeks to establish a Foundation on the Arts and Humanities, comprised of two independent subdivisions—a National Endowment for the Arts, and a National Endowment for the Humanities. Each Endowment, in turn, is to be guided by its own council, composed of 24 persons appointed by the President.

The National Endowment for the Arts is authorized to expend $5 million in grants to States, public agencies, and nonprofit organizations, such as museums, and schools. Generally, these grants would be used to cover half the costs of staging a production, or providing for an art display, with the recipient group meeting the other half of the cost. In passing upon applications for assistance, it is my earnest hope that the Council will encourage experimentation and innovation in the arts, and not reserve its help for those projects which are common and innocuous.

The National Endowment for the Humanities would be primarily oriented toward promoting research, publication, and education at the graduate level, in fields such as philosophy, literature, linguistics and archeology. The emphasis here would be on scholarship, and, at the same time, the key goal would be the promotion of public understanding and appreciation of the humanities. While the increased leisure time the next few decades will bring to Americans, I think it is important for people to realize the great opportunity they have for enriching their lives by developing an interest in music, in poetry, or in any humanistic pursuit. Once this bill is implemented, I believe that we will witness the awakening of latent interest, and the development of hidden talent.

Mr. Chairman, this country is on the threshold of an unprecedented cultural advance, which will bring with it, progress in the arts and humanities of the highest quality. I believe that the enactment of this bill will enable us to cross this threshold and promote this progress. I urge all my colleagues to join me in supporting this desperately needed legislation.

Mr. GRIFFIN. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I want to compliment the gentleman from Illinois [Mr. FINDLEY] for the fine dissertation he made on the floor of the House today. He talked about the great literary giants of the mid-1900's but one thing he failed to say was that all these literary giants came from New England. It was unfortunate after that period of time there was an exodus from New England out to the Middle West, where they influenced both societies. I think that is one of the reasons why we do not have those literary giants today.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. FINDLEY. I want the gentleman to know that New England does have an influence in the Midwest. I got a wife from there.

Mr. CONTE. I want to compliment the gentleman, and we will welcome him back with his wife any time he cares to come back.

Mr. Chairman, it is with much pleasure and enthusiasm that I join with others in this body on both sides in support of H.R. 9460, providing for the establishment of the National Foundation for the Arts and Humanities. I am proud to have been among the original sponsors of a similar proposal, my bill being H.R. 2185 introduced on January 11.

This proposal, like the State Technical Services Act of 1965 which I also supported and which was signed into law by the President on Tuesday of this week, is unique among the multitude we have tried to consider in the present Congress. It is unique because it offers as much potential, as much clear profit for the future, as it does for the present. It is visionary in character because it acknowledges the importance of progress in the Arts and Humanities which alone, in spite of our tremendous strides in the physical sciences, provide the record of our journey as a society and Nation through history.

Unlike so many of the emergency stopgap bills that have been passed in the current session, this act will not saddle future generations with uncertain burdens and mushrooming tax obligations. It is not a temporary economic barbiturate with prolonged and undesirable aftereffects. It is not an expedient solution, a hasty pump primer to jazz up some staggering local economy or provide a handout for the jobless. It is rather an encouragement for scholarship in areas that can help us better evaluate the problems and needs of today and tomorrow in the unpredictable and completely unscientific area of human affairs.

Anyone who simply reads the news headlines these days is aware of the fact that the cold war we have been fighting since 1948 is an ideological war. It is a war of ideas, with men's minds as the spoils of the victor. Even the Communists have come to realize that force of arms and military strength are merely one part of the broader scope of this war, a single weapon in a diverse arsenal. It is a weapon of intimidation, of fear, but nothing more. Military conquest and occupation, without the support of brainwashed minds, is futile and doomed to a short life. World War II demonstrated this fact for all time and the nuclear age has merely made it more clear. To win the war and the peace which will follow, we must win men's minds.

The encouragement which this proposal would provide in this area should perhaps be all the argument necessary in its behalf. However, there are other, equally valid reasons which, in my view, warrant unanimous support of H.R. 9460.

I heartily concur with the points made in the committee report on this bill in which stress is laid on the present imbalance between Federal aid to the physical sciences on the one hand and the humanities on the other.

Certainly a comprehensive, aggressive, vigorous program of scientific research is vital to our national security and to our continuing economic progress. But it is equally important that we do not neglect the humanities and the arts. We must avoid the discouraging tendency of this lack of emphasis on artistic and humanistic pursuits.

The obvious danger is that potentially great minds and talents in these fields will be diverted for both materialistic and psychological reasons into fields where their interests are weaker and their contributions, therefore, of less value. This bill would restore a much-needed balance in this regard and provide important stimulation for careers in the arts and humanities.

In conclusion, Mr. Chairman, let me say that I share the concern expressed by some of my colleagues in this body on the question of Federal control over cultural activities and the arts. I have pondered this question at length and I certainly agree it is a grave matter. We have seen the tragic consequences of the most protracted examples of governmental control over the arts, the press and various entertainment media in other countries. For a nation like ours, steeped in traditions of free expression and independent thought, such a situation could well prove fatal.

In studying this point, it has occurred to me, first, that there must be a distinction placed on outright control of cultural arts as opposed to influence of them.

There can be no question of the influential impact of the Federal Government upon all forms and media of cultural and artistic expression in this Nation today. Even without any program like that proposed in H.R. 9460. The tremendous steps taken in the area of social welfare in just the last few decades have had an enormous influence on the visual arts, on the theater, and upon literature. There have been few bestsellers in recent years that have not embraced some aspect of our National Government, either with the personalities of individuals or with the power and nature of institutions.

The great difference between influence and control is simply the power to stifle criticism as well as to encourage praise. So long as basic freedom remains, there is little danger of this kind of control.

The great criticism of cultural lag in the Communist bloc is not due to the fact that basic control over the arts encourages mediocrity, but rather that it stifles dissension and free expression. Through devices ranging from simple censorship, through imprisonment, right down to the firing squad, dictatorial communism controls its cultural expression.

I submit there is nothing in this bill to suggest such powers today or to raise the possibility of such powers in the future for the Federal Government of this Nation.

I have been pleased on several occasions in the past to draw the attention of this body to the many fine educational institutions which exist in the First Congressional District of Massachusetts. There are a number of fine colleges, including Williams College, the University of Massachusetts, Amherst College, Smith College, and our unique, New Hampshire College. In addition, I am proud to represent a number of the finest prep schools in the country and a growing number of excellent junior and community colleges. The point I wish to make is that virtually every official from each of these institutions who has taken the time and trouble to write to me about this bill has expressed unqualified support for it. They are not afraid that their academic freedom or their right to speak their minds will be forfeit.

I would point out that one of the truly great libraries in the world is our own venerable Library of Congress. The facilities and the cultural program supported by the Library of Congress are second to none and can hardly be said to be either inhibited or mediocre. I could mention, for example, the resident concerts of the Budapest String Quartet, the magnificent series of lectures and talks conducted every year, and the presence of some of our greatest living literary lights as poets in residence. One of my own constituents held this honor for a number of years, Mr. Archibald MacLeish of Conway, Mass.

Such a program is neither mediocre or inhibited in spite of the fact that the Library is federally owned, operated, and controlled.

Another great cultural institution under our Federal thumb which I might mention is the magnificent Smithsonian Institution. This superb museum, one of the finest in the world and the single largest repository of American cultural artifacts in the Western Hemisphere, this week celebrates its 200th anniversary. That event has been appropriately noted in the press and will be commemorated in several special events by the Institution.

The point, again, is that the presence of Federal control and supervision in the case of the Smithsonian Institution could not be classed as inhibiting or stifling in any way. Anyone who has wandered the corridors and explored the endless displays of this museum, or read any of the fascinating articles and reports published by the Institution each year, can have no doubt of the cultural value and integrity of the Smithsonian. I submit, Mr. Chairman, that the program envisioned in H.R. 9460 can only bring the most worthwhile encouragemen to progress and development in the arts and humanities of this great land. I am proud to support the proposal and I earnestly urge all of my colleagues to do likewise.

Mr. GRIFFIN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I have long been interested in the arts, and in past years have introduced legislation to establish a national institute of the arts and the humanities. I voted for and spoke in behalf of the National Arts and Cultural Development Act of 1964, and I have supported the Federal Advisory Council on the Arts since it was first recommended to the Congress by President Eisenhower in 1955. I also supported the National Cultural Center Act, and the John F. Kennedy Center Act.

On April 9 of this year an emergency meeting of many of the Nation's symphony orchestras was held in Pittsburgh under the auspices of the congressionally chartered American Symphony Orchestra League—the members of which are the 1,100 professional and amateur orchestras of the Nation. Their major concern was the dictatorial and absolute powers this bill would give the Chairman of the National Endowment for the Arts.

Mrs. Helen Thompson, the able and nationally known executive director of this fine organization has been highly critical of the power conferred on the Chairman of the National Endowment for the Arts by H.R. 9460, and has advised the league's nationwide membership to oppose giving the arts and humanities Chairman such extraordinary and unusual powers.

Under H.R. 9460 the arts chairman may disburse Federal funds with the advice of, but without obtaining the approval, of either the Federal Council on the Arts and Humanities or the National Council on the Arts. The members of these two councils, no matter how distinguished, would be only window dressing for the chairman.

Although the objections to the extraordinary powers conferred on the arts and humanities chairman by H.R. 9460 were brought to the personal attention of the President's Arts Adviser by a blue ribbon committee of the American Symphony Orchestra League, it is clear from reading this bill that these objections were completely ignored. The committee included, among others, the presidents of the Boston and Pittsburgh symphony orchestras and Helen Thompson of the congressionally chartered American Symphony Orchestra League.

In considering H.R. 9460, we must keep firmly in mind President Johnson's sensible message of December 2, 1964, in breaking ground for the John F. Kennedy Center for the Performing Arts, that:

> It is important to be aware that artistic activity can enrich the life of our people, which really is the central object of government. It is important that our material prosperity liberate and not confine the creative spirit. The role of Government must be a small one. No act of Congress or Executive order can call a great musician or poet into existence. But we can stand on the sidelines and cheer. We can maintain and strengthen an atmosphere to permit the arts to flourish and those who have talent to use it * * * the personal preferences of men in Government are not important—except to themselves.

The surest way to impose on the Nation and on our arts, artists, what President Johnson so ably referred to as "the personal preferences of men in Government," would be to give the chairman of the National Endowment on the Arts absolute powers. By such an unwise grant of power the chairman's personal preferences, which are not important except to himself, could immediately become of the deepest concern to this Nation.

I urge the adoption of the amendments to be offered by the gentleman from New York, requiring approval by the National Council of the Arts of action by the chairman of the National Endowment of the Arts.

Mr. GRIFFIN. Mr. Chairman, I yield the balance of the time remaining on this side to the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. Mr. Chairman, as I look at this legislation and the report, I approach it with misgivings because I have been concerned for some time that we are putting such emphasis on science, the natural physical sciences and not enough on the humanities to give balance to our educational system. However, as I look at this new council or group of councils and foundations and endowments, I feel like calling this bill a six-headed monster.

The bill provides for a National Foundation on the Arts and the Humanities, a Federal Council on the Arts and Humanities, a National Endowment for the Arts, a National Endowment for the Humanities, a National Council on the Arts, and a National Council on the Humanities.

I think this could be consolidated somewhat into two organizations and it could be made to function much better.

I am concerned about the power and the heavy hand of the Federal Government when it comes to creativity. I would support this measure if it were limited to humanities. I think we could have a National Foundation on the Humanities. I do not think we ought to pattern it so completely after the National Science Foundation. But I think we could give help in the humanities in such a way as not to endanger the creativity. The way this bill is set up, I question the establishment of the National Endowment on the Arts. Earlier this year, a friend visited with me and we discussed at some length this whole subject. He wrote to me afterward. I should like to quote what he said:

> As we left, we spoke about the government and creativity. There are so many ridiculous examples of nations trying to promote culture. Governments can make a great civilization which has to do with technology and material well being and we are well on the way to being a great civilization. Hitler and Stalin could do it and maybe Castro will. Hitler tried to make a culture, too, and it was a monstrous joke. Culture which has to do with a spiritual posture is never a city council action or a group activity, but is something which springs up spontaneously with an individual or in a family living room such as your own. It doesn't need money or a great civilization. The rich Jewish culture exists without any form of civilization. The richest cultures of Africa existed without money or civilizations. The formative powers of painting at the end of the 19th century were around a crumby table in the cafes of Paris, and in the 20th century we recognize a tiny cell of cubists. The United States has shaped painting in the world since World War II because of the conversations of a dozen men at the Cedar Bar in Manhattan (recently destroyed). Perhaps what we need are a chain of Cedar Bars and nickel beers. The church is a part of a people's culture, and one shudders at the anemia of any church which bears the name of a nation. Great churches have the names of individual men or cell groups, i.e., Jesus Christ versus Norway. Patrons are necessary, but usually cultures arise in spite of the patrons. The impression persists that the individuals who made the Renaissance did it on their own. Perhaps the patrons' contribution was in the splendid education which they gave to Michelangelo and Raphael, and so forth, and perhaps that is as far as the government should go. National theaters and ballets, and so forth, will happen when they are really needed and not until, and when they are needed and ready to be born they will be full born with good blood.
>
> So, city councils can make great civilizations and societies and sewage systems, but very average cultures—stone benches—class of 1920 with weeds or rusty fountains with dedicated petunias fighting for life in the hard ground or big bags of hot air—the monumental manner.
>
> Patrons: The significant patrons have been often quite creative but obscure men. This list is long and many were not men of financial power but men with a passionate love for the work of the men they supported.
>
> A great culture is an extremely sophisticated matter and maturity in this area happens rarely and it can't be forced. It needs the sensitive point of equilibrium balancing a scientific technological thrust with a religiopoetic thrust.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. Race] such time as he might require.

Mr. RACE. Mr. Chairman, I rise in support of H.R. 9460. I hold in my hand two telegrams, one from the president of the University of Wisconsin and one from the president of Marquette University, two of the largest universities in the State of Wisconsin and the Middle West, supporting this program.

When the House is again in session, I shall ask permission to have these two telegrams printed in the Record at this point.

Mr. Chairman, one of the most noble visions of man's capacity to fashion a good life on this earth was unveiled by President Johnson in his state of the Union message last January 4.

The President's dream of America has come to be known throughout the world as the Great Society. And throughout that vision of a Great Society, the emphasis is on education.

Education will be the means and the vehicle for Americans to improve the quality of their life in a Great Society. While it is incumbent for this country to provide the basic tools and equipment for basic and higher education, it is just as necessary to provide a real, practical impetus to promote progress and scholarship in the arts and humanities.

Such a Foundation on the Arts and Humanities, as would be established by H.R. 9460, is an essential piece of the Great Society mosaic that this Congress is fashioning.

As President Johnson said last January 4:

> The Great Society asks not only how much, but how good; not only how to create wealth, but how to use it; not only how fast we are going, but where we are headed.

I submit that the influence, direction and encouragement of a National Foundation on the Arts and Humanities will be a leading force in answering those questions.

This foundation enjoys the support of the two leading universities in Wisconsin. Under leave to extend my remarks, I submit for printing in the Record, the following telegrams from the University of Wisconsin and Marquette University:

Milwaukee, Wis.,
September 11, 1965.

John A. Race,
Sixth Congressional District,
Washington, D.C.:

H.R. 9460, National Foundation of Arts and Humanities will be brought to the floor Monday. As new president of Marquette University, I urge your full support of this important and significant measure. This bill could redress the existing serious imbalance of supporting of academic activities in this country.

John P. Raynor, S.J.,
President Marquette University.

Madison, Wis.,
September 10, 1965.

Congressman John Race,
Washington, D.C.:

Urge your favorable vote on the reporting H.R. 9460 authorizing establishment of National Humanities Foundation. This is important for strengthening our Wisconsin colleges and universities in vital area which has had little support in the past.

Fred H. Warrington,
President, University of Wisconsin.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. Giaimo].

Mr. GIAIMO. Mr. Chairman, since I first became a Member of this body, I have favored legislation similar to that which is before us today. I support H.R. 9460, and I urge this House to make possible its early passage.

I have spoken of the importance of the arts before, and I have sponsored several measures leading to the establishment of the present National Arts Council. I advocated construction of a home for the performing arts in our Capital City, and I am pleased that such an act has been fittingly joined with our desire to memorialize our late President Kennedy. While a member of the Education and Labor Committee in 1961, I encouraged a comprehensive study into the economics of America's arts which the gentleman from New Jersey, Congressman THOMPSON, ably conducted. I urge my colleagues to support Congressman THOMPSON's bill—a bill that I regard as the logical product of the many years of discussion and study which Congress has devoted to the arts and their place in our society.

At times I am greatly depressed by the fact that we still must debate the importance of the arts and the necessity for their support by the Government. While every major power aids, protects, embraces their man of artistic creativity and vies with one another to make the fruits of their work available to mankind, we ignore, tax, frustrate, inhibit great art and still question whether we should make even a token effort to fashion our America as a civilization which cares as much for such pursuits as for wealth and military might.

We have not hesitated to employ every tool of Government to insure the economy and maintain our arms. In so doing we have created an imbalance which must now be corrected.

In the interest of national defense, we have distorted our educational system so that the sciences dominate our classrooms while the humanities, the essence of all civilizations, have been shunted aside. We must now concern ourselves with the national welfare and right this stultifying imbalance. H.R. 9460 will enable us to make a start.

In the interest of economic strength we have encouraged the development of fantastic marvels freeing man from the drudgery of work. But we have not concerned ourselves at all with what is to replace working time in the lives of our people. Increased leisure to too many of our people means only increased boredom and isolation. Is leisure time—the production of which increasingly absorbs the resources of our economic organization—to mean nothing more to America than what Emerson described as a time "to saunter and sit and be inferior and silly?" It must not. The arts can fill the vacuum created by our technological advancements. The arts are as essential to the intellectual and spiritual growth of our adult population as a basic education is to the development of our children. And as we strive to make such nourishment available to each of our children so let us begin to recognize a similar responsibility to our older citizens.

In the last part of the previous decade, President Eisenhower gathered several most distinguished Americans together and asked them to appraise and suggest our goals as a nation. In its report, the President's Commission on National Goals noted that the development of our arts and dissemination of such creative work among our people must be assumed as a national purpose:

> It has been all too natural—

The report observed—

> during epochs when a continent was being subdued or amid the fresh responsibilities of world power, to think of the arts as something pleasant but peripheral. The time has now come when we must acknowledge them to be central and conceive their fullest development as essential to the Nation's moral well-being.

The report warned:

> This Nation is being watched by peoples—many of them as new to nationhood as they are old in cultural achievements—who ask whether under such a system as ours the highest values can be maintained. It is being watched—and judged. Among our own people, meanwhile, there is a deep and persistent questioning about the significance of our material advance.

The report concluded:

> The ultimate dedication of our way of life will be won not on the basis of economic satisfactions alone, but on the basis of an inward quality and an ideal. Americans—the younger generation especially—are looking for something at once more demanding and more genuinely satisfying than what passes for happiness by current standards. To minimize or frustrate this quest is to risk weakening the fabric of our whole society.

Gentlemen, I agree that H.R. 9460 is a departure for us—it leads us into a new path broaching a new frontier. But it helps us to face a challenge we must accept and a frontier we must pioneer.

I insert in the RECORD at this point the text of an article which I wrote for the International Musicians, the official publication of the American Federation of Musicians:

GOVERNMENT AID TO MUSIC

(By the Honorable ROBERT N. GIAIMO, Democrat, of Connecticut)

(NOTE.—ROBERT N. GIAIMO, born in New Haven, October 15, 1919, attended North Haven public schools, Hillhouse High School, Fordham University, and received his LL.B. from the University of Connecticut School of Law, 1943. He served in the U.S. Army during World War II, 1943 to 1946, and at present is captain, Judge Advocate General Corps, U.S. Army Reserve. He was formerly chairman of the State of Connecticut Personnel Appeals Board and a member of the North Haven Board of Education, North Haven Board of Finance, and former third selectman of the town of North Haven. He was elected to the 86th Congress, U.S. House of Representatives, November 1958; and was reelected to the 87th and 88th and 89th Congresses. Besides being a member of the House Committee on Education and Labor in the 86th and 87th Congresses, and of its Subcommittee on Special Education and the Subcommittee on the impact of imports and Exports on American Employment, he served as member of President Kennedy's Natural Resources Advisory Council. In the 88th Congress, he became a member of the House Committee on Appropriations, and its Subcommittee on the District of Columbia. A member of the Appropriations Committee in this Congress (the 89th) he is presently serving on the District of Columbia and independent Office Subcommittees.)

Three years ago, I had the pleasure of addressing your 65th annual convention. I spoke of proposals then before Congress to create a National Council on the Arts, and I encouraged the convention to work for such legislation. Last April 9, the first Council on the Arts to be created by act of Congress met in Washington. That meeting was a historic occasion, the significance of which will be understood only by historians of some future generation.

I know how hard Mr. Kenin and the A.F. of M. legislative department worked so that the meeting which took place in April and the similar meetings which will take place in the future would be possible. I know that the American Federation of Musicians, through its local organizations, kept the idea of a national council—first suggested to Congress in 1877—alive in the face of legislative defeats and public indifference. But passage of the National Arts and Cultural Development Act of 1964—the act which created the Council—should not be regarded as the culmination of a fight. It marks, instead, the beginning.

When it established the council, Congress acknowledged that the National Government had a legitimate concern in the welfare of our Nation's artists and in the country's cultural development. After nearly 200 years Congress agreed with George Washington's appraisal of the arts as "essential to the prosperity of the State and to the ornament and happiness of human life," and perhaps in voting for the Council some members of our national legislature even agreed with Washington's insistence that the arts "have a primary claim to the encouragement of every lover of his country and of mankind."

Thus, the question of whether the Federal Government has a role to play has been decided in the affirmative. The question remains, however, as to what that role shall be. How does our American democracy go about encouraging the arts? We must proceed with care.

I think it would be unwise at this juncture for those of us who advocated Government involvement in encouraging the arts to forget the arguments of our opponents against such a move. Because of our faith in the National Government and in our democratic forms, we contended that a government ruled by the majority and imbued with the practices of politics would not necessarily act inconsistently with the best interests of the arts. We must now prove our argument. We must now work to demonstrate that the obstacles warned of by so many critics of a government-art relationship can be overcome.

First, the Arts Council must be helped to measure up to the promise its supporters attributed to it. The Council, under the law passed last summer, is charged with the following duties and responsibilities:

"To recommend ways to maintain and increase the cultural resources of the United States.

"To propose methods to encourage private initiative in the arts.

"To advise and consult with other State, local and Federal agencies on methods of coordinating existing resources and facilities, and for fostering artistic and cultural endeavors and use of the arts, both nationally and internationally, in the best interests of the country.

"Conduct studies and make recommendations with a view to formulating methods by which creative activity and high standards and increased opportunities in the arts may be encouraged and promoted in the best interests of the Nation's artistic and cultural progress, and a greater appreciation and enjoyment of the arts by our citizens can be encouraged and developed."

Russell Lynes, the managing editor of Harper's, wrote that the Council "sounds as innocuous as a literary tea party and about as likely to come to any conclusions * * *." Soon after President Johnson announced his appointments to the Council, Howard Taubman, drama critic of the New York Times, inferred from the selection of certain individuals that a position on the Council was more an honorarium than a working job in Government. I know this was not the intent of Congress, and I am confident that it is not the intent of the President.

But the Council requires funds to do more than a pedestrian job—even if its job is only to advise Congress and the President. The money authorized for its use is less than that enjoyed by most congressional investigating committees. And even this small sum is in constant danger of being cut by a Congress not altogether convinced of the value of the experiment it has begun. The Council will need the support of the American Federation of Musicians to secure the funds necessary to its work.

After its first meeting, which lasted 2 days, the Council made no findings or recommendations but merely affirmed its dedication "to creating a climate in which art and the artist shall flourish." In my opinion, rather than an indication of indecisiveness or of a reluctance to act, the refusal of the Council to make recommendations at its first session is a welcome indication that it takes its work seriously, that it is not a rubber-stamp of approval for plans developed by others, that it will make its own studies, its own investigations, and its own recommendations after careful thought and deliberation.

The American Federation of Musicians and other associations concerned with the future of the arts and the American artist must stand ready to assist the Council in its deliberations. The Council must not be allowed to meet in a vacuum splendidly isolated from the day-by-day problems of which only organizations such as the A.F. of M. and its sister performing arts unions are intimately aware. I earnestly hope that the professional musician, individually or through his union, will make his views known to the Council, criticize it when necessary and vigorously support it when it acts to further America's arts.

But if the Council is to act and if it is not to be a cozy tea party, it must be prepared to risk deep waters. I believe the greatest menace to a constructive relationship between the arts and Government is the ever-present pressure for Government bodies such as the Council to accept the mediocrity of the majority. Mediocrity is the menace that is always present in our egalitarian society. It must not be given emphasis through actions of the Council.

Some years ago, Sir Hubert Read, a distinguished art critic and historian, was reported to have said: "I have served on many art committees and in my experience only one of three things can happen: (1) something is chosen which offends nobody because its virtues are negative; (2) a little bit of everything is chosen to please everybody; and (3) the committee agrees to be realistic and allow one member to make the choice for all of them; the committee, that is to say, resigns its functions in despair." Judging by the caliber of men who have been appointed to the present Council—men like Leonard Bernstein, Isaac Stern, and Richard Rodgers—I do not think the power of decision will be delegated to one man. But I am fearful that the first two courses of proceeding might be tried. For these are the easy, simple ways of bending to the "tyranny of the majority."

The President's proposal for a National Arts and Humanities Foundation which would do what the Council cannot do—supply grants-in-aid—is less than 3 months old, and already the pressures are mounting to include within its subsidies for every form of human activity that may by some stretching of the imagination be regarded as art. When I sat on the House Education and Labor Committee hearing testimony regarding the status of the American arts, the concern of the witnesses and the interest of the committee was with the arts in their professional form. Today, Congress is being asked to finance everything from art education to the recreational or therapeutic activities of the wholly amateur art practitioner. This, despite the fact that more than 8,000 young people each year are earning degrees in music from our Nation's colleges and many more are being prepared in our conservatories for positions in the professional world which do not exist. And this, despite the fact that amateur art activity has been experiencing an unprecedented boom in our country and requires no financial aid.

I have no doubt that the Council and the Arts Foundation will be bombarded with requests to support with Government money a host of activity. The Council must not succumb to the temptations of doling out a little bit of something for everyone or of selecting only the banal, the innocuous, the innocent, and therefore, the least controversial for its major concern.

It requires no great insight to predict that the financial resources which Congress will make available to the arts will be modest. Therefore, the funds must be husbanded to be used in behalf of carefully determined purposes. Priorities must be established, and the Council or, if it is formed, the Arts Foundation, must have the courage to establish such priorities.

I am not now talking about picking and choosing between art forms or between schools of thought and execution. I believe the Council first has less subjective but more basic decisions to make, such as what stage of artistic development shall command primary attention. I do not think a case has been made for expending taxpayer money on amateur activity. The Rockefeller Brothers Fund Panel Report on the Performing Arts which was published last March notes the fantastic growth of such efforts while professional work declines. According to the report, "the recent total of 1,401 symphony orchestras is more than double the number existing in 1939. The 754 groups now presenting opera are almost twice the number so engaged a decade ago * * *. The number of dance companies has grown to a total approaching 200. The amount of money paid for admissions to the performing arts, now running well above $400 million a year has approximately doubled during the past decade and a half." However, as the Rockefeller study shows, almost all this expansion is amateur.

"Of 1,401 symphony orchestras, 54 are composed predominantly of professional musicians. In the entire country there are only five or six dance companies that meet high professional standards and possess any real degree of institutional stability; only one approaches giving year-round performances. Of the 74 opera-producing groups, only 35 to 40 are fully professional and not more than 10 of these provide performances more than 15 days in the year.

"There is certainly nothing wrong with a strong amateur movement," the Rockefeller study remarks, "but, vital to our cultural health as the amateurs are, the fact remains that it is on the professional performing artists and art organizations that ultimate responsibility for the highest levels of creative output and quality rests. * * * In general, there has been no significant improvement in the basic health of the professional arts organizations."

It is the professional area of art activity, then, to which the concern of Government must be directed. No man can produce great art on a part-time basis while driving a taxicab or slinging hash to earn a living. So the first job of a Government program should be to find a way to put our musicians, actors, dancers, and other artists to work on a full-time basis.

Until this is done, I cannot fathom the logic that would encourage—with Government money—more young people to study for professions in the arts. "Look at the musicians driving taxicabs, the actors waiting on drugstore counters," Sol Hurok told a Senate subcommittee. "Why should we graduate, by the thousands, these artists from our fine training centers if there is no place for them to perform?" The Arts and Humanities Foundation proposed by the President can do much to increase an appreciation of the arts and stimulate a broader audience for the professional artists, but it must be seriously questioned if it dispenses money for the training of more artists to walk our unemployment lines.

Who will raise such questions? Who must call the Government-art establishment to account? Surely, if the professional artist and his organizations do not, then our Nation will indeed reap all the consequences of base mediocrity and political boondoggling predicted by the critics of a Government arts program.

More than 100 years ago, Alexis DeToqueville, a young French nobleman and an astute political scientist, came to the United States to appraise the meaning and functioning of our democratic society. Many of his observations impress students of government today with their uncanny accuracy and startling insights. DeTocqueville's long catalog of the influence of American democracy upon the intellectual and upon the arts remains shrewdly pertinent. Though hopeful that America would give birth to artistic invention and creativity, he could not foresee a very vivacious future. In the egalitarian America he foresaw "Neither men of great learning nor extremely ignorant communities are to be met with; genius becomes more rare, information more diffused * * *. There is less perfection, but more abundance, in all productions of the arts."

In our thousands of amateur groups and through the media of mass communication we have an abundance of art activity and its products. What is beginning to disturb us in our growing leisure hours is the fact that so much of it does indeed fall far short of perfection, and through our Government we are fashioning the tools to help create the conditions for quality to thrive. But the instruments are two-edged. They can aid our artists to devote their best efforts to the creative professions or they can be used merely to aid in disseminating still more mediocrity.

Those who know quality art, those who know its requirements of dedication, devotion, time and talent, must make their voices heard. We stand on the threshold of a new adventure in democratic government; it offers great hope for the arts but also many pitfalls. There are dangers which must be warded off and errors which must be avoided or alleviated. This new venture has been launched—in part because of the constant efforts of the American Federation of Musicians. The A.F. of M. must increase its vigil and help guide this promising experiment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. Pickle].

Mr. PICKLE. Mr. Chairman, I rise in support of H.R. 9460. I rise to speak in favor of H.R. 9460, a bill to establish the National Foundation on the Arts and the Humanities. We are living in an age of amazing and extraordinary technological achievements and discoveries. The magnitude of many of these discoveries and achievements has been of such an exciting nature that we are many times inspired to encourage more of this kind of excitement by placing even more emphasis on science and technology and neglecting or forgetting about the important and indeed essential role that the arts and humanities must play in the future of this great society.

President Johnson has said in support of this bill:

> No government can call artistic excellence into existence. But, it can—

He declared—

> seek to create conditions under which the artist and scholar can flourish.

The President also said:

> The values of our free and compassionate society are as vital to our national success as the skills of our technical and scientific age.

It is my belief that not even the most gifted individual, whether he be a poet or a physicist, can realize his full potential or make a full contribution unless his imagination has been kindled by the aspirations and accomplishments of those who have gone before him. Arts and letters, and the critical and historical study of them, are the fields where we look most directly for enrichment of our own experience and for strengthening our capacity for responding to it. Through the humanities we may appropriately seek intellectual humility, sensitivity to beauty, and emotional discipline. Through the humanities we may come to know the excitement of ideas, the power of imagination, and the unsuspected energies of the creative spirit.

Our relations to one another as individuals and to our society are determined by what we know and think. Our use of knowledge is inseparable from our ability to express it in words or in shapes and forms. Only through the best ideas and the best teaching methods and their availability to the public can we cope with the problems that surround us and the opportunities that lie beyond these problems.

My enthusiasm for this bill is motivated partially by my belief that it is important to keep a balance of emphasis between science and technology on the one hand and the arts and humanities on the other, and partially from the fact that within the district which I represent are several fine colleges and universities, including the University of Texas, Southwest Texas State College and Southwestern University. Living in a university town has let me experience the contagious enthusiasm of people who are exposed to new thoughts and ideas and the fuller life one enjoys because of them.

Our fulfillment as a Nation depends upon the development of our minds, and our relations to one another and to our society depend upon our understanding of one another and of our society. The humanities and the arts, therefore, are at the center of our lives and are of prime importance to the Nation and to ourselves. Simply stated, it is in the national interest that the humanities and the arts be given our support through this legislation.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. I thank the able gentleman.

Mr. Chairman, I rise in support of H.R. 9460, a bill to establish a National Foundation on the Arts and the Humanities. In my opinion the time has arrived when active attention to the humanities and arts is necessary for the welfare and happiness of America and mankind.

It was 178 years ago this week—September 17, 1787—in Philadelphia that the Constitutional Convention came to a close and a new nation launched a bold experiment in democracy. It endured and prevailed. This week our Nation welcomes its newest space heroes to its Capitol and marvels at awesome scientific achievement. In the mid-twentieth century our Nation is the world's oldest democracy and is unmatched in its technological, economic and military power. We are a mature nation with both the need and the capacity for contributing something to the larger task of building a great and meaningful civilization.

"To everything there is a season." For America this is the season of ripeness and fullness—the season of matching our abundance, our wealth, our prosperity and our power with our purpose and ideals. Let us cultivate our creative and intellectual resources this season.

For too long we have neglected the artist and the humanist among us, neither encouraging them nor supporting their work. Now the Nation needs the achievements and influence of the arts and humanities as it needed the advancement of science not long ago. In the world of nations we are called upon to demonstrate the vitality of our society, its values and its ideals. At home we are waging an all-out war on poverty to build a society in which every individual might realize democracy's promise of freedom and dignity. We are beginning to understand that the poverty we battle against must include impoverishment of the mind and spirit and of human values.

The program we require, as the Commission on the Humanities suggested is "a program to meet a need no less serious than that for national defense" a program to defend "our beliefs, our ideals, our highest achievements."

The legislation to establish a National Foundation on the Arts and Humanities is an effort to establish such a program. The proposal is a modest one, but it would offer critically needed encouragement and support for unleashing and stimulating the cultural resources of this land. It would also symbolize this Nation's concern for the arts and humanities and its determination to bring new life and vigor to this neglected area of our national life.

The bill wisely recognizes that while the arts and humanities are closely linked the needs in these two areas are not identical. Thus, two separately administered and funded bodies would be established—the National Endowment on the Arts and the National Endowment on the Humanities. These would be joined under one roof with a coordinating council.

The proposed Foundation has been endorsed by the academic community, performing and creative artists and virtually all other segments of our society. My personal strong endorsement is based on many years of interest in Federal recognition and support for the arts and humanities.

In the 1930's I witnessed the tremendous impact of the WPA arts programs on the country and the artist. At that time I introduced legislation in the 75th Congress, 3d session, January 21, 1938, S. 3296, a bill to set up a Bureau of Fine Arts and again in the 76th Congress, 1st session, I reintroduced this bill on August 5, 1939, as S. 2967. This attempt to establish a Bureau of Fine Arts that would carry on the arts projects was not enacted.

Now in the 1960's we are still debating the merits of Federal support. The difference now is that it is not so much a question of humanitarian relief for the destitute artist as it is a question of relief for our whole society, relief to meet fundamental needs of our people.

Mr. Chairman, we have all been familiar, since our youth, with the Scriptures which say, "What is a man profited, if he shall gain the whole world, and lose his own soul?" So with a nation.

This measure is designed to purify, to beautify, and to strengthen the soul of America; to stimulate the intellectual, the cultural, and the spiritual interests of our people and to make this a nobler, a more beautiful and happier nation. What America stands for in the world today is a nation which has spiritual significance and high and noble spiritual purpose as its national objective. I am therefore glad to support this monumental bill.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I wish to pay special tribute to the distinguished chairman of our subcommittee [Mr. THOMPSON], for the great leadership which he has given to this cause over many years.

It was heartwarming to witness the virtually universal and nonpartisan support which this bill received during the subcommittee hearings, from all sectors of America's intellectual community.

This great body is now engaged in a debate which will, to a large extent, determine the artistic and cultural heritage of 20th century America. We are a nation which has been characterized by a genius of creative practicality; we are the Nation which has revolutionized modern life by developing the assembly line and the standardization of industrial parts.

As a nation, we have stressed the need for all people to strive to better their position in life. The Horatio Alger success story is part of our folklore.

Yet, there has not been the same emphasis on the need to develop artistic creativity and the segment of our population which has bequeathed so much to the excellence of our civilization has been singularly ignored.

So now we have finally begun to listen to the magnificent words of Pericles who told his people that the works of the artists were as important as the spoils of war. We are still beguiled by the verses of Aeschylus and Aristophanes; the words of Socrates and Sophocles still ring in our ears and the Acropolis in Athens and Knossos in Crete are still visible to the excellence, nobility, and purity of their artistic and cultural achievements.

President Kennedy spoke often to us of "excellence." Pericles spoke to the Athenians of "virtu." While, in exact translation, one word is not exactly interchangeable for the other, the generic meaning is the same. The soaring spirit of American artistic creativity will now be able to reach even greater heights and artists will be recognized as having achieved an honorable estate.

While of course it is true that artistic and humanistic creativity cannot be forced, it can certainly be cherished, ennobled, and nurtured. That is what this bill would do. This bill will stimulate excellence in the realm of the mind and of the spirit.

Mr. Chairman, surely, one area in our national life in which we have failed to achieve this excellence is in the design and creation of an urban environment which really ennobles the spirit of man and creates an attractive urban community in which people can lead fruitful, productive, enriched lives. Have we not come to the point in many of our urban centers where the enormity of our growth has long since caught up with our capacity to rationally conceive and plan communities of excellence.

In Los Angeles, 40 percent of the downtown space is devoted to servicing great globules of aluminum and rubber—the automobile.

Human beings in many of our urban centers tend to be demeaned and dwarfed by the sheer magnitude of megalopolis. Open green areas, breathing space, human scale which provide dignity and serenity in our lives are lost in a chaotic frenetic explosion of haphazard growth and unplanned development.

I should like to ask the distinguished chairman of our subcommittee [Mr. THOMPSON] whether grants for study of the quality of urban environment, the quality of urban planning, the quality of the design of our cities, could be applied for under the language of the bill? Specifically, on page 3, line 15, the term "humanities," for which a study grant could be applied, is described as the history, criticism, theory, and practice of the arts.

And the arts are further described on line 20 as architecture and allied fields.

I ask, Mr. Chairman, whether the phrase "architecture and allied fields" will be construed to include basic theoretical and practical studies in the quality of the urban environment, urban design, and urban planning?

Mr. THOMPSON of New Jersey. I thank the gentleman from New York. I think very, very clearly the term "humanities" would include the study of man's environment, its history, its problems, and its future, both threatened and potential. There is no question whatsoever but that architecture and the allied arts include urban planning, rural planning, urban design, landscape architecture, and such broad matters as the gentleman refers to. I think there is no question about it.

Mr. SCHEUER. I thank my colleague and now yield to my distinguished colleague from Pennsylvania [Mr. MOORHEAD] who has lent so much splendid leadership over the years to promote this great legislation.

Mr. MOORHEAD. I thank the gentleman from New York for his kind words.

I should like to propound a question to the chairman of the subcommittee. I have received letters asking whether the subjects usually called "rhetoric," "speech" or "elocution" are included in the definition of "humanities." Would the chairman agree that they are so included?

Mr. THOMPSON of New Jersey. I would indeed agree.

Mr. MOORHEAD. I thank you.

Mr. CURTIS. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. THOMPSON of New Jersey. Mr. Chairman, would the gentleman withhold his request, because I would like to comment very briefly to wrap up the debate.

Mr. CURTIS. I withdraw my point of order, Mr. Chairman.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield to my colleague, Representative SCHMIDHAUSER.

Mr. SCHMIDHAUSER. Mr. Chairman, I thank the gentleman from New Jersey for yielding to me.

I would like to associate myself with this very excellent effort in improving the quality of human life in America. It was my privilege to sponsor legislation on a more limited scale at the opening of this session. I am very proud to say that this committee reported a bill which is far superior to our earlier effort.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I want to congratulate the gentleman from New Jersey for sponsoring this legislation. I am very happy to be one of those cosponsoring it and certainly hope it will be approved, because it will mean so much to the cultural life of America.

Mr. THOMPSON of New Jersey. Mr. Chairman, I now yield to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman, as one of the early sponsors of this legislation, I rise to lend my support to the establishment of a National Foundation on the Arts and Humanities. It is my hope that the encouragement of the arts and the humanities as a stated national goal will help develop the kind of balanced society necessary for an age which tends to stress the more adventuresome aspects of space and science.

As we may recall, when President and Mrs. Kennedy came to the White House, they brought with them a deep interest in the cultural and intellectual life of the United States. Their enthusiasm for the arts and the humanities made the White House a gathering place for the leaders in these fields. President and Mrs. Kennedy made an accomplished musician such as Isaac Stern as welcome as an outstanding labor leader. They made a talented poet such as Robert Frost feel as appreciated as well-known industrialists.

The interest shown by President and Mrs. Kennedy spurred an awakening desire in the American people, a desire to enjoy the riches offered by art and music, by the theater and by museums. More and more Americans realized that a symphony can be as enjoyable as a baseball game, that purchasing a work of art can be as rewarding as buying a new car.

By helping to bring the individual into harmony with his society and his environment, the Foundation for the Arts and Humanities can serve as an important vehicle for reaching the goals of the Great Society. As President Johnson said:

> The passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

The measure before us provides for two separate endowments, one for the arts and one for the humanities, both designed to promote progress and scholarship in each area. To coordinate the activities of both endowments as well as offer them advice and guidance, a Federal Council on the Arts and Humanities is established.

The essential responsibility for promoting the arts would fall to the National Endowment for the Arts. The Endowment will:

First. Be headed by a Chairman appointed by the President to stimulate a program of grants-in-aid to public and private nonprofit groups engaged in the performing and creative arts to cover half of the cost of a project or production.

Second. Provide matching grants of up to $50,000 to assist existing State arts agencies and one-time, nonmatching grants of up to $25,000 to establish arts councils in those States which lack them.

Third. Include a National Council on the Arts to advise the Chairman and to review applications for assistance.

Under the National Endowment for the Arts grants could be used in a number of ways to make the fruits of artistic activity available to more people. Financial assistance could be used for creative performances, for training artists, and for public education in the arts. The emphasis would, of course, be on American culture, but the Foundation would allow grants to be used to bring productions to this country unavailable to most of our citizens without such assistance. Specifically, the arts endowment could authorize grants to institutions to develop artistic talent and to museums or organizations to stimulate education and interest in the arts. The construction of facilities or acquisition of equipment would also fall under the jurisdiction of the Endowment. For example, besides supporting concerts, recitals, operas, and the theater, the Foundation might support a traveling exhibition of modern American painters so that all Americans, no matter where they live, would enjoy the riches of our culture.

The basic responsibility for promoting the humanities would fall to the National Endowment for the Humanities. The Endowment will:

First. Be headed by a chairman appointed by the President to award grants, fellowships, loans for research and training in the humanities to individuals and institutions to "explore the nature of man's culture and deepen understanding of the sources and goals of human activity."

Second. Foster public understanding and appreciation of the humanities.

Third. Authorize publication of scholarly works.

Fourth. Include establishment of a national council of the humanities to advise the chairman and review applications for assistance.

Under the National Endowment for the Humanities, support would be given to research, publication, and education in the humanistic fields. Through grants and loans, research and training in the arts and humanities would be supported at the graduate school level. Assistance would be available to individuals, State and local public agencies. Other grants could be for the publication of scholarly works, for the support of projects to improve public understanding and appreciation of the humanities, and for fostering interchange of information. For example, grants could be used for further study in the fields of language, literature, history, or philosophy by individuals at nonprofit institutions or for training and workshops in the humanities by individuals or institutions or for training and workshops in the humanities by individuals or institutions.

To finance this bold and important venture into the cultural activity of our country, the bill authorizes up to $21 million a year for fiscal years 1966–68 to be allotted as follows:

First. $10 million divided between the two endowments.

Second. Up to $2,250,000 in matching funds for each fiscal year for the arts and $5 million for the humanities.

Third. $2,750,000 to the national endowment for the arts for the purpose of setting up State agencies.

Fourth. $500,000 channeled through the Commissioner of Education to strengthen instruction in the arts and humanities by aiding both State education agencies and private schools.

Fifth. $500,000 channeled through the Commissioner of Education to establish a teacher training institute to allow institutions of higher education to study material and train teachers who will strengthen teaching of the arts and humanities in elementary and secondary schools.

The total expenditure is modest: it is much less than the Federal Government gives to support the sciences each year.

Reports and testimony from the 7 days of hearings on this bill indicate that there is a grave financial crisis facing the arts in the United States. There has been a tremendous growth in the past 5 years in the number of symphonies, theater groups, and art museums, but there is still a lack of money for performers, staff, and programs which would answer the public's demands for greater depth and excellence in the arts. The financial crisis stems from an inadequate source of private organizations who would support artistic excellence and who would foster an environment which would stimulate creative expression. The foundation serves to correct this crisis.

There is a crisis facing the humanities, too. The Office of Education has figures indicating that only 1 out of 45 recipients of bachelor degrees goes on to doctoral study in the humanities while 1 out of 15 receiving a bachelor's degree in the sciences goes on to a doctor's degree. This 300 percent difference is bound to affect the quality of teaching of the humanities on an undergraduate level in the next decade. The foundation will serve to help find a remedy to this situation.

The foundation would decentralize the arts so that they can be enjoyed by a greater number of people. The granting of Federal funds to the arts does not mean political control. For example, Federal money does not diminish the stature of the Smithsonian Institution or the Lincoln Center. The bill states in clear language that the arts are considered a matter of private or local initiative. The State, community, group, or individual that needs aid must apply to the foundation with a program well planned. As the Rockefeller report entitled "The Performing Arts: Problems and Prospects" indicates, the foundation will strengthen the arts. To attract support, an organization must demonstrate that it has responsibility, continuity, and the promise of some stability. It must also have clear concepts of its purpose, its development, plans, and why its existence is important to the community.

The foundation will also help to correct the imbalance between Federal assistance to the natural or pure sciences and health and to research and study of the arts and humanities. It will enable a greater number of people to use technological developments such as films or television to foster the arts and spread the study of the humanities. By granting money to educational institutions for aid to the arts and humanities, the foundation will help to create a broad base of interest in the arts and humanities.

Through recognition of and aid to the artist and through greater availability to the general public, the foundation for the arts and humanities seeks to create conditions under which the artist can flourish, a "climate encouraging freedom of thought, imagination, and inquiry, and the material conditions facilitating release of this talent." The partnership between the arts and humanities will lead to a better understanding of man in relationship to his environment in such areas as urban growth and the evaluation of behavioral problems.

Thus, rather than hamper the arts, and humanities, the foundation on the arts and humanities will foster them and elevate our cultural development in all fields to a level commensurate with our material achievements and with advances in science, health, and government. I very strongly urge favorable action on this measure.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, I am glad that the debate has proceeded as it has. I think both sides have made their points of view very well known.

I dislike doing so, but I am constrained to correct my distinguished friend and colleague from New Jersey with respect to the attitude of the American Symphony Orchestra League, which is part of the Federal Music Council. On page 270 of the report the gentleman will find a very comprehensive history of the change in attitude of the American Symphony Orchestra League from the year 1953, when it rather violently opposed such legislation as this, to the year 1965, when it supports in its testimony this legislation, albeit with some reservations. I think in fairness to the more than 1,200 symphony orchestras in various categories that the record should show their change in attitude and support.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield to me?

Mr. THOMPSON of New Jersey. Of course I yield.

Mr. WIDNALL. Are you familiar with the emergency meeting held on April 9 of this year of many of the Nation's symphony orchestras in Pittsburgh? What I am specifically referring to in my remarks is the American Symphony Orchestra League.

Mr. THOMPSON of New Jersey. I am not familiar with that. I am familiar with their formal statement which is a matter of record which was made, probably, in March. I have not been notified by them of any official action taken by them rescinding their statement of support.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield further?

Mr. THOMPSON of New Jersey. I yield.

Mr. WIDNALL. As I said in my remarks, the executive director of this organization, Mrs. Helen Thompson, has been highly critical of the power conferred on the Chairman of the National Endowment for the Arts by H.R. 9460, and has advised the league's nationwide membership to oppose giving the Arts and Humanities Chairman such extraordinary and unusual powers.

Mr. THOMPSON of New Jersey. I would gather from that that is Mrs. Thompson's opinion as an individual. The organization as such has supported it.

Mr. WIDNALL. That was prior to the April meeting.

Mr. CAREY. Mr. Chairman, I support the National Foundation on the Arts and Humanities and I want to urge my colleagues to vote for it.

The purpose of this bill is to create and promote a policy of support for the arts and humanities. It asserts that this is a proper concern of the Federal Government and it recognizes that the ideas and values of the arts and humanities are central to our national welfare. It then proposes a new agency to "complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations." It will encourage and develop improvements in teaching and learning in the arts and humanities. Action is desperately needed and this legislation provides a positive and practical course.

Numerous distinguished witnesses, representing many fields of thought and many areas of experience, documented for our committee the present imbalance in our culture and our educational system. As a matter of fact, some of the most compelling statements came from people we often think of as outside the realm of the arts or the humanities. As an outstanding example, I would like to quote from the eloquent statement made by Dr. Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission:

> What we need today, and what I believe the creation of a National Humanities Foundation will do, is help to refocus our attention on the humanities—on human values. This must be accomplished through our schools, our theaters, our libraries, our museums, our concert halls, through all our modern mass media. Our goals, standards, and ideals need to be restated, analyzed, and understood. We must understand what it is we have valued in the past, which of those values we wish to retain, what new values we wish to set up as guides for the future. We cannot afford to drift physically, morally, or esthetically in a world in which the current moves so rapidly perhaps toward an abyss. Science and technology are providing us with the means to travel swiftly. But what course do we take? This is the question that no computer can answer for us. The establishment of a National Humanities Foundation might be a significant step toward helping us build the Great Society and the better world with the tools we have at hand. In any case, it will give us a better understanding of where we are and what we are trying to become.

In the past, there was a good deal of popular opinion which saw the arts and humanistic scholarship as a side issue, the concern of a few, a frill of no real value. Now we have come to see that we simply cannot afford to neglect these areas and that they are quite necessary for the health of our culture. Few thinking people today would maintain that to avoid these responsibilities is to serve self-interest.

Another attitude which used to crop up from time to time had to do with fears of Federal interference in the arts and humanities. They are, in this view, peculiarly susceptible to governmental influence. I have much more faith in the genius of our own governmental workings than those who are fearful of supporting this bill on such grounds. Further, I believe the safeguards built into this act will work. These safeguards fulfill the thinking embodied in the report of the Commission on the Humanities, which contributed so much to the present form of this bill. The report said:

> It is the conviction of this Commission that the independence of the proposed Foundation's board will be the best safeguard against interference. If the director and members of the board are men of acknowledged competence and courage, as are the director and members of the National Science Board, there should be no problem of improper control.

We have men of acknowledged competence and courage in this country and they will come to our help in this new Foundation because it constitutes such a lofty challenge.

Dollar for dollar, this legislation will return solid gains. It will help us develop more truly educated citizens, well-rounded, and, in the deepest sense, more humane. Mr. Thomas J. Watson, chairman of the board of the International Business Machine Corp., told us that:

> In the end, the good life is far more than goods and services. It depends above all upon the capacity of human beings for thought, for generosity to their fellow citizens, for wise judgments on difficult human problems, and for moral action; not only upon a capacity to know the right, but also upon a will to do the right.

I would add that this is a time in which the arts have become a matter of sharp concern at the State and community level. The recent growth of the State arts council movement is an impressive case in point. Support from private foundations, industrial corporations, and from individual donors will be vastly stimulated by Federal support, as the examples of several States have already proven.

It has been said that history will judge us by our culture. This bill is, in this sense, historically important. I urge you to vote for it.

Mr. RYAN. Mr. Chairman, I urge passage of H.R. 9460, to provide for the establishment of a National Foundation on the Arts and Humanities. I am proud to have cosponsored this legislation by my bill, H.R. 9873, and other bills on this subject.

As a nation committed to humane purposes and lofty ideals, as a democracy which puts its faith in the wisdom and understanding of the people, we cannot fail to recognize the centrality of the arts and humanities to our national life. If we are truly concerned with the development of national and individual potential, we must be concerned with enduring values and the expansion of man's mind and spirit. If we in America are to preserve and enjoy the glories of freedom, we must build an environment in which life has real dignity and meaning. The arts and humanities, through which we may come to know, as the Commission on the Humanities said, "the excitement of ideas, the power of imagination, and the unsuspected energies of the creative spirit," belong to the very heart of our Nation.

At no other time in the history of these United States have we stood more in need of the influence of the arts and humanities. We are reaching a stage of development in which new needs are emerging—subjective and intangible needs for man to perceive himself and the meaning of his life in a scientific, mechanized age. In his recent book, "Self-Renewal," John Gardner wrote:

> Anyone who understands our situation at all knows that we are in little danger of failing through lack of material strength. If we falter, it will be a failure of the heart and spirit.

As an affluent society in an age of cybernetics, the evidence mounts daily that material comforts alone do not satisfy man's deeper needs. A glance at the newspaper headlines vividly reveals new examples of man's failure in responsible and rational living. One of the greatest challenges of our times is to fulfill the intangible needs of society.

The cultural explosion in a sense reflects changing needs. Statistics show a 130 percent rise in consumer spending on the arts between 1953 and 1960; a new gallery or museum opening every fourth day last year; surging symphony and opera attendance; the organization of thousands of semi-professional and amateur theater groups and other striking instances of mass interest in culture. As August Heckscher wrote in 1963:

> The causes of this widespread popular interest lie, it appears, deep within the nature of our society. What might be taken at first glance as a fad, a passing enthusiasm, is actually related to some of the basic currents of the sixties in America. An increasing amount of free time, not only in the working week but in the life cycle as a whole; a new sense of the importance of cities; a recognition that life is more than the acquisition of material goods—these have contributed to the search for a new dimension of experience and enjoyment.

We have become increasingly aware that our needs, goals, and aspirations as individuals and as a nation are closely tied to the strength and influence of the arts and humanities. However, we have seemingly ignored the crisis which exists in these crucial areas which prevents effective cultural development and enrichment of our national life.

The crisis in the arts and humanities involves adequate support and encouragement. In the arts, the economic plight of artists and performers is well known. Members of our symphony orchestras receive salaries ranging from $2,000 to $9,000 a year. The average annual earnings of Actors' Equity members is $2,000. The recent Rockefeller Panel Report on the performing arts points up the needs of the artist:

> More than most people, the artist needs time to measure his words and select his images if he is to speak his truest voice. That he should have time is of the essence, and thus far we have not, generally speaking, been overly generous in helping our artists find it. Nor have we been particularly generous in providing the means by which completed works can be presented.

Similarly the humanities suffer from deprivation and an imbalance in support. Preoccupation with scientific progress has resulted in the now familiar dichotomy between the two cultures. Science prospers often at the expense of the arts and humanities.

The best salaries go to scientists and engineers.

Nearly all grants and contracts for research are awarded to scientists and engineers.

Most of the new buildings, equipment, and libraries go to scientists and engineers.

The best qualified students usually join the ranks of the scientists and engineers.

More funds and support are urgently needed for such purposes as strengthening teaching in the humanistic disciplines, the establishment of new scholarships and fellowships and for research in the humanities.

Because the arts and humanities are essential to the national welfare and because the inadequate encouragement and support of these areas seriously impedes their effectiveness, I introduced legislation to create a National Foundation on the Arts and Humanities.

The Foundation would be an independent agency consisting of a National Endowment for the Arts and a National Endowment for the Humanities. Each would be headed by its own chairman and council and the activities of both would be coordinated by a Federal Council on the Arts and Humanities.

The Endowment for the Arts would be authorized to establish a program of grants-in-aid to groups, and individuals engaged in or concerned with the performing or creative arts. This program would both assist artists and cultivate and extend the availability of excellence in the arts to all sections of the country. For instance, live professional performances might be brought to areas that do not often see them. States might be helped to send mobile art museums to local communities.

The Endowment for the Humanities would be concerned largely with education and research in the humanities and arts. Among its purposes would be the fostering of understanding and appreciation of the humanities and the arts. Fellowships and grants to institutions or individuals would be awarded for training in the humanities and the arts. Research and the publication of scholarly works would be supported.

An important feature of this bill is its manner of funding which provides for and encourages private support, thus strengthening the freedom and independence of the Foundation. In addition to an authorization of $10 million to be divided equally between the two endowment funds, the bill authorizes an additional $5 million to be made available to the Endowment for the Humanities to match private contributions, and $2,250,000 for the Endowment for the Arts.

The proposed legislation also would strengthen education in the arts and humanities at the elementary and secondary school level through assistance to schools for purchase of equipment related to these areas and through institutes for teachers concerned with the arts and humanities. This program would be administered by the Office of Education and would parallel programs that strengthen other areas of instruction under the National Defense Education Act. Unless we improve such education in the schools in order to develop new insight and understanding, we are unlikely to increase the enjoyment of the arts or interest in the humanities.

Mr. Chairman, it is time the Federal Government responded to the growing concern with the arts and humanities.

The Foundation has received the support of leaders in the arts and humanities, business, organized labor, and the academic community. Let us give new impetus to the building of a great and enduring civilization by establishing a National Foundation on the Arts and Humanities.

Mr. WILLIAM D. FORD. Mr. Chairman, one of the main purposes of the program authorized by H.R. 9460 is to stimulate public and private support of the arts and humanities.

There are two important features of the bill which provide the direct avenue for this stimulation and mobilization.

One relates to the arts alone, and, I might add, was an important contribution by Members of the minority in the other body. The other feature relates to both the arts and the humanities and was an integral part of the bill sent up by the President.

First let us consider a constructive contribution made by the minority. This proposal was developed in the other body. The language occurs in section 5(h) and in section 11(c) and the two subsections must be discussed together.

In essence what we are doing here is to stimulate the States to establish arts councils, or to set up some agency with similar duties. We would hope to have the States themselves undertake the job of subventing arts and other cultural programs themselves.

In essence we authorize the arts endowment to make matching grants to the States. The maximum allowable to a State is $50,000. We expect the States to have programs which will carry out the purposes of the Federal endowment.

Some States already have arts councils. Some are statutory; some are by Executive order. Some are funded, some are not. A summary of State arts activities, as of January 1, 1965, appears on page 51 of the hearings. For those who have no programs to support the arts with funds, or no programs whatsoever, we permit a one-time grant of up to $25,000 to make surveys to determine what can and cannot and what should and should not be accomplished.

Now this direct effort to stimulate State action is funded under the section where we provide authorization to match gifts, as against the firm, 3-year authorization of $5 million for each endowment. We do this because we consider any funds appropriated by a State legislature in the category of a gift to the national endowment.

Additionally we authorize both endowments to accept gifts, and we establish the procedures for handling such gifts. The humanities endowment may come to the Appropriations Committee and ask for money to match its gifts, in an amount up to $5 million. The arts endowment may do the same, but only in an amount up to $2,250,000. For the arts endowment the additional funds it may seek to match gifts, and the sums it may seek to match maximum appropriated by the States also amounts to $5 million.

Thus we are providing direct machinery to stimulate State support of the arts, and to mobilize private support for both the arts and the humanities.

Actually, at present, probably not more than 2 percent of all private donations go to support the creative and performing arts. Somewhat more goes to support the humanities, but still far less than goes to support other activities. A full discussion of private donations appears on pages 139–140 and 212–213 of the hearings.

Support by the States is an infinitesimal sum for the arts. For the humanities, State support is lumped together with general educational spending.

The direct machinery for stimulating the States and for mobilizing private funds is an important and vital portion of this bill.

I am sure that all of us who support this proposition would be more than happy if this source enabled each endowment to obtain all it needed to fulfill its grant programs. Many have suggested that it will.

The provisions in this bill for matching grants to the States, and the authorization of appropriations to match private donations give meaning and purpose to paragraph 4 of section 2, the Declaration of Purpose.

This paragraph finds and declares "that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and organizations."

Mr. SCHMIDHAUSER. Mr. Chairman, I rise in support of H.R. 9460, which provides for the establishment of the National Foundation on the Arts and the Humanities. It has long been my feeling that the humanities and the arts have suffered at the expense of the scientists as far as Federal aid is concerned. It was for that reason that I, and a number of my fellow Members of the House of Representatives, introduced bills on the opening day of the 89th session of Congress which called for the creation of a National Humanities Foundation. We should promote progress and scholarship in the humanities and the arts in the United States. We have heard ample testimony and we have read sufficient reports to know that a grave financial crisis faces the arts today. The resources of private organizations which support artistic excellence are becoming inadequate to meet our present and future needs. There is a rapidly growing desire on the part of many citizens for a greater participation in cultural affairs and this demand is not adequately being met.

President Lyndon Johnson wisely observed the importance of this legislation when he recommended its passage in his statement of March 10, 1965. He wrote:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

The glories of ancient Greece and ancient Rome have been swept by the sands of centuries and only the glories of the art that flourished there remain. This great Nation shall hold the respect and esteem of other lands and future generations by the quality of its civilization as well as by the quantity of its resources. The late President Kennedy had a vision of America which I share and which I know is shared by all of us here today. He said in an address at Amherst College 2 years ago:

> I look forward to an America which will reward achievement in the arts as we reward achievement in business or statecraft. I look forward to an America which will raise the standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all of our citizens. And I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well. And I look forward to a world which will be safe not only for democracy and diversity but also for personal distinction.

This bill to establish a National Foundation on the Arts and the Humanities is a good bill and is soundly conceived. Its purpose is to develop and promote a broadly-conceived national policy of support for the arts and the humanities. A National Council for the Arts and a National Council for the Humanities will be joined together under the National Foundation on the Arts and Humanities.

The National Endowment for the Arts—under the National Council for the Arts—will provide matching grants to groups—nonprofit organizations, State, and other public organizations—and to individuals engaged in the creative and performing arts.

The National Endowment for the Humanities will provide nonmatching grants and loans for research, award fellowships and grants to institutions or individuals in training, support publications of scholarly work, and provide for an exchange of information. A Federal Council on the Arts and the Humanities will be established to coordinate the two endowments.

This legislation has received very strong support from the academic and artistic communities. It has received this support from people throughout the Nation. I have received countless letters of support for this legislation from Iowans. The president of the State University of Iowa, Howard R. Bowen, has written to me of his support of this bill. So too has the president of Iowa State University, James H. Hilton. The executive director of the State University of Iowa Foundation, Loren Hickerson, has written to me about the importance of this bill for the University of Iowa Foundation and its campaign to develop a great center for all the arts at the University of Iowa. A distinguished special faculty committee on legislation for a National Humanities and Arts Foundation was formed at the University of Iowa under the chairmanship of Prof. Donald C. Bryant. That committee included Profs. Robert Alexander, Murray Krieger, Albert Luper, Paul Neuhauser, John Nothnagle, Oscar Nybakken, and Stow Persons. They wrote to the other colleges throughout Iowa to urge support of this legislation. The response indicated solid support for a National Foundation on the Arts and the Humanities.

That faculty committee wrote to me of the needs such a Foundation would fill. In their letter they wrote:

> The establishment of a National Arts and Humanities Foundation would serve unique needs of the University of Iowa as well as needs it shares with many other major public universities, if not with all universities.
>
> Like all universities whose resources must be heavily committed to service activities and to research and teaching of a scientific and practical nature, the University of Iowa has increasing needs for funds to sustain student fellowships and scholarships and for faculty research in the humanities. These needs have been amply argued by all who have supported the creation of a National Humanities Foundation.
>
> But universities located in the Middle West have these needs aggravated in many ways and for a variety of reasons. Just as Space Agency funds tend to gravitate to the east and west coasts, so also private support of the arts and humanities has tended to go to the large private universities on the coasts. This has been true of foundation, corporate, and individual gifts and, as with Space Agency funds, has tended to distort the geographic distribution of strong programs in universities. The problem is especially important for State-supported institutions because donors of private funds have been slow to find it appropriate for them to make large grants to public institutions. Hence in order to supplement the appropriations which the State has been able to provide, and in order to sustain its valuable work in the arts and humanities, the University of Iowa has raised its tuition to the point where it is now as high (even for in-State students) as it was in private colleges only 15 years ago. The State has been unable to provide a concomitant increase in scholarship funds. Further, there have been too few graduate college awards available either to graduate students already in residence or to those graduating from colleges around the country who would normally be attracted to the humanistic areas of special strength in the university. As financial presure increase, the ability of the university to give appropriate support to the research of its many distinguished contributors to the worlds of humane scholarship and the arts becomes more and more strained. The university must find ways to increase its capacity to grant research leaves and to augment its library resources in the major fields of humanities and the arts in which it is now eminent and those in which eminence is within reach.
>
> But now we approach the needs arising from problems that are unique to the University of Iowa. In Iowa there are special problems resulting from the divided assignment of functions and funds between the State's two major universities. Since the university does not have many of the most immediate service functions of the land grant institution related to applied science and agriculture, it can be far more centrally concerned with the humanities than it could be if it were, like many State universities, concerned with all functions. The unique role of the University of Iowa, therefore, in the State's system of higher education permits it a special mission in the humanities, one in many ways like that of the great private liberal arts universities. Hence it creates and maintains programs that make it and keep it a pioneer in many areas of the humanities and the arts.
>
> The University of Iowa has the foremost writers' workshop in the country and has long been one of the leaders in the fields of English, speech, drama, art, music, and law, among others. In each of these fields, the university's program has had a nationwide impact, and the students who have earned advanced degrees in these fields teach in universities all over the country. The law school, for example, has trained leading lawyers now practicing in every State of the Union, including two recent presidents of the American Bar Association.
>
> The writers' workshop has drawn promising young authors and poets from every part of the Nation as well as many foreign countries and has provided writer-teachers to found new workshops everywhere. The Department of English has also founded recently the center for modern letters, a union, such as exists at no other university, of programs of special strength—writers' workshop, translation workshop, together with programs in literary criticism, comparative literature, and contemporary literature. (Yet its effective functioning must depend at the moment on outside support.) The department of speech and dramatic art sustains a nationally distinguished undergraduate and graduate program of scholarship and creative production in theater, including playwriting. The school of music has the Iowa string quartet and the school of arts its print workshop, both of which have achieved wide and respected recognition, even acclaim. There could be other centers or institutes involving new combinations of humanistic disciplines if assistance from a national arts and humanities foundation were available. For example, there has been some preliminary suggestion that this university would be the appropriate place for the founding of an institute for the philosophy and criticism of the arts. But considerable support would be required to move in this or any similar direction.
>
> A public university in a State like Iowa has also many special humanistic functions to perform in the local communities if the Nation's humane potential is to begin to be realized, as in any great and mature society it must be. What is required, in effect, is for the university to introduce as service functions many activities not viewed in this way before. It should explore ways of extending the arts into the cultural life of the State's communities so as to assist citizens in the purposeful use of leisure time. More particularly, it should organize the use of the arts in culturally deprived areas, providing counterparts in the arts for the accepted use of the mobile library. It should sponsor the responsible publication, recording, reproducing, and performing of various kinds of art at the local level. It should try to discover, develop, and if possible subsidize creative, scholarly, and performing talents in the arts and humanities at an earlier age than is now possible so as to prevent many of these from being lost—in part through devices similar to the summer workshops devised for promising young scientists, in part by arrangements for year-round participation by university personnel. These attempts would also involve the university in the further attempt to improve the quality and sophistication of the teaching in these areas at all levels throughout the State. For a culturally mature society that takes humanities seriously, these efforts are appropriate services to be performed by a public university. They must become services as widely accepted and welcome as those more immediately practical ones it has traditionally performed.
>
> Thanks to the unprovincial nature of the States' commitment to higher education, the scholarly and creative activities of the University of Iowa have known no State boundaries but have had an impact both in research and in the origin and ultimate distribution of students which is nationwide. Thus the strength of the university's humanistic program must be of Federal as well as State concern. The State of Iowa, despite its two major State universities and their attendant financial demands, ranks almost exactly in the middle among the States in wealth, population, and most other indices of ability to support strong programs at the university; and it has become increasingly

difficult for all but the wealthiest States to maintain the outstanding programs which have been characteristic of the University of Iowa. If these programs are to continue and deepen, and if others like them are to be developed, new sources of financial support must be found. The humanistic contributions made to the national life, as well as to the life of other States, dictate that the State of Iowa, having so long identified its welfare with that of all those served by its teachers and students, has earned its claim for Federal partnership in supporting the humanistic programs and ambitions of its university.

Donald C. Bryant,
Chairman, Speech and Dramtics Art.
Robert Alexander,
Art.
Murray Krieger,
English.
Albert Luper,
Music.
Paul Neuhauser,
Law.
John Nothnagle,
Romance Languages.
Oscar Nybakken,
Classics.
Stow Persons,
History.

A list of the names of all those who have written to me in support of this legislation would be a digest of the academic and cultural leaders of Iowa. They have risen as one voice in petition to the Congress of the United States to support this legislation we are considering here today. As their representative, I join with them in urging the passage of H.R. 9460, which provides for the establishment of the National Foundation on the Arts and the Humanities.

Mr. MONAGAN. Mr. Chairman, the significant fact about H.R. 9460 is that in this legislation the Congress of the United States recognizes the value of the arts and humanities to our Nation and the need for their stimulation and nurture.

Surely the fostering of the arts is a mark of a great and mature civilization and our country should feel it a legitimate national purpose to seek ways in which to make the lives of our people more complete through support of programs and agencies calculated to advance interest in and knowledge of the gentler sciences.

It is always, of course, important to foster the growth of the arts, but this aim is particularly vital in these days when automation and the growth of science have presented our citizens with greatly increased leisure and extended opportunity to devote time to cultural pursuits.

There is an additional reason for supporting this legislation. We live today in a world that is increasingly urbanized and one in which the tendency is to create a mold and force the individual into a common pattern. The trend toward standardization has contributed to the spiritual impoverishment of the individual and has reduced his self-reliance and his capacity for distinctive development.

Surely in the midst of our increasingly mechanical and scientific society where the engineer and laboratory technician rule, it is essential that strong effort be made to preserve the influence of the humanities and that objective would be furthered by this bill.

These are the constructive aspects of this legislation.

On the other hand, there are disquieting problems which might arise from it which must be mentioned.

It does represent governmental intervention in a delicate and sensitive area. It does involve the expenditure of money and the creation of jobs on the basis of individual taste and private opinion. It represents a change in the manner in which the arts and humanities have been sponsored, supported and developed in the past.

It behoves us, therefore, to be careful in the provision which we now make and the structure which we establish.

Those who have studied the history of the U.S.S.R. and even that of modern France are aware of the frustrations and deficiencies which inhere in bureaucratic administration of the arts. Now I am not suggesting that this would be the object of the executors of this legislation or even the necessary result, but we must be aware of and guard against this danger which may come from operation by committees and boards with public financing. Unsatisfactory and even brutal, mercenary and rapacious as our present system may be, nevertheless it has the harsh benefits of a sort of jungle competition and has produced freshness and growth and dazzling beauty along with the tasteless, tawdry and vulgar that come inevitably from the freedom of expression that is part of our present system.

If, however, we have Government assistance, but not intervention; if we have support but not control; if we have stimulation but not participation, then we shall have constructive action in the best interests of the Nation.

That is the intent of the Congress and that is my expectation.

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 9460, the provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the arts and the humanities in the United States. This legislation incorporates the proposals of President Johnson as embodied in H.R. 6050, and establishes a National Foundation on the Arts and the Humanities. The purpose is to develop and promote a broadly conceived national policy of support for the arts and the humanities. A National Council for the Arts, and a National Council for the Humanities will be joined together under the National Foundation on the Arts and Humanities.

The National Endowment for the Arts, under the National Council for the Arts, will provide matching grants to groups, such as nonprofit organizations, State, and other public organizations, and to individuals engaged in the creative and performing arts. Special grants will be given to States which have organizations with parallel functions. A one-time $25,000 grant to States not having Arts Councils or parallel organizations is also authorized.

The National Endowment for the Humanities will provide nonmatching grants and loans for research, award fellowships and grants to insitutional or individuals in training, support publications of scholarly work, and provide for an exchange of information. A Federal Council on the Arts and the Humanities will be established to coordinate the two endowments. Each endowment is authorized to receive $5 million for fiscal year 1966 and for the 2 succeeding years. Each endowment is authorized to receive up to a maximum of $5 million additional to match private donations on the part of the humanities endowment and private donations and State funds on the part of the arts endowment.

The function of the Foundation is to correct the imbalance between science, and the arts and humanities, and would serve to decentralize the arts in the United States, so that artistic excellence could be enjoyed and appreciated by far greater number of citizens in each State.

Mr. WIDNALL. Mr. Chairman, while the bill was being read for amendment, I offered an amendment which provided that on page 9, line 20, after "plan" insert the following: ", except that in the case of the District of Columbia the Recreation Board shall be the 'State agency'." This amendment was accepted by the chairman [Mr. Thompson] without debate.

This amendment recognized the longtime place of the District Recreation Board in having responsibility over the recreational and art programs of the District of Columbia. Congress in 1942 authorized such jurisdiction for the District of Columbia Recreation Department. Through the years the Recreation Board has been commended for its fine performance and I fully believe that it has the support of all the District citizens whom it has served so well and impartially throughout the years, as well as the National Symphony Orchestra, the Washington Civic Opera Association, and other cultural groups and organizations.

At the present time, Congress is now appropriating nearly $5 million per year to the District Recreation Department to carry on all of the District's recreation and art activities. The adoption of the amendment will insure that the District of Columbia Recreation Department will be protected by the Congress and the District government in future legislation brought before the Congress, including the home rule bill. Mr. Milo F. Christiansen, presently and for a long time superintendent of the Recreation Department, Joseph H. Cole, the assistant superintendent, and the board chairman, William H. Waters, Jr., deserve great credit for the work that has been done and the programs accomplished during their tenure in office.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that this House will speedily and overwhelmingly approve this measure before us, H.R. 9460, substantially similar to H.R. 338 which I introduced last January 4, providing for the establishment of a National Foundation to promote progress and scholarship in the humanities and the arts.

Pertinent to our approving action on this bill is the realization that the policies of our Government have a tremendous impact upon the future of private education in this country.

A factual example is the effect the grants of the National Science Foundation have already had on the colleges and universities who have received these grants for research in the natural and physical sciences.

The National Science Foundation has greatly stimulated scientific research and teaching and that is a most wholesome accomplishment.

However and unfortunately, it is very evident that its emphasis on the sciences has tended to encourage, perhaps unwittingly, an unhappy and disproportionate concentration on science programs at both the college and graduate school levels.

Obviously, therefore, a foundation on the arts and humanities is needed to bring a happy and fruitful balance back into the Federal Government's policy of providing financial assistance to higher education. The present lack of such a foundation hits small liberal arts colleges very hard, since they are not given very much consideration when the large grants for scientific research are being awarded.

The overall objective of this legislation is to aid and stimulate the education and development of scholars, artists and teachers at every stage of their growth and learning. It will thus serve to correct the present imbalance between science and the arts.

We should remind ourselves today of the admonition on this subject voiced in the report of President Eisenhower's Commission on National Goals in 1960 and I quote the language in that report:

> In the eyes of posterity, the success of the United States as a civilized society will be largely judged by the creative activities of its citizens in art, architecture, literature, music, and the sciences.

Almost alone among the large governments of the world this Government until recently, has evidenced little concern for the development and encouragement of the artistic and cultural resources of its citizens. Through this bill before us we have an opportunity to correct this major deficiency in the development of a more wholesome, better balanced, and more generally cultured American society. In our own best national interests and in keeping with our obligations of world leadership, let us seize the opportunity and adopt this legislation without further delay.

Mr. GILBERT. Mr. Chairman, I rise in support of H.R. 9460, the National Foundation on the Arts and Humanities Act of 1965. I am one of the sponsors of this proposal to develop and promote a national policy of support for the arts and humanities.

Federal interest in the arts is not new, but the concept of Federal assistance to the arts has not been generally accepted, and only in recent years has nationwide interest been aroused through the foresight and efforts of President and Mrs. Kennedy and President and Mrs. Johnson. It has been traditional in this country to believe that the arts are of no concern to the Government.

With the establishment of the National Council on the Arts in 1964, and the interest shown by so many Members of Congress in introducing bills to establish a National Foundation on the Arts and Humanities, I feel that we are now making real headway. The fruits of culture should not be known to, and enjoyed by, an esoteric few. Our Federal programs should concentrate on getting art to more people at a cost they can afford.

We are now seeing more and more movement and cooperation in establishing new art galleries, the formation of more symphony orchestras, theater organizations, opera companies and dance groups. Television and radio are carrying more and more symphony programs, concerts, and great productions of the theater. We are seeing an insatiable thirst for culture among our people. We have the talent, but unfortunately, too many of our performers and artists do not have the economic incentive. The salaries of members of our great symphony orchestras are paid salaries as low as $2,000. Often the stagehands make more money than the top performers. Such an economic situation has forced great talent to turn to other careers. Only in recent years have we begun to realize this, and to take some steps to develop the arts and create vitalizing and new relationships between the artistic performer and the audience.

The bill before us would join the National Council for the Arts and a National Council for the Humanities together under the National Foundation on the Arts and Humanities.

The Foundation will encourage training and participation in the arts and humanities. Only through such participation and mutual appreciation—sharing of interests and understanding—can we achieve the unity necessary for cultural development and enjoyment. The National Endowment for the Arts will provide matching grants to groups and individuals engaged in the creative and performing arts. The National Endowment for the Humanities will provide nonmatching grants and loans for research, award fellowships and grants and loans for research, award fellowships and grants to institutions and individuals in training, support publications of scholarly work, and provide for an exchange of scholarly information between the United States and other countries. The humanities endowment will emphasize quality and will serve to strengthen teaching and attract the best talents to the humanistic studies.

Mr. Chairman, our Great Society should certainly encompass the performing arts and humanities. Every generation and every country needs museums, art centers, teaching institutions for the creative arts and humanities. And we need artists who can spend their best years creatively, rather than be forced to leave their fields for other jobs to finance their work. The performing arts cannot depend entirely on local benefactors, societies and civic groups. The lack of private funds to support the arts and humanities has presented a grave financial crisis.

I urge my colleagues to join me in supporting H.R. 9460, to establish the National Foundation on the Arts and Humanities. We must maintain and increase the cultural resources of our country. In addition to encouraging private initiative, we need to extend Federal assistance to expand opportunities and raise the standards of accomplishment in the arts and humanities.

Mr. LINDSAY. Mr. Chairman, last year Congress authorized the formation of the National Arts Council to study the role of Government in the arts.

The bill before the House today goes much further. It establishes a national foundation to provide Federal financial aid to such activities as opera, dance, drama, painting, literature and allied fields.

At the same time, it makes it quite clear that such aid will not involve any Federal control of the recipients. I plan to vote for this bill because I believe that culture in this country is in serious trouble.

Let us review the state of the arts:

On August 10, a cultural phenomena took place in New York City's Central Park: 70,000 New Yorkers trouped out to hear the New York Philharmonic play Beethoven's Ninth Symphony. The crowd exceeded any that the Philharmonic had played before. It more than doubled the attendance at the game between the Minnesota Twins and the Yankees the same night. It topped the gathering of 55,000 teenagers which rocked to the Beatles 5 days later at Shea Stadium.

The crowd in the park was an impressive indication of the potential audience for the arts in this country.

A recent Rockefeller fund report cites some others: There are twice as many opera groups—754—in the United States as there were a decade ago; in the same period the number of theatrical enterprises have risen by 15 percent to 40,000; the number of symphony orchestras is now 1,400, double the number in 1939.

The statistics indicate that culture is doing pretty well in this country. Not so, said the report.

Almost all of the recent expansion in the arts has been amateur. Only 54 of the symphony orchestras are professional. Only one dance company in the Nation operates year round. Over the past 40 years the number of commercial theaters has dropped from nearly 600 to barely 200.

A few more figures: The average annual salary in our orchestras ranges from $2,000 to $9,000; many professional musicians earn only a few hundred dollars a year from concerts.

Professional dancers average only about $3,500 a year, and the prima ballerina can today hope for little more than $10,000.

The prodigious cost of opera is well known; the New York Metropolitan Opera required more than $9 million last season.

Cost obviously, is the continuing crisis of the performing arts.

The Broadway theater is the only one that has proved remotely capable of self support through the box office. Yet about 75 percent of all Broadway productions lose money; fewer than half as many plays are produced on Broadway each year as there were during the 30's. Few are serious dramas. No new theater has been built on Broadway since 1939.

Performing arts can and do earn substantial income through ticket sales. But it was the conclusion of the Rockefeller report, however, that the arts cannot be logically expected to pay their way at the box office.

Somehow the gap between expenses and income at the box office must be made up by contributions, most of them from the private sector of the economy—individuals, foundations, corporations.

States and municipalities must do more. Most States would do well to follow my own New York, which under Governor Rockefeller's leadership spends nearly $600,000 a year to bring theater, opera, and symphonies to small towns all over the State.

I have sponsored legislation to help the arts since I entered Congress in 1959.

Only a National Arts Council has been approved thus far. Now, however, I believe that more meaningful Federal participation is needed—specifically, money.

To date, Federal support of the arts has been largely ancillary. The State Department's cultural exchange program is one illustration.

The few direct Federal artistic activities, such as the National Museum, The National Collection of Fine Arts, The Freer Gallery, are fine, but are concentrated in Washington, D.C.

Society cannot ignore its cultural well-being any more than its schools or hospitals. The arts, therefore, are the proper concern of the elected representatives of that society.

Parenthetically, I no longer hear much about that premise. But I well remember an arts council bill I cosponsored in 1959 being denounced by a powerful Congressman as the opening wedge toward subsidized poker games.

Our early Presidents were conscious of the responsibility toward the arts. John Quincy Adams, in his first annual address to Congress, called for the passage of laws for the encouragement of the arts, sciences, and literature.

It would be gratifying to President Adams that the House has been considering precisely such a law. For myself, I am gratified that the bill before us includes virtually all the proposals I have urged for the past 6 years.

Basically, the bill provides for establishing a National Foundation on the Arts and Humanities which would parallel the National Science Foundation.

Under the Foundation, a National Endowment for the Arts will carry out a program of Federal grants to groups or individuals in the arts, enabling them to put on professional productions which, without such assistance, would have been unavailable to Americans.

A similar National Endowment for the Humanities will award grants and fellowships in language, literature, history, philosophy, and the other fields. During fiscal 1966 each endowment will have $5 million to award, plus an equal sum to match certain private and State contributions.

To those who are concerned that Federal aid means Federal control, I call attention to that section of the bill which expressly forbids any department, agency, or employee of the United States from exercising any supervision or control over the policies, personnel, or operation of any non-Federal group dealing with the Foundation.

No statement, it seems to me, could more definitely delineate the Government's role in this program. With this safeguard, the small sums proposed can do much to cure the malaise afflicting the arts in the United States.

A nation's culture is its soul. Its enhancement enriches us all.

Mr. FRASER. Mr. Chairman, I rise in support of the establishment of the National Foundation for the Arts and Humanities. The successful work of the National Science Foundation has made it clear that Federal support for creative endeavor can promote world leadership for the United States and enrich the lives of our citizens.

We in this country have tended to stress technological and scientific efforts while ignoring the arts and the humane studies. H.R. 9460 recognizes this disparity and begins the process of correcting it.

The people of Minneapolis have indicated their support for this legislation to me, Mr. Chairman—in person and by letter. In 1 day this week I received 12 telegrams in support, and hardly a week has passed during this session without continued favorable expression. In response to support of this kind, I introduced H.R. 5387, a precursor to the bill now before us.

The city of Minneapolis is fast growing into the foremost cultural center in the upper Midwest. The Minneapolis Symphony, the University of Minnesota, the Andahazy Ballet Company, the Tyrone Guthrie Theater, the Walker Art Center, and many other groups and individuals too numerous to mention are already weaving a rich fabric of learning and creative expression. This bill will allow our people to greatly increase their investment in time, money, energy, and creativity in efforts which will be of interest to the Foundation established by this bill.

Let us pass H.R. 9460 and enrich the common life.

Mr. COHELAN. Mr. Chairman, I rise in support of this bill to establish a National Foundation on the Arts and Humanities.

In the shock of the post-sputnik period this country launched an intensive effort to insure that it would always have available an adequate supply of scientifically trained personnel. The results of these programs have been satisfying. More young Americans than ever before have been given the opportunity, and have made good use of it, to obtain an education and experience in the many scientific specialties. More intensive research has been conducted and more scientific advances and breakthroughs have been achieved.

Let me make it perfectly clear that I have no quarrel with these developments. The security and the welfare of our society have been enhanced and I applaud the progress which has been made.

But I am concerned that we may have lost a certain degree of perspective; that we may have allowed certain values to get out of balance; and that we may, while moving ahead in certain vital areas, not have done as much as we should in others of equal significance and value.

The Commission on National Goals said in its 1960 report:

> In the eyes of posterity, the success of the United States as a civilized society will be largely judged by the creative activities of its citizens in art, architecture, literature, music and the sciences.

It should be perfectly clear, Mr. Chairman, that we have excelled in the latter. But certainly more, much more, will need to be done if we are to realize our potential in the arts and humanities and if we are to make their benefits available to more of our people.

The record shows that at the very time a financial crisis has been confronting the arts in the United States, a serious imbalance has existed between Federal support of the pure sciences and support for humanistic research and expansion of the arts. I do not believe this trend should be allowed to continue. If we are really concerned with the type and quality of world we are to pass on to our children and our children's children, then this imbalance must be redressed.

This bill offers a reasonable, practical, and effective means of accomplishing this objective. By providing matching grants to groups and individuals engaged in the creative and performing arts and by making grants and loans available for research and publication in the humanities, we are maximizing and building on the talents we already have. We are encouraging more people with ability but limited financial means to participate, and we are making the fruits of their labors available to a much broader and more numerous group of Americans.

Mr. Chairman, as a matter of equity and responsibility, I believe this bill should be approved. It is no longer fitting that the richest Nation in the world should allocate such a small percentage of its resources to the development and encouragement of the artistic and cultural resources of its citizens. We can and should do better. This bill will allow us to do so.

Mr. DUNCAN of Oregon. Mr. Chairman, I rise in opposition to H.R. 9460, a measure to establish a so-called National Foundation on the Arts and Humanities.

We are considering a bill that not only defies clear and precise understanding, but which tends to defeat one of its own objectives—the support and encouragement of artistic excellence.

To obtain congressional support and Federal money for this endeavor the bill seeks a legislative marriage between the arts and the humanities. It is unlikely that a proposal for direct Federal support of the arts alone would have reached the floor of the House. It has been locked together with assistance to the humanities, because of our generally shared and legitimate concern that our massive Federal research and development programs are overemphasizing science and technology. The bill thus enjoys a greater measure of support.

There is justification for support of the humanities, although our educational bills have at least reduced the urgency of this need.

If the U.S. Congress desires to institute State-assisted art to the American people, then let us have the courage to place the issue squarely before us, debate it, and vote. But let us not seek to cloud this departure from our tradition of a free and private expression of all art forms with a package deal of simultaneous Federal support for the humanities, which surely enjoys greater support.

There must be some order of priority about our efforts to attack national problems. The 89th Congress has enacted a great deal of progressive legislation designed to enrich the lives of all Americans in the fields of education, health, housing, employment, civil rights, and labor relations. And much remains to be done.

If any direct Federal assistance to the arts is warranted either in the national interest or the interest of the arts, which I seriously doubt, then consideration of it should be deferred while we struggle with more basic problems. Surely we have not yet exhausted the important issues with which the Congress must deal.

Federal grants for the purpose of encouraging excellence in the arts will open a Pandora's box of controversy, and efforts to define either art or its excellence will only compound the confusion.

A nation's art reflects the aspirations, the hopes, the dreams, the struggles, and even the failures of a people. It comes from the minds, the hearts, and the souls of men and women and not from the treasury of the government or the offices of its officials.

What is artistic excellence to one is often absurd nonsense to another. And the nonsense of several decades ago may well be, and often is, the art form of today. The artistic horror expressed when Stravinsky's "Firebird Suite" was first performed in time became acclaimed for great musical achievement; however, the notes and the instruments were the same—only the artistic judgment changed. The once-thought radical French impressionists near the turn of the century are now virtually considered among the old masters.

That there may exist severe congressional and administration differences of opinion on what is art was readily evidenced in the controversy excited by the relatively recent State Department traveling exhibition of American painting.

Who is to say that the patrons of the Beatles are any less the patrons of art than those culturally minded citizens who donate to the support of symphony orchestras? Is "Funny Face" or "Golden Boy" any more theater and more worthy of support than "Bonanza" and "Gunsmoke"? Who has the right to say so and with whose money?

Should we force the follower of Matt Dillon to support creative efforts in an off-Broadway avant garde theater he will not only not visit, but does not want to?

Are we or any foundation created by the public to use the power and money of government to encourage, stimulate, direct, or otherwise force art forms to meet our own or even today's tastes and artistic judgment, should we be able to agree on these? Would this in the end stagnate art expression and make even more difficult the role of the artistic pioneer, never an easy one at best? I think it would.

Not only must the artist be free to practice his art form, but the public must also be free to patronize or reject those art forms and artists as it chooses.

The music from Nashville, Tenn., or New Orleans, the rain dances of the Arizona Indians, the Beatles, pop art, the National Ballet, the Ashland, Oreg., Shakespeare Festival, the New York Philharmonic, and this very Capitol are all expressions of art to which some segment of the American people subscribe, but which others just as enthusiastically reject.

We have only to look at the very recent history of the Soviet Union for dramatic evidence of the artistic calamity involved in state-sponsored, directed, sanctioned, or even influenced art.

Should we use the Federal purse, however we may seek to prevent political or bureaucratic influence from contaminating free art expression, to support that which in the judgment of today's experts is worthy of support, and withhold this support from those groups, organizations or institutions which do not enjoy this favor? Are the experts of today qualified to direct art into the channels of the future, no matter how subtly this may be done nor how innocently begun.

I submit that the United States has no business setting art standards or attempting to influence them; that inevitably the establishment of a national foundation to encourage excellence in the arts would become a foundation determinating what constitutes excellence in the arts and financing its judgments and prejudices with the public's money.

I suggest that we leave this responsibility to the people individually and their private associations and institutions, and to the artists of our Nation, and get about our own legitimate and proper business.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 9460, the National Foundation on the Arts and the Humanities Act of 1965.

I am proud to be a cosponsor of this proposed legislation which would provide much-needed encouragement and support of national progress and scholarship in the humanities and the arts. The need for a national policy of support for the humanities and the arts is not one which is peculiar to our day. Such a need has long been recognized, and some of the proposals for Federal Government assistance in the arts in fact date back to the early days of this Nation.

The need for Federal support, however, has become extremely urgent because of today's financial crisis which faces the arts in the United States. The crisis has been shown to be directly attributable to the inadequacy of private sources to support American artistic excellence at an appropriate level. As a result, we have not been able to foster and develop an environment which would fully stimulate creative expression throughout our country.

The crisis has created the urgent need. In another sense, the need has perhaps contributed to the crisis.

As a nation, we have in recent years been deeply involved in the natural or pure sciences and in technological progress. This national concern for the advancement of programs involving the natural sciences has been reflected in the vast number of bills which have been considered in these legislative halls. Automation and modern mechanical conveniences have enabled our citizens to have and to enjoy more leisure time than at any other period in our history. The result is that Americans in increasing numbers are seeking greater exposure to cultural excellence, but are becoming frustrated in their quest because of the state of retarded development of the humanities and the arts.

The proposed National Foundation on the Arts and the Humanities would do much to correct this imbalance between science and the arts. It would enable the United States to assume its rightful position of leadership in the arts and the humanities. The legislation we are now considering would indeed make it possible for this country to increase its contribution to the advance of civilization, as suggested by President Johnson, and thereby to achieve a goal as suggested by President Eisenhower, wherein the United States as a civilized society will be considered a success by posterity when judged "by the creative activities of its citizens in art, architecture, literature, music, and the sciences."

Mr. Chairman, I urge a unanimous vote for H.R. 9460.

Mr. SCHISLER. Mr. Chairman, I was pleased to be an original sponsor of this legislation, and today I rise in support of H.R. 9460, creating a National Foundation on the Arts and Humanities.

It is well to say that we want to promote progress in the arts and humanities. Our difficulty in the past has come from our unwillingness or neglect in trying to foster a productive climate for creative talent.

This legislation, by creating a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and Humanities, recognizes the serious imbalance between Federal support for science and math and for humanistic research and study. This bill further recognizes the financial crisis facing the arts in the United States—a crisis which stems primarily from the inadequacy of private sources to support the arts and to provide the environment which would fully stimulate the resources of American creative expression.

The creation of a National Foundation for the Arts and Humanities will have far-reaching effects. The Foundation will serve to decentralize the arts in the United States, so that artistic excellence can be enjoyed and appreciated by greater numbers of our citizens in all 50 States. The humanities endowment will serve to enrich university curriculums and encourage more talented teachers to enter the humanities field. The broad-based programs envisioned by the Foundation would provide the means for the projection of our Nation's cultural life abroad.

Mr. Chairman, I wholeheartedly support this legislation, and urge my colleagues in the House to act favorably on this proposal.

Mr. FOGARTY. Mr. Chairman, I speak once again before my colleagues in the House, as I have done numerous times before, on behalf of proposed legislation in which I believe with the utmost conviction. I refer to my bill, H.R. 9579, to provide for the establishment of the National Foundation on the Arts and the Humanities.

In this instance, I am pleased to take special note of the many Members of the House who have joined with me and the distinguished Representative from New Jersey [Mr. THOMPSON] in the joint sponsorship of this important legislation. And let me point out that I use the word "important" with great care, and that I take no risk at overemphasis in so doing. This proposed legislation is of deep importance to the national welfare—an importance not to be measured solely in terms of the moneys authorized. Its importance is to be measured rather by the fact that, for the first time, the Federal Government of this Nation would be creating an organization which would give support and visibility to all aspects of the arts and the humanities in our national life.

It is not my purpose here to delve into the many compelling reasons why such Federal support and recognition of the arts and humanities is as necessary as our wide-ranging support of the sciences. These have been amply described in the past by me and by like-minded colleagues in both House and Senate. I wish instead to point to several features of the proposed legislation which seem to me either to lend special urgency to passage by the House at this time, or which lay to rest any doubts or reservations concerning the inherent wisdom of the principal provisions of the bill.

The first of these provisions I call to your attention concerns the authorization, in section 13, of teacher training institutes arranged by the Commissioner of Education with institutions of higher education, to "strengthen the teaching of the humanities and the arts in elementary and secondary schools." Overlooked in other legislation designed to improve the training of teachers, the extension and improvement of teaching of these areas of the curriculum is a must if we would raise the involvement of students with the arts and the humanities as major forces in shaping their lives.

The next provision I would single out authorizes, in section 12, limited payments to each State educational agency for the "acquisition of equipment—suitable for use in providing education in the humanities and the arts—and for minor remodeling." While the funds proposed are relatively modest, State educational agencies would be assisted for the first time in obtaining long needed equipment to enable teachers to present more effectively the arts and the humanities. With this nominal Federal support as an initial impetus, the States could be expected to move ahead on their own to improve the equipment and facilities available for their arts and humanities programs.

This leads me to point out the following in answer to those who hold that Federal assistance to the arts and the humanities would reduce private and foundation support. First, the authorization of matching Federal funds in section 11 of the bill would actually increase support from the private sector. In addition, we could reasonably expect that Federal support in these areas would elicit the same increase in non-Government spending in their behalf as has been found to be the case in those States providing seed moneys for arts and humanities programs. In some instances the Federal-private ratio has been as high as 1 to 8. Surely this is eloquent answer to those who fear a lessening of private initiative.

With regard to the timeliness of the proposed bill, passage now would provide a most effective complement to the recently enacted Elementary and Secondary Education Act of 1965—Public Law 89-10. This act will provide, among other things, improved library resources and textbooks; supplementary centers and services with broad implications for arts and humanities programs and persons; expanded research and research training programs, including those in arts and humanities; and, finally, assistance to State educational agencies in strengthening their overall effectiveness, including employment of needed personnel such as State directors of programs in the areas of the arts and the humanities. By providing badly needed assistance to the institutions of the arts and the humanities and to their individual practitioners, the proposed National Foundation would enable them to serve better the needs of the educational community in these areas, as well as to be better served by it.

My fellow legislators are aware that the Senate has already passed this measure now before us, due in large part to the enlightened leadership of my most able colleague from Rhode Island, Senator PELL. The funds proposed in the legislation are modest indeed in comparison to the undoubted benefits which will accrue to our arts and humanities programs at all levels throughout the country. We have already established the National Council on the Arts. Now we must also create a National Council on the Humanities and we must provide the organizational framework and the means by which the programs proposed by these two Councils can be implemented. We dare not delay further in taking this modest but vital step. I respectfully urge each of you to join me and our many colleagues who have sponsored the proposed legislation, in order that its enactment may be assured at this time.

Mr. RHODES of Arizona. Mr. Chairman, I would like to place in the RECORD at this point the statement of policy which was adopted by the House Republican policy committee regarding H.R. 9460, the Arts and Humanities Act of 1965:

> This bill was reported by the Committee on Education and Labor after only 15 minutes of consideration. It reflects the hasty and inadequate consideration that it received.
>
> It refers to a National Foundation on the Arts and Humanities which will consist of a Federal Council on the Arts and the Humanities which will coordinate the activities of the National Endowment for the Arts, the National Council on the Arts, the National Endowment for the Humanities, and the National Council on the Humanities. All but one of these, the National Council of the Arts, are created by this bill.
>
> It is no wonder that the majority of the Republican members of the Education and Labor Committee felt obliged to state that the bill is so full of ambiguities "as to puzzle the mind, paralyze the faculties, and numb the imagination."
>
> Last year the National Council on the Arts was created by the Congress to study and analyze the state of the arts in this Nation and to make recommendations concerning methods to encourage and improve the arts.
>
> This bill, however, is not based upon any such study or recommendations. As a matter of fact, the members of the Council were not even appointed by the President until after the subcommittee hearings on this bill were underway. As far as is known, the Council has never even met, or carried out any of the duties and functions of the statute which created it.
>
> Aside from the unseemly haste which has attended the advent of this legislation from committee, the idea of federally dominated endeavors in the arts and humanities threatens the very foundation of our Nation's cultural activities.
>
> State domination of the arts in the Soviet Union should be sufficient warning against experiments of this nature in this country. Moreover, the prospect of political interference with the arts should be repugnant to all Americans.
>
> The arts and humanities are thriving today, and will continue to thrive so long as the deadening hand of the Federal bureaucracy is kept from the palette, the chisel, and the pen.
>
> The Republican policy committee opposes H.R. 9460.

Mr. RONCALIO. Mr. Chairman, I am proud to support H.R. 9460, to establish a National Foundation on the Arts and Humanities. This long-needed action will correct the inequality which has existed because of Federal support for science, through the National Science Foundation, and health, through the National Institutes of Health, without any Federal support of the arts and humanities.

The bill recognizes that aiding the arts and humanities is primarily a matter of private and local concern but that it is appropriate for the Federal Government to assist programs supported by local, State, regional, and private organizations.

The National Endowment for the Arts would provide grants to cover from 50 to 100 percent of the cost of projects to encourage artists and develop appreciation of the arts, such as commissioning works of art, developing artistic talent, educating the public through museums and other organizations, constructing facilities, and acquiring equipment.

The Humanities Endowment would promote research and training in the arts and humanities at the graduate school level through assistance to students, State or local public agencies, and private nonprofit organizations. The Endowment could also support publication of scholarly works, projects to improve public understanding, the interchange of information by such means as assisting universities in providing for visiting lecturers, and a university theater or orchestra.

The bill would also initiate a program of grants to State educational agencies and loans to nonprofit private schools to purchase equipment for instruction in the arts and humanities and to provide for minor construction to accommodate the new equipment. The Commissioner of Education could also arrange, by grants or contracts with institutions of higher education, for special programs for elementary and secondary school teachers and student-teachers to improve teaching of the arts and humanities in elementary and secondary schools.

Congressional legislation has long been concerned with civil rights, health, housing, and economic development, to provide a more comfortable and affluent life for our people, but we have neglected the arts and humanities, which will bring meaning and understanding to our Great Society. This bill will bring the fruits of participation in arts and humanities to many people who live in relatively isolated areas and are not now able to enjoy these programs. The gains made through our social and economic programs will take on greater meaning as our people develop common bonds through sharing experiences in the arts and humanities.

Mr. YATES. Mr. Chairman, in our brief visit yesterday with Astronauts Conrad and Cooper, the House honored its pathfinders of space. Today we have before us legislation to encourage men and women who can be pathfinders for America's imagination and understanding.

I am a cosponsor of the bill to establish a National Arts and Humanities Foundation. In its essence, this bill seeks to advance the humanities and I am mindful of the statement of my good friend, formerly editor of the St. Louis Post-Dispatch, Irving Dilliard, who said:

> When we advance the humanities we advance man himself. For the state of the humanities, high, mediocre, and low, is the state of man—where he has been, where he is now, what in prospect he will be, what he holds dear, what he believes, what he seeks, and what he achieves of enduring worth.

There is a recognition in this bill that the Federal Government has long testified to the development of science and technology in this Nation but that it has largely ignored corresponding inspirations to the arts and humanities. It would be well if this were as much a humanist age as it is an age of science, where science marches ahead on all fronts.

The scientific method is being applied to nearly all sectors of human life. Political scientists use the method to predict elections. Social scientists use it to explain social phenomena we once thought were purely random occurrences. Economists use it to order the marketplace and to reduce the real world to a series of abstract graphs and pictures. Politically, socially, and economically the world is becoming increasingly analytical, increasingly abstract, where the irrational and the emotional and the spiritual have less place. It is no surprise, then, that the arts have not received the attention they merit. The Committee on Education and Labor posed the dilemma bluntly:

> There is a financial crisis facing the arts in the United States.

The committee also cited a "serious imbalance between Federal support for the natural or pure sciences and for humanistic research and studies."

I do not demean the importance of science or the huge sums we have appropriated in this Congress for their application. No one will deny that scientific discovery has played a major role in revolutionizing our society. It is natural that in this revolution that we should look to the scientist as a kind of leader. He has created a better material world for us and he has shown us that a still better physical environment awaits us, if only we will follow him. But this better life—and this longer life—is not an end or a goal in itself; it is what we make of the opportunities which improved living standards provide us with that is important. Do we live for the purpose of living better, or do we seek to live better for some higher purpose?

I believe the real reason for scientific advance lies in the second query. And it is here that our society requires the humanist. For as the scientist is concerned with improving life, so the humanist is concerned with the meaning of that life. Archibald MacLeish reminds us of the dangers of stumbling blindly ahead into some scientific brave new world without human meaning when he writes:

> We know more about the planet and the galaxy and the universe in which it drifts—about the substance of the earth and the uses of that substance—than men ever knew before. But who we are in this vast outward-bound of stars and constellations we do not know—or have forgotten.

The bill to create a National Foundation on the Arts and the Humanities is a relatively small, but necessary redress of the imperfect attention given to those who seek this larger meaning for our lives.

It is apparent that this inattention cannot be resolved by the private sector alone. In 1963 slightly over half of the corporations in the United States made contributions in the area of the arts. Of all corporate contributions in that year, only about 4 percent went to the arts. This amounted to a sum of between $16 and $21 million. This does not approach the full 5-percent tax exemption that corporations are allowed to make on net corporate income for contributions to charitable and educational organizations. According to the Rockefeller panel report on the future of theater, dance, and music:

> It has been the practice of American corporations in recent years to use only a little over one-fifth of their taxable income. At present only a handful of business firms use the full 5-percent tax exemption.

Thus, liberal allowances for tax exemptions do not seem to alleviate the current financial starvation of the arts. Nor can private individuals be depended upon to provide impetus for achievement in this area. Individual citizens today use only a small fraction of the 30-percent tax deduction permitted by the Government for philanthropic purposes. Many cultural institutions are unable to exist on their own receipts. One good example is the New York Metropolitan Opera, which in 1963 was able to cover only 73 percent of its total expenses through box office receipts.

Of course, H.R. 9460 will not serve as a panacea for the ills troubling the arts today. But this legislation will serve as a catalyst to encourage more gifted people toward a profession in the arts and it will encourage the public to take a greater interest in the arts and to contribute more to their support. And certainly it will emphasize the importance of the arts to our civilization. I am in agreement with the committee finding that:

> The Foundation would have a profound impact on the burgeoning desire on the part of our citizens for greater exposure to cultural excellence. This desire is manifestly related to the increasing availability of leisure time in an era of growing prosperity.

Under this bill, the National Endowment for the Arts will provide matching grants to groups and individuals engaged in the creative and performing arts, with special grants for States with organizations performing similar functions and one-time grants to States without arts councils or similar groups. The National Endowment for the Humanities will provide nonmatching grants and loans for research, award fellowships and grants to institutional or individuals in training, support publications of scholarly work, and provide for an exchange of information. The work of both endowments will be coordinated by a Federal Council on the Arts and Humanities. To those who are concerned about excessive Federal control of the arts, I point to section 4(c) of the bill which states:

> In the administration of this act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization or association.

Finally, Mr. Chairman, I would like to recall the humanistic conviction of the proverbs of Solomon, verse 18 of chapter XXIX of the Book of Proverbs:

> Where there is no vision, the people perish.

I support this legislation as the American recognition of that imperative. This bill is worthy of that vision, and I urge its passage.

Mr. HELSTOSKI. Mr. Chairman, I rise at this time to urge this House to pass H.R. 9460, to provide for the establishment of a National Foundation on the Arts and Humanities.

The legislation now before us, would establish an independent agency in the executive branch of the Government, to encourage excellence in the arts and give recognition and emphasis to the values of humanities.

This bill contains the recommendations of President Johnson, who in his state of the Union message said:

> We must also recognize and encourage those who can be pathfinders for the Nation's imagination and understanding.

This bill will give encouragement to those who would give impetus to what President Johnson described as "the frontiers of understanding in the arts and in humanistic studies."

On March 10 the President made a statement on this legislation in which he said:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

As a cosponsor of this legislation, my bill being H.R. 9741, I have been gratified that it has received such widespread endorsement, not only by leading artists, scholars, and educators, but also by business and influential business leaders and many well-known civic leaders.

Through the enactment of this legislation, we will be making a commitment on the part of the Federal Government to work in cooperation with public agencies, institutions of higher learning, museums, and other nonprofit groups, and numerous individuals, toward the advancement of the arts and humanities throughout our Nation.

I am quite confident that this legislation will pass this House today, to indicate that American culture is not standing still, but is pushing forward toward creating a golden age for all Americans.

This bill will provide a vitally needed stimulus for all the segments of the arts and humanities in every locality of the United States. Under the provisions of the bill providing for direct grants and loans to performing groups, as well as to students of the various humanistic disciplines, we shall see an inspiring upsurge in activity and creativity.

In today's world our society has become more and more science conscious. It is because of this fact that the Federal Government and the public support the sciences in the manner they do. However, when the growth of man's understanding of technology is greater than the understanding of his fellow man, it is of utmost importance that we turn our attention to the humanities—to that which is human and common to all peoples.

In the past there has been a tendency to bring culture and art to persons in the higher income group, and it is up to us to take the initial step toward bringing artistic productions to the grasp of more of our American people.

But the concept of Federal aid to the arts and humanities has been slow in evolving, and this legislation would be a great step in providing such Federal aid. However, in the past, such Federal aid has been opposed by many who fear that there will be Federal interference in their work of the performing arts.

This is not so. We have had critics opposing our aid to education programs, to our urban renewal legislation, and in many other fields. We have shown these critics that there can be Federal aid without Federal control. In this legislation we propose to do the same thing. The Federal Government will supply the money, but the artists and their organizations will suggest the proposals, select the performances which are to be produced and do all the planning. The Federal Government will be the means, but the end product will be the sole responsibility of the performing artists.

Again, let me go back and repeat that we have made great strides in atomic energy, space exploration, in automation, in the sciences. But it will be an unbalanced society in which we will live if, among these wonders we do not expand the human mind and spirit.

This legislation will supplement the efforts now being made by the public, foundations, and corporations so that the people in the artistic field will obtain the widest range of support in their endeavors.

This Congress, can fulfill the dreams of the American people to make available the fruits of culture to all of our citizens—just as we have been making economic abundance available to them.

We can make great strides forward today in the field of culture by passing the legislation now before us. H.R. 9460 will meet the needs and fulfill our objectives.

Mr. BROWN of California. Mr. Chairman, according to the findings of the Rockefeller panel on the performing arts, issued earlier this year, the arts are in trouble despite a so-called cultural boom. Most of today's cultural expansion represents amateur activity, the report found, while enthusiastic young men and women have been discouraged from making the arts a career. New talent soon admits the futility of trying to raise a family on a wage that more closely meets the specifications for the term "poverty" than it does for minimal living standards.

One hundred dancers took part in a recent, week-long festival staged by the American Dance Theater at the Lincoln Center—they earned less for the week than did the center's 25 stagehands. Our most renowned dancer, Martha Graham, has been unable to afford an American tour for the past 15 years. The commercial theater is also shrinking and has been pulling down the actor with it. At any given moment only 1 in 10 of the members of the Actors Equity Association is employed. Comparatively few Americans see live professional performances, which are largely seasonal. There is a need for marked improvement in the quality of training for artists; poor pay for most performing artists and short seasons make for unemployment.

What is to be done? Who will support the arts?

The arts have always operated in a deficit in America. This year, according to the Rockefeller panel, nonprofit arts organizations will spend about $100 million more than they will earn from ticket sales. Individuals provide 80 percent of all charitable contributions—of that, only 3 cents in every 100 goes to the arts. Business executives, who tend to look on corporate philanthropy as an offshoot of public relations, have kept their distance from the creative chaos that surrounds art. In most cases they have limited their support to established organizations whose activities are beyond controversy.

What about the role of local government? Great strides have been made in my home county of Los Angeles which contributes $400,000 a year to music organizations. Also, the Performing Arts Council of the new Music Center in Los Angeles has set itself a series of ambitious goals which promise unprecedented cultural enrichment for the community. However, on the whole, woefully inadequate facilities still prevail. Of the more than 100 so-called cultural centers being built or planned, only about 30 are true art centers that can handle more than one performing art—the others are basically sports arenas or convention halls.

The proposed bill before us will not, of course, underwrite or even come close to underwriting every artistic endeavor. That is not its purpose. It will, however, provide some "seed money" to stimulate additional support. That is its primary aim—to provide support for and interest in all of the arts and humanities, and to stimulate the States to show greater concern. Studies have indicated that a dollar of Federal money will generate $8 of spending on the arts. Anyone who has raised money knows that money goes where money is. The $10 million of first-year resources budgeted for the Foundation, while tiny alongside the National Science Foundation's current annual budget of over $500 million, will stretch further dollar for dollar.

As President Johnson said in his statement supporting the proposed Foundation last March:

> We fully recognize that no government can call artistic excellence into existence. But government can seek to create conditions under which the arts can flourish.

The Washington Post has called it "a sound though modest blueprint" for a long overdue commitment by the Federal Government to the cultural life in this country—an assist in developing a climate for excellence in artistic as well as technological fields.

Last year's report of the Commission on the Humanities pointed to this additional aspect of the problem: The Government's practice of making large sums of money available for scientific research has brought great benefits, but it has also brought about an imbalance by the very fact of abundance in one field of study and dearth in another. The proposed Foundation, by giving recognition to the value of the humanities and arts, will serve to correct this imbalance.

The only real stumbling block to this legislation has been the force of tradition and the notion that Government control inevitably follows Government support. This notion limited and frustrated us for years in the field of education. Today our cultural activities generally suffer because of this unjustified fear. The United States is the only major nation in the Western World whose Government offers little or no direct financial assistance to the arts.

Roger Stevens, the President's special adviser on the arts, recently lamented:

> It is remarkable that this country, from its very founding, has always been concerned that every individual is entitled to a public education, and yet should be so loath to aid the arts which are such an essential part of creating a fully educated individual.

The contention that Government support for the arts would lead to their sterility or debasement is, as Vice President HUMPHREY would say, "a counsel of fear." It is born of a strange lack of faith in the American people and their institutions—both governmental and artistic. The arts serve to enrich the lives of the people—is this not Government's purpose too?

In essence, we must not only increase the access of the people to the works of our artists, but must establish the arts in the public mind "as part of the pursuit of American greatness."

The Rockefeller panel was based upon this premise—the panel is motivated by the conviction that the arts are not for a privileged few but for the many; that their place is not at the periphery of society but at the center; that they are not just a form of recreation but are of central importance to our well-being and happiness.

Our fulfillment as a nation depends upon the development of our minds, and relations to others depend upon our understanding of one another and of our society. Simply expressed, it is in the national interest that the humanities and arts develop extremely well in this country.

As the gentleman from Pennsylvania [Mr. MOORHEAD] has stated, there is a fundamental change developing in the attitude toward intellectual and cultural life in the United States, and the time is right for the Federal Government to take steps to encourage this changing attitude.

Mr. LOVE. Mr. Chairman, the bill now before this committee, H.R. 9460, has particular interest to me as it represents the first piece of legislation I had the honor to introduce upon my arrival in Washington as the newly elected Representative from the Third District of Ohio.

I am deeply grateful that the Committee on Education and Labor has reported this bill to the House during this session and I feel the committee members should be highly commended for the thoroughness and dispatch which they have shown. I also believe that the gentleman from Pennsylvania, the Honorable WILLIAM S. MOORHEAD, should be given credit for his leadership.

With the establishment of a National Foundation for the Arts and Humanities a great step forward will be made, for too long has America been labeled by others as a culturally unconscious land. Our science, our charity, our dedication to principle has no peer, but greatness is measured by a people's arts and its understanding of the humanities. America must be a whole land, its culture complete from the intricate machine to the simplest flower.

This bill will support for the first time our citizens who work for artistic excellence and who foster an environment which stimulates creative expression. I call for broad support of this measure and I hope the Congress will respond accordingly as this body, itself, represents a humanitarian purpose, not only for this country but for the entire world.

Mr. BANDSTRA. Mr. Chairman, the bill now before the House, the National Foundation on the Arts and Humanities Act of 1965, has been proposed in an effort to promote progress and scholarship in the arts and humanities.

As a graduate of a liberal arts college, I fully realize the importance of strengthening academic study and public interest in these areas.

I am also aware of the argument that there has been an overemphasis on science in our colleges and universities, and that this legislation is needed to redress the balance.

However, I have some grave misgivings about certain aspects of this bill, and I therefore intend to vote to recommit it to committee with the hope that more satisfactory legislation will be drafted.

At the outset, I want to completely disassociate myself from some of the asinine and ridiculous remarks that have been made in opposition to this bill. This legislation deals with a serious subject, and its merit or lack of merit should be discussed without resorting to low comedy.

My principal concern regarding this bill is that it provides for an excessively complex administrative structure.

Under this legislation, there would be created a National Foundation on the Arts and Humanities, a Federal Council on the Arts and Humanities, a National Endowment for the Humanities, a National Council on the Humanities, and a National Endowment for the Arts.

The bill also weaves into this organizational structure the National Council on the Arts, established by the National Arts and Cultural Development Act of 1964.

In addition, the overall program envisioned by this legislation would utilize the services of the Office of Education in the Department of Health, Education, and Welfare.

Promotion of the arts and humanities is certainly a worthwhile endeavor, but I cannot understand why it requires such an elaborate and entangled administrative process.

Perhaps there is the hope that the creation of so many governmental organizations will provide an official prestige that, in and of itself, will enhance the standing of the arts and humanities.

If such a hope exists, I think it is bound to prove disappointing. In the final analysis, the arts and humanities will gain added importance only through the creative intelligence and dedication of individuals.

The Federal Government, of course, can aid scholars, students, and artists. But no Government agency, no matter how great its prestige, can substitute for the individual efforts necessary if the arts and humanities are to have more meaning in American society.

Moreover, administrative complexity carries with it the danger that there will be an excessive expenditure of funds within the Government itself.

In this connection, it should be noted that the National Foundation on the Arts and Humanities, charged under this legislation with developing the overall national program, would have to coordinate the operations of three councils and two other endowment organizations.

Under this bill, these six groups would be authorized to receive appropriations totaling $20 million annually. The committee report estimates that administrative costs, at least initially, would be about 15 percent, or some $3 million.

It seems to me that legislation could be devised so that more of this $3 million finds it way into the hands of those directly engaged in the arts and humanities.

These funds, for example, could be used for grants or loans to colleges and universities, or for loans to college students. That is the basic approach of the Higher Education Act, which I supported.

In any case, I believe as much effort as possible should be made to see that the funds spent in support of the arts and humanities go to those on the local level who are seeking, individually, to contribute to American culture.

If this legislation is revised along this line, I will gladly support it. But I feel that the bill, as it stands now, is overburdened with administrative machinery and needs further study.

Mr. PHILBIN. Mr. Chairman, I am in strong support of this bill which is known as the National Foundation on Arts and Humanities Act of 1965.

I have long been interested in raising the cultural levels of this Nation by making the advantages for cultural development and enjoyment available to all the people, instead of to limited segments of the public.

While our education system has grown in leaps and bounds and is at its all-time peak, there has not been a commensurate increase in cultural levels and opportunities. In fact, there has been, strangely enough, an apparent decline in our national artistic and cultural output and standards until the situation is at present truly alarming.

Take for example the status of our current popular music which has deteriorated to the point where there is widespread dissatisfaction and resentment among many of our people.

The new communicating arts, which we are using to make advancements in cultural fields, in some notable instances have been responsible for glaring retrogressions in music and in artistic and cultural standards.

The quality of music in itself has declined to the point where it has produced violent protests from many people and groups.

The moral tone of the so-called auditory and visual arts has noticeably declined, and in many instances indicates complete disregard for ordinary good manners, good taste, moral customs, and the sensibilities of large numbers of American people.

Materialistic values are expanded, gross distortions of moral values, customs and practices have been emphasized.

I realize full well that this bill alone cannot correct these deep-rooted evils, and that more fundamental penetration and therapy in the homes, in the schools, the byways, marts, and gathering places of American life are necessary before corrective action can be taken.

It is my view, however, that this bill will at least make some visible gesture and impression, which should have been made long ago, to outline and implement a broad national policy for the arts and humanities so vital to the spirit, stature, and happiness of any people.

I would rather see a bill of much less complexity. I should prefer a bill of great simplicity. I do not believe anything can be gained by getting so many people into the act of administering the ends of the cultural programs envisioned by this bill, nor do I favor the highly diffused, but potential, centralized control at the top that the bill may make possible.

However, for the first time, this bill will provide both matching funds and nonmatching grants for very worthy essential purposes of promoting the creative and performing arts and encouraging more active participation and development on the part of people of talent, particularly the young, and these I concede to be highly merited aims, and very desirable and helpful as long-delayed measures of support for artistic and cultural activities in this country.

I am hopeful that this bill may represent a start in the field of art, culture, and humanities where this country has a crying need for development, and indeed for drastic change of direction, orientation, and posture.

If this bill will do something to eliminate the boorish, the vulgar and depraved, the unmannerly and the unkempt from American life, and replace these revolting features with some of the solid values so closely associated with our Nation in the past, and bring these and other artistic and cultural values to fuller recognition in our American way of life, in our country, something constructive, something more desirable and necessary should be achieved to improve and elevate the whole tone of our society, and I hope this will be the case.

Greatness as a nation or individual does not lie in material success, nor in satiety and flesh pots. It lies in the high ethical responses of the people, in our ideas, devotion to principle, manners and concern for others and for human qualities and the high purpose to defend our matchless free way of life.

In a word, freedom and culture must go together in this country, if we are to be worthy of the rich heritage bequeathed to us by those great figures who molded our free institutions, wherein freedom and culture can flourish in this country. The vulgarians and despoilers are at the gates, and we might as well make up our minds to this fact now and join militantly to do something about it. They should not be allowed further to degrade American life.

Let me laud my able, distinguished friends and colleagues, the gentleman from New Jersey [Mr. THOMPSON] and the gentleman from Pennsylvania [Mr. MOORHEAD] and the committee, and all those whose who labored so diligently and effectively to bring this very worthy measure to the floor. It will, in my opinion, do much to rid American life of some of its most obnoxious, alarming characteristics and this is a task we cannot undertake too soon, if we would but recall the plain lessons of history and the rise and decline of the great civilizations of the past.

Mr. THOMPSON of New Jersey. Mr. Chairman, I have no further requests for time.

Mr. CURTIS. Mr. Chairman, I renew my point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and thirty-one Members are present, a quorum.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Conrgess assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity;

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent;

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there was a previous question asked here about the increase of Ph. D. degrees in science to show how much the United States is developing in science. I have been asked again to answer the question specifically, as a member of the Science and Astronautics Committee on the fellowships of NASA, as well as the National Science Foundation. I would advise that for NASA in 1962 fiscal year our committee established 100 predoctoral scientific fellowships. In 1966 fiscal year in our current bill we now have 3,646 such fellowships in NASA.

On the National Science Foundation in fiscal year 1960 we had 2,155 fellowships working for a doctor's degree. Now under the National Science Foundation program there are 8,040 for fiscal year 1966. So there has been a very substantial emphasis by our Federal Government on science degrees.

Mr. JONAS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am glad the gentleman from Pennsylvania placed into the RECORD the statistics to which he just referred, because they are pertinent to the comment I wish to make and to which there has been nothing said so far as I have heard during the debate.

It has been said that this act is modeled after the act creating the National Science Foundation and that one of the purposes is to bring into some balance the study of the arts and humanities with study in the scientific fields.

I believe, however, it is important to understand, as we approach a vote on this bill, that while the total authorization as I understand it is only $20 million a year—am I correct in that statement?

Mr. THOMPSON of New Jersey. The gentleman is correct.

Mr. JONAS. That is annually?

Mr. THOMPSON of New Jersey. That is right.

Mr. JONAS. Twenty million dollars. When I started serving on the Independent Offices Subcommittee of the Committee on Appropriations, which has jurisdiction over the budget of the National Science Foundation, the appropriation that first year was $4 million to support the National Science Foundation activities. This year—and that is 12 years later—the budget of the National Science Foundation has grown from $4 to $530 million.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. We recognized this and in the hearings we discussed this. I might point out to the gentleman from North Carolina the enormous difference between the proposal to aid the humanities and the sciences, where in the sciences one has extraordinarily expensive equipment without which the scientists cannot operate.

Mr. JONAS. I understand that.

Mr. THOMPSON of New Jersey. The humanists—the laboratory for the humanists—is the library. There are great library sections at Chapel hill and elsewhere. We do not anticipate any such expansion as that.

Mr. JONAS. I would say that my prediction is that this program will grow as years pass. It may not grow to the extent of requiring a budget of $530 million a year in the next decade, but I do not think we should kid ourselves that we are embarking upon a program that is going to cost only $20 million a year. My prediction is that within 5 years it will be 3 or 4 or 5 times that sum.

Mr. Chairman, it may be that there are members of the committee who do not worry about the growth of these programs, but some of us do worry about it. I feel that we should know what we are doing before the time comes for a vote on this bill.

I mentioned the comparison of the National Science Foundation because it was stated in support of this bill that its purpose is to do in the field of the humanities what has been done in the field of science through the National Science Foundation.

I thought it would be interesting to the Members to know that we started the National Science Foundation with a budget of $4 million a year and it has now grown to a budget of $530 million a year.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I shall be glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman for his work on the House Committee on Appropriations, as he does watch the budget and tries to save taxpayers money.

My point was on the difference between the emphasis in science in the Federal Government and this proposed program for the Arts and Humanities. When we add the National Science Foundation and NASA together we get about 11,000 people working for doctoral Federal fellowships in the year of 1966 in science. But the point we make is this: We on the Science and Astronautics Committee know that we are spending $5 billion a year on research in the program of the proposed flight to the moon. So if we drain off the scientists from the rest of the economy there will be an injustice done.

Therefore, we have such a specific tremendous U.S. program we have to supply the scientists. We do not say we should have as many people in the arts and humanities to make that comparison, but there is a good comparison that we are overemphasizing scientists.

Mr. HALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this bill because if ridicule and satire could kill, the bill H.R. 9460 should long since be dead and because I feel we cannot afford it. It has not been considered adequately in the committee. I fear the activity of the czar of the arts and humanities. There is no demonstrated need for it, and I do not think it is the Federal Government's business anyway. I think it will grow too fast, as has just been stated. The bill is too poorly written and too all-inclusive.

Many of you recently read an article by one of our columnists, which I shall ask permission to insert in the RECORD. In the meantime, if I might paraphrase this article in part, I think it would be good for the debate here, because we do need to hear both sides of this question.

This bill was brought out under one of the resolutions under the 21-day rule, prior to which it languished for a long time while the stage was being set in the Congress and in the Rules Committee.

It is a bill to do good in the most regrettable sort of way. It has a clumsy title, the Arts and Humanities Act of 1965. The bill itself is clumsy in that respect, and the measure plunges into the cultural world with about the grace of 2-Ton Tony Galento doing a minuet. It would create a bureaucratic structure as tangled as the plots of Tennessee Williams, and will lay the heavy hand of Federal favor on areas better left alone.

The bill must be read to be believed. First off, it would create a National Foundation on the Arts and Humanities, NFAH, which would have immediately under it a Federal Council on the Arts and Humanities, FCAH.

The NFAH and the FCAH would coordinate the activities of a National Endowment for the Arts, NEA, and a National Endowment for the Humanities, NEH. The NEA would be assisted by a National Council on the Arts, NCA, and the NEH would similarly be assisted by a National Council on the Humanities.

None of these agencies should be confused with the old National Council on the Arts, which was created under the National Arts and Cultural Development Act of 1964 which was passed by the Congress last year, involving—sophisticated—culture, and was never appointed anyhow.

The principal function of the NFAH is not exactly clear, but FCAH would help it. In the field of the arts, both FCAH and NCA would advise the Chairman of NEA. In the same fashion, both FCAH and NCH would advise the Chairman of the NEH. Not only that, but a hillbilly singer could qualify for training under this bill.

My fellow colleagues:

> To obtain a Federal grant, a production would have to meet Federal standards of substantial artistic and cultural significance.

Who is to determine those Federal standards?

> Performers would have to be paid at rates not less than the prevailing minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation—

I presume that would be according to ASCAP or Petrillo—

> for persons employed in similar activities.

And while their training could be the same depending upon the number of dependents they have, they can get $75 a week plus $15 a week for each dependent.

And it sounds a lot like shades of ADC—

> All chairmen shall have rulemaking powers, and 14 shall constitute a quorum.

The publication of scholarly works may be undertaken without regard to the provisions of section 87 of the act. All members of NCA and NCH "shall be distinguished, but none shall be more distinguished than the others."

This is going to be a hard job of selection, as defined in this bill:

> For the next 3 fiscal years, appropriations totaling $63 million are authorized.

I said before we put this show on the road, we better say—"Next week, East Lynn"—and maybe it would be better, as the author James J. Kilpatrick, originally said:

> All things considered, to close this show (before it goes) on the road.

Mr. Chairman, I yield back the balance of my time.

[From the Washington (D.C.) Evening Star, Aug. 18, 1965]

A CONFUSING BILL TO "DO GOOD"

(By James J. Kilpatrick)

There is now languishing in the House Rules Committee, awaiting one good shove to get it on stage, a bill intended to "do good" in a most regrettable way. This is H.R. 9460, sponsored chiefly by Representative FRANK THOMPSON, Jr., of New Jersey. It is known as the National Foundation on the Arts and the Humanities Act of 1965.

That is a clumsy title, but everything about this bill is clumsy. The measure plunges into the cultural world with all the grace of 2-Ton Tony Galento doing a minuet. It would create a bureaucratic structure as tangled as the plots of Tennessee Williams, and lay the heavy hand of Federal favor on areas better left alone.

The bill must be read to be believed. First off, it would create a National Foundation on the Arts and Humanities (NFAH), which would have immediately under it a Federal Council on the Arts and Humanities (FCAH). The NFAH and the FCAH would coordinate the activities of a National Endowment for the Arts (NEA) and a National Endowment for the Humanities (NEH). The NEA would be assisted by a National Council on the Arts (NCA) and the NEH would similarly be assisted by a National Council on the Humanities (NCH).

None of these agencies should be confused with the old National Council on the Arts, which was created under the National Arts and Cultural Development Act of 1964. That was last year's culture. And it never was appointed, anyhow.

The principal function of NFAH is not exactly clear, but FCAH would help it. In the field of the arts, both FCAH and NCA would advise the chairman of NEA. In the same fashion, both FCAH and NCH would advise the chairman of NEH.

The NCA would have 26 members. The NCH would have 26 members, too. FCAH would have only nine. Along with dispensing advice, the FCAH also would coordinate, "so far as is practicable," the policies and operations of NEA and NEH, and it would promote coordination between the programs and activities of NFAH and other Federal agencies. In the interests of clarity, it would perhaps be as well if these other Federal agencies were left out of this simplified account.

Now, getting back to the arts. After he has received the advice of FCAH and NCA, the chairman of NEA would approve grants-in-aid to persons engaged in, but not limited to, music, dance, drama, folk art, creative writing, architecture, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape, and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

Not just any old hillbilly singer could qualify. To obtain a Federal grant, a production would have to meet Federal standards of "substantial artistic and cultural significance." Performers would have to be paid at rates not less than the prevailing minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities. And any laborers or mechanics, it goes without saying, who might be engaged backstage, would have to be paid according to the provisions of 40 U.S.C. 276a–5, not to mention Reorganization Plan No. 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133–15 and 40 U.S.C. 276c).

All chairmen shall have rulemaking powers, and 14 shall constitute a quorum. The publication of scholarly works may be undertaken without regard to the provisions of section 87 of the act of January 12, 1895 (28 Stat. 622). Neither is it necessary to observe section 11 of the act of March 1, 1919 (40 Stat. 1270). All members of NCA and NCH shall be distinguished, but none shall be more distinguished than others. They shall receive travel expenses as provided under section 8 of Public Law 88–579. For the next 3 fiscal years, appropriations totaling $63 million are authorized. Next week, East Lynn.

Maybe it would be better, all things considered, to close this show before it goes on the road.

The Clerk read as follows:

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classic; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment.

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "workshop" means a production the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants.

(g) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS of Iowa: On page 3, line 19, after the word "dance," insert the following: "including but not limited to the irregular jactitations and/or rhythmic contraction and coordinated relaxations of the serrati, obliques, and abdominis recti group of muscles—accompanied by rotatory undulations, tilts, and turns timed with and attuned to the titillating and blended tones of synchronous woodwinds,".

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of his amendment.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Certainly, I yield to the gentleman.

Mr. ALBERT. Is the gentleman who is offering this amendment the same gentleman who did not know what a humanist practitioner was?

Mr. GROSS. I tried to get the definition from the gentleman from Oklahoma, thinking perhaps that these people were common to the State of Oklahoma, but I never did get an answer from the gentleman. I will be glad to yield to the gentleman so that we can get the definition straight before we do anything else. Let us see if later we can find the exact reference then, and perhaps, the gentleman can tell me who these characters are.

Mr. ALBERT. I thought the gentleman knew every word in the dictionary after I heard his amendment.

Mr. GROSS. We are going to have plenty of time on this bill I am sure and we will get back to that later. If the gentleman can do so, I will give him the opportunity then to provide the answer to that question.

Mr. Chairman, I regret that I did not anticipate this bill would come up this afternoon or else I would have tried to appear in my tuxedo and my dancing shoes to be properly equipped for this further going away party for the Treasury of the United States.

This will be a further march toward the bankruptcy of this country. I cannot think of anything that we ought to give less consideration to at this time than to spend $20 million a year—up to some $60 million or more over a period of 3 years—for a boondoggle of this kind.

As far as my amendment is concerned, boiled down to simple language, it merely provides that we write a provision for subsidizing belly dancing into this bill. I do not know why the tango, the bumps, and the rest of that stuff should not also be listed. Just about everything else is, including the professionals who allegedly deal with the humanities.

For the benefit of the gentleman from Oklahoma, I intend to come back and get his definition, because, I say again, they are apparently common to his State. I would not know one of them from a bale of hay in the State of Iowa.

So my amendment simply provides that by definition we provide in this bill the little item of subsidization of belly dancing.

I yield back the remainder of my time.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment. I suspect that the gentleman had some technical advice from one sophisticated in the language of the anatomy in order to draw his amendment. I think that it would more properly belong in a medical education bill. I am sure that if I were in control of such a bill, I would be constrained to accept the amendment. However, I regret that it is beyond me, and I, therefore, oppose the amendment.

Mr. GROSS. Mr. Chairman, would the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Iowa.

Mr. GROSS. I should like to inform the gentleman that I had the very able collaboration of my good friend and colleague from Missouri, the distinguished Doctor [Mr. HALL].

Mr. THOMPSON of New Jersey. The outstanding surprise of the day is that a gentleman from a farm State does not know the difference between a belly dancer and a bale of hay.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 3, line 25, strike the period and add the following: "including, but not limited to, baseball, football, golf, tennis, squash, pinochle, and poker."

Mr. GROSS. Mr. Chairman, I hope that the gentleman this time will not try to put words in my mouth. The gentleman from Iowa has some vague idea of the difference between a bale of hay and a belly dancer.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. THOMPSON of New Jersey. I shall correct myself and admit that the gentleman from Iowa apparently does have a vague idea.

Mr. GROSS. I thank the gentleman for his usual excellent contribution.

I do not know of any reason why the art of baseball and the art of football, among others, should not be included in the bill. There are artists in those areas as well as artists who play poker.

Before I came to Congress I occasionally ran into a few of them. That was when I had a little time to play poker rather than now spending it all trying to keep up with legislation such as this.

Where do we find the greatest audiences? Not in the music halls. The 80,000 crowds are to be found at the football games and other sports events.

Why leave out such artists as Willie Mays, Mickey Mantle, Whitey Ford, and many others? I am sure you do not want to leave them out while subsidizing costume and fashion designers.

This is discriminatory, and I cannot believe the Committee on Education and Labor, or any member thereof, would want to discriminate against the arts and artists to be found on the athletic fields.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. FINDLEY. I wonder if the gentleman is correct in assuming that the present language of the bill precludes that type of activities. If the gentleman will look at page 3, there is authorized the "performing arts." That phrase is used. It is very broad. The arts include drama and folk art. It looks to me as if the term "folk art," if none of the others would apply, would be broad enough to cover the type of activity in the gentleman's amendment.

Mr. GROSS. I would say to my friend that I do not see "performing arts" in that paragraph, nor do I see a definition of "performing arts."

Mr. FINDLEY. Earlier on the same page the term "humanities" includes but is not limited to various things.

Mr. GROSS. That is "humanities." Now we are dealing with "art" as distinguished from "humanities."

Mr. FINDLEY. Under the "humanities" comes the words "performing arts." I presume baseball, football, poker, crapshooting, and such is in that category.

Mr. GROSS. That is under "humanities." Let us not confuse "humanities" with "art," or "art" with "humanities," or should we?

If the gentleman will look at page 2 of the report on this bill he will see that there is the National Foundation on the Arts and the Humanities, and the Federal Council on the Arts and the Humanities.

Then we come to the two subsidiaries—to the two brackets of subsidiaries. There are the National Endowment for the Arts and the National Council on the Arts on the left-hand side. On the right-hand side there are the National Endowment for the Humanities and the National Council on the Humanities.

I am surprised that they asked for $20 million in this bill, because by the time the taxpayers get through financing all of these high-powered councils on the arts it will probably require many more millions.

Mr. FINDLEY. If the gentleman will yield further, last year, in consideration of the proposal for a National Arts Council, we on the minority side predicted that this would soon lead to a Federal subsidy program for everything from belly dancing to the ballet, from Handel to the hootenanny, and from Brahms to the Beatles. We overlooked the fact that probably it would cover from Tchaikovsky to cheesecake. The language presently before us is broad enough to cover it all plus the activities the gentleman mentions.

If the amendment of the gentleman is defeated, it may cut off the ballplayers from participating, whereas I believe the present language is broad enough to cover everybody.

Mr. GROSS. The gentleman believes it covers everybody?

Mr. FINDLEY. I do. It brings everybody under the tent.

Mr. GROSS. If I could be convinced of that I would withdraw my amendment.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

The **CHAIRMAN.** The Clerk will read.

Mr. THOMPSON of New Jersey. Mr. Chairman, I should like to renew my request that the bill be considered as read and open for amendment at any point.

The **CHAIRMAN.** Is there objection to the request of the gentleman from New Jersey?

Mr. GROSS. Mr. Chairman, reserving the right to object, this is a bill of importance. Many Members are now present who were not here earlier this afternoon, I regret to say. I am sure, unless they have spent long hours on this subject, they are not acquainted with all of the phraseology involved. I believe a little more reading might be helpful. Therefore, I object.

Mr. MOORE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was under the impression that section 3 of this bill would be read in its entirety, but we only read subsection (b) and then skipped to section 4. May I inquire of the chairman of the subcommittee with respect to the definitions that are listed on page 4 of the bill, particularly subsection (e) where it says: "The term 'group' includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated," whether or not such a definition would include a regional cultural cooperation program which may be desired to be carried on among the several States?

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman.

Mr. THOMPSON of New Jersey. My answer to the gentleman's question is that in my considered judgment it would include such regional activity. There is nothing in the proposal or in the language which would restrict one State from joining efforts with a neighboring State or indeed a group of neighboring States for such a purpose any more than it would prohibit cooperation between municipalities.

Mr. MOORE. May I ask further of the distinguished chairman of the subcommittee, in the observation that he has made with respect to the fact that regional cooperation is not discouraged but is, rather, encouraged in this bill, he does not envision it as being necessary that the States who would seek to cooperate regionally would necessarily have to be contiguous States, does he?

Mr. THOMPSON of New Jersey. Oh, indeed no.

Mr. MOORE. I thank the gentleman for responding to the questions, and I yield back the balance of my time.

The **CHAIRMAN.** The Clerk will read.

The Clerk read as follows:

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Sec. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities (hereinafter established).

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

Sec. 5. (a) There is established within the Foundation a National Endowment for the Arts.

(b) The Endowment shall be headed by a Chairman, to be known as the Chairman of the National Endowment for the Arts.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

(2) productions, meeting professional standards or standards of authenticity, irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

(4) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

(5) other relevant projects, including surveys, research, and planning in the arts.

(d)(1) In addition to performing any of the functions, duties, and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, Public Law 88-579, approved September 3, 1964, the individual appointed under such Act as Chairman of the National Council on the Arts shall serve as the Chairman of the National Endowment for the Arts. In lieu of receiving compensation at the rate prescribed by section 6(c) of such Act, such individual serving as Chairman of the National Council on the Arts and Chairman of the National Endowment for the Arts shall receive compensation at the same rate prescribed by law for the Director of the National Science Foundation.

(2)(A) The first sentence of section 6(b) of the National Arts and Cultural Development Act of 1964 is hereby amended to read as follows: "The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment."

(B) The amendment made by clause (A) of this paragraph shall be applicable with respect to the Chairman holding office on the date of enactment of this Act and each Chairman holding office thereafter.

(e) No payment may be made to any group under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations and procedures established by the Chairman.

(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(g) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

(h)(1) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting existing projects and productions which meet the standards enumerated in section 5(c) of this Act, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Chairman finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan;

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c); except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds will be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairman may from time to time require.

(3) The funds appropriated pursuant to section 11(c) for any fiscal year shall be equally allotted among the States.

(4) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1), and to pay up to 100 per centum of the cost of conducting a study and establishing a State agency under paragraph (2)(B) of this subsection.

(5) All amounts allotted under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c) to the extent that the value of gifts, bequests, and devises received by the Endowment under section 10 (a)(2) exceeds amounts appropriated under the authority of section 11(b).

(i) Whenever the Chairman, after reasonable notice and opportunity for hearing, finds that—

(1) a group is not complying substantially with the provisions of this section;

(2) a State agency is not complying substantially with the terms and conditions of its State plan approved under this section; or

(3) any funds granted to a group or State agency under this section have been diverted from the purposes for which they were allotted or paid,

the Chairman shall immediately notify the Secretary of the Treasury and the group or State agency with respect to which such finding was made that no further grants will be made under this section to such group or agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until such group or agency repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (k) of this section) employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.

(k) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(l) The Chairman shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

TRANSFER OF THE NATIONAL COUNCIL ON THE ARTS

Mr. THOMPSON of New Jersey (interrupting the reading of the bill). Mr. Chairman, in order that the gentlemen who have indicated that they have an amendment to offer may reach their amendments more expeditiously, I ask unanimous consent that this section be considered as read and open for amendment.

The CHAIRMAN. Without objection, it is so ordered.

AMENDMENT OFFERED BY MR. REID OF NEW YORK

Mr. REID of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REID of New York: On page 6, line 9, after "Humanities and the" insert "approval of the" and on page 9, line 4, after "Humanities and the" insert "approval of the".

Mr. REID of New York. Mr. Chairman, I ask unanimous consent that a series of amendments relating to the same proposition be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

On page 14, line 6, after "(2)" strike out "review" and insert in lieu thereof "approve".

On page 14, line 8, after "Chairman" strike the rest of line 8 and lines 9, 10, 11, and 12.

And on page 15, line 25, after "humanities and the" insert "approval of the";

And on page 19, line 3, after "(2) shall" strike out "review" and insert in lieu thereof "approve".

And on page 19, line 5, after "Chairman." strike the rest of line 5 and lines 6, 7, and 8.

On page 20, line 23, after "authority" insert "with the approval of their respective councils".

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALL. Mr. Chairman, have all the sections been read that the en masse agreement to consider covers?

The CHAIRMAN. The Chair will advise the gentleman that the gentleman from New York asked unanimous consent that these amendments be considered en bloc.

Mr. HALL. Mr. Chairman, I knew that. I did understand that, but would it not be better to have the rest of the sections read, even though unanimous consent has been granted to consider the amendments en bloc? Otherwise the House has no demonstrable way to take effective and deliberate action on the remainder of the amendments.

So, Mr. Chairman, I respectfully request the gentleman to withdraw until such time as the remainder of the bill has been read.

Mr. THOMPSON of New Jersey. Mr. Chairman, at this point, assuring protection to anyone who wants to offer an amendment, I ask unanimous consent that the bill be considered as having been read and open for amendment at any point.

Mr. HALL. To that, I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. REID of New York. Mr. Chairman and Members of the Committee, I would like to say at the outset that I have long supported this legislation and I intend to vote for it. I have tried to work closely with the distinguished gentleman from New Jersey [Mr. THOMPSON] on this legislation.

However, there is a principle that I believe is fundamental and that the Committee should carefully consider.

Stated very simply, it is whether or not we wish to have full autonomy for the arts. There are a number of distinguished Americans familiar with the arts, some of whom are on the National Council on the Arts, who believe that authority for the decisions relative to grants should lodge with the entire Council. There is precedent for this in the operation of many of our foundations in the United States. There is a clear precedent in the National Science Foundation Act which does not lodge the authority with the Director, but with the National Science Board and with the full Foundation.

Certainly, Mr. Chairman, there is precedence in the effective operation of the Arts Council in Great Britain.

Mr. Chairman, all that I seek to do is to make clear that any action taken by the several councils be the result of the determination of the Council itself and of the private individuals who are members of it.

I would say in addition that I have the greatest respect for Roger Stevens, the present Chairman of the National Council on the Arts, and I think the country is fortunate to have his services. What I am concerned with then is the principle of whether or not we are fully protecting the autonomy of the arts—whether or not we should lodge the decisionmaking power with the Council rather than with an individual. I am for lodging it with the Council, and hence I urge the adoption of the amendment and the series of amendments relating to this proposition.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I would like to compliment the gentleman on his amendment, which I believe is vitally needed in the bill, in order to carry forward the ultimate purposes of the program that this bill embodies. It will provide, I am sure, a much fairer approach to the administration of this program.

When we consider the matters that are of deep concern that are treated within this bill and when they come up for approval, they should have not just the advice but the approval of the advisory council.

Earlier I was involved in a colloquy with the very able chairman, the gentleman from New Jersey [Mr. THOMPSON], who, incidentally—more than incidentally—has done a wonderful job on this bill and other bills pertaining to the same subject matter over a period of years, and we discussed this subject.

We know he is an expert in that field and extremely interested in the welfare of the arts.

This refers to a meeting that was held in Pittsburgh on April 9 of the symphony orchestras that are organized throughout the United States. As a result of that meeting on April 12 a committee called on Roger Stevens, headed by Henry B. Cabot, president of the Boston Symphony, Robert B. Temple, president of the Detroit Symphony, and Miss Hoffman. They presented two actions taken at the emergency meeting held in Pittsburgh. That group meeting in Pittsburgh represented symphony orchestras throughout the country and told Mr. Stevens that "the proposed legislation bestows de facto autonomy upon the Chairman and limits the powers of the Council to those of advising, consulting, and recommending." The resolution passed in Pittsburgh stated therefore, in the interest of establishing a structure that will protect the public interest, it is strongly recommended that full authority and ultimate responsibility be vested in the National Council on the Arts.

This was circulated in an edition of their paper. It was taken to Roger Stevens as their recommendation and it is their recommendation today, rather than the testimony that was given in March of this year.

I strongly urge adoption of the amendment offered by the gentleman.

Mr. REID of New York. I thank the gentleman.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I want to commend the gentleman from New York for offering this series of amendments which I strongly support. It is unfortunate, in my opinion, as the bill now stands, one man, the chairman, would have sole authority, even though he might be required to listen to the advice of a Federal Council on the Arts, and the National Council on the Arts. He has full authority in the matter, and I think the gentleman's amendment would improve the bill.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, this matter was discussed very thoroughly and at considerable length with members of the subcommittee and the distinguished gentleman from New York.

At a particular time in the proceedings I was constrained to agree with them; however, after study of this, and after consultation with the executive branch, in which it will be reposed, if the bill passes, I agree with their attitude that the chairman, with conformation required, in light of the fact he is the representative of the President of the United States in this matter, should have the authority rather than to diffuse it upon a number of people. The responsibility is a considerable one, but ultimate responsibility can much easier be traced and placed with the bill as it is. I should state without equivocation that the executive branch was consulted on this matter, and feels strongly on this subject, and they want this responsibility. They feel it should belong in the Chairman who is responsible to the President who, incidentally, is not only anxious but perfectly willing to accept ultimate responsibility for his action.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to my friend from Pennsylvania.

Mr. MOORHEAD. I would like to ask the gentleman if it is not true that before the Chairman could act, he must have a recommendation by the council one way or the other and if he acts contrary to the council, many times he is very likely to be in trouble.

Mr. THOMPSON of New Jersey. There is no question about it.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. REID].

The question was taken; and on a division (demanded by Mr. REID of New York), there were—ayes 27, noes 86.

So the amendments were rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 7, strike out line 7 and all that follows down through line 3 on page 8, and insert in lieu thereof the following:

"(d)(1) The Chairman of the National Endowment for the Arts shall be appointed by the President, by and with the advice and consent of the Senate, from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, the arts. The Chairman shall advise the President with respect to the activities of the Federal Government in the Arts. If a vacancy occurs in the office of the Chairman the President shall fill the vacancy in the same manner in which the original appointment was made.

"(2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment.

"(3) The Chairman shall receive compensation at the rate prescribed for the Director of the National Science Foundation per annum, and shall be reimbursed for travel and subsistence expenses incurred by him while away from his home or regular place of business in accordance with the Travel Expense Act of 1949, as amended (5 U.S.C. 836–842), and the Standardized Government Travel Regulations.

"(4) The Office of Chairman of the National Council on the Arts (created by section 6 of the National Arts and Cultural Development Act) is abolished, and the functions of such office are transferred to the Office of Chairman of the National Endowment for the Arts."

Mr. QUIE. Mr. Chairman, I offer this amendment to provide for Senate confirmation of the Chairman of the National Endowment on the Arts. This would make it conform with the provisions of the National Endowment for the Humanities which provides for confirmation by the Senate. Right now the Chairman of the National Arts and Cultural Development, or the Council, is Roger L. Stevens. As has been indicated earlier today, it is expected then that Roger L. Stevens would be the occupant-to-be of the office of Chairman of the National Endowment for the Arts. But I would say, if that is the case, there is a serious commercial conflict in his case which must necessarily bar him from such an office. If the position were confirmed by the Senate, this could be worked out.

President Johnson himself has put his radio and television properties in trust while he is serving as President. But the special assistant on the arts in the White House so far as I know is still receiving royalties from the Broadway farce—comedies in which he has a major interest. His powers as chairman of this proposed National Endowment for the Arts established by this bill makes it possible for him to receive Federal funds in aid of his own interests in a Broadway theater if only inadvertently.

This is surely a matter of serious concern. We already have a hint of this undesirable possibility under the bill H.R. 9460 when Mr. Stevens let it be known that if the bill is enacted into law, one of the first programs that he will establish will be a program which will use part of the funds provided to finance construction of small playhouses in shopping centers throughout the Nation. These playhouses could conceivably be used for road companies giving performances of such productions as "Mary, Mary" and "Please Don't Eat the Daisies," in which Roger L. Stevens has a major financial interest.

Mr. Stevens also is on the boards of the Metropolitan Opera Company and the National Symphony Orchestra, both of which will be applicants undoubtedly for funds if this bill should be enacted into law. Mr. Stevens has already favored the Metropolitan Opera Company by helping it to establish a national touring company and giving this company a $300,000 grant from the interest earned on funds contributed for the construction of the John F. Kennedy Center for the Performing Arts. As chairman of the National Endowment for the Arts, he could continue to aid the Metropolitan Opera Company in the matter of using Federal funds. There may well be other areas of conflict of interest in the administration of the National Endowment for the Arts if Mr. Stevens is selected as the Chairman of the Endowment.

For instance, the Chairman of the National Endowment for the Arts could be in the position to grant funds to the board of trustees of the John F. Kennedy Center for the Performing Arts which is headed by Mr. Stevens himself. So I think we could make sure that this point is cleared up if the Chairman of the National Endowment for the Performing Arts is appointed by the President, and the advice and consent of the Senate obtained.

That is the way we do it in other cases, to be sure that there is no conflict of interest. We were going to do it in the case of the National Endowment for the Humanities. I think it would be wise to make the act consistent and do it for the National Endowment for the Arts.

I yield back the remainder of my time.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am certain that the distinguished gentleman from Minnesota did not mean to suggest any improper behavior on the part of any individual in calling our attention to some of the activities of the individual as he did. I might point out to the gentleman from Minnesota and to the members of the committee that under existing law, the Chairman of the Council on the Arts is appointed by the President with the advice and consent of the Senate. That law would not be repealed by the bill before the House, and it would remain in force. So would also be the Chairman of the Humanities. So the protection which the gentleman seeks to afford is already in the law. His amendment would be redundant, and I oppose it.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Stevens is already Chairman of the National Council.

Mr. THOMPSON of New Jersey. Yes.

Mr. QUIE. At the time the Senate reviewed his appointment, he would not then be Chairman of the National Endowment. He would not have the use of Federal funds as such as he does now. Would the gentleman say that his nomination would then have to go back to the Senate for the advice and consent of the Senate on his appointment as Chairman of the Endowment, if he would be using Federal funds—$10 million, I believe—which he had not been using previously?

Mr. THOMPSON of New Jersey. No; I would say not.

Mr. QUIE. At least in this instance, his nomination would not have to be reviewed by the Senate.

Mr. THOMPSON of New Jersey. The gentleman is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. QUIE) there were—ayes 39, noes 86.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: On page 9, line 20, after "plan" insert the following: "except that in the case of the District of Columbia the Recreation Board shall be the State agency."

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The gentleman has discussed this amendment with me, and I have discussed it. We are prepared to accept it. In the District of Columbia currently the Recreation Board does receive funds for such activities. We will be delighted to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 9, line 12, strike the period, insert a comma, and add the following: "including but not limited to Appalachia and the poverty-stricken areas of New York and New Jersey."

Mr. GROSS. Mr. Chairman, there is no question that the language is broad in this bill, and it may be broad enough to take care of those poverty-stricken areas of New York and New Jersey and Appalachia, but I want to be sure.

Remember how some 13 counties—was it 8 or 13 counties—in New York were written into the poverty bill, although they did not ask to be put in?

I want to be sure that in the dispensing of all this art and humanities a proper allocation goes to these poverty-stricken areas such as Appalachia, New York and New Jersey.

Incidentally there is another art that is not recognized in this bill, and I believe it ought to be recognized. It is the art of picking the pockets of the taxpayers to get the $20 million to pay for this business, when the Federal treasury is $325 billion in debt.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Can the gentleman make a contribution to that art? I am glad to yield.

Mr. JOELSON. I believe the gentleman is becoming such a good comedian that he might be entitled to a subsidy under this bill.

Mr. GROSS. I thank the gentleman for his accolade. Now I would like to go back to the "professional practitioners in the humanities" for a moment. I see that the gentleman from Oklahoma is here. I now offer him the opportunity, if he is still in the mood to do so, to give me a definition of a professional practitioner in the humanities.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will be glad to yield to the gentleman.

Mr. THOMPSON of New Jersey. The practical practitioner in the humanities, strangely enough, even exists in the great State of Iowa at its university for those who teach in the humanities and for those whose life work it is. That is what this phrase means simply.

Mr. GROSS. This is what the bill means by "professional practitioners in the humanities."

Mr. THOMPSON of New Jersey. As distinguished from amateurs.

Mr. GROSS. How can they be teachers and pros in the humanities? Are they licensed? Most professional people are licensed in one way or another.

Mr. THOMPSON of New Jersey. University professors are not normally licensed that I know of. These are scholars.

Mr. GROSS. So they take an examination to become a professional practitioner in the humanities? Or do they?

Mr. THOMPSON of New Jersey. They would if they pursued a normal education in college and in graduate school. Of course.

Mr. GROSS. This is the first time I ever heard of such professionals.

Mr. THOMPSON of New Jersey. At your State university you have a number of the most distinguished of them.

Mr. GROSS. I never cease to be amazed at some of the things that happen here.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

AMENDMENT OFFERED BY MR. O'HARA OF ILLINOIS

Mr. O'HARA of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. O'Hara of Illinois: On pages 2 and 3, eliminate paragraphs 3, 5, and 6 and renumber the remaining paragraphs accordingly.

Mr. THOMPSON of New Jersey. Mr. Chairman, I reserve a point of order on this amendment. This section has been passed.

Mr. O'HARA of Illinois. Mr. Chairman, I am really offering this only for my own satisfaction. I think this is a good bill. I am going to vote for it. However, when somebody comes to me and says, "Barratt, you are always talking and criticizing people for talking too much," I say that a law should be plain and use as few words as possible. A short statement is a strong statement. A long statement is a weak statement. So whether the committee accepts my amendment or not I will offer it because of my own pride. I will say, "Yes; I voted for that bill and it is a good bill, but I think they used altogether too many words."

Now let me read this language to you:

> (3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant.

Well, we are using words here to conjure up a picture, but this is in a law. This is a bill which is going to be a law, and I do not believe it should be there. If we eliminate paragraph (3), which I just read to you, then you can leave in paragraph 4, because I think that is necessary, but we eliminate paragraph 5, which reads:

> (5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.

My friends, are those words necessary? Would this not be a stronger piece of legislation if we cut out all of that? Now, I do not know whether a government can call a great artist or scholar into existence. Well, maybe a government with the help of God could do it. I do not know. However, I do say these words I do not believe have any place in this bill. It is a good bill. I am going to vote for it, but I would be more proud of it if you cut out these unnecessary words.

Mr. THOMPSON of New Jersey. Mr. Chairman, I regret that I must insist on my point of order.

The CHAIRMAN. The Chair will advise the gentleman from Illinois, inasmuch as this section of the bill has been read and considered, that the Chair is constrained to sustain the point of order.

The Clerk will read.

The Clerk. Page 13, line 19:

> Sec. 6. (a) The National Council on the Arts, established by the National Arts and Cultural Development Act of 1964, and its functions are transferred from the Executive Office of the President to the National Endownment for the Arts.
>
> (b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendationss thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time.
>
> (c) The function of the Secretary of the Smithsonian Institution with respect to serving as an ex officio member of the National Council on the Arts, now derived from section 5(a) of the National Arts and Cultural Development Act of 1964, is hereby abolished.
>
> (d) (1) The first sentence of section 5(a) of the National Arts and Cultural Development Act of 1964 is amended by striking out "twenty-four" and inserting in lieu thereof "twenty-six".
>
> (2) Clause (2) of the first sentence of section 5(b) of such Act is amended by inserting, immediately after "taking office", the following: "prior to May 31, 1965,".
>
> (3) The second sentence of section 7(a) of such Act is amended by striking out "Thirteen" and inserting "Fourteen".
>
> (4) Section 7(d) of such Act is hereby repealed.
>
> (5) Section 10 of such Act is hereby repealed.
>
> (e) Except as inconsistent with the provisions of this Act, the provisions of the National Arts and Cultural Development Act of 1964 shall be applicable with respect to the Chairman and the National Council on the Arts insofar as necessary for, or incidental to, carrying out the objectives of this Act.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

> Sec. 7. (a) There is established within the Foundation a National Endowment for the Humanities.
>
> (b) (1) The Endowment shall be headed by a chairman, who shall be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall receive compensation at the rate prescribed by law for the Director of the National Science Foundation.
>
> (2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairman.
>
> (c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Humanities (hereinafter established), is authorized to—
>
> (1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;
>
> (2) initiate and support research and programs to strengthen the research potential of the United States in the humanities by making arrangements (including grants, loans, and other forms of assistance) with individuals or groups to support such activities;
>
> (3) award fellowships and grants to institutions or individuals for training and workshops in the humanities. Fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate nonprofit institutions selected by the recipient of such aid, for stated periods of time;
>
> (4) foster the interchange of information in the humanities;
>
> (5) foster, through grants or other arrangements with groups, public understanding and appreciation of the humanities; and
>
> (6) support the publication of scholarly works in the humanities without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).
>
> (d) The Chairman shall correlate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.
>
> (e) The total amount of any grant under subsection (c) (3) to any group engaging in workshop activities for which an admission or other charge is made to the general public shall not exceed 30 per centum of the total cost of such activities.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

> Sec. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.
>
> (b) The Council shall be composed of the Chairman of the National Endowment on the Humanities, who shall be the Chairman of the Council, and twenty-six other members appointed by the President from private life. Such members shall be selected on the basis of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such ap-

pointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of his term.

(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

(e) Members not otherwise employed by the Federal Government shall receive compensation and be allowed travel expenses in the same manner as is provided in section 8 of Public Law 88-579 for the National Council on the Arts.

(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove an application until he has received the Council's recommendation unless the Council fails to make a recommendation on the application within a reasonable time.

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) coordinate, by advice and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts and the National Endowment for the Humanities, including joint support of activities, as appropriate;

(3) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies; and

(4) plan and coordinate appropriate participation (including productions and projects) in major and historic national events.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as he deems necessary governing the manner in which his functions shall be carried out;

(2) to receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation or one of its Endowments, to the National Endowment for the Arts, or the National Endowment for the Humanities; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and for the purpose of carrying out the functions transferred by section 6(a) of this Act;

(3) in the discretion of the Chairman of an Endowment, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to that Endowment with a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift;

(4) appoint employees, subject to the civil service laws, as necessary to carry out this functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed without compensation;

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment within the scope of paragraph (2) of this subsection, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction similar to a condition or restriction covered by paragraph (3) of this subsection, such property shall be deemed to have been donated, bequeathed, or devised, within the scope of such paragraph, to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.

(b) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year. The report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairman deems appropriate.

(c) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a) For the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act, there is authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years the sum of $10,000,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums appropriated under the authority of this subsection shall be equally divided between the Endowments of the Foundation, and shall remain available until expended.

(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that amounts appropriated to the National Endowment for the Arts under this subsection may not exceed $2,250,000 for any fiscal year, and amounts appropriated to the National Endowment for the Humanities under this subsection may not exceed $5,000,000 for any fiscal year. Amounts appropriated to an Endowment under this subsection shall remain available until expended.

(c) There is hereby authorized to be appropriated to the National Endowment for the Arts the sum of $2,750,000 for each fiscal year, beginning with the fiscal year beginning on July 1, 1966, for the purposes of section 5(h). Sums appropriated under this subsecton shall remain available until expended.

(d) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

(e) No grant shall be made to a workshop (other than a workshop conducted by a school, college, or university) for a production for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by our citizens.

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND THE ARTS

SEC. 12. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used for (1) making payments to State educational agencies under this section for the acquisition of equipment (suitable for use in providing education in the humanities and the arts) and for minor remodeling described in subsection (c)(1) of this section, and (2) making loans authorized in subsection (f) of this section.

(b) Sums appropriated pursuant to subsection (a) shall be allotted in the same manner as provided in subsections (a) and (c) of section 302 of the National Defense Education Act of 1958, as amended (72 Stat. 1588; 20 U.S.C. 442).

(c) Any State which desires to receive payments under this section shall submit to the Commissioner of Education through its State educational agency a State plan which meets the requirements of section 1004(a) of the National Defense Education Act of 1958, as amended (72 Stat. 1603; 20 U.S.C. 584), and—

(1) sets forth a program under which funds paid to the State from its allotment under subsection (b) of this section will be expended solely for projects approved by the State educational agency for (A) acquisition of special equipment (other than supplies consumed in use), including audio-visual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in the humanities and the arts, and (B) minor remodeling of laboratory or other space used for such materials or equipment;

(2) sets forth principles for determining the priority of such projects in the State for assistance under this section and provides for undertaking such projects, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this section; and

(4) provides for the establishment of standards on a State level for special equipment acquired with assistance furnished under this section.

(d) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (c) of this section and the provisions of subsections (b) and (c) of section 1004 of the National Defense Education Act, as amended (72 Stat. 1603; 20 U.S.C. 584), shall apply to this section in the same manner as applicable to State plans under that Act.

(e) Payments to States from allotments made under subsection (b) shall be made in the same manner as provided in section 304 of the National Defense Education Act of 1958, as amended (72 Stat. 1589; 20 U.S.C. 444).

(f) The Commissioner shall allot and administer loans to nonprofit private schools in the same manner as provided in section 305 of the National Defense Education Act of 1958, as amended (72 Stat. 1590; 20 U.S.C. 445).

TEACHER TRAINING INSTITUTES

SEC. 13. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used to enable the Commissioner of Education to arrange, through grants or contracts, with institutions of higher education for the operation by them within the United States of short term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged in or preparing to engage in the teaching or supervising or training of teachers, of such subjects as will, in the judgment of the Commissioner, after consultation with the Chairman of the National Endowment for the Humanities, strengthen the teaching of the humanities and the arts in elementary and secondary schools.

(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent.

PRESIDENTIAL APPOINTMENTS

SEC. 14. The President is requested to make such appointments (including any nomination) as are provided for in this Act within ninety days after the enactment of this Act.

Mr. THOMPSON of New Jersey (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. HALL. Mr. Chairman, reserving the right to object, do I understand that the gentleman is renewing his request to consider the bill as read and open for amendment?

Mr. THOMPSON of New Jersey. Mr. Chairman, I withdraw my request for the moment.

The CHAIRMAN. The Clerk will read.

The Clerk read.

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALL. On what page is the Clerk now reading?

The CHAIRMAN. Page 13.

Mr. HALL. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9460) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes, pursuant to House Resolution 478, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GRIFFIN

Mr. GRIFFIN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GRIFFIN. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GRIFFIN moves to recommit the bill, H.R. 9460, to the Committee on Education and Labor.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "noes" appeared to have it.

Mr. GRIFFIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 128, nays 251, not voting 53, as follows:

[Roll No. 301]

YEAS—128

Abbitt
Anderson, Ill.
Andrews, Glenn
Arends
Ashbrook
Ashmore
Baldwin
Bandstra
Baring
Bates
Battin
Belcher
Bennett
Betts
Bow
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clawson, Del
Collier
Cooley
Cramer
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Gathings
Gettys
Goodell
Griffin
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hamilton
Hansen, Idaho
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Henderson
Herlong
Hosmer
Hutchinson
Jarman
Johnson, Pa.
Jonas
King, N.Y.
Laird
Langen
Lennon
Lipscomb
Long. La.
McCulloch
McEwen
McMillan
Mackie
Marsh
Martin, Nebr.
Matthews
Mills
Minshall
Mize
Morton
Murray
Natcher
Nelsen
Passman
Poff
Purcell
Quie
Quillen
Reid, Ill.
Rhodes, Ariz.
Roberts
Robison
Rogers, Tex.
Rumsfeld
Satterfield
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Va.
Stanton
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Watson
Weltner
Whitener
Wilson, Bob
Younger

NAYS—251

Adams
Addabbo
Albert
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Beckworth
Bell
Berry
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Callan
Cameron
Carey
Celler
Chelf
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Corbett
Corman
Craley
Culver
Cunningham
Curtin
Dague
Daniels
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.

Everett
Farbstein
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Grover
Hagen, Calif.
Halpern
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Kunkel
Landrum
Latta
Leggett
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Machen
Mackay
Madden
Mahon
Mailliard
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Shipley
Sickles
Sikes
Slack
Smith, Iowa
Springer
Stafford
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Watts
Whalley
White, Idaho
White, Tex.
Widnall
Willis
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Young
Zablocki

NOT VOTING—53

Abernethy
Adair
Anderson, Tenn.
Andrews, George W.
Bolton
Bonner
Brown, Calif.
Cahill
Colmer
Daddario
Derwinski
Diggs
Evins, Tenn.
Fallon
Farnsley
Frelinghuysen
Fuqua
Gallagher
Garmatz
Hathaway
Hébert
Holland
Hull
Jones, Mo.
Keith
Krebs
Lindsay
Long, Md.
McClory
Macdonald
MacGregor
Martin, Ala.
Martin, Mass.
May
Morse
O'Neal, Ga.
Patman
Pirnie
Poage
Pool
Roosevelt
Roudebush
Senner
Sisk
Smith, N.Y.
Thomas
Thompson, Tex.
Toll
Van Deerlin
Walker, Miss.
Whitten
Williams
Wright

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hull for, with Mr. Krebs against.

Mr. Pool for, with Mr. Garmatz against.

Mr. Derwinski for, with Mr. Daddario against.

Mr. McClory for, with Mr. Morse against.

Mrs. May for, with Mr. MacGregor against.

Mr. Martin of Alabama for, with Mr. Senner against.

Mr. Adair for, with Mr. Patman against.

Mr. O'Neal of Georgia for, with Mr. Toll against.

Until further notice:

Mr. Fallon with Mr. Roudebush.

Mr. Fuqua with Mr. Pirnie.

Mr. Holland with Mr. Frelinghuysen.

Mr. Wright with Mr. Keith.

Mr. Roosevelt with Mr. Cahill.

Mr. Hébert with Mrs. Bolton.

Mr. Macdonald with Mr. Martin of Massachusetts.

Mr. Sisk with Mr. Smith of New York.

Mr. Anderson of Tennessee with Mr. Lindsay.

Mr. Andrews of Alabama with Mr. Walker of Mississippi.

Mr. Thompson of Texas with Mr. Long of Maryland.

Mr. Evins of Tennessee with Mr. Colmer.

Mr. Brown of California with Mr. Abernethy.

Mr. Thomas with Mr. Whitten.

Mr. Bonner with Mr. Williams.

Mr. Van Deerlin with Mr. Diggs.

Mr. Hathaway with Mr. Gallagher.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes, strike out all after the enacting clause and insert the language of the bill H.R. 9460, just passed by the House.

The SPEAKER. The Clerk will report the title of the Senate bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity;

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent;

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classic, and linguistics; literature, history, jurisprudence, and philosophy; archeology; the history, criticism, theory and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment.

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities (hereinafter established).

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) There is established within the Foundation a National Endowment for the arts.

(b) The Endowment shall be headed by a Chairman, to be known as the Chairman of the National Endowment for the Arts.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

(2) productions, meeting professional standards or standards of authenticity, irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

(4) projects that will encourage and develop the appreciation and enjoyment of the arts by our citizens; and

(5) other relevant projects, including surveys, research, and planning in the arts.

(d)(1) In addition to performing any of the functions, duties, and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, Public Law 88–579, approved September 3, 1964, the individual appointed under such Act as Chairman of the National Council on the Arts shall serve as the Chairman of the National Endowment for the Arts. In lieu of receiving compensation at the rate prescribed by section 6(c) of such Act, such individual serving as Chairman of the National Council on the Arts and Chairman of the National Endowment for the Arts shall receive compensation at the same rate prescribed by law for the Director of the National Science Foundation.

(2)(A) The first sentence of section 6(b) of the National Arts and Cultural Development Act of 1964 is hereby amended to read as follows: "The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment."

(B) The amendment made by clause (A) of this paragraph shall be applicable with respect to the Chairman holding office on the date of enactment of this Act and each Chairman holding office thereafter.

(e) No payment may be made to any group under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations and procedures established by the Chairman.

(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(g) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such groups are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

(h)(1) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting existing projects and productions which meet the standards enumerated in section 5(c) of this Act, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Chairman finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan;

(b) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of this subsection; except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds will be expended solely to conduct a survey in order to study and develop plans for the establishment of a State agency in the State, and to execute such plans; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairman may from time to time require.

(3) Each State which has a plan approved by the Chairman in effect on the first day of the fiscal year beginning July 1, 1966, or any succeeding fiscal year, shall be entitled to a maximum allotment in any such fiscal year of an amount equal to the amount resulting after dividing the total amount appropriated to the National Endowment for the Arts for the purposes of this subsection for such fiscal year by the total number of States. Notwithstanding the limitation prescribed by section 11(b) of this Act with respect to the amounts that may be appropriated under such section to match any amounts received by the National Endowment for the Arts under section 10(a)(2) of this Act, in the event that any sum is remaining out of the maximum allotment available under this paragraph for grants to each State in any fiscal year after all allotments are made to States with approved plans in effect on the first day of such fiscal year, the aggregate of such remaining sums or any portion thereof shall be available to match any amounts which are received by the Endowment under such section 10(a)(2) in excess of $2,250,000.

(4) The amount of any grants allotted to any State or State agency pursuant to this subsection for any project or production shall not exceed 50 per centum of the total cost of such project or production. The provisions of this paragraph shall not be applicable in the case of funds expended to conduct a survey, or execute plans under a survey, made pursuant to paragraph (2)(b) of this subsection.

(i) Whenever the Chairman, after reasonable notice and opportunity for hearing to any group or State agency, finds that—

(1) any such group is not complying substantially with the provisions of this section;

(2) any such agency is not complying substantially with the terms and conditions of its State plan approved under this section; or

(3) any funds granted to such group or agency under this section have been diverted from the purposes for which they were allotted or paid

the Chairman shall immediately notify the Secretary of the Treasury and the group or State agency concerned that no further grants will be made under this section with respect to such group or State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the group or State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (k) of this section) employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secertary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.

(k) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(l) The Chairman shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

TRANSFER OF THE NATIONAL COUNCIL ON THE ARTS

SEC. 6. (a) The National Council on the Arts, established by the National Arts and Cultural Development Act of 1964, and its functions are transferred from the Executive Office of the President to the National Endowment for the Arts.

(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time.

(c) The function of the Secretary of the Smithsonian Institution with respect to serving as an ex officio member of the National Council on the Arts, now derived from section 5(a) of the National Arts and Cultural Development Act of 1964, is hereby abolished.

(d)(1) The first sentence of section 5(a) of the National Arts and Cultural Development Act of 1964 is amended by striking out "twenty-four" and inserting in lieu thereof "twenty-six".

(2) Clause (2) of the first sentence of section 5(b) of such Act is amended by inserting, immediately after "taking office", the following: "prior to May 31, 1965,".

(3) The second sentence of section 7(a) of such Act is amended by striking out "Thirteen" and inserting "Fourteen".

(4) Section 7(d) of such Act is hereby repealed.

(5) Section 10 of such Act is hereby repealed.

(e) Except as inconsistent with the provisions of this Act, the provisions of the National Arts and Cultural Development Act of 1964 shall be applicable with respect to the Chairman and the National Council on the Arts insofar as necessary for, or incidental to, carrying out the objectives of this Act.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 7. (a) There is established within the Foundation a National Endowment for the Humanities.

(b)(1) The Endowment shall be headed by a Chairman, who shall be appointed by the President by and with the advice and consent of the Senate. The Chairman shall receive compensation at the rate prescribed by law for the Director of the National Science Foundation.

(2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairman.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Humanities (hereinafter established), is authorized to—

(1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;

(2) initiate and support research and programs to strengthen the research potential of the United States in the humanities by making arrangements (including grants, loans, and other forms of assistance) with individuals or groups to support such activities;

(3) award fellowships and grants to institutions or individuals for training in the humanities. Fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate nonprofit institutions selected by the recipient of such aid, for stated periods of time.

(4) foster the interchange of information in the humanities;

(5) foster, through grants or other arrangements with groups, public understanding and appreciation of the humanities; and

(6) support the publication of scholarly works in the humanities without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).

(d) The Chairman shall correlate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

SEC. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment on the Humanities, who shall be the Chairman of the Council, and twenty-six other members appointed by the President from private life. Such members shall be selected on the basis of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of his term.

(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

(e) Members not otherwise employed by the Federal Government shall receive compensation and be allowed travel expenses in the same manner as is provided in section 8 of Public Law 88–579 for the National Council on the Arts.

(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove an application until he has received the Council's recommendation unless the Council fails to make a recommendation on the application within a reasonable time.

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) coordinate, by advise and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts and the National Endowment for the Humanities, including joint support of activities, as appropriate;

(3) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies; and

(4) plan and coordinate appropriate participation (including productions and projects) in major and historic national events.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as he deems necessary governing the manner in which his functions shall be carried out;

(2) to receive money and other property donated, bequeathed or devised, without condition or restriction other than that it be used for the purposes of the Foundation or one of its Endowments, to the National Endowment for the Arts, or the National Endowment for the Humanities; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and for the purpose of carrying out the functions transferred by section 6(a) of this Act;

(3) in the discretion of the Chairman of an Endowment, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed or devised to that Endowment with a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift;

(4) appoint employees, subject to the civil serve laws, as necessary to carry out his functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed without compensation;

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which

such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment within the scope of paragraph (2) of this subsection, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction similar to a condition or restriction covered by paragraph (3) of this subsection, such property shall be deemed to have been donated, bequeathed, or devised, within the scope of such paragraph, to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.

(b) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year. The report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairman deems appropriate.

(c) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a) For the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act, there is authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years the sum of $10,000,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums appropriated under the authority of this subsection shall be equally divided between the Endowments of the Foundation, and shall remain available until expended.

(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that amounts appropriated to the National Endowment for the Arts under this subsection may not exceed $2,250,000 for any fiscal year, and amounts appropriated to the National Endowment for the Humanities under this subsection may not exceed $5,000,000 for any fiscal year. Amounts appropriated to an Endowment under this subsection shall remain available until expended.

(c) There is hereby authorized to be appropriated to the National Endowment for the Arts the sum of $2,750,000 for each fiscal year, beginning with the fiscal year 1966, for use in carrying out its activities authorized by section 5(h). Sums appropriated under this subsection shall remain available until expended.

(d) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND THE ARTS

SEC. 12. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used for (1) making payments to State educational agencies under this section for the acquisition of equipment (suitable for use in providing education in the humanities and the arts) and for minor remodeling described in subsection (c)(1) of this section, and (2) making loans authorized in subsection (f) of this section.

(b) Sums appropriated pursuant to subsection (a) shall be allotted in the same manner as provided in subsections (a) and (c) of section 302 of the National Defense Education Act of 1958, as amended (72 Stat. 1588; 20 U.S.C. 442).

(c) Any State which desires to receive payments under this section shall submit to the Commissioner of Education through its State educational agency a State plan which meets the requirements of section 1004(a) of the National Defense Education Act of 1958, as amended (72 Stat. 1603; 20 U.S.C. 584), and—

(1) sets forth a program under which funds paid to the State from its allotment under subsection (b) of this section will be expended solely for projects approved by the State educational agency for (A) acquisition of special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in the humanities and the arts, and (B) minor remodeling of laboratory or other space used for such materials or equipment;

(2) sets forth principles for determining the priority of such projects in the State for assistance under this section and provides for undertaking such projects, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this section; and

(4) provides for the establishment of standards on a State level for special equipment acquired with assistance furnished under this section.

(d) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (c) of this section and the provisions of subsections (b) and (c) of section 1004 of the National Defense Education Act, as amended (72 Stat. 1603; 20 U.S.C. 584), shall apply to this section in the same manner as applicable to State plans under that Act.

(e) Payments to States from allotments made under subsection (b) shall be made in the same manner as provided in section 304 of the National Defense Education Act of 1958, as amended (72 Stat. 1589; 280 U.S.C. 444).

(f) The Commissioner shall allot and administer loans to nonprofit private schools in the same manner as provided in section 305 of the National Defense Education Act of 1958, as amended (72 Stat. 1590; 20 U.S.C. 445).

TEACHER TRAINING INSTITUTES

SEC. 13. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used to enable the Commissioner of Education to arrange, through grants or contracts, with institutions of higher education for the operation by them within the United States of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged in or preparing to engage in the teaching or supervising or training of teachers, of such subjects as will, in the judgment of the Commissioner, after consultation with the Chairman of the National Endowment for the Humanities, strengthen the teaching of the humanities and the arts in elementary and secondary schools.

(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent.

PRESIDENTIAL APPOINTMENTS

SEC. 14. The President is requested to make such appointments (including any nomination) as are provided for in this Act within ninety days after the enactment of this Act.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause of S. 1483 and insert the provisions of H.R. 9460 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H.R. 9460) were laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members who spoke in the Committee of the Whole today may revise and extend their remarks and include extraneous matter; also that all Members have 5 legislative days in which to insert their remarks on the bill H.R. 9460 and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MISSISSIPPI ELECTION CONTESTS

Mr. BURLESON, from the Committee on House Administration, reported the following privileged resolution (H. Res. 585, Rept. No. 1008), which was referred to the House Calendar and ordered to be printed:

H. Res. 585

Resolved, That the election contests of Augusta Wheadon, contestant, against THOMAS G. ABERNETHY, contestee, First Congressional District of the State of Mississippi; Fannie Lou Hamer, contestant, against JAMIE L. WHITTEN, contestee, Second Congressional District of the State of Mississippi; Mildred Cosey, Evelyn Nelson, and Allen Johnson, contestants, against JOHN BELL WILLIAMS, contestee, Third Congressional District of the State of Mississippi; Annie DeVine, contestant, against PRENTISS WALKER, contestee, Fourth Congressional District of the State of Mississippi; and Victoria Jackson Gray, contestant, against WILLIAM M. COLMER, contestee, Fifth Congressional District of the State of Mississippi, be dismissed and that the said THOMAS G. ABERNETHY, JAMIE L. WHITTEN, JOHN BELL WILLIAMS, PRENTISS WALKER, and WILLIAM M. COLMER are entitled to their seats as Representatives of said districts and State.

COMMITTEE ON EDUCATION AND LABOR

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have permission to sit tomorrow afternoon.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, has this matter been cleared with the ranking minority member?

Mr. POWELL. Yes; we have talked it over.

Mr. GERALD R. FORD. Has the gentleman from Ohio [Mr. AYRES] agreed that he has no objection to the committee's meeting tomorrow afternoon?

Mr. POWELL. I talked to the gentleman from Minnesota [Mr. QUIE], the ranking member on the subcommittee having the matter before us, which is the hearing on NLRB.

Mr. GERALD R. FORD. Mr. Speaker, I object.

TO INCREASE THE NUMBER OF ELECTRIC TYPEWRITERS FURNISHED TO MEMBERS BY THE CLERK OF THE HOUSE

Mr. NEDZI. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 309) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman tell us the number of Members in the House who need these additional typewriters? Is there a substantial basis for this action?

Mr. NEDZI. I will be very happy to. Since the addition of one clerk hired at the beginning of this term of Congress, the Subcommittee on Electrical Equipment has received numerous requests from Members for an additional electric typewriter. House Joint Resolution 309 merely makes in order to authorize one additional typewriter per Member, one of which may be an automatic typewriter.

Mr. HALL. There is no requirement that this be issued in kind?

Mr. NEDZI. There is no such requirement.

Mr. HALL. Does the gentleman have any idea what these new modern-day electric typewriters cost, or what this will cost if 435 Members avail themselves of this permission?

Mr. NEDZI. We do not have any record on it at this time because the committee has not gone into it. The committee will have to select a source.

I might add that this joint resolution has been cleared with the Members on the other side and there was unanimous consent in bringing it to the floor of the House today.

Mr. HALL. Mr. Speaker, I am not sure whether this is the "trickle down" theory as a result of the effect of adding this extra employee awhile back or whether it is the "trickle up" theory, as proposed here yesterday.

But, Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. FULTON of Pennsylvania. Mr. Speaker, further reserving the right to object, the question comes up as to where these typewriters can be used. Many of use have offices in our home districts in Federal buildings. The question then comes up as to whether we can use these typewriters as long as they are used in a Federal building in our respective districts.

Mr. NEDZI. Mr. Speaker, if the gentleman will yield, this would have to be the subject of a separate resolution, I would state to the gentleman.

Mr. FULTON of Pennsylvania. I did not hear the response of the gentleman from Michigan.

Mr. NEDZI. This would have to be the subject of a separate resolution. It is not covered by this resolution. This resolution merely authorizes an additional electric typewriter.

Mr. FULTON of Pennsylvania. Why could we not have it understood here as a statement of legislative intent that these typewriters might be used by our employees in our congressional offices in our districts since they are located in Federal buildings?

Mr. NEDZI. I would say to the gentleman from Pennsylvania I think we can state it but it is not in the resolution and will not be the rule in the absense of a separate resolution.

Mr. FULTON of Pennsylvania. Would an amendment be in order?

Mr. NEDZI. No; I do not know what the parliamentary situation at this time, is, whether an amendment would be in order or not.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. Mr. Speaker, I think I can answer that question. It has been raised before and I have been advised that the Building Commission here, the members of the Building Commission, have control over the equipment that is going out of the offices of the Members to their districts, and if they want to permit Members to take typewriters out, they are the ones to authorize it.

Mr. FULTON of Pennsylvania. I might add further that as the matter now stands no typewriter could be placed in a Member's office or used in any other place but in the House Office Buildings in Washington. With this extra employee and with the employees being added at places where they are of the most use to the Members, it would seem to me logical that where there is proper certification by the Commission—where there is proper Member certification of need and use as well—and with a receipt given between the custodians of the respective Federal office buildings, the Members ought to be able to use these typewriters either in officially designated offices in Washington here or in their respective districts.

Mr. NEDZI. I am inclined to agree with the gentleman but regrettably this resolution does not cover that point.

Mr. FULTON of Pennsylvania. I withdraw my reservation, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 309

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the joint resolution entitled "Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives", approved March 25, 1953, as amended (2 U.S.C. 112a–1), is amended by striking out "three electric typewriters" and inserting in lieu thereof "four electric typewriters", and by striking out "four electric typewriters" and inserting in lieu thereof "five electric typewriters".

With the following committee amendments:

Page 1, line 10, following "typewriters", insert "one of which may be an automatic typewriter."

Page 2, line 2, following "typewriters", insert "one of which may be an automatic typewriter".

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TRADING STAMPS BY ANY OTHER NAME IS STILL A DISCOUNT

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **WOLFF**. Mr. Speaker, I have been discussing the question of trading stamps and their effect on the economy for a number of months and I have discovered that there is a great deal of information that is not very widely known or available about this subject. I wonder just how many of my colleagues are aware of the fact that our Government has entered a new role which is not unlike the role of the American housewife? The U.S. Government is faced with all the problems attendant with collecting trading stamps. For like Mrs. American Consumer, the U.S. Government finds that through the normal practices of doing business, the Government agencies have been collecting trading stamps. The practice of accepting trading stamps, of course, presents many new problems, for I have searched all of the Government publications on job classifications and nowhere do I find the office of stamp lickers who must be in charge of pasting these stamps in books. And what about the department of premium selection? Perhaps the Government could make use of all these stamps collected by preparing and issuing a U.S. Government service redemption catalogue. On one page we could offer stamps to Congressmen and Senators who attend quorums or go to committee meetings.

Another page might offer trading stamps to taxpayers who perhaps mail in returns early or, perhaps, instead of cash refunds a taxpayer might receive stamps instead of cash. We might open a whole new area in the field of youth by offering stamps for good behavior, or maybe instead of a pay raise for our Government employees we could give them stamps.

Gentlemen, is it not about time we looked into this runaway, undisciplined, unregulated industry? Perhaps we might get back to the old fashioned cash savings so both the housewife and the U.S. Government can get the lowest possible price for what they purchase.

CRIME

Mr. **DUNCAN** of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **DUNCAN** of Tennessee. Mr. Speaker, the administration is asking Congress to give high priority to highway beautification this year, while at the same time pushing aside anticrime bills.

Our increasing crimes, especially in the Nation's Capital and other big cities, are hard to accept. While I like to see our highways beautiful, I am more concerned about the safety of our citizens. We should study this growing crime wave before we plant seedlings and flowers along the roadways.

Our crime figures are terrifying, especially where young people are concerned. In 5 years, arrests of persons under 18 years of age for assault are up 79 percent; for drunkenness, up 52 percent; for disorderly conduct, up 18 percent.

The rate of serious crimes is increasing 6 times faster than our population growth. A murder, rape, robbery, aggravated assault, burglary, larceny, or auto theft occurs on the average of every 15 seconds in the United States..

Our serious crime rate is up 11 percent over last year. And the dreadful part of all this is that 76 percent of all criminals apprehended are repeaters.

I cannot understand the administration's casual attitude toward what I see as a growing tide of crime. We should be making every effort possible, and at once, to combat it. Certainly, planting more shrubbery and flowers is not the answer.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. **BROYHILL** of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. **BROYHILL** of Virginia. Mr. Speaker, yesterday I inserted in the RECORD testimony that was prepared by Col. John M. Kyle II, executive vice president of the Kalorama Citizens Association of the District of Columbia against home rule for the District of Columbia. Colonel Kyle made some very interesting observations concerning the pros and cons on this subject. I should like to read to the House at this time what I feel is an amusing as well as an interesting excerpt from his testimony concerning the financial aspects of this problem. I quote from his testimony:

> If by some miracle the Congress should be pressured into this delegation of its control over the spending of the Nation the end of representative government would be close at hand. The situation would be akin to that of King Lear after he gave his kingdom and all of his property to his eldest daughters. As Shakespeare relates it, Lear was chided by his jester, who told him that he became a weakling "whence thou made thy daughters thy mother, gave them the rod and lowered thy breeches." Then in answer to Lear's question, "Think you me to be a fool?" The jester replied: "All thy other titles thou has given away, that thou wast born with."

THE 1965 CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATIONS TO THE HONORABLE WILLIAM M. McCULLOCH AND THE HONORABLE WILBUR D. MILLS

Mr. **BETTS**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **BETTS**. Mr. Speaker, on September 10, two of our colleagues received high recognition from the American Political Science Association. The Honorable WILLIAM M. McCULLOCH, of Ohio, and the Honorable WILBUR D. MILLS, of Arkansas, were recipients of the association's Distinguished Service Awards. These awards are made every 2 years to outstanding legislators for the purpose of calling attention, as the association says, "to effective legislative service which might otherwise go unnoticed, thus dramatizing the role of free elections in bringing into public life individuals of high abilities and varied talents."

I am sure that the Members of the House will agree that this year's selections fulfill in every way the standards which the association has set in recognizing for this honor men of high abilities and varied talents. We are proud of the record and accomplishments of these two colleagues and share the respect and esteem of the American Political Science Association in bestowing upon them these outstanding awards. The citations to them follow:

WILLIAM M. McCULLOCH, 1965 CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION

Without fanfare and unmindful of the exigencies of narrow partisan advantage, WILLIAM M. McCULLOCH works tirelessly and effectively to improve the quality of American life.

Consistent with his commitment to basic Constitutional principles, he seeks to maintain the delicate balance between individual freedom, State responsibility, and Federal action. Meticulous in his attention to the finer points of law, he assumed a pivotal role in development and passage of the Civil Rights Act of 1964, exercising patient skill in harmonizing widely divergent viewpoints in committee and maintaining close consultation with the Senate and the executive branch. For his demonstrated integrity, for his resoluteness of purpose—and for his gentle wit—he has the admiration and affection of his colleagues in both parties.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to WILLIAM M. McCULLOCH, Republican, of Ohio—as unassuming scholar of the law, master of technical detail, and champion of human rights who has given his State and Nation more than 30 years of honorable and constructive service.

WILBUR D. MILLS, 1965 CONGRESSIONAL DISTINGUSIHED SERVICE AWARD CITATION

Scrupulously fair and superbly skillful in committee, articulate and informed on the House floor, WILBUR D. MILLS is universally respected as a legislative craftsman.

Unrelenting in his attention to the details of public policy, he has initiated and shaped programs affecting the welfare of all Americans—in the fields of taxation, tariff and trade policy, debt management, social security and health care. In 1963 and 1964, despite continuing controversy over national economic policy, he helped to formulate and to guide toward enactment one of the most important tax reduction bills in our history. Prudent and calm under pressure, he is recognized by proponent and opponent alike for his courteous consideration of the views of all who appear before his committee.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to WILBUR D. MILLS, Democrat, of Arkansas—a conscientious legislator, authority on Government finance, and responsive committee chairman whose sense of dedication is of inestimable value to the Nation.

DOMESTIC FINANCE SUBCOMMITTEE PROBE RESURRECTS DEAD CREDIT UNION DIRECTIVE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, Washington Financial Reports, a complete weekly report for all financial institutions, in its September 13, 1965, issue, reports in its feature article that the investigation of Federal Services Finance Corp., by the House Domestic Finance Subcommittee was responsible for the new Defense Department credit union directive calling on military commanders to give moral and physical support to military-based credit unions.

The publication, which is recognized as one of the most in-depth financial reporting services, commented that:

> The new policy is DOD's answer to congressional criticism that it has done little to protect servicemen from "loansharks and sharp practice finance companies." Although such a policy has been urged for years by CUNA International and the Defense Credit Union Council, it was a dead issue before the Federal Services probe. Committee and credit union representatives worked hard to get it resurrected and DOD officials, smarting under the unfavorable publicity, cooperated.

There can be no doubt, Mr. Speaker, that the issuance of this directive which could prove to be a major breakthrough in the credit union movement was triggered by the work of the subcommittee and its able chairman, the gentleman from Texas, the Honorable WRIGHT PATMAN. Chairman PATMAN has long been a champion of credit unions, and his efforts to obtain military cooperation for credit unions is just another in a long series of helping hands he has lent to these worthwhile self-governed, self-operated, and extremely worthwhile institutions.

I sincerely hope that the credit union directive will be the first step in eliminating loan sharks and unscrupulous finance companies from their place on the military scene. These institutions are camp followers of too long a standing. They should have been slapped down years ago, but unfortunately the military has been slow in protecting its servicemen in this area. Let us hope they have finally decided to stand up for the serviceman.

I am enclosing in my remarks today a copy of the article that appeared in Washington Financial Reports on September 13 of this year:

NEW DEFENSE DEPARTMENT CREDIT UNION DIRECTIVE SEEN AS MAJOR BREAKTHROUGH FOR MOVEMENT

The new Defense Department credit union directive calling on military commanders to give moral and physical support to credit unions is a direct outgrowth of the House Domestic Finance Subcommittee's investigation of Federal Services Finance Corp. (WFR June 7, 1965).

Commercial banks and other consumer credit lenders are almost certain to protest the policy, especially that part giving credit unions free office space.

The new policy is DOD's answer to congressional criticism that it has done little to protect servicemen from "loansharks and sharp practice finance companies." Although such a policy has been urged for years by CUNA International and the Defense Credit Union Council, it was a dead issue before the Federal Services probe. Committee and credit union representatives worked hard to get it resurrected and DOD officials, smarting under the unfavorable publicity, cooperated.

Among other things, the directive (1) permits and encourages the operation of one credit union at each military installation without charge for accommodations when space is available; (2) encourages the use of service allotments to build savings at credit unions; (3) permits the transaction of credit union business during duty hours if it does not interfere with official business; and (4) offers advertising space in appropriate publications, the use of bulletin boards for promotional or information purposes, and other appropriate facilities to further the aims of the organization.

There is, however, another side to the coin. In order to take advantage of this assistance, credit unions will have to provide full credit union services, including family financial counseling, and extend membership to all qualified military and civilian personnel without discrimination including, but not limited to, grade, rank, race, component, etc. On installations where these standards are not met, the formation of a second credit union is encouraged. Also, the directive states, "with the approval of the membership involved and the regulatory authorities, mergers may be accomplished to better serve the total Defense community stationed on the installation."

It's understood that, at a number of military credit unions, membership is now limited to officers and top enlisted grades, civilian personnel, etc. Under the DOD directive, this type of "discrimination" will have to stop. However, the quid pro quo is official recognition and assistance—a balance weighted heavily in favor of credit unions. In the past, it's understood that while some military commanders have encouraged credit unions, others have given them no help at all while still others have actively opposed credit unions. At present, there are reported to be approximately 450 military credit unions of which approximately 340 are federally chartered.

CUNA International Managing Director J. Orrin Shipe and Steering Committee Chairman Richard H. Grant, of the Defense Credit Union Council, immediately acclaimed the new DOD policy. House Banking Committee Chairman WRIGHT PATMAN, Democrat, of Texas, also hailed it as an important breakthrough for the credit union movement. However, PATMAN, who as chairman of the Domestic Finance Subcommittee, has been conducting the Federal Services inquiry, expressed some disappointment that the directive covers only the continental United States and its possessions.

"I understand there is some hesitancy on the part of the Department of Defense to authorize the establishment of credit unions overseas," PATMAN commented. "I fail to see why, if the Department of Defense can erect bowling alleys, movie theaters, skeet-shooting facilities, and authorize the formation of recreational groups, it cannot at the same time provide for the formation of credit unions. I sincerely hope that the Department will take a hard long look at the need for credit unions overseas, particularly in light of our buildup of servicemen in these areas."

DOD limited the directive to the continental United States and U.S. possessions because it felt it had no legal authority to authorize the establishment of credit unions overseas. One basis of its directive was the Federal Credit Union Act which limits Federal charters to these areas. In effect, DOD would have to become the chartering agent for credit unions if it authorized them elsewhere. However, PATMAN is not about to let the matter drop now and will press for legislation, if necessary, to permit expansion of the directive to cover overseas bases.

The rationale of the directive is that credit unions are important morale and welfare resources since they encourage reasonable rates of interest and combat usury or the patronage of lenders who charge exorbitant rates of interest. The different military services have 30 days from August 27 to submit their proposed implementing regulations to the Department of Defense for approval.

The new directive, its implications and the opportunities it presents are sure to be top topics at the Defense Credit Union Conference which meets here this week. About 250 delegates and observers representing more than one million credit union members at armed forces installations are expected to attend the 4-day event.

WHAT'S THIS ABOUT FLOODING OUT THE GRAND CANYON?

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, many of my colleagues have told me they are being deluged these days with letters from honest and sincere people who have been led to believe that someone wants to "flood out" the Grand Canyon. Let me quickly state that, if this were true, I would be at the head of the column marching against the invaders. I am a native of Arizona, I was born not too many miles from the Grand Canyon; one of my great-grandfathers was John D. Lee, for whom Lees Ferry was named. The Grand Canyon means a lot to me, and I would oppose with all my vigor any attempt to mar its great beauty.

Fortunately, there is no plan to mar the beauty of the Grand Canyon. And a kind of negative confirmation of this fact can be found in the arguments of the very people who are stirring up this deluge of mail. In effect, they acknowledge the weakness of their "flooding out" thesis when they resort to what might be called the "foot in the door" argument—that is, that the real danger lies, not in this project, but in some nebulous but frightful future intrusions into the national park system.

What has prompted this letter-writing campaign is the Lower Colorado River Basin project, undoubtedly the most comprehensive project ever planned to meet the water needs of the American people. In only its initial phase it would serve the interests of more than 11 million people in the Southwest, and in its ultimate development it can assure water security for the entire West for many years to come by a program of efficient utilization of water supplies.

For almost 50 years leaders in my State have discussed plans whereby Arizona's share of the Colorado River could be utilized in our area, which is the fastest growing and driest region of the country. Meanwhile they have given their support to the development of water resources in every other river basin in the United States.

The legislation that is now before Congress emerged when people of the Pacific Southwest recognized their problems were common, and that they could only be solved by working together on concepts of regional and basin planning. Evidence of this common purpose is the fact that 37 Members of the Congress representing this area introduced identical bills to authorize the Lower Colorado River Basin project.

These bills provide for two major control and hydroelectric power dams on the Colorado River, and pumping and diversion facilities to transport the water into the Salt River Valley area around Phoenix and on to Tucson in Arizona. Like all reclamation projects it would serve the multiple purpose of providing water storage needed for irrigation, for industry, and for municipal and domestic use. In addition to the stored water that generates power which helps pay for the project, the reservoirs would serve yet another valuable function: providing recreation and fish-and-wildlife habitats. Of the total Federal investment more than 90 percent would be repaid. Reclamation water development has demonstrated its ability to create prosperous, viable, and self-sustaining local economies while, at the same time, recovering the taxpayers' money.

Mr. Speaker, every President of the United States since Theodore Roosevelt has given his wholehearted support to reclamation developments in the arid and semiarid western half of the Nation. When President Johnson recently signed legislation to authorize the Auburn-Folsom South project for California's Central Valley, he remarked:

> I have never seen a dollar invested anywhere in this Nation in water conservation, in multiple-use projects, that in a period of even a decade didn't prove that it was a good investment, and would pay very high returns on what we had spent for it.

Without a doubt a project of this magnitude does raise many questions, and I want to discuss these frankly.

DEMANDS ON RIVER

Is not the Colorado River now overly committed?

The Colorado River is a stream of widely fluctuating annual runoffs which make probable future water supply estimates very difficult. Using one period, for example 1906–59, the average annual yield was over 15 million acre-feet. Through the drought years of 1930–62 the yield was less than 14 million acre-feet.

Compounding this, of course, are future depletions in the Upper Basin States, commitments to the Mexican Government, anticipated salvage works, evaporation, and other factors.

Taking all this into account, the water engineers of the Lower Basin States—Arizona, California, and Nevada—have agreed there is an equal chance the supply in the mainstream will equal or exceed the amount needed to provide 4.4 million acre-feet a year for California, water for decreed rights and existing mainstream projects in Arizona and Nevada and the Southern Nevada Water Supply project, water for increasing demands of the Upper Basin, and a full supply of 1.2 million acre-feet per annum for the proposed central Arizona project until about the turn of the century, gradually reducing thereafter.

Both basins, they conclude, are ultimately dependent upon substantial importations which should be made available by the last decade of the present century.

NEED FOR WATER

How really serious is the water situation in Arizona now?

Central and southern Arizona with less than 11 inches of annual rainfall and, consequently, a lack of sufficient surface water, have had to depend almost entirely upon underground water. Tucson, a city of some 300,000 people, is the largest city in the United States, if not the world, that derives its entire water supply from pumping. Arizona is mining from its underground reservoirs 2¼ million acre-feet more than is considered a safe withdrawal. So the water tables have dropped alarmingly, causing prominent earth fissures to develop, needed agricultural acreage to go out of production, and small communities to wither. Our only relief is through the use of our rightful share of the Colorado River.

USES OF WATER

Where would project water be put to use?

During the early years of the project it is estimated that 70 percent of the water would help sustain Arizona's agricultural economy. No new acreage would be brought into production, but the water would stabilize an agricultural economy whose products are predominantly for the market and not for storage. The project area is the Nation's winter salad bowl, producing 95 percent of its lettuce, 70 percent of its cantaloups, and similarly high proportions of other fruits and vegetables. In fact, agriculture in this area generates far less surplus than the national average.

REPAYMENT PLAN

How would the project be paid for?

Under a 50-year repayment plan this investment in natural resources development would repay to the Government far more than its construction cost. The sale of water and power would return more than 90 percent of the project's cost, all costs except those allocated to such public benefits as fish and wildlife conservation. In addition, the Federal Government would receive more than half a billion dollars in interest during the repayment period. This is the essence of reclamation, in which electricity, from falling water, is turned into water for cities and farms at a price a user can pay.

CONTROVERSY OVER DAMS

What is the argument about the dams?

Mr. Speaker, this Nation has taken pride in its abilities to plan and construct great wealth-producing hydroelectric power dams. We all would have been the losers if Congress had heeded the criticisms of some to delay the authorization of Hoover Dam 35 years ago to store water for diversion to southern California. Arizona surely would have been a disaster State had not farsighted men hastened the construction of the Salt River project's Roosevelt Dam that made possible the growth of Phoenix. People in the Northwest would have been the poorer if Grand Coulee had not been built.

And yet the criticisms we hear most often about this project are about building the dams, and the critics have raised a number of doubts about their feasibility and merits. In the main they are:

Is the power marketable? Could it be produced more cheaply by steamplants?

Do such dams make more water available or just cause more water to be lost by evaporation? Would they become obsolete?

Would the dams destroy scenery?

I believe there are full and adequate answers to each of these questions. In this brief discussion space does not permit me to deal with every point and every aspect, but I will attempt to answer each of these main lines of criticism.

President Johnson, speaking on the subject of conservation and development of the Nation's water resources, observed that "the real wasters, the real spendthrifts, are those who by neglecting the needs of today destroy the hopes of tomorrow."

The dams on the Colorado River are our hopes for tomorrow. The revenues from the sale of hydroelectric power make the project feasible. These revenues plus revenues from Hoover and Parker-Davis Dams (available once their costs have been repaid a few years hence) will make possible the ultimate import of water into the basin.

That is what millions of people have at stake in the dams on the Colorado River.

SELECTION OF SITES

Why these particular sites?

The particular dam locations included in this project were selected and approved many years ago, as revealed in a letter written in 1933 to the Commissioner of Reclamation by Horace Albright when he was director of the National Park Service. He wrote:

> As I see it the Bridge Canyon project is in no way affected by the Grand Canyon National Monument proclamation; we have had it in mind all the time, the Bridge Canyon project.

The sites have been reevaluated many times since, and they are, in fact, the last remaining locations for power dams on the river.

Marble Canyon site is entirely outside and upstream of Grand Canyon National Park. Bridge Canyon site is located some 80 miles west and downstream of the Grand Canyon National Park boundary. Its reservoir would back up 13 miles, not into but along the boundary of the park, much as Fontana Lake, a manmade reservoir, forms a dramatic boundary for the Great Smoky Mountains National Park.

NEED FOR HYDRO POWER

Why is hydroelectric power preferred?

It has been argued by those opposing the dams that cheaper power is available from fossil fuel operating plants. Both private and public power companies will testify they are eager customers for hydroelectric power. In fact, engineers predict there will be a shortage of such power in a few years if new dams are not built. "Peaking power," provided by hydroelectric dams, is needed to realize the most efficient operation of electric utilities depending on steamplants for their "baseload" power. Very simply, generators run by waterpower can be readily regulated to meet fluctuations in demand for power while steamplants are best suited for constant, "baseload" operation. The two types of generation do not compete with one another but are complementary; economic studies show that "peaking" hydroplants would produce the greatest return to the development fund.

It can be anticipated that thermal and atomic powerplants will improve in efficiency in the future, but it is highly unlikely they will ever approach the operating flexibility of hydropower.

The Federal Power Commission has current applications for non-Federal hydroelectric dams at both the Bridge and Marble sites. If the Lower Colorado River project is not approved by the end of 1966, it is entirely possible that the FPC may grant licenses for construction of dams at these sites to State or private bodies.

WATER LOSSES

What about evaporation, seepage, and water quality?

There has been considerable comment made about evaporation loss, seepage, and water quality. Granted there would be evaporation losses of approximately 85,000 acre-feet behind Bridge and another 15,000 acre-feet behind Marble, I should like again to emphasize that these wealth-producing power facilities would make it possible to bring into the river as much as 10 to 15 million acre-feet of water annually—100 times the loss from evaporation.

Seepage is a recognized fact, too, and critics have made an example of Lake Powell. But the water does not just disappear there once the sandstone has absorbed its limit. It is actually stored in the walls and will return to the river as Lake Powell fluctuates from time to time. It should be noted here that the water behind Bridge Canyon Dam would be maintained at an almost constant level.

Fears also have been expressed about increased salinity as a result of the dams, but the Department of Interior finds there is no evidence to support this claim. To the contrary, many professional people maintain that holding water in storage over extended periods of time improves water quality.

LIFE EXPECTANCY OF DAMS

Do dams stay young?

It has been said that sediment problems will make the dams obsolete just a few years after completion. The heavy silt load of the Colorado has been studied by such agencies as the Geological Survey, the Coast and Geodetic Survey, the Bureau of Reclamation and the Department of the Navy since 1925. With the accumulation of all this information engineers have become convinced that the "life expectancy" of dams on the Colorado can be extended indefinitely.

EFFECT ON SCENERY

Do dams destroy scenery?

By far the most often-heard claim is that the Grand Canyon would be damaged and the river forever lost if this project were built. Those who make this claim lose sight of the following:

First of all, this issue was thoroughly explored and decided long ago—in 1919—and spelled out in legislation establishing Grand Canyon National Park.

Second, Grand Canyon would not be flooded. The only water backing into the park would be along the park boundary for 13 miles in a remote area never visited or seen by the general public.

Third, neither dam would be constructed in Grand Canyon. Bridge Canyon lies 80 miles west of the park boundary; Marble Canyon Dam, lying upstream of the park, could not possibly contribute to "flooding" Grand Canyon.

Fourth, the Colorado River ceased to be a natural, "wild" river many years ago, and most recently when Glen Canyon Dam was constructed. However, construction of these dams actually would transform the river below Marble Canyon from a widely fluctuating, muddy river to a clear, uniformly flowing river for more than 100 miles through the park. Thus, for the first time, the river would provide a superb habitat for fishing and a safe course for thrilling visits to the innermost reaches of the canyon.

And finally, these reservoirs themselves would provide access to remote areas, now totally beyond the view of ordinary visitors, above and below the park, forming a river highway to scenes of hidden splendor. Like paved roads to the park rim and trails into the canyon, all attacked once as "intrusions," these reservoirs can open to the public much scenery available now only to the select few.

WILDERNESS CONCEPT INTACT

The Senate Committee on Interior and Insular Affairs concluded in its report on the Lower Colorado River Basin project, dated August 6, 1964, that:

> The reservoir's (Bridge Canyon) impact on the park is minimal. Over 98 percent of the land area in the park will remain in its natural condition * * * in the committee's view it does no violence to the "wilderness concept" which this committee vigorously espouses, to permit this unique opportunity to the public at large to glimpse at first hand the matchless splendor of this most magnificent of American scenic treasures.

Mr. Speaker, imagine the sight of placid, clear blue lakes reflecting the majesty of sheer cliffs 1,500 to 3,000 feet high that form the inner gorge of Marble and Bridge Canyons, or picture miles of fiord-like views, all now within the reach of everyone to see. These are values not to be discounted or written off as "desecration" or "destruction." Reclamation lakes at Grand Teton and Glacier parks have added to the public's enjoyment of these areas of natural beauty, and the same can be true of Bridge Canyon and Marble Canyon.

It is my position that these lakes and clear waters can enhance the beauty of these canyons and, what is more, make them accessible for the first time to the public for viewing and for unlimited recreation. Yet I do not suggest that this project should be constructed for this purpose; rather, I would emphasize that these benefits are subordinate to the greater purpose of bringing water to an area of critical need. My point is that these purposes are not in conflict.

Mr. Speaker, throughout the history of man the control and use of water have guided his destiny, and civilizations have perished where water supplies failed. The present and proposed construction of dams on the Colorado River is essential to perpetuate much of the western economy. Because a long time is required to bring major water resource projects to completion, 1975 is tomorrow, and the time for action is now.

DISASTER RELIEF LEGISLATION REQUIRED

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, yesterday I addressed the House on the pressing need for new legislation to provide additional assistance for areas suffering a major disaster. In the few hours since then we have had new and depressing evidence of the urgent nature of this problem. Last night 10 or 11 tornadoes hit central Illinois, northeastern Indiana, and southern Michigan. Early reports from Peoria, Ill., indicate damage running into the millions of dollars as well as a large toll in human suffering. A Coca-Cola plant in Peoria was completely destroyed. In Norwood a school was hit so badly that 75 percent of its facility was rendered useless. Residential and business properties were crippled.

Mr. Speaker, since January 1964, the President has declared 49 areas as major disaster areas. After each storm we have before us legislation granting relief for particular areas. This special legislation has been necessary because of the inadequacies of the present disaster laws. A general overhaul of the law in this area is called for at once. The Senate passed such legislation, authored by the distinguished junior Senator from my State, Senator BAYH, last July 22. The gentleman from Indiana [Mr. ROUSH] and I have introduced similar legislation in the House. The gentleman from Louisiana [Mr. BOGGS] and the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL] have proposed legislation paralleling that passed in the Senate. Various bills dealing with this problem are now pending before the House Committee on Public Works. This matter deserves priority consideration. I urge immediate action.

Mr. Speaker, I should like to call the following material from the White House to the attention of my colleagues:

THE WHITE HOUSE.

President Johnson granted requests from 24 Governors for 29 major disaster declarations during the last fiscal year, a 12-month period that produced a worst spate of natural disasters on record.

Flooding and snow and wind damage from tornadoes, hurricanes, and other storms were responsible for most of the damage.

The Federal Disaster Act provides funds to help States and communities rebuild essential public facilities damaged by major natural disasters, so designated by the President. It is one of many Federal relief programs that come to the aid of disaster-stricken areas. A number of these programs provide assistance without need of a Presidential declaration.

The President was advised by Buford Ellington, Director of the Office of Emergency Planning, that major disaster allocations to States granted from July 1, 1964 until June 30, 1965 totaled $85,986,100.

During the previous 12 months, the worst previously recorded, $44,695,000 was allocated.

Twenty-four States asked for and received disaster declarations during fiscal 1965. They were: Missouri, Nebraska, Florida, Georgia, Louisiana, North Carolina, Montana, California, Oregon, Washington, Idaho, Nevada, Minnesota, Indiana, Michigan, Ohio, Wisconsin, Iowa, Illinois, North Dakota, South Dakota, Texas, Colorado, Kansas, and the Pacific Trust Territory.

Four of the States—Missouri, Florida, Georgia, and Washington—were granted two declarations each during the year.

Five additional requests, from the States of Indiana, Nevada, Texas, Georgia, and Arkansas, were formally denied assistance under the act because they were not of sufficient severity and magnitude to warrant a major disaster declaration.

The devastating Christmas-week storm that ravaged the Northwestern Pacific States, bringing to some areas floods which the U.S. Army Corps of Engineers calculates only occur once in every 1,000 years, was by far the worst single blow struck the Nation by nature during the fiscal year.

Involving the States of California, Oregon, Washington, Idaho, and Nevada, it brought allocations which have already reached the $39,300,000 figure and continue to climb.

Since the new fiscal year 1966 began on July 1, President Johnson has declared six major disasters, including the Northeastern drought States, and there have been allocations for new and old disaster projects of $44,661,000.

Recent fiscal year summaries

Fiscal year	Number of declarations	Total allocation amounts
1965	29	$85,986,100
1964	18	44,695,000
1963	23	40,579,000
1962	16	30,018,198
1961	14	11,965,000

Date, fiscal year 1965	State	Type	Amount
July 8, 1964	Missouri	Storms and flooding	$650,000
July 20, 1964	Nebraska	do	780,000
Sept. 8, 1964	Florida	Hurricane Cleo	2,300,000
Sept. 10, 1964	do	Hurricane Dora	8,200,000
Do	Georgia	do	2,000,000
Oct. 3, 1964	Louisiana	Hurricane Hilda	2,500,000
Oct. 13, 1964	North Carolina	Storms and flooding	325,000
Nov. 4, 1964	Georgia	Flooding	150,000
Dec. 10, 1964	Trust territory	Typhoon Louise	400,000
Dec. 18, 1964	Montana	Severe storm	200,000
Dec. 24, 1964	California	Storms and flooding	20,000,000
Do	Oregon	do	14,000,000
Dec. 29, 1964	Washington	do	3,900,000
Dec. 31, 1964	Idaho	do	1,200,000
Jan. 18, 1965	Nevada	do	200,000
Apr. 11, 1965	Minnesota	Flooding	10,000,000
Apr. 14, 1965	Indiana	Tornadoes and storms	1,750,000
Do	Michigan	do	1,450,000
Apr. 21, 1965	Wisconsin	Tornadoes, storms, and flooding	1,000,000
Apr. 22, 1965	Iowa	Flooding	2,000,000
Apr. 24, 1965	Illinois	Tornadoes, storms, and flooding	2,000,000
May 10, 1965	North Dakota	Flooding	200,000
May 11, 1965	Washington	Earthquake	2,000,000
May 26, 1965	South Dakota	Flooding	400,000
June 14, 1965	Missouri	do	300,000
June 19, 1965	Texas	Tornadoes, storms, and flooding	200,000
Do	Colorado	do	5,000,000
June 23, 1965	Kansas	Flooding	[1]
Total allocation for disasters, fiscal year 1965			78,505,000
Amount allocated for previously declared disasters			7,481,000
Total			85,986,100

[1] No allocation for fiscal year 1965.

U.S. DELEGATIONS TO U.N. GENERAL ASSEMBLIES

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on Tuesday next the 20th session of the General Assembly of the United Nations will be convened. The gentleman from New Jersey [Mr. FRELINGHUYSEN] and I have been nominated by President Johnson to represent the Congress. This follows the custom of including in the delegation of the United States two Members of the Congress, one a Democrat and one a Republican, the House and the other body alternating, with this the year for the selections to come from the House.

Following is a list of the delegates and alternates of the United States to all the U.N. General Assemblies from the 1st to and including the 20th:

U.S. REPRESENTATIVES TO THE U.N. GENERAL ASSEMBLIES

FIRST SESSION, FIRST PART, JANUARY 10 TO FEBRUARY 14, 1946, LONDON

Representatives

Secretary of State James F. Byrnes.
Edward R. Stettinius, Jr.
Senator Tom Connally.
Senator Arthur Vandenberg.
Mrs. Franklin D. Roosevelt.

Alternates

Sol Bloom, Member of Congress.
Charles A. Eaton, Member of Congress.
Frank Walker.
John G. Townsend, Jr.
John Foster Dulles.

FIRST SESSION, SECOND PART, OCTOBER 23 TO DECEMBER 15, 1946, NEW YORK

Representatives

Warren R. Austin.
Senator Tom Connally.
Senator Arthur H. Vandenberg.
Mrs. Franklin D. Roosevelt.
Sol Bloom, Member of Congress.

Alternates

Charles A. Eaton, Member of Congress.
Helen Gahagan Douglas, Member of Congress.
John Foster Dulles.
Adlai E. Stevenson.

SECOND SESSION, SEPTEMBER 16, 1947

Representatives

Secretary of State George C. Marshall.
Warren R. Austin.
Herschel V. Johnson.
Mrs. Franklin D. Roosevelt.
John Foster Dulles.

Alternates

Charles Fahy.
Willard L. Thorp.
Rev. Francis B. Sayre.
Adlai E. Stevenson.
Maj. Gen. John H. Hilldring, U.S. Army, retired.

THIRD SESSION, SEPTEMBER 21, 1948, PARIS

Representatives

Secretary of State George C. Marshall.
Warren R. Austin.
John Foster Dulles.
Mrs. Franklin D. Roosevelt.
Philip C. Jessup.
Benjamin V. Cohen.

Alternates

Ray Atherton.
Willard L. Thorp.
Ernest A. Gross.
Francis B. Sayre.
Dean Rusk.

FOURTH SESSION, SEPTEMBER 20, 1949, NEW YORK

Representatives

Secretary of State Dean G. Acheson.
Warren R. Austin.
Philip C. Jessup.
Mrs. Franklin D. Roosevelt.
JOHN SHERMAN COOPER.

Alternates

Benjamin V. Cohen.
Charles Fahy.
Wilson M. Compton.
John D. Hickerson.
Ruth Bryan Rohde.
John C. Ross.

FIFTH SESSION, SEPTEMBER 19, 1950, NEW YORK

Representatives

Secretary of State Dean Acheson.
Warren R. Austin.
Mrs. Franklin D. Roosevelt.
Senator JOHN J. SPARKMAN.
Senator Henry Cabot Lodge, Jr.
John Foster Dulles.

Alternates

Benjamin V. Cohen.
JOHN S. COOPER.
Ernest A. Gross.
Edith S. Sampson.
John C. Ross.

SIXTH SESSION, NOVEMBER 6, 1951, PARIS

Representatives

Secretary of State Dean Acheson.
Warren R. Austin.
Mrs. Franklin D. Roosevelt.
Michael J. Mansfield, Member of Congress.
John M. Vorys, Member of Congress.
Philip C. Jessup.

Alternates

John Sherman Cooper.
Ernest A. Gross.
Benjamin V. Cohen.
Annan Lord Strauss.
Channing H. Tobias.

SEVENTH SESSION, OCTOBER 14, 1952, NEW YORK

Representatives

Secretary of State Dean Acheson.
Warren R. Austin.
Mrs. Franklin D. Roosevelt.
Senator Theodore Francis Green.
Senator Alexander Wiley.
Ernest A. Gross.

Alternates

Philip C. Jessup.
Benjamin V. Cohen.
Charles H. Sprague.
Edith Sampson.
Isador Lubin.

EIGHTH SESSION, SEPTEMBER 14, 1953

Representatives

Secretary of State John Foster Dulles.
Henry Cabot Lodge, Jr.
James F. Byrnes.
Mrs. Frances P. Bolton, Member of Congress.
James R. Richards, Member of Congress.

Alternates

Archibald Carey, Jr.
James D. Zellerbach.
Henry Ford II.
Dr. Charles W. Mayo.
Oswald B. Lord.

NINTH SESSION, SEPTEMBER 21, 1954

Representatives

Secretary of State John Foster Dulles.
Henry Cabot Lodge, Jr.
Senator H. Alexander Smith.
Senator James W. Fulbright.
C. D. Jackson.
Charles H. Mahoney.

Alternates

James J. Wadsworth.
Oswald B. Lord.
A. M. Ade Johnson.
James P. Nash.
Roger W. Straus.

TENTH SESSION, SEPTEMBER 20, 1955

Representatives

Henry Cabot Lodge, Jr.
Brooks Hays, Member of Congress.
Chester E. Merrow, Member of Congress.
Senator John O. Pastore.
Colgate Whitehead Darden, Jr.

Alternates

Robert Lee Brokenburr.
Laird Bell.
Jacob Blaustein.
James J. Wadsworth.
Oswald B. Lord.

ELEVENTH SESSION, NOVEMBER 12 TO DECEMBER 21, 1956; JANUARY 2 TO MARCH 8, 1957

Representatives

Henry Cabot Lodge, Jr.
Senator William F. Knowland.
Senator Hubert Humphrey.
Paul G. Hoffman.
Ellsworth Bunker.

Alternates

James J. Wadsworth.
Richard Lee Jones.
Frank C. Nash.
Edward S. Greenbaum.
Mary P. Lord (Mrs. Oswald B.).

TWELFTH SESSION, SEPTEMBER 17, 1957

Representatives

Henry Cabot Lodge.
A. S. J. Carnahan, Member of Congress.
Walter H. Judd, Member of Congress.
George Meany.
Herman B. Wells.

Alternates

James W. Wadsworth.
Irene Dunne.
Philip Klutznik.
Mary P. Lord.
Genoa S. Washington.

THIRTEENTH SESSION, SEPTEMBER 16, 1958

Representatives

Henry Cabot Lodge.
Senator Michael Mansfield.
Senator Bourke Hickenlooper.
Herman Phleger.
George McGregor Harrison.

Alternates

James J. Wadsworth.
Marian Anderson.
Watson W. Wise.
Mary P. Lord.
Irving Salomon.

FOURTEENTH SESSION, SEPTEMBER 15, 1959

Representatives

Christian A. Herter.
Henry Cabot Lodge.
James J. Wadsworth.
James G. Fulton, Member of Congress.
Clement J. Zablocki, Member of Congress.
George Meany.
Walter S. Robertson.

Alternates

Charles W. Anderson, Jr.
Erle Cocke, Jr.
Virgil M. Hancher.
Mary P. Lord.
Harold Riegelman.

FIFTEENTH SESSION, SEPTEMBER 20, 1960

Representatives

James J. Wadsworth.
Senator George D. Aiken.
Senator Wayne Morse.
Francis O. Wilcox.
Mary P. Lord.

Alternates

Zelma Watson George (Mrs. Claiborne).
Arthur F. Lamey.
Frederick Blake Payne.
Charles Rosenbaum.
Frances E. Willis.

FIFTEENTH SESSION (RESUMED), MARCH 7, 1961 TO APRIL 21, 1961

Representatives

Adlai E. Stevenson.
Francis T. P. Plimpton.
Charles W. Yost.
Mrs. Franklin D. Roosevelt.
Philip M. Klutznick.

Alternates

Jonathan Brewster Bingham.
John H. Morrow.
Charles P. Noyes.

SIXTEENTH SESSION, SEPTEMBER 19, 1961

Representatives

Adlai E. Stevenson.
Omar Burleson, Member of Congress.
Mrs. Marguerite Stitt Church, Member of Congress.
Francis T. P. Plimpton.
Arthur H. Dean.

Alternates

Charles W. Yost.
Clifton R. Wharton.
Philip M. Klutznick.
Jonathan Brewster Bingham.
Gladys Avery Tillett (Mrs. Charles).

SEVENTEENTH SESSION, SEPTEMBER 18, 1962

Representatives

Adlai E. Stevenson.
Senator Albert Gore.
Senator Gordon Allott.
Francis T. P. Plimpton.
Arthur H. Dean.

Alternates

Charles W. Yost.
Philip M. Klutznick.
Jonathan Brewster Bingham.
Carl T. Rowan.
Marietta P. Tree (Mrs. Ronald).

EIGHTEENTH SESSION, SEPTEMBER 17, 1963

Representatives

Adlai E. Stevenson.
Mrs. Edna F. Kelly, Member of Congress.
William S. Mailliard, Member of Congress.
Francis T. P. Plimpton.
Charles W. Yost.

Alternates

Mercer Cook.
Charles C. Steele.
Jonathan Brewster Bingham.
Sidney R. Yates.
Jane Warner Dick (Mrs. Edison).

NINETEENTH SESSION, DECEMBER 1, 1964 TO FEBRUARY 18, 1965

Representatives

Adlai E. Stevenson.
Senator Russell B. Long.
Senator Frank Carlson.
William C. Foster.
Francis T. P. Plimpton.

Alternates

Charles W. Yost.
Franklin H. Williams.
Gladys Avery Tillett (Mrs. Charles).
Richard N. Gardner.
Charles P. Noyes.

TWENTIETH SESSION, COMMENCING SEPTEMBER 21, 1965

Representatives

Arthur J. Goldberg.
Charles W. Yost.
Barratt O'Hara, Member of Congress.
Peter H. B. Frelinghuysen, Member of Congress.
William C. Foster.

Alternates

James M. Nabrit, Jr.
James Roosevelt.
Eugenie Anderson.
William P. Rogers.
Frances E. Willis.

MRS. ESTHER C. GODDARD

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article from the Worcester Telegram of August 29, 1965.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Speaker, the philosophers remind us that behind the achievements of great men there is inevitably a loving, devoted, inspiring, patient wife.

This observation from the wise is uniquely applicable to and descriptive of the life and character of Mrs. Esther C. Goddard, widow of Dr. Robert H. Goddard, the world renowned scientist now universally acclaimed as the father of modern rocketry.

Although the late Dr. Goddard is internationally recognized today as one of the greatest scientists of all time it is not too many years ago that he was an obscure university professor and an often ridiculed scientific experimenter. He had his full share of disappointments and discouragements in those struggling times.

Throughout those humble, trying years Mrs. Goddard strengthened her husband's determination with her patient understanding, contributed greatly to his research programs by accurate typing and recording of his early notes and experiments, devotedly endured the solitude of a "science" wife, diligently attended to all the basic household burdens, accentuated by the necessarily remote concentrations of a preoccupied scientific visionary, and perseveringly inspired the genius of her husband through loving dedication to his work, acceptance of his principles of life, and belief in his dream of a new world of space for all mankind.

In her own right Esther C. Goddard is nationally recognized as a highly intelligent woman of superior learning and competence and is widely acclaimed as an outstanding lecturer and teacher.

It is my great honor and privilege to personally know Mrs. Goddard and to be associated with her in community activities in our home city of Worcester, Mass.

She is indeed a most charming, gracious, sparkling, energetic, learned lady who adds an immeasurable amount of beauty, dignity, sensible reality and substance to every endeavor fortunate enough to attract her gifted personality and talents. Revered as the wonderful woman beside the greatest space scientist in history, she indeed eminently merits additional distinction as the woman behind the first man on the moon, please God an American and in her lifetime.

Mr. Speaker, an excellent and most timely special article, by Jane Miller, vividly portraying the life and character of Mrs. Esther C. Goddard, as the wife and widow of the world's foremost space scientist, appeared in the feature magazine section of the August 29, 1965 issue of the Worcester, Mass., Sunday Telegram and I would like to include that article at this point. The article follows:

MEET MRS. GODDARD

(By Jane Miller)

Twenty years ago Mrs. Esther C. Goddard became a widow.

Hers had been an active life as the wife of rocket pioneer Dr. Robert H. Goddard, a life full of discovery, intense creativity, much travel.

With his death she could have withdrawn into the life of so many widows—a quiet semiretirement illuminated only by memories.

But this just hasn't been so. The last two decades have shaped a new life for her.

A gracious, capable woman, she has, as space age science has gradually caught up with Goddard's once way-out ideas, been able to serve as a valuable link between his early work and those who are implementing it today.

It's a busy life—editing his papers, developing his rough notes into patents, and collaborating with historians—and one she carries on with quiet pride and dedication.

Since his death "there have not been many days I haven't served my husband in some way," she said recently. "Bob was a wonderful, wonderful person, easygoing even when I used to tease him about looking ordinary and nondescript."

And ever since Russia's Sputnik I in 1957, which catapulted our own space program into orbit, Mrs. Goddard has been increasingly called upon to preside at dedications, hobnob with bigwigs, and accept honors in her husband's name—and some in her own. She was recently named an honorary alumna of Worcester Polytechnic Institute.

She seems to have kept her balance through all these heady honors—and appears calm, poised, cordial. She's a handsome woman, tall, with short, light reddish-brown hair, snappy blue eyes, and an unmistakably square jawline.

She doesn't mince words, but speaks easily and directly. There's a sparkle to her conversation that shows gumption and grit. Above all, she's modest and unassuming.

In March she was thrilled to be seated at the headtable at a National Space Club dinner—next to Vice President HUBERT HUMPHREY.

"He said that it's not a matter of choosing either the moon or schools and hospitals—that our country is rich enough for both."

Money, and the lack of it, has always seemed to plague the lone researcher. "But shed no tears for Robert Goddard," she advised. "He received grants amounting to $200,000—more than any other inventor before World War II."

For about 10 years after Goddard's death, his wife worked closely with his Worcester patent attorney, the late Charles T. Hawley. She gleaned material for patents from her husband's notes, which had been kept under wraps during wartime secrecy.

"Our dialog with the Patent Office was a continual, 'I've got something new,' answered by, 'No, you haven't.' "

But the result, Washington to the contrary, was 131 patents.

Mrs. Goddard likes to tell of the conversation at a space center soon after the war. An Army officer threw a stack of Goddard patents on the table and asked the German space expert, Dr. Wernher von Braun, "Do we owe Goddard anything?" After a quick scanning the answer was, "My God, he had it all."

With understandable pride, Mrs. Goddard added, "A rocket cannot be fired, guided or recovered anywhere today without using a Goddard patent somewhere along the line. And," she continued, "many of his inventions have not yet been fully exploited."

This necessity to use Goddard's patents resulted in 9 years of litigation against the Government patent infringement.

In 1960 the case was concluded—a $1 million judgment, the largest amount ever paid by the Government in an infringement case.

After paying attorneys' fees, Mrs. Goddard and the Daniel and Florence Guggenheim Foundation, which had sponsored much of Goddard's research, divided the proceeds 50-50, the usual arrangement between inventors and their backers. They assigned all rights in all the patents to the Government.

And now Mrs. Goddard is tired.

"Really, I am pretty well tuckered out," she said. She's still battling recurrences of an infection she caught on a 3-month around-the-world trip a year ago.

"But it's been fun in a way. The glamour is not quite over.

"I had had no notion that there would ever be any need for me to know so much about rockets. It's meant a lot of study and research. But now I do know systems, the rocket motor, how it's guided straight up into the air, and its recovery by parachute."

The space program is accelerating so rapidly and becoming so complex that she just can't read all the material any more. She thinks she'll retire. "After all, I'm just about that age," she said.

But not until she finishes her book.

She's been working with her husband's technical papers. They're neatly stacked, in 28 volumes, wall to wall on the shelves of a large closet off her living room.

The material is almost ready for two volumes to be published soon by McGraw-Hill Book Co. "I've been doing a minimum of editing, for after all, my husband speaks for himself in his papers," she said.

Mrs. Goddard has had two typists working with her, and she couldn't resist adding that she outdistanced them on the typewriter. It's more than her being familiar with deciphering her husband's handwriting. Her typing is a skill in which she takes particular pride.

For through it, actually, she was launched into her life as Mrs. Robert H. Goddard.

She was graduated from South High School in 1917, at an early age; she was just 16. For a year she worked as an office clerk and studied typing at evening school.

"Then I got a call from a friend who told me there was a job open as secretary to the president of Clark University. I went right over in the pouring rain. It was the smartest thing I ever did. I got the job."

Goddard had just returned to Clark, as professor of physics. He'd been on leave of absence for research resulting in the bazooka, which came into its own in antitank warfare in World War II.

He had a lot of reports to be typed, and his wife-to-be was looking for extra typing work to earn money to add to what she was saving for college. She got the job.

Goddard came from an old-line Yankee family—the house Mrs. Goddard lives in now was in her husband's family for generations—while Mrs. Goddard's background was Swedish. Her mother had been a Johnson; her father was August W. Kisk, a foreman in the woodworking shop of Crompton & Knowles. As a child, she had delighted in learning Swedish from her grandmother.

Mrs. Goddard had always lived in Worcester, and left only after working 2 years at Clark. She enrolled at Bates College, studied there another 2 years, then returned to Worcester to work again, to save money for her trousseau.

Her parents had been somewhat concerned when they first met Goddard, for he was much older than their daughter. But they were finally persuaded that both had a great deal in common—the same intellectual curiosity, the same likes and dislikes.

Both were neat and orderly; both enjoyed music. "Bob used to play the piano by ear," she remembered, "and for relaxation he painted.

"Teas didn't interest me—nothing frivolous or feminine," she claimed, though she obviously has an eye for line and color, and delights in pretty dresses.

There was only one interest they didn't share. "I don't want to play bridge. I puzzle all day. I don't want to puzzle all night," was Goddard's response when his wife suggested it. But Mrs. Goddard, even now, is an avid bridge player. "Oh, but I really don't play much," she said. "Just about twice a week."

She continued, "Bob was beyond everyday irritations. I only once heard him raise his voice, and that was after a man had kept badgering him about a court case involving one of his patents until late in the afternoon—and after I had given them both a good lunch.

"Generally nothing bothered him much," she said. "He gave the impression of being slightly preoccupied most of the time. He was actually thinking, not at random, but on specific problems.

"I knew he wouldn't like a chatterbox."

In her husband she found a spirit of inquiry, ingenuity, and extraordinary insights and intuitions. "He didn't always believe the evidence of his eyes and ears. He was continually doubting, looking for an original slant."

Some other inventors used a "by guess and by gosh," haphazard method to arrive at their missing ingredient. But Goddard, being a scientist, based all his research on sound principles of physics and mathematics. He would look up the elements he was working with and, she said, "take the cue and get clues about where to go next."

Because Goddard's research was based on scientific theory, "he never doubted that it would be successful," she said.

But others had their doubts. Repeatedly, Goddard's offers to help the military were met with polite skepticism.

"But I'm not bitter," she continued. "In time of war, naturally, their main interest was in stepping up production of existing weapons, not in taking time to retool to process new ones.

"My own definition of scientific research," she said, "is that it is a dialog between a man and nature—a rather private conversation. That's why I think an inventor working on his own, as Bob did, gets farther than teams or committees."

The record does much to back her up. Goddard first patented the process for rocket propulsion in 1914. This was only 11 years after the Wright brothers flew the first plane, and the rocket was "already a shadow on the wing and propeller," she said.

Mrs. Goddard was in on her husband's early experiments in Auburn. She turned the crank on the movie camera to film the action, "but just because everyone else had a job to do."

For awhile, in the mid-1950's, she spoke before women's groups and showed these early films. "Women were talking as if the space age were for their grandchildren," she said. "I wanted them to realize that it was here, right now." She continued to take films too, when her husband trekked to Roswell, N. Mex., for more rocket research.

There Dr. Goddard took a break from his usual shop routine only on Sunday, she remembered.

They started out with a big breakfast, always including steak. The rest of the day they went over the mail, racing to write answers in time for the last mail train at 4. Sunday evenings they generally went to the movies, or occasionally visited friends.

"Someone once asked me why we went to so many movies," she said. "I had to answer that it was partly for the air conditioning."

In the late 1930's, "the young fellow piloting fighter planes beat a path to our door," Mrs. Goddard continued. "They realized that they were pressing propellers as far as they could go."

She decided she would like to understand more of what they were talking about, so she began taking flying lessons. But just before she was scheduled to take her solo flight, the Army took over the Roswell flying field, and her lessons came to a halt.

"I know my husband was relieved," she said, "though he had been pleased that with my flying lessons I had had to brush up on so much mathematics—never my favorite subject."

In 1942, shortly after the Goddards moved to Annapolis, where the Navy called him to work on jet-assisted takeoff methods for its aircraft, Dr. Goddard learned that the Germans were apparently taking ideas from his patents. "Bob was deeply troubled at this," she remembered.

One of the Germany V2 rockets that did not explode was sent here from England. A good friend and highly skilled technician stood by while Goddard looked it over.

"He said, 'Why, this is your rocket, Bob,' and my husband answered, 'It seems to be.' "

The Goddards' Annapolis home was in an isolated area on Chesapeake Bay. "I am not particularly dependent on people, but this was just too much," Mrs. Goddard said.

"Bob would leave in the morning, in the fog, with the car headlights on. I wouldn't see a soul all day. Then he would come home at night—again in the fog.

"So I decided to see if I could get back to the books," she continued. "Bob said he wouldn't mind, that he thought it was a fine idea. Of course, I had never really left academic life."

She commuted from Annapolis to Baltimore, where after a summer and 1 academic year, she was graduated with honors from Johns Hopkins University, majoring in U.S. history and English.

Before the whoosh of rocket commitments catapulted her to front stage, center, Mrs. Goodard had decided that it was time for a career, "for something on my own." In 1951 she earned her master's degree at Clark. Then she worked at intelligence testing in the Worcester School Department—for 5 years.

"When a tiny child threw his arms around me, after the testing, and said, 'I like you'—that just made my day."

In the late 1950's she briefed Milton Lehman, who authored the biography of Goddard, "This High Man," published in 1963. "I seem to have been dumped into editing every now and then," Mrs. Goddard added.

The book's foreword was written by Charles A. Lindbergh, Goddard's good friend and early champion. "Some people have their 'antennas' out for the new," she continued. "Lindbergh was one of these."

As for the ultimate meaning of her husband's work:

"Scientists lay their gifts before humanity," she said. "Then it's up to man what to do with it, whether to build or destroy."

She looks for her husband's research to reach final fulfillment in exploring space.

"I just hope I can live to know that an American has landed on the moon."

Then, in no slight afterthought, she added, "and hopefully be the first man there."

COMMITTEE ON PUBLIC WORKS

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight Friday, September 17, 1965, to file certain reports on House Resolution 614.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAMER. Mr. Speaker, reserving the right to object, I think the gentleman is indicating this request has been cleared with the minority?

Mr. GRAY. That is correct. I wish to say for the gentleman from Florida that he has been very helpful on this bill which would authorize a third Library of Congress building.

Mr. CRAMER. The gentleman is asking consent to file a report?

Mr. GRAY. On Friday next.

Mr. CRAMER. I suggest in the future these matters be cleared by the minority on the committee in toto so that we have no problem with the request. I do not object to it. I favor the building of this memorial library.

Mr. GRAY. I thank the gentleman

Mr. CRAMER. It is a matter of procedure. I think it is important that these matters be cleared with the minority before making these unanimous consent requests.

Mr. GRAY. I agree with the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SELLING TO THE REDS

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, the administration's decision to send a high level trade mission to Rumania and Poland is a tragic mistake. This means that the United States is accommodating the Reds and cooperating with them exactly in the areas they most need assistance, and that is to help build up their industries and their overall economic capabilities. It is hard to see how those responsible for the decision could have avoided learning from history, and from what is happening at this very moment, that there is no such thing as business as usual with Communist nations.

Poland and Rumania are Communist dictatorships. They are inseparable parts of the Communist bloc which is tied together by economic, military, and ideological bonds. This should be obvious from their leaders' speeches, their votes in the U.N., their verbal attacks on the United States and other free world nations whenever it suits the Communist line.

As a matter of fact, just 2 days before the announcement of the U.S. trade mission to Rumania and Poland, the U.S.S.R. and Rumania, on September 11, 1965, issued a joint communique at the end of an 8-day visit by a Rumanian Communist delegation to the U.S.S.R. led by Nicolae Ceausescu, Rumanian party leader, announcing they had signed a special economic pact.

Ceausescu proclaimed that Rumania's ties with the Kremlin are good and that the visit will further their cooperation. According to news reports, Rumania and the U.S.S.R. "strongly condemned armed intervention by the United States in South Vietnam and aggression against North Vietnam and demanded their immediate ending." They also said, it was reported, that they were ready "to continue rendering North Vietnam all-round aid and support."

Is Rumania, which, according to the report, admits it is supporting North Vietnam aggression, the type of nation we should accommodate through selling specialized technical equipment and processes? How can the answer be anything but "No"? What is more, the administration may well intend to assist the Rumanians and Poland by underwriting credit purchases such as it did in connection with the decision to issue a license to sell Rumania a petroleum-cracking unit and processes valued at $22.5 million. The Export-Import Bank guaranteed credit amounting to $20 million which helped swing that deal for Rumania.

The trade mission is to be made up of individuals prominent in the fields of metallurgy, electrical equipment, petrochemicals, synthetic fibers, machine tools, and agricultural equipment. Obviously all of these relate to industries vital to the bloc.

A primary goal of the Communist bloc is to advance the cause of communism worldwide. When you help the Communist nations build up their economies you build up their overall strength, including their military and political strength.

That is why it is so incredible that our Government not only is allowing these Communist nations to purchase factories and advanced equipment from the United States, but now has appointed a mission to go over there to help promote such deals. Those appointed could help their Nation most by not participating in this type of activity.

THE FEDERAL TEXTBOOKS

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Michel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MICHEL. Mr. Speaker, last week I spoke at length about the Federal Government's increasing involvement in the field of education. I exposed the cloak of secrecy that surrounds the true objectives of the Office of Education.

The other day Rowland Evans and Robert Novak reported they have uncovered a secret plan of the Federal Government to change our history textbooks. The Community Relations Service which, incidentally, was created by the 1964 Civil Rights Act only to provide assistance to communities and persons in settling racial disputes, is now planning a subtle campaign of pressure to be placed on publishers, school administrators, school boards, and parent and teacher groups to get the textbooks changed in order to give the Negro his rightful place in history books. This in itself is certainly a noble objective.

However, this is beside the point. The real issue is this—should the responsibility of writing, or rewriting, textbooks used by our children remain with qualified educators, free of Federal influence; or should it be handled completely by the Federal Government? Because that is where we are heading. If we let the Community Relations Service get away with this proposed project, we will have given Mr. Keppel a precedent for the Office of Education to accelerate their secret plans for federally written textbooks and a federally controlled curriculum.

It seems if the Federal Government cannot do it one way they will do it another, and I say this is nothing but a reprehensible attempt to use our concern for the civil rights of the Negro as a vehicle for taking another step in the direction of the control of education.

The excellent editorial by Messrs. Evans and Novak follows:

[From the Washington Post, Sept. 14, 1965]

THE FEDERAL TEXTBOOKS

(By Rowland Evans and Robert Novak)

Tentative plans are quietly being made inside the Federal Government for a long-range pressure campaign on local school boards and publishers to give the Negro better treatment in history textbooks.

Although no final decision has been made, the top brass of the Community Relations Service—created by the 1964 Civil Rights Act to help mediate racial disputes—is leaning toward adoption of the plan. Indeed, it has already been spelled out in some detail in a confidential memorandum drafted by Ben Holman, head of the service's "media relations" office.

Although the goal of giving the Negro his rightful place in history books is commendable, there is considerable doubt whether the Community Relations Service is empowered by law to perform this function. The 1964 act is to "provide assistance to communities and persons" in settling racial disputes—and nothing more.

More fundamental, however, is the danger of the Federal Government getting into the business of editing the Nation's school books. The authoritarian implications of Washington officials censoring what Johnny reads in school disturbs even some officials at the Community Relations Service who look at the textbook project with some misgivings.

The Holman memorandum on textbook revision begins by stating the problem: "Negroes usually are ignored in textbook illustrations, and the Negro's role in history is either ignored or inaccurately presented."

Consequently, Holman concludes, the Community Relations Service should mount "a massive education and informational campaign" directed at 'publishers, school administrators and boards, parents and teachers groups'" to get the textbooks changed. Though this scarcely falls within the agency's statutory mission, it seems generally inoffensive.

But the Holman memo goes on to suggest the beginnings of Federal high pressure: "Once the educational and informational campaign is solidly under way we should conduct a systematic effort to contact all publishers and school boards to encourage their publication and adoption of textbooks conforming to established standards."

The term "established standards" has a particularly ominous ring. The intervention of many State legislatures (particularly throughout the Deep South) in textbook selection is ominous. But the idea of the Federal leviathan with its incomparable powers of coercion getting into the textbook business is enough to make publishers break out in a cold sweat. It smacks of a rewriting of history in Orwellian style.

Actually, the textbook project is only the most far-reaching of the Community Relations Service's digressions from its legislative purpose.

The Service was originally conceived in 1960 by then Senator Lyndon B. Johnson as a counterpart in racial relations to the Federal Mediation Service in labor relations. The proposal went into the 1964 Civil Rights Act.

In operation, however, the Service has relegated mediation to a secondary role. Only a handful of mediators are in the field while a Washington-based staff dreams up projects such as the textbook scheme.

Holman also has in preparation elaborate programs of improving the treatment of the Negro in the press, establishing mobile exhibits for use at fairs and exhibitions and influencing Hollywood.

In a memorandum, Holman has suggested: "We ought to mount a specific project aimed at Hollywood film makers to produce films for purely entertainment purposes that would help further the cause of better human relations * * * the current Negro revolution and the crescendo of the civil rights movement provide a wealth of material for fiction story plots. Plots centered on the problems of intergroup relations are as legion as those for westerns."

This is Government propaganda—a domestic "Voice of America"—at its worst. No matter how deep the need, the Federal Government has no right to try to shape the thinking of Americans in such insidious ways. Besides, there is a surplus of work for practical conciliation in every city in the Nation for the Community Relations Service.

If textbooks need rewriting, the educators are the people to do it.

TIME FOR A PAUSE TO REFLECT

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, over the past several months in Washington there have been some voices of caution as the legislative gears have worked at a breathless pace to turn out one major and expensive Government handout program after another.

But these voices have been in vain. Almost as though they have fallen into a great void we have seen a Washington in which emotional fervor replaces responsible consideration, political expediency replaces dedication to the public good, gossip about personalities replaces serious discussion of the issues, and the carnival atmosphere among people in high places gives the country a great feeling of getting something for nothing.

It seems likely, though, that as time goes on we will see more concern for the irresponsible nature of what is going on. Perhaps it is already beginning. In this regard the column by Eric Sevareid appearing in the Washington Evening Star of September 14 is significant. I include the text of the column in my remarks.

TIME FOR A PAUSE TO REFLECT

(By Eric Sevareid)

The American political capital is in dire need of the pause that reflects, even if it does not refresh. That is the immediate impression of this itinerant writer, now returned to the banks of the Potomac.

There is a breathlessness about people here, in and around Government, and I do not mean a sense of excitement; I mean that they are out of breath. This is not the dog-days syndrome we used to know in Washington, not the tag-end-of-summer letdown and lethargy. This time, people are intellectually exhausted, but don't know it. They are not allowed to feel it, because events and the President won't let them. Even God rested on the seventh day, and since it would be presumptuous to think that He got tired, one has to assume. He paused to reflect on what He had done.

For the first time this reporter begins to see the need for a No. 2 President. The No. 1 President can think up the new legislation, get it passed and announce his victories as each act of Congress crosses the final tape.

The No. 2 President would be assigned to think about the whole as well as about the parts. He would consider medicare, the elementary and higher education bills, the war on poverty, the role of the new Cabinet Department of Housing and Urban Affairs, District of Columbia home rule, immigration, the various special appropriations for defense, the space race, the expanding Vietnam war. He would analyze all this and then tell us which programs may work, which may not, where the staffs are coming from and their quality, what the costs are likely to be and how they are to be met, and in general what the United States will look and feel like 5 and 10 years from now after this prodigious mass of laws and regulations and money has been fed into the main arteries of the American society.

We know a number of Congressmen who would be very grateful to learn what they have really done this year and at least one columnist who would kiss the boots of No. 2 in weeping relief.

One reason this returned traveler thinks that even bright people here are intellectually stunned and glassy-eyed is the simple fact that they don't talk around the dinner table about these Herculean acts of legislation. Not in any detail, not eagerly and earnestly. They just marvel at the size of the total heap.

Adlai Stevenson once recalled how it was in the New Deal days, to which this last year is often compared. He said people sat around Georgetown gardens with "our visions and our dreams * * * in those days we were interested in ideas. Now it's all so much personality talk, gossip and rumor—who's up and who's down."

It seems to me it's still that way; people are astonished at the accomplishments, but few are exhilarated; they would rather talk about who's up and who's down.

And about who's been naughty and who's been nice, among the survivors of the Kennedy White House. I'm afraid that John F. Kennedy is paying a high posthumous price for surrounding himself with aids with the intellectual's doublevision, men who by nature not only see what is happening but who simultaneously see it in future print, the actions, the remarks, the expressions, the nuances. There was always an overtone of self-consciousness in the court over which that wonderful young President presided, a curious atmosphere combining the theater, cafe society, and Harvard Yard. They were able public servants but they were also instinctive dramatists.

It was a relief to be away from Washington during the height of the dreadful quarreling about the new Kennedy books and their authors. No one has come out of it well, not even President Kennedy himself; a race to cash in on a legend can only injure the legend as well as the racers.

Is it illusion to think that there was once a dignity, a sense of self-restraint about men's relationships at the inner headquarters of the American state? Possibly so—certainly these messy things have happened before in our history. But one thinks of Dean Acheson's delicately restrained memoirs, now being published, and his sense of half-guilt at even making notes of his private conversations with Justice Holmes. One thinks of General Marshall, who refused to publish any recollections that might affect any living man.

These men left high office declining to take with them any files save, I assume, those of an unofficial and personal nature. All the rest, they felt, were the property of the Government and the taxpayers they served.

Theodore Sorenson, so the press reports, left the White House with copies of Gen. Maxwell Taylor's confidential reports to Kennedy, with copies of Khrushchev-Kennedy correspondence that was never published, and used these files for his book. Perhaps this is legal, but is it proper? Somehow, the whole issue must be clarified and a standard set—something else this Capital might reflect upon if it is ever given a pause for reflection.

A RICH MAN'S WAR

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BERRY. Mr. Speaker, I voted to recommit the Economic Opportunity report because I believe the war on poverty is a rich man's war. One out of every 19 employees in the Office of Economic Opportunity makes over $19,000 per year. In the Department of Defense, by comparison, the figure is 1 per 1,000. It is 1 per 500 in Agriculture.

Party wheelhorses are prominent in the lists of consultants who get $100 per day and expenses to help in the poverty war and plans for fighting poverty are being made at plush resorts, where items such as $63.20 for flowers and rental fees for tuxedos are being charged to Uncle Sam by the warriors in the war on want.

Everyone gets the money except the poor. They get warm words of hope and encouragement from the President, they get advice from Sargent Shriver, and honorable mention in the press, and are shortchanged by the "poverticians" who are waging the war on, not for, the poor.

I am opposed to the whole thing. It would be better and it would be safer, however, if the Governor of the State had veto over the projects that are proposed for the State.

EDUCATION: INVESTMENT IN HUMAN CAPITAL

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, this morning I testified before the Senate Labor and Public Welfare Committee's Subcommittee on Employment and Manpower, on the subject of tax credits for manpower training. As many of the Members of this body are aware, I have introduced with great support in the House two bills to address the problem of promoting job training and decreasing structural unemployment. These bills are the Javits-Hartke-Curtis bill, H.R. 10628, and the Prouty-Curtis bill, H.R. 10934. I include in the RECORD at the end of my remarks my testimony before the Senate subcommittee this morning.

I also wish to take this opportunity to compliment both Senators JAVITS and PROUTY, ranking Republican members of the Senate Labor and Public Welfare Committee, for their initiative in this field. I am pleased to have been the sponsor of their two complementary approaches in this body. I have the greatest regard for both gentlemen. As ranking Senate and ranking House Republicans on the Joint Economic Committee Senator JACK JAVITS and I have worked closely together during the years we have served on the Joint Economic Committee. I have the highest regard for their leadership, and I am confident that with the full support of the Republican Members of the Senate and the House the tax credit approach to unemployment has excellent chance of enactment into law.

My testimony follows:

REMARKS OF HON. THOMAS B. CURTIS BEFORE SENATE SUBCOMMITTEE ON EMPLOYMENT AND MANPOWER, SEPTEMBER 15, 1965

Thank you for the opportunity to testify before this subcommittee, Senator KENNEDY. Your subcommittee is exploring here ground which is at once new and very fertile for planting the seeds of programs to help solve the problems of achieving maximum possible employment and eliminating structural unemployment in our economy.

I appear here in the rather unique position of having cosponsored in the House two bills which are variations on the same theme; a theme parallel to your study of "employer encouragement of on-the-job training." On August 24 I introduced in the House H.R. 10628, which had been introduced in the Senate by Senators JAVITS and HARTKE. On September 9 I introduced with 45 other House Members H.R. 10934, a bill also introduced in the Senate on the same day by Senator PROUTY, titled the Human Investment Act of 1965. Both bills use tax credits as a means of encouraging private firms to undertake the training of the manpower they need to fill their skill requirements.

The fundamental purpose of both these bills is to remove the bar of taxation from the development of human resources. These bills are compatible—they both approach the problem of structural unemployment by removing impediments to the rapid development of the Nation's true wealth, the skills, and knowledge of individuals.

The Javits-Hartke-Curtis and the Prouty-Curtis bills differ in several respects which I will identify briefly. Javits-Hartke-Curtis would make available the approximately $3.1 billion in unused credit which was provided by the investment credit provisions of the 1962 revenue act to employers for investment in manpower training programs. This approach is limited to programs to meet three specific needs: (1) to train those whose skills are necessary for national defense; (2) to retrain those whose skills have been made obsolete by automation; (3) and to retrain workers dislocated by defense shutdowns. The investment credit allowed would be 7 percent of the allowable training expenses, with a maximum of $25,000 plus 23 percent of the taxpayer's tax liability in excess of $25,000.

The Prouty-Curtis approach would provide a 7 percent credit in addition to the 7 percent credit provided by the investment credit in the 1962 Revenue Act. The amount of the credit is the same as that provided in the Javits-Curtis bill, and the same as the credit provided in the 1962 Revenue Act for capital investments. It is in addition to the deductibility of the sum spent on training as a regular business expense. The Prouty-Curtis approach, specifies six allowable employee training expenses: (1) wages and salaries of employees who are apprentices in registered programs; (2) wages and salaries of employees enrolled in on-the-job training projects under section 204 of the Manpower Development and Training Act of 1962; (3)

wages and salaries of employees participating in cooperative education programs involving alternate periods of work and study; (4) tuition and course fees paid by the employer to colleges or business or trade schools for the training of employees and prospective employees; (5) home study course fees paid by the employer to colleges or accredited correspondence schools for the training of employees and prospective employees; (6) expenses to the taxpayer of organized group instruction, including classroom instruction, of employees and prospective employees, including instructors' salaries, books, equipment, et cetera, but not the salaries of trainees.

This, in outline, is the essence of the two bills I have joined in sponsoring in the House. I want now to relate these two legislative approaches to my fundamental views about the role of human resource development in the economy and its statistical measurement, and to my proposal for further changes in our tax laws to allow the free, full development of our most valuable resource, people.

The Subcommittee on Economic Statistics of the Joint Economic Committee this year began a study on the statistics measuring the "wealth" in the United States. Public hearings were held on a recent study conducted by the Wealth Inventory Planning Study of the George Washington University. I sought to drive home the point that the physical and fiscal wealth of the society is only a part of its total wealth. I argued that, as a society advances economically, its mere physical and fiscal wealth becomes the minor part of its true wealth. The greater part of the society's wealth lies in the knowledge within the society—in the skills and developed talents of its people. This is an extremely difficult form of wealth to measure, yet we should make a determined attempt to measure it, lest we disregard or underestimate it.

During the Joint Economic Committee study I expressed concern lest our present economic statistics studies be misconstrued and taken out of context to be used as the basis for national policy. For example, I pointed out that what I thought to be a basic error in the investment credit provision in the 1962 Revenue Act was the failure to realize what real wealth, true capital investment, actually is. This 1962 tax provision permitted companies to obtain a tax credit for investment they plowed back into physical capital assets. The President's Council of Economic Advisers, being of that school of economists sometimes referred to as macroeconomists, or those who deal in aggregate economic figures vis-a-vis microeconomists who emphasize the composition of the aggregates—in their support of the investment credit provisions made the same error primarily because they overemphasized the significance of gross national product in measuring economic growth and in setting Government fiscal, monetary, and employment policies.

Gross national product, although probably the most important single statistic we have, measures only economic activity. But even so it only incompletely measures economic growth. For example, the physical and fiscal economic base must be sufficiently sizable to produce a certain amount of economic activity. So a society must have greater physical and fiscal wealth to produce a $650 billion annual gross national product than one which produces only $250 billion. However, war, major economic mistakes, or other circumstances can bring about increased economic activity temporarily which may well show up in increased annual gross national product for a period even of several years, just as the aftermath of a war, or of major economic mistakes can result in decreased economic activity which shows up in decreased annual gross national product for a period of years. Much of that investment and development which builds a truly strong and lasting economic base does not show up in gross national product figures, particularly in the years when the base is being built. Certainly "living it up," as it were, rather than sound growth, which adds to the economic base, can be deceptively present in the relatively high annual gross national product figures it frequently produces.

I placed in the daily CONGRESSIONAL RECORD of June 4, 1963, pages A3551–A3554, an excerpt from a book written by Dr. Fritz Machlup, professor of economics and international peace, Princeton University, entitled "The Production and Distribution of Knowledge in the United States," published by the Princeton University Press in 1962, in which he set forth a better way of measuring economic growth than our traditional gross national product measurements.

His criteria are primarily directed toward measuring increased skill and knowledge within a society.

To emphasize the point let's pose this question: "If you as the head of a business were presented with the unfortunate choice of losing your factory buildings and fine machinery (your physical wealth) or the skilled personnel you have put together, which would you choose?" There has never been much hesitation on the part of the business leaders when they reply to the question. They in effect say: "We'll take the personnel and go to work in a barn."

The investment credit provision in the 1962 tax law was in error on two basic counts. First, it took the theory of the seed corn tax bill for small business I had developed in the original Curtis-Ikard bill and perverted it to assist essentially the manufacturing sector and bigger business units in two ways: first, by removing the dollar ceiling I had imposed, and second, by defining capital investment to include only depreciable type assets, such as machinery and equipment. Excluded from the 1962 law's definition of capital investment was investment in inventory and accounts receivable (provided in the Curtis-Ikard bill) which are so important to the service and distributive area of endeavor in which small business is dominant.

Second, and more importantly, the 1962 investment credit was based on the erroneous assumption that capital investment was needed primarily in physical items. Instead, the greater portion of capital investment in modern America should be used to develop human knowledge and human skills. It is in the development of our human resources that our needs are greatest.

The development of our human resources does not, however, stop with the training and education of our people. For years I have introduced in the House a tax credit bill for capital investment in basic research. This bill would restrain the Government from taxing money spent in another basic part of the broad area of human wealth creation, increasing knowledge of the society.

Capital investment spent for applied research, because of its essential difference from basic research (it is applied to a product sold to the public), is not taxed. It is treated, as it should be, as a return of capital.

At the present time I am preparing legislation which would permit money spent on "basic," academic education as opposed to job training to be treated on equal terms with capital investment. It would permit the taxpayer to treat this investment as return of capital and give him a deduction from taxable income in accordance with an appropriate schedule for this type of investment, until the full amount of the capital spent on education has been returned. Thus the situation of the young person who has to borrow money to go to college will be equalized somewhat with that of the young person who has been fortunate enough to have a family who could finance his higher education. In both instances the money would be treated as a capital investment. The capital outlay, under my proposal, would be tax deductible to the parent or whoever pays for the education.

However, even before this truly new, "total" approach to capital investment can be enacted into law we must modernize our present tax laws in respect to applied education. We must permit the individual to invest money in improving his skills and increasing his earning capacity and allow him to deduct this cost as a business expense from his personal income tax.

Until 1958 schoolteachers, for example, were permitted to deduct the cost of going to summer school only when their school board threatened them with dismissal if they didn't—only if they were required to in order to keep their jobs. This practice was based upon the outdated but universally applied ruling of the Internal Revenue Service (IRS) that money spent to improve one's earning power was not deductible as a business expense—only money spent to retain one's present earning capacity was deductible. By a ruling of the IRS in 1958 this principle, as applied to schoolteachers, has been liberalized somewhat. But the basic fallacy remains even in their case, and it exists totally for people in endeavors outside the teaching profession who want to improve their skills and their earning power and thus contribute to building the Nation's total productive resource.

The present IRS ruling is just as obsolete as the horse and buggy. The Commissioner adheres to an economic truism which may have been valid in 1916, but certainly is outmoded today. In view of this adamant IRS position legislation by the Congress appears to be the only way to move us forward, even though I believe the IRS may now have ample authority to relate modern economic circumstances to our basic tax language. Accordingly, I have introduced legislation to modernize our tax laws in this important area of capital investment and to permit whoever spends money for night school, technical school, or whatever, to deduct this cost as a business expense even though he is spending it to increase his earning power and not just to keep his job.

This problem of updating our depreciation schedules to keep pace with the age of automation is comparable to the problem of "updating" human resources. For years buildings, machinery, and other capital equipment have been given depreciation (return of capital) based upon useful life, obsolescence and/or wearing out, rather than upon physical life, or just wearing out totally. Yet the Johnson administration talks about giving business a tax break or tax reduction when it modernizes depreciation schedules simply to keep up with the times. This is false rhetoric. Depreciation deductions are limited in toto to 100 percent of the value of the capital investment in the building, machine, or other equipment. Nothing more, that is, nothing more until the ill-conceived investment credit provision was enacted. Now the depreciation allowance is only about 103 percent.

Our tax laws should treat human beings as at least equal to machines. Yet, in still another major area, we treat machine power more favorably than we treat manpower. We have always granted tax deductions for the maintenance and repair of machinery and buildings. Yet very little is allowed for routine medical costs let alone major medical costs—the costs of maintaining and repairing the human body.

It is imperative that we modernize our tax approach to, and our basic economic understanding of the human factor in the wealth and statistical measures of our economic growth. This new look is particularly necessary now—in light of the rapid obsolescence of human skills and the increased and persistent demand for new and more technical skills. Because skills are increasingly becoming obsolete in a person's lifetime, sometimes more than once, a constant training and retraining process is needed just in order to stand still. This process must take place on many fronts.

My approach to all of these problems rests on a single, fundamental theory. That is, that when Government taxes it deters a process that would likely take place naturally. Taxation is thus, in a sense, a distortive economic factor. It can be considered an impediment to normal growth processes—a negative, inhibiting factor. By granting tax credits, therefore, we are removing an impediment to progress that might otherwise take place. We are not creating an incentive, which is an artificial stimulus superficially imposed to treat the symptoms of a problem. Instead we are attacking the source of the problem at its very roots. When Government moves in to correct distortions with its own programs it often attacks the symptoms rather than the cause. It approaches the problem ex post rather than ex ante. These ex post Government programs result in further economic distortion, rather than true solution of the basic problem.

After testing the approach to taxation that I suggest here let us look at it to see if it has worked. Perhaps the unshackled private sector will bounce forward to bring the rate of progress we seek. On the other hand, if more stimulus is needed, then we are in a better position to judge what is needed, and to be able to take action on a selective basis.

We have yet to take the first, most essential step. And the time for taking that step is already past.

I submit for the record an excellent article entitled "Education: Investment in Human Capital" published in the August 1965 issue of the First National City Bank of New York's monthly letter, and also the item entitled, "Knowledge Production Grows Faster Than Gross National Product—A Sign of Real Economic Growth," which includes the material by Dr. Machlup, "The Growth Rates of Knowledge Industries," to which I referred.

EDUCATION: INVESTMENT IN HUMAN CAPITAL

Education today is in the midst of a great boom. During the past year, some 53 million people, or roughly 28 percent of all Americans, were enrolled in school. Total cash outlays for public and private schools amounted to an estimated $36 billion, up more than tenfold from $3.4 billion in 1940. Nearly 2¼ million persons were employed as teachers, instructors, and professors. It is manifest from such figures that education is one of our greatest industries.

Higher education has been expanding most spectacularly. College enrollments have grown from 1.4 million in 1939–40 to nearly 5 million last year; 2 out of 5 persons of college age (18 to 21 years) were enrolled last year compared with only 1 out of 7 in 1939–40. By the midseventies, enrollments are expected to exceed 8 million, with more than half of all 18- to 21-year-olds going to college.

Behind this boom is a growing demand for education. Whereas high school had been a standard of attainment for earlier generations, it is clear that college is now becoming a common goal. Employers have raised their educational standards. Parents know that their children will need more and more schooling to enter and succeed in occupations and professions that offer better incomes and higher status. They not only spur their sons and daughters to greater efforts in school, but work hard to pay their way through college and graduate study.

But is education being overemphasized? Are too many people going to college? At least until the last decade, many economists seemed to think so. In 1949, for example, Professor Seymour Harris, of Harvard, warned that the increase in college-trained workers would so flood the job market that a large proportion of the potential college students within the next 20 years are doomed to disappointment after graduation, as the number of coveted openings will be substantially less than the numbers seeking them.

More recently, however, economists have come up with persuasive evidence that education is not only a good investment for individuals, but is an important key to the Nation's economic growth. They regard investment in education as capital embodied in people—"human capital"—that is as important as capital embodied in plant and equipment—or "nonhuman capital."

HUMAN AND NONHUMAN CAPITAL

That education is an important form of capital is not a new discovery. Economists as far back as the 17th century were well aware of the importance of earning abilities embodied in human skills. In his "Wealth of Nations," Adam Smith explicitly recognized the acquired abilities of people as a form of capital: "The acquisition of such talents, by the maintenance of the acquirer during his education, study, or apprenticeship always costs a real expense, which is a capital fixed and realized, as it were, in his person. Those talents as they make a part of his fortune, so do they likewise of that of the society to which he belongs."

In the days when slavery and other forms of involuntary servitude were common, scholars apparently had fewer inhibitions about recognizing the capital value of human abilities. In more recent times, even though some economists continued to theorize about human capital, this aspect of economics was generally neglected. With the massive growth of physical capital (plant and equipment, housing, inventories, etc.), together with the availability of voluminous statistics on capital assets and physical production, virtually all economic studies emphasized the role of nonhuman capital.

But this one-sided view has led to some serious errors. Thus, it has been widely assumed that it is the increase in the amount of capital per worker that primarily explains the growth of productivity per worker in advanced economies. This belief has led to the use of simple capital-output ratios in planning for economic development of less-developed countries, in which it was assumed that there was a fixed relationship between the amount of physical capital invested and the increase in output that could be expected. Results of such planning have often been quite disappointing in practice.

On the other hand, a number of recent economic studies, have revealed that investment in human capital—education, on-the-job training, health, etc.—has played a much bigger role in U.S. economic growth than previously realized. Thus, in his study, "The Sources of Economic Growth in the United States," Edward F. Denison calculated that the rising educational level of the labor force (including managerial and technical personnel) was responsible for 23 percent of the growth in real national income between 1929–57. In contrast, the increase in physical capital accounted for only 15 percent, while the general "advance of knowledge" was seen as contributing 20 percent. Using a different method but with similar results, Prof. Theodore Schultz of the University of Chicago has estimated that the yield on our investment in "education capital" over roughly the same period accounted for about one-fifth of the rise in national output.

Denison's study also indicated that the relative importance of education has been growing. In the previous 20 years, 1909–29, he calculated that increased education of the labor force accounted for 12 percent of economic growth while the buildup of physical capital accounted for 26 percent. The greater appreciation of education as an economic force thus appears to reflect shifts in the underlying facts of economic life.

Such figures point up the fact that a modern economy does not depend simply on installing more and better machinery to attain rising efficiency. Not only are skilled engineers needed to design and install the improved equipment, but more technically trained personnel are required to plan and manage production, to sell and service the product and conduct research for newer and better products. A growing modern economy also requires more and more scientists, teachers, doctors and health specialists, advertising and sales people, computer programmers and technicians, and mechanics and maintenance workers of all kinds.

GROWTH IN EDUCATION

Since the turn of the century the amount of education invested in people has grown at a striking rate. By 1960, the average member of the labor force had spent nearly twice as many days in school as his counterpart in 1930. Since 1890, the proportion of youngsters age 14 to 17 in school has risen from 7 to 94 percent. The percentage of youths 18 to 21 years of age attending college has climbed from 3 to 42 percent.

While some of this increase in schooling stemmed from the prohibtion of child labor, compulsory school attendance laws and the relative decline of agriculture, it primarily reflected the growth of family income. With each succeeding generation, increasing prosperity enabled more and more families to bear the costs of sending their children through high school and in many cases to college. The movement off the farm brought more families into urban communities where educational institutions were readily accessible and greater training was required of those seeking employment.

As parents well know, expanding education costs a lot of money. Since 1900, expenditures for formal education in the United States have risen over 100 times from $284 million to $34 billion in 1963–64. In contrast to the widely fluctuating growth in physical capital formation, cash outlays for education have been climbing faster and more steadily.

While the rise in education spending reflects increased school attendance, it also stems from the sharp climb in outlays per pupil. Over the period 1900 to 1964, when enrollments in public elementary and secondary schools increased about 2½ times, expenditures per pupil rose 40 times. Spending for higher education has grown even more dramatically with the 20-fold increase in enrollments during this century. Expenditures per student have multiplied 8 times from $229 in 1900 to $1,920 in 1964, reflecting the rise in faculty salaries and growing expenditures for research and other activities.

In calculating the investment in education, cash outlays for schooling are not the whole story. No less important are the earning opportunities passed up by students in order to go to school. The earnings foregone are a real cost to the student and his family. Professor Schultz has estimated that the percentage of total education costs attributable to earnings foregone by students was 43 percent for high school, 53 percent in college and 55 percent in postgraduate and professional school.

All told the education capital embodied in people has risen much faster than the stock of physical capital. Professor Schultz has calculated that the stock of "educational capital" in the labor force as of 1957, measured by its total cost, was 8½ times its 1900 level. In contrast, the stock of physical capital, as estimated by Prof. Raymond Goldsmith of Yale, had risen only 4½ times since 1900.

And even this estimate of education capital is undoubtedly too low. Changing technology and the increasing degree of specialization require more or less continuous training and retraining, much of it on the job. Prof. Jacob Mincer of Columbia has calculated that investment in on-the-job training, measured in terms of costs, is as important as formal schooling for the male labor force and equals more than half of expenditures on formal education. It is estimated that the on-the-job capital embodied in the male labor force grew at an annual rate of 5.36 percent between 1939–57.

RETURNS ON EDUCATION CAPITAL

Despite recurrent fears that the growing number of high school and college graduates would glut the labor market, the earnings differentials in favor of better-educated workers have been well maintained. From 1940 to 1960, the proportion of men 25 years and older who had completed 1 to 4 years of high school rose from 27 to 40 percent, while men with some college training rose from 10 to 18 percent. Nevertheless, between 1946 and 1958, average incomes of male high school graduates rose much more rapidly than those with only grade school education, as the annual income differential jumped from $600 in 1946 to $1,800 in 1958.

Income statistics indicate that the massive increase in college men has not hurt their relative earnings. In 1939, the average income of college graduates was 57 percent more than that for high school graduates, and in 1956 and 1961, the relative margin was roughly the same. Demand for college-trained people has kept up with the supply. With the advance of science and technology, the growth of specialized occupations in industry and government has absorbed the increased flow of graduates from colleges and universities. Thus, from 1950 to 1964, while the male labor force increased by 11 percent, the number of professional and technical workers doubled.

A summary measure of the financial returns associated with education can be seen in the accompanying chart (not printed in the Record). Developed by Herman P. Miller of the U.S. Bureau of the Census, these figures indicate that additional years of schooling have been closely associated with substantial increases in lifetime incomes over the past generation. Based on Miller's calculations, the average male high school graduate in 1961 could expect to receive one-third more in lifetime earnings than a youngster with only an elementary school education. A man who finishes college could expect to make almost two-thirds more than the average high school graduate.

There are, of course, many factors in addition to education that account for increased earnings. People who finish college tend to have more drive, innate ability, and physical and financial capacity to get through. These qualities all contribute to earning capacity. Even after allowing for such factors, economists have found that most of the differences in earnings between high school and college graduates remain.

A HIGHLY PROFITABLE INVESTMENT

In his "Poor Richard's Almanack," Benjamin Franklin said, "An investment in knowledge pays the best interest." Though generations of Americans have acted on this belief in getting an education they have done so without precise knowledge of the likely payoff.

However, in a recent study for the National Bureau of Economic Research entitled "Human Capital," Prof. Gary Becker of Columbia made careful estimates of the return on college education. He found that after allowing for the superior abilities of college graduates, the average rate of return in the form of increased earnings came to more than 12 percent. This compares with a little over 7 percent for the average return on total assets in manufacturing. Such high financial returns from advanced education suggest that parents are acting with good foresight in saving or borrowing money to send children to college.

Similarly precise estimates of the return on high school training are lacking because it is much harder to separate the increase in earnings attributable to native abilities from that stemming from high school training. Without such adjustment, Professor Becker's figures show rates of return for high school graduates ranging from 16 to 28 percent for various years.

These calculations indicate that education does indeed "pay the best interest." But aside from the private return to individuals, increased education pays large dividends to society as a whole. As noted earlier, Denison attributes 20 percent of the growth in U.S. national income between 1929 and 1957 to the general "advance of knowledge," which is largely a byproduct of educational activities.

EDUCATION AND NATIONAL GOALS

Economic advancement, of course, is not the sole aim of education. As has always been true, the acquisition of knowledge is an end in itself. The greatest return for the student will continue to be the fulfillment of his individual capacity for intellectual and personal development.

Nevertheless, there is good reason for stressing the economic benefits of increasing education. The goals of the Nation, as well as of its citizens, require full development of our resources. As John W. Gardner, the newly appointed Secretary of Health, Education, and Welfare, recently pointed out, the demand for educated manpower is a condition of modern life:

"The demand for high-talent manpower is firmly rooted in the level of technological complexity which characterizes modern life, and in the complexity of modern social organization. And more important than either of these is the rate of innovation and change in both technological and social spheres. * * *

"And the importance of education in modern society is not limited to the higher orders of talent. A complex society is dependent every hour of every day upon the capacity of its people to read and write, to make complex judgments, and to act in the light of fairly extensive information. When there is not this kind of base on which to build, modern social and economic developments are simply impossible."

The growing importance of human capital does not mean any downgrading of physical capital. Indeed, accumulation of both kinds of capital are inexorably intertwined in economic progress. The welfare of the Nation depends on our increasing investment in both the human capacities of our citizens and the physical capacities of automated facilities and equipment.

From this viewpoint, the sharp increase in young people joining the labor force during the latter sixties may be regarded as a huge addition to the Nation's capital stock. They embody more education per person than ever before. Investment in plant and equipment is also rising rapidly. If we make full use of our growing capital stocks in coming years, the world may well see an authentic "great leap forward," American style.

Knowledge Production Grows Faster Than GNP—A Sign of Real Economic Growth

(Extension of remarks of Hon. Thomas B. Curtis, of Missouri, in the House of Representatives, Tuesday, June 4, 1963)

Mr. Curtis. Mr. Speaker, one of the most common assertions made in any discussion of the U.S. economy is that our growth rate has slowed down substantially in recent years and that extraordinary measures are called for to stimulate a faster rate of economic growth. The assumption that our growth rate has slowed down is based upon an analysis of the increase in the Nation's output as measured by the gross national product computations.

As I have frequently pointed out, the gross national product does not measure real growth, but rather the level of economic activity. We know, for example, that gross national product increases dramatically during a war period, but no one would assert that this is real economic growth.

The gross national product measures only imperfectly, if at all, many of the components of real growth, such as increased leisure time, new and improved goods and services on the market, more and better education, improved health and longevity, and so forth. If we could accurately measure some of these real growth factors, I am confident that a picture would emerge of a dynamic and rapidly growing economy.

Happily, an important start has been made in making these measurements. One of the Nation's most distinguished economists, Prof. Fritz Machlup, of Princeton University, has undertaken the pioneering task of trying to assess the growth in some 30 knowledge-producing activities involving research and development, communications media, information machines, information services, and education, including that in the home, on the job, in the churches, and in the Armed Forces. Professor Machlup estimates that in 1958, total knowledge production was almost 29 percent of the adjusted gross national product.

Compared to an average annual rate of increase in gross national product—at current prices—from 1954–58 of 5.1 percent and from 1947–58 of 5.9 percent, Professor Machlup estimates that the weighted average of the annual rate of increase in knowledge production was 8.8 percent from 1954–58 and 10.6 percent from 1947–58.

The differences in the rates of increase, Professor Machlup points out, appear even more impressive if knowledge production is compared with everything else included in gross national product. He says:

"If knowledge production, the sector comprising 28.7 percent of total GNP, increased by 8.8 percent (or 10.6 percent over the longer period) per year, an increase of total GNP by 5.1 percent (or 5.9 percent) implies that the production of other goods and services increased by only 3.7 percent (or 4.1 percent over the longer period)."

These impressive gains in knowledge production are not fully reflected in the gross national product figures, which are commonly used as the measure of our Nation's economic growth. As Professor Machlup says, an economy such as ours, with a large service-producing sector, may not be able to show off with as large a physical growth rate as an economy which concentrates on the production of tangible goods. He points out:

"Increases in productivity in the performance of intangible services cannot be measured; indeed, most of them are in the form of improvements of quality, defying all attempts at quantification. No matter how real, how substantial, how important they are, they need not be reflected in any increased money values of input—their only measure. As we have seen in the discussion of research and development, an increase in the efficiency and productivity of these activities may eventually result in increased productivity in industries producing physical goods, but the production of knowledge does not exhibit an increase on that score. This failure of growth indexes to reflect improved efficiency in the production of intangible services has several implications. One of these relates to structural differences between economies: an economy with a large service-producing sector may not be able to show off with as large a physical growth rate as an economy that concentrates on the production of tangible goods, the increase of which is shown in the index of physical production and in GNP in constant dollars."

Another important service rendered by Professor Machlup is to draw a careful distinction between growth rates, which he says can be determined only by looking back over a span of 10 to 15 years, and rates of increase over a short period of time. Almost all economists, statisticians, publicists, and politicians mistakenly speak of growth rates with reference to a period of 3 or 4 years.

Professor Machlup emphasizes that an increase over 3 or 4 years may turn out to be only a short-lived upsurge, followed by a downturn around a trend line, showing no or only slow growth. Likewise, a decline may be a short-term movement around a sharply increasing trend line. This misuse of terms, he says, is especially serious when the growth policies of a national economy are debated.

Under unanimous consent I include an excerpt from Professor Machlup's book, "The Production and Distribution of Knowledge in the United States," published by the Princeton University Press in 1962, in the RECORD at this point. The excerpt which I am including covers Professor Machlup's discussion of the points which I have highlighted in these brief remarks:

"THE GROWTH RATES OF KNOWLEDGE INDUSTRIES

"After our speculative discussion of the possible and probable interrelations between rates of increase in certain branches of knowledge production and rates of increase in total national product we are even more curious about the actually observed rates of increase. This presupposes, of course, that the poor statistical data—to no small degree based on heroic estimates or guesses—can be regarded as empirical 'observations.' But we shall proceed as if the data reflected what actually happened, even if we must make many mental reservations concerning their reliability.

"Not every increase constitutes growth

"In talking about the increases in the estimated values of production in recent years we shall be guilty of not avoiding the semantic sin committed by almost all economists, statisticians, publicists, and politicians of our day—namely of speaking of 'growth' rates although we know only rates of 'increase' over a short interval of time. Only looking back over a span of 10 to 15 years would we be justified in speaking of growth. An increase over 3 or 4 years may turn out to be only a short-lived upsurge followed by a downturn around a trend line showing no or only very slow growth, or it may even prove to have been a temporary recovery in a longrun decline.

"This misuse of terms, serious when the growth record, the growth objectives, and growth policies of a national economy are debated, is relatively harmless in our present survey; hence, we need not be so pure in our language. We shall bear in mind, of course, that a rate of increase observed over a short period does not warrant an assumption that this increase will be 'sustained' over a longer period. When we fall into the bad habit of speaking of 'growth' instead of an 'increase' over a short period, this does not mean that we have forgotten our own warning.

"Increased money values without price deflators

"Another snare to guard against is the identification of increased dollar sales or increased dollar expenditures with increased production, without considering the price changes that have occurred. In order to measure increases or decreases in production, we must 'deflate' dollar sales by changes in the prices of the products or, where there is no physical product and production is measured only by inputs, we must 'deflate' dollar expenditures for input by the changes in the prices of the inputs used. To do this would be a formidable task. The work involved in finding the price deflators for each industry or branch of knowledge production would be enormous, and the results would not be worth the effort. Another way of interpreting changes in dollar figures must be found.

"A crude but simple method is available: We shall not attempt to measure physical volumes of production, but shall simply use dollar values at current prices and compare the rates of change in dollar expenditures in the different branches of knowledge production with one another, with the rate of change in dollar expenditures for the total of all knowledge production, and with the rate of change of GNP at current prices.

"For the latter comparison we shall not bother to adjust GNP for changes in the status of certain products as final or intermediate. After all, what matters at this juncture is not the size of GNP in any one year but the rate of change of GNP over certain periods. For this purpose the official estimates at current prices will be used; we choose the period 1954–58 for the rate of increase 'over the most recent period,' and 1947–58 for the rate over a somewhat longer period. GNP at current prices was $234,289 million in 1947, $363,112 million in 1954, $442,224 million in 1958. This involves a 'growth' of 21.8 percent over the 4-year period 1954–58, and a 'growth' of 88.8 percent over the 11-year period 1947–58. Translated into annual rates, the short-period increase was 5.1 percent and the longer-period increase was 5.9 percent per year. These 'growth rates' were the combined reflections of physical increases and price increases. The only use to be made of these annual rates of increase in GNP at current (rising) prices is to compare with them a number of other rates of increase, observed in the same or similar periods and likewise unadjusted for price changes.

"Growth in expenditures for knowledge production

"In table IX–2 we undertake to show the rates of increase in expenditures for production in the various knowledge industries or branches of knowledge-production, as far as we have obtained data. The table is designed to present (1) the 1958 (or closest available) value of each item, as taken from table IX–1, to be used later as weight for the 'growth rate' in order to arrive at average growth rates for knowledge-production as a whole; (2) growth rates for the most recent period, preferably 1954–58; and (3) growth rates for a longer period, preferably 1947–58. Unfortunately, in several instances different periods have to be used because data for the chosen years are not available; and for some items we must resign ourselves to showing blank spaces.

"Blank spaces in the growth columns for the recent period are shown for education in the Armed Forces, conventions, wholesale agents, and three smaller items, because we have only a single recent estimate of each of these expenditures. The combined value of the six items for which no rates of increase are available is only $6,839 million, or 5 percent of total knowledge-production. Thus we have the short-period rates of increase for the other 46 items, making up 95 percent of the total. In the columns for longer period growth rates we have blank spaces in 16 lines, representing 1958 expenditures of $22,625 million, or 16.6 percent of total knowledge-production. The lack of comparable figures, in some instances due to changes in census classifications, explains several of these blanks. In one case—electronic computers—the industry did not exist in the early years of our longer period, and we do not wish to start with the very first year and have it as a part of a shortened period, because this would give astronomical growth rates. Incidentally, we do catch in our longer period the beginnings of television broadcasting, exhibiting a growth of 54,000 percent over the 11 years, but this is only an annual growth rate of 77 percent. By clipping off the first 2 years, 1947–48, and observing the growth only for 1949 to 1958, we would reduce the 'growth rate' for TV broadcasting to 2,930 percent for the 9 years, and 46 percent per year. We should never forget that the early years of an industry regularly exhibit enormous rates of increase, impressive to those who do not understand the principle. Electronic computers and TV broadcasting are at least as impressive as some of the rates of growth of the output in new industries in Soviet Russia."

TABLE IX–2.—*Knowledge production: Rates of increase for all branches, 1954–58 and 1947–58, or similar periods*

Branch of knowledge production	Annual expenditures		Rates of increase (growth rates)					
			Most recent period			Longer period		
	Year	Millions of dollars	Years	Percent increase over period	Percent increase per year	Years	Percent increase per period	Percent increase per year
Education:								
In the home	1958	4,432	1956–58	2	1.0			
On the job	1958	3,054	1956–58	11	5.4			
In the church	1958	2,467	1954–58 [1]	39	8.5			
In the Armed Forces	1958	3,410						
Elementary and secondary schools:								
Monetary expenditures	1957–58	16,054	1954–58 [2]	44	9.5	1948–58 [2]	210	12.0
Implicit costs	1957–58	17,285	1950–56 [3]	64	8.6	1940–56 [3]	293	8.9
Colleges and universities:								
Monetary expenditures	1957 58	4,443	1954–58 [2]	64	13.2	1948–58 [2]	115	7.5
Implicit costs	1957–58	8,314	1950–56 [3]	54	7.5	1940–56 [3]	626	13.2
Commercial, vocational, and residential schools	1958	253						
Federal funds, not elsewhere classified	1957–58	342	1954–58	144	24.9			
Public libraries	1957–58	140	1954–58	37	8.2			

See footnotes at end of table.

TABLE IX-2.—*Knowledge production: Rates of increase for all branches, 1954-58 and 1947-58, or similar periods*—Continued

Branch of knowledge production	Annual expenditures		Rates of increase (growth rates)					
			Most recent period			Longer period		
	Year	Millions of dollars	Years	Percent increase over period	Percent increase per year	Years	Percent increase per period	Percent increase per year
Research and development:								
Basic research	1958-59	1,016	1954-58	93	17.9	1949-58	292	16.4
Applied research and development	1958-59	9,974	1954-58	99	18.8			
Printing and publishing:								
Books and pamphlets	1958	1,595	1954-58	50	10.7	1947-58	119	7.4
Periodicals	1958	1,811	1954-58	12	2.9	1947-58	56	4.1
Newspapers	1958	3,956	1954-58	19	4.5	1947-58	95	6.3
Stationery and other office supplies	1958	1,852	1954-58	34	7.5	1947-58	94	6.2
Commercial printing and lithography	1958	2,879	1954-58	8	1.9	1947-58	70	4.9
Photography and phonography:								
Photography	1958	1,600	1954-58 [4]	32	7.1	1948-54 [5]	100	12.2
Phonography	1958	1,035	1954-58	105	19.6	1947-58 [6]	92	6.1
Stage, podium, and screen:								
Theaters and concerts	1958	313	1954-58	39	8.0	1947-58	67	4.7
Spectator sports	1958	255	1954-58	13	3.2	1947-58	15	1.3
Motion picutres	1958	1,172	1954-58	−3	−.8	1947-58	−26	−2.8
Radio and television:								
Radio stations revenue	1958	523	1954-58	16	3.8	1947-58	44	3.4
Television stations revenue	1958	1,030	1954-58	74	14.8	1947-58	54,110	77.2
Radio and TV sets and repairs	1958	1,982	1954-58	−16	−3.7	1947-58	81	5.5
Radio and TV stations investments	1957	806	1954-57	36	10.7	1947-57	437	18.3
Other advertising	1958	5,000	1954-58	26	5.9	1947-58	150	8.7
Telecommunications media:								
Telephone	1958	7,642	1954-58	43	9.3	1947-58	211	10.9
Telegraph	1958	318	1954-58	17	3.9	1947-58	30	2.4
Postal service	1958	3,000	1954-58 [7]	20	4.7	1947-58 [7]	83	5.6
Conventions	1957	1,600						
Information machines:								
Printing-trades machinery	1958	350	1954-58	25	5.7	1947-58	56	4.1
Musical instruments	1958	190	1954-58	42	9.1	1947-58	92	6.1
Motion-picture apparatus and equipment	1958	147						
Telephone and telegraph equipment	1958	1,200	1954-58 [8]	50	10.6	1947-58 [8]	94	6.2
Signaling devices	1958	200				1947-54	43	5.2
Measuring and controlling instruments	1958	4,968	1954-58	35	7.9	1947-58	155	13.5
Typewriters	1958	272	1953-58	31	5.6	1947-58 [9]	55	4.0
Electronic computers	1958	332	1954-58	1,647	104.4			
Other office machines	1958	937	1953-58	21	3.8		(10)	
Office-machine parts	1958	326	1953-58	275	30.2		(10)	
Professional services:								
Legal	1958	3,025	1953-58	50	8.4	1947-58	141	8.3
Engineering and architectural	1958	1,978	1953-58	48	8.2	1947-58	169	9.4
Accounting and auditing	1957	1,138	1953-58 [11]	56	11.8	1949-57	152	12.2
Medical	1958	2,083	1953-58	47	8.0	1947-58	106	6.8
Joint with financial services:								
Check-deposit banking	1958	(10)		(10)			(10)	
Securities brokers, etc	1958	647	[12] 1954-58	44	9.4	[12] 1947-58	390	15.5
Insurance agents	1958	2,173	1954-58	26	6.0	1947-58	155	8.9
Real estate agents	1958	(10)		(10)			(10)	
Wholesale agents	1954	1,229		(10)		1948-54	47	6.6
Miscellaneous business services	1958	1,714	[13] 1954-58	49	10.6		(10)	
Government:								
Federal	1958	1,555	1953-58	7	1.3	(14)		
State and local	1958	2,419	1954-58	36	8.0	(14)		
Total knowledge production	1958	136,436						
With data for recent period		129,597			8.8			
With data for longer period		113,811						10.6

[1] Includes only the congregational outlays of approximately 50 denominations.
[2] Does not include the item "transportation, supplies and clothing."
[3] Includes only items of earnings forgone (Schultz figures).
[4] Includes only receipts of photographic studios.
[5] Includes only receipts of photographic studios and photosupply stores.
[6] Includes only retail sales of phonograph records.
[7] Includes only 1st-class and airmail.
[8] Sales receipts of manufacturers of telephone and telegraph equipment.
[9] The data from the census of manufactures used here are not quite comparable with those of the current industrial reports used for the more recent period.
[10] Not available.
[11] Receipts of sole proprietorships only.
[12] Income originating in "Securities brokers, etc.," industry.
[13] Receipts of business-management consulting services are not included.
[14] Because of changes in reporting during the period, no comparable figures are obtainable.

"Of all the annual growth rates tabulated for the various branches of knowledge production, the short-period rate for computers is the highest: 104 percent. The second highest is the longer period rate for TV broadcisting: 77 percent. The short-period rates for office machine parts (30 percent), Federal education programs (25 percent), phonography (20 percent), applied research and development (19 percent); and basic research (18 percent) and the longer period growth rate for broadcasting station investment (18 percent) are next in the list of top performance. A considerable number of annual rates above 10 percent appears in table IX-2. The most interesting are the short-term rate of over 13 percent for money expenditures for colleges and universities, the long-term rate of 12 percent for money expenditures for elementary and secondary schools, and the short-term rate of almost 11 percent for books and pamphlets.

"All these individual annual growth rates should be viewed against the background of the average growth of knowledge production and the growth of GNP. The weighted average of the annual rates of increase over the most recent period of the 46 branches of knowledge production for which we have data is 8.8 percent. This compares with a 5.1-percent rate of increase of GNP (at current prices) per year over the same 4 years. The weighted average of the annual rates of increase of the 36 branches of knowledge production for which we have data covering the longer period is 10.6 percent, which compares with a 5.9-percent rate of increase of GNP (at current prices) over the same 11 years. The differences in the rates appear even more impressive if knowledge production is compared with the production of everything else that is included in GNP. If knowledge production, the sector comprising 28.7 percent of total GNP, increased by 8.8 percent (or 10.6 percent over the longer period) per year, an increase of total GNP by 5.1 percent (or 5.9 percent) implies that the production of other goods and services increased by only 3.7 percent (or 4.1 percent over the longer period).

"Reservations and speculations

"These comparisons must be taken with several grains of salt. The procedure by which the growth of knowledge production is held up for contrast with the growth of all other things, may be questioned because no account was taken of the missing data for 5 percent of knowledge production over the most recent period or 16.6 percent of knowledge-production over the longer period. If the missing branches happened to be slow growing, the use of the weighted average of 'growth rates' of the branches represented in the tabulation as the rate applicable to the entire knowledge production would overstate its growth. But it is unlikely that an overstatement on this ground would be serious enough to vitiate the general conclusion. The contrast would remain impressive even if the rates of increase in knowledge production were not the full 2.4 times (or 2.6 times) the rates of increase in the production of other things.

"There are, however, other grounds for objections or reservations. One may question the significance of the comparisons on the ground that the increases refer to amounts not corrected for possibly very different rates of price inflation. But the failure to correct for possible differences in price inflation may just as well involve an understatement as an overstatement of the differences in real growth rates. In any case, even if there should be less of a 'price inflation effect' in other parts of GNP at current prices than in the expenditures for knowledge production, the relative money expenditures and relative rates of increase remain interesting. This is to say, it is important to note that the money expenditures for intangible knowledge services rose much faster than the money expenditures for physical goods and other services.

"For a better understanding of the meaning of 'growth' in areas of production in which output cannot be measured, and most of the increase is in terms of expenditures for input, it may be helpful to go through a bit of hypothetical reasoning. Imagine an economy divided in two sections, one, A, producing physical goods, the other, B, intangible services, A employing three-fourths, B one-fourth of the total labor force. Assume now an increase in productivity in sector A due to technological progress and a consequent increase in the physical output of sector A by, say, 10 percent; assume further that all wages and salaries, in A and B, are increased by 10 percent and that product prices remain unchanged. If there is no change in the allocation of resources, money expenditures will have increased by the same 10 percent in both sectors. In sector A, where growth is measured in terms of sales of output, an increased quantity of goods is sold at unchanged prices; in sector B, where growth is measured in terms of payments for input, an unchanged quantity of labor is paid increased wages. Thus, the real increase in production in A, with no change in activity in B, results by way of adjustment in factor incomes in the same relative increase in expenditures for the intangible services of B. The production of intangible services by an unchanged quantity of labor with unchanged productivity will show the same percentage increase as the production of physical goods.

"There is a reverse side to the coin. Increases in productivity in the performance of intangible services cannot be measured; indeed, most of them are in the form of improvements of quality, defying all attempts at quantification. No matter how real, how substantial, how important they are, they need not be reflected in any increased money values of input—their only measure. As we have seen in the discussion of research and development, an increase in the efficiency and productivity of those activities may eventually result in increased productivity in industries producing physical goods, but the production of knowledge does not exhibit an increase on that score. This failure of growth indices to reflect improved efficiency in the production of intangible services has several implications. One of these relates to structural differences between economies: an economy with a large service-producing sector may not be able to 'show off' with as large a physical growth rate as an economy that concentrates on the production of tangible goods, the increase of which is shown in the index of physical production and in GNP in constant dollars."

COMMUNIST PROPAGANDA THROUGH THE POSTAL SERVICE

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANGEN. Mr. Speaker, a good many of us have expressed concern through the years over the heavy concentration of Communist propaganda that floods the United States through the Postal Service. We were dismayed when the U.S. Supreme Court struck down a bill that would have restricted the flow of unsolicited and unwanted literature.

Now we find that there is a new surge of materials such as newspapers, periodicals, and other printed matter that reach millions of American homes through a postal system that continues to run in the red.

I am happy today to join with a number of colleagues in introducing new legislation that could at least put this problem in perspective. It is appalling to note that while millions of pieces of mail circulates freely throughout America via the mails, U.S. literature is suppressed and denied access in the very countries that ship their literature here. This bill, to amend title 39 of the United States Code with respect to reciprocal mailing privileges, would rectify the deplorable situation.

This legislation would not stop the flow of information from other nations, Communist or otherwise, so would not conflict with the Supreme Court decision. However, it would at least force other nations to carry our literature through their postal systems if they want the privilege of distributing theirs in the United States.

If we in the Congress have the power to set postal rates for different classes of mail, it stands to reason that we have the power to deny a subsidy to a class of mail originating in countries withholding free use of their mail service to us. First-class and air mail would not be affected by this bill, so the reciprocity feature gets to the heart of the problem, the most heavily subsidized classes of mail being used by other nations.

If we cannot stop the flow of unwanted mail in the United States, the least we can ask is something in return, the privilege of distributing our own literature. This bill will accomplish just that, and I urge my colleagues to support it.

ON A MORE REALISTIC U.S. AGRICULTURAL FOREIGN TRADE POLICY

Mr. WYDLER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANGEN. Mr. Speaker, a more realistic U.S. agricultural foreign trade policy would contribute much to the correction of our domestic farm problems. An adequate trade policy could increase farm income, reduce taxpayer and consumer costs, and end the farm surplus problem in this country. With the future of the American farmer so dependent upon a realistic farm trade policy, the administration's approach in this area simply astounds me.

We on the minority task force on agriculture are currently giving some careful study to the conduct of U.S. foreign agricultural trade policy. Our research to date, dramatically points out the need for changes in our present policy.

Existing and potential U.S. farm export markets are threatened by the protectionism of other trading countries. Although our farmers could lose a large part of their foreign market, recent U.S. actions in the current Kennedy round of trade negotiations are cause for serious concern that the United States may not adopt the positive bargaining position necessary to keep even our existing export markets.

And, while these protectionist countries close their doors to American agriculture, they are at the same time demanding and getting easy access to our price-supported markets. Excessive farm imports into the United States have time and again made government price-support programs ineffective, and this lack of coordination between farm imports and farm programs has cost the farmer and taxpayer millions of dollars.

Mr. Speaker, constructive changes in our agricultural trade policy are a vital necessity if we are ever to come to terms with our domestic farm problems. A small shift in the balance between our imports and our exports could turn a farm surplus into a deficit. And, looking beyond the domestic front, not only would such changes help our balance-of-payments situation, but they would also vastly improve U.S. international relations.

At this point, Mr. Speaker, under unanimous consent I include in the RECORD the agriculture task force statement on this subject, outlining the need for changes in our present agricultural trade policy, and recommending what the nature of such changes should be:

STATEMENT BY THE HOUSE REPUBLICAN TASK FORCE ON AGRICULTURE, SEPTEMBER 13, 1965

The future of American agriculture depends in large degree upon how U.S. foreign agricultural policy is conducted. The extent to which the United States moves toward sound policy goals in this area will greatly determine the extent to which we can solve our domestic farm problems.

SMALL YEARLY FARM SURPLUS

The large existing stocks of U.S. agricultural surpluses did not build up overnight. They accumulated as a result of relatively small year by year imbalances between production and utilization. The largest postwar change in our national stocks of farm commodities, for instance, occurred in 1948, when our farm production, combined with agricultural imports, amounted to 8.4 percent more than we could export or utilize domestically. The sum of U.S. farm production and agricultural imports from 1947 to 1964 exceeded the total domestic use and farm exports by a yearly average of only 1.7 percent. During that same period, exports amounted to 10.9 percent of our total utilization, and imports were 11.6 percent. It is obvious, then, that a small shift in the balance between our imports and our exports could change a farm surplus into a deficit.

TRADE POLICY GAPS PREVENT BALANCE

The task force has found, however, that the lack of an adequate overall U.S. foreign agricultural trade policy has effectively prevented any such balance from taking place. We have found that serious shortcomings exist within this area of public policy—shortcomings which have worked to undermine not only our vital agricultural export trade, but also our domestic farm economy as well. U.S. agricultural trade policy is being carried out in crazy-quilt fashion, with numerous vacuums and gaps, and a remarkable lack of coordination.

ADMINISTRATION'S POLICY FAILURE

These shortcomings in our agricultural trade policies result principally from: (1) the failure of the administration to adopt a sound, positive agricultural trade policy that would resist the protectionist policies of other trading countries, and better serve this Nation's agriculture and economy, and (2) the administration's failure to comply with the directive of Congress, as expressed in section 22 of the Agricultural Adjustment Act, to coordinate U.S. agricultural import policies with our domestic farm programs.

U.S. FARMER HURT BY FOREIGN PROTECTIONISM

Because of these failures, the U.S. farmer has been penalized by consistently inadequate prices and increasing Government production restrictions. Other countries, displaying highly protectionist attitudes, close their trade doors to American agricultural commodities, while at the same time demanding and getting easy access to our valuable markets. These countries impose heavy taxes and levies on our exports to them, while we take on the burden of subsidizing their exports to us with our price-supported markets.

EXPORTS VITAL TO FARMER AND U.S. ECONOMY

The maintenance and expansion of U.S. agricultural export markets is vital to the farmer and to the national economy as a whole, from which he purchases yearly some $40 billion worth of goods, and provides employment for 6 million nonagricultural laborers. Last year, the export sale of the production of one out of every four U.S. crop acres acted to siphon off some of our farm surpluses, and contributed significantly to the easing of our unfavorable balance-of-payments situation.

EXPORT SALES ARE THREATENED

But our export markets are threatened by the protectionist policies of other countries. The United States is a highly liberal trader in comparison, protecting only 26 percent of her domestic market by nontariff barriers, in contrast to the United Kingdom, 37 percent; West Germany, 93 percent; Australia, 41 percent; and New Zealand, 100 percent.

Recent actions of the European Economic Community which threatens to substantially reduce U.S. exports of wheat, rice, poultry, eggs, dairy products, fruits and vegetables to Western Europe, are clear evidence that the U.S. policy of indiscriminately opening wide our trade doors has not changed the highly protectionist policies of other trading countries. The key to retaining our vital export markets lies in our negotiations with other countries, such as the current Kennedy round.

AGRICULTURE CAN'T BE SACRIFICED AT KENNEDY ROUND

Recent U.S. actions in regard to the agricultural negotiations in the Kennedy round provide grave cause for concern that agriculture may be shortchanged at Geneva. The United States last year allowed industrial negotiations to proceed without first determining the rules for agriculture, and just recently announced its decision to go ahead and submit agricultural trade proposals in September, even if the EEC does not. It is imperative that agriculture not be sacrificed in these negotiations. Failure to accomplish some realistic bargaining at the trade negotiations table will be a serious blow to American agriculture and to the future of world trade.

The United States must point out to her trading friends that world trade is a two-way street. We cannot expect to get something for nothing, but neither should we give indiscriminate access to our valuable U.S. markets without getting meaningful concessions in return.

IMPORTS AND PRICE-SUPPORT PROGRAMS

The export side, however, is only half the problem. The administration's failure to coordinate U.S. agricultural import policies with domestic price-support programs has cost the American farmer and taxpayer millions of dollars. Last year alone, as a result of the recent excessive beef imports, the Government spent over $220 million in purchases of surplus beef, but succeeded in sopping up an amount equal to only 10 percent of the imports.

FARM PROGRAMS SUFFER

Imports of foreign farm commodities in excessive and abnormal volume have time and again rendered U.S. farm price-support programs ineffective. The Government spends taxpayer money to take certain agricultural commodities out of production, but when imports of these same price-supported commodities increase excessively and undermine our costly farm programs the administration does nothing—except spend more money for surplus removal purchases.

CONGRESS AUTHORIZED SECTION 22

Congress authorized a coordinating mechanism—section 22 of the Agricultural Adjustment Act, as amended, which allows the President, pursuant to a U.S. Tariff Commission investigation, to impose fees or quantitative restrictions on agricultural imports which interfere with U.S. price-support programs.

ADMINISTRATION HAS FAILED TO USE 22

But, in the last 4 years, the administration has repeatedly failed to use this effective coordinating device. On two recent occasions, the President actually enlarged the import quotas of certain price-supported commodities, contrary to Tariff Commission recommendations, and in two instances, in the face of market crisis, failed even to call for an investigation.

ITALIAN CHEESE MERRY-GO-ROUND

Millions of pounds of cheese were imported into this country from Italy in 1963 at prevailing world prices, while the USDA was storing huge surpluses of expensive CCC cheese. In order to dispose of the CCC surplus, the administration turned around and sold cheese back to Italy for the Italian school lunch program, at one-third its cost. Bizarre transactions such as this emphatically point out the need for use of section 22.

BEEF CRISIS COSTLY

The administration apparently did not learn from the cheese blunder, for it again failed to implement section 22, this time in the face of the approaching beef crisis. It remained for the Senate Committee on Finance to use its power to call for a Tariff Commission investigation of imports. This necessarily slower procedure finally resulted in congressional enactment of a beef quota, but only after a delay which ruined the domestic beef market.

REALISTIC POLICY NEEDED

A realistic U.S. agricultural trade policy is badly needed if this Nation is ever to make any progress toward the solution of its domestic agricultural problems, and the liberalization of world trade. The task force strongly recommends two steps to improve this situation: (1) Expansion of agricultural exports for dollars through the adoption of a more realistic and positive U.S. bargaining position at the trade negotiation tables of the world; and (2) congressional action to insure administration compliance with the congressional directive expressed in section 22—the directive to coordinate agricultural import policy with domestic price support programs.

A realistic U.S. agricultural trade policy will contribute much to the solution of our domestic farm problems, and will afford the United States the opportunity to achieve equitable and truly reciprocal trade agreements which will be of mutual benefit to all nations.

U.N. SHOULD PUT MUSCLE INTO GETTING PLEBISCITE IN KASHMIR

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Minnesota [Mr. FRASER] is recognized for 30 minutes.

Mr. FRASER. Mr. Speaker, we are all deeply concerned by the tragic war between India and Pakistan. If ever a war was unnecessary and unwanted, it is this war.

Mr. Speaker, the dispute over Kashmir is rooted in religious differences and encumbered with national pride. This kind of dispute is the most intractable of all. Yet, unless man is to abandon hope for a peaceful world, some means of achieving a settlement for this kind of dispute must be found.

These disputes do not stem from the cold war. These conflicts arise from the mosaic history of man.

It would be well, Mr. Speaker, if the world had come to accept the use of arbitration or judicial procedures between nations. That time is coming. The current Washington Conference on World Peace Through Law is an example of an important effort to achieve this goal.

Meanwhile, the Kashmir dispute is before the world, and we must face it. If we can solve this problem through the use of international machinery, we will contribute significantly to the evolution toward a world under law.

The merits of the Kashmir dispute have been examined by the United Nations. It concluded that the people of Kashmir should have the right to vote on the question of accession. The original accession itself was contingent upon such a vote. This procedure accords with the generally accepted tenet of the West that government ought to rest upon the assent of the governed.

The situation in Kashmir must be sharply distinguished from those conflicts which represent a breakup of nations. The Congo dispute illustrates this difference. In that case the Katanga province, historically a part of the whole nation, sought to break away. United Nations forces were used to keep the Congo intact.

The case of Kashmir is different. The accession of Kashmir to India was never completed and was attempted in a setting which raised a genuine question of its fairness. Permitting the people of Kashmir to vote on the question seems the only acceptable means of resolving the dispute.

U.N. NEEDS TO USE MUSCLE FOR SETTLEMENT

It is my deep conviction that the United Nations should put some muscle into the settlement of this dispute. Merely utilizing its good offices has failed for the past 16 years to produce a settlement.

The United Nations should resolve that it will press forward by whatever means are required to insure that a plebiscite takes place in some form within a reasonable time. The results of that plebiscite should be backed up by the United Nations.

Mr. Speaker, the harsh realities of this proposal must be faced. It is reported that for India to permit such a result may be destructive of the political stability of India, or that communal violence may be exacerbated. These possibilities cannot be blinked away. Yet these possibilities must be balanced against the alternatives and their dangers.

One thing is certain. It would be a thousand times easier for India to give way to a determined United Nations than to give way to Pakistan.

U.N. ACTION IS MORAL

This type of action by the United Nations is morally strong in an age when the moral nature of a decision is far more important than many seem to appreciate.

Now, Mr. Speaker, I turn to the position of the U.S. Government. If our Government elects to pursue the course I am urging, it must, of course, be done through the quiet diplomatic channels which precede any effective U.N. action. The major powers may not all agree, and some negotiation among them may first be necessary.

What I hope our Government will show, however, is a willingness to actively urge the use of such muscle by the U.N. as is necessary to finally settle the Kashmir dispute.

If the United Nations takes a more forceful stance, then, of course, the United States should actively support the United Nations and should regulate its trade and aid accordingly.

U.S. ECONOMIC AID SHOULD NOT BE SUSPENDED UNLESS U.N. REQUESTS IT

I oppose unilateral suspension of economic aid on our part. With two nations locked in struggle, the suspension of our economic aid would have an uneven impact upon the two nations. The nation most injured by our action would develop a lasting bitterness toward us.

We do not want other nations to intervene unilaterally. For the United States to unilaterally change our basic relationship with the two countries in trade or aid would constitute a unilateral intervention on our part. This risk reemphasizes the need for the United Nations to take the lead in settling this dispute.

KASHMIR DISPUTE MUST BE KEPT OUT OF THE COLD WAR

Any lead which the United States may take in urging more forceful United Nations action will, of course, become known to both India and Pakistan. We may be reluctant to push ahead for fear of alienating one of the countries. Our fear of such alienation stems from the cold war.

I hope that the United States does not succumb to this line of reasoning. It is self-defeating and will tend to destroy the capabilities of the United Nations which need to be built up, not torn down or ignored.

OPPORTUNITY FOR U.N. TO SERVE MANKIND

The U.N. needs to do what nations cannot do for themselves. The limitations imposed by internal political considerations are real and tough for any nation. Thus, the rest of the world, acting through the U.N., must bring about the settlement of this dispute.

Mr. Speaker, the United Nations has a unique opportunity to serve mankind. The General Assembly has been wisely freed from the paralyzing dispute over article 19. The fighting between India and Pakistan is outside the cold war, the merits of the underlying cause of the dispute are generally agreed upon, and the U.N. has the power to act.

Is there the willingness to act? This country and other members of the United Nations must come to fully embrace the fact that active employment of force in support of the political judgments of the United Nations offers the shortest, most direct path to a world of peace.

This unprecedented opportunity to demonstrate to the world the capacity of the United Nations to keep the peace should be pursued and not lost through hesitation or indecision.

No one can lightly suggest such direct action by the United Nations which may appear to be aimed at the interests of any nation. In the larger and more important perspective, the people of each nation share a common interest with the rest of mankind in the orderly settlement of disputes.

We have an enormous stake in the future of India as we do in Pakistan. We must help these countries resolve this conflict so that together we can build to meet the expectations of all the people of this world.

THE 200-BILLION ELECTRON VOLT BUNGLE

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 30 minutes.

Mr. HOSMER. Mr. Speaker, the Atomic Energy Commission has so badly bungled the site selection process for the Nation's new 200 billion electron volt (Bev.) accelerator it should cancel all present proceedings and start anew.

The planned facility, now estimated to cost around $340 million instead of the $280 million originally estimated, now cannot be started on time because no one can even say where it will be built. One hundred twenty-six proposals came in from 46 of the 50 States who wanted it built in their borders. Only the offshore States of Alaska and Hawaii failed to bid, along with Delaware and Vermont who lack the 3,000 acres of clear, level land needed for the installation.

Delegations from all interested States have pounded at the AEC's door to promote their claims and almost all affected Congressmen and Senators have got into the act one way or another. The 200-Bev. bonanza—the Government's biggest free offer to all comers since opening the Cherokee strip to homesteaders in 1893—has become one of Washington's biggest political hot potatoes. In face of the political pros' onslaught, the AEC has become mired in a mammouth pork barrel. It hoped Congress would soon adjourn and get some of its more persistent pursuers off its back. When that possibility dimmed, it panicked.

A promised screening down of the number of possible sites has been twice delayed. With the heat on for some action, the AEC came up today with a new list, claiming progress by a screening down to 85 proposals. However, it made an inept attempt to keep its political skirts clean by leaving amongst the 85 proposals a grand total of 43 States. Only North Dakota, South Dakota, and Wyoming sites were totally eliminated. These States have but six Senators and five Congressmen between them. The fact is that at least half the remaining proposals on the new list are dogs, unsuitable for consideration under one or more of the various site criteria originally specified by AEC.

The net effect of the action only will be to intensify injection of objectionable politics into a situation which should be one of purely scientific judgment—which judgment the AEC apparently seeks to dodge or delay. An investment of the major magnitude of this one must pay the highest dividends to the Nation and deserves insulation from either political politics or university politics. The latter have been dragged into the picture by the AEC's futile effort to dodge its cares by hiring the National Academy of Sciences to advise it on the screening and site selection problem. Almost the first discussion of the subject by NAS was by a group in which several university presidents or their representatives participated. People of this occupation are notable for zeroing in on prestige-laden projects—good for the university, but not necessarily intertwined inexorably with the highest national interest.

By embarking on a nationwide site hunt the AEC has totally and absolutely ignored the gut issue on locating this national facility which should have first been taken up. That issue has to do not only with the 200-Bev. accelerator, but its companion, to follow next, an even more costly 600-Bev. job. Both accelerators were conceived primarily by scientists connected with the Nation's two existing major high energy physics locations. These are the Lawrence Radiation Laboratory in northern California and the Brookhaven National Laboratory on Long Island. The 200 Bev. was planned as a logical extension of the accelerator work at Lawrence and the 600 Bev. as the logical addition to Brookhaven.

Like the Star of Bethlehem which lead the Three Wise Men to the manger, Brookhaven and Lawrence have become the two great bright stars in the intellectual heavens drawing brilliant minds from the entire world to the United States. They have established and maintained our undisputed leadership in high energy physics, nuclear chemistry and related sciences. Every single transuranium element has been discovered at one or the other of these centers. Lawrence alone, since its inception, has produced almost as many Nobel Prize winning chemists and physicists as not only the rest of the Nation, but the rest of the world, combined.

Unless the two new giant accelerators are located successively at Lawrence and Brookhaven, these great stars inevitably will commence to dim. There is no assurance that the location of these machines elsewhere will ever develop new teams of equal scientific excellence to replace those which may be squandered by deliberately dimming the lights at Brookhaven and Lawrence—a seemingly inescapable consequence of any decision to locate the new accelerators elsewhere.

In fact, there even exists a truly serious question of whether machines of the highest quality could be built at any other locations. Few, if any, of the Nation's scientists capable of designing and building such tools—and honed by experience in doing so—are located at any place other than Brookhaven and Lawrence.

No one can say that any of them would be willing to leave these locations for someplace else—in the boondocks of scientific thought or not. No one can say this because no one has bothered to check with them and find out. It is to be recalled that the Stanford Linear Accelerator, a similarly complicated scientific machine, had to be built on the Stanford University campus simply because the only people capable of building it already were there and declined to go elsewhere. You can order soldiers around and you can order scientists around in wartime—but the Vietnam war is not big enough yet to pull this off now. If these scientists capable of constructing the 200 Bev. will not move, then if the 200 Bev. is not located where they are, it will be turned over to less capable and less experienced hands and we will end up with an equally costly, but second rate machine. The Russians once had a somewhat similar experience which proved quite costly to them in both money and prestige. It hardly is time to repeat their mistake.

This issue of the future of the two laboratories and the quality of the new machines, which means so much to the Nation, should have been met and decided long before the enticing possibility of the 200 Bev. bonanza was dangled bewitchingly before a host of chambers of commerce and local promotion associations throughout the country. Most certainly it should have been considered before—not contemporaneously with a lot of nonscientific considerations and clamor. My own judgment is that: First, the preeminence of two vital laboratories is in jeopardy; second, that development of new scientific teams of equal quality to existing ones is questionable; and, third, that the excellence of the new accelerator itself is in the balance—may be incorrect. I do not think so, but I shall be the first to leave the questions open. However, these questions do exist—legitimately and seriously—they should have been resolved before any nationwide search for sites ever was commenced. This AEC exercise in how-to-succeed-in-site-selection - without - really - saddling - any - responsibility - seriously has just about turned the 200-Bev. bonanza into the 200-Bev. bungle. It should backtrack and do first things first.

If doing so indicates that a site other than Lawrence, and therefore Brookhaven for the next larger machine, will not diminish the Nation's interest, it then will be time to resume the site search. If it does so and pays any attention whatever to realities and to the site criteria which have been announced, it then will become readily apparent that practically the only really promising locations radiate out from the Chicago area into only about five States—Minnesota, Michigan, Illinois, Indiana, and Missouri. This indicates clearly that 37 more States could have been lopped off the list announced today by AEC if only sound scientific considerations had been used in making it up.

To forestall any innuendo that my remarks are being made parochially as a Californian let me say that I am a southern Californian representing a district at least 450 miles distant from Lawrence Laboratory. From the political standpoint it affects me not one whit where the 200 Bev. goes. But as an informed legislator, concerned both with maintaining our country's scientific excellence and with getting the top dollar from the very expensive public investment, I have deep concern that we proceed with it in a sound way. I also have a deep concern over the delay indicated today by the AEC from its mishandling of the site problem. The accelerator was supposed to be authorized next year and work started. The site selection mess indicates the project will slip an entire year. Meanwhile the Soviets are calmly and deliberately pushing to completion their new 70-Bev. accelerator, a high energy research tool over twice the power of any existing in the United States. Soon it will be probing for secrets of the universe having the utmost strategic importance. While Russia learns, America burns with squabbles in Congress, at the AEC and at the White House over where to put a political plum.

In saying what I have said today, let me assure you that I still have the highest respect professionally for the members of the Atomic Energy Commission and for their honesty and integrity. The doubt I have relates to the lack of a political competency, which they are not supposed to have in the first place, and to the characteristics of commission-type management which inevitably results in indecision, buckpassing and reluctance to assume responsibility for hard decisions whenever duties are shared amongst several people rather than concentrated in one strong hand.

SUPREME COURT DECISION ON CERTAIN POSTAL DELIVERIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. CUNNINGHAM] is recognized for 30 minutes.

Mr. CUNNINGHAM. Mr. Speaker, in 1962, this House, with only two dissenting votes, passed legislation denying the free delivery by the U.S. Post Office Department to unsolicited Communist political propaganda. At that time the reason behind the legislation was the fact that Communist countries did not grant free access to American newspapers, magazines, and printed matter. There was a consensus then, and I believe that there is a consensus now, that it is an imposition on American taxpayers to ask our deficit-ridden post office to carry Communist literature when there is no reciprocity on the part of most Communist countries.

Since 1962, the situation has not changed. Communist countries still do not deliver our newspapers, periodicals, and other printed matter. In fact, postal authorities of the U.S.S.R. recently announced prohibitions and import restrictions which now apply to parcel post and postal union mail packages addressed to that country, including printed matter, pictures, and recordings which they consider contrary to the interests of the U.S.S.R. The U.S. Supreme Court, however, declared the 1962 legislation unconstitutional. In its opinion the Court stated:

> We rest on the narrow ground that the addressee in order to receive his mail must request in writing that it be delivered. This amounts in our judgment to an unconstitutional abridgment of the addressee's first amendments rights. The addressee carries an affirmative obligation which we do not think the Government may impose on him. This requirement is almost certain to have a deterrent effect, especially as respects those who have sensitive positions. Their livelihood may be dependent on a security clearance. Public officials, like schoolteachers who have no tenure, might think they would invite disaster if they read what the Federal Government says contains the seeds of treason. Apart from them, any addressee is likely to feel some inhibition in sending for literature which Federal officials have condemned as Communist political propaganda.

In company with many eminent lawyers, I respectfully disagree with the Court's opinion. Nevertheless, the act was struck down and the Communist countries are still taking advantage of our subsidized postal system to deliver their newspapers, magazines, and so forth, free in this country, while they offer us nothing in return. There is a need for new legislation in this area; legislation which will both offer the Communists incentives to deliver our literature and will at the same time guarantee the first amendment rights which the Supreme Court believed it was striving to protect.

Today I am offering the House of Representatives such legislation. This is new legislation and I know it will meet all of the Supreme Court's objections to the earlier bill. It is aimed at the question of reciprocity. If Communist countries carry our newspapers, periodicals and other printed matter, then let our postal system be open to them. But if Communist countries do not grant us equal postal rights, then it is for the Congress to say whether we will subsidize their mail when we get no quid pro quo.

Let me read the very simple language of the bill:

> (a) The United States mails, except first class and airmail shall not be available for the transportation or delivery of newspapers, periodicals, or other printed matter originating in any foreign country, or deposited in the United States mails by or in behalf of any foreign country, from which any type of foreign assistance is withheld pursuant to section 620(f) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2370(f), unless—
>
> (1) The President determines that any such country transports and deliver the United States newspapers, periodicals, or other printed matter, wherever originating, or mailed, without restriction in its postal system: or
>
> (2) Such country shall have entered into a reciprocal cultural agreement with the United States under which the United States and such country agree to transport and deliver in their mails equal quantities of newspapers, periodicals, or other printed matter on the express condition that the postal system of neither country shall be available for the transportation and delivery of amounts of matter in excess of the amounts specified in the reciprocal cultural agreement.
>
> (b) Subsection (a) of this section shall not apply to newspapers, periodicals, or other printed matter, wherever originating, addressed to any (A) United States Government agency, (B) public library, (C) college, university, or other institution of higher learning, (D) scientific or professional institution for advanced studies, or (E) any official of any of the foregoing.

This legislation does not lock out ideas or deny Americans access to any information whatsoever. First class and airmail are specifically exempted from its provisions since it is not intended to impede communications but to induce reciprocity. The choice, then, is up to the Communist governments; if they will consent to carry our literature, then we will carry theirs. The issue is reciprocity and that issue must be resolved.

This legislation is founded on the congressional postal authority and the fiscal power of Congress. If Congress has the authority to set postal rates for different classes of mail, certainly it has the power to give or deny a subsidy to a class of mail originating in countries withholding free use of their mail service reciprocally to the United States.

Vice President HUMPHREY in 1961, then in the Senate, made the point well when he said:

> I believe the time has come for the U.S. Government to inform the Soviet Union that there must be a quid pro quo for the use of our postal service. In other words, it is time we said, "all right, Mr. Khrushchev; you may use the postal service of the United States when and if you let the United States use the postal service of the Soviet Union on a 50-50 reciprocity basis; not a basis of one horse to one rabbit, which is what is happening now—with the United States getting the rabbit."

I am in complete accord with the Vice President in this respect.

The time for such legislation is ripe. The issue fought out in 1962 is even more serious in 1965. We are now in a hotter war in Vietnam. We are in a period of emergency. There is every reason for the American point of view to be expressed in Iron Curtain countries, just as Iron Curtain countries are now able to express their views in this country through our subsidized postal system. The war in Vietnam is expensive enough in lives, and less importantly, in funds. We ought not to add to this cost by burdening the American taxpayers with the delivery of Communist literature when we get no quid pro quo. Earlier this year the President appointed a committee of eminent citizens to report to him on whether or not we should increase trade with Communist countries. This report contained many well-reasoned recommendations among which was the following:

> In the Committee's view, the time is ripe to make more active use of trade arrangements as political instruments in relations with Communist countries. Trade should be brought into the political arena. It should be offered or withheld, purposefully and systematically, as opportunities and circumstances warrant. This requires that the President be put in a position to remove trade restrictions on a selective and discretionary basis or to reimpose them as justified by our relations with individual Communist countries.
>
> Trade moves should be adapted to circumstances in individual countries and used to gain improvements in, and to build a better foundation for our relations with these countries. As opportunities arise, the United States should enter into government-to-government negotiations with individual Communist countries on this front, bargaining as Yankee traders for reciprocal advantage.

Again, the issue is reciprocity; this issue must be resolved. I urge passage of this legislation.

WATER RESOURCES POLICY—A TIME FOR DECISION

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OTTINGER. Mr. Speaker, no internal need facing the United States today is of greater importance than proper management of the Nation's water resources.

For the northeastern region of the Nation, this need is not only important, it is urgent. The serious consequences of the present drought have dramatically exposed the dangers of slipshod planning and the folly of following the counsels of political expediency in dealing with a natural resource as important as water.

Later this week, the House is scheduled to vote upon a proposal which has an important bearing on the northeastern water situation. The proposal is contained in an amendment to section 101 of the omnibus rivers and harbors bill reported favorably by the House Public Works Committee last Thursday.

This section would direct the U.S. Army Corps of Engineers to prepare a plan for, first, the construction, operation and maintenance by the United States of a system of major reservoirs in the river basins of the northeastern region; second, a system of conveyance facilities by which water can be exchanged between these basins; and, third, major purification facilities.

The aim of this legislation is laudable and the distinguished gentleman of the Public Works Committee deserve the thanks of all who live in the Northeast for their interest and their efforts to solve the persistent water crisis of the region. But the legislation as reported from committee raises some very serious questions which I hope will be resolved before the bill is passed.

The most disturbing questions concern the provisions for financing the facilities to be built in the plan called for in section 101(a).

The Water Supply Act of 1958 provided a formula for local participation in financing municipal water supply facilities. Under this formula, the cost of construction by the Corps of Engineers or the Bureau of Reclamation is in effect a Federal loan to the community that benefits from the new facility. The local community repays the loan over a 50-year period and repayment does not commence until the water from the new resource is actually available. Interest is charged at 3⅛ percent. Such provisions contribute importantly to local and Federal fiscal responsibility and assure that the local community will participate fully in the planning and financing of the facility. Section 101 of the rivers and harbors bill contains no such formula. Instead, it appears to contemplate a new policy altogether by providing for "appropriate financial participation by the States, political subdivisions and other local interests." The aim of the Water Supply Act formula was and is to help local communities handle the tremendous construction costs and provide for multiple-use facilities. It is not intended to interject the Federal Government as the sole authority and support in regard to local water supply facilities. Under the existing Water Supply Act, the Federal Government helps, but does not run, local water programs.

The new provision of section 101 of the rivers and harbors bill could have the Federal Government permanently defray an unspecified part to the capital cost of construction.

A municipal water facility should be the responsibility of the community it serves in keeping with time-honored American traditions of local autonomy. The rivers and harbors bill would open the door not just to a new method of financing, but to a new and radically different concept of the Federal-local relationships in the area of water supply. We must know more about the underlying reasons and effects before we endorse such a change.

If the aim of the Federal policy is to build local initiative, surely the best way to do that is to vest the local interests with as much authority and responsibility concerning planning, maintenance and operation as possible.

Before we embark on such an extensive program as is envisaged in this act—such a far-reaching revision of existing policy and fundamental concepts as are now implicit in the provision of section 101—we should have clarification as to the proposed method of financing. Certainly, if no new policy is to be enunciated, there could be no good reason for omitting appropriate reference to the formula of the Water Supply Act of 1958.

Another fundamental question raised by section 101 is the issue of what Federal agency is best equipped to direct planning and set policy for meeting the broad challenges posed by the Northeast water shortage.

Why was the Cabinet-level Water Resources Council, just created this year by Congress to perform this very function, bypassed in favor of the Corps of Engineers, a subordinate bureau of one of its members, the Department of the Army? Was not the Water Resources Council established precisely to coordinate the activities of the various Federal agencies now dealing with various aspects of water resources development? Is the Corps of Engineers, with its primary relevant experience in flood control and virtually none in water resources development and pollution treatment, the proper agency to coordinate and direct this complex undertaking?

If the problems of water supply in the Northeast were simply a matter of managing the existing supplies and if no other effort had been made to solve the problem, there would be some justification in selecting the Corps of Engineers to undertake a short-range construction program. Certainly, insofar as Federal construction of storage and conveyance systems is required, the corps is the proper agency to do it in the East.

But the water problems of the Northeast are not simple. A successful program will depend upon finding answers to a number of interrelated problems which extend beyond the construction and engineering functions of the Corps of Engineers. We must, for example, clean up polluted rivers, lakes, and streams. We must halt losses of water through leaky mains and reservoirs. We must modernize sewerage systems that are polluting potentially valuable resources. We must institute better controls and develop new resources such as the apparently abundant underground supplies in Long Island and central New Jersey. Our success in each of these endeavors will have an important bearing on the number and location of new reservoirs and aqueducts that need to be built. This is clearly more than an engineering problem.

A start has already been made on a program that promises to be extraordinarily effective. On July 22, the President signed the Water Resources Planning Act of 1965 establishing the Water Resources Council with responsibility for supervising plans for the development of adequate water supplies throughout the Nation. Already this Council, working in cooperation with the Delaware River Basin Commission, has resolved the dangerous situation that arose as a result of competing demands of Philadelphia and New York on Delaware River water. The compromise worked out by the Council and the commission assures both these metropolitan centers adequate water for the short-range period of the present emergency.

One looks in vain in section 101 for acknowledgment of this important new Council authorized by Congress and approved by the President only 2 months ago.

The U.S. Army Corps of Engineers has an important role to play in the solution of the northeastern water resources problem. Through the Secretary of the Army, who is a member of the Water Resources Council—along with the Secretaries of Agriculture, Interior, and Health, Education, and Welfare and the Chairman of the Federal Power Commission—the corps has adequate representation at the highest policy level in the Council. It can only detract from the common effort—and add to the confusion—to vest the corps with this new and independent authority.

At the moment, there are estimated to be more than 35 Federal agencies, and unnumbered State and local authorities, involved in various aspects of the northeastern water crisis. Under the able direction of the Water Resources Council, these agencies are at last being drawn together into a single coordinated action. The provisions of section 101 would appear to strike a damaging blow at this effort.

All of this harm can be averted and the laudable intent of section 101 can be carried forward by very simple modifications in language. These minor changes would continue the Corps of Engineers project but bring it within the framework of approved, and proven, administration policy and under the greater responsibility of the Water Resources Council.

The following substitute amendment would achieve this aim:

AMENDMENT TO S. 2300

SEC. 101. (a) Congress hereby recognizes that assuring adequate supplies of water for the great metropolitan centers of the United States has become a problem of such magnitude that the welfare and prosperity of this country require the Federal Government to assist in the solution of water supply problems. Therefore, the Water Resources Council is authorized to arrange for the preparation of a plan to meet the long-range water needs of the Northeastern United States in accord with the Water Resources Planning Act of 1965 (Public Law 89–80, July 22, 1965). This plan may provide for the construction operation and maintenance by the United States of (1) a system of major reservoirs to be located within those river basins of the Northeastern United States which drain into the Chesapeake Bay, those that drain into Lake Ontario, and those that drain into the St. Lawrence River, (2) major conveyance facilities by which water may be exchanged between these river basins to the extent found desirable in the national interest, and (3) major purification facilities. Such plan shall provide for allocation of costs in accordance with existing Federal water resources project policy and for financial participation by State, political subdivisions thereof, and appropriate interstate agencies and commissions in accordance with the Water Supply Act of 1958, as amended.

(b) The Secretary of the Army, acting through the Chief of Engineers, shall construct, operate and maintain those reservoirs and conveyance facilities, which are recommended in the plan prepared in accordance with subsection (a) of this section, and which are specifically authorized by law enacted after date of enactment of this Act.

(c) In keeping with the provisions of the Water Resources Planning Act of 1965, each reservoir included in the plan authorized by this section shall be considered as a component of a comprehensive plan for the optimum development of the river basin in which it is situated as well as a component of the plan established in accordance with this section.

It is important to note that section 101 as it stands now was not in the bill passed by the Senate and reported to the House. The language in the present bill was added in the Public Works Committee. I have been informed that the administration seriously objects to the provisions of the bill as it now stands and holds the substitute amendment I have submitted to be wholly consistent with its policy.

The States and agencies that are supposed to benefit from the section 101 object to its provisions. I have just received a resolution from the Delaware River Basin Commission expressing the opposition of this agency to section 101 as reported.

A RESOLUTION TO MEMORIALIZE THE CONGRESS TO DEFER ACTION ON A PROPOSED AMENDMENT TO S. 2300, RELATING TO TITLE 1, SECTION 101 THEREOF

Whereas the House Public Works Committee has reported out a proposed amendment to the rivers and harbors bill which would authorize the Secretary of the Army to undertake a far-reaching program of planning, construction and operation of water supply reservoirs, water purification facilities and water conveyance facilities in the Northeastern section of the United States; and

Whereas this Commission recognizes that the proposed amendment reflects the deep concern of the sponsors with Federal responsibility in the current water supply emergency; and

Whereas the proposed amendment would, however, cause a major redistribution of governmental responsibilities within the Federal Government and as between the Federal Government and the States, regional agencies and local governments; and

Whereas the proposed amendment would also impose substantial and undefined costs upon both Federal and non-Federal agencies of Government; and

Whereas such significant matters of public policy should not be formulated without the benefit of proper study and public hearings; and

Whereas it appears that existing legislation (P.L. 89–80) is adequate to provide all required planning, and the President has already recommended an appropriation to carry out the planning studies in the northeastern section under this authorization: Now therefore be it

Resolved by the Delaware River Basin Commission:

1. The Congress is hereby memorialized to defer action, pending public hearings, upon the proposed amendment to S. 2300, as reported by the House Committee on Public Works, which would authorize the Secretary of the Army to undertake the planning, construction and operation of water supply, purification, and conveyance facilities in any river basin in the Northeastern United States.

2. The Secretary of the Commission is directed to forward copies of this resolution to the U.S. Senate and House of Repre-

sentatives and to each Senator and Member of Congress from the States signatory to the Delaware River Basin compact.

Dated: September 13, 1965.

The Commission would prefer to defer action altogether. However, if some provision is to be made, I have been informed that the amendment I have proposed is consistent with the changes desired not only by the Commission but by several of the States as well.

I urge that serious consideration be given to the questions that have been raised about section 101 of the rivers and harbors bill before final action is taken.

While considering the relatively minor changes that are needed to bring this section back into the mainstream of administration policy, I also urge that this House start now to consider the larger problem. In the very near future we must decide what the extent of Federal responsibility is to be in solving the water crisis and assuring an adequate supply to meet the needs of our growing northeastern population. If we continue to approach the problem on a piecemeal basis—to bite off little bits—we will most assuredly end up with the type of jerry-built program that can only lead to future and more severe disasters.

I have recently introduced a bill which would strengthen the Water Resources Council and give this agency some specific tools to enable it to carryout the specific programs that are needed to assure the Northeastern United States of an adequate supply of pure fresh water for the present and for years to come.

I hope that early consideration will be given to this proposal.

HUDSON HIGHLANDS NATIONAL SCENIC RIVERWAY

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. TODD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TODD. Mr. Speaker, it gives me great pleasure to join with Mr. OTTINGER and others of our colleagues in sponsoring his bill, H.R. 3012, to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York.

I believe we must do all we can to protect the existing natural environment and to restore those portions of it which we have permitted to become abused. Our ever enlarging population and ever growing urbanization make these programs imperative if the welfare of succeeding generations is considered.

Mr. OTTINGER's legislation can prove a beacon of hope and know-how to many areas of these United States.

CONGRESS COMMENDS COIN WORLD

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, my attention has just been drawn to a highly public-spirited action by the Coin World which I feel should be brought to the attention of the Congress.

The Coin World is a weekly newspaper in the numismatic field. It, and other publications which carry advertisements offering coins for sale, and coin hobbyists in general have been subjected to considerable criticism in recent times which claimed that they were major contributors to the coin shortage through which the country has been passing. Now comes this remarkable evidence that the Coin World intends to do its part to assure that no shortage develops in the new clad coins when they are issued. All of us here have just gone through the ordeal of having to authorize the Mint to substitute clad coins containing no silver for our traditional silver dimes and quarters, and to issue clad half-dollars of 40 percent silver, instead of our traditional 90-percent silver halves.

We were obliged to take such drastic action because of the country's serious coin shortage and because there just is not enough silver in the Treasury's stock to permit its continued use in subsidiary coinage.

The coin shortage was attributable to numerous factors, such as the increased need for coins occasioned by increases in population and the country's prosperity, and the broadening uses of coins in vending machines for every conceivable purpose.

Coin collectors, associations of coin hobbyists and publications which advertise coins for sale have been blamed for a large part of the shortage. In the intensive investigations which the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations made into the coin shortage we closely delved into the extent to which the shortage might be attributable to their activities. As chairman of the subcommittee I wanted to measure the full impact that coin collecting had on the situation. I was very pleased to find, as a result of our studies, that while coin speculators who hoarded and traded in vast quantities of coin—by the rolls, by the bags, and coin by the tons—greatly compounded the coin shortage, the coins withdrawn by the hobbyists did not measurably aggravate the problem.

This conclusion was not predicated upon self-serving statements of coin hobbyists, but upon the cold appraisals of the situation which were made by officials of the Treasury Department and the Mint, who were most vitally interested in solving the shortage problems.

The newly authorized clad coins are soon to enter into circulation. The new clad quarters are already being minted. The Treasury hopes to avoid the sad situation of the Kennedy halves, which were issued before adequate quantities were available to supply requirements. The Treasury plans to manufacture such large quantities of the new clad coins that when they are introduced into circulation there will be adequate quantities to supply all anticipated needs, if hoarders and speculators do not enter into the picture.

The Treasury Department and even the President have stated that the new clad coins will be issued in such vast quantities that it will not do anyone any good to hoard them. Nevertheless, they will be new and novel when they are first introduced, and conceivably entrepreneurs may try to make a market in them at fancy prices.

To do its best to permit the clad coins to get into circulation for commercial transactions, the Coin World has taken the unusual and highly public-spirited action to which I referred, by curtailing its advertising of the clad coins, as described in the following editorial from its September 15, 1965, issue.

Mr. Speaker, I am sure all my colleagues join me as I take this opportunity to commend the publishers of Coin World for undertaking their campaign to get public cooperation and for giving up advertising revenues in order to help the U.S. Treasury Department and our country.

[From Coin World, Sept. 15, 1965]

LIMIT ON CLAD COIN ADS

We went to the American Numismatic Association Convention in Houston. We watched. We listened. Now we act.

In the best interests of coin collecting and of the Nation, Coin World will not accept advertising for the new clad coins in quantity lots until a full, adequate supply is available in circulation for commercial transactions.

We ask for full cooperation on the part of our readers in proving to the U.S. Treasury Department and the Nation's legislators that coin collectors are not coin hoarders. We prefer no ads on 1965 clad coins but if we receive any, here is our policy:

First advertising of the new clad coins acceptable by Coin World will be confined to single coins and single uncirculated sets—five coins, one of each denomination, with three of them to be the new 1965 clad coins—until supplies of coins are plentiful in the channels of trade. Also, no futures on 1965 clad coins will be acceptable, coins must be certified to be in possession of the advertiser.

It is the Treasury's plan for the new and the old coins to coexist to insure a plentiful supply of coins, to provide for a full supply of coins in order not to slow down the Nation's economy.

We want to help. We, too, want to see the new clad coins immediately available for free circulation.

We cannot be responsible—other than advising our nonnumismatic friends that hoarding is useless—for the reaction of the general public to the new coins since we, like the Treasury, have heard varied predictions as to how our citizenry will react.

But we can see to it that coin collectors are aware of the hobby's responsibility and reason—we want no blame attached to our hobby this time should a shortage develop.

The Treasury Department sent two of its highest officials to Houston—Assistant Secretary Robert A. Wallace and Mint Director Eva Adams—they interrupted busy schedules to come, to meet with collectors, to talk with them, to learn to know them better, in friendship, and to share with them some of the Treasury's plans, purposes and hopes.

As hobbyists richly endowed with fraternal spirit and coin knowledge, we can do no less than reciprocate—and do the best we can during the next few months to likewise pledge our cooperation, and put this pledge into action.

PENSION PLANS: OUR NEED FOR MORE INFORMATION ON WORKERS' LOSS OF BENEFIT RIGHTS

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLLAND. Mr. Speaker, I have introduced a bill to amend the Welfare and Pension Plans Disclosure Act. It would require systematic reporting of additional important information concerning the operations of private pension plans.

For each pension plan subject to the Welfare and Pension Plans Disclosure Act, an annual report to the Secretary of Labor would be made on the number of employees whose participation in the plan was terminated during the year whether by discharge, indefinite layoff, resignation, or other reasons—and on the number of these employees who lost all their accumulated credit toward future receipt of a pension under the plan. These annual reports will thus enable us, for the first time, to gather reasonably comprehensive and precise data on the number of American workers who—after 5, 10, 15, or even more years of service with an employer—leave the employer, whether voluntarily or involuntarily, and are thereby stripped entirely of the retirement credit built up over these years of service.

Mr. Speaker, this information is urgently needed. Increasing interest is now being shown in the important role which rapidly growing private pension plans have assumed in the American economy. One of the central issues, upon which this interest is focused, is the need for more widespread and more liberal vesting provisions in these plans. Vesting gives the worker a right or equity in a pension plan, based upon his accrued service, even though his employment under the plan ends before he has met the normal requirements for retirement. It entitles him to receive from the plan, when he reaches retirement age, some portion of the normal pension, despite the fact that he may have left the pension plan employer years before reaching retirement age.

Information presently required under the Welfare and Pension Plans Disclosure Act shows that vesting provisions, of one sort or another, have now been incorporated in a great number of private pension plans. But, Mr. Speaker, we have no reliable information on this critical question: "How many of our workers, after giving a substantial period of service to an employer, resign from or lose their jobs with the employer before they have met the eligibility requirements of the vesting provision"—if indeed there is a vesting provision—"in the employer's pension plan?" We would also like to know, "How many workers find that they are never, after all, going to receive a penny from a pension plan under which they may have worked for a large part of the normal span of a working life?"

I believe, Mr. Speaker, that the number of such workers, every year, must run into the hundreds of thousands. However, the fact is we simply do not know, and we should, if we are to be in a position to assess the losses being suffered by American workers due to the absence of vesting provisions in private pension plans or from vesting provisions which are unduly restrictive.

A sense of the magnitude of this problem can be gained from a quick glance at the tremendous growth of private pension plans. Twenty-five years ago, in 1940, only about 4 million employees were covered by these plans. By the end of 1964, however, it is estimated that almost 25 million employees—nearly one-half of all the employees in private nonagricultural establishments—were under the coverage of private pension plans. And, within 15 years, by 1980, the number covered is expected to rise to more than 40 million, representing almost 60 percent of private nonagricultural wage and salary earners.

Yet, how many of these millions of workers will actually receive a private pension, upon reaching retirement age? The rapid spreading of private pension plans to the point where they may soon embrace 60 percent or more of private nonfarm employees is very impressive. But no one should be misled into believing that anywhere near 60 percent of the American workers in private industry today will ever manage to qualify for a private pension, under the current provisions typically found in these plans.

Indeed, there is even the danger that the absence, or narrowness, of vesting provisions in private pension plans may be offering some employers a temptation to try to escape from their accumulating liabilities to long-service employees. University of California President Clark Kerr, a member of the President's Advisory Committee on Labor-Management Policy, recently called attention to this temptation. He stated:

> There is a point regarding vesting that is often overlooked. With the closing and relocation of facilities that have taken place in recent years, companies have been benefiting from reductions in their pension liabilities to an extent that is unknown but probably very substantial. The capital sum represented by future pension liabilities that can be avoided by closing a plant without a vested pension plan may well have intensified a major social problem. Vesting would help prevent this factor from influencing decisions to relocate.

It is encouraging, Mr. Speaker, to note that the complex issues raised by the great expansion of private pension plans have now attracted growing attention and study from both the Congress and the executive branch of our Government. In January of this year, the President's Committee on Corporate Pension Funds and other private retirement and welfare programs submitted a major report to President Johnson, under the title "Public Policy and Private Pension Programs." The Committee, under the chairmanship of the Honorable W. Willard Wirtz, Secretary of Labor, had been appointed by the late President Kennedy in early 1962, and its report, with accompanying recommendations, presents a careful, long-considered analysis of the public policy issues relating to private pension plans.

Since this January 1965 report of the President's Committee, private pension plans have drawn continuing governmental attention. In March the Special Committee on Aging of the Senate held hearings directed toward examining policies for improving and expanding the coverage of private retirement plans. In June, Secretary of Labor Wirtz submitted to the Congress, as required under the Civil Rights Act of 1964, an extensive report on "The Older American Worker: Age Discrimination in Employment." This report discussed, among the many competitive handicaps suffered by the jobseeker who is in his late forties or older, the obstacles to reemployment of the older worker that may be erected by provisions of private pension plans. Since August 25, the Select Committee on Labor, of which I am chairman, has held a number of hearings on the employment problems of older American workers, and has received testimony on the specific question of the role played by private pension plans in inhibiting employment of these workers. I have also been informed that the Joint Economic Committee, later this year, plans to hold hearings and develop a broad study of the economic and social implications of the Nation's increasingly elaborate network of private pension plans.

Mr. Speaker, I would like to call my colleagues' attention to some of the findings and observations that have recently been made concerning the critical issue of the need for improved vesting provisions in these plans. In June of last year, the Department of Labor published a study, "Labor Mobility and Private Pension Plans: A Study of Vesting, Early Retirement, and Portability Provisions." This study documented in detail the disturbing situation with respect to eligibility requirements for a private pension. It showed that:

> Of the almost 25 million workers nominally "covered" under private pension plans, 45 percent of the workers were in private plans in which a worker hired at age 25 would not qualify for any benefit by age 50 under the provisions of the plans. About 55 percent of the workers were in plans in which such a worker hired at age 25 would not qualify for benefits by age 45.

Thus, in spite of a trend to include vesting provisions in a greater proportion of pension plans, these provisions are still so limited, typically, that even after 20 years of continuous service with an employer a majority of workers today would be entitled to receive nothing whatsoever from their employer's pension plan, if they should be discharged from, or otherwise leave, their jobs at age 45. Twenty years of "coverage" under a private pension plan, in other words, would have added not a penny to their ultimate retirement incomes.

In view of the rate of turnover of labor in American industry and these present restrictions on eligibility for vesting, the Department of Labor study concluded that:

> The prospects of the newly hired worker actually realizing the pension credits he is beginning to accumulate remain somewhat remote.

The President's Committee, in its January 1965 report on "Public Policy and Private Pension Programs," explicitly called for legislative action to extend and liberalize pension plan vesting provisions. The Committee stated:

> There is cause for concern in the selective impediments to mobility now erected by private pension plans and in the possibility that such plans in the future will not permit a rate of mobility among mature workers sufficient to accommodate a rapid rate of technological change, changes in consumer demand and in the location of industry, and a higher rate of economic growth. As pension plans spread, as levels of benefits increase, as service under a pension plan lengthens, the immobilizing influences of the private pension system may be expected to grow.

Yet, the Committee pointed out, the speed of technological change and other developments in our dynamic economy now, more than ever before, "seem to point to the necessity for more frequent job-skill changes during workers' careers."

The recommendation of the President's Committee, with respect to vesting, was that the Internal Revenue Code be amended to require that a private pension plan, in order to continue to receive favored tax treatment, "must provide some reasonable measure of vesting for the protection of employees." The Committee suggested that a "reasonable measure of vesting" might embrace these features: vesting of at least one-half of accrued normal retirement benefits for a worker with 15 years of service, and full vesting of benefits for a worker with 20 years of service, regardless of the age at which the worker leaves his employment under the pension plan.

Although adoption of the Committee's long step forward, it has been argued that legal requirements for vesting should go substantially farther than the Committee has suggested. One of the distinguished members of the President's Advisory Committee on Labor-Management Policy has called for vesting of pension rights after 10 years of service, rather than 15 or 20. He has forcefully stated his belief that "tax advantages should not be afforded to a program which, like a lottery, pays benefits to the fortunate few, but rather should be limited to pension plans which assure benefits at least to those employees who have been covered by the plan for 10 years."

In similar vein, Prof. Merton C. Bernstein, of the Yale Law School, a leading authority on private pensions, told the Senate Special Committee on Aging in March of this year that "rapid progress toward early vesting" should be an urgent goal for the Congress. The vesting requirement suggested in the report of the President's Committee was "only minimal," Professor Bernstein stated. Instead, a much more liberal provision for vesting was essential, since "as plans are presently constructed, a minority, very likely a very small minority, of those under plans will actually achieve benefit eligibility."

Mr. Speaker, there are, naturally, differences of viewpoint concerning the precise details of the various recommendations being made for legislative steps to assure that a much larger proportion of workers will actually realize benefits, eventually, from their private pension plans. But it is clear that a substantial force of informed opinion is now building up that will call upon the Congress for positive action with respect to vesting provisions in private pension plans.

This force will certainly become greater, with increasing awareness on the part of members of the labor force of their stake in the private pension plan system. As the 1964 report of the Department of Labor points out:

> The most striking feature of the private pension structure, in assessing its influence on mobility, is its youth. The period of greatest growth began only 15 years ago. At the present stage of development of private pension plans, it is reasonable to question the degree to which workers understand the value of vesting. Documents describing pension plans to workers rarely, if ever, stress the dollar value of vesting to workers.

But, the report predicts:

> As informal and formal communication regarding pension plans spreads and workers' awareness of the plans and their provisions increases, their impact on employee attitudes and mobility decisions will undoubtedly become stronger.

Correspondingly, it can be expected that there will be a growing demand for elimination of indefensibly narrow provisions for vesting in these plans.

It is my hope, Mr. Speaker, that the present Congress will consider passage of this legislation thereby enabling the Department of Labor to secure the necessary facts and figures the Members must have if we are to eventually act upon the President's Committee recommendation—"to extend and liberalize pension plan vesting provisions" through legislative action.

PROGRESS ON THE WATER POLLUTION PROBLEM

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I was pleased to learn that the House and Senate conferees had reached agreement on the Federal Water Pollution Control Act, S. 4. Water pollution is a problem which affects every community and every State in the Nation and there is a great need for a stepping up of Federal assistance, greater enforcement at all levels, and a pattern of local, State, and Federal cooperation to abate and stamp out pollution.

We have been fighting a losing battle up to this point and the recent droughts in the Northeast have focused new attention upon the urgency of the problem. In the light of these developments, the need for legislative action on S. 4, which is similar to my bill, H.R. 3716, is imperative and I look forward to its immediate enactment. The agreement arrived at by the conferees is reasonable, I think, in that it gives consideration to both the House and Senate versions of the water-use standards by permitting States to have prior right to act if they wish, but authorizes the Federal Government to take up where the States neglect or refuse to establish adequate protective standards. I think there are sufficient teeth in this provision to guarantee effective steps by delinquent State governments to correct the Nation's single most serious domestic hazard while protecting the freedom of action of States taking the necessary steps. I am pleased that the conferees saw fit to retain in the bill my proposal to authorize the increase of matching grants to municipalities from $100 million to $150 million a year for 2 years for sewage plant construction.

Mr. Speaker, I have previously stated my support for the several phases of this legislation which will work to the advantage of each of us, including the inclusion in the act of the directive to the Secretary of Health, Education, and Welfare to initiate Federal enforcement action when he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution.

This is legislation that demands and deserves top priority

MISSISSIPPI DEPARTMENT OF EDUCATION ENROLLMENT FORMS

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Farnum] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARNUM. Mr. Speaker, the Department of Education of the State of Mississippi has recommended to school districts a form to be filled in by those seeking to enroll pupils.

In an introduction, the form states the following:

> Senate bill No. 1516 at the first extraordinary session of 1965 requires that the school board of every school district in Mississippi make a determination as to the parental status, natural or adoptive, of every child seeking enrollment in their respective schools.

Various questions follow, one being, "Does child reside in a foster home?" There follows a warning:

> Please be advised that a false statement on this survey form would be considered as grounds for suspending or expelling the above named child as a student in this school district.

That warning gets to the heart of the matter. For this is no tender concern on the part of a great State seeking to see that no child is without an education. The effect is precisely the opposite. The effect is to punish poor children by withholding from them what they need most, an education. And, as might be suspected, this poor child affected is usually a Negro.

The heartland issue was stated in an article in the Jackson, Miss., Clarion-Ledger by Charles M. Hills on August 14, 1965:

> Seven thousand children in this State, 85 percent of them Negroes, stand to be barred from the public schools in the upcoming sessions unless they can pay attendance costs, or tuition.

I draw particular attention to the words "85 percent of them Negroes." I draw attention also to the words appearing earlier, "First extraordinary session of 1965," and say that in an America that owes so much of its greatness to education of all children the word "extraordinary" is apt indeed.

Who are these 7,000? To quote Mr. Hills additionally:

> They are children of parents who are out of State and most of whom have for years been left in guardianship to relatives or friends of the former Mississippi resident parents.

Those of us from northern areas know these parents. These tend to be the Negroes who in an effort to break the chains of poverty left children behind with relatives or friends as they went north to try to provide a better place for their youngsters. Unfortunately, the parents' own lack of education often has left them unable to fulfill their hopes. The families remain separated—and now the children are to be penalized for that separation. Often they remain with God-fearing, respectable, hard-working grandparents but now in Mississippi these hard-pressed oldsters are required either to take certain legal steps, or find approximately $300 a year, or see the youngsters denied the educational advantages hitherto given freely by Mississippi.

With this basis of understanding, we can now address ourselves to a more detailed examination of the point at issue. Many have asked for opinions on the law and according to John Stone, assistant attorney general for Mississippi in charge of school matters, Mr. Hills quotes him as saying the technicalities amount to this:

> No children shall be included in the average daily attendance figures of any public school for the purpose of receiving State money or teacher unit allotment nor be enrolled in any grade whose parent or parents, natural or adoptive, or whose legally appointed guardian by virtue of the death or mental incapacity of said parents is not an actual physical resident of the State of Mississippi unless said child is residing in a recognized orphanage or children's home as distinguished from a foster home; or unless the parents, natural or adoptive, are presently serving outside of the State of Mississippi on active duty in the Armed Forces of the United States; or unless the child shall pay or there shall be paid on its behalf such tuition fees to be set by the county board of education or the board of trustees of any other school district and which shall be at least commensurate with the average cost of education per pupil in the school district.

It is evident that the effort here is to use a legal fine point to punish a group of citizens for seeking their rights. This extraordinary action can be defended, but only as a poll tax and a thousand and one other devices used to degrade Negro citizens can be defended.

The fact is that on a legal technicality the right to enjoy liberty and the pursuit of happiness is to be denied to thousands of youngsters through keeping them forever in the chains of ignorance.

I draw the attention of this honorable body to the fact that no one has attempted to get similarly legalistic with the Federal allotments made to the State of Mississippi for education and for other uses. As an example, I am told that under the new Elementary-Secondary Education Act, Mississippi will receive some $28 million. Under various other programs a great amount of Federal tax money is sent to the State. I suggest that in consideration of such matters in the future, this matter of depriving the most helpless of our little ones of the most elementary of benefits be kept in mind.

WATER CRISIS IN THE NORTHEAST

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, for some time it has been clear that the water crisis in the Northeast is a result of human ineptitude, as much as natural disaster. We have taken water for granted, as we take air for granted, tending to regard it as an unalterable constant in our environment rather than as a limited resource to be planned, allocated, and developed. And so we have proved the observation of Lord Byron:

> Til taught by pain, men really know not what good water's worth.

The pain, in this situation, is a critical water shortage which can be traced to the absence of adequate planning and engineering, to an unacceptable dependence on local jurisdictions and vague regional cooperation, and to a system of water control which is almost without national standards and supervision.

Thus we discover such preposterous situations as that which required New York City, itself beset by the Nation's most serious urban water shortage, to forgo daily 155 million gallons of drinking water which must be sent through the Delaware River system to protect Philadelphia's dwindling water supply from salt water incursions. Thus we find situations where supplies once available for nonindustrial consumers are now prohibited to embattled cities due to pollution and contamination.

Such examples testify only to a failure of planning and imagination. One does not look to the clouds in order to explain the causes of a crisis like that presently faced by the Northeast. The fault is partly human, and thus subject to remedy.

For this reason, I introduced on August 3 legislation to create a Federal Water Commission, empowered to provide aggressive and forward-looking planning and control of national water resources. The legislation, entitled the Federal Water Commission Act, seeks to provide a mechanism through which can be established Federal standards governing the use of water resources in the United States.

The need for such national planning should be all too apparent. Secretary of the Interior Udall has said that "water is our most abused natural resource." He went on:

> The constantly increasing population has to be measured against the unchanging amounts of water available on this planet. At present, these two factors—people and water—are on a collision course.

President Johnson himself called attention to the priority of the water problem when he stated:

> There is no newer or more vital frontier for any of us than the one we must cross to a lasting abundance of fresh water for all mankind.

The creation of a Federal Water Commission is fully in accordance with other existing programs for national coordination of key resources. The Federal Power Commission, for example, exists to develop and plan our electric power system. Nobody pretends that power resources ought to be administered without national standards and authority. And yet, for the same reason, we seem unwilling to acknowledge that water, like power, is a limited resource, and must thus be subject to rigorous and standardized planning if it is not to be wasted and misallocated.

For this is what has happened and will continue to happen if our water laws remain varied and disparate; if some localities decide to recognize the law of capture and prescription, while others choose to exercise complete public ownership; and if certain regions are preoccupied with the threat of saltwater incursion, while others are plagued by pollution or inadequate watersheds.

The answer to the problem must be direct and forthright. We have to abandon the mythologies of local water control and adopt the socially responsible structures and standards of national planning.

The Federal Water Commission, like the Federal Power Commission, will consist of five Commissioners. It will issue and review permits governing the use of certain water resources, as defined in the act, particularly those subject to pollution. While maintaining firm power over such permits, the bill provides rigorous safeguards through unqualified right to appeal decisions. Where the Commission finds that existing regional or local regulations adequately effectuate the purposes of the act, it will be instructed to suspend the application of licensing procedures. Such a suspension of jurisdiction will be subject to review after 5 years in order to preserve a continuous but temperate application of standards. The bill provides for more frequent or special investigative procedures where circumstances or new evidence reveal inadequate compliance with regulations.

The legislation therefore seeks to rationalize and coordinate existing jurisdictions so as to insure a stable and equitable distribution of water. To that degree, it may accurately be regarded as establishing a water policy review board, rather than as introducing an entirely new structure of legislation and authority. It recognizes the convenience of local and regional jurisdiction, but insists upon the necessity of Federal review and coordination.

As well as providing coordination of existing programs, the bill seeks to provide the Commission with the power to meet water shortages and emergencies. Upon identifying an emergency, the Commission may move to require water rotation, to bar new water use, or prorate supplies among existing users. In the event of drastic emergency, the Commission is empowered to impose rationing and to appropriate private supplies if public health so requires.

The remarkable growth and prosperity of the American economy is in no small way due to our abundant natural resources. Efficient allocation and development of such resources in the private sector has been a source of strength and initiative. But, in certain cases, such as electrical power, we have wisely seen fit to create Federal institutions and standards to promote the national interest by exercising supervisory authority. That such an approach be applied to water resources is consistent with our past traditions, required by our present predicaments, and promising for the future public interest.

THE PROPOSED EXTENSION OF THE WEST FRONT OF THE CAPITOL

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STRATTON. Mr. Speaker, it has recently been announced that the House will soon be asked to appropriate $300,000 to begin planning for an extension of the Capitol's west front similar to the extension of the east front which was completed in 1961.

I have grave doubts about the wisdom of such an extension. I do not believe most Members have even had a chance to consider the question involved, and as one item in a supplemental appropriation bill they are certainly not likely to have an extensive opportunity for such study and debate.

An extension of the Capitol's west front such as is projected by the Architect of the Capitol would, in the first place, be historically damaging in covering up the last remaining face of the original historic Capitol building which dates from 1800.

Secondly, such an extension would seriously upset the present architectural balance of the Capitol's West Front which many critics, by the way, regard as its most attractive face.

I believe we ought to oppose the appropriation of any funds for this purpose until the matter can be more fully studied by the House.

Under leave to extend my remarks I include an editorial from the Washington Post of September 12, 1965. I also include a copy of my weekly report to my own constituents, dated September 7, 1965, dealing with the same subject. I am happy to bring this matter to the attention of my colleagues, and I earnestly solicit their support for my position.

[From the Washington (D.C.) Post, Sept. 12, 1965]

Facelifting in Secret

After publicly lamenting the sad state of the West Front of the Capitol, the influential Congressmen who compose the Commission for the Extension of the Capitol are now strangely silent. But silence does not necessarily mean inactivity, as the Rayburn Office Building and other Capitol Hill projects have demonstrated. In fact the Architect of the Capitol, J. George Stewart, has requested $300,000 to plan an extension that will replace the aging sandstone facade of the West Front with marble.

The order to shore up the West Front was given at a secret session of the Commission. Presumably plans for the extension, including Vice President Humphrey's bizarre proposal for a glass-enclosed restaurant overlooking the Mall, have also been discussed in secret. Mr. Stewart's office blandly promises that "the essential architectural character" of the building will be retained. That is not good enough. The Fine Arts Commission ought to be consulted and public hearings ought to be held before any funds are voted for new construction on the Capitol. No group of Congressmen who enjoy dabbling in architecture should be able to decree changes in a great national shrine behind a screen of secrecy.

Congressman Stratton's Weekly Report From Washington, No. 34: West Side Story

Labor Day marks the end of the really busy tourist season here in Washington, but I still say, if you want the kids to see the last remaining bit of the original U.S. Capitol Building before they cover it up for good, put them in the car and hurry, hurry, hurry, down. There's not much time left.

I'm not kidding. Scaffolding is already going up around the Capitol's West Front, workmen are getting their tools in place, and enabling legislation is just around the corner to appropriate maybe $30 million to cover up the present sandstone west side's last visible portion of the original Capitol Building, erected in 1800, with the same garish marble imitation put over the East Front in 1958.

The excuse for this architectural mayhem is, as before, that time and weather have taken too heavy a toll of the original walls. The old sandstone, which admittedly is not as solid as marble, is cracking in spots. The gray paint which had to be put on over the sandstone to make it look more like granite or marble is peeling. And since the newfangled electronic wires which have kept the birds off the pillars and window sills of the East Front were never installed on the West Front things do look a bit gooey and messy here and there.

According to the Architect of the Capitol (who isn't an architect at all, but a one-time Congressman'), our only hope is to construct a whole new marble wall outside the old sandstone wall, reproduce the sandstone carvings in Vermont or Georgia marble, and throw in a few extra offices to boot.

That's what we did on the East Front, and you have to admit that job was neat enough—no flaking paint and the offices are real plush.

But somehow it always seemed wrong to me, both historically and esthetically, to deliberately cover up one of the Nation's historic treasures, which is what the Capitol Building is. After all, when they rebuilt the White House in 1948 they went to an awful lot of trouble to keep the original historic walls intact and rebuilt the new structure inside the old walls.

It may be a little tough to shore up the West Front's old sandstone walls. But surely a nation that can put two men in space for 8 days can do the job. Extra office space is always nice, but after all we still have the new $125 million Rayburn Building.

I may find myself fighting another lonely battle on this one. The establishment packs a lot of power and they're all lined up on the other side. Maybe one man can make a difference. But just in case he can't, you better bring those kids down now for one last look while it lasts.

PRESIDENT TO ADDRESS WORLD PEACE THROUGH LAW CONFERENCE THURSDAY

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FRASER. Mr. Speaker, I wish to announce to the House that the President will be addressing the Washington World Conference on World Peace Through World Law at 10:30 a.m. tomorrow, September 16, at the Washington Hilton Hotel.

I am sure that many Members will be interested in hearing the President speak, and I have been advised that anyone who desires to attend will need to be in his place at 10 a.m.

PRESS BRIEFING BY BILL MOYERS, PRESIDENT JOHNSON'S PRESS SECRETARY

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Speaker, I was impressed by reading the transcript of the press briefing held this morning by White House Press Secretary Bill Moyers and would like to share it with other Members of the House. It shows the broad scope of news developments in our fast-moving world of events, national and international.

Aside from very pleasant news of the appointment of our former colleague in the House, Frank M. Coffin of Maine, as circuit court judge, the transcript shows the great efforts being made to furnish the Nation's press with broad background information on major news events by providing the opportunity to explore such events through informal questions and answers.

I think Members will be interested in noting the terse, direct answers which Mr. Moyers provides to the White House reporters' questions, which cover such diverse matters as the duties of White House staff members, the diplomatic situation involving the India and Pakistan dispute, the role of the United Nations in this tragic conflict, and other interesting subjects.

Mr. Speaker, the full text of the press briefing follows:

News Conference at the White House With Bill Moyers, 11:10 a.m., September 15, 1965

Mr. Moyers. The President has offered the State of Louisiana the services of approximately 3,000 to 4,000 Neighborhood Youth Corpsmen to assist in the cleanup of the effects of hurricane Betsy. Up to $1 million of existing funds for the Neighborhood Youth Corps has, therefore, been set aside for this special project. These corpsmen will salvage and rehabilitate public facilities, work which normal disaster relief does not include.

Question. Did you say public facilities?

Mr. Moyers. Yes.

Question. Where will they come from, Bill?

Mr. Moyers. They will come from all over Louisiana, parts of the Southeast—Texas—that area around there. Most of them, however, are right out of Louisiana projects.

Question. What is the age group of these corpsmen?

Mr. Moyers. Sixteen on up to 25.

Question. That million dollars is from Neighborhood Youth Corps funds?

Mr. Moyers. Yes.

Question. Would you elaborate on what the public facilities are?

Mr. Moyers. Cleaning up streets, public parks. Cleaning up recreational areas, removing debris from such projects as youth centers. They will try to bring back to ready availability these services that are normally available in the city which have been obstructed by the hurricane.

Question. Largely urban projects?

Mr. Moyers. Yes, largely urban.

Question. Has it been accepted by Governor McKeithin?

Mr. Moyers. He has accepted it.

Question. Is that a going thing?

Mr. Moyers. Yes, it is being implemented today.

Question. Are all of these people presently enrolled in the Neighborhood Youth Corps?

Mr. Moyers. That is correct.

The President is announcing his intention to appoint Frank Morey Coffin, of Lewiston, Maine, to the First Circuit Court, succeeding John P. Hartigan, who has retired.

Mr. Coffin, whom I think most of you know, is from Lewiston, Maine. He received his A.B. degree from Bates College, and an LL.B. from Harvard. He has four children. He has been in the private practice of law in Lewiston. He was in the Navy during the war. He was in private practice in Portland from 1952 to 1957. From 1957 to 1961 he was a U.S. Congressman from Maine. From January 1961 to September 1961 he was managing director of the Development Loan Fund. From 1961 to 1964 he was Deputy Administrator of the Agency for International Development. Since 1964 he has been U.S. Minister and Permanent Representative of the Development Assistance Committee for the Organization for Economic Cooperation and Development in Paris.

Question. Will you post that?

Mr. Moyers. This will be posted. He was born in 1919.

Question. Does that circuit court sit in Boston?

Mr. Moyers. Yes.

The President is announcing his intention to reappoint two U.S. marshals. We will post this information. Their names are Victor L. Wogin, Jr., of New Orleans, and Joseph V. Conley, of Providence, R.I.

The President last night signed H.R. 4465. That information will also be posted.

The President is reluctantly and regretfully today accepting the resignation of two Special Assistants to the President: Mr. Richard Goodwin and Mr. Horace Busby.

Mr. Busby, before coming to the White House, was a management consultant. As I think most of you know, he served on the President's staff when he was a Senator from Texas, and then when he was Vice President. Mr. Busby has worked for him, over the years, on a variety of projects. He has been the Cabinet Secretary at the White House, and also a Deputy to McGeorge Bundy. There is an exchange of letters between Mr. Busby and the President.

Question. What is he going to be? What is he going to do?

Mr. Moyers. He's going to return to business.

Question. Where?

Mr. Moyers. Here in Washington.

Question. What was the name of his firm? Do you recall?

Mr. Moyers. No.

Question. Was his firm in Washington before?

Mr. Moyers. Yes.

Question. How many years has he worked with the President?

Question. What is his hometown?

Mr. Moyers. His hometown is Austin.

Question. Didn't he have a newsletter?

Mr. Moyers. He had a business management consultant firm, part of which, I understand, was an informative newsletter.

He has been with the President, I believe, about 18 years—at different times during that period.

His letter says:

"Dear Mr. President: I appreciate your warm understanding and generous consideration during all our recent conversations. You know how much I would enjoy continuing my present duties. But I have concluded reluctantly that I should not extend my stay longer than originally planned—so, if convenient, I would hope to return to private life on October 1.

"Under the circumstances, I realize a letter of resignation is routine, but the expected formalities seem artificial and come awkwardly. I can resign my desk but not my devotion. It is a rare honor—and a proud one—to have worked with you, on your staff or otherwise, in each of your elective offices. After nearly 18 years, these 18 months at the White House have been for me a privileged time—and I am grateful.

"Your Presidency is historic already. But the works for which it—and you—will be best remembered are still to come. A new America has come into being these last few years, in a world that is new, too. Your great determination that our system shall successfully serve these times of change is an inspiration that makes every day too short for those working with you.

"Mary V and I—and the children, too—are grateful especially for the private opportunities to share with you and Mrs. Johnson the happiness as well as the history of these months and years. As always, if there is a need for me, I won't be far."

We are also giving you an exchange of letters between the President and Mr. Goodwin.

Mr. Goodwin's letter says:

"Dear Mr. President: I have given continued and serious thought to the decision I communicated to you before leaving on vacation. I now know that compelling personal reasons make it necessary for me to leave.

"I am saddened by the fact that I must now leave your service, and through you the service of the country. No one has ever shown greater kindness or warmth toward me. You have given me an enormous and unmatched opportunity to serve America, and, in the process, given generously of your trust, confidence and friendship. It is a relationship which I will prize all my life. And I will always try to repay it with loyalty and devotion.

"I am also grateful that during our work together you have broadened my horizons to include Texas, the land, and the America from which you come. Beginning in ignorance I have ended in respect and affection. And I will always be a broader person for it.

"In a very short space of time you have ensured yourself a place as one of the great leaders of this country. I am grateful to have been even a small part of that. And I know as the fruitful years of your administration continue, this country and the entire world will have continuing reason to welcome your leadership.

"I hope I have communicated how difficult it is for me to leave the service of a man I admire so greatly. But I would rather regard it as an interruption and a change of direction in service to the country and to the ideals you represent. I will continue to support your policies and programs because I believe in them and find them consistent with my own thoughts and hopes. And perhaps, in some small way, I can continue to be of service."

Question. What is Goodwin going to do?

Mr. Moyers. Dick is going to the Center for Advanced Studies at Wesleyan University in Middletown, Conn. This is, by the way, the place from which Doug Cater came when he joined the White House staff early last year. Mr. Goodwin is going to be engaged in private research. He's told me that he intends to do not only special studies but some writing, as well.

Question. A book?

Mr. Moyers. No; I don't think he contemplates a book.

Question. Memoirs?

Question. Does he have other duties besides writing speeches?

Mr. Moyers. Mr. Goodwin has been responsible for liaison in the field of urban affairs, in the field of the arts and the humanities, in the field of civil rights, in the field of many of the social and economic projects with which the White House constantly deals.

His place in those functions and in those roles will be now assumed, at the President's request, by Mr. Harry McPherson. Mr. McPherson, I think, most of you know. He has had a very rapid and successful rise in Washington. He joined the staff of the Senate Democratic Policy Committee as assistant counsel in 1956. He was appointed associate counsel of the policy committee in 1958. In 1961 he was named general counsel of the policy committee and continued to serve on the Legislative Review Committee as counsel. He was appointed Deputy Under Secretary of the Army on October 31, 1963, by then Secretary of the Army Cyrus Vance.

In that position he was the personal adviser to the Secretary of the Army on international security affairs and foreign relations affecting the mission of the Army. He was responsible for advising on policy determination in connection with the governing of the Panama Canal Zone.

He, additionally, was appointed the Special Assistant for the Secretary of the Army for Civil Functions in April 1964. This responsibility involved his working in civic and social responsibilities to the Corps of Engineers of the U.S. Army.

And in August 1964, he was appointed, and confirmed by the Senate, to the position of Assistant Secretary of State for Educational and Cultural Affairs. In this capacity he is responsible for the administration of the educational and cultural exchange programs authorized by the Fulbright-Hays Act, the Smith-Mundt Act, and the Fulbright Act of 1946. He serves as a Chairman of the Inter-Agency Council on International Education, and serves as a member of the National Review Board of the East-West Center. He supervises leader grants for foreign nationals, the U.S. cultural presentation program, and the preparation of U.S. policy in UNESCO.

He has quite an outstanding record, which I will post.

Question. Is he from Texas?

Mr. MOYER. He was born in Tyler, Tex.

Question. Who succeeds Mr. Busby, Bill?

Mr. MOYER. At this time there have been no arrangements for the assumption of his role.

Question. What was Mr. Busby's specialty?

Mr. MOYERS. Buzz was, of course, the key person as far as liaison with the Cabinet is concerned and with the Executive Department of the Government. He has been for a long time a very close adviser-friend of the President and was, therefore, helpful on matters not simply relating to Cabinet affairs. He has been working with Mr. Bundy at the President's request, as the President himself announced earlier this year. He has been a strong, across-the-board laborer in the vineyard.

Question. There was a reference in his letter to the President of having stayed longer than he had intended to do. Do you know what his original intention had been?

Mr. MOYERS. My only knowledge of it, Al, is that when the President asked Buzz to come to the White House shortly after the assassination he had arranged his personal affairs so that he could at least stay a year. I do not know the details of that, but that has been stretched beyond a year, considerably.

Question. Bill, who will be doing the work that Goodwin has been doing?

Mr. MOYERS. Special Assistant to the President Harry McPherson will assume program responsibilities that Dick had.

Question. How about writing?

Mr. MOYERS. A number of people are involved in that.

Question. Does he already have the title of Special Assistant?

Mr. MOYERS. Yes.

Question. He has been serving with Lee White, has he not?

Mr. MOYERS. As I announced some time ago when Hobart Taylor departed the White House and Cliff Alexander was made Associate Special Counsel, I pointed out that Harry McPherson had been made Special Assistant to the President and would be involved in general as well as legal matters.

Question. Now presumably he will be out of the legal end of things?

Mr. MOYERS. That is correct.

Question. How old is Goodwin?

Mr. MOYERS. Dick is 34, I believe.

Question. How long has he been at the White House?

Mr. MOYERS. Dick Goodwin has been in Government for 7 years, and as background, he told me that this was a factor; that he felt the time had come for him to get back into private life for a while after 7 years. He came to Washington in 1958 and was first a clerk to Justice Frankfurter when he came out of Harvard. Then he worked on Congressman OREN HARRIS' Committee on Legislative Oversight. He next joined Senator Kennedy's staff and came to the White House in 1961, after serving as a key aid in the campaign of 1960. He then went to the State Department and then to the International Secretariat for Volunteer Development, which is operated by the Peace Corps and State Department and the Agency for International Development. He returned to the White House early last year and has been with the President since then.

Question. Bill, there was an extremely interesting statement by Ayub Khan this morning where he was indicating his desire for some kind of U.S. diplomatic intervention to try to settle this conflict in India and Pakistan. Has this been brought to the President's attention, and has the President any reaction?

Mr. MOYERS. As we have consistently said, Bill, the U.S. position has been strongly and without equivocation to support the role of the United Nations. The President has put the full weight of this Government behind the United Nations. He has given instructions repeatedly to Ambassador Goldberg and Secretary Rusk to stress very strongly the role of the Security Council. He hopes that the United Nations offers the possibility of achieving and mediating peace. Of course, the President wants to do anything and everything that he can to achieve peace, but he and his advisers have believed that that route is through the U.N., and that position remains the same. At what time and to what extent the President personally can be helpful is a judgment only the President can make.

Question. Well, I take it though, since Ayub Khan's statement came after some days of meetings with the Secretary General and after the Secretary General had been in New Delhi, it was at least the opinion of the Pakistani leader that a more direct U.S. intervention, political, would be welcomed and it seems to him desirable?

Question. As a matter of fact, he said that pretty flatly in his statement. He wants the United States to come in on its own.

Mr. MOYERS. We remain very hopeful and the President personally remains very hopeful that the U.N. will be able to resolve this issue between India and Pakistan, and the President very strongly hopes that it will be given every opportunity to do that.

Question. Bill, can you say what it is precisely that Ayub Khan asked the President to do, if you know?

Mr. MOYERS. I saw only what you have apparently read.

Question. Bill, has there been any direct communication between U Thant and the President, or even indirect communication from Ambassador Goldberg that would lead the President to believe U Thant's mission is in any degree successful?

Mr. MOYERS. Well, the public statements of the Secretary General, as well as the ordinary diplomatic reporting, indicate that his mission is not completed.

Question. But the converse of that, is there any indication privately to the President that the mission is successful in any way?

Mr. MOYERS. We simply remain hopeful that it will be successful. We will not know that until it is finished.

Question. Does what you say rule out any mediation role by the President?

Mr. MOYERS. I am basing my comments strictly on our previously expressed and continually reiterated support of the Secretary General.

Question. Bill, has the President personally had any telephone conversation or written communication with Shastri or Ayub Khan?

Mr. MOYERS. To my knowledge, no.

Question. Bill, is the first indication the President got from President Ayub Khan of his desire for U.S. intervention through the news media, or has there been any private communication before this?

Mr. MOYERS. We have had Ambassadors in both countries, Bob, and they do a very active job of reporting back to the Department of State and to the President.

Question. Can you say whether there was advance notice of what he said publicly today to U Thant through diplomatic channels in advance?

Mr. MOYERS. That is a question I don't have the answer to.

Question. Is the President going to be speaking to this World Rule Through Law thing tomorrow?

Mr. MOYERS. I will have the schedule at 4, and that will be on it if he is going.

Question. He is not going today then?

Mr. MOYERS. No.

Question. Bill, General Wessin y Wessin has made some charges against the United States with respect to his ouster from the Dominican Republic. Is there any White House reaction?

Mr. MOYERS. No.

Question. Bill, there seems to be some confusion in the White House report yesterday as to whether President Johnson actually had a private conversation with Madame Chiang on matters other than frog legs?

Mr. MOYERS. He did talk to Madame Chiang for a while. He had a very delightful and enjoyable conversation with her. That is all I have on it.

Question. Bill, do you have an effective date for Goodwin's departure?

Mr. MOYERS. September 20. Mr. Busby's is October 1.

Question. Bill, what is the status of Larry O'Brien now? Is he physically here yet?

Mr. MOYERS. He is busy.

Question. When is he going?

Mr. MOYERS. I do not know. He is still here working, as the President asked him to, on the legislative program.

Question. There has been no replacement?

Mr. MOYERS. No.

Question. Is it a fair guess that he may not take the oath of Postmaster General until after the congressional session is over?

Mr. MOYERS. I have not talked to him or anyone else about it.

Question. Bill, can you tell us, does this mean they have announced three billets open in the list of special assistants?

Mr. MOYERS. No. We do not have a set number of particular billets.

Question. There are 14 offices?

Mr. MOYERS. I think that is correct.

Question. With the departure of these 3 people will only 11 of them be filled?

Mr. MOYERS. Mr. O'Brien is still in effect here.

Question. No successor has been named?

Mr. MOYERS. That is correct.

Question. Or for the others?

Mr. MOYERS. I think you can say in effect there are 2 of the 14 unoccupied at this moment.

Question. Only two?

Mr. MOYERS. Mr. O'Brien is still here.

Question. Bill, is the President being kept informed of the threatened strike against Boeing?

Mr. MOYERS. As I understand it, Secretary Connor and Secretary Wirtz are in touch with the situation, and through them the White House remains informed.

Question. Any indication of intervention in it?

Mr. MOYERS. No.

Question. Bill, has the President or anyone in the administration discussed with Dr. King the letters he said he was going to write to leaders of the world about peace?

Mr. MOYERS. To my knowledge, no.

The PRESS. Thank you.

HOW THINGS GET DONE

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, the U.S. News & World Report magazine this week published a most informative and interesting copyrighted interview with Lawrence F. O'Brien, special assistant to the President for congressional relations in the Kennedy and Johnson administrations.

Mr. O'Brien, who has been appointed Postmaster General by President Johnson, points out in this interview that the successful record of the 1st session of the 89th Congress was the "fantastic" result of a 5-year effort to cement good relations between the executive and congressional branches of Government.

Mr. Speaker, with permission granted, I place this interview by correspondents of U.S. News & World Report with Mr. O'Brien in the body of the RECORD with my remarks:

[From the U.S. News & World Report, Sept. 20, 1965]

From White House to Capitol: How Things Get Done—Interview With Lawrence F. O'Brien, Newest Member of the Cabinet

(Nothing has ever quite matched it—President Johnson's legislative successes surpass even those of the hundred days, which launched Franklin D. Roosevelt's New Deal. How has this been accomplished? Lawrence F. O'Brien, bridge to Congress for Presidents Kennedy and Johnson and now to be Postmaster General, tells the inside story in this interview, conducted by staff members of U.S. News & World Report in the magazine's conference room.)

Question. Mr. O'Brien, is the record of the 1965 session of Congress unusual?

Answer. I think the record clearly shows that this particular legislative session is historic.

Question. Surpassing Franklin Roosevelt's hundred days?

Answer. That's right.

Question. Did the election do it, or did President Johnson do it, or did your legislative liaison do it? What did it?

Answer. I think it's a combination of several factors.

I think that the American people have confidence in the President. I think that, during the past 5 years, Members of the Congress felt that the executive branch proposals, the leadership of the President, met with the approval, generally, of the American people. That is a major contribution to the hoped for end result. On Capitol Hill there are 535 elected office holders with constituencies, and they're willing to work with us, and we're hopeful we can work with them.

We understand clearly that we propose and they dispose. The President is the leader of all the people, and it is expected of him by the Congress that he propose, but we never neglect one of the basic facts of political life, and that is that we cannot suggest to Members of Congress, individually or collectively, that they commit political harakiri.

Question. No, they're elected men—just as much elected as the President is——

Answer. That's exactly right.

Question. The President has said that you were a man who had turned dreams into reality. What does it take to turn an idea into a Federal law?

Answer. The relationship between the President and the Congress generally, and with the leadership particularly, has brought many of the ideas to reality. Once a reasonable consensus is achieved in the country, you can anticipate the enactment of legislation.

Question. Does it take time for this to percolate to Congress?

Answer. It can.

Question. Many of today's actions have been in the air for a long time, haven't they?

Answer. Many of them. A good example is medicare. This was proposed by Democratic administrations since the days of President Truman. It took many, many years and much persuasion and expression at the polling booths to bring it to reality. On the other hand, you have proposals that can take form and become an actuality, perhaps, in one session of Congress. Appalachia is a good example. It required talks in the area, consultation, the formation of a committee of Governors, a very detailed review of the problems involved, and the presentation of proposals by the commission that was established. All of this moved rapidly.

Question. And poverty?

Answer. The poverty program, yes.

Question. How about rent subsidies?

Answer. The rent-subsidy provision in the housing bill is a good example. We are currently working on the heart, cancer, and stroke program that was proposed by the President in his state-of-the-Union message.

Question. Just this year—and it's through one House, isn't it?

Answer. It has passed the Senate and it is now out of the House committee and awaiting a rule. That could be an example of a major proposal that we feel is in the national interest that could be brought to reality in a matter of a few months.

Question. Did all this take a lot of arm twisting?

Answer. I have read a great deal about arm twisting, but I must say that I just don't know how you go about it.

Question. How do you twist an arm?

Answer. I never learned. I don't think it's in the nature of things.

If you're talking about persuasion: We initiate by proposing. Then, of course, we continue to promote our program on a day-to-day basis. Ultimately, we would hope for acceptance by a majority of the Congress.

Question. How much contact do you have with Members of Congress?

Answer. A great deal.

Question. With each Member?

Answer. Yes, a great deal of contact. The President has a great deal of contact. President Kennedy did, and President Johnson does.

Question. Is that where you and your staff come in?

Answer. Yes. This represents, I think, a rather unique—perhaps even historic—approach to the relations between the executive and legislative branches of Government.

The new relationship was brought about in the 1960 elections. We had won an election in the sense that we had captured the White House, but at the same time we had lost 21 seats in the House—Democratic seats that had been occupied by people with a record of voting consistently for Democratic proposals. It was this background that led, within hours after inauguration, to the problem of enlarging the House Rules Committee so that the President's proposals could reach the floor for a vote.

We found ourselves in what we call a head count overnight. It became essential to work with the leadership in the House and check out each Member to try to accomplish the change of enlarging the House Rules Committee. My recollection is that the rule change came about by a very narrow margin after a battle which lasted for 2 or 3 weeks.

Our challenge was to bring into force all elements of the executive branch that were involved in the legislative program—departmental and agency elements along with the White House staff that we had put together in those first few weeks—and to establish a very close working relationship with the Congress, specifically with the leadership—House and Senate. We recognized, of course, that in our history there were occasions when a relationship of this nature didn't even exist. And there were many occasions when it was tenuous. But we had to—within the specifications of the Constitution, the separation of the branches—build this invisible bridge down Pennsylvania Avenue.

BUILDING THE "BRIDGE"

Question. How did you do that? By contacts with individuals?

Answer. Yes. We started immediately to arrange for regular meetings, regular contact with our leaders on Capitol Hill on a week-to-week basis. We provided for a series of meetings, social gatherings, informal meetings of one sort or another that would bring the President in direct contact with the Members.

We did everything possible to bring about a close relationship that would ultimately make for easy contact, a close rapport—the human element is ever present, as we saw it—that would let these men on the Hill feel that they could pick up the phone and call the President or the White House and discuss matters of interest.

We, in turn, wanted to feel comfortable in doing the same thing, so that, when difficult occasions arose, when the serious decisions were to be made by way of floor action in the Congress, these people wouldn't be taken by surprise when the staff made contact with them.

Over those years, we tried to forge this and expand it and utilize people in the departments and agencies. We meet regularly, for example, with some 40 key congressional-relations people. They represent every department and agency of the executive branch. They report to us in writing every Monday noon.

Those executive-branch people detail their activities with Congress over the previous week, and project for the coming week. On Monday evening, we review these reports. We prepare, in turn, a report for the President for his night reading on Monday night—and we prepare a suggested agenda for the President when he meets with the congressional leadership at breakfast on Tuesday morning.

Question. Has this been done before?

Answer. It was quite informal through the years, or nonexistent in some periods of our history. The formalization of it, in the sense that it is now a department of the White House, is new.

Question. Did President Johnson carry this method further than President Kennedy?

Answer. Yes, he expanded it. I think this has grown. I think that President Johnson's knowledge in depth of the Congress and his close relationship with so many Members—almost all of them, House and Senate—have added to this procedure. Of course, President Kennedy had 14 years in Congress, so he had a realization as a House Member and as a Senator that there had not been, as he saw it, a very close relationship.

Question. But he ran into barriers—

Answer. We had the problem of the reduction in Democratic support up there as a result of the 1960 election. Even so, there was a great deal of legislation enacted during those early years. We had our frustrating moments, but the record shows that there was some real progress made.

Question. Haven't you had many of those frustrations since?

Answer. We started under President Kennedy by creating the Peace Corps and the Alliance for Progress. We went on, very quickly, into a meaningful housing bill, the first minimum-wage law in 8 or 9 years. We created the Disarmament Agency.

Question. And the nuclear-test ban?

Answer. The test-ban agreement, and the establishment of the Communications Satellite Corporation, and a higher-education bill. So there were real signs of progress, but, in each instance, the accomplishment came about after a great struggle and, invariably, a very, very close vote on the floor.

Question. Apparently something broke there after Mr. Johnson became President——

Answer. I think the key to these 5 legislative years that we're discussing is that, at the time of the assassination, President Johnson immediately placed his hand on the tiller—that continuity was clearly established.

In the country and in the world there was obviously, as we all know, a considerable concern. There was worry about the future. Just how could this democracy meet this test? I think that the main element is, without question, the attention that the President, even on the plane to Dallas, paid to the immediate problems. Within moments, he took hold decisively. I think that is a key to a great deal that has happened since. We had movement. Movement increased, actually.

Question. You got the tax bill——

Answer. The situation improved. And we had some major legislation partially through Congress at the time of the assassination—for example, the civil rights bill. But I would say that, if there had been the slightest hesitancy that would cause any concern among our elected officials or the people generally, it could have been very troublesome and difficult. The fact that this did not occur has brought about what has to be described—not because of my individual involvement, in any sense—but what has to be described objectively as a fantastic record.

Question. What part does money play in legislation—dispensing of Federal projects and jobs?

Answer. That goes along with arm twisting. I wonder how some of these ideas grow.

Question. Would you lump logrolling in that, too?

Answer. Yes; I would. First of all, on jobs: Except for a minute number of Federal jobs, these positions are under civil service.

Question. How about Federal projects?

Answer. Projects, to a great extent, are determined in their order, procedurally; and, from the point of view of need, they're determined to a great extent by the Congress itself.

Question. You keep hearing of these methods being used——

Answer. Sitting down with a Member and saying, "Well, all right, we'll trade. You vote for this particular item in our program and we'll trade a dam or a bridge for it." It just doesn't happen.

Question. How about logrolling? Take 14(b) as a practical example: They say you are trading farm votes for city votes on 14 (b)—the move to repeal the so-called right-to-work provision of the Taft-Hartley Act——

Answer. I've been intrigued by those reports.

WHAT SWAYS CONGRESSMEN—

Question. Is that happening?

Answer. I think if you'll look at just the last few months, perhaps even the last few weeks, you had rural Congressmen supporting a Department of Urban Affairs. You had Congressmen from outside Appalachia supporting aid to Appalachia. You had city Congressmen in goodly numbers supporting the recent House action of the farm bill. If that hadn't been the case, there wouldn't be a farm bill out of the House.

I know that the term "logrolling" is accepted as a way of political life, but I sincerely believe that there is a strong view, generally, on the Hill that you must vote and legislate in the national interest. Today it may be of particular impact in your area, but tomorrow it can have impact in other areas. More often than not, it's a national impact.

I find that, for example, on a farm bill, as far as 14(b) is concerned, certainly we aren't promoting any suggestions that one can be traded off against the other.

I think it's a little unrealistic to suggest that we can take this jigsaw puzzle and have all the pieces fit in and aim everything in a direction that brings about a total end result as desired by us. We're compelled to work on these matters as the Congress determines action on them, and, as we go forward, we try to remain alert and work very closely with Congress.

It's often suggested to me, "Well, how about the timing?" The idea is, you could time this to hit at a certain point in the legislative process and something else could come earlier or later or whatever. I'd like to think that there is some way to accomplish that. Perhaps it would be a smoother operation, but I assure you that this Congress is not a rubberstamp Congress.

Question. Aren't you going to time action on 14(b) toward the end of the session?

Answer. Determination on the remaining schedule in the Senate will be on a basis of committee action and on a basis of leadership decision. What we would like to have accomplished, among other things—I'm always concerned that I may overlook something when I start discussing items—would include, certainly, our immigration bill. We want to finalize our higher education bill. There is obvious need for a farm bill. This administration certainly has taken the responsibility for repeal of 14(b), and I think we've proven the case by our efforts in this area up to now.

I would think that, before the Congress adjourns, these matters will be voted up or down. Our concern is that we have the opportunity to have the Congress express its will. If the "Great Society" program is acted upon by the Congress, up or down, then, certainly, they've discharged their responsibility, as we see it.

Question. The late Senator Kerr of Oklahoma, who was quite a power in the Senate, used to say of logrolling: "This is the art of American politics. I'm not ashamed of it, I'm proud of it." Would you accept that definition?

Answer. Perhaps I'm somewhat naive. But logrolling—I think that, before I came to the White House, I understood what it supposedly entailed—I have seen little indication that it goes on as the political scientists envision it.

Just a cursory glance at the rollcalls—and you certainly have had a variety of them in the House and the Senate over the last few months—will indicate no pattern such as that.

When you find that the Members have confidence in the President—and their confidence is determined by the reaction of their constituents to the President and his program—that logrolling and all of these approaches—arm twisting, exchanges of favors, and all that—all go by the board. It just is nonexistent.

Some people might ask, then, to use a political term: "What muscle do you have?" I think it's obvious that Congress is likely to react on the basis of reactions back home. Some of these programs take a long, long time—much too long, in our view. Others come along quite quickly.

THE SWITCH ON MEDICARE

Question. What caused Chairman WILBUR MILLS of the House Ways and Means Committee to change his mind about medicare? His commitee blocked it for many years, and he had something to do with that——

Answer. I think that when the Kerr-Mills bill was enacted prior to the Kennedy and Johnson administrations, Chairman MILLS was convinced that the medicare approach was not in the national interest—that the problem should be resolved totally on a basis of need, and should be handled, to a great extent, on the State level. As time went on, I think that Chairman MILLS reviewed the situation and finally became convinced that the medicare program should go forward.

Of course, we were pressing for medicare from the time of President Kennedy's inauguration. But we had to wait patiently for Chairman MILLS and other members of that committee to come around to thinking that indeed this program was worthwhile.

Question. Of course, the election changed the membership of the committee a little——

Answer. A few members, that's correct. The election was meaningful in the area of medicare and in other areas, because it indicated that the American people supported President Johnson and his program.

Question. Would you give the election considerable weight in the success of this session, then?

Answer. I think the election gave the American people an opportunity to place their stamp of approval on the President. This obviously would make an impression on elected officeholders.

There's a significant factor here, and that is the voting record of the freshman Democrats in the House this year. That record shows, I believe, that they overwhelmingly feel that their ability to remain Members of the House of Representatives is, to a great extent, dependent upon the outstanding record that the President has achieved—and their support of the program that has brought about this record.

Question. Haven't some of the administration leaders made that point rather forcefully with the freshmen?

Answer. I think that this freshman class has received a great deal more attention than previous freshman classes, and I believe they feel that we have a great deal more understanding of their problems. I think they feel a little more comfortable.

HOW SOCIALIZING HELPS

Question. Do the President's social events at the White House help?

Answer. Very much so.

Question. Are invitations to the wives of Congressmen to be guests in the living quarters of the White House helpful, too?

Answer. It has had a great impact, and I think it's all part and parcel of President Johnson's attempt to further refine and broaden this basic concept of individual contact and rapport. The freshmen in this Congress have been invited to the White House on at least three occasions so far since they were elected.

Question. Don't they come over, too, on bill-signing occasions?

Answer. That's right. And, as you know, we've had briefings for the Members of Congress.

Question. How much contact does the President himself have, individually, with Senators and Congressmen?

Answer. The President has regular and continuing contact with the Democratic leadership on a day-to-day basis; with the Republican leadership on appropriate occasions. He has a great deal of contact with key Members of Congress, the chairmen of committees and subcommittees.

Beyond that, however, he has many occasions for individual and small-group contact. There could be signing ceremonies, briefings, social occasions—a variety of contact. The President will, on occasion, telephone Members of Congress.

Question. Is all that organized?

Answer. To some extent, yes—but the situation at the moment can dictate any call or contact.

Question. The President seems to go up to the Capitol more frequently than any other President within memory. Does this help, too?

Answer. Of course it does. He has the great advantage of knowing most of these people intimately. They are old friends, old associates, and it becomes an occasion when there is a great deal of warmth, a great deal of banter—a very friendly occasion.

Question. Are we becoming a one-party state? Could we? The Republicans don't seem to be very effective, and the Democrats are getting better organized. Do you decry this trend?

Answer. I think I would limit myself to saying that I believe in the two-party system.

Question. Has the President himself been surprised at the measure of his success with his legislative program?

Answer. He has been extremely pleased. But you have to look at the 5 years and at the unusual effort that has been expended to build this bridge. I think what has been proven over this period is that you can work together—the White House and Congress.

Question. Has collapse of the old coalition between the South and the Middle West helped to enact the present program?

Answer. We worked arduously in that area.

Question. To get it to disappear?

Answer. We realized there was at least an accepted premise that there was a coalition of Republicans and southern Democrats.

Question. There was an economic interest, too——

Answer. But if you'll look at the last 5 years, you will find a gradual erosion of southern Democratic opposition. There, again, the human element enters into it to a great extent—the relationship between both Presidents and the individual Members.

As this took place, the Republican opposition to domestic proposals—particularly major ones that were historically Democratic Party proposals—hardened considerably. But we were able to compensate for that by increased Democratic support, and I honestly don't believe that this so-called coalition has existed for the last few years.

Question. Do you see indications that the things President Johnson, as a young Congressman, learned by watching President Roosevelt—possibly mistakes that F.D.R. made—have influenced his dealings with Congress?

Answer. The President has, on many occasions, shown a detailed knowledge of the Roosevelt era. Certainly the period that came about when Roosevelt had his difficulties with Congress is a matter that President Johnson is aware of, in complete detail.

Question. Do lobbies that exert pressure for or against legislation perform a useful service? Or are you against lobbies?

Answer. No, I'm not against lobbies. They certainly have a function in a democracy. We've had occasions when we have worked together. The senior citizens' group for medicare is an example. The businessmen's committee for a tax cut is another example.

Question. Is pressure for repeal of 14(b) another example?

Answer. That's right. The AFL–CIO, of course, generally is in support of our program, and we have a close working relationship with the labor leadership. But what is interesting about our program, over the last several years, is that it has expanded our area of contacts.

It has been of interest to me, personally, and, I think, in the interest of the American people, that a Democratic administration has had a good working relationship with the business community. The business committee that was formed by the Treasury Department a few years back has worked very closely with us on depreciation allowances; the tax proposals we've had up to and including tax reduction, and then, of course, excise tax repeal. Very frankly, they have lobbied.

The international trade bill is a good example of effective lobbying. We had labor and the business community on the same team. My recollection of that struggle is that we needed all that help.

Question. Can lobbyists kill legislation as well as make it?

Answer. Congressmen and Senators feel that national representatives of business and labor groups, citizens' groups, are spokesmen for people who have a vital interest in a piece of legislation, sometimes favoring it, sometimes opposed to it. I do think that they make an impact, that they're listened to. They certainly have an important voice in Government, in the legislative process, and they should.

Question. Does the President work with lobbyists the same way he works with Congressmen?

Answer. I don't know of presidential involvement directly with lobbyists in that sense. But, for example, the President, and President Kennedy before him, met with representatives of the business community, and they worked well together. Obviously, both Presidents have met regularly with representatives of organized labor.

The American Medical Association is an example of an effective lobbying group in opposition to a major element of our program, medicare. I think that the AMA represents an important segment of American life, and certainly there are many areas in which we would want and hope for a cooperative effort with the AMA.

AS MORE NEGROES VOTE

Question. Do you foresee big changes coming next year as a result of increased voting by Negroes under the Voting Rights Act? In local elections, State elections?

Answer. I would think so. There'll be changes in voting patterns, voting habits. I think it's all to the good. I don't know which party may be the ultimate beneficiary, but the fact of the matter is that our country is the beneficiary, and I'm sure there will be some changes.

Question. Do you have a hunch which party will benefit?

Answer. Obviously, the record shows, at this point, rather overwhelming support for the Democratic Party by Negroes. But I don't think that in any sense the Negro community is a captive of the Democratic Party.

Question. If President Kennedy had lived and been reelected do you think that the legislative record would have been much the same as it is now for a 5-year total?

Answer. That would be impossible to determine. All I could say regarding that is that, as we progressed through the first and second legislative years, it was obvious that we were moving well, that we had very few setbacks. We weren't moving as rapidly as we wanted to, but we were putting on the ledger meaningful legislation each year.

At the time of the assassination, we had additional meaningful legislation in the pipeline. Civil rights is an outstanding example.

The only fair judgment to make of this entire period—this 5-year legislative period which I have to describe as a "golden era"—is that you had continuity, you had movement, you had expansion of activity, you had increased attention. But it was a growing situation from the outset.

The key point is that, as this gradual growth and improvement took place, disaster struck us. I think that what occurred from that point on is most meaningful.

The President said to me on the plane at Dallas, as we waited for the judge to arrive to swear him in, that he recognized totally his constitutional responsibility and was immediately accepting it.

At that very moment, he was thinking out the problem in detail—just what steps he should take to insure continuity. He turned to me and said:

"You have no constitutional obligation. You have no signed contract. You're an American citizen, free to do what you please. And I ask you to stand shoulder to shoulder with me."

I told him that I certainly recognized that responsibility, as any citizen who was in my position at that moment would recognize it.

I think that the thought in his mind was that he wanted to keep this team together, that there should be no break in it. He said to me:

"Your activity and your conduct of that department in the White House should continue as is, and you have a blank check to carry that out."

I must say that to this moment it has been a blank check, and I've tried the best I could to carry it out.

Question. Could you say how President Kennedy happened to pick Mr. Johnson as his running mate? Were you on the inside of that decision?

Answer. I was with the Democratic nominee for President during that entire day, from early morning. I think I'll simply wait for history to spell it out. I haven't kept completely abreast of the various versions of what occurred that have been written recently.

JOHNSON AND THE KENNEDYS

Question. Is the President getting on well with the late President's brothers?

Answer. Extremely well. I don't know of any indication otherwise. Both Senator **Edward Kennedy** of Massachusetts, and Senator **Robert Kennedy** of New York have a considerable amount of contact with the President in the normal course of the legislative program. There is a fine relationship among them.

Question. You mentioned that this was not a rubberstamp Congress. Would you give examples of programs that have been modified by Congress?

Answer. Most programs, in fact, are modified somewhat. On Appalachia, for example, Congress included several counties of New York State—or, at least, made them eligible for participation in the program. Also included in that bill was a reorganization of the possible need for similar programs in other areas of the country.

Question. Medicare?

Answer. A great deal of the broadening of the medicare bill was accomplished in the House Ways and Means Committee and the Congress.

But the basic concept was kept intact, and the final program was, in many ways, an improvement.

That's what I was trying to cite—that the Congress works its will, and it should. There's no question about it. I don't think there is any other procedure that anyone should attempt to follow. In the White House, we totally recognize that Congress can and will carefully review our proposals and oftentimes alter them.

Question. As Postmaster General, are you going to continue your liaison work with Congress?

Answer. The President has indicated to me that I would not throw into the discard 5 years of experience in this area, and that I would be available to him.

Question. Do you think that Cabinet members ought to make themselves more available to Members of Congress?

Answer. I think this: Availability is one thing; formalization is another, under our form of government.

The relationship we have is such that there isn't a member of the executive branch that isn't available to Members of Congress—or, for that matter, to an individual Member of Congress—at almost a moments notice. That has been part of our attempt to be cooperative and to stay close to them and their problems.

Question. In each department you have a staff of legislative-liaison men—

Answer. There are 40 key men in this area, and what I hadn't mentioned—and should have emphasized—is that the President just continually reminds the Cabinet and the agencies, as he puts it:

"There's no one more important in your department or your agency than the man responsible for congressional relations.

"You have the responsibility to see to it that you have the best possible man available. You see to it that he's adequately staffed, and you see to it that you maintain your relationship with the Congress every day of the week."

I haven't attended a Cabinet meeting in months that, at some time during the meeting, the President didn't get on this tack.

Question. And the results show?

Answer. He just keeps emphasizing it and reemphasizing it. Occasionally, it has appeared publicly on the record. But I can tell you that, for every occasion that it appeared publicly, there have been 10 occasions when, in general discussion, he reemphasized it. He says: "I feel that in the White House there's nothing more important than our legislative program. There's nothing that receives any more attention from me. There's nothing that I put greater emphasis upon than congressional relations, and that must apply to every department and agency."

Question. How does that emphasis apply to the White House staff?

Answer. In the White House, there isn't a member of the staff that isn't available immediately—regardless of what the individual may be doing, including a Presidential assignment—if, in our determination, his services are needed in congressional relations. He drops what he is doing and immediately takes on the task assigned to him in congressional relations.

THE ROLE OF THE CITIZEN

Question. To get all the work done, you must have 20 "brain trusts" operating—

Answer. We lean heavily on citizen participation in that area, too—and we like to get the feel of the grass roots and those that are most knowledgeable in a given field.

I'm not suggesting that we then, per se, take their suggestions, but we try to be sure that their views are not only expressed but that they're given full consideration.

That is the initial process, for example, in working out a new legislative program.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. **Jacobs**, for September 16, 1965, on account of business of the 11th District of Indiana.

Mr. **Van Deerlin**, for 2 days, on account of official business.

Mr. **Brown** of California, for September 16 and 17, 1965, on account of official business.

Mr. **Foley**, for September 16 and 17, 1965, on account of official business.

Mrs. **Sullivan**, for September 16, 17, and 18, on account of official business—hearings in Seattle, Wash., on the Food Marketing Commission.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. **Fraser**, for 30 minutes, today.

Mr. **Annunzio**, for 30 minutes, on Thursday, September 16; to revise and extend his remarks and to include extraneous matter.

Mr. **Wolff** (at the request of Mr. **Corman**), for 15 minutes, on September 16, 1965; to revise and extend his remarks and include extraneous matter.

Mr. **Hosmer**, for 30 minutes, today.

Mr. **Cunningham** (at the request of Mr. **Wydler**), for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. **Hall** the remarks he made in the Committee of the Whole on H.R. 9460 and to include extraneous matter.

(The following Members (at the request of Mr. **Wydler**) and to include extraneous matter:)

Mr. **Grover**.

Mr. **Fino**.

Mr. **Martin** of Alabama in four instances.

Mr. **Mathias**.

(The following Members (at the request of Mr. **Corman**) and to include extraneous matter:)

Mr. **St. Onge**.

Mr. **Tenzer** in two instances.

Mr. **Callan**.

Mr. **Jones** of Alabama.

Mr. **Teague** of Texas in three instances.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the following titles:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks; and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets SW., the "Francis Case Memorial Bridge."

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters;

H.R. 727. An act to provide for the administration of the Coast Guard Band;

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona;

H.R. 1892. An act for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired;

H.R. 2305. An act for the relief of Zenaida Quijano Lazaro;

H.R. 3039. An act to amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, under certain conditions, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due;

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty;

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve;

H.R. 8027. An act to provide assistance in training State and local law-enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes;

H.R. 8333. An act to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations;

H.R. 10586. An act making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes; and

H.R. 10775. An act to authorize certain construction at military installations, and for other purposes.

ADJOURNMENT

Mr. CORMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Thursday, September 16, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1579. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on June 30, 1965, pursuant to section 3031(c) of title 10, U.S.C.; to the Committee on Armed Services.

1580. A letter from the Deputy Director, Office of Emergency Planning, Executive Office of the President, transmitting semiannual Statistical Supplement Stockpile Report, for the period January–June 1965, pursuant to Public Law 520, 79th Congress; to the Committee on Armed Services.

1581. A letter from the Secretary of Commerce, transmitting report of all claims paid by the Department of Commerce during fiscal year 1965, pursuant to section 404 of the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

1582. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Johns and Pass-A-Grille Passes, Pinellas County, Fla., requested by a resolution of the committee on Public Works, House of Representatives, adopted February 24, 1960. No authorization by Congress is recommended as the desired improvement has been approved for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

1583. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitted a report, together with accompanying papers and an illustration, on a letter report on Finney Creek, Va., authorized by the River and Harbor Act, approved March 2, 1945; to the Committee on Public Works.

1584. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Jones Bay (Hobucken), N.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959; to the Committee on Public Works.

1585. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 19, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Lewis River, Wash., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962; to the Committee on Public Works.

1586. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on a letter report on Honga River and Tar Bay, Dorchester County, Md., requested by a resolution on the Committee on Public Works, House of Representatives, adopted June 3, 1959. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 10873. A bill to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty; with amendment (Rept. No. 1003). Referred to the Committee on the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 582. Resolution for the consideration of H.R. 30, a bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; without amendment (Rept. No. 1004). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 583. Resolution for the consideration of H.R. 9247, a bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; without amendment (Rept. No. 1005). Referred to the House Calendar.

Mr. MAHON: Committee of Conference. H.R. 9221. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes. (Rept. No. 1006). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 23. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; with amendment (Rept. No. 1007). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on House Administration. House Resolution 585. Resolution dismissing the five Mississippi election contests and declaring the returned Members are duly entitled to their seats in the House of Representatives; without amendment (Rept. No. 1008). Referred to the House Calendar.

Mr. NEDZI: Committee on House Administration. House Joint Resolution 309. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House; with amendment (Rept. No. 1009). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 11079. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 11080. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 11081. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. GONZALEZ:

H.R. 11082. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 11083. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. HARRIS:

H.R. 11084. A bill to amend the Public Health Service Act to provide that the chief medical officer of the Federal Bureau of Prisons shall have the title of Assistant Surgeon General; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND:

H.R. 11085. A bill to amend the Welfare and Pension Plans Disclosure Act to require adequate reporting of the turnover of participants in pension plans; to the Committee on Education and Labor.

By Mr. LANGEN:

H.R. 11086. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN (by request):

H.R. 11087. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and the District of Columbia Business Corporation Act, as amended, with respect to certain foreign corporations; to the Committee on the District of Columbia.

By Mr. O'HARA of Illinois:

H.R. 11088. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. OLSEN of Montana:

H.R. 11089. A bill to amend the act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Arizona:

H.R. 11090. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 11091. A bill to authorize the establishment of the Connecticut River National Parkway and Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYATT:

H.R. 11092. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. MILLS:

H.R. 11093. A bill to establish a highway beautification trust fund; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 11094. A bill to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty; to the Committee on Veterans Affairs.

By Mr. MORRISON:

H.R. 11095. A bill to amend title 39, United States Code, to provide certain mailing privileges with respect to members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 11096. A bill to authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both; to the Committee on Armed Services.

By Mr. FOLEY:

H. Con. Res. 511. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Res. 584. Resolution authorizing the Committee on the Judiciary to conduct within or without the United States, studies and investigations in certain matters under its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 11097. A bill for the relief of Ofelia L. Depakakibo Kaguyutan; to the Committee on the Judiciary.

By Mr. CRALEY:

H.R. 11098. A bill for the relief of Nguyen Thi Lang; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 11099. A bill for the relief of Gordon and Rose Turner; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11100. A bill, for the relief of Myung Sook Park; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 11101. A bill for the relief of Katherine Marfoe; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Most Efficient Water Supply for the Northeast

EXTENSION OF REMARKS
OF
HON. ROBERT E. JONES
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 15, 1965

Mr. JONES of Alabama. Mr. Speaker, the current drought in the Northeast provides a timely warning that water supply problems demand the immediate attention of the Congress. With the unquestioned increase in our population and the accelerating trend of urban growth, we must plan now for the future water supply needs of our Nation.

Such a plan is called for to aid the drought-stricken Northeast in title I of the omnibus rivers and harbors bill—S. 2300—as reported by the House Public Works Committee. This plan will provide for a system of major reservoirs, aqueducts between major river basins, and purification plants. The title relates to the Northeast, where the largest concentrations of urban population in our Nation are located.

Some very pertinent remarks regarding the supply of water for cities were made in the September issue of the Scientific American in an article on water supply and pollution problems by the internationally renowned authority on water engineering, Dr. Abel Wolman, professor emeritus at the Johns Hopkins University. Dr. Wolman is a consultant to many national and international groups concerned with water problems. He was recommended by the President to the city of New York as one of the four members of a task force to develop answers to that city's current water problems.

After extensive studies, Dr. Wolman concludes that the Nation has plenty of water but must develop better systems of supply. He cites the economies of developing reservoirs and distribution systems over other methods of providing adequate water for metropolitan areas.

In one section of the article he outlines the New York City problem and alternatives as follows:

> If water is going to remain so plentiful into the 21st century, why should New York and other cities find themselves running short in 1965? The immediate answer, of course, is that there has been a 5-year drought in the Northeastern United States. With the completion in 1955 of two new reservoirs in the upper reaches of the Delaware River, and with the extension of the Delaware aqueduct to a total distance of more than 120 miles, New York City believed it could satisfy its water needs until the year 2000. This confident forecast reckoned without the unprecedented drought.
>
> There is no point in criticizing New York's decision to depend so heavily on the Delaware watershed for its future needs. The question is what New York should do now. As long ago as 1950, in an earlier water shortage, New York was advised to build a pumping station on the Hudson River 65 miles north of the city to provide an emergency supply of 100 million gallons per day, or more as needed. (New York City's normal water demand is about 1.2 b.g.d. The average flow of the Hudson is around 11 b.g.d.) The State of New York gave the city permission to build the pumping station but stipulated that the station be dismantled when the emergency was over. By the time the station was built (at a point somewhat farther south than the one recommended) the drought had ended; the station was torn down without ever having been used. This July the city asked the State for permission to rebuild the station, a job that will take several months, but as of mid-August permission had not been granted.
>
> Meanwhile there has been much talk of building atomic-energy desalination plants as the long-term solution to New York's water needs. The economic justification for such proposals has never been explained. New York now obtains its water, delivered by gravity flow to the city, for only about 15 cents per 1,000 gallons (and many consumers are charged only 12 cents). The lowest predicted cost for desalination, assuming a plant with a capacity of 250 million or more gallons per day, is a highly optimistic 30 to 50 cents per 1,000 gallons. Since a desalination plant would be at sea level, its entire output would have to be pumped; storage and conveyance together would add about 20 cents per 1,000 gallons to the basic production cost. Recent studies in our department at Johns Hopkins University have shown that if desalinated water could be produced and delivered for as little as 50 cents per 1,000 gallons, it would still be cheaper to obtain fresh water from a supply 600 miles away. (The calculations assume a water demand of 100 million gallons per day.) In other words, it would be much cheaper for New York City to pipe water 270 miles from the St. Lawrence River, assuming that Canada gave its consent, than to build a desalination plant at the edge of town. New York City does not have to go even as far as the St. Lawrence. It has large untapped reserves in the Hudson River and in the upper watershed of the Susquehanna, no more than 150 miles away, that could meet the city's needs well beyond the year 2000.
>
> Few cities in the United States have the range of alternatives open to New York. The great majority of inland cities draw their water supplies from the nearest lake or river. Of the more than 150 million Americans now served by public water supplies, nearly 100 million, or 60 percent, are reusing water from sources that have already been used at least once for domestic sewage and industrial waste disposal. This used water has of course been purified, either naturally or artifically, before it reaches the consumer. Only about 25 percent of the 25 b.g.d. now used by municipalities is obtained from aquifers, or underground sources. Such aquifers supply about 65 b.g.d. of the Nation's estimated 1965 requirement of 370 b.g.d. Most of the 65 b.g.d. is merely a subterranean portion of the 1,200 b.g.d. of the precipitation flowing steadily to the sea. It is estimated, however, that from 5 to 10 b.g.d. is water mined from aquifers that have been filled over the centuries. Most of this mining is done in west Texas, New Mexico, Arizona, and California.

Title I of the omnibus rivers and harbors bill calls for plans to make use of the most efficient and economical sources of water in these metropolitan areas. As the cities spread out over State lines, indeed as the area from Washington to Boston develops into an almost continuous city, we can no longer think of water supply as a strictly local matter. Without coordination and advance planning which considers the total water needs of the area for both municipal and industrial growth, problems such as we see now develop and controversy arises over which city is entitled to what water.

The plan to meet the long-range water supply needs of the Northeast will complement the comprehensive and multiple-purpose river basin plans called for by other legislation. The plan will combine Federal and non-Federal works taking into account those features of the program which can best be constructed or operated or maintained by the non-Federal interests. Full consultation with State and local officials is an important part of the planning process.

This proposal is an important forward step in achieving necessary plans for most effective use of water supplies in this urban area. The experience gained in the Northeast will be of tremendous value in meeting similar problems in other areas before they reach crisis proportions.

National Lotteries in Latin America

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 15, 1965

Mr. FINO. Mr. Speaker, today I would like to bring to the attention of the Members of this House some figures showing the financial and social common sense inherent in Latin America's unanimous use of the lottery device.

In 1964, lottery gross receipts in Latin America came to approximately $412 million. The income to the several governments involved, most of which was allocated to hospitals, schools, welfare or charity, came to a total of about $81 million.

Perhaps the most flourishing Latin American lotteries are those of Central America. The lotteries of these six small nations took in well over $100 million last year. The lotteries of Nicaragua, Panama, Honduras, El Salvador, Costa Rica, and Guatemala had gross receipts totaling $108,680,000. Their profits came to $18,771,000. The money went for hospitals, social welfare costs and the like. The British Crown Colony of British Honduras also has a lottery—bringing in gross receipts of $3.5 million last year, it produced a profit of $90,000.

The West Indies also use the lottery. The Dominican Republic's lottery has been thrown off its stride by current events, but the prior year's figures put gross receipts at $12 million, and profits at $2.5 million. Haiti's lottery took in $2.4 million in 1964, with income reaching a bit over a million dollars. Jamaica has private lotteries aiding Jamaican hospitals. Their gross receipts last year came to $700,000 and a total of $103,000 went to the hospitals. The West Indian Federation also has a hospital sweepstakes.

On the mainland of South America, the "ABC" powers, Argentina, Brazil, and Chile, have lotteries which took in $81.8 million last year, earning income of $21.4 million. This money went for public works, social welfare, education, hospitals and charity.

Columbia, Peru, Ecuador, and Venezuela to the north also have profitable lotteries. Gross receipts in 1964 totaled $62.9 million and income reached $7.7 million. The money was in most instances used for hospitals.

The lotteries of Bolivia, Uruguay, and Paraguay had 1964 gross receipts of $16.5 million, with profits of $5.5 million. Uruguay's profits went to revenue, the others to welfare, child care and related objectives.

Mexico has a booming lottery, for which up-to-date figures are not available. At last date, the Mexican lottery was grossing $60 million a year, producing profits of $11 million for health and welfare expenditures.

The American island Commonwealth of Puerto Rico has a popular and profitable lottery. With gross receipts of $60 million in 1964, it employed many persons and earned an income of $12 million. This is certainly one lesson Puerto Rico can teach the North American mainland.

The unanimity of Latin America support for the lottery concept is striking. In Latin America, as in Europe, the lottery has proved itself beyond a doubt. I hope that it will soon have the same chance here in the United States.

Survivorship Benefits for Servicemen—VII

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. TEAGUE of Texas. Mr. Speaker, in further reference to benefits to servicemen who die from service-connected causes, I want to cite as an example today a captain with 7 years of service and who leaves dependent parents, each parent being age 50.

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Captain U.S. Army;
2. Age 25 at death;
3. Death was service connected;
4. Seven years' service at death;
5. Three years in grade at death;
6. Base pay at death was $558.60 a month (assumed average monthly wage $400);
7. Left dependent parents, each age 50 (no income other than shown);
8. Left no widow or child;
9. Parents live out their expectations of life (mother, 27.7 years; father, 23 years).

Benefits

Payee	Paying agency	Type of payment	Payment period (months)	Payment rate	Benefits		
					VA	HEW	Total
Father	VA	Disability insurance compensation.	[1] 144	$55.00	$7,920		
			132	[2] 0			
	VA	Social security (38 U.S.C. 412(a))	[3] 132	102.00		$13,464	
Total					7,920	13,464	$21,384
Mother	VA	Disability insurance compensation.	[1] 144	55.00	7,920		
			132	[2] 0			
			[4] 56	33.00	1,848		
	VA	Social security (38 U.S.C. 412(a))	[3] 132	102.00		13,464	
			[4] 56	112.20		6,283	
Total					9,768	19,747	29,515
Grand total					17,688	33,210	50,899

[1] As 1 of 2 parents to age 62.

[2] Disability insurance compensation terminated because combined social security of both parents, which is income, exceeds $2,400 a year permitted maximum.

[3] Social security as 1 of 2 parents from age 62.

[4] Rate of payment as sole surviving parent.

The Latest on Jet Noise—Part IX

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. TENZER. Mr. Speaker, I am pleased to report that my efforts in the field of aircraft noise abatement have received the attention of the President. As my colleagues know, I had written to President Johnson on August 19, 1965, urging the appointment of a Presidential Commission to deal with the problem of aircraft noise in depth. On the same day I had received a telegraphic response from the White House. The text of the letter and telegram were included in the CONGRESSIONAL RECORD, August 30, 1965—page 22278.

As a result of my recommendation, the White House has announced a special conference on jet noise to be held late in October. I received the news of this conference in a letter from Dr. Colin M. MacLeod, Deputy Director, Office of Science and Technology.

The text of the letter follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF SCIENCE AND TECHNOLOGY,
Washington, September 1, 1965.

DEAR MR. TENZER: Your letters of August 19, 1965, to the President, and of August 23 to Mr. Jacobsen have been referred to this office for reply. I regret the several days delay in so doing.

As you know, I have been much concerned with the problem of jet aircraft noise since our discussion at lunch several weeks ago. I have thought about the matter a great deal, discussed it with Dr. Hornig as well as with engineers and scientists who have examined it in detail. As of the moment, we are not at all clear as to how many of our difficulties are susceptible to relief through engineering, operational, or other possible means.

In view of the evident, and probably increasing, importance of the problem—as you have repeatedly emphasized—Dr. Hornig and I have decided to convene a special panel for a 1-day meeting to take measure of the current state of the relevant technologies, and to define the avenues available for research, or for other kinds of actions, having reasonable promise of success. Our present plan is to hold the meeting at this office toward the end of October 1965.

Your continued interest and concern are welcome and appreciated. We will keep you informed as our plans for the meeting mature.

Sincerely yours,
COLIN M. MACLEOD,
Acting Director.

Since coming to Washington in January I have made every effort to obtain recognition from the highest level of Government of the jet noise problem. I have long advocated that this is a national problem which requires the resources of the Federal Government to bring about an abatement of aircraft noise and thus relieve its adverse effects on the lives of those living near jet airports. I am now pleased to report that such recognition has now come from the White House.

With the availability of smaller jet aircraft, hundreds of this Nation's airfields will soon begin to service jet planes. The noise problem will increase steadily unless Congress and the executive branch act now to alleviate this situation.

Mr. Speaker, as an indication of the growing seriousness of the problem, I call to the attention of my colleagues that civic associations and property owners associations are now taking an active part in organizing citizens groups to fight the menace of jet noise. Recently at a jet noise protest meeting in Nassau County, attended by over 1,500 persons, a resolution was discussed to organize a car stall-in at Kennedy Airport. I suggested that such action would be bordering on irresponsibility. We all know what happens when people try to "take the law into their own hands"—where will it end—someone is bound to get hurt.

Once again I suggest to my colleagues that we face a major national problem of growing proportions. I was asked the other day if I was raising my voice to seek personal relief from the jet noise annoyance over my own house in Lawrence, Long Island. My answer was an unqualified and resounding "Yes." Of course I share the problems with my neighbors and I am able to recognize and understand that we do not stand alone amongst the sufferers. I have heard from people from other States, counties, cities, towns, and villages. I have spoken to my colleagues who have told me about the problems in their respective districts. Soon there will be additional millions of persons affected by the problem of jet noise in many more States of the Union than are now affected.

This past Sunday an incident occurred in New York which I unhappily report.

On Sunday afternoon, September 12, 1965, 300 residents of Brooklyn demonstrated against low-flying jet planes at Kennedy International Airport in New York. The account of this demonstration, as reported in the Long Island Press, Monday, September 13, 1965, follows:

JET NOISE PICKETS BRING OWN NOISE

Three hundred south Brooklyn residents, protesting noise from low-flying jets, yesterday made more noise than the jets as they demonstrated at Kennedy Airport.

The residents of Mill Neck, Bergen, and Canarsie created a deafening din inside the International Arrivals Building.

They arrived at the airport at 1 p.m. in a 100-car motorcade. Immediately they began picketing with placards at the base of the control tower, just outside the International Arrivals Building.

After an hour and a half of pushing, shoving, screaming, and whistling, Walter Buehler, eastern regional noise abatement officer for the FAA, met with leaders of the demonstration and promised to set up a meeting sometime this week.

The demonstrators claim that flight patterns have been gradually shifted east from the normal Canarsie approach. They maintain the jets are now flying over densely populated areas, drowning out conversations, disrupting sleep, and causing havoc with television reception.

In a press release, Oscar Bakke, FAA regional director, said the new approach gives pilots a better chance to use a system of lead-in lights.

The jet noise problem now plaguing the Brooklynites is nothing new to southeast Queens and southwest Nassau residents. They've been squarely in the landing paths of jets at Kennedy for years.

It's possible, though ironic, that the Brooklyn residents are victims of an effort by the FAA to provide relief for their Queens and Nassau neighbors.

The FAA has attempted to change patterns from time to time to give the most severely affected homeowners a little breather.

Let me make it very clear that I do not approve or condone such demonstrations at our airports as a means of bringing national attention to the aircraft noise problem. I have made every effort to sound the alarm to my colleagues in this Chamber and to call for congressional action as well as recognition from the White House that the abatement of aircraft noise requires action now. Irresponsible action is not the answer. The recognition of aircraft noise as a national problem by responsible leaders of Government may bring the answer.

I urge my colleagues to support my proposal for a Presidential commission to deal with the problem of aircraft noise and to speak out on this issue before the White House Jet Noise Conference next month.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my weekly newsletter to my constituents for June 3, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

THE EXCISE TAX CUT

It is evident Congress will reduce many excise taxes—and repeal entirely—many others. The Republicans tried to do this last year, but the President and the liberals in Congress opposed any reduction. Last year the big push was for a political tax cut to insure the reelection of Lyndon Johnson and the liberals in Congress. Of course, many people realized last month that they were actually taken in by the talk of a big tax cut when they had to dig down to pay taxes which were not withheld. While I am for the cut in excise taxes because I believe it is unfair and discriminatory, any savings to the taxpayers will be more than offset beginning January 1, 1966, when the Johnson administration will begin collecting an additional $4.7 billion from workers and employers in increased social security taxes.

What is really needed is a general restudy of our entire tax structure to eliminate inequities, reduce unfair taxes and clear up the confusion so that every citizen will be treated equally when he pays his tax and will know exactly how much he is paying. The big spenders have been getting away with double-talk on taxes long enough. The hard cold fact is that practically every wage earner in America works at least the first 3 months of every year just to pay his taxes.

In spite of what you are being told the Government is doing for you, it is doing nothing for which you do not pay. The Federal Government has no money of its own. It can spend only what it takes away from the people in taxes. This is something to think about when you are approached to support bigger welfare programs, more spending, and asked to approve sending billions of your dollars to countries around the world without discrimination between friend and foe.

CONSTITUTION THROWN OUT

In approving the President's voting rights bill the Senate voted to throw out the Constitution. The basic constitutional rights of the States to determine election laws and voter qualifications has been eliminated, not by constitutional amendment as provided in the law of the land, but by a mere majority vote of 100 men. We may be able to stop the measure in the House, but only if there are enough Members who take seriously their oath of allegiance to the Constitution and will vote to preserve it.

If the House approves the Senate action, Congress, spurred on by Lyndon Johnson and the radical liberals will virtually kick out of the Union the six Southern States which the bill is designed to punish. In their haste to join the hysterical assault upon the South, many legislators overlook the final consequences of wrecking the Constitution—they will have eliminated any safeguards for their own States. They cannot take the rights guaranteed under the Constitution from six Southern States without eventually losing these same rights for all 50 States. Under the Johnson administration, because the people are being misled by many of their leaders and a slanted and controlled news media, the Nation is becoming one of men, not of laws, and no such government has been able to permanently endure.

There will still be a determined effort in the House to pass the Republican substitute bill in order to stop the unconstitutional, vicious, anti-southern bill written by the White House.

NATO TASK FORCE

For the past several weeks those of us who are privileged to be members of the Republican task force on NATO have been holding very important and significant meetings with experts in the field of foreign relations and representatives of the Department of State. There is a desperate need to save the NATO alliance which is being undermined by the activities of President de Gaulle in France and a general distrust of the vacillating, on-again-off-again policy of the present administration.

All those closest to this problem agree that it is vitally necessary for a delegation of the NATO task force to conduct a study trip to France for the purpose of conferring with De Gaulle and other high ranking French Government officials to attempt to find a way to restore the strength of the NATO alliance. Should we fail to preserve the organization of free governments, the Communists will be able to claim a tremendous victory and the future of a free Europe will be in serious jeopardy.

As an active member of the NATO task force, I will be named as one of the delegates on the mission. This will give me an opportunity to learn at firsthand the extent of the trouble facing the NATO alliance and what changes in our foreign policy are necessary to strengthen the organization.

WASHINGTON REPORTS

My weekly report from Washington is now being sent to 23 radio stations covering the Seventh District. I want to express my appreciation to the newspapers and radio stations which are helping to keep the people of the district informed about their Government.

Henry Kaufman, 9 Years Old, Saves Life of Fellow Scout

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. GROVER. Mr. Speaker, last summer, 9-year-old Henry Kaufman was enjoying a day of fun at Tanner Beach, Copiague, Long Island, N.Y., when he heard a call for help. A fellow Cub Scout, Raymond Decker, had been swimming in water over his head and having developed a cramp in his leg, he started to sink. Henry swam over to the stricken boy and managed to pull him 10 or 15 yards to shallow water, where adults assisted him and began administering first aid.

Henry was honored at a recent ceremony attended by all Scout units of

Copiague, Copiague school officials, Scout council officials and members of the Veterans of Foreign Wars post. Mr. Walter G. Heimbuch, his cubmaster, presented him with a Silver Honor Medal for upholding the high principles of scouting.

In addition, he was given a hand painted neckerchief by a very grateful Raymond Decker, the boy whose life he saved. Chief Robert Ritzert of the Copiague Fire Department presented both boys with a scouters first aid kit—to Henry, for his lifesaving deal, and to Raymond, for remaining calm during his ordeal.

I was honored to be present when the National Council of Scouting presented Henry with the Certificate of Merit, the third highest award given to a Scout for such outstanding deeds, and I am pleased to commend him for his courage and splendid example.

Education Today and in the Future

EXTENSION OF REMARKS
OF
HON. WILLIAM L. ST. ONGE
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 15, 1965

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address I delivered on Saturday, September 11, 1965, at the dedication of Mercy High School, a girls school, in Middletown, Conn., in my congressional district. In it, I am expressing some general views on education today and in the future.

The address reads as follows:

ADDRESS BY CONGRESSMAN WILLIAM L. ST. ONGE, DEDICATION OF MERCY HIGH SCHOOL, MIDDLETON, CONN., SEPTEMBER 11, 1965

Bishop Hines, Monsignor St. Onge, Reverend Clergy, Mayor Dooley, ladies and gentlemen, it is a great privilege for me and a high honor to participate in the dedication ceremonies this morning of this very fine edifice which is to serve as a house of learning for our youth.

I was very happy to accept your invitation and as a token of my esteem I wish to present to Mercy High School a U.S. flag, which was flown over the U.S. Capitol in Washington at my request for this memorable occasion. May this flag serve as an inspiration to all those who have given a helping hand in making possible the construction of this building, as well as to our youngsters who will be using this building as a fountain of knowledge.

Mercy High School, I am told, will open with an enrollment of 600 girls and will eventually accommodate more than 900 girls. Not only is the building most up to date, but so are also its educational facilities, its variety of courses, and the prospects it holds forth for its students. For all of this, I want to commend the diocesan officials for their foresight and devotion in making it a reality.

Benjamin Franklin once said, "An investment in knowledge pays the best interest." This has been a guide to generations of Americans. This is even more true in our own generation where not only are more people getting an education, but there is also a growing demand for more education. An elementary school education and a high school education are today regarded as insufficient, one cannot get very far merely with high school learning in today's world.

I believe you will agree with my view that education serves three major purposes in our American society today. Let me point them out briefly:

First, it not only improves the prospects for greater income, but what is more important is that education enhances the quality of a person's life and his understanding of life.

Second, education has become most essential to our survival as a nation. For this reason, Congress appropriates vast sums of money each year for defense, for space exploration, and for other needs that will give our Nation the power to survive. But we must also educate the men and women of this Nation and prepare them to carry out these programs.

Third, education is the indispensable key to the economic growth and development of our country, and the economic well-being of our people. Capital and labor alone are not enough, we must also have an educated and skilled labor force in order to grow and develop economically.

Therefore, it is just as important to invest in human beings as it is to invest in factories, in equipment, and in increasing our industrial production. Investment in education, in the acquisition of skills, in the development of better and more intelligent human beings is, to my way of thinking, most important. In one of his famous essays, written back in 1917, the distinguished English philosopher, Alfred North Whitehead, said:

> "In the conditions of modern life, the rule is absolute—the race which does not value trained intelligence is doomed. Not all your heroisms, not all your social charm, not all your wit, and not all your victories on land and sea, can move back the finger of fate. Today we maintain ourselves; tomorrow, science will have moved forward yet one more step. And there will be no appeal from the judgment which will then be pronounced on the uneducated."

Today, nearly a half century later, we can appreciate that warning. In fact, 2 or 3 years ago an eminent American scientist, Dr. Lee Du Bridge, president of the California Institute of Technology, voiced a similar warning when he said:

> "The individual who is the best candidate for the unemployment rolls, the best candidate for being a misfit in our society, is the one whose educational experience has been improperly guided or prematurely interrupted."

I think it is important to emphasize at this point that both the present Congress, as well as the previous Congress—in both of which I have been privileged to serve as the representative for eastern Connecticut—have done a great deal in passing major legislation to benefit all levels of our educational system: Elementary, secondary, higher education, vocational education, and others. It is being done primarily for the purpose of increasing our national investment in education, in order to enable our country and our people to cope more effectively with the difficult problems of the future.

As the new school year opens all over this blessed land, we have some 53 million young people enrolled in our schools, high schools, colleges, universities, and all other types of schools. This is about 28 percent or more than a fourth of our total population. But let me cite to you a few more figures which, I believe, are quite interesting. It costs about $36 billion a year to maintain our country's public and private schools. A quarter of a century ago, in 1940, it cost only $3.4 billion—so that today we spend 10 times as much for education.

The growing demand for education has been most spectacular in the field of higher education. In 1940 we had 1.4 million students in our colleges; last year, it was almost 5 million. In about 10 years from now we expect to have between 8 and 10 million students in our colleges. When you also consider the fact that nearly 2¼ million persons are employed as teachers, instructors, and professors in our schools and colleges, you can well realize the significance of education as one of our greatest industries. Frankly, I can think of no other industry that is more important.

In very recent days, all of us were breathlessly watching the amazing feat of two Americans hurtling through space for 8 continuous days. Not only were the eyes of the whole world upon them, but through them and their phenomenal achievement we tried to look far beyond the inky blackness outside the window of their space capsule—out into space and time when man will be able to achieve the conquest of the moon and of distant stars that lie countless of millions of miles away. I am not talking of science fiction. I am talking of something that has become a possibility in our own day.

I see a similar analogy in our dedication of this building today. In dedicating Mercy High School, we should also try to see far beyond the bricks and the mortar of this building toward the deeper meaning of what this school will represent in an age such as ours. We should think about the kind of education Mercy High School, opening in 1965, will provide to future generations of young Americans who will devote much of their time and energy in further development of science and technology, of space exploration and the application of atomic energy to the benefit of mankind. Of course, I do not mean to give the impression that the educational needs of our time will be based solely upon the demands of our space effort. I merely cite it as an example to point up the different and difficult age we are now entering. In addition to space exploration and space travel, there are other changing aspects of our world—perhaps no less dramatic—which are causing major alterations of the concept of education in our day and what such education must accomplish.

For example, increasing automation of nearly all jobs and all industries is rapidly imposing upon education the responsibility of training our young people for employment which requires skill. In earlier days, even up to a few years ago, there was plenty of room for the energetic, but unskilled, youth to find a job on the farm, in a factory, or in the business world. In many of those jobs, a high school diploma was not essential. Today, however, there is almost no room for an individual possessing this limited education. A high school diploma is the bare minimum for employment. What is needed today are young people who are equipped with the advanced knowledge and the skills that are prerequisite for being able to perform in the complex and sophisticated jobs that are developing in our era.

So it is that Mercy High School, as other high schools all over the land, will have to offer its thousands of students in the coming years a quality of education that is much higher, and a quantity of education that is much greater, than schools ever before have had to provide.

Moreover, because automation erases overnight the needs for many types of work, while at the same time creating the need for new types just as rapidly, our schools will have to educate our young people to the idea that they may have to train and retrain for different sorts of jobs in their lifetimes. High schools in America will no longer be able to say to their students, "pick a career, stick firmly to your choice, and start preparing for it." Instead, they will say: "Set your mind to the fact that the changing world you live in demands that you must be flexible enough to retrain yourself for the work that is currently available."

This idea of educating for change will not be limited to jobs, however. It may also extend to many other areas. The rapidity of social change, brought on by technological development, is also demanding that individuals be educated to a broadness of mind that will make it possible for them to adjust to changing patterns of living. Individuals will have to be open to exploring and accepting many new ideas and unaccustomed ways of doing things.

To really succeed in providing this new sort of education that I have been talking about, America's schools will have to alter some of their approaches to learning and some of their practices. They will have to adopt the very open, questioning attitude that they should be instilling in their young people.

Yes; our education in the coming years will have to be different in the ways I have indicated, and in many other ways which we have not yet thought of. But, for all the emphasis that I have placed on the need for education to adjust to the new demands of changing world conditions, I would certainly not want anyone to think that this is the only demand education should be concerned about. Indeed, this is very far from the case.

There is another whole area for which education bears great responsibility—one that is universal and unchanging, no matter what the age—and this is the obligation to prepare individuals for moral and responsible living with their fellow men.

In this task, I have no doubt that Mercy High School will excel. For, in keeping with the age-old tradition of Catholic learning, I know that Mercy High School will be firmly dedicated to educating its youth in the principles of industry, integrity, morality, understanding, and duty.

These timeless virtues should not merely be thought of as byproducts of education, or products of education which are secondary to academic learning. Rather, they should be thought of as being at the heart of the purpose of learning, particularly in our age. It would seem to me, that if our youth is not instructed toward these aims, there is very little hope that we can ever achieve a world of honest prosperity, true moral values, and lasting peace.

Education today, more than ever before, has the responsibility for preparing individuals with the inner strength and intellectual understanding to enable them to cope with life in an age pressured not only by constant and rapid change—but also where instant annihilation of whole populations is an ever-present possibility.

The moral and mental stamina of our people will, I believe, have much to do with whether the continual international incidents we live with daily are ever allowed to mushroom into this horrible specter of atomic annihilation.

Education has a primary responsibility to provide us, as individuals and as a society, with the values and awareness that can deepen into this necessary moral and mental strength.

Moreover, our schools must provide our young people with the tools to earn a living. But, they must also provide our youth with a standard for living which will give meaning not only to the job being done, but also to life itself.

Mercy High School will have to teach its young people to become citizens of the world who realize their responsibility not only to their own Nation but, as in the teachings of the church, to the peoples of all other nations as well. The teaching of international affairs is only one part of this. Another equally important part is the teaching that all men, no matter what their race, creed, or nationality, are motivated by the same human needs and are worthy, in the eyes of God, of the same human love.

As we dedicate Mercy High School today, I would urge that we all dwell on these thoughts, for, if we in America can reaffirm in our educational practice the aim of education which holds the development of the truly moral man as its highest achievement, then I believe we will be well on the path to creating the kind of citizens our country and the world need, if our Nation and humanity are to survive.

The great American poet, Carl Sandburg, in a poem entitled "A New America," did not visualize America in the future as a land of despair, but as a land created by God. Here is the way he expressed it:

"I see America, not in the setting sun of a
black night of despair ahead of us.
I see America in the crimson light of a rising
sun
Fresh from the burning, creative hand of
God.
I see great days ahead, great days possible
to men and women of will and vision."

In this task, may we all pray that Mercy High School will, with the help of God and the dedication of its teachers, be highly successful in its efforts to help provide for our Nation the people of will and vision of whom the poet sings.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the Record I include my Washington Report to the people of the Seventh District of Alabama for June 10, 1965.

WASHINGTON REPORT

(By Congressman Jim Martin, Seventh District, Alabama)

THE NATO TASK FORCE

The threat to the North Atlantic Treaty Organization because of the widening split between the United States and France is one of the most serious problems faced by the free world. Because of my deep concern for the deteriorating relationships between our Government and those of once friendly allies, I am grateful to my Republican colleagues in the House of Representatives for the confidence they expressed in me by naming me to the Republican NATO Task Force and further, by including me as one of the four members of a study mission which leaves June 11 for France to see what the Republican party can do, as the minority party in Congress, in helping to bolster our foreign policy. This study commission is going to Paris with the full approval, and in fact, at the urging of the Department of State. Our mission is strictly nonpartisan and is being made in the interest of our country so that we may give a firsthand report on our findings to our Republican colleagues and the American people. The trip will demonstrate, as clearly as anything we can do, the unity of the American people.

In preparation for the mission, meetings have been held this week between the four-member commission and Richard Nixon on Monday, with former President Eisenhower on Tuesday and with other key figures Wednesday and Thursday.

Briefly the purpose of our mission is to: Alert the American people to the deepening crisis in NATO and help bring about a better understanding of the seriousness of the situation; to learn at first hand the reason for the disagreement between the United States and France and how bad it really is; to aid our Government in shaping a policy which will best meet and solve the problems which exist among member nations of NATO.

Published reports that Senator Dirksen opposed the mission have been denied by the Senator. The head of the NATO Task Force, Congressman Paul Findley, of Illinois, met with Senator Dirksen and reported the Senator was in full agreement with the objectives of the mission. Because of the nature of this important trip, I am paying all of my own traveling expenses.

SIDELIGHTS OF HOW UNION DUES ARE SPENT

As Congress prepares to act on the President's demand to repeal section 14(b) of the Taft-Hartley Act and take away from the States the right to protect the rights of citizens to a free choice to join a union, it may be well to study some of the statements made by union leaders in recent congressional hearings. Here are some excerpts from the hearings of the Special Subcommittee on Labor of the House Committee on Education and Labor on the bill to repeal section 14(b). Congressman Robert Griffin, of Michigan, had the following exchanges with Sidney Zagri, legislative counsel of the Teamsters' Union, and A. C. Skinner, president of the International Union of Mine, Mill & Smelter Workers.

Congressman Griffin asked Mr. Zagri if he believed the dues of union members should be spent for political purposes and to elect candidates to office:

"Mr. Zagri. I can't speak for the expenditures in any State because those expenditures would be more within the confines of special knowledge of the Director of Politics in that State.

"However, assuming for the sake of argument that this was done, that there was a contribution of union funds in a State election or in a local election, I will not concede that this is not a proper activity because I believe that the welfare of a union, whether it is at the State, local, or national level, is directly affected by decisions made by city councils, State legislatures, or this Congress.

"Mr. Griffin. You acknowledge that in general the Teamsters Union funds are used to support candidates in elections at the State and local level, and you think that is a proper use?

"Mr. Zagri. I say we would be derelict in our duty to our membership if we didn't."

From this testimony of a national union leader it is clear that in a union shop where a man must join the union or lose his job, his dues may be used to elect a candidate for public office even though that candidate is opposed by the individual union member. I say that is against every principle of freedom in these united States and yet, repeal of section 14(b) will force union membership on all workers in Alabama.

A statement from the testimony of Mr. Skinner in this same hearing is even more startling.

"Mr. Griffin. Is your union affiliated with the AFL–CIO?

"Mr. Skinner. No, sir.

"Mr. Griffin. Were you expelled by the AFL–CIO?

"Mr. Skinner. Yes, sir.

"Mr. Griffin. For what reason, allegedly or otherwise?

"Mr. Skinner. Well, allegedly the reason was for sympathies, or Communist domination.

"Mr. Griffin. Is it a fact that in 1962 the U.S. Subversive Activities Control Board found that your union was Communist infiltrated or dominated?

"Mr. SKINNER. The Board, itself, found that; yes."

Even though a union is Communist controlled, Alabama workers could be forced to join if the right to work laws of our State are made illegal by repeal of section 14(b). I am sure, and my mail supports my belief, that many union members in Alabama are deeply concerned with the freedom of choice to join or not to join a union and therefore, they are against repeal of this protection in the labor laws. In a recent questionnaire which I sent to over 60,000 people in the Seventh District and upon which more than 11 percent returned the questionnaire, 64 percent of those answering opposed repeal of section 14(b). Only 16.4 percent favored repeal, and the rest had no opinion.

Congressman Howard's Address at Institute for Advanced Learning, Lakewood, N.J.

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. TENZER. Mr. Speaker, our colleague, the Honorable JAMES J. HOWARD, Third District, New Jersey, made a most significant address on the occasion of the dedication of a new dining hall at the world renowned Institute for Advanced Learning at Lakewood, N.J.

The late Rabbi Aaron Kotler, Z.L., who founded the Beth Medrash Govoha, was indeed a spiritual giant among Torah scholars who evoked homage and world recognition in his own time and in our generation. It is most fitting that this Institute for Advanced Learning has been named in his memory.

It was my privilege to serve as chairman of the building committee which raised the sum of $500,000 to complete the magnificent structure which houses the Institute for Advanced Learning.

From the beginning and throughout my association with the school, the institute was conceived as a school for scholars, a place of learning for those exceptional students whose thoughts and actions and very existence are consecrated solely to the study of the Holy Book. It was to be an institute for advanced study, a training ground for excellence. To be accepted as a student was to be a mark of achievement.

Today, the institute has a graduate department of 150 student-scholars—a postgraduate department of 71 fellowship scholars—a total of 221 dedicated scholars who come from 17 States and 9 foreign countries.

Graduates of the institute fill important posts in religious educational institutions throughout the Nation, 15 States and in 3 foreign countries: 90 serve as heads and teachers in Hebrew schools of higher learning; 21 serve as deans, principals and administrators in Hebrew schools of higher learning; 23 serve as day school teachers and in other Jewish community work; and 42 occupy pulpits as rabbis.

Mr. Speaker, our colleague's remarks make worthwhile reading and that is why I include the text of the address in the RECORD:

ADDRESS OF JAMES J. HOWARD, MEMBER OF CONGRESS, DEDICATION OF NEW DINING HALL, BETH MEDRASH GOVOHA, RABBI AARON KOTLER INSTITUTE, SEPTEMBER 12, 1965

"My son, eat thou honey, because it is good; and the honeycomb, which is sweet to thy taste: so shall the knowledge of wisdom be unto thy soul; when thou hast found it, then there shall be a reward, and thy expectation shall not be cut off."—Proverbs, chapter 24, verses 13 and 14.

This text has appealed to me for the present occasion because it has reference at the same time to the immediate object of our dedication, this new dining hall, and to the larger, more general purpose of the institute and school which it is built to serve. Those who come to eat food in this noble dining hall, eating food selected and prepared in accordance with long-established religious dietary rules, will surely find goodness and sweetness in that food, as well as the nourishment they need for the strength to pursue their exacting scriptural studies. So, too, in the studies they undertake in the Beth Medrash Govoha, this school for scholars, they will experience the sweetness of the truest, deepest, and highest wisdom, the wisdom of the Torah. It is fitting and proper that the students here, who are preparing to lead and guide and teach the leaders and guides and teachers of Israel, should be housed and fed in a manner befitting the nobility of their calling, and the loftiness of their endeavor. The calm and noble beauty of this room is well planned for the least possible interruption to a scholar's meditations on the subtleties of scriptural language, or the depths of moral and spiritual meaning.

One of the finest attributes of the Jewish tradition is the primary importance given, in Jewish life, to learning, and particularly to that most precious learning, the study of Scripture. I am happy to have this opportunity to express my own admiration for that tradition, and my happiness in noting that Christian scholarship, both among Protestants and among Catholics, has in recent years shown a strong revival of interest in the direct study of the Bible, as well as in the historical, archaeological, and linguistic studies that tend to illuminate the scriptural text. There has been, too, a refreshing willingness among Biblical scholars of different faiths to share their knowledge, and discuss their problems. One interesting outcome of this phenomenon, of which you may have heard, is the new edition, approved for use by Catholics, of the Revised Standard Version of the Bible, which was at first prepared entirely under Protestant auspices. Of more lasting significance, doubtless, is the custom, now more and more observed, of staffing the divinity schools and schools of religion, in the various universities, with scripture scholars belonging to various religious traditions. In this development, most profitable and advantageous to the students in our American universities, I foresee a great future value for the Beth Medrash Govoha, as scholars, well prepared here, may go forth to enkindle, in the students of secular universities, the fire of the knowledge and love of the Torah. This institute for advanced Torah studies, this training-ground for excellence, must spread its influence, not through Jewish institutions alone, but through all schools and universities that try to give to their students the knowledge and the love of the scriptures.

May your students, fed in this hall on the food of the body, and fed in the rest of this school on the food of the mind, live up to your highest hopes for them. May they serve as channels for the highest wisdom known to man, and teachers of the highest code of ethical conduct.

I am proud and pleased that Lakewood should be honored, as the home of so outstanding a religious and intellectual institution as the Rabbi Aaron Kotler Institute for Advanced Learning. The dignity and repose of this fine building, admirably adapted both for solitary study and meditation, and for group discussion and occasional sociability, will surely aid in the formation of a new generation of splendid Torah scholars. in whom the name of the founder, Rav Aaron Kotler, will be deservedly blessed over and over again. For as a father is blessed in the succeeding generations of his sons, and his sons' sons, so is a teacher blessed in the students who follow him, and in their turn become teachers, and the teachers of teachers. And in this connection, it is surely appropriate that I pay tribute to Rav Shnur Kotler, who stands here as the second generation in each of these aspects, being both a son succeeding to the place of his father in this house, and a teacher carrying on the tradition of his teacher. It is fortunate for Lakewood, and for the Beth Medrash Govoha, that such a teacher had such a pupil; that such a father had such a son; and that the institution founded by the father is showing such growth and promise under the leadership of the son.

From generation to generation, and through many years to come, may this school of holy wisdom and righteousness, and this dining hall within it, stand before the world as a spectacular fulfillment of the riddle of Samson, under the figure of the honeycomb in the carcass of a lion: "Out of the eater came forth meat, and out of the strong came forth sweetness."

Survivorship Benefits for Servicemen—VIII

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. TEAGUE of Texas. Mr. Speaker, for several days now I have offered for the information of my colleagues, examples of benefits to servicemen dying from service-connected causes in Vietnam and elsewhere. I want to offer the example today of a captain who has served 7 years at the time of his death and who leaves a widow, age 27, and two children, ages 1 and 3:

SURVIVORSHIP BENEFITS FOR SERVICEMEN DYING FROM SERVICE-CONNECTED CAUSES

ASSUMPTIONS

1. Captain, U.S. Army;
2. Age 25 at death;
3. Death was service connected;
4. Seven years' service at death;
5. Three years in grade at death;
6. Average earnings $558.60 a month (base pay);
7. Left a widow, age 25, and two children, ages 1 and 3;
8. Widow lives out her expectation of life (50.8 years);
9. Children receive maximum number of payments;
10. Widow does not remarry.

Benefits

Payee	Paying agency	Type of payment	Payment period (months)	Payment rate	Total payments
Widow	HEW	Social security	[1] 204	$102.00	$20,808
2d child	HEW	do	[2] 252	102.00	25,704
1st child	HEW	do	[3] 228	102.00	23,256
Widow	VA	Social security (38 U.S.C. 412(a))	[4] 165	112.20	18,513
Do	VA	Disability insurance compensation	609	188.00	114,492
2d child	VA	WOEA	36	110.00	3,960
1st child	VA	WOEA	36	110.00	3,960
Total					210,693

[1] Until youngest child reaches age 18.

[2] 204 months to age 18 plus 48 months in full-time training.

[3] 180 months to age 18 plus 48 months in full-time training.

[4] Beginning at age 62.

money the President is spending, not his, and it is up to Congress to see that he does not waste it, does not misuse it or spend it just to keep himself and his party in office.

NATO TASK FORCE

Four-man study mission presently in Paris attempting to patch disagreements within NATO Alliance. Complete and factual report after my return.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to the people of my District for June 17, 1965.

WASHINGTON REPORT

(By Congressman JIM MARTIN,
Seventh District, Alabama)

SUPREME COURT GIVES COMMUNISTS ANOTHER VICTORY

By a 5-to-4 decision the Supreme Court of the United States has just handed the Communists one of their biggest victories to date. The Supreme Court ruled that a law passed by Congress was not valid and that from now on Communists may hold office in labor unions. It is unbelievable that five Justices of the Supreme Court could make such a decision. By doing so they have ruled that even though a person belongs to an organization dedicated to the overthrow of the Government of the United States, he may still hold office in a labor union. Many unions are involved in some of our most sensitive areas in work on our missile program and in our defense industries, but these five Supreme Court Justices see no harm in giving a Communist union officer control over the members of a union which may be involved in quite secret work.

The five Justices who see no harm in giving such power to known Communists are Earl Warren, Hugo Black, William O. Douglas, William J. Brennan, Jr., and Arthur J. Goldberg.

This decision becomes even more fraught with danger when coupled with the current attempt by the Johnson administration and the liberals in Congress to repeal section 14(b) of the Taft-Hartley Act. Repeal of this section of the labor law will throw out Alabama's right-to-work law, and Alabama workers will be forced to join unions in plants where there is a closed shop. This in itself denies the workers the freedom of choice to join or not to join a union, and that is bad enough. Now, if section 14(b) is repealed, our workers in Alabama may be forced to join a union whose head is a known Communist doing his best to destroy America and take away all the freedoms from American workers. No matter how honest, sincere and patriotic are the labor leaders in Alabama, they would be powerless to protect their members against the head of an international union with headquarters in New York or Chicago or Detroit if that official turned out to be a Communist.

This decision of the Supreme Court is a slap in the face at the American people who demanded a curb on Communist activity, on the Congress which passed a law to prevent Communists from holding office in labor unions and against the honest American labor unions which struggled so hard to get rid of Communists and Communist-dominated unions.

BEWARE, THERE IS A HAND IN YOUR POCKET

Many of us have experienced the sudden panic of finding out that we have lost all our money because a thief picked our pocket. You probably wouldn't notice it if he were able to sneak out a dollar at a time. That is, you wouldn't until all your money was gone, and then you would be just as helpless as if he had taken it all at once. Right now the pocket of every American citizen is being picked through inflation. The dollar you have is worth less every day, as it buys less because prices have gone up as a result of the crazy-quilt economics of the Johnson administration. Government-inspired inflation is lowering the value of the dollar, further jeopardizing our balance-of-payments situation and could result in disaster for the poor, the aged, pensioners, and all those the liberals claim they want to help.

This inflation is caused by continued deficit financing, an ever-increasing public debt, huge Government spending and tax cuts without a corresponding cut in spending. The President and his fuzzy thinking economic advisers are trying to make you believe that we can become richer by spending more money and that we can increase our wealth by increasing our debt. Now you and I know that is impossible. Any family that continues to spend more than it earns is soon in serious trouble. A nation is no different. We cannot continue to spend more than we take in or pile up huge deficits without sooner or later being called upon to pay. When that day comes, if we can't pay, the dollar will be worthless.

This is why I voted against increasing the debt limit to $328 billion. It wasn't because I am against paying the bills we have run up, but because I don't want to run up any more bills. We have to stop spending your money until we can learn to live within our income and begin to cut down this huge national debt. Since June 1963 under Presidents Kennedy and Johnson with their big welfare programs, we have added $14 billion to the national debt. It is costing you, the people, $22,000 every minute of every day just to pay the interest on the debt.

We have to call a halt, and I'm for putting on a realistic debt limit and then forcing L.B.J. and his fellow-spenders to live within that limit. I will vote against all unnecessary spending and new projects or expanded welfare programs until we bring some sense into our spending policies. This is your

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Farm Ownership Loans Bulwark the Family Farm

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. CALLAN. Mr. Speaker, in Nebraska, the often predicted decline and fall of rural America is something we have never believed in nor resigned ourselves to accept.

We are proud that our population remains almost equally divided between the rural and urban communities, that food is our biggest industry, and that the family farm is a fundamental tradition.

We know that without strong, prosperous and expanding farm family agriculture, both the economy and the social fabric of America inevitably must degenerate. Problems can only be compounded in a chain reaction of distress from farm to city if the farmer loses and leaves his land, the businessman in turn fails and leaves his town, the rural town declines and dies, and an exodus of dispossessed rural people move into cities which are unprepared to offer them genuine promise of opportunity.

Nebraskans are strong in their determination to overcome the danger, not surrender to such a trend, and in our State this spirit has been translated into action in many ways.

And we are gratified to see our cause becoming one of the major goals of the Nation. A great gain of this year is progress made in establishing the policy that rural problems must be solved in rural areas, not transplanted to urban areas. Congress is facing decisively in that direction by moving to uphold free family enterprise in agriculture, to revitalize rural communities that have suffered from the stress of changing times, to give rural people the same degree of consideration as urban millions who predominate in some of our most populous States.

One of the most effective actions will be to increase the insured loan programs of the Farmers Home Administration so that private capital may underwrite an even greater volume of family farm ownership and rural community progress.

In the Congress this year we have heard many divergent points of view on what to do about the problems of agriculture. But those who come here to speak for various interests in farming are united in praise of the Farmers

Home Administration for the showing made in its program of family farm ownership loans.

This service has been carried on for 30 years under administrations headed by both parties. It began in the depths of depression, but it has gained in scope and importance in the present times of great national prosperity when, perhaps more than ever, the pressures are tremendous on the independent family striving to remain on the farm.

Young couples brave enough and ambitious enough to want to establish their own farms, and experienced farm families who must expand or improve their operations in order to survive, may find that Farmers Home extends the only helping hand within their reach. This agency serves the small farmer whose financial problems are such that he cannot deal with any other source of credit on reasonable terms to establish or preserve his hold on the land.

The Farmers Home Administration has guided this program of farm ownership loans to one of the finest records known in the field of credit.

More than $1.6 billion has been loaned. The farms of 150,000 families have been saved. Almost $1 billion has been repaid in principal and interest. The interest collected through the years is 60 times as great as the amount written off.

This is a phenomenal showing of repayment and solvency for a lending program; striking testimony to the diligence of the farmer in working his way out of trouble whenever he is given the chance.

A large percentage of the 150,000 families sustained in farming by these loans have paid their way clear and graduated to the status of good customers for regular loan services of banks and other private lending institutions.

At the same time, there has been a great and growing participation by private lenders in the rural Farmers Home Administration program. Its emphasis has shifted heavily in recent years from the use of direct loans to the use of insured loans. That is to say, instead of using public funds appropriated by Congress, the farmer gets his loan from a private lending institution and the Farmers Home Administration insures repayment.

This trend has progressed to the point that some 50 percent of the total loaned represents insured loans; but in Nebraska we are well ahead of that national average. Sixty percent of the $47 million advanced in Farmers Home Administration farm ownership loans in our State has been loaned by Nebraska's own banks and other private lenders.

The irreplaceable value of this family farm ownership program is underscored in an accounting for the past fiscal year recently given the President by the Secretary of Agriculture. Under unanimous consent I submit for the Record that memorandum made public by the White House on September 7, 1965:

MEMORANDUM TO THE PRESIDENT FROM SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

Following is the résumé you requested concerning the Farmers Home Administration's farm ownership loan program for fiscal 1965:

1. More than 82,000 farm families who might otherwise have been forced to leave their farms and seek employment in the cities, made use of the farm ownership loan program during fiscal 1965, to strengthen their economic position.

2. Approximately $182.6 million was loaned to 12,186 farm families to buy, enlarge or develop farms or to refinance debts. An additional 69,846 families continued to use Farmers Home Administration farm ownership credit obtained in previous years.

3. Of this total, $90.9 million was used by farmers for the purchase and improvement of needed land to make their operations more profitable. An additional $30 million was used for farm building construction and repairs, and more than $65.5 million was available to farmers who needed long-term credit for financing debts and developing their farms.

4. Average annual gross income of the FHA farm ownership borrower is $16,000. This adds up to more than $1.3 billion in main-street purchasing power. An estimated $260 million of this is spent for family living items; approximately $800 million is spent for farm production materials; and $260 million for farm equipment and other capital improvements.

5. Primary source of credit for this program is from smalltown banks and other private sources and insured by the Farmers Home Administration.

Mr. Speaker, except for the opportunity extended through this lending service, the many thousands of families now working toward security on their farms, contributing to the prosperity of their communities, might well have lost the fight—swelled the numbers of troubled people forced to leave the countryside and take their problems of living to the city.

We look forward in the year ahead to even greater emphasis on full opportunity for rural people to conquer their problems and preserve a strong and viable rural society.

Provision of Group Life Insurance for Members of Armed Forces

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. TEAGUE of Texas. Mr. Speaker, the Committee on Veterans' Affairs reported H.R. 10873 today, with amendments. This is a bill which will provide a program of group life insurance for members of the uniformed services who are on active duty.

This insurance program is to be administered by the Veterans' Administration and underwritten by a group of private insurance companies. The program is patterned after the group insurance program now operating for the benefit of Federal employees.

The program will make $10,000 life insurance available to any member of the U.S. Armed Forces, at a rate of $2 a month, or he may elect to take $5,000, at the rate of $1 per month. Coverage will be automatic when the bill becomes law.

This insurance will be in addition to any other insurance which the serviceman may have, and will be in addition to benefits for survivors under the dependency and indemnity compensation program.

H.R. 10873 was introduced by the gentleman from Tennessee, Congressman ROBERT EVERETT, who is the chairman of our Insurance Subcommittee. The Insurance Subcommittee is composed of the following members: Congressman KORNEGAY, of North Carolina; Congressman SECREST, of Ohio; Congressman GEORGE E. BROWN, JR., of California; Congressman RONCALIO, of Wyoming; Congressman CHARLES M. TEAGUE, of California; Congressman ELLSWORTH, of Kansas; and Congressman AYRES, of Ohio. These Members have been working diligently for a period of about six weeks to produce this legislation, and we are making every effort to secure its enactment so that this coverage can become available at the earliest possible time, particularly in view of the situation in Vietnam.

Our Insurance Subcommittee has had the full cooperation of the life insurance industry. A committee of the Nation's foremost life insurance experts was appointed to work with the subcommittee and, in addition, the subcommittee has had the advice and help of the Veterans' Administration's insurance experts. The Department of Defense has also cooperated in the development of this program.

This legislation is favored by the administration, and has support in the Senate, as evidenced by the fact that the Senate has passed Senator TALMADGE's bill, S. 2127. In view of Senator TALMADGE's great interest in this subject, we feel certain that we will have the utmost cooperation of the Senate in securing enactment of this legislation, so that its coverage can immediately become available to our servicemen throughout the world.

Congressman EVERETT, chairman of the Insurance Subcommittee, and all of the members of the subcommittee, are to be congratulated on the fine piece of work they have done, and Senator TALMADGE certainly deserves credit for his expedient actions in the Senate.

The bill's main provisions are as follows:

SERVICEMEN'S GROUP LIFE INSURANCE PROGRAM

1. Provides a group life insurance program for all members of the uniformed service who are on active duty on the effective date designated by the Administrator of Veterans' Affairs for the program, which is expected to be within a matter of days after Presidential approval.

2. Coverage is automatic, with the serviceman required to take affirmative action to take himself out of the program. The coverage provided is $10,000 or $5,000, no other amounts. If the serviceman elects out of the program and later applies for readmission, he must show good health.

3. Premium rates for servicemen are expected to be $2 a month for $10,000 of group insurance and $1 per month for $5,000 of group insurance, including claim and administrative costs. This cost may be adjusted, hopefully downward, as experience dictates.

4. Servicemen's premiums would be deducted from their pay by the Department of Defense and remitted to the Veterans' Administration.

5. The deductions from the pay would cover the administrative expenses of the Veterans' Administration.

6. The extra hazard cost of insuring servicemen would be paid by the United States after determination on an actuarial basis, with the total payment for extra hazard cost estimated at $4 million a year during periods when casualties are at present levels. Peacetime costs would not entail any extra hazard contribution, or at most a very small one.

7. The insured may elect settlement in a lump-sum payment or in 36-month period in equal monthly installments. If the insured fails to make such election, the beneficiary may do so. The insured may designate any person as a beneficiary. If an affirmative designation is not made, the insurance would be paid in the following order: Widow or widower; child or children; parents: If none of the above, to the executor or administrator of the estate; if none of the above, to the next of kin of such member or former member under the laws of domicile of such member at the time of his death.

8. Upon discharge from the service, the individual is protected in the full amount of his policy for 120 days, the cost for this being borne by premiums paid during the period of his active service.

9. While covered by insurance under this program an individual would have the right to obtain from a private insurance company an insurance policy without medical examination in an amount equal to the group insurance policy under which he was protected during the period of service.

10. If the man has a service-connected disability, he would be eligible for a commercial policy without medical examination under this program and, in addition, would be eligible for a $10,000 service disabled veteran's insurance policy administered by the Veterans' Administration.

11. The number of participating companies would be determined by the Administrator. The expectation is that the number of companies insuring and reinsuring under this program will closely approximate the number under the existing Federal employees group life insurance program. The primary insurer or insurers would be required to be eligible to do insurance business in all 50 States and the District of Columbia while reinsurers would not be so limited.

12. Group life insurance coverage under this program would be in addition to any U.S. Government life insurance or national service life insurance which the serviceman might hold.

DEATH GRATUITY PROGRAM

1. Would cover death incurred in the active military, naval, or air service during the period from January 1, 1957, to the effective date of the servicemen's group life insurance program. The death must have resulted from (a) action of hostile forces, (b) an accident involving a military or naval aircraft, (c) an explosion of an instrumentality of war, or (d) the performance of service for which certain incentive or special pay for hazardous duty is authorized.

2. Death gratuity payments would be made to the widow of the veteran; if no widow is living, then to his child or children; and if no widow or child is living, then to his living parent or parents. No other persons would be eligible.

3. Recipients of death gratuity payments would have to waive all future death compensation or dependency and indemnity compensation on account of the death of the veteran with respect to whom the death gratuity is paid.

4. The amount of death gratuity payment would be $5,000, reduced by the amount of U.S. Government life insurance or national service life insurance paid or payable on account of the death of the veteran and any death compensation or dependency and indemnity compensation received on account of the death of such veteran by the recipient of the death gratuity.

Inside Interior—The Consequence of Conservation

EXTENSION OF REMARKS

OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 1965

Mr. MATHIAS. Mr. Speaker, the C. & P. Telephone Co. has initiated an excellent public education series to acquaint their employees and other interested Americans with "Your Federal Government in Action." In a series of articles in the C. & P. magazine, the Transmitter, members of the President's Cabinet are describing the functions and goals of their respective departments. The second of these articles, "Inside Interior—The Consequence of Conservation," by Secretary of the Interior Stewart L. Udall, appeared in the July-August Transmitter. I bring this article to the attention of the Congress:

INSIDE INTERIOR—THE CONSEQUENCE OF CONSERVATION

FOREWORD

(By Stewart L. Udall, Secretary of the Interior)

The Department of the Interior might well have been forgiven had it lived up to its original catchall designation. For an agency with such a diversity of assignments to have developed a consistent, national philosophy and a major role in our country's history is almost a miracle.

The miracle, however, came to pass. Instead of galloping off in a dozen different directions, these at-first-unrelated bureaus and offices have welded their farflung interests into a spearhead for the major conservation effort that our times demand.

But miracles don't just happen; they are wrought by men. The first really important man in this particular miracle was Harold Ickes, who in 1933, picked up the reins of Interior and built for himself the image of an "old curmudgeon." In the process, he built Interior into a strong, effective force for the wise use of our natural resources.

In the days of Theodore Roosevelt, the President led the fight for conservation. His was the first great wave of conservation, and the tone was strongly preservationist. This crusade was the start of public management and regulation of natural resources.

The second thrust for conservation came with Franklin D. Roosevelt and the New Deal. During this period, conservation of resources became an instrument of economic recovery and later of defense buildup. Marked by the develoment of a new conservation concept challenging not just our muscles but our minds, the third wave came with the Kennedy-Johnson administration.

In early days, American conservationists looked to the horizons as they sought, through works of restoration and preservation, to make visible their love for the land and their respect for rights of the unborn. Today we are fresh out of horizons. We must look at what we have done and decide whether to deal with it or let the carnage rage on.

Unless we act now, boldly and creatively, we and future generations must breathe the polluted air, drink the polluted water, try to relax in our overcrowded parks, and watch various species of wildlife slip into extinction.

The problem of conservation is suddenly on our doorstep—not over some mountain range or across some broad, clean river valley. This is the challenge which Interior is trying to meet with almost every resource. The task is impossible for any one agency or even any one administration to achieve alone. It needs and deserves the concerted effort of an entire and united Nation.

INSIDE INTERIOR—THE CONSEQUENCE OF CONSERVATION

Though created by act of Congress, the Department of the Interior began on shaky foundations in 1849, as "the dustbin of government." Over the years it tended to be a catchall for agencies which didn't seem to fit into any of the neat pigeonholes of the Government.

At first, it included only the General Land Office and the Bureau of Indian Affairs. The former had been a Treasury Department agency since 1812, and the latter was established in the War Department in 1824. Both agencies are now major bureaus of the Department of the Interior.

As the years went by Interior "just growed." In 1879 the U.S. Geological Survey was established and placed within Interior. The Geological Survey pioneered the field work when the Reclamation Act was passed in 1902. Then in 1907 a Bureau of Reclamation was established to perform this service and in 1910 a Bureau of Mines was created as a part of Interior.

The National Park Service became a reality in 1916; the Office of Territories and the Grazing Service, in 1934; the Bonneville Power Administration, in 1937. The Bureau of Biological Survey (formerly in Agriculture) and the Bureau of Fisheries (formerly in Commerce) were consolidated in 1949 to become Interior's Fish and Wildlife Service. In 1943, the Southwestern Power Administration was set up. In 1946, the General Land Office, one of the oldest of Interior's components, was melded with the Grazing Service to form the Bureau of Land Management.

In the years since then, Interior has added: Office of Oil and Gas, Southeastern Power Administration, Office of Saline Water, Office of Minerals and Solid Fuels, Office of Minerals Exploration, Oil Import Administration, and the Office of Coal Research. The latest additions have been the Bureau of Outdoor Recreation and the Office of Water Resources Research. Interior also includes the Board of Geographic Names and runs the Alaska Railroad.

The Department of the Interior is responsible to help the Nation meet constructively both its immediate and long-range resource requirements. The task is not easy. No single solution will mend the havoc we have already wrought—the hurt we have inflicted upon our own land. The responsibility is faced against the backdrop of litter and laissez-faire—of unplanned sprawl and planned ugliness. But the last two Administrations have backed to the hilt the efforts of the Department to bring order and meaning into the Nation's overall conservation endeavors.

A niche for every wild creature

The Fish and Wildlife Service is concerned with providing for every wild creature its rightful niche in the total environment. The sledgehammer impact of civilization has imposed ever-changing conditions on wildlife that threaten survival of some species and interfere with the proper balance of nature. Interior programs, aimed at helping our wild contemporaries survive civilization, have softened the threat and are rebuilding the delicate balance of wildlife.

Part of the melding process of Interior bureaus can be seen in the cooperation the Fish and Wildlife Service is receiving today from the Interior's Bureau of Reclamation. In the not too distant past, some big electric power and irrigation projects meant ruin to existing fisheries, jeopardy to important fish runs, destruction of inland spawning areas and waterfowl wintering grounds, and serious damage to other wildlife. Today, the Reclamation and Fish and Wildlife Service Bureaus are partners in water projects—not only benefiting mankind by stopping destruction of wildlife, but also establishing and enhancing fish and wildlife habitats.

Almost every bureau and office in Interior has a special concern with the use and conservation of water. Thus, its offices are mapping water's location, measuring it, studying its properties, predicting its behavior, impounding it, diverting it, desalting it, delivering it, and using it to create electricity, fish and wildlife habitats, and recreation areas.

Most mileage from a raindrop

Research is underway in many of the bureaus to wring the most mileage out of every raindrop as it loses altitude between cloud, mountaintop, and ocean. Studies are underway to destroy water-thieving plants in arid areas; to cut down evaporation losses from our large reservoirs; to lift rain clouds over ranges and let them deposit their precious burden on dry areas. Other research strives for ways to eliminate acid mine drainage into fresh water and to stop seepage of surface water into mines; to harness the power in the tides; to connect whole regions by means of extra-high voltage transmission lines for more efficient use of hydroelectric power; and to turn brackish or salt water into a fresh, potable product.

To measure the world of interior would require stretching from the very center of the earth's crust to the moon. Interior scientists have been involved in everything from determining how heat flows from deep within the earth to such projects as advising NASA about suitable landing places on the moon.

The Bureau of Land Management's role and history are perhaps most consistent with the name of the Department of the Interior.

Public lands presently consist of 175 million acres in the 11 most western continental States and 289 million acres in Alaska. The Bureau of Land Management administers and protects this last reserve of public domain. The land is replete with minerals, fuels, timber, grazing land, wildlife, and an assortment of recreation opportunities. New legislation was enacted last fall to make it possible for BLM to use modern methods in getting the most public benefits from these tremendous reserves.

New national seashores

The National Park Service has seen recent, dramatic, and long overdue additions to its total facilities. Three beautiful new national seashores—Cape Cod, Point Reyes, and Padre Island—have been added to the system. Passage of the Land and Water Conservation Fund bill by the 88th Congress has opened the door for even more new park facilities. The Land and Water Conservation Fund sticker—costing $7 and entitling all occupants of an automobile to a year's admission to any national park or recreation area—is the means by which Federal, State, and local governments will be able to finance such new recreation areas. The total number of facilities involved is more than 2,000.

The Wilderness Act, also passed by the 88th Congress, provides for a system of specifically designated wilderness areas in national parks, forests, and wildlife refuges. In the poetic language of the bill, "wilderness" is described as "an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain."

Promises of human resources

In addition to all these responsibilities, Interior is very deeply involved in the problems and promises of human resources. The Bureau of Indian Affairs and the Office of Territories are dedicated to bringing the residents of our territorial islands, and the Eskimo and American Indian into the mainstream of American life.

The effort is double-pronged. It is aimed at providing for these people every opportunity for education, employment, and decent housing; however, it encourages the preservation of distinctive traditions within the original native culture. The American Indian and his counterpart in Alaska and the territories is emerging as a full participant in our modern world. But he's bringing with him his own cultural heritage and a set of values that strengthen our national fiber.

Increased leisure, increased income, increased mobility—all these combine to make the use of our outdoors one of our great American pastimes. Interior is deeply concerned with preserving and improving the quality of our total environment as its use increases. Conservation today means providing for outdoor recreation; it means channeling electricity over mountains and into regions that need it; it means joining hands with the scientists of the world to find cheap methods of desalting water; it means concern for the total environment and all its components—air-water-soil-minerals-wildlife-humanity itself.

Or, as Secretary Udall expressed the concern recently:

"Our resource problems in the 1960's are measured by the flyway of a bird, the length of a river, the half-life of an element, the path of a wind, the scope of the oceans, the shape of our cities. The years ahead will require both public and private conservation statesmanship of a high order."

Conservation is Interior's principal job. The challenge is a worthy one and we can afford to give it no less than our best effort.

Washington Report

EXTENSION OF REMARKS
OF

HON. JAMES D. MARTIN

OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 15, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to the people of the Seventh District of Alabama for June 24, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

TWO KINDS OF AMERICANS

Last Thursday the House honored two young Americans, James A. McDivitt and Edward H. White, the Gemini-4 astronauts. Major McDivitt, who will soon become a lieutenant colonel, had a few words to say, but the few words could well be read carefully by all Americans. Standing in the well of the House, this courageous and upstanding young man declared:

"Mr. Speaker and Members of Congress, I am absolutely overwhelmed at being here today.

"I can remember a long time ago when I was a young boy I dreamed about coming to Washington and possibly, with luck, being able to sit up there. (Pointing to the visitors' gallery) I do not believe I ever gave it a thought of being able to stand down here.

"I think in those days I felt much more significant than I do today.

"Our flight, and in the last few days back here on earth again, has taught me that one or two people are so very insignificant when I think the destiny of our country has been molded within these very walls. It is being molded here today and will be tomorrow and forever.

"I really do not have anything to say except just one thing: I am very happy and very proud to be an American."

On the same day that Major McDivitt proclaimed to the House and to the Nation, "I am very happy and very proud to be an American," another group of young Americans were in the Capitol. Some of them were college students, and in contrast to the clean-cut, neat appearance, and straightforward look of McDivitt and White, many of them were unwashed, unshaven, ill-clothed, and surly. They were calling on Members of Congress to demand that the legally elected Congressmen from Mississippi be unseated and replaced by the Negro candidates of the so-called Freedom Party, which had no legal standing at the time of the election in November.

ECHO COMMUNIST LIES

But these students were not only demanding that Members of Congress betray their oath of office by taking an unconstitutional action, they were castigating our country for the war in Vietnam, the efforts to help the people of the Dominican Republic to thwart the Communists. These students who have enjoyed the blessings of liberty, who are being educated in some of the best schools in the world, had the gall, in at least one congressional office, to accuse American soldiers of being murderers. They castigated the United States, their homeland, for fighting against Communist aggression in Korea and said the military services of this country were devoted to turning out professional killers. They blamed America for the troubles in Asia and South America and excused completely the Communists whose aggression and subversion is the sole cause of military action in the world today, the sole cause of our boys dying in defense of freedom, the sole cause of the terror and murder which has been brought to many countries in Africa, Asia, and South America.

There were two kinds of Americans in the Capitol last week. Two young men who have made a contribution to mankind, who are dedicated to service to their country and to their fellowmen. These two men are happy and proud to be Americans. The others have contributed nothing to their country, to the world, and in many cases, even to themselves. They have been willing to take from their parents, their schools, whoever offered them a handout. They are ashamed to be Americans and are doing their best to pull down the country and the great traditions and ideals which have offered greater hope to more human beings than any other dream in the whole history of mankind. Whom do you choose for your heroes?

WHAT PRICE GREAT SOCIETY PROSPERITY?

In spite of all the talk about the war on poverty, the war may already have been lost in the Nation's grocery stores. A nationwide survey of food costs shows that prices have increased 15 percent since last spring. Potatoes are double the usual price. Lettuce is up 15 to 39 cents a head in many areas, and meats have increased about 10 percent. Behind these higher costs are bankrupt Democrat farm programs which have helped neither the farmer, grocer, nor consumer. In States like California, Florida, and Ohio, fruits and vegetables are rotting because of a shortage of farmworkers created by short-sighted Johnson administration labor policies. In addition, the big spending programs of Lyndon Johnson are the main cause of inflated prices, so your dollar just won't buy as much as it once did.

While figures are confusing, and not many people like to read them, here are a few to think about. The administration brags about cutting taxes, but early in 1969 the combined employer and employee payroll tax for social security will take $492.80 out of the first $5,600 of income. This is more social security tax than the average worker now pays in income tax, and his income tax will still be collected at the same or higher rate. More will be taken out of your paycheck for social security beginning next January than you received in the much publicized 1964 tax cut.

The new Johnson increase in the debt limit is $44 billion over the permanent debt ceiling of $285 billion. It's costing the American taxpayers $11 billion every year just to pay the interest on this debt, and it's still going up.

The Great Society programs are not free. You will be paying for them for the rest of your lives, and what is even worse, your children and their children will be paying for them throughout all their lifetimes.

Isn't it time the American people helped those of us in Congress who believe in sound money and responsible spending to put a stop to bigger and bigger Federal programs? Put a stop to putting more and more people on welfare in an endless quest for votes? It's time we face up to fiscal responsibility before it's too late.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 16, 1965

The House met at 12 o'clock noon.

Dr. George R. Davis, minister of the National City Christian Church, Washington, D.C., offered the following prayer:

God of our days, their beginnings and their endings, we thank Thee for the shining gift of this day. God of the nations, their rising and their falling, we thank Thee for the appearance of our Nation upon the face of the earth. Grant us who wish that Nation to endure, to give heed to the reminders of history, "Blessed is that nation whose God is the Lord. Where no vision is, there, the people perish."

Grant those whose sublime honor it is to labor in this historic assembly to be sensitive to all of the bewildering voices and demands of our perplexing time. But save them from paying heed to harping criticism. And make them bold to resist the pressures from the ill-intentioned, and the professional wreckers of all human purposes.

Bring to new life, pride in our noblest heritage. Fire our imaginations to believe our better dreams could yet secure that enduring society for which men have yearned and struggled. Give zest, and zeal, and comfort to all those who believe in the coming of the dawn, however agonizing the night. Inspire our leaders and the people to turn from the prophets of defeat, and to heed those who sound the trumpets, "But I have promises to keep, and miles to go before I sleep. And miles to go before I sleep." "Do not grow weary in well doing." "My help cometh from the Lord who made heaven and earth."

For Thy name's sake. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8715) entitled "An act to authorize a contribution by the United States to the International Committee of the Red Cross, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHURCH, Mr. CLARK, and Mr. CASE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes; and

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734–736).

HON. SAM RAYBURN

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, it is with great pride and honored respect that I rise today. On this day 25 years ago the Honorable Sam Rayburn was elected Speaker of the House.

Shortly after Mr. Rayburn's ascension to the Speakership, the Honorable JOHN MCCORMACK, of Massachusetts, was selected as majority leader. This "team" of two great Americans provided Congress with great leadership for nearly 20 years, equaled only perhaps by the team of leadership in the House today.

Sam Rayburn served as Speaker twice as long as any other Speaker, more than 17 years. His closest rival is Henry Clay who served as Speaker for 8 years. In all the history of parliamentary bodies only three men, Gladstone, Balfour, and Churchill, served longer than Sam Rayburn. He served in representative government more than one-third of the entire constitutional history of the United States. There were 42 other Speakers before him, from the first, Frederich A. C. Muhlenberg, of Pennsylvania, to William B. Bankhead, of Alabama, who Mr. Rayburn succeeded in 1940. The three most memorable Speakers are, undoubtedly, Henry Clay, Sam Rayburn, and JOHN MCCORMACK. Henry Clay once said that the qualities needed for the Speakership were "promptitude and impartiality, firmness and dignity, patience, good temper, and courtesy."

Sam Rayburn unquestionably possessed these qualities—and more. He was a humble compassionate man who once said, "You can't be a leader, and ask other people to follow you, unless you know how to follow, too." One fact of the greatness of Sam Rayburn was his ability to follow as well as lead, and neither opportunity nor invitation by circumstance to the abuse of an immense power ever tempted him during his unprecedented service in the Speakership.

There are many stories about "Mr. Sam," as he is known to most of us, but one that I particularly like, and one that shows his compassion and impartiality in executing his duties as Speaker is one that concerns a Republican, Ben F. Jensen, of Iowa. A housing bill was being debated. When the time came for the offering of amendments, he offered a corrective amendment. A point of order was raised that the amendment was not germane to the bill. Speaker Rayburn vacated his chair, put another Member in his place, and went to Mr. Jensen, who was somewhat flustered, not having anticipated the point of order. Mr. Sam told him to withdraw his amendment to the section being discussed and offer it to another section, where it would be germane. This was done, and the point of order when raised again was overruled.

History will remember him for the records he set as Congressman and Speaker, for the far-reaching laws he wrote, and for the philosophy he espounded as party leader and public official.

His colleagues on both sides of the aisle will remember him for his impartiality, his integrity, and his outstanding parliamentary skill in presiding over the House, and for enhancing the dignity and traditions of the Speakership.

Those of us who knew him will forever remember him for his personal qualities as a stern, serious man of limitless compassion and infinite kindness.

This Nation was, and is, fortunate to have had a man like Sam Rayburn to come our way and help lead us in becoming the prosperous and great Nation that we are today, and to add the quality of compassion to Congress, to the Nation, and to all the world.

VACATION OF SPECIAL ORDER

Mr. ANNUNZIO. Mr. Speaker, I have a special order for today. I ask unanimous consent that it be vacated and that after all legislative business and special orders heretofore agreed to for Thursday, September 23, 1965, that I be permitted to address the House for 30 minutes and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 302]

Adair
Anderson, Tenn.
Andrews, George W.
Ashley
Bates
Bolton
Bonner
Brown, Calif.
Daddario
Dawson
Derwinski
Fallon
Flood
Flynt
Foley
Ford, Gerald R.
Fuqua
Gallagher
Giaimo
Hébert
Jacobs
Jones, Mo.
Keith
Laird
Lindsay
Long, Md.
McClory
MacGregor
Martin, Ala.
May
Miller
Morse
Pirnie
Poage
Pool
Powell
Roosevelt
Roudebush
Roybal
Senner
Sisk
Sullivan
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tupper
Van Deerlin
Waggonner
Walker, Miss.
Widnall
Wilson, Bob

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow night to file certain reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. MULTER. Mr. Speaker, on Monday, September 13, 1965, I am recorded as not voting on rollcalls 287, 288, 290, and 293. If I had been present and voting, I would have voted "yea" on rollcalls 287, 290, and 293, and "nay" on rollcall No. 288.

TEMPORARY EMPLOYEES OF THE POST OFFICE DEPARTMENT IN THE SUMMER OF 1965

Mr. MORRISON. Mr. Speaker, by direction of the Committee on Post Office and Civil Service I offer a privileged resolution (H. Res. 574) from the Committee on Post Office and Civil Service and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 574

Resolved, That the Postmaster General is hereby directed to furnish the House of Representatives the names of all persons employed by the Post Office Department as temporary employees at any time during the period beginning on May 23, 1965, and ending on September 6, 1965.

The SPEAKER. The gentleman from Louisiana is recognized for 1 hour.

Mr. MORRISON. Mr. Speaker, I move to lay the resolution (H. Res. 574) on the table.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. Mr. Speaker, I withdraw my motion for the time being. I yield 5 minutes to my distinguished colleague [Mr. QUIE].

Mr. QUIE. Mr. Speaker, I am glad that this resolution was brought before this body now. I understand the next move will be to lay it on the table. I hope my colleagues will not support the motion to lay this resolution on the table.

Let me tell you what the situation is. The Post Office Department refuses to let a Member of Congress know the names of the temporary employees who were hired under the youth opportunity campaign announced by the President. This is secrecy in Government. This is a refusal to let the Members of Congress, who should know this, have this information.

I think anybody in the United States who wants to know who works for the Government ought to know it. I think that the summer employees who were to be hired because they were educationally and economically deprived young people, according to the statement of the President, should be known. The American people ought to know who were hired. The people in each community should know who was hired in their own post offices. This was known in some of the post offices where some of the information was found out by the press. The Post Office Department sent investigators to the newspapers to find out how they found out, because they said that this was contrary to a regulation of the Post Office Department. If the Federal Government is going to continue with this kind of secrecy, and be supported with what is proposed now by the Committee on Post Office and Civil Service to lay my resolution on the table, I think it is preposterous. The American people, and especially the Members of Congress, have a right to know who these people are.

Now the Postmaster General is saying that he has let all of the postmasters divulge the names of these employees in their own office. There are 34,000 postmasters in the country, and a Member of Congress should have the right to know what is going on without having to write to each one. The Postmaster General has all of this information available in 15 regional offices. He can put his finger on it quickly and make this information available to us.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I want to commend the gentleman from Minnesota for taking on this task. In the first place its significance goes way beyond the issue involved with respect to postal employees. The issue, as the gentleman has stated it, is this question of secrecy in government. Many is the time that the majority has been concerned about not being able to get information from the executive branch of the Government which the Congress ought to have, and is entitled to have.

I want to say this: I think we should carefully weigh our votes because it is only an illustration. If you vote against this, or vote to table it, in effect you will be putting your stamp of approval on the secrecy policy that the administration is following in so many areas, including the very serious area of our foreign policy.

Again I want to commend the gentleman from Minnesota for bringing this matter before the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. GROSS. I think it would be well, since it is very brief, to restate the resolution. It simply says:

Resolved, That the Postmaster General is hereby directed to furnish the House of Representatives the names of all persons employed by the Post Office Department as temporary employees at any time during the period beginning on May 23, 1965, and ending on September 6, 1965.

What in the world can be wrong with that? Let me say to the gentleman and the Members of the House that I am amazed at the speed and secrecy with which the move to table this resolution was brought before the House. The subcommittee met this morning at about 10 o'clock and adopted an adverse report. The full committee met at 11:15 this morning and took final action to make an adverse report to the House. The necessity for this speed and secrecy is beyond comprehension. I had no knowledge whatever that action would be taken here at this time. Although I was present in both the subcommittee and full committee I was given absolutely no notification. I doubt very much that the gentleman from Minnesota had any notification before he came to the floor of the House a few minutes ago that this move would be attempted here today.

Mr. QUIE. The gentleman from Iowa is absolutely correct. I had not known until I reached here that the resolution would be called up today. I did not know it was going to be called up today. I was talking to the gentleman from Iowa on the floor, and he was recounting to me what had happened in the Committee on Post Office and Civil Service, and then another colleague came up and said "I think it will be brought up right now." He is also a member of the committee. It was not until then, as I was standing by the microphone, that I heard it was going to be called up at this time. That is the first I knew of it.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. BOGGS. Just to set the record straight, the rules of the House are that a resolution has to come up in 7 days. It seems to me in place of the gentleman complaining about it, he ought to be glad to have the privilege of expressing his will on it in one way or another.

The SPEAKER. The time of the gentleman from Minnesota [Mr. QUIE], has expired.

Mr. MORRISON. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I want to commend the gentleman from Minnesota for pursuing this very important point of access of information by Members of Congress. In his correspondence with the Postmaster General and other officials I am wondering if he was able to learn anything in the way of reasons for this secrecy. Was there any military or national security involved? Was there any showing that this would invade personal privacy to an unwarranted degree?

I appreciate the effort of the gentleman in what he is doing, because I recognize its importance.

Mr. QUIE. He did not show that. All he pointed to was a postal regulation, 744.444, on which he based this claim that no individual, non-Federal organization, or commercial firm was allowed to have the names of these employees. It would be interesting to spend some time on this to show the work of the Moss subcommittee and what they have done in this regard; knocking down the Department of Agriculture on similar regulations which prevented them from securing names of agriculture employees.

However, in the Post Office Department, I think it is completely unwarranted to have a regulation of this nature that would deny even a Member of Congress access to these names.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield.

Mr. UDALL. We are talking about two different things. I agree on one, but not on the other. The first question is whether or not we are going to have a merit system of hiring in the Government. I think the gentleman has raised some questions here and the Civil Service Commission is making a study to make sure that we do have both summer employment and temporary employment.

The other proposition, on which I think the gentleman is on weak ground is the question whether anybody ought to have the right to spread on the public record the names of Federal employees. Maybe I would like to have them or you would like to have them for the next campaign. The question is, Should we have the right to print in the newspapers or in the CONGRESSIONAL RECORD, the names and addresses of every employee of the Federal Government?

This raises some very serious questions that I think ought to be discussed and that was the basis for the action taken.

Mr. QUIE. I believe we should. I believe the American people, who pay taxes, are entitled to know who is employed by the Federal Government in every area where it is not a security matter. I understand that with reference to security matters, that is not done. But on a nonsecurity matter, such as employment in the Post Office Department, where they are hired in local communities, anybody can go in and find out who is employed. I do not see that this has to do with any matter dangerous to the national security.

Mr. UDALL. What is secret about it if you can go in and get these names? I do not know that it is good for every person in business to have a list of the Federal employees for the purpose of sending them advertising literature or solicitations of one kind or another.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield.

Mr. GROSS. What agency of the Government aside from this has the same regulations as the Post Office Department?

Mr. UDALL. It has been my understanding that any Member of Congress or any properly motivated public official can get a list of these names.

Mr. GROSS. You can get these names from the Post Office Department if you want to poll 34,000 postmasters.

Mr. UDALL. No, that is not the case.

Mr. GROSS. That is the ruling of the Postmaster General and the gentleman knows it.

The SPEAKER. The time of the gentleman from Minnesota [Mr. QUIE] has again expired.

Mr. MORRISON. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this is a very simple issue. There was no undue speed on this at all. This is a privileged resolution. Last Monday or Tuesday I was notified that we were going to have a meeting of our subcommittee, on which I am the ranking member. The meeting was postponed and then held today. Both sides including every member had ample notice to be there. Everybody had a chance to express his point of view. This resolution was reported unfavorably, with all members agreeing to an adverse report with one dissenting vote.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield.

Mr. QUIE. Mr. Speaker, I think it would have been a matter of courtesy to let me know that resolution was going to be passed upon today. I stayed in my office until 12:30. Then there was a quorum call. I never heard a thing about it until I reached the floor.

Mr. MORRISON. The gentleman had the opportunity to be there if he had wished. Nevertheless, whether he had been there or had not been there, the vote would have been exactly the same in the subcommittee and also the same in the full committee. I am sorry he was not notified, not that it would have made any difference but it would have evidently made him happier.

Mr. QUIE. If the gentleman will yield further, I am not a member of that subcommittee or the committee and was not notified that either the subcommittee or the committee was going to meet on it. So I had no way of leaving the Committee on Agriculture and going to the Post Office and Civil Service Committee, as did the gentleman from Louisiana.

Mr. MORRISON. Had the gentleman been notified and had you been there, I do not believe you would have made any difference in the final vote of the subcommittee or full committee.

Mr. QUIE. Still, it is a courtesy of letting the Member know that his bill was going to be brought up on the floor of the House on such short notice.

As I said in my opening remarks, I am glad we are bringing it up on the floor and bringing it before the American people. But I thought it would have been at least helpful and a courtesy to another Member to let him know that it was going to come up, instead of trying to put it through in this fashion.

Mr. MORRISON. I am sorry that the gentleman was not notified and I am sorry that the counsel did not notify you.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Illinois.

Mr. ARENDS. I think in all fairness I should say that shortly after the House convened the Speaker did ask me to advise the gentleman from Minnesota [Mr. QUIE] that this might be called up almost immediately, but the gentleman was not on the floor. As quickly as the gentleman from Minnesota got over here and answered the rollcall, I undertook to notify the gentleman. But in all fairness, the Speaker did tell me to advise the gentleman from Minnesota that it was likely to be brought up. So, if there was any error that I did not get to the gentleman soon enough, it was my fault.

Mr. MORRISON. It was my understanding that when it came before the full committee all members were notified, and the vote was unanimous, not one dissenting vote against reporting this resolution unfavorably.

I would like to say that I believe the gentleman has made a statement that you have got to go to 36,000 post offices in order to get this information.

Mr. GROSS. At least 34,000.

Mr. MORRISON. In my district you only have to go to two post offices. Anyone in my district who goes to those two post offices can get all those lists. In many congressional districts they only have to go to one post office. So, I believe you can safely cut that figure of 34,000 down to less than 1,000.

There is nothing that the Post Office Department has to hide. These lists are available to anyone at each post office. Anyone has the opportunity to go in any post office where they have one or more of these employees and get all the information they want. They are on record and they are made available to the press and they are made available to any individual.

Mr. GROSS. Mr. Speaker, will the gentleman yield further for a correction?

Mr. MORRISON. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman says that there was no Republican voting against the motion to report the resolution adversely. The gentleman well knows that I voted against reporting the bill adversely in the subcommittee this morning.

Mr. MORRISON. In the subcommittee, I said there was one vote against it and that was your vote. In the full committee there was no vote against it because the gentleman from Iowa was not there.

Mr. GROSS. And, if the gentleman will yield further, I was there this morning when the full committee adopted a motion to lay this resolution on the table. I was there to vote against that motion which certainly established again my position in opposition.

Mr. MORRISON. That is correct.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Minnesota.

Mr. QUIE. If this information is so readily available, instead of the Postmaster General calling up these 34,000 post offices who actually hired them, as the gentleman said it would require calling only about 1,000, why does the Postmaster General not willingly provide that information for us, rather than saying he refuses to do it as though this is some difficult task?

Mr. MORRISON. Well, names are available at each post office and the Postmaster General designates the way he operates his Department.

Mr. QUIE. That is not a satisfactory answer.

Mr. MORRISON. The gentleman from Minnesota knows he can go to any post office, he can go to any post office in his congressional district and any other district and get any information he wants and if he wants to write for this information, he does not even need to put a 5-cent stamp on it if he does not want to do so. All he has to do is send it with his frank and he can get all the information from any post office that he wants to write to.

Mr. QUIE. Why not let the Postmaster General send out his directive requesting the postmasters to divulge this information about their employees which to date he has refused to do?

Mr. MORRISON. I do not see what the gentleman is complaining about. The gentleman got what he wants. Is the Postmaster General to send the list of names and their addresses to everyone? That is unnecessary because each post office will give anyone this information.

Mr. QUIE. Why cause the Members of Congress to write to all these postmasters? We do not know which post office hired them and which did not. The regional director of the Minneapolis region is going to secure these names for me. Why does not the Postmaster General secure the names for the rest of the country for me? Why this secrecy when it comes to Members of Congress?

Mr. MORRISON. There is no secrecy, and the gentleman well knows that he can ask his secretary to contact all postmasters that gave these summer jobs—and there are less than 1,000 of them—and he can get all the information he wants.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, it is my understanding that the Postmaster General several days ago directed all postmasters to release the names of all summer or temporary employees to anyone who asked including newspapers. I would just like to say there is nothing to hide and if it would help and if it involves any special effort, I would be glad to send to the gentleman's office or any other office by messenger or to bring myself the names and addresses of young men that I recommended to the Post Office Department for summer work this year. In every instance they came recommended to me as being in need of assistance and for jobs this summer to attend college next year. These young men needed assistance and I would be glad to assist the gentleman to any extent. These young men were competent and were not deadheads. They worked and worked long and hard. The only question here is whether the Postmaster General or individual postmasters furnish this information. Nothing is denied anybody.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman.

Mr. QUIE. I would like to find out, because I have letters from people whose employment was terminated—temporary employees, but who did receive their appointment on a merit basis. Their jobs were terminated and in their places there were put these summer students. I have a letter from one lady who had three children, two of them in college and one was going to go to college. She needed the money. She had been working for 7½ years and she could no longer work because she was taken off the job that was given to one of these other people. Not all of these young people are in need of money because their parents were wealthy individuals. I would like to find this information out and I think I ought to have the right to get it.

Mr. MORRISON. I would refer the gentleman to the postmaster in his own post office. I want to say this, I think the gentleman is certainly conscientious in his views, but it just happens that the committee that has jurisdiction of this matter voted unanimously opposite to your views.

Mr. QUIE. I understand it is unanimous among the Members on your side of the aisle but not on my side of the aisle. You voted before any Republicans arrived.

Mr. MORRISON. There were not any on your side there to vote either way even though they were duly notified. They were all invited but they did not come so we could assume it was unanimous by both sides.

Mr. CORBETT. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman.

Mr. CORBETT. Mr. Speaker, I would like to get the record straight. I was one of the first Members at the meeting today. The meeting was adjourned by the gentleman from New York [Mr. DULSKI].

Mr. MORRISON. That is, it was recessed, not adjourned, until 11 o'clock.

Mr. CORBETT. Yes, the meeting was recessed. I returned to my office and left instructions with the staff to please call me when a quorum developed. A quorum did develop and I hurried back to the committee and I was present as the gentleman knows. By the time I got from the Rayburn Building to the Cannon Building this resolution had already been acted upon and I had no opportunity to vote on it. However, I do think they are operating within the rules of the House and had the gentleman from Iowa [Mr. GROSS] and I been there, there might have been two votes against the resolution. But I did not know this was up until I happened to wander on the floor. However, I just want to have the record straight that I had been at the meeting early and was on the way there when the action was taken and I do not want it to be assumed that we would necessarily have voted unanimously on it.

Mr. MORRISON. Well, I think all the committee members on the Republican side who were there when the meeting was recessed could have returned at 11 o'clock and could have voted. But they did not.

Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Speaker and Members of the House, I do not think anything is going to be accomplished of a constructive nature by the adoption of this resolution. I have on many occasions during the past 10 years given careful thought to the introduction of resolutions as a means of compelling the production of information, and that has been under the administrations of three Presidents.

I concluded that it would not be an appropriate procedure and would correct none of the problems with which I have concerned myself during the past 10 years I have been privileged to serve as the chairman of the information subcommittee.

I do not know anything about what happened in the Post Office and Civil Service Committee, but I do know that the postal policy in contention at this point is an old, old policy, one with which I vigorously disagree. I hope before I conclude my labors to have a part in bringing about a rescinding of postal regulation No. 744.444.

I think that the type of information at issue here is information which should be available under any reasonable standard. The question of the amount of cost in compiling it and making it available is a valid one, but the basic issue is the right of access, either by the press, by an individual citizen, or by the Congress.

The information which would be supplied under the resolution consists of the names of all persons employed from May until September. Is it to be inferred that all of those persons, running into the thousands, were employed solely because some Congressman recommended them? That would be a reasonable inference from the wording of the resolution, and yet that would not be true.

I submitted to the Post Office Department some names of young people who wanted summer employment, and I apologize to no one for having done so. The first inquiry from the press in my district to the postmaster brought a complaint to me that those names were not available.

I called my district office and said, "You release the names."

Every one of us who made a recommendation has a right to release the names, and I released them. I think it is a matter which the public has a right to know. I am not going to defend any policy which denies them that right.

But the pending resolution would not give the definitive information that is held to be essential here. A rescinding of the policy, a revoking of the regulation, would establish a public right to know, not this resolution.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Minnesota.

Mr. QUIE. I thank the gentleman for yielding. I was checking on some of the work that the gentleman's subcommittee has done. On February 22, 1957, there was a similar problem with the Department of Agriculture. As I recall from reading that statement, the subcommittee took action which required the Department of Agriculture to divulge the names that the committee wanted. If the pending resolution were agreed to today and the Post Office Department were required to divulge the names, we could move from there and advise the press, if such were necessary, on who the 3,380 were.

Mr. MOSS. First, I should like to say to the gentleman that there have been many occasions during the past 10 years when the committee has succeeded in making departments and agencies release information. In this particular area of personal information, we were successful in having the Civil Service Commission itself modify its policy.

It is still my judgment—and I do not believe anyone on this issue can charge that I have been at all partisan—that this is not the appropriate procedure. It is one which I have many times considered and determined I would not employ.

Mr. QUIE. Mr. Speaker, will the gentleman yield further?

Mr. MOSS. I am happy to yield further.

Mr. QUIE. To me the question here is secrecy in Government, with which the gentleman and the subcommittee have been concerned. If the Post Office Department denies even the names of temporary employees how, then, can we find out the additional information Members might want to have?

Mr. MOSS. If this is an issue of secrecy in Government, let us attack the regulation promulgated according to law which permits the withholding of information. This is Postal Regulation No. 744.444. That is the one cited by Postmaster General Gronouski and the one cited by Postmaster General Summerfield as the authority for the withholding of the information. We should attack the basic problem, the claim of authority, and finally would break down the barrier, instead of an occasional show of force through adoption of a resolution.

Mr. MORRISON. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. Boggs].

Mr. BOGGS. Mr. Speaker, if I understand the facts correctly, these names are available to anyone who makes a legitimate request for them. That includes the press, a Member of Congress, a public official or anyone who has a legitimate right to get the names.

I presume the resolution would make the list of names of all post office employees of all post offices in the United States and territories available to anyone here.

I do not question the motives of any Member of Congress, but I know it has been necessary to limit the disposition of names because of people who prey on these people all over the country. I remember that when I first came to Congress I could get the names of high school graduates in my district from the high schools. I cannot get them any more, not because they do not want me to have them but because other people use the names to prey on these young people.

The same thing applies to countless other lists. I believe we should understand what is happening.

As I understand the terms of this resolution, anyone could get the list of names for any Member of Congress from anywhere in the United States. I cannot see that such a thing is necessary. If the gentleman from Oklahoma, Congressman Albert, wants a list in his district, or the distinguished gentleman from Minnesota wants a list in his district, or any other place in his State, he can get it by writing a letter or making a telephone call.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Minnesota.

Mr. QUIE. We know now, since the Postmaster General changed his regulations, he does not use regulation No. 744.444 in regard to temporary employees any more. He says now a Member of Congress can write to each postmaster and find out who these people are. The intent of the resolution is to say that the Postmaster General shall furnish these names to us, so that we do not have to write to all postmasters.

Mr. BOGGS. I cannot imagine why I, for instance, would want the names of employees in a post office in the gentleman's district, or in Mr. Gross' district, or in Mr. Kunkel's district. Why would I want them?

Mr. QUIE. If you were in the minority you would want them.

Mr. BOGGS. It seems to me that the motive must be politics.

Mr. MORRISON. Mr. Speaker, there is one thing I should like to clear up; that is, about our committee meeting this morning. The committee met according to all rules and regulations. The meeting was called for 10 o'clock. Some of the members were there but not enough for a quorum. They waited and waited. It got to be about 10:30, and still a quorum did not appear, so the committee recessed until 11 o'clock in the hope that by that time there would be a quorum. Shortly after 11 o'clock the committee did get a quorum and unanimously voted to report this resolution unfavorably.

Everybody on the committee on both sides was notified. Anyone who was a member of the committee could have been there at any time from 10 o'clock on. There was no member who did not get full and ample notice.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to my distinguished colleague from Alabama, a member of the committee [Mr. Buchanan] 1 minute.

Mr. BUCHANAN. Mr. Speaker, I should like to make it clear that I was in a committee hearing this morning which conflicted with this committee meeting, where my presence was required a good portion of the morning for a quorum. This was the reason why I did not attend the meeting in question of the Post Office and Civil Service Committee.

Mr. MORRISON. Mr. Speaker, I move that House Resolution 574 be laid on the table.

The SPEAKER. The question is on the motion of the gentleman from Louisiana.

Mr. QUIE. Mr. Speaker, a parliamentary inquiry.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. QUIE. Mr. Speaker, I made my parliamentary inquiry prior to the vote.

The SPEAKER. The Chair will protect the gentleman. The gentleman will state his parliamentary inquiry.

Mr. QUIE. The inquiry is this: If this motion to table made by the gentleman from Louisiana is defeated then the vote will come on House Resolution 574; is that correct?

The SPEAKER. The gentleman from Minnesota's observation is correct.

Mr. QUIE. I thank the Speaker.

Mr. Speaker, on that I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 185, nays 181, not voting 66, as follows:

[Roll No. 303]

YEAS—185

Adams
Albert
Annunzio
Ashley
Aspinall
Bandstra
Baring
Barrett
Beckworth
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Cameron
Carey
Celler
Chelf
Clark
Clevenger
Cohelan
Conyers
Cooley
Corman
Culver
Daniels
Davis, Ga.
de la Garza
Delaney
Dent
Denton
Dingell
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Farnum
Fascell
Fogarty
Fountain
Friedel
Fulton, Tenn.
Garmatz
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Griffiths
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hardy
Harris
Hathaway
Hawkins
Hays
Helstoski
Henderson
Herlong
Holifield
Holland
Howard
Hungate
Huot
Ichord
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Kornegay
Krebs
Leggett
Long, La.
Love
McDowell
McFall
McGrath
McMillan
McVicker
Macdonald
Mackie
Madden
Mahon
Marsh
Matsunaga
Minish
Mink
Moeller
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
O'Brien
O'Hara, Ill.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Purcell
Race
Redlin
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Roosevelt
Rosenthal
Rostenkowski
Roush
Satterfield
St Germain
St. Onge
Schisler
Scott
Secrest
Shipley
Slack
Smith, Iowa
Smith, Va.
Staggers
Stalbaum
Stubblefield
Sweeney
Taylor
Tenzer
Thompson, N.J.
Trimble
Tunney
Tuten
Udall
Ullman
Vanik
Waggonner
Walker, N. Mex.
Watts
White, Idaho
Whitener
Willis
Wilson, Charles H.
Young

NAYS—181

Abbitt
Addabbo
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baldwin
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bow
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Cahill
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Evins, Tenn.
Farbstein
Feighan
Findley
Fino
Fisher
Fraser
Frelinghuysen
Fulton, Pa.
Gathings
Gibbons
Gilbert
Goodell
Green, Oreg.
Grider
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Halpern
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey, Ind.
Harvey, Mich.
Hechler
Hicks
Horton
Hosmer
Hull
Hutchinson
Irwin
Jarman
Jennings
Joelson
Johnson, Pa.
Jonas
Karth
King, N.Y.
King, Utah
Kunkel
Landrum
Langen
Latta
Lennon
Lipscomb
McCarthy
McCulloch
McDade
McEwen
Machen
Mackay
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
Meeds
Michel
Mills
Minshall
Mize
Monagan
Moore
Morton
Mosher
Murray
Nelsen
O'Konski
O'Neal, Ga.
Ottinger
Passman
Pelly
Poff
Pucinski
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Roncalio
Rumsfeld
Ryan
Saylor
Scheuer
Schmidhauser
Schneebeli
Schweiker
Selden
Shriver
Sickles
Sikes
Skubitz
Smith, N.Y.
Springer
Stafford
Stanton
Steed
Stephens
Stratton
Talcott
Teague, Calif.
Thomson, Wis.
Todd
Tuck
Utt
Vigorito
Vivian
Watkins
Watson
Weltner
Whalley
White, Tex.
Wolff
Wright
Wyatt
Wydler
Yates
Younger

NOT VOTING—66

Abernethy
Adair
Anderson, Tenn.
Andrews, George W.
Ayres
Bolling
Bolton
Bonner
Brown, Calif.
Byrnes, Wis.
Colmer
Daddario
Dawson
Derwinski
Diggs
Donohue
Fallon
Farnsley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fuqua
Gallagher
Gettys
Giaimo
Hébert
Jacobs
Jones, Mo.
Keith
Laird
Lindsay
Long, Md.
McClory
MacGregor
Mailliard
Martin, Ala.
May
Miller
Morse
Nix
O'Hara, Mich.
Pirnie
Poage
Pool
Rivers, S.C.
Rooney, Pa.
Roudebush
Roybal
Senner
Sisk
Smith, Calif.
Sullivan
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tupper
Van Deerlin
Walker, Miss.
Whitten
Widnall
Williams
Wilson, Bob
Zablocki

So the motion to table was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Lindsay.

Mr. Toll with Mr. Roudebush.

Mr. Senner with Mr. Gerald R. Ford.

Mr. Sisk with Mr. Laird.

Mrs. Sullivan with Mrs. Bolton.

Mr. Giaimo with Mr. Byrnes of Wisconsin.

Mr. Daddario with Mr. Morse.

Mr. Foley with Mr. Widnall.

Mr. Roybal with Mr. Mailliard.

Mr. Jacobs with Mr. Adair.

Mr. Gettys with Mr. Keith.

Mr. Farnsley with Mr. Ayres.

Mr. Fuqua with Mr. Smith of California.

Mr. Rooney of Pennsylvania with Mr. Pirnie.

Mr. Van Deerlin with Mr. Tupper.

Mr. Teague of Texas with Mrs. May.

Mr. Thomas with Mr. MacGregor.

Mr. George W. Andrews with Mr. Derwinski.

Mr. Zablocki with Mr. Bob Wilson.

Mr. Flynt with Mr. Martin of Alabama.

Mr. Donohue with Mr. Walker of Mississippi.

Mr. Colmer with Mr. Bonner.

Mr. Abernethy with Mr. Long of Maryland.

Mr. Miller with Mr. Fallon.

Mr. O'Hara of Michigan with Mr. Nix.

Mr. William D. Ford with Mr. Diggs.

Mr. Gallagher with Mr. Dawson.

Mr. Flood with Mr. Pool.

Mr. Rivers of South Carolina with Mr. Williams.

Mr. Thompson of Texas with Mr. Whitten.

Messrs. HOLLAND, VANIK, EDMONDSON, and MAHON changed their votes from "nay" to "yea."

Messrs. HICKS, MATTHEWS, CASEY, GURNEY, SKUBITZ, FINO, WHITE of Texas, WOLFF, and BENNETT changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

INDEMNITY PROVISIONS OF THE ATOMIC ENERGY ACT

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 579

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1954, as amended, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL of Massachusetts. Mr. Speaker, at the conclusion of my remarks I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. Speaker, House Resolution 579 provides an open rule, waiving points of order, with 1 hour of general debate on S. 2042, a bill to amend section 170 of the Atomic Energy Act of 1954, as amended.

S. 2042 would amend section 170 of the Atomic Energy Act to accomplish the following principal purposes:

First. The bill would extend the effective period of the Price-Anderson indemnity provisions of the act for an additional 10 years—from August 1, 1967, to August 1, 1977.

Second. The bill would require a decrease in the $500 million governmental indemnity afforded under the Price-Anderson indemnity provisions corresponding to the amount whereby the financial protection required of an AEC licensee or contractor exceeds the amount of commercial nuclear liability insurance currently available; that is $60 million.

Third. The bill would provide that in no event would the liability of all persons who might be liable for public liability arising from a single nuclear incident exceed $560 million; that is, the maximum amount of governmental indemnity which would be afforded under the Price-Anderson indemnity provisions, as they would be amended by the bill, together with the maximum amount of financial protection required in accordance with these indemnity provisions.

S. 2042 is identical to H.R. 8496 which was reported out by the Joint Committee.

Mr. Speaker, I urge the adoption of House Resolution 579.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I shall not take much time to discuss this legislation under the rule, because I am sure that in the hour that thas been allocated under the rule it will be adequately treated by both the majority and the minority members of the committee.

However, Mr. Speaker, I believe it would be helpful, though, in taking up the rule, to provide just a little bit of history and lay the background as to why this particular legislation is necessary.

Mr. Speaker, up until 1954 the Federal Government, of course, had maintained a monopoly in the field of nuclear energy and all of the effort had been poured or had been largely put into military applications of nuclear energy.

Mr. Speaker, it was in 1954 that some very significant amendments were adopted to the Atomic Energy Act, amendments that were designed to bring private industry into the atomic energy field, to the end that this great and powerful force could be used to develop the peaceful side of the atom, to use atomic energy and atomic power among many other things, to cite just one example, for the generation of electric power.

So in 1957 it was decided that something ought to be done to encourage private industry to further proceed with the development of nuclear power. Under the sponsorship of my distinguished colleague, the gentleman from Illinois [Mr. Price], who is one of the ranking members of the Joint Committee on Atomic Energy, and Senator Anderson, the so-called Price-Anderson Act was adopted.

Mr. Speaker, we have had now about 8 years of experience under this bill. As has been said, the first and perhaps the primary reason for this legislation was to provide a fund of $500 million with which to indemnify those who might be claimants as a result of a catastrophic nuclear incident taking place.

Secondly, to remove any deterrent that might exist as far as private industry was concerned to get into the field of developing atomic power, because of the limited extent to which private liability insurance was available.

Mr. Speaker, let me say that after 8 years under the program it has been a success. Contrary to what some may say, this is not a subsidy at all for the nuclear power industry. It has not cost the Federal Government a single dime.

Mr. Speaker, back in 1957 when this legislation was first adopted, we had I believe not a single kilowatt of installed nuclear generating capacity. Today, 8 years later, we have about 1,000 megawatts of installed capacity. By 1980 it is estimated that as much as 25 percent of our electric generation in this country will be coming from nuclear power.

So, Mr. Speaker, I believe this is very eloquent testimony to the fact that this bill has worked. Through the existence of this indemnity fund, industry has been encouraged to proceed with the private development of nuclear power within the private sector.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. What was the alleged justification to the Committee on Rules for waiving points of order on this bill?

Mr. ANDERSON of Illinois. I believe that was done because of the fact that under the Ramseyer rule it might otherwise have been necessary to set forth the entire Atomic Energy Act in full.

This has not been done. But let me say in answer to the gentleman from Iowa, who I know is a student of all bills that come before this House, the report that accompanies this bill is an excellent report. It is one that is well written and those who have read it, as I am sure the gentleman from Iowa has, know it explains in every detail I believe the justification for this legislation.

Mr. Speaker, I know of no opposition to the adoption of the rule and urge its adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. O'NEILL of Massachusetts. Mr. Speaker, if there are no further requests for time, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. Harris). The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1954, as amended.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 2042, with Mr. Rostenkowski in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. Holifield] will be recognized for 30 minutes and the gentleman from California [Mr. Hosmer] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. Holifield].

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I intend to make a relatively short statement and then yield to the gentleman from Illinois [Mr. Price] who is the author of the bill for a section-by-section analysis.

I believe that all Members of this House can take great pride in the support they have given to the atomic energy program since the law was first passed in 1946. During that period of time of almost two decades, this House with almost complete unanimity has authorized and funded a program that has accomplished two vital purposes for the security of our Nation and for the welfare of our people.

First, with your support we have built the most powerful military capability of any nation in the history of man. It has been your support that has made possible our great store of atomic hydrogen weapons and the capability to deliver those weapons on target in case of attack by an aggressor. We stand today then by virtue of our great inventory of atomic hydrogen weapons in a position to deter a major attack from any possible aggressor. This strength in my opinion is the primary reason why the forces of aggressive communism have hesitated, as far as an all-out effort is concerned, to carry out their admitted timetable of world conquest.

Secondly, you have supported a program to apply the energy of the atom to the peacetime needs of our country. The atom is now used in more than 1,100 different ways for the benefit of man. Of course, time would not permit me to recount all of these uses.

Mr. Chairman, we are concerned in this legislation today with maintaining a vital part of the peacetime program, the program of producing electricity from the fission of the atom. It is interesting to note that the consumption of electrical energy has been doubling in our country every 10 years. It will continue to double and possibly treble as our population grows and as the demands for goods and services of the highest standard of living of people of any nation throughout the world continues to grow.

We will need and we will use every kilowatt of electricity which can be derived from falling water.

We will need and use every kilowatt of electrical energy which can be derived from fossil fuel—coal, oil, and gas.

We will need and use every kilowatt of electrical energy which can be derived from the splitting of the atom. This is why we are on the floor here today.

All of those three sources will be needed and used by our exploding population. None of those sources will replace any of the others. We are not going to replace oil, gas, or coal with the atom. We shall supplement it as the need for energy in this Nation continues to double and triple. Competition between these sources will continue to cheapen basic energy, and our people will continue to raise their standards of living if we maintain and preserve the element of competition, which is the lifeblood of the free enterprise system. This legislation will guarantee competition, and the production of energy and the multiplication of the use of energy by our society will preserve and improve the security and welfare of our people.

It is interesting to note that this Nation, with the highest standard of living of any nation in the world, uses far more electrical and mechanical horsepower than any other nation in the world. To the degree to which energy is available, that will be the degree to which our standard of living and our national security in fact will be controlled.

So when the Congress has helped to bring into existence a third great source of energy, it has done one of the most climactic things, I believe, in the last 20 years, because energy is the basis of our society and access to cheap energy is necessary if we are going to continue to produce the goods and services which our country needs.

S. 2042, which is identical to H.R. 8496, was unanimously reported by the Joint Committee on Atomic Energy after careful deliberation and has already passed the Senate.

This act would amend section 170 of the Atomic Energy Act of 1954, as amended, to accomplish the following principal purposes:

First. It would extend the effective period of the Price-Anderson indemnity provisions of the Atomic Energy Act of 1954, as amended, for an additional 10 years, from August 1, 1967, to August 1, 1977;

Second. It would require a decrease in the $500 million governmental indemnity afforded under the Price-Anderson indemnity provisions corresponding to the amount whereby the financial protection required of an AEC licensee or contractor exceeds the amount of commercial nuclear liability insurance currently available, that is, $60 million; and

Third. It would provide that in no event would the liability of all persons who might be liable for public liability arising from a single nuclear incident exceed $560 million, that is, the maximum amount of governmental indemnity which could be afforded under the Price-Anderson indemnity provisions, as they would be amended by the act, together with the maximum amount of financial protection required in accordance with these indemnity provisions.

The introduction of S. 2042 last May followed many months of informal meetings and discussions among members of the joint committee, the Atomic Energy Commission, and their staffs, and representatives of private industry. Three days of public hearings on this bill were held on June 22–24, 1965, before the Subcommittee on Legislation of the Joint Committee on Atomic Energy.

Mr. Chairman, our committee is convinced that this legislation is necessary to enable continued progress in the vital field of development of the peaceful uses of atomic energy.

I now yield such time as he may consume to the gentleman from Illinois.

Mr. Chairman, I now yield such time as he might use to the gentleman from Illinois [Mr. PRICE], the author of the bill, to explain the bill.

Mr. PRICE. Mr. Chairman, I strongly support passage of S. 2042, an act to extend and amend the Price-Anderson Indemnity Act, which is a part of the Atomic Energy Act of 1954.

The Price-Anderson Act resulted from bills which my distinguished colleague on the Joint Committee on Atomic Energy, Senator CLINTON P. ANDERSON, and I introduced in 1956. The legislation was based upon intensive studies which convinced the joint committee that a substantial deterrent existed to fulfillment of the congressional policy, expressed in the Atomic Energy Act of 1954, that private participation in and development of atomic energy be permitted and encouraged. This roadblock, the committee concluded, arose from the extremely unlikely but nonetheless potentially catastrophic possibility of a nuclear accident, and the inability of prospective nuclear reactor operators to obtain adequate insurance from commercial sources.

The joint committee accordingly recommended, and Congress approved the Price-Anderson Act, which applies to Atomic Energy Commission licenses and contracts effective before August 1, 1967. The act was intended to accomplish two principal purposes: First, to protect the public by assuring the availability of funds for the payment of claims arising from a catastrophic nuclear accident; and, second, to remove a deterrent to private industrial participation in the atomic energy program posed by the threat of tremendous potential liability claims.

To accomplish these purposes the Price-Anderson Act provides that certain licensees of the Atomic Energy Commission, particularly reactor operators, will purchase what commercial insurance is available and appropriate, and that the Government will indemnify the licensee, and the public, against risks not covered by insurance, up to a ceiling amount of $500 million.

The act further provides that the liability of the persons indemnified shall be limited, for each nuclear incident, to the amount of the Government indemnity together with the amount of financial protection required. In the case of operators of large reactors, the amount of financial protection required is the maximum amount of liability insurance available from commercial sources, which amount is currently $60 million. In these cases, therefore, the combination of insurance and governmental indemnity affords the public protection in the amount of $560 million.

A statutory pattern similar to the foregoing was also made applicable by the act to certain contractors of the AEC engaged in the Commission's important programs for the national defense.

The second purpose for which the Price-Anderson Act was enacted—removal of the deterrent to private industrial participation in the atomic energy program—has clearly been accomplished. Today, reactors in operation in this country have a cumulative electrical capacity of about 1 million kilowatts. When the Price-Anderson Act was passed in September 1957, this country had no installed commercial nuclear electric generating capacity.

Although the act has also fulfilled its purpose of providing assurance that funds will be made available to satisfy public liability claims resulting from a major nuclear incident, it is more difficult to demonstrate that the public would receive prompt and adequate financial compensation in the event of such an incident. The difficulty arises from the fact that no payment has ever been made under an indemnity agreement with an AEC licensee. As anticipated, no nuclear incident has occurred which involved liability even remotely approaching the limits of available private insurance. The sole claim for damages that has been filed under a nuclear energy liability policy furnished as proof of financial protection was for property damage in the amount of $3,500 and arose from an incident during the transportation of some nuclear fuels. No one was injured in that incident and of course the claim was covered by available private insurance.

I want to emphasize—this Federal indemnity liability insurance has not cost the Government one penny.

When the original Price-Anderson Act was passed, it was understood that the Joint Committee would undertake a comprehensive review of this subject toward the end of the act's 10-year term to determine whether the need for this legislation still obtained. The committee has recently completed this review.

We found that despite the accumulation of an impressive amount of operating data with respect to nuclear reactors and other atomic facilities, the experience in this field is not yet sufficiently great nor the technology sufficiently developed to permit one to completely rule out the theoretical possibility of a catastrophic nuclear incident. The insurance industry has offered, as of January 1966, to increase by about 25 percent—to $74 million—the unprecedented amount of liability insurance coverage which it is already providing to the nuclear industry. However, the committee understands that the limited number of operating reactors—and the consequent inadequate spread of risk—make it impracticable for the insurance industry to provide coverage immediately which is sufficient to protect the public and industry from the theoretical consequences of a major accident. On the other hand, insurance industry representatives have indicated their intention that the aggregate coverage for the nuclear industry will be increased in stages to $100 million in the next few years.

The potential threat of uninsurable liability, the committee is convinced, requires an extension of the Price-Anderson legislation. Every witness representing the nuclear industry who testified during our hearings in June supported this view. S. 2042, in addition to extending the Price-Anderson Act for an additional 10 years, would amend the act in such a way as to permit a gradual reduction of the Government's participation in the total insurance and indemnity program. It does this, in effect, by requiring a decrease in the $500 million governmental indemnity afforded for large licensed reactors to the extent of any increase in the amount of nuclear liability insurance currently available from private sources, which amount, as I indicated earlier, is now $60 million.

Thus if, as expected, the insurance industry increases its coverage to $74 million early next year, the Government's indemnity for large licensed reactors will be decreased to $486 million. The maximum protection of the public currently available—$560 million—will be undiminished, however, since any reduction in the Government's indemnity would be offset by a corresponding increase in commercial insurance obtained by operators of nuclear facilities. As the amount of commercial nuclear liability insurance increase over the years, the Government's indemnity would continue to decrease, which represents a significant step toward normalizing the role of insurance in the nuclear energy field.

Lastly, the bill would provide that in no event would the aggregate liability of persons who might be liable for damages arising from a single nuclear incident exceed $560 million.

At this point, it is important to mention that the operators of licensed power reactors are paying substantial sums for the private insurance and governmental indemnity which they are required to carry. For example, according to testimony presented to our committee, the annual liability insurance premium plus indemnity fee for a 450,000 electrical kilowatt nuclear plant amount to over $361,000, versus about $6,500 for a conventional plant of the same capacity, without taking into consideration the partial refund of premiums for nuclear liability insurance which is expected to be made under the nuclear liability insurance pools' industry credit rating plan. The AEC had already received almost $343,000 in indemnity fees as of June 30, 1965, which far exceeds the cost of administration of this indemnity program, and these fees are expected to increase substantially in the future.

In conclusion, Mr. Chairman, I would like to explain our reason for seeking action on the bill this year, even though the Price-Anderson law does not expire until August 1, 1967. The lead time required for planning and construction of a nuclear powerplant requires a utility company to make its decision on this matter several years in advance. There are several utilities already planning new nuclear plants costing between $500 million and $1 billion. The existence of the Price-Anderson legislation has been cited as an indispensable element in such planning. Accordingly, the Price-Anderson Act should be extended without delay to avoid an unwarranted disruption of this planning process.

I wish to emphasize that S. 2042 was reported out by our committee without dissent and has already passed the other body. I ask for approval of this act by the House today.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, the essential provisions of S. 2042 have already been adequately described. It merely extends for another 10-year period the provisions of the Atomic Energy Act of 1954, as amended, insofar as it pertains to any indemnity that might arise from a nuclear incident. It reduces somewhat the Federal participation in this insurance program as financial protection from private sources becomes available.

In respect to the latter situation, I would like to make clear my philosophy, and I believe that it represents the general views of the committee, in regard to the advancement of the peaceful uses of atomic energy. The taxpayers of America have contributed billions of dollars and the scientists have given years of their talent on the development of atomic energy. We believe that what had been a hidden secret from the beginning of time is now a national, and indeed, international natural resource, and should be put to work in a multitude of ways for the betterment of mankind.

The demand for electric power in this country will be so great that it is expected that atomic power will supplement—not provide a substitute—for conventionally conceived power. Nevertheless, in a wide range of interests atomic development has provided an impetus to various industries to reevaluate and improve their operation.

Mr. Chairman, one of the most gratifying aspects of the development of atomic power has been the healthy competitive response by the coal industry to the prospective, long-range competition for the fuel dollar afforded by atomic energy and various other fuels. In New England, where fuel costs are among the highest in the Nation, we consider this developing competition as a definite asset in our economic advancement.

Just how significant the coal industry's competitive response has been was explained in a speech last week by Charles R. Ross, a member of the Federal Power Commission. Mr. Ross commented, and I quote:

> The most significant development in the fuel market since 1963 has been the success of coal in improving its production operation and, in cooperation with the railroads, in reducing substantially coal freight rates. As a result the coal industry has been able to enter into long-term contracts with utilities at prices not substantially higher or even lower than those existing in the past decade.

There is little question, Mr. Chairman, that the development of atomic power has contributed significantly to the coal industry's successful drive to improve efficiency and reduce costs. There is even less question that atomic energy's role in this competitive situation was permitted and fostered by the Price-Anderson Act.

In order that this healthy competition can continue and the public be protected, I firmly support a continuation of the Price-Anderson indemnity legislation.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, if for no other reason than general principle I would support the enactment of S. 2042, because I feel that without an extension of the Price-Anderson Act the development of atomic power at its present healthy rate would be jeopardized.

There are, however, reasons touching closer to home which urge my support of this proposed legislation. As my colleagues in the House may recall, this body several months ago approved legislation which authorized the Atomic Energy Commission to enter into a cooperative arrangement with a utility or a group of utilities for research and development, design, construction, and operation of a high-temperature gas-cooled nuclear powerplant, the AEC, pursuant to this authority, entered into a memorandum of understanding with the General Dynamics Corp., and the Public Service Co. of Colorado under which these companies propose to build a prototype nuclear powerplant in the State of Colorado.

The parties to this agreement have taken constructive steps which indicate that construction of this plant can go forward as originally contemplated. However, under the current schedule the construction permit for this facility may not be issued by the AEC prior to the present Price-Anderson cutoff date, and the memorandum of understanding already executed by the Public Service Co. of Colorado, General Dynamics, and the AEC specifically provides a right of termination in the event that Price-Anderson coverage, or its equivalent, is not available for the project. Further, the companies involved in this project have testified that they deem coverage of this type essential to their continuing the plant.

Other companies engaged in somewhat comparable advanced projects have also told the committee of the critical importance which they attach to the continued existence of this legislation.

Mr. Chairman, the demonstration project in Colorado is important to the Nation as a whole because the high-temperature, gas-cooled reactor is aimed at increasing the utilization of nuclear fuel, thereby conserving one of the Nation's vital resources. This project is also of great importance to the people of Colorado, who stand to benefit from the economies in power production costs which this type of plant promises. I would regret to see a project of such importance to my State and the Nation at large imperiled by the failure of Congress to enact a piece of legislation which in all probability will never cost the Government a red cent. I therefore strongly urge the enactment of S. 2042.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. MORRIS].

Mr. MORRIS. Mr. Chairman, I rise in favor of S. 2042 and I want to congratulate the chairman of this committee and the gentleman from Illinois [Mr. PRICE] on the work they have done on this legislation.

Mr. Chairman, the Price-Anderson Act's greatest impact has probably been in the area involving the licensed private activities of companies engaged in the atomic energy program. However, it should not be overlooked that the act also authorizes the Atomic Energy Commission to indemnify certain of the contractors engaged in the Commission's vital national defense programs. In the absence of this legislation, the indemnity protection afforded these contractors against nuclear risks would, in the eyes of many, be something less than complete, and perhaps compel some of these companies to reconsider their participation in the program.

Prior to enactment of the Price-Anderson Act, the U.S. Government, in recognition of the extraordinary financial risks involved in the activities of its atomic contractors, provided these contractors with indemnification arrangements. However, these arrangements, for the most part, were of necessity made subject to the availability of funds. As a result, the Commission's contractors were provided with only limited indemnification protection against the financial risks associated with their work, and the public was not afforded the assurance that it would be financially protected from damage which might arise from the contractual activities.

The Price-Anderson legislation rectified this situation. The act contains provisions which enable the AEC to treat its contractors generally in the same fashion as its licensees. Today, in addition to the coverage of all major atomic installations operated by AEC contractors, indemnification agreements have been entered into with manufacturers and carriers of weapons components, manufacturers of naval reactor core components, contractors involved in the conduct of research and development experiments connected with the Commission's space applications program, and so forth and so on.

According to the AEC and the contractors who testified before the Joint Committee in June, the extraordinary financial hazards which concerned many of the Commission's contractors in the early days of the atomic energy program continue to exist today and result from basically the same contractual activities. There is, then, a continuing need for the protection afforded by the Price-Anderson legislation. For that reason, Mr. Chairman, I wholeheartedly support an extension of the Price-Anderson Act and recommend enactment of S. 2042.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Chairman, I believe I made it perfectly clear when I spoke earlier under the rule that I support wholeheartedly the objectives of this legislation. I believe it is in the public interest. It is not subsidy legislation. It is legislation that quite to the contrary is designed ultimately, I believe, to let the nuclear power industry not only grow but prosper and stand on its own feet.

Mr. Chairman, I think it is not too much this afternoon to look forward very hopefully as I think the gentleman from Illinois who spoke earlier and who is one of the coauthors of this bill, did to the day when we will not even need legislation of this kind, when we will have built up the kind of actuarial experience with respect to the operations of these reactors so that the private insurance industry will be able to step in and completely meet the needs of the industry with respect to public liability insurance.

Mr. Chairman, part and parcel of the act which established the Price-Anderson indemnity system in 1957 were amendments to the Atomic Energy Act of 1954 which strengthened the AEC's comprehensive regulatory program. The entire legislative package had one overall objective: the protection of the public. The regulatory's amendments to the AEC's Organic Act were designed to make the unlikely possibility of a major nuclear accident even more remote. The Price-Anderson Act complemented and supplemented this protection by providing the public with the financial protection required if the highly unlikely ever did occur.

I will not take the time to give a detailed statement of the exacting requirements which must be complied with in order for a person or organization to obtain, and then maintain, a license to possess and use atomic materials, suffice it to say that, in the case of an application for a power reactor construction permit, an applicant has to satisfy each of the following groups as to the safety of the reactor and its location: the AEC regulatory staff, the Independent Advisory Committee on Reactor Safeguards, the Atomic Safety and Licensing Board, and the Commission itself. The truly remarkable safety record compiled by the atomic energy industry during the 8 years that Price-Anderson has been in existence attests to the effectiveness of this regulatory program.

In this connection I might add, Mr. Chairman, that there is little reason to believe that a significant incentive to the safe operation of nuclear facilities would be added by the exposure of reactor operators and others to potential liability beyond the sum of financial protection required and the Government's indemnity. In the years since the Price-Anderson legislation was enacted, neither the AEC, the Advisory Committee on Reactor Safeguards, nor the Joint Committee has seen evidence that this legislation has had the effect of lessening the safety consciousness of the nuclear industry.

Moreover, to expose reactor operators and others to some amount of uninsurable liability would reinstate in substantial part the very deterrent to the growth of the atomic energy industry which Price-Anderson was designed to alleviate. For these reasons, Mr. Chairman, the committee rejected the idea of eliminating or restricting the "no recourse" provisions of this act.

In concluding I would like to point out that the Price-Anderson Act, as it is presently constituted and as it would be amended, is very similar to legislation that has been enacted in most of the countries of the world having advanced atomic energy programs. These countries include the United Kingdom, Germany, Japan, and others. The atomic energy acts of all of these countries have in common the basic elements of Price-Anderson: Underlying liability insurance from commercial sources; a governmental indemnity system as a secondary source of compensation for the victims of a nuclear incident; and a limitation upon the liability of persons liable.

These same elements are incorporated into each of the various international conventions that have been drafted on the subject of atomic energy: the extension of the Price-Anderson Act would therefore facilitate the U.S. entry into one or more of these conventions should our country decide to become a signatory thereto.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I rise in support of S. 2042, which would extend and amend the Price-Anderson Act. My colleagues have furnished the facts to support my conclusion.

The Price-Anderson legislation is indeed complex, and my participation in the public hearings on S. 2042, and in our committee's deliberations thereon, have lead me to believe that we ought to devote further attention as soon as practicable to the subject of settlement of claims in the event of a major nuclear accident. We hope such an accident will never occur, but with the increasing uses of atomic energy prudence dictates that we review this problem in greater detail, to determine if additional legislative action is warranted.

However, there is no reason to delay action on S. 2042. The Price-Anderson Act has already been amended five times, and if additional legislation is called for, an appropriate recommendation will be made.

I am of the opinion that there is a sound legal basis for the conclusion of the Justice Department and the AEC's general counsel that the no-recourse provisions of the Price-Anderson legislation—whereby a limit is placed on the liability of all persons who may be liable for a nuclear incident—are constitutional.

Finally, that part of the statement of my able and experienced colleague, the gentleman from Illinois [Mr. PRICE], with respect to claims for injury or damage which involved liability from either public or private activity in this field is so good that repetition is justified. In effect, Representative PRICE said that the only claim so made was for only $3,500, and that the claim was for property damage only.

Mr. Chairman, I urge approval of S. 2042.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, my dear friend, the gentleman from Illinois [Mr. PRICE], the author of this bill, has made a brilliant statement today and I rise with great reluctance to oppose this bill because of certain aspects.

Mr. Chairman, there are certain inadequacies in the present Price-Anderson Act, which, if are allowed to stand, raise serious doubt to the wisdom of its extension for another 10 years.

The Price-Anderson requires the operators of an atomic plant to purchase the maximum amount of available commercial liability insurance to cover his and the manufacturer's financial responsibility resulting from an atomic accident. Even though the insurance companies have indicated they might offer protection of up to $72 million, the maximum protection an atomic plant owner can purchase from commercial sources is $60 million. Also, the Government will provide, at rates far below those of the commercial companies, $500 million of addition protection against claims of citizens injured by a nuclear accident.

So, the total protection that an atomic plan can purchase is $560 million. In the event of a nuclear accident, we know that damage could be far more than $560 million. A report prepared by the Brookhaven Laboratory, for the Atomic Energy Commission, makes this clear. Yet, Price-Anderson does not by law recognize this possibility. It arbitrarily limits the indemnity which a citizen could collect under such unfortunate circumstances.

Actually, the law provides less than $560 million for use against liability claims. Before the public is allowed to place claims against the $560 million "package" certain amounts are set aside for possible later injuries resulting from radiation effects; and investigation, settlement, and legal fees. The remainder of that is subjected to claims of the injured people. It would seem constitutionally and morally correct to assume that if the remaining moneys were not sufficient to renumerate the injured people for their losses, the persons responsible for the accident should "make up the difference." Price-Anderson flatly rejects this.

It grants a totally arbitrary limitation of liability to the atomic powerplants. The AEC's study of the extension of Price-Anderson contends this legislation is necessary first, to assure the availability of funds to satisfy public liability claims in the event of a catastrophic nuclear accident; and, second, to remove the deterrent to industrial activity in atomic energy presented by the threat of enormous liability claims if such an accident were to occur.

In reality, Price-Anderson only assures the availability of some funds to satisfy in part public liability claims.

The act provides that if the public liability from a single nuclear accident exceeds the limit of liability, the appropriate U.S. district court having jurisdiction in bankruptcy matters shall have authority to appropriate payments from the specified fund among the injured persons, and these injured persons shall thereafter have no recourse to anyone for the balance of the uncompensated damages. Compared to liability claims conducted by normal rules of law, Price-Anderson's no-recourse clause seems to reshuffle, for the sake of an atomic experiment, the whole concept of the citizen's rights of redress and this to me raises serious doubts as to its fairness, if not its constitutionality.

Seven years ago the Joint Committee on Atomic Survey's report stated three specific grounds to justify this unusual invasion of the ordinary rights of citizens—the limitations of the right to recover damages.

First, the Joint Committee felt the reactors would produce "special nuclear material" vital for the defense of the country; therefore, the companies should be protected against unlimited liability claims. This argument now appears to be inapplicable as the Chairman of the Atomic Energy Commission in a letter to the Joint Committee states that there is no foreseeable military market for the byproducts of atomic powerplants.

The second reason, that "since title to special nuclear material is in the United States, Congress has special powers and duties as the respect to the use of that material," has also lost pertinence over the past 7 years. Last year Congress passed legislation permitting and later requiring private ownership of nuclear fuel.

The third justification for the no-recourse provision the Joint Committee presented in 1957 is as follows:

> One of the other constitutional bases for the limitation of liability programs is the bankruptcy power of the United States, for it's improbable that any firm could survive claims against it of $500 million, over and above the insurance which might be available.

This reason does not appear to be valid. The bankruptcy jurisdiction of the United States is based on the assumption that most of the assets of the bankrupt have been used to pay creditors. Price-Anderson exempts from claim the assets of the operator of an atomic powerplant. And, there are several utility firms and manufacturers of atomic power equipment who have assets well above $500 million.

Thus, if we allow Price-Anderson to continue without amendment, we will give the utilities complete freedom from their financial responsibilities, at the expense of the public. While their legislation does offer some protection in the event of a nuclear accident the no-recourse clause stops that protection well short of full protection. For these reasons I cannot support the extension of the Price-Anderson Act in its present form.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DENT. Mr. Chairman, I believe it to be apropos at this time, while the debate of this conference is going on, to present to the House an address given by Thomas Debevoise before the Section of Public Utility Law of the American Bar Association at Miami, Fla., on August 11, 1965.

This address deals with the legal aspects of the national power survey, and, in my opinion, makes "must" reading for all Members of Congress when considering legislation of this type.

For too long we have been dealing in matters of public power supply on the record of yesteryear. The only thing that is constant in life is change, and since change is inevitable, changes have come in the public power policy.

From reading the following address one gets the notion that we had better take another look at our powerplants for the future.

It has been my humble opinion over the years that where public service can be rendered at reasonable cost to the people such services should be left to taxpaying bodies. When such public bodies engage in profiteering and gouging of the public, then it becomes the duty of Congress to enact legislation to protect the public.

I attach hereto the material referred to above:

LEGAL ASPECTS OF THE NATIONAL POWER SURVEY

Eight months ago the Federal Power Commission's national power survey was officially released. It is still too early to predict accurately the form of the new policies and statutes which will be developed as a result of the material contained in it and which will determine the shape of the electric utility industry in the future. It is possible, however, to point up some of the unanswered legal and policy questions implicit in the survey's coverage of the industry.

The institutional organization of the electric utility industry is unique among industries in this country. There are four entirely different types of organizations which have been developed to supply the Nation's electric power requirements. Three of them have been fostered as a result of policies which have as a common bond only the desire to meet those power needs; the fourth has developed as a result of a policy to make complete use of resources being developed for other purposes. While each segment uses the same engineering technology to do its job, institutionally they are so different that they cannot be merged one with another and still retain characteristics of more than one of the segments. The four segments are the local public agency, the investor owned, the cooperative and the Federal.

The national power survey is grounded on the fact that all of the segments use the same engineering technology. While recognizing that there are four segments of the industry, with widely divergent characteristics and costs, the survey makes no attempt to grapple with the effect this fact has on the efficient use of the Nation's resources. Aside from its factual review of the industry, the survey confines itself to engineering matters which could point the way to lower unit costs of electric power in the future. It bases its forecasts on technically possible complete coordination of the 3,600 utility systems in the country, with their power supply planning integrated on an ever-widening area basis until eventually it is planned on a nationwide basis. The survey assumes that the institutional organization of the industry will remain in status quo, with the implicit inference that each segment will continue to supply the same relative share of the market in the future that it does today. The survey does not suggest or recommend any changes in law or policy in connection with the organizational structure of the industry, again implicitly inferring that the status quo can be maintained without such.

On the other hand, in the survey's account of the history of the industry, there are basic facts which would indicate that the industry will not remain in status quo without the amendment of old or enactment of new laws to reflect changed conditions in the country. The basic change in condition is that all of the country is now being supplied with electricity, while this was not the case at the time the last major legislation affecting the shape of the industry was enacted in the mid-1930's. It is from one of these laws passed 30 years ago that the Federal Power Commission took its authority to undertake the survey. Section 202(a) of the Federal Power Act enacted in 1935 provides:

"For the purpose of assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and with regard to the proper utilization and conservation of natural resources, the Commission is empowered and directed to divide the country into regional districts for the voluntary interconnection and coordination of facilities for the generation, transmission, and sale of electric energy, and it may at any time thereafter, upon its own motion or upon application, make such modifications thereof as in its judgment will promote the public interest. Each such district shall embrace an area which, in the judgment of the Commission, can economically be served by such interconnected and coordinated electric facilities. It shall be the duty of the Commission to promote and encourage such interconnection and coordination within each such district and between such districts."

At the time that statute was passed, investor-owned systems accounted for 95 percent of the industry with local public agencies accounting for most of the balance. The Rural Electrification Act had not yet been passed, and the Federal systems as they exist today were the dream of only a few people. Today, with very few gaps, we have Federal transmission lines extending across the country, and there are some cooperative systems which, while nowhere near as large as the largest investor-owned systems, are larger than 75 percent of the investor-owned systems. The investor-owned systems' share of the market has been reduced by 20 percent in the same period and is continuing to be reduced. These basic facts are to be found in the survey as history, but are not projected. They are the basis for rivalries, mentioned by the survey, between the segments as each tries to maintain or strengthen its own position and have undoubtedly led in the past to building technically uneconomic facilities. These basic facts and the resultant rivalry also dictated the form of the national power survey, although they do not support the supposition on which the forecasts are based: that technically uneconomic facilities should not and will not be built in the future.

To gather its data for the survey, the Federal Power Commission called on representatives of each of the segments throughout the country. The advisory committees which it formed were each given this broad base. Every segment of the industry received two assurances from the Commission: (1) that the survey would be based on the maintenance of the status quo between the segments and (2) that the survey would not be a blueprint for the industry in the future but would attempt to establish engineering guidelines for its future growth. These assurances were able to overcome initial hesitation and reluctance. They permitted the different committees to meet to discuss their common technology and provide the Commission with its required raw material.

Actually, there already exist within the industry many more examples of intersegment cooperation than of warfare. As a result of the national power survey, with the ground rules established on this basis, we can expect to see more such cooperation in the future if the status quo can be maintained. The advisory committee meetings with their exchange of information on common technical problems and planning will assist in accomplishing this objective. With two exceptions, these same ground rules removed the necessity for the advisory committees to discuss the legal and policy issues concerning the makeup of the electric utility industry will actually determine its shape in the future. Nor are these issues discussed in the survey.

The two exceptions were, first, a discussion by the executive advisory committee of a fixed-charged rate to be used in the survey, and, second, the broad discussions of the legal advisory committee.

The fixed-charge policy which was established by the Commission after discussion with its executive advisory committee was reported in the excellent article on the development of the survey by Herbert B. Cohn at 1964 annual report of the section of public utility law, page 15. The necessity for the policy discussion arose from the way in which fixed charges are computed for the purpose of determining that component of the cost of power. The basic elements commonly classified as fixed charges are depreciation, annual cost of capital and taxes. For facilities with the same estimated service life, the depreciation element should be the same for each segment of the industry, although different methods, such as sinking fund variants, do produce different patterns. However, the cost of capital element is usually taken to be the charge paid by the particular enterprise; for example, the 2-percent interest rate paid by cooperatives, although it could also be viewed in terms of a national cost of capital. Similarly, the income tax element is usually viewed narrowly and recorded only to the extent that the particular segment of the industry is subject to such taxes. The cost of capital and tax elements in the fixed charges of each industry segment vary as a result of social policies developed in the past which manifest themselves in differing tax treatment and differing availability of Government credit. The fixed charges imposed on the investor-owned segment by reason of the fact that it obtains its capital without Government credit and is subject to income taxes are much higher than those of the other segments.

One task that was implicit in the survey was an evaluation of the relative merits of the larger, more efficient generating units and the extra high voltage transmission lines which are now becoming technically feasible. If the costs of these developments had been based on the fixed charges imposed on the investor-owned segment and then compared with the cost of smaller, traditionally sized units to which had been applied the fixed charges resulting from subsidized capital costs and exemption from income tax, projects which did not make the most efficient use of national resources would have appeared to be in the national interest. Since annual cost of capital and taxes represent so large a part of power cost and vary widely, a meaningful evaluation of alternative courses of action and development cannot be made by applying the fixed charges of different segments of the industry to alternative development possibilities. The social policies developed in the past which result in the wide difference in fixed charges do not affect the fundamental national economics of a particular development.

The Commission recognized the current necessity for a common yardstick with which to evaluate alternative developments and agreed basically to a composite fixed charge rate derived from averaging the fixed charges imposed upon each of the segments according to the percentage of the industry that each represented at the time. Since the composite fixed charge rate developed by the Commission was within shooting range of the fixed charge rate imposed upon the investor-owned segment of the industry, it could be uniformly applied without producing significant distortions.

The discussions of policy by the 15 lawyers of the legal advisory committee were much more widespread and far reaching and at one time or another covered all of the policy matters which are basic to the industry and have found expression in existing statutes. This could not be avoided, since, in dealing with the law, you are dealing with policies. When these laws and their policies are 30 years old and an attempt is being made to forecast legal barriers in the future, they must necessarily come under discussion. However, since the legal advisory committee was operating on the same basic assurances and assumptions as the other advisory committees, and since it found that technically the law would not, in general, prevent engineering coordination of the systems of the various segments, these discussions were not reproduced in the report of the legal advisory committee. In the time available, it would have been impossible to obtain unanimous approval of the wording of any such discussion, even if that had been a necessary part of the job of the committee.

After its internal discussion of the different policies affecting the different segments of the industry and the increasing conflicts between them, the legal advisory committee settled in its report for a description, as factual as possible in a limited amount of space, of each of the segments of the industry and the basic policies affecting it. It also stated:

"It must be remembered that national policy concerning the institutional organization of the industry, as exemplified in statutes of the United States and of the several States, is pluralistic. There are statutes and regulations which in varying degrees, encourage, favor, protect and restrict each of the segments within the industry."

It did not go on to say that certain of these policies are unalterably inconsistent and are leading to head-on conflicts which will determine the future shape of the industry.

The national power survey followed the same method of handling the problem as had the report of the legal advisory committee; the survey ignored it. It expanded upon the legal advisory committee's description of the development and present situation of each segment and repeatedly mentioned the pluralistic nature of the industry. If it was to follow its own ground rules and if the technical aspects of the survey were to be accomplished, this is all the Commission could do. In doing so, however, it had to eschew issues of fundamental policy and forecast that policies developed 30 years ago, when the shape of the industry was much different, would remain in effect well into the future. This places serious limitations on the value of the survey as a picture of the industry in the future. Its forecast of a retention of the status quo, moreover, is unrealistic absent a reconciliation of the policies affecting the industry. The situation has not been in status quo during the last 30 years. If the Federal systems grow at the same rate in the next 30 years that they have in the past at the expense of the investor-owned systems, the investor-owned systems will soon represent less than 50 percent of the power supply in the country.

To me, the two very basic questions raised by the facts contained in, but not evaluated by, the survey in its discussions of possible methods of economic use of the Nation's resources are (1) whether the return is the same to the Nation from the same use of resources by the several segments? and (2) what is the proper role of the Federal systems which, except for TVA, have no public utility responsibility? Both are large subjects, so in regard to the former, let me just say that, while I believe in the right of the people in an area to choose between public and private ownership to provide electric utility services, I question whether in making that choice the people in a particular area should also be able to determine the form of and relative contribution the necessary resources will make to the national economy. Should the local choice between public, cooperative or private ownership of a strictly power system determine the tax revenues to be received by the National Government? A reciprocal of this question is: Does the national cost of capital vary depending upon whether the utility system to which capital is dedicated is under public or private ownership? The experience in countries in which capital is scarce would indicate that it does not.

In regard to the role of the Federal systems, the issues, while encompassing also the first question, are much larger and of greater import for the future shape of the electric utility industry. In 1935, when the Congress seemed to express a national policy for coordination and against duplication of electric utility facilities in section 202 of the Federal Power Act, the Federal systems as they exist today were unknown. The policy to install hydropower facilities at Bureau of Reclamation and Corps of Engineers water resource developments being undertaken for other purposes had, of course, been initiated, and there are few who would suggest that it would be other than wasteful not to have such a policy. Where the power facilities were to be installed by the Government itself, legislation authorizing construction, from an early period, required that any surplus power be marketed at cost and contained variations of the so-called preference clause which today requires that Federal power be made available first to local public agency and cooperative systems.

Basically that is the extent of congressional policy in regard to the Federal systems, other than TVA today. Today, however, we see the Department of Interior, which controls the Federal systems, taking many actions not required to simply market surplus Federal power. It has sought to block non-Federal development of power projects which it wished to build. It has extended Federal transmission lines in ways not necessary to market the power from authorized projects. It has used its authority over public lands and their mineral deposits to force a power partnership on non-Federal systems. Recently, for the New England region, conjunctively with requesting authorization for the first Federal hydroelectric project in the area, it recommended that the basic region transmission system, from now on, should be "cooperatively developed by Federal, non-Federal agencies and consumer-owned and private utilities." The Department also is seeking authorization for Federal pumped storage projects which serve only a power function, and if such are authorized, it will only be a matter of time before it seeks authorization for Federal steam electric plants to supply the off-peak energy required by such projects.

Implicit in such actions on behalf of the Federal systems is the assumption by the Department of Interior of a utility responsibility which I do not believe has been given to the Federal systems by Congress. If it has not, the words of the Assistant Secretary of the Interior for Water and Power, in a speech to the 1964 annual convention of the National Rivers and Harbors Congress, seem presumptuous. He said: "We will accept as a responsibility of Government, that all of the Nation have an adequate supply of low-cost power and water."

What is the proper role of the Federal Government in regard to supplying electricity to the Nation's consumers? That is a question Congress must answer. It is a question which must be answered soon if Congress wishes to maintain the status quo in the industry. Just as the issue was raised a number of years ago when advocates of Federal power attempted to block the use of atomic energy by the non-Federal segments of the industry, so today the issue arises in deciding who shall construct and control the power output of the proposed large desalinization plants. If the plants are constructed and the power marketed by the Department of Interior without any definition of the Federal systems' role, there is no question that Federal transmission lines soon will span the country. Depending on Congress' resolution of the issues, the national power survey will have value as a series of possible guidelines for continued non-Federal development and control of the industry or as a blueprint for Federal ownership and control.

While the jockeying for position between the segments of the industry has in the past most frequently caught the public eye when a question was raised whether or not a particular source of power should be developed and, if so, by whom, the national power survey makes clear that control of high voltage transmission in the future will determine control of the industry. Federal Power Commissioner Ross several months after the survey was released had the following to say in support of legislation to give the Commission authority over construction of high voltage transmission lines by all segments of the industry:

"Very bluntly, as most people in the power business realize, it is no longer the parties who control generation that control the industry—it is the parties who control transmission, the arteries of the industry, that control the destiny of the millions of ratepayers of this Nation. With the ever-threatening rivalry between public, private, and Federal transmission systems, it should be obvious that there should be some instrumentality to referee the building of the proper interconnections and insure against the needless duplication of facilities. * * * If there is any justification at all for the maintenance of the status quo in the current lineup of public, private, and Federal systems, which I believe there is, then such a bill as this is necessary."

While there are built-in limitations as to territory and economic justification which circumscribe the location and timing of non-Federal construction of transmission lines, the same limitations do not apply to the Federal system. All of the Nation is its potential service area. Today, by rolling transmission costs in with project costs in basin accounts, on the assumption that Congress has authorized the use of revenues from the power projects available after the payout periods to cover on a continuing basis other costs of the Federal power systems, the Federal systems are building transmission lines sized in anticipation of projected future area requirements. If this continues and if duplication is to be avoided in the future, the Federal systems will be necessary middlemen in the power pooling transactions of the non-Federal segments.

There are many complicated issues to be decided in regard to the future role of the Federal systems, and I am not trying to say here how they should all be resolved. I do suggest that if the answers are allowed to be developed by the Federal systems, themselves, it would be unnatural to expect them to stop short of complete control of the industry. Having unilaterally accepted public utility responsibility, the Federal systems are pushing ahead with their expansion plans, fully recognizing that a policy vacuum in regard to them exists. The Assistant Secretary declared in the talk mentioned before: "We do not have a national water or power policy in a literal sense." Further, I suggest that a serious limiting factor on its tremendous technical achievement results from the failure of the national power survey to warn the Congress that head-on conflicts between the Federal and non-Federal segments of the electric utility industry are imminent because of the lack of a consistent national power policy.

A letter dated June 16, 1965, to the editor of the Ogden Standard-Examiner in Utah, over the signature of the Bonneville Power Administrator, indirectly poses some of the questions Congress must answer. The letter was in answer to an editorial criticizing a proposed Federal transmission line into southern Idaho.

Bonneville's proposed southern Idaho line has generated much controversy in the last year or so. Initially the line was intended to bring Bonneville power not only to preference customers in the area but also to industrial customers, all of which local suppliers were already serving or capable of serving. Last year, the House Appropriations Committee, when funds for the line were requested, suggested that Bonneville work out a wheeling agreement with the local power companies instead of building its own line. At that time, the letter recites, the committee also specifically directed Bonneville to serve "preference customers only" in the area. After going into these matters, and expressing Bonneville's side in the traditional argument as to whether the Federal system cost the taxpayers money ("BPA does not cost the taxpayers a single penny"), the letter continues in pertinent part:

"4. We have diligently sought a wheeling agreement with the Idaho Power Co. which would eliminate the need for a Federal line to southern Idaho. Inability to reach agreement on one crucial point—that of service to future preference customers—has forced us to seek funds for a Federal line. * * *

"5. We have offered to build a 500,000-volt line jointly with the Idaho and Utah companies. * * *

"6. Such a line is needed * * *. The need for a 500,000-volt line in the area was further established by the Federal Power Commission's national power survey, participated in by all segments of the electric utility industry including the private power companies."

In regard to the letter, first, I believe the person who prepared it was partly in error. The national power survey, in connection with possible patterns of generation and transmission in 1980, does suggest the possibility of a larger line, 700 kilovolts alternating current or plus-minus 500 to plus-minus 750 kilovolts direct current, running from the Columbia River through southern Idaho to the area of Kemmerer, Wyo., and from there all the way to Fort Worth, Tex. In discussing this larger line, with several caveats, as a possible pattern of transmission in 1980, the survey suggests that it might be justified on the basis of regional diversity and the use of mine mouth generation from coal deposits in southwestern Wyoming to supply markets in the Northwest. As I read the survey, there is no suggestion that there is need of a a 500 kilovolt alternating current line to bring power from the Northwest to supply customers in southern Idaho in the immediate or distant future, nor does it suggest that power is not currently available to supply all customers in the area.

But more important, the letter raises the following issues concerning the future shape of the industry. Supposing the National Power Survey had created a blueprint instead of guidelines and had established a current need for a 500 kilovolt alternating current line such as is proposed by Bonneville, would that support the position that Congress should appropriate money for a Federal system to build the line? Do the Federal systems have the utility responsibility to supply such transmission needs? Do they have a utility responsibility to supply the over 3,000 systems eligible for preference power? If so, how does the Federal responsibility mesh with the responsibility of public utilities to serve these same customers under the Federal Power Act? Can current Federal construction be justified on the basis that additional preference customers may be created in the future? In order to market surplus Federal power, should the Federal systems be permitted to build transmission lines which are larger than required by demonstrated Federal need? Should the only alternatives for a non-Federal system not wishing to bargain away future load be a Federal line or a joint Federal-non-Federal line, thereby in either case making the Department of Interior, with which it has to compete, a partner to its future transactions?

To me these are basic questions concerning the future shape of the industry which grow out of the exposition of facts and projections, but are not discussed, in the national power survey. True, the Federal Power Commission could not have resolved these questions; that is a job for Congress. They do, however, affect the basic assumptions of the national power survey, maintenance of the status quo and a pluralistic industry working in harmony. Answers to them cannot be put off if those assumptions are to have validity.

In closing, let me suggest that the primary goal of Congress in its power legislation of the 1930's has been achieved. Today, all of the electric energy requirements of the Nation are being served. While these requirements are expected to continue to grow by leaps and bounds, the non-Federal segments of the industry which have the utility responsibility to meet the new requirements are in a position and are laying plans to do so. The methods of Government regulation and other restraints, to which each of the non-Federal segments is subject in varying forms, will continue to insure that the job is done properly.

Today, the Nation is embarking on new, far-reaching, experimental programs covering many aspects of basic human needs: physical, mental, intellectual, environmental and esthetic. The programs will require tremendous capital resources. The task of achieving efficient use of resources to speed the attainment of the new goals will be a tremendously challenging one, particularly because one can only guess at the return a particular use of resources will yield in these areas. New methods of evaluating return will have to be devised in order to know where the proper emphasis should be placed to achieve each goal.

The return to the Nation from the increasing use of resources by the electric utility industry, however, can be measured with a fair degree of accuracy. That being the case, it would appear to me that any discussion of efficient use of resources by the industry must concern itself with the return to the Nation from the resources. The use of resources in this sense is synonomous with the use of capital. Since the electric utility industry has larger capital requirements than any other industry in the country, the return to the Nation from the industry's use of capital has far-reaching significance.

The national power survey records the facts which demonstrate that the return to the Nation from the use of capital by each segment of the electric utility industry is different. Some will urge, in general terms, that the difference is only one of form: a return which basically can be measured in tax dollars as opposed to one which results in other benefits to the Nation. The return can and should be measured under conditions as they exist today in order to determine the validity of such claims. If the return to the Nation from each segment is unequal as well as different, and I strongly suspect it is, adjustments should be made. This is a matter which could not be considered by the national power survey even though it very basically concerns the efficient use of the Nation's resources. It is a matter which Congress should consider, to be sure that the Nation gets a full return from all of the capital used in the electric utility industry to apply toward the goals of our Great Society.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Chairman, I rise in opposition to the enactment of H.R. 8496 in its present form. It should be amended to eliminate the on recourse provision as it applies to proven types of commercial atomic powerplants. If this provision must be continued at all, its application should be restricted to experimental plants which are necessary steps in the development of breeder reactors.

To put the situation into proper perspective, let us look at these reserves of low-cost uranium, so that we can determine whether it is beneficial or harmful to humanity to encourage consumption of those reserves in nonbreeders.

The Atomic Energy Commission, in the 1962 Report to the President—page 34 of the appendixes—estimated that we have enough low-cost uranium—including that which is still to be discovered to produce the equivalent of power from about 2,000 billion tons of coal—if we could use it in the breeder reactor. The nonbreeder is very inefficient; it wastes about 99 percent of the potential energy. In other words, if we use this material in the nonbreeders, it will supply the energy equivalent of about 20 billion tons of coal, and our descendants will be left with only the high-cost material.

If we waste the low-level atomic fuel, will it hurt future generations? It will, gentlemen. Even when the breeder reactor is developed, the tremendous fuel inventory involved will impose a very heavy cost burden if humanity has to use high-cost atomic fuel.

In this complex field, we have to rely on the opinions of scientists. I do not ask you to accept my word for the statement that waste of low-cost atomic fuel will be detrimental to future generations. Dr. Alvin M. Weinberg, a highly respected scientist for the Atomic Energy Commission, authored a paper entitled "Burning the Rocks," published under the number ANL-6122, as part of the proceedings on the Conference of the Physics of Breeding, October 19-21, 1959. Dr. Weinberg made it clear that extremely high cost atomic ore can result in very expensive power even if the breeder reactor is developed, but he also made it clear that this will not be true if we have enough low-cost ore available to get get the system started. The breeder system, according to Dr. Weinberg, will some day be able to use high-cost ore for makeup provided it can be started on low-cost ore.

It appears, then, that we are faced with this alternative: We can use our low-cost uranium to replace about 20 billion tons of coal, to the permanent detriment of mankind. Or, on the other hand, we can use 20 billion tons of coal to preserve our low-cost uranium in order that it can supply 2,000 billion tons of coal for future generations of mankind. Which course should we follow?

How much coal do we have? According to the Department of Interior, we have about 800 billion tons of recoverable coal, of which more than 200 billion tons can be mined without any substantial cost increase. We are currently using about one-half a billion tons per year for all purposes, including the generation of electricity. We can afford to use 20 billion tons of this coal to preserve for mankind the hope of low-cost power in perpetuity. If we do this, we will in effect be trading 20 billion tons of coal for nearly 2,000 billion tons of coal-equivalent atomic power, for the benefit of future generations.

In addition to needless waste of the power which future generations may need, are there any other disadvantages involved in the crash program approach which is inherent in pushing the proliferation of nonbreeder reactors? I believe there are, and I want to take a few minutes to summarize some of them.

Paramount should be the problem of public protection. We are dealing with a weird new material. We should proceed cautiously, in order that we do not take unnecessary risks until we have accumulated the maximum knowledge and experience in an orderly manner. If we have 200 atomic powerplants operating for 20 years, will we be better off than we will if we have 20 atomic powerplants operating for 20 years? I think not. We have several large powerplants now under construction, and we ought to take advantage of the apportunity to see how they work, to find out how safe they are, before we subject our people to the risk of a large number of these plants. When I say "risk," I think I am being conservative. Remember that witnesses from the atomic energy industry unanimously admitted that these plants will not be built if the manufacturers and operators have to assume financial responsibility for the public damage which may be caused by an accident.

In the history of mankind, no one has ever yet been able to design a foolproof machine. We cannot, merely by passing a law, prevent the occurrence of a catastrophe. We can say the utilities do not have to pay for it, but we cannot effectively say that it will not happen. If it does happen, the cost may, according to the experts, run into the billions of dollars. Why should we not, then, follow the sensible course—let us encourage the construction and operation of a reasonable number of these plants, for a long enough period of time to gain the experience necessary to the safety of our people.

If we follow the opposite course—if we grant the license to take risks at the expense of the public which is inherent in the no recourse provision of the Price-Anderson Act—we subject the public to unnecessary risks. But we do more than that. We subject our economy to grave risks in time of peace, and we make our country extremely vulnerable in time of war.

Where is the risk to the economy in peacetime? Electric power is one of the most essential commodities for a healthy economy. Let this country become prematurely dependent on atomic power for a large portion of its electricity, and then assume that one single atomic powerplant, anywhere in the world, causes a multibillion-dollar catastrophe. What will happen? You know what will happen. The public will demand that every atomic powerplant in the country be shut down immediately, and our economy will be seriously crippled for lack of power. It takes a period of several years to build coal burning powerplants and to open new coal mines, and the economy would lack sufficient electricity for a period of time long enough to have a very serious effect.

In wartime, the risk is even greater. I am told that some scientists take it for granted that all atomic powerplants will be shut down in the event of war, because of the terrible effects of an enemy bomb or sabotage on an atomic powerplant. That, of course, would cause a disastrous shortage in the supply of electricity at a critical period. To complicate matters, we already have in storage, in steel tanks, some 100 million gallons of the most terrible poison known to man—high-level radioactive wastes resulting from reprocessing of atomic fuel. I have been informed that an atomic bomb could release this material into the environment, making large sections of the Nation uninhabitable for hundreds of years. The more of this material we accumulate, the more vulnerable we are.

If we extend the Price-Anderson Act, we will force our country and our people to undergo all these unnecessary risks, and what will we gain? At the expense of future generations, we may reduce our fuel bill by 10 percent. How much will that mean to the average homeowner? The cost of coal is about 12 percent of the total electric bill, or about $1 per month for the average home. If we take all of these terrible risks, we may save the average homeowner 10 cents a month, until the waste of low-cost atomic fuel catches up with us.

I think we should inhibit the unwise proliferation of nonbreeder atomic powerplants. I think we should restrict the application of the Price-Anderson Act to those experimental and research plants which are necessary for the eventual development of breeder reactors, to the permanent benefit of mankind.

In summary, Mr. Speaker, let me say, "We have already learned how to waste atomic fuel. Let us concentrate in the future on learning how to utilize its full potential, for the permanent benefit of mankind."

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, in the report on H.R. 8496, the Joint Committee states—page 13—that extension of the Price-Anderson Act is justified "on the basis of, first, overall benefits to the public resulting from competition between nuclear and fossil fuel powerplants; and, second, the development of a new source of basic energy for this and future generations."

It is difficult to quarrel with the objective of developing a new source of energy which will serve mankind when needed. I therefore feel that it may be justifiable to extend the provisions of the Price-Anderson Act—perhaps even the no-recourse provision which frees plant operators from liability—with respect to experimental plants which are necessary to develop the breeder technology.

I do, however, object to extension of the no-recourse provision with respect to the proven types of atomic powerplants. Let us examine the Joint Committee's reasoning with respect to these plants. Apparently it is based on the claim that atomic powerplants are already saving the electricity consumers of this country $1 billion a year. On page 7 of the report, the Joint Committee states:

> Spurred on by Government encouragement and assistance, there have been extraordinary reductions in the cost of nuclear power. These developments have, in turn, produced a salutary competitive response from the fossil fuel and fuel transportation industries, with a resulting savings in power costs to the American taxpayers that has been estimated at $1 billion per year. It is acknowledged that no commercial nuclear powerplant is yet producing electricity at costs competitive with conventional plants, and much development work remains.

In other words, gentlemen, the Joint Committee asks us to extend this no-recourse provision, without which the utilities would cease to build the proven atomic powerplants, because atomic power is allegedly saving the people of this country $1 billion a year. Let me state flatly that the $1 billion figure is simply ridiculous. If the rest of the report is as erroneous as this figure, then it is time for us to make a complete and searching analysis of the course we are taking in the atomic power program.

Mr. Chairman, last year the utilities spent a total of about $2 billion for coal, oil, and gas for use in generating electricity. This figure of $2 billion includes the cost of delivery to the generating plant. If the Joint Committee is correct in using the $1 billion figure, that means that the delivered price of coal, oil, and gas would have been 50 percent higher in the absence of the threat of atomic competition. That, on its face, is completely without foundation.

Coal furnishes the fuel for most of the thermal powerplants in this country. Let us look at the price paid by utilities for coal over the last several years. The average delivered price, including cost of the coal and cost of the transportation, has been as follows:

	Per ton
1952	$6.61
1953	6.61
1954	6.31
1955	6.07
1956	6.32
1957	6.64
1958	6.58
1959	6.37
1960	6.26
1961	6.20
1962	6.17
1963	6.02

Mr. Chairman, this record shows a steady reduction in the delivered price of coal since 1952—a reduction amounting to approximately 10 percent for the entire interval of 12 years. Most of this reduction occurred prior to 1963. Let us look at the causes.

First, the coal-producing industry is intensely competitive. It is competitive with natural gas, with Government-sponsored hydroelectric power, and with imported residual oil. It is also intensely competitive within itself.

In the past several years, there has also been intense competition in the transportation of coal to utilities. The coal industry developed a feasible method of carrying coal by pipeline. Great strides were made in the transmission of minemouth power to markets. These factors, coupled with the competition of coal mines served by water carriers, have served to force the railroads to develop low-cost methods of transporting coal. As a result, the unit train concept was put into use. The unit train concept has reduced the cost of delivering coal by an average of about $1 per ton, or less. Less than 100 million tons of coal are being hauled by unit train. Even if this were all attributable to the threat of atomic power, the amount involved would be less than one-tenth of the claimed billion-dollar-a-year saving.

But the truth is that threatened competition from atomic power can be credited with only a very small part of the unit train saving, and with little or no part of the reduction in the cost of coal. Until Jersey Central Power & Light Co. announced its plans to build the Oyster Creek atomic powerplant, no one in the coal industry or the railroad industry regarded atomic power as posing any real competition for a period of many years into the future. The Oyster Creek announcement came in 1963. If atomic energy has had any effect at all on utility fuel prices, the effect is minute. Instead of being anywhere near $1 billion a year, as claimed in the Joint Committee report, it is far less than the present annual expenditures—nearly $200 million—being made by the Government for the purpose of promoting atomic powerplants.

Some day in the far distant future we may run short of low-cost supplies of coal. When and if that day comes, mankind will need atomic power. In order for atomic power to serve any long-range purpose, breeder reactors will be required. I therefore agree that we should take necessary steps to continue an orderly program of research for the development of breeder reactors.

But if the only excuse for the continuation of the "no recourse" provision for proven types of atomic powerplants is the allegation that they are already saving consumers of this Nation $1 billion a year, then I say the excuse is so patently erroneous that we should hold up this legislation until we can review the entire atomic power program. We are dealing with a matter which may have very serious consequences for the public. Let us make sure we are on sound ground before we act. The Joint Committee's use of the $1 billion a year figure indicates to me that the rest of the Members of Congress should take a good look to see if the committee has made similar grave errors in guiding this program.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from West Virginia.

Mr. HECHLER. Have not the alleged savings in power costs been unrealistically presented because part of the cost is a Federal subsidy to atomic energy production?

Mr. SAYLOR. It is all Federal subsidy. The AEC should come forward, be truthful and admit it. There is a place in the rapidly expanding electric energy field for atomic power. However, I do not think that the Joint Committee has any justification for coming forward with a figure like $1 billion in saving that they cannot substantiate and no one on their staff or anyone else can substantiate.

If the rest of the atomic energy program is as faulty as that statement, then we should not pass the bill, but we should appoint a special committee to examine the entire atomic energy program, both military and peacetime uses.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Utah.

Mr. BURTON of Utah. Mr. Chairman and Members of the Committee, I must acknowledge that I am somewhat confused by some of the arguments which have been advanced in support of extension of the Price-Anderson Act.

First, we are assured that nuclear powerplants of any size can be safely built and operated anywhere in the country, even in large centers of population.

But then, we are told that no more nuclear powerplants will be built by private groups unless the Government continues to make available to the operators of such plants indemnity insurance up to $500 million and, furthermore, limits the total liability which can be incurred as the result of any nuclear accident to $560 million, regardless of the total damage involved.

I think all of us are prepared to accept the assurances of the Atomic Energy Commission and the builders and operators of nuclear powerplants that they are safe; they are experts in this field and we must rely upon their judgment.

However, there is one question which has occurred to me and which I am sure has occurred to many other people. If the nuclear plants are safe, as we are assured they are by the experts, why should it be necessary for the Government to provide them with protection against the risk of a possible accident, and more importantly, why should the liability resulting for any such accident be limited?

It is my feeling, Mr. Chairman, that if nuclear powerplants are not safe, they should not be built. If they are safe, and we are assured repeatedly that they are, then the manufacturers and operators of such plants should be prepared to assume the responsibility for all the risks and liabilities involved in such an operation.

It has been stated over and over that the possibility of an accident in one of these plants is so remote that it is not even worth considering. Yet, spokesmen for the utility industry went before the Joint Committee on Atomic Energy and stated without equivocation that unless the Price-Anderson Act is extended they would not undertake to build any nuclear powerplants.

I cannot understand this apparent contradiction between what appears to be the nuclear industry position on safety, when stated publicly, and the position of the industry on this particular piece of legislation.

There is no doubt in my mind that the Price-Anderson Act constitutes a significant subsidy for the operators of commercial nuclear powerplants. But what concerns me even more is the limit which is set on the amount of damages for which the public would be compensated in case of an accident.

We are being asked here today to extend the legislation for 10 years without amendment. The Government—which means the taxpayers—will continue to bear the major share of the burden for providing indemnity insurance without which nuclear powerplants would not be built. And furthermore, the public is being asked to accept for another 10 years a plan whereby it would not be fully compensated for any damages which might result from the operations of such plants.

The present act does not expire until 1967—2 years from now. I cannot see there is any urgent need to pass the extension bill at this session. I sincerely believe that action should be postponed until the Joint Committee conducts further studies, which it has announced it plans to do, on the question of how the public would be compensated for damages in any nuclear accident.

I strongly feel there is a basic and fundamental question at issue in this matter. The right of the public to protection against hazards over which it has no control has long been accepted as a matter of course. In this legislation, we are being asked to transport what was supposed to have been a temporary departure from this accepted procedure into a permanent and established process.

Mr. Chairman, as presently written the Price-Anderson Act is patently unfair to the public. It asks the public to assume almost the full burden of risks involved in the construction and operation of nuclear powerplants. If the nuclear powerplants now being built require that the Government provide indemnity insurance, then at least we should see to it that the public is fully compensated for any damages. The cutting off of liability from any nuclear accident at $560 million is coldblooded denial of the rights of the public.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. As I indicated earlier, we do not have the actuarial experience at the present time. As I said in 1957, when the act was first passed, we did not then have a single kilowatt of installed nuclear power. Today we have something like 1,000 megawatts, or 1 million kilowatts. That is within a relatively short period of time.

In these 8 years, the insurance companies have, however, not had enough experience with the operation of these plants to provide the kind of coverage that the utilities would want and need. I believe the gentleman from Illinois said earlier that the maximum today is $60 million but we are hopeful that in a few years it will be up to $100 million. As the amount of private coverage increases, the amount of Government indemnity will go down. I think we are arriving at a solution. That is why at the present time we need to have a Government indemnity program.

Mr. BURTON of Utah. I thank my friend from Illinois for his comments. I should like to point out that the present act does not expire until 1967, 2 years from now. I cannot see that there is any urgent need to pass the extension at this session. I sincerely believe that action can be postponed.

Mr. HOLIFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. Mr. Chairman, it is with some reluctance that I speak upon this subject. While I agree in the committee most of the time with the eminent minority member of the House Committee on Interior and Insular Affairs, the gentleman from Pennsylvania [Mr. SAYLOR], who just spoke, I would agree with him on being opposed to this legislation at this time, but for an entirely different reason.

If the Congress of the United States—the Senate and the House—has one great monument to its eternal credit, it is the Joint Atomic Energy Committee, which probably not only is a success but perhaps too great a success in its contribution to the well-being of the people of the world and in its efforts to promote the useful and peaceful purposes of atomic energy. However, the time has come, if I may say so to my colleagues, when there is no longer a justification for what appears to be an unreasonable subsidy to the nuclear phase of the generation of our electric energy. I say unreasonable for the following reasons:

First, insurance companies are willing to increase their coverage of public damage by a few million dollars, to a total of $74 million, but they have not demonstrated confidence in the safety of atomic plants. The insurance companies have inserted clauses in their regular casualty policies eliminating coverage on damage from radioactive contamination. As a result, the homeowner, the factory owner, and the owner of office buildings have no insurance coverage in their own policies against radioactive contamination; their recovery will be limited to their proportionate share of a fund which may be grossly inadequate.

Second, the Advisory Committee on Reactor Safeguards, an independent group of eminent scientists, told the Joint Committee on Atomic Energy:

> Considerable further improvements in safety are required before large power reactors may be located on sites close to population centers.

Third, various utility witnesses appeared before the Joint Committee and were asked to comment on the coal industry's proposal that unlimited Government insurance beyond the amount available through private sources be provided at comparable commercial rates, and that the utilities be subject to ordinary rules of law in the event public damage exceeded the coverage purchased. One after the other, the utility witnesses stated they would not build atomic plants if the law made them subject to financial responsibility for the amount of such damage in excess of the commercial insurance and Government indemnity.

Thus, an unfair subsidy for atomic power does in fact set back the orderly development of the natural resources of Wyoming, particularly of the large coal reserves throughout my State. There is no valid reason why Congress should continue artificial stimulation to the growth of atomic power which is now a force in our competitive economy and there is certainly no reason why the coal fields of America should lie undeveloped as a result of this unfair competition.

Mr. ASPINALL. Mr. Chairman, will my friend from Wyoming yield to me?

Mr. RONCALIO. I am proud to yield to the gentleman from Colorado.

Mr. ASPINALL. Would my friend point to any place where there has been unfair competition which has hurt the coal mining industry, so far as competition is concerned? I have a district similar to the district of my friend. All of the energy resource values are there. If my friend can point to a place where we have done damage to the coal mining industry, I should like to hear about it.

Mr. HOSMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it has come time to tidy up the Chamber a little bit, after some of the oratory which has preceded this.

Perhaps I should mention the remarks of the gentleman from Pennsylvania concerning the mysterious billion dollars, since he cannot see where it comes from, because there are only $2 billion worth of nonnuclear fuels being consumed in this country, by way of the production of electricity.

If the gentleman from Pennsylvania had taken a close look at the report he would have noted that the report was not talking about buying B.t.u.'s, buying coal, buying oil or any other conventional fuel. The report was not addressing itself to the beginning side of the powerplant, but was addressing itself to the inside of the powerplant, where the electricity comes from, where people buy it.

Our report said, on page 7:

> As indicated in the preceding section of this report, this country has made great strides in the development of civilian nuclear power during the last 8 years. Spurred on by Government encouragement and assistance, there have been extraordinary reductions in the cost of nuclear power. These developments have, in turn, produced a salutary competitive response from the fossil fuel and fuel transportation industries, with a resulting savings in power costs to the American taxpayers that has been estimated at $1 billion per year.

We received specific testimony on this point from the Chairman of the AEC during our fiscal year 1966 AEC authorization hearings, at page 1386, as follows:

SAVINGS ATTRIBUTED TO NUCLEAR POWER

> Representative HOSMER. Against that figure, I think someone has estimated that the developmental work which has been done in the nuclear energy field under sponsorship of the Government is now resulting in at least a billion dollars a year saving to American citizens in the form of power rates that have not been increased because we have this form of power.
>
> Is that somewhere in the ball park?
>
> Dr. SEABORG. Yes, that is in the ball park. That is an estimate that has been made and I think on a good basis.
>
> Representative HOSMER. So we are not just pursuing science for science's sake, we are paying dividends to the taxpayers then.
>
> Dr. SEABORG. Yes, I think so.

What our report reflects is that the consumers of electricity in the United States are not paying $1 billion a year for electricity which they otherwise would be paying, except for the fact that this new source of energy for the production of electricity has been introduced and has created a sharp pencil competitive situation.

We were not referring only to savings in fuel costs. Fuel costs, of course, are only part of the total cost of producing energy. We were referring to total annual savings in overall energy costs including transportation costs.

Considering the large amount of energy we now use annually in this country even small reductions in unit energy costs result in large total annual savings. For example, applying a 1 mill per kilowatt-hour reduction to the FPC's projection of total energy generation for 1965 which is over 1 million million kilowatt-hours—10^{12} kilowatt-hours—results in an annual saving of $1 billion.

I believe we all agree that that kind of situation is good for the United States. In fact, I believe we have spent, in all, about $22 billion on all phases of our atomic effort. A good deal of that was a crash program for the Manhattan project during the war. This was the program which produced the atomic bomb and enabled us to avoid a bloody invasion of the Japanese Islands.

So for every cent of money which the Government has put into the civilian atomic energy program which has totaled about $1¾ billion, the American people have already, practically, gotten out everything they have invested, on the peacetime side of the atom, and they are in a position where it is repaying dividends to them.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman.

Mr. HOLIFIELD. Is it not true, of the figure of some $20 billion that has been spent approximately $18.5 or $19 billion has been spent for military purposes for the development of weapons, for the improvement of weapons, and for the great inventory of weapons which we now have?

There are 30 nuclear submarines of the Polaris type which now roam the oceans of the world, and which give us the most invulnerable launching capacity of any nation. A portion of this $19 billion went toward that.

Mr. HOSMER. So when you come down to it the Government is not in the business of business, but in the business of making a better America. Not only have we made a better America through this program, but we have made a more prosperous one by this program. The Government has by this program contributed to the reduction in the cost of living rather than to an increase in it.

I also think it should be commented on, although it is not directly pertinent to this argument, that it is almost impossible to find a safer industry in America than the atomic energy industry. I think that is due to the fact that we take precautions of every nature.

I want to say, also, to support some statements on the absence of actuarial figures upon which any insurance could be based, that it is a fact that in the entire history of the Price-Anderson Act there has only been one $3,500 accident in this industry which involved a claim against a licensed reactor operator who was required to furnish financial protection under the Price-Anderson Act. That is pretty remarkable.

I would like to recall that before coming to Congress in the year 1947–48 I was an employee of the Atomic Energy Commission in its legal department at Los Alamos. In going through some of the files at that time I came across the workmen's compensation that was being carried on all of the workers in this area. The University of California was a contractor. It could not say what it was doing there, so it had to pay the highest insurance rates of all back in 1943 when their activities started. In 1948 it was still paying the high rate. When we went back to look at the accident experience it was almost impossible to believe that an installation, a gigantic installation such as this one, dealing with this new and difficult subject, could have had the safety record it had.

I think we can be proud that the traditions that began with America's past for putting the atom to work for its defense and then putting it to work for its peace have been traditions which have included the utmost regard for the public safety and for the safety of the employees involved.

An exemplification of this tradition is that legislation which we seek to extend today.

I would like to devote a minute or two to the charge, made by some, that the Price-Anderson Act is a subsidy to the atomic power industry. If by that term the opponents of this type of legislation mean payments of money to or on behalf of the atomic power industry, I would point out to them that not a red cent has been expended under a Price-Anderson indemnity agreement with a licensee during the 8 years of the act's existence. As a matter of fact, the almost $343,000 received by the AEC in indemnity fees have more than repaid the costs of the administration of this program, and these fees are expected to increase substantially in the future.

While the Price-Anderson Act is not a subsidy within the conventional meaning of that term, it is indisputable that the act is a form of Government assistance. However, the type of assistance afforded by the Price-Anderson Act is entirely consistent with the basic principles underlying other Federal programs—programs such as reclamation projects and the improvement of the Nation's inland waterways. In determining the value of these programs, the cost to the Federal Government of the improvements must be measured against the benefits to the American people which the improvements produce. In the case of the Price-Anderson indemnity legislation, the benefits derived by the American people are amply evidenced by the estimated $1 billion annual savings in power costs which I mentioned a moment ago. These benefits, I would reiterate, have been achieved under legislation which thus far has cost the Government nothing.

Some have argued that the atomic energy industry should be made to pay the estimated true costs of the indemnity protection which the Government affords under the Price-Anderson Act. Aside from the fact that no one knows the true costs of this protection, since the very lack of actuarial data for this industry is what necessitates the governmental indemnity, I say this is not a desirable approach.

Although I strongly recommend enactment of S. 2042, I also believe that further study should be undertaken to assure that the public would receive prompt and adequate financial compensation in the event of a major nuclear accident. During the hearings on S. 2042, several of my questions elicited responses from AEC witnesses which indicated to me that the problem of settlement of claims in the event of such an accident is rather like the vast Amazon Basin, explored only in very small part by very few people. Further hearings on this subject, as our committee report recommends, are certainly called for.

Mr. Chairman, in order that the growth and development of nuclear power may continue to progress in an orderly and expeditious manner, I join Chairman Holifield in urging passage of S. 2042.

Mr. HOLIFIELD. Mr. Chairman, this is the last atomic energy bill which I shall handle this year. I want to take this occasion as chairman of the Joint Committee to express a word of thanks to the members of our committee, the gentleman from Illinois [Mr. Price] the gentleman from Colorado [Mr. Aspinall], the gentleman from Texas [Mr. Thomas], the gentleman from New Mexico [Mr. Morris], the gentleman from California [Mr. Hosmer], the gentleman from Massachusetts [Mr. Bates], the gentleman from Illinois [Mr. Anderson] and the gentleman from Ohio [Mr. McCulloch] for the intensive work that they have done and for their dedication in trying to solve the problems of this important field, to strengthen our Nation, both on the domestic front and on the military front.

They have rendered to me the utmost of cooperation and I should like to express my appreciation today.

Mr. Chairman, I have no further requests for time.

Mr. SECREST. Mr. Chairman, H.R. 8496 would extend the "no recourse" provision of the Price-Anderson Act. This provision eliminates the liability of reactor manufacturers and operators for damages in excess of the commercial insurance and Government indemnity, even if such damages are caused by willful negligence.

In 1956 the Atomic Energy Commission opposed such a provision because of doubts as to its constitutionality. Now, however, the Joint Committee states, at page 7 in its report on H.R. 8496:

> Finally, the committee agrees with the views expressed by the Attorney General and the General Council of the AEC, in response to an inquiry by the committee, that the limitation of liability provisions of the Price-Anderson legislation, as originally enacted and as they would be amended by the bill recommended by the committee, are constitutionally permissible.

In the last analysis, the Supreme Court of the United States will decide whether the "no recourse" provision is a constitutional exercise of the powers of Congress. When and if an atomic powerplant catastrophe occurs, the Supreme Court will decide whether or not the corporations which build these reactors, and whether or not the utility corporation operators of these plants, shall go completely free of liability.

In my opinion, Mr. Chairman, if we in Congress pass this legislation, we should alert atomic powerplant manufacturers and operators that the views of the Joint Committee, the Attorney General, and the General Counsel of the AEC are not binding upon the Supreme Court. The manufacturers and operators of these plants should be told, in spite of the report of the Joint Committee, "Gentlemen, if you rely upon the constitutionality of the no recourse provision, you do so at your peril. That question will be decided by the Supreme Court, in the light of the circumstances that exist when an atomic catastrophe has brought the question before the Court."

My purpose in making this statement, Mr. Chairman, is to warn the operators and manufacturers of these plants that, in the event this provision is held unconstitutional, Congress will have no legal duty to pay for damages otherwise assessable against them.

Mr. KEE. Mr. Chairman, during the hearings on H.R. 8496, the witnesses for the reactor manufacturers and the utility operators were each asked by the chairman of the Joint Committee on Atomic Energy what they felt would be the consequences of the failure of Congress to extend the no recourse provision of the Price-Anderson Act—the provision granting freedom from liability for damages in excess of the $60 million insurance pool and the $500 million Government indemnity fund. To a man, the witnesses stated that atomic powerplants would not be built without such freedom.

This is a very alarming situation, because it can only be interpreted as a declaration by these witnesses that they do not have faith in the safety of these plants. You can check the accuracy of my statement by reading the record of the hearings before the Joint Committee, but you do not have to go that far. You can read the report of the Joint Committee recommending the adoption of H.R. 8496. On page 9 of the report, it is stated:

> Based upon the evidence and testimony presented to the committee, the committee has concluded that the potential threat of uninsurable liability arising out of nuclear activities, as discussed in the preceding section of this report, would effectively deter necessary industrial participation in this program. Every witness representing the nuclear industry, who testified at the committee's hearings in June, supported this view.

Under these circumstances, I do not believe we should pass legislation encouraging the utilities to place upon the people of their areas financial risks which the utilities are themselves unwilling to assume. If we extend the "no recourse" provision of the Price-Anderson Act, we will be forcing the public to assume serious risks for which they will have no recourse against anyone.

How much financial risk are we talking about? The 1957 Brookhaven report prepared by the Atomic Energy Commission estimated that the property damage from radiation could be, under the worst circumstances, as great as $7 billion, and could involve contamination of 150,000 square miles. An area of 150,000 square miles means a circle with a radius greater than 200 miles.

In the 1957 report, the AEC was talking about a small atomic power plant. Today plants five times as large are being built, and we could be talking about maximum property damage of $35 billion, with contamination of 750,000 square miles—a circle with a radius of nearly 500 miles.

Assuming that this unthinkable catastrophe does occur—and no one can say that it will not—who will suffer the loss, under the Price-Anderson Act? Not General Electric, Westinghouse, or the operating electric utility—they are granted immunity. The insurance companies will pay $60 million; Uncle Sam will pay $500 million; and the property owners will settle for less than 2 cents on the dollar for their losses.

Few members of the public realize that they do not have insurance in their own property insurance policies against such losses. The standard policies written by insurance companies on homes, on farms, on factories, on office buildings, and on other property carry a nuclear exclusion clause. It excludes losses from radiation caused by an atomic power plant or any other source. Unfortunately, few people read the fine print in their insurance policies, because the language used is difficult to understand. I can assure you that your policies covering damage to your property contain a provision which means that you will not be paid for loss caused by radioactive contamination from an atomic powerplant.

Frequently an obscure clause like this, in an insurance policy, is completely overlooked by the public until some catastrophe brings it into play. I am sure that many property owners in Los Angeles were quite surprised to find they had a very sizable financial stake in the definition of an insurrection as compared to the definition of a riot. In the event of a real atomic powerplant catastrophe, many people within 500 miles of the plant will be surprised to find they must personally bear 98 percent of the loss of the value of their homes and their business property.

Mr. Chairman, if we are going to encourage the construction of great numbers of these atomic powerplants, we owe a duty to the public to tell them what we are doing; that we are granting immunity to the manufacturers of atomic powerplants and to the electric utilities for any damages which might be caused to their homes and their business property, even though they have no insurance against such loss in their own policies and cannot obtain such insurance; that we are thus forcing them to assume risks which the utilities will not assume and which the insurance companies will not assume. Certainly we should not mislead the public by stating that we are granting "protection to the public." Two cents on the dollar is not protection.

We have several large atomic powerplants in the process of construction. Until those plants have operated for a long period of years, we will not know just how dangerous such plants are. Until we do, we should not encourage the construction of great numbers of large plants, at the risk of the public. H.R. 8496 should be amended to remove the no recourse provision.

Mr. **HECHLER**. Mr. Chairman, after considerable thought and careful examination of the issues involved in H.R. 8496, I have decided to oppose the pending legislation. I believe that it is high time that we take steps to place the nuclear power industry and its competitors—like coal—on a fair and equal footing. For too long, the nuclear power industry has enjoyed the protection of an "infant industry." It has been pampered with subsidies, exemptions, and one form or another of assistance. This has been done to such an extent that the claims of its proponents that lower power rates are produced for the consumer are patently inaccurate. If the Federal Government continues to pick up the tab, it is unfair to claim that nuclear power is cheaper.

Essentially, the pending bill extends another form of subsidy to the detriment of the coal industry and the miners who work in that industry. In the first place, why does this act have to be extended for 10 years? Surely a shorter period of time would be a more feasible way to handle this problem, with a review to determine additional steps to be taken after a few years. Second, we have heard that the nuclear power industry is now very safe. If this is true, then why are we so stirred up about providing so much insurance and indemnities. Third, why does the Federal Government have to get into the insurance business in this case anyway? Would it not be fairer and more in keeping with the spirit of free enterprise to require these companies to take out their premiums at rates closer to those provided by private insurance sources?

These are just a few of the reasons, Mr. Chairman, why I oppose this bill in its present form, and I expect to vote against it. I trust that in the future we may have legislation in this field which is fairer and more objective in relation to the great coal industry which means so much to the strength of the Nation's economy and its future.

The **CHAIRMAN**. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

S. 2042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 170 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. The Commission shall, with respect to licenses issued between August 30, 1954, and August 1, 1977, for which it requires financial protection, agree to indemnify and hold harmless the licensee and other persons indemnified, as their interest may appear, from public liability arising from nuclear incidents which is in excess of the level of financial protection required of the licensee. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not exceed $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damages: *Provided, however,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000. Such a contract of indemnification shall cover public liability arising out of or in connection with the licensed activity. With respect to any production or utilization facility for which a construction permit is issued between August 30, 1954, and August 1, 1977, the requirements of this subsection shall apply to any license issued for such facility subsequent to August 1, 1977."

SEC. 2. The first two sentences of subsection 170 d. of the Atomic Energy Act of 1954, as amended, are amended to read as follows:

"In addition to any other authority the Commisison may have, the Commission is authorized until August 1, 1977, to enter into agreements of indemnification with its contractors for the construction or operation of production or utilization facilities or other activities under contracts for the benefit of the United States involving activities under the risk of public liability for a substantial nuclear incident. In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity, and shall indemnify the persons indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000, including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with such contract and for each nuclear incident: *Provided,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000: *Provided further,* That in the case of nuclear incidents occurring outside the United States, the amount of the indemnity provided by the Commission shall not exceed $100,000,000."

SEC. 3. The first sentence of subsection 170 e. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"The aggregate liability for a single nuclear incident of persons indemnified, including the reasonable costs of investigating and settling claims and defending suits for damage, shall not exceed the sum of $500,000,000 together with the amount of financial protection required of the licensee or contractor: *Provided, however,* That such aggregate liability shall in no event exceed the sum of $560,000,000: *Provided further,* That with respect to any nuclear incident occurring outside of the United States to which an agreement of indemnification entered into under the provisions of subsection 170 d. is applicable, such aggregate liability shall not exceed the amount of $100,000,000 together with the amount of financial protection required of the contractor."

SEC. 4. Subsection 170 k. of the Atomic Energy Act of 1954, as amended, is amended by striking out the date "August 1, 1967" wherever it appears and inserting in lieu thereof the date "August 1, 1977".

SEC. 5. Subsection 170 l. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"l. The Commission is authorized until August 1, 1977, to enter into an agreement of indemnification with any person engaged in the design, development, construction, operation, repair, and maintenance or use of the nuclear-powered ship authorized by section 716 of the Merchant Marine Act, 1936, and designated the 'nuclear ship Savannah'. In any such agreement of indemnification the Commission may require such person to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising from a nuclear incident in connection with such design, development, construction, operation, repair, maintenance or use and shall indemnify the person indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with each nuclear incident: *Provided,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000."

Mr. **HOLIFIELD** (interrupting the reading of this bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD, and subject to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **MOORE**. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I oppose the further extension of the Price-Anderson Act.

Mr. Chairman, I have never opposed the development by private capital of the nuclear power industry. Although I have vigorously objected to the many Government subsidies that have been introduced into its framework by its advocates in the Government and in Congress.

I urge the rejection of H.R. 8496 which would extend the Price-Anderson Act for 10 years, until August 1, 1977. On the basis of the evidence, Mr. Chairman, Price-Anderson is in fact nothing more than a possible massive subsidy.

Within recent years atomic power has begun to come into its own as a source of power. Thirteen atomic powerplants have been completed. These plants will ultimately generate about 1 million kilowatts of electricity. Five more plants are under construction and when they are completed they will add another 1.7 million kilowatts of capacity. These 2.7 million kilowatts of atomic electric generating capacity will represent about 6.6 percent of the electric utilities total capacity. Other utilities are also considering the atomic approach when decisions are made to build new generating stations to supply the ever increasing demands for energy.

The atom has become another important source of fuel for electric power generation. But quite obviously, atomic power has arrived in the marketplace by way of the U.S. Treasury. The U.S. Atomic Energy Commission has paid millions of dollars in direct subsidies to atomic powerplant designers and builders as well as to those operating atomic powerplants.

In the early 1950's it was argued that Federal subsidies were absolutely necessary to ignite interest in development of atomic power. It was argued that atomic power would be needed to supplement the Nation's future energy needs. Leaders of competitive energy source industries at that time did not oppose Government-financed atomic power research, even though the Nation has enough low-cost conventional fuel to serve the needs of this Nation for generations to come. Reports of the U.S. Geological Survey show reserves of coal alone which would last hundreds of years at current production levels.

When Congress passed the Price-Anderson Act to give the public some financial protection against the consequences of a nuclear accident, this protection took the form of public liability insurance bought by the licensed operator, with an added $500 million indemnity provided by the Government. Thus the combined insurance-indemnification protection for each atomic power plant is $560 million since the liability insurance industry will presently not sell more than $60 million worth of coverage per plant.

However, Mr. Chairman, there is an important provision in this law which has not been called to the attention of most of us and of which most of the general public has not been made aware. I am referring to the provision, the no-recourse provision of the Price-Anderson Act, which limits total liability to the sum of the insurance available plus the $500 million Government indemnity. In other words, the public is required, by law, to subsidize atomic powerplants through law by being involuntary self-insurers without compensation, for the amount of damages in excess of the $560 million.

This no-recourse provision does not only deny protection to the taxpayer, it actually removes protection which ordinarily would be available under general rules of tort liability. I frankly have my doubts as to the constitutionality of this provision. In the 1956 hearings on this matter before the Joint Committee on Atomic Energy, the Atomic Energy Commission stated that the approach of limitation of liability had been carefully considered, but this method was not recommended primarily because of doubts as to constitutionality.

Normally, a claimant could sue the corporation and proceed against the corporate assets of those controlling the atomic plant. In most instances these manufacturers and operators are worth much more than $500 million. But not so under the Price-Anderson shield, which limits the aggregate liability to $560 million—$500 million from the U.S. Treasury and $60 million.

Mr. Chairman, the two basic reasons for extending this act are obviously without justification. The no-recourse provision does not assure the availability of funds to satisfy public liability claims in the event of a catastrophic nuclear accident. And the elimination of this provision would not deter the growth of atomic power, because the atomic power industry have assured us that these plants are safe.

Then what is the real reason, the real justification for extending this inequitable law? No such shield from financial responsibility is available to operators of conventional powerplants, or to the public in general. I firmly believe that this Congress should immediately end the limitation of liability in the Price-Anderson Act, and restore to our citizens their normal legal right to full compensation for damages. Further, I believe that Congress should end the $500 million indemnity protection now granted atomic power plant operators. If the public needs additional insurance protection, beyond the amount available through private sources, then the Government should provide insurance, but at comparable commercial rates.

As a Representative in the Congress from a major coal-producing State in opposing this measure I will be charged with being oversensitive to any legislation that affects coal. However I know that atomic fuel is reducing the quantity of coal produced. I am not altogether convinced that the economics of nonsubsidized atomic power will favor it over more conventional forms of energy in the mass power generation field. I am in complete accord with the Federal Government doing research that cannot be done by private industry, but in this case I think the assistance has continued long enough. I know that those who live the life of coal miners in my State feel that in a free enterprise system such as ours, the industry in which they work should not be underwriting a business which promises to eliminate their jobs and their livelihood.

Mr. Chairman, I believe that by rejecting this legislation, H.R. 2042, the ordinary legal rights of the public will be restored and the right of all energy industries to compete on equitable terms for its share of the energy market will be maintained. I believe that it is high time that we realize that the Government should not underwrite one side of a business competition in America's free enterprise system.

The CHAIRMAN. If there are no amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1954, as amended, pursuant to House Resolution 579, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 337, nays 30, not voting 65, as follows:

[Roll No. 304]

YEAS—338

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Callaway
Cameron
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Dague
Daniels
Davis, Ga.
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Erlenborn
Evans, Colo.
Everett
Farbstein
Farnsley
Fascell
Feighan
Findley
Fino
Fisher
Fogarty
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gathings
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Love
McCarthy
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
Machen
Mackay
Madden
Mahon
Mailliard
Marsh
Martin, Mass.
Martin, Nebr.
Matsunaga
Matthews
Meeds
Michel
Mills
Minish
Mink
Minshall
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morton

Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
O'Brien
O'Hara, Ill.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Philbin
Pickle
Pike
Poff
Powell
Price
Pucinski
Purcell
Quie
Quillen
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Roosevelt
Rosenthal
Rostenkowski
Roush
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Schmidhauser
Schweiker
Scott
Secrest
Shriver
Sickles
Sikes
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tuten
Udall
Ullman
Utt
Vanik
Vigorito
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wison, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—30

Bandstra
Bray
Brock
Buchanan
Burton, Utah
Carter
Curtis
Davis, Wis.
Ellsworth
Gray
Hechler
Jennings
Kee
Mathias
Mize
Moore
Natcher
Perkins
Race
Roncalio
Rumsfeld
Saylor
Schisler
Schneebeli
Selden
Shipley
Skubitz
Slack
Staggers
Whalley

NOT VOTING—64

Adair
Anderson, Tenn.
Andrews, George W.
Bolling
Bolton
Bonner
Bow
Brown, Calif.
Byrnes, Wis.
Daddario
Dawson
Derwinski
Diggs
Dulski
Evins, Tenn.
Fallon
Farnum
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fuqua
Gallagher
Gettys
Giaimo
Gurney
Hébert
Ichord
Jacobs
Jones, Mo.
Keith
Laird
Lindsay
Long, Md.
McClory
MacGregor
Mackie
Martin, Ala.
May
Miller
Morse
Nelsen
Nix
O'Hara, Mich.
Pirnie
Poage
Pool
Rivers, S.C.
Rooney, Pa.
Roudebush
Roybal
Senner
Sisk
Sullivan
Thomas
Thompson, Tex.
Toll
Tupper
Van Deerlin
Vivian
Walker, Miss.
Widnall
Wilson, Bob

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Nelsen.

Mr. Fallon with Mr. Gerald R. Ford.

Mr. Sisk with Mr. Laird.

Mr. Ichord with Mr. Byrnes of Wisconsin.

Mr. Brown of California with Mr. Bob Wilson.

Mr. Senner with Mr. Roudebush.

Mr. Anderson of Tennessee with Mrs. Bolton.

Mr. Toll with Mr. Adair.

Mr. Roybal with Mr. Morse.

Mr. Mackay with Mr. Bow.

Mr. Miller with Mr. MacGregor.

Mr. Foley with Mr. Widnall.

Mrs. Sullivan with Mrs. May.

Mr. Gettys with Mr. Pirnie.

Mr. Vivian with Mr. Tupper.

Mr. Daddario with Mr. Derwinski.

Mr. Giaimo with Mr. McClory.

Mr. Thompson of Texas with Mr. Keith.

Mr. Thomas with Mr. Gurney.

Mr. Rooney of Pennsylvania with Mr. Lindsay.

Mr. George W. Andrews with Mr. Martin of Alabama.

Mr. Van Deerlin with Mr. Walker of Mississippi.

Mr. Dulski with Mr. Diggs.

Mr. O'Hara of Michigan with Mr. Dawson.

Mr. Gallagher with Mr. Nix.

Mr. Rivers of South Carolina with Mr. Jacobs.

Mr. Bonner with Mr. William D. Ford.

Mr. Fuqua with Mr. Flood.

Mr. Evins of Tennessee with Mr. Farnum.

Mr. Flynt with Mr. Long of Maryland.

Mr. SELDEN and Mr. SHIPLEY changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 8496) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks and to include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Mr. FASCELL submitted a conference report and statement on the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until midnight Friday, September 17, to file a report on the bill S. 944.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

PROGRAM FOR FRIDAY, SEPTEMBER 17

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce the remainder of the program for this week. The resolution dealing with the Mississippi contest will be brought up tomorrow; also the conference report on the Department of Defense appropriation bill.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Illinois.

Mr. ARENDS. Is it expected that those two matters will be concluded tomorrow and that we will go over until Monday?

Mr. ALBERT. That is our plan.

DUTIES ON CERTAIN YARNS

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

Tht Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 978)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 2. The President shall promptly cause a study to be made of the feasibility and desirability of separate classification in the Tariff Schedules of the United States for those yarns of man-made fibers commonly referred to as textured or texturized yarns. He shall report the results of such study, including any recommendations as to the appropriate rate or rates of duty for such yarns, to the House of Representatives and to the Senate not later than February 1, 1966."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
EUGENE J. KEOGH,
JOHN W. BYRNES,
THOS. B. CURTIS,
JAMES B. UTT,
Managers on the Part of the House.

HARRY F. BYRD,
RUSSELL B. LONG,
GEORGE A. SMATHERS,
JOHN J. WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5768) to extend for an additional temporary period of existing suspension of duties on certain classifications of yarn of silk, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the bill added a new item to the Tariff Schedules of the United States providing a rate of duty of 25 cents per pound plus 30 percent ad valorem for yarns of continuous manmade fibers having special characteristics of bulk or elasticity imparted to the yarns or the fibers by heating, twisting, and untwisting, crimping, curling, or other processing. The House recedes with an amendment. The conference agreement substitutes provisions under which the President is promptly to cause a study to be made of the feasibility and desirability of separate classification in the Tariff Schedules of the United States for those yarns of manmade fibers commonly referred to as textured or texturized yarns. The President is to report the results of such study, including any recommendations as to the appropriate rate or rates of duty for such yarns, to the House of Representatives and to the Senate not later than February 1, 1966.

The House recedes on the amendment of the Senate to the title of the bill.

W. D. Mills,
Cecil R. King,
Hale Boggs,
Eugene J. Keogh,
John W. Byrnes,
Thos. B. Curtis,
James B. Utt,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, this conference report was signed by all of the managers on the part of the House and, as I recall, it was also signed by all of the managers on the part of the Senate. It has to do with one addition that was made to the bill by the other body itself. The Senate receded from that matter and we agreed in conference to substitute a provision directing the President to cause a study to be made on the subject matter and report back to the House and to the Senate not later than February 1, 1966.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I want to confirm the statement of our chairman, the gentleman from Arkansas [Mr. Mills], but I would add one other thing. The subject matter of the Senate bill that has been added to the House bill was a matter that had been considered in the Committee on Ways and Means and, so, it was material with which we were familiar.

Mr. MILLS. The gentleman from Missouri is correct. Mr. Speaker, I will now explain the amendment and the provision which was substituted.

Mr. Speaker, H.R. 5768, as passed by the House, would have continued for an additional 3 years the existing suspension of duty on certain silk yarns for the benefit of domestic producers of fine-yarn silk fabrics. The Senate added an amendment which would establish a separate classification provision in the Tariff Schedules of the United States for certain textured yarn composed of continuous manmade fibers with duty at a rate substantially higher than existing rates. In accordance with the conference agreement, your conferees are recommending that the House recede with an amendment that would substitute for the Senate amendment a provision directing the President to cause a study to be made of the matter of establishing in the tariff schedules a separate classification for textured yarns and to report the results of the study to the House of Representatives and to the Senate not later than February 1, 1966, together with any recommendations as to the appropriate rate or rates of duty for the yarns in question.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TARIFF SCHEDULES TECHNICAL AMENDMENTS ACT OF 1965

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 979)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 34, 38, 39, 40, 41, 42, 43, 58, 64, 97, 113, 114, 115, and 116.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, 8, 9 10, 11, 15, 35, 36, 37, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 60, 61, 62, 63, 67, 71, 72, 77, 80, 94, and 106, and agree to the same.

Amendment numbered 2. That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: (other than the amendments made by sections 28(a), 53(a), 78 (a) and (b), and 87(a)); and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 30; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 88; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"Sec. 13.—Wood Particle Board.

"Schedule 2, part 3, is amended by striking out item 245.50 (p. 98) and inserting in lieu thereof the following:

"		Wood particle board, whether or not face finished:			
	245.45	If 90 percent or more by weight of the wood components consist of one, or any combination, of the following hardwoods: Pterocarpus spp., Triplaris spp., or Virola spp.	12% ad val.	40% ad val.	
	245.50	Other..........	20% ad val.	40% ad val.	",

And the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "14"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "16"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "16"; and the Senate agree to the same

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "17"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate, numbered 18, and agree to the same with an amendment as follows: On page 3, line 11, of the Senate engrossed amendments, strike out "17" and insert the following: "18"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "19"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "20"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "21"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "22"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "23"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "24"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "25"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: On page 4, line 8, of the Senate engrossed amendments, strike out "25" and insert the following: "26"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "27"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: On page 4, line 15, of the Senate engrossed amendments, strike out "27" and insert the following: "28"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "29"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "30"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: On page 5, line 8, of the Senate engrossed amendments, strike out "30" and insert the following: "31"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment to the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "32"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "33"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: On page 8, line 4, of the Senate engrossed amendments, strike out the comma after "J"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "49"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "50"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "51"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "52"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: On page 12, line 8, of the Senate engrossed amendments, strike out "55" and insert the following: "53"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "54"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "55"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "56"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 57. FOOTWEAR OF RUBBER OR PLASTICS.

"(a) AMERICAN SELLING PRICE.—Headnote 3(b) for schedule 7, part 1, subpart A (p. 332) is amended by striking out 'in item 700.50, if the rubber portion thereof is wholly, or over 50 percent by weight, of natural rubber, and'.

"(b) PROTECTIVE FOOTWEAR.—Schedule 7, part 1, subpart A is amended by striking out item 700.50 (p. 332) and inserting in lieu thereof the following:

“‘	Hunting boots, galoshes, rainwear, and other footwear designed to be worn over, or in lieu of, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather, all the foregoing having soles and uppers of which over 90 percent of the exterior surface area is rubber or plastics (except footwear with uppers of nonmolded construction formed by sewing the parts thereof together and having exposed on the outer surface a substantial portion of functional stitching):		
700. 51	Having soles and uppers of which over 90 percent of the exterior surface area is polyvinyl chloride, whether or not supported or lined with polyvinyl chloride but not otherwise supported or lined____	12.5% ad val.	25% ad val.
700. 52	Footwear (except footwear provided for in item 700.51), the uppers of which do not extend above the ankle, designed for use without closures, whether or not supported or lined_______	25% ad val.	50% ad val.
700. 53	Other________	37.5% ad val.	75% ad val. ’”

And the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "58"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "59"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "60"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "61"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "62"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "63"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "64"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "65"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment, restore the matter proposed to be stricken out by the Senate amendment, and on page 29, line 15, of the House engrossed bill, strike out "56" and insert the following: "66"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "67"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "68"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "69"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 70. PRECISION MODELS.

"The article description for item 737.07 (p. 373) is amended by striking out 'and cable-car systems;' and inserting in lieu thereof 'cable-car systems; highway vehicles; ships and harbor structures; and airplanes and spacecraft;'."

And the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "71"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: On page 16, line 13, of the Senate engrossed amendments, strike out "74" and insert the following: "72"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "73"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "74"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter to be proposed to be inserted by the Senate amendment insert the following: "75"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "76"; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "77"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with amendments as follows: On page 17, in the next to the last line, of the Senate engrossed amendments, strike out "80" and insert the following: "78".

On page 17, in the last line of the Senate engrossed amendments, strike out "GENERAL." and insert "GENERAL.—".

And the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "79"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "80"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "81"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "82"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "83"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "84"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "85"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "86"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: On page 21, line 2, of the Senate engrossed amendments, strike out "89" and insert the following: "87"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "88"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with amendments as follows: On page 21, line 13, of the Senate engrossed amendments, strike out "91" and insert the following "89".

On page 22 of the Senate engrossed amendments, strike out line 21 and all that follows through line 5 on page 23.

On page 23, line 6 of the Senate engrossed amendments, strike out "(d)" and insert the following "(c)".

And the Senate agree to the same.

AMENDMENT TO TITLE

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
EUGENE J. KEOGH,
JOHN W. BYRNES,
THOMAS B. CURTIS,
JAMES B. UTT,
Managers on the Part of the House.

HARRY BYRD,
RUSSELL B. LONG,
GEORGE A. SMATHERS,
JOHN J. WILLIAMS,
WALLACE BENNETT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments relate to the numbering or lettering of sections or subsections of the bill or make other clerical or conforming changes: 3, 4, 7, 8, 9, 10, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 29, 30, 32, 33, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 55, 56, 59, 65, 66, 68, 70, 71, 73, 74, 76, 77, 78, 79, 81, 82, 83, 84, 85, 87, 88, 89, 91, 93, 95, 96, 98, 99, 101, 102, 103, 104, 105, 107, 108, 109, and 111.

With respect to each of these amendments (1) the House either recedes or recedes with a clerical or conforming amendment, or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

EFFECTIVE DATES

Amendments Nos. 1 and 2: Section 2 of the bill as passed both by the House and by the Senate provides a general effective date under which the amendments and repeals made by the bill are to apply with respect to articles entered, or withdrawn from warehouse, for consumption after the 60th day after the date of the enactment of the bill. In cases where the bill provides a lower duty than the Tariff Schedules of the United States (TSUS), section 2 permits entries and withdrawals after August 30, 1963, and before the general effective date to be liquidated or reliquidated on the basis of the lower duty. Senate amendments Nos. 1 and 2 except from these general rules those cases where separate effective dates are provided by other Senate amendments to the bill. The House recedes on amendment No. 1 and recedes with a conforming amendment on Amendment No. 2.

EDIBLE PREPARATIONS, ANIMAL FEEDS, AND INGREDIENTS THEREFOR

Amendment No. 5: This amendment adds a new section to the bill to amend the definitions of "edible preparations" and "animal feeds, and ingredients therefor". Under the amendments, such terms are not to include any product provided for in the chemical and related products schedule (other than chemical mixtures not specially provided for) or in the nonmetallic minerals and products schedule (other than nonmetallic minerals and products not specially provided for). The House recedes.

WILD RICE

Amendment No. 6: This amendment adds a new item (182.70) to the TSUS to provide a rate of duty of 5 percent ad valorem on wild rice, crude or processed, in lieu of 1.5 cents a pound held to be applicable under the TSUS. The House recedes.

CORK

Amendment No. 11: The bill as passed by the House added a new item 220.25 to the TSUS providing a duty of 10 percent ad valorem for slabs and sheets comprised primarily of ground or pulverized cork bonded with rubber or plastics. Under Senate amendment No. 11, the article description for the new item 220.25 is changed to apply to vulcanized sheets and slabs wholly of ground or pulverized cork and rubber. Item 728.20 of the TSUS provides a duty of 5 cents per pound for floor coverings wholly of composition cork. Senate amendment No. 11 also amends the article description for item 728.20 by striking out "composition" to expand the item to include floor coverings wholly of cork. The House recedes.

PARTICLE BOARD

Amendments Nos. 12 and 116: The bill as passed by the House amended item 245.50 of the TSUS to provide a rate of duty of 20 percent ad valorem in lieu of 12 percent ad valorem for wood particle board, whether or not face finished. Senate amendment No. 12 strikes out this provision of the bill as passed by the House. Senate amendment No. 116 adds a new headnote to part 3 of schedule 2 of the TSUS. Under the headnote, in the case of wood particle board provided for in item 245.50 entered in Puerto Rico and to be consumed therein, the rate of duty applicable to articles to which column numbered 1 applies is to be whichever of the following is the lower: (1) The rate of duty set forth in column No. 1 for item 245.50, or (2) the rate of duty prescribed by the Secretary of the Treasury, by regulations, as necessary or desirable for the economic interest of Puerto Rico.

The Senate recedes on amendment No. 116 and the House recedes on amendment No. 12 with an amendment. Under the conference agreement, the 20 percent ad valorem rate of duty provided by the bill as passed by the House is restored except that the existing 12 percent ad valorem rate of duty is retained for wood particle board, whether or not face finished, if 90 percent or more by weight of the wood components consist of one, or a combination, of the following hardwoods: Pterocarpus spp., Triplaris spp., or Virola spp.

USED BAGS AND SACKS SUITABLE FOR BALING COTTON

Amendment No. 18: Item 356.50 of the TSUS provides a duty of 0.3 cent per square yard for certain woven fabrics suitable for covering cotton bales. Under Senate amendment No. 18, similar fabrics of vegetable fibers recovered from used bags and sacks are to be free of duty. The House recedes.

PIGMENTS

Amendment No. 26: Headnote 1 to part 9B of schedule 4 of the TSUS defines "pigments" as products "chiefly used to impart color" to paints, inks, rubber, etc. Senate amendment No. 26 strikes out "chiefly used to impart color" and inserts in lieu thereof "commonly known as pigments and suitable for use in imparting color". The House recedes with a clerical amendment.

SYNTHETIC MINERS' DIAMONDS; POWDER OR DUST

Amendment No. 28: Under item 520.21 of the TSUS, synthetic industrial diamonds are dutiable at 15 percent ad valorem. Senate amendment No. 28 adds a new section to the bill to provide duty-free treatment for synthetic diamond dust and miners' diamonds. A special effective date makes the new provision applicable to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of the bill. The House recedes with a clerical amendment.

IRON ORE

Amendment No. 31: Headnote 2(a) for part 1 of schedule 6 of the TSUS defines "metal-bearing ores" as embracing only metalliferous minerals, and roasted or sintered lead, copper, and zinc concentrates, from which precious metals or base metals are commercially obtained. Senate amendment No. 31 adds "iron," after "sintered" to permit the entry of sintered iron ore free of duty under item 601.24 of the TSUS. The House recedes with a clerical amendment.

UNWROUGHT ALUMINUM

Amendment No. 34: The effect of Senate amendment No. 34 would be to increase from 1.25 cents per pound to 2.5 cents per pound the rate of duty on certain unwrought aluminum products of uniform cross-section throughout their length (commonly referred to as continuous cast aluminum) unless imported to be melted, rolled, forged, drawn, or extruded or to be used for sacrificial purposes. The Senate recedes.

PERMANENT MAGNETS; IGNITION MAGNETO MAGNETS

Amendments No. 38 and No. 112 (in part): The bill as passed by the House amended item 682.70 of the TSUS to reduce the rate of duty on permanent magnets from 18 percent ad valorem to 16 percent ad valorem. Senate amendment No. 38 strikes out this provision. Senate amendment No. 112 adds a new section to the bill, relating to past importations of certain articles. Subsection (a) of the new section relates to permanent magnets which are ignition magneto magnets. Such a magnet entered, or withdrawn from warehouse, for consumption after August 30, 1963, and on or before the 60th day after the date of the enactment of the bill is to be treated as if it were provided for in item 683.60 of the TSUS (relating to ignition magnetos, etc., and parts thereof), and thus be dutiable at 8.5 percent ad valorem. Under the conference agreement, the Senate recedes on amendment No. 38 and the House agrees to that portion of the section added by amendment No. 112 which relates to permanent magnets which are ignition magneto magnets.

SHOE MACHINERY

Amendment No. 52: The bill, as passed by the House, provided, in effect, duty-free treatment for certain shoe machinery and shoe machinery molds. Senate amendment No. 52 retains these provisions (subsections (b) and (d) of the section) and, in addition, provides duty-free treatment for knives and cutting blades for shoe machinery (item 649.65) and parts (except needles) of sewing machines specially designed to join footwear soles to uppers (item 672.05). This amendment also amends item 911.70 to provide duty-free treatment through June 30, 1966, for parts of copying lathes provided for in such item (this item now provides duty-free treatment for certain copying lathes entered on or before June 30, 1966). The House recedes.

MACHINE CLOTHING

Amendment No. 53: Headnote 1(iii) to part 4 of schedule 6 of the TSUS provides that part 4 does not cover "machine clothing," but items 670.52 and 670.54 (which are in such part 4) provide for certain card clothing which is a form of machine clothing. Senate amendment No. 53 adds a new section to the bill which amends the headnote to remove the conflict. The House recedes.

BLOWERS FOR PIPE ORGANS

Amendment No. 54: Item 661.10 of the TSUS imposes duty on fans and blowers, and parts thereof, at the rate of 14 percent ad valorem. Senate amendment No. 54 provides that the duty on blowers for pipe organs shall be 10 percent ad valorem. The House recedes.

ROUGH CAST IRON ROLLERS

Amendment No. 57: This amendment adds a new item 680.58 to the TSUS to provide duty at the rate of 3 percent ad valorem on cast iron (except malleable cast iron) rollers for machines, not alloyed and not advanced beyond cleaning, and machined only for the removal of fins, gates, sprues, and risers or to permit location in finishing machinery. The House recedes.

AUTOMATIC PINSETTING MACHINES

Amendment No. 58: Automatic machines for setting bowling pins are dutiable under item 678.50 of the TSUS at 10 percent ad valorem as machines not specially provided for. Senate amendment No. 58 adds such machines to the article description for item 664.10 (relating to lifting, handling, et cetera, machines), which provides a rate of duty of 10.5 percent ad valorem. The Senate recedes.

AGRICULTURAL AND HORTICULTURAL MACHINERY AND IMPLEMENTS, AND PARTS THEREOF

Amendment No. 60: Item 660.40 of the TSUS provides duty-free treatment for piston-type internal combustion engines imported to be installed in tractors suitable for agricultural use. Senate amendment No.

60 adds a new subsection to the bill to expand item 660.40 to provide duty-free treatment for such engines when imported to be installed in any agricultural or horticultural machinery or implement for which duty-free treatment is provided by item 666.00. The House recedes.

Amendment No. 61: This amendment adds a new subsection to the bill which excludes speed changers, etc., which are parts of agricultural or horticultural machinery or implements from the duties imposed by items 680.45 to 680.54, inclusive, of the TSUS. This will result in duty-free treatment for these parts. The House recedes.

Amendments Nos. 62 and 63: These amendments add new subsections to the bill to provide duty-free treatment for (1) tires (new item 772.50) designed for tractors and other agricultural or horticultural machinery or implements, and (2) tubes (new item 772.59) designed for such tires. The House recedes.

CERTAIN MACHINES FOR SORTING AGRICULTURAL PRODUCTS

Amendment No. 64: This amendment adds a new item 666.05 to the TSUS to provide duty-free treatment for machines with photoelectric sensing devices for the sorting, on the basis of color only, of beans, peas, nuts, or similar agricultural products. The Senate recedes. It was understood by both the managers on the part of the House and the managers on the part of the Senate that the action agreed upon by the conferees with respect to this amendment does not pass judgment as to the tariff treatment which should be accorded to articles covered by the Senate amendment, and it was agreed that the tariff treatment of machines for the sorting or grading of agricultural products would be the subject of further study.

VARIABLE RATIO SPEED CHANGERS

Amendment No. 67: Item 680.45 of the TSUS provides a rate of duty of 9 percent ad valorem for fixed ratio speed changers covered by the item. Other speed changers are dutiable under item 680.47 at a compound rate of $2.25 each plus 35 percent ad valorem. The bill as passed by the House added "multiple ratio speed changers each ratio of which is selected by manual manipulation" to the article description for item 680.45. Senate amendment No. 67 further amends the article description for item 680.45 by adding variable ratio speed changers each ratio of which is selected by manual manipulation. The House recedes.

DICTATION RECORDING AND TRANSCRIBING MACHINES

Amendment No. 69: Under the TSUS, tape recorders and dictation recording and transcribing machines, and parts thereof, are divided into two categories. Under item 685.40 the duty is 11.5 percent ad valorem on types recording on magnetizable recording medium, and parts thereof. Under item 685.42 other types are dutiable at 15 percent ad valorem. Senate amendment No. 69 combines the two categories and provides a single rate of 11.5 percent ad valorem. A special effective date makes the amendment applicable to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of the bill. The House recedes with a clerical amendment.

COLOR TELEVISION TUBES

Amendment No. 72: Under item 687.50 of the TSUS cathode-ray tubes, and parts thereof, are dutiable at 12 percent ad valorem. Other electronic tubes, etc., are dutiable under item 687.60 at 12.5 percent ad valorem. The bill as passed by the House amended item 687.50 limiting it to television picture tubes and providing a rate of duty of 30 percent ad valorem. The bill as passed by the Senate does not change this provision, but Senate amendment No. 72 adds a temporary provision (new item 911.90) under which the rate of duty of 12 percent ad valorem would continue to apply to color television tubes entered, or withdrawn from warehouse, for consumption on or before August 31, 1969. The House recedes.

FOOTWEAR OF RUBBER OR PLASTICS

Amendment No. 75: Item 700.50 of the TSUS provides duty at the rate of 12.5 percent ad valorem on protective footwear (hunting boots, galoshes, rainwear, etc., having soles and uppers of which over 90 percent of the exterior surface area is rubber or plastics). Where the rubber portion thereof is wholly, or over 50 percent by weight, of natural rubber the duty is determined on the basis of the American selling price. American selling price does not apply in the case of synthetic rubber or plastic protective footwear.

Senate amendment No. 75 strikes out the requirement that the duty on such articles over 50 percent by weight of natural rubber be based on American selling price and in effect divides item 700.50 into 3 categories as follows: Item 700.51, polyvinyl chloride footwear, not supported and not lined—dutiable at 12.5 percent ad valorem; item 700.52, rubber footwear, the upper of which does not extend above the ankle, designed for use without closures, whether or not supported or lined—dutiable at 25 percent ad valorem; and item 700.53, other protective footwear—dutiable at 60 percent ad valorem.

The House recedes with an amendment. The conference agreement retains the part of the Senate amendment which strikes out the requirement that the duty on such articles over 50 percent by weight of natural rubber be based on American selling price. Under the conference agreement, the article descriptions for new items 700.51 and 700.52, and the rate of duty for new item 700.53, are changed so that such items will be as follows:

Item 700.51, protective footwear having soles and uppers of which over 90 percent of the exterior surface area is polyvinyl chloride, whether or not supported or lined with polyvinyl chloride but not otherwise supported or lined—dutiable at 12.5 percent ad valorem.

Item 700.52, protective footwear (except footwear provided for in item 700.51), the uppers of which do not extend above the ankle, designed for use without closures, whether or not supported or lined—dutiable at 25 percent ad valorem.

Item 700.53, other protective footwear—dutiable at 37.5 percent ad valorem.

PARTS FOR ANESTHETIC APPARATUS

Amendment No. 80: The bill as passed by the House provided a rate of duty of 19 percent ad valorem on anesthetic apparatus and instruments (except syringes). Senate amendment No. 80 makes the rate applicable also to parts thereof. The House recedes.

POLYETHYLENE TEREPHTHALATE FILM BASE

Amendment No. 86: This amendment adds a new item 723.18 to the TSUS providing a duty of 7.5 cents per pound on polyethylene terephthalate photographic film base, coated but not sensitized. Under the conference agreement this new item is omitted.

MODELS

Amendment No. 90: Item 737.07 of the TSUS provides a duty of 16 percent ad valorem for models of rail locomotives and rail vehicles, etc., made to scale of the actual article at the ratio of 1 to 85 or smaller. Senate amendment No. 90 adds a new section to the bill which adds to the article description for item 737.07 models of highway vehicles, ships and harbor structures, and airplanes and spacecraft. The new section also adds a new item 737.17 to provide the same rate of duty for topographic construction panels, whether or not containing track or switches, for model railroad layouts.

The House recedes with an amendment. Under the conference agreement, the article description for item 737.07 is amended as provided by the Senate amendment and the new item 737.17 proposed by the Senate amendment is omitted.

BUTTON BLANKS

Amendment No. 92: This amendment adds a new section to the bill which amends headnote 2 of subpart A of part 7 of schedule 7 of the TSUS to provide that the term "button blanks" in item 745.40 is limited to "raw or crude blanks suitable for manufacture into buttons". The effect of the amendment is to subject articles that are further manufactured than the raw or crude blank stage to the operation of general headnote 10(h) and make them classifiable as buttons. The House recedes with a clerical amendment.

PARTS OF BUCKLES AND BUCKLE SLIDES

Amendment No. 94: Item 745.45 of the TSUS provides a duty of 55 percent ad valorem on buckles and buckle slides of metal and valued over 20 cents per dozen, and item 745.47 provides a duty of 19 percent ad valorem on other buckles and buckle slides. The bill as passed by the House provides a single rate of duty at 19 percent ad valorem. Under Senate amendment No. 94, the 19 percent rate is also made applicable to parts. The House recedes.

SLIDE FASTENER PARTS

Amendments No. 97 and No. 112 (in part): The bill as passed by the House amended the article description for the slide fastener and parts category to include tapes in continuous lengths but not including tapes wholly of textile fibers. Thus, zipper tape with teeth attached would be included in this category at 50 percent ad valorem. Zipper tape without teeth would be excluded and thus be dutiable at a lower rate as a textile product. Under Senate amendment No. 97, zipper tape without teeth is dutiable at the 50 percent rate. Under subsection (c) of the section added by Senate amendment No. 112, zipper tape without teeth entered, or withdrawn from warehouse, for consumption after August 30, 1963, and on or before the 60th day after the date of the enactment of the bill is to be treated as if it were provided for in item 386.50 (cotton textile materials not specially provided for), and thus be dutiable at 20 percent ad valorem. The Senate recedes on amendment No. 97 and agrees to the elimination of the subsection (c) added by amendment No. 112.

BROOMS MADE OF BROOM CORN

Amendment No. 100: Under item 750.30 of the TSUS brooms and brushes consisting of vegetable materials bound together but not mounted or set in a block or head, with or without handles, are dutiable at 25 percent ad valorem. (Item 750.31 provides a 20 percent rate for products of Cuba, but this item has been suspended.) Senate amendment No. 100 strikes out items 750.30 and 750.31 and inserts new provisions for brooms wholly or in part of broom corn.

Under the amendment, whiskbrooms and brooms other than whiskbrooms are treated separately.

Whiskbrooms valued not over 32 cents each are dutiable at 20 percent ad valorem until 115,000 dozen whiskbrooms (regardless of value) are entered during a calendar year. During the remainder of the calendar year whiskbrooms valued not over 32 cents are dutiable at 12 cents each. Whiskbrooms valued over 32 cents each are dutiable at all times at 32 percent ad valorem.

Brooms (other than whiskbrooms) valued not over 96 cents each are dutiable at 20 percent ad valorem until 205,000 dozen such brooms (regardless of value) are entered during a calendar year. During the remainder of the calendar year such brooms valued not over 96 cents each are dutiable at 32 cents each. If valued over 96 cents each, such brooms are dutiable at all times at 32 percent ad valorem.

The Senate amendment also provides for an adjustment in the quota for whiskbrooms or for other brooms if the President determines that annual domestic consumption has substantially changed since 1965 or the date of the immediately preceding proclamation under the amendment. The amount of the adjustment is to be based on the percentage of change determined by the President in estimated annual domestic consumption. The amendment also authorizes the President to allocate quotas among supplying countries if he determines it to be in the national interest.

The amendments are to apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1966.

The House recedes with a clerical amendment.

SAUSAGE CASINGS

Amendment No. 106: Item 790.45 of the TSUS provides the rate of duty of 16 percent ad valorem for sausage casings not specially provided for, whether or not cut to length. The bill as passed by the House reduced the rate of 12.5 percent ad valorem. Senate amendment No. 106 strikes out the provisions of the House bill and provides two categories for the articles in question. New item 790.45 provides a rate of 25.5 percent ad valorem for casings of cellulosic plastics materials, and new item 790.47 provides a rate of 12.5 percent ad valorem for other casings. The House recedes.

ELECTRODES FOR USE IN PRODUCING ALUMINUM

Amendment No. 110: This amendment adds a new item 909.25 to the TSUS to provide for the temporary suspension of duty on electrodes (in part of carbon or graphite, for electric furnace or electrolytic purposes) when imported for use in producing aluminum. A special effective date makes the new item 909.25 applicable to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of the bill and on or before July 15, 1966. The House recedes with a clerical amendment.

PAST IMPORTATIONS OF CERTAIN ARTICLES

Amendment No. 112: This amendment adds a new section to the bill relating to the tariff treatment of certain articles entered, or withdrawn from warehouse, for consumption after August 30, 1963, and on or before the 60th day after the date of the enactment of the bill.

Subsection (a), relating to ignition magneto magnets, is retained under the conference agreement and is explained in connection with the explanation of amendment No. 38.

Subsection (b) relates to luggage and handbags (whether or not fitted with bottle, dining, drinking, manicure, sewing, traveling, or similar sets) provided for in item 706.24 of the TSUS, if (1) the textile materials of chief value in the article are fabrics coated or filled, or laminated, with rubber or plastics, and (2) the article was imported before September 1, 1964. Such an article, entered during the period referred to above which ends on the 60th day after the date of the enactment of the bill, is to be treated as if it were provided for in item 706.60 of the TSUS, and thus be dutiable at 20 percent ad valorem rather than at 40 percent ad valorem as provided by item 706.24. Under the conference agreement this subsection is retained.

Subsection (c), relating to certain tapes wholly of textile fibers, is explained in connection with the explanation of amendment No. 97. Under the conference agreement this subsection is omitted from the bill.

Subsection (d) provides that the new section shall apply in the case of any article entered, or withdrawn from warehouse, for consumption on or before the date of the enactment of the bill only upon request filed with the collector of customs concerned on or before the 120th day after the date of the enactment of the bill. Upon such request, the entry or withdrawal is to be liquidated or reliquidated in accordance with the new section notwithstanding section 514 of the Tariff Act of 1930 (relating to time liquidations, etc., become final) or any other provision of law. Under the conference agreement this subsection is retained with a clerical change.

MULTIGAP MAGNETIC SPECTROGRAPH FOR YALE UNIVERSITY

Amendment No. 113: This amendment authorizes and directs the Secretary of the Treasury to admit free of duty one multigap magnetic spectrograph for the use of Yale University. The Senate recedes.

SEMI-PROCESSED PICKER STICKS

Amendment No. 114: Under item 203.10 of the TSUS, blocks, plates, sheets, and strips of compression-modified or densified wood (whether or not impregnated with synthetic resin) are dutiable at 20 percent ad valorem. Senate amendment No. 114 in effect adds a new item 203.05 under which such blocks, plates, etc., are dutiable at 14 percent ad valorem when entered for use in manufacturing picker sticks provided for in item 670.74 (textile machinery parts not specially provided for). The Senate recedes.

PULP AND PAPER MACHINERY

Amendment No. 115: Subpart A of part 4 of schedule 6 of the TSUS relates to boilers, non-electric motors and engines, and other general purpose machinery. Headnote 1 for such subpart A provides that a machine or appliance which is described in subpart A and also is described elsewhere in part 4 is classifiable in subpart A. Senate amendment No. 115 amends the headnote to exclude items 668.00 and 668.02 from the operation of the headnote. These items cover machines for making cellulosic pulp, paper, or paperboard and machines for processing or finishing pulp, paper, or paperboard, or making them up into articles. The Senate recedes.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
EUGENE J. KEOGH,
JOHN W. BYRNES,
THOS. B. CURTIS,
JAMES B. UTT,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, it will be recalled that the purpose of H.R. 7969 when it passed the House was to make corrections in the Tariff Schedules of the United States which were made necessary by errors, lack of sufficient information, or inadvertencies. The Committee on Ways and Means adhered to rather strict criteria in developing this bill. The other body, however, did add a number of amendments. Your conferees in bringing this conference report back to the House are able to state that we succeeded in the conference in adhering fairly closely to the criteria which we followed in the original bill.

Mr. Speaker, I will now review the principal amendments which are in the bill which we bring back to you today.

The substantive Senate amendments with respect to which your conferees are recommending that the House recede from its disagreement without substantive amendment are as follows:

Amendment No. 5 proposed by the Senate amends the tariff schedule to assure that the provisions for edible preparations and for animal feeds and ingredients therefor do not include most products in the chemical and related products schedule or in the schedule covering nonmetallic minerals and products.

Amendment No. 6 makes wild rice specifically dutiable at 5 percent ad valorem which was the rate applicable under the old schedules rather than 1.5 cents a pound, a lower rate, held to be applicable under the new schedules.

Amendment No. 11 clarifies the language of a House amendment dealing with sheets and slabs made of cork particles and rubber. It also corrects the language of tariff schedules provisions relating to cork floor coverings.

Amendment No. 18 restores duty-free treatment to fabrics recovered from used bags and sacks made dutiable under the new schedule although free under the old schedule.

Amendment No. 26 avoids unintended rate changes by assuring that certain products will be dutiable as pigments though not used chiefly to impart color so long as they are commonly known as pigments and suitable for use in imparting color.

Amendment No. 28 makes synthetic miners' diamonds and synthetic diamond dust or powder free of duty rather than dutiable at 15 percent ad valorem.

Amendment No. 31 insures that sintered iron ore including pellets will be accorded duty-free treatment as was the situation under the old tariff schedules.

Amendment No. 52 restores duty-free treatment for various parts of shoe machinery previously overlooked by the Tariff Commission and also by our staff and members of the Committee on Ways and Means.

Amendment No. 53 removes the conflict between a headnote excluding machine clothing from a schedule which includes specific provision for certain card clothing which is a form of machine clothing.

Amendment No. 54 restores the 10-percent duty rate for pipe organ blowers which were inadvertently made dutiable under the new schedules at 15 percent ad valorem.

Amendment No. 57 restores a 3-percent duty for rough nonmalleable cast-iron rollers for machines which were inadvertently made dutiable under the new schedules at various higher rates.

Amendments No. 61, 62, and 63 together restore duty-free treatment for piston type internal combustion engines to be installed in agricultural or horticultural machinery or implements; for speed changers, torque converters, clutches, and so forth which are parts of agricultural or horticultural machinery implements; for tires designed for agricultural or horticultural machinery and implements; and for tubes for such tires.

These items were free of duty in the old schedules.

Amendment No. 67 adds variable ratio speed changers to the type of speed changers made dutiable by the House amendment at 9 percent ad valorem rate applicable under the old schedules.

Amendment No. 69 makes tape recorders and dictation recording and transcribing machines using nonmagnetizable tape dutiable at the same rate, 11.5 percent ad valorem, as similar machines using magnetizable tape.

Amendment No. 72—although the House amendment to the tariff schedule would increase the duty on television picture tubes from 12 percent to 30 percent ad valorem, the Senate amendment retains the 12-percent rate for color television tubes until September 1, 1969.

In this instance, I must say, Mr. Speaker, the 30-percent rate we thought was the correct rate and that it corrected an inadvertent error. But it turned out that there is considerable question as to which is the appropriate rate for color tubes from the viewpoint of the Senate and from the viewpoint of the House. We were also told that for a period of time, we will not be able to produce as many color television tubes in the United States as there will be demand for.

Amendment No. 80 adds "parts" to a House amendment making anesthetic apparatus or instruments dutiable at 19 percent, the rate under the old schedules. We left out the word "parts." As I say, amendment No. 80 makes them dutiable at 19 percent ad valorem. That is the rate under the old schedule which did apply to parts as well as to the apparatuses and instruments.

Amendment No. 92 closes a tariff loophole whereby almost finished buttons are imported as button blanks thus avoiding a higher duty for buttons.

Mr. Speaker, that was not an error nor an inadvertence. The House has already in this session passed the bill H.R. 7621 by unanimous consent, as I recall, to accomplish the same purpose. The House conferees accepted this amendment because of that action.

Amendment No. 94 adds "parts" to a House provision making buckles and buckle slides dutiable at 19 percent ad valorem. That was just a mistake on our part in not including parts in that item initially.

Amendment No. 100 places imports of brooms made of broom corn under annual tariff quotas subject to an adjustment by the President if he determines that annual domestic consumption has substantially changed since 1965, or since the date of the immediately preceding proclamation of an adjustment of quota.

Mr. Speaker, it will be recalled that the House and the Senate passed legislation in that area last year. That legislation was vetoed. But the provision contained in Senate amendment No. 100 has been worked out as a compromise, and I understand that it is acceptable as a compromise to all parties concerned, including the executive departments of the Government.

Amendment No. 106. Under the House bill, the duty on sausage casings would have been reduced from 16 percent to 12½ percent ad valorem. The Senate amendment provides two categories for sausage casings: one for casings of cellulosic plastics materials with a duty at the rate applicable under the old schedule, 25½ percent ad valorem, and the other for casings not of cellulosic plastic materials with a duty at the rate of 12½ percent ad valorem.

Amendment No. 110 provides for suspension until July 15, 1966, of a duty on electrodes for use in producing aluminum. That is not an error or omission. We had accepted this amendment, however, because of the difficulty of some of the smaller companies producing aluminum in the United States in obtaining these electrodes from domestic producers of electrodes. I did not hear of any opposition to it. I do not see that with a 1-year suspension anyone could be harmed; so we accepted that amendment.

Senate amendment No. 12 would have deleted the House amendment increasing the duty on wood particleboard from 12 percent to 20 percent ad valorem.

Under the conference agreement, wood particleboard, 90 percent or more by weight of which consists of any one of three specified hardwoods, or a combination of 2 or all of these woods, wholly retain the duty of 12 percent ad valorem.

I might say that these three species are produced in the tropical part of the world. All other wood particleboard will be subject to duty at 20 percent ad valorem.

It is understood that the Secretary of the Treasury, in the administration of the 12-percent rate provision for particleboard on these three specified hardwoods, has authority under general headnote 11 of the tariff schedules of the United States, to require importers to furnish certifications by governments of the countries of manufacture that 90 percent or more by weight of the wood components of particleboard consist of tropical hardwoods; in other words, these three types of tropical hardwood. Any such certification would, of course, be subject to verification by the Secretary of the Treasury.

Amendment No. 75. This is an amendment that had attracted some special attention before the House conferees were appointed and joined with the Senate conferees in this conference. This particular amendment would have eliminated the American selling price as a basis of valuation for duty purposes of natural rubber protective footwear, dutiable under tariff schedules of United States item 700.50 at 12½ percent ad valorem, and subjected natural rubber as well as synthetic rubber and plastic protective footwear to rates of duty as follows:

For one, there was an ad valorem rate on polyvinyl chloride footwear, at a 12½ percent duty, where that footwear was not supported and lined; in the second category, rubber footwear, the upper of which does not extend beyond the ankle, designed for use without closure, whether or not supported or lined, a 25 percent ad valorem rate of duty; for all others, 60 percent ad valorem.

Under the conference agreement, the part of the Senate amendment that eliminates the requirement that the duty on such articles over 50 percent by weight of natural rubber be based on the American selling price is retained. The coverage of the first two of the above-stated rate categories is somewhat expanded. The rate for the third category is changed from 60 percent to 37½ percent ad valorem.

Amendment No. 90 adds additional types of models to a 16 percent ad valorem tariff schedules of United States rate provision. It would have added a new item covering topographic construction panels for model railroad layouts, for duty at 16 percent ad valorem. Under the conference agreement the first part of this amendment is retained, but the new item for topographic construction panels is omitted.

Amendment No. 112 provided for the treatment of three classes of articles entered or withdrawn for consumption after August 30, 1963 and on or before the 60th day after the date of the enactment of the bill, as though no rate increases had been made by the tariff schedule of United States or the bill itself.

Under the conference agreement, the occasion for this treatment of one of the classes of articles having been eliminated—namely, textile zipper tape—the special treatment was retained for only the two other classes of articles, ignition magneto magnets and luggage and handbags if the textile materials of chief value in the article are fabrics coated or filled, or laminated, with rubber or plastics, and the articles were imported before September 1, 1964.

Mr. Speaker, I trust that the membership has not gained the impression that tariff schedules of the United States are complicated, because I want to assure the membership that they are no more so than our Internal Revenue Code, or perhaps even our social security law itself.

Mr. Speaker, we would ask that the conference report be agreed to. The membership would be interested in knowing that the Senate itself has receded in the conference from its position with respect to the other substantive amendments.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from North Carolina.

Mr. WHITENER. I commend the gentleman for his fine statement on the work of the conferees.

With reference to amendments No. 97 and 112, relating to slide fastener parts, I wonder if the gentleman can tell us whether or not under the action of the conferees a textile zipper tape made primarily of textiles and nonmetallic substances is given additional protection from the flood of imports from abroad?

Mr. MILLS. Not all textile tape, I must advise the gentleman.

Mr. WHITENER. My concern is that, as I understand it, under the interpretation which has been made under the tariff schedules of United States, imported zipper tape without the zipper or the teeth attached was treated in a different manner from imported zipper tape with the teeth attached so far as duty is concerned. Our narrow fabric textile people are greatly disturbed about this, and feel that they have been greatly damaged by imports. They appealed to the Congress to give them some relief.

I am sure the gentleman will remember on several occasions I contacted him about this matter.

Mr. MILLS. Yes. The Senate amendment—as I recall the amendment—and I want to be corrected if I am wrong—the tape itself, the textile tape with cord edge, was given the zipper parts rate. That is what the gentleman's correspondents wanted done, evidently. The House provision we had, I can assure the gentleman, so far as we knew, reflected the treatment accorded this situation under the old provision of the tariff act itself. Let me remind the gentleman that there was a ruling by the Bureau of Customs under the new schedule that disclosed the fact that an error had been made in the rescheduling. What we were endeavoring to do was to correct all of the errors made and not pass judgment in the committee on whether or not a particular rate should be left in this erroneous category. We wanted to eliminate all of the errors, and that is what we did. The error I think pleased some people here in the United States that wanted us to maintain that error, but we within the Ways and Means Committee stuck to the criteria we had established of trying to correct these errors which did develop.

Mr. WHITENER. I might say to the gentleman from Arkansas that the error did not please the textile folks who were engaged in the manufacture. I concur with our industry people in their feeling that they are entitled to better treatment. I regret that the Senate action was not agreed to by the conferees.

Mr. MILLS. Actually what the gentleman's correspondents wanted us to do was to overlook this error because they were better satisfied with the error than they were with the provision of the old law, as I understand it. Bear in mind, though, what we were undertaking to do in the Committee on Ways and Means was not to write a tariff bill making a lot of changes in rates of duty, but what we were trying to do was to restore rates of duty which existed in the old law, which had been inadvertently and through error changed in the rescheduling of the rates under the new law.

Mr. WHITENER. I certainly thank the gentleman. I am sorry to take his time. However, there is one other amendment in which I am interested. It is the one with reference to semiprocessed picker sticks.

Mr. MILLS. That again was a rate change, I must say to the gentleman from North Carolina. It was not in the area of the correction of an error that had been made. The Senate amended some of these items to the bill. Wherever we could prevail on the Senate to adhere to the rule we had established for the development and the writing of our own bill, we did so. It was not possible to succeed in all instances, but in this instance the Senate receded from its amendment.

Mr. WHITENER. As I understand it, what has been done with reference to semiprocessed picker sticks does not apply to the finished article but merely to components of the picker sticks.

Mr. MILLS. That, as I recall it, was not a part of the amendment.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from North Carolina.

Mr. JONAS. With the permission of the chairman, I would like to extend the colloquy he had with my colleague from North Carolina about zipper tapes.

Mr. MILLS. You mean the gentleman from North Carolina [Mr. JONAS] has some correspondents that like the error, too?

Mr. JONAS. I not only have some correspondents, but I discussed that subject with the people in my State who are engaged in the business and they are of a different opinion than that held by the Committee on Ways and Means. They do not accept the fact that an error was made. They appealed to the Senate to correct the error they feel the House made in the first instance.

I have been informed that hearings were held in the Senate or that the Finance Committee considered material submitted by the industry; and as a result of their presentation the Senate amended the bill as it left the House and undertook to correct what the people engaged in this business contend would amount to a really serious problem for them because of imports.

Mr. MILLS. But it was our opinion that it constituted rate changes, and we did not feel disposed to let the bill which we had established under certain criteria within our committee, that the House had passed, so that members of our committee and Members of the House had been deprived of an opportunity of making rate changes, suddenly become a new type of Tariff Act, either raising or lowering duties without regard to whether errors had been made. In some instances, as the gentleman sits in conferences with Members of the Senate, he recognizes that you do not always win your point.

Mr. JONAS. The House conferees won their point on both of these amendments, because the Senate receded.

Mr. MILLS. We try always to sustain the position of the House in conference.

Mr. JONAS. I understand that is the duty of House conferees, to undertake to sustain the position of the House. But I wonder if the gentleman can give some assurances to our people who have to live with this problem that the Senate was wrong in adopting these amendments.

Mr. MILLS. The information that came to us was that this was a committee amendment adopted in the Finance Committee; but I was not aware that the committee had had any hearings on this bill or on any of the amendments.

Mr. JONAS. If they did not have hearings they at least considered material submitted by the affected industry.

Mr. MILLS. They may or may not, that is not material. The Finance Committee did go into this matter and they adopted this. We said in the conference on the basis of information we had available to us from representatives of the Tariff Commission that this was a matter of rate changes and therefore did not come within the criteria of the House-passed bill. In this instance we prevailed upon the Senate to recede.

Mr. JONAS. Will the chairman tell me what will be the effect of the elimination of subsection (c) of Senate amendment No. 112? It eliminates a provision which applied to material entering this country in the past.

Mr. MILLS. Actually (c) as a part of No. 112 would have been necessary to take care of the temporary situation of rates for zipper tape had we retained amendment No. 97. But when amendment 97 went out by the action of the Senate in receding then, of course, there was no necessity for (c) under No. 112. There was no change in the existing situation.

Mr. JONAS. The elimination of subsection (c) of Senate amendment 112 will not then amount to or result in a windfall to those who imported this material during that period?

Mr. MILLS. It will not, I can assure the gentleman.

Mr. JONAS. I thank the distinguished chairman of the Committee on Ways and Means for his courtesy in yielding. I only wish he had been willing to accept the amendment made in the Senate because I am afraid this action is going to have an adverse effect upon an important segment of the textile industry.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. CEDERBERG. The gentleman from Arkansas knows that Michigan farmers have been having a difficult time because we are no longer allowed to import pickle pickers. I was wondering, inasmuch as this bill is going to make it easier to import semi-processed picker sticks if there is any possibility that these picker sticks could be used to relieve the acute shortage of pickle pickers in Michigan.

Mr. MILLS. The gentleman from Michigan I think misunderstands the action of the conference. We did not accept the amendment the Senate had agreed to on picker sticks. I do not believe there is anything in the bill with respect to that item.

Mr. CEDERBERG. I thank the gentleman.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, again our chairman has explained this very difficult and quite technical conference report. I would like to emphasize that what we were doing here was correcting errors that we knew were going to occur in the revised tariff schedules of the United States that we had passed in 1962. In revising our tariff schedules, in essence, we were trying to update our own nomenclature in the schedules with the new products and the innovations that have been occurring in world trade.

Mr. Speaker, it is a very interesting process I might say of trying to keep up with the great ingenuity of our American enterprise in developing new products and then fitting them into the nomenclature of the tariff schedule.

So, Mr. Speaker, these various amendments that the chairman has discussed, as he aptly points out, relate to guidelines that the Committee on Ways and Means issued at the time we were looking into these errors. Our object was not to either lower or raise tariffs, but hopefully to be merely neutral and do the kind of job we hoped we were doing with the nomenclature.

Mr. Speaker, I want to say that I believe the House conferees did a very good job of holding to these guidelines. Most of the amendments added, as the chairman explained, were pertinent to the issue and were within the guidelines. They were matters that came up even after the Committee on Ways and Means considered this bill. Some of these matters we actually suggested be carried over to the Senate side because they were within conformity to our criteria.

I do regret that in some instances the House was not able to hold our good friends in the other body to these guidelines. But, by and large, I believe we established the theory, and we are hoping in the future that that theory can be maintained.

Mr. Speaker, one final statement: I believe it might be well to point up the specific amendments where we actually deleted the Senate amendments. Some of them have been pointed up here by the questions that have been asked. The reason for that is that in some instances these were measures that House Members were concerned with.

Amendment 58 having to do with bowling pinsetters has been deleted.

Amendment No. 64 having to do with bean and other sorters was deleted.

Amendment No. 86 having to do with polyethylene terephthalate film base was deleted.

On amendment No. 113 with reference to the multigap magnetic spectograph the Senate receded. Our committee has just ordered a bill reported on this.

Amendment No. 114 had to do with semiprocess picker sticks. On this amendment the Senate receded.

Amendment No. 115 having to do with pulp and paper machinery was an amendment on which the Senate receded.

But I want to say, Mr. Speaker, to those who are rather concerned about the substantive merits of these measures, the fact that they did not come within the guidelines of this technical bill does not mean that there might not be merit in them and that the Ways and Means Committee would be perfectly willing to consider them on their own merits.

Incidentally, that is what happened with button blanks. The fact that they did not come within the technical provisions does not mean that this matter does not have merit. The House did pass a bill independently and the Senate added it to this bill. So the technicality of including them in this bill is, I would say, a minor variation.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I want to take occasion to congratulate the gentleman from Missouri for the manner in which he labored in the conference to hold these amendments to the criteria that had been established by the House bill.

I agree with the gentleman that I would be much better satisfied with the whole of it had we been able to prevail in all instances. But we were not able to prevail. However, I do believe the gentleman from Missouri would agree with me that aside from those situations where all of us recognize that either we had not done what we had intended, or that the Tariff Commission had made a mistake in its proposals to us, there are fewer amendments in here that do not meet the guidelines than when the bill went to conference.

Mr. CURTIS. I do agree and I think the other body did an excellent job also.

Mr. MILLS. The other body is to be congratulated for its cooperative spirit.

Mr. CURTIS. I thank the gentleman.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on the conference report under discussion.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, I yield myself 2 more minutes.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. JONAS. I was interested in what the gentleman from Missouri said and which was concurred in by the gentleman from Arkansas, that the Senate did a good job in some of their changes and in some of their actions, as reflected in this report. I happen to think they did a good job on amendment No. 97 and subsection (c) of amendment No. 112. I realize the conferees on the part of the House take a different view of that particular situation. I recognize also that the only thing left for us who do not agree with this action would be to introduce legislation.

Mr. MILLS. I would suggest to those who are interested in the amendment to introduce legislation and to give us on the committee an opportunity to get reports on it and see if we cannot give consideration to it.

Mr. JONAS. If the legislation is introduced, will the chairman assure us that it will be considered next January?

Mr. MILLS. I could not say that at this time.

Mr. JONAS. I mean early in the next session.

Mr. MILLS. The gentleman knows if I told him today that the Committee on Ways and Means was going to consider something in January that I am going to push the arm of every member of the committee to do it. But I cannot make a commitment that the Committee on Ways and Means could get to it in January. Let me tell the gentleman that we will as soon as a bill is introduced get reports from the various departments as to their approval or disapproval and that will put us in a position to give consideration to a bill as soon as we get to the consideration of Members' bills. We have not been able to do that in this session of the Congress much to the regret of all of us on the committee because there are many Members of the House who have bills that they would like us to consider. But I think the gentleman knows that our committee has been so busy it has not been able to do it. When we can get to that point, I do not know but it would be our hope to do it in the next session of the Congress.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. CLEVELAND. Mr. Speaker, with reference to amendment No. 75, I merely wish to express my gratitude to our colleagues on the conference committee on H.R. 7969, making technical amendments to the Tariff Act, for going so far as they did in accepting the position of the Senate. The problem of the rising imports of synthetic rubber footwear is a very serious one in my district and to thousands of workers engaged in the manufacture of footwear the flood of imports has been posing a very real threat to their livelihoods. These imports, which only a few years ago amounted to only 8 percent of the domestic consumption, currently amount to 37 percent of domestic consumption.

The new tariff schedule on these items provided in this legislation will help considerably to stem this flood of goods from low-wage countries and to equalize the competitive position of the domestic industry. It also holds out the hope of precedent that fairer conditions of competition will be created in a similar manner for other segments of the economy hit by unfair import competition. During the deliberations of the Conference Committee, I communicated with my colleagues serving on it urging them to accept the Senate's position regarding this footwear and want to take this opportunity of thanking them for their cooperation.

Mr. MILLS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

INTEREST EQUALIZATION TAX EXTENSION ACT OF 1965

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 4750) to provide an extension of the interest equalization tax, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 988)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4750) to provide an extension of the interest equalization tax, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 29.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 31, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with amendments as follows: Strike out the matter proposed to be stricken out by the Senate amendment. Insert the matter proposed to be inserted by the Senate amendment.

On page 1 of the Senate engrossed amendments, strike out the last two lines and insert the following: "such lease, is attributable to the use".

On page 2 of the Senate engrossed amendments, strike out lines 12 through 14 and insert the following: "value of the debt obligation arising out of such lease, is attributable to the use of ".

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(D) by adding at the end of such paragraph (after and below subparagraph (B)) the following new sentence: 'For purposes of the preceding sentence, the acquisition by a wholly-owned subsidiary of a commercial bank of a debt obligation arising out of a lease made by such subsidiary shall be treated as the acquisition of a debt obligation by a commercial bank.' "

And the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with amendments as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 4, line 20, of the Senate engrossed amendments, strike out "or of" and insert the following: "or Sale of"

On page 5, line 3, of the Senate engrossed amendments, strike out "or of" and insert the following: "or the sale of".

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(h) ACQUISITIONS BY CERTAIN TAX-EXEMPT ORGANIZATIONS.—(1) Section 4914(f) is amended by adding at the end thereof (after and below paragraph (2)) the following new sentence: 'For purposes of this subsection, stock or debt obligations acquired as a result of the investment or reinvestment of such contributions or fees which consist of insurance premiums (other than premiums paid to a mutual insurance company or association described in section 501(c)(15)) paid by the members of such local organizations shall be treated as held exclusively for the benefit of such members if primarily so held, notwithstanding that such stock or debt obligations may, under certain contingencies, be used for the benefit of other members of such United States person.'

"(2) The amendment made by paragraph (1) shall apply with respect to acquisitions of stock and debt obligations made after July 18, 1963."

And the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with amendments as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 8, line 1, of the Senate engrossed amendments, strike out "subsection (i)" and insert the following: "subsection (j)".

On page 8, beginning in line 13, of the Senate engrossed amendments, strike out ", particularly privileges relating to investments in such foreign country".

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with amendments as follows: Strike out the matter proposed to be stricken out by the Senate amendment.

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(q)".

And the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with amendments as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 14, after line 3, of the Senate engrossed amendments, insert the following:

"(d) This section shall terminate at the time when the tax imposed by section 4911 of the Internal Revenue Code of 1954 terminates."

And the Senate agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
EUGENE J. KEOGH,
JOHN W. BYRNES,
THOS. B. CURTIS,
JAMES B. UTT,
Managers on the Part of the House.

HARRY F. BYRD,
RUSSELL B. LONG,
GEORGE A. SMATHERS,
JOHN J. WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4750) to provide an extension of the interest equalization tax, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 1, 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 17, 20, 21, 22, 25, 27, 28, and 30.

With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature; or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

CERTAIN EXPORT LEASES

Amendments Nos. 2, 5, and 8: The bill as passed by the House excluded from the interest equalization tax obligations acquired by a U.S. person in connection with a lease of personal property to a foreign obligor if at least 85 percent of the amount to be paid under the lease is attributable to the use of tangible personal property which was produced or extracted in the United States by such U.S. person (or by a related corporation) or to the performance of services pursuant to the terms of the lease by such U.S. person (or by a related corporation) with respect to such personal property, or to both.

Senate amendment No. 2 provides that the tax is not to apply to the acquisition from a foreign obligor by a U.S. person of a debt obligation of such obligor arising out of a lease of personal property to such obligor by such U.S. person if (1) at least 30 percent of the value of the property subject to the lease, or 60 percent of the actual value of the debt obligation, is attributable to the use of tangible personal property which was produced or extracted in the United States by such U.S. person (or by a related corporation), or to the performance of services pursuant to the lease by such U.S. person (or by a related corporation) with respect to such personal property, or to both, and (2) at least 50 percent of the value of the property subject to lease, or 100 percent of the actual value of the debt obligation arising out of such lease, is attributable to the use of tangible personal property which was produced or extracted in the United States, or to the performance of services pursuant to the lease by U.S. persons, or to both.

The House recedes on amendment numbered 2 with clerical amendments.

Senate amendment No. 5 amends section 4914(j)(1)(A)(iii) of the Code to exclude from the tax a transfer of a debt obligation described in the new section 4914(c)(6) (relating to certain export leases) to any transferee where the extension of credit by the U.S. person leasing the property or services and the acquisition of the debt obligation related thereto were reasonably necessary to accomplish the lease of property or services out of which the debt obligation arose, and the terms of the debt obligation are not unreasonable in light of credit practices in the business in which such person is engaged.

The House recedes on amendment numbered 5.

Senate amendment No. 8 adds a sentence to section 4931(c)(1) of the Code providing that for purposes of chapter 41 of the Code (which imposes the interest equalization tax) the acquisition by a wholly owned subsidiary of a commercial bank of a lease made by such subsidiary shall be treated as the acquisition of a debt obligation by such bank.

The House recedes on amendment numbered 8 with a clarifying amendment.

SALES OF FOREIGN BRANCHES

Amendment No. 9: Under existing section 4914(g) of the Code, an exclusion from the interest equalization tax is provided where a U.S. shareholder acquires foreign debt obligations in connection with the sale of substantially all of the stock of a foreign-owned subsidiary, or as a result of the liquidation of a wholly owned foreign subsidiary following the sale of substantially all of its assets to a foreign person who gives the foreign debt obligation in exchange as part or all of the purchase price of the assets.

Senate amendment No. 9 amends such section 4914(g) to provide an exclusion from tax where the debt obligation is acquired as part or all of the purchase price in a sale by a U.S. person of substantially all of the assets of a branch of such U.S. person located outside the United States.

The House recedes with clerical amendments.

ACQUISITIONS BY CERTAIN TAX-EXEMPT ORGANIZATIONS

Amendment No. 16: This amendment adds a new sentence at the end of section 4914(f) of the Code (relating to acquisitions by certain tax-exempt labor, fraternal, and similar organizations having foreign branches or chapters) providing that, for purposes of section 4914(f), stock or debt obligations acquired as a result of the investment of the contributions or membership fees which consist of insurance premiums (other than premiums paid to a mutual insurance company or association described in section 501(c) (15)) paid by the members of such local organizations shall be treated as held exclusively for the benefit of such members if primarily so held, notwithstanding that such stock or debt obligations may, under certain contingencies be used for the benefit of other members of such U.S. person. Under the amendment, this provision is to apply with respect to acquisitions of stock and debt obligations made after July 18, 1963.

The House recedes with a clarifying amendment.

REDUCTION OF EXCLUSION IN CASE OF LATE FILING OF CERTAIN NOTICES OF ACQUISITION

Amendment No. 18: Existing section 4917 of the Code provides the President with authority to exclude from tax original or new issues of stock or debt obligations originating in any foreign country if the application of the interest equalization tax would imperil or threaten to imperil international monetary stability. The exclusion applies only if a notice of the acquisition is filed within a period which is to be prescribed by regulations.

Senate amendment No. 18 adds a new subsection (d) at the end of section 4917 providing that if, with respect to an acquisition after the date of the enactment of the bill of stock or a debt obligation which is all or part of an original or new issue to which an Executive order issued under section 4917(a) is applicable (other than an Executive order which is applicable to a limited aggregate amount of such issues), the notice of acquisition required by section 4917(a) is not filed on or before the last day (including extensions of time) specified in the regulations prescribed by the Secretary of the Treasury or his delegate, the exclusion provided by such Executive order shall not apply to 5 percent of such acquisition for each 30-day period or fraction thereof after such last day during which such failure continues, except that in no event shall such exclusion be reduced under the new section 4917(d) by more than 25 percent of such acquisition.

The House recedes.

FULFILLMENT OF TREATY OBLIGATIONS

Amendment No. 19: This amendment adds a new subsection (e) at the end of section 4917 of the Code providing that, in determining whether to issue an Executive order under section 4917(a) with respect to a foreign country, and in determining whether to revoke or modify an Executive order issued under section 4917(a) (whether issued before or after the enactment of the bill), the President may take into account whether such foreign country is according privileges to U.S. persons in conformity with treaties of friendship, commerce, and navigation between the United and such country, particularly privileges relating to investments in such foreign country.

The House recedes with amendments, including an amendment which strikes out the phrase ", particularly privileges relating to investments in such foreign country". Under the conference action the President may take into account all aspects of whether the foreign country is according privileges to United States persons in conformity with the treaties of friendship, commerce, and navigation between the United States and such foreign country, including privileges relating to investments in such country.

FOREIGN BRANCHES OF U.S. FINANCING COMPANIES

Amendments Nos. 23 and 24: The bill as passed by the House inserted a new paragraph (5A) in section 4920(a) of the Code under which a foreign branch of a U.S. financing company which makes foreign currency loans to finance the purchase of products of related corporations could be treated as a separate foreign corporation. In order to qualify, the branch, and the financing company as a whole, must, for the taxable year involved, be primarily engaged (90 percent) in the trade or business of making loans to finance the purchase of products produced or assembled by a related corporation.

Senate amendment No. 23 modifies this 90-percent test to provide that the financing may cover not only products produced by a related corporation but also products received in partial or full payment for products produced by a related corporation.

The House recedes.

The bill as passed by the House also provided that the U.S. financing company and the foreign branch must be exclusively engaged in the trade or business of acquiring debt obligations. Senate amendment No. 24 provides that the financing company and the foreign branch may, in addition to being engaged in the business of acquiring debt obligations, also be in the business of servicing debt obligations arising out of the sale of tangible personal property produced by a related corporation or out of the sale of tangible personal property traded in for property so produced.

The House recedes.

FOREIGN STOCK ISSUES TREATED AS DOMESTIC

Amendment No. 26: Under existing section 4920 of the Code certain shares of stock of foreign corporations are treated as stock not issued by a foreign issuer. The bill as passed by the House extended the exemption to new shares of the same class issued by such a corporation so long as certain safeguards are met and the original tests requiring a specific degree of American involvement are met. Subparagraph (D) of the second sentence of section 4920(b)(2) of the bill as passed by the House set forth certain requirements for additional shares to qualify under such subparagraph (D). One of these requirements, contained in clause (iv) of such subparagraph, was that all such additional shares, if acquired by U.S. persons, would be excluded from the interest equalization tax by reason of section 4914(a)(6), 4916, or 4917 of the Code.

Senate amendment No. 26 modifies the requirement of clause (iv) of the new section 4920(b)(2)(D) to provide as an alternative that such additional shares may be shares exchanged in a reorganization described in section 368(a)(1)(B) of the Code for shares of a domestic corporation which was engaged in the active conduct of a trade or business (other than as a dealer in securities) immediately before the date of such exchange.

The House recedes.

CERTAIN STOCK AND DEBT OBLIGATIONS ACQUIRED BY NEWSPAPER PUBLISHERS

Amendment No. 29: This amendment adds at the end of section 4914 of the Code (relating to exclusions for certain acquisitions) a new subsection (k) providing that the interest equalization tax is not to apply to the acquisition of stock or a debt obligation by a U.S. person engaged in publishing newspapers if acquired with funds derived from advertisements in such newspapers by corporations incorporated under the laws of a contiguous foreign country, or by citizens of such a country, and if the stock acquired is stock of a corporation incorporated under the laws of such country, or the debt obligation acquired is a debt obligation of such a corporation or of a citizen of such country.

The Senate recedes.

PREEXISTING COMMITMENTS; CERTAIN DEBT OBLIGATIONS OF FORMER LESS DEVELOPED COUNTRIES

Amendment No. 31: Under existing law, the interest equalization tax does not apply to acquisitions of debt obligations made pursuant to commitments which were entered into before the effective date of the tax (July 19, 1963). As part of such a commitment (unless the obligation to acquire was actually unconditional or was subject only to conditions contained in a partially-performed formal contract) the U.S. person acquiring the debt obligations not only must have taken every action to signify approval under its ordinary procedures but must also have sent to the borrower (before such date) a commitment letter, memorandum of terms, purchase contract, or other document setting forth the principal terms of the acquisition. Senate amendment No. 31 provides that such a commitment will be found to have existed in cases where (before such effective date) a memorandum of terms, purchase contract, or other document setting forth the principal terms of the acquisition had been received from the borrower by the U.S. person (assuming such person had taken the customary actions to signify approval) as well as in cases where the U.S. person had sent such a document to the borrower.

Senate amendment No. 31 also adds to the bill as passed by the House a new provision exempting from the interest equalization tax the acquisition of debt obligations of a foreign country which was previously (but on the date of enactment is no longer) designated as an economically less developed country, in cases where (before such acquisition) the Secretary of State has certified to the Secretary of the Treasury that the foreign government, on or before April 6, 1965, had communicated to the State Department its intention to issue such obligations and commenced negotiations with U.S. persons relative thereto, and that exemption from such tax is in the best interests of the United States.

The House recedes.

USE OF FOREIGN CURRENCIES OWNED BY THE UNITED STATES

Amendment No. 32: This amendment adds to the bill as passed by the House a new section requiring that international agreements negotiated with foreign countries (other than those negotiated under title I of Public Law 480) under which foreign currencies will be generated for the use of the United States must in the future contain provisions insuring that such currencies may be used for paying U.S. obligations in such countries, and, if not needed for that purpose, may be converted into dollars or other foreign currencies, in amounts determined by the Secretary of the Treasury to be necessary for U.S. requirements. The Secretary is directed to determine periodically the amount (both in dollars and in foreign currency) of funds needed by the United States to meet its requirements in each country, and to report annually to the Senate Committee on Finance and the House Committee on Ways and Means with respect to the management of U.S.-owned foreign currencies.

The House recedes with an amendment under which the new section will terminate at the time at which the interest equalization tax terminates.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
EUGENE J. KEOGH,
JOHN W. BYRNES,
THOS. B. CURTIS,
JAMES B. UTT,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last year the House passed the Interest Equalization Tax Act, a measure designed to strengthen the balance of payments position of the United States. The act imposes a temporary excise tax on purchases by U.S. persons of foreign stocks or debt obligations from foreign persons. The tax is imposed at a rate which varies with the time remaining to maturity of the securities purchased and has the effect of reducing the rate of return on foreign securities by roughly 1 percent. The tax therefore limits foreign demand for U.S. capital by raising the cost to foreigners of obtaining such capital.

As originally enacted, the tax applied only to obligations with a time remaining to maturity of 3 years or more and did not apply to bank loans of any type. The President was given authority, however, to impose tax on bank loans with a maturity of 1 year or more if he became convinced that such loans were being substituted for other taxable forms of financing. In the face of a serious increase in the outflow of bank loan funds, the President exercised the authority given him and, on February 10 of this year, applied the tax to bank loans with a maturity of 1 year or more. The effect of this action was immediate and helped to produce the slight balance-of-payments surplus achieved in the months of April, May, and June—the first quarterly surplus since 1957.

The 1964 act was scheduled to terminate at the end of this year. As the Nation's balance-of-payments situation, while improved, is still delicate, it would be premature to allow the tax to terminate. The House therefore approved on August 5 an administration proposal extending the tax for an additional 19 months. The conference report on the Interest Equalization Tax Extension Act of 1965 is what I bring before you today.

The bill, as agreed to by the conferees, does not depart to any significant degree from the bill passed by the House. The other body approved the two major features of the bill without amendment. That is, they agreed to extend the interest equalization tax from December 31, 1965, to July 31, 1967, and to apply the tax to nonbank loans with a maturity of 1 to 3 years. The latter provision is appropriate in view of the President's action applying the tax to bank loans with a maturity of 1 to 3 years.

Of the Senate amendments to the bill which the conferees of the House agreed to, 19 are clerical or conforming in nature. None of the remaining amendments has a major impact on the structure of the tax. Five are amendments which clarify or otherwise modify provisions of the bill approved by the House, three modify provisions of the existing law, and four deal with new matters.

Two of the amendments which deal with new matters concern the international monetary stability exclusion of existing law. Under the terms of this provision, the President has authority to grant an exclusion with respect to new foreign issues of stock or debt obligations if the application of the tax would, in his judgment, imperil international monetary stability. The President has exercised his authority under this exclusion twice. The first time was to exclude new issues of Canadian securities and the second time to exclude a limited amount, $100 million, of debt obligations from Japanese sources.

Where the exclusion applies, it is available only if the U.S. person acquiring such a share of stock or debt obligation files notice of his acquisition within a period of time which is to be specified by Treasury regulations. Thus far, however, the Treasury has refrained from specifying such a time because of the harsh penalty imposed if notice is not filed on time. That penalty is the complete loss of the exclusion, even if notice is filed only 1 day late. The Internal Revenue Service, therefore, proposed to the other body an amendment moderating the penalty for failure to file timely notice of acquisition. An American who files a late notice of acquisition will lose 5 percent of the exclusion. He will lose an additional 5 percent of the exclusion for each 30-day period that elapses after the filing date, provided the maximum penalty does not exceed the loss of 25 percent of the exclusion. This provision applies only in the case of an unlimited exclusion, such as the Canadian exclusion, since a limited exclusion, such as that for Japan, cannot be administered unless timely notices of acquisitions are filed. The House conferees accepted this amendment.

The second amendment to the international monetary stability exclusion approved by the other body permits the President to take into account the degree to which a country has been living up to its commitments to the United States under treaties of friendship, commerce, and navigation when he considers extending the exclusion to new issues from the country. He can also take this factor into account when considering whether or not to revoke an exclusion granted previously. The provision is designed to strengthen the United States position in negotiations with other countries. The House conferees receded and accepted this provision with a minor amendment.

The amendment strikes language which would have implied that this provision had particular relevance to privileges relating to investments by Americans in such a foreign country. Striking out the language makes it clear that the provision applies to treaties of friendship, commerce, and navigation which, of course, cover investment privileges.

A third amendment to the bill adopted by the Senate concerns purchases of foreign securities by certain tax-exempt organizations that receive contributions or insurance premiums from foreign members. Present law exempts such acquisitions under certain contingencies if the securities are held exclusively for the benefit of the foreign members of the organization. The amendment adopted by the other body exempts such acquisitions from tax if they are used primarily, although not exclusively, for the benefit of the foreign members of the organization. The House conferees receded on this amendment.

A Senate amendment, which was discussed at length in the conference, bears on the balance-of-payments problem although not directly on the interest equalization tax. The amendment in question requires that international agreements negotiated with foreign countries under which foreign currencies accrue for the use of the United States must henceforth provide that such currencies may be used to pay U.S. debts in that country and, to the extent not so needed, be convertible into dollars or other foreign currencies in such amounts as the Secretary of the Treasury deems necessary for the requirements of the United States. An exception is made to this amendment, however, for funds generated through the disposal of surplus agricultural commodities under the Public Law 480 program. The amendment also requires the Secretary of the Treasury to determine periodically the amount of funds the United States will need to meet its foreign obligations in each country and to report each year to the Ways and Means Committee of this House and the Committee on Finance in the Senate on the management of U.S.-owned foreign currency.

A report to the Congress by the General Accounting Office indicates that U.S. holdings of foreign currencies are not being effectively utilized in all cases, with the result that dollars are being spent to meet U.S. obligations in some countries in which the United States owns substantial amounts of local currencies. The use of dollars instead of the available local currency has an adverse effect on the balance of payments. The amendment directs attention to this problem and seeks to reduce unnecessary dollar expenditures.

The amendment will not interfere with the conduct of foreign relations. By far the largest part of the funds accumulated as a result of Government programs is accounted for by the Public Law 480 program, which has been specifically excluded from this amendment. Furthermore, the amendment does not require that any specific amount of foreign currency actually be converted into dollars. Such a decision is left to the Secretary of the Treasury who, as the chief financial officer of the Government, is the logical one to make this decision. In exercising his authority, the Secretary will be guided not only by the needs of the United States but also by the financial capability of the particular foreign country. Your conferees accepted this provision with an amendment providing that this provision is to continue only for the period the interest equalization tax is in effect.

Mr. Speaker, this amendment was proposed in the Finance Committee by the distinguished senior Senator from Virginia. Members of the Senate feel very strongly about it. I should point out, however, that we had a letter from the chairman of the Committee on Foreign Affairs of the House asking us not to accept this amendment because it was his opinion that it was within the jurisdiction of that committee.

However, Mr. Speaker, it was felt also by the conferees on the part of the House that this matter would also come within the jurisdiction of the Ways and Means Committee, having jurisdiction over the matter of balance of payments. We believed it would be well for us to accept the amendment under the circumstances, because we thought the purpose was desirable. I would reiterate, the amendment had been recommended by the General Accounting Office. We did therefore accept it. As I stated, however, we provided for this particular amendment to terminate at the same time that the interest equalization tax itself will terminate, so as to avoid the position of the Senate amendment, of the language being permanent law, thus increasing the interest which the Ways and Means Committee and the Finance Committee could have in this particular subject matter.

I have referred to the fact that we had a report from the General Accounting Office. That report indicates that U.S. holdings of foreign currencies are not being effectively utilized in all cases. Use of dollars instead of available local currency does have an adverse effect on the balance of payments, and our delicate problem of balance of payments. The amendment directs attention to this problem and seeks to reduce unnecessary dollar expenditures. For this interim period of time there is still an opportunity for the Congress to reach a conclusion with respect to permanent legislation even if this amendment is adopted.

I want to assure the membership of my own sincere view that this amendment will not interfere with the conduct of our foreign relations one iota. By far the largest part of the funds accumulated as a result of Government programs is accounted for by the Public Law 480 program, which is not included within the purview of this amendment.

Transactions which occurred after the effective date of the interest equalization tax are exempt if a commitment to undertake them existed before that date. The other body adopted an amendment which modifies the definition of a preexisting commitment to include cases in which all the requirements of present law were met with the exception that the lenders had not sent commitment letters or similar documents to the borrowers. A preexisting commitment will be judged to have existed if before July 19, 1963, the U.S. person received from the foreign borrower a document setting forth the terms of the acquisition. The U.S. person, however, had to have taken every previous action to signify approval under the procedures ordinarily employed by him in similar transactions. Believing that in such a case a preexisting commitment did, in fact, exist, the House conferees receded on this provision.

Debt obligations obtained from foreigners are tax exempt if they arise from the sale of substantially all the stock of a U.S.-owned foreign subsidiary. The sale of a branch is clearly similar in many essential respects to the sale of a subsidiary, including the fact that it has a favorable impact on the balance of payments. The House conferees, therefore, accepted a Senate amendment which exempts from tax debt obligations obtained from foreigners, as a result of the sale of substantially all the assets of a foreign branch.

The other body, also, adopted a provision which exempts debt obligations of a former less-developed country if a commitment to issue such obligations existed before the less-developed country designation for that country was terminated. The exemption will only apply, however, if the government of the foreign country had communicated its intention to issue debt obligations to the Department of State before April 6, 1965, and if it had initiated negotiations with U.S. persons by that time. Furthermore, the Secretary of State must certify that granting the exemption is in the best interests of the United States. The amendment has a narrow application. It is understood that it will apply only to certain debt obligations issued by the government of the Bahamas. The conferees of the House receded.

The remaining amendments agreed to by the House conferees concern clarifications of amendments approved earlier by the House. Three of these amendments concern the exemption for export-lease transactions which the House approved. The first amendment of the other body provides that the exemption is to apply in lease transactions which meet the same qualifications as those imposed for the exemption of debt obligations acquired in connection with export sales. This result is achieved by substituting alternatives for the rule that at least 85 percent of the amount to be paid under the lease be attributable to the use of tangible personal property produced or extracted in the United States by the U.S. person. Under the alternatives, the acquisition is exempt if at least 30 percent of the value of the property subject to the lease, or 60 percent of the actual value of the debt obligation, is attributable to the use of tangible personal property produced or extracted in the United States by the U.S. person or a related person, or to services performed with respect to such property, or both, or if at least 50 percent of the value of the property subject to lease, or 100 percent of the actual value of the debt obligation, is attributable to the use of tangible personal property produced in the United States or services performed by U.S. persons, or both. For the purpose of these rules, the debt obligations are to be valued at the time of their acquisition.

The second Senate amendment regarding lease transactions allows an exporter to transfer a debt obligation acquired in a lease transaction to a U.S. person under the same conditions under which he can now make such a transfer following an export sales transaction. The debt acquired must be reasonably necessary to accomplish the transaction and the debt must be in line with the exporter's usual credit practices.

A final export lease amendment extends the exclusion for debt obligations acquired in export-lease transactions to subsidiaries of commercial banks. It provides that leases made by wholly owned subsidiaries of commercial banks will be considered made by a commercial bank. This provision has particular relevance to State banks, which otherwise might not be able to avail themselves of the export-lease exemption.

Another amendment extends the House provision which relates to an exclusion for a class of stock of a foreign corporation which is either chiefly owned by Americans or primarily traded on U.S. security markets prior to July 19, 1963. Now included in the group of exempt stocks are shares issued in a corporate reorganization in which the foreign corporation acquires the assets of a domestic corporation in exchange for stock. The Senate amendment, which was accepted by your conferees, permits U.S. persons to acquire free of tax stock of a foreign corporation issued in a reorganization in which the foreign corporation acquires the stock of a domestic corporation—rather than its assets—in exchange for its stock.

The final amendment accepted by your conferees modifies the provision of the House approved bill which concerned foreign branches of U.S. financing companies. Under the House bill, debt obligations acquired by such a U.S. financing company would only be tax exempt if, first, 90 percent of the branch's business arises from the sale of tangible personal property produced by a related company and, if, second, the branch is exclusively engaged in the trade or business of acquiring debt obligations.

The other body modified the 90-percent test to include the acquisition of debt obligations arising out of the sale of items of personal property traded in as part of the payment for items produced by a related company. It modified the exclusively engaged rule to include servicing as well as acquiring debt obligations in the permissible trade or business activity.

Mr. Speaker, to sum the matter up, I can say that these amendments which we have adopted to this bill, I believe in the opinion of the gentleman from Missouri [Mr. CURTIS] as well as myself, would be interpreted as amendments relieving situations which were called to attention, wherein we thought if there were to be such a program these particular situations had merit and perhaps should be relieved.

All of us can have different opinions, I am sure, as to the propriety of having such a program, but I believe my friend from Missouri [Mr. CURTIS] and my friend from California [Mr. UTT], who are present on the floor and who were Members of the conference, would admit with me and would assure the House that the conference is about as good a conference as could be expected to have developed from the meetings which took place and the amendments adopted by the Senate. As I say, we can have our differences about the basic law itself, but so far as the conference is concerned I believe my friends will join me in that statement.

Mr. Speaker, I now yield 10 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I thank the chairman. As usual, he has stated this accurately.

Although I am very strongly opposed to the act itself—its philosophy and its economics are very unsound, and it is already creating great damage to the United States—this is not the appropriate time to argue that again. We are dealing with a conference report seeking to work out the differences between the House and Senate versions.

I agree with the chairman that the Senate amendments were germane to the House bill with one exception—not an exception, really, but one I should like to comment on a little because of its germaneness being the most questionable.

Having been one who has argued that nongermane amendments should not be put on our bills, this put me in somewhat of an embarrassing position, because this was an amendment I was very much in favor of, one to which the Chairman devoted considerable attention, relating to the use of foreign currencies owned by the United States.

I believe the Chairman will recall that I was the one who suggested that the amendment limiting the time to the termination date of the interest equalization tax be used. I suggested that should be done, which will limit its effect and will confine it to the subject matter, which is balance of payments.

Here we are trying to use our tax laws for other than revenue purposes. There is no question about it. The whole purpose of the act is to cut down our foreign investments abroad.

I would like to comment that some of our chickens are coming home to roost. When we debated the bill as it was first presented to us—and this is merely an extension of time—I said that it is like trying to create a Berlin wall trying to prevent the flow of capital funds in this instance into freer climates of investments and we were going to experience the same problem in creating this Berlin wall that the East Germans are experiencing with respect to the real Berlin wall. You really cannot prevent people or investments from flowing to freer climates of investment. The only way to do it is improve your own investment climate. It was predicted all sorts of ways of getting over and under and around and through this Berlin wall were going to be devised. Indeed a great deal of what is in the Senate amendments and a great deal of what is in the additional features of the House bill that went over to the Senate were closing loopholes. Strangely enough, though, many of them are opening new ones on the theory that if you got this one, is it not equitable to have this other loophole. This is one of the great evils of this kind of legislation. I regret that we have it before us, but I must say again to the House and to the gentleman from Arkansas I think that the conferees did a good job here. The Senate amendments were germane to the bill. Many of them on an equitable basis did have appeal once you get into this business. There is only one that I would like to point up a bit which had no business in here. These are listed, by the way, in the committee report by big titles. I am referring to the one which relates to certain stock and debt obligations acquired by newspaper publishers.

I wish we would refrain from those kinds of things, but at any rate essentially this is so. Therefore, I did sign the conference report. I will vote against the conference report myself as an individual Member because I am so strongly opposed to the legislation, but I certainly concede that this is a good job done by our conferees. That is why I signed the conference report. Of course, those Members who are for this particular bill and who voted for it before should certainly vote for the conference report. Those who, even though they might have been opposed to the bill but maybe not quite as strongly on principle as myself, might easily vote for this conference report on the proper assumption that a good job was done in working out the two versions.

Mr. MILLS. Mr. Speaker, will my friend from Missouri yield to me?

Mr. CURTIS. Yes. I yield to the gentleman from Arkansas.

Mr. MILLS. Lest someone will misunderstand what the gentleman intended with reference to Senate amendment No. 29 for the stock and debt obligations acquired by newspaper publishers, that was deleted.

Mr. CURTIS. It was deleted. I thank the gentleman, because there would have been a misunderstanding. I pointed up it was the kind of an amendment we do not have to deal with too often and we do not, I must say, in behalf of my colleagues in the other body.

Mr. Speaker, I ask unanimous consent to proceed out of order for 2 minutes

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the reason why I ask for this permission to speak out of order is that there have been rumors going around—and I have heard them today—in respect to this Mississippi election contest tomorrow, that there is some accommodation on the Republican side to the effect that there will not be a rollcall vote. I want to say that I have done what I could to check with our leadership. There is no such accommodation. As a matter of fact, however, we are going to vote our personal views, in my judgment, this matter should be of record. I will do everything I can to see that it is made a record vote. I certainly hope that the rumors at least as far as this are concerned are set to rest. If anyone has any hopes of making accommodations over on this side, I think they would do well to desist.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. GROSS. Is this Interest Equalization Tax Extension Act supposed to do something for the balance of payments next year?

Mr. CURTIS. Yes; actually right now it is supposed to be doing it. But now we are getting into a substantive issue which is really not before us. I would say this to the gentleman. I think the record shows what has happened and that is that it has dammed up and stopped for a certain period of time the investment flow abroad in certain forms of investment, only to have that break loose and then a greater increase.

For instance, we originally applied it only to security investments, equities, and not bank loans. We in the minority warned that we thought that this would just be transferring bonds and so forth into long-term bank loans. Well, they did shut down a little bit on the flow of foreign investments abroad for a quarter, only to have the next quarter loom up to twice the amount of what it had been before, and it was mainly in bank loans.

Now, we sought to plug that loophole and we again saw a damming-up and a dwindling of investments for a short period only as I predict it will come out in other forms of investment; namely, reinvestment by companies already operating abroad in retained earnings. Now, through a voluntary program the President seeks to stop this flow.

But I think if you take the amount of our private investment abroad over a range of time, this interest equalization tax has not been of any real value as far as the balance of payment is concerned. All it has been doing is to foul up different types and forms of investment and give undue preferences to certain kinds of investment. Certainly it has been of great advantage to the vested interests, those who are already abroad and badly damage innovation and new companies and others who might be going abroad.

There is one other area that I urged the administration to look to also and that is in regard to our exports which we are counting upon to relieve the real problem of balance of payments. The Brookings Institution clearly pointed out something that we all should know, that exports are tied to capital investment, and if you cut back on your capital investment you are going to cut back on your exports. Indeed, this too has happened.

I would say to the gentleman from Iowa that I am now arguing the substantive issues again, and that really is not before us on this conference report.

Mr. GROSS. Did we not run about $1.5 billion deficit in the first 6 months of this year?

Mr. CURTIS. It was more than that.

Mr. MILLS. Mr. Speaker, if the gentleman will yield, not in the first 6 months of this year.

Mr. CURTIS. I said the first quarter.

Mr. MILLS. In the first quarter we ran a deficit of three-quarters of a billion, as I recall. We did have a plus in the second quarter. It resulted in a deficit for the first half of $624 million. This should be compared with the deficit that we had in the previous year of better than $3 billion.

Mr. CURTIS. Yes, but I would point out, as I did in the original debate, that when you imposed the interest equalization tax you said that it was going to result in a stop of the flow.

Mr. MILLS. That is correct.

Mr. CURTIS. You could point to a similar record only to have this tremendous outgo which brought about the implementation of the Gore amendment and the President's coming out and asking for a voluntary restraint on this kind of investment.

All I am saying is that I think we have stemmed the flow temporarily because we have plugged certain loopholes that will dam up this flow. But we will see, as the Secretary of the Treasury has said himself, do not look upon this as an indication that we have really whipped the question of balance of payments, because the next quarter and the following quarter are not going to be that good.

Mr. GROSS. It will be about as effective as the call for curtailment of foreign tourism this year, does not the gentleman think?

Mr. CURTIS. That, or, as I used the metaphor, the Berlin wall.

You cannot keep people or investment from going to freer climates.

Mr. MILLS. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

HIGH-SPEED GROUND TRANSPORTATION

Mr. FRIEDEL, on behalf of Mr. Harris, submitted a conference report and statement on the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground tranportation, and for other purposes.

HOME RULE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker and Members of the House, I take pleasure in inserting a letter and a statement just received from the president of the Federation of Citizens Associations of the District of Columbia on the subject of home rule.

Also, I am inserting some additional telegrams and letters I have received since the close of the committee hearings on the home rule bills.

My only reason for inserting these statements in the Congressional Record is to let the Members of Congress know that everyone in the Distict of Columbia is not interested in discarding the present form of government which has worked satisfactorily here in the Nation's Capital during the past 87 years.

Federation of Citizens Associations of the District of Columbia,
September 12, 1965.

Hon. John L. McMillan,
Chairman, District of Columbia Committee, House of Representatives, Washington, D.C.

Dear Congressman McMillan: The enclosed statement was issued as a release on Friday, September 10. I am pleased to be able to say that the local TV and radio stations carried the item. I talked to the city desk of the Washington Post Friday evening and dictated the statement to them. That evening I mailed a copy of the statement to the Washington Star. Neither of the papers made any mention of the item in either the Saturday or the Sunday papers.

This is not the first time that the Washington Post and the Washington Star have refused to carry releases and news items we have made available which have shown up negative aspects of home rule. The Star, for example, made no mention of the testimony I gave before your committee a few weeks ago. The Post did carry a very valid story of my testimony—on page A-15.

Both the Star and the Post have done a good job of "brain washing" the Nation's Capital on the subject of home rule. Very few items and statements derogatory to home rule have been allowed to appear in their columns. In today's papers, for example, the Post has a complete page in support of home rule and the Star has two articles on the front page of their metro section—all strongly supporting home rule. In neither paper is there a single adverse comment permitted on this subject of such vital interest to the seat of the Nation's Government.

This is a good example of the gross misuse of the power of the press. Such completely biased presentation of important items is not allowed to the radio and TV under the rules of the FCC. We are also appreciative of the reporting of the issues and the presentation of both sides of the argument in a number of programs on the air. Should the newspapers of our great cities be allowed to do anything they want in those instances where they have a monopoly of the printed news media?

Although the idea of a half billion dollar budget for the District is a shocker at this time I believe that the reasoning is valid enough and that it is a safe prediction to make.

Sincerely yours,
John R. Immer,
President.

Half Billion Dollar Budget Predicted Under Home Rule

(By Federation of Citizens Associations of the District of Columbia)

A District of Columbia budget of one-half billion dollars within the second year of home rule was predicted by John R. Immer, president of the Federation of Citizens Associations of the District of Columbia.

Mr. Immer pointed out that the full agency requests this year were $453 million, an increase of $93 million over the amount authorized for 1966. He predicted a complete lack of financial responsibility, stating that the principal groups pushing for home rule made little financial contribution to the support of the community. Mr. Immer said he had previously suggested that the boundaries of the District be extended into Maryland to include all the area within Route 495—the Capital Beltway. "The District of Columbia cannot support itself with over half of its taxable land unavailable as a source of revenue. It is folly to consider a type of home rule which is foreordained for financial failure," Mr. Immer concluded.

Federation of Citizens Associations of the District of Columbia
September 12, 1965.

Hon. Emanuel Celler,
House of Representatives,
Washington, D.C.

Dear Congressman Celler: Our federation has opposed home rule for the District of Columbia mainly on the basis that the national interest should come before the interests of local politicians. It also alarms us that the District is not an economically viable unit. We do not think that the District can ever support itself even with the Federal payment proposed in S. 1118. I am taking the liberty of enclosing our full testimony on this subject.

One aspect of the home rule battle which has much more serious implications for the Nation has been the very biased iron-clad control over the local press on this subject. Negative aspects of home rule have not been allowed to get into print. All reporting and editorials have been strongly biased in favor of home rule. No objective discussion of the advantages and disadvantages of home rule has been permitted.

Specifically, actions of our Federation derogatory to home rule have not been reported in these papers. Releases, such as the one encloesd, have been carried by local TV and radio but not by the two main papers. There has been almost a complete blackout of news from organizations favoring home rule.

Although the local radio and TV has been very good in reporting news items many stations have presented very distorted and one-sided pictures. For example, we have been denied time to answer specific editorials over WTOP even though each editorial sent out carries a written heading claiming such a right will be given.

In a large city where there is control over the main press by one or two companies acting in unison should there not be some restrictions on the total control of the news and editorials such as is now exercised by the FCC over radio and TV? Should there not be some way of guaranteeing a voice of substantial community groups on such vital issues?

Sincerely yours,
John R. Immer,
President.

Capitol Hill Restoration Society,
Washington, D.C., September 14, 1965.

Hon. John L. McMillan,
Chairman, District of Columbia Committee, House of Representatives, Washington, D.C.

Dear Mr. Chairman: At a regularly scheduled meeting on September 13, 1965, the Capitol Hill Restoration Society by a unanimous vote of the members present, a quorum being present, directed us to inform the House of Representatives of the Congress of the United States of the Society's position on two pending bills dealing with the question of Home Rule for the District of Columbia. We favor the so-called committee bill and oppose the so-called administration bill.

In keeping with all that has been said about the right to vote, self-determination and the democratic processes, we believe that the residents of the District should first be given the right to determine by popular vote whether the majority of the residents of the District of Columbia want Home Rule. We believe that the committee bill would give us this opportunity, but we would like to see the bill amended to give the residents of all sections of the District of Columbia the right to vote on this issue.

We believe that it is not in keeping with the democratic processes for the Congress of the United States to fashion the machinery for Home Rule in the District and submit it to the residents of the District of Columbia for acceptance or rejection. Since the administration bill does exactly this, it is our basic reason for opposition to the administration bill.

The Capitol Hill Restoration Society prays that you make our views known to the House of Representatives.

Sincerely yours,
Capitol Hill Restoration Society,
Byron N. Scott.
Peter Glickert.

Washington, D.C.
August 23, 1965.

Representative John L. McMillan,
House District Committee, Rayburn Building, Washington, D.C.:

I have resided in the District of Columbia for over 25 years and am unalterably opposed to home rule until all possibility of racial violence is ended. My residence is 511 Seward Square SE.

Mayme Jordan.

Washington, D.C.
August 23, 1965.

Representative John L. McMillan,
House District Committee, Rayburn Building, Washington, D.C.:

My family has lived in this area since before the Revolutionary War. I have lived at 511 Seward Square SE., for nearly 60 years. Register me as unalterably opposed to home rule, presently and until all possibility of racial violence is ended.

Charles M. Baum.

Capitol Hill Southeast Citizens Association, Inc.

(By Elizabeth Draker, representative of the Capitol Hill Southeast Citizens Association, August 1965)

Honored Chairman, the Capitol Hill Southeast Citizens Association is opposed to the home rule bills before the House of Representatives at the present time, especially the one passed by the U.S. Senate recently. They are nearly all based on the premise of accepting little responsibility for good government but emphasizing the spending of a great deal of money.

The seat of Government was selected in 1790 and located here because the Revolutionary soldiers interfered with the legislative operations of Congress in Philadelphia. The soldiers wished to be paid, which was a just claim, but they carried their protests too far. The District of Columbia was established so that governmental operations could be carried out with no interruptions on the part of the public.

Article I, section 8, paragraph 17 of the U.S. Constitution states:

"The Congress shall have power 'to exercise exclusive legislation in all cases whatsoever over such district (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of Government of the United States.' "

During the Civil War, conditions in Washington were beyond description. After the Civil War, the indebtedness in the District of Columbia grew and grew, with no means by which such debts could be paid.

Then the District of Columbia government was changed, and the U.S. Congress assumed the responsibility for the indebtedness. The expenses of the Nation's Capital are far heavier today than they were in 1874 when the Commissioner form of government was started.

Ninety percent of the population demanding home rule, including Members of Congress, possess little knowledge of history.

The main reasons that the Capitol Hill Southeast Citizens Association is opposed to home rule are:

1. Too many property owners and reliable residents of the District of Columbia will not be able to vote in the District. Those living in embassies and representatives of foreign governments are ineligible.

The Army and Navy and Air Force and Marine Corps residents with their families cannot vote.

Nearly all personnel in the various Government offices and holding property but who vote in the various States cannot vote here. Maryland Members of Congress seem to be most anxious for home rule in the District, as they hope the heavy D.C. taxpayers will sell their property here and move to Maryland. Mr. Horsky, adviser in the White House lives in Maryland and is negotiating for the dissolution of the District of Columbia. The exodus of large and small property owners out of Washington will place a serious burden on the taxpayers who are left.

2. The Federal institutions and Government buildings and property to be defended and protected in Washington today are many times more valuable than they were in 1874. This organization realizes that the Federal Government will have to use the Federal contribution usually given to the District to protect Federal holdings here. This organization urges Congress to withhold the 40 or more million Federal contribution to protect what valuable tracts and Government buildings that it now owns within the limits of the District of Columbia.

3. From what the District of Columbia politicians who hope to be elected and so seize control of the District government have done during the past year, the main activities appear to be to organize marches with one or more coffins or with baby carriages or to arrange demonstrations that could and would easily reach a climax in riots. Other plans demonstrated are to ruin public parks, dig swimming pools anywhere and allow children to wreck the glass panes in school buildings. They lack pride in the appearance of the Nation's Capital. When these elected officers with no responsibility toward the Federal Government buildings and property begin operations, the District of Columbia debt will reach millions. Who will pay the debt?

4. With limited money and District agencies like sanitation and police and schools operating with little efficiency under home rule, such programs will seriously interfere with visitors coming to the Nation's Capital; the tourist trade brings in enormous revenue at present.

5. When the indigent continue to pour into the Nation's Capital as they did after the Civil War, who will pay the relief bills? The District officials will have no money.

6. When the riots similar to the recent one in Los Angeles take place, who will protect private Washington property and businesses belonging to the citizens?

The U.S. Congress Members cannot abrogate their responsibilities for the welfare and stability and safety of the Nation's Capital to an elected group with no experience, no ability, and limited funds and powerful authority.

Congressmen representing 185 million U.S. constituents should not come to Washington unless they are interested enough in the Nation's Capital to protect it. Members of Congress not wishing to assume responsibility for the welfare and protection of the District of Columbia can drop the matter, although the Constitution of the United States definitely includes such responsibility as part of their obligations as Members of Congress.

The Capitol Hill Southeast Citizens Association is deeply grateful to those understanding legislators in Congress who have pride in the Nation's Capital and have assumed such heavy responsibilities in handling difficult assignments in order to be fair to all and still keep the Nation's Capital beautiful and safe. At present, no other Nation's Capital is as dignified and charming and handsome as Washington, D.C., really the capital of the world.

The Capitol Hill Southeast Citizens Association hopes you will keep it that way.

Thank you.

Testimony of District of Columbia Education Association, Before Subcommittee No. 5 of the District of Columbia Committee, U.S. House of Representatives, Washington, D.C.

Gentlemen, our remarks will be addressed to H.R. 4644, a bill to provide an elected mayor, city council, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes. We are concerned that this bill abolishes the Organic Act of June 20, 1906, which vested control of the public schools of the District of Columbia in a board of education.

Our concern arises from the fact that the present functions of the board of education would be transferred to the District Council for exercise in such manner and by such person or persons as the council may direct. There is no assurance in the bill that control of the public schools would be vested in a board of education.

We are concerned, too, because teacher tenure was established by the Organic Act of 1906. If H.R. 4644 is passed in its present form teacher tenure would be abolished.

The language of the bill does not guarantee to teachers that future benefits from any of their personnel legislation would be equal to those they now receive. It merely states that their personnel legislation "shall continue to be applicable until such time as the council shall provide similar or comparable coverage.

What assurance is there that similar or comparable coverage will provide to retired teachers annuities equal to those they now receive? What assurance is there that they will receive benefits equal to those they now receive under the Federal Employees Health Benefits Act of 1959 and the Federal Employees Group Life Insurance Act of 1954?

It should be pointed out that the District of Columbia teachers retirement law contains a provision which requires the District government to pay its share annually into the teachers' retirement fund. There is no provision in the home rule bill to safeguard this provision nor to insure that these funds will be used solely for the purpose for which they were created.

Teachers in active service are just as disturbed about these matters. In addition, they are disturbed about their tenure rights, leave privileges, salary schedule, etc.

We respectfully request, therefore, that the language of H.R. 4644 be changed to retain the Organic Act of 1906 so we may be certain that control of the public schools will be vested in a board of education and that teacher tenure will be safeguarded. Rather than abolish the Organic Act of 1906 it could be amended to give the citizens of the District the privilege of deciding whether the board of education should be elected or continue to be appointed as it is at present.

We request that the bill contain language to safeguard the rights, benefits, and privileges which teachers receive from personnel legislation in force at the time of the passage of the bill and to keep their retirement fund actuarially sound.

We ask also that favorable consideration be given to our requests in any bill providing for home rule which may be reported to the House by the District Committee.

Respectfully yours,

Elizabeth D. Griffith,
Executive Secretary.
Helen E. Samuel,
Legislative Representative.

KANSAS CITY STAR

Mr. BOLLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, in the years I have had the privilege of serving in this body, I have from time to time brought to the attention of our colleagues cogent comment on affairs of our time as it appeared in the Kansas City Star.

The Star, my hometown newspaper and a giant of American journalism, will celebrate its 85th anniversary this Saturday, September 18. The occasion will be appropriately marked by Sigma Delta Chi, the national journalistic society, whose president will unveil a bronze plaque designating the Star as a historic site in journalism.

The Star which now serves a broad section of the Midwest had its start in two rented rooms and in the mind of a brash young man from Indiana named William Rockhill Nelson. In a profession with a high casualty rate, the paper grew and prospered as it served the brawling city on the bluffs over the Missouri River.

It never backed away from a civic issue and in coming of age, it brought a new measure of excellence to American journalism. If it is a giant in its field, then it is also true that it produced some giants of its own. I point to Roy A. Roberts who came to Washington 50 years ago as a young correspondent for the Star and who recently retired as chairman of the board. Is there a brighter name, Mr. Speaker, in all the annals of journalism?

The tradition of public service is being carried forward by Richard B. Fowler, president and editor, and by a devoted staff. As a public servant and a private citizen, I salute this great newspaper on its birthday.

U.S. POSITION IN LATIN AMERICA

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, as chairman of the House Subcommittee on Inter-American Affairs, I am acutely aware of the serious damage likely to be done to our country's position in Latin America as the result of yesterday's oracular foreign policy utterance.

Had the identical indictment of U.S. actions in Santo Domingo emanated from Radio Havana, I would have called John Chancellor this morning at the Voice of America to ask that an early response be broadcast throughout the hemisphere in order to set the record straight on this issue. Unfortunately, however, the Voice of America is neither equipped nor authorized to cope with criticisms of U.S. foreign policy issued by high ranking officials of our own country.

The passion for anonymity seems to be a disappearing virtue among too many of our highly placed public figures. Instead, we have seen develop a passion for notoriety—a willingness, if not a compulsion, to forgo the channels of responsible policy dissent in favor of headlines or books sales. Thus, close advisers to former Presidents and incumbent authorities on foreign affairs have taken to washing policy linens in public to the detriment of the country and to the delight of enemy propagandists.

Yet, the world—friends and foes alike—are not aware that these oracles and derogators of their own country's policies speak for themselves alone and not for the majority of their countrymen. The American people overwhelmingly support President Johnson's actions in Santo Domingo and fully understand that had he not so acted, firmly and expeditiously, not only would American lives have been lost, but that, more than likely, we would have been confronted with another Castro-styled Communist base in the Caribbean.

In order that the impression presented to the world by the most recent of these criticisms be refuted, I am requesting a special order for Thursday next so that I may discuss more thoroughly the position of the United States in the recent Dominican crisis.

RESERVE-GUARD MERGER

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, reports continue to reach the committees of Congress that the Defense Department's insistence upon the Reserve-Guard merger is being carried on despite repeated rejections of the proposal by the Congress. I must respectfully submit that this insistence is resulting in detriment to the national preparedness program.

It would seem incredible to me that the Department would permit rigid adherence to a one-plan preparedness program insofar as the Reserve components are concerned. Nevertheless, this is what the evidence indicates.

Had the Defense Department on last December 12 put into operation a major program to increase manning levels for, intensified training of, and issuance of equipment to, selected units of the Army Reserve and Army National Guard, all of these selected units would now be fully combat ready and available for prompt call to Federal service, excepting, of course, those units which might now be answering the call of their respective Governors to maintain order.

If such an improved readiness program had been initiated on May 15 when the Secretary of Defense agreed publicly that a Reserve-Guard merger could not be accomplished without specific authority from the Congress, selected units would now be ready 120 days after the aforesaid date.

If this selected unit readiness program had been underway promptly when the House Armed Services Committee, on August 12, announced its rejection of the Reserve-Guard merger plan—after this improved selected unit readiness program had been advanced before the committee in public hearings—we would be a long way toward the goal for the Reserves which we have been told is important to national security.

Yet, the Defense Department has allowed every such opportunity to go by without taking positive steps to authorize the Reserve Forces units which may be called up to bolster military services for the crisis in southeast Asia, and I am told that restrictions on recruiting, training and equipment continue.

This apparently inflexible determination to carry forward a Guard-Reserve merger program without consideration or utilization of alternative proposals must be accepted, I believe, as resulting in deterrence to the Nation's national security program.

The Congress is now ready for final action on the fiscal year 1966 defense appropriation bill. That bill further spells out the desire of Congress for both the Guard and the Reserve to be maintained at adequate strength levels. Without a merger obviously now the alternative plan to a Guard-Reserve merger must be put into effect. Congress has made it clear through the language of the defense appropriation bill that it does not want the Reserve to be starved out. If a realistic and cooperative response is to be had from the Department of Defense, vigorous training must now be undertaken for both. Very possibly this will result in a need for additional money. I think every action taken by Congress during the current session would indicate an exception that a realistic training program be carried on and that a request for supplemental funds be initiated if needed. The support given by Congress to all phases of the defense program will, I am certain, convince the Department we are prepared to provide funds for the Reserve and the Guard. In other words, if more money is needed, we want the Department to ask for it.

I am calling these matters to the attention of the Secretary of Defense because I simply cannot believe that he is aware of the great lengths to which merger proponents have gone in their unprecedented pressure campaigns. This pressure has been exerted in Congress, and from top to bottom in the Department of Defense and in the Reserve components. In the latter these tactics have resulted in loss of morale, loss of personnel, and loss of effectiveness. Certainly it is now time to call a halt to these campaigns and to exert full effort to the training and equipping of needed units in both the Guard and the Reserve. I respectfully urge that the DOD staff take advantage of the alternative proposals which are known to be available and which can be equally effective, and which have so long been neglected.

DOMINICAN REPUBLIC

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, usually hindsight is about 20–20. It seems this practice is more often related to politics and football, although the Monday morning quarterback has his say a little sooner than the politician. And too, it more often, if not always, follows defeat.

It was an amazing thing which occurred in the Senate on yesterday when the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], commented on the recent U.S. action in the Dominican Republic.

The Senator referred to the action of sending troops to the Dominican Republic as a grievous mistake characterized "initially by overtimidity and subsequently by overreaction."

Mr. Speaker, one of the most grievous mistakes which has characterized our Government's policies since the end of World War II has been overtimidity, but not of the kind and character referred to by the Senator from Arkansas. A courageous President Kennedy was not timid when he forced offensive missiles out of Cuba, and we can thank God that we have President Johnson, who was not timid about the action in the Dominican Republic and who is not timid in South Vietnam.

It seems to me the concern of everyone should be to see that success in the Dominican Republic is assured and not by timidity allow the accomplishment there to erode and permit forces inimical to the United States and the Western Hemisphere to take over. This should be the primary concern and not that which these Members of the other body expressed yesterday about whether, first, there was danger to American personnel in the Dominican Republic and, second, whether it was about to be taken over by Communist forces.

As to the danger to American personnel, I have an idea that it was considerably more dangerous to the able Ambassador, Tapley Bennett, who made his telephonic report from under his desk in the American Embassy while bullets were flying over the top, than sitting in the marble halls of this Congress.

Would these Members of Congress wait until a Communist takeover had been accomplished to have done anything at all, and then what would they have done?

Mr. Speaker, I repeat that we can be thankful we have a President who did not wait for the "mañana," which might never have arrived.

I compliment the Organization of American States on their subsequent efforts in the Dominican Republic to resolve this highly explosive situation, but to have waited for an initial decision from them would in all likelihood, have been too late.

The chairman of the Foreign Relations Committee, long an advocate of lavish foreign aid, seems worried by the methods used to protect our position in the Dominican Republic and fears we have wounded feelings in Latin America. Well, my colleagues, if our actions there are questioned and criticized, we have gained little friendship at an exceedingly heavy cost. Contrarily, his comments invite this very attitude.

Mr. Speaker, it is not my intent to question the motives of anyone but there is no need to pretend that the discussion on the Senate floor yesterday is, indeed, strange and difficult to understand. Apparently, at the core of the Senator's concern with our policy and course of action in the Dominican Republic and in general policy as well, is that we may be interferring with a truly revolutionary movement of democratic people.

Mr. Speaker, it was called that in Cuba in its takeover. Conditions have been thusly described in every instance of Communist attempts to overthrow governments.

Talk about timidity. It was not a timid action our President exercised in the Dominican Republic, and I say again, the timidity which seems to have influenced our policies following the end of World War II is terribly dangerous simply because our adversaries in this world may be led to doubt our courage, our resolve, and determination to defend freedom.

Mr. Speaker, with friends like these who speak so critically on this matter, the administration needs no enemies and, as to that matter, neither does our country.

PETER J. CROTTY, OF BUFFALO, N.Y.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, I would like to take this opportunity to pay my deepest respect to a most gracious man, a man who has literally changed the political map of the State of New York.

Peter J. Crotty, who recently retired as Democratic chairman of Erie County, N.Y., has made his mark for generations to come on our Empire State. For, in a brief span of 10 years, he has changed Erie County from a bastion of Republican strength to a now healthy, Democratic stronghold.

In 1954, Erie County had 50,000 more registered Republicans than Democrats. Today, Democrats exceed Republicans by 47,000. In the city of Buffalo, the Democrats now have a registration figure of 55,000 over the Republicans. In 1954, when Mr. Crotty became Democratic county chairman the Democrats only had a microscopic lead of 1,300. In 1954 there were no Democratic Congressmen in Erie County—today there are two. In that year there was no Democratic State senators, today there are three. Also, in 1954 there were only two Democratic assemblymen, today seven out of eight assemblymen are Democrats. Furthermore, there are now numerous other Democratic officeholders in the city of Buffalo.

This remarkable upsurge just did not happen, it took leadership and hard work. Peter J. Crotty provided both in the highest degree.

No one can challenge his greatness and what he has achieved for the Democratic Party. For the past 11 years, he has played a major roll in the selection of Presidents of the United States, as well as county supervisors.

He leaves behind him a legacy of outstanding achievements, and his superior leadership qualities will long be remembered. He has an intimate knowledge of government problems in the Erie County area which will be sorely missed. His vast legislative experience and guidance plus his impeccable personal integrity will not be forgotten nor will his long dedication to the principles of honest and efficient government.

This charming man, my close friend, will be missed by all of us in the State of New York.

FAMILIES IN CIVIL SERVICE

Mr. DENT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, in today's Washington Post, there appeared an article by Jerry Kluttz in which some statements were attributed to me on the question of civil servants, the statement having been made the other day on the floor of the House.

I should like to state that everything Mr. Kluttz states constitutes a good reporting job. I am responsible for everything he has quoted me as saying.

But when he gets into the realm of poetic license, and makes a statement such as the following:

> DENT also pointed an accusing finger at civil servants for not getting married and having families.

I should like to point out that I never revise my remarks in the RECORD and the remarks are there for all to see.

I do not remember saying anything about whether they get married or do not get married, and whether they have families or not.

What I did allude to was where they have families, they try to get them all on civil service.

THE GOVERNMENT OF THE UNITED STATES IS COLLECTING TRADING STAMPS

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, last Friday, on September 10, at the invitation of my distinguished colleague, the gentleman from New York [Mr. WOLFF], I attended a meeting in New York City at which the subject of trading stamps was discussed, with the purpose of determining whether or not they contribute to consumer costs. During the course of these discussions, the representative of one of the large nationwide car rental organizations asked to be heard. This gentleman stated that it was the policy of his company to give trading stamps to people who rent its cars. Mr. WOLFF asked him whether his company did business with the U.S. Government. The car rental executive said he did. Then he said something which, I confess, absolutely astounded me, and which I am sure will surprise many other gentlemen in this distinguished room today. He revealed the fact that the U.S. Government saves trading stamps. When Government employees rent automobiles from this particular company, the company sends the stamps to a Government agency—the particular agency was not specified—and these stamps are then exchanged for gifts which are then distributed, we are told, to veterans' hospitals.

I must confess that I was appalled by the revelation that the U.S. Government has joined the shoppers of America in collecting trading stamps. I was even so crass as to wonder why the Bureau of the Budget or the General Accounting Office did not insist upon price reductions in car rental instead of taking the stamps.

I was even beset by visions of busy bureaucrats, actively at work in an underground office in downtown Washington, tearing off and mailing in all the box tops of the cereal packages consumed by Government personnel, filling out and mailing in all the 2-cents-off coupons on Government-consumed detergent and coffee, trying to balance the books in the chocolate pudding account after having bought three boxes and gotten one free, and, finally, fighting over the question of whose name would be filled out on the sweepstake ticket that would be sent back to the cigarette company for a 2-week, all-expense-paid trip to Paris.

Later on, however, when cool reason returned, I realized that this system had merit. That the Government should demand trading stamps with all its purchases from all suppliers, since a quick check revealed that the trading stamps obtained with Government purchases every year would almost be enough to balance the budget. And by insisting upon trading stamps with our imports we would go a long way toward assisting the Treasury Department in overcoming the balance-of-payments problem.

Mr. Speaker, we have heard a lot of foolish talk about Government rubberstamps. I think it is about time we gave some serious thought to Government trading stamps. It is not only ludicrous but inexcusable for the Government to take trading stamps with its purchases from private companies. I am sure it is also costly, because dealers do not get stamps for nothing; they pay for them. And this cost is passed along to the consumer in the form of higher prices.

I am not even raising the question of who really gets the gifts the Government is saving for, and whether or not any sophisticated form of payola is involved. That is not the main point. The real issue is whether Government money is being spent efficiently—are we getting 100 cents worth for every dollar spent, as President Johnson has demanded—or is some of it being needlessly and wastefully frittered away to support promotion gimmicks.

CHALLENGE TO MISSISSIPPI REPRESENTATIVES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today, outside of the Capitol, sitting in silent vigil, are a large number of courageous citizens from the State of Mississippi who have come to Washington because tomorrow the House will consider the challenge to the seating of the Mississippi Members of Congress.

The Committee on House Administration will, I understand, tomorrow bring to the floor a resolution to dismiss the election contests against the five Members. The resolution also states that the five Members "are entitled to their seats as Representatives of said districts and State."

At this time I should like to say to Members of the House that I believe this is one of the most crucial issues which has ever come before us.

The question is whether or not the illegal and discriminatory practices of the State of Mississippi are to be condoned and validated. I certainly hope that all Members of the House will look at the facts of brutality, terror, intimidation, and murder which have existed and persisted throughout the years in Mississippi. The challenge is based upon the deliberate and unconstitutional disenfranchisement of 43 percent of the population in the 1964 congressional elections. This renders those elections invalid.

Mr. Speaker, the 19-to-5 majority report of the committee must be opposed and the resolution defeated.

The Subcommittee on Elections held 3 hours of closed hearings to which only subcommittee members, contestants, contestees, and counsel were admitted. It limited testimony to the single issue of whether or not the contestants had standing to bring the statutory challenge.

Nevertheless, the committee report finds that the congressional elections of 1964 were constitutional and valid.

The committee also bases its recommendation on the proposition that the election result would have been the same even if disenfranchised citizens had voted.

By stating "the action recommended by this committee should not be interpreted as condoning any disenfranchisement of any voters in the 1964 elections or in previous elections," the committee admits the disenfranchisement of Negro citizens.

This is the most incredible barrier ever raised to the constitutional right to vote. It means that no election can be challenged as unconstitutional unless the challenging party can prove that enough voters were disenfranchised to alter the election result. If this report is adopted, it will serve to bar any and all future challenges alleging disenfranchisement. It will establish the rule that the disenfranchised minority or majority have no right to challenge an election without proof that they would have changed its outcome.

The committee has said nothing which gives any real assurance for future elections. It only expresses its confidence that future violations of the Voting Rights Act of 1965 will be investigated by the House.

This report gives nothing less than a green light to present efforts by the State of Mississippi to undermine the Voting Rights Act.

Mr. Speaker, we cannot condone the elections of U.S. Representatives who gained their seats through an unconstitutional election. The proposed resolution must be rejected.

CHALLENGE TO MISSISSIPPI REPRESENTATIVES

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker, I should like to join the distinguished gentleman from New York [Mr. RYAN] and to state again that the issue which will be before the House tomorrow will be one of great importance. I share the concern of so many that the elections held in the State of Mississippi last year were not in conformity with the Federal constitutional rights of the citizens of that State.

I truly hope that the Members of this body will reject the recommendation of the Committee on House Administration tomorrow when that matter is before us.

HOME RULE—HATCH ACT

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, a fundamental issue complicating consideration of home rule for the District of Columbia is that of protection of the Federal employee system under the Hatch Act.

Throughout the debate on home rule in recent years I have insisted that the principle of a nonpartisan, politically insulated Federal employee system must be retained.

Home rule for the Nation's Capital, if it is to be obtained at the expense of this principle, would be a high price indeed for the people of this country. Yet, the administration-supported home rule proposal endangers, if it does not in fact sacrifice, this principle.

Both the administration-backed Senate home rule bill and that sponsored by Congressman Multer provide an exemption from Hatch Act provisions for Federal employees living in the District of Columbia.

The immediate result of enactment of a home rule bill containing this provision would be to establish an unfair double standard for application of the Hatch Act among Federal employees.

While Federal employees living in the District would be exempted from the law's prohibition against political partisanship, millions of other Federal workers throughout the country would still be restrained and under sanction regarding political activities.

It is obvious what the long-range result of this double standard would be, in terms of maintenance of the Hatch Act. A widespread breakdown of the public's and the Federal employee's protection under the Hatch Act would occur. And from this opening wedge we would witness a return to the days of the spoils system in Federal employment which preceded passage of the Hatch Act.

Home rule proponents argue that the residents of the District who are Federal employees should be given equal rights in the governing of their own municipal affairs. It is one thing to argue in behalf of such equal rights, but it is quite something else to extend special privileges of District Federal employees in order to accomplish these rights.

This is an issue which home rule supporters obviously seek to avoid. Yet it is an issue which affects not the residents of the District of Columbia alone, but the American people as a whole. It is their Federal employee system which is being sacrificed, unless provision is made to protect and maintain the integrity of the Hatch Act under a District home rule government.

As I have stated, home rule for the District would be dearly purchased if, in order to obtain it, the country must revert to the days of spoils system politics. Already we have seen the steady deterioration of Hatch Act protection under the assaults of overzealous political party organizers. This trend must be reversed if the country is to continue to enjoy a high standard of service among its millions of Federal employees.

But enactment of home rule for the District, under the terms of the pending administration-supported bills, would in fact accelerate and aggravate the deterioration of Hatch Act protection. I therefore ask and implore all Members of this House to support my efforts to help reverse the trend of recent years regarding breakdown of Hatch Act coverage of Federal employees—and to study carefully the ramifications of de-Hatching Federal workers in the District while yet applying the law to those in our own congressional districts and throughout the country.

THE LATE DR. RALPH C. SMEDLEY

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, I take this time to report to the House the recent death of Dr. Ralph C. Smedley, who was the founder of Toastmasters International. Dr. Smedley was 87 years of age when he passed away. He has been a constituent of mine for many years.

Dr. Smedley organized the original Toastmasters Club in Santa Ana, Calif., in 1924. The movement rapidly spread to other cities and Dr. Smedley resigned as director of the YMCA to devote full time to Toastmasters International. He received an honorary degree of L.H.D., doctor of humane letters, from Illinois Wesleyan University. During his lifetime a million men received training in the Toastmasters' organization and there are currently some 80,000 members of Toastmasters International in more than 3,600 clubs in 50 countries and territories throughout the free world. Many parks and playgrounds have been named and dedicated to his honor.

Dr. Smedley was author of numerous books in the fields of public speaking and parliamentary procedure. Among his best known are "The Amateur Chairman," "Speech Evaluation," "Basic Training," "The Voice of the Speaker," "The Great Toastmaster," and "The Story of Toastmasters."

I wish to express my personal gratitude for the long record of dedicated service in his chosen field and hope that his great work will be carried on throughout the years to come.

TEXTBOOKS SHOULD BE WRITTEN BY EDUCATORS NOT BUREAUCRATS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, reports are being circulated around Washington that the Federal Government is preparing a campaign to rewrite the history books used in our educational system. This is without a doubt one of the most appalling disclosures that I have heard during my tenure in the House of Representatives.

It is my understanding that the drive to rewrite the textbooks is under the auspices of the Community Relations Service, an agency created by the 1964 Civil Rights Act to help mediate racial disputes. It is the feeling within this agency that the history books do not give fair treatment to the Negro. This may or may not be true; but the issue involved here is not one of civil rights, it is one of censorship rights.

Mr. Speaker, let me at the very outset make it clear that I do not vacate my position of equal justice for all Americans under our civil rights program. I have always supported civil rights legislation, and certainly the goal of giving the Negro his rightful place in history books is commendable.

Again, I say the real issue is not one of civil rights but one of censorship rights. In other words, should the responsibility of writing, or rewriting textbooks used by our children remain with qualified educators, free of Federal influence; or should it be handled by the Federal Government? We are headed toward the latter if we let the Community Relations Service get away with this proposed project—for then we will have given the Office of Education a precedent to accelerate its plans for federally written textbooks and a federally controlled curriculum.

Mr. Speaker, I have considerable doubt as to whether or not the Community Relations Service has the legal right to perform the function of rewriting textbooks to be used by our school children. I support the idea for which the Service was created—that being to provide assistance to communities and persons in settling racial disputes—nothing more. I strongly oppose any attempt by the Federal Government to dictate what will and what will not be in our textbooks because, in my opinion, this is not just a step down the road to a dictatorship, it is a giant's leap down that very road.

In a confidential memorandum, the Community Relations Service suggests:

> Once the educational and informational campaign is solidly underway, we should conduct a systematic effort to contact all publishers and school boards to encourage their publication and adoption of textbooks conforming to established standards.

The term, Mr. Speaker, "established standards" is a euphemistic way of saying it is going to set standards and censor the reading materials of our school system. It is just as simple as that.

This Federal control over our schools was one of the main reasons that I had qualms about Federal aid to education and also was the reasoning behind my decision to introduce the Pelly bill which would give the schools the aid that was needed without the Federal controls. This would be accomplished by returning to each State a portion of the amount its citizens pay in income taxes. Each State under my bill would determine how these funds would be spent for education. There would be no strings at all.

If the American people fully realized what Federal controls are planned for their schools, I am more than sure that we would hear one of the greatest outcries of protest and disapproval from the grassroots ever to echo in the Halls of Congress.

I need not remind my colleagues that when a dictator comes to power, the very first step he must take to consolidate that power is to capture the minds of the young—history presents this case in great depth. How easy it can be when the Federal or Central Government controls the writing and censorship of textbooks.

The Congress must investigate the facts before them—including the proposal to influence the contents of school textbooks. I am sure this is what the American people would demand.

U.S. FOREIGN POLICY IN SANTO DOMINGO

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I was quite interested when the gentleman from Texas [Mr. BURLESON], took the floor a few moments ago to discuss our foreign policy in Santo Domingo. Much of what the gentleman from Texas said I agree with.

The thing which disturbs me is that I read in the newspapers that the remarks made by the chairman of the Senate Committee on Foreign Relations had been submitted to the White House, prior to delivery and the result is there is considerable confusion in the Nation as to what is our foreign policy.

I believe it is quite important that this matter be clarified. Does the administration agree with Senator FULBRIGHT? What is the present version of our foreign policy in Santo Domingo? I hope that the administration will clarify this very serious and important matter.

CHALLENGE TO MISSISSIPPI REPRESENTATIVES

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I am advised that the Committee on House Administration will bring out the Mississippi matter tomorrow with a recommendation of dismissal. I deplore the haste with which this dismissal is being proposed.

This motion ignores many, many questions which have been raised about the legality of the elections which brought the Mississippi Members here. The pattern of the denial of the right to vote in Mississippi has been evidenced by the report and the hearings of the U.S. Commission on Civil Rights, by testimony taken in connection with the challenge, and by hearings on the Voting Rights Act of 1965 and other information available to the Congress.

I do not feel that the Committee on House Administration has given adequate consideration to the challenge. I would certainly urge all Members to be present here tomorrow afternoon to vote against the motion to dismiss.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, I too agree with those Members who have pointed out that perhaps one of the most important issues that has faced the 1st session of the 89th Congress will come on the floor tomorrow. I am joining those who will support a recommital motion to send the Mississippi challenge back to the committee for full and fair hearings.

I base my position on a minority view signed by several very distinguished members of the Committee on House Administration, namely the gentleman from Maryland, Congressman SAMUEL N. FRIEDEL; the gentleman from Michigan, Congressman LUCIEN N. NEDZI; the gentleman from Indiana, Congressman JOHN BRADEMAS; the gentleman from California, Congressman AUGUSTUS F. HAWKINS; and the gentleman from New York, Congressman JONATHAN B. BINGHAM. They have pointed out that the record in this case clearly indicates disenfranchisement of voters in the State of Mississippi due to inadequate official protection. I think that the entire question should be reconsidered by the committee after adequate public hearings, and a resolution reported based on the merits of the case.

I hope that the Members of Congress will be here tomorrow for this very important question.

Mr. KREBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KREBS. Mr. Speaker, I just want to state for the RECORD that I would like to be associated with the remarks of the minority as set forth on page 6 of the report by the Committee on House Administration on House Resolution 585.

SELECTION OF SITES BY THE AEC

Mr. TODD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, yesterday the Atomic Energy Commission announced a list of 85 sites which will undergo final review by the National Academy of Sciences for the planned 200 Bev. proton accelerator. Both site proposals from my own State of Michigan were on the final list, including one at Fort Custer in my own congressional district.

The next step will be up to the National Academy's Site Selection Committee. Competition will, of course, be fierce. Many experts participated in drawing up the Michigan proposal, and I am informed that it should fully satisfy the technical requirements set by the Atomic Energy Commission. Whether it will satisfy other nontechnical conditions—including political ones—is another matter.

I think it appropriate at this time to discuss some of the broader factors which relate to the eventual selection of a site. In particular, I wish to discuss some of the regional considerations that are germane to the selection.

The Midwest, as a region, has two overall and important assets which are pertinent to the placement of an accelerator:

First. It is centrally located, making the facilities of the accelerator easily accessible to qualified scientists throughout the country.

Second. The great universities of the Midwest have produced much of the top scientific talent of the Nation. Owing, however, to the placement of the bulk of government research facilities on the east and west coasts, there has been a considerable and harmful scientific emigration from the Midwest, which in the long run could damage the outstanding quality of education at Midwest universities.

My distinguished colleague, the gentleman from Michigan [Mr. VIVIAN], has already pointed out to this body that of the eight major accelerators built in the United States to date, only one has been located in the Midwest—at Argonne, Ill. In addition, virtually all the major nuclear development and production facilities have been built outside the Midwest. By contrast, the States of Ohio, Indiana, Illinois, Wisconsin, and Michigan produced nearly 30 percent of the doctorates in the natural sciences at work in America in 1962.

The implication, Mr. Speaker, is clear: The Midwest has been getting the short end of the deal. This applies not only to atomic accelerators and other nuclear facilities, but also to other Government programs of sophisticated and advanced technology and research. This assertion is clearly documented in the Government and Science Report No. 4 of the Science and Astronautics Committee of the House of Representatives.

Additional evidence can be presented. The report of the Committee on the Economic Impact of Defense and Disarmament, published July 1965, contains percentage breakdowns, listed by States, of Defense Department prime contract awards and National Aeronautics and Space Administration direct procurement awards. I think it reasonable to assume that whereas Defense Department prime contract awards heavily reflect the direct production of goods such as guns, airplanes, and electronic equipment, NASA procurements relate to even more highly sophisticated and research-oriented space age technology. It is instructive to compare these percentages to the percentages of total U.S. population for some of the Midwestern States:

State	Percent of DOD prime contract awards	Percent of NASA direct procurement awards	Percent of U.S. population
Michigan	2.4	0.3	4.2
Illinois	1.8	.4	5.5
Indiana	2.2	.1	2.5
Iowa	.4	.1	1.4
Minnesota	.9	.7	1.8
Wisconsin	.7	1.3	2.1
Total	8.4	2.9	17.5

There are several interesting things about this table.

First. On a per capita basis, it is clear that the North Central States are not in any way receiving an equitable share of sophisticated research-oriented Government contracts, measured by NASA direct procurement awards. The Midwestern States are receiving only around 25 percent on a per capita basis.

Second. Even in the area of production for the Defense Department, the North Central States lag—by nearly 50 percent—behind an equitable per capita share.

Mr. Speaker, I submit that this is an extraordinary and puzzling state of affairs. In the Midwest are located many of the finest universities and much of the best production capability in this Nation. Yet when it comes to Government facilities and contracts, the Midwest is getting shortchanged. This is particularly true with respect to highly sophisticated, research-oriented facilities, of which the planned Atomic Energy Commission accelerator is the best current example.

Inequities are uncomfortable and unpleasant things, particularly if they are as unexplainable as are those I have cited above. I am proud to have worked with my colleague, the gentleman from Michigan [Mr. VIVIAN], in whose congressional district is another site proposal for the accelerator, as well as with all other members of the Michigan delegation, Democratic and Republican alike, to make this point clear. We have been joined by Members from other Midwestern States. I have signed a letter, circulated to Members of Congress from nine Midwestern States, to Dr. Seaborg, head of the Atomic Energy Commission, making this very point.

Mr. Speaker, the Midwest has demonstrated its talent and capabilities. I think it is about time that it had a chance to put them to use in the national interest.

THE FOREIGN AID PROGRAM SHOULD BE REEXAMINED THOROUGHLY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, now that the foreign assistance program has once more been extended, it is not too early for a reexamination of position to determine whether this globe-circling gravy train should not be terminated once and for all after the current fiscal year. In order that those countries which have come to accept our handouts as a way of life may not experience too great a shock when Congress decides to take a sensible course on this issue, it is only fair that Members begin to make it clear that it is not intended to continue the program from here to eternity; on the contrary, the handouts will stop in 1966 and our friends are going to have to go out on their own at long last.

It is time that we face reality and decide whether it is fair to the boys who are fighting in Vietnam to allot American dollars to countries that are doing business with Hanoi, with Red China, or with anyone else that provides arms and/or transportation either directly or indirectly to the Vietcong. Besides obtaining arms shipped under flags of countries receiving American aid, Hanoi is the beneficiary of war materials made in plants built with U.S. gifts in Yugoslavia and no doubt in other pro-Communist or so-called neutral countries. I remind you that a 1962 agreement between Marshal Tito, who has collected in excess of $2½ billion under the aid program, and Mao Tse-tung called for an exchange of commodities which brought valuable aluminum and copper products, cellulose, chemicals, tools, and other military essentials to Red China, the chief supplier of Hanoi. And Peiping has gained in influence by recent anti-American moves in Cambodia, which was given almost $400 million in foreign aid, and in Indonesia, heir to approximately $1 billion from Uncle Sam.

Now that the step-up of action in Vietnam brings into stark reality the fact that this conflict cannot be written off as a brush war, it is high time to take a more realistic approach to the foreign aid program, particularly since it has become clear that this program has been responsible for giving aid to the enemy. Had the House debated this bill at this time instead of in May before the big buildup in Vietnam, there may have been a different foreign aid bill in 1965.

The least we can do is to organize our thinking for next year and to let it be known across the seven seas that friends and enemies who have enjoyed our bounty for so long are finally going to be taken off the dole.

THE 25TH ANNIVERSARY OF NEWSDAY

Mr. WYDLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WYDLER. Mr. Speaker, recently Newsday, one of the truly great daily newspapers of America, enjoyed and celebrated its 25th anniversary.

I am proud of the fact that it is a constituent of mine in the fabulous Fourth Congressional District of New York.

Newsday celebrated its anniversary with the following record of achievement:

It is the largest suburban daily in the United States and the eighth largest evening paper.

It carries more advertising than any daily in New York State.

It has won 25 journalism awards, including a Pulitzer Prize in 1953.

It has a daily circulation of more than 400,000.

The anniversary edition was introduced by a letter from its founding editor and publisher, Harry F. Guggenheim, entitled "Newsday Looks Ahead."

Mr. Speaker, this newspaper has become an important part of the fabric of Long Island. I only regret that Mr. Guggenheim's wife, the late Alicia Patterson, did not live to see the newspaper reach this milestone.

In honor of this occasion I wish to read Mr. Guggenheim's letter into the CONGRESSIONAL RECORD. It follows:

NEWSDAY LOOKS AHEAD

Newsday is now 25 years old.

It was on September 3, 1940, that Newsday's first edition rolled from the presses. That event, although little heralded at the time, opened the door to a notable journalistic and community development in the Nation's history.

This is an anniversary on which we at Newsday and, we trust, all our readers can be proud. For Newsday and Long Island, forming a unique partnership, have grown up together and have helped each other to mature and to prosper.

Newsday was born without subscribers or advertisers but with the faith, enthusiasm, energy and abilities of its first editor and publisher, Alicia Patterson Guggenheim. And, also, Newsday was endowed with great enthusiasm and devotion from its charter employees. Our hopes for Newsday's success have been realized beyond even our fond expectations.

Today, 25 years later, Long Island's growth and the unflagging dedication of our staff, old and young, have combined to make Newsday one of America's greatest newspapers. Our circulation has risen above the 400,000 mark, making Newsday the largest suburban daily in the United States and the Nation's eighth largest evening newspaper.

When our first edition was published, the Nation was just 15 months away from Pearl Harbor. Nassau and Suffolk, still largely rural, had a population of 604,000 persons. Then came the housing boom which followed World War II, launching a spiral of growth on Long Island unparalleled in any other area of the United States.

Through all these years, Newsday has been on the job, helping Long Island to grow. Newsday campaigned for expanded housing and industrial opportunities for incoming Long Islanders. Newsday crusaded against corruption in government and organized crime. Our efforts built a suburban climate attractive to both new homeowners and new businessmen and Newsday, in turn, grew, too.

Twenty-five years ago, Long Island communities had little in common. Newsday has helped weld these communities into the metropolis we know today. During these years, Newsday has become a complete newspaper—one which reports the news from Latin America and from Lindenhurst with equal ease—a newspaper which covers everything from politics to baseball to cooking to the theater with equal vigor.

Today Nassau and Suffolk, with 2,300,000 residents, comprise America's fourth city. Stimulated by wise and imaginative bicounty planning, Long Island will continue to prosper and, indeed, the potential for growth still is very great. In the next 10 years, by present estimates, Long Island's two counties will have a population of 3,279,000. By the time Newsday is 50 years old, the Nassau-Suffolk population is expected to be 6 million.

On Newsday's silver anniversary, we rededicate ourselves to the goals stated in my editorial of August 5, 1963, 1 month after I became publisher, following the death of Alicia Patterson:

"Since its first issue in 1940, Newsday has been an independent, alert and hard-hitting newspaper. It has grown in influence and readers. Much of the credit for Newsday's success must go to the energy and personality of my wife, Alicia Patterson. Working together, we built a staff able to produce a good newspaper. I intend to continue to publish the same kind of paper.

"To be successful today, a newspaper must contain all the elements of the best journalism to fill the needs of modern newspaper readers, but beyond that it must inspire complete confidence in its integrity.

"The publisher must be above the reach of individuals and parties, and his personal ambition must be directed solely to honest journalism.

"The publisher's responsibility is to keep his entire newspaper fair as well as forceful, gay, interesting, educational and helpful to its readers. He must expose wrong and endlessly fight the abuse of power in whatever high or low place it lurks. That always will be the aim of the publisher of Newsday."

This must and will be a continuing effort. We shall constantly attempt to improve Newsday, by every means at our disposal, in order to better serve our readers. On this, our silver anniversary, we look forward to Long Island's next 25 years with Newsday. They should be golden.

Harry F. Guggenheim,
Editor and Publisher.

LIBERALISM VERSUS CONSERVATISM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, as you well know, literally hundreds of books have been written on the subject of "liberalism" versus "conservatism." It is the subject of torturous debate in this Chamber week after week. Seldom have I ever seen the subject so succinctly stated as Mr. C. D. Cruse, of Falls Church, Va., put it in a short letter to the editor of the Washington Star of September 15. In brilliant brevity he has captured the essence of the argument and I commend his letter to the attention of all Members.

Questions Liberals

Sir: I would like to pose several questions for the "liberal" elements of the community.

For the liberal psychologist: How can we instill pride and self-reliance and dignity in people by doing everything for them and asking for no action by them?

For the liberal educator: How can you claim racial equality and simultaneously insist that "racial imbalance" automatically means substandard schools?

For the liberal lawyer: How can you talk of a "government of law, not men," while honoring judges who overturn centuries of established law without benefit of legislative or constitutional action?

For the liberal politician: How can you justify the existence of any government while allowing people to choose what laws—if any—they will obey?

C. D. Cruse.

Falls Church.

HEIGH-HO, COME TO THE FAIR

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MONAGAN. Mr. Speaker, Connecticut has won fame nationally for its fall fairs, and one of the greatest is the great Danbury State Fair which opens on Saturday, October 2. As stated editorially by the New Haven, Conn., Register, a newspaper published many miles from Danbury, the Danbury State Fair ranks among the oldest and most successful.

Coming in the fall of the year when the hillsides of Connecticut are ablaze with autumn foliage, the Danbury State Fair which is held in the district which I represent will attract many thousands of visitors from Connecticut and from other States. This in itself demonstrates the popularity of the fair. I think it also significant that the New Haven Register has paid deserving tribute to this famous program and with your permission, Mr. Speaker, I include here an editorial from the September 13 edition of the New Haven Register:

Danbury State Fair Where Old Meets New

Mention the fact that this is the "fair" season and thousands of Connecticut residents, as well as those from others among our neighboring States, think automatically of Danbury. This, to our mind, is a natural reaction.

For the great Danbury State Fair ranks among the Nation's oldest and most successful.

One may be confident that it will continue to justify its ranking when it opens for a 9-day run on Saturday, October 2.

It was not too many years ago when one thought of State fairs the thoughts turned exclusively to fruit, vegetable, flower, and grange exhibits, oxen-drawing contests, trotters perhaps, and things of this nature.

Danbury still has all this, and more of the same. But, keeping in step with the times, it goes beyond this by adding the big top and carnival atmosphere so popular with some and the delight of the thrillseeker in his automobile daredevils and thrilldrivers. Street parades, sightseeing rides, Dutch villages, and New England villages—Danbury has them all. So, its heigh-ho and off to the fair.

COMPLETE EXAMINATION OF THE TRADING STAMP QUESTION BY THE HONORABLE LESTER WOLFF

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Hansen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, I have been following with interest the efforts of my distinguished colleague, Congressman Lester Wolff in his careful and complete examination of the trading stamp question. Congressman Wolff is particularly concerned with whether or not trading stamps are contributing to the price rise of food.

The Congressman is to be commended for taking on a task in which there is such a great interest, and one which could very well be energetically pursued by the proper committee.

In my opinion, it is unjust for an individual Congressman to be expected to finance hearings on so vital a subject when there is a committee available for this service which has been provided with the appropriate funds.

Congressman Wolff has delivered several speeches in the House on the trading stamp question. He has also held informal hearings with executives of the retail drug and stamp industries.

Although Congressman Wolff has never complained, I have felt that we should check into this matter to determine why it was left for one conscientious and meticulous Congressman to do the work of a committee. It is encouraging to learn that the gentleman from Hawaii, the Honorable Spark M. Matsunaga, chairman of the House Agriculture Subcommittee on Domestic Marketing and Consumer Relations, is reported to have expressed his intention to conduct a probe of trading stamps in the retail food field next year.

WORKING PARTNERSHIP OF THE AFL–CIO IN OUR NATIONAL COMMUNITY

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Udall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. UDALL. Mr. Speaker, our country owes its greatness in large measure to the working partnership that exists among the many segments of our national community. The AFL–CIO is representative of a very important partner in that relationship, organized labor. Under leave I insert in the Record that organization's statement on behalf of home rule for the District of Columbia, which was forwarded to Congressman Whitener, chairman of Subcommittee No. 5 of the House District of Columbia Committee, on August 16:

August 16, 1965.

Hon. Basil L. Whitener,
Chairman, Subcommittee No. 5, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

Dear Mr. Chairman: In connection with the hearings of your subcommittee on legislation to provide representative local "home rule" government for the District of Columbia, I wish to express to you the support of the AFL–CIO for S. 1118, a bill passed by a bipartisan majority in the Senate on July 22.

Our support for home rule legislation is based fundamentally on the democratic principle which lies behind all of our Federal, State, and local governments, the principle that the people elect those who govern them. We believe in democracy. We believe in people, in their right to help shape their present and their future through the process of political democracy. The people of Washington, D.C., are entitled to have a voice in shaping their destinies, just as the citizens of other cities have such a voice in self-government.

Restoration of home rule to the citizens of the District has been urged by President Truman, President Eisenhower, President Kennedy, and now by President Johnson. It has been approved by the U.S. Senate six times since 1949, most recently on July 22, 1965. In a recent letter to the Speaker of the House, the President said, "I cannot emphasize too strongly my conviction that this action by the Senate must not meet the fate of home rule bills passed by the Senate in previous Congresses."

The people of the District gave convincing proof of their interest and willingness to participate in the democratic process by their extraordinary turnout of registered voters in the presidential election last year.

Clearly there is a strong and broad consensus in support of home rule for the District of Columbia. Action to translate this consensus into a practical reality is long overdue.

Mr. Chairman, I respectfully request that this letter be included in the record of hearings by your subcommittee on home rule for the District of Columbia.

Sincerely yours,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

ACCOMPLISHMENTS OF PAN AMERICAN AIRWAYS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from California [Mr. YOUNGER] is recognized for 15 minutes.

Mr. YOUNGER. Mr. Speaker, I have taken this time to speak of a coming significant event, the 30th anniversary of a historic flight that marked the beginning of man's conquest of traveltime in joining the nations and continents of this world.

I hail the achievement of American enterprise. And I hail the achievement of an enterprising American—Mr. Juan T. Trippe, chairman and chief executive officer of Pan American Airways.

Mr. Trippe, still a man in the prime of life, as long ago as 1919, shortly after World War I, saw the day not far off when that new device, the airplane, developed with American skill and managed by engineering genius, would span the oceans of the world and connect the nations and their capital cities in safe, sure, and swift transportation.

Man's conquest of traveltime has been a continuing theme since the time when the earliest men found they could tame horses for greater speed over earth, and use sails for swifter passage over the oceans.

But in no period of history has there been so accelerated a tempo of progress as in our century. It has seen the transition of the horse and buggy to the automobile, from wire telegraph to radio and television, from surface-bound transportation to the free highroads of the air—and of course now the vastness of interplanetary space.

No steel rails have to be laid in the air; no roads paved; no wires strung. The vast airspaces constitute the broadest highway to all the world.

But this highway lay waiting for centuries until man could devise means of using it.

Man did just that. And Juan T. Trippe and his chosen group of brilliant young men were among those who did it.

Pan American Airways had begun shrinking the earth in 1927 with 90-mile flights from Key West, Fla., to Havana. The routes of the young airline grew rapidly. It established headquarters at Miami and sent air routes out across the Caribbean, into Central America and South America.

But Mr. Trippe was looking ahead, planning the conquest of the world's major oceans. He and his associates chose the biggest, first, the mighty Pacific, with an 8,000-mile span.

The launching of the transpacific service involved years of planning, of experience in long distance, over-ocean flying, in navigation and in meticulous preparation.

By 1932, Pan American, under the leadership of its youthful president, had been conferring with aircraft companies on the design of airplanes capable of safe, long-distance flights.

In that year Sikorsky submitted bids on their S-42 flying boat and the Glenn L. Martin Co. on their M-130. They were accepted by Pan American, whose engineers worked closely with the airplane companies in the planning, design, and construction of those new, and for the day, giant planes.

This coming November 22 will mark the 30th anniversary of the fruit of those efforts. On that day, 30 years ago in 1935, the Martin M-130 flying boat, christened the "China Clipper" took off from the waters of San Francisco Bay at 3:46 p.m., slowly gained altitude over the unfinished Golden Gate Bridge and headed across the Pacific for Hawaii, its first stop, 2,400 miles away.

The seven-member crew in that ship were as follows: Captain, Edwin C. Musick; first engineer, C. D. Wright; second engineer, Victor Wright; radio operator, William Jarboe, Jr.; first officer, R. O. D. Sullivan; second officer, George King; navigator, Fred Noonan.

It reached Honolulu and landed in Pearl Harbor 21 hours later. Today that same flight in a Pan Am jet clipper takes just 4 hours and 55 minutes.

After a stop in Hawaii the China Clipper flew on to Manila, in the Philippines, with overnight stops at Midway and Wake Islands, and at Guam—islands where Pan Am had established bases and hotels.

It took the China Clipper 6 days, 7 hours and 46 minutes to reach Manila, with a flying time of 59 hours and 48 minutes.

Today's giant jet clippers, flying at 550 miles an hour, have a flying time from San Francisco to Manila of 16 hours and 10 minutes. That is about one-fourth of the time of the old China Clipper.

At the departure of the first flight of the China Clipper from the waters of San Francisco Bay, in the area which I have the honor to represent, 125,000 people were gathered by the hills of the Golden Gate to watch the event.

Another large group was gathered at the launching point, where Juan T. Trippe stood with a group of dignitaries and with Pan Am's pioneering crew, headed by its chief pilot of the time, Capt. Edwin C. Musick, lined up ready to board.

Mr. Trippe said:

> We are assembled here today to dedicate regular commercial air service across the Pacific Ocean to Hawaii, the Philippines and the Orient, an area extending one-third the way around the world.

I might add that it did not take Mr. Trippe long to establish service clear around the world. That came in 1947, after World War II.

James A. Farley, then Postmaster General, was a key figure at the dockside of the China Clipper. He said:

> A new chapter in aviation history is being written.

He then read a telegram from President Franklin D. Roosevelt, who said:

> Please convey to the people of the Pacific coast the deep interest and heartfelt congratulations of an air-minded sailor. Even at this distance I thrill to the wonder of it all.

Now, 30 years later, I can echo the words of these eminent figures. That event was a milestone—its 30th anniversary is a significant event.

We all understand what it means to span the oceans between nations and continents and join the peoples of the world by the speed of jet airplanes. Yet the progress of aviation has a significance on the home grounds which many of us may not be aware of in its full measure. That is the economic impact of a great airline on the communities where its activities center.

When Pan American Airways launched that first flight from San Francisco Bay the airline was justly proud of the fact that it had a total of 3,000 employees in the continental United States, in the Caribbean, in Central and South America.

A handful of these 3,000 were in the San Francisco Bay area, and a few more at the airline's stations in Hawaii, Midway, Wake, Guam, and the Philippines.

It is interesting to note the figures today. The airline now has a total of 25,000 employees throughout the world.

In the San Francisco Bay area, where the first transpacific flight was launched, there is a total of 2,600 employees, with a majority living in San Mateo County. Their annual payroll is $29 million, most of it spent in the area where the employees live—San Mateo County and the peninsula, San Francisco and some adjoining communities.

Disbursement through local purchase is in excess of $4 million annually.

Half a million dollars a year is spent for advertising in local newspapers, TV, radio, and magazines. That is in the bay area alone.

Ground property is valued at $3 million and total investment at $8.5 million.

Annual taxes in the bay area last year were $360,000.

Thus more than $33 million is pumped directly into the economic arteries of the bay area.

The amounts that travelers spend passing through San Francisco en route to overseas points or returning from abroad, on hotels, meals, transportation, and other services, has not been estimated. But it is a considerable factor.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I am glad to yield to the gentleman from Arkansas.

Mr. HARRIS. I wish to join the gentleman in paying appropriate tribute to Mr. Juan T. Trippe, a distinguished American, and his great organization, Pan-American World Airways Corp., as we approach the 30th anniversary of the pioneering efforts of this great organization and those people who had vision, and success behind the vision, to establish this great institution, and for the contribution that it has made to our Nation and to the world. I think it is well known that this organization has cooperated through the years with our own Government, including the State Department and the Executive Offices, in bringing the nations closer together.

I believe the appropriate tribute to Mr. Trippe and his great organization should be paid, as they have brought by actual demonstration and application, actual experience in the field of transportation, this new technique into use. His vision at the time far exceeded what one actually could have expected. We are thinking now of going from jets into supersonics, and future developments in aviation will do much toward bringing the nations of the world together. This is due to some extent to the vision of Mr. Trippe and his associates in the organization of this pioneering institution, Pan-American World Airways. I salute him for the tremendous contribution he has made and his organization for what they have done for our country.

Mr. YOUNGER. I thank the distinguished chairman of the Committee on Interstate and Foreign Commerce for his contribution because that committee does have legislative jurisdiction over aviation.

Aviation today is thus not only a major factor in knitting the nations of the world in closer ties, but is a prime mover in the local economies where it operates.

And so, Mr. Speaker, today I hail Pan American Airways and its contribution to the Nation and to the world. I hail its founder and guiding genius, Mr. Juan T. Trippe, and I hail his associates, who, working together as a team, brought to the United States the honor of being the pioneer nation in the launching of international flying, which is now an accepted part of our world.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I am glad to yield to my colleague from California.

Mr. UTT. I should like to associate myself with the gentleman's kind remarks with reference to Pan American Airways and the development pioneered by Juan Trippe.

I should like also to add a personal touch. I had the privilege of being present at Oakland Airport at the time the China Clipper left, and was present when Postmaster General Farley put the mail sack on its first trip overseas.

I also wish to bring out the fact that this plane was built by the Glenn L. Martin Co. That day in October was exactly 25 years from the day Glenn L. Martin made his first flight at Santa Ana, Calif. It was another milestone, in the 25 years from the first flight of Glenn L. Martin at Santa Ana to the construction of the China Clipper.

I had the privilege of seeing Glenn L. Martin make his first plane, fly his first plane, and also of seeing the China Clipper make its first trip across the Pacific.

Mr. YOUNGER. I thank my colleague from Orange County for his tribute and for his relation of personal experiences with respect to this first flight.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I am glad to yield to my colleague from Missouri.

Mr. HALL. I compliment my colleague from California the other gentleman from Columbia, the gem of the ocean, on this tribute to Pan American Airways and Mr. Juan Trippe. I have not had the pleasure of knowing him. I rise for one purpose, which is to add my compliments for the valuable contribution they make in the CRAF contribution to the armed services in the military flying of freight and personnel.

MILITARY CONSTRUCTION APPROPRIATIONS, 1966—CONFERENCE REPORT

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 10323, making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Florida?

There was no objection.

FEDERAL RESERVE CHAIRMAN ATTEMPTS TO VETO GREAT SOCIETY PROGRAMS WITH POLICY OF TIGHT MONEY, HIGH INTEREST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article from the Wall Street Journal of September 7, 1965.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, has William McChesney Martin decided to veto the Great Society?

Sadly, Mr. Martin possesses the power to do just that. By default and by inaction the Congress through the years has let the Federal Reserve Board and its small band of big banker allies assume this powerful role.

Today, Mr. Martin is in a position to nullify virtually every piece of worthwhile economic legislation approved by this Congress. The 89th Congress has been described by President Johnson as one of the most productive in the history of the Nation. Editorial writers have justifiably lauded the amazing record of the first session.

This Congress has given new hope to millions of people through the war on poverty and economic development legislation.

This Congress has approved billions for a forward looking housing program so badly needed by both the rural and urban areas of the country.

This Congress has recognized the needs of the elderly by expanding the social security program to include medical care. It has given important new impetus to the country's efforts to catch up with classroom construction and other educational needs.

This list is long. It is a proud record of accomplishment. It is one which I am sure the history books will treat in laudatory terms.

But, Mr. Speaker, the historians will wonder and question why a Congress so concerned with the needs of the people did nothing on monetary policy—the one item which touches every consumer, every businessman, every facet of the economy.

MARTIN CAN WIPE OUT LEGISLATIVE GAINS

The Nation's policies on money can make or break any of these programs. The Congress can work months drafting and finally enacting a measure to cut excise taxes. William McChesney Martin and his Open Market Committee, without asking anyone, can wipe this out by simply tightening the money supply and forcing the interest rates up.

The Congress can pass laws and appropriate money to fight poverty and to help put people to work. Mr. Martin's group can tighten the supply of money, raise interest rates, and make it impossible for the small and medium sized business to find capital. The result: more unemployment and more poverty.

The volume of money and the rate of interest are the critical factors in the determination of consumer spending on durable goods and housing and of business borrowings and investment. In turn, this spending by consumers on housing, automobiles, refrigerators, TV sets, and by business on plant and equipment and inventories plays a crucial role in determining whether we have a healthy economy, including full employment, stable prices, maximum production, and more important, whether or not individual Americans have adequate food, clothing, and shelter.

It is the Federal Open Market Committee of the Federal Reserve System that controls the volume of money and interest rates in our economy. When they want to increase money and lower interest, the Committee simply instructs the New York Federal Reserve Bank to buy U.S. Government securities. Conversely, when the Committee wants to cut the flow of money and raise interest, it instructs the New York bank to sell Government securities. This system provides the Federal Reserve life or death control over basic decisions of the economy.

William McChesney Martin has used this power to the fullest. Mr. Martin is a resourceful and adroit Chairman. He understands power and its use.

Mr. Martin no longer makes any attempt to hide this considerable power. He told our Joint Economic Committee only last February:

> The Federal Reserve Board has the authority to act independently of the President even despite the President.

If nothing else, Mr. Martin is candid

FEDERAL RESERVE BOARD CHAIRMAN USES POWER TO UNDERCUT JOHNSON ADMINISTRATION

Mr. Speaker, I charge here today that William McChesney Martin is using this power as Chairman of the Federal Reserve Board to nullify, to undercut, and to block many of the economic benefits flowing from the programs of the Johnson administration and this Congress.

Mr. Martin has embarked on another deliberate round of tightening the supply of money, pushing interest costs up and slowing the economy. He has, in effect, placed a "Russian" veto on the Great Society.

I am convinced, Mr. Speaker, that the big bankers are now attempting to accomplish through their Federal Reserve Board Chairman what they failed to accomplish at the polls last November. The big banks in New York make no secret of their opposition to the Great Society. One day, the First National City Bank in New York issues a long statement denouncing the administration's farm programs. A few weeks later, another big bank, the Morgan Guaranty Trust, makes a slashing attack on the Nation's social security program. They hold hard and fast to the theory that "what's good for the banks must certainly be good for the country."

Now these big banks control the Federal Reserve System under our present monetary policies. Mr. Martin, of course, is one of them—right out of the New York financial community.

I do not impugn the motives of the Federal Reserve Chairman. I am quite convinced that he believes as he acts. Quite frankly, William McChesney Martin would have made a great Federal Reserve Board Chairman for Barry Goldwater. Had Goldwater won the election, Mr. Martin would have been much in tune with the economic thinking of the President.

But, Barry Goldwater did not win and Mr. Martin's policies and philosophies are not in tune with those of the man who did win that election.

MARTIN SHOULD RESIGN

Earlier this year, I called for the resignation of Mr. Martin because I did not feel he was in accord with the policies of this administration. The actions of the Federal Reserve Board since that time have reinforced my feelings. Again today, in the interest of the country, I suggest that Mr. Martin tender his resignation.

I do not think that the public expects a President to keep on a Secretary of Commerce or a Secretary of Agriculture or any other member of the Cabinet who might oppose his administration. And I do not think that the people want the President saddled with the top decisionmaker on monetary policy who is diabolically opposed to the policies and programs of the administration.

Mr. Martin brought his opposition to the Johnson administration out in the open in June in New York when he did his best to talk the country into a recession. He did much to bring on a temporary "Martin Market." However, thanks to the public's overwhelming confidence in President Johnson, Mr. Martin's statements caused only a momentary flurry.

Much more important are the Federal Reserve Board's quiet behind-the-scenes moves toward a new version of the tight money policy in recent months. Suddenly there has been an upward spurt of interest rates on long-term Government bonds. At the same time the net free reserves of the Federal Reserve banks have been pushed down to a $150 to $200 million negative position. For at least the last 6 months the net free reserves have been negative. Further, the money supply has not been increasing at a rate to insure continuing increases in economic activity.

As recently as August 10, not a single long-term Government bond was yielding more than 4¼ percent, the statutory rate ceiling. By September 1, no less than eight different long-term issues were selling below par and thus yielding in excess of 4¼ percent.

ATTEMPT TO IMPOSE TIGHT MONEY POLICY

This is the result of the action of the Federal Reserve Open Market Committee. Simply put, it is an attempt by William McChesney Martin and the Federal Reserve Board to impose a tight money, high interest policy on the country in defiance of the stated objectives of this administration.

Mr. Martin shies away from the expression, "tight money" apparently recognizing that this is not popular with the general public. Appearing before the Domestic Finance Subcommittee of the House Banking and Currency Committee, the Federal Reserve Chairman described his recent monetary moves as a "less easy" policy. As I told him then, "less easy" in my book means "tight."

Even the Federal Reserve Bulletin in its August issue is forced to make note of these trends. It says in part, "long-term interest rates have been subject to upward pressures at times this year," and "Yields on State and local Government bonds turned up sharply after February" and "since midyear, earliest advances have been maintained, and recently some yields—including those on U.S. Government bonds—have moved up further."

These policies have an immediate and serious effect on the economy. For example, within the last 2 weeks General Telephone & Electronics, an important defense contractor, canceled indefinitely a $30 million bond offering because of significantly higher long-term interest rates. Corporate borrowers must pay almost 5-percent interest for long-term funds. The money market banks are starved for funds and are resorting to all sorts of unorthodox and possibly detrimental devices to raise quick cash to serve customer's needs. At the end of this speech, I would like to insert an article from the September 7 issue of the Wall Street Journal which describes some of the banks' desperate efforts to find money.

Without question, the Federal Reserve Board is galloping off in one direction and the administration in another.

MARTIN DEFIES ADMINISTRATION POLICIES

The Federal Reserve Board's efforts to reconstruct their tight money line flies in the face of repeated statements by this administration in favor of plentiful credit at reasonable interest. The economic report of the President which was transmitted to the Congress in January said:

> Throughout the current expansion monetary policy has supported the objectives of fiscal policy by maintaining a ready availability of credit, thus accommodating an expansion of demand.

The report also said:

> Although U.S. short-term interest rates have been nudged upward to prevent an outflow of interest-sensitive funds seeking higher rewards abroad, policy has endeavored to avoid transmission of these pressures to the long-term market (crucial for domestic investment) and to maintain a ready availability of credit relative to demand

Mr. Martin chooses to ignore these policies.

Once again, we have a prime example of the folly of allowing our monetary policy to be controlled largely by the bankers in disregard of a public policy as enunciated by the President and the Congress.

Earlier this year, I introduced H.R. 11, designed to correct this situation and to return control of the money policy to the elected representatives of the people.

My bill would make the term of the Chairman of the Federal Reserve Board coterminous with the President's tenure and would reduce the members of the Federal Reserve Board from seven to five, and their terms from 14 to 5 years. Under this bill, the President would be able to choose a Board that would work in harmony with the economic policies and programs of the administration.

It is perfectly absurd that the President and the Congress can determine whether this country is at war or peace, when and where young men shall be compelled to serve in combat, whether nuclear bombs are to be dropped or not, how many billions should be assessed in taxation, and how much money should be spent for all facets of American life and yet have absolutely no control over the money supply and the credit of the most influential and economically powerful nation on earth.

H.R. 11 WOULD PUT FEDERAL RESERVE IN TUNE WITH ADMINISTRATION

H.R. 11 would coordinate the Nation's money policy with the general economic goals of the administration by requiring the Federal Reserve to report regularly to Congress on its activities to implement the President's economic programs. Also the bill would abolish the Open Market Committee which determines the extent of the money supply through its bond purchases and sales, and vest this power in the Federal Reserve Board directly. In this way, the Board would be directly responsible for its actions to the President and the Congress in this most vital area of monetary policy.

The bill would call for repayment in full of the nonproprietary Federal Reserve stock now in the hands of the private banks. This would put to rest for all time the spurious allegations that have been pushed off on the American people—that the private commercial banks own the system. The retirement of the Federal Reserve stock would prevent the myth of bank ownership from being perpetuated.

The bill further provides for an annual audit of the Federal Reserve System by the General Accounting Office. It is ridiculous that no independent or governmental audit has ever been made of America's central banking system since its inception five decades ago. The bankers opposed to improving the Federal Reserve System do not favor such an audit, yet bankers are the first to require a satisfactory audit of those who seek to borrow money from the banks.

H.R. 11 would also require the Federal Reserve to turn all of its revenue over to the Treasury and annually receive its needed funds for operations via the traditional congressional authorization and appropriation route.

It is interesting to look at the specific situation at the present time as it affects President Johnson. Of the present seven members of the Board, the first expiration date is that of Mr. C. Canby Balderston, whose term expires January 31, 1966. The second is Mr. Charles N. Shepardson, whose term expires January 31, 1968. Thereafter, the expiration dates extend on up through 1978 as follows: Mr. William McC. Martin, Jr., January 31, 1970; Mr. Sherman J. Maisel, January 31, 1972; Mr. Dewey Daane, January 31, 1974; Mr. George W. Mitchell, January 31, 1976; and Mr. J. L. Robertson, January 31, 1978.

It is evident that this schedule of terms precludes the President from ever appointing a Board of his own choosing. He has two reappointments in his first term and, assuming a second term, he would have one reappointment at the beginning of a second term while the fourth would not come up until his last year of office.

With this situation, it is not surprising that the Federal Reserve Board takes its defiant attitude toward the President's policy. Mr. Martin and his colleagues are also protected by the fact that much of the pulbic, and I fear much of the Congress, regard monetary policies as complicated, complex problems, best to be avoided.

BANKS FOSTER IDEA OF MONETARY COMPLEXITY

But, Mr. Speaker, this concept of complexity has been fostered by the big banks in hopes of keeping this whole issue in the dark. It is an issue, however, which touches the lives of every citizen every day. No one escapes the consequences of our monetary policy whether it be good or bad.

Interest rates have a tremendous effect on the well-being of every citizen. Our total national debt, public and private, is $1.3 trillion. A 1 percent interest rate on this amount is $13 billion. This conveys some idea of the tremendous leverage that the prevailing level of interest can exert. It is not too much to say that an arbitrary increase in interest rates automatically sentences millions of workers to unemployment and businessmen to bankruptcy.

So long as our most important institution remains under banker domination and beyond the reach of executive and legislative control, our welfare is imperiled. In my view, the most important economic and governmental problem facing the Nation today is the need for immediate rehabilitation of the Federal Reserve System, so that it is again subject to the will of the people, acting through their elected representatives.

If the big bankers are able to have their way they will continue to encourage monetary policies that will produce larger and larger public debt and higher and higher interest rates. If they have their way, our national debt will be $600 billion in 15 years, which, at a 6 percent rate of interest, will cost the taxpayers $36 billion a year. This would mean that so much of Federal revenues would be required for debt-carrying charges that insufficient funds, if any at all, would be available for veterans' programs, social welfare, housing, community health, and the many other services needed by our people.

Monetary policy is the public's business and it should not be controlled absolutely by a handful of bureaucrats operating independently of everyone but the big bankers.

I say that the Congress should remove William McChesney Martin's power of veto.

An article from the Wall Street Journal of September 7, 1965, follows:

[From the Wall Street Journal, Sept. 7, 1965]

OTHER BANKS MAY FOLLOW THOSE IN NEW YORK NOW OFFERING SHORT-TERM PROMISSORY NOTES

Major banks over the country are giving more serious consideration to offering short-term promissory notes now that most leading New York City banks have moved into that method of obtaining funds.

Some non-New York banks that already have been putting out such notes in limited amounts are laying plans to increase their volume. And others that haven't yet issued any see the New York development as an inducement to enter the field.

These trends were evident in a Wall Street Journal canvass of bankers' reactions in large cities to last week's move in New York.

The list of banks in New York, the Nation's main banking center, that are ready to offer large denomination nonnegotiable notes to corporate customers grew over the weekend with the addition of Manufacturers Hanover Trust Co.

Earlier entries there were Morgan Guaranty Trust Co., Chase Manhattan Bank, Chemical Bank New York Trust Co., Irving Trust Co., Bankers Trust Co., and Marine Midland Grace Trust Co. of New York.

In Dallas, James W. Keay, an executive vice president of Republic National Bank, said: "These promissory notes could become an important new source of funds for banks. We're watching their use with a good deal of interest."

Short-term promissory notes as a method of bank financing came into use about a year ago, when the Comptroller of the Currency, who regulates federally chartered "national" banks, gave permission to First National Bank of Boston to issue such paper.

Since the Boston bank acted last September, several other banks in major cities, including Chicago and Pittsburgh took like action. These banks' notes are negotiable, meaning they can be sold before maturity in a secondary market comprised mainly of New York securities dealers. However, the volume of notes outstanding has grown slowly, and the present total is estimated at about $300 million.

These notes, issued normally for less than 90 days, are the latest method developed by banks to obtain funds for their operations; an earlier innovation was negotiable certificates of deposit, usually of longer term maturity. The notes have one advantage over CD's in that they don't require the bank to maintain the 4 percent reserve that is necessary for "time" deposits which the CD's represent. Also, the notes are not subject to Federal interest rate ceilings that apply on deposits; such limits forbid the payment of more than 4 percent on time deposits held for less than 90 days and 4½ percent for longer time deposits.

At Pittsburgh National Bank, which has been issuing limited amounts of short-term notes, Edwin Yeo, vice president in the investment division, said the New York banks' action should make the notes "a money market instrument that will become more widely used as corporate treasurers become more accustomed to this vehicle."

Two other major Pittsburgh banks, Mellon National Bank & Trust Co. and Western Pennsylvania National Bank, have not yet issue any short-term notes but said they might consider that move if they saw a need for it.

In Chicago, Continental Illinois National Bank & Trust Co. said it has been issuing negotiable notes for 3 or 4 months "but only in the under-30-day range." "Promissory notes enable you to compete for funds and essentially are just another pool of money that can be tapped when needed," a Continental spokesman said. He commented that the New York banks' action should make the notes more popular with corporate investors.

At First National Bank of Chicago, which has been issuing negotiable short-term notes for about a year, an official said the bank would like to expand its volume but feels the market for the notes is "rather limited," partly because some corporation boards have not authorized their treasurers to invest in the notes.

United California Bank, Los Angeles, has issued $23 million of negotiable short-term notes since last December, mostly in maturities of 5 or 6 months to a year, according to H. V. Grice, executive vice president. Mr. Grice said the bank is considering further issues as a means of raising funds but hasn't any specific plans at present.

Another Los Angeles institution, Union Bank, said it is giving "serious consideration" to short-term notes but hasn't yet issued any. Security First National Bank, also in Los Angeles, said it does not see any need "at this time" for the funds the notes would bring in, but added: "If a need for additional capital does develop in the future consideration would probably be given to this type of financing."

Big San Francisco banks, including Bank of America, the Nation's largest, indicated they currently haven't any plans for note issues. "We just don't see any need at the moment," a Bank of America spokesman said. Wells Fargo Bank and Crocker-Citizens National Bank said their recent large-scale issues of long-term capital notes have provided them with enough lendable cash to make short-term borrowing unnecessary. Crocker-Citizens' issue in April 1964 amounted to $100 million, and Wells Fargo marketed $75 million of capital notes and $25 million of mortgage notes later last year.

First National of Boston, earliest in the field with short-term notes, had about $58 million of bills and notes payable June 30; while this amount included some other items, informed sources said the major part was negotiable notes. Current rates of First of Boston, on the basis of yield to maturity, are 4.04 percent on notes due in 30 to 89 days and 4.5 percent on those due in 90 days to a year.

While the Comptroller's ruling of a year ago opened the way for national banks to issue short-term unsecured notes, the authority of State-chartered banks in New York—a group that includes most of the large New York City banks—remained in doubt. That uncertainty was cleared up when the State banking department 10 days ago ruled it would consider such IOUs legal, provided they are in units of not less than $1 million and aren't negotiable.

Many other States apparently haven't any legal bars to this form of borrowing by State-chartered banks. So far, however, only a few banks, whether under State or Federal charters, have chosen to issue such paper. In this as in some other phases of banking, there appears to be a tendency to let the big New York institutions act as bellwethers in new ventures.

In New York, Morgan Guaranty Trust, which had sought the banking department ruling and was first to act under it, said it put out last week a "modest amount" of notes at 4¼ percent mostly falling due September 15. The other leading New York banks, with few exceptions, followed its lead; they said they will have notes available this week.

An exception is First National City Bank, New York's biggest federally chartered bank; it hasn't issued any short-term notes so far under the Comptroller's ruling and indicates it hasn't yet decided whether to follow the lead of its local competitors.

Outside New York State, most banks apparently aren't under the restriction to nonnegotiable issues that applies in New York under the State ruling. Some bankers indicated they felt a negotiable note will be more readily marketable than a nonnegotiable one and might carry a lower interest rate. They reasoned that a corporate treasurer is likely to be more attracted to a note he can sell if he needs his cash before the maturity date. Some others questioned the seriousness of that; one comment was to the effect that negotiability isn't of much importance on a note that runs for 30 days or less.

TRADING STAMPS

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from New York [Mr. WOLFF] is recognized for 15 minutes.

Mr. WOLFF. Mr. Speaker, I would like to report today to this distinguished body and to the consumers of America on developments at the recent trading stamp meeting which was held last Friday, September 10, in New York City.

I have tried without success to get trading stamp representatives to meet with an informal panel of my colleagues, with whom I am privileged to be associated in this important effort.

We have tried to pierce the "stamp curtain" with the lance of truth.

I have held discussions on four different occasions, in both Washington and New York. The stamp companies have been invited to appear at every meeting.

I even moved the discussions to New York because one major stamp concern said that my inquiry did not warrant the expense of coming to Washington.

Still, not one single stamp company official has deigned to come before us and help unsnarl the confused mess of statistics and misinformation that does exist. Yet the stamp companies apparently felt my inquiry important enough to send observers.

Some sources state that more than 80 percent of the housewives in the United States now save stamps. All America has a stake in our inquiry, and I pledge to persevere until every facet, every obscure aspect, of this huge promotion is thoroughly known to the vital group that makes our economy go—the American consumer.

Last Friday's meeting produced some very interesting results. I am indebted to my eminent colleague the Honorable EMANUEL CELLER, chairman of the House Judiciary Committee, who joined me in a dialog with those who spoke before our group, and also wish to thank the Honorable JOSEPH Y. RESNICK for his invaluable help.

Mr. Barnett Levy, chief of the consumer fraud division of the New York State attorney general's office, read a statement from Attorney General Lefkowitz, who was unable to attend the meeting.

In his statement, the attorney general pledged full support and cooperation and urged adoption of regulations to protect the consumer from stamp companies presently operating in many areas without control or regulation. Mr. Levy pointed out that the attorney general has proposed regulatory legislation which has passed the New York State legislature but which was vetoed by the Governor for "technical reasons." Mr. Levy also said that there have been more than a dozen stamp company failures in recent years with the public being left with unredeemed stamps. Mr. Levy also felt that redemption of stamps for cash would be a good thing. Among the executives who accepted the invitation to speak with us were two representing supermarkets that had recently dropped stamps.

One prominent executive of a leading New York food chain spent a good deal of time discussing the effects this promotional device had upon his chain and its prices.

It is an accepted fact of business life that the cost of trading stamps is about 2 to 3 percent of sales. This extra cost must be either absorbed by the chain out of its profits or the cost must be passed on someplace else. With the initial introduction of trading stamps there is an increase in volume; hence the cost of stamps can be absorbed. However, this volume increase may not continue and sooner or later the costs of the stamps must be passed on to the consumer. "This became more evident," said this operator "when the chain dropped stamps and announced in its ads that it is now possible to reduce prices."

When shown a copy of the newspaper ad placed by a major stamp company his comments were most interesting. He pointed out that first of all the headline "Watch Out Mrs. Consumer, Somebody Is Trying To Fool You About Trading Stamps" is quite correct. However, he said: "Many of the supposed factual statements contained in the body of the ad were quoted out of context and would deserve a fuller reading before comment could be made." When asked if the lowering of prices was merely a temporary device, as implied in the ad, the executive said that was "just not so."

The panel was also advised of the extraordinary contractual arrangements his company made with the stamp company to protect the customers doing business with the chain. Not only was the stamp company made to post a bond to cover the redemption but the agreement also provided that a redemption center would remain in the area to accommodate shoppers still holding books. This was not the usual contract offered by stamp companies and "only when given these ironbound assurances did my company agree to take on stamps."

It is such guarantees that must be enforced if the public is to be safeguarded.

Questions were also raised about whether a chain could cut down on its normal advertising since stamps were supposed to be a form of substitution for such ads. This was also denied by the executive who pointed out that, in fact, they had to advertise even more. Some of the ads were cooperatively paid for by the stamp company. However, when bonus or extra stamp offers were made, the chain had to absorb the entire cost involved. Many times competition with other chains and stamp companies forced us to offer 100- and 200-stamp bonuses above the regular stamps offered. Then, too, some of the manufacturers had bonus stamps included with the sale of their particular products. All this additional advertising cost had to be picked up by the chain.

An executive of one of New York's largest cooperative food chains then discussed his company's views on stamps and said they have resisted attempts of stamp companies to invade member stores. They could not give stamps and retain their current low prices. He jokingly expressed concern about the two large chains which recently gave up stamps. "They will now be able to lower their prices to where our prices have always been," he said. He went on to state categorically that there was no truth in the controversial trading stamp ad, saying it was "just another trading stamp company device to cover up truth."

To our astonishment, we learned that leading newspapers and magazines have carried ads inviting anyone to start their own stamp business. The ads promise amazing returns for nominal investments. In fact, it was revealed by this executive that he and a group of associates invested $300 in one of these ads and after 1 year had a cash profit of almost $40,000. Can you gentlemen imagine the profits that must be reaped by some unscrupulous men who use this device to bilk the American housewife? These ads are placed by printing companies who are in the stamp printing business. Anyone can order as many stamps as they wish at any face value. Of course, legitimate stamp companies decry such practices as these, though they have existed and probably do at this very moment, but since stamp companies are not required to furnish any figures or responsibility, they can go right on cheating an unaware public.

An executive of another food chain which also recently gave up trading stamps then discussed his company's position on trading stamps.

"We took in stamps originally," he stated, "because it was the trend and our customers wanted them."

When asked if prices had to be raised in order to accommodate the additional expense of stamps he stated that prices were not raised at the outset; however, as the impact of the promotion wore off the additional cost of stamps had to be passed on somewhere. When asked if his chain was able to lower prices now that stamps had been dropped, he replied that his present ads reflected reductions on thousands of items. This reduction in price would have been impossible had his chain continued to offer trading stamps.

Asked for comments on the trading stamp company ad, he said that by and large the statements contained were just not true. He also stated that the lowering of prices as advertised was not a temporary move on the part of the chain but was made possible by the dropping of stamps.

When asked why drop the stamps now, he replied that at first his customers wanted them and now they don't; and it was the policy of his chain, if possible, to always give the customer what she wanted.

"Since the glamor of stamps had worn off, she now wanted the best possible prices."

Also appearing before the panel was an attorney who related his experiences with a major trading stamp company and his client, a trading stamp bank. The trading stamp company took the position that it was illegal for this trading stamp bank to exchange trading stamp books on behalf of the housewives who wanted to make such exchanges. The stamp company stated that the stamps do not belong to the housewife nor the stamp bank and, therefore, cannot be traded or exchanged except with the issuing stamp company. The courts upheld the trading stamp company's right to retain title to these stamps. So even though a woman has paid for stamps she doesn't own them. It means a trading stamp company at its will can change premium values. Think for a moment; suppose your wife decided to save for a TV set. By the time she had accumulated the required number of books the trading stamp company changes the number of books required and she is forced to save more. It could happen that an unscrupulous trading stamp operator could have her save forever by kiting the redemption and she would never get the TV.

The title always remains with the stamp company and that it is a violation of the contract to trade, swap, exchange, or even throw away stamps. Even though a woman has the stamps in her possession, those stamps belong to the stamp company. The attorney also said that his client had a roomful of worthless stamps from hundreds of companies no longer in existence. When asked if the consumer was aware of the conditions connected with the stamps, attention was called to the fact that these conditions are printed in small type in every stamp book. It does show that it pays to read the fine print.

When asked if the attorney had any special interest in stamps, he said that he had not. However, he felt that something should be done to clearly show Mrs. Shopper who really owns the stamps. What seemed most unusual to this attorney was the sworn testimony before the court of a stamp company official who stated, under oath, that he never heard of, nor knew of any case where women had swapped trading stamps with each other in order to accumulate "like" stamps. It had been my experience, stated the attorney, that this was a rather common practice among housewives and certainly widespread. It happens in areas where there are a few stamp companies operating in a neighborhood and women pick up small amounts of different stamps that cannot be redeemed unless a book is filled.

One of the last to testify was a representative of the National Car Rental Agency. This gentleman told the members that his company was the only major car rental company using trading stamps. He also stated that rates for rental are uniform among the three major car rental companies and that his company gives stamps to the customer as rewards for doing business with his company. He also stated that since giving stamps, his company has enjoyed almost a 40-percent increase in business which they could only attribute to the stamps. When asked if his company ever did business with the U.S. Government, he said that it did. He also stated that trading stamps were accumulated for rental of cars to the Government and then were forwarded to Government agencies who presumably redeemed the stamps for gifts to be given to veteran hospitals. When asked if persons using credit cards were also given stamps, he said "Yes."

I would like to point out, gentlemen, that the stamp companies' own contract states that these trading stamps are issued as a reward in exchange for cash purchases and yet they blatantly condone a practice of issuing stamps on credit purchases. Does this not imply some sort of double standard of enforcement?

Do drivers of the cars always get stamps? "Yes" again was the answer.

Do drivers of Government cars also get stamps? "We cannot tell who people are when we issue the stamps. We give them to everybody who rents cars."

In response to this statement, Congressman JOSEPH Y. RESNICK asked if this practice was not a form of payola. Congressman RESNICK continued to inquire as to just who is getting these stamps that the United States is paying for and who gets the stamps these drivers get from service stations when they buy gas. "There are just too many questions that remain unanswered," he said.

At this time, I again pointed to the fact that answers to these questions are certainly available from the stamp companies who chose to ignore my invitations to sit and discuss their practices before an impartial panel. They tell me in correspondence that they have already answered all the questions and the answers may be found in available publications. My staff has searched very thoroughly for these answers but there are no recent authoritative publications on this subject that provide these answers; and most of those current publications that do exist are self-serving articles published by the stamp companies themselves.

And so these practices continue. Countless stamp companies have gone out of business with the consumer left holding the worthless stamps. What protection is being given to the American housewife against these evil practices? How many consumers know that the stamps they save, the stamps they paste in books, the stamps they pay for do not even belong to them. My purpose in holding these discussions is to determine if trading stamps are in any way contributing to the rising cost of food. The answers that I have been getting to date seem to be self-evident, but it would also appear that I have opened a Pandora's box for I find that not only is Mrs. Housewife deceived by some of the practices, but the U.S. Government also finds itself in the business of collecting trading stamps.

Where will it all end? Is it not about time we find out how far the "Stampayola" racket reaches? How much and at what rate have the Federal excise taxes and local sales taxes been paid?

Before he left, Congressman CELLER pledged that if no other committee of Congress looked into the trading stamp matter, then his Judiciary Committee would—a pledge for which I am deeply grateful, for what I have discovered about some of the practices of some of the trading stamp companies merits a full-scale inquiry by a regular committee of Congress.

I am determined to press for this inquiry, for there is a multitude of unanswered questions about the trading stamp business that each meeting turns up. We have achieved a result already. I think the American consumer is much more aware today, that he may be paying for trading stamps, than he was before this inquiry began.

I intend to continue in this effort until all questions about trading stamps are answered satisfactorily and the American consumer is protected.

THE CONTINUED THREAT OF COMMUNISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. CABELL] is recognized for 5 minutes.

Mr. CABELL. Mr. Speaker and Members of the House, a story quoting a Member of the other House appeared in the Washington Star, September 15.

This story appalled and shocked me as an American, and I hope that this statement will be repudiated by the gentleman. Many self-styled experts on foreign policy have long advocated the soft line on communism and known Communists, and have been in the forefront of those apologists who have characterized such men as Mao Tse-tung, Chou

En-lai, and Castro, not as rapacious Communists, but as poor, misunderstood, agrarian reformers.

The statement to which I refer, concerning our intervention in the Dominican Republic is as follows—and I quote:

> The real reason was fear of a Communist takeover of that country and that decision was based on misinformation and on exaggerated estimates of Communist influence in the rebel movement.

My answer to that—is "Thank God." Thank God for a man at the head of our Government who recognizes the insidious threat of communism for what it is, and who has the courage to meet it—not with the pussyfooting that has characterized his detractors—but with determination and courage.

Let us look back a few years and remind ourselves of the results of actions advocated and approved by these same detractors—

We turned our backs while "Good Old Joe" Stalin raped and subjugated the peoples of Hungary, Czechoslovakia, Poland, and Rumania.

We literally painted ourselves into a corner by agreeing to an intolerable situation in Berlin.

We gave the entire mainland of China to these scholarly agrarian reformers, Mao and Chou.

At the truce tables of Panmunjom, we delivered into bondage over half the people of Korea.

We sat idly by while another agrarian reformer took over the island of Cuba by the most murderous, cruel campaign of pillage and torture known to modern times, and then, after even the softest had finally waked up—and it was only a matter of hours until Castro's certain defeat—these same experts led our ignominious retreat by calling any intervention on our part immoral.

I have enumerated only a few traps into which we have been led by these false prophets who now cry that our intervention in the Dominican Republic, induced by fear of a Communist takeover, was, and I quote—"A grievous mistake."

My fellow members—may I reiterate—thank God for leadership that, at long last, and despite carping critics from within his own party—is willing to risk a mistake and display the courage and unadulterated patriotism that characterized our forefathers.

I thank you.

LAWRENCE F. O'BRIEN—LYNDON'S FAVORITE POLITICIAN

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BOLAND. Mr. Speaker, the New York Sunday News of September 12 ran an excellent story on Lawrence F. O'Brien, of Springfield, Mass., Special Assistant to the President for Congressional Relations, under the Kennedy and Johnson administrations, and written by Mr. Paul Healy.

Mr. Healy states in his story:

> In 4½ years of buttonholing lawmakers, O'Brien has secured passage of just about every major legislative objective of the New Frontier and the Great Society.

Mr. Speaker, I ask permission to have Mr. Healy's entire article on Larry O'Brien included with my remarks in the body of the RECORD at this point:

LYNDON'S FAVORITE POLITICIAN—NEW POSTMASTER GENERAL LARRY O'BRIEN ISN'T UP YET ON CARRYING THE MAIL—BUT HE'S A WHIZ AT CARRYING ELECTIONS

(By Paul Healy)

Immediately after President Johnson announced the other day in a press conference that Larry O'Brien would be the new Postmaster General, a reporter informally asked him who would succeed O'Brien as the chief White House lobbyist.

"Larry," Johnson replied with a grin. Then, more seriously, he remarked that O'Brien's successor in the White House job would be chosen after consultation with O'Brien and others.

But Johnson meant what he said the first time. O'Brien will still be his chief political adviser and also will be prepared to rush the aid of any faltering Great Society bill. O'Brien himself admitted to a friend that in his Cabinet post "I'll still be able to keep an eye on the legislative program."

Wearing two hats, or a hat and a half, will be nothing new for the affable redhead. Last year, he organized Johnson's election campaign at the same time that he was handling his congressional relations.

In grabbing off O'Brien—just as he was about to leave Government for a six-figure job in private industry—Johnson was hanging on to the last of the White House "Irish Mafia" and the administration's last link with the late John F. Kennedy's pre-election inner circle.

The O'Donnells and the Dungans and the Powerses have departed. But in O'Brien, Johnson is preserving the most valuable of the team. To be sure, the President has some skillful Texas politicians to call on, but he needs the Massachusetts man who not only knows the national Democratic machine intimately, but built it.

To make a place for O'Brien, Johnson did the natural thing in giving him the Post Office Department (after convincing Postmaster General John Gronouski that he was suddenly needed in Poland as an Ambassador). Since Theodore Roosevelt, it has not been unusual for a President to have the national party chairman double as Postmaster General. O'Brien, though not the party's chairman, is a throwback to the days when Irish Catholic political strategists such as Jim Farley, Frank Walker, and Robert Hannegan seemed to have a lock on the job.

O'Brien, 48, even tempered, neatly dressed with a red crewcut, is headmaster of the new school of American politics. The chief aim of the new school is to get as many citizens as possible actively involved in your organization, thus galvanizing enthusiasm and providing more campaign workers. O'Brien, in fact, has written the now classic handbook on which such a campaign organization is based. The third edition of the manual was issued to Democrats throughout the country well in advance of the election last fall.

The manual tells campaign workers: "Try to register everyone on the assumption that the majority of the unregistered voters are likely to vote Democratic." Urging receptions to make a congressional candidate better known, O'Brien recommends holding them in "a hall a little bit smaller than you can fill."

"The best way to get campaign contributions," the booklet also stresses, "is to go out and ask for them. Not many unsolicited contributions will find their way to headquarters."

The British Labor Party borrowed from the O'Brien manual in its 1964 election campaign, and so did Barry Goldwater, with less success.

Besides being the ultimate organization man, the new Postmaster General is an artful lobbyist.

Johnson has said: "I know of no single individual who has contributed more to the enactment of legislation that touches the lives of more Americans than Larry O'Brien."

In 4½ years of buttonholing lawmakers, O'Brien has secured passage of just about every major legislative objective of the New Frontier and the Great Society.

This year the legislative mill has ground out administration bills at a rate that has smashed all records. To be sure, the Democrats are preponderant in Congress, and Johnson himself is the most skilled legislative strategist of all. But it was O'Brien who prepared the ground and was on the firing line—standing near the door of the Senate or House Chamber—and made on-the-spot decisions during the legislative scuffling.

A PERSUASIVE PRO

How did he do it? By twisting arms, many outsiders assume; but O'Brien is more subtle than that. First of all, he is a pro, and as gregarious, articulate and understanding as they come.

If a bill is anathema to a certain legislator's district, O'Brien says, "We never ask him to commit political harikiri." But if a legislator is cool to a measure which has drawn a mixed reaction back home, O'Brien has been known to ask him to go along and "try it once."

O'Brien at the same time has won friends by urging lawmakers to call on him and his White House staff for help. It may be no more than putting a Congressman's constituent on a VIP tour of the White House or speeding up his request for information from a Government department. O'Brien's office receives an average of 125 such calls a day.

Lawrence Francis O'Brien was born on July 7, 1917, in Springfield, son of immigrants from County Cork. O'Brien, Sr., a businessman and real estate operator, turned their kitchen into a political headquarters for Democrats from all over the State. The talk was about such organization fundamentals as getting signatures on petitions and door-to-door canvassing.

At 22, O'Brien was chairman of his political ward. He was graduated from Northeastern University with a law degree but never used it. During World War II, he was a stateside Army sergeant, and on a 10-day furlough married Elva Brassard, a local girl who was getting tired of being taken to political rallies on dates.

WINNER FROM THE START

In 1948, their best man, Foster Furcolo, ran for Congress and O'Brien successfully managed his campaign then went to Washington as Furcolo's administrative assistant. After 2 years, he returned to Springfield and set up his own public relations agency, but his only real interest was politics. In 1952, he was recruited by young Representative Kennedy, whom he had known casually for 5 years, and laid the groundwork for Kennedy's upset of Henry Cabot Lodge in the November election. Mrs. O'Brien worked with him.

O'Brien enlisted the aid of 360 secretaries and 18,000 volunteer Kennedy workers, a forerunner of what he was to do for Kennedy on a nationwide scale 8 years later. Two vital ingredients of the O'Brien manual then shaping up were a telephone campaign using women volunteers and detailed logistics for transporting to the polls every last voter who could draw a breath.

O'Brien helped get Kennedy reelected by a record-breaking 900,000 votes in 1958. Three months later, he was given the task of setting up Kennedy-for-President organizations all over the United States. Right after the election, the new President named O'Brien his head lobbyist, through Larry's knowledge of the legislative snakepit at that point was almost zero.

As Postmaster General, O'Brien will be in a position to wield vast political power. The Department has 34,000 postmasters and 600,000 employes, and has been exploited by many an administration.

Only this summer, its patronage potential got the Johnson administration into trouble. The President ordered "made" jobs for economically underprivileged youths, with referrals supposedly to come from State employment agencies. But it turned out that 3,380 youths were hired on the recommendation of Members of Congress, some of whom put their own well-heeled sons in such jobs.

With his savvy, O'Brien may avoid such scandals. But he knows nothing whatever about the operations of post offices, following the tradition of nearly all his predecessors. Nonetheless, he is taking over at a time when there is a rising public outrage over slow mail service. O'Brien may find that getting voters to the polls is a lot easier than getting letters delivered on time.

Coming in fresh, he cheerfully admits he has no quick solution. If he can dig up one, he may find himself running for, instead of making, a President.

EXTENSION OF ADMIRAL RICKOVER'S PERIOD OF ACTIVE DUTY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I was most pleased to learn that the President has extended Admiral Rickover's period of active duty with the Navy for an additional 2 years. I believe that this extension is of vital importance to the security of our Nation. The worldwide lead that the United States has in naval nuclear propulsion is directly attributable to Admiral Rickover, and I believe that his continued service to our country is a keystone to our leadership in this field.

In December 1963, just before Admiral Rickover reached the mandatory retirement age, President Johnson nominated him to his present rank of vice admiral. At that time the Joint Committee on Atomic Energy passed a resolution strongly endorsing this action of President Johnson, as well as the announced intention of the administration to extend Admiral Rickover's active duty assignment 2 years beyond his mandatory retirement age which was scheduled for January 27, 1964.

The Joint Committee in commending the initial extension of Admiral Rickover's term of active duty passed a unanimous resolution which stated in part:

> The Navy, the Atomic Energy Commission, and the Nation will continue to draw upon the devotion and talents of Adm. Hyman G. Rickover beyond the 2-year period of his initial recall for so long as he is willing and able to continue to serve his country.

As Chairman of the Joint Committee on Atomic Energy, I am sure I can speak for all members of the Joint Committee when I say that Admiral Rickover can continue to depend on our unqualified support in his future efforts to maintain and improve the security of our Nation through his forceful, effective, and dynamic leadership of the joint AEC-Navy nuclear power program. We wish him every success in his endeavors.

I would like to include in the RECORD at this point an article from the Washington Post for September 12 which reports the extension of Admiral Rickover's period of active duty.

[From the Washington Post, Sept. 12, 1965]

NAVY WILL RETAIN RICKOVER AS BOSS OF ATOMIC PROJECTS

Vice Adm. Hyman G. Rickover got the good news straight from Secretary of the Navy Paul H. Nitze yesterday.

President Johnson had ordered a 2-year extension of active duty for the admiral, Nitze said.

Pleased? Of course. "I've got a job to do here," said Rickover later. "There's much that remains to be done."

The welcome message ended another round in the controversial admiral's struggle to stay in his role as overseer of the Navy's nuclear submarine development.

His congressional supporters reportedly argued his cause again. Asked if he knew about reports that Senator CLINTON P. ANDERSON, Democrat, of New Mexico, had written the President in his behalf, Rickover said:

"I know he might do something, but I stay out of that circuit."

Without the extension, the outspoken admiral, who is 68, would have been retired early next year. He is now assured of a post until 1968.

Against the wishes of many top Navy officers, Rickover has held on to his job by arguing that his expertise is needed to hold down costs of the Navy's nuclear programs.

A hint of President Johnson's attitude came last January when he awarded Rickover the Fermi Award for his work in atomic science and development.

The President said the admiral had played a "courageous and dedicated role" in helping the Nation develop a nuclear fleet.

Rickover serves as both director of naval reactors in the Atomic Energy Commission and director of nuclear propulsion in the Navy's Bureau of Ships.

HYDROELECTRIC PROJECTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, the annual pilgrimage to Washington for authorization and funds for a slew of hydroelectric projects is in full swing. The 1965 requests include millions upon millions of dollars for such entirely unnecessary projects as the St. John River job in the northeast, Devils Jump in Kentucky and Tennessee, the Bonneville transmission in Idaho, and the whopper for central Arizona.

At a time when we should direct every blessed dollar we can spare to developing and producing the materials of war necessary to bring our fighting men home safely, the public power warriors line up at the same old stand with hands out and abegging. In complete disregard of a national debt that is steadily lifting the prices of foodstuffs and other necessary commodities out of the reach of many families who have sons on the front lines in Vietnam, the greedy connivers behind federally-financed electric programs appeal without shame for projects that have no essence of essentiality and no degree of economic desirability.

A year ago this month I stood in the well of the House during discussion of a conference report that was to open the way for so-called Federal-private construction of transmission lines from the Pacific Northwest into California and the Southwest. I suggested to my colleagues that it was unreasonable to authorize construction of a 750-kilovolt direct current transmission line without first determining, through research and experimentation, the feasibility of such an operation. Here is a portion of my statement appearing in the CONGRESSIONAL RECORD on August 18, 1964:

> So far as we know there is no line of this capacity in operation anywhere in the world. In other words, the proponents of these lines are not at all certain as to the rate of line loss, the extent of rights-of-way that will be needed, or other technical questions that are sure to arise.

I then quoted this paragraph from Electrical World of March 23, 1964:

> Bonneville's $2 million d.c. research program is in a class of its own. During acceptance tests of the E.h.v.d.c. test center near the Dalles, Oreg. (E.Q., Nov. 4, 1963), a large insulating tube supporting one rectifier transformer failed, and a 2-year test is about to begin on its replacement. The results are expected to yield valuable information for design of d.c. transmission lines. In BPA's fiscal year 1965 budget request to Congress is $3 million for research and development which includes $2 million for permanently housing the d.c. equipment on the Bonneville system.

Despite this warning, the start of a project that is to cost taxpayers at least $242 million was authorized. Less than 8 months later, Oregon's public utility commissioner issued an engineering study report that received no mention in eastern newspapers, so far as I have been able to determine, but which certainly should be brought to the attention of every Member of Congress before any more recommendations of unreliable bureaucratic zealots are authorized. I ask that the following news story from the Oregon Journal of last April 1 be inserted in the RECORD at this point:

[From the Oregon Journal, (Portland, Oreg.) Apr. 1, 1965]

RAILROAD, PIPELINE PERIL SEEN

SALEM.—Public Utility Commissioner Jonel C. Hill released an engineering study Wednesday saying that construction of a direct current electric line between Oregon and California could damage gas pipelines, communications systems and transportation companies.

The report was made under the direction of the public utility commissions of Oregon, California, Washington, Idaho and Nevada.

It said that preliminary tests show that the line could cause serious corrosion of gas pipelines, might cause noise problems in telephone and aircraft communications systems, and make railroad signals systems inoperative.

Hill said the study shows that further tests should be conducted before the line is built. These tests, he said, should be made by the Bonneville Power Administration, Federal Bureau of Reclamation, and the Los Angeles Department of Water and Power. They are the three agenceis that will build the line.

The line would contain two wires, one for sending the power to California, and the other to bring it back.

Hill said there would be no corrosion problem as long as the two wires are used, but that the communications problems still would remain.

But he said he fears there would be periods of breakdown in which the return power would go through the ground.

It is the ground return that causes the corrosion.

Hill said the tests, made by the Corvallis firm of Cornell, Howland, Hayes & Merryfield, were not made under conditions of high voltage and high amperage, so the effects could be even worse than indicated.

He said the gas companies, railroads, Federal Aviation Agency, and power companies agree that the line should not be built until it is proved that they would be protected from damage.

Hill said that the builders of the line should be required by Congress to provide devices to protect the utilities. He said the utility customers should not have to pay for the protection.

The Bonneville Power Administration said that the report poses no problems that could not be solved.

Hill said the study took more than a year, involving more than 150 scientists and engineers.

There now is no direct current transmission in the United States. It is supposed to be more economical over long distances, there being smaller line losses than in alternating current systems.

The report said that corrosion damage to water and gas systems, electric systems, and wire communications would be the most serious.

THIS FLOOD OF FILTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 15 minutes.

Mr. ROONEY of New York. Mr. Speaker, despite the dedicated work by volunteer citizens' groups throughout the country, the traffic in obscene and atheistic propaganda among our children has not noticeably abated, but has instead worsened in past years. It is time that something was done about it. To center attention on this subject I now read to the House an article by Hon. Edward F. Cavanaugh, Jr., deputy mayor of the city of New York, published in the August 21, 1965, issue of America magazine:

> The 21-member New York City Citizens' Anti-Pornography Commission, after having read two highly publicized pornographic novels and one typical smut magazine, declared in April this year that all were "obscene, filthy, indecent, and totally repugnant to our standards as representatives of the community." Commission members were "appalled that this material could be committed to print and distributed in the community," and that each had been declared not obscene by one court or another.
>
> Thus, a cross section of the community voiced the urgency of dealing with what the New York Academy of Medicine has described as "the publication and vigorous promotion of salacious literature on an almost incomprehensibly vast scale."
>
> There has recently been much "moaning at the bar" all over our land, and in the highest court of our land, about the "definition" of obscenity and the meaning of the term "community standards." The community standards test was set up by the U.S. Supreme Court in 1957: that matter is obscene which, when it is taken as a whole and contemporary community standards are applied, appeals to the prurient interest.
>
> While discussion and debate continue, obscene material worth upward of $2 billion pours from profit-hungry presses and flows over our children in tidal waves of pollution. Psychiatrists and police officials continue to point to the visible effects of the stimulus of pornography: rebellion against all authority (parental, police, educational, religious); illegitimate children; shattered lives of unwed teenage mothers and often fathers; venereal disease (which the New York Academy of Medicine says has reached epidemic proportions among our youth); an expanding teenage homosexual population; early marriages smashed by a type of philosophy advocating the necessity of fulfillment through a second mate; and finally, crimes of violence including rape and unpremeditated, often motiveless, murder.
>
> How are we to combat this danger? How define obscenity? How express community standards?
>
> It is obvious that definitions and reformulations of definitions are not the solution. There can never be any clearly drawn, concise definition of obscenity. Such a definition, however, is unnecessary, for an obscene action and thus the depiction of that action can be clearly and distinctly described. And the description of obscenity, its degrees and categories should be adequate to support valid legislation upon which courts may act.
>
> The key to a description of obscenity lies in describing the obscene action—the dirty, foul, disgusting action. The obscene picture or narrative is such purely because of its relation to the action. When normal sexual action, deviated sexual action (such as homosexual acts or their preludes) or perverted sexual action (sadism, masochism, etc.) is performed in public, the performers are subject to arrest for engaging in obscene action. When these actions are transferred to public mass media, it follows that they must constitute obscenity. Obscenity, therefore, is simply the imaginative projection—in word, picture, magazine, book, record or tape—of obscene action. Normal, deviated or perverted sexual obscenity is the imaginative projection of the action for no other purpose than to stimulate the subconscious into imitation.
>
> The Citizens' Anti-Pornography Commission, after its last meeting, filed a comprehensive report. It included proposed legislation, drafted by City Corporation Counsel Leo A. Larkin and submitted to the New York State Legislature. Since July 10, 1964, New York State has been without a law that would protect those under 18. At that time, section 484–n of the penal law was erased from the books by a 4 to 3 vote in the New York Court of Appeals. Section 484–h made it a misdemeanor to sell, display, et cetera, to a minor "any book * * * the cover or content of which exploits, is devoted to, or is principally made up of descriptions of illicit sex or sexual immorality." The court majority called the law a violation of the 14th amendment, since it "denied due process of law in that the language is too vague for a criminal statute" (*People* v. *Bookcase, Inc.*).
>
> Mr. Larkin's proposed legislation, to avoid charges of vagueness, describes those things which are objectionable for minors under 18 years of age. A bill perhaps even more decriptive than that authored by Mr. Larkin—written in clear, simple, unequivocal language—has passed the New York Assembly and Senate (but Governor Rockefeller vetoed it). I suggest that every State in the Union needs a statute that is graphically descriptive of what is objectionable for those under 18, and that makes no attempt to define obscenity—a clearly impossible task.
>
> But enactment of descriptive legislation represents only one-third of the way toward a solution of the problem of obscene material among our children. Further responsibility rests with the courts and with a vocal and cooperative public. Mr. J. Edgar Hoover said in an article in the University of Pittsburgh Law Review (March 1964, vol. 25, p. 469): "An effective law is one that is sound and enforcible; one that meets the test of constitutional acceptability * * * one that receives the genuine support of an alert citizenry."
>
> If laws dealing with the dissemination of obscene material to children are to be enforced, there must be complaints on the part of parents. It is unrealistic to suppose that law enforcement agencies—even special obscenity divisions, however abundantly manned—could patrol or police all dealers in any city. But citizen complaints are not all that is required; necessary also is the appearance in court, once or several times, of the complaining parent along with the injured child, who must be a complaining witness.
>
> We may also consider, here, the possibility of establishing a special court or part of the court to protect children involved. Statutes dealing with the dissemination of noxious materials to minors are part of the Criminal Code, and infractions are tried in criminal courts. Experience in cases arising under the now defunct section 484–h of the penal law showed that children already exposed to the sordid foulness of pornography were now being thrust into the equally sordid atmosphere of the present parts of the criminal court. Congested calendars and adjournments forced them, in some cases, to make repeated appearances in this atmosphere, causing them in addition to lose precious time from school.
>
> Some effort must be made, then, to safeguard the welfare of such children, or the very persons the law is intended to protect will become its victims. A part of the court should be established so that children will have some separation from the general congestion of the criminal court. Such a part is presently established in New York, for example, for women charged with prostitution and related offenses. This is in no way intended to suggest that the defendant should be denied a public trial, but merely to point out that some discretion must be exercised to protect innocent children.
>
> Another responsibility incumbent upon citizens is the vocal expression of their objections to the existing situation in the area of obscenity. Since, in almost all obscenity cases, the "community standards" test is applied, the judiciary must be made aware of what these standards are. The public must make itself heard, for the outrage of the public is meaningless unless it is expressed and is noted by the judiciary, by lawmakers, by elected officials, by law-enforcement agencies.
>
> As a matter of fact, concern is already widespread. It has inspired several citizens' groups to work together toward promoting a unified expression of standards. Once each month, in a synagogue on Manhattan's East 20th Street, two dozen men of all faiths—from the fields of medicine, law, public relations, journalism, communications, business and industry—meet with two Catholic priests, two Protestant ministers, a Jewish rabbi, a Mormon Mission head and a representative of the Greek Orthodox Archdiocese of North and South America. These men form the board of directors of a New York organization called Operation Yorkville. At each

meeting, after discussion and exchange of ideas, they shape plans for a month of action to combat the influence of pornography among children. They are working—in the idiom of the late Father John LaFarge—"jointly on a necessary project."

On May 6, members of the New York Board of Trade, the New York Academy of Medicine, the Rotary and Knights of Columbus together called upon high-ranking clergymen from the metropolitan area to meet with them at the Waldorf-Astoria. These men, too, have been brought together by a common anxiety over the astonishingly large and free flow of obscenity and its effects on our children—who manage to get their curious hands on 75 to 90 percent of it. They appealed to Catholic bishops and their Protestant counterparts, to Jewish rabbis, Seventh-Day Adventists, and Greek and Syrian Orthodox clergy to work with them on the "necessary project." The result of their appeal was a unanimous resolution by the clergymen to work through pastoral letters and sermons.

Sporadic expression of public opinion, however, has proved ineffective. It must be continuous. As things are now, community standards cannot be effectively expressed for want of organization. Even if there is vigorous self-expression as a result of community meetings, community reaction of its very nature is scattered.

The Citizens' Anti-Pornography Commission has recommended the establishment of permanent representative commissions in every city and State of the Nation, implemented by citizens advisory groups chosen by lot from voters' registration lists. Others have suggested the establishment of full-time centers in major cities such as New York, Chicago and Los Angeles. These centers would be staffed by legal and public relations experts who would work at channeling latent public expression and aiming it in a unified and organized way toward productive focal points.

However it is accomplished, it is necessary that the voice of the people be heard. As J. Edgar Hoover concludes in the article mentioned above: "Citizen cooperation is essential in all phases of law enforcement, for the best efforts of even the most efficient police department are meaningless unless * * * a community-wide front is established against corruption and crime. Nowhere is the role of this community-wide front more vitally important than in the fight against merchants of filth."

SENATOR YOUNG OF OHIO OPPOSES HOUSE IMMIGRATION BILL, H.R. 2580, AS AMENDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, the junior Senator from Ohio has attempted to involve me in a controversy of his own making in the other body. I decline to be drawn into this controversy which was manufactured by the junior Senator from Ohio.

The senior Senator from Connecticut is a distinguished American who has been a friend and confidant of President Johnson for 30 years. He has won a place in the history of our Nation and is well able to defend himself in the other body.

Rev. Dr. Martin Luther King is recognized as the outstanding leader of his people. He has won international recognition. His place in the history of our Nation is also assured. Dr. King is well able to defend his position and has public platforms available to him for that purpose.

But the junior Senator from Ohio has dragged an irrelevant issue into his efforts to generate a controversy in the Senate. He has ruthlessly castigated two distinguished Americans who are in no way involved with the controversy and who have no public platform available to them to answer the intemperate and false charges voiced by the junior Senator from Ohio. I refer to the able and highly respected and well known staff director of the Joint Committee on Immigration and Nationality Policy, Edward M. O'Connor, and Philip J. Corso, who has earned an outstanding record of military and civilian service to our country over a period of 22 years.

Edward M. O'Connor has been associated with problems of immigration for the past 20 years. In 1948 he was appointed by President Harry S. Truman as U.S. Commissioner of Displaced Persons and was confirmed as such by the U.S. Senate. He served with outstanding distinction in that position until 1952 when the work of the Displaced Persons Commission was completed. Following that service he was called upon to serve as a professional staff member of the U.S. Psychological Strategy Board, established by President Truman, an arm of the National Security Council. He served in a similar capacity during the administration of President Eisenhower with the Operations Coordinating Board, also an arm of the National Security Council. Following that service he became staff director of the House Select Committee To Investigate Communist Aggression, whose monumental work was produced in 27 official reports of the House, which today stand unchallenged for accuracy and completeness on the issue of the conspiracy of communism against freemen and nations. He then became a consultant to our Government on international information programs and was called upon by both Senate and House committees for advice and assistance in this critical area of Government operations. After serving for 4 years as director of special projects at Canisius College in Buffalo, a Jesuit institution of higher learning, he returned to Washington to become staff director of the Joint Committee on Immigration and Nationality Policy of which I have the honor to serve as chairman. It is worth noting that he has been honored by many foreign governments as well as many national organizations of our country, including recognition as the leading Catholic layman in the field of Catholic action in 1950 which earned him a decoration by the late Pope Pius XII.

Philip J. Corso served as combat and intelligence officer in the U.S. Army during World War II and during the Korean war. As a combat officer in Europe he won many decorations for valor and at the end of hostilities in Europe became chief of U.S. intelligence in Rome, Italy. In that capacity he served the cause of democracy then struggling to survive in Italy and his work won the enmity of the enemies of democracy, most notably the Communists in Italy.

While in Rome, Italy, Philip J. Corso came to know personally the late Pope, Pius XII, and the present Pope Paul, who was then Vatican secretary of state. After his tour of duty in Italy he received the Order of the Crown of Italy, the War Cross for Valor, and was made a Knight of Malta.

With the Korean war, Philip Corso again served as combat and intelligence officer in our efforts to turn back the notorious Red Chinese aggression against the people of free Korea. He then became a member of the U.S. truce delegation at Panmunjon where his knowledge of Communist tactics again served our country.

Following this service he was returned to the United States to become a professional staff member of the Operations Coordination Board of the National Security Council. In that capacity, he served with distinction, including research adviser to our Nation's spokesmen in the United Nations, winning for him four Cabinet citations.

He later became commander of the first activated U.S. missile battalion in Europe. Following this tour of duty he again returned to the United States to become Chief of Scientific Intelligence to the great American, Gen. Arthur J. Trudeau, Director of the Office of Scientific Research and Development, Department of Defense.

Philip J. Corso retired from the U.S. Army with a record of outstanding service to his country. His many decorations and recognitions by our Government attest to his outstanding service. I am proud to have him as a member of my personal staff. He is not on the staff of the Joint Committee on Immigration and Nationality Policy, as stated by the junior Senator from Ohio, and this stands as the least important error in his misguided statement on the floor of the Senate today. Colonel Corso's long and distinguished service to our country ably qualifies him as one who knows the danger of the international Communist conspiracy to our free and representative form of government, and, with which naive persons are unfamiliar and thus attempt to brush aside.

The context and timing of the intemperate and misguided remarks of the junior Senator from Ohio against two outstanding Americans, raise the question of motive. Is the junior Senator from Ohio attempting to block passage of the immigration bill passed by the House which was scheduled for debate in the Senate today? Could it be that the junior Senator from Ohio suffers from an acute case of frustration because the immigration bill he introduced has been rejected by the steady will of Congress at work. It is well known that the junior Senator from Ohio has been completely misinformed about the nature of the immigration bill passed by the House. He labors under the impression that the House Subcommittee on Immigration and Nationality does not exist. He apparently is not aware that major provisions of the bill which will come before the Senate tomorrow is the healthy product of the House subcommittee and bears no relationship to the bill which he introduced. If he will take the time to read the report on the immigration bill before the Senate he will find there a clear statement on the role played by the House subcommittee in producing an immigration bill which won the overwhelming support of the House and which I trust will merit the same recognition by the Senate.

A REVIEW OF THE KENNEDY CENTER SITE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. Mathias] is recognized for 15 minutes.

Mr. MATHIAS. Mr. Speaker, the location of the John F. Kennedy Center for the Performing Arts has been debated widely in the past several months. As we move closer to actual construction on the banks of the Potomac, more and more thoughtful citizens have expressed their concern that we might not be building the best center on the best site.

Because I believe that we should be sure this tremendous project will fulfill its promise, I am today introducing a resolution directing the National Capital Planning Commission to make an immediate study of the site now selected for the Kennedy Center, and other proposed sites. No construction would be begun until the Congress has had 90 days in which to consider the Commission's report, which would be submitted within 90 days of the enactment of the resolution.

The argument over the pros and cons of a riverside site for the Center is not new. It has continued since 1958, when the Congress decided to use the Mall site originally intended for such a Center as the location for the Smithsonian Air Museum, and hastily designated the Potomac site as a substitute home for an arts center. At that time there were valid questions about the wisdom of this move. The great advances in planning for the National Capital in the past 7 years have provoked more doubts and introduced new questions which should be considered now, before it is too late.

Our distinguished colleagues, Congressman William B. Widnall, of New Jersey, and Congressman Thomas B. Curtis, of Missouri, have ably discussed the terms of the present controversy. I will simply summarize the major points:

First. Surroundings: Proponents of the Potomac site argue that the Center will be enhanced by its location on the presently unspoiled, wooded riverbank. As seen from the river or from Virginia, the Center would supposedly appear in isolation, surrounded by trees and open space.

In reply, opponents of this site argue that, first, the area will not remain unspoiled once construction has begun. They also assert that, second, from any direction the Center will appear surrounded not by woods and parks, but by a monstrous highway complex and by new high-rise apartments, including the Watergate development now under construction next door to the site. They argue too that the "natural surroundings" for a cultural center should be not open space but civilization, and that the Center should be surrounded by complementary cultural institutions and areas of public activity.

Second. Accessibility: Proponents of the Potomac site assert that the Center will be easily approachable by car via any of the several freeways now being completed in that area, and that adequate parking facilities will be provided as an integral part of the Center. Opponents counter this claim with several arguments. First, the Potomac site will indeed be approachable by car from Virginia, but will be inconvenient for the many persons coming from Maryland or outlying sections of Washington. Second, while there will be parking space for 1,500 cars, many of these places will be preempted by employees and performers. Third, there is only one main access road, and emptying the parking lot after performances will take at least an hour or two.

The most persuasive argument offered by opponents is that the Center would be accessible only by car. It will not be convenient to any of the stops on the mass transit system now authorized. It will not be convenient to pedestrians. A Center in the center of the city, where all transportation systems converge, would be far more approachable to the many residents of this area who cannot or do not wish to drive and battle their way through traffic jams.

Third. Comprehensive use: Champions of the Center as now planned seem to visualize it as a forum for cultural offerings of an impressiveness and scale compatible with that of the building itself. Opponents of this design argue that a truly comprehensive, truly national Center for the Performing Arts should include facilities for works of modest as well as massive scale; should include ample facilities for lessons and practicing, and should encourage year-round, continuous use. To meet these requirements, a center would have to be appropriately designed, include many programs at varying times of day, and be both open to the public and accessible all the time. A center in the middle of the city, close to other cultural attractions and to shopping areas, would draw larger numbers of visitors during the day than would a center isolated and hard to reach.

A further argument for locating the Center within the Pennsylvania Avenue area is the tremendous possibility for coordinating programs at the Center with exhibits and programs at the National Gallery of Art, other galleries in the area, and the many branches of the Smithsonian Institution. Such coordination and the growth of complementary programs would greatly enrich the offerings of both the Center and the other institutions. With the development of the Mall as a center for visitors, and with the revival of the downtown area, increasing numbers of people, both from Washington and from all other parts of the Nation, will be spending time there. A center there, it is argued, would be a great attraction and would be constantly in use.

Fourth. Comprehensive planning: Great progress in planning for the National Capital has been made in the past few years, specifically through the development of a "grand design" for Pennsylvania Avenue, the authorization of downtown renewal, approval of the mass transit system, and drafting of proposals for the Mall. Opponents of the present Kennedy Center site argue that the Potomac River location does not fit into any of these plans, and in fact runs contrary to the plans for concentrating institutions of national interest in the center of Washington.

Fifth. Cost: Proponents of the Potomac site argue that the cost of obtaining land in the downtown area might be prohibitive. Advocates of the Pennsylvania Avenue site reply that, under the Housing Act of 1965, the midtown section of Washington has become eligible for the kind of urban renewal funds which were used to acquire the site used for the Lincoln Center in New York City and for the new cultural center in Los Angeles.

Sixth. Time: Proponents of the Potomac site assert, finally, that plans for the Center are too far along to be revised, and that changing the site would delay construction for several years. Advocates of revision do not dispute the latter contention, but reply that it is better to be right than to rush. If we want a truly comprehensive arts center, and a truly appropriate memorial to President Kennedy, they say we should be willing to invest the time and thought required.

I do not condemn the present site, nor do I endorse any particular alternative. I do believe, however, that the question should be reviewed in the context of 1965. The resolution I have introduced today calls on the National Capital Planning Commission to study the designated site and any other sites, to determine which will best promote the full development of the Center as a truly national center for the performing arts, and to report its findings to the Congress within 90 days. The Commission is directed to hold public hearings within 30 days. In making its study, the Commission is further directed to take into consideration factors such as the accessibility of each site by public and private transportation; its relation to plans for the orderly development of the National Capital, including the plans for the Potomac River, Pennsylvania Avenue, functional highway systems, and downtown renewal; and possibilities for coordination with other institutions, specifically those along the Mall.

I encourage the House Committee on Public Works to give prompt consideration to my resolution and those introduced by my colleagues. The advocates of all possible sites for the Kennedy Center should have the opportunity to present their views without delay. I would note that the champions of present plans should have no objection to such hearings, for if their arguments are indeed strong, their position should prevail.

This is an important and exciting project. Its possible contributions to the life of our Capital and our Nation are boundless. Before the concrete is poured and the steel is riveted, we should take every step to insure that the Kennedy Center will indeed be the right facility in the right place.

THE CONVENIENCE THAT ELECTRIC POWER PROVIDES

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Willis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. WILLIS. Mr. Speaker, only when they are suddenly, abruptly and totally snatched away from us do we wholly realize the comforts and convenience that electric power provides. And only when a compassionate President of the United States demonstrates beyond a shadow of doubt that the most powerful nation on earth also possesses a big heart do the people appreciate that they are full partners in our Government.

With raging, uncontrollable and unmeasurable force, Hurricane Betsy completely paralyzed electric power service built in the lower section of the Third Congressional District of Louisiana by both private companies and the Rural Electric Administration. The people affected were cruelly awakened to find out that they were without power, without lights, without refrigeration, without water and without food.

This intolerable and unbearable situation, with consequent suffering and misery, would have prevailed for an indefinite period of time except for the swift and effective measures taken by our Chief Executive. Under one of the many other general directives issued by President Johnson, I was advised yesterday that Gen. David Wade, Commanding Officer of the Barksdale Air Force Base in Shreveport, La., acted with speed and without hesitation in bringing relief, as evidenced by the following joint telegram of appreciation sent to him:

September 15, 1965.

Gen. David Wade,
Commanding Officer, Barksdale Air Force Base, Shreveport, La.

We want you to know that we are deeply grateful for your untiring efforts in providing alleviation of the hardship and suffering resulting from Hurricane Betsy and in particular for making generators available to provide power in the vast area from Larose to Grand Isle. Thanks ever so much.

Allen J. Ellender,
U.S. Senator.
Russell B. Long,
U.S. Senator.
Edwin E. Willis,
Member of Congress.

Mr. WILLIS. The foregoing is only one of the many other similar incidents of humane and Christian measures taken by the Chief Executive which prompted the president of Lafourche Parish Police Jury, the governing authority of the area, to send the following telegram to President Johnson, a copy of which was dispatched to me:

The President,
The White House,
Washington, D.C.:

Your visit to Louisiana to encourage our people and to light a ray of hope in the vale of darkness and despair which normally follows such a catastrophe as we experienced from Hurricane Betsy, was what was needed to instill in our people a firm resolution to reestablish our community and to resume, as rapidly as possible, our normal way of life. On behalf of the people of Lafourche Parish, we, the local responsible officials, wish to thank you and those of your staff who are doing all within their power to hasten aid to our citizens. We of Lafourche Parish are in your debt, Mr. President, and we thank you.

Thomas Barker,
President, Lafourche Parish Police Jury.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Morris (at the request of Mr. Albert), for September 17, 1965, on account of official business.

Mr. Dow (at the request of Mr. Albert), for September 17 and 18, 1965, on account of personal business.

Mr. Fino (at the requset of Mr. Gerald R. Ford), for the week of September 20, 1965, due to appearing as principal speaker at the World War I Convention at Tampa, Fla.

Mrs. May (at the request of Mr. Gerald R. Ford), for September 17 through September 21, 1965, on account of official business in order to attend the Food Marketing Commission hearings in Seattle, Wash.

Mr. O'Brien, for the week of September 20, on account of illness in the family.

Mr. Mackay, for Friday, September 17, 1965, on account of official business.

Mr. Hansen of Iowa, for Friday, September 17, 1965, on account of official business.

Mr. Gilligan, for Friday, September 17, 1965, on account of official business.

Mr. Roncalio, for Friday, September 17, 1965, on account of official business.

Mr. Gettys (at the request of Mr. Albert), for today, on account of official business.

Mr. Senner (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Selden, for 60 minutes, on Thursday, September 23; to revise and extend his remarks and to include extraneous matter.

Mr. Cabell, for 5 minutes, today; and to revise and extend his remarks.

Mr. Saylor, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Rooney of New York (at the request of Mr. Matsunaga), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Mathias (at the request of Mr. Wydler), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Matsunaga), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Fino.

(The following Members (at the request of Mr. Wydler) and to include extraneous matter:)

Mr. Nelsen.

Mr. Martin of Alabama in four instances.

(The following Members (at the request of Mr. Matsunaga) and to include extraneous matter:)

Mr. Powell.

Mr. Fisher.

Mr. Dyal.

Mr. Hamilton.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes; and

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734–736).

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.) the House adjourned until tomorrow, Friday, September 17, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1587. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions, personnel and administration, obligations by States, for the fiscal year ending June 30, 1965, pursuant to subsection 205 of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1588. A letter from the Executive Administrator, Small Business Administration, transmitting a draft of proposed legislation to amend the Small Business Act; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. MORRISON: Committee on Post Office and Civil Service. House Resolution 574. Resolution directing the Postmaster General to provide the names of temporary employees employed by the Post Office Department during the summer of 1965; without amendment (Rept. No. 1010). Referred to the House Calendar.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 2020. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes; with amendment (Rept. No. 1011). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEOGH: Committee on Ways and Means. H.R. 6568. A bill to amend the Tariff Act of 1930 to provide for alteration of the duties on importation of copra, palm nuts, and palm nut kernels, and the oils crushed therefrom; with amendment (Rept. No. 1012). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 9334. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; with amendment (Rept. No. 1013). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 903. An act to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers; without amendment (Rept. No. 1014). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 7169. A bill to amend the Securities Act of 1933 with respect to certain registration fees; with amendment (Rept. No. 1015). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee of conference. H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross (Rept. No. 1016). Ordered to be printed.

Mr. HARRIS: Committee of conference. S. 1588. An act to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes ((Rept. No. 1017). Ordered to be printed.

Mr. SIKES: Committee of conference. H.R. 10323. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 1018). Ordered to be printed.

Mr. PEPPER: Committee on Rules. House Resolution 586. Resolution providing for the consideration of H.R. 3140. A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases; without amendment (Rept. No. 1019). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 587. Resolution providing for the consideration of S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes; without amendment (Rept. No. 1020). Referred to the House Calendar.

Mr. YOUNG. Committee on Rules. House Resolution 588. Resolution providing for the consideration of S. 2300. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; without amendment (Rept. No. 1021). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 11102. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. CALLAWAY:

H.R. 11103. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. DON CLAUSEN:

H.R. 11104. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

H.R. 11105. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 11106. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas, to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

By Mr. KEOGH:

H.R. 11107. A bill amending certain estate tax provisions of the Internal Revenue Code of 1939; to the Committee on Ways and Means.

H.R. 11108. A bill to amend the tariff schedules of the United States to restore former tariff treatment to certain water-repellant fabrics; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 11109. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. ST GERMAIN:

H.R. 11110. A bill to provide for the coinage of proof sets of subsidiary silver coins and minor coins bearing the date 1965; to the Committee on Banking and Currency.

By Mr. THOMPSON of New Jersey:

H.R. 11111. A bill to amend the Federal Employees' Compensation Act so as to permit injured employees entitled to receive medical services under such act to utilize the services of optometrists; to the Committee on Education and Labor.

By Mr. WHALLEY:

H.R. 11112. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. ASPINALL:

H.R. 11113. A bill to reduce the number of fractional interests in trust and restricted allotments of Indian lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURLESON:

H.R. 11114. A bill to amend the joint resolution of January 25, 1923, to require Members of the House of Representatives to make certain certifications with respect to persons paid from their clerk hire; to the Committee on House Administration.

By Mr. DOWDY:

H.R. 11115. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 11116. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Pennsylvania:

H.R. 11117. A bill to authorize the construction of an inland waterway in Pennsylvania for barge and other navigation, and for other purposes; to the Committee on Public Works.

H.R. 11118. A bill to provide for a preliminary examination and survey of the Allegheny River and French Creek and their tributaries; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 11119. A bill to amend title 38 of the United States Code to provide that any recipient of a Medal of Honor, Distinguished Service Cross, Navy Cross, or Air Force Cross shall be accorded priority in being furnished hospital care by the Veterans' Administration for non-service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. TODD:

H.R. 11120. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KING of Utah:

H.R. 11121. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MACKIE:

H.R. 11122. A bill to provide for U.S. participation and leadership in an international effort to end malnutrition and human want, and for related purposes; to the Committee on Foreign Affairs.

By Mr. DEL CLAWSON:

H.J. Res. 664. Joint Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.J. Res. 665. Joint Resolution directing the National Capital Planning Commission to make a prompt study of the site selected for the John F. Kennedy Center for the Performing Arts and any other sites proposed for such Center; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. DWYER:

H.R. 11123. A bill for the relief of Alice Ch'ai-Ying Chung; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 11124. A bill for the relief of Stefano Corda; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 11125. A bill for the relief of Sylvan H. Miller; to the Committee on the Judiciary.

H.R. 11126. A bill for the relief of O. P. Becken; to the Committee on the Judiciary.

H.R. 11127. A bill for the relief of Ralph W. Heneman; to the Committee on the Judiciary.

H.R. 11128 A bill for the relief of Arnold E. Remmen; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 11129. A bill for the relief of Charles Verbeke; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 11130. A bill for the relief of Melba Calve Smith; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11131. A bill for the relief of Isidoro and Antonina Albino; to the Committee on the Judiciary.

H.R. 11132. A bill for the relief of Mary Brown; to the Committee on the Judiciary.

H.R. 11133. A bill for the relief of Salvatore Episcopo; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 11134. A bill for the relief of Joseph Yung-Tsin Yao; to the Committee on the Judiciary.

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SENATE

THURSDAY, SEPTEMBER 16, 1965

(Legislative day of Wednesday, September 15, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. JOHN SHERMAN COOPER, a Senator from the State of Kentucky.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God, we realize it is futile to pray and not believe. By Thy grace we are saved through faith. It is a gift of God.

We have been given the light of faith in our inheritance. Bless the new candle we light by this faith, that the proceedings of the conference table of the world will stamp out the darkness of the battlefields.

Open hearts and minds in this new day to hope and understanding, that prophets and messengers of peace will overcome hate and distrust by the victory of love.

Surround and captivate the proceedings of this day with Thy presence that intentions, debate, and decisions will be worthy of the trust given to this important few by so many.

We do believe. Help Thou our unbelief. We pray in the Master's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 16, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN SHERMAN COOPER, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. COOPER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 15, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On September 14, 1965:

S. 949. An act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise.

On September 15, 1965:

S. 2420. An act to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes; and

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H.J. Res. 309) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes; and

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734–736).

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 309) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House, was read twice by its title and referred to the Committee on Rules and Administration.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, all committees were authorized to meet during sessions of the Senate for the remainder of the week.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore (Mr. COOPER) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Charles F. Reid, and sundry other officers, to be permanent commissioned officers in the Coast Guard.

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I also report favorably sundry nominations in the Coast Guard. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

John J. Soltys, Jr., and sundry other officers, for promotion in the Coast Guard.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations on the Executive Calendar for the Department of Justice only.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations to the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

SCENIC DEVELOPMENT OF ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems which had been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause and insert:

TITLE I

SEC. 101. Section 131 of title 23, United States Code, is revised to read as follows:

"§ 131. Control of outdoor advertising

"(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) No Federal-aid highway funds heretofore or hereafter authorized shall be apportioned on or after January 1, 1968, to any State which has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he determines necessary, the application of this subsection to a State.

"(c) Effective control means that after January 1, 1968, such signs, displays, and devices shall, pursuant to this section, be limited to (1) directional and other official signs and notices which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this section, and (2) signs advertising the sale or lease of property upon which they are located or activities conducted on such property.

"(d) It is also provided that the Secretary shall, in consultation with the States, provide for an area at an appropriate distance from an interchange on the Interstate System, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards which are hereby authorized to be promulgated by the Secretary hereunder. Such national standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this subsection.

"(e) Notwithstanding any provision of this section, signs, displays, and devices may be erected and maintained within areas adjacent to the Interstate System and the primary system within six hundred and sixty feet of the nearest edge of the right-of-way which are zoned industrial or commercial under authority of State law, or which are not zoned under authority of State law, but are used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States, which shall be consistent with the purpose of this section. Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws.

"(f) Notwithstanding any provision of this section, any sign, display, or device in existence on or before the effective date of this subsection, which does not conform to this section shall not be required to be removed until July 1, 1970, or until the end of the fifth year after it becomes nonconforming, whichever shall last occur.

"(g) Just compensation shall be paid upon the removal of outdoor advertising signs, displays, and devices, provided they were erected and maintained on the effective date of this subsection pursuant to agreement with the owner, or one claiming through the owner, of the real estate on which they are located, and Federal funds shall be used to pay the Federal pro rata share of such compensation. Such compensation shall be paid for the following:

"(1) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in the fixture; that is, such sign, display, or device at such location, as secured by the agreement in effect on the effective date of this subsection; and

"(2) The taking from the owner or leaseholder of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon, as secured by the agreement in effect on the effective date of this subsection.

"(h) All public lands or reservations which are adjacent to any portion of the Interstate System and the primary system shall be controlled in accordance with the provisions of this section and the national standards.

"(i) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secretary, a State may also establish information centers at safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as a State may consider desirable.

"(j) Any State highway department which has, under the law in effect on June 30, 1965, entered into an agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, provided that the right of any such State highway department to such payment shall not be affected by amendments to the statute of such State imposing such controls if such statute as amended meets the requirements of this section. Such payments shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as provided in this section.

"(k) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, and not to exceed $20,000,000 for the fiscal year ending June 30, 1967."

TITLE II

SEC. 201. Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 135. Control of junkyards

"(a) The Congress hereby finds and declares that the establishment and maintenance of junkyards in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) No Federal-aid highway funds heretofore or hereafter authorized shall be apportioned on or after January 1, 1968, to any State which has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, any portion of which is within one thousand feet of the nearest edge of the pavement and visible from the main traveled way of the system. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Wherever he determines it to be in the public interest, the Secretary may suspend, for such periods as he determines necessary, the application of this subsection to a State.

"(c) Effective control means that by January 1, 1968, such junkyards shall be screened by natural objects, plantings or fences or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

"(d) The term 'junk' shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, oddments, wastements, litter, leavings, ruins, castoffs, rummage, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

"(e) The term 'automobile graveyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicle or motor vehicle parts.

"(f) The term 'junkyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling such junk, or for the maintenance or operation of an automobile graveyard, and the term shall be construed to include garbage dumps and sanitary fills.

"(g) Notwithstanding any provision of this section, junkyards, auto graveyards and scrap metal processing facilities may be operated within areas adjacent to the Interstate System and the primary system which are zoned industrial under authority of State law, or which are not zoned under authority of State law, but are predominantly used for industrial activities.

"(h) Notwithstanding any provision of this section any junkyard in existence on or before the effective date of this section, which does not conform to the requirements of this section and which the Secretary finds as a practical matter cannot be screened, shall not be required to be removed until July 1, 1970.

"(i) Landscaping or screening costs under the provisions of this section shall be allocated in the following manner: the first $1,500 of such costs shall be assumed by the owner of the facility screened; all costs in excess of $1,500 shall be the Federal and State responsibility. Federal funds shall be used to pay the Federal pro rata share of the costs of landscaping or screening under the provisions of this subsection.

"(j) If any junkyard or auto graveyard cannot be effectively screened under the provisions of this section, either by plantings or other means on the property line of the owner or between the property line and at a safe distance from the edge of the pavement, whichever is the more economical and effective, just compensation shall be paid the owner for the relocation, removal, or disposal of such facilities. Federal funds shall be used to pay the Federal pro rata share of the costs of providing effective control by purchase or condemnation and relocation, removal, or disposal.

"(k) All public lands or reservations which are adjacent to any portion of the Interstate and primary systems shall be effectively controlled in accordance with the provisions of this section.

"(l) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, and not to exceed $20,000,000 for the fiscal year ending June 30, 1967."

SEC. 202. The table of sections of chapter 1, title 23, United States Code, is amended by adding at the end thereof the following:

"Sec. 135. Control of junkyards."

TITLE III

SEC. 301. Section 319 of title 23, United States Code, is revised to read as follows:

"§ 319. Landscaping and scenic enhancement

"(a) The Secretary may approve as a part of the construction of Federal-aid highways the costs of landscape and roadside development, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities reasonably necessary to accommodate the traveling public.

"(b) An amount equivalent to 3 per centum of the funds apportioned to a State for Federal-aid highways for any fiscal year shall be used for acquisition of interests in and improvement of strips of land necessary for the restoration, preservation, and enhancement of scenic beauty adjacent to such highways, without being matched by the State. The Secretary may authorize exceptions from this requirement, upon application of a State and upon a showing that such amount is in excess of the needs of the State for these purposes. Any funds not used as required by this subsection shall lapse.

"(c) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, and not to exceed $120,000,000 for the fiscal year ending June 30, 1967."

SEC. 302. Section 101(a) of title 23, United States Code, is amended by deleting the word "and" immediately before the words "elimination of hazards of railway-grade crossings" in the definition of the term "construction", by changing the period at the end of such definition to a comma, and by adding the words "and landscaping and scenic enhancement authorized by law."

SEC. 303. In order to provide the basis for evaluating the continuing programs authorized by amendments made by this Act, and to furnish the Congress with the information necessary for authorization of appropriations beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of carrying out such programs, and shall submit such estimate to the Congress not later than January 10, 1967.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. In accordance with the previous order, the Senator from Missouri [Mr. SYMINGTON] is recognized.

RECOMMENDATIONS FOR OVERCOMING THE CONTINUING UNFAVORABLE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, in an address last August, I presented the impact of military and foreign aid expenditures upon our unfavorable balance of payments. Today I would make some suggestions as to what should be done to correct that unfavorable balance.

The premise of these thoughts is one I have presented many times in the past; namely, that the military strength of the United States is essential to the liberty of all free people in their resistance to totalitarian aggression; and also that, in our way of life, our defense strength can only come from our economic strength.

In the past it is fair to say that "we have done our share." A great statesman of this century, Sir Anthony Eden, now Lord Avon, nailed that down when he said:

> Happily for Europe, we were not left alone. In the United States were statesmen of wisdom, authority and courage who wrought a revolutionary change in their country's traditional policies. There was to be no repetition of the withdrawal into isolation as after the First World War. On the contrary, the United States lent of its extensive resources to restore Europe's industrial and commercial life. Europe today is economically flourishing and shows many signs of recovering her ancient leadership. This is largely due to the efforts of her own peoples, but the help of the United States was indispensable and it was freely given.

There is no criticism on my part of these generous actions of the past. Primarily as the result of such action, however, we now face a serious and growing problem, best illustrated by our continuing unfavorable balance of payments.

The United States would not be faced with this problem if many of our now prosperous Western European allies had shown a greater willingness to share in the burden of their defense; and also in the economic progress of the less-developed countries.

Why have not the surplus countries in question, whose recovery came about in large part as a result of contributions from the United States, assumed a more equitable share of the defense and aid costs of the free world?

These countries have excess dollar holdings. Instead, however, of supporting the cost of their own defense, and assisting our efforts to stem Communist imperialism in Asia, Latin America, and Africa, they are crippling the monetary position of the United States by continuing to purchase gold from our limited stock.

In addition, these Europeans seem reluctant to reduce their surpluses by importing from this country more items such as coal, wheat, and feed grains, even though we are much more competitive in these areas than are they.

West Germany, the Netherlands, France, and in this case the United Kingdom, have almost prohibitive quantitative restrictions, quotas, licensing arrangements, and so forth, on the imports of coal.

According to the Nathan Report of 1963, these nontariff barriers cost the United States as much as $500 million a year.

In addition, recently the Common Market has proposed the freezing of grain at a high level of price supports. This action, supported by a highly protective variable levy, can only result in large losses in U.S. grain exports.

The United States is now spending $1.5 billion a year to maintain its military establishment in Europe; and this expense is only partly offset by the some $600 million in military hardware purchased from us.

Is it not ironical that this Nation, bearing by far the most of the financial burden for the defense of Europe 20 years after the end of hostilities, and in spite of European affluence and desire for self-sufficiency, cannot persuade the NATO allies, either to assume the cost of their own defense, or remove their carefully planned restrictions on many of our most competitive exports?

If the United States could save $1.5 to $2 billion annually in its Government overseas expenditures, that saving would go a long way toward balancing our international accounts. With that premise, one is entitled to raise the question: Is the presence of five divisions of U.S. soldiers, plus a large air contingent, along with families—nearly a million people—still necessary in Europe?

Also, what can be done with respect to our aid program in order to help reduce our Government expenditures overseas? What action can be taken commensurate with our international commitments which at the same time would protect the value of the U.S. dollar?

Here are some specific suggestions.

First. Phasing out program loans: In spite of efforts incident to "tied aid," it is a fact that program loans are still adding heavily to our balance-of-payments deficits. They should be curtailed.

These loans are made for general budgetary and balance-of-payments support, in order, so it is said, to "stabilize" the economies and currency values of the recipient countries; and also to help them import goods. They are tied to U.S. procurement through letters of credit, on which one can draw for expenditures in the United States. The net effect, however, is to substitute credit sales for cash sales.

In many instances this frees foreign exchange resources for both debt service and procurement in other countries. In both instances, program loans add to our own deficits.

Moreover, as a long-term means of providing economic development capital, they are wasteful, because balance-of-payments support finances mainly current consumption, as against growth-creating projects.

We should phase out program loans, because we cannot continue indefinitely to absorb the budgetary and balance-of-payments deficits of other countries into our own budgetary and balance-of-payments deficits.

It has been reported that the Inter-American Committee for the Alliance for Progress will recommend to the Inter-American Economic and Social Council assistance to Argentina in the amount of $317 million for 1966 and $163 million for 1967 so as to assist Argentina to repay its debts, many of which were committed by the Peron administration.

One could question the advantages, either to the economic growth of Argentina, or to U.S. political and economic interests, to have the American taxpayer bankroll these commitments of Argentina's predecessor governments.

It has also been stated that we must increase our commitments of aid to India, mostly through the International Development Association, in order to make it possible for India to pay its capital obligations and interest due the World Bank and European countries.

What are the advantages in committing U.S. taxpayers' money to pay the past debts of these countries? Such use of aid money will not create any new economic growth.

These transactions would appear an attempt to make good on obligations of the past; and one is misled who believes that this part of either the Alliance for Progress, or contributions to IDA or other international organizations, are either creating economic growth or helping the United States balance-of-payments deficits. In actual fact, they are no more than attempts to catch up with obligations contracted for purposes long since past.

Those who have lent money to these countries in the past should now accept the consequences of a moratorium or stretchout; and further U.S. aid should be devoted to further economic development.

After a reorganization of the debt commitments of such countries as Argentina, Chile, Colombia, India, and Pakistan, the United States Government should be prepared, through the aid program, to be of help; not on a balance-of-payments basis; but on specific identifiable projects such as schools, hospitals, utilities, and factories which require external dollar financing.

If we do that, emphasizing especially the importance of technical assistance, we would be helping the underdeveloped countries in their economic progress without further damaging our own economy with balance-of-payments deficits.

Second. Emphasis on shipment in kind for scientific incremental development projects: By emphasizing technical assistance instead of general budgetary and balance-of-payments support, we would not only relieve the U.S. taxpayer of the debt burdens of the underdeveloped nations, but also make a more solid contribution to the economic development of the recipient country. Once these countries realize that such general budgetary aid is no longer forthcoming, they would make more realistic effort to put their own house in order, thereby obviating the need for further program loans.

It is my conviction that the United States should revert more to a lend-lease concept of foreign aid—plus technical assistance—as against large grants or loans for various public works projects and budgetary assistance.

Third. Increase the dollar sales portion of our Public Law 480 farm surplus shipment: American agriculture is the most competitive in the world. There is no reason why we cannot maximize the dollar portion of our Public Law 480 sales. If, for example, we made a condition that a certain portion of our Public Law 480 sales should be repaid in dollars, say 20 to 25 percent, while giving the rest away free—or for local currency counterpart funds—there would continue to be a budgetary cost to the United States, but our balance-of-payments position would be much improved.

In addition, private commercial sales of agricultural products, even to Communist countries, should not be hampered by cargo preference requirements, along with various other types of restrictions which make U.S. agriculture uncompetitive. I made a talk on this particular aspect last August 19.

The sale of farm products to the Eastern countries is now accepted national policy. Why then make it difficult to compete with other countries by placing artificial and costly restrictions on any possible transaction?

As but one illustration of what the ideology first group is doing to the economy of this country, consider the fact that France, chief economic opponent of the United States in the free world, recently sold a million tons of wheat to Eastern Europe, most of it to Soviet Russia.

Fourth. Disallow bond flotations by international institutions: A thorough review of ways and means of reducing the impact of the operations and practices of international institutions on our balance of payments is in order; in fact it is long overdue. Not only is the size of our commitments inconsistent with the current balance-of-payments crisis, but the practice of floating bonds on our capital markets also seems inconsistent with the now pressing need to eliminate these persistent balance-of-payments deficits.

Between 1958 and 1964, the International Bank for Reconstruction and Development floated $820 million worth of securities in the U.S. capital market. Since the record of procurement of goods under the Bank's loans indicates that only about 35 percent was procured in the United States, about $533 million of this amount was spent in third countries.

In addition to our large contributions, the Inter-American Development Bank has also borrowed $225 million in the U.S. capital market. At least half of that money was, or is being, spent in third countries.

Flotations of security issues by the International Bank for Reconstruction and Development and the Inter-American Development Bank, therefore, have cost the U.S. balance of payments over $600 million during recent years.

As long as the United States has a deficit in its international accounts during the preceding year, it would appear logical for the Secretary of the Treasury, or his delegate to these institutions, to vote against such bond issues in the American money market.

They have the right of such veto under the charter provisions of said institutions. Article IV, section 1(b) of the Articles of Agreement of the World Bank, states that the Bank may borrow funds "only with the approval of the member in whose markets the funds are raised and the member in whose currency the loan is denominated, and only if these members agree that the proceeds may be exchanged for the currencies of any other member without restriction."

Similarly, article VII, section 1(i) of the Inter-American Development Bank Charter states:

> Before making a sale of its obligations in the markets of a country, the Bank shall have obtained the approval of that country and of the member in whose currency the obligations are denominated.

It is a fact that this authority was written into these charters in order to protect countries such as the United States suffering from continuous balance-of-payments deficits. Because of the increasing gravity of the balance-of-payments position of this country, therefore, why do we not use this authority, instead of continuing to go along with the management of these banks in their desire to tap the low cost U.S. market?

Fifth. Stop making future commitments of aid to international institutions without prior congressional approval: With respect to the practice of making commitments to international institutions without congressional discussion, such action places the Congress in the position of having either to choose between offending other Governments and very possibly embarrassing our own, or automatically approving commitments that have already been made.

It has been reported that the President has instructed officials of the AID agency not to make commitments under the AID program until the Congress has appropriated the money. That procedure would appear wise to us; therefore, we would hope that the same practice would be adopted in the case of international institutions.

With our continuing unfavorable balance of payments, plus the steady drop in our gold holdings, I believe that no further international commitments to the World Bank, its subsidiary, the International Development Association, or the Inter-American Development Bank, should be made without prior congressional approval.

This is particularly important in the case of the IDA, whose aid disbursements result only in 12.8 percent identifiable procurement in the United States.

Sixth. The cost of tourism: Tourism is another condition which operates heavily against the U.S. balance of payments. Tourism is costing this country many billions of dollars. Nevertheless, there would appear little reaction to the suggestion of President Johnson that, in order to help reduce the unfavorable balance of payments, Americans should take their vacations in the 50 States.

Actually, traveling to foreign countries this year is reaching unprecedented levels. Secretary of Commerce Connor stated—press conference, August 17—that in 1965 he expected a net outflow of $2 billion from tourism alone; an increase of over $300 million.

Seventh. Investments abroad: U.S. bank loans not used to finance U.S. exports, therefore, rather to finance either third country trade or inventory and plant expansion programs, should be limited.

The $100 million exemption of Japan from the interest equalization tax, already granted for 1965, should not be extended. If the Japanese prefer to avoid the 1 percent tax, they can borrow in Europe.

The transfer to foreign countries of funds by insurance companies, pension funds, and corporations, solely to take advantage of a higher interest return, should either be curtailed or taxed.

Direct investments by American companies, which result in the export of American machinery, semimanufactured and raw materials, and bring back earnings in dividends and interest, are in a separate category. In 1963 they brought back $9 billion, $4 billion in dividends, interest, and royalties; and $5 billion in related exports.

Eighth. Liquidity: There are those who are now trying to merchandise a somewhat mysterious thing called liquidity, in order to provide further means for financing international trade. These people say that if the United States reaches either a position of balance, or one of surplus in their international accounts, the means of payment in international trade will dry up; and then there will be a depression.

Mr. President, I will not discuss in detail at this time this question of liquidity. But let me leave a few thoughts on the subject.

There are two separate aspects of liquidity; and we should be careful not to confuse them.

The first problem of liquidity is to finance legitimate day-to-day, cash, commercial trade between countries. As illustration, suppose there are three countries, A, B, and C.

Country A has a product, with a market value, that country B is willing and eager to import. Country B has a product that has a market in country C, and country A wants to import something it needs from country C. It should be emphasized that there is no shortage of money, loans, or liquidity to finance such a commercial trade.

In most cases, this is a straight clearing house transaction. If the amount of trade between these countries were equal, there would be no need for exchange of currency, or gold, between them.

This kind of trade is no different from California buying Detroit- or St. Louis-made cars, and then shipping oranges and vegetables in exchange. The clearinghouse system takes care of such a commercial transaction without any shift of funds.

If there is a difference in the amounts between regions in the United States, or between countries, then the question of settlement comes up; and we can be sure that there are enough resources in the banking systems of the developed countries, backed up by the International Monetary Fund, to settle any resulting temporary fractional short falls between countries, which arise from comparable commercial transactions.

The second kind of liquidity problem is something else, and results from the inability of many countries to pay, year after year, for the goods and services they wish to buy from other countries. If over a period they do not earn, by the sale of exports and services, enough to pay for the things they wish to import and consume, then they have a persistent balance-of-payments problem.

This is a foreign aid problem, not a liquidity problem.

To go back to our country A, B, and C analogy, if country A consistently does not export enough goods or services to countries B and C, but definitely needs to import certain materials from countries B and C, country A has a real problem—either a shortage of cash, or a shortage of export goods which other people want.

The question is, How do you finance, year after year, the needs of countries such as A? There are many nations in this category—India, Turkey, Chile—in fact, most of the underdeveloped or relatively underdeveloped countries.

To repeat, this is a foreign aid problem, not a liquidity problem. Somebody has to give these countries either, first, the cash with which to buy imports, or, second, the goods themselves, with little expectation of being repaid.

The PRESIDING OFFICER (Mr. BASS in the chair). The time of the Senator has expired.

Mr. SYMINGTON. I ask unanimous consent that I may proceed for 5 minutes longer.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. In the 20 years since the end of World War II, the country that has supplied a very large majority of both this cash and these goods has been the United States. As everyone knows, since World War II we have put out over $100 billion of such assistance.

Unfortunately, since 1949 the United States has not been able to earn enough through exports of goods and services, to support these contributions designed to help the shortfall of earnings in other countries.

Now the United States in turn has a grave problem incident to paying its bills abroad. As long as we could pay other peoples' bills through exports, foreign aid, sales of gold, even by borrowing abroad, trade moved between countries, with the United States paying the bills. Now that this country is also short of foreign exchange, however, and therefore is finding it increasingly difficult to pay the bills of these other countries, many well-meaning but misguided people have begun to talk liquidity.

Let us be honest with ourselves. Whenever you and I individually, or our families, or our States, or this or any other nation, do not earn enough to pay for all the things desired or needed, we have a problem of liquidity.

If in turn, we chronically persist in our inability to pay our bills, there are three choices. Either we cut back on our expenditures, or borrow the money as long as our creditors have faith in our capacity to repay, or apply for relief. At the international level, the latter is foreign aid.

To confuse this issue as a matter of liquidity, therefore, one that can be solved by creating further credit, or using the printing press to print more national—or some form of international—currency, is to fudge the issue.

I will discuss in greater detail at another time this question of liquidity. Suffice it to say now that, except for the preservation of the peace in this nuclear age, nothing is more important than putting in order our fiscal and monetary position.

In recent days, three developments have been foremost in the minds of the American people—South Vietnam, the mobs in the streets of Los Angeles, and the Gemini 5 flight. Two of these three cost a great deal of money.

The way of life in this Nation has as one of its primary foundations working in the early part of a citizen's life so as to insure as much security as possible in the later years. Various forms of insurance, and pensions, and retirement agreements, preserve and enrich our concept of democracy.

If, through well meaning programs designed to assist foreign countries, the value of the dollar is reduced to the point where the savings of our people do not provide a decent living standard upon retirement, there could be additional and much more unfortunate developments; developments which could exceed in intensity any that have been experienced up to this time.

As an able and dedicated public servant, Secretary of the Treasury Fowler, said only last month:

> We must never forget that America's ability to succeed in its difficult and demanding role as leader of the free world—that all the political, diplomatic, and military resources at our command—depend upon a strong and stable American economy and a sound dollar.
>
> We must never forget that our lives can be vitally affected, not only by the events in Saigon or Santo Domingo, but by such apparently far removed occurrences as the outflow of American gold and dollars abroad.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Wisconsin, who is an authority in this field.

Mr. PROXMIRE. I warmly commend the distinguished Senator from Missouri on the speech he has made this morning; I do so although I disagree in important part with what he has said. A number of newspapermen, in commenting on the Senate this year, have written that the failure to debate the balance-of-payments problem is a serious omission on the part of the Senate. This is one of the most important problems facing our country. It has not been discussed as it should be. Certainly, no one can fault the Senator from Missouri for that. He has spoken out, and he has been the Senate leader in calling to the attention of the country how very serious is our balance-of-payments problem.

The Senator is no doubt aware that the balance of payments has been the subject of lengthy congressional hearings. The Senate Banking and Currency Committee has held hearings on this subject under the chairmanship of the Senator from Maine [Mr. MUSKIE]. The Joint Economic Committee has held hearings, under the chairmanship of Representative REUSS. I serve on both those subcommittees, and also conducted hearings on this subject in the Statistics Subcommittee of the Joint Economic Committee which I head. But there has been no extended discussion on the Senate floor of the problem which the Senator from Missouri has talked about in his speech today. I agree wholeheartedly that the balance-of-payments problem is far from solved.

Is it not true that, although in the second quarter of this year this country ran a balance-of-payments surplus, this surplus is very temporary indeed?

Mr. SYMINGTON. The able Senator from Wisconsin is correct. This year we will lose over $1 billion more of our gold as against a loss of around $125 million last year.

It is a serious problem; one which we have been unable to solve by means of the programs suggested or stipulated to date.

I know of the hearings the Senator referred to, and of his fine work in them. They have been constructive in pointing up this problem to the people of the country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. I thank the Senator.

Is it not true that in order to solve our balance-of-payments problems the Commerce Department and the Treasury Department both agree that one of the best ways, perhaps the only real way on a constructive basis, is to increase our exports relative to imports? And is it not extraordinarily hard to do this because we already have a highly favorable balance of trade? At the same time we have had an unfavorable balance of payments until recently because of our governmental payments abroad, our tourist travel abroad, and all of the things the Senator from Missouri discussed.

To improve our balance of trade even further will be extremely difficult. While the balance of payments looked good in the second quarter, that was in part because there was a shipping strike in the first quarter, and we had a postponement of exports into the second quarter which distorted the picture.

Mr. SYMINGTON. The Senator is right. The problem today is not one of our exports, because since 1949, exports have heavily exceeded imports. With the exception of one year, 1957, the year after the Suez crisis, heavy expenditures of our Government abroad have negated our excess of exports over imports in the private sector.

In addition, the activities of France under General de Gaulle would seem to be crippling our opportunity for maintaining a successful export position with those countries.

As our balance-of-payments problem increases, and as the Senator points out, we also are bound to lose some of our previous export advantages in the private sector.

Mr. PROXMIRE. It is also true that, although the administration should be credited with a gallant effort to correct the balance-of-payments problems, the voluntary loan limitation program which the President and the Secretary of the Treasury successfully fostered is nevertheless showing predictable short, one-shot benefits that in large part will not be continuing. That means a fine second quarter showing may well deteriorate during the rest of the year and in 1966. The constructive effects can continue to some extent, but they will be a limited force from now on.

I wish to say one more thing to the Senator from Missouri, and that is that I believe that while he is dead right in emphasizing the importance of correcting our balance of payments—and we will not solve the longrun liquidity problem until we do—I believe that there is a persuasive argument that when and as we correct our balance-of-payments problem we may have a liquidity problem in the world, because as world trade expands—and it has far more than doubled in the past 10 years—and as world economies expand, we shall need more liquidity. That liquidity has been supplied for more than a decade by the American dollar deficit. That deficit cannot and should not continue.

Mr. SYMINGTON. I would associate myself with that position of the Senator from Wisconsin. But I do not believe that additional liquidity should come as the result of additional paper dollars while there is a continuing unfavorable balance of payments.

Mr. PROXMIRE. I agree with the distinguished Senator from Missouri.

Mr. RANDOLPH. I yield to the distinguished Senator from Missouri, who is discussing this subject in colloquy with the Senator from Wisconsin. If the time has expired, I ask unanimous consent that the time be extended for 2 minutes.

The PRESIDING OFFICER. The time has expired. The Senator may continue for 2 additional minutes.

Mr. RANDOLPH. I listened with intense interest to the cogent comments of the Senator from Missouri on this subject. It is of vital interest to the State of West Virginia in connection with many of our products, particularly coal. We are constantly faced with certain diminishing markets abroad, and the matter of payments is a pertinent one to the industry which is, in a real sense, the major industry in the State of West Virginia.

I would like to have the record reflect that in the omnibus flood control—rivers and harbors legislation, passed by the Senate and reported by the House Public Works Committee, there is proposed authorization for a project that will have impact for good on our coal export prospects.

I refer to the project for vastly improving the navigability of the James River estuary channels serving the ports of Newport News and Norfolk in the Hampton Roads.

The deepening of the channel from 40 to 45 feet, and the widening, would allow the ships of France and Italy to come into the area and use coal which would be exported from the country to those people in need of our product.

According to available figures, this project, which includes the deepening of the Thimble Shoal, Newport News, and Norfolk Harbor Channels upstream to Lamberts Point, two widening operations, and four anchorage deepenings will cost the Federal Government $25.6 million. It is my view that the expansion and deepening of these shipping lanes to accommodate existing and prospective traffic of vessels engaged in foreign and coastwise trade will more than justify the Federal expenditure. This project will be especially important to the coal industry and coal-hauling railroads of West Virginia and Appalachian region portions of other neighboring States.

At a meeting in February, shipping officials from Italy and France reported on plans of their countries to build 75,000- to 80,000-ton vessels which will not be able to load or carry full capacity loads of American coal, until channels in Hampton Roads of the James River estuary are widened and deepened. We have been informed that Italian and French shipping interests have tremendous market potentials equal to perhaps 11 million tons of Appalachian bituminous coal annually for export through the Newport News-Hampton Roads docking and loading facilities. It has been estimated that additional exports will add $90 to $100 million in new business to the U.S. economy when both coal and transportation are considered.

The prospects for the future exporting of coal are extremely encouraging. A recent study by the Stanford Research Institute at Menlo Park, Calif., indicated that U.S. coal exports to Japan and six major industrial European countries will experience a continuing increase, perhaps at a rate of 5-percent annually for the next 10 to 15 years.

With this projection of a growing foreign market for our coal, there is the vital requirement for better ports facilities through which the coal can be moved. The Norfolk channel enlargement is an essential proposal in this future progress. The urgency of this project is emphasized by the fact that the first of the new design French coal-carrying vessels is already under construction and will be in operation by the end of 1966. An Italian ship is to be ready the following year.

Although the completion of proposed waterway modifications will require 5 years, a sufficient portion of the project to accommodate outgoing vessels could be accomplished in 3 years from the time Congress appropriates the first funds.

It appears, then, that the work will be 2 years behind the availability of the new coal colliers. Further delays will restrict the coal-hauling ships from carrying capacity loads, thereby preventing full realization of the economic possibilities of our foreign market.

Gov. Hulett C. Smith, of West Virginia, has been active in forming an economic bond between coal-producing areas. He is well aware of Europe's need for quality coal from West Virginia and other nearby mines, and he has expressed his desire to be associated with these remarks.

It is our genuine hope that the Hampton Roads and related channel improvements so essential to shipment of our coal to export markets will be included in the final version of the 1965 omnibus rivers and harbors bill. As a member of the Senate Committee on Public Works and its Subcommittee on Flood Control—Rivers and Harbors, I shall continue to give it my support.

I commend the Senator for his enlightening discussion and I appreciate the opportunity to make this comment in respect to our own State.

Mr. SYMINGTON. I thank the distingushed Senator from West Virginia.

In coal, as in feed grains, this country is most competitive with respect to the rest of the world. And yet, because of quotas and other such limitations beyond tariffs, we are not allowed to merchandise coal in countries where we have expended vast sums of money for many causes, including, of course, the prosperity and actual freedom of those countries.

If things continue to go this way, it is only a question of time before the basic source of the defense strength of the free world, the economy of the United States, is going to have very serious problems, indeed, with respect to the value of the measuring stick of the status of that economy—the value of the dollar. That is the thrust of my talk today.

When we realize that this defense strength can only come from economic strength, we can appreciate how serious this problem is to all free people.

The PRESIDING OFFICER. The Chair advises the Senate that the time is under control. Who yields time?

Mr. RANDOLPH. I yield 3 minutes to the distinguished Senator from Maine.

APPOINTMENT OF HON. FRANK M. COFFIN AS A JUDGE ON THE FIRST JUDICIAL COURT OF APPEALS

Mr. MUSKIE. Mr. President, I know President Johnson attaches great importance to the qualifications of his appointees to the Federal judiciary. His nomination of Frank M. Coffin, of Maine, to be a judge on the First Judicial Circuit Court of Appeals is in the Johnson tradition of outstanding appointments.

Mr. Coffin has a unique combination of talent and experience which is well suited to an appellate court. The American Bar Association Standing Committee on the Federal Judiciary has rated him as "exceptionally well qualified" for appointment to the circuit court.

Mr. Coffin had an outstanding academic record in his undergraduate work and in law school. In addition to his A.B. and LL.B. degrees, he holds a degree in business administration. He was a Navy veteran in World War II. Following graduation from law school he served as law clerk to Federal District Judge John D. Clifford, of Maine. His law practice was devoted primarily to trial work where he distinguished himself before both State and Federal courts. He served two terms as Congressman from Maine. In the executive branch of the Federal Government he has been Director of the Development Loan Fund, Deputy Administrator of the Agency for International Development, and U.S. Representative to the Development Assistance Committee in Paris.

Over the years I have come to know Frank Coffin as a friend, fellow attorney, political associate, and colleague. I have admired him as a student of the law, as an imaginative public leader, as a lawmaker, and as an administrator. He combines the best attributes of an intellectual with the practicality, human understanding, and wisdom which is so important to great judges. In our system of government, where the strength of our democratic institutions depends on the strength of all three branches—executive, legislative, and judicial—it is well to have judges, particularly at the appellate level, whose experience and understanding includes all three branches.

I am more than pleased, as I know Frank Coffin's many friends and admirers in Maine must be, that President Johnson has selected him for this important post.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. RANDOLPH. Mr. President, an amendment is pending. Perhaps the Senator from Delaware [Mr. Williams] might wish to discuss his proposal. As he knows, at this point we are considering a modification. We have discussed it with the Senator from Delaware. He might wish to speak now, but if he would rather wait, I shall make the point that a quorum is not present.

Mr. DIRKSEN. Perhaps there should be a quorum call.

Mr. RANDOLPH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the time for the quorum call be charged to neither side.

The PRESIDING OFFICER. The Senator's request is not in order. The quorum call is in progress.

Mr. DIRKSEN. Oh, Mr. President, I was on my feet seeking recognition.

The PRESIDING OFFICER. The Chair advises the Senator from Illinois that the quorum call is in progress. The Senator could ask that the order for the quorum call be rescinded.

Mr. DIRKSEN. But I was addressing the Chair.

The PRESIDING OFFICER. The Chair has ruled that the Senator from Illinois is not in order because the quorum call is in progress.

Mr. DIRKSEN. Let it proceed.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, with the consent of the Senator from Delware, I ask unanimous consent that his amendment be temporarily laid aside so that I may offer an amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The Legislative Clerk. On page 14, delete lines 12–24 inclusive and insert in lieu thereof the following: "(b)".

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the further reading of the amendment be dispensed with, and that the amendment be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the Record, is as follows:

Page 14, delete lines 12–24 inclusive and insert in lieu thereof the following:

"(b) Federal-aid highway funds payable on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within 1,000 feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be payable to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is thus withheld from any State shall be reapportioned to the other States."

Mr. **RANDOLPH**. Mr. President, on yesterday my first amendment was agreed to by the Senate. Today I am offering my amendment No. 5. It is a conforming amendment, similar in form and identical in purpose with the amendment which was agreed to in the Senate yesterday.

The amendment of yesterday went to title I, with respect to outdoor advertising. Title II, as the Senators know, goes to the matter of junkyards.

The earlier amendment provided, for title I, a withholding of 10 percent of the Federal-aid highway funds from the States which failed to comply with this section by January 1968. This withholding would replace the originally proposed withholding of 100 percent of such funds. The same now would apply to title II.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. Randolph] to the committee amendment in the nature of a substitute. Is all time yielded back?

Mr. **RANDOLPH**. I yield back the remainder of my time.

Mr. **DIRKSEN**. I yield back the remainder of my time.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. **FONG**. Mr. President, I call to the attention of the distinguished Senator——

The **PRESIDING OFFICER**. The Chair advises the Senator that the time is controlled, and the Senator should request time.

Mr. **RANDOLPH**. Mr. President, I yield 5 minutes to the distinguished Senator from Hawaii.

The **PRESIDING OFFICER**. The distinguished Senator from Hawaii is recognized for 5 minutes and the time shall be charged on the bill.

Mr. **FONG**. Mr. President yesterday the Senate passed the first amendment offered by the distinguished Senator from West Virginia. My attention has been called to the fact that we made a mistake in agreeing to the first amendment offered by the distinguished Senator because in deleting the lines mentioned, we deleted too much from page 9 of the bill.

If the distinguished chairman will turn to his amendment and turn to page 9 of the bill, he will note that he requested that lines 12 to 24 be deleted.

Mr. **RANDOLPH**. Mr. President, the matter referred to by the distinguished Senator from Hawaii was corrected in the amendment which was sent to the desk. The Record will reflect that fact. I have not looked at the Record today.

Mr. **FONG**. We have looked at the Record and the Record reflects that lines 12 to 24 have been eliminated.

CORRECTION OF THE RECORD

Mr. **RANDOLPH**. The Record should reflect that the amendment was intended to delete from line 15 on page 9 through line 3 on page 10 inclusive.

Mr. President, I ask that the permanent Record be corrected to reflect what I have said in response to the distinguished Senator from Hawaii.

The **PRESIDING OFFICER**. The correction will be made.

The first amendment offered by the Senator from West Virigina [Mr. Randolph] reads as follows:

> Delete from line 15 on page 9 through line 3 on page 10 inclusive and substitute in lieu thereof the following: "(b) Federal-aid highway funds payable on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be payable to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is thus withheld from any State shall be reapportioned to the other States."

Mr. **FONG**. Mr. President, reserving the right to object, I ask the distinguished Senator how far that correction would go. Would it delete all of line 24, or would it leave a part of line 24 in the bill? There is a sentence which deals with the discretion of the Secretary to suspend the penalty of withholding 10 percent of a State's highway apportionment if he deems it in the public interest. Has that been stricken?

Mr. **RANDOLPH**. That has been deleted.

Mr. **FONG**. That was the intent of the distinguished Senator from Virginia?

Mr. **RANDOLPH**. The Senator is correct. I love my friend from Hawaii, but he keeps saying that I am from Virginia.

Mr. **FONG**. I am sorry. I meant to say West Virginia.

Mr. **RANDOLPH**. Mr. President, yesterday the Senator said it over and over again. I did not correct him. Today I really do not correct him, but I just want to say a good word for West Virginia.

Mr. **FONG**. West Virginia is a very fine State and is represented by a very fine Senator.

Mr. **RANDOLPH**. I thank the senior Senator from Hawaii. He is an esteemed friend and an able Senator.

The **PRESIDING OFFICER**. The time of the Senator has expired.

The question recurs on the amendment of the Senator from Delaware [Mr. Williams] to the committee amendment in the nature of a substitute.

Mr. **WILLIAMS** of Delaware. Mr. President, I have modified my amendment somewhat. I send to the desk the modified amendment and ask that it be stated.

The **PRESIDING OFFICER** (Mr. Mondale in the chair). The clerk will read the modified amendment.

The Legislative Clerk. On page 13, between lines 17 and 18, in the committee amendment, it is proposed to insert the following:

> (k) For the purposes of this section effective control also means that notwithstanding the provisions of subsection (f), after January 1, 1968,
>
> (1) no sign or display promoting the Federal Government or any of its departments, agencies, programs, projects, or expenditures shall be allowed if such sign or display is inconsistent with the purposes of this section, nor
>
> (2) shall the Federal Government erect or construct any sign or display promoting any of its departments, agencies, programs, projects or expenditures. The Secretary shall immediately request all States to remove as soon as practicable all signs and displays which will be in violation of this subsection after January 1, 1968.

Mr. **WILLIAMS** of Delaware. Mr. President, I yield myself such time as is necessary. I do not believe that it will take more than a few moments.

The purpose of my amendment is very simple; it would merely provide that the U.S. Government and its agencies would come under the same rules with respect to the placing of signs along our highways as the pending bill proposes to establish for all commercial enterprises.

I have discussed this amendment with the Senator in charge of the bill, and I understand that he is willing to accept the amendment. The Senator agrees with the Senator from Delaware that the amendment is meritorious. Therefore, if that is the understanding I shall not labor the point.

Mr. **BASS**. Mr. President, will the Senator yield?

Mr. **WILLIAMS** of Delaware. I yield.

Mr. **BASS**. Mr. President, the Senator from Tennessee would like to have an example of what kind of sign the Senator refers to.

Mr. **WILLIAMS** of Delaware. We see many of these signs extolling the virtues of various programs while we are riding down the highway. After this bill was introduced, I took particular note of it. I counted nine such signs on the way back from Rehoboth a few weeks ago.

As we ride down the highway we see big 3-by-5 and 5-by-7 signs stating that this is a project partly built and paid for by Federal Bureau of so-and-so. The sign advertises the great merit of the project and how the taxpayers will benefit. Perhaps it has a meritorious objective in the eyes of some. However, if one kind of advertising is to be removed from the highways all kinds should be removed.

This amendment merely provides that the Federal Government and its agencies shall come under the same regulations in the erecting of their signs as does all other commercial advertising.

Mr. **BASS**. Does the Senator include State signs in his amendment, such signs as we all have seen, "Welcome to the State of Oblivion, Joe Jones, the greatest Governor in the world"?

Mr. WILLIAMS of Delaware. If it is paid for by the Federal Government or partly paid for by the Federal Government, it would be included, too.

Mr. BASS. If we are going to eliminate the possibility of advertising by the Federal Government, the States will still be able to erect signs saying, "This highway is paid for to the extent of 10 percent by funds contributed by the people of the State of Oblivion, Governor So-and-so."

Mr. WILLIAMS of Delaware. I think the Senator will find that that situation is covered by the amendment also. I intend that advertising to the effect that "This highway is being built by Governor So-and-so" will be covered if the amendment is adopted. I assure the Senators that that is the intention of my amendment. Because, after all, the Governors of the States may be candidates for office, and why should it be permitted under the bill that the Governor of a State can say, "This highway is built under program such-and-such," and add his name? If he can add his name he can put his picture on the sign. Why should such advertising as that be allowed for government agencies if other types of advertising are not permitted? So, to avoid any misunderstanding, I wish the Senator from Tennessee to know it is my intention that this amendment covers that type of advertising.

Mr. BASS. In other words, it is the Senator's intention that his amendment cover that situation?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. BASS. I thank the Senator.

Mr. RANDOLPH. The amendment of the Senator from Delaware, which he has discussed with several of the members of the Public Works Committee, was given to us last evening and again this morning. We find ourselves in agreement, in principle, with the modification as embodied in the amendment. It is certainly in keeping with the thinking of the chairman and members of the committee. We accept it.

Mr. WILLIAMS of Delaware. I thank the Senator, and yield back the remainder of my time.

Mr. RANDOLPH. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS], as modified, to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment to the amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, will the distinguished Senator from West Virginia yield for 1 minute?

Mr. RANDOLPH. Mr. President, I yield 1 minute to the distinguished Senator from Hawaii.

Mr. INOUYE. Mr. President, the Members of the Senate have been deeply impressed by the warm, eloquent, and very effective management of the pending measure by the distinguished Senator from West Virginia [Mr. RANDOLPH].

I am happy to report that the President of the United States also has recognized the Senator's great efforts toward bringing the measure to complete and effective resolution. I therefore ask unanimous consent that a letter from the President dated September 15, 1965, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, September 15, 1965.

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: I want to thank you and your staff for the hard work you have devoted to my proposals to improve the beauty of our highways. The bill which the Senate is acting upon today, together with the amendments I understand you have worked out with administration officials, is a far-reaching and acceptable step toward achieving the purposes of this program.

We are all grateful for your efforts to make this step possible.

Sincerely,

LYNDON B. JOHNSON.

Mr. RANDOLPH. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Page 13, lines 9 through 13, after the word "agreement," delete the following: *"Provided,* That the right of any such highway department to such payment shall not be affected by amendments to the statute of such State imposing such controls if such statute as amended meets the requirements of this section.", and insert in lieu thereof ", but no such State highway department shall be entitled to such payments unless the State maintains the control required under such agreement or the control required by this section, whichever control is the stricter. Nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to signs, displays, and devices on Federal-aid highway systems than those established under this section."

Mr. RANDOLPH. Mr. President, this amendment is offered to amend subsection (j) of section 131 of the measure pending before the Senate.

I call to the attention of the Senators that the administration proposal, as originally introduced by me, would have continued the payment of bonuses amounting to one-half of 1 percent on project construction costs where agreements to control advertising had been entered into between a State and the U.S. Bureau of Public Roads.

The provision we are now offering would continue those bonus payments only when the State required either the stricter provisions of this legislation or the procedure under an agreement which had been entered into prior to the enactment of this act.

Under the terms of the original bill control would have been exercised primarily through the police power. The present proposal requires compensation when signs are eliminated. This has been a matter of concern to the Senator from Hawaii, who spoke on this matter in committee and in consultation with Members of the Senate. Under the proposed legislation, States may choose to effectuate the agreements or not, as they deem best. The Federal Government, I believe, is bound to honor agreements if States decide to utilize them. Therefore, logic and equity dictate that the States should be paid only to the extent they adhere to the strict requirements of the agreements if, in isolated instances, the application of the agreement might result in stricter control requirements than would be involved under the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH] to the committee amendment in the nature of a substitute.

Mr. COOPER. Mr. President, I have no objection to the amendment because it would prescribe, as I understand it, where States have entered into agreement under Public Law 85–767 relating to the Interstate Highway System, that by reason of having entered into the agreement they are receiving bonus payments of one-half of 1 percent apportioned for the Interstate Highway System. It would be required that they continue to maintain those standards in order to continue receiving the bonus payments.

Mr. RANDOLPH. The Senator from Kentucky is correct.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kentucky will state it.

Mr. COOPER. First, I offered in committee an amendment to strike the entire section referring to the Interstate Highway System. My purpose in offering it was to insure that not only the standards to which States have agreed shall be maintained, but also that the amendment would not permit, with respect to the Interstate Highway System, the creation of additional zones along the Interstate Hiighway System upon which advertising could be established.

It has been my position, consistent with action taken in the past in connection with the vigorous efforts of the distinguished Senator from Oregon [Mrs. NEUBERGER], that the Interstate Highway System, being a different kind of system, and a new system, should be maintained as free of advertising and other establishments for the enjoyment of the public as possible.

Mr. President, having explained my prior amendment in the committee, which was defeated, let me now ask, whether, notwithstanding adoption of the amendment, I could later introduce an amendment which would maintain the standards of the Interstate Highway System in accordance with the standards which were established when the law was adopted in 1958.

The PRESIDING OFFICER. The Chair would have to know precisely the terms of the proposed amendment before a ruling could be made, and also at what point it would be proposed as an amendment to the existing bill.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time? Is all time now yielded back?

Mr. RANDOLPH. Yes.

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH] to the committee amendment in the nature of a substitute.

The amendment to the committee amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. COTTON obtained the floor.

Mr. COTTON. Mr. President, I call up my amendment to the committee amendment at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from New Hampshire proposes an amendment, on page 11, line 10, insert after the word "which" the following: "in the case of the Interstate System and new construction in the Primary System shall be found by the Secretary of Commerce to be consistent with the purposes of this section."

Mr. COTTON. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 10 minutes.

Mr. COTTON. Mr. President, the committee, in its report, and I believe on the floor of the Senate, has indicated that line 10 on page 11 of the bill is the line which gives to the Secretary of Commerce—and I now use my own words—the veto power over States and their legislatures in the matter of zoning the interstate and primary systems. Without that line, the State legislatures could still zone those localities where signs have been in existence, and the approval, concurrence, or agreement—whatever semantics one wishes to use—of the Secretary of Commerce would not be required.

Mr. President, I am not asking that that line be deleted. My amendment would not do that. It would merely remove the necessity of approval by the Secretary of Commerce in the case of the Interstate System and new construction in the primary system.

I recall some of the history which led up to the particular amendment and this particular point of controversy.

In the long, hard-fought battle for legislation which resulted in the present law, back in 1957 and 1958, it was the opinion of many of us on the committee—and that opinion was finally sustained by the Senate in the so-called Cotton amendment—that we were embarking upon a new Interstate System, the major portion of which was being built through new country; that there had been no previous construction, no advertising rights, no opportunity for billboard advertising or the expenditure of funds on advertising along the newly constructed portions. The value of it was being created by the investment of the Federal Government in paying 90 percent of the cost. So, in order to protect the rights of those who had for years been in business and of those adjacent owners who had had the opportunity to advertise or to contract for billboard advertising on highways already in existence, we decided, in order to get the bill through the Senate, to leave unhampered those portions, and applied the 1½-percent formula and the Federal pressure only to new highways where advertising and business were not established.

So far as I was concerned, I would have been willing to go forward and do what is proposed in the present bill, and permit the authorities to stop advertising, rather than use the carrot approach of offering a bonus, as the late Senator Kerr referred to it. I felt that when the Federal Government was spending 90 percent of the money to create a new highway system, not all of which, but most of which was absolutely new highway, in a new location, it was not an unjustified exercise of the Federal power to protect it from the defacement and oftentimes ugliness of advertising and to permit control of advertising on such highways.

Mr. President, the pending bill in its present form goes so far that not only as to the 41,000 miles of Interstate System, but the approximately 224,000 or 225,000 miles of the primary system, the States, through their legislatures, or through other bodies such as municipalities, acting on authority conferred by the legislatures, must zone in order to protect the rights of those who are in business and who are advertising. This is all premised on the point which has been brought out. There is no way to get around it. The States must bow to one Federal official, the Secretary of Commerce. They can zone, but when they are all through with zoning, the Secretary of Commerce must approve or agree or concur in the various forms and use, and, whatever semantics one employs, the Secretary can reject it.

Mr. President, I feel very strongly that I could not vote for a bill, even though its objectives were most desirable, objectives for which I fought in 1957 and 1958 on the floor of the Senate, as a member of the Public Works Committee, that gives power to the Secretary to override the legislatures of the States and the States themselves when it comes to the right of zoning.

But I am willing—and this is important—to give him that power insofar as the Interstate System is concerned, which either has been constructed or is being or will be constructed with 90 percent of the cost to be paid by the Federal Government. I am willing that he should have that veto power. I am willing even that he should have that veto power—and this is a concession in the case of new construction in the primary system.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. TALMADGE. Does the Senator's amendment purport to relate to new highways, and not highways some of which have been in existence for 40 years?

Mr. COTTON. That is the very question I was coming to. By new construction I mean new highways in the highway system. I do not mean repair or replacement or widening or altering of highways in the primary system.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. I yield myself 5 additional minutes.

The Senator from Georgia's question is pertinent. By new construction I mean new highways where there have not been highways before. My amendment leaves the veto power in the Secretary of Commerce. I repeat to make it clear, it refers to line 10, page 11, the line which it has been stated puts "punch" into it and gives the Secretary of Commerce veto power.

The amendment simply limits it by providing, after the word "which," "in the case of the Interstate System and new construction in the primary system, shall be found by the Secretary of Commerce to be consistent with the purposes of this section."

It is a very modest amendment, but it is very clear, provided the legislative history shows what new construction means in the primary system. We are not going to change the veto power by juggling words and saying "agreement" or "concurrence" or using any other language. The veto power will be there. It means that when 90 percent of the cost is paid by the Federal Government for construction in the Interstate System the power of the Secretary would be returned.

But with respect to the 224,000 miles of the existing primary system in this country, it leaves to the States and their legislatures the power to determine how they shall zone it for business and for advertising.

Mr. TALMADGE. Mr. President, will the Senator yield for a brief observation at that point?

Mr. COTTON. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I heartily commend the able Senator for his amendment. As he so wisely pointed out, we have approximately 225,000 miles of primary roads in existence. In my State some of the roads have been in existence for as long as 40 years. Many go from county seat to county seat of our rural counties. Some of the population centers involved do not exceed 2,000 people. It is rural area and farmland.

It would be utterly unrealistic if we were to vest the Secretary of Commerce with the power to override the zoning authorities of the county and the zoning authorities of the cities, and have the State legislatures require farmers—who have been utilizing that land as they have seen fit for all of these years—to clear off some sign or billboard on their property for a right-of-way of 660 feet on each side of the widest point of the road.

To my mind it would give the Secretary of Commerce the power retroactively to determine utilization of the property that is now inherently vested in the owner of the land and a power that I believe the general assembly of all States should have some voice in handling.

Mr. COTTON. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding.

I could not be in more accord with the statement the Senator made, and the statement by the distinguished Senator from Georgia. I am glad that that sentiment is being strongly espoused by both of them.

Mr. COTTON. Mr. President, I reserve the remainder of my time.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. RANDOLPH. I yield to the junior Senator from Oregon for 5 minutes on the amendment.

The PRESIDING OFFICER. The junior Senator from Oregon is recognized for 5 minutes.

Mrs. NEUBERGER. Mr. President, I have long been interested in the subject which we have been debating yesterday and today, having to do with control of outdoor advertising along our interstate highways, and now our primary highways.

One of the things we must keep clearly in mind as we discuss the proposed legislation is the distinction between the interstate system and the primary system. The Senator from New Hampshire and the Senator from Georgia have been making that point rather clearly.

The main concern seems to be the State roads or primary roads which are a new approach in the control of signboards along the highways of America.

During debate yesterday, and again today, I gathered that there is great concern about what the Secretary of Commerce will do.

I find it somewhat of a paradox that my worry is different from that of Senators who spoke in opposition to the amendment and the Secretary having the decision in determining the control of sign boards. My worry is that the Secretary will be too lenient. The worry of some Senators is that he will be too stringent.

I base my worry on the fact that the Secretary, Mr. Connor, was before this august committee to testify to his opinion concerning the legislation.

In a colloquy with the Senator from Kentucky [Mr. COOPER] and the Senator from New Mexico [Mr. MONTOYA], the Secretary aroused in my mind a real concern in regard to the national viewpoint on the control of the sign boards.

I will comment on a few things from the report, which is on the desk of each Senator.

At page 45, Senator COOPER said to the Secretary of Commerce:

> The exemption relates to areas which are not zoned under authority of State law but are used predominantly for industrial and commercial activities as determined in accordance with the national standards to be established by the Secretary.
>
> I think you just said that where the State zones an industrial or commercial area, that area would be exempted from the requirements of this act. Is that correct?

I do not see any necessity to continue reading this colloquy, because it is here for all Senators to read. But in every case, Secretary Connor said, as in this example—the language, perhaps, could be improved—that the intent is that the State zoning determinations would be conclusive on the Secretary.

We go on to page 46 for the same sort of colloquy with Senator MONTOYA, where he reiterates—and this is in the legislative record—that the Secretary is beholden to the State authority.

This is my worry, because of what I have observed over the years since 1948 when we first made an effort to do something about controlling signboards.

I have seen in that period only 25 State legislatures come into the aura of this attempt at roadside beautification. We have given them all kinds of time and spelled out the bonus to them to come in.

My worry is that the States are going to lag behind on taking a great deal of license with their designation of what is commercial or industrial zoning.

Therefore, I like the idea of the Secretary of Commerce being there, although this one says he will not exercise his power to have some kind of national standard established. We find it difficult to write into the legislation such a standard.

Believe me, I am as sympathetic as anybody else toward the small motel owner. Oregon has as many of them, proportionately, as any other State.

But if we are to have a system of conservation and beauty, I do not see how we can allow willy-nilly an industrial zone or commercial zone to spring up where somebody thinks it would be appropriate as a place to have a little business. It would defeat the purpose of the legislation.

My intention is that State legislatures, under this bill as proposed, would have authority to zone any stretch of the interstate and primary road system as industrial or commercial and, therefore, exempt it from all billboard control.

This is my concern. I am not one who advocates that all billboards be done away with. That is unnecessary. People have even implored me to work on an amendment which would provide that on-premise advertising be done away with. That, I think, is impracticable.

If we expect to accomplish what we really have in mind—that is, the beautification of the roads and the ability to see the beautiful scenery, whether in the gorgeous White Mountains of New Hampshire, or in Glacier Park, in Montana, or anywhere else in this beautiful country—we must make up our minds that we are going to enforce some of the limitations.

On that I rest my case.

Mr. RANDOLPH. Mr. President, I yield myself such time as I may desire on the pending amendment.

During the hearings on the bill, we were privileged to have the counsel of the junior Senator from Oregon [Mrs. NEUBERGER]. Her long standing and knowledgeable interest in the subject has been helpful to the subcommittee and to the Committee on Public Works. Whether or not we are in agreement on the points which are stressed by the junior Senator from Oregon, I wish to compliment her for the attention she has given to the programs of beautification of the America we love, the America whose people are mobile, the America which increasingly in the future will be an America on wheels.

Mr. President, I yield 5 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I oppose the amendment offered by the senior Senator from New Hampshire. It ought to be clear, first, that the amendment he has offered is not to the proposed amendment which was discussed yesterday. The Senator from New Hampshire has offered an amendment to section (e), on page 11, of the committee amendment in the nature of a substitute. It might be worthwhile again to outline the effect of section (e). Section (e) would authorize the prohibition of the erection of signs both on the interstate and the primary highway systems.

But the section does have an open end, if it may be called that. States which in the future might zone certain areas as industrial or commercial, or declare that other areas may be used for industrial purposes, would then open to such areas for advertising.

I shall cite an example of the effect of prohibitions against advertising, particularly on a primary system. Assume that there is a 50-mile stretch of primary system, such as runs from the town of Somerset, which is my home town, to the town of Denver. Under existing law, advertising has been constructed and could be established upon the entire length of the 50-mile stretch. Under the committee provision, in the future advertising could not be established in that 50-mile area, except in two cases: In areas which are now zoned or may be zoned in the future by a State for commercial or industrial use; advertising could be established; or where the State declared that even though an area had not been zoned, but was predominantly used for industrial or commercial purposes, advertising could be established.

So if we can imagine a 50-mile stretch, we can see that there would be open spaces—rural spaces, as the Senator from Georgia [Mr. TALMADGE] so aptly described them—which in the future could not be used for advertising.

On the other hand, the committee amendment recognized that there are such commercial and industrial areas now established, or which might be established in the future, where advertising is necessary for the use of legitimate commercial and industrial enterprises.

Even that was objected to at the last moment by the administration, because yesterday the Senator from West Virginia offered an amendment which would give to the Secretary control over the whole 50 miles.

I thought that in committee we had considered all these factors and felt that we had reached a fair solution. The effect of the amendment offered by the distinguished Senator from New Hampshire—and I believe he will agree with me—would be more restrictive on the interstate system, because on that system the Secretary would not be enabled to create additional zones in the future. That is a worthy objective. I offered that amendment in committee, and it was rejected. I intend to offer it again, separately, sometime before action on the bill is concluded.

The **PRESIDING OFFICER**. The time of the Senator from Kentucky has expired.

Mr. **RANDOLPH**. Mr. President, I yield 3 additional minutes to the Senator from Kentucky.

Mr. **COOPER**. With respect to the primary system, the amendment of the Senator from New Hampshire would eviscerate the whole purpose of achieving some kind of legislative controls to further the beautification of the road system. I intend to stand by the committee version, which was adopted unanimously. So far as I know, there is no opposition from the administration. Whether there is opposition or not, the amendment was the result of the judgment of a committee which worked hard on the bill.

I shall offer an amendment to try to protect the Interstate System from future zoning, which the bill before the Senate does not do. But so far as the primary system is concerned, the judgment of the committee was based on common sense. It would promote and extend the beautification of the primary system in ways that have never been tried. At the same time, it would admit that there are areas used for commercial and industrial purposes where advertising is legitimate and necessary.

For these reasons, I oppose the amendment offered by the Senator from New Hampshire.

Mr. **COTTON**. Mr. President, I yield myself as much time as I may require.

I have profound respect for the opinion of the distinguished Senator from Kentucky, particularly in view of his long and painstaking study of the bill and the subject. I am frankly disappointed and am somewhat surprised at his opposition to my amendment and at the reasons he advances for that opposition.

I call the attention of the Senate again to the fact that my amendment was drawn carefully so that it would not gut the bill. It was carefully drawn so that it left subsection (e), which reads:

> (e) Notwithstanding any provision of this section, signs, displays, and devices may be erected and maintained within areas adjacent to the Interstate System and the primary system within six hundred and sixty feet of the nearest edge of the right-of-way which are zoned industrial or commercial under authority of State law, or which are not zoned under authority of State law, but are used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States—

My amendment retains the remainder of the subsection, which reads as follows:

> except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws.

In the case of the entire interstate system, my amendment applies the full power of this bill retroactively. It does not attempt to disturb the penalty of 10 percent loss of Federal aid. It leaves all the weapons in the bill.

Back in 1957 and 1958 I believed that we should not have used the "carrot" system. I wanted them to do what is being done under greater difficulty now. I wanted them to see to it that not a mile of new interstate highway should be built until the States accepting 90 percent of the funds from the Federal Government should cooperate with the Federal Government and see to it that advertising was controlled. I believed it them. I believe it now. That is the reason why my amendment does not strike out that very vital part.

Mr. President, I have more confidence in the State legislatures than does apparently my friend, the Senator from Kentucky.

I happen to believe, having served for many years in the State legislature of New Hampshire, that State legislatures are not prey to any particular lobby, including the advertising lobby.

I find, in the instance of my own State, as I found back in 1957 and 1958, that many of those who come here in the interest of the control of advertising are members of the legislature of my State.

I have confidence in the Governors of the States. I applaud the efforts of the First Lady of our land, for whom, in common with every Senator, I entertain the highest respect. Her interest and the interest of the administration in the beautification of this country and the preservation of its natural beauties constitute a most laudable endeavor. I planned to vote for the bill and expected to vote for it. I wish I felt I could vote for it at this moment.

Mr. President, this is an entering wedge. Listen to what the committee itself said. The committee said, on page 6 of the report:

> It is the committee's opinion that this is primarily an issue of land use which should not be left to an administrative decision.

That is what the committee said. Those are the words of the distinguished Senator from West Virginia and the distinguished Senator from Kentucky and all the rest of them. The committee said further:

> It is an extension of the concept of zoning and therefore more appropriately belongs to the same authority—i.e., the legislatures of the States. The committee believes that the State legislatures, because of their more detailed knowledge of the topography and land use patterns of the States, are in a better position to define an industrial and commercial area for their respective States than is the Secretary of Commerce.

Those are not the words of the Senator from New Hampshire. Those are the words of the committee.

Mr. **CANNON**. Mr. President, will the Senator yield?

Mr. **COTTON**. I shall yield in a moment.

In a subsequent paragraph on the same page, in fairness, I must add that the committee wobbled a bit on that and said that unless there were some restrictions in the hands of the Secretary, that perhaps some State legislatures might use their authority to defeat the purposes of the bill by opening up the opportunities of advertising which would defeat the purposes of the bill in certain localities.

I now yield to the Senator from Nevada.

Mr. **CANNON**. Mr. President, I ask the Senator whether the committee has given any explanation as to the reason why it should state one thing in the report and then completely reverse its position on the floor. Has any explanation been given?

Mr. **COTTON**. There has not been any explanation other than the statement I just made that, after saying that this was a matter which traditionally, historically, and properly was in the hands of the State legislatures, because they were in a better position to judge the merits of the case. The committee did go on to say that perhaps in some instances the State legislatures might do something that would defeat this nationwide pattern, and that therefore they were going to give this authority to the Secretary.

Mr. **CANNON**. The committee went on to state in the report on page 6:

> The committee is of the opinion that subsections (b) and (c) provide the Secretary with adequate authority to enforce compliance with the purpose of the act.

If that statement was true when the committee wrote the committee report, I wonder what has happened between then and now to make them change their minds and say that the Secretary needs additional authority.

Mr. **COTTON**. Mr. President, I thank the distinguished Senator, and I join him in wondering that same thing. I was about to refer to that language.

Mr. President, my amendment is absolutely not in any sense a handicap to this bill, nor would it gut the bill.

I lean over backwards in this amendment. I leave everything as it was with regard to the entire 41,000 miles of the Interstate Highway System, 90 percent of which is paid for by the Federal Government.

I leave in the hands of the Secretary the veto power which the committee did not believe was necessary, but then attempted to incorporate in the bill. I leave the veto power in the hands of the Secretary with reference to any new highways that are constructed in the future.

I want it to be clearly understood that that means new highway, not reconstruction, repair, or change in established highways in the system.

This change would take the committee at its word and provide that, in the last analysis, zoning should be in the hands of the State legislatures or such authority as they may designate, since they are on the ground and know what is best with relation to zoning.

I can find only one point with respect to which my amendment is in disagreement with my friend the Senator from Kentucky.

The only point upon which we have any disagreement is that I happen to trust the legislatures of our respective States. No doubt they make mistakes at times. It occurs to me that the Congress of the United States makes mistakes at times. However, I happen to believe, and not entirely with happiness, that if the vote of the American people and of the various States in the latest presidential election means anything, it means that the people of most of the States of the Union are solidly behind President Lyndon Johnson. They believe in him and have confidence in him. I, too, have confidence in him.

That being the case, why are we so afraid? Why must we seek to take the last ounce of power, the last scintilla of the right to judge their own affairs in their own sections, their own communities, and their own States away from the people in this insidious manner?

Mr. President, that is a matter more far reaching than the beautification bill. When we, for the first time, so far as I know, in the history of Federal aid and assistance to the States and communities of this country, write into a bill a penalty, a price the States must pay for losing Federal assistance if they do not bow down to the will of a single Federal official in Washington, the question arises, Where are we going?

Into an otherwise meritorious and praiseworthy bill, a bill for which every Senator wishes to vote if he can, in a cause that we all agree is laudable, we are writing power that spells the end, if this pattern is followed. And if the pattern is followed, there is no need of any of us sitting in these chairs any longer, because some official downtown will have the dictatorial power to make our decisions for us. The best they are willing to do for us is to say, "He shall consult the legislatures." "He shall consult the local officials." Or perhaps, "They shall have his concurrence or agreement."

We can spell it any way we wish. It means, in the last analysis, that the legislatures must bow to his will. They may be compelled to put people out of business—and I am concerned for some of the people who have all of their savings invested in motels, gasoline stations, restaurants, and other businesses up and down the highways of my State, which is the most beautiful of the Union. I am concerned about them, and I do not want to see my State placed in a position where the legislature is ever going to be compelled to put some of those people out of business, or face the penalty of losing 10 percent or any percent of its primary system highway aid from the Federal Government.

That is the basis for my concern, Mr. President; and it should be a subject of concern to all of us. The beauty and cleanliness of our countryside is an asset we must never lose. But there are things even more precious than the beauties of nature; and one of those things goes to the rights of the individual citizen in relation to his Government, and the rights of our respective States and their legislatures.

I could not vote for this bill, no matter how meritorious it is, if such supreme power, under any language devised, were vested in a Federal official in Washington.

Mr. RANDOLPH. Mr. President, I yield myself such time as I may need.

The persuasive Senator from New Hampshire speaks with his customary vigor. I know that his conviction, as stated here, is reflected not only in his address today, but in his preparation of the amendment.

I suggest that perhaps the Senator is somewhat inconsistent, because he would trust the Secretary in the matter of the Interstate System, but would not trust the Secretary in the matter of the primary system. I yield 2 minutes to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I appreciate the very strong and sincere views of the Senator from New Hampshire [Mr. COTTON]. I wish only to say that I see nothing in my remarks that in any way impugned a State legislature. It was once my honor to serve as a member of the Kentucky General Assembly, and I carry the same high regard for our State legislatures as does the Senator from New Hampshire. On many occasions they act with perhaps more wisdom than we do.

But that has nothing to do with the amendment I proposed, and in my opinion nothing to do with the Senator's amendment. So let us turn to my amendment and examine it.

If the Senator will read—and I know he has—subsection (e) on page 11, there is not a thing in that amendment, as recommended by the full committee, which gives the Secretary any authority over the power of a State legislature to zone. Let us not be led astray by that diversion, because there is nothing in the subsection we have recommended which gives the Secretary any control or veto over the power of State legislatures to zone. We are talking about what the committee did, and not what the Senator from West Virginia proposed yesterday.

I also opposed that proposal. But I repeat, with all deference, that if the Senator's amendment should be adopted, it would remove the primary system from the bill. Of course, that means we would have no bill.

One other point: I shared with the Senator his concern about the 100-percent penalty. It was the efforts of the minority side of the Senate and of the committee which finally, I believe, persuaded the administration to reduce its recommendation to 10 percent, which is still a penalty, but I should say it is not wholly compulsive.

Mr. RANDOLPH. I yield whatever time he may need to the distinguished chairman of the Senate Committee on Public Works [Mr. MCNAMARA], a man closely associated with the bill in the Senate.

Mr. McNAMARA. Mr. President, the Committee on Public Works was faced with two major problems in regard to highway beautification legislation.

First, we wanted to carry out the objectives sought by the administration in eliminating ugliness insofar as possible along our interstate and primary highways.

With our increasing population, greater mobility of the public and growing demands for land use, it is in the national interest to make this our public policy.

We can all agree, I am sure, on this principle.

But in drafting legislation to meet this goal, we were faced with our second major problem, which was to protect the rights of the individuals involved.

One may object to the lack of aesthetic qualities of a junkyard or a billboard.

The point is, however, that these are legitimate businesses, and it is not a proper role for Congress to trample on their rights and destroy their investments to merely meet a definition of beauty.

Therefore, our committee sought to meet both of these problems fairly.

I believe the bill before the Senate accomplishes this.

We have established the standards which would govern the placement of outdoor advertising and the screening of roadside junkyards.

At the same time, we have worked out a formula for the just compensation of those whose businesses will be affected.

There undoubtedly will be those on both sides of this issue who will say that we have gone too far, or not far enough.

But I am confident that this bill is a sincere effort to do justice to the issue, while still carrying out the principle of creating more beauty along our highways.

I want to express my appreciation and congratulations to Senator RANDOLPH who, as chairman of the Subcommittee on Public Roads, had the major responsibility of producing this difficult legislation.

He has done an excellent job under sometimes trying circumstances, and he deserves great credit for his diligence and fairness.

Mr. COTTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. COTTON. How much time have I remaining?

The PRESIDING OFFICER. Thirty minutes remain to the Senator from New Hampshire.

Mr. COTTON. At this point I wish to take only a few minutes. I refer to the statement made by the distinguished

Senator from Kentucky that the power to be given the Secretary was embodied in the second amendment proposed by the administration and that it was not in the bill as reported by the committee.

Mr. President, I heard at least one member of the committee on the floor of the Senate yesterday afternoon, and I have been informed by members of the committee staff that line 10 on page 11 is the line in the bill which would confer upon the Secretary of Commerce a veto power.

Even without such assurance from any member of the committee or its staff, if we read the English language, I do not see how anyone can claim that it would not have that effect.

Referring to subsection (e) on page 11 of the bill, after stating that it is up to the States to determine the zoning—the words are: "as determined in accordance with provisions established by the legislatures of the several States"—it stopped there. But it also states, "which shall be consistent with the purposes of this section."

Mr. President, who decides?

Clearly it means that if the zoning is not consistent with someone's opinion, for the purposes of this section that, too, shall not stand, because it is so provided in so many words.

Mr. President, if we leave that line unamended in the bill—I do not care what the Senator from Kentucky or anyone else says, even though I greatly respect their opinions—the Secretary of Commerce would be the boss and the dictator of the zoning, no matter how we slice it.

I have no doubt—at least I hope and believe—that the present Secretary of Commerce would be reasonable and benevolent in his exercise of power. However, we have always adhered to the principle that this great Republic is a government of laws and not a government of men. Therefore, it makes no difference whether the present Secretary of Commerce would be reasonable and lean over backward to respect the wishes and opinions of the States, we shall be writing into the law of the land and vesting power in some Secretary of Commerce to absolutely override the Governors, legislatures, zoning boards, municipalities—and the people—of every single State in the Union. If they do not submit to being overridden, they will pay a fine. It is just that simple. It is dangerous legislation.

Mr. President, I say to my esteemed friend the Senator from West Virginia that I hope we could have a quorum call, because I should like to have 3 minutes merely to explain what my amendment would provide, before a vote is taken.

Mr. RANDOLPH. Mr. President, I wish to be courteous, but it is also my desire that Senators be fully informed on amendments which are being offered and, therefore, I would not oppose the suggestion of the Senator from New Hampshire.

Mr. COTTON. Let me say to the Senator from West Virginia that I feel very deeply about this amendment. Frankly, I am afraid that my vote on the bill will depend on this issue. I am most anxious that at least the Senate should know what the amendment provides, and why. That is why I do not wish to surrender my time. For that reason, Mr. President, I ask unanimous consent to suggest the absence of a quorum, without the time being taken from either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. COTTON. Mr. President, I am willing to yield back the remainder of my time if the Senator from West Virginia is willing to yield back his time.

Mr. RANDOLPH. Mr. President, I believe I shall speak for only 1 minute.

Mr. COTTON. If the Senator wants 1 minute, then I do not yield back my time.

Mr. RANDOLPH. Very well, I yield back my time.

Mr. COTTON. I yield back my time.

The VICE PRESIDENT. All time on the amendment of the Senator from New Hampshire [Mr. Cotton] to the committee amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], and the Senator from Rhode Island [Mr. Pastore] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], the Senaor from Wyoming [Mr. McGee], and the Senator from Oklahoma [Mr. Monroney] are necessarily absent.

On this vote, the Senator from Maryland [Mr. Brewster] is paired with the Senator from Utah [Mr. Bennett]. If present, and voting, the Senator from Maryland would vote "nay," and the Senator from Utah would vote "yea."

On this vote, the Senator from New York [Mr. Kennedy] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from New York would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Wyoming would vote "nay," and the Senator from Iowa would vote "yea."

On this vote, the Senator from Rhode Island [Mr. Pastore] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting, the Senator from Rhode Island would vote "nay," and the Senator from Pennsylvania would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis], and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senator from Delaware [Mr. Boggs], and the Senators from Iowa [Mr. Hickenlooper and Mr. Miller] are necessarily absent.

On this vote, the Senator from Utah [Mr. Bennett] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Maryland would vote "nay."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from New York [Mr. Kennedy]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Scott] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Rhode Island would vote "nay."

The result was announced—yeas 33, nays 48, as follows:

[No. 262 Leg.]

YEAS—33

Allott
Byrd, Va.
Cannon
Carlson
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Hill
Holland
Hruska
Jordan, Idaho
McClellan
McIntyre
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—48

Aiken
Bartlett
Bass
Bayh
Bible
Burdick
Byrd, W. Va.
Case
Church
Clark
Cooper
Dodd
Douglas
Fong
Fulbright
Gruening
Harris
Hayden
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Long, La.
Mansfield
McGovern
McNamara
Metcalf
Mondale
Montoya
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Smathers
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—19

Anderson
Bennett
Boggs
Brewster
Curtis
Gore
Hart
Hartke
Hickenlooper
Kennedy, N.Y.
Lausche
Long, Mo.
Magnuson
McCarthy
McGee
Miller
Monroney
Pastore
Scott

So Mr. Cotton's amendment to the committee amendment was rejected.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. McNAMARA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I yield to a member of the committee, the Senator from Ohio [Mr. Young], for 10 minutes.

The VICE PRESIDENT. The Senator from Ohio [Mr. Young] is recognized for 10 minutes.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may speak without regard to the rule of germaneness.

The VICE PRESIDENT. Without objection, it is so ordered.

DR. MARTIN LUTHER KING, JR.

Mr. YOUNG of Ohio. Mr. President, in newspapers this last weekend I read a news dispatch from Washington wherein my colleague, the distinguished senior Senator from Connecticut [Mr. Dodd], denounced Dr. Martin Luther King, Jr., charging that "he has taken advantage of his pulpit to meddle in U.S. foreign policy." He also accused Reverend King of being "alined with the forces of appeasement of communism. Dr. Martin Luther King, Jr., needs no defense in this forum from any Senator. Nor does he need defense anywhere in the United States. He has proven himself a great leader of his people. He has proven himself a great American. In fact, he has won international acclaim. The Nobel Peace prize has been awarded to him. May I say that I hold Rev. Martin Luther King, Jr., in the highest admiration as a fine American citizen.

The news article went on to state that the Senator from Connecticut [Mr. Dodd] said:

> Reverend King, by his recent statements, would endanger the respect in which he is held by Government leaders, including the Senate Foreign Relations Committee of which Dodd is a ranking member—

Stated the news item—

> if he (Reverend King) continued his alinement with the forces of appeasement.

I take violent exception to the accusation that Reverend King has said or done anything that alines him even remotely "with the forces of appeasement."

What my colleague allegedly said in denouncing Reverend King is as erroneous as is the statement in the news item of the UPI reporter who wrote that the distinguished Senator from Connecticut is a ranking member of the Foreign Relations Committee. There are, I believe, 13 majority members of the Senate Committee on Foreign Relations, and the distinguished Senator from Connecticut is 10th in seniority among the majority members. I withhold further comment on that, but I do not withhold comment on the accusation that Rev. Martin Luther King alined himself "with the forces of appeasement" or, in other words, is a disloyal American and is giving aid and comfort to Communists in speaking out in support of the viewpoint that the Peiping government, or Communist China, should be admitted to membership in the United Nations. Nations and individuals should not ignore the facts of life. Communist China has been an independent nation under the present regime for some 17 years. The facts of life are that in all probability Red China is likely to be admitted to membership in the United Nations within the next 12 months, or so, regardless of how the delegates of the United States vote. Admission to membership in the United Nations certainly does not mean approval of the ruling regime of the country admitted.

It is dead wrong for any self-appointed vigilante to infer that Rev. Martin Luther King, Jr., is a Communist sympathizer or by his statements is continuing his "alinement with the forces of appeasement." The senior Senator from Connecticut sometimes uses the phrase "Communist conspiracy." I don't believe in individuals seeking to play God with the patriotism of other Americans. It would be a rash statement for anyone to allege that Dr. Martin Luther King favors appeasement of communism when he advocates the admission of Communist China to membership in the United Nations.

Very peculiarly, there are self-appointed vigilantes in Congress and out of Congress who regard themselves, and only themselves, as super-duper patriotic Americans. Some speak glibly of a "Communist conspiracy," charging that there are Communists on faculties of universities in our country. They could not name one. They charge that there are Communists in the State Department. They could not name one official of our State Department who is a Communist or Communist sympathizer. They talk irresponsibly about Communists on our Supreme Court and urge impeachment of the Chief Justice of the United States, Earl Warren, who is a distinguished and loyal American. Just who are the persons who are leaders in the United States of the "Communist conspiracy" referred to repeatedly by self-appointed vigilantes?

There is a Representative in Congress from my home city of Cleveland who is the ranking member of the House Committee on the Judiciary. He likewise talks about the "Communist conspiracy," and he has placed on the Government payroll, and that of a joint committee, so-called, on immigration and nationality policy, of which he is chairman, two crackpot "bushleague Joe McCarthys," Edward M. O'Connor and Philip Corso—O'Connor at a salary in excess of $22,000 per annum.

Too many self-appointed vigilantes seem to have no fear whatever of Communist aggression from abroad, but they talk about Communist infiltration into organizations such as the PTA, into the Protestant clergy, in our State Department and on college faculties. They express horror and charge appeasement of communism when, for instance, sensible faculty members propose eliminating the speakers' ban against leftwing speakers at Ohio State University by action of a majority of the trustees who overruled the wishes and views of the president of that university and a majority of faculty members.

I repudiate the statement made by the Senator from Connecticut [Mr. Dodd] wherein he made an utterly irresponsible charge that Dr. Martin Luther King, Jr., is "alined with the forces of appeasement."

In the New York Journal American of September 11 a staff reporter, Dan Brigham, also reported that Senator Dodd charged the Reverend Martin Luther King, Jr., with "abusing his position to meddle in matters of U.S. foreign policy." This reporter also went on to state that the distinguished Senator from Connecticut was a ranking member of the Foreign Relations Committee.

I am the ninth member on the majority side of the aisle on the Armed Services Committee. I consider myself pretty low on the totem pole of that committee.

I see close to me the distinguished junior Senator from Nevada [Mr. Cannon], who was elected at the same time as I to the Senate, but he is my senior on that committee.

I do not believe that the 10th member in seniority of a committee is the ranking member of any committee except in the estimation of a friendly newspaper reporter.

The news item stated Dr. King had "called for an end to U.S. opposition to the seating of Red China in the United Nations: A public statement of U.S. willingness to negotiate directly with the Communist Vietcong for peace in Vietnam and a reevaluation of U.S. international relations along lines advocated by Senator William Fulbright, chairman of the Senate Foreign Relations Committee."

The Senator from Connecticut stated:

> When Dr. Martin Luther King takes advantage of his pulpit, as a prime leader of the civil rights movement in this country, to call for Red China's admission to the U.N., he ventures into dangerous waters, but when he advocates that the United States reorient its foreign policy along lines of accommodation with the Communists, then I can only regret that * * * (such) * * * intemperate alinement with the forces of appeasement in foreign policy has alienated much of that support he previously enjoyed in Congress.

The fact is that the Reverend Martin Luther King, Jr., has the same right to express his views on the foreign policy of our country as have the senior Senator from Connecticut and the junior Senator from Ohio.

Furthermore, the Senator from Connecticut took the occasion, according to the news article, to criticize Senator Fulbright's position on a domestic issue. This is comparatively unimportant. Dr. King called for direct negotiations with the Communist Vietcong for peace in Vietnam and for a reevaluation of international relations, both of which views were advocated by Chairman Fulbright and express what I consider was the absolutely correct viewpoint.

Of course, the very able chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. Fulbright], needs no defense from me or any other Senator.

In my considered judgment, the Reverend Martin Luther King and Senator Fulbright are correct in their views, and my colleague, Senator Dodd, is wrong in his views. It may be that this detour on his part to advert to Chairman William Fulbright, of the Committee on Foreign Relations, is a result of Chairman Fulbright exposing the fact that of 13 recent meetings of the Committee on Foreign Relations, Senator Dodd attended only one. Naturally, any Senator becomes more fully informed on subjects dealt with by committees of which he is a member if he attends committee meetings instead of being chronically absent from them.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. RANDOLPH. Mr. President, I yield an additional 2 minutes to the Senator from Ohio.

Mr. YOUNG of Ohio. Furthermore, as a Senator I have never felt degraded when I would go to the offices of the Committee on Foreign Relations and ask to read classified and secret testimony given in executive sessions of that committee. I have done this in the past. I thought nothing of sitting in the committee at a table receiving and reading the classified material and then later looking up the clerk who handed me the typed testimony and returning it.

Again I assert I admire and respect Dr. Martin Luther King, Jr., and assert the Senator from Connecticut is 100 percent wrong when he assailed him as he did with his allegations that Dr. King had engaged in "ill-advised adventures into the sphere of foreign policy." Senator Dodd is quoted as having stated that Dr. King "has absolutely no competence to speak about the complex matters of foreign policy." I respect Dr. King as being entirely competent. I do not consider that a Senator's attendance at one meeting of 13 of the Committee on Foreign Relations gives him superior competence in the field of foreign policy.

Finally, regarding the statement that it has been repeatedly charged that Dr. King was "under Communist influence," I repudiate this snide reference to a respected American leader.

Mr. President, I note that frequently persons refer to themselves as dedicated anti-Communists, and become self-appointed vigilantes and play God with the patriotism of members of the Protestant clergy, professors on the faculties of our colleges, and respected leaders in public life. Such persons would do well to study the very first amendment to the Constitution of our country, adopted on the demand of men who won the Revolutionary War.

Mr. President, the Plain Dealer, a nationally known newspaper with a long history and noted tradition, in its issue of Saturday, September 11, has a fine editorial entitled "Admit Red China to the U.N." I commend the editorial to Senators, including the Senator from Connecticut, and ask unanimous consent that it be embodied in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Cleveland (Ohio) Plain Dealer, Sept. 11, 1965]

ADMIT RED CHINA TO THE U.N.

It is time to let Red China join the United Nations.

It is folly to pretend that 700 million Chinese on the continent do not exist.

It is folly to believe that mainland China is ever going to be conquered by Chiang's little army in virtual exile on Formosa.

And it is folly to hope that Red China will sit cowering silently in a corner while other great powers settle affairs under its very nose.

We agree with U Thant, Secretary General of the U.N., that all nations of all ideologies should take part in U.N. councils.

Thant feels that the first fright over the horrors of nuclear war has worn off. While nations still feared enough, they trimmed their national demands warily and prudently took less. But now, Thant says, the world is "backsliding."

Tensions are mounting. Nations are now willing to risk massive war over a patch of disputed territory.

India and Pakistan are at each other's throats. And there is nothing to rely on as a peacemaking tool but the U.N.

Yet the U.N. excludes Red China, the biggest power in that Asian war arena.

This leaves a gaping hole in any peace arrangement that might be made, because any such arrangement could be nullified if Red China decides to take unilateral action and wreck it.

Every peace document, every disarmament treaty painfully achieved at Geneva, has this same defect—there is still one power outside which can destroy it any instant it chooses.

Being outside the U.N. conferences, Red China is not constrained to keep its actions in harmony with any web of collective agreements. It can keep on ignoring, insulting, defying world opinion.

And as long as it is treated as the one big outcast from world society, it can go on being unrealistic, as lone dwellers usually are.

The U.N. has just been shaken by the crisis over peacekeeping assessments. Each power has the freedom now to default on its assessments if it was not in favor of some peacekeeping venture that rubbed some skin off its own nose.

By keeping Red China out of the U.N. is a second critical weakness in the world peace machinery. The U.N. has no absolute power to keep Red China or any nation in leash. But it does have systems of persuasion. And that is a great deal more than the isolation which now keeps Red China apart from the rest of international society.

Mr. YOUNG of Ohio. Mr. President, now let the Senator from Connecticut, if he dares, condemn Publisher Thomas Vail of the Plain Dealer and the junior Senator from Ohio as being "alined with the forces of appeasement."

Last April Senator Dodd spent a week or thereabouts in South Vietnam and early in May upon his return he spoke on "Meet the Press" announcing that the United States was winning the war in Vietnam and that the morale of the South Vietnamese soldiers had never been so high. Of course, he was proven 100 percent wrong. Instead of winning the war, at that time the South Vietnamese and we Americans were losing the war.

Anyone taking a look at the map of South Vietnam showing the positions held by the Vietcong in April 1964 and then in April 1965 could readily see that the Vietcong had taken over control of large areas, including provincial capitals. Furthermore, it was acknowledged that desertions from the South Vietnamese army amounted to thousands each month. To me this would seem to indicate low morale instead of high morale. The Senator was "whistling in the cemetery" when he made those rash statements.

Time and events since then and our being compelled to send in additional thousands of soldiers and marines proves him 100 percent wrong. He is just as wrong in his conclusions regarding Rev. Martin Luther King, Jr. as he was in his victory statements just before the Vietcong offensive, which for a time swept South Vietnamese forces and our own forces before it.

NATURE AND PURPOSE OF ALLIANCE FOR PROGRESS

Mr. RANDOLPH. Mr. President, I yield 10 minutes to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, yesterday the chairman of the Committee on Foreign Relations reported on the findings and the conclusions he reached from the hearings held by the Committee on the American expedition into the Dominican Republic.

I want to endorse what he said 100 percent, both in its generalities and in its specifics.

But I want to add some observations of my own.

It is obvious from our activities in the Dominican Republic that the American Government does not have a clear idea, an idea appreciated uniformly throughout all its departments, of the nature or purpose of the Alliance for Progress.

Its purpose is to help reform the social, economic, and political systems of all nondemocratic nations of the hemisphere. We think of it as a peaceful, nonviolent revolution, perhaps more in the nature of rapid evolution than true revolution. It is inconsistent with support of economic or military oligarchies or political dictatorships.

We believe that the economic, political, and social institutions which have prevailed in many places in South and Central America for the past 50 years are totally inadequate to the present needs of the people. We saw the rise of Castro as the handwriting on the wall, and we took it as a warning that if affairs continued in the southern half of the hemisphere uninterrupted by any voluntary efforts, the Communist elements which won power in Cuba would be able to lead a Communist revolution in many more neighboring countries.

So the Alliance for Progress was devised not to suppress the demand for change, but to aid it and direct it in certain paths. That is the message the Department of Defense and the Central

Intelligence Agency have not yet understood. The Alliance for Progress is intended to change the status quo in Latin America. We are pouring a billion dollars a year of private and public money into that endeavor. Yet the Defense Department and the CIA spend millions more trying to offset the Alliance and to forestall its purposes.

Certainly they do so at the behest of many of the people in the countries to the south who are intended to be displaced by the Alliance. The landlords and industrial oligarchs whose economic strangleholds must be broken, will always cry "Communist" when they see a threat to their domination. They do not care much whether the threat is genuinely Communist or comes from democratic reform elements. They stand to lose out either way, and to many of them there is no difference.

As Senator Fulbright has pointed out, Juan Bosch and his party were bringing to their country the kind of revolution envisioned by the Alliance for Progress. But by 1965, the Defense Department, the U.S. Ambassador to the Dominican Republic, and many other high officials in the State Department and on the White House staff were frightened by the prospect. They were frightened by the prospect of returning to the practical application of the Alliance.

My own fears for the future of the Alliance, and for the future of Latin America are well known.

I think the demands of the huge population growth there are going to overwhelm the Alliance at its present rate of progress. We must go much further, much faster, if rates of material progress are to be achieved in those countries that will avert a turn to outright communism.

The big bottleneck to progress is not the Treasury of the United States, nor the Congress. It is the factions in the nations of Latin America that cling to the past and to their present power to block reform. So long as these elements are aided and encouraged by the U.S. military aid missions and CIA in thinking they will be sustained and preserved by American military might if they can just demonstrate that a threat of communism exists they will continue to block essential economic reform.

I would remind the Secretary of Defense that he already has an Army of 125,000 men in South Vietnam, because we backed an oligarch there with 9 years of American financial support, yet he still failed to accomplish anything useful with it. We still have an Army of several thousand in the Dominican Republic, although U.S. aid to the Reid junta had been resumed and was in full supply. Between January 1964 and April 1965, the incredible sum of 61 million American dollars were made available to the Reid government, in a country of about 3½ million population. That means per capita aid of about $17 for every man, woman, and child in the Dominican Republic, for one of our largest aid programs anywhere in the world.

How many countries can we occupy at one time? That is a question the Defense Department and its counterparts in the State Department had better answer before they commit U.S. backing and intervention to every junta and potential junta in Latin America that comes up to them and whispers: "Communists are about to get us." Granted that we are approaching Halloween, the Defense Department and the State Department should be told that Halloween goblins have no place in United States-Latin American foreign policy.

Many of these Latin American oligarchies and would-be military dictators are using the American military to stay in power. They count on its gullibility, and on our overriding obsession with communism, to hold back the tide that would otherwise sweep them away. That is the surest way I know to hasten the day when the great masses of people in Latin America will have no other path to follow to the promise of economic freedom than the Communist path.

It is a false promise; but we are in danger of making the Alliance a false promise, too. Another intervention on behalf of the likes of Donald Reid and Wessin y Wessin, and the people of Latin America will know once and for all that the real Alliance for Progress died with John Fitzgerald Kennedy.

In closing, I want to stress again that the critical problems of economic growth that confront the people of Latin America cannot be solved in economies that continue to be dominated by landed aristocracies. Their control must be broken before economic populism and industrial democracy can develop, and I ask unanimous consent that an article dealing with this topic which appeared in the July issue of the Annals of the Academy of Political and Social Sciences appear at the conclusion of my remarks.

Mr. President, I commend the Senator from Arkansas [Mr. Fulbright], the chairman of the Committee on Foreign Relations, on which I have the honor to serve, for his speech yesterday which I consider to be an act of farseeing statesmanship.

There being no objection, the article was ordered to be printed in the Record, as follows:

Urban and Rural Development in Latin America

(By John P. Powelson and Anatole A. Solow)

(John P. Powelson, Ph. D., Pittsburgh, Pa., is professor of economic development, graduate school of public and international affairs, University of Pittsburgh. He was formerly professor of economic development at Johns Hopkins University and has been visiting professor at the University of San Andrés (Bolivia) as well as an economist on the staff of the International Monetary Fund and Director of the National Accounts Program, Latin-American Monetary Studies Center (Mexico). He is the author of numerous books and articles on Latin America.)

(Anatole A. Solow, Ph. D., Pittsburgh, Pa., is associate professor of urban and regional planning, graduate school of public and international affairs, University of Pittsburgh. He was formerly regional and urban planning advisor for the Agency for International Development in Central America and chief of the Division of Housing and Planning of the Pan-American Union. He is the author of a number of books and articles on Latin America.)

Abstract: Abundance of population, shortage of land, and maldistribution of income affect Latin American rural and urban areas in analogous fashion. Throughout the area, population is growing at the rate of 3 percent per year, rural populations by about 1½ percent and urban populations by more than 4 percent. The concentration in urban areas is greater in the larger cities, but the cities are not able to absorb the entire annual increment, and unemployment remains high. More rational use of land is called for in both areas. In the cities, progressively higher percentages of people live in shanty towns. There has been little rational planning of urban facilities to accommodate them. Provision of adequate water, sewage, and transportation would be more costly than most governments—or consumers—can afford. In the country, the maldistribution of population and income has resulted in many landless people. Colonization on vacant lands will not solve the problem because of high capital costs and distance from markets. Furthermore agricultural output is progressively less capable of meeting the growing cities' demands. No government is able to afford the necessary rational distribution of land. Nor are governments politically oriented toward the dimension of reform needed. Latin America must look forward to an intensification of rural and urban poverty and its consequences.

Abundance of population, shortage of land, and maldistribution of income are the most serious forces to impede rational planning for economic growth in Latin America. The shortage of land is not measured in its physical sense, for land, qua land, is abundant. Unfortunately, it is either located in the wrong place, not fertile enough, insufficiently rained upon, or owned by the wrong people, so that its combination with other factors of production—abundant population and scarce capital—becomes difficult.

Problems of city and country are more closely analogous than would appear at first sight. In each case a limited supply of usable, properly located land is subject to the pressure of a rapidly increasing population. In each case overwhelming numbers of people are denied access to good land because they do not have the wealth or income with which to buy or rent. In each case an irrational combination of factors of production results, characterized by wasted capital and labor, and often by insufficiently utilized land as well. In each case the labor could be more effectively utilized if it were deployed differently, in other combinations, with available capital and land.

These are sweeping generalizations, to which there are many exceptions. Still, the universality of shantytowns ringing the major cities of all Latin American countries and the incapacity of agriculture to meet the growing urban demands are testimony to the ubiquitousness of the problem. It is the purpose of this paper to plead that a more rational distribution and utilization of land, in both city and country, is essential to economic growth, quite apart from the more obvious social considerations. In short, land reform requires both an urban and an agrarian dimension.

URBAN LATIN AMERICA

National economic-development planning is becoming an established governmental function in most Latin American countries. Yet, in preparing short-term as well as long-range development plans, national planning offices have paid surprisingly little attention to the relatively recent phenomenon of the urban explosion. What are its effects in terms of positive and negative factors, and what planning strategy can be adopted to minimize possible negative effects of urbanization on economic development or to maximize its positive aspects?

The spectacular growth of urban areas in Latin America has been described by many writers ever since the first pioneering study was made by Ana Casis and Kingsley Davis in 1947.[1]

In Latin America urban population[2] increased by about 30 million during the last decade, from 65½ million to almost 96 million people, and is expected to increase by another 42 million to a total of 138 million by 1970, or double that of 1950. This represents an annual growth of between 4 and 5 percent as compared to a rural growth rate of only 1.5 percent and a total population growth of about 2.5 to 3 percent.[3]

Furthermore, the population of large cities—over 100,000 people—is growing at a much faster rate than that of small ones. In fact, from available statistics, it would appear that many of these cities have doubled in population during the past 10 years and are growing at an annual compound rate of about 6 to 10 percent. About 50 million people lived in cities of over 100,000 people in 1960. Even at a conservative 6-percent annual growth, this may amount to 80 million people by 1970, or an increase of 30 million during the next 10 years only in cities of 100,000 or more. This would be the equivalent of 300 new cities of 100,000 people each, requiring employment, developed and serviced urban land, industrial sites, transportation and marketing facilities, electric power, streets, highways, terminal facilities, water supply and distribution, sewage and refuse disposal, housing, schools, and many other types of public and community facilities and services.

One other characteristic of the geographic distribution of the growing urban population is of importance: the disproportionately large concentration of people in the capital cities and a few large metropolitan areas, including the central city as well as the surrounding suburban areas. For example, the population of Metropolitan Buenos Aires grew from 4.7 million in 1950 to 5.6 million in 1955. It is estimated that in 1960 both Rio de Janeiro and São Paulo had over 5 million people in their respective areas. Lima and its suburbia had over 2.5 million in 1960, or three times the 1940 population. A spectacular increase occurred in the urban area in Bogotá, from 675,000 in 1950 to 1,233,000 in 1960, and it is expected to increase to 2,334,000 by 1970, or practically doubling in 10 years.[4]

The capital cities and a few other metropolitan areas are absorbing an ever-increasing percentage of the country's total population. Thus, in 1950 Bogotá had 6 percent of the country's 11 million people. This had risen to over 8 percent of the country's 14.8 million in 1960 and is expected to increase to almost 12 percent of 19.6 million in 1970. In Mexico 14 percent of the total population were concentrated in the metropolitan area of the capital city, in Costa Rica 22 percent, in Panama 24 percent, in Chile 24 percent, in Paraguay 16 percent, in Peru 14 percent. All indications point to the continuation of these trends at least for the next decade.

The urban explosion is the result of a large rate of natural population increase combined with a continuing rural-urban migration. Much has already been written on this latter subject. The United Nations Educational, Scientific, and Cultural Organization's Seminar on Urbanization in Latin America summarized the situation as follows:

> The sheer awareness of alternative modes of living, particularly if combined with a realistic sense of increasing rural poverty, is largely accountable for the massive migration to urban centers.[5]

Employment and housing

Of even greater significance for the strategy of resource allocation is the qualitative aspect of the numerical increase, namely the socioeconomic composition of the population in relation to resources. If the resources (capital, productive capacity, income) were in balance with the quantity of urban facilities and services needed by the growing urban population for the expansion of industrial and other productive activities, as well as for the maintenance of minimum levels of health, safety, decency, and amenity, the problem would be greatly reduced.

The principal characteristic of the Latin-American urban areas is precisely that such a balance does not exist. On the contrary, the large majority of urban families have such a low level of productivity and income that they can neither produce enough nor possibly pay for even the minimal urban services.

Even though an industrial worker in Latin America in 1950 earned three times as much as one employed in agriculture a large part of this gain is offset by more rapid increases in costs of living in urban areas and the larger percentage in income which workers' families have to devote to food, usually 50 percent of their wages.

The uneven distribution of incomes is as serious a factor as the generally low per capita income. For example, in 1962, 34.8 percent of the economically active population in Bogotá was employed in commerce and services, receiving 50 percent of all income, against 28.2 percent in industry and construction, receiving only 23.3 percent of the total. At the other end of the scale, 20 percent of the economically employed were in so-called marginal occupations (street vendors, domestic servants, and the like), earning only 4.5 percent of total income or about $200 (U.S.) annually per economically active person.

According to a very rough estimate by Butler[6] 60 percent of the urban families in all Latin America had annual incomes of less than $1000 (U.S.), and 33 percent less than $500 (U.S.) in 1960. On a per capita basis (at an average family size of five persons) this would amount to $200 and $100 respectively. Only 13 percent were estimated to have family incomes of over $4000 per year. If this income distribution is applied to the expected increase during the next 10 years of 30,000,000 people, or 6 million families, only in urban areas with over 100,000 people, it would mean that additional urban facilities would have to be provided for a population of which 60 percent would have per capita annual incomes of less than $200.

Case studies in several countries indicate that the above figures are optimistic, and that in reality incomes are lower, and larger percentages of the urban population are to be found in the low-income groups.

It is clear that the total resources of the country and the productive capacity of the urban community are not nearly big enough to permit the amounts of subsidy required to bridge the gap between available resources and the needs for urban services, taking into account the vast number of low-income, low-productivity families. Nor does the productive or industrial base of the cities expand in proportion to the growing number of urban people.

In spite of the booming appearance of many cities, the creation of new urban jobs is not keeping pace with the increase in population. In Bogotá for example, it was estimated that in the period 1964–69 the labor supply would increase by 34,000 persons per year, but that the demand could absorb only 25,000 to 30,000 per year, leaving a deficit of 5,000 to 9,000 unemployed per year. The capital investment needed to create one industrial job per year was estimated at 93,000 pesos (or $7,440), so that the creation of 3,000 additional jobs per year would require an additional investment of 1,674 million pesos over a 5-year period.[7]

The cost of providing urban facilities for the concentration of masses in large conglomerations is relatively higher than in rural areas, in part because the expectations of urban people are rising faster than rural, demanding higher levels of services and facilities, in part because health and safety are more costly to protect under conditions of high-density urban living. Furthermore, the cost of living, the levels of consumption and the costs of building and servicing in large urban areas are usually higher. In other words, the entire economic, social, and technological base of urban conglomerations is different from that of rural areas.

According to United Nations estimates 1.5 million urban dwellings are needed a year for 30 years to overcome present deficits and meet population growth. At $2,000 per unit the cost would be $3,000 million annually. If to this were added all the other essential urban and community facilities, utilities, and services, the investment required could easily be doubled.

Even now vast capital sums, both internal and external, are being expended on urban infrastructure even though planners consider this investment of low priority due to its relatively high capital-output ratio. It has been estimated that from 30 to 50 percent of all investment in Latin America is presently being dedicated to housing and related urban facilities. Indeed, economic theories notwithstanding, and perhaps as the result of political pressures based on "the revolution of rising expectations," vast amounts of capital resources have started to flow into the urban infrastructure sector. Between June 1961 and December 1963, the U.S. Government, through both the Agency for International Development and the Social Progress Trust Fund, has made loans amounting to $300 million for housing and $114 million for water supply and sewage disposal in Latin American urban areas.[8] If to this is added the contribution of the recipient governments, which may amount to 50 percent, the quantities are staggering.

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[1] Kingsley Davis and Ana Casis, "Urbanization in Latin America," "Cities and Society," ed. Paul K. Hatt and Albert J. Reiss, Jr. (New York: Free Press, 1964).

[2] The definition of what is considered urban varies from country to country but generally corresponds to places of 2,000 or more inhabitants.

[3] The following publications were used as sources for these and subsequent figures on urbanization: U.S. Congress, Senate Committee on Banking and Currency, "Study of International Housing" (Washington, D.C.: U.S. Government Printing Office, 1963); "World Urbanization—Expanding Population in a Shrinking World," Urban Land Institute, Bulletin 43, Washington, D.C., 1963; W. Stanley Rycroft and Myrtle H. Clemmer, "A Study of Urbanization in Latin America" (New York: Commission on Ecumenical Mission and Relations, United Presbyterian Church in the U.S.A., 1962); T. Lynn Smith, "Urbanization in Latin America," International Journal of Comparative Sociology, vols. 3–4 (1962–63), University of Florida; "Report on the World Social Situation" (New York: United Nations, 1957); Philip M. Hauser (ed.), "Urbanization in Latin America" (New York: International Documents Service, Columbia University Press, 1961).

[4] "La Planificacion en Bogotá" (Bogotá: Departamento Administrativo de Planificacion Distrital, 1964).

[5] Hauser, op. cit.

[6] U.S. Congress, Senate Committee on Banking and Currency, op. cit.

[7] The free rate of exchange in 1962 was United States $0.125 to 1.00 peso. Source: Harry Hansen (editor), "The World Almanac" (New York: World Telegram and the Sun, 1962).

[8] Eric Carlson, "El Problema de la Vivienda en la America Latina," "Desarrollo Economico," vol. 1, No. 3 (Septiembre–Octubre 1964).

Yet all indications are that the gap between need and supply is widening.

In Bogotá, for example, it has been estimated that the amount available for capital investment in 1969 would be only 5.6 percent of the estimated revenue as compared to 18.3 percent in 1964, and that if a desirable 20-percent ratio of capital investment to total municipal budget were to be maintained, and if urban services and facilities were to keep pace with urban growth, a very substantial increase in revenue would be required.

This key issue of the growing discrepancy between the economic urban base and the costs of providing facilities is reflected, especially during the past 20 years, in the formation of the immense slum areas and entire squatters' towns. These are found on the periphery of urban areas, where the urban utility systems are wholly inadequate, especially water supply and sewage disposal, lack of street paving, and lack of schools. Metropolitan Lima is said to have more than 400,000 people, or roughly 25 percent of its population, living in 123 squatter settlements.[9] In Mexico City over 50 percent of the more than 5 million people are estimated to live in substandard housing. According to data compiled by various national housing agencies, similar conditions prevail in practically all of Latin America.

In the face of these problems, Latin American governments face two sets of policy decisions: (1) Those directed toward urban problems, to achieve a more balanced distribution and growth of large urban concentrations and to maximize their efficiency and minimize costs and (2) those directed toward rural problems, to hold people on the land and to slow down rural-urban migrations.

More balanced distribution and growth of urban areas

Policies on distribution and growth focus on three possibilities: Those that strengthen small- and medium-sized urban areas; those that concentrate public investment on a limited number of selected urban centers; or those that would establish entirely new towns, especially in connection with natural resource development.

Although only a few countries have implemented definite policies, the importance of a regional approach is becoming of increasing concern. The Government of Guatemala has established a special office to study a national policy that would give impetus to urban regional centers in competition with the capital city. The El Salvador National Economic Development Council has recently prepared, for the first time in that country, a regional analysis leading to a national policy for spatial allocation in development programs. In the past 5 years the Government of Venezuela has formulated regional development policies, and with some success implemented them. It has lent substantial effort to planning new towns in the Guayanas, where basic natural resource development is taking place. One of the far-reaching bases for huge investment in Brasilia is the decentralization of Brazil's population from Rio and the opening of new interior regions, thus counteracting the pull of urban areas on the southern coast. Puerto Rico has experimented with industrial location programs designed to decentralize employment and population. In some countries, like Venezuela and Guatemala, administrative-financial institutions, such as national municipal development banks, are assisting the development of small municipalities away from the large urban centers.

Nevertheless, the centripetal attraction of large metropolitan areas for industry, capital investment, and population has proved to be a difficult force to counteract in practice. If industry is to be attracted to other than metropolitan areas, smaller urban areas must be enabled to compete in attractiveness. They must create superior public services, industrial buildings, and transportation facilities, and must be permitted tax exemptions. But all this presents inordinate problems. The more-or-less even distribution of public investments throughout large and small urban areas is costly; the positive effects are not accurately predictable; and the possible long-run benefits must compete with immediate results obtained through industrial investments in existing metropolitan areas.

In some areas where it has been tried, the indiscriminate dispersal of public resources throughout small urban areas has not proved practical. Puerto Rico's original decentralization program, providing factory buildings to small urban communities, attracted limited industry. Productive facilities would have had to be accompanied by utilities, housing, and community facilities to attract managerial and technical personnel, and the amount of simultaneous infrastructure investments in many communities was prohibitive. In a revised plan, a few urban centers were selected in various parts of the island for concentrating and coordinating public investments, thus counteracting the pull of the San Juan metropolitan area.[10]

A study of the location of industrial parks in Central America undertaken by the Stanford Research Institute [11] went a step farther. While admitting that decentralization would be desirable, the researchers concluded that only the capital cities could economically provide the infrastructure needed to attract industries. Overhead public investment to make secondary cities attractive would be out of proportion with present resources.

Nevertheless, it would appear that a clearly defined policy of industrial development and location in development programs ought to encourage the growth of selected medium-sized and even small cities to the extent economically feasible.

Maximizing efficiency and minimizing costs of development

Policies to encourage urban decentralization must be long range. Meanwhile, development planners face the immediate problem of the continued rapid expansion of metropolitan areas.

Economic planners have tried to limit urban overhead investments to the minimum, on grounds of low priority. They argue that limited resources should be allocated to more "productive" activities, and that once production and income have increased conditions in urban areas will automatically improve. Such postponement is not realistic. Urban conditions will continue to deteriorate and, owing to social and political pressures, increasing funds will continue to flow into urban infrastructure and housing facilities. Their inefficient use will put an additional burden on already limited resources. What is more, the growth of the productive and industrial sector may be retarded by inadequate urban support.

Thus, coordinated development policies for the entire metropolitan area become imperative to national plans. Even though little concerted action has been taken in this direction, awareness is increasing, and various approaches are tried.

Perhaps the most urgent practical goal should be the greatest economy in application of funds to urban infrastructure and maximization of total return. A second important consideration is a more equitable distribution of benefits to lower income groups. Here the public sector may play a role.

To achieve these objectives, at least six approaches suggest themselves within the framework of a comprehensive metropolitan area development plan: (1) coordination in time and space of sectorial investments such as water supply, housing, transportation, and schools, and the establishment of priorities for urban services; (2) setting of realistic standards at levels corresponding to economic development; (3) guidance of expansion within the urban area to achieve efficient land use and to minimize waste in urban services; (4) urban land reform; (5) harnessing and mobilization of local community resources; and (6) technological and managerial improvements to reduce costs.

The first two are intimately interrelated. In order to reach low-income families and to provide the benefits of limited resources to as many as possible, a number of public agencies are experimenting with new approaches to reduce cost. Instead of spending $5,000 or more per dwelling to build a limited number of heavily subsidized showcase projects, as in the past, some communities are now limiting cost to $1,000-$2,000 per unit or even less. This is achieved through a reduction of standards, mass production and standardization, and rigid priorities. Core housing is a good example. This consists usually of a semifinished shelter with roof and minimum sanitary facilities, which occupying families can further improve and expand.

A realistic appraisal of the growing squatter colonies and shantytowns has led some agencies to establish the following priorities: first, the provision of minimum lots within a well-laid-out land development plan which will reserve adequate land for streets and community facilities; second, water supply and sewage and refuse disposal; third, drainage and hard surfacing or paving of principal streets; fourth, provision of minimum essential community facilities; and, only fifth, a core or minimum shelter, in some instances this latter being left to the family to build as best it can.

The rationale is that the acquisition and efficient subdivision of large tracts of land with absolute minimum advance improvements will, at a minimum total cost, prevent the disorderly and overcrowded type of shantytown development which is extremely difficult to improve once it has been created. Thus, at least a minimum workable urban pattern would be established for the future.

However, many programs of this type have run into the problem of excessively high land acquisition costs, the unwillingness of owners to sell, and the speculation in urban land which has driven prices so high that they are out of proportion to costs of other goods.

While power of eminent domain has been used, condemnation procedures are slow and do not overcome the basic problem of paying prices beyond the means of low-income families and Government budgets. Realistic improvements in urban development and large-scale, minimum facility programs for the benefit of the low-income masses depend on governments' facing the problem of urban land reform in order to force prices down, or to permit acquisition within available public resources.

The haphazard and uncontrolled sprawl of residential, commercial, and industrial establishments into the countryside surrounding the urban nucleus, often skipping vacant land, generates pressures for the wasteful extension of streets and utility systems. It increases travel distances and transportation costs, nullifying economies of scale. Sites for housing projects have often been chosen on the basis of availability of vacant land rather than suitability in terms of services and proximity to employment sources. On the other hand the extension of public water supplies and highways has often been uncoordinated with the location of housing projects or the siting of industries. Only in a few instances have programs called for advance acquisition of large enough tracts of cheap land in suitable locations on the urban periphery where services and highways could be economically provided and industrial sites developed close to workers' housing. There are only a few cases of industrial land planning in which industrial parks have been located close to good transportation, electric power, and utility lines, thus providing cheap and suitable sites to attract industries. Yet only through a more rational land-use pattern in urban areas can substantial savings be made in public investment, space utilization, and transportation, thus lowering costs (and taxes) to encourage industrial growth.

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[9] "La Vivienda en el Peru" (Washington, D.C.: Union Panamericana, 1963).

[10] Howard and Greeley Adams, "A Regional Model for Programing Industrial Development in Puerto Rico," report prepared for the development branch of the Puerto Rico Industrial Development Co. (San Juan, P.R., 1962).

[11] "An Industrial Park Development Program for Central America" (Menlo Park: Stanford Research Institute, 1964).

Those few examples should suffice to demonstrate the importance of establishing comprehensive urban development policies as prerequisites for public investment allocations within the framework of national economic planning.

It has been said that "urbanization cannot be isolated from general economic development,"[12] but the reverse also holds: economic-development planning cannot proceed successfully without concerning itself deeply with urbanization problems.

RURAL LATIN AMERICA

In rural as well as urban Latin America, the heterogeneity among countries makes any problem classification all too glib. Nevertheless, a common thread of issues can be identified. All are related to a maladjustment between two fundamental forces: population and product.

It has already been shown that rural population is growing so rapidly that, despite heavy immigration to the cities, the number left on the farm is steadily increasing. Furthermore, the rate of increase in agricultural production, which averaged slightly over 4 percent from 1950 to 1959,[13] dropped to less than 1.6 percent[14] from 1960 to 1964. If rural population has continued to grow in the last 5 years, as it did in the 1950's (at 1.5 percent per year), then the per capita increase in income has tapered off to zero. Were it not for heavy emigration to the cities, this income would be falling.

Not only has per capita income ceased to rise, but also the country is less and less capable of meeting the rising urban demands for foodstuffs. The pitiful increases in agricultural output for the last 5 years have not kept pace with population increase. Rising food prices and growing shortages have led to imports of those very products in which Latin America has traditionally held a comparative advantage.

The disproportion between population and product has led to deficits of a sociopolitical, as well as economic, nature. Schools, irrigation facilities, roads, and housing are all in desperately short supply. The Inter-American Development Bank has estimated a deficit in rural housing of close to 8 million units, about half of them belonging to Brazil,[15] compared to 7 million for the cities.

The impoverished economic conditions of the country are not only reflected in statistical summaries. That they are real is seen by the ever-increasing flow of population from country to city, not only attracted by the advantages of the latter but repelled by the decline of the former. Nor can it be supposed that this movement will solve the problem of the country. The cities are unable to employ the whole annual increment in population, and even if this increment should move entirely from the country (which it has not been doing), the agricultural population would remain undiminished. Latin America faces a critical problem of employment and productivity on the farms.

We shall contend in this paper that agricultural output will not increase substantially, or at least not sufficiently to avoid political upheaval, without a radical change in traditional farm structure. With the exception of Uruguay and Argentina, whose cattle- and wool-export economies place them in a different class, and of Mexico and Bolivia, whose land has been redistributed to those who till it, we propose that only radical changes in tenure and incentives can, in the long run, increase productivity on the farms.

We furthermore propose that those changes that will be sufficient for long-run increase will probably in themselves cause a short-run decline in output. They, therefore, become doubly unpopular, in the first place because they upset an existing sociopolitical system, and in the second place because their immediate impact is negative.

Statistics on landholding in Latin America have been quoted so often that there is no need to recite them again here. The immense holdings of the few and the small amount of land owned by the many are cited in national data, in publications of the Organization of American States and the Inter-American Development Bank, and in previous work of one of the coauthors.[16] Let us here comment on the relationships among size of holdings, types of employment, and output.

Our contention is that the traditional structure of large farms in Latin America, of greater-than-family size and employing large quantities of labor (either as contract workers or as feudal peons) has built-in supply inelasticity. It is incapable of meeting the challenge of urban industrialization that demands ever-increasing quantities of food. Only a complete change in land-tenure systems, plus massive application of social overhead capital to the country, will break the bottleneck.

Agrarian reform

The agrarian reform programs initiated under the Alliance for Progress fall far short of meeting this goal, both in their concept and in their implementation. One often hears that agrarian reform is slow because governments do not carry out the laws they have put on their books. We do not think that this is so. We think that the laws themselves are deficient.

The principal limitation of agrarian reform, as currently conceived in most Latin-American countries, is that it seeks to avoid the parceling of so-called productive land, placing its major emphasis on expropriation of idle or poorly cultivated land and on colonization of State-owned territory. Such programs are politically easier to implement than expropriation of productive lands. Furthermore, they are the only possibilities consistent with the intention of governments to compensate, in full market value, for lands expropriated. Governments simply do not have the resources to pay for the most productive farms, and it is neither their policy nor that of the United States or the Alliance for Progress to urge expropriation without payment in full.

Yet alternative programs always fall short. Colonization, both expensive and of questionable success in increasing the flow of food to the cities, has been undertaken in many countries, notably Brazil, Peru, Ecuador, Guatemala, and Venezuela. The cost of transporting peasants to new lands, clearing them, building houses, roads, and marketing facilities, is often so high that, if amortized over a reasonable number of years, it will result in foodstuffs whose social cost (that borne by the government as well as the farmers) is prohibitive.

A further disadvantage of agrarian reform by colonization is that it often takes farmers so far from their markets as to make commerce impossible. This objection is not so relevant to Colombia, where colonization is taking place in all states and where full penetration of the eastern jungles has not been attempted, or to Venezuela where it is hugging the northern areas and is at least within a road's reach of urban centers. But it does apply to Peru and Ecuador, and to some extent to Bolivia, where colonized areas lie beyond the eastern slopes of the Andes and far removed from the cities that are both market and source of manufactured goods. Self-sufficient jungle economies neither improve the prosperity of the farmer nor contribute to the national agricultural supply.

To the extent that they do expropriate farms from landowners, agrarian reforms have tended to take only idle or poorly cultivated lands. Virtually all the reform laws provide that these lands will be expropriated first. In Colombia, 20,306 hectares of such land were acquired from private owners during 1964 and distributed to families (together with 393,067 acres of public lands for colonization).[17] But questions may always be asked concerning why the lands were idle in the first place and whether the peasants who receive them are not beneficiaries of submarginal parcels whose cultivation will add only a pittance to the national agricultural output.

When the limitations of colonization and expropriation of idle and poorly cultivated lands are faced, we are led to the nub of the Latin-American rural problem: that of restructuring productive activity on large farms so as to increase supply elasticity. We will argue here that longrun increase in supply will be possible only when the peasant becomes a more crucial factor in production decisions. This will occur either because he owns the land himself or because he is in such short supply that his wages will rise with increased productivity. Since he is not likely to become in short supply, we are confronted by the specter of subdividing large-scale, productive farms.

Quite apart from political difficulties, two economic arguments are frequently advanced against the parcelization of productive land. The first is that small farms, individually owned, could not take advantage of management economies. The direction of production, application of managerial techniques, marketing, and absorption of technical assistance—so it is said—would suffer if the number of managers were proliferated.

In theory this need not be so, as has been demonstrated by the history of so many countries. In Britain, Europe, and the United States, the family farm has always been a viable management unit. In those few activities where economies of scale could be found, such as in marketing, co-operatives have been formed. In practice, however, the management of the large Latin American farms has so long been concentrated in a few educated landowners, and skilled management is so scarce, that a sudden change to small units would diminish production severely. Such was the case in Bolivia following the revolution of 1953, where agricultural output went into a slump from which it is only recovering in current years. It was also the case in Cuba and was doubtless a leading force in the regrouping of cooperative farms into large-scale, state-owned production units and in the centralizing of private farms under control from Havana.

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[12] Hauser, op. cit.

[13] United Nations, Economic Bulletin for Latin America, Statistical Supplement, November 1961, p. 54.

[14] Inter-American Development Bank, Social Progress Trust Fund, 4th Annual Report, 1964, pp. 107–108.

[15] Ibid., p. 117.

[16] John P. Powelson, "Latin America: Today's Economic and Social Revolution" (New York: McGraw-Hill, 1964), pp. 36–37.

[17] Social Progress Trust Fund, Fourth Annual Report, p. 245.

The management argument has considerable merit, but it is usually overstated. Here is an area in which generalization is difficult, since some of the larger-than-family-size farms in Latin America are well organized and producing as much as could be expected. No doubt this is so for cotton plantations in nothern Mexico, for large banana holdings in Central America, and for large coffee plantations in Brazil, as well as for smaller ones in Central America and Colombia. There are some efficient cattle ranches in Colombia. But many large-scale farms, which depend on feudal labor, are far from efficient and far from well managed. Extensive (as opposed to intensive) cattle operations and lands devoted to the production of cash crops (potatoes, fresh vegetables, cereals, corn) fall in this group. One wonders whether management practices will ever be improved unless the present owners are displaced and new ones trained. And in the process, production will fall temporarily.

Mechanization

The second economic argument against expropriation of productive lands is that the peasantry in Latin America is so numerous that any division with land for all would result in units so tiny that the individual farmer would not have enough to feed his family. In many countries this is so. It is not, however, a valid argument against redistribution. We are forever faced with a comparison between two grim situations, and the question of whether the farmer would be worse off, or total production less, with tiny farms than with the large units now in existence.

It is frequently argued that small units are bound to produce less because they cannot take advantage of mechanization. It is not economic to use a tractor on a 5-hectare farm, and all the work would have to be done by hand or with rudimentary tools. Those who advance this argument somehow suppose that tractors, combines, and other machines can produce more than man alone on a given quantity of land. But this is not so. Except for drilling wells and building irrigation systems, machines were not introduced in more developed countries until labor became scarce. Tractors will replace labor that is attracted away from the farms by greater opportunities elsewhere and whose price is high. But if there is no interference with free markets, and if man acts rationally, labor will not be replaced by tractors if it thereby becomes unemployed. In 1960, there were only about 300,000 tractors in use in all of Latin America, and almost half of these were in Mexico and Argentina.[18]

Aside from irrigation (which could be provided by the state equally well for small or large parcels), the limitations to agricultural productivity lie in natural forces (such as climate, rainfall, and fertility) and in techniques—the amount of fertilizer, the type of seed, ways of plowing, weeding, and the like—and not in whether or not machinery is used. There is nothing a tractor or combine can do that a man cannot do equally well with a shovel and a hoe, provided there are enough men.

This being so, how does one account for the existence, side by side, of a few highly mechanized farms in Latin America and widespread unemployment? How is it that, next door to the traditional agriculture of the wooden plow are large, mechanized farms, in which machinery has displaced labor while that same labor remains, unemployed, within the range of the farm or feels forced to move to the city to seek jobs?

There are several reasons. One is the belief that economic development requires capital; hence laws and institutions make the private cost of machinery less than its social cost. In Colombia, for example, the exchange rate for importing machinery, with permits, is nine pesos to the dollar, while the free rate, covering most exports and imports, hovers in the neighborhood of 14 or more. Agricultural credit institutions, intent on low interest rates and assets pledged as security, have sometimes made machinery purchases attractive. Union and political pressures have kept money wages high. Finally, wherever skilled labor is needed, or unskilled can be replaced by machinery, given the paucity of literate farmers, it has frequently been easier to train one man to operate a machine than many to do the job by hand.

For all these reasons, the economics of the situation are not likely to lead Latin-Americans voluntarily to the conclusion that productive farms ought to be expropriated. Yet the statistical evidence that these same productive farms have not been responsive to the demands of increasing urbanization justifies our conclusion that family-sized management units must be developed and encouraged. Although production would fall in the short run, only through the creation of individual incentive—such as is provided by ownership—can the crisis in Latin-American agriculture be solved over the long run.

There are those who argue that such changes will come only with violent revolution and will stem, not from the needs of the cities, but from the deteriorating social conditions in the country. They may be right. To suppose, however, that a peaceful redistribution of productive lands is impossible is to ignore a strong and favorable economic force. Finding their incomes stinted by the high cost of foodstuffs (and hence high labor costs), growing urban interests are beginning to favor structural reforms to decrease the rigidity of agricultural output. As the swing of political power moves from landowners to industrialists—or as the landowners themselves become industrialists—agrarian reform becomes not only politically acceptable, but a political necessity.

This was the case in Mexico. The redistribution of Mexican land did not occur during the war of the revolution or even as a direct result of it. Widespread distribution did not begin until 25 years after the first blood was spilled and almost 20 years after the Constitution was amended. It came because an administration (that of President Cardenas) found its natural inclinations in favor of the peasantry to be more acceptable to the business community, which in turn was growing in economic and political power. There are signs that the State of São Paulo, and the country of Venezuela, and possibly Colombia and Peru, have begun the same evolution.

In addition to the redistribution of productive lands, capital available to agriculture ought to be invested in farm-to-market roads, irrigation, the opening of new areas provided they are adjacent to growing urban centers, and, above all, in technical assistance and education. In their emphasis on rational investment in social overhead, our recommendations for the country are therefore similar to those for the city.

Already the pressure to expropriate is being felt more strongly each year. To date it has been resisted because of the inability of governments to pay market value and the failure of the Alliance for Progress to demand expropriation on any other terms. Somehow it is necessary to find a face-saving device, such that payment would appear to be in full market value, but in fact would not turn out to be so.

The most graceful expropriation would be paid in government bonds that would depreciate with the currency so that the issuing government would never have to redeem them at face value. Such was the condition imposed by General MacArthur on defeated Japan, but whether a government will choose it of its own free will is another question. Bonds maturing in 20, 15, and 10 years have been used by the Government of Venezuela as part payment for expropriated properties. Countries whose currency is historically less stable than Venezuela face serious political difficulties in accepting such a plan. However, Chile introduced a constitutional amendment in 1963 to permit part payment in bonds, but expropriation to date has been painfully slow.

CONCLUSION

In summary, land redistribution in quantities far bolder than are currently undertaken or contemplated, plus massive investment in urban and rural infrastructure, technical assistance, and education, and deemphasis on farm mechanization are essential to feeding the growing urban population and increasing the per capita income of rural sectors. Land reform is essential to both city and country. If not precipitated by bloody revolution first, changes will come as the growth of industry forces a shift in the focus of political power from rural landowners to urban industrialists. Owing to present complacency and respect for property rights by both Latin American governments and that of the United States, there is bound to be a continued period of stagnation, intensification of rural and urban poverty, and violence before the required changes occur.

Questions and Answers

Question. What percentage of U.S. agricultural output originates from small family farms?

Answer. I do not know what you mean by "small" family farms. I am talking about family farms, and they may be large. In this sense, virtually all farms in the United States are family farms; that is, there are very few corporate farms. The average farm consists of a farmer, his wife, and maybe one hired man. About 85 percent of U.S. farms are between 10 and 50 acres. These may seem like large farms, but they are tiny compared to some of the latifundios in Latin America.

Question. You argue that, aside from irrigation, there is nothing a tractor can do that a man cannot do in agriculture?

Answer. Yes, provided you have enough men. Mechanization comes from shortage of labor. If labor is abundant, mechanization does not make sense.

Question. Yes, but how much will the farm workers, who are employed instead of tractors, eat of their product? Will there not be a lower net product because the workers have eaten some?

Answer. I hope the workers will eat some. That is just the point. They will have to eat anyway, whether they are working or not. I do not accept net output, in this sense, as a valid variable. To carry it to an extreme, the net output of agriculture is always zero, because it is always eaten, or used in some other way.

Question. Where land has already been distributed—take Bolivia, for example—has there been a large increase in output?

Answer. In the three real land reforms of Latin America—Mexico, Bolivia, and Cuba—a drop in output followed immediately upon the confiscation of property. Only over the long run does it rise. And here there are so many other—factors that it is hard to tell whether the increase was attributable to reform or not. Mexican output is very definitely increasing. There are some indications also that output is increasing in Bolivia, even on the Altiplano. The Cuban reform, however, does not imply the same conditions that I was talking about. I am in favor of agrarian reforms that provide the peasant with an incentive, through land ownership, to increase his output and income. The Mexican and Bolivian reforms did this; the Cuban did not.

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[18] "Statistical Abstract of Latin America, 1962" (Los Angeles: Center of Latin-American Studies, University of California), p. 49.

Question. What do you think of Latin America? You have been talking about vandalism, immorality, and corruption. As a Venezuelan I want to know if there is nothing positive that Latin Americans have contributed to the world?

Answer. I may sound like a politician in answering this question, but I do not mean it to be that way. In fact, the agrarian reform in Venezuela is one of the most successful of any that is being carried out without violence. There has been some expropriation of fertile lands and division of it among the peasants, to provide them with family-size farms. This land has been paid for in 20-year bonds, payable in the historically most stable currency of all Latin American countries. The colonization program in Venezuela also makes more sense than it does in some other countries. Colonists are still hugging the northern areas and are within means of transportation to urban centers. Venezuela appears to me to be on the threshold of a peaceful economic transformation.

Question. Is it not true that many Latin Americans are not willing to invest in stocks and bonds in their own countries, but are sending their money abroad to Swiss banks and other private accounts?

Answer. This is the case, and the answer to this problem is not an easy one. Most Latin American savers have the same options that you do about where they will invest their savings, and I dare say there are not many in this hall who have put their money into savings banks in Latin America. Investment capital goes where it can earn a return and is safe. I think you see that the answer to this question brings us into all the time-honored problems of why a country is or is not underdeveloped.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

The PRESIDING OFFICER. Who yields time?

Mr. METCALF. Mr. President, I yield 4 minutes to the distinguished Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I commend the Senator from West Virginia for his amendments to the pending bill.

Yesterday the distinguished minority leader offered an amendment, which was agreed to, under which $5 million would be used to study how to get rid of junkyards. This is very worthy and I was all for it. However, I believe that something very important has been overlooked by the committee.

The Committee on Public Works presented to the Senate a few weeks ago a bill which became Public Law 89–139 on August 28 in which the Secretary of Commerce was ordered to undertake a massive study and coordination of traffic safety and to come forth with a program of national standards for traffic safety.

Unfortunately, in doing that the Senate failed and the committee failed to authorize any funds for this very same purpose.

I do not understand how the committee could order the Secretary of Commerce to do something about the highway safety problem, which takes 50,000 lives a year, involves 4 million people in serious injury, and occasions an $8 billion loss in property damage without giving the Secretary the means with which to make the study.

If we can spend $5 million to study how to get rid of junkyards, I think the Senate can certainly authorize $500,000 for the Secretary of Commerce to carry out the orders given to him by the Committee on Public Works and the Senate.

I suggest that the committee accept the amendment which I intend to offer. However, if the Committee is not willing to do so, it is my intention to have a full debate on this matter and ask for the yeas and nays.

Mr. RANDOLPH. Mr. President, has the distinguished Senator from Connecticut offered the amendment?

Mr. RIBICOFF. I have the amendment at the desk.

Mr. RANDOLPH. I suggest that the amendment not be stated at the moment. I am intensely interested in the points made by the distinguished Senator from Connecticut. I may be in a position to accept the amendment. At this time, if agreeable, I suggest the absence of a quorum.

Mr. METCALF. Mr. President, the time for the quorum call may be taken out of the bill and charged to our time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

> SEC. 304. There is authorized to be appropriated the sum of $500,000 to enable the Secretary of Commerce to carry out his functions under section 135 of title 23 of the United States Code relating to highway safety programs.

Mr. RANDOLPH. Mr. President, the Senator from Connecticut [Mr. RIBICOFF] has discussed his amendment with the Senator from West Virginia. I believe his amendment to be in the public interest. I shall not take time now to discuss it. The Senator from Connecticut has explained it to me; it is in the interest of safety and in the interests of programs which seem to concern the interests of the traveling public. I believe we understand one another.

Mr. RIBICOFF. We do.

Mr. RANDOLPH. The Senator from Connecticut has a very keen interest in that subject, as has the Senator from West Virginia. I accept the amendment.

Mr. RIBICOFF. I thank the Senator.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Who controls the time on opposition?

The PRESIDING OFFICER. The opposition time would revert to the minority leader.

Mr. ALLOTT. Mr. President, I yield myself such time as I need. I wish only to say—and perhaps there should be a quorum call, so that Senators who are absent from the Chamber working on various aspects of the bill might be present. I am not a member of the committee, but I call to the attention of the Senate that many amendments of great merit have been offered and rejected by the manager of the bill. Some of those amendments do not constitute a basic philosophical difference, but they have been turned down, nevertheless.

The Senator's amendment has nothing to do with the bill itself, but it is being accepted by the manager of the bill. I know the great interest that the Senator from Connecticut has in highway safety. We all have it. But as I read the amendment—and it is not available on my desk—it is that there shall be appropriated or authorized $500,000 for use on the highway safety program.

We have before us a bill which involves only beautification and the control of signs, junkyards, auto graveyards, and other eyesores along the interstate and primary highway systems of this country. I really cannot understand why such a matter as this should be interpolated into the measure, because the Senator from Connecticut, with the great number of Senators he has on his own side of the aisle, is fully capable of inserting it into any bill which deals with highway safety, or into an appropriation bill.

Mr. RIBICOFF. Will the Senator yield?

Mr. ALLOTT. I shall yield in a moment.

I cannot see that the Senator's amendment belongs in this bill. I fail to see why it is brought up, or why he seeks to insert it.

Mr. RIBICOFF. Mr. President, I think the Senator deserves the explanation.

On August 28, Public Law 89–139, which was a highway authorization program, was signed into law. In that bill, there was a provision requiring the Secretary of Commerce to make an inventory of the Nation's traffic laws and establish safety standards for the 50 States. The job was given to the Secretary of Commerce, but no funds were provided to carry out the necessary study.

Yesterday the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] offered an amendment, which was adopted, requiring an appropriation of $5 million to enable the Secretary of

Commerce to study ways of getting rid of junked cars.

The point I am making is that, if we can spend $5 million to find ways of getting rid of junked cars, why can we not spend $500,000 to try to save 50,000 lives a year?

Many of those people were killed in those junked cars. If we are to spend $5 million finding out how to get rid of the wrecks, for heaven's sake, cannot we spend $500,000 to try to save the lives of the people who are in those wrecks?

Mr. ALLOTT. Let me ask the Senator a question at that point, since I have yielded to him. How much is in the Federal budget now, in various spots, appropriated for the purpose of promulgating highway safety, through the Bureau of Public Roads and the Department of Commerce generally?

Mr. RIBICOFF. I should say that there is some $5 million appropriated through 16 separate agencies to do work in highway safety, and they are doing a very poor job.

As a consequence, our subcommittee has studied the situation, to try to bring some sense and some coordination into the problem of highway safety. I have always felt, and I feel now, that eventually we shall have to draw all the safety programs together and place them in the Department of Commerce, in the Bureau of Standards, and the Bureau of Public Roads, where I think they belong.

The Public Works Committee, in bringing out Public Law 89-139, started in the right direction by requiring the Secretary of Commerce to make an inventory of the problem, because no such inventory exists.

Under these circumstances, $500,000 is an infinitesimal sum, because no money is provided to do exactly this type of work in the other programs.

The subcommittee which has been holding hearings on the Federal role in highway safety is trying to pull all these efforts together.

The Committee on Public Works has done a worthwhile job in asking that the inventory be taken. I am eager for the Department of Commerce to have the funds provided to it with which to make the study, which I believe is a very important study if we are to start to save lives in the United States on a national basis.

Mr. ALLOTT. The argument the Senator is making is a specious argument. It is always used, because it is compared with some other area.

The Department of Commerce, with its thousands of employees and its tremendous budget—the exact figure escapes me at the moment—cannot carry on a $500,000 effort in this area, there is something wrong with it. The Department of Commerce, Bureau of Public Roads, has great efforts going on in connection with this subject. The States are carrying on vigorous efforts in this same area. Five hundred thousand dollars is no more than a signal, so to speak; that is all. Of course no one can argue against safety.

But we are putting in the billions of dollars we put in our public roads system in order to promote safety. If this is necessary, the place for it is in the other bill. My only objection to it is that it does not belong in the bill. It is a rider which, for the purposes of the bill, is as immaterial as an amendment on child labor. It has no more relation to the purposes of the bill than an amendment on child labor would have to the bill. This is the reason why, Mr. President, although I am not a member of the committee, I took the floor to comment on this matter, that the amendment should be defeated because it has no purpose in the pending bill. There never have been any hearings before the committee on it, so far as I am aware. The committee did not ask for it. It is asked for at this late moment, and then accepted by the Senator in charge of the bill, which I believe is not quite as it should be.

Mr. RANDOLPH. Mr. President——

Mr. ALLOTT. Mr. President, I reserve the remainder of my time.

Mr. RANDOLPH. Mr. President——

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Connecticut is in control of his own time.

Mr. RANDOLPH. I am sorry; I thought he had yielded.

Mr. RIBICOFF. Mr. President, the Senator from Colorado calls my argument specious. I believe that the Senator from Colorado is acting without a sense of responsibility. What we are trying to do is to remedy a situation in which a committee of Congress—and this is done time and time again—authorizes a program and then asks the department head to undertake it but fails to exercise its responsibility by giving the department head the money to carry it out.

Since the Committee on Public Works thought that this was important enough to have it adopted, and since it thought it was important enough to order the Secretary of Commerce to undertake it, I believe that the Senate has a responsibility to supply the funds to carry out the decision that it asked the Secretary of Commerce to undertake.

An opportunity has been presented in this bill to supply the funds. If we are talking about beautification of the highways, and we are also talking about junked cars, and the Senate adopts a $5 million amendment of the Senator from Illinois to study how to dispose of junked cars, for the life of me I cannot understand how any United States Senator would be unwilling to invest $500,000 to try to find out how we can prevent the slaughter on the highways of this country.

Perhaps the Senator from Colorado is not interested in saving the lives of the people of Colorado, but I am interested in saving the lives of the people of all the 50 States.

Mr. ALLOTT. Mr. President, will the Senator from Connecticut yield at that point?

Mr. RIBICOFF. I am pleased to yield to the Senator from Colorado.

Mr. ALLOTT. By what right does the Senator from Connecticut choose to take such virtue upon himself that he can say the Senator from Colorado is not interested in saving the lives of his people in Colorado? I believe this calls for an apology.

Mr. RIBICOFF. Mr. President, the Senator from Colorado——

Mr. ALLOTT. I demand an apology.

Mr. RIBICOFF. I would not apologize to the Senator from Colorado. He stood on this floor and called my presentation specious.

Mr. ALLOTT. It is specious.

Mr. RIBICOFF. There is no basis whatsoever for that statement. I was trying to say that we should be carrying out our responsibilities and duties as U.S. Senators.

Mr. ALLOTT. But I am not going to have any Senator tell me, on the floor of the Senate, that I am irresponsible.

Mr. RIBICOFF. If the Senator will erase his reference to my presentation as being specious, I will remove my remarks as to his irresponsibility.

Mr. ALLOTT. The Senator can do as he pleases. His argument is worse than that.

LEAVE OF ABSENCE

Mr. SALTONSTALL. Mr. President, will the Senator from Connecticut yield for a unanimous-consent agreement?

Mr. RIBICOFF. I am pleased to yield to the Senator from Massachusetts for that purpose.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to be absent today in order to attend the convocation of the 200th anniversary of the founding of the Smithsonian Institution.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. HARRIS. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 minutes.

Mr. HARRIS. Mr. President, I am honored to serve on a subcommittee of Government Operations headed by the distinguished and able Senator from Connecticut [Mr. RIBICOFF], the Subcommittee on Executive Reorganization, which this session has undertaken what I believe to be landmark action in the field of highway safety. The subcommittee this session has been primarily concerned with hearings into manufacturing standards. As a result of those hearings, under the leadership and drive of the Senator from Connecticut, action has already resulted to the degree that manufacturers, through a committee which they have formed, have agreed to institute safety devices and standards in the 1966 and 1967 automobiles.

Mr. President, last year, 48,000 Americans were killed on the highways, and 4.8 million Americans were injured.

I believe that, at a time when we are considering legislation to beautify our highways with large authorizations of expenditures, it is altogether fitting and proper that we should also make at least rather minor authorizations, under the Ribicoff amendment of $500,000, so that we can do something about preventing the massive killing and maiming of our citizens on the highways.

I pay tribute to the great Senator from Connecticut, who has proved to us, as Governor of his home State, as a former Cabinet officer, and now as a U.S. Senator, that highway safety is something about which we can do something, that it is not merely a matter of warning people or frightening them, but that something can be done about providing for safety in automobiles, on the highways themselves, and with the driver.

The national average on fatal automobile accidents is 5.7 persons killed for every 100 million miles traveled. The alarming thing is that not only is the rate of deaths going up, but also the percentage is going up.

In my home State, 5.8 people are killed for every 100 million miles traveled. However, the average in the home State of the distinguished Senator from Connecticut is only 2 people killed for every 100 million miles traveled.

Mr. President, the record of the hearings in the committee and the record of the Senator from Connecticut as Governor indicate that we can do something about traffic safety if we really wish to do so. I believe that the Ribicoff amendment is a great amendment to have in the pending bill. I believe that it is entirely in order. I am pleased that another chairman of a committee which is greatly interested in traffic safety, the distinguished Senator from West Virginia [Mr. Randolph], who is chairman of our Subcommittee on Roads and Highways, has agreed to accept the amendment.

Mr. President, I ask unanimous consent that I may be shown as a cosponsor of the amendment of the Senator from Connecticut.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from California.

Mr. MURPHY. I should like to ask a question. As a member of the subcommittee, my understanding is—I bow, of course, to the wishes of the chairman of the subcommittee, who has done a magnificent job—that we were to deal only with the problem of beautification on our highways.

I could not be in greater sympathy with anything than the cause espoused by the Senator from Connecticut.

In my State of California, the record of traffic accidents is frightening. California has many long stretches of highways. I believe that the amendment could and should be a part of a special bill on the subject.

If it is not, it should be a part of the studies before the Senate. Being new in the Senate, I am not so well versed in background procedures as I should like to be; but if it is not a matter of separate study I believe that it should be. I suggest that this should be a matter of completely separate and intensive study to be entered into immediately. I would enthusiastically support such a proposal.

Mr. RIBICOFF. In response to the distinguished Senator from California's comments, I point out that on August 28, the President signed Public Law 89–139 which came from the Public Works Committee. In that bill, the Public Works Committee directed the Secretary of Commerce to undertake a massive study of the problem of State traffic laws, and traffic and highway safety standards. Unfortunately, while the Secretary of Commerce was directed to undertake this study, the Public Works Committee did not authorize any funds for the study.

I am sure that this must have been an inadvertence on its part. I am sure that if the Public Works Committee directed the Secretary of Commerce to undertake such a study, it was its intention it be done.

But since no funds were going to the Secretary of Commerce, it was impossible for him to make this study. This fact was called to my attention yesterday, when the distinguished Senator from Illinois had an amendment adopted for a $5 million study of how to get rid of junked automobiles. The thought occurred to me, if $5 million can be provided for a study as to how to get rid of junked automobiles, certainly we can spend $500,000 to find out what we have to do about the health and safety of the people who are in those wrecked automobiles. I am trying to remedy an inadvertence that took place. I believe that is the reason why the distinguished chairman of the subcommittee saw fit to accept the amendment.

Mr. MURPHY. I thank the Senator.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. HARRIS. I call attention to the fact that in title I, section 131(a), it is stated, as one of the reasons why this program should be adopted, "to promote the safety and recreational value of public travel."

So, as indicated by the distinguished chairman, this amendment certainly is in order at this time.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. RANDOLPH. The Senator from Oklahoma called attention to title I. The same language is referred to in title II as to advertising and junkyards. I also wish to make a comment with reference to the discussion just had, which has been spirited.

I am sure the Senator from Colorado will want the Record to show that I have accepted two amendments. The research amendment which was sponsored by the distinguished minority leader [Mr. Dirksen] was offered, and I accepted that amendment. I have accepted an amendment offered by the distinguished Senator from Delaware [Mr. Williams].

There has been no desire on my part not to consider amendments that seem to be in the interest of strengthening the bill. I discussed this proposal with the ranking minority member of the committee, the distinguished Senator from Kentucky [Mr. Cooper]. I am not attempting to justify my acceptance, but if it is necessary to bring the vote on this amendment to a rollcall, I shall do that.

Mr. COOPER. Mr. President, so far as I am concerned——

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. I yield 3 minutes to the Senator from Kentucky.

Mr. COOPER. I do not wish to impose my views on anyone else, but I think the proposal is related, and I will state my reason. The bill itself names safety as one of the factors which should lead the Congress to impose controls on advertising. It was brought out that in certain instances, for example, at intersections, there was a need to reduce the number and location of advertising signs that could obstruct the views of motorists. There may be other safety factors involved.

Second, I have been informed by competent engineers who have made a study of safety factors, respecting even landscaping. They say that even landscaping could be unfavorable to safety. So, in my judgment, this proposal is related to strengthening the bill.

Mr. RANDOLPH. Mr. President, I am ready for a vote.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, sometimes in the argument of these matters, things do get spirited. When I arose to doubt the advisability of putting this particular amendment in this bill I did so in good faith, and I still am in good faith when I say the amendment should not be in it, although the word "safety" is in the bill.

But I rise now on another score, and I refer to page 21 of the Standing Rules or the Senate, rule XIX, subsection 2, in which it is stated:

> No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

I do not have the exact words before me as to what was said concerning the senior Senator from Colorado, because at that moment the Senator from Kentucky had reentered the floor and was asking a question, but I am advised that what was said was that I am acting without a sense of responsibility.

I cannot imagine anything worse about a Senator than to say he acts without a sense of responsibility. I am not going to try a lawsuit as to the merits or any lack of merits between the Senator from Connecticut and myself on the floor of the Senate. But neither am I going to leave the Record unimpaired without having to say something more about this subject.

The distinguished Senator from Connecticut, who was Governor of his State, is not the only Senator in this body who held high positions before he came here, and he is not the only Member of the Senate who has done meritorious work in behalf of his State and in behalf of the Nation. But I cannot and will not accept the idea, if those are the words—and I have been trying to get them, and have not been able to get them yet—that the Senator from Colorado is acting without a sense of responsibility, which means the Senator from Colorado is either out of his mind or without any conception of the oath which he took when he came to the Senate, which the Senator from Colorado did on two occasions to take his office.

As far as I am concerned, the comments have been made and they can stand on the Record. I have always felt that too much correction of the Record does an injustice to the remainder of the Senate; because, if Senators can wipe words out of the Record, they are tempted to go beyond the bounds of normal debate and argument.

With that, I personally leave the matter. I said I believe the arguments made in behalf of this particular bill were specious. I made no reference to the Senator from Connecticut except in the subsequent exchange, which I think was justified. I shall not ask that it be deleted, and I shall not go to the reporter's room and delete them, either by myself or in conjunction with the Senator from Connecticut. What has been said has been said.

The distinguished Senator from Connecticut has described me as acting without a sense of responsibility. I will not even give him the satisfaction of invoking the last part of the rule for withdrawal.

I believe he has transgressed the rules of the Senate.

Mr. RIBICOFF. As I recall the debate, and the Record may show otherwise, in referring to the argument of the distinguished Senator from Colorado concerning the speciousness of the amendment or the argument, I pointed out that what I was seeking to do was to have the Senate act responsibly.

I do not believe I imputed at all that the Senator from Colorado was acting irresponsibly.

It was my intention to point out that the Senate, when directing something to be done by a department head, by acting responsibly, had the requirement to supply the funds to the Department head to carry out its directive.

It was my understanding that what I was saying in debate was that we, as a body, had the duty to act responsibly. I did not intend to impute that the distinguished Senator from Colorado was acting irresponsibly.

The words are there and they can stand if they are. But it was never my intention, nor is it now, to impute any motives to the distinguished Senator from Colorado that at this moment or any moment he acted irresponsibly.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am happy to yield.

Mr. HOLLAND. I wonder, if the Senator has available the text of the law, whether he could give us this authorization for enforcement. I am informed that it does not seem to be available on the floor of the Senate. I believe it should appear in debate so that we will know what we are talking about.

Mr. RIBICOFF. In answer to the Senator from Florida, on August 11, 1965, at page 20232 of the Congressional Record, paragraph 135, under highway safety programs:

> After December 31, 1967, each State should have a highway safety program, approved by the Secretary, designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom, on highways on the Federal-aid system. Such highway safety program should be in accordance with uniform standards approved by the Secretary and should include, but not be limited to, provisions for an effective accident records system, and measures calculated to improve driver performance, vehicle safety, highway design and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations.
>
> * * * * *
>
> And the House agree to the same.

This is taken from the conference report of the Committee on Public Works.

Mr. HOLLAND. Is it in the law enacted?

Mr. RIBICOFF. It is in Public Law 89–139.

Mr. HOLLAND. Is the Senator reading the text of that law?

Mr. RIBICOFF. I am reading the text of the law.

Mr. HOLLAND. I thank the Senator.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. GRUENING. I rise in support of the amendment of the distinguished Senator from Connecticut, whose public career is so indelibly associated with highway safety, who achieved so much in that direction for his State when he was Governor of Connecticut, and is now wisely, properly, and devotedly pursuing that same effort for the entire Nation.

As warmly as I support the President's pending legislation on beautification—and I might say in my own State of Alaska, we abolished billboards on all highways by action of the territorial legislature as long as 20 years ago while I was Governor—I believe it is something of an anomaly and a paradox to be talking about beautification and removal of automobile graveyards, and not to consider the most striking "uglification" of highways, which take place whenever people are in traffic accidents and lives are lost. The slaughter on our highways has become a national disgrace and a major calamity. We have reached the sad situation where we know in advance that every holiday weekend will produce its heavy toll of dead and seriously injured on our highways.

I can think of no more appropriate amendment than that introduced by the Senator from Connecticut.

I believe it does not in any sense conflict with the objectives of the bill but strengthens them. If by this study, which his amendment would secure, we can diminish the tragic toll on highways, the beauty of life will in a very special sense be enhanced.

The amendment provides a distinct improvement for the bill. I hope it will be adopted.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. HOLLAND. I am inclined to be impressed by the proposed amendment, but there are certain assurances I would like to have in the Record.

Is there any attempt under the law, which would authorize the Secretary of Commerce to use this $500,000 to take over law enforcement activities within the States?

Mr. RIBICOFF. There is none whatsoever.

Of course, I was not on the Public Works Committee that had this provision adopted, but in all the studies that I have made and my interpretation, there is no intention and never has been any intention that the Federal Government would ever take over law enforcement of highway safety from the States.

Mr. HOLLAND. I thank the Senator. To make it a little more specific, there would be no interference, as I understand, under this bill, if enacted, under which the Secretary would be given these funds, and no intention to put patrolmen, for example, on the Federal highways, whether interstate or other Federal-aid highways, who would be Federal patrolmen, for the enforcement of any traffic laws or regulations.

Mr. RIBICOFF. There is certainly no such intention on my part, and I hope that nothing like that will take place. I can say that on my own part, but I would defer to the distinguished chairman of the subcommittee on that question, because the pending bill came to us from the Public Works Committee. The chairman is in better position to give that assurance than I am, because I was not on the committee which formulated the earlier law.

Mr. RANDOLPH. Mr. President, will the Senator yield to me?

Mr. RIBICOFF. I am delighted to yield to the Senator.

Mr. RANDOLPH. I believe that the two questions which have been asked by the distinguished Senator from Florida about the intent of the earlier law and the intent of the proposed amendment to the pending measure are valid questions. I emphasize what the Senator from Connecticut has said. And I agree with the Senator from Florida that that would be an infringement; in fact, it would be absolutely wrong. I cannot conceive that it would be the intent of any Member of the Senate, and certainly it was not the intent of the Committee on Public Works. I agree fully with the Senator from Florida that local authorities should operate in the areas that he has discussed.

Mr. HOLLAND. I thank my distinguished friend. I have one more question. There are, of course, many State laws, and they differ in the various States, with reference to length of vehicles, type of lights that are required, the weight of the vehicles, the speed of the vehicles of various classes on various types of highways, and similar measures, all of which relate, of course, rather directly to the field of safety.

My understanding of the law, if the $500,000 amount were authorized and appropriated—and I wish to be corrected if I am in error—is that the intention of the law is to allow research and the issuance of information in the various fields affecting public safety, but in no way to overcome or change the appropriate State laws affecting safety, or affecting the nature of the vehicles or the weight of the vehicles, or the length of the vehicles, or the type of lights, or the speed of the vehicles, or any of the other things which are handled, I hope adequately, though in some cases, I am afraid, not adequately, by the laws of the several States.

Mr. RIBICOFF. Yes. I should like to read the last sentence of the statement by the conferees:

> It is the expectation of the conferees that the Committees on Public Works will examine from time to time the extent of voluntary compliance by the States with this new section of title XXIII with a view of determining whether any further legislative action is necessary.

Therefore, it is my understanding that it will be a question of formulating standards, with conferences to be held, in the hope that the States will enact uniform laws. Anyone who has worked in this field recognizes the fantastic maze and diversity of various traffic laws throughout the States.

One can get into his automobile in Florida and drive to California, Connecticut, and pass through many States, all having different traffic laws, and all causing much confusion.

In the main, the Committee on Public Works, in asking the Secretary of Commerce to make this complete study, is trying to determine what would be good, safe standards in this modern day and age, considering the slaughter which is occurring year in and year out.

I should suppose that the information obtained would be valuable for all States, so as to enable the States themselves to measure their standards against national standards. But again, it is my understanding from the House conferees and the Committee on Public Works that compliance would be voluntary, not mandatory.

Mr. HOLLAND. If I correctly understand the situation, the research would make available facts to establish standards. The question whether the States would comply reasonably would be the subject of later determination. But above all, the question of any proposed intervention by the Federal Government in the field of law enforcement would be the subject of future legislation, rather than to say now that anything of such kind is included in existing law.

Mr. RIBICOFF. That is definitely my understanding. Any measure such as that would have to be the subject of future legislation to come before Congress, and is not included in this bill.

The **PRESIDING OFFICER.** Do the Senators yield back the remainder of their time?

Mr. RIBICOFF. I yield back the remainder of my time.

Mr. COOPER. I yield back the rest of my time.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Connecticut [Mr. RIBICOFF] to the Committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. MUSKIE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the committee amendment it is proposed to add the following:

> On page 11, delete lines 1 through 13 inclusive and insert in lieu thereof the following:
>
> "(e) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays and devices whose size, lighting and spacing is to be determined by agreement between the several States and the Secretary, may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary: *Provided,* That nothing in this subsection shall apply to signs as defined in section 101(c)(2)."

TUITION TAX CREDIT—ADDRESS BY WALTER L. MORGAN, JR.

Mr. ALLOTT. Mr. President, will the Senator from West Virginia yield 30 seconds to me?

Mr. RANDOLPH. I yield 1 minute to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a speech delivered by Mr. Walter L. Morgan, Jr., administrative assistant to my colleague from Colorado [Mr. DOMINICK], on the subject "Tuition Tax Credit." The speech was delivered before the Executive Committee of the National Student Association.

This subject is attracting more and more attention as we enter into the complex field of tax credits. Mr. Morgan's comments are worthy of the consideration of everyone.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TUITION TAX CREDIT

(Statement of Walter L. Morgan, Jr., administrative assistant to U.S. Senator PETER H. DOMINICK, Madison, Wis., Aug. 25, 1965)

Ladies and gentlemen of the Executive Committee of the National Student Association, I am sincerely grateful for this opportunity to meet with you today on behalf of Senator DOMINICK and to discuss a matter of great importance to this and future generations of Americans.

The world we live in is constantly changing—moving forward with dynamic progress such as we never dreamed of a generation ago. Our progress has produced great upward strides toward a better life for countless millions of our fellow men, but with progress we have been confronted with greater and greater challenges and more complex problems which must be solved—problems of such magnitude as how to cope with the population explosion being experienced throughout the world. Especially, we are being challenged to find ways to provide a balance between the world's population and man's ability to develop and maintain the natural resources to meet the growing needs of the world's people.

As never before in history, today's world not only demands a standard of excellence as the norm, but assesses progressively more severe penalties upon the backward and the slow. The shadow of future unemployment moves ever closer to those who fail to develop the highly specialized skills which are required as we arrive fully within the age of automation. The present contests in nuclear development and space exploration between ourselves and other nations have made us all acutely aware of the intensely competitive age in which we live.

Our success, or even our survival in future years, may well depend upon the degree to which we can provide the highest quality education to our citizens. By present estimates, in order to meet the challenges we shall encounter by 1970, we should now be graduating approximately 80,000 engineers and 30,000 scientists each year. Unfortunately, we are producing only about half the required number of either. I cite these statistics not to frighten anyone, but to emphasize the proportions of the problems we face in keeping pace with our needs in the field of higher education.

During the past 5 years, the number of students enrolled at our colleges and universities has increased by an average of 6.5 percent each year and it is estimated that by 1970 college enrollment will be double the number enrolled in 1960. And, during the past 5 years, the costs of college tuition, fees, and books have increased by one-third. It is predicted by competent authorities that this increasing cost trend will continue into the future.

While we may lag behind the Soviet Union in the present production of scientists and technicians, we may be proud of the fact that we have led the world in making the opportunity for higher education widely available to all. At the same time, paradoxically, we now place more of the burden of higher education costs directly on the student and/or his parents, than any other major nation in the world. Such a trend, obviously, is self-defeating and demands remedy. Thus, with the costs of higher education continuing to rise year after year, we find ourselves at a crossroads and must determine a course for the future which will best meet and cope with this problem of financing higher education.

There have been many proposals advanced to provide some assistance in a variety of ways, but suffice it to say that they have all failed to receive the needed support and congressional passage because they failed to surmount one or more of the following major objections:

1. Government domination and ultimate control of our education system.
2. Opposition to the use of tax funds to aid church-supported schools.
3. Lack of real assistance to those in greatest need dichotomy.

The one proposal which most nearly overcomes all three of these major objections is the percentage tax credit proposal which incorporates a sliding scale, giving the greatest amount of benefit to the lower end of the cost scale. As Senator DOMINICK's administrative assistant, this is the proposal I want to discuss with you. The bill currently before Congress with which I am most familiar is S. 12, the Ribicoff-Dominick bill, which was introduced by Senator ABRAHAM RIBICOFF, Democrat, of Connecticut, and Senator PETER H. DOMINICK, Republican, of Colorado, and which also bears the names of 33 other Senators as cosponsors. The bill provides simple and direct assistance to the student or his family or anyone else who pays the cost of the student's tuition, fees and books at an institution of higher education as defined by the Internal Revenue Code. The credit against the individual's income tax obligation would be applied on a sliding scale as follows: 75 percent credit for the first $200 of expenses; 25 percent credit for the next $300 of expenses; 10 percent credit for the next $1,000 of expenses.

At this point, let's make one point clear. We are talking about a tax credit which is a reduction of the tax due by the taxpayer. It is not an exemption or a tax deduction which only reduces the amount of gross income that taxpayer reports.

To assure that the benefits will accrue to the lower- and middle-income group which makes up more than 95 percent of our population, the bill provides that the amount of the credit will be reduced by an amount equal to 1 percent of any amount by which the taxpayer's adjusted gross income exceeds $25,000 for the taxable year. Thus a taxpayer whose gross income was $30,000 and who might otherwise be eligible for a $200 tax credit would have his credit reduced to $150 because he exceeded the maximum income limit by $5,000.

Let's take a few examples. Here in the State of Wisconsin, let's compare the bill's application for a resident student at the University of Wisconsin; a resident student at Wisconsin State College and Institute of Technology at Platteville; and a resident student at Marquette University, a private coeducational university.

University of Wisconsin: Tuition and fees, $300; books, $80; total, $380. Tax credit 75 percent multiplied by $200 equals $150; 25 percent multiplied by $180 equals $45 or $195 equals 51 percent.

Wisconsin State College: Tuition and fees, $258; books, $80; total, $338. Tax credit 75 percent multiplied by $200 equals $150; 25 percent multiplied by $138 equals $34.50 or $184.50 equals 55 percent.

Marquette University: Tuition and fees, $950; books, $80; total, $1,030. Tax credit 75 percent multiplied by $200 equals $150; 25 percent multiplied by 300 equals $75; 10 percent multiplied by $530 equals $53 or $278 equals 27 percent.

The same provisions as contained in S. 12 were offered in the last Congress as an amendment to pending legislation in the Senate and missed passage by the narrowest margin—45 to 48. It would have passed had not three of the bill's sponsors been persuaded by the administration to vote against their own bill on the premise that Congress at that time should delay any further reduction in taxes until the full impact of the latest income tax cut was known. In the intervening months, widespread support has been building around the country among students and their families favoring enactment of the tax credit proposal to aid in meeting the costs of higher education. This is most encouraging.

The sponsors of S. 12 are the first to admit that the bill is not a cure-all, but they are convinced that it goes farther toward providing more equitable assistance to the greatest number of people. Let's discuss some of the arguments which have occurred about the bill.

It is true that the tax credit concept of aid to higher education does not provide any direct assistance to the lowest income group who pay no income taxes—no income tax measure could. But indirectly, the tax credit proposal would provide a wide expansion of areas of assistance aimed specifically at helping this lowest income group.

Vast numbers of scholarships available today contain a family income limitation as one of the conditions of eligibility. These scholarships will continue to be available, and the tax credit program will reduce the pressure to some extent for these scholarships. Other programs of loans and grants, specifically designed for low income families by State legislatures and by Congress, will continue to be available with less pressure upon the individual institutions administering these programs. Most colleges and universities also give students from low-income families first priority on student employment programs. This, too, will continue.

Perhaps of greatest importance to the low-income group is one mechanism provided by S. 12 which, it is anticipated, will result in vastly increased assistance to students from these lower income families. This is the provision allowing a credit to any person paying a student's education costs whether that person is related to the student or not.

Prof. Russell Thackrey, in his recent statements, uses an illustration which points up the enormous potential this provision would have. In figures furnished him, he says, there were 100,000 people in this country in 1964 with personal holdings of $1 million or more. Thus, using the minimum figure of $1 million, these 100,000 people have combined assets of at least $100 billion. Professor Thackrey concludes: "Think what a modest voluntary gift of—say—an average of 1 or 2 percent of these assets would do for American higher education." I wholeheartedly agree, and S. 12 would provide the incentive to bring about such voluntary action by providing a percentage tax credit for a portion of such payments for students not related to the taxpayer. At the present time such payments do not qualify as a charitable donation unless the donor makes a blanket-type gift to a college or university, or to a special fund without designating the recipients of the proceeds. S. 12 would permit institutions, both public and private, to enlist alumni and friends in the support of their most needy and deserving students, and to make more fruitful use of already available scholarship funds.

Some opponents of the tax credit concept of aid to higher education have argued that taxpayers' funds are public funds and that such action would entrust the expenditure of public funds to the decision of private individuals with no assurance that the funds will be used in ways consistent with the public interest. Such an argument is as invalid as the rejected argument once advanced by a former Treasury Department official in a statement he made to a congressional committee to the effect that the amount of his own earnings that a citizen ought to be allowed to keep and use should depend upon how much the elected officials of government decided he should be allowed to keep. Such an argument flies in the face of our Constitution which provides exactly the opposite emphasis. It is the people, through their elected representatives in Congress, that decide how much of the people's money the Government shall be allowed to spend for them. This is the philosophy inherent in S. 12.

S. 12 would permit the taxpayer to provide himself with a dollar's worth of education on a cost-sharing basis, with complete freedom of choice in selecting the institution he wants to attend. Thus, we strengthen and preserve the important diversification of our educational system between private universities and State and public supported colleges and universities, while at the same time completely avoiding the conflict surrounding the question of Federal support of church-related institutions of higher learning.

The argument against educational tax credits becomes patently more invalid when you consider that the most important investment we can make for ourselves or for our children is the investment we have made and continue to make in providing the best possible education obtainable. If you agree that this is true, then ask yourself whether there is any basic difference in the concept of the individual investing in his own ability to substantially increase his future earnings, and the concept of a business investing a part of its present earnings in expending its future growth and earnings. I can see no basic difference. Yet those who argue against tax credits for a percentage of the cost of higher education completely ignore the fact that for years we have provided in our tax laws a percentage tax credit to the businessman who voluntarily reinvests a part of his earnings to expand his business and thus by expanding his ability to produce, advances our national interests. Education is among the foremost interests of our Nation. The sponsors of S. 12 believe that our future national growth may well be in direct proportion to the strength and excellence of our educational resources. The time for affirmative action has arrived, and the most equitable action we can take is to secure enactment of the tuition tax credit measure to treat the middle- and low-income taxpayer, who is trying to educate himself, or his children, as fairly as we treat any businessman—including the giants of industry like General Motors or United States Steel.

The education of our young Americans is not a partisan matter as evidenced by the fact that, of the 35 sponsors of S. 12, 18 are Democrats and 17 are Republicans. As further proof of the completely nonpartisan nature of the tuition tax credit proposal, a very eminent Democratic Senator speaking on the Senate floor on June 6, 1963 advocating tuition tax credit assistance for the cost of higher education said, and I quote: "The pressing need for vastly increased financial resources to support higher education in this country cannot be ignored. This legislation would provide this urgently needed assistance at a time of maximum need. It would represent a capital investment in the minds and talents of our youth and the future of our society. Let us then, meet this challenge with honesty and courage before this time of great need has passed and millions of American youth have been denied their educational birthright."

The man who uttered those words spoke to your group very recently. No longer Senator, he now is the Vice President of the United States, HUBERT H. HUMPHREY.

The sponsors of S. 12 welcome the support of student groups throughout the Nation in urging that Congress enact this legislation without further delay.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. RANDOLPH. Mr. President, Senators may recall that yesterday afternoon I withdrew temporarily the administration amendment No. 2. I stated that I wished to give consideration, as requested by Senators, to a possible modification of that amendment, or to an amendment to be offered which would go to the subject. I now state that the amendment which was under discussion yesterday has been withdrawn permanently. I ask unanimous consent that the amendment be withdrawn.

The **PRESIDING OFFICER.** Without objection, the amendment is withdrawn.

Mr. **RANDOLPH.** Mr. President, I have sent to the desk an amendment which is a substitute for section 101(e) of the bill. It is a modification of the amendment I offered yesterday on behalf of the administration.

This amendment is the product of much consideration. Discussions concerning it have been carried on not only with administration leaders, but also with the ranking minority member of the committee, who is also the ranking minority member of the Subcommittee on Public Roads, the distinguished Senator from Kentucky [Mr. COOPER].

I have said that the amendment is the product of discussion; I have not said there is complete approval. I make that very clear. But I do say that every effort has been made to arrive at language that might be agreed to by more than those of us who have worked diligently to have the amendment adopted.

The amendment I have offered insures against the possibility of arbitrary or capricious action by the Secretary of Commerce.

Yesterday some Members seemed to believe that the Secretary of Commerce might act in an unwise manner. So the amendment which I offer today is, I believe, a safeguard, a protection against possible actions of the Secretary of Commerce which some persons might term arbitrary or capricious.

At the same time, it is important to indicate that the amendment would not deprive the Secretary of a proper degree of participation. I feel that all of us who believe in the legislation desire the Secretary to be a contributing, constructive force in carrying out the provisions of the bill when it becomes a law.

I ask the careful attention of the Senate to two major issues which are inherent in the proposed amendment. First, the amendment would establish control by agreement between the States and the Secretary over on-premise advertising signs in the industrially and commercially zoned areas. Second, the amendment would provide for agreement between the States and the Secretary on the designation of unzoned commercial and industrial areas.

The amendment would therefore refer to both the zoned and the unzoned areas. My amendment would not—and I underscore the word "not"—in any way effect the zoning powers of the States.

My amendment would not—and again I underscore the word "not"—in any way regulate on-premise signs. They are the signs which advertise the facilities and activities on the property on which the signs are located. Such signs very properly call attention to the facilities on the site where the sign is located.

My amendment would not—and I underscore the word "not"—give the Secretary of Commerce dictatorial authority with regard either to controls or zoning.

The language of the declaration in my amendment makes it quite clear, though I emphasize the point for the purpose of establishing legislative history this afternoon that my amendment is for the purpose of promoting—not, I emphasize, destroying—reasonable, orderly, and effective display of outdoor advertising.

No Senator has greater respect for private industry and private property than does the Senator from West Virginia. I continue to contend that outdoor advertising is a legitimate business.

In the pending bill we are attempting—at least the Senator from West Virginia is attempting—to act in no wise to do violence to this industry.

Mr. President, I yield to my colleague the Senator from Kansas.

Mr. **CARLSON.** Mr. President, I have very high regard for the Senator from West Virginia.

With reference to the statement just made, I desire to ask a question concerning a particular instance in which an interstate highway goes through a man's farm. The man has owned this farm for many years. His barn happens to be located fairly close, I would say within 500 feet of the edge of the right-of-way, and this is a very wide right-of-way on an interstate highway.

This man has a sign with reference to his own dairy business on that farm. What would be the farmer's situation under this amendment or under any section of the bill?

Mr. **RANDOLPH.** Mr. President, I want to be very careful in reply. There is not a section of the bill that would apply to the rights of the farmer in question.

I should like to continue with the discussion of the reasons why the amendment is offered.

The amendment which has been offered would enable the States, in agreement with the Secretary of Commerce, to develop criteria for the prevention of what I call wild proliferation of signs in zoned industrial areas.

I point out that under Public Law 85-767, which was enacted in 1958, Congress gave authority to the Secretary, and to the Secretary alone, to promulgate standards for the area under the control of that law.

Under the pending amendment, the States would have primary responsibility for developing control criteria for advertising, as they have primary responsibility for other highway matters.

The language of this amendment would permit the appropriate committees of the Association of American State Highway Officials to propose control criteria, in consultation with the Secretary of Commerce. I emphasize the language which states that control criteria, and the designation of unzoned industrial areas, are to be "determined by agreement between the several States and the Secretary."

That language places both parties on an equal footing, because it provides for mutual consultation, which is desirable and will be carried forward. I do not deny that the Secretary of Commerce retains authority to withhold 10 percent of the Federal-aid highway funds from a State which fails to comply with the act.

However, I call the attention of my fellow Senators to the fact that a State which objects to such withholding, having attempted to reach an agreement with the Secretary, would have access to the courts on the grounds of damage through arbitrary or capricious administrative action.

Mr. President, that is all I have to say on the amendment at the present time.

Mr. **COOPER.** Mr. President, I yield myself 5 minutes.

I repeat that the statement of the distinguished Senator from West Virginia for the purposes of the amendment is entirely correct. Since the offering of his amendment yesterday, the Senator has talked with me. He talked with me last night and again this morning, and we attempted to find language which would remove the objections which were made by many Senators on the floor yesterday.

I suggested a part of this language as an improvement over the amendment that was offered—that is, that language which would require prima facie or primarily the concurrence agreement between the Secretary and the States would be more appropriate and less subject to objection than the language of the amendment offered yesterday, which would in reality give veto power to the Secretary. I told the Senator that I would discuss it with the Republican members of our subcommittee; and we have discussed it.

While I view this amendment as superior to that offered yesterday by the distinguished Senator and withdrawn, I shall vote against it, and shall stand by the action of the committee. Earlier today, in opposing the amendment offered by the Senator from New Hampshire—because I felt that it would remove from the bill the possibility of improving the highway system—I tried to explain the effect of section (e), title 1, of the Act, to which the pending amendment is proposed, and that I thought a reasonable position had been reached in the committee.

I gave as an example 50 miles of a primary highway, upon every foot of which, today, advertising may be erected. The bill reported from the committee, in section (e), would very much advance the cause of beautification of the highways, because in that 50-mile segment and in every other segment of the primary system, a great part of the mileage would be prohibited as to off-premise advertising.

But taking into account practical situations, we provided that advertising could be continued in areas which are now zoned as commercial or industrial, or which might in the future be zoned as commercial or industrial areas, and where advertising is, of course, needed. Thus, physically, the effect would be, on my hypothetical 50-mile segment, that perhaps 45 miles or more of it would be prohibited as an advertising area, but in the designated limited area advertising might be continued.

The committee agreed. If, during our discussions, the administration had any objection to it I, at least, did not know of it. Its objection, if any, may have been conveyed to other members, but as far as I know, this language appeared in the bill when we first sat down to work upon it, and we assumed that it had been accepted by the administration.

After we had voted on the bill and reported it to the Senate, and had written the language in the report which explained the section as it had been adopted by the committee, on the day before the Senate proceeded to consider the bill, these new amendments were sent up, as the Senator from West Virginia has said, at the instance of the administration.

We are making progress under the bill. It seems to me that at this late date, when the bill has been reported, when there has been agreement, we should not accept an amendment which gives all the power to the Secretary of Commerce, even though the bill provides for agreements with the States, because, as the Senator so honestly said, the club is still there in the form of a penalty. In effect the State would have to come into agreement or would be penalized.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. I yield myself 2 additional minutes.

I appeal to the members of the committee who worked so hard on the bill, including my colleagues on the Democratic side on the committee, to stand by the committee's action, and pass the bill that was unanimously reported, which makes great advances toward beautification, regardless of what some have said about it; and that we leave the last problem to the experience which will be derived under the bill and to actual conferences between the States and the Federal Government, in the effort to devise in the future a program which will help eliminate the blight, to the extent there is blight, in municipalities and in areas adjacent to them.

It must be known that this amendment would give to the Secretary of Commerce the authority to call for the dismantling of advertising, not only along the rural roads, but in every municipality traversed by the primary system.

If, for example, 42d Street in New York City or Times Square, which happens to be a part of the urban system, should become a part of the primary system, or Pennsylvania Avenue in Washington, or any other main street, or my main street, under the pending amendment the Secretary could call for the entire revision of advertising along 42d Street, or Times Square, or any main street.

I wish to see our streets made more beautiful, but I believe that at this point, advancing as we are at this late time, it provides too much authority to the Secretary.

Mr. FONG. Mr. President, will the Senator from Kentucky yield for a question?

Mr. HARRIS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. Mr. President, I yield 1 minute to the Senator from Hawaii for a question.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 1 minute.

Mr. FONG. Is it not a fact that, when the bill came to committee with provisions relative to zoning in commercial and industrial zones, signs were exempt in such zones?

Mr. COOPER. The Senator is correct.

Mr. FONG. Is it not also a fact that there was a provision for areas which were used for commercial and business purposes, but which were unzoned, wherein the Secretary would have some voice, and that the committee did work on the problem and, after deliberating, decided that the Secretary should not be given this discretion?

Mr. COOPER. The Senator is correct.

Mr. FONG. So, when the bill came to the Senate from the committee, it would not give the Secretary any discretion so far as allowing display of signs and advertising in industrial and commercial areas is concerned; is that not correct?

Mr. COOPER. No specific discretion; but we would have to admit that because the Bureau of Public Roads comes under his supervision, there is this "carrot" or "stick"—whatever we wish to call it—this 10-percent penalty, so that the Secretary still has some influence in dealing with the States to obtain some action.

Mr. FONG. Mr. President, will the Senator yield me 3 more minutes?

Mr. COOPER. I yield 3 additional minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 3 additional minutes.

Mr. FONG. I thank the Senator.

I, too, oppose the pending amendment which is a substitute for subsection (e) as reported by the committee. This problem was thoroughly discussed in committee. As the bill originally came before the committee, the exemption included advertising signs in areas which were zoned for commercial and industrial purposes.

There was also a provision which gave to the Secretary some discretion in those zones which were used for commercial and industrial purposes but not zoned for those particular purposes.

The committee discussed this provision very thoroughly and I believe it was the unanimous decision of the committee that the Secretary should not be given this discretion. It was the committee view that wherever there was zoning by a municipality, county, or a State of an area for commercial and industrial purposes, or where there were areas used for commercial and industrial purposes, but not so zoned, the State legislature, the county government, and the municipal government should have supreme power as to what kind of advertising and signs could be displayed.

The distinguished Senator from West Virginia states that the parties are on an equal footing in the matter of negotiations. With this I do not agree. I disagree with the Senator vehemently, because I do not believe there is equality of bargaining positions.

Here we have an officer of the Government, the Secretary of Commerce, who holds in his hand the withholding power of 10 percent of the Federal highway apportionment to a State for roadbuilding purposes.

In the State of California, that would be approximately $33 million. Here is an officer who can withhold from the State of California 10 percent of a $336 million appropriation. He can say to the State of California, "If you do not comply with the provisions which I have set forth, you will not receive the $336 million. You will receive only 90 percent of that, a reduction of $33 million."

There are other States from which the Secretary of Commerce could withhold sums as high as $20 million, $18 million, or $7 million, so the withholding power of the Secretary of Commerce if the State does not comply is a vast power, involving the withholding of great amounts of money.

We on the committee who worked on the problem feel that the municipality, the county, and the State—if they have spoken as to whether the area should be zoned, or has been zoned for these purposes—should be left alone. We wrote into the bill certain specific exemptions, so that the Secretary of Commerce could not say, "You must comply with my wishes before you will get the full 100 percent of the amount of money which has been apportioned to you for highway purposes."

I believe that this is a powerful club in the hands of the Secretary of Commerce. We are not dealing with only 41,000 miles of highway, as in the Interstate Highway System. We are dealing with——

The PRESIDING OFFICER. The time of the Senator from Hawaii has expired

Mr. COOPER. Mr. President, I yield 2 additional minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 2 additional minutes.

Mr. FONG. We are dealing with 265,000 miles of highway. We are dealing not only with the Interstate Highway System, but we are also dealing with the primary system, which covers over 225,000 miles.

On the primary system, there are thousands and thousands of areas which have been zoned for commercial and industrial purposes, which have been used for years for purposes of advertising and displaying of signs. This is no time for Congress to say, "We give to the Secretary of Commerce almost absolute power to go in and tell the States to withdraw these signs."

The distinguished Senator from West Virginia states that this is not a dictatorial power. However, the Secretary of Commerce can withhold 10 percent of the appropriation from a State. In States such as California, the withholding could go as high as $33 million. I assert that we would be giving to the Secretary of Commerce a very great amount of power. I believe that such power should not be left in the hands of the Secretary of Commerce.

While outdoor advertising is controlled in Hawaii to a greater extent than proposed in this bill and thus my State will be readily able to comply, I recognize the great problems many of our other States will face under this amendment.

Mr. HARRIS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. How much time does the Senator require?

Mr. HARRIS. Five minutes.

Mr. COOPER. Mr. President, I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. HARRIS. Mr. President, there never was a chaiman of a committee, or a Member of the Senate, who was more fair, cooperative, and diligent in his responsibilities than is the distinguished Senator from West Virginia [Mr. RANDOLPH]. It has been my honor to serve as a member on the Committee on Public Works and I am therefore especially reluctant to do what I must now do—that is, oppose the pending amendment to the bill.

But I say to Senators that I oppose the amendment in order to uphold the position which was adopted in committee. As a general principle, it is rather risky business to oppose the position of a committee or committee chairman on a matter on which they are well informed. But here, by the adoption of the amendment which is the pending business, we would reverse the action of the Public Works Committee.

It was on my motion in the Public Works Committee that the present provision in the bill which it is sought to amend primarily was adopted.

After adoption of my motion by the committee. the Public Works Committee, as has been stated, reported the bill out from committee by unanimous vote.

So I speak in support of the commitmittee position, which this amendment would seek to change.

I have studied the modified amendment today which is substituted for amendment No. 2 of yesterday. In my judgment, it does not change the effect of yesterday's amendment. The effect of it is to put the power in the hands of the Secretary of Commerce as to zoning and standards to be adopted.

Nowhere in this bill is there contained now any grant of power to the Secretary of Commerce to regulate the number and size and standards of advertising devices on private property.

This amendment would give that power to the Secretary of Commerce, and is, therefore, a radical departure from the concept of title I of the proposed act.

As to the position of the committee, I call the attention of Senators to page 6 of the report, which I read:

> The committee has given long and deliberate consideration to this subsection, and particularly to the question of unzoned industrial and commercial areas. The basic postulate of this provision is that outdoor advertising is an integral part of the business and marketing function and an established segment of the national economy; as a legitimate business, it should therefore be allowed to operate where other industrial and commercial activities are conducted.

That is from the committee's report, which goes on to say:

> This principle was recognized in the draft legislation proposed to the Congress by excluding industrially and commercially zoned areas from control.

Mr. President, I ask unanimous consent that that portion and succeeding portions from the report of the committee be printed at this point in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

> The committee has given long and deliberate consideration to this subsection, and particularly to the question of unzoned industrial and commercial areas. The basic postulate of this provision is that outdoor advertising is an integral part of the business and marketing function and an established segment of the national economy; as legitimate business, it should therefore be allowed to operate where other industrial and commercial activities are conducted.
>
> This principle was recognized in the draft legislation proposed to the Congress by excluding industrially and commercially zoned areas from control. However, the legislation as originally proposed recommended that unzoned areas used predominantly for industrial and commercial activites be "determined in accordance with national standards to be established by the Secretary."
>
> It is the committee's opinion that this is primarily an issue of land use which should not be left to an administrative decision. It is an extension of the concept of zoning and therefore more appropriately belongs to the same authority—i.e., the legislatures of the States. The committee believes that the State legislatures, because of their more detailed knowledge of the topography and land use patterns of the States, are in a better position to define an industrial and commercial area for their respective States than is the Secretary of Commerce.
>
> Some witnesses, in oppositon to this view, speculated that the States, if left to themselves in this matter, would engage in "strip zoning" and thus zone large stretches of highways as industrial solely for the purpose of outdoor advertising.
>
> The committee notes the qualifying clause quoted above, "which shall be consistent with the purpose of this section." The purpose of this act is to preserve and develop the recreational and esthetic values of the interstate and primary highway systems, and it would be wholly inconsistent with this purpose for a State to engage in such strip zoning. The committee is of the opinion that subsections (b) and (c) provide the Secretary with adequate authority to enforce compliance with the purpose of the act.
>
> In this respect the committee again notes that the Secretary is required by section 303 of S. 2084 to report to the Congress on its administration not later than January 10, 1967. Many of the States will by that time have enacted implementing legislation, and the Congress will have the opportunity to review the degree of compliance with this section.

Mr. HARRIS. Mr. President, I call the attention of Senators to this provision in the report:

> The committee notes the qualifying clause quoted above, "which shall be consistent with the purpose of this section." The purpose of this act is to preserve and develop the recreational and esthetic values of the interstate and primary highway systems, and it would be wholly inconsistent with this purpose for a State to engage in such strip zoning. The committee is of the opinion that subsections (b) and (c) provide the Secretary with adequate authority to enforce compliance with the purpose of the act.

In other words, it was the feeling of the Public Works Committee, when it voted to report the bill unanimously and authorized this report, that there was sufficient authority in the hands of the Secretary of Commerce to enforce the provisions of the bill. That was our position a week ago. That was our position in the committee last Thursday when we authorized the reporting of the bill. It was my position last Thursday. It is still my position. By my vote, I intend to uphold the original position of the Public Works Committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. Mr. President, I yield 2 minutes to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, it is one thing to prohibit altogether any advertising signs in certain areas. It is another question altogether to allow regulation of advertising devices on private property where advertising is allowed.

The restriction of size and number of advertising devices will, of course, constitute a taking of property rights from landowners and advertising-device owners, which must be compensated for.

But the amendment giving such broad and virtually undefined and unlimited powers to the Secretary of Commerce, as this amendment does with respect to advertising on private property where advertising is generally allowed in commercially and industrially zoned areas, is unwise and would cause much difficulty in the administration of the measure.

The adoption of the amendment would be in contravention of the action of the Public Works Committee, of which I am a member. I therefore hope it will not be adopted.

Mr. COOPER. Mr. President, I yield 2 minutes to the Senator from California.

Mr. MURPHY. Mr. President, I should like to join my colleagues in opposition to the amendment. It has been clearly stated on the floor that the discussion in the committee was full and complete. There was no misunderstanding. The only thing that happened after the committee had done its work was that a representative of the executive branch wanted to make changes.

It would be presumptuous of me to suggest to the executive branch any means of procedure, but I suggest that we are starting a new departure in order to achieve the beautification of the highway system, the benefits of which we all support. But we must exercise a little restraint, and I suggest that it may not be possible to achieve the objectives of the Great Society in 20 minutes, or 2 days, or 2 weeks.

In my opinion the chairman of the subcommittee and the full committee have worked hard and diligently. This is an excellent bill. I think it will work. By approving the sections of the bill as it started, I am sure all States will be brought into the program and that they will not have to be brought in by any coercion or threat of withholding of funds.

I call attention to the waiver in the bill to take care of a situation when a legislature of a State might have to adopt new laws to accommodate itself to the provisions of the bill.

I call attention to the fact that in my particular State there may be legislative problems. At the present time there is one man in charge of the legislature; and he and the chief executive are at odds. They seem to go out of their way to embarrass each other.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. I yield 1 additional minute to the Senator from California.

Mr. MURPHY. For whatever reason, I do not think the people of my State should be penalized if such a thing should occur. The penalty might amount to $30 million.

I concur with my colleagues; I must maintain the original position of the committee. I will oppose the amendment. I hope Members on both sides of the aisle will join in that opposition.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the distinguished Senator from Maine [Mr. MUSKIE].

Mr. MUSKIE. I express my appreciation to the Senator from West Virginia for yielding to me at this time.

At the outset of my remarks, which I hope will not be too lengthy, I should say how much I appreciate the objective and the cooperative way in which the committee, on both sides, has dealt with the bill, both in committee and on the floor of the Senate.

I really do not believe that there is as much difference on this issue between the distinguished Senator from Kentucky [Mr. COOPER] and the distinguished Senator from West Virginia [Mr. RANDOLPH] as might appear at first blush. I shall try to make that point clear.

As I listened to the discussion yesterday afternoon and this morning it seemed to me that the heart of the concern which has been expressed on the floor of the Senate has to do with unzoned commercial or industrial areas on the primary system.

I believe that as to the Interstate System there is nearly a consensus in this Chamber, as a whole, that we need to take effective action to control the areas adjoining the Interstate System.

I believe that the bill does this effectively. I believe that the amendment before us does this effectively, and that the amendment offered earlier by the Senator from New Hampshire [Mr. COTTON] would have done it more effectively.

So the heart of the concern expressed on the floor has to do with unzoned commercial or industrial areas. This also was the heart of the concern of the committee in the hearings and executive sessions in developing the language of the bill for almost 90 percent of the time that the committee spent on the bill.

There were some members on the committee who felt that the bill ought to be stronger than it turned out to be initially on this point. There were others who felt that the bill ought to be weaker than it turned out to be on this point.

The committee language which was finally reported to the Senate had the consensus which has been referred to by speakers on both sides of the amendment.

What is the heart of this interest in the unzoned commercial and industrial areas? It is this:

Over the period that the primary system has developed, there have been permitted to develop businesses the lives and viability of which depend on the business that comes to them over the highways, and whose ability to prosper from that business depends on their right to advertise their business, attract the motorists, and call them to their doors.

In addition, the advertising that has grown up in connection with business establishments performs a profound service for the motorist, giving him information in advance as to where he may find a particular brand of gasoline, or a particular kind of restaurant, or another establishment, or motel to serve his needs and those of his family.

I repeat to the Senate that the concern with which this problem has been so eloquently described on the floor of the Senate yesterday and today—and which I described briefly here this afternoon—has been at the heart of the concern of the committee throughout its deliberations.

What was the problem? The problem was this: How do we deal meaningfully in terms of beautification, in terms of control of outdoor advertising in these areas and at the same time preserve to the States and to the businesses the right to protect the interests which I have just defined?

We could, of course, leave the controls entirely up to the business establishments themselves, hoping in the process of enlightened self-interest and enlightened public interest that there may develop a self-discipline which would be effective; or we could leave it to the communities or the legislatures of the States; or we could leave it to the Secretary of Commerce.

A number of choices are open to us But what we tried to develop—perhaps we did not succeed—was a formula which would give the legislature a right to protect what it considered to be the legitimate interests of businesses, while at the same time imposing upon the legislatures a restraint which would keep them within reasonable and responsible limits, as the committee defined the public interest in this field. This is what we tried to do.

What was the formula we used to do it? I think it was the heart of the difference between those on the committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. Mr. President, I yield an additional 4 minutes.

Mr. MUSKIE. What is in the committee amendment, and what is in the amendment now before us?

The committee amendment on this point reads as follows—and I shall skip the part that does not refer to what I am discussing:

> (e) Notwithstanding any provision of this section, signs, displays, and devices may be erected and maintained within areas adjacent to the Interstate System and the primary system within six hundred and sixty feet of the nearest edge of the right-of-way which are zoned industrial or commercial under authority of State law, or which are not zoned under authority of State law, but are used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States, which shall be consistent with the purposes of this section.

What, then, did we do with this language? First of all, we clearly placed initiative and responsibilities on the legislatures of the several States. Second, we imposed a restriction in these words: "which shall be consistent with the purposes of this section."

Those words have been interpreted on the floor of the Senate today as meaning that the Secretary should have authority to decide what shall be consistent with the purposes of this section.

Clearly it is a tenable argument that someone will have to decide whether or not the action taken by the legislature is consistent with the purposes of this section.

If that interpretation is correct, the language in the amendment which has been offered does nothing more than clarify language which is now in the bill.

If that interpretation is not correct, what is the meaning of the words: "which shall be consistent with the purposes of this section"?

The meaning of those words is that the legislation does nothing more than impose upon the legislatures a mandate which the legislatures would be morally bound to observe.

Therefore, this seeks to solicit from the legislatures self-discipline, which will carry out the purposes of the act. Whichever interpretation is accepted, what is clearly intended is that the State legislatures shall not run wild in this field and shall exercise responsibility, and it imposes upon the legislatures a mandate which should stimulate them to that effect.

The Secretary of Commerce was aware of our concern. We repeated it to him in the hearings, and his responses reflected his understanding of our concern. We repeated it to him in our deliberations and discussions in the course of our consideration of the bill in executive session. Since the bill has been reported we have repeated it to him. He has repeatedly accepted the responsibility of recognizing that concern and of moving to implement it.

I have with me a letter from the Secretary of Commerce which I believe should be of interest to the Senate on this point. It is addressed to the distinguished chairman of the subcommittee, and is dated September 14, 1965. I quote from the letter, as follows:

> The administration recognizes that the present signs and procedures of informing the traveling public, along the Interstate System, are inadequate and must be improved. The Bureau of Public Roads, in

> cooperation with the State Highway Departments, has been working for some time on policies and procedures for replacement of signs which are now limited largely to notices that "Food, Fuel, and Lodging" are available at the next interchange.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. I yield 3 additional minutes to the Senator from Maine.

Mr. MUSKIE. I continue to read from the letter:

> The Department of Commerce will start immediately on developing a system of signs to give the motoring public more information about services and facilities available within reasonable distances of the main traveled roadway where such information is not otherwise reasonably provided.
>
> It should be pointed out that signs advertising services or facilities necessary or of interest to the traveling public can be erected in both zoned and unzoned commercial and industrial areas in accordance with the legislation now pending before your committee. It is our belief that signs in these areas can to a very great extent take care of the needs for informing the traveling public on noncontrolled access portions of the primary system and be completely consistent with the administration's program to make our highways avenues for the enjoyment of nature and beauty and to help enrich the life of our people in city and countryside alike.

I ask unanimous consent that the text of the entire letter be placed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., September 14, 1965.

Hon. JENNINGS RANDOLPH,
Chairman, Subcommittee on Public Roads, Public Works Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR RANDOLPH: This is in reponse to your request for information on the ways in which the traveling public would be informed of facilities and services available to them if the Congress enacts the administration's highway beautification program including the control of outdoor advertising.

The administration recognizes that the present signs and procedures of informing the traveling public, along the Interstate System, are inadequate and must be improved. The Bureau of Public Roads, in cooperation with the State highway departments, has been working for some time on policies and procedures for replacement of signs which are now limited largely to notices that "food, fuel and lodging" are available at the next interchange.

The Department of Commerce will start immediately on developing a system of signs to give the motoring public more information about services and facilities available within reasonable distances of the main traveled roadway where such information is not otherwise reasonably provided.

It should be pointed out that signs advertising services or facilities necessary or of interest to the traveling public can be erected in both zoned and unzoned commercial and industrial areas in accordance with the legislation now pending before your committee. It is our belief that signs in these areas can to a very great extent take care of the needs for informing the traveling public on noncontrolled access portions of the primary system and be completely consistent with the administration's program to make our highways avenues for the enjoyment of nature and beauty and to help enrich the life of our people in city and countryside alike.

In those instances, primarily along the Interstate System and controlled access portions of the primary system, where motorist service information is not otherwise available, the Department of Commerce, in cooperation with the State highway departments, will erect signs giving specific information on services and facilities. This would include specific brand names of gasoline, the names or other specific identification of lodging and food facilities and other specific information of interest to the motoring public regarding recreation, historic sights, hospitals, and similar information.

The Bureau of Public Roads, the State highway departments and the highway research board also have started work on utilizing available technology to develop communications systems along our highways to provide information to the motorists. This includes the actual development of a pilot project of installing a communication system along a section of the Interstate highway in which prerecorded messages can be transmitted into an automobile with a standard radio which is traveling along the highway. This research and development work will be pursued vigorously so that this additional means of informing the traveling public of services and facilities can be made available in future years.

If there is any other information which we can furnish the committee, we will be pleased to cooperate.

Sincerely yours,

JOHN CONNOR,
Secretary of Commerce.

Mr. MUSKIE. Mr. President, in his letter, the Secretary recognizes not only the committee's concern with the problem I outlined at the outset of my remarks; he also indicates that he shares that concern, and that if the amendment is adopted and the bill is enacted, he is willing to initiate a discussion between the States and the Secretary which will have the objective, from the point of view of the Secretary, of protecting the legitimate interests of roadside businesses which have grown up on the basis of highway traffic, which business, to a large extent, is dependent upon the ability to attract the attention of motorists.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I yield.

Mr. PASTORE. Who would have the final say?

Mr. MUSKIE. The final say would rest in the interpretation of the language found in the amendment offered by the distinguished Senator from West Virginia. The operative language is:

> As may be determined by agreement between the several States and the Secretary.

The emphasis is upon agreement. If agreement were not reached, presumably the Secretary would be empowered to withhold.

So the question is when, in the course of the negotiations designed to lead to agreement, the Secretary would be justified in exercising the authority which the bill gives him. It is the argument of the sponsors of the amendment that the burden upon him to justify withdrawal would be so great that he would not do so unless he found that the States themselves had been arbitrary and not cooperative in the negotiations.

Mr. TALMADGE. Mr. President, will the Senator from Kentucky yield 5 minutes to me?

Mr. COOPER. I yield 5 minutes to the distinguished Senator from Georgia.

Mr. TALMADGE. Mr. President, Congress has passed laws and taken action to remove unsightly billboards from 41,000 miles of interstate highways. I applaud that action; I commend it. The interstate highways are the highways that the great multitude of tourists and other motorists from all sections of America use when they are visiting various sections of our country. But the bill now before the Senate goes far beyond that. It would regulate 225,000 miles of primary roads in the United States.

What is a primary road? In my State, it is essentially a county-seat-to-county-seat road. It is the road that goes from McRae, Ga., where I was born and reared, a town of approximately 3,000 people, to Alamo, Ga., the county seat of Wheeler County, a town of about 1,000 people. That road has been in being for almost 40 years. That road is traveled 95 percent of the time by local people in the area—the farmers who go into town to market their produce; who go into town to buy supplies; by people who live in the small towns and who visit their friends and relatives in the area. Yet the bill would authorize the Secretary of Commerce, in the final analysis, retroactively to zone 660 feet on each side of the right-of-way of that particular road that has been in being for 40 years. That is not right.

The able Senator from Maine just put his finger on the key words, when inquiry was made by the distinguished Senator from Rhode Island [Mr. PASTORE]. That language is the last part of the amendment at the desk—"as may be determined by agreement between the several States and the Secretary."

That is all right if they reach agreement. But what if they do not reach agreement? When agreement cannot be reached between two persons who are negotiating, someone must make the decision. Who would make the decision in this particular case? The Secretary of Commerce. How would he make his decision? In any way that he saw fit, with the power to withhold 10 percent of Federal highway funds appropriated by Congress to every State in the Union. In my State, that amounts to almost $80 million a year.

In other words, the Secretary of Commerce, in negotiating with the State Highway Board of Georgia, would have the last say. He could say, "If you do not proceed in the way I have determined, I shall withhold $8 million of your funds that have been paid by the taxpayers of the country and that Congress has appropriated."

Land use has always been determined by local zoning authorities—the zoning authority of a municipality, the zoning authority of a county, or by the legislature of the State affected. That is as it should be. I hope that the Senate is not ready to grant to the Secretary of Commerce the power to zone, retroactively, countless millions of acres of land that would be affected along roads that go from county seat to county seat, roads that have been in being for decades.

We have taken a giant step forward on the interstate highways that are being built. I would be perfectly willing to apply the same formula to primary roads that are to be built in the future. But we ought not to take action retroactively that would apply to roads that have been in being for 40 years in some areas where the local people almost exclusively use the roads. There is no reason why we should take harsh action that would affect the little roads in rural and semirural counties, where those who use the roads are almost exclusively local residents.

I hope this amendment, which would give power to the Secretary of Commerce to blackmail every State in the Union that did not comply with his wishes, will be rejected.

Mr. ALLOTT. Mr. President, will the Senator from Kentucky yield time to me?

Mr. COOPER. Mr. President, I yield 4 minutes to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, before I propound a question to the distinguished Senator from West Virginia, I compliment the distinguished Senator from Georgia on his remarks, which I believe are true. The same concern was voiced by the distinguished Senator from Rhode Island [Mr. PASTORE]. I should like to ask a question in a different way with respect to the amendment offered by the Senator from West Virginia. The latter part of the amendment reads: "in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary."

I am sure we are all agreed that this language means that the purpose of the amendment is to bring the States and the Secretary into agreement.

I wish to propound this question: In the event that an individual State and the Secretary are not able to reach agreement, does the language of the amendment mean that the Secretary has the right to withhold 10 percent of the funds allocable to that State on both the primary and interstate systems?

Mr. RANDOLPH. The Senator is correct. The Secretary would have the right to withhold. The State would have the right of recourse to the courts.

Mr. ALLOTT. Perhaps an amendment has been debated while I was absent from the Chamber. The pending bill is not subject to the Administrative Procedure Act. Therefore, where would the bill provide for a court review?

Mr. RANDOLPH. The provision actually is not contained in the bill as presented, but the counsel for the Secretary of Commerce has stated that there would be access to court determination of action by the Secretary.

Mr. ALLOTT. As a matter of fact, it is the position of the Senator in charge of the bill that the right of an appeal to a court is inherent in the bill.

Mr. RANDOLPH. The Senator is correct.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. Mr. President, I ask that I may be permitted to continue for 1 additional minute.

Mr. COOPER. Mr. President, I yield 1 additional minute to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 additional minute.

Mr. ALLOTT. Mr. President, the burden would be on the State to prove in court that its position was reasonable. However, the burden would not be upon the Secretary of Commerce to prove that his position was reasonable.

Mr. RANDOLPH. The gentleman from Colorado has correctly stated the situation.

Mr. ALLOTT. Mr. President, I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield back the remainder of my time.

Mr. RANDOLPH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 31 minutes remaining.

Mr. COOPER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 21 minutes remaining.

Mr. RANDOLPH. Mr. President, I yield 4 minutes to my colleague, the junior Senator from Indiana.

Mr. BAYH. Mr. President, as a member of the subcommittee over which the distinguished Senator from West Virginia so ably presided, I should like to substantiate the comments that have been made by several colleagues concerning the judicious efforts of the Senator which have, in my estimation, made this bill a much better bill than it was when introduced.

Our distinguished colleague, the Senator from Georgia, talked about the retroactive zoning provision. The committee worked on that provision. However, in the original version it was not intended that the people who lost their billboards would be compensated. The States would have been directed to use their police power to take property away.

I believe that many improvements have been made in the original bill. However, I am concerned about the amendment which the Senator from West Virginia offers. I should like, if I may, to think out loud a bit for the purpose of the record in order to obtain the thoughts of the Senator from West Virginia on the points I raise.

It seems to me that the major reason, as it was so eloquently stated by the Senator from Maine, why we believed it was necessary to include any provision which might put restrictions on the legislature, was the fear that in some States there might be no effort made at all in the legislature. A State legislature could say, in effect, to the Federal Government, "We are not going to cooperate." The committee was trying to get the assurance of some reasonable action being taken by a legislature. If there is in fact reasonable action by a legislature, the Secretary of Commerce will go along with the criteria which are proposed. But I believe that it should be set forth at the State level.

As the Senator from Kentucky knows, both he and I, together with some of our other colleagues, said that we would not like to see the Federal Government get into the business of zoning. Indeed, in my opinion, the only reason which would justify the Federal Government having a contingency like this in a beautification bill would be to provide a gentle prod for a State legislature to make a reasonable effort at zoning.

To accomplish this purpose, as the Senator from Maine pointed out, there are different interpretations of the two ways in which this bill might do so.

I feel compelled to suggest a third alternative. Reference has been made to the agreement between the several States and the Secretary, which would be required under the amendment of the Senator from West Virginia. Let me refer also to the provision in the pending bill which would provide that anything that is done shall be consistent with the purposes of this section.

As the junior Senator from Indiana interprets this, and my interpretation is subject to correction, the statement that it shall be consistent with the purpose of this section does not say anything at all about any specific agreement with the States.

I am concerned with this matter of giving the Secretary more arbitrary power, unchecked, and with the provision requiring agreement contained in the amendment.

This section seems to state that it is the sense of Congress that an equitable agreement should be reached between the States and the Secretary. I am convinced in my own mind that the Secretary would act only if the States were arbitrary and did not make a reasonable effort to try to accomplish the purposes of the bill.

I am also concerned about the criteria and standards that the Secretary of Commerce shall demand. Indeed, this is one of the most serious aspects which we must consider. I hope—and it is the intention, the hope, and the desire of this Senator—that the Secretary will not require arbitrary two-by-four standards.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. Mr. President, may I have an additional 3 minutes?

Mr. RANDOLPH. Mr. President, I yield an additional 3 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for an additional 3 minutes.

Mr. BAYH. Mr. President, for example, I think one of the great things has been our free enterprise system. This system has given our businessmen the incentive to innovate. I should hate to learn that the Secretary of Commerce would require that a sign must be so long, so wide, and have so many lights on it, and that a citizen could not take into consideration certain configurations that have come to be nationally associated with a given firm, chain, or even an individual business.

It is my thought, of course, that the Secretary of Commerce should have leeway, but in turn it is essential that he provide a maximum amount of freedom to the States and to the private citizens.

Does the Senator from West Virginia contemplate that in order to conform to standards that would be acceptable to the National Government, all of these signs would have to be so long and so tall, or would a small businessman who has a small motel and could not afford to hire a set of professionally constructed billboards, have the right to station a sign down the road at a reasonable distance from his place of business to let the public know that his motel or restaurant is just over the hill?

Mr. RANDOLPH. Mr. President, as to the subject discussed by the distinguished Senator from Indiana concerning criteria, as I understand in the offering of this amendment, there are certain criteria established under this section.

In a general way we would base the criteria on the practices that the outdoor advertising industry as a whole now adheres to.

I believe that would be the situation.

The State of Indiana is much closer now to Washington, D.C., than the distance between the county seats in Indiana just a few years ago. Time and distance are no more. Transportation and communication changes. There have been dramatic changes.

People who feel that the Federal Government should not have a prerogative or that its officials not have a voice in a subject are not realists. I am not speaking of the Federal Government overpowering the State or local governments. However, I do say and I believe it is important to realize, that there must be a partnership between the Federal structure and the State and the local structure, and that is what we are requesting in this amendment.

Mr. BAYH. And an agreement.

Mr. RANDOLPH. And an agreement. I appreciate the comment of the Senator and I understand his concern.

Mr. BAYH. Mr. President, I apologize for prolonging the debate. However, I have very strong feelings that the small businessman, whether he happens to be a man with a small sign advertising a small motel, who cannot afford some of the more luxurious, standardized advertising signs, should have his day in court.

It is my thought that when the Secretary helps establish the standards, those standards or criteria should not be very restrictive or arbitrary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. Mr. President, may I have 1 additional minute?

Mr. RANDOLPH. Mr. President, I yield the final minute to my colleague.

Mr. BAYH. Mr. President, if there were sufficient time, there are other aspects of the bill which I should like to discuss at greater length.

I hoped that the Secretary would make allowance for the small restaurant owner or the small motel operator who happened to live on one of the roads which have been described by the Senator from Kentucky [Mr. COOPER] and the junior Senator from Georgia [Mr. TALMADGE].

Though isolated, the man still has a right—and indeed the public has a right, to know that his facility is just around the bend or over the hill—and I certainly hope that the Secretary will take that into consideration.

Mr. LAUSCHE. Will the Senator yield for a question, just 1 minute?

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. First I wish to inquire as to the time remaining.

The PRESIDING OFFICER. The Senator from West Virginia has 23 minutes remaining under his control.

Mr. RANDOLPH. How much time has the opposition?

The PRESIDING OFFICER. The Senator from Kentucky [Mr. COOPER] has 21 minutes remaining.

Mr. RANDOLPH. I yield 1 minute.

Mr. LAUSCHE. Either the Senator from West Virginia [Mr. RANDOLPH] or the Senator from Indiana [Mr. BAYH] can answer the question. Is it claimed that the Federal Government cannot take property for zoning purposes without compensation, and that the States can? It is my understanding that either the Federal Government, a State Government, a local government, unless it is zoned specifically under police powers, but not for aesthetic objectives, must compensate for property taken.

Mr. RANDOLPH. All takings must be compensated for under the bill. We have so provided.

Mr. LAUSCHE. The Senator from Indiana implied that the States could take property without compensation. I cannot agree with that implication.

Mr. BAYH. If the Senator from Indiana might respond for the remainder of this minute——

The PRESIDING OFFICER. Will the Senator from West Virginia yield to the Senator from Indiana?

Mr. RANDOLPH. I yield 1 minute to the Senator from Indiana.

Mr. BAYH. It will not take that long. There was a great deal of consideration and concern on my part and that of many others, that the original approach to this bill would do exactly that, which we felt we had no right to do. Therefore, I feel that the Senator from West Virginia and my other colleagues on the committee have performed a service.

Mr. LAUSCHE. I merely wished to say that the State cannot do it.

Mr. RANDOLPH. The Senator is correct. There must be just compensation.

Mr. LONG of Louisiana. Will the Senator yield 5 minutes?

Mr. RANDOLPH. I yield 5 minutes to the distinguished assistant majority leader.

Mr. LONG of Louisiana. I believe, Mr. President, I have been as adamantly for States rights, on occasion, as any other Senator; and yet I have consistently voted that when the Federal Government undertakes to provide something in the way of a Federal-State aid program, there is no justification whatever for the Federal Government going into it unless the Federal Government is going to see that something is done that the States would not do otherwise. In the absence of such purpose, we would be wasting our money. That being the case, if I am going to vote for a Federal aid program, I am always prepared to put certain Federal standards into effect, to be sure that we achieve what we set out to do when we vote for the aid.

The Senator from Louisiana has been voting for Federal aid on highways for a long time. He is not in the least upset about the fact that if we are to have a Federal highway, we have a right to insist that someone keep cattle off the highway, so that it will be safe. If we are to have a Federal highway, we ought to have concrete thick enough so that it will not fall apart. If we are to have a Federal highway, the bridges should be high enough so that boats can get under them.

Some time ago, I voted that we should make an effort to control advertising on federally financed highways. Let me give an example why.

When one drives U.S. Highway 1 from here to Baltimore, it is a jungle, it is unsightly, it is a disgrace to America, with all the advertising, junkyards, and what have you cluttering up that highway.

On the other hand, when we travel the beautiful Washington-Baltimore Parkway, it is as pleasant a jaunt as one might wish.

The Federal taxpayers are going to pay at least half the cost of this program. I have voted one way upon this issue, and the State legislature of my State has voted the other. I am willing to take on anybody on this issue any time he wishes. The people of my State do not want the highways to be ugly and made unsightly, when they could be beautiful.

For example, when one approaches my hometown of Baton Rouge, La., there is only one opportunity to obtain a panoramic view. The land is flat and it has trees and buildings. If one wishes to see for some distance, the only chance he has, as he approaches Baton Rouge, is when he goes over an overpass over a railroad. At that point, when he gets about 30 feet in the air, he can see the whole majestic panorama, in all directions.

It used to be that one could see the State capitol, one could see the beautiful State university, one could see that fine plant built by Standard Oil, which at night is made spectacular by its many lights and burning flares. When one traveled over that overpass, there were all kinds of sights to be seen from that point.

That is the way it used to be. How is it now? Someone bought himself a location directly in front of that overpass and put up a sign to induce the public to buy his muffler or his brake linings; and just to make sure that nothing else could be seen, he erected a structure under the sign to make it rise 4 stories high, and that is all we get a chance to look at.

Mr. President, at this moment we are building through Baton Rouge, La., the most magnificent highway structure that that city ever dreamed of having. It is elevated at housetop level, and travelers upon it will get their first chance to see the Mississippi River—because that river has 20-foot levees on both sides—from this fine elevated structure.

But unless we pass this amendment, we will never see the river as we pass through there, because people are going to work right now; they are already erecting signs four stories into the air to block off our only chance to see the Mississippi River when we pass over the highway as tourists.

Do we not want to do something about it? If we let the billboard lobby write a single amendment that it would approve on this bill, it will arrange a loophole to get through. These are powerful, influential, and highly respected businessmen. I respect them myself. In my State, a man who importuned me to vote against billboard control was an old friend, a highly respected State senator, who is now the director of highways. The gentleman had enough influence in the State legislature to prevent it from adopting billboard control. That cost us a great deal. My State is one of the noncomplying States.

But notwithstanding the fact that I voted for billboard control, I received about 80 percent of the votes in the primary and about 75 percent of the votes in the last general election. That would lead me to believe that the people of my State are prepared to have their Senator vote for billboard control.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. I yield an additional 2 minutes.

Mr. LONG of Louisiana. Mr. President, to give another example, one of my good friends was in the motel business. He went down the highway and put up a few highway signs. Then he asked his customers to fill out a card, answering the question, "Why did you stop here? What made you think about stopping at my motel"?

The point that the people marked most often was that they saw his signs on the highway. What did he do? He went out on every primary highway leading to my hometown and put up a billboard every mile of the way for the last 30 miles coming into town.

Later he proceeded to buy another motel. It was such a good business for him that he put up another set of signs in between the first set of signs that he had put up at every mile along the road.

Let us take, for example, the highway between Washington and Richmond. An enterprising merchant has done the same thing. At every mile of that road we see his motel advertised. If there were 20 or 30 motels equally enterprising, we would have a solid wall of billboards for the last 50 miles before we got to Washington. The same thing would be true in approaching Baton Rouge. It would not leave any room for the man who wished to advertise his muffler or his brake lining, or his automobile seat covers.

If we wish to do something about making our highways beautiful, we can vote to do it today. In the absence of the pending amendment, there will be a loophole in the law so big that we might as well not pass the law at all. All that would be necessary to evade this law would be for the State legislatures to declare every location in the State where billboards exist, a commercial area. Such a law would be upheld if the court respected the legislative intent, I am sure. Having done that, they could arrange it so that there would be no control over billboards.

The Senator from West Virginia is trying to do something about it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. I yield 1 more minute to the Senator from Louisiana.

Mr. LONG of Louisiana. Let us take, for example, the overpass at Baton Rouge that I have been talking about. Driving over that overpass, we get 30 feet in the air. We would expect, of course, to be able to see the State Capitol. Instead of seeing the State Capitol, we see that big sign. As I see it, a fair compromise would be to lower that sign 20 feet, so that we could see over that sign to the State Capitol Building. Then, as we came down from the overpass, we would see the signs advertising the brake lining or the muffler, or anything else that someone wished to sell to us.

We need a muffler—whatever it will sell for. We can work out the problem on both sides. We can have something to say about it.

Mr. President, we can call this dictatorial, but any time we try to accommodate the many at the expense of the few, any man who is told to take his billboards down is going to call it dictatorial. It is a question of whether we wish to serve the many who would like to have beautiful highways and a magnificent view, or serve the few who have a special interest in making money out of the advertising business.

Mr. PROUTY. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. PROUTY. I should like to address this question to the distinguished Senator from West Virginia. I point out that Vermont already has restrictive billboard laws. We wish the traveling public and our own citizens in Vermont to see the unparalleled beauty of the State.

My question is this: If the proposed legislation becomes law, can the Senator from West Virginia give me categorical assurance that the small farmer who sells eggs, dairy products, and maple sirup, or something of that nature, the small motel owner, or the restaurant owner, will be able to display small signs along the primary system?

The Senator from Indiana, a member of the committee, expressed the hope that the Secretary would permit these small signs to be displayed; but hope and reality frequently turn out to be something entirely different.

Mr. RANDOLPH. First of all, let me say that West Virginia's maple sirup is superior to Vermont's maple sirup.

Mr. PROUTY. I disagree, but we could argue at length on that.

Mr. RANDOLPH. The property owners to whom the Senator has referred will be able to advertise on their own premises. The bill requires the Secretary of Commerce to report to the Congress not later than January 10, 1967. At this point, therefore, I would rather say that I believe that at that time we might be better able to determine the extent of the problem of off-premise signs on the primary system.

Mr. PROUTY. Then the Senator, I take it, cannot give me that assurance at the present time.

I thank the Senator from Kentucky for yielding to me.

Mr. AIKEN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield 3 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

Mr. AIKEN. Mr. President, without the proposed amendment, the bill before the Senate would appear to me to be a very good and workable bill which I could very well support.

However, if the pending amendment should be adopted to cover a situation which is not fully related to highway construction and billboards, it would amount to an obliterating of the States.

The amendment as I read it provides:

> Billboards may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary.

Suppose the Secretary does not agree with the State highway board, or the Governor of the State, and rules against them. Then, I understand, the State could go to court to obtain justice. But I ask the Senate what highway board, what Governor, or what State official would permit highway construction to be halted in order to go to court against the Federal Government and not have the case decided until 3 to 5 years had passed?

Does any Senator believe that a Governor or a member of a highway board of a State could halt all highway construction within the State for a few years and then run for reelection successfully?

I believe that adoption of the pending amendment would mean that the officials of the State would go as the Secretary says they should go, or else—"Out you go."

That is why I believe that the pending amendment would go a long way beyond highway construction and billboards, and should be defeated.

Mr. DIRKSEN. Mr. President, I yield myself 5 minutes under the bill——

Mr. COOPER. Mr. President, I am glad to yield 5 minutes to the minority leader out of the time on the amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DIRKSEN. I do not wish the distinguished Senator from Louisiana to leave, because I am always entranced by his eloquence and by the images he conjures up with his vivid descriptions of the fabulous things which happen in Louisiana.

Mr. President, when he spoke about the thousands of billboards on the highways in Louisiana, it brought up an impression in my mind of a memory when I almost ran over a few cows in the great State of Louisiana some years ago, because it appeared that they were not fenced in and were allowed to roam on the highways at will. But when he speaks about four-story billboards, I could not tell whether he was talking about high-rise apartments or billboards, because I have never seen a four-story billboard. I am coming down to Louisiana to take a look.

Mr. LONG of Louisiana. Let me say to the Senator from Illinois that we fenced the cows off the highways approximately 12 years ago. We are making headway.

Mr. DIRKSEN. That is good; but I have to come back to Louisiana.

Mr. President, what is involved in this issue is becoming concealed. I am afraid that the issue is becoming clouded. Let us start with this proposition, that if this provision applied only to interstate highways and to limited access roads, this fuss would not be going on in the Senate this afternoon, it would have finished with the bill long ago. But it applies to primary highways. There are 224,000 miles of primary highways, a network which goes into every State of the Union.

With respect to all those thousands of miles, including the primary system, it is up to the Secretary of Commerce to determine the signs and devices by agreement with the several States. The language has been modified, since yesterday, I believe, but this does not change it. They would have to come out to the State of Illinois and make an arrangement with the Governor, or the engineers of the highway system. Constitutionally, I am not at all sure whether they can enter into an agreement until new authority was conferred. I do not know whether they thought about that before. But it requires an agreement. So, here sits the Secretary—or whoever would be vested with the authority—and here sits the Governor and the chief of the highway engineers, and they go over the question of signs as to size, location, and so forth, but particularly we are dealing here with zoned commercial and industrial property, and unzoned property to be used for commercial and industrial purposes. That is the difficulty in this situation. If the Governor says he cannot do that, if the highway engineer says we cannot do it, then the State capital will be beseiged with the little people who are going to be hurt. Thus, there will be a stalemate.

What does the bill provide? That the Secretary may say, "That is too bad, but you are not going to get any money."

The bill provides that no funds shall be apportioned, and it will hit our States, in my judgment by 30 some million dollars. No matter what the amount would be, that is what this is. "Sorry, we cannot do anything for you. Congress passed this law, and you either comply or you get no money."

Mr. President, there is the clout.

There is the word "agreement" that did not change the language from yesterday.

There still must be an agreement. Shall an administrative officer of the U.S. Government be clothed with so much authority that he can stand his ground and be able to say, "Go no further"? We see how the funds are obtained. There is an interesting gimmick which says the Secretary can waive or suspend the requirements, but it is permissive. It is up to the Secretary, not to the State. He can make it permissive for a day, a week, a month, or a year.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. I yield an additional 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. But I do not like to put this kind of program on that kind of basis, because that is a clout in the Randolph amendment that is pending at the present time. So every State capital will have itself covered. I do not forget that little people are being hit.

I have an amendment. I do not know whether my distinguished friend wants to take it. I doubt whether he will. Perhaps his committee does not want him to do it.

Mr. RANDOLPH. Mr. President, if the Senator will yield, I took an amendment offered by my friend from Illinois.

Mr. DIRKSEN. He was most generous, for which I am grateful. But since we are dealing with zoned industrial and commercial areas and unzoned areas that are used commercially, I have added this proviso:

> *Provided further,* That in the case of municipalities adjacent to the Interstate and primary systems where there are areas zoned industrial or commercial under authority of law or used for industrial or commercial purposes and located adjacent to these systems, no agreement between the Secretary and the States shall be required in such areas is as follows:
>
> Within one mile of a municipality of less than 5,000 population.

That is not going to disturb the scenery—1 mile out from the city limits of a town of that size. Show me a town that it not built up with garages and motels and grocery stores and hamburger stands for a mile, at least, in each direction from the town limits.

Mr. President, those people pay taxes. They help to build the highway systems. I cannot feel constrained to put the ax on their necks in that fashion.

With respect to towns with a population up to 100,000, I would say the distance would be 2 miles. That is not too far for a city of that size.

It would be 3 miles for cities up to 500,000.

It would be 4 miles for cities up to 1 million.

It would be 5 miles for municipalities with over 1 million population.

That takes care of the whole matter in the area of zoning of industrial and commercial property.

I am not even going to ask for the yeas and nays on the amendment. The chairman can take it or not. But this bill is going to have to go over to the other body. I have been conferring with some of its Members. I say this for the RECORD, so it will become available to them. This Congress cannot so cavalierly deal with enterprises all over the country and give one man life and death power. Congress cannot do it.

My friend from Vermont [Mr. PROUTY] in my judgment did not quite get a straight answer to the question he asked, because he asked whether a farmer could put up a sign along the highway within 660 feet.

Mr. RANDOLPH. On his own property he could.

Mr. DIRKSEN. But his own property would still be 660 feet away, and if he put up a sign reading "Butter, 70 cents a pound," it might be one thing, but if he put in the extra words, "Extra pure country butter," that might be another thing.

Mr. RANDOLPH. That would be an onpremise sign, and we have no jurisdiction over that kind of sign.

Mr. DIRKSEN. But the Senator from Vermont was talking about signs within that limit. This amendment deals with 660 feet only when commercial and industrial property is involved.

Mr. RANDOLPH. The provision would not touch onpremise signs.

Mr. DIRKSEN. But his premises might be away off, and the Senator is trying to make an exception so far as commercial property is concerned, so long as the Secretary agrees. If he does not agree, the apportionment of funds is out the window.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I yield myself 5 minutes on the bill.

I do not believe I want to put my State in that kind of jeopardy.

Mr. PROUTY. Mr. President, will the Senator yield at that point for a question?

Mr. DIRKSEN. I yield.

Mr. PROUTY. Does the Senator agree with me as to whether, under the present provision, it would be possible for a small motel owner to erect a sign on other property a quarter of a mile away?

Mr. DIRKSEN. Ask the Senator from West Virginia.

Mr. RANDOLPH. I answer that he could not. I answered it before. I am frank.

Mr. DIRKSEN. Oh, yes. I thought it would be better to get the answer from the committee rather than from me.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. DOMINICK. I wonder what would happen to people who wanted to set up a fireworks shop or who wanted to set up a place to sell lemonade to small children, if they did not own the property. I suppose they could not put up such a sign.

Mr. DIRKSEN. We know that would come under the meaning of sign, display, or device. How are people going at 60 miles an hour to know there is a place ahead where they can buy supplies to celebrate the Fourth of July? There must be a sign far ahead, with automobiles traveling at modern rates of speed. Otherwise, they would pass the signs by before they could know where the place was.

Mr. President, I am thinking of the clout in the hands of the Secretary with respect to property. I would dislike to do it to my town. I can imagine what would happen when people began to be pushed back. They would say, "Wait until the Senator comes home. Wait until he sets foot in his native city. He will hear about it, believe me." The door bell would be ringing all the time, because I am receptive——

Mr. MAGNUSON. When is the Senator going to let us go home?

Mr. DIRKSEN. The Senator is not going anywhere. Why should he worry?

I say to my friend from West Virginia that I shall offer the amendment. He can accept or not accept it. I shall not ask for a rollcall. I shall not push it. But I have a couple of other amendments.

A question has arisen on the matter of compensation. I am afraid, as I read this bill that compensation can be made up to the time the act becomes effective. What is done under the Constitution of the United States after that date? Do we compensate or not? I want to be clear, because it is going to be interesting to see how the Senate takes this amendment. This will be title IV:

> Nothing in this Act shall be construed to authorize private property being taken, or the reasonable use or enjoyment or the restriction of such property for public use provided in this Act, without just compensation being provided by the Federal Government.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I yield myself 5 minutes on the bill.

Guess where I got that language. I cribbed that out of the Constitution of the United States. So I am going to offer it. But not yet.

I do not wish to delay this matter much further for the edification of my distinguished friend from Washington, but I have another amendment.

> Notwithstanding any other provision of this Act, no State shall be deprived of any Federal funds for failure to comply with the provisions of title I, II, or III, where it has been judicially determined in an action brought in the district court in the district in which the State capital is located, that the State has made a good faith effort to comply with the requirements of this Act but has been unable to do so.

Suppose some of the propertyowners get together and they say, "Let us pool our money. Let us take them to court to see if they can do this thing."

The State has its hands tied, and it may languish in court for years. Senators know how courts are these days.

They say, "You people in Illinois better comply."

The Governor says, "We cannot comply. We are stuck in court."

"That is none of our business. You do not get any money."

I want to be satisfied on this point, if they do become tied up. I know of nothing in this bill that provides for it. I do not see it in there. Either my glasses are dirty or I should have trifocals and not bifocals, to see all these things in this bill. That is the reason this is difficult.

I want to be sure that in our search for beauty, we are not cavalierly dealing with people who would pay the bill.

I cannot even grow a marigold out here—and Senator BYRD and I do not live far apart—or a rose, or a zinnia, or a dahlia. He ought to see my canna bed. They are that high.

There has to be money for it, and where is one to get it? One works for it. If one works for it, one gets it. Then, so much will be paid to the State and our Uncle Sam to beautify the highways. One does not throw people down that way.

When my good friend from Louisiana was talking about the small minority keeping the majority from seeing the natural grandeur and scenic beauty of this country, I want to see it, too, just as everyone else does.

I am captivated by a billboard or a sign. I used to get a big kick out of reading Burma Shave signs. They will not be seen any more. They had little slogans. Those signs would have two or three words. But goodby Burma Shave. They will have to advertise some other place.

It might be 5 o'clock at night, and the wife and the kids are wondering where they are going to stay. In an hour and a half it is going to be dark, and we have not looked ahead to see where there is an available motel.

To what extent are they going to be permitted to advertise? How can we play games with the kids? There is not a mother and father who have a young brood that do not play games on the highway. I am willing to make that sacrifice, but I believe there are some conveniences which we must conserve.

Let us not go overboard.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. First I must ask the distinguished Presiding Officer to allow me 5 minutes under the bill.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 5 minutes.

Mr. MAGNUSON. I believe the Senator misunderstood what I said. I was not suggesting whether we are going home tonight, or next week. But when the Senator talked glowingly about going back to Peoria I read in the newspaper that he said he did not care if we did not go home until the first of the year.

I meant when Congress adjourns, and not today or tomorrow or the next day. That is why I asked the question.

Mr. DIRKSEN. I apologize to the Senator.

Mr. MAGNUSON. I enjoyed the Senator's speech. As I said yesterday, I believe we must take a stand somewhere.

Mr. DIRKSEN. There is no question about it.

Mr. MAGNUSON. In my State I have seen billboards with pictures of Mount Rainier on them.

Mr. DIRKSEN. Four stories high?

Mr. MAGNUSON. They are pretty high. And behind them was Mount Rainier. The mountain cannot be seen because of the advertising.

We must start somewhere. Southern Illinois is too beautiful to clutter it up with billboards.

Mr. DIRKSEN. Does the Senator mean to say that the billboards are so thick in the State of Washington that Mount Rainier cannot be seen?

Mr. MAGNUSON. They are terrible in my State. That is why I am for this amendment.

Mr. DIRKSEN. Perhaps the State of Washington should secede from the Union.

Mr. MAGNUSON. At times we have thought of that.

Mr. DIRKSEN. But the Senator is not in the class of Senator LONG until the State of Washington has four-story billboards.

Mr. MAGNUSON. Not quite.

Mr. DIRKSEN. Speaking about time, I have to rely on a calendar instead of a watch. When I make a speech and give the Great Society the very devil from a platform people hold their watches up to their ears. If they do not do that it bothers me because they think maybe it is the next day. I do not like that a bit. It cramps my style.

I raise these questions, and very properly so, only because I know what is going to happen if these provisions are administered in the way that these words are written. We are going to have plenty of headaches. The place to iron out those headaches is here.

I will vote for a bill. I am going to vote for this bill whether these amendments are adopted or not. I am going to vote for it and give it a start.

Then, when I am told back home, "Look what you have done to us," I will say, "There is much scenery to be seen out there in the commercial and industrial zones."

All we ask in this amendment is that we not be torn to pieces, and that our investment be not jeopardized. That is all I am trying to do with the amendment. I submit it to the Senate. It can take it or leave it. At least I shall have made my case.

Therefore, when all time has expired or yielded back on the Randolph amendment, I shall offer the amendment as a proviso. I shall then be prepared to yield back my time, so that there will be no further discussion, unless a Senator wishes to say something.

Mr. HOLLAND. How much time has the Senator from Kentucky remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 6 minutes remaining.

Mr. HOLLAND. I had expected to wait until after all time had been yielded back. Inasmuch as the Senator from Illinois has said that he will follow that course, perhaps I had better make my brief remarks now. Will the Senator yield me the time he has remaining?

Mr. COOPER. Yes.

Mr. HOLLAND. Mr. President, I wish to express my appreciation to the distinguished Senator from West Virginia. He has acted in this matter most patiently, most kindly, and most candidly under difficult circumstances.

I wish to express my appreciation to the committee, particularly to the chairman. I believe the committee has brought out a reasonable bill. I believe the committee has brought out a bill which will be much wiser than it would be if the amendments were placed on it.

I particularly commend parts of the report. I shall read one part:

> It is the committee's opinion that this is primarily an issue of land use which should not be left to an administrative decision. It is an extension of the concept of zoning and therefore more appropriately belongs to the same authority—that is, the legislatures of the States. The committee believes that the State legislatures, because of their more detailed knowledge of the topography and land use patterns of the States, are in a better position to define an industrial and commercial area for their respective States than is the Secretary of Commerce.

Mr. President, I approve completely the attitude of the Secretary of Commerce, when he submitted his report. I read one paragraph from his letter:

> It should be kept in mind that under the administration bill the States have full authority under their own zoning laws to zone areas for commercial or industrial purposes, and the action of the States in this regard will, of course, be accepted for the purposes of this act.

That philosophy in the report, on the original bill and in the thinking of the committee is good. I understand that the committee submitted a unanimous report, because it reported a reasonable bill.

I regret the situation in which the distinguished chairman of the committee [Mr. RANDOLPH] has been placed by the submission of all these amendments at this late hour, because they negative the report of the Secretary of Commerce, they negative the expressions of the committee report, and they negative certain provisions of the bill itself.

Real progress has been made under the act that has been on the books for several years applicable to interstate highways. There has been no compulsion under that act. Instead, a 3-percent "carrot" has been held out to induce States to come into the program. I believe that 25 of the 50 States have now come into the program.

Now, however, it is proposed to impose a 10-percent penalty upon States that do not come in, and the penalty is applied not merely to the interstate program, as to which the Federal Government is contributing 90 percent, but also to the primary system, as to which the Federal Government has never contributed more than 50 percent, when the roads have been reconstructed and reconstructed, and in which the States have much more of an investment than the Federal Government has.

Motels by the thousands exist along the primary roads in the various States. In my own State alone, along the primary aid highways, thousands of garages, restaurants, and other places of service and transaction of business exist. To pass the bill at this time, in this way, would jeopardize the great progress that we are making.

The distinguished Senator from Illinois [Mr. DIRKSEN] spoke about taking cows off the roads. Yes, we took them off the roads in Florida, after a while. We found that to have them on the highways was giving us a black eye.

I suspect that the same condition applied in Louisiana. For our own enlightened self-interest, we took the cows off the road in Florida. No State that is looking for great motor travel and is seeking to attract visitors will for very long overlook a consideration of what is sound practice and what is unsound practice in this field. No State can fail to see that there has been a great improvement for the traveler in the protection of the views along the interstate highway system.

If we were merely allowed to go along in a reasonable way, I think we could make great progress. But to place compulsion in the bill now to include a provision which would take away freedom of choice and freedom of action on the part of State legislatures to zone, and freedom to protect travelers who move along the zoned areas, and to include in these amendments other actions that are compulsory, is doing exactly the wrong thing.

I say this with great appreciation of the work of the distinguished chairman of the subcommittee [Mr. RANDOLPH], who has handled the subject with complete candor and great patience. The bill will be ruined from the standpoint of ever having public acceptability, from the standpoint of ever being passed, from the standpoint of ever having peaceful enforcement, if a provision is included that would prevent the erection of a little sign reading, "Magnolia Hotel, Two Blocks Away." How could such a hotel ever advertise under this program?

I observe the Senator from Alabama in the Chamber. I am sure there are many such businesses in his State, as there are in mine, which find it absolutely necessary to give notice to travelers along the primary highways that facilities which travelers will need are available a short distance off the highway.

The distinguished Senator from Illinois [Mr. DIRKSEN] has already spoken of farmers and those who raise chickens for the production of eggs, and others who have property and live off the highway. They want the opportunity to call attention to what they are selling; that they have fresh vegetables to sell, that they have eggs to sell, or other products for sale. Someone will want to call attention to the fact that he has honey to sell.

We cannot change in the twinkling of an eye a practice that has extended along 225,000 miles of primary highway, costing billions of dollars, most of them State dollars, and which affect the livelihood and decent living of millions of people, without causing a commotion which I feel certain no Senator wants to cause.

Mr. MUNDT. Mr. President, will the Senator from Kentucky yield 5 minutes to me?

Mr. COOPER. I yield 5 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I oppose the proposal of the distinguished Senator from West Virginia [Mr. RANDOLPH], chairman of the subcommittee. I would hesitate to find myself in disagreement with him, but I am fortified in doing so today by saying that while I disagree with his second thoughts on this particular bill, I support the proposal which he and the committee originally made in subsection (e), on page 11. It seems to me that this is really the basic issue involved in the whole bill, so far as highway advertising signs are concerned.

What the Senator from Florida [Mr. HOLLAND] and the Senator from Illinois [Mr. DIRKSEN] have said is manifestly true in a State like South Dakota. Some of the best scenic highways that can be found in the United States of America are located in South Dakota. I speak as one who has visited in all 50 States and who has motored through most of them.

South Dakota also has wide stretches of prairie and farmland. We have many long, straight roads, along which tourists can drive at 70 or 75 miles an hour. There are long distances between communities, in which tourists rely, in large part, upon highway signs to provide them with directional guidance as to places which they wish to visit, where they wish to eat, where they wish to stay, or where they wish to shop.

For the motorist who is unfamiliar with South Dakota geography and is traveling along a highway at 65 miles an hour or more, to see a sign out of his eye—right eye or left eye—that he is passing a certain place which is a good place to stop, shop, or stay, is completely meaningless. He cannot apply his brakes, make a certain turn, and come to a quick stop. He must have some kind of clear notice in advance when he is approaching an area. Let me cite a couple of illustrations.

A great many tourists who travel through South Dakota like to stop and visit our Sioux Indian reservations. The aboriginal American has strong appeal to tourists from all over the country. South Dakota has at least five great Indian reservations. Some of the highways pass through some of the reservations. The Indians have provided places where the tourists can stop and visit with them. There are tourist camps, shopping centers, and ceremonial places. Our fine Indian citizens encourage the people from the East and elsewhere, who have their children with them, to stop and get acquainted with Indian ways. They have provided some excellent tourist facilities.

But there is no way in the world that tourists who desire to take advantage of such opportunities can do so unless it is by signs directing them off the highway to a reservation and indicating the nature and location of these historic, recreational, or over-night facilities and installations.

I heard the Senator from Illinois speak about pure country butter. Well, some of the most delightful watermelons in the world are grown in the James River Valley of South Dakota.

Our Vice President lives a distinguished and happy life in part because he has eaten them. He lived in the area. He lived in Huron, where we have the State fair. Last week I was at the State fair. At that time, I drove through the watermelon country. Farmer after farmer had erected temporary watermelon stands with signs urging the people to stop and buy some of the finest, most lucious watermelons to be found anywhere in the world, and at most attractive low prices.

People are happy to stop and purchase them. They had to have signs leading up to them, because if one travels down a road at 60 to 70 miles an hour going to the State fair, it would serve no purpose to have a sign reading: "Watermelons for sale here." There would have to be a sign reading: "Watermelons for sale 2 or 3 miles ahead. Get ready for it."

What nonsense is this to tell a farmer that he cannot put a sign on his own land in a nonscenic area in order to sell his merchandise without first obtaining the approval of the Secretary of Commerce? Where are we going with this concept of free government if any Secretary of Commerce, an appointed public official, can tell a farmer that he cannot sell his merchandise and advertise it on his own farm without getting that kind of approval?

Let me give you another example. Out in South Dakota we have the nationally known Wall Drug Store—an institution out in Wall, S. Dak., which has become a great mecca for tourists and a great economic asset to the State, solely by its widespread highway advertising. It would be a cruel injustice to deprive this business and this tourist attraction of its right to appeal to the traveling public.

I am completely out of sympathy with what I detect to be a growing tendency in this country and in this Congress to downgrade our State governments.

I noticed that the distinguished Governor of the State of Texas, the second largest State of the Union, said the other day that our State chief executives were getting disenchanted over the fact that some generals and civilian leaders in the Pentagon were trying to tell the State Governors where and when they can fly a National Guard plane, where they can stop, and whom they can take with them. They were going to submit the matter, through the National Guard Bureau to the Pentagon. The Governor said that he hoped that they would not consider the State Governors to be made up of a "bunch of crooks." I do not believe that we should consider them to be crooks or idoits, or stoughton bottles, either.

It seems to me that people who become members of State and local government as Governors or legislators have some modicum of intelligence and ought to know something more about which highway in their State should be used for scenic beauty and which highway should be used for commercial traffic than any Secretary of Commerce appointed by any President of the United States located here in Washington.

I believe that we would not only be ruining the beneficial results of this particular legislation if we were to strike out, change, or modify subsection 11(e), as proposed in the current amendment, but we would also be helping to drive to the grave the legitimate, autonomous State governments of America.

I resent the current effort toward making governments and legislatures mere ceremonial bodies with certain housekeeping duties and nothing more.

We saw it in the refusal of this body, by a single vote, I believe, to grant to the State Governors the right of veto over an antipoverty program of which they did not approve. We see it again in the attack made by the Pentagon when it is said that Governors cannot be trusted to determine who will fly in a National Guard plane assigned for service in a State.

Now we see it once more in this attempt in this body, with all its supposed and sometimes supercilious erudition, to tell the States that they cannot be trusted to determine in what areas of their State or which highways they can have a road sign. If we cannot trust the Governors that much, we might as well abolish the system and recognize that we are to have one central government located in Washington and scrap the 10th amendment to the Constitution which, it seems to me, is both firm and sound. This whole proposal does violence to the substance of that constitutional amendment.

I believe that the Senate committee was essentially right when it wrote the legislation as the committee reported it. I believe that the logic and the persuasion of the committee report was right. They produced a bill which any sincere conservationist and devotee of natural beauty could conscientiously support. I came to the Senate floor with every expectation of voting for it. I surely hope the adoption of the Randolph amendment does not occur—thus leaving the Senate with no clear and correct decision which it can record on this legislation. A choice between devotion to natural beauty and devotion to our constitutional concepts, would indeed confront the Senate with a most distasteful dilemma.

I hope that we do not yield to temptations and persuasions from any other source and that the Senate will reject the current proposal and maintain and retain the language of subsection 11(e). I urge Senators to vote no on the pending Randolph amendment.

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. Mr. President, I yield 1 minute to the Senator from Washington.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 602) to amend the Small Reclamation Projects Act of 1956, which was, to strike out all after the enacting clause and insert:

That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended (43 U.S.C. 422a et seq.) is hereby further amended as follows:

(1) In section 1, by striking out "in the seventeen western reclamation States" and inserting in lieu thereof "throughout the United States";

(2) In section 2, by striking out the second sentence of subsection (d) and the first two provisos thereto and inserting in lieu thereof the following: "The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000 and no loan, grant, or combination thereof for any project shall be in excess of $5,000,000 plus or minus, in any case, such amount as reflects whatever change in costs of construction of the types involved in the project may have occurred between January 1, 1957, and January 1 of the year in which the loan, grant, or combination thereof is made, as shown by general engineering indices:" and by striking out *"And provided further,"* and inserting in lieu thereof *"Provided,"*;

(3) In section 4, by adding at the end of subsection (a) the following: "The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions.";

(4) In section 4, by changing the colon (:) in subsection (b) to a period (.) and striking out the remainder of said subsection;

(5) In section 5, by striking out the present text of item (b) and inserting in lieu thereof the following:

"(b) the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) one-half the costs of acquiring lands or interests therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement of public recreation; and (5) that portion of the estimated cost of constructing the project which, if it were constructed as a Federal reclamation project, would be properly allocable to functions, other than recreation and fish and wildlife enhancement, which are nonreimbursable under general provisions of law applicable to such projects.";

(6) In section 8, by striking out "Act of August 14, 1946 (60 Stat. 1080)" and inserting in lieu thereof "Fish and Wildlife Coordination Act (48 Stat. 401), as amended (16 U.S.C. 661 et seq.)";

(7) In section 10, by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House and ask for a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. Jackson, Mr. Bible, Mr. Moss, Mr. Kuchel, and Mr. Allott conferees on the part of the Senate.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from West Virginia, to the committee amendment in the nature of a substitute.

Who yields time?

Mr. HOLLAND. Mr. President, have the yeas and nays been ordered?

The VICE PRESIDENT. I do not believe that the yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, has all time been yielded back?

The VICE PRESIDENT. All time has not been yielded back.

Mr. RUSSELL of Georgia. Regular order, Mr. President.

The VICE PRESIDENT. The regular order has been called for.

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment to the Randolph amendment, and I yield back the remainder of my time with the exception of 2 minutes. I shall take 1 minute and my friend, the distinguished Senator from West Virginia, will take a minute.

The VICE PRESIDENT. The clerk will state the amendment.

The Legislature Clerk. Strike the period at the end of the amendment, insert a colon and the following:

> *Provided further*, That in the case of municipalities adjacent to the Interstate and primary systems where there are areas zoned industrial or commercial under authority of law or used for industrial or commercial purposes and located adjacent to the Interstate and primary systems, no agreement between the Secretary of Commerce and the States shall be required where such area is
>
> (1) Within one mile of a municipality of less than 5,000 population;
>
> (2) Within 2 miles of municipalities with populations of 5,000 and not more than 100,000;
>
> (3) Within 3 miles of municipalities with populations of 100,000 and not more than 500,000;
>
> (4) Within 4 miles of municipalities with populations of 500,000 and not more than 1,000,000;
>
> (5) Within 5 miles of municipalities with populations of more than 1,000,000.

Mr. DIRKSEN. Mr. President, I have already explained the amendment, and I shall not ask for a record vote. However, I was obviously persuaded by the speeches here today that this legislation contains some rough points. If we should reject this bill today, there would be nothing to send to the House, and that would be the end of this legislation for this session of the Congress. Imperfect as it may be, I still believe that we ought to send it to the House so that it can work its will on it.

I pay my compliments to my distinguished friend the Senator from West Virginia, with whom I have worked long and hard. The Senator has done an excellent job under really trying circumstances and difficulty.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

The VICE PRESIDENT. The Senator from South Dakota is recognized.

Mr. MUNDT. Mr. President, what impact would the amendment of the Senator have on communities with a population of less than 5,000? We have many such communities in South Dakota.

Mr. DIRKSEN. The amendment contains a provision for communities with a population of less than 5,000. It is from zero to 5,000.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. My minute has elapsed.

The VICE PRESIDENT. The Senator from West Virginia has a minute.

Mr. RANDOLPH. Mr. President, the amendment which I have offered provides the conditions for mutual agreement between the States and the Secretary. However, if we should agree to the amendment of the Senator from Illinois to my amendment, we would create literally a no-man's land, or thousands of no-man's lands from which all controls would be eliminated in municipalities and surrounding suburban areas. What is proposed would completely negate the amendment which I have offered.

I am grateful to hear the Senator from Illinois state that even though his amendment is rejected, he will vote for the bill on passage.

I urge that the amendment of the Senator from Illinois to my amendment be rejected.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. RUSSELL of Georgia. Mr. President, did I understand correctly that the Dirksen amendment only related to interstate highways?

Mr. DIRKSEN. No. It would also relate to primary roads.

Mr. RUSSELL of Georgia. It would not change the beautification features of the present law with relation to interstate highways.

Mr. DIRKSEN. This would deal only with industrial and commercial areas.

Mr. RUSSELL of Georgia. I understood that the amendment related to interstate highways.

Mr. DIRKSEN. There could be an interstate highway going right through the middle of a town.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. Mr. President, the amendment would not relate to communities under 5,000 that are not incorporated.

Mr. DIRKSEN. No. The amendment relates to municipalities with a population of from zero to 5,000.

Mr. HOLLAND. It would not relate to great communities such as Bethesda, Md., which is unincorporated.

Mr. DIRKSEN. The amendment provides for populations of more than 1 million.

The VICE PRESIDENT. All time has expired. The question is on agreeing to the amendment of the Senator from Illinois to the amendment of the Senator from West Virginia to the committee amendment in the nature of a substitute. (Putting the question.)

Mr. DIRKSEN. Mr. President, I ask for a division.

On a division, the amendment to the amendment was rejected.

The VICE PRESIDENT. All time having been yielded back, the question is on agreeing to the amendment of the Senator from West Virginia to the committee amendment in the nature of a substitute. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. PEARSON (when his name was called). On this vote I have a pair with the Senator from Oklahoma [Mr. Monroney]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. SIMPSON (when his name was called). On this vote I have a pair with the Senator from Arkansas [Mr. Fulbright.] If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Indiana [Mr. Hartke], the Senator from Missouri [Mr. Long] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney] are necessarily absent.

On this vote, the Senator from Indiana [Mr. Hartke] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Missouri [Mr. Long] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from Iowa would vote "nay."

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Delaware [Mr. Boggs]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Delaware would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis] and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senator from Delaware [Mr. Boggs] and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from North Dakota [Mr. Young] is detained on official business.

The Senator from Massachusetts [Mr. Saltonstall] is absent by leave of the Senate.

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the

Senator from Indiana [Mr. Hartke]. If present and voting, the Senator from Nebraska would vote "nay," and the Senator from Indiana would vote "yea."

On this vote, the Senator from Delaware [Mr. Boggs] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Wyoming would vote "yea."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from Missouri [Mr. Long]. If present and voting, the Senator from Iowa would vote "nay," and the Senator from Missouri would vote "yea."

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] would vote "nay."

The positions of the Senator from Kansas [Mr. Pearson] and the Senator from Wyoming [Mr. Simpson] have been previously announced.

The result was announced—yeas 44, nays 40, as follows:

[No. 263 Leg.]

YEAS—44

Bartlett
Bass
Bayh
Brewster
Burdick
Byrd, W. Va.
Case
Church
Clark
Dodd
Douglas
Ellender
Gore
Gruening
Hart
Hayden
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McGovern
McNamara
Mondale
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—40

Aiken
Allott
Bible
Byrd, Va.
Cannon
Carlson
Cooper
Cotton
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Harris
Hickenlooper
Hill
Holland
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
McClellan
McIntyre
Metcalf
Morton
Mundt
Murphy
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.

NOT VOTING—16

Anderson
Bennett
Boggs
Curtis
Fulbright
Hartke
Long, Mo.
McCarthy
McGee
Miller
Monroney
Pearson
Saltonstall
Scott
Simpson
Young, N. Dak.

So Mr. Randolph's amendment to the committee amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the vote by which the amendment to the committee amendment was agreed to be reconsidered.

Mr. MUSKIE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President——

The VICE PRESIDENT. The Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, I have a conforming amendment. On page 18, lines 20 and 24, and on page 19, lines 1 and 2, it strikes section 302 in its entirety. This language was included in the original bill which provided for landscaping to be paid from highway trust funds. Since the bill finances the program from the general fund, section 302 is no longer relevant or appropriate, and I move that it be stricken.

The VICE PRESIDENT. The question is on agreeing to the conforming amendment of the Senator from West Virgina to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The committee amendment is open to further amendment.

Mr. COOPER. Mr. President, I send to the desk an amendment to the committee amendment on behalf of myself, the Senator from California [Mr. Murphy] and the Senator from Hawaii [Mr. Fong], and ask that it be stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 9, line 24, following the word "States" insert the following:

> Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

On page 14, line 21, following the word "State" insert the following:

> Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

Mr. COOPER. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 3 minutes.

Mr. COOPER. Mr. President, if I may have the attention of the Senator in charge of the bill. As he well knows, the bill which was reported by the committee provided that in the event a State found itself unable, for legal or constitutional reasons, to come into compliance by January 1, 1968, the language which I have sent to the desk would provide that:

> Whenever he—that is the Secretary—determines it to be in the public interest, the Secretary may suspend for such periods as he determines necessary the application of this subsection to a State.

Mr. President, the same grace period was provided in title II of the bill. If for some reason the State could not come into compliance there is a grace period to give the State the opportunity to come into compliance.

The amendment which was adopted yesterday, which reduced the penalty from the full 100 percent of an appropriation or apportionment to 10 percent, left this language out. I assume this was an inadvertence. I therefore ask the Senator from West Virginia whether he will accept the amendment.

Mr. RANDOLPH. Mr. President, the reason we did not retain the language was that we had cut the penalty from 100 percent to 10 percent. Frankly, this is not an overriding issue with me, and I am therefore happy to accept the amendment offered by the Senator from Kentucky.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

Mr. COOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. At the end of the bill it is proposed to add the following:

TITLE IV

> Section 401. Nothing in this Act shall be constructed to authorize private property to be taken or the reasonable use or enjoyment restricted by such taking or restriction for the public uses provided for in this Act without just compensation being provided by the Federal Government.

Mr. DIRKSEN. Mr. President, I take 30 seconds to say that this is a restatement of the principles laid down in article V of the Bill of Rights in the Constitution, and I trust that the Senator from West Virginia will accept it.

Mr. RANDOLPH. I believe that the just compensation features of the Senate bill 2084 are clear and conclusive on this point; but it is a restatement, and I agree, and join the Senator from Illinois in accepting the amendment.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. COOPER. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The legislative clerk read the amendment, as follows:

> On page 11, beginning with line 11, strike the following language: "Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws" and insert in lieu thereof the following:
>
> "Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established under

applicable State laws. Nothing in this section shall be construed to permit a reduction in standards established on the erection of signs, displays, and devices in zones other than as provided by Public Law 85–767."

Mr. COOPER. Mr. President, I yield myself 5 minutes.

If I may, I would like to have the attention of the manager Senator RANDOLPH and also the attention of the distinguished Senator from Oregon, Senator NEUBERGER.

In speaking on the bill when it was taken up, I noted that in committee I had offered an amendment which was defeated. The purpose of the amendment was to maintain the strict standards applicable to the Interstate System which had been accepted by the Congress in the enactment of Public Law 85–767.

May I state what those standards were and are?

The standards with respect to the type of sign, number, lighting, and so forth, on the Interstate System could be determined by regulations issued by the Secretary. It was provided also that signs could be erected only in two areas on the Interstate System. The two areas in which signs could be erected were these: One was within the limits of a municipality; and, second, areas which on September 21, 1959, had been established as industrial or commercial.

The above are the standards applicable to the Interstate System under Public Law 85–767.

The amendment which has just been adopted, and one which I think should not have been adopted—now provides that the Secretary of Commerce can provide standards for signs both upon the Interstate System and the primary system.

Section (e) is open-ended because it enables the legislatures of the States to zone whatever areas their legislatures may designate as commercial and industrial, upon which advertisements may be established.

Because of this open-ended feature, I believed the last amendment should not have been adopted by giving the Secretary larger authority.

The open-end provision enabling the establishment of new zoning area applies to the Interstate System, I called this to the attention of the representatives of the administration when they came before our committee. I called it to the attention of the subcommittee. I called attention to the fact that we were adopting a bill which permits the extension of advertising on the Interstate System, now limited to two areas. We are now opening up to advertising the great Interstate System, with its 41,000 miles coursing through open country, to the decision of the State legislatures to establish areas upon which advertising may be established. I want the Senate to know this.

My judgment is that whatever we do with the primary system, we should preserve and assure a beautiful Interstate System. It will not be done under this bill, and this should be known.

My amendment is offered to maintain the character of the Interstate System, as was fought for under the leadership of the late Richard Neuberger and THOMAS KUCHEL, and then Senator NEUBERGER after the death of her husband.

I very much hope that the amendment will be adopted.

I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. RANDOLPH. Mr. President, I yield back any time I have.

Mr. MORSE. Mr. President, I would like to hear some response to the argument of the Senator from Kentucky.

Mr. President, so far as I am concerned, the Senator from Kentucky has made a very persuasive argument. I would like to hear from the manager of the bill or other colleagues on the committee comment on the remarks of the Senator from Kentucky; or are they willing to rest their case on the merits of his argument? As of now, I am going to vote with the Senator from Kentucky unless some Senator shows me some reason why I should not.

May I have the attention of the manager of the bill?

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Who yields time for that purpose?

Mr. RANDOLPH. Mr. President, I yield time out of my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I yield 10 minutes to the Senator from Maine.

Mr. MUSKIE. Mr. President, I wish to take such time as has been allotted to me by the Senator from West Virginia to develop an understanding on my part as to exactly what is the purpose of the amendment of the Senator from Kentucky [Mr. COOPER].

Language similar to that which has been offered by the Senator from Kentucky was introduced in committee, but was introduced to apply to the language of the bill as it then stood before the committee, and as provided in the committee bill which was reported to the Senate. The language involved has been amended by the amendment just adopted.

I would like to understand the meaning of the amendment of the Senator in the light of the amendment which was just adopted.

As I understand the concern of the Senator, it is that for an open period in the future, after the legislatures have once acted, with the concurrence of the Secretary, to zone, the legislatures can subsequently, as he understands the bill now pending, rezone new industrial areas on the Interstate System.

Is my understanding correct?

Mr. COOPER. The Senator is correct. I shall be glad to explain it.

Mr. MUSKIE. So that what the Senator is saying is that under the bill, even as it has just been amended, he feels that after there has been a zoning of the Interstate System, by the legislatures, with the concurrence of the Secretary, the legislatures could reopen the question in the future to rezone and include new areas on the Interstate System in industrial and commercial zones.

Mr. COOPER. No. My amendment is much simpler.

Public Law 85–767, providing for the control of advertising on the Interstate Highway System was enacted in 1958, chiefly. That bill was under the leadership of the late Senator Richard Neuberger, and Senator THOMAS KUCHEL and Senator COTTON. We remember the tremendous battle at the time of the enactment of that legislation.

The legislation provided for Federal standards relating to the signs—their number, lighting, and so forth. It is the same language that we have in the bill concerning physical characteristics of signs erected upon the Interstate Highway System.

The act provided also that no signs should be erected upon the Interstate Highway System with the exception of two areas. One area was within the city limits of municipalities. I read from the act.

First, it provides that the prohibition of advertising, "shall not apply to those segments of the Interstate System which transverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control"—that is, within a municipality.

It established another area in which advertising could be established.

And I read:

> Or which transverse other areas where the land use—

This is the important language—

> as of the date of approval of this Act is clearly established by State law as industrial or commercial.

Under existing law affecting or applying to Interstate Highway Systems, advertising is limited to these two areas.

How does the pending bill change these standards for the Interstate Highway System? The amendment which has just been adopted would permit the Secretary of Commerce to regulate the type of advertising in municipalities—on the Interstate System—although the advertising in the commercial and industrial zones of a municipality could not be prohibited.

But the bill offered by the administration and reported by the subcommittee, and now about to be accepted by the Senate, goes much further with respect to the Interstate System.

It would permit the State legislature from now on to add zones along its 41,000 miles, wherever they saw fit, and open them to advertising.

I supported the provisions with respect to the primary system because its characteristics differ from the Interstate System. Advertising on the primary system has been long established. The system passes through communities, where advertising is necessary. I believe we made a mistake in accepting the Randolph amendment and authorizing the control of the Secretary.

The 41,000 miles of the Interstate System is being established for defense, and for interstate travel. The Federal Government pays 90 percent of the costs. No vested advertising rights existed prior to its construction. It transverses open country. Why should it be opened up for additional advertising as the bill would permit?

This is the contradiction of the bill. Imposing controls on the primary system and relaxing controls on the Interstate System. This I argued in committee. I have discussed the contradiction with representatives of the Department of Commerce. The Deputy Secretary of Commerce admits that what I say is correct, that new areas on the Interstate can be opened to advertising. He did say and correctly that if the amendment of the Senator from West Virginia were adopted, as it has been adopted, it would provide additional controls on the size of signs within zones on the Interstate System. But I make the point that we are opening up the Interstate System to additional advertising.

Mr. MUSKIE. I am still not certain that I understand what the Senator from Kentucky means.

Mr. COOPER. That is probably my fault.

Mr. MUSKIE. It is probably my fault. I should like to narrow the area of his approach.

First, I should like to examine with more precision what the Senator believes and what I understand the bill does.

There is language, which as the Senator knows, I submitted, and which is a part of the bill, to the effect that the standards which have been adopted in the States which have complied under existing law shall not be less strict than they are under the agreement which implement that compliance. So with respect to the 25 States that have complied under the present law, the bill clearly does not relax what has already been done.

Mr. COOPER. That is correct.

Mr. MUSKIE. So now we are talking about the other 25 States.

Mr. COOPER. Yes.

Mr. MUSKIE. Do I correctly understand, then, that the Senator's concern is not directed to the States which have complied?

Mr. COOPER. That is correct.

Mr. MUSKIE. As to the other 25 States, what the Senator is concerned about is this: He said—and if I do not quote him correctly, the RECORD will—that from now on something can be done to reduce the standards in the other States, and the Senator seems to be concerned that there is an open end in terms of time. Do I correctly understand that he is concerned about that point?

Mr. COOPER. Yes. I merely stated what the bill provides.

Mr. MUSKIE. The bill clearly provides that effective control means that after January 1, 1968, such signs shall be controlled. Moreover, on page 11, line 17, the bill provides that in the States which have cooperated with the Secretary, signs which do not comform must be removed by July 1, 1970. I do not see the basis for the Senator's concern that there is an open end in terms of time.

Mr. COOPER. We talked all this over in committee.

Mr. MUSKIE. I never understood it there; I thought I would try to understand it here.

Mr. COOPER. The Senator from Maine will admit, will he not, that State legislatures, upon the enactment of the bill, will be enabled to create additional zones for commercial and industrial purposes both along the primary system and an Interstate Highway System?

Mr. MUSKIE. I have asked questions in the order of my choosing, so that I could understand the Senator's views. So I should like to clear up the question of open end on the point of time; then I should like to go to the point the Senator has just raised.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. RANDOLPH. I yield an additional 5 minutes.

Mr. MUSKIE. Does the Senator from Kentucky feel that there is an open end in terms of time?

Mr. COOPER. Yes.

Mr. MUSKIE. Why?

Mr. COOPER. Because there is no limitation upon the action of the legislatures—and we cannot limit their zoning powers—from the date of the enactment of the bill. The legislature may create additional zones termed "industrial" or "commercial," on which advertising may be erected, both on the primary system and the Interstate Highway System. I am sure the Senator from Maine will agree to that.

Mr. MUSKIE. I do not agree to that. There is nothing in the bill that gives a legislature that power. Legislatures have power. Congress cannot take it away from them. We may disagree as to what effect the actions of Congress may have in that respect, but basically we agree that legislatures are sovereign bodies and that, within certain limits, they have powers that Congress cannot take away from them. We may disagree as to what the limits are.

Mr. COOPER. I should like to leave the argument of generalities. We talked about the subject in committee. There is no denial on the part of the Secretary of Commerce that under the bill additional zones can be created along the Interstate Highway System upon which advertising may be erected. I should like to know if the manager of the bill——

Mr. MUSKIE. The manager of the bill has yielded time to me, so that I may try to clarify this subject in my own mind and so that I may comment on the Senator's amendment for the benefit of the Senate, as suggested by the Senator from Oregon.

If the Senator from Kentucky believes he has made all the explanation he can, my only comment would be unfavorable; and I might conceivably have a favorable comment otherwise.

So the question I should like to ask is: Does the Senator from Kentucky feel that a loophole has been created in terms of time? Referring to the dates I have already referred to, it seems to me that we have closed the door so far as time is concerned.

Mr. COOPER. I said that the Interstate Highway Act provides a cutoff for areas upon which advertising can be established. It defines the areas: First, those within municipal limits; second, other areas where industrial or commercial use had been clearly established by State law as of the date of the approval of this act. That is the cutoff date under the Interstate Highway System.

Mr. MUSKIE. That act has expired.

Mr. COOPER. Of course it has expired; but the standards under that act were established in 1958. The point I am making is that they were much more restrictive than the pending bill.

Mr. MUSKIE. Perhaps I had better make my comments first and then let the Senator from Kentucky comment upon them, because, with all due respect, I do not believe the Senator from Kentucky is giving an answer to my question.

Mr. COOPER. Will the Senator ask it again?

Mr. MUSKIE. I have made a study of the Interstate Highway Act, and I do not find anywhere in it any language that can be construed as limiting the power of the legislature to act at some time in the future when agreements entered into between the States and the highway administrator have expired. I can find nothing that makes agreements binding indefinitely in the future.

It is inconceivable to me that State legislatures would violate a policy that has been laid down and practiced under such agreements. But I cannot find in that act anything that establishes a cutoff date beyond which future legislatures cannot conceivably change the result of the Interstate System in the various States. If the Senator will refer me to it, I will consider the merits of his argument on that point.

Mr. COOPER. Of course, no one can deny the right of a State legislature to create zones. I think we agree upon that. We cannot deny the right of a State legislature to establish, under its police powers, zoning areas.

What Congress can do, and what it did, was to say that if the States entered into agreements with the Federal Government, under which the States would agree to establish controls, and in return the Federal Government would make bonus payments to the States, it would be agreed that advertising could be established only in the areas which I have described, and as to which I quoted from the bill.

That is the point. As the Senator knows, the entire Interstate Highway System is not built in one stage and at one time. There are various segments. The agreements apply to each segment as it is constructed.

What I have tried to make clear as to the distinction is that in the Interstate Highway System the establishment of advertising was limited to the zones defined in the act.

The legislatures have authority, under the pending bill to create additional zones for advertising. The Secretary of Commerce would have control only over advertising standards.

Mr. MUSKIE. Mr. President, to sum up my understanding of the discussion on this point up to this moment, under the law that has been in effect until it expired in June, agreements could be entered into by complying States with the Secretary to control billboards on the Interstate System, and an exception was provided in that act related to commercial or industrial zones.

There is nothing contained in the act that I have been able to find that limits or attempts to limit, legally or illegally, the right of some legislature in a complying State, at some indefinite point in the future, to depart from that agreement.

It is inconceivable to me that a State, having embarked on such a policy, having entered into such an agreement, would depart, or that a State legislature would at some point depart from the policy laid down by such an agreement. However, there is nothing in the act to prohibit it, if it chooses, after the agreement has expired, after the State has received its bonus money, after the Secretary loses any authority to impose a penalty. In that respect the existing act to which the Senator's amendment makes reference, and which the Senate incorporated by reference, does nothing that the pending bill does not do on this point.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MURPHY. Mr. President, if the Senator will yield, there is a very simple explanation.

Mr. MUSKIE. If the Senator has a simple explanation, I should welcome it.

Mr. MURPHY. Mr. President, even a man who is not versed in the law and who has a strange background for being a Member of this august body understands this.

What my colleague, the Senator from Kentucky, is trying to say is that the rules laid down under Public Law 85–767 were more restrictive than the rules that would be contained in the pending bill.

I do not want to lose the Senator on this point.

Mr. MUSKIE. The Senator has not lost me. I am right with him, but I disagree with him to this point.

Mr. MURPHY. The pending amendment would provide that the legislature may sit down with the Secretary of Commerce and, under certain circumstances, may institute new areas along the Interstate Highway System and designate them as commercial, and, under the conditions laid down by this law, it cannot be changed.

I believe that the Senate would be weakening the bill by eliminating this language.

I stand with my colleague, the Senator from Kentucky. I agree, as I did in the beginning, that this language should be placed back in the bill. I believe that if the Senator looks at it, not in the spirit of disagreement, but from the practical approach, he will find that it is proper language.

Mr. MUSKIE. Mr. President, I disagree with almost everything that the Senator has said, including his statement that I have entered into the discussion in a spirit of disagreement.

Mr. MURPHY. Mr. President, I did not mean that.

Mr. MUSKIE. I was trying to work out an understanding upon which we could base an acceptance of the amendment. However, before doing so, we must know what the amendment means.

The comments of the Senator had absolutely nothing to do with the immediate point that we were discussing. Under the law which expired last June, there was a cut-off date which precluded any further action by legislatures or the Secretary beyond that cut-off date in the way of adding new zones.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. I shall yield in a moment.

That provision is not contained in the present law. Simply referring to it in the Senator's amendment is not going to place it in the old law, and it is not going to place it in this law, because it does not exist.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. Mr. President, when we incorporate a law by reference—and I shall yield in a moment—and the only language contained in the bill is that reference, we should understand what that reference is.

Mr. MURPHY. Mr. President, may I say——

Mr. MUSKIE. Mr. President, may I finish? It is more important to know all the details; and the details here are considerable, concerning what we incorporate in the bill. There are details that we have not had a chance to discuss in the Senate. There are things which have not been considered by the Senator from Kentucky or by the committee.

I do not know what we are hauling into the act by this reference. This was never a part of the bill. It was suggested in the committee. However, I do not know what we would be hauling into the bill by this reference. We would be hauling into the bill the understanding of the Senator that the old law is more strict than this law. However, I have not yet been satisfied that the old law is more strict. If it is, in a desirable way, we will buy it. What we want to know is what we are buying.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. COOPER. Mr. President, I do not know how I can explain this more fully. I explained it in the committee on two occasions. We discussed the amendment in the subcommittee.

I offered the amendment in the full committee. It was rejected. I explained it as fully at that time as I have explained it today.

I have discussed with my distinguished friend the Senator from West Virginia the amendment, and he understands it. I discussed the amendment with the Under Secretary of Commerce. He understood it. He said that he agreed that it would permit the creation of additional zones upon which advertising could be established. He had no difficulty in understanding it. I discussed it with Mr. Boyd and with Mr. Bridwell. They both understood it and agreed that this bill would enable the inclusion of additional zoning areas on the Interstate System.

I say in answer to the Senator's argument, that no cutoff date is established in the old law, Public Law 85–767, and there is nothing to prohibit future legislatures from establishing zoning, that if he were correct, the purpose of the Interstate Highway Act respecting advertising would be a nullity. If the Senator's argument were correct, we would not have had our tremendous debate on this matter in 1958, 1959, and in 1961, when it was difficult even to secure an extension of the act. Everybody knew what the debate meant.

The Senator remembers the fights over efforts to obtain additional zones in which advertising could be established on the Interstate System and which were usually defeated.

This bill would make provision for additional areas.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield to the Senator from Illinois for the purpose of asking a question of the Senator from Kentucky.

Mr. DOUGLAS. It is very difficult for those who are not members of the Committee on Public Works to follow the details of the discussion.

I should like to ask the Senator from Kentucky to which section of the current bill he is referring. Is it section (e) on page 11, lines 11 to 13?

Mr. COOPER. It would be section (e), but we must remember that the Senator from West Virginia introduced a substitute to section (e) which we debated all afternoon and finally agreed to. This amendment is an amendment to that amendment.

Mr. DOUGLAS. Is the Senator addressing his criticism to the original text of section (e), or to the section as amended?

Mr. COOPER. Both, because both exempt from the prohibitions against advertising such zones as may be established in the future under authority of State law.

Mr. DOUGLAS. It would be helpful to me, at least, if the Senator would point out the specific language in section (e) on page 11 which in his judgment permits further industrial zoning along the Interstate System.

Mr. COOPER. I shall have to read the language adopted today. This is in the new section (e), and I shall read it, in order to note the reason:

> Orderly and effective display of outdoor advertising, while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing is to be determined by agreement between the several States and the Secretary—

Thus far I have been talking about only the physical characteristics of signs that may be controlled. The section provides also that signs may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and Primary Systems, and this is the important language:

> Which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary.

The authority is prospective. It provides that if in the future, legislatures create additional zones, commercial and industrial, upon the Interstate System, in such areas, then, advertising could be established.

Mr. DOUGLAS. Would the approval of the Secretary of Commerce be required for that?

Mr. MUSKIE. The Senator is exactly correct.

Mr. COOPER. No; he has no authority to deny advertising in areas zoned under authority of State law. Such authority, according to the statement of the manager of the bill, applies to the last section, in unzoned commercial or industrial areas.

Mr. RANDOLPH. No; he has authority with the States to control signs in the industrial and commercial areas.

Mr. COOPER. Only the type of signs.

Mr. RANDOLPH. The size and spacing of signs.

Mr. COOPER. Is it the type of signs?

Mr. RANDOLPH. Yes, the type of signs.

Mr. COOPER. Not the establishment of signs but the type, am I correct?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Not the establishment of signs.

Mr. MUSKIE. Mr. President, I request a few moments to sum up my understanding of the Senator's amendment on this question of cutoff in time. I have already read to the Senate the pertinent sections of the bill pending before us, which reads that after January 1, 1968, such controls must be imposed in States where the act is effective—and it can be ineffective only if the States refuse to comply, and risk the loss of 10 percent of their Federal aid money.

So when the act becomes effective, it must become effective as of January 1, 1968. Any agreements between the legislatures of the States thereafter are subject, of course, to the acquiescence of the Secretary. If the States should thereafter, notwithstanding whatever action they may have taken before that date, undertake action to open up adjacent to the Interstate System new industrial and commercial zones, they could do so only with the consent of the Secretary of Commerce, as required by the amendment adopted this afternoon.

The Senator from Kentucky has spoken of the fact that representatives of the Department with whom he spoke agreed with him. If they did so, they did so before the adoption of the amendment adopted this afternoon. I should not be prepared to agree with him as to the effect of the pending bill before this amendment was adopted; but certainly the amendment which we have now adopted places the control of any relaxation or any proposed relaxation in the future in the hands of the Secretary of Commerce.

Finally, I repeat what I have said in my questions directed to the Senator from Kentucky, who is completely sincere and honest in his view, that I can find nothing in the current law, which he would incorporate by reference, which would correct the problem as it exists, because there was no cutoff date in the law that expired last June which would deal with the problem he has raised. Indeed, the cutoff dates in the pending bill are more effective than anything found in the law that expired last June.

One final point. The Senator incorporated by reference the standards requirements of the old law.

Those are not all more strict than those in the pending measure. Let me read one. I read from the act:

> Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

This is not permitted under the pending bill. It is permitted under the old law, and I submit that that is a less strict provision than the measure with which we are dealing. I do not know what other provisions in the old law we might have second thoughts about, should we incorporate it by reference as the Senator suggests.

Mr. MURPHY. Will the Senator yield for a moment?

Mr. MUSKIE. I yield.

Mr. MURPHY. In the language of the bill which was reported by the committee, there is protection against the point the Senator has refered to, I believe. It reads, "permit a reduction in standards." In other words, the standards cannot be more lenient.

Mr. MUSKIE. Than the old law.

Mr. MURPHY. That is correct.

Mr. MUSKIE. I have just read a section of the old law which is a reduction of the standards in this bill.

Mr. MURPHY. The language in the original bill would not permit reduction of standards.

Mr. MUSKIE. It would if we incorporate it by reference.

Mr. MURPHY. No.

Mr. MUSKIE. When we incorporate it by reference, it becomes a part of this measure. The language to which the Senator refers was written into the bill without the provision advocated by the Senator from Kentucky. If we include the language advocated by the Senator from Kentucky, the effect of the language the Senator has just read will be different than it was without that language.

Mr. MURPHY. I do not mean to try the Senator's patience.

Mr. MUSKIE. The Senator is not trying my patience.

Mr. MURPHY. But where it reads "nothing in this section shall be construed to permit a reduction in the standards," the strictest standards in Public Law 85-767 are guaranteed. Anything less stringent is not permitted, in the bill which came from the committee.

Mr. MUSKIE. The words "nothing in this section" mean something different when the language of the Senator from Kentucky is in the bill than when it is not in the bill. The effect is different.

Mr. MURPHY. Now I am confused.

Mr. MUSKIE. The Senator from California is no more confused than I was during the discussion by the Senator from Kentucky. That is another reason why I cannot support the amendment.

Mr. COOPER. I do not desire to continue the debate. I will stand on the statement I have made, that the standards for physical characteristics of signs on the Interstate Highway System, are under the control of the Secretary of Commerce. If my amendment is adopted, standards relating to size, lighting, cannot be less than they are under the old act. My amendment intends, first, that all signs on the Interstate Highway System, as provided under the old act—that is, their physical characteristics—shall be in conformity with standards established by the Secretary of Commerce.

The second point of my amendment is that it could not permit as the bill does, the erection of advertising in additional zones or areas created by State legislatures along the Interstate Highway System.

I say this with the greatest courtesy, but some diversions have been made in the debate. We know that under the present act, signs cannot be established on the Interstate Highway System, except in two instances. The first is within municipalities, and the second is in areas which were established at the time of the passage of the act. My amendment would preserve those limitations. The pending bill would permit additional areas.

So far as the Interstate Highway System is concerned, the bill is not as restrictive as the old law. It opens up the Interstate Highway System to advertising. The Senate should know it. I do not want to see it opened up. That is why I have offered my amendment and why I hope it will be adopted.

Mr. MORSE. Mr. President, will the Senator yield me 5 minutes?

The ACTING PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Oregon?

Mr. COOPER. I am happy to yield 5 minutes to the Senator from Oregon.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, at this moment, I believe that I personify confusion more confounded minute by minute and, therefore, if the Senator from Kentucky would help me by discussing the problem hypothetically with me, I would appreciate it.

I get in my car in Washington, D.C., after the bill is passed, assuming in its present form without the Senator's amendment, and I drive on the Interstate Highway System most of the way to Portland, Oreg. I wish to know, if the bill is passed in its present form, without the

Senator's amendment, whether any State along the way, through its legislature, after passage of this bill, could pass legislation zoning some of the wide open spaces on that highway which are not at present zoned?

Mr. COOPER. It could, under the language of section (e). The legislature could create additional zones for industrial and commercial purposes, or designate other areas which would be eligible for the establishment of advertising. By reason of the amendment which was adopted this afternoon can come under that, and the Secretary would be able to control the physical characteristics of advertising in such areas, but he could not prevent the actual establishment of advertising in additional areas about which the Senator from Oregon has raised his question.

Mr. MORSE. He could not stop the erection of signs. He could require only that the signs be of a certain size. Is that what the Senator is saying?

Mr. COOPER. The Senator is correct.

Mr. MORSE. What would happen if signs were erected contrary to his recommendations as to size?

Mr. COOPER. The Secretary could exercise the 10-percent penalty and could withhold money from the State.

Mr. MORSE. Next, do I correctly understand that the Senator is saying that that would be a weakening of the law of 1958, in that it would result in signs being put up in areas where, under the law of 1958, signs could not be put up?

Mr. COOPER. The Senator is correct. That is my contention and my position. I believe that I am correct.

Mr. MORSE. Let me ask the Senator from West Virginia, or the Senator from Maine, or both, what their answer is to that question. So far as I am concerned, this is the nub of the issue. I thought we would be enacting a bill today to protect the public interest on the Interstate Highway System, too, from cluttering up the Interstate Highway System with signs.

Mr. RANDOLPH. Mr. President, the bill, if enacted today—and we hope to pass it today—would not allow the cluttering up of the landscape along the Interstate System, as indicated by my good friend the Senator from Kentucky. That is not the purpose of the pending bill, as it so states. It is important to realize that the nub was not the amendment now before us, but it was the amendment which I offered and which was adopted by a vote of 44 to 40.

Mr. MORSE. Which I voted for.

Mr. RANDOLPH. Yes. That was the crux of this debate. We saw by the closeness of the vote how much of a fight it was. That amendment was opposed by the Senator from Kentucky. Let me say most emphatically that my amendment, which was adopted 44 to 40, restricts and forecloses any possibility—and I underscore those words—of the type of strip zoning for signs envisaged by the Senator from Kentucky as taking place if his amendment is not adopted.

Mr. President, let me say also that advertising on the Interstate Highway System could come about only where there was a commercial or industrial zone, and then only when there was an agreement between the State and the Secretary of Commerce. The penalty is written into the bill. Even with the amendment and the good intent of the Senator from Kentucky, it is possible that his amendment, as worded, might even authorize the bonuses to the States which have not received bonuses. There is a question implied in the legislation as it would be amended by the amendment of the Senator from Kentucky.

Let me say to the Senator from Oregon that I have labored diligently on this proposed legislation. We considered the matter in the subcommittee and in the committee. Of course, it has been changed on the floor of the Senate today. That is why we took the time to probe the mind—and it is a very fine mind—of the Senator from Kentucky.

However, I wish to have a good bill. I have worked hard to bring a good bill to the floor of the Senate. I have leaned over backward to offer amendments on behalf of the administration. In offering them, I have done the best I could do to bring in a bill on which the House can work its will and bring forth a measure to final passage.

Mr. President, I regret very much—and I say this kindly—that the Senator from Kentucky, in the last minutes of this debate, after 2 days, brings in the pending amendment. I repeat, my amendment, which was adopted by a vote of 44 to 40, restricts and forecloses any possibility of problems arising of the kind envisaged by the Senator from Kentucky.

Mr. MORSE. Let me ask one more question, and then I am through, because no one has greater admiration for the work of the Senator from West Virginia than I, not only on this piece of proposed legislation, but also on other legislation. I should like to know what damage, if any, adoption of the amendment of the Senator from Kentucky would do to the bill in its present form, as it now lies before the Senate.

Mr. RANDOLPH. I have stated that I believe it might extend by referral, reenact the old law. That is a possibility. In counseling with the Senator from Maine [Mr. MUSKIE] at this point, I believe that there is a possibility that bonuses could be extended.

Mr. MUSKIE. Mr. President, there are some effects which would be predictable and could be identified in a hasty review of the old law, but there are some effects which one could not properly predict without taking the old law and sitting down side by side with the new law, to get the net effect of molding these two laws together. This would involve not only the section to which the Senator from Kentucky has directed his attention, but also other sections which are involved in the problem which he has described. The old law was worked out on the "carrot" principle, with the idea of bringing the States into compliance with the incentive to accomplish certain targets which were spelled out. The present law is mandatory.

Mr. RANDOLPH. The Senator is correct.

Mr. MUSKIE. It uses a different technique and a different compulsion. It sets up slightly different targets but not, I assure the Senator from Oregon, any relaxed targets so far as the Interstate Highway System is concerned.

Mrs. NEUBERGER. Mr. President, will my colleague yield?

Mr. MORSE. Let me ask this question, and I shall then be glad to yield to my colleague. I am speaking with a lack of knowledge of details of the law. I know the objectives that we wish to protect, but fears have been raised in the minds of many, in whispered conversations, and we do not wish to do anything in the Senate this afternoon which in any way would endanger the objective of beautifying the Interstate Highway System. Therefore, my question is this: We must go to conference with the House, anyway, must we not?

Mr. RANDOLPH. It is always possible that a conference will be necessary on such legislation as this; and I have in the amendment I have offered the provision in the original bill. The administration has come forward with this proposal because it found it was bad law.

Mr. MORSE. But the Cooper amendment is not in the House bill. There is no House bill yet.

Mr. RANDOLPH. No. The House committee is in executive session, and I am informed that the subcommittee is now working on a committee print which closely parallels the Senate version of the bill.

Mr. COOPER. Mr. President——

Mrs. NEUBERGER. Mr. President, will the Senator yield to me for a question on the comments made by the Senators from West Virginia and Maine? How could there be brought in the law that expired on June 30, 1965? Both Sentors have stated that this may be bringing a bonus into those 25 States, but the law expired on June 30, 1965.

Mr. MUSKIE. Let me read the language of the amendment of the Senator from Kentucky:

> Nothing in this section shall be construed to permit a reduction in standards established on the erection of signs, displays, and devices in zones other than as provided by Public Law 85-767.

By reference this incorporates the provisions of the old law, which I have not completely identified. I have not had an opportunity to identify it. So I would not presume to say to the Senator whether or not it would have that effect.

Mrs. NEUBERGER. Does the Senator mean that the old law could be reenacted by this amendment?

Mr. MUSKIE. If we enact its provisions, we do not know what we are pulling in from the old law.

Mr. COOPER. Mr. President, I hesitate to go over these matters, but some of the arguments made—and I say this with great respect for my friends—astound me. I give the Senate an example. The Senator from Maine has suggested that I may be offering an amendment which would reenact the old law.

Mr. MUSKIE. If the Senator will permit me, I did not say that.

Mr. COOPER. If the Senator will permit, I was going to say what the Senator said. It was that my amendment might bring the bonus system into effect, which would mean the reenactment of the old law. He said that it could happen because I mentioned by reference Public Law 85–767.

Let me read what the committee did. This is what the committee stated. I refer to page 11, line 11, of the committee substitute:

> Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85–767 or under applicable State laws.

It is the committee's language. All I have said is that nothing shall be construed to permit a reduction in standards—and that reference to standards relates to the physical characteristics of the standards, that is, signs and displays—other than as provided in Public Law 85–767. The standards provided in the old law are explicit and very limited.

This is the last time I intend to speak on the amendment. The Senator from West Virginia [Mr. Randolph] is a dear friend of mine. No one has worked harder, and no one has been more direct, honest and fair than he in the explanation of the bill and every amendment. I ask him this question: Under subsection (e) is it not correct that advertising will be permitted on the Interstate System in areas which are zoned industrial or commercial under authority of State law. Is it not correct that this includes any zoning which in future years may be declared by a State as industrial or commercial?

Mr. RANDOLPH. That is correct; and I have so stated.

Mr. COOPER. In such zones, advertising on the interstate system may be established?

Mr. RANDOLPH. Yes; and I have so stated.

Mr. COOPER. That is correct. And the Secretary of Commerce, while he may limit and control the physical characteristics of signs in that area, cannot prevent the establishment of advertisements in such areas. Is that correct?

Mr. RANDOLPH. I have said earlier, and I repeat, that the amendment which was adopted this afternoon restricts and forecloses the kind of zoning which seems to worry the Senator from Kentucky. I think that it is important here also to mention the old law. We have some 17,000 miles of the interstate system open to traffic. The best indication that it was a bad law administratively is the fact that bonus payments have been made on only 195 miles of the Interstate System out of the total mileage open to traffic of some 17,000 miles.

Mr. COOPER. I agree that only 25 States have accepted bonuses. I get back to my question. This is the key question. I know the Senator knows the bill well and I know he can answer this question. My question is, In those areas which may be zoned in future years under authority of State law, as commercial and industrial, can the Secretary of Commerce prohibit the establishment of advertisements, provided the advertisements meet his standards relating to size, number, and so forth?

Mr. RANDOLPH. He cannot.

Mr. COOPER. He cannot.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. DOUGLAS. How would the Senator from Kentucky close the loophole?

Mr. COOPER. By providing the same standards that are applicable under the law enacted in 1958.

Mr. DOUGLAS. Did that foreclose the State legislatures from prospectively putting in a zoning area for commercial or industrial purposes?

Mr. COOPER. No. We could not foreclose a State from zoning both industrial and commercial areas. What it did foreclose was the establishment of advertisements in those areas, as the Senator from West Virginia has just stated, and this is the basis of my amendment, the bill would not prohibit the establishment of additional industrial and commercial areas.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the distinguished Senator from Tennessee [Mr. Gore]. We all know of the contributions he has made to the Interstate System through his authorship of the act.

Mr. GORE. Mr. President, I thank the distinguished Senator.

The President will recall that perhaps my most fruitful years in the Senate were during the sponsorship of the Interstate Highway Act. I worked very closely with the late Senator from Oregon, Senator Richard Neuberger.

With respect to the particular features of the law now under discussion, we did not succeed in obtaining the enactment of a law as strong and as adequate as many desired, and particularly as he and I desired.

It has been proved inadequate to bring about the desired results. That is acknowledged. I appreciate the concern of the distinguished Senator from Kentucky [Mr. Cooper], but we cannot foreclose the future.

Mr. RANDOLPH. The Senator is correct.

Mr. GORE. The very necessity of change, the certainty of change, prevents foreclosing the future. The entire interstate highway program is based upon the principle that the States have the power of initiation. The Federal Government has the power of approval or disapproval. This applies with respect to the location of the highway, the design standards of the highway, the number, of access points, and the number of egress points.

It is provided that after an interstate highway has been allocated, and has been approved, and the number of access and egress points agreed upon, the State cannot add an additional access point except upon the approval of the Secretary of Commerce. This is necessary.

It is necessary that this power of approval or disapproval rest with the Federal Government, lest the States overcrowd the system and thereby create suicide alleys. The power to approve additional points of egress and ingress is necessary to meet the certainty of changing conditions.

The same principle is true and must be true with respect to the zoning of certain areas of our respective States.

Industry is going to develop. Commerce is going to grow. It may be necessary to relocate certain sections of the Interstate System in order to accommodate a rapidly growing, thriving, and necessary part of our future in commerce and industry.

I believe that here we have the safeguards of approval or disapproval in the Secretary of Commerce to provide for the objectives which we seek in this enactment.

Therefore, although I am always moved with interest and favorable inclination by the adequacy of the Senator from Kentucky, with whom I worked initially in the enactment of the Interstate Highway Act, I feel he is unduly concerned because its flexibility is absolutely necessary, in my opinion, for the system to serve well our whole economy and our people.

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Kentucky [Mr. Cooper] to the committee amendment in the nature of a substitute.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from Vermont [Mr. Aiken]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Indiana [Mr. Hartke], the Senator from Arizona [Mr. Hayden], the Senator from Missouri [Mr. Long], the Senator from South Dakota [Mr. McGovern], the Senator from New Mexico [Mr. Montoya], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman] and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], and the Senator from Oklahoma [Mr. Monroney] are necessarily absent.

On this vote, the Senator from Alaska [Mr. Gruening] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from Alaska would vote "nay" and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Wyoming would vote "nay" and the Senator from Iowa would vote "yea."

On this vote, the Senator from New Mexico [Mr. Montoya] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from New Mexico would vote "nay" and the Senator from Texas would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis] and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senator from Delaware [Mr. Boggs], the Senator from Texas [Mr. Tower], and the Senator from Iowa [Mr. Miller] are necessarily absent. The Senator from Massachusetts [Mr. Saltonstall] is absent by leave of the Senate.

The Senator from North Dakota [Mr. Young] and the Senator from Vermont [Mr. Aiken] are detained on official business.

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Alaska would vote "nay."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from New Mexico [Mr. Montoya]. If present and voting, the Senator from Texas would vote "yea" and the Senator from New Mexico would vote "nay."

The position of the Senator from Vermont [Mr. Aiken] has previously been announced.

If present and voting the Senator from Utah [Mr. Bennett], the Senator from Delaware [Mr. Boggs], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

The result was announced—yeas 29, nays 45, as follows:

[No. 264 Leg.]

YEAS—29

Allott
Carlson
Case
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Fannin
Fong
Hart
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
Morse
Morton
Mundt
Murphy
Neuberger
Pearson
Prouty
Proxmire
Simpson
Smith
Williams, Del.

NAYS—45

Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Eastland
Ervin
Gore
Harris
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
McClellan
McIntyre
McNamara
Metcalf
Mondale
Moss
Muskie
Nelson
Pastore
Pell
Randolph
Ribicoff
Robertson
Russell, S.C.
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—26

Aiken
Anderson
Bennett
Boggs
Curtis
Ellender
Fulbright
Gruening
Hartke
Hayden
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
Miller
Monroney
Montoya
Russell, Ga.
Saltonstall
Scott
Smathers
Sparkman
Talmadge
Tower
Young, N. Dak.

So Mr. Cooper's amendment to the committee amendment was rejected.

The ACTING PRESIDENT pro tempore (Mr. Metcalf in the chair). Who yields time?

Mr. RANDOLPH. I yield time.

Mr. ALLOTT. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The Legislative Clerk. On page 15, line 7, it is proposed to strike the word "ruins".

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Colorado will state it.

Mr. ALLOTT. Do I correctly understand that 1 hour is allotted to each side on each amendment?

The ACTING PRESIDENT pro tempore. The Senator from Colorado is correct.

Mr. ALLOTT. To remove any doubts in the minds of Senators, I do not propose to talk for an hour, or anything like it.

Mr. President, I hope to discuss for a few minutes some aspects of the bill, particularly the amendment I have offered. Although it is not so significant as some of the amendments which have been offered, it is nevertheless illustrative of some of the objections to the bill.

It is apparent that many Senators operate under a misapprehension. Unfortunately, during the past 2 days, the attitude seems to have been that the Federal Government is giving this money to the States. The cold facts are—and I think we should approach our decision from this standpoint—that it is the citizens of the country, who, through the payment of taxes—and specific taxes, in the case of the highway fund, and other taxes in the general fund—provide the money that is to be expended.

It seems to be assumed that because the money comes from the Federal Treasury or the highway trust fund, the Federal Government, for some reason, should be entitled to completely call the tune.

I cannot agree with this. I wish to discuss certain parts of the bill and tell in brief why I believe that the bill is weak and where it is weak. To do this, I should like to go back into legislative history when the late Senator Richard Neuberger fought the battle to try to create some sense of order out of the confusion relating to the highways in this country. I fought with him in that battle. I have always believed in that principle.

My State happens to be one of those States which have not implemented their laws to the extent that they have ever been able to receive the bonus which existed under the previous act. In the last legislature, they passed a law, but it is very questionable, at least at this point, whether the State will be entitled to participate in any bonus benefits from the passage of that law. This is not and has not been my own personal view. I feel that those who travel on the highways of this country should be able to see for at least 6 or 7 feet beyond the width of the road on each side of the highway. I have always felt so, although, I believe there is a point of reasonableness to advertising, and that can be considered.

This afternoon the distinguished Senator from Georgia [Mr. Talmadge] discussed this subject in a very able way. He discussed the impact that this measure would have upon the primary roads. I understand that my colleague desires to discuss this phase of it a little later, so I shall not impinge on that. We come first of all in the discussion of this matter to subsection (e) about which there has been so much controversy.

The distinguished Senator in charge of the bill, through his explanation of this subsection, made up my mind for me this afternoon. I could not possibly vote for this bill in its present form, no matter how desirable I might think some of the ends to be attained are. I shall not try to quote him exactly, because I do not have the language before me, but I do not believe that I shall misstate the essence of his response, and he can correct me if I do. The last two or three lines of that amendment read: "Or in unzoned industrial or commercial areas as may be determined by agreement between the several States and the Secretary: Provided, that nothing in this subsection shall apply to signs as defined in section 101(c)(2)."

In response to the question asked of the Senator in charge of the bill, he said, in effect, that, while this measure talks about agreement beween the States and the Secretary of Commerce—this is the end desired, that they do have agreement—however, there will be no agreements. There does not have to be any agreement because the Senator also said that in the event they could not agree—and it takes two minds to make an agreement, it takes the mind of the State and the Secretary of Commerce also—but if there is no agreement the Secretary of Commerce can shut off the funds.

What this would mean is that we would be placing in the hands of the Secretary of Commerce the veto power over any agreement between the individual States and the Secretary of Commerce. I do not ascribe to this particular Secretary any ill motives or bad motivations or anything else. But I do not believe that the Secretary of Commerce should be enabled or permitted to move in upon the will of the States and the will of the legislatures of the States. There is no question that that is what would happen under this amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. Mr. President, the Secretary can veto and, in addition to that, he has the power to say, "I will deny to you the 10 percent of what you are entitled to in the building and the maintenance of the primary roads unless you comply with my wishes."

Mr. ALLOTT. The Senator is entirely correct. This was the answer which I received from the Senator in charge of the bill.

This is the legislative history. So I presume that it is true.

There is a further significant thing which the lawyers in the Chamber will particularly recognize, and that is that, while the Senator in charge of the bill said that there was no specific provision in the bill to provide that the States could go to court, it was recognized and agreed, as a part of the legislative history, that they could go to the courts.

It will be noted that this bill does not give access to the Administrative Procedures Act. There is no specific provision in the bill which would permit a review of any decision made by the Secretary of Commerce.

Mr. FONG. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. FONG. Mr. President, I am prepared to offer an amendment to give to the States which are dissatisfied the right of judicial review.

Mr. ALLOTT. Mr. President, I am very happy to hear that statement. I shall be happy to join in voting for the Senator's amendment, presuming, of course, that it is sufficient as to its form, and I am sure that it will be, he being the great lawyer that he is.

The significant part, after coming to the agreement—and I address my remarks to the distinguished Senator from Ohio who asked about that—is that it states, "as determined by the agreement between the several States and the Secretary."

If the Secretary does not choose to agree, he has the power of veto. If he has the power of veto and does not agree, he has a power to junk the 10 percent, and that is a pretty big club. But, if we assume, as the Senator in charge of the bill stated this afternoon, that the States have a right to go to court, what do they have a right to go to court for?

Let us analyze that. Under the ordinary law applicable, the only question that would be reviewable by a court would be whether the Secretary of Commerce had acted in an arbitrary or capricious manner. This is the only thing that would be under review. Any lawyer knows that it is one of the most difficult allegations in the world to prove—that any official has acted in an arbitrary and capricious manner. I do not know of a case that is harder to prove in the world than a case of that kind. But upon whom does the burden of proof rest? The State would have to bring an action. The burden would be upon the State. So we not only would have a case which would be most difficult in any instance to prove—and that would be that the Secretary of Commerce had acted capriciously or arbitrarily—but we would also place the burden of proof upon the State.

So what would we do if we were to have a judicial review? I say this to my friend the Senator from Ohio: Even if we were to have a judicial review, the best that we could expect would be a case that would be almost impossible to prove in court, and we would place the burden of proof upon the State.

Upon that basis, I must say that that one fact alone would vitiate the bill as far as I am concerned.

I should now like to discuss other aspects of the bill. I know that the committee worked hard on this bill. I know that it is a complicated bill. However, let us take one section to show how far we have gone into the realm of foolhardiness.

In subsection (d) on page 10, it is provided that:

> The Secretary shall, in consultation with the States, provide for an area at an appropriate distance from an interchange on the Interstate System, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards which are hereby authorized to be promulgated by the Secretary hereunder.

Most Senators have traveled extensively. Some of us travel by road a great deal. We ought to face the practicalities of the situation. As it gets along toward evening on an interstate highway on which traffic is moving at 70 miles an hour, what happens? A quarter of a mile from an intersection, or perhaps a half a mile a bunch of signs are erected. Cars slow down at a time when the vision is growing poor, at the most dangerous time of the day. Cars are slowing down and stopping traffic which is moving at 70 miles an hour.

Suppose we do as is suggested and place all the signs to the side. This would mean that every time a motorist comes to one of the interchanges, turnoffs, or cloverleafs, or are about to come to one, he must turn off to the side and stop to see the signs and determine what facilities are available in that town.

Let us be a little more realistic. Whom are we going to permit to erect the signs there? Will we permit only the great established chain businesses and large motels to put up signs? This would be discriminatory. Or, must we allow every little motel, even if it only has two rooms in that town, to put up a sign; I can see the greatest hodgepodge of signs—a signboard jungle—that could possibly be imagined being placed at such a point.

What would we do with respect to gasoline? It would be the same thing. Everyone dealing in a different type of gasoline, or perhaps even in a different individual station, would have to be permitted to have his sign there and to be advertised. I see no way of doing it, unless we permit advertisement of gasolines by brand names only; but even in that case, there would be a dozen or more in an individual town.

So, instead of protecting safety, this section—and I predict that it will be modified at some point along the way—will greatly increase the hazards of highway traffic.

I should like to move over to another section of the bill, subsection 2 on page 12. That becomes a really significant section. I had better read that which goes before, under subsection (g):

> (g) Just compensation shall be paid upon the removal of outdoor advertising signs, displays, and devices, provided that they were erected and maintained on the effective date of this subsection pursuant to agreement with the owner, or one claiming through the owner, of the real estate on which they are located, and Federal funds shall be used to pay the Federal pro rata share of such compensation. Such compensation shall be paid for the following:
>
> (1) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in the fixture; that is, such sign, display, or device at such location, as secured by the agreement in effect on the effective date of this subsection.

Mr. President, it is fairly easy to ascertain the cost of a sign. There is an an invoice somewhere; there is a check somewhere which will show how much the sign cost. In addition to the sign, there is also the cost that the sign owner pays to the landowner for the use of the land for the erection of the sign.

But I point out also that included here—and it cannot possibly be avoided—is payment to the landowner for the leasehold he has lost. No one can possibly begin to estimate the cost to this country, when these particular items are capitalized—capitalized and paid for—and capitalization is the only way that these values can be ascertained.

For example, if an owner rents a space for the sum of $250 a year, the only possible way that the owner can be compensated for the loss of his lease to the sign owner is by the capitalization of that $250 or $500, or whatever it may be. The amounts involved are fantastic. I should have preferred that there be specific limitations upon signs within a certain area of the roadway itself. I think that would better have covered the matter. But worst of all, we have no idea how many signs and leaseholds will be involved. The Department of Commerce indicates that it would take a year just to get an estimate of the percentage of the signs that would be affected.

Mr. President, I ask unanimous consent that a letter from the General Counsel of the Department of Commerce be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE,
Washington, D.C., August 20, 1965.

HON. JENNINGS RANDOLPH,
Chairman, Subcommittee on Public Roads, Committee on Public Works, U.S. Senate, Washington, D.C.

DEAR SENATOR RANDOLPH: During the hearings before the Public Roads Subcommittee of the Senate Public Works Committee on August 10 concerning S. 2084, the proposed beautification legislation, you requested the Secretary of Commerce to furnish an esti-

> mate of the number of billboards that would have to be removed or relocated under title I of the bill. You further inquired as to what proportion of the total industry such billboards represent, and what our estimate of the capital investment would be with respect to the signs to be removed.
>
> The Secretary indicated that the requested information would be submitted for the record.
>
> The Bureau of Public Roads informs me that, after most careful deliberation, it is not possible to furnish any such data as would be meaningful unless an inventory were made among all of the States. Such inventory would involve about 225,000 miles of Federal-aid primary highways, and an additional 41,000 miles of interstate highways. If an in-depth inventory of all signs on the interstate and primary systems were made, we estimate that this would take a minimum of 1 year to come up with an estimate of only the percentage of signs affected. There is no feasible way that we could compare this on a capital investment basis. A study based upon selected sampling would take a minimum of 60 days to complete. In either event, we could not answer the question regarding the capital investment in outdoor advertising that would be affected.
>
> Even though an attempt were made to conduct an inventory of sufficient depth as would provide the committee with the information requested, it is believed that there are so many unknown variables involved that it would be most difficult to arrive at any reasonable estimate of the number of outdoor signs to be removed or relocated. For example, the bill provides for exemptions in the case of off-premise signs in areas which are not zoned but used predominantly for commercial or industrial activities. It would first be necessary for a determination to be made as to the criteria for establishing such exempt areas and then, of course, the more difficult problem would be to delineate the boundaries of such exempt areas along the 266,000 miles of highways involved.
>
> In view of the time-consuming and costly nature of any inventory effort along the lines requested, I feel obliged to inform you of the factors involved and to inquire whether the committee still desires the Bureau of Public Roads to proceed with such undertaking. Obviously, it is not possible to come up with any estimates in time for inclusion in the record of the hearings. However, we wish to cooperate fully with the committee toward obtaining any information it may desire. We, therefore, await further word from you prior to initiating this inventory project.
>
> Sincerely,
>
> ROBERT E. GILES.

Mr. ALLOTT. Mr. President, we are being asked to legislate in the dark. We are being asked to authorize a program without any conception of its cost. But, there are many other unknowns in this proposal.

The second section is:

> (2) The taking from the owner or leaseholder of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon, as secured by the agreement in effect on the effective date of this subsection.

This is a real sleeper in the bill, because while it does provide for the compensation of the lessor and the lessee——

Mr. COOPER. Mr. President, may we have order?

The **PRESIDING OFFICER.** The Senate will be in order.

Mr. ALLOTT. The fact is that the provision in this bill providing against further use in this respect constitutes acquisition of a perpetual scenic easement by the Federal Government in any land which does not now have a sign on it.

In other words, if a man has a piece of land upon which a sign might some day be erected, what we are doing by this bill is taking from him a perpetual scenic easement in that land.

The Federal Government now pays, as the distinguished Presiding Officer well knows, many hundreds of thousands of dollars for scenic easements. We recently considered a bill in the Interior and Insular Affairs Committee, of which he is a member, in which this matter was discussed at great length. It is of great importance, I think, to recognize that this bill proposes to put a limitation upon the use of land in the future, and that such limitation will not be compensated for under the provisions of the bill.

Mr. LAUSCHE. Why does the Senator say that if the bill prohibits in the future the free use of one's land in leasing it for advertising purposes, under the bill he will be denied payment for that deprivation?

Mr. ALLOTT. In order for the States to receive their share of the money that they have paid into the Federal Treasury—I am not going to talk about Federal money—if the particular area is zoned as industrial or commercial now, certain signs on premises may be permitted. But on the cutoff date of January 1, 1968, those signs must be removed.

If an area which is zoned commercial, or an area which is not zoned commercial, does not now have a sign on it, it may never, after January 1, 1968, have a sign. Otherwise the State will not receive 10 percent of its share of the highway fund.

Therefore, if the State is to receive its money from the highway fund, the restriction is placed upon the man who owns the land. He cannot thereafter lease it for the erection of a sign, and the effect is that the Government has acquired, by reason of such restriction, a perpetual scenic easement, without the payment of a single dollar.

Mr. LAUSCHE. We are now right at the issue: Can that be constitutionally done? Can we prohibit an individual in the future the free use of his land, without paying him for that part of it which has been taken away?

Mr. ALLOTT. At first blush, it would seem to be contrary to the due process clause of the 14th amendment. However, I remind my friend the Senator from Ohio, that under zoning laws which have been upheld by the Supreme Court of the United States, it is possible to zone a city, for example, or a residential area, and prohibit the use of that land for industrial purposes in the future. So I presume that such taking might theoretically, under the same argument, be construed as being constitutional.

Mr. LAUSCHE. The point I am trying to make is, in connection with the argument of the Senator from Colorado, that the cost of this program cannot be evaluated——

Mr. ALLOTT. The Senator is entirely correct.

Mr. LAUSCHE. My understanding is that when a government takes away the rights of a property owner, it must compensate him for that which is taken, and also for that which he might have earned in the future by a reasonable use of the land, and for the damage to the residue of the land which is not taken. I am not trying to disprove the premise of the Senator's argument.

Mr. ALLOTT. That is entirely correct. I must confess that I should not attempt to guess what the Supreme Court would do if this particular proposition were put to them. I am merely pointing out that in one type of situation at least, the property owner, because the States must enter into agreements to restrict, is giving up a perpetual scenic easement, which the Federal Government will be getting for nothing.

I turn to another section of the bill, the section pertaining to junkyards, graveyards, and like establishments.

As a prefatory remark, let me say that there is nothing which annoys me more than the innumerable automobile graveyards and junkyards which we see as we drive across the country. Of all the blights on the face of this beautiful country, including some of the large and obnoxious billboards, the automobile graveyards and junkyards, in my opinion, constitute the worst of all.

I do not deprecate in any way the work of the committee in trying to solve this problem; yet, I really do not know and I cannot believe that they understand what they have done in this particular area.

For example, on page 16, line 10, subsection (i) reads as follows—they are talking about junkyards and automobile graveyards:

> (i) Landscaping or screening costs under the provisions of this section shall be allocated in the following manner: the first $1,500 of such costs shall be assumed by the owner of the facility screened; all costs in excess of $1,500 shall be the Federal and State responsibility. Federal funds shall be used to pay the Federal pro rata share of the costs of landscaping or screening under the provisions of this subsection.

Mr. President, I know how hard Senators have worked on this bill—and I am not trying to protect the owners of automobile graveyards and junkyards, heaven knows, because these junkyards are the most obnoxious blots on the American scene. But, how are we going to compel an individual to put up $1,500 of his own money to screen his automobile graveyard? There is no way under the law to do this, no matter whether under some theory of police power the owner could be made to abate the nuisance as a health hazard. I cannot conceive of any existing theory of law or equity under which we could force a man to put up $1,500 of his own money.

Yet, this is a bill which is supposed to have been carefully considered. There is no way in which we could force anyone to put up that much money—desirable as it would be—to screen a junkyard or an automobile graveyard.

This is an example of a bill which has been a "catchall" for many things, and of the inadequacy of the thought which has been given to the basic principles underlying the bill.

Mr. President, I now turn to title III of the bill, which concerns me greatly because it comes back to the first point I made.

No one in the world can possibly say how much the bill will cost, and therefore, in order to sort of cover it up, section 303 has been included. It provides:

> SEC. 303. In order to provide the basis for evaluating the continuing programs authorized by amendments made by this Act, and to furnish the Congress with the information necessary for authorization of appropriations beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, * * *.

This merely underscores what I have said before, that even the committee does not understand what the bill will cost. Unfortunately, the whole approach to the bill is one which has been followed by the administration repeatedly, over and over again, that if we appropriate enough money, no matter how we do it, we will cure the ills. It will not cure the ills. This bill will not cure the problem which we are trying to face in cleaning up the landscape surrounding our own areas.

I have offered a small amendment in order, first, that I might be able to make a few comments on the bill, but it illustrates another element of the bill.

On line 7, page 15, I invite the attention of the Senator from West Virginia to the inclusion of the word "ruins."

Webster's dictionary defines "ruins" as "that which has fallen down and become worthless from injury or decay. The remains of a dilapidated house, or the like."

Mr. President, perhaps the Senator from West Virginia, after he listens to me, would like to delete the word "ruins"—I hope he would.

Last Saturday, I drove from the city of Denver to the city of Greeley, on the Interstate Highway System. Up near the town of Platteville, the highway separates. It is a distance of approximately a quarter of a mile. The northbound traffic goes on one road, and the southbound traffic goes on another. Between these points is an old fort called Fort Vasquez.

Fort Vasquez was established in the late eighteen sixties, I believe, and it is still there, although it has been rehabilitated to a considerable extent, and it is not worth anything under the definition of the dictionary. It is a part of some ruins.

What do we do with areas like that? What do we do if we happen to find the ruins of an ancient Indian village such as we find in the Mesa Verde area of Colorado, and many other parts of my State? What do we do when we find old ruins of early Indian villages which are still there and still available? What do we do with a place like Fort Bent, for example, where a part of the ground structure is still standing and still viewable, but which is not worth anything to anyone?

Mr. President, I believe that I know what the committee was talking about. They were talking about the kinds of structures which have been erected and which would probably be declared to be a nuisance under the ordinances of a city, if such an action were to be brought. But, really, I believe the word "ruins" would cause much mischief in certain areas.

On this point I should like to have the comments of the Senator in charge of the bill.

Mr. RANDOLPH. Mr. President, the distinguished Senator from Colorado invites attention to one of the many words in this section. It was a difficult section to draft. It was intended to be focused on buildings which had deteriorated and which were actually standing unused, and in all candor, which were eyesores. That was the thought we had in mind.

Now I find the Senator bringing into focus old forts and Indian ruins which, so far as I am concerned, would not be thought of as being ruins in the context of this section.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield at that point?

Mr. RANDOLPH. I am glad to yield.

Mr. MANSFIELD. I would be prone to agree with the distinguished Senator in charge of the bill because I believe that the Senator from Colorado has raised an excellent point.

Fort Bent, as the Senator mentions, and other places in Colorado, as well as similar locations in Montana and other Western States, would be of great historic value.

In my opinion, if the Senator from West Virginia would corroborate what I am about to say, because I believe that I am voicing the thoughts of the Senator from Colorado, the pending bill would not apply to factors in that category; is that not correct?

Mr. RANDOLPH. We did not intend to have any jurisdiction over Indian ruins. As I say, this is a new thought——

Mr. MANSFIELD. These are historic factors.

Mr. RANDOLPH. Yes, they are of historic and cultural value if not esthetic.

I am frank to say to the Senator that I will agree to the deletion of the word.

Mr. ALLOTT. I appreciate that, but the comments of the distinguished majority leader are important. To take a specific case, the leaning tower of Pisa is a ruin. It is not in the United States, of course, but it is a ruin. So, also is the Coliseum a ruin.

Mr. President, in view of the remarks of the manager of the bill, unless he wishes to yield further, I am willing to yield back the remainder of my time.

Mr. RANDOLPH. I yield back my time, but first let me say that I think the reference is to one word. I appreciate the remarks of the Senator from Colorado.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Colorado to the committee amendment in the nature of a substitute. [Putting the question.]

The nays seem to have it.

Mr. KUCHEL. Mr. President, I ask for a division.

Mr. ALLOTT. Mr. President, did I correctly understand the Chair to say the "nays" have it?

The PRESIDING OFFICER. The Chair said they appear to have it.

Mr. KUCHEL. Mr. President, I ask for a division.

On a division, the amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. DOMINICK. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment of the Senator from Colorado to the committee amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. DOMINICK is as follows:

> On page 9, line 11, strike out the words "and the primary system", and substitute the words "and scenic highways".
>
> On page 9, line 19, after the word "System" strike out the words "and the primary system", and substitute the words "and scenic highways".
>
> On page 11, in lines 3 and 4 after the word "System" in line 3, strike out the words "and the primary system", and substitute the words "and scenic highways".
>
> On page 12, in lines 15 and 16, after the word "System" in line 15, strike out the words "and the primary system", and substitute the words "and scenic highways".
>
> On page 13 following line 23 insert a new subsection (1)
>
> "On or before June 30, 1966, the Governors of the respective States shall submit to the Secretary their highways, and portions thereof, within their respective States designated as scenic highways and such designations shall be final for the purposes of this Act.

Mr. DOMINICK. Mr. President, this is a fairly important amendment, and if I may have the attention of the manager of the bill, I think he ought to listen at least to a little of this discussion, because it goes to the substantive merits of the bill.

My amendment, if adopted, would eliminate any reference to the primary system from the bill entirely, and substitute for the words "and the primary system" the words "and scenic highways." It would then add a subsection to the bill under which the Governors of the respective States would be given up to June 30 of next year to designate to the Secretary which highways or portions thereof shall be considered scenic highways.

Scenic highways would be under the same restrictions with regard to billboards, signs, and other devices as the Interstate System is under the bill.

It seems to me that this particular amendment would take care of most of the problems and questions that have arisen in the process of this debate.

The Colorado State Legislature, for example, has been wrestling for a number of years, to come within the bonus provision in the construction of the Interstate System. The State has made some progress, but still probably does not qualify.

The report itself will show that the primary system in this country contains some 224,000 miles, as opposed to 41,000 miles, I believe, or the Interstate System.

We have had great difficulty in trying to work out the situation with regard to the Interstate System that only 25 States have put themselves in a position to even attempt to get a bonus—and it is my understanding that only 9 or 10 of them have actually put themselves in the position where they can claim a bonus—consider the problems we are going to have with 220,000 miles of the primary system. More States will be penalized because they cannot come within the time limit than one will be able to shake a stick at. I would be surprised if a single State in the whole country could comply within the time limit.

In my own State, and my own area, the metropolitan area of Denver, in which a million people live, four north-south routes are considered a part of the primary system, namely, Colorado Boulevard, University Boulevard, Santa Fe, Broadway; and Colfax Avenue, running east and west, connecting Route 40 from the plains to the mountains, is also a part of the primary system.

If this bill goes into effect, the Secretary can move in on any presently existing advertising in the most commercial, restricted area one can find, unless it happens to be on a person's own property. Even the Boy Scouts or any similar organization which puts up 4th of July establishments to help people celebrate Independence Day will be prohibited from advertising their activities, because if they are not so prohibited the State will lose 10 percent of its matching funds.

It seems to me that what the bill is designed to say is, "Let us not spoil good scenery with bad billboards." We can accomplish that purpose by having the Governors say, through the Secretary, "There are portions of highways, or complete highways, within our States in which the scenic values surpass the commercial uses that they could otherwise be put to." Therefore, the Governors could designate within their own States highways which should be available to come within the terms of the bill, for the enhancement of the scenery of travelers and tourists, and give them the advantage of the natural attributes which we have in Colorado, which the Senator has in his State of West Virginia, which exist in Alaska, Florida, and all the other States. This would be the correct approach, because what the interests which have been advancing this bill are trying to do is preserve the value of the scenic parts of the country.

I know how hard the committee has worked on the bill, and I know the extent of the debate on it. I have listened carefully to the debate and I have participated in some of it. But when we consider 224,000 miles of highway, we run into another problem in the primary system. The primary system is designated by the Governors, so if we put the primary system in the bill, as we now have it, conceivably a Governor can say which highway is a part of the primary system.

We have already paid the people to take down their signs. We have already paid for the easements and other essentials, and all of a sudden this is not the primary system any longer. Some other portion of the road is now designated as the primary system. We must then go through the whole process of sign removal and easement acquisition on the new primary system. In the meanwhile, signs spring up on what was the primary system, then, it is again designated a part of the primary system and we have to do it all over again.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. I am sure it is not intended to absolutely and completely bar advertising.

My question is: If advertising is barred on all of the highways, where will advertising take place?

I am now thinking out loud. Will it go into residential areas? Where will it take place?

Mr. DOMINICK. I believe that this is a good question. The answer is that, obviously, there will be no appreciable amount of outdoor advertising. Advertising will be restricted to the newspapers, television, and the radio, which will make it very difficult, so far as any traveler on a highway is concerned.

Mr. LAUSCHE. If commercial advertising is barred from 600 feet contiguous to the highway, will it then go into the residential area?

Mr. DOMINICK. That is entirely possible.

Mr. LAUSCHE. They will advertise unless they are absolutely barred. If they are barred from the interstate system and the primary system they will then look for other places. Where will they go?

Mr. DOMINICK. I believe this is the question which will have to be decided.

Mr. LAUSCHE. I have not resolved it in my mind, but they will look for other places, and they will be moving into areas that are more residential, scenic, and private than those adjoining within 600 feet of the highway.

Mr. DOMINICK. I appreciate the helpful comments of the Senator from Ohio. I believe he is entirely correct. The committee itself was aware of the problems involved in including the primary system in the bill. I refer to page 4 of the report where the committee says:

> Though the difference between the committee amendment and the original recommendation is greater on the primary system, due to more narrow rights-of-way, it is the committee's opinion that the same control distance should apply, especially until more adequate information is available concerning the impact which this section will have on property owners adjacent to the primary system.

In effect, what the committee report says is: "We do not know what the impact of this bill is going to have on adjacent property owners of this system, but we are going to go ahead, anyway."

Page 5 of the report reads:

> The committee notes the problem of extending outdoor advertising controls to the primary system on which roadside businesses and off-premise advertising have long been established. It is apparent from the testimony of administration and State highway officials, that there is no clear and determinate knowledge regarding the impact of the proposed controls on the primary system. It is expected that the necessary information will be available when the Secretary of Commerce reports to the Congress in January 1967 as required by section 308 of this act.

It does not make sound sense to me to put into effect a bill which we know will have a massive impact on property owners and travelers when, as pointed out by the Senator a few minutes ago, we do not have any concept of the cost.

To say that we are going to put it into effect anyway and get the information later, is the wrong way to legislate, so far as I am concerned.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ALLOTT. I am thinking of the primary system alone, and nothing else.

The Senator is acquainted with all the primary system roads in Colorado, leaving out the interstate roads. As one approaches these small towns, there are various facilities which highway travelers need. Local residents do not need them. They know what is there.

With respect to hotels, motels, and eating places in any of the small towns—the Senator has seen them hundreds of times—there will be found on the approach to the town small signs informing one of the places available in that town. The signs are not uniform, and they are not things of beauty. But neither are they signs which obstruct the view.

Would the Senator feel, as I somehow feel, that if we do away with these signs, as this bill would do on the primary system, the only logical consequences are two.

First, they will have to move their signs out an eighth of a mile from the limits of the road, and then establish huge signs which can be seen for a long distance and obstruct more view.

Mr. DOMINICK. I believe that is an excellent point, and it will happen.

Mr. ALLOTT. The second point is that the small establishments, the people who operate one-man shops, will have to remove their signs, but because they do not have money to erect huge signs, as I just described, they will have no advertising available to them on this basis.

Mr. DOMINICK. I suspect this is true. They will lose the tourist business and this may be the difference as to whether they can keep their heads above water or not.

Mr. ALLOTT. I appreciate the comments of the Senator. I believe this is one of the practical ways in which this bill is going to hurt the small people.

The chain motels can go off the same highway, under the terms of the act, and erect huge signs, but a small operator with an individual unit or two, or a small coffee shop, will not be able to afford it.

Mr. DOMINICK. I appreciate the contribution of the Senator. It is pertinent to the argument and the amendment I have proposed.

I remember traveling along the scenic highway in the great State of California. It seems to me that this is a spot where signs should be prohibited in the language being set forth here.

I remember on many occasions traveling across the mountains in my State. I am sure that signs should not be erected in these areas because of the great scenic value.

I am equally sure they should not be put up along portions of the highway in Florida, and many other areas such as Wyoming.

As to include our primary system; in view of the great impact it will have is the wrong way to go about a serious problem and a problem we all would like to take care of. To include our primary system in the bill, in view of the great impact it will have, is the wrong way to cure a serious problem.

That is why I added the words dealing with scenic highways, providing that the Governor of a State shall determine which highways or portions of highways are scenic highways. The Governors of the States will have the right to determine what areas of their States will be affected by the bill.

Mr. RANDOLPH. Mr. President, I shall use only 2 minutes. The deletion of the primary system, as set forth in the amendment of the distinguished Senator from Colorado, would cut out 90 percent of the bill. If that is what Senators desire to do, by supporting the amendment of the Senator from Colorado, of course, I shall respect their right to so vote.

We have an Interstate System of 41,000 miles. We have a primary system of 225,000 miles. In this legislation, we propose to control, with reasonable standards and criteria, the areas adjacent to the highways of the country. We propose that it be done not only with respect to Interstate Highways, but with respect to the primary system of the United States as well. I do not wish to use the word "clever," because that would be an improper word to use. So I shall not use it, and then, as a practicing attorney in a court of law might do, withdraw the word after using it. I see some adroitness here on the part of the Senator from Colorado, because he ties in scenic highways.

I am intensely interested in the scenic highways of the Nation. I have been working for years for scenic highways in West Virginia. My colleague [Mr. BYRD] has been working for scenic roads in the State of West Virginia. We are just as much interested in scenic highways in our State as the Senator from Colorado is so properly interested in scenic roads in his State.

With respect to the scenic highway requirements in the Senator's amendments, what is anticipated? They would bring needless duplication of material which has already been submited by the States to the Department of Commerce.

A report from the Department and recommendations from the President himself will be submitted to Congress, as we know, in the near future.

Mr. DOMINICK. Mr. President, I can receive with all good humor the comments made by the Senator from West Virginia, for whom I have great respect. I know he has been working to secure a scenic highway. My proposal is not designed to do anything except to try to arrange the text of the bill in such a way that I think he and I and most other Senators would find it acceptable.

I do not understand why we should find ourselves engulfed in the problem of the primary system, which can be changed from day to day and month to month by the Governor of a State. Conceivably, there can be a series of people being paid two, three, four, or five times for the same item, merely by taking out the primary system and putting it back again.

There will be a colossal impact not only on the Federal Treasury, but on the people whose livelihood is dependent on attracting customers by signs.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Is all time yielded back?

Mr. RANDOLPH. I yield back the remainder of my time.

Mr. DOMINICK. I yield back the rest of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado [Mr. DOMINICK] to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. FONG. Mr. President, I offer the amendment to the committee amendment which I send to the desk and ask to have read. The amendment is cosponsored by the distinguished Senator from California [Mr. MURPHY].

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The legislative clerk read as follows:

On page 13, between lines 17 and 18, insert the following:

"(l)(1) If any State is dissatisfied with the Secretary's final action with respect to withholding funds from such State under subsection (b) or subsection (b) of section 135 or granting approval under subsection (e), such State may appeal to any United States district court of the State. The summons and notice of appeal may be served at any place in the United States. The Secretary shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the United States court of appeals for the circuit in which the State is located and to the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254."

On page 13, line 18, strike out "(k)" and insert in lieu thereof "(l)".

Mr. MANSFIELD. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I yield.

Mr. MANSFIELD. I have discussed a proposal with the distinguished Senator from Hawaii and the distinguished Senator from Illinois, the minority leader, and with several other Senators who who were not engaged in speaking, and I now understand it is agreeable to the Senator from New Hampshire [Mr. COTTON].

I ask unanimous consent that there be a limitation of 10 minutes on the Fong amendment, 5 minutes to a side. It is my understanding from the Senator from Hawaii that if the amendment is not accepted, he intends to ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. FONG. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FONG. Mr. President, the amendment is simple. In a colloquy this afternoon, the distinguished Senator from West Virginia, when asked a question as to whether judicial review was provided so far as the sections of the bill are concerned, said he thought judicial review was inherent.

In examining the bill and in talking with members of the legal staff, I find that the bill contains no provision for judicial review.

The amendment would provide an opportunity for judicial review to aggrieved States, States from which funds had been withheld by the Secretary of Commerce under the advertising and junkyard provisions of the bill, and from which the Secretary of Commerce withheld approval under subsection (e) of the amendment relating to industrial and commercial areas which was adopted earlier today. Such States may file suit in any U.S. district court of the State. The findings of the Secretary of Commerce, if supported by substantial evidence, would be conclusive. The burden of proof would lie with the State. If the Secretary of Commerce proved to be capricious, arbitrary, or unreasonable in his action in withholding 10 percent of the funds, or in disapproving action of a State regarding advertising in commercial and industrial areas, the State may go into court.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. MUNDT. As I understand the amendment—and I think I shall support it wholeheartedly—it would subject the veto of the Secretary of Commerce to reconsideration or review by the courts, in much the same manner as a veto by the President is subject to reconsideration by Congress.

Mr. FONG. Yes; that is exactly the point. The Senator from South Dakota is correct.

The power which will be put in the hands of the Secretary of Commerce under this bill is a vast power. He could use it capriciously. He could use it unreasonably. He could use it arbitrarily. If he did, the State so aggrieved would be empowered to ask the court to review the Secretary's capriciousness, arbitrariness, and unreasonableness.

As I said, the burden of proof would still lie with the State. If the findings of the Secretary of Commerce were supported by substantial evidence, they would be conclusive.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. COTTON. I commend the Senator. His amendment is so important that if it is adopted, I can vote for the bill. If it is not adopted, it will be impossible for me to vote for the bill, because of the power that will be placed in one man, with no right of appeal.

Mr. FONG. I thank the distinguished Senator from New Hampshire.

Mr. RANDOLPH. Mr. President, I suggest the absence of a quorum. The time for the quorum call to be charged to the time under my control.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I believe that there is an inherent right of review in the bill. However, I am interested in the passage of this legislation, as is the Senator from Illinois and the Senator from Montana. Many other Senators have indicated that they can support this legislation if the amendment offered by the Senator from Hawaii is agreed to.

I believe that it is in the interest of good legislative process to accept the amendment, and I accept the amendment offered by the distinguished Senator from Hawaii.

Mr. FONG. Mr. President, I thank the distinguished Senator from West Virginia for accepting the amendment.

Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Hawaii to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to reconsider the vote by which the amendment of the Senator from Illinois (Mr. DIRKSEN) at the end of the bill was agreed to.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. I offer a substitute for the Dirksen amendment.

Mr. DIRKSEN. Mr. President, the amendment which was agreed to this afternoon would provide that all of the funds be paid out of the General Treasury. The general formula in the bill provides that 75 percent of the funds would be from Federal funds and 25 percent would come from the States.

Letting the amendment stand as is would create a conflict in the bill. I realized that at the time. I have no objection to reconsideration, and the Senator from West Virginia will then offer alternative language which would do what I want to have done and would make it conform to the basic provisions of the bill.

Mr. RANDOLPH. Mr. President, I am grateful for the comment of the Senator. I send to the desk my amendment and ask that it be read.

The PRESIDING OFFICER. The clerk will read the substitute for the Dirksen amendment.

The LEGISLATIVE CLERK. An amendment to the committee amendment is proposed by the Senator from West Virginia [Mr. RANDOLPH] as follows:

> SEC. 401. Nothing in this Act shall be construed to authorize private property to be taken or the reasonable and existing use restricted by such taking without just compensation as provided in this Act.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment for the Dirksen amendment.

Mr. LAUSCHE. Mr. President, would the amendment deal with the proportion of the contribution?

Mr. MANSFIELD. It would change it to 75 percent and 25 percent in accordance with the law.

Mr. DIRKSEN. My amendment would provide for a 100-percent contribution from the Federal Treasury. However, that is in conflict with the other provisions in the bill, which provide for a 75-25-percent contribution.

Mr. LAUSCHE. It would be 75 percent and 25 percent?

Mr. DIRKSEN. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment to the Dirksen amendment.

The substitute amendment to the Dirksen amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the Dirksen amendment as amended by the substitute offered by the Senator from West Virginia [Mr. RANDOLPH].

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute for the bill, as amended.

The committee amendment in the nature of a substitute for the bill, as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. COOPER. Mr. President, I yield 2 minutes on the bill to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I have been in public office some 50 years—in the State legislature, as Governor, and as a Member of the U.S. Senate. I have been dedicated to sound development and expansion of public roads during all of that period, and I hope I have made some contributions to it.

Of course, I am for beautification of highways and increasing their safety; and I have always been for proper and reasonable control of billboards which otherwise may be hazardous. I approve of the more obvious purposes of this bill.

But, I am concerned about the hidden evils and costs of the pending proposal—even with all of the amendments which have been adopted, and all of the promises which have been made.

I do not like the force aspects of the bill—which force States to adhere under penalty of having other highway funds, particularly for our primary system roads, withdrawn for any noncompliance with this Federal act. I did not like it when the penalty was withdrawal of 100 percent of the Federal aid funds. The repugnant force principle still remains under the 10-percent penalty in the bill as amended on the floor.

No one knows how much the bill will cost the Federal Government of the States. The lack of information is so great we adopted a research amendment to try to find out at some future date.

But it is crystal clear that to control and beautify hundreds of thousands of miles in our great primary system of highways—by buying up or cleaning up an eighth of a mile on either side of their existing rights-of-way—is going to cost more taxpayer dollars than anyone has dared to mention in consideration of this bill.

This is money that neither the Federal nor the State governments have for this purpose at this time. They are having difficulty financing construction of the roads themselves—and in this situation this bill would deprive States of road construction money if they do not comply with this bill which would spend State road money for other purposes.

The objectives may be desirable within reason—but I cannot vote for this proposal until more study has been given it and more sound financing has been provided.

Mr. MANSFIELD. Mr. President, under the bill, I yield 1 minute to the distinguished Senator from Kansas.

INCREASED ANNUITIES FROM CIVIL SERVICE DISABILITY AND RETIREMENT FUND

Mr. CARLSON. Mr. President, H.R. 8469, which provides for retirement annuities increase for our Federal employees passed the House on August 3, 1965.

This bill, with amendments, passed the Senate on September 8, 1965. On September 9, 1965, the House agreed to the Senate amendment.

The bill was then returned to the Senate for signature by the Vice President and forwarding to the White House.

Some of my friends who are vitally interested in this legislation have checked and found that it has not as yet arrived at the White House.

As a member of the Senate Committee on Post Office and Civil Service, I earnestly urge that this bill be sent to the White House for final approval. This is most important in order that our Federal retirees will be eligible to receive the increased annuities on December 1.

If the bill is not signed before October 1, the retirees will lose 1 month's benefits on payments as it will be effective after Jaunary 1, 1966, instead of 1965.

REMARKS BY THE PRESIDENT AT THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. CLARK. Mr. President, this morning, at the Washington World Conference on World Peace Through Law, the President of the United States delivered a perfectly splendid address on the general subject of peace, disarmament, and the rule of law.

I ask unanimous consent that a copy of this address may be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Remarks by the President at the Washington World Conference on World Peace Through Law, Washington Hilton Hotel, Washington, D.C.

I need not here reaffirm my Nation's continuing dedication to the rule of law. We will work to extend it to the relations between countries. For we believe that is the surest road to a fruitful and secure peace.

Therefore, we who seek a world of law must labor to understand the foundation on which law can rest. We must set to work to build it. For if the rule of law is an idea, the establishment of that rule is the practical work of practical men. We must not let the difficulties of this task lead us into the twin dangers of cynicism or unreasoning faith.

For the fact is that if law cannot yet solve the problems of a tormented earth, it is steadily growing in importance and in necessity.

The first condition of law is justice. That law which oppresses the weak, or denies the fair claims of the poor, will prove a flimsy barrier against the rising storm of man's demand for justice.

Law must not be the prisoner of plunder or privilege.

It is not the soothing keeper of the status quo. It is an instrument in the battle for the hopes of man. And if it is not fashioned as such an instrument—then no matter how beautifully and logically framed—it will yield to violence and terror.

If we, the fortunate of the earth, would ask other people to submit to law, then we ourselves must assume some responsibility for peoples' libery and peoples' well-being.

International law has been primarily concerned with relations between states. In pursuit of justice, it must now concern itself more than in the past with the welfare of people.

I look forward to the day when the relief of hunger and misery and ignorance—in all parts of the world—will be fixed in legal obligation—as it now is in my own country.

When our world law embodies the right of the despairing to hope, and the responsibility of the fortunate to help, then it will be strengthened a thousandfold in the cause of peace.

If world conditions were largely satisfactory it would not be difficult to evolve a rule of law. But we do not live in a satisfactory world. It is stained with evil and injustice, by ruthless ambition and passionate conflict. Only by fighting these forces we help build a base on which the temple of law may rest.

The second condition of law is institutions. Through them law receives meaning and force. And institutions themselves, through their own actions, help to make new law. The U.N. General Assembly has done this in peacekeeping.

The past 20 years have seen an abundant flowering of new international structures. From the Common Market and NATO, to the IBRD and the Asian Development Bank, order and legal process have been imposed upon spreading segments of the affairs of countries.

Some of these institutions have played a large role in the prosperity of the West and in keeping the peace.

Others contribute to the progress of the developing continents.

The United States has helped build many of these organizations. Their strength represents a victory for the cause you represent—a legal order contributing to the prosperity of each and the peace of all. My country intends to protect and strengthen those institutions, sharing the task with all who share our common purpose.

Central to the hope of world peace through law is the United Nations. Since its beginning, dozens of disputes, many laced with violence, have come before the world assembly. Some have remained unresolved. Many have found a settlement sufficient to allow mankind to move forward in peace. And in some places the United Nations was able to prevent conflict and bloodshed.

I hope we can strengthen the United Nations—not simply as a forum for debate—but as an arena for the solution of disputes.

That is why I have asked a great Justice of our Supreme Court, Arthur Goldberg, to become our Ambassador to the world body. The life of Ambassador Goldberg has been devoted to resolving disputes between those who at first believed that they could not yield one iota from their positions, and who came at last to sign a common agreement.

And my country will fully support the efforts of the Secretary General to bring peace between the great nations of India and Pakistan.

And perhaps in the United Nations—and with the patient effort of individual countries—we can also halt the terrible arms race which threatens to engulf the earth. Perhaps we can succeed through an effective treaty preventing the spread of nuclear weapons—through extending the test ban treaty—by obtaining an agreement halting production of fissionable material for use in nuclear weapons and allocating substantial portions of this material to peaceful uses—by agreeing to reverse the arms race in strategic nuclear weapons delivery vehicles—and by working toward general and complete disarmament under effective international controls which must be the world's goal.

The third condition of law is acceptance. World law—if it is to bring world order—must reflect the judgment and felt desires of men and nations. When law ignores this—as we have seen in our own history—it itself is ignored.

I think we may be evolving a world consensus on which law can stand. The mass of mankind is slowly realizing the dangers of conflict and the futility of war. They are accepting their responsibility to relieve their own poverty, and the misery of their fellow inhabitants of earth. They are finding—in knowledge and fear and pain—that their common interest lies in common acceptance of their own obligations and the rights of others.

We can see this in a hundred small ways. During the past year the United States was present at 629 international conferences. Since I have been President we have participated in more such conferences than during the first 150 years of our history.

Of course, the great issues and the great dangers are not resolved. In the past 12 months there is not a continent that has been spared violence. In the past 2,000 years there has hardly been a decade without war.

If this was all, the future would look dark indeed. But there is another and a brighter thread which runs through the history of the race: It is man's drive to create and to live in harmony with his fellows. This is what we call civilization.

Law is the great civilizing machinery. It liberates the desires to build and subdues the desire to destroy. And if war can tear us apart, law can unite us—out of fear or love or reason or all three.

World peace through world law will not come quickly. We must work, in a variety of ways, to create the vital conditions which may bring us to that day—to build the justice which forms it and the institutions which give it life—and to find the understanding acceptance which will make it work. This means we must be willing to accept small advances and limited goals. But the final objective is the largest and most elusive man has known: peace. Peace which is not simply the absence of conflict or even of fear—but the framework for the fulfillment of human possibility.

How can we dare hope for that which has always escaped mankind? Perhaps it is because our invention draws us together to the point where any war is civil war. Perhaps the vastness of our destructive power makes us shrink from conflict. And perhaps—under the horror and murder of this carnage-filled century—civilization has been slowly flowering—leading us toward victory in the endless battle between man's love for his fellow and his desire to destroy him.

Law is the greater human invention. All the rest give him mastery over his world. Law gives him mastery over himself.

There are those who say the rule of law is a fruitless and utopian dream. It is true that, if it comes, it will come slowly. It will come through the practical and wise resolution of numberless problems. But to deny the possibility is to deny peace itself and that flowering of the spirit which we must believe God meant for man.

I do not deny it.

I believe in it.

And so do you.

If others join us, then the time may yet come when you and your colleagues will be honored as pathfinders toward the final armistice in man's war against himself.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal aid highway systems.

Mr. MANSFIELD. Mr. President, I yield back all time on this side with the exception of one-half minute.

Mr. FONG. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time with the exception of one-half minute to make an inquiry of the distinguished majority leader concerning the program for tomorrow.

Mr. MANSFIELD. Mr. President, it is the intention—and I have discussed this with the distinguished minority leader—to lay before the Senate the immigration bill this evening. No business, of course, will be undertaken on that bill. It will be the pending business tomorrow. It is anticipated that a good part of the day will be taken up in explanations by Senators in favor of and those against the bill. It is also hoped that we shall be able to get some unobjected to items off the calendar.

On Monday, we shall continue with the immigration bill, if we do not finish it tomorrow. Then on Tuesday, or following the immigration bill, we shall take up the foreign aid appropriation.

Mr. DIRKSEN. Mr. President, I think I can assure the Senator from Montana now that with the objections that will be made on the immigration bill, it will take all of tomorrow, and that there will be no record vote.

Mr. President, if I may be so bold as to say it, I sincerely hope that our very distinguished majority leader can take a rest over this weekend, and probably a little longer than the weekend. I understand that there are 18 inches of snow at White Fish, Mont.

Mr. MANSFIELD. That is correct.

Mr. DIRKSEN. I think he is deeply concerned, as he should be. I hope that he can go home and stay a good many days, because we will carry on with the great efficiency for which we have been noted.

So I wish him well on the journey that he will make, because I know that due to the many demands and obligations of majority leadership in the Senate he has not been able to return as often or stay as long in his State of Montana as he would have liked. That is the penalty of leadership. I know his constituents will look forward to seeing him and that they fully appreciate the leadership duties which keep him in Washington more than he would otherwise choose.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal aid highway systems.

The PRESIDING OFFICER. All time having been yielded back, and the bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Wyoming [Mr. McGEE], and the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. HARTKE], the Senator from Wyoming [Mr. McGEE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Louisiana would vote "nay."

On this vote, the Senator from New Mexico [Mr. MONTOYA] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Nebraska would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. CURTIS] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS], the Senator from Texas [Mr. TOWER], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent by leave of the Senate.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Texas would vote "nay."

On this vote, the Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Iowa would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Delaware would vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Nebraska would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 63, nays 14, as follows:

[No. 265 Leg.]

YEAS—63

Aiken
Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Ervin
Fannin
Fong
Gore
Harris
Hart
Hayden
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Mondale
Morse
Morton
Moss
Murphy
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Smathers
Smith
Symington
Tydings
Williams, N.J.
Williams, Del.

NAYS—14

Allott
Byrd, Va.
Carlson
Eastland
Hickenlooper
Holland
Hruska
McClellan
Mundt
Pearson
Robertson
Simpson
Stennis
Thurmond

NOT VOTING—23

Anderson
Bennett
Boggs
Curtis
Ellender
Fulbright
Gruening
Hartke
Long, Mo.
McCarthy
McGee
Miller
Monroney
Montoya
Russell, Ga.
Saltonstall
Scott
Sparkman
Talmadge
Tower
Yarborough
Young, N. Dak.
Young, Ohio

So the bill (S. 2084) was passed, as follows:

S. 2084

An act to provide for scenic development and road beautification of the Federal-aid highway systems

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. Section 131 of title 23, United States Code, is revised to read as follows:

"§ 131. Control of outdoor advertising

"(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) Federal-aid highway funds payable on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be payable to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is thus withheld from any State shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

"(c) Effective control means that after January 1, 1968, such signs, displays, and devices shall, pursuant to this section, be limited to (1) directional and other official signs and notices which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this section, and (2) signs advertising the sale or lease of property upon which they are located or activities conducted on such property.

"(d) It is also provided that the Secretary shall, in consultation with the States, provide for an area at an appropriate distance from an interchange on the Interstate System, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards which are hereby authorized to be promulgated by the Secretary hereunder. Such national standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this subsection.

"(e) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays and devices whose size, lighting and spacing is to be determined by agreement between the several States and the Secretary, may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary: *Provided*, That nothing in this subsection shall apply to signs as defined in section 101(c)(2).

"(f) Notwithstanding any provision of this section, any sign, display, or device in existence on or before the effective date of this subsection, which does not conform to this section shall not be required to be removed until July 1, 1970, or until the end of the fifth year after it becomes nonconforming, whichever shall last occur.

"(g) Just compensation shall be paid upon the removal of outdoor advertising signs, displays, and devices, provided they were erected and maintained on the effective date of this subsection pursuant to agreement with the owner, or one claiming through the owner, of the real estate on which they are located, and Federal funds shall be used to pay 75 per centum of such compensation. Such compensation shall be paid for the following:

"(1) The taking from the owner of such signs, display, or device of all right, title, leasehold, and interest in the fixture; that is, such sign, display, or device at such location, as secured by the agreement in effect on the effective date of this subsection; and

"(2) The taking from the owner or leaseholder of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon, as secured by the agreement in effect on the effective date of this subsection.

"(h) All public lands or reservations which are adjacent to any portion of the Interstate System and the primary system shall be controlled in accordance with the provisions of this section and the national standards.

"(i) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secretary, a State may also establish information centers at safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as a State may consider desirable.

"(j) Any State highway department which has, under the law in effect on June 30, 1965, entered into an agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, but no such State highway department shall be entitled to such payments unless the State maintains the control required under such agreement or the control required by this section, whichever control is the stricter. Nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to signs, displays, and devices on the Federal-aid highway systems than those established under this section. Such payments shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as provided in this section.

"(k) For the purposes of this section effective control also means that notwithstanding the provisions of subsection (f), after January 1, 1968,

"(1) no sign or display promoting the Federal Government or any of its departments, agencies, programs, projects or expenditures shall be allowed if such sign or display is inconsistent with the purposes of this section, nor

"(2) shall the Federal Government erect or construct any sign or display promoting any of its departments, agencies, programs, projects or expenditures. The Secretary shall immediately request all States to remove as soon as practicable all signs and displays which will be in violation of this subsection after January 1, 1968.

"(l) (1) If any State is dissatisfied with the Secretary's final action with respect to withholding funds from such State under subsection (b) or subsection (b) of section 135 or granting approval under subsection (e), such State may appeal to any United States district court of the State. The summons and notice of appeal may be served at any place in the United States. The Secretary shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the United States Court of Appeals for the circuit in which the State is located and to the Supreme Court of the United States upon certiorari or certification as provided in title 28 United States Code, section 1254.

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, and not to exceed $20,000,000 for the fiscal year ending June 30, 1967."

TITLE II

SEC. 201. Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 135. Control of junkyards

"(a) The Congress hereby finds and declares that the establishment and maintenance of junkyards in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) Federal-aid highway funds payable on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the establishment, use, and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be payable to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is thus withheld from any State shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

"(c) Effective control means that by January 1, 1968, such junkyards shall be screened by natural objects, plantings, or fences or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

"(d) The term 'junk' shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, oddments, wastements, litter, leavings, castoffs, rummage, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

"(e) The term 'automobile graveyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicle or motor vehicle parts.

"(f) The term 'junkyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling such junk, or for the maintenance or operation of an automobile graveyard, and the term shall be construed to include garbage dumps and sanitary fills.

"(g) Notwithstanding any provision of this section, junkyards, auto graveyards and scrap metal processing facilities may be operated within areas adjacent to the Interstate System and the primary system which are zoned industrial under authority of State law, or which are not zoned under authority of State law, but are predominantly used for industrial activities.

"(h) Notwithstanding any provision of this section any junkyard in existence on or before the effective date of this section, which does not conform to the requirements of this section and which the Secretary finds as a practical matter cannot be screened, shall not be required to be removed until July 1, 1970.

"(i) Landscaping or screening costs under the provisions of this section shall be allocated in the following manner: the first $1,500 of such costs shall be assumed by the owner of the facility screened; all costs in excess of $1,500 shall be the Federal and State responsibility. Federal funds shall be used to pay 75 per centum of the costs of landscaping or screening under the provisions of this subsection.

"(j) If any junkyard or auto graveyard cannot be effectively screened under the provisions of this section, either by plantings or other means on the property line of the owner or between the property line and at a safe distance from the edge of the pavement, whichever is the more economical and effective, just compensation shall be paid the owner for the relocation, removal, or disposal of such facilities. Federal funds shall be used to pay 75 per centum of the costs of providing effective control by purchase or condemnation and relocation, removal, or disposal.

"(k) All public lands or reservations which are adjacent to any portion of the Interstate and primary systems shall be effectively controlled in accordance with the provisions of this section.

"(1) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, and not to exceed $20,000,000 for the fiscal year ending June 30, 1967."

SEC. 202. The table of sections of chapter 1, title 23, United States Code, is amended by adding at the end thereof the following:

"Sec. 135. Control of junkyards."

TITLE III

SEC. 301. Section 319 of title 23, United States Code, is revised to read as follows:

"§ 319. Landscaping and scenic enhancement

"(a) The Secretary may approve as a part of the construction of Federal-aid highways the costs of landscape and roadside development, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities reasonably necessary to accommodate the traveling public.

"(b) An amount equivalent to 3 per centum of the funds apportioned to a State for Federal-aid highways for any fiscal year shall be used for acquisition of interests in and improvement of strips of land necessary for the restoration, preservation, and enhancement of scenic beauty adjacent to such highways, without being matched by the State. The Secretary may authorize exceptions from this requirement, upon application of a State and upon a showing that such amount is in excess of the needs of the State for these purposes. Any funds not used as required by this subsection shall lapse.

"(c) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, and not to exceed $120,000,000 for the fiscal year ending June 30, 1967."

SEC. 302. In order to provide the basis for evaluating the continuing programs authorized by amendments made by this Act, and to furnish the Congress with the information necessary for authorization of appropriations beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of carrying out such programs, and shall submit such estimate to the Congress not later than January 10, 1967.

SEC. 303. There is authorized to be appropriated the sum of $500,000 to enable the Secretary of Commerce to carry out his functions under section 135 of title 23 of the United States Code relating to highway safety programs.

TITLE IV

SEC. 401. There is authorized to be appropriated out of the Treasury in addition to all other sums herein authorized the sum of $5,000,000 for expenditure by the Secretary of Commerce for research and development of methods, machinery, and processes for the destruction, conversion and disposition of scrapped, discarded automobiles, trucks and other motor vehicles. The results of such research and development shall be made available to all persons, firms and corporations without cost.

SEC. 402. Nothing in this Act shall be construed to authorize private property to be taken or the reasonable and existing use restricted by such taking without just compensation as provided in this Act.

Mr. RANDOLPH. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MUSKIE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to authorize the Secretary of the Senate, in the engrossment of the bill, to make any necessary technical corrections.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, the legislation which has just been enacted, will enhance the recreational and scenic values of the highways of America. This legislation was not only desired but was necessary. Senators responded with a vote of 63 to 14 for the bill, which indicates the overwhelming support of membership of the Senate for the President's beautification program. The Committee on Public Works and the Senate have worked effectively to preserve and develop the esthetic values of the American scene, while also protecting the rights of private property and keeping damage to individual businesses at an absolute.

I express my personal and official appreciation to Richard Royce, professional staff member of the Public Works Committee who has given such diligent and dedicated attention to this legislation from its inception. I could not have had a more capable member of any committee staff standing at my side than Dick Royce.

I also wish to thank Ron Linton, who is the Chief Clerk of the Committee on Public Works.

I also wish to add my thanks for the great work which was done by Bob Perrin, the administrative assistant to the distinguished chairman of the Committee on Public Works, the Senator from Michigan [Mr. MCNAMARA].

Also, let me thank my executive assistant, Jim Harris, for his capable and diligent labors in connection with the bill.

I thank all members of the staff of the Committee on Public Works, who contributed their valuable services during consideration and preparation of the measure.

I also express my appreciation to all members of the Subcommittee on Public Roads. It is difficult to name Senators individually, because members of this subcommittee gave earnest attention to the subject, even though they were concerned with other committees dealing with education, labor, and agriculture, which made it very difficult at times to give the painstaking effort which was required in the preparation of this legislation.

In connection with all the members of the subcommittee who assisted me, it is entirely appropriate that I speak especially of the efforts of the distinguished Senator from Maine [Mr. MUSKIE], who, in committee and on the floor of the Senate has been of constant and valued support. Other Senators who joined in presenting the points which they felt were most important to be stressed in the passage of this measure have been of great assistance.

I also thank the distinguished ranking member of the subcommittee and the full committee, the Senator from Kentucky [Mr. COOPER]. Even though we were in disagreement on many issues in connection with this legislation, it was a privilege to work with him, as always, because he is very careful in his attention to the details of any bill, and he is uniformly courteous. I am grateful for the cooperation he gave to the consideration of this legislation, including the administration's amendments which I have offered.

I also thank the majority leader, the Senator from Montana [Mr. MANSFIELD], and the minority leader, the Senator from Illinois [Mr. DIRKSEN], for their unfailing courtesies and assistance to me during the consideration of this legislation.

Mr. President, it is my hope that the House of Representatives will promptly consider this legislation. I believe that any differences between the House version, which I hope will pass very soon, and the Senate version, which has now passed, can be resolved, and that an effective instrumentality, which I believe we have drafted, can be sent to the President of the United States, who will, we know, quickly sign the measure into law.

Mr. MUSKIE. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am glad to yield to the Senator from Maine.

Mr. MUSKIE. Without desiring to prolong unduly the session this evening, I believe it should be stated that as one member of the subcommittee, in my judgment—and I am sure in the judgment of the rest of the subcommittee—the distinguished Senator from West Virginia [Mr. RANDOLPH], in handling this bill on the floor of the Senate, has accepted and survived with great credit one of the more difficult and frustrating assignments which I have seen assumed by any Senator in that capacity in some time. So he has to add to his credit not only the outstanding work which he performed in the committee, but also the great patience and wisdom which he has shown on the floor of the Senate, to say nothing of his fortitude in handling this difficult assignment.

I should like to add my personal commendation to the Senator from West Virginia.

Mr. RANDOLPH. I am grateful to the Senator from Maine for his kind comments.

Mr. MANSFIELD. Mr. President, the Federal aid highway system has been a boon to individual States and to the Nation as a whole. Indeed, few governmental programs have been more successful. Today, after long, hard work, we have crowned that success with a vital new dimension, a bill to provide for scenic development and road beautification of the Federal aid highway systems.

It is evident that passage of the bill would not have been accomplished without the devoted effort and the cooperation of a number of Members of this body. Special congratulations must be extended to the distinguished senior Senator from West Virginia [Mr. RANDOLPH], who so skillfully managed this bill. No one has doubted his expertise on matters involving this country's highway system. But, in addition, he has, by the capable management of this bill, demonstrated not only his appreciation for the existent as well as the potential beauty surrounding our highways but also his legislative management abilities. I commend the Senator from West Virginia for this demonstration of his parliamentary skill in the management of this bill.

It is abundantly clear that provision for scenic development and road beautification has not been a partisan affair. I can think of no one who has worked more assiduously and purposefully toward these goals than the distinguished ranking Republican member of the Senate Committee on Public Works, the able senior Senator from Kentucky [Mr. COOPER]. Time and time again on this bill he made notable contributions and suggestions. When he proposed amendments, both in committee and on the floor, other Senators quite appropriately took notice. I extend my personal thanks to him for lending his great talent and expertise to this measure and for his great constructive assistance and cooperation in facilitating the expeditious passage of this bill; my thanks are extended also to the Senate as a whole for the cooperation displayed in considering this bill.

I would be remiss if I did not mention other individuals who have consistently worked toward the goal of passage of a highway beautification bill. I refer especially to the very helpful and capable senior Senator from Michigan [Mr. MCNAMARA], the able chairman of the Senate Committee on Public Works, the junior Senator from Oregon [Mrs. NEUBERGER] who has often sponsored bills concerning road beautification, and to my distinguished colleague, the able junior Senator from Montana [Mr. METCALF], the distinguished junior Senator from Utah [Mr. MOSS], the distinguished Senators from Illinois [Mr. DOUGLAS and Mr. DIRKSEN], the distinguished junior Senator from Maine [Mr. MUSKIE], the distinguished junior Senator from California [Mr. MURPHY], the distinguished Senators from Hawaii [Mr. FONG and Mr. INOUYE], the distinguished junior Senator from Connecticut [Mr. RIBICOFF], the distinguished Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the distinguished senior Senator from New Hampshire [Mr. COTTON], the distinguished senior Senator from Delaware [Mr. WILLIAMS], and other Members of this body on both sides of the aisle, members and nonmembers of the Committee on Public Works, who have submitted and carefully argued for amendments or otherwise worked purposefully and diligently toward passage of a highway beautification bill.

I certainly feel that Senate passage of this bill is a significant landmark in this Nation's program of highway beautification.

Mr. President, let me take this time to express my deepest thanks to the distinguished Senator from Connecticut [Mr. DODD] for the patience he has shown today, in holding up a very important speech which he had intended to give earlier, in order to allow this bill to pass.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider Calendar No. 733, H.R. 2580.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That section 201 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) be amended to read as follows:

"SEC. 201. (a) Exclusive of special immigrants defined in section 101(a)(27), and of the immediate relatives of United States citizens specified in subsection (b) of this section, the number of aliens who may be issued immigrant visas or who may otherwise acquire the status of an alien lawfully admitted to the United States for permanent residence, or who may, pursuant to section 203(a)(7) enter conditionally, (i) shall not in any of the first three quarters of any fiscal year exceed a total of 45,000 and (ii) shall not in any fiscal year exceed a total of 170,000.

"(b) the 'immediate relatives' referred to in subsection (a) of this section shall mean the children, spouses, and parents of a citizen of the United States: *Provided*, That in the case of parents, such citizen must be at least twenty-one years of age. The immediate relatives specified in this subsection who are otherwise qualified for admission as immigrants shall be admitted as such, without regard to the numerical limitations in this Act.

"(c) During the period from July 1, 1965, through June 30, 1968, the annual quota of any quota area shall be the same as that which existed for that area on June 30, 1965. The Secretary of State shall, not later than on the sixtieth day immediately following the date of enactment of this subsection and again on or before September 1, 1966, and September 1, 1967, determine and proclaim the amount of quota numbers which remain unused at the end of the fiscal year ending on June 30, 1965, June 30, 1966, and June 30, 1967, respectively, and are available for distribution pursuant to subsection (d) of this section.

"(d) Quota numbers not issued or otherwise used during the previous fiscal year, as determined in accordance with subsection (c) hereof, shall be transferred to an immigration pool. Allocation of numbers from the pool and from national quotas shall not together exceed in any fiscal year the numerical limitations in subsection (a) of this section. The immigration pool shall be made available to immigrants otherwise admissible under the provisions of this Act who are unable to obtain prompt issuance of a preference visa due to oversubscription of their quotas, or subquotas as determined by the Secretary of State. Visas and conditional entries shall be allocated from the immigration pool within the percentage limitations and in the order of priority specified in section 203 without regard to the quota to which the alien is chargable.

"(e) The immigration pool and the quotas of quota areas shall terminate June 30, 1968. Thereafter immigrants admissible under the provisions of this Act who are subject to the numerical limitations of subsection (a) of this section shall be admitted in accordance with the percentage limitations and in the order of priority specified in section 203."

SEC. 2. Section 202 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1152) is amended to read as follows:

"(a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101(a)(27), section 201(b), and section 203: *Provided*, That the total number of immigrant visas and the number of conditional entries made available to natives of any single foreign state under paragraphs (1) through (8) of section 203(a) shall not exceed 20,000 in any fiscal year: *Provided further*, That the foregoing proviso shall not operate to reduce the number of immigrants who may be admitted under the quota of any quota area before June 30, 1968.

"(b) Each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than the United States and its outlying possessions shall be treated as a separate foreign state for the purposes of the numerical limitation set forth in the proviso to subsection (a) of this section when approved by the Secretary of State. All other inhabited lands shall be attributed to a foreign state specified by the Secretary of State. For the purposes of this Act the foreign state to which an immigrant is chargeable shall be determined by birth within such foreign state except that (1) an alien child, when accompanied by his alien parent or parents, may be charged to the same foreign state as the accompanying parent or of either accompanying parent if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of the child from the accompanying parent or parents, and if the foreign state to which such parent has been or would be chargeable has not exceeded the numerical limitation set forth in the proviso to subsection (a) of this section for that fiscal year; (2) if an alien is chargeable to a different foreign state from that of his accompanying spouse, the foreign state to which such alien is chargeable may, if necessary to prevent the separation of husband and wife, be determined by the foreign state of the accompanying spouse, if such spouse has received or would be qualified for an immigrant visa and if the foreign state to which such spouse has been or would be chargeable has not exceeded the numerical limitation set forth in the proviso to subsection (a) of this section for that fiscal year; (3) an alien born in the United States shall be considered as having been born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country then in the last foreign country in which he had his residence as determined by the consular officer; (4) an alien born within any foreign state in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth may be charged to the foreign state of either parent.

"(c) Any immigrant born in a colony or other component or dependent area of a foreign state unless a special immigrant as provided in section 101(a)(27) or an immediate relative of a United States citizen as specified in section 201(b), shall be chargeable, for the purpose of limitation set forth in section 202(a), to the foreign state, except that the number of persons born in any such colony or other component or dependent area overseas from the foreign state chargeable to the foreign state in any one fiscal year shall not exceed 1 per centum of the maximum number of immigrant visas available to such foreign state.

"(d) In the case of any change in the territorial limits of foreign states, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all diplomatic and consular offices."

SEC. 3. Section 203 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1153) is amended to read as follows:

"SEC. 203. (a) Aliens who are subject to the numerical limitations specified in section 201(a) shall be allotted visas or their conditional entry authorized, as the case may be, as follows:

"(1) Visas shall be first made available, in a number not to exceed 20 per centum of the number specified in section 201(a)(ii), to qualified immigrants who are the unmarried sons or daughters of citizens of the United States.

"(2) Visas shall next be made available, in a number not to exceed 20 per centum of the number specified in section 201(a)(ii), plus any visas not required for the classes specified in paragraph (1), to qualified immigrants who are the spouses, unmarried sons or unmarried daughters of an alien lawfully admitted for permanent residence.

"(3) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(ii), to qualified immigrants who are members of the professions, or who because of their exceptional ability in the sciences or the arts will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States.

"(4) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(ii), plus any visas not required for the classes specified in paragraphs (1) through (3), to qualified immigrants who are the married sons or the married daughters of citizens of the United States.

"(5) Visas shall next be made available, in a number not to exceed 24 per centum of the number specified in section 201(a)(ii), plus any visas not required for the classes specified in paragraphs (1) through (4), to qualified immigrants who are the brothers or sisters of citizens of the United States.

"(6) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(ii), to qualified immigrants who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States.

"(7) Conditional entries shall next be made available by the Attorney General, pursuant to such regulations as he may prescribe and in a number not to exceed 6 per centum of the number specified in section 201(a)(ii), to aliens who satisfy an Immigration and Naturalization Service officer at an examinaiton in any non-Communist or non-Communist-dominated country, (A) that (i) because of persecution or fear of persecution on account of race, religion, or political opinion they have fled (I) from any Communist or Communist-dominated country or area, or (II) from any country within the general area of the Middle East, and (ii) are unable or unwilling to return to such country or area on account of race, religion, or political opinion, and (iii) are not nationals of the countries or areas in which their application for conditional entry is made; or (B) that they are persons uprooted by catastrophic natural calamity as defined by the President who are unable to return to their usual place of abode. For the purpose of the foregoing the term 'general area of the Middle East' means the area between and including (1) Libya on the west, (2) Turkey on the north, (3) Pakistan on the east, and (4) Saudi Arabia and Ethiopia on the south: *Provided*, That immigrant visas in a number not exceeding one-half the number specified in this paragraph may be made available, in lieu of conditional entries of a like number, to such aliens who have been continuously physically present in the United States for a period of at least two years prior to application for adjustment of status.

"(8) Visas authorized in any fiscal year, less those required for issuance to the classes specified in paragraphs (1) through (6) and less the number of conditional entries and visas made available pursuant to paragraph (7), shall be made available to other qualified immigrants strictly in the chronological order in which they qualify. Waiting lists of applicants shall be maintained in accordance with regulations prescribed by the Secretary of State. No immigrant visa shall be issued to a nonpreference immigrant under this paragraph, or to an immigrant with a preference under paragraph (3) or (6) of this subsection, until the consular officer is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14).

"(9) A spouse or child as defined in section 101(b)(1) (A), (B), (C), (D), or (E) shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa or to conditional entry under paragraphs (1) through (8), be entitled to the same status, and the same order of consideration provided in subsection (b), if accompanying, or following to join, his spouse or parent.

"(b) In considering applications for immigrant visas under subsection (a) consideration shall be given to applicants in the order in which the classes of which they are members are listed in subsection (a).

"(c) Immigrant visas issued pursuant to paragraphs (1) through (6) of subsection (a) shall be issued to eligible immigrants in the order in which a petition in behalf of each such immigrant is filed with the Attorney General as provided in section 204.

"(d) Every immigrant shall be presumed to be a nonpreference immigrant until he establishes to the satisfaction of the consular officer and the immigration officer that he is entitled to a preference status under paragraphs (1) through (7) of subsection (a), or to a special immigrant status under section 101(a)(27), or that he is an immediate relative of a United States citizen as specified in section 201(b). In the case of any alien claiming in his application for an immigrant visa to be an immediate relative of a United States citizen as specified in section 201(b) or to be entitled to preference immigrant status under paragraphs (1) through (6) of subsection (a), the consular officer shall not grant such status until he has been authorized to do so as provided by section 204.

"(e) For the purposes of carrying out his responsibilities in the orderly administration of this section, the Secretary of State is authorized to make reasonable estimates of the anticipated numbers of visas to be issued during any quarter of any fiscal year within each of the categories of subsection (a), and to rely upon such estimates in authorizing the issuance of such visas. The Secretary of State, in his discretion, may terminate the registration on a waiting list of any alien who fails to evidence his continued intention to apply for a visa in such manner as may be by regulation prescribed.

"(f) The Attorney General shall submit to the Congress a report containing complete and detailed statement of facts in the case of each alien who conditionally entered the United States pursuant to subsection (a)(7) of this section. Such reports shall be submitted on or before January 15 and June 15 of each year.

"(g) Any alien who conditionally entered the United States as a refugee, pursuant to subsection (a)(7) of this section, whose conditional entry has not been terminated by the Attorney General pursuant to such regulations as he may prescribe, who has been in the United States for at least two years, and who has not acquired permanent residence, shall forthwith return or be returned to the custody of the Immigration and Naturalization Service and shall thereupon be inspected and examined for admission into the United States, and his case dealt with in accordance with the provisions of sections 235, 236, and 237 of this Act.

"(h) Any alien who, pursuant to subsection (g) of this section, is found, upon inspection by the immigration officer or after hearing before a special inquiry officer, to be admissible as an immigrant under this Act at the time of his inspection and examination, except for the fact that he was not and is not in possession of the documents required by section 212(a)(20), shall be regarded as lawfully admitted to the United States for permanent residence as of the date of his arrival."

SEC. 4. Section 204 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1154) is amended to read as follows:

"SEC. 204. (a) Any citizen of the United States claiming that an alien is entitled to a preference status by reason of the relationships described in paragraphs (1), (4), or (5) of section 203(a), or to an immediate relative status under section 201(b), or any alien lawfully admitted for permanent residence claiming that an alien is entitled to a preference status by reason of the relationship described in section 203(a)(2), or any alien desiring to be classified as a preference immigrant under section 203(a)(3) (or any person on behalf of such an alien), or any person desiring and intending to employ within the United States an alien entitled to classification as a preference immigrant under section 203(a)(6), may file a petition with the Attorney General for such classification. The petition shall be in such form as the Attorney General may by regulations prescribe and shall contain such information and be supported by such documentary evidence as the Attorney General may require. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by a consular officer.

"(b) After an investigation of the facts in each case, and after consultation with the Secretary of Labor with respect to petitions to accord a status under section 203(a)(3) or (6), the Attorney General shall, if he determines that the facts stated in the petition are true and that the alien in behalf of whom the petition is made is an immediate relative specified in section 210(b) or is eligible for a preference status under section 203(a), approve the petition and forward one copy thereof to the Department of State. The Secretary of State shall then authorize the consular officer concerned to grant the preference status.

"(c) Notwithstanding the provisions of subsection (b) no more than two petitions may be approved for one petitioner in behalf of a child as defined in section 101(b)(1) (E) or (F) unless necessary to prevent the separation of brothers and sisters and no petition shall be approved if the alien has previously been accorded a nonquota or preference status as the spouse of a citizen of the United States or the spouse of an alien lawfully admitted for permanent residence, by reason of a marriage determined by the Attorney General to have been entered into for the purpose of evading the immigration laws.

"(d) The Attorney General shall forward to the Congress a report on each approved petition for immigrant status under sections 203(a)(3) or 203(a)(6) stating the basis for his approval and such facts as were by him deemed to be pertinent in establishing the beneficiary's qualifications for the preferential status. Such reports shall be submitted to the Congress on the first and fifteenth day of each calendar month in which the Congress is in session.

"(e) Nothing in this section shall be construed to entitle an immigrant, in behalf of whom a petition under this section is approved, to enter the United States as a preference immigrant under section 203(a) or as an immediate relative under section 201 (b) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification."

Sec. 5. Section 205 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1155) is amended to read as follows:

"Sec. 205. The Attorney General may, at any time, for what he deems to be good and sufficient cause, revoke the approval of any petition approved by him under section 204. Such revocation shall be effective as of the date of approval of any such petition. In no case, however, shall such revocation have effect unless there is mailed to the petitioner's last known address a notice of the revocation and unless notice of the revocation is communicated through the Secretary of State to the beneficiary of the petition before such beneficiary commences his journey to the United States. If notice of revocation is not so given, and the beneficiary applies for admission to the United States, his admissibility shall be determined in the manner provided for by sections 235 and 236."

Sec. 6. Section 206 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1156) is amended to read as follows:

"Sec. 206. If an immigrant having an immigrant visa is excluded from admission to the United States and deported, or does not apply for admission before the expiration of the validity of his visa, or if an alien having an immigrant visa issued to him as a preference immigrant is found not to be a preference immigrant, an immigrant visa or a preference immigrant visa, as the case may be, may be issued in lieu thereof to another qualified alien."

Sec. 7. Section 207 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1157) is stricken.

Sec. 8. Section 101 of the Immigration and Nationality Act (66 Stat. 166; 8 U.S.C. 1101) is amended as follows:

(a) Paragraph (27) of subsection (a) is amended to read as follows:

"(27) The term 'special immigrant' means—

"(A) an immigrant who was born in any independent foreign country of the Western Hemisphere or in the Canal Zone and the spouse and children of any such immigrant, if accompanying, or following to join him: *Provided*, That no immigrant visa shall be issued pursuant to this clause until the consular officer is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14);

"(B) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

"(C) an immigrant who was a citizen of the United States and may, under section 324(a) or 327 of title III, apply for reacquisition of citizenship;

"(D)(i) an immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of carrying on the vocation of minister of a religious denomination, and whose services are needed by such religious denomination having a bona fide organization in the United States; and (ii) the spouse or the child of any such immigrant, if accompanying or following to join him; or

"(E) an immigrant who is is an employee, or an honorably retired former employee, of the United States Government abroad, and who has performed faithful service for a total of fifteen years, or more, and his accompanying spouse and children: *Provided*, That the principal officer of a Foreign Service establishment, in his discretion, shall have recommended the granting of special immigrant status to such alien in exceptional circumstances and the Secretary of State approves such recommendation and finds that it is in the national interest to grant such status."

(b) Paragraph (32) of subsection (a) is amended to read as follows:

"(32) The term 'profession' shall include but not be limited to architects, engineers, lawyers, physicians, surgeons, and teachers in elementary or secondary schools, colleges, academies, or seminaries."

(c) Subparagraph (1)(F) of subsection (b) is amended to read as follows:

"(F) a child, under the age of fourteen at the time a petition is filed in his behalf to accord a classification as an immediate relative under section 201(b), who is an orphan because of the death or disappearance of, abandonment or desertion by, or separation or loss from, both parents, or for whom the sole or surviving parent is incapable of providing the proper care which will be provided the child if admitted to the United States and who has in writing irrevocably released the child for emigration and adoption; who has been adopted abroad by a United States citizen and his spouse who personally saw and observed the child prior to or during the adoption proceedings; or who is coming to the United States for adoption by a United States citizen and spouse who have complied with the preadoption requirements, if any, of the child's proposed residence: *Provided*, That no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act."

Sec. 9. Section 211 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1181) is amended to read as follows:

"Sec. 211. (a) Except as provided in subsection (b) no immigrant shall be admitted into the United States unless at the time of application for admission he (1) has a valid unexpired immigrant visa or was born subsequent to the issuance of such visa of the accompanying parent, and (2) presents a valid unexpired passport or other suitable travel document, or document of identity and nationality, if such document is required under the regulations issued by the Attorney General. With respect to immigrants to be admitted under quotas of quota areas prior to June 30, 1968, no immigrant visa shall be deemed valid unless the immigrant is properly chargeable to the quota area under the quota of which the visa is issued.

"(b) Notwithstanding the provisions of section 212(a)(20) of this Act in such cases or in such classes of cases and under such conditions as may be by regulations prescribed, returning resident immigrants, defined in section 101(a)(27)(B), who are otherwise admissible may be readmitted to the United States by the Attorney General in his discretion without being required to obtain a passport, immigrant visa, reentry permit or other documentation."

Sec. 10. Section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182) is amended as follows:

(a) Paragraph (14) is amended to read as follows:

"Aliens seeking to enter the United States, for the purpose of performing skilled or unskilled labor, unless the Secretary of Labor has determined and certified to the Secretary of State and to the Attorney General that (A) there are not sufficient workers in the United States who are able, willing, qualified, and available at the time of application for a visa and admission to the United States and at the place to which the alien is destined to perform such skilled or unskilled labor, and (B) the employment of such alieus will not adversely affect the wages and working conditions of the workers in the United States similarly employed. The exclusion of aliens under this paragraph shall apply to special immigrants defined in section 101 (a)(27)(A) (other than the parents, spouses, or children of United States citizens or of aliens lawfully admitted to the United States for permanent residence), to preference immigrant aliens described in section 203(a) (3) and (6), and to nonpreference immigrant aliens described in section 203(a)(8);".

(b) Paragraph (20) is amended by deleting the letter "(e)" and substituting therefor the letter "(a)".

(c) Paragraph (21) is amended by deleting the word "quota".

(d) Paragraph (24) is amended by deleting the language within the parentheses and substituting therefor the following: "other than aliens described in section 101(a)(27) (A) and (B)."

Sec. 11. The Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) is amended as follows:

(a) Section 221(a) is amended by deleting the words "the particular nonquota category in which the immigrant is classified, if a nonquota immigrant," and substituting in lieu thereof the words "the preference, nonpreference, immediate relative, or special immigration classification to which the alien is charged."

(b) The fourth sentence of subsection 221 (c) is amended by deleting the word "quota" preceding the word "number;" the word "quota" preceding the word "year;" and the words "a quota" preceding the word "immigrant," and substituting in lieu thereof the word "an".

(c) Section 222(a) is amended by deleting the words "preference quota or a nonquota immigrant" and substituting in lieu thereof the words "an immediate relative within the meaning of section 201(b) or a preference or special immigrant".

(d) Section 224 is amended to read as follows: "A consular officer may, subject to the limitations provided in section 221, issue an immigrant visa to a special immigrant or immediate relative as such upon satisfactory proof, under regulations prescribed under this Act, that the applicant is entitled to special immigrant or immediate relative status."

(e) Section 241(a)(10) is amended by substituting for the words "Section 101(a) (27)(C)" the words "Section 101(a)(27)(A)".

(f) Section 243(h) is amended by striking out "physical persecution" and inserting in lieu thereof "persecution on account of race, religion, or political opinion".

Sec. 12. Section 244 of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254) is amended as follows:

(a) Subsection (d) is amended to read:

"(d) Upon the cancellation of deportation in the case of any alien under this section, the Attorney General shall record the alien's lawful admission for permanent residence as of the date the cancellation of deportation of such alien is made, and unless the alien is entitled to a special immigrant classification under section 101(a)(27)(A), or is an immediate relative within the meaning of section 201(b) the Secretary of State shall reduce by one the number of nonpreference immigrant visas authorized to be issued under section 203(a)(8) for the fiscal year then current."

(b) Subsection (f) is amended by deleting "entered the United States as a crewman; or (2)" and by changing "(3)" wherever it appears in said subsection to "(2)".

Sec. 13. Section 245 of the Immigration and Nationality Act (66 Stat. 217; 8 U.S.C. 1255) is amended as follows:

(a) Subsection (b) is amended to read:

"(b) Upon the approval of an application for adjustment made under subsection (a), the Attorney General shall record the alien's lawful admission for permanent residence as of the date the order of the Attorney General approving the application for the adjustment of status is made, and the Secretary of State shall reduce by one the number of the preference or nonpreference visas authorized to be issued under section 203(a) within the class to which the alien is chargeable, for the fiscal year then current."

(b) Subsection (c) is amended to read:

"(c) The provisions of this section shall not be applicable to any alien who is a native of any country of the Western Hemisphere or of any adjacent island named in section 101(b)(5), other than any such alien born in an independent foreign country of the Western Hemisphere, who, because of persecution or fear of persecution on account of race, religion, or political opinion, is out of his usual place of abode and unable to return thereto."

Sec. 14. Section 281 of the Immigration and Nationality Act (66 Stat. 230; 8 U.S.C. 1351) is amended as follows:

(a) Immediately after "Sec. 281." insert "(a)";

(b) Paragraph (6) is amended to read as follows:

"(6) For filing with the Attorney General of each petition under section 204 and section 214(c), $10; and";

(c) The following is inserted after paragraph (7), and is designated subsection (b):

"(b) The time and manner of payment of the fees specified in paragraphs (1) and (2) of subsection (a) of this section, including but not limited to partial deposit or prepayment at the time of registration, shall be prescribed by the Secretary of State."; and

(d) The paragraph beginning with the words "The fees * * *" is designated subsection (c).

Sec. 15. (a) Paragraph (1) of section 212 (a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182(a)(1)) is amended by deleting the language "feebleminded" and inserting the language "mentally retarded" in its place.

(b) Paragraph (4) of section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182(a)(4)) is amended by deleting the word "epilepsy" and substituting the words "or sexual deviation".

(c) Sections 212 (f), (g), and (h) of the Immigration and Nationality Act, as added by the Act of September 26, 1961 (75 Stat. 654, 655; 8 U.S.C. 1182), are hereby redesignated sections 212 (g), (h), and (i), respectively, and section 212(g) as so redesignated is amended by inserting before the words "afflicted with tuberculosis in any form" the following: "who is excludable from the United States under paragraph (1) of subsection (a) of this section, or any alien" and by adding at the end of such subsection the following sentence: "Any alien excludable under paragraph (3) of subsection (a) of this section because of past history of mental illness who has one of the same family relationships as are prescribed in this subsection for aliens afflicted with tuberculosis and whom the Surgeon General of the United States Public Health Service finds to have been free of such mental illness for a period of time sufficient in the light of such history to demonstrate recovery shall be eligible for a visa in accordance with the terms of this subsection."

Sec. 16. Sections 1, 2, and 11 of the Act of July 14, 1960 (74 Stat. 504–505), as amended by section 6 of the Act of June 28, 1962 (76 Stat. 124), are repealed.

Sec. 17. Section 221(g) of the Immigration and Nationality Act (66 Stat. 192; 8 U.S.C. 1201(g)) is amended by deleting the period at the end thereof and adding the following: ": *Provided further,* That a visa may be issued to an alien defined in section 101(a) (15)(B) or an alien defined in section 101 (a)(15)(F), in whose behalf evidence has been submitted that he will be admitted and regularly enrolled as a student at an educational institution within the United States approved by the Attorney General, if such alien is otherwise entitled to receive a visa, upon receipt of a notice by the consular officer from the Attorney General of the giving of a bond with sufficient surety in such sum and containing such conditions as the consular officer shall prescribe, to insure that at the expiration of the time for which such alien has been admitted by the Attorney General, as provided in section 214(a), or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under section 248 of the Act, such alien will depart from the United States."

Sec. 18. So much of section 272(a) of the Immigration and Nationality Act (66 Stat. 226; 8 U.S.C. 1322(a)) as precedes the words "shall pay to the collector of customs" is amended to read as follows:

"Sec. 272. (a) Any person who shall bring to the United States an alien (other than an alien crewman) who is (1) mentally retarded, (2) insane, (3) afflicted with psychopathic personality, or with sexual deviation, (4) a chronic alcoholic, (5) afflicted with any dangerous contagious disease, or (6) a narcotic drug addict,".

Sec. 19. Section 249 of the Immigration and Nationality Act (66 Stat. 219; 8 U.S.C. 1259) is amended by striking out "June 28, 1940" in clause (a) of such section and inserting in lieu thereof "June 28, 1958".

Sec. 20. This Act shall become effective on the first day of the first month after the expiration of thirty days following the date of its enactment except as provided herein.

Sec. 21. (a) There is hereby established a Select Commission on Western Hemisphere Immigration (hereinafter referred to as the "Commission") to be composed of fifteen members. The President shall appoint the Chairman of the Commission and eight other members thereof. The President of the Senate, with the approval of the majority and minority leaders of the Senate, shall appoint three members from the membership of the Senate. The Speaker of the House of Representatives, with the approval of the majority and minority leaders of the House, shall appoint three members from the membership of the House. A vacancy in the membership of the Commission shall be filled in the same manner as the original designation and appointment.

(b) The Commission shall study the following matters:

(1) Prevailing and projected demographic, technological, and economic trends, particularly as they pertain to Western Hemisphere nations;

(2) Present and projected unemployment in the United States, by occupations, industries, geographic areas and other factors, in relation to immigration from the Western Hemisphere;

(3) The interrelationships between immigration, present and future, and existing and contemplated national and international programs and projects of Western Hemisphere nations, including programs and projects for economic and social development;

(4) The operation of the immigration laws of the United States as they pertain to Western Hemisphere nations, with emphasis on the adequacy of such laws from the standpoint of fairness and from the standpoint of the impact of such laws on employment and working conditions within the United States;

(5) The implications of the foregoing with respect to the security and international relations of Western Hemisphere nations; and

(6) Any other matters which the Commission believes to be germane to the purposes for which it was established.

(c) On or before July 1, 1967, the Commission shall make a first report to the President and the Congress, and on or before January 15, 1968, the Commission shall make a final report to the President and the Congress. Such reports shall include the recommendations of the Commission as to what changes, if any, are needed in the immigration laws in the light of its study. The Commission's recommendations shall include, but shall not be limited to, recommendations as to whether, and if so how, numerical limitations should be imposed upon immigration to the United States from the nations of the Western Hemisphere. In formulating its recommendations on the latter subject, the Commission shall give particular attention to the impact of such immigration on employment and working conditions within the United States and to the necessity of preserving the special relationship of the United States with its sister Republics of the Western Hemisphere.

(d) The life of the Commission shall expire upon the filing of its final report, except that the Commission may continue to function for up to sixty days thereafter for the purpose of winding up its affairs.

(e) Unless legislation inconsistent herewith is enacted on or before June 30, 1968, in response to recommendations of the Commission or otherwise, the number of special immigrants within the meaning of section 101(a)(27)(A) of the Immigration and Nationality Act, as amended, exclusive of special immigrants who are immediate relatives of United States citizens as described in section 201(b) of that Act, shall not, in the fiscal year beginning July 1, 1968, or in any fiscal year thereafter, exceed a total of 120,000.

(f) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its duties.

(g) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $100 for each day spent in the work of the Commission, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses, when away from his usual place of residence, in accordance with section 5 of the Administrative Expenses Act of 1946, as amended. Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses, when away from his usual place of residence, in accordance with the Administrative Expenses Act of 1946, as amended.

(h) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this section.

Sec. 22. (a) The designation of chapter 1, title II, is amended to read as follows: "Chapter 1—Selection System".

(b) The title preceding section 201 is amended to read as follows: "NUMERICAL LIMITATIONS".

(c) The title preceding section 202 is amended to read as follows: "NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE".

(d) The title preceding section 203 is amended to read as follows: "ALLOCATION OF IMMIGRANT VISAS".

(e) The title preceding section 204 is amended to read as follows: "PROCEDURE FOR GRANTING IMMIGRANT STATUS".

(f) The title preceding section 205 is amended to read as follows: "REVOCATION OF APPROVAL OF PETITIONS".

(g) The title preceding section 206 is amended to read as follows: "UNUSED IMMIGRANT VISAS".

(h) The title preceding section 207 is repealed.

(i) The title preceding section 224 of chapter 3, title II, is amended to read as follows: "IMMEDIATE RELATIVE AND SPECIAL IMMIGRANT VISAS".

(j) The title preceding section 249 is amended to read as follows: "RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JULY 1, 1924, OR JUNE 28, 1958".

SEC. 23. (a) The table of contents (Title II—Immigration, chapter 1) of the Immigration and Nationality Act, is amended to read as follows:

"CHAPTER 1—SELECTION SYSTEM

"Sec. 201. Numerical limitations.
"Sec. 202. Numerical limitation to any single foreign state.
"Sec. 203. Allocation of immigrant visas.
"Sec. 204. Procedure for granting immigrant status.
"Sec. 205. Revocation of approval of petitions.
"Sec. 206. Unused immigrant visas."

(b) The table of contents (Title II—Immigration, chapter 3) of the Immigration and Nationality Act, is amended by changing the designation of section 224 to read as follows:

"Sec. 224. Immediate relative and special immigrant visas."

(c) The table of contents (Title II—Immigration, chapter 5) of the Immigration and Nationality Act is amended by changing the designation of section 249 to read as follows:

"Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to July 1, 1924, or June 28, 1958."

SEC. 24. Paragraph (6) of section 101(b) is repealed.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business for the day, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS ON OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, as of June 30, 1965 (with accompanying reports); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Executive Secretary, Department of the Army, transmitting, pursuant to law, a report on Department of the Army research and development contracts, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

STATISTICAL SUPPLEMENT, STOCKPILE REPORT

A letter from the Deputy Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a statistical supplement, stockpile report, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

REPORT ON FEDERAL CONTRIBUTIONS—PERSONNEL AND ADMINISTRATION

A letter from the Director of Civil Defense, Office of the Secretary of the Army, transmitting, pursuant to law, a report on Federal contributions—personnel and administration, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF SMALL BUSINESS ACT

A letter from the Executive Administrator, Small Business Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Small Business Act (with accompanying papers); to the Committee on Banking and Currency.

REPORT ON FEDERAL AID IN FISH AND WILDLIFE RESTORATION

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on Federal aid in fish and wildlife restoration, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

REPORT ON COMMISSARY ACTIVITIES OUTSIDE THE CONTINENTAL UNITED STATES

A letter from the Assistant Secretary of Commerce, reporting, pursuant to law, that Department conducted no commissary activities outside the continental United States, during the fiscal year 1965; to the Committee on Commerce.

REPORT ON TORT CLAIMS PAID BY THE DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY THE DEPARTMENT OF THE INTERIOR

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1964 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Tucson-Pima County Central Trades, favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

A resolution adopted by the House of Delegates of the American Bar Association, favoring the enactment of Senate bill 1666, for the creation of additional judgeships in the U.S. courts of appeals; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 2070. A bill to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City (Rept. No. 749).

By Mr. ERVIN, from the Committee on the Judiciary, with an amendment:

S. 1357. A bill to revise existing bail practices in courts of the United States, and for other purposes (Rept. No. 750).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States", and for other purposes (Rept. No. 752).

By Mrs. NEUBERGER, from the Committee on Commerce, with amendments:

S. 774. A bill to provide that the Department of Commerce shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures (Rept. No. 751).

SETTLEMENT OF DISPUTES INVOLVING AMATEUR ATHLETICS—REPORT OF A COMMITTEE (S. REPT. NO. 753)

Mr. MAGNUSON, from the Committee on Commerce, reported an original resolution (S. Res. 147) providing for the settlement of disputes involving amateur athletics, and submitted a report thereon; which report was ordered to be printed, and the resolution to be placed on the calendar, as follows:

S. RES. 147

Whereas disputes have existed for many years between the Amateur Athletic Union of the United States, the National Collegiate Athletic Association, other amateur athletic organizations, and their affiliates or associates; and

Whereas these disputes have discouraged the full development of amateur athletics in the United States and the maximum performance by athletes representing the United States in international competition; and

Whereas the parties have not been able to resolve their differences through their own efforts or through previous arbitration efforts; and

Whereas it is necessary and desirable for the United States to maintain a vigorous amateur athletic program that will field the best possible teams in domestic and international competition, will protect and provide for the welfare of the individual amateur athlete, will achieve the broadest possible participation by amateur athletes in competitive sports, and will maintain a harmonious and cooperative relationship among all amateur athletic organizations; and

Whereas it is essential that means be provided whereby such disputes can be equitably and finally resolved: Now, therefore, be it

Resolved, That the President of the Senate is hereby authorized to appoint an independent board of arbitration composed of five members, one of whom he shall designate as Chairman, for the purpose of considering disputes relating to the conduct, development, and protection of amateur athletics, which are submitted to it by the parties to such disputes, and rendering decisions determining such disputes which shall be consistent with the purposes of this resolution and shall be final and binding on such parties.

Sec. 2. In the consideration of disputes submitted to the Board appointed under this resolution the members of such Board should consider and determine all relevant facts and issues necessary to the attainment of the goals set out in the preamble to this resolution.

Sec. 3. Until such time as the Board appointed pursuant to this resolution renders its decision in the current dispute between the Amateur Athletic Union of the United States and the National Collegiate Athletic Association, the interested and affected parties should be governed by the following principles:

(a) An immediate and general amnesty shall be granted to all individuals, institutions, and organizations affected by this dispute in any amateur sport.

(b) Any disciplinary action proposed or pending against individuals, institutions, and organizations for reasons related to such dispute shall be vacated.

(c) Any discrimination against the full use of all available facilities for scheduled meets and tournaments shall be discontinued.

(d) Any restraints against participation by any athlete in scheduled meets and tournaments shall be discontinued.

Sec. 4. The Board appointed pursuant to this resolution shall report to the Senate not later than February 15, 1966, and from time to time thereafter as it may deem necessary, with respect to its activities under this resolution.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL:

S. 2539. A bill to authorize the Secretary of the Interior to construct, operate and maintain the San Felipe division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself and Mr. Murphy):

S. 2540. A bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. CANNON:

S. 2541. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 2542. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

TO REQUEST THE PRESIDENT TO TRANSMIT TO THE SENATE COMMITTEE ON FOREIGN RELATIONS A REPORT ON EAST-WEST TRADE

Mr. JAVITS (for himself and Mr. Dodd) submitted a concurrent resolution (S. Con. Res. 60) to request the President to transmit to the Senate Committee on Foreign Relations a report on East-West trade, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

RESOLUTION

SETTLEMENT OF DISPUTES INVOLVING AMATEUR ATHLETICS

Mr. MAGNUSON, from the Committee on Commerce reported an original resolution (S. Res. 147) providing for the settlement of disputes involving amateur athletics, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Magnuson, which appears under the heading "Reports of Committees".)

SAN FELIPE DIVISION, CENTRAL VALLEY PROJECT

Mr. KUCHEL. Mr. President, I introduce, for appropriate reference, a bill to authorize the San Felipe division of the Central Valley project in the State of California.

The San Felipe division is estimated to cost approximately $98 million and has the extremely high benefit-to-cost ratio of 3.15 to 1. Being an integral part of the Central Valley project, all of the costs and a considerable surplus will be repaid into the United States Treasury within 50 years from the date that construction is completed.

The project is designed to help meet the water needs of a burgeoning population in the Santa Clara Valley in Santa Clara and San Benito Counties, and the lower Pajaro River basin in Santa Cruz and Monterey Counties, in my State. The area involved contains some 448,000 acres and a present population of approximately 1 million people. It is estimated that by the year 2020 there will be a metropolitan population of over 2,500,000.

Agriculture and suburban demands have far exceeded the local water supplies and the limited import water supplies available. Municipal and industrial expansion in this very rapidly expanding population center is being maintained by serious overdrafts from the ground water supply. To help meet this overdraft and to provide for future requirements, the San Felipe division will make available an average import of 293,000 acre-feet of water annually from Central Valley project sources.

Of this imported water, approximately 75 percent will be for municipal and industrial use, with the remaining 25 percent for agriculture.

The principal features of the project include a 10.3-mile tunnel from the almost completed San Luis project, which will convey water through the Pacheco Pass to a 94-mile canal and a 10-mile closed conduit to the service area. In addition, there will be pumping facilities, three small reservoirs, and a distribution system. In the development of the San Luis project, Congress has already authorized over $2 million to provide, as a part of the project, the Pacheco Tunnel Inlet.

The plan is engineeringly feasible, economically justified, and desirable to meet ultimate import needs.

The Secretary of the Interior recently presented to the Senate Interior Committee information which clearly shows that the Central Valley project is an excellent project, in sound financial condition, and is substantially ahead of the payout requirements. During the next 50 years, there will be available for further development of the Central Valley project a surplus of over $600 million. This makes possible the addition of such necessary units as the San Felipe division, particularly where the function of municipal and industrial water is relatively more important.

The California Water Commission has unanimously gone on record strongly urging Congress to authorize the San Felipe division at the earliest possible date. By resolution it has found that the plan is fully justified, needed and an important worthwhile water development.

If California is to assure its continuing population and economic growth, it must never cease in its efforts to guarantee an ever-increasing water supply. As I have said so often, it will take the combined efforts of local agencies, the State itself, and those of the Federal Government.

I ask that the Senate give its expeditious and favorable consideration to this project.

I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Bass in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2539) to authorize the Secretary of the Interior to construct, operate and maintain the San Felipe division, Central Valley project, California, and for other purposes introduced by Mr. Kuchel, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation and municipal and industrial water supplies, area redevelopment, conserving and developing fish and wildlife resources, enhancing outdoor recreation opportunities, and other related purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory therefor or supplementary thereto), is authorized to construct, operate, and maintain, as an addition to, and an integral part of, the Central Valley project, California, the San Felipe division. The principal works of the unit shall consist of the Pacheco tunnel, pumping plants, power transmission facilities, canals, pipelines, regulating reservoirs, and distribution facilities.

Sec. 2. Subject to the provisions of this Act, the operation of the San Felipe division shall be integrated and coordinated, from both a financial and an operational standpoint, with the operation of other features of the Central Valley project, as presently authorized and as may in the future be authorized by Act of Congress, in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available.

Sec. 3. The Secretary is authorized in connection with the San Felipe division to construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with the other division purposes.

Sec. 4. In locating and designing the works and facilities authorized for construction by this Act, and in acquiring or withdrawing any lands as authorized by this Act, the Secretary shall give due consideration to reports prepared by the State of California on the California water plan, and shall consult with local interests who may be affected by the construction and operation of said works and facilities or by the acquisition or withdrawal of lands, through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

Sec. 5. There is hereby authorized to be appropriated for construction of the San Felipe division, Central Valley project, the sum of $100,000,000 (1963 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project.

INTERNATIONAL FLOOD CONTROL PROJECT FOR THE TIJUANA RIVER

Mr. KUCHEL. Mr. President, for myself and on behalf of my distinguished colleague from California [Mr. Murphy] I introduce, for appropriate reference, a bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes.

This project, if approved by the Congress and if approved by Mexico, will be an international project to be jointly constructed and operated by the Governments of the United States and Mexico through the respective sections of the International Boundary and Water Commission. Each Government would perform the work required in its country under a jointly agreed upon plan, design and construction schedule, under the supervision of the Commission.

The U.S. Army Corps of Engineers has established that there is an urgent need for flood protection in the U.S. portion of the Tijuana River. It is also clear that Mexican efforts at flood control in their portion of the river can be made much more meaningful by accompanying U.S. efforts north of the border. In accordance with the Corps of Engineers recommendation, it is my opinion that this project should be undertaken and completed at the earliest possible date.

Completion of this project would significantly reduce flood damage in two important cities in California—San Diego and Imperial Beach. Both of these communities are solidly supporting this legislation, as is the Governor of California and his advisory committee on Tijuana River problems.

I think this bill offers a unique opportunity for the United States to further strengthen its ties with the Government of Mexico. By joining with our good neighbors in Baja California in functional projects, such as this one, I think we do much to improve Mexican-American relations. In fact, such a project will improve our image throughout all Latin America.

I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2540) to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes, introduced by Mr. Kuchel (for himself and Mr. Murphy), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in "Report on an International Flood Control Project, Tijuana River Basin," prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

Sec. 2. If agreement is concluded pursuant to section 1 of this Act, the said United States Commissioner is authorized to construct, operate, and maintain the portion of such project assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States Section, such sums as may be necessary to carry out the provisions of this Act: *Provided,* That no part of any appropriation made shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States.

REVISION OF FEDERAL ELECTION LAWS

Mr. CANNON. Mr. President, I introduce for appropriate reference a bill to revise the Federal election laws, to prevent corrupt practices, and for other purposes, and ask that it lie on the desk for 1 week for additional sponsors.

For many years careful study has been given to all Federal election laws for the purpose of bringing them into closer harmony with present-day election practices and to correct several deficiencies which have become more troublesome with successive campaigns.

The Federal Corrupt Practices Act of 1925, as amended, is 40 years old. At the time of its passage, radio was not broadly used in election campaigning and television was unknown. It is totally unrealistic to attempt to regulate political finances in the 1960's using a law passed in the 1920's. The only practical solution to the problems inherent in existing election laws is to repeal them and adopt new legislation designed to meet not only today's needs, but those of the future as well. Flexible formulas instead of fixed limitations provide the only feasible means of establishing reasonable ceilings upon campaign expenditures.

This bill incorporates formulas based upon votes cast or voters registered in determining the amount which a candidate for U.S. Senator or Representative may spend in his campaign for election. The bill similarly sets forth a formula controlling the amount which a national committee may spend.

Hearings, studies, and investigations conducted by the Subcommittee on Privileges and Elections during previous years have convinced me that public disclosure of political contributions and expenditures is the only fair and effective means of limiting such finances. Public disclosure would act as a deterrent upon excessive contributions and expenditures, and the voters could express their approval or disapproval at the polls.

Financial statements would be required at timely intervals by national committees and all candidates for elective Federal office. The financial statements would be filed not only with the Clerk of the House of Representatives and the Secretary of the Senate, but also with the secretary of State of each State or the officer authorized to perform the functions of a secretary of State. This local filing would enable citizens all over the United States to inform themselves of the contributions received and expenditures made by political committees and candidates or by others acting in their behalf.

Finally, every effort should be made to encourage individual voters to participate actively in political campaigns by making financial contributions to the party or candidate of their choice.

Voters bear a civic responsibility to support good government and ought, in good conscience, to lend their financial assistance to the parties and the candidates whom they believe best qualified to furnish good government.

As in the case of charitable causes, however, contributions are more easily obtained when some small tax benefit can be realized by donors. A tax credit not to exceed the sum of $10 during any calendar year would result in some loss of tax revenues but that loss would be more than balanced, in my opinion, by a broadened base of campaign contributions which, in turn, would relieve parties and candidates of heavy debt burdens and obligations to large contributors.

In summary, Mr. President, this bill is intended to correct flaws in existing legislation and serve the needs of the public and candidates for Federal office by extending provisions for public disclosure, creating more reasonable and flexible ceilings on campaign contributions and expenditures and encouraging all Americans to aid their parties and candidates by offering a small tax benefit.

It is my hope that when the bill is reported back to the Senate, all Senators will give it their serious consideration.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nevada.

The bill (S. 2541) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. Cannon, was received, read twice by its title, and referred to the Committee on Rules and Administration.

AMENDMENT OF SMALL BUSINESS ACT

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill, to amend the Small Business Act, and ask unanimous consent to insert in the Record at this point a letter from the Small Business Administration requesting this legislation, together with the SBA analysis of the bill.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the letter and analysis will be printed in the Record.

The bill (S. 2542) to amend the Small Business Act, introduced by Mr. Proxmire, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and analysis presented by Mr. Proxmire are as follows:

Small Business Administration,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed are four copies of a draft bill amending the Small Business Act, together with an analysis thereof. For the reasons stated in the analysis we consider the proposed amendment to be desirable.

The bill would increase from $1,721 million to $1,841 million the total amount of the revolving fund authorization established by section 4(c) of the Small Business Act for the purposes of the financial assistance programs conducted by the Small Business Administration pursuant to that Act and pursuant to the Small Business Investment Act of 1958.

The Bureau of the Budget has advised that there is no objection to the submission of this bill from the standpoint of the Administration's programs.

With kind regards, I am

Sincerely,

Ross D. Davis,
Executive Administrator.

Enclosures.

Analysis of the Bill

The bill would increase from $1,721 million to $1,841 million the total amount of the revolving fund authorization established by section 4(c) of the Small Business Act for the purposes of the financial assistance programs conducted by the Small Business Administration pursuant to that act and pursuant to the Small Business Investment Act of 1958.

In substance section 4(c) presently permits SBA to have as much as $1,841 million outstanding from the fund at any particular time for the purposes of the agency's financial assistance programs under the Small Business Act and the Small Business Investment Act of 1958. Nevertheless, it restricts appropriations for these same purposes to $1,721 million.

Until recently, the section has always provided funding authority equal to the full sum of the separate dollar limitations on SBA's financial assistance activity. The present discrepancy of $120 million stems from Public Law 89–78 which, without making a commensurate increase in the maximum amount of the authorization, raised from $341 million to $461 million the aggregate sum that may be outstanding at any one time for the purposes of the small business investment program.

Since $1,645 million have already been appropriated to the revolving fund, the existing authorization maximum of $1,721 million limits further appropriations to $76 million. It is entirely possible, in view of the unexpected number and magnitude of recent physical disasters, including Hurricane Betsy, that a supplemental appropriation of more than $76 million may be required in the near future to enable SBA to provide assistance to disaster victims and, at the same time, continue at planned levels the other important loan programs conducted by the agency.

The provisions of the bill, adding $120 million to the $1,721 figure, would have the twofold effect of eliminating the described discrepancy and providing a wider margin of safety against the contingencies of the disaster loan program.

REPORT ON EAST-WEST TRADE

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Connecticut [Mr. Dodd], out of order I submit a concurrent resolution to request the President to transmit to the Senate Committee on Foreign Relations a report on East-West trade .

The issues involved in East-West trade were subject to extended debate in the Congress in October 1963 when we considered the proposed sale of wheat to the U.S.S.R. Late last year, and early this year, the Senate Foreign Relations Committee held hearings on this subject. In May, a committee appointed by the President issued a full report and made a series of recommendations regarding United States trade with the European Communist bloc nations as did the highly distinguished Committee for Economic Development (CED) and its associate organizations in Western Europe and Japan. It cannot be said, therefore, that these issues have not been fully explored.

It is clear from the decision to sell wheat to the U.S.S.R. and to sign a trade agreement with Rumania last year, and from the recent dispatch of a U.S. trade mission to Rumania and Poland, that the administration has concluded that, on balance, it is in the U.S. interest to gradually expand trade in nonstrategic goods with the European Communist countries.

The President should now recommend to Congress the changes he deems necessary in existing U.S. laws and regulations to permit the United States to engage in trade in nonstrategic goods with these nations. Existing laws relating to such trade—among them the denial by the United States of most-favored-nation treatment for the goods of most European Communist bloc countries and the lack of a predictable procedure for guarantees of loans in connection with major export shipments to these countries—are much too inflexible and may well need to be modified to give the President the needed authority in foreign policy.

I hope that among his recommendations to the Congress the President will also suggest means to bring about a harmonization of the trade policy of industrialized countries of the free world toward Communist countries. Earlier this year I recommended to the Senate Foreign Relations Committee that we negotiate a code of fair trading practices first with our allies then with the European Soviet bloc as a means to bringing about once more a common Western policy on East-West trade.

I am therefore introducing today a Senate Concurrent Resolution calling on the President to transmit his recommendations to the Senate Foreign Relations Committee, the House Foreign Affairs Committee, and other appropriate committees of the Congress by July 1, 1966 with regard to revisions in United States laws and regulations governing our trade and economic relations with Communist bloc nations that he deems necessary and desirable in the national interest.

I hope that this resolution will now be referred to the Senate Foreign Relations Committee and that it will receive immediate and careful consideration.

Mr. PASTORE. Mr. President, reserving the right to object, I understand that this concurrent resolution would go to the Commerce Committee. I wonder if this has been cleared with the Senator from Washington. I think that the unanimous-consent request was that it be sent to the Committee on Foreign Relations out of order.

Mr. JAVITS. Mr. President, I did not make any request as to reference.

Mr. PASTORE. Mr. President, I thought the Senator mentioned it being referred out of order.

Mr. JAVITS. Mr. President, I asked that it be referred out of order and I said that I expected that it would go to the Committee on Foreign Relations, but the chairman will decide.

The **PRESIDING OFFICER**. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 60) was referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President is requested to transmit to the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House of Representatives and other appropriate Committees of Congress on or before July 1, 1966 his recommendations, including legislative proposals designed to carry out such recommendations, with respect to revision of laws governing United States trade and economic relations with Communistic bloc nations, as may be necessary and desirable in the national interest. Such recommendations and proposals shall take into account the recommendations contained in the report, dated April 29, 1965, of the Special Committee on United States Trade Relations with East European Countries and the Soviet Union.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the followings names have been added as additional cosponsors for the following bills and concurrent resolution:

Authority of September 8, 1965:

S. 2507. A bill to authorize the Secretary of the Interior to conduct a program of research regarding overhead electric transmission lines and the effect of such lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country: Mr. Church, Mr. Clark, Mr. Douglas, Mr. Gruening, Mr. Metcalf, and Mr. Morse.

S. 2508. A bill to authorize the Secretary of the Interior to conduct a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmissions: Mr. Church, Mr. Clark, Mr. Douglas, Mr. Gruening, Mr. Metcalf, and Mr. Morse.

Authority of September 14, 1965:

S. Con. Res. 59. Concurrent resolution to authorize establishment of Joint Select Committee To Study East-West Trade: Mr. Cooper, Mr. Dominick, Mr. Douglas, Mr. Mundt, Mr. Ribicoff, and Mr. Smathers.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Hosea M. Ray, of Mississippi, to be U.S. attorney, for the northern district of Mississippi, for a term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in the nomination to file with the committee, in writing, on or before Thursday, September 23, 1965, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, September 16, 1965, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks;

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734–736); and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets Southwest the "Francis Case Memorial Bridge."

MEXICAN INDEPENDENCE DAY

Mr. ALLOTT. Mr. President, today is a significant day for freedom-loving people everywhere. This day of September 16, 1965, marks the 155th anniversary of the Mexican Independence Day and once again appropriate ceremonies and celebrations will commemorate the heroic struggle of the Mexican people against tyranny and foreign domination.

One hundred and fifty-five years ago, against a backdrop of the Napoleonic invasion of Spain, a now legendary parish priest by the name of Miguel Hidalgo y Costilla, ignited a spark of revolution that was ultimately to illuminate the full light of liberty for his oppressed people. Profoundly influenced by the doctrines espoused in the American and French Revolution, "liberty, equality, and fraternity," Father Hidalgo dedicated himself and his intrepid followers to the extension of human rights, dignity, and national self-determination for all the citizens of Mexico. This grassroots force, armed initially with little more than courage and conviction, waged a heroic struggle against the yoke of foreign and domestic tyranny. Allende, Morelos, and finally Itulbide caught up the fallen banner of liberty after Father Hidalgo was captured and cruelly executed. Finally, after 10 years of costly sacrifice, the Mexican people achieved their long-sought goal of national independence and a more equal extension of human rights and dignities.

Today Mexico is reaping the rewards of many years of progressive social, economic, and political progress. She stands as a symbol of progress and is a bulwark in the fortress of democracy. She has swiftly marked out of the ranks of undeveloped nations and has exhibited an unprecedented record of social and economic growth. Her industrial production is spiraling upward at a rapid rate which has enabled her to become Latin America's second most prolific producer of steel and oil. It has also enabled her to fashion the best highway network in Latin America. Unlike many formerly undeveloped nations Mexico has accomplished these tremendous improvements without any degree of exploitation of property or human rights.

The people of the United States always have treasured the bonds of affection and mutual interest that have linked them to their good neighbors in the south. The destinies of our two countries are joined like blood brothers in the common cause of freedom and dignity for all men. My own State of Colorado, has benefited greatly from the manifest contributions of our citizens of Mexican descent. Their industriousness and vigor has been evident in all fields of private and public endeavor. Their language, music, food, their whole culture, has immeasureably enriched and influenced our own culture. On this anniversary I am proud to extend my very best wishes to our friends south of the border as well as to those who have decided to make our America their home. We, in the United States, have great reason to celebrate this day with our friends to the south and to extend our thanks for their many contributions to our culture, our freedom, and our economy.

SESQUICENTENNIAL OF THE GOLDEN LAMB, OHIO'S OLDEST INN

Mr. LAUSCHE. Mr. President, it is a pleasure for me to call to the attention of my colleagues the fact that the citizens of the community of Lebanon, Ohio, will celebrate on September 17 and 18 the sesquicentennial of the Golden Lamb, Ohio's oldest inn which has for generations been a mecca for thousands who enjoy fine food in an atmosphere of beauty and restfulness.

I convey to the community of Lebanon congratulations and best wishes upon this occasion.

Store clerks will wear the habiliments of a century and a half ago, and antiques made by the Shakers, a religious sect which sprang from the Quakers and migrated westward into Warren County in 1802, will be viewed.

The genesis of the Golden Lamb dates from December 23, 1803, the year of Ohio's statehood, when Jonas Seaman, who owned a log cabin, was granted a license to operate a "house of public entertainment." The present building dating from 1815 is on the original log cabin site.

The first guests came on foot or horseback; next in an ever-increasing procession, in every kind of conveyance, the pioneers moved into the Northwest Territory. These were days of hostile Indians as well as marauding white renegades, and all parties traveling maintained constant vigil against attack.

Throughout the years, through prosperity and bad times, the inn has maintained its high standards of gracious hospitality, excellent cuisine and clean, comfortable beds.

The parlors of the Golden Lamb saw the inception of plans for Ohio's canals, for good roads, for railroads and bridges.

Political rallies and celebrations were frequent.

Owners of the Golden Lamb since 1926 are Mr. and Mrs. Robert H. Jones. They have completely renovated the building over the years and have furnished the interior completely with antiques. The building today has four floors, a lobby, four public and four private dining rooms and 40 guest rooms, all with telephones, television, and air conditioning. Here may be found a rare collection of Shaker documents, literature, and furniture.

Rooms have been named for famous guests including Presidents John Quincy Adams, Martin Van Buren, William Henry Harrison, Rutherford B. Hayes, Ulysses S. Grant, William McKinley, Warren G. Harding and William Howard Taft. Other famous names are those of Henry Clay, Harriet Beecher Stowe, Henry Ward Beecher, Charles Dickens, Samuel L. Clemens, James G. Blaine, and James Whitcomb Riley.

WEATHER BREAKTHROUGH

Mr. SMATHERS. Mr. President, Monday, September 13, Secretary of Commerce John T. Connor sent to President Johnson a memorandum concerning the activities of the recently formed Environmental Science Services Administration.

In his memorandum, Secretary Connor touched upon the outstanding work of the U.S. Weather Bureau in issuing timely and accurate warnings of hurricane Betsy, the second tropical storm of the current season. Beginning 11 days before Betsy unleashed her fury on the continental United States, the Weather Bureau took up a constant watch over the erratic actions on this killer storm, and because of the efforts of such skilled forecasters as Gordon Dunn, the Director of the National Hurricane Center in Miami, Betsy—unwelcome as she was—did not arrive unannounced or unexpected.

But even through residents of Florida and Louisiana were as prepared as human beings could be for the howling winds and crushing waves of this latest hurricane, the extent of the devastation it wreaked is only just beginning to filter into the numbed consciousness of a shocked nation. Even the present incomplete damage estimates stagger the imagination.

In Florida, where officials have had a week to assess the effects of Betsy, it is estimated that her anger has resulted in the destruction of $119,204,550 worth of property in seven counties. As new information comes in, this estimate will doubtlessly rise. To date, we know that several persons died; that nearly 4,500 homes were completely lost or damaged; and that the entire south Florida crop of avocados and limes, valued at some $300,000, was destroyed.

In Louisiana, the picture is far bleaker. With the floodwaters brought by the hurricane still not fully receded, dollar amounts cannot yet be accurately placed on Betsy's toll, but they will surely run over $1 billion. As of this morning, the bodies of 63 persons have been found. The storm damaged or destroyed over 155,000 homes and 50 to 75 percent of the State's cotton crop was crushed into the earth, never to be harvested.

Mr. President, these fearful indications of the violence nature is capable of hurling at her subjects prompted Secretary Connor to include in his memorandum to President Johnson the statement:

> It is clear that the time has come for us to move vigorously forward to explore the possibilities of modifying and controlling the weather in beneficial ways. I cannot emphasize too strongly the importance of weather modification to the Nation at large.

Hurricane Betsy has given a special sense of urgency to the Secretary's words, words that point to a need that has been dramatized year after year as hurricanes have boiled out of their spawning grounds in the South Atlantic to attack the eastern and gulf coasts of the United States.

In 1964, for instance, the severest hurricane season in 25 years brought death to 49 people and ravaged more than one-half billion dollars worth of property. This devastation was but a repeat demonstration of nature's seeming determination to prove the inconsequence of man and his works.

But hurricanes are not the only manifestations of the cruelties the weather can impose. On Palm Sunday this year, tornadoes slammed into areas in the Midwest, killing 272 people, injuring hundreds, and destroying more than $250 million worth of property.

And, great as our flood control efforts have been in recent decades, we still read annually of mighty rivers spilling over their banks and sweeping away crops, homes, and even lives as a result of too much rain or a sudden thaw.

If the excesses of nature cause trying hardship for man, so too does her sporadic stinginess. The depleted reservoirs of the Northeast give testimony to this unfortunate fact. That region is gripped by a crippling drought that has lasted many months. As supplies of potable water become ever shorter, New York City, Philadelphia, and other major eastern population centers are being forced to adopt more and more stringent water restrictions. No immediate relief for millions of thirsty citizens is in sight, and, in fact, the situation becomes more critical every day.

In Florida, the 1.5-million-acre Everglades National Park suffered a 4-year lack of rain that endangered the survival of numerous rare forms of wildlife and threatened to turn the area into a virtual desert. While recent rainfalls have helped greatly, no permanent solution has yet been reached that will assure the preservation of one of the rarest and most vital parts of our national landscape.

But, Mr. President, Secretary Connor's call to greater efforts at weather modification points the way to an eventual victory for man in his constant battle with the elements. Already, scientists have had some success in tests aimed at changing certain weather patterns, and new technological breakthroughs have given us an increased research capability. Computers now enable scientists to simulate weather conditions in the laboratory and to experiment with controlling them. Such programs as Project Stormfury, which is conducted by the Weather Bureau in conjunction with the Navy, are demonstrating that, even with what we know at present, we can, in a limited way, alter the characteristics of cumulus clouds and tropical storms.

Ahead is a future when residents of areas now plagued with hurricanes, tornadoes, floods, or droughts can live secure in the knowledge that a system of weather modification has enhanced the generosity of nature while blunting her occasional furies. At long last, we will not only be able to talk about the weather, but we will be able to do something about it.

Mr. President, the long-range implications of such control over our environment extend into every realm of human activity and promise benefits beyond our fondest dreams. I am convinced that Congress should and must cooperate to the fullest with the Secretary of Commerce and the Environmental Science Services Administration in bringing to fruition the plans outlined by Secretary Connor for guaranteeing a future of fair weather.

THE NATIONAL HUMANITIES FOUNDATION WILL CONSTITUTE ANOTHER IMPORTANT ACHIEVEMENT OF THE 89TH CONGRESS

Mr. GRUENING. Mr. President, we have come a long, long way since January 7, 8 months ago, when on behalf of myself and 35 colleagues I introduced S. 111 to provide for the establishment of the National Humanities Foundation to promote progress, research, and scholarship in the humanities and the arts.

Extensive and informative hearings have been held by the chairman of the Senate Labor and Public Welfare Special Subcommittee on Arts and Humanities, our able and industrious colleague, the junior Senator from Rhode Island [Mr. PELL]. America and its arts and humanities are indebted to him for his efforts to improve the opportunities of all of us to better the quality of our lives.

On March 10 President Johnson sent to the Congress his proposal for legislation to promote progress and scholarship in the arts and humanities. This bill, S. 1483, was introduced the same day by the Senator from Rhode Island [Mr. PELL] for himself and on my behalf and for the knowledgeable senior Senator from New York [Mr. JAVITS]. That bill was known as the National Foundation on the Arts and the Humanities Act of 1965.

In transmitting the proposal to the Congress President Johnson recalled his statement in his state of the Union address in which he noted:

> We must also recognize and encourage those who can be pathfinders for the Nation's imagination and understanding.

In his statement on the proposed National Foundation on the Arts and Humanities Act of 1965 the President said:

> The humanities are an effort to explore the nature of man's culture and to deepen understanding of the sources and goals of human activity. Our recommendations recognize this effort as a central part of the American national purpose, and provide modest support to those whose work offers promise of extending the boundaries of understanding.
>
> Pursuit of artistic achievement, and making the fruits of that achievement available to all its people, is also among the hallmarks of a Great Society.

The administration proposal was similar to the bills which Senator PELL and I had introduced, and it contained the proposals for the arts which Senator JAVITS had been working to achieve for a long time.

Working together, learning from men and women who share our concern for the need to strengthen our humanities and our arts, and concomitantly the quality of man's life on earth, we have today reached a long-awaited landmark.

The bill coming before us, improved by the Senate and the House, will place humanities and arts under a single roof and establish separate funded programs for each. We can use the tools of this bill in building the Great Society.

Humanities and the arts are entwined. To have separated them completely would have created an undesirable and needless alienation.

All of us can be proud of the outstanding and productive efforts to bring to us the best possible bill. I urge favorable consideration of the House approved version of this proposed legislation which contains, generally, features similar to the Senate approved bill.

We would be wise to start work as soon as possible. As President Johnson said in transmitting the administration's proposal:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

WATER RESOURCES COUNCIL REPORT TO THE PRESIDENT ON THE DROUGHT IN THE NORTHEASTERN UNITED STATES

Mr. JACKSON. Mr. President, on September 8, the Committee on Interior and Insular Affairs held an informational hearing on the current water crisis in the Northeastern United States which has been aggravated by the severe drought in recent years.

At our hearing, the Chairman of the recently established Water Resources Council, Secretary of the Interior Stewart Udall, announced that a second report to President Johnson had just been completed by the Council. Although the report was not available at that time, it has now been released and will be made a part of our hearing record on this important matter. I ask unanimous consent to have printed at this point in my remarks a release from the White House outlining the report of the Water Resources Council.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

WATER RESOURCES COUNCIL REPORT TO THE PRESIDENT ON THE DROUGHT IN NORTHEASTERN UNITED STATES

President Johnson announced that he had received an interim report on the Northeastern drought from his Water Resources Council, headed by Interior Secretary Stewart Udall. The report concluded that the emergency actions now underway to alleviate the drought, if accompanied by aggressive conservative measures and rainfall at last year's levels, will meet the major water needs of the more than 25 million people in the Northeastern United States through next spring's thaw.

The President stated that he was satisfied with the progress made to date, but called upon the Governors and mayors of the affected areas to continue their stringent efforts to conserve existing water supplies, particularly in view of the critical situation still prevailing in New York City, Philadelphia, and northern New Jersey. The President also reaffirmed his pledge to the citizens of the Northeast to cooperate with them in doing whatever else may be necessary to combat the drought.

The short-term emergency actions resulted from a series of White House conferences called last month, and from the visits of the water crisis team dispatched by the President to the cities hit the hardest by the drought. The plans were developed through the work of the Federal Government and State and local officials in New York, New Jersey, Delaware and Pennsylvania in what the President termed an "outstanding American effort."

The emergency actions are designed to establish a strategic water bank to allow for timely shifts of water within the Delaware River Basin system; provide an emergency pump pipeline system at Lake Hopatcong, N.J., and to release water stored in the Greenwood Lake to the Newark reservoirs; retard the Delaware River salt water front.

They followed the destination by the President of drought-striken sections in New York, New Jersey, Pennsylvania, and Delaware as disaster areas.

The major findings in the Water Resources Council report were:

1. Although the past few weeks brought substantial rains to many places in the heart of the drought area, these were not sufficiently above the normal for this season of the year to significantly ameliorate drought conditions.

2. The critical situation persists in New York City, Philadelphia and northern New Jersey. Water conservation is being widely practiced. A water bank has been established at the Neversink and Pepacton Reservoirs to allow for timely shifts of water within the Delaware system. The salt water front in the Delaware is being retarded by a combination of measures. New York City is taking steps to construct the pumping plant at Chelsea. Additional water will be available from reservoirs and wells to assist in meeting the northern New Jersey shortage.

3. Emergency water supply sources have been located for some 23 additional communities in Vermont, New Hampshire, Massachusetts, New York, and Pennsylvania identified as having critical water shortages and, from information now available, it appears that the communities are in process of taking actions necessary to meet the short-term emergencies.

The report concluded:

1. That the emergency actions agreed upon, if accomplished promptly, in conjunction with the efforts of the municipalities and States involved, and assuming that precipitation in the coming fall and winter is essentially the same as for the same period last year, can meet the major water supply needs of northern New Jersey, New York City, and Philadelphia over the emergency period through next spring's thaw.

2. That Federal agencies should continue their overview of the Northeast drought situation and continue to provide technical assistance, emergency agricultural assistance, temporary use of power, small watershed and flood control reservoir storage, and other measures.

3. That the Delaware River Basin Commission with assistance from the Federal agencies continue surveillance of the water shortage situation relating to New York City, Philadelphia-Camden, and northern New Jersey.

4. That in providing for the immediate emergency situation simultaneous consideration must be given timely and prudent preparations for a 5th year of drought.

The Water Resources Council and the Delaware River Commission will continue to monitor the drought situation and will continue to render technical assistance to the States and communities affected by the drought.

The Water Resources Council consists of the Secretary of the Interior as Chairman, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, the Secretary of the Army, and the Chairman of the Federal Power Commission. The President instructed the Council on July 14, 1965, to render all possible assistance in alleviating the 4-year drought situation.

The report of the Council carries a breakdown of current and planned actions by the Federal agencies represented on the Council and by other Federal agencies.

Mr. JACKSON. Mr. President, I am particularly pleased with the action and progress made by the Water Resources Council since its establishment by Public Law 89-80, signed by the President this past July. It is hoped that this will be a responsible, coordinating, planning unit which will bring unity and cohesion to the major task of planning our Nation's water resources development.

HOODLUMS AND CIVIL RIGHTS

Mr. LAUSCHE. Mr. President, I commend the editor of the Register, America's national Catholic newspaper, of Denver, Colo., for his front page cartoon of September 12, 1965, which pointedly demonstrated that a picture is worth a thousand words.

A sly, vicious hoodlum wolf masquerading under the cloak of the innocent lamb labeled "The Honest Civil Rights Movement" goes about his sinister business brandishing the torch of riot, slaughter, looting.

In many places of the Nation, under the guise of promoting civil rights, hoodlums, and other enemies of our Government are endeavoring to garb themselves in the cloak of the lamb. All righteous citizens should be constantly alert and vigorously protest these offenses against the true civil rights movement and the aims of our Government.

SENATOR CLARK ON WORLD LAW AND DISARMAMENT

Mr. PROXMIRE. Mr. President, the senior Senator from Pennsylvania [Mr.

CLARK], made an extraordinarily eloquent speech today before the Washington World Conference on World Peace Through Law.

This was a highly significant speech on the great question of our times—arms control and disarmament.

I ask unanimous consent that Senator CLARK's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE LAW OF DISARMAMENT

Someone once said that war was too important a matter to be left to the generals. That remark could well be amended by adding that peace is too important to be left to the politicians. Speaking as one who has never been a general—although I was once a colonel—but who is both a politician and a lawyer, I would agree with both statements and suggest that the time has now come for matters of war and peace to be turned over to the true experts—the lawyers. While that observation may sound facetious, in fact it is not. For if one subscribes to the view that stable and enduring peace can only be achieved through general and complete disarmament under enforceable world law, as I emphatically do, one must also recognize the unique responsibility which we as lawyers and jurists have in the search for peace.

It is scarcely possible to overemphasize the urgency of our task. We must move toward peace not inch by inch, but—to borrow a phrase from John Gardner, the new Secretary of Health, Education, and Welfare of the United States—by "barracuda bites."

For one thing is certain, in this most uncertain time of accelerating tensions and mounting stockpiles of lethal weaponry. It is that on the road to peace we cannot stand still. Either we go forward on that road to a planned peace or the octopus of events will drag us downward into war, as it is by way of doing right now in Vietnam, India, and Pakistan. And we shall not be able to go forward without a radical and substantial development of disarmament law. This development was promised in articles 2 and 26 of the United Nations Charter 20 years ago; but the promise has not as yet been performed.

To attain the kind of peace for which the peoples of all nations yearn, we must achieve in the near future both worldwide disarmament and world law to enforce it. The two are inseparable. Disarmament won't work unless there is law to enforce it. To be effective, disarmament must be total, though achieved in stages which will take several years to complete.

There are those who say that the attainment of world peace through world law is impossible and that the only way peace can be achieved is by contriving either a stable balance of power built on mutual deterrence or by building a universal empire based on overwhelming military power such as Rome. Indeed the history of diplomacy since Napoleon has been a search for the former solution. But two hideous and bloody wars and a host of lesser engagements have proven that in the 20th century the search for either a stable balance of armed power or in the alternatives, a universal empire is fruitless.

Nevertheless the skeptics continue to insist that there is no alternative to balance-of-power politics, that we had better make the best of it and not go chasing off after crazy schemes. However, I am sure that there were once those who said that there is no alternative to the law of the jungle, that the best thing one could do was get a good stout club, grab the first woman in sight by her hair and not wander too far out of the cave at night.

Somehow, out of a combination of necessity and ingenuity, law finally came into being, backed up by institutions which were universally acknowledged as having the power and the duty to enforce it.

Of all of man's inventions, this least celebrated one, law, may eventually be the most significant. It is possible to have a civilized society without the wheel or the lever, but it is impossible to have civilization without law courts, lawyers, and armed policemen to enforce judgments and decrees.

What man has done to make civilization possible—namely, to create enforceable law within nation states—he now must do on a world scale to make it possible for worldwide civilization to survive. This is the core of the matter: General and complete disarmament under enforceable world law is essential to the survival of civilization. The rest, which follows, is a necessary qualification.

For there is no rationale for requiring an enforceable world law which purports to regulate all aspects of the lives of individuals and nations. The scope of world law must be limited by the conditions which require it; it should be only the law of war prevention, not the law of marriage and divorce or property rights or private contracts or water rights. The key to war prevention is disarmament, general and complete, established by treaties carefully drafted by lawyers and it must be enforced through the judicial process by some sort of an international peacekeeping police force with a monopoly of the weapons of war.

Now, plainly, none of this can be achieved unless all nations are prepared to yield a certain amount of national sovereignty and to be creative and imaginative in erecting new international institutions to carry out the job of achieving, monitoring world peace through world law in a disarmed world.

These institutions created by legal craftsmen should include the following:

1. A vetoless international disarmament organization, to insure compliance with disarmament obligations by all nations at all stages of the disarmament process, and after general and complete disarmament has been achieved. This body would have the important duty of verifying that all nations had complied with the requirements of each stage of disarmament before ordering them to proceed to the next stage.

2. An adequate world police force. In order to keep the peace during the period of disarmament and thereafter it will be necessary to create, parallel with the disarmament process, a strong and heavily armed force of, say, 300,000 men, composed of individual volunteers and not of national contingents, with safeguards to prevent any nation or group of nations from exercising undue control, and to provide assurances against abuse of power by this force.

3. International tribunals of mediation, conciliation, and adjudication to provide fully for the peaceful settlement of all international disputes, in lieu of force or the threat of violence.

There is much which we as lawyers and jurists can do to convert these institutions from dreams to realities. Accordingly I propose to this panel the formation of an international commission of jurists to draft a detailed plan for general and complete disarmament under law which contains safeguards adequate for the protection of all nations and which meets the legitimate objections and fears of all nations. The membership of this international commission of jurists should be as broadly representative as possible, and all nations should be encouraged to contribute their best legal brains and talent to this effort. The embryo of such a commission presently exists at the 18-Nation Disarmament Conference in Geneva in the form of a committee of jurists consisting of representatives of the United States, the United Kingdom, Italy, and Canada. It could be nourished and be born a healthy child by adding representatives from the legal profession of all states having significant armed forces, assisted by representatives of the weaker countries which nevertheless have an important stake in world peace.

It is no secret that the work of the 18-Nation Disarmament Conference at Geneva has been severely limited by the absence from the bargaining table of two major powers: France and China. I would hope that both the French and the Chinese would be willing to participate in the work of the International Commission of Jurists which I have proposed, and would send their best lawyers to help shape the detailed language of a comprehensive plan for achieving general and complete disarmament under enforcible world law.

A number of conditions are indispensable to the success of such an enterprise as this. First, and possibly most important, an enlightened world opinion must come to understand the need to create enforcible world law and to bring about and maintain general and complete disarmament. Old ideas die hard. The notion that security can be bought in an arms race is a particularly persistent myth.

However, I am confident that this Second World Conference on World Peace Through Law, and other meetings and conferences on related themes can perform a valuable educational function. To borrow Adlai Stevenson's famous phrase, we must not be afraid to talk sense to the people of the world, to help them break the old patterns of thinking and forge new constructive ones. This has been a major function of the legal profession.

Next, we must strive to build and strengthen the growing detente between East and West and between developed and underdeveloped countries. All nations have an interest in finding mutually acceptable ways to reduce the danger of war, to improve their standards of living and to lift the heavy burden of armaments from the backs of their peoples. I regret the absence of representatives from the Soviet Union and the Chinese Peoples' Republic from this world conference. I hope that next time around they will be present.

Finally, the disarmament process must be adequately financed by an automatic tax payable directly, not through national treasuries, to the International Disarmament Organization. We cannot allow the effort to flounder for lack of funds.

In connection with the foregoing I submit for the consideration of this working session on disarmament and of this conference itself two documents. The first is U.S. Senate Concurrent Resolution 32 of the 89th Congress, the planning for peace resolution. This proposal cosponsored by 26 Senators sets forth in greater detail the matters I have been discussing this morning. The second is a report made by a group of distinguished international experts in the field of U.N. reform and disarmament to the Stanley Foundation setting forth a more detailed plan for achieving world peace under enforcible world law.

One hears a great deal about how one nation or another is not genuinely interested in disarmament. But I hope the doubters on all sides will take a new look at the concept of enforceable world law and will come to appreciate the necessity for yielding a measure of national sovereignty in order to achieve world peace.

Just a few months ago in San Francisco, the Secretary-General of the United Nations, U Thant, asked: "Is it really only the scourge of war or the lash of terror that can move us to the goal of peace and justice in the world? Can we not make the effort to advance out of our own sense of responsibility and knowledge, rather than be driven like refugees before a storm which may be unleashed by our own inability to take hold of the future?"

All of us here—judges, lawyers, teachers of the law, yes, even politicians—as members of the international fellowship of the legal profession and as individual human beings as well, know that the answer to U Thant's question must be yes. Let us acknowledge the special responsibility which we have for creating the legal foundations for peace, and set ourselves, in a spirit of cooperation and good fellowship, to the prompt completion of our appointed tasks.

PERSONNEL PRACTICES AND PROCEDURES IN THE FEDERAL GOVERNMENT

Mr. McINTYRE. Mr. President, recently the Government Employees' Council of the AFL-CIO, a group of 31 unions representing some 1 million men and women in career civil service positions, raised some rather pointed questions concerning the existing personnel practices and procedures in the Federal Government.

In effect, these unions have posed these questions to both the executive and legislative branches of the Government:

First. Is the closing of military installations going to result in real savings to the taxpayers, or will it lead merely to the purchase of military hardware from private, profit-oriented firms—at an ultimately higher cost to the public?

Second. Is it wise to continue to have private contractors sell to the Government those services which have historically and successfully been performed by civil service employees—particularly if the cost for obtaining these services from the private sector of the economy is substantially higher than for direct-hire personnel?

Third. Is it either economically or militarily sound to have men in uniform assigned to civilian tasks—working as plumbers or carpenters or chauffeurs or in scores of other jobs—when such practices not only cost the taxpayers more, but also deprive them of the military potential which these servicemen represent?

These are questions which, individually, have concerned many Members of the Congress for some time. My own concern over the base closure question in general, and its application to the Portsmouth Navy Yard in my own State, in particular, is well known. Other distinguished Members of the Senate have joined me in expressing alarm over these decisions on military installations—on the basis of their impact on the economies of the communities in which these facilities are located, on the basis of their impact on our military preparedness, and on the basis of the ultimate savings, or lack of savings, that are involved. Other Members have spoken out on the question of the contracting out procedures and the use of military personnel in civilian jobs. So these are matters that concern—and have concerned—many of us for some time.

The Government Employes' Council has estimated that, taken together, these practices involve a waste of some $2 billion a year to the American taxpayers. This is a staggering amount, Mr. President. It is more than the amount which we have recently voted to prosecute the war against communism in Vietnam. It is more than the amount which we have voted to carry on the war against poverty at home. It is more than the amount which the President recently announced would be required to put a manned orbital laboratory into space. Clearly, in the face of waste of this magnitude, it is urgent that we root out the cause and proceed to correct the situation.

The 31 Government unions in the council have charged that two factors are involved in this siphoning off of taxpayers' funds:

First. They contend that a directive issued by the Bureau of the Budget in 1959—a directive that is still in force—virtually pressures Government agencies into buying services from commercial sources, even when these services cost far more than it would to have the same assignment carried out by career civil service personnel.

Second. They contend that the Whitten amendment, which establishes the ceilings on Government employment, is unrealistic and that it makes it impossible for Federal agencies to carry out their missions with direct-hire personnel. These ceilings, the Government Employees' Council asserts, encourage agencies to turn either to commercial or military sources for the people that are required to get the job done.

The Government Employees' Council has written to the President of the United States, asking for the opportunity to discuss with him, or his designees, the steps which might be taken to alleviate this situation. But the fact of the matter is, Mr. President, that the proposed solutions call for affirmative action, not only by the executive branch of the Government, but by the legislative branch, as well.

For that reason, I have written to President Johnson requesting that Members of the Congress—specifically, delegations from the Senate and House Post Office and Civil Service and Armed Services Committees—be made parties to any discussions between the administration and the Government Employees' Council on this critical subject. I ask unanimous consent that the text of my letter to the President be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 15, 1965.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have read with considerable interest the recent request made by the Government Employees' Council of the AFL-CIO for an early meeting with officials of your administration to discuss ways in which substantial economies can be effected through drastic revision of the present personnel policies and practices of the Federal Government.

These unions—which represent nearly 1 million employes in the Federal service—have raised serious questions involving such matters as the closure of military bases, the use of contractor personnel instead of career civil servants, and the assignment of our men in uniform to the performance of civilian tasks.

The Government Employees' Council, relying on testimony presented to a committee of the House of Representatives as well as on information available to its own member unions, has indicated that these practices may be resulting in a waste of as much as $2 billion a year. This represents a staggering drain of taxpayers' dollars and is, I am sure, of major concern to you in your continuing efforts to economize wherever possible in Government.

The unions in the Government Employees' Council have proposed certain steps which they feel could lead to substantial cost reductions. These savings could be used either to finance some of the Great Society programs which are being enacted into law under your leadership, or to further reduce the tax burden on the American people.

Some of the proposals which these unions have made in the nature of corrective action involve decisions which can be made within the executive branch; others would require action by the legislative branch. Because of the dual nature of the remedies proposed, it might therefore be helpful if there were a joint exploration of the nature and extent of the problem, and a joint decision on the steps which can best be taken to alleviate the present situation.

I would respectfully propose, therefore, that, in your arrangements for any meeting with representatives of the Government Employees' Council on this matter, you give consideration to inviting a select group from the legislative branch to join in the discussions. Perhaps the best course of action would be to invite delegations from the Senate and House Post Office and Civil Service and Armed Services Committees, since these are the agencies of the Congress which deal most directly with personnel issues.

A joint approach to the problems raised by these unions would go a long way toward reinforcing the cooperative spirit between the executive and legislative branches of our Federal establishment. Of equal importance, it would permit a more orderly effort in devising solutions to a very serious national problem—an approach that would respect the responsibilities of the respective branches of Government to serve the American people.

I hope you will give favorable consideration to this approach, and to the request of the Government Employees' Council for an early meeting to explore the issues in depth. I believe it would be a constructive way to implement your own avowed intention of economizing in the use of tax dollars, without scrimping on the services which our Government renders to its citizens.

Respectfully yours,
TOM MCINTYRE,
U.S. Senator.

Mr. McINTYRE. Mr. President, I have endeavored to make the point that the processes of Government are best served if we can strengthen the relationship between the executive and legislative branches. In recent months, the press has accused the Congress of attempting to usurp the prerogatives of the executive branch. This, of course, is not true. We have merely expressed our displeasure with some of the unilateral actions taken by some Federal appointees, and we have tried to discharge our obligations to the American people in a manner that will guarantee the best possible solutions to the many problems which confront us as a nation.

Whether the problem deals with the closing of military bases, or the allocation of work between Government and private facilities, or the contracting-out to the private sector of the economy of work historically done by the men and women on the career rolls of our Government, or the misuse of the men in uniform who are supposed to be defending our Nation—whatever the problem, we can best devise solutions if we all work together, within the framework of our constitutional form of Government. This is the reason why I have requested the President of the United States to include Members of Congress in any discussions with the Government Employes' Council on the question of wasting taxpayers' money through misguided personnel policies.

I would like, Mr. President, to acknowledge the debt which is owed to this group of AFL–CIO unions for turning the spotlight of public opinion on this urgent problem. To help aquaint my colleagues and the American people with the extent of the contribution which this group of unions has made, I ask unanimous consent that the text of the letter from GEC Chairman E. C. Hallbeck to President Johnson, together with a background statement which these unions have issued, be incorporated into my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TEXT OF A LETTER TO PRESIDENT JOHNSON FROM E. C. HALLBECK, CHAIRMAN OF THE GOVERNMENT EMPLOYES' COUNCIL, AFL–CIO

DEAR MR. PRESIDENT: The 31 unions comprising the Government Employes' Council, AFL–CIO, are conscious of your keen desire to achieve sound economies in the Federal service. We are aware also of your deep interest in the well-being of the men and women who devote their careers to public service in various Federal agencies.

For these reasons, we offer several suggestions to save the Government as much as $2 billion each fiscal year, without impairing any essential services to the American people.

Earlier this year, you will recall, the Subcommittee on Manpower of the House Committee on Post Office and Civil Service issued a report on the personnel practices of the Department of Defense. In this report, the subcommittee estimated that as much as $1,400 million was being lost annually by contracting to private companies work which has historically and successfully been handled by civil service employees.

The subcommittee's report concentrated exclusively on the Department of Defense—which, by the nature of its huge budget, is probably the largest user of these contracts. But there is considerable evidence which could be adduced to show similar examples in other executive departments and agencies—the Post Office Department, the National Aeronautics and Space Administration, and the General Services Administration, to name just a few. These practices in non-Defense agencies could add up to as much as $600 million more each year.

The Government Employes' Council proposes four steps to alleviate the situation:

1. Withdrawal or substantial modification of Bureau of the Budget bulletin No. 60–2. This document was issued in 1959 by another administration, setting forth, as official policy, the concept that the Government should not perform services and functions which can be provided by private firms. Regrettably, this document has not been revised in succeeding years. It specifically permits agency officials to purchase services from private firms even when they are far more costly to the taxpayers than the use of direct-hire civil service personnel. We believe this flies in the face of your administration's efforts to achieve meaningful economies.

2. Ending entirely the use of military personnel to perform civilian functions. This has proven quite costly in tax dollars, on the basis of the House subcommittee hearings. Just a few days ago, Representative DAVID N. HENDERSON, the subcommittee chairman, estimated that at least 50,000 active-duty military men in our armed services are performing civilian-type work. This is detrimental to our defense posture as well as harmful to your economy efforts. Particularly now, in view of the serious military situation in the Far East, we believe these personnel should be released to combat duty, and their civilian functions—carpenters, painters, chauffeurs, typists, stock clerks, statisticians, et cetera—be returned to the civil service category where they previously belonged.

3. Repeal of the Whitten amendment, which has placed unrealistic ceilings on Federal agencies. The council was gratified with your action of August 6, 1965 in signing H.R. 6622 into law. The new statute helps relieve a critical situation by exempting the Post Office Department from the personnel restrictions of the Whitten amendment. However, as long as Korean war-type ceilings are placed on other agencies—ceilings which do not take into account the additional demands generated by an ever-increasing population, and the additional services required by new statutes and expanding agency functions—these restrictions will serve as an open invitation to agencies to purchase untold numbers of man-years of service outside the Government in order to achieve agency missions. Procurement of these services from private companies results in far higher costs to the taxpayers than does the direct hire of additional civil service employes.

4. A review in depth of Defense Department plans to close or consolidate military installations. While there may be some activities which are no longer essential because of changing defense requirements, the Government Employees' Council believes that the determination to close many facilities constitutes false economy. The military hardware being produced at some of these installations remains vital to the defense of freedom, and the Defense Department will be forced to obtain this hardware from private firms. This will lead, inevitably, to greater expenditure of taxpayers' dollars. The Manpower Subcommittee has indicated it plans to hold hearings on the base-closure question. We hope the administration will join with us in a serious review of this matter before the subcommittee in the interest of sound fiscal management.

While welcoming this administration's efforts toward economy, the Government Employees' Council is concerned that it might be turned in the direction of merely reducing the size of the Government payroll. In years gone by, Federal employees have been the whipping boys for many a so-called economy drive, for it has long been popular to regard Federal employment as some evil that must be avoided at all costs. We are confident that your administration has no such thought in mind, but we are concerned that overzealous officials at lower levels in the executive department might construe the frugality drive as open season on civil service employees.

If this should prove to be the case—if the tactics at the agency level should be to slash payrolls and then turn work over to private contractors—then the administration's efforts toward economy not only will be illusory but we will all suffer, for there will be a lessening of service to the American people and a marked reduction in its quality.

Let me once again pledge to you, Mr. President—on behalf of the Federal employees in the classified, postal, and wage board services whom our 31 affiliated unions represent—that the Government Employees' Council wholeheartedly supports your goal of a Federal establishment which will provide the American people a maximum of service at a minimum of cost. This has been the historic position of the Government employee; it will continue to be our policy.

Because we are most anxious to join more fully in the administration's efforts to achieve meaningful savings throughout Government, we look forward to an early opportunity for a small committee to discuss our proposals in greater detail with you or your designated representatives.

Respectfully,

E. C. HALLBECK,
Chairman.

A BACKGROUND STATEMENT BY THE GEC

The Government Employes' Council of the AFL–CIO has no quarrel with the private enterprise system on which the American economy is based. We welcome free enterprise; we concede its right to grow and prosper; we salute it for the enormous contribution it has made to the progress of our country.

We subscribe to the principle that Government should not compete with private enterprise. However, we do not interpret this to mean that the Government must be rendered impotent or that it must cede its duties and responsibilities to private firms. We feel that the Government has certain historic functions to perform, and that free enterprise has totally different functions to perform.

We believe this subject of competition should be a two-way street. If Government should not compete with private enterprise, it follows that private enterprise should not insist on competing with Government. We see no justification for an approach in which the business community says "what's mine is mine, and what's yours is supposed to be contracted out."

It would make as much sense for the Government to contract out to private firms the raising, training, and equipping of our Armed Forces—in the manner of the Hessians of generations past—as it does to say that the Government, to prove it is noncompetitive, must turn over to profit-oriented firms those duties that have been performed successfully by Government employees over the course of years. This is, of course, patently ridiculous.

There is no rationale for contracting with private firms to do the jobs which can be done cheaper, and better, through the use of direct-hire employees on the Federal payroll. If this present procedure is pursued further—particularly at a time when the administration is engaged in what it calls a war on waste—the American people are going to be misled. They will be told that reductions in the Federal payroll are being made in the interests of economy—but will they be told, as well, that to achieve this goal, more money is being expended to purchase the same services (or even services of lesser quality) from private firms?

The trend toward contracting out is the inevitable byproduct of restrictive personnel levels in the Federal service, aggravated by a policy directive issued in 1959, and still in force, which virtually commands agency heads to give preferential treatment to private contractors, as opposed to direct-hire employees, irrespective of the cost.

Bureau of the Budget Bulletin No. 60–2 sets forth the views of a prior administration on this question of competition between the Government and private enterprise. It states, as its credo, the principle that "the Federal Government will not start or carry on any commercial-industry activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels."

In pursuit of this policy, the bulletin instructs agency officials to overlook even "relatively large and disproportionately higher costs" of commercial sources, and states as a general rule that agencies should have "a presumption in favor * * * of commercial sources"—even, the bulletin says, when these are "more costly commercial sources."

This is a curious policy. It is a damn-the-cost-full-procurement-ahead concept. It may fit administrators' notions of how to get along with free enterprise, but it certainly is at odds with any high-flown promises about prudent management of Government affairs.

Yet, the policy continues to exist, and the Bureau of the Budget, which promised the House Manpower Subcommittee a year ago that it would revise the bulletin, still has done nothing.

When you add to this bulletin the unrealistic ceilings on personnel with which Government agencies are saddled by the Whitten amendment, you create the kind of situation that agency administrators must find hard to resist. On the other hand, you have increasing demands for services from departments and agencies of Government; on the other hand, you have strict directives on the number of people you are allowed. Increased efficiency and greater productivity from all Government workers—classified, postal, and wage board—have performed miracles in terms of getting a quality job done, but this has not been enough in the face of new programs and new directions for Federal agencies.

What is an administrator going to do? He's going to have the work done by a private firm, which charges not only for the people it supplies, but which also charges overhead and profit. Government directives say that agencies should not use contracting-out procedures to circumvent personnel ceilings. But given the problems, these directives are going to be honored more in the breach than in the observance.

The record of the Manpower Subcommittee is replete with evidence to sustain this point. In its report issued earlier this year, Representative DAVID N. HENDERSON, subcommittee chairman, said this: "The Federal Government is paying about $1.4 billion annually more than would be necessary if this work were being handled by civil service employees on the direct payroll of the Federal Government."

The subcommittee went on to say: "It is not good business for the Federal Government to contract with private interests to furnish to the Government 'people' to perform work that currently is and historically has been successfully handled by Government personnel. This, in the opinion of the subcommittee * * * is unwarranted (and) is false economy."

The report centered exclusively on the contracting-out procedures of the Defense Department. If its findings were to be applied on a Government-wide basis—and, after all, the contracting out is being conducted in virtually every department and agency of the executive branch—then it is easy to see how the figure on waste would reach, or exceed, our $2 billion estimate.

The subcommittee criticized the fact that "no one in the Government knows how many man-years are being bought from private industry to work in the Department of Defense nor does anyone know exactly how much it is costing." In other words, not only is the practice widespread, no one has apparently taken the time to discover its wasteful nature—relying on bulletin No. 60–2's "presumption" in favor of the private contractor, irrespective of "disproportionately higher costs." The subcommittee ventured the opinion that the cost of contractor employees "may be as much as 100 percent more than a similar staff of civil service personnel doing a similar job."

The subcommittee said it had found "many examples * * * proving that restrictive civil service personnel ceilings are a major reason for using contractor personnel," and said its members were "shocked at the degree of inefficiency and waste of Government funds" involved.

As to bulletin No. 60–2, the subcommittee said this policy "does lean heavily on the side of commercial sources irrespective of costs." It added: "In consideration of the dynamic nature of our economy, plus the changing concepts of our defense effort, it is rather difficult to imagine a policy of this import not having been revised" since its adoption in 1959.

The record shows only one type of contracting out which has resulted in any appreciable savings—but ironically these savings have been at the expense of another administration principle: Its war on poverty. The subcommittee produced evidence showing that, when janitorial services were turned over to private contractors, the latter often hired workers at substandard wages—often below the minimum wage level. We deplore this type of situation which pits the worker on the lowest rung of the economic ladder against the Government employee—to the detriment of both, and of the country, as well.

Representative HENDERSON, expressing concern over this situation, quoted from testimony by Assistant Secretary of Labor Esther Peterson before the House Education and Labor Committee, when she said: "The Federal Government cannot afford to save money at the expense of those who are among the most unskilled, the weakest, and the poorest of our citizens. This result is directly contrary to one of our most frequently expressed ideals. Contributions to our Federal Treasury from the pockets of those living in the depths of poverty are too costly." We heartily endorse this view. We hope that the officials who head the various Federal agencies will pay heed to Mrs. Peterson.

In recent weeks, there have been signs that the administration is taking a hard, new look at this problem. We particularly applaud the pledges by Norman Paul, Assistant Secretary of Defense for Manpower, that thousands of jobs usurped by military personnel will be returned to regular civil service employees, and that other technical jobs now filled by employees of private contractors likewise will be returned to career civil servants. This is a welcome start. Now it must be implemented and enlarged upon throughout Government.

GEC opposition to contracting out is nothing new. Back in 1961 we had this to say on the subject: "This policy has led to * * * the discharge of thousands of career civil service employees before they have become eligible for retirement, and at an age where industry and other governmental agencies are unwilling to employ their services. The policy has caused the waste of valuable skills and loss of the effective utilization of hundreds of millions of dollars invested in plant facilities and tools. It has caused thousands of families and hundreds of local communities to suffer adverse economic adjustment and hardships. It has also fostered and promoted higher defense costs to the taxpayer and has been responsible for the adequacy and quality of our country's defense posture to be vested in the profit-motivated segment of our economy, instead of under the control of the Congress and the administration, as required by our Constitution."

Our commitment to frugality is nothing new, either. Our 31 affiliated unions and their members have long been pledged to the war on waste—pledged to it, in fact, before it was really fashionable. Proof of our commitment has been the wholehearted participation of our members in the Federal employees' incentive award program. Over the past 10 years, hundreds of thousands of their ideas have been accepted by the Government, resulting in savings running to the hundreds of millions of dollars.

Vital as these savings have been, they pale by comparison with the $2 billion a year which can be saved by the revised personnel procedures which we have recommended to the President.

INCREASED RETIREMENT ANNUITIES FOR FEDERAL EMPLOYEES

Mr. CARLSON. Mr. President, H.R. 8469, which provides for retirement annuities increase for our Federal employees, passed the House August 3, 1965.

This bill, with amendments, passed the Senate on September 8, 1965, and on September 9, 1965, the House agreed to the Senate amendments. The bill was then returned to the Senate for signature by the Vice President and forwarded to the White House.

Some of my friends who are vitally interested in this legislation checked and found that it has not yet arrived at the White House. As a member of the Senate Post Office and Civil Service Committee, I earnestly urge that this bill be sent to the White House for final approval.

This is important in order that our Federal retirees will be eligible to receive the increased annuities, on December 1, 1965. If the bill is not signed before October 1, the retirees will lose 1 month's benefits as payments will begin after January 1, 1966—instead of December 1, 1965.

THE BRITISH POUND STERLING

Mr. JAVITS. Mr. President, on August 12 I made a major speech concerning the state of the British economy and its problems and its relationship to the stability of the international monetary system. In that speech I called attention to the seriousness of the British economic situation—not only the immediate position of the pound sterling, but also to Britain's ability to correct the fundamental weaknesses in its economic system which contribute to periodic crises in its balance of payments.

Since that speech Secretary Fowler, during his recent European trip, succeeded in putting together a new financial package, with the support of the industrialized countries of Europe plus Canada and Japan, except France. I fully support this action and agree that it will remove the immediate threat of a crisis for the pound sterling and thereby will contribute to the stability of the international monetary system. Note should be taken at the same time of the very drastic steps which the British Government itself has taken in dealing with the threat of inflation in Britain and thereby strengthening the confidence of the world's financial centers in the ability of the British Government to bring the immediate crisis at hand under control.

My own feeling is, and I have fully expressed this in my August 12 speech, that the real solution to Britain's recurring balance of payments crises is in the modernization of management and labor policies and practices in Britain's industry, as well as strong external financial support for the modernization of key sectors of the British economy, and the making of new trade arrangements between the United States, Britain, and Canada and other countries willing to abide by the terms of these arrangements.

So, while I strongly support the new credit arrangements now concluded between the United States and its industrialized allies to support the pound, I believe that what is needed is for the United States, in cooperation with its allies, to assist Britain to deal with its long-term problems on the basis of long-term arrangements such as I have suggested.

I am glad to note that the Honorable Robert Roosa who, until last year, was Under Secretary of the Treasury, and the architect of many of the ad hoc measures that have been taken to supplement the international monetary structure created in the immediate postwar period, suggested, in his recent book entitled "Monetary Reform for the World Economy," that Britain be extended a long-term loan by the industrialized countries to help pay off Britain's existing relatively short-term debts to the IMF. My own proposal is for the industrialized countries to provide approximately $10 billion to Britain in long-term loans through the World Bank to provide it with the necessary funds to modernize segments of its economy, in an orderly and considered atmosphere.

I am pleased to report that the reaction to my suggestions was quite favorable in the British press, and once again I urge the President, the Secretary of the Treasury, and the Secretary of State to give their careful attention to the proposals contained in my August 12 speech. Anyone who carefully analyzes the British economic situation can see that the principal contributing factors in Britain's current balance-of-payments crisis and the need for Britain to deal with this crisis through drastic, deflationary action are due to long-term fundamental factors that must be corrected so that sterling will continue to play its present major role in the international monetary system. The willingness of industrialized countries, both last November and again a few days ago, to come to the aid of the pound indicates a recognition of the key role of the pound in the existing international monetary system. What must be done now is for the industrialized countries to begin immediate consultations with Britain as to how these countries could contribute to a fundamental correction of Britains' basic economic woes.

I ask unanimous consent that copies of articles appearing in the British press concerning my proposals, as well as recent articles from the American press concerning the state of the pound sterling, may be printed in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Economist, Aug. 14, 1965]

A KITE FROM NEW YORK

Senator JACOB JAVITS, New York's independently minded Republican, has always had a flair for picking up and backing the good cause—if never an official position to bring to bear. This week, just when sterling seemed to be recovering anyway, the Senator proposed a still closer Atlantic partnership to help the pound: the formation of a free trade area in manufactures and the extending of American technical and financial aid to this country. It was all more dramatic than new. And all very unofficial. But it would be a mistake to dismiss it out of hand for all of that. The basic idea of a free trade area across the Atlantic is a good one—this newspaper advocated exploring this possibility when the European door banged shut. And we have also advocated a virtual merger of the British and American exchange equalization accounts through a major and permanent extension of the swap facility. The Senator's scheme while sensibly suggesting starting modestly—with perhaps just the three giants, the United States, Britain, and Canada in the trade area—is open ended. Presumably, it would eventually embrace at least Britain's EFTA partners. It is a suggestion worth official consideration—particularly now that, hopefully, the heat of the sterling crisis has cooled—if only as a less-than-ideal solution.

[From the Financial Times, Aug. 13, 1965]

SENATOR URGES MASSIVE U.S. SUPPORT FOR UNITED KINGDOM

WASHINGTON, August 12.—Massive U.S. support by the administration to prevent Britain's recurrent financial crises from weakening her role in Western affairs was urged today by Republican Senator JACOB JAVITS, of New York.

"It is obvious from Britain's recurrent balance-of-payments problem that without basic domestic economic reforms—which Britain shows every will to effect—aided by substantial U.S. capital, Britain's role in world affairs will be seriously impaired in the coming years," he warned.

Commenting on the various measures taken by the Labor government, Senator JAVITS maintained that except for the wages policy and the creation of new Ministries, "these measures do not deal with Britain's long-range problems." To deal with these he proposed powerful economic support from the United States in various ways.

The United States should make available to Britain the technical knowledge and financial support Britain may call for to assist in the modernization of industry. In particular, Senator JAVITS suggested, President Johnson should exempt Britain from the interest equalization tax for up to $100 million annually for the purpose of obtaining long-term U.S. private capital to modernize factories.

MODERNIZATION FUND

There should also be a modernization fund set up by OECD nations to help Britain with her long-range structural problems. Senator JAVITS proposed a $10 billion fund for this purpose.

He further suggested that the United States should offer to enter a free trade area treaty—which would eventually include members both of the EEC and EFTA—and agree to lower tariffs on an across-the-board basis by 5 percent annually for 20 years. For this purpose Senator JAVITS today introduced a bill which would authorize the President to eliminate U.S. tariffs on the manufactured products of industrialized nations.

Most of Senator JAVITS' proposals have little prospect of gaining official backing at this time, but the tone of his speech is indicative both of general concern here at the implication of Britain's economic troubles, and of the large fund of good will which still exists for Britain in Congress, especially among legislators from the eastern seaboard.

Noticing the tremendously important role still played by sterling, he pointed out that it is greatly to American interests to maintain the dollar and pound international standard. Our economy need not be asked to carry this responsibility alone.

[From the Guardian, Aug. 13, 1965]

CALL FOR MAJOR U.S. AID TO BRITAIN—REPUBLICAN SUGGESTS PARTNERSHIP

(By Richard Scott)

WASHINGTON, August 12.—The United States should rally with all necessary aid to the side of the United Kingdom in the "second Battle of Britain" which is now being fought out on the economic front. This is the essence of an argument developed before the Senate this afternoon by Senator JAVITS.

Britain, the liberal Senator from New York said, is America's closest ally; she is also an essential element in the stability and strength of the free world. And the threat to the stability of the pound indicated that there was a grave danger that "Britain's recurrent financial crises would significantly reduce her leading participation in the conduct of Western affairs." The Senator thought the United States should take the initiative in helping Britain to win its economic battle.

STRONGER RELATIONSHIP

He suggested that America needed a stronger relationship with the United Kingdom, which would lead to "a broader trading arrangement to include all the industrialized countries of the free world." Specifically, Senator JAVITS proposes:

1. The United States should offer to enter into a free trade area treaty, at first with Britain, then with Canada and, on a reciprocal basis, with the other EFTA nations, the Common Market countries, either individually or as a unit, and the other industrialized members of the Organization for Economic Cooperation and Development, which are willing to reciprocate by lowering their tariffs and nontariff barriers on an across-the-board basis, by 5 percent a year, over the next 20 years.

2. The United States should make available the technical knowledge and financial support Britain might call for to assist such changes in industrial outlook and methods as are necessary to permit its full participation "in the trading arrangements I propose."

3. The United States should press forward with its plan for international monetary reform through the IMF, and present a plan of action in time for the annual meeting of the IMF in September.

4. Congress, in cooperation with parliamentary leaders in Britain, should take the initiative in forming an ad hoc interparliamentary working group whose task would be: (a) to chart a course toward the establishment of a consultative Atlantic assembly composed of NATO countries and European neutrals; and (b) to develop a consensus among Parliament and Government in support of this idea.

BRITISH HELP

The Senator then expounded at some length the basis upon which he claimed that Britain had made, and was making, a major contribution to the maintenance of world peace, and the expansion of world prosperity—particularly in underdeveloped areas. He also went into the details of Britain's present economic difficulties.

He concluded: "Let us not underestimate the current economic crisis besetting Britain." This "could set the world on a critical collision course with depression. In 1949 Winston Churchill advised us never 'to lose sight of the fact that Britain is an absolutely vital necessity to the strength and future of the United States.' That statement is as valid today as it was then and, with that incontrovertible fact in mind, we must act promptly and affirmatively now."

Sometimes Senator JAVITS speaks for the small body of northern liberals in the Senate and the country; but mostly he speaks for himself.

RUMORS MISTAKEN

British United Press reports: A comment that the British economy, though possibly ailing, was not as sick as speculators had contended, was made by today's New York Times. The newspaper stated that Britain's record exports in July "should dispel rumors that sterling will be devalued."

[From Punch, Sept. 1, 1965]

O RARE AND UPRIGHT JACOB

My favorite American, not a shadow of doubt about it, is Senator JACOB JAVITS, of New York. Senator JAVITS does not know that we are sort of old buddies, that we once shook hands in the building of the New York Times and passed the time of day. It happened like this: I was elevating with some eminent American journalists when the lift stopped to admit the freshly elected Senator. My colleagues opened up with "Congratulations, Senator," and Mr. JAVITS responded instantly with a big grin and an extending palm.

How was he to know that as an alien, and therefore without benefit of franchise, I had contributed precisely nothing to his victory? How was he to know that to me he was merely a friendly face on American TV? Ought I to have withdrawn with some such remark as "Senator, I am English—you have nothing to thank me for." No, that would have been boorish. So I allowed myself to pose as a Yank, and we shook. Vigorously, I recall.

You see how proud I am of that accidental connection. This man, JAVITS, has turned out to be worthy of my handshake. The other day in Washington, he urged "massive U.S. support for the United Kingdom." "It is obvious," he said, "from Britain's recurrent balance-of-payments problem that without basic domestic reforms—which Britain shows every will to effect—aided by substantial U.S. capital, Britain's role in world affairs will be seriously impaired in the coming years."

Now U.S. support for Britain is not an entirely new idea. The United States was supporting Britain even before it became the United States—right up to the Boston Tea Party—and since then it has waded in with all manner of loans, Bundles for Britain, lend-lease agreements, Marshall aid and the rest. Indeed, there are people in Britain who maintain that all our economic weaknesses stem from these loans and the resultant featherbedding of British industry; Tories, in particular, regard the postwar American loan agreement as a rare old example of Socialist incompetence, and they will accuse Labor of profligacy once again should anything come of Senator JAVITS' proposals.

The truth is, however, that Britain needs foreign aid if it is to recover quickly. At present we are marking time; we have a government pledged to introduce new measures to beat the recurring trade gap; and it can't even get started; at the first sign of radicalism the financiers take fright and sell sterling, and the pound nosedives and the government has second thoughts and drops its radicalism. We need, as the Senator has said, a few years of massive and unqualified support, time to embark on measures of reform and reconstruction that would insure a healthy, efficient, competitive Britain.

For many years we have lived virtually from hand to mouth, spending next to nothing on the future. And we are all aware of the results. Our education is stuck for want of teachers, accommodation, and equipment; our health services scream for more nurses, doctors, and hospitals; our transport is gummed up; our industries fall down on scientific research, automation, design, and marketing; we lack the housing essential for industrial mobility and a decent policy for immigration. And we can't tackle this immense backlog of reconstruction without jeopardizing the precious pound, for we live so near to the knuckle that without the support of the foreign investor sterling is doomed. And the foreign investors' interest in sterling is restricted, quite naturally, to what it will buy in Britain.

Plans for new schools, hospitals, roads, for an extension of state "welfare" leave him ice cold. These things cannot be bought by the foreigner; to him they are so many extras to be financed by his sterling. So the gnomes of Zurich and elsewhere distrust state planning and insist on laisser-faire muddle.

Senator JAVITS is the first influential foreigner to understand our predicament. If he manages to convince his fellow Americans to the point of action he will repeat—no, improve on the "most unsordid act in history."

BERNARD HOLLOWOOD.

[From the Times, Aug. 13, 1965]

U.S. SENATOR'S FREE TRADE PLAN—PARTNERSHIP PLEA—SUPPORTING ECONOMY

WASHINGTON, August 12.—Senator JACOB JAVITS, Republican, of New York, said today that the United States should offer a form of economic partnership to Britain. Powerful American support was indispensable if the British people were to win the new battle of Britain.

There could be no doubt that a key element of Western strength and cohesion was Britain's contribution in international finance, economic development, and in the military security of Europe and the Commonwealth nations, he said. It would be a grave blow to the West if the balance-of-payments crisis and the weakness of sterling reduced her leading participation in the conduct of Western affairs. The United States must take the initiative now.

RECIPROCAL BASIS

The Senator, who is a good friend of Britain and has been long concerned with her economic difficulties, discussed the speech with members of the administration before delivery. The general response was favorable, and some useful comments were given; while only Senator JAVITS is responsible for the contents, the speech reflects the sympathetic concern of the administration.

Specifically, he recommended an offer to enter into a free trade area treaty initially with Britain and then Canada, and on a reciprocal basis with the other European Free Trade Association nations, and members of the European Economic Community, either individually or as a unit. The offer should also be made to other industrialized countries of the Organization of Economic Cooperation and Development willing to reciprocate by lowering tariff and nontariff barriers on an across-the-board basis.

The object of the treaty would be substantially free trade, subject to national security exceptions, in manufactured products between industrialized countries. As an essential precondition, full meaning must be given to the "dominant supplier authority," of the Trade Expansion Act, which was rendered useless by Britain's exclusion from the EEC.

For this purpose, Senator JAVITS said, he was introducing a bill authorizing the President to eliminate U.S. tariffs on the manufactured products of industrialized nations. It would enable the United States to offer full economic partnership to Britain, and provide big incentives to the EEC and other European nations, as well as Canada and Japan, to see the advantages of a closely integrated Western economy.

[From the Daily Telegraph, August 13, 1965]

SENATOR WANTS FREE TRADE WITH BRITAIN—"UNITED STATES SHOULD AID ECONOMY"

(By Vincent Ryder, Daily Telegraph staff correspondent)

WASHINGTON, Thursday.—The United States should offer Britain economic partnership, including a free trade agreement, to help it out of its economic troubles, Senator JAVITS, a Republican of New York, said in a speech in the Senate today .

"The United States has an indispensable and fundamental stake in the well-being of Britain and her ability to play a strong role in the free world's struggle for peace and freedom," he said.

A new Battle of Britain was raging that could adversely affect the strength of the West and the fate of the free world.

Senator JAVITS, a prominent member of the Congressional Joint Economic Committee, offered a string of suggestions.

He also introduced a bill that would authorize the President to eliminate tariffs on manufactured goods as a first step towards a free-trade area treaty with Britain.

LONG-TERM PROBLEMS

There is almost no change of legislative action on the bill this year. The Senator's chief aim is to focus American attention on Britain's problems and to stir up a public debate that might produce action.

Senator JAVITS said there were long-term problems to be tackled. British industry must be consolidated into larger units. Trade unions must show greater awareness of the need for increased productivity and automation. Industry needed new capital.

Confidence in British business traditions should be preserved "by setting at rest further rumors about the nationalization of steel and similar ventures which would not help to reorient Britain towards the rapidly growing and increasingly competitive Western European complex."

TAX EXEMPTION

On the American side, Senator JAVITS offered suggestions for helping Britain's economy. President Johnson's administration shows no sign of putting its weight behind them, though it is prepared to support the pound against speculative attacks.

The Senator's proposals included exemption for Britain from the tax on American purchase of foreign securities and using the Government-sponsored organization of managerial experts to advise British firms on production.

He urged setting up a "modernization fund" by the Organization for Economic Cooperation and Development to help countries like Britain. America, he said, should contribute up to one-half of what probably would be $10,000 million (£3,571 million) expenditure over a 5-year period.

[From the Daily Mail, Aug. 13, 1965]

SENATOR URGES AID FOR BRITAIN

Senator JACOB K. JAVITS, a Republican, today called on America to give Britain massive economic aid in the "new battle of Britain."

He told Congress that the United States should enter into a free trade area treaty with Britain and give her technical knowledge and financial support to help her revitalize her industry.

[From the Sun, Aug. 13, 1965]

UNITED STATES MUST JOIN NEW BATTLE OF BRITAIN

(By Frederick Farris, Washington, D.C.)

A leading U.S. Republican, Senator JACOB JAVITS, said here today that for her own sake America must help to avert an economic crash in Britain.

He told the Senate that Washington must take the initiative to help the people of Britain to win what he called the new "battle of Britain."

Loss of this battle, he said, "could seriously affect the strength of the West and the fate of the free world."

Senator JAVITS urged the U.S. Government to offer to join with Britain in a "free trade area treaty" that could later include Canada and possibly even continental Europe.

PARTNERS

He announced he was introducing a bill which would authorize President Johnson to cancel U.S. tariffs on manufactured products from industrialized countries.

This, he said, would enable America to offer "full economic partnership" to Britain.

Under the bill, American technical knowledge and financial support could be provided to revolutionize the outlook and methods of industry and labor in Britain.

Senator JAVITS said President Johnson should start a major program "to channel American techniques into all areas of British industry."

The New York Senator also urged the setting up of £350-million "modernization fund" by industrialized nations, of which America would contribute one-third to one-half.

A LOAN

This fund could make "a sizable loan" to Britain after drawing up a modernization plan.

Senator JAVITS said the long tradition of alliance and friendship between the United States and Britain made it vital that help should be extended in the present crisis.

But apart from that, it was to the U.S. best interests that Britain should remain solvent and healthy.

He added: "Britain can be a valuable ally to the United States in minimizing growing trade discrimination."

[From the Daily Mirror, Aug. 13, 1965]

A CALMER DAY FOR THE POUND

The pound had a calm day yesterday. And there was no selling pressure in world currency markets.

During the day the pound eased by one-eighth of 1 cent to \$2.79$\frac{11}{16}$.

TECHNICAL

But foreign exchange dealers stressed that this was a technical mark down normal in advance of the weekend.

In America, the pound found a powerful and influential friend yesterday.

Senator JACOB JAVITS, of New York, put forward two revolutionary proposals which he said would offer Britain "economic partnership with the United States."

Senator JAVITS is a Republican, officially in opposition to President Johnson, but it is believed that his suggestions—put forward in a Senate bill—have the President's approval.

The two proposals are:

America should offer to enter a free trade treaty area with Britain and possibly later with other European countries and Canada.

America should make available the technical knowledge and financial support necessary to revitalize British industry.

In an apparent reference to the possibility of devaluation of the pound, Senator JAVITS said:

"Let us not underestimate the current economic crisis besetting Britain and its repercussions for the United States and the free world."

[From the Daily Express, Aug. 13, 1965]

BACK THE POUND JOHNSON IS URGED

(By Ross Mark, Washington)

A resounding call for America to help Britain fight her battle for the pound was made in Congress today by Republican Senator JACOB JAVITS, of New York.

He suggested a series of dramatic steps that President Johnson should take to help Britain, including full economic, partnership.

Senator JAVITS said: "There can be no doubt that a key element of Western strength and cohesion is the contribution of the United Kingdom in international finance, economic development, and in the military security of Europe and the Commonwealth nations.

"Britain herself needs to make drastic and basic economic decisions to meet this crisis.

"Specifically, we need a new and stronger trade relationship with Britain which would lead toward a broader trading arrangement to include all the industrialized countries of the free world.

"Such an initiative would, at the same time, give strong impetus to the progress of the Atlantic Community toward essential economic integration."

STRONG ROLE

The United States had an indispensable and fundamental stake in the well-being of Britain and in British ability to play a strong role in the free world's struggle for peace and freedom.

Mr. JAVITS continued: "Most important, Britain can be a valuable ally to the United States in minimizing the growing trade discrimination created by the Common Market and European Free Trade Association."

Senator JAVITS concluded:

"Major British financial or economic crises could set the world on a critical collision course with depression."

[From the New York World Telegram, Aug. 12, 1965]

JAVITS OFFERS PLAN TO BOLSTER POUND

WASHINGTON, August 12—Senator JACOB JAVITS (Republican, of New York) today called on Congress and the President to wage a new battle of Britain—a battle for the pound sterling and economic survival.

"A new battle of Britain is raging," he said in a speech prepared for delivery on the Senate floor. "It is an economic struggle on the home ground of our closest ally that could seriously and adversely affect the strength of the West and the fate of the free world."

JAVITS warned of "grave danger that Britain's recurrent financial crises" will reduce her leading role in Western affairs. He said financial crises in Britain could cause a depression in the United States.

JAVITS recommended gradual elimination of tariffs on manufactured goods between the United States and Britain, then with other industrial nations. He introduced legislation to authorize the President to make such reductions.

He suggested that the United States help Britain with technical knowledge and financial support in the form of loans and tax exemptions. The loans—JAVITS suggested a fund of \$10 billion—would be made in cooperation with other industrialized allies.

[From the New York Herald Tribune, Aug. 13, 1965]

JAVITS URGES TRADE TREATY TO SAVE BRITAIN

WASHINGTON.—Senator JACOB JAVITS, Republican, of New York, said yesterday the United States must act to avert an economic crash in Britain that "could seriously and adversely affect * * * the fate of the free world."

In a speech prepared for Senate delivery, Senator JAVITS said the United States should offer "powerful economic support" in a program that in effect would give Britain an economic partnership with the United States.

He recommended that the United States offer to enter into a free-trade-area treaty with Britain and make available technical knowledge and financial support to help revitalize British industry to permit full participation in the new trading arrangement.

[From the Christian Science Monitor, Aug. 14, 1965]

JAVITS TALK CHEERS BRITAIN BUT DOES UNITED STATES AGREE?

(By William H. Stringer)

LONDON.—The basic British reaction to U.S. Senator JACOB JAVITS' proposal for closer economic and political links between the United States and Britain is, as might be expected, to ask what support the New York Senator has in Washington.

"If we thought American officials were interested, we would be interested," was how one economics authority phrased it.

In Government circles the British response is to say that, if such proposals were actually put forward officially from Washington, they would be discussed with real interest.

Senator JAVITS' suggestions, for a kind of economic partnership to "help win the battle of Britain," were carried at some length in such responsible newspapers here as the Times, Guardian, and Daily Telegraph.

PLAN WELL PACKAGED

When an American of even modest authority depicts Britain's costly world role and talks in terms of an Anglo-American free trade area, interchanges between Parliament and Congress, and exchanges of technical know-how—such a speech makes headlines in London.

Senator JAVITS gave that kind of speech—lumping a half dozen ideas into one package.

The liberal New Yorker, who heads the economic committee in the NATO Parliamentarian Association, extended his view beyond the United States and Britain to embrace the NATO and OECD countries and to talk up what amounted to a revived Atlantic partnership.

FRUSTRATION RECOGNIZED

"These proposals are not new," a British economist comments. "Whenever there's frustration over the slow progress of tariff negotiations—the Kennedy round—or over rejection of Britain's bid to join the Common Market, then other programs for cutting tariffs and political-economic cooperation are frequently aired."

By and large the British warmly welcome the interest in Britain's problems evidenced in the Javits proposals.

When he said that it would be a grave blow to the West if the balance-of-payments crisis and the sterling weakness reduced Britain's role in global defense, Western strength, economic development, and Commonwealth security, a good many Britons mentally responded with an approving "Hear, hear."

RESERVATIONS FELT

But there were reservations about entering into a wholly free trade area with Canada and the United States, as proposed by Senator JAVITS, which would be extended to EFTA and Common Market countries. And there were adverse comments about the proposal to exchange technical know-how.

The shock of uninhibited "free trade" competition with giant-size American industry would force some British firms to the wall, instead of helping Britain, it was commented. Moreover, American technological know-how already has penetrated Britain deeply through American-owned companies in Britain.

There is larger general support for the Javits plan for an Anglo-American interparliamentary working group which would chart a course toward a consultative assembly of NATO and European neutral countries.

That is, just as long as this was a purely consultative assembly, which did not surrender basic British sovereignty.

HOW MUCH SUPPORT?

But the basic question asked in Britain and in Whitehall is: How much support does this leader of a small band of liberal Senators have?

Senator Javits is a good friend of Britain: He is interested in such international cooperation as the pooling of corporate resources to develop backward countries. But he is a minority Republican in a Washington controlled by a Democratic administration.

Pound Advances as Help Is Given—Gains Are Large in Brisk Day on Markets Here

The British pound advanced sharply yesterday in response to the Bank of England's announcement of new arrangements designed to support sterling in case of a crisis.

Sterling for immediate delivery rose 24 points from its low yesterday to its closing level of $2.7945, a level 17 points above Thursday's final quotation. Sterling for delivery in 90 days rose even more, closing with a gain of 29 points.

The marked advance was touched off by the announcement that the Bank of England had entered into new arrangements with central banks of 10 leading industrial countries and the Bank for International Settlements to support the pound.

While details of the arrangements were not disclosed, foreign exchange dealers here appeared little concerned with exactly how the plan would work.

"The details might be more confusing than edifying," one foreign exchange expert commented yesterday afternoon. "The basic message is: Watch out, boys, if you're short."

Another currency specialist suggested that the very decision to keep details of the new arrangement secret would make them more effective. Speculators could not govern their activities by such clues as changes in official holdings of currencies coupled with the size of currency swap arrangements.

Although neither the Bank of England nor the United States Treasury elaborated on the arrangements, foreign-exchange dealers here suggested the plan probably would entail further agreements for currency swaps, stand-by credits and pledges to buy and hold sterling.

"Basically, I would expect the plan to have much the same ingredients as last year's," one banker said, conceding his conclusion was purely guesswork.

In November 1964, 11 central banks provided a stand-by credit of $3 billion to support the pound. All countries involved except France also are taking part in the plan announced yesterday.

Outside the foreign exchange market here, the Bank of England announcement produced little impact. United States Government bonds, which might be expected to benefit from decreased pressure on sterling, continued to decline yesterday, ending their seventh consecutive week of lower prices.

Aside from the substantial advance in the price of the pound, the foreign exchange market produced few notable developments yesterday. The Swiss franc slipped to 23.17⅛ cents yesterday, from 23.17½ cents on Thursday, while the German mark rose to 24.93¼ cents, from 24.92½.

Dealers here said they could see no correlation between moves in Continental European currencies and the new pound-supporting arrangement. Belgian and French francs closed with no change yesterday.

[From the Wall Street Journal, Sept. 13, 1965]

United States, Nine Others Join a New Plan To Back Pound—They Will Extend Credits to Britain if Needed; London Exchanges React Favorably—France Fails To Participate

Ten foreign nations, including the United States, but not France, rallied to the aid of Britain in its financial troubles with new arrangements that the Bank of England said are designed to support the pound in case of a future sterling crisis.

Terms of the agreements weren't spelled out, but it was indicated the central banks of the 10 countries will stand ready to extend credits to Britain and to enter the foreign exchange market to buy offerings of sterling that threaten to depress the pound in relation to other currencies.

Besides the United States, countries with whose central banks the Bank of England said arrangements have been made are Austria, Belgium, Canada, West Germany, Holland, Italy, Japan, Sweden and Switzerland, plus the Bank for the International Settlements. The BIS, based in Basle, Switzerland, was set up after World War I to handle German reparations payments; it has continued as a kind of clearinghouse for a variety of international consultations and transactions.

The notable absentee is France, which along with the others had joined in extending an emergency $3 billion loan of credit to Britain in November.

FAVORABLE REACTION AT EXCHANGE

The Bank of England's announcement of the international arrangements Friday afternoon brought a quick favorable reaction in London's stock and foreign exchange markets, as well as in foreign exchange dealings in international money centers.

Both the Bank of England and British Government officials declined to disclose the exact nature and amount of the new support arrangements.

In its initial announcement Friday afternoon, the bank said, "These new arrangements take various forms and will enable appropriate action to be taken in the exchange markets with the full cooperation of the central banks concerned."

At a subsequent press conference, James Callaghan, Chancellor of the Exchequer, said: 'We are not disclosing the form, the amounts involved or the duration of these arrangements. We do not want to disclose what is in our hands."

Noting that the negotiations with the central banks had extended over a long period, Mr. Callaghan added: "The object of the arrangements is to cash in and exploit the better trend of sterling in exchange markets. The importance of the measures is that they should scare off speculators and others who have been banking on pound devaluation."

He said, "This is a movement from strength and not from weakness. That distinguishes it from other operations we have had to embark on during the last 12 months."

Those earlier moves included heavy borrowing by Britain last fall, when speculative selling is believed to have pushed the pound close to devaluation. At that time Britain borrowed $1 billion from the International Monetary Fund and obtained the additional credits of $3 billion, of which $1 billion came from the United States and the rest from the other nations, plus France, that are included in the present support operation.

That backing, together with austerity restrictions adopted over the past 10 months to check a serious outflow of funds, has helped Britain to weather the sterling storm. The new arrangements aim at creating an atmosphere of confidence that will prevent a new crisis from developing this fall. "They consist of a variety of facilities designed to do a psychological job," a Bank of England spokesman said.

UNITED STATES CONCURS WITH CALLAGHAN

In Washington, U.S. Treasury joined the British authorities in noting that the present British support moves have been developed "in an economic and financial environment very different from that of last November, when the situation required emergency credit assistance to the United Kingdom." The U.S. Treasury voiced the belief that current British measures are improving that nation's balance of payments and "give indications of producing equilibrium, as intended, by the second half of 1966." The Treasury added that confidence in the British position "is growing" and that the new arrangements are designed "to further that trend."

British officials didn't appear concerned about France's failure to join in the support move. Questioned on that point, Mr. Callaghan said: "I don't want to make any comment on France. It is up to every central bank to make its own decision. The French attitude is a matter for them."

He added that loans made by France and other central banks last year were paid off when Britain got additional advances from the International Monetary Fund.

IMF loans amounting to $2.5 billion are the major single source of funds relied on by Britain currently for support of the pound. In addition it has made drawings of an undisclosed amount in the last 3 months under its $750 million reciprocal line of credit with the New York Federal Reserve Bank; some estimates put these drawings at more than $20 million.

LONDON MARKET REACTED BRISKLY

In response to the Bank of England's monetary announcement at 2 p.m. Friday, the London stock market, quietly firm during most of the day, moved up briskly in late trading. British Government bonds led the upward movement, with advances ranging to a dollar or more. Other securities showed a liberal distribution of fractional gains.

Oil and gold shares were exceptions to the trend; oils had fractional losses, and gold shares declined under overseas selling prompted by the firmness of sterling.

Indicative of the trends were these index figures Friday: Financial Times Common share index, 325.3, up 2.1; Reuters industrials, 411.2, up 2.6; Government securities, 72.0, up 0.2; Kaffirs index of gold-mining shares, 68.1, off 0.2.

In London's foreign-exchange market, the spot pound rate in relation to the dollar, which fluctuated around $2.7919 Friday morning, spurted to $2.7938 when the news came out. Dealers reported heavy buying of the pound from Paris, Zurich and Amsterdam.

In foreign-exchange transactions in New York, the rate at the close, several hours later than in London, was $2.7944, up from Thursday's $2.7930, on sterling for immediate delivery. The discount on pounds for delivery in 90 days narrowed to 1.40 cents from Thursday's 1.53 cents.

New York foreign-exchange officials viewed the strengthening of the forward sterling quotation as a particularly significant sign of increased confidence in the pound.

"The news of the new arrangements is good news for the pound," a top foreign-exchange official of a New York bank said. "It takes the near-term pressure off the pound and should give the British breathing space to get things accomplished. It doesn't change the long-term outlook. The British have much yet to do in modernizing their plant, increasing exports and reducing domestic consumption. But at least they're in better shape now to tackle these things."

[From the New York Times, Sept. 12, 1965]

France Out of the Boat

Even though France declined to join the new secret 10-nation agreement to help Britain defend the pound sterling, the alliance represents a significant strengthening in international monetary cooperation. It marks the first time that a monetary defense has been mounted in advance. Until now help has been proffered only after speculative attacks on the pound threatened to undermine the entire international financial network. Now speculators have been put on notice that Britain does not stand alone, which should prevent a fresh attack from getting started.

France's refusal to cooperate appears on the surface to be a real weakness in the new defenses. Obviously, monetary cooperation is not all it could be when a major creditor country ostentatiously abstains from lending a hand. Yet, having France definitely out of the boat is certainly preferable to having her in the boat and rocking it, as she did in coming to sterling's rescue last November. France's attitude may be a barrier to eventual reform of the monetary system, but it detracts little from the strength of the new arrangements.

More than anything else, the French position is a demonstration of that country's general resolve to disrupt the Western alliance. While President de Gaulle's criticisms of the monetary machinery have been shared in part by other Europeans, the rest of Europe has been impressed by Britain's determined moves to restore confidence in the pound. The British have earned help and, in extending it, the other nations are showing a desire to improve the present system rather than allow it to deteriorate. The French may continue to claim that the machinery is faulty, but the new arrangements will correct one of its most glaring defects. It is a strength that may some day be needed by the French.

[From the New York Times, Sept. 15, 1965]

Britain's Trade Deficit Deepens for August—Jay Defends Figures Despite Export Dip and Import Gain

London, Sept. 14—Britain reported today that her trade deficit, based on seasonally adjusted figures, deepened in August to £52 million ($145.6 million), the highest level in 4 months. It compared with a revised deficit for July of £5 million ($14 million).

Based on unadjusted trade figures, the deficit stood at £94 million ($263.2 million) in August against £50 million ($140 million) in July.

The figures, eagerly awaited as a barometer of the Government's measures to strengthen the economy, were issued today by the Board of Trade. With them the Government provided statistics to show that, looked at more broadly, the situation was encouraging despite the decline in exports and the rise in imports.

Obviously anticipating the figures for August, the Chancellor of the Exchequer, James Callaghan, said on Friday that too much attention should not be paid to any one month's figures.

"We can now afford to take a longer view," he said. This was after the Bank of England had been armed with new support for the pound from the central banks of 10 countries.

Today Douglas Jay, president of the Board of Trade, described the August showing as "pretty good."

He added: "I wouldn't say I am completely satisfied. The import figures were swollen by an exceptional increase in food imports."

The "good" July figures, he said, "couldn't be expected to be continued every month."

The initial reaction of the financial district was one of disappointment. The pound sterling fell slightly against the U.S. dollar and the main European currencies. The Bank of England stepped in quickly and absorbed the small selling. At the close of trading, the pound regained yesterday's level of $2.97718.

In the financial district, more concern was shown over the rise in imports than the decline in exports. The figures counteracted some of the officially inspired cheerfulness of the last few days.

Most observers felt that it would be a long time before the 10 percent import surcharge could be removed.

["There is no chance of any alteration," Mr. Jay said, according to Reuters.]

They also bade goodby to hopes that the bank rate could soon come down from its present 6 percent.

Provisional exports in August totaled £391 million and reexports £15 million. Imports were valued at £500 million. This left a "crude" deficit of £94 million. The seasonally adjusted deficit totaled £52 million.

The July figures showed exports of £417 million, reexports of £17 million and imports of £484 million. That left a "crude" deficit of £50 million and an adjusted deficit of £1 million. The July figure was revised today from £1 million to £5 million. The pound sterling is equivalent to $2.80.

The board of trade said exports in August were above the average for the year so far. "Imports were high in August but an exceptionally large rise in food imports more than accounts for the increase over July," it said.

The board noted that over the last 3 months the trade deficit had averaged £30 million a month, compared with £50 million a month in the same period last year.

The figures also unsettled the London Stock Exchange, which had been buoyant yesterday. Government bonds declined and stocks turned irregular.

[From the New York Times, Sept. 15, 1965]

Unanimity Is Urged by Fowler in Move for Fiscal Reform

Washington, September 14.—Secretary of the Treasury Henry H. Fowler said today it would be desirable to achieve unanimity on international monetary reform among the 10 leading financial nations, but he strongly implied that unanimity was not absolutely necessary.

Mr. Fowler elaborated at a news conference on the results of his recent trip to Europe, the main elements of which were reported to President Johnson and made public yesterday. He called the results "very gratifying."

He said the high-level deputies of the ministers of the Group of Ten nations would be given a mandate by the ministers at the time of the annual meeting of the International Monetary Fund late this month.

The United States, Mr. Fowler added, would like to have the deputies make "at least a preliminary report" by next spring.

Asked if the report would have to be unanimous, Mr. Fowler said he hoped that a "consensus" could be reached on a plan for supplying the world with additional monetary reserves as needed. But he added that he would "not like to see the deputies stand silent" if all could not agree.

"I would hope," Mr. Fowler said, "that we could arrive at a point where the participating parties could get sufficient general agreement so that we could go ahead."

Mr. Fowler's careful remarks were construed by some observers as a hint that if France alone should balk at a plan approved by the others, this would not be allowed to halt progress. France has proposed a radical reform of the world monetary system not accepted in full by any of the other nine countries, and totally rejected by most of them.

Last week, 9 of the 10, plus Austria, put together a package of standby support for the British pound without France. The members of the Group of Ten are the United States, Britain, France, West Germany, Italy, Belgium, the Netherlands, Sweden, Canada, and Japan.

Mr. Fowler said an "optimistic" timetable for agreement on reform to supply additional reserves, or liquidity, to the world would be as follows:

The deputies of the 10 countries would report next spring.

The discussion would then be widened to other members of the International Monetary Fund, including the less developed countries. A possible forum for this discussion, Mr. Fowler said, would be the fund's executive directors, most of whom represent more than one country.

Finally, the governors of the fund—who are the member nations' finance ministers—would consider the results at next year's annual meeting of the I.M.F.

Mr. Fowler stressed that this was the earliest that results could be expected.

He did not predict that such a timetable would actually be followed, but it was clear that he hoped for as rapid results as possible.

Mr. Fowler again insisted today that there was still no American plan for reform, but he added that the Government was now in the process of crystalizing its position.

He said he had found "general agreement" in Europe "that present circumstances call for re-examination of the free world's monetary arrangements, and that we should plan now for the time ahead when new ways of providing for the growth in monetary reserves will become necessary as United States [balance of payments] deficits no longer provide reserves to the rest of the world.

There was also agreement, he said, that "discussions must now be raised from the technical level to the high policy level, and active negotiations initiated at that level."

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, the Senator from Connecticut [Mr. Dodd] is entitled to the floor at this time, and I hope that the Chair will recognize him at this time.

Mr. DODD. Mr. President——

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President I ask unanimous consent to yield to the Senator from Rhode Island [Mr. Pell] without losing my rights to the floor.

The PRESIDING OFFICER. Without objection it is so ordered.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

DECLARATION OF PURPOSE

Sec. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the

humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity;

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent;

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classic; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment.

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "workshop" means a production the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants.

(g) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities (hereinafter established).

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) There is established within the Foundation a National Endowment for the Arts.

(b) The Endowment shall be headed by a Chairman, to be known as the Chairman of the National Endowment for the Arts.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

(1) productions which have subtantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

(2) productions, meeting professional standards or standards of authenticity, irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

(4) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

(5) other relevant projects, including surveys, research, and planning in the arts.

(d)(1) In addition to performing any of the functions, duties, and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, Public Law 88-579, approved September 3, 1964, the individual appointed under such Act as Chairman of the National Council on the Arts shall serve as the Chairman of the National Endowment for the Arts. In lieu of receiving compensation at the rate prescribed by section 6(c) of such Act, such individual serving as Chairman of the National Council on the Arts and Chairman of the National Endowment for the Arts shall receive compensation at the same rate prescribed by law for the Director of the National Science Foundation.

(2)(A) The first sentence of section 6(b) of the National Arts and Cultural Development Act of 1964 is hereby amended to read as follows: "The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment."

(B) The amendment made by clause (A) of this paragraph shall be applicable with respect to the Chairman holding office on the date of enactment of this Act and each Chairman holding office thereafter.

(e) No payment may be made to any group under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations and procedures established by the Chairman.

(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(g) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

(h)(1) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting existing projects and productions which meet the standards enumerated in section 5(c) of this Act, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Chairman finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan, except that in the case of the District of Columbia the Recreation Board shall be the "State agency";

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c); except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds will be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairman may from time to time require.

(3) The funds appropriated pursuant to section 11(c) for any fiscal year shall be equally allotted among the States.

(4) The amount of each allotment to a State for any fiscal year under this subsec-

tion shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1), and to pay up to 100 per centum of the cost of conducting a study and establishing a State agency under paragraph (2)(B) of this subsection.

(5) All amounts allotted under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c) to the extent that the value of gifts, bequests, and devises received by the Endowment under section 10 (a)(2) exceeds amounts appropriated under the authority of section 11(b).

(i) Whenever the Chairman, after reasonable notice and opportunity for hearing, finds that—

(1) a group is not complying substantially with the provisions of this section;

(2) a State agency is not complying substantially with the terms and conditions of its State plan approved under this section; or

(3) any funds granted to a group or State agency under this section have been diverted from the purposes for which they were allotted or paid,

the Chairman shall immediately notify the Secretary of the Treasury and the group or State agency with respect to which such finding was made that no further grants will be made under this section to such group or agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until such group or agency repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (k) of this section) employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.

(k) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(l) The Chairman shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

TRANSFER OF THE NATIONAL COUNCIL ON THE ARTS

SEC. 6. (a) The National Council on the Arts, established by the National Arts and Cultural Development Act of 1964, and its functions are transferred from the Executive Office of the President to the National Endowment for the Arts.

(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time.

(c) The function of the Secretary of the Smithsonian Institution with respect to serving as an ex officio member of the National Council on the Arts, now derived from section 5(a) of the National Arts and Cultural Development Act of 1964, is hereby abolished.

(d)(1) The first sentence of section 5(a) of the National Arts and Cultural Development Act of 1964 is amended by striking out "twenty-four" and inserting in lieu thereof "twenty-six".

(2) Clause (2) of the first sentence of section 5(b) of such Act is amended by inserting, immediately after "taking office", the following: "prior to May 31, 1965,".

(3) The second sentence of section 7(a) of such Act is amended by striking out "Thirteen" and inserting "Fourteen".

(4) Section 7(d) of such Act is hereby repealed.

(5) Section 10 of such Act is hereby repealed.

(e) Except as inconsistent with the provisions of this Act, the provisions of the National Arts and Cultural Development Act of 1964 shall be applicable with respect to the Chairman and the National Council on the Arts insofar as necessary for, or incidental to, carrying out the objectives of this Act.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 7. (a) There is established within the Foundation a National Endowment for the Humanities.

(b)(1) The Endowment shall be headed by a chairman, who shall be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall receive compensation at the rate prescribed by law for the Director of the National Science Foundation.

(2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairman.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Humanities (hereinafter established), is authorized to—

(1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;

(2) initiate and support research and programs to strengthen the research potential of the United States in the humanities by making arrangements (including grants, loans, and other forms of assistance) with individuals or groups to support such activities;

(3) award fellowships and grants to institutions or individuals for training and workshops in the humanities. Fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate nonprofit institutions selected by the recipient of such aid, for stated periods of time;

(4) foster the interchange of information in the humanities;

(5) foster, through grants or other arrangements with groups, public understanding and appreciation of the humanities; and

(6) support the publication of scholarly works in the humanities without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).

(d) The Chairman shall correlate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

(e) The total amount of any grant under subsection (c)(3) to any group engaging in workshop activities for which an admission or other charge is made to the general public shall not exceed 30 per centum of the total cost of such activities.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

SEC. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment on the Humanities, who shall be the Chairman of the Council, and twenty-six other members appointed by the President from private life. Such members shall be selected on the basis of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of his term.

(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

(e) Members not otherwise employed by the Federal Government shall receive compensation and be allowed travel expenses in the same manner as is provided in section

8 of Public Law 88-579 for the National Council on the Arts.

(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove an application until he has received the Council's recommendation unless the Council fails to make a recommendation on the application within a reasonable time.

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) coordinate, by advice and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts and the National Endowment for the Humanities, including joint support of activities, as appropriate;

(3) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies; and

(4) plan and coordinate appropriate participation (including productions and projects) in major and historic national events.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as he deems necessary governing the manner in which his functions shall be carried out;

(2) to receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation or one of its Endowments, to the National Endowment for the Arts, or the National Endowment for the Humanities; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and for the purpose of carrying out the functions transferred by section 6(a) of this Act;

(3) in the discretion of the Chairman of an Endowment, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to that Endowment with a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift;

(4) appoint employees, subject to the civil service laws, as necessary to carry out these functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed without compensation;

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment within the scope of paragraph (2) of this subsection, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction similar to a condition or restriction covered by paragraph (3) of this subsection, such property shall be deemed to have been donated, bequeathed, or devised, within the scope of such paragraph, to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.

(b) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year. The report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairman deems appropriate.

(c) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a) For the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act, there is authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years the sum of $10,000,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by laws. Sums appropriated under the authority of this subsection shall be equally divided between the Endowments of the Foundation, and shall remain available until expended.

(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that amounts appropriated to the National Endowment for the Arts under this subsection may not exceed $2,250,000 for any fiscal year, and amounts appropriated to the National Endowment for the Humanities under this subsection may not exceed $5,000,000 for any fiscal year. Amounts appropriated to an Endowment under this subsection shall remain available until expended.

(c) There is hereby authorized to be appropriated to the National Endowment for the Arts the sum of $2,750,000 for each fiscal year, beginning with the fiscal year beginning on July 1, 1966, for the purposes of section 5(h). Sums appropriated under this subsection shall remain available until expended.

(d) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

(e) No grant shall be made to a workshop (other than a workshop conducted by a school, college, or university) for a production for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by our citizens.

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND THE ARTS

SEC. 12. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used for (1) making payments to State educational agencies under this section for the acquisition of equipment (suitable for use in providing education in the humanities and the arts) and for minor remodeling described in subsection (c)(1) of this section, and (2) making loans authorized in subsection (f) of this section.

(b) Sums appropriated pursuant to subsection (a) shall be allotted in the same manner as provided in subsections (a) and (c) of section 302 of the National Defense Education Act of 1958, as amended (72 Stat. 1588; 20 U.S.C. 442).

(c) Any State which desires to receive payments under this section shall submit to the Commissioner of Education through its State educational agency a State plan which meets the requirements of section 1004(a) of the National Defense Education Act of 1958, as amended (72 Stat. 1603; 20 U.S.C. 584), and—

(1) sets forth a program under which funds paid to the State from its allotment under subsection (b) of this section will be expended solely for projects approved by the State educational agency for (A) acquisition of special equipment (other than supplies consumed in use), including audio-visual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in the humanities and the arts, and (B)

minor remodeling of laboratory or other space used for such materials or equipment;

(2) sets forth principles for determining the priority of such projects in the State for assistance under this section and provides for undertaking such projects, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this section; and

(4) provides for the establishment of standards on a State level for special equipment acquired with assistance furnished under this section.

(d) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (c) of this section and the provisions of subsections (b) and (c) of section 1004 of the National Defense Education Act, as amended (72 Stat. 1603; 20 U.S.C. 584), shall apply to this section in the same manner as applicable to State plans under that Act.

(e) Payments to States from allotments made under subsection (b) shall be made in the same manner as provided in section 304 of the National Defense Education Act of 1958, as amended (72 Stat. 1589; 20 U.S.C. 444).

(f) The Commissioner shall allot and administer loans to nonprofit private schools in the same manner as provided in section 305 of the National Defense Education Act of 1958, as amended (72 Stat. 1590; 20 U.S.C. 445).

TEACHER TRAINING INSTITUTES

SEC. 13. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used to enable the Commissioner of Education to arrange, through grants or contracts, with institutions of higher education for the operation by them within the United States of short term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged in or preparing to engage in the teaching or supervising or training of teachers, of such subjects as will, in the judgment of the Commissioner, after consultation with the Chairman of the National Endowment for the Humanities, strengthen the teaching of the humanities and the arts in elementary and secondary schools.

(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent.

PRESDENTIAL APPOINTMENTS

SEC. 14. The President is requested to make such appointments (including any nomination) as are provided for in this Act within ninety days after the enactment of this Act.

Mr. PELL. Mr. President, I rise to urge that the Senate pass S. 1483 as slightly amended by the House of Representatives. This legislation provides for the establishment of a National Foundation on the Arts and the Humanities, and I must express my delight and joy that the concepts of this important measure have now been approved by both bodies of our Congress.

I think particularly at this time of our President, Vice President HUMPHREY, Senator JAVITS, Senator GRUENING, Senator CLARK, Senator YARBOROUGH, of the many who have valiantly supported the goal of this legislation, and of those in this Chamber who have worked toward this goal far longer than I. Vice President HUMPHREY's outstanding efforts in this area are well remembered by us. Senator JAVITS can well be called the congressional pioneer of this bill. Senators GRUENING, CLARK, and YARBOROUGH have added their great understanding and wisdom to it.

But I must state that for me this legislation has particular meaning. As chairman of the Senate Special Subcommittee on the Arts during the 87th and 88th Congresses, and as chairman of the Senate Special Subcommitee on Arts and Humanities during the 89th Congress, I have had the opportunity to see the seed nurtured and come to fruition.

In the 87th Congress we were able to report a basic bill which was the forerunner of this legislation, but we failed to get floor action on it. In the 88th Congress, we were able to pass in the Senate a bill providing for a National Council on the Arts and a National Arts Foundation. However, in the House, we lost the financial underpinning of the Foundation, so that the President was only able to sign in 1964 legislation providing for a National Council on the Arts.

Now, in this Congress, both bodies have passed a bill that provides for a Council on the Arts and a Council on the Humanities, together with the necessary financial underpinnings of separate endowments.

I must add that without the endorsement of these ideas by the President and their inclusion in the Great Society program, we would have had to wait several more Congresses.

There is great personal satisfaction in seeing this moment come to pass, and at this time I would like to pay particular tribute to Livingston L. Biddle, who has been my special assistant for 2½ years. Without his remarkable combination of knowledge in both the fields of arts and humanities his own personal tactfulness and his tenacity, this bill would not be before us today. I observed these qualities not only in his work on the Senate side, but with our colleagues in the House and with the executive branch of our Government.

At this time, I want to pay a special tribute to Representative FRANK THOMPSON of New Jersey, who has been my opposite number on this legislation as chairman of the House Special Subcommittee on Labor. He has been indefatigable in his efforts to bring about legislation to promote our Nation's cultural progress over the past many years and was in fact working on these problems long before I was a Member of the Congress. My own good friend and colleague from Rhode Island, Representative JOHN E. FOGARTY, has been of the most immense help in spearheading this legislation in the House and providing the leadership and advice so necessary to its approval.

Finally, Representative WILLIAM MOORHEAD deserves every congratulation for his fine work, particularly on the Humanities side of this legislation, and for the original bill which he introduced.

Mr. President, this legislation is certainly the most meaningful of its kind which we have ever considered. It has evolved through most careful deliberations, through volumes of thoughtful testimony dating back through the years. It is enthusiastically supported by our leading artists, by our leaders of the academic community, by leading businessmen and representatives of labor, by distinguished leaders in the field of science.

As President Johnson has said:

> The passage of this legislation can help secure for this Congress a sure and honored place in the story of the advance of our civilization.

Mr. President, it is a pleasure for me to call attention to the fact that this legislation has had such helpful and meaningful bipartisan support from both bodies of the Congress, and I feel privileged to have this long-awaited opportunity of urging its approval.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. JAVITS. Mr. President, this is the realization of 16 years of work. I first introduced a bill of this character in the House of Representatives, where I then served, in 1949. Naturally, the present legislation has gone through much development since that time. It now represents a real consensus of the country. It is necessary to note that it is a historic and pioneering piece of legislation. By this legislation the United States gives encouragement, in the way it lends itself to aiding education at all levels, in the field of cultural development and education. It is a very conservative course as contained in the bill.

This legislation will be what the people make it, through their voluntary organizations in cities and States. There will be a Federal incentive, but by no means Federal control or a Federal plan but, rather, a program in which the Federal Government will participate.

It is an event which the people of the United States may well hail with enormous satisfaction.

I am greatly pleased to have been a pioneer in this field, as the Senator from Rhode Island [Mr. PELL] has said, but may I pay my tribute to the Senator from Rhode Island, who has been so modest, but who has been the catalyst in helping us bring this proposed legislation to its present pass. He deserves enormous credit. As he has so kindly said that I am a pioneer in this field, I am pleased to say this is a very happy time. I feel, after the work he has done on it, that it is a very happy day for him, too. I think it is a fine day for the United States and its cultural future.

Mr. PELL. I thank the Senator from New York.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. PELL. I yield to the Senator from New York.

Mr. KENNEDY of New York. I pay tribute to my colleague the Senator from Rhode Island. Having been on the edge of this matter in the executive branch, and then since I have been in the legislative branch of the Government, I know this piece of legislation has been much more difficult than it may appear to have been at 8:25 this evening. If it had not been for the dedication and efforts of the Senator from Rhode Island, this bill would not be here before us. There were differing points of view of officials in the executive and legislative branches, as well as people all over the country. It was the Senator from Rhode Island who brought all those divergent points of view together so that we have before us this piece of legislation, which can be a real stimulant, in my opinion, for our culture.

I join my colleague from New York [Mr. JAVITS] in paying tribute to the Senator from Rhode Island. I know what a pioneer my colleague [Mr. JAVITS] has been in this area and his dedication to this cause in the past. I wanted to make sure the RECORD indicated the facts in connection with what both distinguished Senators have done.

Mr. PELL. I thank the Senator from New York.

Mr. THURMOND. Mr. President, I am opposed to the pending bill, S. 1483, because there is no constitutional authority for the Federal Government to enter this field. The breadth and scope of the authority of Congress is contained in article I, section 8 of the Constitution. Nowhere within the grants of power to Congress in this section can there be found authority to sustain this proposal.

This is sufficient reason to oppose this proposal, but if it were not other reasons do exist. I have pointed out on numerous occasions my firmly held belief that Government subsidization of the arts will inevitably lead to the stifling of creativity and initiative. Government money will buy only mediocrity and true, creative talent will not be properly recognized because it will not have official Government approval.

It would be a great mistake for the Nation for Congress to approve this proposal.

Mr. PELL. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment of the House of Representatives was agreed to.

Mr. PELL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NORA ISABELLA SAMUELLI—CONFERENCE REPORT

Mr. DODD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) for the relief of Nora Isabella Samuelli. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 15, 1965, p. 23927, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DODD. Mr. President, I move that the Senate agree to the conference report.

The report was agreed to.

PERMISSION FOR SENATOR LAUSCHE TO ADDRESS SENATE FOR HALF HOUR AFTER CONCLUSION OF MORNING BUSINESS TOMORROW

Mr. SMATHERS. Mr. President, I ask unanimous consent that the distinguished senior Senator from Ohio [Mr. LAUSCHE] be permitted to proceed on a nongermane matter for one-half hour after the conclusion of the morning business tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDATION BY SENATOR SMATHERS OF SENATOR DODD'S SPEECH ON THE DOMINICAN REPUBLIC

Mr. SMATHERS. Mr. President, I wonder if the distinguished Senator from Connecticut will yield to me so I may make a comment?

Mr. DODD. I yield.

Mr. SMATHERS. I have been privileged to read the speech of the Senator from Connecticut. I regret that there are not more Senators to hear it tonight. It is an excellent speech. It is an accurate speech. It is a logical speech. It is a speech which needed to be made. I congratulate him for the fact that he is about to make it. It needed to be made in view of the speech made yesterday by the distinguished Senator from Arkansas [Mr. FULBRIGHT], chairman of the Foreign Relations Committee, with respect to his views as to what happened in the Dominican Republic—his views looking back on these incidents as they had occurred.

I believe the conclusions which the Senator from Arkansas expressed, he being chairman of the Foreign Relations Committee, do not coincide with the thinking of many Members of this body, and certainly they do not coincide with the thinking of the American people. On the contrary, I think the speech which the distinguished Senator from Connecticut [Mr. DODD] is about to deliver on this subject represents the viewpoint of a majority of the members of the Foreign Relations Committee and a majority of the membership of the U.S. Congress, and certainly, according to the Gallup and other polls, represent the views of at least 85 to 90 percent of the thinking of the American people.

It seems to me that the speech which the Senator from Connecticut will deliver—which is a marvelous and magnificent speech—will not get the circulation, ventilation, and reading that the speech which was made by the Senator from Arkansas did. Unfortunately, the speech of the Senator from Connecticut will not be carried in newspapers overseas, as was the speech of the distinguished chairman of the Foreign Relations Committee. But it seems to me it is important that the speech of the Senator from Connecticut be made and that it be given as wide circulation as possible, because in truth and fact it represents the real thinking of the people of America.

I congratulate him for the work he has put into the speech and the expressions contained in it. I want to associate myself with the speech.

I thank the Senator for yielding.

Mr. DODD. Mr. President, I am thankful and grateful to my friend the Senator from Florida for those remarks. I am embarrassed to detain the officials of the Senate. However, I had told the majority leader that I had no disposition or interest in disrupting the discussion of the highway beautification bill today. I am sorry it is so late. No Senator likes to be making speeches to the Senate all alone. I am comforted by the knowledge that a great many of my colleagues have read the speech which I sent to them, and have been gracious enough to tell me they appreciate it.

A REPLY TO SENATOR FULBRIGHT ON THE DOMINICAN REPUBLIC

Mr. DODD. I know there are some newspapermen who will write up my appearance at this hour and will say that I was alone in the Senate. They will count the number of people in the gallery when I speak, and the number of members of the Dodd family in the gallery.

I am well aware that I am not the only Member of the Senate who sometimes has to speak alone, especially at the end of a long day's session.

I do not complain because my colleagues cannot be here. I know that the demands on them in this session have been great, and that the hour today is very late. My only regret is that I was unable to get the floor earlier because it was necessary to complete the voting on the pending legislation.

Even in the absence of my colleagues, I know that they will read my remarks. Indeed, a number of them have already approached me to tell me that they were in complete accord with my argument and that they hoped to comment on it later.

And so, though I speak alone, I know that I am speaking to my colleagues through the RECORD. Beyond this, I am speaking to the country at large and—I hope in at least some degree—to world opinion.

An important challenge has been made to the policies of the administration by the distinguished chairman of the Foreign Relations Committee. This challenge calls for an effective reply. That is why I speak today.

Yesterday the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] presented to the Senate a statement of the conclusions he had reached on U.S. policy in the Dominican Republic crisis.

He had reached these conclusions, he said, only after a painstaking review of the salient features of the extremely complex situation.

In essence, the Senator's position was that the administration had made an error of catastrophic proportions in intervening to prevent a rebel takeover in the Dominican Republic.

He said that while there may be legitimate differences about the degree of Communist influence in the rebel movement, it could be taken for granted that there will always be a number of Communists supporting every revolutionary movement in the Americas aimed at freedom and social justice; and that "the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and, therefore, the ally of all the unpopular and corrupt oligarchies of the hemisphere."

He continued:

> And the question inevitably arises whether this shift in the administration's attitude toward the Dominican Republic is part of a broader shift in its attitude toward other Latin American countries, whether, to be specific, the U.S. Government now views the vigorous reform movements of Latin America—such as Christian Democracy in Chile, Peru, and Venezuela, APRA in Peru and Accion Democratica in Venezuela—as threatening to the interests of the United States. And if this is the case, what kind of Latin American political movements would now be regarded as friendly to the United States and beneficial to its interests?

Among other things, the Senator charged that the President's decision was based on inaccurate or false information from our representatives in the Dominican Republic; that it had done serious damage to our image throughout Latin America; and that the administration was less than truthful in its first announcement that the Marines were being sent into Santo Domingo for the purpose of protecting American lives.

He said that if the Dominican intervention may be considered a token of the future, "then we have indeed given up all hope of guiding or influencing even to a marginal degree the revolutionary movements and the demands for social change which are sweeping Latin America."

I want to make it clear at the outset that I share the Senator's conviction that communism cannot be effectively opposed in Latin America by siding with the landowners and the oligarchs and with dictatorial tyrants.

In a speech which I made only a few weeks ago before the American Legion convention, I called for a hemispheric attack on the problems of hunger and illiteracy and disease, and of land reform and social reform in general.

And, I made the point that unless there were revolutionary reforms in Latin America, the mere elimination of Castro would resolve nothing, because the anger and desperation of masses of people throughout the Americas would soon give rise to another half dozen Castros.

So, on this one point—a point of fundamental importance—we agree.

I also agree with the Senator, and this, too, is a point of fundamental importance, that the best hope for the future in many Latin American countries lies with the parties of the so-called democratic left, with parties like the Christian Democratic Party in Chile, APRA in Peru, and Accion Democratica in Venezuela.

What is more, I know that this conviction is shared by the responsible officials of the Department of State and that it has, in fact, been a cornerstone of our policy in recent years.

But, having said this, I fear that I must take issue with the senior Senator from Arkansas on virtually every other aspect of his statement.

Indeed, I find it difficult to escape the impression that this sweeping condemnation of administration policy is organically related to the documentation previously published by the Foreign Relations Committee under the caption "Background Information Relating to the Dominican Republic," with which I dealt in my Senate speech of August 23, 1965.

I said then that the documentation and the supporting chronology had been heavily slanted against the administration by the simple process of editorial selection.

I pointed out that the hundred or more quotations which appeared in the chronology were culled without exception from the New York Times and Washington Post and New York Herald Tribune, and several other sources critical of administration policy; and that the chronology had completely ignored the hundreds of newspaper articles by veteran correspondents and by columnists of national reputation which, in general, tended to vindicate the administration's position.

I also pointed out that the documentation contained in the publication completely ignored the OAS resolution and the minutes of the fourth plenary session at which the special committee on the Dominican crisis submitted its report; and that it also ignored statements issued by the AFL–CIO, by the major Dominican labor federation, CONATROL, and by the Inter-American Regional Organization of Workers.

I had hoped that by bringing to the attention of my distinguished colleague a number of pertinent extracts from the documents to which I had referred, I could persuade him to read these documents with an open mind.

It now seems evident to me that I overestimated my powers of persuasion, for there is nothing in the Senator's remarks which suggest to me that he has since taken the trouble to read the documents or the articles from which I quoted, and the text of which I inserted into the RECORD at the conclusion of my remarks.

DOMINICAN INTERVENTION AND LATIN AMERICAN OPINION

The Senator's speech strongly implied that Latin American opinion was united against us.

He said that he was not "reassurred by the assertions that a number of Latin American governments have secretly expressed sympathy for our action." He said further that we had particularly compromised American standing with the educated and progressive Latin Americans who make up the generation of the Alliance for Progress.

In my previous remarks, I referred the Senator, among other things, to the statement issued by CONATROL, the major Dominican labor federation, which was outspoken on the subject of Communist control of the rebel movement, and which accepted the necessity for American intervention.

The men who make up CONATROL are not oligarchs or reactionaries; they are workers and progressives, many of them Socialists and semi-Socialists.

One can, of course, disagree with CONATROL's analysis with events in Santo Domingo.

But in the light of statements issued by the leaders of CONATROL, I do not see how anyone could reasonably argue that Latin American progressives were uniformly on the side of the rebels and opposed to American intervention.

I also referred to the statement issued by ORIT, the Inter-American Regional Organization of Workers, which embraces most of the democratic trade unions of the hemisphere.

The leaders of ORIT, too, are men who have come up from the ranks of the working class. They are generally anticapitalist and strongly progressive in their political tendencies, and certainly they are anything but reactionary.

And again I want to make the point that, while no one is under any obligation to accept ORIT's assessment of the Dominican crisis and American intervention, their statement by itself constitutes proof that some of the most important sectors of progressive opinion in Latin America agreed that American intervention was essential to prevent a Communist takeover.

There were other important proofs that, even at the height of our intervention, leading Latin American progressives understood and approved of our actions.

For example, the liberal daily, El Mundo, published in Caracas, Venezuela, wrote on May 4:

> Communism, with its claws hovering over Dominican territory, tried to take over one more front in America and establish there a branch of the island governed by Fidel Castro * * * we free men of America ought to be on the side of freedom. And the United States besides being a free country, and being the traditional friends of Venezuelans and of all American nations, is defending our right to live in our own way without the intrusion of foreign doctrines which harm and corrupt the thinking of our peoples. Our peoples, traditionally Catholic, never have been on the side of communism.

In Bogotá, Colombia, the moderately liberal newspaper El Tiempo wrote on May 5:

> So long as the Latin American Republics do not have an international force that can intervene in cases like that of the Dominican Republic, we must accept, much as it hurts our national pride, the inevitability of American intervention.

In Lima, Peru, La Prensa, which, although conservative, is generally regarded as a moderate newpaper, said in an editorial about American intervention:

> That the myth of absolute "nonintervention" suits only the Reds is demonstrated by the position taken by the Creole Communists. Their protests against unilateral North American intervention have not been so obstreperous as it has been against the possibility of collective intervention.

And, if my colleagues are interested, I could produce many other similar quotations from Latin American newspapers, some liberal, some conservative.

Surveying the situation in Latin America in early May, Newsweek magazine pointed out that there had been a remarkable absence of rioting and other demonstrations, which, it said, "emphasizes the general feeling that, while intervention is bad, a second Cuba would be far worse."

But most important of all were the opinions expressed by the five Latin American Ambassadors who made up the OAS special committee assigned to investigate the situation in the Dominican Republic.

Ambassador Carrizosa, the special delegate of Colombia, told the OAS meeting:

> With regard to the sector led by Col. Francisco Caamano, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamano, whom I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend which is prevalent in Cuba.
>
> What were we to do when blood was running in the streets * * * what happens when a state in this condition is so close to Cuba? Are we to sit silently on balconies and watch the end of the tragedy as if we were watching some sort of bull fight?
>
> According to Ambassador Ilmar Penna Marinho of Brazil, "The whole committee (the OAS special committee) agreed that the Caamano movement could be rapidly converted to a Communist insurrection that was susceptible of gaining the support of the Marxist-Lenin powers."
>
> "As to conditions in Santo Domingo in May, it was a no-man's land," said the Brazilian Ambassador. "There had been a complete collapse of public authority. The Dominican Republic had disappeared as a legal and political entity—arms had been given to a disoriented nation of fanatics and adolescents who were in a frenzied state, egged on by subversive broadcasts * * * anarchy reigned * * * any organized group that made a landing in the Dominican Republic could have dominated the situation."

Summarizing the views of the committee, Ambassador Todice of Paraguay made this statement:

> The Government of Paraguay, as I stated clearly when approval was given to the establishment of the collective inter-American force, believed from the beginning that continental security was at stake. The replies by the Ambassadors composing the committee reporting today on certain questions regarding these delicate aspects of the Dominican situation have been categorical. My government was right. Continental security is threatened. The danger existed, and still exists, that chaos and anarchy will permit international communism to transform the Dominican Republic into another Cuba. With his customary clarity, courage and energy, the Ambassador of Colombia, Mr. Alfredo Vazquez Carrizosa, has categorically mentioned the highly political nature of the problem we are facing. In reply to a question of the Ambassador of Uruguay, he has rightly said that the peace of the hemisphere is threatened and, that there is a possibility that another Cuba, another Communist government in the hemisphere, will arise out of the chaos and anarchy in the Dominican Republic.

Again, I am prepared to concede that no one is under obligation to accept the assessment of the five Latin American ambassadors who made an one-the-spot investigation of the situation in Santo Domingo during the first days of May.

But whether one accepts or rejects this assessment, I do not see how any objective study of the Latin American reaction to our intervention in the Dominican Republic could fail to take into account the statements made by these five distinguished Latin American diplomats.

The facts which I have adduced demonstrate beyond the possibility of challenge that very substantial sectors of Latin American public opinion, including trade union leaders, editors and members of the diplomatic corps, were not opposed to U.S. intervention in the Dominican Republic but, on the contrary, accepted it as an unavoidable necessity.

I find it most regrettable that the Senator from Arkansas ignored this mass of evidence. Indeed, I fail to understand how he could have ignored it. Somehow, it seems to me that he has shut out from his mind, all facts which failed to harmonize with the preconceived thesis that the rebels were right and the administration was wrong.

THE QUESTION OF COMMUNIST CONTROL

The senior Senator from Arkansas at one point in his statement agreed that there can be honest differences of opinion about the degree of Communist control. But then he proceeded to argue that the administration had grossly exaggerated the degree of Communist influence or control in the rebel movement, and that it had permitted itself to be panicked into the decision to intervene.

The Senator from Arkansas said:

> In their panic lest the Dominican Republic become another Cuba, some of our officials seem to have forgotten that virtually all reform movements attract some Communist support, that there is an important difference between Communist support and Communist control of a political movement. The issue is not whether there was Communist influence in the Dominican revolution but its degree, which is something about which reasonable men can differ. The burden of proof, however, is on those who take action. And the administration has not proven its assertion of Communist control.

I take exception to this statement on two grounds.

First of all, the Senator seems to demand a degree of mathematical proof which is a virtual impossibility in the complex realm of politics.

It would, for example, have been impossible to prove, by the rigorous standards he suggests, that Fidel Castro was a Communist or that his movement was Communist-dominated even a year after Castro had seized power. But there was a very substantial body of evidence pointing to Communist control of the Castro movement and to the probability that Castro was himself a Communist. This body of evidence, regrettably, was ignored by the responsible desk officer in the Department of State, who advised his superiors that "there was no conclusive proof that Castro was a Communist or that his movement was Communist dominated."

This excessively legalistic approach resulted in the installation of a Communist regime in Cuba, whose massive subversive activities now pose a serious danger to the security of all the Americas.

I note parenthetically at this point that the Senator from Arkansas apparently feels a deep sense of sympathy for the foreign service officer in question who, he said, "had the misfortune to be assigned to the Cuban desk at the time of Castro's rise to power," and "has had his career ruined by congressional committees."

Having presided over the hearings in question, I find it difficult to conceive of a more inaccurate construction of what actually took place.

That William Wieland's reputation for political judgment has been compromised, there can be no doubt. But it was compromised not by the Senate Subcommittee on Internal Security but by his own record of unsound political advice to his superiors, and by a record of testimony before the committee which, I believe, any objective reader would have to characterize as less than candid.

That William Wieland's career has been ruined is completely untrue. As my colleagues are aware he has been promoted to a substantially higher grade since the hearings were instituted; his security clearance has been reinstated by the State Department; and he has recently been assigned to a responsible post in Australia.

I take exception to the Senator's analysis of the degree of Communist influence in the Dominican rebel movement, in the second place, for the simple reason that he has chosen to completely ignore the facts.

I agree with the Senator that there is a world of difference between Communist support and Communist control; and I also agree that we have to be careful in making judgments.

But there have been situations, and there will be situations in the future in which it is mandatory that judgment be made. In doing so, there are certain criteria which can, I am convinced, be applied with a reasonable degree of accuracy.

Criterion No. 1 in determining whether a movement or uprising is simply supported by Communists or controlled by them, is the number of identifiable Communists in key positions. The administration has published details about 77 identifiable Communists, many of them with training in Castro Cuba, who occupied command positions in the rebel movement.

Criterion No. 2 is the general political composition of the revolt. In the case of the Dominican rebellion, the administration has pointed out, that apart from the Bosch party whose leaders abandoned the revolt and sought refuge after the first few days, the political support for the rebellion came from the three Communist parties which I have previously named, which, between them, had a membership of several thousand.

Criterion No. 3 in a situation like the Dominican uprising is the pattern of the revolt itself. Spontaneous revolutions, guided by indignant nationalists, are invariably characterized by a certain amount of bungling and amateurism. But the Dominican revolt was characterized, instead, by the highest degree of precision and professionalism.

Those in charge had clearly targeted their first objectives and their second objectives and their third objectives. They had planned their strategy and their tactics carefully. There was no bungling. It was, if anything, a textbook operation in the seizure of political power which could only have been conducted by trained professional revolutionaries.

Criterion No. 4 is in the nature of the propaganda put out by those in charge of the revolt. And I believe that anyone who takes the trouble to analyze the propaganda output of the Dominican rebel movement in the early days of the revolt and afterwards would have to agree that the radio and TV broadcasts and the printed literature all bore the heavy and unmistakable imprint of trained Communist propagandists.

Criterion No. 5 is the attitude of the rebels to anti-Communist progressives. And here I think that the true nature of the Dominican revolt was betrayed by the fact that one of the first acts of the rebels was to raid and ransack the headquarters of CONATROL, the non-Communist labor federation.

Criterion No. 6 is the collective judgment of the American Embassy officials on the spot. And here I want to underscore the fact that it was not simply Ambassador Tapley Bennett, as the Senator from Arkansas has implied, who urged American intervention. On the contrary, the recommendation to President Johnson represented the unanimous judgment of the entire country team in the American Embassy in Santo Domingo. Beyond this, I have heard that, from desk level to the level of Secretary of State, the recommendation of the country team was backed by the unanimous concurrence of the responsible Department officers.

Rarely in the history of the Department has a decision of this moment enjoyed so broad a spectrum of backing.

But all of this evidence was ignored by the chairman of the Foreign Relations Committee in his pronouncement on the administration's handling of the Dominican crisis.

There was another point of evidence he ignored, and this was the testimony of John Bartlow Martin, who went to the Dominican Republic shortly after the fighting erupted, on special assignment by the President.

Mr. Martin served as Ambassador to the Dominican Republic under the Presidency of Juan Bosch. He was an admirer and good friend of Bosch's, and a lifelong friend of the so-called democratic left in Latin America politics. Before becoming Ambassador, Mr. Martin enjoyed nationwide recognition as one of our ablest political analysts, and as a liberal of impeccable credentials.

I have been told on reliable authority that when Mr. Martin was first asked to go to the Dominican Republic, he was convinced that we were doing the wrong thing. But 48 hours after he arrived there he had changed his mind because he realized that it was, in fact, true that the Communists were in complete control or that they at least exercised an exceedingly dangerous degree of control.

Mr. Martin's account of the Dominican crisis, which was printed by Life magazine, was, incidentally, another one of the many articles substantially supporting the administration's position which were ignored or overlooked by the Foreign Relations Committee documentation on the Dominican crisis.

I have been informed by a Pulitzer Prize winning journalist that, when the question was put to John Bartlow Martin: "Would you, if you were a journalist writing over your own name, be prepared to say that the Communists are in complete control of the revolt?" Martin replied: "Yes, I would."

But for some reason the Senator from Arkansas has chosen to completely ignore the findings of this former Ambassador, who knew the Dominican situation intimately, who was a friend of Bosch's, who was initially disposed to sympathize with the revolt, whose liberalism would not be challenged by anyone, and who brought to his assignment a long experience in the field of political analysis and journalism.

Let me at this point recapitulate a few of the many details which convinced the administration that the Communists had seized control of the revolt and that any serious delay in intervening was bound to result in another Cuba in the Caribbean. And let me add a few more recent details which serve to establish how correct this judgment was:

First. It was known that many Communists had secretly returned to Santo Domingo from exile in late 1964 and early 1965 after training in subversion in Cuba and other Communist countries.

Second. There was solid information about the Dominican Popular Movement (the MPD), which consisted of some 500 hard-core members, which follows the Chinese Communist line, and which was active on the rebel side.

Third. There was also solid information about the Dominican Popular Socialist Party—PSPD—another underground organization of 700 to 1,000 members, which follows the Moscow line and which also was active in promoting the revolt. This party, I want to point out to Senators, recently changed its name to Dominican Communist Party—PCD.

Fourth. Finally, there was solid information about another Communist movement, the 14th of June Popular Movement, many of whose members and leaders are Castro-trained Communists and which was in the forefront of the rebel movement.

Fifth. It has been established from many sources that members of the three Communist parties took the lead in passing out arms to civilians, including 1,500 hard-core Communists. Moving with precision, they were quick to organize street demonstrations, seize newspaper plants, take control of rebel propaganda, organize paramilitary units, establish commando units and command posts, and to place themselves in positions of political control.

Sixth. It is a matter of record that clearly pro-Communist speeches were made over Santo Domingo TV on April 25.

Seventh. There is also proof that important Communist leaders were attending political meetings at the national palace with Molina Urena, the rebel provisional president, during the early days of the conflict.

Eighth. It is also a matter of record that among the rebel leaders were such experienced revolutionaries as Antonio Isa Conde who was trained in Cuba in 1963; Daniel Ozuna Hernandez, a leader in the 1963 invasion from Cuba; and Jose Cuello Hernandez, who trained in Cuba in 1964.

And, I want to assure my colleagues that the U.S. Government knew much more, which for a variety of reasons, cannot be documented publicly.

Since the early days of the fighting, there have been increasing indications of Communist activity and Communist control in the rebel sectors.

Ninth. The rebel newspaper Patria, by its tone and content, has betrayed an unmistakable Communist orientation.

Since June, Patria has been calling for the establishment of a "united antifeudal, anti-imperialist front" of all "democratic" elements to continue the battle against the "Yankees and their Creole lackeys."

Another recurrent theme is that all parties, including the Communist ones, should be permitted to participate in elections.

Two editorials have consistently analyzed the revolution in terms of Marxist dialectics declaring that the "Socialist countries," headed by the U.S.S.R., are the natural friends of progressive movements.

Tenth. The three Communist Parties to which I have referred, the MPD, the PCD, and the 14th of June Popular Movement, established military commands, each controlling specified areas within the rebel zone.

Eleventh. Juan Ducoudray, a leader of the Dominican Communist Party, who worked for Radio Havana, in 1962, and who has traveled widely in Communist countries, on August 17 declared that his group would actively oppose an OAS-type negotiated settlement. Instead, he said, his group would continue on the course of armed intervention.

Twelfth. The 14th of June movement issued an open declaration in favor of violent action and against any provisional government. This movement, in the past 2 months, has also been very active in enlisting new members, in conducting Communist indoctrination courses, and in giving guerrilla war training to hundreds of young people.

Thirteenth. The MPD has also engaged in guerrilla warfare training over the past 2 months. This group has also called publicly for terrorism throughout the country to oppose any provisional government.

Fourteenth. The August 16 edition of the Dominican Communist Party's official organ, carried a remarkably frank statement saying that the party attempted to capitalize on a popular uprising at the outset of the April 24 revolt. The party, analyzing its reasons for failure in April, called on all its members to prepare "for victory in the next popular insurrection."

Even Bernard Collier of the Herald Tribune, who strongly challenged the original charge that the rebels were under Communist direction, said in a recent article in the Tribune that there was alarming evidence of Communist control in the rebel sector.

All of this the Senator from Arkansas has apparently dismissed as inconsequential. Even at the very serious risk of permitting the establishment of another Castro regime in the Americas, he insists on mathematical proof of Communist control before a decision is made to intervene against an actual or threatening Communist takeover.

ON REVOLUTIONS AND COUNTERREVOLUTIONS

That the chairman of the Foreign Relations Committee has difficulty in understanding my viewpoint, and that I have equal difficulty in understanding his, is, I believe, apparent to the press from the several exchanges we have had on the floor.

Perhaps I have misread the Senator's remarks—and if I have, I hope he will correct me—but it seems to me that he suffers from an indiscriminating infatuation with revolutions of all kinds, national, democratic, or Communist.

Time magazine has quoted the Senator as saying in his first Senate speech that "the Russian experiment in socialism is scarcely more radical under modern conditions than the Declaration of Independence was in the days of George III."

This quotation may be inaccurate, or the Senator may since have revised his opinion. But there was a passage in his statement on the floor yesterday which suggests to me the persistence of a strange confusion concerning the real nature of communism and the Russian revolution. I want to quote this statement, so that I may fairly comment on it.

> It is not surprising—

Said the Senator—

> that we Americans are not drawn toward the uncouth revolutionaries of the non-Communist left. We are not, as we like to claim in Fourth of July speeches, the most truly revolutionary Nation on earth; we are, on the contrary, much closer to being the most unrevolutionary nation on earth. We are sober and satisfied and comfortable and rich; our institutions are stable and old and even venerable; and our Revolution of 1776, for that matter, was not much of an upheaval compared to the French and Russian Revolutions and to current and impending revolutions in Latin America and Asia and Africa.

I cannot accept this indiscriminate lumping together the American Revolution, the French Revolution, and the Russian Revolution.

The American Revolution was the purest, the noblest, and the most democratic in recorded history. It was a revolution based on the fundamental concepts of human equality and the dignity of the individual. It was accompanied by a minimum of terror. It gave birth to no dictatorship, but on the contrary, launched our Nation on an experiment in expanding democracy which has set an example for the entire world.

The French Revolution was a more mixed affair. Originally inspired by ideals of "liberty, equality, fraternity," and committed to the liberation of France from feudal oppression, the revolution soon degenerated into a regime of the guillotine and total terror.

The French Revolution vindicated itself historically only after it had purged itself of the extremists who had usurped its leadership. And the process of democratic rebirth which followed the terror gave birth to one of history's most dramatic flowerings of law and learning and art.

But the so-called Communist revolution has nothing in common with the great revolutions of history.

From a historical standpoint, indeed, the Communist revolution can only be looked upon as a counterrevolution as monstrous and retrogressive as Hitlerism.

Instead of expanding the frontiers of freedom and bringing about a greater degree of social justice, the Communist revolution has resulted in the organized impoverishment of the people, in the reduction of agricultural output through the spread of an incentive desert, in the total destruction of justice, and in the most monstrous state of terror since Genghis Khan.

Instead of the cultural and spiritual renaissance that has followed in the wake of true revolutions, Communist totalitarianism has everywhere resulted in the stultification of the intellect and the imprisonment of the spirit.

Perhaps the chief reason why the chairman of the Foreign Relations Committee and I find it so difficult to understand each other is the fact that while he regards the Communists as revolutionaries, I regard them as counterrevolutionaries.

Perhaps it is because of this that he has never made a single statement expressing concern about the establishment of a Communist regime in Cuba, or about the hemispheric campaign of terror and subversion now being conducted by a Communist consortium, in which the followers of Castro in every country enjoy the backing of both the Soviet Communists and the Chinese Communists.

Perhaps it is because of this that, in the first major speech, on Latin America he has made in some time, he has addressed himself not to the danger of Castro communism in the Americas, but to the danger posed by American intervention against a threatening Communist takeover in the Dominican Republic.

The Senator's attitude is, I know, shared by a number of people who consider themselves members of the liberal community. They are not pro-Communists. But they are so bemused by the Communist pretension to social revolution, that they permit their tolerance of communism to blind them to the very real danger it poses to the survival of freedom.

THE BALANCE SHEET OF INTERVENTION

With the establishment of a provisional government, it is my conviction that our policy and tactics in the Dominican Republic will be seen in a somewhat more favorable light by erstwhile critics, both in this country and elsewhere.

Now surely it must be clear that the United States did not intervene for either conquest or exploitation in the Dominican Republic.

Presumably, it is also clear that whatever errors we may have made, we did not seek the imposition of a rightwing dictatorship as an answer to the Communist threat.

Nor can it be said that we regard all revolutionaries as Communists, or that we seek to preserve the status quo at all costs. Much of the criticism of our decision to send in troops on April 28 was based on these assumptions and charges. I recognize that much of this criticism was sincere. But our actions have spoken louder than can any words.

We were accused of bringing bloodshed and taking the lives of Dominicans. But our entrance into the Dominican Republic terminated the senseless killing, and gave the OAS time to assume responsibility. Dominican leaders were brought to the negotiating table to settle their differences, and the emergency needs of the Dominican people were met.

We were accused of favoring a military dictatorship. But we have labored in the OAS patiently to open the way to free elections, so that the Dominican people can after a period of pacification, choose their government.

We were accused of trying to impose on the Dominican people a solution of our choosing. But the Dominican people have clearly demonstrated their support for the compromise offered by the OAS.

We were accused of trying to keep the Dominican people from restoring the liberal constitution of 1963. But the institutional act promulgated by the provisional government contains many of the liberal provisions of the 1963 constitution.

We were accused of seeing Communists where Communists did not exist. But even some of our accusers now express concern as the Communists proudly display their guerrilla training schools and arms for all to see, and boast that they have opposed a solution these long months and that they intend to fight another day.

No one tried to confound the critics. The policy of the United States was clearly stated from the first days that the United States entered the Dominican Republic. We have faithfully followed that policy and the mandates of the OAS.

The critics confused themselves. Among other things, they failed to read and understand the statement of the late beloved John F. Kennedy when he said in November 1963, just 4 days before his death:

> We in this hemisphere must also use every resource at our command to prevent the establishment of another Cuba in this hemisphere. For if there is one principle which has run through the long history of this hemisphere it is our common determination to prevent the rule of foreign systems or nations in the Americas.

I am convinced, as I have indicated, that the majority of those who were critical of our policies, both in this country and in Latin America, today have a clearer understanding of our objectives. Indeed, I have heard from a number of sources familiar with the situation in Latin America that the issue of American intervention in the Dominican Republic, despite the efforts of the Communists to keep it alive, has pretty well died off.

President Johnson's speech of August 17 made a tremendous impact in the Latin American countries. And more recently, Assistant Secretary Vaughan received a tumultuous welcome from the people of Bolivia.

I therefore consider it all the more regrettable that the chairman of the Foreign Relations Committee, with the great prestige that attaches to his position, has seen fit to reopen the entire issue of American intervention in the Dominican Republic in this tendentious manner.

Although the reports are not yet in, I am certain that his speech will be picked up and played heavily by every Communist and crypto-Communist and fellow traveler and anti-American leftist who wields a pen in the Latin American press.

I am certain that there will be a particularly heavy emphasis on his charge that we are opposed, or appear to be opposed, to progress and social revolution in Latin America; that we "prefer to associate with the well-bred, well-dressed businessman"; that we favor the oligarchs and military reactionaries over the democratic left.

And they will ignore, just as the Senator from Arkansas has ignored, the many massive evidences that we have been using all of our influences for many years now to encourage and support the trend toward social reform and more democracy in all the Americas.

They will ignore the fact that in 1957 we gave our support to the progressive, leftist, but non-Communist government of Paz Estenssoro in Bolivia, and that, despite the nationalization of American enterprises, we have since 1957 invested more foreign aid in Bolivia on a per capita basis than we have in any other country.

They will ignore our entire record of support for Figueres in Costa Rica, for Betancourt in Venezuela, for Munoz Marin in Puerto Rico.

They will ignore the fact that it was our country which took the initiative in proposing a severance of diplomatic relations with the Trujillo dictatorship in the Dominican Republic, and that it was this action, combined with our cutting off of the Dominican sugar quota, which brought about Trujillo's downfall.

The anti-American scribes will also ignore the fact that we gave our sympathy and tolerance and support to Castro in the mistaken belief that we were supporting a nationalist revolution.

And, they will ignore all these things because the chairman of the Senate Foreign Relations Committee has declared that we are alined, not with the forces of social progress in the Americas, but with the capitalists and reactionaries.

And this declaration will be interpreted as proof positive of our attitude by the entire pro-Castro and anti-American claque which occupies so many positions of importance in the Latin American press.

Some commentators have recently deplored what they described as the decline of the Senate Foreign Relations Committee, equating this so-called decline with the increasing evidence of division within the committee.

I take sharp issue with this evaluation. In my own view, the state of health of the Foreign Relations Committee is directly proportional to the degree of vigorous debate among its members and the committee becomes sick in the absence of such debate.

The chairman and I, for example, have sharp differences of opinion on certain aspects of our foreign policy, and we are both disposed to state our opinions forcefully. But this is the way things ought to be.

The Foreign Relations Committee can never fulfill its function if its members conduct themselves in the manner of a gentlemen's club or mutual admiration society, where everyone pats everyone else on the back and no one disagrees with anyone.

The Foreign Relations Committee can only discharge its function responsibly if there is a frank and open and forceful discussion of the issues among its members. I hope that the statement which I have made today will be construed in this light.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the following documents:

First. The article by John Bartlow Martin in Life magazine, to which I referred in my remarks.

Second. The minutes of the Fourth Plenary Session of the OAS, at which the special committee on the Dominican crisis submitted its report.

Third. An analysis of "Communist Efforts To Take Over the Revolt in the Dominican Republic," and an alphabetical biographical listing of 77 known Communists participating prominently in the Dominican rebellion.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Life magazine, May 28, 1965]

INSIDE THE DRAMA AND CHAOS OF THE DOMINICAN UPHEAVAL—STRUGGLE TO BRING TOGETHER TWO SIDES TORN BY KILLING

(By John Bartlow Martin)

SANTO DOMINGO.—About midnight on Thursday, April 29, I was home with my family in Connecticut when Bill D. Moyers, special assistant to President Johnson, telephoned and said that the President wanted me to come to Washington to consult on the crisis in the Dominican Republic. He sent a White House plane to Hartford and, by 7 a.m., I was in Washington. I conferred with Secretaries Rusk and McNamara and other high officials. The President asked me to go to Santo Domingo to do everything possible to assist William Tapley Bennett, Jr., our Ambassador there, to open up contact with the rebels and keep the President closely informed of the situation, and to help the Organization of American States and our people stop the bloodshed and restore peace. What follows is an account of this mission.

When the Dominican Dictator Trujillo was assassinated on May 30, 1961, President Kennedy sent me here on a fact-finding mission and, in March of 1962, he appointed me Ambassador. That December, with the help of the Organization of American States, the Dominicans held their first free elections in 38 years. They elected Juan Bosch President by a landslide. He had tremendous goodwill as a leader of the democratic non-Communist left throughout the Caribbean.

Hopes were high that he could build a democratic society in the Dominican Republic on the ruins of tyranny. As the Ambassador, I did everything in my power to help him give the ordinary Dominican people freedom and a better life. But Bosch had few experienced people to help him, and his ineffective government disappointed his party and the people. His country's lack of democratic traditions and his own difficult temperament crippled him. The Dominican military overthrew him when he had been in office only 7 months, on September 25, 1963.

The pretext was that Bosch was a Castro Communist, or was handing the Republic over to the Castro Communists. I never believed this. I considered, and still consider, Bosch's overthrow a serious blow to Dominican democracy, U.S. policy, and the aspirations of the ordinary people throughout Latin America.

In February of 1964, I returned to private life. Fourteen months later, on April 24 last, the Dominican Republic exploded, and 4 days later the U.S. marines landed. Six days later I landed at San Isidro, the Dominican Air Force base, the only airport open.

I came with grave misgivings. First reports had indicated that the revolution had begun as an attempt by Bosch's party, the PRD, supported by young military officers, to restore Bosch to power—to make a countercoup against the Government of Donald Reid, which had replaced Bosch's. Quckly law and order had vanished, indiscriminate slaughter had begun, and President Johnson had, quite correctly, sent the marines to protect American lives and property. But now people were saying that the revolt was Communist led. Was it really? I feared we were in danger of getting on the wrong side, against the people.

The first priority was a cease-fire. To arrange one, Monsignor Emanuele Clarizio, the nuncio apostolico, representative of the Vatican, was in the commander's office at San Isidro meeting with Col. Pedro Bartolomé Benoit, head of a three-man military junta representing the San Isidro generals; a young rebel emissary; a U.S. general, and Ambassador Bennett. Colonel Benoit was speaking, his voice filled with passion. Everyone wanted a cease-fire, but how could he accept one when the rebels, he charged, had killed hundreds of Dominican officers and men—a dozen captives shot down in cold blood—and beheaded an officer and paraded his head through the rebel area on a pole?

Other officers spoke, their voices rising. Their homes had been sacked, their friends murdered. The rebel emissary cried out that his people had suffered, too, had been butchered, were hungry, and the generals at San Isidro could dictate no peace.

Somebody suggested a cease-fire for a few hours to collect, with garbage trucks, the bodies that littered the streets. Cease-fire? In this mess? Soldiers with submachineguns were running in and out, the generals arose to talk in little groups, the meeting was breaking up; and suddenly an officer raced in—the rebels were attacking in strength. Generals and colonels began hurrying out.

I went up to Elias Wessin y Wessin, foremost of the San Isidro generals, and drew him aside. A stocky man of 40 and a fanatic hater of communism, Wessin had always been the real power, for he had the tanks. "President Johnson is deeply concerned about the senseless killing of the Dominican people," I told him. "He has sent me here to try to help stop it. I ask you, General, to be the first to sign a cease-fire." Wessin hesitated. Then he went with me to the papal nuncio and signed.

The nuncio went to broadcast the news to the Dominican people over Radio San Isidro. Ambassador Bennett and I got into a helicopter to go to the U.S. Embassy. With us was Harry Shlaudeman, a brilliant State Department career man whom I had brought with me. Shlaudeman had been my political officer here. We flew along the shore of the Caribbean, sullen smoke rising from burning buildings at the harbor, and, as our helicopter angled down behind the Hotel Embajador, we saw U.S. marines manning machinegun emplacements around the helicopter pad.

We arrived at the chancellery. It was shuttered and heavily guarded. The little lobby was littered with paper cups, pop bottles, emergency telephone lines. People hurried to and fro in a blur. Shlaudeman and I talked to the Ambassador, found C-rations to eat and desk corners to work on, then started out separately to see people we knew.

Since it was impossible to go into the rebel area at night, I went to see several Dominicans in the International Zone. One was Antonio Imbert, one of the two men still alive who assassinated Trujillo. Imbert is a brave man, shrewd, blunt, with sources everywhere. As he told me how the trouble started, I received an urgent message: Juan Bosch was calling me from Puerto Rico. I hurried to the chancellery. Over a fading telephone Bosch said he knew, there in Puerto Rico, that U.S. marines in Santo Domingo were attacking rebel positions so that Wessin's troops could advance. It was a conspiracy. I told him that, so far as I knew, this wasn't true (it wasn't). I would inquire, and I hoped to see his rebel commander, Lt. Col. Francisco Caamaño Deñó, tomorrow.

I hurried back to Imbert's house. It was near 1 a.m., Saturday, May 1. The gate was closed. No guards were visible but I knew they always hid behind the hedge and wall. I told my driver to stop and turned on the inside domelight and made a "pssst" sound. A guard appeared. I told him who I was. Dubiously, he went back to the sentry post. At that moment a string of shots went off behind my ear. I dived for the floor, began calling out to the guards not to shoot, that it was an accident. I waited, expecting Imbert's guards to open up their machineguns. They did not. My own marine guard said, "I was trying to put the safety on and my finger slipped."

Imbert and I talked more, sitting in his dining room with a kerosene lamp. Once, heavy automatic fire began and he, who had assassinated Trujillo, told me to get on the floor. We crawled to another room.

Back at the chancellery, Shlaudeman said Colonel Caamaño would sign the cease-fire and wanted to see me early the next day. It must have been about 3 a.m. when Ambassador Bennett, Shlaudeman, and I went to the embassy residence. It was filled with employees unable to go home, sleeping everywhere. The Ambassador and I slept on the floor.

In the morning we began an elaborate charade, arranging to see Colonel Caamaño. We called him, he called us, we called the papal nuncio, the nuncio called us, and so on. It was difficult. Along with the cease-fire, the International Zone had been established to safeguard foreign embassies and the lives of neutral noncombatants. The perimeter of the zone was guarded by U.S. troops.

Caamaño refused to leave the rebel stronghold in the southern part of the city. I would have to go to him—cross the line and leave the zone. He would try to get word to his snipers, but he could not fully guarantee my safety. Shlaudeman and I met Caamaño's emissary at the papal nunciatura and we started out in the nuncio's car, its hood covered with the flag of the Vatican, the nuncio himself driving, wearing his long white robe and his red cap * * *.

MINUTES OF THE FOURTH PLENARY SESSION (CLOSED)

(Document 46 (Provisional) May 7–8, 1965)

Chairman: His Excellency Ambassador Guillermo Sevilla Sacasa, special delegate from Nicaragua.

Secretary general of the meeting: Dr. William Sanders.

Present: Their Excellencies Alfredo Vázquez Carrizosa (Colombia), Roque J. Yó dice (Paraguay), Alejandro Magnet (Chile), Ramón de Clairmont Dueñas (El Salvador), Rodrigo Jácome M. (Ecuador), Juan Bautista de Lavalle (Peru), Ricardo A. Midence (Honduras), Enrique Tejera Paris (Venezuela), José Antonio Bonilla Atiles (Dominican Republic), Humberto Calamari G. (Panama), Raúl Diez de Medina (Bolivia), Ricardo M. Colombo (Argentina), Carlos García Bauer (Guatemala), Rafael de la Colina (Mexico), Gonzalo J. Facio (Costa Rica), Emilio N. Oribe (Uruguay), Ellsworth Bunker (United States), Fern D. Baguidy (Haiti), Ilmar Penna Marinho (Brazil).

Also present at the meeting was Mr. Santiago Ortiz, assistant secretary general of the meeting of consultation.

Recording secretary: José F. Martinez.

REPORT OF THE COMMITTEE

The President. Your Excellencies, I have the honor of opening the 4th plenary session of the 10th meeting of consultation of ministers of foreign affairs, which has been called for the principal purpose of receiving a confidential report from His Excellency, Ambassador Ricardo M. Colombo, Representative of Argentina and Chairman of the Special Committee that went to the Dominican Republic, which has prepared a confidential report. Ambassador Colombo addressed the following note to me today:

"Your Excellency, I have the honor of transmitting to you the first report of the Special Committee of the 10th meeting of consultation of ministers of foreign affairs of the member states of the Organization. I respectfully request you to direct that this report be distributed to the Special Delegates to this Meeting of Consultation. Accept, Sir, the assurances of my highest consideration. Ricardo M. Colombo, Ambassador of Argentine, Chairman of the Special Committee."

First of all, I wish to express to His Excellency Ambassador Ricardo M. Colombo and to his distinguished colleagues on the Committee, Their Excellencies Ambassador Ilmar Penna Marinho, of Brazil, Ambassador Alfredo Vázquez Carrizosa, of Colombia, Ambassador Carlos García Bauer, of Guatemala, and Ambassador Frank Morrice, of Panama, the deep appreciation of the meeting, and especially of all of their colleagues, for the magnificent and efficient work they have done in carrying out the delicate mission entrusted to them by the Meeting. We have followed their work with a great deal of attention and interest, and feel proud of having appointed them; and we are sure that the Americas, our people and our governments, applaud that work, and this Meeting expresses its appreciation and praise for it. In accordance with the Regulations, plenary sessions are public. When I spoke this morning with our colleague Chairman of the Committee, it seemed to me appropriate that this meeting be closed, precisely because the report to be presented by Ambassador Colombo, in behalf of the Commission of which he is Chairman, is, precisely, of a confidential nature. This decision by the Chair, that this meeting be closed, I am sure will not be objected to by the Representatives. I am happy that everyone agrees that this meeting should be closed. This will be recorded in the minutes. I recognize the Ambassador of Argentina, His Excellency Ricardo Colombo, Chairman of the Special Committee, so that he may be good enough to present the report referred to in the note I had the honor of receiving this morning. The Ambassador has the floor.

Mr. Colombo (the Special Delegate of Argentina). Thank you very much, Mr. President. I should like to make clear, before beginning to read the report, that it begins by referring to the very time of our arrival, or rather, to our departure from Washington, for which reason we do not record here the fact, which we do wish to point out, that at the time of our arrival, and in compliance with a resolution of the Council of the OAS, the Secretary-General of the Organization of American States, Dr. Mora, was already there carrying out his duties, regarding which he will give his own report.

[Reads the first report of the Special Committee.][1]

Mr. Colombo. May the meeting consider the report to have been presented in behalf of the Committee duly appointed. Thank you very much, Mr. President; thank you very much, gentlemen.

The President. I take note of what Ambassador Colombo has just said, and, clearly, we have been most pleased with the report. Your Excellencies will have noticed its fine quality.

Mr. García Bauer (the Special Delegate of Guatemala). If the President will allow me, I should like to recommend to all the Delegates that they take the following note with respect to the documents that contains the report of the committee that has just been read, and has also just been distributed, pardon me. On page 9 there are certain errors that were made in transferring the text to the stencil. In the last line on that page, where it says "guardia de policia militar," the word "mixta" should be added, so that it will say "una guardia de policia militar mixta." On page 12, in the next to the last line from the bottom, where it says "y de que ésta mantendría," it should say "y de que mantendría los contactos." On page 13, at the end of the second paragraph, it is necessary to add "En la última parte de la entrevista estuvo presente el General Wessin y Wessin a solicitud de la Comisión" at the end of the paragraph. And on page 26, second paragraph, where it says "la resolución del 30 de abril" it should be "resolución del 1.º de mayo." [These corrections were taken into account before the English text of the document was issued.]

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[1] The first report of the Special Committee with the corrections indicated below by the Special Delegate of Guatemala and accepted by the other members of the Committee, has been published as Document 47 of the meeting.

The President. The Chairman asks the distinguished members of the Committee whether they accept and consider incorporated in the text of their valuable report the observations made by His Excellency the Ambassador of Guatemala. The Chairman of the Committee.

The Chairman of the Committee. I fully accept them, Mr. President.

The President. Undoubtedly we shall receive a second edition of this report containing precisely the amendments already accepted by the Chairman of the Committee.

Mr. García Bauer. Mr. President, they are not things to accept, but rather the question is that in the report of the Committee these points were omitted.

The President. That is just what I was referring to, that the Chairman of the Committee has precisely accepted the incorporation of the omitted matter, the clarifying of the points. He has accepted, as Chairman of the Committee, in behalf of all its members, that the observations should be taken into account in the new edition that is to be made of the report. In other words, they are corrections of form.

Mr. García Bauer. No, Mr. President, those are not corrections of form, they are omissions made in copying the report of the Committee.

The President. Precisely, the Chair was mistaken, they are omissions of form, precisely. Gentlemen of the Special Committee, the report, which has just been read by your distinguished Chairman, Ambassador Ricardo M. Colombo, of Argentina, reveals a job done that the Chair would describe as extraordinary, very worthy of the sense of responsibility and the personal capabilities of the distinguished Ambassadors who make up this historic Committee in the inter-American system. Being extraordinary, it is a job worthy of our appreciation, of the appreciation of this Meeting of Consultation and of those of us who are honored to call ourselves colleagues of the Ambassadors who make up the Special Committee. In saying this, I am honored to confirm to you what I said to His Excellency Ambassador Ricardo Colombo in the message that I had the honor to address to him today, which reads:

"The Honorable Ricardo M. Colombo, Chairman of the Committee of the Tenth Meeting of Consultation of Ministers of Foreign Affairs: I am pleased to express to you and to your colleagues on the Committee of the Organization of American States established by the 10th Meeting of Consultation of Ministers of Foreign Affairs the appreciation of the Meeting for the prompt and interesting information furnished in your two messages received on May 3 and 4. The Meeting has taken note of the messages and hopes that the important tasks being undertaken with such dedication and efficiency may soon be completed with full success. Accept, Sir, the renewed assurances of my highest consideration. Sevilla-Sacasa, President of the 10th meeting."

I have the satisfaction of informing you regarding a communication the Chair has received from His Excellency Emmanual Clarizio, Papal Nunzio, dean of the diplomatic corps accredited to the Government of the Dominican Republic. It reads:

"Guillermo Sevilla-Sacasa, President of the Tenth meeting of Consultation of Ministers of Foreign Affairs"—this communication is dated May 5—"I thank you with deep emotion for message Your Exellency sent me on behalf of Tenth Meeting of Consultation of Ministers of Foreign Affairs. I have sincere hopes that providential assistance by Organization of American States quickly begun in Santo Domingo by Secretary General Mora and happily assumed by Special Committee of worthy members headed by Ambassador Colombo will soon achieve for the beloved Dominican nation the humanitarian ideals of peace and well-being that inspire that high and noble institution." It is signed by Emmanual Clarizio, Papal Nunzio of His Holiness.

I said at the beginning that naturally this meeting is of a closed nature, which indicates that, at the proper time, a public plenary session should be held, in order publicly to take cognizance once again of the text of the report and the opinions expressed regarding it. It seems logical for the first step to be to obtain the second edition, as I call it, of this report, in which the omitted matter so correctly mentioned by our colleague from Guatemala will appear: in order that the General Committee of the Meeting of Consultation may take cognizance of the report and then submit its decision on it to the plenary. This is what the Chair has to report on the matter for the present, but naturally, we would like in this closed meeting, in the private atmosphere in which we are now, to hear some expression by some distinguished Representative on the text of the report that was read by the distinguished Chairman of the General Committee. The representative of Mexico, Ambassador de la Colina, has asked for the floor, and I recognize him.

Mr. de la Colina (the Special Delegate of Mexico). First of all I wish to express, or rather, join in the comments that you, Mr. Chairman, have made in appreciation and deep recognition of the distinguished members of the Committee we took the liberty to appoint, in recognition of not only this wonderful report they have presented us, but also the efforts they doubtlessly have made under most difficult conditions and with great efficiency and dignity. Now I would like to know, Mr. Chairman, whether it would be possible to ask some questions, especially since we are meeting in executive session, for clearly our governments surely are going to want to know the very learned opinion of our distinguished representatives regarding some aspects touched on only incidentally in this most interesting report, with the reservation, naturally, that perhaps in a later session, also secret, we could elaborate on some other aspects that, for the moment, escape us. Would that be possible, Mr. President?

The President. I believe the question is very important. The President attaches great importance to the question put by the Ambassador of the Republic of Mexico regarding our taking advantage of this executive session to ask the distinguished Committee some questions.

Mr. Colombo. I ask for the floor, Mr. President.

The President. You have the floor, Mr. Ambassador.

Mr. Colombo. The Committee is ready to answer, insofar as it can, any questions the representatives of the sister republics of the Americas wish to ask its members.

The President. Very well. Is the Ambassador of Mexico satisfied? You have the floor.

Mr. de la Colina. Thank you, Mr. Chairman. For the time being I would like to know whether it is possible, after having listened closely to everything our distinguished colleague, the Representative of Argentina, has told us. I have the perhaps mistaken impression from the technique as well as from the quick reading I was giving this document we just corrected, that there seems to have been a certain consensus between the opposing sides as to the possible elimination of the generals. Perhaps I am mistaken, but it seems to follow from that reading and from this idea that on both sides the colonels were more or less disposed to create, let us say, a high command, other than the one that has remained thus far. I wonder whether it would be possible for you gentlemen to elaborate on this, or whether you simply have no idea on the matter.

The President. Would the Chairman of the Committee like to respond to the concern of the Representative of Mexico?

Mr. Colombo. With great pleasure. As the report states, Mr. President, the request to exclude the seven military men, whose names I have read in the Committee's report, was a complaint by the junta led by Colonel Caamaño and transmitted by the Committee to the military junta led by Colonel Benoit. The Act of Santo Domingo, furthermore, is clearly written, and the stamped signatures of the parties ratifying it are affixed. I believe I have responded to the concern of the Ambassador of Mexico.

Mr. de la Colina. Another point now, if I may.

The President. With pleasure.

Mr. de la Colina. I would like to know, if this is also possible, whether the distinguished representatives could give us their impressions regarding the degree of Communist infiltration in the rebel or constitutional forces, or whatever you want to call them. For example, there was the reference to this Frenchman * * * who came from Indochina, and who trains frog men * * * etc.; perhaps there is some thought that this person might have close ties, for example, with other Communists; or do they have the impression at least that, in the high command of that group, the rebel group, there is now definite and significant Communist leadership. Thank you, Mr. President.

Mr. Colombo. As for myself, I, as a member of the Committee, not as Chairman, have no objection to answering the question by the Ambassador of Mexico, but as a matter of procedure for answers, I wish to provide an opportunity for the Chairman to speak in general terms in order not to deny the distinguished members of the Committee their legitimate right to answer as members of the Committee, which we all are; that is, I would not want to be monopolizing the answers because, without prejudice to a given answer, we can give another of the members of the Committee an opportunity to give the reply that, in his judgment, should be given. Thus, in order to respect fair treatment and not find myself in the middle of the violent and inelegant position of monopolizing the answers—and I ask the members of the Committee whether some of them want to answer, then I ask you to give the floor first to Ambassador Vázquez Carrizosa, of Colombia.

The President. The Ambassador of Colombia, members of the Special Committee, will answer the question by the Ambassador of Mexico.

Mr. Carrizosa (the Special Delegate of Colombia). Mr. President, the Representative of Mexico asks what the opinion is.

I will state mine, because I am not going to answer on behalf of the Committee, as to the degree of Communist infiltration on both sides. Of course, the question must refer to the command or sector led by Colonel Francisco Caamaño, because I do not think it refers to any Communist leanings by General Wessin y Wessin, Colonel Saladin or any of his colleagues. With regard to the sector led by Colonel Francisco Caamaño, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamaño, whom I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend is prevalent in Cuba.

Mr. de la Colina. Thank you, Mr. Ambassador.

The President. Does any member of the Committee wish to add to the answer requested by the Representative of Mexico? Is the Representative of Mexico now satisfied with the information given to him? The Ambassador of Guatemala.

Mr. Colombo. If the President will allow me, I do not know what system the President may have to gage the kind of questions.

The President. Well, your Excellency said that he wanted his colleagues to participate in the answers in their, let us say, personal status, in order to distribute the task of answering, and, naturally, the President took note of the fact that your Excellency had invited his colleague from Colombia to answer the question put by the Ambassador of Mexico. I, by way of courtesy, am asking your Excellency whether any other colleagues would like to express their opinions on the same question the Ambassador of Mexico asked. I request your Excellency to tell me whether any other of his colleagues would like to ask any questions.

Mr. Colombo. I am going to add very little, of course, to what the Ambassador of Colombia, with his accustomed brilliance, has just said, by saying that this report, affirmed by a large number of representatives of the Diplomatic Corps, is public and well known to any one who cares to make inquiry. But despite the respect that I owe to the opinion of the Diplomatic Corps, in order to establish this in precise terms—for I was concerned as much as was the Ambassador with being able to verify this question—I wanted to go to the source; and we spoke with the different men who were in this rebel grouping and, a notable thing, from the head of the revolution, Colonel Caamaño, to some one known as Minister of the Presidency, they recognized that they were their great problem, they explained to a certain extent briefly the process of the history of the Dominican Republic, they confessed to us how gradually a number of elements were being incorporated with them whom they called Communists, and that their problem was to avoid infiltration for the purpose of springing a surprise and seizing control. They said this clearly, and even at one point—I in the sometime difficult task of dividing this formal nomination of the chairmanship in which there is no merit greater than that of any one else, because perhaps in the other four members there is much talent for doing what the Chairman did—I spoke with Colonel Caamaño and asked him in a friendly way whether he honestly believed that such infiltration existed. He confirmed this to me, but he gave me the impression that he had the courage to face it. He said to me: "They are not going to grab the movement, and my concern is that in their losing the possiiblity of control, they have stayed behind the snipers, today there are those that do not wish a solution for the Dominican Republic," and already he put the political label on a good part of the snipers on both sides. It should be said, Mr. Ambassador, that you will understand the extent of responsibility of the answers and the depth of the questions, and I would like to satisfy your own concern; but I have fulfilled with loyalty by reporting the conversation to you objectively, telling you that I believe that those who have the answer to this question is to be found among the actors, the protagonists of this hour who are living in the Dominican Republic. This is what I wanted to say now, Mr. Chairman.

The President. Very well, Mr. Ambassador.

Mr. de la Colina. Mr. Ambassador of Colombia, I greatly value this reply; I wanted both, but naturally with reference to the reply whereby you explain one more aspect. Many thanks, Mr. Ambassador.

The President. Would the Ambassador of Guatemala like to say something on the question put by the Ambassador of Mexico?

Mr. García Bauer (the Special Delegate of Guatemala). Mr. Chairman, for the moment, no; certainly this point was discussed in the Committee; the Committee also had a series of things, and since there is not yet any criterion of the Committee, I do not for the moment wish to present any viewpoint.

The President. The Ambassador of Brazil.

Mr. Penna Marinho (the Special Delegate of Brazil). Mr. President, I should like to corroborate the statements made by my colleagues from Colombia and Argentina, and add one more aspect that I believe could help to clarify the approach that could be given to the problem. I should like to add, gentlemen, that with the complete collapse of public authority—since neither the forces of the Government Junta of Benoit, Santana, and Saladin nor those of Colonel Caamaño were in control of the situation—the Dominican state practically disappeared as a juridical-political entity, and the country became a sort of no man's land. The arsenal had been given to the people and an entire disoriented population of adolescents and fanatics was taking up modern automatic arms, in a state of excitation that was further excerbated by constant radio broadcasts of a clearly subversive character. Neither do I believe that I am, nor does any of the members of this Committee believe that he is, in a position to state with assurance that the movement of Colonel Caamaño, inspired by the truly popular figure of former President Bosch, is a clearly Communist movement. But one fact is certain: in view of the real anarchy in which the country has been engulfed for several days, especially the capital city, where bands of snipers have been sacking and killing and obeying no one, any organized group that landed on the island could dominate the situation. For that reason, and our understanding coincides with that of a majority of the depositions of the chiefs of diplomatic missions accredited there, all of the members of the Committee agree in admitting that the Caamaño movement, fortunately truly democratic in its origins, since none of us sincerely believes that Caamaño is a Communist, could be rapidly converted into a Communist insurrection; above all it is seen to be heading toward becoming a government of that kind, susceptible of obtaining the support and the assistance of the great Marxist-Leninist powers. Therefore, Mr. President, we do not believe that Colonel Caamaño and his closest advisers are Communists. Meanwhile, as the entire Caamaño movement rests upon a truly popular basis, by certain areas escaping from the control of that democratic group of leaders it would be quite possible for that movement to be diverted from its real origins and to follow the oblique plan of popular-based movements, which can be easily controlled by clever agents and experts in the art of transforming democratic popular movements into Marxist-Leninist revolutions. Thank you, Mr. President.

The President. The Representative of Ecuador, Ambassador Jácome, has requested the floor.

Mr. Jácome (the Special Delegate of Ecuador). I wish to adhere with all sincerity and warmth of the words of the Representative of Mexico, praising the selflessness and the arduous work as well as the spirit of sacrifice with which the Committee performed its functions, and for having succeeded, by the time of its departure, in leaving a somewhat more favorable situation than the one it found upon arrival. Now that we are asking for the opinions of the distinguished colleagues on the Committee, I would like to know if they have any impression as to a formula, or if there is any desire on the part of the two factions to bring about peace by transforming the cease-fire, the truce, into a peace that will permit the political organization of the Dominican Republic and the natural process that should be followed in order to have a constitutionally stable system? It has been gratifying to hear this opinion, at least on one side, that the so-called constitutional government of Colonel Caamaño is certain that it can at a given moment control and capture the infiltrators that are determined to block peace, and, in order to take advantage of that situation, to continue the chaos that has prevailed in Santo Domingo up to now. But if that command hopes to keep and is confident that it can keep control it is natural that whatever the command thinks with regard to the possibility of a formula for stable peace through an understanding with the others—the present enemies—would be very useful and constructive to know because we would then, with a little tenacity, through friendly, fraternal mediation, have a favorable prospect of arriving, within a reasonably short time, at an understanding between the two combatants. This would be the best guarantee that the Americas, as well as the Dominican Republic, could have that those infiltrators and those elements that wish the chaos to continue, would be eliminated and hence definitely neutralized.

I would like to know what opinion the Committee formed, after it succeeded in talking with the parties in conflict, what impression does it have of the opinion or of the formulas or of the hopes they have regarding a final agreement that may return the situation to normal?

The President. Would the Committee like to answer the question raised by the Representative of Ecuador? One of the colleagues on the Committee; the Chairman, Ambassador Gorcía Bauer, Ambassador Vázquez Carrizosa, Ambassador Penna Marinho, the Chairman of the Committee, Ambassador Colombo, in his capacity as Representative of Argentina?

Mr. Colombo. Perhaps this is the question that I shall answer with the greatest Americanist feeling, Mr. Chairman. I cannot deny, Mr. Ambassador, gentlemen, that I also, like the Ambassador of Mexico, have confessed to him that I shared and still share the concern expressed in his question and that, perhaps, it was the question that caused me the greatest concern. The most urgent problem when we left was not to find ideological banners distinguishing the parties, but to put an end to the conflict that was already becoming bloody and that could become a blood bath in the Americas. We talked with the two parties and believe me, Mr. Chairman, I at first had the feeling that law was dead; it was chaos in the Dominican Republic. We all shared it—all members of the Committee, the military advisers, the General Secretariat, our civilian advisers—and when we arrived we found chaos, such as we had never seen or even imagined. I felt that law did not exist, and we all thought there was little hope that they wanted to find a solution that would be feasible, despite the moral authority that we represented. We were only a very few, as men, as individuals, but we bore the weight of the historic tradition of the system whose 75th anniversary we celebrated, and this inspired all the members of the Committee. From the first man of the rebel band with whom we spoke, Colonel Caamaño, to the first man with whom we spoke from the Command of the Military Junta, Colonel Benoit, we found that they were both weary of the conflict that darkened the Americas. We found in both of them a desire to achieve peace that was equal to ours.

It would be untrue, Mr. President, if I were to say that I found the wish to continue the fight at this stage of the tragedy in the Dominican Republic. There was a longing for peace and we were caught in the enthusiasm to achieve it. But we were completely surprised, Mr. Ambassador, by something more important than this objective which is essentially what we all desire; the two parties said that the solution lay in the inter-American system. Nobody assumed the right to impose peace because—and let there be no misunderstanding—the side that wishes to triumph in Santo Domingo is stabbing the sister Republic. Both factions understood the intensity of the tragedy that was unfolding in Santo Domingo; both placed their faith in the inter-American system.

During the course of conversations, when all members of the Committee asked them if they would be faithful to remaining within the system, they answered yes; with all their faith. But it was more than that, Mr. Ambassador: it was what Colonel Caamaño said, voluntarily. A newsman asked him, "If your cause was denounced in the United Nations, what would you do?" and he confessed to us that he answered that he would in no way accept that channel because he was within the system and the answer had to be found within the system. For that reason he was happy to see the Committee sent by the OAS. He placed his faith in the Organization of American States to find the solution. And when we spoke with Colonel Benoit he gave us the same affirmation; his faith is in the system.

I believe that in the midst of the agony of the Dominican Republic, this system that among ourselves we have talked so much of strengthening was more alive than ever and in an hour of testing, in the midst of a struggle more fierce than any I remember within the system, I could see that both sides felt this to be the only possible solution that could maintain peace in the Americas. Both took into account the possibility that it was being compromised: they knew that the peace of the hemisphere might be endangered if the conflict wasn't soon stopped. This, Mr. Ambassador, is what I can tell you, with great satisfaction, and I look to the system for the solution just as all of us are going to look, and you will see that the system will find that solution.

The PRESIDENT. The Representative of Guatemala will contribute to the answer that the Representative of Ecuador has requested.

Mr. GARCÍA BAUER. Mr. President, I wish to add a few words to what the Ambassador of Argentina has said, in reply to the question asked by the Ambassador of Ecuador. I, as a member of the Committee and as Ambassador of Guatemala, confirm the statements made by the Ambassador of Argentina, as to the faith that the inter-American system can help in solving the problem that, so unfortunately, is faced in the Dominican Republic today. Obviously, that country is weary of struggle and would like to arrive at some solution. I, at least, found that there certainly is a basic desire to reach an understanding between the parties and overcome present difficulties. We were surprised, for example, when we began conversations with the Rebel Commander, that a colonel was present who was a liaison officer between the Military Junta of San Isidro and the Papal Nuncio. And the manner in which he was treated, by Colonel Caamaño as well as the other members of the Rebel Command, surprised us because he was in a group completely opposed to the one he represented. We did not see the hatred that might have been expected in such circumstances. We can bear witness, therefore, to that deference, to the treatment that was shown. Also the Rebel Commander offered to the Committee itself to deliver about 500 prisoners so that it might take charge of them; that is, acts such as these indicate how they wish to end this situation that is dividing the people of the Dominican Republic; from these acts, and from others that we have seen, I have reached the conclusion that at bottom there is a desire, a keen desire to reach an understanding. The question is to find the formula for making this understanding a reality.

The PRESIDENT. Other representatives have asked to speak. I ask the members of the Committee if any of them wishes to join in the reply to the question raised by the Representative of Ecuador. The Representative of Ecuador.

Mr. JÁCOME. Yes, thank you, Mr. Chairman. I am infinitely grateful for this reply which is truly promising because it has confirmed the suspicion that every human being has who knows the tragedy of a civil war; that those persons who have stained their country with blood and caused so many deaths, who have seen so much suffering and caused so much suffering, would now have reached the moment of longing for peace and perhaps each of them feeling remorse for the sufferings and the misfortunes they have caused. This is an eminently human reaction that we all know. But I am equally satisfied to hear that both parties rest their faith in the inter-American system, but I have now seen a report, a report concerning the statements made by Colonel Caamaño to the effect that he will not accept the Inter-American Force established by the last resolution of this Meeting of Consultation. We have already seen that it also seems that Colonel Caamaño and his partisans have not accepted the present state of affairs, the presence of foreign troops in Santo Domingo. Hence, would not perhaps Colonel Caamaño, and in the end all Dominicans, whatever their ideologies and whatever the barricade on which they have stood, prefer a mission of peace to a mission of guns? We might think of a permanent peace mission of the Organization of American States, which would receive the same impressions but which would be seeking a concrete formula to bring those parties together who wish to reach an understanding and give them the opportunity of not feeling pressured by arms or not having the inward suspicion that those arms are playing the game of their adversaries. I should like and I venture to put this question to the members of the committee, and I beg your pardon, as tired and fatigued as you all must be, for still abusing your time with these questions. Thank you very much.

Mr. COLOMBO. I said something, a little circumstantially, in replying to the question posed by the Ambassador of Mexico, regarding this concern that troubles the Ambassador of Ecuador. Here is the most important instance for telling the whole truth, not part of it. And I am going to tell how I saw it. The effort—I said—is mutual and so is the desire to attain peace, Mr. Ambassador, but it is not that I suspect but that I am certain that the two sides in the struggle are not controlling their movement, because the cease-fire was accepted by the fighting groups; but an uncontrollable ingredient conspired against the carrying out of the act of Santo Domingo, an element that history shows does not find a solution by peaceful means and that grows larger whenever attempts at reaching peace are made, because what will happen, to a great extent, is what happened to us, in parleying for peace, with an absolute cease-fire by the commands so as to talk with the peace mission, but we had to parley for 2½ hours under incessant machinegun and rifle fire. Who did that? Colonel Caamaño? I think not, categorically, no.

It is the sniper ingredient, because in a town where arms are handed out to civilians, there can be only two forms of control: either when the civilians lay down their arms and surrender them willingly, or when this is achieved by a force superior to the civilian force. Let all of you ponder the difficult task of imagining a peace attempt, in which we again have the signatures of the two parties, we have the security zone, and the incident is being provoked as a factor breaking out into a tremendous catastrophe. I honestly confess that until now I could not explain how something much worse did not occur. The provocation of the snipers is constant. There are among them, no doubt, the two classes of snipers that there are in such events: those who grab a gun and continue using it with a resentment that no reasoning will lead them to lay it down, and those who continue using it with the resentment of one who cannot control the revolt. That is, these are factors that cannot be controlled by a mission no matter what flag of peace it carries.

The Government of Santo Domingo will not achieve peace until it can be imposed in a climate where conditions in a peaceful Santo Domingo exist for the recovery of institutional normality in the country. Sincerely, Mr. Ambassador, in the choice that you have given me I sacrifice my wish—which is equal to yours—to a realistic concept that one can only appreciate, unfortunately, by having been there. We wished, and we five Ambassadors who were on the mission mentioned it many times to one another, that all of you could have been there, that not one had been missing, Mr. President. That you could have been at the scene of events to see what we were seeing. In the tremendous confusion, in which it is difficult to find the thread that would open the knot we were trying to untie, where there is political and military confusion, economic disaster, confused people, general anguish, no one can find the ingredient for guidance. I believe, Mr. Ambassador, that it is urgent to seek peace in the Dominican Republic and to tarry as little as possible in discussion, because every hour of discussion is an hour you give to someone who, with good or evil intentions, could still pull the trigger that would prevent the Act of Santo Domingo from being fulfilled. This is my personal impression.

The PRESIDENT. The Representative of Ecuador has nothing more that he wants to say? I recognize the Representative of Uruguay, Ambassador Emilio Oribe.

Mr. ORIBE (the Special Delegate of Uruguay). Mr. President, first of all, I want to adopt the words of the distinguished Ambassadors who have spoken before me in congratulating the Committee on its work and expressing the admiration of my delegation for the way in which they have performed this first part of their task. And so, our warmest congratulations to all of them. Since it is late, Mr. President, I would like to confine myself to some very specific questions. The first of the questions is as follows: for this Meeting of Consultation to be competent to take measures to bring peace and to carry forward the work begun, it is necessary, above all, in the opinion of my Delegation, to ascertain whether the situation in the Dominican Republic is a situation that can endanger the peace and security of the hemisphere. This is the requirement of Article 19 of the Charter for carrying out collective action in matters that normally are within the domestic jurisdiction of the states. As is known, Article 19 states: "Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in Articles 15 and 17," which are those that refer to nonintervention. Hence my Delegation believes that a pronouncement must be made by this Meeting of Consultation to the effect that the events in the Dominican Republic constitute a situation that endangers the peace and security of the hemisphere. Departing from that basis, I should like to ask the Committee if it is of the opinion that this is the case, that is to say, that the situation in the Dominican Republic constitutes a threat to the peace and security of the hemisphere? That is the first question.

The second question is as follows, Mr. President: the first part of the task with which the Committee was entrusted has been carried out, and we all congratulate them. We have received a very complete report, which will be studied by the delegations and the foreign ministries. There remains, then the second part of the Committee's task, under the letter b, which reads as follows: "to carry out an investigation of all aspects of the situation in the Dominican Republic that led to the convocation of this Meeting." Naturally, my Delegation understands very well that this cannot be done in one afternoon or one day. However, I should like to ask simply if the Committee believes that there is sufficient evidence to issue a report on this point within a reasonable period of time? Thank you very much, Mr. Chairman.

The PRESIDENT. One of the distinguished members of the Committee would like to refer to the first question put by the Representative of Uruguay. Ambassador Vásquez Carrizosa, Representative of Colombia.

Mr. VÁSQUEZ CARRIZOSA (the Special Delegate of Colombia). Thank you, Mr. Chairman. The first questions is this: Is the situation such that it can endanger peace and security? My reply is yes. Yes, there is a situation that endangers the peace and security. The reasons are very clear. A disturbance or even a guerrilla action in a member state where the elements of order and constituted authorities exist is not the same as in a state where the absence of the state is noted, evaluated, and recorded. What is to be done, Mr. Delegate, in the absence of the state? What does the system do when the state does not exist? What happens when blood is running in the streets? What happens, Mr. Delegate, when an American country—and I am going to speak quite frankly so that you may think about this with all the perspicacity we know you to have—is, under these conditions, in the neighborhood of Cuba? Do we sit on the balcony to watch the end of the tragedy?

Do we all sit down as if we were at a bullfight waiting for the crew to come? What are we to do, Mr. Delegate? We are in a struggle against international communism; and we are in a world, Mr. Delegate, in which America is not even separated from the other continents even by the ocean. We form part of the world, and we form part of the conditions existing in the world. The Dominican Republic, like any other country in the Americas, is a part of the system, and it is the system that will suffer from the lack of a head of state in any of its members. The matter and the problem cannot be expressed in juridical terms, in hermeneutics, needed to fit an act into a lawyer's criterion. The problem is one of deep political meaning, of profound significance, of hemisphere importance much more serious than any of the other American revolutions could be.

There have been many revolutions in America. There have been revolutions in my country; there have been some, I believe, in yours, and I do not believe that a revolution in itself justifies the intervention of the inter-American system. That has not been my theory; that has not been the theory of my country. However, the acephalous condition of the state constitutes a problem that has occurred on very few occasions. What are we to do, Mr. Delegate, when, as the report states, the president of a junta says: "I cannot maintain order with respect to the diplomatic missions"? And what are we to do, Mr. Delegate, when that Chief presents a note in which he requests the assistance of another country and confesses with the sincerity that we have heard: "Gentlemen of the Special Committee, have the diplomatic representatives asked me for protection and I did not have the elements with which to protect them?" That is the answer to his first question. Now we have the second question: What is happening to the investigation? It is very clear, Mr. Delegate. The complex political events, the multitudinous situations are very difficult to investigate. All of us who have had contact with problems of criminology know about mob psychology; everything that is studied in the classroom, which is very simple, an investigation of a local event, an individual event, let us say.

However, when there as mobs, when they are in the midst of great movements an investigation can be conducted, investigations must be carried out. But they are obviously difficult investigations. I would spare no effort to support any machinery, agency, or committee that would carry forward that investigation. It would be very desirable. But, of course, such investigations of complex events are not very easy, because many things have happened. Actually, two or three revolutions have taken place. There was the first revolt of colonels. Then there was a revolt of a party; and after that, a revolution of a whole series of guerrilla groups, so that each one may have a different impression of the same event.

I think that, rather than an investigation of the past, what is of interest to the Meeting of Consultation and what is of interest to America is not the investigation of the past, but the investigation of the future. It is the investigation of the future that interests us. The problem is not to stop to fix responsibility, to ascertain who began to shoot first, who entered the National Palace first, who opened the windows, who got out the machinegun, who saw, who heard; all that would be an interminable process that would fill many pages and many records of proceedings. The important thing is not to look backward, but to look ahead.

The PRESIDENT. The Representative of Uruguay.

Mr. ORIBE. I thank Ambassador Vázquez Carrizosa for his remarks. He has told me just what I wanted to know.

The PRESIDENT. The Ambassador of Brazil.

Mr. PENNA MARINHO (the Special Representative of Brazil). Yes, Mr. President. And I also want to say to the Delegates that my reply is also yes. There are two governments, but each one is weaker than the other, completely incapable and powerless to control the situation that prevails in the country. Peace was made on uncertain terms. The Act of Santo Domingo is not a definitive peace; it is a difficult truce, a temporary armistice that may dissolve at any moment. Therefore, the Committee suggests, among the measures that in its judgment might be adopted immediately by the Tenth Meeting of Consultation, the appointment of a technical military group in the city of Santo Domingo to supervise the cease-fire, as well as other measures agreed to by the parties to the Act of Santo Domingo. We must keep watch over that peace and create conditions to prevent the struggle from breaking out again—because it could start again, Mr. President, at any moment. Thank you.

The PRESIDENT. Does any other member of the Committee wish to speak on this question? The Chairman of the Committee, Ambassador Colombo.

Mr. COLOMBO. The truth is, Mr. Chairman, that after the words of my distinguished colleagues, the Ambassadors of Brazil and Colombia, there is very little that I might be able to add; but the responsibility involved and the importance of the question, so ably phrased by the Ambassador of Uruguay, compel all of us to make clear our position on this question. When, among the powers and duties, the duty of investigating was decided upon, I cannot conceal the fact that I felt the same as I always feel whenever an investigating committee is named. Generally it investigates nothing; few, indeed, are the investigating or factfinding committees which, in the parliamentary life of all of our countries, show any fruitful jurisprudence in their results. But this Investigating Committee did have the possibility of good results. And that was because it was aimed at two fundamental objectives that were governing events in the Dominican Republic.

I understood, first, that the investigation was to determine the scope of the danger resulting from the events, which are a matter of concern to the Ambassador of Uruguay. If this was a situation that did not threaten the peace, we would verify that immediately. If the situation was under the control of groups intent on stirring up tension in the Americas, in a struggle in the history of America, which is full of struggle between brothers, in this incorrigible vocation that is periodically written into the history of our countries, that delays the advance of law and democracy, then we would verify it immediately; and we have verified it.

This could be the beginning of a struggle confined to the two well-defined groups. But the presence of those uncontrollable factors, which I urge the Ambassadors to analyze in detail, in the evaluation of facts in order to reach conclusions, they are going to be impressed, as we ourselves were impressed, without seeing them; they have become more dangerous than the groups themselves put together. To my mind, they have become the element that will determine the fate of what is going to be done. If those groups did not exist, and if those responsible for the struggling movements had not confessed that they cannot control them, in view of the existence of a security zone, freely agreed upon by both parties, with a U.S. military force that is engaged basically in the process of keeping custody over the diplomatic zone, I would also believe, Mr. President, that perhaps we might be able to delimit the process and trust that the peace would not be so obviously jeopardized as it is in this process; because in all revolutions, even a small local one, there is the possibility that there may be the spark of a process that will affect the peace of the Americas.

But the dimensions of this situation, with elements of disturbance on both sides, who are constantly lashing out against the protection offered by the security zone, and in which, Mr. President—and this struck my attention—there is still control to prevent confrontation in a struggle that could technically be called a military struggle; or in other words, there is no military confrontation between the defenders of the zone and the contending groups of the civil struggle. And that struggle is capable of being unloosed, because of the constant harassment by those who are seeking a way to unloose it. Hence, Mr. Ambassador, this matter urgently demands that all of us succeed in finding the way to resolve this situation; that we find the way to dispel the undeniable danger that threatens the peace in this hemisphere, which is the purpose of our organization. Because all of these things are important; economic development, social tranquillity, justice, the progress of the countries; but all of them are built on peace; without peace there is no possibility for the triumph of the inter-American system. There cannot be the slightest doubt, Mr. President, that the peace of the hemisphere is in grave peril.

But with respect to the second part of the investigation, which is also a matter of anxiety, we have contributed something in the time we had to make our investigation; more than the investigation is the word of the leaders themselves. This act is a confession, and a partisan confession without proof, Mr. Ambassador. It is not a matter of our characterizing the ideology, nobody goes about trying to do that when, actually, it has already been characterized by the leaders of the governments themselves. If necessary, that should be left to the last. I have said at previous sessions: my delegation is willing to make and is going to make an exhaustive investigation of the facts, in order to determine the blame according to the action. We shall do nothing to cover up a sharing of responsibility. But in the matter of priorities, investigation has been well placed by the Ambassador of Uruguay. The first thing to be investigated was the projection of the episode, the possibility of its affecting the peace of the hemisphere, the need for urgent action in case it is proved. We five members of the committee shared that opinion when we were there, and we reaffirm it now. The peace of the hemisphere is in such danger, Mr. President, that if the system does not respond to the call of both parties to the struggle, I believe that the peace of the Americas would be in danger, that peace will be broken. This urgency is shown by the way we have tried to answer the concerns of the Ambassador of Uruguay.

The PRESIDENT. I ask His Excellency the Ambassador of Guatemala if he would like to speak on this point.

Mr. GARCÍA BAUER. Mr. President, I would like to add my voice and my opinion to those of my distinguished colleagues on the Committee. I shall also reply, rather emphatically, as was done by the Ambassador of Colombia, that the peace and security are in danger. As was already said, we in the Committee often asked ourselves and commented on the advisability of having all of the members of this meeting visit the Dominican Republic in order to see, on the scene itself of the events, the situation prevailing in that country: in a state of war, when we arrived, without water, without lights, without telephones, without public services. The lobby of the very hotel where we stayed was a scene of war—children and women sleeping in the lobby itself. The Diplomatic Corps, which met with us, also told us of the serious situation which they had gone through and were going through; anarchy ruled; the attacks that the diplomatic missions themselves had suffered; the wounded, including the diplomatic missions that had given asylum to wounded persons; and this was something that went on hour after hour.

Undoubtedly, peace and security are seriously affected when there is no authority that is respected, for although there are those who proclaim that they represent authority in each sector, it may be seen later that they do not possess it to such a degree that peace prevails; and although they sign documents, such as the cease-fire that was arranged before we arrived, or the Act of Santo Domingo, which we signed; nevertheless, it can be seen that they have no absolute control over the situation when the spectacle of wounded and dead persons is seen. We asked how many had died, how many had been wounded; and I believe that I can say, as an opinion gathered from persons of whom it can be said, insofar as this is possible, that they are better informed on the matter, that at least 1,500 persons have died in Santo Domingo. And how are the forces distributed? How is the country? Fighting has taken place so far only in the city of Santo Domingo itself, but who can assure us that it will not spread throughout the country?

The rebel command states that they have maintained peace there, because they have not wished to arouse feelings in the rest of the country, and the military junta in San Isidro states that they control the rest of the country. What is the real situation? The Committee did not have time to travel through all of the Dominican Republic; but it is evident that chaos exists, that the situation is deteriorating; it changes from one hour to the next; that is clear. The day after we had an interview under the fire of snipers, as has been said here—with the constitutionalist military command, the next day, I repeat, the chief of that command was proclaimed President of the Republic, Constitutional President; and the military junta of San Isidro, which we had talked with and which signed the act of Santo Domingo, does not now exist, according to reports arriving today through the news agencies. The teletype has just brought for example, a cable reading: "Domingo Imbert, president of the new five-member junta, quickly convened a press conference and called for a peacemaking effort to rebuild the country and restore national unity without discrimination on account of political affiliation." He described Colonel Caamaño as a good personal friend.

The other members of the new junta are: Julo Postigo, 61 years old, a lawyer whom some people consider a militant in the Revolutionary Party of Juan Bosch; Carlos Crisella Polomey, 51 years old, governor of one of the provinces under the deposed regime of Donald Reid Cabral; Alejandro Seber Copo, 41 years old, an engineer; and Colonel Benoit, a member of the previous military junta of three. Imbert did not explain how or why the earlier junta resigned, or how the new one was formed. Although Caamaño could not be found to give us a statement, the leader of the Revolutionary Party, José Francisco Peña Gómez, stated over the rebel radio that the new group represented an underhanded maneuver against the interests of the Dominican people. In the Dominican Republic we constantly heard rumors, stories that got to us, to the effect that they were inciting to arms over the radio, even during the cease-fire.

The circumstances prevailing in Santo Domingo are most difficult, tremendously difficult; it would be a good thing if the representatives were to go and see how things are developing there and how, in the report we have submitted, we cannot give an exact picture of the prevailing situation, which has disturbed us deeply. The situation undoubtedly endangers peace and security, and not of the Dominican Republic alone. The representative of Uruguay also referred to the missions of investigation; and indeed, among the duties entrusted to the Committee was the duty of making an investigation of all aspects of the situation existing in the Dominican Republic that led to the calling of the Meeting. But the kind of investigation that was asked is not one that can be made in a few hours. The Committee had to give priority to what demanded priority, and the first thing was to try to restore peace and conditions of safety, to restore things as much as possible to normal, under prevailing conditions, in order that it could carry out an investigation such as we believed the Meeting of Consultation had requested.

We are in agreement that this investigation should be carried as far as it is desired; but in the short space of time we were there, and with all the tasks we had; and although we sought opinions and points of view on various sides; although we asked all members of the diplomatic corps to give us their views in writing; that is, their views on the situation as they saw it; although we asked the disputing groups also to explain to the Committee and to the Meeting what they considered the truth about the Dominican Republic, and also asked the Governors of the Provinces whom we interviewed to do the same, and did likewise with everyone with whom we had an opportunity to talk and question; although we sought all of the evidence that might serve as a basis for this investigation and to enable the Committee to offer its conclusions to this Meeting of Consultation; despite all this, the time was very short and we cannot give conclusions in the report we have just submitted, not even if we were to be able to change them a little later.

Points of view have been given and information collected, sometimes in personal conversations, as mentioned by the Ambassador of Argentina with respect to his conversation with Colonel Caamaño, or in conversations the members of the Committee had with various persons on the scene; but we should also listen to all parties concerned, to all who want to say something; and such an investigation takes some time. This is the reply we must give to the Ambassador of Uruguay. With respect to this second point, we have done all that we could within the short time available, in an attempt to make the cease-fire effective for the protection of refugees and those who had taken asylum, and so that food distribution could be undertaken, to bring in food, medicines, etc., that can be distributed with the necessary safety. We did a vast amount of work in a very short time, but in regard to investigation, we can say that we have scarcely begun. And despite the little that was seen, the Committee has been able to contribute something in reply to the questions that have been asked here.

The PRESIDENT. I understand that the representative of Uruguay is very well satisfied with the thorough manner in which the interesting questions put to the members of the Committee have been answered.

Mr. ORBIE. Of course, Mr. President, I would like to express my appreciation once again, and I believe that what has now been said here is fundamental; because the conviction of the members of the Committee will surely allow us, through consultation, to take appropriate measures without getting into the problem of intervention.

The PRESIDENT. I recognize the special delegate of Paraguay, Ambassador Yódice.

Mr. YÓDICE. Thank you, Mr. President. First, I wish to join in the words of appreciation that have been spoken here to the ambassadors who composed our special committee that traveled to Santo Domingo and completed the great task of which we are so proud. I am very happy that from the first time the floor was requested until now we have had a series of statements from the distinguished ambassadors on the Committee, and their statements make my congratulations even warmer. As the Chairman of the Committee, the illustrious Ambassador of Argentina, Dr. Ricardo Colombo, has said, this is the moment of truth and the delegation of Paraguay is quite pleased with the action of the members of the Committee.

The delegation of Paraguay, Mr. President, is proud of this Committee because it has, in the first place, effectively carried out the peacemaking aspect of its mission as fully as is possible; it is proud of this Committee because it has justified the confidence of the Paraguayan delegation placed in it, inasmuch as the distinguished ambassadors who composed it, whose ability and inter-American spirit all of us know, as was said when the Committee's membership was approved, would determine whether or not international communism had a part in the bloody events in the Dominican Republic. If the distinguished representative of Mexico had not raised the question he did on the matter, I would have done so. I might, however, have put it differently, since I would not have confined myself to inquiring as to the possibility of Communist intervention in a specific group, but would have extended the inquiry to all aspects of the serious conflict that the Dominican people are undergoing today.

The Government of Paraguay, as I stated clearly when approval was given to the establishment of the collective inter-American force, believed from the beginning that continental security was at stake. The replies by the Ambassadors composing the Committee reporting today on certain questions regarding these delicate aspects of the Dominican situation have been categorical. My government was right. Continental security is threatened. The danger existed, and still exists, that chaos and anarchy will permit international communism to transform the Dominican Republic into another Cuba. With his customary clarity, courage, and energy, the Ambassador of Colombia, Mr. Alferdo Vázquez Carrizosa, has categorically mentioned the highly political nature of the problem we are facing. In reply to a question of the Ambassador of Uruguay, he has rightly said that the peace of America is threatened, that the security of the hemisphere is threatened, and that there is a possibility that another Cuba, another Communist government in the hemisphere will arise out of the chaos and anarchy in the Dominican Republic.

We are proud of the action of our Committee, because, as the Ambassador of Uruguay said, it is helping to clarify the problem we are facing. Paraguay had no doubts when it voted on the resolution for the establishment of the inter-American force. As I said: "The Government of Paraguay approves the sending of U.S. forces to the Dominican Republic, considering that this does not imply armed intervention prejudicial to the right of self-determination of the Dominican people, but, on the contrary, that it is a measure of hemispheric defense against the intervention of Castro-Communist forces. The Government of Paraguay is aware that U.S. armed intervention has been necessary in view of the urgency of preventing extracontinental and Cuban forces and funds from annulling the Dominican people's right of self-determination, since it was evident that it would be difficult for the inter-American system to act rapidly and energetically. The Government of Paraguay reaffirms its support of the proposed establishment of a hemispheric force and will participate in it if a substantial majority of the governments of the member states do likewise."

Mr. President, if there is anything to regret it is that, for the time being, this valuable, clear explanation of the seriousness of the Dominican problem furnished to us by our committee is known only to the delegates of this Meeting of Consultation.

Obviously we are going to come to a moment when the enlightened judgment of the President and of the Delegates, in my opinion, will decide that these vital conclusions reached by our Committee should be known by all of the Americas, by all of the people of the hemisphere. Because for my Delegation, Mr. President, these conclusions which appear in the written report and in the replies to the questions posed here, should not be known only by the Delegates; they should be known by all the people. I emphasize this point because I am proud that my Delegation, from the very beginning, has been concerned and has established a position with regard to the seriousness of the conflict, in view of the intervention of international communism in the Dominican events.

Once more, I congratulate the members of our Committee; I am confident that the conclusions they now bring to us from their trip to Santo Domingo and that they will continue to bring will greatly help this Meeting of Consultation. The inter-American system must find the permanent solution referred to by the distinguished Ambassador of Ecuador in order to bring about a return of constitutionality in the sister Dominican Republic, a return of the reign of representative democracy and of human rights, and of all those inalienable principles of sovereign peoples that motivate the resolutions of this Meeting of Consultation in dealing with the Dominican problem. I believe, Mr. President, that with the clarity of the conclusions of the Committee we shall be walking on firmer ground. The basic conclusion that I want drawn from this statement I am now making is that we should act on the basis of these important conclusions furnished to us by the Committee; not only the conclusions appearing in the report that has been distributed, but also those verbally expressed tonight by the members of the Committee. I repeat my congratulations to the ambassadors and my confidence that these highly important conclusions will shortly be brought to the atention of all the Americas. Many thanks, Mr. President.

Mr. TEJERA PARÍS (the Special Delegate of Venezuela). Mr. President, I wish to make a motion.

The PRESIDENT. What is the motion of the Ambassador of Venezuela?

Mr. TEJERA PARÍS. Mr. President, 2 days ago when it was desired to undertake a thorough analysis of the problem, I asked this distinguished meeting to await the return of the Committee, so that we might question it and hear what proved to be an excellent and highly important report. On behalf of my government, I wish to express appreciation for the work that has been done and the sacrifices that have been made. I now wish to call attention to the following point: perhaps this session should devote itself exclusively to questions and answers, so that by speeding things up we can obtain the information as precisely as possible, leaving basic statements and studies of possible solutions until tomorrow's plenary; otherwise, we shall have to repeat many of the things already said here. This is my motion, Mr. President.

The PRESIDENT. Mr. Ambassador, the Chair entirely agrees with you. It would really be interesting to devote ourselves to questioning the honorable Committee and its distinguished members, and the answers that they give us will be very edifying.

Time goes on, and we must take advantage of the privacy of this meeting precisely to present this type of questions and, in this same confidential setting, to obtain the answers of the distinguished Committee members. Naturally, the occasion will come for us to make detailed statements on behalf of our governments on the text of the important report presented by our colleagues on the Committee. I offer the floor to the Representative of Chile.

Mr. MAGNET (the Special Delegate of Chile). Thank you, Mr. President. The opinion that the President has just expressed so wisely is in complete accord with what I am about to say now. Although, for reasons clearly explained at the time, the Delegation of Chile abstained from voting for the establishment of the Committee that has now returned to our midst, I can do no less than corroborate, briefly but sincerely, the expressions of praise that the Committee has earned. Moreover, the position taken by my country does not inhibit me, for everyone's benefit, from asking some questions that are of interest to my country, and, as I understand, to the others as well. In the Act of Santo Domingo, referred to by the President in his statement, mention is made of a security zone in that city, whose limits would be indicated in a plan appended to this document. Mr. President, I believe that this security zone is a highly important factor in the cease-fire that has been obtained and that a clear delineation of this zone and knowledge of it, not just by the parties involved but by everyone, will be very helpful in forming an idea of what might happen if, as may be feared, this security zone were violated. If acceptable to the Committee, I would request, Mr. President, that this plan not only be incorporated into the Act, but also circulated by the secretariat as soon as possible.

The PRESIDENT. I ask; I imagine that the Chairman of the Committee wishes to reply to Ambassador Magnet's question.

Mr. COLOMBO. The Committee, through me, reports that the map is now being distributed, and I apologize to the Ambassador of Chile because it was not attached to the report when this was distributed. The explanation may lie in the undeserved expression of appreciation for the Committee's work, on the part of the Ambassador. Material difficulties prevented distribution, but I now present the map to the Chair so that, as the Ambassador of Chile has wisely requested, it may be distributed as soon as possible, since it is necessary for the proper information of the Ambassadors.

The PRESIDENT. The Chair shall proceed accordingly, Mr. Chairman, Ambassador Colombo.

Mr. MAGNET. I wish to explain that my words did not imply the slightest criticism or reproach of the Committee.

Mr. COLOMBO. I wish to make quite clear that I have not even remotely suspected such an attitude from one whom I know to be a gentleman and distinguished ambassador who honors the inter-American system.

The PRESIDENT. Your second question, Mr. Ambassador.

Mr. MAGNET. It is more than a question, Mr. President, to try to achieve some kind of friendship. I think it is quite clear both from the text and the context of the report we have just had the pleasure of hearing, especially the Act of Santo Domingo—with which we were already acquainted and which is contained in the report signed on May 5—that there is not, nor was there on that date a constituted government in the Dominican Republic able to represent the country, but two parties or conflicting factions. The Committee, with the knowledge it gained through its on-the-spot activity, and with its spirit of impartiality, deemed it necessary to hear the two parties or factions in order to reach some useful result. I would like to ask the Chairman of the Committee, through you, Mr. President, if the evidence that has been gathered corresponds to the truth.

The PRESIDENT. Shall I refer the question to the Chairman or to the distinguished members of the Committee?

Mr. COLOMBO. I think that, in substance, we have already answered the Ambassador's question. That is, all of us Committee members have confirmed the impression of chaos that we found in the Dominican Republic, the complete lack of authority, the existence of two groups that appeared to be standard-bearers in the conflict and with whom we felt impelled to establish immediate contact. I do not know if this will satisfy the Ambassador, and I wish he would let me know if he has any doubts that I can clear up.

The PRESIDENT. What does the Ambassador to Chile have to say?

Mr. MAGNET. It seems to me that what the Ambassador has said confirms what I——

Mr. COLOMBO. I think it is the same thing, Mr. Ambassador.

The PRESIDENT. Is there any other question? Mr. Ambassador.

Mr. MAGNET. If it is not an imposition on you or on the meeting, Mr. President, I wonder if it would be too much to ask the Committee to tell us how many asylees or refugees still remain in the embassies in Santo Domingo, if it has been able to obtain this information.

Mr. COLOMBO. The truth is that at this time, Mr. Ambassador, it is impossible to answer your question because, fortunately, the evacuation of asylees has already started.

I have information regarding the asylees at my embassy: there were 14 who have already been able to leave. That is, this changes according to the help received, food and other, because the asylees take advantage of arriving planes in order to arrange their transportation; therefore, at this moment it would be practically impossible—because of the time that has elapsed since our arrival—to say how many asylees have been able to leave the country. Fourteen have left my embassy.

The President. Is the Ambassador satisfied?

Mr. Magnet. I hope I am not being too insistent, Mr. President, but perhaps with the testimony of the other members of the Committee we might obtain an approximate figure, at least.

The Special Delegate of Brazil. Mr. Ambassador of Chile, I wish to inform you that in the Embassy of Brazil there were 38 asylees, of which only 6 wished to leave the Dominican Republic. The other 32 told us that they would prefer to await the return of normal conditions in their country. Therefore, only six asylees in our embassy left the Dominican Republic.

The President. Does Ambassador Vásquez Carrizosa wish to contribute anything?

Mr. Vásquez Carrizosa (the Special Delegate of Colombia). There were about 30 asylees in the Embassy of Colombia in Santo Domingo, some of whom did not wish to leave Dominican territory. Many of them, especially women and children, left on May 5 on the plane that brought in food, medicine and medical equipment.

The President. The Ambassador of Guatemala.

Mr. García Bauer. There were 28 asylees at the Embassy of Guatemala, of whom 9 left. There are now 19 asylees at present who will be evacuated as soon as possible on the plane arriving from Guatemala with food and medicines. The Secretariat has already been informed of this.

Mr. Magnet. Mr. President, I wish to leave on record my gratification and to pay public tribute to the patriotism of the Dominicans, since so many of them have chosen not to abandon their country, in spite of the prevailing chaos.

The President. We give the floor to the Representative of El Salvador, Ambassador Clairmont Dueñas.

Mr. Clairmont Dueñas (the Special Delegate of El Salvador). Thank you Mr. President. I am going to ask a question, but I wish at this time to express my government's appreciation for the excellent work of the Committee in the face of the tragic events in the Dominican Republic. Our thanks, gentlemen. The question is as follows, and I wish to refer to the distribution of weapons to the civilian population. I wish to ask the members of the Committee whether they then had sufficient time to investigate how this distribution was made, what was the source, if it is known, whether distribution was made indiscriminately or to persons of any special tendencies, and who were the originators of this distribution. Thank you very much.

The President. I refer the question to the members of the Committee. The Ambassador of Brazil, if you please.

Mr. Penna Marinho. Mr. President, I wish to reply to the question posed by the Ambassador of El Salvador, and I do this on precarious bases, because the information we received was precarious, and, above all, contradictory. There was, however, a common consensus in these replies, that the arsenal of weapons had been opened, access to it was given to the population, and that the civilian population, a part of which was controlled by Colonel Caamaño, was armed with automatic weapons considered by several authorities we interviewed as the best and most modern existing in the Dominican Republic. And we were able to ascertain, when we opened negotiations with the group led by the Commander of the Revolutionary Government, Colonel Caamaño, we were able to see various persons, teenagers, women, all armed with machineguns, forming small groups in the streets of the neighborhoods of Santo Domingo that were under the control of the rebels. And so there was a distribution made of all the weapons that were stored in the arsenal of the Dominican Republic to the civilian population that supported Colonel Caamaño's group. This is the information we were able to gather by means of the contacts we had with the various authorities of the Dominican Republic.

The President. Ambassador Vázquez Carrizosa, Special Delegate of Colombia.

Mr. Vázquez Carrizosa. I cannot, of course, give an opinion on the way in which the weapons were distributed, but the truth is that in the sector of the city where Colonel Caamaño's command was located, the presence of weapons, of machineguns, was visible and clear; of all citizens in the streets and of all who were around us, each citizen carried a machinegun, so that weapons were as numerous as the persons who were around us. Thank you.

The President. Does the Ambassador of Guatemala wish to give any opinion in this respect?

Mr. García Bauer. Yes, of course it could be seen in the city, as far as we could see, that automatic and other weapons were in the hands of many young civilians, and even of women. Now, according to information I received early Sunday morning, April 25, many young civilians were armed with automatic weapons from the 16 de Agosto Camp.

The President. The Representative of El Salvador, Mr. Clairmont Dueñas.

Mr. Clairmont Dueñas. Thank you, fellow delegates. I have a second question, if the President will permit me. I wish to ask the members of the Committee if they have seen, foreseen, or gathered, according to how we use the term, the possibility that the sector controlled by Colonel Caamaño is receiving weapons supplied by another country, not the Dominican Republic—from another country, let us say, Cuba—or is it using the weapons that they have there at this time.

The President. The Representative of Colombia, Ambassador Vázquez Carrizosa.

Mr. Vázquez Carrizosa. There is such a profusion of machineguns in the sector of the city that we visited that in reality the importation of this item is unnecessary.

The President. The representatives who may wish to add something to the reply. The Representative of Venezuela, Ambassador Tejera París, has the floor.

Mr. Tejera París. Mr. President, I should like to ask the Committee two questions, the first precisely about arms. Did the Committee learn of the existence, or was it able to verify that there is some system of distribution or some inventory whereby, in the forthcoming peacemaking activities, it could check what part of the arms has been returned? My experience in such matters has been that it is possible to have a very large part of the arms given to civilians returned, and then, by a supplementary house-to-house search they can be controlled. In general, the military are very good bureaucrats; they generally make inventories, and so the question I ask is not absurd.

The President. I refer the question to Ambassador Colombo, Chairman of the Committee.

Mr. Colombo. Mr. President, the question asked by the distinguished Ambassador of Venezuela I have also asked the various bands or groups in Santo Domingo. All of them were very sorry that they could not provide me with accurate pieces of evidence, which would have been very valuable. When we were about to leave, in connection with the activities reported on in our dispatch, our report, the only part on which we obtained a reply that would help allay the Ambassador's fears was given by the United States, when the Ambassador of the United States in Santo Domingo told me that many of those who are arriving in the security zone bring arms with them and turn them in. I tried to go further into this question to ascertain the number of arms. The reply was not definite. I was told merely that this was a report that he had received from General Palmer, who had told the Ambassador of the United States that they had a certain amount of arms that were being turned in by people who were arriving in the zone for diverse reasons, many of whom were coming in search of food or medical care and who were voluntarily turning in their weapons. This is the only thing I can say, but I believe that I have contributed something to allay your fears, Mr. Ambassador; nothing more.

Mr. Tejera París. Thank you very much, Mr. President. The other question would be this: I was very favorably impressed and feel optimistic at the fact that the Committee noted among both the Constitutionalists and the rebels a fervent desire to have the OAS intervene to seek a solution; and that even, according to what I think I heard the Chairman of the Committee say, Colonel Caamaño himself said that he rejected the Security Council solution and preferred an OAS solution, because it belongs to the system. Now I should like to ask you this: Did the Committee explore the possibility, or did it hear of any methodology of any special system, for example, the presence of a high commission of eminent persons or a high commission of good offices that could assist in returning the country to constitutional normalcy now? Does the Committee believe that there would be some possibility that such a solution would be acceptable to all the bands in conflict? I understand that now there is another change in the country.

The President. I refer the question to the Committee members. Mr. Vázquez Carrizosa, please.

Mr. Vázquez Carrizosa. It is still premature to go into that. Of course, we can find evidence of contact, points of common reference, but within an atmosphere of tension and anxiety such as surrounded us, it is difficult right now to think of formulas for a government that might unite the two parts. I do not exclude it as a possibility for the future, but apart from a similar reference to the Organization of American States, I think it is impossible for the Committee (although my colleagues may believe otherwise) to answer that question more precisely. No system came into view. The thing is it was not our job to investigate political conditions of a new government. Our mission, which was precisely set forth by the resolution of May 1, was to obtain a cease-fire, guarantees for the departure of refugees, and safe conditions for the embassies, and also to organize humanitarian aid. Moreover, the terms of the resolution of May 1 did not authorize us to enter into discussions of matters that are the concern of the Dominican people, and personally, my theory is that our mission was essentially to bring about peace—not to prejudge the will of the Dominicans regarding their own future; at least, that is my reasoning.

The President. The floor goes to the Representative of Guatemala, member of the Committee, to reply to certain aspects of the question raised by Mr. Tejera París.

Mr. Garcia Bauer. There is no better way to answer the question raised by the Ambassador of Venezuela than to refer him to the terms of reference of the May 1 resolution of this meeting. The work mentioned by the Representative of Venezuela is not found in the terms of reference, and consequently, the Committee was prohibited from entering into that area. Undoubtedly, and this we have already said, there is a desire for understanding; there is an evident wish for peace, since a number of relationships are involved; there are people, friends of one side and of the other. The dean of the Diplomatic Corps told us of how, through him, splendid acts of humanitarianism had been performed. People asked him about their friends rumored to be wounded or dead, and he was able to give them explanation and set their minds at rest. In other words, that atmosphere has existed, and if the Ambassador of Venezuela, for example, remembers the cable that I read earlier, it mentioned one of the members of this new junta who described Caamaño as a personal friend, and also mentioned a lawyer, whom some think to be a militant partisan of the revolutionary party of Juan Bosch. In other words, it shows that there is a desire for understanding, that that desire is evident, and, of course, that there is faith in the inter-American system. How is that desire to be channeled? How can the OAS help to solve that problem that essentially must be solved by the Dominicans themselves? That is something that must be considered at the opportune time by the system, by the organs of the system. I yield the floor to Ambassador Tejera París.

The President. The Special Delegate of Venezuela has the floor.

Mr. Tejera París. I first want to explain that my question was not intended as criticism of the Committee, nor did I think that it could have wished to go beyond its terms of reference. I was only referring—perhaps I did not explain myself clearly—to the idea proposed informally by the Delegation of Costa Rica—I don't know if all of you know about this—for setting up a delegated committee, a committee that, by delegation of this conference, would go to the Dominican Republic for the purpose of carrying out the second part of the task of reestablishing peace—that is, the administration of the mechanics of reestablishing peace and a return to institutional normality, not the formation of a government and other such matters. Then I asked myself if such an idea had already occurred to other countries in some form or other, since such ideas are normal. That was my question. Now, I have a third one.

The President. The Chairman of the Committee, Ambassador Colombo, will be so kind as to answer these questions.

Mr. Colombo. I want to say a couple of words regarding this concern of the distinguished Ambassador of Venezuela. I share the opinion just expressed by Ambassador Garcia Bauer that our immediate job was to obtain a prompt peace. Also, we were obsessed with the fact—as undoubtedly everyone else was, without exception—that the solution to the Dominican Republic's political problem should be in complete keeping with the principle of self-determination of peoples, and that in the last analysis it was the Dominicans who must determine the direction of their institutional life. For us, it has been enough to know that they respect the jurisdiction and authority of the system and that the system assures the solution. But, Mr. President, with all respect to the Ambassador of Venezuela, neither do I think that this is the time to start discussing these matters, since precisely for the reasons given by the Ambassador earlier, we should concentrate on the report and on the questions and answers from the Ambassadors and the Committee members respectively.

The President. The Special Delegate of Venezuela has the floor.

Mr. Tejera París. I just want some personal information, as all of us do. And another thing. From my own country's experience, especially during the dictatorship of Pérez Jiménez, Communist infiltration is generally chaotic everywhere and tries to produce chaos in the various factions. Experience shows us that it is much easier and more common for Communists to ally themselves with elements of the extreme right than with liberal ones. And so I ask whether the Committee noted or inquired as to the presence of agents and provacateurs on the side of Benoit, Wessin y Wessin, and company, or whether they investigated the presence of Communists from the other side, because some of their actions seem—give the impression of being—provocations rather than judicious acts.

The President. Would the Chairman of the Committee like to say something in this regard?

Mr. Colombo. Thank you, yes. That also is a very pertinent question, and I think that we answered it to a certain extent when we acknowledged the existence of snipers on both sides. That is, there are snipers everywhere; they are a general disturbing element throughout the country, although we cannot attribute to them the particular ideology mentioned by the Ambassador. But it is apparent that anyone who plays the part of a sniper and has escaped the normal command of either of two groups is following his own ideology. That is all, Mr. President.

The President. Would Ambassador Penna Marinho like to comment on the question presented by Ambassador Tejera París? Ambassador Vásquez Carrizosa? Ambassador Bauer? Would you like to, Mr. Ambassador?

Mr. Vásquez Carrizosa. Well, I just have this thought: if there are snipers in both parties, why can't they be snipers of the Wessin Communists, or snipers of the Caamaño rightists, or simply nationalists?

The President. Is there any comment on these last statements, Mr. Chairman?

Mr. Colombo. I should not like to continue this dialog because that would lead us into a maze of conjectures, Mr. Ambassador, but I believe, and I will say, that there is a fundamental difference: Colonel Caamaño's commands recognized the existence of Communist elements that were seeking to infiltrate and to gain control of his movement—an affirmation that I did not hear, nor do I believe that any of the members heard it, from Colonel Benoit.

Mr. Tejera París. Maybe they are not so politically sensitive.

The President. Well, reportedly so, according to some opinions.

Mr. Tejera París. I thought as much, but I just wanted to make sure. Thank you very much, Mr. Ambassador.

The President. Our thanks to you, Mr. Ambassador. We shall now hear from the Ambassador of the United States, Mr. Bunker.

Mr. Bunker. I would like to express on behalf of my delegation, and indeed on behalf of my Government, appreciation and praise to all of the members of the Committee of the Meeting, individually and collectively, who, under the brilliant leadership of my friend and colleague, Ambassador Colombo, have accomplished so much in so brief a period, and under, as they have described to us, the most difficult and trying circumstances. We have heard the report of the committee this evening, and I am confident that this meeting will agree with me, that the act of Santo Domingo marks an outstanding achievement in what has been our priority objective under the terms of the resolution, an agreement on an effective cease-fire in the Dominican Republic. As Ambassador Colombo has reported, the Secretary of State has communicated to the committee that the United States supports its work in Santo Domingo, and pledges to cooperate fully in the observance of the provisions of the act of Santo Domingo.

Mr. Colombo. Mr. President, something has gone wrong with the interpreting equipment, because I heard the English spoken by the Ambassador much more loudly than the Spanish interpreter to whom I was listening.

The President. Is the Ambassador's speaker turned too high?

Mr. Bunker. Shall I proceed? Well, it seems to me, Mr. Chairman, that the questions which have been put by my distinguished colleague to the Committee, and the answers of the members, have shed further light and have made a very great contribution toward a greater understanding of the situation existing in the Dominican Republic; a contribution so valuable that I think it should become public knowledge, Mr. Chairman. I believe that it was agreed at our previous meeting that the proceedings of the private meetings and the records would become public. I trust that that will be so in this case, because I think the record is extremely valuable to provide a much wider public knowledge of the actual conditions in the Dominican Republic.

The Committee has succeeded in taking this first step of major importance. It seems to me that this meeting can now move to a second major stage of the task, for I think we can all agree that much remains to be done before conditions return to normal in that tragic and torn country. It is quite obvious, from what the Committee has said, that there is today no effective national government in the Dominican Republic. There are contending forces, each in control or perhaps quasi-control in separate areas, but no political grouping or faction can lay a well-founded claim to being the government of the country. I say quasi-control because we had word from our Embassy in Santo Domingo today that the palace inside the rebel zone, in which 400 people, I believe, have taken refuge, had been attacked three times during the day. This may be indeed a violation to the cease-fire.

But it remains, Mr. Chairman, for the Dominican people, with the help of the OAS to which I understand they are looking, from the words of the Committee, to organize a government and to provide for future constitutional arrangements of their own choosing. It seems to me that it is of the greatest importance that the OAS should endeavor to assist patriotic and outstanding citizens of the Dominican Republic, and I am sure they can be found, to establish a provisional government of national unity, which could eventually lead to a permanent representative regime through democratic processes.

Mr. Chairman, we must now seek to find paths of peace and to build on the base which has been established by this Act of Santo Domingo. I want again to express the appreciation of my government for the splendid work of this Committee because they have established, through what they have done here. really the first and essential base for any further progress. Thank you, Mr. Chairman.

The President. I recognize the Representative of Uruguay, Ambassador Oribe.

Mr. Oribe. Mr. President, I would like to second what the Ambassador of the United States has said with regard to making the minutes of this session public. I do this with the understanding, naturally, that they will be published as is usual; that is, that they will be complete, verbatim minutes. Thank you, Mr. President.

The President. It is so agreed. Ambassador Facio, Special Delegate of Costa Rica.

Mr. Facio. First, I would like to join in the congratulations given the distinguished members of the Special Committee for their splendid work. Second, the question I am going to ask is to clarify a concern I have with respect to the possibility of securing an effective peace in the Dominican Republic. I wish to ask the members of the Committee if they interviewed Colonel Caamaño or any members of his group after that band was established as what they allege to be the Constitutional Government of the Dominican Republic?

Mr. Colombo. The value of the Act of Santo Domingo is precisely that it was signed after the establishment of Colonel Caamaño's group as the titular Constitutional Government, nothing more.

Mr. Facio. Then, you had the opportunity to discuss with them their claim to be the only constitutional government of the Dominican Republic, because whether or not this claim can be maintained in either relative or absolute terms depends on there being peace through mediation between the two groups.

The President. The Chair again recognizes the Ambassador of Argentina.

Mr. Colombo. Mr. President, replying to the important question asked by the Ambassador of Costa Rica, I am pleased to tell him that the Committee delivered the Act previously to Colonel Caamaño for consideration, in order that he would have the opportunity of going into the intricacies of its legal implications, because what we wished to achieve was the first step that would lead all of us to achieve peace in the Dominican Republic, and if you read the beginning of the Act of Santo Domingo, it sets forth what Colonel Caamaño and Colonel Guerra thought of the Act and the opinion of the parties. I recall simply that it reads: "The Parties signing below who declare that they represent, in the capacities mentioned," that is, in the act of signing they declared their capacity and as we had no authority to pass judgment on the titles, which would have implied a dangerous incursion into a territory that was forbidden to us, we limited ourselves to record the capacity of each one of the groups and with all loyalty to say so frankly and without any legal doubt at the beginning of that Act which would, undoubtedly, be the road to begin working seriously to bring definitive peace to Santo Domingo.

The President. Ambassador Facio wishes to ask another question.

Mr. Facio. Many thanks. No, I am satisfied and, of course, the question did not imply any criticism whatsoever or any desire that they depart from that norm.

The President. Ambassador Vázquez Carrizosa, the Special Delegate of Colombia.

Mr. Vázquez Carrizosa. The Ambassador of Costa Rica asks whether the constitutional government invokes the qualification of government for the whole country and whether it authorizes the presence of another government.

Mr. Facio. No. Naturally it is evident that each one of the parties which proclaims that it is the government aspires to this, but did you, specifically from this contract, reach the conclusion that Colonel Caamaño was in an irreducible position; not to yield. And I ask this question because after the signing of the Act of Santo Domingo, Caamaño has insisted that he does not accept the participation of an inter-American force and that the solution is that he is the President, and that he be recognized as Constitutional President, and that he represents legality.

Mr. Colombo. First of all, Mr. Ambassador, I would like to know whether this statement by Colonel Caamaño has been officially communicated.

Mr. Facio. No, it is a publication.

Mr. Colombo. That is why I was very surprised that Colonel Caamaño transmitted that note.

Mr. Facio. No, no, Doctor, it is a statement made in a newspaper.

Mr. Colombo. If we follow the newspapers in this process, Mr. Ambassador.

The President. The Representative of Colombia.

Mr. Vázquez Carrizosa. What the newspapers say is one thing and what really happened is another, but it should be noted that many news items that are published should be investigated or it should be known to what extent they correspond to what was said or to what is done. I can only say the following: the demarcation of the zone and the existence of a corridor communicating the San Isidro zone with the center of the city were discussed personally with Colonel Caamaño. There was even a doubt regarding the conditions of the guard in the corridor. An incident had occurred the day before—many incidents occur—regarding some patrol that had entered farther than the two blocks that on one side and the other were authorized by the regulations in order to safeguard this public road; and Doctor Héctor Arístides maintained that it was intolerable that United States patrols should go beyond the limits. The military adviser who accompanied us—he was the military adviser of the Ambassador of Guatemala—who had had the occasion to read the regulations and the truth regarding the incident, explained in perfectly fair terms the truth of the fact, rectifying Doctor Arístides' understanding, but as Doctor Aristides insisted, Colonel Caamaño intervened, with some vigor, to say "no, this is something between the military and we understand one another. I believe that what the military adviser says is true; I believe that it is acceptable; I have not objection." I am stating this fact in case it clears up your doubts.

The President. The Special Delegate of Guatemala, Mr. García Bauer.

Mr. García Bauer. I only wished to mention, with regard to something that has been discussed before, especially by the Ambassador of Costa Rica and also with respect to a question that was asked before, that in Document 17 Add. 3, in which the fourth radio-telephone message of the Secretary General of the OAS, Dr. José A. Mora, reports—you all have the document before you—that the Military Junta has already traveled to Santo Domingo and is installed in the National Congress, it states, Center of the Heroes, then——

The President. Of the Military Junta that traveled to Santo Domingo? The fifth or the——

Mr. García Bauer. Yes, the Military Junta that was in San Isidro. It doesn't say here whether it was the five-man Junta or the three-man Junta, because I don't know if it was done before the five-man one was established, and then, in today's May 7 document, it says: "as to what is happening here, the situation continues to be very delicate, since the cease-fire agreement is being enforced with great difficulty. It is particularly affected by radio broadcasts that confuse and excite the population. Every effort is being made to stop the Santo Domingo station from issuing messages that excite the people. If this is achieved it would prevent a state of violence. The same is true with respect to the San Isidro Radio. Yesterday I went to the two broadcasting stations and transmitted a message intended to calm feelings and calling upon the Dominican people to comply with the agreements in the Act of Santo Domingo. Nevertheless, Radio Santo Domingo and Radio San Isidro continue sending messages that aid in inflaming spirits and maintaining the situation of violence." And this same document mentions the asylees who have left and gives up-to-the-minute information regarding them. This is important in relation to the questions that we were asked previously.

The President. Thank you very much. Is Ambassador Facio satisfied?

Mr. Facio. Thank you very much.

The President. The Representative of Honduras, Ambassador Midence.

Mr. Midence. My delegation wishes to join in the congratulations extended to the Committee for its magnificent work under such difficult circumstances. My Delegation feels sure that the report that has been presented today will be of immense value to this Tenth Meeting of Consultation of Ministers of Foreign Affairs. Thank you very much.

The President. Ambassador Bonilla Atiles, Special Delegate of the Dominican Republic.

Mr. Bonilla Atiles. Mr. President, Delegates: I think that of all the delegates present here none can feel the pain that I have at what I have heard tonight. Words were too few to express my appreciation to the members of the Committee. I have just had a long-distance telephone conversation, from Santo Domingo, with Mr. Antonio Imbert, and he told me that in a search for possible solutions the Military Junta had turned its power over to a civilian-military junta composed of: Antonio Imbert, president; Julio Ortigo, Alejandro Seller, Carlos Grisolia Paloné, and Colonel Pedro Benoit. This junta will try to cooperate with the mission from the Organization of American States to find solutions, which are still premature to discuss. He also informed me that the Junta has discussed with Dr. Mora the problem of the radio broadcasts, and it has been proved that Radio San Isidro has not made any inflammatory broadcasts. As to the last attack on the National Palace, of which Ambassador Bunker spoke, he confirmed to me that there are civilian refugees there.

I am not mentioning this as accusation but as fact. What interests me most at the moment, since it involves my own responsibility and that of the government, whichever it may be, and that of the Dominican people, is that out of this meeting shall come the necessary and imperative declaration that what is happening in Santo Domingo threatens the peace of the hemisphere. After knowing the facts, this is the only justification this body has for having taken the steps that it has. I do not propose that this problem be dealt with or discussed tonight because it seems to me that we are all sufficiently tired, morally and physically, so as to be unable to face this problem immediately; but I do urge the Tenth Meeting of Consultation as soon as possible to make emphatically this decision, so that the fire will not be extinguished, not only in the Western Hemisphere but in all political quarters of the world. I have nothing more to say.

Mr. Penna Marinho. Mr. President, before ending this session and to a certain extent supplementing the report of the special Committee, which has just been submitted by its chairman, Ambassador Ricardo Colombo, allow me to mention one point that ought to be brought to the attention of this Meeting of Consultation. I wish to refer to the magnificent activities of Monsignor Emmanuel Clarizio, the Papal Nuncio in Santo Domingo. He is an exceptional figure, a veritable Don Camilo on a grand scale, with free entrée into all political areas of Santo Domingo. With astonishing ease, he leaves the headquarters of Colonel Caamaño to go to the Government Junta and from there to the American Embassy. He is a respected friend of Caamaño, as he is of Benoit and of Ambassador Bennett. They all like him and they all have the same high regard for him. It is due to his thorough understanding of things, to his moving spirit of human solidarity, and to his profound love for the Dominican people, that the drama in that country did not assume more terrible proportions. I know that the Meeting of Consultation has already paid just tribute to Monsignor Emmanual Clarizio, but it never will be too much to point out, for the eternal gratitude of America, the admirable labor of this extraordinary prelate in behalf of peace and tranquillity in the troubled Dominican Republic. The Delegation of Brazil, expressing sentiments that I know are those of all of the Special Committee of the Tenth Meeting of Consultation, manifests its deep appreciation and above all its admiration for the continuous and tireless collaboration rendered by Monsignor Emmanuel Clarizio, Papal Nuncio in Santo Domingo, to the Special Committee of the Tenth Meeting of Consultation during its stay in the Dominican Republic. Thank you very much.

The President. Ambassador Ricardo Colombo has the floor.

Mr. Colombo. Mr. President, with deep feeling the Delegation of Argentina wishes to add to the words of the Ambassador of Brazil concerning the outstanding work of the Dean of the Diplomatic Corps, that messenger of peace in the Dominican Republic. The only tribute—because everything has already been said—that I can pay under the circumstances, is to repeat here, Mr. Chairman, before the entire meeting, his final words of good-bye to us: Take—he said to me—my blessing to the Meeting of Foreign Ministers that they may achieve the high objectives of peace; the peace that, at all costs, must be preserved in this Republic where I hold this apostleship. Nothing more, Mr. President.

The President. Ambassador Vázquez Carrizosa, Special Delegate of Colombia, has the floor.

Mr. Vázquez Carrizosa. Mr. President, it is only right to say a few words, as my colleagues from Brazil and Argentina have already done, to emphasize the merits of the Dean of the Diplomatic Corps, the Papal Nuncio, in the face of such a difficult situation. There is more; none of our action would have been possible without the advice, without the help of that eminent diplomatic representative. And still more, for the future—for it would be very difficult to think about the future of the Dominican Republic without speaking of him who so perfectly represents the ideal of Pope John XXIII concerning the coexistence of men of good will. But I have asked for the floor to speak on a point which may not be appropriate at this time but would be at another. Our report ends with several recommendations, which I do not propose to discuss at this session, but I do want to point them out to the Chair so that at the time and in the way provided for in the regulations or when it is considered opportune, they may be submitted to the Tenth Meeting of Consultation for discussion, because they do not deal with political questions, such as those we have discussed intensely, but specific points on the future organization of activities in the Dominican Republic. They are specific points of the greatest urgency, such as supervision of the cease-fire, the appointment of a group qualified to organize the relief measures for the Dominican people and evaluate their needs, the study and planning of an Inter-American Force and the coordination of all its services. Detailed, careful, and immediate consideration of these points seems to me absolutely necessary. Thank you very much.

The President. The Special Delegate of Guatemala, member of the Committee, has the floor.

Mr. García Bauer. At this time I only wish to refer to the tribute that my colleagues, the members of the Committee, have already paid to the Papal Nuncio and Dean of the Diplomatic Corps in Santo Domingo, Monsignor Emmanuel Clarizo, for the great work that he has performed since this grave conflict began in the Dominican Republic. The Papal Nuncio was exceptionally kind to the Committee, offering it every facility within his power, and it was through his great services that the Committee was able to accomplish what it did. He was present, tirelessly, at our interviews with Colonel Caamaño's command and with the Military Junta and, because of the confidence both parties have in him, the Act of Santo Domingo was signed. He always used persuasion to the effect that the purposes for which the Organization of American States was in Dominican territory should be borne in mind. As the Ambassador of Brazil has said, the Papal Nuncio was respected in every area, regardless of which authority was in power. He is a person who has the confidence of the different parties and through his good offices, because of the great collaboration he rendered, the Committee was able to accomplish its task. Hence the Committee was moved and felt that its own wishes were fulfilled when, at the Papal Nunciate in Santo Domingo, we delivered to the Dean of the Diplomatic Corps the message from the President of the 10th meeting, Mr. Sevilla Sacasa, notifying him of the action of this meeting some days ago concerning Monsignor Clarizio's work.

The President. Ambassador Colombo, Special Delegate of Argentina has the floor.

Mr. Colombo. I only wish to add one remark that seems to be strictly justifiable. In order to be able to act with the urgency that the case requires, the five-member Committee had to move up its return so that the 10th meeting could be as thoroughly informed as possible with all available data, but we were deeply concerned that before our departure the fundamental problem of the faith in the system as stated by the two sides in the struggle would not have been resolved, and the Committee was the link, at the scene of action, during the emergency, remaining in order to be able to carry out the powers accepted by both parties. It was for this reason that the Delegate of Panama, in an act that honors him, and which I cannot ignore, remained at the center of action, representing our mission. In this way, according to the conversations we held with the parties, it would be as though the Committee were present and together with military advisers and the civilian personnel he could undertake to solve whatever it might be possible to solve, to the extent that we are able—to solve the difficulties arising from the events that have taken place and that are taking place in the Dominican Republic. I want this generous act of the Delegate of Panama, from a country that has so many reasons for counting on the tradition of brotherliness in solving basic problems, to be recognized at this session. Panama is with us on the Committee, represented by its distinguished Delegate. Ambassador Calamari also wanted to be here, physically, with the Committee but was not able to do so. I want to stress this act of the Delegate of Panama because it is eminently fair to do so—to take note of one who has firmly carried the banner of the inter-American system into the midst of the fight. Nothing more.

The President. We are sure that our colleague, Ambassador Calamari, must be gratified by the eulogy given by his compatriot and our dear colleague, Ambassador Frank Morrice. [Sic]

Ambassador Diez de Medina, Special Delegate of Bolivia, has asked for the floor; and then Ambassador Tejera París, Special Delegate of Venezuela.

Mr. Diez de Medina. Mr. Chairman, I have not asked for the floor to pose any question: I have no questions to ask. I have only words of praise—of warm praise and congratulations—for the distinguished members of the Special Committee of the Tenth Meeting of Consultation, for the intelligent and devoted manner in which they carried out the delicate mission entrusted to the Committee. I only wish, Mr. President, to add my wish that the minutes of this plenary session should also include words of congratulation and appreciation for the task being so successfully performed in the Dominican Republic by Dr. José Antonio Mora, Secretary General of the Organization of American States. Thank you very much.

The President. Very well, we shall do so. Ambassador Colombo, the Special Delegate of Argentina has the floor.

Mr. Colombo. The Ambassador of Bolivia is quite right in proposing formal recognition of the fact that the Committee was able to fulfill its mission because of the brilliant efforts that were begun by Dr. José A. Mora before our arrival in the Dominican Republic. Appreciation should also be expressed to the Secretariat, which, although few in number, gave much in efforts and efficiently contributed to the success of our actions. Therefore, I second the Ambassador of Bolivia's proposal but would like to point out that we had intended to submit this matter during the session.

The President. The Ambassador of Bolivia and the Committee have interpreted the feelings and thoughts of the Chair and of all our colleagues very well. Ambassador Tejera París, Special Delegate of Venezuela has the floor.

Mr. Tejera París. The Delegate of Bolivia anticipated what I was thinking and what is certainly the thought of all of us here. My intention was, I now confirm it, to ask the Chair to ask this Tenth Meeting of Consultation to give to the Commitee, to the Secretary General, and to the members of the General Secretariat a vote of applause for the work they have done. The test that the Committee has passed has been hard both there and here, and I believe that since this is a problem that affects the whole security of the hemisphere, these colleagues deserve not only our thanks but the thanks of our governments and of their peoples, and, at this moment, enthusiastic applause which I am sure the President will be the first to begin. [Applause.]

The President. All of us join in the praise and tribute the Special Committee has given to the prelate Emmanuel Clarizio, Papal Nuncio in the Dominion Republic and Dean of the Diplomatic Corps in Santo Domingo. We share in this with real appreciation, with affection, as our common duty. His services for the peace of the Americas, his vows and his blessings we applaud with emotion; with emotion, I say, which corresponds to the emotion that he experienced when he received our expression of deep gratitude for his magnificent labor for the peace of the Americas and for that people that we all love so well: the Dominican Republic. This closed plenary session has been highly important. We have heard the interesting report of the Special Committee. We have posed broad questions; we have obtained splendid and very clear replies, from which we can appreciate even more the extraordinary task accomplished by the Committee. Our repeated applause and eulogy for it and its members, all of whom we are honored to call our colleagues and friends. Unless you think otherwise a plenary session of the Tenth Meeting of Consultation should be indicated to consider the report in the aspects noted by the Committee, so that the meeting may act on that report. We have asked questions and have obtained answers; now comes the job of considering the report and analyzing the action to be taken by the Tenth Meeting of Consultation on the recommendations proposed by the Special Committee and the conclusions that it reached.

I ask you only whether tomorrow's plenary session should be open—I understand that it should be. It should be open so that the public will know everything that we have said, both with respect to the work of the Committee and to the contents of its interesting report. I would call another closed meeting, if the Committee so wishes, but the meeting I am going to convoke for a little later today, should be public and its purpose will be to consider the report of the Special Committee, discuss it and propose decisions concerning the recommendations it makes. The delegates have already seen and have in your briefcases for later reading the fourth radio-telephone message from our Secretary General, Dr. Mora.[2] It is not necessary to have the Secretary read it, since I am sure all of you have read it. With respect to the minutes of this plenary session, I ask you to take note that you have 24 hours in which to give the Secretariat your corrections of style. I ask you to take note of that time period so that the Secretariat can speed up the final edition of the minutes of the plenary session.

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[2] The complete text of the fourth message of the Secretary General is published as Document 17 add. 3.

Mr. Colombo. Mr. President, I should like you to repeat the last part as to the time and place, according to the Chair's plan, as was suggested. Please do me the great favor of repeating it.

The President. Yes, sir. We are going to adjourn the session and meet again in a few hours, let's say, perhaps this afternoon. It will be a plenary session of the Tenth Meeting, public, for the purpose of considering the report of the Special Committee. To consider it, analyze it, discuss it, and decide on the recommendations and conclusions reached by the Committee. It is assumed that this session should be public. The next plenary session will not be closed like this one; it will be public, so that public opinion of the hemisphere will be informed, but not just of what is in the report of the Special Committee, because I am hereby suggesting that the report should be made public, unless for some reason the members of the Committee indicate to the Chair that it should not be made public but that we ought to wait until tomorrow's session.

Mr. Colombo. Absolutely, Mr. President.

The President. Therefore, gentlemen, as of now the report of the Special Committee is public. Consequently, it can be turned over to the press and sent to anyone wishing it. Naturally, if at tomorrow's meeting we reach conclusions on the suggestions made by the Committee, we shall feel highly gratified. In any case I think that the time has come for the Meeting of Consultation to make concrete statements on the chaotic situation that seems to grow worse every hour. Therefore, within 5 or 6 hours, possible for 4 or 5 o'clock this afternoon, I am going to convoke the fifth plenary session of the Tenth Meeting of Consultation to meet in this same place and take up the report of the Committee.

The Representative of Venezuela.

Mr. Tejera París. Mr. President, only to ask if you would be good enough to include in the order of business two specific points that I believe are relevant to the announcement you have just made: first would be consideration of whether or not the present situation in the Dominican Republic affects the security of the hemisphere; second, establishment and implementation of measures to help the Dominican people return to full constitutional democracy.

The President. Very well; it seems to me there is no objection to discussing these two points in the public session we shall hold shortly—the one suggested by the distinguished Representative of Uruguay and supported by the Representative of Venezuela, and the other just mentioned by the distinguished Ambassador Tejera París. I recognize the Representative of the Dominican Republic.

Mr. Bonilla Atiles. Mr. President, I shall wait until tomorrow to formally present a draft resolution on my proposal that the Organ of Consultation declare the situation in the Dominican Republic to be a threat to the peace of the hemisphere.

The President. Very well. The Representative of Paraguay has requested the floor.

Mr. Yódice. I only wish to ask two questions, Mr. President. I understand, or rather, I actually heard you mention a decision on the request of the Delegate of the United States that the minutes of today's session be made public. This request was seconded by the distinguished Representative of Uruguay. From this I assume, that is, I hope, because the suggestion is also mine, that it will be agreed to make public the minutes of this session.

The President. The Chair has so resolved.

Mr. Yódice. I beg your pardon. Thank you.

The President. That's quite all right.

Mr. Yódice. Now, I have another question to ask of the distinguished Representative of Costa Rica, arising from an earlier statement by the Ambassador of Venezuela, because it refers to the matter of considering measures to bring democratic normality to the Dominican Republic, and during this 10th meeting of consultation, I don't recall having heard any informal proposal by the distinguished Ambassador Facio regarding the establishment, as the distinguished Ambassador of Guatemala said, of a committee of statesmen, or something similar. Therefore, I would like to ask if Ambassador Facio did or did not make such an informal proposal, because I would not want to fail to inform my foreign ministry of something that had been proposed here. Thank you.

The President. Thank you. The Delegate of Costa Rica.

Mr. Facio. Mr. Representative of Paraguay, I have not yet made any proposal of this sort. Perhaps it can be clarified in this way: there has been some discussion of a proposal, but not one of mine, to put some of the recommendations of the Committee into effect. I shall be very happy to give you a copy at the end of this session. But the proposal was not made by Costa Rica; it has been discussed among several delegations but is nothing specific.

Mr. Yódice. I understand. Thank you. I wanted to know if it was proposed here.

The President. Ambassador Tejera París.

Mr. Tejera París. I would like to ask the Committee on Credentials if it would be possible to have a meeting early tomorrow to reexamine all our credentials, because it appears there are certain doubts that should be clarified in the light of the information transmitted in the cable that the Ambassador of the Dominican Republic reported on a short time ago.

The President. Ambassador Jácome, the Representative of Ecuador.

Mr. Jácome. As Chairman of the Committee on Credentials I can report that I have called a meeting of the Committee for tomorrow at 3:30 p.m. Any representative who has any doubt as to himself or to his colleagues may present his complaints to the Committee.

The President. Gentlemen, we have taken note of the announcement just made by our colleague, the Chairman of the Committee on Credentials, and it is now the time to adjourn the session and to announce that the 5th plenary session of the 10th meeting of consultation will be held here this afternoon at 4 p.m. The session is adjourned.

Communist Efforts To Take Over the Revolt in the Dominican Republic

A. INTRODUCTION

Since the start of the revolt in the Dominican Republic on April 24, 1965, the U.S. Government has received extensive information regarding the course of the revolt and the elements participating in it. This information discloses an organized effort by the Communist movement in the Dominican Republic to capture the revolt and seize power in that country.

The account which follows summarizes the information on Communist activities between April 24 and May 5. Preliminary to the day-to-day account of events beginning April 24, there is given a brief description of the organization of the Communist movement in the Dominican Republic.

B. COMMUNIST ORGANIZATION IN THE DOMINICAN REPUBLIC

The Communist Party as such has not had legal existence in the Dominican Republic since it was outlawed in November 1961. Subsequently, the Communist movement has been advanced by three political parties—the PSPD (Partido Socialista Popular Dominicano—Dominican Popular Socialist Party), the MPD (Movimiento Popular Dominicano—Dominican Popular Movement), and the APCJ (Agrupacion Politica Catorce de Junio—14th of June Political Group). While these parties emphasize different tactics and, in part, reflect some of the divisions in the Communist bloc, they have acted in harmony in the past and in the current rebellion.

The PSPD follows the Moscow line. During the Presidency of Juan Bosch (February to September, 1963), the party concentrated its efforts among student and labor groups. In October 1963, it was declared illegal by the Triumvirate which deposed Bosch, but it survived by avoiding any overt activity until the present rebellion.

The MPD is an underground group oriented toward the Peiping brand of communism. Small but aggressive, it has been involved with numerous acts of violence in recent years. Its major appeal has been to peasants and workers.

The APCJ is by far the largest party. It began as a non-Communist group opposing former dictator Trujillo, and a number of non-Communists remain affiliated with it. However, Communists had taken over its leadership by early 1963. The party was declared illegal in December 1963 after it had undertaken Castro-type guerrilla operations against the triumvirate government.

In late November 1963, guerrilla activities were initiated in six different areas of the Dominican Republic by the MPD and the APCJ. The guerrillas received financial and moral support from Cuba (see annex 1), and at least 25 of them had received guerrilla training in Cuba during the summer of 1963. The head of the APCJ, Manuel Tavarez Justo, who visited Cuba in October 1963, was killed leading a band of insurgents on December 21, 1963. One boatload of arms, destined for the rebels, was intercepted by Dominican authorities. The guerrilla movement was suppressed and the guerrillas taken captive. In May 1964, many of them were deported to Portugal and France. A number of these subsequently traveled to Cuba, and Communist China. By April 1965, 45 of the exiled APCJ and MPD leaders had returned to the Dominican Republic, some of them clandestinely, to rejoin their organizations.

C. DAY-BY-DAY ACTIVITIES (APRIL 24–MAY 5)

The revolt of April 24 arose out of an unstable political situation in the Dominican Republic. The "Triumvirate" government headed by Donald Reid Cabral was an unpopular one. It had inherited difficult economic problems and had been able to make only very limited progress in improving conditions. Senior military officials were dissatisfied with the Reid government, opposing its efforts to reform the armed forces. Junior military officers were dissatisfied with the rate of progress in cleaning up graft and corruption, and in retiring senior officers to make way for promotions based on merit. The PRD (Partido Revolutionario Dominicano—Dominican Revolutionary Party) was seeking to restore to power former President Juan Bosch who had been deposed in September 1963. From these elements there arose a loose association which set off the April 24 revolution.

On April 24 elements of the Dominican Army, led by disaffected middle-grade and junior officers, declared themselves in revolt against the government of Reid Cabral. They seized control of the 27th of February Military Camp, a key military installation which was also the site of army headquarters, making prisoners of the army chief of staff and his deputy.

A group of civilians seized two radio stations in Santo Domingo and announced that Reid Cabral had been overthrown. The radio stations were retaken later in the day by Reid forces, but just before they were forced off the air, the rebels called on the civilian population to join the anti-Reid movement and to go in the streets to support the rebellion.

Communist leaders issued orders to PSPD, APCJ, and MPD members to begin to incite the civilian crowds gathering in the streets, and to stage rallies and demonstrations. Leaders of these three Communist Parties began organizing their forces, and assigning members to various functions throughout the city.

Among those Communists active in the first hours of the revolt were: Narciso Isa Conde, PSPD Central Committee member, already armed with a submachine gun; Diomedes Mercedes Batista (PSPD member who traveled to Cuba in 1963), who, with other PSPD members, was relaying instructions to party members to stand by for further orders; and Amin Abel Hasbun, APCJ member, also engaged in organizing for Communist participation in the revolt, operating from a house on Elvira de Mendoza Street.

On April 25, the situation in Santo Domingo became increasingly confused. Senior officers of the Dominican Air Force and Army (and later of the Navy, as well) informed Reid Cabral that they would not support him, and he therefore resigned and went into hiding.

PSPD members carrying weapons gathered at Parque Independencia early in the morning, and harangued civilian crowds in support of the revolt. Among these were again Diomedes Mercedes Batista and Narciso Isa Conde. Also active was Asdrubal Dominguez Guerrero, a PSPD propagandist and student leader who received training in the U.S.S.R. in 1962. Throughout the morning, mobile loudspeaker units, including a white Volkswagen stationwagon operated by Diomedes Mercedes Batista, patrolled the city urging the population to join the revolt.

In what later proved to be a key element in the course of the revolt, rifles and machineguns seized by rebellious army elements were handed out to the civilian crowds during the day. One of the rebel officers, Capt. Mario Pena Tavares, arranged for the distribution to civilians of several thousand weapons, including machineguns and hand grenades, taken from the 27th of February military camp. Arms from the camp were loaded on trucks and sent in to the downtown area of Santo Domingo, where they were passed out to civilians. The following Communist leaders participated with army rebels in handing out arms, and in some cases assumed control of the distribution: Hugo Tolentino Dipp (PSPD leader who received guerrilla training in Cuba); Fidelio Despradel Roque (APCJ leader, trained in Cuba, and one of the chief figures in the APCJ guerrilla uprising in late 1963); Felix Servio Ducoudray Mansfield (one of the directors of the PSPD, lived in the Soviet Union and Cuba, former employee of the Peiping-Communist New China News Agency); Eduardo Houellemont Roques (APCJ member, student agitator, who was in Cuba in 1963); and Daniel Ozuna Hernandez (APCJ leader who figured prominently in the 1963 guerrilla movement).

Other Communists who, like those mentioned above, were engaged in the distribution of arms, and particularly in equipping their followers in both the PSPD and APCJ were: Buenaventura Johnson Pimentel (member of the PSPD Central Committee); Juan Ducoudray Mansfield (PSPD activist and propagandist who had once worked on Havana radio broadcasts to the Dominican Republic); Gerardo Rafael Estevez Weber (PSPD member); and Maximo Bernard Vasquez (who had been an APCJ liaison man with subversives in the Dominican military services at the time of the 1963 guerrilla movement). Bottles and gasoline from tank trucks at several points in the city were distributed to civilians for making "Molotov cocktails," MPD members being particularly active in this work.

A mob of several thousand civilians, armed with clubs and rifles, marched on the Palace, responding to a call issued over a rebel-held radio station. Among them was a group of armed Communists, including PSPD members Ariosto Sosa Valerio, Milvio Perez Perez, and Silvano Lora Vicente (who had received guerrilla warfare training in Cuba).

Rebels seized the National Palace, and the rebel Army officers gathered to assume control. Members of the PRD arrived with the intention of installing an interim government headed by a PRD leader, Rafael Molina Urena, pending the return of Juan Bosch. Some of the rebel officers agreed, although many supported the establishment of a military junta to call for new elections, and others favored former President Joaquin Balaguer. After protracted discussions among the various factions, including officers of the Dominican Armed Services who had not participated in the revolt, the PRD leaders and rebel Army officers who were pro-Bosch prevailed, designating Molina Urena as provisional president. Military officers who had not joined the rebellion objected, and declared they would attack the rebels unless a military junta were installed without delay to prepare for national elections in September.

Many important Communists attended political meetings at the National Palace that day. Among those conferring with Molina Urena was Facundo Gomez (PSPD member and part owner of the "Scarlet Woman," having taken part in the attempted landing of arms from Cuba in November 1963—see annex I). Others who attended these meetings were Luis Gomez Perez (member of the PSPD Central Committee); Jose Israel Cuello Hernandez (who received Communist bloc training in 1964); Rafael Evangelista Aleji (PSPD member); Antonio Isa Conde (PSPD member who had received subversive training in Cuba in 1963) and his brother Narcisco (previously mentioned); and Moises Blanco Genao (APCJ member). Other Communists who participated in the meetings at the National Palace on April 25 were PSPD members Ariosto Sosa Valerina, Silvano Lora Vicente, and Diomedes Mercedes Batista, Miguel Angel Santamaria Demorizi, and APCJ members Amin Abel Hasbun, Ema Tavarez Justo, and Daniel Ozuna Hernandez. Alejandro Lajara Gonzalez (member of the APCJ who had been active earlier in the day distributing arms to civilians) was appointed by Molina Urena to the position of Deputy Director of Investigation (the Security Service).

Communist agitators, including PSPD member Jesus de la Rosa Cano began inciting the armed mobs to burn and destroy property. Leaders of the APCJ and the MPD agreed that members of both groups be instructed to seize additional arms without delay. MPD members were told their party planned to kill any policemen found on the streets. Armed civilians roamed the city, many of them looting stores and private homes.

The offices and plant of the anti-Communist newspaper, Prensa Libre, were seized by an armed group which included Jose Vinicio Calventi Gavino (APCJ member) and Amadeo Conde Sturla (APCJ member). PSPD member Nicolas Pichardo Vicioso (a Communist propagandist), along with Antonio Isa Conde and Eduardo Houellemont Roques (both mentioned above as having been in Cuba), took advantage of the seizure of the Prensa Libre, and prepared immediately to publish propaganda leaflets. The offices of three anti-Communist political parties, the democratic conservative Union Civica Nacional, the moderate rightwing Partido Liberal Revolucionista, and the moderate center party Vanguardi Revolucionaria Dominicana, were broken into and sacked during the day.

During the afternoon of April 25, Communist organizers continued to distribute weapons to groups regarded as reliable by the Communist parties, as well as to round up additional manpower for civilian militia units. Weapons depots and distribution points were set up. A building on Arzobispo Portes Avenue was a PSPD stronghold, and Diomedes Mercedes Batista, Jose Rodriguez Acosta (member of the PSPD Central Committee who was in Cuba in 1962) and other party leaders were observed there, leading a paramilitary force armed with submachineguns and rifles, and hand grenades. Another paramilitary center of the PSPD was the home of Buenaventura Johnson Pimentel on Calle Espaillat. An APCJ strongpoint was set up on Jose Gabriel Garcia Street in Ciudad Nueva, and a heavily armed force was using it as a base of operations.

Still another Communist strongpoint and arsenal was established in a building on the corner of Arzobispo Merino and Luperon Streets, on the roof of which were machineguns. An armed Communist group, known as the Luperon commando, held a position at the corner of Hostos and Luperon Streets. Still another commando occupied a building on the corner of El Conde and Hostos Streets, and was set up by Manuel Gonzalez Gonzalez (Spanish Civil War veteran, PSPD Central Committee member and Cuban intelligence agent, extremely active as the PSPD's military expert since the outbreak of the revolt). Assisting Manuel Gonzalez in directing the military activities of the Communists during the revolt was Manuel Escobar Alfonseca, prominent PSPD member. Asdrubal Dominguez Guerrero (PSPD propagandist, previously mentioned) led an armed group which seized and occupied a house on Bolivar Avenue, and a few doors away on the same avenue there was established an arms storage and distribution point.

On April 26, anti-rebel forces, which had at first been badly disunited and disorganized, now under the command of Gen. Elias Wessin y Wessin, head of the Armed Forces Training Center, began to move against the rebel-held area of the city. The Dominican Air Force bombed and machinegunned various rebel-held installations. The ferocity of this and subsequent attacks consolidated public resentment and inadvertently presented the rebels with an effective propaganda weapon. Rebel radio broadcasts called upon the public to sack the houses of air force officers in retribution for the air attacks, and announced the names and addresses of these officers.

The distribution of arms to civilians continued. A large quantity of arms and ammunition had, by this time, fallen into the hands of Communists. Teams of APCJ and PSPD members were fanning out through the central part of Santo Domingo organizing paramilitary groups. These operations continued to be under the direction of Buenaventura Johnson Pimentel, Fidelio Despradel Roques, and Manuel Gonzalez Gonzalez.

Agitators continued to exhort the mobs, very active in this work being Ema Tavarez Justo (APCJ militant and student activist, sister of Manuel Tavarez Justo, the APCJ leader who had been killed in the abortive guerrilla movement of 1963). Antonio Isa Conde and Edmundo Garcia Castillo, both PSPD members, distributed mimeographed propaganda sheets calling on the people to fight and stating, in part, that "the hour has arrived to give arms to the working class * * * to form common units of soldiers and civilians and to organize people's combat units."

Additional Communist leaders were identified among the armed mobs and in the rebel military forces. Juan Miguel Roman Diaz (member of the APCJ Central Committee who participated in the 1963 guerrilla operations) commanded a rebel stronghold, arsenal, and prison located at the corner of Estrelleta and Arzobispo Nouel Streets. Another APCJ post was located on Juan de Morpha Street under Jaime Duran Hernando (Cuban-trained guerrilla warfare expert). Still another, on Caracas Street, was in the hands of an armed APCJ group under Fidelio Despradel Roques (also trained in Cuba in 1963).

Gustavo Ricart of the MPD Central Committee, who returned to the Dominican Republic in 1963 from Cuba bringing money to finance MPD activities, was identified as the commander of another rebel stronghold. With Racart at the MPD command post was Ramon Pinedo Mejia, another MPD leader who was active in the APCJ guerrilla movement in 1963. Nicolas Pichardo Vicioso (previously mentioned), Manuel Ortiz Desangles (PSPD member and university student who conducts Communist indoctrination classes), Ignacio Perez Mencia (PSPD member), Carlos Dore Cabral (PSPD member), and Porfirio Garcia (also a PSPD member) were in charge of the production of a considerable number of Molotov cocktails during the day. Maximo Bernard Vasquez and Gerardo Rafael Estevez Weber, both previously mentioned, and APCJ and PSPD member Lisandro Macarrulla Reyes, armed with a machinegun, were with other Communists at a strongpoint and garrison at Arzobispo Portes and Sanchez Streets. Other installations manned by Communists, some with machinegun emplacements, were observed in various parts of the city.

As a result of the handing out of arms taken from the 27th of February military camp and other Government installations seized by the rebels, the leaders of the various Communist Parties were well equipped with weapons, and thereby became an increasingly important element in the rebel force. Rebel army officers and men, numbering about 1,000 at the outset of the rebellion, were soon greatly outnumbered by the armed civilians who, in a state or disorganization, became easy prey for disciplined Communist leadership.

Efforts by the U.S. Embassy toward a cease-fire between the rebels and opposing elements of the Dominican armed forces were unsuccessful. During the course of the day, April 26, a large number of American citizens had assembled at the Hotel Embajador, a hotel west of the city, seeking safety. They requested assistance from the U.S. Embassy in evacuating them from Santo Domingo, which was under bombardment by the Dominican Air Force and was by this time the scene of widespread rifle and artillery fire between the opposing factions. The Embassy secured from the rebel leaders agreement to cooperate in evacuating Americans from the nearby port of Haina, west of the city. Armed civilian groups, over which the Molina Urena regime had lost control, paid no attention to this agreement. On April 27, about 100 armed civilians, hearing over the rebel radio that a prominent Dominican newspaperman and broadcaster, well known as anti-Communist, was at the Embajador Hotel (actually he was not there), went to the hotel and fired several hundred shots, fortunately without loss of American lives.

April 27 saw the complete breakdown of law and order. Molina Urena, so-called provisional president for only 2 days, went to the U.S. Embassy in apparent defeat, accompanied by rebel army leaders, Col. Miguel Angel Hernando Ramirez and Col. Francisco Caamaño Deno. Shortly afterward, Molina Urena abandoned his office and took asylum in the Colombian Embassy.

Among other defections of prominent PRD leaders from the rebel side at this time were Jose Pena Gomez, Maximo Lovaton Pittaluga, and Antonio Martinez Francisco. The latter went to the San Isidro Air Force Base, General Wessin's headquarters, and on April 28, over the San Isidro radio station, appealed to the rebels to lay down their arms. Several of the more prominent PRD figures took refuge in foreign embassies.

During the day, before the fall of the Molina Urena Government, Alejandro Lajara Gonzalez (the young APCJ member appointed as deputy director of investigation only 2 days before) arranged for additional arms to be passed to the Communists. The offices and plant of the newspaper Listin Diario were taken over by a group of armed PSPD members. The group was headed by Asdrubal Dominguez Guerrero (PSPD propagandist) who, with Jose Israel Cuello Hernandez (PSPD member and student propagandist), both carrying automatic weapons, proceeded to round up the newspaper's staff to publish propaganda leaflets.

On April 28, the antirebel armed forces commanded by General Wessin established a three-man military junta headed by Col. Pedro Bartolome Benoit (Dominican Air Force), his fellow members being Col. Enrique Apolinario Casado Saladin (Army) and Capt. Manuel Santana Carasco (Navy).

During the early part of the day, the forces of the military junta seemed to be making progress against the rebels, but encountered heavier resistance than they had anticipated. By afternoon, the military junta forces had lost their earlier momentum.

The situation in the city was becoming increasingly tense and confused. The breakdown in public order was resulting in indiscriminate shooting on a rising scale. The police were no longer effective, and the junta forces, tired and disorganized, began to crumble. Armed mobs were terrorizing the city, firing on homes and other buildings, including the U.S. and other embassies.

With the collapse on April 27 of the Molina Urena "provisional government" after only 2 days in nominal power, PRD political figures had abdicated their positions of leadership, fearing their cause lost and their lives in danger. They left the rebel movement in the hands of politically immature army officers who had lost command over the armed civilians who now far outnumbered the rebel army forces. The new military junta at San Isidro was unable to exercise authority in the city. Communist leaders, by then in control of the armed mobs, moved quickly into the political leadership vacuum in Santo Domingo.

Late on the afternoon of April 28, the military junta and police authorities informed the U.S. Embassy that they could no longer provide any assurance for the safety of American lives. The U.S. Ambassador and his country team then recommended that U.S. marines be landed to establish a safety perimeter from which additional hundreds of Americans and other foreign citizens could be evacuated. By that night, approximately 600 marines were landed and had taken positions around the Hotel Embajador.

On April 29, the rebels held the central part of the city and retained the military, if not also the psychological, initiative. An armed mob under the direction of MPD leaders, among them Luis Giro Alcantara, but also including APCJ and PSPD members, such as Nicolas Pichardo Vicioso and Hector Homero Hernandez Vargas (who received guerrilla training in Cuba in late 1964), began a full-scale assault on the remaining police stronghold, Ozama Fortress. Fighting continued through the day, and the fortress fell on April 30. A substantial quantity of additional arms and ammunition fell into MPD and civilian hands with the capture of the fortress. Another armed mob sacked the Cathedral, and roamed the Ciudad Nueva area shouting "Country or Death" and "Long Live Castro".

Among the university students, such Communists as Asdrubal Dominguez Guerrero and Carlos Dore Cabral, PSPD members of the Secretariat of the Federation de Estudiantes Dominicanos (FED) were active in organizing the masses and in the street agitation. Others engaged in these activities were Orlando Martinez Howley and Apolinar Restituyo, PSPD members, and Catalina Pumarol Peguero, an APCJ member. Members of the APCJ who had been active in the revolt, and who were now working energetically to whip up anti-U.S. sentiment included Eduardo Houellemont Roques, Jose Guerra Nouel (who received guerrilla training in Cuba in 1963), and Orlando Rodriguez Fernandez.

House-to-house fighting continued between the rebels and the remnants of junta police and military units still in the center of town. The U.S. Embassy remained under sniper fire, and several other Embassies were fired upon.

The U.S. Government on April 29 ordered the landing of an additional 1,100 U.S. marines west of the central part of the city, and, during the night of April 29–30, approximately 2,000 troops of the 82d Airborne Division at San Isidro, east of Santo Domingo. Reinforcements arrived on succeeding days.

The leadership groups of all three Communist groups—PSPD, APCJ, and MPD—met with Benjamin Ramos Alvarez (head of the APCJ's district committee) and others to discuss tactics in light of the new developments. Top Communists also met with rebel military officers, among these Communist leaders being PSPD members Juan and Felix Ducoudray, Antonio Isa Conde, Manuel Gonzalez Gonzalez, Asdrubal Dominguez Guerrero, and Hugo Tolentino Dipp; and APCJ leaders Juan Miguel Roman Diaz and Fidelio Despradel Roque.

On April 30, the official rebel radio broadcast instructions to the armed mobs not to fire on U.S. troops, but firing continued and a number of casualties were inflicted on U.S. military personnel.

Two APCJ commando groups were particularly active. One was the "Dagoberto Sicart" unit of which a prominent member was Juan Miguel Roman Diaz (of the APCJ's Central Committee and participant in the 1963 guerrilla movement). The second unit, also manned by APCJ members, was called the "Gatillo Alegre" (Trigger Happy) commando. Both roamed the city looking for targets of opportunity.

Additional Communists working closely with rebel army officers were Rafael Mejia Lluberes (APCJ member who received political indoctrination and guerrilla training in Cuba in 1963) and Rafael Taveras Rosario (member of the APCJ's Central Committee who received guerrilla training in Cuba in late 1963 and early 1964).

By May 1, a shaky cease-fire had been achieved. However, snipers were active throughout the day, firing on the U.S. Embassy and U.S. troops. This was in keeping with one of the propaganda lines emanating from the rebel-held area, namely that the cease-fire was rigged to deceive the rebels, and that its real purpose was to permit the Junta forces to reassemble and attack the rebels from a sanctuary provided by U.S. troops. Another of the rebel propaganda themes emphasized the importance of the people remaining armed.

About 50 members of the PSPD, APCJ, and MPD, probably a high-command group, met in the home of PSPD leader Buenaventura Johnson Pimentel, one of the Communist strongpoints which had been fortified with machinegun emplacements on the roof.

On May 2, the Havana Daily, Hoy, published a telephone interview with Juan Bautista Mejia Gomez of the APCJ (who had served on the party's Central Committee in 1964). Mejia was quoted as saying that the APCJ "has a great deal of control over the situation." The previous day Mejia had complained that Radio Havana broadcasts about him and the APCJ were doing a great deal of damage because they showed the Communist involvement in the revolt, and said it would be best if no further mention were made of the APCJ's participation in the fighting.

Despite official rebel radio broadcasts calling on the armed civilians not to fire on U.S. soldiers, a short-wave radio transmitter in the home of Fritz Antonio Abreu (APCJ member who traveled to Cuba and the Soviet Union in 1963) broadcast instructions to the civilian mobs to shoot Americans on sight. One of the voices recognized over the rebel station by Dominican listeners was that of Josefina Lora Iglesias (prominent member of the APCJ who participated in the 1963 APCJ guerrilla movement). Radio Havana continued to exhort the rebels in Santo Domingo to fight on. A large crowd gathered at Parque Independencia in one of the numerous rallies held there throughout the revolt, and heard a violently anti-American speech from Edmundo Garcia Castillo (PSPD member), who had earlier been identified among those distributing PSPD propaganda.

With Juan Miguel Roman Diaz, APCJ central committee member, at the strongpoint and prison he commanded at the corner of Estrelleta and Jose Gabriel Garcia Streets were Rafael Taveras Rosario (another APCJ central committee member, who received guerrilla training in Cuba), Norge Botello Fernandez (APCJ commando trained in Cuba), and Rafael Mejia Lluberes (another Cuban-trained APCJ leader).

On May 3, the rebel leaders began to consider how to give their movement the form and structure of legitimate government. Still in the leadership group of the rebel movement at this time were the following Communists: Juan Ducoudray Mansfield and his brother (both previously mentioned as top leaders and propagandists of the PSPD), Antonio Isa Conde (PSPD leader who received guerrilla training in Cuba), Juan Miguel Roman Diaz (previously mentioned, one of the leading APCJ figures), Fidelio Despradel Roques (Cuban-trained APCJ leader), Asdrubal Dominguez Guerrero (PSPD propagandist), and Hugo Tolentino Dipp (Cuban-trained PSPD leader).

Communist manifestos, particularly for the PSPD, were being published at the "Artes Graficas" print shop, where Maximo Bernard Vasquez (who had printed PSPD propaganda material in his own shop) and Rafael Estevez Weber (PSPD member) were among those working on Communist propaganda.

A rebel command post set up on Arzobispo Nouel Street was under the command of Jose Guerra Nouel (PSPD member who received guerrilla training in Cuba). At the command post was Alexis Licairac Diaz (member of the APCJ's youth section), who was in much of the fighting in the Ciudad Nueva area. Also active at this time were APCJ members Francisco Xavier Mella (Cuban-trained intelligence agent), Belkis Maldonado (PSPD member), Juan Jose Matos Rivera (APCJ member who participated in the 1963 guerrilla movement), and Silvano Lora Vicente (PSPD member and Cuban-trained guerrilla expert), who was in charge of a group collecting and distributing ammunition.

On May 4, APCJ and PSPD leadership groups discussed among themselves the desirability of their top leaders withdrawing from overt participation in the rebel movement in order both to support rebel claims that the movement was free of Communist influence, as well as afford protection for the principal figures of the Communist parties.

Colonel Caamano, generally regarded as anti-Communist, had said on several occasions during the revolt that he was aware that the Communists had been playing an increasingly important role.

On May 5, it was the consensus at meetings of Communist leaders that, while rank-and-file members of the three parties should continue to fight on, prominent Communists should begin withdrawing from the scene. Some of the PSPD leaders went into hiding, among them Juan and Felix Ducoudray. A number of the APJC leaders also withdrew, some of them attempting to leave Santo Domingo for towns to the north. Among these was Luis Genao Espaillat, who was later captured by anti-rebel forces.

Some of the APCJ and PSPD leaders who left Santo Domingo were under instructions to attempt to organize local party members and sympathizers for eventual guerrilla action in the north. False identity cards were being prepared for Communist leaders by Milvio Perez Perez, a PSPD member who did special photographic work for the PSPD.

For their part, MPD leaders also agreed that the party's more prominent figures should go under cover for the time being. MPD leaders further decided that arms and ammunition in the hands of party members should be hidden for possible future use in guerrilla operations. Orders were given to MPD members to secure as many arms as they could and deliver these into party headquarters.

Annex I

Cuban Involvement in Dominican Revolutionary Activities

Cuba's principal agency for promoting revolutionary activities in Latin America, the General Directorate of Intelligence (DGI), was responsible for training many Dominican rebel leaders, and has for some time provided financial support to the 14th of June Political Group (APCJ) and the Dominican Popular Movement (MPD). The largest department in the DGI is the one responsible for directing Latin American guerrilla warfare activities. The DGI officer who handles revolutionary operations for the Dominican Republic is Roberto Santiesteban Casanova who, while assigned to the Cuban delegation to the U.N. engaged in espionage in the United States and was deported for this activity in 1962.

Under the DGI's direction, a group of about 25 guerrilla trainees sent by the APCJ completed 6 months of training in Cuba in late 1963. Most of these trainees subsequently departed for the Dominican Republic and participated in the abortive pro-Castro guerrilla campaign which was initiated in late 1963. The DGI mounted a special operation called "Flora" to support this guerrilla campaign. Its purpose was to supply the APCJ and the MPD with almost a quarter of a ton of weapons and about 300,000 rounds of ammunition.

This arms shipment was supposed to take place in late October 1963. The arms were to be transferred at sea from a Cuban navy launch to a Dominican vessel. However, a storm postponed the operation, which was rescheduled for December. This time a Cuban fishing boat was used. The arms were transferred at sea to the Dominican fishing vessel, the *Scarlet Woman*. Dominican authorities intercepted the shipment on December 6, 1963. Most of the materiel was captured and a number of extremists were subsequently arrested.

Most of the Communists and extremists who were arrested were deported in May 1964. Beginning in October 1964, many of those who had been deported began to reenter the Dominican Republic clandestinely. At least 45 had returned by late April 1965. Most of these had spent their exile time in Cuba receiving additional training in guerrilla warfare techniques.

The DGI has made use of a number of intelligence collection agents recruited from the Dominican Republic. These agents in most cases are not connected with Dominican guerrilla warfare groups. One intelligence-gathering operation, known as "Tiburon," has a single agent, Elpidio Ruiz, who received lengthy training in Cuba. He has been actively reporting from the Dominican Republic since August 1963. He is a member of the MPD but was forbidden by the DGI to become involved in guerrilla activities. His mission has been to report on Dominican military bases and the politico-military situation in the Dominican Republic. Xavier "Pichi" Mella is another DGI intelligence-gathering operative still active in Santo Domingo. He has been an active participant in the present revolt (see annex II).

Besides the support provided the Dominican rebels in the past few years by the DGI, Cuban propaganda media have been particularly active on behalf of the current Dominican revolt. Havana radio has broadcast distorted versions of the situation in the city of Santo Domingo in an effort to shore up the morale of the rebels and to demoralize the loyalist forces. All propaganda media have shrilly denounced the U.S. presence in the Dominican Republic as a "crime" and "flagrant aggression" whose sole purpose is to prevent the "constitutional forces" from winning. Fidel Castro's May Day speech was almost entirely devoted to praising the Dominican rebels and blasting the U.S. "intervention."

Annex 2

Communists Participating in the Dominican Rebellion

1. Abel Hasbun, Amin: Member of the executive committee of the APCJ and a leader of the Communist-controlled student union at the University of Santo Domingo. Attended the second meeting of the (Communist-front) International Union of Students in Hungary in 1964. Was active in organizing Communist activities in the Dominican revolt on April 24, 1965. He was seen at the National Palace on April 25.

2. Abreu, Fritz Antonio: APCJ member. In September 1963 left the Dominican Republic for Cuba, later going to the Soviet Union. He returned to the Dominican Republic in October 1964. Active Communist from the outset of the Dominican revolt on April 24, 1965. As of May 2, there was at his home a radio station which broadcast exhortations to shoot Americans on sight. Arms and ammunition were stored in his house.

3. Bernard Vasquez, Maximo: Former high-level member of the APCJ; was an APCJ liaison man with a subversive faction of the Dominican military in connection with APCJ guerrilla uprising in December 1963. Early in 1965 plates and negatives for PSPD propaganda were made in his print shop. On April 25, 1965, was active in the distribution of arms to APCJ and PSPD members in the Dominican revolt. On April 26, was observed at a Communist strongpoint and garrison. As of May 3, was active in propaganda work.

4. Blanco Genao, Moises Augustin: APCJ member; observed with other Communists attending meetings at the National Palace on April 25.

5. Botello Fernandez, Norge Williams: APCJ member; in September 1963, went to Cuba where he received guerrilla training. Active among Communists from the beginning of the April 24, 1965, Dominican revolt. Was among those at one of the principal APCJ strongpoints and headquarters with Juan Miguel Roman Diaz.

6. Bujosa Mieses, Benjamin: PSPD member; identified on April 30, 1965, as active in the street fighting in the Dominican revolt.

7. Calventi Gavino, Jose Vinicio: APCJ member. In August 1961 he visited the Soviet Union with his brother, later visiting East Germany and Czechoslovakia. In Au-

gust 1963 he left the Dominican Republic for Cuba. He took part in the seizure of the Prensa Libre plant on April 25, 1965.

8. Conde Sturla, Alfredo: PSPD member who received special training in Cuba during 1962. Identified as among Communists active in the Dominican revolt as of April 30, 1965.

9. Conde Sturla, Amadeo: APCJ member; active in subversive activities at the University of Santo Domingo. Among leaders of armed civilian group which seized Prensa Libre, anti-Communist newspaper, on April 25, 1965. He was one of the more active terrorists in the first days of the rebellion.

10. Conde Sturla, Pedro: PSPD member; active in Communist-front student group at the University of Santo Domingo. As of April 30, 1965, identified among Communists active in the Dominican revolt.

11. Cuello Hernandez, Jose Israel: PSPD member; student and editor of Communist-controlled newspaper at University of Santo Domingo. He was seen with other Communists who attended meetings at the National Palace on April 25, 1965. On April 27, armed with automatic weapon, was part of group which seized Listin Diario newspaper and prepared to publish Communist propaganda. He was also seen distributing Communist flysheets.

12. De La Pena Santos, Julio: APCJ member. Was second in command of a rebel post early in Dominican revolt.

13. Deschamps Erickson, Miguel Angel: MPD member; traveled to Cuba and bloc countries in 1962–63 on a false passport. Received guerrilla training in Cuba. Among Communists active since outbreak of Dominican revolt on April 24, 1965; was captured by loyalist forces.

14. Despradel Roque, Fidelio: A founding member of the APCJ; adheres to Chinese Communist line. Received guerrilla training in Cuba in 1963. A leader of abortive APCJ uprising in late 1963. Was captured and deported to Europe in May 1964. Returned illegally to Dominican Republic in October 1964. Received large sum of money from Chinese Communists. Participated in April 25, 1965, distribution of arms to civilians in Dominican revolt. Commanded an APCJ post of armed Communists set up on April 26. One of top rebel leaders as of May 3.

15. Dominiguez Guerrero, Asdrubal Ulises: PSPD propaganda chief and active student leader. Has received money from Castro regime. Received bloc training in 1962. Active in revolt from outset, and, as of April 25, 1965, led an armed group which seized offices of Listin Diario newspaper on April 27. As of May 3, one of top leaders of rebel movement.

16. Dore Cabral, Carlos: PSPD member and official of the pro-Communist student federation, FED. On April 26, 1965, was among those Communists in charge of the production of Molotov cocktails; was seen during the rebellion at a Communist-controlled strongpoint.

17. Ducoudray Mansfield, Juan: He and his family figure prominently in the top leadership of the PSPD. In 1962, was in Cuba working on the preparation of scripts for broadcasts by Radio Havana beamed to the Dominican Republic. His foreign travel since 1957 includes the U.S.S.R., Communist China, Poland, and Cuba. He has had contact with the Soviet Embassy in Havana. On April 25, 1965, was among those active in the distribution of arms to PSPD and APCJ members. As of May 3, was among the top leadership group of the rebel movement.

18. Ducoudray Mansfield, Felix Servio, Jr.: One of the directors of the PSPD; has lived in the Soviet Union; in Argentina in 1959, had close contact with leaders of Argentina Communist Party. In 1960 he was in Cuba where he was employed by the New China News Agency, and in October 1960, went to China, traveling under a Cuban passport. In April 1963 he returned to the Dominican Republic from Cuba. On April 25, 1965, participated in distribution of weapons to civilians in Dominican revolt. As of May 3, was identified as one of the top leadership group of the rebel movement.

19. Duran Hernando, Jaime: Important leader of the APCJ; in 1964 received guerrilla warfare training in Cuba; later went to Soviet Union with other trainees. He was arrested in Santo Domingo on April 24, the first day of the Dominican revolt, but was released on April 26. Immediately took over command of an armed Communist post.

20. Erickson Alvarez, Tomas Parmenio: Member of the MPD Central Committee who was secretary for rural affairs in 1963. He has gone to Cuba on at least three occasions in 1961, 1962, and 1964. On the last visit, he received guerrilla training. Identified as of April 30, 1965, as among the Communists active in the Dominican revolt.

21. Escobar Alfonseca, Manuel: Prominent PSPD member; received bloc training in 1963; was in Czechoslovakia in 1963. In the first days of the Dominican revolt, was active in distributing weapons to civilians, and in moving arms into strongpoints in Ciudad Nueva. Associate of Manuel Gonzalez Gonzalez in directing military activities of the Communists.

22. Estevez Weber, Gerardo Rafael: PSPD member, on the party's central committee. On April 25, 1965, was among those distributing arms to PSPD and APCJ members in the Dominican revolt. On April 26, was observed at Communist (PSPD) strongpoint. The PSPD Central Committee met in his home the night of April 27. As of May 3, was active in Communist propaganda work.

23. Evangelista Alejo, Rafael: PSPD member. Attended meetings at the National Palace on April 25, 1965, with other Communists.

24. Felix Rodriguez, Manuel Demostenes: APCJ member; fought in the guerrilla uprising in late 1963. He was deported to France and from France went to Mexico; later returned clandestinely to the Dominican Republic. Identified with the rebel forces in Ciudad Nueva during the Dominican revolt.

25. Franco Pichardo, Franklin Jose de Jesus: PSPD member; in 1963 he attended the 26th of July celebrations in Havana. In December 1964, was in the Soviet Union, and in January 1965 was in Czechoslovakia. On February 1, 1965, returned to the Dominican Republic. Identified among Communists active in the current fighting in Santo Domingo.

26. Garcia, Porfirio "Rabeche": PSPD member; on April 25, 1965, was among those Communists directing the production of "Molotov cocktails."

27. Garcia, Castillo, Edmundo: PSPD member. On April 25, 1965, was seen distributing Communist propaganda. On May 2, made an anti-American speech to a crowd of people in Parque Independencia.

28. Genao Espaillat, Luis Bernardo: APCJ leader; was in Cuba in 1962; participated in guerrilla uprisings in late 1963 and was subsequently arrested and deported. From 1963 to early 1965, sent books to Dominican Republic from Paris for use in APCJ training courses. Identified among Communists in current fighting in Santo Domingo. On May 3, he departed Santo Domingo for Santiago, and was later captured by loyalist forces.

29. Giro Alacantara, Luis Felipe Valentin: MPD leader; was in Cuba from September 1963 to March 1964. Identified on April 29, 1965, as among Communists active in current Dominican rebellion. On April 29, participated in the attack on Ozama Fortress.

30. Gomez, Facundo: PSPD member; part owner of the *Scarlet Woman*, a fishing boat which landed three MPD leaders, with arms and ammunition from Cuba, in the Dominican Republic during the 1963 guerrilla movement. On April 25, 1965, conferred with top leaders of the Dominican revolt at the national palace.

31. Gomez Perez, Luis: Member of PSPD Central Committee and formerly a member of the APCJ; studied in the U.S.S.R. on a scholarship; known to have traveled to Cuba and in 1963 he received training in Czechoslovakia. Among those Communists attending meetings in the national palace on April 25, 1965.

32. Gonzalez Gonzalez, Manuel: Member of PSPD Central Committee; Spanish national who participated in the Spanish Civil War; also reported to be a Cuban intelligence agent. A military leader of the Communist forces under PSPD control in the Dominican revolt. On April 25, was seen bearing arms at a PSPD gathering at Parque Independencia; later that day set up a Communist "commando" group. On April 26, was in charge of an arms depot, where he was issuing arms to civilians and instructing them in using these weapons. Was among those attending the PSPD Central Committee meeting the night of April 27.

33. Guerra Nouel, Jose Bienvenido: APCJ member, active in Communist-controlled cultural group at the University of Santo Domingo. Was in Cuba in 1963 where he received guerrilla training. Identified as among prominent APCJ fighters in the current Santo Domingo revolt. On May 3, he set up a Communist command post in the Ciudad Nueva area.

34. Hernandez Vargas, Hector Homero: APCJ member; recently returned to the Dominican Republic secretly from Paris where he had been in exile since his deportation in May 1964 for participation in the guerrilla movement of late 1963. He received guerrilla training in Cuba in late 1964; a leader of the APCJ travel committee arranging for clandestine return of APCJ exiles to the Dominican Republic. In late March 1965 was one of group preparing propaganda for a possible armed uprising. Among active APCJ leaders in the present revolt in Santo Domingo. On April 29, participated in the attack on Ozama Fortress.

35. Houellemont Roques, Eduardo "Piti": APCJ member; student agitator in 1961, organizing disorders at University of Santo Domingo. Known as pro-Castro; was treasurer of the FED Student Federation. Was in Cuba in 1963. On April 25, 1965, was among the Communists participating in the distribution of arms to civilians in Dominican revolt. Was among armed mob which seized offices of anti-Communist newspaper Prensa Libre on April 25.

36. Isa Conde, Antonio Emilio Jose: PSPD member; pro-Castro student leader and agitator. He attended the 26th of July celebrations in Havana in 1963 and received guerrilla warfare training in Cuba the same year. He received financial assistance from the Czechs in Prague later in 1963. Was among PSPD group attending meetings at National Palace on April 25, 1965. Member of the PSPD–APCJ group that seized control of the plant of the anti-Communist newspaper Prensa Libre on April 25. Seen distributing Communist Party flysheets calling on the people of Santo Domingo to arm themselves and fight for workers' rights. As of May 3, was identified as one of the top leadership group of the rebel movement.

37. Isa Conde, Narciso: Brother of Antonio. PSPD leader, central committee member, Among those Communists active on April 24, 1965; part of armed PSPD group at Parque Independencia on April 25, and later that day was among prominent Communists attending meetings at National Palace. On April 26, was identified as one of armed PSPD members on the streets; one of the leaders of the armed group that seized the plant of the newspaper Prensa Libre. Was active on May 1, distributing propaganda.

38. Johnson Pimentel, Buenaventura: PSPD leader and a member of the party's Central

Committee; also reported to be a member of the APCJ. On April 25, 1965 was active in the distribution of weapons to PSPD and APCJ members in Dominican revolt. Johnson's truck was used to distribute arms to civilians in the Ciudad Nueva area. His house on Espaillat Street in Santo Domingo used as a rebel garrison in the present rebellion. "Molotov cocktails" stored there and machineguns mounted on roof. On May 1, 50 members (probably a high command group) of all 3 Communist parties—the PSPD, APCJ, and MPD—met at his house.

39. Lajara Gonzalez, Alejandro: APCJ member, named Deputy Director of Investigation during 2-day regime of Molina Urena. Arranged for the supply of additional arms to the Communists during the morning of April 27.

40. Licairac Diaz, Alexis: Member of APCJ youth section and a student at the University of Santo Domingo. He was a delegate to the Communist-dominated Latin American Youth Congress held in Santiago, Chile, in March 1964. Active in fighting in Ciudad Nueva during the Dominican revolt and, on May 3, 1965, was stationed at a Communist command post in that area.

41. Lora Iglesias, Josefina: APCJ member, active in pro-Castro student group at the University of Santo Domingo. She participated in guerrilla activities in the Dominican Republic in late 1963 and was subsequently deported to Europe. In October 1964 she was in Cuba, where she received political training. She returned to the Dominican Republic in March 1965. Among the Communists active in the April 24, 1965, rebellion in Santo Domingo and in rebel radio broadcasts.

42. Lora Vicente, Silvano: PSPD member; received guerrilla warfare training in Cuba from late 1963 to early 1964. Lora visited Moscow in late 1964. On April 25, 1965, was one of the leaders of an armed Communist group at the national palace. Later that same day attended meetings between Communists and rebel leaders at National Palace. On May 3 was identified among rebel forces and was observed leading a group of PSPD members to collect ammunition for distribution among the armed mobs.

43. Macarrulla Reyes, Lisandro Antonio: PSPD and APCJ member; one of the organizers of the APCJ Communist cells in the Ozama section of Santo Domingo. Took a course in Marxism-Leninism in Havana in June 1962. On April 26, 1965, was observed armed with machinegun at PSPD strongpoint and garrison.

44. Maldonado, Belkis: PSPD member. Identified as of May 3, among active Communists taking part in the Dominican revolt.

45. Martinez Howley, Orlando: PSPD member and student leader; active in organizing street agitation and stirring up anti-U.S. sentiment.

46. Matos Rivera, Juan Jose: APCJ member who attended the 26th of July celebration in Havana in 1963. He participated in the APCJ guerrilla uprising in late 1963. He was deported to Europe and returned secretly to the Dominican Republic in January 1965. On May 3, 1965, he was active among Communists fighting in the Ciudad Nueva area.

47. Mejia Gomez, Juan Bautista: Leading APCJ member who served in 1964 on APCJ Central Committee; formerly in charge of legal matters for Agrupacion Patriotica 20 de Octobre, an APCJ front group. Identified as an active Communist participant in the Dominican revolt from the outset. On May 2, a telephone interview with him on the APCJ's role in the revolt appeared in the Havana newspaper, Hoy.

48. Mejia Lluberes, Rafael de la Altagracia ("Baby"): APCJ member; secretary of youth affairs of the party; received political indoctrination and guerrilla warfare training in Cuba in 1963. Returned clandestinely to the Dominican Republic in January 1964. On April 30, 1965, was among Communists working closely with rebel officers in the Dominican revolt. On May 2, he was active in the Ciudad Nueva area, and was at one of the principal APCJ command posts with Juan Miguel Roman Diaz.

49. Mella Pena, Francisco Xavier ("Pichi"): APCJ member and a known Cuban intelligence agent in Santo Domingo. He received training in Cuba as a "frogman" for an unknown mission in the Dominican Republic. Active rebel fighter since the outbreak of the Dominican revolt and observed at APCJ commando headquarters and at an APCJ supply center.

50. Mercedes Batista, Diomedes: PSPD member who traveled to Cuba in July 1963; attended the Communist-dominated Second Latin America Youth Congress in Chile in March 1964. Active from outset of revolt on April 24. Was seen haranguing civilian crowd at Parque Independencia on April 25, and later that day was operating a sound truck urging the people to revolt. On April 25, was also among Communists attending meetings at National Palace. Was also identified at a PSPD stronghold leading an armed PSPD unit.

51. Mir Valentine, Pedro Julio: PSPD Central Committee member; close personal friend of Fidel Castro. A frequent traveler to Cuba (1961 through 1963). Traveled to Moscow in 1959. In 1961 he was sponsoring a daily radio program originating in Cuba, beamed to the Dominican Republic. Mir brought large amounts of money to the Dominican Republic in 1963. Identified on April 30, 1965, as among the Communists actively participating in the Dominican revolt.

52. Montas Gonzalez, Luis Adolfo: Member of the APCJ Central Committee and political committee. He was a delegate to the Communist-dominated Latin American Youth Congress held in Santiago, Chile, in March 1964. Identified as among Communists active in the Dominican revolt.

53. del Orbe, Henry Wilson: PSPD member who received guerrilla warfare training in Cuba in 1963. He had previously lived 13 years in Cuba, and has traveled to the U.S.S.R. On April 30, 1965, was identified among the Communists participating in the Dominican revolt.

54. Ortiz Desangles, Manuel: PSPD member and pro-Castro student agitator; has conducted indoctrination courses for University of Santo Domingo students, seen on April 26, 1965, directing the production of Molotov cocktails. Later captured by loyalist forces and held prisoner.

55. Ozuna Hernandez, Daniel: Prominent APCJ leader, who figured prominently in the 1963 APCJ guerrilla fighting; has given weapons familiarization instructions to APCJ members. On April 25, 1965, was among those distributing arms to civilians in Dominican revolt, and attended meetings with rebel leaders at National Palace later that day. Was captured by loyalist forces on May 2, and held prisoner.

56. Perez Mencia, Ignacio: PSPD member. On April 26, 1965, was observed directing the production of Molotov cocktails. Later identified at a Communist stronghold during the fighting.

57. Perez Perez, Milvio: PSPD member; owns a bookstore specializing in Communist literature in Santo Domingo and has done photographic work for the PSPD. On April 25, 1965, was among a group of armed Communists at the National Palace. He has been observed distributing arms and Molotov cocktails to civilians. As of May 5, was engaged in preparing false identity cards for Communist leaders.

58. Pichardo Vicioso, Nicolas: PSPD member; an officer of the Movimiento Cultural Universitario (a Communist front group). He was a member of the group which seized anti-Communist newspaper Prensa Libre on April 25, 1965, preparing immediately to publish propaganda leaflets. Was engaged in the production of Molotov cocktails on April 26, and was observed taking weapons to a PSPD center on Calle Espaillat. On April 29, participated in the attack on Ozama Fortress.

59. Pinedo Mejia, Ramon Agustin: MPD leader who traveled from Czechoslovakia to Cuba in 1962. He was involved in APCJ guerrilla activities in the Dominican Republic in late 1963. During the Dominican revolt was MPD representative at a meeting with the APCJ on April 25, 1965, and later stationed at an MPD command post.

60. Pumarol Peguero, Catalina: APCJ member and student at the University of Santo Domingo; close friend of Ema Tavarez Justo. She has been active in organizing street agitation and stirring up anti-U.S. sentiment.

61. Ramos Alvarez, Benjamin: High-level member of the APCJ, and head of the District Committee for Santo Domingo. All three Communist party leadership groups met with him on April 29, 1965, to discuss future tactics.

62. Restituyo, Apolinar: PSPD member and student agitator; active in organizing street agitation.

63. Ricart Ricart, Gustavo Federico: MPD Central Committee member, and the most prominent MPD leader in the Dominican Republic at the outbreak of the Dominican revolt. Was in Cuba 1962–63 and brought back approximately $50,000 to fund MPD activities. Commanded a rebel stronghold as early as April 26, 1965.

64. Rodriguez Acosta, Jose Francisco: Member of PSPD Central Committee. Was trained in Cuba in 1962. Known to have been in Prague prior to February 1963; has also been in the Soviet Union. He was active in the party's military buildup early in the rebellion. One of the leaders of a PSPD armed group at a Communist strongpoint on April 25, 1965.

65. Rodriguez del Prado, Carlos: PSPD member and cousin of Cayetano Rodriguez del Prado, one of the principal leaders of the MPD. On April 25, 1965, he met at his house with other armed Communists active in the Dominican revolt.

66. Rodriguez del Prado, Cayetano: Member of the MPD Central Committee and Secretary of Propaganda. Participated in Cuban attempt to cache arms and ammunition, as well as infiltrate three top level MPD members into the Dominican Republic during the APCJ guerrilla uprisings. Deported from the Dominican Republic in May 1964 and traveled to Communist China. Wrote a pamphlet outlining methods by which MPD could use Dominican students in the Chinese manner to carry out a successful revolution. Was in police custody when Dominican revolt broke out, but was released on April 25. Was known to be in contact with PSPD and other Communists during the course of the revolt, but did not participate in active fighting because of ill health.

67. Rodriguez Fernandez, Orlando: APCJ member; active among Communists in the Dominican revolt; working energetically to organize anti-U.S. sentiment.

68. Roman Diaz, Juan Miguel: Member of APCJ Central Committee; participated in guerrilla activities in the Dominican Republic in late 1963. Deported in May 1964 to Lisbon; returned clandestinely to the Dominican Republic in January 1965. One of the top rebel Communists from the outset of the revolt, and leading military figure of the APCJ. Commanded one of the largest rebel strongholds which served as a command post, arsenal, and prison. (NOTE: killed in rebel assault on National Palace on May 19, 1965.)

69. de la Rosa Cano, Jesus: PSPD member; former ensign in the Dominican Navy. On

April 25, 1965, was inciting crowds to burn and destroy property.

70. Sanchez, Cordoba, Luis Rene: MPD member; in 1964 was interim Secretary General of MPD. Identified as among Communists actively participating in the Dominican revolt; was captured by loyalists on May 3.

71. Santamaria Demorizi, Miguel Angel: Communist agitator; involved in Dominican subversive activities since at least 1961. In 1963, was in charge of making hand grenades for Communist groups. Was deported from both the Dominican Republic and France; returned to the Dominican Republic in late 1963 from Venezuela. Identified among Communists active in the Dominican revolt. He was at the National Palace on April 25, with other Communists.

72. Sosa Valerio, Ariosto: PSPD member. On April 25, 1965, was with the armed Communist group at the National Palace, and later in the day attended meetings there.

73. Tavarez Justo, Ema: APCJ member and student agitator; she is the sister of Manuel Tavarez Justo who was killed while leading the APCJ guerrilla movement in late 1963. She was among the Communists at the National Palace on April 25, 1965, and was active in Communist propaganda activities from the outset of the revolt.

74. Tavaras Rosario, Rafael Francisco "Fafa": Member of Central Executive Committee of APCJ; received guerrilla warfare training in Cuba in late 1963 and early 1964. Returned to the Dominican Republic from Cuba in December 1964 using a false passport. As of April 30, 1965, was identified among those Communists working closely with rebel military leadership. On May 2, was at one of the main Communist command posts.

75. Tolentino, Dipp, Hugo: PSPD member; chief of a Dominican guerrilla unit trained in Cuba. Was deported in February 1962 and received training in Soviet bloc countries. Returned clandestinely to Dominican Republic. Participated in distribution of arms to civilians in Dominican revolt on April 25, 1965. As of May 3, was one of the top leadership group of the rebel government.

76. Valdez Conde, Nicolas Quirico: PSPD member; in 1959 was member of the executive body of the PSPD. Employed in Cuba as Russian interpreter for Fidel Castro in June 1963. Lived in Moscow for 3 years. Identified among Communists active in the Dominican revolt.

77. Vicioso Gonzalez, Abelardo Sergio: PSPD member who has been active in student affairs. Was in Cuba in 1960, and again in 1962 and 1963; attended a student congress in Cuba in August 1961, and then went to Czechoslovakia and the U.S.S.R. While in Cuba in 1962 was training for subversive activity in the Dominican Republic. Identified as of April 30, 1965 among Communists active in the Dominican revolt.

ADJOURNMENT

Mr. DODD. Mr. President, I move that the Senate adjourn, in accordance with the previous order, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 45 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, September 17, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 16 (legislative day of September 15), 1965:

EXPORT-IMPORT BANK OF WASHINGTON

Tom Lilley, of West Virginia, to be a member of the Board of Directors of the Export-Import Bank of Washington.

SUBVERSIVE ACTIVITIES CONTROL BOARD

John W. Mahan, of Montana, to be a member of the Subversive Activities Control Board for the term expiring March 4, 1970, vice Francis Adams Cherry.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 16 (legislative day of September 15), 1965:

DEPARTMENT OF JUSTICE

Vernol R. Jansen, Jr., of Alabama, to be U.S. attorney for the southern district of Alabama for the term of 4 years.

Macon L. Weaver, of Alabama, to be U.S. attorney for the northern district of Alabama for the term of 4 years.

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia for the term of 4 years.

Casimir J. Pajakowski, of Indiana, to be U.S. marshal for the northern district of Indiana for the term of 4 years.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 16, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my report to my constituents for July 16, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

RENT SUBSIDIES GET SENATE OKAY

It won't be long now until the Federal Government begins to take some of your hard-earned money to help pay the rent to help those who cannot afford it, or will not put forth the effort to earn it, to move into better neighborhoods. The Federal Government will use part of your tax dollar to help Robert Weaver push his program of economic integration. The Senate approved the Sparkman bill (S. 2213) by substituting its language for the language of the bill the House passed a week ago. Minor differences between the two bills will now be cleaned up in conference and the bill will soon be on its way to the White House for the President's signature. The main objective of the President and the ultraliberals, a Federal rent subsidy program, remains in the bill.

The Senate approved rent subsidies by defeating an amendment by Senator JOHN TOWER, of Texas, to take the rent subsidy proposal out of the Sparkman bill. On this crucial vote the amendment was defeated 47 to 40. Only 5 Republican Senators voted for rent subsidies with 24 Republicans voting against. Forty-two Democrats went along with the President's demand to pass the subsidy provision and only 16 opposed it.

CHANGE OUR MONEY

The House passed the Coinage Act of 1965, to reduce the silver in half dollars and eliminate it in dimes and quarters, by a vote of 255 to 151. I voted against it because I do not believe this is the proper way to handle the matter. It is admitted there is a shortage of silver, but debasing our coins will not bring about the cure we need. The real trouble is deficit financing. The Federal Government insists on continuing to spend more than it takes in. The silver shortage is not the disease, it is only a symptom of the real disease, reckless and irresponsible spending. I opposed changing the silver content of our coins as a first step in devaluing our money as the only means to force the Federal Government to live within its means.

SUBWAY SYSTEM FOR WASHINGTON

While there were many valid arguments for voting against the bill for a subway in Washington, which passed the House on Thursday, the most pertinent argument is that it sets a pattern for the Federal Government to finance transportation systems for big cities throughout the country. The last Congress passed the Urban Mass Transportation Act providing for a total Federal outlay for the entire country of $375 million and limited the share of any one State to 12½ percent of the total, or approximately $47 million. Now the House has approved a grant of $150 million for Washington alone and asks that we guarantee the entire bond issue of $333 million, which will be an addition to the Federal debt. Plus this the Government will pay any operating loss of the system. This proves again that such bills as the Urban Mass Transportation Act are only a foot-in-the-door for the Federal planners who are determined to socialize all basic industries. I shall continue to vote against the expansion of such programs as I did in voting against the Washington subway bill.

L.B.J. INSULTS SOUTH AGAIN

Most shocking action of the week was the new affront to the South by Lyndon Johnson in naming Thurgood Marshall, former attorney for the NAACP, as Solicitor General of the United States. This means the third highest ranking officer in the Department of Justice will be a man whose whole history is a record of prejudice against the South, its institution and its people. The former NAACP attorney will now be the chief enforcement officer in prosecuting southerners and Southern States under the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

SOUTHERN POULTRY INDUSTRY THREATENED

It was my privilege this week to join forces with my friend and colleague, Congressman PRENTISS WALKER, of Mississippi, in preventing immediate approval of a $2.6 million Federal loan to a Maine poultry company to start a new processing plant in Pennsylvania which would threaten serious injury to the entire poultry industry. We were able to get a postponement of approval of the loan until the House Agriculture Committee is able to investigate the situation. This will give poultrymen and their representatives an opportunity to present some facts showing that creation of such a new poultry complex is not in the best interest of the industry.

We also took a strong stand in opposition to including a Democrat sponsored egg price control bill in the omnibus farm bill without full hearings. The bill (H.R. 7481) would regulate egg production and impose Federal regulations. No such far-reaching measure could be allowed to be passed on to the House for decision until hearings have been held and all sides of the issue fairly presented.

The Federation of Malaysia: a Tribute

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 16, 1965

Mr. POWELL. Mr. Speaker, today marks the second anniversary of the formation of the Federation of Malaysia, after 2 years of negotiations with Great Britain. On this occasion, we wish to extend warm felicitations to His Excellency Tuanku Syed Putra ibni Almarhum Syed Hassan Jamalullail; and to the Malaysian Ambassador to the United States, His Excellency Dato Ong Yoke Lin.

The significance of this act of independence cannot be overestimated, for this was another of those cases where the British Government recognized the inalienable right of men to be free and independent and permitted a further dissolution of empire within a structure of law and order.

What the British have been doing in the years since 1945 is indeed a tribute to their wisdom and dedication to orderly government. As the British Empire dissolved, the British did not leave a void of governmental irresponsibility but had in the decades of their rule prepared a political intelligentsia to take over the reins of authority when once they departed.

But there can be no denying that this dissolution of empire, though by and large orderly and within a framework of law, has created enormous problems for American foreign policy, especially in the Far East. Prior to 1945, the United States could always depend upon the existence of a certain status quo in the Far East, especially in those areas where the British, French, and Dutch rule prevailed. Our only serious problems in the Far East were created by the Japanese who sought to destroy that status quo.

With the evolution of those former imperial countries into an independent status, the power and influence of Europe has dissolved in the Far East, and thus we have had to face the reality of an enormous power vacuum enveloping the subcontinent and areas in the Western Pacific. The great problem facing us today is the necessity of creating stable and reliable states in that area, states that find their best interest served in a closer association with the United States against the spreading danger of Communist China.

The Federation of Malaysia lies in one of those strategic crossroads of the world, and it is one of the great necessities of American foreign policy to secure the friendship and assist in maintaining the integrity of this grouping of states. Only recently the Federation was dealt a harsh blow with the withdrawal of Singapore. Still, it is hoped that even in this present internal crisis a certain harmony of interests can be created that will mean the continuing strength and independence of Malaysia.

On this anniversary commemorating the creation of the Federation of Malaysia, we Americans join with all friends of the people of Malaysia in paying tribute to them. We all share in a common interest, and thus our hopes and aspirations are identical: that Malaysia may continue to prosper in freedom and independence.

Cartoonist Jefferson D. Yohn Wins Awards

EXTENSION OF REMARKS
OF
HON. KEN W. DYAL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 16, 1965

Mr. DYAL. Mr. Speaker, in the modern mass media world, the cartoonist is filling an editorial and teaching concept equal with that of our columnists and editorial pundits. I note with pleasure Jefferson D. Yohn, an editorial page editor and editorial cartoonist, of San Bernardino, Calif. has won second and third awards in a cartoon competition with the most famous cartoonists of the United States. However, it is not the winning of the award that is so important but rather the subjects of his cartoons which are so vital to the problems of the modern world and his effect upon them.

His second award prize was for a picture of a lighthouse labeled "Brotherhood of Man" with its rays of world peace and the lighthouse standing upon a firm rock foundation labeled "Government of law." The cartoon was titled "The Fame Will Be Eternal on This Foundation." I do not need to point out the importance of the cartoon and the hoped for effect it may have on our troubled world.

The other winning cartoon showed "Nuclear War" pictured by an atomic bomb chained to a heavyweight labeled "Government of law" and being held thus firmly through the dark clouds of war crises.

The keenness of the competition Mr. Yohn faced is indicated by last year's winners—two-time Pultizer Prize winners Bill Mauldin of the Chicago Sun-Times and Herblock of the Washington Post. The winners were selected from a nationwide field of entries.

Mr. Yohn has won numerous other awards in his long newspaper career with the Sun-Telegram of San Bernardino, Calif., including six Freedoms Foundation awards, the Christopher Gold Medal for editorial writing and the National Conference of Christians and Jews Mass Media Award.

A book of his editorials and cartoons was published in Japan as the Collegiate Translation Textbook and he has been designated Cartoonist of the Month by Sigma Delta Chi's Quill and Scroll magazine.

The wide dissemination of his cartoons with their current themes should be of specific benefit in influencing the thinking of the reader.

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 16, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my report to the people of the Seventh District of Alabama for July 26, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

DOUBLE THE MONEY, DOUBLE THE MESS

The House last week followed the rules of the Great Society game to the letter. If a program does not succeed, increase the appropriation, give more authority to the same people who initiated the failure, and take away more of the rights of those who alone may be able to make the program work. The vote was on H.R. 8283, to expand the war on poverty. The bill calls for an expenditure for the coming fiscal year of $1.8 billion. For fiscal 1965, the first year of operation of the Office of Economic Opportunity, the law authorized $947.5 million.

For the past year the newspapers have been filled with criticism of the program and the debate on the bill reemphasized the weaknesses and the failure to meet its announced objective of helping the poor. Most of the money in the first year of operation was spent on setting up offices and paying out ridiculously high salaries for top positions. In the Office of Economic Opportunity there are 65 supergrade employees who are paid up to $24,500 a year, or 1 supergrade employee for every 18 employees in the alleged poverty setup.

In the few cities where poverty offices have been established, little if any of the money has been spent on helping the poor. Rather, local poverty offices read like a list of Democrat Party officials and workers and most of the money has been used up in salaries.

STATES RIGHTS AFANDONED

One of the most serious changes in the poverty bill is elimination of the right of the Governor of a State to veto a project. As the bill passed the House, the Director of the poverty program will be the sole authority on which projects will be undertaken. He now has the authority to veto a Governor's veto of a project even though the Governor may not feel the project is in the best interest of his State. This highly controversial change, and one which will go a long way toward erasing the States as sovereign components of a union of States, passed the House by only five votes. Many southern Members who speak out loudly for States rights at home, ducked the issue by not being on the floor of the House when the teller vote was taken on the Republican States rights bill. Some southern Democrats voted against the States rights.

AMENDMENTS BATTED DOWN

To show how ruthlessly the Johnson majority in the House overrides opposition in any form, I cite two amendments which were batted down. One, offered by Congressman John Buchanan, of Birmingham, tried to protect the principle of the separation of church and state by forbidding the use of poverty funds to churches. Congressman Buchanan, a minister in the Baptist Church, is deeply concerned about this matter, but opposition to his amendment was led by Democrat Adam Clayton Powell, another Baptist minister, and the majority of the House followed Powell rather than Buchanan. The second amendment which the liberal majority defeated simply provided that anyone seeking aid from the American taxpayers through the poverty program should take an oath that he is not a Communist seeking to overthrow this Government.

Like all the other Great Society bills, which are slowly taking away from the people the right to govern themselves, the poverty bill passed the House with the usual lopsided majority of liberals shouting down every attempt to improve the bill or to remove some of its most objectionable provisions. I voted to preserve the Governor's veto power and then I voted against the bill.

MILITARY PAY RAISE

I was proud to support and vote for a pay raise for members of our Armed Forces. It has long been my conviction that we must improve the skills of our military branches by paying those we ask to serve enough to attract career people. In the space age, It is necessary to have highly skilled, highly trained, and competent military personnel. We need to create a professional military force and this means we must encourage those interested in a military career to stay. The pay scale for those in the Armed Forces has been disgraceful. The President's proposal did little for the military and was merely a token gesture. The Armed Services Committee of the House presented a pay scale which would bring military pay up to a level where it compares favorably with civilian salaries. The House approved the committee recommendation and I am hopeful the Senate will go along and, at long last, our military personnel will begin to be treated as they should.

VIETNAM IS SERIOUS BUSINESS

In a meeting with Secretary of State Dean Rusk and other Government officials, I was told last week our situation in Vietnam is rapidly deteriorating. The time has come to quit playing politics with the lives of young Americans. The important issue in Vietnam is to stop Communist aggression and to win the war. The time has come for the politicians to turn the running of the war over to the military so that we may begin to fight to win instead of trying to figure out a way to lose gracefully.

Foundation Stone of Our Republic

EXTENSION OF REMARKS
OF
HON. ANCHER NELSEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 16, 1965

Mr. NELSEN. Mr. Speaker, this Friday September 17, marks the 178th anniversary of the adoption of the Constitution of the United States of America by the Constitutional Convention.

This ingenious document has permitted our country to grow and prosper by setting down a system of self-government and binding laws not subject to the quick whimsy of tyrannical demagogs. It is a document that limits and clearly delineates specific powers that the National or State Government may impose upon citizens, and reserves to the people themselves essential rights and liberties not subject to any political power.

Our Constitution has endured remarkably well through all these years and through the fantastic changes wrought in America since its creation. At times, however, it has seemed to some of us that its reservations and limitations on government have been overlooked—as, for example, over the question of the apportionment of State legislatures.

So I am pleased to join in recognizing Constitution Week which begins September 17. I hope that many Americans will take the time to read through this inspiring document again, in order that we may more clearly comprehend the great heritage of individual freedoms bequeathed to us by it, and in order that we may preserve these freedoms for all generations to come.

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 16, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the Record I would like to include my Washington Report for July 9, 1965:

WASHINGTON REPORT

(From Congressman Jim Martin)

DAY OF INFAMY

It is 10:15 Friday night, July 9. I have just returned to my office from the floor of the House of Representatives where I witnessed a death-dealing blow to the liberties of the people of the South. This day may go down in history as a day of infamy when freedom died in America. Lyndon Johnson, Nicholas Katzenbach, Martin Luther King, and the liberals have taken revenge on the South for daring to vote against the Johnson-Humphrey Democrat ticket last November. By a vote of 332 to 85, the President's voting rights bill passed the House.

Earlier, on a teller vote which is not recorded, many Southerners joined in voting against our own people when the Republican substitute which would have protected the South, was defeated 215 to 166. As I looked up into the House gallery into the smiling face of Nicholas Katzenbach, I could not help but think that the Representatives of the people of the United States were passing more power into the hands of this one man than has ever been given to any Attorney General in the history of our country. The bill, as passed, takes away the rights of 6 Southern States to enact their own election laws or to determine the qualifications of their citizens for voting. This is a complete denial of the rights of the States under the Constitution. Under this vicious piece of legislation these six Southern States may not refuse the vote to illiterates or to those convicted of felonies, but all other States of the Union can.

The Voting Rights Act of 1965 is the Johnson administration's and the Democrat's adventure in subterfuge. Not in the history of our country has there been a more brazen and revolutionary grab for power, a more unrestrained usurpation of our constitutional rights as free individuals and sovereign States. As these lines are being written the bells are ringing signaling the adjournment of the House for the day and deep in my heart I fear they are tolling for what has been done to the American people this day.

The act bears the stamp of Lyndon Johnson and the little men in high places around him. It is a bill pointed like a dagger at the heart and soul of the South. It will do more than offend us—it can ultimately destroy free elections in every State. The bill contains the seeds of anarchy because it puts in jeopardy orderly election procedures and makes possible the casting of fraudulent votes and in having them counted.

DICTATORSHIP GROWS

This bill is the latest in a series of measures which have placed the South, and eventually will place the entire country under the dictatorial rule of Francis Keppel, Robert Weaver, and Nicholas Katzenbach with Lyndon Johnson standing in the wings to pull the strings to make the South jump to his tune.

The Federal aid to education bill gave Francis Keppel the power to determine how the States will operate their schools and where our children will attend school and by whom they will be taught. The rent subsidy proposal, already passed by the House and now being pushed in the Senate by the junior Senator from Alabama, will give Robert Weaver the power to determine who will live in which neighborhoods and will enable him to enforce economic integration in every section of the country. The so-called voting rights bill gives Nicholas Katzenbach life-and-death power and control over local, State, and National elections. He can now force Alabama and other Southern States to register anyone who applies even if the individual cannot read or write or if he is a convicted criminal.

In an atmosphere of panic generated by the plotters of evil, the Johnson administration rushed pell-mell against the sage and deliberate counsel of seasoned congressional leaders to pass the odious voting rights bill before a compliant and patriotic South could solve its voting problems in accordance with the Civil Rights Act of 1964. The Attorney General and the radical liberals who are pushing this Nation into a dictatorship do not want the South to solve its problems. They want the vast powers of this bill and the others recently passed to provide them with the power to completely control the lives of the people and to erase every trace of the rights of the States as guaranteed by the Constitution.

Southern States ousted

The voting rights bill practically eliminates Alabama and the other five Southern States from the national family. These States will not be able to enact or enforce election laws except at the direction of the Attorney General. We will have no recourse to the courts for a period of 10 years, but by a monstrous perversion of law we are already guilty by definition. Even to have a hearing we will have to travel to Washington to be judged by entrenched bureaucrats.

Proof of the fact that this bill is a vendetta against specific southern States is shown by the exclusion of the President's own State of Texas in spite of the charge by one of the Negro's leading educational organizations that "Texas does have a literacy test in connection with poll tax payments and that it is used to deny the ballot to Negroes as well as Mexicans."

This bill seeks to enfranchise all illiterate Negroes and whites in six Southern States, but does not touch such States as New Hampshire, Connecticut, Massachusetts, and others which today are still violating the 1964 Civil Rights Act by having applicants read out loud.

I made it clear in my remarks to the House during debate on the bill that I am for the right of every qualified citizen to vote. This bill does not guarantee that right in every State of the Union. The tragedy is that many Members of Congress who voted to uphold the attack upon the South will live to regret the day they made possible the setting up of a dictatorship which may eventually take away the freedoms and the rights of the people of all the States.

The time is growing short, but it is not yet too late to save the Republic and the constitutional form of government which guarantees the freedom of the people. With the passing of each bill giving more power to President Johnson, the task becomes more difficult, but an aroused America may yet save our democratic way of life. It will take every ounce of our national strength and fiber to convince Members of the House and Senate that the people are not prepared to surrender their liberties. It can be done in the same spirit that generations of Amerlacns in the past have met and successfully challenged every threat to our liberty.

For my part I will continue to tell the truth to the people of Alabama as I see it, having faith in them to help lead this Nation back to its original concepts of a government of, by and for the people.

Federal Government and New Mexico: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 16, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about gambling in the State of New Mexico. As a result of the ignorant partnership of the State of New Mexico and the Federal Government, gambling is illegal in New Mexico, and is thus a lucrative mob revenue source.

Last year, the parimutuel turnover in New Mexico came to $38 million. Illegal gambling was more extensive. Testimony before the McClellan committee puts national off-track betting at $50 billion annually. Other testimony pegs off-track betting at 40 percent of total national illegal gambling, which would then total $120 billion a year. On a population basis, New Mexico would account for $600 million of this. While this figure is probably an overallocation as far as New Mexico is concerned, I am sure that illegal gambling in New Mexico is lining the coffers of the underworld with millions of dollars a year, making New Mexico a gambler's fiesta land.

What New Mexico needs is what the Nation needs—Government-run gambling. A national lottery and a series of State lotteries would divert illegal gambling moneys in New Mexico and the rest of the States, and make them work for the public good rather than mob enterprises.

Disregard for Law

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 16, 1965

Mr. FISHER. Mr. Speaker, under leave to extend my remarks I include a speech delivered by my able colleague, BOB POAGE. It follows:

DISREGARD FOR LAW

(Excerpts from speech of Hon. W. R. POAGE, at Pythian homecoming at Weatherford, Sept. 5, 1965)

I cannot speak eloquently on any subject and I am going to try to discuss one of the most disagreeable and disgusting phases of modern American life—disregard for law and constituted authority. Who, a few years ago, would have expected to find the campuses of some of our largest, richest, and most respected universities to develop into hot beds of complete anarchy? We have only to look to the great University of California at Berkeley to see how disrespect for constituted authority has minimized the usefulness of an outstanding educational institution. Doubtless it is true that only a relatively small part of the 25,000-student body took the law in their own hands but they have irrevocably damaged the efforts of the thousands of good, honorable, and conscientious students who can never again take the pride they did in their degree from that institution. Nor has the University of California been the only institution which has had to apologize for the acts of a bunch of unshaven hoodlums.

Who would have expected to have seen clergymen—Protestant, Catholic, and Jewish—join in protest demonstrations North or South, where the demonstrations were conducted in violation of law? No matter what the merits of the protest—no matter how aggravated the abuses against which the protest was directed—no matter how rigid the law—two wrongs never made a right, and a minority seeking the recognition of legal rights never obtained those rights by ignoring the very laws whose protection they invoked or by ignoring or trampling on the rights of others. Nor can democracy long exist if citizens are to decide for themselves what laws they will obey and what laws they will ignore. The inscription, "democracy under law" which adorns the Supreme Court Building has no meaning unless it refers to all laws.

Why then, if university students, who have been surfeited with luxurious facilities at the expense of the taxpayers, are to decide for themselves who is to teach and how they are to teach or to decide that it offends their sense of personal dignity—whatever that is—to take an oath to support the country which has suckered them, and if the priests and pastors of churches across the land are to announce and practice the first tenet of anarchy—that if an individual feels a certain law is wrong, that he need not obey the law—should we be surprised when the less educated and less privileged use defiance of law and lawful authority as an excuse for private gain?

Is it any wonder that we find mobs burning houses in Chicago or looting stores in Los Angeles? If a graduate student at the university in Berkeley is to have the right to decide that since he doesn't agree with the judgment of the trustees that he can flaunt all regulations, why should not a flophouse bum in Los Angeles decide that since he doesn't like the trespass laws that he can break into a place of business and walk out with anything he wants? And if a minister or priest from Boston or Buffalo can decide that the highway laws of Alabama are wrong and should be ignored, why should not a wino in California decide that the laws against arson and theft are to be ignored?

My friends, everyone except the uneducated and the overeducated, know these fundamentals of human behavior. All ordinary people who think in terms of human experience and human limitations recognize that in any inhabited part of the world, where many people come in contact with many other people each day, that it is only possible to obtain freedom under law—and through the impartial enforcement of the law.

To allow each individual to decide for himself what laws he considers just and to assume that the individual has a right to ignore all laws which he considers unjust is to have no law—and in the long run is to establish the rule of the strongest—the rule of the jungle.

The American Founding Fathers knew quite well that even a government selected by a majority of the people could destroy the rights of the individual just as truly as the government of King George. They, therefore, sought to limit the fields of governmental activity, but surely they intended to offer no comfort to those who took the law in their own hands and that, my friends, is the burden of my indictment of our modern scofflaws. No man is above the law and no man has the right to ignore even a wicked or unjust law. His recourse is to seek a change in the law.

But there are, unfortunately, those who are deterred from crime only by the certainty, and possibly to a lesser extent by the severity, of punishment. I would not strike down any of the devices of the law which have been built up over the years to assure that no innocent man be punished. I still accept the idea that it is better that 10 guilty men escape than that one innocent man be punished, but I do object to those requirements and decisions which add nothing to the protection of the innocent but simply make it difficult or impossible to convict the guilty.

A few years ago our Texas Court of Criminal Appeals held that an indictment was faulty because in charging that the accused had drowned the victim, it did not specify that the victim was drowned in water. The purpose of the indictment is to inform the accused of the charge against him that he may present any proper defense if he has one. It should not be to make the conviction of one who has no defense the more difficult.

In more recent months the Supreme Court of the United States has handed down a whole string of decisions which seem to be more interested in preventing conviction than in securing the facts. I submit that until all our efforts are directed at a determination of the facts that we can have neither justice for the accused nor security for the masses of our people. In all too many cases we have so abused the suspended sentence law and our pardon and parole laws that I am afraid that in our proper zeal to protect all of the rights of the accused, we may have overlooked the basis and purpose of all criminal law—and that is to protect the public from lawless acts.

Now may I get to something which is probably more fundamental and something which I hope our younger folks, who have been so well behaved, may understand a little better. Most lawlessness develops from childhood disobedience. The obedient child is very likely to make a good and successful citizen. The disobedient child is a mighty good candidate for the penitentiary. In all too many homes there is no effort to teach the child that he must accept authority as long as he is a member of human society.

May I now mention just one aspect of lawlessness which is as I see it the most utterly inexcusable of all criminal practices and yet it is an unfortunately widespread occurrence. I think that the practice of vandalism—that is, the useless destruction of property—probably leads to more serious crime than any other single habit. And there simply is no need, use, or justification for the breaking of street lights, the scattering of bottles on the highway, the cutting of trees or flowers on other peoples' lawns. There is no act which does the actor so little good and which simply makes the world the poorer as a purposeless act of wanton destruction.

The boy or girl, or for that matter the man or woman, who destroys simply to be destructive reminds me of the story a former Speaker of the House once told of a colleague. He said: "That is a most remarkable man. Every time he opens his mouth he subtracts something from the sum total of human knowledge." So with wanton destruction. The vandal makes the whole world poorer without enriching himself. Just as long as we allow boys to break windows just to hear the noise of falling glass and excuse it with the statement that "boys will be boys," we can expect those same boys, no matter what their educational opportunities, to grow up to be lawbreakers.

If a boy or girl gets the idea that it is all right to destroy property, a little later that boy or girl is mighty likely to get the idea that it is all right to take another's property for his own use. And sometimes I wonder if there is not really more justification for a thief than there is for a vandal who destroys another's property.

I believe that we all have a responsibility to protect and preserve God's beauty, that it may be used and enjoyed by countless generations. Therefore, I believe that the true conservationist is going to make a good citizen. But that leads into another and possibly even broader field, and I have already trespassed on your time.

I would, therefore, like to leave you with this thought. No one ever makes his rights secure by ignoring the rights of his neighbor, and no one ever increases his wealth by destroying the property of his neighbor or of the public, and, finally, no group can, merely by calling it a peaceful demonstration change a riot into a picnic party, nor can they justify looting and shooting by calling it free speech.

If you and I are to be free and to be secure in our freedom, we must obey the law and we must require all others to obey.

Salute to the Jeffersonville Little Leaguers

EXTENSION OF REMARKS

OF

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 16, 1965

Mr. HAMILTON. Mr. Speaker, I would like at this time to salute the Jeffersonville Little League baseball team of Indiana for representing their city and State so well in their quest for the championship in the 19th annual Little League world's series, Howard J. Lamade Memorial Field, Williamsport, Pa.

The George Rogers Clark All Stars, of Jeffersonville grand slammed their way to win the Indiana crown, then defeated an Illinois team to grab the Little League North Championship in Herrin, Ill. After winning 10 straight games in the Little League world's series tournaments, they won the chance to play Tokyo's Arakawa All Stars in the semifinals, August 26. They defeated Tokyo 18 to 0, and were defeated in the final play title contest, August 28.

Sponsored by the Lawrence Capehart Post No. 35 of the American Legion their parents, and their coaches, the George Rogers Clark All Stars of Jeffersonville, had wonderful support.

These champs are to be heartily congratulated for a fine display of ability, team coordination, and sportsmanship. They all played superbly and deserve the best.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 16, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include my newsletter to the people of the Seventh District of Alabama for July 2, 1965:

WASHINGTON REPORT

(From Congressman JIM MARTIN)

SOUTHERNERS HELP PASS SOCIALISTIC HOUSING BILL

By a slim majority of only 6 votes (208 to 202) the House approved H.R. 7984, the Housing and Urban Development Act. In an amazing reversal of southern conservatism, 24 Members on the Democrat side voted with the administration for what will probably prove to be one of the most vicious pieces of legislation ever presented to the Congress. Under this bill, the Federal Government will use money collected from all the taxpayers to subsidize rents for those unable to afford the kind of housing they would like to have.

The viciousness of this concept is explained in the minority report on the bill. It kills the incentive of the American family to improve its living accommodations by its own efforts, it kills the incentive for home ownership, it makes renters wards of the Governments, it is a system of economic integration of housing through Government subsidy, it is the way of the socialistic state. The bill will add an additional $6 billion debt over the next 40 years on the backs of the already overburdened taxpayers.

In my remarks to the House of Representatives on the bill, I pointed out:

"The real purpose behind this scheme has never been fully exposed, and that is a plan to force integration into every neighborhood in America which a Federal Administrator decides he wants integrated. When you couple this bill with the proposal to set up a Department of Urban Affairs and the probable head of that Department will be the present Administrator of the Housing and Home Finance Agency (Robert Weaver) who has made no secret of his belief in complete Federal planning in the field of housing, I dread to contemplate the consequences to the private construction industry in this Nation. I am fearful of what this provision will do to hundreds of thousands of hardworking industrious Americans who have struggled to invest in a home for their families in neighborhoods of their own choosing. This measure will open up fine residential areas to what amounts to public housing when the Government uses is economic power, through rent subsidies, to force integration and to attempt to raise the social level of many who have no other ambition than to be taken care of by the rest of us. This is wrong. It is immoral. It is a betrayal of the whole concept of private enterprise and individual initiative. It is morally wrong to saddle an additional $6 billion debt on our people for the next 40 years. It is bad enough for us to be so irresponsible with our own money, but entirely indefensible to pass it on to our children."

Senate version introduced by Alabama Senator

I am appalled that any Representative or Senator from the South could possibly support the Housing bill and especially the rent subsidy provision. Yet, 24 southern Representatives did. Also S. 2213, the Senate version of the bill containing the same rent subsidy provision was introduced by the junior Senator from Alabama.

This has been a major problem for the South for the past 25 years. Too many who speak conservatively at home vote liberal when they come to Washington. It is the voting on bills which counts. With the help of supposedly southern conservatives Congress has passed measure after measure taking away more and more of the freedom of the people, the rights of the States and has expanded Federal controls. Many times the issue has been confused, and the vote has been hidden; but in this bill the difference between the two major parties is clearly drawn, and every southern citizen should remember this vote well. Only 4 Republicans in the House voted to approve using your money collected as taxes to pay the rent for welfare families to integrate your neighborhood—204 Democrats bowed to White House pressure and voted for the bill. There is little that can be done now to stop this rent subsidy bill unless the people let their Senators know how they feel. I hope the people of Alabama will declare themselves and urge our two Senators to reverse their positions and oppose S. 2213, the Sparkman bill on housing and rent subsidies. There is time for you to write the Senator if you do not approve of this economic integration bill.

VOTING RIGHTS BILL COMING UP

The Rules Committee has cleared the way for the voting rights bill to come before the House next Tuesday, July 6. The President and his liberal majority have the votes to put it across, but those of us who still believe in constitutional limited government and the rights of the States will make a determined effort to substitute the Republican bill for the anti-South administration bill. As reported from the committee the bill is designed to punish six Southern States and will take away from Alabama and other States in our section of the country the right to determine voter qualifications or to enact election laws as guaranteed in the Constitution. This is another bill, in the long list of legislation, the purpose of which is to change the concept of this Republic from one of a government by the people to a strong Federal system or a government by bureaucratic control from Washington. The next week will be a crucial one for the future of liberty in America.

SEVEN BILLION FOR FOREIGN AID

The Johnson administration has made requests for new foreign aid funds so far this year in the amount of $7,512,467,000. If Congress approves all 15 foreign aid requests, this amount coupled with money already authorized, but not yet spent, there will be a staggering total available for foreign aid of $18,118,205,000. Only the $3 billion request for Mutual Security funds ever gets any publicity. The fact is that there are at least 15 additional programs in which the money of American taxpayers is sent to foreign countries. These programs include the Export-Import Bank; International Development Association; Peace Corps; Military Assistance Advisory Group; International Development Bank for Latin America and many others.

SENATE

Friday, September 17, 1965

The Senate met at 12 o'clock meridian, and was called to order by Hon. Thomas H. Kuchel, a Senator from the State of California.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, in the fresh mercies of yet another day we come with hearts grateful for Thy grace, praying that by a strength not our own our individual record may be kept unstained by any word or act unworthy of the creed we profess.

Thou knowest that these testing times are finding out our every weakness and calling for our utmost endeavor against the wrong that needs resistance and for the right that needs assistance.

Make us ever aware that in the most fateful struggle in human history—

"We are watchers of a beacon whose light
must never die;
"We are guardians of an altar that shows
Thee ever nigh;
"We are children of Thy freemen who
sleep beneath the sod;
"For the might of Thine arm we bless
Thee, our God, our father's God."

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., September 17, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Thomas H. Kuchel, a Senator from the State of California, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. KUCHEL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 16, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2042) to amend section 170 of the Atomic Energy Act of 1954, as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4750) to provide a 2-year extension of the interest equalization tax, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary was authorized to meet during sessions of the Senate Tuesday and Wednesday of next week.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

The Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor.

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I also report favorably sundry nominations in the Public Health Service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Henry Bosshard, and sundry other candidates, for personnel action in the regular corps of the Public Health Service.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. COAST GUARD

The legislative clerk proceeded to read sundry nominations of officers to be permanent commissioned officers in the Coast Guard.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE CALENDAR

On request of Mr. Mansfield, and by unanimous consent, the following calendar measures were considered and acted upon as indicated, and excerpts from the committee reports thereon were ordered to be printed in the Record, as follows:

THE MANAGEMENT OF THE NATIONAL DEBT AND TAX STRUCTURE

The Senate proceeded to consider the bill (S. 1013) to clarify the components of and to assist in the management of the national debt and the tax structure which had been reported from the Committee on Finance with amendments on page 1, line 8, after the word "liabilities," to insert "and the unfunded liabilities"; and, on page 2, line 8, after the word "probable", to strike out "risk" and insert "risk, and shall also set forth all other assets available to liquidate liabilities of the Government"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall, on or before March 31 of each year (beginning with 1966), submit to the Senate and the House of Representatives a report setting forth, as of the close of December 31 of the preceding year, the aggregate and individual amounts of the contingent liabilities and the unfunded liabilities of the Government, and of each department, agency, and instrumentality thereof, including, without limitation, trust fund liabilities, Government-sponsored corporations' liabilities, indirect liabilities not included as a part of the public debt, and liabilities of insurance and annuity programs, including their actuarial status on both a balance sheet and projected source and application of funds basis. The report shall also set forth the collateral pledged, or the assets available (or to be realized), as security for such liabilities (Government securities to be separately noted), and an analysis of their significance in terms of past experience and probable risk, and shall also set forth all other assets available to liquidate liabilities of the

Government. The report shall set forth the required data in a concise form, with such explanatory material as the Secretary may determine to be necessary or desirable, and shall include total amounts of each category according to the department, agency, or instrumentality involved.

Mr. DIRKSEN. In the absence of the Senator from Massachusetts [Mr. SALTONSTALL], I think I should say, with respect to this bill, that what he proposes is to set up a complete balance sheet for every activity of government. That has never been done before, and I think it will prove to be one of the most useful documents that the Senate will ever have authorized. I may wish to amplify my remarks on it at some later time.

Mr. SALTONSTALL subsequently said: Mr. President, while I was absent for a few minutes when Senator DIRKSEN spoke on this bill I would like to speak briefly on the need for better reporting of the Federal debt. I am very pleased that the Senate today passed my bill, S. 1013.

We now have a statutory national debt of $318 billion, and also acknowledge in addition contingent debt and Federal guarantees of about $400 billion. Actual payments under guarantees will, of course, be much smaller than that, and many of the accounts are covered by adequate reserves. But, this bill is concerned with a growing area of Federal debt which is reported sporadically or not at all. The amount here may approach a trillion dollars. At present we do not know.

In 1957, I introduced legislation to require the regular reduction of the statutory Federal debt in years when no national emergency existed. Friends have pointed out to me that we have been in a state of continual national emergency and, furthermore, while our statutory debt has been increasing, our unreported Federal liabilities have been increasing even faster and are not even fully known. Realizing the importance of this area, in the next Congress, I included in my debt reduction bill, a requirement for reports on this unreported debt. In the 87th Congress, when the international situation continued to be difficult, I decided that it would be best to concentrate on the better reporting of the Federal debt, for all our debt has had to increase regularly in order to meet the growing liabilities of the Federal Government.

We have many kinds of Federal obligations—salaries, real estate leases—at my suggestion a full report on these and real estate owned is now made each year to the Senate Appropriations Committee, copies are available to those people interested—procurement of goods and services, and others including some of our international obligations. Reports are made on many of these items, while others are less well recognized.

A very important area, however, which, as I say, is reported sporadically or not at all, is that of future payments for past services rendered, such as retirement funds, social security funds, and other types of payments with insurance characteristics. Both on an annual operating basis, and on a capital or balance sheet basis, the total amount of these Federal Government liabilities is very large.

Some of these obligations are carried under separate trust funds, such as social security or civil service retirement. Others are provided for under annual appropriations. But, in all cases, the payee looks to the Federal Treasury for his security, and this we must guarantee.

I believe strongly that under these circumstances we should know the size of these obligations and, more important, the public is entitled to know what the status of these funds is. If a special fund is assigned to make the payment, will the money be in the fund? If the money is to be appropriated on an annual basis, what will be the effect on the Federal budget? These are two vital questions which many householders try to ascertain for themselves in their own affairs. We in the Federal Government should attempt to do likewise.

Recently, I asked the Treasury Department, which in past years during discussion of my earlier bills has offered to make statements available to Members of Congress, what figures they could give me. I attach the table they sent me in response. I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Annuity and pension systems of the Federal Government

Title	Most recent actuarial valuation	Valuation interest rate	Actuarial deficit	Supported by cash projection (yes or no)
Federal civilian employees retirement systems:		*Percent*	*Millions*	
Civil Service	June 30, 1963	3.5	$34,060	No.
Foreign Service	Dec. 31, 1962	4.0	203	Yes.
Retirement system of the Tennessee Valley Authority	June 30, 1964	3.5	39	No.
Federal judiciary	(1)			
Judiciary of territories	(1)			
Judiciary of District of Columbia	(1)			
Judicial survivors annuity fund	Dec. 31, 1961	3.0	13	Yes.
Judiciary of Tax Court	(1)			
Tax Court judges survivors annuity fund	(1)			
Social security:				
Old-age, survivors, and disability insurance system	Jan. 1, 1962	3.0	321,000	Yes.
Railroad retirement system	Dec. 31, 1962	3.0	4,244	No.
Uniformed services retirement systems:				
Retired pay, Defense	July 1, 1963 [2]	3.0	55,200	No.
Retired pay, U.S. Coast Guard (includes lighthouse and lifesaving services)	June 30, 1963 [2]	3.0	744	No.
Retired pay of commissioned officers, Coast and Geodetic Survey	(1)			
Veterans benefit programs:				
Veterans compensation program (service-connected disability or death)	(1)			
Veterans pension program (Non-service-connected disability or death or for service)	(1)			
Servicemen's indemnity program	(1)			
Miscellaneous:				
District of Columbia teachers' retirement system	June 30, 1961	3.0	101	Yes.
Policemen and firemen's retirement and disability, District of Columbia	Dec. 31, 1952	3.0	92	No.
Annuities under special acts:				
Panama Canal construction workers	June 30, 1953	3.0	17	No.
Widows of former employees of the Lighthouse Service	(1)			
Federal Employees' Compensation Act	(1)			
Board of Governors plan of the Federal Reserve banks retirement system	Feb. 28, 1963	3.0	None	No.

[1] Not available.
[2] Not a formal actuarial study; based on estimates.

NOTE.—This table was compiled from the latest available actuaries' statements or other official sources. By nature, the concept of an actuarial deficit (often called unfunded liability) rests on broad assumptions which are subject to wide variation. Besides the interest rate assumption, 2 of the most common are the assumption that general salary scales will remain constant, and the assumption that there will be no change in existing benefit provisions. It cannot be said that the bases for the various components of the tables are entirely uniform.

There are 2 different concepts of actuarial deficit as used by the actuaries in their development of the data. All systems listed except the old-age, survivors, and disability insurance and the railroad retirement use a concept based primarily on the accrual of benefits for past services, disregarding the provision, or lack of provision, for financing future contributions to the fund. In the computation of the deficit for OASDI and RR the concept which is used is based on past service benefit accruals, plus future service benefit accruals to the extent not covered by existing financing provisions. Both concepts are defined in terms of the existing covered group, assuming no new entrants to the respective systems. The validity of this latter assumption as a basis for expressing actuarial status, particularly for the national compulsory social insurance system, has been seriously questioned as being "artificial and unrealistic," and as a result the unfunded liability for OASDI "is not significant from a long-range financing standpoint." (See Robert Myers' "Actuarially, We're in Balance," OASIS: June 1963.) In their 23d annual report dated Feb. 28, 1963, for OASI and DI trust funds, the Board of Trustees stated "that the system as a whole remains in close actuarial balance."

A general definition of an actuarial deficit may be stated as the present value of future benefits, less the present value of future normal contributions, less the existing fund. For example, the civil service retirement concept differs from the OASDI concept only insofar as they use different assumptions for the flow of future contributions for the closed group. The civil service retirement system computation is based on "normal contributions" which roughly approximate the amounts that would have to be paid into the fund each year to cover the benefits accruing from that year's service (whether or not the contributions are likely to be made is not a consideration in the computation of the actuarial deficit as of any given date; but if the normal contributions are not made. the deficit continues to increase—other things being equal). The OASDI computation, on the other hand, is based on scheduled contributions under existing law, or. in other words, estimated future contributions by the existing group or covered employees and employers at the rates presently prescribed by law.

Mr. SALTONSTALL. You will note that the actuarial evaluations in cases such as social security and civil service have not been figured for a number of years, and in other cases less important have not been figured at all. The fact that we have had several increases in retirement benefits since those evaluations were made only increases the problem.

Besides those mentioned in the above table, there are a number of other insurance-type programs such as FHA programs, ship mortgage programs and FDIC. Payment forecasts for these are much more difficult than for the pension, for the actuarial calculations have more guesswork in them. But, better reports to the best of the Federal Government's ability, should also be made on these. Category totals are now listed under the contingency statement, but not the predicted payments.

I am awfully pleased that the Finance Committee has seen fit to report my bill favorably and the Senate has passed it unanimously. Last year following Senate passage, the House was unable to take it up in the Ways and Means Committee due to the long hours spent on the tax cut. I hope that this year they will have an opportunity to act on it, and to send it to the President during this Congress. There is a need for better management of our budget in this area, and it is my hope that this bill will contribute to improved responsibility in our Federal Government's affairs.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXCERPT FROM THE REPORT

SUMMARY OF THE BILL

This bill would require the Secretary of the Treasury to submit annually to the Congress a brief report setting forth the amounts of the contingent and unfunded liabilities of the Federal Government, including those of agencies and instrumentalities of the Government.

GENERAL STATEMENT

In the past it has been the practice of the Federal Government to determine its financial requirements on an annual basis. This bill does not depart from this practice. However, an annual system of budgeting does not present a complete picture of the financial condition of the United States because it fails to depict numerous categories of Federal obligations and commitments which are subject to contingencies. Similarly, it fails to reveal fully those situations where Congress has enacted spending authorizations, but has not specifically appropriated the moneys needed to fulfill the statutory commitment.

Moreover, by present methods, U.S. liability under many of its insurance and guarantee programs is difficult to measure and analyze. This is because sufficient information regarding these programs either is not available at all, or if it is available, it is inadequately presented.

In many cases information with respect to contingent liabilities of specific governmental programs now is available only in reports of specific agencies or corporations. However, these data frequently lose much of their usefulness because they are not combined with similar data with respect to other programs. Thus, although part of this information may now be available it is not published in one place or on a uniform basis, and does not facilitate understanding of the current financial condition of the United States.

Your committee believes that it is desirable to make available in a single, concise report, pertinent information with respect to the current status of the contingent liabilities of the Federal Government, including its long-range obligations and commitments. Indeed, the committee recognizes a responsibility to make available in such a report—as clear and complete as possible—the overall financial condition of our Government. Such a report, consolidating information now available only in part in many diverse reports with information which is not now available at all, will enable the Congress to have a better understanding of the current fiscal needs of the Federal Government.

For this reason, the committee has approved, and recommends enactment of a bill requiring the Secretary of the Treasury to submit to the Congress, by March 31 of each year, a report showing the amount (both on an aggregate and on an individual basis) of the contingent liabilities and the unfunded liabilities of the Federal Government determined as of December 31 of each year, commencing with 1966.

The contingent liabilities referred to by the bill include (1) liability of the Government under its various trust funds, such as the old age and survivors insurance trust fund and the highway trust fund; (2) liabilities of Government-sponsored corporations (for example, the Commodity Credit Corporation); (3) indirect liabilities of the Federal Government not included as part of the public debt, such as Federal Housing Administration debentures; and (4) liabilities of Federal insurance and annuity programs.

Under the bill, data with respect to these insurance and annuity programs (which include the civil service retirement system, veterans' pension, and war risk insurance programs) is to include information regarding their actuarial status on both a balance-sheet basis and a projected source-and-application-of-funds basis.

Where appropriate, the report is also to indicate the collateral pledged, or the assets available, as security for the specified liabilities, and an analysis of their significance in terms of past experience and probable risks. Thus, for example, in the case of federally insured home mortgages the assets available on foreclosure may, in favorable circumstances, offset the potential Federal liability. But the reporting of assets is not to stop with a recording of assets related to the liabilities. Under a committee amendment the Secretary of the Treasury is to set forth all other assets which would be available to liquidate liabilities of the Federal Government.

In order to provide flexibility and to present data included in the report from being misconstrued or misleading, the bill provides that the Secretary of the Treasury may set forth such explanatory material as he determines to be necessary or desirable. Under this provision, if he believes particular data are likely to lead to improper conclusions, he may qualify that data sufficiently to negate such conclusions.

Although the Bureau of the Budget does not favor the bill, in its report to the committee on a virtually identical bill in the 88th Congress (dated Dec. 12, 1963), it indicated its agreement with the objectives of the bill as follows:

"We agree with the objectives of S. 2281 that the Congress and its committees should have available whatever information they need with respect to the financial status of the Government. In accordance with this objective, the Treasury Department has been preparing, semiannually, for a number of years, a statement on long-range commitments and contingencies of the U.S. Government. The Bureau of the Budget has on occasion worked informally with Treasury staff on this matter, and consideration has been given to possible extensions and refinements of the data. I believe that more can be done in this respect and, together with the Treasury Department, we shall work with the responsible Government agencies to this end.

"If, in addition, your committee or any other committee of the Congress would like to have particular tabulations, such as those described in S. 2281, we believe it would be appropriate to ask the Treasury Department to supply them when needed. However, we believe the nature of such tabulations should be left flexible, to be determined from time to time, rather than being fixed in a statute."

It is the opinion of the Committee on Finance, as already indicated, that the bill, as reported, preserves the flexibility of tabulations urged in the departmental report.

Moreover, the committee fully recognizes the desirability of refining data now being compiled in order to make it more meaningful and useful, and the bill as reported permits this. By drawing together tabulations regarding contingent liabilities of various departments, agencies, and Government-sponsored corporations, no doubt the Treasury Department will find new ways by which statistical refinements can be made, and tabulating methods improved. This can only serve to increase the quality of the report required by the bill.

The report will fill a need which has been felt by the Congress for many years.

TWO ADDITIONAL JUDGES FOR THE U.S. COURT OF CLAIMS

The Senate proceeded to consider the bill (S. 1804) to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional associate judges for the Court of Claims.

(b) In order to reflect the changes in the number of permanent associate judges of the Court of Claims caused by this section, section 171 of title 28 of the United States Code is amended by striking out the word "four" in the first sentence thereof and inserting in lieu thereof the word "six".

SEC. 2. Section 175 of title 28, United States Code, in its present form is stricken, and the following section is inserted as section 175 of title 28 of the United States Code:

"§ 175. Assignment of judges; divisions; hearings; quorum; decisions

"(a) Judges of the Court of Claims shall sit on the court and its divisions in such order and at such times as the court directs.

"(b) The Court of Claims may authorize the hearing and determination of cases and controversies by separate divisions, each consisting of three judges. Such divisions shall sit at the times and places and hear the cases and controversies assigned as the court directs.

"(c) Cases and controversies shall be heard and determined by a court or division of not more than three judges, unless a hearing en banc is ordered by the court or by the chief judge. The court en banc for an initial hearing shall consist of the judges of the Court of Claims in regular active service. In case of a vacancy in the court or of the inability of a judge thereof in regular active service to sit, a justice or judge assigned to the court pursuant to chapter 13 of this title shall be competent to sit in the court en banc when designated by the court to do so.

"(d) A rehearing en banc may be ordered by a majority of the judges of the Court of Claims in regular active service. The court en banc for a rehearing shall consist of the judges of the Court of Claims in regular active service. A judge of the Court of Claims who has retired from regular active service shall also be competent to sit as a judge of the court en banc in the rehearing of a case or controversy if he sat on the court or division at the original hearing thereof.

"(e) Two judges shall constitute a quorum of a division of the Court of Claims, four judges shall constitute a quorum of a court en banc.

"(f) A majority of the judges or justices who actually sit on the court or division or court en banc must concur in any decision."

SEC. 3. Item 175 in the analysis of chapter 7 of title 28 of the United States Code, immediately preceding section 171, is amended to read as follows: "175. Assignment of judges; divisions; hearings; quorum; decisions."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXCERPT FROM THE REPORT

STATEMENT

The proposed legislation was approved by the Judicial Conference of the United States at its recent session in March 1965. The court at present has a complement of five judges. This is the same number that it had in 1863. In the ensuing 100 years only one major request has been made to the Congress in assisting the court's business. That was in 1925 when the Congress authorized the court to appoint a staff of five commissioners to assist in trying the mass of cases that followed World War I. Subsequently this was increased to 15 trial commissioners.

In the letter of transmittal of the Administrative Office of the U.S. Courts, the need for the additional judges is based on the increase over the past several years in the backlog of cases in the judges' docket that despite the work of the trial commissioners, the number of opinions which they have filed and which have been adopted by the court has not been sufficient to obviate the need for additional judges. The creation of the backlog of cases is not due primarily to an increase in the total number of suits filed in the court, but mainly because of the substantial increase in the number of lengthy, complex cases. Many of the cases to be decided fall in the category of protracted litigation. Chiefly, these include suits for breach of contracts entered into with the Government, suits for infringement of patents by the Government, appeals from the Indian Claims Commission, and a substantial number of actions brought for the refund of taxes. In addition the requirement of 28 U.S.C. 175 that concurrence of three judges is necessary to any decision, in effect provides that the cases must be heard en banc by the whole court, has slowed the decisionmaking process. This legislation would also allow the Court of Claims to sit in divisions, as well as en banc. The court has tried to keep abreast of its work by using other devices, such as the disposition of motions without hearing, adoption of commissioners' opinions wherever appropriate, and the use of retired or assigned judges whenever they are available. Despite these efforts the court has continually fallen behind in the disposition of cases.

Hearings were held on this legislation on June 10, 1965, and these hearings indicated to the committee that the legislation was meritorious. As stated above, the legislation is sponsored by the Judicial Conference of the United States.

REMOVAL OF CIVIL ACTIONS FROM STATE TO FEDERAL COURTS

The bill (H.R. 3989) to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of H.R. 3989 is to extend from 20 to 30 days the time allowed under section 1446(b) of title 28, United States Code, for filing petitions for removal of civil actions from State courts to Federal courts.

STATEMENT

The facts and justification for this legislation are contained in House Report 132 on H.R. 3989, and are set forth as follows:

"This legislation was introduced at the request of the Judicial Conference of the United States. In a recent study, a subcommittee of the Judicial Conference Committee on Revision of the Laws concluded that the existing 20-day period for filing a petition for the removal of a civil action from a State court to a Federal court is too short to permit the removal of many actions as to which valid grounds of removal exist. In its letter to the Speaker of the U.S. House of Representatives, the Administrative Office of the U.S. Courts says in part as follows:

" 'The difficulty arises largely because of State provisions for substituted service on nonresident defendants by service on the secretary of state or other State officer as the agent of the nonresident. Where such substituted service is effected, there is frequently an understandable delay in procuring local counsel. By the time local counsel is obtained the 20 days for filing the removal petition frequently has run and the right to removal is thus lost. This is true particularly where an insurer assumes the defense and it is necessary for the defendant to turn the papers over to the insurer who in turn must forward them to local counsel. The time to answer after substituted service is in excess of 20 days in 30 States. In the majority of these States such time is 30 days, in others longer and in some shorter.'

"The Department of Justice, in the 88th Congress, favorably reported with respect to identical legislation (H.R. 5906, 88th Cong.).

"The bill would simply amend subsection (b) of section 1446, title 28, United States Code, by striking out the word 'twenty' where it appears and substituting the word 'thirty', thereby extending by 10 days the period within which removal petitions may be filed."

After a review of all the foregoing, the committee concurs in the action of the House of Representatives and recommends that the bill, H.R. 3989, be considered favorably without amendment.

MYRA KNOWLES SNELLING

The bill (H.R. 4596) for the relief of Myra Knowles Snelling was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay $7,500 to Myra Knowles Snelling in full settlement of her claims and resulting disability sustained in 1955 when, as a child, she was leaving an Army chartered schoolbus and was struck by a car. The bill would further provide for a payment to her father of $473.55 for unreimbursed medical expenses.

HEIRS AND DEVISEES OF FLY AND HER GROWTH, DECEASED LOWER BRULE INDIAN ALLOTTEES

The bill (S. 1049) to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Her Growth, deceased Lower Brule Indian allottee, numbered 267, the sum of $1,289.96 for distribution to the persons entitled thereto.

SEC. 2. The heirs and devisees, immediate and remote, of Fly, deceased Lower Brule Indian allottee, numbered 266, are hereby relieved of all liability to reimburse the United States for any payments erroneously made to them representing revenues from the allotment of Her Growth, deceased Lower Brule Indian allottee, numbered 267: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to pay the sum of $1,289.96 for distribution to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees, and to relieve from liability those who received erroneous payments.

IRENE McCAFFERTY

The bill (H.R. 1395) for the relief of Irene McCafferty was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve Mrs. Irene McCafferty of all liability to repay $303.20, representing overpayment of salary made to her because of an administrative error from April 3, 1960, to June 9, 1963, while employed by the Maritime Administration in San Francisco, Calif. The bill provides for a refund of amounts repaid or withheld because of the liability.

JOHN ALLEN

The bill (H.R. 2694) for the relief of John Allen was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to relieve John Allen of liability to repay $1,035.79, the amount of an overpayment of salary between January 10, 1960, and January 10, 1962, while he was employed by the Military Sea Tranportation Service, and to authorize a refund to him of any amounts repaid by or collected from him in complete or partial satisfaction of the indebtedness.

LT. (JG.) HAROLD EDWARD HENNING, U.S. NAVY

The bill (H.R. 4603) for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy, was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve Lt. Harold Edward Henning, U.S. Navy, of Emporia, Kans., of liability to the United States in the amount of $3,847.11, representing the total amount of overpayments of compensation paid to him by the U.S. Navy as the result of an administrative error in determining the amount of service that should be credited to him for pay purposes. Section 2 of this bill would pay to Lieutenant Henning an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of the bill.

SGT. DONALD R. HURRLE

The bill (H.R. 5839) for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps, was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve Sgt. Donald R. Hurrle, U.S. Marine Corps, of all liability for repayment to the United States of the sum of $129.49, representing the amount of compensation earned by him during the period July 30 through August 8, 1963, as an employee of the Bostonia station of the El Cajon, Calif., post office when, through a misunderstanding, he continued his employment at the post office while officially in the Marine Corps on advance leave. The bill would also authorize a refund of any amounts withheld.

CECIL GRAHAM

The bill (H.R. 5902) for the relief of Cecil Graham was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to waive the applicable limitations of the Internal Revenue Code of 1939 and 1954 so as to permit the filing and consideration of a claim for refund by Cecil Graham, of Oklahoma City, Okla., for income taxes he erroneously paid on civil service retirement payments he received by reason of his disability retirement in the period from April 1, 1947, to November 15, 1955.

MR. AND MRS. CHRISTIAN VOSS

The bill (H.R. 7682) for the relief of Mr. and Mrs. Christian Voss was considered, ordered to a third reading, read the third time, and passed.

NATIONAL FARMERS WEEK

The joint resolution (S.J. Res. 27) providing for the establishment of an annual National Farmers Week was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the seven-day period beginning on the first Sunday of April in each year is hereby designated as National Farmers Week, and the President is requested to issue annually a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to provide for the establishment of an annual National Farmers Week, and the President is requested to issue annually a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

STATEMENT

The farmers of America are one of our Nation's greatest resources and assets. Directly and indirectly they are doing more and more for our country each year. While producing more and better food, America's farm families have been sending workers into other areas of the economy—into the professions, manufacturing, business, and the services. Our industrial development has been due in great measure to the increased food production, thereby substituting increased skills and technology for farmworkers.

One hundred years ago one farmworker supplied food and fiber for only five persons. Today 1 worker on 1 farm can supply food and fiber for nearly 30 persons. Farmers give the Nation a large share of their business in many diversified fields. They spend over $2 billion a year for trucks, tractors, and other equipment. They use more petroleum than any other industry and over $2 billion a year is spent for farm maintenance, fuel, and lubricants. It would take the people of North Dakota 6 years to use the kilowatt consumption needed by America's farms for just 1 year. The farm business creates millions of jobs for fellow Americans. Ten million people have jobs storing, transporting, processing, and merchandising the products of agriculture. Over 6 million have jobs providing the supplies farmers use. Thousands in rural communities across the country make their livings providing services required by farmers.

Senate Joint Resolution 27 would in a small way recognize the work of these men, women, and children who live and work on the Nation's family farms. They who contribute so much to the wealth of America deserve the special week's recognition given them in this resolution.

Accordingly, the committee recommends favorable consideration of Senate Joint Resolution 27 without amendment.

"DAY OF RECOGNITION" FOR FIREFIGHTERS

The joint resolution (S.J. Res. 86) to authorize the President to proclaim a "Day of Recognition" for firefighters was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 86

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating May 4 of each year as a "Day of Recognition" of the personal sacrifices and devotion to duty of firefighters in the United States of America in protecting lives and property in their communities; and calling upon the people of the United States to observe such day with appropriate ceremonies.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating May 4 of each year as a "Day of Recognition" for firefighters.

STATEMENT

Our country's firemen are part of our American heritage since Benjamin Franklin first organized the volunteer fire brigade in 1736. The services of firefighters has withstood all the changes of time. The increasing population in county areas impels firemen to seek new ways to remind residents of the hazards found in homes which firemen must protect. A firefighters "Day of Recognition" will bring attention to the contributions that all firemen throughout the United States give to make all of our communities a safer place to live. By observing May 4 as a "Day of Recognition" for firefighters, our Nation will be firmly reminded of the efforts of these men, and it will provide all of our citizens with an opportunity to extend their thanks to them.

The committee, therefore, is of the opinion that this resolution has a meritorious purpose and, accordingly, recommends favorable consideration of Senate Joint Resolution 86, without amendment.

NATIONAL TEACHERS' DAY

The joint resolution (S.J. Res. 90) to designate the 7th day of November in 1965 as "National Teachers' Day" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 90

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the 7th day of November in 1965 is hereby designated as "National Teachers' Day," in appreciation of the dedicated services of the teachers of this country. The President is authorized and requested to issue a proclamation inviting the people of the United States to observe such day with appropriate ceremonies and activities.

The ACTING PRESIDENT pro tempore. Without objection, the preamble is agreed to.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to designate the 7th day of November in 1965 as "National Teachers' Day."

STATEMENT

National Teachers' Day is a fitting way to honor and praise the teachers of America. We honor their service, spirit, and dedication. No group contributes more importantly to the future of the United States.

Teachers play a vital role in training our youth today, to become the responsible citizen of tomorrow. They not only teach or instruct, but guide, encourage, and lead and this takes interest, understanding, and potent effort under often trying conditions.

Teachers frequently have provided the impetus to their students for further achievement and contribution to society. One teacher, as in the case of President Johnson, can encourage a pupil and influence the shape of his future life. Many great Americans owe their first inspiration to their teachers.

It is imperative that this country have good schools. But our schools are only as good as our teachers. It is necessary to remind the citizens of this country of the contribution teachers make to the national welfare and to the growth of the individual child, although their contribution can never be sufficiently honored. Proclamation of National Teachers' Day is a small, yet tangible way to demonstrate our appreciation for all our teachers, the elementary, secondary, and college teachers, the teachers of the exceptional child and the teachers of vocational skills, who have done so much for America.

The committee believes it appropriate to give recognition to the spirit, dedication, and services rendered by the teachers of this country by accordingly designating the 7th day of November of this year as "National Teachers' Day." The committee, therefore, recommends favorable consideration of Senate Joint Resolution 90, without amendment.

THE YEAR OF THE BIBLE

The joint resolution (S.J. Res. 101) to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 101

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation (1) designating the calendar year of 1966 as "The Year of the Bible", in recognition of the place of the Bible in the culture of our country and of the role performed by the American Bible Society in Bible translation, production, distribution, and reading; and (2) inviting the governments of States and communities and the people of the United States to observe such year with appropriate ceremonies and activities to the end that all our people may have a better knowledge and appreciation of the Holy Scriptures.

The ACTING PRESIDENT pro tempore. Without objection, the preamble is agreed to.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating the year of 1966 as "The Year of the Bible" in recognition of the place of the Bible in the culture of our country and of the role performed by the American Bible Society in Bible translation, production, distribution, and reading.

STATEMENT

The Bible has been a vital force in the lives of Americans for more than three centuries, and the tradition of Bible reading has been supported by the American Bible Society, a nonprofit, nondenominational organization, for the 150 years since its founding.

Following the American Revolution, the new Nation was largely without a supply of Bibles. Presses operating in the Old World had been cut off to America for 2 years. The few Bibles available were far too expensive for the majority of Americans to purchase them. People moving west often were forced to settle in areas without a church and without access to a Bible. Also, this was the age of the missionary. Those who had gone overseas were pleading with their home offices to provide Bibles in the native tongues of the areas where they worked. Missionary translations lay unpublished for lack of funds and facilities to produce inexpensive editions. There was a great need for cooperation in meeting these problems, and the cooperative effort was begun with the founding of the American Bible Society in 1816 under the direction of Dr. Elias Boudinot, then president of the New Jersey Bible Society and a past president of the Continental Congress.

The goal of the society at that time and ever since has remained constant—to make the Scriptures available and meaningful everywhere. To this end the American Bible Society has donated Bibles to the personnel of our armed services and to the armed services of other nations. They have published Bibles in more than 500 languages, often making the Bible available in a specific language for the first time. For instance, portions of the Bible have been published recently in Bafia, Cashibo, and Ilongot. In this translation effort the American Bible Society has been joined by other Bible societies.

Prompted by a special concern for the blind, the society produces the Scriptures in braille and on recordings. They continue in all ways to do their best in meeting the challenges of the times—increasing secularism, newly literate peoples, and the Communist drive toward atheism. Their record of service is long and continuous.

Senate Joint Resolution 101 would serve as a tribute to the notable past achievements of the society, an incentive to present purposes, and an expression of confidence in the future of this distinguished organization.

The committee believes that this legislation has a meritorious purpose and accordingly recommends favorable consideration of Senate Joint Resolution 101, without amendment.

Mr. PELL. Mr. President, speaking both as a Senator from Rhode Island and as a vice president of the American Bible Society, I wish to record at this time my great satisfaction in the Senate's approval today of my resolution, Senate Joint Resolution 101, which authorizes and requests the President to proclaim the calendar year 1966 as "The Year of the Bible."

This resolution would provide official, and I believe most appropriate, commemoration of the 150 years of nonprofit, nondenominational work by the American Bible Society in publishing and distributing the Bible throughout the world. Starting in an era when the society was in many instances the sole agent for supplying the Bible on the expanding frontier of the United States, the American Bible Society now has grown into an immense publishing and distribution house for a worldwide readership. Last year, the society distributed over 25 million publications in the United States and over 48 million abroad. In 1964 it published at least some part of the Bible in 1,232 languages.

The universal, pervasive influence of the society has been widely recognized for many years. Both President Johnson and President Kennedy consented to serve as honorary chairmen of the Society, as did Presidents Eisenhower, Truman, and Roosevelt before them. Now, it seems to me especially appropriate that this tradition of public and official commemoration be given special emphasis as we mark a century and a half of service by this great organization. It is especially timely that Congress act now to authorize the commemoration in order that preparations be made now to designate 1966 as the "Year of the Bible." I do hope our colleagues in the House will be able to take similar action soon.

REMOVAL OF CERTAIN RESTRICTIONS ON THE AMERICAN HOSPITAL OF PARIS

The Senate proceeded to consider the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after line 8, to insert a new section, as follows:

SEC. 2. Section 9 of said Act is amended by striking out: ": *Provided,* That at no time shall said corporation hold real estate except for the necessary use of office and hospital purposes of said hospital".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF AMENDMENT

The amendment is recommended by the Department of State. The purpose of the amendment is to remove the limitation contained in the charter restricting the American Hospital's general power to hold real estate for general investment purposes.

PURPOSE

The purpose of the bill, as amended, is to remove two limitations in the basic charter of the American Hospital of Paris pertaining to total value of property which the American Hospital of Paris may own, and removing the limitation on the hospital's general power to hold real estate for general investment purposes.

STATEMENT

The American Hospital of Paris was granted a Federal charter by act of Congress in 1913. The purpose of the corporation was "to establish, maintain, and conduct in the city of Paris, Republic of France * * * a hospital to furnish * * * medical and surgical aid and care to the citizens of the United States of America * * *."

For over 50 years the hospital has served the American community in France and Americans traveling in Europe. Since World War II it has provided medical services to U.S. Armed Forces for the use of military patients.

The hospital is a nonprofit institution, without any governmental or other subsidy whatsoever. Its income is derived from charges to patients, donations, and the return on its endowment. American patients are admitted on a priority basis irrespective of their ability to pay the hospital charges. American indigent patients are given free care.

The hospital is supervised by a board of governors, composed of 20 members, all of whom must be American citizens. The American Ambassador to France is the honorary president of the board.

The charter which Congress granted in 1913 contained a limitation of $2 million on the value of property which the hospital could own (37 Stat. 654). The limitation was subsequently increased to its present ceiling of $8 million in 1929 (46 Stat. 11). Since 1929, property values have risen, the hospital's facilities have expanded and costs of operation have increased. Thus, the hospital is in need of maintaining a larger amount of assets to increase its income. The committee has concluded that the present charter limitation unduly and unnecessarily restricts the hospital's present and future ability to fulfill its purposes. The elimination of all restrictions on the value of assets which the hospital may own appears more practical than merely raising the permissible limit. In this respect the bill would conform this charter to those recently granted by the Congress.

The committee is advised that it is the policy of the hospital to invest its endowment funds and to purchase items of hospital equipment whenever possible in the United States. Thus, the bill is not likely to have any significant adverse balance-of-payments consequence.

The provision in section 9 of the hospital's charter forbidding it to hold real estate as an investment, was imposed in 1913 for the same reasons as the asset limitation in section 2 and in logic it falls with that section. The original debates in the House of Representatives as reported in the CONGRESSIONAL RECORD of that date show that both limitations were adopted out of a mistaken fear that the corporation might be used to accumulate property for the purpose of avoiding the payment of State, real estate, and income taxes. Such fears have, of course, been proven unjustified, and the hospital's 50 years of public service surely belie the notion that it will be used for tax avoidance.

The hospital might be bequeathed real estate which is not immediately utilizable for hospital purposes but which, for various reasons, could not be immediately sold. Under the present restriction in section 9 of the charter, it might be maintained that the hospital could not even accept a bequest of real estate unless the real estate could be utilized directly and at once for hospital purposes.

It also seems undesirable to restrict the hospital's general power to hold real estate for general investment purposes. In the event that there were a substantial bequest to the hospital in French francs or other foreign currency, which could not readily be converted into dollars and, therefore, had to be invested locally, it might very well be that real estate would be a safer and more prudent investment than, for example, purchase of securities on the Paris Bourse. Most European equity securities have traditionally extremely low yields. Certainly over the last 10 years, sophisticated investors in France have preferred real estate investments, and their judgment has been justified. Real estate values have risen very substantially, whereas the value of French stocks and bonds has tended to decrease rather than increase.

Such a restriction on real estate holdings would appear inappropriate in the case of endowed institutions in the United States. The American Hospital should be permitted to follow the same kind of flexible investment program, and, to the extent that it had to have foreign investments, should be able to follow European investment patterns, rather than be obliged to invest in low-yield foreign securities.

The committee is of the view that the American Hospital of Paris has performed and is performing valuable services for Americans abroad. Accordingly, the committee recommends the enactment of the legislation.

WARREN F. COLEMAN, JR.

The bill (S. 331) for the relief of Warren F. Coleman, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 331

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Warren F. Coleman, Junior, an employee of the Department of the Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $1,253.07, representing the amount of overpayments of salary received by the said Warren F. Coleman, Junior, for the period from July 10, 1955, through February 24, 1962, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Warren F. Coleman, Junior, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of this legislation is to relieve Warren F. Coleman, Jr., of all liability to repay to the United States the sum of $1,253.07, representing an overpayment of salary received by him from the Department of the Air Force.

F. F. HINTZE

The bill (S. 337) for the relief of F. F. Hintze was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 337

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That F. F. Hintze, 112 University Street, Salt Lake City, Utah, is relieved of all liability to the United States with respect to accrued rentals in the amount of $1,280.00 claimed to be due the United States under oil and gas lease, serial Cheyenne 066038.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to relieve the claimant, F. F. Hintze, of all liability to the United States with respect to accrued rentals of $1,280 due the United States under oil and gas lease Cheyenne 066038.

MARY F. MORSE

The bill (S. 577) for the relief of Mary F. Morse, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mary F. Morse, an employee of the Department of the Army, is hereby relieved of all liability for repayment to the United States of the sum of $7,301.36, representing the amount of overpayments of salary received by the said Mary F. Morse for the period from July 2, 1963, through October 20, 1964, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mary F. Morse, referred to in the first section of this Act, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to relieve Mary F. Morse, an employee of the Department of the Army, of all liability for repayment to the United States of the sum of $7,301.36, representing the amount of overpayments of salary received by the said Mary F. Morse for the period from July 2, 1963, through October 20, 1964, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

BETTY H. GOING

The bill (H.R. 1221) for the relief of Betty H. Going was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the proposed legislation is to pay $4,718.44 to Betty H. Going in full settlement of her claims against the United States for the proceeds of a life insurance policy of the Guardian International Life Insurance Co., of Dallas, Tex., in which she was named as the alternate beneficiary, issued on the life of her brother, the late Sgt. Walker D. Howle, which policy lapsed because of the nonpayment of premiums by the Government in accordance with an allotment.

EFSTAHIA GIANNOS

The bill (H.R. 2926) for the relief of Efstahia Giannos was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of the alien adopted child of a U.S. citizen.

KIM JAI SUNG

The bill (H.R. 2933) for the relief of Kim Jai Sung was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States. The bill waives the limitation of two orphan petitions.

SON CHUNG JA

The bill (H.R. 3062) for the relief of Son Chung Ja was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States.

MRS. ANTONIO DE OYARZABAL

The bill (H.R. 3337) for the relief of Mrs. Antonio de Oyarzabal was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to transmit U.S. citizenship to her daughters.

MISS ROSA BASILE DeSANTIS

The bill (H.R. 3765) for the relief of Miss Rosa Basile DeSantis was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of the alien adopted daughter of a U.S. citizen.

RELIEF OF CERTAIN ENLISTED MEMBERS OF THE AIR FORCE

The bill (H.R. 5252) to provide for the relief of certain enlisted members of the Air Force was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the proposed legislation is to validate payments of basic allowance for subsistence to enlisted members of the Air Force who were assigned to Tainan Air Force Station, Tainan, Taiwan, during the period October 1, 1960, to June 30, 1962, which were subsequently held to have been based upon erroneous determination that a Government mess was not available and that it was impractical for the Government to furnish subsistence in Tainan.

WILLIAM C. PAGE

The bill (H.R. 5903) for the relief of William C. Page was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the proposed legislation is to pay William C. Page the sum of $2,342 in full settlement of all his claims against the United States for amounts due him as a U.S. commissioner for the U.S. District Court of the Western District of Oklahoma, for services rendered between August 31, 1963, and February 10, 1964.

AUTHORIZATION FOR SECRET SERVICE AGENTS TO MAKE ARRESTS

The bill (H.R. 6294) to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the proposed legislation is to amend section 3056 of title 18 of the United States Code so as to authorize members of the U.S. Secret Service to make arrests without warrants for any offense against the United States committed in their presence or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a felony.

CERTAIN INDIVIDUALS

The bill (H.R. 7090) for the relief of certain individuals was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the proposed legislation is to relieve 14 named individuals of liability to repay certain per diem payments made to them while they were stationed at the Fleet Air Western Pacific Repair Activity, Tokyo, and Osaka, Japan, and were assigned as military inspection representatives at civilian contractors' plants.

KENT A. HERATH

The bill (H.R. 8212) for the relief of Kent A. Herath was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the proposed legislation is to pay Kent A. Herath $676 in full satisfaction of his claim against the United States for the loss of certain personal property from his official residence in David, Panama, where he was serving as U.S. Information Service branch public affairs officer.

RELIEF OF CERTAIN EMPLOYEES OF THE FOREIGN SERVICE OF THE UNITED STATES

The bill (H..R 8352) for the relief of certain employees of the Foreign Service of the United States was considered, ordered to a third reading, read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the proposed legislation is to pay Edward H. Brown, $2,240; Anna J. Bryant, $1,625; Ronald G. Dixon, $211; John J. MacDougall, $1,465; Rene A. Tron, $1,500; in full settlement of their claims against the United States for compensation for personal property lost while performing their official duties as employees of the Foreign Service of the United States while serving in overseas areas.

AMENDMENT OF BANKRUPTCY ACT

The Senate proceeded to consider the bill (S. 1924) to amend section 39(b) of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 6, to strike out "b"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of paragraph b of section 39 of the Bankruptcy Act (11 U.S.C. 67b) is amended to read as follows:

"Active part-time referees, and referees receiving benefits under paragraph (1) of subdivision d of section 40 of this Act, shall not practice as counsel or attorney or act as trustee or receiver in any proceeding under this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Excerpt From the Report

PURPOSE

The purpose of the bill, as amended, is to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act.

STATEMENT

The bill was introduced at the request of the Judicial Conference of the United States.

The bill is recommended by the Department of Justice.

In its favorable report on the bill the Department of Justice pointed out:

"A referee in bankruptcy has the responsibility of determining the disposition to be made of property whereas a trustee or receiver acts in a fiduciary capacity to receive, collect, and preserve property and funds. The bill would prevent referees from acting as trustees or receivers in bankruptcy proceedings. As a matter of ethics, policy, and good practice, and to avoid a conflict of interest a referee should not be appointed a trustee or receiver."

The committee believes that the bill is meritorious and recommends it favorably.

GABRIEL A. NAHAS AND OTHERS

The Senate proceeded to consider the bill (S. 405) for the relief of Gabriel A. Nahas, Vera Nahas, Albert Gabriel Nahas, and Frederika-Maria Nehas, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the periods of time Gabriel A. Nahas and Vera Nahas have resided in the United States since their lawful admission for permanent residence on March 2, 1960, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Gabriel A. Nahas and Vera Nahas."

Excerpt From the Report

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiaries, who were lawfully admitted to the United States for permanent residence on March 2, 1960, to file petitions for naturalization. The bill has been amended in accordance with established precedents. The names of the minor children were deleted in accordance with the suggestion of the Commissioner of Immigration and Naturalization, inasmuch as they will derive U.S. citizenship after their parents are naturalized.

YASUO TSUKIKAWA

The Senate proceeded to consider the bill (S. 2039) for the relief of Yasuo Tsukikawa which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "of", to strike out "Yasuo Tsukikawa" and insert "Ken Allen Keene

(Yasuo Tsukikawa)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Ken Allen Keene (Yasuo Tsukikawa) by Mr. and Mrs. C. D. Keene, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Ken Allen Keene (Yasuo Tsukikawa)."

EXCERPT FROM THE REPORT

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in a nonquota status of an eligible orphan adopted by citizens of the United States, by waiving the limitation of two orphan petitions.

TO RENDER IMMUNE FROM LEGAL PROCESSES CERTAIN SIGNIFICANT IMPORTED CULTURAL OBJECTS

The bill (S. 2273) to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever any work of art or other object of cultural significance is imported into the United States from any foreign country, pursuant to an agreement entered into between the foreign owner or custodian thereof and the United States or one or more cultural or educational institutions within the United States providing for the temporary exhibition or display thereof within the United States at any cultural exhibition, assembly, activity, or festival administered, operated, or sponsored, without profit, by any such cultural or educational institution, no court of the United States, any State, the District of Columbia, or any territory or possession of the United States may issue or enforce any judicial process, or enter any judgment, decree, or order, for the purpose or having the effect of depriving such institution, or any carrier engaged in transporting such work or object within the United States, of custody or control of such object if before the importation of such object the President or his designee has determined that such object is of cultural significance and that the temporary exhibition or display thereof within the United States is in the national interest, and a notice to that effect has been published in the Federal Register.

(b) If in any judicial proceeding in any such court any such process, judgment, decree, or order is sought, issued, or entered, the United States attorney for the judicial district within which such proceeding is pending shall be entitled as of right to intervene as a party to that proceeding, and upon request made by either the institution adversely affected, or upon direction by the Attorney General if the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating thereof.

(c) Nothing contained in this Act shall preclude (1) any judicial action for or in aid of the enforcement of the terms of any such agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance; or (2) the institution or prosecution by or on behalf of any such institution or the United States of any action for or in aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

EXCERPT FROM THE REPORT

PURPOSE

The purpose of the bill is to provide a process to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and to provide machinery to achieve this objective.

STATEMENT

This proposed legislation will permit organizations and institutions engaged in nonprofit activities to import, on a temporary basis, works of art and objects of cultural significance from foreign countries for exhibit and display, without the risk of the seizure or attachment of the said objects by judicial process.

Both the Departments of State and Justice urge favorable consideration of the bill.

As pointed out in the report of the Department of State in its report on S. 2273—

"The bill is consistent with the Department's policy to assist and encourage educational and cultural interchange. Its enactment would be a significant step in international cooperation in this year which has been proclaimed by the President as International Cooperation Year.

"The Department of State is informed that both the Smithsonian Institution and the American Association of Museums support this legislation."

The Department of Justice, in its communication, states:

"The commendable objective of this legislation is to encourage the exhibition in the United States of objects of cultural significance which, in the absence of assurances such as are contained in the legislation, would not be made available."

The bill requires that the President of the United States or his designee, make a determination that the objects sought to be imported for exhibition or display are of such cultural significance as to be in the national interest, and publish notice to this effect in the Federal Register. Then, in the event that any judicial proceeding is instituted in any court of the United States, any State, the District of Columbia, or any territory or possession of the United States, the U.S. attorney for the judicial district shall be entitled, as a matter of right, to intervene as a party, and upon request made by either the institution adversely affected, or upon direction by the Attorney General that the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating of such proceeding. Judicial action for or in aid of the enforcement of the terms of any agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance is excepted from the immunity and the institution bringing in the objects of art or the United States is authorized to maintain a court action for or in the aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

The committee is of the opinion that the purposes of this proposed legislation are salutary and will contribute to the educational and cultural development of the people of the United States. It is, therefore, recommended that S. 2273 be favorably considered.

BILLS PASSED OVER

During the call of the Calendar the following bills were passed over at the request of Mr. MANSFIELD:

S. 1407, for the relief of Frank E. Lipp.

S. 1898, for the relief of certain aliens.

The following bill was passed over at the request of Mr. DIRKSEN:

H.R. 6726, for the relief of William S. Perrigo.

Mr. MANSFIELD. That concludes the call of the Calendar.

LET US OPEN THE DOOR OF OUR IMMIGRATION POLICY

Mr. YOUNG of Ohio. Mr. President, the enactment of the immigration bill now before the Senate will be a great landmark in the development of the American dream of the freedom and equality of all men. No provision of any national law is more distasteful to millions of Americans than the concept of judging the worth of men and women for immigration on the basis of their place of birth or the nationality of their parents.

I am proud to be a cosponsor in the Senate of the administration immigration bill. This historic legislation should be termed the "Celler immigration bill" in honor of the chairman of the Committee on the Judiciary of the House of Representatives, EMANUEL CELLER, who more than any other Member of the Congress is responsible for the fact that this legislative proposal is now before the U.S. Senate for debate and vote and will be enacted into law in the near future. Chairman CELLER deserves the gratitude of all Americans for his outstanding leadership in successfully guiding this important legislative proposal through his committee in the face of powerful opposition from those who sought to delay, to undermine and to render ineffective and useless the effort to build a proper immigration policy. It is a fact that mischiefmakers did to some small degree change the original administration proposal but they failed in their devious purpose to destroy the spirit and intent of this bill. Of course, today those very same obstructionists claim credit for this beneficent legislation.

We are the Nation which chiseled on our beautiful Statue of Liberty:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shores,
Send them, the homeless, tempest-tossed to me
I lift my lamp beside the golden door.

The only justification that can be made for the national origins quota system is the claim that Americans with English or German or Irish names make better citizens than Americans of Italian, Greek, Polish or Hungarian descent. This concept is utterly false. It contradicts all our traditions and ideals, and makes a mockery of the spirit expressed in the Declaration of Independence that all men are created equal.

This bill will make law the fact that each immigrant has a special worth by reason of his potential contribution to our country and he should be judged on his individual ability and worth. Under the proposed bill, people would be admitted on the basis of their skills, education, and training. Another prime governing factor will be the reunification of families now separated by our outmoded immigration laws. It would put an end to painful case histories such as that of the naturalized Greek who is able to bring a maid from Ireland in short order, but who must wait many years to bring his mother or sister from Greece.

As President Franklin D. Roosevelt said in Boston in one of the closing speeches of his final campaign in 1944:

> All of our people all over the country—except the pure-blooded Indians—are immigrants or descendants of immigrants, including even those who came over here on the Mayflower.

It was through the open door of its immigration policy that the vast empty space of the United States was peopled during the 19th century. That door was narrowed to a slot when Congress imposed national quotas under the Quota Act of 1921, which stacked the cards in favor of the people of Northern and Western Europe, and to the prejudice of nationals of other areas of the world.

The Celler immigration bill will right the wrong that stains our national conscience and blurs our image as the greatest and best democracy in the entire world. It does not ask of a prospective immigrant, "What country are you from?", but rather, "What can you do for the United States of America?"

This legislative proposal recognizes that each immigrant has a special worth because of his potential contribution to the total manpower of our country. It will eliminate all quotas based on national origin. The total amount of immigrants admitted each year will not be greatly increased.

Mr. President, the enactment of this bill will at long last commit us to a national policy which will make real the simple truth of the words of St. Paul: "God hath made of one blood all nations of men for to dwell on the face of the earth."

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, with a time limitation of 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REQUIREMENT OF PERFORMANCE BONDS RELATING TO CERTAIN CONTRACTS IN THE DISTRICT OF COLUMBIA

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor which, with an accompanying paper, was referred to the Committee on the District of Columbia.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.; (Rept. No. 754).

By Mr. EASTLAND (for Mr. Long of Missouri), from the Committee on the Judiciary, with amendments:

S. 1758. A bill to provide for the right of persons to be represented by attorneys in matters before Federal agencies; (Rept. No. 755).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 2543. A bill for the relief of Dr. Maria Yolanda Rafaela Miranda y Monteagudo; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2544. A bill for the relief of Kumari Hellen and Kumari Sonamani; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 2545. A bill for the relief of Jose Eleuterio Branco Dias; to the Committee on the Judiciary.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—AMENDMENTS

AMENDMENT NO. 457

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 458

Mr. THURMOND submitted an amendment, intended to be proposed by him to House bill 2580, supra, which was ordered to lie on the table and to be printed.

ENROLLED BILL SIGNED

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). The Chair announces that on today, September 17, 1965, the Vice President signed the enrolled bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

NOTICE OF HEARING ON NOMINATION OF DAVID G. BRESS TO BE U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, September 21, 1965, at 10:30 a.m., in Room 2228 New Senate Office Building, on the nomination of David G. Bress, of the District of Columbia, to be U.S. attorney, for the District of Columbia, for a term of 4 years, vice David C. Acheson.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], the Senator from Illinois [Mr. Dirksen], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF FRANK MOREY COFFIN TO BE U.S. CIRCUIT JUDGE, FIRST CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, September 24, 1965, at 10:30 a.m., in Room 2228 New Senate Office Building, on the nomination of Frank Morey Coffin, of Maine, to be U.S. circuit judge, First Circuit, vice John P. Hartigan, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. Ervin], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Edward C. Sweeney, of Illinois, to be a member of the Subversive Activities Control Board, for a term of 5 years expiring August 9, 1970.

John W. Mahan, of Montana, to be a member of the Subversive Activities Control Board, for a term expiring March 4, 1970, vice Francis Adams Cherry.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, September 24, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

VICE PRESIDENT HUMPHREY'S ADDRESS TO THE CLASS OF 1965, SYRACUSE UNIVERSITY

Mr. PROXMIRE. Mr. President, I suppose there are few former Members of Congress who have had a happier, more constructive and positive relationship with Congress than the present Vice President, Hubert Humphrey. He recently addressed the class of 1965 at Syracuse University. I have a copy of the speech which he delivered at that time.

At a time when Congress is suffering the brickbats of criticism as it rarely has in the past, in spite of its constructive achievements, I believe that this address of the Vice President should be called to the attention of all Senators and the country.

Vice President HUMPHREY points out a series of constructive contributions which Congress makes.

First, he says—and this is something which is overlooked:

> Few persons can deal directly with either the President or the Supreme Court. But any person, personally or by mail or phone, can communicate with his elected Representatives in Washington. The Members of the Congress, the people's Representatives, provide a direct link between the National Government, this huge structure that shows no signs of becoming smaller or less complicated.

Mr. President, the Vice President points out further the enormous educational value of serving in Congress. He states:

> My teachers have been Presidents and department heads, constituents, press, radio and television, and above all a group of wise and distinguished colleagues in both Houses.

Then he points to the constructive achievement of compromise and of achieving a consensus on the basis of a constructive dialog, and he invites attention to the role of Congress for responsible surveillance of the many departments of Government, what he calls a continuing critical review, constructively critical by the committees and the Houses of Congress.

The Vice President then invites attention to the joy of politics. I do not know of anyone who has participated in the joy of politics to the obvious extent that our distinguished Vice President has.

The Vice President concludes with a fine quotation from Emerson:

> It was Emerson who once wrote that Congress is a "standing insurrection." You don't need a revolution here; you have one built in. It is a standing insurrection against the ancient enemies of mankind: war, and poverty, and ignorance, and injustice, and sickness, environmental ugliness, and economic and personal insecurity.

Mr. President, I ask unanimous consent to have this address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS TO THE CLASS OF 1965, SYRACUSE UNIVERSITY, BY HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES OF AMERICA

WILLIAM PEARSON TOLLEY. We're singularly honored today to have so distinguished a guest. Because students are important at Syracuse University we consult each year with the officers of the senior class and ask them their choice of a commencement speaker. And this morning, ladies and gentlemen, by the unanimous action of the senior class, the Vice President of the United States.

Vice President HUMPHREY. Thank you, thank you, Chancellor Tolley. My thanks to you, Chancellor Tolley, deans of the many schools, colleges of this great university, members of the board of trustees, my colleagues in Government who share this platform with me today, Secretary Connor, a graduate of this splendid university, and Secretary Harlan Cleveland, a former professor and head of the Maxwell School of this great university, Congressman HANLEY, the graduates of this class of 1965, the parents who are here in pride and honor, and my fellow Americans, and guests; this is, as I've been reminded once again, as you have, the 111th commencement ceremony, not for me but for this great university. I was saying to Chancellor Tolley how difficult it is these days to be the commencement speaker and try to find a topic that is worthy of the attention and the thoughtful consideration of the graduates. I suppose I should be concerned about the faculty, but in this instance I address myself primarily to the graduates.

The honor that you have done to me today is one that is deeply appreciated, particularly in light of the announcement that has just been made as to how I was selected. I'm especially delighted that the chancellor and the board of trustees extended their invitation to me as a result of the vote of the senior class. You see, I've always been friendly to votes. And I'm particularly pleased when the votes and the voters are friendly to me. And what a refreshing experience, and what a way to renew the spirit of a public official, to be selected once again by votes. I might say to my friends of the graduating class, I have been on both ends of the voting spectrum, and the best end is the winning one. Now I, of course, have no way of knowing against whom I was running in this contest. But I trust that it was some worthy Republican, of which this State has all too many. I hope that I didn't inspire any fear or trepidation in the heart of the Congressman.

I do want to take just for this moment the opportunity to express, a little bit prematurely, but this is one way of assuring that the ceremony comes off, my thanks for the honor that will be bestowed upon several of us here today, the honorary degrees. Now having made the announcement, there is no way that anything can go wrong.

My presence here today is particularly satisfying to me because this year marks the 40th anniversary of the founding of the Maxwell School. Syracuse University has made many contributions to scholarship and to professional excellence in a wide variety of fields. I know that this great university encompasses most all of the disciplines of intellectual life. I'm well aware of the achievements and the high standards of your college of engineering, and I well recall that only last year the President of the United States was with you on the occasion of the dedication of your new communications building. I know the outstanding endeavors of this university in the field of social work and social welfare. These are but a few of your achievements in the field of scholarship and professional excellence.

But as one who has by purpose and design devoted his life to the public service, I want to express my personal thanks and gratitude of the U.S. Government for the work of the Maxwell School. Yes, I've mentioned already the Assistant Secretary of State for International Organization Affairs, a distinguished former dean of the Maxwell School, Harlan Cleveland, who serves his country well and faithfully and with brilliance, and the graduate of this great university, the Secretary of Commerce, who has brought new life to that Department and a new sense of purpose and direction. In addition to the outstanding contributions of the Maxwell School to social science scholarship and the upgrading of public service, its undergraduate course in public affairs and citizenship is world famous. And I would recommend it to every great university in our land. Your chancellor has told me that more than 20,000 Syracuse undergraduates have taken this course over the past generation. Think of it, 20,000 citizens who have been educated in their continuing personal responsibilities for the preservation and the extension of human freedom—and if ever there was a time that this Nation needed men and women who understand their personal responsibilities to the cause of freedom and social justice, it is now.

Our Nation, as never before, bears the mantle of leadership, and that mantle is not a luxury, but rather a responsibility, a burden and a duty. All the more reason then that citizens, not just the leaders, but citizens all be educated in their continuing personal responsibilities for the stewardship of human freedom. It is difficult to think of a more fundamental contribution which a university can make to free society. So my congratulations to this school. I know that it will continue to flourish and accomplish much in the years ahead.

Now, I am also a refugee from the classroom, a former university teacher. Because of the precarious nature of elective life, I like to mention this in the presence of trustees and deans of faculty. And I would care not to be judged entirely on the singular performance of today, but rather on a longer exposition by the applicant at a later time.

I am well aware, as a former teacher, of the pitfalls of commencement speeches. It's so easy to follow the timeworn formula, the world is in a mess (when wasn't it, by the way?), the older generation has failed (it generally has), and it's up to you of the graduating class to put things right, at least for a day or two. And then someday you'll be the older generation and you too can have the dubious honors that other commencement speakers would heap upon you. But platitudes rarely change attitudes And baneful criticism and vapid exhortations are cheap substitutes for hard thought and analysis. I prefer, therefore, to take my stand on the proposition that the American people working through democratic institutions, changing institutions, have met, are meeting, and will continue to meet the most complex problems of our age. If we still have a long way to go, and we have in achieving human equality, in securing international and domestic tranquillity, in extending the benefits of our technical genius to all citizens in the American Republic and to all of mankind, let us at least glory in and be inspired by the magnitude of the unfinished agenda. Let us glory in the fact that we still possess the wit and the wisdom to continue making our American democratic system responsive to the terribly difficult and complex problems of this turbulent and rapidly changing age.

Winston Churchill once was reported to have said that democracy is the worst form of government, except all others. And I suppose there is more truth than humor in that analysis of the social structure. But it is our democracy that we mold and design to our purpose. And the glory of the democracy and of the democratic faith is the courage of it, the experimentation of it, and the willingness to try to begin anew, if we should fail, to rise once again, if we should falter, to try once again, remembering with the prophet that the longest journey is the first step, and the first steps toward freedom we have taken, and further steps we will take.

I want to discuss with this graduating class the importance of one of the great constitutional instruments at the disposal of the American people in the business of making this democracy work. I want to discuss with you an institution that is frequently referred to with cynicism, all too often, may I say, by the media, and all too often held in disrepute by people who know all too little about it. I refer to the institution of the Congress of the United States. What I have to say I think needs saying, because too many of our citizens take an indifferent, cynical and even hostile view toward the legislative branch. No one branch has a monopoly on wisdom or virtue, but surely each can make a contribution to the common good. This is not, when I speak of the Congress, to underestimate the need for strong and able presidential leadership, or for wise and humane judicial decisions. It is, however, once again to reaffirm the vital role of representative government, the vital role of the Congress in our constitutional system. Few persons can deal directly with either the President or the Supreme Court. But any person, personally or by mail or phone, can communicate with his elected representatives in Washington. The Members of the Congress, the people's representatives, provide a direct link between the National Government, this huge structure that shows no signs of becoming smaller or less complicated, this huge structure and the almost 195 million persons who comprise this Republic, and a growing population it is. Surely, this contact, this connection, is vital in keeping our National Government responsive to the needs and opinions of the American people.

I have found congressional service to be a remarkable form of higher education. It's a super graduate school in every discipline. My teachers have been Presidents and department heads, constituents, press, radio, and television, and above all a group of wise and distinguished colleagues in both Houses. I cannot in the few minutes that I have convey to you all that I have learned from these teachers, but it is a rich and rewarding experience.

Perhaps I can suggest some lessons in democratic theory and practice which I've gained from my collegial experiences in the Congress. The first lesson has to do with the creative and constructive dimension to the process of compromise—compromise without the loss of principle or honor. There are 100 Members of the U.S. Senate and 435 Members of the House. They come from States and districts as diverse as Nevada and New York, Alaska and Alabama. No two States or regions of the United States have identical needs, backgrounds, interests, or even prejudices. And one of the jobs of the Congress is to reconcile such differences through the process of compromise and accommodation. What sometimes seem to the naive and untutored eye to be legislative obstructionisms, often are no more than the honest expressions of dedicated representatives trying to make clear the attitudes and the interests of their States and regions, sometimes trying to gain time for public understanding of vital issues. As Sir Richard Grenfell once observed: "Mankind is slowly learning that because two men differ neither need be wicked."

From the earliest days of this Republic—at the Constitutional Convention—the leaders of this Nation have maintained an unswerving commitment to moderation. Now, if our Founding Fathers had not understood the need to overcome extremes in drafting our Constitution, this noble experiment of ours in the art of self-government would surely have foundered years ago on the rocks of dissension and discord.

As in the deliberations of the Constitutional Convention, the heart of congressional activity are skills of negotiation, of honest bargaining among equals. My willingness to compromise, and I have done so more times than I can count, is the respect that I pay to the dignity of those with whom I disagree. Yes, I have come to the conclusion that possibly all of my original suggestions may not have been right. There may be others, you know, who have solid and constructive views. Dogma and doctrine have little place in a society in which there is respect for the attitude and the opinion of others.

Through reasonable discussion, through taking into account the view of many, Congress amends and refines the legislative proposals so that once a law is passed it reflects the collective judgment of a diverse people. This is consensus, the word that is used so much in these days. Consensus is nothing but agreement, obtained by a constructive dialog between persons of different points of view, based upon mutual respect and understanding. Surely this is a remarkable service for a people that aspire to orderly progress. Surely the habits of accommodation and compromise are of universal consequence. These are the very skills and attitudes so desperately needed on the larger stage of world conflict, and possibly our difficulties on that world stage can be better understood when we recognize that where there are despotic forms of government or dictatorships, the art of negotiation and compromise has been sacrificed to power, to arrogance, and to the strong will of the man who knows he is right. We possibly have some teaching to do before the processes of peace may reach a maturity and an achievement.

World order and the rule of law will be secure on this earth only when men have learned to cope with the continuing conflicts of peoples and nations through the peaceful processes of bargaining and negotiation. And might I admonish my fellow Americans that we too need to be cognizant of the differences in other lands, that we seek no pax Americana, we seek no trademark "Made in the U.S.A." we seek above all to negotiate, to accommodate, to adjust so that peoples realize their hopes in their way.

A second lesson that I have learned from my congressional teachers is the importance of the congressional role of responsible surveillance. There are roughly 70 separate departments and agencies in the Federal Government. Now if you should notice two Cabinet officers wince a bit, as I speak of congressional surveillance, may I say that I have not been long from the Chambers of the Congress. I am not fully purified as yet in the executive climate. There are roughly 70 departments, some are small, some are large. All are engaged, however, in doing what they believe is carrying out the will of the people as expressed by the Congress.

In the interest of efficiency, economy, and responsiveness, these departments and agencies need, even if they don't want it, a continuing critical review, constructively critical it is to be hoped, by the committees and the Houses of Congress. The genius of our Founding Fathers is nowhere more in evidence than in that section of those sections of the Constitution which provide for checks and balances. Uncomfortable as those checks and balances may be sometimes to those who seek to administer, through its review of the executive budget, in the appropriations process, yes, through committee and subcommittee investigations, through advice and consent on appointments and treaties, and through informal discussion, Congress seeks to improve and to support the executive branch of our Government. My fellow Americans, I know that this cross-examination can be interpreted in other lands as division in our ranks, but it appears to me that it is more important that the American people know what is being done in their country, that they have the opportunity to reflect upon the policies and the decisions that are to be made, than it is that we should always have the image abroad of having a sort of monolith mind. I am not that worried. Let those who feel that we may discuss too often and that we may argue too much, let them remember that freedom is hammered out on the anvil of discussion, dissent, and debate, which ultimately yields to a decision that can be supported by the public.

This exercise in congressional freedom protects and extends personal freedom. And that is our goal. If legislative voices are occasionally strident, and they are, citizens should take stock of what their world would be like if no legislative voices were heard at all.

We know what happens in countries without independent and constructively analytical legislatures. Mankind invented a word for such systems centuries ago, and the word is as old as its practice—tyranny.

There's one other lesson that I've learned from my congressional teachers: the creative joy of politics. I can say in personal testimonial that I would not give my life to it unless I found in it a sense of fulfillment and joy. Each Congress is devoted in substantial measure to the development of new public policies designed, as our Constitution says, to promote the general welfare and provide for the common defense, the national security of this Nation.

Congress is not a battlefield for blind armies that clash by night; it is a public forum operating in the light of day for men of reason. It is a place where national objectives are sought, where presidential programs are reviewed, where great societies are endlessly debated and implemented. Oh yes, I know at times the congressional process exasperates and confounds us, it's clumsy, sometimes it's slow and unresponsive to what some of us believe is urgent need. Its strength and its weakness is the fact that it is representative of our country, of our human institutions. It reveals in its conduct and makeup all of the crosscurrent of social, economic, and political forces. It is like a huge mirror suspended over the Nation, reflecting and revealing us for what we are, dirty face and all at times, our prejudices as well as our ideals, our fears and our hopes, our poverty and our wealth. There it is in the Congress representative of the people. Oh, to be sure, we should seek to constantly improve its rules and its institutions of operating machinery, but ultimately, my fellow Americans, the Congress will behave as the Nation behaves, the Congress will represent the spirit of the American people.

It was Emerson who once wrote that Congress is a "standing insurrection." You don't need a revolution here; you have one built in. It is a standing insurrection against the ancient enemies of mankind: war and poverty and ignorance and injustice and sickness, environmental ugliness, and economic and personal insecurity.

Now, graduates of this class, few careers offer such remarkable opportunities for translating dreams into reality. Congressman HANLEY, I am not seeking opposition to you, I am merely encouraging this group of fine graduates to take a new interest in the affairs of state, in Government, in public life. A new bill, a creative amendment, a wise appropriation, may mean the difference to this generation and generations ahead, between health and sickness, jobs and idleness, peace and war for millions of human beings.

And stemming from ancient parliamentary origins, the main job of Congress is to redress the grievances, to right the wrongs, to make freedom and justice living realities for all. What higher calling, I ask you, exists than this? This is the essence of politics: to translate the concerns and the creative responses of a vast citizenry into effective and humane laws. And, I submit, no country does it better than ours. Our competence in the field of self-government is the envy of mankind.

I cannot conclude without a personal note. For almost 20 years, Congress has been my home. As Vice President, my relationships with my former colleagues are inevitably a bit more formal and more intermittent than in past years. Yet I can say unashamedly that I cherish them dearly. I have seen their weakness and they have seen mine.

I have been on occasion restive of delays and procedural anachronisms—and so have they. But I have seen in the Halls of Congress more idealism, more humaneness, more compassion, more profiles of courage than in any other institution that I have ever known.

And like many of you today, I find in my heart to praise and to thank my teachers.

Perhaps some of these words of tribute to the institution of freedom known as the U.S. Congress may stay with you. I hope so; I know it well; I respect it greatly. As long as the Congress of the United States continues to function as a responsible and viable element in our constitutional system, the promise of American democracy will forever endure—the torch of freedom will forever light the path to our future.

Each of you, however, must also assume a personal responsibility for preserving freedom in these perilous times. This is not the business of someone else, it is your business. Freedom is the personal commitment and responsibility of each and every one. And the nature of this responsibility, I think, is best illustrated by John Adams' notion of the spirit of public happiness.

It was this spirit, said John Adams, that possessed the American colonists and won the Revolution even before it was fought—a spirit which is reflected in delight in participation in public discussion and public action. It is a sense of joy in citizenship, in self-government, in self-control, in self-discipline, and in wholehearted dedication.

An important part of the mission of this great university has been to instill in each of you this spirit of public happiness. And it will be this dedication to the public service—found in the hearts of Americans alive today and the generations yet unborn—that will insure the ultimate victory of freemen in their struggle against the forces of tyranny and oppression.

Your work is ahead of you. The time awaits no man. Seize this opportunity to serve the cause of mankind.

DILEMMA: STOP ADVERSE U.S. PAYMENTS BALANCE WITHOUT WORLDWIDE DEFLATION

Mr. PROXMIRE. Mr. President, because international monetary arrangements are complicated and confusing, because their impact seems remote from our daily lives, and the consequences of international monetary policy seem subtle and indirect, many Americans, including those in high office, choose to ignore the tough details of the problem.

This is particularly true because the consequences of international monetary policy are not agreed on by the experts. These consequences are subject to sharp dispute. When economic experts argue in their technical language, the dispute seems dull, meaningless—or both.

In spite of this, it is most important that Members of Congress make the effort to focus on this tough problem of how we are going to handle our money arrangements with other countries.

What is at stake is literally the prosperity of this country, and the prosperity of the free world. Unwise expansionary money policies could lead directly to international inflation. They could undermine confidence in our dollar. They could paralyze our trade and commerce.

On the other hand, unwise do-nothing policies could provoke international deflation and a worldwide depression.

It is well known that this country has been losing gold at a rapid rate for more than a decade. Even more significant is the exodus of dollars into foreign hands and the buildup those dollars represent as a potential future drain on our remaining gold supply.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, at the same time, there is an ironic complementary consequence of this drain of U.S. dollars and gold. This U.S. loss has been precisely the fuel that has enabled the world to expand its trade at a record rate in the past 15 years, an expansion which has broken all records. World trade has more than doubled. The soaring strength of free world countries has, of course, been fostered by precisely this rise in trade and the ready cash fuel which has permitted it: U.S. dollars by the billions flowing in export from this country.

In a sense, it can be said that America has paid the price of spending its gold and its immense credit to build a stronger, more prosperous, more abundant free world.

But now, nearly half our great World War II gold supply is gone. The huge outpouring of dollars now held by foreigners far, far exceeds the remaining U.S. gold supply, and, of course, those foreign-held dollars can be presented to the U.S. Treasury for that remaining gold.

It is obvious to the President of the United States, and all of his top advisers, that the dollar and gold outflow must stop. Of course, this has been evident to our top leaders for some time.

Back in 1963, the Kennedy administration discussed the possibility of stemming the outflow of dollars with an interest equalization tax that would tax the income from foreign investments and discourage American dollars from seeking this investment.

This proposal worked brilliantly until it was enacted. As long as it was threatening, American investors over-discounted its effect and sharply diminished their export of U.S. dollars to buy foreign investments. But within a few months after it was enacted, American dollars poured out in a Niagara of investment abroad.

Then last February, the President inaugurated his voluntary loan restriction program with the cooperation of American banks and industry. The results have been, at first, sensationally successful.

The President and the Treasury Department together with the Federal Reserve have handled this brilliantly. And in the second quarter of this year the adverse balance of payments actually disappeared and became a substantial surplus.

But once again—as with the interest equalization tax—the favorable results are likely to be temporary. American funds abroad were repatriated. Investments abroad were temporarily postponed and, of course, in the long run, any big moratorium in American investment abroad simply means that American exports which grow and thrive on these investments, and American dividends and interest from foreign loans that flow into this country from investments, will diminish.

What all this means is that we have not solved our adverse balance of payments—not by any means. And we must solve it.

Mr. President, I have such confidence in the determination of President Johnson and his advisers, and in the financial and economic muscle of this country once it is organized and unified in pursuit of an objective, that I know we can and will solve this tough problem without gutting our international security programs; that is, our military defense of the free world, and our economic—foreign aid—defense of the free world.

But the fact is that we have not solved it to date.

At the same time, Mr. President, we should be—we must be—well aware of the fact that when and as we do solve this adverse balance of payments—and we must—we are going to take from the channels of trade growth, the American deficit dollars and gold which have been a prime ingredient of its growth. This is exactly why it is necessary as well as wise for Secretary Fowler to work now as he has been doing on developing a reformed international monetary program to provide the liquidity that the correction of U.S. payments deficits will take away.

This, Mr. President, is why the kind of rational and thoughtful proposal for monetary reform suggested by Robert Roosa recently should have our careful and thoughtful study.

Mr. Roosa was perhaps the most brilliant international monetary expert our Treasury has had in a long, long time. When he resigned as Under Secretary of the Treasury for Monetary Affairs, the American banking community, as well as the American economic experts, recognized him as a man of consummate ability who had helped us greatly in the tough monetary years of the Kennedy administration with a series of imaginative and workable and practicable proposals.

Now he has come up with a thoughtful, carefully planned proposal for a sound and responsible solution to our international problem of creating the international ready cash we are going to need as American dollars and gold stop flowing abroad.

This morning's Wall Street Journal carries a superlative question-and-answer analysis of this Roosa proposal. This proposal, in my judgment, is likely to become the foundation, the basis for the American proposal to other leading trading countries for a solution to this tough problem that confronts us.

The proposal deserves our attention, our criticism, our evaluation.

I ask unanimous consent that the Wall Street Journal analysis of the Roosa plan be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 17, 1965]

ROOSA MONETARY PLAN: AN ANALYSIS

WASHINGTON.—The annual meeting of the International Monetary Fund here later this month will dwell on ideas for insuring that world trade and general prosperity don't bog down for want of enough of the reserves that nations keep on hand to tide themselves over temporary balance-of-payments deficits, which result when more money goes out of a country than comes in.

It will probably be years before the member nations finally agree on whether to adopt any such plan, but if they do the impact on business around the world could be profound.

Of the many such ideas, the "Roosa plan" has sprinted to the fore in recent days. Here—based in large part on the author's explanations—are answers to questions about it:

What is the Roosa plan intended to do?

To create through the existing 102-member International Monetary Fund an entirely new unit of exchange, which governments will use in addition to gold, dollars, and pounds for settling payments deficits among themselves. The underlying assumption is that supplies of gold and currencies that nations currently consider sound enough to hold as reserves won't grow enough to meet needs arising from future growth in world trade.

Is the plan an official Johnson adminstration policy?

No, but it has many elements the administration likes and which planners think may prove acceptable compromises with the views of other countries. Robert V. Roosa is on President Johnson's Monetary Reform Advisory Committee, and his service as Under Secretary of the Treasury for Monetary Affairs from 1961 through 1964 ranks him an expert on both the theories and practical politics of international finance. He is a partner in the New York banking firm of Brown Bros., Harriman & Co.

There are a lot of monetary ideas around; what makes the Roosa plan better than some others?

Supporters say that it preserves intact the proven international institutions and practices, such as the IMF and the wide use of gold and the dollar; that it would build onto this foundation a new responsiveness to changing needs, and that it would allow the more responsible, highly developed countries to deliberately plan additions to world reserves instead of leaving them to chance or to the whims of poorer countries.

What are the arguments against it?

Critics question whether the world's monetary authorities have the skill and the consensus needed to wisely make fairly frequent decisions about expansion of reserves.

Moreover, many Europeans dispute the fundamental prediction about reserves being in short supply unless some remedy is adopted. They say arbitrary creation of new reserves would be like printing new money without any increase in wealth as backing for it and thus would generate global inflation.

Finally, it's wondered whether, given new ability to live with balance-of-payments deficits, nations will put off the internal changes needed to attain balance or surplus. The Roosa plan is designed to tide nations over "temporary" balance-of-payments deficits, but who is to say what is temporary and what is likely to be chronic? The longer a nation delays unpleasant but essential domestic reforms and belt tightening, the worse the resulting crisis may be when it finally comes.

How would the Roosa plan alter the IMF?

At present, the IMF merely lends foreign currencies to members; they must repay the loans in 3 to 5 years. The Roosa plan would have the IMF, in addition to its lending activity, create new reserves—to be known as fund units—which the recipient countries would own outright.

Just how would these fund units be created?

A small group of key industrialized nations would form a committee within the IMF. Most likely, they would include the Group of 10 that has been doing most of the studying of monetary reform: The United States, Great Britain, Belgium, Canada, France, West Germany, Italy, Japan, the Netherlands, and Sweden. They would take the initiative in recommending to the full 102-member IMF how many fund units should be created and when, and they alone would be eligible for the units at the outset.

Would these new reserves be created out of thin air?

Proponents of the plan say no. They explain that the recipient countries would have to pay offsetting amounts of their own currencies from their treasuries to the IMF. They insist this would mean giving up real resources, because the money could otherwise be spent in their own countries. The money they chip in would be pooled as backing for the fund units; in effect, as Mr. Roosa puts it, every unit would represent a bouquet of all these currencies.

Why can't these countries simply keep their money as reserves?

Because reserves are what a country uses to buy up its own currency from foreigners when that money threatens to become a glut on the world market. To reduce the supply of a currency in foreign hands, gold or some other currency must be used.

Also, some countries use reserves of foreign currencies for actual trade. A U.S. exporter, for instance, probably wouldn't want to be paid in Indian rupees, so India must keep widely useful foreign currencies, not its own money, in its reserves.

Does this mean the Fund unit countries would get something for nothing?

Only in the sense that the money they pay for Fund units can be used for their own official reserves and the Fund units can, say Roosa-plan backers. In fact, for this privilege each country would pay IMF 3 percent annually on its contribution.

Could inflation reduce the worth of the pooled currencies backing the Fund units?

Proponents say no, because the plan would require each country to guarantee its currency's value to the IMF in gold. If inflation cheapened its currency, a country would have to make up for this with extra contributions. It's also hoped that other countries would, like the U.S. pledge to pay out gold to other governments in return for their currencies at the fixed price of $35 an ounce.

Could others force the United States to contribute more dollars and accept more reserve units than it really wants?

No. While one nation couldn't stop the committee and the full IMF from creating a certain amount, any nation would have the right to refuse to contribute and receive its share; the other participants would make up the difference.

Could many poorer countries dominate the process and cause an inflation of reserves?

Not if the voting follows the IMF's usual rules, which weigh votes by a nation's contributions, which in turn are geared to its wealth. The United States alone casts about 25 percent of the votes and the whole group of 10 can muster about 60 percent. Under the usual two-thirds majority rule, it could block any action it opposed.

How would the new units be doled out?

According to the extent each participant's currency has been used as reserves in the past, under detailed criteria yet to be worked out. This would be a "self-qualifying test," Mr. Roosa asserts, allowing other nations to enter the inner circle as they show enough economic responsibility to make their currencies prized by others. If it went into effect now, the United States would get about half the initial units issued, he estimates.

What form would each country's contribution take?

This isn't spelled out, but contributions to the IMF are typically in the form of special Treasury notes, a sort of check the IMF could cash for actual currency any time it wishes. The IMF, based in Washington, stashes the notes in the central bank vaults of a number of its members.

Could a government use the Fund units it gets in return as freely as it uses its own money?

Not quite. It could use them to buy another country's currency from the issuing government, or its own currency from other governments. It could donate them as foreign aid, enabling a poorer country to take them to another government to buy that nation's currency, with which it in turn could buy real goods. It could lend them to a country needing more reserves. So that they could be freely interchangeable with gold and dollars in reserve dealings, they would have to have a set value in these terms. But Fund units couldn't be used in private transactions. Their use would be so rigidly limited to intergovernmental transactions that a government couldn't even use them to buy foreign currencies on exchange markets.

Doesn't it sound as if the IMF would be a sort of credit-creating Federal Reserve bank for the world?

Roosa-plan proponents insist it wouldn't, although there would be parallels. The Federal Reserve System in the United States can allow, but not require, commercial banks to make more loans by adding to their legally required reserves. The commercial banks can then make more loans by creating new checking account deposits for their customers. Gradually, the whole banking system can create about $7 of the checking account money for each $1 addition to its reserves.

But commercial banks wouldn't have any part in the Roosa system, so new money usable by businesses or individuals wouldn't be created by it—at least not directly. It would let the IMF create new reserves that the Federal Reserve or other central banks or governments would hold, though. If these extra reserves made a country feel more confident about allowing a high level of imports, that could contribute to the economic growth of that country and of its trading partners, Roosa-plan proponents contend. But any country's citizens would still need real domestic money to buy goods that have been imported.

Could a country's central bank use the Fund units to support more expansion of money and credit domestically, perhaps to the point of inflation?

Conceivably, it could, proponents concede, but they doubt that it would happen.

For one thing, any outside currencies add to a country's domestic money supply only if its commercial banks sell them to their central bank and get additions to their reserve accounts in exchange, allowing the commercial banking system to expand loans to their customers. Domestic money expansion couldn't happen in this way with fund units because they'd never be owned by any private bankers or other persons.

Any country could change its laws, of course, to include fund units in the base that limits its domestic money supply, as the United States at present uses gold as a base. But the trend is away from such arbitrary limits on money expansion. With or without new units, the Roosa school holds, the basic defense against inflation must be the firmness of each country's central bankers.

What, then, is the source of the uneasiness of the plan's critics?

They fear future political pressures will cause the governments themselves to rationalize use of the plan as an instrument of inflation. If the U.S. Treasury or Federal Reserve Board—or their counterparts in other countries—just issued additional currency or Treasury notes to exchange for the IMF's new fund units, they would be inflating the money supply. If, on the other hand, they withdrew their IMF contributions from the stream of existing domestic purchasing power liberal economists and politicians almost certainly would build up pressure to run budget deficits or manipulate the traditional domestic monetary mechanisms to pump an equivalent amount back into the domestic economy to avoid deflation. These politicians and economists could argue this wasn't inflationary but merely an attempt to keep the domestic money and credit supply at the level that existed before the siphoning off of funds to the IMF mechanism. But, as a practical matter, paper currency or credit would have been created that hadn't existed before, without any corresponding increase in real wealth backing it up.

The orthodox cure for balance-of-payments deficits is to cut domestic consumption, reducing imports, and to lower domestic prices, spurring exports. This can be done by making credit scarcer and more expensive, or by other steps that some call deflationary and that others prefer to call anti-inflationary. To the extent the Roosa plan deflated the domestic money and credit supply to buy the new fund units, and thus finance payments deficits, it would accomplish the same end by a different means. And, say the Roosa-plan critics, if there were any evidence that most modern governments were willing to impose such discipline in their economies, they could have deflated in orthodox fashion without any need for new monetary reform plans. The only way the Roosa plan could function without introducing an element of deflation into domestic economies, say its critics, would be by inflating the world money supply. "You can't get something for nothing," the critics argue. "The only way you can create that illusion is by inflation."

Furthermore, critics fear that the United States, Britain, and other countries, arguing their payments deficits were temporary, could consider it comparatively painless to put up billions of dollars and pounds in exchange for the new currency units and continue living beyond their means for many years, particularly if they chose the "mild inflation" route. At present, the loss of gold and the other wherewithals to trade imposes a certain discipline, forcing nations running a deficit to trim their spending to match their earnings. Critics of the Roosa plan fear that participating governments might find it much less disagreeable to shovel out large sums of their domestic currencies, persuade the other industrial nations to authorize a corresponding increase in the new fund units and thereby postpone essential basic corrective steps.

How do Roosa-plan backers answer these criticisms?

They concede there could be pressures to turn the IMF into an engine of inflation but argue that there are always likely to be enough countries in the inner group actively worried about inflation in their own lands to prevent others from running away with the process of creating new fund units. These countries wouldn't have control over each other's domestic fiscal and monetary policies, however.

Roosa-plan proponents also say that if a country such as Britain, for instance, did think at the start that pouring out pounds for fund units is painless, it would before long discover that this isn't so. This is because under the plan a country would be obliged to pay out its currency to other countries for units, up to the amount of its currency it has contributed to the fund. So eventually the fund units others receive can become claims on real resources—on goods and services—from Britain. Because Britain would have to pay out pounds in return for fund units from any other country, that country would get British money with which its people could buy British goods. To avoid an outflow of goods big enough to cause prices to be bid up in its own country, each government would want to limit its contributions to the IMF pool. Also, contributions would be limited under the rules by the extent to which the country's currency has been used recently in reserves of others.

Would the United States stop losing gold if the new units were regarded "as good as gold"?

Basically, that would depend on whether the United States stops running the big deficit in its balance of payments that it had most of the time in recent years. Even assuming the United States does largely eliminate the deficit, Mr. Roosa figures we might not stop losing gold right away because foreigners still own quantities of dollars; but after the new unit gradually earns full confidence, we might even get some gold back. The aim, of course, is to have a new unit regarded with as much confidence as gold. This would be helped by the requirement that the new units be exchangeable for good.

If nations will think so highly of the new unit, might they not defeat its purpose by hoarding it as jealously as they do gold?

For this, Mr. Roosa says he has "no pat answer." He says he can only hope that neither would be hoarded, that both would be freely used. But, supporters add, the only reason countries have for wanting to take part in the plan at all is to gain usable reserves.

What would happen to the dollar?

Other countries presumably would continue to hold massive amounts of it in their reserves, but—according to the Roosa theory, at least—most of the fresh supplies that would trickle out through small deliberate future deficits in the U.S. balance of payments would be kept in private foreign hands for actual use in trade. Increasingly, as fund units filled much of the old demand of governments for dollars to add to their reserves, the dollar would be freed for even wider use in world trade and finance.

How would the fund units differ from other schemes—for instance, the French idea of pooling a group of currencies into a "composite reserve unit," or CRU?

Those usually call for settling payments deficits in a fixed ratio of gold and CRU's, such as two-thirds gold and one-third CRU's. Mr. Roosa's units wouldn't have to be passed about in a fixed ratio with gold but are intended to be freely interchangeable with gold. He worries that the fixed ratio amounts to a disguised increase in the fixed $35-an-ounce price of gold and thus a devaluation of the dollar. Administration men agree that any change in the gold price risks touching off a speculative run on gold by those who would then expect further increases in gold's value and further reductions in the dollar's worth.

How would the Roosa plan differ from the Bernstein plan?

Washington economist Edward M. Bernstein, also an administration consultant, would have leading nations agree on more or less automatic creation of a fixed amount of CRU's each year over a 5-year period; this, he believes, would avert recurring arguments over how much to create. Mr. Roosa expresses more confidence in the ability of international authorities to meet needs for extra reserves flexibly as situations change. "No simple rules," he says, "can be a substitute for judgment."

NEW WORLD CURRENCY COULD LEAD TO CONSERVATIVE WORLD ECONOMIC GROWTH

Mr. PROXMIRE. Mr. President, John Chamberlain is one of Washington's outstanding columnists. He is perceptive, writes with insight, and I always find his comments informative and useful.

However, as we all know, every rule has its exception. And I think we find an exception in the case of Mr. Chamberlain in his column "What Value the CRU?" printed in the Washington Post on September 16.

Mr. Chamberlain states that the creation of a collective reserve unit, or CRU, would "turn the economic fate of the world over to a superbank designed to clip the power of all national central banks." This is, I think, a basic misconception. The CRU proposal, in fact, has been advanced as an alternative to the creation of a superbank, not as a device for achieving that objective. There is nothing inherent in creating a new currency reserve unit that detracts from national sovereignty or the power of individual central banks. Of course, the creation of such CRU's implies that participating countries will accept them for the settlement of international balances. But that is entirely different from turning the economic fate of the world over to a superbank. I think it is noteworthy that Mr. Robert V. Roosa, formerly the Under Secretary of the Treasury for Monetary Affairs, has as I have just said recently advanced his own variant of the CRU proposal. Mr. Roosa is known as an opponent of the idea of a world superbank.

Mr. Chamberlain finds it hard to see "how the creation of a CRU can save the nations from the consequences of domestic policies of an inflationary nature." But, with this statement, he reveals a lack of understanding of the proper role of international reserves. No form of international reserves can save nations from the consequences of economic folly. The purpose of international reserves is to permit nations to finance temporary deficits in their international accounts without having to adopt restrictive policies that disrupt domestic and international prosperity. All nations have imbalances in their international payments from time to time. Therefore, all need international reserves. As world trade grows, so do the imbalances that must be financed. It follows that the larger world trade, the larger the legitimate need for reserves.

Thus, the purpose of creating CRU is not to save nations from the consequences of folly. It is to provide nations with sufficient reserves that they may act with reasonable, not undue, speed to eliminate imbalances. The failure of the CRU proposal to save nations from the consequences of folly—something none of its sponsors have intended it to do—is hardly a legitimate criticism.

Mr. Chamberlain argues that if other countries continued to find the dollar as acceptable in the future as it was in the past, there would be no need for CRU's. This is true, but not much of a contribution to the solution of the world's liquidity problem. The fact is that other countries do not want to acquire very large additional dollar balances. And I do not believe that the threats suggested by Mr. Chamberlain such as pulling out of Saigon, would make the dollar much more attractive in their eyes. Recent gold losses have intensified our determination to bring to an end our balance of payments deficit on the official settlements definition. In this effort, we have made substantial progress.

Because of this progress, because dollars will no longer fill the gap between world liquidity needs and new supplies of gold, we must find an alternative. I do not say that the CRU proposal is the only or the best way to do it. There are a number of alternatives and I would like to see all of them explored thoroughly. In that connection, I call attention to the hearings and the report on "Guidelines for Improving the International Monetary System" of the Joint Economic Committee's Subcommittee on International Exchange and Payments. This subcommittee, chaired by my colleague from Wisconsin, Representative REUSS, has done an excellent job in developing the prerequisites of an improved world monetary system. It is in the direction charted by the Reuss subcommittee that our best hope for the future of the international monetary system lies.

I ask unanimous consent that the Chamberlain column, "What Value the CRU?" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT VALUE THE CRU?

(By John Chamberlain)

STRESA, ITALY.—American tourists seem to be spending as they please all over Europe, quite as if President Lyndon Johnson had never said anything last winter about seeing America first. But this is quite in line with Washington's real policy, which is to let enough dollars go abroad to enable individuals, as distinct from nations, to live and prosper.

The "let the dollars move" atmosphere is evidently due to the persuasiveness at the White House of Senator EUGENE MCCARTHY of Minnesota, who is unimpressed with the theory that international payments must always be close to balance.

The feeling that "dollars must move" has formed the underlying motif of a distinguished panel of international monetary theorists here at the Mont Pelerin conference of economists. But it has been the only unifying thread that a layman could gather from the separate voices.

Between Prof. Milton Friedman, of Chicago, and Prof. M. Heilperin, of Geneva, there was little common ground aside from the idea that the present international money system is highly unsatisfactory.

Prof. Friedman, who believes in "free floating international exchange rates," considers the various nations' central bankers unnecessary; it is their "professional deformation" that makes them insist on trying to "play a part" in influencing events.

Friedman would let the citizens of all countries buy and sell as they please, using any acceptable currency supported by access to gold at free market prices. Prof. Heilperin, on the other hand, would return to an old-fashioned gold standard at a new fixed price in gold for the dollar and other currencies.

Since the nations insist on central banking institutions, and since there is little immediate likelihood of a return to the old-fashioned gold standard, neither Prof. Friedman nor Prof. Heilperin is likely to be called into instant consultation by statesmen. The actual intergovernment deliberation between "experts" at the moment involve talk about a proposed international monetary unit called the CRU, or "collective reserve unit," which would be a combination of dollars, pounds, francs, and whatnot.

In effect, the sanctioning by separate nations of the CRU would turn the economic fate of the world over to a superbank designed to clip the power of all national central banks. The question then would be whether sovereign nations would be willing to put up with a money boss, a William McChesney Martin, endowed with global powers.

The layman, listening to the experts, finds it hard to see how the creation of a CRU can save the nations from the international consequences of domestic policies of an inflationary nature. Any antipoverty program that is paid for in an unbalanced national budget would be bound to create a distrust of at least a portion of the international "collective reserve unit."

In other words, we are always brought back to where we start. A CRU, to be acceptable as an international reserve unit, would be only as good as its component parts. But, assuming the acceptability of its components, it would not be needed.

It all comes back to commonsense at home in the end—and commonsense is what pressure groups resist when they are fighting for control of national policies. The CRU would be no better than the thinking of the British trade unions and the American AFL-CIO, or the desire in Texas or Nottinghamshire for easy credit. The fact at the moment is that the two main "key currencies" of the world, the dollar and the pound, are both distrusted. The question of why this is so goes back to domestic policies in the two great Anglo-Saxon countries.

But the problem is complicated by the fact that the outer world must trust the dollar, "or else." A Dutch economist, A. de Graaf, argued eloquently here at Stresa that if the dollar is good enough to pay for NATO and the anti-Communist war in Vietnam, it is good enough to deserve the trust of everybody.

The basic soundness of the dollar is proved by the fact that Americans could easily balance their international payments simply by withdrawing their soldiers from Europe, taking their fleet out of the Mediterranean, going home from Saigon, and cutting out foreign aid. The free world would hardly like that.

This plain fact puts a powerful engine of persuasion in Lyndon Johnson's hands. If he can use it with his ordinary Texas skill, the CRU will hardly be needed.

ADMIRAL RICKOVER ON NAMING POLARIS SUBMARINE FOR BEN FRANKLIN

Mr. PROXMIRE. Mr. President, all of us know of the remarkable contributions Admiral Rickover has made to his country's military and educational strength.

Recently he wrote me of the naming of the 30th Polaris nuclear submarine, the U.S.S. *Benjamin Franklin.*

In the course of his letter, Admiral Rickover, the sophisticated and brilliant scientist-statesman of 1965, pays a remarkable tribute to Benjamin Franklin, the scientist-statesman of the earliest days of this Republic.

Admiral Rickover calls attention to the remarkable scientific accomplishments of the amazingly versatile Poor Richard. He writes:

In the 6 years between 1746 and 1752 his (Franklin's) contributions to electricity changed it from a curiosity to a science, and in the process made him world famous. His writings were compared with Newton's optics; he became the friend of most contemporary scientists, was made a member of virtually every scientific society and received honorary degrees from 20 universities. He was the first American scientist to win universal acclaim; the first American author to have his books translated and read as widely in Europe as in America.

Admiral Rickover concludes his tribute to Franklin this way:

His philosophy of life, the virtues he cultivated—competent workmanship, honesty, industry, and frugality—are within everyone's grasp; they are as important to a good and successful life today as in his time. No American child ought to grow to adulthood without having read the autobiography of this talented, wise, and good man, who personified all that is best in America. "Merely by being himself," wrote Mark Van Doren, "he dignified and glorified his country."

I ask unanimous consent that the letter from Admiral Rickover be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AT SEA, NORTH ATLANTIC,
August 30, 1965.

Hon. WILLIAM PROXMIRE,
U.S. Senate.

DEAR SENATOR PROXMIRE: We have just successfully completed the first sea trials of the U.S.S. *Benjamin Franklin,* our 30th Polaris nuclear submarine. We also have in operation 22 attack-type nuclear submarines, making a total of 52. The *Benjamin Franklin* was built by the Electric Boat Division, General Dynamics Corp., Groton, Conn.

This ship is named for Benjamin Franklin (1706–90), one of the most illustrious of our Founding Fathers. A plain man of the people, his life was the American success story writ large. In his autobiography he speaks of his "lowly beginnings" and notes with quiet pride that he "emerged from the poverty and obscurity" of his birth to "a state of affluence and some degree of reputation in the world." He did so purely on merit, for he was, in every sense of the word, a self-made man, owing little if anything to luck or the assistance of others, never pushing ahead at the expense of a fellowman.

Franklin was the youngest son of a poor tallow chandler who had migrated to Boston from England and married as his second wife the daughter of a former indentured serving maid. With 17 children to raise, he could give Benjamin only 2 to 3 years of schooling, but he encouraged him to study on his own, a habit which was to remain with Franklin all his life. At 10 the boy went to work in the family shop; at 12 he was apprenticed to his half-brother to learn the printing trade, this being considered a suitable vocation for one whose love of books was already manifest.

In later life Franklin often remarked that he could not remember a time when he did not read. Books were his teachers. Through them he made himself a well-educated man. Taking the best authors as his models, he worked hard at perfecting his writing, eventually achieving a simple, lucid style. His thirst for knowledge never ceased. Since he wanted to read foreign books, he decided at 27—a busy young merchant—to teach himself to do so. "I soon made myself so much the master of the French," he remarked, "as to be able to read the books with ease. I then undertook the Italian." Later on, "with a little painstaking, acquired as much of the Spanish as to read their books also." He read not only for instruction but for enjoyment. His taste was catholic. All his life, men of learning and position, who would ordinarily not bother with an artisan, sought Franklin's company. He supposed it was because "reading had so improved my mind that my conversation was valued."

At 17 Franklin had learned all his brother could teach him and was ready to make his own way in the world. He went to New York but could find no work there, so continued on to Philadelphia. This is how he describes his arrival there after a long and uncomfortable trip—walking 50 miles, getting nearly shipwrecked, and helping to row a boat part of the way: "I was dirty from my journey; my pockets were stuffed out with shirts and stockings; I knew no soul, nor where to look for lodging. I was fatigued with traveling, rowing, and want of rest. I was very hungry and my whole stock of cash consisted of a Dutch dollar." He bought three large bread rolls. Wandering about town, munching, he met a fellow traveler. He gave her and her child two of his rolls. Thus did Franklin enter the town that was to become his permanent home, where he would rise to wealth and fame.

Seven years later he owned his own print shop, a stationery store, and a newspaper. He had in the meantime perfected his art by working for 18 months in England and could do the most intricate and difficult print jobs. At 26 he began the highly profitable annual publication of Poor Richard's Almanac. He managed his affairs so ably that at 42 he retired with an income equivalent to that of a royal governor. Though he was good at it, moneymaking never interested him, except as a means to obtain leisure for the things he really enjoyed: reading, study, scientific experimentation, social discourse and correspondence with men of similar interests.

While still a journeyman printer, he had founded a club for sociability and self-improvement, called the Junto, of which he later said that it was "the best school of philosophy, morals, and politics" then existing in Pennsylvania. Its membership of about 12 consisted of alert, intelligent young artisans, tradesmen, and clerks who liked to read and debate. They met Friday evenings to discuss history, ethics, poetry, travels, mechanics arts and science (then called natural philosophy). It has been said of this group that it "brought the enlightenment in a leather apron to Philadelphia."

Franklin, who was full of ideas for improving life in Philadelphia and the colonies in general, submitted all his proposals to the Junto where they were debated. Once accepted, members worked hard to get them put into effect. As a result, improvements were made in paving, lighting, and policing the town; a volunteer fire department and militia were formed; a municipal hospital was established; the foundations were laid for what became the University of Pennsylvania and the American Philosophical Society. Of most lasting importance, perhaps, was Franklin's plan for a subscription library, the first in the colonies. Access to books, he felt, meant that "the doors to wisdom were never shut." The idea caught on. He noted with satisfaction that the numerous libraries springing up everywhere "have improved the general conversation of Americans, made the common tradesmen and farmers as intelligent as most gentlemen from other countries, and perhaps have contributed in some degree to the stand so generally made throughout the colonies in defense of their privileges." The value of knowledge to man and society has never been put more succinctly.

When he was 40, Franklin discovered electricity. It was then a sort of magic, a parlor trick. Franklin—ably supported by his Junto—threw himself into experimentations and developed a workable theory which he proved in his famous kite experiment. In the 6 years between 1746 and 1752 his contributions to electricity changed it from a curiosity to a science, and in the process made him world famous. His writings on electricity were compared with Newton's "Optics"; he became the friend of most contemporary scientists, was made a member of virtually every scientific society and received honorary degrees from 20 universities. He was the first American scientist to win universal acclaim; the first American author to have his books translated and read as widely in Europe as in America. When he was sent to Paris, as America's first Ambassador to a major power, the admiration of France for Franklin's scientific achievement in catching lightning and putting it to man's use contributed not a little to the success of his mission: winning the help of France to the revolutionary cause.

As a man of leisure, Franklin found himself more and more drawn into public service, this being expected of anyone who had the time and ability to serve. He became a member of the Pennsylvania Legislature, the Committee of Five charged with drafting the Declaration of Independence, the Second Continental Congress and the Constitutional Convention. In one way or another, he represented America abroad a total of 25 years, becoming an exceedingly skillful diplomat. His statement, in hearings before Parliament, of the case of the colonies against the hated Stamp Act was masterly and helped bring about the repeal of this act. He was among the first to recognize that not merely "taxation" but "legislation in general" without representation could not be borne by Englishmen, whether they lived at home or abroad. The bond uniting England and its colonies, he argued, was the King, not Parliament. Had his "dominion status theory" been accepted, the war might have been prevented but, as he sadly remarked, "there was not enough wisdom."

At 65, Franklin began his autobiography, intending it for his son. When pressure of public duties interrupted work on the book, one of his friends pleaded with him to complete it. All that had happened to Franklin, he urged, was of great historic interest since it was "connected with the detail of the manners and situation of a rising people." Moreover, the way he had planned and conducted his life was "a sort of key and explained many things that all men ought to have once explained to them, to give them a chance of becoming wise by foresight."

His philosophy of life, the virtues he cultivated—competent workmanship, honesty, industry and frugality—are within everyone's grasp; they are as important to a good and successful life today as in his time. No American child ought to grow to adulthood without having read the autobiography of this talented, wise, and good man, who personified all that is best in America. "Merely by being himself," wrote Mark van Doren, "he dignified and glorified his country."

Respectfully,

H. G. RICKOVER.

RELIEF OF CERTAIN ALIENS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to call up Calendar No. 728, S. 1898.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1898) for the relief of certain aliens.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, to strike out "Yung Soon Noh," and insert in lieu thereof "Kim Kwang Ja."

Mr. MANSFIELD. Mr. President, on this bill, S. 1898, for the relief of certain aliens, I offer an amendment showing the proper name of one of the individuals contained in the bill.

The PRESIDING OFFICER. Will the Senator permit action first on the committee amendment?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. The committee amendment will be stated by the clerk.

The LEGISLATIVE CLERK. On page 1, line 5, it is proposed to strike "Yung Soon Noh," and insert in lieu thereof "Kim Kwang Ja."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will now state the amendment of the Senator from Montana.

The LEGISLATIVE CLERK. On page 1, line 10, it is proposed to strike out "Yung Soon Noh" and insert in lieu thereof "Kim Kwang Ja."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Soo Un Chun, Soo Hoy Chun, Soo Kyung Chun, Kim Kwang Ja, Yung Joo Song, Ok Jung Hang, and Jung Ok Im may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the said Act and petitions may be filed by Ray and Jane Potter, citizens of the United States in behalf of the said Soo Un Chung, Soo Hoy Chun, Soo Kyung Chun, Kim Kwang Ja, Yung Joo Song, Ok Jung Hang, and Jung Ok Im pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

THE 25TH ANNIVERSARY OF THE PASSAGE OF THE WATER CARRIER ACT

Mr. MAGNUSON. Mr. President, September 18, 1965, marks the 25th anniversary of part III of the Interstate Commerce Act, which extended regulation to the domestic water carrier industry. This act also for the first time spelled out our national transportation policy.

Prior to 1940, the Commission's water carrier jurisdiction involved principally those carriers engaged in through routes and joint rates with rail lines or controlled by railroads. The inland water transport industry, at that time, had been in decline since the heyday of the river packets before the turn of the century. Water carrier companies were small, poorly equipped to meet the transportation needs of shippers and industry, and underfinanced.

Inland water carriers have shown a steady advancement since the passage of the 1940 act. Ton-miles on inland waterways, including Great Lakes, more than doubled from an estimated 96 billion in 1939 to 220 billion in 1960. The preliminary ton-mile figure for 1964, shows an increase of 248 billion ton-miles.

The water transportation industry has been among the leaders in transportation innovation during the last 25 years. In 1956, for example, towboat horsepower was in the range of 3,200. These tugs could move an average 1.25 million ton-miles a day. The big 6,000- and 9,000-horsepower tugs of today can produce about 4 million ton-miles upstream and down. Powerful towboats can push a tow of 40 barges carrying 40,000 tons of cargo. These modern towboats are equipped with radar for navigation, depth finders, automatic steering devices, swing indicators to keep long tows on course, and air-conditioned pilothouses and crew quarters. Even the barges have been changed. Today barges are of many different specialized kinds, of greater size, and have been designed to be assembled into an integrated tow.

The Transportation Act of 1940 also added a declaration of our national transportation policy. The policy of the Congress was established providing for fair and impartial regulation of all modes of transportation, so administered as to recognize and preserve the inherent advantages of each, to the end of developing, coordinating, and preserving a national transportation network by water, highway and rail adequate to meet the needs of commerce and the national defense.

The present growth and health of our domestic waterways carriers, operating within the framework of part III of the Interstate Commerce Act, and the national transportation policy, affords dramatic evidence that fair and impartial regulation can assure prosperity and progress for an industry and promote the national interest of the shipping and consuming public.

I would like to take the occasion of the 25th anniversary of the passage of the Transportation Act of 1940, to salute the record of growth of the domestic water carrier industry, and also the national transportation policy which has enabled the development of our transportation industry under private enterprise in the national interest.

I request unanimous consent to insert in the RECORD at the conclusion of my remarks an article from the June 1965 issue of Dun's Review & Modern Industry, entitled "High Tide on the Waterways," and our national transportation policy.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGH TIDE ON THE WATERWAYS: THE SPUNKY, CHUNKY TOWBOATS ARE PUSHING MORE FREIGHT THAN EVER BEFORE

The words were spoken by wiry, raspy President W. L. Mapother of the Louisville & Nashville Railroad: "Transportation by river?" he snorted. "How can anyone take seriously something that is dried up all summer and fall, frozen up all winter, and too high in spring for any real boats to get under the bridges?"

While Mapother made that statement in 1922, a low-water year for the barges, he would have been astounded if, in 1965, he could have floated along the broad Mississippi, the narrow Missouri, the twisting Ohio, the Tombigbee, the Green and the Barren, the Kanawha, or any of the Nation's 23 principal waterways. On them he would see the spunky, chunky little towboats pushing a massive cluster of barges, perhaps one-third of a mile long and nearly six acres in area. If he could have added up the tonnage moving on the Nation's 25,260 miles of usable inland channels, he would have found that it came to more than 139 billion ton-miles—no less than 10 percent of all the Nation's freight.

He would have been astounded, moreover, at the diversity of goods on these barges. On the Alabama River he might see the vast coal movement that has left his own competing railroad, the L. & N., with only a narrow, steady earnings record. At Cairo, Ill., where the Ohio tumbles into the mighty Mississippi, he would see the barges carrying a true jet-age cargo: Saturn space vehicle boosters for rockets and space capsules, built at Huntsville, Ala., and moving to Cape Kennedy, Fla., by the only method of transportation that can handle them.

But it is on the banks of the rivers that Mapother would receive his biggest surprise. There, the customers quite literally are building plants to be near the barges. At one point last year, for example, U.S. industry had committed itself to build no less than $400 million worth of new chemical plants along the stretch of Mississippi River between Baton Rouge and New Orleans. The beaches, bars and bikinis of Biloxi, Miss., were being joined by a brandnew canal, so far only 9 miles long but with four new industries already camped on its banks. And at Michoud, La., the National Aeronautics and Space Administration was building a ground-testing station for rocket stages and engines simply because of its nearby canal.

Even more amazing, much of the activity in this oldest of American industries is due to two of the Nation's most forward-looking industries. Ideally suited to moving massive commodity shipments, where time is not a compelling factor, the barges count on the oil and chemical companies as their two best customers. All told, 150 million tons of petroleum and petroleum products go sailing down the Nation's rivers every year. The chemical industry, only a step behind, ships 140 different chemical commodities by barge—ranging from anhydrous ammonia, moved under a pressure of 250 pounds per square inch, to liquid hydrogen, which must be transported at a temperature of minus 423° F.

With both industries booming, the barges have been moving in a swift current themselves this year. Even the heavy floods of early spring were not slowing them up. "Our first quarter," says President Floyd H. Blaske of American Commercial Lines, operator of the Nation's largest fleet, "has been excellent—up about 42 percent from last year."

It was much the same story at St. Louis Shipbuilding-Federal Barge. "How was the winter traffic?" asks Chairman Herman T. Pott. "It's been good. The floods haven't affected us. Some of the companies have had barges stuck up in Minneapolis, but not us."

"The flood will prevent us from having a tremendous year," says President Wesley J. Barta of the Mississippi Valley Barge Line Co. "As it is, our earnings will be higher than last year. Without the flood, we were looking for earnings of $3. Now we're counting on something about $2.75, up from $2.64 last year."

WHY THE BOOM?

But what accounts for this boom on the bargeways? No matter how rushed, the barges can do no more than move along at a stately average of 6 miles an hour. Why, then, was industry building plants along the waterways of American Commercial Barge, Union Barge and other lines?

First of all, there was that most prime of all economic inducements: cost. No other form of transportation is as cheap as the barge. According to the American Waterways Operators, the industry's trade association, the cost to a customer of barging comes to just 3 mills per ton-mile. In contrast, says the same group, rail service costs 15 mills per ton-mile, truck service 64 mills and airfreight a high-flying 20 cents per ton-mile.

In part, of course, that is because the barge rides down the river as freely as Huck Finn's raft. The Army's Corps of Engineers, for example, works constantly to keep the bargeways open, recently canalized the Chattahoochee River and even now is building 19 locks and dams on the Arkansas-Verdigris River system. Again, if a tow has 5, 10 or 15 barge loads waiting to be pushed down the river, it is a simple and highly economical maneuver to add another 1, 5, 10 or 25 (a tow or tug may push or pull anywhere up to 40 barges).

Sometimes even nature lends a hand. "I don't mean flood height," says Herman Pott. "But when the river is high, we can bring the bigger boats up the river. And navigation is easier too. We have more room to navigate when we reach those normally tight spots."

But there is a second reason why industry is moving to the river. For all their colorful history—as early as 1819, 500 keelboats moved on the Ohio River and its tributaries, pushed by men using iron-tipped poles that reached to river bottom—the barge operators have always been careful not to fall behind the times. Unlike the railroads, for example, they have not held back on buying new equipment or on keeping up with the march of technology.

Reason: The barge industry always has had to run scared. Bitter competition is rooted in its earliest history. The railroads of the era of Jay Gould, Jim Fisk, and Commodore Vanderbilt bought up river lines and lake lines, using them as fighting ships to bleed the competing lines to death, and bought still other lines, only to let their vessels, terminals and docks rot on the shore. Not until 1912, with the Panama Canal Act, were the railroads prevented from owning water carriers.

The depredations were so bad that even today most bargemen have never really been able to forget those days. Asked about the new piggybacking, the unit trains and the massive hoppers now appearing on the railroad tracks, Wesley Barta of Mississippi Valley Barge gives what is a typical bargeman's answer. "The railroads," he notes, "are able to participate in larger bulk movements than they did in the past. But we're innovating to compete. We're building larger barges and reducing labor costs through modernization and mechanization."

The effect has been, however, that the bargemen always could offer up-to-date equipment to shippers. In recent years, particularly, the canals and rivers have been swept by a high tide of technology. In towboats alone, for example, the range of horsepower has jumped from 3,200 horsepower as recently as 1956 to 6,000 and 9,000 horsepower today.

Weighting a downstream time against upstream, the less powerful tugs of 1956 could move an average 1.25 million ton-miles a day. Today? "The big boats today," says Capt. A. C. Ingersoll, Jr., president of Federal Barge Lines, "will produce about 4 million ton-miles upstream and down."

A prime example of the new tows is the 9,000-horsepower *United States*, built by St. Louis Shipbuilding-Federal Barge (the "Federal" goes back to the days when it built ironclad gunboats during the Civil War). The most powerful towboat in the world, the *United States* can push a tow of 40 barges carrying 40,000 tons of cargo. In fact, it moves a cargo three to four times the size of that carried by the average ocean freighter.

The other lines also have been strengthening their tugs and tows. At American Commercial Lines, President Floyd H. Blaske and Chairman Jacob W. Hershey last year put into service the *Hugh C. Blaske* (named after Floyd Blaske's father, whose Blaske lines merged with American Barge in 1956), a 4,800-horsepower twin-screw towboat. While not as large as some of the Federal tugs, the Blaske has exceeded all of the company's expectations.

So much so, in fact, that Blaske and Hershey promptly started building a second tow of the same type, the *Clyde Butcher*. A third towboat of this type will follow some time late this year.

DRESSING UP BARGES

Along with adding muscle to their tows, the lines also have been dressing up their barges. And while it is true that the awkward, ungainly barge still resembles the craft that the railroadmen ran off the river, it really is not. There have been any number of innovations. For one, barges have been designed to be assembled into an integrated tow. With each one shaped slightly different, the whole group has an underwater shape that is roughly the equivalent of a single vessel; thus the water resistance of the integrated tow is nearly equivalent to the smooth underwater lines of a single vessel of equivalent total strength.

As a compromise on this type of barge (whose drawback is that it must be operated as a unit), the bargemen have produced a vessel with a well-designed rake on one end and a square on the other. Assembled square end to square end, two such barges have an 8 percent increase in capacity with 18 percent less resistance in the water.

Like the railroadmen, moreover, the barge operators have developed many different types of barges, following the transportation industry trend to specialized equipment. Open hopper barges, for example, move roughly one-fifth of all the coal pouring from U.S. mines. In addition, they move massive amounts of raw materials for steel and aluminum, as well as sand, gravel, crushed rocks, outsized tanks, pressure vessels, and hundreds of other items.

A variant is the covered dry-cargo barge. It carries a long list of items, including grain and grain products, coffee, soybeans, paper and paper byproducts, dry chemicals, aluminum and aluminum products.

Still another type—the tank barge—carries liquid commodities. Here, the cargo may range from acetic acid to molten sulfur that moves in barges especially designed to keep the brimstone as hot and ready for use as its Biblical counterpart. All told, more than 2,500 tank barges, with a total cargo capacity of almost 4.25 million tons, are moving along the river and waterways.

The barges also have been growing in size. "A few years ago," says Wesley Barta, "we thought 1,200 tons was the maximum bulk load for a hopper. Now, for our largest coal account—Commonwealth Edison Co. in Chicago—we use hoppers with 1,650-ton capacity."

With revenues and profits running at high tide, all the barge lines have been adding to their fleets. Thus Dravo Corp.'s Union Barge last year added 30 new units to its 300-barge fleet, and expects to make further additions this year. Similarly, American Commercial Barge added 82 new barges to its fleet, which already is the largest in the Nation.

St. Louis Shipbuilding-Federal Barge, for its part, has spent roughly $17.5 million since 1953 to modernize its barge fleet. Last year the company added 27 barges to its fleet at a cost of about $1.8 million. This year the company expects to spend $4.5 million.

As further strengthening of their operations, it should be noted that most of the lines also have been diversifying. While there are exceptions, such as Mississippi Valley Barge's heavy purchases of stock in the Water Treatment Corp., most of the lines have stayed fairly close to the bargeways or to transportation.

American Commercial, for example, last year paid out $18.2 million for the Bauer Dredging Co., which operates 12 dredges, 23 tugs, 45 barges and a Texas shipyard, along with owning large amounts of real estate. By so doing, of course, American Commercial not only enlarged its barging operations, it got a firm stake ($13.2 million a year in gross revenues) in hydraulic dredging, oyster-shell dredging and marketing and the contracting of jetty and harbor construction.

LIKE THE RAILROADS?

But with the tide running so heavily in their favor, are the bargemen likely to forget the days of strife behind them? Are they, in short, likely to become overly complacent as the railroads did in their heyday?

It is hardly likely. First of all, the waterway is hardly an iron rail that can go unattended for fairly long periods. So far this year, for example, there have been the problems of ice on the Mississippi, which usually clears by late March but did not open up until late May, the massive flood that gripped so much of the Midwest, and a strike in New Orleans.

Then there is one of the biggest problems of all: the stretch of the Mississippi River between St. Louis and Cairo, Ill. Along this stretch, "Old Man River" rises and falls in what appears to be 10-year cycles. Currently, the river is in the shallow phase of the cycle. During some of the worse periods, barges cannot carry capacity weight between the two points—and much of the history of barges revolves around the key point of Cairo—and some of the industry's bigger boats cannot even attempt the journey. "I think," says Floyd Blaske, of American Commercial Lines, "that they will construct low-water dams at Grand Tower, Ill., and Commerce, Mo. At these points, rock ledges cross the river, and here is where most of the trouble is."

Until then, though, the bargemen must somehow ease their way along. The matter is still in the study stage by the Army Corps of Engineers, the Mississippi Valley Association, the mayor's committee of St. Louis, and a host of other groups.

What about competition? There is, for example, the railroads. After long years in the doldrums, the rails are coming back with a vengeance, particularly in that barge-line specialty, the moving of bulk commodities.

Though keeping a wary eye on their traditional enemy, the bargemen argue that they have not yet felt the impact of the railroad renaissance. Take the two- and three-level rack cars that now carry so many of the Nation's new autos. "They affect the trucks more than the barges," says Herman Pott. "In the old days, we used to put cars on top of oil barges, but that was ended by the Common Carrier Act. And after the war, two tows were build to carry 600 cars each. They ran for 10 or 15 years and made money, but they aren't used anymore. Now, piggyback is used."

Indeed, it might even be said that the barges now have reached the point where they are willing to join hands with the railroads. For industry not located on the riverbanks, a combination of river and rail transportation could mean the lowest transportation rates yet. Most bargemen advocate the development of such a system.

So far, however, the railroads have built a "Chinese Wall" around themselves. They will not develop through rates, and many bargemen charge that, even if the rails can coordinate a shipment with the barge lines, they stick to the rails. "I'm glad to see the railroads trying to improve their operations," says Floyd Blaske. "But one chief criticism of them is their reluctance to join the river transporters to develop through rates."

If they needed any further assurance that the tide was running their way, the bargemen could find it on one of the principal waterways of Europe. Of all the great rivers that pass through the Continent, the greatest surely must be the Rhine, and the Europeans always have pulled their barges along it. Last year, with an eye on the success of the Americans, the 2,000-year-old European industry started pushing its barges along the Rhine.

[September 18, 1940]

NATIONAL TRANSPORTATION POLICY

It is hereby declared to be the national transportation policy of the Congress to provide for fair and impartial regulation of all modes of transportation subject to the provisions of this act, so administered as to recognize and preserve the inherent advantages of each; to promote safe, adequate, economical, and efficient service and foster sound economic conditions in transportation and among the several carriers; to encourage the establishment and maintenance of reasonable charges for transportation services, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices; to cooperate with the several States and the duly authorized officials thereof; and to encourage fair wages and equitable working conditions;—all to the end of developing, coordinating, and preserving a national transportation system by water, highway, and rail, as well as other means, adequate to meet the needs of the commerce of the United States, of the Postal Service, and of the national defense. All of the provisions of this act shall be administered and enforced with a view to carrying out the above declaration of policy.

Mr. MAGNUSON. Reference is made at great length to the improvement of the twisting Ohio River to facilitate the carriage of millions of tons of cargo.

ROCKY RIVER CO. AND MACY LAND CORP.

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 1390, a private claim bill for the relief of Rocky River Co. and Macy Land Corp.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 1390) for the relief of Rocky River Co. and Macy Land Corp., which was, on page 2, line 10, strike out "shells: *Provided*, That no" and insert "shells. The payment of the amount authorized by this Act shall be conditioned on a full and final release executed by the said Rocky River Company and the Macy Land Corporation forever releasing the United States as to any claims by the said Rocky River Company and the said Macy Land Corporation or their transferees or assigns, based upon the condition of the lands referred to in this Act or upon any ordnance material remaining in that land, or damage or injury therefrom, and the release shall further provide that the Rocky River Company and Macy Land Corporation further agree in return for the payment of the amount provided in this Act that they will assume all liability for injury or damage which may result from any ordnance material remaining in said land and will indemnify and hold harmless the United States for any claims asserted by reason of injury or damage caused by such ordnance material. No".

Mr. **MANSFIELD**. Mr. President, the bill, as amended by the House of Representatives, is agreeable to the sponsor of this legislation and also the Committee on the Judiciary.

I move that the Senate concur in the House amendment.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

MRS. HARLEY BREWER

Mr. **MANSFIELD**. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1198, a private claim bill for the relief of Mrs. Harley Brewer.

The **PRESIDING OFFICER** laid before the Senate the amendments of the House of Representatives to the bill (S. 1198) for the relief of Mrs. Harley Brewer which were, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,500 to the estate of Harley Brewer, deceased, in full satisfaction of the claims of the decedent against the United States for compensation authorized to be paid to him by Private Law 88-360, approved October 14, 1964, but which was not so paid to the said Harley Brewer by reason of his death prior to enactment of the said private law: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

And to amend the title so as to read: "An Act for the relief of the estate of Harley Brewer, deceased."

Mr. **MANSFIELD**. Mr. President, the bill, as amended by the House of Representatives, is agreeable to the sponsor of this legislation and also the Committee on the Judiciary.

I move that the Senate concur in the House amendments.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

OH WHA JA (PENNY KORLEEN DOUGHTY)

Mr. **MANSFIELD**. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 402.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 402) for the relief of Oh Wha Ja (Penny Korleen Doughty), which was, to strike out all after the enacting clause and insert:

That, for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Oh Wha Ja (Penny Korleen Doughty) shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Edwin Doughty, citizens of the United States: Provided, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. **MANSFIELD**. Mr. President, on May 24, 1965, the Senate passed S. 402, to enable the 22-year-old beneficiary adopted by U.S. citizens to qualify for nonquota status as an eligible orphan.

On August 17, 1965, the House of Representatives passed S. 402, with an amendment to grant the beneficiary second preference status as the natural-born alien daughter of U.S. citizens.

I move that the Senate concur in the House amendment.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

VICE PRESIDENT HUMPHREY BRINGS GREAT SOCIETY TO LOCAL COMMUNITIES

Mr. **YARBOROUGH**. Mr. President, Vice President HUBERT H. HUMPHREY has become a great spokesman of the Great Society and the programs of this administration. In his speech at the Virginia Municipal League in Virginia Beach, Va., last Tuesday, September 14, 1965, Vice President HUMPHREY outlined the opportunities, challenges and potentials of our local communities to become the leading part in the Great Society.

Mr. President, as a tribute to one of the most inspirational speakers in politics today, and a man who personifies a dynamic government by his own personal characteristics, I ask unanimous consent that the fine speech delivered by Vice President HUMPHREY be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, VIRGINIA MUNICIPAL LEAGUE, VIRGINIA BEACH, VA., SEPTEMBER 14, 1965

I am pleased to be your guest at your 60th annual meeting today.

Several months ago the President asked me to act as his liaison with officials of local government. As a former mayor—one who knows local government first-hand—I welcomed that assignment. Because I know how distant and remote Washington can seem to the man with local responsibility. I have been trying, in these months, to make Washington less distant, less remote, more able to help.

Virginia has a national reputation for good municipal government. The city manager form of government was born in Virginia in 1908. Today your excellent training programs in municipal administration are being adopted in other parts of the country.

You have recognized the great opportunities, the great challenges, the great potentials today for creative local government.

This administration is pledged to the goal of a Great Society—a society of opportunity.

This administration and the Congress are launching creative new programs toward that opportunity.

But the future of our Nation lies not only with the Federal Government and the legislative branch. It lies in our heartland—in individual American communities.

The Great Society will be an America made up of thousands of great communities. It will be an America built where you serve.

It is your communities that will have good schools or bad ones.

It is your communities that will have decent homes or slums.

It is your communities that will have racial harmony or racial antagonism.

It is your communities that will either wage intelligent, coordinated drives on the causes of poverty—or will ignore this social cancer.

My 20 years in political life—from mayor to Vice President—have taught me what I only vaguely understood when I was a political science teacher: That the key to success of great national programs is local implementation and imaginative leadership.

My experience in public life has also taught me that we cannot blame our problems on some other level of government. There are too many manufactured antagonisms between the local, State, and Federal levels—antagonisms too often manufactured to escape responsibility at home base.

No greater opportunity faces all of us today than the opportunity to strengthen the economic and social structures of our communities, of our Nation.

We are moving ahead in seizing that opportunity. We are investing in both the material and human resources of this Nation.

Our goal is nothing less than this: To give each American citizen, and each American community, the opportunity to contribute to and share in our American progress.

We can do nothing less. For we must build a stronger and better America—a country running on all its cylinders—to meet the change and challenge of the years ahead.

There is one change we all know about: The change of our country from a rural nation to an urban nation.

It was only 45 years ago that people in American cities first began to outnumber people on our farms.

But by 1970, we can expect that three-fourths of our people will be living in towns, cities, and suburbs, compared to 70 percent in 1960. At the end of 1964, two-thirds of our population lived in 219 such areas, an increase from 59 percent in 1950. By 1980 that proportion will increase to three-fourths and by the year 2000 to four-fifths.

This growth has imposed new and unprecedented burdens on local government for schools, housing, streets, and highways, commercial expansion, transit, and welfare programs.

Today there are over 9 million American homes which should not be lived in, but are. Four million of those homes have no running water or plumbing.

There is congestion in our cities which cause a man to take more time to get to and from work than it does for an astronaut to orbit the earth.

There are water shortages.

There are millions of children who will, without a doubt, be on the welfare rolls a few years hence if something isn't done. One out of every three children now in fifth grade will not finish high school, if the present dropout rate continues.

There is a general shortage of clean, fresh air—of open space—of park land—of the things that make life livable.

No single community in this age of change can meet these demands alone and without help. That is why there are more than 15 major programs of Federal assistance to local governments. In fiscal 1965 there will be a total of $11.4 billion in Federal aid payments to State and local units. Of that amount, the Federal Government is paying $1.4 billion to our 91,186 local units.

To those who fear that the Federal Government is usurping the power and province of State and local governments—that the Federal Government is growing too large, I point to a few salient facts:

State and local share of all Government revenues has increased more than 50 percent in the last 20 years. At the same time, State and local spending have increased more than 200 percent.

This year, State and local purchases of goods and services will exceed those of the Federal Government for the first time since 1950.

The Federal debt has increased approximately 20 percent in the last 20 years; State and local debt has increased 420 percent.

In the last 20 years, the number of Federal civilian employees has increased by 100,000—that is, about 4 percent. State and local government employees have increased by 3.7 million—an increase of over 200 percent.

No, the Federal Government is not swallowing State and local government. In fact, there is a case to be made that the Federal Government has not done enough.

All governments—Federal, State, and local—must act as partners in solving the complex problems facing the city.

No, good fences do not make good neighbors when those fences are built between people who must work together to get a job done.

This administration is taking active steps to help cities. In this legislative session alone, the American Congress has passed historic laws to provide that help, to provide lower-cost housing, to create more jobs, to strengthen the local tax base, to provide better sharing of costs, to reduce crime, to improve health conditions, to stop discrimination, and to give the American city a voice at the highest levels of Government through a new Department of Housing and Urban Development.

We will not turn our backs on the problems of our neighbors.

We will not try to pay for needed services at one level of government alone—be it Federal, State, or local government.

We will work together to meet the needs of our citizens and provide opportunity for all.

Our American economy is prosperous and expanding. We look forward to a trillion-dollar economy in 10 years' time.

We have the means, we have the energy, we have the will—we have the leadership to meet change and make it our ally, not our enemy. We can achieve a Great Society.

I said earlier that the building of that Great Society will depend on the building of great communities.

And these communities, in turn, must be built by great people—people of tolerance, compassion and understanding; people of education and good health; people seeking and using opportunity; people of hope and confidence; people who have faith in themselves, their country and the future.

President Johnson has made his commitment to this task. I join him in that commitment. We ask your help.

COMMENDATION FOR AIR RESCUE SERVICE DETACHMENT 4 AT PAINE FIELD

Mr. JACKSON. Mr. President, Donald F. Jennings, sheriff of Snohomish County, Wash., has provided me with a copy of a letter he wrote to Secretary of the Air Force Zuckert on August 16 concerning the excellent cooperation the people of Snohomish County have received from Air Force personnel stationed at Paine Field there. He particularly praises the work of a helicopter unit at Paine Field, citing many instances where the men of this unit have risked their own lives in saving others. Sheriff Jennings also provided copies of this letter to Senator MAGNUSON and Representative MEEDS, and they join me in stating our appreciation to the men of Air Rescue Service Detachment 4 at Paine Field. I ask unanimous consent to insert Sheriff Jennings' letter in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SNOHOMISH COUNTY, WASH.,
August 16, 1965.

EUGENE ZUCKERT,
Secretary of the Air Force,
Washington, D.C.

DEAR SIR: In the latter part of 1962, Snohomish County received the first of a continuing installment gift. This gift has been impossible to assay as it consists of total devotion to duty and beyond duty, and a total devotion to the community in which they found themselves, of a group of uniformed men of the U.S. Air Force. The number of times various members of the group risked their lives in attempting to alleviate suffering and preserve the lives of others during the time between 1962 and this writing has never been fully recorded, but the records and files of this office and available news sources furnishes sufficient information from which to understand something of the deep gratitude we feel toward Air Rescue Service Detachment 4, Western Air Rescue Center, Paine Air Force Base, Paine Field, Wash.

Capt. Robert McDougal, Capt. Karl G. King, Capt. Ronald L. Bachman, 1st Lt. William Austin III, M. Sgt. Thomas A. Sternad, T. Sgt. James Johnson, A/1 James M. Brennan, A/2 Eugene H. Doucett, A/3 James W. Smith, and A/3 Phillip W. Mittelstaedt, were the men we have come to know so well and so favorably. Unfortunately during this period some other friendly and helpful crew members who worked with us went to new assignments before we had any record of them.

Besides the deep gratitude we feel for the service to the community by these men, we of this Department have benefited enormously from their assistance. On many, many assignments, their efforts have made our duties easier, and in a number of cases were certainly the difference between failure and success when the penalty for failure was death.

Our privilege of working with these men in common community efforts has served to increase our respect for our National Government and those who serve as national leaders. The care in selection and the intensity of training and the community orientation which this group so exemplifies reflects the greatest credit on the U.S. Government and its elected servants.

Details of the many rescue efforts during which the detachment 4 personnel gave assistance fill a cubic foot of our records, equal to several volumes of print. It is impractical to attempt to describe every incident and the dangers encountered and surmounted. However, I think it might be useful to describe generally the terrain and the types of involvement.

Snohomish County is approximately 2,200 miles in area, with a western coastal area on Puget Sound and an eastern area extending to the summit of the Cascades and including great stretches of national forest divided by numerous high peaks and rocky escarpments. The Cascades receive the very considerable rainfall generated in the neighboring Pacific so that our county must carry the runoff in its two principal river systems, the Skykomish-Snohomish and the Stillaguamish, and the numerous small contributing rivers. All of the rivers are subject to flooding. The abundance of water and natural barriers have also created many lakes.

A characteristic of all of our rivers is a very rapid current. This naturally follows from the rather short distance of roughly 50 miles from the summit of the 8,000- to 10,000-foot Cascades to the sea.

The abundance of water and its rapid runoff together have created a mountain condition of heavy forest blanket and deep stream erosion. Very little of the high mountain area can be fairly described as hospitable to 'copters. The Pacific provides us with fairly brisk winds, and the mountains have their own vigorous thermal currents.

Snohomish County has an estimated population itself of some 232,000 people, and lies immediately adjacent to King County with over a million. The terrain of the county constitutes a first-class tourist and vacationer attraction, so that the number of people stumbling about on the average weekend is astounding. Even experienced mountaineers find it extraordinarily easy to slip and slide on our well-greased slopes into almost inconceivable positions of danger, usually damaging their skeletal structures so as to interfere with easy walking.

In extricating these folk we have seen our friends from Paine Field maneuver their machines just a yard or two over the rivers and lakes, between the trees, under and around our telephone and electric wires, into and out of tiny canyons—one of which they actually had to back out of for lack of any other possible escape—within inches of rocky cliffs and pinnacles, and out over our very wet ocean. Many, many of these maneuvers were accomplished in high wind, cloud, fog, mist, failing light, or heavy rain, and frequently a combination of these.

We have added, as exhibits, some pictures and some news stories illustrating and explaining a small part of their work as we have known it. I am sending you this letter and material so that there will be some record of their achievements other than our own files. Most of the men named here are transferring to new stations in the next week or two so that the time seems appropriate to note their records while here.

A copy of this letter and its enclosures is being sent to our two Senators and our Congressman. These men, of course, are fully aware of the contributions given by detachment 4 and I believe they would be willing to confirm the facts as I have presented them.

Respectfully,
DONALD F. JENNINGS,
Sheriff.

DRAFT EMPHASIZES NEED FOR NEW GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the stark realities of existence in our world today point to an extended period of American military preparedness. With the constant increase in political tensions throughout the world and with the consequent addition of responsibility upon the shoulders of our Armed Forces personnel the need for educational readjustment assistance for cold war veterans is magnified. We are calling 27,400 men for the month of September 1965, and 33,600 men for the month of October 1965, through the Selective Service System. If we call these young men from home and school to fight for and defend American freedom we cannot fail to extend them an opportunity to begin again on their journey to intellectual and technical attainment when they return from service.

Mr. President, I ask unanimous consent that a letter from Mr. Edgar F. Peterson, of Tuscaloosa, Ala., dated September 10, 1965, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 10, 1965.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR MR. YARBOROUGH: This letter is in regard to educational aid for cold war veterans after February 1, 1955. Since I am a cold war veteran, I feel that the passage of an educational aid bill would be of great help to me and other veterans in obtaining a better education.

I am one of many cold war veterans who served during the Lebanon crisis. I was drafted from my science teaching job, but I was happy to serve my country as were other cold war veterans. During this time, my chances to continue my education were hindered as it was for many other veterans.

I feel that one of the best ways the Government can help the people of the United States is by providing for better educated citizens. The expense involved will be paid back in a few years through more income tax revenue. I feel that many of the billions being spent for foreign aid could be spent for the improving of our own country.

Since I have been reading the controversial issues on this educational aid bill, I would like to drop this letter to you in support of the educational aid bill for cold war veterans since 1955. I will greatly appreciate your continued support of this bill, and I'm sure other cold war veterans will appreciate your support of this bill.

Yours very truly,
EDGAR F. PETERSON.

PRESIDENT JOHNSON'S REMARKS ON INTERNATIONAL EDUCATION

Mr. **FULBRIGHT**. Mr. President, in a wise and eloquent statement to scholars of 80 nations attending the bicentennial celebration of the Smithsonian Institution President Johnson developed the theme, in his words, that "history is made by man and the ideas of men."

The President pointed out that education is the foundation both of our hopes for a Great Society in America and for the enrichment of life throughout the world. Learning, said the President, "is basic to our hopes for America. It is the taproot which gives sustaining life to all our purposes." This Nation's dream of a Great Society, he added, "is not just an American dream. All are welcome to share in it. All are invited to contribute to it."

In his remarks President Johnson develops the theme that education is the key to programs for the health and happiness of our own people, to our hopes for world peace, and to hopes for a better life for the hundreds of millions of people around the world who live in desperate poverty.

With these considerations in mind, President Johnson has directed a special task force to recommend a plan of worldwide educational endeavor. Having accomplished more for education within the United States than any of his predecessors, President Johnson is now directing his thoughts and his energies to the needs of international education. This is indeed a most happy development, and one for which the President is to be highly commended.

Mr. President, I ask unanimous consent that President Johnson's remarks to the international gathering of scholars attending the Smithsonian bicentennial celebration be inserted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Distinguished scholars from 80 nations, amid this pomp and pageantry we have gathered to celebrate a man about whom we know very little but to whom we owe very much. James Smithson was a scientist who achieved no great distinction. He was an Englishman who never visited the United States. He never even expressed a desire to do so.

But this man became our Nation's first great benefactor. He gave his entire fortune to establish this Institution which would serve "for the increase and diffusion of knowledge among men."

He had a vision which lifted him ahead of his time—or at least of some politicians of his time. One illustrious U.S. Senator argued that it was "beneath the dignity of the country to accept such gifts from foreigners." Congress debated 8 long years before deciding to receive Smithson's bequest.

Yet James Smithson's life and legacy brought meaning to three ideas more powerful than anyone at that time ever dreamed.

The first idea was that learning respects no geographic boundaries. The Institution bearing his name became the very first agency in the United States to promote scientific and scholarly exchange with all the nations of the world.

The second idea was that partnership between Government and private enterprise can serve the greater good of both. The Smithsonian Institution started a new kind of venture in this country, chartered by act of Congress, maintained by both public funds and private contributions. It inspired a relationship which has grown and flowered in a thousand different ways.

Finally, the institution financed by Smithson breathed life in the idea that the growth and spread of learning must be the first work of a nation that seeks to be free.

These ideas have not always gained easy acceptance among those employed in my line of work. The Government official must cope with the daily disorder he finds in the world around him.

But today, the official, the scholar and the scientist cannot settle for limited objectives. We must pursue knowledge no matter what the consequences. We must value the tried less than the true.

To split the atom, to launch the rocket, to explore the innermost mysteries and the outermost reaches of the universe—these are your God-given chores. Even when you risk bringing fresh disorder to the politics of men and nations, these explorations must go on.

The men who founded our country were passionate believers in the revolutionary power of ideas.

They knew that once a nation commits itself to the increase and diffusion of knowledge, the real revolution begins. It can never be stopped.

In my own life, I have had cause again and again to bless the chance events which started me as a teacher. In our country and in our time we have recognized, with new passion, that learning is basic to our hopes for America. It is the taproot which gives sustaining life to all our purposes. Whatever we seek to do—to wage the war on poverty, set new goals for health and happiness, curb crime, and bring beauty to our cities and countryside—all these and more depend on education.

But the legacy we inherit from James Smithson cannot be limited to these shores. He called for the increase and diffusion of knowledge among men—not just Americans, not just Anglo-Saxons, not just the citizens of the Western World, but all men everywhere.

The world we face on his bicentennial anniversary makes that mandate more urgent than it ever was. For we know today that certain truths are self-evident in every nation on this earth:

That ideas, not armaments, will shape our lasting prospects for peace.

That the conduct of our foreign policy will advance no faster than the curriculum of our classrooms.

That the knowledge of our citizens is the one treasure which grows only when it is shared.

It would profit us little to limit the world's exchange to those who can afford it. We must extend the treasure to those lands where learning is still a luxury for the few.

Today, more than 700 million adults—4 out of 10 of the world's population—dwell in darkness where they cannot read or write. Almost half the nations of this globe suffer from illiteracy among half or more of their people. Unless the world can find a way to extend the light, the force of that darkness may engulf us all.

For our part, this Government and this Nation is prepared to join in finding the way. During recent years we have made many hopeful beginnings. But we can and we must do more. That is why I have directed a special task force within my administration to recommend a broad and long-range plan of worldwide educational endeavor. I intend to call on leading educators outside the Government to join with us.

We must move ahead on every front and at every level of learning. We can support Secretary Ripley's dream of creating a center of advanced study here at the Smithsonian so that great scholars from every nation will come and collaborate. At a more junior level, we can promote the growth of the school-to-school program started under Peace Corps auspices so that our children may learn about, and care about, each other.

We mean to show that this Nation's dream of a Great Society does not stop at the water's edge. It is not just an American dream. All are welcome to share in it. All are invited to contribute to it.

Together we must embark on a new and noble adventure:

First, to assist the education efforts of the developing nations and the developing regions.

Second, to help our schools and universities increase their knowledge of the world and the people who inhabit it.

Third, to advance the exchange of students and teachers who travel and work outside their native lands.

Fourth, to increase the free flow of books and ideas and art, of works of science and imagination.

And, fifth, to assemble meetings of men and women from every discipline and every culture to ponder the common problems of mankind.

In all these endeavors, I pledge that the United States will play its full role.

By January, I intend to present such a program to Congress.

Despite the noise of daily events, history is made by men and the ideas of men. We, and only we, can generate growing light in our universe, or we can allow the darkness to gather.

DeToqueville challenged us more than a century ago: "Men cannot remain strangers to each other or be ignorant of what is taking place in any corner of the globe." We must banish the strangeness and the ignorance.

In all we do toward one another we must try, and try again, to live the words of the prophet: "I shall light a candle of understanding in thine heart which shall not be put out."

THE EAST-WEST CENTER ON THE UNIVERSITY OF HAWAII CAMPUS

Mr. INOUYE. Mr. President, more than 600 students from 25 countries were enrolled at the East-West Center on the University of Hawaii campus in Honolulu last year.

I know that many of my colleagues will be surprised to learn that this Federal institution which was established to promote better understanding and cooperation between East and West is already 5 years old.

The Honolulu Advertiser published some interesting comments on the development of the East-West Center in a September 15 editorial. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EAST-WEST CENTER AT 5

There is the theory that underdeveloped nations can reach a point after initial years of struggle, inexperience, and building when their economy takes hold and starts generating its own growth. This is called "the takeoff stage" of development.

And so it might be with the East-West Center 5 years after its first student grantee arrived on the University of Hawaii campus.

Nobody who has followed the Center's growth would pretend these initial years have been either easy or uncontroversial.

Looking back, it might have been naive to expect otherwise, just as it would be naive to expect the world's new nations to emerge with fully matured development.

The East-West Center is a unique experiment, not only in international relations but also in American education. It is the first such Federally sponsored institution for civilians.

Furthermore, it was founded as Hawaii was beginning to move into an era of sweeping change.

The jet age and statehood had just arrived with a dramatic rush. There has been ferment and turnover since in the University of Hawaii itself as it started to move into its own take off stage toward becoming a first-class institution with a deeper understanding of Asia.

Yet, if the Center has admittedly disappointed some in its initial development, it would be a mistake not to acknowledge its early accomplishments.

Its student program has grown from 99 students from 14 countries in that first fall semester of 1960 to over 600 from 25 countries last year.

Its technical training program—providing special practical courses in such fields as agriculture, printing, public health, and radio broadcasting—has served another 1,000 grantees.

The third major division, the Institute of Advanced Projects, has provided grants and facilities for 133 Asian and American senior scholars to do research and write on international problems.

In addition, the institute has sponsored a series of important international development seminars which have brought dozens of East-West experts together for discussions of major problems.

Along the way, the Center and the university have worked out a relationship based on practical experience and better understanding. In this, some feel it was a blessing as well as a personal burden that university President Thomas Hamilton was forced by circumstances to spend over a year as the Center's acting chancellor.

If the Center has yet to achieve major world stature, there is the balancing thought that educational institutions, unlike movie or recording stars, are best inclined to build their image in a slower, more solid form.

And there is also the fact that increasing numbers of Asian and Pacific island students have received degrees and gone back with generally favorable impressions. The Center is succeeding in its major function, promoting better East-West understanding.

This certainly does not mean that major improvements and the real potential of the Center do not lie ahead.

We now have the basis for the takeoff stage—improved understanding with Washington, smoother relations with the university, and in Howard P. Jones, a new full-time chancellor with wide experience and knowledge of Asia and its problems.

This makes it especially fortunate that the executive committee of the Center's distinguished National Board of Review has been here this week to study programs and activities.

This group includes the Very Reverend Laurence McGinley, former president of Fordham University and chairman of the executive committee; Roy Larsen, chairman of the executive committee of Time magazine; Dr. Hugh Borton, president of Haverford College, and Hawaii's Dr. Hung Wo Ching, chairman of the board of Aloha Airlines.

Gov. John A. Burns, who was instrumental in the founding of the Center and is chairman of the National Review Board, joined in the committee sessions here.

Father McGinley has praised the Center's achievements amid difficulties and stressed its high potential.

We are certain his committee members are also aware of continuing problems; these will be pointed out to Center officials and to members of the full National Review Board meeting in January.

Their findings and their perspective are important as the Center emerges from its first difficult years and into a period in history when the East-West understanding and cooperation it seeks may well become the most critical need in our world.

TRIBUTE TO ADLAI STEVENSON

Mr. YARBOROUGH. Mr. President, time is allowing us to better assess and appreciate the many wonderful contributions which Adlai Stevenson made to the future of this Nation and to the progress of the entire world. The grief and shock of his death is slowly yielding to a deepening appreciation of the wonderful character of this man, the conscience of America, and the manifold accomplishments of a man who left the world in a better condition than he entered it, due mainly to his own abilities and convictions.

As a tribute to his passing, I ask unanimous consent that two articles from the Progressive magazine of August 1965, which appear on pages 3 and 4, being an editorial and an article by Donald Grant as well as a resolution which was passed by the Texas Democratic Women's State Committee, together with the authenticating signatures, and the cover letter accompanying it, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Progressive magazine, August 1965]

ADLAI EWING STEVENSON

More than any political leader in our time, Adlai Stevenson spoke for the conscience of America. It will take time to assess and appreciate the most important things that Adlai Stevenson did for us and said to us. It may well be as important as life and death for civilization as we know it that we soon grasp and act upon the wisdom of his words, and honor him with the only memorial commensurate with the man—peace on earth.

In 1956, at the height of his second campaign for President, he had the courage to propose that the United States suspend nuclear testing. He was excoriated as a dreamer—and later vindicated by an Eisenhower administration that suspended testing; eventually, he was vindicated a second time by the signing of the treaty banning atomic testing under the Kennedy administration.

Long before poverty became popular Stevenson proposed programs designed to eliminate poverty; and he spoke up for civil rights at a most critical place and time—Little Rock, Ark., a decade ago.

John F. Kennedy's thinking was in part reshaped by the mind of Adlai Stevenson, just as Stevenson expanded the horizons of men and women who have been elected to the Congress of the United States, to Governors' offices, or who have won renown in halls of learning and on the councils of diplomacy.

Viewed in its entirety, Stevenson's public life equals that of any public man in American history for courage, high principle, selfless commitment, and the ability to conceive great plans for the betterment of his countrymen and all humanity. It was his capacity to create new ideas that should be remembered most. Those who ignore this fact and dwell largely upon his wit and eloquence understand neither the man nor what he was trying to do.

Three times—in 1952, 1956, and in the vain attempt to nominate him in 1960—the Progressive supported Adlai Stevenson for President. It was not that we agreed with every detail of his program. In 1952 the editorial in the Progressive announcing its endorsement of Stevenson for President was entitled "Adlai, Warts and All," and we found a number of warts. Again in 1956 our support of Stevenson was tempered with reservations, especially on some of his views on foreign policy.

But there was a quality in Adlai Stevenson that irresistibly overcame differences in detail. It was his basic approach to the real and ever-changing problems of mankind, an approach eloquently stated by Stevenson himself in a memorable address in 1959:

"An examination of what you might call our collective conscience is to my mind far more important than particular projects or programs. You can have a perfect assembly of pieces in your watch, but they are worthless if the mainspring is broken."

It was his deep and noble humility, his recognition of the need for constant soul-searching, and his willingness to adopt fresh ideas on the basis of new-found knowledge that we found so appealing in Stevenson. It was this depth of character that made Stevenson, a loser in national elections, a winner in the more vital race of man against his own destructive nature.

Stevenson's two defeats at the hands of Dwight D. Eisenhower were tragic for the country, but even in defeat Stevenson began the education of millions of his countrymen on behalf of ideals far nobler than affluence and armaments. It was the Stevensonian education of millions of voters that helped make the election of John F. Kennedy possible, made the election of Barry Goldwater impossible, and truly laid the foundations for what is best in the New Frontier and the Great Society.

We believe that if Adlai Stevenson had lived, he might yet have performed at least one more great service to peace. He might have chosen—if the White House persisted in widening the war in Vietnam—to break free, regretfully, from the restrictions placed upon him as the administration's ambassador to the United Nations. He might have resigned his U.N. post, as many of his admirers across the land wanted him to do. Then, as a member of the loyal opposition, he could have spoken truth to power. With his independence regained, his ideas might have acquired enough weight with the White House to require it to modify some of its perilous and fruitless foreign policies.

It was clear that Stevenson was deeply troubled in his role as our ambassador to the United Nations. His inner conflict was well known to his close friends. He disagreed with several aspects of the Johnson administration's foreign policy—positions he was obliged to defend before the world community against his better judgment. According to radio correspondent David Schoenbrun, Stevenson, a few days before his death, told roving ambassador Averell Harriman that U.S. intervention in the Dominican Republic was a massive blunder and that defense of that policy "took several years off my life. I could not believe in some of the things I had to say." Several weeks before Stevenson's death, James A. Weschler, in the New York Post, wrote of Stevenson's association with the Johnson administration, "Too often Stevenson is reduced to the role of debater rather than creator." In a warm note to Weschler, Stevenson wryly responded: "There you touch the nerve with precision." But he stayed on because he felt his country needed him.

Certainly the world is a more dangerous place without Adlai Stevenson. But his words and ideals can still speak to us if we have the wit to listen. That compassionate and brave and often lonely man is gone forever, and yet his hopes for, and belief in, the human race would be justified if his death were to begin a new flowering of the American conscience and a new dedication to peace and the betterment of our brothers everywhere.

[From Progressive magazine, August 1965]

A WALK WITH STEVENSON

(By Donald Grant)

(NOTE.—Donald Grant, United Nations correspondent for the St. Louis Post-Dispatch, was a close friend and confidant of Adlai Stevenson.)

UNITED NATIONS.—This is written on the day that Adlai Ewing Stevenson died.

I am looking down the street where I walked with him so recently. That was after breakfast at his apartment in the Waldorf Towers. I scrambled the eggs; typically, he had given his cook time off for some reason of personal need. There were dirty dishes in the kitchen sink. His driver also was off for the day—it was, after all, a Saturday. Hence our walk to the building which houses the U.S. Mission to the United Nations, just across the street from the United Nations itself.

After he left me, Stevenson—"Governor," we called him—was going to write the speech, or a draft of the speech he hoped would be delivered by President Johnson at the San Francisco session of the United Nations General Assembly commemorating the 20th anniversary of the world organization Stevenson helped found.

Walking beside me, Stevenson's step was full of bounce, and so were his ideas. Our breakfast talk had ranged over a wide variety of subjects—the future of the United Nations, Vietnam, the Dominican Republic, relations with Russia and with China, and more. As we walked to his office he brought all this into focus on a single suggestion.

"I have been thinking," he said, "of going to Moscow myself, to see if something could be done about the problem of communications between the Soviet Union and the United States. I feel I have good relations with [Soviet President Anastas] Mikoyan and I do believe something must be done."

We had talked at breakfast about the lack of meaningful discussion between the two great nuclear powers. Stevenson was convinced that the future of peace depended on improved relations between the Soviet Union and the United States. On a previous occasion he had told me of his conversations with President Johnson on the China problem. This, of course, included Vietnam. Stevenson felt the United States and the Soviet Union had many interests, especially in holding China within bounds of reason until the processes of time and maturity could work with that vast country, now so isolated, so unrelated to the general system of collective security.

This was one of many items of unfinished business with Adlai Stevenson when he died.

I followed Stevenson to San Francisco. The first night there, the night before President Johnson spoke, I saw Stevenson at the big reception given all the delegates. He was a sobered man, his face twisted with an inner pain; he knew then that President Johnson had rejected his suggestions of ideas to be included in the Presidential speech, and he told me so, adding, "Maybe there will be a last-minute change." There wasn't any.

Until the last minute, Stevenson had hoped Mr. Johnson would give some real assurance that the United Nations General Assembly would resume normal sessions this fall, that the issue of voting by nations refusing to contribute to peacekeeping operations which they believed were illegal would not be raised. Stevenson had never been in full accord with the American policy which threatened the voting rights of two great powers, Russia and France, and hence the future of the whole United Nations. It was a complex issue, and Stevenson never thought American policy wholly wrong, but he was not one to kill flies with sledgehammers.

The world organization, Stevenson thought, was more important than legalistic arguments. By the time of the San Francisco meeting, in any event, Stevenson, along with most U.N. diplomats, believed the issue was dead. He also believed it would give the United Nations a much needed stimulant for the President to make an appropriate statement on the subject.

So far as I could judge, Stevenson was not bitter, afterwards. He was confident the U.N. Assembly, anyway, would resume normal sessions this fall. If he knew why the President had rejected his advice—that Mr. Johnson include in his speech reaffirmation of American support for collective security generally, and of U.N. political and economic functions in particular—Stevenson never told me. The speech given by the President, though containing some sentiments apparently favorable to the United Nations, was greeted by Stevenson's diplomatic colleagues, and by his staff, as a slap in the face for the chief U.S. delegate.

It is no secret that Stevenson was to one degree or another out of sympathy with the "shoot-first-and-talk-later" style of Johnsonian diplomacy. Bombing North Vietnam, landing the Marines in the Dominican Republic, bringing Belgian parachutists into the Congo in American planes were not in the Stevenson manner. Last fall he carried, with his strong recommendations for approval, a proposal for peace talks in Vietnam from U.N. Secretary General U Thant to President Johnson, who promptly rejected the suggestion, which already had the support of Ho Chi Minh of Hanoi. After the Dominican landings, Stevenson urged in vain that U.S. influence be used to return Juan Bosch, the legally elected president, to power in Santo Domingo. Johnson remained deaf.

Too frequently, Stevenson's friends thought, Johnson did not consult Stevenson until after decisions were made—and too often refused to accept his advice when Stevenson found an opportunity to give it. Why, then, did Stevenson reject the advice of friends who urged him to resign?

A swift answer may be misleading. No doubt Stevenson's own personality was involved. He was not a simple man, nor a man free from doubts, divisions, and possibly unrealistic hopes. He was an eminently reasonable man, given to an inordinate faith, perhaps, in human intelligence. If one could divest the word of a tendency toward cliche—as alien to Stevenson as an affront to the dignity of any fellow human creature—the term "good" might apply as well. Out of his own goodness, he found it impossible to impute "evil" to his enemies, either inside the Johnson administration or elsewhere.

His function, Stevenson felt, was to pull together the goodness in all men, the yearning for peace, for justice; to help all men to achieve the good life his brain and his heart told him was possible for mankind. The "revolution of rising expectations"—a phrase he invented—took place in the first instance inside Stevenson, and he learned to expect much of his fellow man, whether a President Johnson, a Mikoyan—or, I think, a Mao Tse-tung.

He was not always disappointed. Out of two defeats in national presidential campaigns he gained the respect of the world. Hoping to be President Kennedy's Secretary of State, he settled for the position of United Nations Ambassador—only to find that he had not been properly informed about the invasion of Cuba at the Bay of Pigs and mistakenly made statements about American innocence not consistent with facts later revealed. He did not resign then. In the Cuban missile crisis he was able to play a major, though largely quiet, role in avoiding nuclear war.

Later, partly as a result of the surmounting of that crisis, President Kennedy at American University announced a policy for the United States that was "Stevensonian" in essence—moving forward toward a detente with the Soviet Union and strengthening American participation in the United Nations.

Under Johnson, Stevenson kept hoping: There are many roads to Damascus.

There also are various kinds of immortality. So soon after his death, it is impossible not to believe that Stevenson has led us in a direction we can follow for ourselves, now. We must try.

As I was writing this, I received a telephone call from a very humble Indian—the personal servant of a diplomat with the Indian delegation at the United Nations. He had served Stevenson at receptions; he knew Stevenson was my friend.

"Is it true?" asked the Indian. And when I sadly assured him it was, he asked, "Who will help us keep the peace from now on?"

WALLER, TEX.,
September 9, 1965.

Hon. RALPH YARBOROUGH,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: At the last meeting of the Texas Democratic Women's State Committee, a resolution was proposed in tribute to Adlai Stevenson.

We were asked to send you a copy.

Sincerely yours,

MARGARET READING.

RESOLUTION

Whereas Adlai Stevenson brought to the world of politics a sense of truth, of sincerity and beauty of the English language. These qualities together with his wit and understanding furnished an effective leadership. He raised us all to a greater maturity and gave us all a greater understanding of the peoples of the world; and

Whereas he helped in the formation of the United Nations and was later the U.S. Ambassador to that body. Death came while on a United Nations' assignment. He died in the active service of his country; and

Whereas his death is a great loss to all of the world, but his greatness will be felt for ages to come: Now, therefore, be it

Resolved, That the Texas Democratic Women's State Committee pay tribute to the life and service of Adlai Stevenson, outstanding citizen of the United States; and be it further

Resolved, That copies of this resolution be prepared and sent to the United Nations and that copies be prepared for members of his family as an expression of sympathy and in recognition of the greatness of Adlai Ewing Stevenson.

Margaret Reading.
Lillian Collier.

IZAAK WALTON LEAGUE OF AMERICA HONOR ROLL AWARD TO THE LEAGUE OF WOMEN VOTERS

Mr. JACKSON. Mr. President, the Izaak Walton League of America this week presented its Honor Roll Award to the League of Women Voters for the league's work in conservation, outdoor recreation, and pollution abatement.

The League of Women Voters is a volunteer nonpartisan organization of 145,000 persons with local leagues in every State, the District of Columbia, and Puerto Rico.

The league has made intelligent studies in many facets of our Government, and it has made extremely helpful contributions in the area of interest in which it is honored by the Izaak Walton League.

I feel particular pride in this latest recognition, in that the national president of the League of Women Voters is a constituent of mine, Mrs. Robert J. Stuart, of Spokane, Wash. She is providing this organization with most able leadership.

I ask unanimous consent to insert in the Record the press release issued by the Izaak Walton League of America on the occasion of this award.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Washington, September 19.—The League of Women Voters of the United States was cited today by the Izaak Walton League of America for its effective leadership and activity in conservation, outdoor recreation and pollution abatement. The Izaak Walton honor roll award was presented to Mrs. Robert J. Stuart, Spokane, Wash., president of the national women's group by Reynolds Harnsberger, Markham, Va., national president of the sportsman-conservation organization.

Harnsberger in making the award commented that studies in recent years had shown that a substantial portion of all outdoor recreation activity is water-related—swimming, fishing, boating, camping, picnicking, waterfowl hunting and on down the long list. "It is perfectly plain," he said, "that if we want to assure an adequate supply of high-quality outdoor recreation opportunity to meet the needs of our burgeoning population, we must conserve and protect the Nation's vital water resources.

"It has been stated, and without exaggeration," he continued, "that if all water pollution were eliminated, the usable outdoor recreation potentials of the United States would be doubled.

"The League of Women Voters," Harnsberger emphasized, "has mobilized its membership to study, become informed and to act vigorously and intelligently in behalf of clean water. The League's contribution to outdoor recreation and community well-being across the Nation has been immeasurable."

VICE PRESIDENT HUMPHREY'S ADDRESS AT THE URBAN DEVELOPMENT SEMINAR

Mr. HART. Mr. President, our distinguished Vice President and President of the Senate addressed the Urban Development Seminar, sponsored by the Housing and Home Finance Agency and Agency for International Development at Detroit on September 15.

As always, the Vice President effectively raises our vision and points the road which as a people we should follow if we seek to realize the potentials that are ours and advance the interest of mankind.

I ask unanimous consent that the address may be printed in the Record at this point in my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert Humphrey, Urban Development Seminar, Sponsored by Housing and Home Finance Agency, Agency for International Development, Statler-Hilton Hotel, September 15, 1965

We Americans have been more urban than rural since 1920. But as you know, it was only this summer that we fully accepted this fact and established a Cabinet-level Department of Housing and Urban Development.

This doesn't mean we haven't been working on urban problems for a long time. As mayor of Minneapolis, I worried about financing school expansion, improving housing, carving playgrounds and parks out of packed city blocks, about highways and bus service, and building a tax base to pay for the things our people had to have.

As a Member of the U.S. Senate I continued to work toward providing for these same needs.

Today, as Vice President, I act as the President's liaison with mayors, city managers, and local government—with the people who deal day to day with the problems of urban America.

Our new Department of Housing and Urban Development will make possible coordination of Federal programs for the cities—it will serve as a focal point for what we are doing.

With this new Department, I believe we'll do a better job of designing cities, of meeting problems like mass transit and water supply, of improving welfare programs, of providing educational opportunity—of making our cities places to live in and not to escape from.

Our rich and strong country is today dedicated to this task, and to the task, in all our society, of helping create a life of both quality and quantity, a life in which each man has the equal opportunity to build something better for himself, his children, his country.

And your objectives, I suspect, are not too greatly different. But your nations do not have our wealth and strength, your nations do not have as ready access to human and material resources. And, therefore, your task is even more difficult than ours.

Looking at our own economic assistance programs—at the kinds of things we're doing in partnership with other countries—I think it is clear that we have begun to place a much higher priority than we once did on urban development as a major concern in the problem of nation building.

As recently as 5 years ago, you would have had a hard time finding many AID projects that could be called part of an urban development program.

The need was right before our eyes: people by the millions were streaming in from the rural areas in Bombay and Caracas and Cairo, running from the poverty they knew on the farm to the opportunity they thought beckoned in the city. But as recently as that, there was a feeling on your part and on ours that things like housing were luxury investments that would have to wait on the building of more factories, more powerplants and more roads. Housing, so they said, wasn't productive.

But that's not true. You can build houses and community centers and schools and clinics with local materials. It takes little precious foreign exchange. The biggest cost in laying sewers or water mains is labor. As far as being productive is concerned, in the United States the home-building industry is responsible for one out of every $18 of our national product, and it provides jobs for 1 out of every 20 Americans.

And it is anything but productive to sit by and permit the mushrooming of miles of slums and shacks, crowded with sick and illiterate and miserable human beings whose very misery makes them receptive to any proposal, however violent and destructive, that seems to promise some hope.

In the last 5 years we have come quite a distance. The increase in AID assistance for urban development is remarkable, especially in Latin America under the Alliance for Progress. AID alone has made more than $150 million in loans for housing construction and more than $200 million has been loaned by the Inter-American Development Bank.

To get private American capital investment in international housing, the Congress has given AID authority to make $400 million in housing investments guarantees for Latin America, and reserved another $125 million in guarantee authority for housing investments in Asia and Africa. Right now, private American investors are using this authority to launch joint housing ventures in Taiwan, Thailand, Nigeria, and Tunisia.

By themselves, the raw statistics of what we have achieved seem impressive. In fiscal year 1965 for example, the U.S. AID program helped other countries add decent dwelling units for 680,000 people, 470,000 of these in Latin America. Compared with what was happening 5 years ago that is impressive. But compared with the need it is hardly a start. I know of no developing country in which the construction of new, decent housing has yet kept pace with the raw increase in urban population.

If there is cause of optimism it is not because of the statistical results to date, but because of what lies behind these statistics. I am encouraged by the growth of institutions and programs that will make a decent home economically possible for more and more people in the less developed countries.

The growth of savings and loan associations in Latin America, for example, has been remarkable, and I'm proud of the role that private American groups like the National League of Insured Savings Associations and the U.S. Savings and Loan League have played in this growth through the AID program. In Chile, Ecuador, Peru, Venezuela, and Guatemala alone, 70 associations have been organized with more than 200,000 members, $55 million in savings and $99 million in loans out for the purchase of new homes.

To me, the experience with savings and loan associations, with credit unions, and with housing cooperatives now being organized with the support of American labor unions, makes it clear that the local funds to finance much of the needed urban housing are present, if they can only be mobilized.

I'm encouraged too, by the success of self-help housing programs in countries as distant and diverse as Nicaragua, Nigeria, and Korea. The very poor have no buried savings to share in a cooperative or a savings and loan association, but they can contribute their own labor. This device has cut costs by as much as 40 percent, and it has given the people who live in these houses a sense of participation and dignity that may be as important as the home itself.

Our commitment to help with the problems of urban development is a firm one. But it is also clear to us, as I'm sure it is to you, that the problems of the growing city can be solved only partially within the city itself.

In the 15 years or so since the beginning of our partnership for development with your countries and other countries in Asia, Africa, and Latin America, the pattern and the problems of progress have become fairly clear. We have seen some great achievements. Together, we have very nearly wiped out the threat of malaria for half the 1.3 billion people in the malarious areas of Asia, Africa, and Latin America. We've done pretty well at building factories and putting up powerplants. Industrial output has increased at an average of better than 6 percent a year.

But farm output, in nearly every one of the less-developed countries, has barely kept pace with the increase in population. In many of your countries, it has fallen behind, despite sizable investments in fertilizer imports and factories, in rural roads, in irrigation projects.

The result is more than food shortages in the cities. The result is rural poverty and the flight of more people to the cities. In most of your countries, rural people still account for better than two-thirds of the population. If the farmers are not producing more, if their incomes are not rising, where is the growing internal market to provide more orders for urban factories, more jobs for city people?

It is clear to us that we are also going to have to pay far more attention in our assistance programs to raising agricultural output. There is no other way to ease the pressure of migration on your cities, or broaden the internal markets that will create more city jobs.

In his message this year on the foreign assistance program, President Johnson pledged the United States to use its own agricultural abundance and technical skills to help the less-developed countries increase their own ability to produce food of their own.

Some of the steps involved are obvious: more fertilizer, better produce distribution, improved pricing practices, more irrigation. We in the United States are going to make better, more extensive use through the AID program of our own unique experience in agricultural development by involving our land grant universities and our own Department of Agriculture specialists. We are continuing to expand our use of experts from American farm cooperative groups in helping other countries raise farm productivity.

We can't reproduce our own American experience in your country. Countries are different and you can't transfer institutions willy-nilly. But we can provide wonderfully skilled people from our universities, our cooperatives, our Agriculture Department to help work out solutions that do make sense in another situation. If we persist together, I don't doubt for a moment that we will turn up on the farms and in the villages the same buried resources of human drive and ingenuity, and maybe even a good deal of capital, that the savings and loan experiment has turned up in the Latin American countries I mentioned earlier.

As you may know, I have something of a reputation as an optimist. Well, I am. It is easy to be discouraged by the troubles of men and nations. Certainly we're all sobered by what's happening in India and Pakistan today. And Vietnam is disturbing and tragic. For, while men are at war, we can't get on with the most important human battle in southeast Asia: the battle to develop the promise of a rich and fertile land for the people who live there.

But when I look back on our common history since World War II, what I'm impressed with is not the troubles or the problems—the world has always had those. I'm impressed with the new element in international relations: the steady effort, crystallized in our mutual development programs, our aid programs, by independent countries to work together on solving problems.

That is new, and different, and a cause for optimism.

For our part, I can assure you that we approch our role in the development partnership in the same way we have learned to view our investment in the development of our own cities. We don't see this as something we are doing for somebody else. We see it as an investment in our own future and in the world we share with you.

In closing, may I say this: The American character is one of activism and, sometimes, impatience. It is one which leads us, from time to time, into mistakes. It is one, I am sure, which is often not fully understood in other places.

But I want to leave this message with you: We Americans are committed—committed beyond recall—to the building of a freer, better, happier world for all men.

There have been times, I know, when you may have doubted this. But today, as never before, our American Nation has come to appreciate the oneness of mankind. This appreciation makes possible the great national programs we undertake today to build better cities, to fight poverty, to eliminate discrimination in our own society, to do something on behalf of our fellow men.

And today, as never before, we know that we cannot live rich in a world too long poor.

I, for one, mean to do in my lifetime whatever I can to extend mankind's benefits to more of mankind. And I am joined by the overwhelming majority of the American people. I am joined, certainly, by our President.

Let us, then, together pledge ourselves to creating the world of justice, hope and peace that all men long for, but have not yet achieved.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill.

The Senate resumed the consideration of the bill (H.R. 2580).

Mr. MANSFIELD. Mr. President, if the Senator from Ohio [Mr. LAUSCHE], who is to be recognized to make some remarks at this time, will yield without losing the right to the floor or having the time for the quorum call taken out of the time allotted to him, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from Ohio.

THE DOMINICAN REPUBLIC

Mr. LAUSCHE. Mr. President, on the floor of the Senate within the last few days there has been a discussion of what the conditions were in the Dominican Republic in April, when the U.S. Government determined to send in its Marines. A statement was made that an erroneous judgment was reached by the President because he was misinformed as to the purpose in sending in the troops. I must express vigorous disagreement with that argument.

I am a member of the Foreign Relations Committee and had the opportunity of listening to the representatives of the Department of Defense, the State Department, and the CIA in describing what took place in the Dominican Republic when the revolt of last spring began.

I can say unhesitatingly to Senators on the floor of the Senate that the proof was clear and convincing that unless we had stepped in we would have at our shores another Cuba.

We know of the difficulties that are facing us because of Cuba. In my judgment, those difficulties would be multiplied many times if another Castro and Cuba were established within 100 miles of the banks of our land on the south.

When the coup began it was led by persons who were not connected with the Communist Party. But it is an established fact that there were three groups in Cuba.

One group was known as the 14th of June movement with complete fidelity to Castro. Its members obtained guerrilla training in Cuba, especially in the year of 1964. That group is oriented to Castro and is Communist. It is the largest of the extremists parties, but does contain some non-Communist members.

The second group, that was latent and hidden in the Dominican Republic, was the PSPD, oriented to Moscow. Its members received training in Czechoslovakia in 1963. Others obtained indoctrination in Moscow in 1964.

Then, there was a third group, the APCJ, oriented to Peiping. Members of the APCJ went to Communist China late in 1964, where they received guerrilla military training.

We thus have the situation with three groups in the Dominican Republic led by Communists, with some of their members non-Communists. They were hidden, waiting for action. When the coup began, they immediately sprung to the forefront, and within a few days they were occupying the leading positions in what was happening.

When the military members of the coup began distributing arms, these three Communist oriented organizations were in the frontline. Their leaders were distributing military equipment, and they were seen at vital places in command. All of the indications were that they were practically in control.

Military equipment was delivered to them in large quantities and taken to their headquarters, where it was distributed to their members, many of whom were Communists, and others who did not know exactly what was in the making.

There has been some criticism, particularly in the press, about the relatively small number of Communists identified as having taken part in the rebellion in the Dominican Republic.

In my judgment we miss the seriousness of the revolutionary situation by adding up the number of Communists that were identified in it.

When we add the number, we completely miss the point about the ability of Communist leaders to dominate a situation where disorder, rioting, and mob rule prevails. By skilled manipulation, propaganda, by assertion of leadership in proper points, in street fighting, by aggressive activity, these Communists take hold. That is what they did in the Dominican Republic.

A few skilled people can do this in the proper circumstances. In the Dominican Republic the circumstances were existent, enabling the Communists to seize the leadership, and to install their government.

When a temporary government was established in April, in charge of the investigative forces, there was placed at its head the most ardent Communist of the whole group.

That is a technique of Communist activity which is generally understood: Get control of the police; get control of the investigating agency; and when there is control of them, begin arresting all citizens who are in disagreement with the party in control who have the potential ability of interfering.

I merely want to remind Senators of what has happened in Cuba. Castro immediately arrested 500 of the leaders whom he thought would cause trouble to him. He had a hippodrome trial. The 500 persons were put to death under the semblance of the administration of justice, when it was nothing but the act of a tyrant, giving the semblance of a trial to the accused, with all judgments foreordained, and then putting them to death.

I have already stated that the man that was placed at the head of the investigative forces was one of the leading Communists in the Dominican Republic.

But one word about the hearings before the Committee on Foreign Relations. They were called by the chairman of the committee [Mr FULBRIGHT]. The committee did not make the decision to hold the hearings.

I regret to say this, but it is nevertheless my judgment, that the meeting was contemplated to establish that we were in the Dominican Republic by error and injustice.

Someone had prepared a sheaf of cards, I should say 1½ inches thick. When the witnesses appeared, the questions on the cards were systematically asked. One question was read, and the card was turned over. Then the second question was read, and the third. I should say that 150 cards were in the sheaf. Every question contained implications about the impropriety of the presence of the United States in the Dominican Republic.

During the hearing, I complained about what was taking place. One of the questions asked was: "Did not Mr. X, of Y newspaper, make this statement?" The statement Mr. X made had challenged the presence of the United States in the Dominican Republic. I intervened and asked, "Is it not also true that another newspaperman during the Cuban episode, said that Castro was a Lincoln and a Robin Hood, devoted to the cause of the poor, robbing the rich, and turning his gains over to those who were in need?"

Certain newspapermen have said that we were improperly in Cuba and in the Dominican Republic. But our plight in Cuba, in my opinion, is the primary consequence of a misevaluation we made of Castro. Castro came to the United States and was given the dignity of appearing before the Committee on Foreign Relations. I deliberately did not attend that meeting. I could not dignify Castro's appearance before the Committee on Foreign Relations, having in my mind the knowledge of the circus trial that he had conducted.

Castro was a guest of the National Press Club. During the entire time he was here, the stories told about him were, in effect, that to Cuba had come a messiah gifted with charitable qualities; a friend of the free West; a friend of the United States. We took those stories as true. The result is the problem which now exists in Cuba.

I am firmly of the conviction that if the President had not acted as he did in April of this year, we now would have practically at our shores another Cuba. I cannot agree with the statements made by the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] on the floor of the Senate on September 15. I do not believe that I am what may be called a hard realist; but I do not want to be labeled as a soft-minded idealist, one who is absolutely indifferent to realistic facts. I would feel myself to be a dupe if I daily believed what the Communists of the world are saying. The Communists have their techniques. They know how to operate subversively. They know how to foment riots. They are fomenting them in the United States. All that is needed is some small disorder followed by an invasion of well-equipped tchnicians who know how to exaggerate a situation; and before one knows it, mobs are in action. It was mobs that took charge of the Dominican Republic uprising.

I say to the people of my State that while I have agreed with many of the things that have been recommended by the administration on this subject, I now stand foursquare behind what was done. I do so in the belief that it was serviceable as a security to our country and to the free world.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from South Dakota.

Mr. MUNDT. First, I congratulate the distinguished Senator from Ohio for the presentation he has made today. As a Republican member of the Committee on Foreign Relations, I have watched, listened, and read with more than uncommon interest the discussions emanating from the other side of the aisle concerning the activities in which the United States was engaged in the Dominican Republic, and the criticisms and replies which have been made with respect to that action.

While I dislike to inject myself into what is pretty much a Democratic discussion, it does, after all, relate to hearings which were held in the Committee on Foreign Relations. I attended most of the hearings. They involved a rather searching analysis of what transpired in the early days of revolutionary activities in Santo Domingo and other parts of the Dominican Republic. I was curious about the nature of the hearings and the reasons for them, because, while I was in attendance for many hours, I heard no questions directed to the long series of witnesses as to what they felt our future policy should be or what they felt the solution ought to be, so far as the aftermath of the revolutionary period was concerned.

It all seemed to be a questioning in a somewhat critical search for knowledge as to why we got into the affair in the first place; whether we got in with the right number of people and at the right time; and whether the information that caused us to go in at all was accurate or inaccurate. The inquiry seemed to be principally a contest as to whether the writings of little men in the employ of big newspapers was correct so far as the situation in Santo Domingo was concerned; and whether the reports from the CIA, the State Department, and the OAS were accurate.

At the end of the hearings, I felt completely convinced, as did the Senator from Ohio [Mr. LAUSCHE], that all the verities and all the facts seemed to be with the representatives of the Department of State and the American Government, rather than in the proclamations being made by the little men who were writing for big newspapers.

I concurred in and completely supported emphatically the action of President Johnson and the actions of the State Department, so far as their immediate reaction to the situation in the Dominican Republic was concerned. I believe they did the right thing in the right place at the right time with the right number of military personnel.

I am inclined to question a little some of the latter day activities of the Government so far as they relate to problems existing in the Dominican Republic. I dislike to see my Government connected with a so-called kidnaping operation, in which one of the valiant fighters for freedom, Wessin y Wessin, was rather forcibly removed from the land of his origin and transferred to American soil.

As I understand the facts, he walked to the plane which took him out of the Dominican Republic. However, he walked reluctantly and involuntarily, and apparently with a bayonet which bore the imprimatur "made in the United States" at his back.

I dislike to see our Government injecting itself to that degree and in that manner in an activity which was certainly pleasing to the revolutionaries of the Dominican Republic and pleasing to the Communists. I am not a great advocate of Wessin y Wessin. I do not know how good a military leader he was. He would not be my candidate for President of the Dominican Republic if I were sitting at a political convention selecting nominees.

I should think that, slowly but surely, Uncle Sam would be learning that we do not make very many good guesses when we inject ourselves in that fashion and that forcefully into the internal affairs of another country. We should have learned something, I should think, from our experiences in Vietnam when we were permitting or promoting the ousting of Diem. We have never since then found a successor who seemed to have the capacity to develop the loyalty of his followers and fellow citizens that Diem possessed.

My skepticism is enhanced when I reflect that, with respect to Tshombe in the Congo, we spent much time, effort, and money in apparently kicking him out. Then, after we had created a vacuum, we spent much time, effort, and money in bringing him back. We were certainly wrong in either one instance or in the other so far as Tshombe in the Congo was concerned.

The Senator from Ohio pointed out that, in the situation in Cuba while we were making a transfer from Batista, who was bad, to Castro, who was worse, there was an apparent failure on the part of American officials generally to recognize that we were permitting or promoting there the control of Cuba by a Communist who had been trained in Communist training camps and who was completely dedicated to the Communist cause and subservient to the Russian Communist whiplash.

I am not at all sure that this administration is acting wisely or prudently or properly in conjunction with the Dominican Republic situation, since we took the initial action and since we put down the resolution and stabilized the situation. If, in fact, we are now to have a coalition government in Santo Domingo, we shall have failed to have secured the dividend which should have been available from the very wise and prudent and proper action which President Johnson originally took. I am not charging that we are going to do that. I am concerned about the way in which we moved in on Wessin y Wessin. It is a straw in the wind because of the indication that the little writers for the big newspapers are having influence with people in big places in Washington.

I dislike to see that kind of indication. We should make sure that the people in the Dominican Republic have a democratically inclined, freedom-loving friend of freedom as their leader, and we should not dilute his capacity for success by making further concessions to the defeated Communist influences in that revolution.

Primarily I am glad that the distinguished Senator from Ohio has helped to set the record straight. He has related accurately what transpired in the Committee on Foreign Relations, in my opinion. I saw no evidence throughout the hearings to indicate that President Johnson had acted either inadvisedly or on inadequate information in making the decisions that he made in those early critical days.

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Ohio.

Mr. LAUSCHE. Mr. President, I do not want my statement to be construed as indicating approval or disapproval of what has recently happened. I have not had an opportunity to learn from the State Department what has taken place. However, I have apprehension about the removal of Wessin y Wessin. At this time, I should like to read some notes which I made when Bosch's government was overthrown several years ago. These are my notes concerning General Wessin y Wessin:

> Wessin is about 33 years old. He was active in trying to drive the Trujillos and the Communists out of the army of the Dominican Republic. He wanted to raise the moral fabric of the army. He wrote an article pointing out the infiltration into the army of Communists. He is still the head of the Aviation School of the Military Division. He was a colonel and is now a general. He could have been the head of the government, but he declined.

These notes were written at the time of the Bosch overthrow. They wanted him to take the headship and he declined. To me that is testimony of great weight in showing the character of the man. Yet he is the one who was taken out of the Dominican Republic with a bayonet at his back and is now in Miami.

Mr. MUNDT. Mr. President, I am glad that the Senator gave that additional information concerning Wessin y Wessin.

As I say, I am not one of his advocates. I do not know enough about him. However, I do know that when a great many of the other military people were fleeing, he was fighting. He was standing up. He stepped into the critical breach, precisely as the U.S. Government stepped into the breach at a critical time, and together they set back the Communists.

I do not like to reward that kind of fighting for freedom by having my government associate itself with a movement to kidnap him and take him out of the country and send him to the United States against his will.

That is far different from saying that we should put him in high office. However, that kind of concession to the Communist groups who dislike him is a failure to show the kind of stamina and stature now that was properly shown at the time the revolution began.

Mr. LAUSCHE. Mr. President, the notes which I made were based upon testimony given by Government witnesses—witnesses from the State Department primarily. I have these notes here. It can be readily seen that they are merely scribbled memorandums of what was said.

The Government stood firm last April. I do not know whether it is now beginning to yield to the attacks that are being made. I hope that it is not.

A coalition government which is friendly to the West will not survive. The Communists would take over in due time in the event a coalition government were established.

Mr. President, I yield the floor.

Mr. KENNEDY of Massachusetts obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield about 13 minutes to me without losing his right to the floor?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. KENNEDY of Massachusetts. I yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE DISCUSSION OF DOMINICAN SITUATION

Mr. MANSFIELD. Mr. President, there has been a good deal of discussion about the situation in the Dominican Republic. The distinguished Chairman of the Foreign Relations Committee [Mr. FULBRIGHT] has, on the basis of an analysis of hearings held before his committee, made a speech in which he gave his views on the developments inherent in the early days preceding and following our involvement.

Senator FULBRIGHT was very careful to stress that the material on which he based his speech was testimony heard by the Foreign Relations Committee. Unfortunately, except for a 15-minute interval, I was unable to attend these hearings and, furthermore, I have not had the time to read the testimony, so I am unable to comment on the hearings.

There have been exceptions taken to as well as support of FULBRIGHT's remarks by various Members of the Senate. I think it should be pointed out that the chairman of the committee stated emphatically that what he said represented his own views, based on his understanding of the hearings.

As one who participated in the White House conferences on the subject of intervening in the Dominican Republic, I do not intend to say anything specific as to what went on at the meeting. But I feel that in view of the developments which have occurred over the past day or so, that it is appropriate to comment in general terms. When the difficulty occurred, the President did call the leadership and ranking members of certain committees to the White House to discuss what had happened and was happening in the Dominican Republic. He did state that there were 5,000 nationals of foreign countries in Santo Domingo of whom 1,500 were Americans. He had received urgent requests and pleas from the chiefs of the various American agencies and I believe from some foreign embassies stating that the situation was extremely dangerous and he was told that if steps were not undertaken to insure the safety of these nationals that there could well be a substantial loss of life. There was no other country prepared or capable of giving the protection which was needed at the time except the United States. The President had to make a decision involving the safety of these nationals on the basis of the cables, telephone calls, and advice which he had received. When he announced his decision at the White House Conference there was no opposition raised at that time on the matter which was discussed in great detail.

The President, on the basis of his authority as Commander in Chief and his constitutional responsibility as President in the field of foreign policy, undertook to land military forces to protect these nationals. He selected a most capable man in the person of Lieutenant General Palmer to take command of the American Forces in Santo Domingo, and he laid the matter repeatedly before the OAS as an organization. Prior to that, he had brought it to the personal attention of as many Ambassadors of the American nations as could be contacted. He was desirous, at the earliest opportunity, of shelving the initial unilateral responsibility which the United States had undertaken and gave his wholehearted support to the creation of an Inter-American Police Force. He agreed, without hesitation, to a Brazilian becoming the overall commander of this force and the placing of General Palmer in a subordinate position under him. He dispatched various missions to try and bring the opposing groups together.

Finally, in the past 2 weeks, the OAS committee, which included Ambassador Ellsworth Bunker of the United States, was able to bring about a creation of an interim and provisional government under Hector Garcia Godoy. This interim government is to remain in power for 9 months. There is to be a 6-month period to try and bring some degree of stability to the Republic and in the last 3 months of the 9-month period, political campaigns are to be undertaken by means of which the Dominican people will be given the opportunity, it is hoped, to elect a government of their own choice.

All the obstacles have not been removed in the Dominican Republic, and I am of the opinion that in this uneasy though encouraging situation, there may yet be further trouble of one kind or another. However, I do think that significant progress has been made and I know that the President is very hopeful that it will be possible to reduce the OAS force still further as the Dominicans achieve a greater degree of stability. Certainly, it is his deepest desire that the situation will be ironed out so that the Dominicans themselves can assume, at the earliest moment, full control of their own affairs.

This has been a most difficult and delicate situation in which the President found himself and he has done his very best, on the basis of advice he has received, to bring the matter to a head. I feel that we owe him a debt of thanks for what he has been able to accomplish and to the OAS for what it has been able to bring about in a way of a reasonable agreement looking to a secure future for the Dominican people.

I would certainly underscore what the distinguished chairman of the Foreign Relations Committee has time and again said, that the President's decisions were fully understandable in the light of the circumstances as they were brought to his attention. I feel, also, that the chairman of the Foreign Relations Committee was endeavoring to present to the Senate a thoughtful analysis of the views which he distilled from the hearings before his committee. An analysis of the circumstances surrounding major foreign policy decisions is of concern to the Senate and out of this can come constructive reactions from Senators which could well be useful in the field of foreign policy in the future. There has been some strenuous debate on the Dominican situation in this Chamber and there may well be more in the future.

In my opinion, the important thing at the moment is to recognize the fact that at long last, after a period of months, what looks like a lead to the solution has been worked out for the Dominican Republic and that solution was arrived at by the Organization of the American States in which we participated as a full member. A provisional government has been established. An interim President is in office. There has, according to available reports and to the best of my knowledge, been a general laying down of arms. The decision now is up to the Dominican people and the provisional government for the time being to adjust themselves to this situation to prepare for elections 9 months hence, and to establish a government based on the will of the people which can furnish and which can bring a degree of stability and economic prosperity to the Dominicans themselves. The United States has spent a large amount of money to aid in the rehabilitation of the Republic. It is prepared to continue to help if the Dominican people themselves take control of their own state and guide it to anchor in fairly calm political and economic waters. To that end the President has pledged his full support to the efforts of the OAS and I feel quite certain that the American people and their representatives in the Congress support him fully.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I completely commend the statement of the distinguished Senator from Montana. I do not see how the President could have done anything except intervene. I believe he showed firmness in his handling of foreign relations which should commend him to the entire Nation.

I wish to make an additional point: I know he had tried before intervention to persuade the OAS to move. Apparently it moved too slowly. Since intervention, he has continued that effort. I am greatly heartened by the apparent activation, within OAS, of direct participation by many nations in the peacekeeping procedure, which for the first time, as I have observed that fine organization, indicates its willingness to come to grips with serious problems in various parts of the hemisphere.

I believe that from the leadership of the President, from his urging of the OAS, and from his taking unilateral leadership for a few days as the situation required, there will come a reactivation and rejuvenation of the OAS which will be of great importance to the entire hemisphere. His action will eventually commend itself to peace-loving people throughout the hemisphere as a wise act, because it brought about results so long desired, and only now about to be achieved.

Mr. MANSFIELD. I thank the distinguished Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. Mr. President, the Senator from Montana has made a forthright and fair presentation of the situation as it prevailed in the Dominican Republic in April and as it prevails today.

I have had very little correspondence from those on either side of the situation. I have received only about 50 letters, some condemning the President for the action he took and others commending him. The letters indicated that the writers really were not in possession of the facts and did not know exactly what the situation was. I personally believe that the President was warranted in sending forces into the Dominican Republic on the night when the rebellion started.

I also believe, as the chairman of the Foreign Relations Committee has stated, that the President received some rather poor advice, that plenty of mistakes were made, and that it probably took much longer to restore order in the Dominican Republic than would have been necessary had certain mistakes not been made.

Now, however, the OAS has accomplished its purpose. It is providing for the setting up of a government to be established by the people of the Dominican Republic themselves, and I hope that we shall not undertake to interfere with the setting up of that government, unless it actually threatens the security of the United States, which I doubt it will do.

If I were a Communist from a foreign country, looking for a place in the Western Hemisphere to locate from where I could work with safety, I would never have chosen the Dominician Republic. I believe that to be about the worst place a Communist could find anywhere for his purposes. If I were looking, I believe there would be many cities in the United States which would be more likely places than the Dominican Republic was at the time of the rebellion.

However, I believe that if the people of that Republic desire to set up a government of their own which is progressive and forward-looking, even though it meets with the disapproval of certain interested parties, we should support them and work through the Organization of American States as far as we possibly can.

I believe that the situation now is such that we can safely conclude that the Dominician Republic is going to establish its own Government, and that it will be a government with which we can work, one which will improve the economy and the security of the Dominican Republic.

Mr. MANSFIELD. I thank the distinguished Senator from Vermont and the distinguished Senator from Florida for what they both had to say. I join them in expressing hope that the Organization of American States will become a stronger, more efficient, and more effective organization in the weeks, months, and years ahead.

The distinguished Senator from Vermont was at that fateful meeting in the White House when the President informed us of the situation then developing in the Dominican Republic. Because we are both bound by the executive nature of the meeting, we cannot say too much, but we were aware of what happened at the time, and we both gave our full endorsement to the policy undertaken in connection with the President's announcement to us in the Cabinet Room.

Mr. AIKEN. Mr. President, let me express the hope I expressed for the Dominican Republic, that it will apply to all the Latin American countries in the Western Hemisphere. I do not believe that we should undertake to dictate to them just what kind of government they should live under, or whom they should have to head that government so long as it does not actually threaten the security of the United States.

I am still not convinced that what went on in the Dominican Republic in April threatened the security of the United States. It seemed to me that there would have been more bloodshed during that rebellion had the President not intervened. However, as I said before, I believe that he received some advice, as has been pointed out by the chairman of the Foreign Relations Committee, which caused us to make more mistakes than we otherwise might have made, and which delayed plans for the establishment of a popular government in that country.

Mr. MANSFIELD. Mr. President, to some extent the discussion relates to events in the past.

Now we are faced with the present.

It seems as though there is a good possibility—although nothing is sure in this world any more—of a reasonably good government coming out of the situation in the Dominican Republic.

I thank the distinguished Senator from Massachusetts [Mr. KENNEDY] for yielding to me, and if he will allow me just this once, to suggest the absence of a quorum, without his losing the right to the floor, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 16 and 31 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 8, 10, 24, and 62 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1483. An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes;

S. 2042. An act to amend section 170 of the Atomic Energy Act of 1954, as amended;

H.R. 948. An act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act;

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the act of June 27, 1956, relating to office space in the States of Senators; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. KENNEDY of Massachusetts. Mr. President, the bill we are considering today accomplishes major reforms in our immigration policy. This bill is not concerned with increasing immigration to this country, nor will it lower any of the high standards we apply in selection of immigrants. The basic change it makes is the elimination of the national origins quota system, in line with the recommendations of the last four Presidents of the United States, and Members of Congress from both parties.

For 41 years, the immigration policy of our country has been crippled by this system. Because of it we have never been able to achieve the annual quota use authorized by law. We have discriminated in favor of some people over others, contrary to our basic principles as a nation, simply on the basis of birth. We have separated families needlessly. We have been forced to forgo the talents of many professionals whose skills were needed to cure, to teach and to enhance the lives of Americans.

The present law has caused thousands of instances of personal hardship, of which every Senator is aware. Several times Congress has tried to correct the twisted results of the national origins system through emergency legislation. Six times between 1948 and 1962 laws were passed for the admission of refugees. Four times between 1957 and 1962 we have made special provisions for relatives of American citizens or orphans. In addition, each year we are called upon to consider thousands of private bills to accommodate persons caught in the backwash of this origins system.

These efforts at circumvention are further proof that the national origins system is in disrepute. We cannot continue to respect a law we constantly seek to circumvent. To continue with such a law brings discredit upon ourselves as legislators. The national origins system has even failed in the purpose for which it was intended: to keep the ethnic balance of our country forever as it was in 1920. In 1920, 79 percent of our white population was of northern and western European origin. During the first 30 years of the national origins system, only 39 percent of our total immigration came from such areas. Since 1952, some 3.5 million persons have been admitted to this country as immigrants. Two-thirds of them came outside the national origins quota. Since 1952, we have authorized 2.1 million national origins quota numbers. Only one-half of these numbers were used.

I ask unanimous consent to have printed in the RECORD a statistical summary of immigrants admitted from June 30, 1953, through June 30, 1964.

There being no objection, the summary was ordered to be printed in the RECORD.

Immigrants admitted to the United States, by classes under the immigration laws, years ended June 30, 1953–64

Class	1953–64	1953 [1]	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Total immigrants admitted	3,197,857	170,434	208,177	237,790	321,625	326,867	253,265	260,686	265,398	271,344	283,763	306,260	292,248
Quota immigrants (total)	1,140,479	84,175	94,098	82,232	89,310	97,178	102,153	97,657	101,373	96,104	90,319	103,036	102,844
Immigration and Nationality Act	1,124,863	78,053	88,016	79,617	88,825	97,084	102,077	97,651	101,352	96,074	90,305	102,995	102,814
1st preference quota:													
Selected immigrants of special skill or ability	30,600	77	1,429	1,776	1,946	2,992	3,941	3,518	3,385	3,460	3,313	2,288	2,475
Their spouses and children	28,676	45	1,027	1,236	1,420	2,739	3,197	3,109	3,681	3,758	3,721	2,374	2,387
Skilled agriculturists, their wives and children (1924 act)	321	321	------	------	------	------	------	------	------	------	------	------	------
Parents or husbands of U.S. citizens (1924 act)	4,290	4,290	------	------	------	------	------	------	------	------	------	------	------
2d preference quota:													
Parents of U.S. citizens	35,847	933	2,783	2,394	2,843	3,677	2,608	3,406	3,451	3,381	2,252	4,006	4,063
Unmarried sons or daughters of U.S. citizens [2]	2,409	------	------	------	------	------	------	------	376	931	341	392	369
Wives and children of resident aliens (1924 act)	4,133	4,133	------	------	------	------	------	------	------	------	------	------	------
3d preference quota:													
Spouses of resident aliens	28,450	291	3,180	2,604	2,902	2,848	2,719	3,409	2,767	2,132	1,786	1,832	1,980
Unmarried sons or daughters of resident aliens [3]	36,618	220	2,824	2,821	4,064	3,783	2,668	4,134	3,225	3,265	2,419	3,266	3,929
4th preference quota:													
Brothers or sisters of U.S. citizens	22,406	63	1,556	1,955	1,690	1,715	2,903	2,162	1,956	2,346	2,162	2,187	1,711
Married sons or daughters of U.S. citizens [2]	7,928	22	374	1,120	431	1,443	2,029	1,275	425	244	205	199	161
Spouses and children of brothers or sisters, sons or daughters of U.S. citizens [4]	11,580	------	------	------	------	------	------	------	1,044	2,572	2,548	2,887	2,529
Adopted sons or daughters of U.S. citizens [2]	137	------	------	------	------	------	------	------	55	62	16	1	3
Nonpreference quota	911,468	67,608	74,843	65,711	73,529	77,887	82,030	76,638	80,987	73,923	71,542	83,563	83,207
Special legislation (quota immigrants)	15,616	6,122	6,082	2,615	485	94	76	6	21	30	14	41	30
Displaced persons (Displaced Persons Act of 1948 (quota))	15,121	5,759	6,082	2,615	485	94	76	6	------	------	3	1	------
Skilled sheepherders (act of Apr. 9, 1952 (quota))	363	363	------	------	------	------	------	------	------	------	------	------	------
Foreign government officials adjusted under sec. 13, (act of Sept. 11, 1957 (quota))	132	------	------	------	------	------	------	------	21	30	11	40	30
Nonquota immigrants (total)	2,057,378	86,259	114,079	155,558	232,315	229,689	151,112	163,029	164,025	175,240	193,444	203,224	189,404
Immigration and Nationality Act	1,681,285	85,015	112,854	126,135	156,808	147,243	125,591	111,341	133,087	152,382	169,346	183,283	178,200
Wives of U.S. citizens	236,980	15,916	17,145	18,504	21,244	21,794	23,517	22,620	21,621	20,012	17,316	17,590	19,701
Husbands of U.S. citizens	73,418	3,359	7,725	6,716	5,788	5,767	5,833	6,913	6,140	6,059	6,646	6,035	6,437
Children of U.S. citizens	70,896	3,268	5,819	5,662	4,710	4,798	5,970	6,869	6,454	6,480	6,354	6,981	7,531
Natives of Western Hemisphere countries	1,227,778	58,985	78,897	92,620	122,083	111,344	86,523	66,386	89,566	110,140	130,741	144,677	135,816
Their spouses and children	27,482	2,114	1,629	1,654	1,949	2,144	2,052	1,810	2,135	2,696	2,764	3,067	3,468
Persons who had been U.S. citizens	902	104	427	87	44	58	43	22	36	15	25	23	18
Ministers of religious denominations, their spouses and children	5,107	387	385	307	350	403	435	558	485	406	451	462	478
Employees of U.S. Government abroad, their spouses and children	205	2	4	9	2	8	23	24	27	10	3	32	61
Children born abroad to resident aliens or subsequent to issuance of visa	12,117	326	358	348	412	701	926	1,228	1,458	1,411	1,495	1,611	1,843
Aliens adjusted under sec. 249, Immigration and Nationality Act [5]	22,795	------	------	------	------	------	------	4,321	4,773	5,037	3,399	2,680	2,585
Other nonquota immigrants	3,605	[6] 554	465	228	226	226	269	590	392	116	152	125	262
Special legislation (nonquota immigrants)	376,093	1,244	1,225	29,423	75,507	82,446	25,521	51,688	30,938	22,858	24,098	19,941	11,204
Displaced persons (Displaced Persons Act of 1948 (nonquota))	1,030	1,030	------	------	------	------	------	------	------	------	------	------	------
Orphans (act of July 29, 1953)	466	------	399	67	------	------	------	------	------	------	------	------	------
Refugees (Refugee Relief Act of 1953)	189,021	------	821	29,002	75,473	82,444	1,012	198	43	9	15	3	1
Skilled sheepherders (act of Sept. 3, 1954 (nonquota))	385	------	------	354	31	------	------	------	------	------	------	------	------
Immigrants (act of Sept. 11, 1957)	61,948	------	------	------	------	------	24,467	24,834	6,612	3,982	1,809	213	31
Hungarian parolees (act of July 25, 1958)	30,701	------	------	------	------	------	------	25,424	5,067	122	51	20	17
Azores and Netherlands refugees (act of Sept. 2, 1958)	22,213	------	------	------	------	------	------	1,187	8,870	5,472	4,796	1,888	------
Immigrants (secs. 4 and 6, act of Sept. 22, 1959)	29,337	------	------	------	------	------	------	------	10,314	13,255	5,488	280	------
Immigrants (act of Sept. 26, 1961)	15,525	------	------	------	------	------	------	------	------	------	11,912	2,848	765
Other nonquota immigrants (special legislation)	412	214	5	------	3	2	42	45	32	18	27	12	12
Refugee and escapees (act of July 14, 1960)	6,111	------	------	------	------	------	------	------	------	------	------	2,005	4,106
Immigrants (act of Oct. 24, 1962)	18,944	------	------	------	------	------	------	------	------	------	------	12,672	6,272

[1] In 1953 figures include admissions under Immigration Act of 1924.

[2] Prior to act of Sept. 22, 1959, all sons or daughters of U.S. citizens over 21 years of age were classified as 4th preference quota under the Immigration and Nationality Act. Adopted sons and daughters with petitions approved prior to Sept. 22, 1959, remained 4th preference.

[3] Prior to act of Sept. 22, 1959, included only children under 21 of resident aliens. Adult sons or daughters of resident aliens were classified as nonpreference quota.

[4] Prior to act of Sept. 22, 1959, classified as nonpreference quota.

[5] Not reported prior to 1959.

[6] Includes 321 professors of colleges and universities, their wives and children.

Mr. KENNEDY of Massachusetts. Mr. President, from these figures, it was obvious to the Judiciary Committee that the current system is as much a failure as a device as it is an embarrassment as a doctrine. The bill now before the Senate abolishes it altogether.

The new policy in the bill before us was developed under the administration of President Kennedy by experts both in Congress and the executive branch. Extensive hearings were held, both last year and this, in the Senate and the House. The Senate Immigration Subcommittee has sat regularly since last February. We have heard over 50 witnesses. I can report, Mr. President, that opposition to this measure is minimal. Many of the private organizations who differed with us in the past now agree the national origins system must be eliminated.

The current bill phases out the national origins system over a 3-year period. Beginning July 1, 1968, our immigration policy will be based on the concept of "first come, first served." We no longer will ask a man where he was born. Instead we will ask if he seeks to join his family, or if he can help meet the economic and social needs of the Nation. Favoritism based on nationality will disappear. Favoritism based on individual worth and qualifications will take its place.

When this system is fully in effect, 170,000 quota numbers will be available to the world, exclusive of the Western Hemisphere. Parents, spouses, and children of U.S. citizens will be considered as "immediate relatives" and, as such, will be under no numerical limitation at all. Due to the existence of backlogs of applicants in those nations discriminated against by the national origins system, an annual limitation per country of 20,000 quota immigrants is established, so that in the short run no one nation will be able to receive an unduly disproportionate share of the quota numbers. It is anticipated that after 3 years, these backlogs of intending immigrants will be eliminated in all instances but for one category of Italians, and that situation will be rectified shortly thereafter.

The total number of authorized quotas is not increased substantially by this bill. Currently, we authorize the use of 158,561 numbers per year, but this is exclusive of refugees. Under the new law, provision is made for the acceptance of some 10,200 refugees. This is what accounts for the increase in total numbers under this bill from 158,561 to 170,000.

Under our new "first come, first served" system, while all immigrants will be in worldwide competition, we will retain certain preferences and, of course, our traditional stringent safeguards. The preferences under this bill reflect our strong humanitarian belief in family unity as well as personal merit. The 170,000 numbers will be made available in the following order of preference:

First, 20 percent, or 34,000 quota numbers, to unmarried sons and daughters of U.S. citizens;

Second, 20 percent, or 34,000 quota numbers, to the spouses and unmarried children of permanent resident aliens;

Third, 10 percent, or 17,000 quota numbers, will be available to persons who can qualify as professionals or people of ability in the arts or sciences who will substantially benefit the United States;

Fourth, 10 percent, or 17,000 numbers, to the married sons and daughters of U.S. citizens;

Fifth, 24 percent, or 40,800 numbers, to the brothers and sisters of U.S. citizens;

Sixth, 10 percent, or 17,000 numbers, to qualified persons capable of performing permanent labor for which a shortage of employable and willing persons exists in the United States;

Seventh, 6 percent, or 10,200 numbers, for refugees as defined in the bill. In any given year, one-half of these numbers may be used to adjust the status of previously paroled refugees who can qualify as permanent resident aliens.

The numbers stated in these preference categories are fixed for the professionals, the laborers, and the refugees. Any other preference category dealing with family relationships receives the unused quota numbers of the preference category before it. Finally, all numbers unused in all the preference categories flow in the end for the use of nonpreference or "new seed" immigrants.

Mr. President, the foregoing is a general description of our immigration policy on July 1, 1968. On that date no nation will have a quota number assigned to it—except for the equalizing limit of 20,000 per nation—and no immigrant will be penalized by his birth or ancestry. Between now and then, we have adopted a simple and equitable phasing-out system. For the 3 years beginning July 1, 1965, each nation will maintain its national origin quota, but the quota numbers unused by any nation will be placed in an immigration pool for redistribution to other nations the following year. We will start the pool out with the 55,600 numbers unused last year. During the 3 years certain parts of the new system will be in effect; no one nation can receive more than 20,000 numbers per year. The immigration pool will be available only to immigrants qualifying under the new preference system. The total number available to the world will be the new total of 170,000. Because refugees are included in our general immigration law for the first time, both the Senate and House committee intended that the 6 percent of our total immigration numbers, allocated to refugees, or 10,200, will be available for use from the pool during the phaseout years. Refugees were never under the national origin system and should not be now: thus the numbers available for this purpose will be present both before and after July 1, 1968.

Mr. President, in addition to eliminating the national origins system, this bill makes other reforms in our immigration policy that support the principles of merit and of first come, first served. I am especially gratified that we are wiping out the Asia-Pacific triangle. Established by the McCarran-Walter Act of 1952, this geographic triangle is used to identify those nations of the East to which a specially discriminatory rule applies. Any person, regardless of his place of birth, whose ancestry can be traced to a nation or nations within the triangle is chargeable to the quota of that nation, or to a general triangle quota of 100. The elimination of this crude device means that finally, after almost 100 years, Asian peoples are no longer discriminated against in the immigration laws of our country.

The plight of refugees has been of special concern to us since the end of World War II. Every outbreak of violence between nations leaves its toll in the homeless and dispossessed. Our concern for refugees was capped in 1960 by the passage of the fair share law, under which we agreed to accept up to 25 percent of persons displaced to other lands in a prior 6-month period, if these persons fell under the mandate of the United Nations High Commissioner for Refugees. This law was passed in keeping with World Refugee Year. By placing refugees under our general immigration law for the first time, the bill before us will do away with the main provisions of the fair share law, thus allowing the United States to make its own determination of who is or is not a refugee.

As defined in this bill, refugees are those persons displaced from Communist-dominated countries or areas, or from any country in the defined area of the Middle East because of persecution, or fear of persecution, on account of race, religion, or political opinion. They must be currently settled in countries other than their homelands.

The bill also will make quota numbers available to refugees displaced by natural calamities, as defined by the President. This provision is designed to assure the world that we will remain a haven for the displaced. It means that when situations arise, like the earthquakes in the Azores in 1963, and floods in southeastern Europe, we will be able to assure that the cases of greatest need can be processed at once, while special legislation is being considered.

Another change brought about by this bill relates to the controls exercised by the Secretary of Labor to protect our economy from whatever harsh effects immigration could create. Under current law, aliens who enter to seek employment are excluded from the country only if the Secretary of Labor has determined that their presence would have an adverse effect on the employment or the wages and working conditions of American citizens. Under this procedure, the Secretary certifies that aliens falling under certain occupational or skill definitions should be excluded because they will threaten domestic employment. The new bill reverses this procedure. It places the burden of proving no adverse effect on the applying alien. The intending immigrant must receive a certificate from the Secretary of Labor that his presence will not affect U.S. employment, wages, or working conditions.

Mr. President, this provision was included in this bill to further protect our labor force during periods of high unemployment. But it was included with the intent that it be meaningful only where it has some meaning. Section 212(a)14 of the act which is amended here relates only to those aliens who come here for the purpose of performing skilled or unskilled labor. Hence one would not expect a nonpreference housewife to be forced to seek a specific case clearance from the Secretary.

Mr. HOLLAND. The Senator is talking about aliens who come here seeking to stay permanently under the immigration laws and not aliens who come here for seasonal employment as temporary supplemental agricultural workers?

Mr. KENNEDY of Massachusetts. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. KENNEDY of Massachusetts. Moreover, Mr. President, it was not our intention, nor that of the AFL-CIO, that all intending immigrants must undergo an employment analysis of great detail that could be time consuming and disruptive to the normal flow of immigration. We know that the Department of Labor maintains statistics on occupations, skills, and labor in short supply in this country. Naturally, then, any applicant for admission who falls within the categories should not have to wait for a detailed study by the Labor Department before his certificate is issued. On the other hand, there will be cases where the Secretary will be expected to ascertain in some detail the need for the immigrant in this country under the provisions of the law. In any event we would expect the Secretary of Labor to devise workable rules and regulations by which he could carry out his responsibilities under the law without unduly interrupting or delaying immigration to this country. The function of the Secretary is to increase the quality of immigration, not to diminish it below levels authorized by law.

The final major change brought about by this legislation affects the nations of the Western Hemisphere. The bill will modify the current nonquota status of these nations by placing a ceiling of 120,000 on the entire hemisphere, exclusive of parents, spouses, and children. This ceiling, effective July 1, 1968, will place no numerical limit on any one country, however, nor will it incorporate the preference system in force for the rest of the world.

The bill also creates a Select Commission on Western Hemisphere Immigration. This Commission will conduct a complete study of the demographic, economic, and social changes underway in this hemisphere and draw conclusions pertinent to our immigration policy. The Commission will make its first report to the President and the Congress by July 1, 1967, and its final report by January 15, 1968.

Mr. President, there are other amendments to the Immigration and Nationality Act in this important bill. Some are of a technical nature, causing the law to conform to the basic change in our policy; others are more substantive. For example, the newly independent nations of Jamaica and Trinidad-Tobago are included within the definition of the Western Hemisphere by a change in the definition of the Western Hemisphere to include any independent foreign country in this hemisphere. This broad definition, rather than the current restrictive one, will also encompass areas that might gain their independence in the future.

Also, with regard to this hemisphere, current law does not allow for the adjustment of status of aliens who arrive as nonimmigrants from the nations contiguous to the United States or the adjacent islands. In the light of some abuses, whereby Western Hemisphere persons have come as visitors and then sought an adjustment to permanent residents, the current restriction on adjustment was extended to cover the entire hemisphere. An important exception has been made in the Senate committee, however, to provide for those who have fled, or will flee in the future, from a hemisphere nation to escape persecution because of race, religion, or political opinion. This was devised to ease the situation of many Cubans who have entered the United States in recent years.

In general, the various exclusions that exist in our current law have been retained. This bill does, however, recognize the advances made in the treatment and control of epilepsy, and removes persons so afflicted from the exclusions of the law.

In addition, those who are classified as mentally retarded, and those who have suffered past mental afflictions will be treated in the same manner as we currently treat those who are classified as tubercular. That is, the conditions and controls for the admission of such people will rest with the Attorney General. He shall establish the regulations for admission in consultation with the Surgeon General of the Public Health Service.

Section 8(c) of the bill is a consolidation of the definition of "eligible orphan" from different sections of the current law. It was meant to merely restate the definition while in no way changing it from current usage.

Finally, alien crewmen who entered illegally will no longer be treated differently than other illegal entrants when seeking an adjustment of status.

This is the bill before the Senate. It was drafted in the belief that, in drafting an immigration law, Congress should provide our country with a source of strength, not a source of problems. We should be responsive to human needs, but mindful of economic realities. We should not add to the difficulties our country is having, but rather try to aid in the solution of these difficulties. I believe that a fair reading of this bill will show that these responsibilities are discharged.

There have been, however, certain questions raised in the course of our hearings that indicated certain fears or concerns in the minds of some interested people. I would like to set them straight.

First was the fear that this legislation would result in a significant increase in overall immigration. As I have previously stated, the number of quotas authorized each year will not be substantially increased. The world total—exclusive of Western Hemisphere—will be 170,000, an increase of approximately 11,500 over current authorization. But 10,200 of that increase is accounted for by the inclusion of refugees in our general law for the first time.

There will be some increase in total immigration to the United States—about 50,000 to 60,000 per year. This results from changing the law from an individual country quota system to a worldwide system. These are the numbers that go unused each year because quota numbers given to a country that are not utilized are wasted. By removing that obstacle to use, all numbers authorized will now be used, thus the increase in immigration will be about the same as the number of quotas now wasted. More specifically, the future use of numbers can be estimated as follows. Under this bill, we will use the 170,000 numbers given to the world, exclusive of the Western Hemisphere, and about 60,000 more for immediate relatives. Over the past 10 years we have averaged 110,000 per year from the Western Hemisphere. This should continue, along with approximately 15,000 immediate relatives. Thus we will admit an estimated total of 355,000. This is but a 60,000 increase in total immigration over our average total for the last decade.

We are talking about 60,000 people, in a population nearing 200 million, that is growing, without immigration, at a rate of 3 million per year. The percentage increase that immigration will represent is infinitesimally small. This legislation opens no "floodgate." Rather it admits about the same number of immigrants that current law would allow, but for the national origins restriction.

Another fear is that immigrants from nations other than those in northern Europe will not assimilate into our society. The difficulty with this argument is that it comes 40 years too late. Hundreds of thousands of such immigrants have come here in recent years, and their adjustment has been notable. At my request, many voluntary agencies that assist new immigrants conducted lengthy surveys covering people who have arrived since the late 1940's. The results would be most gratifying to any American. I have only found five case of criminal complaints involving immigrants in our studies of many thousands. Unemployment rates among these people are much lower than the national average; business ownership between 10 percent and 15 percent higher; home ownership as high as 80 percent in one city and averaging about 30 percent elsewhere. Economic self-sufficiency after approximately 4½ months from the date of arrival. By every standard of assimilation these immigrants have adjusted faster than any previous group.

In whatever other definition we wish to give to assimilate, we would find our new residents doing well. Family stability is found to be excellent; cases of immigrants on public welfare are difficult to find; 85 to 95 percent of those eligible have become naturalized citizens, and so forth.

The fact is, Mr. President, that the people who comprise the new immigration—the type which this bill would give preference to—are relatively well educated and well to do. They are familiar with American ways. They share our ideals. Our merchandise, our styles, our patterns of living are an integral part of their own countries. Many of them learn English as a second language in their schools. In an age of global television and the universality of American culture, their assimilation, in a real sense, begins before they come here.

Finally, the fear is raised that under this bill immigrants will be taking jobs away from Americans at a time we find it difficult to lower our unemployment rate below 4 percent. Mr. President, I have already described the more stringent controls that this bill gives to the Secretary of Labor to insure against any adverse effects of immigration on American labor. I would also point out that this measure has the complete support of the AFL-CIO; support that would not be forthcoming if the fear of job loss for Americans were real.

The fact is that most immigrants do not enter the labor market at all—they are consumers and create demands for additional labor. Since 1947, only 47 percent of our total immigration entered the labor force, while 53 percent became consumers only, providing a net increase in the demand for goods and services. Of our total immigrant work force since 1947, approximately one-third entered professional and technical occupations—a ratio higher than that for our own domestic labor force. Last year alone, some 20,000 immigrants entered jobs defined as critical occupations by the Selective Service System. These are the people whose creativity makes more jobs, not fewer. In this connection, I ask unanimous consent to have printed in the RECORD two tables summarizing occupational distribution of recent immigration, which bear this out.

There being no objection, the tables were ordered to be printed in the RECORD.

TABLE 1.—*Number and percent distribution of immigrants by broad occupational groups, for fiscal years 1947–64 and for selected years*

Occupational groups	Total, 1947 through 1964		1964		1954		1947	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total admitted	4,424,460	100.0	292,248	100.0	208,177	100.0	147,292	100.0
With occupation	2,077,594	47.0	131,098	44.9	96,110	46.2	65,583	44.5
No occupation	2,346,866	53.0	151,076	51.7	[1] 112,067	53.8	[1] 81,709	55.5
No occupation reported	(1)		10,074	3.4	(1)		(1)	
With occupation [2]	2,077,594	100.0	131,098	100.0	96,110	100.0	65,583	100.0
Professional, technical and kindred workers	343,414	16.5	28,756	21.9	13,817	14.4	10,891	16.6
Farmers and farm managers	92,180	4.4	1,732	1.3	3,846	4.0	3,462	5.3
Managers, officials and proprietors, except farm	101,708	4.9	6,822	5.2	5,296	5.5	5,886	9.0
Clerical, sales, and kindred workers	367,845	17.7	30,015	22.9	16,018	16.7	13,691	21.3
Craftsmen, foremen, and kindred workers	321,453	15.5	17,568	13.4	15,396	16.0	8,726	13.3
Operatives and kindred workers	279,646	13.5	14,243	10.9	16,755	17.4	10,580	16.1
Private household workers	157,306	7.6	8,451	6.4	8,096	8.4	4,922	7.5
Service workers, except private household	125,053	6.0	10,396	7.9	5,203	5.4	3,882	5.9
Farm laborers and foremen	78,044	3.8	3,988	3.0	1,622	1.7	442	.7
Laborers, except farm and mine	210,945	10.2	9,127	7.0	10,061	10.5	2,831	4.3

[1] "No occupation" includes "no occupation reported" group.

[2] Includes immigrants 14 years of age and over.

NOTE.—Detail may not add to totals due to rounding.

Source: Annual reports of the Immigration and Naturalization Service, U.S. Department of Justice.

TABLE 2.—*Number of immigrants in selected critical occupations admitted each year, fiscal years 1954–64* [1]

	Total, 1954–64	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954
Biological scientists	601	112	81	49	48	53	57	56	51	35	36	23
Chemists	6,335	825	814	474	551	504	645	626	668	494	351	383
Dentists	1,429	160	177	115	119	110	99	129	132	159	113	116
Engineers	36,461	3,660	3,966	2,909	2,868	3,338	3,936	4,008	4,524	2,794	2,067	2,391
Geologists and geophysicists	659	85	73	88	66	42	59	58	62	51	41	34
Mathematicians	345	50	56	39	24	31	29	32	35	17	18	14
Nurses	36,858	4,230	4,355	3,700	3,449	3,828	3,620	3,729	3,517	3,064	1,864	1,502
Physicians and surgeons	18,424	2,249	2,093	1,797	1,683	1,574	1,630	1,934	1,990	1,388	1,046	1,040
Physicists	1,610	242	216	187	151	162	155	145	128	75	75	74
Professors and instructors	4,767	839	761	589	500	367	340	352	372	290	173	184
Teachers not specified	27,218	4,086	3,727	3,182	2,686	2,532	2,670	2,471	2,304	655	1,549	1,356
Technicians	17,209	2,448	2,197	1,838	1,635	1,632	1,821	1,346	1,553	1,095	840	804
Machinists	10,252	969	897	681	819	993	1,476	836	1,393	1,106	594	488
Toolmakers, diemakers, and setters	7,334	423	473	369	460	706	654	858	1,150	894	587	760

[1] The occupational categories listed in this table are those which immigrants reported on their arrival in the United States. It was not possible, in a few instances, because of lack of sufficient occupational detail to make a precise match with the occupations which appear on the list of currently critical occupations as determined by the Technical Committee on Critical Occupations of the U.S. Department of Labor. For this reason, totals are not shown.

Source: 1959 through 1964, annual reports of the Immigration and Naturalization Service, U.S. Department of Justice; 1954 through 1958, data furnished by the Immigration and Naturalization Service, U.S. Department of Justice.

Mr. KENNEDY of Massachusetts. In effect then, immigration benefits our economy and labor force, as long as it is selective and controlled. This bill will allow greater selectivity and greater control.

Mr. President, what we are about to consider is the fruit of the efforts of many people over many years: voluntary organizations, who year after year raised their voices against the hardship of the quota system; members of the other body, such as Representative CELLER of New York and Representative FEIGHAN of Ohio, who have vigorously pursued reform; and many others. May I say that my efforts on this subject have been brief in comparison with theirs. If this is a historic occasion, if we are about to take a long awaited step, there are many Senators, here now and with us in the past, whose efforts made them far more worthy of the honor of guiding this bill to passage than those of the junior Senator from Massachusetts.

I think of the late senior Senator from New York, Herbert Lehman, who introduced the first bill to repeal the national origins quota system after the report of President Truman's Commission in 1953.

I think of our distinguished Vice President, who cosponsored such a bill in each Congress, and spoke for it around the country.

I think of President Kennedy, who as a Senator sponsored much of the legislation that breached the quota system to unify families and who first proposed the principles of this bill in 1963. I thank the Senator from Michigan [Mr. HART], who has introduced his own bills in the past, as well as this bill on behalf of the administration.

And I think of all their colleagues who joined with them, year after year, to make this fight. Without their efforts we would not have this opportunity.

Mr. President, George Washington prescribed an immigration policy almost 200 years ago saying:

> The bosom of America is open to receive not only the opulent and respectable stranger but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment.

This bill is in keeping with the wish of our first President, and with the wiser strains of our immigration policy that run through most of our history. After 40 years we have returned to first principles. Immigration, more than anything else, has supplied America with the human strength that is the core of its greatness. Let us keep the strength renewing.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. KUCHEL. The presentation just made by my able friend from Massachusetts is excellent. He need not apologize for the manner in which he will guide the proposed legislation successfully through the Senate.

I recall that when the Senator's late illustrious brother occupied the White House, he made recommendations to the Senate in this field, and I supported him. I recall that when President Kennedy's predecessor, General Eisenhower, was our Chief Executive and made recommendations in this field, I supported him.

Years ago, legislation tending toward what the able junior Senator from Massachusetts has now presented was passed by the Senate, only to suffer an unkind fate in the House.

In my judgment, the junior Senator from Massachusetts and other members of the Committee on the Judiciary have reported a bill of which all of us may be proud.

Specifically, is it not true that the manner in which the bill applies to the problem of refugees is simply and solely a continuation of the policy first established in the administration of President Eisenhower, carried forward in the administration of the late President Kennedy, and now recognized for the first time, as the able Senator from Massachusetts has said, in the bill to provide for the amendment of the Immigration Act, which he has presented to us?

Mr. KENNEDY of Massachusetts. The Senator from California is correct. As he has stated, the bill includes a provision specifically for the consideration of the refugee problem. This is the first time that refugee provisions have been placed in our permanent immigration law.

The bill contains a definition of the refugees that we will accept, of how they will be admitted, and from what particular parts of the world they may come.

I refer the Senator from California to page 35 of the bill, which establishes quite clearly what we mean by refugees—those fleeing from Communist domination, from the effects of natural calamity, or from the defined areas in the Middle East.

Mr. KUCHEL. I thank the Senator. I shall watch the debate closely.

Mr. ERVIN. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. ERVIN. Before I take the floor in my own right, as I shall do in a few moments, I take occasion to pay tribute to the floor manager of the bill, the able junior Senator from the Commonwealth of Massachusetts.

The late President Kennedy was deeply interested in this field, and many of the provisions of the bill represent a realization of a dream entertained by him. So it is quite fitting that the bill should be guided to passage through the Senate by his able brother.

The junior Senator from Massachusetts presided over the hearings of the subcommittee which began last February and continued until comparatively recent days. Throughout that time, he always presided with courtesy, with tact, with an understanding of the problems involved, and with an eloquent presentation of his own views on the subject.

I pay tribute also at this time to the distinguished junior Senator from Michigan [Mr. HART], who is now presiding over the Senate, and who introduced the bill which formed, in large measure, the blueprint for the consideration of the committee and has culminated in the reporting of the bill now before the Senate.

In paying tribute, I should also say that the subcommittee labored hard on this subject. High commendation is due to the distinguished senior Senator from Hawaii [Mr. FONG] for his interest, efforts, and untiring devotion to the work of the subcommittee. His amendments considerably improved the bill.

The distinguished minority leader [Mr. DIRKSEN], the distinguished senior Senator from New York [Mr. JAVITS], and the distinguished Senator from Nebraska [Mr. HRUSKA], who is not a member of the subcommittee, but is of the full committee, deserve much credit for the work which has resulted in the presentation of the bill to the Senate today.

I compliment the distinguished junior Senator from Massachusetts for his eloquent presentation and his excellent analysis of the bill.

Mr. KENNEDY of Massachusetts. I appreciate the comments of the Senator from North Carolina. More than anyone else, he was in constant attendance at the committee hearings, and labored long and hard in bringing this measure to the floor today. To a great extent, his exhaustive probing, questioning, and analyzing brought many worthwhile recommendations for the improvement of the bill. So I appreciate particularly the kind comments of the distinguished Senator from North Carolina.

Mr. President, I desire to mention one additional matter. The distinguished junior Senator from Florida [Mr. SMATHERS], a member of the Committee on the Judiciary, who is absent from the Senate at this time on official business, brought to my attention certain language that appears in the third paragraph on page 26 of the report, pointing out to me that this was not the language that was agreed to by the committee. With his point of view, I thoroughly concurred. Let me now read the language about which the Senator from Florida expressed concern:

> The attention of the committee was directed to the situation which exists with reference to the practices and procedures controlling the importation of aliens to perform temporary services under section 214(c) of the Immigration and Nationality Act, both as it relates to the importation of actors and other performers and as it relates to other types of employment.

Further, there appears in the report the following language in the last sentence of the same paragraph:

> The Attorney General will be requested to study this matter of consultation with the Secretary of Labor in those cases involving the importation of nonimmigrant aliens under section 101(a)(15)(H)(i) and (ii) and report seasonably to the committee the results of his study.

The Senators from Florida expressed concern that the words "and as it relates to other types of employment" which appear in the first sentence of the third paragraph and the words referring to section 101(a)(15)(H) in the last sentence of the same paragraph was not the language approved by the committee, and could conceivably include nonimmigrant farm labor which the committee had no intention of including in the report.

I informed the junior Senator from Florida that it was the intention of the committee that the language in the report refer solely to the importation of actors and performers of exceptional ability and related employees in the entertainment field, such as theatrical technicians, electricians, wardrobe personnel and so forth.

There is a clear understanding between myself, the junior Senator from Florida, and other members of the committee with respect to this language that the committee had no intention of including nonimmigrant farm labor in the language agreed to.

I regret that this language is in such a form that it could be misconstrued and want to say very definitely now that the committee makes no change or reference to nonimmigrant farm labor either in the report or the bill before us. As a matter of fact this was made clear in the committee in connection with the colloquy that was had between the junior Senator from Florida, myself, and other members of the committee.

The language that I have referred to was added to cover those temporary workers who accompany theatrical performers to assist them in their performances and again was not included to refer to nonimmigrant farm labor.

Let me make it abundantly clear that no change is made in existing law with respect to nonimmigrant farm labor and that the language in the report was meant to be confined as I have previously stated to the importation of actors and other performers of exceptional ability and related employees in the entertainment field. I can assure the members of the Senate that had this report not been printed that most certainly the words in the first sentence of the third paragraph on page 26 and those words in the last sentence referring to section 101(a)(15)(H) would be deleted from the report, so that there could be no possible misconstruance.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. HOLLAND. I thank the Senator for making so clear the point which has just been clarified relative to the inclusion of certain unfortunate wording in the committee report.

The Senator will recall, as will other Senators, that the Senate recently had a rather sturdy debate on this question relating to the importation of temporary workers for agricultural labor from foreign nations, which workers are not admitted as applicants for permanent residence.

In that debate the Senate was evenly divided, as the Senator will recall. The controlling vote was cast by the distinguished Vice President, which made a total vote, as I recall, cf 46 to 45. Shortly after that action, and after the amendment sponsored by the senior Senator from Florida and by my distinguished colleague the junior Senator from Florida [Mr. SMATHERS], and the distinguished Senator from California [Mr. MURPHY], had been omitted from the farm bill then pending, by the vote of the Vice President, we had heard that there would be included in the immigration bill a provision relating to the same subject and applying in a different way, of course, from that which was pursued by our amendment.

The senior Senator from Florida inquired at once of the committee and the committee staff and found that, just as his friend has now stated, no such provision was included in the bill. It had been agreed in the committee that the bill should make no reference to nonimmigrant farm labor. It had also been agreed in the committee that there should be no reference to the subject matter in the report. However, when the report was available, immediate anxiety was created in certain agricultural circles by the wording to which the Senator has referred.

The senior Senator from Florida at once took up this matter, first with his distinguished colleague the junior Senator from Florida, and later with the chairman of the full Committee on the Judiciary [Mr. EASTLAND], with the distinguished Senator from North Carolina [Mr. ERVIN], and with other members of the committee, and found that the wording of the report, if it applied to agricultural labor, was unfortunate because it had not been approved by the committee.

Later we found that was exactly the understanding of my distinguished friend who has so ably explained the provisions of this bill, the junior Senator from Massachusetts.

I appreciate the fact that he has cleared up this matter so thoroughly by his statement.

As I now understand it, there is no reference in the bill itself to the subject matter of supplemental agricultural labor from foreign countries coming to this country to help harvest or to help produce our crops, and there is no reference contained in the report. The words quoted by the distinguished Senator from the report were meant to relate and do relate solely to actors and persons in the entertainment field and technicians and specialists who accompany them when they come to this country. Is that a correct statement?

Mr. KENNEDY of Massachusetts. The Senator is correct in his understanding. This legislation before us is a very important, but limited, adjustment to the McCarran-Walter Act. This bill takes a particular part of existing law, as I mentioned in my speech, relating to immigration factors such as the national origins quota system, the Asia-Pacific triangle, and the preference categories, and modifies them to remove a longstanding form of discrimination in our immigration laws.

This specific legislation does not consider in any way, nor does the report, the matter which the Senator from Florida has mentioned, though certainly the matter which the Senator from Florida has mentioned is included generally within the total framework of the McCarran-Walter Act.

Mr. HOLLAND. It is included within the framework of existing law, but not included in any way within the proposed changes in the existing law nor within the purview of the report of the committee.

Mr. KENNEDY of Massachusetts. That is correct.

Mr. HOLLAND. Mr. President, I thank the Senator. I am not surprised that that is the case.

The Senator and I had a short conference on this subject generally as we were going back to our respective offices. I remember that I assured the distinguished Senator that the suggestion might not be presented by those of us who think differently from himself on this subject. I had felt from what I had heard from the committee that a similar situation existed in the committee.

I was particularly impressed that that must be the case when I noted the decision of the committee and the voting in the Senate on the amendment to which I have referred. I found that the Committee on the Judiciary was seriously divided in its vote. Eight members of the committee voted for the position taken by my distinguished colleague and myself, and seven members voted against that position. The absent member of the committee, making up the 16 in all, declared for that position. So there was a division of 9 to 7 in favor of the position taken by my colleague and myself.

It seemed to me impossible in that situation for the committee to have taken any affirmative position on this issue.

I thank the Senator for having made it abundantly clear by his statement that the committee neither in the bill nor in the report intended to or has taken any position whatever on the question of the admission of nonimmigrant agricultural labor.

I thank the distinguished Senator.

Mr. HART. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Michigan is recognized.

Mr. HART. Mr. President, I join the able Senator from North Carolina [Mr. ERVIN] and the distinguished minority whip [Mr. KUCHEL] in commending the junior Senator from Massachusetts [Mr. KENNEDY], who has opened the debate on this historic bill in a fashion which will do great credit to the Senate, quite aside from the distinction which it will bring to him. With him, I hope that the hour is at hand when we may achieve a goal which many of us shared with his brilliant brother. I am very grateful for the kind words he has spoken.

I reassure the Senator from Florida that I heard the colloquy with respect to agricultural labor, and I share the view of the floor manager of the bill that there is nothing, in the new legislation which we hope will be enacted, that would change existing law or procedures with respect to the admission of migrants or anybody else. The same procedures and clearance requirements which exist today will remain after enactment of this bill.

I join the Senator from Massachusetts also in the deserved high praise he gave the distinguished senior Senator from North Carolina [Mr. ERVIN], whose keen mind and persuasive speech we all admire, who applied those rich gifts to the development of a record upon which the Senate may confidently act.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. HOLLAND. Do the remarks of the Senator from Michigan concerning nonimmigrant agricultural labor apply equally to the report of the committee?

Mr. HART. Yes. We are again confronted with the problem that whatever the report might have contained, the bill does not change a line of the existing law with respect to the admission of that category of agricultural labor, or others.

Mr. HOLLAND. The wording in the report which might be construed as applicable to that field was not so intended, and does not in fact apply to nonimmigrant farm labor.

Mr. HART. That is correct. It should not be so construed.

Mr. ERVIN. Mr. President, I have been involved, as a member of the Subcommittee on Immigration and Naturalization since February, with the processes which have led to the presentation to the Senate of the pending bill. I believe I can truthfully say that the bill in its present form is a result of the legislative process working in its finest fashion. The bill represents the combined efforts of many men who entertain divergent views upon many aspects of the legislation; and it represents a compromise of those divergent positions of interested members of the subcommittee on various features of the bill. In its present form, it is a bill which I can support with good grace.

I do not know whether I could have said that in February, because I frankly concede that I believe in the national origins quota system of the McCarran-Walter Act; and had I been permitted to have my way in the framing of the bill, I should have retained the national origins quota system of that act.

I wish to say a few words as to the reason why I believed—and still believe—that the national origins quota system of the McCarran-Walter Act presents a desirable formula for the admission of immigrants for permanent residence and ultimate citizenship in the United States.

I disagree with the view that the national origins quota system devised by those two great American legislators, Senator Pat McCarran and Representative Francis Walter, is discriminatory either in purpose or in effect. To be sure, the national origins quota system prescribed by the act which bears the names of those two eminent Americans gave larger quotas to certain of the countries of western and northern Europe than to countries elsewhere in the Eastern Hemisphere. It did so for what I conceive to have been a very good reason, that is, because the people who originally came to the United States from those countries and their descendants constituted the major portion of the population, and thus had made the greatest contributions to the culture and development of America.

In making that statement, I do not assert that the people from northern or western Europe, notably from the British Isles, Ireland, France, the Netherlands, Germany, and the Scandinavian countries, are superior to persons in other nations. To the contrary, I assert that anyone who believes in the equality of man should share my views, because if men are truly equal, the people who constitute the most numerous part of the population of any nation are necessarily those who contribute most to that country and its development.

The purpose of the national origins quota system under the McCarran-Walter Act was to receive for permanent residence in America, and for eventual citizenship, immigrants who had cultural backgrounds similar to those of the people already here, and who for that reason were most readily assimilable into our way of life.

When the committee report was filed, I incorporated certain additional views which appear on pages 56, 57, and 58. These additional views set forth in more detail the reasons why I accept as wise the national origins quota system of the McCarran-Walter Act.

Mr. President, I ask unanimous consent that the additional views be printed in full at this point in the Record.

There being no objection, the additional views of Mr. Ervin were ordered to be printed in the Record, as follows:

Additional Views of Mr. Ervin

While I support H.R. 2580, as it is reported by this committee, and while I subscribe to much of the majority report, I must take exception to parts of the purpose of the legislation, as stated by the majority, and amplify the reasons immigration reform is necessary.

As long as I have served in the Senate, there have been constant and consistent harangues—from lobbyists and well-meaning humanitarian organizations, from politicians and Presidents—to the effect that the national origins quota system, as embodied in the McCarran-Walter Act, constitutes a most invidious and evil discrimination against all the people of the world living outside of northern and western Europe. It has been declared in political pamphlets and in congressional hearings that the Congress in 1924 and that two-thirds of the House and two-thirds of the Senate in 1952, declared through legislation that the people of northern and western Europe are superior to those of the rest of the world.

To me, this is mischievous nonsense and sanctimonious propaganda.

The national origins system, just as the system which is encompassed in the present bill, recognizes the necessity for placing restrictions on immigration to the United States. Present law undertakes to assign to each nation in the Eastern Hemisphere a specific quota of immigrants in proportion to the number of Americans whose national origin is traceable to such country.

However philosophers or anthropologists may differ over the correctness of the thesis, the national origins system is based on the proposition that all men are created equal, and that the peoples of various nationalities have made contributions to the development of the United States in proportion to their numbers here. The McCarran-Walter Act is, therefore, based on conditions existing in the United States, and is like a mirror reflecting the United States, allowing the admission of immigrants according to a rational and uniform mathematical formula.

Those who oppose the system do so because relatively larger quotas than they feel are fair are assigned to the United Kingdom, Ireland, France, Germany, Holland, and the Scandinavian countries. This is true, however, only because these countries constitute the most numerous groups in our population and, therefore, have made the greatest contributions to America. In support of this I cite the British Isles, which, in addition to supplying us with a substantial part of our inhabitants, has given us our language, our law, and much of our literature.

When it adopted this definite and uniform rule of law with the view to maintaining the historic population pattern of the United States, Congress did not act upon the theory that the people of one nation are superior or inferior to those of another. Rather, it recognized the obvious and natural fact that those immigrants can best be assimilated into our society who have relatives, friends, or others of similar backgrounds already here. Again, to use the British Isles as an example, it is abundantly clear that their citizens are quickly and easily assimilable into our life and culture.

As the Christian Science Monitor has editorialized:

"It is no reflection on the many fine American citizens of all races, creeds, and national origins to recognize realistically that some nations are far closer to the United States in culture, customs, standards of living, respect for law, and experience in government."

In spite of the endless protestations against the much maligned national origins system, there is absolutely nothing unjust in it. On the contrary, it admits immigrants from all areas of the earth on an exact mathematical basis having no relation to political pressures.

On the other hand, the bill which was originally presented to this committee, S. 500, was manifestly unjust, both to the American people and to those from other lands who would like to join us. Badly conceived and badly drafted, every provision was sufficiently complex to induce an acute case of mental indigestion. Almost all of the witnesses defending it differed among themselves over the meaning of several sections.

Other than poor draftsmanship, there were two fatal defects in the bill. First, the mathematical formula by which immigration is theoretically determined under the McCarran-Walter Act would be destroyed, and in its place immigration would be managed in the virtually uncontrolled discretion of officials of the executive department, subject to political pressures. Second, S. 500 would have done nothing to control Western Hemisphere immigration. To me, the lack of hemispheric restrictions is the one major defect of the McCarran-Walter Act.

In a speech before the Senate on March 4, 1965, I recognized that the present law is not perfect. But I stated then that "I shall not vote to abandon the national origins quota formula until someone devises a better rule sufficiently strong and certain to insure that immigration to the United States is controlled by the rule of law and not by the caprice of men."

For the reasons outlined in the majority report, I now think such a law has been devised and reported by this committee. As the report states, the McCarran-Walter Act has been largely nullified by amendments and special legislation and no longer effectively restricts immigration. New legislation is now in order for both the Eastern and Western Hemispheres—legislation which will restrict immigration within predictable limits.

This has been accomplished by the committee through adoption of a clear and intelligible bill utilizing a mathematical formula with a numerical ceiling applying to the Eastern Hemisphere, with preferences given to the members of families now in the United States and to members of the professions and arts who can make the greatest contributions to our society. We owe a great debt to the House Immigration Subcommittee and its staff for the creation of this system.

The amendment which I offered and was adopted by the Senate subcommittee, and which would place a ceiling on total Western Hemisphere immigration, must be retained if we are to have a fair, restrictive immigration law. This should be the heart of any reform of our immigration laws. The present rate of immigration from the independent North American countries is already alarmingly high, and, coupled with the population explosion in South America, our duty is clear. It is inconceivable to me that we could enact a law with the alleged purpose of eliminating discrimination and, at the same time, continue the most apparent discrimination of all—that is, the nonquota status of the Western Hemisphere.

Retention of my amendment in the bill will finally bring us to the point at which we no longer discriminate in favor of the people of Chile over the people of England, or the people of the Dominican Republic over the people of France, our traditional allies since our fight for independence.

There are, of course, other efficacious amendments to present law, some added by the House and others by the Senate subcommittee; and there are other important reasons for reporting H.R. 2580 than those I have mentioned. However, these are adequately covered in the majority report.

In closing these separate views, I would like to acknowledge my personal gratification, which I am sure is shared by all members of the subcommittee, to the staff of the Senate Subcommittee on Immigration and Naturalization, for the devotion and tireless efforts which they gave to us over these months of hearings and executive session. Without their dedication, we could not have accomplished our task of processing an intelligent and effective bill.

Sam J. Ervin, Jr.

Mr. ERVIN. Mr. President, I knew, however, as the subcommittee began its work upon the immigration bill originally introduced by the able and distinguished junior Senator from Michigan [Mr. Hart], and various cosponsors, that the McCarran-Walter Act had been the subject of prolonged attack, and had fallen into disfavor with a majority of the Members of Congress, and that those who did not entertain my view about the wisdom of the provisions of the McCarran-Walter Act relating to the national origins quota system had sufficient votes to eliminate that formula from the pending legislation.

That discovery presented to me two possible courses of action. The first was that I might concentrate my efforts in a forlorn fight to preserve the national origins quota system and suffer defeat in such fight without rendering any service to my country, other than that of loyalty to an ideal which I cherished.

The second possible course of action which confronted me was to join with other members of the subcommittee in an effort to present to the Senate the best possible obtainable immigration law, curing the defects of present law, without the retention of the national origins quota system.

I felt that I could serve my country best by adopting the second alternative. That is the reason which prompted me to join the other members of the subcommittee, and particularly those whose names I enumerated in my colloquy with the Senator from Massachusetts [Mr. Kennedy], in fashioning the present bill, which in my judgment represents the best immigration law obtainable at present.

Also, as the Senator from Massachusetts has stated—and he has cited statistics which support his statement—the number of nonquota immigrants received in this country in recent years from the Eastern Hemisphere has exceeded the number of immigrants we have received under the quotas established by the national origins system. This has been due, among other things, to the necessity for admitting many refugees who were fleeing religious and political oppression. The fact is, as the Senator stated, that the system is simply not working.

The House subcommittee, and its members deserve the thanks of the country for devising an intelligent, intelligible and precise mathematical formula for the Eastern Hemisphere by which immigration will be impartially determined. Under it, the most important and admirable purposes of the administration will be accomplished far more effectively than would have been true under the original bill. The reunification of families will be achieved, and we will be assured of receiving the best qualified immigrants. The preference system adopted by the House will assure America of receiving the most easily assimilable and most desirable prospects for citizenship.

The House also imposed new labor restrictions on all prospective immigrants which will have the effect of removing their threat to increased unemployment. Too, it added new and greatly needed security measures without removing any of those presently existing.

This is not to say that H.R. 2580 as it was reported to the Senate was a perfect bill, or even one which I could support, for it still lacked the key ingredient of any meaningful reform—that is, a limitation on Western Hemisphere immigration. However, the genesis of good legislation was there, and the Senate Subcommittee proceeded with the same resolve and dedication as did the House subcommittee.

Several substantive, as well as technical and clarifying, amendments were added which improved the measure. Among these, is one I offered, to allow alien seamen who entered the United States illegally the same opportunity to apply for an adjustment of status for reasons of hardship after 7 years residence as have other immigrants who entered the country illegally. I have always felt that like people in like circumstances should be treated by the law in a like manner, and I see no reason to treat seamen differently from other aliens. Also, it seems to me that if a man has found a job and a home here and has been assimilated into our society, he should be allowed to remain. This is an elementary proposition, and I am confident the amendment will be retained. However, this is not the amendment which has aroused the most controversy concerning the bill in its present form.

There was one serious defect in the bill before us, and in the McCarran-Walter Act; and that defect arose out of the fact that while existing immigration laws placed a limitation upon the number of immigrants receivable from countries of the Eastern Hemisphere, they placed no limitation whatever upon the number of immigrants admissible from the Western Hemisphere.

I know of no one in Congress at the present moment who favors unrestricted immigration. I am satisfied, from my work with them, that all of the other members of the Subcommittee on Immigration and Naturalization of the Senate Committee on the Judiciary favor reasonable restrictions on immigration, and that such disagreements that may have existed in the past in respect to this point were concerned only with ways in which that objective could be best attained.

I felt that it was unjust to all the people of the Western Hemisphere for the United States to say, "We are willing to have all of you move into the United States," and at that same time place in the immigration laws provisions which would deny them admission, after such a broad invitation had been extended, because of their failure to meet certain labor requirements of the laws. To my mind, there was a certain amount of hypocrisy in the immigration laws which made that proclamation and had that effect. It seemed to me that it was like inviting a man to dinner, and then digging a pit for him to fall into before he could get to the dinner table.

Accordingly, I thought that, in order to abolish the hypocrisy which our existing immigration laws practice, telling the people of the Western Hemisphere that they are all welcome to move into the United States immediately, we should place a reasonable limitation upon immigration from the countries of the Western Hemisphere, as we did in the case of immigration from the countries of the Eastern Hemisphere.

I felt that in addition to there being something in the nature of legislative hypocrisy in the existing immigration laws in this respect, it was also a gross discrimination against all the people of the Eastern Hemisphere for us to have immigration laws which specified that only a limited number could come in from the Eastern Hemisphere but that, on the contrary, unlimited numbers could move into the United States from the Western Hemisphere.

For that reason, I submitted an amendment to provide a limitation on immigration from the Western Hemisphere. As the distinguished Senator from Massachusetts has stated, the pending bill, with that amendment, would place a limitation on immigrants from the Western Hemisphere of 120,000 annually, plus the spouses and the children of American citizens who may come from those countries outside and above the limitation.

To enable the immigration authorities to adjust their action to this new limitation, the bill would provide that it would not become effective until the 1st day of July 1968.

To me, it is vitally important for the amendment to be retained in the Senate and for the Senate conferees to insist upon its retention, in the event it should become necessary to have a conference with the House upon the bill.

Those who disagree with the wisdom of my amendment contend that special privileges are warranted by the special relationship which exists between us and our hemispheric neighbors.

I submit that there is no relationship which is closer or more special than that which our country bears to England, our great ally, which gave us our language, our law, and much of our literature. Yet, under the pending bill, those who disagree with me express no shock that Britain, in the future, can send us 10,000 fewer immigrants than she has sent on an annual average in the past. They are only shocked that British Guiana cannot send us every single citizen of that country who wishes to come.

Those who disagree with me on this point say that there is nothing invidious in the discrimination in favor of the Western Hemisphere, because the discrimination "is not based on race, religion, or ethnic origin." They fail to note that every witness at the hearings agreed with me that there was also no discrimination based on race, religion, or ethnic origin in the national origins quota system of the McCarran-Walter Act. Yet, those who disagree with me never failed to take the opportunity to castigate that system as discriminatory.

Mr. President, a man born in England, be he Catholic, Jew, or Protestant, is charged to the British quota. The system allows immigration according to place of birth, just as the present bill does. Under it, a person born in the Western Hemisphere would be charged to the Western Hemisphere ceiling. A man born in the Eastern Hemisphere would be charged to the Eastern Hemisphere ceiling.

This bill creates a commission to study the Western Hemisphere problem, among others. I suggest the possibility that this commission might find that the ceiling which the bill establishes for immigration from the Western Hemisphere is still too discriminatory, since it allows 45 percent of immigrants to come from only 15 percent of the world's population.

I have also heard it said that the ceiling will somehow adversely affect the Alliance for Progress. This is a perverse argument, indeed, since under the labor restrictions imposed, we will take only the best of those we are helping to train. I hope that those in charge of administering the Alliance for Progress will understand the necessity of keeping the best qualified where they are most needed, which is in the Latin American countries.

The substance of my amendment has been endorsed by the New York Times, the Christian Science Monitor, the Minneapolis Tribune, the St. Paul Pioneer Press, and the distinguished columnist Charles Bartlett.

On July 17, 1965, the New York Times published an editorial entitled "Progress on Immigration." I wish to read this portion:

> Secretary Rusk urges that Latin-American nations remain outside any ceiling, as they are now outside of the quota system. But this well-intentioned position could lead to trouble and ill will in the not so distant future if immigration from Latin America and the Caribbean should grow sharply—as there are signs that it will—and pressure were then built up to limit a sudden flood of immigrants for which the country was unprepared. While the entire law is being overhauled, it would be better to place all the nations of the world, including those to the south of the United States, on exactly the same footing.

I ask unanimous consent that the editorial from the New York Times may be printed at this point in the body of the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

PROGRESS ON IMMIGRATION

> The Johnson administration has intervened to unsnarl the tangled threads of the immigration reform bill in the House.
>
> Personal animosity between Representative Emanuel Celler, chairman of the Judiciary Committee, and Representative Michael A. Feighan, the ranking member, has previously made agreement impossible on a measure to repeal the national origins quota system. In a letter from Secretary of State Rusk, the administration discloses that it does not regard adoption of major provisions of the Feighan bill as too high a price to pay for his support.
>
> The national origins quota system would be abolished immediately, as Mr. Feighan suggests, rather than phased out over the next 5 years. The administration has also softened its opposition to Mr. Feighan's proposal for an annual ceiling on immigration. If set at 235,000 persons, the ceiling proposed by Mr. Feighan, this figure would be tantamount to a cut of 55,000 from the existing rate. If a ceiling is to be set, it should not be lower than the present level.
>
> Secretary Rusk urges that Latin-American nations remain outside any ceiling, as they are now outside of the quota system. But this well-intentioned position could lead to trouble and ill will in the not so distant future if immigration from Latin America and the Caribbean should grow sharply—as there are signs that it will—and pressure were then built up to limit a sudden flood of immigrants for which the country was unprepared. While the entire law is being overhauled, it would be better to place all the nations of the world, including those to the south of the United States, on exactly the same footing.

Mr. ERVIN. Mr. President, the Christian Science Monitor for August 17, 1965, carried an editorial entitled "New World Immigration." I wish to read these words from that editorial:

> It would seem that a reasonable, legal limitation on migration from Latin America, if adopted today, could prevent the need to adopt more stringent legislation tomorrow.

I ask unanimous consent that a copy of the editorial from the Christian Science Monitor be printed at this point in the body of the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

NEW WORLD IMMIGRATION

> Applying intense pressure, the administration struck from the immigration reform bill a measure which many experts believe will have to be faced in the near future. This was a provision which would have placed a limit on migration into the United States from the rest of the New World.
>
> Administration opposition centered on the claim that to impose such a limit would endanger diplomatic relations with several Latin American states. This seems like an inadequate excuse for several reasons. We find it hard to believe that any government believes its citizens have a right per se to migrate to any other country. In the second place, certain of the New World lands themselves place high hurdles before many U.S. citizens where immigration is concerned. Thus Mexico virtually demands that a newcomer, including one from the United States, be financially independent before going to Mexico to live, and there are signs that Canada unofficially discourages immigration of nonwhites, among them American Negroes.
>
> But all such considerations aside, Washington must surely realize that, at any moment, it could face a deluge of would-be Latin American immigrants. The flood of Puerto Ricans which has poured into New York, and the wave of Jamaicans which has flowed into Britain during the last 15 years are but tokens of the vast numbers who might someday wish to leave underdeveloped homelands.
>
> For two crucial facts must be faced. The first is that the population of Latin America is growing more rapidly than that of any other large area in the world. The second is that, on the whole, the Latin American nations are failing to solve their economic problems. Thus the pressure on resources grows and grows. Eventually Latin Americans from many lands may decide to do what Puerto Ricans and Mexicans have done in such large numbers: go to the United States.
>
> It would seem that a reasonable, legal limit on migration from Latin America, if adopted today, could prevent the need to adopt more stringent legislation tomorrow.

Mr. ERVIN. Mr. President, on August 25, 1965, the St. Paul Pioneer Press carried an editorial entitled "New Immigration Danger." In the course of the editorial, the Pioneer Press made this observation:

> For example, no more than 20,000 persons could be admitted from the United Kingdom in 1 year, but such countries as El Salvador, Paraguay, Nicaragua, and Argentina could send unlimited numbers.

This editorial proceeded to take the position that the better part of wisdom at this time required the placing of a limitation, as this bill does, upon immigration from the Western Hemisphere.

I ask unanimous consent that a copy of the editorial from the St. Paul Pioneer Press be printed at this point in the body of the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

NEW IMMIGRATION DANGER

> Under the flimsy and foolish pretext of making a friendly gesture to Central and South America, the State Department and the Johnson administration propose to revise but maintain numerical limits on immigration from all the rest of the world, but to leave the doors wide open for a flood of Latin Americans.
>
> A revolt against this dangerous and unjustified favoritism is forming among House Members. One of the leaders is Representative Clark MacGregor, of Minnesota, backed by many Republicans, but also supported by numerous Democrats. Their efforts deserve backing from the public and from Congress.
>
> What has happened in the House is that the bill to abolish the national origins quota system for regulating immigration has been twisted into a vehicle for a new form of discrimination. While an overall limit of 170,000 immigrants a year is set for all the nations outside the Western Hemisphere, including England, West Germany, the Scandinavian nations and Italy, no limits whatever are provided for the Latin American countries. Furthermore, there is an individual national quota maximum of only 20,000 for each nation outside the hemisphere, but no national limit in Latin American.
>
> For example, no more than 200,000 persons could be admitted from the United Kingdom in 1 year, but such countries as El Salvador, Paraguay, Nicaragua, and Argentina could send unlimited numbers.
>
> To call this bill nondiscriminatory is hypocrisy. It discriminates against the nations that have traditionally supplied America with desirable immigrants.
>
> Such a policy does not make sense. If we are to replace the national origins principle with the theory that immigrants should be judged on their character and ability, regardless of nationality, then the Latin Americans should come under the same rules, and there should be a maximum quota for them as well as for others.
>
> This is especially important now because Latin America is rapidly becoming one of the world's biggest surplus population areas. Latin America has millions more people than it can support or educate at decent levels, and is doing nothing to control its population explosion. In Salvador alone some 700,000 people have overflowed into neighboring Honduras. In Colombia the politicians are talking of wholesale exportation of emigrants into other countries because of unemployment and poverty.
>
> The situation obviously could develop into a serious U.S. immigration problem if no checks are provided. Congressman MacGregor proposes to amend the House bill to put a yearly ceiling of about 140,000 on all Latin American imigrants, which would be in addition of the 170,000 to be permitted from other parts of the world. This is a generous allowance.
>
> The flood of Puerto Ricans that has poured into New York in recent years, with all their problems of language and poverty, should be sufficient warning to the United States. Without reasonable restrictions, the rest of Latin America and the Caribbean islands could in the future provide a deluge of immigrants that would be difficult to assimilate.

Mr. ERVIN. Mr. President, on August 25, 1965, the Minneapolis Tribune, of Minneapolis, Minn., carried an editorial entitled "Immigration and the Population Problem." This editorial commented upon an amendment then pending to the House bill which had been offered by Representative MacGregor to place a limitation on immigration from the Western Hemisphere, and it referred to the opposition of the State Department to the placing of any such limitation upon immigration. It said this on that point:

> The State Department argues that a limitation would be an affront to Latin America. MacGregor answers more soundly that the time to set restrictions is now, rather than when the problem becomes more acute.
>
> His view is reinforced by an estimate from the international family planning conference at Geneva this week that the population of Latin America will increase 3.6 times by the end of this century. The pressure to escape to a more moderately expanding United States is likely to grow.

I ask unanimous consent that a copy of the editorial from the Minneapolis Tribune be printed at this point in the body of the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

IMMIGRATION AND THE POPULATION PROBLEM

> Representative Clark MacGregor, Republican of Minnesota, and House Republicans are trying to put a limit on the number of immigrants from other Western Hemisphere nations. At present there is no quota for them.
>
> The State Department argues that a limitation would be an affront to Latin America.

MacGregor answers more soundly that the time to set restrictions is now, rather than when the problem becomes more acute.

His view is reinforced by an estimate from the international family planning conference at Geneva this week that the population of Latin America will increase 3.6 times by the end of this century. The pressure to escape to a more moderately expanding United States is likely to grow.

Indeed, in an era when overpopulation looms as one of the world's toughest questions, there is doubt about the United States undertaking an enlarged role as safety valve for nations which do not control their own numbers.

Present legislation bases immigration quotas on the ethnic makeup of this country in 1920. Quotas for western and northern European countries seldom have been filled. Applications from southern Europe and other areas far exceed openings. Thus some juggling of qualifications is needed.

But the effect of the pending bill would be to boost total immigration from the present 300,000 to about 350,000. About 130,000 now arrive annually outside the quotas from other western hemisphere nations. Without the limitation MacGregor seeks, this number could jump sharply.

Regarding U.S. growth rates, the Population Reference Bureau remarked: "At present we are on a collision course that could lead us to catastrophe, timed to arrive only a few decades after our sister nations (if they do not alter their growth rates) have crashed on the Malthusian reefs."

Mr. ERVIN. Mr. President, the Washington Evening Star for August 24, 1965, carried a column by Charles Bartlett entitled "Revolt Brewing on Immigration," in which he had some comments to make on this point. I shall read this portion of the column:

> Since most Latin governments do not currently recognize their population problems, the imposition of a quota will provoke less diplomatic tension now than it will later when overpopulation becomes acute. Congress enactment of the quota may actually jolt the Latins into more realistic attitudes.
>
> The arguments for establishing the quotas now are so compelling and the diplomatic consequences are so nebulous that some Congressmen suspect that Rusk and Mann are resisting it purely in terms of diplomatic expediency. Their stand on immigration is certainly inconsistent with their refusal to endorse preferential trade arrangements within the Western Hemisphere.

I ask unanimous consent that the entire column of Charles Bartlett, be printed at this point in the body of the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Revolt Brewing on Immigration

(By Charles Bartlett)

There are signs of revolt by the House of Representatives against the intermingling of immigration policy and short-term diplomacy in the stand taken by Secretary of State Dean Rusk on the new immigration bill.

Rusk is urging Congress to abolish the individual country quotas that have controlled migration to the United States since 1924. He echoes the widespread sentiment that these quotas are discriminatory and damaging to the Nation's reputation for fairness. But Rusk also urges that the Latin American Republics continue to be excluded, as they have since 1924, from the overall limitation that the new bill will place upon migration to this country.

Representative Michael Feighan, Democrat, of Ohio, leading the move to revamp immigration policy, has doggedly questioned the special access of Latin immigrants. Why is it fair, he has asked, for people all over the world to stand in line for quota numbers while South Americans enter the United simply by showing that they are unlikely to become public charges?

Feighan hoped to end this special status in the new immigration law but he met objections from the State Department after the crisis erupted in the Dominican Republic. Rusk and Under Secretary of State Thomas Mann argued earnestly that this move would weaken the U.S. standing in Latin America at a critical moment. Further persuasions by President Johnson induced Feighan to agree to a compromise.

The Feighan bill now before the House requires the President to notify Congress when immigrations from the Western Hemisphere start to rise sharply. Latin immigrants will be subject, like all others, to the Labor Department's certification that they possess needed skills not already available in the pool of unemployed.

But this compromise has not allayed the alarm of some Members at demographers' projections that the population of South America will multiply in this century from 69 to 600 million. The growth of Latin migrations to the United States in this decade, from 95,701 in 1960 to 139,282 in 1964, has added substance to warnings that the time is ripe to erect a dam against a possible flood of immigrants.

The Latin political leaders, with a few exceptions, are so hesitant to acknowledge their population problems that a strong initiative by the Ecumenical Council will be necessary to prod them into a population control campaign. Most observers doubt that the council will produce a fulsome endorsement of birth control this fall. Meanwhile, about 700,000 Salvadorans have quietly overflowed into neighboring Honduras, and the Colombians talk of exporting masses of unemployed workers to Europe.

Representative Clark MacGregor, Republican, of Minnesota, who proposes to establish an annual limit of 115,000 immigrants from the 24 nations of the Western Hemisphere, points out that the State Department merely wants to postpone the action. Rusk said during the hearings, "I am suggesting that Congress wait until there is a need to do it."

MacGregor argues that it will be wiser and more realistic to meet the problem during this reform of immigration policy than to wait until the crisis develops. Communists will maintain that the limitation is new evidence of Washington's detachmen from the hemisphere's problem, but their charges will be softened by the present scope of this country's contributions to the Alliance for Progress.

Since most Latin governments do not currently recognize their population problems, the imposition of a quota will provoke less diplomatic tension now than it will later when overpopulation becomes acute. Congress' enactment of the quota may actually jolt the Latins into more realistic attitudes.

The arguments for establishing the quotas now are so compelling and the diplomatic consequences are so nebulous that some Congressmen suspect that Rusk and Mann are resisting it purely in terms of diplomatic expediency. Their stand on immigration is certainly inconsistent with their refusal to endorse preferential trade arrangements within the Western Hemisphere.

The key virtue of the new immigration bill is that it has been drafted in a practical and unsentimental spirit of fairness toward all nations. The preferential treatment of South America cannot be maintained if the United States is to boast truthfully that its new policy does not put one nation or region ahead of another.

Mr. ERVIN. The Christian Science Monitor for September 3, 1965, contained a column by Richard L. Strout entitled "Immigration and Quotas," which makes some significant comments in urging the imposition of limitation upon immigration from the Western Hemisphere.

Mr. President, I ask unanimous consent that there be printed in the Record at this point in my remarks the article of Mr. Strout.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the article was ordered to be printed in the Record, as follows:

Immigration and Quotas

(By Richard L. Strout)

Washington.—It seems a bit odd, doesn't it, that the United States should cut immigration from England by a third while it jumps immigration from Trinidad-Tobago from a limit of 100 a year to no limit at all?

The House of Representatives has just passed its version of the new immigration law, scrapping the old national origins system and substituting a new system. There has never been a quota system for the Western Hemisphere, and under the House version this situation will continue.

Trinidad-Tobago is only used in this article for the purpose of illustration. Trinidad-Tobago used to be a British colony and as such got the minimum of 100 immigrants a year in the old, "bad" national origins system. However, Britain has made Trinidad-Tobago independent, along with Jamaica. Independent nations in the Western Hemisphere are entitled to send as many immigrants to the United States as they wish, subject, however, to sharp administrative checks by the Labor and Justice Departments.

The generous United States, with 4½ percent unemployment, is throwing open its doors to these two countries at a time when the Socialist Labor government in England is cutting immigration from the Caribbean from 20,000 a year to 8,500. England has decided that immigration is not a cure-all for national problems, even among Commonwealth countries.

Nothing that I write is meant to be critical of either Jamaica or Trinidad-Tobago. The two new nations are delightful islands discovered by Columbus, with mixed populations, the one of about 1,700,000 and the other of around 900,000.

Theoretically, so far as fixed quotas go, their entire population will be able to move en masse to New York City. Actually, however, sharp restrictions are applied to immigration administratively, to protect the American economy from job competition.

The passé old national origins quota system is assailed on all sides today as being discriminatory. But isn't it a bit discriminatory to put a quota of 20,000 a year on England, which last year sent over about 30,000 people, and no quota on Trinidad-Tobago? The Western Hemisphere has always been exempt from quotas. Under the House version of the new bill it would stay exempt. Some Senators say, however, that it is time to bring the Western Hemisphere under the same rules as the rest of the world, that "nondiscriminatory" means what it says.

Secretary of State Dean Rusk wants the Western Hemisphere exempted, however, because it has a "special relationship" with the United States. The United Kingdom does not have this special relationship, it appears.

The proposed new bill puts an overall ceiling of 170,000 on immigration from all non-Western Hemisphere countries. This will be allocated on a first come, first served

> basis, with preferences to families of immigrants already here, and with no nation getting more than 20,000. No nation, that is, outside of the Western Hemisphere.
>
> Latin America currently has the highest growth rate in the world. Famine and the population may be on a collision course. Can the United States, with all the sympathy and pity in the world, really hope to solve foreign problems by taking in immigrants?

Mr. ERVIN. During hearings on the bill many outstanding Americans appeared before the committee. One of them who impressed me most was a distinguished and eloquent attorney of Wilmington, Del., Joseph A. L. Errigo. Mr. Errigo is the national chairman of the Sons of Italy.

Mr. Errigo disagreed with me in respect to retaining the National Origins Quota System of the McCarran-Walter Act.

After my amendment, limiting immigration from the Western Hemisphere, had been adopted by the subcommittee and approved by the full committee, I received from Mr. Errigo a fine letter endorsing the proposal.

With his consent, I quote the following words from the letter:

> I am writing to congratulate you and to thank you for the excellent position you have taken relative to the immigration bill. Since we have established a ceiling for the rest of the world, it is altogether fitting and proper that we should establish a ceiling for the Western Hemisphere as well. This is in accord with our philosophy of equal justice under law for all.

Those of us on the Immigration Subcommittee know Mr. Errigo to be a persistent foe on all he considers to be unjust law. We know him also as a consistent champion of equal application of law.

Mr. Errigo knows we must eliminate the most apparent discrimination of all—that which gives preference to the people of Chile over the people of Italy, and the people of Cuba over the people of France, our historic ally since the time of our independence.

Although equal application of the law to all nations was my principal reason for proposing the amendment, there is another reason. There is a growing demand for immigration from our hemispheric neighbors.

Immigration from the Western Hemisphere increased by 50 percent in the past decade to our present average of almost 150,000 a year. As Senators know, our own population is also increasing alarmingly; yet 5 percent of the annual additions to our total population comes from Western immigrants, and the percentage is going up.

Of all the countries in our hemisphere, demographers tell us that only Mexico's rate of immigration—which numbers from 30,000 and 50,000 to the United States each year—will remain stable.

The problem in Canada is so serious, that officials of its Government have considered establishing restrictions to prohibit the great migration to the United States, which like Mexico's has averaged 30,000 to 50,000 a year. Presently, for every professional person who migrates to Canada, two leave, the principal reason being the higher salaries paid in the United States. There is also increasing pressure from the labor force for immigrant passports, this being the product of Canada's greatest domestic problem—unemployment. The unemployment rate in Canada has averaged 6 percent in recent years. If we accept the proposition that an increasing professional force generates employment in the labor force, then we must conversely also assume that Canada's problem will worsen and that migration to the United States will increase.

As my friends who oppose the amendment point out, "the majority of hemisphere immigrants come to us from Canada and Mexico." Although it is certainly true that the immigration from these two countries will not decrease, it is also clear that the time is fast approaching when we will receive even more from the other hemispheric countries.

The bill should not offend Canada and Mexico, because of the distinction it makes between the Eastern Hemisphere and the Western Hemisphere. The bill provides that no country of the Eastern Hemisphere shall be allowed to send to this country in any one year more than 20,000 immigrants, outside of members of families.

The bill places no such limitation upon the various nations of the Western Hemisphere, and for this reason Canada and Mexico can continue to send into this country their immigrants free from any limitation other than the overall hemispheric limitation of 120,000.

I spoke a moment ago about the probability—indeed, I say the certainty—that immigration from South America, Central America, and the Caribbean Islands will increase with the passage of years. Undoubtedly it will become unmanageable unless we place realistic limitations on immigration from the Western Hemisphere.

Immigration from South America has increased by a fantastic 230 percent in the last 5 years, and by almost 400 percent in the last 10 years. It is approaching the point where it will double each year. The figures for Central America are almost as high. This is not just a trend; it is a threatened avalanche.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. GORE. I find the able address of the distinguished Senator interesting and informative.

I wonder if the Senator would be so kind as to give the actual figures on immigration from South America, as well as percentages?

Mr. ERVIN. I will have my assistant mark the figures for me and I will give them to the Senator from Tennessee in just a few minutes. While he is doing that and to expedite matters, I will continue with my discussion.

The reason why the immigration from South America, Central America, and the Caribbean Islands is increasing is not hard to find. It has a population explosion unequaled in any other area of the world.

In 1900, the population of Central and South America was approximately 60 million. By the end of the century it will be 600 million. In 1900 1 of every 50 human beings who inhabited the earth lived in the nations of Central and South America; today the ratio is 1 in 15. This great, new mass is not shifting to the broad uninhabited expanse of the continent, but to the overcrowded cities, and then, often to America.

The situation is substantially the same in the Caribbean Island nations, except for the fact that there is less room. There, the population is increasing at a rate of 25 percent every 10 years, although the density of population is already too high for adequate support of the present inhabitants. To use one island as an example, if the present population growth rate of Barbados is maintained, in 200 years there will not be room for all the inhabitants to stand on the island.

The junior Senator from Massachusetts [Mr. KENNEDY], the junior Senator from Michigan [Mr. HART], and the senior Senator from New York [Mr. JAVITS] say there is no real hemispheric immigration problem now. They are correct insofar as their separate views were filed on September 15, 1965.

But the problem is coming fast and hard. Both the Attorney General and the Secretary of State testified to this in the hearings before the House subcommittee; and the Members of the Senate should make no mistake about it.

Attorney General Katzenbach and Secretary Rusk stated their preference for waiting until a later date to meet the problem. But at a later date we would be enacting special restrictions for a special area. The wrath of the hemisphere would be upon us.

I say the time is now—now, when we are broadly revising our whole policy; now, when we are supposedly abolishing discrimination; now, when it is politically and practically possible.

With my amendment. this is a good bill. To strike the amendment or to emasculate it would be to perform heart surgery on healthy legislation.

Without my amendment, or without its substance, it would be difficult for me to support the pending bill with any enthusiasm whatsoever. But with this amendment, I can support the pending bill with enthusiasm, because I know that it is the best bill upon immigration that can be obtained for our Nation at present.

First Timothy, verse 8, gives us some advice that we should follow in enacting an immigration law. It is more timely than the great poem by Emma Lazarus, which is inscribed upon the monument on Ellis Island. This world is confronted at this moment by a population explosion, and soon millions of immigrants will be begging for, indeed demanding, admission to the United States. The United States will have trouble providing employment for its own expanding and increasing population. Therefore, this is the opportune time to enact an immigration law which is based upon the theory that we should restrict immigration to immigrants whose presence here will reunite families already partially in America and immigrants who have some real contribution to make by reason of their skills to the economic welfare of America.

We should fashion our immigration law in accord with the interests of the United States, and the interests of the United States alone, and not our supposition as to what the thoughts or desires of some people in foreign countries may be. I believe the writer of First Timothy had this in mind when he said, in chapter 5, verse 8:

> If any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

In advocating the passage of the bill in its present form, I am appealing to the Senate to look after those of our own household by enacting an immigration law which takes cognizance of matters of the heart insofar as it will result in uniting families now divided, and which takes cognizance of the best interests of the United States in restricting other immigration to those who have something to contribute to the economic and cultural development of our Nation.

Mr. President, in answer to the earlier inquiry of the senior Senator from Tennessee [Mr. GORE], page 48 of the annual report of the Immigration Service shows that immigration from South America in 1955 was 5,500. In 1960, the number jumped to 13,000. In 1964, it jumped to 31,102. While these figures in and of themselves are not alarming, the trend which they reflect is greatly alarming.

In many nations of South America, most of the land is owned by persons who can only properly be called land barons. They show no interest whatever in taking a course of action which would provide for wide diffusion of ownership of the land among their people. If the United States places a limitation upon immigration from those countries, notice would be served on these land barons that they would have to do something like that which is suggested in the eighth verse of the fifth chapter of First Timothy; namely, look after some of their own household.

Mr. KENNEDY of Massachusetts. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. THURMOND. Mr. President, much has been said and written in connection with proposed changes in the Immigration and Nationality Act to the effect that there is something intrinsically evil about the national origins quota system on which the McCarran-Walter Immigration Act is based. Indeed, many have sought to picture the national origins quota system as a product of prejudice, bias, and racism, and, as such, an affront to many nations of the world constituting a detriment to the conduct of our foreign relations.

Such allegations indicate a lack of understanding, to put it charitably.

There is nothing in the national origins quota system which has any connotation of the idea of racial superiority or racial inferiority. This system is, indeed, inconsistent with any such concept.

The national origins quotas are based on the ethnic proportions of the American population in 1920, and are so constituted with the express and acknowledged purpose of preventing immigration from changing the national or ethnic composition of the American population.

The wish to preserve one's identity and the identity of one's nation requires no justification—and no belief in racial or national superiority—any more than the wish to have one's own children, and to continue one's family through them, need be justified or rationalized by a belief that they are superior to the children of others. One identifies with one's family, because it is one's family, and not because they are better than other people. For no other reason, one identifies with one's national group more than with others. This is the sole basis of the preference which is inherent in the national quota system.

There is no merit in the contention that the quota system is racist or morally wrong. Individuals, and groups, including nations, have an absolute and unchallenged right to have preferences for other individuals or groups, and nothing could be more natural than a preference based on a sense of identity.

No apology is necessary for an immigration law based on the national origins quota system, and I make none.

Having so stated, I would add that I do not consider the existing law without defect, nor do I believe that the immigration formula in the proposal now before the Senate, if properly administered, will result in drastic or undesirable changes in the patterns of immigration into the United States. The preferences which would be established by this proposal are based, I believe, on sound reasoning and meritorious considerations, not entirely dissimilar in effect from those which underlie the national origins quotas of existing law. Blood relationships and family ties stem from the same sense of identity and preference, and it is most desirable that unification of families be a major consideration in our immigration formula. The bill before the Senate also wisely provides protection for American workers against job displacement by immigrants.

I think the bill has been improved by the amendment added by the Senate Judiciary Committee which provides for a maximum limit on Western Hemisphere immigration. If passed, it would constitute a badly needed improvement in the existing law which has no numerical limitation on Western Hemisphere immigration.

It is inescapable, however, Mr. President, that the major changes proposed are in the formula for immigration and mechanics of selection. There is a larger, and I believe, a far more significant consideration, which has been ignored in considering what changes are needed in the Immigration and Nationality Act.

Both the present law, based on a national origins quota system, and the proposed changes now before the Senate, are based on the assumption that the country is underpopulated and could use substantial quantities of immigration to advantage. This assumption, formerly well founded, is no longer true or soundly based.

From a superficial view, it would appear that the comparative population density of the United States might justify a continuation, although hardly an increase, such as is likely under the proposed bill, of the very substantial flow of immigration into the United States. A comparative approach based on overall population density is completely misleading, however.

U.S. population distribution is unique, and destined to become more so. A major geographic proportion of the United States is devoted to agricultural pursuits, but the population density of this area is significantly slight. At the present time, less than 6 percent of the population of the United States is engaged in agriculture, and both the percentage and the number of persons so engaged is steadily declining. Even this relatively small percentage of the population is producing a substantial surplus of food and fiber for the Nation's needs. As the process of mechanization continues, even fewer people will be needed to farm this given area and to produce sufficient food and fibers for the rapidly growing population. In comparison to the 6 percent of the U.S. population now engaged in farming, other countries have the following percentages of their population working to produce food and fiber on the farms: France, 25 percent; Poland, 38 percent; Japan, 38 percent; Argentina, 20 percent; Soviet Union, 57 percent; and Canada, 12 percent.

As a consequence, the distribution of U.S. population is weighted more heavily in urban areas than in other nations. As the population expands, the increased population density falls almost entirely in urban areas.

Even in the absence of any immigration in the next half decade, the population of the United States will shortly pass the 200 million mark. And only shortly thereafter—a matter of not more than 2 or 3 years—there will be 200 million people in the urban areas alone. Our present rate of population growth, even exclusive of immigration, is the highest of any industrial nation. It is the population density in the urban areas of the United States, therefore, on which the need for further major immigration should be judged.

From this perspective, it becomes readily apparent that it is not advantageous to the United States to continue to encourage the massive immigration which prevails under present law, much less increased immigration, as would be the case under the proposed changes.

The wise course for the United States to follow is to limit immigration to special cases based on such factors as family reunification and some forms of political refugee accommodation. These factors could be accommodated within an overall immigration ceiling of certainly not more than 50,000 per year from all sources.

Populationwise, the United States has reached maturity. The time has come for our immigration policy to reflect a corresponding maturity. This is not a harsh judgment, merely a realistic one.

Most of the countries of the world have problems stemming from expanding populations. We cannot solve the population problems of one of these other countries by permitting immigration to the United States, even if we concentrated immigration favoritism on any particular one of them, without exceeding by far any maximum level of immigration yet seriously proposed. We cannot help other nations by weakening ourselves, nor should we if we could.

Without the necessity for balancing the merits of the formulas in existing and proposed laws, therefore, I must conclude that neither is responsive to the national needs. The McCarran-Walter Act was designed to meet needs for immigration which clearly existed before the turn of the century, diminishingly so thereafter, and not at all in the circumstances of the last two decades. The changes here proposed are based on the assumption that the immigration needs of the country three-quarters of a century ago remain the same. The contrary is true.

For these reasons, I cannot support H.R. 2580. Perhaps the realization of the requirements stemming from the increased population density and necessarily uneven population distribution in the United States in the past few decades is not sufficiently prevalent to permit drastic changes toward limitations on immigration at this time. Under no circumstances, however, can the Nation afford an updating of the official acceptance of the myth that we can still benefit from a continuation or increase in the current level of immigration.

I hope that the Senate, in the best interest of the country, will reject the 19th century concept on which this bill is premised, and take no major action until the Congress is at least willing to meet the needs of the 20th century, not to mention the future.

Mr. HART. Mr. President, I support the pending legislation to amend the Immigration and Nationality Act of 1952.

The bill is modest and right. It falls in America's mainstream of morality and commonsense.

The bill represents a broadly based consensus on the kind of reform that is needed. It carries out goals sought by 33 Senators, from both political parties, who joined with me to introduce this legislation following President Johnson's immigration message to Congress last January.

The heroes, Mr. President, of this long and historic struggle to achieve the abolition of the national origins system of selectivity, are properly tens of thousands of Americans. They have organized through community, religious and fraternal groups to achieve the victory now being consummated in the Congress.

It is to these Americans, who in years past opened their homes, their communities, their businesses to welcome the refugee, the relative and the homeless of the world. These citizens conducted community conferences and urged their national organizations to press for immigration reform. Today is their victory.

It is impossible today to list each citizen, each fraternal chapter, each religious society that shares in this achievement. But two national organizations deserve special mention.

For many years the American Immigration and Citizenship Conference has led in education and information. Through national conferences and community workshops the hopes of Americans for this achievement were effectively directed.

This year an additional citizens group, the National Committee for Immigration Reform, whose outstanding membership is headed by former Presidents Harry S. Truman and Dwight Eisenhower, has organized to insure passage of this legislation.

Indeed, this proposal is supported by the most distinguished of our citizens, as well as the humble from every corner of the Nation. It is as though each wants to help brighten the light that shines its welcome in the torch of liberty.

To the peoples of Europe chiefly, but to others as well, the United States has long been a haven of opportunity and refuge. The stream of immigrants who have passed through America's gates are indeed the Nation's true wealth.

Today, America's worth and strength—morally, intellectually, politically, socially, economically—rest upon the contributions of people of many national backgrounds and races. This is the unquestioned genius of the American experience.

Throughout most of our history, accepted national policy was to encourage a free flow of immigration. And even though, beginning in 1882, our immigration history reveals a slow evolution from an open to a restricted policy, the gates stoop open to most until after the end of World War I.

Several things then worked to generate a widespread demand for immigration curbs. Among them were post-war urbanization, economic dislocation, waves of fear, and suspicion, and the degenerate nativism practiced by the Ku Klux Klan and its allies. The Quota Acts of 1921 and 1924 followed.

This legislation of the 1920's marked the turning point in America's immigration policy. A dual control system went into effect, which continues to our time. The first selection of immigrants was through the application of such standards of admissibility as health, literacy, security, and financial responsibility. These are sound and right, and have been retained in the pending bill.

The second control was restriction of quota immigration to a specified maximum number per year based on nation of birth.

No responsible citizen, Mr. President, questions the rightness of any nation to regulate immigration. But more than an attempt to set a reasonable rate of immigration, with reasonable standards, was involved in the dual control system. It was framed by an irrational element—the national origins quota concept, which said in echoing words that the people of some nations are more welcome to America than others. We know the story well. Unjustified ethnic and racial barriers became the basis of U.S. immigration policy.

The end of World War II brought hope for basic reform, especially following America's welcome to thousands of homeless and destitute people through the Displaced Persons Act of 1948. But this hope was short-lived. In 1952, over President Truman's veto, Congress enacted the present basic statute, the Immigration and Nationality Act of 1952. Revision and codification of immigration law was overdue. But so far as the basic selection of immigrants was concerned, the 1952 act followed the discriminatory policy of the twenties.

In his 1952 veto message, President Truman said:

> I am sure that with a little more time and a little more discussion in this country, the public conscience and the good sense of the American people will assert themselves and we shall be in a position to enact an immigration and naturalization policy that will be fair to all.

That time has now come. Moral and national interest reasons justify a new immigration policy. Aside from its racial and ethnic discriminations, the Immigration and Nationality Act of 1952 fails to give sufficient recognition to the principle of family unity. It fails to give sufficient recognition to the great dimensions of the world refugee problem and the urgent need in this country for special skill immigrants.

Little wonder President Kennedy labeled the present law "an anachronism," a system "without basis in either logic or reason," a policy which "neither satisfies a national need nor accomplishes an international purpose."

The major objectives of the pending legislation are:

First, to restore equality and fair play in our method of selecting immigrants. Discriminatory provisions against immigrants from eastern and southern Europe, token quotas for Asian and African countries, and implications of race superiority in the Asia-Pacific triangle concept, have no place in the public policy of the United States.

A newcomer should not arrive at our Nation's door apologizing for his parentage and birthplace. Such a system is blatantly un-American.

True, we need a careful selection of immigrants. We should be selective—but not with theories of racial or ethnic superiority.

Congress must enact a statute that will be discriminatory in the best meaning of the word—on the grounds of individual worth and capacity; on the grounds of national security, and of economic and scientific benefit; on the principles of family unity and asylum to the homeless and oppressed.

Such discrimination is tolerable and in our Nation's interest.

On such grounds alone, I urge support of the pending measure—for it removes the purely arbitrary barriers to immigration on the basis of race and national origins; it substitutes a new formula based on equality and fair play; it applies this formula without exception to the people of all nations.

In referring to the national origins system in his immigration message, President Johnson said:

> That system is incompatible with our basic American tradition * * * The fundamental, longtime American attitude has been to ask not where a person comes from but what are his personal qualities * * * Violation of this tradition by the national origins quota system does incalculable harm. The procedures imply that men and women from some countries are, just because of where they come from, more desirable citizens than others. We have no right to disparage the ancestors of millions of our fellow Americans in this way. Relationships with a number of countries, and hence the success of our foreign policy, is needlessly impeded by this proposition.

Mr. President, a compelling priority in any reform bill is the urgent need to facilitate the reunion of families. The measure before us today stresses family unity, and accords nonquota status to the children, the spouses, and the parents of U.S. citizens. There is little doubt this measure goes a long way in solving the most pressing problem in immigration matters—family reunion.

Mr. President, a third objective of the pending bill concerns the economic value of immigration. Selective immigration can help meet urgent manpower needs. This fact is recognized in the present law which affords first preference to immigrants with special skills. Experience indicates, however, that the national origins quota system has inhibited the full use of this preference.

Congress recognizes this situation, and has passed special legislation to permit the nonquota entry of selected immigrants. A good example is Public Law 87-885, to permit the nonquota entry of several thousand specialized immigrants. These were persons certified by the Attorney General as having services urgently needed in the United States because of their education, special training, or exceptional ability. The bill cleared the way for a number of distinguished scientists whose special talents are vital to the performance of important defense work. Nearly 50 hospitals, universities, and research organizations in all parts of the Nation are also benefiting by this special enactment. Under the national origins system these needed persons were inadmissible to our country.

There is a sincere and quite understandable concern in some quarters over the economic impact of the projected change in our method of selecting immigrants. But, I submit to the skeptics, the pending measure will continue the historic value of immigration to our economy.

Postwar immigration trends provide a reliable barometer for the future. Of the 4,400,000 immigrants who entered this country between 1947 and 1964, only 47 percent, some 2,100,000, actually entered the labor force. The percentage figure for 1964 was below this average—some 44 percent. The remaining immigrants were housewives, children, and retired people. But they all have become consumers in the economy.

Of this immigrant work force, some 16 percent, nearly 350,000, were professional and technical workers. Nearly an equal number were skilled workers.

The record will show that the occupational distribution of recent immigrants has coincided with the needs of our economy. When these needs were inadequately filled under the basic quota formula, they were met by Congress with special legislation.

In 1964 alone, over 20,000 immigrants in critical occupations, and listed by the Secretary of Labor, entered this country. Two out of every three professionals were in this category. Recent Labor Department reports reflect a continuing steady demand for qualified workers in many areas. Selective immigration under the pending legislation will help fill these jobs.

In a recent report the National Science Foundation investigated the contribution made to America's professional scientific manpower pool by foreign-born scientists and engineers. The report is directly related to the subject of immigration, the integration of immigrants into our society, and the continued need for specialized personnel. The conclusions stated in part:

> Migrations to the United States have generally brought valuable numbers of scientists and persons capable of being trained as scientists * * * It is particularly interesting that the percentage of immigrant scientists in the United States has tended to increase in proportion to the level of scientific imminence.
>
> The majority of immigrant scientists in the United States probably settle down quickly in their new environment and make valuable contributions both to the cause of American science and to the general good of the Republic. Social and cultural maladjustment among immigrant scientists appears to be quite slight.
>
> Despite the fairly large influx of foreign scientists during the 1950's, there is no evidence that native American scientists have been placed in any great disadvantage by their presence. Since domestic institutions of higher education do not yet produce the country's annual needed aggregate of scientists, it would seem reasonable to assume that the American scientific community could continue to absorb foreign scientists at approximately their present rate of entry for some time to come.

Under section 10 of the bill, there is set forth a new directive to the Secretary of Labor for determining the needs for skilled and unskilled workers. Properly administered, I believe these guidelines will enable the American worker to be assured that his job security is not threatened by any new immigration. And it ought not to be threatened. At the same time it will permit a more precise determination of the availability of employment for these particular skills in a specific labor market area.

It is my understanding that when an immigrant seeks admission under these categories as special immigrants or preference immigrants and a determination by the Secretary of Labor is required, the Secretary will make a certification in the case of the individual immigrant. He must ascertain the prospective immigrant's skill and will match those skills with the employment and manpower reports he has available from the labor market area where the immigrant expects to reside. On the basis of such an analysis the Secretary will be in a position to meet the requirement of the law, and provide the type of employment safeguards sought in this legislation.

Mr. President, the fourth objective of the pending measure reflects a sensitivity to the continuing problem of refugees, chiefly those from Communist dominated areas. In striking contrast to the lack of policy in present law, the legislation before us accords a preference status to some 10,200 refugees annually. This authority will provide a needed instrument in our foreign policy, and be a true reflection of all America's concern for the homeless and oppressed.

The inclusion of a refugee preference is progress, although I had hoped the bill would also include a more flexible provision to permit a speedy American response to emergency refugee situations such as occurred in the Hungarian revolution.

The parole provisions of present law, section 245, have been used in the past. This section is not repealed by the pending measure—and this is good. The House report, in outlining the specific use of the parole authority, might seem to attempt to exclude its application to large groups of refugees. At the same time, I would expect this general rule of thumb would not forego in all cases the use of section 245 for the conditional entry of refugees, if such were deemed in the national interest of our country. We cannot predict accurately what the future holds. But neither can we exclude a new Hungary and the terrible toll it will bring in human suffering and refugees. This will test the leadership of our country. The base provision in section 245 of existing law will continue to let our Nation respond quickly in dire emergency situations where freedom and lives of individuals are at stake.

Some 250,000 Cubans have fled to this country since 1959. It was while I served as chairman of the Judiciary Subcommittee on Refugees that much of this activity occurred. Their presence here was, and is, a new experience for America. For the first time America found itself the country of first asylum for a large group of refugees. The usual concerns associated with a sudden and abnormal influx of new people which were voiced in those first days have not materialized. The resettlement program for the victims of Castro's tyranny have proved successful. They will stand to the credit of the people of our own country.

The measure before us includes a provision affording the Cuban refugees the opportunity for adjustment of status from parolee to permanent resident. This provision is along the lines of a bill I introduced earlier this year. This is an important and needed provision for many who seek permanent asylum in our country.

factors could be accommodated within an overall immigration ceiling of certainly not more than 50,000 per year from all sources.

Populationwise, the United States has reached maturity. The time has come for our immigration policy to reflect a corresponding maturity. This is not a harsh judgment, merely a realistic one.

Most of the countries of the world have problems stemming from expanding populations. We cannot solve the population problems of one of these other countries by permitting immigration to the United States, even if we concentrated immigration favoritism on any particular one of them, without exceeding by far any maximum level of immigration yet seriously proposed. We cannot help other nations by weakening ourselves, nor should we if we could.

Without the necessity for balancing the merits of the formulas in existing and proposed laws, therefore, I must conclude that neither is responsive to the national needs. The McCarran-Walter Act was designed to meet needs for immigration which clearly existed before the turn of the century, diminishingly so thereafter, and not at all in the circumstances of the last two decades. The changes here proposed are based on the assumption that the immigration needs of the country three-quarters of a century ago remain the same. The contrary is true.

For these reasons, I cannot support H.R. 2580. Perhaps the realization of the requirements stemming from the increased population density and necessarily uneven population distribution in the United States in the past few decades is not sufficiently prevalent to permit drastic changes toward limitations on immigration at this time. Under no circumstances, however, can the Nation afford an updating of the official acceptance of the myth that we can still benefit from a continuation or increase in the current level of immigration.

I hope that the Senate, in the best interest of the country, will reject the 19th century concept on which this bill is premised, and take no major action until the Congress is at least willing to meet the needs of the 20th century, not to mention the future.

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Under section 10 of the bill, there is set forth a new directive to the Secretary of Labor for determining the needs for skilled and unskilled workers. Properly administered, I believe these guidelines will enable the American worker to be assured that his job security is not threatened by any new immigration. And it ought not to be threatened. At the same time it will permit a more precise determination of the availability of employment for these particular skills in a specific labor market area.

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Mr. President, the fourth objective of the pending measure reflects a sensitivity to the continuing problem of refugees, chiefly those from Communist dominated areas. In striking contrast to the lack of policy in present law, the legislation before us accords a preference status to some 10,200 refugees annually. This authority will provide a needed instrument in our foreign policy, and be a true reflection of all America's concern for the homeless and oppressed.

The inclusion of a refugee preference is progress, although I had hoped the bill would also include a more flexible provision to permit a speedy American response to emergency refugee situations such as occurred in the Hungarian revolution.

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Some 250,000 Cubans have fled to this country since 1959. It was while I served as chairman of the Judiciary Subcommittee on Refugees that much of this activity occurred. Their presence here was, and is, a new experience for America. For the first time America found itself the country of first asylum for a large group of refugees. The usual concerns associated with a sudden and abnormal influx of new people which were voiced in those first days have not materialized. The resettlement program for the victims of Castro's tyranny have proved successful. They will stand to the credit of the people of our own country.

The measure before us includes a provision affording the Cuban refugees the opportunity for adjustment of status from parolee to permanent resident. This provision is along the lines of a bill I introduced earlier this year. This is an important and needed provision for many who seek permanent asylum in our country.

The United States has also had a positive experience with the more than 30,000 Dutch-Indonesian refugees admitted to this country, under special legislation, following their expulsion from Indonesia in the late fifties. Today some of these expellees remain in unsettled status in the Netherlands. These people also are deserving of additional resettlement opportunities in this country. The record on this bill should indicate there is a general awareness of the Dutch-Indonesian refugee problem, and that every effort should be made to provide resettlement opportunities within the framework of the pending legislation.

Mr. President, I have discussed briefly the desirable goals this bill will achieve. There is still another reason why I support the legislation. It is a basic reason, but one which too often escapes consideration. A plain and simple fact is this: the national origins quota system has never worked.

The statistical record of immigration presented in this debate, and in the hearings, demonstrates conclusively that the national origins system is unworkable and out of step with reality. Even on its own terms, and quite apart from any special legislation, the system failed in its purpose to select and admit immigrants in accordance with a basic racial and ethnic ratio.

Some will argue the special measures have brought refinement to our immigration policy. Have they really, Mr. President? I think not. For these efforts stop far short of a stable and permanent policy to which the people of this Nation can point with pride and accomplishment.

A brushfire approach to immigration and refugee problems does not satisfy the requirements of a useful immigration policy. The national origins quota system is widely and unfavorably known. The temporary exceptions which modify it beyond recognition, and make it contemporarily workable, are not known.

Thus America suffers needless stigma abroad, which blemishes the leadership we claim is ours; which hampers our relations with other countries.

The pending legislation sets the record straight by updating our basic statute to conform more fully with our actual practice in the last several years.

Mr. President, the national origins quota system was conceived in a radical period of our history—a period of bigotry and prejudice. Thirty years later the system was reaffirmed—again in an atmosphere of fear and suspicion.

A measure of greatness for any nation is its ability to recognize past errors in policy, and its willingness to reform.

Today is a time for such action on the oldest theme of our Nation's history.

Even among those who favor the bill, there are many perspectives. Each person sees it through a different window and through prisms colored by prejudice, personal increase, idealism, and logic.

To a Polish-American housewife in Detroit, the bill means an opportunity to bring her father and brothers to this country, thus reuniting the family.

To a Coldwater, Mich., manufacturer of medical supplies, the bill means the opportunity to import a skilled East Indian skeleton assembler, a man whose skills cannot be found in this country.

To professors at a midwestern university, the bill means that they may be able to enlist the help of a highly-trained Japanese heart disease researcher.

To State Department officials, the bill represents a public relations coup that will relieve them of the necessity of explaining away what to many nations must seem an inconsistency in American thought.

To those of us in Congress who have pressed for this legislation, enactment may represent the chance to point out the fulfillment of a campaign promise.

And there is an Italian gentleman in Boston—whom I know through correspondence—who is delighted with the bill because it will let more Italians in and he thinks Italians are better than anyone else—exactly the sort of thinking that the bill seeks to get us away from.

And, of course, there are those thousands who are eager for enactment because current immigration policy seriously offends their sense of fair play, their loyalty to the treasured philosophies of Jefferson.

Yet, all of these viewpoints—favorable to the bill as they may be—must be considered subordinate to a greater perspective—the view that history will take on our actions here.

The viewpoint must necessarily be a very benign one. Because here is what this bill says:

It says that we have the right to limit the numbers who may come here.

It says we have the right to set qualifications to insure that newcomers will be loyal, law abiding, sound of mind and body.

It says that the unification of families is clearly desirable.

It says we have the right to say that those who come should bring a skill that will be useful to our society.

But what it says most clearly is this:

The desirability of any immigrant does not depend on his place of birth.

And that is why history cannot but applaud this action.

Because this bill confirms the notion—so often cherished in words but too seldom practiced in deed—that a man's ability to serve, to contribute, does not depend on his race, color, or birthplace.

When history counts the steps that were taken toward human dignity, toward world understanding, toward good feeling among men, when history counts the measures this Nation took to establish the principles of equality, to set an example of compassion, and to treat all men with equal grace, this legislation, this immigration bill, which I am proud to have introduced, will not go unmentioned.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. HART. I am glad to yield.

Mr. KENNEDY of Massachusetts. I wish to express my great appreciation for the comments of the Senator from Michigan this afternoon. I believe they will provide Members of the Senate with an understanding and enlightenment which will be extremely important during the next few days of debate.

I believe every Senator realizes that it was the Senator from Michigan who introduced administration bill S. 500. So this is a matter in which he has been deeply interested. He has served well as a member of the Immigration Subcommittee and he has displayed his deep interest by following the hearings closely and by making a major contribution to the development of this bill. I have always looked to him for guidance and understanding in meeting the many problems that we faced in revising the immigration laws.

I believe his statement this afternoon will be most helpful to the Senate. I commend the Senator from Michigan for his fine presentation and thank him again for his great assistance.

If this bill is successful in the Senate—and I am confident it will be—we can trace one of the important lines leading to the acceptance and adoption of the measure by the Senate to his personal interest and commitment to this question.

Mr. HART. I am grateful for the kind words of the Senator from Massachusetts. I shall share with him an excitement and sense of joy when the happy hour arrives and the roll is called and the bill becomes law under his management.

Mr. BARTLETT. Mr. President, it gives me a great sense of satisfaction to vote for H.R. 2580, the immigration bill. For those of us who have had to work with the existing laws and to witness the little tragedies the national origins test has caused to so many, it is, indeed, a fine day and a fine opportunity.

The real strength of our country comes from the diversity of our citizenry, joined by common goals, not common pasts. We are a nation of people devoted more to the future than preservation of what has gone before.

We have drawn upon the history of every nation and people to form our country and shape our thoughts, but we have gone beyond them all to mold a single, distinct culture.

The bill before us now promises greater opportunity for all of us to benefit from the thoughts, ideas, and desires of the rest of the world. As a nation we shall benefit far more from the removal of the national origins test than will any single immigrant, or all of them together.

Fears that this bill is an "Open, Sesame" are unfounded. In many respects it tightens the law. It gives the key to the golden door, primarily to families of Americans and to those others whose talents and skills we need.

I am proud, Mr. President, to vote for this bill. It does not do all I should want it to do, but I support it strongly nevertheless. I submitted for myself and Senators INOUYE, BREWSTER, GRUENING, HARTKE, MAGNUSON, MCGEE, MORSE, RANDOLPH, and YOUNG of Ohio, Amendment No. 56 to S. 500, the Senate version of the pending legislation. This amendment would have permitted people from Bermuda, the Bahamas and certain of the Antilles to be considered in respect to our immigration policy as citizens of the Western Hemisphere instead of as citizens of subquota areas. From 1921 to 1924 the adjacent islands to the United States were excluded from those countries which had quota restrictions. These islands were, in fact, given the status which the bill before us accedes to the new republics such as Trinidad-Tobago.

The present bill contemplates, under the Western Hemisphere rule, only those countries which are independent and thus continues the hardship on the small island areas which can never become independent because of their accident of location, size and lack of natural resources. Yet, from 1921 to 1924, these adjacent islands enjoyed the same benefits as the rest of the Western Hemisphere. These islands will be grouped now ultimately into the world quota and, as a consequence, face a potential of no possibility of immigration to the United States.

It does seem incongruous that less than one-half of 1 percent of the total Western Hemisphere population should be excluded from consideration with the other 99½ percent.

I do not propose to offer my amendment from the floor at this time. Nothing should impede the progress of this legislation. I intend, however, to introduce legislation in the next session to allow people from the adjacent islands to immigrate as do all others from the Western Hemisphere nations. We should not permit such petty inequities to continue. I hope others will join me in this effort.

Mr. KENNEDY of Massachusetts. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. CLARK. Mr. President, a parliamentary inquiry. Is the rule of germaneness still in effect?

The **PRESIDING OFFICER.** The time under the rule of germaneness expired 9 minutes ago.

DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, I rise in defense of the position taken with respect to the actions of the United States in the Dominican Republic by the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT].

To my deep regret, this puts me in opposition to my good friends the Senator from Florida [Mr. SMATHERS], the Senator from Louisiana [Mr. LONG], and the Senator from Connecticut [Mr. DODD].

I had occasion to call to the attention of Senators earlier this week a most interesting article which appeared in the Sunday magazine section of the New York Times, written by the able and veteran reporter, Tom Wicker, the principal Capitol Hill reporter for the New York Times, entitled "Winds of Change in the Senate."

In his article Mr. Wicker commented, and I think with reason, that the art of debate appears to have been more or less lost in this body to which I am so proud to belong.

Possibly even by speaking to a completely empty Chamber on a Friday afternoon—which I regret to state is usually the case when I rise to address the Senate—I hope I can do a little to revive the tradition of debate which down through the years has made our legislative body an institution of which I hope the American people are still proud.

Before addressing myself to the substance of the disagreement between the Senator from Arkansas [Mr. FULBRIGHT] and the three other Senators whom I have mentioned, I should like to make four preliminary remarks.

First, nobody—I repeat nobody—least of all the Senator from Arkansas—has attacked the President of the United States for what he did in the Dominican crisis. The position of the Senator from Arkansas, with which I agree, is that the President got bad advice—very bad advice. But having received that advice from individuals in his administration whom he had good reason to trust, particularly advice with respect to facts which turned out to be wrong, the President had no alternative except to do pretty much what he did. Therefore, I would make it clear that neither the Senator from Arkansas [Mr. FULBRIGHT] nor I, despite what the three Senators have said to the contrary, have said one single word in criticism of the President.

My second point is that what may or may not have happened when the President called certain legislative leaders to the White House to discuss the crisis in the Dominican Republic, after he had decided to send the Marines in, but before they had actually gone, is entirely irrelevant to the points raised by the Senator from Arkansas. The Senator from Arkansas has no responsibility whatever for the decision made at the White House. He was in no position at that point to disagree with what the President recommended, because his sources of information were no different from those of the President. I believe it grossly unfair for the Senator from Florida [Mr. SMATHERS] and the Senator from Louisiana [Mr. LONG] to criticize the Senator from Arkansas for having remained silent at the White House after the President announced he was going to send in the troops.

In fact, the Senator from Arkansas said in his speech that he agrees that it was probably necessary to send a small force of Marines into Santo Domingo to protect American lives, particularly in view of the intelligence information, much of it inaccurate, which had come to the White House at that time. I agree with that, too. I believe we were under an obligation, despite our treaty obligations to the contrary, to send in a small force to protect American lives.

Incidentally, it is interesting to note that no American lives were lost. Despite the gross exaggeration with respect to the alleged danger under which Americans and other foreigners found themselves in Santo Domingo in those critical days toward the end of April, not one single American life was lost.

So I reiterate that, in my opinion, the Senator from Arkansas is subject to no just criticism because he did not object when the President, at the White House, announced that he had decided to send in the Marines. This argument is especially irrelevant to any issue raised by the Senator from Arkansas in his carefully thought-through and closely reasoned speech. I hope we shall hear no more in criticism of the Senator from Arkansas for what he did or did not do at the White House conference.

My third preliminary comment is that the Senator from Arkansas based his speech on 6 weeks of testimony in executive session before the Committee on Foreign Relations, at which practically every witness from the administration who participated in the Dominican crisis, with three exceptions, was heard and examined at some length by members of the committee. The speech was based also on newspaper articles, weekly news magazine articles, and other information from reputable American journalists, information which was available to the Committee on Foreign Relations as well as to the three Senators I have mentioned.

I sat through those hearings. I either heard the testimony—and I usually did hear the testimony and the cross-examination—of each of the witnesses, or, if I could not be present, I went to the committee room later and read the testimony, including the cross-examination. I can testify from my own personal knowledge that the comments of the Senator from Arkansas are fully and accurately documented by the classified record in the files of the Committee on Foreign Relations. If any Senator doubts what I say, I urge him or her to read that record.

I do not know whether the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. SMATHERS], or the Senator from Louisiana [Mr. LONG] have read that record. Perhaps they will tell us in due course. However, I do know that, with the possible exception of a total of approximately one-half hour, when one of those Senators may have been present at one of those hearings, they did not show up at all. Therefore, their criticism of what the Senator from Arkansas has said is not based on any knowledge of that record in the Committee on Foreign Relations.

This is not necessarily a cause for serious criticism. No doubt the Senators have other sources of information than those which were available to me and to the Senator from Arkansas and to the members of the committee. They are certainly entitled to come in on the floor of the Senate and say whatever they think about it.

The point I want to make is that every single statement of the Senator from Arkansas is carefully documented in the official record of the hearings over which he presided. I raise several questions as to whether these other three Senators can document what they have said.

The fourth preliminary point that I should like to make is that the real issue with respect to the Dominican Republic is not: "Did we do the right thing or did we not do the right thing? Did we, as the Senator from Arkansas says, react too slowly in the first place and then overreact in the second place? Were our activities on the whole in the best interests of the United States of America or not?" These are not the issues.

The real issue is, Where do we go from here? What have we done, if anything, by this action to downgrade the influence of the United States of America through all of Latin America? And what can we do to remedy the harm?

If, as I firmly believe, we have lost many friends and made some enemies, what can we do to remedy that situation so that we can get back to the foreign policy to which John Fitzgerald Kennedy so ably led us when he advocated and pressed through Congress the Alliance for Progress bill, when he revived the good neighbor policy of his predecessor, Franklin Delano Roosevelt, when he offered the hand of friendship to those democratic nations of Latin America which believe that through social, economic, and political democracy Latin America can arise and defeat communism.

I ask the question whether we help defeat communism by standing up for a landed oligarchy governed by military junta groups which have come to be known in Latin America not as guerrillas, but as gorillas, by defying and suppressing efforts for land reform, for housing reform, for education, for health, for feeding the poor, by keeping in office economically as well as politically discredited oligarchies, or do we do better in the interest of the United States in supporting men like Betancourt, and Leoni in Venezuela, and Belaunde in Peru, and the successors of Jose Figueres in Costa Rica, and Frei Montaha and other splendid Latin Americans who are pressing to carry into effect the principles of the Alliance for Progress? Or do we do better if we put our blue chips on the military who come back, having learned the American way of life at the Command and General Staff School in Leavenworth?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, I say to my friend from Louisiana that I am most happy that he is on the floor.

I have a prepared address that I should like to deliver. Nevertheless, I should be very glad to yield to my friend from Louisiana, and I am sure that with that self-restraint for which he is so well known, he will ask a few questions and I shall do what I can to reply, and then I shall be permitted to continue.

I now yield.

Mr. LONG of Louisiana. Mr. President, I regret that I could not be here when the Senator commenced his address. I was attending a hearing of the Committee on Foreign Relations which dealt with the problem of wheat shipments to countries behind the Iron Curtain.

Mr. CLARK. I was present this morning at the same hearing and made my position clear. I hope that, in that event at least, the Senator from Louisiana and I will find ourselves on the same side.

Mr. LONG of Louisiana. Mr. President, I hope that we can discuss it. Perhaps we can agree.

As the Senator indicated, I did not have the opportunity to sit through the hearings to which he has referred. I have consulted with people who were either there and have read the record. I am not completely in the dark about what occurred in those hearings.

The Senator knows that I am the ranking member on the Committee on Finance. During that period I was attending hearings of the Finance Committee and also representing the Senate in conference with the House on a number of major bills and conference reports, some of which are now at the desk.

I would like to have been present at the hearings, but I was not able to be there. During that same period of time I was attending meetings at the White House, as the assistant majority leader, and did have available to me the same information which was available to the President.

My judgment of this situation is simply this: That what started in this area as a revolution by people who were not Communists, but who were seeking to overthrow what could perhaps be described as a rightwing government.

Mr. CLARK. Is the Senator referring to the Reid Cabral government?

Mr. LONG of Louisiana. I was referring to the so-called military junta.

Mr. CLARK. To the junta which succeeded the military government.

Mr. LONG of Louisiana. The Senator is correct. The three Communist Parties in that country moved in on this situation, as Communists always seek to do when chaos exists. They had gained a great deal of power and were on their way toward achieving control of this revolution.

The military junta group requested our Government to go in. Our Government inquired, "Are you requesting us to go in because you can no longer protect the Americans who are there?"

As I understand it, even the Senator from Arkansas does not dispute that the answer to that question was yes, and that it was proper that the United States send troops.

Mr. CLARK. Mr. President, from the attention that I was able to give to the problem, I understood that the Reid Cabral government had fallen for reasons which we do not need to go into. The government under Moreno Urillo, who was the legitimate successor of Bosch, thinking that it was defeated, had taken refuge in other Latin American and foreign embassies. At the instance of the CIA—I believe it can be documented—a new junta headed by a certain Colonel Benoit had been formed, although it was pretty well confined to the San Isidro airbase. That junta sent word to Ambassador Bennett, "You had better send American troops in because a Communist takeover threatens."

Ambassador Bennett sent word back, "I can't get away with bringing Americans in on that ground because the evidence is not clear. If you will change your request and make it in writing, and ask American forces to intervene in order to protect American lives, then I believe that we can persuade Washington to do it."

So Benoit changed his position and put it on the basis of protecting American lives. Bennett forwarded that post haste to the State Department and to the White House, and troops were sent in.

The President announced that he was doing it to protect American lives. However, Bennett also sent to Washington the original statement of Colonel Benoit, and, the day the troops landed, a totally unauthorized statement was made by one of the chief naval officers of the U.S. Navy in Santo Domingo that we were going in to crush the Communists.

It is all very well to talk about protecting American lives, but the real reason that the marines went in there was to prevent a Communist takeover.

At that point Admiral Rayburn, who had been sworn in as the new head of the CIA perhaps 24 hours before that—and a fine man he is; no doubt he had to rely entirely on the information which was coming to him from Santo Domingo—was able to produce the names of only three Communists who were said to be connected with the revolutionary movement. This was obviously not enough to impress the American people. Seventy-two hours later, they produced the names of 58 Communists, and thus made a somewhat better showing.

I do not have a shadow of a doubt that after we did what we did, by sending in around 20,000 troops, the three tiny Communist parties in the Dominican Republic, one of them Castro dominated, one of them Moscow dominated, one of them China dominated, were able to take such advantage of the confusion and lack of order in downtown Santo Domingo. The fact is that a lot of the Bosch people became scared and ran away to embassies because they thought they were defeated. I have no doubt that thereafter, the rebel movement was very strongly influenced by the Communists. But it was not in the beginning, and actually the Communists never deposed Caamano Deno, the constitutionalist leader who is not a Communist.

Mr. LONG of Louisiana. My understanding of the matter was that the Communists had gained a great amount of control, and were in command in a substantial number of positions, many of them key positions in the revolution.

Based on what little we know, when we look at a situation of that sort, the revolution had more the earmarks of a Communist takeover than had Castro's, when Castro was taking over Cuba.

Mr. CLARK. The Senator made that argument very eloquently the other day on the floor. All I can say is, my sources of information are possibly different than his. I know this is the information put forth by the administration, and particularly by Mr. Thomas Mann, who was the architect of our policy. I merely disagree with it.

Mr. LONG of Louisiana. It is a matter of judgment. Perhaps the Senator would agree with me, that when the President of the United States becomes convinced, first, that American lives are in danger, he has a duty to protect those American lives; and, second, when he becomes convinced that failure to act means he is risking a Communist takeover of another nation in this hemisphere, in my judgment, if he fails to act, he is failing to discharge his responsibility to the American people.

In my judgment, had President Eisenhower known that the Castro takeover in Cuba was going to work out the way it did, things might have been different.

There were in the Castro movement a number of Communists who claimed they were not Communists—Castro claimed he was not a Communist. He lied to us. That is part of the Communist technique.

As a matter of fact, under Communist doctrine, as I am sure the Senator knows, truth from the Communist viewpoint is that which advances the spread of communism. So, if I say this man taking these notes is a man, if that does not promote the spread of communism, from the Communist point of view I have told a lie; according to Communist teaching, I should have said, "That's a woman."

Castro used those techniques on us. We did not know who all the Communists were in the Dominican Republic, but we knew many of them. Some were Castro-trained. As the Senator pointed out, some of them were the Peiping-type Communists, who would blast us off the face of the earth tomorrow if they had enough atom bombs, and some were the Russian type, experts in subversion. But they had enough help that they were in the process of taking over the revolution. That was the information available to the President; and if the Senator will check, he will find out that is what was happening.

If what the Dominican people want is a progressive reform government, a government with liberal ideas, such as the Senator has and as I myself have, then the people will have the opportunity to elect that sort of government and, in my judgment, they will be able to thank the United States of America that they have that opportunity, because if those Communists had taken over they would never have had it.

Mr. CLARK. The Senator made this same argument very eloquently on the floor of the Senate just a few days ago. I respect his integrity and his conviction. I said, perhaps before the Senator came in, that I thought he and the Senator from Florida were quite unfair to the Senator from Arkansas [Mr. FULBRIGHT] by trying to throw the blame on him for not objecting to sending in the troops when he was summoned to the White House with some of the other leaders in the last days of April.

I pointed out then, and I point out again, that nobody is attacking the President of the United States—neither the Senator from Arkansas nor I. He said and I say that if we had had to make our decision on the basis of the information that came to him at the time he determined to send the troops in, we would have sent troops in, too. I do not think we would have sent so many, but we certainly would have sent in some.

I think the Senator from Florida and the Senator from Louisiana really do a disservice and an injustice to the Senator from Arkansas by trying to say that he or I or anybody else is attacking the President of the United States, or that he or I or anybody else should have spoken up before the troops went in.

That is not the issue. The issue is: Was the advice that came to the President of the United States accurate? I say it was not. Were the recommendations that came to him from his subordinates sound? I say they were not. But with the information he had, he had no other choice.

With respect to the position of the Senator from Louisiana about Castro's Cuba, it seems to me that is largely irrelevant and, in the end, the difference of opinion between the Senator from Pennsylvania and the Senator from Louisiana is just this simple: Whose judgment is right?

I firmly believe that had we not done what we did in the Dominican Republic in the last days of April, the posture of the United States throughout Latin America would be far higher today than it is. Santo Domingo would have had the kind of government we wanted months before it did, and the whole posture of our relationship with the world in general, but with Latin America in particular, would have been better.

I point out to the Senator from Louisiana, as he knows, that I am a stanch supporter of the Johnson administration, as is the Senator from Louisiana. Every now and then, we stray off the reservation a little bit, but most of the time, we are supporting the President and his program, and the Great Society.

But if the balance of powers and the separation of powers means anything, then the Senator from Louisiana and I have not only the right but the duty to speak our minds when we disagree with the policy laid down by the Chief Executive; and with deep regret, that is what I am doing now. I say to my friend from Louisiana, I shall be back on the team on Monday when the immigration bill comes up. I hope he will be there, too, with me.

Mr. LONG of Louisiana. May I say to the Senator that it seems to me that fundamentally, his case is to establish that the Communists had no substantial influence, and were not achieving increased influence, in that revolutionary group. If he cannot establish that; if the contrary was true, and the Communists were achieving more and more power in that revolt, it seems to me the Senator has not established his case, but rather the case which supports the President and his advisers.

Mr. CLARK. Let me say, with all the deep affection I feel for my friend from Louisiana, that I do not think I have to make any case. The case has been made by the chairman of the Foreign Relations Committee [Mr. FULBRIGHT]. All I am doing now is to rebut the efforts of the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. SMATHERS], and the Senator from Connecticut [Mr. DODD] in their attack on the case made by the Senator from Arkansas.

I stand foursquare on the speech made by the chairman of the Foreign Relations Committee. The Senator from Louisiana has ably attempted to oppose that case. But I am not here making any case at all. I stand foursquare on what I consider the brilliant, able, and constructive speech made by the chairman of the Senate Foreign Relations Committee.

Mr. LONG of Louisiana. Did the Senator from Pennsylvania hear the speech of the Senator from Ohio on the floor today?

Mr. CLARK. Which Senator from Ohio?

Mr. LONG of Louisiana. The senior Senator from Ohio [Mr. LAUSCHE].

Mr. CLARK. No; but out of the deep affection and high regard that I have for my close friend the senior Senator from Ohio, I shall certainly be happy to read his speech. I am sorry I did not hear it. I certainly would not wish to prejudge the position taken by my good friend from Ohio, but I can say, generally speaking, that in matters of this sort the senior Senator from Ohio and I rarely find ourselves in agreement.

Mr. LONG of Louisiana. Is the Senator aware of the speech made by the majority leader today in support of the President's action? It seems to me that the Senator ought to be aware of the fact that he is answering more than three Senators.

Mr. CLARK. If it is necessary to answer five, I shall be glad to take on five. As the colloquy thus far indicates, I am having great difficulty taking on one Senator, my good friend from Louisiana.

Now, Mr. President, I return to the major part of my speech. I suggest that the three Senators I have mentioned have not only failed to refute the seven specific conclusions reached by the Senator from Arkansas, but for the most part have refused to meet him head on and have tended to go off on irrelevant side channels having nothing whatever to do with the major impact of the speech of the Senator from Arkansas [Mr. FULBRIGHT].

Let me give an example. The Senators from Louisiana and Florida have both argued that there was need for hasty action in that fatal last week of April of this year, and that there was no time to evaluate the situation judiciously. Then they make the basic and I believe false assumption that the only rapid form of action which could be taken was that which was taken; namely, massive military intervention on the side of the militarists who had kicked out the only legitimate, democratically elected government the Dominican Republic had had in the course of 38 years.

Actually, the Senator from Arkansas criticized the administration for timidity as well as for overreaction. He pointed out that we should have moved long before we did to support the legitimate government of the Dominican Republic, represented in the first stages of the revolution by the acting president, Molina Urena.

The Senator from Arkansas pointed out that there were two opportunities, first, on April 25, when the PRD, which was the Bosch party, and the only really democratic party of the moderate left in the Dominican Republic, requested a U.S. presence, by which they meant our Government's support for return to constitutional government under Bosch; and, second, 2 days later, on April 27, when the constitutionalists—sometimes erroneously called the rebels—thinking themselves defeated, appealed to Ambassador Bennett for mediation, a request which he refused on the ground that it would have constituted intervention.

Thus, the Senator from Arkansas called not for inaction, but for even more rapid action, which was eventually taken—and on the wrong side.

The issue is not whether it should have been action, but what kind of action. The administration ended intervening in a massive way with military forces on April 28. The Senator from Arkansas would have had us intervene politically either 1 or 3 days earlier.

The Senator from Louisiana [Mr. LONG] contends, on page 23863 of the RECORD, and the Senator from Connecticut [Mr. DODD] suggested, on page 5 of a judiciary subcommittee document entitled "Organization of American States Combined Reports on Communist Subversion," that the OAS mediation team sent to Santo Domingo, by the 10th meeting of consultation of the Ministry of Foregin Affairs of the American Republics wholly and completely justified the unilateral intervention of the United States in Santo Domingo. But, a reading of the report establishes, clearly indeed, that this is not the fact. The report describes the situation as one of chaos in security replete with human suffering. It supports the efforts of members of the OAS committee to bring about a cease-fire. It contains a proposal for the dispatching of an inter-American force which, in fact, had already been decided upon, but it contains no statement whatever endorsing the unilateral action of the United States, although the two Senators I have mentioned state categorically that the committee's report did exactly that.

Critics of the Senator from Arkansas contend that there was clear danger to American lives in Santo Domingo, and that this was the prime reason for the intervention of the United States. I have dealt with that comment earlier in this talk. I can only say now that I agree with the Senator from Arkansas that there was danger to Americans, although no American was, in fact, killed or wounded until after the marines went in and started exchanging fire with the constitutional forces.

I say that on the basis of Monday morning quarterbacking—and I agree that what I am doing, what the Senator from Arkansas did, and to some extent what the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. SMATHERS], and the Senator from Louisiana [Mr. LONG] have been doing is Monday morning quarterbacking—on the basis of a calm and judicious review of what happened, there is very little doubt that the principal motive for American intervention was to save military and dictatorial forces in the Dominican Republic from a military defeat.

Ambassador Bennett requested walkie-talkies for the military junta, and he got them. When Colonel Benoit, then head of the military junta, asked for American intervention, he got it. He got it on a ground which, to put it mildly, was not a candid statement of the facts.

In any case, it is a documented fact that Ambassador Bennett, on April 27, when the militarists were winning, refused to intervene to support the constitutional government which was the successor of the only democratically elected government the Dominican Republic had had for over a generation.

Then, the next day, when it looked as though the Constitutionalists were going to win, Ambassador Bennett pleaded desperately and successfully for intervention on the side of the militarists.

The Senator from Connecticut [Mr. DODD] states in the RECORD, on page 24168, and not for the first time, that the Senator from Arkansas' criticism of the recommendations of the President's advisers is organically related to a document entitled "Background Information Relating to the Dominican Republic," which was prepared by the staff Committee on Foreign Relations, with the assistance of the Legislative Reference Service.

The Senator suggests that this documentation and supporting chronology have been heavily slanted against the administration by the careful process of editorial selection.

I hold in my hand the document in question. It starts out with what I believe all will admit to be a definitely nonpartisan statement, that on December 5, 1492, Columbus discovered America. It happened to be the island of Hispaniola, and of course he stopped off on his way at the little island in the Bahamas, San Salvador.

But I submit to any objective observer who wants to test the validity of the charge of the Senator from Connecticut [Mr. DODD] that the rest of the chronology is just as objective and unslanted as the original statement which I have just read—and it is composed largely of official administration statements which may have turned out to be damaging to the administration's case, but certainly were not consciously intended to achieve that result—actually this chronology was not drawn, as the Senator from Connecticut contends, from anti-administration press sources, but, rather, primarily from a noncontroversial source entitled "Deadline Data on World Affairs," and from major metropolitan newspapers, including the New York Times, the New York Herald Tribune, the Washington Post, the Times of London, Der Weldt of Hamburg, the London Economist, the London Observer, Le Monde of Paris.

I submit, and I would hope the Senator from Connecticut would agree, that these are reputable metropolitan journals, which, by and large, tend to support the administration. If they were critical of U.S. policy in the Dominican Republic, this might suggest that there is something wrong with that policy rather than that the committee and its staff, and the editorial and reportorial writers who prepared this documentation, were biased.

Actually, as the Senator from Arkansas [Mr. FULBRIGHT] pointed out, the only nonadministration witness whom the Committee on Foreign Relations heard was the former Governor of Puerto Rico, Munoz Marin, a strong supporter of the administration. I felt the committee should have heard witnesses in opposition to the administration's policy. The chairman, and I suspect a majority of our colleagues on that committee, felt that if we had opened the hearing up to press reporters who had been on the scene, we would have gotten into a Donnybrook which would have been difficult to bring to a conclusion, and the decision was made not to call the other witnesses.

I said earlier that I think there were three witnesses who should have been called. One was John Bartlow Martin, who wrote what I believe to be a highly inaccurate story of what he found in the Dominican Republic. He was down there as a representative of the administration, and upon his return, he wrote this rather extraordinary article in one of the leading outlets of the Luce publications.

I think it is a little unusual, from the protocol point of view, for a former Foreign Service officer—in fact, the former Ambassador to the Dominican Republic—to go down to the Dominican Republic, spend a week, fail in his efforts to bring peace, and then come back and write his side of the story for Life magazine.

It is not for me to criticize. I think he should have been called as a witness, and we should have had an opportunity to question him with respect to his participation in the crisis.

The second witness who I think should have been called was McGeorge Bundy, who went to the Dominican Republic at the request of the President, and spent 10 days down there, trying, unsuccessfully, to bring the crisis to an end. Mr. Bundy, in what I consider to be a disregard of the relevant precedents took refuge in executive privilege and refused to appear before the committee. At one point he said he would come and have tea with us, but then he refused even to do that.

The third witness, whom I hope we still may call when the time is right, is that wise, experienced, extraordinarily able veteran of the Foreign Service, who appears as of now, to have brought the crisis to a successful conclusion, with a display of diplomacy which evokes my admiration and I am sure that of every other member of the committee, regardless of their point of view with respect to this particular crisis, Ambassador Ellsworth Bunker.

I hope, when the smoke settles a little and the present temporary government of President Garcia Godoy is a little more firmly on its feet, Ambassador Bunker will come and tell the Foreign Relations Committee about the situation he found when he went down there, and how he was able to bring about this near miracle, an instance of pulling a rabbit out of a hat, worthy, in my opinion, of the late Houdini.

The background information prepared by the staff of the Foreign Relations Committee and the Legislative Reference Service contains excerpts from the Rio de Janeiro Treaty and the Charter of the Organization of American States. A reading of articles 15, 17, and 19, of the OAS Charter and of article 6 of the Rio Treaty make it clear beyond peradventure of doubt that the United States of America's unilateral intervention in the Dominican Republic was illegal and unauthorized; and since these provisions of the inter-American agreements suggest unfavorable inferences about the administration's policy, perhaps the Senator from Connecticut is correct in regarding their inclusion in this document to which he objects as a reflection of prejudice upon the part of the committee and its staff.

I point out that all this week there has been meeting in the city of Washington an extraordinary group called the International Conference on World Peace Through World Law. Legal and judicial delegates from more than 110 nations attended. The President of the United States went before them yesterday morning and made an extraordinary able and moving address before that body, in which he placed the United States of America squarely on record as supporting the rule of law as against the rule of force. I was happy, indeed, to see the President of the United States take that position, and I hope from here on in the United States of America will practice what it preaches, and not talk about the rule of law out of one side of its mouth and violate it out of the other side.

Mr. President, I do not wish to be misunderstood, because I say again, as the Senator from Arkansas said before, that I believe the initial intervention, had it been solely for the purpose of protecting American lives, was justified on humanitarian grounds. My position is that when that initial intervention was multiplied by many thousands of troops, and when the ostensible objective to protect American lives was converted by advisers of the administration into an effort to intervene in a civil war to prevent an alleged Communist takeover, its illegality became obvious and apparent.

I suggest that the Senator from Connecticut, an extremely useful Member of this body and a good friend of mine, will, on second thought, want to withdraw the suggestion which he made at pages 24171 and 24172 of the CONGRESSIONAL RECORD that the Senator from Arkansas is soft on communism.

I suggest that the freedom of both public and private men to speak out in candor, either for or against official policy, is an integral part of the American form of liberty, and also an integral part of our constitutional form of government, which requires that the Senate of the United States, as a part of the legislative branch, advise and consent to the activities of the executive.

Mr. President, in this connection I ask unanimous consent to have printed in the RECORD as a part of my remarks an editorial which appeared on September 17, in the Washington Post entitled "Panic Button."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Sept. 17, 1965]

PANIC BUTTON

Senator DODD's reply to Senator FULBRIGHT's critique of the American military intervention in the Dominican Republic is essentially to try to depict Mr. FULBRIGHT as soft on communism. This tawdry if familiar tactic does Mr. DODD no credit. There is legitimate ground for disagreement with Mr. FULBRIGHT's analysis, which had the benefit of 4 months of hindsight, without attempting to smear his motives.

That there were, and are, Communists in the Dominican Republic no one disputes; here Mr. DODD is tilting at the wrong windmill. What is disputed is whether they were in a position to capture the revolution that the United States in effect halted when representatives of the American Embassy induced the administration to push the panic button. Some influential anti-Communist Dominicans think they were not.

Nowhere does Mr. DODD deal with several basic questions raised by Mr. FULBRIGHT: Did the United States fully use the resources available to it without sending in the marines—and was the administration candid with the public? Obviously the United States must be alert to Castroite maneuvers, including efforts to take over and direct local grievances. But if we allow American policy to be dominated and even paralyzed by fear of another Cuba, we shall soon find ourselves sending marines around the hemisphere losing friends and alienating people.

Mr. DODD contends, and some in the administration agree with him, that Mr. FULBRIGHT's speech damaged the country because the criticism will be picked up abroad. On the contrary the intervention, whether or not it was necessary, is what started the process. One of the strengths of America in the eyes of other peoples—and a point that can belie Mr. FULBRIGHT's complaint that the United States appears unsympathetic to demands for social justice abroad (by contrast with the social revolution taking place at home)—is that we can debate issues publicly and seek to learn from experience. But to argue that all's well that ends well in the Dominican Republic is like insisting that because a broken leg ultimately heals it somehow is good for you.

Mr. CLARK. The editorial concludes that those who "argue that all is well that ends well in the Dominican Republic, is like insisting that because a broken leg ultimately heals it somehow is good for you."

I suggest that the criticism of our Dominican policy made by the Senator from Arkansas was healthy, salutary, and in the long run will be helpful to the administration and to the future conduct of our foreign policy in Latin America.

Senator FULBRIGHT needs no defense from me against the charge that he is soft on communism. I suspect that every one of the other 99 Senators in this body, including the Senator from Connecticut, on second thought, would stand up and defy anybody who, outside these halls, said that he was.

There is no more loyal, intelligent, and able American in our country than the chairman of the Committee on Foreign Relations.

I say again that I am sure, on further reflection, that the Senator from Connecticut will wish to withdraw the implication contained in the quotation from the CONGRESSIONAL RECORD which I have just made.

I further suggest that, as I said earlier, the current debate reflects great credit on the spirit of liberty and the spirit of freedom of speech in the Senate and the country at large.

In fact, the criticism of Senator FULBRIGHT is already beginning to have a positive effect in Latin America. Conversations with Latin Americans in Washington, especially the younger ones who were not tied to either the militarists or economic oligarchists, suggest that by bringing this matter into the open, as the Senator from Arkansas has done, he repairs the bitter disillusionment with the United States some of our best friends south of the border now feel. It is reviving some feeling of hope that the United States is still the friend of Latin American democracy.

This position is well developed by Senator FULBRIGHT on pages 23860 and 23861 of the CONGRESSIONAL RECORD.

I suggest that the further point may now be stressed: that strong self-criticism of our country, of the administration, of its foreign policy, both in the Senate and elsewhere, is essential to clearing the air and restoring an honest and friendlier relationship between the United States and the democratic nationalist reformers who are our best friends in Latin America.

Acknowledgment of error, mistaken action, and lack of candor is not only essential to dispel lingering disillusionment, but it is also a convincing demonstration of good faith on the part of the people of the United States toward those able and dedicated Latin Americans who are devoting their lives toward establishing in that important area of the world the same kind of democratic pluralistic society of which we are so proud in the United States of America.

I conclude to some extent as I started.

The questions are not so much what did we do in the months of April, May, June, July, and August in the Dominican Republic, but first what are the implications of what we did on the future of our Latin American policy?

And second, if we did make mistakes—and I think we did—what can we now do to remedy them?

I suggest that Under Secretary of State Mann and Assistant Secretary of State Jack Vaughn would be well advised, and I hope they will be, if they devote their best efforts from here on in patching up our damaged relationships with those men in Latin America and the countries they represent who are our real friends: the democratic, the liberal, and, if you will, the slightly left-of-center leaders, not the military juntas or the oligarchical landowners, who are cheering what we did in the Dominican Republic.

I suggest we look to Belamunde Terry, Leoni, Betancourt in Venezuela, Jose

Figueros and his successors in Costa Rica.

I suggest we look to President Frei, of Chile, at this moment the greatest of them all, who fought Communists to a standstill and obtained a free liberal democratic, New Deal, Fair Deal, New Frontier, Great Society government in that magnificent and hard-pressed thin stretch of liberty in South America, a government which supports the same essential freedoms which we are so proud of here.

I suggest we look to Alberto Lleras in Colombia, and the men who support his policy there.

These are the true friends of America. These are the countries where the Alianza para el Progreso has the best chance of success. It is here that we should be looking to bolster American policy, to give these men and these countries our assistance, to hearten them, and congratulate them, because that is where the friends of the United States of America are located.

ADJOURNMENT UNTIL MONDAY

Mr. CLARK. Mr. President, I move that the Senate stand in adjournment until Monday next.

The motion was agreed to; and (at 4 o'clock and 39 minutes p.m.) the Senate adjourned until Monday, September 20, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 17, 1965:

U.S. ATTORNEY

William H. Murdock, of North Carolina, to be U.S. attorney for the middle district of North Carolina for the term of 4 years. (Reappointment.)

William Medford, of North Carolina, to be U.S. attorney for the western district of North Carolina for the term of 4 years. (Reappointment.)

POSTMASTERS

ALASKA

Herbert Apassingok, Sr., Gambell, Alaska, in place of John Apangalook, resigned.

ARIZONA

Homer L. Fancher, Bullhead City, Ariz., in place of B. E. Fox, retired.

CALIFORNIA

Dorothy M. Collis, Brentwood, Calif., in place of R. J. Wallace, retired.

Maynard Green, Covina, Calif., in place of C. G. McCarn, retired.

Theodore F. Locicero, Monterey, Calif., in place of L. S. Brown, retired.

Ellen C. Cothran, Westmorland, Calif., in place of F. F. Johnson, deceased.

COLORADO

Susan L. Thompson, Frisco, Colo., in place of R. S. Foote, retired.

James A. Guadnola, Grand Junction, Colo., in place of H. W. Cross, retired.

Robert W. Shewfelt, Parker, Colo., in place of Sophia Johnson, retired.

CONNECTICUT

Vincent P. Nolan, Southington, Conn., in place of E. C. Butler, deceased.

IDAHO

Daniel K. Wilson, Lapwai, Idaho, in place of C. F. Angel, retired.

ILLINOIS

Joseph A. Stal, Georgetown, Ill., in place of A. T. Humrichous, retired.

Marlin H. Ferguson, Hartford, Ill., in place of P. L. Reilley, deceased.

KENTUCKY

Franklin A. Orndorff, Adairville, Ky., in place of J. R. Trimble, retired.

MAINE

Chester W. Curtis, Richmond, Maine, in place of Don O. Cate, retired.

MASSACHUSETTS

Frieland C. Peltier, Oxford, Mass., in place of R. C. Taft, retired.

William F. Griffin, Rutland, Mass., in place of D. M. Lincoln, retired.

MICHIGAN

Leonard E. Amidon, Interlochen, Mich., in place of R. J. Buller, retired.

James R. Budak, Lakeside, Mich., in place of M. B. Perham, retired.

Calvin P. Leach, Le Roy, Mich., in place of H. B. Erickson, retired.

Mark C. Dilts, Mesick, Mich., in place of Ernest Belville, retired.

Lawrence A. Frith, Vermontville, Mich., in place of R. K. Kilpatrick, transferred.

MISSISSIPPI

William T. Hudspeth, Hickory Flat, Miss., in place of N. L. Hall, retired.

MISSOURI

John Rowlett, Jr., Maitland, Mo., in place of H. R. Cowan, retired.

NEBRASKA

Audrey A. Adams, Lyman, Nebr., in place of B. E. McKee, deceased.

Theodore R. Gaedke, Wellfleet, Nebr., in place of P. D. Coder, transferred.

NEW YORK

William B. Chavis, Long Eddy, N.Y., in place of S. F. Kenney, retired.

NORTH CAROLINA

William E. Twiford, Kill Devil Hills, N.C., in place of I. L. Twiford, retired.

NORTH DAKOTA

Edward A. Seel, Rugby, N. Dak., in place of H. D. Walland, retired.

OHIO

Henry C. Waggoner, Amsterdam, Ohio, in place of R. N. Croskey, resigned.

Carl J. Burkhart, Leavittsburg, Ohio, in place of C. M. Burkhart, retired.

Willard C. Geis, Massillon, Ohio, in place of J. E. Snee, retired.

William P. Moran, Roseville, Ohio, in place of M. D. Sowers, deceased.

OKLAHOMA

Charles M. McCurdy, Tupelo, Okla., in place of M. J. Finch, deceased.

PENNSYLVANIA

C. Jean Steinkirchner, Jennerstown, Pa., in place of E. K. Hay, retired.

SOUTH DAKOTA

LaVerne V. Johannesen, Erwin, S. Dak., in place of Catherine Kazmerzak, retired.

TENNESSEE

Robert M. Sams, Dandridge, Tenn., in place of R. S. Hill, deceased.

Harold A. Hutcheson, Soddy, Tenn., in place of J. H. Davenport, retired.

TEXAS

Edison Monroe, Eustace, Tex., in place of W. H. Wheeler, deceased.

Harold A. Doane, Jr., Haslet, Tex., in place of H. M. George, Jr., removed.

UTAH

Pete L. Bruno, Price, Utah, in place of William Grogan, retired.

Ernest R. Farnsworth, Santaquin, Utah, in place of R. J. Peterson, retired.

WASHINGTON

David L. Gray, Reardan, Wash., in place of L. A. Schultz, retired.

WEST VIRGINIA

William S. Penn, Jr., Bluefield, W. Va., in place of H. B. Faulkner, retired.

Charles H. Gillilan, Jr., Frankford, W. Va., in place of C. H. Gillilan, deceased.

WISCONSIN

Silas J. Paul, Montfort, Wis., in place of Harvey DiVall, retired.

Richard H. Vollmer, Mukwonago, Wis., in place of W. H. Ruppert, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 17, 1965:

U.S. COAST GUARD

The following-named officers to be permanent commissioned officers in the Coast Guard in the grade indicated:

To be lieutenants

Charles F. Reid.
Warren H. Madson.

To be lieutenants (junior grade)

Vincent E. Abrahamson
John R. Malloy III
Roy L. Foote
Gary L. Rowe
Carl D. Bossard
Richard S. Bizar

The nominations beginning John J. Soltys, Jr., to be lieutenant (junior grade), and ending Ted B. Bryant to be lieutenant (junior grade), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 31, 1965.

* * *

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 17, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: I Corinthians 13: 13: *And now abideth faith, hope, and charity, these three; but the greatest of these is charity.*

Almighty God, our help in ages past, our hope for years to come, we thank Thee for the heritage of our beloved country which Thou didst lead through many difficulties and dangers to this day, and keep us in the highway of a divine mission.

We beseech Thee to awaken our minds and hearts with the wonder of Thy eternal presence and teach us to hush the beating of our own hearts that we may hear Thy voice in the storms and tumult of our days.

Give us a new sense of Thy power, when we are torn by dismay and despair, to guide us safely through the upheavals of these perilous times.

May our President, the Speaker, and all the Members of the Congress have an unwavering trust in Thee as they serve Thy cause of good will in the world where there is so much hatred and confusion.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the Senate of the following title, in which the concurrence of the House is requested:

S. 2084. An act to provide for scenic development and road beautification of the Federal-aid highway systems.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1483. An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) entitled "An act for the relief of Nora Isabella Samuelli."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 602) entitled "An act to amend the Small Reclamation Projects Act of 1956," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Jackson, Mr. Bible, Mr. Moss, Mr. Kuchel, and Mr. Allott to be the conferees on the part of the Senate.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works, which was referred to the Committee on Appropriations:

Congress of the United States,
House of Representatives,
Washington, D.C., September 10, 1965.

Hon. John W. McCormack,
Speaker of the House,
The Capitol, Washington, D.C.

My Dear Mr. Speaker: Pursuant to the provisions of section 7(a) of the Public Buildings Act of 1959 for the construction and alteration of public buildings, and pursuant to the provisions of the Independent Offices Appropriation Act of 1965 for lease construction, the Committee on Public Works of the House of Representatives on September 9, 1965, approved prospectuses for the following projects which were transmitted to this committee from the General Services Administration:

CONSTRUCTION OF NEW BUILDINGS

California: Van Nuys (1) post office, (2) Federal office building.

Connecticut: New Haven, post office, courthouse, Federal office building.

Delaware: Dover, Federal office building.

Louisiana: Houma, post office, Federal office building.

Michigan: Saginaw, Federal office building.

New York: New York, Court of Appeals.

Ohio: Akron, (1) post office, (2) courthouse, Federal office building; Dayton, (1) post office, (2) courthouse, Federal office building.

Puerto Rico: San Juan, (1) courthouse, Federal office building, (2) warehouse and motor vehicle facility.

Virginia: Quantico, FBI Academy.

Total: 14 projects.

ALTERATION PROJECTS

Ohio: Cincinnati, post office annex.

Oklahoma: Oklahoma City, post office, courthouse.

Washington: Seattle, Federal office building.

Washington, D.C.: Executive office building.

Total: Four projects.

LEASED OFFICE PROJECTS

Missouri: Columbia, Department of Agriculture (see attached amendment).

New York: New York, Bureau of Customs (World Trade Center).

Total: Two projects.

Sincerely yours,

George H. Fallon,
Chairman.

Amendment to Prospectus for Columbia, Mo.

All necessary Federal agencies which are to be housed within the proposed building will be located therein, with the exception of the Federal Crop Insurance Agency, located at Sedalia, Mo., which will remain at its present location.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 305]

Adair
Anderson, Tenn.
Andrews, George W.
Arends
Berry
Bolton
Bonner
Brown, Calif.
Cahill
Clark
Clawson, Del
Craley
Dawson
Evins, Tenn.
Fallon
Farnsley
Fino
Foley
Ford, William D.
Gallagher
Gilligan
Gray
Hanna
Hansen, Iowa
Hébert
Ichord
Karth
Latta
McClory
Mackay
Mackie
May
Miller
Moeller
Morris
Morse
Nelsen
Olsen, Mont.
Ottinger
Pepper
Powell
Pucinski
Reifel
Rivers, Alaska
Rivers, S.C.
Roncalio
Rooney, Pa.
Roudebush
Roybal
Senner
Shipley
Smith, Iowa
Smith, N.Y.
Sullivan
Taylor
Thomas
Thompson, Tex.
Todd
Toll
Tunney
Tupper
Van Deerlin
Vigorito
Widnall
Wilson, Bob

The SPEAKER. On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON PUBLIC WORKS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a conference report on S. 4, the water pollution control bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. CRAMER. Mr. Speaker, reserving the right to object—and I do not intend to object—I should like to say that I agree with the request of the gentleman. I believe this a matter finally getting here for final decision which should have been here a long time ago before the House.

I have consistently, as ruling Republican of the House conferees, insisted upon our holding conferences in respect to water pollution. This matter went to conference way back in May. Unfortunately, the attitude of the other body was rather unyielding. We have finally come up with a conference which shows some willingness to give and take, to reach a consensus, and to exercise our legislative judgment. I would say to the gentleman from Minnesota and to the House—and I say this with regard to the minority and the majority, as well as the other body—it is most unfortunate that a similar attitude of willingness to give and take, to try to come up with a consensus and to do what is right, has not prevailed this week so far as the highway beautification bill which is being demanded by certain parties in the executive branch of the Government is concerned and this is because of executive interference. I would hope that a similar attitude would prevail in our committee relating to this matter as existed on water pollution. On S. 4, the water pollution bill, as amended in the House was, after successful bipartisan draftsmanship, the House worked unanimously for. This was accomplished because we were permitted to work our will—not dictated to by the White House or the Executive.

I will say frankly that I have never before seen such pressures and arm twisting from the executive branch of the Government in my experience in the House of Representatives, as I have seen with respect to the highway beautification bill. I hope the Executive will withdraw the pressure troops that have swarmed over the Hill this week and will give us an opportunity to work our will over this weekend. Congress should not be a rubberstamp for the Executive, and especially when this week's Executive interference with the proper legislative process has resulted in the Senate passing a wholly unworkable bill and resulting in passing Executive dictated amendment that do not make sense and that are unworkable.

For instance, the Senate took verbatim section 131(b) so that 10 percent of State highway funds will be withheld upon noncompliance "when payable" and thus would include some $7 billion in unpaid vouchers for work already completed but unpaid even though some of this construction was completed some 10 years ago. How stupid. Yet the Executive demands our rubber stamping such obviously unfair amendments.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

MILITARY CONSTRUCTION APPROPRIATIONS FOR DEFENSE, 1966

Mr. SIKES. Mr. Speaker, I call up the conference report on the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1018)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) "making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 10.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$323,443,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$316,305,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$348,273,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$64,268,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$665,846,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$39,845,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$65,862,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$70,934,000"; and the Senate agree to the same.

Robert L. F. Sikes,
John J. McFall,
Edward J. Patten,
Clarence D. Long,
George Mahon,
E. A. Cederberg,
Charles R. Jonas,
Frank T. Bow,
Managers on the Part of the House.

John Stennis,
Richard B. Russell,
Alan Bible,
Allen J. Ellender,
Harry Flood Byrd,
Thomas H. Kuchel,
Leverett Saltonstall,
Roman L. Hruska,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1—Military Construction, Army: Appropriates $323,443,000 instead of $319,732,000 as proposed by the House and $332,039,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Troop housing	+$1,500,000
Fort Sam Houston, medical laboratory	+1,300,000
Anniston Arsenal, combat vehicle shop	+837,000
New Cumberland Depot, administrative space	+400,000
Walter Reed, alterations to incinerator	+414,000
Cameron Station, dispensary	−168,000
Army Pictorial Center, rehabilitation of buildings 1 and 2	−572,000

The House approved $70,042,000 for enlisted men's barrack complexes at seven locations. The Senate approved $72,443,000 for complexes at six locations. The conferees have approved $71,542,000 for the six locations approved by the Senate.

Amendment No. 2—Military Construction, Navy: Appropriates $316,305,000 instead of $312,357,000 as proposed by the House and $320,603,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

NSY, Bremerton—BOQ	+$765,000
NAS, Oceana—aircraft maintenance hangar	+2,983,000
MCAS, Cherry Point—barracks rehabilitation	+295,000
Naval Academy—science building	+176,000
NS Roosevelt Roads—gate house	+45,000
NAF El Centro—community facilities	+1,041,000
NAS Iwakuni—barracks	+1,143,000
NAS Norfolk—flight hazard removal	−2,500,000

Amendment No. 3—Military Construction, Air Force: Appropriates $348,273,000 instead of $337,478,000 as proposed by the House and $355,410,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Griffiss AFB—electronics laboratory	+$1,608,000
Tinker AFB—base exchange	+427,000
Lackland AFB—theater	+492,000
Williams AFB—aircraft maintenance shop	+432,000
Andrews AFB—headquarters addition	+1,650,000
Grand Forks AFB—base exchange	+150,000
Air Force Academy	+250,000
Elmendorf AFB — heating mains	+1,225,000
MacDill AFB—headquarters facility	+3,600,000
Ballistic missiles/space—contingencies	+750,000
Osan, Korea—division headquarters	+400,000
Toul Rosieres, France—radio facility	+92,000
Minor construction	+837,000
Ent AFB—dormitory	−419,000
Holloman AFB—commissary	−193,000
Carswell AFB—auto maintenance shop	−201,000
Tachikawa AB, Japan—BOQ	−305,000

The conferees have approved the action of the House in denying funds for certain additional administrative facilities at McClellan AFB, California; Tinker AFB, Oklahoma; and Wright-Patterson AFB, Ohio. Adequate consideration has not been given to determining the most economical means of meeting the requirements for administrative facilities at these installations, including maximum utilization of existing facilities and the extent of the total requirements at each base. The Department of Defense should make additional studies as to these requirements and, if additional funds are necessary, include requests therefor in future military construction programs.

The conferees have approved the action of the House in denying funds for bachelor officer quarters at Chanute AFB, Illinois in the amount of $329,000. The Air Force should consolidate all of the BOQ requirements at this installation in a single building in the manner contemplated in the authorizing legislation.

Amendment No. 4—Military Construction, Defense Agencies: Appropriates $64,268,000 instead of $63,468,000 as proposed by the House and $65,131,000 as proposed by the Senate. The conferees have agreed to the following additions to the amounts and line items as proposed by the House:

Defense Atomic Support Agency, Johnston Island AB:

Parallel taxiway	+$500,000
Swimming pool	+300,000

Amendment No. 5—Military Construction, Naval Reserve: Appropriates $9,500,000 as proposed by the House instead of $9,590,000 as proposed by the Senate. The conferees are in agreement that the project approved by the Senate in the amount of $90,000 for the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas shall be accomplished with the funds available for this appropriation item.

Amendment No. 6—Family Housing, Defense: Appropriates $665,846,000 instead of $683,960,000 as proposed by the House and $647,731,000 as proposed by the Senate. The conferees have approved funds for the construction of 8,500 units of new family housing instead of 9,500 units as proposed by the House and 7,500 units as proposed by the Senate. These funds are to be allocated to the military services by type and location by the Secretary of Defense. The Secretary is directed to inform the Committees on Appropriations of the House of Representatives and the Senate of the allocations to the several services prior to the execution of this program.

Amendment No. 7—Family Housing, Defense: Authorizes not to exceed $39,845,000 for the construction of family housing for the Army instead of $42,282,000 as proposed by the House and $37,408,000 as proposed by the Senate.

Amendment No. 8—Family Housing, Defense: Authorizes not to exceed $65,862,000 for the construction of family housing for the Navy and Marine Corps instead of $73,415,000 as proposed by the House and $58,309,000 as proposed by the Senate.

Amendment No. 9—Family Housing, Defense: Authorizes not to exceed $70,934,000 for the construction of family housing for the Air Force instead of $79,058,000 as proposed by the House and $62,809,000 as proposed by the Senate.

Amendment No. 10—General Provisions: Deletes language proposed by the Senate.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

Mr. SIKES. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tabulations showing a summary of the congressional actions to date on the budget estimates for military construction with appropriate comparisons.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, this bill provides approximately $1.1 billion—$1,090,789,000—for the military construction and family housing program for the Department of Defense. The conference report is $2.9 million—$2,869,000—below the amount approved by the Senate and $1.1 million above the amount approved by the House. It is $292.4 million—$292,365,000—below the budget estimates.

The principal difference between the two bills was in the area of family housing. The House approved funds for the construction of 9,500 units at specific locations. The Senate reduced this to 7,500 units to be located as determined by the Secretary of Defense. The conferees have approved the construction of 8,500 units to be located at sites as determined by the Secretary of Defense from among those athorized by law and after notification to the Committee on Appropriations of the House of Representatives and the Senate of his proposed action.

A detailed list of the action of the conferees on the specific line items is contained in the conference report.

It is with some pride that the Committee again points to the fact that we have done more this year than in many years previous to improve troop housing.

The conference report is unanimous on the part of the managers, on the part of the House, and the Senate. I feel that it will provide an excellent construction program for fiscal year 1966 and I urge its adoption.

Military construction appropriation bill, 1966

Item	1965 appropriation	1966 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriation	1966 budget estimate	House	Senate
MILITARY CONSTRUCTION									
DEPARTMENT OF THE ARMY									
Military construction, Army	$300,393,000	$441,400,000	$319,732,000	$332,039,000	$323,443,000	+$23,050,000	−$117,957,000	+$3,711,000	−$8,596,000
Military construction, Army Reserve	5,000,000	--------	--------	--------	--------	−5,000,000	--------	--------	--------
Military construction, Army National Guard	10,800,000	--------	10,000,000	10,000,000	10,000,000	−800,000	+10,000,000	--------	--------
DEPARTMENT OF THE NAVY									
Military construction, Navy	247,867,000	338,300,000	312,357,000	320,603,000	316,305,000	+68,438,000	−21,995,000	+3,948,000	−4,298,000
Military construction, Naval Reserve	7,000,000	9,500,000	9,500,000	9,590,000	9,500,000	+2,500,000	--------	--------	−90,000
DEPARTMENT OF THE AIR FORCE									
Military construction, Air Force	332,101,000	422,000,000	337,478,000	355,410,000	348,273,000	+16,172,000	−73,727,000	+10,795,000	−7,137,000
Military construction, Air Force Reserve	5,000,000	4,000,000	4,000,000	4,000,000	4,000,000	−1,000,000	--------	--------	--------
Military construction, Air National Guard	14,000,000	10,000,000	10,000,000	10,000,000	10,000,000	−4,000,000	--------	--------	--------
OFFICE OF THE SECRETARY OF DEFENSE									
Military construction, Defense agencies	12,656,000	83,200,000	63,468,000	65,131,000	64,268,000	+51,612,000	−18,932,000	+800,000	−863,000
Loran stations, Department of Defense	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	--------	--------	--------	--------
Total, military construction	939,817,000	1,313,400,000	1,071,535,000	1,111,773,000	1,090,789,000	+150,972,000	−222,611,000	+19,254,000	−20,984,000
FAMILY HOUSING, DEFENSE									
Family housing, Army:									
Construction	35,600,000	54,064,000	42,282,000	37,408,000	39,845,000	+4,245,000	−14,219,000	−2,437,000	+2,437,000
Operation, maintenance, and debt payments	173,328,000	181,156,000	180,649,000	180,649,000	180,649,000	+7,321,000	−507,000	--------	--------
Family housing, Navy and Marine Corps:									
Construction	64,544,000	92,140,000	73,415,000	58,309,000	65,862,000	+1,318,000	−26,278,000	−7,553,000	+7,553,000
Operation, maintenance, and debt payments	97,739,000	96,948,000	96,812,000	86,812,000	96,812,000	−927,000	−136,000	--------	--------
Family housing, Air Force:									
Construction	57,589,000	99,290,000	79,058,000	62,809,000	70,934,000	+13,345,000	−28,356,000	−8,124,000	+8,125,000
Operation, maintenance, and debt payments	198,859,000	209,307,000	209,049,000	209,049,000	209,049,000	+10,190,000	−258,000,000	--------	--------
Family housing, Defense agencies:									
Construction	981,000	406,000	406,000	406,000	406,000	−575,000	--------	--------	--------
Operation, maintenance, and debt payments	2,511,000	2,289,000	2,289,000	2,289,000	2,289,000	−222,000	--------	--------	--------
Total, family housing	631,151,000	735,600,000	683,960,000	647,731,000	665,846,000	+34,695,000	−69,754,000	−18,114,000	+18,115,000
Grand total	1,570,968,000	2,049,000,000	1,755,495,000	1,759,504,000	1,756,635,000	+185,667,000	−292,365,000	+1,140,000	−2,869,000

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I am glad to yield to the gentleman from Kansas.

Mr. MIZE. Will the gentleman from Florida explain why an item of $9,300,000 for enlisted men's barracks at Fort Riley, Kans., which was in the original authorization bill was knocked out of the appropriations bill? And can I be reasonably assured it will be put back next year?

Mr. SIKES. I shall be happy to answer the question of the distinguished gentleman from Kansas. An item of $9 million for Fort Riley was included for barracks and other facilities in the House version of the bill. The item was deleted in the Senate. In the conference and in discussion with the military it was brought out that Fort Riley is in the process of losing, because of shipment overseas, a division of troops. Earlier it had been anticipated housing spaces and training facilities would be required for them. This action relieves the pressing demand at this time for troop housing and training facilities at Fort Riley. It is something that had not been anticipated at the time hearings were held on the bill in the House. I should think, however, there is little doubt there will be a requirement for these facilities in the future, and it is my understanding that the Department of Defense expects to ask for them to be included in next year's bill. Fort Riley is a permanent facility and there is a need for modernization of its facilities.

Mr. MIZE. I thank the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for yielding.

The gentleman will recall, I am sure, that when this matter went through the House I raised a question with regard to the MacDill Air Force Base Headquarters facility which, I understand, was requested by the Air Force; $3,600,000 would be required, and that was not included in the House bill but, as I understand, was included in the bill in the other body. It has now been included in this conference report; it was agreed to, is that not correct?

Mr. SIKES. May I state to my distinguished friend that much important evidence has been submitted in behalf of the administrative facility at this base since the action of the House, which had not been presented at that time. The Army and Air Force both submitted strong additional evidence and made a more convincing case for the construction of the facility. Undoubtedly the present facilities are badly overcrowded due to the influx of Air Force personnel in other units which had not been anticipated at the time this headquarters was stationed at MacDill.

In addition to the interest of the gentleman from Florida [Mr. CRAMER] let me emphasize the strong and active interest of the distinguished gentleman from Florida [Mr GIBBONS] who represents the district in which the base is located; in fact, the interest of most of the Members of the Florida delegation, and that of the two United States Senators from Florida.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further?

Mr. SIKES. I yield further to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I congratulate the gentleman as chairman of the House conferees for accepting the headquarters facilities in this appropriation. It certainly is needed.

Mr. Speaker, I am sure the gentleman knows of my interest, even though MacDill is not now in my district, it having been in my previous district for some 8 years.

I believe the gentleman further knows that many of those working on base at MacDill live in my district which is located right across the bay.

Third, during the Eisenhower administration, when this decision to locate the base there was under deliberation, I was one to take a lead in an effort to get the Defense Department to see the benefits and the merits of this particular location. Those are the reasons for my continuing interest in this matter. I congratulate the gentleman from Florida for agreeing to include it in the conference report.

Mr. SIKES. I appreciate the comments of the gentleman.

A great many people urged that Strike Command be located in Florida, just as a great many people have been interested in this headquarters command faculty. I find it is doing a very good job. Strike Command at MacDill is commanded by one of the outstanding persons in the military service, General Paul Adams. It is an alert, up-to-the-minute, ready command—an important part of the Nation's defense. Any State could well be proud, as Florida is proud, to have it in our midst.

Mr. Speaker, I now yield such time as he may consume to the distinguished gentleman from Michigan [Mr. CEDERBERG], the ranking minority member of the subcommittee.

Mr. CEDERBERG. Mr. Speaker, the time that I shall take on this conference report will be very, very brief.

Mr. Speaker, the gentleman from Florida, the chairman of our subcommittee, has stated very clearly the important points involved in this conference report.

If there is any area where I would have any difference of opinion, it would probably be in family housing.

Mr. Speaker, as the gentleman from Florida stated, we put 9,500 units in our bill and the Senate put 7,500 units. We compromised at 8,500 units.

I believe the 9,500 units which we placed in the original bill were needed in view of the housing situation at the military installations. However, as is true in all conferences, a compromise was reached, and I support this compromise.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I ask the gentleman from Michigan if the same housing for the troops and airmen at Chanute is contained in this conference report that was in the bill as passed by the House?

Mr. CEDERBERG. Yes, I believe it is.

Mr. SPRINGER. It has not been changed?

Mr. CEDERBERG. It has not been changed.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, may I state that the troop housing for Chanute is the same as that which was approved in the bill as passed by the House. It was approved by the Senate in the same amount. That item was not before the conference. As I recall, it provides barrack spaces for 1,600 troops and also provides for certain messing facilities. It goes far toward meeting troop housing modernization requirements at Chanute.

It will be recalled that the initial budget request would have provided housing spaces for 600 persons, without new messing facilities. The authorization was for a greater number of mess facilities. The action taken by the appropriations committees is for a larger number than was recommended by the Department of Defense and the Bureau of the Budget.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the conference report just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. 1006)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 61.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59; and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,135,000,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$125,000,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

"SEC. 638. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 640. None of the funds provided in this Act shall be available for the expenses of the Special Training Enlistment Program (STEP)."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the number proposed in said amendment, insert: "641"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 8, 10, 16, 24, 31, and 62.

George Mahon,
Robert L. Sikes,
Jamie L. Whitten,
Daniel J. Flood,
Albert Thomas,
John J. McFall,
Glenard P. Lipscomb,
Melvin R. Laird,
William E. Minshall,
Frank T. Bow,
Managers on the Part of the House.
John Stennis,
Richard B. Russell,
Carl Hayden,
Lister Hill,
John L. McClellan,
Allen J. Ellender,
Harry Flood Byrd,
Leverett Saltonstall,
Milton R. Young,
Margaret Chase Smith,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

TITLE I—MILITARY PERSONNEL

Military personnel, Army

Amendment No. 1: Appropriates $4,092,291,000 as proposed by the Senate instead of $4,096,100,000 as proposed by the House.

Amendment No. 2: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Amendment No. 3: Deletes word, as proposed by the Senate, correcting introduction to proviso.

Military personnel, Navy

Amendment No. 4: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Military personnel, Marine Corps

Amendment No. 5: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Military personnel, Air Force

Amendment No. 6: Deletes, as proposed by the Senate, House language relating to limitation on permanent change of station travel.

Amendment No. 7: Deletes word, as proposed by the Senate, correcting introduction to proviso.

Reserve personnel, Army

Amendment No. 8: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that the Army Reserve be programed to attain an end strength of 270,000 in fiscal year 1966.

It is the intention of the Committee of Conference, by its actions in connection with amendments 8, 10, and 62, to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard as had been proposed in the budget estimates for fiscal year 1966. It is further intended to express disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States. It should be clear from this action that the realinement or reorganization of the Army Reserve Components can be effected only through the enactment of appropriate law.

National Guard personnel, Army

Amendment No. 9: Appropriates $271,800,000 as proposed by the Senate instead of $266,200,000 as proposed by the House.

Amendment No. 10: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that the Army National Guard be programed to attain an end strength of not less than 380,000 in fiscal year 1966.

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army

Amendment No. 11: Appropriates $3,483,600,000 as proposed by the Senate instead of $3,475,200,000 as proposed by the House.

Operation and maintenance, Defense Agencies

Amendment No. 12: Appropriates $533,490,000 as proposed by the Senate instead of $533,762,000 as proposed by the House.

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army

Amendment No. 13: Appropriates $1,204,800,000 as proposed by the Senate instead of $1,205,800,000 as proposed by the House.

Other procurement, Navy

Amendment No. 14: Appropriates $1,135,000,000 instead of $1,120,000,000 as proposed by the House and $1,149,900,000 as proposed by the Senate.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Emergency fund, Defense

Amendment No. 15: Appropriates $125,000,000 instead of $150,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

Amendment No. 16: Reported in disagreement.

It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment providing $1,700,000,000 for the Emergency Fund, Southeast Asia.

TITLE VI—GENERAL PROVISIONS

Amendment No. 17: Corrects title number.

Amendments Nos. 18, 19, 20, 21, 22, and 23: Correct section numbers.

Amendment No. 24: Reported in disagreement.

It is the intention of the managers on the part of the House to offer a motion to recede and concur in the amendment of the Senate providing authority for the purchase of milk for enlisted personnel heretofore made available through the Department of Agriculture, with a technical correction to the legal citation.

Amendments Nos. 25, 26, 27, 28, 29, and 30: Correct section numbers.

Amendment No. 31: Reported in disagreement.

It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment which provides notification to the Committees on Appropriations of use of authorities contained in section 612 and provides for a report of obligations monthly in connection therewith.

Amendments Nos. 32, 33, and 34: Correct section numbers.

Amendments Nos. 35 and 36: Provides language proposed by the Senate limiting household goods shipments to 11,000 pounds net in any one shipment instead of language proposed by the House allowing 13,000 pounds for general officers, 12,000 pounds for colonels, and 11,000 pounds for all others.

Amendments Nos. 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59: Correct section numbers.

Amendment No. 60: Restores language proposed by the House respecting sharing of costs of research project grants, and corrects section number.

The committee of conference, in agreeing to the language of the House, does not intend to approve the granting of funds in excess of the total amount justified in the budget presentations.

Amendment No. 61: Strikes language proposed by the Senate with respect to the allocation of funds for repair, alteration, and conversion of naval vessels.

The committee of conference is agreed that the most effective practical use of both public and private shipyards must continue to be made since both are essential to the security of the Nation. The committee of conference is in agreement that allocations of funds for ship repair, alteration, and conversion should be made to both public and private yards on a reasonable and equitable basis consistent with the national interest. It is requested that the Secretary of Defense keep the appropriate committees of Congress informed at least quarterly of the allocations of funds for such purposes.

Amendment No. 62: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that funds may be transferred to implement a realignment or reorganization of the Army Reserve Components only upon the approval by Congress through the enactment of law of such a realignment or reorganization.

Amendment No. 63: Provides that no funds be used for expenses of the special training enlistment program, as proposed by the Senate, and corrects section number.

Amendment No. 64: Corrects section number.

George Mahon,
Robert L. F. Sikes,
Jamie L. Whitten,
Daniel J. Flood,
Albert Thomas,
John J. McFall,
Glenard P. Lipscomb,
Melvin R. Laird,
William E. Minshall,
Frank T. Bow,
Managers on the Part of the House.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the House passed the defense appropriation bill last June 23. It was passed by the other body on August 25. Some time has elapsed since the action of the other body on this measure.

There were certain items in controversy with which we had some difficulty, but all of the controversies were settled, and we bring you a conference report today which I think will be reasonably satisfactory to the membership of the House.

The bill provides for total appropriations for the Department of Defense in the sum of $46,887,163,000. This is considerably in excess of the amount which passed the House, $1,698,919,000, to be exact. When the bill passed the House no funds, especially identified as such, were provided for southeast Asia. In the defense supplemental bill for 1965 enacted earlier in the session we provided for a special appropriation of $700 million for the southeast Asia operation.

For fiscal year 1966, a budget amendment went to the other body, after this bill was passed by the House, in which the additional sum of $1.7 billion was requested for use in the conflict in southeast Asia.

That amount was incorporated in the Senate version of the bill and the House conferees have accepted precisely the language and the amount for southeast Asia as proposed in the budget amendment and as recommended by the other body.

With respect to the items in controversy, there has been, as Members of the House know, considerable discussion throughout the year of a proposed realinement or reorganization of the Army National Guard and the Army Reserve. When the House passed the defense bill in June, mention was made of this problem in the report and the committee stated that the matter was, in the view of the Committee on Appropriations, a legislative matter which should be handled by the legislative committee. However, in conference it was determined there was no likelihood of legislation in this session of the Congress. The House had already approved separate funds for the Army National Guard and Army Reserve and the other body did likewise. But the other body inserted a mandatory provision which would require maintenance of a certain average strength in the Army National Guard and in the Army Reserve. It also provided that there could be no transfers of funds for a revision of the alinement of the Guard and Reserve without the passage of legislation by the Congress. So a compromise was worked out with respect to this situation which I think is agreeable. The Department of Defense will not be able to effect a realinement or reorganization of Guard and Reserve forces without the enactment of legislation.

The Senate-proposed mandatory strength levels for the Guard and Reserve were modified in conference so as to provide that the Reserve would be programed to attain an end strength of 270,000 men and the Guard would be programed for an end strength of not less than 380,000 men. This would give the National Guard an opportunity to increase the size of that component, which increase is already underway.

I should make reference to the so-called 65-35 provision having to do with the allocation of ship repair, alteration, and conversion work between the public and private shipyards. The House version of the bill did not contain any language in regard to the division of work. Earlier in the year the Congress had modified the law and the House report urged that every effort should be made to make an equitable distribution of the work for repair, conversion and alteration. The other body put into the bill the so-called 65-35 provision which had been in the bill in previous years, with an escape clause authorizing that it be set aside under certain conditions. The Senate receded and the language of the 65-35 provision was stricken out of the bill and is not before you at this time.

The Department of Defense has been very much interested in a program known as STEP—the special training enlistment program. This program was aimed at assisting those volunteers who are not able in the first instance to pass the requirements for voluntary enlistment.

That program was stricken out in the other body, and the action of the Senate was adopted in the conference.

I believe it is fair to say that adoption of the conference report today will reemphasize the attitude and the position of the Congress with respect to America's position in the world. The passage of the bill providing for $46.8 billion will tell friends and foes alike that the Congress proposes that the United States shall remain strong and determined to maintain its position in the world and promote, wherever it can, the cause of freedom and security. I think that that is the best position for the Congress to assume. There is nothing in the bill today to lead anyone to believe that Congress in any sense embraces a policy of vacillation or appeasement. I think we all agree that firmness and strength are very important at this uncertain hour.

Under leave to extend, Mr. Speaker, I should like to summarize the bill and the conference agreement, by titles of the bill.

TITLE I—MILITARY PERSONNEL

Few items were at issue in the appropriations for "Military personnel" other than those previously discussed with respect to the Army Reserve components, and the STEP program. As a result of agreements reached on the Reserve situation and the STEP program, the Senate figures were accepted in connection with military personnel, Army, and National Guard personnel, Army.

Provisions written into the bill and approved by the House with respect to limitations on permanent change of station travel were deleted inasmuch as the situation in South Vietnam obviously requires more such travel than had been contemplated in the budget estimates and thus any figures related to the budget are no longer necessarily applicable.

TITLE II—OPERATION AND MAINTENANCE

Here again, little was at issue. Action on the Reserve components matter and the STEP program established that the amount in the appropriation "Operation and maintenance, Army," should be that of the Senate bill.

The Senate position with respect to a few minor items under the heading "Operation and maintenance, Defense agencies" was agreed to.

TITLE III—PROCUREMENT

The conference agreement indicates the restoration of about one-half of the House reduction in funds for "Other procurement, Navy," where it is felt that additional recoupments can be expected, thus supporting the House position. However, it is also obvious that additional requirements will exist because of the situation in South Vietnam.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION EMERGENCY FUND, DEFENSE

The conference agreement, on the only item in this title in conference, provides an appropriation of $125 million for the emergency fund instead of the $15 million requested and provided by the House and the $100 million provided by the Senate. The $125 million provided is the same amount as was appropriated last year. The emergency fund is available for transfer to any of the research, development, test, and evaluation appropriation accounts or for procurement or productions related thereto in order to make available to the Department of Defense, without delay, such funds as may be required to expeditiously exploit unforeseen scientific and technological breakthroughs.

Both the House and Senate committee reports voice opposition to the actions of the Department of Defense in using the emergency fund to finance low-priority programs which were not of an emergency nature and for expending considerable amounts from the emergency fund during the last month of the fiscal year for programs which were otherwise unfunded or insufficiently funded in order to obligate the money before the appropriation expired.

The nature of research and development is such that an emergency fund is a useful and important device and its proper use could save the Government money and time since the emergency fund can be provided in lieu of contingency amounts for various programs.

TITLE V—GENERAL PROVISIONS

I believe that the statement of the managers on the part of the House, and remarks previously made, generally cover the items which were in conference on this title. There is, however, a problem in connection with research grants.

The Defense appropriation bill is the third appropriation bill this year to include a new, more flexible limitation on the sharing of the costs of research grants by recipient institutions and the Government. Heretofore, the same bills had carried a limitation which provided that the Government should not pay a sum for indirect costs of research grants which exceeded 20 percent of the direct costs of each such grant.

That limitation did not adversely affect the basic research program of the Department of Defense in any significant way since the Defense Department depends primarily on research contracts, not on grants. This seems to be proper.

Other agencies of the Government have the primary responsibility for the advancement of basic scientific knowledge and such agencies very properly make large numbers of research grants. The Department of Defense, while a user of scientific knowledge, has as its primary responsibility the maintenance of military forces.

The conferees agreed that the new and more flexible provision would be given a trial. They also agreed that this action should not be construed by the Department of Defense to be permission to rapidly enlarge its research grant program and stated, in the statement of the managers on the part of the House, that the amount of funds expended for grants should not exceed the amount justified in the budget presentations.

The committee of conference is in agreement that while the new provision does not include specific percentages for cost sharing, the costs to be borne by the recipients should be more than token. The Federal Government should encourage cost sharing on the part of the recipients of Federal research grants to the maximum extent equitable to both the recipient and the Government. No specific target percentage or floor was agreed on. If a recipient wishes to assume 95 percent of the cost of a project the Government should let him do so. Requirements for expensive special equipment and facilities, for instance, vary widely according to the nature of the research undertaken. The flexibility of the new provision is intended to enable the Government to more equitably provide for such differences and is not intended to downgrade the principle of cost sharing. It is hoped that the Bureau of the Budget, in prescribing standards for the executive branch, will give adequate consideration to the necessity for cost sharing.

I now submit the usual summary of appropriations tabulation showing the appropriations for 1965, the budget estimates, the action of both House and Senate, and the conference agreement with appropriate comparisons:

Summary of appropriations

[In thousands]

Item	1965 appropriation	1966 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1965 appropriations	Budget estimate	House	Senate
Title I—Military personnel	$14, 666, 009	$14, 618, 100	$14, 656, 600	$14, 658, 391	$14, 658, 391	−$7, 609	+$40, 291	+$1, 791	----------
Title II—Operation and maintenance	12, 445, 878	12, 534, 244	12, 547, 144	12, 555, 272	12, 555, 272	+109, 394	+21, 028	+8, 128	----------
Title III—Procurement	13, 422, 047	11, 411, 700	11, 390, 000	11, 418, 900	11, 404, 000	−2, 018, 047	−7, 700	+14, 000	−$14, 900
Title IV—Research, development, test, and evaluation	6, 448, 520	6, 708, 800	6, 594, 500	6, 544, 500	6, 569, 500	+120, 980	−139, 300	−25, 000	+25, 000
Title V—Emergency fund, southeast Asia	700, 000	1, 700, 000	------------	1, 700, 000	1, 700 000	+1, 000, 000	------------	+1, 700, 000	----------
Total, titles I, II, III, IV, and V	47, 682, 445	46, 972, 844	45, 178, 244	46, 877, 063	46, 887, 163	−795, 282	−85, 681	+1, 698, 919	+10, 100
Distribution of appropriations by organizational component:									
Army	11, 412, 659	10, 961, 403	10, 963, 903	10, 973, 094	10, 973, 094	−439, 563	−11, 691	+9, 191	----------
Navy	14, 326, 271	13, 932, 600	13, 942, 200	13, 972, 100	13, 957, 200	−369, 071	+24, 600	+15, 000	−14, 900
Air Force	18, 608, 601	17, 602, 100	17, 519, 600	17, 519, 600	17, 519, 600	−1, 089, 001	−82, 500	------------	----------
Defense agencies/OSD	3, 334, 914	4, 476, 741	2, 762, 541	4, 412, 269	4, 437, 269	+1, 102, 355	−39, 472	+1, 674, 728	+25, 000
Total, Department of Defense	47, 682, 445	46, 972, 844	45, 188, 244	46, 877, 063	46, 887, 163	−795, 282	−85, 681	+1, 698, 919	+10, 100

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. The bill provides for an amount just short of $47 billion. I wonder if the gentleman could give us at this time an estimate of the other amounts that have been carried in other bills, supplemental appropriation bills for the Defense Department, exclusive of military construction, thus far this year. Does the gentleman have that figure before him? Would the gentleman have any estimate of the total appropriations?

Mr. MAHON. Earlier in the year we provided a special appropriation for southeast Asia in the amount of $700 million. That measure the House has passed.

Mr. GROSS. Will the gentleman permit me to interrupt?

Mr. MAHON. Surely.

Mr. GROSS. Is that item contained in the military construction bill? I note $700 million——

Mr. MAHON. No. Final action has been taken on the $700 million earlier in the year on the Defense supplemental appropriation bill. If we add the $700 million to the amount carried in the bill before the House, and then if we add the amount of the military construction bill, which I believe is about $1.1 billion, that would be the greater portion of the funds appropriated this calendar year for Defense.

I point out that the $700 million, which was provided for southeast Asia in previous action, applied to the fiscal year 1965 rather than fiscal year 1966, in which we now find ourselves, but it does represent part of the funds voted for Defense by this session of Congress.

In addition to these funds for Defense, there are funds provided for the Atomic Energy Commission, in connection with nuclear weaponry, and there are funds for military assistance carried in the so-called foreign aid bill. So this package of $46.8 billion is by no means the whole package related to Defense appropriations for this session of Congress.

Mr. GROSS. At least $1.1 billion is involved.

Mr. MAHON. Yes, the foreign aid bill carried in excess of $1 billion for military assistance.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman from Iowa was correct in his question, but I point out that there have been no supplemental requests for the Department of Defense for the fiscal year 1966. The $700 million was a supplemental appropriation for the fiscal year 1965.

There has been request for $1.7 billion in the form of a budget amendment included in the regular appropriation bill for the Department of Defense over and above the budget request.

The $700 million will be expended, although approved for fiscal year 1965, in fiscal year 1966. In addition to that, the $1.7 billion additional request is in this conference report for Vietnam.

In addition to that, there are estimates running as high as $10 billion which will be requested at a later time to finance the operations in Vietnam. I do not personally believe it will be $10 billion, which Senator STENNIS talks about. I believe in January there will be an additional request for some $5.5 billion, which will be before this Congress to finance the cost of the Vietnam war.

Mr. MAHON. It is true, of course, that as a result of the war in Vietnam additional men will be called into service. About 340,000 additional men will be called into service. This will, of course, require supplemental funds of some magnitude to finance pay and allowances and to finance to some extent the equipping of these men.

It is true, as has been said many times before, that next year an additional appropriation for fiscal year 1966 will be required to finance the war in South Vietnam. That amount of money will be several billion dollars, provided the war there continues at its present degree of intensity. We are not able to predict at this moment exactly what the amount will be.

Mr. Speaker, I now yield 7 minutes to the ranking minority member of the Defense Subcommittee on Appropriations, the gentleman from California [Mr. LIPSCOMB] who, along with others, has worked very diligently on this bill throughout the year.

Mr. LIPSCOMB. Mr. Speaker, the distinguished chairman of the Defense Appropriations Subcommittee and the full Committee on Appropriations has explained the major differences which are included in the conference committee report.

This is a good conference committee report, and I urge the House to adopt it.

The gentleman has explained three of the major and significant differences in the report compared to the House version of the bill. One of the most important, of course, is the Army Reserve and Army National Guard amendment, which will stop any realinement or reorganization of the Army Reserve and Army National Guard. By these actions it is the intention of the committee on conference to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard that has been proposed.

Another item of further interest to the House is that the committee of conference further expressed disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States.

It should be clear from this language and from this action of the committee on conference that the realinement or reorganization of the Army Reserve components can be effected only through the enactment of an appropriate law.

Another item in this conference report is the deletion of the STEP program. By the action of the conference committee the STEP program, which is the special training enlistment program, cannot be started in this fiscal year. This is a good move. This was a recommendation of the minority when the bill was before the House. I commend the conference committee and the Senate, and I urge the House to adopt this particular amendment. By this amendment it can be pointed out that we are saving, right at this point on this program alone, $24.2 million.

Nine million dollars of it is being left in the bill for high priority use and the cut in the bill is actually $15.2 million.

As far as the 35–65 language is concerned that is being deleted, I would personally have preferred to see it in the bill, but it is the decision of the conference committee that it should be deleted and the language in the conference report is specific. The committees of Congress will keep an active interest in this particular matter and see that our business of constructing, repairing and altering ships is taken care of in an economical and in a good manner in the interests of our national security.

Mr. Speaker, a highly significant difference between the House version of the fiscal year 1966 defense appropriation bill and the Senate bill is the Senate amendment which adds a new section for the "Southeast Asia Emergency Fund" in the amount of $1.7 billion. This item was submitted by the President in a supplemental request after the bill had already passed the House. The House of Representatives has never had the opportunity to fully debate this request.

Secretary of Defense McNamara appeared before the House Subcommittee on Department of Defense appropriations and gave a statement and a brief justification of the request, but the hearing was in executive session and the testimony has not been printed or released.

The House-Senate conference committee approved these additional funds and I urge the House to approve the conference committee's recommendation. But the House in taking this action should know that the $1.7 billion is a very small installment on the increased cost of our Nation's commitment in South Vietnam, and in other areas of the world.

The President has made various far-reaching decisions which escalate the war in Vietnam and we as a nation have a commitment which must be upheld. We equally have a commitment to our men in uniform, which requires that they be given all the support necessary in equipment, materials, and in any other form needed to permit them to perform their mission effectively for the security of our Nation and give the greatest assurances for their safety.

These commitments require adequate funding so they may be carried out in a responsible, expeditious manner.

The President, at his press conference, July 28, 1965, when he announced the expanding role and commitment in Vietnam, more or less glossed over the whole question of what should be adequate funding to effectively carry out the actions he was ordering, with merely a passing remark to the effect that Secretary McNamara planned to ask the Senate Appropriations Committee to add a limited amount of funds to the previously passed House defense appropriation bill for fiscal year 1966 which was pending in the Senate to help meet part of this new cost. He did indicate he expected to submit a request for additional supplemental funds when Congress reconvenes in January 1966.

The President, the Secretary of Defense, and many others recognize and have stated that the fiscal year 1966 Defense budget, including the $1.7 billion, is not adequate to sustain our total worldwide commitments for fiscal year 1966.

The administration therefore should come before Congress with a complete estimate of what is needed and a request for funds while we are in session and give us an opportunity to act in a timely, responsible way. It is, after all, Congress' constitutional responsibility, as set forth, in part, in the Constitution, to raise and support Armies, and to provide and maintain a Navy.

Even apart from the constitutional duties of Congress in this area and the right of the people to know the size and nature of the commitment to the war, it should not be fought and funded on a piecemeal basis. Such an approach not only creates problems such as causing unnecessary disruptions in plans, programs, and the budgetary process itself, but could also be interpreted by the Communists as a sign of irresolution to our commitment.

The additional views submitted in the committee report on the fiscal year 1966 Defense bill, and statements subsequently presented on the floor of the House and in the other body, contain various examples that clearly illustrate the inadequacy of the Defense budget, even prior to the President's decision to step up activities in Vietnam, to cover such increased activities while maintaining our units in other areas in a high degree of readiness.

It has been admitted that the $1.7 billion additional will cover only a portion of the added cost due to the Vietnam war. Moreover, Secretary McNamara has stated that the additional amount does not include extra funds at all for two major defense areas, military personnel and operation and maintenance. This is all the more significant when it is pointed out that the testimony presented during the review of the fiscal year 1966 budget, shows that both these categories had extremely tight budgets even without the escalated activities. Considering the magnitude of the escalation in Vietnam and our overall needs, the additional amounts necessary could well run into billions of dollars.

In the category of military personnel, all the services in their budget requests showed either very minimal increases or decreases from prior year levels. This action is now obviously way out of line and inadequate, for a decision has already been made to increase the active forces by 340,000 personnel. If the Vietnamese conflict continues to escalate or go on for a prolonged period of time, both of which are quite possible, the amount of personnel needed could increase even further.

Aside from the fact that the budget before us does not include funds to cover personnel compensation, increases in other areas of personnel costs are not covered. This would include transportation of personnel. Combat pay has not been included, which now covers most military personnel in Vietnam. This bill does not include funds for the increase in the recently signed military pay bill, which amounts to approximately $1 billion. In addition to military personnel increases, there is an increase in civilian personnel amounting to 36,000 "direct hire" civilian employees. These, too, have not been covered in this budget request.

Operation and maintenance includes the day-to-day operational cost of running the Department of Defense and is a large item. Approximately 25 percent of the regular fiscal year 1966 Defense budget, over $12.5 billion is for this purpose. A statement to the committee on February 16, 1965, during the regular hearings on the Defense Appropriations bill for fiscal year 1966, by Assistant Secretary of Defense Hitch on the Operation and Maintenance budget request shows that the budget request for operation and maintenance is tightly drawn. Furthermore, he said it did not include fund requests for any anticipated increases. Secretary Hitch declared:

> It is important to again point out that the increases requested for these appropriations are related to the requirements for daily operational and logistic support of our weapons systems, facilities, and personnel. This budget is $788 million less than the amounts requested by the services and de-

> fense agencies in their submissions to the Secretary of Defense. Further, no provision has been included for wage board increases other than those experienced before the submission of initial requests to the Secretary of Defense on October 1, 1964. Unbudgeted wage board increases experienced during the fiscal year normally require more than $40 million and must be accommodated by curtailing or eliminating approved programs for which funds have been apportioned. Also, no allowance has been made for increases in the costs of goods or contractual services incident either to necessary program volume changes or unit costs. In short, this request is based on prices and programs known at the time of its submission without compensation for any anticipated increases. Thus, these requests represent the very basic requirements of the forces and their support. (Fiscal year 1966 House Defense appropriations hearings, pt. 2, p. 6.)

If, as Secretary Hitch indicates, even wage board increases of $50 million would require curtailing of eliminating approved program, what must the condition of this budget be in view of the increases in the operations and maintenance category for Vietnam and elsewhere amounting to hundreds of millions of dollars.

New bases are being established and existing bases are expanding which requires equipment and supplies. It is obvious that significant increases of fuel and oil are required for aircraft, ships, and vehicles. Large increases have been required for supplies of all kinds. Many other items could be listed which are required in much larger numbers than estimated in this budget. In view of Mr. Hitch's assessment of the budget for operation and maintenance, the condition and status of the programs not involved with Vietnam must be seriously questioned.

In spite of all this, Secretary McNamara's statement dated August 4, 1965, which covered his request for the additional $1.7 billion, made it clear that such funds would not cover costs for additional military personnel and the added costs for operations and maintenance. What he proposed instead is that the additional costs be financed during the interim under section 512 of the fiscal year 1966 defense appropriations bill. Section 512a provides emergency authority to spend money in advance rather than on the prescribed quarterly basis. Section 512c provides that the President may increase the number of military personnel on active duty beyond the number for which funds are provided in this act.

In the category of procurement, for which the $1.7 billion is largely requested, there is no doubt that the total funds for procurement in this budget are inadequate to support the escalated activities in Vietnam while maintaining our other commitments for fiscal year 1966.

Adequate funding for military personnel, operations and maintenance, and procurement is absolutely vital to our defense posture. Why should not these items be properly funded now, instead of through manipulation and shifting?

President Johnson and Secretary McNamara have themselves indicated that another request would probably be submitted toward the early part of next year. During the debate on the bill in the other body, it was indicated by members of the Senate Defense Appropriations Subcommittee that we can expect an additional request of anywhere from $7 to $10 billion. This assessment reflects, in addition to the needs in Vietnam, the need for funds for those items that have been taken from other units and stocks for Vietnam and which must be replaced.

Although information has not been furnished concerning specifically what areas will require additional funding, it is reasonable to assume, based upon available reports, that additional requirements would include: weapons, particularly small arms; ordinances, all types; equipment, particularly communications; and vehicles and aircraft, particularly those related to ground support. These and other needs, however, must not be thought of just in terms of Vietnam. Funds will have to be appropriated to replace equipment and material which has been diverted to Vietnam from other units or reserves. At the same time our other units and reserves must be maintained to a high degree of readiness should another conflict area erupt somewhere else in the world. We cannot allow ourselves to be weakened or short handed in any area that would cause either the Communists or our allies to question our capabilities or our will to resist aggression.

In addition to the concern that must be expressed as to the adequacy of funds, the approach which has been taken by the executive branch amounts in my opinion to misuse and undermining of the budgetary process. The established budgetary procedures are for the purpose of creating an orderly process for the executive branch to develop their funding requirements and for the Congress to perform their function of review and control. Certainly budget estimates should cover all the anticipated programs and costs which are recognized as occurring or which will require commitment during the budget period being estimated.

Secretary McNamara admits that in the areas of military personnel and operation and maintenance he is utilizing various fiscal mechanisms in order to provide adequate funds for Vietnam in these two categories. In this regard it is important to realize that procedures such as transfers, reprograming, and related activities are meant to be utilized in emergencies, or in situations which were not in existence or known when the original budget request was developed.

Basically Vietnam does not fall in these categories. Vietnam has been discussed by the President, the Secretary of Defense, the Secretary of State, and many others in the executive branch, who have outlined the problems and in general our approach to our plans for their solution. During the subcommittee hearings held in executive session the discussions have delved into these matters in more detail. It is a situation, therefore, that is known.

Congress is in session. If given the facts and the request we could act now in a timely, positive fashion. Indeed if that is not possible then there is cause for real concern. Aside from the insufficiencies of funds, the question of the adequacy of our planning would have to be raised.

In view of the defense budgetary situation and the fiscal manipulation going on, the following are some pertinent questions that must be asked now in view of the urgency of the situation and their importance to our national security.

What programs are being canceled due to transfers or reprograming?

What programs are being delayed or schedules extended due to shifts in funding?

What programs have been changed in any way?

What risks are we assuming from all these program manipulations?

Is the vital area of research and development being adversely affected by the shifting of funds? If so, we must then also ask what future risks are we assuming that will not be recognized until 5 to 10 years from now?

If hundreds of millions of dollars are being manipulated between programs and categories, how much control has been lost by Congress in appropriating for defense programs?

Will Congress in reviewing subsequent supplemental requests or regular fiscal year budgets be able to know what is happening so that an intelligent evaluation can be given to the new requests?

In defending the adequacy of the original fiscal year 1966 defense budget Secretary McNamara, on June 9, 1965, said in a memorandum to Defense Subcommittee Chairman MAHON:

> To summarize, the fiscal year 1966 defense budget request now before the Congress would provide all the funds we need at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months. The special transfer provisions contained in the bill and the reprograming arrangements approved by the committees provide sufficient flexibility to meet all foreseeable requirements until the Congress reconvenes next January and can act on a possible fiscal year 1966 supplemental.

Less than 2 months later, however, Secretary McNamara submitted a request for the additional $1.7 billion. He also made it clear that these funds are "required to finance these actions—Vietnam—pending the submission of a detailed fiscal year 1966 supplemental request to the Congress when it convenes in January."

We know, therefore, that the amount presently contained in the fiscal year 1966 defense budget is insufficient. Will the executive branch decide again in several weeks that it needs a few more billion when Congress may have adjourned and is not available to act upon the request? The manner in which the executive branch has approached the financing of the defense program in general, and the Vietnam action in particular, is open to serious question.

Though it is clear that we should not and will not keep needed equipment and materials from our boys in Vietnam or anywhere else, a piecemeal approach to financing a war could be viewed by the

Communists as a sign of weakness. While the executive branch does possess certain authority to shift and utilize funds, there has been a lack of candor in the discussions and dealings with the Congress in regard to funding the Department of Defense. The Congress has the prime responsibility for fiscal matters under our Federal system. There is an orderly appropriation process which should have been followed. Unfortunately, the executive branch has not chosen to take the proper reasonable approach.

Every Member should support this conference report but with full knowledge that the funding provided is considerably inadequate for the current fiscal year and that they will be called upon to approve additional funds within the next few months.

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD] a member of the subcommittee.

Mr. LAIRD. Mr. Speaker, in the colloquy a few minutes ago on the floor of the House between the gentleman from Texas and myself concerning the funding that is to be made available for the fiscal year 1966, I think it is important for us to realize that the budget which came to this Congress in January of this year can be considered a fraud as far as the total dollar funding request for the Department of Defense for fiscal year 1966 is concerned.

The fact that the figures requested for the Department of Defense in the 1966 budget presentation was in error and inaccurate is no secret to anyone. This conference action by itself with its increase of $1.7 billion is proof beyond any doubt of this observation. This is but the second of three or four increases which will be made in connection with our increased activities in Vietnam.

This point was amply illustrated in the additional views which were filed under the leadership of the gentleman from California [Mr. LIPSCOMB]. Mr. Speaker, I include at this point in the RECORD these additional views:

ADDITIONAL VIEWS

We the undersigned strongly support a superior defense posture in order to maintain peace and insure the safety and integrity of our Nation now and in the future.

We support the Department of Defense appropriation bill for fiscal year 1966, but feel compelled to call to the attention of the Congress certain aspects of the bill and certain policies relating to the defense effort which in our judgment give cause for concern.

The major areas of concern involve Vietnam, advanced weapons developments and overall policy. There are other areas of concern, one of which, the special training and enlistment program (STEP), will be discussed in these additional views.

VIETNAM

The situation in Vietnam and the overall problem caused by Communist aggression in southeast Asia is of extreme concern to everyone. It is our judgment, based on the testimony before this committee, that the fiscal year 1966 budget request reflects inadequate funding for the Vietnamese effort. Policy decisions affecting our position and commitments in Vietnam were made by the President. This commitment included the large-scale introduction of American personnel and equipment. We believe these decisions to commit American lives and American prestige must be backed up and supported with the appropriations necessary to carry them out successfully.

Discussion

In light of the President's decision to escalate the war in Vietnam in recent months, the Defense Appropriations Committee interrogated witnesses on the adequacy of the fiscal year 1966 budget request. The questions were primarily directed at the effect of the Vietnam situation on the budget request for such items as procurements, operations and maintenance, personnel, and other areas.

Subcommittee questions, in one form or another, sought to determine whether or not the fiscal year 1966 budget request was adequate in view of the escalated activities in Vietnam. In response after response from principal witnesses, the devastating point was made that the budget was inadequate, that it did not take into consideration the increased activities in Vietnam, and that no budgetary adjustments occurred after the escalation began. This means that while our international prestige and thousands of American servicemen were committed in this area of the world, the fiscal requirements to back them up were not forthcoming. Specific examples of these responses include:

Response by Secretary of the Navy Nitze, March 11, 1965:

"There have been no changes in this budget since our problem became more complicated."[1]

Response by Maj. Gen. B. F. Taylor, Director of Army Budget, Office, Comptroller of the Army, February 4, 1965:

"There were no changes at the time that this budget was finally formalized, sir. There have been some changes resulting from our midyear review in which certain internal programing actions have been taken."[2]

Response by Maj. Gen. B. F. Taylor, Director of Army Budget, Office, Comptroller of the Army, March 22, 1965:

"Under the present level of Army operations, including Vietnam at its present level of activity and troop dispositions, we do not contemplate a supplemental appropriation. However, in the event of escalation of activities in Vietnam or the implementation of any other contingency plan, action would be taken to speed up the flow of deliveries and increase procurement of selected items. These actions would require additional funds. The amount would depend on the extent of combat encountered and envisaged."[3]

Response by Maj. Gen. Crow, Director of Budget, Comptroller of Air Force, March 15, 1965:

"No, sir, it does not."[4]

Response by General Chesarek, Assistant Deputy Chief of Staff for Logistics (Programs), March 22, 1965:

"I would say, sir, if the war escalates in Vietnam, we are going to have to have more money. Depending on the degree of escalation."[5]

Response by General Green, Commandant of the Marine Corps, March 11, 1965:

"No, sir; there has not."[6]

Question by Mr. Sikes, March 25, 1965:

"Within recent weeks the Marines have been brought more prominently into the trouble we are experiencing in southeast Asia. Does this budget reflect an anticipated higher level of requirements, weapons, ammunition, equipment with which to meet that increased level of activity in Vietnam?"[7]

Response by General Henderson, Assistant Chief of Staff, G-4 Headquarters, Marine Corps, March 25, 1965:

"No, sir; this budget does not include any moneys for the reasons you stated."[8]

These quotes make it eminently clear that there are inadequate funds in the fiscal year 1966 budget. It is true that the President saw fit to supplement the fiscal year 1965 budget with a $700 million request which the Congress granted. We are at a loss to understand the absence of similar adjustments for fiscal year 1966. Not only is the need obviously greater in 1966 but members of this committee specifically asked that a review of the fiscal year 1966 requirements be made.

But perhaps of even greater importance than the fact that there are inadequate funds in this budget is the realization that the services were given outdated "guidelines" which had to be followed in preparing their budget requests and which did not anticipate increased needs in southeast Asia. These "guidelines" were established by the Office of the Secretary of Defense. As an example of this, the following colloquy took place:

Question by Mr. Lipscomb, March 26, 1965:

"In view of the fact that this budget was prepared sometime ago, did the figures for Vietnam, or southeast Asia get into this budget?"[9]

Response by General Gerrity, Deputy Chief of Staff, Systems and Logistics, March 26, 1965:

"The guidelines in the budget did not fully reflect the increased activity that has occurred out there. We put the budget together based on the guidelines which were within our program activities."[10]

Question by Mr. Mahon, March 26, 1965:

"Would you have any refinement, General Crow, of the statement which has been made by General Gerrity?"[11]

Response by Maj. Gen. Crow, Director of Budget, Comptroller of the Air Force, March 26, 1965:

"The statement that General Gerrity has made, generally reflects the situation as we developed the budget. The guidelines for the preparation of the budget as they pertain to Vietnam were actually a carry forward of the guidelines that were used in the preparation of the 1965 budget, and they did not anticipate increased activity, per se, in Vietnam."[12]

It should be noted in the latter comment by General Crow that the "guidelines" he refers to were formulated in calendar year 1963. This means, in effect, that we are financing today's war in Vietnam with "guidelines" that are at least 18 months old. It should not be forgotten that the fiscal year 1965 "guidelines" were formulated at a time of apparent detente and mellowing, at a time when a test ban treaty was negotiated and at a time when Secretary McNamara was predicting we could pull our "advisers" out of Vietnam within a year or so. Budget "guidelines" based on these premises do not lend themselves to the demands of a war situation.

Aside from inadequate funding, we would like to express our deepest concern that our planning did not more fully anticipate these developments. Inadequate planning not only affects the budget but, more importantly, the actual operations of the conflict itself. Events in the past few weeks, we believe, bear out this concern. We would also caution very strongly that equipment and material priorities for Vietnam must not be permitted to so deplete active force inventories as to impair the readiness of our forces not committed to Vietnam.

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[1] Department of Defense Appropriations for 1966, pt. 3, p. 694.

[2] Ibid., pt. 3, p. 554.

[3] Ibid., pt. 4, p. 156.

[4] Ibid., pt. 3, p. 849.

[5] Ibid., pt. 4, p. 156.

[6] Ibid., pt. 3, p. 696.

[7] Ibid., pt. 4, pp. 341–342.

[8] Ibid., pt. 4, p. 342.

[9] Ibid., pt. 4, p. 388.

[10] Ibid., pt. 4, p. 388.

[11] Ibid., pt. 4, p. 388.

[12] Ibid., pt. 4, p. 388.

Recommendations

It is our firm belief that appropriations must be sufficient to carry out successfully U.S. commitments anywhere in the world.

American personnel in Vietnam must be equipped and supported in such a degree as will give maximum assurance of safety and a capability to carry out their duties. We believe the President should immediately revise this fiscal year 1966 defense budget with a view toward requesting the Congress to provide for the unplanned and unprogramed expenditures which have resulted from his decision to assume a greater role in southeast Asia.

ADVANCED DEVELOPMENTS

Of particular concern in our defense posture is the level of effort in advanced developments. Military effectiveness is largely determined by the state of scientific and technological advancements. New weapons systems must be aggressively pursued, based upon both the assessment of the threat and the pace of technology. Testimony during the course of the hearings reflect an approach falling far short of what we believe must be done in this vital area.

Discussion

The level of effort in advanced developments in a number of areas gives cause for concern. Two of the more important—antisubmarine warfare and the military uses of space—are highlighted here.

1. Antisubmarine warfare: All of the witnesses unanimously agreed that one of our most critical and difficult areas is antisubmarine warfare, both offensively and defensively. When asked, however, about the adequacy of the fiscal year 1966 budget, Admiral Martell, director of the newly created coordinated ASW program, responded: "I think that the funding in the 1966 budget is a very tight, very carefully examined program".[13] It was also stated by Dr. Morse, Assistant Secretary of the Navy (Research and Development), that the "emphasis in this budget this year in ASW has been very much at the operational level."[14]

We therefore have a situation where, in one of the most difficult and critical areas, the research and development budget is both "tight" and emphasizes primarily operational improvements. Although we do need improvements on existing operational systems, an evaluation of the threat clearly shows our needs become even more crucial in the late 1960's and early 1970's, for which we need new concepts and new systems. A "tight" approach does not permit the flexibility to explore potential concepts that might provide some of the solutions being sought. We are not implying that money should be wasted on projects that are not needed, but when faced with problems in an area that is both crucial and extremely complex, new ideas and new programs cannot be straitjacketed by either a lack of funds or a lack of encouragement to explore new avenues.

2. Military use of space: Testimony on the military use of space revealed a lack of positive direction. The committee was told that military applications of space were being pursued, but at the same time it was said that many of the military requirements in space had not been established. As a result, there was considerable evidence of delays in programs, a hesitation to start others, and an overall reluctance to pursue this new field vigorously.

Air Force General Ferguson, when asked how well we are doing in staying ahead of the Soviets technologically in the field of space, answered: "* * * We have $1 billion invested in space or we are requesting this amount in fiscal year 1966 * * * I am really frankly concerned at the outlook * * *."[15]

As an expression of concern that the military uses of space are not proceeding at an expeditious pace, the committee placed a limitation on the funds for the manned orbital laboratory program. This limitation provided that the funds would not be utilized for any other program. Far too many delays have already been incurred in getting this program started, particularly considering that it is the only major program directed toward utilizing the military man in space.

The overriding concern in the space field should be to overcome the military lag in space technology. One major step forward would be to proceed immediately with development of the manned orbital laboratory.

This concern with the delays in our military space effort has been expressed by other Committees of the Congress having cognizance in this area. The House Committee on Government Operations, for example, in its report, "Government Operations in Space," made the following recommendation:

"Recommendation No. 1: The committee believes that in the interest of national security, the potential manned military uses of space deserve immediate increased attention. As a large step forward in exploring potential military uses, the Department of Defense should, without further delay, commence full-scale development of a manned orbital laboratory (MOL) project."[16]

Other space oriented programs could be cited to show delays, cutbacks, and schedule stretch-outs, that clearly show a lack of vigorous effort in pursuing this vital area.

Our concern about the lack of progress in the area of advanced developments, is not confined to ASW and military uses of space. Secretary McNamara has indicated that it takes anywhere from 10 to 15 years to develop and deploy a weapons system; and even this schedule, long as it may seem, reflects the need for a reasonable level of funding. It is true that the results of these delays, cutbacks and lack of aggressiveness will not become obvious until the late sixties and early seventies. Nevertheless, many decisions must be made soon so that corrective effort can get underway.

A corollary matter that is also of concern to us is the effort on initiative and morale in both the services and industry which have responsibility for conceiving and developing new weapons systems. Considering the challenge which faces us militarily, due to the advances in technology and the capability of our opponent, we should be encouraging, not stifling, our military and scientific people to generate new ideas and new weapons systems. By holding down the level of funds and delaying decisions to go ahead on development and production programs, the tendency of such actions is to discourage initiative from which new concepts might be realized.

In our judgment, it became apparent during the course of the hearings that there was a tendency on the part of some of the principal witnesses to believe we have essentially reached a plateau in new weapons developments. We find this very difficult to believe based upon both the overall testimony and other statements from some of our foremost scientists, engineers, and military people. This was clearly expressed by General McConnell in a recent speech where he stated:

"I would like to see a still greater effort in trying to make quantum advances, preferably in entirely new fields, which will raise our military technology to new plateaus of deterrent capability. A past example of such a major advance is the development of the atomic bomb which gave us unchallengeable military superiority for a number of years. I am confident that we have the scientific competence and industrial resources to make advances of similar magnitude in the future."[17]

Recommendations

We believe that we have the capability to make quantum advances if pursued aggressively and purposefully. Such effort will pay off by continuing to give us a deterrent capability in future years to insure the security of our Nation and the free world.

But these efforts cannot succeed if impeded by too rigid demands that operational requirements be specifically defined before allowing new technological developments to be undertaken. Such restrictions stifle creativity, the evolution of new ideas, and the incentive to explore new horizons of science and technology. It is strongly recommended that the Department of Defense reevaluate its rigid and often narrow attitude toward advanced developments.

The pace of advanced development must also be a reflection of both a realistic assessment of the threat and the advances in science and technology.

A reorientation to reflect this approach, coupled with the necessary decisions to implement it, is required so that we will not become increasingly vulnerable in the late 1960's and early 1970's.

Let us make clear that we are not recommending the expenditure of funds on worthless items. We do believe that if we err, it should be on the side of too much rather than too little. In other words our approach should be to pursue aggressively new concepts and new systems so that they will be operational if the requirement ever arises.

SPECIAL TRAINING AND ENLISTMENT PROGRAM (STEP)

STEP is a proposal under which medical care and educational training would be given to enlistees who do not presently meet Army standards. The personnel needs of the Army will not be met by STEP. Testimony before this subcommittee clearly indicated that the major manpower problems faced by the services is to attract and retain skilled personnel. STEP is ill-conceived, duplicates existing programs such as the Job Corps, and would create additional problems without remedying existing ones.

Discussion

The cost of the STEP program as contained in the fiscal year 1966 defense appropriation bill is $24.2 million, which would provide for training 15,000 personnel. Under the proposed STEP program, the Army would take marginal enlistees, those it would not otherwise accept, and try to qualify them through a basic training program stretched out from 8 to 14 weeks, or longer, depending on the progress of the individuals.

The subcommittee received considerable testimony about the STEP program, and we simply cannot agree that a need for it has been established. This matter first came up as a reprograming action in February of this year with a scheduled starting date of April 1, 1965. The Army sought to shift $7.4 million from fiscal year 1965 funds into the STEP program. The request was denied.

The Army clearly does not require this program to obtain adequate manpower. In terms of overall members, it receives sufficient men through enlistments and the draft. The major manpower problems the Army has, as were discussed at length during the hearings, revolve around its need to acquire and retain skilled personnel. The problem of how to retain skilled and experienced career personnel is growing more and more acute. Obviously, the STEP program, which would be geared to taking marginal enlistees into the Army, would do next to nothing toward solving the problems in this area.

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[13] Admiral Martell, pt. 3, p. 755.

[14] Dr. Morse, pt. 5, p. 459.

[15] General Ferguson, pt. 5, p. 148.

[16] Report on "Government Operations in Space," p. 17.

[17] Speech of General McConnell, National Press Club, May 5, 1965, General McConnell, Chief of Staff, U.S. Air Force.

Aside from the lack of a demonstrated need for STEP, the proposal, we feel, has been justly criticized on many counts. STEP would be duplication of work more properly being done in other areas, on other levels of government and privately. It would, for example, parallel the efforts of the Job Corps, one of whose aims is training youths for placement in the Armed Forces. Specifically, in the Job Corps, Conservation Center Administrative Manual, it is stated that "Youth selected for the Job Corps would include those who * * * have been unable to pass the educational part of the Selective Service examination * * *."[18] The manual further states that as part of its responsibility, the Corps will help place those youths who have completed their training, and that one of the principal areas mentioned for placement is the Armed Forces.

STEP would aggravate the already admitted shortage of qualified teachers and counselors. It is difficult to determine just what type of curriculum would be offered the Stepees, but it is clear that a major subject would be "Social Studies," which leaves the door open as to specific subject matter and the point of view stressed.

Furthermore, it could produce serious disciplinary problems. The Army has made encouraging progress over recent years toward solving disciplinary problems. In light of the testimony that these stem primarily from those in the lowest 10 or 20 percent of the enlistment or draft standards, we feel it would be completely unrealistic to hold that the STEP program will not bring about a sizable increase in Army disciplinary problems. Also, even if the men in STEP prove to be incapable of retention in the Army, they would still be veterans and eligible for peacetime veterans benefits on the basis of their having been in the "Army".

Could it be supposed that the Army would readily admit failure in its training if a large amount of the STEP enlistees do not measure up after the training period? We think not, and that the tendency would be to keep as many in the Army as possible—to the detriment of the Army.

If there is no clear-cut demonstrable need for the STEP program to enable the Army to obtain personnel, and on the other hand there are many actual and potential problem areas, why should the Army insist on spending $24.5 million for STEP during fiscal year 1966? (The original budget request for STEP for fiscal year 1966 was $31.2 million. The reduction is due to the additional delay in schedule in starting this program.)

Despite the many skepticisms that were raised about STEP in the hearings, essentially the response was a dogged persistence that the Army should go ahead and that good could come of it. But to our mind the Army failed to produce concrete evidence as to why such an undertaking is properly a part of the Army's mission.

Recommendations

We believe it is commendable for the Army to show persistence, but that persistence should be directed toward doing the job it was established to do, which is to help provide for our national defense. The Army was not meant to nor should it be called upon to conduct programs such as this.

We believe that the funds included in this budget for the STEP proposal should not be deleted, but that a limitation should be provided in the legislation that none of the funds appropriated shall be utilized for the Special Training and Enlistment program. The funds which had been requested for the STEP program, and which we recommend to be retained in the budget, should be used for emergency problems, such as the necessary increases in Vietnam. This is made necessary by the administration's decision to increase our efforts in Vietnam which have not been adequately provided for in the budget.

* * * * *

We, the undersigned, strongly believe that the overriding requirement of our Defense Establishment is to maintain peace and preserve freedom. It is our belief that this requirement can best be served by maintaining a superior defense posture.

Few would disagree that a country's foreign policy determines in large measure its defense posture. Paraphrasing this principle, Secretary McNamara indicated to this committee that the military force structure should be developed to support our foreign policy.

In this, we concur. Disagreement, where it exists, arises from the fundamental policies upon which this administration bases its defense posture.

Despite conflicting voices to the contrary, we believe that the threat from communism has not diminished, that a genuine mellowing has not taken place in the Soviet Union and in many of the satellite countries, and that tensions between the Communist bloc and the free world have not been eased.

The basic administration defense policy reflects more of a policy of seeking to achieve a balanced deterrent, rather than insuring a decisive superiority.

We have grave reservations about the wisdom of such a policy. There are differing opinions on this subject. However, they revolve primarily around differing evaluations of the capabilities and intentions of potential enemies, particularly the Soviet Union.

Secretary McNamara's policy produces a minimum force structure and a less vigorously pursued research and development effort in the area of advanced weapons developments. Under this approach, there is a greater risk that we will face future challenges without adequate means to deter aggression or prevail in any conflict that might develop.

On the basis of the information and the testimony generated during the hearings, we have serious doubts about the premise that changes in policy, capability or defense efforts have taken place in the Communist bloc would warrant reductions or a general leveling of our defense effort. We believe a defense posture of superiority has been the No. 1 deterrent to Communist expansion.

Available evidence strongly indicates that the Soviet Union and the Communist bloc as a whole are not reducing their efforts.

We must cease, therefore, viewing conditions in the world as we would like them to be, and view them as they are.

We must view the world realistically, recognizing that an aggressor does exist, who seeks to dominate the world, and is building up a capability to do so. This recognition demands an approach which dictates superiority—military, economic, technological and political.

To do less, based upon the progress of events in the world, would be to invite disaster rather than assure peace.

Our primary concern at this time involves the late 1960's and early 1970's. It is during that time period and beyond that the effects of today's decisions will be felt.

It is up to our leaders today—in foreign and defense policy—to make realistic assessments of the needs of tomorrow.

It is up to Congress to see that they do.

We, the undersigned members of the Defense Appropriations Subcommittee, strongly subscribe to the additional views expressed herein.

GLENARD P. LIPSCOMB.
MELVIN R. LAIRD.
WILLIAM E. MINSHALL.

Mr. Speaker, the administration in submitting its budget made an all-out effort to make it appear that the total level of expenditures would be below $100 billion. This was done so that there would seem to be room in that budget to fund several billion dollars of new Great Society domestic spending proposals and yet perform the magic of keeping that total expenditure below $100 billion.

How was this magic performed? How were these headlines possible from one end of this country to the other stating that some great feat had been accomplished by the administration in order to keep its expenditure budget level below $100 billion and its appropriation budget at $106 billion?

It was done, my colleagues, by simply not fully funding the war effort in southeast Asia and not replacing ammunition, aircraft, stocks, and so forth already used in the war in Vietnam. The department not only has drawn down regular supplies but has raided regular, reserve and National Guard units when the budget message to this Congress came for equipment and supplies. Hardly had the ink gotten dry on the budget message in January to this Congress when the first request for $700 million came up in the form of a supplemental request for fiscal year 1965.

Mr. Speaker, the Congress acted on that request of $700 million rapidly and properly. However, within a period of 2 months another request for $1.7 billion was before this Congress for expenditures in the Department of Defense, and there will be further requests made to fund the expenditures that are necessary in fiscal year 1966, in the amount of over $5 billion, although the Senate Preparedness Committee is even putting out estimates in the amount of some $10 billion.

In addition to this $5.5 billion which will be before the Congress early in January, Mr. Speaker, there will be further spending requests to finance the Military Pay Act which was passed by this Congress. So I say the effort was made—an effort was made—by the administration or the Bureau of the Budget to mislead the American people in this budget submission by making room in the budget for all of these new spending proposals and by underestimating the amount that would be needed to finance the Department of Defense for fiscal year 1966, knowing full well that we here, on both sides of the aisle, would approve any funding request involving the national security of our country, and by sending up these requests to finance this war effort on a piecemeal basis, on an installment plan. Only in this way could the budget seemingly be submitted at a figure of under $100 billion as far as expenditures were concerned in fiscal year 1965.

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[18] Department of Defense appropriations for 1966, pt. 3, p. 374.

So, Mr. Speaker, I would like to address myself to several of the items not covered by the gentleman from Texas [Mr. MAHON] and the gentleman from California [Mr. LIPSCOMB] and their discussions of this conference report which is pending before us today, the largest conference report and the most important conference report from the standpoint of total dollars and cents that will be coming before the House of Representatives at this first session of the 89th Congress.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. MAHON. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. LAIRD. Mr. Speaker, I would like now to address myself, for a moment, to a specific section of the bill, section 638 dealing with indirect costs of research grants. The Senate deleted this particular section and inserted language that has appeared in the bill in past years providing for an allowance of 20 percent for administrative costs in research work.

The Senate conferees receded in conference so under this conference report we are considering section 638 as approved by the House.

A similar provision was carried in the fiscal year 1966 appropriation bill for the Departments of Labor and Health, Education, and Welfare and also for independent offices.

The gentleman from Rhode Island [Mr. FOGARTY] and I were coauthors of these provisions. We pointed out when the conference report on the appropriation bill for the Departments of Labor and Health, Education, and Welfare was considered on the floor on August 16, 1965, and here I quote:

> There has been a great deal of apprehension on the part of some people and a certain amount of misunderstanding. The most serious misunderstanding is that some have gained the idea that this provision was meant to require the grant recipients to bear a greater portion of the cost than under the requirement of former years that no recipient receive more than 20 percent of the direct cost of a research project as the allowance for indirect costs.
>
> Since a few grantees are now receiving grants equal to a full 100 percent of all costs, it is obvious that, even if the grantee is required to contribute one-tenth of 1 percent, he is contributing more than before. However, these instances are the exception and involve a very, very small percentage of all grantees. In making the change from the flat limitation on payments for indirect costs, the committee had in mind not only providing a more equitable method of cost sharing, but also liberalizing the cost sharing for the vast majority of grantees. The National Institutes of Health is involved in this matter to a much greater extent than any other unit in the Department. While there are considerable indirect benefits to the large majority of the NIH grantees, the primary and direct benefits are to the Nation as a whole. I have discussed this matter with the coauthor of the language in section 203, the gentleman from Wisconsin [Mr. LAIRD], and we agree that for grants of this type cost sharing by the grantee should not be more than 5 percent.
>
> Mr. FOGARTY. I yield to the distinguished minority Member, the gentleman from Wisconsin [Mr. LAIRD].
>
> Mr. LAIRD. Mr. Speaker, I thank the gentleman from Rhode Island for yielding to me. The gentleman from Rhode Island has explained section 203 of the general provisions in title II concerning cost sharing on research grants correctly. As coauthor of this section I concur completely with the statement he has made.

Mr. Speaker, this language contemplates, I believe, not only that cost sharing by the grantee, in no event, be more than 5 percent but that on the average the cost sharing under all such grants should be but 1 or 1½ percent.

I would like to point out for the benefit of my colleagues that the National Science Foundation, in a report entitled "Indirect Costs of Research and Development in Colleges and Universities, Fiscal Year 1960," pointed out that "in fiscal year 1962, the total indirect costs of federally sponsored research and development in colleges and universities will amount to an estimated $175 million." Of this $175 million, approximately $83 million represents the indirect costs of federally sponsored research grants and the balance covers indirect costs of Federal R. & D. contracts.

The report continued:

> Under current Federal practice, $47 million of the $83 million in indirect costs of research grants will come from the Government and an additional $36 million represents the necessary contributions of the colleges and universities themselves.

The study went on to show that the national weighted average of indirect cost rates was 28 percent of direct costs for large colleges and universities—those receiving over $250,000 in grant funds—and 32 percent for small colleges and universities—those receiving less than $250,000 in grant funds.

Although this study was conducted 3 years ago, many of the witnesses indicated that the percentages remain about the same today. Mr. Vincent Shea, comptroller of the University of Virginia who testified on behalf of the Association of State Universities and Land-Grant Colleges stated that in fiscal year 1963:

> Colleges and universities suffered losses estimated at $40 million * * * through their inability to collect the full amount of indirect costs on grants.

In a report entitled "Indirect Costs Under Federal Research Grants" the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics recommended that Congress omit percentage limitations pertaining to the reimbursement of indirect costs under Federal research grants in future appropriations acts.

The report went on to recommend that the Bureau of the Budget prepare, for preliminary analysis and review by interested parties, criteria for cost sharing based on the mutual interests of institutional grantees and Federal grantor agencies.

Mr. Speaker, I think it can be stated with confidence that a majority of educational associations and educators representing institutions engaged in Government sponsored research feel that an appropriate level of cost sharing by universities and colleges receiving grants would be an average of 1 or 1½ percent.

Mr. FOGARTY. Will the gentleman from Wisconsin yield to me?

Mr. LAIRD. I am happy to yield to my good friend, the chairman of the HEW Subcommittee.

Mr. FOGARTY. Mr. Speaker, I do not wish to add anything to what the gentleman from Wisconsin [Mr. LAIRD] has said except to agree with him that this language regarding cost sharing is definitely an improvement and corrects some of the inequities that resulted from the language formerly carried which limited, by mathematical formula, the amount which could be reimbursed for indirect costs incurred by research grant recipients. As he pointed out, this matter is explained in some detail in connection with proceedings on the Labor-HEW appropriation bill.

Mr. LAIRD. Mr. Speaker, to move on for a moment to a more general discussion of the conference report that is before this House, I think it should be pointed out that the Congress, in its wisdom, has incorporated in the final version of the Defense appropriation bill for fiscal 1966 most of the major recommendations contained in the additional views which accompanied the Defense Appropriations Committee report last June 17, 1965.

This is not an attempt to say "I told you so." The situation is much more serious than that. It is, instead, an attempt to demonstrate to the Members of this body that too little consideration was given to actual defense needs during this first session of the 89th Congress and too much consideration was given to other factors such as the domestic programs of the Great Society, the mirage of an economy budget, and the creation of a false euphoria as far as the adequacy of our defense budget with respect to Vietnam was concerned.

For the first time in memory, additional views were submitted by the minority members of the Defense Appropriations Committee, the gentleman from California [Mr. LIPSCOMB], the gentleman from Ohio [Mr. MINSHALL], and myself.

Consider these facts:

Additional views: Deplored inadequate funding for Vietnam war. Cited testimony of responsible officials other than Secretary of Defense supporting charge of inadequacy. Called for revision of fiscal 1966 defense budget reflecting adequate funding. Predicted need for supplemental request within short period.

Subsequent developments: The administration requested that $1.7 billion in additional funds be added to the Senate version of the Defense appropriation bill as a "partial funding" for the increased needs of the war in Vietnam. It is clear that an additional supplemental request will be forthcoming next January or February and that that request will be in the neighborhood of $4 or $5 billion.

Additional views: Devoted substantial portion of additional views to folly of establishing the so-called STEP program—special training and enlistment program—on the basis that STEP would not meet the personnel needs of the Army terms of overall members, it receives sufficient men through enlistments and the draft. The major manpower problems the Army has, as were discussed at length during the hearings, revolve around its need to acquire and retain skilled personnel. The problem of how to retain skilled and experienced career personnel is growing more and more acute. Obviously, the STEP program, which would be geared to taking marginal enlistees into the Army, would do next to nothing toward solving the problems in this area.

Aside from the lack of a demonstrated need for STEP, the proposal, we feel, has been justly criticized on many counts. STEP would be duplication of work more properly being done in other areas, on other levels of government and privately. It would, for example, parallel the efforts of the Job Corps, one of whose aims is training youths for placement in the Armed Forces. Specifically, in the Job Corps, Conservation Center Administrative Manual, it is stated that "Youth selected for the Job Corps would include those who * * * have been unable to pass the educational part of the Selective Service examination * * *."[18] The manual further states that as part of its responsibility, the Corps will help place those youths who have completed their training, and that one of the principal areas mentioned for placement is the Armed Forces.

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[18] Department of Defense appropriations for 1966, pt. 3, p. 374.

So, Mr. Speaker, I would like to address myself to several of the items not covered by the gentleman from Texas [Mr. MAHON] and the gentleman from California [Mr. LIPSCOMB] and their discussions of this conference report which is pending before us today, the largest conference report and the most important conference report from the standpoint of total dollars and cents that will be coming before the House of Representatives at this first session of the 89th Congress.

The **SPEAKER**. The time of the gentleman from Wisconsin has expired.

Mr. **MAHON**. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. **LAIRD**. Mr. Speaker, I would like now to address myself, for a moment, to a specific section of the bill, section 638 dealing with indirect costs of research grants. The Senate deleted this particular section and inserted language that has appeared in the bill in past years providing for an allowance of 20 percent for administrative costs in research work.

The Senate conferees receded in conference so under this conference report we are considering section 638 as approved by the House.

A similar provision was carried in the fiscal year 1966 appropriation bill for the Departments of Labor and Health, Education, and Welfare and also for independent offices.

The gentleman from Rhode Island [Mr. FOGARTY] and I were coauthors of these provisions. We pointed out when the conference report on the appropriation bill for the Departments of Labor and Health, Education, and Welfare was considered on the floor on August 16, 1965, and here I quote:

> There has been a great deal of apprehension on the part of some people and a certain amount of misunderstanding. The most serious misunderstanding is that some have gained the idea that this provision was meant to require the grant recipients to bear a greater portion of the cost than under the requirement of former years that no recipient receive more than 20 percent of the direct cost of a research project as the allowance for indirect costs.
>
> Since a few grantees are now receiving grants equal to a full 100 percent of all costs, it is obvious that, even if the grantee is required to contribute one-tenth of 1 percent, he is contributing more than before. However, these instances are the exception and involve a very, very small percentage of all grantees. In making the change from the flat limitation on payments for indirect costs, the committee had in mind not only providing a more equitable method of cost sharing, but also liberalizing the cost sharing for the vast majority of grantees. The National Institutes of Health is involved in this matter to a much greater extent than any other unit in the Department. While there are considerable indirect benefits to the large majority of the NIH grantees, the primary and direct benefits are to the Nation as a whole. I have discussed this matter with the coauthor of the language in section 203, the gentleman from Wisconsin [Mr. LAIRD], and we agree that for grants of this type cost sharing by the grantee should not be more than 5 percent.
>
> Mr. FOGARTY. I yield to the distinguished minority Member, the gentleman from Wisconsin [Mr. LAIRD].
>
> Mr. LAIRD. Mr. Speaker, I thank the gentleman from Rhode Island for yielding to me. The gentleman from Rhode Island has explained section 203 of the general provisions in title II concerning cost sharing on research grants correctly. As coauthor of this section I concur completely with the statement he has made.

Mr. Speaker, this language contemplates, I believe, not only that cost sharing by the grantee, in no event, be more than 5 percent but that on the average the cost sharing under all such grants should be but 1 or 1½ percent.

I would like to point out for the benefit of my colleagues that the National Science Foundation, in a report entitled "Indirect Costs of Research and Development in Colleges and Universities, Fiscal Year 1960," pointed out that "in fiscal year 1962, the total indirect costs of federally sponsored research and development in colleges and universities will amount to an estimated $175 million." Of this $175 million, approximately $83 million represents the indirect costs of federally sponsored research grants and the balance covers indirect costs of Federal R. & D. contracts.

The report continued:

> Under current Federal practice, $47 million of the $83 million in indirect costs of research grants will come from the Government and an additional $36 million represents the necessary contributions of the colleges and universities themselves.

The study went on to show that the national weighted average of indirect cost rates was 28 percent of direct costs for large colleges and universities—those receiving over $250,000 in grant funds—and 32 percent for small colleges and universities—those receiving less than $250,000 in grant funds.

Although this study was conducted 3 years ago, many of the witnesses indicated that the percentages remain about the same today. Mr. Vincent Shea, comptroller of the University of Virginia who testified on behalf of the Association of State Universities and Land-Grant Colleges stated that in fiscal year 1963:

> Colleges and universities suffered losses estimated at $40 million * * * through their inability to collect the full amount of indirect costs on grants.

In a report entitled "Indirect Costs Under Federal Research Grants" the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics recommended that Congress omit percentage limitations pertaining to the reimbursement of indirect costs under Federal research grants in future appropriations acts.

The report went on to recommend that the Bureau of the Budget prepare, for preliminary analysis and review by interested parties, criteria for cost sharing based on the mutual interests of institutional grantees and Federal grantor agencies.

Mr. Speaker, I think it can be stated with confidence that a majority of educational associations and educators representing institutions engaged in Government sponsored research feel that an appropriate level of cost sharing by universities and colleges receiving grants would be an average of 1 or 1½ percent.

Mr. **FOGARTY**. Will the gentleman from Wisconsin yield to me?

Mr. **LAIRD**. I am happy to yield to my good friend, the chairman of the HEW Subcommittee.

Mr. **FOGARTY**. Mr. Speaker, I do not wish to add anything to what the gentleman from Wisconsin [Mr. LAIRD] has said except to agree with him that this language regarding cost sharing is definitely an improvement and corrects some of the inequities that resulted from the language formerly carried which limited, by mathematical formula, the amount which could be reimbursed for indirect costs incurred by research grant recipients. As he pointed out, this matter is explained in some detail in connection with proceedings on the Labor-HEW appropriation bill.

Mr. **LAIRD**. Mr. Speaker, to move on for a moment to a more general discussion of the conference report that is before this House, I think it should be pointed out that the Congress, in its wisdom, has incorporated in the final version of the Defense appropriation bill for fiscal 1966 most of the major recommendations contained in the additional views which accompanied the Defense Appropriations Committee report last June 17, 1965.

This is not an attempt to say "I told you so." The situation is much more serious than that. It is, instead, an attempt to demonstrate to the Members of this body that too little consideration was given to actual defense needs during this first session of the 89th Congress and too much consideration was given to other factors such as the domestic programs of the Great Society, the mirage of an economy budget, and the creation of a false euphoria as far as the adequacy of our defense budget with respect to Vietnam was concerned.

For the first time in memory, additional views were submitted by the minority members of the Defense Appropriations Committee, the gentleman from California [Mr. LIPSCOMB], the gentleman from Ohio [Mr. MINSHALL], and myself.

Consider these facts:

Additional views: Deplored inadequate funding for Vietnam war. Cited testimony of responsible officials other than Secretary of Defense supporting charge of inadequacy. Called for revision of fiscal 1966 defense budget reflecting adequate funding. Predicted need for supplemental request within short period.

Subsequent developments: The administration requested that $1.7 billion in additional funds be added to the Senate version of the Defense appropriation bill as a "partial funding" for the increased needs of the war in Vietnam. It is clear that an additional supplemental request will be forthcoming next January or February and that that request will be in the neighborhood of $4 or $5 billion.

Additional views: Devoted substantial portion of additional views to folly of establishing the so-called STEP program—special training and enlistment program—on the basis that STEP would not meet the personnel needs of the Army since the major manpower problem is to attract and retain skilled personnel.

Subsequent development: the conference committee, in its wisdom, eliminated the STEP program from the Department of Defense appropriation bill for fiscal 1966.

Additional views: Expressed deep concern about the level of effort in advanced developments. Specifically singled out among others the lag in development work on the military uses of space and pointed out that "far too many delays have already been incurred" in getting the manned orbital laboratory—MOL—started.

Subsequent developments: The President at a recent news conference finally recognized the very critical need for pushing ahead with the MOL program. At his news conference on August 25, the President said:

> I am today instructing the Department of Defense to immediately proceed with the development of a manned orbiting laboratory.

It is to be devoutly hoped that the administration's belated recognition of the need for developing the military uses of space will not be judged by history as having come too late to overtake our adversary's concentrated efforts in this area.

Mr. Speaker, the bill that is before us is a much improved bill over the version that was passed earlier this year by the House. I feel compelled, however, to point out that during floor debate on June 23, the chairman of this committee, the gentleman from Texas [Mr. MAHON] read into the RECORD a letter from the Secretary of Defense dated June 9, 1965. In that letter, in an attempt to counter the additional views of the minority members of this committee, the Secretary said, and I quote:

> The fiscal year 1966 defense budget request now before the Congress would provide all the funds we need at this time to continue the strengthening of our overall military posture and to carry out whatever combat operations our forces are called upon to perform during the next 12 months.

During floor debate, I disputed this with the following remarks:

> It will be demonstrated again in January or February of next year if not sooner when another supplemental request will be submitted for the fiscal 1966 budget to remedy the inadequacies in the bill that is before this body today.

As we all now know, less than 2 months later this administration requested another $1.7 billion and further indicated that there would be additional requests early next year.

It was also pointed out during floor debate that there were possibly shortages in some of the units not committed to Vietnam. This has been substantiated by the report of the Senate Preparedness Subcommittee. At the time, I said:

> Closely related to these considerations (Vietnam) is the need for recognition that we are playing a dangerous game in regard to other present and future possible commitments of men and materials. I would caution very strongly as was done in our additional views that equipment and military priorities for Vietnam must not be permitted to so deplete active forces inventory as to impair the readiness of our forces not committed to Vietnam.

Mr. Speaker, subsequent developments have partially resolved some of the concern expressed in our additional views of last June. But as the gentleman from California has so aptly pointed out grave concerns still remain, not only about inadequacy of funding but also about the methods being used by the Secretary of Defense to resolve short-term crises in the Defense Establishment with little regard for the long-term consequences. The result is the very real danger that the Congress will lose all meaningful control in the appropriations process with respect to the Department of Defense.

It is to be hoped that the Congress will reassert its proper role in dealing with the Defense Establishment in future years.

Mr. Speaker, this conference report deserves the support of each and every Member of the House of Representatives.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I regret hearing the gentleman from Wisconsin say that the January defense budget as submitted to the Congress was a fraud. I think this was intemperate and unjustifiable language.

The defense budget was made up late last year, and it was not possible at that time to foresee the full extent of developments in Vietnam and in southeast Asia. It was not possible at that time to foresee what was going to happen with respect to India and Pakistan. This is a very large and fluid world, and the Defense budget submitted by President Johnson in January was about $6 billion above the last defense budget, I believe, of the previous administration. So I think it is most unfortunate and indefensible that the word "fraud" had been injected into this discussion.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. But certainly the gentleman from Texas knows full well that the guidelines that were used to draw up the fiscal 1966 budget with respect to Vietnam were the same guidelines set forth by the Secretary of Defense to draw up the fiscal year 1965 budget, and we have testimony to that effect. The testimony before the Senate Armed Services Committee on Preparedness shows very clearly that no effort was made in January or in November or at any time in preparation of the 1966 budget to replace stocks that were currently being used in Vietnam and being drawn from the Reserve National Guard units stockpile.

As a matter of fact, the bombs and ammunition, not to mention the personnel that accounted for the operation and maintenance account, did not take into consideration the changing circumstances that had come about from 1963 to 1966. The point I wish to make, and perhaps I have not made it as clearly as I should, and I am sure the gentleman from Texas will agree, is that the funding of the Vietnamese effort was not included.

The stepped-up activities that started in November, December and January were not included in this particular budget request. But I believe a great many American people thought the $100 billion expenditure that was given great publicity all over the United States as a great master stroke, did include all spending for the fiscal year 1966, when those of us who serve on this committee know full well that it did not include the spending efforts for the fiscal year 1966 and did not include the funds needed to finance this war in Vietnam. I shall support, and I am sure Members on my side of the aisle will join with Members on your side of the aisle, in supporting these needed funds to carry on this effort. But I still say there were many people in this country who were misled by this great master stroke of a $100 billion expenditure when the full funding was not requested.

Mr. MAHON. I would like to point out just how erroneous some of the statements made by the gentleman from Wisconsin seems to be. The gentleman, I believe, is mixing bananas and apples. The President said in January that he hoped to hold the spending budget to $100 billion for this year—that is the expenditure budget. But he said his appropriation budget was about $106 billion. So this is something that every well-informed person knew or could find out, that the President requested in January appropriations in the sum of $106 billion and not $100 billion. The expenditure budget was about $100 billion for the current fiscal year.

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me for a brief statement, since he referred to my remarks?

Mr. MAHON. I yield 1 minute to the gentleman from Wisconsin.

Mr. LAIRD. In my remarks I very carefully referred to the expenditure budget and not to the appropriation budget. I made very clear that the supplemental of 1965 would be reflected in the expenditure budget of 1966. But if the gentleman objects to the words "phony" or "fraudulent" as not being descriptive, I would be willing to use the term "not accurate" or "misleading." The budget which was submitted to us to finance the Department of Defense for the fiscal year 1966 was not accurate.

I point to the testimony of our committee appearing on page 62 of the committee report in which it is very clearly pointed out that guidelines were used which were 2 years old to draw up this budget, and they did not take into consideration the situation that we had to face up to in Vietnam. That is the point I wish to make. I think that it is very clear—and the testimony which we used on page 62 makes it clear—and if the gentleman would feel better about the term "not accurate," I am willing to use it. But certainly the budget that was submitted to this Congress in January, as far as the Department of Defense is concerned, was not an accurate assessment of the needs of this important Department.

Mr. MAHON. With respect to the budget in January not being accurate, I have never known of a budget being wholly accurate if one means that what is predicted in the budget must transpire. It was not foreseeable in January that all of these things would develop as they have. All budgets are estimates. They are not guarantees as to what will transpire. A budget is an estimate—a financial plan—on which Congress can operate.

Mr. Speaker, I yield to the gentleman from New York [Mr. Dow].

Mr. DOW. Mr. Speaker, allow me to address myself to an item contained in the conference report on H.R. 9221, making appropriations for the Department of Defense. An amount of $1.7 billion has been added through conference for purpose of military action in southeast Asia.

Mr. Speaker, I wonder if American citizens should be entirely happy over this item in the appropriation bill for it undoubtedly will contribute to the expansion of our military efforts in Vietnam.

This Congressman is voting in favor of the entire appropriation, for the reason that the appropriation bill contains the major sums to serve the entire Defense Establishment. Every American, I am sure, supports this foundation of his country.

However, I have faith that it is not too late to question the high policy which our country is following, in an age when we are too often at the brink of universal war and disaster.

Is it not true that we may be aiding the very ideologies which we oppose, by our bombing raids in Vietnam, for it is known worldwide that they result in maiming and burning of innocent civilians?

Is it not true that the military means we are using are not serving too well to deter the expansion of communism, in the light of other developments in southeast Asia? Adjacent to Vietnam, the great nation of Indonesia, containing 100 million people, seems to be entering the orbit with mainland China. Other nations in that area, including Cambodia and Pakistan—a little further away—appear to have given up any cohesion with our side. Do we not need a policy of greater promise to win these nations back?

Is it not true, Mr. Speaker, that the action of one nation setting out by itself to police a conflict beyond its own borders, without the concurrence of the community of nations, is an anachronism that will be difficult to sustain for much longer in the world of today and of the future?

Mr. Speaker, I have a profound respect for the sincerity of the leadership in our country, and a humble admiration for the courage of men who are laying down their lives in following the course which the leadership has set.

Mr. GARMATZ. Mr. Speaker, refusal of the House conferees on the defense appropriations bill to include in the 1966 ship repair provisions the current requirement that at least 35 percent of all naval ship repair be done in private shipyards, inserted by the Senate, is a blow that undoubtedly will further depress this already badly hurt industry.

Of equal importance is the fact that it will cost the taxpayer many millions of dollars. Ship repairs are expensive—and studies by two competent research groups clearly show that the cost in navy yards was decidedly higher than in the private yards—as much as 32 percent in some instances.

The decision to favor the high cost navy yards over the lower cost private yards is decidedly not in keeping with President Johnson's plea for economy in Government.

Mr. WYATT. Mr. Speaker, I am wholeheartedly opposed to the removal of the 35-65 formula in connection with ship repairs. The House in its action failed to include the formula as it has in the past and the Senate in its version of this bill included it. The conferees retreated to the House position and, hence, this historic and fair formula was removed in the conference report.

I protest vigorously the failure of the report to include the 35-65 formula which is the only protection that private industry has and that this country has of maintaining private shipyards on a standby basis, ready to serve the emergency defense needs of this country.

I believe the removal of the formula is a shortsighted and tragic error.

Mr. DUNCAN of Oregon. Mr. Speaker, I regret that the conference committee on the defense appropriation bill has eliminated the amendment providing for a fixed present age allocation of funds for repair, alteration, and conversion of naval vessels between private and naval shipyards as passed by the Senate.

The arbitrary division of 35 percent to private yards and 65 percent to naval yards for this work, which heretofore has been the law, has in the past seemed to me to be a division that failed to take into consideration the variable demands of the Navy and the exigencies of the moment. It has seemed to me that the private and Navy shipyards should stand or fall on their own merits without relying on the statutory division of work. Subsequent developments indicate that these initial conclusions were wrong.

It has become increasingly obvious that the efficiencies and economies of the private yards are not given full consideration in determining who will do the work. The result is that the Navy, by executive fiat, and without reference to the economics of the situation, is awarding far more repair, alteration and conversion work to naval yards than the facts and circumstances justify.

I am delighted in the language of the conference report to the effect that it is essential to the security of the Nation that most effective practical use of both public and private shipyards be continued, and that the Secretary of Defense has been requested to report quarterly to the Congress as to the allocation of these funds.

And we have had assurances from the Navy that it projects a greater dollar volume of work to be done by the private yards in this fiscal year, than the last. I would hope that this will be true, and that the work will be allocated throughout the country. However, in light of what has in fact occurred in the Pacific Northwest, in the 13th Naval District, in this fiscal year, I do not have complete confidence in such assurances.

It is my understanding that as of yesterday there have been only two vessels in private yards for repair in the entire 13th Naval District during this fiscal year.

What the private yards seek, and what is essential to our national security, is an equitable allocation of this work, if these private facilities are to survive and be available in time of extreme emergency.

While the adoption of the conference report will eliminate the 35-65 provision, and I do not think it should be eliminated, it will not eliminate the continuing interest of this Congressman, and many of my colleagues in preserving private shipyard capacity, which can only be done by an equitable division of repair, alteration and conversion work.

Mr. SIKES. Mr. Speaker, the subject matter of the conference report has been effectively covered. I want to comment very briefly, however, on three or four items which are directly or indirectly affected. They are intimately a part of the military program.

First there is the serious prospect of shortages in equipment and supplies. No one in the Department of Defense has appeared willing to face up to this. Blanket denials have been issued and possibly they are correct. The work of Senator STENNIS and his committee in the Senate, however, indicate a different story. It is readily understandable that shortages could exist. The fact that some of the reserve components are having their equipment bled off would indicate that such is the case. The statement has been made that shortages are now showing up in Europe in certain items. The facts are we have been buying supplies, equipment, spare parts, etc. at low rates for the last 3 or 4 years. This was done only in an effort to save money and with the realization that it could in time of emergency result in shortages. If there are shortages, we simply have to face up to it and get the production lines to rolling to insure that those shortages do not become acute.

Military in space is finally having its day in court. The manned orbiting laboratory will be the principal vehicle. After delays which were far too long, the go ahead has been received. This bill has all the funds that conceivably are required. At this time I would hope that a special effort will be made to insure that everything be done which is within reason which will advance the state of the art of the military in space.

On yesterday I spoke at some length in the House on the situation which exists in the Reserve components. The Congress has repeatedly refused to approve the merger of the Reserves and the National Guard. Yet the Department of Defense has delayed a step up in the training and equipment of units which it says are below standard in both regards. In other words the Department has refused to proceed with an alternative plan for the modernization and training of units, and apparently has simply held back support on the assumption that sooner or later the Congress would approve a merger. The

Congress cannot in any way be blamed for a lack of readiness in Reserve component units. The fault rests squarely in the Pentagon. If a realistic training program is not now undertaken where needed, the fault will continue to rest with the Pentagon. Units can be trained within the Reserve organization just as well as within the Guard organization, and if they are not utilized to the fullest possible extent where needed, this will inevitably count as a deterrent to national defense.

Finally there is the matter of money. Everyone realizes this bill does not contain enough money for the accelerated war effort in Vietnam. The $2.4 billion which have been appropriated specifically because of the implementation of conflict since the first of the year is a minor part of the total requirement. When we come back in January we shall probably be called upon to appropriate twice as much and maybe more. There are no shortcuts to victory in this conflict, and war does not come cheap.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. LAIRD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 382, nays 0, not voting 50, as follows:

[Roll No. 306]

YEAS—382

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Callan
Callaway
Cameron
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Leggett
Lennon
Lindsay
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Powell
Price
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Roosevelt
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sweeney
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tuck
Tuten
Udall
Ullman
Utt
Vanik
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—0

NOT VOTING—50

Adair
Andrews, George W.
Arends
Berry
Bolton
Bonner
Brown, Calif.
Cahill
Clawson, Del
Dawson
Farnsley
Fino
Foley
Ford, William D.
Gallagher
Gilligan
Gray
Hébert
Ichord
Latta
Mackay
Mackie
May
Miller
Morris
Nelsen
Ottinger
Pool
Pucinski
Reifel
Reinecke
Roncalio
Rooney, Pa.
Roudebush
Roybal
Senner
Shipley
Smith, Iowa
Smith, N.Y.
Sullivan
Taylor
Thomas
Thompson, Tex.
Toll
Tunney
Tupper
Van Deerlin
Vigorito
Widnall
Wilson, Bob

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Taylor with Mr. Nelsen.
Mr. Toll with Mr. Cahill.
Mr. Gallagher with Mr. Fino.
Mr. Brown of California with Mr. Reinecke.
Mr. Thomas with Mr. Arends.
Mr. Roybal with Mr. Bob Wilson.
Mrs. Sullivan with Mrs. Bolton.
Mr. Mackay with Mr. Roudebush.
Mr. Miller with Mrs. May.
Mr. Farnsley with Mr. Del Clawson.
Mr. George W. Andrews with Mr. Reifel.
Mr. Vigorito with Mr. Berry.
Mr. Pool with Mr. Derwinski.
Mr. Gray with Mr. Latta.
Mr. Morris with Mr. Widnall.
Mr. Ottinger with Mr. Tupper.
Mr. Tunney with Mr. Smith of New York.
Mr. Rooney of Pennsylvania with Mr. Van Deerlin.
Mr. Roncalio with Mr. Bonner.
Mr. Ichord with Mr. William D. Ford.
Mr. Foley with Mr. Dawson.
Mr. Smith of Iowa with Mr. Mackie.
Mr. Senner with Mr. Thompson of Texas.

Mr. HARVEY of Indiana changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 8: Page 4, line 8, insert: ": *Provided*, That the Army Reserve shall be maintained at an average strength of not less than 270,000 during fiscal year 1966."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the matter proposed, insert: ": *Provided*, That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 10: Page 6, line 12: insert: "*Provided further*, That the Army National Guard shall be maintained at an average strength of not less than 380,000 during fiscal year 1966."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows: In lieu of the matter proposed insert: ": *Provided further*, That the Army National Guard will be programed to attain an end strength of not less than three hundred eighty thousand for fiscal year 1966."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 16: Page 26, line 6, insert:

"TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

"*Department of Defense*

"Emergency Fund, Southeast Asia

"For transfer by the Secretary of Defense, upon determination by the President that such action is necessary in connection with military activities in southeast Asia, to any appropriation available to the Department of

Defense for military functions, to be merged with and to be available for the same purposes, and for the same time period as the appropriation to which transferred, $1,700,000,000, to remain available until expended: *Provided*, That transfers under this authority may be made and funds utilized, without regard to the provisions of subsection (b) of section 412 of Public Law 86–149, as amended, 10 U.S.C. 4774(d), 10 U.S.C. 9774(d), section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and 41 U.S.C. 12."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 24: Page 30, line 17, insert: "; (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446(a), title 7, United States Code."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows:

In lieu of the matter proposed, insert: "; (h) for the purchase of milk enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 31: Page 34, line 25, insert: "(d) The Secretary of Defense shall immediately advise the Committees on Appropriations of the Congress of the exercise of any authority granted in this section, and shall report monthly on the estimated obligations incurred pursuant to subsections (b) and (c)."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 62. Page 47, line 4, insert:

"Sec. 640. Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing average strengths for the Army Reserve and the Army National Guard shall cease to be effective."

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 62 and concur therein with an amendment, as follows: In lieu of the matter proposed, insert the following:

"Sec. 639. Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in connection with the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISMISSING THE FIVE MISSISSIPPI ELECTION CONTESTS AND DECLARING THE RETURNED MEMBERS ARE DULY ENTITLED TO THEIR SEATS IN THE HOUSE OF REPRESENTATIVES

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 585 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 585

Resolved, That the election contests of Augusta Wheadon, contestant, against Thomas G. Abernethy, contestee, First Congressional District of the State of Mississippi; Fannie Lou Hamer, contestant, against Jamie L. Whitten, contestee, Second Congressional District of the State of Mississippi; Mildred Cosey, Evelyn Nelson, and Allen Johnson, contestants, against John Bell Williams, contestee, Third Congressional District of the State of Mississippi; Annie DeVine, contestant, against Prentiss Walker, contestee, Fourth Congressional District of the State of Mississippi; and Victoria Jackson Gray, contestant, against William M. Colmer, contestee, Fifth Congressional District of the State of Mississippi, be dismissed and that the said Thomas G. Abernethy, Jamie L. Whitten, John Bell Williams, Prentiss Walker, and William M. Colmer are entitled to their seats as Representatives of said districts and State.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

GENERAL LEAVE

Mr. BURLESON. Mr. Speaker, at the outset, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER. Without objection, it is so ordered.

Mr. BURLESON. Mr. Speaker, I yield 20 minutes to the gentleman from California [Mr. Lipscomb], and pending that, I yield 10 minutes to the gentleman from South Carolina [Mr. Ashmore] the chairman of the Subcommittee on Elections of the House Administration Committee.

Mr. ASHMORE. Mr. Speaker, during the 10 years that I have had the honor to serve as chairman of the Elections Subcommittee it has been my privilege to work with several of the finest and most dependable Members of this House of Representatives.

I am thinking of such colleagues as Glenn Lipscomb, Walt Abbitt, Charlie Goodell, Samuel Devine, Chuck Chamberlain, Joe Waggonner, Sam Gibbons, Carl Perkins, John Lesinski, Hugh Carey, Willard Curtin, and John Davis, a former judge from the State of Georgia. Throughout the years such men as these, and I, have investigated some extremely important and closely contested election cases. For example, Hays against Alford, Rouse against Chambers, Oliver against Hale, Coad against Dolliver, Carter against LaCompte, Mahoney against Wint Smith, and so forth. And in each and every case that we have handled, the findings and recommendations of your subcommittee have been approved by the full committee, and likewise approved by this House, when necessary for a resolution to come to the floor.

Please do not think for one moment that I am here to boast about the activities or accomplishments of the Elections Subcommittee, for I am not, but I am humbly proud of the record that we have made and I hope and pray with you, my colleagues, still have faith, trust and confidence in the Elections Subcommittee.

In our search for the truth and for the will of the voters, which we sought in every investigation, certain facts and circumstances have been significant. For example, was there a valid certificate of election of the challenged Member's seat on file in the Clerk's office in this House? And also was the oath of office administered to the Member by the Speaker of the House? An affirmative answer to these questions establishes a prima facie right of the Member to his seat. In the cases which you are now judging, each of the challenged Members has established a prima facie right to his seat. But the committee does not stand solely on the prima facie cases established by the Mississippi Members, because it has gone much further into the details of the charges against them and found numerous additional and valid grounds to dismiss these contests sponsored by people represented by more than a hundred lawyers.

Some of the other grounds upon which we base our findings are: the fact that the contestants did not avail themselves of the proper legal steps to challenge their alleged exclusions from the registration books and ballots, prior to the election, nor did they even attempt to challenge the issuance of the Governor's certificate of election, in Federal District Court, after the election was held. These things they could have done, and they should have done, and their failures to do so were serious and vital factors which the committee was compelled to consider. Not only do I say there were serious failures on the part of the contestants, but you as Members of this House, and your predecessors in office, so held in the 1943 case that came up from the State of Georgia. In that case, the contestant, McEvoy, attempted to run as an independent Republican, a political party not known in Georgia. McEvoy's name did not appear on any ballot in his congressional district, just as the names of these challengers today did not appear on any official ballot in Mississippi in the 1964 general election. In that case, the McEvoy case, this House of Representatives found that McEvoy had failed to use and exhaust the proper legal remedies available to him under the laws of his State. The House further concluded that the contestant had thus failed to make out a case, and dismissed the contest against the contestee.

The committee is also well aware that all of the contestants in this case contend that Negroes have been systematically excluded from registering and voting in the State of Mississippi. But even if these charges are true I say to you, this House in the past has refused to declare a seat vacant where large numbers of voters were known to be illegally disenfranchised, the House saying that it preferred to "measure the wrong"—II Hinds Precedents, page 1075.

And I think what the House meant in that case was simply this: a Member of Congress should not, and would not, be held responsible for the wrongful acts of some registration officer back in his home district who refused to issue certificates to qualified people. And that is the primary complaint of these contestants. Yes, my friends, how can you, or I, or the Members from Mississippi, know of, or control, these officers back home when we are attempting to attend to our duties here for 10, 11, or 12 months out of the year?

Certainly there is not one word of evidence in these cases of any collusion with the registration or other voting officers in the State of Mississippi. And in this regard let me cite you to the LaGuardia case in New York in 1925. There, Cannon's Precedents—section 164, pages 311–315—says, and I quote:

> The contestee holds the certificate of election. His title can only be overturned upon satisfactory evidence that he was not elected. His seat in this body cannot be jeopardized by the faults of others. It has been held that the House has no right unnecessarily to make the title of a Representative to his seat depend upon the acts, omissions, diligence, or laches of others.

Is that not fair, and just and equitable? I think so.

Your committee also considered the fact that the laws of the State of Mississippi and the Federal laws under which the presidential and congressional election of November 3, 1964, was held are all deemed constitutional inasmuch as they have not been set aside by the decision of any court of competent jurisdiction. Therefore, we must consider how many votes these Members of Congress received in the regular, valid, legal election as compared to the number of votes the contestants received in their unofficial, unauthorized mock election held over a period of 4 days—October 30–November 2, 1964—see returns.

Presidential and congressional election of Nov. 3, 1964—Mississippi

FOR PRESIDENTIAL ELECTORS	
Democratic	52,618
Republican	356,528
FOR U.S. SENATOR	
John C. Stennis, Democrat	343,364
FOR REPRESENTATIVE	
1. Thomas G. Abernethy, Democrat	60,052
2. Jamie L. Whitten, Democrat	70,218
3. John Bell Williams, Democrat	84,503
4. Arthur Winstead, Democrat	28,057
Prentiss Walker, Republican	35,277
5. William M. Colmer, Democrat	83,120
2d district:	
Fannie Lou Hamer	33,009
Jamie L. Whitten	59
4th district:	
Annie Devine	9,067
Arthur Winstead	4
Prentiss Walker	0
5th district:	
Victoria Gray	10,138
William Meyers Colmer	0

So, if you count every vote the contestants claim, they fall far short—even where "all citizens qualified were permitted to vote." It must be abundantly clear that all the votes they claim were not sufficient to have changed the outcome of the election in any district in Mississippi.

Moreover, Mr. Speaker, the committee wishes to emphasize these additional facts: The Voting Rights Act of 1965 is now the law of the land, in full force and effect. And the alleged practices complained of by the contestants in the 1964 Mississippi elections would constitute violations of the new act if occurring subsequent to its enactment. So there is now clear and adequate legal authority for the Federal Government to protect the rights of voters and to assure the right of all citizens to become registered voters.

In the light of all the facts and circumstances, I am convinced beyond every doubt that these contests should be dismissed. And I urge that you vote accordingly.

Mr. LIPSCOMB. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Speaker, this is a case that has concerned all of us in this Congress for the past 8 months. It carries with it, to a degree, ramifications and implications that affect each of us and our seats here in the Congress of the United States. I served as the ranking member on this subcommittee and with some of my colleagues insisted that the merits of this narrow issue that is presented to us today be argued fully before the subcommittee; and I believe it was. I want to compliment all those who were involved with these arguments on both sides of the issue. They did a fine job of presenting concisely and clearly their viewpoint.

Now, what is the issue that is presented to us today? There is a motion in the form of a resolution before us to dismiss the action contesting this election. In looking at this motion to dismiss we must understand the background and circumstances of the election.

First of all, in November 1964, there were five races in the State of Mississippi for Congress, and in four of those races there was no contest whatsoever. There was no candidate running in opposition to the incumbent. We are faced then with a situation wherein we are asked to unseat by contestants who had no part in this election procedure whatsoever.

In 1965 many of us joined in writing a Voting Rights Act. Many of us were deeply concerned that in the future the commitment of that Voting Rights Act of 1965 be carried over to the other procedures of the House to be sure that the 1965 Voting Rights Act was observed. We have here today a committee report which commits this Congress and the House Administration Committee to examine and scrutinize all elections in the future with an eye to the Voting Rights Act of 1965.

We will, in my opinion, use the power to unseat in the future, if there is corroborative evidence of the violation of the Voting Rights Act of 1965.

These were concessions which I fought for and which others on the subcommittee fought for in the committee report so that we could have these as a matter of legislative history in this historic debate today.

Finally, and most importantly, we have had election contests before us in the past. There is tremendous confusion about the proper procedure under which a contestant may bring a contest before this House.

But, we have had the finest legal counsel in this country trapped by the confusion of precedents and law that exists now in our contested election procedures.

Mr. Speaker, we have a commitment in this committee report, which I am sure all of my colleagues on the House Administration Committee will affirm, that we intend to investigate and change the election contest procedure so that there will be no further traps to those who wish a day in court provided by this great body of the House of Representatives and the House Administration Committee.

Mr. Speaker, with this legislative history before us, we are voting on a motion to dismiss the election contest, which I support.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HAWKINS].

Mr. HAWKINS. Mr. Speaker, my remarks are certainly not directed toward any individual in this House and certainly not to be implied as any criticism of the chairman of the House Administration Committee or to attack the integrity of the Elections Subcommittee. It is to state the issue which is involved this afternoon and the position of the minority on the committee. Unfortunately, it is not to debate the merits of the case.

I think that it has been well demonstrated thus far that the differences of opinion about those who even signed the majority report is an indication to us that the merits of the case are to be yet decided.

Mr. Speaker, the motion to recommit which the minority members of the committee will support is merely to implement the decision to have further hearings.

Mr. Speaker, the majority report seeks to establish the fact that whatever discriminatory practices might have existed in the Mississippi congressional election of 1964 are not sufficient to serve as the basis of a challenge which this House ought to consider on its merits.

But, I ask this House, if the discriminatory practices with regard to voting procedures which existed in the State of Mississippi in 1964, discriminatory practices which the President of the United States recognized so clearly in his historic address to the Congress last March, discriminatory practices which the U.S. Civil Rights Commission has documented so completely in their report on Mississippi for 1965, and upon which that distinguished Commission based its conclusion that the State of Mississippi was operating in open violation of the 15th amendment to the Constitution; discriminatory practices which the U.S. Department of Justice has documented in over 30 suits brought against county after county in that State—if, I say, this uncontradicted and uncontradictable evidence of discriminatory practices with regard to voting procedures existing in Mississippi in 1964 is not sufficient to serve as the basis for a proper challenge, then what evidence shall suffice?

Mr. Speaker, to adopt the majority report is to establish a precedent which I say shall forever foreclose the Negro citizens of the South from calling upon the Congress to unseat those who may ascend to their seats by a system that excludes citizens who oppose the dominant group.

Mr. Speaker, the committee majority found that the primary question for them to consider was, was there an election, and it found that there was. But I ask this House, Is there really any question that there was an election? Of course, there was. No one has denied that. But the issue raised by this challenge is whether there was a valid, constitutional election and whether qualified citizens could avail themselves of the electoral and political processes of the State in which they live.

Mr. Speaker, that is the question which the committee should more thoroughly consider.

We are not seeking in this motion to recommit to answer that question nor are we asking you to answer that question this afternoon. We are merely asking that this House should withhold its judgment on this matter until more adequate and public hearings are held. Should we hasten to make a judgment against which there is no appeal?

I, therefore, urge the House to recommit this matter to the committee for a thorough hearing.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT] such time as he may require.

Mr. ROOSEVELT. Mr. Speaker, I rise in support of the motion to recommit to the House District Committee the "Mississippi challenge" cases.

This body—and every one of us—must face our moral responsibility to the great democratic processes of our Nation. Once the technical and legal points have been argued and assessed, there remains a great overriding issue. It is a moral issue. Can we support continued service in this body of persons elected by what must be frankly recognized as a perversion and misuse of our elected processes? That such practices have long been a part of the political life of the State of Mississippi, that they have, by custom and usage, become an accepted way of life for thousands and millions of people, makes even more clear the necessity to accept our moral responsibility and to act upon it.

This is not a matter of personalities. These Members are my good friends. But I must overlook that. I must look to the people of the State of Mississippi, to the people of the Nation, to the people of other lands. Democracy, and its processes, are at issue.

To those who say that the Voting Rights Act of 1965 will require correction of these practices—and that the Representatives from Mississippi will hereafter be elected by constitutional means is no answer to the question presently before us. What will be done cannot obviate what has been done. The present Mississippi delegation is the one that concerns us today.

The record in the Mississippi contested election cases of 1965 bring before the House overwhelming evidence of the simple, stark facts upon which these cases rest—the almost total, systematic, and deliberate exclusion of the Negro citizens of Mississippi from the electoral processes of that State. Only 7 percent of the Negro citizens of voting age were registered to vote. Over 450,000 Negro citizens were excluded from the electoral process during which the Members of this House were elected. The unimpeachable facts of wholesale Negro disenfranchisement make a mockery out of the constitutional requirement that the Members of this House be chosen "by the people of the several States."

It is now thoroughly well established that the Negroes of Mississippi have voted and registered in such pitifully small numbers because they have been prevented from doing so by an unrelenting program of legislation, discriminatory administrative procedures, violence, and intimidation. The array of findings on this score is indeed impressive and the condition is statewide—it exists to an overwhelming degree in each of the five congressional districts here in question.

Although court decisions have been extremely ineffectual in eliminating the massive disenfranchisement of Negro citizens in Mississippi, the findings by Federal courts in county after county represent an impressive array of proof of the pattern of discrimination. These decisions relate to counties throughout the State.

The President, in his message to Congress of March 15, 1965, summed up in terms which leave no possibility of further doubt all the proof of the fact that Negroes have been excluded from the electoral process in Mississippi.

Depositions were taken in the Mississippi contest in more than 30 counties of the State of Mississippi. Over 400 witnesses testified. Over 10,000 pages of detailed testimony, all subject to the right of cross-examination, tell the story of Negro disenfranchisement again and again.

This almost total exclusion of Negro citizens from the electoral processes of Mississippi is the result of almost a century of operation of what has come to be known through the Nation as the Mississippi plan. Since 1875 the dominant white political structure of the State has openly and consciously utilized every possible technique to disenfranchise the Negro and perpetuate a system of white supremacy. The specifics may vary but the broad outlines of the formula by which Negro disenfranchisement has been achieved remain the same over years. It is a combination of violence and laws which invite discriminaton by granting broad discretion to local registrars who are part of a conspiracy to prevent Negro participation in the electoral process.

The report of the U.S. Civil Rights Commission only this May, the many decisions of the Federal courts, the over 400 depositions taken in these contests, all reveal in details repeated over and over again, that the Mississippi plan of 1875 and 1890 is still very much in effect. For almost 100 years the Negro citizens of Mississippi have been consciously, deliberately, and systematically excluded from the political processes of the State. The records of these contested elections now bring before this House for its judgment the Mississippi plan in its full flower.

The massive disenfranchisement of the Negro citizens of Mississippi which has been now so fully demonstrated in the records of the present cases renders the elections here patently violative of the Federal Constitution. It is much too late to argue blandly as the sitting Members do that the Mississippi election laws are "legal" and "constitutional." On June 7, 1965, the Governor of their own State publicly conceded that the two central registration provisions of the Mississippi Constitution were unconstitutional. Laws comparable in every respect to the Mississippi registration and election provisions have this term of court been stricken down by the Supreme Court of the United States.

These cases present to the House a truly extraordinary situation. Sitting Members seek to sustain their right to seats in the House obtained in elections the Governor of the State now concedes were conducted under unconstitutional registration and election laws. The position of the sitting Members, as set forth in their answers, has now been completely undermined by the Governor and legislature of their own State.

The flagrant unconstitutionality of the legislation through which for over 70 years the State of Mississippi has systematically and thoroughly excluded its Negro citizens from the franchise is not conceded by all. The only question remaining is whether the House of Representatives of the United States will tolerate elections for Members of the House conducted under unconstitutional laws which have excluded from the electoral process a substantial number of citizens of the State whose only disqualification from voting has been that their skin is black.

In contest after contest in which evidence of wholesale Negro disenfranchisement has been laid before the House, this legislative body has met its constitutional duty to unseat contestees whose purported authority to membership in the House rests upon such elections. The current challenges to the Mississippi contestees do not present new and untested questions to the House. They are thoroughly supported by a long line of the most important and honorable precedents of the House itself. In over 40 election contests in the past this House has set aside election results where Negro citizens were excluded from the voting process.

Mr. Speaker, full and adequate hearings on this matter have not been held. The motion to recommit, which will be offered, and which I will support, will give us the opportunity to grant the thorough and detailed consideration which it deserves. I urge my colleagues to reject the resolution before us, and to recommit these challenge cases to the Committee on House Administration.

Mr. LIPSCOMB. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, the House of Representatives, under the Constitution, has the clear responsibility to be the judge of the elections, terms, and qualifications of its own Members. This is an exclusive responsibility which the House must accept. There is no appeal. Political or injudicious acts in executing this responsibility will demean this body, its Members, and the Constitution. Justice delayed is justice denied. This is September, and the merits of this case clearly required prompt study and resolution which have not been provided.

Here we are supposed to be debating and deliberating upon a matter on which many Members, including myself, would take 15 to 20 minutes to express our views. This 2 minutes is the most time that can be granted to me. I was lucky to get 2 minutes.

These are the procedures that the majority party have been employing throughout this Congress on this issue and every issue.

In my statement that will appear in the RECORD is a discussion of the procedures that have been followed in this matter. I could not agree with the gentleman who preceded me more that this matter should be referred back to the committee. The committee should go forward, even at this late date, to develop the evidence for whatever it is worth. Incidentally, may I say I was one of those who voted in January to seat the officially designated, duly elected Members from Mississippi, because, in my judgment, it was quite clear that the official stamp was there. The matter did require immediate hearings and full hearings in the Committee on House Administration. The majority party is responsible for this procedure not going forward promptly. It had it within its power to have resolved this issue early, as it could have been.

Hereafter follows my prepared speech.

Mr. Speaker, I have studied the report of the Committee on House Administration which accompanies House Resolution 585, the resolution to dismiss the five Mississippi election contests and to declare that the sitting Members are duly entitled to their seats in the House of Representatives. I am unconvinced by the report.

When this issue was before the House in January 1965, I voted to seat the Mississippi Members-elect. I did so because I thought it unfair and an unwise precedent to deny an entire State its representation in Congress without any facts or information of challenge having been submitted, studied, and considered. And further I did so anticipating that a challenge would be brought under the established procedures for such matters which could then be considered and judged on its merits. In short, I voted to seat the delegation because a case had not been made against them.

The House of Representatives, under article I, section 5 of the Constitution, has a clear responsibility to "be the Judge of the elections, returns, and qualifications of its own Members." This is an exclusive responsibility which the House must accept and execute judiciously. There is no appeal. Political or injudicious acts in executing this responsibility would demean this body, its Members, and the Constitution. No Member would consciously vote other than according to the dictates of the Constitution.

Justice delayed is justice denied, this is September and the merits required a prompt study and resolution.

First, I wish to commend the committee on their recommendation on page 5 of the report expressing concern over present House procedures governing election contests and stating that the committee will undertake a review of such procedures and make recommendations for improving and clarifying them so as to deal more expeditiously with such cases in the future. Certainly events of recent months make this a most appropriate course of action.

However, I am deeply concerned about a number of aspects of this important matter. The reports of attempts to frustrate a full and fair hearing and consideration of this contest by the Clerk of the House, the committee, and the Democratic leadership concern me. As always in such matters, it is difficult to conclusively fix blame, and dangerous to question motives. For this reason, I merely question the necessity and desirability of the delays and procedures which have taken place. Specifically, I question the limitation of the hearings to 3 hours. I question the secrecy of the hearings to the press and the public. I question the fact that the record of the hearings, such as they were, have still not been made available to the Members. How can the Members of this body fulfill their role as judges if they lack access to the record of the case. I question the apparent limitation of the number of copies of the pertinent documents to less than 100 and the subsequent transfer of these documents from the Clerk to the committee and their lack of availability to Members of Congress.

I am also concerned by the committee's report and the resolution of dismissal. First, and I believe of considerable importance, the report specifically states that the committee held hearings on only the question of dismissal of the contests (p. 1). Yet, the title of the report and the last two lines of the resolution as shown on page 5 clearly state that the sitting Members are entitled to their seats. Such a finding must be based on the merits, yet by the committee's own statement and at the insistence of the committee and over the opposition of the contestants, there were no hearings on the merits. Clearly, support of this resolution by the House today will result in a ratification of the committee's conclusion which is possibly without basis in the still secret record of the hearings and which will, as a result, arbitrarily preclude any further challenge. This, I believe, would be an unwise precedent to say nothing of its unfairness in this particular contest.

Further, the brief report appears to me to be filled with statements which, while in some cases are accurate, are not pertinent and lead to the erroneous conclusion that the committee has in fact found justification for their conclusions. For example, on page 1, the conclusion under item (1) concerning the House vote in January of this year may be true, but that vote was not a finding on the merits of the case since no case was presented, and I voted to seat the Members-elect for that very reason.

Next, page 2, item 4b, refers to the question of the Ottinger case suggesting that it is a precedent. I do not agree, just as I did not agree with the finding in that case. To suggest that a Member elected in violation of the law cannot be refused his seat or unseated unless the challenge is raised by the legal opponent in that election is to say that a seat in the House of Representatives belongs to a man rather than to the people. **This is clearly not consistent with my understanding of the Constitution and our system of Government, and such references in the report weaken rather than strengthen the report.**

Also, on page 2, item 5, and page 4, the last paragraph, the report says that the contestants' contention that Negroes have been systematically excluded from registering and voting in the State of Mississippi "even if true" is now a moot question in that Congress has passed the 1965 Voting Rights Act. How can such discrimination be called moot when the 1964 election is now history and the 1965 Voting Rights Act will and can have no bearing on the constitutionality of any given 1964 election contest and the right of any present Member to sit?

On page 3, item 7b, the committee states that the U.S. Senator elected in 1964 in Mississippi was seated without challenge. If two wrongs occur and only one is challenged, does the lack of the second challenge make them both right?

In addition, on page 3, item 8, the report suggests that unless the outcome of the election would be changed by the challenged aspect of the election, the Member may sit. Is this to say that any illegality will be condoned, regardless of its nature, unless it would change the outcome of the election? Is this the precedent which this body will establish here today?

Further, on page 5, the report says that the committee does not mean to imply by its recommendation of dismissal that it condones any disfranchisement of voters in previous elections or that the House cannot take action to vacate seats of sitting Members. Is this an apology for the committee report and recommendation and an attempt to suggest that this case should not be considered a precedent? Unfortunately, if it passes, it will be a precedent whether we like it or not and notwithstanding these apparent attempts to qualify and limit it.

Finally, Mr. Speaker, I would cite section 2 of the 14th amendment, which says basically:

"But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereo, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crimes, the basis of representation therein

shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Why, when the Constitution clearly provides a specific course of action under the situation alleged in this contest, does the committee report completely fail to take note of this constitutional provision?

Mr. Speaker, the first vote—and I hope it will be a record vote and that the widespread rumors of an arrangement to attempt to prevent a record vote are not accurate—will be on the previous question. The vote will be on whether or not to stop debate—debate controlled 100 percent by the Democrat leadership on the committee, and limited to but 1 hour, and prevent any further opportunity for discussion and amendment by the membership as a whole. I intend to vote "no" in the hope that the House will at least be given some opportunity to act judiciously in fulfilling its constitutional responsibility.

The next vote—if the previous question carries, will be to dismiss the challenge. I will vote "no." I will vote not to dismiss for exactly the same reason that I voted not to refuse to seat the Members-elect in January—because in my opinion the case has not been made. For this same reason, I would oppose the so-called Ryan resolution to unseat the five Mississippi Members.

Mr. Speaker, as a Member of this body, the Constitution requires that I sit as a judge on this matter. Admittedly, this is not an easy assignment, yet I undertake it with a deep sense of responsibility.

Let me say that I hold no particular brief for some of the individuals associated with this challenge. I share the opposition of many in this body to the recent unpatriotic acts and statements of groups and individuals supporting the challenge such as the burning of draft cards, the opposition to military service in Vietnam, to say nothing of Dr. Martin Luther King's unwise pontifications on foreign policy of recent date. But these are not at issue. Disagreement with views or acts of supporters of this or any challenge is not grounds, I would hope, to suspend due process.

I am inclined to believe that we could use fewer people who are so concerned about political posturing or merely serving their executive master that they lose track of what this country is all about. What we need is a few more people who are concerned about what is right, fair, and constitutional. And if we don't find them fast, we are going to discover suddenly that there'll be a new generation in this Nation that doesn't know right from wrong.

While I am not a judge, I am a Member of Congress, and I have watched what has gone on in the House this year with no pride. Unlike previous years, where the balance in party membership has been considerably closer, the first session of the 89th Congress will be remembered not alone for the legislative output, but, unfortunately, also for the highhanded abuse of power by the majority party, even including those self-professed liberals and would-be defenders of minority rights of whom one might expect more.

This session began in January with a vote on the House rule changes, with no printed copies for the minority, no real opportunity for debate, no opportunity for amendment. The majority leader simply moved the previous question—just as he will do today—to cut off debate and prevent an amendment period, and run roughshod over the opposition. This same procedure has been used repeatedly. On the education bill, for example, it was so bad that the gentlewoman from Oregon [Mrs. GREEN] felt compelled to express publicly her lack of pride in her party. On Monday of this week, the minority protested against such tactics. Yesterday, amid clapping and cheering and switching of votes, the Quie resolution of inquiry concerning summer postal employees was rejected and a great Democratic victory was achieved—namely, preventing the public from being told about the public's business. Some victory.

I will say this, however. The power structure in the House doesn't discriminate in its abuse of power. At the same time that the minority party—and I might add the people of this Nation—was being rubbed into the ground earlier this week, the majority party was doing the exact same thing to the Mississippi challengers. Obviously, its tactics are reserved not merely for the minority party but are available for any group which has the temerity to get in its way, or which in any way disagrees with the President or the Democratic leadership. The tragic thing is that so many Members of the majority side of the aisle go right along, unless, of course, it happens to be their ox that is being gored. Mr. Speaker, the House of Representatives is not the Democratic convention in Atlantic City and the tactics employed there with respect to the Mississippi challenge are not necessarily appropriate here.

Mr. Speaker, I voted to seat the Mississippi Members-elect in January because no case had been made against them. I would today oppose the Ryan resolution to unseat them because the case still has not been made against them. For this same reason, and because of the inadequate consideration which has been given this matter by the committee—as should be clear from their report—I will oppose the previous question and the motion to dismiss.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I wish to associate myself with the thrust of the remarks of the gentleman from Missouri and express my opposition to the committee resolution. When the question of seating the Mississippi Members-elect was first before the House last January, I voted to seat them. To my mind, it would have been unjust to deny them their seats without having had a full and thorough investigation made of the challenge brought against them.

As has been documented in the remarks of the gentleman from Missouri, the report of the committee was most unpersuasive. Further, the tactics and procedures employed in consideration of this matter did not, in my opinion, permit a full and fair consideration of the question.

Mr. Speaker, there have been a number of occasions during this session which have caused me to be something less than proud of the conduct of this body. Certainly the imbalance in party membership has resulted in a tendency on the part of the majority to prevent debate, probing, challenging, and questioning, with the result that the solutions which have been reached have in many instances not been the best possible solutions of which we are capable. Examples such as the procedures employed during the debate on the House rules changes on the first day of the session, and the limitation of debate on the elementary and secondary school aid bill are but two of a long string of instances where the majority party has stifled debate, discussion, and fair consideration of important issues. Similar conduct has, I believe, been employed in connection with the consideration of the Mississippi challenge. I submit that the Members of the House are not today in a position to judge the merits of this case in that we have not had access to the testimony presented or to the hearings on the resolution that is now before us. I cannot take this assignment to judge the case without a deep sense of responsibility—and under the circumstances, I cannot in good conscience support the resolution to dismiss the challenge.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, the question concerning the status of the Representatives from Mississippi is one of the most crucial issues that will ever come before the House. The question is whether the House of Representatives will stand by the U.S. Constitution and the 15th amendment which provides, "The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude."

Mississippi has willfully and maliciously violated the Constitution by denying to a substantial number of American citizens the right to vote because they are Negroes. We have the opportunity today to tell the people of Mississippi and the people of this Nation that the House of Representatives upholds the Constitution and does not condone disenfranchisement of American citizens. We must not permit this challenge to be dismissed.

I should like to read to the House a telegram which I have received from the Reverend Martin Luther King, of the Southern Christian Leadership Conference, which I think is important to the Members.

The telegram is as follows:

ATLANTA, GA.,
September 17, 1965.

Congressman WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.:

We appreciate your ardent support for the unseating of five Congressmen from Mississippi and commend you and your colleagues of good will for grasping the seriousness of this challenge. In these days of strife and bitterness one must support the just moral claims of the Mississippi Freedom Democratic Party. They have not rioted. They have destroyed neither person nor property in their pursuit of justice. They have, instead, sought to diligently apply the statutes of our Constitution. To deny them a full and adequate hearing by dismissing their challenge without full debate of the merits of the case is to deny a very moral fiber of our democratic way of life. I pray that you and your colleagues will overpower the motion to dismiss the challenge and keep the principles of this Nation strong in the hearts of almost a million unrepresented citizens of Mississippi. This challenge is a confirmation of the spirit of the 1965 voting rights bill. It says that Congress is determined to make democracy a reality in spite of intimidations and economic reprisals which still impede full citizenship for Negroes in Mississippi.

MARTIN LUTHER KING, Jr.,
Southern Christian
Leadership Conference.

Mr. Speaker, today we are honored that three courageous and dedicated Americans have joined us on the floor. Mrs. Annie Devine, Mrs. Victoria Gray, and Mrs. Fannie Lou Hamer, contestants in this challenge, under the rules of the House have been accorded floor privileges by the Speaker. Their cause is a just one and deserves the support of every Member who believes in human freedom.

Mr. Speaker, the issue here is quite clear cut. There is no question that citizens of the United States were denied the right to vote in Mississippi in 1964.

The record is clear. There are some 2,932 pages of eloquent testimony contained in approximately 600 depositions which were filed with the committee.

There is the record of the hearings conducted last February by the Civil Rights Commission in Mississippi which spells out the denials and the deprivations of the right to vote and the reprisals, both personal and economic, against individuals who attempted to register and vote. The record is written in the faces of Negro citizens who courageously confronted terror, violence, and even murder in their efforts to exercise a fundamental constitutional right—the right to register and vote.

The State of Mississippi has deliberately and systematically denied American citizens the right to register and to vote. It is no accident that as of January 1964, there were approximately 500,000 or 67 percent of the white persons of voting age and approximately 20,000 to 25,000 or only 5 to 6 percent of the Negroes of voting age registered to vote.

According to the Congressional Quarterly, in 1961 the following were the figures for nonwhite registration in each of the five Mississippi congressional districts: First District, 1.3 percent of the nonwhites of voting age registered to vote; Second District, 6.8 percent of the nonwhites of voting age registered to vote; Third District 9.1 percent of the nonwhites of voting age registered to vote; Fourth District, 5.1 percent of the nonwhites of voting age registered to vote; Fifth District, 12.3 percent of the nonwhites registered to vote.

These voting statistics were the result of a deliberate effort on the part of the State of Mississippi to violate the Federal Constitution—an effort which began over 75 years ago.

The Mississippi constitution of 1869 afforded Negro citizens the full right to vote. The next year, in 1870, Congress enacted a statute readmitting Mississippi to representation in the Congress on the condition that Mississippi never amend or change that constitution "as to deprive any citizen or class of citizens of the United States the right to vote."

In 1890 there were in Mississippi 118,890 registered white voters and 189,884 registered Negro voters. In that year, in spite of the 1870 compact with Congress and the 14th and 15th amendment guarantees, Mississippi called a constitutional convention, the purpose of which was described by U.S. Senator George, of Mississippi:

> When we meet in convention, (it) is to devise such measures, consistent with the Constitution of the United States, as will enable us to maintain a home government under the control of the white people of the State.

The record of the convention reflects, as one delegate put it, "the manifest intention of this convention to secure to the State of Mississippi white supremacy."

This deliberate unconstitutional purpose was successful. In 1890, 60 percent of the voters were Negro. By 1899, when 57 percent of the adult Mississippi population was Negro, less than 10 percent of the electorate were Negro.

The change in the constitution was not enough to keep all Negroes from voting. Coupled with laws purposefully designed to keep Negroes off the voting rolls, there was a systematic and willful use of intimidation, violence, and even murder. There have been at least five murders since 1961 directly connected with the effort of Negroes to register. In fact, just a few weeks ago a minister was critically wounded because of his involvement with voter registration.

According to the Justice Department in McComb, Miss., alone, there were from June to October 1964, 17 bombings of churches, homes and businesses; 32 arrests; 9 beatings, and 4 church burnings as a result of voter registration and civil rights activity.

Violence and terror in Mississippi to stop Negroes from voting is not a new or isolated phenomenon. The interim report of the U.S. Commission on Civil Rights issued in 1963 spells it out:

> Citizens of the United States have been shot, set upon by vicious dogs, beaten and otherwise terrorized because they sought to vote.

In the face of terror, violence and murder, and in the face of the entire political system of a State dedicated to Negro disenfranchisement, the civil rights movement in Mississippi has attempted to aid Mississippi Negroes in gaining their constitutional rights.

In the summer of 1964 the Council of Federated Organizations—COFO—organized the Mississippi summer project aimed at increasing Negro voter registration in Mississippi.

Three young and dedicated Americans, James Chaney, Andrew Goodman, and Michael Schwerner, participated in that project and paid for their patriotism with their lives. The summer was marked by an all-out effort on the part of Mississippi to reject any effort to register Negroes. Every terror tactic was employed and every spurious legal maneuver was undertaken. The actions of Mississippi clearly indicated that the State was determined to continue its violation of the Constitution. Some Negroes did finally register, but by the congressional elections it was clear that 95 to 96 percent of eligible Negroes were still kept off the voter rolls.

In accordance with the statute—2 U.S.C. 201, et. seq.—30 days after the election, a challenge was brought against the Mississippi Congressmen on the grounds that they were unconstitutionally elected because of the illegal disenfranchisement of Negro voters. The contestants in the challenge have complied in every way with the statute.

The majority report of the House Administration Committee is unfortunate, to say the least.

After only a 3-hour subcommittee hearing closed even to committee members, the committee reported on the merits of this case. The contestants were given a chance to testify, but only as to the question of standing. Despite its stated dedication to due process and its "concern that either outright dismissal of the challenge or unseating of the present Mississippi delegation would violate this precept," the committee has ruled on the substance without permitting contestants to speak on the merits.

The majority report erroneously states, "the House in the past has refused to declare a seat vacant even though large numbers of voters were illegally disenfranchised." The committee cites only one case in support of this dubious and dangerous proposition. The contestants' brief submitted to the committee cites approximately 40 cases in which the House upheld the Constitution by vacating seats because of Negro disenfranchisement. The one case cited in the report must be weighed against the 40 cases where the House decided to the contrary.

The majority report gives dominant weight to the proposition that "whatever electoral practices may have occurred in Mississippi during the 1964 elections, it is doubtful that any disenfranchisement, even if proven here, would have actually affected the outcome of the November 1964 election in any of the districts."

In the first place, this is an admission of disenfranchisement. Moreover, if the House accepts this, it will establish the rule that no disenfranchised majority or minority can sustain an election challenge without proof that their votes would have changed the result. The very "unofficial elections" in Mississippi which the report dismisses as "without the authority of any law whatsoever" will become an obligatory proceeding under this precedent in all future election cases involving disenfranchisement.

If this resolution is adopted, it will serve to bar any and all future election challenges on the basis of disenfranchisement. It would be an impossible and insurmountable barrier to require anyone to prove that he would have been elected or that he would not have been elected depending upon the number of citizens who were disenfranchised.

The majority makes no real commitment to strike down unconstitutional elections in the future. It does not want to be interpreted as "condoning any disenfranchisement of any voters in the 1964 elections or in previous elections," but looking to 1966 it offers only its confidence that violation of the Voting Rights Act of 1965 "will be fully investigated and appropriate action taken." There are few districts in the predominantly one-party South where the number of potential voters relying on the act's enforcement provisions could alter the outcome. Far from keeping faith with the Voting Rights Act of 1965, the report gives a green light to present efforts by the State of Mississippi to suspend the law's operation by dilatory legal maneuvers. If adopted, it will be a hardly less visible signal to those who, through violence and intimidation, have already deterred the efforts of many to register under the act.

The report holds that the laws of Mississippi governing the 1964 elections "are all deemed constitutional inasmuch as they have not been set aside by the decision of any court of competent jurisdiction." In other words, it is validating the 1964 Mississippi elections. The report neglects to note that these laws have recently been set aside by a special session of the Mississippi Legislature, called by the Governor for the very reason that he determined that they were unconstitutional.

Perhaps the most flagrant error of the majority report is the proposition that the "Supreme Court of the United States—and not the House of Representatives—is the appropriate tribunal" to pass on the constitutionality of Mississippi's election laws. This is in flat contradiction to a consistent line of modern cases which expressly hold that article 1, section 5, of the Constitution vests sole responsibility for judging elections in the House itself. The Supreme Court may void a law; it cannot void a congressional election.

The majority report says that the Voting Rights Act "provides thorough and complete remedies to any and all such discrimination and disenfranchisement." The act's authors had no such illusions, and its diehard opponents make clear every day that they hold no such fears.

Those who do have faith in the Voting Rights Act can best affirm it by accepting the act's main premise and voting accordingly today: the November 1964 elections in Mississippi were unconstitutional.

There are those who, in the highest traditions of our land, risked their lives to bring this challenge to us so that we may exercise our solemn obligation to the Constitution of the United States. The Voting Rights Act of 1965 does not in any way negate the fact that the Congressmen from Mississippi were illegally elected. It does not overcome the fact that Mississippi has violated the Constitution. It does not relieve us of our obligation to uphold our oath to the Constitution.

The contestants who have challenged the Mississippi elections have used the most orderly devices known to our society. They have used depositions, petitions, affidavits, briefs, and every procedure provided by the law. Are they now to be denied justice?

Mr. Speaker, I ask all my colleagues to vote against dismissing the Mississippi challenge. We have a moral responsibility to live up to our oath to uphold the Constitution.

Mr. Speaker, I include at this point in the RECORD the list of organizations which have supported the challenge:

American Ethical Union.
A. Philip Randolph Foundation.
Amalgamated Clothing Workers of America.
American Civil Liberties Union.
American Jewish Committee.
American Jewish Congress.
American Veterans Committee.
Americans for Democratic Action.
Antidefamation League of B'nai B'rith.
Brotherhood of Sleeping Car Porters.
Catholic Interracial Council.
Christian Family Movement.
College YCS national staff.
Congress of Racial Equality.
Council for Christian Social Action—United Church of Christ.
Delta Sigma Theta Sorority.
Episcopal Society for Cultural and Racial Unity.
Improved Benevolent & Protective Order of Elks of the World.
Industrial Union Department—AFL–CIO.
International Union of Electrical, Radio & Machine Workers.
Iota Phi Lambda, Inc.
National Alliance of Postal Employees.
National Association for the Advancement of Colored People.
National Association of Colored Women's Clubs, Inc.
National Catholic Conference for Interracial Justice.
National Council of Catholic Women.
National Council of Churches—Commission on Religion and Race.
National Council of Negro Women.
National Council on Agricultural Life and Labor.
National Urban League.
Negro American Labor Council.
Northern Student Movement.
Phi Beta Sigma Fraternity.
Southern Christian Leadership Conference.
State, County, and Municipal Employees.
Student Nonviolent Coordinating Committee.
Textile Workers Union of America.
Union of American Hebrew Congregations.
Unitarian Universalist Association—Commission on Religion and Race.
Unitarian Universalist Fellowship for Social Justice.
United Automobile Workers of America.
United States National Student Association.
United Steelworkers of America.
Women's International League for Peace and Freedom.
Zeta Phi Beta Sorority.

OTHER ORGANIZATIONS OUTSIDE LCCR ENDORSING STATEMENT

Division of Human Relations and Economic Affairs.
General Board of Christian Social Concerns of the Methodist Church.
Lawyers Constitutional Defense Committee.
Mississippi Freedom Democratic Party.

Mr. LIPSCOMB. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, at the proper time I shall seek recognition for the purpose of offering a motion to recommit this resolution to the Committee on House Administration. I shall do so because this matter is serious and basic to representative government and, as such, deserves judicial treatment in the strictest sense.

Article I, section 5, clause 1 of the Constitution says:

> Each House shall be the judge of the elections, returns and qualifications of its own Members.

It is this constitutional duty of the Congress which we are considering today, and the manner in which we fulfill that duty is of the highest importance.

It is generally conceded, as stated by the Legislative Reference Service of the Library of Congress in Senate Document No. 39 of the 88th Congress, that "each House in judging of elections under this clause acts as a judicial tribunal." Numerous court cases have upheld the right of the House to act as such a tribunal.

Throughout this heavily publicized challenge of our five colleagues from Mississippi by the Mississippi Freedom Democratic Party, it has been difficult to maintain judicial composure. The pressure for an early commitment before the facts were presented in a judicial manner has been greater than upon any other issue I have confronted in my 13 years as a Member of this body.

I believe I am correct in saying that no other congressional district outside the State of Mississippi is so intensely interested in this matter as my own 10th District of California, more than 2,000 miles away from the State of Mississippi. Many of my constituents have gone to Mississippi and 12 members of my local bar association assisted in the taking of depositions connected with this challenge. Signed petitions, with hundreds of names, urging my support of the challenge, have been sent to my office. The city council of my largest city passed a resolution with a unanimous vote urging my support of the move to unseat Mississippi's Congressmen. One petition bore the names of 17 faculty members of the great law school at Stanford University. Twelve of the signers were professors of law, associates, or assistants. The remaining five were teaching fellows, lecturers and librarians.

One letter from a distinguished and knowledgeable constituent is typical of thousands I have received. It states:

> The evidence of systematic exclusion of Negroes from the vote in Mississippi is overwhelming. If you reach a different conclusion I will have to assume either that your review of the facts was not objective or that you did not review the facts.

Mr. Speaker, here we are, just a few short moments away from a vote on this matter and I have not yet seen these facts. Should I be asked to evaluate them without having seen them? Can I honestly make a judicial decision solely from newspaper reports and public statements of those who are either opponents or proponents of the Mississippi delegation?

Mr. Speaker, I am deeply troubled by some of the serious ramifications of the matter before us today.

First, if this challenge were to succeed and all five of Mississippi's Congressmen were to be unseated, I am troubled by that portion of article I, section 2 of the Constitution which says, "each State shall have at least one Representative."

Perhaps there is a proper legal answer to this question, but it has not been presented to me as a member of this acting judicial tribunal.

I am troubled by the language of section 2 of the 14th amendment which says that a State's representation shall be reduced in the same proportion which the number of male citizens being 21 years of age and citizens of the United States have been "in any way abridged except for participation in rebellion or other crime."

And I am troubled by the clearcut precedent which this House established in its sixth rollcall of the current session on January 19, 1965, when by a vote of 245 yeas to 102 nays the House declared that only a bona fide candidate for election was a proper party to challenge the election of a Member under the provisions of section 201, title 2, chapter 7 of the United States Code. By this overwhelming vote the House upheld the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], when he said in part:

> Congress never intended to give unqualified authority, pellmell, under this statute to individuals, to good people or to bad people, to contest any Member's seat, for good reason or otherwise.

Earlier the distinguished majority leader had said:

> I say to the gentleman that it (the statute) was intended that this case be limited to those who participated in the election, to one of the candidates in the election.

Mr. Speaker, in this morning's mail I received a communication signed by 17 Members of this body which enclosed the minority views for House Report No. 1008, currently before us which in turn was signed by five members of the House Administration Committee. Excluding duplications there were 20 different Congressmen whose names appear in this communication and its enclosure.

It is interesting to note that on January 19 of this very year, 16 of these 20 Members voted in favor of the principle that a challenge brought under title 2 of the United States Code could only be brought by a candidate. Three of the 20 names did not vote on this rollcall on January 19 and only 1, the gentleman from New York [Mr. RYAN], voted against the principle espoused by the majority leader. Yet here we are considering a challenge against five Congressmen which admittedly has not been brought by a bona fide candidate. This places the persons who signed this letter opposing the motion to dismiss House Resolution 585 in the position of urging that in the very same Congress a clearly established precedent be applied in one manner for one Member and in exactly the opposite manner for five other Members. I say with regret that it appears that precedent, orderly process, and procedure are subject to pragmatic interpretation and can vary with the situation of the moment.

Mr. Speaker, if we are truly to act as a judicial tribunal, we cannot turn our precedents and our principles on and off as we do a water spigot.

Mr. Speaker, these matters which trouble me should also trouble any Member of this body who conscientiously assumes his constitutional responsibility. The simple fact of the matter is that the very serious allegation that Negroes have been systematically excluded from the right to vote in Mississippi has not been supported nor repudiated with clear-cut evidence presented in a proper manner before this judicial tribunal.

To those who would jump to the conclusion that it is our traditional legislative process and procedure which has prevented a proper presentation of evidence to this judicial tribunal, let me remind them that orderly process has been underway. Let them remember that the House Administration Committee was seriously and honestly conducting objective and complete hearings in accordance with the existing law of this Republic, which, we proudly say, is a government of law and not of men. These hearings would have been completed in a timely fashion except for the impatience of those who have no faith in orderly process and the democratic procedures which have developed through almost two centuries of our history. They insisted upon filing a resolution of high privilege to discharge a committee which was legitimately doing its duty in accordance with the stable procedures which distinguish this Republic from anarchy. But for this resolution of high privilege we could look ahead to the benefits of the very process of deliberation and judgment which many proponents of the challenge movement now plead for. Had they shown faith in our democratic process and been willing to trust it instead of concluding prematurely that our existing institutions would not act in deliberate honesty, they would not be in this present dilemma. The cause of civil rights, so honestly pursued by so many of us who choose orderly process over dramatics and demagoguery, has been seriously impaired. In all frankness, I cannot help but say that the dramatics connected with this challenge have produced only confusion. Perhaps they have provided salve to the ego of pseudohumanitarians, but insofar as helping the civil rights movement is concerned, the total effect has been negative. It is regrettable that the hundreds of dedicated persons from my district and all over the Nation who have given their time to a cause have been led astray by ill-advised leadership.

But in the final analysis, Mr. Speaker, we cannot escape two basic facts:

First. This is a tremendously serious matter which goes to the roots of our system of free government.

Second. We do not have the basis upon which we can make an honest decision. So, not because I consider the majority report to represent an "ill-conceived attempt to avoid a hard decision" as the very persons who caused this problem have alleged, but only because it will help us to perform our responsibility as a judicial tribunal, I urge that this resolution be recommitted to the Committee on House Administration.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, insofar as the validity of the election of our Members is concerned, the Constitution provides that the House of Representatives is the sole judge. Even though the 50 States handle the mechanics of the House elections, we are under no obligation to accept a Member merely because a State certifies his election. On the contrary, the precedents are clear that the obligation we have is not to accept as a Member any person whose election was not in accordance with the provisions of the Constitution.

The problem we face today has to do with that provision of the Constitution. The citizens of Mississippi are contesting the election of five Members. The contestors claim that the 1964 primary and general elections were not open, fair, and free as required by the laws of the United States in that the Negroes of Mississippi, who contribute approximately one-half the electorate, were unlawfully excluded from participation. They further claim that Negro citizens including three of the contestants were prevented from appearing on the ballot as congressional candidates. The contestants further claim that the 1964 Mississippi elections were void because they violate the 1870 compact between the State of Mississippi and the Congress of the United States readmitting Mississippi to the Union; that the elections are void because they violate article I of the Constitution which requires "the House of Representatives shall be composed of Members chosen every second year by the people of the several States"; and that the elections are void because they violate the 13th, 14th, and 15th amendments.

The record in these cases brings to us overwhelming evidence of the facts upon which these cases rest—the almost total, systematic and deliberate exclusion of the Negro citizens of Mississippi from the elections of that State. Over 450,000 Negro citizens of Mississippi were excluded from participating in the 1964 elections which are the subject of this contest. Only 7 percent of the Negro citizens of voting age were registered to vote. And the pitifully small number of Negroes participating in Mississippi elections is because they have been prevented from so doing by an unrelenting program of legislation, discrimination, violence, and intimidation.

In accordance with title 2, United States Code, chapter 7, the prescribed procedures have been followed by the contestants and the contestees, including the submission of evidence and briefs to the Subcommittee on Elections of the House Administration Committee.

Today the House Administration Committee comes to us and asks that we dismiss the Mississippi election contests without a thorough and open review on the merits of the questions raised. The Administration Committee has made its recommendation, after closed hearings, primarily on the grounds that the contestants are not the proper persons to present the facts to the House of Representatives. But, mark, the majority report does not merely resolve that the challenges be dismissed. It declares that the five Congressmen in question are entitled to their seats. If the House votes for the dismissal of the challenges, what it is doing, is putting its stamp of approval and declaring valid the election of Representatives where half of the population of the State has been denied the right to vote.

Five members of the Committee on Administration joined in a dissenting report, noting that "neither the precedents nor the requirement that only an opposition candidate can contest an election of a Member of the House were established to prevent contests under present circumstances."

The minority report recommends to the House that the entire question should be reconsidered by the committee after adequate public hearings, and a resolution reported based on the merits of the case and not upon the basis of who brought the wrongdoing to the attention of the committee."

I cannot see how the House of Representatives can do less. I urge you to vote for the motion to recommit House Resolution 585.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BURTON].

Mr. BURTON of California. Mr. Speaker, the eyes of the Nation are watching us today. As Members of the House know full well, our responsibility to be the sole judges of the qualifications of Members of the House is a most grave and important one. Literally the foundation and the concept of our democratic society is affected by how we discharge that responsibility.

The responsibility is not a partisan one. I commend the gentleman from New York [Mr. GOODELL] on the constructive role and contribution he made to the discussion of this issue within the Committee on House Administration.

The problem before us today is one of either accepting a report which dismisses this action entirely, or rejecting this report, so that the Members of the House may have a full opportunity to weigh the vital issues at stake in this matter.

It is beyond question that Negro citizens in Mississippi were denied the right to vote in the last election. Massive documentation and other facts have been gathered by attorneys and court reporters throughout the country, many of them from the San Francisco Bay area. These facts are entitled to the fullest scrutiny and development in the context of extensive public hearings.

I urge rejection of the committee's recommendation. I urge that the House and its committees be given a full opportunity for public hearings on this vital national question.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Speaker, I have no quarrel with the gentlemen who represent the State of Mississippi in this House. I deem them fine, able, and courteous gentlemen.

My quarrel is with those people of the State of Mississippi who, by use of terror, pressure and other illegal means, prevented qualified American citizens from registering and voting in that State.

Unfortunately, the only means of showing our opposition and disgust with the tactics used by the citizens of Mississippi in preventing other American citizens from voting by the use of terror, pressure, and other illegal means, is by depriving them of representation in this House, in other words deprive them of the benefit of their ill gotten gains by vacating the seats of the delegation from that State.

To my mind this situation is not unlike that of a child who is denied the right to benefit under the will of parents whom he did away with. Thus the people of Mississippi should not be rewarded for their illegal acts by being represented in this body.

Under the circumstances, it seems to me that in acting on the merits of the matter I must vote against the resolution dismissing the challenge to the election of the five Members of the House from Mississippi.

The 1964 elections for Members of Congress in Mississippi were conducted in a manner which violated the condition under which Mississippi was readmitted to representation in Congress in 1870 and in a manner which violated the 15th amendment.

Mississippi adopted a new constitution in 1869 which required as qualifications for voting only that the registrant be male, 21 years of age or older, and that he had lived in the State at least 6 months and in the county at least 1 month.

The act of 1870 by which Congress readmitted Mississippi to representation included as a condition of readmission the following proviso:

> *And provided further,* That the State of Mississippi is admitted to representation in Congress as one of the States of the Union, upon the following fundamental conditions: First, that the constitution of Mississippi shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized.[1]

The Constitution of 1869 apparently provided sufficient protection to Negroes' political rights, because in 1890 there were 189,884 registered Negro voters in Mississippi and 118,890 registered white voters.

Mississippi adopted a new constitution in 1890, and we have evidence that the purpose of the new constitution was to disfranchise the Negro in violation of the condition under which Mississippi was admitted to representation in Congress.

The essential purpose of the Mississippi Constitutional Convention of 1890 was stated clearly and unequivocally by Mr. S. S. Calhoon, who was president of the convention. Mr. Calhoon, in his opening address, spoke about the rule of one race in comparison to the rule of another race, and he said:

> This ballot system must be so arranged as to effect one object, permit me to say—for we find the two races now together.

And later, Mr. Calhoon said:

> That is the great problem for which we are called together; that is the great question for you to solve, and the outside world is looking anxiously and our sister States of the South are looking at the solution we arrive at in reference to that question.[2]

The Constitution of 1890 required that a voter registrant be able "to read any section of the constitution of this State," or understand it when read to him, or give a "reasonable interpretation" of it.

Negroes were disfranchised in such great numbers by use of literacy and interpretation tests that by 1899 less than 10 percent of registered voters were Negro.

Further tests for registration were required by a constitutional amendment of 1954. Voters who were registered before January 1, 1954, did not have to meet the new requirements. This meant that the new tests would not be used to disfranchise white voters who were already registered, but would be used to prevent Negroes from registering.

A Mississippi constitutional amendment of 1960 provided for the additional requirement of "good moral character."

The U.S. Commission on Civil Rights has stated that the kinds of registration requirements which Mississippi established by its constitution of 1890 and by its constitutional amendments of 1954 and 1960 have been applied in a discriminatory manner for the purpose of disfranchising Negroes—"U.S. Commission on Civil Rights, 1961 Report, Book I: Voting," pages 137–138.

The congressional elections in Mississippi in 1964 not only flouted the proviso of the 1870 act which readmitted the State to representation, but also were rendered illegal by violations of the 15th amendment to the U.S. Constitution.

On May 17, the Mississippi Freedom Democratic Party submitted to the Clerk of the House more than 600 depositions providing evidence that great numbers of Negroes were prevented from voting in 1964 because of tests and devices used to reject applications for registration and because of violence and economic reprisals. The evidence which the Privileges and Elections Subcommittee of the Administration Committee has now under consideration is convincing and conclusive.

The contention, Mr. Speaker, that the last congressional elections in New York City should likewise be rendered invalid because many Spanish-speaking American citizens were disfranchised by the State's English-language literacy requirement is without merit.

I had always opposed this literacy requirement of my own State. I believe that it was intrinsically discriminatory, and I gave full support to the provision of the Voting Rights Act of 1965 which prohibits it. Nevertheless, its application is not comparable to the methods used under color of law to disfranchise the Negro in Mississippi. The New York State requirement was at least administered in a manner befitting a law; that is, without prejudice, partiality, or arbitrariness. No one's race stood in the way of his registering to vote in New York if he could meet the English-language literacy requirement, which was in writing and of the same level for all.

Mississippi is not the only State in the South which has disfranchised Negroes. But citizens in Mississippi alone have contested the election of the entire congressional delegation in the 89th Congress. And the Mississippi Freedom Democratic Party has an unassailable right to act as contestant.

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[1] 16 Stat. 67, Feb. 23, 1870.

[2] Journal of the Proceedings of the Constitutional Convention of the State of Mississippi, Aug. 12 to Nov. 1, 1890, opening speech by Mr. S. S. Calhoon (Mr. Calhoon's speech is given on pp. 9–11).

Months before the November 1964 elections, members of the Freedom Democratic Party, which ought to be recognized as a true part of the National Democratic Party, attempted to participate in Democratic Party meetings in their State. In June 1964, Negro Democrats tried unsuccessfully to take part in precinct meetings in 12 or so county seats. During the same month, Negro Democrats tried, again unsuccessfully, to participate in a number of county conventions. This is where the real contest began—in the attempt of Negroes to have a voice in party decisions in their State.

The Mississippi Freedom Democratic Party is a genuine contestant not only because great numbers of Negroes were prevented from voting for candidates for election to the House, but also because Negroes were prevented from exercising any choice with respect to the selection of candidates.

Mr. Speaker, the House of Representatives must vacate the seats of the delegation from Mississippi in order to preserve the integrity of the elections of its own Members.

Mr. BURLESON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. RESNICK].

Mr. RESNICK. Mr. Speaker, I am not an attorney, as many of the Members of this House are. I sat and listened to the gentleman from South Carolina quote precedent after precedent after precedent.

It seems to me that each day we sit here we write new precedents. That is what we are paid to do. That is our job.

The rules change, and we are here to see that they are changed in accordance with the needs of the Nation.

I oppose the motion to dismiss. I call for fair and open hearings. We cannot continue to perpetuate the wrongs of 100 years.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from New York [Mr. HALPERN] for a unanimous-consent request.

Mr. HALPERN. Mr. Speaker, I rise in opposition to the resolution and in support of the anticipated motion to recommit House Resolution 585. I do so because I have found the committee report on this resolution to be either an exercise in confusion, or a reflection of the failure of the majority to come to grips with the issue which was before it. I believe that the committee should take a closer look at the challenge, and I believe that the American people have a right to expect that when a challenge based upon systematic and wholesale disenfranchisement comes before the House, that matter will receive the serious consideration it warrants. No such consideration is evident in the committee's report.

The majority implies that the election contests should be dismissed because we have passed the Voting Rights Act. The blatant discrimination that prompted us to pass that legislation, impels us today to rectify the invalid consequences of an election based upon that very discrimination.

At the time of this election, 6.7 percent of the eligible Negroes of Mississippi were registered to vote. It is not enough to merely hope for a future which will bring a promise of justice. And to cite that hope as a reason for recommending dismissal of the petition, is to abdicate the constitutional responsibility of the House to "be the judge of the elections, returns, and qualifications of its own Members."

The majority also suggests that this issue is not properly before the House since the Members whose seats are in question were challenged "by persons not actually legal candidates appearing on the ballots." The minority on the committee put forward one answer: that it is fatuous to require a contestant to be a candidate in a jurisdiction in which he or she cannot even be registered to vote. Another answer is that the fact of noncandidacy is completely irrelevant at this point. While this might have been raised in connection with the taking of depositions, it is inappropriately addressed to the issue of the challenge itself. The Clerk of the House, in a formal communication, addressed to the Speaker just this year, reaffirmed the power and duty of the House to hear election cases, in the case of a protest or memorial filed by a contestant, an elector of the district concerned, or any other person. And this reaffirmation is based upon ample precedent.

Mr. Speaker, I am firmly convinced that full, open hearings are required in this matter, that justice may be done, and that objective, reasoned decisions might be forthcoming. I urge my colleagues to join me in supporting a recommittal motion.

Mr. LIPSCOMB. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, I join the gentleman from Missouri in protesting this procedure. Forty minutes on one side and 20 on the other is insufficient for this debate. It lends to the appearance, if not the fact, that the Mississippi challenge was shoved into the drawer. I have looked at the arguments which have been advanced against voting to unseat the Mississippi delegation. I, for one, cannot accept those arguments for in essence they are really no more than a plea that we should not "rock the boat." I say this is a boat that has needed rocking for a good many years. The time is long overdue for this House to put itself on record that it will not be a tacit accomplice to the systematic deprivation of the voting rights of U.S. citizens.

Is it not rather strange that were the issue before this House the unseating of a Member because of fraud in his election, there would be no reluctance to act decisively; there would be no reluctance to insist upon our principle of fair elections; no reluctance to submit a full statement of the facts. Yet, in this case, where the election has been tainted by mass violations of the fundamental rule against racial discrimination, we seem to be torn between doing what we know is right and not "rocking the boat."

The least that could and should have been done here, Mr. Speaker, was to have had public hearings. From all appearances the Committee on Administration of the House of Representatives has simply given blanket acceptance to Mississippi's election procedures. The report of the committee is completely unpersuasive. There is no analysis of the charges; in fact no report to the House as to the fairness or lack of fairness of the elections.

There appear to be two major arguments against unseating the Mississippi delegation. The first of these is some concern with whether the present situation falls within the precedents of the House. An examination of those precedents would seem to indicate that at worst there is precedent both for and against unseating. In such a situation it seems to me that there is no obstacle to our doing what we believe is right. Furthermore, to the extent that there may be precedents to the contrary—precedents which would keep us from acting in a flagrant case of the kind we have before us—it is high time we consigned such rules to the junk heap of history.

The second major argument against unseating the Mississippi delegation is that the Voting Rights Act of 1965 provides future safeguards against a repetition of the situation.

But what of today, tomorrow, and next year? The Voting Rights Act will after all, not affect the Mississippi congressional representation until November 1966. If the Mississipi delegation is unseated, I should think it would be possible to hold new and fair elections and to return to this Congress a delegation elected by the vote of all the people of Mississippi.

But beyond that, what is involved here is the establishment of a principle—the principle that this House will not sanction the seating of those whose election has been obtained through the denial of constitutional rights. The dignity of this House and the confidence of the American people in it requires no less.

Mr. BURLESON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. HAYS] a member of the committee.

Mr. HAYS. Mr. Speaker, I listened with interest to the speech of the gentleman from New York [Mr. LINDSAY], who is a candidate for office in the city of New York, and I noticed that he wanted to lay all of the blame for this resolution at the door of the majority party.

I believe it is interesting in passing to point out that not a single member of the minority party, the Republican Party—which is not Mr. LINDSAY's party, because he constantly denies that it is—signed the minority views. So this majority report represents a bipartisan approach, an approach which is made as it has been made to every contest in the 17 years that I have been in the Congress and in the 16 years and some months that I have sat on this committee.

I do not know how many votes Mr. LINDSAY's speech is worth in New York, but it is too transparent to be worth any in my area.

What I wanted to say, and what I got the time to say, Mr. Speaker, is that I heard a news broadcast this morning which purported to be an objective report of what was going to happen here, and it said that it was likely that this case would be dismissed, and part of the reason was because this committee is dominated by Southerners.

Mr. Speaker, I ask unanimous consent to have printed in the Record at this point the list of the Members of the Committee on House Administration.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The list is as follows:

Committee on House Administration

Omar Burleson, Texas, chairman.
Samuel N. Friedel, Maryland.
Robert T. Ashmore, South Carolina.
Wayne L. Hays, Ohio.
Paul C. Jones, Missouri.
Frank Thompson, Jr., New Jersey.
Watkins M. Abbitt, Virginia.
Joe D. Waggonner, Jr., Louisiana.
Carl D. Perkins, Kentucky.
John H. Dent, Pennsylvania.
Sam M. Gibbons, Florida.
Lucien N. Nedzi, Michigan.
John Brademas, Indiana.
John W. Davis, Georgia.
Kenneth J. Gray, Illinois.
Augustus F. Hawkins, California.
Jonathan B. Bingham, New York.
Glenard P. Lipscomb, California.
Robert J. Corbett, Pennsylvania.
Charles E. Chamberlain, Michigan.
Charles E. Goodell, New York.
Willard S. Curtin, Pennsylvania.
Samuel L. Devine, Ohio.
John N. Erlenborn, Illinois.
William L. Dickinson, Alabama.

Mr. **HAYS**. I would point out that of those 25 Members, the gentleman from Texas [Mr. Burleson], the gentleman from South Carolina [Mr. Ashmore], the gentleman from Virginia [Mr. Abbitt], the gentleman from Louisiana [Mr. Waggonner], the gentleman from Florida [Mr. Gibbons], the gentleman from Georgia [Mr. Davis], and the gentleman from Alabama [Mr. Dickinson] are southerners—seven in all. I suppose you could count the gentleman from Maryland [Mr. Friedel] but he signed the minority report. So, since he is on the other side, he would not be part of the domination. I suppose, if you wanted to be contentious, you could put in Missouri and Kentucky, which are border States, but if you put in all of those, you only come up with 10 out of 25, and 1 out of the 10 voted with the minority. So I would ask that if the press would like to in its reporting of this, they could say that the Committee on House Administration is dominated by northerners.

Mr. **BURLESON**. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. Conyers].

Mr. **CONYERS**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **CONYERS**. Mr. Speaker, unless the House of Representatives votes today to recommit the Mississippi challenge to the Committee on House Administration with instructions to hold adequate public hearings and report on the merits of the individual cases, it will have defaulted on its constitutional responsibility to be the sole judge of the elections of its Members. The sworn statements and depositions documenting case after case of denial of the vote through racial discrimination are in reality petitions for redress of grievances by the Negro Americans of Mississippi which can only be handled by the House of Representatives. The minority report states the case tersely and well. May I quote to you the excellent minority views by the following members of the Committee on House Administration: Congressmen Samuel Friedel of Maryland, Lucien Nedzi of Michigan, John Brademas of Indiana, Augustus Hawkins of California, and Jonathan Bingham of New York:

> The record in this case clearly indicates disfranchisement of voters in the State of Mississippi due to inadequate official protection of their rights as well as of their lives and limbs. We note that the House has vacated seats of Members on the basis of disenfranchisement and/or intimidation. * * * The entire question should be reconsidered by the committee after adequate public hearings, and a resolution reported based on the merits of the case and not upon the basis of who brought the question of wrongdoing to the attention of the committee.

The Committee on House Administration did not hold hearings on the basic charges that almost none of the Negro Americans in Mississippi, 45 percent of the State's population, voted in last year's election even though this Congress has just recently made a finding that there has been massive racial discrimination in voting in Mississippi for many years when it passed the Voting Rights Act of 1965. Instead the committee chose to ignore these facts and to dismiss these charges because they say they were not brought in the proper way.

As a member of your Judiciary Committee I am proud of the law we drafted and this House passed to protect the right to vote for all Americans. However, may I also respectfully say that the new law has not yet been terribly successful in Mississippi nor have most State officials indicated a willingness to comply voluntarily. Federal registrars have been appointed in only 4 out of the 82 counties in Mississippi, and have now enrolled only about 13,000 additional Negro Americans; and others have been registered by local officials in some counties. However, I would point out that when the Attorney General testified before our committee, he stated that only about 29,000 out of the approximately 425,000 Negro Americans in Mississippi of voting age were registered to vote last year. Even after adding all these figures statistics clearly show that there is a long, long way to go.

I feel that only the appointment of Federal registrars throughout the State of Mississippi and the proper handling of the Mississippi challenge by this House can assure all American citizens in Mississippi of the right to vote without fear.

Mississippi officials are fighting the new law with every means available in order to delay as long as possible the day when all Negro Americans in Mississippi will be able to register and vote. Dismissing the effort to unseat the Mississippi Congressman will provide just the additional encouragement needed by the officials and the racist social system of Mississippi to continue official defiance and physical and economic intimidation.

Just last week the Mississippi attorney general initiated court action to stop local election officials from allowing citizens to vote who were registered by Federal examiners in the four counties. It would seem that the State attorney general is not satisfied with challenging the constitutionality of the law in Federal court, but now wants to start dilatory legal action in his own State courts in order to interfere with the administration of the new law.

Further the economic and physical intimidation to stop Negro Americans from going to the polls is still continuing and there have been indications that it is increasing. For example, just last night another Negro church was blown up. This occurred in Sidon, Miss., in Leflore County—one of the four Mississippi counties where Federal registrars have been sent.

My colleagues, the effort to oppose the motion to dismiss is supported by the entire civil rights movement led by the leadership conference on civil rights, including the labor, religious, and civic organizations which are fighting for human dignity for all Americans. Also the Democratic State Central Committee of Michigan yesterday sent the entire Michigan Democratic delegation telegrams urging them to oppose this dismissal motion. I will include the communications from these various groups and others in the Record immediately following my remarks.

The procedures followed by the elections subcommittee in handling this matter are totally indefensible. Instead of holding hearings on the merits of the contestants' allegations, the only question considered by the subcommittee was the motion by the five incumbent Congressmen to dismiss the challenge against themselves. How can this House possibly decide to dismiss the challenge when only nine Members have been able to examine the relevant documents and hear and question the witnesses? The hearings on Monday and Tuesday morning, which did not examine the merits of the case, were held in secret. These hearings were not only closed to the public, an unusual procedure to say the least and not only were Members of Congress denied the opportunity to attend, but even these members of the full House Administrations Committee, who happen not to be on the elections subcommittee, were not allowed to attend. Further, neither members of the full committee nor other Members of the House have been able to obtain copies of the relevant documents. Even this committee report has only been available to the Members for 24 hours before the issue came to the floor. Of the many items that I find inconsistent and indefensible in the majority report, the most appalling is the last phrase in the motion. After not even considering the contestants' complaints that these five gentlemen were elected through a totally unconstitutional process and restricting themselves to the procedural questions, the committee has still reported out a motion stating that these Members are "entitled to their seats."

I understand that the Committee on House Administration has met again on this matter in just the last few hours to approve an amendment striking this phrase from the resolution. I respectfully submit that the original inclusion of this phrase is just one of many illustrations in the majority report of the committee's eagerness to ignore the evidence and to bury this matter. I have joined with many of my colleagues over the last few months in urging expeditious consideration of the substantive issues involved—not improper procedures in order to dismiss the entire matter as quickly as possible.

I urge my colleagues to vote for a motion to recommit the entire question to committee with instructions to hold adequate public hearings on the merits of the cases and to report back a resolution based on those hearings. If that recommittal motion fails I urge my colleagues to vote against this motion to dismiss the Mississippi challenge. I want to respectfully point out that a vote against the motion to dismiss, if successful, would not be any final dispositive action on the challenge but would throw the entire issue open for whatever action the House of Representatives would then decide upon. May I say that no one is today asking for a vote to vacate the seats of the five Mississippi Members, although a veritable mountain of uncontradicted and incontrovertible evidence has been submitted to prove the obvious and well-known fact that Negro Americans are and have for decades been barred from voting in Mississippi because of their race. My colleagues, today the issue is simply whether this House will assure a fair hearing of the merits of these petitions for redress of grievances submitted by thousands of Negro Americans of Mississippi.

This is the very least that can be asked of us in the name of simple justice. The men and women who have journeyed from that State to bear mute and respectful attendance at these proceedings are watching us, ladies and gentlemen. Indeed the whole country is watching to see what this 1st session of the 89th Congress will do. I pray you as diligent, capable, competent leaders, with whom I have been so proud to serve during these 9 months, that you will join with me in a motion to eradicate the undemocratic practices that every one of you in your heart knows to exist.

So I urge respectfully your support of a motion to recommit.

WASHINGTON, D.C.,
September 17, 1965.

Hon. JOHN J. CONYERS, JR.
Washington, D.C.:

Imperative you oppose dismissal of Mississippi challenges. Majority report a testament of shame. Nothing more morally compelling than you vote to have issue of Negro disenfranchisement faced now.

The Rev. MARTIN LUTHER KING, Jr.

LEADERSHIP CONFERENCE ON
CIVIL RIGHTS,
Washington, D.C., September 15, 1965.

DEAR MR. CONGRESSMAN: We wish to call your attention to the enclosed statement in opposition to the dismissal of the Mississippi challenge.

Forty-four of the organizations that cooperate in the Leadership Conference on Civil Rights were represented at a meeting devoted to this issue. It was agreed by those present that "inadequate consideration" has been given "to the challenge or to alternative methods or approaches under which the House could exercise its constitutional authority to rule on the election and qualifications of its Members."

These organizations join in urging all House Members to oppose the motion that is expected to be made this week to dismiss the challenge. They call on all Congressmen to take a searching look at the systematic disfranchisement of thousands of Mississippi citizens—a disfranchisement that raises serious questions about the legality of the elections in which the present Mississippi House delegation was chosen.

Respectfully yours,
ARNOLD ARONSON,
Secretary.

Enclosure.

STATEMENT ON THE MISSISSIPPI CHALLENGE

(Adopted by the Leadership Conference on Civil Rights, Sept. 14, 1965)

The undersigned organizations associated in the Leadership Conference on Civil Rights urge the defeat of the attempt by the House Administration Committee to dismiss the challenge of Mississippi citizens to the seating of the Mississippi House delegation.

We deplore the haste with which dismissal is being proposed. The motion ignores the many questions that have been raised about the legality of the elections that brought the five Mississippi Members to Congress.

The pattern of denial of the rights to vote in Mississippi has been evidenced by the report and hearings of the U.S. Commission on Civil Rights, by testimony taken in connection with the challenge filed to contest the elections of the Mississippi Congressmen, by hearings on the Voting Rights Act of 1965 and by other information available to Congress.

We feel the House Adminstration Committee has given inadequate consideration to the challenge or to alternative methods or approaches under which the House could exercise its constitutional authority to rule on the election and qualifications of its Members.

Only two subcommittee hearings have been held, both geared to the dismissal and to no other aspect of the issue. No public hearings have been held. Copies of the evidence on which the challenge is based have not been made available to House Members. Dismissal of the challenge at this time would close the door to full hearings and full House discussion.

Therefore, we urge all Members of the House to vote against the motion to dismiss.

COOPERATING ORGANIZATIONS ENDORSING CHALLENGE STATEMENT—SEPTEMBER 14, 1965

American Ethical Union.
A. Philip Randolph Foundation.
Amalgamated Clothing Workers of America.
American Civil Liberties Union.
American Jewish Committee.
American Jewish Congress.
American Veterans Committee.
Americans for Democratic Action.
Anti-Defamation League of B'nai B'rith.
Brotherhood of Sleeping Car Porters.
Catholic Interracial Council.
Christian Family Movement.
College YCS National Staff.
Congress of Racial Equality.
Council for Christian Social Action—United Church of Christ.
Delta Sigma Theta Sorority.
Episcopal Society for Cultural and Racial Unity.
Improved Benevolent & Protective Order of Elks of the World.
Industrial Union Department, AFL–CIO.
International Union of Electrical, Radio, and Machine Workers.
Iota Phi Lambda, Inc.
National Alliance of Postal Employees.
National Association for the Advancement of Colored People.
National Association of Colored Women's Clubs, Inc.
National Catholic Conference for Interracial Justice.
National Council of Catholic Women.
National Council of Churches, Commission on Religion and Race.
National Council of Negro Women.
National Council on Agricultural Life and Labor.
National Urban League.
Negro American Labor Council.
Northern Student Movement.
Phi Beta Sigma Fraternity.
Southern Christian Leadership Conference.
State, County, and Municipal Employees.
Student Nonviolent Coordinating Committee.
Textile Workers Union of America.
Union of American Hebrew Congregations.
Unitarian Universalist Association, Commission on Religion and Race.
Unitarian Universalist Fellowship for Social Justice.
United Automobile Workers of America.
United States National Student Association.
United Steelworkers of America.
Women's International League for Peace and Freedom.
Zeta Phi Beta Sorority.

Other organizations outside LCCR endorsing statement

Division of Human Relations and Economic Affairs General Board of Christian Social Concerns of the Methodist Church.
Lawyers Constitutional Defense Committee.
Mississippi Freedom Democratic Party.

NATIONAL COUNCIL OF THE
CHURCHES OF CHRIST IN THE
U.S.A.,
Washington, D.C., September 16, 1965.

DEAR CONGRESSMAN CONYERS: On January 4, you and 148 of your colleagues voted against the seating of the Mississippi delegation in the House. Subsequently, citizens of the State of Mississippi, carefully following the prescribed procedures, instituted challenges to the election of the five Members of the House from that State. The Committee on House Administration has now recommended final and summary dismissal of the challenges and has asked the House to adopt a resolution to that effect.

We urge you to oppose this summary dismissal. The record on which the challenge is based indicates massive disfranchisement of potential voters in the State of Mississippi. We believe that the House, to which the Constitution gives the sole responsibility for determining whether or not its Members have been properly elected, should direct its Committee on House Administration to conduct adequate public hearings on the underlying issues in the case before asking Members of the House to make a judgment on the merits of the challenge.

Under the circumstances of the instant case, we cannot agree with those who argue that the contestants are not proper parties because they were not candidates in opposition to the contestees. To require that a contestant be listed on a ballot as a candidate in a jurisdiction where it is impossible for him or her to register to vote would be the grossest type of legal fiction.

Finally, it should be noted that out of the depths of frustration citizens of the State of Mississippi have done everything within their power to seek redress of their grievances through the orderly processes of the law. We believe they should not now be turned away without the most careful consideration of their plea.

We hope you will support the motion to recommit the matter to the committee for adequate public hearings which would lay the foundation for consideration of the basic question on its merits.

Sincerely yours,

Eugene Carson Blake,
Chairman.

Robert W. Spike,
Executive Director.

Detroit, Mich.,
September 17, 1965.

Representative John Conyers,
House Office Building,
Washington, D.C.:

Urge you vote against motion to dismiss Mississippi congressional challenge and support motion to recommit to committee with instruction for open hearing.

Robert Hoppe,
Commission on Religion and Race Presbytery of Detroit.

Lansing, Mich.,
September 14, 1965.

Hon. John Conyers, Jr.,
Washington, D.C.:

Urge continued opposition to seating Mississippi congressional delegation. Michigan Democrats unanimously behind you and Constitution.

Zolton A. Ferency,
Chairman, Democratic State Central Committee of Michigan.

Democratic State Central Committee of Michigan,
Lansing, Mich, September 14, 1965.

Hon. John Conyers, Jr.,
Member of Congress,
Washington, D.C.

Dear Congressman: In further reference to my wire, I am enclosing a copy of the resolution of the February convention which was adopted unanimously. Keep up the good work.

Sincerely,

Zolton A. Ferency,
Chairman.

Enclosure.

The Mississippi Congressional Delegation

Regisration procedures and the November 1964 elections in the State of Mississippi were conducted by the officials of that State in a manner clearly designed to discriminate systematically against the Negro citizens of the State; and

Three citizens of Mississippi, Mrs. Fanny Lou Hamer, Mrs. Annie Devine, and Mrs. Victoria Gray—in the Second, Fourth, and Fifth Congressional Districts respectively—have challenged the seating of the Congressmen now representing those districts, and these three citizens have further claims that they themselves should in fact be seated as Members of Congress from those districts; and

Citizens of Mississippi residing in the First and Third Districts have challenged the validity of the elections held there in 1964, claiming that these seats should in fact be declared vacant; and

The Mississippi Freedom Democratic Party in support of these claims has filed challenges and brief in accordance with the statutory provisions governing challenges; and

Based on depositions collected by the Mississippi Freedom Democratic Party and the challenged Mississippi Congresmen the Subcommittee on Elections will make recommendations regarding the unseating of the Mississippi delegation to the floor of the House; and

In support of this challenge the Democratic Members of Congress from Michigan voted not to seat the Mississippi Congressmen until such time as a full investigation by the House of voting and registration procedures in Mississippi has taken place: Therefore be it

Resolved, That the Democratic Members of Congress from the State of Michigan be commended for their votes not to seat the Mississippi delegations; and be it further

Resolved, That the Democratic Party of the State of Michigan urges the Democratic Members of Congress from Michigan to continue to vote for the unseating of the Mississippi delegation until such time as a delegation is elected in free elections, open to all people and conducted in accordance with the Constitution; and be it further

Resolved, That the Democratic Members of Congress from Michigan are hereby urged to give their support to the calling of special elections following a period of federally supervised open registration; and be it further

Resolved, That copies of this resolution be sent to the Democratic Members of Congress from the State of Michigan, the Speaker of the House of Representatives, and the members of the House Subcommittee on Elections.

Detroit, Mich.,
September 17, 1965.

Hon. John Conyers, Jr.,
House Office Building,
Washington, D.C.:

Greetings on behalf of the American Civil Liberties Union of Michigan. I urge a vote in opposition to the motion to dismiss the challenges to the Mississippi Congressmen. The House itself will be the loser if the challenges are shelved without full public consideration.

Ernest Mazey,
Executive Director ACLU of Michigan.

City of Detroit, Commission on Community Relations,
Detroit, Mich., August 27, 1965.

Hon. John Conyers, Jr.,
House of Representatives Office Building,
Washington, D.C.

Dear Congressman Conyers: On behalf of the Commission on Community Relations and its supporters I would like to call to your attention an action of the Commission on Community Relations at a recent commission meeting. Upon the motion of Commissioner Mrs. Golda Krolik the commission endorsed the efforts of the House of Representatives for a speedy hearing on the challenge to the seating of the Mississippi Congressmen. In discussion which preceded this motion the commission commended your fine work and many of your colleagues in leading this challenge.

It is our hope that out of this action will come just and equal representation for the citizens of the State of Mississippi.

You have our gratitude and support for the work you have done and may do in the future to see that this goal is achieved.

Sincerely yours,

Richard V. Marks,
Secretary-Director.

Detroit, Mich.,
September 16, 1965.

Hon. John Conyers, Jr.,
House of Representatives,
Capitol Building, Washington, D.C.:

Request you oppose majority report to dismiss petition to unseat Mississippi Congressmen. Prefer recommittal to committee.

Henry B. Linne,
President, Michigan Federation of Teachers.

Chicago, Ill.,
September 17, 1965.

Hon. John Conyers,
House Office Building,
Washington, D.C.:

Do not dismiss the Mississippi challenge. If you do, the Mississippi racists, secure in the knowledge that Congress has refused to overturn their illegal elections, will revert to their methods of brutality and intimidation in order to keep the Negroes of Mississippi from exercising their full rights.

Charles Cogen,
President,
American Federation of Teachers.

American Civil Liberties Union,
New York, N.Y., September 9, 1965.

Hon. John Conyers, Jr.
House Office Building,
Washington 25, D.C.

Dear Sir: We respectfully transmit to you the enclosed memorandum in support of the pending challenge to the seating of the Members from Mississippi. The memorandum has been signed by a number of attorneys from many States.

The ACLU and those who signed the memorandum feel strongly that the challenge is based on sound evidence and substantial House precedents. The depositions now before the House, as well as numerous other government reports and judicial findings, establish beyond question the fact of systematic exclusion of Negro voters from Mississippi's polling places. Aside from demonstrating that obvious violations of the 14th and 15th amendments have been committed by the State of Mississippi in its election processes, the evidence now before the House affords ample grounds for unseating Mississippi's Representatives, in accordance with such venerable House precedents as *Lynch* v. *Chalmers* (1882), and *Johnston* v. *Stokes* (1896).

The Voting Rights Act of 1965 expresses the commitment of the Congress to the principle of free elections throughout the United States. But the evidence developed in support of this challenge makes it clear that patterns of State-inspired intimidation and reprisals will not end in Mississippi, even with vigorous enforcement of the act. Moreover, the sitting Representatives were in fact sent to this Congress by an election which constitutes a travesty of the first principles of republican government. We urge that you preserve the integrity of the membership of the House by bringing the challenge to the floor and by voting to support it.

Sincerely yours,

Ernest Angell,
Chairman, Board of Directors.

John de J. Pemberton, Jr.,
Executive Director.

Memorandum in Support of the Challenge to the Seating of Mississippi Congressmen

September 9, 1965.

We write to express our view as members of the bars of our respective States that the pending challenge to the seating of Representatives from the State of Mississippi is based on well-established facts and sound constitutional precedents. We hope you will find that it merits your active support in bringing it to the floor of the House and in favorable action on the floor.

I

No responsible spokesman has challenged the factual evidence of massive disenfranchisement of Negro voters in Mississippi. Part of this evidence is set out in the more than 10,000 pages of depositions secured from Mississippians by the contestants and duly printed for the House of Representatives at the direction of the Clerk. Numerous findings based on overwhelming additional evidence presented to agencies of the executive branch and to the courts, and embodied in investigative reports and judicial opinions, establish beyond any doubt the fact of systematic exclusion of the Negro from the polling place in Mississippi.

The withdrawal of the ballot from Mississippi Negroes has been accomplished by a long-continued and deliberate effort to negate the mandate of the 15th amendment and reverse the result of the Civil War itself. Means employed have ranged from poll taxes and discriminatorily-applied literacy and "constitutional interpretation" tests to systematic intimidation and violence, inspired and sometimes conducted by public officials. Organs of State government, from the Mississippi Constitutional Convention of 1890, to successive State legislatures, voting registrars and local sheriffs, have joined in fashioning and executing the design to disenfranchise. So effective has been the design and its execution that Negro voter registration has been reduced from approximately 189,000 in the late 1880's to approximately 35,000 or 6.7 percent of the Negro population of voting age today.

II

The legal basis for the challenge is direct and straightforward:

1. The systematic exclusion of Negroes from the election process in Mississippi violates the 14th amendment, which prohibits the denial of equal protection of the laws, and the 15th amendment, which prohibits abridgement of the right to vote on account of race, color, or previous condition of servitude. Earlier this year, in a suit brought by the Department of Justice to test the very statutes which have been employed against Negroes as a part of the systematic exclusion which constitutes the basis for the present challenge, the Supreme Court indicated that Mississippi's voting laws would be held to violate the 14th and 15th amendments on a showing of the facts which are so amply demonstrated by the record in the challenge now pending before Congress. *United States* v. *Mississippi*, March 8, 1965, 33 L.W. 4258. In the companion case of *United States* v. *Louisiana*, March 8, 1965, 33 L.W. 4262, in which the Government was actually permitted to introduce in the trial court the evidence supporting its allegations, statutory provisions virtually identical to those passed by Mississippi to disenfranchise Negroes were held unconstitutional.[1] However, the record in the pending challenge shows that more than discriminatory statutes is at work to keep Mississippi Negroes from voting. State-inspired and State-condoned intimidation and violence, as well as threats of economic reprisals, are commonplace and they, even more clearly than the statutes, are employed in the design to disenfranchise, thus flouting the constitutional commands of the 14th and 15th amendments.

2. Acting under its constitutional power and duty to "be the judge of the elections, returns, and qualifications of its own Members," the House of Representatives has time and again set aside the result of an election marked by fraud, intimidation, or other illegality. Specifically, the House has refused to seat Members in over 40 instances where violence, intimidation or fraud was practiced against Negro voters to influence an election contest. Many of these cases are discussed in detail at pages 41–86 of the contestants' brief, and all are summarized in the brief's appendix B. They show that the House does not shrink from either seating a contestant in place of a certified Member or from declaring a seat vacant so that new elections may be held, if that is what the evidence demands. For example, on facts less compelling than those now presented by the pending challenge, the House set aside election results in the Mississippi case of *Lynch* v. *Chalmers*, 47th Cong., Hinds, vol. 2, sec. 959, p. 263 (1882), and the South Carolina case of *Johnston* v. *Stokes*, 54th Cong., Hinds, vol. 2, sec. 1126 (1896).

The variety of these and other cases cited by the contestants indicates that the House's power to judge the qualifications of its Members has been used neither capriciously nor rarely. The protection afforded by this power to the principle of free elections and the integrity of representative government has been extended to incumbents, contestants, and voters in many States for well over a century. To justify the use of the power in this instance little more need be said than that Mississippi's election process is unique in its degree of corruption. The voter registration facts in Mississippi congressional districts are a world apart from those in any other election district known to us. For example, as of January 1964, in Humphreys County of the Second Mississippi Congressional District, there was not one registered Negro voter out of a voting-age Negro population of 5,561. For the State as a whole, the U.S. Commission on Civil Rights reports that less than 7 percent of Negroes of voting age are registered to vote. By comparison, in such States as Alabama and Louisiana, recent estimates by the Justice Department place the percentage at approximately 19.4 percent and 32 percent, respectively. The difference in percentage points between Mississippi and other Southern States is more than one of degree—and it reflects the virtually total exclusion of Mississippi Negroes from the State's electoral process.

3. There is no doubt that the challenges themselves are now properly before the House, both under the provisions of 2 U.S.C. 201 which permit any person to contest the election of any Member, and under the longstanding traditions of the House itself, which, as recently summarized by the Clerk, permit House adjudication of a contested election in the case of a protest or memorial filed by an elector of the district concerned or by any other persons. Letter of Assistant Clerk to Speaker, CONGRESSIONAL RECORD, page 810, January 14, 1965. Indeed, there are statutory and case precedents establishing House jurisdiction of the pending challenge which go back to the early years of our history.

The only question which merits discussion is whether the challengers here qualify as parties or contestants for purposes of availing themselves of the statutory deposition and subpena procedures found in 2 U.S.C. 203 et seq. While it is obvious that the contestants here—all Negroes—did not appear as candidates for congressional seats on the regular Mississippi election ballot, it is equally obvious that they could not do so because of the systematic exclusion of Negroes from Mississippi's election processes. It would be unjust and self-defeating for Congress to apply 2 U.S.C. 203 et seq. in such a way as to exclude from the ambit of its procedures the persons they were designed to protect: those complainants who, like the contestants here, failed to be designated on the ballot because of the very injustices sought to be remedied.

Moreover, even if the challengers do not qualify as opposing candidates, objection to the use of the statutory deposition procedures has been waived by the failure of the Members from Mississippi to take timely exception.[2] Indeed, the Members who now challenge the use of the deposition procedures actively participated in the taking of the depositions by cross-examining witnesses and by entering into stipulations concerning them. Now that the depositions have been completed and printed, and 7 months after the initial debate on the challenge by the House—during which the majority leader stated, in effect, that the statutory deposition procedures should be employed—it is too late for the sitting Members to attack the use of these procedures by the contestants.

What is at stake in the pending challenge to the seating of the Mississippi delegation in the House is nothing less than the integrity of representative government. As the then Committee on Elections recognized early in the 35th Congress in the election challenge of *Whyte* v. *Harris*, the "freedom and purity of elections constitute the very life of republican government." (House Misc. Doc. No. 57, 35th Cong., 1st sess., 1 Bart. 257 (1858).) We believe that statutory law, the Constitution, and valid congressional precedent, amply warrant the action requested of the House. In fact, the mandate of the Constitution may fairly be said to impose an obligation to grant the relief asked by the contestants.

III

It is no answer to the force of the present challenge to assert that the Voting Rights Act of 1965, effective legislation though it may be, will drastically reduce future discrimination by the State of Mississippi against Negro voters. What is before the House is the validity of the elections of November 1964, elections in which State action deprived virtually the entire Negro population of Mississippi of the ballot, and as a result of which Congressmen purporting to represent the people of Mississippi are seated in the House. It is also worth noting that neither the Voting Rights Act nor the recent repeal of Mississippi's patently unconstitutional voter registration laws will substantially affect such extra-legal, but State-fostered methods of voter intimidation as the physical violence and economic reprisals documented in the depositions supporting the present challenge. To convince white Mississippians that continued flouting of the 14th and 15th amendments is no longer possible or profitable, the results of the 1964 elections must be set aside.

IV

The proponents of the challenge will shortly seek to bring the matter before the entire House. Since no resolution is pending, it is likely that the question of the seating of Mississippi's Representatives will be raised in the form of a privileged motion seeking to discharge the Committee on Administration and its Elections Subcommittee from further consideration of the challenge. This procedure is fully supported by the venerable House precedent of *Page* v. *Pirce*, in which Speaker Carlisle stated that such a motion "presents a question of the highest privilege." (3 Hinds § 2585, 17 CONGRESSIONAL RECORD 7403–04 (1886).) We hope you will take whatever action is necessary to bring the challenge from the Administration Committee to the floor of the House and we respectfully urge you to support it there.

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[1] It may be noted parenthetically that the State of Mississippi, at the urging of Gov. Paul B. Johnson, has repealed these statutes in order to secure a more advantageous footing for resisting the new Voting Rights Act of 1965.

[2] The sitting Mississippi Members have not availed themselves of the objection procedure recently used and approved by the House in the case of Representative OTTINGER of New York, whose seat was challenged by the campaign manager for a defeated candidate. There a resolution dismissing the deposition procedures on the grounds that the challenging party did not qualify to use them was introduced in the House soon after the deposition proceedings were begun. Apparently, the Mississippi Members knew of this means of challenging the use of the statutory deposition procedures and their failure to object was the result of a conscious decision, not mere inadvertence. See story in Jackson Daily News, Jan. 28, 1965, reproduced at p. 100 of the contestants' brief.

The principle of free and fair elections open to an entire constituency is the bedrock of our democratic Republic. Only in free and fair elections can our sytsem of representative government work. Only in free and fair elections, untainted by the illegality proscribed by our Constitution, can Mississippi reclaim its place in the eyes of the Nation and in the Halls of Congress.

SIGNERS OF MEMORANDUM

Alaska: Wendell P. Kay, Anchorage.

Arizona: Jay Dushoff, Phoenix; Sheldon Mitchell, Phoenix; S. Leonard Scheff, Tucson.

California: Sidney Bleifeld, Los Angeles; Irwin Gostin, San Diego; Francis Heisler, Carmel; Marshall W. Krause, San Francisco; Seymour Mandel, Los Angeles; Ben Margolis, Los Angeles; Harry Margolis, Saratoga; Kurt W. Melchior, San Francisco; Edward Mosk, Los Angeles; Frank E. Munoz, Los Angeles; Fred Okrand, Los Angeles; Chas. I. Rosin, Los Angeles; William G. Smith, Los Angeles.

Colorado: Charles A. Graham, Denver; Samuel D. Menin, Denver; Harry K. Nier, Jr., Denver; Elizabeth Schunk (Miss), Denver.

Connecticut: Thomas I. Emerson, New Haven; Robert L. Krechevsky, Hartford; H. D. Leventhal, Hartford; Frank Logue, Trumbull; Catherine G. Roraback, New Haven.

Florida: John M. Coe, Pensacola; Stanley M. Pred, Miami.

Georgia: Leonard Haas, Atlanta.

Hawaii: Morton King, Honolulu.

Illinois: William W. Brackett, Evanston; David Connolly, Rockford; Elmer Gertz, Chicago; Burton Joseph, Chicago; Lee Leibik, Chicago; Charles R. Markels, Chicago; James D. Montgomery, Chicago; Sidney D. Podolsky, Aurora; George Pontikes, Chicago; Bernard Weisberg, Chicago.

Indiana: Benjamin Piser, South Bend; Thomas H. Singer, South Bend.

Iowa: George Lindeman, Waterloo; Jesse E. Marshall, Sioux City; Melvin H. Wolf, Waterloo.

Kansas: Champ Eraham, Emporia; Joseph H. McDowell, Kansas City.

Kentucky: Joseph S. Freeland, Paducah; Edgar A. Zingman, Louisville.

Maine: Louis Scolnik, Lewiston.

Maryland: Elsbeth Levy Bothe, Baltimore; Marvin Braiterman, Baltimore; Harry Goldman, Jr., Baltimore; Norman H. Heller, Wheaton; David B. Isbell, Chevy Chase.

Massachusetts: Bradlee M. Backman, Lynn; Edward J. Barshak, Boston; Albert R. Beisel, Jr., Boston; G. d'Andelot Belin, Boston; Irving Fishman, Waban; Helen L. Gray, Cambridge; Reuben Goodman, Boston; Roy A. Hammer, Boston; Julian S. Himes, Dorchester; Dunbar Holmes, Boston; Charles Ingram, Lynn; Manuel Katz, Boston; Ronald F. Kehoe, Boston; Daniel Klubock, Boston; Merrill B. Nearis, Gloucester; Allan R. Rosenberg, Boston; Francis J. Ulman, Boston; Max Volterra, Attleboro; Henry Weissman, Springfield; Howard Whiteside, Boston; Ernest Winsor, Cambridge; Mr. & Mrs. Roger Witken, Brookline; Stephen Wolfberg, Boston; Norman Zalkind, Boston.

Michigan: John Bratton, Lansing; Justin Brocato, Kalamazoo; Jerome H. Brooks, Farmington; Richard W. Crandell, Cadillac; Erwin Ellmann, Detroit; Ronald D. Feldman, Detroit; John F. Foley, Detroit; Ernest Goodman, Detroit; Benjamin Marcus, Muskegon; Jerry S. McCroskey, Muskegon; Rolland R. O'Hare, Detroit; Dean A. Robb, Detroit; Ralph I. Selby, Bay City.

Minnesota: Newton S. Friedman, Duluth; Sheldon D. Karlins, Minneapolis; Arnold A. Karlins, Minneapolis; Arthur Roberts, Duluth; W. L. Sholes, Minneapolis.

Mississippi: Alvin J. Bronstein, Jackson.

Missouri: Irving Achtenberg, Kansas City; Glenn L. Moller, St. Louis; Stanley D. Rostov, Kansas City.

Nebraska: Loren G. Olsson, Scottsbluff.

New Hampshire: Arthur H. Nighsnander, Laconia; Lawrence J. Walsh, Wolfeboro.

New Jersey: William R. Gilson, Summit; Milton Gurney, Newark; Maurice Levinthal, Paterson; Needell & Needell, Rahway; William Rossmoore, Newark; Irvin L. Solondz, Newark.

New York: Ernest Angell, New York; Philip Beane, New York; Steven M. Bernstein, Long Beach; Ellis L. Bert, New York; Melvin Block, Brooklyn; Albert H. Blumenthal, New York; John J. Cavanaugh, Albany; Julien Cornell, Central Valley; David Dretzin, New York; Edward J. Ennis, New York; Walter Frank, New York; Victor S. Gettner, New York; Richard G. Green, New York; Jeremiah S. Gutman, New York; Thomas M. Hampson, Pittsford; Stephan A. Hochman, New York; Dorothy Kenyon, New York; David R. Kochery, Buffalo; Milton Konvitz, Ithaca; William Kunstler, New York; Richard Lipsitz, Buffalo; Victor A. Lord, Jr., Albany; Pierre Lorsey, New York; Louis Lusky, New York; Lewis Mayers, New York; Mortimer J. Natkins, New York; Wade Newhouse, Buffalo; John de J. Pemberton, Jr., New York; Lloyd H. Relin, Rochester; J. Ward Russell, Glens Falls; Herman Schwartz, Buffalo; Leon F. Simmonds, Endicott; Peter Simmons, Buffalo; Mrs. Eleanor Soll, Scarsdale; Stephen C. Vladeck, New York; Allan Westin, New York; Erwin N. Witt, Rochester; Melvin L. Wulf, New York.

North Carolina: Lemuel H. Davis, Raleigh; Reginald L. Frazier, New Bern; Herman L. Taylor, Greensboro.

North Dakota: Milton K. Higgins, Bismarck; Robert Vogel, Mandan.

Ohio: Charles A. Anderson, Dayton; Harland M. Britz, Toledo; Frederick M. Coleman, Cleveland; Jack Day, Cleveland; Jack Gallon, Toledo; S. Lee Kohrman, Cleveland; Robert D. Mishne, Cleveland; William J. Rielly, Cincinnati; Stanley U. Robinson, Jr., Columbus; Franck C. Shearer, Columbus.

Oklahoma: Warren L. McConnico, Tulsa.

Oregon: Maurice O. Georges, Portland; Paul R. Meyer, Portland.

Pennsylvania: Charles Covert Arensberg, Pittsburgh; Arthur L. Berger, Harrisburg; Jack Brian, Upper Darby; T. Sidney Cadwallder, Yardley; Burton Caine, Philadelphia; James M. Carter, Pittsburgh; Martin D. Cohn, Hazleton; David H. H. Felix, Philadelphia; Albert Gerber, Philadelphia; David R. Hobbs, Hancock; A. Harry Levitan, Philadelphia; Marjorie Hanson Matson, Pittsburgh; Franklin Paul, Philadelphia; Stephen I. Richman, Washington; Victor Roberts, Norristown; Henry Sawyer III, Philadelphia; Daniel H. Shertzer, Lancaster; Saul C. Waldbaum, Philadelphia.

Rhode Island: Benjamin W. Case, Jr., Wakefield; William Edwards, Providence.

South Carolina: John Bolt Culberston, Greenville.

South Dakota: Marvin K. Bailin, Sioux Falls.

Texas: Don Gladden, Fort Worth; Ben G. Levy, Houston; Fred O. Weldon, Jr., Dallas; John B. Wilson, Dallas.

Vermont: Donald Hackel, Rutland; John L. Williams, Rutland; James Oakes, Brattleboro.

Virginia: Joseph A. Jordon, Jr., Norfolk.

Washington, D.C.: P. J. Adolph, Washington, D.C.; David Carliner, Washington, D.C.; Monroe H. Freedman, Washington, D.C.; Len W. Holt, Washington, D.C.

Washington: Stuart D. Barker, Seattle; Arthur G. Barnett, Seattle; Raymond Brown, Seattle; Philip Burton, Seattle; John Caughlan, Seattle; Frank DuBois, Everson; William Dwyer, Seattle; Landon R. Estep, Seattle; M. Brock Evans, Seattle; Lady Willie Forbus, Seattle; William L. Hanson, Seattle; Francis Hoague, Seattle; David Hood, Seattle; Benjamin H. Kizer, Spokane; Sam Levinson, Seattle; Kenneth MacDonald, Seattle; Phillip Offenbacker, Seattle; Chas. H. W. Talbot, Richland; Leonard Schroeter, Seattle; James B. Wilson, Seattle; Alvin Ziontz, Seattle.

West Virginia: Horace S. Meldahl, Charleston.

Wisconsin: Meyer Papermaster, Milwaukee; Ted Warshafsky, Milwaukee; Leonard Zubrensky, Milwaukee.

Wyoming: John A. King, Laramie; Charles L. Bates, Rawlings.

Mr. LIPSCOMB. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Speaker, I rise to support the resolution of the committee as it will be amended by a motion by the distinguished majority floor leader, the gentleman from Oklahoma [Mr. Albert], as I am advised.

Mr. Speaker, it is regrettable that this issue should be before the House 10 months after the election in 1964 and 8 months after the men in question were given the oath of office in January 1965. Furthermore, Mr. Speaker, had the Congress of the United States followed the action of the then majority leader of the House, the gentleman from Indiana [Mr. Halleck], in 1947 and passed legislation against the poll tax, and had we enacted legislation on civil rights in 1957 as passed by the House and the civil rights legislation of 1960 as passed by the House, we would not have this issue before us today.

Mr. Speaker, I am pleased indeed that we have the Voting Rights Act of 1965 the law of the land, which has already demonstrated its effectiveness in those States in the South which have so long flaunted the Constitution.

I note that a substantial majority of the committee has recommended that the challenge be dismissed. The reasons therefor were most ably expressed by my colleague, the gentleman from Ohio [Mr. Hays]. I shall not go into them further.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I am happy to yield to my good friend, the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, the gentleman made reference to 1947. I was the majority leader in that Congress and we did enact a bill at that time outlawing the poll tax, because at that time that was a device to keep people from voting. I have supported, along with the gentleman from Ohio, other measures as recently as the 1965 act. I rise only to say that it was suggested here a moment ago that if we do not vote against this report from the committee we are giving tacit approval to the disfranchisement of people who are entitled to vote. I do want to make it very clear for myself that actually the very definite disapproval of disfranchisement was shown by the result of the votes that we had on voting rights bills for many, many years. And on that I stand.

Mr. McCULLOCH. Mr. Speaker, I would like to summarize my opinions on the matters that have been touched upon so accurately and ably by my colleague, the gentleman from Indiana [Mr. Halleck], by saying that the Voting Rights Act of 1965 and the recently decided case of the United States against Mississippi have already made a deep impression upon the Southern States to whose action we have taken objection. I dare say that when the new legislation and the new laws and the new procedures of the State officials become effective and they really see and know the handwriting on the wall, the problem which is before us will not return again.

Mr. Speaker, I was impressed by one paragraph in the committee's report, and it bears the careful attention of every Member of the House, and I quote the next to the last paragraph on page 3 of the report as follows:

> The committee notes that the presidential electors, whose votes were certified to the Congress and counted in the joint session of the Congress held on January 6, 1965, were elected under the same laws as was a Senator who was subsequently seated without question in the Senate of the United States. The concurrent election for presidential electors, the U.S. Senator, and the five Representatives from the State of Mississippi was conducted under the same laws, the same officers, and the same conditions.

Mr. Speaker, we should not cast a permanent cloud on the selection of the presidential electors or on the election of the junior Senator from Mississippi.

Mr. Speaker, I intend to vote for the resolution as it will be amended by the majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I would be glad to yield to my good friend, the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. I would like to point out to my colleague from Ohio that one of these contestants was a candidate in a Democratic primary in Mississippi for Senator. She was defeated. Had she been in exactly the same situation in our State of Ohio, she would have been precluded by law from being a candidate for any office in the general election.

Mr. McCULLOCH. That is a correct factual and legal statement and I thank the gentleman for his contribution.

Mr. Speaker, I yield back the balance of my time.

Mr. BURLESON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON], a member of the committee.

Mr. THOMPSON of New Jersey. Mr. Speaker, today the House is sitting as a judge in fulfilling a responsibility conferred by the Constitution, a judicial function which can occur on only one other occasion, that of impeachment proceedings. We do not sit in judgment of any Member as an individual but rather to determine the right to sit in this House, a decision from which there can be no appeal. It is a solemn duty and one which no Member takes lightly.

Like other Members of the House, I approach the decision on the pending resolution with humility and with a deep sense of the extreme gravity of the question being posed here. Unlike other Members, it has been my responsibility as a member of the House Administration Committee to help frame the recommendation in this case being presented to the House today. It is a grave responsibility to pass on such a case that has so many far-reaching implications and which involves so many complex and conflicting ramifications.

This is a question which has involved a lengthy dialog within each of us—our love and respect for the institution in which we are privileged to serve, its rules and precedents: the legal and moral aspects of this case: the philosophic convictions which motivate each of us: the prejudices to which each of us is susceptible: the circumstances which dictate that we act today as the jury in this unique case. Yet all of us sense that the final judgment of whatever we do here today will be made in the light of history—the history of this House in terms of the precedents we make and in a greater sense the history of human freedom, dignity, and representative government.

During the past months, Mr. Speaker, I have studied the volumes of precedents involving contested election cases. I have studied the debates in the Congressional Globe and the CONGRESSIONAL RECORD of these contests. I have studied the volumes of printed depositions in the case now before us and the brief prepared in behalf of the contestants. This study has provided a historic context which has added to this deep feeling of the gravity of the questions being presented to us for decision today. It has also given me a new respect for the institution in which we serve.

Mr. Speaker, in the brief time allotted to me, I would like to make several points that I feel are relevant to the case before us in the hope that they will find common ground with our colleagues on both sides of the aisle and perhaps, in the cold light of history, shed some light for our successors who will also be called upon to wrestle with their consciences in election contests long after we have departed.

I will not dwell on any detailed discussion of precedents involved in this case. Let it be said that precedents exist on both sides of this question as to whether or not the challenge brought against the incumbent Members of the Missisipi delegation should be dismissed on grounds alleged by the contestants, namely, that Negroes have been systematically and deliberately excluded from the electoral process in Mississippi through the utilization of unconstitutional registration and election statutes, and that they were disenfranchised by acts and threats of violence, terrorism, and intimidation.

Mr. Speaker, the evidence is clear that such allegations have been substantiated by suits decided in Federal courts, by findings of the Civil Rights Commission, by hearings before the House Judiciary Committee over recent years, and by sworn depositions filed in support of this challenge. Such evidence is a matter of public record. We note that the contestants also rely on grounds involving alleged violations of the 14th and 15th amendments to the Constitution.

Such unconstitutional denial of the rights of citizenship was not limited to the 1964 election, but is part of an historic pattern that dates to post-Reconstruction years. It is here that we find the last number of House precedents denying seats to Members-elect to the House in which such allegations were acted upon by our predecessors many Congresses ago. Since then, there has been acquiescence in the social and economic mores that have produced the closed society in many States that has been carried through their political institutions. In a sense, we are being called upon here today to pass judgment not just on the individual election contests before us today, but on the entire fabric of a system that has existed since before most of us were born. It is a system that none of us helped to shape, growing out of a terrible civil conflict and harsh Reconstruction period which left terrible scars on the conscience of our Nation, scars that are still visible here today.

Mr. Speaker, the verdict of history is harsh because of the neglect of the constitutional rights of our Negro citizens. Over the years, they have been denied equal opportunity to education, employment, travel, dignity, and the economic benefits of a rising standard of living enjoyed by other Americans. They have been subjected to economic reprisal, threats, violence, and death for attempts to exercise their basic rights of citizenship that many Americans take for granted.

It was almost 100 years after the Civil War before Congress faced up to its responsibilities by enacting the Civil Rights Act of 1957. In the past 8 years, we have enacted other laws to try to remove the stain of history in the treatment of our Negro citizens—the Civil Rights Act of 1960, the Civil Rights Act of 1964, and the Voting Rights Act this year. I am proud of my votes for these and other related economic measures—milestones of human progress to help right grievous wrongs of past generations.

In this bipartisan effort, we are all indebted to the distinguished gentleman from New York [Mr. CELLER], chairman of the Judiciary Committee and dean of this House, who piloted these bills through the House; to the gentleman from Ohio [Mr. MCCULLOCH], the ranking minority member of the committee; and to the leadership in this historic effort exhibited by the distinguished gentleman from Massachusetts, whom we have elected Speaker of the House.

In terms of the present election contest, the Voting Rights Act of 1965—Public Law 89–110—is most significant. The majority report of the House Administration Committee clearly states the legal framework under which this case has been considered:

> The Voting Rights Act of 1965 is now the law of the land, in full force and effect. The committee is cognizant of the fact that the alleged practices complained of by the contestants in the 1964 Mississippi elections would constitute violations of the new act if occurring subsequent to its enactment. There is now clear and adequate legal authority for the Federal Government to protect the rights of voters and to assure the right of all citizens to become registered voters (p. 4, H. Rept. No. 1008).
>
> The committee majority continues by unequivocally stating: "We want to make clear that the herein action recommended by this committee should not be interpreted as condoning any disenfranchisement of any voters in the 1964 elections or in previous elections. Nor does the committee mean to imply by its recommendation of dismissal of these

> contests that the House cannot take action to vacate seats of sitting Members. In the view of the committee, the House should make every effort to scrutinize with great care all future elections. If evidence of violations of the Voting Rights Act of 1965 is presented to the House, we are confident that it will be fully investigated and appropriate action taken (p. 5, H. Rept. No. 1008).

It is clear then, Mr. Speaker, that members of the House Administration Committee, who are responsible for the handling of contested election cases view the enactment of the Voting Rights Act of 1965 as a "watershed" in the history of such cases alleging disenfranchisement of Negroes or other citizens. The record of this debate, whatever the outcome on the pending resolution, will constitute a clear precedent that the House of Representatives will no longer tolerate electoral practices in any State or district which violate the legal or constitutional rights of citizens to register, vote, or to become candidates for office. So long as I am a Member of this House, I intend to make certain that this precedent is carried forward in any future election or election contest.

Having made this extremely important precedent involving future elections, the House must then decide what must be done in the case before us which involves alleged violations occurring during the 1964 Mississippi elections, prior to the enactment of the new Voting Rights Act. The report of the committee lists the many considerations which have been taken into account. On several of the points there is general agreement:

First. That the committee considered the question of due process—the rights of the contestants as well as the rights of the challengers:

> This committee is dedicated to the preservation of the American tradition of due process. In the instant case, there is concern that either outright dismissal of the challenge or unseating of the present Mississippi delegation would violate this precept (p. 2, H. Rept. No. 1008).

Second. That the committee realized that the case was not one that followed the usual pattern of contested election cases:

> The instant case is a complex one. There was delay in obtaining copies of the depositions and testimony filed by the contestants (exceeding 3,000 printed pages) (p. 3, H. Rept. No. 1008).

Third. That the committee recognized the validity of the official Mississippi election returns certified in the presidential, senatorial, and congressional elections of November 3, 1964, and that it took into account the House action on January 4, 1965, in authorizing the Speaker to administer the oath of office to the five Mississippi Members-elect, based on valid certificates of election properly filed with the Clerk of the House.

Many of us who serve on the House Administration Committee were concerned over the delay in having the case formally referred to the committee for consideration. The uncertainties over what portion of the voluminous number of depositions filed in support of the contestants' case should be printed for referral to the committee revealed the need for improving our methods and procedure in handling of future election contests. I and a number of our colleagues met on numerous occasions with the Clerk of the House in an attempt to resolve the impasse, finally resulting in the printing, in five volumes, of all such depositions and documents relative to the case. Even those which were clearly not in full compliance with existing statutes were finally printed and referred to the committee.

Mr. Speaker, I am pleased that the committee, in its report, adopted as its first recommendation that remedial action be taken in this regard:

> That the House Administration Committee, because of its concern over present House procedures governing election contests, undertake a thorough review of such procedures in the light of this case and make recommendations for improving and clarifying them so as to deal more expeditiously with such cases in the future, particularly those involving violations of the Voting Rights Act of 1965.

Attention is again called to the specific reference to the Voting Rights Act of 1965, the watershed principle which we are affirming by precedent in the House today. I intend to press for the full implementation of this important recommendation within the House Administration Committee because of the far-reaching guarantees it would provide both sitting members and contestants in future election cases.

We will soon vote on the pending resolution in the Mississippi case. All of us have grave questions which we have asked ourselves in making our decision. I would like to share some of mine with you.

Would due process be served in attempting to correct almost 100 years of acknowledged wrong to our Negro citizens in Mississippi and other States by applying House precedents created during the stormy Reconstruction Congresses, whose harsh enactments helped create and foster the closed society, which over the years is responsible for these injustices?

Would due process be served in referring this case back to the committee for more deliberate action, including full hearings which would mean further delay and inconvenience to both the sitting Members and the contestants to decide this case on laws and practices that have now been rendered moot by the enactment of the Voting Rights Act of 1965?

Would the dismissal of this case be wrongly interpreted in Mississippi as condoning such practices, in view of the clear language of the committee report, the precedent being made in this debate today, and the dissemination of its meaning through the public media stating in clear terms that such practices will no longer be tolerated by the House of Representatives?

Would possible eventual unseating of the present Mississippi delegation contribute toward an improvement of the social, economic, and responsible political climate in that State, already torn by violence, bitterness, and racial conflict? Should we in the House base our consideration of this case in such terms?

Would the precedent created here by refusal to dismiss this contest brought by persons not legal candidates—in the strict sense in that they did not appear on the ballot—open a Pandora's box, subjecting all Members of the House to possible frivolous contests brought by persons or groups on the lunatic fringe? Could a rash of such contests disrupt and paralyze the orderly business of the House?

Is not the cause of justice and the reestablishment of constitutional guarantees of all citizens to register, vote, and become candidates for office better served by affirming this watershed precedent, relying on the full powers of the Voting Rights Act of 1965 and the action of the 90th Congress and future Congresses to make certain that illegal or unconstitutional electoral practices are never again tolerated?

All of these difficult and searching questions and many more, Mr. Speaker, have tormented our minds and consciences as we struggle for the vision, the wisdom, and the courage to render, as we must, our judgment in this case. We realize that we cannot base our decision on strictly legal grounds, nor strictly on House precedents, nor on moral grounds alone. All are integral parts of this case. Whatever the action may be on the pending resolution, there can be no real winner or loser in any meaningful sense so far as the individual parties on either side of this contest are concerned. We must look more broadly.

All of us are the losers, Mr. Speaker. The type of electoral practices which have taken place in Mississippi and other States in 1964 and for many generations have robbed some of our people of basic rights of citizenship. This has, in turn, undermined the rights of all citizens and weakened our system of representative government at a time when we are engaged in a world struggle for survival with a hostile, totalitarian force.

The only winners in what we finally decide today can be the long-disenfranchised citizens of Mississippi and other States. They must take full advantage of the legal guarantees of the Voting Rights Act of 1965 by registering to vote and by voting on election day. I am confident that the act is and will be fully enforced by the appropriate Federal authorities. I am likewise certain that the Members of the House, as has been made clear here today, will make certain that elections and election contests will hereafter be judged on the basis of the full compliance with the provisions of the Voting Rights Act of 1965.

Mr. Speaker, looking ahead in full confidence that the people of Mississippi will avail themselves of the right of franchise and choose wisely, and because of my faith in the future of representative government everywhere, I will vote for the committee resolution to dismiss the pending case.

The SPEAKER. The gentleman from California [Mr. LIPSCOMB] is recognized.

Mr. LIPSCOMB. Mr. Speaker, we have one speaker left on our side. Will the distinguished gentleman from Texas yield time now?

Mr. BURLESON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Speaker, I rise as a member of the House Committee on Administration as well as one of the few Members of this House who is an alumnus of the University of Mississippi. I enjoyed my year of study in Mississippi very much and my remarks today are therefore not directed at any Member of this House.

I want to take this opportunity to join the gentleman from California [Mr. HAWKINS] in expressing my appreciation to the distinguished chairman of our committee, the gentleman from Texas [Mr. BURLESON] for the fairminded way in which he has handled this matter.

My position on this issue, Mr. Speaker, is not complicated. It is very simple. It is as stated in the minority report, which I signed—that the House should not support the final and summary disposal of the challenge to the election of the five Members of the House from Mississippi. Why? Because the House Committee on Administration has not in fact conducted adequate public hearings on the merits of this case. We are all aware of the systematic disenfranchisement of Negro voters in the State of Mississippi. To fail to conduct adequate public hearings on this matter seems to me therefore to do violence to commonsense; to do violence to the basic principles of the Constitution of the United States and to do violence as well, and finally, to the dignity and to the integrity of this House of Representatives which we all love. We should have adequate public hearings on the merits of this case, and I hope therefore, Mr. Speaker, that we recommit this resolution.

Mr. LIPSCOMB. Mr. Speaker, I yield to the ranking minority member of the elections subcommittee, the gentleman from New York [Mr. GOODELL] to close debate.

Mr. GOODELL. Mr. Speaker, I too am sorry that there is not more time for debate under this procedure. This is not the fault of any individual because the rules of the House provide for 1 hour of debate.

We are in many respects here asked to exercise the wisdom of Solomon. There are human rights involved. There are congressional rights involved. Certainly the whole issue of due process is involved in our decision today.

The gentleman from New York [Mr. RYAN] made the statement that if we dismiss this contest, in the future a contestant will have to prove that it would have made a difference in the election if the discrimination alleged did not occur.

As a matter of legislative history, I want to deny this from my point of view. I think it is important in any future contest that there be no confusion about this issue. Some Members have been decrying the committee report. I say to them, I believe in the future, you will not be decrying it, you will be invoking the language of the committee report and the legislative history we are writing today. When we bring issues before the Congress of the United States of the momentous importance of this issue, certainly they must be brought with due process.

We are clearly saying here that as a matter of legislative history, no candidates who do not avail themselves of the proper procedures can be heard. We are clearly saying that prospective candidates who want to get on the ballot but do not, so that there are no candidates in opposition in an election had better avail themselves of existing legal remedies in the courts. We are clearly saying that where they did not go to the courts, and where they had the power to go to the courts and get relief and get on the ballots, if they were denied the right to go on the ballot for unconstitutional or illegal reasons, we will not give those contestants standing as a matter of due process before the Committee on House Administration or the full House.

Those who are contesting here did not avail themselves of the legal remedies available to them to get on the ballot. If they had, or if anyone had, there would have been an issue here. But these alleged contestants are asking us to overturn an election at their request when they did not even avail themselves of the procedure to make a contest of it in the State of Mississippi. We have a clear legislative history here today that the Voting Rights Act of 1965 will be considered in the future in conjunction with the power of this Congress to unseat Members. We have a clear legislative history that the Committee on House Administration and the House of Representatives will scrutinize most carefully the future elections, and we have a commitment clearly in the legislative history that we will revise our election contest procedures, so that the rights of all contestants and Members of Congress will be protected in the future.

In striving to exercise, in our poor, futile, mortal way, the wisdom of Solomon today, I believe, on balance, that justice will be done, and will only be done, if we dismiss the election contest and adopt the resolution before us today. I so urge my colleagues.

Mr. BURLESON. Mr. Speaker, I yield the gentleman from California [Mr. CORMAN] 1 minute.

Mr. CORMAN. Mr. Speaker, I oppose the resolution.

There is no doubt that a substantial majority of the House understands and supports the 15th amendment to the Constitution. We demonstrated this when we enacted the voting rights bill giving the executive branch broad powers of enforcement.

Yet, this resolution rejects an opportunity—more immediate, more efficacious than any legislation—to stop racial discrimination in the election of Members of this House.

The Constitution gives us final judgment on eligibility of our Members. This most certainly dictates that we go beyond mere formalities and weigh carefully the substantive question as to the quality of the election which purports to establish eligibility for membership.

It is true that the machinery of the Federal Government is now being used to prevent recurrence of the situation existing in 1964 in Mississippi. The news that many white Mississippians are cooperating is encouraging.

But how quickly they would all cooperate if this House concluded that it would seat Members only when they were elected under circumstances consistent with the 15th amendment.

Mr. BURLESON. Mr. Speaker, I yield to the gentleman from New York [Mr. GILBERT].

Mr. GILBERT. Mr. Speaker, I support the proposed motion to recommit.

Mr. Speaker, I support the minority views on House Resolution 585, opposing final and summary disposal of the Mississippi election contests.

I support the motion to recommit the resolution for further consideration by the committee in order that adequate public hearings may be held to allow Members and the public to have the opportunity to evaluate and judge all the facts in the proper light and atmosphere.

Mr. BURLESON. Mr. Speaker, I yield the remainder of the time to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, in the beginning there was a question, sometime during the interim there was a study, and in the end there is a resolution. That is what we are now considering.

Whether we should follow the advice of the minority that we talk for days, weeks, or months, or whether we should sum it up in a few minutes, it still gets down to the same principle.

The principle is that all of us, both those holding the minority viewpoint and those holding the majority viewpoint, recognize that some things happen in a particular State and in certain congressional districts which are not peculiar to those congressional districts nor to that particular State or region. Throughout the years since I can remember in my rather long life and participation in politics, there has been a question of disenfranchisement and of fraud here and there. When I was a young man in a small coal mining town, a different type of fraud was involved. It was not a fraud perpetrated because of color; it was fraud perpetrated because of a lack of knowledge of the language. As a young man I can remember talk of how they voted in a little barbershop in the coal mining towns. A ballot box was set on the table that had no top. As each individual miner came in to vote, his ballot dropped down to the cellar, where the foreman for the mining company adjusted it to suit the purpose.

I can remember in the town of New Kensington, in a case before the superior court, the superior court judge said in his findings in that particular contest that it had been proven in that district that they did not count the ballots; they merely weighed the boxes.

Throughout the history there has been fraud. But in this particular case the Members of Congress who are sitting here as Members from Mississippi are not being challenged as to their seats. There is nothing in the minority views that states that these men shall not be seated as Members of Congress. The only difference is in the degree of the study to be made of that which happened in Mississippi. I was one of the Members who voted not to seat these Members at the beginning, but to withhold now the dismissal of the case against them would be an injustice and would be unfair to these Members now serving as accepted Members of this House.

Mr. DAWSON. Mr. Speaker, when we took the oath of office to support the Constitution of the United States, we undertook a sacred national obligation. The present contest cases to vacate the seats of five Congressmen from Mississippi and to hold new elections requires us to face the responsibility which the U.S. Constitution imposes upon us. These contest cases tests the integrity of the entire House, which, under the Constitution, is made the sole judge of its membership. It also tests the integrity of each one of us.

These contest cases are based on the deliberate and unconstitutional disenfranchisement of almost one-half of the population of the State of Mississippi who were excluded from voting, solely because of their race, by brutality, intimidation, fraud, terror, and murder. The pattern and practice of disenfranchising Negroes in Mississippi cannot be denied by anyone. It has been proven time and time again, in case after case in the courts. It has been fully documented by the U.S. Commission on Civil Rights, by the Department of Justice, by judicial decisions, and by the Congress itself. As all of us know, the Voting Rights Act of 1965, which the President signed just a month ago on August 6, was the congressional acknowledgment of this need and a recognition of the widespread discrimination in voting based on race.

This House has the responsibility when the validity of an election of a Congressman is presented to us, to determine whether that election was free, fair, and open to the whole body of legal electors. The very life of government in a democracy is based upon the freedom and purity of its elections. If the citizenry is disenfranchised in the choice of its representatives, the very heart of representative government decays.

I say to my colleagues that this is a matter of integrity. We cannot be faithful to our trust if we do not face the issue of whether the Congressmen whose elections are here challenged were sent to this House as a result of a tainted election.

This is not the first time that this issue has been before the House. There have been 43 election contests in which the House of Representatives, from the 40th Congress through the 56th Congress—1867 through 1901—has unseated a Congressman because Negro citizens were excluded from the election. These 43 cases involved Congressmen from 14 States. In each case the House, over a period of 34 years, without regard to whether the individual contested Congressman had any part in the disenfranchisement, cleansed its rolls by unseating the beneficiary of the tainted election and ordering new elections.

I have no personal animosity against any of the five Members whose election is now being contested; but none of us can shrink from fulfilling our responsibility to this House and to the Nation now that the contest has squarely been brought to the House.

There are some who say that the Voting Rights Act of 1965 is sufficient to alleviate the wrongs committed against the Negroes of Mississippi. They are wrong. Even if the act succeeds in its purpose, even if all eligible Negroes will be able to register, even if all registrants will be able to cast their votes in the election, and even if all the votes they cast will be fairly and fully counted, that will not correct the great evil caused by the disenfranchisements in the 1964 Mississippi elections.

The Voting Rights Act, however, has not yet succeeded. Negroes are still being intimidated from registering. They will endure even greater intimidation when they seek to vote. The enforcement of the Voting Act will require extensive litigation and long delay, whereas the unseating of an illegally elected representative will make it crystal clear to the State that it must accord full voting rights to all its citizens, if it desires to have representation in this House.

The House must, for the sake of the Nation's integrity, vote to unseat the five Mississippi Congressmen whose elections have been challenged in these cases, and to order the holding of new elections by all the people of Mississippi to fill the vacated seats. To do less would be unfaithful to our trust.

Mr. EDWARDS of Alabama. Mr. Speaker, I support House Resolution 585, the resolution to dismiss the contest of election of the Congressmen from the State of Mississippi.

Thoughtful, reasonable citizens all over the country will, I am confident, also support this resolution in confirming that the sitting Mississippi delegation has full right and entitlement to seats in this House of Representatives.

I note that Members opposed to the resolution argue that the issue ought to be settled on its merits rather than on the basis of who it is that brings the question to the attention of the House.

The argument is devious. Evidently it is an attempt to divert attention from the nature of this issue in a way which is inconsistent with reasonable legislative process.

The fact is that in support of this resolution none of the arguments of the majority of the House Administration Committee have had to do with who brings the case to our attention. They are directed to the merits of the issue.

The committee has properly and thoroughly consulted the history of the House of Representatives to ascertain what precedents apply in this case.

The committee has correctly concluded that it is the Supreme Court and not the House of Representatives which is the appropriate body to pass upon the legal controversies arising out of charges that disenfranchisement may occur in any election.

At the heart of the issue is whether the election in point was an official election or not. And it is a fact that the congressional and presidential election of November 3, 1964, in Mississippi were conducted on the basis of Mississippi and Federal election laws which have not been set aside by the decision of any court of competent jurisdiction.

The committee's study of the issue shows that even if any disenfranchisement had been shown, it is doubtful that it would have actually affected the outcome of the November 1964 election in any of the Mississippi districts.

There is no substantial disagreement with the point that the Constitution gives to the House of Representatives itself the jurisdiction over the claim and right to a seat in the House of Representatives.

It is important to note that the House, rather than simply ignore the claim of the contestants, put the issue to a vote on January 4, 1965. And by a vote of 276 to 149 the House authorized the Speaker to administer the oath of office to the five Mississippi representatives on the basis of the valid certificates of election for each of the five which were on file in the office of the Clerk of the House.

This action established the prima facie right of each of the five to his seat in this body, and it recognized the right of each to perform the constitutional duties of his office.

In that action the House also recognized that the contestants did not challenge their alleged exclusion from the ballot before the election was held, and furthermore, did not attempt to challenge the issuance of the certificates of election in Federal district court following the election.

Apparently we can anticipate now that the supporters of this contest will proclaim wide and far around the country that their effort is being turned back by the House because of who the contestants are rather than on the basis of the merits of the case.

And in today's atmosphere of emotionalism and a kind of super-righteousness which sometimes lets high feeling obscure the significant facts, we can expect that their position will be accepted to some degree.

It is my hope that in this case, as with all such cases where high feeling is a factor, reasonable men will take precautions to inform themselves before reaching conclusions.

I commend the work of the House Administration Committee in this matter and I urge adoption of the resolution.

Mr. HELSTOSKI. Mr. Speaker, I wish to take this opportunity to express my opposition to the adoption of House Resolution 585, providing for the dismissal of the five Mississippi election contests and declaring that these Members are duly elected to their seats in this august body.

I cannot see how the House Administration Committee can come to the conclusion that these Members were legally elected when many citizens of that State did not have the opportunity to take part in the elections to express their choice as to who is to represent them in Congress.

The authorities of Mississippi have taken a Janus-like attitude in their election procedures. As a whole, we exhort all of our citizens to take as great a part in our elections as is possible, yet on the other hand devious methods have been used to disenfranchise many thousands of American citizens from exercising their right to cast a ballot.

Because of the flagrant violations of the provisions of the 15th amendment to the Constitution, this Congress was forced to take action and to pass legislation to provide for voting rights to many citizens who were denied them by actions of election officials in many States.

Many needless hours were spent in implementing the provisions of this 15th amendment when all this could have been avoided if certain authorities would have adhered to the explicit directive embodied in that amendment.

I bear no animosity to any Member of the Mississippi congressional delegation. I do, however, challenge the method of their election to the House of Representatives.

It is my honest opinion that the elections were not lawfully conducted under the principles of our Constitution, which is the basic law of this country.

This honorable body is to represent all of the citizens of the United States, regardless of race, color, or creed. The gentlemen from Mississippi were elected by the white citizens, with only a small minority of Negro citizens being permitted to cast a ballot. Under these circumstances, they do not truly represent the citizens of the State of Mississippi.

I say it with pride that this House of Representatives is the most representative legislative body of any in the world. Our citizens have a multiple choice of candidates when they arrive at the polls to cast their vote. This is unlike many other countries where there is only a single slate of candidates and no other choice is permitted. Even under those conditions, when the election results are never in doubt, up to 99 percent of the eligible voters take part in an election.

In the present instance, we have seen every method used to stifle the will of the people by denying certain people to cast a ballot. Yet how many of our Nation's 170 million people have taken a voice in protest of this disenfranchisement?

Can you imagine what a hue and cry would arise if, in an election year, the authorities would proclaim that only Democrats could vote? Or, in another State, only Republicans could cast ballots. Yet, in this instance, it is an analogous situation changed only to a white and black race participation.

One of the most effective methods used in Mississippi to deny the right of voting is contained in the words of the Mississippi Constitution which requires that an applicant "be able to read and write any section of the constitution of the State and give a reasonable interpretation thereof to the county registrar." This provision permitted the county registrars to disenfranchise nearly every Negro who appeared for registration, by strict enforcement of the clause in the constitution. On the other hand, he could, if he so desired, permit whites to register without reference to the wording in the constitution.

If we are to be fair in our dealings with the citizens of the United States, this House should vote down the dismissal of the challenge of the Mississippi Freedom Democratic Party and refer this resolution back to the House Administration Committee for full and open hearings on the legality of the election of the present Mississippi congressional delegation.

As I said before, I have no personal fight with any of the present members of the Mississippi delegation, but if their election was in accordance with just procedures they should have no hesitancy in bringing out the facts into the open.

I shall support a motion to recommit this resolution to the House Administration Committee, if one is presented, so that open hearings on the entire question could be conducted by the committee and all the evidence can be spread upon the record.

If there was no illegality in the election of the present membership of the Mississippi delegation to this Congress, they should be the first to step forward in support of an opening hearing on this matter, to remove, once and forever, any suggestion of taint or fraud under which they now hold their seats.

This country fights throughout the world to protect the rights of citizens of other countries and to permit self-determination for them. But we neglect our own backyard if we allow certain citizens to cast a ballot and bar others from doing the same.

Mr. Speaker, in justice to all the citizens of Mississippi, let the facts become known in open hearings on this subject we have before us. In conscience, I must vote against the passage of the resolution, and hope it is recommitted for further study with open hearings.

Mr. BINGHAM. Mr. Speaker, I am opposed to dismissal of the challenge to the seats of the incumbent Members from Mississippi. My opposition is based on the fact that there are a substantial number of serious and important questions which are as yet unresolved and which I believe deserve resolution by this Congress. Dismissal of the challenge on the basis of the majority report of the Committee on House Administration and on the basis of the record which has been made in this case is inconsistent with the need to bring order out of the chaos that now exists and which would be perpetuated by adoption of the majority report at this time.

Virtually all of our attention has thus far been focused on the question of the precise implications of the challenge procedure of the United States Code. In my judgment, this inquiry must be viewed in a much broader context. First, it is apparent that there was, in fact, massive disfranchisement of Negro voters in Mississippi elections in 1964. Second, we do have the responsibility under the Constitution to pass on disputes involving election of Members of the House of Representatives.

I have examined the House precedents in election dispute questions and find no compelling judgment which flows from them. In fact, there appears to be precedents supporting each side of both the procedural and the substantive issues involved in this proceeding. I have also read carefully the majority report and have discussed this matter with several of our colleagues and still find several vital questions unanswered. I cannot, in good conscience, support any proposal to resolve this matter adverse to the challengers while these questions are unanswered.

Foremost among the questions which are critical to a full and fair resolution of this controversy is the problem of procedure for challenging the election of a Member where there have been massive violations of the constitutional rights of voters. If as the majority contends, the challenge procedure is inapplicable, then what procedure would be available? In the event there is no established procedure, does this not suggest that the Congress has provided no means for discharging its constitutional responsibilities to resolve disputes involving the election of its Members?

It has been suggested that there are other procedures available by which these disputes could have been brought before the House of Representatives, such as filing a memorial. If this is true, why should the House not apply these procedures despite the technical differences between the forms issued by the challengers and the nicety of language which might have evoked an alternative procedure?

I am aware of the concern of many of our colleagues that it would be potentially unwise to permit unlimited use of the challenge and deposition procedure. I agree that such unlimited use would be unwise; it might, for example, permit extreme rightwing individuals and groups to harass liberal Congressmen after their election. However, to permit the present challenges to be considered on the merits would not be a precedent for unlimited use of the challenge procedure. For, as the minority report states, the present circumstances are very special, involving as they do an illegal denial of the opportunity to be a candidate. In effect, if the minority views were accepted, this House would be saying that a contestant is one who either appeared on the ballot or who, but for unconstitutional State action, would have appeared on the ballot as a rival candidate.

I am also aware of several issues raised by the majority report which at first glance seem to support its position. However, I do not believe that, on the record made to date, these issues can reasonably be resolved in support of the motion to dismiss. For example, there is the claim that the contestants did not take any legal steps to undo the State action excluding them from the ballot or to attempt to enjoin the issuance of the certificates of election. I believe there should be further discussion and examination of this fact, particularly in the light of House precedents which indicate that court actions are not binding on this House in election disputes.

Similarly, I have examined the record which indicates that in the extralegal elections conducted by the Mississippi Freedom Democratic Party, the contestants received fewer votes than the contestee Congressmen received in the State-conducted balloting. Although this appears to bear on the question of whether the results would have been different in the absence of illegal discrimination against Negro voters and candidates, I believe that far more evidence would be required to sustain any conclusion contrary to the interests of the contestants. For example, the motivation of people to vote in an extralegal election is obviously low and the access to public media which would have been available to a legally sanctioned candidate might well create a significantly higher vote in that candidates' behalf.

In addition to the aforementioned problems, all left unresolved by the majority report, there are further problems which I believe are essential to any final disposition of this controversy, but there is no need to itemize them.

The report is far from clear as to the basis for the recommended dismissal. I am somewhat comforted by this fact, because it means that the majority report of the committee does not establish a binding precedent adverse to a future challenge based on systematic and illegal discrimination against voters and candidates.

Under all the circumstances here present, I believe these cases should be returned to the committee with instructions to hold public hearings and issue a report based on the merits of the challenges.

Mr. COHELAN. Mr. Speaker, I do not agree that the challenge brought by the Mississippi Freedom Democratic Party should be dismissed. I do not agree with the recommendation of the House Committee on Administration and I will not vote to support it.

I do not see how it is possible to overlook or condone or accept the fact that in this last election the Negro citizens of Mississippi, who represent 42 percent of that State's voting age population, were systematically disenfranchised and deprived of their legitimate rights.

The 15th amendment to the Constitution is unmistakably clear that no citizen's right to vote shall be denied or abridged on account of his race or the color of his skin. But the figures show that at the time of this election, only 28,000, or 6 percent, of the eligible Negroes had been permitted to register. In Clarke County, for example, with nearly 3,000 Negroes of voting age, only 1 Negro had actually been registered.

The 14th amendment is equally clear that if the right to vote is denied or abridged, the basis of representation shall be proportionately reduced. But the committee's action takes no cognizance of this constitutional safeguard or of its flagrant disregard.

Mr. Speaker, earlier this year we passed a historic bill to sweep away the remaining obstacles and restrictions to full voting rights. We passed this bill in the belief that the right to vote was a cornerstone of democracy; that it was an essential element of our form of representative government which must be defended and secured.

But where is the consistency in passing such a bill and in turn denying this challenge today? I cannot find it in the statute books. I cannot find it in the spirit of our law. And I cannot find it in the facts of this case.

I agree with the committee on one point: the House should make every effort to scrutinize all future elections with great care. But this certainly does not speak to the case before us today. It certainly is far from a sufficient response to the injustice which has occurred. For the fact is that more than 400,000 Negroes were kept from the polls in this last election. How many of them actually would have voted is problematical. But that they were purposely and effectively kept from the registration booths is beyond question.

Mr. Speaker, I am firmly opposed to dismissing this challenge, particularly on the technicality on which the committee bases its action. I believe that we should, and I urge that we do, defeat this resolution and return it to the committee for full public hearings and a decision based on the merits of the case. Only in this way can we insure that all of the citizens of Mississippi—white and Negro alike—are accorded their proper, basic, and constitutional right of participating in the selection of their representatives in this great House of all the people.

Mr. FRASER. Mr. Speaker, the issue now under discussion is without doubt one of the most important actions the 89th Congress will take. The challenge to the Representatives from the State of Mississippi is not only an internal question affecting the prerogatives of the House, but is a fundamental issue dealing with the right of all Americans to participate freely in the election of their representatives.

I do not believe that this body has given adequate consideration to all the questions posed by the challenge and for this reason I oppose the motion to dismiss the charges.

I believe that the challenge should be referred back to the House Administration Committee for additional hearings. Such hearings should more carefully examine the elections being contested and not just the question of whether the contestants had legal standing to bring their challenge. As the minority views of the report on House Resolution 584 state:

> Neither the precedents nor the requirement that only an opposition candidate can contest an election of a Member of the House were established to prevent contests under present circumstances.

Such a requirement, in my opinion, was almost impossible to meet in view of the widespread discrimination in Mississippi and the actions of its officials.

For these reasons, I urge the recommittal of the challenge to the House Administration Committee for open hearings.

Mr. ABBITT. Mr. Speaker, these contested election cases are most important. I strongly support the resolution now pending. As a member of the Elections Subcommittee of the Administrations Committee of the House of Representatives, I have looked into this matter carefully and painstakingly. I feel that it should be clear and beyond a shadow of a doubt that the statutes under which these contests were brought are not available to the contestants. It should be made crystal clear that in a contest for the seat of a Member of the House of Representatives, under the statutes, the contestant must have been a legal candidate in the election contest for the seat. The statutes under which these contestants are proceeding do not provide that a person not a party to an election contest is eligible to challenge an election under the statutes. Of course, there are other avenues open such as a resolution by a Member or a petition to the Congress.

I am convinced that the overwhelming majority of the subcommittee is in accord with the sentiments I have just expressed.

On January 19, 1965, this House passed the following resolution:

> Whereas James R. Frankenberry, a resident of the city of Bronxville, N.Y., in the Twenty-fifth Congressional District thereof, has served notice of contest upon Richard L. Ottinger, the returned Member of the House from said district, of his purpose to contest the election of said Richard L. Ottinger; and
>
> Whereas it does not appear that said James R. Frankenberry was a candidate for election to the House of Representatives from the Twenty-fifth Congressional District of the State of New York, at the election held November 3, 1964: Therefore be it
>
> *Resolved,* That the House of Representatives does not regard the said James R. Frankenberry as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, Richard L. Ottinger, is hereby dismissed.

In 1940, there was a similar contest wherein one Miller was a candidate for the House of Representatives in Ohio against Representative KIRWAN in the primary. Our beloved colleague, Mr. KIRWAN was nominated and his opponent was not a candidate in the general election but attempted to contest the seat. The contest was disposed of by the House in 1941 by resolution reported in the CONGRESSIONAL RECORD, 1941, volume 87, part 1, page 101. The proceedings in the House at that time read as follows:

H. RES. 54

> Whereas Locke Miller, a resident of the city of Youngstown, Ohio, in the Nineteenth Congressional District thereof, has served notice of contest upon Michael J. Kirwan, the returned Member of the House from said district, of his purpose to contest the election of said Michael J. Kirwan; and
>
> Whereas it does not appear that said Locke Miller was a candidate for election to the House of Representatives from the Nineteenth Congressional District of the State of Ohio, at the election of November 5, 1940, but was a candidate for the Democratic nomination from said district at the primary election held in said district at which Michael J. Kirwan was chosen as the Democratic nominee: Therefore be it

Resolved, That the House of Representatives does not regard the said Locke Miller as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, Michael J. Kirwan, is hereby dismissed; and no petition or other paper relating to the subject matter contained in this resolution shall be received by the House, or entertained in any way whatever.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Speaker, these two cases are on all fours with the cases now before us. They are precedents that must and should be controlling. For this House to hold otherwise would be a travesty upon justice and in disregard of the law. The statute in question does not open up to anyone or any number of individuals for good or bad reasons the right to proceed under the statute to contest the election of any Member of the House but is confined exclusively to legitimate and legal contestants in the elections and rightly so.

In these cases, the sitting Members have been duly and legally elected under the laws of the State of Mississippi. They have been properly certified as the duly elected candidates by the Governor of the State of Mississippi. No fraud is charged, no wrong-doing is laid at the door of these Members. The contestants were not legal and legitimate contestants in the election. As a matter of fact, all the contestants participated in the primary and in the general election. Three of them were candidates in the primary and under the law were legally and morally bound to support the nominees of the Democratic primary which, of course, they have not done.

It is clear that the contestants are not proper parties to contest the election of these sitting Members from Mississippi. The statute is not open to them and the resolution should be unanimously approved.

Mr. ANDERSON of Illinois. Mr. Speaker, I shall cast my vote against the resolution to dismiss the five Mississippi election contests. I do so with the deep and abiding conviction that the procedures that have been employed in this case by the Elections Subcommittee of the House Administration Committee have not afforded the contestants the opportunity to which they are entitled under the statutes and under the precedents of this House to a full and complete hearing.

It is uncontroverted in the record here today that the subcommittee held but a single meeting from which the press was barred, the public was barred, and Members of the House Administration Committee who did not serve on the Elections Subcommittee were barred from attending. I am deeply disturbed at the implications carried by such procedures. The House should have nothing to hide in a matter of this kind, and I can think of no reason in the world why this should not have been a public hearing and why the amount of time necessary to completely go into all of the allegations of the contestants should not have been taken. I have consistently been critical throughout this first session of the 89th Congress of the efforts by the Democratic Party in the House to ram through legislation with inadequate hearings and with little or no opportunity given to the minority to even express their dissent or to offer perfecting amendments.

In a somewhat different context, we have witnessed once again here on the floor of the House this afternoon this same Democratic majority seek to accomplish the same objective with respect to these election contests. I could not condone such procedure in the case of a bill involving the establishment of a National Foundation for the Arts and Humanities, which was the bill considered on the floor of the House yesterday, nor can I condone it with respect to the matter which is before us today.

In all candor, Mr. Speaker, I would state that if the vote today were on the Ryan resolution to oust all of the Members of the Mississippi delegation from their seats here in the House, I would vote against it because I do not feel that as one of the Members of this body charged with the constitutional responsibility of sitting in judgment upon their right to hold their seats in this Congress that the facts have been developed on the public record which would entitle me to make such a decision. However, by the same token, Mr. Speaker, I do not feel that the Elections Subcommittee has conducted an adequate public hearing of this matter which would entitle me as a Member of this body today to vote to completely dismiss the challenges that have been filed.

Mr. BUCHANAN. Mr. Speaker, the Mississippi delegation to the Congress has been duly elected to this body, certified as elected by their State, and previously seated at the outset of the session by a vote of the House of Representatives itself.

To honor the request of those who contest these elections would not serve to gain representation for any person who claims to have been disenfranchised in the State of Mississippi but rather would remove from this body all representation for all of the people of Mississippi. It would be an act of retribution and a vengeance rather than a remedial action. Further, the outcome of not one of these elections would be changed even if the votes of all of those allegedly disenfranchised were added into the total vote. I, therefore, congratulate the committee for its recommendation that the contests be dismissed, and urge that House Resolution 585 be adopted by the House.

Mr. CLEVELAND. Mr. Speaker, my opposition to the resolution rests in substantial part on the same foundation which supported my vote and argument against dismissing the election contest against the gentleman from New York [Mr. OTTINGER]. That conflict was dismissed when a majority of the House voted to accept the contention of the majority leader that the person bringing the contest, not having been a candidate for that seat himself, was not legally competent to bring it. My arguments and those of the majority leader and others are set forth fully in the CONGRESSIONAL RECORD for January 19, 1965, page 952 et seq.

In the present case, as in the Ottinger case, the contention is being made that the persons bringing the suit or contesting these elections in Mississippi are not legally competent to do so because they were not themselves candidates in those elections. I believe the decision the House took in January in the Ottinger case was erroneous and contrary to statute. I believe the same argument applies in the present case.

On January 19, I quoted the applicable statute, 2 U.S.C. 201:

> Whenever any person intends to contest an election of any Member of the House of Representatives of the United States he shall—

The law clearly states "any person," not just a candidate, may bring suit to contest an election for the House. It is true that the House itself, under the Constitution, is the sole judge of its own membership and, in acting under this overall authority, it may be argued that the House in January, in the Ottinger case, overruled or rewrote, in effect, its own statute. If this were the argument, we would have to bow to the superior forces that can be mustered by the majority and let the matter go. But the majority is not making this argument; it continues to argue that a person must have been a candidate to contest an election for the House, an interpretation which I strongly believe is incorrect and contrary to both law and precedent. So, in fact, the majority's decision is a decision based on force of numbers and wrought solely out of the strength of its majority. This is rule by men, not law, then; and I strongly believe that it is wrong.

Consistent, then, with this view of affairs, consistent with my vote in the Ottinger case, and consistent with what I believe to be the law as well as what is right, I shall vote against the dismissal of this resolution.

Mr. ABERNETHY. Mr. Speaker, I wish to express thanks to those in the House of Representatives who have stood by the members of our delegation throughout this long ordeal. We have made this fight with limited funds against the heaviest kind of organized pressures and pressure groups. The so-called contestants have been well financed. They have resorted to every kind of misrepresentation, demagoguery and innuendo to press this illegal challenge. In fact, it has not been a challenge, Mr. Speaker. It does not have the first element of a challenge. It has been nothing less than a well-organized pressure effort to throw five duly elected Members out of their rightful seats in this body.

Mr. Speaker, I have not stolen any votes. I am not charged with any fraud. I am not charged with a violation of the Corrupt Practices Act. In fact, I am charged with nothing offensive to this body or to my fellowman.

No charges are made that I or any member of our delegation has failed to comply with the election laws, State or Federal. No one has challenged our qualifications to properly represent our people, our State or our country. They simply ask that we be thrown out on the ground that someone else has allegedly violated the election procedures. And they have not proven this.

Oddly enough, Mr. Speaker, we were not the only persons elected in Mississippi on the election day last November. Presidential electors were elected that day. Their ballots were cast and counted in this very Chamber for the Republican nominee. They make no complaint about that.

A U.S. Senator was elected in that election. He was sworn and seated in the Senate. They make no complaint about that.

They make no claim to my seat, or to those of my colleagues. What would be gained, if their contest prevails and we are thrown out of this body? Every Mississippian would be a loser, including the so-called contestants. But, oh yes, these lawyers from New Jersey, New York, and numerous other places—150 or more in all—would become great heroes among the experts in the creation of chaos and confusion. That is their game and they play it well.

These so-called contestants make the contention that some people were denied the right to vote. As for themselves, they make no complaint at all. And they cannot make such. The facts are that each and every one of them offered to vote and did vote in the primary election. Several were candidates, some for House seats, another for the Senate. They make no complaint they were unable to get on the ticket. They cannot make such because the names of some of them appeared thereon, and they were defeated. They appear to be very poor losers, Mr. Speaker.

When defeated in the primary, they bound themselves to vote for the nominees. This is the law of our State. On the contrary they attempted to run as independents. They fully and completely failed to qualify as such.

They do not complain that they were denied the right to vote in the general election last November. They could not so complain because each and everyone of them appeared at the polls, requested, and received ballots, voted and dropped them in the ballot box and they were counted along with others so cast.

An election contest according to all precedents I have read is a well defined procedure by which no candidate seeks to try title to the office involved, claiming himself to have been elected. These people claim no right to these offices.

They were not candidates. Therefore, under each and every precedent of this body—Kirwan case in 1941, Peterson case in 1944, 71 challenged members in 1945 and the Ottinger case in January 1965—they are not qualified contestants. In the cases here cited, all of which are foursquare with these so-called contests, the claims of the contestants were rejected. And I submit, Mr. Speaker, this is the only action this House can take if it follows the precedents heretofore laid down by this body.

In closing, Mr. Speaker, I again wish to thank my friends. With your help I am confident of the outcome.

Mr. ROBISON. Mr. Speaker, since the House—according to the precedents—is acting as a court in considering the election contests against the present Representatives from the State of Mississippi, and as a court of last resort and of highest powers at that, I would presume that these remarks of mine might be considered as being in the nature of a dissenting opinion to that expressed by a majority of the Committee on House Administration.

I have followed the developments in this matter most closely, especially so because I was one of the 276 House Members voting in the affirmative on the previous question on House Resolution 1, of this Congress, when it was presented to us on last January 4.

In so voting, it was my understanding that I was not then making any decision as to the merits—whatever they might prove to be—of the contestants' case. In point of fact, I was not then in a position so to do by virtue of the fact that, along with most of my colleagues, I was not in possession of any information other than the news media reports to the effect that the election of the Mississippi Representatives might be contested and, as we all will recall, such debate as there was on House Resolution 1 was so limited as to be of no informational help whatsoever.

It was, therefore, my expectation that the contests would receive an adequate consideration, on their merits, after full and open hearings by the Committee on House Administration.

Regretfully, I must say that this expectation on my part has not been realized.

If anything of value can be gained from the report which accompanies the resolution now before us—House Resolution 585—it is that the majority of the committee has made a determination that the named contestants are not proper parties in a proceeding such as this. Seemingly—although the committee report is so ambiguous that even this point involves some speculation on my part—the dismissal recommendation here on the part of the majority of the committee is based upon the precedent supposedly established by the House earlier this year in dismissing a contest brought against the gentleman from New York [Mr. OTTINGER]. That particular dismissal—against which I voted—as the RECORD will show—rested upon the fact that the nominal contestant in the Ottinger case was not also a "contestant" for that Member's seat.

Having so voted in the Ottinger case, it would seem to me to be inconsistent for me now to vote for the summary dismissal of the Mississippi contests on the same narrow grounds, although I am frank to admit that the precedents of past House actions supposedly controlling on this point of who is or who is not a proper contestant in these cases leave much to be desired from the standpoint of consistency.

In any event, it is amply clear that the House is the final judge or arbiter over matters involving the election or qualifications of its own Members and that, as such, it is not a technical court of equity nor strictly bound by prior precedents or rulings.

The larger question to be resolved here, then, is whether or not the committee has considered these contests on their merits.

I cannot agree that it has, and I therefore am of the opinion that the entire matter should be returned to the committee for further consideration which, I would hope, would not occur until after adequate public hearings had been held.

I shall therefore vote, if given the opportunity, for a motion to recommit and, if that should fail, against House Resolution 585. I do so with a full awareness of the possibility that this could leave the presently seated Members from Mississippi in continuing doubt as to their status, and I regret this for they are my friends and I hold them—all—in the highest regard.

Mr. COLMER. Mr. Speaker, I am sure that it is not necessary to point out here that this is not a very pleasant situation in which your Mississippi delegation finds itself today. While we do not entertain the slightest doubt about the ultimate outcome, we find little comfort in the knowledge that this alleged contest has serious political implications on a national basis. At the same time, we must be realistic enough to recognize the facts of political life. We must take cognizance of the conflict of the political philosophy of ourselves and the handful here in the House leading the fight as well as those behind them. We must also take into consideration the tremendous pressure that has been brought upon the membership of this House by outside influences.

Mr. Speaker, I am confident that I bespeak the sentiment of my colleagues as well as my own when I state that there is no bitterness or resentment on our part toward any of our colleagues. Their decision in this matter, as in all others which confront them, is one for their own discretion and conscience.

But, Mr. Speaker, I cannot refrain from deploring some of the tactics and the operations that have been used by those, outside of the Congress, who deliberately conspired to bring this action to deny my State representation in the House of Representatives. It must be obvious to all fair-minded people, familiar with this matter, that this action against my State was but a part of an overall conspiracy. In fact, it has been admitted by the representatives of some of these organizations that Mississippi was to be used as the pilot; and, if successful, they would then move in on other States of the South.

It would be difficult to make anything like an accurate appraisal of the money that has been spent, not by Negroes of Mississippi but from out of the State, in this effort. I am confident that it was not less than $1 million.

Mr. Speaker, we who have the honor of representing Mississippi in this Chamber have a combined service of more than 100 years. I alone have the honor of having been a Member of this body for some 33 years. We have endeavored during our service here to deport ourselves with honor and dignity and to legislate for the best interest not only of our State, but what we conceive to be the best interest of the Republic. But, Mr. Speaker, no one recognizes more than we that we are expendable. It little matters so far as the maintenance of the dignity and perpetuation of this Congress is concerned whether we remain or go. But, Mr. Speaker, the maintenance, stability, and dignity of this House as an institution is important. If the membership of this body is to be subjected to this type of procedure, where the whole delegation of a sovereign State can be successfully challenged by some nebulous political group, then the very foundation of the Congress would be destroyed. In fact, as we pointed out to the committee, sufficient Members could be challenged under such a precedent, where there were no bona fide contestants, to paralyze and make inoperative the whole Congress.

Mr. Speaker, for the Record, I should like to submit the following opening statement made by me on behalf of the Mississippi delegation in the hearing before the subcommittee when this alleged contest was considered by that group:

Statement of Congressman William M. Colmer Before the Elections Subcommittee of the Committee on House Administration, U.S. House of Representatives, September 13, 1965

Mr. Chairman, members of the subcommittee, in view of the fact that the counsel for the Mississippi delegation in this alleged contest has been appointed by President Johnson as a member of the fifth circuit of the U.S. Court of Appeals and has assumed that position, we will present our own case. And while there are five separate contests, there is in fact but one issue. We will therefore discuss the purported contests en bloc. In the absence of the benefit of counsel we have divided the 1½ hours allocated to us for discussion among the five of us. Not because of any particular or superior ability but I assume because I am the dean of the Mississippi delegation, I have been selected to make the opening statement.

HISTORICAL

It might be well to state in the beginning what happened in the 1964 election, which is here attempted to be challenged. Mississippi held its primaries on June 2, 1964. In the Democratic primary held on that date all five of Mississippi's House Representatives were, of course, up for renomination, as well as its junior Senator, John C. Stennis. All four of my colleagues, to wit, Thomas G. Abernethy, Jamie L. Whitten, John Bell Williams, and former Congressman Arthur W. Winstead, as well as myself and Senator Stennis were renominated in that primary.

In that primary election, Congressman Abernethy had no opposition and he, therefore, was duly declared the Democratic nominee. Congressman Whitten was opposed by one Fannie Lou Hamer. Whitten was declared the Democratic nominee. In the Third District, Congressman John Bell Williams was opposed by one J. M. Houston, a Negro. Williams was declared the Democratic nominee. In the Fourth District, our former colleague, Arthur W. Winstead, was opposed by two opponents but received a majority of the votes and was declared the Democratic nominee. In the Fifth (Colmer district), Colmer was opposed by three opponents, two of whom were of the white race and one of the Negro race. In this spirited contest Colmer received a majority of the votes and was declared the Democratic nominee.

In the statewide race, Senator Stennis was opposed by one Victoria Jackson Gray, also of the colored race. Senator Stennis received an overwhelming majority of the votes and was declared the Democratic nominee for the Senate.

In the 1964 general election neither Congressmen Abernethy, Whitten, Williams, nor Colmer had an opponent. The four of us were, therefore, duly certified to the Clerk of the U.S. House of Representatives by the duly authorized Governor and secretary of state of Mississippi as the duly and legally elected Representatives from the State of Mississippi as witnessed by the Honorable Ralph Roberts, Clerk of the U.S. House of Representatives, as was also Hon. Prentiss Walker, a Republican, who had defeated former Congressman Arthur Winstead in the said election.

MOCK ELECTION

However, a self-styled Freedom Democratic Party group held what they were pleased to term "freedom elections" in the Second (Whitten), Fourth (Walker), and Fifth (Colmer) Districts. These were nothing but mock elections, tantamount to straw votes, and were held without any sanction of law and conducted over a period of 4 days, from October 30 to November 2. They were conducted by private individuals. No list or other data was filed with State authorities or, for that matter, has been filed in this alleged contest to show who participated therein; or whether they were qualified electors.

It should also be pointed out here that in the Second District, Fannie Lou Hamer, who was a candidate in the primary against Congressman Whitten, was also a candidate in the mock election against Congressman Whitten. Likewise, the said Victoria Jackson Gray was a candidate against Senator Stennis in the primary and then was a candidate against Congressman Colmer in the mock or straw vote election.

Under Mississippi law, one cannot be unsuccessful as a candidate in a primary and run later in the general election. Thus, both the said Hamer and Gray were estopped under the law from running in the general election even had they so desired.

NO CONTEST WITHOUT A CONTESTANT

The one thing that I desire to emphasize and reemphasize before further discussion is that in order for there to be a legal contest in the House of Representatives there must be a legal, bona fide contestant. The books are full of cases bearing out this fact. Even the old precedents relied on by the opposition here, if fully revealed, disclose that even in those cases there were contestants and the decisions, regarded by them as favorable, were reached upon other grounds such as fraud, riots, and so forth.

It will be noted from the notice of the intent of the opposition to contest the seats of the incumbents, that they proceeded upon this theory. In other words, they elected to proceed under section 201, title 2, United States Code, requiring a legal contestant. That is, a contestant who had been unsuccessful in an election against a contestee. They subsequently attempted in their brief to change their procedure. But having made their selection, they are bound by it, although they now admit that they are not contestants in the light of the statute.

We repeat there cannot be a contest without a bona fide contestant.

Time will not permit me to recite the many precedents substantiating this fact but I do want to briefly call the committee's attention to two recent cases:

THE KIRWAN CASE

Locke Miller was a candidate for Congress against Representative Kirwan in the Democratic primaries of 1940. Mr. Kirwan was nominated. Mr. Miller was not a candidate in the general election but attempted to contest the seat. On these facts, the House resolved that it did "not regard the said Locke Miller as a person competent to bring a contest for a seat in the House and his notice of contest, served upon the sitting Member, Michael Kirwan, is hereby dismissed."

The entire language of the House resolution appears at page 952 of the Congressional Record for the present session of Congress, where it was printed at the request of the majority leader, Mr. Albert.

THE OTTINGER CASE

Subsequently and to wit on January 19, this year, this principle was reiterated in this House. In the Ottinger case, a Mr. Frankenberry, who was not a candidate in the general election (incidentally, the same general election in which the Mississippi delegation was elected) sought to contest the seat of Representative Ottinger who had been declared elected. The House on a recorded vote last January upheld the contention of Mr. Ottinger that in view of the fact that Mr. Frankenberry had not been a candidate in the general election, he was not a fit person to contest the election and Mr. Ottinger was seated.

With no desire to make comparisons by which Congressman Ottinger might suffer, I point out that the case against Mr. Ottinger was a stronger case than against the Mississippi delegation. For the record will disclose that there were charges amounting to violation of the election laws concerning the amount of money that could be expended. In our case, not one suggestion of the faintest nature has ever been mentioned of irregularity or fraud in our election.

CLAIM ILLEGALITY MISSISSIPPI ELECTION LAWS

In their scattergun attempt to make a case against the Mississippi delegation, the charge was made that the Mississippi election laws under which the delegation was elected were illegal and unconstitutional in that they violated the compact of 1870 which readmitted Mississippi to the Union. If this contention be justified then it is common knowledge that every State in the Confederacy, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Texas, and Arkansas, as well as Mississippi, are in the same position. Assuming that these States were out of the Union (the Supreme Court of the United States in *Texas* v. *White*, 1869, held that they never were out), for the sake of argument, all of the Representatives from these States in the Congress since 1870 must be considered also as illegally elected.

Do the proposed contestants here expect to unseat all of the present Members from these States if successful in the Mississippi case?

As a matter of fact, if this be true then I have been serving illegally in this House since 1932, a total of 33 years. And the same goes for Congressmen Abernethy, Whitten, Williams, and Walker, who have a combined service of 67 years. If this were followed to its logical conclusion, what effect would such a decision have upon the laws that have been enacted by the Congress while all of these Representatives and Senators from these States have been serving illegally over these many years?

COURTS ARE ARBITERS OF LEGALITY OF STATE LAWS

As a matter of fact, all of the precedents are to the effect that the courts are the proper tribunal to decide the legality of election laws. The House without debate in a South Carolina case (*Dantzler* v. *Leaver*, 2 Hinds, 1137, p. 742) upheld its Committee on Elections which said, "The South Carolina constitution of 1895 contained educational and property qualifications. Contestant contended that even if he was not elected the contestee should be unseated. The committee pointed out that Virginia, North Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas were in identically the same position as South Carolina and that if one were unseated for this reason all Representatives from these States would likewise have to be unseated, and the seats would have to remain vacant until new constitutions could be adopted and new laws enacted." The House agreed and seated the contestee. There are numerous other precedents to the same effect. (*Houston* v. *Broocks*, 1 Hinds, 643, p. 854.)

MOOT QUESTION

To be realistic and to blueprint the exact situation here, we assert that this whole question has become a moot one and is no longer worthy of consideration. In substantiation of this statement we remind the committee of the following facts:

1. Congress has only this year passed the so-called voting rights bill which in fact nullifies all of the election laws of the State of Mississippi (as well as other States) of which the purported contestants complained.

2. The State of Mississippi has, by amending its constitution, repealed all of the laws affecting voting rights of which complaint here is made.

3. To all intents and purposes this purported contest was settled on January 4, 1965 (CONGRESSIONAL RECORD, p. 19) when the House on motion of the majority leader, Mr. ALBERT, by a rollcall vote authorized the Speaker to administer the oath of office to the Members (here contested) of the Mississippi delegation. The resolution so authorizing the Speaker was as follows: "*Resolved*, That the Speaker is hereby authorized and directed to administer the oath of office to the gentlemen from Mississippi, Mr. THOMAS G. ABERNETHY, Mr. JAMIE WHITTEN, Mr. JOHN BELL WILLIAMS, Mr. WM. M. COLMER, and Mr. PRENTISS WALKER."

It would appear that those pushing this so-called contest apparently are following their usual role where they prefer the issue to the objectives they claim to seek.

FAR-REACHING IMPLICATIONS

Mr. Chairman, it is inconceivable that this House, notwithstanding all of the political pressures that have been, is being, and will be exercised by those who have conspired to deny the great State of Mississippi of its representation in the House of Representatives, will fail to withstand this type of an attack upon its Members and the dignity of the House itself. Is it unreasonable to assume that if the efforts of this self-styled Freedom Democratic Party should prevail, the very stability of the House of Representatives as a dignified legislative institution will be undermined. Is it unreasonable to assume that any group in any State, North, South, East, or West, could challenge any Member or any State delegation if this precedent should be set. Today it is the Freedom Democratic Party in Mississippi. Who can say that tomorrow it will not be the Ku Klux Klan, the Black Muslims, or any other organization in any other State of the Union who would be encouraged to do likewise? Yes, it is conceivable that a conspiracy on a national level could disrupt and stop the functioning of the Congress if such a precedent was once established.

On January 19th, discussing this matter in another case, the gentleman from Oklahoma, the distinguished majority leader, Mr. ALBERT, said among other things the following:

"If the contention of the gentleman is correct, there is no limit to the number of individuals who could contest any seat in this House, if the contest were brought in due time.

"I wish to quote from the statute. I have already quoted from the precedent of the Kirwan case. I say to the gentleman that it was intended that this case be limited to those who participated in the election, to one of the candidates in the election.

"I say that the Congress never intended to give unqualified authority, pell-mell, under this statute, to individuals, to good people or to bad people, to contest any Member's seat, for good reason or otherwise."

CONCLUSION

Finally, Mr. Chairman and members of the committee, we are asking you to uphold the dignity of the House; to stop the highly organized and burdensome harassment of your Mississippi delegation as well as the harassment of all of the Members of the House, by this well organized, well financed group conspiracy.

We respectfully but firmly request that these alleged contests be forthwith dismissed.

Mr. WHITTEN. I wish to say we all are deeply indebted to those of our friends who were helpful in handling of this matter before the committee and in voting to dismiss the pending challenge. In that connection, I would like at this point to show for the permanent record that none of the so-called contestants were candidates in the 1964 elections. In fact, three of them were candidates in the Democratic primary which, under section 3129 of the Mississippi Code, would bind them to support the nominee of the primary and would make them ineligible to be candidates in the general election in November.

Mr. Speaker, while it has not been called to the attention of the House during the debate, when our counsel, former Gov. J. P. Coleman, was appointed to the U.S. Court of Appeals, it fell to the lot of our delegation to complete the handling of the matter of these so-called contests against Mississippi before the Committee on House Administration, including the argument. As I pointed out in the closing argument, before the committee, the so-called contestants agreed they were now making no claim to any seat held by the present Members. This statement was concurred in by their counsel on Wednesday of this week; but they agreed that what they wanted was to have the seats declared vacant, thus leaving our State without representation.

In view of this, Mr. Speaker, I would candidly point out that there was, in fact, no basis for the contest from the outset, and under all precedents the matter should not have reached the point that it has here. Also, may I say we were asked to file the motion to dismiss these so-called contests, to prevent further harassment of the membership of the House.

Mr. Speaker, the Governor of the State of Mississippi, on November 10, 1964, certified to the Clerk of the House of Representatives that each of the present Members of the Mississippi delegation had been elected to a 2-year term in the general election of November 3, 1964. Each of the Mississippi Members was duly sworn in as a Representative in the Congress from Mississippi on January 4, 1965—House Journal, January 4, 1964, 1st session, 89th Congress.

Mississippi Members of the House thereafter were assigned to committees and have been performing their general duties as Members of the House since said date of January 4, 1965.

It is to be noted that nowhere in all the allegations of the "notice of contest," or in the brief subsequently submitted by the so-called contestants, is there any charge or allegation that any Member of the Mississippi delegation participated in or had any knowledge of fraud.

Section 5 of the Constitution, which reads, "Each House shall be the judge of the election returns and qualifications of its own Members," is fully controlling and there can be no question but what the House is the sole and only judge of matters covered in such constitutional provision. In the exercise of its rights and duties, the House sets up rules for itself and, under such section, the House has recommended and Congress has passed statutes which provide for specific methods for instituting of contest as to title to a seat in the House—title 2, United States Code, sections 201–226. Though we might agree that the House has not always held these statutes as an absolute and binding force, it does regard them as a sound rule.

Thus, on that basis the question here is not one of what the House could do but of what in the exercise of its sound judgment it should do. Certainly to follow the rule and dismiss the pending so-called contest would be sound in this instance because the claimed contestants were not candidates in the general election but attempted to bring themselves within the purview of the statute to the point of using its provisions to their advantage.

Though there are various methods of contesting a seat, which have been used in prior years, the House may adjudicate the question of whom to seat in each of the four following questions:

1. In the case of a contest between the contestant and the returned Member of the House, instituted in accordance with the provisions of law.

2. In the case of a protest or memorial filed by an elector of the district concerned.

3. In the case of a protest memorial filed by any other person.

4. On motion of a Member of the House.

These are from Cannon's Precedents of the House of Representatives, volume VI, section 78, page 111.

The so-called contestants in the instant cases elected to proceed under the statutory provisions of title 2, United States Code, sections 201–226—see origin notice of contests, "notice of intention to contest election pursuant to title 2, United States Code, section 201."

In choosing to proceed under title 2, United States Code, section 201, the contestants secured to themselves certain rights of procedure under such statutes:

First. Each so-called contestant had the right to apply for issuance of subpenas to any judge of any court of the United States, any chancellor judge or justice of the court of record of any State, any mayor, recorder, or intendant of any town or city.

Second. By following the statutory procedure, the so-called contestants had a right to have such officer to issue his return of subpena, direct it to all such witnesses as shall be named to him, requiring their attendance before him at some time and place named in the subpena, in order to be examined regarding the respective election.

Third. By consent in writing the so-called contestants had the right to take depositions without notice and by such written consent to take depositions before any officer or officers.

By following such statutory proceeding any witness who failed to attend within the county is subject to forfeit a cash penalty or is liable for indictment for a misdemeanor and punishment by fine or imprisonment.

The so-called contestants claimed other rights applicable by reason of following the statutory procedure, all of which is shown by title 2, United States Code, sections 201–226. As stated, while there is no question about the House of Representatives having the power to do as it pleases in the matter, certainly it would be sound in the exercise of its discretion for the House to require that the so-called contestants having chosen to claim the benefits of such statutory proceedings must follow the requirements of such statutes.

At the threshold of this presentation we are confronted with the indisputable fact that on November 3, 1964, a general election was held in the State of Mississippi on the date prescribed by Federal law. In this election the people of Mississippi voted for a U.S. Senator, for presidential electors, for certain State officials, as well as Members of the House. The contestants raise no claim that this election was conducted any differently or under any different circumstances to those similarly held for the past 60 years, and about which there has been no contest in the Congress or elsewhere.

The presidential electors elected in this election cast their ballots for President. The alleged contestants raised no claim that the election of the electors was invalid or that their votes for President were invalid, even though elected in the same election with the same votes and under the same circumstances as were the Mississippi House Members.

The candidate elected to the U.S. Senate in that election was sworn, seated, and like the House Members is now serving. These alleged contestants have raised no claim that the election of the said Senator was invalid, even though he was elected in the same election as were the Members of the Mississippi House delegation.

In the case of Congressman Thomas G. Abernethy, First Mississippi District, no one made an effort to qualify in either the primary, the general election, nor was a local election held. Certainly there is no basis for any showing whatsoever that any action by the House would change the outcome of such election.

In the case of Congressman Jamie L. Whitten, Second Mississippi District, it is to be noted that in the notice of intent to contest election pursuant to title 2, United States Code, section 201, the said Mrs. Fannie Lou Hamer stated she was a candidate in the regular Democratic primary of June 2, 1964, and that she was overwhelmingly defeated in such primary election by a vote of 35,218 to 621—page 1, notice of intention to contest election, pursuant to title 2, United States Code, sections 201–226.

Said so-called contestant further alleged in her said notice that following her contest in the Democratic primary election she attempted to place her name upon the ballot in the general election as an independent candidate. For the name of the said so-called contestant to have been placed on the general election ballot after defeat in the primary election would have been in violation of section 3129 of the Mississippi Code of 1956, as was held in the case of *Ruhr* v. *Cowan*, 146 Mississippi Reports, 870–112 So. 386. Most States have similar statutes.

In the so-called notice to contest, the said Fannie Lou Hamer goes further and alleges as follows:

> I then ran as a candidate for a seat in the House of Representatives from the Second Congressional District in the "freedom election" held in Mississippi from October 30 to November 2, 1964, in which said election all citizens who had the qualifications required by Mississippi law were permitted to participate without intimidation or discrimination as to race or color. In that election I received a total vote of 33,009 while you received only 59. Accordingly, in addition to contesting your purported election I will upon the basis of the "freedom election" claim the seat in Congress from the Second Congressional District of Mississippi.

Of course, this mock election, if actually held, has no standing whatever. It is to be noted, however, that said Fannie Lou Hamer claims she received less votes in the mock election than the 70,218 votes received by Congressman Whitten in the general election, when he had no opponent.

Thus, it is evident that, accepting all the claims of the said Fannie Lou Hamer about her 4-day election in which she avers everyone she considered qualified was permitted to vote, the said Fannie Lou Hamer claims to have received less than half the votes Congressman Whitten received in the general election and less than he received in the primary. Under all her allegations, it is evident that the outcome of the election would in no way have been changed.

In the Third Congressional District, while John Bell Williams was opposed by one J. M. Houston in the Democratic primary, said Houston disappeared from the picture and neither of those who attempt to contest Congressman Williams' election attempted to qualify, were candidates in the primary, nor were they candidates as Republican or independent in the general election. Although there was no election of county and municipal officials in 1964 and though Mr. Williams had no opposition, 84,305 voters went to the polls and took the trouble to mark their ballots for him.

In the Fourth District there was a contest between Mr. Prentiss Walker, Republican, and former Congressman Arthur Winstead, Democrat. Mr. Walker, Republican, received 34,684 votes, winning the election, and was duly certified by the Governor as the winner. In this district the claimed-to-be-contestant, Mrs. Annie Devine, states that they, too, held a mock election where all all citizens who had the qualifications required by Mississippi law were permitted to participate. The said Mrs. Annie Devine claims to have received only 9,067 votes. It is apparent on the face of this statement that no action taken by the House of Representatives could in any way change the outcome of the election in that district.

In the Fifth Congressional District, Congressman William M. Colmer was unopposed by any of those who have instituted contest against his election. Mrs. Victoria Jackson Gray, who attempts to contest his election was actually a candidate in the Democratic primary in opposition to Senator John C. Stennis. It might be of interest to note she received only 4,703 votes as compared to 173,764 votes for Senator Stennis. As already pointed out, by qualifying as a candidate in the Democratic primary Mrs. Gray pledged her support to those nominated in that primary. However, Mrs. Gray alleges in her notice of contest under the statutes that a mock election was held for 4 days in the Fifth District and states that she received only 10,138 votes in such mock election. Congressman Colmer, running unopposed and in a year in which county and municipal offices were not involved in election, received votes from 83,120 persons who went to the polls and took the trouble to mark their ballot for him.

Thus, it is to be seen that under all the allegations by the so-called contestants there would be no change in the outcome of the election and that the Members duly certified and approved by the Congress in its resolution on January 4, 1965, as Mississippi Representatives in the Congress should retain their seats.

Now, while "each House shall be the judge of the election returns and qualifications of its own Members," the House has the further obligation of discharging the many other constitutional duties and obligations of this body, such as providing for raising and collecting of taxes, to appropriate money for operations of the Government, and, of course, take its part in providing laws for the operations of the country, determine and adopt rules for its own proceedings, and so forth, all of which as a coordinate House of the legislative branch it must do to maintain the Congress as one of the three equal and coordinate branches of the Government, legislative, judicial and executive.

What action the House should take in the instant case must be considered in line with the other obligations for the orderly handling of the business of the House. It is acknowledged that the House has an obligation to all persons, the public, all candidates, its Members; but its primary obligation is to protect its own integrity, which means it must protect the right and opportunity of its Members to work, that it may perform its function and maintain its place in our Government. An equal of the Senate and together with the Senate, it must remain one of the three coordinated branches as mentioned before.

Now, as to why this committee and the House should dismiss the proceedings here, subsequent to the filing of notice to contest under the statutes, it is to be noted at this point, on page 1 of their answer to the purported contest each of the Representatives in Congress from Mississippi pointed out that the affidavits of service were defective and for this reason "your purported contest should be dismissed and by its own terms your purported contest is not a contest." Further, it is to be noted that on page 3 each of the Mississippi Representatives in Congress set out additional reasons the purported notice of contest should be dismissed and, further that "all other rights are reserved."

This so-called answer was filed by the Mississippi Representatives, that they not be in default of orderly procedures of the Congress.

Beginning on January 27, 1965, attorneys for the claimed-to-be-contestants began a series of hearings throughout the country.

Title 2, United States Code, enacted in 1851, under which the contestants elected to proceed, permits the holding of any number of hearings at any number of places at the same time. Proceeding under such statutes 125 lawyers, apparently well-financed, held hearings all over the United States. As many as 12 hearings were conducted during identical hours in as many as 8 States from Connecticut to California. Quite evidently the Members of the Mississippi delegation could not hope to attend or provide lawyers for all these hearings, though with only brief notice lawyer friends were able to attend some hearings.

A partial list of the hearings and the dates on which they were held follows: January 27, Canton; January 28, Natchez; January 29, Natchez, Jackson, Greenwood; January 30, Greenville, Jackson, Greenwood; February 1, Jackson; February 2, Meridian, Holly Springs, Clarksdale, Palo Alto, Calif.; February 3, Holly Springs, Gulfport; February 4, Clarksdale, Moss Point, Magnolia, Greenville, Meridian, Vicksburg; February 5, Columbus, Magnolia, Greenwood, Greenville; February 6, West Point, Magnolia, Cleveland, Tylertown; San Jose, Calif.; San Francisco, Calif.; Berkeley, Calif.; February 8, Charleston, Laurel, Natchez, Aberdeen, Canton, West Point, McComb, Magnolia, Tylertown; February 9, Laurel, Batesville, Aberdeen, West Point, Greenwood, McComb; February 10, Canton, Indianola, Batesville, Hattiesburg, Liberty, Brandon, Charleston; Philadelphia, Pa.; Detroit, Mich.; Stanford, Calif.; February 11, Indianola, Holly Springs, Hattiesburg, Starkville, Batesville; Chicago, Ill.; Philadelphia, Pa.; New Haven, Conn.; New York, N.Y.; Washington, D.C.; Buffalo, N.Y.; Berkeley, Calif; February 12, Jackson; Philadelphia, Pa.; Boston, Mass.; Newark, N.J.; Washington, D.C.; February 13, Canton.

Members of Congress could not hope to meet such a massive attack. Reimbursement by the Congress is limited to $2,000 to cover expenses and attorneys' fees.

These hearings have been supplemented by the circulation of petitions throughout many areas of the country. A large delegation from all over the country moved on Washington in late June and called on practically all Members of Congress. Most of these individuals were under voting age and made strong demands to unseat the Mississippi delegation, though they showed no knowledge of what was involved. In addition, there was a sit-in staged in the office of the Clerk of the House on June 19. Further efforts to move in on the Congress came on August 9, 1965; and, according to the press, there have been threats to move in on the floor of the House and actually displace Members of Congress from their seats. There can be no doubt but what a major purpose of this attack is to create dissension and turmoil.

It might be well to note that any individual or any group, conservative, radical, or otherwise, Communist or non-Communist, could create the same situation with regard to any delegation; and if the House of Representatives went along with any such efforts it would, in effect, cause the House to destroy itself from within.

In accordance with the requirements of the statute, the Clerk of the House examined the material compiled in connection with the numerous hearings and determined as follows:

> The testimony in this matter is of such admixture of papers in relation to the five congressional districts in the State of Mississippi that it was impossible for the Clerk to determine to which congressional district the testimony applies. He finds that said testimony failed to comply with sections 203, 209, 218, 221, 222, and 223 of title 2 of the United States Code.

Should a citizen, an elector, a non-candidate be permitted to carry a duly elected Member through such an ordeal as has the Mississippi delegation without any sworn statement, any security for cost? The House has always said no.

It is well to cite here section 290 of Jefferson's Manual to show why the House so jealously guards for its own integrity the freedom of its Members from court orders, and so forth. If it did not do so, enough Members could be arrested or summoned, particularly by a national organization like the National Lawyers Guild, to prevent the very organization of the House itself. I quote:

> This privilege from arrest, privileges, of course against all process the disobedience to which is punishable by an attachment of the person; as a subpena ad respondendum, or testificandum, or a summons on a jury; and with reason, because a Member has superior duties to perform in another place. When a Representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a Senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits no comparison.

Thus it is that the Mississippi delegation must be permitted to discharge their duties as Members of Congress, free of the present harassment.

If this motion to dismiss were to fail, and if our elections are to be set aside on the general allegations of any individual or group, the House of Representatives would be faced with setting aside the elections in numerous States, for the Attorney General testified before the Judiciary Committee in support of the changes in Federal law that there were many States, which he listed, which had various restrictive provisions as to voting qualifications and the Congress itself included many States as coming within the provisions of section 3, whereby the Attorney General could send in Federal registrars.

As you can readily see, we are up against a well-organized, well-financed national effort by well-known national organizations. To learn more of their background you might wish to read the CONGRESSIONAL RECORD of February 3, 1965, pages 1943–1953. You will see we have been dealt with by experts.

My colleagues, if you do not act now to put an end to this type of thing, you and all Members of Congress may be subjected to the same situation, which would not only place heavy financial burdens upon you and other duly elected Members but would completely destroy the legislative processes of the House of Representatives.

Mr. LOVE. Mr. Speaker, a very careful consideration of the entire problem before us today, including the report and recommendations of the House Committee on Administration causes me to observe that, on a strict legal basis, the committee appears to be correct. Yet, for reasons hereinafter stated, I shall vote for recommittal.

It is much like the filing of a general demurrer in a lawsuit. The demurrer to a petition says in effect that everything in the petition is admitted as true, but the petitioner still has no cause of action. This is the position in which the contestants find themselves in the Mississippi case before the House. There was no opposing candidate running in four of the five congressional elections held under the same laws that elected presidential electors and a Senator. And, the challengers had no claim to election as they came into being through an unauthorized election which lasted 4 days and was even more one-sided than the election which sent our five Mississippi Representatives to the House.

It is the responsibility of the House to sit as judges much like we would be required to do if impeachment proceedings were brought against a President. There is no appeal.

The crux of the matter is simply this: If the qualifications of a Member of the House can be brought into issue by reason of an election which disfranchises some part of the electorate contrary to the Constitution of the United States, then our body has not acted fully and completely by making a report and a recommendation for dismissal based solely on technical grounds after a 3-hour executive session by the Committee on House Administration which had considered the notices of contest.

The people of Mississippi, even those who are alleged to have acted improperly—yes, the people of the entire country deserve to have their day in court—the court of representative government, in this case, the House of Representatives of the United States. Only a full and complete public hearing before the appropriate committee of the Congress would satisfy those who deplore disenfranchisement and cry for justice.

So, as a judge, I would say, "Demurrer overruled." Let us try the case on its merits and bring out all the facts even though the probable end result will be dismissal. If the evil of disfranchisement is ever to be eradicated from the American scene, the need is to dramatize the facts so that all persons will know that some American citizens were denied their constitutional rights.

For these reasons, I support recommittal and, if this fails, I shall vote against the resolution, as amended, particularly since the amendment strikes from the resolution that the five Congressmen were "entitled to their seats." This just makes the resolution more technical and would make final action, if the resolution were adopted, nothing more than a refusal to meet the issue at this time.

If, perchance, these remarks fall into the hands of some of my constitutents who find me a bit legalistic—somewhat judicial—may I remind them that today was the first time my duties required me to sit as judge and jury.

Mr. ALBERT. Mr. Speaker, will the gentleman from Texas yield to me for the purpose of offering an amendment?

Mr. BURLESON. Mr. Speaker, I yield to the distinguished majority leader.

AMENDMENT OFFERED BY MR. ALBERT

Mr. ALBERT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ALBERT: On page 2, line 1, after the word "dismissed" insert a period and strike out the remainder of the resolution.

The SPEAKER. The gentleman from Oklahoma is recognized.

Mr. ALBERT. Mr. Speaker, the purpose of this amendment is to make this resolution conform to the problem which is before the House. I hope and trust that the amendment will be adopted and that the resolution as amended will be enacted.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield briefly on the amendment to the gentleman from Georgia.

Mr. DAVIS of Georgia. I rise as a member of the Subcommittee on Elections of the Committee on House Administration, and as one who has devoted most of his time since Monday morning to this question. I wish to say that it has been truly said that we are sitting as a court, and what we are really doing is framing the order of the court that we will render today, sitting in judgment on this question.

The amendment which the majority leader has offered will simply delete that portion of the resolution which says: "and that the said Members from Mississippi are entitled to their seats as Representatives of said districts and State."

Regardless of how one may feel on the question of whether they are entitled to their seats, I submit that the wording, in all intellectual honesty, is appropriate only after a hearing on the merits. It is not appropriate when one dismisses a petition without hearing the merits.

I therefore support the amendment. I say that a simple wording of dismissal is appropriate. Any more is mere gratuitous recital.

Mr. ALBERT. I thank the gentleman from Georgia.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished minority leader for the purpose of debate on the amendment.

Mr. GERALD R. FORD. Mr. Speaker, I agree with the amendment offered by the gentleman from Oklahoma, the distinguished majority leader. I hope it will be approved.

In my judgment the words which are now sought to be stricken should not have been included in the resolution in the first instance.

This is a way, and a proper way, for us as a body, as the House as a whole, to remedy the situation.

The approval of the resolution with this amendment will mean that the House of Representatives on this occasion at this time is in effect taking a very limited action; we are dismissing the petition. We are taking no other action.

I believe the House is intelligently working its will on the basis of a recommendation made by the Committee on House Administration. The House, on the other hand, retains jurisdiction for any other aspects of this dispute which might properly come before it. As other facts are developed, if they are, the House can, and I am sure will, intelligently and constructively work its will.

I have confidence in the action today. I am just as confident that the action in the future will be constructive.

I conclude with the observation that there are those among us here this afternoon who would want to go off in one direction to an extreme and there are those who would want to go to the opposite extreme. The vast majority of the Members of this body on both sides of the aisle, in my judgment, will take a constructive and proper course in the solution of this dispute.

I urge the adoption of the amendment.

Mr. ALBERT. I thank the gentleman.

Mr. Speaker, as I said at the beginning, this amendment is to make the action under this resolution conform to its purposes and to restrict it in that regard.

May I say, Mr. Speaker, in that connection, that the action of the committee in bringing this resolution here has been appropriate. The gentleman from New York, my good friend [Mr. RYAN] announced, if I am not mistakenly informed, that he would call up a resolution to vacate the seats of the members of the Mississippi delegation if the committee did not act within a reasonable time. I understood he was going to call it up on the 21st. The committee has acted expeditiously, as the committee had to act if it was going to act at all before the gentleman from New York brought up his resolution. We are limiting and conforming this resolution to the problem that is before us, and I urge its adoption.

Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT] for a unanimous-consent request.

Mr. ROOSEVELT. Mr. Speaker, I simply rise to point out to my colleagues, while I support the amendment of the very able majority leader, he makes it clear that there is now no question of substance; and therefore, I shall support the motion to recommit so that there may be an opportunity for a substantive vote.

Mr. BURLESON. Mr. Speaker, will the gentleman yield to me?

Mr. ALBERT. I yield to the chairman of the committee.

Mr. BURLESON. Mr. Speaker, I support the amendment offered by the distinguished majority leader. I feel it is proper under the circumstances, and I hope it will be adopted.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BURTON of California. Mr. Speaker, in light of the statement by the gentleman from Georgia [Mr. DAVIS], the record is unchallengeably clear that neither the House Administration Committee nor the Members of this House, if the committee's resolution is adopted, have judged this challenge on its substantive merits.

The adoption of the amendment by the majority leader, Mr. ALBERT, clearly demonstrates that the House has refused to give its approval to the committee's language that the present incumbents from Mississippi "are entitled to their seats as Representatives of said districts and State."

Mr. MOORHEAD. Mr. Speaker, I rise in support of the amendment of the gentleman from Oklahoma [Mr. ALBERT] to House Resolution 585.

A clear pattern of voting discrimination in Mississippi has been established. However, there are serious legal questions as to whether the contestants are proper parties and as to whether the remedy should have been grounded on the 14th rather than the 15th amendment. There are technical grounds for supporting that part of House Resolution 585 which dismisses the election contests but there is no necessity, there is no requirement, there is no justification for that portion of the resolution that states that the named contestees "are entitled to their seats as Representatives of said districts and State."

To say the very least, these elections were tainted by discrimination and even if this House should dismiss the election contest on technical grounds, it should not adopt a resolution which in any way appears to condone discriminatory election practices.

I urge the adoption of the amendment deleting this language.

Mr. ALBERT. Mr. Speaker, I move the previous question on the amendment and the resolution.

Mr. FULTON of Pennsylvania. Mr. Speaker, I am on my feet. I rise in opposition to the amendment.

The SPEAKER. The gentleman from Pennsylvania rises in opposition. The Chair advises the gentleman that under the rules he cannot be recognized unless time is yielded to him. The gentleman from Oklahoma has moved the previous question on the amendment and the resolution.

Mr. FULTON of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FULTON of Pennsylvania. Will this amendment foreclose the resolution of Mr. RYAN being brought up by action of the House in the affirmative on this resolution?

The SPEAKER. That is a matter for the House to determine in carrying out its will.

The question is on the motion of the gentleman from Oklahoma ordering the previous question on the amendment and the resolution.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

Mr. GUBSER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GUBSER. Mr. Speaker, I intend to offer a motion to recommit. Will the Chair please advise when that will be in order?

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. GUBSER. I am, Mr. Speaker.

The SPEAKER. The Chair will advise the gentleman now is the appropriate time.

Mr. GUBSER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. GUBSER moves to recommit House Resolution 585 to the Committee on House Administration.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. HAWKINS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. CURTIS. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Speaker appointed as tellers Mr. BURLESON and Mr. CURTIS.

The House divided, and the tellers reported that there were—ayes 129, noes 207.

So the motion to recommit was rejected.

The SPEAKER. The question is on the resolution, as amended.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 228, nays 143, answered "present" 10, not voting 51, as follows:

[Roll No. 307]

YEAS—228

Abbitt
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Ashbrook
Ashmore
Aspinall
Ayres
Bandstra
Baring
Bates
Battin
Beckworth
Belcher
Bennett
Betts
Blatnik
Boggs
Bolling
Bow
Bray
Brock
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Callaway
Cameron
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Collier
Conable
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Dent
Denton
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Evins, Tenn.
Fascell
Findley
Fisher
Flood
Flynt
Fogarty
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Gathings
Gettys
Giaimo
Gibbons
Gonzalez
Goodell
Greigg
Grider
Griffiths
Gross
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanna
Hansen, Idaho
Hardy
Harris
Harsha
Harvey, Ind.
Hathaway
Hays
Hechler
Henderson
Herlong
Hosmer
Hull
Hungate
Hutchinson
Jarman
Jennings
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Kee
King, Calif.
King, N.Y.
Kirwan
Kornegay
Laird
Landrum
Langen
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McFall
McMillan
Mahon
Marsh
Martin, Ala.
Martin, Nebr.
Matsunaga
Matthews
Michel
Mills
Minshall
Mize
Moeller
Monagan
Moore
Morrison
Morton
Moss
Murray
Natcher
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Passman
Patman
Pepper
Perkins
Pickle
Pike
Pirnie
Poage
Poff
Pool
Purcell
Quillen
Randall
Redlin
Reid, Ill.
Rhodes, Ariz.
Rivers, S.C.
Rivers, Alaska
Roberts
Rogers, Fla.
Rogers, Tex.
Roush
Satterfield
Saylor
Schisler
Schneebeli
Scott
Secrest
Selden
Shriver
Sikes
Sisk
Subitz
Slack
Smith, Calif.
Smith, Va.
Staggers
Stanton
Steed
Stephens
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tuck
Tuten
Udall
Ullman
Utt
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Willis
Wilson, Charles H.
Wright
Young
Younger
Zablocki

NAYS—143

Adams
Addabbo
Anderson, Ill.
Annunzio
Ashley
Baldwin
Barrett
Bell
Bingham
Boland
Brademas
Broomfield
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Carey
Celler
Clevenger
Cohelan
Conte
Conyers
Corman
Craley
Curtis
Daddario
Daniels
Delaney
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edwards, Calif.
Evans, Colo.
Fallon
Farbstein
Farnum
Feighan
Fraser
Friedel
Fulton, Pa.
Garmatz
Gilbert
Grabowski
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Halpern
Hanley
Hansen, Wash.
Harvey, Mich.
Hawkins
Helstoski
Hicks
Holland
Horton
Howard
Huot
Irwin
Jacobs
Joelson
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Utah
Kluczynski
Krebs
Kunkel
Lindsay
Long, Md.
Love
McCarthy
McDade
McDowell
McGrath
McVicker
Macdonald
MacGregor
Machen
Madden
Mailliard
Martin, Mass.
Mathias
Meeds
Minish
Mink
Moorhead
Morgan
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Neill, Mass.
Patten
Philbin
Powell
Price
Quie
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Roosevelt
Rosenthal
Rostenkowski
Rumsfeld
Ryan
St Germain
St. Onge
Scheuer
Schmidhauser
Schweiker
Sickles
Springer
Stafford
Stalbaum
Stratton
Sweeney
Tenzer
Vanik
Vivian
Wolff
Wyatt
Wydler
Yates

ANSWERED "PRESENT"—10

Abernethy
Cleveland
Colmer
Duncan, Oreg.
Keogh
Pelly
Race
Walker, Miss.
Whitten
Williams

NOT VOTING—51

Adair
Andrews, George W.
Arends
Berry
Bolton
Bonner
Brown, Calif.
Clawson, Del
Dawson
Farnsley
Fino
Foley
Ford, William D.
Gallagher
Gilligan
Gray
Hansen, Iowa
Hébert
Holifield
Ichord
Latta
Leggett
Mackay
Mackie
May
Miller
Morris
Nelsen
Ottinger
Pucinski
Reifel
Reinecke
Roncalio
Rooney, Pa.
Roudebush
Roybal
Senner
Shipley
Smith, Iowa
Smith, N.Y.
Sullivan
Taylor
Thomas
Thompson, Tex.
Toll
Tunney
Tupper
Van Deerlin
Vigorito
Widnall
Wilson, Bob

So the resolution was agreed to.

The Clerk announced the following pairs:

For this day:

Mr. Senner with Mr. Del Clawson.
Mr. Shipley with Mr. Fino.
Mr. Miller with Mr. Berry.
Mr. Ottinger with Mr. Tupper.
Mr. Smith of Iowa with Mrs. Bolton.
Mr. Foley with Mr. Widnall.
Mr. Gilligan with Mr. Roudebush.
Mr. Farnsley with Mr. Nelsen.
Mr. Thomas with Mr. Riefel.
Mr. Thompson of Texas with Mr. Latta.
Mr. Van Deerlin with Mrs. May.
Mr. Vigorito with Mr. Reinecke.
Mr. Gray with Mr. Smith of New York.
Mr. Rooney of Pennsylvania with Mr. Adair.
Mr. Toll with Mr. Mackie.
Mr. Gallagher with Mr. Pucinski.

On this vote:

Mr. Hébert for, with Mr. Keogh against.
Mr. Tunney for, with Mr. Race against.
Mr. Morris for, with Mr. Duncan of Oregon against.
Mr. Arends for, with Mr. Cleveland against.
Mr. Bob Wilson for, with Mr. Pelly against.
Mr. Ichord for, with Mr. Brown of California against.
Mr. Taylor for, with Mr. William D. Ford against.
Mr. Holifield for, with Mr. Leggett against.
Mr. Mackay for, with Mr. Dawson against.

Mr. Bonner for, with Mr. Roncalio against.

Mr. George W. Andrews for, with Mrs. Sullivan against.

Mr. Hansen of Iowa for, with Mr. Roybal against.

Mrs. HANSEN of Washington changed her vote from "yea" to "nay."

Mr. CALLAN changed his vote from "yea" to "nay."

Mr. DUNCAN of Oregon. Mr. Speaker, I have a live pair with the gentleman from New Mexico [Mr. Morris]. If he were present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. RACE. Mr. Speaker, I have a live pair with the gentleman from California [Mr. Tunney]. If he were present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. KEOGH. Mr. Speaker, I have a live pair with the gentleman from Louisiana [Mr. Hébert]. If he were here he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. PELLY. Mr. Speaker, I have a live pair with the gentleman from California [Mr. Bob Wilson]. If he were present, he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. CLEVELAND. Mr. Speaker, I have a live pair with the gentleman from Illinois [Mr. Arends]. If he were present he would have voted "yea." I voted "nay." Therefore, I withdraw my vote and vote "present."

Mr. WHITTEN. Mr. Speaker, in hearings before the committee it was agreed that this was an attack upon the seats of the State of Mississippi rather than against the individuals. Thus I felt that I had the privilege of voting "yea." I ask unanimous consent to withdraw my vote and vote "present."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BURLESON. Mr. Speaker, I offer an amendment to the title of the resolution.

The Clerk read as follows:

Amendment offered by Mr. Burleson: Amend the title to read "Dismissing the Five Mississippi Election Contests."

The amendment was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. POOL. Mr. Speaker, I was called away from the floor on important business from my district when rollcall 306 was taken today. Had I been present I would have voted "yea" on that rollcall.

TO AMEND THE FEDERAL FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4152) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

AMENDMENT

Page 2, line 9, strike out "15" and insert "12".

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. LAIRD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from North Carolina if this has been cleared with the gentleman from Pennsylvania [Mr. Dague]?

Mr. COOLEY. Mr. Speaker, if the gentleman will yield, I might say to my friend that it was unanimously agreed to by the House Committee on Agriculture. There is just a change in one figure in the bill between "15" and "12."

Mr. LAIRD. That is not the question I asked of the gentleman from North Carolina. We have a procedure that we have worked out here to the effect that these matters under unanimous-consent request will be cleared with the ranking minority member.

Mr. COOLEY. I do not see the ranking minority member here on the floor at the present time. I am certain that he would be in favor of this. He voted for this in the committee and it was reported out of the committee unanimously.

Mr. LAIRD. I do not see the gentleman from Pennsylvania. I am attempting to get in touch with him at the present time. Until I have heard from him I must object. I intend to get in touch with him just as quickly as possible.

Mr. COOLEY. I do not know where the gentleman is. I am sure I cannot locate him any faster than the gentleman from Wisconsin can locate him.

Mr. LAIRD. We have this specific procedure worked out under which these matters are cleared with the ranking minority member.

Mr. COOLEY. I understand that, but there was a unanimous vote in the committee and I stated to the gentleman from Wisconsin that it was a unanimous vote. I do not see why there would be any objection.

The SPEAKER. The Chair assumed that the matter had been cleared with the other side.

Mr. LAIRD. I am under the impression that it has not been so cleared.

The SPEAKER. The Chair suggests that the gentleman from North Carolina withdraw his request.

Mr. COOLEY. Mr. Speaker, I withdraw the request, and I shall see if I can find the gentleman from Pennsylvania [Mr. Dague].

The SPEAKER. The request of the gentleman from North Carolina is withdrawn.

COMMERCE DEPARTMENT TRANSPORTATION RESEARCH

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1017)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the 'Secretary') is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

"Sec. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

"Sec. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

"Sec. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and other sources of the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

"SEC. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

"(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

"SEC. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the employees of any common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of reemployment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

"(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employeed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. The Secretary of Labor shall have with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

"SEC. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest in any line of railroad.

"SEC. 8. (a) (1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(2) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

"(3) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement or contract which are pertinent to the operations or activities under such agreement or contract.

"(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation Act.

"SEC. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

"SEC. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act.

"(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

"(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act.

"SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended.

"SEC. 12. Except for section 4, this Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination."

OREN HARRIS,
HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
JOHN JARMAN,
J. J. PICKLE,
DANIEL J. RONAN,
JOHN BELL WILLIAMS,
WILLIAM L. SPRINGER,
SAMUEL L. DEVINE,
GLENN CUNNINGHAM,
ALBERT W. WATSON,
Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK J. LAUSCHE,
VANCE HARTKE,
THRUSTON B. MORTON,
HUGH SCOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. This substitute is substantially the same as the House amendment. The differences between the House amendment and the substitute agreed to by the conferees are set forth below.

COMPENSATION OF MEMBERS OF ADVISORY COMMITTEE

Section 5 of the House amendment provided for an Advisory Committee to advise the Secretary of Commerce with respect to policy matters arising in the administration of the legislation. The Senate bill contained no comparable provisions. The conference substitute is the same as the House amendment, except that provisions relating to compensation and reimbursement for certain expenses of members of the Advisory Committee were deleted by the conferees. It is expected that members of the Advisory Committee will serve without compensation, but will be reimbursed for travel expenses (including per diem in lieu of subsistence) and under other statutory authority (5 U.S.C. 73b–2).

EMPLOYEE PROTECTION

Subsection (a) of section 6 of the House amendment requires the Secretary of Commerce, in providing for demonstrations under section 2 of the legislation, to provide fair and equitable arrangements (as determined by the Secretary of Labor) to protect the interests of the employees of any common carrier who are affected by any demonstrations carried out by such carrier pursuant to a contract with the Secretary of Commerce under section 2. The Senate bill provides that in carrying out the purpose of section 2 the Secretary of Commerce shall provide fair and equitable arrangements (as determined by the Secretary of Labor) to protect the interests of railroad employees involved in operations which are the subject of such demonstrations. The conference substitute is the same as the House amendment.

The conferees wish to emphasize that under section 6 of the conference substitute, for example, the employees of a contracting railroad who are affected by a demonstration conducted by such railroad pursuant to a contract with the Secretary of Commerce, or employees of a contracting bus company who are affected by a demonstration carried out by the bus company pursuant to a contract with the Secretary of Commerce, would be protected by the fair and equitable arrangements provided in this section. Thus, under the language adopted, affected employees of a contracting bus company, for example, would be protected by fair and equitable arrangements in the contract between the common carrier for which they are employed and the Secretary of Commerce against a worsening of their positions with respect to their employment as the result of such contracted demonstration.

Section 6 of the conference substitute (which is the same as section 6 of the House amendment) directs that such arrangements in no event would provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act. Section 5 of the Interstate Commerce Act has to do with consolidation and mergers of certain common carriers. Section 5(2)(f) applies to the protection of employees in the consolidation and mergers of railroads. The making of section 5(2)(f) applicable in the case of employees of any carrier with which the Secretary of Commerce has a contract for a demonstration under this legislation can have no effect upon any construction placed upon section 5(2)(f) or section 5 or indeed on any other provisions of the Interstate Commerce Act.

PATENT PROVISIONS

The House amendment provided that any agreement or contract entered into by the Secretary of Commerce under the legislation must contain provisions that all information, uses, processes, patents, and other development resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry. The Senate bill had no comparable provisions. The managers on the part of the Senate insisted on the deletion of these provisions in view of the position which the Senate recently had taken upon this subject, the current study being made looking toward a general governmental patent policy, and the assurances which the Senate managers had received from the Secretary of Commerce that pending the enactment of such general legislation he will carry out the President's patent policy guidelines by including in the contracts entered into under this legislation provisions properly protecting the public interest by providing either for the Government to take title to resulting patents or for the retention by contractors of title with agreement to some form of licensing. In view of such assurances, the managers on the part of the House receded.

AUTHORITY WITH RESPECT TO COLLECTION OF TRANSPORTATION STATISTICS, DATA, ETC.

Both the Senate bill and the House amendment gave the Secretary of Commerce authority with respect to the collection of transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. Both versions had provisions terminating the legislation on June 30, 1969; however, the Senate bill excepted from this termination provision the authority granted the Secretary with respect to the collection of transportation statistics, data, and other information. The House amendment contained no such exception. While existing law provides the Secretary with certain authority to collect transportation statistics, in order to avoid doubt after June 30, 1969, as to the general authority and responsibility of the Department of Commerce with respect to the collection of transportation statistics, data, and other information, the provisions in the Senate bill have been retained in the conference substitute.

OREN HARRIS,
HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
JOHN JARMAN,
J. J. PICKLE,
JOHN BELL WILLIAMS,
DANIEL J. RONAN,
WILLIAM L. SPRINGER,
SAMUEL L. DEVINE,
GLENN CUNNINGHAM,
ALBERT W. WATSON,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, this conference report on the bill, S. 1588, to provide that the Secretary of Commerce undertake research, development, and demonstration in high-speed ground transportation, is a unanimous report with all members of the Transportation Subcommittee of the Committee on Interstate and Foreign Commerce participating and agreeing.

There was actually one amendment of any substance in disagreement between the House provisions and the Senate bill, and that had to do with the patent provisions that were included by an amendment which was proposed by our distinguished colleague from California [Mr. Moss]. The Senate had a very adamant attitude on even the limited provision affecting the patent situation which the conferees discussed at length with the Senate conferees on this subject. We had endeavored to work out a position on this particular problem, limiting it to making information on such patents that might be developed under the research contracts available to the transportation industry and related industries, on a fair and reasonable basis. However, the conferees of the other body insisted that this was a matter which a committee of their body was giving study and consideration to, and they contemplated an overall policy was going to be worked out.

They have been through this problem within the other body on several occasions, and that body has taken a very definite position on the matter.

Therefore the conferees of the other body were in no position to arrive at any accommodation on this problem and they insisted that the House language be omitted.

In view of this fact that the conferees were faced with, and in view of the fact that there was a letter which was sent by the Secretary of Commerce to the Senate committee in which the Secretary advised and gave assurance that in the entering into contracts the Government's position would be protected, the House decided reluctantly then to recede with the understanding that such a statement would be included in the conference report, which you will find on page 6.

There were some other minor disagreements between the House and Senate but they were resolved without much difficulty. I might say that the language that the House had developed in connection with this program outside of this patent item was almost entirely agreed to.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say, Mr. Speaker, this is practically the bill that passed the House. There are a few very minor amendments which we did accept from the Senate but for the most part this is the House bill. The Senate bill did not contain what generally I have called the Springer amendment which called on the Secretary to spread as nearly geographically and equally as possible over the country the contracts that would be let in the experimentation and demonstration projects which the Secretary would carry on pursuant to this act. It was my feeling for some time that in the preliminary investigation and experimentation thus far these contracts had not been spread around geographically nor equally. The amendment which I proposed was accepted in committee and was passed in the House and accepted in the conference by the Senate and it is in the bill as it finally comes to this House. I wanted to call this to the attention of the House at this time and to state that the conference report should be adopted.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. CUNNINGHAM. I was a member of the conference and I agree with the distinguished chairman and the ranking minority Member in everything that they have said. This is a good bill. It is primarily the bill that was passed by our committee and passed by this body. We had no serious disagreements and I would certainly recommend that the conference report be adopted.

Mr. HARRIS. There is just one other provision that I would like briefly to call attention to which has to do with employee protection. I would like to emphasize that, in addition to the explanation in the report of this matter, there was some concern with the action taken herein on employee protection in that it might have some bearing on some pending litigation in this field. The conferees made it clear in the conference report that the reference to standards in this proposed legislation taken from section 5(2)(f) of the Interstate Commerce Act would have no effect at all upon any construction placed upon section 5(2)(f) or of section 5 or any other provisions of the Interstate Commerce Act.

Mr. Speaker, I move the previous question on the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TO AMEND THE FEDERAL FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933

Mr. COOLEY. Mr. Speaker, the matter that I am about to call up has now been cleared with the minority. The gentleman from Wisconsin [Mr. LAIRD] has assured me he has cleared it with the gentleman from Pennsylvania [Mr. DAGUE], the ranking minority member of our committee.

Therefore, Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4152) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 9, strike out "15" and insert "12".

The SPEAKER. The gentleman from North Carolina [Mr. COOLEY] has asked unanimous consent for the immediate consideration of the bill. The gentleman from North Carolina has stated that he has discussed it with the gentleman from Pennsylvania [Mr. DAGUE], the ranking minority member of the committee.

Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Mr. FASCELL. Mr. Speaker, I call up the conference report on the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1016)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$50,000"; and the Senate agree to the same.

DANTE B. FASCELL,
DONALD FRASER,
Managers on the Part of the House.

FRANK CHURCH,
JOSEPH S. CLARK,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill authorized an annual sum of $75,000 as a contribution on the part of the United States toward the expenses incurred by the International Committee of the Red Cross.

The Senate amendment reduced the annual sum authorized from $75,000 to $25,000.

The committee of conference agreed to limit the annual sum authorized to $50,000.

DANTE B. FASCELL,
DONALD FRASER,
Managers on the Part of the House.

Mr. FASCELL. Mr. Speaker, when the bill went through the House, the House authorized the sum of $75,000 as the annual contribution on the part of the United States toward the expenses incurred by the International Committee of the Red Cross.

After consideration, the other body authorized $25,000. The committee of conference agreed to limit the annual sum to $50,000.

Mr. GROSS. Mr. Speaker, will the gentleman yield me 2 minutes?

Mr. FASCELL. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Florida for yielding. Mr. Speaker, I did not sign the conference report, for two reasons.

In the first place, I am opposed to legislation to start contributions on the part of the Federal Government to the International Red Cross. For approximately a century, the American Red Cross has made this country's contributions to the International Red Cross. I have been unable to discover any substantial reason why the Federal Government should embark upon the business of contributing to the International Red Cross at this time.

In the second place, the Senate reduced the contribution to $25,000. Any time that the other body shows a disposition toward economy, to reduce the House figure involving an expenditure of public funds, I want to accept their offer. I insist the House conferees should have accepted the Senate figure of $25,000 instead of raising the ante to $50,000.

Therefore, I cannot support the conference report.

Mr. FASCELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION FROM COMMITTEE

The SPEAKER. The Chair lays before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 17, 1965.

The SPEAKER,
The House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Because of my immediate appointment as an alternate delegate to the General Assembly of the United Nations, and my prospective further duties as U.S. Representative to the Economic and Social Council of the United Nations, it would be wise for me at this time to lighten my responsibilities here in the House of Representatives.

With great reluctance and regret, therefore, I am resigning from the Select Committee on Small Business, to which you were good enough to appoint me. My opportunity for service on this committee has been most enjoyable, not only because of my colleagues on both sides of the aisle, but because of its tremendous importance to the vitality of our country's economy—to which I feel this committee contributes so much. I would appreciate your accepting this resignation, to be effective as of September 20, 1965.

With my very sincere and great appreciation to you and to my colleagues, I am,

Respectfully and very sincerely yours,
JAMES ROOSEVELT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

IS THE RUSSIAN BEAR SKINNING UNCLE SAM?

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, on June 16, 1951, this distinguished body enacted legislation prohibiting the importation of Russian ermine and other skins such as fox and mink from the Soviet Union and Red China. The same prohibition was reenacted and continued in 1962. It has come to my attention that our neighbor to the north, the Dominion of Canada, has been importing these skins from the Soviet Union and Red China, making them into finished garments, and exporting them in great quantity to the United States. The whole matter was brought to my attention by a constituent, Mr. Ernest Graf ,a fur merchant who lives in Sands Point, Long Island, N.Y. I ask leave to include a letter to Mr. Graf's firm, Ben Kahn Furs Corp., 150 West 30th Street, New York, N.Y., from a Montreal concern offering for sale at wholesale fur garments made from Russian ermine.

Mr. Speaker, if there is no restriction on the importation of finished garments from Canada made from skins from Russia or China, then we are defeating the intent of our legislation prohibiting direct importation from such nations. If it remains the intent of this body to prohibit importation of these skins in an effort to curtail the Communist-controlled fur industry abroad, then this situation requires immediate action.

I would say to my fellow Members of this august body, if we are importing from Canada finished garments made from skins which cannot be legally imported into the United States, Uncle Sam and the fur merchants and consumers of America are the ones getting skinned.

The letter follows:

BROOKS-BURNETT, INC.,
July 20, 1965.

BEN KAHN,
New York, N.Y.

DEAR SIRS: We have become aware that while U.S. manufacturers cannot import white Russian ermine skins, they can bring in ready-made garments.

As one of Canada's leading manufacturers, we are specialists in the field of Russian ermine and feel that we can offer you a selection of outstanding garments. Our coats are made by the London method which is world renowned.

Should this matter be of any interest to you, either Mr. Ellis Brooks or myself would be delighted to come to New York and discuss the matter further.

Yours sincerely,

PETER BURNETT,
Brooks-Burnett, Inc.

SURVEY OF OPINION, NINTH DISTRICT OF NORTH CAROLINA

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, again this year, it has been my privilege to conduct a survey of opinion in the Ninth Congressional District of North Carolina concerning major issues confronting the country. All of these issues were pending before the Congress at the time this poll was begun in July.

The questionnaire was distributed widely throughout the 11 counties of the Ninth District. No effort was made to restrict its distribution to a selected mailing list. It has been my purpose to solicit a broad expression of opinion from individuals regardless of their political party affiliation or their position in the conservative-liberal spectrum.

The poll represents the tabulation of 5,453 responses, all of which have been studied and analyzed during the past several weeks. This is a large and random sample of the total population of the district and I believe it is an excellent barometer of public opinion in my area at this time.

A very large proportion of those responding have taken the time to add a thoughtful discussion of one, several, or all of the issues in the questionnaire. Although there is no way to group such comments in statistical form, they have been most helpful to me as I have studied the legislation arising on these questions.

It is also gratifying that so many of those participating have explained that they have never before expressed their views to an elected official. That this questionnaire has increased the communication between the people of the district and their representative in Congress is beyond doubt.

Among the general opinions expressed, the most persistent view involved a deepening concern about the expansion of Federal power and authority in many fields. Although the poll did not include a question concerning the antipoverty program, many hundreds of comments critical of the alleged political manipulation of the program were received. Particular resentment was expressed by low-income families who feel that their tax money is financing grandiose schemes wherein principal benefits are going to the politically faithful rather than to the poor people of the country.

On the question of foreign policy, the poll disclosed support for a strong stand against Communist expansion in Vietnam and support for the President's decision to send troops to the Dominican Republic. Policies which will eliminate the possibility of another Communist beachhead in this hemisphere were urged in many penetrating comments included in the replies.

As in last year's poll, the tabulation indicates decisive thinking in the district on these particular issues. Responses in 13 out of the 18 questions showed 60 percent or more lining up on one side or the other on given issues.

A complete analysis of the result of the 1965 poll is as follows:

	Yes	No	No opinion
1. Do you favor the decision to send U.S. troops to the Dominican Republic in the recent civil war in that country?	71.2	25.7	3.1
2. Based on your understanding of the situation in Vietnam, should the United States—			
(a) Withdraw all U.S. troops and military assistance?	16.1		
(b) Seek immediate negotiations with the Communists, without prior conditions, for a settlement of the conflict?	23.4		
(c) Continue present policy of large-scale support to South Vietnam and the bombing of North Vietnam?	57.9		2.6
3. Should the United States loosen present restrictions to encourage expanded trade with Communist-bloc countries?	19.2	75.6	5.2
4. Do you favor further disarmament agreements with the Soviet Union?	31.0	60.4	8.6
5. Do you favor repeal of sec. 14(b) of the Taft-Hartley Act which grants States the right to enact laws allowing employees to refrain from labor union membership as a condition for continued employment?	25.7	70.0	4.3
6. Should our immigration laws be changed to admit aliens on the basis of skills rather than the present system of yearly quotas arranged by country of origin?	53.1	40.2	6.7
7. Do you support increasing Federal control over firearms to prohibit their shipment in interstate commerce except by importers, manufacturers, and dealers licensed by the Treasury Department?	52.5	44.7	2.8
8. Do you believe basic pay rates for our military personnel should be raised on an average of 7.2 percent for officers and 12.1 percent for enlisted personnel?	69.5	22.7	7.8
9. Do you favor the principle that salaries of Federal employees should be comparable with salaries in private industry for similar responsibilities?	78.2	17.0	4.8
10. Are you in favor of increasing the Federal minimum wage rate from the present $1.25 per hour to $1.50?	45.9	49.7	4.4
11. Do you approve of legislation empowering Federal officers to register voters, without regard to State requirements, in States and counties where literacy tests are required and where less than 50 percent of the persons of voting age were registered and/or voted in November 1964?	12.6	85.2	2.2
12. Should the Federal Government begin a program of rent subsidies for middle-income families?	12.4	81.1	6.5
13. Do you agree that the Constitution should be amended to permit the people in the individual States to apportion 1 house of their legislatures on a basis other than population?	41.2	51.0	7.8
14. Would you support a GI bill to provide educational benefits for veterans who have served in the Armed Forces since the end of the Korean war?	63.1	32.1	4.8
15. Do you favor a continuation of subsidies to assure that U.S. textile manufacturers can buy raw cotton at the same price it is sold to foreign mills?	77.3	18.7	4.0
16. Would you support an extension of the wheat certificate program including an increase in the Government support price of wheat by 50 cents a bushel for wheat farmers and an accompanying increase in the cost of wheat products?	20.5	65.6	13.9
17. Are you in favor of legislation to increase compensation for veterans with service-connected disabilities?	67.4	25.6	7.0
18. Do you favor a program of $70 million in direct Federal scholarship grants for college students?	35.3	60.4	4.3

LEGISLATIVE PROGRAM

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I take this time in order to inquire of the distinguished majority leader what is the program for the remainder of this week and for the next week.

Mr. ALBERT. Mr. Speaker, will my friend yield?

Mr. LAIRD. I am happy to yield.

Mr. ALBERT. Mr. Speaker, in response to the distinguished gentleman's inquiry, we have finished the legislative program for this week, and it will be my purpose, after announcing the program, to ask to go over until next Monday.

The program for next week is as follows:

Monday is Consent Calendar Day.

There are nine suspensions, as follows:

H.R. 10873: Group life insurance for the uniformed services.

House Resolution 560: Sense of the House of Representatives relative to international communism in the Western Hemisphere.

S. 664: Providing for the disposition of judgment funds of the Klamath and Modoc Tribes and Yakooskin Band of Snake Indians.

H.R. 2020: Southern Nevada water project, Nevada.

H.R. 23: Authorizing the initiation of a program for the conservation, development, and enhancement of the Nation's anadromous fish.

S. 1623: Protection of fish and wildlife from pesticides.

S. 944: Marine Resources and Engineering Development Act of 1965.

H.R. 10238: Service Contract Act of 1965.

H.R. 9830: Amending Federal Property and Administrative Services Act to permit reimbursement to a State or political subdivision for sidewalk repair and replacement.

Mr. Speaker, these suspensions may not necessarily be called up in this order.

Also on Monday there will be H.R. 9247, HemisFair 1968, to be considered under an open rule with 1 hour of debate; and H.R. 30, Inter-American Cultural and Trade Center, to be considered under an open rule with 1 hour of debate.

Tuesday is Private Calendar Day.

For Tuesday and the balance of the week:

S. 2300, river and harbor, beach erosion, flood control projects, and water supply, to be considered under an open rule, waiving points of order, with 3 hours of debate. That is the omnibus rivers and harbors and flood control bill.

H.R. 7371, to amend the Bank Holding Company Act of 1956, to be considered under an open rule with 4 hours of debate.

H.R. 10232, rural water and sanitation facilities, to be considered under an open rule waiving points of order, with 2 hours of debate.

S. 2294, Extension of Wheat Agreement Act, to be considered under an open rule with 1 hour of debate.

S. 306, Clean Air and Solid Waste Disposal Acts, to be considered under an open rule with 2 hours of debate.

H.R. 3140, Heart Disease, Cancer, and Stroke Amendments of 1965, to be considered under an open rule with 3 hours of debate.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

I must advise Members that there will be conference reports, and some very important ones, next week.

ADJOURNMENT TO MONDAY, SEPTEMBER 20, 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BEN F. JENSEN

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, in the CONGRESSIONAL RECORD of this morning I find reference to "the late Ben F. Jensen, of Iowa."

I am sure this was an inadvertent or typographical error. I am pleased to announce to the House that our former colleague, Ben Jensen, is hale and hearty, and as active in politics as ever.

RESTORE POSTAL SERVICE TO AMERICA

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LANGEN. Mr. Speaker, now that the Post Office Department has shamefully confessed its political spoils system in hiring summer youths, and has agreed to reveal their names, perhaps the Washington planners can find a little time to provide a bit of mail service to the Nation. After all, service should be the prime concern of these people, and it is time they were reminded that present policies are providing little of that important commodity.

It was just 2½ months ago that the Department planners implemented their grand scheme for America, and the resulting confusion and mounting examples of deteriorating service is almost unbelievable. I said at that time that mail service would suffer, especially in rural America, and the mountain of mail that has accumulated since indicates that service, indeed, has suffered.

I have a long list of examples of the complaints I continue to get. For instance, a superintendent in one of our schools needed an application blank for the National Defense Education Act. He finally got it 9 days after it was postmarked from a city just 150 miles away. The delay could have cost his school thousands of dollars, and would have if other Government people had not recognized the problems being faced by users of the mails and given him an extension of time. The same superintendent experienced a similar delay in the mails this past August when he attempted to communicate with a prospective teacher. He lost the teacher in the process and did not obtain a replacement until a week after school opened.

I hear regularly from our local newspaper editors who are justifiably concerned over the decreased service they get these days. They now have the added expense of sacking their own mail, waiting needless extra days to receive mats and pictures through the mail, and then are rewarded with complaints from their subscribers who fail to receive their papers within a reasonable time. Examples along this line even include delivery of a paper through the mail to a man a block away from the newspaper office. The mail, sacked by the newspaper, goes to a neighboring town first and then this man's paper is trucked back to the local post office. As one editor put it:

> A newspaper that isn't delivered to a reader is about as useless as anything we can think of.

About the only things more useless are the Washington planners who keep telling us that our mail service is better than ever.

I note, Mr. Speaker, that the Post Office Department wants a supplemental appropriation with which to hire an additional 13,200 career employees to handle what they call the increased volume of mail. If they are to be hired on the same basis as the summer employees, I would say to forget it. They would be too busy politicking to be of much help to the harassed postal workers of the Nation who are forced to suffer under a system they did not create.

What we need most in the country is a change in policy that will restore the postal service to its former efficiency when neither hail, wind, dark of night of the ZIP code number could keep your mail from reaching its destination on time.

As one of my constituents put it recently:

> We spend money like mad to get to the moon or unite capsules in space, but we cannot devise a reliable plan to send a small piece of mail just 26 miles down the road.

I suggest we not only can, but must, devise such a system, and it is time for the Department to forget politics and get with it.

ARE WE UP TO IT?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, the recent incident in which our State Department was acutely embarrassed in first denying and then admitting a charge made against us by the Singapore Prime Minister suggests once again that perhaps the United States is simply not meeting the tests of world leadership, particularly in Asia.

Furthermore, it appears likely that other nations have understood this for some time, and we as Americans have not grasped it yet. There must be a strong feeling in halls of governments around the world that the Johnson administration, like the Kennedy administration before it, lacks a basic understanding of how to handle U.S. relations with Asian nations.

Two days ago Pakistan's Government issued a sharp challenge to us to use our influence to stop the Pakistan-India conflict. There may be several meanings attached to that challenge. But whatever else it may be, it is an indication of the low respect with which Asian nations view our ability to adequately deal with Asian affairs.

The Singapore affair is further discussed in the following editorial from the Birmingham Post Herald of September 9:

Foot in Uncle's Mouth

Every once in a while, somebody opens his mouth and puts his foot, not in it, but in Uncle Sam's. That hurts us all.

We don't know the exact ins and outs of the charge by Singapore Prime Minister Lee Kuan Yew that back in 1960 a bribe of $3 million was offered by a CIA agent and that later a letter of apology arrived from incoming Secretary of State Dean Rusk, along with a statement that the new Kennedy administration would not countenance such goings on.

We do know that both at the State Department and in Malaysia on Tuesday, U.S. spokesmen denied flatly that the incident ever occurred. And that on Wednesday, the State Department discovered the Rusk letter after Lee revealed he had not only a copy of it but a tape recording of conversations with the CIA agent.

The point at issue is not to criticize Mr. Lee, who apparently brought up the matter for domestic political reasons. Nor is it to castigate the CIA, since details of the original affair are obscure.

What bothers us—and considerably—is that the State Department could be so positive on one day that nothing of the sort ever happened and so positive on the next day that it did.

In the famous U-2 incident which also occurred in 1960, misrepresentation by U.S. officials made this country look ridiculous in the eyes of the world. Handling of this latest affair gives us reason to wonder if our official spokesmen really have learned anything since then.

I want also to include in my remarks an editorial on the same subject which was broadcast over stations WBRC and WBRC-TV in Birmingham on September 8:

No Espionage Experts—the United States

Once again the United States has jumped into a situation involving foreign relations with both left feet. Why do we always have to get caught in a lie, and then turn around and admit it, branding ourselves as liars before the whole world?

What if we did want information available in Singapore in 1960 bad enough to pay $3 million for it? We are engaged in the intelligence business, and we'd better stay in it as effectively as possible.

We don't know what prompted Singapore's Prime Minister, Lee Kuan Yew to bring up the matter of a State Department apology dated April 15, 1961, at this late date, but he minced no words over the State Department's denial of his charges that the U.S. Government offered him a $3 million bribe to keep quiet about the arrest of a Central Intelligence Agency operative who allegedly tried to buy state secrets. Lee said the U.S. Government was stupidly denying the "undeniable" and threatened documentation. At this point the State Department admitted the whole incident.

If our State Department does not yet know that to the oriental mind honor and face come before even life itself, it's time they learned. Prime Minister Lee could not have done other than he did, throwing the matter full in the face of the U.S. Government.

This is getting to be too much of a habit with our country: President Eisenhower and the U-2 flights over Russia, first denied, then admitted; President Kennedy and the missiles in Cuba, first denied, then admitted.

It would be much better if we announced to all that we intend to use any means at hand to gain the information necessary for our continued survival and well-being. Doesn't everyone?

ARMED FORCES INSIGHT TO THE RESERVES DISPUTE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, now that Secretary McNamara has announced he will continue to seek the merger of the Armed Forces Reserves and National Guard, the following series of three fine articles on the problem are again pertinent. Mr. Everett W. Hosking, author of the series has for many years been regarded as one of the Nation's outstanding experts concerning the subject about which he has written.

The three-part series follows:

The "Quiet" War Over Our Reserves—Part 1

(By Everett W. Hosking)

While crises grow and manpower shrinks, what some say is one of the most important battles in history is going on—almost without notice—in Washington.

The battle is over Secretary of Defense Robert McNamara's plan to realine the reserve structure of the Armed Forces of the United States.

Secretary McNamara's opponents, pointing out that the citizen soldier has historically been the backbone of the Nation's defense, say that the strong-willed Defense Secretary is out to scuttle the Nation's reserve forces.

Regardless of the motive, ultimate outcome of the proposed realinement will directly affect nearly 70,000 men and women in the greater Long Beach-Orange County area.

This figure includes men of the Army, Navy, Air Force, and Marine Corps Reserve and members of the California National Guard.

Of immediate importance to all branches of the Reserve are hearings being conducted in Washington by a subcommittee of the House Military Affairs Committee headed by Congressman F. Edward Hébert on a proposal to transfer men of the Army Reserve into the National Guard of the various States. Outcome of this hearing will unquestionably affect the other branches of the Reserve forces.

A similar proposal to transfer the Air Force Reserve into the Air National Guard scheduled to be announced in January has been held in abeyance—presumably to see how the proposed Army-National Guard merger fares.

While the Navy and Marine Corps Reservists have not been mentioned, many reservists feel that the doom of the other two Reserve services will seal the fate of the Navy and Marine Reservists.

The transfer to the National Guard of the Army Reserves would directly affect 3,519 officers and 22,508 enlisted men in Los Angeles and Orange counties who are now affiliated with the Army Reserve.

Basically, Secretary McNamara's proposal regarding the Army Reserve would reduce their strength by 150,000 men who would be transferred to the National Guard and eliminate 21 Army Reserve combat divisions. Those who did not transfer would be retained in a pool monitored by a central headquarters but would receive no training other than correspondence courses.

Secretary McNamara claims that the changes would significantly improve the early deployment capability and the combat readiness of the Reserve, that the plan brings the Reserve structure in line with the contingency war plans and the related equipment program; the plan would produce increased readiness of units in the Reserve and the National Guard and primarily that the plan would streamline the management structure of the Army Reserve Forces and would result in a cost savings of $150 million a year.

One of the chief complaints about McNamara's proposal was that it was conceived in secrecy and "broken" to newsmen on December 12, 1964 when Congress was not in session and that it bypassed the Reserve Policy Committee which is set up by law to supervise the Reserve structure.

The Reserve Officers Association has pointed out that only the Congress of the United States can make major changes in the statutory structure and policy of the military—yet this decision was made before the national election and the decision was announced after the election and while Congress was not in session.

They charge that "historically it has been proven that control and command of all military forces committed to the defense of the Nation must rest with the Armed Services. To propose the fragmentation of this authority among 52 National Guard jurisdictions will result in organization chaos, deterioration of combat readiness, and the erosion of every purpose of these men and weapons."

Chairman Hébert of the congressional subcommittee hearing testimony on the merger says this:

"The Government of the United States belongs to the people who must stake their property and their lives in its defense. They have a right to know—within the limits of security—about all the behind-the-scenes maneuvers which affect their national security and pose dangers to it. I am determined that this knowledge shall be theirs.

"The question at issue is not the merit nor lack of merit of this newly and secretly concocted plan, but the stealthy manner in which it was conceived and prepared and then fed to those who should have been consulted when the plan was in its embryonic stage.

"The statement by Secretary McNamara that this plan will save $150 million is like too many other statements which he makes about savings but which are, in reality, as phony as a three dollar bill. If he is correct in his allegations, he should be anxious to have the opportunity to put his cards on the table face up so that all might see. There must be a reason why he consistently fails to take the Congress and other responsible groups and individuals into his confidence.

"Two years ago the House Armed Services Committee, in its report on the Reserve reorganization, observed that Secretary McNamara was not draped with the cloak of infallibility nor did he enjoy the wisdom of the Deity. That observation becomes more valid with the passing of each day."

"Military Conflict"—Reserve, Guard in Bitter Split—Part 2

(By Everett W. Hosking)

The battle in Washington over Secretary McNamara's proposal to merge the Army

Reserve into the National Guards of the various States has done one thing so far—it has created a wide split between the Guard and the Reserve.

Where the two branches—the Army Reserve and the National Guard—used to work in a spirit of friendly competition, the two are now battling furiously at hearings being held by a subcommittee of the House Armed Services Committee being held by Congressman F. EDWARD HÉBERT.

And watching anxiously as the battle proceeds are approximately 27,000 Army Reservists and over 10,000 California National Guardsmen in Los Angeles and Orange Counties.

Watching from the sidelines with intense interest are nearly 30,000 members of the Navy and Marine Corps Reserve, and about 7,000 members of the Air Force Reserve.

No estimates of Reservists carried on retired or inactive lists in this area were available, but sources indicate that it will run into many, many thousands.

Recently, Maj. Gen. Winston P. Wilson, head of the National Guard Bureau and a member of the Air National Guard, testified that the consolidation of the Reserves and the National Guard has widespread support throughout the United States.

Pentagon officers, almost to a man, have supported Secretary McNamara's proposals. "If they don't they lose their jobs," say the reservists.

Only outspoken opposition to the plan comes, significantly, from Maj. Gen. W. J. Sutton, Chief of the Army Reserves, who told the House subcommittee investigating the proposed merger that he personally is opposed to the Pentagon plan.

He also testified that the merger proposal had been under study in the Pentagon virtually a month before he knew anything about it.

While the Pentagon has claimed that virtually all of the States are backing the plan, both the Texas and Oklahoma State Legislatures have adopted resolutions opposed to the merger of the Reserve and the National Guard.

Former President Harry S. Truman has come out openly saying, "I don't think the idea is practical."

Neil M. McElroy, the Nation's Secretary of Defense under part of the Eisenhower administration, declined to criticize directly the Pentagon plan, but said:

"The Governors like to think of the National Guard as their private army."

The Department of Defense claims that the early deployment capability and combat readiness of the Reserve will be significantly improved.

Reservists insist that the National Guard divisions manned predominantly by partly trained personnel with no prior active duty will be substituted for Army Reserve divisions that are presently manned by a hard core of officers and men with extensive active duty experience. The plan, they say, actually substitutes inexperience for experience and will radically lower combat readiness and early deployment capability.

Defense officials say that the plan brings the Reserve structure in line with the contingency war plans and the related equipment program.

Reservists say that our mobilization base should be structured to counter enemy capabilities; not what economy minded comptrollers may conceive the enemy's intentions to be. They say neither the Joint Chiefs of Staff nor the Army military planners responsible for Reserve mobilization produced or conceived this plan.

Defense Department insists that the plan would produce increased readiness of the units in the Reserve and National Guard.

Reservists counter that this statement is obviously without validity for it will destroy the units of the Army Reserve.

SPECIALISTS NEEDED—PUBLIC IS LOSER IN ARMY FEUD

(By Everett W. Hosking)

Whatever the outcome in Washington in the power struggle between Defense Secretary McNamara and the Congress of the United States over proposed merger of the Army Reserve into the National Guard, most likely loser in the battle appears to be the American public.

Officers on both sides of the fence have been trying to implant the idea that both the State militia-type organizations, the National Guard, and the Army Reserve are needed, particularly in view of the widespread manpower commitments of the United States around the globe.

They point-out that the Reserve is different from the Guard in that the Reserve has been a system through which the most highly trained specialists in the country could be retained on a standby basis, subject to immediate recall.

It has been pointed out that hundreds of top experts in all fields commanding big money stay committed only because of the appeal of national service. They point out that the Regular Army cannot begin to train officers to take over these specialties and it cannot engage in wartime activity without calling them up.

They stress that no top-flight specialist feels drawn to a system which is primarily State administered and controlled, where political acceptability outweighs military competence.

However, there appears to be even wider divergence on what manpower needs of the United States are.

One side points out that the worsening situation in Vietnam and the Caribbean together with regular commitments like Berlin and North Korea have hit the services just when they are having trouble recruiting men.

On the other hand another Washington writer who covers the Department of Defense insists that the deployment of U.S. troops to Vietnam leaves virtually intact the major strategic forces in the United States.

These "major strategic forces" are listed at 137,000 men—slightly less than the 150,000 that Secretary McNamara plans to lop off the Army Reserve.

Adm. David L. McDonald, Chief of Naval Operations, said recently in Washington that "It is a well-known fact that we are losing each year around 100,000 of our 670,000 officers and enlisted men * * *. I see no lessening of the commitments which have been imposed on the Navy."

The Army is in much the same fix as the Navy. And in addition it has two divisions pinned down in Korea; it has five divisions and the equivalent of a sixth in Germany, a good portion of another in the Dominican Republic, one on alert in Hawaii—all this plus new major troop commitments in Vietnam.

The Marines have much the same global commitments as the Army and are in need of manpower. They will probably renew their request for 6,000 additional men, cut in half by Secretary McNamara for the upcoming budget.

The Air Force is plagued by retention troubles—although their manpower requests are less because it required fewer men than other services in relation to its job. The Air Force, however, loses a large number of highly skilled men each year to private industry.

Loss of manpower is a problem for the military—and some authorities insist that with the abolition of the Reserve structure they might lose a great many of their draftees.

About 65 percent of the 267,000 men in the Army Reserve are 6-month trainees—those who elected to take 6 months' active duty and obligate themselves to 6 years' service in the Ready Reserve rather than 2 years of active service usually accorded draftees. The majority of these men have no desire to continue longer than their required military service.

This will present a problem because the Government must transfer them to the National Guard or find some other way for them to complete their obligated service.

This may be tricky, legally, because the National Guard is an all-volunteer outfit. It is doubtful that the Pentagon can force these men to join the Guard—yet they can't complete their service in the Standby Reserve.

It all boils down to a big headache for all concerned.

The Reserve Officers Association, in seeking harmony, points out that "Ill feeling, suspicion, and disharmony have been spread in the struggle for power, the like of which has rarely been seen along the Potomac.

"It seems to us that now is the time to call off this entire proposal, admit it was a mistake, and seek to build again the good will which had surely become self-evident. It is time to call upon National Guardsmen, Reservists, and the Regulars in the military to seek a new dedication to national unity, and display this resolute will to resist aggression and to establish a world climate in which national survival will not be a constant worry. We may need every experienced military individual this country has, or can produce. It is time to build, not tear down."

COMMENTS OF PFC. VERNAL JACOBS ON THE WAR IN VIETNAM

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. REID] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, although there might be a few American civilians who still question whether the United States should continue to help the South Vietnamese in their struggle against Communist aggression, the brave young Americans who are being sent to fight there appear to understand full well that they are really fighting for our freedom.

Vernal Jacobs of Ottawa, Ill., is a constituent of mine, and is one of these brave Americans scheduled to go to South Vietnam with the 1st Infantry Division. He and all other fine Americans who are called upon to sacrifice so much for us and for the entire free world deserve our gratitude, our prayers, and our full support. We, too, must be willing to make sacrifices and must not let them down in any way.

When Private First Class Jacobs was home on a 5-day leave, he was asked by the Ottawa Daily Republican-Times how he felt about going to Vietnam. His answer to that question was so impressive that I want to share it with my colleagues and all Americans. Private First Class Jacobs' comments follow:

> I feel it's the right thing to do. I'm really sorry to hear about the kids 18, 19, 20 years old who don't think it's worth going over there for. All the members of the division feel the same way. We know why we're fighting.

We appreciate we can go into any church in this country and worship as we want.

If we don't stop these Reds now we will have to deal with them some other place and some other time. We're going over to get this thing over. It's the right thing to do, definitely. It all boils down to the fact we're fighting for our freedom. Maybe it could have been avoided, but we're in it and I feel we should do the best we can to free these Vietnamese people. They want freedom as badly as we do.

This Communist thing is like cancer. If we're not careful it will destroy us. Life is precious but you've got to have some principles.

MAJ. GEN. WILHELM VON STEUBEN

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I wish to call the attention of the House to the fact that today is the 235th anniversary of the birth of Maj. Gen. Wilhelm von Steuben, an outstanding German military leader whose contributions to the achievement of American independence were invaluable. It is significant that we also commemorate on September 17 the anniversary of the signing of the Constitution since Von Steuben's achievements during the revolutionary period helped make our freedom possible.

To this outstanding man, principle was so much more important than personal gain that he came to our land to help the Americans in their struggle for independence and gave his services to the Continental Congress without charge. He evidenced such ardent loyalty to the American revolutionary forces and the ideals for which they were fighting that Gen. George Washington, learning of the practical knowledge and experience in military matters which Von Steuben possessed, chose him to be the Acting Inspector General of the American Army and put him in charge of training our troops.

The leadership and professional training he contributed to the American independence movement was indeed invaluable. In addition to distinguishing himself at the battles of Monmouth and Yorktown and in his work training the American soldiers, he wrote a basic training manual entitled "Regulations for the Order and Discipline of the Troops of the United States."

After our independence was achieved, General von Steuben continued his service to our country, becoming a citizen, and aiding George Washington in working out preparations for the defense of the United States and the mobilization of our Armed Forces. The letter of commendation for his services to the United States which he received from General Washington was our first President's last official act before relinquishing his command of the Army in 1783.

In noting General von Steuben's many accomplishments today, we join the members of the Steuben Society of America in paying tribute to this patriot whose principles, democratic spirit, and achievement serve as an inspiration to us to rededicate ourselves to the doctrines of the Constitution and the ideals on which this great country was founded.

JOHN J. PERSHING MEMORIAL

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HULL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HULL. Mr. Speaker, legislation to provide for a memorial to Gen. John J. Pershing in our Nation's Capitol was first introduced in 1949. I have sponsored such legislation since 1956. This proposal has the enthusiastic support of the major veterans' organizations of men who served under him and of the innumerable citizens who remember with gratitude his services to our country. However, the Pershing Memorial remains unauthorized while lesser figures are honored. A current obstacle to action on the memorial has been indecision over the future development of Pennsylvania Avenue in the area which includes the preferred site. To expedite action on the Pershing Memorial, I have introduced a bill, H.R. 10107, permitting consideration of other sites for its location. I am pleased that the Veterans of Foreign Wars of the United States endorses my position that action on the Pershing Memorial should no longer be delayed while excellent sites are available. Under leave to extend my remarks, I would like to include the resolution adopted at the 66th National Convention of the Veterans of Foreign Wars of the United States concerning the Pershing Memorial, with this letter from Mr. Francis W. Stover, director, national legislative service of the VFW:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
September 14, 1965.

Hon. W. R. HULL, Jr.,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HULL: This is to advise that the Veterans of Foreign Wars has by national convention mandate endorsed legislation to erect a memorial to Gen. John J. Pershing somewhere here in Washington.

Our organization has long supported legislation to erect a Pershing Memorial on the lot bounded by 14th, 15th, and E Streets and Pennsylvania Avenue NW. It now appears this lot may be swallowed up in the vision contemplated by the planners who are going to overhaul Pennsylvania Avenue between now and the year 2000.

If Congress will not appropriate the money to erect a Pershing Memorial on this square, then an alternative is necessary. The VFW alternative is embodied in resolution No. 254, a copy of which is enclosed.

It is the hope of the Veterans of Foreign Wars that a memorial to this great American will be erected without any further delay. You have the support of the VFW of H.R. 10107, although it should be pointed out that our resolution No. 254 limits location for the memorial to the city of Washington, D.C.

With best wishes, I am
Sincerely,
FRANCIS W. STOVER,
Director, National Legislative Service.

RESOLUTION 254

Resolution on Pershing Memorial

Whereas Gen. John J. Pershing was in charge of the American Expeditionary Forces during World War I; and

Whereas General Pershing was honored by all the Allied Powers for his contribution in the victory of World War I; and

Whereas Gen. John J. Pershing was ranked as "General of the Armies of the United States"; and

Whereas General Pershing devoted the remainder of his life to the U.S. Army as Chief of Staff until his retirement; and

Whereas General Pershing was instrumental in the American forces serving as a unit in World War I; and

Whereas in the District of Columbia monuments have been erected to lesser military figures; and

Whereas there is no monument to General Pershing in the District of Columbia, our Nation's Capital; and

Whereas Public Law 461-84 authorized the Battle Monuments Commission to select a site and provide a design for the Pershing Memorial; and

Whereas the designated site has become involved in a long-range plan for the renovation of Pennsylvania Avenue in the District of Columbia; and

Whereas the indecision of the proposed renovation of Pennsylvania Avenue is further delaying erection of a Pershing Memorial; and

Whereas there has been legislation introduced which will immediately authorize erection of a Pershing Memorial on a proper site: Now, therefore, be it

Resolved by the 66th National Convention of the Veterans of Foreign Wars of the United States, That we support legislation which would authorize the Secretary of the Interior to provide for the erection of the memorial to Gen. John J. Pershing on a parcel of federally owned land in the District of Columbia, and that appropriate funds be made available to carry out the erection of this memorial.

RURAL LIFE IN AMERICA TODAY AND OUR METROPOLITAN PROBLEMS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, I think it is essential to call to the attention of the American people, and particularly our policymakers here in Washington, a letter to the editor of the New York Times from Mr. James G. Patton, the distinguished president of the National Farmers Union, the Nation's largest farm organization.

In his letter he draws a clear, straight line of cause and effect between the condition of rural life in America today and the explosive problems faced by all of our major cities. Because this relationship has often been completely ignored, we have found the U.S. Government applying policies to one segment of the Nation that was adding to the difficulties of another segment—while at the same time spending millions to find solutions to these problems.

We will never be able to solve the problems caused by population pressures in the big cities until we establish policies and programs that will stop driving rural Americans off the farms and small towns, into the cities.

We cannot separate urban problems from rural problems. They are, to a great extent, two sides of the same coin. We are indebted to Mr. Patton for reminding us of this fact.

His letter follows:

Aid to Rural Areas

August 23, 1965.

To the Editor:

The Los Angeles riots, costing a quarter billion dollars and 31 dead, are a direct result of a tragic migration of 13 million people off the farms and into overcrowded cities.

And migration is continuing. It is scheduled to crowd 10 million more untrained, ill-prepared rural people—one-fifth of them Negro—into the Nation's cities, to breed unemployment, slum poverty and the aggravation of an already critical civil rights problem.

We can expect riots in other cities—many serious riots costing hundreds of millions of dollars and untold social loss—if we just continue to allow surplus human beings to pile up in the cities' deadends.

While the antipoverty program tries to disperse people by getting young men off of city streets and out into the countryside to relieve the social pressure, certain farm advisers urge the Department of Agriculture to hasten the elimination of small farmers and herd them into the cities. This is costly, irresponsible nonsense.

I am calling on the leaders of the Agriculture Committees of the Senate and House of Representatives to support legislation and necessary appropriations to stabilize farm people in rural areas, instead of letting this antisocial migration continue.

The cheapest place to solve problems of surplus rural people is in the rural communities, where farms can be provided for some people, training and jobs for others, housing and home food production for everyone, subsidies as needed, and a secure home environment—off the city streets—for the children and young people.

A part of the huge public costs for urban renewal and for salvage of broken lives in the cities may be better invested in rural areas, rebuilding rural America and stopping this costly migration of people.

James G. Patton,
President, National Farmers Union.

TWENTIETH CENTURY CHANGES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Fountain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, we all know that local government has undergone drastic changes in the 20th century. Many of these changes were dramatized recently in an address by Mr. Frank Bane before the local government officials' conference at the University of Virginia, Charlottesville, Va.

Frank Bane has enjoyed a long and distinguished public career at all three levels of government. He serves ably as the chairman of the Advisory Commission on Intergovernmental Relations on which the gentlewoman from New Jersey [Mrs. Dwyer], the gentleman from New York [Mr. Keogh], and I are privileged to sit as representatives of this House.

Mr. Bane's remarks follow:

Local Government—The Next Half Century

(Remarks by Frank Bane, chairman, Advisory Commission on Intergovernmental Relations, before the local government officials' conference, University of Virginia, Charlottesville, Va., August 30, 1965)

I like this subject that was suggested to me. For the past 50 years I have known something of local government in Virginia. At times, and in a number of different ways I have been a part of it. So, on the basis of some experience with, and knowledge of the subject, let us discuss where we have been, where we are, and where do we go from here for the next 50 years.

Just a little over 50 years ago, September 1914, I left Columbia University and headed for Suffolk, Va. I had been in a number of classes at Columbia with Burbage DeJarnette, then superintendent of schools in Nansemond County, and he had offered me a job as principal of a county high school. Like so many college graduates of that day and time I was off—to start work—teaching school. Mr. W. A. Lassiter met me at the Norfolk and Western station in Suffolk with a horse and a buckboard. We put my trunk in the back. I climbed in and off we started for Mr. Lassiter's home and farm five miles out of town. The Lassiters, you see, were going to board the teachers. Little did I think then that more than 50 years later, despite roaming and living all over the country, I would still be connected with Nansemond County. I cast my first vote for President there in November 1916 and I still vote in Driver Precinct, Sleepy Hole District, Nansemond County.

The next morning—Monday morning—I started to work. For the first few weeks, of course, I was busy learning the ropes, getting to know the children and the teachers, and in general, seeing that things were well started in accordance with the curriculum, the manuals, and the instructions that I received.

It is interesting to observe—and it speaks volumes—that the salary of the principal was $90 a month for 9 months. The other teachers were paid from $30 to $50 a month and my contract for board and "keep" with the Lassiters was $25 a month.

The preliminaries attended to, and having settled in the job, I took a look at my surroundings in Nansemond County where I was to live and work in one capacity or another for the next 6 years. I had majored in political science in college and at the university, and so I was interested in how the county was set up, what it did, and how it did it.

The county was divided into four districts, the operating units of the county, and how many times, from how many platforms, and in how many places all over the country I have spoken about those districts. They were Chuckatuck, Holy Neck, Sleepy Hole, and Cypress, hard down by the Dismal Swamp. The chief officers of the county were Judge McLemore, the circuit judge; George Bunting, clerk of the court; Caleb Fulgham, county treasurer; S. E. Everett, Commonwealth attorney; A. H. Baker, sheriff; E. E. Wagner, commissioner of revenue; Tom Holland, chairman of the board of supervisors; and Burbage DeJarnette was superintendent of schools—a great team.

The task of this team and of similar teams in the other counties of the State, was generally a threefold task—to safeguard liberties; to protect life and property; and to provide certain services. And all believed—how fervently we believed and practiced that great Jeffersonian principle—"that government is best that governs least."

The providing of services was rapidly becoming, if it had not already become, the most extensive and certainly the most expensive activity of the county. Local government was beginning to be, even in 1915, what it is predominately today—an agency through which we do collective housekeeping. Specifically, the public services performed fell into four categories—schools, roads, health, and the care of the poor. There were seven high schools in the county. That is, seven schools that had grades from the primary running through the high school, and there were many, many one and two-room elementary schools scattered about the county. The school system was organized and operated on a district basis with district boards appointed by the circuit judge and the local district boards employed the teachers, set their salaries, etc., albeit mostly on the recommendation of the county superintendent. Everybody—teachers and pupils alike—walked to school and we carried our lunch—there was no school lunch program.

Roads—that was a county job—organized on a district basis, each supervisor having a road gang responsible for the maintenance of roads in his district. Such maintenance consisted largely of digging out the ditches in the fall and throwing mud in the middle of the road so that the road would drain, and hitching a pair of mules to a drag to fill in the ruts in the spring time. There was one automobile in upper Chuckatuck District owned by a Mr. Hobday Saunders who lived down the road apiece and time and again I would take a detail of older boys out on the road to push and pull Mr. Saunders out of a mud hole. Suffolk itself had very few automobiles and no red and green lights.

We were, of course, interested in our health. There was a county doctor, but no one was ever quite certain what he did. When something ailed us we sent one of the boys on the farm for the neighborhood doctor and he came in a horse and buggy with a little black bag filled with white and pink pills, and many other things. Each family maintained and operated its own water and sewerage system, and that was that.

We took care of the poor. We had a county poorhouse and each district had an overseer of the poor, charged with seeing to it that only the most destitute got on the county rolls or in the poorhouse. Almost every family took care of Grandpa and Grandma.

Those were the "good old days." True, some very significant things happened a year or so before that were to influence our way of doing things. In 1913 we discovered a "pot of gold," the income tax amendment, but none of us had enough income to worry about that, and in 1914 the Congress invented a way to spend it by adopting the first large-scale continuing aid program—the Smith-Lever Act establishing the county agent system—but none of us had heard the phrase "grants-in-aid," and so that didn't concern us too much either.

Yes, we knew about the fracas that had started in Europe a couple of months before because somebody had shot a Grand Duke, but little did we dream of what that was going to do to the "even tenor of our ways," or how drastically it would upset our apple carts in all the years to come.

And so we were—and so local government operated in 1915—just 50 years ago, as we stood balanced precariously on the threshold of perhaps the most explosive era in all of the world's history.

Where are we today? We have been through 50 years of fantastic growth, but national growth bestows both bounties and burdens, and it seems that the bounties grow progressively more national while the burdens progressively more local. Local government is today, as always, the primary agency through which we provide public services which people demand and will have, and upon which our 1965 way of life so largely depends. These public services are the old ones; education, public works, health and welfare—all expanded far beyond anything we thought desirable or even possible in 1915 and many new activities are undertaken by local government because of drastic changes in our ways of life and living. The expansion of services, the additional activities, the changes—all have been the result of developments dimly seen, but already underway, a half century ago. Our population was rapidly increasing. It more than doubled in the past 50 years and our peoples were moving to the cities and urban areas. What these developments and changes did to local government is all too apparent to every local official—local government became big business.

About 10 years ago I helped organize and participated in a birthday party for one of our most distinguished citizens—his 80th birthday. The party was held at his birthplace in a Midwest State. Thousands of people were gathered around from the countryside and many from the far reaches of the Nation. He made a delightful speech about the days that had been and he mildly deplored the changes that had come about in his later years. Pointing to the little house in which he was born and had spent his childhood, he said, "When I lived there our social security was in our cellar." How true. But then on the highway driving back to Chicago I reflected that the trouble was that as of today the vast majority of our people didn't have any cellars. Instead, they did have a rent bill that arrived with distressing regularity the first day of every month and the wherewithal to pay it had to come from somewhere other than the cellar. This vastly expanded, urbanized system which we have today could not be serviced by the individual, by and of himself. It required the concerted effort of all men and that meant government—primarily local government.

Local government has been and is stretching every nerve and exerting every effort to meet this challenge and to handle this task. We have realized for years, however, that local government cannot do this job alone. It has had, and must have, increasing help from the State and National Government. The reason for this is simple. It cannot raise the money. Hamstrung as it is by many financial restrictions, limited as it is in its revenue sources, local government is demanding, and today more than ever, is (being listened to) that States and the National Government assume a much larger share of the task of providing necessary services for the American people. I have often said that the problem is—we are all fishing in the same pool among the same people for the same money. But the difficulty is—the National Government is fishing with a seine; the States with a hook and line, and the localities with a bent pin.

Today local government, except in structure, bears little resemblance to that of 50 years ago. Today most local governments are great complex machines; manned in the main by technically qualified, competent officials; providing educational opportunities for all of our children, providing necessary public works, safeguarding our health as never before and in addition, furnishing welfare services and sustenances to that 20 percent of our population that is ill-fed, ill-clothed, and ill-housed.

But today, perhaps, as never before, local government across the land is in a crisis. And that crisis to be diagnosed is—money. To maintain its services, to preserve its status as the very kernel of our democratic society, local governments need and must have assistance; more assistance in planning, in operation and above all, in financing.

All that I have said about the past and the present is so well known to all of you that I have felt a wee bit guilty about taking your time. But, it has been fun reviewing the past—when you and I were young—and I have tried to discuss realistically and frankly, but briefly, the present. But what of the future—the next 50 years?

Coming problems, like coming events, have a way of casting their shadows, and I think it is well to remind local governments again that burdens go along with bounties, and local governments do not have a habit of coming out on the top of the totem pole.

Within the past 2 years many great and new programs have been enacted by the Congress and are getting underway. Others are in the works and are almost certain to be passed, and still others are being contemplated. These programs are going to have a profound effect upon the administrative machinery and the financial operation of local government, and perhaps upon its very structure. They are going to bring great benefits to people generally, but since many of them have matching requirements they are going to be expensive and perhaps burdensome to local governments, especially to municipalities whose debt limits are already scraping the ceiling and whose people think—be it true or not—that their property taxes are already confiscatory.

As an example, I well remember the social security program in the 1930's, of which I was a part. That program was and, I think the overwhelming majority now agree, is of great benefit to the American people in guarding against want, in providing relief, in cushioning the impact of recessions and perhaps helping to avoid depressions. But that program revolutionized the organization and administration of practically every welfare department in the country—State and local—and it multiplied many times the cost of their administration. I would not belabor the point, but every experienced State and local official knows that in addition to matching requirements, standards and controls go along with all grants and they too can be expensive.

Let's take a look at some of these new programs:

1. THE ANTIPOVERTY PROGRAM

This Antipoverty Act is what is called in many State legislatures—an omnibus act. It covers and encompasses a multitude of ills, and is directed toward the solution or mitigation of many different, although closely related problems. Some parts of this program are set up, operated, and financed directly by the Federal Government, but many of them require participation on the part of the States or localities in administration and in financial support. In addition, some parts of the act, notably the community action program, permit the establishment of separate agencies—not governmental in character—yet entrusted with the expenditure of public funds without reference to the duly constituted authorities. Already questions and protests about its operation are coming in from all parts of the country—from mayors and Governors.

The effective administration of this act is going to require quite a bit of doing.

2. THE SO-CALLED MEDICARE PROGRAM

All of our local and State health and welfare departments are wondering what this act is going to do to their administrative procedures and practices, and to their budgets. Will it be administered by the regular governmental health and welfare authorities in the States and localities, or will a large part of it be contracted-out to private agencies? Another task—I was about to say "chore" and a difficult one it is—who is going to license and inspect and supervise the operation of nursing homes and how much is that going to cost, and who is going to pay for it?

3. THE INTERSTATE HIGHWAY PROGRAM

This Interstate System, about half completed today, has brought untold benefits to motorists and to our general economy. Many States, however, have found it increasingly difficult to find the money to pay even the 10 percent of the cost of construction for which they are liable and what is not often thought of or discussed is that the States are saddled with the entire cost of maintenance.

You can be perfectly certain that within a very few years many thousands of miles of new roads will be added to the already approved existing interstate highway system.

4. HOUSING AND URBAN RENEWAL

Housing became an important function of Government after the Second World War. It has been expanding ever since and urban renewal, designed to arrest urban blight, was added to this program about 10 years ago. Now, just a couple of weeks ago, these programs were extended upward and downward, appropriations have been doubled and a new angle known as "rent subsidies" primarily for low-income groups has come into being.

In addition, a new Cabinet Department is being established. The Department of Housing and Urban Development is destined to be one of the largest and most expensive agencies of the Federal Government, and I assure you that its repercussions will be felt for years to come in localities throughout the country. These results will flow, not so much from change in organizational structure, as from new programs voted by this and succeeding Congresses and handed to the new Department.

Municipalities are going to see many more Federal people in the next few years; representatives of bureaus, divisions and even sections who are anxious to provide—gratis—advice and guidance; who just want to be helpful.

5. WATER

Even the word today has painful connotations in so many places; supply, conservation, distribution, pollution control, reuse, all are receiving most careful attention in our municipalities, as well as in the countryside. The East, in fact the whole Nation, is beginning to learn about the problem that has afflicted the West for so long; and

6. EDUCATION

Education has for years been the major and the most costly task of local government. It is our largest and most productive public investment. Since sputnik, Federal, State, and local governments have doubled this investment and I am sure you know the end is far from yet.

The need continues to outdistance our present resources and in the next 15 years we shall probably again double our educational expenditures—and what about another new Federal department—a separate Department of Education by 1970—could be—probably will be.

In order to meet pressing problems and to undertake manifold jobs we have been quietly, slowly, but with a quickening pace, doing things to the structure of our Government. We have been establishing regional or areawide operating agencies of Government. To mention only a few, the South, New England, and the Far West have joint operating agencies in the field of higher education; the Delaware River Commission, designed to regulate and control water supply and its distribution, involves four States and a Federal agency. And, it is an operating agency with power to act—not just advisory and supervisory. The Appalachian Regional Commission, a somewhat similar agency, encompasses 11 States and the Federal Government, and is designed to promote industrialization, to provide employment and to mitigate poverty. This Appalachian Commission also is an action group with money to do things. There are many more and, to repeat, the end is not in sight.

Time and again many people raise two questions: Where do we stop? Why all this?

There are many reasons, of course, but the main answer is simple, so very simple. In 1910 we had 92 million people. Today we have more than 190 million people, and in the good year 2000 A.D. we will have about 350 million people.

Have I overburdened you? Have I seemed to be pessimistic?

I have not so intended. I know that the future—immediate and remote—will tax, as never before, the ability, the ingenuity, and yes, the patience of all public officials. But as a little friend and partner of mine—8 years old—so frequently says, "So what." There is no fun in the status quo.

Just over the hill in the foreseeable future, what a challenge and what an opportunity for public officials as we journey into the exciting tomorrow.

Just a few more words in the nature of questions as we take a little longer look.

Can localities within the next half century be maintained as at present organized and administered without wide disparities in services which cannot be tolerated and gross waste and inefficiency which cannot be borne?

How are we going to govern our sprawling metropolitan areas? This is perhaps the most urgent, the most significant and the most difficult of our present day governmental problems.

Can and will the States be able to maintain that sovereignty about which we talk so much and which some think has been rapidly eroding in the past generations?

In a few words, what about our federal system?

More than 10 years ago I wrote that there were four great pillars supporting our federal system:

1. State control of election machinery;
2. State control of police machinery;
3. State control of the substance and operation of our school systems; and
4. Concurrent taxing powers.

Three of these pillars are already beginning to suffer the wear and tear of time.

Will we see in the next half century major overhaul of most of our State constitutions and—perish the thought—the National Constitution as well?

Will we find out, as a distinguished statesman did 100 years ago, that "The dogmas of the quiet past are inadequate for the stormy present"—and I might add for the foreseeable future.

I ask you.

And, now the administrator having approached perilously close to the realm of the prophet, I had better stop right here, and leave the answers to history and to you.

LET'S RECOGNIZE THE MIDWEST'S SCIENTIFIC CONTRIBUTIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, I want to take this brief opportunity to point out that the AEC's recent action with regard to the proposed 200 billion electron volt accelerator is a matter of utmost importance for those of us who reside in the Midwest. It has been said before this distinguished body that only two areas of the Nation are capable of developing the scientific excellence so necessary to make the project a success. It was further stated that a truly serious question of whether machines of the highest quality could be built at any location other than the Lawrence Radiation Laboratory and the Brookhaven National Laboratory. I do not wish to detract from the tremendous contribution made by these existing facilities, but I strongly disagree with any implication that other areas are incapable of producing similar excellence.

As a Representative from the State of Iowa, I would like to point out that we in the Midwest have been carrying on a massive aid program for many parts of this Nation. The form of this aid program has been in the export of our highly talented and trained human resources.

A clear indication of what has accurately been called the "brain drain" is that the Midwest, of which Iowa is a part, produces over 40 percent of the Nation's scientists and engineers. Most of these people go to man what has become a massive industry in this Nation, that is, the research and development industry. I submit that the Midwest has contributed significantly to the very success of existing facilities, such as Brookhaven and Lawrence. We pay for and produce almost half of the research and development people and we enjoy less than 15 percent of the R. & D. money. I suggest that we have, in fact, been generously subsidizing other sections of the country.

If the words that were spoken on this floor yesterday were to become the rule in the development of future scientific facilities, the Midwest and its institutions of higher learning, which are unsurpassed by those in any other region, would become a vast scientific wasteland, while continuing to pay for and supply the personnel for facilities in other regions. I must say that we in the Midwest have all of the necessary requirements for any such proposed facilities, and have been supplying many of the personnel for those presently in operation.

I respectfully conclude by saying it is high time the tables are turned. I believe the Midwest will not continue to be abandoned in the future by those of scientific knowledge who are responsible for the distribution of research and development projects, if the sites are selected on the basis of technical data. For those who doubt the intellectual capacity of our great region, I suggest that they ascertain the educational background of many of the leading scientists of this Nation—then the true contribution of the Midwest to our scientific leadership will be visible.

THANK YOU, MR. PRESIDENT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BOGGS. Mr. Speaker, last Friday, September 10, President Johnson flew to New Orleans to see for himself the impact of Hurricane Betsy upon that stricken city. In so doing he expressed in the most vivid method possible his concern for the people of Louisiana and his eagerness to help them with all of the Federal facilities at his command.

Recognition of the meaning of his trip was made the following Monday, September 13, by the New Orleans Times-Picayune, one of the South's greatest newspapers, in an editorial entitled, "Thank you, Mr. President."

One paragraph in the editorial was particularly meaningful, I should like to quote it:

> Leadership is particularly needed now, and the President's prompt flight to this area after Betsy wrought great havoc is all the more appreciated because he has given added meaning to his concern in our welfare by ordering the various agencies which can render physical assistance to hurricane sufferers to expedite the delivery of that aid.

I think Members would be interested in seeing the entire editorial, which is as follows:

[From the Times-Picayune, Sept. 13, 1965]

THANK YOU, MR. PRESIDENT

Deep South communities which were hard hit Thursday night and Friday night by powerful Hurricane Betsy, we are sure, join us in expressing appreciation for his concern in our welfare to Mr. Lyndon B. Johnson, the President of the United States.

A visit to New Orleans by the President always is a significant event—an occasion for approval of close relationship between the men and women who look to the White House for superior leadership and the leader in the White House who seeks close communion with these men and women who need his guidance.

Leadership is particularly needed now, and the President's prompt flight to this area after Betsy wrought great havoc is all the more appreciated because he has given added meaning to his concern in our welfare by ordering the various agencies which can render physical assistance to hurricane sufferers to expedite the delivery of that aid.

Most important, in our opinion, was President Johnson's announcement, as he left New Orleans, that he was "cutting all red tape" and giving the predicament of Betsy sufferers the Federal Government's highest priority.

All local officials whose burdens have been increased by the hurricane and its tragic aftermaths, to the best of our knowledge, have sought diligently and energetically to discharge their painful duties. Their task has not been easy, and their hours have not been short.

Obviously, their work has not been perfect. The U.S. Weather Bureau in New Orleans, as an example, was handicapped by communications failures Thursday at 10:10 p.m., when Betsy's fury here was near its height. Some citizens were evacuated from areas where flooding did not materialize, and other citizens were left in homes where unexpected flooding caused loss of life and great damage.

The officials who called for evacuation of certain areas and did not call for evacuation of other areas, in our opinion, acted on the basis of the best information available to them. Just as Betsy did not follow an orthodox course after she left the Virgin Islands on August 29, information on which official advice was based was not infallible.

Whatever shortcomings there may have been in warning of the hurricane's approach and in preparations for meeting its wrath were not due, in our opinion, to lack of devotion and hard work by officials on various levels and by a vast number of unofficial workers who still are ministering to the needs of hurricane sufferers.

Singling out any individual or any particular organization for commendation for sticking to assigned posts or for accepting unusual responsibility in this grave emergency, we believe, would be a mistake. Too many people, too many organizations have put aside concern about their own security, have lost their sleep and their goods, have accepted other hardship and have otherwise proved their willingness to be true friends in need, friends indeed, to justify any attempt to specify where any special credit should be placed.

The worst, which has been very, very bad, is over, we hope. Recovery has begun, and we commend New Orleans and our neighbors to prosecution of that task.

PERSONAL EXPLANATION OF HON. DON FUQUA

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FUQUA. Mr. Speaker, due to important business in my district, it was necessary for me to be absent for the following rollcalls: Had I been present, I would have voted aye for rollcalls No. 299 and 304 and nay for rollcalls No. 269, 301, and 303.

PRESIDENT'S PROPOSAL ON INTERNATIONAL EDUCATION

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. VIVIAN. Mr. Speaker, yesterday, President Lyndon B. Johnson, while speaking at the bicentennial celebration of the Smithsonian Institution proposed and gave his strong support to a vital new step in our world policy.

He proposed that the United States enter into a long-range effort with other prosperous nations, to extend the full benefits of education at all levels, to youth in every nation of this world—to youths, millions of whom now have only the most rudimentary facilities and texts, a painfully sparse supply of teachers, few adequately trained and, all too often, have so little family income that it is difficult for their families to aid, often even to permit, their education. Now it is easy to say, "This is not our problem."

But as the President so wisely said yesterday, unless the darkness of illiteracy which besets nearly a billion persons on this globe soon can be shred away by the light of education, everywhere, the force of that darkness may engulf us all.

Now there will be many who will argue why this step should not be taken.

Some will say we do not have the resources, or would waste resources we need here.

Others will say we would only succeed in training our enemies so that they could sooner overwhelm us. Some will say, with some reason that food should come first.

I cannot predict all the negative arguments. But let me say to those who object, that education is one type of foreign aid which reaches directly to the human individual; and it benefits the poor most surely.

Education is a typed foreign aid—very difficult for the thief to divert, very troublesome for the dictator to deny, and, very obvious to the recipient as a true gift to a man.

Furthermore, the recipient of an honest education need not fear its content, need not be ashamed to receive the gifts, can pass his benefits onto many others, and can better help in building the material world his family needs.

Mr. Speaker, President Lyndon Baines Johnson can be proud of his—and our—efforts to aid, to encourage, to support, to emphasize education in these 50 States. I shall be very proud if I can aid and participate in extending our help in education throughout this planet.

I will submit to him my own suggestions for such a program within the coming week.

I am pleased to be able to say that during my campaign last fall for election to this House, I stressed my desire to greatly increase our Nation's effort in just the manner the President advocates. It will be a further pleasure to give my full support in realizing this goal.

Mr. Speaker, I ask unanimous consent that the text of the speech given yesterday by the President, be printed at this point in the RECORD.

TEXT OF PRESIDENT'S REMARKS AT SMITHSONIAN FETE

(The following is the text of the President's remarks at the Smithsonian Institution bicentennial celebration.)

Distinguished scholars from 80 nations, amid this pomp and pageantry we have gathered to celebrate a man about whom we know very little but to whom we owe very much. James Smithson was a scientist who achieved no great distinction. He was an Englishman who never visited the United States. He never even expressed a desire to do so.

But this man became our Nation's first great benefactor. He gave his entire fortune to establish this institution which would serve "for the increase and diffusion of knowledge among men."

SMITHSON'S VISION HAILED

He had a vision which lifted him ahead of his time—or at least of some politicians of his time. One illustrious U.S. Senator argued that it was "beneath the dignity of the country to accept such gifts from foreigners." Congress debated 8 long years before deciding to receive Smithson's bequest.

Yet James Smithson's life and legacy brought meaning to three ideas more powerful than anyone at that time ever dreamed.

The first idea was that learning respects no geographic boundaries. The institution bearing his name became the very first agency in the United States to promote scientific and scholarly exchange with all the nations of the world.

The second idea was that partnership between Government and private enterprise can serve the greater good of both. The Smithsonian Institution started a new kind of venture in this country, chartered by act of Congress, maintained by both public funds and private contributions. It inspired a relationship which has grown and flowered in a thousand different ways.

Finally, the institution financed by Smithson breathed life in the idea that the growth and spread of learning must be the first work of a nation that seeks to be free.

These ideas have not always gained easy acceptance among those employed in my line of work. The Government official must cope with the daily disorder he finds in the world around him.

But today, the official, the scholar and the scientist cannot settle for limited objectives. We must pursue knowledge no matter what the consequences. We must value the tried less than the true.

To split the atom, to launch the rocket, to explore the innermost mysteries and the outermost reaches of the universe—these are your God-given chores. Even when you risk bringing fresh disorder to the politics of men and nations, these explorations must go on.

The men who founded our country were passionate believers in the revolutionary power of ideas.

They knew that once a nation commits itself to the increase and diffusion of knowledge, the real revolution begins. It can never be stopped.

In my own life, I have had cause again and again to bless the chance events which started me as a teacher. In our country and in our time we have recognized, with new passion, that learning is basic to our hopes for America. It is the taproot which gives sustaining life to all our purposes. Whatever we seek to do—to wage the war on poverty—set new goals for health and happiness—curb crime—and bring beauty to our cities and countryside—all these and more depend on education.

But the legacy we inherit from James Smithson cannot be limited to these shores. He called for the increase and diffusion of knowledge "among men"—not just Americans, not just Anglo-Saxons, not just the citizens of the Western World—but all men everywhere.

The world we face on this bicentennial anniversary makes that mandate more urgent than it ever was. For we know today that certain truths are self-evident in every nation on this earth:

That ideas, not armaments, will shape our lasting prospects for peace.

That the conduct of our foreign policy will advance no faster than the curriculum of our classrooms.

That the knowledge of our citizens is the one treasure which grows only when it is shared.

It would profit us little to limit the world's exchange to those who can afford it. We must extend the treasure to those lands where learning is still a luxury for the few.

Today, more than 700 million adults—4 out of 10 of the world's population—dwell in darkness where they cannot read or write. Almost half the nations of this globe suffer from illiteracy among half or more of their people. Unless the world can find a way to extend the light, the force of that darkness may engulf us all.

For our part, this Government and this Nation is prepared to join in finding the way. During recent years we have made many hopeful beginnings. But we can and we must do more. That is why I have directed a special task force within my administration to recommend a broad and long-range plan of worldwide educational endeavor. I intend to call on leaders in both public and private enterprise to join with us in mapping this effort.

We must move ahead on every front and at every level of learning. We can support Secretary Ripley's dream of creating a center here at the Smithsonian where great scholars from every nation will come and collaborate. At a more junior level, we can promote the growth of the school-to-school program started under Peace Corps auspices so that our children may learn about—and care about—each other.

We mean to show that this Nation's dream of a Great Society does not stop at the water's edge. It is not just an American dream. All are welcome to share in it. All are invited to contribute to it.

PROGRAM OUTLINED

Together we must embark on a new and noble adventure:

First, to assist the education effort of the developing nations and the developing regions.

Second, to help our schools and universities increase their knowledge of the world and the people who inhabit it.

Third, to advance the exchange of students and teachers who travel and work outside their native lands.

Fourth, to increase the free flow of books and ideas and art, of works of science and imagination.

And fifth, to assemble meetings of men and women from every discipline and every culture to ponder the common problems of mankind.

In all these endeavors, I pledge that the United States will play its full role.

By January I intend to present such a program to Congress.

Despite the noise of daily events, history is made by men and the ideas of men. We, and only we, can generate growing light in our universe, or we can allow the darkness to gather.

De Tocqueville challenged us more than a century ago: "Men cannot remain strangers to each other or be ignorant of what is taking place in any corner of the globe." We must banish the strangeness and the ignorance.

In all we do toward one another, we must try—and try again—to live the words of the prophet: "I shall light a candle of understanding in thine heart which shall not be put out."

SERMON BY THE MOST REVEREND PATRICK A. O'BOYLE

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 5 minutes.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I would like to include the following sermon by the Most Reverend Patrick A. O'Boyle, D.D., archbishop of Washington, in St. Matthew's Cathedral, Washington, D.C., on Sunday, August 29, 1965, which I believe presents a clear view on a complex issue:

BIRTH CONTROL AND PUBLIC POLICY

(Sermon by the Most Reverend Patrick A. O'Boyle, D.D., archbishop of Washington, in St. Matthew's Cathedral, Washington, D.C., Sunday, August 29, 1965)

"The time will come when men will not listen to sound teaching, but with ears itching, will pile up for themselves teachers who suit their pleasures. They will turn their ear away from the truth to fables."

These words are taken from the Second Epistle of St. Paul to Timothy, chapter IV, verses 3 and 4. In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

My dear good people in Christ: We live in extraordinary times. Despite the tragic riots and bitter recriminations of the long, hot summer at home, and the tensions unavoidably connected with our increasing firmness overseas, there is a new spirit of achievement and hope in the air.

As President Johnson expressed it in his Catholic University commencement address recently: "This is a new time in our land, a time that is young in spirit, a time of renewal, a time of resurgence for those forces which fashion a finer and fairer society."

In our own church the fresh winds of aggiornamento have swept its hallowed halls. Through the new liturgy, the faithful have gained an intimate participation in the Holy Sacrifice unequaled since the early years of the Bark of Peter. In his encyclical "Ecclesiam Suam," the Holy Father opens up an exciting vista of the mission of the modern church. And in the document on the church and the modern world, a fraternal hand is extended to all men of good will to explore not only our common beliefs but how we can marshal the united moral forces in each country in an attack on the spiritual and social evils that confront society.

In the United States, progress in the field of racial and social justice has been nothing short of phenomenal. A remarkable Congress, working in close harmony with the Chief Executive, has courageously attacked such previously insoluble issues as civil rights (including voting rights), aid to education, and the paradox of poverty in the midst of plenty. It is in every way an outstanding achievement, and the President and our hard-working Representatives on Capitol Hill deserve the Nation's thanks.

In this context of social and material advancement, it is with great reluctance that I speak to you this morning on the controversial subject of birth control.

As you well know, Pope Paul VI has established a distinguished commission of theologians, doctors, demographers, lay couples, and experts in many fields to consider these issues in their broadest aspects. Until the commission has submitted its report, and the Holy Father has acted upon it, he has wisely counseled a moratorium on speculation which can only serve to confuse not only the faithful but the large body of sincere people who, while they may differ from us, nevertheless respect our right of conscience as we respect theirs.

Unfortunately, the Pope's warning has not prevented a number of Catholics classified as experts who, while asserting that they do not officially speak for the church, nevertheless have not hesitated to try the case in the newspapers, in periodicals, and on television. Though they doubtless acted in good faith, the result has been to raise false hopes in some quarters, and to spread discouragement in others. Moreover, committees of the Congress and other public bodies, hearing no official expression to the contrary, have assumed that silence gives consent and have initiated programs intruding on the private lives of citizens—programs in which, to put it bluntly, the Government has no business. So I feel I must speak out.

What started all this was the discovery of a condition popularly known as the population explosion. Like many catch phrases, it is ambiguous and misleading. An impressive array of statistics has been marshaled to prove that it exists, and that it will get worse if present ratios of birth to death rates continue. The figures are subject to qualification in some cases. For example, births in this country for the last year were the lowest since 1953. However, there is no question that overpopulation is a fact in some areas. The question is, what do we do about it?

There are two general lines of approach, one positive, one negative.

The positive approach may be illustrated by the situation in the United States. There may well be at this moment areas of relative overpopulation in certain parts of this country—in the so-called Negro ghettos of some of our northern cities, for example. In other areas, like the western part of the United States and Canada, there is underpopulation.

A positive attack on this situation would employ such techniques as better use of the country's still great reserve of wide-open spaces, decentralization of industry (which already is underway) and the movement of employees and their families to less crowded areas which inevitably follows. It would extend our transportation network, and develop still better ways of getting surplus foods into the hands of the needy, thus relieving the economic squeeze on larger families. It would organize broad systems of job training, so that men at the bottom of the income ladder might qualify for better jobs and thus could afford better housing, with less doubling up of families and consequent reduced crowding.

These and a dozen other similar lines of attack are typical of the positive approach. They are typically American, for this is how our Nation developed.

Opposed to the positive approach is the negative position of birth limitation. Advocates of this position tend to turn away from the use of our immense resources, technology, and pioneering spirit to build an even greater society. They regard such efforts as futile and say that the only real solution is birth control and that only government can effectively promote birth control on a mass scale.

Now this is a very complex question, and there is room for honest difference of opinion in those areas where no moral principles are involved. Nevertheless, I personally feel that the philosophy of this negative approach is unworthy of our American tradition.

Now I would ask you to turn from these considerations of national and international policy to the problems of the individual family. If the biggest danger flag in our overall approach to population control is negativism, the most serious threat in its impact on the American family is paternalism. Permit me to show you what I mean.

Ours is a complex society, and a dynamic one. The same economic and social forces that created our marvelous productive machine sometimes threaten to destroy the people it was designed to serve. More and more, in their search for protection and security, men have turned toward their government.

Security, however—like everything else—has its price, and it must be paid for in the coin of personal freedom. You may think this is a fair exchange, and so it may be up to a point, though the gradual intrusion of government into the private lives of its citizens is a trend which worries many thoughtful people.

Nevertheless, there must be a line beyond which lawful regulation in the public interest becomes unwarranted invasion of the right of privacy. During the last 30 years, the Supreme Court has set up a number of guideposts for the protection of personal liberty. Among them have been these:

1. Freedom from Government inquisition.
2. The right of privacy.
3. Concern for the weaker members of society.
4. Freedom from Government coercion of mind and conscience.

The late Justice Brandeis, with his usual succinctness, expressed the issue this way: "The makers of our Constitution * * * recognized the significance of man's spiritual nature, of his feelings, and of his intellect. They knew that only a part of the pain, pleasure, and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred, as against the Government, the right to be left alone—the most comprehensive of rights, and the right most valued by civilized man."

The philosophy expressed by Justice Brandeis has been given a modern application in the recent decision of the U.S. Supreme Court invalidating the Connecticut birth control law. Seven Justices agreed that the statute violated the right of marital privacy, which it called "intimate to the point of being sacred."

Now if the Government is enjoined by this decision from forbidding the practice of birth control, it logically follows that it is likewise forbidden to promote it, since violations of human privacy becomes inevitable in the relationship between Government and the indigent people who comprise the target group for Government-sponsored birth control.

In spite of these unmistakable constitutional roadblocks, a bill is now before the Senate Subcommittee on Foreign Aid Expenditures that would formally and directly involve the Federal Government in birth prevention programs, including the dissemination of information and materials at public expense.

In a number of cities, there have been attempts to link promotion of birth control with the new antipoverty program, on the theory that, as one Senator put it, "the poor are more likely than any other group to have large families."

That, I submit, is not the Government's business. The choice of how many children a couple should have is the sole, personal responsibility of the spouses. It is no less their responsibility if they happen to be poor.

For a Government agent to advise individuals—married or unmarried—respecting limitation of the number of their offspring, to inquire respecting details of their sexual life, or in any way to suggest to them practices respecting sex which may do violence to their religious beliefs, is a clear invasion of the sacred right of privacy which the Supreme Court holds to be inviolate.

Now we have been exploring up to this point some of the moral, legal, and sociological implications of Government involvement in family limitation. But what happens when a couple, of their own volition and for valid reasons, wish either to limit the number of their children or to regulate their spacing?

It is obvious that the American community is deeply divided on this question. Many people sincerely believe not only that there is nothing immoral in the use of artificial contraceptives, but that the common good of society is served by active dissemination of such materials and information on how to use them. Some would even go to the extreme of making this a public policy both at home and abroad.

There is another group—including but by no means confined to Roman Catholics—that holds with equal sincerity that the use or promotion of contraceptives, whether mechanical or chemical, is at all times and for any reason a serious moral evil. Their concern is not with the end of responsible parenthood, which no one disputes, but with the morality of the means used to achieve it.

What is the answer to this dilemma? What is the right and duty of the individual citizen of good conscience? What should be the role of Government? Let me suggest some possible approaches.

In great issues of this kind, where opinion is sharply divided, the first and most important consideration in searching for a solution is the preservation of the God-given right of conscience. Catholics, for example, have no right to impose their own moral code upon the rest of the country by civil legislation. By the same reasoning, they are obliged in conscience to oppose any regulation which would elevate to the status of public policy a philosophy or practice which violates rights of privacy or liberty of conscience. The citizen's freedom cuts both ways.

In a situation like this, involving serious moral issues in which people strive to form a right conscience, the role of Government is clear—strict neutrality. No one questions the right—even the desirability—of expanded Government-sponsored research into the problems of human reproduction. There is much to be learned in this area—including possible harmful side effects of so-called oral contraceptives which are just now coming to light.

However, the moment that Government presumes to give advice in this delicate area, it opens the door to influencing the free decision of its citizens. And from influence, it is only a short step to coercion. Especially when economic factors are involved, like welfare payments, the slightest attempt to guide an applicant may be magnified by fear into an unspoken threat to "conform—or else."

Now, what should be the attitude of the individual Catholic in all this? A Catholic, like any other American, is a citizen, with the right and duty to vote in accordance with his convictions. He is a member of a pluralistic society, which must have a working consensus, even in highly controversial areas, if it is to govern itself. Therefore he has an obligation, without compromising his moral principles, to work in harmony for the common good—which always includes the protection of constitutional liberties. Certainly it would appear that, under the proposal I have described, constitutional liberty of privacy is severely endangered.

In addition to being a citizen, a Catholic is also a member of the mystical body of Christ. In this he accepts voluntarily, by the very fact of his membership, the official teaching of the church in matters of faith and morals. And, my dear good people, the church's teaching with regard to contraception has been both clear and consistent.

In his encyclical, "Casti Connubii," Pope Pius XI declared that any interference, either in the performance of the conjugal act or in the development of its natural consequences which is designed to deprive it of its inherent power and to prevent the procreation of new life, is immoral.

Pope Pius XII, reiterating the teaching of his predecessor, added that "'this prescription holds good today as much as it did yesterday * * * for it is not a mere precept of human right but the expression of a natural and divine law."

The reigning Pontiff, Pope Paul VI, had this to say in announcing last year the appointment of a commission to explore the problem:

"So far we do not have a sufficient reason to regard the norms given by Pope Pius XII in this matter as surpassed and therefore not binding. They must therefore be considered valid, at least until we feel in conscience bound to modify them * * * No one should, therefore, for the time being, take it upon himself to pronounce himself in terms differing from the norm in force."

Let us urge you in closing not to allow preoccupation with the techniques of birth limitation, even those which are not of themselves immoral, to distract us from the higher duty of trust in God. Which one of you in this cathedral has not known at some time the terrifying worry of being out of a job, or being hit by heavy hospital bills? Where are those worries today? And if next week you were asked to sacrifice one of your children to ease the population explosion, which one would you choose?

Surely in the glorious history of this great Nation we have found better guides for our society than the four horsemen of national disaster—artificial birth control, abortion, sterilization and euthanasia. Surely we have a better answer to poverty than to deny to the eternal Father the crowning expression of His glory—the creation of an immortal soul in His image? This is the philosophy of defeatism and despair. It is unworthy of our heritage, unworthy of our destiny.

Let us plan our families, then, in the spirit of responsible parenthood, so long as the means we use do not contravene God's law. But let us learn to trust a little, too—not in ourselves, but in the wisdom and providence of a loving Father.

THE APPROPRIATION BILLS, 89TH CONGRESS, 1ST SESSION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MAHON] may extend his remarks at this point in the RECORD and include tables.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MAHON. Mr. Speaker, with conference clearance of the two defense appropriation bills, appropriation totals for the session moved substantially closer to the final amounts.

Four bills are yet to clear: Agriculture and public works—both now in conference; foreign assistance—awaiting Senate floor action; and the customary closing supplemental—now in preparation in the Committee on Appropriations and to be reported shortly.

The House this session has considered budget requests of $101.1 billion and cut

$2.4 billion from that total, with the closing supplemental yet to come to the floor.

Not counting the foreign assistance and closing supplemental bills yet to come before it, the Senate has considered $99.8 billion of budget requests; allowed $99.2 billion; thus making a net reduction of $600 million.

The bills which have cleared conference during the session entailed budget requests of $89.6 billion. Against this, Congress appropriated $87.8 billion, a net reduction of $1.8 billion.

Any contemplation of session totals must embrace so-called permanent appropriations which recur automatically under previous law; interest on the national debt is the preponderant item. These appropriations roughly approximate $12.3 billion for fiscal 1966.

I include a summary tabulation of the totals to date:

Summary of totals of the appropriation bills, 89th Cong., 1st sess., to Sept. 17, 1965

[All figures are rounded amounts]

NOTE.—Treasury loan authorizations, roughly approximating $900,000,000, are not in this summary; nor are undetermined "backdoor" appropriations; nor are permanent appropriations not requiring action in the session, roughly approximating $12,300,000,000]

	Bills for fiscal 1965	Bills for fiscal 1966	Bills for the session
A. House actions:			
1. Budget requests for appropriations considered	$4,668,000,000	$96,430,000,000	$101,098,000,000
2. Amounts in bills passed by House [1]	4,418,000,000	94,271,000,000	98,689,000,000
3. Reduction below corresponding budget requests	−250,000,000	−2,159,000,000	−2,409,000,000
B. Senate actions:			
1. Budget requests for appropriations considered	4,723,000,000	95,065,000,000	99,788,000,000
2. Amounts in bills passed by Senate [2]	4,558,000,000	94,630,000,000	99,188,000,000
3. Above House amounts in these bills	+140,000,000	[3] +4,361,000,000	[3] +4,501,000,000
4. Reduction below corresponding budget requests	−165,000,000	−435,000,000	−600,000,000
C. Final actions:			
1. Budget requests for all bills cleared conference	4,723,000,000	84,895,000,000	89,618,000,000
2. Final amounts approved [4]	4,527,000,000	[5] 83,301,000,000	[5] 87,828,000,000
3. Comparisons—			
(a) With corresponding budget requests	−196,000,000	−1,594,000,000	−1,790,000,000
(b) With corresponding fiscal 1965 amount		+120,000,000	
(c) With bills of the last session			+[6]

[1] All bills except final supplemental are included—precise budget requests unknown.

[2] All bills except "Foreign assistance" (budget request, $4,189,000,000) and final supplemental (budget requests unknown) are included.

[3] Includes two unusually large budget items not considered originally in the House: $1,700,000,000 on the Defense bill and $1,035,000,000 on the Treasury bill (this latter item being classified as a supplement to fiscal 1965 rather than a fiscal 1966 appropriation).

[4] Four bills for fiscal 1966 not included (involving budget requests: Agriculture, $5,782,000,000; public works, $4,387,000,000; foreign assistance, $4,189,000,000; and final supplemental, amounts unknown).

[5] Include $201,000,000 for fiscal 1967 (grants for airports and mass transportation).

[6] Undeterminable until the last bill is enacted.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STRATTON, for September 20 and 21, 1965, on account of official business.

Mr. HOSMER, for 3 weeks on account of official business.

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. FRELINGHUYSEN (at the request of Mr. GERALD R. FORD), for an indefinite period, on account of official business, as a U.S. delegate to the 20th session of the General Assembly of the United Nations.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FOGARTY (at the request of Mr. PATTEN), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. GROSS, for 30 minutes, on next Tuesday.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BURKE and to include extraneous matter.

Mr. LAIRD to revise and extend his remarks made during the consideration of the conference report on H.R. 9221 and to include tables.

Mr. BENNETT in four stances and to include extraneous matter.

(The following Members (at the request of Mr. HUTCHINSON) and to include extraneous matter:)

Mr. BOB WILSON.

Mr. SHRIVER.

Mr. MARTIN of Alabama in five instances.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. MURPHY of New York.

Mr. EVINS of Tennessee.

Mr. WAGGONNER.

Mr. MAHON to include tabular material on the Defense appropriation bill and on the appropriation business of the session.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2084. An act to provide for scenic development and road beautification of the Federal aid highway systems; to the Committee on Public Works.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the House of the following titles:

S. 1483. An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; and

S. 2042. An act to amend section 170 of the Atomic Energy Act of 1954, as amended.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 948. An act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act;

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the act of June 27, 1956, relating to office space in the States of Senators; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 3128. An act for the relief of Angelo Iannuzzi;

H.R. 3684. An act for the relief of Maj. Alexander F. Berol, U.S. Army, retired;

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883);

H.R. 8218. An act for the relief of Walter K. Willis;

H.R. 8351. An act for the relief of Clarence L. Aiu and others;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 9854. An act for the relief of A. T. Leary; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until Monday, September 20, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1589. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report indicating the necessity for a supplemental estimate of appropriation for the Selective Service System for fiscal year 1966, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1590. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions program equipment and facilities, for the quarter ending June 30, 1965, pursuant to subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1591. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), Office of Assistant Secretary of Defense, transmitting revised cost figures of certain facility projects proposed to be undertaken for the Air National Guard, supplementing executive communication No. 527, February 8, 1965, pursuant to the provisions of 10 U.S.C. 2233a(1), and authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1592. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp Atterbury, Ind.; to the Committee on Armed Services.

1593. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor; to the Committee on the District of Columbia.

1594. A letter from the Assistant Secretary for Administration, Department of the Interior, transmitting a report of receipts and expenditures for fiscal year 1965, pursuant to section 15, 43 U.S.C. 1343; to the Committee on the Judiciary.

1595. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a proposed amendment to section 301(a)(7) of the Immigration and Nationality Act (66 Stat. 235; 8 U.S.C. 1401); to the Committee on the Judiciary.

1596. A letter from the Secretary of the Interior, transmitting a report on activities of the Federal aid in fish restoration program for fiscal year ending June 30, 1964, pursuant to section 11, 64 Stat. 430; 16 U.S.C. 777; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committes were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLATNIK: Committee of conference. S. 4. An act to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes (Rept. No. 1022). Ordered to be printed.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 598. A resolution providing for the consideration of House Joint Resolution 642, joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes; without amendment (Rept. No. 1023). Referred to the House Calendar.

Mr. GRAY: Committee on Public Works. House Joint Resolution 642. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes; with amendment (Rept. No. 1024). Referred to the Committee of the Whole House on the State of the Union.

Mr. LENNON: Committee on Merchant Marine and Fisheries. S. 944. An act to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes; with amendment (Rept. No. 1025). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COOLEY:

H.R. 11135. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. POFF:

H.R. 11136. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DAVIS of Wisconsin:

H.R. 11137. A bill to provide that Federal savings and loan associations shall be governed by the same branching restrictions as are applicable to competing State-chartered institutions; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 11138. A bill to amend section 18(c) of the Federal Deposit Insurance Act to provide a procedure for adjudicating the propriety of bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. MULTER (by request):

H.R. 11139. A bill to amend section 5155 of the Revised Statutes of the United States relating to the establishment and operation of branches of national banks; to the Committee on Banking and Currency.

By Mr. NIX:

H.R. 11140. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. TEAGUE of Texas:

H.R. 11141. A bill to amend the Universal Military Training and Service Act so as to give highest priority for induction into the Armed Forces to persons who would otherwise have avoided induction by being married on August 26, 1965, the date of the President's Executive order amending the Selective Service Regulations; to the Committee on Armed Services.

By Mr. WHALLEY:

H.R. 11142. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for traumatic aneurysm and malignant tumors (cancer) which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 11143. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans' Affairs.

By Mr. McMILLAN:

H. Con. Res. 512. Concurrent resolution authorizing the printing of additional copies of the hearing on home rule for the District of Columbia; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

By Mr. ADDABBO:

H.R. 11144. A bill for the relief of Cologero Armandini; to the Committee on the Judiciary.

H.R. 11145. A bill for the relief of Nikolas Iliadis; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11146. A bill for the relief of Antonio D'Angelo; to the Committee on the Judiciary.

H.R. 11147. A bill for the relief of John Marinis; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 11148. A bill for the relief of Dr. Hassan Vakil; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 11149. A bill for the relief of Vito Matranga; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 11150. A bill for the relief of Mrs. Catherine Pliakos; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 11151. A bill for the relief of Miss Yie Chin Kim; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 11152. A bill for the relief of Virgile Posfay; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

367. The SPEAKER presented a memorial of the Legislature of the State of Massachusetts, to establish a corporation with sufficient funds to provide, through insurance, reasonable protection against loss or damage to property suffered during a riotous or tumultous assembly of people, which was referred to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to the people of the seventh District of Alabama for August 23, 1965:

WASHINGTON REPORT FROM CONGRESSMAN JIM MARTIN, SEVENTH DISTRICT, ALA.

FARM BILL HURTS ALABAMA FARMERS

The liberal Democrats in control of Congress, jumping at the crack of the whip by Lyndon Johnson and his Secretary of Agriculture, Orville Freeman, struck another blow at the farmers of Alabama and the southeast by passing the confusion known as the omnibus farm bill. The vote was 221 to 172. I voted against the bill on final passage because it will hurt the farmers and the economy of Alabama.

During the 4 days of debate on the bill we were able to make some very slight improvements in it. I fought for and voted for amendments to the cotton provision of the bill to permit released cotton acreages to be reapportioned across the county lines. We were also able to save the one-price cotton system which is essential to saving the jobs of Alabama workers in the cotton mills.

OVERALL BILL DISCRIMINATORY

In spite of these improvements the overall farm bill penalizes Alabama and sets the stage for moving cotton farming to the west. This is the real purpose behind the farm bill. In a news story in the Birmingham Post-Herald of August 16 it was pointed out the small farms in Alabama are disappearing. This bill will hasten the day when the small cotton farmer in our area is through.

The Montgomery Advertiser, in an August 16 editorial, pointed out that this bill is going to cost Alabama cotton growers $75 million. The editorial was based on figures released by Alabama Agriculture Commissioner Todd who calculates the Democrat farm bill will cut Alabama's cotton allotment from 969,000 to 435,000 acres. A Democrat Congress and a Democrat President will be the authors and finishers of Alabama cotton agriculture. This is something to remember when you are asked to support the antipoverty, big welfare programs of Lyndon Johnson's Great Society. Alabama cotton farmers well may ask, "great for whom?"

SUPPORT YOUR POLICE DEPARTMENT

In a memorandum circulated in Cuba before the Communist revolution the first point in the formula for revolution was to "discredit the police in every way by causing incidents which will lead to arrest and then by charging police brutality." The program now being carried on in the United States by Martin Luther King and others is following this formula to the letter whether King and those who constantly criticize the police know it or not. The shameful riots in Los Angeles in which screaming mobs burned and robbed and murdered had not even ended before Martin King was charging police brutality and demanding the firing of one of the Nation's finest police chiefs.

In a statement to Congress last week I called for a return to law and order and support of the police and other law enforcement officers whom we ask to risk their lives to protect us. Lyndon Johnson should make an unequivocal statement that law and order will be maintained and then stand by his statement instead of making excuses for the criminals. The time is long past due when the President should make such a statement. He should make it clear that the police departments of this Nation will not be sacrificed to appease criminals. If, for political expediency, the President will not stand firmly behind our law enforcement officials, it's time the good people of this country did and that we let the rapists, robbers, murderers, and those who urge them on that we support the police in their defense of law and order and the lives and property of decent citizens.

Typical of some statements by public officials excusing the crime wave in Los Angeles is one by Congressman CLAYTON POWELL, of New York, in the CONGRESSIONAL RECORD. The statement goes through the same charges that the criminals were not to blame, but they act that way because they are poor and underprivileged. The startling thing is the last paragraph in the Congressman's statement: "Negroes in the North know the truth of these statements and are embittered by the absence of official action directed toward a solution of these problems. Until a comprehensive and massive attack on northern sub rosa racial hatred is undertaken, until all of us force ourselves to come to grips with the fact that the poverty of the northern Negro is totally different from the poverty of the southern Negro and in some respects even worse, Los Angeles is only the beginning of a long series of rioting and lawlessness not only this summer but in the many summers to come."

There is a gigantic task ahead for America and one to which I subscribe. It has been pointed out that the poverty in the Watts district of Los Angeles is due to the fact that most of the better jobs that are available require a level of education the Negro poor do not have and which will take at least another generation to acquire. We do need a massive national education program to give all citizens equal opportunity to get good jobs. But we won't achieve that goal through demonstrations, riots, and the continued threat of future violence, or by fostering hatred between blacks and whites.

GOVERNMENT PROGRAMS ANNOUNCED BY KING

In the 8 months I have served in Congress I have come to accept the fact that announcements of Federal projects and grants in my district are always given to the Democrat Senators first, but I think it's going a little too far when programs in my own congressional district are announced by Martin Luther King. In a story from the Los Angeles Times of August 12, reporting on the convention of the Southern Christian Leadership Conference in Birmingham, Ala., it was stated: "Dr. King also reported that the U.S. Office of Economic Opportunity this week approved a $60,000 grant for an SCLC program which provides special summer tutoring for Negro high school students and graduates to help them pass college entrance exams. SCLC also was instrumental in obtaining a poverty program for Gadsden, Ala. 'Six other poverty programs are at various states of development and others are anticipated,' Dr. King said." (quote from American Enterprise Institute).

I guess we should ask Sargent Shriver, Attorney General Katzenbach and the President, "when was King elected to public office and by whom?"

FOR ALABAMA SENATOR'S INFORMATION

The junior Senator from Alabama and several of his editorial supporters in the State continue to try to prove me wrong in stating that individual neighborhoods may be integrated under Federal housing laws. For the enlightenment of the Senator and those who take him at his word, I point to an item in the Washington Daily News of August 19, 1965:

"PRIVATE HOMES FOR PUBLIC HOUSING

"The National Capitol Housing Authority will ask the Commissioners for approval and the Federal Housing Administration for money to rent or buy 500 homes on the private market in the next 2 years for public housing units."

Sincerely,

JIM MARTIN,
Member of Congress.

Eighteenth Anniversary of the Murder of Nikola Petkov

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. BOB WILSON. Mr. Speaker, tomorrow the Bulgarian National Committee will commemorate the 18th anniversary of the judicial murder of Nikola Petkov for his defiance of the Communist effort to tyrannize Bulgaria. Petkov was hanged September 23, 1947, by the Soviet conspiracy. His death cleared the way for Soviet rule of that great people, a rule which has persisted to this day.

It was Petkov who headed the opposition to Soviet rule in the election campaign of October 1946. Despite falsification of the returns by the Communists, Petkov's candidates won, and triumphantly entered the Grand National Assembly. There he exposed the Soviet plans to make Bulgaria a Soviet province. Subsequently he was charged with conspiracy against the state and the Soviet Union, and sentenced to hang.

Mr. Speaker, let us not forget that there are still heroes in Petkov's country. Men and women still working and hoping that one day they will be free again. There are, too, many Bulgarian exiles with the same hopes for their country. One cannot think of these people without a sense of frustration. One almost feels a sense of shame at the easy acceptance of freedom by some in our own country. One also senses the wisdom of the poet John Donne's words, "No man is an island, entire of himself." We are in truth, our brother's keepers. When the bells tolled for Petkov's death, they tolled for all of us.

We can take comfort and, indeed, pride, that on this very day Americans are fighting for freedom of their brothers. That our history is a history of a people always willing to fight that fight. There are, in fact, fighters for freedom in every nation. We must keep our faith that one day they will win.

Du Pont Estate Taxes

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, last Monday, when the House was considering the question of a rule on H.R. 7371, a bill to remove an exemption from the Bank Holding Company Act, there was conversation in the debate to the effect that 8 million tax-exempt dollars were going to the Du Ponts in Florida. Needless to say, the allegation that this much money was going to anyone, tax exempt, should properly arouse the interest of this body. It aroused mine.

Upon careful examination of the records presented in the hearings to the committee, I found only one person receiving more than $30,000 a year from the estate: Mrs. Jessie Ball du Pont, widow of Alfred I. du Pont. Under the terms of her late husband's will she receives a primary annuity of $200,000 a year, and from a residual annuity of currently approximately $8 million a year, she receives 88 percent. From the total residual annuity 12 percent is irrevocably assigned to the Nemours Foundation, a charitable nonprofit foundation donating funds primarily to assistance and research in the prevention of crippling in children, these funds now in the amount of approximately one million dollars annually. Except for this 12 percent paid to charity the remainder of the income from the estate is taxed at regular personal income tax rates.

Copies of canceled checks payable to the District Director of Internal Revenue which I have in my possession show that Mrs. du Pont pays almost $5 million a year in Federal personal income taxes, contrary to what has been said about the taxability of the amounts she receives. None of the money she or any other person receives from the estate gets any special tax treatment. She is, incidentally, one of the most philanthropic of all Americans and gives generously to a wide field of charities, after she pays her taxes.

I have also learned the Du Pont estate is one of the Nation's great tax revenue sources. In the past 15 years alone the estate has paid out more than $120 million in Federal income taxes, and more than $37 million in taxes to State, county, and city governments located in some 19 States.

When you stop and think about the gigantic sum of money this Du Pont estate has paid to our State and National Governments I cannot see how anyone can say there is not anything percolating down to the general population. Furthermore, the ultimate beneficiaries, after death of individuals who pay income taxes, will be charitable, primarily in the field of combating crippling among children.

Finally, I would like to observe that the pending legislation, H.R. 7371, would, as far as I can see, have no bearing or effect upon these tax matters because it has no relation to taxes in any way whatsoever.

Dedication—Memorial Mall, Sharon, Mass.

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. BURKE. Mr. Speaker, it was my pleasure on Sunday, September 12, 1965, to have been the guest speaker at the dedication of the memorial mall of the Sharon Memorial Park, Sharon, Mass., which was sponsored by the Department of Massachusetts Jewish War Veterans of the U.S.A.

I would like to include here my remarks, as well as the remarks of the Honorable Elliot Richardson, Lieutenant Governor of the Commonwealth of Massachusetts, and a copy of the program.

The material follows:

ADDRESS OF CONGRESSMAN JAMES A. BURKE TO THE JEWISH VETERANS, SHARON, MASS.

As we dedicate Sharon's Veterans' Mall, we may appropriately recall the history and achievements of one of America's most dedicated and patriotic veterans' organizations, the Jewish War Veterans.

The great aims of this organization of which you are so justly proud were set forth in the moving language of the preamble to the original constitution of 1896 of the Jewish War Veterans:

"To maintain true allegiance to the United States of America; to foster and perpetuate true Americanism; to combat whatever tends to impair the efficiency and permanency of our free institutions; to uphold the fair name of the Jew, and fight his battles wherever unjustly assailed; to encourage the doctrine of universal liberty; equal rights and full justice to all men; to combat the powers of bigotry and darkness wherever originating, and whatever their target; to preserve the spirit of comradeship by mutual helpfulness to comrades and their families; to instill love of country and flag, and to promote sound minds and bodies on our members and our youth; to preserve the memories and records of patriotic service performed by men of our faith; to honor their memory, and shield from neglect the graves of our heroic dead."

With these noble purposes enunciated, the Jewish War Veterans were prepared for their heroic service in the Spanish-American War, the two World Wars, the Korean conflict, and the cold war, now regrettably a very hot one in Vietnam.

The members of the Jewish War Veterans met together in convention in Philadelphia in 1936 to amend their constitution. In the newly drafted constitution were set forth in detail the duties and obligations of the national executive council, the national executive committee, the departments, district councils, and ladies' auxiliaries. The duties of officers were prescribed, uniforms and insignia designated, and a seal adopted.

In the revised constitution, article II embodied the spirit and general sentiments of the preamble of the original constitution, but enumerated the objectives of the Jewish War Veterans more specifically. It stated that the purposes of the organization were:

"To maintain true allegiance to the United States of America; to encourage honor and purity in public affairs; to combat whatever tends to impair the efficiency and permanency of our free institutions; to encourage the doctrine of universal liberty, equal rights, and full justice to all men.

"To combat the powers of bigotry and darkness wherever originating and whatever their target; to uphold the fair name of the Jew and fight his battles wherever assailed.

"To inculcate and keep alive the spirit of comradeship among the men of our faith who fought in the various wars of the United States of America.

"To assist such comrades and their families as may stand in need of help, encouragement, or protection.

"To encourage and promote athletics among our members and in the youth of our faith.

"To instill love of country and flag in our youth and to foster such activities as will tend to perpetuate the objects and ideals of our organization.

"To gather and preserve the records of patriotic service performed by the men of our faith; to honor their memory and shield from neglect the graves of our heroic dead."

Throughout its long and distinguished history as the oldest active war veterans' organization in the country, the JWV has been one of the bulwarks of the Jewish community's fight against anti-Semitism.

Its dynamic program emphasizes mutual understanding. It tries to reach out to every respected group in the country, to Congress, to the churches, to the schools, and to all the other veterans' organizations, in order to find its allies in the battle against anti-Semitism.

The JWV has worked hard to maintain its close working relations with both veterans' and nonveterans' organizations in its unending campaign to advance group cooperation in all areas of American life. Among the supporters of the JWV are those organizations which advocate legislation aimed at closing existing gaps in the exercise of civil rights. Friends of the JWV advocate the cooperation of all ethnic, racial, and religious groups in every community, and others support projects designed to broaden public understanding of veterans' needs and objectives.

The JWV program includes the sponsorship of brotherhood rallies, scholarship and contest awards in the schools, and the undertaking of civic betterment projects in local communities.

Through its child welfare program, the JWV supports the Boy Scouts, provides summer camp scholarships for underprivileged children, sponsors athletic league tournaments, and equips participating teams.

As an accredited agency representing claimants before the Veterans' Administration and the Defense Department, the JWV maintains a veterans' service program staffed by professional counselors and guidance experts who assist veterans and their dependents in dealing with various public agencies. This free service is made available without regard to race, color, or creed of veteran applicants. It helps thousands of veterans and their dependents each year.

The JWV maintains a legislative office in the Nation's Capital. For the Jewish community the JWV's legislative office has special significance, because the leaders of our Government recognize that the JWV represents the views of a large and important part of the organized Jewish community. Through its legislative action program, the JWV has campaigned for a veritable multitude of bills in the areas of civil rights, national defense, mutual security, foreign affairs, veterans' benefits, and other programs of interest to the American Jewish community.

In all the American military cemeteries in this country and throughout the world, there are to be seen among the rows upon rows of crosses, many, many Stars of David, mute but overwhelming testimony to the sacrifice made by the men of Jewish faith who fought so well, so long, and so hard to preserve American freedom. In the dedication of the Sharon Veterans' Mall in which we participate today, Jewish War Veterans once again exhibit their unceasing and untiring efforts to honor the heroic dead who have defended and saved our country and its institutions by their service and sacrifice.

I salute Sharon's Veterans' Mall and the Sharon Jewish War Veterans.

Address of Lt. Gov. Elliot Richardson

This is a serene and beautiful place. It is a true privilege to participate in dedicating a memorial here to those of Jewish faith who have given their lives in the wars of the United States.

I congratulate the Department of Massachusetts Jewish War Veterans, and the Sharon Memorial Park on the conception and design as well as the harmony of execution of this Memorial Mall.

Throughout the long recorded history of the human race, the Jewish people have constantly and devotedly carried on the struggle for the dignity and freedom of the human spirit. Believing always that every individual owes a duty to God because each individual matters to God, Jews fought for the dignity and freedom of the individual against Egypt, against Babylon, against the darkness and oppression of the Middle Ages and against the forces of totalitarianism—Nazi, Fascist, and Communist in modern times.

It is especially fitting, therefore, that the Jews who gave their lives for freedom in the uniform of the United States should be commemorated here by the two boulders which mark this ground.

The red-brown boulder at the one end of the mall, which was brought here from Mount Carmel in the Holy Land, once felt the footprints of the Prophets who first taught the truths which have ever since inspired not only the Jews, but all other inheritors of the free spirit. The slate-gray stone at the other end of the mall is of native New England origin. Both these ageless fragments of our planet are linked by an oval of living green symbolizing the vital ever-renewed tradition which joins them.

The price of liberty, as we have so often been reminded, is eternal vigilance. Each generation must not only win liberty for itself—it must protect it against subversion and defend it against attack. And so today in South Vietnam, where American lives are once more being sacrificed, and in outposts all over the world, Americans are standing guard for freedom.

Wherever freedom is at bay or on the march, there will be Americans of Jewish faith. We shall forever be in their debt. We proudly and gladly acknowledge that debt.

Dedication, Memorial Mall, Sponsored by the Department of Massachusetts Jewish War Veterans of the U.S.A., With the Cooperation of the Sharon Memorial Park

PROGRAM

Welcome: Albert Schlossberg, chairman.

Raising of colors: Prince Strauss Post No. 161, JWV color guard; U.S. flag, Mr. and Mrs. Isadore Bromfield; Jewish War Veterans flag, Mr. Louis Silvey, Abraham Zimmerman, PDC; national anthem, Cantor Alex Zimmer, temple Ohabei Shalom, Brookline, Mass.

Remarks: Alfred Tober, commander, Department of Massachusetts, JWV.

Dedication: Rabbi Jacob Hochman, temple Shalom, Milton, chaplain, Department of Massachusetts, JWV.

Introduction of distinguished guests.

Address: Hon. William Carmen, chairman, National Executive Committee, JWV.

Address: Hon. James A. Burke, U.S. Congress.

Address: Hon. Elliot Richardson, Lieutenant Governor, Commonwealth of Massachusetts.

Conclusion of dedication: Unveiling of bronze plaque, Mr. Eric S. Marmorek, for Sharon Memorial Park; Samuel Samuels, PDC for the Jewish War Veterans; Kaddish, Rabbi Jacob Hochman; El Mole Rachamin, Cantor Alex Zimmer; firing squad, Prince Strauss Post No. 161 JWV.

A Memorial to Knute Rockne on the Kansas Turnpike

EXTENSION OF REMARKS

OF

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. SHRIVER. Mr. Speaker, the Kansas Turnpike Authority and the Knute Rockne Clubs of America on Sunday, September 12, 1965, joined in dedicating a new memorial to the famed Notre Dame football coach and inspirational leader of American youth who died in an airplane crash in 1931 near Bazar, Kans.

The beautiful new memorial to Coach Rockne is of native Silverdale stone with a bronze plaque inset. It has been erected at the Matfield Green Service area on the Kansas Turnpike. This area is the nearest point on the turnpike to the actual plane crash site and the memorial will be seen and visited by hundreds of thousands of motorists who pause at or pass by the service area annually.

Members of the Knute Rockne family were present for the dedication ceremonies. Knute Rockne, Jr., of Stevensville, Mich., and John Rockne, South Bend, Ind., sons of the famed American, and his daughter, Mrs. Anthony Kochendorfer of Dickinson, N. Dak., unveiled the memorial and placed a wreath at its base at the dedication. The dedication address was given by Rev. Father Joyce, vice president of Notre Dame University.

Others who participated in the program included Dr. D. M. Nigro, Kansas City, president of the Knute Rockne Club of America; Rolla Clymer, El Dorado, publisher of the El Dorado Times; Robert Duncan, Atchison, chairman of the turnpike authority; L. W. Newcomer, El Dorado, Kansas Turnpike Authority, chief engineer-manager; and Msgr. George King of Kansas City.

We are proud to have this memorial to the late Knute Rockne in Kansas. His leadership of and significant contributions to our youth, the game of football, and physical fitness in general will long be remembered.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the Record I include my Washington Report to the people of my district for August 16, 1965:

Washington Report

(By Congressman Jim Martin, Seventh District, Alabama)

TERMITES IN GREAT SOCIETY FOUNDATION

While the great "I" in the White House continues to flood the airways and newspaper columns with statements of how much he is doing for you and trying to convince you how well off you are, the foundations of the Great Society are being steadily weakened by the termites of inflation, lower farm income, and continued cheapening of the dollars in your pocket. The record is clear that the Johnson farm program is not meeting the needs of farmers, consumers, or taxpayers.

Ten years ago the farmer received 42 cents from each consumer food dollar. Today he receives only 37 cents, less than in the depression days of 1935. Farm debt stands at an alltime record of over $36 billion. The parity ratio (what a farmer pays for goods as compared to what he gets for his produce) has dropped to 75 in 1964, the lowest level in 30 years. Retail food prices have increased 29 percent in the last 16 years, while the net income of agriculture has gone down 29 percent.

The most damaging figures show how Federal bureaucracy is growing: in 1933 there was one employee in the Department of Agriculture for every 203 farms. In 1961 there was one for every 37 farms, and today you are paying one Federal employee in the Agriculture Department for every 32 farms in the United States.

FARMERS GET LITTLE, HOUSEWIVES PAY MORE

In the L.B.J. supermarket you may clearly see what is happening to the purchasing power of your dollar under the Johnson big spending programs and political boondoggles. In June the cost of living showed the largest increase in 23 months, with food prices jumping 2 percent. Some typical increases in groceries under the L.B.J. program: lettuce from 29 cents for two heads a year ago, to 46 cents today; potatoes from 89 cents for a 10-pound bag to $1.19; tomatoes from 29 cents a pound a year ago to 33 cents today; whole chicken fryers from 35 cents to 45 cents a pound; bacon from 69 cents a pound to $1.05; pork chops from 69 cents a pound to $1.29, and eggs from 46 cents a dozen to 61 cents. This is the way L.B.J. and his Great Society pick your pocket to pay for the big new poverty program, with all its fancy salaries; the rent subsidy program, new welfare programs, aid to education programs which pour more of your money into the richest States, and all the other projects the President is ramming through Congress to perpetuate himself and his party in office. Remember, all these grand schemes don't cost L.B.J. a penny of his personal $14 million. You pay the bill through taxes and higher prices. Isn't it time for the American people to demand that the President be a little bit more responsible in the way he spends your money?

The President's farm bill, which will soon come before the House, is not the answer. Certainly we must enact some new farm legislation to prevent chaos when some of the present laws expire, but the Johnson bill needs drastic amendment and I am working tooth and nail to help improve it. As an example, the cotton section, while maintaining one-price cotton, changes the release and reapportionment of cotton acreage in such a way that many small cotton farmers in Alabama will be forced out of cotton production. I hope we may be able to take out the worst parts of the administration's bill and I will do my best to try to get a bill which will be good for the farmer as well as the consumer.

IMMIGRATION BILL

The bill to change the immigration system has been reported by the Judiciary Committee and will be voted on in the House later this month. While some of the worst features proposed by the President have been eliminated through the efforts of Republican members of the committee, I will not support any legislation to increase the flow of immigrants to this country or to flood the United States with cheap labor in competition to our workers.

CONGRESSMEN DON'T NEED PAY INCREASE

The House Post Office and Civil Service Committee has approved a bill to increase the pay of Federal workers, including Congressmen. There is justification for increasing the pay of some Federal workers whose salaries are not comparable to those paid for similar work in private industry, but I see no valid reason for including an additional increase for Members of Congress. I will oppose the increase for Congressmen when the bill comes before the House. When Congress takes action to cut unnecessary Federal spending, balance the budget and begin to pay off the debt so that your taxes will be lower and your dollar worth a dollar, then it will be time to consider higher pay because by this action Members of Congress will have earned it.

BRIEFING ON VIETNAM

Last week I attended a 2½-hour meeting at the White House where the President, the Secretary of State and others brought Congress up to date on the progress of the war in Vietnam. While I have supported and will continue to support the President in any effort to stop Communist aggression and save the freedom of the people of South Vietnam, I am deeply concerned that we may be heading for another stalemate or a negotiated peace that will give the Communists by agreement what they can't win through war. We should win the war in Vietnam and make it clear to Communist China and the Communist Soviet Union who are the instigators of the war, that they cannot get away with aggression or with invasion of free nations we are committed to help.

Needy Help Given to Louisiana

EXTENSION OF REMARKS

OF

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. WAGGONNER. Mr. Speaker, a great deal has appeared in the press since the tragedy of Hurricane Betsy detailing the Federal assistance given my State of Louisiana. For this help in this period of devastation and loss of life, we are grateful.

I would like to add here in the RECORD another tribute, this one to the American Telephone & Telegraph Co.

Damage to telephone property in Louisiana alone is expected to be more than $8,953,000.

Already, men, tools, equipment and vehicles from four other Bell System companies have been sent to augment Southern Bell of Louisiana. Over 800 trained technicians are in our State now having been sent there by motor convoy and airlift. More than 12 tons of cable, wire and equipment have already been delivered and more is on the way. This includes 600 million conductor-feet of cable, 8 million feet of drop wire, 2 million feet of inside station wire and 2 million feet of rural wire.

When the storm passed over Louisiana, 351,000 telephones were out of service. By Saturday of this week, complete restoration is expected with the exception of 32,000 homes which are either under water or have been destroyed to the extent they are uninhabitable.

This magnificent achievement is worthy of public acclaim and I would like to commend American Telephone & Telegraph for all they have done and continue to do to reduce the total tragedy which has befallen my State.

The Du Pont Estate

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, Alfred I. du Pont died on April 29, 1935. At that time, 30 years ago, his widow, Mrs. Jessie Ball du Pont, was 51 years of age. Edward Ball, Mrs. du Pont's brother, was 47. In Mr. du Pont's will he established a testamentary trust and directed the trustees to set up a corporation for charitable purposes to be designated and known as the Nemours Foundation.

Under the will, upon the death of Mrs. du Pont, the entire income from the estate would go to the Nemours Foundation, after certain specific individual bequests were honored. Mr. du Pont gave his widow an option, however. He said that if she chose to create the Nemours Foundation during her lifetime that with her authority the trustees of his estate could immediately pay over to the Foundation the sum of $1 million to embark it on its charitable function. Mrs. du Pont did that, and the Foundation has been engaged in charitable works for the past 28 years.

In addition to the $1 million first payment to the foundation, Mrs. du Pont has made an irrevocable assignment of 12 percent of her income from the estate to the Nemours Foundation. This 12 percent is tax free, under the law, as the foundation donating funds primarily to assistance and research in the prevention of crippling in children. The remaining 88 percent of Mrs. du Pont's income is taxable, and she annually pays some $5 million in taxes on this income. She has made tremendous contributions to charities, particularly private colleges and universities.

The trustees of Mr. du Pont's estate were given powers to engage in such business enterprises as they elected. Significantly, Mr. du Pont envisioned the management of the estate as a going concern, and as the annuities established by Mr. du Pont are fulfilled, 100 percent of the earnings of the estate will go to the Nemours Foundation.

The major operations in the estate are the 31 banks of the Florida National group of banks with deposits of over $600 million, the St. Joe Paper Co., which employs over 1,300 persons with an annual payroll of $7.5 million in Florida alone, and the Florida East Coast Railway.

The motivation behind these substantial enterprises and the Du Pont estate are Mrs. du Pont and her brother, Edward Ball.

Mr. du Pont early in his life outlined his excellent goal in life:

> My philosophy of life is exceedingly simple: be fair to everyone, do as much good as you can; be honest with yourself, which means, honest with everybody; * * * if one would keep one's head above the water, one must struggle, and use such weapons as our Creator has provided.

Mrs. du Pont and Edward Ball have lived that faith envisioned by Mr. du Pont. The intelligent kindness and good works of Mrs. du Pont have been felt by millions of persons, while Mr. Ball has attained the highest aspirations of Mr. du Pont in his efforts to build a greater Florida and a greater America.

Statement of Senator Robert F. Kennedy Before the Joint Legislative Committee on Mental Retardation

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the statement of Senator ROBERT F. KENNEDY, of New York, before the Joint Legislative Committee on Mental Retardation in New York City on September 9, 1965:

STATEMENT OF SENATOR ROBERT F. KENNEDY BEFORE THE JOINT LEGISLATIVE COMMITTEE ON MENTAL RETARDATION, SEPTEMBER 9, 1965

Mr. Chairman and members of the committee, it gives me great pleasure to come before the Joint Legislative Committee on Mental Retardation. This committee has done as much or more for mentally retarded New Yorkers as any other agency of government. And I would like to pay special respects to Senator Kraf, under whose able chairmanship the committee steered so much legislation to passage in the legislature this year; and to Senator Conklin, who has led the way for many years—and still does.

So I am pleased to come here; but I am not happy at much of what I have come to say. I have within the past week visited two of the largest State institutions for the care of the mentally retarded. I was shocked and saddened by what I saw there.

There are young children slipping into blankness and lifelong dependence.

There are crippled children without adequate medical attention or rehabilitative therapy.

There are retarded children living in the midst of severely disturbed adults.

There are children and young adults without education and training programs adequate to prepare them for life in the community.

And there are many—far too many—living in filth and dirt, their clothing in rags, in rooms less comfortable and cheerful than the cages in which we put animals in a zoo—without adequate supervision or a bit of affection—condemned to a life without hope.

In the State of New York, in the year 1965, such conditions are intolerable. I will this morning go further into the conditions at these institutions, and the reasons for their existence. But at the outset, I want to make clear that all of us bear full responsibility for these people and the lives they lead. Like children, and like the sick and the crippled, the retarded need our help.

And they have a right to our help.

For they have the same rights as others—to the fullest possible development of their capacity to learn and work and live—and to their simple dignity as human beings.

We hear a great deal, these days, about civil rights, and civil liberties, and equality of opportunity, and justice. But there are no civil rights for young retarded adults—when they are denied the protection of the State education law which commands that all other children must receive an education.

There are no civil liberties for those put in the cells of Willowbrook, living amidst brutality, and human excrement, and intestinal disease.

There is no equality of opportunity for the retarded when they are not trained for jobs which they can do.

Without civil rights, or liberties, or opportunity, there is no justice.

Nobody who has ever raised a child would want him to live for a moment as thousands of the mentally retarded now live in New York.

I ask you all to think of the inmates of these institutions as the children they are, whatever the age of their bodies—children who have done no wrong, children who through no action or fault of their own have been placed in circumstances for which all of us in the State of New York are responsible.

First look at the way they sleep. Wards built for 40 patients have 80 or more; some I saw, with a certified capacity of 80 when they were built in the 19th century, now hold nearly twice that number. Beds literally cover the entire floor, with 3 inches between them; one aisle goes up the center—but there are two rows of beds on each side of it. Patients in Willowbrook must walk on other patients' beds to get to their own.

There is, of course, no room in such a ward for personal possessions—for any shred of individuality—for a toy, or some clothing, or a book. Think of how our own children of 5 of 6 or 9 treasure their possessions—and think of them without any such possessions, or of any they do possess locked always in a closet.

And what do they do during the day? Many just rock back and forth. They grunt and gibber and soil themselves. They take off their clothes. They struggle and quarrel, though great doses of tranquilizers usually keep them quiet and passive. But, for the most part, they sit too often in dimness and gloom, and idlenes and stench, staring at the wall or an attendant, or an occasional strange visitor.

They sit in dayrooms and the dayrooms I saw at Willowbrook are without a book or a toy or a game. without anything to stimulate or distract the minds of these children, save, in some places, a blaring television set. There are playrooms, 1 for every 4 wards, which can be used by one ward at a time; and they are locked up after 3 in the afternoon.

Even for the children—at Willowbrook or Rome—I saw no toys, morning or evening; just children, rolling or sitting or capering on the floor.

The absence of toys—the lack of organized play—is not a light matter. Children learn by play. It is play with toys that teaches them control of objects, so that they can grow up to work with them. It is organized play with other children that teaches them to accommodate and protect themselves in a world with other people, so that they may one day return to the community. Without proper play from the moment they open their eyes, children cannot develop to their full capacity. Without it, these children are doomed to a life of dependence—the hopeless and hapless adult inmates of the future.

The complete lack of physical play is most acute, perhaps, for those children who are severely physically handicapped. Many of these children remain all day in their beds, or in little carts—without exercise, without appetite, without strength, wasting away to permanent physical disability and near-death. At Willowbrook, in a wing housing 200 children, of whom at least a third seemed to be physically handicapped, there is only a tiny room perhaps 12 feet long and 6 feet across—devoted to physical therapy. Its only equipment is a small wooden walkway and three boxes in which children may stand; and because of a lack of trained personnel, only seven children may be treated in a day. On the staff at Willowbrook, with 1,000 children under the age of 7, there is not a single certified pediatrician.

The absence of a pediatrician is but one instance of the shocking understaffing at these institutions. The director of Willowbrook needs 52 recreation workers; he has 7. Many low-functioning patients there see the world outside their dayrooms only when a summer intern takes them out. But the summer interns will return to school in a week; where will the director then find the staff to take these patients outside?

The State institutions are supposed to offer safety and protection to the retarded, but sometimes they are not much safer than the outside. There are too few attendants, they are too busy to watch carefully enough, they are too often absent. In the last year at Willowbrook, five patients have died unnatural deaths.

Two of these deaths dramatically illustrate the dangers of overcrowding and inadequate staffing. One patient was burned in a shower by another retarded patient; he was in a wheelchair as the result of earlier shower burns. Another boy, a low-functioning retardate, was killed by an older, more capable boy—who was put in with the slower boys as punishment.

This practice—universally condemned by all authorities—persists. There is a 12-year-old boy, robust and not deeply retarded, in the low-functioning adult wards in Willowbrook. We were told that he is there because he was unruly, and hit attendants. But he has been in the adult ward for 5 years—since he was 7 years old. So he probably functions less well than he would if he had been with his proper group; and if he is in fact unruly, he will shortly be dangerous to the lower-functioning disturbed adults with whom he now is kept. Here is another life soon to be wasted irretrievably—for punches thrown 5 years before. Why is he in this ward? Because there is no adequate provision for housing or attending him and the other unruly patients.

All these shortcomings—from toys to outdoor recreation to staff to crowded beds—make it far harder than it should be to train young adult patients for a role in the community. These shortcomings are reinforced by a lack of adequate job training and education. And the result is that far too few ever leave these places, to go either to halfway houses or to their families.

For example, in one ward of ambulatory adults at Willowbrook—these are retarded patients with IQs over 50, able to dress and feed and wash themselves—only 20 out of 312 males work as much as 1 day a week outside the institution; only 9 out of 312 work full-time. But this is the same group that, in other programs in other places, has been proved able to work—in the Justice Department and the Treasury Department; in 28 other Federal agencies; in thousands of private businesses, and in our office at the Kennedy Foundation. For only 9 of these 312 to work outside the institution is inadequate.

At Rome, custodial conditions are far better than at Willowbrook. The beds are not quite as crowded; the dayrooms are brighter, and most of the adults have things with which to occupy themselves; in many rooms there are colorful chairs in place of the omnipresent heavy benches of Willowbrook. But of Rome's over 4,000 patients, nearly one-third—about 1,300—have IQs over 50. Yet of all these patients, only 35 to 40 are discharged each year.

Why is this? One reason may be that there is no schoolwork for those over the age of 21. Vocational training is all very well for these adults; it is needed. But vocational training, without the ability to read and write and count does not equip a retarded young adult for life in the community. The State education law guarantees to all New York children between the ages of 5 and 21 the fullest education which they are capable of absorbing. That guarantee is denied to the retarded—who need it most of all. Whether it is practicable to write such a guarantee into the statute books for the retarded of this age, I do not know; I do know that we shortchange the retarded, and deprive ourselves, when we deny them their full development.

These are some of the consequences of some of the shortcomings which we have allowed to exist in our institutions for the retarded. They are not necessary; thus, they are all the more cruel. I would like now to mention some of the things that could be done to improve these institutions and the lives of the children of all ages who live in them. And it is all too clear that to describe what can be done is to expose still more of the things that we have failed to do—more of the ways in which we have failed those who have been put in our care.

At the outset and above all else, it is necessary that we stop thinking of these institutions as an end in themselves or for the people who go there. To be sure, many of the patients are of the most severely retarded class. But even at Willowbrook, over 1,000 have an IQ over 50. And even many of those with IQ's under 50, in the 30 to 40 range, can be educated and trained to a significant degree. Taking just the over-50 patients at these two institutions, there is a pool of 2,500 people of whom many hundreds could be returned to the community on a fully or partially self-supporting basis. But they will return only if we are determined that they will do so—only if we set that as our goal and devise and put into operation the programs that are necessary to reach it.

I have not observed the programs at either of these schools. In visits of a morning and an afternoon at Willowbrook, and in a morning at Rome, by myself and my staff, we observed no ongoing programs with any purpose or direction. The classrooms at Rome were empty, as were the shops. The playrooms at Willowbrook were also empty. There is a merry-go-round there—and on a balmy summer afternoon and evening, it sat idle and locked. There are swings and slides; many are rusting, but some are not—none were being used. Clearly, there is not sufficient staff to run programs for the hundreds of idle people we saw. But I think that if we were committed to a specific and definite goal, we would see more program and less simple custody on our visits.

The programs of which I speak are of many kinds—job training, education, general self-reliance and better care. The director of Willowbrook has recognized this; he has requested a total of 69 school teachers; he presently has 33. He has requested 97 occupational therapists; he has 11. He has requested 52 recreational workers; he has 7. Clearly, such additional staff could do much to turn simple custody into active program. But apparently the budget division, while willing to provide additional custodial personnel, have not been willing to provide the necessary program help.

At the same time, the institutions themselves, and the division of mental retardation, have not begun to use the full range of resources which are available for the augmenting and upgrading of their staff. I suggest that the following steps—for all of which Federal support is now, or soon will be, available—be undertaken immediately.

First, there should be an effort to augment staff by use of students. It is not necessary, for example, to hire dozens of new professional recreational workers. Under the supervision of a few well-trained, dedicated professionals, students and other part-time or volunteer workers can meet the full range of needed help. Indeed, recreation work at both institutions during the summer is performed by students. But there is no attempt to use them during the remainder of the year. The same is true for education, particularly of the very young.

The lack of such programs is due to no lack of money; there is a wide variety of Federal assistance available for them. For example, the hospital improvement program will give up to $100,000 a year for programs designed to foster an improved quality of care in State institutions for the retarded. At the Mansfield State School in Storrs, Conn., a grant of $50,000 a year pays for 72 students who conduct an imaginative and effective recreation program. Twenty-six other States have had programs under the hospital improvement program for a year. Willowbrook has an application in; a grant has been approved by the Federal Government for Rome, but the State has yet to release the funds to the institution.

Another major Federal program which could pay for the services of students throughout the school year is the work-study program administered by the Office of Education. Under it, hundreds of millions of dollars over the next several years will be paid by the Federal Government to students for work in public benefit activities; tens of thousands of students in New York State alone will work for part of their college expenses. Work-study has been in operation for a year; there are no present plans by Willowbrook or Rome to receive student help under it from the nearby colleges of Wagner and Utica.

Second, there should be a major effort to use the services of persons from the community other than students—especially in programs for retarded children. In many communities, there have been programs by which foster parents or grandparents—people with spare time and energy—come into the institutions from time to time to work with individual children, and send them cards and small gifts. These highly successful programs could be funded in substantial part through the hospital improvement program. Moreover, a new $41 million program of aid to the elderly has as a major ingredient the very foster-grandparent program just described. Four thousand persons over 65 will be hired to care for children in State institutions; but if any of these 4,000 are to work in New York, we will have to change our attitude toward Federal aid.

Third, we need to better utilize the efforts of unpaid volunteers—especially through proper training and orientation, and in the organization of structured programs in which they can participate. Funds for such training and program planning are available from the hospital improvement program.

Fourth, education in the institutions should be extended to the preschool ages. The Head Start program of the Office of Economic Opportunity is open to retarded children, as it is to other disadvantaged children. It should be brought into the State schools.

Fifth, inservice training of attendants and other personnel should be intensified; most receive no organized refresher training after their initial 4-week orientation course. A social inservice training program makes funds and assistance available for this purpose. And title I of the higher education bill now being passed by the Congress will provide additional refresher training for such personnel.

Sixth, new educational programs should be planned to use funds soon to be available under an amendment I introduced, in the Senate Committee on Labor and Public Welfare, to the Elementary and Secondary Education Act. Under this amendment, the Federal Government will assist special programs for the education of retarded children in State schools.

Seventh, we should make use of the on-the-job training program of the Department of Labor, by which employers are paid to hire and train persons previously not qualified to work for them. The Mansfield School, to use it again as an example, is presently training 350 workers in the community under a grant of some $350,000.

Perhaps more important than the money which is available through these programs is the new thinking, the new spirit, the wind of change which they can bring. And that spirit should extend to action by the State without Federal assistance.

First, all State schools for the retarded should be affiliated with elements of the State university system or other colleges—just as all new hospitals must be affiliated with medical schools. Affiliation with colleges would help make available the services of students who might receive course credit for work with the retarded. It would also make available the services of university personnel—both to patients and to the staff. And the association would certainly tend to attract higher grade professional personnel, who might receive joint appointments by both the institutions.

Second, sufficient money will have to be spent—to relieve overcrowding, to purchase adequate physical therapy and recreational equipment, to hire more stable staff in high-cost areas such as New York City.

In this connection, I would urge that all members of the legislature—and all members of the executive branch of the State government with jurisdiction over these matters—visit these institutions and become as thoroughly acquainted with them as are the members of this committee. Words are no substitute for a day spent in Willowbrook.

Third, I would urge that the report of the special investigating committee appointed by Senator Conklin, presented to the Governor last year, be made public. Our shortcomings are due to no one man and no single administration. And the responsibility for remedy likewise belongs to all of us.

But above all, I think we need a new commitment—a commitment to what Dr. Nicholas Hobbs called a new bill of rights for children, guaranteeing even to the retarded the fullest expression of their individual capacities for growth. This legislature, it should be noted, made great strides in this direction—especially by assuring the retarded the right to complete medical and surgical treatment.

Nothing that I have said today is new. The recognized standards for these institutions are here in a pamphlet of the American Association on Mental Deficiency. You can open it to almost any page and measure another way in which we fail to meet these standards.

But because we know so much, because we know how much can be done for the retarded, there can now be no excuse for inaction. What we can do, we must do, to work with these people not to what we think is the limit of their ability, but to the very limit of our ability to help them fulfill their potential. There are those in this room, most notably in this committee, who are meeting their responsibilities. Another I would name is Mr. John Mallon, of the Daily News, whose articles on this subject awakened many people to our needs.

But more must be done; the time is now; the burden is ours. In the year 1965, that conditions such as those I saw should exist in this great State is a reproach to us all. When the Federal Government stands ready to help, when thousands of students and other volunteers and nonprofessions are eager to help, when new knowledge has given us the opportunity to give hope to the retarded, these opportunities must be seized. We cannot tolerate a new snakepit in New York, a place where life is like that of which Sophocles asked,

"What joy is there in day that follows day,
Some swift, some slow, with death the
only goal.

We can do better. We must do better."

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include my newsletter to my constituents for August 9, 1965:

WASHINGTON REPORT FROM CONGRESSMAN JIM MARTIN, SEVENTH DISTRICT, ALABAMA

WHO'S RUNNING THE COUNTRY?

Early last week I predicted that an infamous letter written by Attorney General Nicholas Katzenbach to a Member of Congress on the voting rights bill would be made public. On August 4, Congressman WILLIAM CRAMER, of Florida, did make the letter public by putting it in the CONGRESSIONAL RECORD. I am making this letter a part of this newsletter because I believe it is vital that the people of Alabama and the rest of this Nation know how much influence Martin Luther King has in directing the policies of the Democratic Party and in the legislation the President is sending to Congress with a demand that it be passed:

"[From the CONGRESSIONAL RECORD, House, Aug. 4, 1965]

"Mr. CRAMER. Mr. Chairman, this might be entitled the third event in the saga of the Attorney General's secret letter.

"As I stated in yesterday's RECORD during the debate on the voting rights bill conference and later in reading a telegram into the RECORD addressed to the Attorney General, Nicholas Katzenbach, that it is my firm belief that a letter addressed to the conference by the Attorney General which influenced the conferences's decision at the 11th hour on the question of poll taxes should be made public. I requested the Attorney General, who wrote the letter, to make it public, and gave him a reasonable period of time to do so, of course after first asking that the chairman of the Judiciary Committee himself make it public.

"The chairman, in debate, informed me he would not do so, upon my request that he do so, and he suggested that the writer of the letter would have to do so.

"No reply to my wire requesting the Attorney General, as the writer of the letter, to do so, has been received.

"Certain excerpts from the letter have been leaked to the press, however, from other sources. According to today's Washington Post, after my demand a letter was circulated among the press. The Post article stated, 'Later'—meaning, of course, after I demanded that it be made public and the chairman refused to do so—'Later copies of this letter were circulated among newsmen.' Apparently, however, certain selected passages were circulated. Under these circumstances, I feel it my obligation to make the letter a matter of record. I place a copy of it in the Record and read it at this time.

"(The letter referred to is as follows:)

"July 29, 1965.

"Late last night I discussed with Dr. Martin Luther King the proposed voting rights bill as it now stands in conference, and particularly the new poll tax provision. Dr. King strongly expressed to me his desire that the bill promptly be enacted into law and said that he felt this was an overriding consideration. He expressed his understanding and appreciation of the difficulties in achieving a satisfactory compromise in conference.

"With respect to the poll tax provision he expressed his view to me thusly:

" 'While I would have preferred that the bill eliminate the poll tax at this time—once and for all—it does contain an express declaration by Congress that the poll tax abridges and denies the right to vote. In addition, Congress directs the Attorney General to institute forthwith suits which will eliminate and prevent the use of the poll tax in the four States where it is still employed. I am confident that the poll tax provision of the bill—with vigorous action by the Attorney General—will operate finally to bury this iniquitous device.'

"Dr. King further assured me that he would make this statement publicly at an appropriate time.

"While you are free to show this letter privately to whomsoever you wish I would appreciate it if you did not use it publicly without informing me so that I, in turn, may discuss it with Dr. King.

"Sincerely,

"—— ——,

"Attorney General.

"Mr. Cramer. The letter carries the initials N. deB. K., meaning Nicholas deB. Katzenbach, and MCM—I assume that is his secretary—dated July 29, 1965, addressed to one of my colleagues whose name I will not indicate unless he wishes to do so. I will state, however, that he was a conferee. This is what the Attorney General's letter said:

" 'Late last night I discussed with Martin Luther King the proposed voting rights bill as it now stands in conference, and particularly the new poll tax provision. Dr. King strongly expressed to me his desire that the bill promptly be enacted into law and said he felt this was an overriding consideration. He expressed his understanding and appreciation of the difficulties of achieving a satisfactory compromise in conference.

" 'With respect to the poll tax provision he expressed his view to me thusly—'

"And it is the Attorney General quoting Dr. King—

" 'While I would have preferred that the bill eliminate the poll tax at this time—once and for all—it does contain an express declaration by Congress that the poll tax abridges and denies the right to vote. In addition, Congress directs the Attorney General "to institute forthwith" suits which will eliminate and prevent the use of the poll tax in the four States where it is still employed. I am confident that the poll tax provision of the bill—with vigorous action by the Attorney General will operate finally to bury this iniquitous device.'

"Quoting Martin Luther King. These are the two interesting paragraphs, quoting the Attorney General in his letter. This letter after having been read in conference unquestionably influenced a number of the conferees in that on Tuesday they took the position they should stand by the House version of the poll tax ban and on Thursday, after this letter was read, having changed that position. Quoting the Attorney General's letter:

" 'Dr. King further assured me that he would make this statement publicly at an appropriate time.'

"I call your attention to the fact that the appropriate time has not yet arrived even though we voted on this question yesterday.

"Quoting further, and listen to this—this is your Attorney General—listen to what he is saying here:

" 'While you—'

"Meaning the recipient of the letter, the Congressman—

" 'are free to show this letter privately to whomsoever you wish I would appreciate it if you did not use it publicly without informing me so that I in turn, may discuss it with Dr. King.

" 'Sincerely,

" '—— ——,

" 'Attorney General.'

"Mr. Cramer. I feel it essential to bring this matter to light because I believe the Congress and the people are entitled to know how and by whom the conference was influenced and under what circumstances. A reading of the letter leaves a lot of questions unanswered. I am hereby requesting that they be answered. Here are some questions which were raised in my mind.

"First. Was the statement of Dr. King, given on the poll tax ban, solicited? It appears quite obvious it was in that it was presented to the conference at a very strategic time, and the Attorney General states in his own letter he talked to Dr. King 'last night,' meaning July 28.

"Second. What right has the Attorney General, after acquiring such a statement and after it has been read to the conference to request, 'I would appreciate it if you did not use it publicly,' in that actions of the conferees are a matter of grave national interest and of public concern?

"Third. Why did not Dr. King make his statement—giving up on the poll tax ban—public before a vote on the conference report was taken?

"Fourth. Why should a conference be influenced by opinions of one individual expressed at a time after both the House and Senate had worked their will? Why would the Attorney General want it kept secret for an indefinite period of time after he discussed the poll tax question with Dr. King, as he says in his letter?

"Why should the release of the letter be subject to Dr. King's approval?

"Fifth. Why should a statement read to the conference quoting a nongovernmental party be required by the Attorney General to be kept secret until the nongovernmental party himself, meaning Dr. King, wishes to make it public?

"Sixth. How could the Attorney General in good faith ask that Members of Congress be a party to such secrecy and such a procedure by demanding that such information be kept confidential as expressed in the last paragraph of the letter?

"I for one resent very deeply the Attorney General's injection of a third party's views into the conference intentionally, in a supersecret fashion, which unquestionably influenced the conferees, at least in my opinion, on this question.

"I do not believe it is the proper function of the Attorney General as a Cabinet officer and one of the highest ranking public officials, to take it upon himself to discuss matters which are in conference with outside individuals in an attempt to influence the conference by quoting that individual in secret. This letter was largely instrumental, in my opinion, in causing the conference on the House side to change its position which on Tuesday was to vote to sustain the House position and on Thursday to reverse it, after the letter had been read.

"Certainly the public is entitled to know, as is the Congress, how such a reversal came about, and I, for one, refuse to be muzzled at the direction of the Attorney General on any letter or any other matter that I believe to be propertly within the public domain."

King consents to see President

On Wednesday, Martin Luther King arrived in Washington for a series of meetings. He said he had not decided whether or not he would see the President, but by Thursday morning he made up his mind that he would go to the White House and an appointment was set up. He stated he wanted to talk to the President about home rule for the District of Columbia. It is also significant that the President conferred with Martin Luther King before signing the voting rights bill into law.

How closely King is working with the President may be better understood through news reports. In a front-page story on Wednesday evening the Washington Evening Star said: "President Johnson asked House Speaker John W. McCormack, today to press hard for congressional approval of a District home rule bill.

"In a letter to McCormack, Johnson said the House must be given the chance to take action on home rule legislation for Washington.

"At virtually the same time the letter was sent, the Reverend Dr. Martin Luther King, Jr., was telling a news conference here that there was a possibility of 'massive demonstrations' in Washington if the home rule bill is not passed. He is here for a 2-day visit."

Home rule means that control of Washington will be taken away from Congress, which represents all the people, and turn it over to the local citizens. The overwhelming majority of the population in Washington is Negro. This means that the Capital of the United States will be the only Capital City in the world ruled by a minority group.

The Evening Star story goes on to say: "On arrival in Washington, King went directly to his news conference at the Adas Israel Synagogue, where he ranged over a variety of points, from local civil rights matters to Vietnam."

Besides his demand for home rule for the District of Columbia, King asked support by clergymen for the unseating of the duly elected Congressmen from Mississippi, more disobedience of laws in Alabama which he does not like or with which he disagrees, and negotiations in Vietnam. It will be interesting to see what course the President follows after his meeting with Martin Luther

King. Isn't it time for the American people to ask by what right is Martin Luther King dictating policies to be followed by this country?

United States trains invaders for South

Attorney General Katzenbach began an intensive training of 45 Civil Service Commission employees who will be sent to invade the South as Federal voting examiners. Processing these so-called examiners has been going on for over a month and their intensive training began even before the voting rights bill was approved by Congress.

Such arrogance shows once again the contempt the administration and certain Cabinet officers have for the legislative powers of Congress. Once the President sends down a bill the machinery is set up to operate the law even before Congress has a chance to act.

According to newspaper accounts "anyone was eligible to volunteer, from the janitor on up" as Federal voting examiners. These intensely trained examiners will now be sent into Alabama and other Southern States to register everyone over 21 years of age, even if the person cannot read or write, and in defiance of all State laws on voting and registration. This is a sad day for the South and America. This second invasion of the South can do nothing but cause disunity and open up old wounds that were beginning to heal before the onslaughts of Martin Luther King and the national Democratic politicians seeking votes to keep themselves in office.

Sincerely,

JIM MARTIN,
Member of Congress.

(P.S.—If you have a friend who would like to receive my newsletter, have him or her send us name and address.)

Inter-American Cultural and Trade Center in Dade County, Fla.

EXTENSION OF REMARKS
OF
HON. CHARLES E. BENNETT
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, I rise in support of the legislation, H.R. 30, to provide for U.S. participation in the Inter-American Cultural and Trade Center in Dade County, Fla.

Interama was established as a State of Florida agency in 1951 and the purpose of the agency is to do whatever may be necessary for the establishment, construction, maintenance, operation, and financing of an Inter-American Cultural and Trade Center in or near Miami, Fla., as a permanent enterprise.

The character and purpose of Interama were outlined in 1951 by Dr. W. H. Walker, the first chairman of the organization, and a distinguished Floridian, who said:

> The worldwide Communist drive must be met by a stronger one for truth, freedom, and democracy. If communism continues to spread the next 5 years as it has the past 5, a majority of the world's population will be under Kremlin control, greatly enhancing the possibility of eventual Russian military victory. The nations of this hemisphere constitute a strong and unconquerable group if they will stand solidly together and restrain communism within their own borders. Unless the United States can solidly cement its relations with the Latin American people, it is in a poor position to do so in other faraway countries.

Interama is to be a permanent reminder of our Nation's interest in our hemisphere—a living reminder of our belief in representative government and freedom for all people. This lasting memorial to the Americas will stand as a strong example to other nations in our desire for a permanent peace and security for our area and of the world.

I am hopeful the House will act favorably on this important project, which has had the backing of the last five Presidents of the United States, the Florida congressional delegation, the Governor and cabinet of Florida, the State legislature, and the citizens of our State.

In these days of continuing crisis in Latin America we need this concrete display of the cultures of North and South America to stand not only as an example of our mutual desire for freedom, but also as a bulwark in our national defense effort.

Participation by our Government will insure the success of Interama and assist the purpose of the undertaking as outlined by Dr. Walker; meeting the Communist threat with truth, freedom, and democracy through this hemispheric illustration of solidarity.

Fourth District Progress Conference Great Success in Middle Tennessee

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, September 17, 1965

Mr. EVINS of Tennessee. Mr. Speaker, on September 15 last, the Fourth District Partners-for-Progress Conference was held in Murfreesboro, Tenn.

This conference was a great success. An overflow attendance came to hear Federal officials explain the application of various aid and assistance programs to the problems of the great Fourth District, which I am honored to represent.

All who participated are to be commended—the leadership and citizenry of the Fourth District, the Federal officials from Washington, Atlanta, and Nashville, and others who worked so hard to set up and conduct the conference. Its success was a tribute to Americans working together.

Under unanimous consent, I include the program of the conference, the news coverage, and my newsletter relating to the conference, in the CONGRESSIONAL RECORD, believing that they will be of widespread interest to communities throughout the Nation.

The program, indicative press coverage, and newsletter follow:

FOURTH DISTRICT PARTNERS-FOR-PROGRESS CONFERENCE

Introduction of Congressman JOE L. EVINS, Member of Congress, by Sam E. Jennings, director, regional office, Small Business Administration, Nashville, Tenn.

Opening remarks and welcome by Fourth District Congressman JOE L. EVINS.

Remarks of welcome: W. H. Westbrooks, mayor of Murfreesboro and county judge James H. Threet, Rutherford County.

Introduction of guest speakers: Wilkes Coffey, Jr., attorney-at-law, field representative for Congressman JOE L. EVINS.

Speakers: Mr. Robert E. Brown, assistant area coordinator urban renewal administration, Housing and Home Finance Agency; Mr. Gil Hancock, deputy director, office of development companies, Small Business Administration; Mr. J. Paul Harris, regional director, community facilities, Housing and Home Finance Agency.

PANEL DISCUSSION

Presiding: Mr. Joe Shaver, chief, financial assistance director, regional office, Small Business Administration.

Panel members: Mr. Robert E. Brown, Mr. Gil Hancock, Mr. Paul Harris, Mr. Roy Oaks, Chief, procurement and management assistant, regional office, Small Business Administration.

AID AVAILABLE, MEETING TOLD

(By Jimmy Sarnahan, staff correspondent, the Nashville Tennesseean)

MURFREESBORO.—Federal agencies are prepared to spend millions of dollars to aid middle Tennessee communities develop their own economic development projects, Fourth Congressional District civic, political, and business leaders were told at a conference here yesterday.

Representative JOE L. EVINS, Democrat, of Tennessee, speaking over a telephone circuit from Washington, said Federal legislative programs making the funds available are designed to "release the energies of our great free enterprise system."

EVINS, who sponsored the conference, attended by an overflow crowd of 200 persons at the Murfreesboro city hall, said the Federal programs are "designed to stimulate local initiative and cooperation of our local people to put people to work."

"We want to create more economic opportunity and broaden our economy, and we want to assist businesses in diversifying and expanding," EVINS added.

Wilkes Coffey, Jr., Murfreesboro attorney and field representative for EVINS, and Sam E. Jennings, Murfreesboro, director of the Nashville regional office for the Small Business Administration, cohosted the conference which included a panel of Federal officials from Washington, Atlanta, and Nashville.

Gil Hancock, Washington, Deputy Director of the Office of Development Companies for the Small Business Administration, paid special tribute to EVINS for his leadership as chairman of the House Small Business Committee.

"Since Congressman EVINS assumed the chairmanship of the House Small Business Committee, the Small Business Administration has moved forward with more direction than in all its history. Legislation passed through his support has enabled us to make thousands of loans to aid small businesses and provide jobs through economic growth," Hancock said.

Among SBA projects Hancock stressed were 502 loans made to community owner development companies under section 502 of the Small Business Investment Act of 1958.

It is known that several downtown Murfreesboro businessmen and property owners have been investigating the possibility of 502 loans to raze and reconstruct major portions of the public square business area.

The following is an account of how 502 loans work, according to Hancock:

Loans are available for the construction or conversion of existing facilities as well as for the purchase of land, buildings, and machinery and equipment.

Under the program, loans up to $350,000 each for relending to small businesses in a community are available to a local development company which meets the charter requirements of the State and SBA regulations.

Development companies must have a broad base of ownership with not less than 75 percent of its stock held by persons residing or doing business in the locality, and with no one person or group of persons to own more than 25 percent of the stock.

SBA can place a loan to the development company or directly to the individual business, using the development company as a sponsor.

With the development company providing a 20-percent equity in a project, the SBA can then loan 80 percent of the project cost or $350,000, whichever is the least. Loans can be made for a term up to 25 years and bear a maximum interest of 5½ percent.

If a local bank participates in the loan and is willing to charge a lower rate of interest, SBA will reduce its rate accordingly but not below 5 percent unless the loan is made in an area determined by the Labor or Commerce Departments as having chronic unemployment or undergoing redevelopment. In the latter case, the interest rate is fixed at 4 percent, Hancock said.

"All of the SBA's lending programs are based on cooperation, not competition, with banks, and we are happy to report that over 90 percent of our loans are made in participation with banks," Hancock said.

Robert E. Brown, Atlanta, assistant area coordinator for the Urban Renewal Administration of the Housing and Home Finance Agency, discussed new provisions of recently passed Federal housing legislation.

New provisions he cited were:

Grants are now available up to $1,500 to owner-occupants of an urban renewal area to make home improvements.

Loans up to $10,000 at 3 percent interest are available for home remodeling under a plan for voluntary rehabilitation of a neighborhood.

Federal funds are now available in an experimental rent supplement program to aid the elderly, disabled or persons displaced by a Government project. The aid is subject to local rent levels and the housing must meet Federal Housing Authority standards.

State, county, and city governments may now receive up to 50 percent Federal aid for purchasing "open space" or unimproved land for community projects. The State of Tennessee is seeking such assistance to buy additional land for five State parks.

Others on the panel were J. Paul Harris, Atlanta, regional director of the Community Facilities Administration of the Housing and Home Finance Agency; Roy Oaks, chief of procurement and management assistance for the Nashville regional office, Small Business Administration; Joe Shaver, Nashville, chief financial assistance director for the Nashville regional office, SBA, and William Keel, special assistant to Representative EVINS.

Mayor W. H. Westbrooks of Murfreesboro, and Rutherford County Judge James Threet made welcoming addresses to the conference participants.

Attending the conference were mayors, county judges, bank officials, chamber of commerce officials, businessmen and representatives of civic clubs in the 23-county Fourth District.

A similar conference, but one limited to small business matters, will be conducted today in Nashville at Peabody College under the sponsorship of Representative RICHARD FULTON, Democrat, of Tennessee.

[From the Nashville (Tenn.) Banner]

DEVELOPMENT SESSION HELD AT MURFREESBORO

MURFREESBORO.—An interested community may acquire 80 percent of the funds necessary for development or redevelopment of its small businesses through loans from a Federal agency, officials and businessmen from 20 middle Tennessee counties were told Wednesday afternoon at a community development program here.

Several specific Federal aids to communities were outlined at the meeting—sponsored by Representative JOE L. EVINS, Democrat, of Tennessee.

Over 100 persons heard the Congressman speak over a telephone circuit from Washington. He said that the Federal development programs are designed to stimulate local initiative and cooperation of local people in putting people to work. Increased economy and diversified and expanding businesses are the goals of the program, he said.

Gil Hancock of Washington, Deputy Director of the Office of Development Companies for the Small Business Administration explained section 502 of the Small Business Investment Act of 1958.

"The SBA community development program is a grassroots proposition that can be of significant aid to help your community," Hancock told the group.

There has been considerable interest in obtaining funds to renovate the courthouse square section of Murfreesboro.

According to Hancock, the 502 loans are set up in the following manner:

Funds up to $350,000 may be obtained by a local development company, which meets State and SBA regulations, for relending to local small businesses.

Loans may be made by SBA to the development company or they may be made directly to the individual business with the development company as sponsor.

The funds are designated for construction or conversion of facilities and for buying land, buildings, machinery and equipment.

Not less than 75 percent of a development company's stock must be held by either residents or persons doing business in the area and no one person or group of persons can own more than 25 percent of the stock. The development company must provide 20 percent of the funds for a project and SBA can then loan either 80 percent of the cost or $350,000, whichever is lower. SBA makes the loans for a term of up to 25 years and the loans can have a maximum interest rate of 5½ percent.

Interest rates may be lowered to 5 percent by SBA if a local bank takes part in the loan and is willing to reduce the interest rate. If the vicinity receiving the loan has been determined by the Labor or Commerce Departments as having chronic unemployment or undergoing redevelopment the interest rate is a fixed 4 percent.

Discussing provisions of recently passed Federal housing legislation was Robert E. Brown of Atlanta, assistant area coordinator for the Urban Renewal Administration of the Housing and Home Finance Agency.

Under this program State, county and city governments can obtain up to 50 percent Federal aid for buying land for community projects. Tennessee is presently seeking this assistance for purchasing land for 5 State parks.

Home improvement loans up to $1,500 are available to owners and occupants of urban renewal areas; loans for home remodeling up to $10,000 at 3 percent interest are available for voluntary rehabilitation of a neighborhood; and a rent supplement program to aid the elderly, disabled, or persons displaced by a government project is available if the housing meets Federal Housing Authority regulations.

J. Paul Harris of the Community Facilities Administration outlined a plan which provides up to 50 percent in grants for basic sewer and water facilities. He said these grants will become available through the 1965 Housing Act.

CAPITAL COMMENTS

(By JOE L. EVINS, Member of Congress)

FOURTH DISTRICT PARTNERS-FOR-PROGRESS CONFERENCE PROVES BIG SUCCESS

The tremendous response and attendance at the recent Fourth District Partner-for-Progress Conference in Murfreesboro was most gratifying and considered by all most informative and a big success. The fact that the city council chambers were filled to overflowing with local governmental officials, mayors, county judges, representatives of chambers of commerce, representatives of civic clubs and industrial leaders—including many small businessmen—augurs well for the future growth of our cities and communities.

Those who attended came because they wanted to know how they could work more effectively for the improvement of their communities—how they could utilize the programs of the Small Business Administration, the Community Facilities Administration, the Urban Renewal Administration, and other agencies of the Federal Government in Federal-local programs of cooperation.

Every speaker emphasized that the initiative and impetus for progress must come from the people and the leaders of the local communities themselves. The Deputy Director of the Small Business Administration's Community Development program, Mr. Gilbert Hancock, said, "The Federal Government doesn't create projects, it lends assistance and provides funds; you have to initiate everything."

The speakers at the conference discussed a broad range of programs, with specific attention given to new legislation recently enacted by the Congress. The Regional Director of the Community Facilities Administration, Atlanta, Mr. Paul Harris, said, for example, "Of particular importance to growing cities, both large and small, are new programs providing grants for basic sewerage and water facilities." He explained this new and expanded program, pointing out that legislation provided for a more flexible program to help cities acquire and develop open space land, including grants to cover the cost of such facilities as parks, youth centers, and recreation centers.

New facets of the grants and loan program of the Urban Renewal Administration were explained by Robert E. Brown of Atlanta, area urban renewal coordinator.

The community development plan of the Small Business Administration, under which local profit or nonprofit developing companies may submit applications for loans on specific small business ventures, provides loans either to improve an existing business or to begin a new enterprise. It was emphasized that this program may be used to help revitalize downtown business sections—in conjunction with urban renewal projects.

The quality of our towns and cities of tomorrow in the Fourth District of Tennessee depends upon the leadership and the efforts exerted in our communities today. The quality of leadership displayed by local representatives at the conference is a promising indication of an even more progressive Fourth District of Tennessee.

In general, reaction at the conference was that it was most informative and helpful. Much credit must go to the planners of the conference—including Mr. Sam E. Jennings, regional director of the Small Business Administration; Wilkes Coffey, attorney at law; Mayor W. H. Westbrooks, of Murfreesboro; County Judge James Threet, Rutherford County; the Murfreesboro Chamber of Commerce, and many others. I am also grateful to the program participants who came from Washington, Atlanta, and Nashville to be of service to the people of the Fourth District of Tennessee.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my newsletter to my constituents for August 30, 1965:

[From the CONGRESSIONAL RECORD—House, AUG. 25, 1965]

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

A NEEDED CRUSADE

(Mr. MARTIN of Alabama asked and was given permission to address the House.)

Mr. MARTIN of Alabama. Mr. Speaker, the very foundation of this Republic is being undermined by a determined nationwide campaign to discredit our law enforcement agencies. Every rapist, murderer, robber, and petty thief is excused for his crime because we have swallowed the Communist line intended to make our police ineffective.

It is time we stage a new crusade in America, a crusade in which every responsible public official and every law-abiding, decent citizen should join, a crusade to protect our law officers as they strive to protect us.

As Martin Luther King and Bayard Rustin and other agitators go about the country calling for the ouster of good police officers and doing everything within their power to wreck the effectiveness of our law enforcement agencies, I would like to call to your attention some figures I just received from the Federal Bureau of Investigation.

Last year 88 law enforcement officers were killed in the line of duty. Fifty-seven of these were murdered by criminals. From 1960 to 1964, 225 law enforcement officers have been killed in the line of duty. I think the President should tell the American people those facts on one of his television programs in which he makes excuses for those who are part of the planned program of lawlessness and civil disobedience. I think we, as the elected representatives of the people, should demand a return to law and order and give our unqualified support to the law enforcement officers we ask to risk their lives to protect us and our society against those who would set themselves against society and those whose intent it is to destroy America.

LOOK WHO'S TRYING TO UNSEAT MISSISSIPPI CONGRESSMEN

Who is behind the move to unseat the five legally elected Congressmen from Mississippi? We've been told about the Mississippi Freedom Democratic Party which held its own election outside the laws of the State and demanded that its candidates be seated in the Congress of the United States. We have on record the 149 liberal Congressmen who voted to throw out the five Representatives elected by the people of Mississippi. But here is a brief description, taken from public documents, of five attorneys who filed the brief for the Freedom Democratic Party with the Clerk of the House to unseat the lawful Congressmen from Mississippi.

Arthur Kinoy, New York City

Member of National Lawyers Guild, vice president in 1954; member of executive committee of the American Student Union which has been cited as Communist by five investigating committees; attorney for Communist-controlled United Electrical, Radio & Machine Workers Union; attorney for Ethel and Julius Rosenberg, executed spies; attorney for Steve Nelson, the international Communist leader; member of law firm which received payments from various Communist groups including the Committee for Justice for Morton Sobell, and the Labor Youth League.

William M. Kunstler, New York City

Featured speaker at rally sponsored by the Communist front group Citizens Committee for Constitutional Liberties; has appeared on platform with identified Communists Carl Braden, Frank Wilkinson, and Henry Winston; counsel for Southern Conference Educational Fund.

Benjamin E. Smith, New Orleans

Member of National Lawyers Guild; associate of Communist organizer Hunter Pitts Odell; in 1964, registered agent for Castro's Republic of Cuba.

Moron Stavis, Newark, N.J.

Born Moses Isaac Stavisky; member of Communist Party in New York and New Jersey during 1945 and 1946; member of Union County, N.J., Communist Party unit in 1950; active in numerous Communist groups and causes.

William L. Higgs, Washington, D.C.

Disbarred lawyer following conviction on a morals charge. Not a member of the District of Columbia Bar Association; legal advisor to Student Nonviolent Coordinating Committee.

I have made this information available to all of my Republican colleagues in the House of Representatives for their consideration before they must vote on unseating the Mississippi delegation.

IMPROVED IMMIGRATION BILL APPROVED

By a vote of 318 to 95 the House passed and sent to the Senate, H.R. 2580, a bill to change our immigration laws. Although the bill was greatly improved over the one sent down by the President, I could not support it because it still places no ceiling on immigration from countries of the Western Hemisphere.

The President's bill, as originally proposed, would have increased annual immigration by several hundred thousand, an increase which the American economy could not possibly handle, an increase which would have added an unsupportable burden to the unemployment and public welfare rolls of this country, and would have further complicated our urban housing, sanitation, education and medical problems. The President's bill would have legalized the status of ship jumpers and would have lifted restrictions against admission to the United States of the insane and those afflicted with psychopathic personalities. It would have surrendered congressional control over immigration and would have given the President almost dictatorial powers in deciding who should or should not enter this country.

Although I do not approve of this bill in its entirety and therefore could not in good conscience vote for it, I will say that Republicans, under the leadership of Arch Moore, of West Virginia, made a valiant effort to "clean it up," and did a dedicated job with what they had to begin with. What started out as a monstrous injustice to American workmen and to all of America in general, became much less offensive in its final form.

PRESIDENT CONTINUES COERCION OF CONGRESS

President Johnson now says publicly that unless Congress passes the Washington home rule bill that our Capital will be rent with riots such as those in Los Angeles. Do we cringe before the agitators, the left-wing beatniks because they threaten riots? Do we sweep aside the orderly processes of Congress? I say "No." But the President wants Congressmen to sign "discharge petitions" that would allow this home rule bill to be taken out of committee and voted on immediately in order, as the President says, to avoid riots in the streets. Should this bill be passed, the District of Columbia would not a city controlled by the people of every State in the Union, but it would be the only city in the world controlled by a power-mad minority group.

Explanation of Proposed Amendment to H.R. 7371

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. BENNETT. Mr. Speaker, in 1933 Congress passed a law to prohibit a bank from owning a nonbanking business. This was to prevent a bank from yielding to the temptation of bailing out its nonbanking business to the detriment of depositors.

In 1956 Congress extended this principle of prohibition to prohibit a company which owns or holds a certain percentage—25 percent—of the voting shares in two banks, from at the same time owning a nonbanking business. But there were exceptions made to the coverage of the law in the bank holding act of 1956; and the Federal Reserve Board has logically and persistently urged the repeal of these exemptions.

H.R. 7371 would remove an exemption of the 1956 act for a type of testamentary trust which, as far as is known, has only one example in fact, the Alfred I. du Pont estate. Although the application of the principle of prohibition of mixing banking and nonbanking business would seem clearly to apply to this trust, it would seem to apply with equal clarity and cogency to all the other exceptions of the 1956 law urged to be repealed by the Federal Reserve Board. Therefore, the amendment I suggest and offer will eliminate all of these exemptions urged for repeal by the Federal Reserve Board. A detailed description of what the parts of the amendment would do, follows after the following quoted proposed amendment:

AMENDMENT TO H.R. 7371 OFFERED BY MR. BENNETT

Page 2, add the following at the end of the bill:

"SEC. 2. (a) The first sentence of section 2(a) of such Act is amended by changing 'each of two or more banks' to read 'any bank' each place it appears therein.

"(b) The first sentence of section 3(a) of such Act is amended by changing 'company becoming a bank holding company' to read: 'bank becoming a bank holding company or of any other company becoming a bank holding company with respect to more than one subsidiary bank'.

"SEC. 3. The second sentence of section 2(a) of such Act is amended (1) by striking 'no company shall be a bank holding company which is registered under the Investment Company Act of 1940, and while so registered prior to May 15, 1955 (or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such Act), unless such company (or such affiliated company), as the case may be, directly owns 25 per centum or more of the voting shares of each of two or more banks, (C)', (2) by changing '(D)' to read 'and (C)', and (3) by striking ', and (E) no company shall be a bank holding company if at least 80 per centum of its total assets are composed of holdings in the field of agriculture'.

"SEC. 4. (a) Section 4(c) of such Act is amended—

"(A) by striking ', or to shares lawfully acquired and owned prior to the date of enactment of this Act by a bank which is a bank holding company, or by any of its wholly owned subsidiaries' from paragraph (4).

"(B) by adding 'or' at the end of paragraph (6).

"(C) by striking:

"'(7) to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954; or'.

"(D) by redesignating paragraph (8) as paragraph (7).

"(b) Section 4 of such Act is further amended by adding at the end thereof the following new subsection:

"'(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after two years from the date of the repeal of such exemption, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time, if in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date of repeal of such exemption.'"

This amendment would do the following things:

1. By section 2(a) of the amendment the bank holding act prohibition (section 1841 (a) of title 12 of U.S. Code) is made to apply where only one bank is owned together with a nonbanking business. The logic of the principle of protecting the depositors from nonbanking involvements is just as applicable where there is only one bank as where there are two, the present number of banks required. In fact, if a company controls only one large bank, that company's interests in extensive nonbanking businesses could lead to abuses even more serious than if the company controlled many small banks. An example of this would be a big rubber company such as Goodyear owning a bank or a big department store such as Macy's owning a bank.

2. Having by the preceding portion of my amendment directed that even the holding of one bank should not be accompanied by nonbanking business, an incidental and undesired change is effected by the language of my amendment and this is cured by section 2(b) of my amendment. Without section 2(b) of my amendment a holding company which is to control only one bank and no nonbanking business would have to go to the Federal Reserve Board for approval of acquiring just one bank even though no nonbanking business was involved at all. Therefore, all that section 2(b) of my amendment does is to prevent this unnecessary request to the Federal Reserve Board in a matter having nothing to do with nonbanking business.

3. Under existing law (section 1841(a) of title 12 of U.S. Code) it is provided that no company shall be a bank holding company which is registered under the investment company act of 1940 and was so registered prior to May 15, 1955, or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such act, unless such company or such affiliated company directly owns 25 percent of the voting shares of each of two or more banks. There is no reason why an investment company should not be restricted from owning or acquiring bank holding companies in the same way other bank holding companies are. The exemption eliminated by this first part of section 3 of my amendment is the same exemption eliminated by H.R. 7372, another bill pending before Congress and relating primarily to the Financial General Corp.

4. The last part of section 3 of my amendment relates to a company in the field of agriculture and removes an exemption in the existing law (section 1841(a) of title 12 of U.S. Code) for a company which had at least 80 percent of its total assets in the field of agriculture. I understand that this was designed for one company, Consolidated Naval Stores, which has now gone out of business. The exemption should not continue as an invitation to others to exploit in the future.

5. Existing law (sec. 1843(c)(4), title 12 of U.S. Code) exempts from divestitures requirements of section 4 of the act, shares acquired or held prior to the enactment of the 1956 act by a bank which is a bank holding company or by any of its wholly owned subsidiaries. The first part of section 4(a) of my amendment removes this exemption from divestitures requirements. I understand that the Trust Co. of Georgia is at the present time under the exemption which would be removed by my amendment. It is my understanding that this company owns over $38 million in the Coca-Cola International Co. There is no logical reason for this exemption. The principle of not having bank ownership tied to nonbanking business so as not to endanger the interests of depositors is in this case just as much present as in the case of the Du Pont estate.

6. By the last part of section 4(a) of my amendment the exemptions of section 4(c) (7) of the act (sec. 1243(c)(7) of title 12 of U.S. Code) are eliminated. These exemptions were for "any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from tax under section 501 of the Internal Revenue Code of 1954." The exemptions that would be eliminated by my amendment on this should not be allowed to continue because the opportunities to subordinate the interests of the depositors in their banks to the needs of organizational work are just as contrary to principle as the opportunities of a charitable trust organization such as the Du Pont estate. I understand that the Amalgamated Clothing Workers of America, although registered as a bank holding company as well as a labor union, have not been required to divest themselves because of the exemptions written into the existing law above described. I understand that this labor union owns controlling interests in the Amalgamated Trust & Savings Bank, Chicago, and in the Amalgamated Bank of New York. These loopholes should be eliminated. Under the new definition of the bank holding company as provided in section 2(a) of my amendment, I understand that the United Mine Workers would also be involved in the removal of this exemption because it is my understanding that this labor union owns a controlling interest in the National Bank of Washington, D.C.

7. Finally the last part of my amendment consists of the time adjustment which the Federal Reserve Board finds to be equitable in imposing the new provisions.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 17, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I include my newsletter to the people of the Seventh District of Alabama for August 2, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

LIBERALS TRAMPLE ON STATE AND INDIVIDUAL RIGHTS

The liberals ganged up last week to trample ruthlessly on the freedom of individual citizens and the precious rights of the States guaranteed by the Constitution. By a vote of 221 to 203 the House passed a bill to repeal Alabama's right-to-work law as well as those of 18 other States and to deny the people of any State the right to enact such a law. I voted against repeal of section 14(b) of the Taft-Hartley Act because I think the people of Alabama should have the right to vote on this question; I believe no American worker should be forced to join a union, nor should he be denied the right to join a union if he chooses; I would not force a man, in order to hold his job, to join a union which may be controlled by a Communist or racketeers. Under the recent Supreme Court ruling, which says a Communist may hold office in a union, this is possible. It has happened in some States and the unions have been expelled by the AFL–CIO.

The main argument of those who voted to take away your rights was that they had to pass this bill to keep industry from moving south. They said that industry is running away from New England and other Northern States because of right-to-work laws in the South. Of course, this is not true. Industry is moving to the South mainly because we have a large reservoir of good workers and good unions. We have an ideal climate and our people have expressed faith and confidence in the operation of the private enterprise system. For my part, I will continue to do all I can to encourage new industry to come to Alabama and I think most Alabamians will agree with me.

CHEAP WAGE RATE CHARGE FALSE

The charge that wage rates are cheaper in the South is simply not true. In 1964 20 States had right-to-work laws. (Indiana has since repealed its law.) The annual report for 1964 on Employment and Earnings of the U.S. Department of Labor Bureau of Statistics shows: 7 of the 20 right-to-work States have higher wage rates than Connecticut; 8 have higher wage rates than Massachusetts; 12 have higher wage rates than Rhode Island and Vermont; 15 have higher wage rates than New Hampshire and Maine. Alabama, Florida, Virginia, and Tennessee all have higher wage rates than New Hampshire and Maine. Alabama wage rates are also higher than Vermont and Rhode Island.

So the real reason for doing away with right-to-work laws must be the continued goal of the Johnson administration and the liberals under pressure from northern political labor bosses for more power, more Federal control, more one-man, one-party government. Never again may the Democrat Party lay claim to championing States rights when 200 Democrats voted to take away

States rights while 117 Republicans voted for freedom.

WHAT YOU WILL PAY FOR MEDICARE

Congress gave final approval to the medicare bill last week and the law will soon be in effect although it will be next July before anyone will begin drawing benefits. In spite of the claim that this is free medicare presented to you by a gracious and loving President, the sad fact is, you are going to pay the bill. Beginning next year the amount you pay in social security taxes will go up. There are no exemptions, you pay social security tax on the first dollar earned. As an example, the person with $6,600 in wages will pay $277 social security taxes or $103 more than he is paying now. Two and a half years from now he will pay $323, or an increase of 86 percent over his present tax. Those who are self-employed and making $6,600 will pay $405 next year and $468 2 years later, an increase in social security taxes of $209 in less than 2 years. How does this stack up with the piddling tax cut for which Lyndon Johnson took so much credit last year?

RENT SUBSIDIES BILL MOVES AHEAD

The housing bill providing for the Government to pay rent subsidies for those who cannot afford to move into better neighborhoods moved ahead as Congress approved the conference report. Several editors had some fun writing editorials challenging my statements on this socialistic bill. It is evident they did not read the bill, nor do they know what it provides. The housing bill does make it possible to integrate any neighborhood in the country at the discretion of the Housing Administrator who decides on who shall get the subsidy and under what conditions and he determines where the projects will be located. Under this bill it is possible for a nonprofit organization, including a church, the NAACP, or a civic service club to build housing with Government loans and use the rent money to pay back the loans.

ALABAMA POULTRY PRODUCERS THREATENED

In cooperation with Members of Congress from other poultry producing areas, I appeared before a subcommittee of the Agriculture Committee this week to present evidence as to why the Area Redevelopment Administration should not grant a loan of $2.6 million to a Maine company to build a new processing plant in Pennsylvania which threatens the entire poultry industry. We are continuing this fight and preliminary investigation shows some very questionable actions on the part of ARA officials in attempting to rush this loan through at this time.

I am also making every effort to prevent the enactment of an egg marketing bill to bring about Federal controls on egg prices until adequate hearings have been held and representatives of the poultry and egg industry have had a full chance to present their views.

The poultry and egg industry in Alabama and other Southern States is too vital to our economy to allow any move on the part of the Government to injure the industry or to cause losses to our producers. There is complete cooperation among those of us from poultry producing areas to protect the industry from any contemplated raids.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 20, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: Acts 17: 26: *And hath made of one blood all nations of men for to dwell on all the face of the earth.*

Almighty God, we are coming unto Thee with needs that are so insistent, so profund, and so pathetic, but in Thee we have the bond by which we may live together with all the members of the human family in a sense of kinship and fellowship.

Inspire us to live and labor in terms of all humanity and follow the leading of Him who claimed all mankind to be His children and that we must seek the common good of all.

Grant that we may know Thee in fellowship, and may it be one in our social aspiration to adjust our human life in all of its relations to the ideals of Him who came to build a better social order.

May we all live together as the sons of God in mutual service and good will.

Give us a great faith in the essential unity of all men under God, and for the achievement of this better social order give us wisdom and patience, making the fatherhood of God the supreme fact of our faith and the brotherhood of man the ruling spirit as the law of life.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 17, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1221. An act for the relief of Betty H. Going;

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2694. An act for the relief of John Allen;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3062. An act for the relief of Son Chung Jr.;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 4603. An act for the relief of Lt. (j.g.) Harold Edward Henning, U.S. Navy;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 5903. An act for the relief of William C. Page;

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes;

H.R. 7090. An act for the relief of certain individuals;

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss;

H.R. 8212. An act for the relief of Kent A. Herath; and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 402. An act for the relief of Oh Wha Ja (Penny Korleen Doughty);

S. 1198. An act for the relief of Mrs. Harley Brewer; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 331. An act for the relief of Warren F. Coleman, Jr.;

S. 337. An act for the relief of F. F. Hintze;

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 577. An act for the relief Mary F. Morse;

S. 1013. An act to clarify the components of, and to assist in the management of, the national debt and the tax structure;

S. 1049. An act to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees;

S. 1804. An act to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes;

S. 1898. An act for the relief of certain aliens;

S. 1924. An act to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act;

S. 2039. An act for the relief of Ken Allen Keene (Yasuo Tsukikawa);

S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes;

S.J. Res. 27. Joint resolution providing for the establishment of an annual National Farmers Week;

S.J. Res. 86. Joint resolution to authorize the President to proclaim a "Day of Recognition" for firefighters;

S.J. Res. 90. Joint resolution to designate the 7th day of November in 1965 as "National Teachers' Day"; and

S.J. Res. 101. Joint resolution to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible."

APPOINTMENT TO SELECT COMMITTEE ON SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 13, 89th Congress, the Chair appoints as a member of the select committee to conduct studies and investigations of the problems of small business the gentleman from California, Mr. CORMAN, to fill an existing vacancy thereon.

FATHER MARQUETTE TERCENTENARY COMMISSION

The **SPEAKER.** Pursuant to the provisions of Public Law 89–187, the Chair appoints as members of the Father Marquette Tercentenary Commission the following Members on the part of the House: Mr. ZABLOCKI, of Wisconsin; Mr. GRAY, of Illinois; Mr. BYRNES of Wisconsin; and Mr. HUTCHINSON, of Michigan.

CALL OF THE HOUSE

Mr. **GOODELL.** Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. **ALBERT.** Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 308]

Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Bandstra
Barrett
Berry
Bolton
Bonner
Brock
Cabell
Clawson, Del
Collier
Colmer
Craley
Devine
Diggs
Fallon
Farnsley
Fino
Fogarty
Foley
Frelinghuysen
Fulton, Tenn.
Gilligan
Grider
Halpern
Harris
Hawkins
Hébert
Holifield
Hosmer
Irwin
Jennings
Kee
Keogh
King, N.Y.
Lindsay
Long, La.
MacGregor
Madden
Martin, Mass.
Matthews
Michel
Miller
Moeller
Moorhead
Morris
Nix
O'Brien
Patman
Pirnie
Powell
Purcell
Quillen
Reid, Ill.
Reifel
Rogers, Tex.
Rooney, Pa.
Roosevelt
Rostenkowski
Roudebush
Roybal
St Germain
Senner
Smith, Iowa
Smith, N.Y.
Springer
Stephens
Stratton
Sullivan
Thomas
Thompson, Tex.
Todd
Toll
Tunney
Vivian
Waggonner
Wilson, Charles H.

The **SPEAKER.** On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONSENT CALENDAR

The **SPEAKER.** This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

LIABILITY UNDER THE VETERANS' LOAN PROGRAM

The Clerk called the bill (H.R. 7571) to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. **HALL.** Mr. Speaker, reserving the right to object, I wonder if the chairman of the Committee on Veterans' Affairs would explain this bill, particularly with regard to whether or not it furnishes undue preclusion of garnisheeing veterans' benefit payments.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield to the chairman of the subcommittee to answer that question?

Mr. HALL. I am glad to yield to the gentleman.

Mr. McDOWELL. Mr. Speaker, will the gentleman be kind enough to repeat his question?

Mr. HALL. In reading the report and the bill, Mr. Speaker, I would say to the chairman of the subcommittee that it seems (a) it avoids or obviates the need for a veteran keeping the administration advised of his location; and (b) it precludes the right of attachment or garnishee of any veterans' benefits under this bill. I simply wish to know if that is true.

Mr. McDOWELL. In regard to the first place of the gentleman's question I would say that the provisions of section (a) of the bill are entirely clear. It provides that the Administrator shall not, unless he first obtains consent in writing of the veteran, set off or withhold any veteran's benefits. This merely would provide that a disabled veteran would be treated the same as a nondisabled veteran as regards the right of the Veterans' Administration to enforce payment of a debt arising from a VA loan.

At the present time, with regard to the gentleman's second part of his question, the Veterans' Administration has easy access to those veterans who are drawing benefits because obviously their names and addresses are on record with the Veterans' Administration. Those veterans not drawing compensation are much more difficult for the Veterans' Administration to trace and they have not had much success in locating these veterans.

This would require the Veterans' Administration to go into court and get a judgment before any other Federal agency could withhold any payment due a veteran and such judgment would require personal service of summons on the veteran.

Mr. HALL. Mr. Speaker, if the gentleman would advise the objectors further, does it relieve the veteran who has made such a mortgage and who is a beneficiary, from keeping the Veterans' Administration advised as to his legal address or point of contact; yes or no?

Mr. McDOWELL. No, it does not.

Mr. HALL. It does not require that?

Mr. McDOWELL. No.

Mr. HALL. As I understand it, if the gentlemen will indulge us further, this original mortgage arrangement, because of his veterans benefits and rights, may be passed on to a third party who defaults based on the original interest rates, and then it may reflect back on the original veteran or beneficiary himself; is that correct?

Mr. McDOWELL. That is correct.

Mr. HALL. Would the passage of this law prevent that insofar as the veteran is concerned?

Mr. McDOWELL. No; it would not. The original mortgagor will be obligated until final payment of the indebtedness. This only changes the manner in which payment of the debt can be enforced.

Mr. HALL. Would the gentleman advise the gentleman from Missouri whether it would then give the veterans receiving benefits an advantage over other civilian employees of Government, classified, and so forth, whose salary and income or retirement benefits certainly may be attached?

Mr. McDOWELL. No; it would not give him an advantage over others, it would merely remove a disadvantage.

Mr. HALL. One final question, Mr. Speaker: Does it apply to non-service-connected veterans who draw benefits?

Mr. McDOWELL. Yes; it does, any benefits paid by the Veterans' Administration. I would say to the gentleman that I believe it was not the original intent of Congress that disabled veterans should be treated separately from any other veteran or, in fact, from any other citizen. But that has been the case in the administration of this law.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I would be glad to yield to my colleague from Iowa.

Mr. GROSS. Is there a requirement that the original mortgage holder keep the Veterans' Administration advised as to his whereabouts?

Mr. McDOWELL. No; not under the present law or under this bill and I think such a requirement would not be effective. This is where the discrimination comes about, because the disabled veteran is easily located by the Veterans' Administration because they have his name and address on the record and the nondisabled veteran is not easily traced and may never be located.

Mr. HALL. And, in the opinion of the distinguished chairman of the subcommittee, you believe this would eliminate that discrimination, but at the same time it would put all veterans being beneficiaries in a preferred class, concerning our being able to attach their income and benefits from a grateful Government; is that correct?

Mr. McDOWELL. No; it is not entirely correct. It does not put the compensable veterans in a special class.

It simply places him in the same class with the noncompensable veteran. Furthermore, it will prohibit the enforcement of a debt arising from a VA loan, by any other Federal agency, unless a judgment is rendered against the veteran in a civil action to which he is a party. I think this merely extends to the veteran a right which all other citizens enjoy and which has been circumvented by the administrative procedure of the Veterans' Administration. This applies to his service pay also.

Mr. HALL. The gentleman is not telling me it applies to a man on active duty in the uniformed military services?

Mr. McDOWELL. His retirement pay may be withheld the same as a veteran's benefit and in many instances they have been threatened with the withholding of active duty pay.

Mr. HALL. The passing of this law will not preclude that withholding?

Mr. McDOWELL. It will not prevent the withholding of anything other than veterans' benefits if a judgment is rendered against the veteran in a civil action to which he is a party.

Mr. HALL. Mr. Speaker, I feel that the record should certainly show that we probably are setting a dangerous precedent by passing this legislation on the Consent Calendar, which would give an advantage to veterans' benefits insofar as not being taxable is concerned, and not having him required to keep the Administrator advised as to his whereabouts if they made him a loan; but since it is in the interest of nondiscrimination between compensable and noncompensable veterans, I withdraw my reservation, and I thank the gentleman.

Mr. McDOWELL. Mr. Speaker, the bill, as reported, amends chapter 37—relating to home, farm, and business loans—of title 38, United States Code, by adding a new section 1826. This new section is composed of two subsections.

Subsection (a) provides that the Administrator of Veterans' Affairs shall not, unless he first obtains consent in writing, withhold from an individual any veterans' benefits because of liability arising out of a loan made to, assumed by, or guaranteed or insured on account of such individual by the Veterans' Administration under the provisions of chapter 37 of title 38, United States Code.

Subsection (b) prohibits the withholding from a veteran, or widow of a veteran, by any agency of the United States any payment other than veterans' benefits payments, on account of a debt to the Government arising out of such a loan unless such veteran or widow has consented in writing to the withholding or unless judgment has been rendered in a court of competent jurisdiction in a proceeding to which such veteran or widow was a party.

The Subcommittee on Housing of the Committee on Veterans' Affairs held hearings on this bill on July 14 and 15, 1965. Representatives of the Veterans' Administration appeared and testified at length in opposition to the bill as introduced. During the course of the hearings the Veterans' Administration witnesses stated that it might be possible, with some minor amendments, to make the bill acceptable to the Veterans' Administration and also comply with the objectives of the committee. I believe the reported bill, as amended, meets most of the objections of the Veterans' Administration, though I have not been informed that the Veterans' Administration has changed its position so as to recommend enactment of the legislation.

In considering this bill it should first be noted that it relates only to indebtedness arising from a Veterans' Administration loan. It does not excuse or forgive the payment of any debt by any person. It relates only to the manner in which payment of the debt can be enforced. The committee report contains a description of the Veterans' Administration loan program and the collection procedures of the Veterans' Administration which the committee considers objectionable.

Without going into detail about these matters at this time, I should like to point out that the present system which this bill would correct penalizes the disabled veteran who receives disability compensation or pension from the Veterans' Administration. It penalizes the disabled veteran for this reason: If the original mortgagor has transferred the mortgaged premises to a third party who defaults, the Veterans' Administration may withhold the compensation or pension otherwise payable to him. If the veteran is not entitled to receive benefits from the Veterans' Administration, there is nothing to withhold and in such cases it is usually not possible to collect anything on the debt.

The Veterans' Administration has been collecting approximately $1 million per year by the withholding of veterans' benefits and this is approximately one-fourth of the total amount collected in all defaulted loans. It is the view of the committee that the withholding of veterans' benefits in such cases defeats the purpose of the benefits Congress has provided and imposes an undue hardship on the veteran.

As an extreme example of this I should like to call attention to the case of a veteran who was receiving pension under Public Law 86-211 at the maximum rate payable for a single veteran without dependents. This means that the veteran's income, exclusive of pension, could not have exceeded $600 per year and so he obviously would have been judgment proof and could not have paid anything on the debt. In this case the Veterans' Administration withheld $2,218 in pension payments. It seems quite obvious that the Veterans' Administration could not have collected anything from this veteran except for the fact that he was in receipt of disability benefits from the Veterans' Administration.

As a further example of the unconscionable attitude of the Veterans' Administration, I include in my remarks a copy of a letter written to the Honorable L. MENDEL RIVERS and a copy of the reply of the Veterans' Administration in regard thereto:

HILL AIR FORCE BASE, UTAH,
July 9, 1965.

Congressman L. MENDEL RIVERS,
Washington, D.C.

CONGRESSMAN: This letter is in regard to a VA home loan judgment of indebtedness against me.

I sold my home in Tampa, Fla., in August 1961. In November 1961 the Veterans' Administration sent me a letter stating that I had to make the August payment on the home. I sent a check on November 16, 1961, for $81.50 to the Commander Mortgage Co. of Jacksonville, Fla. and a letter to the Jacksonville office of the Veterans' Administration advising them of this. The code number on the letter to the VA was LH-112281. This check was not cashed until January 1962, after I informed the Commander Mortgage Co. that I would stop payment on this check if it was not cashed.

I was not aware of any further difficulty in regards to this home. That is until July 16, 1964, when the VA sent me a letter stating that I owed the U.S. Government $2,407.83 plus interest at 4 percent from December 1962, on the foreclosure of the property.

I wrote numerous letters trying to get some information on why it took so long for the VA to inform me that the property was in default. As the VA office in Jacksonville, Fla., the office which I originally processed the paperwork through has had my new address through a letter on November 16, 1961, and a change of address card mailed to them from Utah in the month of May 1962. The only thing that we got from the VA was that it was our concern to keep up this property.

December 1964, we consulted a lawyer, through him we found out that the August payment in 1961, made by me was the last payment made on the property until the foreclosure. Our lawyer could not find out why we were not notified when there were no payments made on the property from August 1961, until the foreclosure in December 1962.

I understand that they must have laws to protect the Government but I think that they should have some to protect the people from such unconcerned people that I have been dealing with. This dealing with the VA has given me the only black mark on my record in the past 16½ years that I have been a member of the Armed Forces.

I only hope that you can help me with the judgment against me. I am enclosing a copy of all the correspondence that I have had with the VA.

Respectfully yours,
T/Sgt. RICHARD T. CULLEN,
AF 11272098.

VETERANS' ADMINISTRATION,
DEPARTMENT OF VETERANS BENEFITS,
Washington, D.C., September 14, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: We now have the necessary information to furnish you this report regarding the indebtedness of T. Sgt. Richard T. Cullen, 3301A Liberty Road, Area "E," Hill Air Force Base, Utah.

Sergeant Cullen obtained a GI loan on January 23, 1961, in the amount of $12,700, the purchase price of the property located in Tampa, Fla. On October 25, 1961, the holder of the loan informed our St. Petersburg regional office that Sergeant Cullen's loan was in default for the 3 months of August, September, and October. The holder also advised that Mr. Albert J. Fulcher, the purchaser of the property was unable to make the delinquent payments and that it was proceeding with foreclosures in order to protect its interests.

Instructions to our field office require that where feasible the original veteran borrower will be furnished notice of the transferee's default and of the veteran's potential liability. In this connection our local office wrote to Sergeant Cullen in November 1961 informing him of the default status of his loan and his potential liability in the event of foreclosure. Sergeant Cullen has acknowledged receipt of this letter.

The foreclosure sale was held on August 20, 1962. The holder of the loan bid in the property and Sergeant Cullen received a credit of $11,250 on account of the sale. This amount represents the reasonable value of the property as determined by this agency. The reduction in the value of the property was due primarily to physical and economic depreciation. The total indebtedness at the time of foreclosure was $13,657.83. This included accrued interest in the amount of $639.36 plus foreclosure costs. The Veterans' Administration paid the holder a claim of $2,407.83 which is the basis of the debt for which Sergeant Cullen is being billed.

On January 7, 1965, Sergeant Cullen, through his attorney, submitted a compromise offer of $500 in full settlement of his indebtedness of $2,407.83 plus interest. Our St. Petersburg Regional Loan Guaranty Committee on Waivers and Compromises carefully considered Sergeant Cullen's compromise offer and on February 10, 1965, concluded that the acceptance of his compromise offer would not be in the best interests of the Government.

The Veterans' Administration regulations specify that any amount paid by this agency on account of the liability of a veteran shall constitute a debt owing to the United States by such veteran. It is the duty of the Veterans' Administration to make reasonable efforts to collect the indebtedness. However, it is not our policy to effect collection in a manner which would work an undue hardship on a veteran or his family.

We regret the delay in notifying Sergeant Cullen of his indebtedness to the Government. In view of the failure of our St. Petersburg regional office to furnish notice of the amount of Sergeant Cullen's indebtedness promptly after payment of the claim under the guarantee we do not believe that Sergeant Cullen should be charged interest for the period from the date of the guarantee payment until the date notice of the indebtedness was sent to him. Therefore, we are asking our St. Petersburg office to make an appropriate adjustment of Sergeant Cullen's indebtedness.

Also, we are asking our St. Petersburg regional office to pursue collection efforts against the transferee obligor who may be liable for the indebtedness. It is hoped they will be succesful. No further demands will be made on Sergeant Cullen until reasonable efforts to collect the indebtedness from the transferee obligor are exerted. However, should our local office be unsuccessful it will then be necessary to look to Sergeant Cullen for payment. In such event, our local office will be pleased to cooperate with Sergeant Cullen in working out a reasonable and equitable repayment plan within Sergeant Cullen's ability to pay in order to liquidate his indebtedness to the Government.

Your interest and concern in behalf of Sergeant Cullen are appreciated. A similar reply is being furnished Congressman CAREY.

Sincerely,

A. W. STRATTON,
Chief Benefits Director.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 7571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter III of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1826. DETERMINATION OF LIABILITY; NO SETOFF

"(a) No individual shall be liable to the Administrator as a result of any loan made to, assumed by, or guaranteed or insured on account of, such individual under this chapter unless such liability and the amount thereof is determined by a court of competent jurisdiction in a civil action to which such individual is a party.

"(b) The Administrator shall not set off against, or otherwise withhold from, any individual any benefits payable to such individual pursuant to any law administered by the Veterans' Administration because of liability allegedly arising out of any loan made to, assumed by, or guaranteed or insured on account of, such individual under this chapter."

(b) The analysis of subchapter III of such chapter 37 is amended by adding at the end thereof the following:

"1826. Determination of liability; no setoff."

With the following committee amendment:

On the first page, strike out line 6 and all that follows down through and including the material following line 11 on page 2 and insert in lieu thereof the following:

"§ 1826. WITHHOLDING OF PAYMENTS, BENEFITS, ETC.

"(a) The Administrator shall not, unless he first obtains the consent in writing of an individual, set off against, or otherwise withhold from, such individual any benefits payable to such individual under any law administered by the Veterans' Administration because of liability allegedly arising out of any loan made to, assumed by, or guaranteed or insured on account of, such individual under this chapter.

"(b) No officer, employee, department, or agency of the United States shall set off against, or otherwise withhold from, any veteran or the widow of any veteran any payments (other than benefit payments under any law administered by the Veterans' Administration) which such veteran or widow would otherwise be entitled to receive because of any liability to the Administrator allegedly arising out of any loan made to, assumed by, or guaranteed or insured on account of, such veteran or widow under this chapter, unless (1) there is first received the consent in writing of such veteran or widow, as the case may be, or (2) such liability and the amount thereof was determined by a court of competent jurisdiction in a proceeding to which such veteran or widow was a party."

(b) The analysis of subchapter III of such chapter 37 is amended by adding at the end thereof the following:

"1826. Withholding of payments, benefits, etc."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR

PROVIDING TRANSPORTATION FOR IMMEDIATE FAMILIES OF AMERICAN NATIONAL RED CROSS PERSONNEL

The Clerk called the next bill (H.R. 8848) to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to call the attention of the gentleman from Texas to the fact that the report indicates there will be no increase, no substantial increase, shall I say, in the cost of assuming the transportation of dependents of Red Cross representatives.

I would like to say to the gentleman I hope he will give consideration to this in the future so that there will not be a substantially increased expenditure for this purpose. The one thing I fear in this bill, that it will be used more or less indiscriminately. I hope that will not be the case, and I will be very much disappointed if the committee permits this to happen.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. FISHER. I think the gentleman raises a point which is quite appropriate, and I feel certain that the scope and purposes of the bill have been made clear for the record. I am in complete agreement with the gentleman that care should be exercised in the future that this does not expand beyond the scope provided in the bill and in the committee report.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 8848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2602(b)(1) of title 10, United States Code, is amended to read as follows:

"(1) transportation, for themselves, and their immediate families, at the expense of the United States, while traveling to and from, and while performing, those duties, in the same manner as civilian employees of the Armed Forces;".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LANDS WITHIN THE UINTA NATIONAL FOREST, UTAH

The Clerk called the bill (S. 1764) to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah by the Secretary of Agriculture.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, the last time this was on the calendar, we asked for someone familiar with this to explain it. If there is any Member present this morning who will explain this bill on behalf of the Committee on Agriculture, I would appreciate it.

Mr. KING of Utah. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman.

Mr. KING of Utah. I would like to give the gentleman some explanation of this bill, in view of the fact it was originally introduced by me. This provides for the acquisition by the National Forest Service of approximately 10,000 acres of land located within the external boundaries of the Uinta National Forest in the State of Utah. This land is located on the South Fork of the Provo River. The land constitutes part of the principal watershed for the city of Provo, which is the third largest city in the State of Utah.

The purpose of this bill is to enable the Forest Service to consolidate its holdings in this general area. This land has been and is now, in private ownership. But a very serious problem of erosion has occurred because of the land's overgrazing. It has been mutually agreed by all parties—and when I say all parties I refer to the Forest Service, and the City Council of the City of Provo, and as well as the private landowners in that area—it has been mutually agreed, as I say, that it will be for the benefit of all for the

Forest Service to acquire these 10,000 acres. The city of Provo will acquire approximately 1,000 acres of land in the bottom land area of the canyon. So the acquired land will total 11,000 acres. The land will cost not to exceed $300,000 for the 10,000 acres to be acquired by the Forest Service, which comes to about $30 an acre, which is very reasonable.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, while the purpose seems to be a very laudatory one, in my experience when a sovereign is about to acquire land through legislative action, the price skyrockets. Does the gentleman know whether the Department of Agriculture has an option right now to buy this land for approximately $300,000?

Mr. KING of Utah. It has no option, but the comment of the gentleman is certainly well made—there is a tendency for land values to become inflated. However, this land has already been appraised by private appraisers, and the general consensus of all parties is that $300,000 should be adequate for the acquisition of this entire acreage. That is the upper limit under this bill, and under no circumstances will it cost the Government more than that. Apparently the parties are all agreed that the Government will be able to acquire this land for this figure or less.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, if I may ask the gentleman one other question. I believe the gentleman has satisfactorily answered my first question, that the landowner will not take advantage of the fact that we have authorized this purchase and will not ask an exorbitant price. But the further question I want to ask is this. Are we buying just the surface only or does this price include the minerals and the entire fee simple in the land?

Mr. KING of Utah. As I understand it, this will be a fee simple acquisition, so that the land held will be exactly in the same category as all of the other adjacent Forest Service lands. I remind the gentleman that this land is within the exterior boundaries of the Uinta National Forest land which is already held by the Forest Service. This new land will take its place on the same basis as the land that is already held by the Forest Service.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to direct a question to the gentleman from Utah. In view of the fact that the Congress has set up a Forest Reservation Commission pursuant to the Weeks Act, whose duty it is to examine all acquisitions of land within any national forest, so far as I know this matter has never been referred to that Commission. Can the gentleman tell us why?

Mr. KING of Utah. I am not able to advise the gentleman. I do know that the Secretary of Agriculture is satisfied that this land does meet all the standards which the Forest Service has prescribed for the acquisition of this type of land.

The gentleman will notice in the printed report a letter submitted by the Secretary of Agriculture. Apparently, the Department of Agriculture was completely satisfied that the proposal met all of their standards, and the price in particular was extremely favorable, extremely beneficial, and was possible only because of the very cooperative attitude of the local citizenry.

Mr. SAYLOR. I might say to my colleague, the gentleman from Utah, that I serve on that Commission and the Secretary of Agriculture is only one of the members of that Commission. There are on the Commission two Members of the House, two Members of the Senate, the Secretary of Agriculture, the Secretary of Interior, and the Secretary of the Army. I have seen nowhere in the report a statement that these other agencies have cleared this proposal. That has been a requirement of every other acquisition.

For that reason, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PRESERVATION OF RETIREMENT AND INSURANCE BENEFITS FOR HOLDERS OF CONGRESSIONAL STAFF FELLOWSHIPS

The Clerk called the bill (H.R. 10553) to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees' Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships.

There being no objection, the Clerk read the bill as follows:

H.R. 10553

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with respect to each employee of the Senate or House of Representatives—

(1) whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and

(2) who is separated from employment with the Senate or House of Representatives in order to pursue certain studies under a congressional staff fellowship awarded by the American Political Science Association,

the period of time covered by such fellowship shall be held and considered to be service in employment with the Senate or House of Representatives, as the case may be, at the rate of compensation received immediately prior to separation (including any increases in compensation provided by law during the period covered by such fellowship) for the purposes of—

(A) the Civil Service Retirement Act, as amended (5 U.S.C. 2251 and following),

(B) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091 and following), and

(C) the Federal Employees' Health Benefits Act of 1959, as amended (5 U.S.C. 3001 and following),

if the award of such fellowship to such employee is certified to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, by the appointing authority concerned or, in the event of the death or disability of such appointing authority, is established to the satisfaction of the Secretary of the Senate or the Clerk of the House by records or other evidence.

With the following committee amendments:

Page 1, line 8, strike out "is" and insert in lieu thereof ", on or after January 1, 1965, shall have been".

Page 2, line 5, immediately following "service" insert "(in a nonpay status)".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE DISPOSITION OF JUDGMENT FUNDS OF THE KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS, AND FOR OTHER PURPOSES

The Clerk called the bill (S. 664) to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

DISBURSEMENTS TO ARMED FORCES OF FRIENDLY FOREIGN NATIONS

The Clerk called the bill (H.R. 5665) to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to ask what the present definition of "friendly nations" would be. What foreign nations would come under the definition in the bill, and who would make the determination?

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to my colleague from Missouri.

Mr. RANDALL. It is my understanding that this determination would be made by the field commander, although only to troops of countries with whom the President has entered into a reciprocal repayment agreement.

This is a situation which has obtained for a long while; it obtained back in World War II with the British and the Canadians and the Americans. Very frankly, the proposal is at the request of the Department of Defense, and if the new authority is granted. There will probably be an application for this arrangement to be used in Vietnam. It does not contemplate large amounts—maybe $5 to $25. In direct answer to the question of the gentleman from Missouri at the present time this could be done only if there had been a formal declaration of war. But the proposal is an effort, in the undeclared state, to help those friendly countries allied specifically under SEATO and the other treaty organizations, or fighting side-by-side with American soldiers in the field.

That is the definition contemplated.

Mr. HALL. Mr. Speaker, I again ask the gentleman, would the definition "friendly nations" include at the present time General Westmoreland in the South Vietnamese theater making payments through our "special forces" in relation to Laos, Cambodia, or the Pathet Lao?

Mr. RANDALL. The hearings before the subcommittee did not contemplate going that far, no. The answer would be "No." Only in the immediate theater, where we have our regular forces engaged alongside members of an armed force of a friendly foreign nation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. Would this mean that the commander of the multilateral manned cruiser would be able to pay servicemen of all nationals aboard that vessel or any other multilateral force that might be created?

Mr. RANDALL. The answer to the gentleman from Iowa is, "No," because payment to the multilateral force would contemplate an arrangement or an agreement with some treaty organization itself. Arrangements under authority of this bill must be with an individual country. In addition, it must be on a reciprocal basis. Only if there is a reciprocal agreement already reached would this proposal apply. It would not apply to a multilateral force.

Mr. HALL. What would be the dollar limit on amounts to be disbursed hereunder, and why has this been omitted from the proposal, if it is not therein?

Mr. RANDALL. If the gentleman will refer to the hearings or read the report he will find that this is at the request of the Department of Defense, made in January, and it was felt impractical to include a dollar limitation. This bill contemplates small amounts, because it will not apply if these troops have their own disbursing capability. It is for units the size of a squad, or not larger than a platoon, a small unit separated from the other troops.

There is no dollar limit, because it was felt impractical to say $25 or $50 or any particular amount. This bill contemplates small amounts. That is the best way to answer the question.

Mr. HALL. I tell my colleague that I have read the report. I have not had hearings available, I am sorry to say, I have been in the field with such special forces. Sometimes they deal, for esoteric and other purposes, with much larger sums than that. I, for one, believe that possibly there should be some limitation on the field commander in any one theater, or on his subordinate troops, as to ability to disburse funds.

I appreciate the record which is being made.

How would these funds be repaid, and in what period of time, by the friendly nations?

Mr. RANDALL. The hearings proceeded on the assumption that they would be immediately repaid. It is a disbursing office matter. It might be merely going by messenger from our central disbursing office to some embassy here in town. In the case of a field office, it could merely involve walking across the hall to repay the amount.

The gentleman from Missouri should bear in mind that a receipt will be taken from the friendly troops. As soon as the receipt is presented it is contemplated there would be reimbursement. There must be a reciprocal agreement already in writing before any transfer of funds may take place.

Mr. HALL. Is this under the Military Assistance Act, foreign aid, or does it come out of direct pay of the troops?

Mr. RANDALL. It comes out of the troop payment accounts, which means out of the appropriation for the Department of Defense.

Mr. HALL. Can the gentleman tell me if, in his opinion, as a member of the Committee on Government Operations, since it involves the Department of Defense, this has been coordinated with the Committee on Armed Services, on which he also serves?

Mr. RANDALL. I am not at the moment acting as member of the Committee on Armed Services, but as a member of the Subcommittee on Military Operations of the Committee on Government Operations.

I know that every concerned branch of the executive department—all the way up and down the line from the GAO to the Treasury Department, the Department of Defense, and the Bureau of the Budget—has been consulted, and none have interposed an objection. I might add that there would be no question here about balance of payments, because it contemplates repayment in dollars, and immediate repayment.

Mr. HALL. The gentleman may know that there is a bill currently before one of the subcommittees of the Committee on the Judiciary involving the responsibility of accountable officers, such as paymasters, and so on. Would this obviate or negate the responsibility of accountable officers in the field?

Mr. RANDALL. I believe not. They would not be relieved of responsibility.

Mr. HALL. Mr. Speaker, I understand there is some need and haste in regard to this, which merely legalizes a practice which has been going on in theaters of operation for some time. Is that correct?

Mr. RANDALL. I would doubt that this has been practiced in any theater of operations without any existing legal authority. I would certainly agree it is much needed, because the request was made in January and nothing has been done to this date.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 5665

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 3648 of the Revised Statutes (31 U.S.C. 529) and section 3678 of the Revised Statutes (31 U.S.C. 628) or any other law, and under regulations to be prescribed by the Secretary of Defense and the Secretary of the Treasury in their respective areas of responsibility, an officer of the Army, Navy, Air Force, Marine Corps, or Coast Guard accountable for public money may advance funds to cashiers, disbursing officers, or members of an armed force of a friendly foreign national for the purpose of paying pay and allowances to those members or enabling that armed force to purchase necessary supplies and services. An advance may not be made under this Act unless the President has entered into an agreement with the nation concerned which, in addition to any other provision that he considers necessary to carry out this Act and to safeguard the interests of the United States, shall require the United States to be reimbursed for any funds so advanced and authorized the appropriate authority of that nation to advance funds to members of the Army, Navy, Air Force, Marine Corps, or Coast Guard on a reciprocal basis.

With the following committee amendments:

Page 1, beginning in line 2, strike out " notwithstanding section 3648 of the Revised Statutes (31 U.S.C. 529) and section 3678 of the Revised Statutes (31 U.S.C. 628) or any other law, and".

Page 2, line 9, strike out "authorized" and insert in lieu thereof "shall require".

Page 2, line 12, after the word "Coast Guard" insert the words "of the United States".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE ERECTION OF A MEMORIAL TO THE LATE DR. ROBERT H. GODDARD

The Clerk called the joint resolution (H.J. Res. 597) providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. HALL. Mr. Speaker, reserving the right to object—and I hope I shall not have to object—can the sponsor of the bill or the representative of the committee advise whether or not there is participation on a local basis in this memorial to Dr. Goddard, the father of rocketry?

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. HALL. Yes. I am glad to yield to my colleague.

Mr. PELLY. I am on the Committee on Science and Astronautics. It was stated in the hearings that an educational institution, where this memorial would be established, is making available the site but is making no financial contribution.

Mr. HALL. Mr. Speaker, would my colleague on that committee have an estimate of the value of that site?

Mr. PELLY. No; I would have no estimate of the value in mind. I only know the gentleman from Washington suggested a limitation on the amount. It was an open end authorization and I suggested we limit the amount that could be expended to $150,000.

Mr. HALL. Mr. Speaker, the former Speaker of the House, referring to Speaker Joe Martin, and his colleague, Harold Donohue, and other members of the Massachusetts delegation have spoken to me about this. I am glad it is no longer an open end authorization. I wish the great State of Massachusetts would also participate along with this fine university. I think it is worthwhile. I hope we will use this as a ceiling and not come up to this figure. But, because of the importance of this man of science and father of rocketry, I withdraw my reservation.

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Speaker, I most earnestly urge my colleagues here to approve this resolution, House Joint Resolution 597, providing for a permanent memorial to one of the greatest scientists in world history, Dr. Robert H. Goddard, and a permanent inspiration, toward excellence in character and in work, for the American people.

Dr. Robert H. Goddard is today universally recognized and acclaimed as the father of modern rocketry. He is admittedly one of the world's most famous pioneers in space experiment and projection. The records reveal that more than 50 years ago this then obscure and often ridiculed scientist envisioned such modern developments as jet-driven aircraft, rocket borne mail and express and manned space travel. Everyone in the world today acknowledges his work and his efforts in space-flight experiment as the most important technical accomplishments of our times marking as they do a turning point in the history of man. Therefore, it would seem quite fitting that Dr. Goddard's permanent contribution to space science in the world should be suitably recognized with a permanent memorial.

The proposed memorial is to be located on the campus of Clark University in the city of Worcester, Mass. The reasons for the location are basic and impressive.

Dr. Goddard was born in the city of Worcester, he is buried there, he received his primary and advanced education there and he was a member of the faculty at Clark University, Worcester, for 29 years. It was during his teaching career at Clark University that Dr. Goddard developed the technique and initiated the experiments that have led to the almost miraculous space accomplishments we witness today.

Mr. Speaker, at this point I think my colleagues might be interested in a summary description of the renowned university where Dr. Goddard studied, taught, and experimented.

Clark University is an independent institution of higher learning with an enrollment of 1,000 undergraduate and 300 graduate students located in the city of Worcester, Mass. It has long been internationally known among educators and scholars as an institution of high academic standards which places very great emphasis upon scholarly achievement. Its graduate programs are unusually extensive for a small institution—the doctorate is offered in 10 fields, and postdoctoral work is conducted in 2 of these. A record 85 percent of its faculty holds the Ph. D., and last year more than $1 million in basic research was carried on in its laboratories.

At a time when American higher education seems polarized between the leviathan multiversity and the struggling liberal arts college, Clark is an interesting combination of the strengths of both. With its small faculty and student body it maintains to a large degree the intimacy and personal relationships of the small college. At the same time, because of its concern for graduate training and research, its campus also possesses the spirit of discovery and adventure which permeates the modern university.

Clark's unusual character dates back to its beginning. At its founding in 1887 it was, except for the Johns Hopkins University, the only organized graduate school in America, and enrolled only graduate students for the first 15 years of its existence. During those years it helped found the Association of American Universities and achieved international prominence as the birthplace of the study of psychology in America. Its faculty included such academic luminaries as G. Stanley Hall in psychology, Bolza and Taber in mathematics, and Michaelson and Webster in physics. The last of these, Arthur Gordon Webster, who was one of the greatest mathematical physicists of all times, was Robert Goddard's teacher, and his predecessor as chairman of Clark's physical department.

Mr. Speaker, for many years the officials of Clark University have wished to honor Robert Goddard not only for his genius as a pioneering scientist, but also as a dedicated teacher and scholar. In the university's planned new library building, the heart of the physical plant whose use encompasses all areas of knowledge, they have perceived the ideal tribute. Accordingly, on June 6, 1964, the university announced its plans to create the Robert Hutchings Goddard Library as the international academic memorial to Robert Goddard. On this score I think it is very pertinent to emphasize that the trustees of Clark University have registered their intention to deed to the Government, within an area adjacent to the library and on the university campus, an appropriate site for the Goddard Memorial proposed in this resolution and guarantee perpetual access to it.

Mr. Speaker, as I indicated earlier it is not the sole purpose of this resolution to memorialize Dr. Goddard's scientific achievements in space. It is equally our purpose to forever hold up this remarkable man as a true and moving example to others of the mighty heights that can be reached against discouragement and disdain by unswerving belief in one's self, by persevering study, and by persevering effort. Indeed, it is our intention through this resolution to memorialize the excellence of his character as well as his scientific triumphs.

Dr. Goddard was a man of recognized integrity in all of his private and scientific activities. He was a gentleman of vast intelligence, courage, and perseverance. He was a loyal and unselfish patriot who cheerfully volunteered his personal and professional service to his country in two wars, and his contributions to our military space projections and security are immeasurable. He was a devoted husband, a diligent scholar, and a dedicated and enlightened teacher. He had also the talents of a musician, a painter, and a poet. He was a person and a symbol of goodness for all ages and for all times.

In my conviction, it is a major part of our duty as Members of Congress, especially in these challenging times to reasonably provide striking inspirations for the pursuit of true excellence and the acceptance of individual responsibilities to those who are now or will hereafter obscurely labor in the various fields of human endeavor.

Certainly our current obligation on this score is great considering our unhappy problems with juvenile delinquency, school dropouts, the enormous increase in youthful crime, and even riotous disturbances on the grounds of some of our great institutions of learning.

With the increasing complexity of this modern world the need for meaningful example and heroic inspiration, for young and old, was never greater. The life and the achievements of Dr. Robert H. Goddard surely offer a most unique example and a most timely inspiration to us and to those who will come after. The means to provide such example and inspiration are contained in this resolution.

Mr. Speaker, quite often and with much doubt and misgiving, as to whether it is right and wise, we approve here expenditures into the billions. Compared with these huge appropriations of questionable benefit I think it may be agreed that the authorization in this resolution is, indeed, very modest.

Mr. Speaker, the purposes of this resolution are fully in accord with our national traditions and our national interests; they are justifiable and timely; they are reasonable and prudent. I urge my colleagues to overwhelmingly approve the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

H.J. Res. 597

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Aeronautics and Space Administration shall erect in the Commonwealth of Massachusetts an appropriate memorial to the late Doctor Robert H. Goddard, former professor of physics at Clark University in Worcester, Massachusetts, and the father of rocketry.

The memorial shall comprise a sculpture in bronze or other enduring metal and shall symbolize the scientist's role as the pioneer of the space age. It shall be located on the Clark University campus in Worcester, Massachusetts, on a site donated by the Clark trustees adjacent to the Robert Hutchings Goddard Library. The National Aeronautics and Space Administration shall request the advice and comment of the Commission on Fine Arts and consult with Clark University trustees with respect to the design and setting of the memorial.

The memorial shall give appropriate recognition to the pioneering efforts of the late Doctor Goddard in his country's achievements in rocketry and supersonic flight.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this joint resolution.

With the following committee amendment:

On page 2, line 11, following the word "necessary", insert the words, not to exceed $150,000,".

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRAVEL ALLOWANCES UPON RELEASE FROM ACTIVE DUTY

The Clerk called the bill (H.R. 266) to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty.

There being no objection, the Clerk read the bill, as follows:

H.R. 266

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code is amended as follows:

(1) The first sentence of section 404(c) is amended by striking out the words after the second semicolon and inserting the following in place thereof: "may, not later than one year from the date he is so retired, placed on that list, discharged, or released, except as prescribed in regulations by the Secretaries concerned, select his home for the purposes of the travel and transportation allowances authorized by subsection (a) of this section."

(2) Section 406(d) is amended by striking out the third sentence and inserting the following in place thereof: "The nontemporary storage of baggage and household effects may not be authorized for a period longer than one year from the date the member concerned is separated from the service, retired, placed on the temporary disability retired list, discharged, or released from active duty, except as prescribed in regulations by the Secretaries concerned for a member who, on that date, is confined in a hospital, or is in its vicinity, undergoing medical treatment; or in the case of a member who—

"(1) is retired, or is placed on the temporary disability retired list, under chapter 61 of title 10; or

"(2) is retired with pay under any other law, or, immediately following at least eight years of continuous active duty with no single break therein of more than ninety days, is discharged with severance pay or is involuntarily released from active duty with readjustment pay.

Except in the case of a member who, on the date of his separation, discharge, or release, is confined in a hospital, or is in its vicinity, undergoing medical treatment, the cost of the storage, for the period that exceeds one year, shall be paid by the member."

(3) The first sentence of section 406(g) is amended by striking out the words after the second semicolon and inserting the following in place thereof: "is, not later than one year from the date he is so retired, placed on that list, discharged, or released, except as prescribed in regulations by the Secretaries concerned, entitled to transportation for his dependents, baggage, and household effects to the home selected under section 404(c) of this title."

With the following committee amendments:

On page 2, line 12, after the word "date," insert "or at any time during the one year period following that date,".

On page 2, in line 24, after the word "release," insert "or at any time during the one year period following that date,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF ABACA FROM NATIONAL STOCKPILE

The Clerk called the bill (H.R. 6852) to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile.

There being no objection, the Clerk read the bill, as follows:

H.R. 6852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately forty-seven million pounds of abaca now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committees of each House thereof of notice of the proposed disposition.

With the following committee amendment:

On page 1, line 4, strike "forty-seven" and insert "ninety-seven".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

RELEASE OF ZINC FROM THE NATIONAL STOCKPILE

The Clerk called the bill (H.R. 9047) to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both.

There being no objection, the Clerk read the bill, as follows:

H.R. 9047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, from either the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 90–98h) or the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)), or from both such stockpiles (1) approximately three hundred thousand short tons of zinc. The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, but the time and method of the disposals shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. The Administrator is also authorized without regard to the provisions of the Strategic and Critical Materials Stock Piling Act, to make available an additional fifty thousand short tons of zinc now held in either the national stockpile or the supplemental stockpile, or both such stockpiles, for direct use by agencies of the United States Government.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following: "That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, from either the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) or the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)), or from both such stockpiles (1) approximately one hundred and fifty thousand short tons of zinc. The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, but the time and method of the disposals shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TRANSFER OF COPPER TO THE BUREAU OF THE MINT

The Clerk called the bill (H.R. 10748) to authorize the transfer of copper from the national stockpile to the Bureau of the Mint.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume one of the reasons for the passage of this bill and the sale of the surplus copper from the stockpile is to help to put some of that new funny money in circulation. Would I be correct in that assumption?

Mr. PHILBIN. The gentleman is entitled to his view as to the kind of money it is. Essentially, his assumption would be correct in that this stockpile copper would be designed to put the new monetary program into operation.

Mr. GROSS. In the not-too-distant future it can be assumed that we will have some of this copper money in our pockets replacing the old-fashioned silver coins that used to jingle when you had a little of it?

Mr. PHILBIN. Yes. I think this would be a definite change in the content of money we would be using.

Mr. GROSS. I just wanted to be sure I was right in the assumption that this would make a contribution to the production of funny money for the Great Society.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes. I am glad to yield to the gentleman.

Mr. HALL. I think the gentleman is being unseemly careless with the gentleman from Massachusetts, who carefully heard this bill and who is a direct descendant of Paul Revere, who was a coppersmith extraordinary.

Mr. GROSS. That still does not change the fact that we are going to get a mess of sandwich money and some of this copper will be in it.

Mr. PHILBIN. The gentleman from Iowa knows the fact is, I am sure, that under this proposal we will be saving considerable sums of money, something like $23 million, for the Government by making this copper available at this time.

Mr. GROSS. I do not want to pursue this further, but I question how much of a saving there will be because the new money going into circulation will not be worth very much intrinsically, perhaps a cent or two for a 25-cent piece as contrasted with 24 cents for the silver coin to which we have been accustomed in this country.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 10748

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to transfer to the Bureau of the Mint approximately one hundred ten thousand short tons of copper now held in the national stockpile. Such transfer may be made without regard to the provision of section 3 (e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF CHROMITE FROM SUPPLEMENTAL STOCKPILE

The Clerk called the bill (H.R. 10715) to authorize the disposal of chemical grade chromite from the supplemental stockpile.

There being no objection, the Clerk read the bill, as follows:

H.R. 10715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately six hundred and fifty-nine thousand one hundred short tons of chemical grade chromite now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF VEGETABLE TANNIN FROM NATIONAL STOCKPILE

The Clerk called the bill (H.R. 10516) authorizing the disposal of vegetable tannin extracts from the national stockpile.

There being no objection, the Clerk read the bill, as follows:

H.R. 10516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately the following quantities of vegetable tannin extracts now held in the national stockpile: fifteen thousand long tons of chestnut, one hundred eleven thousand four hundred and fifty-seven long tons of quebracho, and twenty-three thousand nine hundred and sixty-two long tons of wattle. Such disposal may be made without regard to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF COLEMANITE FROM SUPPLEMENTAL STOCKPILE

The Clerk called the bill (H.R. 10714) to authorize the disposal of colemanite from the supplemental stockpile.

There being no objection, the Clerk read the bill, as follows:

H.R. 10714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately sixty-seven thousand six hundred long dry tons (gross weight) of colemanite now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

WILLIAM FLOYD ESTATE, SUFFOLK COUNTY, N.Y.

The Clerk called the bill (H.R. 8035) to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 8035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept the donation of approximately six hundred and eleven acres of land or interests therein, known as the William Floyd Estate, together with submerged lands, islands, and marshlands adjacent thereto, located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled "Map of the Fire Island National Seashore, including the William Floyd Estate" numbered OGP 0003, dated May 1965, which map or a true copy thereof, shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior; subject to such terms, covenants, and conditions as he finds will be in the public interest.

SEC. 2. The Secretary is authorized to accept the donation of the main dwelling on said lands, which was the birthplace and residence of General William Floyd (a signer of the Declaration of Independence) and the furnishings therein and with any outbuildings, subject to like terms, covenants, and conditions. The Secretary is authorized to lease said lands, dwellings, and outbuildings to the grantors thereof for a term of not more than twenty-five years, at $1 per annum, and during the period of the leasehold the Secretary may provide protective custody for such property.

SEC. 3. Upon expiration or surrender of the aforesaid lease the property shall become a detached unit of the Fire Island National Seashore, and shall be administered, protected, and developed in accordance with the laws applicable thereto subject, with respect to said main dwelling and the furnishings therein, to such terms, covenants, and conditions which the Secretary shall have accepted and approved upon the donation thereof as in the public interest.

With the following committee amendments:

Page 1, line 3, through page 2, line 6, strike out all of section 1 and insert the following in lieu thereof: "That the Secretary of the Interior is authorized to accept the donation of approximately six hundred and eleven acres of lands, submerged lands, islands, and marshlands, or interests therein, known as the William Floyd Estate, located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled "Map of the Fire Island National Seashore, including the William Floyd Estate" numbered OGP-0003, dated May 1965, which map or a true copy thereof, shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior. Such donations may be accepted subject to such terms, covenants, and conditions as the Secretary finds will be in the public interest."

Page 2, line 11, strike out "with".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

BOUNDARY OF JEWEL CAVE NATIONAL MONUMENT, S. DAK.

The Clerk called the bill (H.R. 9417) to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 9417

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of including within the Jewel Cave National Monument significant caverns and other geological features beneath lands within the Black Hills National Forest adjacent to the national monument, the boundary of said monument is hereby revised in accordance with drawing numbered N.N.-J.C.-7100, dated June 10, 1964, prepared by the National Park Service of the Department of the Interior. Lands within the revised monument shall hereafter be administered in accordance with the Act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented. Lands excluded from the monument pursuant to this Act shall remain and be administered as a part of the Black Hills National Forest.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ESTABLISHING LEWIS AND CLARK TRAIL COMMISSION

The Clerk called the bill (H.R. 6515) to supplement the act of October 6, 1964, establishing the Lewis and Clark Trail Commission, and for other purposes.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. **HALL**. Mr. Speaker, reserving the right to object, I would like to ask if any member of the committee has a better estimate than is given in the report of additional costs. It is stated that there is not any expected additional cost over and above that stated in Public Law 88-630, in which all of us who live along the mighty Missouri and Mississippi Rivers are interested, in this area discovered and explored by Lewis and Clark. But if we put an additional permanent member of the Illinois delegation on the Commission, would there be additional expenses in the performance of their duties?

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield.

Mr. PRICE. The reason there will be no additional cost is that the members of the Commission are the Governors or representatives of the Governors of each State. The expenses for attendance at Commission meetings are paid by the respective States so that the addition of Illinois to the Commission would add no expense to the Government.

Mr. HALL. No Federal funds for per diem and allowances?

Mr. PRICE. No.

Mr. HALL. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 6515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of October 6, 1964 (78 Stat. 1005), establishing the Lewis and Clark Trail Commission, the Commission shall give appropriate consideration and recognition to the fact that the Lewis and Clark Expedition's headquarters and training camps, during the winter of 1803, were located at Wood River, Illinois. In addition, the State membership of the Commission, as set forth in section 3(a) of the Act, is hereby increased to eleven members in order to include a member from the State of Illinois who shall be the Governor or his designated representative.

With the following committee amendments:

Page 1, line 8, strike out "at" and insert "near".

Page 1, line 10, after "increased" insert "to".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL COMMUNISM IN WESTERN HEMISPHERE

The Clerk called the resolution (H. Res. 560) to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. FRASER. Mr. Speaker, I object to the present consideration of this resolution on the calendar.

The SPEAKER pro tempore. Objection is heard.

LAND FOR USE OF THE UNIVERSITY OF ALASKA

The Clerk called the bill (S. 1190) to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska.

There being no objection, the Clerk read the bill, as follows:

S. 1190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of sections 4 and 5 of the Act entitled "An Act making an additional grant of lands for the support and maintenance of the Agricultural College and School of Mines of the Territory of Alaska, and for other purposes", as amended (48 U.S.C. 354a (c) and (d)), shall not apply to the sale, lease, mortgage, or other encumbrance of lot 1, northeast quarter of the northwest quarter, and the north half of the northeast quarter, section 29, township 28 south, range 56 east, Copper River meridian, Alaska, or to the sale or contract for the sale of any natural product derived from such lands.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ROGER WILLIAMS NATIONAL MEMORIAL, PROVIDENCE, R.I.

The Clerk called the bill (H.R. 7919) to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ACQUIRE GREAT FALLS PROPERTY IN VIRGINIA

The Clerk called the bill (H.R. 9515) to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 9515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1-471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345-E of June 20, 1949, as revised by the National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and

208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123-375, dated October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided,* That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

With the following committee amendment:

Page 3, after line 15, add a new section reading as follows:

"SEC. 5. The Secretary of the Interior may accept title to, and administer in connection with the George Washington Memorial Parkway pursuant to the Act of May 29, 1930 (46 Stat. 482), as amended, approximately 16 acres of land or interests therein that are partially surrounded by the property described in section 1 of this act and that are now owned by the Fairfax County Park Authority, Commonwealth of Virginia. As consideration for such conveyance, the Secretary may enter into an agreement with the Authority which permits the Authority to operate, subject to such terms and conditions as the Secretary deems desirable, public parking facilities on such lands or on the lands acquired pursuant to section 1 of this act, including the privilege of collecting reasonable parking fees, until the Authority has recovered the fair market value, as determined by the Secretary, of the approximately 16 acres of land. The agreement shall provide that any parking fees collected by the Authority shall be approved by the Secretary."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1065) to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes, a similar bill to the one the House just passed.

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1-471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345-E of June 20, 1949, as revised by the National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123-375, date October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided,* That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 1065 and insert the provisions of H.R. 9515, as passed.

That the Secretary of the Interior (hereinafter called the "Secretary") may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1-471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345-E of June 20, 1949, as revised by the National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123-375, dated October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided,* That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

SEC. 5. The Secretary of the Interior may accept title to, and administer in connection with the George Washington Memorial Parkway pursuant to the Act of May 29, 1930 (46 Stat. 482), as amended, approximately sixteen acres of land or interests therein that are partially surrounded by the property described in section 1 of this Act and that are now owned by the Fairfax County Park Authority, Commonwealth of Virginia. As consideration for such conveyance, the Secretary may enter into an agreement with the authority which permits the authority to operate, subject to such terms and conditions as the Secretary deems desirable, public parking facilities on such lands or on the lands acquired pursuant to section 1 of this Act, including the privilege of collecting reasonable parking fees, until the authority has recovered the fair market value, as determined by the Secretary, of the approximately sixteen acres of land. The agreement shall provide that any parking fees collected by the authority shall be approved by the Secretary.

The committee amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 9515) was laid on the table.

CUSTOMS MEASUREMENT OF SHELTER DECK VESSELS

The Clerk called the bill (H.R. 3351) to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. **GARMATZ**. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 906, be considered in lieu of the House bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the Senate bill, as follows:

S. 906

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act:

(a) The term "uppermost complete deck" means the uppermost complete deck of a vessel exposed to sea and weather, which shall be deemed to be that deck which has permanent means of closing all openings in the weather portions thereof, provided that any opening in the side of the vessel below that deck, other than an opening abaft a transverse watertight bulkhead placed aft of the rudder stock, is fitted with permanent means of watertight closing.

(b) The term "second deck" means the deck next below the uppermost complete deck which is continuous in a fore-and-aft direction at least between peak bulkheads, is continuous athwartships, is fitted as an integral and permanent part of the vessel's structure, and has proper covers to all main hatchways. Interruptions in way of propelling machinery space openings, ladder and stairway openings, trunks, chain lockers, cofferdams, or steps not exceeding a total height of forty-eight inches shall not be deemed to break the continuity of the deck.

(c) The term "trunks" as used in the definition of second deck shall be deemed to refer to hatch or ventilation trunks which do not extend longitudinally completely between main transverse bulkheads.

(d) The term "Secretary" means the Secretary of the Treasury.

SEC. 2. In the measurement of a vessel under sections 4148, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 71, 75, 77), upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage—

(a) those spaces available for the carriage of dry cargo or stores which are located between the uppermost complete deck and the second deck, and other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck, provided that a tonnage mark is placed and displayed on the vessel in accordance with the provisions of this Act, so long as that tonnage mark is not submerged;

(b) those spaces which are located on or above the uppermost complete deck and which are available for the carriage of dry cargo or stores, without regard to whether a tonnage mark is placed or displayed on the vessel or, if placed or displayed, without regard to whether that mark is submerged; and

(c) those spaces which are located on the uppermost complete deck and which are used for cabins or staterooms, provided that a tonnage mark is placed and displayed on the vessel, so long as that tonnage mark is not submerged.

SEC. 3. The tonnage mark shall be a horizontal line, upon which shall be placed for identification an inverted equilateral triangle, with its apex on the midpoint of the line. The mark shall be placed and displayed on each side of the vessel, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 4. No tonnage mark shall be required to be placed or displayed above the statutory summer loadline prescribed in accordance with the applicable loadline convention, except that, when a vessel's statutory loadline is assigned on the assumption that the second deck is the freeboard deck, the tonnage mark may be permitted to be placed and displayed on a line level with the uppermost part of the loadline grid.

SEC. 5. Except when the tonnage mark is placed and displayed on the vessel at the level prescribed in section 4 hereof, an additional line may be added to the tonnage mark, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

SEC. 6. The tonnage mark shall be deemed to be submerged when the upper edge of the mark is under water, except that if the vessel is marked with the additional line in accordance with section 2 of this Act and is in fresh water or in tropical waters the tonnage mark shall not be deemed to be submerged unless the upper edge of the additional line is under water.

SEC. 7. In a case in which a vessel measured under this Act and other applicable statutes has a tonnage mark placed and displayed at a place other than a line level with the uppermost part of the loadline grid, any measurement certificate or marine document reciting tonnages issued to such vessel shall show the gross and net tonnages applicable when the tonnage mark is submerged and the gross and net tonnages applicable when the mark is not submerged. In any other case in which a vessel is measured under this Act and other applicable statutes, any measurement certificate or marine document reciting tonnages issued to such vessel shall show only one set of gross and net tonnages, taking into account all applicable omissions or exemptions.

SEC. 8. In a case in which an application for omission of spaces is filed under section 2 of this Act for a vessel for which a statutory loadline is not required and is not assigned, the line of the uppermost complete deck shall be marked in the manner specified for marking the deck line in the international loadline convention in force.

SEC. 9. Section 4149 of the Revised Statutes (46 U.S.C. 72) is amended to read as follows:

"SEC. 4149. The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given."

SEC. 10. Section 4150 of the Revised Statutes (46 U.S.C. 74) is amended to read as follows:

"SEC. 4150. A vessel's marine document shall specify such identifying dimensions, measured in such manner, as the Secretary of the Treasury may prescribe."

SEC. 11. Section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting before the first paragraph the following:

"The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet."

SEC. 12. The Secretary shall make such regulations as may be necessary to carry out the provisions of this Act.

SEC. 13. Any person who makes a false, fictitious, or fraudulent statement or representation in any matter in which such statement or representation is required to be made to the Secretary in any regulation issued under this Act shall be subject to a penalty of not more than $1,000 for each such statement or representation.

SEC. 14. If any tonnage mark required to be placed and displayed on a vessel in any regulation issued under this Act by the Secretary is not so placed or displayed or if the mark at any time shall cease to be continued on the vessel, such vessel shall be subject to a penalty of $30 on every subsequent arrival in a port of the United States.

SEC. 15. Any penalty incurred under this Act may be remitted or mitigated by the Secretary under the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3351) was laid on the table.

OFFICES FOR THE INTERNATIONAL PACIFIC HALIBUT COMMISSION

The Clerk called the bill (H.R. 9734) to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission.

There being no objection, the Clerk read the bill, as follows:

H.R. 9734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the Northern Pacific Halibut Act of 1937, as amended (16 U.S.C. 772–772i), is amended by inserting at the end thereof a new section as follows:

"SEC. 11. (a) The Secretary of State is authorized to provide, by contract, grant, or otherwise, facilities for office and any other necessary space for the Commission. Such facilities shall be located on or near the campus of the University of Washington in the State of Washington and shall be provided without regard to the cost-sharing provisions in the convention.

"(b) There is authorized to be appropriated such amount, not in excess of $500,000, as may be necessary to carry out the provisions of this section."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. **DINGELL**. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from the consideration of an identical bill, S. 1975, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the Senate bill as follows:

S. 1975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Northern Pacific Halibut Act of 1937, as amended (16 U.S.C. 772–772i), is amended by inserting at the end thereof a new section as follows:

"SEC. 11. (a) The Secretary of State is authorized to provide, by contract, grant, or otherwise, facilities for office and any other necessary space for the Commission. Such facilities shall be located on or near the campus of the University of Washington in the State of Washington and shall be provided without regard to the cost-sharing provisions in the Convention.

"(b) There is authorized to be appropriated such amount, not in excess of $500,000, as may be necessary to carry out the provisions of this section."

The bill was ordered to be read a third time, was read the third time, and passed.

The proceedings whereby the House bill H.R. 9734 was passed were vacated.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 9734) was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Consent Calendar.

PROVIDING FOR THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE STATE OF MARYLAND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9334) to provide for the conveyance of certain real property of the United States to the State of Maryland.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. PELLY. Mr. Speaker, reserving the right to object, could the gentleman give us an explanation of this bill?

Mr. ASPINALL. Mr. Speaker, I shall be glad to give an explanation if the gentleman from Washington will yield.

Mr. PELLY. I shall be glad to yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, H.R. 9334 would authorize the Secretary of the Interior to convey to the State of Maryland approximately 14 acres of land located on the University of Maryland campus at College Park, Md., which was originally donated by the State of Maryland to the United States in 1935 as part of a larger tract. The land is situated in the approximate center of the university campus and is now occupied by two buildings used by the Bureau of Mines and the Bureau of Commercial Fisheries. The bill provides that the State would pay the United States the fair market value of the fixed improvements, but there would be no payment for the land.

The unusual growth of the university has created an urgent need for additional building sites and physical facilities. Because of its central location this land is ideally situated for university needs and would be used for the planned expansion. Until such time as replacement facilities are authorized by Congress for the Bureau of Mines and the Bureau of Commercial Fisheries those agencies would continue to occupy the present facilities on the campus without payment of rent.

Similar legislation was passed by the House in 1958 and by the Senate in 1962. H.R. 9334, as amended, is identical to S. 1988 passed by the Senate July 21, 1965.

May I say that this is the culmination of several years' study by the Committee on Interior and Insular Affairs because there was up until this year attached to this bill an authorization to build facilities for the Bureau of Commercial Fisheries and also for the Bureau of Mines. The Committee on Interior and Insular Affairs did not think there was a case made by the Department for these additional facilities, so this part of the original was taken out of the original bill. All we have at the present time is the consent for the land to go to the university and later on the bureau and department will have to come up and make their case for additional authority.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. May I ask the gentleman from Colorado whether or not this bill does not protect the interest of the Government for a period of 10 years so that in this interim period between transfer of the property for its actual value and the time that Congress takes appropriate action to provide facilities for the Bureau of Mines and for the Department of Fish and Wildlife, it may still remain on the campus at the university?

Mr. ASPINALL. The gentleman is correct. This was originally part of the House bill, not part of the Senate bill, so in order to make the two bills the same we struck the provision from the House bill but we made provision for such procedure in the House report, making legislative history on the floor today, with the understanding as given to us by spokesmen for the Department of the Interior and for the university—in the hearings before our committee—that the United States will have a period of not to exceed 10 years to take care of any use that the Department will have of the facilities.

Mr. SAYLOR. During that 10-year period there would be no charges made to the Federal Government for its occupancy of the building?

Mr. ASPINALL. The gentleman is correct.

Mr. GROSS. Mr. Speaker, further reserving the right to object, are we dealing with H.R. 9334?

Mr. ASPINALL. H.R. 9334 to start with, then the gentleman from Colorado is going to ask to consider the Senate bill just as soon as the House bill is approved.

Mr. GROSS. Which contains the 10-year provision?

Mr. ASPINALL. The Senate bill does not retain the 10-year provision.

Mr. GROSS. What are we doing?

Mr. ASPINALL. The legislative history that we have written in committee and are now writing on the floor.

Mr. GROSS. All we have is the legislative history written on the floor?

Mr. ASPINALL. Yes; and by the report of the Committee on Interior and Insular Affairs.

Mr. GROSS. Does the report speak of 3 or 4 years instead of 10 years?

Mr. ASPINALL. No. What the report speaks about in reference to 3 or 4 years, it is hoped by the Department they will be able to have the Congress within the next session of Congress, or within the next Congress propose an authorization for these new facilities. That is what the 3 and 4 years refers to. If they do not have that authority at the end of 3 or 4 years they will have the right to use these facilities for the remainder of the 10 years or any part thereof.

Mr. GROSS. The thing that intrigues me is the fact the report says there is an urgent need by the University of Maryland for this 14 acres of land. This may well be true but, on the other hand, there is no planning, so far as the report indicates, for new buildings to replace those now occupied by the Government. This cannot be so urgent in view of the 10-year provision.

Fourteen acres of valuable Government land are being turned over to the University of Maryland. On these 14 acres of land, there are two buildings used by two departments of Government. It is going to cost a considerable amount of money to replace those buildings. I do not want to see us go into a situation whereby we have to put up two buildings somewhere else under forced draft, with the taxpayers having to pay a bill that would be unusual and unwarranted. While the University of Maryland gave the Government this land originally, we have those buildings there and they are being used. I say again it is my hope that nothing will be done now that will result in a forced draft situation that is going to be expensive to the taxpayers of this country.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield, I might say that the university does not have immediate need for the two buildings or the cluster around the two buildings that are used by these two bureaus.

Mr. GROSS. Then the report is somewhat faulty because in the report it says that there is an urgent need by the university for this land.

Mr. ASPINALL. No; I do not think the report is faulty. The university does have an urgent need for the land which is right in the center of the university complex. It does have an urgent need for the land that is not occupied by the buildings. It has this urgent need in order to take care of its construction program, and its planning program. The lease agreement that will be entered into by the Secretary of Interior will provide for possession by the Department of Interior of these buildings. The buildings will be owned by the university just as soon as they are paid for by the university. But they will not be owned and neither will the land be transferred until the final agreement is entered into.

Mr. GROSS. I will say to the gentleman, I am more concerned about the replacement of the buildings to house the Government departments presently on this land. What is the estimated cost of these buildings or is there any estimated cost?

Mr. ASPINALL. There is an estimated cost but no one can tell at the present time what the needs are going to be or where the location is to be and what the final cost will be. This is the reason that this legislation has been held up now for about 3 years when the university has been in need of it.

Mr. GROSS. That may well be, but I do not want the taxpayers of this country penalized and I hope they will not be penalized.

Mr. ASPINALL. They will not be penalized. The Federal Government will receive a fair market value for these buildings—not the land—because the land was given by the State of Maryland to the Federal Government for the purposes for which the land was given to the Federal Government in the first instance.

Mr. GROSS. Let us just not run up a bill here on the taxpayers that can be avoided.

Mr. ASPINALL. I can tell my friend and our colleagues that this is the reason why we divided these two propositions. The Department must come back and make their case for the buildings.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

H.R. 9334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the State of Maryland that tract of land situated on the campus of the University of Maryland at College Park, Maryland, which was heretofore donated to the United States by the State of Maryland, and which is more particularly described as follows:

Beginning at the southeast corner of an original 20.56-acre tract of land conveyed to the United States by deed dated November 9, 1935, and recorded April 20, 1939, in book 521, page 43, of the land records of Prince Georges County, said corner being marked by a cross cut in an iron grating on the north side of university land and immediately north of Symons Hall of the University of Maryland;

thence with the east boundary of the original 20.56-acre tract, north 0 degrees 30 minutes 00 seconds west 681.94 feet to a point;

thence south 89 degrees 30 minutes 00 seconds west 701.88 feet to a point;

thence south 40 degrees 47 minutes 04 seconds west 406.34 feet to a point;

thence south 0 degrees 30 minutes 00 seconds east 376.60 feet to a point;

thence north 89 degrees 30 minutes 00 seconds east 970.00 feet to the point of beginning and containing 14.2452 acres, more or less, and being the total remaining acreage of the original 20.56 acres above mentioned now owned by the United States Government.

SEC. 2. The conveyance authorized by the first section of this Act shall be subject to the conditions (1) that the State of Maryland pay to the United States an amount equal to the fair market value, as determined by the Secretary of the Interior, of the fixed improvements on the tract of land to be conveyed, and (2) that the Secretary of the Interior have the use of the facilities now on such tract for the activities of the Department of the Interior until normal consolidation permits such activities to be moved elsewhere, but in no event for a period of more than ten years.

With the following committee amendments:

Page 2, line 3, strike out "university land" and insert "University Lane."

Page 2, line 19, through page 3, line 4, strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. The conveyance authorized by the first section of this Act shall be subject to the condition that the State of Maryland pay to the United States an amount equal to the fair market value, as determined by the Secretary of the Interior, of the fixed improvements on the tract of land to be conveyed."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1988) to provide for the conveyance of certain real property of the United States to the State of Maryland, an identical bill to the one just passed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill as follows:

S. 1988

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the State of Maryland that tract of land situated on the campus of the University of Maryland at College Park, Maryland, which was heretofore donated to the United States by the State of Maryland, and which is more particularly described as follows:

Beginning at the southeast corner of an original 20.56-acre tract of land conveyed to the United States by deed dated November 9, 1935, and recorded April 20, 1939, in book 521, page 43 of the land records of Prince Georges County, said corner being marked by a cross cut in an iron grating on the north side of University Lane and immediately north of Symons Hall of the University of Maryland;

thence with the east boundary of the original 20.56-acre tract, north 0 degrees 30 minutes 00 seconds west 681.94 feet to a point;

thence south 89 degrees 30 minutes 00 seconds west 701.88 feet to a point;

thence south 40 degrees 47 minutes 04 seconds west 406.34 feet to a point;

thence south 0 degrees 30 minutes 00 seconds east 376.60 feet to a point;

thence north 89 degrees 30 minutes 00 seconds east 970.00 feet to the point of beginning and containing 14.2452 acres, more or less, and being the total remaining acreage of the original 20.56 acres above mentioned now owned by the United States Government.

SEC. 2. The conveyance authorized by the first section of this Act shall be subject to the condition that the State of Maryland pay to the United States an amount equal to the fair market value, as determined by the Secretary of the Interior, of the fixed improvements on the tract of land to be conveyed.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the proceedings whereby the House bill was passed are vacated and the House bill laid upon the table.

There was no objection.

ACQUISITION OF LANDS WITHIN THE UINTA NATIONAL FOREST, UTAH

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to return to the Consent Calendar No. 166, the bill (S. 1764) to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture, and ask for its present consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to promote in timely and adequate manner control of floods that may originate thereon and the reduction of soil erosion through the restoration of adequate vegetative cover and to provide for their management, protection, and public use as national forest lands under principles of multiple use and sustained yield, the Secretary of Agriculture is authorized to acquire at not to exceed the fair market value as determined by him such of the nonfederally owned land in the area described in section 2 hereof as he finds suitable to accomplish the purposes of this Act.

SEC. 2. This Act shall be applicable to lands within the boundary of the Uinta National Forest described as follows:

SALT LAKE MERIDIAN

Township 5 south, range 3 east, sections 25 to 27, inclusive, and sections 34 to 36, inclusive.

Township 6 south, range 3 east, sections 1, 2, 11, 12, 13, 14, and 26.

Township 5 south, range 4 east, sections 27 to 35, inclusive.

Township 6 south, range 4 east, sections 2 to 10, inclusive, and section 16.

SEC. 3. There is hereby authorized to be appropriated for purposes of this Act not to exceed $300,000, to remain available until expended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SAYLOR. Mr. Speaker, a few minutes ago when Consent Calendar No. 166 was called, being S. 1764, "An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture," after a colloquy with the gentleman from Utah [Mr. KING] I asked that this bill be passed over without prejudice which request was granted.

The National Forest Reservation Commission, established by Congress under an act commonly referred to as the Weeks law, has as its purpose the purchase and acquisition of inholdings within our national forests, providing these inholdings or acquisitions were useful for the production of forest products and contribute to the control of waters on navigable streams.

The National Forest Reservation Commission has done an outstanding job over the years in handling acquisitions and additions to our national forests.

Following the discussion on the floor of the House, I immediately contacted the Secretary of the Commission to determine why the acquisition of this inholding had not been referred to that Commission for consideration. I was informed by the Secretary that the Commission too had been concerned about this legislation, and the same question had been asked by the Secretary of the Army, who is also a member of the Commission.

An examination of the land indicates that while it will be useful for watershed protection for the city of Provo, Utah, it does not drain into a navigable stream and therefore does not comply with the requirements of the Weeks law to be considered by the Commission.

Therefore, I am pleased to have had the House reconsider this bill under my unanimous consent request and to have passed S. 1764.

Mr. de la Garza. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. King] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KING of Utah. Mr. Speaker, during the consideration of S. 1764 on the Consent Calendar today, some question was raised about the approval by the National Forest Reservation Commission of the land-acquisition provided for in the bill.

I am happy to report that the chief of the Forest Service has informed me that the land covered under S. 1764, which is identical to my own bill, H.R. 8344, does not come under the jurisdiction of the National Forest Reservation Commission. The Commission operates under the Weeks Law which applies only to lands of navigable streams. The Provo Canyon bill does not involve watershed lands of a navigable stream.

The letter to me from the Forest Service is as follows:

U.S. Department of Agriculture,
Forest Service,
Washington, D.C., September 20, 1965.

Hon. David S. King,
House of Representatives.

Dear Mr. King: Reference is made to your request for information about the relationship between the National Forest Reservation Commission and the proposed land purchase under H.R. 8344.

The National Forest Reservation Commission operates under the Weeks Law. This law applies to lands needed for timber production or protection of watersheds navigable streams. The area included in H.R. 8344 drains into the great basin; therefore the regular Weeks Law procedure does not apply and the National Forest Reservation Commission could not set up a purchase unit. An act of Congress is therefore needed.

As a matter of policy we do bring the actual individual purchase cases before the Commission before finalization of each purchase. The Commission therefore has a chance to determine whether or not the price paid is reasonable and in relation to other purchases of land for National Forest purposes.

Sincerely yours,

Edward P. Cliff,
Chief.

I thank the gentleman from Pennsylvania [Mr. Saylor] for agreeing to withdraw his objection after requesting and receiving similar information from the Forest Service. The people of Provo have waited a long time for this bill to be passed. It will allow the Forest Service to acquire valuable watershed land and, through proper management and control, to keep the water supply of the city of Provo safe, and prevent the dangers from floods and soil erosion.

GROUP LIFE INSURANCE FOR THE UNIFORMED SERVICES

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10873) to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 19 of title 38, United States Code, is amended by redesignating "Subchapter III—General" thereof as "Subchapter IV—General" and by inserting immediately after subchapter II thereof the following new subchapter III:

"SUBCHAPTER III—SERVICEMEN'S GROUP LIFE INSURANCE

"§ 765. Definitions

"For the purpose of this subchapter—

"(1) The term 'active duty' means full-time duty as a commissioned or warrant officer, or as an enlisted member of a uniformed service under a call or order to duty that does not specify a period of thirty days or less.

"(2) The term 'member' means a person on active duty in the uniformed services in a commissioned, warrant, or enlisted rank or grade.

"(3) The term 'uniformed services' means the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, and Environmental Sciences Services Administration.

"§ 766. Eligible insurance companies

"(a) The Administrator is authorized, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), to purchase from one or more life insurance companies a policy or policies of group life insurance to provide the benefits specified in this subchapter. Each such life insurance company must (1) be licensed to issue life insurance in each of the fifty States of the United States and in the District of Columbia, and (2) as of the most recent December 31 for which information is available to the Administrator, have in effect at least 1 per centum of the total amount of group life insurance which all life insurance companies have in effect in the United States.

"(b) The life insurance company or companies issuing such policy or policies shall establish an administrative office at a place and under a name designated by the Administrator.

"(c) The Administrator shall arrange with the life insurance company or companies issuing any policy or policies under this subchapter to reinsure, under conditions approved by him, portions of the total amount of insurance under such policy or policies with such other life insurance companies (which meet qualifying criteria set forth by the Administrator) as may elect to participate in such reinsurance.

"(d) The Administrator may at any time discontinue any policy or policies which he has purchased from any insurance company under this subchapter.

"§ 767. Persons insured; amount

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure any member of the uniformed services on active duty against death in the amount of $10,000 from the first day of such duty, or from the date certified by the Administrator to the Secretary concerned as the date Servicemen's Group Life Insurance under this subchapter takes effect, whichever date is the later date, unless such member elects in writing (1) not to be insured under this subchapter, (2) to be insured in the amount of $5,000.

"(b) If any member elects not to be insured under this subchapter or to be insured in the amount of $5,000, he may thereafter be insured under this subchapter or insured in the amount of $10,000 under this subchapter, as the case may be, upon written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator.

"§ 768. Termination of coverage; conversion

"Each policy purchased under this subchapter shall contain a provision, in terms approved by the Administrator, to the effect that any insurance thereunder on any member of the uniformed services shall cease (except in the case of members absent without leave) one hundred and twenty days after his separation or release from active duty, and that during the period such insurance is in force the insured upon request to the administrative office established under subsection 766(b) of this title shall be furnished a list of life insurance companies participating in the program established under this subchapter and upon written application (within such period) to the participating company selected by the insured and payment of the required premiums be granted insurance without a medical examination on a plan then currently written by such company which does not provide for the payment of any sum less than the face value thereof or for the payment of an additional amount as premiums if the insured engages in the military service of the United States, to replace the Servicemen's Group Life Insurance in effect on the insured's life under this subchapter. In addition to life insurance companies participating in the program established under this subchapter, such list shall include additional life insurance companies (not so participating) which meet qualifying criteria, terms, and conditions established by the Administrator and agree to sell insurance to members and former members in accordance with the provisions of the preceding sentence. In the case of any member who is absent without leave for a period of more than thirty-one days, insurance under this subchapter shall cease as of the date such absence commenced. Any such member so absent without leave, upon return to duty, may again be insured under this subchapter, but only if he complies with the requirements set forth in section 767(b) of this section.

"§ 769. Deductions; payment; investment; expenses

"(a) During any period in which a member is insured under a policy of insurance purchased by the Administrator, under section 766 of this title, there shall be deducted each month from his basic or other pay until separation or release from active duty an amount determined by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under such policy, less any costs traceable to the extra hazard of active duty in the uniformed service. Any amount not deducted from the basic or other pay of a member insured under this subchapter while on active duty, if not otherwise paid, shall be deducted from the proceeds of any insurance thereafter payable. The initial monthly amount determined by the Administrator to be charged under this subsection for insurance under this subchapter may be continued from year to year, except that the Administrator may redetermine such monthly amount from time to time in accordance with experience. No refunds will be made to any member of any such amount properly deducted from his basic or other pay to cover the insurance granted under this subchapter.

"(b) For each month for which any member is so insured, there shall be contributed from the appropriation made for his pay an amount determined by the Administrator and certified to the Secretary concerned to be the cost of such insurance which is traceable to the extra hazard of active duty in the uniformed services. Such cost shall be determined by the Administrator on the basis of the excess mortality suffered by members and former members of the uniformed services insured under this subchapter above that incurred by the male civilian population of the United States of the same age as the median age of members of the uniformed services (disregarding a fraction of a year) as shown by the records of the uniformed services, the primary insurer or insurers, and the Department of Health, Education, and Welfare, together with the most current estimates of such mortality. The Administrator is authorized to make such adjustments regarding such contributions from pay appropriations as may be indicated from actual experience.

"(c) An amount equal to the first amount due on any such insurance may be advanced from current appropriations for active-service pay to any such member, which amount shall constitute a lien upon any service or other pay accruing to the person from whom such advance was made and shall be collected therefrom if not otherwise paid. No disbursing or certifying officer shall be responsible for any loss incurred by reason of such advance.

"(d) (1) The sums withheld from the basic or other pay of members under subsection (a) of this section, and the sums contributed from appropriations under subsection (b) of this section, together with the income derived from any dividends or premium rate adjustments received from insurers shall be deposited to the credit of a revolving fund established in the Treasury of the United States. All premium payments and extra hazard costs on any insurance policy or policies purchased under section 766 of this title and the administrative cost to the Veterans' Administration of insurance issued under this subchapter shall be paid from the revolving fund.

"(2) The Administrator is authorized to set aside out of the revolving fund such amounts as may be required to meet the administrative costs to the Veterans' Administration of insurance issued under this subchapter and all current premium payments and extra hazard costs on any insurance policy or policies purchased under section 766 of this title. The Secretary of the Treasury is authorized to invest in and to sell and retire special interest-bearing obligations of the United States for the account of the revolving fund. Such obligations issued for this purpose shall have maturities fixed with due regard for the needs of the fund and shall bear interest at a rate equal to the average market yield (computed by the Secretary of the Treasury on the basis of market quotations as of the end of the calendar month next preceding the date of issue) on all marketable interest-bearing obligations of the United States then forming a part of the public debt which are not due or callable until after the expiration of four years from the end of such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligation shall be the multiple of one-eighth of 1 per centum nearest such market yield.

"(3) Notwithstanding the provisions of section 782 of this title, the Administrator shall, from time to time, determine the administrative costs to the Veterans' Administration which in his judgment are properly allocable to insurance issued under this subchapter and shall transfer such cost from the revolving fund to the appropriation 'General operating expenses, Veterans' Administration'.

"§ 770. Beneficiaries; payment of insurance

"(a) Any amount of insurance under this subchapter in force on any member or former member on the date of his death shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date of his death, in the following order of precedence:

"First, to the beneficiary or beneficiaries as the member or former member may have designated by a writing received in the uniformed services prior to such death;

"Second, if there be no such beneficiary, to the widow or widower of such member or former member;

"Third, if none of the above, to the child or children of such member or former member and descendants of deceased children by representation;

"Fourth, if none of the above, to the parents of such member or former member or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such member or former member;

"Sixth, if none of the above, to the other next of kin of such member or former member entitled under the laws of domicile of such member or former member at the time of his death.

"(b) If any person otherwise entitled to payment under this section does not make claim therefor within one year after the death of the member or former member, or if payment to such person within that period is prohibited by Federal statute or regulation, payment may be made in the order of precedence as if such person had predeceased the member or former member, and any such payment shall be a bar to recovery by any other person.

"(c) If, within two years after the death of the member or former member, no claim for payment has been filed by any person entitled under the order of precedence set forth in this section, and neither the Administrator nor the administrative office established by the insurance company or companies pursuant to section 766(b) of this title has received any notice that any such claim will be made, payment may be made to a claimant as may in the judgment of the Administrator be equitably entitled thereto, and such payment shall be a bar to recovery by any other person. If, within four years after the death of the member or former member, payment has not been made pursuant to this section and no claim for payment by any person entitled under this section is pending, the amount payable shall escheat to the credit of the revolving fund referred to in section 769(d).

"(d) The member may elect settlement of insurance under this subchapter either in a lump sum or in thirty-six equal monthly installments. If no such election is made by the member the beneficiary or beneficiaries may elect settlement either in a lump sum or in thirty-six equal monthly installments. If the member has elected settlement in a lump sum, the beneficiary or beneficiaries may elect settlement in thirty-six equal monthly installments.

"§ 771. Basic tables of premiums; readjustment of rates

"(a) Each policy or policies purchased under section 766 of this title shall include for the first policy year a schedule of basic premium rates by age which the Administrator shall have determined on a basis consistent with the lowest schedule of basic premium rates generally charged for new group life insurance policies issued to large employers, this schedule of basic premium rates by age to be applied, except as otherwise provided in this section, to the distribution by age of the amount of group life insurance under the policy at its date of issue to determine an average basic premium per $1,000 of insurance. Each policy so purchased shall also include provisions whereby the basic rates of premium determined for the first policy year shall be continued for subsequent policy years, except that they may be readjusted for any subsequent year, based on the experience under the policy, such readjustment to be made by the insurance company or companies issuing the policy on a basis determined by the Administrator in advance of such year to be consistent with the general practice of life insurance companies under policies of group life insurance issued to large employers.

"(b) The total premiums for the policy or policies shall be the sum of the amounts computed according to the provisions of subsection (a) above and the estimated costs traceable to the extra hazard of active duty in the uniformed services as determined by the Administrator, subject to the provision that such estimated costs traceable to the extra hazard shall be retroactively readjusted annually in accordance with section 769(b).

"(c) Each policy so purchased shall include a provision that, in the event the Administrator determines that ascertaining the actual age distribution of the amounts of group life insurance in force at the date of issue of the policy or at the end of the first or any subsequent year of insurance thereunder would not be possible except at a disproportionately high expense, the Administrator may approve the determination of a tentative average group life premium, for the first or any subsequent policy year, in lieu of using the actual age distribution. Such tentative average premium rate shall be redetermined by the Administrator during any policy year upon request by the insurance company or companies issuing the policy, if experience indicates that the assumptions made in determining the tentative average premium rate for that policy year were incorrect.

"(d) Each policy so purchased shall contain a provision stipulating the maximum expense and risk charges for the first policy year, which charges shall have been determined by the Administrator on a basis consistent with the general level of such charges made by life insurance companies under policies of group life insurance issued to large employers. Such maximum charges shall be continued from year to year, except that the Administrator may redetermine such maximum charges for any year either by agreement with the insurance company or companies issuing the policy or upon written notice given by the Administrator to such companies at least one year in advance of the beginning of the year for which such redetermined maximum charges will be effective.

"(e) Each such policy shall provide for an accounting to the Administrator not later than ninety days after the end of each policy year, which shall set forth, in a form approved by the Administrator, (1) the amounts of premiums actually accrued under the policy from its date of issue to the end of such policy year, (2) the total of all mortality and other claim charges incurred for that period, and (3) the amounts of the insurers' expense and risk charge for that period. Any excess of the total of item (1) over the sum of items (2) and (3) shall be held by the insurance company or companies issuing the policy as a special contingency reserve to be used by such insurance company or companies for charges under such policy only, such reserve to bear interest at a rate to be determined in advance of each policy year by the insurance company or companies issuing the policy, which rate shall be approved by the Administrator as being consistent with the rates generally used by such company or companies for similar funds held under other group life insurance policies. If and when the Administrator determines that such special contingency reserve has attained an amount estimated by the Administrator to make satisfactory provision for adverse fluctuations in future charges under the policy, any further excess shall be deposited to the credit of the revolving fund established under section 766 of this title. If and when such policy is discontinued, and if after all charges have been made, there is any positive balance remaining in such special contingency reserve, such balance shall be deposited to the credit of the revolving fund, subject to the right of the insurance company or companies issuing the policy to make such deposit in equal monthly installments over a period of not more than two years.

"§ 5772. Benefit certificates

"The Administrator shall arrange to have each member insured under a policy purchased under section 766 of this title receive a certificate setting forth the benefits to which the member is entitled thereunder, to whom such benefit shall be payable, to whom claims should be submitted, and summarizing the provisions of the policy principally affecting the member. Such certificate shall be in lieu of the certificate which the insurance company or companies would otherwise be required to issue.

"§ 773. Forfeiture

"Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to Servicemen's Group Life Insurance under this subchapter. No such insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

"§ 774. Advisory Council on Servicemen's Group Life Insurance

"There is hereby established an Advisory Council on Servicemen's Group Life Insurance consisting of the Secretary of the Treasury as Chairman, the Secretary of Defense, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, and the Director of the Bureau of the Budget, each of whom shall serve without additional compensation. The Council shall meet once a year, or oftener at the call of the Administrator, and shall review the operations under this subchapter and advise the Administrator on matters of policy relating to his activities thereunder.

"§ 775. Jurisdiction of District Courts

"The district courts of the United States shall have original jurisdiction of any civil action or claim against the United States founded upon this subchapter.

"§ 776. Effective date

"The insurance provided for in this subchapter and the deductions and contributions for that purpose shall take effect on the date designated by the Administrator and certified by him to each Secretary concerned."

(b) Section 211(a) of title 38, United States Code, is amended by inserting "775," immediately before "784".

Sec. 2. The analysis of chapter 19 of title 38, United States Code, is amended (1) by redesignating "Subchapter III—General" as "Subchapter IV—General" and (2) by inserting after

"760. Waiver of premium payment on due date."

the following:

"SUBCHAPTER III—SERVICEMEN'S GROUP LIFE INSURANCE

"Sec.
"765. Definitions.
"766. Eligible insurance companies.
"767. Persons insured; amount.
"768. Termination of coverage; conversion.
"769. Deductions; payment; investment; expenses.
"770. Beneficiaries; payment of insurance.
"771. Basic tables of premiums; readjustment of rates.
"772. Benefit certificates.
"773. Forfeiture.
"774. Advisory Council on Servicemen's Group Life Insurance.
"775. Jurisdiction of District Courts.
"776. Effective date."

Sec. 3. (a) In the case of each veteran who died or dies—

(1) as a direct result of actions of hostile forces;

(2) as a direct result of an accident involving a military or naval aircraft or an aircraft under charter to the Department of Defense, Army, Navy, or Air Force;

(3) as a direct result of an explosion of an instrumentality of war; or

(4) while performing service for which incentive pay for hazardous duty or special pay is authorized by section 301, 304, or 310 of title 37, United States Code; while in the active military, naval, or air service during the period from January 1, 1957, to the date immediately preceding the date on which the Servicemen's Group Life Insurance program is placed in effect pursuant to section 776 of title 38, United States Code, both dates inclusive, the Administrator of Veterans' Affairs shall pay a death gratuity to the widow or widower, child or children, or parent or parents of such veteran, as provided in subsection (b), in an amount not exceeding $5,000, determined as provided in subsection (c), but only if (A) application is made for such death gratuity within one year after the date of enactment of this Act and (B) the person or persons receiving a death gratuity under this section waive all future rights to death compensation and dependency and indemnity compensation, under title 38, United States Code, on account of the death of such veteran.

(b) The death gratuity authorized by this section shall be paid to the following classes of persons and in the order named—

(1) to the widow or widower of the veteran, if living;

(2) if no widow or widower, to the child or children of the veteran, if living, in equal shares;

(3) if no widow, widower, or child, to the parent or parents of the veteran who last bore that relationship, if living, in equal shares.

(c)(1) The death gratuity authorized by this section shall be $5,000 reduced by the aggregate amount of (A) United States Government Life Insurance and National Service Life Insurance paid or payable on account of the death of such veteran and (B) any death compensation or dependency and indemnity compensation received on account of the death of such veteran by the person or persons who receive such death gratuity.

(2) In any case where two or more persons are eligible for a death gratuity under this section on account of the death of the same veteran but one or more of such persons do not waive future death compensation or dependency and indemnity compensation payable under title 38, the Administrator shall pay his or their share of such death gratuity to the person or persons waiving such compensation. However, the death compensation or dependency and indemnity compensation payable to any other person shall not be increased solely as the result of an election and waiver under this section.

(3) The right of any person to payment of a death gratuity under this section shall be conditioned upon his being alive to receive such payment. No person shall have a vested right to any such payment and any payment not made during the person's lifetime shall be paid to the person or persons within the permitted class next entitled to priority, as provided in subsection (b).

(d) Any terms used in this section which are defined in section 101 or 102(b) of title 38, United States Code, shall, for the purposes of this section, have the meanings given to them by such section 101 or 102(b), except that (1) the term "veteran", as used in this section, includes a person who dies while in the active military, naval, or air service and (2) the term "child" shall not be limited with respect to age or marital status.

(e) Appropriations made to the Veterans' Administration for "Compensation and Pensions" shall be available for the payment of death gratuities under this section.

The SPEAKER pro tempore. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, the second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. Teague] will be recognized for 20 minutes and the gentleman from California [Mr. Teague] will be recognized for 20 minutes.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the Record in this legislation.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. TEAGUE of Texas. Mr. Speaker, the bill which we are considering today has been worked out over a period of weeks due to the diligent operation and consideration of the members of the Subcommittee on Insurance, headed by the gentleman from Tennessee [Mr. Robert A. Everett]. I wish to commend him and his group, the gentleman from North Carolina [Mr. Kornegay], the gentleman from Ohio [Mr. Secrest], the gentleman from California [Mr. Brown], the gentleman from Wyoming [Mr. Roncalio], the gentleman from California [Mr. Teague], the gentleman from Kansas [Mr. Ellsworth], and the gentleman from Ohio [Mr. Ayres].

The bill provides for a group life insurance program and also has a retroactive death gratuity feature covering a limited number of deaths which occurred on and after January 1, 1957, and prior to the date that the group program becomes effective.

This program will be administered by the Veterans' Administration and underwritten by the private insurance industry. We hope for and expect broad industry participation.

The bill empowers the Administrator to arrange that the company or companies writing the "prime" or "master" group policies reinsure with other insurers. The committee's intention is that there would be broad participation in that reinsurance.

In particular—and in this respect I want to emphasize what the committee's report shows to be the intent of this bill—the reinsurance should be arranged taking into account the proportion of the participation that the country's life insurance companies have been showing in writing insurance on their own initiative on the lives of men in the uniformed services and not restricted to insurance companies under the limited formula of the bill. Participation in this program should be allocated, taking into account the total amount of insurance in force which the various companies have already written on the lives of members of the uniformed services. The Administrator has latitude under the bill to develop a formula on this. The necessary data is readily available from such sources as the allotment records of the military services.

It is definitely not the intention of this bill to displace those companies which have devoted themselves to the provision of insurance on the lives of military personnel, and the intent of the reinsurance provision is that these companies will not be displaced.

It is fully supported by the Department of Defense and the Veterans' Administration. The only cost will be due to the extra hazards of the service, estimated at the present time to be $4 million a year so long as casualties in Vietnam are not increased. Section 3 relates to the retroactive feature which has a one-time cost estimated at $19,700,000.

Many individuals in the Department of Defense and the Veterans' Administration were consulted on this proposal. Because of their unique contribution and great amount of effort, I want to commend particularly Mr. Donald C. Knapp, the Assistant General Counsel of the Veterans' Administration, and his associate, Mr. Edward Ogle. Mr. William Poissant, Chief Actuary of the Veterans' Administration, was extremely helpful in presenting actuarial data in such a manner as to make it understandable to laymen. As usual, Mr. Robert Guthrie of the Office of the Legislative Counsel of the House turned in a sterling performance. To these individuals who made lasting contributions, the committee and the House is indeed indebted.

I ask unanimous consent to include as a part of my remarks at this point several expressions of support of this legislation from various organizations:

WASHINGTON, D.C.,
September 20, 1965.

OLIVER E. MEADOWS,
Staff Director, House Committee on Veterans' Affairs, House of Representatives:

The Retired Officers Association supports enactment of H.R. 10873 to provide group life insurance to uniform services.

JAMES W. CHAPMAN,
Legislative Counsel.

SEPTEMBER 20, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.:

H.R. 10873 provides dependency and indemnity compensation or death gratuity to the survivors of deceased servicemen from January 1, 1957, and insurance coverage to present servicemen and future veterans. The Disabled American Veterans support the provisions of H.R. 10873 and encourages its enactment into law.

CLAUDE L. CALLEGARY,
National Commander,
Disabled American Veterans.

WASHINGTON, D.C.

WASHINGTON, D.C.,
September 18, 1965.

OLIN E. TEAGUE,
Chairman, House Committee on Veterans' Affairs, U.S. House of Representatives, Washington, D.C.:

VFW supports H.R. 10873 to authorize low-cost insurance for members of armed services who are carrying on the fight against communism. Delegates representing 1,300,000 members to the 66th National Convention held in Chicago, Ill., last August adopted resolution calling for adequate insurance protection for all in service deaths since end of Korean war. H.R. 10873 substantially carries out VFW position. Urgently requested that H.R. 10873 be favorably considered and passed by House at earliest opportunity.

ANDY BORG,
Commander in Chief, Veterans of Foreign Wars of the United States.

WASHINGTON, D.C.,
September 20, 1965.

Hon. OLIN E. TEAGUE,
Chairman, House Veterans' Affairs Committee, Cannon Office Building, Washington, D.C.

DEAR CONGRESSMAN TEAGUE: AMVETS unanimously support H.R. 10873 which will provide group life insurance for uniform servicemen now on active duty in South Vietnam and throughout the world. AMVETS sincerely hope that the U.S. Congress will pass this very important legislation today.

DON SPAGNOLO,
National Executive Director.

WASHINGTON, D.C.,
September 20, 1965.

Hon. OLIN E. TEAGUE,
Chairman, House Committee on Veterans' Affairs, House Office Building, Washington, D.C.:

The Reserve Officers Association of the United States is following with interest the hearings of your committee on H.R. 10873 which would authorize insurance coverage for all servicemen on active duty. This association strongly supports this bill and urges your committee to favorably report same with a view toward enactment in this session of Congress.

JOHN T. CARLTON,
Colonel, U.S. Army Reserve,
Executive Director.

WASHINGTON, D.C.,
September 20, 1965.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.:

As I stated before the President's Cabinet Committee on Federal Staff Retirement Systems on July 14, the Air Force Association supports a group life insurance program for the military made available to servicemen on the same voluntary basis as that provided for members of the civil service. As a substitute measure, the Air Force Association urges the enactment of H.R. 10873.

JESS LARSON,
President.

I yield such time as he may desire to the chairman of the subcommittee, the gentleman from Tennessee [Mr. EVERETT].

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, I appreciate the kind remarks of the chairman of the Committee on Veterans' Affairs, the gentleman from Texas [Mr. TEAGUE], concerning the activities of the Subcommittee on Insurance which were only possible, of course, through his full cooperation and support.

I am happy to say that this bill is supported by the Department of Defense and the Veterans' Administration.

The bill sets up a servicemen's group life insurance program. It provides a group life insurance program for all members of the uniformed service who are on active duty on the effective date designated by the Administrator of Veterans' Affairs for the program.

Coverage is automatic, with the serviceman required to take affirmative action to take himself out of the program. The coverage provided is $10,000 or $5,000, no other amounts. If the serviceman elected out of the program and later applies for readmission, he must show good health.

Premium rates, for servicemen, are expected to be $2 a month for $10,000 of group insurance and $1 per month for $5,000 of group insurance, including claim and administrative costs. This cost may be adjusted, hopefully downward, as experience dictates.

Servicemens' premiums would be deducted from their pay by the Department of Defense and remitted to the Veterans' Administration.

The deductions from the pay would cover the administrative expenses of the Veterans' Administration.

The extra hazard cost of insuring servicemen would be paid by the United States after determination on an actuarial basis, with total payment for extra hazard cost estimated at $4 million a year during periods when casualties are at present levels. Peacetime costs would not entail any extra hazard contribution, or at most a very small one.

The insured may elect settlement in a lump-sum payment or in 36-month period in equal monthly installments. If the insured fails to make such election, the beneficiary may do so. The insured may designate any person as a beneficiary. If an affirmative designation is not made, the insurance would be paid in the following order: widow or widower; child or children; parents; if none of the above, to the executor or administrator of the estate; if none of the above, to the next of kin of such member or former member under the laws of domicile of such member at the time of his death.

Upon discharge from the service, the individual is protected in the full amount of his policy for 120 days, the cost for this being borne by premiums paid during the period of his active service.

While covered by insurance under this program an individual would have the right to obtain from a private insurance company an insurance policy without medical examination in an amount equal to the group insurance policy under which he was protected during the period of service.

If the man has a service-connected disability, he would be eligible for a commercial policy without medical examination under this program and, in addition, would be eligible for a $10,000 service disabled veteran's insurance policy administered by the Veterans' Administration.

The number of participating companies would be determined by the Administrator. The expectation is that the number of companies insuring and reinsuring under this program will closely approximate the number under the existing Federal employees group life insurance program. The primary insurer or insurers would be required to be eligible to do insurance business in all 50 States and the District of Columbia while reinsurers would not be so limited.

Group life insurance coverage under this program would be in addition to any U.S. Government Life Insurance or National Service Life Insurance which the serviceman might hold.

The death gratuity program would cover death incurred in the active military, naval, or air service during the period from January 1, 1957, to the effective date of the servicemen's group life insurance program. The death must have resulted from, first, action of hostile forces; second, an accident involving a military or naval aircraft; third, an explosion of an instrumentality of war; fourth, the performance of service for which certain incentive or special pay for hazardous duty is authorized.

Death gratuity payments would be made to the widow of the veteran; if no widow is living, then to his child or children; and if no widow or child is living, then to his living parent or parents. No other persons would be eligible.

Recipients of death gratuity payments would have to waive all future death compensation or dependency and indemnity compensation on account of the death of the veteran with respect to whom the death gratuity is paid.

The amount of death gratuity payment would be $5,000, reduced by the amount of U.S. Government Life Insurance or National Service Life Insurance paid or payable on account of the death of the veteran and any death compensation or dependency and indemnity compensation received on account of the death of such veteran by the recipient of the death gratuity.

I want to close my remarks by expressing my appreciation to my colleagues on the Subcommittee on Insurance for their understanding and full support. All of our actions in the subcommittee and the full committee were by unanimous vote, and I hope that this measure may be speedily enacted into law.

There is one other matter I should like to bring to the attention of the House. Senator TALMADGE was the leader in passing the Senate version of this bill. I have a letter from him. I read it to the House:

> SEPTEMBER 16, 1965.
>
> Hon. ROBERT A. EVERETT,
> *Chairman, Subcommittee on Insurance, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.*
>
> DEAR CONGRESSMAN: Thank you for your letters of September 14 and 15, and the enclosures, regarding the action taken by your subcommittee on servicemen's insurance.
>
> It is gratifying to see the Veterans' Committee propose legislation in an area which, unfortunately, has been ignored for too long a period of time.
>
> With warm personal regards, I am
> Sincerely,
> HERMAN E. TALMADGE.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. EVERETT. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I thank the gentleman for yielding, because I am interested in the statement contained in item 3 of the blue sheet, which is:

> Premium rates, for servicemen, are expected to be $2 a month for $10,000 of group insurance and $1 per month for $5,000 of group insurance, including claim and administrative costs.

Does the gentleman have any figures to support the cost of $2 a month for $10,000 of insurance, which is $24 a year?

Mr. EVERETT. That figure comes from the Chief Actuary of the Veterans' Administration. Hopefully it may even be less.

Mr. ROGERS of Colorado. I find in paragraph 769, on page 19 of the bill, that the amount of the premium is going to be determined by the Veterans' Administration, by the Administrator.

Mr. EVERETT. That is correct.

Mr. ROGERS of Colorado. If it can be had for $2 a month, and the companies have agreed that they can do it for $2 a month, why do we not write that into the law?

Mr. EVERETT. There is no experience in this field, at this time. We are plowing a new field.

Mr. ROGERS of Colorado. That leads to the next question. This is group insurance?

Mr. EVERETT. That is correct.

Mr. ROGERS of Colorado. A premium of $24 a year is exceedingly cheap, we will all agree. I doubt whether the gentleman or I or any group could go out to buy it at that rate. However, under item 6 of the blue sheet it is stated:

> The extra hazard cost of insuring servicemen would be paid by the United States after determination on an actuarial basis, with the total payment for extra hazard cost estimated at $4 million a year during periods when casualties are at present levels. Peacetime costs would not entail any extra hazard contribution, or at most a very small one.

Now my question is, when it is determined what the extra cost for the hazard may be, is this $4 million then paid to the insurance company?

Mr. EVERETT. The program will work in this fashion:

At the end of the year the Veterans' Administration will have an accounting and ascertain from the Department of Defense the average age of the individuals in the service. It will thereafter obtain from the Bureau of the Census the latest mortality rate at that age for the population generally. The prime insurer or insurers will, as an example, present a bill to the Veterans' Administration saying $50 million has been paid in death claims. Based on the formula of the average age and the population statistics, the Veterans' Administration will determine, as an example, that the normal death claims would cost $46 million. The VA will therefore pay to the prime insurer or insurers $4 million as the extra-hazard cost, due to the extra hazards of military service, and this $4 million will come from the pay appropriation available to the various Armed Forces under the Department of Defense.

Mr. ROGERS of Colorado. I understand, then, that the $4 million would be paid into a revolving fund which does not go to the insurance company at the time. Is that right?

Mr. EVERETT. I believe my previous reply answers the point.

Mr. ROGERS of Colorado. And if there is a death, that leads to further complications.

Mr. EVERETT. Would the gentleman please state that again?

Mr. ROGERS of Colorado. There is $4 million that is estimated will be paid for this hazardous duty or whatever the extra premium may be for this hazardous duty in the military, as I understand it, which will be placed into a separate fund. The individual, as I understand it from the bill, when he gets into the service automatically comes in under the $2 a month premium unless he declares otherwise.

Mr. EVERETT. That is right. He has to put in writing that he wishes to get out of the program.

Mr. ROGERS of Colorado. When the $2 is collected and turned over to the Administrator of the Veterans' Administration, does he thereafter pay the premiums direct to the companies that have come in under this policy?

Mr. EVERETT. The Administrator of the Veterans' Administration does. That has been collected by the Department of Defense from the pay of the serviceman and remitted to the VA.

Mr. ROGERS of Colorado. And they keep that premium and pay out according to the policy that they issue, which has been approved by the Administrator?

Mr. EVERETT. That is right, sir.

Mr. ROGERS of Colorado. What bothers me is that in this hazardous duty premium of $4 million a year, have you set that up separately in its administration and, if you do and somebody's death results from duty action, is the liability then paid by the company that has issued the policy in the first instance?

Mr. EVERETT. This is put into a revolving fund, I may say to the gentleman from Colorado, and all of these claims are paid by the insurance company which has assumed the risk.

Mr. ROGERS of Colorado. Then, what happens to the insurance company that gets the $2? What I am trying to emphasize is that in the first instance you have a policy issued. If there is no hazard in connection with that, the money collected from the serviceman is given to the insurance company. If anything happens to him, that insurance company pays off that policy.

Mr. EVERETT. That is right.

Mr. ROGERS of Colorado. But if he goes into action or gets into a hazardous situation and extra premiums are required to the extent of this estimated $4 million——

Mr. EVERETT. That is right.

Mr. ROGERS of Colorado. Then is that $4 million taken by the Administrator after he has issued the bonds and given to the insurance company or it is retained in the fund?

Mr. EVERETT. No bonds are issued. The program works as I have already explained.

Mr. ROGERS of Colorado. If it all goes into one fund, how much of it has been given to these insurance companies and at what stage?

Mr. EVERETT. As the Administrator decides.

Mr. ROGERS of Colorado. If the Administrator decides that here is a hazardous situation and the premium of $2 is not adequate so I determine that in order to be adequate it is going to take $6 a month, then what happens? Then can he under this bill take the $6 a month and give it to the insurance company?

Mr. EVERETT. If the situation in Vietnam escalates, of course, the extra-hazard cost to the Government will increase.

Mr. ROGERS of Colorado. Then you do not set up a separate fund?

Mr. EVERETT. No; we do not.

Mr. ROGERS of Colorado. But you do pay it to the insurance company for the hazardous duty?

Mr. EVERETT. Yes, sir.

Mr. ROGERS of Colorado. There is no limit to what the Administrator may determine the hazard premiums to be, is that correct?

Mr. EVERETT. There is no limit whatsoever—just plain good judgment and I know we can count on William J. Driver for that.

Mr. ROGERS of Colorado. I thank the gentleman for this explanation.

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks; and immediately after my remarks that the gentleman from Indiana [Mr. ADAIR] be accorded the same privilege; immediately after his, the gentleman from Kansas [Mr. ELLSWORTH] and, after that, the gentleman from Kansas [Mr. SHRIVER].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, the gentleman from Tennessee has accurately and fully explained this bill. He pointed out, correctly, of course, that the measure came out of the subcommittee and the full committee by a unanimous vote. I think this is a splendid piece of legislation.

I might point out for the benefit of my colleagues that if you have received wires or messages from throughout the country, sent by persons engaged in the life insurance business in opposition to the bill I am convinced that these persons do not understand the bill. I think if you will send them a copy of the committee report they will find that they do not object. This is private enterprise. This is coverage provided by the commercial insurance companies under a group plan. This is a splendid example of the cooperation between private enterprise and the Government.

I fully endorse the bill and urge its unanimous adoption by the House.

This bill will provide a program of low-cost group life insurance protection for every man and woman in the Armed Forces of the United States.

In 1957, the insurance or indemnity protection that had been available to members of the Armed Forces was terminated. The need for this type of protection was not great at that time because commercial insurance at standard rates could easily be obtained by servicemen. Today, however, we are confronted with a different situation. With the increasing participation of American troops in the combat action in Vietnam, the insurance industry is confronted with the necessity of inserting war exclusion clauses in life insurance policies. Already, at least one major company in the life underwriting field is using the war exclusion clause in its policies. In the case of servicemen who have been alerted or have received orders for duty in a combat area, it is almost impossible for them to obtain insurance. An insurance industry representative who spoke for 380 life insurance companies writing more than 94 percent of the legal reserve life insurance sold in the Nation, informed our committee that only 10 percent of these 380 companies are still writing life insurance policies without a war exclusion clause on servicemen alerted for combat duty.

Because of the diminishing availability of commercial life insurance to the servicemen of today, our committee found it necessary to explore in depth the manner in which the Federal Government could best remedy this gap in survivor benefits. The result is the bill before you today.

H.R. 10873 provides insurance coverage in the amounts of $10,000 or $5,000 for every person in military service who desires it. The insurance would be underwritten by the insurance industry with the Government bearing the costs of deaths due to extra hazardous service. This cost, based on present levels of extra hazardous casualties, is estimated at $4 million annually. The cost of the insurance to the serviceman is $2 monthly for $10,000 coverage and $1 monthly for $5,000 coverage.

The program would operate in this manner. Upon entrance into military service, the serviceman would automatically be insured for $10,000. If he makes a written request, he may decline the insurance or elect the $5,000 coverage. The insured may designate anyone as his beneficiary. He may also elect either a lump sum settlement or 36 equal monthly installments. The insurance will remain in force for 120 days after separation. During this period, the discharged serviceman may be furnished a list of participating insurance companies, any of which will issue a policy with a similar amount of coverage without a physical examination. This provision of the bill will be of particular value to the seriously disabled veteran who would otherwise be uninsurable.

In addition to the insurance program, H.R. 10873 offers a lump sum death gratuity of $5,000 to the next of kin of any serviceman without Government life insurance who died under certain conditions between January 1, 1957, and the date this legislation becomes effective. Death must have resulted from, first, the action of hostile forces; second, an accident involving military or naval aircraft; third, an explosion of an instrumentality of war; or, fourth, the performance of service for which incentive or hazardous duty pay is authorized. To be entitled to the gratuity, recipients would have to waive any future entitlement to monthly survivor benefits.

Mr. Speaker, this is a good bill and I will support it.

It offers a comprehensive insurance coverage at a reasonable premium rate and equally important, it permits private insurance companies to underwrite the insurance without the Federal Government moving even deeper into the insurance business.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 10873. In so doing, I want to extend my congratulations and thanks to the Subcommittee on Insurance of the Committee on Veterans' Affairs. This group has labored long and hard to bring forth a bill that enjoys the support of the insurance industry as well as most of the veterans' organizations.

The insurance offered under this bill will fill a void in the survivor benefit program. It will permit every serviceman to obtain $5,000 or $10,000 of life insurance at the nominal premium rate of $1 or $2 monthly. While the insurance is not mandatory, the serviceman's affirmative action in writing will be required to refuse it.

The insurance will be available to all servicemen. It makes no distinction between those in a combat zone and those who are not. It proposes a permanent program and will be available to career personnel as well as draftees both now and in the future when U.S. Armed Forces may no longer be engaged in hostile actions.

The cost of this program to the Federal Government today is estimated at $4 million annually. In a strictly peacetime situation, this cost will be reduced considerably because of the decline in deaths due to extra hazardous causes.

One group of survivors in particular, Mr. Speaker, should benefit from this bill. These are the parents of an unmarried serviceman killed in Vietnam. Because parents must meet an extremely stringent income limitation to qualify for monthly survivor benefits, many of them receive no payment from the Federal Government upon the death of a son in combat. I am pleased that H.R. 10873 will provide a death benefit for this deserving group.

Mr. Speaker, this bill will provide an immediate, low-cost group insurance program, available to all servicemen at a minimum cost to the Federal Government. I urge my colleagues to join me in supporting this measure.

Mr. ELLSWORTH. Mr. Speaker, at the outset I want to recognize, and express my deep appreciation for, the leadership of the distinguished junior Senator from Georgia, in this important field of insurance coverage for our American boys who are being called daily into combat in defense of freedom and liberty. The able and courageous junior Senator from Georgia, together with his colleagues of the other body who joined with him in sponsoring legislation in this field are entitled to the tribute of all Americans everywhere.

In today's troubled world, American boys are being asked to risk their lives in the defense of freedom. When an American fighting man is killed in the line of duty in such action spots as Vietnam, the Dominican Republic—or even on our own shores—no amount of legislation can remove the heartbreak and sorrow of his family and friends. We can remove some of the financial strain, and I therefore urge the House of Representatives to pass the bill before us, providing a group life insurance program for all members of the uniformed service on active duty.

This bill provides coverage of $10,000 or $5,000 at the serviceman's option, for a low premium of 20 cents per $1,000 per month. Coverage is automatic unless the serviceman takes himself out of the program. The insured may elect settlement in a lump-sum payment or in 36 monthly installments, and the insurance is in addition to any U.S. Government life insurance or national service life insurance the serviceman may hold. Dependents of military men killed in action, or performance of service since 1957, when a previous program expired, are entitled to a $5,000 gratuity.

Although the administration opposed similar legislation during Senate hearings, I am pleased that the President has apparently changed his mind and supports the House committee bill. Such insurance is overdue, but it is gratifying to note the speedy action being taken by Congress on a matter of great importance to our servicemen, their wives, and their children.

It is understandable that many life insurance companies have felt that they could not, as a matter of fairness to existing policyholders, undertake to insure large numbers of servicemen alerted for combat areas. Even though a minority of the companies have continued to issue limited amounts of insurance to military personnel bound for Vietnam, such servicemen have often found it difficult to obtain the insurance on short notice.

The group life insurance program provided under H.R. 10873 will remedy this situation without getting the Federal Government into the life insurance business and without providing insurance when it is not needed. This program should also serve as a permanent solution to the problem of providing additional coverage whenever this may be advisable as the cold war waxes and wanes. Its practicability and flexibility have been tested by some 10 years' experience with a similar program for civilian employees of the Federal Government.

Upon termination of his military service, or even while in the service, each serviceman who takes advantage of the group insurance program will be entitled to convert his group insurance, without a medical examination, to a policy or a plan issued by a private company in an amount equal to his group insurance. He will be able to do so not only with any company that qualifies as a primary reinsurer or a reinsurer of the program but also with any other company that meets criteria or conditions laid down by the Administrator of Veterans' Affairs. Companies throughout the country, regardless of whether or not they choose to become primary reinsurers of the program, will be able to offer their services to veterans when they convert their group insurance.

The serviceman who has a service-connected disability will be able to exercise the right of conversion without a medical examination and also avail himself of a $10,000 service disabled veterans insurance administered by the Veterans' Administration. Thus the veteran who needs life insurance most will be doubly protected.

I believe firmly that, as result of this group life insurance program for military personnel, the life insurance agents of this country—who have been an indispensable element of good insurance service over the years—will have new and greater opportunities to help veterans in the future, if only because the agent can be of real assistance to the veteran at the time of conversion of the group insurance. Furthermore, the veterans' perspective of what constitutes an adequate amount of insurance is likely to be considerably enlarged by his carrying $10,000 group life insurance.

Group life insurance was an American invention and I am glad that by enacting this legislation we can use this mechanism to provide effectively for the additional insurance needs of our Armed Forces through a uniquely American arrangement.

Mr. SHRIVER. Mr. Speaker, I rise in support of H.R. 10873 which provides a group life insurance plan for all members of the armed services who are on active duty in the United States and throughout the world.

At a time when Americans are again being called to the colors in increasing numbers to risk their lives in defense of the freedoms we all enjoy, it is important that we provide them and their loved ones with this protection. There is no way we can remove the sorrow and heartbreak caused by the death of an American serviceman who loses his life in the line of duty. However, this legislation will help ease the financial load which the survivors always must bear.

Under this bill, servicemen will receive automatic insurance coverage of either $10,000 or $5,000. Servicemen may, however, elect to remove themselves from the program. A nominal premium of $2 per month for $10,000 coverage or $1 per month for $5,000 insurance will be deducted from the serviceman's pay by the Department of Defense and remitted to the Veterans' Administration.

In this Congress we have been concerned with legislation, such as the Military Pay Act, which would have the effect of raising the morale of our armed services and create greater incentives for career service. This bill certainly should also contribute to those aims.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of California. I yield.

Mr. DOLE. I wonder if the gentleman could answer a question with reference to whether or not there is any waiver-of-premium provision provided in this insurance. If a veteran becomes totally disabled and hospitalized, must he still continue premium payments or will the premiums be waived during the period of total disability?

Mr. TEAGUE of California. Subject to correction by the chairman of the subcommittee, my understanding is that there is no waiver of premium. But I would point out that when a military man is in a hospital, his pay continues. The premium is only $2 a month for the $10,000 coverage.

Mr. DOLE. I think some of us found in World War II, after 6 months of total disability the premiums were waived. I do recognize that the premium was somewhat higher.

I also have a question about what happens in the case of those who have already lost their lives in Vietnam. Are the widows or children or parents of these men entitled to any benefits under this program?

Mr. TEAGUE of California. The answer is "Yes." I think, however, I should yield to the chairman of the subcommittee for a further explanation.

Mr. EVERETT. Mr. Speaker, I might say to the gentleman from Kansas, that they are entitled to death gratuity benefits. In an amount not to exceed $5,000. That cost would be around $20 million to be paid out of the Treasury.

Mr. DOLE. I understand, after the effective date of the legislation, the parents or the wives or the children of those insured would be entitled to $10,000?

Mr. EVERETT. That is right. I might add another thing. A prisoner of war comes under this program. He would have to elect out to prevent coverage. If there is no communication, he would be covered.

Mr. DOLE. But if a veteran signified in writing that he did not want the protection and then lost his life in Vietnam or some other place, would there be any benefits?

Mr. EVERETT. He would not be covered under group insurance, only under the present laws we now have governing the survivors' benefits—$120 per month plus 12 percent of the base pay of the person who served—generally a minimum of $131 and a maximum of $377 paid to the widow.

Mr. DOLE. Under the death gratuity program, I note that there are certain provisions that if death results from action of hostile forces and accidents involving a military or naval aircraft or an explosion of an instrumentality of war, or in the performance of service for which certain incentive or special pay for hazardous duty is authorized, benefits are payable. Does the gentleman know of any cases which would result in death which would not be covered under this section?

Mr. EVERETT. Certain disease cases would not be covered where a man died of a disease that is common here but not while on duty in Vietnam, or off-duty driving to and from work or off-duty leave. His family would not be entitled to the death gratuity under this program.

Mr. TEAGUE of California. I believe I still have some time left and I might say for the benefit of the gentleman from Kansas and the other Members present, the committee felt we had to draw the line somewhere in the retroactive features of the act.

There are no limitations on the coverage from here on under the insurance and the serviceman will be paying a premium. But we did provide a death gratuity for people who did not pay a premium. We had to arrive at some sort of compromise and we thought this was a fair and equitable compromise.

Mr. DOLE. In subsection (c) if the death were caused by, say, the explosion of a grenade or something else, during basic training or while performing duty, there would be coverage. But if he fell on a bayonet or something of that kind, there would not be coverage?

Mr. TEAGUE of California. I would say that a bayonet is an instrumentality of war, although death resulting from a bayonet wound possibly would not meet the definition contained in the bill.

Mr. DOLE. I am talking about subparagraph (c), where it says "an explosion of an instrumentality of war." In other words, is this coverage limited to only those cases resulting in death from an explosion?

Mr. EVERETT. Well, explosions where a man might be killed by an instrumentality of war—a mine as an example. He would be covered but, of course, he would not be covered while on off-duty leave driving down the streets of Saigon or something like that. I am speaking of the death gratuity now.

Mr. DOLE. Is the intent of this bill to provide the same coverage and the same protection for anyone who is in the service if death results from service-connected activities?

Mr. EVERETT. That is right; yes, under the insurance policy, everyone's situation is covered.

Mr. DOLE. I was confused about the terms. It says "an explosion of an instrumentality of war." There are many things that could happen that would not be related to an explosion of an instrumentality of war.

Mr. EVERETT. Mr. Speaker, I shall call upon the gentleman from Ohio [Mr. SECREST] to respond to that question.

Mr. SECREST. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of California. I yield to the gentleman from Ohio.

Mr. SECREST. I think we are talking about two different things. You have one approach which goes from 1957 until this bill goes into effect. That is where we covered the people such as those who were lost in the submarine *Thresher* and those categories of extra hazardous duty. But, we do not cover a boy who might be killed at home on leave, because that program was estimated to cost anywhere from $80 million to $90 million. So the committee had to draw a line somewhere. We would like to have gone the whole way, but there is a question as to how far we could go, from 1957 to now and in the future in covering anyone by this insurance.

From the day this goes into effect, no matter how he died, whether from disease or home on leave, or any place at any time, he is covered with the full amount of the insurance he is carrying. There is one more feature. The rate is very cheap, $2 a month, because you have 2.8 million in the group. It would probably be the largest group insurance that has ever been issued by any company. We had a collection of companies that want to participate. Then there is this further treatment: When the service man leaves the service, in about 3 or 4 years, he can convert this to any other type of insurance he wants to without getting a physical examination. He walks in and says "I want life insurance paid up" of whatever amount he wants.

Mr. DOLE. From the standpoint of the widow, child or parents of a man who may have lost his life on an obstacle course, the protection is just as as important to them.

Mr. EVERETT. From the day this group insurance goes into effect, if that man is killed on an obstacle course he is covered. This bill permits you to leave your insurance to your church, to your college, to your best friend. The beneficiary provision is wide open under this option.

Mr. DOLE. I am trying to straighten out the benefit paid for deaths occuring between the period of time from 1957 until the effective date of this act.

Mr. EVERETT. It was strictly a matter of giving as much coverage as possible while still being sure it could be enacted into law.

Mr. DOLE. Mr. Speaker, it would appear that because of the cost involved, widows, children, and parents of some servicemen who died as a result of an injury incurred in the line of duty between January 1, 1957, and the effective date of the serviceman's group life insurance program, will be denied death gratuity benefits. I understand the concern about the cost; however, the widows, children, and parents of servicemen who died during this time will be, in effect, discriminated against if death results from injury or accident in line of duty but not resulting from: First, an accident involving a military or naval aircraft; second, an explosion of an instrumentality of war; or third, the performance of service for which certain incentive or special pay for hazardous duty is authorized.

I trust that this provision will be liberally construed by the Veterans' Administration so that those eligible dependents may as nearly as possible be treated equally. It would be equitable, in my opinion, if eligible dependents of those servicemen who have died prior to the effective date of this act as a direct result of hostile forces, in Vietnam for example, should receive the full $10,000 death gratuity payment.

I also believe consideration should be given to waiving premiums during such time a serviceman may be completely and totally disabled as a result of an injury or wound received in the line of duty.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Massachusetts.

Mr. BATES. I would like to ask a question of the chairman of the full committee, the gentleman from Texas. He will recall I discussed with him on several occasions the death of a soldier at Fort Campbell, Ky., as the result of an accident while riding on a truck. Will the gentleman advise if the survivors of that individual would receive benefits under the pending bill?

Mr. TEAGUE of Texas. The gentleman from Massachusetts, was chairman of a select Committee on Benefits during the 83d Congress, which led to Public Law 84–881, Survivors Benefits Act. Those benefits are very broad and very adequate except they do not cover nondependent parents. The particular case the gentleman is talking about goes back to the one we have just discussed. I would hope that the Administrator would make a very broad interpretation of the statement "as the result of an explosion of an instrumentality of war."

I would certainly hope that the Administrator would interpret a man riding on a Government vehicle, a truck, and was in an accident involving that truck, that would be considered as an explosion of an instrumentality of war.

Mr. TEAGUE of California. I want to join in that hope that it would be so interpreted.

Mr. BATES. I thank the gentleman.

Mr. TEAGUE of California. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, one of the committees that gets very little praise and a great deal of blame is the Committee on Veterans' Affairs, and at this time I want to pay particular tribute to the chairman of the Committee on Veterans' Affairs, the gentleman from Texas [Mr. TEAGUE] and the members of the subcommittee, and particularly to the gentleman from Tennessee [Mr. EVERETT] in presenting this bill.

This matter has been one that has been bothering the Veterans' Committee for a number of years. It was only because members of the Committee on Veterans' Affairs were willing to ask people in the insurance industry to come forward and to discuss what could be done to cover the men in the service rather than have the insurance companies write a broad policy which would prohibit the payment of insurance for death of a serviceman in combat. There have been many cases of this nature that came to our attention, so that we were able to present this bill to the floor today.

Just to show you the difference between this bill and the bill that passed the other body, the one that passed the other body covers the period from January 1, 1962, down to date. In that period there have been 16,000 service-connected deaths. Yet the bill which the other body passed would only have covered 1,200 of those deaths. Let me show you why. We have lost men in Panama. We have lost men in the Dominican Republic and unless the President would take his pencil and draw a circle and declare those areas combat areas, the men who lost their lives there would not get a cent of insurance.

This bill comes in two categories. From the day it is signed by the President and becomes law, every member of the U.S. Armed Forces is covered automatically. Every Member of the Congress I am sure has had veterans write to him saying that when they got out of the service someone failed to explain the situation with regard to insurance. But to take care of that situation, we have covered every man in service. If anybody does not desire this coverage, he must request in writing that he not be covered by this insurance. They can do two things: They can reduce the insurance to $5,000 or take themselves out completely. If they reduce it to $5,000, they pay $1 a month. If they take themselves out completely, of course, there is no deduction from their pay.

When the committee was presented with the facts and figures regarding deaths in service since 1957, the cost to pay everyone who has died in the service would have been astronomical.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. TEAGUE of California. As I recall, it would have been close to $100 million had we gone retroactively across the board.

Mr. SAYLOR. That is correct. The figure is above $100 million. So what we did was to take care of certain categories which the committee felt, after all the testimony from the Veterans' Administration, best represented the people who lost their lives in defense of our country and these are covered.

This is a bill that will enable everyone—and girls—yes boys and girls, because we now have girls in the service who are overseas, and if they lose their life there will be an insurance policy that is as broad as any insurance that the Government has ever provided for people in the service.

Under this bill, you can leave your insurance to anyone you designate because you are buying it from a commercial insurance fund through the deduction which is being made from your pay and the policy will be purchased for you by the Veterans' Administration.

Mr. Speaker, I urge that the House suspend the rules and pass the bill unanimously.

Mr. TEAGUE of Texas. Mr. Speaker, I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I support the life insurance program for servicemen contained in H.R. 10873 as a worthy supplement to the benefits now available to members of the Armed Forces.

I am the sponsor of a bill to provide special indemnity insurance in the amount of $10,000 to members of the Armed Forces serving in combat zones. I recognize that the executive branch did not favor this legislation because of its belief that the cost of the program would be too large, and that its terminal nature was not as effective as the present compensation benefit program for service-connected disabilities and the dependency and indemnity compensation.

At a time when our defense appropriations approach the $50 billion mark and the costs of the Vietnam war might run as high as $10 billion in 1 year, I did not feel that the additional burden of a special indemnity insurance program was unbearable. In extending the free $10,000 insurance for personnel in combat zones, the Veterans' Administration estimated a total annual cost to the Government of $13,377,600, including the interest factor.

After studying the various cost factors and proposals for extended coverage, the Committee on Veterans' Affairs arrived at the group life insurance plan which will cost the Government an estimated $4 million a year. This alternative will thus save the Government more than $9 million annually while it accomplishes the same purpose: Coverage for personnel who could not otherwise obtain it. I think that is the most important consideration. It was demonstrated that few private carriers are willing to insure personnel en route to or already on the scene in Vietnam. It became imperative for the Government to find some means of providing these individuals with life insurance.

The question was not therefore whether or not the Government should assume the costs of an insurance program, but the type of program it would assume. The committee in its wisdom arrived at the group insurance plan. I am pleased to note that this plan meets with the acceptance of the Veterans' Administration and the Department of Defense.

H.R. 10873 will extend coverage to all service personnel, with only minimum costs accruing to the Government. Servicemen may choose whether they would like to participate. It appears that this arrangement is most suitable for all concerned. Obviously, the Department of Defense recognizes the hazards of combat in its pay increment system, but it has not recognized the same hazards in the schedule for death benefits. This legislation will correct that imbalance.

This is an equitable plan and it achieves the same purpose I intended with my bill. I regret that the conditions of war and its accompanying danger have imposed the need for such legislation upon us. Yet, in recognizing that we are engaged in a war, and that some of our men will die on distant shores, we have an obligation to offer these men the protection we have tendered to the men who have in the past been summoned to risk their lives on the far frontiers of freedom. In offering them this protection, we are able to share their burden if only in a small way, and to let them know that we recognize and are grateful for the service they render for us.

Mr. TEAGUE of Texas. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. KORNEGAY] who is a member of the subcommittee.

Mr. KORNEGAY. Mr. Speaker, I rise in support of this bill. I am privileged to serve on the insurance subcommittee of the House Committee on Veterans' Affairs under the dedicated leadership of the gentleman from Tennessee [Mr. EVERETT].

In my opinion, Mr. Speaker, this is one of the finest bills we have ever reported out of our subcommittee for the reason that it provides benefits in a vacuum that has recently arisen and one that will continue and, in fact, increase in size unless this bill is enacted.

This bill provides for coverage up to $10,000 for the members of the armed services of this country at an extremely low premium rate. At the same time it does not put the Government back into the insurance business but leaves the business of insuring the servicemen and servicewomen of the country with the private insurance companies of this country.

One of the most important features is that it is automatic—the serviceman is fully covered from his first day of service through 120 days following discharge unless he takes positive action to remove himself from the program. Many World War II veterans who needed it worst and should have had it the most were the very ones who, by reason of ignorance and not understanding the insurance program, failed to take it. The bill will prevent this deplorable situation and put them into the program unless they automatically take themselves out.

I again commend the chairman of our subcommittee for a splendid job in bringing this bill promptly before the House and I urge every Member to support it. I also wish to express my appreciation for the work of the staff of the Committee on Veterans' Affairs.

Mr. TEAGUE of California. Mr. Speaker, I yield one-half minute to the gentleman from Ohio [Mr. LATTA] who was one of the original sponsors and proposers of this approach to the problem.

Mr. LATTA. I thank the gentleman for this time.

First of all, I would like to commend the Veterans' Affairs Committee, the gentleman from Texas [Mr. TEAGUE], chairman of the committee, and the gentleman from California [Mr. TEAGUE], who is handling this bill today on the Republican side, for bringing it to the floor of the House without undue delay. On August 16, 1965, I introduced H.R. 10473 to provide life insurance coverage for members of our Armed Forces fighting and dying in Vietnam. As one of those who saw the need for this legislation, I would like to say that I am extremely pleased with the speed with which the Veterans' Affairs Committee has brought this bill to the floor of the House and that I support it in its present form wholeheartedly. It will give the members of our Armed Forces every coverage that I proposed for them in my bill, H.R. 10473.

Briefly, this legislation which is before the House will provide group life insurance up to $10,000 with coverage being automatic unless the serviceman takes affirmative action to take himself out of the program. The cost will be $2 a month for a $10,000 policy, or if he elects, he may purchase a $5,000 policy for $1 per month. Premiums would be deducted from the serviceman's pay.

This insurance would differ from policies issued under the national service life insurance program of World War II in that it would be on a group plan provided by private insurance companies with the extra hazard cost of insuring servicemen being paid by the United States. The mode of settlement would be determined by the beneficiary or beneficiaries in the absence of instructions from the serviceman and would be limited to a lump sum payment or a settlement over a 36-month period. The serviceman would be permitted to designate any person as a beneficiary but in the absence of affirmative action by the serviceman the insurance would be paid in the following order: widow or widower, child or children, parents, and if none of the above, to the executor or administrator of the estate, or to other next of kin under the laws of the domicile of the insured at time of his death.

Upon discharge from the service, the serviceman would be protected for a period of 120 days after which he would have the right to obtain a policy from a private insurance company without medical examination in an amount equal to that of his service policy. Servicemen with service-connected disabilities would likewise be permitted to purchase this insurance from private companies without a physical examination.

The bill, as passed by the House, would also cover deaths incurred in the military service from the period of January 1, 1957, to the effective date of the servicemen's group life insurance program. Death during this time would have had to result from: First, action of hostile forces; second, an accident involving a military or naval aircraft; third, an explosion of an instrumentality of war; or fourth, the performance of service for which certain incentive or special pay for hazardous duty is authorized. The amount of the death gratuity payment under this provision, however, would be limited to $5,000.

Mr. TEAGUE of California. Mr. Speaker, I yield one-half minute to the gentleman from Indiana [Mr. Harvey].

Mr. HARVEY of Indiana. Mr. Speaker, I rise in support of this legislation. I commend the committee for bringing it to the floor of the House.

Mr. Chairman, at a time when tens of thousands of our men and women in uniform are stationed all over the world in the defense of freedom, I think those of us here in the Congress owe our colleagues on the Veterans' Affairs Committee a round of applause for bringing this bill (H.R. 10873) to a vote this afternoon. Many, if not all, of our fighting men and women in Vietnam cannot get life insurance policies to cover them during the time they are necessarily there. If they could get a policy, no doubt the rates would be prohibitive, but certainly not within their meager salary schedules. For those with life insurance policies prior to going to Vietnam in practically all instances their policies are voided during the time they are stationed in Vietnam because of so-called war clauses.

As long as the United States has so much money for all of the giveaway programs, both foreign and domestic, this is one Congressman who is pleased to note that we are doing something really worthwhile and deserving for our service men and women in the passage of this legislation.

Mr. TEAGUE of California. Mr. Speaker, I yield one-half minute to the gentleman from Pennsylvania [Mr. Kunkel].

Mr. KUNKEL. Mr. Speaker, I rise in support of this legislation which will meet an obligation we have to the men and women now risking life and limb with our Armed Forces in Vietnam and elsewhere around the world. The plan for group life insurance that is set forth in this bill is an excellent and exceptionally practical one.

This program will be handled through private insurance carriers. The Federal Government will meet the added costs involved in providing coverage for servicemen facing the extra hazards of duty in Vietnam and any future danger spots.

As a matter of fairness to our men and women in uniform and to their families, this plan is a necessity. Many young servicemen are being sent into combat zones before they have even had occasion to think about life insurance. Others are finding it difficult to obtain such insurance on short notice. Many policies contain a war clause which voids coverage if a person is sent into an area where he may be exposed to enemy fire. This is natural in that, generally, the costs of life insurance financed totally on an individual, private basis otherwise would become prohibitive—and therefore unfair to other policyholders.

So it is clear that there is a need here, and that the responsibility falls upon the Government.

Under the plan, a $10,000 insurance policy automatically will be provided for every serviceman on active duty at an anticipated cost of $2 a month, deducted from his pay. Or he may choose $5,000 coverage instead, at a dollar a month. Or he can elect not to be covered by the plan.

Obviously, the premium rates chargeable to the serviceman himself are exceedingly reasonable. This is accounted for, first, by the fact this is a group plan with a large volume of participants and, second, by the fact the Government bears the portion of the cost related to the extra hazards faced in any area of hostilities. Considering the present state of world affairs, the cost to the Government is estimated at $4 million a year—a mere pittance in relation to to the objectives of this plan and in comparison with our overall defense expenditures.

The program will be administered in such a way as to encourage participation by a maximum number of companies, both large and small, and to assure equitable treatment of those companies which have continued writing policies for servicemen regardless of all risks.

This is a good plan for the serviceman, now and in the future. One of its provisions will allow him to continue carrying the insurance without the necessity of a physical examination after he leaves the service. Important for him in the meantime is the extra measure of protection afforded to wives and families or other beneficiaries beyond the programs adopted 10 years ago for compensating survivors.

Mr. TEAGUE of California. Mr. Speaker, I yield one-half minute to the gentleman from Iowa [Mr. Gross] who occasionally has some comments to make on the pending legislation.

Mr. GROSS. Mr. Speaker, I rise in support of the bill. I trust that the committee, if and when the bill goes to conference, will not yield the position of the House to the other body in view of the measure which the other body brought forth on the subject.

Mr. TEAGUE of California. Mr. Speaker, I should like to express the appreciation of all Members of the House to you for having placed this bill on the calendar, since the bill is as highly controversial as it is.

Mr. TEAGUE of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Brown].

Mr. BROWN of California. Mr. Speaker, I rise in support of H.R. 10783. More particularly, I want to add my voice in support of the principle contained in this bill by our colleague the Senator from Tennessee [Mr. Everett], which calls for the full participation by the insurance industry in providing this vital protection to the men who are defending our country. While the prime group insurance contract under this legislation will be carried by a relatively few large companies, those which operate in all 50 States and which have, in effect, at least 1 percent of the total amount of group life insurance in effect in the United States, the bill specifically sets forth, in paragraph 766(c), that the Administrator of the Veterans' Administration shall arrange for reinsurance with all of the other smaller insurance companies which may elect to participate in such reinsurance.

I wish to point out that the need for this legislation has arisen, at least in part, from the fact that servicemen have been finding it increasingly difficult to secure life insurance protection when they are serving in a combat zone or have been alerted for service in such a zone. This legislation will correct that problem and will do so in such a way as to provide maximum protection at minimum cost to the serviceman.

However, in making available this protection under a group life insurance policy, the committee did not wish to penalize those companies which have continued to provide policies on an individual basis to the men in the armed service. The committee report, on page 8, suggests that the Administrator take into consideration when developing rules and regulations for reinsurance by the smaller insurance companies the amount of servicemen's life insurance now being written by that company. Other members of the committee have commented on this same point. I should like to make it clear for myself that when the Congress passes a law which provides a guaranteed income of many millions of dollars per month to the private insurance industry, and which writes into that law a provision which automatically includes a half dozen or more of the largest insurance companies in the Nation, we must not tolerate the application of that law in such a fashion as to be detrimental to those companies which continued to provide the maximum protection to the men in service, or in such a way as to favor those companies which by their actions made it necessary to pass this legislation. The total amount of insurance written on the lives of members of the Armed Forces by the many small insurance companies around the Nation should be a major factor in the formula developed by the Administrator of the Veterans' Administration for the allocation of reinsurance to these smaller companies. I know that this is what the Congress would desire, and I have confidence that the law will be administered in this fashion.

Mr. TEAGUE of California. Mr. Speaker, I yield back the remainder of my time.

Mr. TEAGUE of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, I commend the committee for having brought out this bill. It is a fine bill. I am especially pleased that it takes care of a deficiency in the Survivor Benefits Act, in that it makes possible some consideration of parents who are not dependent on service personnel who are killed overseas.

This is a very fine bill, and I congratulate the committee.

Mr. BENNETT. Mr. Speaker, the legislation now before us to establish a program of group life insurance to be provided by private insurance companies for members of the uniformed services who are on active duty is a worthy piece of legislation, and I am happy to support it.

My hometown of Jacksonville, Fla., is a prime center of insurance in the South, with several major companies operating their home offices there. I am greatly concerned that this legislation not be restricted to a small group of mammoth companies, leaving out excellent regional companies who do not operate in all 50 States and the District of Columbia.

A regional company which has not hesitated to underwrite considerable amounts of military insurance and reinsurance without Government assistance, must not be left out of this new program, and should be able to participate on the basis of what it has already done in this field.

I have been assured by the distinguished chairman of the House Veterans' Affairs Committee that these regional companies will be included in the group life insurance program as outlined in the report of the committee; and that the criteria in the bill for participation will not limit or preclude participation by these local, smaller companies. Therefore I am not submitting an amendment which I had prepared to require this.

Mr. BERRY. Mr. Speaker, I rise in support of H.R. 10873 which will establish a program of group life insurance for all members of the uniformed services who are on active duty, against death from the first day of such duty and for 120 days after separation or release from active duty.

Premium rates for the serviceman will be exceedingly reasonable. It is anticipated they will run about $2 a month for $10,000 insurance and $1 per month for $5,000. This cost may be adjusted downward as experience dictates after the program has been established. The coverage under the program is automatic, with the serviceman being required to take affirmative action to remove himself from the program. Provision is made for reinstatement should he so elect.

During active service or within 120 days after discharge, an individual can obtain insurance coverage from any one of the participating insurance companies, without medical examination, equal in amount to the group insurance obtained on active duty. In addition, he will be eligible for such insurance coverage even though he had a service-connected disability.

The insurance coverage will be provided by private insurance companies. The number of companies participating will be determined by qualifying criteria to be established by the Veterans' Administration. It is anticipated that this aspect of the program will closely parallel the Federal employees group life insurance.

Mr. Speaker, this action by Congress will come one step closer to meeting this country's obligation to its men and women in our armed services.

Mr. DORN. Mr. Speaker, I hope and believe this bill will have the unanimous approval of the House. This bill is the result of tedious hearings and a long and careful study by the Committee on Veterans' Affairs.

The bill now before you will provide a $10,000 life insurance policy for every man and woman serving our country today in any branch of the service at home or abroad. Under the provisions of this bill, a $10,000 policy will become available to each person in our Armed Forces at the very reasonable rate of $2 per month. When members are discharged from the service, they can elect to continue the policy with the private insurance company of their choice. While in service, a member can elect in writing to be insured for only $5,000 or not at all. He can designate any beneficiary. This bill will also provide payment to next kin of those deceased while on hazardous duty since the year 1957.

Mr. Speaker, this is a good bill. I recommend it to the House with all the earnestness at my command. Our Nation is in war. We are in a nasty, bloody, filthy war in southeast Asia. Our men and women are on hazardous duty in Santo Domingo, in Berlin, and throughout the world. They need the encouragement and sympathy and understanding of the people back home, and they need the support of the Congress of the United States.

This legislation will greatly help the morale of our men and women who are on the firing line of freedom today all over this world—under the sea, in the air, and in space. This bill will lend support to the loved ones of those in our Armed Forces, those back home who share the hopes and aspirations and sorrows and tragedies of our young men and women in service.

Mr. Speaker, this bill will help the morale of approximately 3 million men and women in our Armed Forces. It will help sustain those back home who make it possible for our men and women to stand guard in the cause of freedom.

Mr. Speaker, our Committee on Veterans' Affairs is behind this bill, and we commend it to you for your consideration and approval.

Mr. BOLAND. Mr. Speaker, I rise in favor of H.R. 10873, the group life insurance for the uniformed services bill. This legislation will establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty.

This bill provides one of the best forms of insurance that has ever been devised by Congress for servicemen on active duty. I want to take this opportunity to commend the members of the Veterans' Affairs Committee, Subcommittee Chairman ROBERT A. EVERETT, of Tennessee, and Committee Chairman OLIN E. TEAGUE, of Texas, for bringing this fine piece of legislation to the floor. As we all know, Chairman TEAGUE is one of the giants in Congress in matters of servicemen and veterans' legislation, and both he and Congressman EVERETT have come forth with a good bill.

Mr. Speaker, this is important legislation at this time because, unfortunately, the casualty lists are growing as a result of the fighting in Vietnam. Servicemen from Massachusetts have been killed there, as well as fighting men from all over the United States. These men need adequate insurance for the protection of their families. As the committee report points out, the coverage under this bill is automatic, with the serviceman required to take affirmative action to remove himself from the program. The coverage provided is $10,000 or $5,000, no other amounts. If the serviceman elects to get out of the program after the automatic coverage and later applies for readmission, he must be able to meet good health requirements.

The premium rates for men in the Armed Forces are expected to be $2 a month for $10,000 and $1 a month for $5,000, including claim and administrative costs. This cost may be adjusted, hopefully downward, as experience dictates. Premiums would be deducted from the pay of a serviceman by the Defense Department and turned over to the Veterans' Administration. The costs traceable to the extra hazards of service, such as the fighting in Vietnam, will be borne by the Government.

Upon discharge from the service, the individual is protected in the full amount of his policy for 120 days. At any time during his service but not later than 120 days following the date of his discharge, an individual will have the right to obtain from any one of those insurance companies participating in the program, or other companies who can qualify, an insurance policy without medical examination in an amount equal to the group insurance policy under which he was protected during the period of service. In addition, service-connected disabled servicemen would be eligible for a $10,000 service-disabled veteran's insurance policy administered by the Veterans' Administration.

The servicemen will be covered under the present death gratuity program until the servicemen's group life insurance program takes effect. The amount of the death gratuity payment would be $5,000.

Mr. Speaker, I hope that this bill passes overwhelmingly.

Mr. DONOHUE. Mr. Speaker, I rise in support of this bill, H.R. 10873, establishing a program of group life insurance, provided by private companies, for members of our Armed Services on active duty.

Although this bill does not go as far as a good many of us have recommended it is, I believe, a step in the right direction and it may be hoped that expanded benefits in insurance and other areas will be provided for our veterans and their dependents as future needs dictate.

Under this particular bill our servicemen are afforded automatic insurance coverage in the amount of $10,000 or $5,000. One of the salient features of the bill, I think, is the automatic coverage. The serviceman is protected, as well as his dependents, against any personal negligence or any other unfortunate happenstance that might otherwise tragically prevent him from becoming eligible for the insurance benefits.

The projected premium rates for this insurance coverage, of $2 per month for $10,000 insurance and $1 per month for $5,000 insurance, are reasonable and the arrangement for the deduction of the premiums from serviceman's pay is prudent and protective of the interest of all involved.

When the law becomes operative the serviceman is immediately included until and unless he takes affirmative action to remove himself from the program.

It is also pertinent to note that under the provisions of the bill, the individual, upon discharge from the military service, is protected in the full amount of his policy for 120 days. During this period the serviceman would have the right to obtain from any one of the insurance companies participating in the program, or other qualified insurance companies, an insurance policy, without medical examination, in an amount equal to the group insurance policy under which he was protected while on active military duty.

Further than that, if the individual has a service-connected disability, he would be eligible for a commercial policy without medical examination and, in addition, would be eligible for a $10,000 service-disabled veterans insurance policy administered by the Veterans' Administration.

Mr. Speaker, the grave problem of providing an adequate insurance program for those serving in our armed services, and their dependents, during this so-called cold war period is one of major concern to the Members of this House. This bill permits us to translate some of our concern into realistic action. I, and I am sure a good many others here, wish it went a great deal further but it appears this is about all we are going to be permitted to consider at this time. Therefore I urge the House to adopt this bill now and at the same time let us pledge ourselves to improve and expand it at the earliest possible date in the future.

The SPEAKER. All time has expired. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 10873 as amended.

The question was taken; and the Speaker announced that two-thirds appeared to have voted in favor thereof.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 361, nays 0, not voting 71, as follows:

[Roll No. 309]

YEAS—361

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Callaway
Cameron
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Corbett
Corman
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holland
Horton
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
Machen
Mackay
Mackie
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
May
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murray
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Poff
Pool
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan
Satterfield
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Va.
Stafford
Staggers
Stalbaum
Stanton
Steed
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—0

NOT VOTING—71

Adair
Anderson, Ill.
Andrews, George W.
Barrett
Berry
Bolton
Bonner
Brock
Cabell
Celler
Clawson, Del
Colmer
Craley
Devine

Diggs
Farnsley
Farnum
Fino
Fogarty
Foley
Frelinghuysen
Goodell
Grider
Halpern
Harris
Hawkins
Hébert
Holifield
Hosmer
Jennings
Kee
Keogh
Kluczynski
Lindsay
Long, La.
MacGregor
Madden
Martin, Mass.
Matthews
Miller
Morris
Murphy, N.Y.
Nix
O'Brien
Olson, Minn.
Patman
Pirnie
Powell
Purcell
Quillen
Rogers, Tex.
Rooney, Pa.
Roosevelt
Roudebush
Roybal
St Germain
Senner
Smith, Iowa
Smith, N.Y.
Springer
Stephens
Stratton
Sullivan
Thomas
Thompson, Tex.
Todd
Toll
Tunney
Vivian
Waggonner

So two-thirds having voted in favor thereof, the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Bonner with Mr. Berry.
Mr. Keogh with Mr. Goodell.
Mr. Stratton with Mr. Pirnie.
Mr. Kee with Mr. Lindsay.
Mr. Miller with Mr. Anderson of Illinois.
Mr. Thompson of Texas with Mr. Brock.
Mr. Celler with Mr. Halpern.
Mr. Murphy of New York with Mr. Fino.
Mr. Barrett with Mrs. Bolton.
Mr. Colmer with Mr. Quillen.
Mr. Toll with Mr. MacGregor.
Mr. Thomas with Mr. Martin of Massachusetts.
Mr. Jennings with Mr. Roudebush.
Mr. Morris of New Mexico with Mr. Springer.
Mr. Roosevelt with Mr. Smith of New York.
Mr. Fogarty with Mr. Del Clawson.
Mr. Foley with Mr. Devine.
Mr. Kluczynski with Mr. Frelinghuysen.
Mr. Senner with Mr. Nix.
Mr. Holifield with Mr. Hosmer.
Mr. O'Brien with Mr. Madden.
Mr. Cabell with Mr. Todd.
Mr. Waggonner with Mr. Grider.
Mr. Purcell with Mr. Cooley.
Mr. Long of Maryland with Mr. Farnum.
Mrs. Sullivan with Mr. Stephens.
Mr. St Germain with Mr. Roybal.
Mr. Rogers of Texas with Mr. George W. Andrews.
Mr. Matthews with Mr. Farnsley.
Mr. Harris with Mr. Rooney of Pennsylvania.
Mr. Diggs with Mr. Olson of Minnesota.
Mr. Patman with Mr. Wilson.
Mr. Tunney with Mr. Vivian.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2127) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes, a bill similar to the measure just passed by the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. TEAGUE]?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 19 of title 38, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 789. Special indemnity insurance for members of the Armed Forces serving in combat zones

"(a) Any person on active duty with the Armed Forces in a combat zone shall, as provided in this section, be automatically insured by the United States, without cost to such person, against death in the principal amount of $10,000. Such person shall be insured during the time that he serves in a combat zone, and shall be deemed to have been serving in a combat zone at the time of his death if he dies outside of a combat zone and (1) his death is determined by the Administrator to have been the direct result of an injury or disease incurred while serving in a combat zone, and (2) the injury or disease from which such person died was incurred not more than two years prior to death.

"(b) Upon certification by the Secretary of the military department concerned of the death of any person automatically insured under this section, the Administrator shall cause the indemnity to be paid as provided in subsection (c) only to the surviving spouse, child or children (including a stepchild, adopted child, or an illegitimate child if the latter was designated as beneficiary by the insured), parent (including a stepparent, parent by adoption, or person who stood in loco parentis to the insured at any time prior to entry into the active service for a period of not less than one year), brother, or sister of the insured, including those of the half-blood and those through adoption. The insured shall have the right to designate the beneficiary or beneficiaries of the indemnity within the classes herein provided; to designate the proportion of the principal amount to be paid to each; and to change the beneficiary or beneficiaries without the consent thereof but only within the classes herein provided. If the designated beneficiary or beneficiaries do not survive the insured, or if none has been designated, the Administrator shall make payment of the indemnity to the first eligible class of beneficiaries according to the order set forth above, and in equal shares "if the class is composed of more than one person. Unless designated otherwise by the insured, the term 'parent' shall include only the mother and father who last bore that relationship to the insured. Any installments of an indemnity not paid to a beneficiary during such beneficiary's lifetime shall be paid to the named contingent beneficiary, if any; otherwise, to the beneficiary or beneficiaries within the permitted class next entitled to priority, but no payment shall be made to the estate of any deceased person.

"(c) The indemnity shall be payable in equal monthly installments of one hundred and twenty in number with interest at the rate of 2¼ per centum per annum.

"(d) In the event any person was covered at the time of his death by automatic indemnity under this section and was also insured against such death under a contract of national service life insurance or United States Government life insurance, the indemnity authorized to be paid hereunder shall be a principal amount equal to the difference between the amount of insurance in force at the time of death and $10,000.

"(e) The Administrator is authorized to promulgate such rules and regulations, not inconsistent with this section, as are necessary or appropriate to carry out its purposes.

"(f) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this section for the payment of liabilities under this section.

"(g) Any person guilty of mutiny, treason, spying, or desertion shall forfeit all rights to an indemnity under this section, but restoration to active duty after commission of any such offense shall restore all rights under this section. No indemnity shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy, as defined by the President.

"(h) As used in this section the term 'combat zone' means any area outside the United States determined by the President to be an area in which units of the Armed Forces of the United States have engaged in combat operations on or after January 1, 1962, and before such date as may be determined by Presidential proclamation."

(b) The analysis of subchapter III of chapter 19 of such title is amended by adding at the end thereof the following:

"789. Special indemnity insurance for members of the Armed Forces serving in combat zones."

SEC. 2. Title 38, United States Code, is further amended as follows:

(1) Section 417(a) is amended—

(A) By deleting therefrom the words "under section 724 of this title" and inserting in lieu thereof the words "in effect on January 1, 1959, and continued in effect under section 724(a) of this title".

(B) By adding at the end thereof the following: "The prohibition against the payment of dependency and indemnity compensation contained in this subsection shall not apply to insureds who on or after the effective date of this amendment die while on active duty in a combat zone as defined in section 789 of this title, or within 120 days after duty in such a zone, or (1) whose death is determined by the Administrator to have been the direct result of an injury or disease incurred while serving in a combat zone, and (2) the injury or disease from which such person died was incurred not more than two years prior to death."

(2) Delete from the last sentence of subsection (c) of section 704 the words "or section 725" each time they appear and insert in lieu thereof the words "section 725, or section 726".

(3) Subsection (b) of section 724 is repealed and the following new subsections are added to section 724:

"(b) After the date of enactment of this subsection any person who is on active duty with the Armed Forces in a combat zone, as defined in section 789 of this title, for a continuous period of 30 days or more and any person hereafter ordered to such duty under orders for 30 days or more in such a combat zone, who is insured under National Service Life Insurance or United States Government Life Insurance shall be entitled, upon written application, to a waiver (with the right to a refund after termination of such duty) of all premiums paid on term insurance and that portion of any permanent insurance premiums paid representing the cost of the pure insurance risk, as determined by the Administrator. All premiums due during the period the waiver is in effect must be timely paid to maintain the insurance in force. Such waiver shall apply to premiums becoming due after the first day of the first calendar month following the date of enactment of this subsection, or the first day of the first calendar month following entry on active duty with the Armed Forces in such a combat zone, whichever is the later date, and during the remainder of such continuous active duty in a combat zone for 120 days thereafter; however, no premium becoming due prior to the date of application for waiver under this subsection shall be waived or refunded. Any premium waiver granted under this subsection on a participating contract of insurance shall render such insurance nonparticipating during the period such premium waiver is in effect. Upon certification of the period of combat zone duty by the Secretary of the military department concerned, and upon application by the insured, or in death cases by the beneficiary of his insurance, the Administrator shall refund to the insured or to the beneficiary the amount of premiums waived under this subsection. Premiums on term insurance waived under this subsection shall be refunded with interest as determined by the Administrator.

"(c) Whenever benefits become payable because of the maturity of such insurance while under the premium waiver provided by this section, liability for the payment of such benefits shall be borne by the United States in an amount which, when added to any reserve of the policy at the time of maturity, will equal the then value of such benefits under such policy. Where life contingencies are involved in the calculation of the value of such benefits, the calculation of such liability or liabilities shall be based upon such mortality table or tables as the Administrator may prescribe with interest at the rate of 3 per centum per annum as to National Service Life Insurance which was participating before waiver was granted, and 3½ per centum per annum as to United States Government Life Insurance. The Administrator shall transfer from time to time from the National Service Life Insurance appropriation to the National Service Life Insurance Fund and from the Military and Naval Insurance appropriation to the United States Government Life Insurance Fund such sums as may be necessary to carry out the provisions of this section."

(4) Subchapter I of chapter 19, of such title is amended by adding at the end thereof a new section as follows:

"§ 726. Post-service insurance for persons serving in combat zones

"(a) Any person entitled to indemnity protection under section 789 of this title who is ordered to active duty with the Armed Forces in a combat zone as defined in such section for a period of 30 days or more, or who served in such zone for 30 days or more, shall, upon application in writing made within 120 days after separation from active duty and payment of premiums as hereinafter provided, and without medical examination, be granted insurance. The insurance granted under this section shall be issued upon the same terms and conditions as are contained in standard policies of National Service Life Insurance except (1) term insurance may not be renewed on the term plan after the insured's 50th birthday; (2) the premium rates for term or permanent plan insurance shall be based on the 1958 Commissioners Standard Ordinary Mortality Table; (3) all cash, loan, extended and paid-up insurance values shall be based on the 1958 Commissioners Standard Ordinary Mortality Table; (4) all settlements on policies involving annuities shall be calculated on the basis of the Annuity Table for 1949; (5) all calculations in connection with insurance issued under this subsection shall be based on interest at the rate of 3½ per centum per annum; (6) the insurance shall include such other changes in terms and conditions as the Administrator determines to be reasonable and practicable; (7) the insurance and any total disability income provisions attached thereto shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited to a revolving fund established in the Treasury of the United States and the payments on such insurance and total disability provision shall be made directly from such fund. Appropriations to such fund are hereby authorized.

"(b) The Administrator is authorized to set aside out of the revolving fund established under subsection (a) of this section such reserve amounts as may be required under accepted actuarial principles to meet all liabilities on insurance issued thereunder and any total disability income provision attached thereto. The Secretary of the Treasury is authorized to invest in and to sell and retire special interest-bearing obligations of the United States for the account of the revolving fund. Such obligations issued for this purpose shall have maturities fixed with due regard for the needs of the fund and shall bear interest at a rate equal to the average market yield (computed by the Secretary of the Treasury on the basis of market quotations as of the end of the calendar month next preceding the date of issue) on all marketable interest-bearing obligations of the United States then forming a part of the public debt which are not due or callable until after the expiration of four years from the end of such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligation shall be the multiple of one-eighth of 1 per centum nearest such market yield."

(5) The analysis of subchapter I of chapter 19 of such title is amended by adding at the end thereof the following:

"726. Post-service insurance for persons serving in combat zones."

(6) Section 3107 of such title is amended by adding at the end thereof a new subsection as follows:

"(d) If the surviving spouse of a deceased person covered by indemnity insurance has remarried, or if any of such person's children are not in the custody of a surviving spouse, all or any part of the indemnity insurance otherwise payable to such spouse may be apportioned on behalf of surviving children or parents as may be prescribed by the Administrator."

AMENDMENT OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TEAGUE of Texas: Strike out all after the enacting clause of S. 2127 and insert the provisions of H.R. 10873, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 10873, was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4750) entitled "An act to provide an extension of the interest equalization tax, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5768) entitled "An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7969) entitled "An act to correct certain errors in the Tariff Schedules of the United States."

SENSE OF THE HOUSE OF REPRESENTATIVES RELATIVE TO INTERNATIONAL COMMUNISM IN THE WESTERN HEMISPHERE

Mr. SELDEN. Mr. Speaker, I move to suspend the rules and adopt the resolution (H. Res. 560) to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere.

The Clerk read as follows:

H. RES. 560

Whereas the subversive forces known as international communism, operating secretly and openly, directly and indirectly, threaten the sovereignty and political independence of all the Western Hemisphere nations; and

Whereas the American Continents, by the free and independent positions which they have assumed and maintained, are not subject to colonization or domination by any power; and

Whereas the intervention of international communism, directly or indirectly, however disguised, in any American state, conflicts with the established policy of the American Republics for the protection of the sovereignty of the peoples of such states and the political independence of their governments; and

Whereas such a situation extended to any portions of the Western Hemisphere is dangerous to the peace and safety of the whole of it, including the United States; and

Whereas the ninth meeting of Consultation of Ministers of Foreign Affairs Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance recognized that acts possessing characteristics of aggression and intervention carried out against one or more of the member states of the Organization of American States may be responded to in either individual or collective form, which could go as far as resort to armed force, until such time as the Organ of Consultation takes measures to guarantee the peace and security of the hemisphere: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that (1) any such subversive domination or threat of it violates the principles of the Monroe Doctrine, and of collective security as set forth in the acts and resolutions heretofore adopted by the American Republics; and

(2) In any such situation any one or more of the high contracting parties to the Inter-American Treaty of Reciprocal Assistance may, in the exercise of individual or collective self-defense, which could go so far as resort to armed force, and in accordance with the declarations and principles above stated, take steps to forestall or combat intervention, domination, control, and colonization in whatever form, by the subversive forces known as international communism and its agencies in the Western Hemisphere.

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. MAILLIARD. I am not opposed to the resolution.

The **SPEAKER**. The gentleman does not qualify. Does any other Member on the minority side who is opposed to the resolution demand a second?

Mr. **HAYS**. Mr. Speaker, I demand a second.

The **SPEAKER**. Is the gentleman opposed to the resolution?

Mr. **HAYS**. I am.

The **SPEAKER**. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER**. The gentleman from Alabama [Mr. SELDEN] is recognized for 20 minutes.

Mr. **SELDEN**. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the resolution before the House today breaks no new or controversial policy ground. It does, however, reflect the continuing interest and concern of the House of Representatives regarding our hemisphere's problems. The Subcommittee on Inter-American Affairs has long been concerned with the threat posed to the Americas by new forms of aggression practiced by international communism.

This concern has been shared by the House of Representatives as a body, as well as by many individual Members, including Representatives FLOOD, ICHORD, MAILLIARD, MORSE, FASCELL, HOSMER, BENNETT, and THOMSON of Wisconsin, who introduced resolutions on this subject. And it has also been shared in recent times by the majority of the membership of the Organization of American States.

It is frequently stated that the cornerstone of our inter-American system is the doctrine of nonintervention. But this doctrine, adopted at Buenos Aires in 1935, has an often forgotten corollary—to make the Monroe Doctrine, in the words of President Franklin D. Roosevelt, a "joint concern of all the American Republics."

At that 1935 conference in Buenos Aires, the American nations began their search for a mechanism which would afford a multilateral umbrella for the security of the hemisphere. This search, which stretched over a 12-year period, culminated in the adoption in 1947 of the Inter-American Treaty of Reciprocal Assistance, usually referred to as the Rio Treaty. It is the Rio Treaty which established the procedures by which the principle of collective action was to be implemented and provided the framework for collective security today.

Built on experiences of the 1930's and World War II, the Rio Treaty was designed essentially to confront traditional forms of direct aggression. But in the two decades since the end of World War II, it has become increasingly apparent that the threat to the security of the Western Hemisphere lies in Communist subversion, rather than in armed invasions across frontiers. The Guatemalan situation in 1954; the emergence of a Marxist-Leninist regime in Cuba closely tied to Communist bloc strategy; the Castro-Communist plot to overthrow Venezuela's democratic institutions; Communist infiltration in key positions in Brazil prior to the 1964 revolution; the quick seizure of strategic posts by Communist agents in the Dominican Republic in April; and continuing urban terrorism and guerrilla activities even today in various Latin American countries—all attest to the relentless efforts to subvert governments in the region.

Unlike direct aggression, subversion for the most part takes place within national boundaries, using human and material resources within the country. Training, supplies, and directives originate abroad, but the action itself assumes the characteristics of an indigenous movement. This form of warfare has been proclaimed, most fully in the recent September 2 declaration of the vice chairman of the Red Chinese Central Committee, as the method by which the Communists hope to overthrow existing governments in Latin America, as well as in Asia and Africa.

The goal of this protracted subversive war in the Western Hemisphere is the destruction of the inter-American system—the Communist takeover of Latin American countries—and the ultimate isolation and destruction of the United States itself, as leader of the hemisphere and the free world.

In recent years the Organization of American States has come to recognize that a limited interpretation of what constitutes "aggression"—that is, an interpretation which fails to include modern Communist techniques of subversive aggression—could create a huge gap in the machinery of the inter-American security system.

Thus, at Punta del Este, in 1962, the Council of Foreign Ministers voted to exclude Castro's Cuba from the OAS and the Inter-American Defense Board.

But the real OAS breakthrough in recognition of the Communist threat to hemispheric security came in July of 1964—at the Ninth Meeting of Consultation, called to consider Venezuela's charges that Castro's Cuba had masterminded and supplied a plan to overthrow its democratic institutions.

It was my privilege to attend that Conference as a congressional adviser to the U.S. delegation. By a vote of 15 to 4, the meeting branded the attempted subversion of the Venezuelan Government as an act of aggression on the part of Castro's Cuba, affecting all member states. The sanctions provided in the Rio Treaty were thereupon invoked, for the first time giving acknowledgment by the first formal OAS declaration that a subversive Communist threat falls within the scope of that agreement.

The final act of that Ninth Meeting of Consultation of Ministers of Foreign Affairs expressed its intention in paragraph V of resolution I:

> To warn the Government of Cuba that if it should persist in carrying out acts that possess characteristics of aggression and intervention against one or more of the member states of the Organization, the member states shall preserve their essential rights as sovereign states by the use of self-defense in either individual or collective form, which could go so far as resort to armed force, until such time as the Organ of Consultation takes measures to guarantee the peace and security of the hemisphere.

In short, the Organization of American States warned Castro that any new attempts to subvert an American Republic could bring quick armed defensive action, without the necessity of prior consultation, until such time as the Organ of Consultation takes measures to guarantee the peace and security of the hemisphere.

Mr. Speaker, House Resolution 560 builds upon the concept of the inter-American collective security system, as expressed in this final act of the Ninth Meeting of Consultation. In this regard, I want to point out that the Department of State generally agrees with the objectives of the proposed resolution and so stated in its testimony before the Subcommittee on Inter-American Affairs. In reviewing the resolution passed by the House Committee on Foreign Affairs and the committee report, the Department of State has informed me that it would have preferred that the last "whereas" paragraph and the second operative paragraph follow more precisely the language of paragraph V of resolution I of the Ninth Meeting of Ministers of Foreign Affairs, which I have just quoted, so as to make clear that the House does not intend to say that a mere threat of subversion, standing alone, justifies the unilateral use of armed force—to make clear that the House does not intend to depart from existing inter-American treaties and resolutions on the subject. The Department of State has said that the legislative history should, in any case, clearly show that it is not the intention of House Resolution 560 to depart from the policy laid out in paragraph V of resolution I quoted above.

While this particular paragraph refers specifically to Cuba, the principle of self-defense has general application.

I assured the Department of State that the legislative intent would be made clear in this respect and, on this basis, the Department withdrew whatever objections it might have had.

Congressional awareness of the need to recognize the threat of subversive aggression to our hemispheric security was reflected in a joint resolution passed by both Houses in late September 1963—Senate Joint Resolution 230, signed October 3, 1962.

I have stated that the resolution now pending breaks no fresh policy ground. It does, however, restate and delineate the sense of the House in the light of events of the past 2 years—that is, since this House overwhelmingly approved Senate Joint Resolution 230, which stated:

> The United States is determined to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending by force or the threat of force, its aggressive or subversive activities to any part of the hemisphere.

Mr. Speaker, House Resolution 560 brings up to date Congress position regarding this country's obligations to the inter-American collective security system, as expressed in that joint congressional resolution of 2 years ago.

The resolution we are considering now is no more than a responsible and reasonable restatement of our recognition of this country's primary obligations to our own security and that of the hemisphere. Involved and committed as we are to the defense of independent peoples against Communist subversive warfare in Asia and other farflung outposts throughout the world, can we afford—do we dare—commit ourselves to less in our own hemisphere?

The late President Kennedy said it, in April 1961, following the abortive Cuban invasion:

> Should it ever appear that the inter-American doctrine of noninterference merely conceals or excuses a policy of nonaction—if the nations of this hemisphere should fail to meet their commitments against outside Communist penetration—then I want it clearly understood that this Government will not hesitate in meeting its primary obligations, which are to the security of our Nation.

House Resolution 560 has as its purpose to make it clearly understood, today as in the past, that it is the sense of this House that the United States will not hesitate, as President Kennedy phrased it, in meeting its primary obligations, which are to the security of our Nation and our hemisphere.

Mr. HAYS. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. FRASER.]

Mr. FRASER. Mr. Speaker, I rise in opposition to this resolution for two reasons. First of all, the resolution is very badly worded and is open to unfortunate interpretations which perpetuate the image which I am afraid this country has in Latin America of engaging in clumsy-handed intervention in the affairs of other nations.

Secondly, this resolution has not a single word in it which affirms our dedication to the development and support of democratic institutions in Latin America which, in the long run, are the most effective way to defeat communism.

Mr. Speaker, I regret that the gentleman from Ohio who has yielded me this time chose to demand a second on the ground that he was opposed to this resolution, for, if my recollection serves me right, he supported the bill in the committee.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. FRASER. No, I do not. I do not have enough time.

Mr. HAYS. Then, if the gentleman does not yield, I am sure he will not get any more time.

Mr. FRASER. I regret the statement that the gentleman from Ohio just made which indicates the position he has taken in this matter. He told me that he was opposed to this resolution because he did not think it was strong enough or did not go far enough. It is clear that he has taken a second in order to control the time rather than to allow the time to someone who is genuinely opposed to this measure and who had voted against it in the committee. I think his action is unfair and inconsistent with the spirit of open debate which characterizes this House. I think it is a subversion of the rules of the House to seek to control the time in this manner.

Mr. Speaker, I yield to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Speaker, we have before us a resolution expressing views which I believe undercut the principled commitments of American diplomacy in Latin America. I find it distressing that this resolution is being brought before the House under suspension of the rules. I think we ought to ask ourselves a very direct question: By what definition of responsible legislative behavior is this resolution, urging change in the hemispheric policy of this Nation, being brought up under procedures which limit debate and proscribe amendment?

I find it equally distressing that the resolution and report accompanying it in some way imply that the policies therein recommended are consonant with those of traditional American diplomacy. Nothing could be further from the truth. The recommendations of this report urge that this country repeal the historic principle of nonintervention in the affairs of sovereign nations in the Western Hemisphere, and in so doing stand in direct contradiction to the letter and spirit of the OAS Charter, the Rio Treaty of 1947, and the U.N. Charter—to which treaties perhaps we should remind ourselves, the United States is a signatory.

The limitation on debate forecloses any full discussion of what these commitments mean, under what circumstances they must be relevant, and how the United States can best honor and promote them. We ought to be quite clear, however, about the letter of the OAS Charter and Rio Treaty—which are the operative documents for Inter-American security.

Article 15 of the OAS Charter declares:

> No State or group of States has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of another State.

Article 17 of the OAS Charter declares:

> The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or other measures of force taken by another State, directly or indirectly, on any grounds whatsoever.

Article 18 of the OAS Charter declares:

> The American States bind themselves in their international relations not to have recourse to the use of force, except in the case of self-defense in accordance with existing treaties or in fulfillment thereof.

Article 19 of the OAS Charter declares:

> Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in articles 15 and 17.

Article 6 of the Rio Treaty states:

> If the inviolability or the integrity of the territory or the sovereignty or political independence of any American state should be affected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

In other words, Mr. Speaker, policies justifying direct and unilateral intervention in the Western Hemisphere, represent a total departure from the commitments expressed in treaties still in effect—treaties which the United States supported, signed, and is currently pledged to fulfill.

I am quite aware that circumstances have changed the regional and international environment in which these treaties operate. I happen to reject the proposition that there have been developments which now render these treaties outdated. But in any case, it is erroneous to maintain that the recommendations of this resolution are somehow consistent with existing American policy.

If the resolution is passed in its present form, the House of Representatives would be on record as recommending a change in the existing structure of American diplomatic commitments, a renunciation of the principles of nonintervention as established in the OAS Charter, and as understood for the past 30 years. We would be committed to a program which would establish anarchy in the Western Hemisphere allowing any American state unilaterally to intervene in the affairs of any other American state. This is what House Resolution 560 is all about. Its passage by the House would be a disaster for responsible congressional participation in the discussion and formulation of foreign policy.

In the time prescribed for debate, I can only indicate the outlines of my own feelings about the topics raised by this resolution. I believe the letter of House Resolution 560 undercuts the OAS Charter, the U.N. Charter, and the Rio Treaty. I believe the spirit of the resolution carries implications about politics in Latin America which ought not go unanswered.

We cannot pretend, as I believe House Resolution 560 does, that the threat of Communist subversion is somehow uniform in character and must uniformly be dealt with by military force. Likewise, we cannot ignore the peculiarities of the various Latin American countries we think of as being threatened by communism. These are not academic distinctions. For if we limit ourselves to a viewpoint where the singlemost threat to Latin American stability and growth is a Communist monolith, operating in uniform political environments, we then gradually obstruct a more realistic and sympathetic perspective—one which communicates to Latin America our awareness of the full range of their needs and problems.

I am talking about our ability to convince the Latin Americans that we are more concerned about the quality of their lives and their own efforts to improve their condition, than we are about the cold war, than we are about the possibility that Communists may indeed be active in their countries. In short, that our preoccupation is their preoccupation—a better life for people. It is, however, simply not enough to argue that strict concern with communism is really a means to secure the chance for Latin American self-help. Strictly speaking, this may be true. But the problem continues to be one of emphasis. I have no illusions about the perseverance of the threat of subversion in Latin America. I think it is a problem today; I think it will be a problem in the immediate future. But foreign policy is not simply an exercise in theoretical purity. It is an attempt to deal with people, hence with psychologies, and myths, and resentments, and aspirations, blind and enlightened. Thus, we enter an area where emphasis and stress are the instruments of persuasive communication and restrained influence.

This is why, among many other reasons, I believe this resolution, and the policy it recommends, is so seriously, I might say disastrously misguided. There simply is no purpose in publicizing and emphasizing again and again, our own preoccupation—excessive or not—with communism in Latin America.

If this body must pass resolutions dealing with Latin America, let us pass a resolution endorsing democratic changes, let us pass a resolution committing this country to the aspirations of simple people who want a better life, let us pass a resolution declaring our own humility and willingness to learn from Latin Americans themselves what sort of Latin America democratic-minded men should support—our willingness to learn from men and women whose ability to discover and judge the threat of communistic subversion, among other things, is just as keen and firm as our own. The major obstacle to the goals we ought to be seeking in Latin America is our own reputation there. This is where the House can be effective, by dramatizing a sensitivity to the real problems of that continent.

House Resolution 560, as I have said, has the opposite effect. It is to be condemned for contradicting the principles of the OAS Charter and of nonintervention as a guideline for our hemispheric diplomacy. It allows any country to take upon itself, despite the requirements for consultation under the Rio Treaty, the unilateral determination of a threat to the integrity of any other Western Hemisphere nation. It permits the countries of the Western Hemisphere to pursue a path of indiscriminate interventionism. I would find its passage deeply disturbing, a grave setback for progressive diplomacy in the Western Hemisphere.

Mr. FRASER. Mr. Speaker, I yield to the gentleman from New York [Mr. Bingham].

Mr. BINGHAM. Mr. Speaker, I am opposed to the motion to suspend the rules. House Resolution 560 is not a noncontroversial bill. It was opposed in the House Foreign Affairs Committee, and even in the subcommittee there are, I am advised, three members who are opposed to it, but who were unavoidably absent when it was reported out.

My main objection to House Resolution 560 is that its operative paragraphs are vague and open to many interpretations, and therefore can be misinterpreted. Even our friends in Latin America are likely to be troubled by the apparent support of unilateral intervention in the resolution and our enemies will surely use it to a fare-thee-well.

Whether or not we were justified in our initially unilateral intervention in the Dominican Republic, we do know that we paid a heavy price for that action: It tended to recreate the image of the United States as it existed before the Good Neighbor policy of F.D.R. and the formation of the OAS, when we were cordially hated for periodically sending in the Marines to maintain law and order.

Why should we at this particular time risk aggravating the situation by adopting House Resolution 560 in its present form?

If we are merely restating what we have officially said before through an agreed-upon resolution of the OAS, then this resolution is redundant and unnecessary. The danger is that House Resolution 560 can and will be pictured as going well beyond OAS policy in terms of the kind of unilateral intervention that may be undertaken.

The committee report on House Resolution 560 relies heavily on a resolution adopted by the foreign ministers of the American Republics at the Ninth Meeting of Consultation in July 1964. But that resolution was adopted in response to a particular situation where the foreign ministers had collectively found that there had been "acts of aggression and intervention" by the Government of Cuba "against the territorial inviolability, the sovereignty, and the political independence of Venezuela." It was in this situation that the warning quoted in the committee report was issued.

The operative paragraphs of House Resolution 560 do not refer to cases where there have been "acts of aggression and intervention" but use the very different term "subversive domination or threat of it," and the opening paragraph of the resolution seems to say that this threat exists right now in "all the Western Hemisphere nations."

Moreover the meeting of consultation in July 1964 which adopted the resolution quoted in the committee report was called at the request of the Government of Venezuela. House Resolution 560, by contrast, does not say that its operative paragraphs would apply only when there is a request for assistance from the government threatened with subversion.

Nor is there any requirement in House Resolution 560 that there be a collective finding that a situation of "subversive domination or threat of it" exists. Apparently each state is free to judge that for itself.

Thus, House Resolution 560 is susceptible of the interpretation that it would authorize unilateral intervention by any Western Hemisphere country in any other Western Hemisphere country, with or without the request or consent of the latter, whenever, in the judgment of the former, a threat of Communist subversion appears.

The able chairman of the subcommittee, the gentleman from Alabama, has assured us that House Resolution 560 is intended merely to confirm existing U.S. policy and OAS resolutions. I welcome his statements. They make valuable legislative history and will be reassuring to our Latin American friends who read the Congressional Record.

But the difficulty is that not all Latin Americans read the Congressional Record. They will see only the resolution itself, which will no doubt be widely circulated by our enemies, and the worst possible interpretation will be put on it. As I have tried to point out, the worst possible interpretation is indeed pretty bad.

Why should we run this risk? Why should a resolution which is subject to such misinterpretation be rushed through under suspension of the rules procedure which permits no amendments to be considered and allows for a minimum of debate?

I simply cannot see what we gain by it.

Are we trying to issue a warning to the Communists in Cuba and elsewhere in Latin America?

If so, such a warning may be an invitation, a temptation. For while the Communists might be deterred from some venture by the likelihood of joint OAS action against them, they may well be delighted if they feel they can provoke the United States into unilateral action. Obviously they welcome any opportunity to castigate once again the "colossus of the north" for intervention in the internal affairs of a Latin American country.

The danger of Communist intervention and subversion in Latin America is very real and in some areas acute. At the same time we cannot let us ourselves be tempted to intervene in every revolutionary situation because Communists are on the scene. They will always be on the scene, always trying to take over the revolt, but that does not mean that their efforts cannot be repulsed locally. For example, after the overthrow of the Dictator Jimenez in Venezuela in 1957 and before the election of Betancourt in 1958, Communists and pro-Communists were very much in evidence, some of them in positions of considerable power, but the Venezuelans themselves handled the situation. We wisely refrained from intervention, worried as we were.

Decisions in such cases are difficult and dangerous. I am sure our distinguished Foreign Affairs Committee would agree that if possible, both decisions and consequent actions should be taken on a multilateral basis, through the OAS machinery. Unfortunately, House Resolution 560 appears to put collective and individual action on the same footing, and fails either to point to the desirability of collective action wherever possible, or to recognize the dangers and drawbacks of unilateral action.

Again, may I say that I regret that this resolution was brought up under suspension of the rules. It would have been easy to amend it so as to make it essentionally unobjectionable, for example, if the amendments proposed by the State Department representative (at page 13 of the hearings) had been adopted.

We are all agreed on the danger of Communist subversion in the Western Hemisphere. But House Resolution 560, in its present form will not help, it will only aggravate the danger.

For all these reasons, I am constrained to oppose suspension of the rules for passage of House Resolution 560 today in its present form.

Mr. FRASER. Mr. Speaker, I yield to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Speaker, I rise in opposition to this resolution. As one who has spent many years in Latin America, and helped to set up the Peace Corps in South America, I can assure you that it will be misunderstood and resented by our Latin American friends. It will do mischief and, in effect, make Communists rather than prevent communism. I strongly urge my colleagues to oppose this resolution.

Mr. HAYS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, far be it from me to dispute the word of the distinguished gentleman from Minnesota or to call him a liar. The most I can say about him is that he must have been mistaken when he made the statement, that I understood him to make, that I supported this bill in committee. The records will show, and there are Members on the floor who can testify, that I not only did not support the bill in committee but I was not even there the day the bill was considered. The most charitable thing I can say about the gentleman from Minnesota is this: in an effort to be fair I yielded him the first 5 minutes of time; however, if he chose to use it to make a deliberate misstatement of fact then I regret his use of time.

Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Speaker, I think it is significant that President Johnson, the President of the United States, who has the primary responsibility under our Constitution for the conduct of our foreign policy, has not called for the passage of House Resolution 560.

For Mr. Speaker, there is no Member of this House who is not opposed to communism and to the extension of Communist influence in the Western Hemisphere. The question of opposition to communism is not the issue here today.

The question, it seems to me, Mr. Speaker, as one who has a deep interest in Latin America and in particular a deep interest in strengthening the capacity of our country and the countries of Latin America to resist the expansion of Communist influence in the hemisphere is whether or not the resolution before us today will really be helpful in achieving this objective, which we all share.

I question very much whether House Resolution 560 will be helpful in this respect. On the contrary, it seems to me likely that House Resolution 560 will be used by Communists and other leftist extremist groups as a weapon with which to make all manner of propaganda against the United States in Latin America. I certainly do not think it likely that the passage of this resolution will be of much help to the President of the United States in his great responsibility in conducting our foreign policy in Latin America.

These considerations, Mr. Speaker, may help explain the highly ambiguous posture of the Department of State with respect to House Resolution 560.

Mr. Speaker, I do not think it would be proper for me to quote directly any conversations I have had concerning this resolution with officials of our Department of State, but I can say flatly that I have discussed House Resolution 560 during the last week, and specifically on last Friday and Saturday, with Secretary of State Rusk, Under Secretary of State Harriman and Assistant Secretary of State for Inter-American Affairs Vaughn, as well as a White House official.

Mr. Speaker, if there was any great enthusiasm for the passage of House Resolution 560 on the part of any of these officials—and I think I can understand the English language—it certainly escaped me. As a matter of fact on several occasions during the last week I asked the Department of State to tell me whether the State Department, which used to have some responsibility in the field of foreign affairs, before the House took it over favors or opposes the passage of House Resolution 560. I have advised the Department of State that I certainly do not consider satisfactory in this respect some ambiguously worded State Department statement saying that "We like this part of the resolution or we do not like that part of the resolution."

Mr. Speaker, I simply ask the question, Does the Department of State favor or oppose House Resolution 560? That is what we as Members of Congress will have to vote on here today, nothing more or less.

I have yet to receive an answer from the Department of State to this simple question.

Mr. Speaker, I have little doubt that this resolution will be passed by the House today. I also have little doubt that it will be of much help in strengthening the cause of freedom and of strengthening our capacity to combat communism in the Western Hemisphere. I say this, Mr. Speaker, as one who has had a longtime interest in Latin America. It was only last month, for example, that I returned with my colleague, the gentleman from Connecticut [Mr. IRWIN], from Latin America from taking part in a Pan-American conference there.

Mr. Speaker, I must make the unhappy prediction here today that the Communists in Latin America and other leftist extremist groups will make good use of House Resolution 560 in attacking the United States.

Mr. Speaker, I do not see how I can in good conscience support a resolution which there is reason to think will weaken the cause of the United States in Latin America and will become a propaganda tool for the Communists there.

Mr. Speaker, I would like to read from an editorial published in a newspaper which supported the action of President Johnson in the Dominican Republic, an editorial from the Washington Post of Saturday, September 18, 1965.

Mr. Speaker, I ask unanimous consent to insert the editorial in full at this point in the RECORD.

The SPEAKER pro tempore. Without objection it is so ordered.

The editorial referred to follows:

[From the Washington (D.C.) Post, Sept. 18, 1965]

INTERVENTION LICENSE

Fear of communism does strange things to people's judgment. The House Foreign Affairs Committee, for example, has allowed the aversion that we all share toward Castroite communism to influence it into reporting an incredible resolution by Representative SELDEN in effect authorizing the President to intervene with armed force whenever and wherever in the Western Hemisphere he deems this necessary to forestall Communist subversion. Even more incredible than the existence of the resolution is the fact that the State Department, if the committee report is correct, has raised no objection.

This is exactly the sort of move, however well intentioned, that causes friends of the United States to wring their hands. It would proclaim this country the sole judge of when a Communist threat existed, thereby rendering meaningless the very system of effective consultation we have sought to build. Particularly after the furor over the Dominican involvement, it would be likely to raise every Latin American hackle. The President does not exactly need such authorization in extreme emergency; and an effort to spell it out by resolution could reactivate all manner of latent antipathies toward American intervention. The full House ought quickly to send this ill-considered measure to the trash heap.

Mr. BRADEMAS. Mr. Speaker, this resolution is unnecessary and I fear it will, for the reasons I have given, hinder rather than help the cause of the United States in encouraging freedom and opposing communism in Latin America.

Mr. HAYS. Mr. Speaker, I sense that the gentleman from Indiana [Mr. HALLECK] has a contribution to make and, therefore, I yield the gentleman 2 minutes.

Mr. HALLECK. Mr. Speaker, I shall not use 2 minutes. All I want to do is to inquire of my colleague, the gentleman from Indiana [Mr. BRADEMAS], for whom I have the highest regard, whether or not by what he said he is indicating that this is one matter before us on which we can exercise our own judgment and our own responsibility and that he is complaining about that?

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, I hope very much that the gentleman, my distinguished friend from Indiana, will use his own judgment on this matter. That is certainly what I intend to do. I am grievously disappointed that our Department of State does not show a little backbone in matters affecting the foreign policy of our country.

Mr. HALLECK. All I shall say is that I shall exercise my responsibility on this occasion, as I have on others, and vote for the resolution.

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Mr. HAYS. Mr. Speaker, I would point out to the gentleman from Indiana [Mr. BRADEMAS], who complains about the ambiguities of the State Department, that has been a way of life down there for many, many years.

Mr. SELDEN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would like to point out that the newspaper to which the gentleman from Indiana [Mr. BRADEMAS] referred also supported editorially Mr. Castro as an agrarian reformer.

While I have great respect for my colleague, the gentleman from Indiana [Mr. BRADEMAS], and his knowledge of Latin America and the people there, I also have dealt with that area for the past 7 years as chairman of the Subcommittee on Inter-American Affairs. I have visited almost every country in Latin America, know many of the leaders of those countries, and have attended at least three international conferences on inter-American affairs. I do not agree with the conclusions reached by my colleague from Indiana as I believe the passage of this resolution will accomplish at least two things: first, it will make unmistakably clear to any would-be Communist adventurers that they cannot count on any declared doctrine of nonintervention to shield their aggressive activities. Second, it will make it clear to our allies in Latin America that we must work out a system of collective security which will meet the new type of Communist aggression—subversion, infiltration, and so forth—which has become the primary instrument of Communist expansion.

Mr. SELDEN. Mr. Speaker, I yield 3 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I rise to indicate my support of the resolution, particularly with the explanation and clarification made in the remarks of the gentleman from Alabama [Mr. SELDEN]. I specifically endorse the resolution because of two features: First, the fact that it reaffirms again the Monroe Doctrine after some lapse and doubt about its application in the last several years; and second, it does call for collective action by the Organization of American States. Such joint action is most important.

At the same time I want to be very clear that I disassociate myself with the report as written. The report is badly written. In many respects it does not coincide with the context of the resolution itself. Specifically I want to disassociate myself with one sentence or, a substantial part of one sentence in the report. I ask you to turn to page 3. The sentence reads as follows:

> Recognizing that the subversive forces of international communism threaten the sovereignty and political independence of all nations in the Western Hemisphere, it supports (1) the President of the United States in any action he deems necessary to prevent in a timely manner Communist subversion in the hemisphere;

Naturally I would support and have supported action by the Chief Executive against Communist subversion in this hemisphere. It should be pointed out he already has authority as President of the United States, and as Commander in Chief. In the past, particularly in the case of the Dominican Republic, I have supported the action which was taken; but I think those of us on the minority side of the aisle must reserve independent judgment as to the precise way in which the challenge to subversion is undertaken by our Government in Latin America.

I want to make it crystal clear that by our voting for the resolution it does not mean that we, in advance, endorse any specific method of meeting the challenge of Communist subversion in the Western Hemisphere. With that qualification as to the report, I intend to support the resolution.

Mr. HAYS. Mr. Speaker, there have been many statements made as to who is an expert and who is not on Latin America. I would like to yield now 5 minutes to the man I consider to be a real expert on Latin American matters, the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, the gentleman is very kind. I think what he has in mind is this: I am not a Johnny-come-lately to this problem of our relations with our Latin American brothers. I have been traveling there—I am sorry to report with the ladies present—for about 50 years, many, many times, every country. I have met with military juntas, I have met with screaming patriots in the barricade. I have seen the old Las Cuchurochs in Venezuela, when I was walking with the Ambassador across the plaza of the hotel and a revolution broke out in front of us and I have seen, when it was safe to do so, on one side of the street, and there was a revolution on the other. I was there, Charlie, year after year, country after country.

As I tell you, I am no "Damn Yankee," I am just a Yankee. I was raised in St. Augustine and my family has been bilingual there for three generations as my southern Congressmen who represent me can tell you. So these protestations of special pipelines and awareness of the delicacy of the relations with our southern brothers leave me cold, if you do not mind. I introduced the original resolution several years ago. This is an extension of a sacred American doctrine, the Monroe Doctrine, and while I do not have the proper pipeline either, I feel that if Monroe were sitting where SELDEN is today, he would move the adoption of the resolution.

Why? The Monroe Doctrine, as you lawyers would say, is against an aggression vi et armis in the Western Hemisphere by foreign powers. Traditionally and historically, we have held to this doctrine and it has been vindicated time and time again. There is not a man in this Chamber, if a Chinese fleet were off Peru or a Russian fleet off Brazil with 16-inch guns on a bombardment mission, who would not join the gentleman from Alabama [Mr. SELDEN] in his resolution—not one. But guns were the weapons of Mr. Monroe's day—and that is why he wrote that doctrine. Those are not the weapons of today. There are no more 16-inch guns and battleships. Today they land from nuclear submarines at night and come ashore on rubber rafts with their arms, or are dropped by parachute into the jungles—laden with munitions and laden with gold. They are trained in Moscow, or trained in Peiping, or trained in Havana. These are the happy native patriots trained for murder and arson, and terror. But do they attack military, tyrannical juntas? If they did, I would not blame them, but they attack weak democracies, democracies that are wobbly and their goal is to set up, God forbid, a line of Communist states across Central and South America which is, as the great Churchill said about southern Europe when he wanted the invasion to be made there, "the soft underbelly of Europe," through Italy and the Mediterranean. "The soft underbelly" of this Nation is Central America and South America.

Do you think that I think that these men here, the gentleman from New York [Mr. BINGHAM], and these men, are soft on communism? That is unadulterated rot. There are no better Americans in this House of Representatives. They are 100 percent Americans in case that is worrying you. Half of them I do not know when I see them in the halls, but I have confidence in them. But this time they are wrong. With stars in their eyes, they are searching for the Holy Grail. They want to be on the side of the angels. With this I do not quarrel but I choose of all the angels—St. Michael, the Archangel with sword and armor, the strong right arm of the Lord of Hosts.

Mr. SELDEN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Speaker, it would seem to me that opposition to this resolution arises largely out of misinterpretation as to its meaning or intent. I merely wish to say that I share the reservation expressed by the gentleman from Michigan, the minority leader, as to the precise language on page 3 of the report. I think it is misleading and is somewhat in conflict with the language of the resolution itself. That is unfortunate. But, it seems to me, with the explanation that the gentleman from Alabama has given—I might say a very carefully worded interpretation—it is precisely what I, as a member of the subcommittee and the ranking minority member, thought we intended in the first place.

All of these doubts have been raised in the last few days. I just wish to say that, as far as I am concerned, the legislative history as to what we mean when we vote on this bill can rely on the statement that was made by the gentleman from Alabama [Mr. SELDEN]. With that interpretation I fully concur and will support the resolution.

Mr. HAYS. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Speaker, in the time that is available, obviously it is not possible to make any extended statement about this resolution. I favor the resolution.

A statement was made by one of the speakers about the attitude of the State Department. I sat in at all the hearings. The Acting Assistant Secretary of State for Latin American Affairs appeared before the committee and made certain suggestions to the committee which, in my judgment, have been substantially followed in the text of the resolution.

The reason for the suggestion was that this was language which had been adopted at a meeting in 1964 of the foreign ministers of the countries which made up the Organization of American States, and substantially that language is contained in this resolution. I see no reason therefore, in view of this background, why there should be abhorrence or objection on the part of our neighbors to the south at the passage of this resolution by the House of Representatives.

After all, in the resolution we are talking not about debates or theoretical discussions or even about non-Communist movements which might even be radical. What we are talking about is naked Communist power.

In the resolution we refer to "acts possessing the characteristics of aggression and intervention," and we state that "any such subversive domination or threat of it violates the principles of the Monroe Doctrine," and that in any such situation a country has a right, in self defense, to take action.

Mr. Speaker, I support the resolution and hope that it will be adopted.

This resolution was reported unanimously from the subcommittee and with one opposing vote from the full Committee on Foreign Affairs.

It is a simple statement of the policy of the U.S. Government which has been followed in practice and also sets forth the boundaries of proper action in opposition to the threat of dominating Communist power in the Western Hemisphere.

It should be emphasized that this resolution is directed against Communist domination. This is clearly shown in the language of the resolution itself which refers to "domination," to "intervention" and to "acts possessing characteristics of aggression and intervention."

It further records the House of Representatives as being against "subversive domination" and reiterates the accepted right of contracting parties to the Inter-American Treaty of Reciprocal Assistance in self-defense to take steps to combat intervention, domination, control, and colonialization by Communist force.

This simply states accepted doctrine and sets forth the theory under which the United States acted in the Dominican crisis.

This does not sanction intervention in the case of liberal or Socialist experiments. The United States has clearly shown a liberal policy with regard to all such movements in many instances. I need only cite the support of Betancourt in Venezuela and the cooperation with Frei in Chile. Our policy has been strongly behind movements calculated to improve the lot of the average Latin American.

I should like to point out too that much of the basic language in the resolution is a restatement of a resolution adopted by the meeting of the Foreign Ministers of the Organization of American States in July of 1964. The last "whereas" clause and the second "resolved" clause of the resolution are restatements of the language of the Foreign Ministers. It is clear therefore that this resolution would not be opposed by the countries of Latin America.

I should add that the strengthening and broadening of this language was suggested by a representative of the State Department who testified before the committee.

As I pointed out during the hearings in discussion with one of the witnesses, the language of this resolution is broad, as all such language must be. It does not permit exact application in a particular situation. The decision on the spot must be made by the Executive and therefore this resolution provides only broad guidelines. Whether or not there is aggression, whether or not that aggression is Communist dominated, and whether or not a movement of social change is indigenous and in character must be decided by the heads of the nations of American states at a particular time and place. We all know that there are native liberal or even radical non-Communist movements in most of the countries of Latin America. It is not the intention of this resolution to justify intervention to retard such activities. It is only where the change becomes subversive and the degree of international communistic influence becomes controlling or threatens to become controlling that action is supported.

Even where the action does take place, it is permissible under the resolution only until such time as the Organ of Consultation takes measures to guarantee peace and security.

Any attempt to set general policy is a matter of judgment and this resolution constitutes an exercise of judgment by the House of Representatives.

As was said by Secretary Sayre in testimony appearing on page 16 of the hearings:

> We have to balance several things: On the one hand, nonintervention and self-determination of peoples with this subversive problem we are presented with because of the Soviet Union and Cuba. We have to balance collective action off against the inherent right of self-defense. We cannot agree to anything which would deny the United States the inherent right of self-defense.

I believe that this resolution will be helpful to President Johnson in carrying on the foreign policy of the United States and that it should receive the overwhelming support of this body.

Mr. HAYS. Mr. Speaker, I yield to the gentleman from Missouri such time as he may consume.

Mr. ICHORD. Mr. Speaker, I thank the distinguished gentleman from Ohio [Mr. HAYS], for yielding to me in order that I may express my enthusiastic support for House Resolution 560. We are all aware of the magnificent work done by the Foreign Affairs Committee and especially that of the Subcommittee on Inter-American Affairs, a subcommittee so ably chaired by the sponsor of this resolution, the gentleman from Alabama [Mr. SELDEN]. The committee has performed a public service in bringing the Members' attention to the ever increasing threat posed by Communist subversive activities in Latin America. I know I am not alone in paying tribute to the many accomplishments of the subcommittee in revealing the nature of the danger we face in the Western Hemisphere. Too often we fail to recognize the diligent efforts of our colleagues toiling to improve the effectiveness of American foreign policy, an area where the political liabilities are many and the assets few. In this field the public spotlight shines brightly upon you when there are complaints to be registered. Yet, when your efforts have improved the conduct of our foreign affairs, the silence can be deafening. To the men whose contributions are received always without fanfare and mostly without notice, go my unending appreciation and gratitude.

Although I am not a member of the Foreign Affairs Committee, I feel I can speak with some authority on the general subject of communism as the committees of which I am a member, the House Armed Services Committee and the House Committee on Un-American Activities, are exposed to the threat posed by Communist advances on a daily basis. No other subject demands more of my attention.

The challenge facing the United States in light of the consistent efforts of Communist professional subversives to extend Communist power, this challenge is great indeed. The resolution now being considered recognizes the vital need for this Congress to initiate new and bold steps to counter all forms of Communist aggression.

It would take volumes of material for me to even touch on all of the points which I feel need attention. Therefore, my remarks should not be considered exhaustive.

I believe the resolution will accomplish three things in addition to the projected results stated in the committee report. Most important, by expressing the sense that we consider Communist subversive activities ample grounds for taking whatever action is necessary to forestall Communist takeovers, we are laying the foundation for the transformation of the sense of the House into a series of operational programs that will carry out the intent of this resolution. The tremendous importance of this foundation connot possibly be overemphasized. Our existing policies of countering Communist nonmilitary aggression need to be improved. Some of those responsible for formulating and executing policies have testified to their ineffectiveness in many areas.

If we fail to convert the meaningful phrases contained in House Resolution 560 into equally meaningful operational programs we will lend incentive to those who call us the "paper tiger."

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The next accomplishment will be to put the Communists on notice of our intention to be hereafter unwilling to stand by and watch the dissection of the Western Hemisphere by devious and deceitful means; and that this body will take every step within its' broad powers to foil those subversive plots so carefully planned by our self-avowed enemies in Moscow, Peiping, and Havana. No doubt the Communists will take note of this resolution and they will be waiting to see if we back up our words with action.

Finally, I believe the resolution will serve to dispel doubt held by some Latin Americans as to our conviction and determination in this matter.

I have heard of large numbers of Latins expressing the opinion that the United States has neither the patience nor the stomach necessary to engage in a long-term nonmilitary struggle with the Communists over Latin America. They too, will be waiting to see if the tiger bites or if he just growls a little.

I turn now to a discussion of Communist subversion, what I have termed, "the paradox of the Monroe Doctrine" and a brief analysis of the subcommittee's report on Communist activity in Latin America.

COMMUNIST SUBVERSION

House Resolution 560 states:

> The subversive forces known as international communism, operating secretly and openly, directly and indirectly, threaten the sovereignty and political independence of all the Western Hemisphere nations.

Since attention is given to secret and indirect aggression I feel it necessary to discuss the nature of Communist subversion and how they threaten the sovereignty and independence of Latin American nations.

Until very recently the term internal subversion was unknown. All through history, aggression had always been personified by marching armies and never before had a world power attempted conquest from within. President Kennedy called these new covert tactics, "the new forms of struggle" and he acknowledged the great need for freemen to adapt to these new forms and to develop countermeans.

The origin of the philosophy of covert aggression is not known but certainly among the first to openly advocate its use was the father of modern communism, Lenin.

He created the term professional agitator when he said:

> In order to be fully prepared for his task, the working class revolutionary must also become a professional revolutionary. Our duty is to assist every capable worker to become a professional agitator, propagandist, literature distributor, et cetera * * *. We must arrange that he be maintained by the party, that he may in due time go underground, that he change his place of activity, otherwise he will not enlarge his experience * * * and will not be able to stay in the fight.

Having outlined the nature of the agitator he then described the dedication he must possess:

> Every sacrifice must be made, the greatest obstacles must be overcome, in order to carry on agitation and propaganda systematically, perseveringly, persistently, and patiently, precisely in those institutions, societies, and associations * * * where masses belong.

As early as 1920 Lenin had given the world notice as to the future nature of the struggle and also he made clear the Communists' determination to dominate the world also. The professional agitator is not bound by any kind of a moral code. On this Lenin said:

> We have never rejected terror on principle, nor can we do so.

One of the most important principles in Communist philosophy is the bringing of all the working classes under the domination of the Communist Party and through this, all non-Communist societies must perish. The early Communists thought that military power would accomplish their goal but with the coming of nuclear weaponry this form of conquest was all but eliminated as a practical method of conquest. As a result, the Communists turned to nonmilitary conflict to achieve their goals, including psychological, political, economic, technological, and organizational warfare. Under the guise of so-called "peaceful coexistence" they have continued their nonmilitary aggression in every nation in the world. The Communists' own words make it clearer than I ever would be able:

> The Communist Party enters government institutions not in order to do constructive work, but in order to direct the masses to destroy from within the whole bourgeois state machine and parliament itself (Lenin, 1920).
>
> There are no forces in the world which could halt our victorious advance to communism. (Khrushchev 1954.)
>
> Every peace program is a deception of the people, and a piece of hypocrisy unless its principal object is to explain to the masses the need for revolution. (Lenin 1916.)
>
> It is not an army, but peace that is required to propagate Communist ideas, disseminate them, and establish them in the minds of men. (Khrushchev 1958.)
>
> We say to the gentlemen who are waiting to see whether the Soviet Union will change its political program: Wait for a blue moon. (Khrushchev 1955.)
>
> We are progressing toward communism without war. We do not need war; it is harmful to our cause. The development of ideas cannot be held up by force as it cannot be spread by force. (Khrushchev 1955.)

I know not how it can be clearer. Like Napoleon, Hitler, and Caesar, the Communists desire world conquest.

Whether we like it or not, we are involved in a struggle for the minds of men. How do the Communists manage to win minds more readily than we? There are many reasons, not the least of which are coordination and clear definition of purpose.

The international Communist movement maintains several political warfare schools around the world. They send previously trained agitators into a given country and find people who lean toward the Communist line of thought, then bring those persons to the political warfare school where they learn the science of agitation. The graduate returns to his native land and agitates against the existing authority and promotes the creation of a pro-Communist or Communist regime. He has a large bag from which to draw various methods.

No wonder there are anti-American strikes, demonstrations, and parades. No wonder our embassies are stoned and burned. No wonder our Ambassadors are spat upon. Until we learn to deal with people on their level and view things from their standpoint we will continue to fail in our efforts to halt communism.

THE PARADOX OF THE MONROE DOCTRINE

As previously mentioned covert or nonmilitary internal aggression is a modern form of warfare. When President Monroe issued his now-famous doctrine such a form did not exist, therefore it was entirely logical for him to declare this hemisphere out of bounds to all would-be conquerors and at the same time implore the countries of this hemisphere to refrain from involving themselves in each other's internal affairs. However, the coming of covert aggression has created a paradox where the United States cannot prevent foreign domination in Latin America without assisting those nations in repelling the Communist nonmilitary advances. We have tried to refrain from such assistance only to find the leaders of the Latin nations so bogged down with domestic problems of poverty and population that these leaders are unable to turn back the subversives.

The Communists realized this historical paradox long ago and have used it to their advantage for the past 20 years. House Resolution 560 will help make it clear that we will assist our neighbors in the repulsion of any aggressor in every way we can. I do not mean to say that we must become directly involved in internal politics. Rather, I mean we should extend our existing programs on a much larger scale. For instance, the Agency for International Development has recently instituted a program for Latin America wherein our people help train Latins in arts of local security maintenance and counterinsurgency. Programs of this nature represent a proper approach and should be extended and enlarged so they may act as one means of repelling the Communist insurgents. Thus far, these projects have been like a single wave in a sea of possibilities. The 89th Congress needs to provide the directive and the funds in order that the executive agencies can concentrate their efforts on such activities.

The paradox of the Monroe Doctrine, in my opinion, is the primary reason we need to express our sense in the resolution before us. We must eliminate all doubt as to America's determination to maintain sovereign and independent nations in this hemisphere. Doubt does exist among the Communists and more important, among our neighbors themselves.

SUBCOMMITTEE REPORT ON COMMUNIST ACTIVITY IN LATIN AMERICA

Last March, after hearing several witnesses from the executive branch of Government the Subcommittee on Inter-American Affairs issued a report entitled "Communist Activity in Latin America." The findings and recommendations are exceedingly important and I would like to turn now to an examination of this report and to a discussion of some of the points made therein as applied to House Resolution 560. Time prevents me from examining each finding and recommendation so I must confine my discussion to the most vital areas. The report states:

> Communist propaganda strategy for Latin America is directed toward the destruction of democratic institutions and influences in the area and ultimately to the imposition of Marxist-Leninist regimes throughout the hemisphere.

The vast importance of this fact cannot be overstated. This statement combined with the sense of the resolution removes all doubt as to our realization that covert aggression is just as dangerous as overt aggression and demands the same type of swift and effective reaction. No one would deny that death by cancerous infection is just as final as death at the hands of an assassin. If we are to survive, we first must take steps to remove the cancer.

During the subcommittee hearings the gentleman from Massachusetts [Mr. MORSE] pointed out to the new Assistant Secretary of State for Inter-American Affairs, Mr. Jack Vaughn, and I quote:

> My great fear is we are not doing enough among the campesinos (peasants) in the few countries I visited. We are not reaching them. We know there are cadres of Communists in the hills of Venezuela and other countries. We ought, it seems to me, to recast our program in such a way to meet this immediate threat * * *. I was in Peru last fall, and I was distressed in talking with the members of the AID delegation there, and I could only find one of a very large staff who had been out in the hills, who had been out in the villages and lived with the campesinos, know their problems and emphasized with them. There were too many whose principal worry was the next cocktail party. This is terribly critical, Mr. Secretary.

Compare this statement with the example of Communist subversion I pointed out earlier and I believe you will see how desperate our situation is. Congress must take the initiative and train some professionals for our side.

The first finding of the report strikes at the very heart of the matter:

> The United States has yet to develop an adequate ideological offensive as convincing evidence to all Latin Americans that our way of life is worthy of emulation.

At the time of the hearings this problem was articulated by the gentlelady from Ohio [Mrs. BOLTON] who said:

> I have had much contact with young people for many years, and it has grown continuously harder for me to take the breakdown of our young people in their attitudes toward the things that America stands for. It would seem that we have not taught anything vital about communism in our schools and in our colleges. We look at it and say: "this is dangerous. We must not deal with that. We must not tell them about that. They might want to become Communists." Or perhaps we do not know what it is we have in this country. Then they get up against a well trained Communist arguer, to use a word of my own, and they are completely worsted. They have nothing to reply. I think the fault, really to speak of, is right here at home. Our schools are not teaching what I consider to be the basis of American democracy, of American freedom. And I think, as they come in from the outside, they see that, and I have had them laugh in my face * * *. That is a very difficult moment in one's life.

If we are to be successful in the psychological and political aspects of the cold war struggle then we had better begin defining what it is we are promoting. The Communists make it very simple for people to understand. We cannot compete with them until we formulate a salable program, salable to the peoples of the world. Under our present policies we insist on presenting to the world a slanted view of America. For instance, recently the U.S. Information Agency published a magazine for distribution in Poland. The feature article contained 35 pages of photographs of our civil rights demonstrations, riots, and beatings. Accompanying these photos was a very academic explanation of our problems and what we are doing to solve them. I took the article to a Polish-American and as he began reading he said, "Oh, my God." He did not have to go any further to get his point across.

I wonder how many people in this country read an article that is accompanied by voluminous pictorial supplementation. I submit, at best most people read the captions, but for the most part the photos speak for themselves. A Pole reading this article would have to get the impression that the United States is a country torn apart with racial strife and is a police state. We actually save the Communists money by printing this kind of news. What would be wrong with having 35 pages of pictures of Polish-American citizens and Polish immigrants enjoying the fruits of American prosperity and freedom? Our propagandists sincerely believe they are promoting freedom by publishing that which is news in America abroad, what they overlook is that what is news here is not news there. By presenting only the violent, the sensational, the morbid, the sadistic, and the unpleasant aspects of our society to the Poles, we actually give them a false impression of our Nation. An impression which shows America as a militaristic nation, poor and unhappy, is incidentally the same image projected by the Communist propaganda. I sincerely hope that USIA under its new administration will not repeat such mistakes.

The report further declares:

> Several major deficiencies continue to limit Latin American counterinsurgency capabilities. The means of combating the subversive tactics of the Communist professional require considerable improvement.

The deficiencies in Latin American capabilities only reflect our own inadequacies in the counterinsurgency field. If the leader is helpless, then so are those he attempts to lead.

Finding number seven states:

> The Soviet Union, rather than Communist China, still supports Cuba—economically, politically, and militarily.

Possibly this finding will serve to shake some people out of their lethargy regarding the Soviet Union. There are large numbers of people in this country, including some high public officials, who deeply believe that the cold war between the United States and the U.S.S.R. does not exist. Further, they believe the danger of communism lies with China and not with the Soviet Union. No one can deny that our guard against the Soviets has been relaxing steadily over the past few years. I submit, Mr. Speaker, that the Soviet Union, is the leader of the great majority of world Communists and that that nation represents the primary threat to the continued existence of freedom and self-government. The argument that she is no longer the primary worry is dangerous and a self-defeating fraud. We have been taken in by the use of the term, "peaceful coexistence." To a Communist that does not mean "live and let live," rather, it means "conquer without arms—from within." I refer you to my earlier quotations from Messrs. Lenin and Khrushchev for documentation of that argument. Communist desire for world conquest, what they call a "dictatorship of the proletariat" has not receded nor has it diminished in intensity. Only the primary means have been changed, nothing else. At the very moment in history we should be most cautious, we relax. We tend to be preoccupied with the Chinese threat. Indeed, the Chinese pose a formidable threat to our existence and their warlike ways endanger the safety of every being on earth, but that does not mean the Soviets are any less dangerous.

The much discussed Sino-Soviet split is the result of bitter intra-Communist debates over how and when the United States is to be buried. In fact, the split merely compounds our problems. Now we must contend with Chinese military aggression and Soviet nonmilitary aggression. Both powers will have to step up their anti-U.S. programs in order to impress the remainder of the Communist world. Even though China is deadly dangerous, we must remember who built the SAM sites in North Vietnam; who in reality maintains the abominable wall in Berlin; who trains the cadres that agitate for more anti-American riots, strikes, and demonstrations all over the world; who nurses the bearded barbarian Castro; and, when nuclear power threatens the continued existence of this planet. Granted Russia has changed somewhat. But she is still carrying out an active program of exporting revolution. She is still, by her own admission actively supporting so-called "wars of liberation," until she discontinues these nefarious and warring practices, she represents a serious threat to this Nation. Let this not be forgotten.

The remainder of the report continues to infer the gross inadequacies of our present mode of operation. It is the responsibility of the Congress to provide for the defense and welfare of the American people. If there are inadequacies, then we must accept our share of the blame, but, most important, it is for us to correct these monumental problems and it is for us to direct the executive agencies to activate programs with which the Communists can be defeated. In football, you cannot score a touchdown without the ball—and we cannot score victories over subversives until we have a program.

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We face the most determined and dedicated enemy in our brief history. He is coordinated and he is smart—but he is wrong about people. Lenin said many years ago:

> When it comes time to hang the capitalists, they, lusting for gold, will be competing for the contract to supply the rope.

I believe the leadership of the United States and especially this 89th Congress has no greater responsibility than to prove him wrong.

Mr. HAYS. Mr. Speaker, I yield myself such time as I may consume.

It is true that I said, in gaining this time, I am against this resolution. I am for the principle in a measure like this one, but I do not believe this resolution goes far enough. I believe it is time to quit equivocating about communism in Latin America or anywhere else.

In case some of the Members who have qualms about voting for this resolution have not read the new document by the Chinese Communists which was reviewed in the Sunday papers, I suggest they read it. They are talking about the total annihilation of America.

I am not worried particularly about public opinion in Latin America, because the only public opinion down there that is against the United States protecting those countries from communism is Communist opinion.

I enjoyed everything the gentleman from Pennsylvania said, and if the opponents of this bill did not enjoy his remarks, let me refer them to what my father used to say about castor oil: "You may not like it, but it will do you a lot of good."

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New York.

Mr. REID of New York. I believe the point which is of importance to the Members of the House today—I speak only as an amateur in this field, and I have heard a lot of experts—is not just the need to get ahead of the Communist threats in Latin America. That is clear and pressing, and we should do even more. The question is how to do it and the signal importance of initial collective action—while we, of course, reserve the right always of action in self-defense.

The fact remains that the Charter of the OAS and the treaty that is referred to in this resolution, the Inter-American Treaty of Reciprocal Assistance, talk about common action and common defense. Our failure in regard to the Dominican Republic was in failing to practice collective security; in failing to inform the OAS of our intentions to land troops or request observers to accompany our forces pending the arrival of OAS forces.

I believe the resolution is ambiguous. I believe the minority leader made an excellent point. This gives support, at least in the report, for the President to take any step he deems necessary. We should, in my judgment, be scrupulous in working first within the OAS Charter and seeking collective action and not unilateral action.

Mr. SELDEN. Mr. Speaker, I yield the remainder of my time to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, we can have differences of opinion about the best way to accomplish an objective, but there comes a time, I suppose, when we must meet eyeball to eyeball—and I believe this is that time.

I wish that conditions were different. I wish that we had a different answer. But the facts are that we do not.

Our discussion today, with sincere convictions expressed on both sides, indicates very clearly the problem the United States has faced since World War II, which is: What is a really effective short-term, nonmilitary answer to Communist subversion?

We do not as yet know the full answer to this question, but we are trying to obtain it. Heaven knows that we have tried very, very hard. We all support the Alliance for Progress in principle. Some of us do not agree as to the amount of money required to carry out this program, or with its implementation, but we know what we are trying to do—which is to build up the democratic, economic, political, and social institutions in Latin America so that they can withstand the challenge of communism or of any other "ism."

We all hope and pray that in the long term this will be the case. But you and I know that what we are faced with on the short term, is the new concept of subversion, which is just as aggressive and dangerous as any overt military act in the history of the world.

Ask yourselves the question, "Do we have a foolproof short-term nonmilitary answer to subversion?" I would like to be certain that we have one right now. Until we get that answer and until our long-range program has an opportunity to produce the desired effects, until we can substantially build up and undergird the democratic institutions of this hemisphere economically, politically, and socially, we would be foolhardy not to recognize that at any given moment, with the deep understanding of the facts which only the President can have, he must act in the best interest of the national security of this country, and that he will do so.

There is no point in denying that fact. Whether we have to act unilaterally or whether we have to act in consultation with other states of Latin America, in the final analysis, what we will do is what the President of this country thinks is in our national interest. We might therefore put the Communists on notice all over the world that if it gets down to brass tacks and there is a question as to whether we are going to stand back and let them, through some indirect method of subversion, take over a government in this hemisphere or use force to prevent that from happening, then we are going to have the right to consider whether to use that force in our own national interest and to carry out the commitments of all of the American States under the charters and under the treaties which bind us.

For these reasons, Mr. Speaker, as a member of the subcommittee which has devoted considerable attention during the past several years to the problem posed by the extension of Soviet influence to, and Communist penetration of, the Western Hemisphere, I strongly endorse the resolution before the House and urge its prompt adoption.

This resolution is fully consistent with the policy toward the Castro regime—and Communist subversion generally—which we have helped to hammer out and articulate in the Congress of the United States: a policy which, on the one hand, reaffirms our dedication to the traditional concepts of the Monroe Doctrine but which also takes into account the more recent experience of our Government in working with the Organization of American States to apply those basic principles to the very urgent problem which confronts our hemisphere.

For this reason, I urge the adoption of the resolution.

Mr. Speaker, I believe that today's debate offers us an excellent opportunity to review the course which our Government has pursued during recent years with respect to Cuba—to assess the pertinence of our policy to the situation which exists today—to consider some problems which we may have to face in the future—and to reflect upon the ways and means of coping with those potential problems.

In brief, Mr. Speaker, I believe that this is an opportune time to take a close look at the U.S. policy toward Cuba—and to offer some suggestions for strengthening it.

REVOLUTION BETRAYED

The first thing that we ought to do in approaching this subject, it seems to me, is to admit that the threat which confronts the nations of the Western Hemisphere does not stem from the fact that the Castro regime came to power in Cuba by revolution, or that it proposed wide-ranging social and economic reforms. Revolutions—as our own Nation's experience has shown—are not necessarily to be condemned out of hand. Neither can the legitimate aspirations of any people long be denied or looked upon as unseemly pretensions. The process of change, as difficult as it may be on occasion to all concerned, is an integral part of human life and the necessary prerequisition of progress. We recognize these facts and on our part, we would have welcomed any new government which promised political freedom and social justice for the Cuban people, and respect for Cuba's international obligations.

The challenge which confronts all of us in this hemisphere results rather from the fact that the Castro regime, almost from the start, betrayed its own revolution by delivering it into the hands of powers alien to our continents. He transformed the revolution into an instrument for the oppression of the Cuban people and for Communist penetration of other American republics. He became both a stooge and an extension of the international Communist movement, turning Cuba into a staging camp for the subversion and conquest of our hemisphere.

Herein lies the true nature of the challenge posed by the existence of the Castro regime on Cuba. It consists not solely of the adoption by Castro of totalitarian policies and techniques to impose dictatorial control over the Cuban people, but even more so of his active partnership in the global designs of the Soviet and the Red Chinese systems.

Once we identify the true aims of the Castro regime by stripping off the veil of popular revolution behind which they are hiding, we can then proceed to analyze the problem before us and arrive at effective ways of coping with it. We can begin this process by examining the capability of the Castro regime to achieve its external objectives, and the techniques it has adopted for this purpose. In order to be successful, our response to this challenge—our policy—must be based on a sound and realistic appraisal of these two factors.

CASTRO NOT A DIRECT MILITARY THREAT

Our first concern should be always with the military security of our hemisphere. For this reason, we must give careful thought to the prospects of Communist penetration of our hemisphere through military aggression initiated by or from Cuba. As we all know, such a possibility is not entirely imaginary, for during the first 6 months of the Castro regime, overt military actions originating on Cuba were directed against Panama, the Dominican Republic, and Haiti. Also, in 1962, Cuba became the key element of Khrushchev's grand gambit to change the balance of power in the world by placing offensive missiles on that island.

As we will recall, all of these attempts at a military conquest of our hemisphere failed—and have not been renewed since 1962. Mr. Castro and his powerful cohorts came to realize that their objectives could not be attained in this direct manner, and so they changed their tactics.

In my judgment, which is supported by the opinions of our military experts, Cuba does not constitute a direct and present military threat to our Nation. Further, as our actions in October 1962 clearly demonstrated, we shall never permit it to menace our own strategic power. We are taking effective measures, which I shall mention later, to assure that such a threat does not occur again.

Neither do I believe that Cuba presents a direct and present military threat to the rest of the Western Hemisphere. While the Cuban armed forces, trained and equipped by Castro's Soviet and Red Chinese partners, are substantial and command modern weaponry, the Castro regime does not now possess—nor has any reasonable chance of ever acquiring—the means required to bring those forces into effective play on the territory of some other American Republic. Cuba's air- and sea-lift capabilities are at best marginal. In addition, the overwhelming power of our own military forces, positioned so as to intercept any aggressive action originating from Cuba, lends added security to our neighbors in Latin America.

CUBA: A SUBVERSIVE THREAT

What, then, are the elements of the threat posed by the existence of the Castro regime on Cuba?

Essentially, the menace of Castro is the menace of subversion—that weapon of modern warfare used so extensively, and so effectively, by the world Communist movement. This menace is reflected in Castro's determination to undermine the existing governments of other Latin American countries—in his efforts to provide arms and financial support to organized Communist groups throughout the hemisphere, and to stimulate and mount campaigns of sabotage and terror.

There is a second element to this menace, even though this one lies entirely in the future:

Should Castro, with the help of slave labor and of massive transfusions of capital, equipment and manpower from his Communist allies, ever succeed in transforming Cuba into a materially progressive country, he would then possess a new and potent psychological weapon which he could use with great effect in subverting the governments of his neighbors in Latin America. He would then be in a position to demonstrate to the millions of economically submerged peoples, who are crying for social justice and a decent standard of living in their own countries, that their aspirations for a better life can best be attained by following the example of Castro's own Communist revolution.

The potential appeal of such a psychological weapon must not be underestimated. There are many areas in Latin American which are still living in the past, where anachronistic societies remain dominated by small cliques, where the masses of the people live in unimaginable squalor and misery. Those areas are particularly vulnerable to the tactics which I have just described. They provide fertile ground for the spread of Communist ideology and practice.

OBJECTIVES OF U.S. POLICY

Faced with the situation which I have very briefly described, what has the United States done to cope with the menace of Castroism? What specific objectives have we endeavored to achieve through our policy toward Cuba?

The latter can be summarized in three sentences:

First, we determined to see that Cuba may never threaten our strategic power position, as during the missile crisis in 1962;

Second, we resolved to apply increasing economic pressures to the Castro regime to limit its ability to engage in the subversion of the hemisphere, and to expose the bankruptcy of the system imposed on Cuba as a model for economic, social, and political advancement of the developing countries; and

Third, we embarked upon a multiple, intensive effort to strengthen the Latin American nations through collective political, military, and economic measures, so that they may effectively resist Communist subversion and speed the transformation of a continent of backward societies to a continent of new, modern nations.

The means which we have used to implement these objectives are many and varied. Because of the limitations of time, I shall only outline the major ones.

SAFEGUARDING OUR HEMISPHERIC SECURITY

After the critical experience of October 1962, we have instituted various safeguards to make certain that Cuba may not become a base for military aggression against the Western Hemisphere.

Among other steps, we initiated systematic air surveillance of the island. Our planes and ships also made side-ranging radar and photographic reconnaissance along the Cuban coasts. In a statement of April 21, 1964, President Johnson affirmed our Government's determination to continue such undertakings as may be necessary to achieve this first objective. He said:

> I do think it is essential that we maintain surveillance and know whether any missiles are being shipped into Cuba. We will have to maintain our reconnaissance and our overflights. Any action on their part to stop that would be a very serious action. We have so informed them and informed their friends.

In addition, we have augmented and positioned various military forces so as to intercept and repel any overt armed attack by Cuba on any of her neighbors.

Our Government also gives constant attention to the preparation of contingency plans to meet new military developments which may arise with respect to Cuba, or possible use of the island for military adventures by her allies.

THE PROGRAM OF ECONOMIC DENIAL

On another front, we have enacted and implemented numerous measures to withhold assistance to Cuba, to restrict the availability of free world shipping to the island, and to limit the categories of goods that may be available to the Castro regime.

As a member of the Committee on Foreign Affairs, I have sponsored and supported various initiatives within the Congress of the United States, designed to achieve these objectives.

In 1961, for example, we enacted the basic provision of section 620(a) of the Foreign Assistance Act, denying aid to the present Government of Cuba.

This was followed by my amendment designed to place restrictions on the use of our contributions to provide assistance to Cuba through international organizations.

In 1962, we extended section 620(a) to prohibit assistance to countries aiding the Castro regime. We also authorized the imposition of an embargo on trade between the United States and Cuba.

In 1963, we went a step further. We placed a prohibition on the importation of Cuban sugar into the United States. We also extended the policy of economic denial by enacting far-reaching provisions designed to inhibit the availability of free world shipping to Cuba.

In 1964, we included similar prohibitions in the Foreign Assistance Appropriations Act.

And earlier this month, to mention another example, together with a number of my colleagues I sent a telegram to the Secretary of State, urging that the U.S. delegation to a recent meeting of the Intergovernmental Maritime Consultative Organization be instructed to oppose Cuba's attempts to gain admission to that organization.

Each of the steps which I just described, as well as others which have been taken by us during the past few years, is designed—

To isolate the Communist pariah of the Western Hemisphere from normal economic intercourse with the nations of the free world;

To demonstrate to the peoples of the American Republics that communism has no future in this hemisphere;

To make plain to the people of Cuba, including those in the power structure, that the Castro regime cannot serve their interests;

To reduce the will and ability of the Castro clique to export subversion and violence to other American states; and

To increase the cost to the Soviet Union of maintaining a Communist outpost in the Western Hemisphere.

This progressive application of economic pressure, combined with our other activities, has been effective. Its effectiveness, as a matter of fact, has increased with time because of Cuba's considerable vulnerability to economic denial and the progressive disorganization and bankruptcy of the Communist system imposed on that island.

To appreciate this fact, all we need to do is to take a look at some statistics:

Today, Cuban living standard is on the skids. Consumer goods generally, and spare parts for the Cuban industrial plant in particular, are in short supply. Most basic foodstuffs are rigidly rationed. The Cuban people are allowed 2 bars of soap per person per month, 3 pounds of meat per month, and 6 ounces of coffee—when they can get them. The country's gross national product has dropped more than 15 percent in 6 years. The per capita income is down some 20 percent. Sugar production, which was at the heart of Cuba's former well-being relative to her neighbors in the Caribbean, has dropped from a pre-Castro level of 7 million tons a year to approximately 4 million tons.

In these circumstances, Cuba is costing the Soviet Union about $1 million a day. Moreover, although Castro has committed most of Cuba's sugar crop to the bloc, he has built up a huge trade deficit with the Communist world that now runs to about $500 million. By forcing Castro to live off the bloc, the United States ties up Red funds that might go to other parts of the word.

The program of economic pressure and denial has worked well and continues to be effective in achieving the second major objective of our policy toward Cuba.

COLLECTIVE RESPONSE TO CASTRO

The third major objective of U.S. policy toward Cuba has been to marshal the resources of our hemisphere for the purpose of strengthening our Latin American neighbor's capabilities to cope with the threat of Castro-directed Communist subversion and to remedy the intolerable political, economic and social conditions in which communism flourishes.

We have pursued this objective within the framework of the inter-American system—a system based on the twin foundations of the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance—the Rio Treaty. Faithful to our commitment to try to proceed on a multilateral basis where the security of the hemisphere is involved, we have endeavored to make clear to our Latin American friends the threat embodied in hemispheric or international Communist subversion, and to move them to adopt collective measures to cope with that danger. Over a period of time, these efforts produced constructive results.

In January 1962, the Foreign Ministers of OAS met at Punta del Este and made a number of decisions which resulted in the isolation of the Castro regime from the inter-American system. They clearly identified the danger of Castro communism to the hemisphere. They declared that the Marxist-Leninist regime in Cuba was incompatible with the principles and objective of the inter-American system, and they excluded the Castro regime from the system. They suspended trade with Cuba in arms and implements of war and then charged the Council of the OAS to study further trade restrictions. They also excluded the Cuban regime from the Inter-American Defense Board, and urged member states to take steps to individually and collectively defend themselves against subversion.

In October of that year, the Foreign Ministers of the OAS countries met again and concluded that additional steps should be taken to review and strengthen measures taken to cope with subversion emanating from Cuba. And in the crisis arising from the attempt to station Soviet offensive missiles on Cuba, the governments of the Latin American countries unanimously supported the decision that the American states could take, individually or collectively, such measures as may be necessary to remove the threat represented by those missiles.

In April 1963, the five Central American Republics, together with Panama and the United States, undertook a cooperative effort to safeguard the Caribbean area against Cuban subversive activities. At that meeting, and at a subsequent second meeting in January 1964, the cooperating countries agreed on a series of measures to increase the security of the countries of the area. The program included the control of subversive travel, funds, and propaganda, the strengthening of security organizations, and the improvement of communications between national security agencies.

At the ninth meeting of the Foreign Ministers of OAS held in Washington in July 1964, further progress was achieved in implementing the collective response to the challenge of Castro-sponsored subversion. Such subversive activities were brought within the definition of "aggression" for purposes of articles 6 and 8 of the Rio Treaty, Castro aggression in Venezuela was condemned, and agreements were reached not to maintain diplomatic or consular relations with the Castro regime and to suspend trade and sea transportation to Cuba except for certain humanitarian reasons. The Foreign Ministers also issued a warning to Castro that his continued attempts to interfere in the internal affairs of the Latin American Republics would be met effectively by the individual states and by the OAS.

ALLIANCE FOR PROGRESS

In addition to the above-enumerated steps, the United States, together with its neighbors, embarked upon a monumental undertaking to speed the process of economic and social change taking place in our hemisphere. Through self-help and mutual cooperation, the Alliance for Progress strives to remake the face of Latin America, to bring social and economic reform to the peoples of our hemisphere, and to increase their standard of living. As an active supporter in Congress of legislation authorizing this program, I believe that it constitutes a vitally important part of our overall effort not only to meet the immediate problem caused by the Castro regime, but also to build the basis for peace, progress, and long-range security of our hemisphere.

These, in brief, are the major steps we have taken, individually and collectively, to meet the challenge confronting our hemisphere. I want to reiterate my belief that these are sound and effective measures which serve our cause. At the same time, I realize that in the opinion of some of my fellow citizens, we have not done enough. Consequently, before I offer my personal appraisal of this judgment, I should like to examine some of the additional courses of action with respect to Cuba which have been available to us but which we have chosen not to follow.

INVADE CUBA?

The most obvious and direct course available to us has been to eliminate the Castro regime by direct military action designed to replace the present government with a non-Communist government friendly to the West. Less direct action might have taken the form of an enforced blockade—which, as we all know, still constitutes an act of war.

Even the most vigorous critics of our Cuban policy have rejected acts of war as a solution to the Castro problem. Short of an attack by Castro, short of Cuba becoming—as Khrushchev attempted to make it become in 1962—a direct threat to our strategic power position, short of a direct need to meet the threat of Castro subversion by force of arms, there is no justification for an act of war on our part.

Nevertheless, some people say: "We are fighting in Vietnam, and we sent the Marines to the Dominican Republic—why cannot we therefore invade Cuba and get rid of Castro?"

The problem here is that our actions in Vietnam, and in the Dominican Republic, differ basically from any invasion of Cuba under the existing circumstances. In both of the earlier mentioned instances, our assistance has been sought by the central authority of the country or countries concerned. We went into Vietnam at the request of the Government of that country, to assist it in overcoming externally sponsored aggression by the Vietcong. And we went into the Dominican Republic at the request of the only central authority that existed there at the time, in order to safeguard American and other lives, to prevent a Communist faction from creating chaos and possibly trying to establish itself as the legitimate authority of the country, and to give the people of the Dominican Republic the opportunity to work their will in electing a government of their own choice in accordance with their own constitutional procedure.

An invasion of Cuba would have to be motivated by other factors—principally, by the security requirements of our own Nation and that of our sister republics of Latin America. The 1964 Declaration of the Foreign Ministers of the OAS, and the resolution which we are approving today, reaffirms the sovereign right of each of our countries to act, even by force of arms, individually or collectively, to safeguard our security against the threat of Communist subversion.

Until now, neither our country nor the OAS has determined that there exists a compelling reason for the use of military force in the Cuban situation. As I mentioned previously, together with the OAS, we have moved a long way in meeting the threat of Castro communism. Last year, the Foreign Ministers issued a declaration including Castro-directed subversion within the definition of aggression for purposes of articles 6 and 8 of the Rio pact. To put it in other words, the use of force now applies under the Rio pact against Communist subversion emanating from Cuba. This is a long step forward. Nevertheless, until the determination is made that there is a compelling reason for the use of force to stage an invasion of Cuba, or to impose an enforced blockade of Cuba, or to organize and equip an army to effect the liberation of Cuba. Such action will not be taken. However, the resolution before the House today makes clear that with compelling reasons present, the United States or any other hemisphere nation can and may make such a determination in its national interest.

ESTABLISH A GOVERNMENT-IN-EXILE?

Another proposal which has been made frequently is that we provide recognition and support to a Cuban government-in-exile. This proposal also gives rise to some very serious objections.

In the first place, there is the practical difficulty of forming a representative government. In the United States alone, there are currently some 300 Cuban exile organizations, representing many diverse views. In these circumstances, how would a government-in-exile be chosen? If selected by popular vote among the Cuban exiles, how would the candidates campaign through the many countries where Cubans have taken refuge? If selected by the U.S. Government, such a government would always bear the stamp of "made in the U.S.A."

Further, over half a century of experience has made Cubans rather leary about the good intentions of their compatriots where power is concerned. No matter how many assurances are beamed to Cuba by a government-in-exile, that it is but an interim organ, there is no assurance that the people within Cuba will accept it and will not feel that they are being disregarded in the shaping of their country's future.

RECOGNIZE A PROVISIONAL GOVERNMENT IN CUBA?

These objections do not apply, in my view, to the issue of granting recognition to a provisional government, established in Cuba by the Cubans themselves. Such a government, I believe, would warrant immediate consideration of our recognition.

The experience of history demonstrates that few governments established in exile ever succeed in gaining sufficient support of the population to become either de facto or de jure governments within their countries. On the other hand, a provisional government established within the country itself, and capable of exercising authority over a given geographical area, often gains sufficient support from its own people, and from friendly countries, to achieve those ends. For these reasons, I would strongly urge our Government to act immediately on the question of recognition and support for a provisional government in Cuba, once such a government is established. All of our policies must be directed toward the weakening of the Castro regime to facilitate the establishment of such a provisional government.

LOOKING TO THE FUTURE

Mr. Speaker, the issue of the restoration of freedom to Cuba and the need to meet effectively the threat of Communist subversion in our hemisphere, are urgent and of deep concern to the American people. At the same time, I believe that the policy which we have followed to achieve these objectives is neither generally known nor fully understood. For these reasons, I think that it serves a useful purpose to lay all the facts on the table, to examine them dispassionately, and to try to arrive at conclusions which are based on a realistic appraisal of the existing facts and of our capability to deal with them. This is what I have attempted to do.

To summarize, I believe that the policy which we have followed with respect to Cuba is sound, realistic, and effective. For the present, we have exerted, and we continue to exert, every effort short of war to meet the challenge posed by Communist subversion originating from Cuba and to hasten the day when the people of Cuba will be able to shape the destinies of their country in the framework of freedom and democracy. This is our goal. And we have resolved to pursue that goal in a manner which is at the same time effective and consistent with our commitment to the inter-American system.

Is there something more that we can do? I believe there is. For the past 3 years, as chairman of the Subcommittee on International Organizations and Movements of the Committee of Foreign Affairs, I have endeavored to explore the various means which we in the free world must employ in order to advance the cause of freedom not only in our hemisphere but throughout the world. In the course of a long and thorough study entitled "Winning the Cold War: The U.S. Ideological Offensive," my subcommittee has examined a multitude of our governmental and private programs, sought the advice and opinion of numerous experts, and reached some conclusions. I would like to mention some of them.

We have concluded, first, that the best way to fight Communist penetration and subversion is on the ground level where it occurs—among the masses of the hungry, impoverished people long denied a decent standard of living and an opportunity to participate meaningfully in shaping the future of their respective nations.

We have also concluded that in order to fight it effectively, we must combine economic assistance with programs of community development, civic action, and related activities which will awaken civic and political consciousness of these people and bring them to participate effectively in the self-help undertakings as well as in the political life of their nation.

And we have concluded that to achieve these purposes, we must intensify our effort and direct greater attention to the people at the grassroots of the free world societies both through governmental and through private undertakings.

There is much that we can do. We ought to begin by doing more research on the human element in the process of change and economic development. We ought to develop new approaches, new institutional instruments, in our aid programs. We ought to undertake a systematic study and planning for the urban areas of Latin America—areas which are becoming monumental concentrations of poverty and ignorance, and fertile ground for Communist activity. We must not allow the desire to maintain stability to stand in the way of necessary and inevitable change; rather, we ought to attempt to associate ourselves with that process of change and to guide it into constructive channels.

We are moving in that direction and on my part, I will continue to work to the utmost of my ability to see that we move faster and more effectively so that we may help to build a world in which peace, with diversity and freedom, may become a reality.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of this measure. The gentleman from Alabama [Mr. SELDEN] is undoubtedly one of the leading figures in the battle against communism in this hemisphere. He has conducted himself as chairman of the Subcommittee on Inter-American Affairs in a manner which has reflected great credit upon himself, his colleagues, the House of Representatives, and the Nation. He is to be commended for his

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efforts to not only stem the subversion which flows from Communist Cuba, but for keeping the problem of communism constantly before the eyes of the American public.

I am pleased to join his efforts in urging passage of this resolution. It is a reaffirmation of the Monroe Doctrine, which we have just seen used vigorously to thwart communism in the Dominican Republic. It gives articulate testimony to the firmness of the House that action is essential to halt Red infiltration further into this hemisphere.

The resolution enables the House to reject those who would meet Communist efforts in the Dominican Republic and elsewhere in this hemisphere with inaction rather than firm action. It enables the House to go on record as in favor of a strong policy to uphold the Monroe Doctrine. It allows the House to show its support for prompt and determined steps in any contingency.

Mr. Speaker, with continued firmness the United States will soon see an end to the Red influence and subversion which has accompanied the Castro regime in Cuba. Castro's economy is in havoc. He has demanded that his civilian militia return its arms, which are now in the hands of only the trusted members of his army.

The island of Cuba, which can only be practically supplied by boat, has suffered a drop in the amount of free world shipping which has supplemented the supply line provided by Red ships. The number of allied ships calling in Cuba in 1962 and 1964 is 60 percent what it was in 1962. The latest Government tally of free world shipping to Cuba released by the Maritime Administration shows 17 ship calls in August as compared to 24 free world ship calls in January of this year.

Wide-ranging policies such as continued pressure on those free world nations shipping to Castro, the support of strong OAS sanctions against Cuba, and prompt, determined action by the United States to halt subversion anywhere in the hemisphere will result in an end of the Castro regime and the spread of communism in Central and South America.

Mr. BENNETT. Mr. Speaker, I rise in support of House Resolution 560, a bill which I consider of vital importance to the defense of our Nation and this hemisphere.

I believe I was the first Member of Congress to introduce a resolution calling for the use of the Monroe Doctrine and U.S. troops, if necessary, to prevent Soviet imperialistic takeovers in the Western Hemisphere. This was on January 6, 1960. Since then I pushed for passage of what is now Public Law 87–733, adopted by the Congress in October 1962; and to the same purpose have advocated the provisions of the bill before us today.

I believe that had we adhered to the Monroe Doctrine in Cuba, we would not be having the trouble we are having today in other parts of the world. The source of this trouble in every case has been the same—Russian imperialism, and we must, in the interest of our own security, exert every possible effort to oust communism in the Western Hemisphere wherever found. The President's quick action in sending U.S. Marines to the Dominican Republic was such an effort, and while this force's primary responsibility was the protection of U.S. citizens and property in that country, it is certain that our intervention and presence prevented the likelihood of a Moscow-oriented government being established there.

I know it came as no surprise to the Members of the House that Communist agents in substantial numbers were found to have infiltrated the Dominican uprising, and that it was necessary for the Organization of American States or the United States acting independently, to bolster the stable and free government in the country to prevent another Communist takeover.

Since 1960 I have continued to press for legislation asserting the sense of Congress to be that in emergency situations the United States or other free countries in this hemisphere do not have to wait for action by the Organization of American States before dealing with situations such as that in the Dominican Republic. If the House would enact this legislation today, it would give the President strong support of his policies in this area, and we would not be continuously subjected to unwarranted criticism because of overstatements of what our obligations are with regard to the Organization of American States.

I congratulate my colleague from Alabama [Mr. SELDEN] and his committee for the fine work they have done in bringing this bill to the floor for action.

Mr. EDWARDS of California. Mr. Speaker, I frankly cannot understand how H.R. 560 was placed on the Suspension Calendar. No issue has so divided the Senate Committee on Foreign Relations this year as the American adventure in the Dominican Republic. Within the last week a great debate has been taking place in that body discussing precisely the political, moral, and legal issues which we would propose to treat as unamendable and subject to little or no refutation.

Nor is this resolution uncontroversial in this House. Certain members of the Committee on Foreign Affairs have expressed their grave concern about this matter and some are in outright opposition. And yet from its position on the suspension calendar the American people would be given to believe that there is neither debate nor major expert opposition to the resolution's contents.

I also point out that this resolution authorizes a unilateral type of gunboat diplomacy that we have renounced since the beginning of the good neighbor policy of Franklin D. Roosevelt and the Alliance for Progress of Presidents Kennedy and Johnson.

In addition it violates our commitments under the U.N. Charter and the Charter of the Organization of American States.

Specifically, article 15 of the Charter of the Organization of American States says that:

> No state or group of states has the right to intervene directly or indirectly, for any reason whatever, in the internal or external affairs of any other state.

And article 17 states:

> The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any grounds whatsoever.

The passage of this resolution will be greeted throughout the world with despair by our friends and delight by our enemies.

Mr. Speaker, I urge the defeat of this incredible resolution.

Mrs. HANSEN of Washington. Mr. Speaker, first, I deeply regret that this most important matter involving wide ranging foreign relations was placed before the House as a suspension. It seems to me that it has such far-reaching effects and grave impact upon affairs of this hemisphere that a minimum of 2 hours debate should have been allowed. Many of us wished to ask questions and many of us wished to see a documentation by the Department of State as to their opinions, yet there was no time available.

Second. Customarily the field of foreign affairs is left to the President, yet on this occasion the President has not communicated with me nor with other Members of the Washington Delegation and I feel, as I am sure they do, that we should have liked administrative comments on this prior to House consideration.

Third. As many Members of this House stated on the floor the adddition of constructive amendments which would have made plain to the entire world our determination to follow democratic procedures could have possibly been proposed and discussed.

Again may I regret that the passage of a bill of this nature under suspension precludes many of the thought-provoking questions which should be properly raised in this vast and important field of foreign relations. Also precluded is a thorough review on the position of our own State Department.

Mr. BROWN of California. Mr. Speaker, I rise in opposition to House Resolution 560. I share the concern of the author of this resolution, of the members of the Foreign Affairs Committee, and indeed of every Member of this House, regarding the spread of totalitarian philosophy of any kind. I recognize the threat posed by communism to freedom and democracy in this hemisphere and throughout the world.

My opposition to this measure is not based on a starry-eyed idealism, a wishy-washy liberalism, or ignorance of the facts of life. It is, instead, based upon a considered judgment that passage of this measure will alienate our friends and allies in Latin America, provide ammunition to our enemies, undermine the principles of collective security which are the foundation of our foreign policy, and destroy our commitment to the principle of law in international affairs.

We have, in effect, by the wording of this resolution taken the same identical position as Mao Tse-tung, a position which holds that any means are justified to further Communist dictatorship—a position which is his weakness, not his strength—a position which has proven its bankruptcy in Africa and will backfire against him in Asia and the rest of the world, if only we do not join him in the same policy.

What we say in this resolution is that we will intervene unilaterally with our Armed Forces in any country in the Western Hemisphere where we do not like what is going on. The resolution, in fact, sanctions the armed intervention by any country in this hemisphere in the affairs of any other country where the intervening country, by its own sole decisions, finds that there is a secret or open, direct or indirect action, or intention, aimed at intervention, domination, or control of the other country by any ambiguous force which can be tagged with the label of "communism." It will be abundantly clear to all Latin American countries that while this resolution sanctions such action by any country, in reality only the United States possesses the power, coupled with the desire, to take such action.

This policy directly contradicts the Charter of the Organization of American States, the Charter of the United Nations, and all precedents of international law. It is a bald-faced statement that the United States recognizes only the law of the jungle in its relations with its neighbors.

I predict that the passage of this resolution by the Congress will be the greatest blow to hemispheric solidarity ever struck by this Government.

I predict that this action will strengthen communism throughout the world, whether it be of the Cuban, Chinese, Russian, or any other variety. I predict that the folly of this action will haunt our country for generations yet unborn.

Mr. Speaker, only a world outlook so unreal as to verge on insanity could contemplate any value in the enactment of this resolution. I beg my colleagues to awaken to reality before it is too late.

Mr. ASHLEY. Mr. Speaker, I must vote against the resolution before us because in my view it in no way serves or furthers our national interest.

We are told that the resolution supports the President of the United States in any action he deems necessary to prevent Communist subversion in the Western Hemisphere. The grant of authority is so broad as to be either meaningless or incredibly dangerous. According to the language of the resolution we assert the right of the President to dispatch American troops to any country in the hemisphere—or to take any other action he may wish to take so long as his purpose is to prevent Communist subversion. No one can argue the necessity of curbing Communist subversion, Mr. Speaker, but it most certainly can be argued that the result of the kind of unilateral action suggested by the language of this resolution might well be to thwart both the short- or long-range objectives we seek in the Western Hemisphere.

The resolution also proclaims the support of this body for such action as may be taken by one or more members of the Organization of American States in the exercise of individual or collective self-defense to forestall or combat Communist subversive aggression in the Western Hemisphere. Again the purpose may be laudable but I do not believe it is good policy for the United States to register its approval of any action which may be taken now or in the future by any of our fellow members to the OAS so long as they can show that they are seeking to combat Communist subversion. I think it much more prudent to be immediately responsive, as we were in the Dominican Republic recently, to individual situations as they may arise.

It is clear from the debate this afternoon that this resolution was not requested by the President of the United States who has fundamental responsibility for the conduct of our foreign affairs. I fear, Mr. Speaker, that this type of gratuitous action on the part of the House of Representatives can and very well may have results very contrary to those sought. It advertises that the United States will go anywhere that it chooses in the Western Hemisphere and take any action it sees fit to halt Communist subversion. If I were a Communist in South America, nothing would please me more than to have this body adopt such a resolution by an overwhelming vote.

Sometime, hopefully, we will become more sophisticated in our understanding and conduct of foreign affairs. Consideration of the resolution before us makes it clear that this moment has not yet arrived.

Mrs. KELLY. Mr. Speaker, I rise in support of the resolution. This is a timely expression of the intent of the House that we will resist and take whatever steps are necessary to prevent a Communist takeover in any of the American Republics. It states our recognition of the danger to the security of each of us whenever international communism threatens the security of any American state. I deplore the confusion and distortions of fact which have characterized, in some quarters, our efforts to help stop a Communist takeover in the Dominican Republic. Passage of this resolution will help clear away the misconceptions about our foreign policy both at home and abroad. I urge its immediate adoption.

I would like to stress the following remarks from page 2 of the report on House Resolution 560:

> In short, the subversive activities are carefully cloaked with the appearance of being a domestic problem. As a result, a number of American governments have been reluctant to regard subversion as susceptible of international action, holding that such action would collide with the inter-American principle of nonintervention.
>
> The Communists have recognized this unresolved dilemma within the inter-American collective security system and have tailored their aggressions accordingly.
>
> The Alliance for Progress is designed to remove the underlying causes of social discontent in Latin America, which provide fertile ground for Communist machinations. However, success of the long-range objectives of the Alliance is endangered by continuing Communist efforts to increase the political tensions of the region.

Mr. RYAN. Mr. Speaker, on previous occasions I have objected to the use of the procedure of suspending the rules in order to consider questions of foreign policy which merit full and extensive debate. House Resolution 560 concerns U.S. foreign policy in Latin America—an area which deserves most careful and full consideration. The House should not be rushed into extraordinary procedures to consider a resolution of this type.

Although it purports to be a simple sense of Congress resolution against Communist subversion in the Western hemisphere, the resolution in fact supports unilateral intervention by the United States or any member of the Organization of American States in the affairs of any other nation in this hemisphere if the rationale and justification for such action is the threat of Communist subversion. This policy is inconsistent with our commitment to democracy in Latin America.

Moreover, the committee report on page 3 describes the objective of the resolution:

> It supports (1) the President of the United States in any action he deems necessary to prevent in a timely manner Communist subversion in the hemisphere; and (2) action by any one or more of the members of the Organization of American States in the exercise of individual or collective self-defense to forestall or combat Communist subversive aggression in the Western Hemisphere.

In other words, the House is writing a blank check not only to the President of the United States but also to any member of the Organization of American States. This I am not prepared to do, and I deem it most unwise for the House to abdicate its responsibility in this fashion.

We have seen an example of unilateral intervention in the recent Dominican Republic affair. The Senate Foreign Relations Committee has held extensive hearings on this episode in American foreign policy. At the conclusion of those hearings the distinguished chairman of the committee, Senator WILLIAM FULBRIGHT stated:

> The U.S. policy in the Dominican crisis was characterized initially by overtimidity and subsequently by overreaction. Throughout the whole affair, it has also been characterized by lack of candor.

The distinguished Senator went on to explain why our action in the Dominican Republic was inimical to our interest in furthering democracy in Latin America.

Mr. Speaker, House Resolution 560 must be viewed in relation to our recent actions in the Dominican Republic. Passage of this resolution would be an act of approval of future unilateral interventions in Latin America.

The days of gunboat, big stick diplomacy should be relegated to the pages of history. We live in an interrelated world, one in which the actions of this great Nation must be in accordance with international law and our international obligations. If we are to lead and help create a community of nations, we must be willing to act in concert with that community.

I urge all my colleagues to vote against the suspension of the rules to consider this highly controversial resolution.

Mr. COHELAN. Mr. Speaker, the free Republics of this hemisphere have solemnly declared that communism is incompatible with the inter-American system. I join wholeheartedly in this sentiment, and I will continue to support those efforts which can deal realistically and effectively with international communism's efforts to subvert and to dominate independent nations. For the fact of the matter is that communism is diametrically opposed to the open society, which is the very strength and basis of both our system and that of many other countries in this hemisphere and elsewhere in the world.

But I cannot agree to support this resolution as it has been presented to the House today, although I feel a better conceived and better drafted measure might very well be in order. This resolution, however, meets neither of these criteria: it is both inadequately considered and imperfectly drafted.

In addition, Mr. Speaker, a measure of this importance should not be considered under the severe time limitations imposed by suspension of the rules. We should have more than 40 minutes to discuss a matter of this magnitude, and we certainly should be given an opportunity to consider perfecting amendments which, of course, is not possible under today's procedures.

We must bear in mind when considering a measure such as this that the rising tide of popular feeling in Latin America today is directed toward social reform and economic improvement. These goals are not inconsistent with our own goals and our own traditions. But we trap ourselves, we seriously reduce our options, and we severely inhibit our opportunities to be effective if we automatically oppose reform and revolutionary movements just because a few radicals and extremists, along with progressives, liberals, moderates, and others, are associated with them. We force ourselves to be associated with the status quo, with often reactionary systems, and we find ourselves opposed to the constructive outlets and the bright future of the Alliance for Progress.

The distinguished chairman of the Senate Committee on Foreign Relations, Mr. FULBRIGHT, stated it very well when he said last week:

> The movement of the future in Latin America is social revolution. The question is whether it is to be Communist or democratic revolution and the choice which the Latin Americans make will depend in part on how the United States uses its great influence.

Mr. Speaker, the Charter of the Organization of American States is perfectly clear in its opposition to unilateral action or to intervention in the internal affairs of any nation.

Article 15 states:

> No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state.

And article 17 states:

> The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any grounds whatever.

It may be that unilateral action and direct intervention are not the objectives of this resolution. But this is not clear to many of us today, and I am certain that it would not be clear to many of our neighbors and friends.

So, Mr. Speaker, I do not think we should approve this resolution today and I will not vote to support it. This resolution is much too negative in nature. It does not add one iota to the President's constitutional responsibility or authority to conduct our foreign policy. It will do little if anything to deter communism. And it in no way enhances our ability to contribute the strength, the vitality, and the great traditions of our own system to the changing and challenged societies of Latin America.

Mr. HALL. Mr. Speaker, I certainly wish to express my support for House Resolution 560, reaffirming the Monroe Doctrine.

I believe we should not only keep communism out of the Western Hemisphere, by all means at our disposal, but we should also do everything possible to prevent Communist subversion within our own national boundaries.

I have introduced legislation in this Congress to outlaw the Communist Party, U.S.A., not because the Communist Party members are numerous, but because they are well financed and expert in every subversive technique.

Along these lines, I call my colleagues' attention to the article from the Joplin Globe of August 23, 1965, entitled "U.S. Red Youth School":

U.S. RED YOUTH SCHOOL

(By Ray Cromley)

WASHINGTON.—Late last month the Communist Party called 80 selected Red youths in from all over the United States for a secret training school.

The sessions were held at Camp Midvale, at Ringwood, N.J., about 35 miles from New York City. Students were handpicked as potential future leaders of the senior Communist Party.

The meetings were so secret that the 2 weeks they were there the students were prohibited from communicating with the outside world. No phone calls were permitted, incoming or outgoing. Students were not allowed to send letters from the camp. As an added security measure, students used only their first names for the weeks.

During the sessions, several leaders of the W. E. B. Du Bois (youth) Clubs of America were inducted into full membership in the Communist Party.

THE LEADERS

Instructors at the school included top Reds, Communist Party general secretary Gus Hall, vice chairman Henry Winston and Claude Lightfoot, chief party theoretician Herbert Aptheker, national youth director Michael Zagarell, national education secretary Hyman Lumer, national committee member Helen Winter. Betty Garnett and George Meyers were among the teachers.

Most students attending the school have now been sent to key cities to begin twin recruiting drives for the Communist Party and for the Du Bois Clubs. Young people working on these drives are paid $30 a week.

The main thrust of this organizational drive centers in key Midwest cities—St. Louis, Chicago, Cleveland, and Detroit.

The secret school included instruction in Lenin's works on the necessity of and the methods of achieving the violent overthrow of non-Communist governments by force.

Other courses dealt with the Communist theory of "peaceful coexistence" and how it is a form of the class struggle between Communists and non-Communists.

THE COURSES

Course titles included "The fight for peace and against imperialist aggression in Vietnam"; "The struggle of Negroes in the United States for equality"; "The class struggle and the trade union movement"; "The revolutionary significance of the civil rights movement"; and "The struggle for economic welfare."

Required reading included several chapters in the Soviet Communist text "Fundamentals of Marxism-Leninism."

The Communist youth were told to use every opportunity to work into the civil rights movement.

They were told to cooperate with all student drives against the United States in Vietnam including drives which urge young men to refuse military services in southeast Asia.

They were instructed to never lose a chance to use any youth groups available for their aims and to work through them as fronts rather than openly as Reds.

All this adds up to one thing: The Communist problem is not the size of the Red organization. The problem rather is that with preparation, a handful of Communist-trained young people can sometimes push a non-Red youth group into acts which suit Communist aims.

Mr. SCHEUER. Mr. Speaker, I am opposed to the passage of House Resolution 560, which would seem to validate or encourage unilateral military intervention by the United States or any other nation in the Western Hemisphere, in the affairs of a Latin American country in danger of Communist subversion.

Mr. Speaker, I oppose this resolution because the fate of this Nation, and of this planet rests in the development of collective machinery to achieve peace, which this resolution can only serve to undermine.

For the first time in the history of this world, man possesses a sufficient store of weapons to destroy life on earth. Any resolution or action which challenges the collective decisionmaking machinery of the free world, can only be damaging to our hopes of attaining lasting peace.

I recognize, as do all the Members of this body, that the greatest threat to peace in the world today, is the aggressive policies of world communism. But this resolution will not help to contain that threat nor minimize it.

On the contrary, this resolution will only be useful to the Communists.

They will exploit it to propagate the all too widely held view that we are still an immature, impulsive giant eager to interfere in the internal affairs of other nations. We will be hearing again of Teddy Roosevelt's strong-willed imperialism, of the U.S. Marine's in Nicaragua, of the other hostile and timeworn cliches which will be resurrected once again to embarrass us with our friends, hurt us with our enemies, and confuse our great purposes with the uncommitted.

A short time ago, the United States took unilateral action in the Dominican Republic. Men, of knowledge and good will on both sides, are still debating whether or not this intervention was necessary to prevent the spread of communism, even granting the assumption that it was proper.

The learned chairman of the Senate Foreign Relations Committee, Senator FULBRIGHT, has raised a serious question as to whether or not there was a sufficient threat of Communist takeover in the Dominican Republic to justify our intervention. The administration feels that the facts justified that intervention, and that collective machinery was brought into play as soon as possible.

Everyone of good will would agree that our unilateral intervention, necessary or unnecessary, was harmful to the United States.

Everyone recognizes that there may be threats to our national security, that would necessitate unilateral action, but unilateral action is at best only a poor substitute for collective machinery and a peaceful mutual resolution of problems.

We have just celebrated the 20th anniversary of the United Nations, man's greatest collective effort to achieve world peace. We are a long way from perfecting the United Nations, and achieving our goal of a peaceful world.

In Vietnam, the Kashmir, along the Indochina border, and the Syrian-Israeli border, gunfire may be sounding at this very moment. Any one of these conflicts carry within it, the seeds of world destruction.

I would hope that this body could give greater consideration to resolutions which would strengthen collective machinery for peace, and underline our belief that unilateral action is to be taken only as a last resort, consonant with urgent needs of our national security.

Mr. CRAMER. Mr. Speaker, I rise in support of House Resolution 560, a resolution reaffirming this body's support for the principles of the Monroe Doctrine.

In light of the criticism from certain segments of the press, and in particular from the distinguished chairman of the Senate Foreign Relations Committee [Mr. FULBRIGHT], concerning our participation in the revolt in the Dominican Republic, I believe this resolution is both timely and necessary.

International communism poses a grave threat to the sovereignty of numerous countries in Latin America. We witnessed it in Cuba and we are witnessing it in the Dominican Republic. Unless we make our position with respect to this threat crystal clear, neither our friends will be certain of our support nor our enemies aware of our determination.

The events in the Dominican Republic evidence the need for this resolution, directed as it is not only to our friends and enemies outside of the United States but to the administration as well in whose hands the foreign policy of our country is molded.

It is my belief that the administration's failure to accomplish its announced purpose in the Dominican Republic—namely, to prevent that country from falling into the waiting arms of the Communists—was frustrated, and this will become clearer in the months to come, because of the criticism leveled at the administration's show of force by so-called teach-in groups and others.

Succumbing to this pressure, the administration which first asked Dominican General Berreras to drive the pro-Communist rebels out of the Dominican Republic quickly changed its goal and what was first formed as a protective zone to save American and foreign lives in downtown Santo Domingo became a wall of protection for the rebels themselves.

This travesty was compounded with the removal of anti-Communist Dominican General Wessin y Wessin at gunpoint by American men and arms.

Reports which have not been refuted by the administration reveal that the Communists have surfaced in the Dominican Republic. The rebel-held zone of that city, protected as it was by American troops, was turned into a suburb of Havana with training in subverison and sabotage and political indoctrination going on under the noses of the OAS peacekeeping force and the United States.

It is therefore incredible that there are still those who insist that the Communists never posed a threat to that revolution. The Communist organizations in that country—the Castro-inspired 14th of June Movement, the Red Chinese MPD, and the Dominican Communist Party—control the rebel military establishment. As such, they will play a key role in the coalition government and what faces this country now is either a complete Communist takeover or a type of Latin American Laos. Our vacillation at a critical time has created a situation which I predict will come back to haunt us and all of the Americas in years to come.

Had this body acted sooner on a resolution such as we have before us today, pressure from the lunatic left in this country might not have persuaded the administration to back down. Possibly passage of this resolution today will convince the administration that future efforts to ward off communism in this hemisphere will have the support of the vast majority of the members of this body.

And, I fear, future efforts will be called for as long as Cuba's traffic in subversion is met with meager resistance by the United States as is presently the case.

Communist Cuba continues to be the cancer in this hemisphere. As I have so often told this body, subversion, not sugarcane, is its major export.

There are numerous short-of-war steps that can and should be taken to ward off this continuing threat, none of which this administration is willing to take. For example, many of us have long called for the establishment of a Cuban government in exile.

Those who oppose this proposal do so, it appears, not because the suggestion is without merit but because they fear that the establishment of such an exile government would not be possible due to the numerous groups of exile organizations spread throughout the hemisphere.

In the past years, I have spent numerous hours in Florida and in Washington discussing this proposition with Cuban exile leaders. I have been repeatedly assured from the leaders of the many diverse factions that the establishment of such an exile government would have the support of the vast majority of exile groups and further, the names of Cuban exiles scattered throughout the hemisphere are available so that a plebiscite by mail could be undertaken under proper supervision, possibly through the OAS.

The fact of the matter is that the reason there are so many exile organizations is because they have no centrally recognized organization with which to associate themselves and their cause. Our refusal to recognize such an exile government has fostered these diverse factions. In short, they have no home and we have not given them one.

A Cuban Government in exile, with the support of the United States, could win back the freedom of the people on that island of tyranny.

Another objection voiced to the establishment of an exile government is that it may not have the support of the people in Cuba. This argument is specious because once Cuba is returned to the family of free nations, the exile government would naturally give way to the freely established government elected by all of the people of Cuba.

I have also called for a meaningful trade ban and a halt to the constant flow of Communist arms and subversive trainees between Cuba and other Latin American nations. With recent alarming reports that Castro is spreading his tentacles to Africa as well, there is further reason for this country to start instituting these programs.

To date, our efforts to rid Cuba of Castro and communism have been futile. What economic sanctions we have taken against Castro have been ineffective. The wishful thinkers in the administration seem to believe that by making Cuba as expensive as possible for Russia to maintain, the Soviets will eventually write Cuba off as a bad investment and pull out. This is absolute nonsense. Any who have studied the Communist system thoroughly will be quick to admit that the preservation of Cuba as a Communist state is worth any price to the international Communist movement. It serves as a base for military advancement in this hemisphere. It serves as a base for further subversion in this hemsiphere. It serves as a base for Red propaganda in this hemisphere. Expensive as it may be to maintain, to the Communists it is a priceless possession which would not be discarded because of its cost be it in rubles or yen.

Mr. Speaker, I support this resolution because I feel it essential that the once-discarded Monroe Doctrine be revived and reaffirmed. Hopefully, it will signal the beginning of an effort by the administration to institute meaningful programs that will make the Americas free from the Communist threat.

The SPEAKER. All time has expired. The question is, Will the House suspend the rules and pass House Resolution 560?

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 312, nays 52, answered "present" 3, not voting 65, as follows:

[Roll No. 310]

YEAS—312

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Blatnik
Boggs
Bow
Bray
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Callaway
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Clevenger
Collier
Conable
Cooley
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farnum
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Ford, Gerald R.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hébert
Henderson
Herlong
Hicks
Horton
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McGrath
McMillan
McVicker
Machen
Mackay
Mackie
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
May
Meeds
Michel
Mills
Minish
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
O'Konski
Olsen, Mont.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Poff
Pool
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roush
Rumsfeld
Satterfield
St. Onge
Saylor
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Va.
Stafford
Staggers
Stalbaum
Stanton
Steed
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Vanik
Vigorito
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—52

Ashley
Bingham
Boland
Bolling
Brademas
Brown, Calif.
Burton, Calif.
Cameron
Cohelan
Conte
Conyers
Corman
Culver
Daddario
Dow
Duncan, Oreg.
Dyal
Edwards, Calif.
Farbstein
Ford, William D.
Fraser
Giaimo
Gilbert
Green, Oreg.
Hanna
Hechler
Holland
Irwin
Kastenmeier
Leggett
McFall
Macdonald
Mathias
Matsunaga
Mink
Moss
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
Ottinger
Reid, N.Y.
Resnick
Reuss
Rosenthal
Ryan
Scheuer
Sickles
Sisk
Thompson, N.J.
Van Deerlin
Yates

ANSWERED "PRESENT"—3

Hays
Helstoski
Joelson

NOT VOTING—65

Adair
Anderson, Ill.
Andrews, George W.
Barrett
Berry
Bolton
Bonner
Brock
Cabell
Celler
Clawson, Del
Colmer
Craley
Devine
Diggs
Farnsley
Fino
Fogarty
Foley
Frelinghuysen
Grider
Halpern
Harris
Hawkins
Holifield
Hosmer
Jennings
Kee
Keith
Keogh
Kluczynski
Lindsay
Long, La.
MacGregor
Madden
Martin, Mass.
Matthews
Miller
Morris
Nix
O'Brien
Patman
Pirnie
Powell
Purcell
Quillen
Rogers, Tex.
Roosevelt
Roudebush
Roybal
St Germain
Senner
Smith, Iowa
Smith, N.Y.
Springer
Stephens
Stratton
Sullivan
Thomas
Thompson, Tex.
Todd
Toll
Tunney
Vivian
Waggonner

So, two-thirds having voted in favor thereof, the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Keogh with Mrs. Bolton.
Mr. Waggoner with Mr. Adair.
Mr. Fogarty with Mr. Frelinghuysen.
Mr. Long of Louisiana with Mr. Springer.
Mrs. Sullivan with Mr. Pirnie.
Mr. Purcell with Mr. Roudebush.
Mr. St Germain with Mr. Del Clawson.
Mr. Jennings with Mr. Anderson of Illinois.
Mr. Colmer with Mr. Berry.
Mr. Bonner with Mr. Martin of Massachusetts.
Mr. Kee with Mr. Keith.
Mr. Holifield with Mr. Hosmer.
Mr. Stratton with Mr. Fino.
Mr. Toll with Mr. MacGregor.
Mr. Celler with Mr. Devine.
Mr. Barrett with Mr. Halpern.
Mr. George W. Andrews with Mr. Quillen.
Mr. Miller with Mr. Brock.
Mr. O'Brien with Mr. Lindsay.
Mr. Matthews with Mr. Smith of New York.
Mr. Kluczynski with Mr. Roybal.
Mr. Rogers of Texas with Mr. Grider.
Mr. Senner with Mr. Hawkins.
Mr. Madden with Mr. Thompson of Texas.
Mr. Cabell with Mr. Roosevelt.
Mr. Harris with Mr. Morris.
Mr. Farnsley with Mr. Diggs.
Mr. Smith of Iowa with Mr. Tunney.
Mr. Vivian with Mr. Patman.
Mr. Todd with Mr. Nix.
Mr. Foley with Mr. Powell.
Mr. Stephens with Mr. Thomas.

Mr. KING of California changed his vote from "nay" to "yea."

Mr. CHARLES H. WILSON changed his vote from "nay" to "yea."

Mr. HICKS changed his vote from "nay" to "yea."

Mr. KUNKEL changed his vote from "present" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. KEITH. Mr. Speaker, I arrived just after my name was called. I therefore cannot qualify. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOOD AND AGRICULTURE ACT OF 1965

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade to afford greater economic opportunity in rural areas and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and to agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and appoints the following conferees: Messrs. COOLEY, POAGE, ABBITT, HAGEN of California, STUBBLEFIELD, PURCELL, DAGUE, BELCHER, and TEAGUE of California.

PROVIDING FOR THE DISPOSITION OF JUDGMENT FUNDS OF THE KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS, AND FOR OTHER PURPOSES

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 664) to provide for the disposition of the judgment funds of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute in accordance with the provisions of this Act, the funds appropriated in satisfaction of a judgment obtained by the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, hereinafter called the Klamath Tribe for the purposes of the administration of this Act, from the Indian Claims Commission against the United States in docket numbered 100, and all other funds heretofore or hereafter deposited in the United States Treasury to the credit of the Klamath Tribe or any of its constituent parts or groups, except the funds heretofore or hereafter set aside for the purpose of paying the usual and necessary expenses of prosecuting claims against the United States.

SEC. 2. (a) A distribution shall be made of the funds resulting from docket numbered 100, including interest, after deducting litigation expenses and estimated costs of distribution to all persons whose names appear on the final roll of the Klamath Tribe, which roll was closed and made final as of August 13, 1954 (68 Stat. 718). Except as provided in subsections (b), (c), (d), and (e) of this section, a share or portion of a share payable to a living adult shall be paid directly to such adult; (b) a share payable to a deceased enrollee shall be paid to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, whose findings and determinations upon such proof shall be final and conclusive: *Provided,* That amounts payable to deceased heirs amounting to $5 or less shall not be paid, and such amounts shall remain in the United States Treasury to the credit of the Klamath Tribe; (c) a share payable to an adult under legal disability shall be paid to his legal representative; (d) a share payable to a person previously found to be in need of assistance under the provisions of section 15 of the Act of August 13, 1954, may be paid directly to the individual or, if the Secretary deems it in the best interest of the individual, it may be added to the trust now in force on behalf of said individual, with concurrence of the trustee; and (e) a share or portion of a share payable to a person under age of majority as determined by the laws of the State of residence shall be paid to a parent, legal guardian, or trustee of such minor.

SEC. 3. Within sixty days of the date of approval of this Act, the Secretary of the Interior shall commence to pay the share due to each living person whose name appears on the final roll of August 13, 1954. As to members who have died since promulgation of the final roll of August 13, 1954, the Secretary shall mail a notice of distribution of funds and a form for presentation of a claim thereunder to all known heirs or legatees of such deceased enrollees. All such claims shall be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within two years following the date of approval of this Act. From and after that date, all claims and the right to file claims for any distribution from the judgment in docket numbered 100 shall be forever barred.

SEC. 4. Funds remaining in the United States Treasury to the credit of the said Klamath Tribe, or any of its constituent parts or groups, after the distribution of funds resulting from Indian Claims Commission docket numbered 100 as provided by sections 2 and 3 of this Act, together with any other funds which may be deposited in the United States Treasury, including without limitation funds accruing from other judgments against the United States (after payment of expenses, including attorney fees, payments for rights-of-way, trespass damages, or other revenues, together with any interest accrued thereon), shall, after deduction of the estimated cost of distribution, be distributed from time to time as determined by the Secretary to the members of the Klamath Tribe or to the members of any of its constituent parts or groups in the same manner as provided in sections 2 and 3 of this Act.

SEC. 5. After all claims of the Klamath Tribe or any of its constituent parts or groups against the United States have been finally determined, appropriated, and distributed, as provided in sections 2, 3, and 4 of this Act; and after all litigation expenses (including attorney fees) and costs of distributions have been paid, any funds remaining in the United States Treasury to the credit of the Klamath Tribe or any of its constituent parts or groups which, in the discretion of the Secretary of the Interior are insufficient to justify a further distribution, shall be deposited in the miscellaneous receipts of the Treasury of the United States.

SEC. 6. The costs of distribution may be paid out of the deductions authorized by sections 2 and 4 of this Act. Any unused portion of such amounts shall remain in the United States Treasury to the credit of the Klamath Tribe.

SEC. 7. None of the funds distributed pursuant to this Act shall be subject to Federal or State income tax.

SEC. 8. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. MIZE. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Is the gentleman from Pennsylvania opposed to the bill?

Mr. SAYLOR. I am not, Mr. Speaker.

The SPEAKER. The gentleman from Kansas [Mr. MIZE] qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Florida is recognized for 20 minutes.

Mr. HALEY. Mr. Speaker, may I make a brief explanation of S. 664 which authorizes the Secretary of the Interior to distribute funds awarded by a judgment of the Indian Claims Commission to the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians. Like many other judgments recently handed down by the Indian Claims Commission, this was to compensate the Indians for land ceded to the United States under a treaty provision. Under the terms of a treaty between the ancestors of these Indians and the United States, the Indians were paid for the land but at an unconscionably low figure. Some 15 years ago, the Indians filed a claim against the United States in docket No. 100. Subsequently, a judgment favorable to the Indians was rendered, a compromise settlement of $2½ million was reached and eventually agreed to by a sizable majority of claimants through a referendum held in December 1963. Somewhat over a year ago Congress appropriated funds to pay the claim. The $2½ million is now in the Federal Treasury drawing 4 percent interest. S. 664 will authorize the per capita distribution of the funds among the 2,133 members who were enrolled in 1957 when the final roll pursuant to the Klamath Termination Act of 1954 was published in the Federal Register.

Under the terms of the Termination Act, each of the 2,133 enrolled members were given an opportunity either to remain a member of the Klamath Tribe, the Modoc Tribe, or Yahooskin Band of Snake Indians or to withdraw therefrom and have his interest in tribal holdings converted into cash and conveyed to him. About 79 percent of the enrolled members chose to withdraw from the tribe and to take their share of the appraised tribal assets.

The Termination Act also dealt with the prosecution of tribal claims against the United States in two respects. The first protected the right of tribal members to share in the proceeds of tribal claims even though they had elected to withdraw from their band or tribe. The second protected any right granted by the Indian Claims Commission Act of 1946.

S. 664 provides for a per capita distribution since the relationships between the tribe or band and the United States has been terminated.

In anticipation of this judgment, as well as others that may well be forthcoming, the executive committee of the Klamath Tribe, which has continued to function for a variety of purposes, authorized and requested the Secretary of the Interior to set up a special $350,000 fund from which to pay for the prosecution of this and other claims already filed in the Indian Claims Commission or in the U.S. Court of Claims. Mr. Speaker, I would be remiss if I did not state that this provision of the bill was vigorously opposed by a large segment of the withdrawing Indians which claims that with enactment of the 1954 act the executive committee no longer represented the tribe and thus were in no position to enter into attorney contracts, particularly when the withdrawing Indians had their own attorneys. While I am very sympathetic to these complaints, I think our colleagues will agree with me that since the Secretary of the Interior recognizes and does business with the executive committee, it is reasonable that our committee do likewise. It is my hope that disputing segments of the tribes and bands, together with their respective attorneys, can arrive at an equitable agreement on the use of the $350,000 fund for the further prosecution of judgment cases involving the Klamaths and Modocs. As I have stated over and over again in our committee, I do not believe it is the function of Congress to usurp the prerogatives of the courts in controversies between tribes and their attorneys or segments of tribes.

Mr. Speaker, considerable time was spent by the committee in listening to pleas to reopen the final roll in order to include certain members of the Modoc Tribe to apply for enrollment to the Secretary within 90 days after enactment of this act and who convince the Secretary that their failure to enroll previously was due to lack of notification that Modoc Indians were included in the 1954 act. Our committee was not convinced that the Secretary had been negligent in advertising the call for enrollment since the Federal Register had carried the necessary information. The committee did, however, recognize that relatively few Modoc Indians had access to or knowledge of the Federal Register.

Mr. Speaker, I urge favorable consideration of S. 664 and hope that per capita distribution to the 2,133 Indians and their families can begin before the end of the calendar year.

Mr. Speaker, I do not deny that some Modoc Indians living in Kansas, Missouri, or elsewhere may not have been aware of the Klamath Termination Act of 1954 or that some of them still are unaware of its existence or of the existence of this pending legislation. I do want to point out that Congress was not, in 1954, derelict in its carrying out its responsibilities to the Modoc Indians.

Let me trace the background of the Modocs. They were found by the white men in what is now southwestern Oregon. Frequent conflicts with white immigrants, in which both sides were guilty of many atrocities, have given the tribe an unfortunate reputation. In 1864 they joined the Klamath Tribe in ceding much of their territory to the United States and were removed to the Klamath Reservation. They seem never to have been contented, however, and made persistent efforts to return to their former holdings. In 1870, a sizable portion of them left the reservation, and fled to northern California, and stubbornly refused to return to the reservation. The first attempt to bring them back by force resulted in the Modoc war of 1872–73. American forces pursued them into the wilds of the Oregon-California border and finally dispersed and captured their leaders. The leaders were hanged. The remnants of the tribe were separated, some were placed back on the Klamath Reservation while the more obstinate members were reportedly banished to the Quapaw Reservation in Oklahoma. Some of the families were eventually reunited. In 1905 there were still some 56 Indians on the Quapaw Reservation claiming to be of Modoc descent. The Modocs on the Klamath Reservation became so integrated it is practically impossible to separate the blood strains.

History shows that several times the Oklahoma Modocs have been accorded opportunities by Congress to be enrolled on the Klamath Reservation. For example, under the act of March 3, 1909, the Secretary of the Interior was authorized and directed to restore to the rolls of the Klamath Agency those Modoc Indians then enrolled at the Quapaw Agency, together with their descendants living on the date of the act. Those Modocs who took advantage of the offer and resettled in Oregon were allotted land as were the already-resident Klamath and Modocs. A great many were enrolled at the Klamath Agency and were accorded all the rights and entitlements of the other enrollees.

Furthermore, may I state that persons still residing in 1954 and not only on the Quapaw Reservation but off the reservation and living in Oklahoma, Kansas, Iowa, Missouri and some 15 other States were admitted to the final roll of the Klamath Tribe—see Federal Register of November 21, 1957, page 9303.

The Klamath Termination Act of August 13, 1954, provided—and I quote:

> At midnight of August 13, 1954, the roll of the tribe shall be closed and no child born thereafter shall be eligible for enrollment: *Provided,* That the tribe shall have a period of 6 months from August 13, 1954, in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on August 13, 1954, which shall be published in the Federal Register. If the tribe fails to submit such roll within the time specified—the Secretary shall prepare a proposed roll for the tribe which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within ninety days from the publication of the final roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decision thereon shall be final and conclusive. After disposition of all such appeals, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

Now, Mr. Speaker, let us see how this section of the Klamath Termination Act was implemented. A proposed final roll of the Klamath Tribe was published in the Federal Register of May 13, 1955. In my hand is a copy of the proposed membership roll which appeared in the Federal Register. This publication was valid, legal, and sufficient notice to all persons who may have been affected by such a final roll. However, an appeal opportunity was provided and 45 cases were brought before the Secretary. In 15 cases he added names to the proposed roll and, in accordance with the Act of August 13, 1954, the final roll was published in the Federal Register of November 21, 1957. This [indicating] is a copy of the final roll which appeared in the Federal Register.

During our committee hearings I asked for a breakdown by State of residence of members whose names appeared on the final roll. I notice that 9 Missouri residents, 5 Kansas residents, 5 Iowa residents, and 18 Oklahoma residents are included. Information about the Klamath Termination Act did reach the Middle West.

To me and to members of our committee it is clear that fair opportunity was afforded to all persons to claim a right to be on the Klamath roll. The roll is now closed and final. The 2,133 were given the right to share in the assets of the tribe as they existed in 1954, and in future judgments against the United States, including this instant case. When Congress enacted the Klamath Termination Act the enrolled members were promised protection of their rights and we are doing so in this legislation.

Mr. Speaker, I strongly urge that this bill be approved. By doing so, we will be strengthening a law that has been on the statute books for the past 10 years.

Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, the gentleman from Florida [Mr. HALEY] will follow me with some reasons why this legislation should be supported. May I state at this time that in accordance with the provisions of the Klamath Termination Act, the tribal assets were appraised, the appraisals were reviewed, and then reappraised at the request of the tribe. As a result, each of the 2,133 enrolled members received a share of approximately $43,000. Many of the members have invested their share in land or business, others have their shares in trust for them. The 1954 act provided that the 2,133 enrollees or their descendants would share in future judgments of which this is one. There may be others. We can readily see the confusion that would result from the opening of the roll in order to include those Modocs who claim they were uninformed of the 1954 act. Would they be entitled to a $43,000 share, a share of this $2,500,000 judgment, a share in future judgments? From what source would the $43,000 shares be paid? The 2,133 share receivers could not be expected to contribute to the shares of the new enrollees. What sort of a precedent would be established by reopening the roll of a tribe that has been terminated? So far as I recall, we have reopened but one final roll—for the Cherokee Tribe, of Oklahoma in 1905, I believe. Rolls are regularly brought up to date, but not after they are finally closed.

We have an obligation to authorize the distribution of the $2½ million involved in S. 664. The money has been in the U.S. Treasury since June 1964, and is drawing 4-percent interest. Many of the potential recipients have made plans contingent on payment of their approximately $1,200 shares. It is certainly unfair to them to delay the enactment of this legislation in order to satisfy the desires of a few Modocs who believe themselves to be discriminated against.

Furthermore, I am told that the Bureau of Indian Affairs and the Klamath Tribe carried out an excellent education and information program to circularize and explain the details of the Termination Act. I am quite certain that this Bureau made valiant attempts to reach all known Klamath and Modoc Indians. I have a duplicate copy of the November 1956 issue of the Klamath Tribune, the official organ of the Klamath information and education program, which carries an article on the front page from which I quote in part:

> As with every new law, there is always the problem of making the law and its meaning known to those who are most affected by its passage. For this reason Congress felt that a special information and counseling service was necessary here on the reservation to make available to the Klamath people any and all important factual information.

Now let me continue my quotation:

> Every means available will be used to obtain the necessary information that the Klamath people desire and to distribute it as rapidly as possible. Included are the newspapers, the mail, special news bulletins, and a monthly news report by our staff. In addition, we plan to use radio and TV plus the schools, churches, and any other organization that wishes to cooperate.

This program is already underway and staff members during the past few weeks have contacted various tribal members in their homes or elsewhere on the reservation.

I do not know whether publication in the Federal Register was in itself sufficient notification for the announcement of tribal roll closing, but I have pointed out that other elaborate steps were taken by Congress, the Bureau of Indian Affairs and the tribe. In the future it may be desirable to undertake additional means of notification. In this case the die has been cast and Congress should sustain its position.

The reopening of the roll would have other implications. The policy of Congress is to free Indian tribes and reservations from Federal supervision and to prepare the Indians to take their places in a non-Indian society. In order to do that and to accept their new role, Congress must give assurance that it will keep its word. Congress told the 2,133 Klamath and Modoc enrollees that the 1954 roll would be final. How can Congress expect other Indians to divide their tribal assets unless they are assured that Congress will stand by its decisions.

Mr. Speaker, I strongly urge the House to suspend its rules and pass S. 664.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. Yes. I yield to the gentleman from Iowa.

Mr. GROSS. The claim has been made by members of this tribe that they are compelled to do business or would be compelled to do business under the terms of this bill with a certain Washington law firm. Is there any substance to this complaint?

Mr. ASPINALL. No, I do not think there is, I will say to my colleague. I think the Indians still have the power of making the decision and saying who will be their attorney. The question is how the Indians will be paid. I think this perhaps, because there is come controversy within the tribe itself, is what is involved.

Now, Mr. Speaker, I would like to yield to my good friend from Oregon at this time for a couple of questions so that we can get these questions in the record.

Mr. ULLMAN. Mr. Speaker, I appreciate the gentleman's yielding.

There has been some question about the language at the top of page 2 referring to "funds heretofore or hereafter set aside for the purpose of paying the usual and necessary expenses of prosecuting claims against the United States." Referring to this, I would like to inquire whether the retention of this language by the Interior Committee indicates that the committee has examined and approves the existing contractual arrangements between the tribal council and a certain firm of attorneys.

Mr. ASPINALL. The answer to the gentleman's question is that the committee was informed of the existing contractual arrangements and that it is aware that these arrangements are not satisfactory to—in fact, are strongly opposed by—one group of Klamath Indians. The committee has not taken and does not take any position with regard to the propriety of these arrangements. That is not its business.

Mr. ULLMAN. In other words, enactment of the language on page 2 that I referred to will not mean that the House is giving legislative approval to these arrangements between the so-called tribal council and their attorneys to the exclusion of others?

Mr. ASPINALL. That is right. All that the language the gentleman referred to does or is intended to do is to distinguish between the moneys which are to be distributed per capita and those that are to be retained for the purpose of financing litigation expenses.

That is all that this part of the report refers to.

Mr. ULLMAN. I thank the gentleman. I strongly support the measure before the House.

Mr. MIZE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in opposition to the adoption of S. 664, not because I am against the disposition of the judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, but because I want all of the descendants of these tribes to share equally.

The gentleman from Missouri—Congressman RANDALL—and I have constituents in our districts who are members of the Modoc Tribe, but because their names do not appear on the final roll of the Klamath Tribe, they cannot share in the distribution. Legislation was introduced which would permit our constituents to present their credentials and if they qualified on the basis on the time of their birth and blood relation-and if they qualified on the basis of the roll. The bill I introduced, H.R. 4964, carries a provision which states:

> For the purpose of this Act, the final roll of Klamath Tribe shall be deemed to include all additional persons who apply to the Secretary of the Interior not later than ninety days after the enactment of this Act and who are determined by the Secretary to meet the following requirements: (1) they were born on or prior to, and were living on, August 13, 1954; and (2) they possessed at least one-eighth blood of either the Klamath Tribe or the Modoc Tribe or the Yahooskin Band of Snake Indians, or at least a one-eighth mixture of the blood of said tribes; and (3) they were not enrolled on August 13, 1954 with any tribe other than the Klamath Tribe.

The purpose of this amendment is to give a small number of persons who claim to be of Modoc tribal descent the opportunity to prove to the Secretary of the Interior that they possess Modoc tribal blood. If they make the required proof, they will be listed on the tribal roll and will be entitled to share equally with other persons on the tribal roll in the distribution of judgment funds awarded on tribal claims.

This provision is not included in S. 664. The provision was offered as an amendment during the committee hearings on S. 664, but was not adopted. S. 664 was reported to the floor without this amendment.

The situation is this: In 1955, that is, 10 years ago, the Bureau of Indian Affairs prepared a tribal roll. Information is now at hand to show that, because of unfortunate circumstances and errors, the names of a small number of persons of Modoc tribal descent were omitted from this 1955 roll. S. 664, however, provides that the recovery on ancestral tribal claims shall be distributed only to the persons listed on the 1955 roll. S. 664 makes no provision for any additions to the 1955 roll and therefore excludes the omitted persons of Modoc tribal descent from any share in the judgment funds. The language of my bill seeks to correct this injustice. It gives the opportunity to the omitted persons to share in the judgment funds equally with other tribal members, if they can prove to the satisfaction of the Secretary of the Interior that they possess the required tribal blood.

The arguments against the amendment are grounded on expediency. It is stated that the 1955 roll is a final roll and that it would entail administrative effort and expense to process applications for additions to the 1955 roll. In my opinion, principles of fairness and justice should prevail over expediency.

Statements have been made that if the provision in my bill is included, several hundred persons who were omitted from the 1955 roll would now be able to prove their tribal descent and become entitled to a share in the judgment funds, thus reducing the share of those previously enrolled. If these statements are correct, it would appear that principles of fairness and equal treatment would require that these several hundred persons be given their equal share. However, these statements are not substantiated in any way. On the contrary, estimates based on careful inquiries indicate that there will be less than 100 unenrolled persons who will be able to establish the tribal descent and meet the requirements of the amendment.

The roll prepared in 1955 contains the names of 2,133 persons. The addition of less than 100 persons to this roll will reduce the pro rata share of the presently enrolled persons to a very small extent.

Mr. HALEY. Mr. Speaker, will the gentleman yield at that point?

Mr. MIZE. I am delighted to yield to the gentleman.

Mr. HALEY. Is the gentleman aware of the fact that the Federal Register closed the Klamath enrollment on May 13, 1955?

Mr. MIZE. Yes, sir; I am.

Mr. HALEY. And at that time there was an appeal made by other people who said that they had not been able to get on the roll. The rolls were reopened and closed again on November 21, 1957. I can understand the gentleman's concern, but it gave them approximately 2½ years in which to qualify. They were on notice in the Federal Register and from widespread information in newspapers. Is the gentleman aware of the fact that in the enrollment of these tribes there were 24 States represented?

Mr. MIZE. I am aware of all that; and I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. MIZE. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I wonder if the gentleman could tell me the number of people involved in this?

Mr. MIZE. We do not know exactly. We estimate it to be considerably less than 100; there could be as few as 15 or 20 in my particular district. There appear to be 15 or 20 but I do not know how many are in the district which is represented by the gentleman from Missouri [Mr. RANDALL].

Mr. DON H. CLAUSEN. If the gentleman will yield further, I have had some people come to me recently expressing concern that they are not on the roll and there is also a question of the attorneys themselves actually being able to perpetuate themselves in this matter.

The SPEAKER pro tempore (Mr. PHILBIN). The time of the gentleman from Kansas has expired.

Mr. MIZE. Mr. Speaker, I yield myself 4 additional minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, if the gentleman will yield further, it has been brought to my attention that some of the attorneys on the case are able to perpetuate themselves and are receiving necessary expenses that are taking away some of the funds from some of the heirs. I believe this follows the point which was made by the gentleman from Oregon [Mr. ULLMAN].

Could the gentleman comment on this?

Mr. MIZE. I would prefer that the gentleman direct that question to members of the committee because I am not familiar with that phase of the problem.

Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Speaker, I, like some other Members present today, represent constituents who believe they have a valid claim to participate in this judgment settlement. For this reason I rise in opposition to S. 664.

First, I want to say that all the Klamath and Modoc Indians are not in Oregon or in California. Some of them are in the Midwest, in western Missouri, and in eastern Kansas. I might add they have just as much Indian blood in their veins as the Klamath Indians in Oregon.

The first bill that was introduced by Mr. ULLMAN, H.R. 907, has now been considered by the committee, and we have before us its companion measure from the other body, S. 664. The gentleman who spoke last [Mr. MIZE] the gentleman from Kansas, proposed an amendment in committee which would have permitted the opening of the tribal rolls for 90 days, to permit Klamath, Modoc, or Yahuskin Band of Snake Indians to apply for enrollment if they would have been eligible for enrollment in 1954, but for their failure to make timely application. We also had an amendment which was offered in committee—and I wish to say now in all fairness to the members of this committee, it was fairly considered, although never adopted.

Our proposed amendment went a little bit further than the gentleman from Kansas to make certain there was no laxity or no easy way to prove inheritance. We set up some stipulations these Modocs would have had to have been living back in 1954, that is, born at least before 1954, to have had one-eighth Indian blood and, finally, to have never been enrolled by any other tribe.

So we asked that our amendment be considered. The gentleman from Texas [Mr. WHITE] was the sponsor. He was not present, when the bill was marked up but the gentleman from Oklahoma [Mr. EDMONDSON] was kind enough to offer this amendment on his behalf, and the committee considered it.

This debate today is not at all limited to the Klamaths. We are talking about the Klamaths but also the Yahooskin Band of Snake Indians, and let us not forget we are talking about the Modocs. My good friend, the gentleman from Colorado [Mr. ASPINALL], mentioned the Klamath publication out in Oregon published in 1956. He said it gave wide publicity. That is true. But remember that while the Government has historically classified the Klamaths and the Modocs together, they have historically been separate tribes and furthermore many of the Modocs got kicked out of their traditional homes back in 1872 and 1873 because of a tribal war. After this war many of the Modocs came to the Indian Territory which is now Oklahoma and thence into western Missouri and in eastern Kansas. These are the Indians we are talking about.

The argument that is being presented by the proponents of the bill is that all Modoc Indians had fair and reasonable notice that the tribal rolls were to be closed. This is what the committee is talking about.

The committee keeps talking about a form of notice that we call in the law "constructive notice." They are saying that because an announcement was published in the Federal Register, everybody has received constructive notice, so everything is all right.

Let us look for a minute to see why such a notice is inequitable. It is inequitable because always in the past the Government has regarded itself as the guardian of the Indian and there has been this relationship of guardian and ward. If the theory of guardian and ward is going to apply here, then we should have gone even further than constructive notice in this case. The principle of constructive notice being given to people is for those people who have all of their rights without the limitation of being a ward. Here this relationship of guardian and ward as between the Government and the Indians has existed. There is no doubt about it.

I must in conscience state that an attempt was in fact made by the Government to contact all known Indians of Klamath, Modoc, or Yahooskin-Snake blood when the roll was drawn up. There were advertisements, posters and newspaper stories in areas in which these Indians were known to have congregated, but these notices were by their very nature inadequate to reach pockets of Indians living far removed in time and place from the reservation. Before it could be said that an honest attempt was made to reach isolated Indians such as ours, there must have been some attempt to make constructive notice that the termination rolls were being drawn up.

Let us examine the situation to see whether such constructive notice, a good and valid constructive notice, was in fact given. Let us go back to look at some of these notices in order to see just how much notice was given to these Modocs. I suppose the people in Missouri could have made a fortuitous trip out to Oregon or State of Washington to find out that these rolls were going to be closed. But they did not. Some years after the rolls had been closed they did write to their blood brothers out there and asked about what was going on. They got the answer back that there was nothing going on—nothing was being done.

Why did the Indians in Oregon write back in that way to their fellow Indians in Missouri? They did that because they knew that for every one additional Indian who was added to the rolls whether they be from Missouri, Kansas, or any other State in the Union, it was going to cut down or reduce their share of the judgment. That is why they did not answer and tell our Modocs about it.

I mentioned a moment ago about this thing called constructive notice. There were four notices published in the Federal Register. The first one was in January of 1955 and it simply specified the procedures. Then along came the second notice in May of 1955 and it listed the roll proposed by the tribal council that we have been talking about. The tribal council did not want to extend the rolls because they did not want their own share to be cut down.

Other names had to be added at the insistence of Federal officials. Then we come along and in 1957 there was published a final certified roll. This is all there is in the Federal Register. Then the fourth time there is simply the announcement that the tribe as an entity has been terminated.

But now listen to this. At no time, Mr. Speaker, in any of these notices was the word "Modoc" mentioned. That means that these Modocs could not know that this notice applied to them. Only the word "Klamath" was mentioned. That means, Mr. Speaker, that these Modocs would have had to think of themselves as Klamaths. They never have been Klamaths. They had a war and left the reservation. So even if the Modocs in Missouri and Kansas had read this Federal Register, they would have read about Klamaths but they would not have read a word about Modocs.

In none of these four times that notice was printed in the Federal Register was a word said about the Modocs.

Mr. Speaker, I submit to you that that is not a fair procedure and yet that is the procedure the committee asks to have approved today.

Today, Mr. Speaker, we are considering the property rights of some Indians. This is the last chance they are going to have because of the parliamentary situation. There is no other way these Modocs will have a chance to be considered. The gentleman from Kansas knows of 10 or 15 such Indians—he said maybe 100 but I do not believe he has that many. I do not believe there are over 25 or 30 in all.

But this is the last chance that any of these Modocs will have to be considered. No further legislation will be necessary to authorize final distribution of all remaining judgment funds affecting the Klamaths, the Modocs, or the Yahuskin Band of Snake Indians.

We have talked a lot about the danger of precedents here and how distressing it is to open this thing up and how many would be involved and how long settlement would be delayed.

The suggestion was made in the report and I believe mentioned in the hearings about the expense involved and how tedious and how difficult it will be for the Indians to prove their inheritance under this process. I say, under our rule of law we give everybody their day in court and let them try to prove their case. That is what we should try to do here. These Modocs should be given a chance to prove their inheritance.

I repeat that nowhere in these so-called notices in the Federal Register was the word "Modoc" mentioned—only the word "Klamath." We talk a lot about civil rights and we have done a lot about civil rights so far as Negroes are concerned this year and we have legislated about voting rights. All we are asking to be done today is in an effort to satisfy the proper claims of all of the descendants of Indians who received an unconscionable and inadequate consideration in payment for lands that were taken way back about 100 years ago. Let us not close the door forever and bar these few people who should at least have the right to prove if they can, entitlement to their inheritance.

I do not know. Perhaps they cannot prove it. If they cannot prove it, I fail to see where any damage has been done. It is purely a question of justice and equity to give them an opportunity to prove it. That is all we are talking about this afternoon—just a chance to prove that they have a right to participate in this judgment. That is all we are asking: just ordinary, elementary justice.

Mr. HALEY. Mr. Speaker, I yield to the gentleman from Oklahoma 4 minutes.

Mr. EDMONDSON. Mr. Speaker, I thank the chairman for yielding. I rise in support of the bill with a keen appreciation of the problem which confronts the gentleman from Missouri, for whom I have great respect, and the gentleman from Kansas, for whom I also have great respect. I do not know of a case in this century in which the funds of Indians have been distributed in which instances have not arisen in which some folks have come along, after the roll was closed, and claimed the right to be included in the roll. Invariably a very difficult problem for the Congressman representing those folks is presented.

Mr. Speaker, in this instance, I do not know of a situation in my memory of service on the Subcommittee on Indian Affairs in which Members of Congress have more diligently fought to provide their constituents a second opportunity, to participate in a judgment. The gentleman from Missouri [Mr. RANDALL] and the gentleman from Kansas [Mr. MIZE] have eloquently presented this matter to the committee. They have argued the question most diligently and, I believe, with great ability and with great sincerity.

When I first heard the presentation in the subcommittee, I was inclined to be most sympathetic to them. There is no question about the fact that some of the notices that were put out by the Department of the Interior were not as comprehensive as they might have been to carry the news to all of the member tribes of the Klamath Tribe of Indians. But, on reviewing the situation, I believe the committee discovered that word had reached across the Nation with respect to this enrollment.

One of the unusual features of this particular report is that it includes the complete tribal roll of the Klamaths. I think if Members will look at that roll, which is very seldom reproduced in the hearings, they will observe that the hearings of the committee reprint the entire Klamath roll beginning at page No. 54 and continuing over through page 94. I believe that when Members look through those pages they will see that many people in Missouri got word about this enrollment. Members will find Missouri Indians listed on pages 67, 69, 71, 76, 91, and 92; Members will find Indians in Kansas listed on pages 68 and 87.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Kansas.

Mr. MIZE. I understand, those Indians were listed as Klamath Indians. Ours are listed as Modocs. Ours did not realize they were Klamath Indians. That is what seems to be confusing.

Mr. EDMONDSON. If the gentleman has information that none of the people listed on those rolls are Modocs, that information was not communicated to the committee. Actually, I think the rolls probably would include a number of the Yahooskins and a number of Modocs who enrolled on the Klamath roll. Of course, they are not identified in any way except as Klamaths on this roll.

Granting that it does constitute some hardship for the Modocs who failed to get word of the enrollment and, for that reason, are not participating in the distribution, I think the fact is that there are remedies available in the courts to those Indians that can be pursued by them. There is the remedy of special legislation which can be introduced in the way of private bills, if there is a valid claim against the Government for failing to give proper notice. I think we always face a very difficult situation when Congress tries to add names to a tribal roll which has been completed and closed by the tribe as well as by the Government.

That is the situation which confronts us at this time.

I believe any delay on this bill will result in an injustice to many more Indians. I hope the bill will be passed and the committee upheld in its position with respect to the measures raised so ably and so eloquently by our colleagues from Missouri and Kansas.

Mr. MIZE. Mr. Speaker, I yield my remaining time, 2 minutes, to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. HALEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania, also.

Mr. SAYLOR. Mr. Speaker, the Klamath Indians a number of years ago requested termination. After a proper vote in the tribe, termination was requested officially, and termination was granted by the Congress.

At the time termination was granted and the Indians were given their full rights of citizenship, certain tribal assets had to be liquidated. Some members of the tribe took their money in cash, others took it in property; but at that time there was pending a suit against the United States in the Indian Claims Commission to determine whether or not the Klamath Tribe had been properly paid for all of the land in Oregon.

The Indian Claims Commission in its deliberations determined that the Klamath Tribe was entitled to more money. This is the reason why the bill is before the House today.

Notice was given. It is true that the notice was given only to the Klamath Tribe and to its members. The mere fact that another group had been thrown out as a result of the battle which has been referred to, who lived in another part of the country, is not sufficient to change this situation, but means only they might have some right against the Secretary of the Interior.

But unless this bill is passed, the funds which are in the Treasury of the United States to the credit of the Klamath Tribe cannot be paid out and they will continue to accumulate interest at the rate of 4 percent a year. That is why this bill should be passed.

There is a provision here which will allow the Secretary of the Interior to retain a portion of the funds for paying the usual and necessary expenses of prosecuting other claims against the United States. This is a provision of the bill with which I disagree. I do not believe it should be in the bill. But we are faced either with taking this bill with this provision and allowing a per capita distribution to be made to those who are on the rolls now or the situation in which we cannot distribute this money.

In view of this fact, I think that the Modocs, if they are entitled to get onto the tribal roll, missed the boat. It is not the duty of the Secretary of the Interior to publish a notice in every paper in the United States. He published it in the Federal Register, which is circulated throughout the United States, and everybody was given due notice. The mere fact that they did not see it is something that those who represented them at the time missed. For the final members of the tribe who have been liberated and are full citizens, this bill must be passed. I think that the members of the tribe who have been granted their full citizenship should sit down with the Secretary of the Treasury and see to it that the contract they have with the present attorneys is terminated, because, as near as I know, this is the last case pending before the U.S. Indian Claims Commission. If there are any funds there, they should not be kept by the Secretary of the Interior for the purpose of continuing any present contracts that exist between him and any firm of lawyers that represented the tribe before liberation.

Mr. HALEY. Mr. Speaker, I yield the remainder of the time to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Speaker, I thank the distinguished chairman of the Indian Affairs Subcomimttee.

The former Klamath Indian Reservation is located in my district in Oregon. It is my opinion, representing these many Indians, most of whom still live in my district, that the best way to secure justice for them is to enact this legislation and distribute the moneys involved in this judgment. This judgment award is now over a year old. The Indian Claims Commission made a finding that in the treaty of 1864 just compensation was not made for lands ceded to the United States. This $2½ million is a just and fair compensation to these Indians according to the Commission.

You have to examine again what we are doing. The final roll was drawn up and published in the Federal Register on November 21, 1957. This is about 8 years ago. Prior to that, in 1954, the Klamath Termination Act was passed. The tribe was duly terminated. The notice and the procedures that the Federal Government followed complied in every way with the Federal Register Act and were duly published in the Federal Register. I would call the attention of the committee to the fact that the Klamath, the Modoc, and the Yahooskin Band of Snake Indians have been known as a single entity for almost 100 years. They have been identified traditionally and legally as the Klamath Tribe. This was recognized in the Klamath Termination Act. For almost 50 years there have been regular distributions of tribal funds from the sale of timber. Over all of these years none of the people who are now alleged to have a claim to the assets of the tribe ever went before the tribe to get their share of these payments.

I certainly sympathize with my friend from Missouri and my friend from Kansas. However, I would call their attention to the fact that there are many Indians in the United States and that they are not all Klamath Indians. There are also Klamaths and Modocs from Kansas and Missouri and Oklahoma and Illinois and Iowa and all throughout the Midwestern area who were duly enrolled and who did share in the distribution of the Klamath funds. If we were now to reopen the rolls we would be doing something that would lead to years and years of litigation. In my judgment the rolls were compiled fairly and honestly and legally in compliance with all Federal regulations and statutes.

Mr. Speaker, I urge approval of the bill before the House to make the distribution that is long overdue to the legitimate members of the Klamath Tribe under this Indian Claims Commission judgment. I congratulate the members of the Interior Committee for the thoroughness with which they approached this legislation.

I have said it was my privilege to serve on the Indian Affairs Subcommittee for 4 years. I know the dedication of the gentleman from Florida [Mr. HALEY], the gentleman from Pennsylvania [Mr. SAYLOR], and, of course, the chairman of the committee [Mr. ASPINALL], and all of the members.

I urge my colleagues to support the Committee on Interior and Insular Affairs and pass this bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 664?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HALEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSERVATION OF ANADROMOUS FISH

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 23) to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States, as amended.

The Clerk read as follows:

H.R. 23

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of conserving, developing, and enhancing within the several States the anadromous fishery resources of the Nation that are subject to depletion from water resources developments and other causes, or with respect to which the United States has made conservation commitments by international agreements, and for the purpose of conserving, developing, and enhancing the fish in the Great Lakes that ascend streams to spawn, the Secretary of the Interior is authorized to enter into cooperative agreements with one or more States, acting jointly or severally, that are primarily concerned with the development, conservation, and enhancement of such fish, and, whenever he deems it appropriate, with other non-Federal interests. Such agreements shall describe (1) the actions to be taken by the Secretary and the cooperating parties, (2) the benefits that are expected to be derived by the States and other non-Federal interests, (3) the estimated cost of these actions, (4) the share of such costs to be borne by the Federal Government and by the States and other non-Federal interests: *Provided,* That the Federal share, including the operation and maintenance costs of any facilities constructed by the Secretary pursuant to this Act, which he annually determines to be a proper Federal cost, shall not exceed 50 per centum of such costs exclusive of the value of any Federal land involved: *Provided further,* That the non-Federal share may be in the form of real or personal property, the value of which will be determined by the Secretary, as well as money, (5) the term of the agreement, (6) the terms and conditions for disposing of any real or personal property acquired by the Secretary during or at the end of the term of the agreement, and (7) such other terms and conditions as he deems desirable.

(b) The Secretary may also enter into agreements with the States for the operation of any facilities and management and administration of any lands or interests therein acquired or facilities constructed pursuant to this Act.

SEC. 2. The Secretary, in accordance with any agreements entered into pursuant to section 1(a) of this Act, is authorized (1) to conduct such investigations, engineering and biological surveys, and research as may be desirable to carry out the program; (2) to carry out stream clearance activities; (3) to construct, install, maintain, and operate devices and structures for the improvement of feeding and spawning conditions, for the protection of fishery resources, and for facilitating the free migration of the fish; (4) to construct, operate, and maintain fish hatcheries wherever necessary to accomplish the purposes of this Act; (5) to conduct such studies and make such recommendations as the Secretary determines to be appropriate regarding the development and management of any stream or other body of water for the conservation and enhancement of anadromous fishery resources and the fish in the Great Lakes that ascend streams to spawn: *Provided,* That the reports on such studies and the recommendations of the Secretary shall be transmitted to the States, the Congress, and the Federal water resources construction agencies for their information: *Provided further,* That this Act shall not be construed as authorizing the formulation or construction of water resources projects, except that water resources projects which are determined by the Secretary to be needed solely for the conservation, protection, and enhancement of such fish may be planned and constructed by the Bureau of Reclamation in its currently authorized geographic area of responsibility, or by the Corps of Engineers, or by the Department of Agriculture, or by the States, with funds made available by the Secretary under this Act and subject to the cost-sharing and appropriations provisions of this Act; (6) to acquire lands or interests therein by purchase, lease, donation, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition: *Provided,* That the lands or interests therein so exchanged shall involve approximately equal values, as determined by the Secretary: *Provided further,* That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged; (7) to accept donations of funds and to use such funds to acquire or manage lands or interests therein; and (8) to administer such lands or interests therein for the purposes of this Act. Title to lands or interests therein acquired pursuant to this Act shall be in the United States.

SEC. 3. Activities authorized by this Act to be performed on lands administered by other Federal departments or agencies shall be carried out only with the prior approval of such departments or agencies.

SEC. 4. (a) There is authorized to be appropriated for the period ending on June 30, 1970, not to exceed $25,000,000 to carry out the purposes of this Act.

(b) Not more than 20 per centum of all funds authorized to be appropriated under this Act, may be expended in any one State.

SEC. 5. Nothing in this Act shall be construed as affecting or modifying the provisions of the Act of May 11, 1938 (52 Stat. 345), as amended (16 U.S.C. 755–757).

SEC. 6. The Secretary of the Interior shall, on the basis of studies carried out pursuant to this Act and section 5 of the Fish and Wildlife Coordination Act (48 Stat. 402), as amended (16 U.S.C. 665), make recommendations to the Secretary of Health, Education, and Welfare concerning the elimination or reduction of polluting substances detrimental to fish and wildlife in interstate or navigable waters or the tributaries thereof. Such recommendations and any enforcement measures initiated pursuant thereto by the Secretary of Health, Education, and Welfare shall be designed to enhance the quality of such waters, and shall take into consideration all other legitimate uses of such waters.

Amend the title so as to read: "A bill to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 23 is a bill designed to conserve, develop, and enhance our Nation's anadromous fish and the fish in the Great Lakes that ascend streams to spawn.

Anadromous fish are those important species of food fish which are born in fresh water, migrate to salt water for most of their lives, returning to fresh water again only to spawn and die. Some of the principal species are the Atlantic salmon, the five species of Pacific salmon, steelhead, American shad, striped bass or rockfish, alewives, sturgeon, and in some locales, sea run trout. The Great Lakes fish, provided for by this legislation, are not truly anadromous fish, although they have similar habits and life histories. These fish resources are an excellent food source and support valuable commercial and recreational fisheries.

Mr. Speaker, the bill before the House today has the unanimous support of the agencies in the Federal Government, the various State agencies concerned, and has been worked out very carefully by the committee. There were no objections raised in the committee, and it has the support of all the private conservation agencies.

Briefly, the legislation before us would provide a 5-year program, spending over that 5-year period $25 million of Federal money to be matched by an equal sum from State or private agencies which would be used to clear streams, to study habitat and resources, to build fishways and to accomplish other necessary actions to provide for the restoration of the fish.

It was testified before the committee by witnesses who appeared that legislation of this kind would have significant effect on fisheries in all parts of the United States; that it would be possible, for example, to restore the once gone Atlantic salmon fisheries of the United States as far south as the waters of Connecticut. It would be possible to restore the striped bass, the shad, the alewives, the herring, and a number of other fisheries on the eastern shores of the United States.

In addition to this, there would be a significant improvement of the various salmon resources of the West, rockfish and shad would also be possible.

I am proud that my good friend the gentleman from Massachusetts [Mr. KEITH] joined me in sponsorship of this bill by introduction of H.R. 24 at the same time I introduced H.R. 23. His help and wise counsel before and during the committee's deliberation are an invaluable part of the history of this bill.

I feel compelled to express my gratitude to others who have cosponsored this legislation.

Other sponsors of this legislation are, the gentleman from California [Mr. MILLER], author of H.R. 2634; the gentleman from California [Mr. DON CLAUSEN], author of H.R. 4349; the gentleman from California [Mr. JOHNSON], author of H.R. 800; the gentleman from California [Mr. COHELAN], author of H.R. 2399; and the gentleman from California [Mr. HAGEN], author of H.R. 3798.

I want to express my particular pleasure at the invaluable help of an outstanding conservationist in securing the enactment of this legislation. I refer to my friend, the gentleman from Washington [Mr. PELLY], the ranking member of the subcommittee. Without his invaluable help on this legislation, this bill might well not be before the House today.

His efforts on conservation are well known, and his contribution to a long history of good conservation legislation are tremendous.

Mr. Speaker, the committee was quite enthusiastic in its support of this legislation and I would urge favorably upon the House legislation of this type to be passed at the earliest possible moment.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I would be happy to yield to the gentleman from Iowa.

Mr. GROSS. What happens to the funds if a State does not provide the matching funds; then what happens?

Mr. DINGELL. Well, under the legislation it is impossible for there to be any Federal expenditure of funds unless the States or a private agency will come forward and match the 50-percent Federal share, and unless this 50–50 formula is strictly adhered to, there will be no Federal expenditure.

Mr. GROSS. If the gentleman will yield further, what happens to the money that is appropriated for the purpose but is not used by that particular State? Is it then reallocated to the other States?

Mr. DINGELL. There is no automatic appropriation of funds. There is authorization under this legislation for expenditure of up to $25 million. But unless a State comes forward and makes an appropriate agreement with the Federal Government, and unless a State comes forward, having made such agreement and works out a cooperative program with the Federal Government, including the appropriate financing, there can be no expenditure of funds under the bill.

Mr. GROSS. The limitation then is upon the total amount?

Mr. DINGELL. The limitation is upon the total amount and no more than 20 percent of which may be spent in any one State. So, there is no hazard, I will say to my friend, the gentleman from Iowa, about the Federal Government coming forward with money. I am sure there is a great deal more need for programs of this kind across the United States than there is money provided for in this legislation.

As a result of this I would point out to my friend further that he need fear no problems of the type about which he is expressing concern.

Mr. GROSS. I thank the gentleman.

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEITH. Mr. Speaker, the need for a coordinated program to protect and rebuild dwindling stocks of anadromous fish has become increasingly apparent in recent years. Just a few months ago, for example, the Department of the Interior announced that Atlantic salmon had been placed on the Department's list of "endangered" species—that is, species of fish whose survival is seriously threatened. Atlantic salmon, once quite important commercially, is now found in only eight streams in Maine and it is succumbing to pollution, obstructions caused by dams, and changes in waterflow.

It has always seemed to me that the unique spawning habits of these fish make them potentially one of our most important sources of food from the sea. With amazing regularity anadromous fish—salmon, striped bass, sturgeon, shad, alewives, and certain species of trout—return through fish runs to the waters of their birth. Man could "farm" instead of "hunt" such fish for the food needs of the future, which are going to be considerable and which will require all of our ingenuity and foresight to meet. Just last week I read a report of the National Academy of Sciences which stated that in 650 years, at our present rate of population growth, there would be one person per square foot throughout the United States. This is a long way off, of course, but we are going to have a population of 350 million people by the end of this century—just 35 years from now—and in a century and a half the U.S. population could surpass the present world population.

In the very near future we are going to have acute problems associated with population growth and urbanization. With careful planning and development now our anadromous fisheries could contribute greatly to our food resources in the future and our economy. We cannot afford to lose this irretrievable natural resource, yet, anadromous fish are the hardest hit by urbanization and the overall impact of civilization.

Nearly every major stream in New England has a dam. In some cases more than one. Often these dams were built without provision for migrating fish. In my district in southeastern Massachusetts, which includes Cape Cod and Plymouth County, we have "herring runs" in most every town, and the "running" of the alewives is an annual event of significance. Many of these streams, however, are becoming clogged or are in danger of becoming polluted.

This is a problem that reaches beyond State borders. Congress clearly has a responsibility in this case and I think the legislation before us, which passed the House last year, is a sound approach and should be enacted. Prompt action will be in the national interest.

In this connection, Mr. Speaker, I would like to call to the attention of my colleagues an editorial supporting this legislation from the Cape Cod Standard-Times, which was written shortly after my own bill was introduced early in the session:

STRIPERS, ALEWIVES

Legislation which should have broad Cape support has been filed by Congressman HASTINGS KEITH.

The bill, H.R. 24, bears the somewhat imposing title: "A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States."

What it boils down to is an attempt to make sure that we have with us, far into the future, such fish as striped bass and alewives—they're anadromous fish. Others include Atlantic salmon, Pacific salmon, and sturgeon.

The legislation, which bears a Federal price tag of $25 million to carry the program through to June 30, 1969, provides, among other things, for essential research and investigation, improvement of feeding and spawning grounds and construction and maintenance of hatcheries where necessary.

Congressman KEITH supported a like measure last year, when it was approved by the House after Mr. KEITH had been successful in pressing amendments pertaining to allocation of Federal funds connected with the program.

The same fund allocation safeguards are written into the new legislation, barring any single State or region from hogging the proposed appropriation.

The anadromous fish covered in Mr. KEITH's bill are excellent food sources and do—or could—support valuable commercial and sport fisheries.

The Cape is thoroughly familiar with stripers and herring and easily can envisage the desirability of their preservation and development. So, too, other regions, such as those with salmon fisheries.

Much is being heard of population explosions and the turn to the sea for added food supplies. For that reason alone, Congressman KEITH is on sound ground in seeking passage of his legislation.

Mr. PELLY. Mr. Speaker, I yield myself 2 minutes.

CALL OF THE HOUSE

Mr. GOODELL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.]

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 311]

Adair
Anderson, Ill.
Andrews,
  George W.
Barrett
Berry
Bolling
Bolton
Bonner
Brock
Broomfield
Cabell
Celler
Clawson, Del
Colmer
Craley
Devine
Diggs
Farnsley
Farnum
Fino
Fisher
Fogarty
Foley
Frelinghuysen
Halpern
Harris
Harsha
Hawkins
Hébert
Holland
Hosmer
Jennings
Kee
Keogh
Kluczynski
Lindsay
Long, La.
MacGregor
Madden
Martin, Mass.
Matthews
Miller
Minshall
Morris
O'Brien
O'Hara, Ill.
Patman
Powell
Purcell
Quillen
Rogers, Tex.
Roosevelt
Roudebush
Roybal
St Germain
Senner
Smith, Iowa
Smith, N.Y.
Springer
Stephens
Stratton
Sullivan
Thomas
Todd
Toll
Tunney
Vivian
Waggonner

The SPEAKER. On this rollcall 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. PELLY. Mr. Speaker, what I was about to say when the point of order was made that a quorum was not present was not important enough, I assure, to have you all brought over. I just wanted to indicate that I fully support what my colleague from Michigan [Mr. DINGELL] has stated and concur in what he has said in explaining the bill.

Mr. Speaker, the gentleman from Michigan [Mr. DINGELL] has explained H.R. 23, which, as he said, would authorize the Secretary of the Interior to initiate a program for the conservation and development of the Nation's anadromous fish and the first in the Great Lakes that ascend streams to spawn.

Civilization and industrialization have drastically reduced the abundance of anadromous fish. These decreased fishery resources have come from damage to their habitat through pollution and manmade obstacles to migration, of one kind or another.

H.R. 23 would authorize the Secretary of the Interior to enter into cooperative agreements with one or more States, and with other non-Federal interests, in order to promote conservation and development of anadromous fishery resources.

The bill would authorize an appropriation of $25 million, with a termination date of June 30, 1970, with the States or other non-Federal interests contributing 50 percent of the costs.

As previously stated not more than 20 percent of the funds authorized could be expended in any one State.

The House Merchant Marine and Fisheries Committee reported this bill unanimously and I urge its adoption.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of H.R. 23. This bill is similar to H.R. 4349 which I have introduced. The purpose of this legislation—to develop, conserve, and enhance the Nation's anadromous fish—is a very wise conservation move and long overdue.

The need for the passage of this legislation is very great. As we construct many of our public works projects we necessarily make it more difficult for these fish to return from the sea to their fresh water spawning grounds. We must begin to take action now before man unintentionally depletes the population of these fish to the point where we are unable to rehabilitate them.

I have urged the passage of this type of legislation since I first became a Member of this body. But now, in light of the floods of last winter which almost overwhelmed my congressional district, the requirement that we assume our responsibilities in this field becomes very apparent.

In my own mind the necessity for improving the habitat of anadromous fish cannot be underestimated. Certainly it will assist the development of our fine commercial fishing industry. But, and this is perhaps more important, it will allow a more rapid expansion of the sports fishing opportunities.

As the need for more and more recreational possibilities becomes more evident, we must continue to help develop ways for our population to spend its leisure time. In addition to its other provisions, this bill will do that.

Sports fishing is becoming increasingly popular and it is an important factor in the economy of many areas of the Nation. The legislation now before us will improve this economic resource.

In addition, a bill such as this, which enhances the commercial and sports fishing industries will help diversify the industry in many areas that now rely on a single industry.

And, I would like to commend the great Committee on Merchant Marine and Fisheries for the insertion of the provision of the bill relating to water pollution in our country's streams. The committee has shown its usual farsightedness by including such a proviso.

So here we have legislation which will preserve a great natural resource; aid an important national industry; increase and develop recreational possibilities; and stimulate many regional economics. I strongly urge passage of H.R. 23 by this great body.

Mr. JOHNSON of California. Mr. Speaker, I rise in support of H.R. 23 and related bills, of one of which, H.R. 800, I am the author. These measures establish a national anadromous fishery program.

When hearings were held on this subject before the Committee on Merchant Marine and Fisheries during the 88th Congress, I testified that the State of California is affected greatly by what has happened to our anadromous fish—not only salmon and steelhead but also the striped bass and shad which are valuable imports from the Eastern States.

Earlier in this session I again testified before the committee pointing out that it is true of California and certain other States that their locally spawned anadromous fish contribute to the fishery of other States and even another nation, Canada. Of some 15 million pounds of king salmon produced annually from California streams, about half is taken in California waters and the major portion of the rest in Oregon and Washington waters. Some California fish are netted in waters of British Columbia off Vancouver Island.

Speaking specifically about the situation in my State, I wish to state that there are many things that need to be done to help migratory fish, and many of them are urgent. For example, in California fish hatcheries, spawning channels and other artificial production works are needed to replace spawning areas forever lost to high dams, many of which have been built by Federal agencies or fostered by Federal actions. Fish screens are needed at major water diversions. Stream clearance work and gravel restoration is already underway on some of our coastal streams through State action. Much more is needed to help restore and enhance our fishery resources damaged by destructive logging and floods. Past floods were extremely damaging and will require stepped-up effort.

I understand that the State conservation agencies in most cases find it impossible to finance sufficient remedial action to get the conservation job done for anadromous fish. California now spends about 12 percent of its annual fish and game funds—or $1,400,000—on anadromous fish. In view of the fact that these fish benefit other States as well as California, and that much of past damage to the fishery was caused by Federal water developments or fostered by Federal actions, it seems only proper that the Federal Government participate substantially in planning and constructing facilities for the conservation of such fish.

The legislation on the floor today calls for 75 percent Federal cost sharing of the programs which I believe to be amply justified by the Federal responsibility involved. I am certain floor discussion will demonstrate clearly that Federal responsibilities to anadromous fish is no less than that to fish restoration generally. Consequently I urge the House of Representatives to weigh this aspect carefully. And I strongly renew my support for legislation to step up production of our anadromous fisheries.

Mr. COHELAN. Mr. Speaker, I appreciate this opportunity to state briefly my vigorous support for this legislation which I have joined several of our colleagues in sponsoring.

The need for a program to conserve and develop our resources of anadromous fish is both clear and pressing. In California alone the value of the commercial catch is in excess of $8 million annually and the return from sport fishing has been estimated by the Department of the Interior to be more than $17 million a year.

This is quite obviously a significant economic and recreational resource. Yet it is a resource whose future is in jeopardy because of the construction of large, multipurpose dams and other Federal-State water resource projects which have cut off essential spawning habitats in countless rivers and streams.

California, Mr. Speaker, is making major efforts to protect and develop its anadromous fish. In addition to an annual expenditure of nearly $1½ million out of its license fee fund, the State is committed to one of the Nation's most comprehensive pollution control programs. By law it must provide compensation for damage to fish in all new State water project facilities—a figure which amounts to several million dollars each year.

But the Federal Government has a role to play as well for the anadromous fish are a national resource. For example, over 50 percent of the king salmon spawned in California's Sacramento River are later caught in Oregon and Washington.

The problem of preserving this resource is, of course, not new. But, if we are to prevent the piecemeal and eventual destruction of our anadromous fish supply, we must take prompt and proper action. We must plan now for the fishes as well as for the dams.

This planning and this action, fortunately, is provided in the bill which is before us today. It calls for a comprehensive and cooperative program between the Secretary of the Interior and the several States. It calls for the first total program to preserve a vanishing wealth-producing resource. It is a constructive measure. It has the support of all interested parties. It will pay rich dividends for the future, and I urge that it be passed at this session of the Congress.

Mr. MEEDS. Mr. Speaker, I rise today in support of H.R. 23, a measure to assist programs that may very well prove the key to conserving America's anadromous fisheries resources.

As I am speaking today, fishermen in the State of Washington are very concerned about this year's meager run of pink salmon. There is mounting evidence that the escapement of salmon to fresh water streams and their subsequent return to their spawning grounds is not sufficient to provide an adequate return for the fishermen's investment.

The legislation before us can help to meet this crisis. H.R. 23 will authorize the Secretary of the Interior to enter into cooperative agreements with the several States and with other non-Federal interests in order to promote meaningful programs designed to assure a larger sustained yield of salmon and other anadromous fish.

In my own State of Washington there are many responsible citizens who see the development of fish farms as means of protecting and enlarging our salmon harvest. Other responsible citizens feel that there are numerous programs by which this goal can be attained. Part of the $25 million authorized in this legislation could assist in developing new techniques on experimental fish farms. And the results of such an experiment may equal or better the striking success of Japan in this area. In any event, new techniques and methods must be found and developed.

This legislation will assist in the development of fish ladders and other devices to augment anadromous spawning. For example, many people feel that hydroelectric dams, such as we have on the Columbia River, are incompatible with the goal of fisheries conservation. Fish ladders have put this theory into question. Fish swimming upstream are biologically "timed" to spawn at a certain point in their journey. Some would say that dams result in fish being delayed, thereby causing the fish to release their eggs prematurely. Others say that fish ladders prevent this premature releasing of eggs. We need to know more about this question. Perhaps we will find that an expanded program of fish ladders, conducted perhaps with new techniques, may increase the annual return of spawning salmon and may assure a greater crop of fingerlings.

H.R. 23 will also enable the Secretary of the Interior to help in the rehabilitation of streams. We know that even small amounts of contamination in rivers can seriously confuse the behavior of salmon swimming upstream. The effects of pollution are known to everyone. But what about the degree of oxygen in a stream? Is it or is it not sufficient to sustain a returning fish? A concentrated effort in this area is needed.

Salmon are also severely injured whenever a stream is dredged during spawning time. Disturbing a stream bed may result in the destruction of millions of eggs. This legislation will facilitate research and development on this problem.

I emphasize the potential this legislation has for assuring a bountiful anadromous fisheries harvest in future years. But unless we act now, we may see our fish supply diminish to the point where conservation programs would become meaningless in terms of commercial harvesting. We need answers. We cannot find the answers unless we experiment. I strongly urge the House to approve H.R. 23 and to thus authorize an investment which may very well return a substantial blessing to this Nation in years to come.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 23, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "To authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members be afforded 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROTECTION OF FISH AND WILDLIFE FROM PESTICIDES

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1623) to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of August 1, 1958 (72 Stat. 479), as amended by the Act of September 16, 1959 (73 Stat. 563), is amended to read as follows:

"SEC. 2. In order to carry out the provisions of this Act, there are authorized to be appropriated for the fiscal year ending June 30, 1966, not to exceed $3,200,000, and not to exceed $5,000,000 for each of the two fiscal years immediately following such year."

The SPEAKER. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, this is an important piece of legislation. It has been endorsed unanimously by every Federal agency that has reported upon it. It has the support of all the private conservation agencies and the State game and fish conservation commissions across the country.

This piece of legislation imposes a 3-year limitation on what otherwise was a program that was open-ended insofar as time is concerned. It raises the existing amount of money authorized for research into the effects of pesticides on fish and wildlife from $2,565,000 to $3,200,000 for the first year, and then to $5 million for each of the next 2 years.

It is a piece of legislation which has an important place in conservation and is one of the pieces of legislation which President Johnson mentioned in one of his messages to the Congress.

Mr. PELLY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, S. 1623 would increase the ceiling on authorized annual appropriations for pesticide research from $2,565,000 to $3,200,000 annually for fiscal years 1967 and 1968.

I think the hearings adequately justified the need for this increase. Already, research has indicated some frightening facts as to the danger to wildlife by minute quantities of chemicals which find their way into and pollute our streams and other waters.

I support this legislation which was approved unanimously by the House Subcommittee on Fish and Wildlife.

I urge its adoption.

Mr. SCHMIDHAUSER. Mr. Speaker, I rise in support of S. 1623, a bill designed to afford greater protection for fish and wildlife from pesticides. There is no program more closely related to the long-range conservation objectives of our Nation than this measure. All of the great programs which have been enacted in Congress during this session, and this most assuredly has been a "conservation" Congress, would have little effect if our Nation's fish and wildlife were silently destroyed because we do not fully understand the lethal effects of chemicals which are designed to control pests. This is why it is especially important that the authority of the Secretary of Interior to authorize scientific study of the effects of pesticides and other poisonous chemicals upon our Nation's fish and wildlife be continued and expanded.

I therefore urge passage of this much-needed legislation.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, S. 1623?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1965

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Marine Resources and Engineering Development Act of 1965".

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) It is hereby declared to be the policy of the United States to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind to assist in protection of health and property, enhancement of commerce, transportation, and national security, rehabilitation of our commercial fisheries, and increased utilization of these and other resources.

(b) The marine science activities of the United States should be conducted so as to contribute to the following objectives:

(1) The accelerated development of the resources of the marine environment.

(2) The expansion of human knowledge of the marine environment.

(3) The encouragement of private investment enterprise in exploration, technological development, marine commerce, and economic utilization of the resources of the marine environment.

(4) The preservation of the role of the United States as a leader in marine science and resource development.

(5) The advancement of education and training in marine science.

(6) The development and improvement of the capabilities, performance, use, and efficiency of vehicles, equipment, and instruments for use in exploration, research, surveys, the recovery of resources, and the transmission of energy in the marine environment.

(7) The effective utilization of the scientific and engineering resources of the Nation, with close cooperation among all interested agencies, public and private, in order to avoid unnecessary duplication of effort, facilities, and equipment, or waste.

(8) The cooperation by the United States with other nations and groups of nations and international organizations in marine science activities when such cooperation is in the national interest.

RESPONSIBILITIES

SEC. 3. (a) In conformity with the provisions of section 2 of this Act, it shall be the duty of the President to—

(1) survey all significant marine science activities, including the policies, plans, programs, and accomplishments of all departments and agencies of the United States engaged in such activities;

(2) develop a comprehensive program of marine science activities, including, but not limited to, exploration, description and prediction of the marine environment, exploitation and conservation of the resources of the marine environment, marine engineering, studies of air-sea interaction, transmission of energy, and communications, to be conducted by departments and agencies of the United States, independently or in cooperation with such non-Federal organizations as States, institutions and industry;

(3) designate and fix responsibility for the conduct of the foregoing marine science activities by departments and agencies of the United States;

(4) insure cooperation and resolve differences arising among departments and agencies of the United States with respect to marine science activities under this Act, including differences as to whether a particular project is a marine science activity;

(5) undertake a comprehensive study, by contract or otherwise, of the legal problems arising out of the management, use, development, recovery, and control of the resources of the marine environment;

(6) establish long-range studies of the potential benefits to the United States economy, security, health, and welfare to be gained from marine resources, engineering, and science, and the cost involved in obtaining such benefits; and

(7) issue a statement of national goals with respect to marine science.

(b) In the planning and conduct of a coordinated Federal program the President shall utilize such staff, interagency, and non-Government advisory arrangement as he may find necessary and appropirate and shall consult with departments and agencies concerned with marine science activities and solicit the views of non-Federal organizations and individuals with capabilities in marine science.

COMMISSION ON MARINE SCIENCE, ENGINEERING, AND RESOURCES

SEC. 4. (a) The President shall establish a Commission on Marine Science, Engineering, and Resources (in this Act referred to as the "Commission"). The Commission shall be composed of fifteen members appointed by the President, including individuals drawn from Federal and State governments, industry, universities, laboratories and other institutions engaged in marine scientific or technological pursuits. The President shall select a Chairman and Vice Chairman from among the members. The Vice Chairman shall act as Chairman in the latter's absence.

(b) The Commission shall make a comprehensive investigation and study of all aspects of marine science in order to recommend an overall plan for an adequate national oceanographic program that will meet the present and future national needs. The Commission shall undertake a review of existing and planned marine science activities of the United States in order to assess their adequacy in meeting the objectives set forth under section 2(b), including the following:

(1) Review the known and contemplated needs for natural resources from the oceans to maintain our expanding national economy.

(2) Review the surveys, applied research programs, and ocean engineering projects required to obtain the needed resources from the ocean.

(3) Review the existing national research programs to insure realistic and adequate support for basic oceanographic research that will enhance human welfare and scientific knowledge.

(4) Review the existing Government and industrial oceanographic and ocean engineering programs, including education and technical training to determine which programs are required to advance our national oceanographic competence and stature and which are not now adequately supported.

(5) Analyze the findings of the above reviews, including the economic factors involved, and recommend an adequate national marine science program that will meet the present and future national needs without unnecessary duplication of effort.

(6) Recommend a governmental organizational plan with estimated cost.

(c) Members of the Commission appointed from outside the Government shall each receive $100 per diem when engaged in the actual performance of duties of the Commission and reimbursement of travel expenses, including per diem in lieu of subsistence, as authorized in section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b–2) for persons employed intermittently. Members of the Commission appointed from within the Government shall serve without additional compensation to that received for their services to the Government but shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized in the Act of June 9, 1949, as amended (5 U.S.C. 835–842).

(d) The Commission shall appoint and fix the compensation of such personnel as it deems advisable in accordance with the civil service laws and the Classification Act of 1949, as amended. In addition, the Commission may secure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (60 Stat. 810) but at rates not to exceed $100 per diem for individuals.

(e) The Chairman of the Commission shall be responsible for (1) the assignment of duties and responsibilities among such personnel and their continuing supervision, and (2) the use and expenditures of funds available to the Commission. In carrying out the provisions of this subsection, the Chairman shall be governed by the general policies of the Commission with respect to the work to be accomplished by it and the timing thereof.

(f) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) may be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided,* That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46d) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further,* That the Commission shall not be required to prescribe such regulations.

(g) The Commission is authorized to secure directly from any executive department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission upon request made by the Chairman.

(h) The Commission shall submit to the President and the Congress not later than eighteen months after the establishment of the Commission as provided in subsection (a) of this section, a final report of its findings and recommendations. The Commission shall cease to exist thirty days after it has submitted its final report.

REPORTS

SEC. 5. (a) The President shall transmit to the Congress in January of each year a report, which shall include (1) a comprehensive description of the activities and the accomplishments of all agencies and departments of the United States in the field of marine science activities during the preceding year, and (2) an evaluation of such activities and accomplishments in terms of the objectives set forth pursuant to this Act.

(b) Reports made under this section shall contain such recommendations for legislation as the President may consider necessary or desirable for the attainment of the objectives of this Act, and shall contain an estimate of funding requirements of each agency and department of the United States for marine science activities during the succeeding fiscal year.

(c) No information which has been classified for reasons of national security shall be included in any report made under this section, except pursuant to authorization given by the President.

DEFINITIONS

SEC. 6. For the purposes of this Act the term "marine science" shall be deemed to apply to oceanographic and scientific endeavors and disciplines, engineering and technology in and with relation to the marine environment; and the term "marine environment" shall be deemed to include (a) the oceans, (b) the Continental Shelf of the United States, (c) the Great Lakes, (d) seabed and subsoil of the submarine areas adjacent to the coasts of the United States to the depth of two hundred meters, or beyond that limit, to where the depths of the superjacent waters admit of the exploitation of the natural resources of such area, (e) the seabed and subsoil of similar submarine areas adjacent to the coasts of islands which comprise United States territory, and (f) the resources thereof.

AUTHORIZATION

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act, but sums appropriated for any one fiscal year shall not exceed $1.5 million.

Amend the title so as to read: "An Act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a Commission on Marine Science, Engineering, and Resources, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. MOSHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. LENNON. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on the pending legislation, S. 944.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of this bill, S. 944, as hereby reported with amendments, is to provide for the development, encouragement and maintenance of a comprehensive, long-range and coordinated national program in marine science, which would apply to oceanographic and scientific endeavors and disciplines, engineering and technology in and with relation to the total marine environment. The term "marine environment" is defined in the bill to include the waters, the surface and subsurface of the oceans and the Great Lakes, and the resources thereof.

This bill is the outgrowth of more than 6 years of study by the House Committee on Merchant Marine and Fisheries and the Senate Committee on Commerce. Great credit must go to our chairman, HERBERT BONNER, for his vision in recognizing the importance of developing an oceanographic program, and to GEORGE MILLER who was first chairman of our Subcommittee on Oceanography, who gave the program much of its initial impetus.

Our committee report on this bill—House Report No. 1025—fully explains the purpose of the bill—its background—the present Federal organization and function in "oceanography"—or the broader and more appropriate term "marine science"—the scope of our very extensive hearings on some 18 bills dealing with several different approaches to a national program in the marine sciences—and an analysis of the bill.

This bill is a compromise containing most of the provisions of S. 944 as it passed the Senate, the principal provisions of H.R. 2218 which had strong administration endorsement, and the attainable features of some of the various other bills which have been introduced in the House since the opening of this Congress last January.

On August 3 of this year we commenced a series of hearings that were to run for some 3 weeks. We heard from numerous witnesses representing all elements in the Nation having an interest or a logical place in the development of an effective, long-range and coordinated program in the marine sciences.

When the hearings convened I made the statement that—

> I think these hearings and the results they achieve will rank high in importance among the legislative activities of this Congress.

I realize that is a broad statement in view of the many, many proposals of great magnitude and significance with which we have dealt—and apparently yet will deal—in this session of the 89th Congress. Nevertheless, I made the statement with firm conviction and repeat it here.

I do not believe this bill is controversial. It should not be, for similar but less effective legislation has passed this House twice before—in the second session of the 87th Congress and in the first session of the 88th. The first time the bill agreed to in House-Senate conference received a pocket veto—on what proved to be somewhat technical, organizational grounds. These minor objections were met early in the 88th Congress. And again the House overwhelmingly approved the new bill—only to see it languish and die before the other body could get to it.

I regret these past failures because I am sure we would be much further ahead today in the conquest of what is sometimes called innerspace—the conquest of the vast oceanic environment which comprises over 70 percent of the surface of the earth.

Nevertheless, constant congressional attention, the initiative and cooperation of the executive branch, the creative vision and accomplishments of scientific institutions and industry, and—most importantly—a growing public awareness, have impelled a program on its way and brought a demand for broader and more organized action that cannot be denied.

This bill would provide force and cohesion to a program that is now loose and uncoordinated—spread among numerous Government agencies, private scientific institutions, the States, and an impatient industry whose technology and engineering achievements have sometimes moved ahead of the basic research from which they are supposed to receive their inspiration. This bill is solidly based on extensive, thorough, and searching hearings. It realistically seeks the achievement of the objectives of all the various House bills and S. 944 as that act came to us from the Senate.

Briefly, here is what it does:

First. It is cited as the "Marine Resources and Development Act of 1965." This implies that we can no longer enjoy the luxury of pure science, or concentrate solely on military applications. Rather, we must move forcefully in the direction of using the tremendous resources of the oceans and the Great Lakes for the benefit of the entire Nation.

Second. The bill makes a clear declaration of national policy—with the significance that only Congressional action can give.

Third. It sets forth some eight objectives to which the marine science activities should contribute. They provide guidelines which are presently lacking.

Fourth. It prescribes the duties and responsibilities of the President for the development, maintenance, and administration of marine science activities in the United States. There is no such positive delineation of program responsibility at present—under any existing law.

Fifth. It would direct the President to establish a self-liquidating Commission on Marine Science, Engineering, and Resources to "make a comprehensive investigation and study of all aspects of marine science in order to recommend an overall plan for an adequate national oceanographic program that will meet the present and future national needs." The Commission is to make its final report within 18 months after its establishment.

Our hearings demonstrated the need for such a highly qualified study group, in view of the present lack of direction and coordination of national efforts in the marine sciences. The Senate version contains similar provisions but the appointment of the Commission is discretionary, rather than mandatory, as provided in the committee amendment.

Sixth. It would require the President to submit annual reports to the Congress in connection with the Federal Government's activities in marine sciences, including recommendations for legislation and estimates of costs. There is no such present requirement. This is a most important feature in the legislation—to keep the Congress informed and to provide focus on the program.

Seventh. It would broadly define the terms "marine science" and "marine environment."

Eighth. It would authorize the appropriation of such sums as may be necessary, but provide a limitation of not to exceed $1.5 million per year. Such funds would be used to strengthen the staffing of the Interagency Committee on Oceanography as well as finance the activities of the Commission.

The bill before us today adopts most of the Senate version. The principal differences are that our committee amendment does not authorize the establishment of a statutory Cabinet-level Council—with assignment of responsibilities at the discretion of the President. It places those responsibilities directly on the President.

In carrying out such duties the President presumably will—as he now does—call upon the Federal Council of Science and Technology, or Interagency Committee on Oceanography, or his Science Advisory Committee, or use other arrangements.

The authorization of a council as proposed by the Senate bill might or might not be effective. But in any event, it should be noted that its composition—except for the chairmanship—would be virtually identical to that of the Federal Council of Science and Technology. Thus, there would be duplication of responsibility added to the shoulders of busy men whose duties already strain their attenion to the utmost.

Moreover, in view of the recognized need and authority for a special Commission study and recommendations with regard to the needs of a national program—including organizational structure—it seems inconsistent to specify a new organization structure when the Commission is given the responsibility of recommending new structure within 18 months.

The other major difference between the two versions is that the appointment of the Commission is entirely discretionary under the Senate bill, while it is mandatory under our committee amendment.

In closing, I want to say that I am convinced we have a good and workable bill. I want to thank the many Members of Congress who have introduced legislation on this vital subject. Their interest and cooperation have been of tremendous assistance to us in our hearings and our deliberations.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I would be delighted to yield to the distinguished gentleman from Texas, a member of the subcommittee, and a member of the full committee.

Mr. CASEY. As the gentleman knows, we had testimony before our committee by the oil industry which has expended quite a bit of money and time and talent in the exploration of the Continental Shelf and its mineral resources, and as the gentleman further knows, we had testimony to that effect by the committee. I will ask the gentleman if this bill would in any way place any Federal agency into the commercial production or commercial exploration of the natural resources of the Continental Shelf?

Mr. LENNON. The answer to the gentleman's question is a categorical "No."

As the gentleman will recall, all agencies of the Federal Government, including the Bureau of the Budget, testified on this bill and all agencies of the Federal Government which were interested in science and technology as related to the marine sciences and the marine environments testified on this bill.

In addition thereto, as the gentleman so well remembers, the universities and the laboratories which are engaged in many facets, kinds and descriptive areas of marine science, testified on this bill, and of course private industry.

It is a fact that the petroleum industry is spending around $300 million a year in the exploration of oil on the Continental Shelf.

In the committee report, as the gentleman knows, we made it crystal clear that the Federal Government or none of its agencies could engage in anything more than scientific research and exploration, but not to develop the resources. That is to be left—and I think properly so—to private industry.

Mr. CASEY. The bill, if I recall correctly, states one of the purposes is to encourage private industry in the field of development in not only the ocean bed but the water of the seas; is that correct?

Mr. LENNON. That is absolutely the fact.

Mr. CASEY. It is the intention of the committee to see that private industry is encouraged in all of the commercial fields, and the Federal agencies should be limited to encouragement of commercial enterprise as well as basic research.

Mr. LENNON. I thank the gentleman for his comments. They are entirely accurate.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Michigan.

Mr. DINGELL. I well remember that a few years ago I had the privilege of serving with the gentleman on a committee. I worked very hard on it. The House passed a bill through the efforts of the gentleman, myself, and other Members. But this bill was vetoed.

know how hard it is to work this legislation out. I want to pay particular tribute to the gentleman for the outstanding job he did in working out a bill that means an opportunity to go forward in the areas important to scientific endeavor that is of great importance to the United States, and I think the gentleman should be praised for the splendid effort he put forth.

Mr. LENNON. I thank the gentleman for his gracious remarks. I would remind the Members that the committee had before it some 19 bills. We did not limit our investigation and our hearings to any particular one of those bills. There were 18 bills introduced in the House covering all facets and spectrums of the ocean and marine sciences. We took the bill, S. 944, which passed the Senate, and used that as a base along with H.R. 2218, which has the complete support of all the administrative agencies of the Federal Government, including the Bureau of the Budget.

I may say for those now in the House there were a number who introduced bills comparable with or similar to S. 944, that the distinguishing difference between S. 944 as reported by your committee is the fact it did not create a so-called National Council on Oceanography which would be headed by the Vice President and by the members at the Cabinet level, some eight branches of the Federal Government. The explanation or the reason why the House did not adopt that particular section of the bill is because the Federal Council on Science and Technology created by executive order of the President in the Office of the President would result in the naming of the identical persons as those individuals who served as part of the membership of the National Council.

There is one other distinguishing characteristic I should call to your attention. That is the fact that in the Senate bill as it originally came to us it was discretionary with the President as to whether or not he should appoint a commission to make a study of this overall subject matter for a period of 18 months, then the commission was to be liquidated. It was in his discretion, and it was not categorically defined that all facets of the industry, government, universities, and private laboratories engaged in ocean and marine science would be appointed.

Whereas in our bill, this is a mandatory provision, that the President must appoint this Commission and that he must in his selection of those members who would be confirmed by the Senate require that an equal or an approximately equal number represent private industry engaged in oceanography and some 20 agencies of the Federal Government engaged in one spectrum or another of oceanography and many of the universities in this country that are engaged in it as well as many private laboratories. This is a good bill. We are delighted that so many of you have demonstrated your interest by attending not just at the hearing which you may have testified at but also for being gracious enough to come back and hear what other witnesses from private industry and the Government had to say.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I am delighted to yield to the acting chairman of the full committee, the gentleman from Maryland [Mr. Garmatz].

Mr. GARMATZ. Mr. Speaker, as a member of the full committee, I want to take this opportunity to thank the chairman of the Subcommittee on Oceanography and his members for the fine job they have done. I might say that 3 full weeks of hearings were held by the Subcommittee on Oceanography. Fifty-three witnesses were heard from all segments of Government, industry, institutions, and so forth, concerned with various aspects of the marine sciences. The printed record runs to 640 pages.

The numerous bills introduced, both by members of the committee and nonmembers, reflected a variety of approaches to the overall problem.

Suggestions for improvement in the proposed legislation were carefully considered by the committee.

The bill was unanimously adopted by both the subcommittee and the full committee.

Mr. MOSHER. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, S. 944 is a bill long overdue. Many Members of the Congress have recognized the crucial need for greater coordination and more effective, more innovative, national leadership to mobilize, strengthen, and expand our ocean sciences and engineering, for a more comprehensive, vigorous program to explore and use the wonderful resources of our marine environment.

For the past several years efforts of Members of Congress interested in that cause have been balked, for various reasons. The seeming lack of interest and leadership from the White House is well known. The various executive agencies now working in the ocean sciences and engineering have seemed too content with things as they are.

Oceanographic work has been a relatively minor responsibility and interest scattered in some 15 or more Federal departments and agencies. But it has not been a major responsibility for any one central, coordinating office, as it deserves to be.

This bill places that responsibility squarely on the President and requires him to take action. It also requires that he keep the Congress and the American public informed of accomplishments and progress in the ocean sciences and engineering, and thus it lays the basis for effective congressional oversight of the national program in those activities.

Mr. Speaker, those are the basic requirements for the coordinated national effort so definitely needed. S. 944 as amended in our committee obviously is only a beginning, only a first step, but I submit it is the best possible first step we can take at this time. It represents the distillation of many good ideas and varying points of view. It represents a lot of study and effort, of testimony, consultation and adjustment.

S. 944 has been carefully considered, Mr. Speaker. It merits approval by this House, by the other body and by the President; and it calls for vigorous cooperation from the White House and from the executive departments.

I am happy to report, Mr. Speaker, that we minority members of the Subcommittee on Oceanography are unanimous in support of S. 944. In fact, this legislation comes recommended to the House by unanimous vote of the full Merchant Marine Committee.

Also, Mr. Speaker, I want to express my very great personal appreciation to our subcommittee chairman, the gentleman from North Carolina [Mr. Lennon], for his many courtesies during consideration of this bill. I know I speak the feeling of all our minority members of the committee in expressing our gratitude to him.

Chairman Lennon has shown a remarkable degree of patience; he has proved himself a wisely judicious and effective leader.

As evidence of the active Republican interest in this legislation, I point to the fact that several members of our party introduced bills, representing a variety of approaches to the subject. I refer to the bills introduced in this session by Congressmen Bob Wilson, Tom Pelly, Hastings Keith, Jim Fulton, and Ed Reinecke, and by other Republicans in previous sessions.

I submit, Mr. Speaker, that S. 944 represents a very healthy example of congressional initiative in an area where Presidential initiative has been notably lacking.

I suggest we also should emphasize here the breadth of activity which this bill intends. In drafting the bill, we have not used the old term "oceanography," because of its rather limited meaning. We have used the phrase "marine science and engineering" purposely to show that Congress proposes a very comprehensive program for gaining knowledge of the entire marine environment and for development of all the ocean resources, in their myriad forms.

Also, we emphasize here that the plans and programs intended by this bill shall not be merely those of the Federal Government but shall be truly national in scope, involving the several States, private industry and the numerous other private institutions—universities and research centers—interested in the ocean sciences and engineering.

And now, Mr. Speaker, for the record to show legislative intent, I want to address three brief questions to the subcommittee chairman, Mr. Lennon.

The language of S. 944 as amended emphasizes that "it shall be the duty of the President" and "the President shall establish a Commission," and so forth. Is it not your understanding that these calls upon the President are mandatory, rather than merely discretionary?

Mr. LENNON. That is actually true; yes, sir.

Mr. MOSHER. I believe the bill establishes no deadline for the creation of the self-liquidating Commission, but I submit it is the intent of the Congress, and our hope and expectation, that the President shall do that very promptly.

Mr. LENNON. It is our understanding, in conference with Dr. Donald F. Hornig, Director of the Office of Science and Technology, as well as the Executive Office of the President, that that would be done and that this Commission would be created following the enactment of this legislation and its becoming law.

Mr. MOSHER. One more question. By definition in the bill S. 944, and by the wording of our committee report, it seems to me that we have made it crystal clear that, by approving this bill, the Congress intends that the Great Lakes shall have equal standing with all our ocean areas as the location of Federal Government programs in the ocean sciences and engineering. Is that the understanding of the chairman also?

Mr. LENNON. Very distinctly, sir.

Mr. MOSHER. I thank the gentleman.

Mr. PEPPER. Mr. Speaker, will the gentleman yield for a question?

Mr. LENNON. I yield for a question.

Mr. PEPPER. Will the able gentleman tell me how, when we get this program going, our efforts in oceanography will compare with those of the Soviet Union, so far as he knows?

Mr. LENNON. The witnesses from the agencies of the Federal Government, from the Office of the President on down, take great pride in the fact that we are on a parity with the Soviet Republic. It was not the thinking of the committee that we should be otherwise. We have every reason to believe that the passage and the implementation of this legislation will accomplish the very purpose of which the gentleman speaks.

Mr. PEPPER. I thank the able gentleman.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Speaker, I am pleased to support this legislation. As a member of the Oceanography Subcommittee which conducted hearings on legislation concerning revisions in existing oceanography programs, and a member of the Merchant Marine and Fisheries Committee which approved the bill before us today, I urge the full membership to support the action taken not only by the House committee, but the Senate Commerce Committee and the Senate as well.

As the author of H.R. 9064, which would establish a National Commission on Oceanography, it is gratifying to see the bill before the House and the bill as passed by the Senate, contain a provision for establishing a Presidential Commission as I originally proposed.

Mr. Speaker, the need for thorough review of existing oceanography programs underway in the U.S. Government is critical. It has great importance because of the fact that the Soviet Union has dramatically expanded its operations in the field of ocean exploration. It is of vital importance because in many respects the Soviet Union has outstripped the United States in the field, particularly in terms of trained personnel and research vessels.

At the present time the Soviet Union is engaged in extensive research of the Gulf Stream, termed the "major oceanographic phenomenon closest to the United States," by Dr. Harris B. Steart, Chief Oceanographer of the U.S. Coast and Geodetic Survey. The use of Cuba as a base for Russian exploration of the Gulf Stream, the Atlantic waters near the U.S. coastline, the Gulf of Mexico, and the Caribbean, has greatly enabled the Communists to realize the potentials of the rich and abundant waters surrounding our coasts.

Who will utilize them first? Is the United States going to sit back and allow the Soviet Union to dramatically illustrate just how far they are ahead of us with an ocean sputnik? Are we going to let this happen right here in our own backyard?

The potentials of the sea are yet to be discovered. It may well be that the seas around us are the richest in the world. The commercial mining of diamonds off the coast of Africa gives insight to what is possible with proper utilization of the oceans. Greater knowledge of submarine warfare is another aspect of ocean exploration. Minerals, vegetation, better weather control, chemical harvests, greater fisheries, a better solution to end beach erosion, all these are within reach once our grasp of the sea's elements are brought closer through more research.

We are presently witnessing Project Sealab as an example of initial U.S. entry into ocean exploration. We have accomplished much through the space program, yet by comparison, very little through ocean probes. Water covers nearly three-fourths of the earth's surface, yet right now the United States knows more about outer space than we do of the earth's wet space.

U.S. astronauts have penetrated more than 170 miles into the space above the earth's surface, yet the deepest oceanauts from any nation have penetrated below the earth's surface is 7 miles. While astronauts have walked in the atmosphere 170 miles above, no attempt to emerge beyond the diving vehicle has yet been tried by man below the earth.

What is being done to establish and maintain a firm U.S. lead in ocean exploration? Present U.S. Government programs are scattered throughout 18 Federal agencies. While an existing group, the Interagency Committee on Oceanography, has done a superb job in coordinating these existing programs, it is clear that an "inventory" of what is being done not only in the Government, but the universities and laboratories, as well as private industry, is needed.

Along with such an inventory, some specific budgetary recommendations must be set forth for advanced planning in the ways which this Nation must assume to avoid losing the "wet space race" to the Soviet Union.

To establish a dialog between the university and academic community concerned with the field, private industry, which at present has invested millions of dollars in capital in research of the seas, and Government, the Commission as set forth in S. 944 is necessary.

The Commission would be appointed by the President. Its members would be drawn from Government, industry, and the academic sectors concerned with ocean research. The Commission would survey existing programs in all sectors of the Nation, examine the steps necessary to establish U.S. leadership in the field, and recommend to the President and the Congress what steps must be taken for the U.S. needs. Once such a survey has been taken and the recommendations filed, the Commission would expire.

The Commission has 18 months in which to do this job. It is a big undertaking, and a short time in which to do it, but time is running out. Russia has already realized the value of the oceans. Her operations based in Cuba and other areas near the U.S. mainland give testimony to that fact. Her trawlers each day moving into fishing grounds once dominated by U.S. vessels show the richness of the seas near our coasts.

In addition to the establishment of a temporary Commission, this legislation also has other provisions which give clear expression to congressional concern that the United States is aware of the strategic importance of sea exploration.

I urge the Members of this Congress to approve the measure before the House today.

Mr. LENNON. Mr. Speaker, I yield to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, I have the great privilege of sitting on the committee having jurisdiction over the space program and also on the committee handling the present oceanography legislation.

To me, ocean research is just as important as space research. I see two new frontiers—outer space and inner space—and I believe the public generally shares the view that the United States must achieve preeminence in inner space as well as outer space.

But, Mr. Speaker, while there have been two frontiers, there has been up to now only one national frontier program. We have in the United States recognizable, broadly known national goals and objectives in outer space. Americans know what our space policies are and Americans support our space programs, but in the other frontier of inner space, there has been no determination of policy for the utilization of our vast ocean resources.

We found ourselves at the crossroads of outer space in 1958. I believe that we are now at the crossroads of inner space. I believe we must immediately proceed to develop a national oceanographic program and an effective organization to implement the program.

We either move now—and by now I mean this year—or we seriously jeopardize the hope of seeing the United States achieve preeminence in inner space.

The legislation which we are now considering is to start the United States on a national oceanographic program—one which should and will yield tremendous benefits to mankind and produce new economical resources. This legislation is, of course, not perfect, but it was well thought out and is the first proper step toward our goal.

I wholeheartedly endorse the legislation and urge my colleagues to enthusiastically support it.

I hope that the people who administer this legislation will stress the importance of the roles of State marine laboratories, colleges, universities, private institutions, and industrial organizations in oceanographic research.

Especially should the States be encouraged to support marine research—Federal funds should supplement and not support State investments in oceanography.

Mr. MOSHER. Mr. Speaker, I yield to the gentleman from Washington [Mr. Pelly] such time as he may consume.

Mr. PELLY. Mr. Speaker, as a member of the House Subcommittee on Oceanography, I want to express my full support of S. 944 as it was reported by the House Committee on Merchant Marine and Fisheries. Furthermore, as a member of the minority, I want to pay my fullest respects to the chairman of the subcommittee, the gentleman from North Carolina [Mr. Lennon], for his thoroughness and patience in conducting hearings. The final bill, in my opinion, in a good piece of legislation to provide a needed comprehensive, long-range and coordinated national program in marine science. The bill is a composite of ideas and language of many Members of this House, who were actively interested in our national oceanography program. All these Members, many of whom introduced bills with various approaches to the problem, have expressed, I believe, their support for the bill as finally drafted and reported by the committee. Also, I am confident, our chairman, the gentleman from North Carolina [Mr. Lennon], has correctly predicted that the final result meets the views of the executive branch.

Mr. Speaker, I have had a special interest in legislation to expand research and development in the marine environment because in my congressional district, the University of Washington is a leader in this field. This school has an excellent background in oceanography and is well located for these studies and, furthermore, is anxious to increase its work in this area of science.

Again, Mr. Speaker, I want to compliment my chairman, the gentleman from North Carolina [Mr. Lennon], for his able leadership. I can think of no experience in committee work during my service in Congress that represents a finer example of nonpartisan cooperation by a dedicated group of Members of Congress.

I hope S. 944 will have the unanimous support of this House.

Mr. MOSHER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. Keith] such time as he may consume.

Mr. KEITH. Mr. Speaker, we have heard many arguments in support of an expanded oceanography program. We have listened to statements which proclaim the immeasurable benefits to be derived from ocean science and technology. Several of my colleagues, with absolute justification, have heaped praises upon our Nation's oceanographers.

These and other arguments have been offered in support of the legislation before us. And, they are right, Mr. Speaker, but there is an additional argument that should take precedence over all the others and that is the Soviet Union as of today is the world leader in oceanography.

I repeat, in overall oceanographic capabilities, the U.S.S.R. ranks No. 1 in the world.

And how did they reach the top? After World War II the Russians realized that knowledge of the oceans would be mandatory if the Red goal of world naval, economic and maritime superiority was to be achieved.

And so, they went to work at it. They converted many of their ships into oceanographic vessels. They built new ones. They stepped up training of ocean scientists. They encouraged, by the hundreds, physicists, chemists, biologists, engineers and other well schooled professionals to direct their attention to the oceans. The Communists sent these men to sea to collect data—great quantities of data.

The Soviets were quick to establish their oceanic objectives, and no time has been wasted in meeting them.

Today, the Soviet Union has approximately 230 oceangoing ships conducting research in the marine sciences. The United States has less than half that number.

Today, the Soviet Union has between 5,000 and 8,000 men and women working full time in the marine sciences. Excluding the immense Russian defense establishment, there are over 1,500 full-fledged Ph. D. level Soviet oceanographers. The United States has only 750 oceanographers at the doctorate level. The total U.S. manpower in ocean science and technology has been estimated to number only 2,500.

With a superior number of ocean scientists and technicians, and a superior number of research vessels, the Soviets have the largest capability for data collection of any nation today. The reason for the Soviet superiority in oceanography has been ambition, imaginative planning and lots of work.

Let us take a closer look at what the Russians have been accomplishing in oceanography so that we may more fully understand why the United States has fallen behind.

Some of the major Soviet oceanographic objectives are as follows:

First. Gaining world respect in scientific achievement.

Second. Gaining the advantage in converting the results of basic oceanographic research into economic development.

Third. Gaining greater international political leverage and influential strength through assisting underdeveloped nations in effectively establishing their own oceanographic programs.

Fourth. Gaining a research cost saving through utilizing the accomplishments of foreign oceanography.

How are these objectives achieved? The centralized Soviet bureaucracy with the assistance of two powerful coordinating committees enables the accomplishment of oceanographic goals with noteworthy efficiency. The Soviet oceanographic planners take a very pragmatic approach toward meeting their objectives. Inefficiency is rewarded with punishment. Performing the job well earns promotions. Consequently, the methods selected for meeting the above-named goals have proven quite effective. The following are examples of Soviet tactics employed in meeting their oceanographic objectives.

First. Attempting to influence international organizations by having Soviet scientists and administrators elected or appointed to executive positions.

Two such organizations which have felt the influence of strong Soviet leadership are the Intergovernmental Oceanographic Commission—IOC—and the Scientific Committee on Oceanographic Research—SCOR. For instance, the present secretary of the IOC is a Russian and interesting enough a member of the Communist Party. He is also the Director of the UNESCO Office of Oceanography. The Russians have been active in over 20 international organizations related to oceanography.

Second. Assuring that the international cooperative investigations meet Soviet needs.

Oceanographers from the United States and other nations with strong oceanographic programs who attended international ocean study planning sessions have repeatedly been confronted with Russian delegations with well prepared and stubbornly defended positions. The international cooperative investigations of the tropical Atlantic provides one good example of this. Although most Soviet delegates are internationally respected scientists, they nevertheless arrive at the meetings with instructions which must be carried out. More than once they have cornered American delegates in the corridors to explain that they had orders from home that certain specifications must be fulfilled. In February of this year, at a planning conference for the cooperative study of the Kurashio Current, the Russians again attempted to railroad their proposals against the wishes of the entire assembly of delegates.

Third. "Get more than give" by negotiating data exchange agreements which yield significant returns on a comparatively small investment.

Although the purpose of international ocean exploration projects is to make available to participating countries the data resulting from the work of each ship, the Soviets somehow consistently manage to reap the lion's share. In recent months, attention has been called to the inequity existent between the data center—WODC-B—in Moscow and the data center—WODC-A—in Washington—in favor of the U.S.S.R. Admittedly, the Soviet data has been of good quality, but quantitively it has been lacking.

Fourth. Providing training programs for foreign oceanographers.

Each year, several foreign students travel to Russia to be enrolled in one of the several curriculums in ocean science. The training they receive at Russian universities is topnotch.

Fifth. Hosting international oceanographic meetings and conferences.

For the past several years, the Soviets have stepped up efforts to play host to conferring oceanographers. In May of this year, several international meetings related to the ocean sciences were held in Moscow. At these meetings conferees are given a very warm reception including tours of the area, banquets, and other lavish evening entertainment. Presently, the Soviets are planning for the second world oceanographic congress to be held in 1966 in Moscow. This will undoubtedly be the largest gathering of distinguished international oceanographers in the history of the science.

Sixth. Maintaining exchange programs with foreign oceanographers.

For the past several years, the Soviets have been taking foreign scientists aboard their oceanographic vessels to participate in deep sea research projects. Several Russian ships have been used for such purposes including the *Lomonosov* in the Atlantic, the *Vityaz* in the Indian Ocean and the *OB'* in Antarctica. Besides sponsoring exchange programs involving the conducting of joint research at sea, the Soviets also welcome visitors to land-based facilities, both in the U.S.S.R. and at research stations such as in Antarctica. The month tour of Russian oceanographic institutes experienced by the six American delegates is a good example of the latter arrangement.

Seventh. Renting or loaning ships, instruments, oceanographers and cash for oceanographic development to other countries.

In the past year Cuba, Greece, Egypt, India, Poland, East Germany and other nations have been afforded the benefit of generous oceanographic assistance. The Russians assisted the Cubans in establishing a national oceanographic institute. Greek scientists sailed aboard *Akademic Vavilov*. The Indians, Poles, and East Germans have been working with Soviet marine geologists in locating offshore oil and natural gas deposits.

Eighth. Showing the Soviet oceanographic flag by sailing expeditionary ships into foreign ports, and having Soviet oceanographers visit, correspond with, and gain the loyalty and respect of foreign oceanographers.

When Red research vessels make foreign port calls, they accomplish more than just refueling, replenishing, and taking on water. At almost every stop they welcome host country ocean scientists aboard for ship tours and, of course, for a nip of good Russian vodka. Several Soviet ships have called at U.S. ports. In early April of 1964, the oceanographers and underwater acoustic experts from *Petr Lebedev* and *Sergej Valivov* visited Woods Hole and MIT scientists while the ships were making a port call in Boston.

Ninth. Extracting maximum oceanographic information from foreign professional journals.

During conversations with oceanographers in the Soviet Union, our delegation learned that Russian ocean scientists were intimately familiar with western oceanographic journals and most of them could read English reasonably well.

Tenth. Maximizing opportunities to publish prestige gaining articles in foreign oceanographic periodicals.

Deep Sea Research, World Fishing, International Marine Science, Sea Frontiers and quite a few other English language publications feature articles or papers on numerous aspects of Soviet Oceanography, many of which are authored by Russians.

Eleventh. Using Soviet and foreign news media to propagandize Soviet oceanography.

Tass news releases, the London Times, the New York Times, and Lloyd's Shipping Gazette often carry articles on developments in Soviet oceanography. The publicity given to Russian ocean science achievements in nations more sympathetic to the U.S.S.R. is considerably broader.

Twelfth. Maintaining intelligence collection programs which utilize all sources of new developments in foreign oceanographic techniques, instrumentation and activities.

A cursory examination of some Soviet oceanographic instruments reveals a startling similarity to western models. More than once the Russians have stripped our oceanographic buoys of their instruments and then manufactured almost identical models.

The above tactics are by no means necessarily original or unique to the Soviets. The United States as well as other western nations sometimes utilize similar methods of achieving the ends of foreign policy, but not on the scale of the Soviet program.

And what has been happening to oceanography in the United States? We have been stumbling along with programs that are very largely uncoordinated, fragmented, and oftentimes overlapping. Our so-called national oceanographic program has been considered by some to be a hoax—little more than a scorecard compilation of figures, charts and other tabulated information which simply describe what the individual agencies independently planned for themselves. Indeed, when viewing the work of each agency by itself, much praise is deserved. But, add up the total score on a national basis and oceanography looks rather sick. Thus, we see that oceanography in the United States has been given very little, if any, central direction.

The 87th Congress was aware of this and both Houses passed a bill containing measures to rectify the situation—and the bill received a pocket veto. Succeeding attempts to create a legislative solution to the oceanography gap have been discouraged by the administration. Indeed, the administration has lacked the courage to admit that the status quo is not enough.

And so, here we are again with another bill, one which has the promise of a new start—its most important feature calls for the establishment of a commission to investigate the administration's efforts to meet our national objectives in oceanography and to make recommendations on how we might do better.

As I indicated this is only a new start. Much is still left to be done—but we cannot afford further delay. The passage of this bill is mandatory—if our strength in ocean science and technology is to develop to the point where we can ever hope to regain the position as world leader.

Mr. Speaker, I urge all my colleagues on both sides of the aisle to vote unanimously for the passage of this bill.

Mr. MOSHER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BOB WILSON].

Mr. BOB WILSON. Mr. Speaker, we are here to consider a means to start our Government on a much needed and long overdue full-scale program of oceanography. S. 944, as amended, would establish a focal point, an information and directional center for an organized, productive schedule of projects that would be valuable in many ways to the United States.

We can no longer consider oceanography to be merely important. We must recognize it to be crucial. A national oceanographic program is no longer an interesting experiment; it has become an actual national necessity.

First, from the defense standpoint, underseas knowledge is needed for survival. Other nations, some of them unfriendly to freedom, are working feverishly to gain knowledge of ocean currents, methods of undersea navigation, and development of swift, potentially deadly vessels, devices, and machines. We can ill afford not to match and surpass potential enemies in underwater defense technology.

We are now engaged in a massive war on poverty. It extends worldwide as well as within our own borders. The uses of the almost unlimited, renewable food supplies in the seas offer a national solution to the world's problem of hunger. It offers better living standards for all our own people, as seafood is rich in protein, minerals, and vitamins. The proliferation of our own and the world's population will make harvesting of the foods of the sea an important, needed operation. It will provide us with crops that are valuable not only as foodstuffs, but for the chemicals and fibers industries.

The sea contains many minerals. We are importing an increasingly greater share of the metals we use in the United States today—especially some of the rarer metals. Nearly all are floating in the sea in vast amounts. We must discover practical means to extract them from ocean water to preserve our independence, to lessen the chance that unfavorable international incidents can cut off our supply of vitally needed metal.

Water is a big problem in many areas. In this day when many cities are becoming thirsty, desalinization of water should become a crash program. A recently announced process suggests the chance of bringing the cost down to 25 cents a thousand gallons. We have water on three sides of our country. We must find ways to convert it for constructive use by our people.

Oceanography will give far more than it takes. There will be thousands of new jobs in the future created through developments in oceanography. Man will understand more about the mysteries of undersea rivers and the air masses that move above the surface to create much of our coastal weather.

The Associated Press the other day quoted Dr. Robert S. Dietz, an oceanographer with the Coast and Geodetic Survey, who said that the Russians are gaining rapidly on the United States in oceanographic studies.

Dietz said the Soviets now appear to have two-thirds the total effort in ocean sciences, and their program is growing 10 percent per year. There are about 1,200 Soviet oceanographers, compared to about 1,500 to 2,000 in the United States. Four Soviet universities are offering oceanographic training and 50 research centers contribute to the programs. Oceanographers are among the highest salaried in the U.S.S.R.

Technical support of Soviet oceanographers is superior to ours, Dietz declares. He said each senior scientist has 5 to 10 assistants to help work up results of research in contrast to the American scientist who quite often works alone amid a morass of data.

The Russians have the world's only nonmilitary research submarine operating out of Murmansk. It is obvious the Soviets mean business. They are probing the seas for military and economic use. Their trawlers roam our coastal waters in both the Atlantic and Pacific.

If we can afford to spend billions to send rockets on one-way flights into space, we can certainly afford to invest in a program that will more than repay our funds and efforts in future benefits.

What has been lacking is a real sense of need. We have not received from the administration the push that has been behind the multibillion-dollar space program. It is up to us in Congress to give oceanography the push that is needed. I believe the first significant step should be the passage of S. 944, as amended by the Merchant Marine and Fisheries Committee, so that through this vehicle the United States can coordinate and direct the many projects and programs now being worked on by our Federal agencies, private institutions, and commercial enterprises.

I am generally not in favor of creating such councils and commissions. The oceans, however, are clearly a Federal enclave. They are a national responsibility and need a united, national approach to produce the results the Nation should have.

When NASA was created in 1958 by the Eisenhower administration, it was the breakthrough which projected us into the lead in many space endeavors. S. 944, as amended, would give the many different agencies of the Federal Government a definition of purpose and concentration of programs that would "give us more work for a buck."

Oceanography today is parceled out among 22 different bureaus in 9 departments or agencies. Space exploration was in the same state prior to NASA. Many of these problems can be worked out by implementing S. 944, as amended. Data can be shared. Duplication can be avoided. Programs needing concentrated work can be turned over to agencies that have the manpower, equipment, and experience to make real gains.

S. 944, as amended, will stimulate many projects. These will activate the need for new machinery, for new vessels, for undersea living quarters, for means of discovering and extracting minerals—a host of programs. Where space is an airless void, signifying to a great degree nothing, the ocean is a bounteous treasury, willing to return tenfold the efforts we make to tap the wealth stored through the centuries by nature. Overlapping authority must be brought into order. This is the purpose of this bill.

The American people have not had the opportunity to know the value of oceanography to our future survival and good living. Our schools do not provide the proper training for rewarding futures in oceanographic administration and research. Along with the active functions of the proposed Council and Commission will go a significant educational program.

We are not jumping off into the unknown. We should all be grateful that many forward-looking institutions, such as the Scripps Institute of Oceanographics in my hometown of San Diego and many private firms, such as the Lockheed Aircraft Corp. and General Dynamics, both of which recently set up a new research center in San Diego, have pushed forward in oceanographic research. They suffer from the lack of a central data source, access to worldwide research information, and financial help that a national program could create.

Oceanography is an opportunity. More than that it is a necessity of national endeavor in today's science explosion. We would be ill-served to have mastery of space and find ourselves vulnerable to undersea destruction. We would be foolhardy to know the composition of the craters of the moon, and not the food, mineral and water resources of the seas that comprise 75 percent of our earth.

It is time to break oceanography out of the doldrums. It is time to set full sail, to set a course and put a sound hand on the tiller. The House of Representatives could do no greater service to our people today, and to posterity, than to act favorably on this legislation which will give oceanography its proper place in our country's present and future.

Mr. MOSHER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. REINECKE].

Mr. REINECKE. Mr. Speaker, it has become increasingly evident in the past several years that the future of our economy is becoming more and more tied to knowledge which we are able to gain from the sea. Our Government has taken cognizance of this, but it is precisely because of governmental recognition of the importance of the science of oceanography that S. 944 must be enacted into law.

At the present time, Mr. Speaker, 18 different agencies of the U.S. Government are pursuing various oceanographic programs with little or no coordination, and a considerable amount of duplication. It is essential that coordinated direction be given to oceanographic research so that we can avoid unnecessary spending and duplication and achieve the maximum results of these scientific investigations both efficiently and speedily. That is why today that there is a compelling need for a Commission on Marine Science, Engineering, and Resources. Federal support in the field of oceanography is not enough; it must be a coordinated support along with that of private industry.

The proposed Commission would investigate and make recommendations in such areas as the following:

Present and future needs for natural resources from the oceans and maintain our expanding economy, and how to fulfill those needs.

Review existing research, engineering, and training programs to insure adequate private and public support for basic oceanographic research.

An overall organizational plan for an adequate national oceanographic and ocean engineering program that will meet the present and future national needs without unnecessary duplication of effort among the participating Federal agencies.

I am honored to add my support and I am proud to have sponsored legislation to accomplish the objectives of this bill. Well over two-thirds of our planet is covered by ocean. It is incumbent on America to provide leadership in learning the science of the seas. We have been given the challenge. We must now master the technology.

Mr. MATSUNAGA. Mr. Speaker, as introducer of a similar bill, I rise in support of S. 944, the Marine Resources and Engineering Development Act of 1965.

A deep concern over the diffused state of our country's oceanographic effort has impelled me and many of our distinguished colleagues, to introduce a bill on the subject of the development of a national oceanographic program. In my opinion, our Subcommittee on Merchant Marine and Fisheries, headed by the gentleman from North Carolina [Mr. LENNON], has done an admirable job of studying the many varied proposals, in hearings and in executive sessions, and finally reporting a measure that provides for a comprehensive, long-range, and truly national oceanographic program.

Oceanography, the science that deals with the ocean and its phenomena, is probably less known and understood today than our space program, which has made giant strides in recent years and captured the imagination of not only Americans, but also of the peoples of the world. The development of our oceanic resources through research has been a field of increasing importance in my own State of Hawaii. As manifestations of this, we have the Geophysics Institute, which is located on the campus of the University of Hawaii, the sponsoring of international scientific conferences on tsunami research, the recent appointment of Prof. Henry M. Stommel, one of the Nation's foremost authorities on oceanography and presently a member of the faculty at Massachusetts Institute of Technology, to fill the newly established Capt. James Cook chair in oceanography at the University of Hawaii, and and the National Science Foundation's mohole project which is designed to find out more about the earth's core through undersea drilling techniques. All of these programs are indicative of our continuing efforts to add to our meager store of oceanographic knowledge.

The situation in Hawaii probably could be duplicated in many other States which border the Pacific, the Atlantic, the Great Lakes, and the Gulf of Mexico. In these and other States there are at present various governmental and private agencies which are fully cognizant of the need to know more about the treasures to be found in ocean depths. But these agencies do not represent a concerted national effort, nor are they necessarily striving to achieve a common goal. There is in fact an urgent need to coordinate their efforts and to enlarge and accelerate the present ocean research and development program on a national basis.

The present Federal program in oceanography is being conducted in approximately 20 Federal departments, independent agencies, and bureaus, with coordination being effected through the Interagency Committee on Oceanography of the Federal Council for Science and Technology. Our committee has found the ICO, while operating under able chairmanship, is still woefully understaffed and without funds of its own. In the weighing of various proposals which would improve our present program, our committee's studies in the hearing room and in executive session have crystallized our legislative goal, that "in a national oceanographic program the Federal Government must be sure that its program has unity, a sense of proper coordination and vigor."

Mr. Speaker, the best and most effective vehicle to achieve our legislative goal is provided in S. 944, as amended and reported by our Committee on Merchant Marine and Fisheries. The amended bill would authorize the President to establish a Commission on Marine Science, Engineering, and Resources, composed of 15 members appointed by the President. It would include individuals drawn from Federal and State Governments, industry, universities, laboratories, and other institutions engaged in marine scientific or technological pursuits.

Wisely, our committee has substituted the term "marine science" in lieu of the more restrictive word "oceanography" to indicate the greater breadth of scope of the Commission's jurisdiction in the conduct of its investigation and study.

Mr. Speaker, S. 944, as amended, provides the means which would best achieve the rapid, efficient, and orderly exploitation of our marine environment and foster our overall national objectives in all aspects of the marine sciences.

I urge a favorable vote for the measure now on the floor.

Mr. GIBBONS. Mr. Speaker, this has been the summer of the terrifying disaster with a hurricane causing untold human misery to the people of Florida, Louisiana, and the Mississippi Delta.

It has also been the "long, hot summer" of drought and simmering sidewalks to the teaming population of New York City.

Today, the House of Representatives has before it what I consider a most important piece of legislation. A bill which can hold out the hopes for eventual victory over these tragedies of nature. For S. 944 would provide for a strengthened, nationally oriented approach to the study of oceanography in the United States.

As a Member of Congress from Florida, I am greatly interested in oceanography. Water is very important to our State and her people. We have one of the longest stretches of coastline of any State in the Union. Water is an important element of our biggest industry—tourism and recreation for the American people. It serves our expanding industry. It feeds our growing cattle industry. It nourishes the great Florida citrus region.

Today, the United States is the acknowledged leader in the space age. We are forging ahead to the farthest planets. We dream of the stars. Yesterday's "Buck Rogers" cartoon fantasies are today's realities, and tomorrow's definite possibilities. We are well on our way to eventual mastery of outer space.

But, what of our great, largely unexplored "inner space"? I mean the water which covers almost 70 percent of the earth's surface. The water which sustains our Nation approaching 200 million souls. Obviously, water is one of the most important materials on the earth. Without it, life could not exist. And, in the future, its rich, virtually untapped resources loom ever larger in shaping our destiny and the pattern of our lives.

Man has known of the oceans since the beginning of time. Yet, it is only in comparatively recent time that we have cared enough to seriously study them. We now seek the key to the treasure chest of riches which lies beneath the surface of the oceans.

The ocean is really the only unexplored region left to us on earth. The water shortage of our great industrialized eastern seaboard this summer further dramatizes the pressing need for more progress in the desalination of salt water.

Scientists predict that in the future, huge nuclear-power stations will simultaneously generate electricity and take the salt out of ocean water. They will help solve the severe national fresh water problem.

Research is just beginning on how the ocean's temperature affects our weather. Any knowledge we gain here from increased oceanographic efforts will help in long-range weather forecasting. And bear in mind that hurricanes, nature's most vicious storms, always are born and mature over the oceans—never on land.

Scientists predict that the oceans' fish could be an abundant and welcome source of food for a world in which half the population suffers from protein malnutrition. It has been estimated that an increase in the world's annual fish catch from the present 41 million tons to 53 million tons—an increase of 30 percent—would wipe out protein hunger from among the world's present 3 billion people.

Scientists further predict that it may be possible to select and breed plants on land which could grow in the presence of salt water. Think of the tremendous saving of fresh water by using ocean water for irrigation.

The seas hold many other rich promises for the future.

Certain underseas rock formations—well beyond the tidelands—indicate the presence of rich deposits of submarine oil. In fact, experts predict that by 1975, production of both oil and gas is expected to be commonplace in water 1,000 feet deep. All this due to the development of deep-submergence vehicles and new diving techniques.

Within 300 feet of the surface, within our coastal waters, are great deposits of phosphate rock needed for agriculture on land. This fact holds great promise for my own State of Florida, which is a leader in the production of this mineral.

Scientists inform me that manganese is being found in the oceans at a faster rate than we can use it.

The oceans contain many exotic materials—bromine and magnesium are being extracted from salt water. The list goes on and on. Beneath the surface of the waters which cover the great majority of our globe's surface, lies a vast treasure house of untapped riches.

And what of the future? There are many things we do not know about the oceans. Research is just beginning on how the ocean's temperature affects our weather. And if we could forecast ocean waves and winds and currents better, we could increase the operating efficiency of our ships by computing the best ocean route, cutting both time at sea and fuel consumption.

And what of the great possibilities of ocean transportation? Of cargoes of the future being carried by huge submarines, or hydrofoil craft which literally fly over the waves—or "hovercraft" which need no harbor or dock, but which run right onto the beach to unload.

I could go on. But there is no need. The prize is great. And it can be ours. But we must go after it. We must increase our national research. We must better coordinate the efforts of industry, universities, and the Federal and State Governments toward these goals.

Mr. Speaker, for far too long, this country has ignored the vast rich potential of what lies beneath the ocean surface.

Clearly, the science of oceanography has great potential for this country and its people. A well defined and coordinated oceanographic policy can mean maintenance of our national security, helping the hungry of the world to nutritional health, developing our national resources, protecting the oceans from pollution, and utilizing their mysteries for recreation in an increasingly crowded and urbanized society.

These are some of the goals to which President Johnson has committed this country. Today, the House of Representatives, by passage of S. 944, can support that decision. I strongly urge its approval.

Mr. TUPPER. Mr. Speaker, I wish to associate myself with my other colleagues on the House Subcommittee on Oceanography in support of S. 944. There can be no question of the importance and necessity of this legislation. I want to commend the distinguished chairman of this subcommittee, the gentleman from North Carolina [Mr. LENNON], and the distinguished minority member of the subcommittee, the gentleman from Ohio [Mr. MOSHER], for the interest and time they have given to increasing U.S. effort in the science of oceanography.

I have had a particular interest in this subject since coming to Congress, and was one of the sponsors of the bill commonly referred to as the Oceanographic Act of 1962. This bill was passed by both Houses of Congress, but was pocket vetoed. It has always seemed to me that it was vital that greater emphasis be put upon the marine sciences. Expanded oceanographic research will yield essential information relating to our national defense, and will be particularly helpful to our merchant marine and our commercial fishing industry. Obviously a greater concentration upon exploration of the world's oceans will uncover secrets that will help mankind in any number of ways.

To pursue this work the United States will need more trained personnel; this in turn means that we must encourage the development of more schools of instruction in oceanography.

This bill, S. 944 is a needed step in placing this science in new perspective.

Mr. MAILLIARD. Mr. Speaker, over the past several years there have been extensive congressional studies concerning oceanography. The Marine Resources and Engineering Development Act of 1965, which is presently before us for consideration, represents the culmination of those earlier years of congressional study.

We, as a nation, have made tremendous strides in the field of outer space. We are able to launch rockets and, with pinpoint accuracy, cause them to reach a designated impact area on the surface of the moon. We are spending millions of dollars to develop a supersonic transport. All of these are commendable achievements and efforts. All are made possible through Government aid, the grants for which meet little, if any opposition. There is, for one thing, considerable public interest and support for these programs.

Unfortunately, we have not been quite as diligent in the development of our own environment—inner space. Water covers about three-quarters of this planet's surface. It is the surface and subsurface of this water area which holds forth the greatest remaining source of natural wealth to mankind. This wealth has remained heretofore untapped. Enactment of the Marine Resources and Engineering Development Act of 1965 would constitute a significant and major stride along the road to harvesting this untapped wealth.

The bill presently before you would call for the declaration of a national policy, setting forth national objectives in relationship to the marine environment. It would delineate and emphasize responsibilities in the development of our national policy. It would coordinate activities in the field of marine science, which have heretofore been diffused, but without either destroying or impeding the essential autonomy of sundry Government agencies now pursuing such programs. It would provide a vehicle for the comprehensive review, objective analysis, and long-range recommendations concerning the Government organizational structure necessary to meet the challenges of inner space. All of these are not now being met.

But more importantly, and contrary to popular belief, the bill now before you for consideration would in no way place the Government in a position of competing with private industry. The oil and gas industry in particular has expressed some concern along these lines. Rather, the bill gives recognition to the necessity for this Nation to develop and implement an effective long-range program in the field of marine sciences.

To this end I recommend to your favorable consideration the legislation now before you—the Marine Resources and Engineering Development Act of 1965. Continued lack of a unified Federal policy in this field can only operate to the detriment of the Nation. The time is here, if not overdue, when we must marshal our efforts for the attainment of one of the greatest prizes of our times—the untapped resources presently captive in the oceans.

Mr. MORSE. Mr. Speaker, I rise in support of S. 944 as reported by the House Merchant Marine and Fisheries Committee. In my judgment, this legislation will put the efforts of the Federal Government, in cooperation with private industry and the universities, in the field of marine sciences on a par with those in space and related technologies.

The advances that have been made in developing our knowledge about the seas around us have been tremendous. Few Americans realize that 20 Federal departments, agencies and bureaus are spending more than $140 million on these studies. The work of the Navy has been particularly outstanding. Just a few weeks ago we had a dramatic demonstration of the state of our knowledge in this field with the successful Aqualab experiments off the coast of California.

One of the imperatives of modern civilization must be to maximize the effective and prudent use of all our resources, human and physical. We have barely tapped the wealth of resources of our ocean floors; biological, geological, and chemical.

Any effort on the part of the Federal Government must have unity, proper coordination, sufficient impetus and maximum utilization of funds. In my judgment the creation of the proposed commission, composed not only of appropriate governmental officials, but industrial and academic experts as well will be most beneficial.

In my testimony before the House Merchant Marine Committee, I cited the comments of Dr. Harold E. Edgerton, a distinguished professor of electrical measurements at MIT and chairman of the board of the firm of Edgerton, Germeshausen & Grier, who is convinced that the high quality of work now being done by industry and the universities assures the Government of effective and enthusiastic cooperation. In his judgment, "a strong national commitment to oceanography would certainly be a step down the road" to that effective usage of resources of which I spoke.

I hope that the House will approve this legislation and thereby affirm the conviction of the Congress that the development of our knowledge of the marine sciences is deserving of priority attention.

Mr. HANNA. Mr. Speaker, it is indeed a pleasure to lend my full support and encouragement to the enactment of S. 944, the Marine Resources and Engineering Development Act of 1965.

The approval of this legislation will be a historic step towards the achievement of a really meaningful program of oceanographic research and marine development by the United States. The bill was first introduced in the other body, approved by their Merchant Marine and Fisheries Subcommittee and Commerce Committee and finally by the other body itself. Here in the House all oceanography legislation, including several bills which I have introduced, were carefully considered during extensive hearings held by the Oceanography Subcommittee of the Merchant Marine and Fisheries Committee.

I would like to take this opportunity to congratulate the members of the Oceanography Subcommittee, and its distinguished chairman, the gentleman from North Carolina [Mr. LENNON], for their very excellent work on this bill. The amendments which the subcommittee has made in the other bodies version are extensive, and I believe they broaden and improve the bill in many of its most important aspects.

Of special interest to me was section 3(A)(5) of the House bill. This section specifies that it shall be the duty of the President to "undertake a comprehensive study, by contract or otherwise, of the legal problems arising out of the management, use, development, recovery and control of the resources of the marine environment." It should be evident to everyone who follows the news that as each nation expands its exploration of the oceans, and the vast resources which these oceans contain, the number of conflicts between these nations and between competing firms increase. Already we have seen many serious disputes over fishing grounds and gas and oil fields which are located beneath the sea.

We must begin now to conduct a comprehensive study of the legal problems we are likely to face in the future, and to consider peaceful methods of solving these problems. Millions of men have died in wars fought for the control of the resources available on land, which covers only one-fourth of the earth's surface. Let us insure that the development of the resources on the three-fourths of the earth's surface which lies under the oceans does not bring a similar struggle among men. During the 88th Congress, I introduced legislation which would have authorized such a study. This year the gentleman from North Carolina [Mr. LENNON] introduced a similar measure. I am pleased that the Oceanography Subcommittee has recognized that this is "part and parcel of the overall objectives of a national oceanographic program and therefore should be embodied in S. 944."

The American peoples are becoming more and more aware of the tremendous importance of the untapped mineral, food, national defense, and scientific knowledge which lies on, in, and beneath the world's oceans. This potential is at least as great, and I believe it is even greater, than the much more glamorous space program upon which the Nation has embarked. With this in mind, I believe the establishment of a broadly based and highly competent Commission on Marine Science, Engineering, and Resources, which is provided for in this bill, is more than desirable, it is imperative if we expect to bring the many agencies which are working in this vital field together in a strong, meaningful oceanographic research program.

The exploration of the inner space of the oceans will not be the dramatic show that outer space penetration has occasioned. Since the existing programs must be accommodated as they exist in both public and private sectors, the framing of concise and clear program objectives will often be frustrated. However, the difficulties and complexities are matched with opportunities and ultimate rewards of great significance. We will not see dramatic and speedy change but in the long pull of human events the course chartered here today may mean more to human enrichment and the accommodation of this planet to civilized life than any other program initiated in this historic congressional session.

I firmly believe the very modest sum—$1.5 million—which is authorized to carry out the provisions of this act will yield billions of dollars in dividends to the United States over the years to come. To paraphrase Winston Churchill: "Never will so little be spent to accomplish so much for so many."

Mr. FASCELL. Mr. Speaker, I rise in support of S. 944 as reported. I cosponsored this measure by my bill H.R. 5654 because I believe we must move forward in a sound program for oceanography.

The importance of oceanography to the security and welfare of this country was first described in the study by the National Academy of Sciences, released February 15, 1959. It was the Merchant Marine and Fisheries Committee 6 years ago that first responded to the opportunities for U.S. leadership advocated in that report through establishment, on February 17, of a Special Subcommittee on Oceanography under Congressman GEORGE P. MILLER. That subcommittee began extensive hearings almost immediately, and over the past 6 years, the subcommittee of the distinguished gentleman from North Carolina [Mr. LENNON] has developed abundant testimony on the goals of a national program in oceanography, and on resources and Federal organization needed for their achievement.

But in recognizing the necessity for careful review of the various functions and responsibilities of agencies engaged in ocean research we cannot afford to delay for any lengthy period the necessary reorganization of this activity. The state of oceanographic research has been carefully studied and reported upon by a competent NAS–NRC committee. Other groups, including committees of Congress, have also done valuable work in this field. It would seem appropriate at this time, therefore, to have a small expert group bring up to date and pull together the knowledge already collated to give Congress a factual summary and to advance specific recommendations. This committee should include Government, university, and industry members. Its task should not take more than 6 months, both because longer time is not necessary and because the Nation cannot spare more time.

Congress and the public have a right to demand resolution of expressed doubts and differences of opinion as to national policy, budget and organization; but—we must guard against any slackening in determination to enhance the ability of the United States to master the ocean for the food of mankind while we are sorting out our problems and mechanics of organization.

In reviewing the vast quantity of study material, I found some 16 objectives relevant to our national interests:

First. Increase the Nation's security from enemy sea or undersea attack, and to maintain the potency of a Polaris-type deterrent force;

Second. Improve international trade and commerce and safeguard them from disruption in the event of a national emergency;

Third. Improve understanding of weather phenomenon and the accuracy of long-range forecasts;

Fourth. Comprehend changes in climate of world significance;

Fifth. Afford greater protection to lives and property from ocean-bred wind and waves;

Sixth. Restore and expand domestic fisheries and reduce costs to both fishermen and consumers;

Seventh. Through aquaculate, to alleviate protein deficiency elsewhere in the world;

Eighth. Identify ocean mineral deposits and develop methods for recovery and processing;

Ninth. Expand knowledge of fossil fuels that lie beneath the oceans;

Tenth. Diminish dangers of pollution from atomic, industrial or domestic waste;

Eleventh. Facilitate discovery of new medical and pharmacological weapons in the war against disease;

Twelfth. Safeguard waterfront property from beach erosion;

Thirteenth. Diminish damage to docks, piers, and ships from marine borers and fouling organisms;

Fourteenth. Protect and enrich all kinds of seashore recreation, so important in a nation of increasing urban population;

Fifteenth. Provide a rational basis for international agreements and domestic regulation in ownership, transit, fishing, and mineral rights; and

Sixteenth. Strengthen basic research, using the sea as a laboratory for extending knowledge of the world around us.

Mr. Speaker, I have had the opportunity of firsthand discussion of many of these points with the director and staff of one of the outstanding organizations in the world, the Institute of Marine Science at the University of Miami. I am impressed with the progress we have made in the past few years, the significant discoveries, and extension of the potential for science to be applied to the public interest through a parallel development of ocean engineering.

It has been gratifying to see that the executive branch and the Congress were almost always in agreement about the importance of these goals. During the early 1960's, the program received an increase in appropriations that permitted healthy growth in all areas of marine science—oceanography developed from its earlier primitive state in comparison with other sciences, our fleet of ships and shore-based laboratories were strengthened and the educational and manpower base necessary for a sound attack on our ignorance of the sea has been increased.

But, Mr. Speaker, after an auspicious beginning, this program now needs spirit and direction. The budget is inevitably a measure of our priorities. In the case of oceanography, the President's fiscal year 1966 budget of $141.6 million was only about 4 percent over that for fiscal year 1965—not enough to accommodate increased costs to operate new ships that the Congress authorized and funded in 1961–63; nor is it enough to provide funds for increased basic research associated with growing university enrollment, and especially to provide funds for applied research and engineering for the purposes outlined earlier.

In the 2 short years since transmittal to the Congress of the Federal Council's 10-year program in oceanography, the level of funding is almost $50 million behind schedule.

We cannot maintain world leadership in an area in which Soviet competition is so significant with this kind of performance. But it is not the uncertainties in funding that alarm me most.

The extensive interest by the 89th Congress reflects this concern, for, notwithstanding the good intentions of the executive branch to support this program, it has been obviously difficult to maintain priority attention and assignment of manpower and funds in the face of competition for other scientific programs in the national interest. In the absence of any formal mandate from the Congress that the President could construe as a consensus by the American people that this field deserves the attention that has been focused on outer space and in the absence of any single agency having identifiable responsibility for this program as is true in space exploration, some additional steps are essential. We need a program compatible both with this Nation's role as a world leader and with the opportunities which the oceans offer in maintaining our welfare and our security. We have taken such steps in connection with the Nation's space program, its atomic energy program, its water resources; but we have not succeeded in developing a similar charter for our activities in the oceans.

The very diversity of purposes makes impracticable the reorganization of all these functions in a single operating agency. But the pending bill would be a major step in providing a statutory foundation of goals and leadership.

The Congress applauded leadership of the executive branch associated with the program during formative years, and the Congress looked to the Federal Council for Science and Technology as the coordinating agent of a program that is necessarily conducted in almost 20 departments, agencies, or bureaus. It was especially eager to see this mechanism utilized after the statutory Office of Science and Technology was established that permitted its Director, currently Chairman of the Federal Council, to provide information and advice to the Congress.

Legislative proposals in the 87th and 88th Congresses were based on concern over the possibilities of a transient determination to give oceanography the leadership it deserved.

I realize that the executive branch has contended that this program has advanced and will continue to progress without the need for new legislation. In testimony this spring before the Senate Commerce Committee, Dr. Donald F. Hornig, Director of the Office of Science and Technology and Chairman of the Federal Council for Science and Technology, restated that over the past 5 years the program has been scientifically productive, that the Federal mechanism for coordinating oceanography activities has performed well. On the other hand, in response to written questions of Senator MAGNUSON related to the Federal Council's procedures of endorsement of the national oceanographic program, Dr. Hornig notes that:

> The Federal Council made no specific recommendations with respect to the fiscal year 1966 program recommended by the Interagency Committee.

This is the first time since the Interagency Committee on Oceanography was given program planning responsibilities by its Council Chairman in 1961 that no endorsement was made. Dr. Hornig also noted that:

> National programs are not established by the executive branch in the sense of creating an entity which is given special treatment because of that designation.

This is in direct contrast to contentions in previous years that legislation was unneeded because oceanography was being given special status as a national program and that it was effectively coordinated by overt action on the part of the Federal Council.

The Office of Science and Technology has statutory responsibility to advise and assist the President. But there is no language in the Reorganization Plan No. 2 under which it was established, or in Executive Order No. 10807 that earlier set up the Federal Council, that designates responsibilities for a unified or coordinated program in oceanography, or even requires regular reporting to the Congress in this important field. If, in fact, the term "national program" which has been applied over the years to oceanography by the executive branch is now meaningless, and if the program does not even earn budget defense through the Federal Council, then I feel it is all the more urgent that the Congress very clearly establish its own legislative intent in this regard, together with a mechanism with sufficient authority and responsibility to be sure that the intent is indeed carried out.

In closing, Mr. Speaker, I speak as one concerned about our neglect of the potential of the oceans for our national welfare.

When he transmitted budget proposals for this year's oceanographic program, President Johnson in a letter to the Speaker of the House said:

> Now our view of the seas has had to undergo a drastic change. We have always considered them as barriers to navigation; we now must see them as links not only between peoples but to a vast new untapped resource * * *. It is essential that the Congress review this program as a unified thrust seaward. I, therefore, urgently recommend when the various committees of the Congress review this portion of their program they keep its entirety in mind.

Mr. Speaker, the pending legislation provides the mechanism by which this unified view of oceanography can be developed as a matter of purpose and implemented as a matter of Executive management that now displays lack of continuity and sustained momentum. This bill would also provide an unprecedented opportunity for the Congress to view this program as a single entity.

While I advocate the principle that mission-oriented Government agencies should be given increased capacity to perform their missions, I likewise stress with equal vigor that university laboratories and research institutes should be given the responsibility of performing the supporting basic research. Obviously, no clear cleavage is possible between these roles which meet and merge imperceptibly so that each kind of agency must have the capacity to do both, but nonetheless it seems useful to define the basic roles in this way.

Of course, there is too much research to be accomplished to allow duplication to exist. But this is not a simple principle to apply either, since what might be regarded on casual inspection to be wasteful duplication might in fact be necessary cross-checking of experimental finds, an integral part of the scientific method. To distinguish between duplication and necessary cross-checking requires the most active kind of cooperation. This implies consultation at the highest level between various agencies in Government and between Government and university and research scientists.

In the enthusiasm for increasing the tempo of oceanographic and fishery research in the United States, involving massive new programs, new vessels and new laboratories, one all-important aspect is frequently brushed aside lightly or even completely ignored. This is the problem of who is going to staff the programs and laboratories and to man the vessels. What makes research go is not equipment or buildings or boats, no matter how elaborate or expensive, but trained men. These are not available now in the numbers necessary to staff existing programs. Yet the United States is making plans for twice to four times the amount of work in the next few years. So the universities are faced with the necessity of training oceanographers and fishery scientists at rates far above those in the past. These universities must be given the capability to do this heavy task—a point nearly ignored up to now.

Training in such complex professions as these must be at the graduate level, and this is expensive. It has been estimated that it costs about $5,000 per year to train oceanographers—about the same as to train a medical student. The high cost in both cases is because of the elaborate equipment necessary; in fishery science and oceanography there is the additional cost of expensive boat time—which often runs from $1,000 to $2,000 per day.

To train men to become professional research scientists, they must be given continuous and varied practice in research. And this cannot be in artificial problems invented for class exercises; they must be real problems to be solved by active participation of the student alongside an experienced and skilled research scientist.

Thus, the only realistic kind of support for universities given the responsibility of training oceanographers is for support for research programs. It is fortunate that this kind of support serves two valuable purposes: To solve problems facing the United States in its pursuit of understanding of the ocean, and to train scientists who will staff the laboratories and programs for future assault on these problems.

In any action to strengthen oceanography and fishery research, specific provision should be made for the kind of support for universities described above, including the granting of specific authorization and direction to the Fish and Wildlife Service or its successors to support and finance grants and contracts to universities for fishery problems.

GENERAL LEAVE

Mr. LENNON. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill S. 944, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed, as amended.

The title was amended so as to read: "An act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a Commission on Marine Science, Engineering, and Resources, and for other purposes."

A motion to reconsider was laid on the table.

SERVICE CONTRACT ACT OF 1965

Mr. O'HARA of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10238) to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes, as amended.

The Clerk read as follows:

H.R. 10238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Service Contract Act of 1965".

Sec. 2. (a) Every contract (and any bid specification therefor) entered into by the United States or the District of Columbia in excess of $2,500, except as provided in section 7 of this Act, whether negotiated or advertised, the principal purpose of which is to furnish services in the United States through the use of service employees, as defined herein, shall contain the following:

(1) A provision specifying the minimum monetary wages to be paid the various classes of service employees in the performance of the contract or any subcontract thereunder, as determined by the Secretary, or his authorized representative, in accordance with prevailing rates for such employees in the locality, which in no case shall be lower than the minimum specified in subsection (b).

(2) A provision specifying the fringe benefits to be furnished the various classes of service employees, engaged in the performance of the contract or any subcontract thereunder, as determined by the Secretary or his authorized representative to be prevailing for such employees in the locality. Such fringe benefits shall include medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, unemployment benefits, life insurance, disability and sickness insurance, accident insurance, vacation and holiday pay, costs of apprenticeship or other similar programs and other bona fide fringe benefits not otherwise required by Federal, State, or local law to be provided by the contractor or subcontractor. The obligation under this subparagraph may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments in cash under rules and regulations established by the Secretary.

(3) A provision that no part of the services covered by this Act will be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or any subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services.

(4) A provision that on the date a service employee commences work on a contract to which this Act applies, the contractor or subcontractor will deliver to the employee a notice of the compensation required under paragraphs (1) and (2) of this subsection, on a form prepared by the Federal agency, or will post a notice of the required compensation in a prominent place at the worksite.

(b)(1) No contractor who enters into any contract with the Federal Government the principal purpose of which is to furnish services through the use of service employees as defined herein and no subcontractor thereunder shall pay any of his employees engaged in performing work on such contracts less than the minimum wage specified under section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060; 29 U.S.C. 201, et seq.).

(2) The provisions of sections 3, 4, and 5 of this Act shall be applicable to violations of this subsection.

Sec. 3. (a) Any violation of any of the contract stipulations required by section 2(a) (1) or (2) or of section 2(b) of this Act shall render the party responsible therefor liable for a sum equal to the amount of any deductions, rebates, refunds, or underpayment of compensation due to any employee engaged in the performance of such contract. So much of the accrued payment due on the contract or any other contract between the same contractor and the Federal Government may be withheld as is necessary to pay such employees. Such withheld sums shall be held in a deposit fund. On order of the Secretary, any compensation which the head of the Federal agency or the Secretary has found to be due pursuant to this Act shall be paid directly to the underpaid employees from any accrued payments withheld under this Act.

(b) In accordance with regulations prescribed pursuant to section 4 of this Act, the Federal agency head or the Secretary is hereby authorized to carry out the provisions of this section.

(c) In addition, when a violation is found of any contract stipulation, the contract is subject upon written notice to cancellation by the contracting agency. Whereupon, the United States may enter into other contracts or arrangements for the completion of the original contract, charging any additional cost to the original contractor.

Sec. 4. (a) Sections 4 and 5 of the Act of June 30, 1936 (49 Stat. 2036), as amended, shall govern the Secretary's authority to enforce this Act, make rules, regulations, issue orders, hold hearings, and make decisions based upon findings of fact, and take other appropriate action hereunder.

(b) The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business.

Sec. 5. (a) The Comptroller General is directed to distribute a list to all agencies of the Government giving the names of persons or firms that the Federal agencies or the Secretary have found to have violated this Act. Unless the Secretary otherwise recommends, no contract of the United States shall be awarded to the persons or firms appearing on this list or to any firm, corporation, partnership, or association in which such persons or firms have a substantial interest until three years have elapsed from the date of publication of the list containing the name of such persons or firms.

(b) If the accrued payments withheld under the terms of the contract are insufficient to reimburse all service employees with respect to whom there has been a failure to pay the compensation required pursuant to this Act, the United States may bring action against the contractor, subcontractor, or any sureties in any court of competent jurisdiction to recover the remaining amount of underpayments. Any sums thus recovered by the United States shall be held in the deposit fund and shall be paid, on order of the Secretary, directly to the underpaid employee or employees. Any sum not paid to an employee because of inability to do so within three years shall be covered into the Treasury of the United States as miscellaneous receipts.

Sec. 6. In determining any overtime pay to which such service employees are entitled under any Federal law, the regular or basic hourly rate of pay of such an employee shall not include any fringe benefit payments computed hereunder which are excluded from the regular rate under the Fair Labor Standards Act by provisions of section 7(d) thereof.

Sec. 7. This Act shall not apply to—

(1) any contract of the United States or District of Columbia for construction, alteration and/or repair, including painting and decorating of public buildings or public works;

(2) any work required to be done in accordance with the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036);

(3) any contract for the carriage of freight or personnel by vessel, airplane, bus, truck, express, railway line or oil or gas pipeline where published tariff rates are in effect;

(4) any contract for the furnishing of services by radio, telephone, telegraph, or cable companies, subject to the Communications Act of 1934;

(5) any contract for public utility services, including electric light and power, water, steam, and gas;

(6) any employment contract providing for direct services to a Federal agency by an individual or individuals; and

(7) any contract with the Post Office Department, the principal purpose of which is the operation of postal contract stations.

Sec. 8. For the purposes of this Act—

(a) "Secretary" means Secretary of Labor.

(b) The term "service employee" means guards, watchmen, and any person engaged in a recognized trade or craft, or other skilled mechanical craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any other employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirement; and shall include all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.

(c) The term "compensation" means any of the payments or fringe benefits described in section 2 of this Act.

(d) The term "United States" when used in a geographical sense shall include any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Outer Continental Shelf lands as defined in the Outer Continental Shelf Lands Act, American Samoa, Guam, Wake Island, but shall not include any other territory under the jurisdiction of the United States or any United States base or possession within a foreign country.

Sec. 9. This Act shall apply to all contracts entered into pursuant to negotiations concluded or invitations for bids issued on or after ninety days from the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Michigan is recognized for 20 minutes.

Mr. O'HARA of Michigan. Mr. Speaker, I yield myself such time as I may consume.

THE UNIVERSITY OF MICHIGAN LIBRARIES

Mr. Speaker, the purpose of this bill is to extend the longstanding policy of the Congress that the Federal Government shall not be a party to the depressing of labor standards in any area of the Nation.

We accomplish this by providing much-needed labor standards protection for employees of contractors and subcontractors furnishing services to or performing maintenance service for Federal agencies.

I suppose every Member who brings a bill to the House likes to claim it is bipartisan; sometimes the term may be stretched rather thin. In this particular instance, I believe this bill meets every test of bipartisanship that may be applied.

It is jointly sponsored by myself and the gentleman from Washington [Mr. Pelly].

Each of us has a history of introducing predecessor bills in prior Congresses.

There was no opposition to this bill in committee; in fact it was enthusiastically supported by both sides.

Furthermore this bill is part of the legislative program of this administration. It accepts the great principle adopted by an earlier Congress, under Republican leadership, when the Davis-Bacon Act was written into law.

The committee report contains a full and complete explanation of the bill, as well as the committee amendment.

It might be helpful, however, to develop the rationale for the amendment.

Section 7 of the bill, beginning on line 23, page 6, and continuing on to the following page, lists a number of exemptions. Exemption No. 1 is for contracts covered by Davis-Bacon; No. 2 is for contracts covered by the Walsh-Healey Act. Exemptions Nos. 3, 4, and 5 cover situations where rates are regulated and we do not have as competitive a situation. The exemption of a contract with an individual for his services is obvious.

We have exempted contracts with the Post Office Department the principal purpose of which is the operation of postal contract stations. Obviously employees of such contractors do many other things for their employers, and it would be impossible to administer this act in this situation.

My first realization that neither the Davis-Bacon nor the Walsh-Healey Acts provided protection to the employees of service contractors involved a contract for the hauling of mail between Detroit and Port Huron, Mich. Truckdrivers, having been organized, were threatening to strike. A strike was averted when a wage increase to $1 per hour was agreed to. This wage rate was considerably below the prevailing wage within the area.

The committee could see no sound reason for not protecting local prevailing wages when a contract involved the transportation, handling, or delivery of the mails.

Mr. Speaker, just because the committee report and my remarks both have contained references to the Davis-Bacon and Walsh-Healey Acts it is not expected that the Secretary of Labor will be bound by past practice worked out for determinations under them. We would expect that he consult with appropriate Government agencies, including the chief procurement agencies and the Civil Service Commission with respect to the procedures.

We make this clear in the report, but it should be further emphasized here.

The bill is applicable to advertised or negotiated contracts, in excess of $2,500, the principal purpose of which is for the furnishing of services through the use of service employees, as defined in the bill. Thus, for example, contracts made by the District of Columbia government with local hospitals for the care of indigent patients would not be covered, since "service employees" as defined in the bill would be performing only incidental functions. Similarly, contracts entered into by the Atomic Energy Commission for the management and operation of Government-owned plants would not be service contracts within the meaning of the bill.

Provisions regarding wages and working conditions must be included in these contracts and bid specifications. Service employees must be paid no less than the rate determined by the Secretary of Labor to be prevailing in the locality.

The bill also recognizes the growing importance of fringe benefits as an element of wages in today's society. It therefore requires inclusion in the contract of an agreement to provide service employees benefits determined by the Secretary to be prevailing for such employees in the locality. This obligation may be discharged by furnishing any equivalent combinations of benefits or cash payments in accordance with regulations of the Secretary.

The bill also prohibits the payment on any Government service contract of wages less than the minimum wages required under the Fair Labor Standards Act.

In addition to the wage and fringe benefits requirements of the bill, additional stipulations require that service or maintenance work shall not be performed under unsafe or unsanitary working conditions where those working conditions are under the control of the contractor or subcontractor. Contractors or subcontractors are also required to notify employees of the benefits due them under the act.

In the event of violation, the bill authorizes the withholding from the contractor of accrued payments necessary to pay covered workers the difference between the wages and benefits required by the contract and those actually paid. The Government may also bring court action against the contractor, subcontractor, or surety to recover the remaining amount of the underpayment. The contract may be terminated because of violations and the contractor held liable for any resulting cost to the Government.

The bill also provides a procedure for blacklisting, for a period up to 3 years, those who violate the act, with authority in the Secretary to recommend removal from the blacklist upon assurance of compliance. The Secretary is given the same authority to make rules, regulations, issue orders, hold hearings, and take other appropriate action to enforce the act as under sections 4 and 5 of the Walsh-Healey Act. The Secretary's authority to prescribe regulations includes authority to permit reasonable tolerances, variations, and exemptions from provisions of the act where they are deemed necessary and proper in the public interest or to avoid serious impairment of Government business.

The SPEAKER. The gentleman from New York is recognized for 20 minutes.

Mr. REID of New York. Mr. Speaker, I yield myself such time as I may consume.

The purpose of this bill is clear. The service contract is now the only remaining category of Federal contracts to which no labor standards protections apply. Construction contracts, including many which are partially financed with Federal funds but to which the Federal Government is not a party, require compliance with minimum labor standards under the Davis-Bacon Act and related statutes. Supply contracts of the Federal Government also provide labor standards protection pursuant to the Walsh-Healey Act.

The bill H.R. 10238 was reported unanimously by the committee.

Mr. Speaker, I now yield such time as he may consume to the distinguished gentleman from Washington [Mr. Pelly], who was an author of initial legislation in this field and a cosponsor of H.R. 10238.

Mr. PELLY. Mr. Speaker, I rise in support of H.R. 10238. I have the pleasure, as has been said, of cosponsoring this bill. I believe it is a good bill.

Mr. O'HARA of Michigan. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Hawaii [Mrs. Mink].

Mrs. MINK. Mr. Speaker, I rise in support of this legislation.

I feel it will certainly fill the gap in relation to providing a living wage for the many employees that are involved in service contracts. I regret, however, that under the rules on the suspension calendar an amendment could not be offered which I had worked out with the chairman of our subcommittee and had hoped to offer to this legislation. The amendment which I had hoped to propose would have amended the jurisdiction of this bill with respect to the definition of the United States so as to include Eniwetok, Kwajalein, and the Johnson Islands. In our discussions before the Committee on Education and Labor on the amendment of the Fair Labor Standards Act the definition of the United States was amended to include these three areas which I have just enumerated. Since this bill makes reference to labor standards as set forth under the Fair Labor Standards Act, it seems to me necessary to relate the two bills and make their jurisdiction parallel. The bill ought to be amended, therefore, to include these three areas. However, in discussing this matter with the committee chairman, he assured me the amendments meet with his approval and that he will urge their inclusion in the Senate version of the bill.

Mr. BURTON of California. Mr. Speaker, I have joined with my distinguished colleague, the gentleman from Michigan, Congressman JAMES O'HARA, in introducing a companion measure to H.R. 10238 because it provides protections to one of the last groups of workers to which no labor standards protections apply.

H.R. 10238 affords these protections to those engaged in laundry and drycleaning, custodial, janitorial, and guard service, food and miscellaneous housekeeping services.

The Federal Government has added responsibility in this area because of the legal requirement that contracts be awarded to the lowest responsible bidder. Since labor costs are the predominant factor in most service contracts, the odds on making a successful low bid for a contract are heavily stacked in favor of the contractor paying the lowest wage. Contractors who wish to maintain an enlightened wage policy may find it almost impossible to compete for Government service contracts with those who pay wages to their employees at or below the subsistence level. When a Government contract is awarded to a service contractor with low wage standards, the Government is, in effect, subsidizing subminimum wages.

The granting of protection under the Fair Labor Standards Act to employees of Federal service contractors is long overdue.

Mr. PELLY. Mr. Speaker, I rise in support of H.R. 10238, to provide much-needed labor standards protection for employees of contractors furnishing services and maintenance work for Federal agencies. In other words, this is to add so-called Davis-Bacon provisions to require compliance with minimum labor standards where work is financed with Federal funds.

As the gentleman from New York [Mr. REID] stated, I have long been interested in providing this protection in this field and am a coauthor of this bill with the distinguished gentleman from Michigan [Mr. O'HARA].

In my congressional district some contractors have had unfortunate experiences with nonlocal competition that employed members of the armed services stationed in Seattle who worked during their off hours. The moonlighting at substandard pay resulted in loss of business to legitimate businessmen and did violence to local working conditions and rates of pay. So I am grateful to the Committee on Education and Labor for reporting this bill which I believe deserves the full support of this House.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD in connection with this bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Michigan [Mr. O'HARA] that the House suspend the rules and pass the bill H.R. 10238, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SIDEWALK REPAIR AND REPLACEMENT

The SPEAKER. For the last bill on the suspension calendar today the Chair recognizes the gentleman from Utah [Mr. KING].

Mr. KING of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9830) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor.

The Clerk read as follows:

H.R. 9830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 210 of the Federal Property and Administrative Services Act of 1949, 64 Stat. 580, as amended (40 U.S.C. 490), is further amended by adding the following new subsection:

"(1) (1) Any executive agency is authorized to install, repair, and replace sidewalks around buildings, installations, properties, or grounds under the control of such agency and owned by the United States within the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, by reimbursement to a State or political subdivision thereof, the District of Columbia, the Commonwealth of Puerto Rico, and a possession of the United States, or otherwise.

"(2) Installation, repair, and replacement under this subsection shall be performed in accordance with regulations to be prescribed by the Administrator of General Services with the approval of the Director of the Bureau of the Budget.

"(3) Funds appropriated to the agency for installation, repair, and maintenance, generally, shall be available for expenditure to accomplish the purposes of this subsection.

"(4) Nothing contained herein shall increase or enlarge the tort liability of the United States for injuries to persons or damages to property beyond such liability presently existing by virtue of any other law."

The SPEAKER. Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. KING of Utah. Mr. Speaker, I yield such time as he may require to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Speaker, this bill we are considering, H.R. 9830, does nothing more than authorize the Federal Government to pay for fixing the sidewalks around Federal buildings. It imposes no absolute requirement; it merely permits the Federal Government to make such payment.

When a sidewalk needs fixing in your own hometown, who pays for it? Almost always, the property owner gets assessed for the cost of repairing the sidewalk. This bill does not suggest that a town or city assess the Federal Government, but merely allows the Federal Government to reimburse the town for repairing that portion of the sidewalk around Federal buildings. In this way, the Federal Government will be a good neighbor and do what every other private or public property owner already does.

BIOGRAPHY OF THE BILL

Let me tell you how I came to introduce this bill, and the background of why this bill is needed. In my hometown of Huntington, W. Va., we have a rather sizable Federal office building which adjoins the Huntington Post Office, right in the heart of town. The sidewalk traffic is almost entirely Federal in nature—employees going to and from work for the Veterans' Administration, Corps of Engineers, and other offices, plus citizens visiting the post office, or coming to the recruiting offices of the armed services, conferring about their income tax, and so forth. Down through the years the sidewalk has become badly deteriorated, chipped, and ground down at the curbing, and potted with holes. It is unsightly and unsafe, and unlike the rest of the beautiful, tree-lined streets of Huntington, it is a veritable eyesore.

For several years, the city of Huntington has been trying to scrape together the money to fix this sidewalk, which would cost several thousands dollars. Last year, I asked representatives of the General Services Administration to visit Huntington, and meet with our city manager, Edward A. Ewing, and see what could be worked out. The GSA reached deep down into its musty archives and produced a 40-year-old letter dated 1915, wherein the mayor of Huntington had agreed with the Federal Government to keep these sidewalks in repair. But the point is that this situation prevails all over the country: the Federal Government comes in, gets a choice, tax-free location in a town, and then the town has to pay to patch up the damage which Federal business does to the sidewalks. It just does not seem fair or just that the Federal Government cannot carry its load like any other good neighbor or property owner in the town.

BROADENING THE SCOPE OF THE BILL

Now let us look at the text of the bill itself. When I first introduced the bill, I felt it best to start out on a modest scale by applying it only to the sidewalks around GSA-controlled buildings. Then, after many discussions with officials in the General Services Administration, General Accounting Office, Bureau of the Budget and most particularly with members of the Government Operations Committee, it was concluded that this should be across the board. Therefore, the terms of the bill have been broadened by the committee amendment to cover all federally owned buildings, whether the GSA is responsible for them or not.

I am certain that the situation which has prevailed in my hometown is duplicated in communities throughout the country. The President and the First Lady have stressed the necessity for a grand beautification program, yet in allowing sidewalks to fall into disrepair the Federal Government is not a very good beautifier itself. The Federal Government has spent a good deal of money on refurbishing the inside of buildings; money can be spent for internal improvements, but not, under the current law, for sidewalks. Likewise, the Federal Government has planted shrubbery and small trees, but can do nothing to make the sidewalks safe for pedestrians.

HAZARDOUS CONDITIONS

The unsafe conditions have really become hazardous. Only a few months ago, a woman suffered a broken hip when she slipped and fell on the sidewalk.

The situation became so unsightly that the Huntington Veterans of Foreign Wars recently launched a fund-raising drive and started a "repair the sidewalks at the Federal post office" drive.

From what some of my colleagues have told me, this situation exists and the need for action exists in many sections of the country. The pending bill corrects this situation, under the terms of regulations to be formulated by the General Services Administration with the approval of the Bureau of the Budget.

The pending bill has been reported favorably with favorable recommendations from the Bureau of the Budget, the General Services Administration, the General Accounting Office, and the committee report also contains a favorable letter from the Board of Commissioners of the District of Columbia.

CONSTITUTIONAL HISTORY

I might add a word or two about the historical reason why this situation has arisen. In the early years of our struggling republic, when the States were very strong and the Federal Government was taking its first halting steps, architects of statecraft like Alexander Hamilton, James Madison, and John Marshall were forging the tools with which to protect the infant Federal Government and allow orderly growth. Needless to say, the focus of our attention is now largely on the protection of State and local government. But some 150 years ago when John Marshall was Chief Justice of the United States, a series of landmark cases in constitutional law were decided. One of these, McCulloch against Maryland, was typical: the State of Maryland had imposed a tax on a branch bank of the national bank. Chief Justice Marshall, with a brilliant flourish of his pen, declared, "The power to tax is the power to destroy," and struck down the Maryland tax as unconstitutional.

From this series of decisions grew up the constitutional doctrine of sovereign immunity.

I hasten to point out that there is no constitutional question involved in the pending bill, because it contains nothing which would infer either the taxing or the assessment of Federal property. The bill merely allows the Federal Government to reimburse the State or political subdivision thereof for installation, repair, and replacement of sidewalks around Federal buildings or installations.

Mr. Speaker, I hope that the House will favorably consider this bill, in the interest of fairness and equity, and to enable the Federal Government to be a good neighbor in towns and communities throughout the Nation.

Under unanimous consent, I include the text of my testimony of August 25 before the Government Activities Subcommittee of the House Government Operations committee:

STATEMENT BY MR. HECHLER

Mr. Chairman, H.R. 9830 would authorize Federal reimbursement to a city for repair and replacement of public sidewalks which are beside Federal buildings.

Under existing law, any Government agency is prohibited from making or paying for repairs to sidewalks adjacent to Federal property. The position of the General Services Administration and other Federal agencies is that sidewalks are part of municipally owned streets, and therefore their repair is the responsibility of the municipality.

I have my congressional field office in the post office building, which adjoins the Federal building in Huntington, W. Va. When I go to work in my congressional field office, I literally have to stumble over broken and crumbled sidewalk and curbing which has deteriorated for several years. People stop me and ask: "What kind of tenant is the Federal Government? In this beautiful city with fine, broad streets, attractive parks, a State university, a magnificent river frontage, why can't the Federal Government keep its house in order?" Constituents shake their fists at me and say: "The city of Huntington assessed my property to repair the sidewalk in front of my house; now when is the Federal Government going to repair its sidewalk?"

Yes, Mr. Chairman, that is true. The sidewalks are the responsibility of the city of Huntington, as they are in cities all over the country. But the city has the authority to assess abutting private property owners in order to keep those sidewalks in repair. Not so legally in the case of the Federal Government. The Federal Government not only gets tax-free land in a choice location in the heart of the city, but actually contributes nothing to the upkeep of those sidewalks which are beside the building. Is this fair and equitable?

Who uses these sidewalks? Primarily Federal employees, hundreds of whom work in the Federal buildings, and visitors with Federal business who stream in and out with veterans cases, post office business, contacts with the Corps of Engineers, Internal Revenue Service, and other Federal activity. Since the users are primarily responsible for this condition and the Federal Government gets tax-free property and exemption from assessments, it is not unreasonable to ask the Federal Government to be a good tenant like all other people and contribute to the maintenance of the sidewalks which abut its property.

Mr. Chairman, there have been several accidents which happened along these broken curbs and rutted sidewalks—including one woman who suffered a broken hip from a fall several months ago. This woman sued the city for $7,000 and judgment was rendered against the city, and the case is now up on appeal. The sidewalk repair itself would cost $5,000.

Mr. Chairman, I have investigated the legal questions involved in this issue. The General Services Administration produced a letter dated September 20, 1915, to the mayor of Huntington. This letter was signed by the Assistant Secretary of the Treasury, and proclaimed: "That the location, construction, use, maintenance, repair, and removal of all the things installed and work performed, etc. shall be without expense to the United States." This 50-year-old letter is cited as a reason why under the present law the Federal Government cannot act.

Huntington is the home of Marshall University, where I once taught political science, a university named after Chief Justice John Marshall. It was Marshall who enunciated the classic doctrine: "The power to tax is the power to destroy." Hence, the Federal Government has constitutional immunity from local assessment or taxation. This is to protect the Federal Government and its sovereignty from being undermined by destructive local action.

Mr. Chairman, we are not attempting to impinge on the sovereignty of the Federal Government. We are not trying to cripple Federal power by repairing these sidewalks. On the contrary, we are trying to strengthen the image of the Federal Government. Early this year, President Johnson announced his beautification program. Everybody in Huntington got busy. They spruced up the lawn around the Federal Building, we used about $20,000 of Federal funds to make many internal repairs to the building and decorated up the inside and the immediate surroundings. All these improvements were made, and yet it is incongruous that nothing was done to repair the unsightly, unsafe, and wornout sidewalks.

It's getting so bad that the VFW started a sidewalk repair fund, as noted by the following article:

"VFW DONATES $100 TO START POST OFFICE SIDEWALK FUND

"A $100 contribution to what is hoped will become the post office sidewalk fund was voted last night by members of Howard P. Hall Post 1064, Veterans of Foreign Wars.

"A spokesman said other civic and fraternal organizations are being asked to donate money to be used by the city for a new sidewalk along the Fifth Avenue side of the post office. City Manager Edward A. Ewing has given his permission—and thanks—for the fundraising effort. The cost of the job has been estimated at about $5,000.

"VFW members were told that many visitors to the city have been unfavorably impressed by the deteriorated walk. The city has sought to have it repaired but has run into a legal obstacle which prevents use of Federal funds.

"Efforts are being made to revise Federal law so that post offices can reimburse cities for improvements such as sidewalks. In the meantime, a civic charity drive will try to get the job done here."

Throughout the country, cities are laboring under financial difficulties. Huntington City Manager Edward Ewing, who sits with me at this hearing, wrote me on June 11:

"We are desperately trying to find funds for operations with much higher priority than the repair of sidewalks."

City Manager Ewing went on to state:

"If the adjoining building were owned by a private person, a new sidewalk would have been ordered in several years ago at the owner's expense."

Mr. Chairman, despite the financial plight of cities and their lack of revenue, it is not on this basis that I would argue for support of H.R. 9830. I am merely pointing this out to indicate why the city of Huntington has been unable to spend $5,000 to repair this sidewalk, and on top of this now has a $7,000 judgment suit saddled on it for the lady who broke her hip on this faulty sidewalk.

I have no doubt there are many legal precedents which could be found for action in this area. Perhaps the committee may wish to examine various examples of Federal payments in lieu of taxes. There comes to mind the fact that the Federal Government, when it withdraws areas from school tax rolls by setting up defense and other installations will pay school districts in the so-called impacted areas.

An even more pertinent and directly analogous provision would be contained in Public Law 87-869, approved October 23, 1962, a law pertaining to the U.S. Forest Service. Section 9 of that law reads as follows:

"Funds available to the Forest Service shall be available for expenses of, or payment of assessment for, construction of sidewalks, curbs, or street paving along the boundary of Government-owned residential or otherwise improved lots."

Mr. Chairman, I am confident that this committee, recognizing the equities involved, will find a solution to this dilemma and will take constructive action to finance the repair of those sidewalks.

Mr. Speaker, I would be pleased to answer any questions anyone cares to pose about this particular bill.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HECHLER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. The bill as amended reads:

Any executive agency is authorized to install, repair, and replace sidewalks around buildings, installations.

What do you consider to be an installation?

Mr. HECHLER. Mr. Speaker, I yield to the chairman of the Government Activities Subcommittee, the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. If I may be of some help, the GSA, the proponents of this legislation, felt that an installation would probably include not only sidewalks but concrete abutments or walls or alleyways—all that type of construction which the ordinary property owner would be required to maintain in A-1 condition in most cities throughout the United States.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. HECHLER. I yield.

Mr. ROGERS of Colorado. When the gentleman says any agency, let me refer, for example, to the Lowry Air Force Base in my city. The city and county of Denver fix the streets under city ordinances. The abutting landowner has a responsibility to pay his proportionate share. My question is, Would this authorize the Air Force to pay its part as the abutting landowner for the repair of that street?

Mr. BROOKS. I do not believe it would go that far. As I understand, the original legislation was to include sidewalks and would include primarily post office installations. It was amended in the committee to include all Federal installations; that is, post offices and the other Federal buildings. There are about 4,900 different buildings where we feel the U.S. Government should be as good a neighbor as the abutting property owner is required to be. This does not include streets. I believe this has no contemplation to include streets.

Mr. ROGERS of Colorado. When you refer to installation, that is just another way of saying building or property, is that correct?

Mr. BROOKS. Not buildings exactly. What we are talking about is repairing sidewalks and driveways, which get in bad condition as a result of which the cities feel that they should either get them repaired or have the property owner repair them. In the past the situation has been essentially that the Federal Government had no authority to expend money for the repair of these sidewalks. This sounds a bit incongruous, but nevertheless it is true. The Post Office Department through its legal department has decided that they did not have authority to spend money to maintain and repair these sidewalks, although the Federal Government in its original authorization to build a post office, for example, would build a new sidewalk and then when it gets into disrepair there is no current authority to permit the Post Office Department to expend money for that purpose.

Four or five Members of Congress testified on this legislation indicating that they had problems in their area or in their State. The Bureau of the Budget did not object to this. The General Services Administration felt it was desirable. It was a bipartisan effort on the part of our committee. The General Accounting Office felt it was desirable.

I would say that it was at the suggestion of the GSA that the committee amended the bill to include other than post offices so that a Federal building, like an office building in Denver, might have a sidewalk repaired that needed repair.

Mr. ROGERS of Colorado. If the gentleman will yield further, we have that particular problem in connection with a Federal building under the control of the GSA in Denver. I am delighted that the committee has taken a forward step in this direction.

But I would like to know further, was there any testimony or any suggestion to this committee that they also assume the responsibility that all other landowners may assume of their proportionate share of the repair of the street in front of the building?

Mr. BROOKS. We did not get involved in streets. This is limited to sidewalks. We have no estimates on the cost of going into the construction of streets and the repair bills in connection therewith. I believe this would be beyond the realm of this legislation.

We had no hearings to indicate that we should do this. We have no testimony to reflect the cost.

If the gentleman would want to introduce legislation of that type, certainly we would be glad to consider it. But we want to have some cost figures and estimates that would enable us to testify before the House as to what the actual situation is a little more accurately than we could now.

Mr. ROGERS of Colorado. Do I assume that the Government Operations Committee then would have jurisdiction to consider a broad bill like in the home rule bill where the formula is used?

Mr. BROOKS. We are trying to stay out of that home rule fight at this point.

I would say to my distinguished friend who is a fine lawyer and a distinguished member of the Judiciary Committee, I would hesitate to try to interpret what committee would get the legislation which the gentleman might write, because I feel that would be your prerogative and that of the Parliamentarian in making a recommendation to the committee to which certain legislation would be assigned.

Mr. Speaker, the Federal Government owns extensive properties scattered all across the Nation. I think it is important that the Federal Government assume the responsibilities of property ownership in those communities where its properties are located. H.R. 9830 would provide the means of carrying out some of our responsibilities.

This legislation would authorize the repair and replacement of sidewalks around federally owned property. In most municipalities, sidewalks are provided by assessing the abutting property owners for the cost of constructing and maintaining the sidewalks. Under the doctrine of sovereign immunity, the local governments are prohibited from assessing the Federal Government for sidewalk maintenance. As a result, the buildings frequently go unrepaired and much-used sidewalks around Federal buildings may become quite hazardous to the citizens of the community.

There is no general authority under present law authorizing these repairs by the Federal Government. This bill would authorize the executive agencies to make arrangements for the necessary repairs and, if the work can best be performed by the local governments, the agencies would be authorized to enter into agreements to reimburse those governments for the work. This bill in no way infringes on Federal Government immunity, but does provide the means whereby the Federal Government can fulfill its proper role as a property owner.

In my opinion, this bill represents an important step in the Federal Government's assumption of its responsibilities and obligations in communities throughout the country. It is important that the Federal Government be a good neighbor, and I urge enactment of this legislation as an indication of our intention to be a good neighbor and to carry our share of the responsibilities.

Mr. HECHLER. Mr. Speaker, I would like to commend other Members of the House who have introduced legislation on this subject, the gentleman from Maryland [Mr. SICKLES], the gentleman from New York [Mr. TENZER], and the gentleman from North Carolina [Mr. KORNEGAY]. Their support has been very helpful in moving this legislation forward.

Mr. Speaker, I particularly would like to commend the Committee on Government Operations and the chairman of the Government Activities Subcommittee, the gentleman from Texas [Mr. BROOKS], who so skillfully handled this legislation. Members on both sides of the aisle supported this legislation unanimously.

Mr. REID of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 9830 I believe is clear. At the present time the Federal Government is immune from assessments for repair of sidewalks around Federal buildings and as a result abutting property owners are generally assessed for such repairs.

Mr. Speaker, the General Services Administration maintains that they have no authority for such repairs and that sidewalks constitute a part of municipally owned streets which are part of the responsibility of the municipality.

Local governments have often been unable to perform this work without reimbursement and as a result the sidewalks have deteriorated.

The General Services Administration and the Bureau of the Budget agree that the Federal Government should have the authority to contribute financially to sidewalk repairs.

While the average annual cost may have been underestimated and variously reported at between $50,000 and $150,000, I believe the cost should not be too significant.

Mr. Speaker, H.R. 9830 was reported unanimously from the committee.

Mr. Speaker, I have no further requests for time.

The **SPEAKER**. The question is on the motion of the gentleman from Utah [Mr. KING] that the House suspend the rules and pass the bill, H.R. 9830, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. **BROOKS**. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on the bill just passed, H.R. 9830.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

CREDIT UNIONS SELECTED WRIGHT MAN

Mr. **ANNUNZIO**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ANNUNZIO**. Mr. Speaker, last week the distinguished Chairman of the Banking and Currency Committee, the Honorable WRIGHT PATMAN, Democrat, of Texas, was the featured speaker at the Annual Conference of the Defense Credit Union Council, which was held here in Washington.

This was the second appearance before a major credit union organization by Chairman PATMAN in the past several months. Earlier in the summer he received the Distinguished Service Award of the Credit Union National Association, Inc., which previously had been awarded to only one other person. Mr. Speaker, Chairman PATMAN was an extremely deserving recipient of that award. He has fought tirelessly on behalf of credit unions throughout his years in Congress. No one more fully believes in the principles and objectives of credit unions than the gentleman from Texas.

Chairman PATMAN has long held that next to the church, credit unions have done more to aid the American people than any other institution. It is fitting to add that WRIGHT PATMAN has done more to aid credit unions than any person in this Nation.

His latest effort on behalf of credit unions was to spearhead a drive that led to the publication by the Department of Defense of a directive endorsing credit unions on all military bases. The proper application of this directive could ultimately lead to the end of loan shark and sharp-practice finance company abuses being heaped upon our servicemen.

Mr. Speaker, it is not only a pleasure, but an honor for me to include in my remarks today a copy of Chairman PATMAN's speech before the Defense Credit Union Council, as well as a copy of the Department of Defense Credit Union Directive.

REMARKS BY REPRESENTATIVE WRIGHT PATMAN, DEMOCRAT, OF TEXAS, BEFORE THE ANNUAL BANQUET OF THE DEFENSE CREDIT UNION COUNCIL, WASHINGTON, D.C., SEPTEMBER 15, 1965

Mr. Chairman, officers and members of the Defense Credit Union Council, ladies and gentlemen, it is always a pleasure for me to meet with my credit union friends, but tonight's meeting is an especially happy one in light of the recently released Department of Defense directive on credit unions.

The proper application of this directive by local commanders and credit union officials could prove to be a major breakthrough in the Defense credit union movement. And, it could also go a long way toward putting out of business the loan sharks and sharp-practice finance companies that prey on servicemen. The directive will help relieve the serviceman from treatment as a second-class citizen in the area of consumer finance.

NEXT TO THE CHURCH

It has long been my belief that next to the church credit unions have done more for the American people than any other institution, particularly those in our lower income areas. It is the buying power generated by our lower and middle income groups that in the long run provides the greatest boost for our economy. By putting funds in the hands of these people, we induce a percolate up effect. This meant that the money starting at the bottom of our ladder may go to a grocery store for food, the milkman for dairy products, or to pay the mortgage or the monthly rent; the money then goes to pay wages of employees, for improvements and for expansion. And so it goes, percolating up and up to stimulate our economy. On the other hand, we are faced with the trickle down proposition in which money belonging to the well to do does not complete the cycle and ultimately reach the lower income groups. These funds are ultimately siphoned off before they reach the bottom rungs of the economic ladder. Thus, money in the hands of the lower income groups stimulates the entire economy, whereas money belonging to the well to do only helps that group which already controls much of the wealth of this country.

NEED FOR CREDIT UNION DIRECTIVE

The need for a strong Department of Defense credit union policy has been brought home sharply during the recent Domestic Finance Subcommittee hearings on Federal Services Finance Corp., a worldwide lending institution which deals primarily in personal and automobile loans to military people. Of the 12-member board of directors of Federal Services, 8 are retired admirals or generals, many of whom held extremely high-level military posts. It would appear that such a company, with its predominantly military orientation, would take extra precautions to see that the serviceman was given every consideration in his business dealings with the firm. However, the subcommittee was shocked at the abuses of the serviceman's trust that were uncovered in this investigation. The subcommittee learned of instances where servicemen were charged financing rates that amounted to nearly 100 percent of a 2-year loan. The legal assistance officer of a large west coast military installation reported numerous documented cases where servicemen financed new automobiles through Federal Services, drove the automobile for less than 6 months, turned it into the finance company because they could not make the payments, and later were informed that the car had been sold for less than one-third of the original sale price, even though the automobile was in excellent shape when it was turned in. Attempts to obtain the names of the purchasers of the automobile were fruitless, and the finance company would give no information whatsoever on the disposition of the matter. Even though the servicemen had forfeited the car, they were required to meet large artificial deficiency balances.

COMPANY USED PHONY BIDS

We learned that in the Columbus, Ga., area, Federal Services was using fictitious bids to obtain a sales price for repossessed cars. The company used these phony bids so that the automobile could be sold at a low price to the company's wholly owned used car outlets in the South. A Columbus automobile dealer recently told the committee that although he was the largest dealer in terms of selling business to Federal Services, he was never able to submit a winning bid on a repossessed car, except in the case of a junk automobile which was not transportable to Federal Services' own used car lots. He added that over a 2-year period, he submitted as many as four or five bids a week, many of them well above the current market price, but was still unable to obtain the automobile. He finally gave up the bidding practice when a company official informed him that no matter what he bid, he could not get the car. However, in order to cooperate with the company, he submitted numerous blank bids which were filled in by Federal Services and placed in the serviceman's file so that it would appear that the bidding had been conducted in a standard manner. These are but a few of the numerous abuses that have been turned up in this investigation.

If servicemen were not forced—out of economic necessity—to deal with companies of this type, these abuses would not exist. This is the reason why a strong credit union policy throughout the Department of Defense and a follow-through on that policy by credit unions is imperative. Credit unions cannot entirely solve the problem of the serviceman who earns $200 a month and purchases a $3,000 sports car, knowing full well that he cannot meet the payments unless he overlooks his other financial obligations. We may never be able to solve this problem, but credit unions can go a long way toward aiding the obligation-conscious serviceman who is a legitimate financial risk but must turn to the loan sharks and low-reputation finance companies which habitually thrive at the entrance to major military installations. It is this type of individual, who acknowledges his moral obligations, that the finance company thrives on, not the high-risk individual whose only thought is to drive a high-priced automobile until the finance company repossesses it.

SHARKS NEED GOOD RISK BAIT

Finance companies cannot stay in business dealing with the chronic poor-risk borrower. They must have a hard core of good credit risks to fall back on and if they have such an arrangement, they can gamble on the high-risk borrower. Many financial institutions are leery of the military borrower because his length of stay in a community is limited. However, this should not have any bearing on a Defense credit union, since the individual borrower will remain a member of the military community for a prolonged period. By giving the conscientious military man a place in which to save his money and borrow to meet financial needs, the credit unions can draw off the group of borrowers that camp-following finance companies need in order to show a profit.

The directive which your group has been discussing for the past several days is not a self-propelled tool designed to solve the problems of credit unions and the military automatically. It is a power mower which can cut through the maze of redtape problems that have surrounded credit unions. But it still requires someone to get behind the mower and push it. The many aspects of the directive might be likened to the Boy Scout knife which many of us used when we were children. This was the knife that included most every type of gadget imaginable, including a can opener, screwdriver, scissors, and the deluxe models even had a fingernail file. The Boy Scout knife is similar to the credit union directive in that the various aspects of the directive and the gadgets on the knife will only operate if elbow grease is applied. They will operate even more efficiently and can be put to wider uses if, in addition to elbow grease, the user supplies some imagination.

CREDIT UNION ROLE NOT FORGOTTEN

We should not forget the role played by credit unions themselves in seeking issuance of the Defense Department's directive. The Defense Credit Union Council, which has been meeting since 1959, has continually held that the directive was essential to the proper utilization of credit unions within the Defense Establishment. Certainly, the present directive constitutes a vindication of the council's position.

I should point out that in recent years the council has been aided by its very able Executive Secretary, Gen. Everet Thomas. Issuance of the directive has been a goal sought by General Thomas since he joined the council, and he has been supported in his aims by members of the council's steering committee. Finally, of course, I should mention the cooperation my subcommittee has received from the Department of Defense, particularly Norman Paul, Assistant Secretary of Defense (Manpower), and Mr. Les Dix, of Mr. Paul's office.

But now that the directive has been issued, the question is: How will it be used? We know, for instance, that, unfortunately, there are some Defense credit unions that will not accept military members but limit their membership solely to civilian Defense Department employees. One of the major reasons for the passage of the Credit Union Act was that banks were practicing economic discrimination in the lending field. In too many cases only preferred customers were able to obtain loans from banks. If credit unions are to practice economic discrimination by prohibiting Service membership, then we are right back to the problem we faced with banks that dealt only with preferred customers.

A SCARCITY OF COLLATERAL

One of my favorite stories deals with this problem of economic discrimination. It concerns a farmer who went to his local bank to borrow $150 so that he could buy some seed for next year's planting. As collateral the farmer offered to pledge a hound dog, 24 chickens, a rusty plow, and a cross-eyed mule, all of his earthly possessions. The banker, who didn't want to lend the farmer the money, used the excuse that the country was in a recession and that money was scarce. The farmer thought over the situation for a minute and then asked the banker: "If I wanted to borrow that $150 and I put up as collateral a house worth $25,000, would you lend me the money?" "Certainly," said the banker, who always could spot a good deal. "Well, then," said the farmer, "it's not money that's scarce, its collateral that's scarce."

I would like to take a few minutes to discuss some sections of the directive with you and to pass along some of my thoughts on how they might be implemented. I would like to quote the paragraph in the directive dealing with counseling. It reads:

"Skilled counseling service, without charge, should be made available to the Defense credit union members with every effort made to help the members, particularly the youthful and inexperienced serviceman and the young married families, to solve money problems, to budget, and to continue assistance in instruction until they can solve their problems without guidance."

COUNSELING MOST IMPORTANT

Counseling is one of the most important ways the credit unions can serve not only their members, but also the military services. The debt problem among the Services is a source of growing concern to Members of Congress, as well as Department of Defense officials. During 1964 there were 20,399 letters received in the office of the Adjutant General of the Army at the Pentagon dealing with credit problems of military personnel. The Bureau of Naval Personnel in Washington received 18,156 letters during the same period and the other services show similar experiences although because of their lesser number of personnel, the complaints are not as numerous although on a per capita basis they are roughly the same as the Army and Navy. It should be noted that the figures represent only the letters received at the Washington, D.C., headquarters level of the various Services and do not include the thousands of letters received by the commanding officers, family affairs officers, personnel officers, legal officers, and other personnel in the field, as well as Members of the House and Senate. It is impossible to obtain an accurate number of letters that have been received throughout the various levels of the military services dealing with debt problems. We do know, for instance, that in 1964 Army legal assistance officers counseled more than 81,000 individuals on personal financial problems and the other services report similar experiences. Once again, this figure does not include personnel problems that were handled on the company or lower levels. The problem of dunning letters became so acute at one southern military installation that a survey was run from 1963 to 1964 breaking down the source of these letters. The number of letters ran into the multi-thousands and one finance company alone was responsible for more than 300 letters, all of which, according to military regulation, required answers. So you can see the amount of time that is taken up by the debt problem among the military.

Much of this debt problem could be effectively solved through a program of counseling and guidance dealing primarily with budgeting, credit buying and saving. The same military installation that ran the survey of dunning letters, recently instituted a program of preventive law under which members of the post legal assistance office conducted regular troop conferences dealing with installment buying and other phases of consumer finance. A sharp decrease in the number of financial problems has been noted at this post. "We still get problem cases," a legal assistance officer told an investigator from the committee recently, "but almost all of these happened prior to our program of counseling." He added that many of these problems were brought to the post legal office as a result of the counseling.

I was shocked to learn that at some military installations finance companies or trade associations of finance companies were conducting troop information sessions on the use of credit. These are the same companies who preach the sound use of credit 1 day and the very next day try to grab as much of the serviceman's paycheck as possible. There is no reason why credit unions should not participate, if not conduct, credit information sessions on our military installations. I sincerely hope that your council will work particularly hard in this area and perhaps produce some literature or film clips which would be especially suited to credit information sessions for the military.

A STRONG LENDING DIRECTIVE

The section of the directive on lending is also of great interest to me. I think it is an effective statement of the type of policy that should be in operation among Defense Department credit unions. It reads:

"In accordance with proven credit union practice, lending policies should be as liberal as possible and still be consistent with the interests of the credit union and the individual member. To be avoided are unnecessarily restrictive, unreasonable, or out-of-date rules on the size of loans, type and amount of security, or waiting periods before eligibility can be granted. Special attention should be given to the youthful military member in pay grades of E–1, E–2, and E–3 in assisting such member to secure necessary loans for provident purposes."

I knew of a credit union manager once who was so tight in his lending practices that before he would allow his secretary to take money out of the petty cash box to pay for stamps for the office, he required her to put up collateral and get three cosigners. About the only people who could get loans from this credit union were the ones who didn't need them. Well, after many years of operating the credit union, the manager decided to retire. He soon found that retirement was not the life for him, so he decided to open up a small gas station. When the first customer drove in for gas, our former credit union friend went to wait on the customer. "Let me have 10 gallons of gas," said the driver. "How far are you going," scowled the old loan approver. "Why, I'm driving over to the county line," replied the driver. "You can make that on 5 gallons," snarled the credit union man.

Recently, I introduced legislation which will modernize credit union lending. The bill—H.R. 10081—would increase the unsecured lending limit of Federal credit unions from $750 to $1,500. The bill would also provide that each credit union form an education committee which "shall plan and, with the approval of the board, carry out programs to inform members and potential members of the objectives, procedures, and services of the credit union and to encourage maximum participation by members in all activities of the credit union." Earlier, I introduced legislation that would allow credit unions, as well as other savings institutions, to accept demand deposits, that is, make available checking accounts for members. As we all know, commercial banks have a monopoly on checking accounts. Such a monopoly is definitely not in the public interest. However, if savings institutions were given checking account privileges, the public interest would be served since competition for these deposits would be provided and lower costs and better services would result. Banks, of course, are opposed to competition and even now are fighting for the right to violate our antitrust laws without being prosecuted.

In the absence of legislation, it is up to the credit unions to "freshen up" their lending policies. In the area of secured loans, those which exceed $750, I feel that too much emphasis is placed on material collateral and the word "security" is too often interpreted to mean only physical possessions. Recently, the Small Business Administration changed its concept of collateral, looking less and less at a man's physical possessions and more and more at his projected ability to repay the loan.

A bad credit risk with a great deal of collateral does not make as good a borrower as does a good credit risk with satisfactory earning projections but with limited material collateral. This is especially true among the military since the serviceman would not have a great deal of material collateral. In these cases, however, I feel that the use of the allotment system by the credit union would be construed as a form of security in making the loan, since the repayment of the loan would come off the top of the man's paycheck. The fact that credit union members under the directive are now required to obtain clearance from the credit union before transferring duty stations should also be taken into consideration as a form of security when making the loan.

During the subcommittee's hearings on Federal Services, we learned that the finance companies are able to charge exorbitant interest rates and pad the serviceman's loan account, because the serviceman is required to honor his debt obligations. There is so much stress placed upon the repayment of debt by the military that in many cases the serviceman will pay up an unjust debt in order to avoid explaining the situation to his commanding officer. The military does not act as a collection agency in theory, but in practice it does. There have been cases where servicemen who did not pay debts were court-martialed, reduced in grade, and even dishonorably dismissed from the service. A legal assistance officer in a nearby Virginia military installation testified before my subcommittee that a soldier "* * * must have a reputation for paying his bills, because if he doesn't, he brings discredit on the service, and no one is more sensitive about integrity than people in the service. * * *"

The loan companies realized at an early stage that they could use this military policy on debt repayment against the serviceman in the form of exorbitant interest and padded finance charges.

I propose that credit unions use the military man's debt payment policy to the serviceman's advantage. I propose that this policy should be used as collateral in making character loans, since repayment of the loan is all but guaranteed by the military. In short, if finance companies can use this policy against the interests of the serviceman, there is no reason why credit unions can't use it to the serviceman's advantage, especially if the repayment is to be made through a military allotment. You can turn the finance company abuses of this policy into a credit union asset.

FIND COLLATERAL SUBSTITUTES

A good credit background should also be substituted, if possible, for forms of material collateral. If you find that many of your loans which are fully collateralized with material possessions are going sour, then I believe you should reevaluate your lending policies, placing more emphasis on repayment prospects, rather than liquidating the collateral if a loan should go sour. Remember, if you concentrate primarily on collateral, you must have outlets for turning this collateral into cash if the loan goes sour, and I am sure none of you wants to go into the property disposal or stockbroker business. And finally, I should like to ask each one of you to make a special effort to recruit the E-1's, E-2's, and E-3's into the credit unions. If you can start these young servicemen on a program of planned savings and can help them meet their financial needs and give them credit counseling, you will not only have added a valuable member to your credit union, but you will also be performing a much needed and highly appreciated service to the military.

In closing, I would like to say that only one area of the directive bothers me and that is that it does not provide for military credit unions overseas. I plan to take every action possible to convince the Department of Defense of the pressing need for overseas credit unions. I see no reason either in law or logic as to why there should not be credit unions in these areas. I hope that at our next meeting we will be able to discuss a directive dealing with overseas credit unions.

Credit unions are no longer the stepchild of the economic community; they are a respected financial institution and a feared competitor. Despite the many gains made by credit unions, it is even more important that they do not adopt a standpat attitude at this time. Such a position could prove fatal to the credit union movement. Already, we have seen signs of banks attacking the credit union movement and I foresee in the very near future banks striking for the "juglar vein." If you believe in credit unions, you must be prepared to fight for them, you must know what you want and go after it with full force and not be intimidated by those financial institutions that would put an end to credit unions.

I believe in the principle of credit unions; I believe in the operations of credit unions; and lastly and most importantly, I believe in you. Thank you very much.

DEPARTMENT OF DEFENSE DIRECTIVE NO. 1000.9, AUGUST 27, 1965

Subject: Credit unions serving Department of Defense personnel

(a) Federal Credit Union Act (12 U.S.C. 1751 et seq.).

(b) U.S. Government Organization Manual.

(c) DOD Directive 7330.1, "Voluntary Military Pay Allotments," December 12, 1956.

(d) DOD Instruction 1330.3 "Space Criteria for Providing Religious, Welfare and Recreational Facilities," September 4, 1963.

I. PURPOSE

This directive—

A. Sets forth Department of Defense (DOD) policy on cooperation and relationships with credit unions serving military and civilian personnel in the United States, the District of Columbia, the possessions of the United States, the Canal Zone, and Puerto Rico;

B. Prescribes the extent of logistical and administrative assistance to be uniformly provided by DOD components; and

C. Assigns responsibility for the policy direction of the credit union program.

II. APPLICABILITY

The provisions of this directive apply to all DOD components.

III. RESPONSIBILITY

Subject to the direction, authority and control of the Secretary of Defense, the Assistant Secretary of Defense (Manpower) (ASD(M)) shall administer the provisions of this directive and assure its effective implementation throughout the DOD.

IV. POLICY

A. Credit unions encouraged in the Department of Defense

1. Federal Government policy (References (a) and (b)):

(a) To establish convenient credit union facilities as cooperative organizations created for the purpose of stimulating systematic savings and creating a source of credit for provident or productive purposes.

(b) To emphasize self-help and wise management of resources, thereby raising the standard of living, strengthening the family unit and increasing the self-reliance of the member.

2. Department of Defense policy—The DOD:

(a) Recognizes the right of all military and civilian personnel to organize and affiliate with credit unions, without restriction or discrimination, formed pursuant to reference (a) or other duly constituted authority.

(b) Will provide appropriate guidance and assistance in conduct of credit union operations.

(c) Permits and encourages the operation of one credit union at each DOD installation without charge for accommodations when space is available; provided, the commander responsible for allocating the space has determined that the credit union permits membership for all qualified military and civilian personnel without discrimination including, but not limited to, grade, rank, race, component, etc. At those installations where the credit union will not meet the foregoing standards of membership, commanders may encourage the formation of a second credit union which will meet the standards, and thereby receive the benefits of this Directive. With the approval of the membership involved and the regulatory authorities (Subsection IV. C.), mergers may also be accomplished to better serve the total Defense community stationed on the installation.

B. Recognition of and assistance to credit unions

Credit unions organized by and for Defense military and civilian personnel are to be recognized and assisted at all echelons as important morale and welfare resources, and organized by law and regulation as cooperative associations for mutual benefit and self-help by:

1. Encouraging the accumulation of savings and the granting of loans for provident purposes at reasonable rates of interest;

2. Inculcating habits of thrift;

3. Combating usury or the patronage of lenders who charge exorbitant rates of interest;

4. Analyzing consumer credit problems including the true costs of installment buying;

5. Counseling in family financial planning; and

6. Providing experience in organization management and administration.

C. Organization of credit unions serving DOD personnel

1. Federal Credit Unions: Credit unions organized as Federal credit unions are incorporated and operated under the authority granted by the Federal Credit Union Act, as amended (Reference (a)), are legal entities with specific powers and authorities as approved by law, and are examined periodically by the Bureau of Federal Credit Unions of the Department of Health, Education, and Welfare.

2. State Credit Unions: Credit unions organized under State credit union laws operate on the same general principles as Federal credit unions. Generally, State credit unions are under the jurisdiction of the State banking departments.

V. CREDIT UNION OPERATIONS IN DOD

Credit unions organized by and for DOD military and civilian personnel may be provided with the property and logistic support contemplated by section VI below, provided operating policies are consistent with the following:

A. Lending

In accordance with proven credit union practice, lending policies should be as liberal as possible and still be consistent with the interests of the credit union and the individual member. To be avoided are unnecessarily restrictive, unreasonable, or out-of-date rules on the size of loans, type and amount of security, or waiting periods before loan eligibility can be granted. Special attention should be given to the youthful military member in pay grades of E–1, E–2, and E–3 in assisting such member to secure necessary loans for provident purposes.

B. Counseling

Skilled counseling service, without charge, should be made available to Defense credit union members with every effort made to help the members, particularly the youthful and inexperienced serviceman and the young married families, to solve money problems, to budget, and to continue assistance and instruction until they can solve their problems without guidance.

C. Savings

Members should be encouraged to participate in a regular savings plan:

1. With reasonable limitations as to amounts which may be deposited at any one time or the total amount which may be held in shares; and

2. By a reasonable dividend or return on savings.

D. Relations

1. Exchange of information: Cooperation, liaison, and exchange of information between credit unions of all DOD components will be observed.

2. By credit unions: All credit unions serving DOD personnel will cooperate with the installation commander, keep him advised of the credit union operation, including submission of a copy of the monthly financial report, other credit union publications, and invite him or his designees to attend annual meetings and other appropriate functions.

3. By installation commanders: The support and sympathetic understanding intended by this directive is not to be construed as control or supervision by installation commanders.

VI. PROPERTY AND LOGISTIC SUPPORT

A. Credit union serving DOD personnel will be afforded advertising space in appropriate publications, the use of bulletin boards for promotional or information purposes, and other appropriate facilities to further the aims of the organization.

B. Station clearance forms will provide a block reserved for the credit union to be executed by personnel on permanent change of station.

C. DOD military personnel and credit unions are encouraged to use the service allotment privilege permitted by reference (c).

D. The transaction of credit union business during duty hours will be permitted providing there is no interference with the performance of official duties.

VII. UTILIZATION OF MILITARY REAL PROPERTY AND SPACE

A. When available, the furnishing of office space and related real property to credit union tenants will be governed by section 1770 of reference (a).

B. All other services such as telephone lines, or long distance toll calls, space alterations, et cetera, provided credit unions, resulting from assignment of military real property or space for these purposes will be subject to reimbursement by the credit union tenants.

C. Assignment of existing space facilities or construction of new space facilities (when authorized) to credit union tenants will be in accordance with the criteria specified in reference (d).

D. The erection of structures at credit union expense may be authorized if such proposals are first reviewed and approved for conformity to long-range master utilization plans by the appropriate military departments and the Assistant Secretary of Defense (Installations and Logistics). Credit unions submitting such plans for consideration must also agree to be financially responsible for the maintenance, utilities, and services furnished.

E. Land required for approved construction at credit union expense shall be made available only at fair rental by lease, provided that structures erected thereon will be conveyed to the Government without reimbursement in the event of installation inactivation, closing or other disposal action, liquidation of the credit union, or the lease is revoked.

VIII. IMPLEMENTATION

Within 30 days from the date of this directive, the secretaries of the military departments (and other DOD components, as applicable) will submit to the ASD (M) for approval, their proposed implementing regulations.

IX. EFFECTIVE DATE

This directive is effective immediately.

CYRUS VANCE,
Deputy Secretary of Defense.

EFFORTS OF CENTRAL HUDSON GAS & ELECTRIC CORP. TO CONTROL AIR POLLUTION

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, one of the great problems facing our Nation today is that of air pollution. Very often we find a great many people paying lipservice to reducing air pollution, but little more. Therefore, it is with a great deal of pride I would like to inform this House that one of our leading electric power companies, the Central Hudson Gas & Electric Corp., serving the mid-Hudson Valley under the able leadership of its president, Mr. Lelan F. Sillin, Jr., has decided to invest $2,350,000. To virtually eliminate air contamination resulting from its Danskammer Point steamplant.

Mr. Speaker, this money will not increase the profits of Central Hudson Gas & Electric Corp., but it certainly will help clean the air for the Hudson Valley.

I think Central Hudson Gas & Electric Corp. and Mr. Sillin are to be congratulated in doing this on their own initiative. It seems to me that if other power companies and manufacturing industries would do the same, our air would be a lot cleaner and we would have a lot less need for Federal legislation in this field.

TAX INCENTIVE IN HORTON BILL FOR MANPOWER TRAINING

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have introduced a bill today that would allow a Federal income tax benefit as an incentive to employers who train or retrain employees or prospective employees.

Our inability to absorb into our labor force the unskilled and individuals whose skills no longer are needed has been a serious problem for too long. Failure to solve the problem has been significantly contributory to the persistence of our undesirable rate of unemployment.

Recent legislation—particularly the Manpower Development and Training Act of 1962 and the Vocational Education Act of 1963—was designed to close the gap between the needs of the labor market and the ability to fill those needs with individuals who have the proper skills. We need further action, however, to achieve our objectives in this area. My bill provides the type of action that will direct us more effectively toward this achievement.

Under the terms of this proposal, employers who either train or restrain present or prospective employees could take a tax credit equal to 7 percent of the expenditures. Thus, an employer who qualifies for the credit could reduce his tax liability $7 for each $100 expended for training or retraining purposes. This would be in addition to the ordinary business deduction the employer is currently allowed for these expenses. The plan would operate in a manner similar to the tax credit now allowed a business that makes a qualified investment in machinery and equipment.

This tax credit program entails a minimum amount of Government regulation and Government housing and personnel to implement the bill. The bill sets forth general guidelines for the Secretary of Labor to follow. A program will not be approved unless it is deemed necessary for national defense, to replace skills of the trainees that have become obsolete because of advances in trade, business, or new techniques, or to replace skills which are not needed because of changes in the national defense programs.

The tax credit would become available to taxpayers after this year. Furthermore, if in a subsequent year the taxpayer has such a small profit or incurs a loss, and thus is unable to use the tax credit in the current year, he will be permitted to carry back the credit to years beginning after 1965.

Numerous benefits would flow from this proposal. Individuals who are now unable to find employment because they lack the proper skills will be better qualified to find productive employment after the training period. Employees who face the loss of their jobs because technological changes have made their occupation obsolete or greatly reduced the demand for their services, will more readily be able to shift to a different job requiring the new skill for which he was retrained. Thus, the general level of skill among workers will be stepped up.

Production that is now lagging in areas where a lack of qualified workers exists will rise. The entire country will benefit from the resulting increase in national output. Moreover, higher production rates will increase the level of the tax base. Additional Government revenues derived from the higher tax base will largely offset any tax reductions attributable to the tax credit. It is imperative, therefore, that we promptly enact this bill which provides a tax credit to employers who train or retrain employees or prospective employees.

THE LATE JOSEPH H. CALLAHAN, 27TH SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, it is with deep regret that I learned recently of the passing of Joseph H. Callahan, 27th Sergeant at Arms of the U.S. House of Representatives. For over 25 years, Joe was a friend and dedicated assistant to many of us here today. We remember him for his unfailing courtesy, for his goodfellowship, for his prowess as an athlete, and for his long service to the Democratic Party here in Congress and in his home State of Kentucky. As Superintendent of Documents, he developed many of the procedures and techniques still used in that area of activity and no task, however great and demanding, was too much for him to accomplish. After his election as Sergeant at Arms, he continued his efficient and quiet path of service until a heart attack led to his retirement on disability. Joe died last week in Cincinnati, Ohio, where he went to school. He was only 60 years of age and the majority of his productive years were spent in service to this distinguished body. I am sure that we all join in extending sympathy to his children and his family.

THE BLACK TAX CASE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include certain extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is interesting to note that either through negligence or worse, the Internal Revenue Service has at this late date taken legal action to protect the Government interest in the case of Mr. Fred B. Black, Jr., convicted on charges of income tax evasion.

It was more than a year and a half ago that Black, a high-paid lobbyist for North American Aviation, was exposed as a fixer and crony of Robert G. (Bobby) Baker, the former secretary and intimate of President Johnson.

Usually aggressive in protecting the Government's interest, the Internal Revenue Service has permitted Black to dispose of his assets. Among these assets were Black's stock in the Serv-U Vending Co., valued at approximately $1 million, in which he was in partnership with Baker, and a large home in the Washington area.

Black's former crony, Bobby Baker, got the vending company stock and the District of Columbia National Bank got a $100,000 mortgage on the house only a few weeks before the former lobbyist went to trial on the Federal tax evasion charge.

It thus becomes apparent that either by negligence or design, the Internal Revenue Service filed its tax lien of more than $340,000 after Black's assets evaporated so far as the Government is concerned for Black is alleged to have told newspaper reporters that he is now broke.

In a situation that has provided Washington with one of its worst scandals, it is inexplicable that the Internal Revenue Service failed to move in protecting the public interest. It is reminiscent of the tax scandals in the days of the Truman administration.

Following is a news story from the Washington Post of the date of September 19, 1965, giving some of the backgrounds of the Black case:

BOBBY BAKER PARTNER SUED ON BACK TAX—$340,429 LIEN FILED AGAINST BLACK, NOW APPEALING CONVICTION

The Internal Revenue Service has filed a $340,429 tax lien against Fred B. Black, Jr., convicted tax evader and one-time business associate of Robert G. (Bobby) Baker.

IRS spokesman Ed York said copies of the lien, covering personal Federal income taxes from 1960 through 1964, were filed Friday in District Court here and in Montgomery County Circuit Court. Black's wife, Nina, was also named.

The amounts of taxes ranged from a low of $7,485 in 1964—the year Black was convicted in U.S. District Court here of evading $91,000 in income taxes in 1956, 1957 and 1958—to a high of $122,212 in 1961.

Asked for comment yesterday, Black said the news of the filing took him "completely by surprise."

"I didn't have that much income in those years," he said. "Some of them (the years) I owe for, but certainly not that much."

FREE ON APPEAL

Black, who once was reportedly paid $100,000 a year as a consultant for North American Aviation Corp. on Government aerospace matters, is free pending his appeal of his tax evasion conviction.

Following a 2-week trial that ended in May 1964, Black was sentenced to 15 months to 4 years in prison, plus a $10,000 fine. During the trial he denied on the witness stand any intent to defraud the Government.

Until the Bobby Baker affair, Black was just the little known president of a small public relations firm. It pushed him into the limelight as the partner of Baker in the Serv-U vending machine firm.

CALLED INFLUENTIAL

A civil suit filed by a competitor firm charged that Black conspired with Baker and another associate to cancel a contract with a subcontractor of North American Aviation. The suit was later settled out of court.

Testimony at Black's tax trial portrayed him as an influential, high-spending man with a wide circle of friends in diverse and important positions.

Black's attorney, Hans A. Nathan, could not be reached for comment. The effect of a lien is to give notice that the Government has a claim on a person's assets.

REPRESENTATIVE CLARENCE J. BROWN

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Smith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of California. Mr. Speaker, under leave to extend my remarks in the Record, I include a resolution adopted by the Committee on Rules, August 26, 1965, on the death of Representative Clarence J. Brown, of Ohio:

COMMITTEE ON RULES,
U.S. HOUSE OF REPRESENTATIVES,
August 26, 1965.

RESOLUTION ON THE DEATH OF REPRESENTATIVE CLARENCE J. BROWN, OHIO

Whereas the members of the House Committee on Rules have been saddened by the news of the death of one of its most able members, the Honorable Clarence J. Brown of Ohio; and

Whereas Representative Brown has served his district, his State, his Nation, and especially the Committee on Rules, with great honor and distinction: and

Whereas he was a man of deep moral convictions who was fiercely loyal both to his causes and his associates, who searched endlessly for what he believed best for his country and his fellowman. and who without fear or hesitation cast all his energies into any fight that served his beliefs; and

Whereas his presence and services will be greatly missed by this committee: Therefore, be it

Resolved, That the committee, through its chairman, express to Representative Brown's son, his daughters, and his grandchildren, our most sincere sympathy in the great loss that has been theirs, and the hope that Divine Providence will sustain them in their bereavement;

Further, That suitably engrossed copies of this resolution shall be prepared and presented to the members of his family, and that a copy of this resolution be spread upon the permanent records of this committee.

Attest:

HOWARD W. SMITH, of Virginia, Chairman; WILLIAM M. COLMER of Mississippi, RAY J. MADDEN of Indiana; JAMES J. DELANEY of New York; JAMES W. TRIMBLE of Arkansas; RICHARD BOLLING of Missouri; THOMAS P. O'NEILL, JR., of Massachusetts; B. F. SISK of California; JOHN YOUNG of Texas; CLAUDE PEPPER of Florida; H. ALLEN SMITH of California; JOHN B. ANDERSON of Illinois; DAVE MARTIN of Nebraska; JAMES H. QUILLEN of Tennessee.

CONTEST OF MISSISSIPPI'S ELECTION

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. Walker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, I am deeply grateful to my colleagues in Congress who saw fit to support the motion to dismiss the contest of election of Mississippi's five congressional delegates.

The House Committee on Administration and the Subcommittee on Elections have worked tirelessly to weigh all the issues and to give due consideration to the cases for both the duly elected Congressmen and the so-called contestants.

If the resolution to dismiss this contest had been defeated by Congress, a precedent would have been established to the effect that any congressional seat of any State in the Union could be demanded by these same people or any other group so dedicated to minority rule.

There is no question in my mind as to the forces behind this and other activities of the Mississippi Freedom Democratic Party—most of the attorneys representing the Freedom Democratic Party are members of the National Lawyers Guild, a group cited by the House Un-American Activities Committee as early as 1944 as being a Communist front organization.

In their efforts to unseat the Mississippi delegation, the FDP has resorted to the typical pressure tactics that we in Mississippi and the entire South have seen so much of in the past few years—demonstrations, constant pressuring of other Congressmen, and even sit-ins in the Nation's Capitol. And, this is the same group of people that demanded that draftees destroy their draft cards and refuse to serve in the Armed Forces.

Let me pose this question: Had this challenge been resolved in favor of the Mississippi Freedom Democratic Party, where would they have struck next?

MINIMUM WAGE THWARTS THE ACHIEVEMENT OF MAXIMUM EMPLOYMENT

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, the House will soon consider legislation to increase the minimum wage. Before we consider such an increase, I think it is essential that we understand the effects of past legislation in this area.

On September 3, the final section of the 1961 minimum wage law went into effect. The section extended minimum wage coverage to 3.6 million workers, 810,000 of whom were receiving wages below the minimum. Although the purpose of this section was to raise the wages of a segment of the labor force, its effect was, in at least one area, to eliminate many jobs. One of the industries hardest hit by the extended coverage was the fresh crabmeat industry in North Carolina, where all 18 packing plants—employing 1,800 workers—closed rather than pay the new minimum. In addition, another 1,500 to 2,000 crab fishermen have lost their markets as a result of the shutdowns. In the words of one industry spokesman:

> It's been tough for a long time—this was the straw that broke our backs.

This is one danger that is too often overlooked in discussions of minimum wage increases disregarding productivity increases and the differentials existing in the total labor market. As an article in the September 7 edition of the Wall Street Journal points out, minimum wage legislation may have the effect of shutting down certain marginally profitable industries and putting a good many people out of work. We should remember this experience when considering the new minimum wage measure now proposed.

I say this as one who supports as sound economics the theory of a fixed minimum entry wage so long as it covers merely a substantial and easy to identify segment of the labor market, not total coverage by any manner of means. It must be remembered that there are many reputable economists who argue that the very theory of minimum wage legislation is unsound. I find it increasingly difficult to support those who are pushing the minimum wage theory way beyond what I have understood to be its original concept. I cannot defend the minimum wage theory to make of it instead a minimum entry wage, the minimum wage that a head of a family needs for subsistence. Nor can I defend the theory when it contemplates raising the wage rates in the society through Government sanction rigidly applicable to the total labor market instead of relying upon the flexibility of the ripping effect which seeks the same ends by applying the Government sanction only to a substantial and easy to identify segment of the labor market. The extension of the original theory has never been backed by economic argument that I know of. Certainly Walter Reuther and other labor leaders seek to advance it through rhetoric and political pressures rather than reason. What has been advanced by some economists is the theory of a guaranteed annual wage with a high minimum. I think this theory, which has been put in practice in some societies, notably Italy, has proved to be unsound. I suspect that the labor economists are really trying to extend the minimum entry wage theory and coupling with it an extension and corruption of the unemployment insurance theory to bring about the application of the guaranteed annual wage with a high minimum theory in the United States. If this is the case they certainly are using devious means rather than straightforward debate to accomplish their objective.

Under unanimous consent, I insert the Wall Street Journal article in the RECORD at this point:

LAST SECTION OF 1961 MINIMUM-WAGE LAW TAKES EFFECT—BRUNT IS FELT IN SOUTHEAST

(By Neil A. Maxwell)

ATLANTA.—The last section of the minimum-wage law that Congress passed in 1961 went into effect with little fanfare Friday, but its impact was quickly felt in the Southeast.

The 18 packing plants that make up the fresh crabmeat industry in North Carolina closed rather than raise the pay of 1,800 pickers, nearly all women, to the $1.25 minimum. "It's been tough for a long time—this was the straw that broke our backs," a packing plant owner says.

At least one supermarket-chain spokesman says grocery prices will have to go up and "specials" won't reflect the deep price cuts they have in the past.

The "front men" at a busy Atlanta service station were handed an ultimatum: Instead of just pumping gas and wiping windshields, learn to make mechanical repairs or find another job.

The increase of 10 cents an hour contained in the law only applies to certain workers—retail clerks, bus drivers, construction workers and hardshell-fish processors among them—who weren't covered when pay for millions of workers went to $1.25 2 years ago. The latest rise takes in 3,600,000 workers, although all but 810,000 of them are already making more than the new minimum, the Government says.

IMPACT GREATEST IN SOUTHEAST

While the new wage floor applies across the United States, its impact is greatest in the Southeast because pay scales are lower. And at isolated spots, like the handful of fishing villages on the shores of Pamlico Sound, where North Carolina's crabbing industry is centered, the blow has been crushing.

"That's the low end of the State economically anyway—this is going to be a severe shock," says Thatcher Townsend, Jr., economist at Wachovia Bank & Trust Co. in Winston-Salem. "Everybody has a breaking point—it looks like these jobs were priced out of the market," Mr. Townsend says.

W. F. Whorton, who runs a plant at Whortonville and heads the North Carolina Blue Crab Packers Association, complains that the new law aimed at enhancing the earnings of workers is doing the opposite. What's more, he adds, it isn't just the 1,800 laid-off crab pickers who are being hurt. "There are 1,500 to 2,000 people who made a living fishing for the crabs, and now they've lost their market," he says.

The fishing fleet, most of it tied up at the dock since Friday, consists of some one-man open boats that run trot lines baited with tough bull lip bought from slaughterhouses and trawlers that net both crabs and shrimp. Without their crab market, even the big operators will have to close or sail on to other waters, Mr. Whorton says.

As far as finding other jobs around the low-lying, windswept coastal county, chances are slim, he insists. "All we've got is a few grocery and clothing stores, and they stand to lose most of their customers, so how can they put on help?"

At Ireland Bros. Seafood Co. in tiny Hobucken, N.C., Roscoe Ireland says most of the women he had to dismiss are hopping mad. "They say they are going to write their Congressmen, and I hope they do. We need somebody to come down here and see what our problems are."

What the minimum-wage law doesn't take into consideration, he says, is that nearly all the crab packers are part-time workers, rather than family breadwinners, and were happy with their lot.

Also, he says, many of them already make well over the minimum wage. Out of his 49 workers, all but 22 dig out crab meat fast enough to make more than the wage minimum at their piecework rate (29 cents a pound for regular meat, 34 cents for the claw).

The meat pickers scoop out meat from cooked crabs with a stubby knife. A fast worker can make $1.80 an hour, but those who aren't so nimble only earn half that, packers say.

By the time the refrigerated meat reaches grocery counters, it is a gourmet item. At a typical Atlanta grocery store, for example, a 6½-ounce can of choice Carolina crab meat costs $1.69.

"Lots of businesses can just raise their prices, but we can't," complains Packer Garland Fulcher. "We are dependent on the weather and the catch," he says, "and our product is perishable; we can't hold out." An added pressure, he continues, is the cost of trucking to the markets in Baltimore and New York City, which he says gives an advantage to packers in Virginia and Maryland, who are nearer to those cities.

In addition, current prices to the packers—$1.50 a pound for choice morsels last week—are about 15 cents under a year ago because of an overabundant supply, a packer says.

Blue crabs are considered a delicacy along the eastern seaboard, and North Carolina is a major supplier. In 1963, the latest year for which the Government has final figures, the State supplied 18.8 million pounds of the total U.S. catch of 51 million pounds.

TROUBLE IN OTHER STATES

The other big blue-crab States aren't having any mass closings, but they are having trouble, a spokesman for the Virginia Crab Packers Association says. "We're hanging on by a straw and don't know what will happen," he declares, "but we're certainly going to have to do something about slow pickers."

One Virginia packer says, "The only reason were hanging on is that the Government is trying to develop a mechanical picking machine. We're just hoping they can do it before we go broke."

Some other industries are looking to increased automation, too, but in some cases executives insist there isn't any alternative to higher prices. "We're figuring on raising some prices and also not cutting so deep on our specials," a supermarket-chain executive says.

Even though the 10-cent increase in the wage floor amounts to only 8.7 percent, he figures the payroll will take a 10-percent jump. A big item, he notes, is that the new law calls for overtime after 40 hours instead of 42. Stores in the chain are open 90 hours weekly.

James Webb, Jr., executive vice president of Webb City, Inc., a Florida variety retailer based in St. Petersburg, says, "We're going to have to get the fat off the operation by getting more sales from the same people." If that doesn't work, he says, some prices will have to be adjusted.

WAGE-COST RISE PUT AT 3 PERCENT

Most retailers estimate their wage costs will rise 3 percent, and most are reluctant to try to raise prices that much. A big department store in Birmingham doesn't plan to increase prices now, "but we may have to look again in a few months," an executive says. "We're hoping to get by with getting more work out of the help. We'll use part-time people only when we can't do without them, and we'll use more mechanical equipment for stock handling."

At Sterchi Bros. Stores, Inc., in Knoxville, W. L. Hunter, executive vice president, says, "We're going over our operation store by store to offset the increases, but we can't offset it all."

Ira Jackson, operator of a busy Pure Oil station in Atlanta, says the new law will cost at least one job. Three of his 12 employes get $1 an hour now, but, "for $1.25, they'll have to do lubrication jobs and repairs, and at least one of them just isn't suitable for the bigger job," Mr. Jackson says.

REPUBLICAN TASK FORCE ON AGRICULTURE

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANGEN. Mr. Speaker, the House Republican Task Force on Agriculture has been holding a series of breakfast and luncheon meetings which were scheduled in order to enable Members of Congress to meet for discussion with individuals who are making significant contributions in various aspects of the field of agriculture.

We who have been present at these most worthwhile information-gathering sessions have gained valuable exposure not only to the various shades of opinion expressed by our guest speakers, but also to the views of our colleagues as they are exchanged in frank discussion—an opportunity which the busy schedules of most Members would otherwise rarely permit.

Mr. Speaker, the last in this 1965 series of task force meetings was held on Thursday, September 16, at which time we were host to the young and able editor of the well-known Kiplinger Agricultural Letter, John Harms.

Mr. Harms expressed to the group his view of the new direction in which U.S. farm policy is moving, and his ideas as to what actions we as Members of Congress can take in response to these new developments in agricultural policy.

Mr. Harms' constructive approach to the political issues of the farm problem is to be highly commended, and his proposal, while by nature controversial and beset with problems, has definite merit, and must be carefully and thoughtfully considered.

Mr. Speaker, under unanimous consent, I insert the text of Mr. Harms' presentation, at the House Republican Agriculture Task Force luncheon meeting in the RECORD, and urge all my colleagues on both sides of the aisle to give Mr. Harms' recommendation serious and thoughtful study:

TEXT OF A PRESENTATION BY JOHN HARMS, EDITOR, KIPLINGER AGRICULTURAL LETTER, AND NATIONAL FARM EDITOR, MUTUAL BROADCASTING SYSTEM, AT A HOUSE REPUBLICAN TASK FORCE ON AGRICULTURE LUNCHEON MEETING, SEPTEMBER 16, 1965

Let me say at the outset that I am honored and privileged to have been invited to be your guest today—in fact, humbled to be given this opportunity. This is because I am merely a reporter of farm affairs—a man whose life is devoted to reporting and interpreting the often historic activities of you men in Congress, you men of action. I come to you as a reporter, and not as a farm expert, for that I am not. I dare say each of you knows more about agriculture and its practical problems than I do, so it seems a bit presumptuous of me to appear here before you.

Much has been written and said about farming and its problems, particularly in this historic year for agricultural legislation. Because of this, any further comments by me would probably only help to further confuse what's going on, so perhaps I should simply thank you for this opportunity and sit down. That's what a smart reporter would do—but since I'm not a very smart reporter, you'll have to make the best of it as I add my few words to the torrent which already engulfs us.

I would like to hit two major points today and hope they might be helpful in your deliberations as you work toward the development of a new approach to the farm problems. First, I want to give you my idea as to where agriculture is heading, and then I'd like to give you my ideas as to where you, as Congressmen fit in, and more particularly, where you as Republican Congressmen fit in.

We all know that the agricultural industry is going through an enormous revolution and upheaval. This starts with the well-known technological revolution which continues to roar ahead with no end in sight. As a matter of fact, I don't think it will ever end. The economic and social effects of this technological revolution certainly will abate within the next 10 years, but the application of science will continue indefinitely and I think it must continue if we are to meet the ever greater challenges of food and fiber production in all of the years ahead.

The technological revolution, moreover, has brought with it several other revolutions—those in the economic and social fields. On the social front, of course, is the monstrous upheaval going on among the farmers who cannot hope to make a good living from farming alone. We've lost a million in the past decade, and I dare say about 2 million more stand a very good chance of sharing the same fate within the next decade. I believe that the squeeze on 2 million out of our present 3½ million farmers will be even more severe over the next 10 years than it has in the past 10.

Moreover, I am one of those who is convinced that we will wind up with 1½ million or even 1 million commercial farmers producing 100 percent of all our needs in the future. And I believe that this will become clear to all before 1975 rolls around—just 10 years off.

So, what's happening? You have a revolution going on in rural America affecting the people who are being pushed out of farming, and you have a revolution going on affecting the people who will become the backbone commercial farmers of this country. Each group has its own great social and economic problems.

Now there's a lot of hot air let off here in Congress over what should be done—if anything—to help these two groups of rural Americans solve their problems. Much of it, of course, is for home consumption, and that's fine. Much of it is pompous platitude. But beneath all of this, I know there is a serious concern and effort among all Congressmen to come up with meaningful solutions.

I think you can cut through a lot of this confusion if you recognize that you are not going to be able to stop the decline in farm numbers. You are not going to be able to stop the organizational and structural changes of our commercial farms. You are not going to be able to stop the integration of the hog and cattle business, just as you have not been able to stop the integration of the poultry business.

Oh, you may be able to slow down certain aspects of these developments, and you may be able to control them to an extent—but let's not kid ourselves as to what appears to be inevitable—the application of big business to farming. This goes far beyond the cliche of the farmer becoming a businessman. It entails the moving into farm production of outside capital and outside managers and directors of farm production.

The production of food and fiber is seen by so-called outsiders—farm-related businessmen on both sides of the farmer, and other kinds of businessmen—as one of the great untapped and mismanaged sources of wealth in this country. They are going to integrate farm production in with other aspects of agriculture. For example, there will be more of feed companies or food wholesalers and retailers investing in, and thus controlling farm production. While basic, the production of food and fiber shows every sign of eventually being integrated into other related businesses. Another example: you may very well see large chemical companies getting into farm production. I know of one company planning to do this because it feels it can do a better job than an independent farmer can. They've got millions tied up in farm research and they'll put it to practical use.

We talk of the enormous demand for food and fiber production that will develop over the next 15, 20, 30 years and beyond. Big thinkers in the business world are looking ahead and planning ahead to the coming U.S. food and fiber market—represented by 250 million people within 20 years, and somewhere well above 300 million Americans within only 35 years. Whoever controls farm production in those coming years is going to be in a dominant economic position. A position, needless to say, well worth fighting for.

We hear a lot of talk about saving the family farm. And we hear forecasts that the family farm will continue to be the backbone of American agriculture. I happen to think that's a lot of baloney. For one thing, the new cropland adjustment will, in effect, buy a million or more family farms right out of existence. I've said that some 2 million farms will disappear before the end of the 1970's. These are all family farms. And despite the lipservice given family farms, public policy is, in fact, aimed at wiping out two-thirds of our family farms.

And what about the 1 million commercial farmers we think will continue to operate. I don't think you can take for granted that they will continue to be independent. I see nothing on the horizon that's going to prevent the gradual takeover of even these 1 million commercial farmers. Just what is there that Congress can do about that?

Once you convince yourself that this is the way things are going—and I'm convinced we ain't seen nothing yet—once you're convinced of this, maybe you've got to make a value judgment. Is all this good or bad for the country? Congress must decide that one. And then it must decide what to do about it, if anything.

That's generally what I think is coming in the farming business out across the country.

I'm trying to get across the idea that what I call outsiders are going to move in as big as possible into farm production. And I define "outsiders" as those who are neither farmers nor their representatives.

In addition to the "outsiders" moving in out on the farm, it is clear that they are moving in right here in Washington where public farm policy is being made. To me it is absolutely clear that farm policy now, in fact, is in the hands of outsiders. And I am convinced that future Federal farm policies and programs will reflect more the self-interest of nonfarmers than of farmers. The events of the past year nail that down, leave no doubt about it—and there is no turning back.

To think that farm policy is at a crossroads is bunk. It has gone beyond the crossroads and is heading down a very specific path, as I've outlined. The choice was not made by farmers or by nonfarmers. There was no choice. It was inevitable, and farmers, farm groups and farm district lawmakers better wake up to the new farm policy development if they hope to get a sympathetic ear in Congress or in the Government.

The evidence of the new outside influence is this:

For the first time, off-farm businessmen have successfully forced key changes in a farm law—changes which otherwise would not have been made. The Agricultural Act of 1965 is the first piece of legislation heading down the new, nonfarm oriented direction. These changes include the reduction in cotton price supports to world levels—a prime goal of the textile industry. They include the defeat of the proposal to pass along some of the cost of Government wheat programs to the consumer, who can well pay for it—at the behest of millers and bakers. They include the defeat of the administration's rice proposals, which also would have increased processing costs while cutting Government costs. Much of this can be laid to the rice industry. Businessmen have tasted victory on the legislative public policy front. I look for them to have even more influence in future legislation. To them, public farm policy now is becoming as much a part of running a business as are computers.

But businessmen are not the only outsiders moving in. There's labor. This year, for the first time, organized labor is having a profound influence on farming. The unions were the prime motivators ending the bracero program last year. They are responsible for the cargo preference decision on wheat sales to Russia. But above all, they are the ones who eventually will bring the minimum wage to agriculture, and all which that implies—including the 8-hour day and farm unionization. To me, this will turn out to be the most revolutionary single piece of legislation to hit farmers since before the war.

Now, I am not saying that any of this is good or bad—I merely point out what I think is happening—and it is big.

What it amounts to is that special interest groups are moving in on farm policy, as they never have before. And that brings me to my second major point—what farm State Congressmen can do about it. Bear in mind, I have no panacea—just the germ of an idea which can work in one form or another, not necessarily as I outline it.

With farm political representation and power shrinking fast, farmers have become just another small special interest group. Unless there is some cohesion in farm ranks, they are going to be overpowered by other highly financed lobby groups. Farmers as an industry have never really gotten together, for various reasons. The farm organizations reflect this individuality. They could eventually get together as they once were—but that's another story.

One thing I think must come is the rising of a new farm bloc right here in Congress—another special interest group to counterpunch the power of other special interest groups. And Republican and Democratic Congressmen from farm districts can do this—if their concern goes beyond the bleeding heart stage.

Because farm voting numbers will be less of an election factor—except in a few districts—why can't congressional candidates bury the hatchet on farm problems in their own districts? It seems to me that Republicans and Democrats are coming closer to agreement on what's good for farming in their own districts than they've been in a long time. There is naturally, a great straining during election campaigns to point up differences over farm policy between candidates. I think in many cases this is more apparent than real.

Let them publicly agree on a broad approach to farm policy—take it out of district politics, if possible. Let the candidates fight it out over other more real issues. Then, no matter who is elected, he can come to Washington and join the club—join a new, select bloc seeking solutions on the basis of what's good agriculture, not what's good politics. The President is going to set up a blue-ribbon commission on food and fiber. Why can't Congress have its own unofficial blue-ribbon commission? This small, but bipartisan group could be effective enough to protect and propose for the farmer.

There once was a Republican-Democratic farm bloc. There now is probably more need for a new one, on a different basis, than any time in a decade. I say the climate for the nourishment of such a new farm bloc couldn't be better—and it will improve. This, basically, because it is my feeling that Republicans and Democrats are coming closer as to the general principles of a farm program.

In closing, just let me say that I am awed at what I think is coming in agriculture—an almost fantastic upheaval—and you may have to go to some fantastic lengths to keep up and help out.

FEDERAL FIREARMS REGULATIONS TO BE ENFORCED AGAINST MARYLAND GUN BUYERS

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, I read with great interest an article in the September 14, 1965, issue of the Washington Post entitled "D.C. Checks Maryland Gun Sales." The article states that the Alcohol and Tax Division of the U.S. Internal Revenue Service is now requiring that the names of Washington residents who buy guns in Maryland be supplied to Federal authorities, Metropolitan Police and the U.S. Attorney's office in the District of Columbia. I would like to commend the Internal Revenue Service for taking this action to enforce the Federal Firearms Act and the National Firearms Act; action which is long overdue in light of the large number of gun sales by Maryland dealers to District residents with criminal records.

On July 12, 1965, during the hearings of the Ways and Means Committee on new legislation to control the sales of firearms, Mr. Sheldon S. Cohen, the Commissioner of Internal Revenue, made reference to the startling and alarming case of a Maryland gun dealer who sold 40 percent of his handguns to District of Columbia residents with criminal records. Mr. Cohen stated, and I quote from his testimony:

> There is no doubt whatsoever that a principal source of procurement of concealable weapons by the criminal element in the District of Columbia is from nearby gun dealers in Maryland and Virginia. The records of one, located in Chillum, Md., shows that 58 percent of their handgun sales during 1964 and 1965, were to residents of the District of Columbia. Subsequent criminal records checks on these purchases reveal that 40 percent of them have criminal records in this city's police files.

Mr. Cohen went on to urge the Congress to "aid the law enforcement officers in metropolitan areas who are trying to cope with the crime problem by adopting these amendments to the Federal Firearms Act." I became very concerned with this problem of law enforcement in the area of firearms sales, and I endeavored to discover just what regulations the Internal Revenue Service had promulgated to enforce the Federal and National Firearms Act. My questioning of Mr. Cohen along these lines was very revealing and I quote from the record of the hearings—which, I am sorry to say, is not yet available to the Members of this House in printed form—as follows:

> Mr. CURTIS. My first question is: Has that single hardware store in Chillum, Md., had

its license revoked? That is a yes or no question.

Mr. Cohen. No.

Mr. Curtis. Why not?

Mr. Cohen. The revocation of a license as I recall it on the statute is only after conviction of a violation of the act.

Mr. Curtis. No, I am afraid it isn't just that. Your regulations say that if a person who is convicted, or is under indictment, or a fugitive from justice——

Mr. Cohen. This is none of those three, sir.

Mr. Curtis. I am talking about the people that he sold it to.

Mr. Cohen. No, sir. You asked me if we had taken the license away from the dealer. We have not because he has not been indicted. He has not been convicted.

Mr. Curtis. I am not talking about the dealer. I am talking about the fact that the guns were sold in violation of the Federal Firearms Act to people with criminal records; as this very statement said, 40 percent of the purchasers have criminal records. This is a violation under your regulations on the part of the dealer who cannot sell——

Mr. Cohen. We have been studying and we are contemplating recommendation of indictment of the individual felons for then transporting those weapons across a State line which is a felony.

Mr. Curtis. Please. I am asking only one question at this point. The dealer involved, the hardware store——

Mr. Cohen. He kept the required records under the act, sir. He did not know these people were felons.

Mr. Curtis. Wait. Do you know that?

Mr. Cohen. We questioned him. He didn't know these people. Our people have been out to see him.

Mr. Curtis. I wonder.

Mr. Cohen. How do you think we got this information, sir? We got this information from his records.

Mr. Curtis. That is exactly what I want to know, how you got the information, and what you did about it, because, if I can find the proper points here, the regulations provide for revocation. I am looking for the violation for selling to a person who is a felon or fugitive.

Mr. Cohen. I don't believe you will find any.

Mr. Curtis. It is actually statutory.

Mr. Cohen. This is an intrastate sale, sir. This is not an interstate sale.

Mr. Curtis. I am not talking about that. I am talking about whether it is or isn't a violation of the act.

Mr. Cohen. It is not, sir. I can tell you. Under the proposed act it would be a violation if he knows he is from out of State.

Mr. Curtis. Yes; 177.83: "It shall be unlawful for any person to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition to any person knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment for, or has been convicted of, a crime punishable by imprisonment for a term exceeding 1 year by or in any court."

Mr. Cohen. He didn't ship it, didn't cause it to be shipped, or had no knowledge of these people's records.

Mr. Curtis. You are a good advocate for your position.

Mr. Cohen. Thank you, sir.

Mr. Curtis. But I am trying to ask questions to understand it. You have a single hardware dealer in this situation. The records show that 40 percent of the purchasers from the District have criminal records, and he was located in Maryland.

Mr. Cohen. It is just a few blocks across the line.

Mr. Curtis. I understand where it is, but it is nonetheless across the State line.

Discovering that the IRS did not feel it had the authority to revoke the license of a dealer who sold guns in interstate commerce to persons with known, and sometimes very long, criminal records, I next tried to find out whether or not the dealer had reason to believe that his purchasers were criminals and his sales illegal. Thinking that the dealer might have failed to keep the required record of his sales, I asked:

Now, you also have a provision that says that if he knew or had reasonable cause to believe his purchasers were criminals that the sales were illegal. One can make a pretty good case, I would say, if 40 percent of those purchasers turned out to have criminal records, that there was something wrong here, in the case of a single dealer. That dealer surely had an idea of his clientele. These criminals could not have appeared to him to be sportsmen.

I determined from the Attorney General yesterday that under the statutory provision requiring dealers to keep permanent records, one of the requirements is that dealers have to record the name and address of every person to whom you sell. I refer to this requirement when I cite the case of the hardware dealer in point, and I mean to include across-the-counter sales.

Now I quote from 177.51, "Firearms records":

"The name and address of each person from whom such firearm (if not the manufacturer's own product) was received together with the date of acquisition; and disposition made of each firearm including the name and address of the person to whom sold and the date of disposition."

The Attorney General said as I recall, "Well, maybe some of these were fictitious names."

Of the 40 percent were they fictitious names?

And Mr. Cohen replied:

Mr. Cohen. No, sir, he kept accurate records. He got these people's names as best he could. He did exactly what the act required him to do, but he didn't have a record of all the felons in the District of Columbia so he didn't know who they were.

If the dealer did keep accurate records of his purchasers, then it seemed logical that he might check with the Metropolitan Police in the District to see if any of these gun buyers had criminal records. I inquired of the IRS' regulations in this area.

The testimony follows:

Mr. Curtis. I am coming to this point next. What requirement is there of the Internal Revenue Service that these lists of sales of firearms on a daily basis, or a weekly basis, be referred to the police authorities for checking? Is there any?

Mr. Cohen. No, sir. We don't have that authority, sir.

Mr. Curtis. You don't think that you have that authority, under the clause of reasonable cause, in order to enforce the law.

Mr. Cohen. We are talking about 104,000 dealers. I don't think we can do it.

Mr. Curtis. You are answering "No"?

Mr. Cohen. No, sir.

Mr. Curtis. What you are really saying is that you think, or as I interpret your answer, that it is a matter of personnel.

Mr. Cohen. No, sir; I think it is two reasons. I don't think we have the authority and I think if we did have the authority it might be impracticable, anyway, but we don't have the authority.

Mr. Curtis. So what do you do with these permanent records that are supposed to be kept? Incidentally, under your regulations you prescribe that they must be kept for 10 years.

Mr. Cohen. Yes, sir.

Mr. Curtis. What use is made of those by the Internal Revenue Service?

Mr. Cohen. If firearms are found to be used in an unlawful manner we can check back to find out who acquired the weapon and how and when.

Mr. Curtis. You are saying what you could do.

Mr. Cohen. We do do it. We also use it to determine violations of the act when persons are not keeping proper records.

Mr. Curtis. You are now showing me, I think, that your previous statement was inaccurate; that you do have the authority to take these lists and refer them to the police department.

Mr. Cohen. No, I said we don't have the authority. We send an agent out to check on a specific transaction perhaps.

Mr. Curtis. In that position you then have your agent go——

Mr. Cohen. I would like to have the authority that you are saying we have, sir. On occasion it would be very useful.

Mr. Curtis. I think you have it. I will be very honest with you.

Mr. Cohen. You are a good enough lawyer, sir, so I think you can argue the case of the defendant very well here, sir, and box my ears I suspect.

Mr. Curtis. No; this has nothing to do with my ability. It has to do with the English language and the interpretation of it that is necessary in order to reasonably enforce an act. To me it is just almost elementary that the Treasury Department would show some interest in being sure that these were bona fide names in the first place and, secondly, that this was not a violation of the act.

To enforce it you simply ask the dealer if he knew or had reasonable cause.

Now, what would be reasonable cause to know? Why, wouldn't it be perfectly within the purview of the regulation under reasonable cause to know that he checked with the police authorities to see whether or not this person whose name was given actually had a criminal record?

Mr. Cohen. Could he check in California? The man is in Chillum, Md., buying a gun. He is to check 50 States to determine whether this man has a felony record in each of those 50 States.

Mr. Curtis. As you say, you have to take the first step. What step did you take as the first step?

Mr. Cohen. If he had checked with the Chillum police he would have found zero on these people. They had no record in Maryland.

Mr. Curtis. I will just follow this a little bit with you. I think you are playing with me.

Mr. Cohen. No, sir; I think you are playing with me.

Mr. Curtis. No; I am trying to get some of the facts here, Mr. Cohen. The buyer gives his name and address to the dealer. One of the first steps would be to at least check with the police authorities in the area where his address is to find out if he had a criminal record, right?

Mr. Cohen. In 1957——

Mr. Curtis. Please answer the question.

Mr. Cohen. That is right, but we tried in 1957 to ask that each of these people sign a document and we were unsuccessful.

Mr. Curtis. Look, answer the question first and then give me your explanation. Wouldn't this be a reasonable requirement?

Mr. Cohen. I don't think it would be a reasonable requirement under this statute. It might be a reasonable requirement between you and I, I would agree with you; yes, sir.

Mr. Curtis. You don't think it is a reasonable requirement under the statute.

Now, then, you had an explanation in support of your view.

Mr. COHEN. In 1957, when amendments to these regulations were first raised, it was proposed at that time that each of these people sign a document so that we had a signature and if it was a forged signature, forged identification, we would have an additional way of getting at these people.

Mr. CURTIS. Where they have a forged signature or given a wrong name. How do you check that now?

Mr. COHEN. In 1957 in order to be able to check that we wanted to amend our regulations so that that would be required of each purchaser, that that record might be maintained in the hardware store that we are talking about.

At that time 30 some members of this House appeared before us saying that we did not have that authority and I might say we received letters from over 100 Members of the House saying we did not have that authority.

Mr. CURTIS. Is that the way you make decisions in the Internal Revenue Service? I am glad to know that, Mr. Cohen. I was unaware that that was happening. I have written many letters to the Internal Revenue Service where I was in disagreement with their interpretation and your organization very rightly wrote back and said that the responsibility is yours to interpret the law.

Mr. COHEN. Of course, I might take a different position.

Mr. CURTIS. You wouldn't argue seriously that that is an answer to the question that a group of Congressmen wrote you letters and said that they didn't particularly like it or they questioned whether you had the authority.

That isn't a real answer is it?

Mr. COHEN. It shows we have the the same problem in the regulation area that we are having with this bill. It also shows that many of your colleagues might disagree with you, sir.

Mr. CURTIS. I am fully aware that they might disagree with me, but the best way to find out whether they do so on merit is to take this record we are trying to make here and find out how you people have interpreted the law, how you have enforced it, and to discover whether or not suggestions of how you might enforce it are within reason.

Mr. Cohen then stated that his predecessors did not feel it necessary to require a dealer in firearms to check on the possible criminal record of his purchasers, but that he would rethink the problem. The testimony runs as follows:

Mr. CURTIS. And the third question, and apparently this gets down to procedure, your procedure is not to have the hardware dealer check with the police department of the area where the address is to find out whether they have this person listed as one convicted of a crime.

Mr. COHEN. That's right.

Mr. CURTIS. You don't regard that as a requirement to satisfy reasonable cause.

Mr. COHEN. That is right, sir.

Mr. CURTIS. Now let's get back again. Don't you think that that is within the purview of a requirement to enforce this act that you ask the dealers?

Mr. COHEN. My predecessors did not. I would like to rethink the problem in the light of some of the questions you have raised, but I don't think that obviates the necessity for this legislation.

Mr. CURTIS. Now you are begging the question. We will get to that. That is what we have to do, this committee, at any rate, in order to understand whether you need the legislation. We have to first find out what you have done with the legislation that has been given to you.

I am encouraged by your saying now that you might rethink of some of the things your predecessors did or don't do. I am not trying to fix blame here.

Mr. COHEN. No, sir, I don't think you are.

Mr. CURTIS. I think probably if we got down to it we would find that insufficient attention by all of us was directed to this area and brought to a head so to some degree——

Mr. COHEN. But we think very frankly that the statute is skimpy and not broad enough to cover all of these things that you have mentioned here that both of us agree should be covered. Both of us think this is too skimpy.

Mr. CURTIS. Exactly, but you haven't come in here prepared to testify in detail so that we could understand what you actually have done, what you hadn't done. Had you done certain things the bill wouldn't perhaps be required.

The Commissioner said that it would be impossible for the dealer to discover whether or not his purchasers have criminal records. Yet the Internal Revenue Service had discovered, through a simple check with the police force of Washington, that 40 percent of this Chillum, Md., dealer's customers had criminal records.

I quote again from the hearings:

Mr. CURTIS. I have one thing I wanted to specify in the information I requested. Getting back again to the point of whether the dealer had reasonable cause to believe that such person was a fugitive from justice. It would seem to me within the purview of reasonable cause that you require a dealer to at least call the police of the area where that person's address is located, and in respect to the specific cases that have been cited, I now have page 8, of your testimony, in which you refer to the same case to which the Attorney General referred of the dealer in Chillum, Md., where 40 percent of his customers were shown to have criminal records.

Well. I hadn't realized it. This is your testimony: "Subsequent criminal records checks on these purchasers revealed that 40 percent of them have criminal records in the city's police files."

So a telephone call by the dealer to the police force of Washington, D.C., would have revealed this.

Mr. COHEN. That is correct, sir.

Mr. CURTIS. You argued that it would be very difficult to cover 50 States, and so forth, which I recognize could be true in order to do a complete check. I said that at least you should take the first step.

Mr. COHEN. The first step here would be to call his own local police. He doesn't know this felon.

Mr. CURTIS. No, no; I would say the best thing here in this case, where a person gives a District of Columbia address, would be to call the District of Columbia Police.

Mr. COHEN. Suppose he gives a California address?

Mr. CURTIS. I don't care where the address is. The fact is that you state that 40 percent of these customers had criminal records in the District of Columbia's Police files. So a telephone call, which certainly is not stretching the words "had reasonable cause to know," just to ask him to check with the police force of the area where the guy gives his address, would have stopped this and nipped it in the bud.

I was appalled at the lack of enforcement of the existing firearms legislation. Commissioner Cohen had stated that he thought the IRS did not have the authority to require such a simple act as a phone call from a dealer to a customer's hometown police force. He did, I am glad to note, indicate that he would rethink the problem and so I asked:

Mr. CURTIS. While we are waiting for this legislation maybe you could start to put out a regulation saying that you expect licensed dealers to make at least a check with the local police.

Mr. COHEN. I will be glad to study our authority to do that, sir.

Mr. CURTIS. I thought we agreed that you had that.

Mr. COHEN. I didn't say that I was sure that I did, sir.

Mr. CURTIS. All right.

Mr. COHEN. I used to be a functioning lawyer. I am now an administrator. I would like to check with my lawyers on what my authority might be.

Mr. CURTIS. It would be very interesting if under the authority that you are given in this act to write regulation necessary to carry it out and make it meaningful, if you can't interpret "shall have reasonable cause to believe" first by being sure that they give a proper name by requiring identification, which you have said that you thought you had authority to do, and then the second step, which is so obvious, to call the police of the area where the person gives the residence.

Mr. COHEN. I would be glad to study that, sir, but I don't believe that releases the urgency of this particular problem.

GUN SALES

The results of the Internal Revenue Service's restudy of their authority under the National and Federal Firearms Act was revealed in the Washington Post article, which reads as follows:

[From the Washington (D.C.) Post, Sept. 14, 1965]

DISTRICT OF COLUMBIA CHECKS MARYLAND GUN SALES

(By Leonard Downie, Jr.)

The names of Washington residents who buy guns in Maryland are being supplied by Federal authorities to Metropolitan Police and the U.S. attorney's office here, according to Tim Murphy, chief assistant U.S. attorney in the court of general sessions.

The names are checked by police for prior criminal records and those gun buyers with records are reviewed by Murphy for possible prosecution under Federal and local laws.

District citizens convicted of a felony who buy a gun in Maryland and then bring it to Washington are violating a Federal Firearms Act section prohibiting the interstate transportation of guns by felons, Murphy said.

Under District of Columbia law it is a felony, carrying a 10-year maximum sentence, for a person convicted of a previous felony, to carry a deadly weapon on his person.

Washington law also prohibits certain other types of citizens, including narcotics addicts, from possessing guns.

Murphy explained that an official of the Alcohol and Tax Division of the Internal Revenue Service, which enforces Federal gun laws, regularly investigates gun purchases in Maryland for the names of District residents buying firearms there.

Under this procedure, which now affects only guns bought in Maryland, some offenders have been indicted for both District and Federal gun law violations. Alcohol and Tax Division officials were reluctant to release statistics on the number of individuals affected by the procedure.

I am very glad that the IRS has discovered this authority and has begun to put it into practice in the sales of Maryland gun dealers. This is the necessary first step toward a crackdown on illegal sales of firearms to criminals; I am hopeful that the IRS will extend this regulation to cover the rest of the Nation as well, if this is feasible with the present manpower available to the Service for firearms enforcement. It is important that, before we rush to pass new legislation in the area of firearms control, we first examine carefully the present laws to determine if they are being properly executed. The hearings of the Ways and Means Committee on the firearms bills revealed some major deficiencies in the enforcement of our present firearms law, but these deficiencies, the Post article seems to indicate, are now in the process of being corrected. After we have allowed the Internal Revenue Service enough time to test the effects of these new regulations, we may then reexamine the need for new legislation.

PHONEY BALONEY IN WELFARE SPENDING

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Roger A. Freeman of the Hoover Institution on War, Revolution, and Peace of the Stanford University, has written an article entitled "Phoney Baloney in Welfare Spending," which I am sure Members of Congress will find quite interesting.

The article follows:

[From National Review, Sept. 21, 1965]

PHONEY BALONEY IN WELFARE SPENDING

(With sharp eye and hard head, a noted analyst looks at Federal accounts, concluding that there is a great deal more there than meets the eye.)

(By Roger A. Freeman)

Those of us who have been troubled by the explosive growth of governmental activities in recent years and by the threat they pose to the freedom and responsibility of the individual can relax. We have all been mistaken and government is not really growing when we view it in meaningful terms. I have that on the highest authority in the land. The President himself said so in a speech to the CED (Committee for Economic Development): "Total Federal spending in 1965 will be the lowest in 14 years in terms of our gross national product. Nondefense spending will be lower than it was 30 years ago in terms of our gross national product (GNP). There are fewer Federal employees now than there were a year ago when I took office." Mr. Johnson also offered a cheerful outlook in his January 1965 budget message: "* * * we have good reason to expect that Government expenditures in the years ahead will grow more slowly than the gross national product, so that the ratio of Federal spending to our total output will continue to decline."

We probably ought to feel as comforted by L.B.J.'s assurances as the 6-foot-tall traveler who was told that the river he was about to cross had an average depth of 3 feet. The story has it that he drowned nevertheless, a victim of averages. Federal officials and agencies are now flooding the public with tricky statements such as those I cited above which, unless contradicted, are bound to drown us in a sea of confusion.

BUDGET COMPARISONS DECEPTIVE

Total Federal spending in 1965 as a percentage of gross national product is not the lowest in 14 years and nondefense spending in relation to gross national product is not lower in 1965 than it was in 1935; it is higher. Federal employment has been stable—at 2,345,000 in November 1963 and in May 1965—only because most of the new or expanded Federal programs are being carried out through State and local government employees whose number has been soaring, under Federal pressure and with Federal financing. While those employees are statistically classified as State and local, many of them carry out programs enacted by Congress, work under orders from Washington bureaus and are at least partly paid from Federal funds. Federal subventions to State and local governments have quadrupled in the past 10 years. L.B.J.'s boast in his budget message that Federal employment grew proportionately less than the U.S. population in the past 10 years neglected to mention that during that time civilian government employment (Federal-State-local) shot up 43 percent—compared with an increase in population of only 18 percent and in private employment of 11 percent. Ten years ago there was one person on the public civilian payroll for every eight in private employment. Today that ratio is down to 1:6:3. Where will it be 10 or 20 years hence at that rate of "progress"?

When Mr. Johnson talked about "total Federal spending" he was using an incorrect term. It is evident from the tables in his January 1965 budget that he was referring not to the cash-consolidated budget but to the administrative budget which now excludes about one-fourth of all Federal spending.

The administrative budget, when first established, was intended to give a comprehensive picture of Federal income and outgo. It still included 97 percent of the cash flow in the late 1940's. But then several major items were shifted from the administrative budget to so-called trust funds whose annual total now exceeds $30 billion. The start of such a big new program as the Interstate Highway System in 1956 boosted Federal road spending from less than a billion to $4 billion annually—but it reduced highway costs in the administrative budget to almost nothing. Some of the sharpest expansions in Federal spending have taken place in social security and unemployment benefits which are channeled through trust funds. Medicare will not add to the administrative budget but will, of course, boost Federal spending very substantially. So to compare the size of the administrative budget in 1965 with earlier years is outright deception.

1984 BY 1984?

The term total Federal spending which Mr. Johnson used is commonly applied to the cash consolidated budget (payments to the public) which includes transactions in the administrative budget as well as in the trust accounts. The cash budget has come into increasing use in recent years as a more comprehensive and meaningful yardstick of Federal spending. In fact, both J.F.K. and L.B.J. have repeatedly expressed preference for the cash budget, not necessarily because it is more inclusive but because it shows a smaller deficit: only $21 billion over the past 5 years compared with $29 billion in the administrative budget. But when it comes to historical comparisons L.B.J. occasionally likes to shift back to the administrative budget because it excludes some of the fastest growing spending categories.

Total Federal spending, i.e., payments to the public, in fiscal 1965 equaled 19 percent of gross national product, or slightly more than it did in 3 years during the mid-1950's, according to the President's latest budget in brief. Even so, total Federal spending appears to have established a remarkable record of stability in proportion to gross national product over the 1952–65 period to which Mr. Johnson apparently referred. But this does not mean that governmental growth has come to a halt. The overall total simply hides an unprecedented expansion in domestic welfare programs behind a sharp relative cutback in outlays for national defense, as shown in the table.[1]

Federal expenditures 1955 and 1965 (payments to the public)

[Dollars in billions]

	1955	1965 [1]	Increase percent
Total	$70.5	$121.4	+72
Defense related	42.9	59.7	+39
National defense	40.9	52.8	+29
Space research and technology	.1	4.9	+562
International affairs and finance	2.0	2.0	+1
Veterans' services and benefits	5.1	6.0	+17
Interest on the debt	4.7	8.5	+81
Domestic services	17.9	47.2	+164
Health, labor, and welfare	9.5	28.9	+204
Education	.4	1.5	+287
Commerce and transport (highways)	1.1	7.4	+541
Natural resources	1.3	2.8	+126
All other	5.6	6.7	+19

[1] These are official estimates of January 1965. Treasury Secretary Fowler disclosed on July 21 that the defense-related costs in fiscal 1965 actually had run close to $2 billion lower, domestic services $2.5 billion higher than estimates. Thus, the analysis above understates the discrepancy between defense and welfare spending trends.

The slight rise in defense outlays from their post-Korea low was largely consumed by higher prices. But domestic services multiplied two and a half times—an increase of 164 percent over a 10-year period when population and prices advanced only about 18 percent each. Proponents of big Government usually explain this expansion as having been made necessary by a lag on the part of State and local governments. But the spending of State and local governments from their own sources meanwhile shot up 110 percent, of which less than 40 percent can be attributed to greater population and higher prices.

While public spending for civilian purposes jumped 164 percent, personal consumption—that is the outlays which individuals and families incur for themselves for necessities and pleasures—rose only 65 percent; food 39 percent, clothing 53 percent, housing 73 percent, automobiles 81 percent, etc. On a per capita, constant dollar basis, personal consumption increased 22 percent, governmental spending (Federal-State-local) for domestic purposes 70 percent. These trends provide a pungent comment on John Galbraith's myth that consumers are luxuriating while government is being starved. Continued expansion of public services at three times the rate of growth in private spending for another decade or two would give us the government-directed, centralized society George Orwell pictured. It is understandable that President Johnson stopped long-range projections of governmental revenues and expenditures which the Budget Bureau had started to develop. They might have drawn too realistic a picture of the future of the Great Society.

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[1] A 14-year comparison (1952–65) would show an even stronger contrast between the growth of defense spending (27 percent) and of domestic services (330 percent). But because 1952 might be called a war year, I thought it fairer to present a 10-year comparison.

Possibly the most significant yardstick for measuring individual versus socialized dedecision making is the ratio between personal consumption expenditures and governmental spending for domestic purposes; i.e., the relationship between the sums which the individual lays out according to his own discretion and those the Government spends for him.[2] Here is what happened over the past decade:

Personal consumption fiscal 1954, $234; fiscal 1964, $386.

Government expenditures (Federal-State-local) for domestic services, fiscal 1954, $52; fiscal 1964, $122.

Ratio, fiscal 1954, 22 percent; fiscal 1964, 32 percent.

Only in future years, when the passing of time gives us a broader perspective, shall we be able to recognize that the most significant transfer from private to public decision making over money took place neither in the 1930's nor in the immediate postwar period, but during the 1950's and 1960's.

Though some public officials like to blame defense for our crushing tax burden, those costs are responsible for a shrinking share of public spending. In the annual battles over the division of public funds, over the slicing of the budget dollar, the armed services have almost always lost out to the politically charmed services—domestic welfare programs, lobbied for by powerful, well-organized, special interest groups.

DEFENSE HAS COME SECOND

Rapid demobilization after World War II lowered military costs to a mere 17 percent of all public (Federal, State, local) expenditures in 1950. That unilateral disarmament led to the Korean war which, in turn, boosted defense spending to 40 percent of all Government costs in 1953. Ever since, the share of the military has been declining and gradually slid to 25 percent by 1964. If we include outlays for space and foreign aid, the cost of national security may be said to equal 30 percent of all governmental spending in the United States. We now devote only half as great a share of our gross national product to national defense as the Soviet Union, as Timothy Sosnovy, Soviet economy specialist at the Library of Congress, demonstrated in an incisive analysis of "The Soviet Military Budget," in the April 1964 Foreign Affairs.

When L.B.J. started to work on the 1965 budget, the Tuesday morning following J.F.K.'s burial, he realized that the American public was not prepared for the vast expansion in public spending which his domestic schemes required. There was only one way to present a modest overall budget total while pushing the gravy projects of the Great Society: slash national defense. His Defense Secretary's ability to carry out this policy made Mr. McNamara L.B.J.'s hero and strong man, a willing hatchetman for the White House who could beat the leaders of the armed services into submission, or replace them with more pliable successors.

L.B.J. refined the policy of unilateral partial disarmament to a new perfection but it actually dates back two decades to the days when Harry Truman's Secretary of Defense Louis Johnson, dismantled the armed services, inviting the Communist takeover of Eastern Europe and much of Asia. The American public was lulled into a false sense of security by such statements as former Budget Director David Bell's: "We give top priority to defense and then argue about what comes second." Unfortunately it has been the other way around. In a carefully documented study of postwar budget formation, Samuel P. Huntington of the Institute of War and Peace Studies at Columbia University found:

"In both the Truman administration before the Korean war and in the Eisenhower administration after the war, the tendency was:

"1. To estimate the revenues of the Government or total expenditures possible within the existing debt limit;

"2. To deduct from this figure the estimated cost of domestic programs and foreign aid; and

"3. To allocate the remainder to the military."[3]

Upon assuming the Presidency Mr. Eisenhower promised to "reduce the share of national income which is spent by Government." This promise he kept. Federal expenditures as a percentage of national income dropped from 23.8 percent in 1952 to 23.1 percent in 1960. But this was accomplished only by cutting national security from 16.5 percent of national income to 11.7 percent while boosting domestic services from 3.8 percent to 8.2 percent of national income.[4]

To view this in historical perspective, it took 160 years—from 1789 to 1949—to bring Federal expenditures for civilian purposes to a level of $10 billion. It took only another 17 years, to the fiscal year 1966, to lift them from $10 to $53 billion. To be fair and impartial I probably should mention that of the $43 billion increase in 17 years, $21 billion were added in 9 years of Truman-Kennedy-Johnson, $22 billion in 8 years of Eisenhower.

NO MAJOR NEW WEAPONS

Only twice in the postwar period, during the Korean conflict and after the Bay of Pigs debacle and the failure of J.F.K.'s Vienna talks, did national security receive more attention. On the whole, our generals and admirals were no match for the numerous special interest groups which promised the President votes in return for support of their pet projects. Not long before becoming Controller of the Department of Defense, Charles Hitch had predicted that defense costs would (and should) remain at 10 percent of gross national product through the 1960's. But they equal less than 8 percent in L.B.J.'s budget for 1966 and could slide below 7 percent by 1970.

Mr. McNamara slashed the 1964 budget of the Joint Chiefs of Staff by $14 billion before he sent it to Congress. In fiscal 1965 defense outlays ran $4 billion lower than in 1964 but those savings were more than made up by a $6 billion spending boost for nonmilitary purposes. Under continued browbeating from the Secretary of Defense, the Joint Chiefs trimmed their budget requests for fiscal 1966—only to have Mr. McNamara chop off another $8 billion.

The number of military projects or programs scrapped, deferred or slowed down to a snail's pace in the past few years is legion; the number of major new weapons systems put into active use is zero. I have space to mention only a few of the major projects which failed to find favor with our Secretary of Defense.

The Navy has long asked for a changeover to nuclear power for its over-8,000-ton vessels, particularly aircraft carriers. No one disputes the vast superiority of nuclear over conventional propulsion and a review of the latest edition of "Jane's Fighting Ships" drives home the grave threat posed by the expanding Soviet Navy, especially its subsurface fleet. But Mr. McNamara rejected all such plans because each nuclear-powered carrier would cost $100 to $150 million more. Even the New York Times called the decision "an example of foolish economy" and "a backward step" and Secretary of the Navy Fred Korth resigned over it. But there it stands as of now.

Air Force leaders are deeply troubled by the decline in our bomber power. The B-47s are being phased out and the lives of the 10-year-old B-52 (modified) and B-58 are being stretched out for up to another 10 years. They are to serve as our only bombers into the early, or even mid-1970's. Responsible military experts have repeatedly demanded a more advanced "follow-on" bomber such as a supersonic plane with high- and low-altitude penetration capability or a missile-carrying strike plane (AMSA). But they have been unable to persuade Mr. McNamara that manned bombers are needed at all, or that we should develop nuclear-powered aircraft and that a Polaris-Minuteman missile program could not do the whole job—although experts call this at best a minimum deterrent force. General LeMay's efforts were in vain and General Power's dire warning in "Design for Survival" went for naught. Mr. McNamara even cut the Minuteman force to 1,000, substantially below the minimum of 1,800 that the Air Force deemed necessary.

The Joint Chiefs of Staff unanimously recommended the adoption of the Skybolt air-to-ground missile in order to increase the usefulness of our—and Britain's existing manned bombers. But Mr. McNamara, determined to save $2.5 billion, overruled the military, dealt a blow to NATO—and helped to sink the Tory government. The nuclear rocket Rover, the manned space glider Dyna Soar, the Pluto ram jet rocket engine, and other projects too numerous to list shared Skybolt's fate.

Mr. McNamara based his refusals on "cost efficiency studies." But there seem to be glaring holes in his knowledge of what our potential opponents are up to. He declared last Apr'l 12 that the Russians had no solid propellant ballistic missiles; whereupon the Soviet Government on May 9 paraded "Iron Maiden," a solid-fueled MMRBM. Previously Mr. McNamara had nixed plans for an American MMRBM.

GS SUPERSEDES NIKE X

Our most glaring deficiency may well be the absence of an anti-missile missile system. But though it would take at least 5 years from the time of decision until a working system could be established, Mr. McNamara has so far turned a cold shoulder toward those plans and deferred a decision on the Nike X project. After all, an antiballistic system might cost $20 to $30 billion which are urgently needed for Great Society projects.

Now, maybe Mr. McNamara knows that Mr. Brezhnev's announcement in early July 1965 about important Russian strides in anti-missile defense facilities had little basis in fact and that his reference to orbital rockets (which can be put into orbit and brought down by radio signals to hit a target on earth) only expressed wishful thinking. But suppose Mr. Brezhnev wasn't just boasting. We could wake up some sunny morning to a great surprise of the type with which the Russians have presented us a few times since they launched the first sputnik. But then maybe we won't wake up at all some morning.

Perhaps nothing can prevent a surprise nuclear attack. But if one ever came, an effective fallout shelter program could save many millions of American lives. The never-published Gaither report is said to have recommended one, and many experts since then have strongly urged the Government to construct and equip shelters. Nobody has done so more convincingly and impassionately than Dr. Edward Teller. It has been estimated that a $5 billion program could save 30 million lives, and a $25 billion program 72 million lives. Even more important, the existence of such protection and our ability to survive a nuclear strike might deter a potential aggressor. But no such plans are presently pursued by the administration and even recommendations for an incentive shelter program have been dropped.

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[2] There is a technical overlap because welfare costs are included in government outlays and also, when spent, shown as personal expenditures. But this does not change the picture significantly.

[3] "The Common Defense: Strategic Programs in National Politics" (New York, Columbia University Press, 1961) p. 221.

[4] The balance—veterans services and interest on debt—dropped from 3.5 percent to 3.2 percent of national income.

That the Soviets are ahead in military space technology has been evident for some time and our Air Force is gravely concerned over the potential of inner-space space platforms of close orbit range. But it was unable, until the flight of Gemini 5, to get even a qualified go-ahead for a man-in-space program. When the Navy and Air Force chiefs wanted their own specialized TFX, Mr. McNamara overruled them and decided on a different and less costly model—now a F-111A and F-111B—which is already in trouble on several counts. I could cite many other instances in which our Secretary of Defense disregarded the unanimous advice of the Joint Chiefs, rejected or reduced a program, deferred action or settled for a cheaper plan. In some cases he may have been right, there are ways to get "more bang for the buck." In many cases we'll never know.

Former Deputy Secretary of Defense Roswell L. Gilpatric suggested reducing defense expenditures 25 percent from their 1964 level. That such action would cut heavily into the military muscle few will deny. But it is not likely to happen. Every time we trim our defense apparatus, crises develop, somewhere in the world, which force us into action—with consequent boosts in military costs.

We are now about to repeat that experience. Upon his return from Vietnam on July 20 Mr. McNamara admitted that the situation had deteriorated in the preceding 12 months and that we need to invest more heavily in manpower and materiel. He did not explain why the big United States has not been able to cope with aggression by a small country—even though the reason is becoming increasingly clear: the Communists know just when we start to turn paper-tiger. If we react to their provocations in a half-hearted way, with a goal in mind other than victory, the engagements tend to drag and we are lucky to get out without overt defeat. The Hanoi Government won't negotiate with us because it feels, not without reason, that we lack either the strength or the determination to put an end to its aggressive activities with adequate force.

GOVERNMENT COSTS SPIRAL

While cost effectiveness studies are being used to kill defense projects, they do not seem to be applied to screen the welfare schemes that Mr. Johnson is railroading through Congress by the dozen. The cost of governmental services, which shot up from 12 percent of the national income in 1944 to 17 percent in 1954 and to 25 percent in 1964, is headed for the stars. That process may go on for quite a while—until Communist aggressors take advantage of the niggardliness with which our Government has been treating the armed services in its eagerness to expand the politically more promising charmed services. Unless, of course, this process is halted or reversed. But there is no sign at this time that this is about to happen.

HOUSE RESOLUTION 585

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, I supported the resolution which came before the House of Representatives, House Resolution 585, to dismiss the five Mississippi election contests.

Many hours of deliberation were devoted to this matter by the Subcommittee on Elections in an effort to reach the most proper solution so that the full Committee on House Administration could make its recommendation to the House of Representatives confident that the matter had been appropriately heard and considered and that a fair and just recommendation was made to the House.

The chairman of the Subcommittee on Elections, the distinguished gentleman from South Carolina [Mr. ASHMORE] and the ranking minority member [Mr. GOODELL] and the other subcommittee members who made significant contributions should be commended for the thoughtful and earnest consideration they gave to the matter.

As is known to the membership of the House of Representatives, this contested election case was difficult and complex. It produced voluminous printed materials and involves far-reaching issues and claims.

Everything considered, I am in agreement with the position of the Committee on House Administration in recommending dismissal of the election contests against the five Members of the House of Representatives from the State of Mississippi on whose behalf certificates of election were filed with the Clerk of the House and who were administered the oath of office on January 4, 1965, after the House by a vote of 276 to 149 moved the previous question on House Resolution 1, 89th Congress, which directed the Speaker to administer the oath.

Numerous allegations have been made to the effect that many potential voters in the congressional elections in Mississippi have been denied the right to vote. However, based on a consideration of various pertinent and material factors, including the rulings in certain previous contested election cases, certain failures on the part of contestants to avail themselves of legal steps concerning getting on the ballot and challenging the issuance of the election certificates, the significance and outcome of the unofficial "election," the existence of the Voting Rights Act of 1965, and other factors, I feel the action by the committee is reasonable.

Though uncertainties and unresolved questions may exist involving the 1964 Mississippi elections, as alluded to in the committee report, it was necessary that a definite decision be reached and I believe the committee's decision was the appropriate one under the circumstances and the situation that was presented.

I believe it is important to emphasize that the committee stated in the report in unmistakable terms that the committee's action should not be interpreted as condoning any disenfranchisement of Negro voters in the 1964 elections or in previous elections.

The committee also expresses concern over present procedures governing election contests and recommends that a thorough review of the election contest procedures be made and that recommendations be made for improving such procedures so as to deal more expeditiously with such contests in the future, particularly those involving violations of the Voting Rights Act of 1965. This is a timely, appropriate suggestion and the recommendation should be carried out.

I submit for inclusion in the RECORD at this point an editorial from the September 20, 1965, Washington Post, discussing the Mississippi delegation matter:

EXPEDIENT DECISION

The refusal of the House of Representatives to unseat the five Mississippi Congressmen was clearly a bow to expediency. Before voting to dismiss the challenge brought against the Congressmen by the Mississippi Freedom Democratic Party the House rejected a conclusion by its Administration Committee that the five were "entitled to their seats." The final action was, therefore, nothing more than a refusal to meet the issue at this time.

Ordinarily this would be an inexcusable course of action. Both the House and its committee seemed tacitly to acknowledge that Mississippi's election in 1964 and others of previous years were tainted by the denial of voting rights to Negroes. But the challengers had no valid claim to election. If the Mississippi seats had been declared vacant in these circumstances, the House would have acquired an obligation to vacate seats in several other States which have systematically disfranchised many Negroes. Such drastic action could not be reasonably taken at a time when the whole picture of Negro voting in the South is undergoing revolutionary changes because of the new Voting Rights Act.

When Congress passed the 14th amendment it provided a very specific penalty for any State which denied the vote to any group of citizens. The representation of that State in the House was to be reduced accordingly. But Congress never enforced that provision, and until recent years it had consistently ignored the effect of discrimination at the polls on the election of Congressmen. At last the policy has been changed by the Voting Rights Act, and it is not unreasonable for the House to make allowance for this act to operate before adopting a policy of scrutinizing congressional elections for discriminatory practices that would justify the denial of seats.

Some Members felt strongly that a full investigation of Mississippi's election should have been ordered in any event. Here again, however, the investigating committee would have been dealing with past history rather than the new realities. Such an investigation will be much more useful—indeed, we think it will be imperative—if any congressional election in 1966 should be tainted by the disfranchisement of any minority group.

MAKING OUR GREAT CITIES BETTER PLACES FOR AMERICANS

The SPEAKER. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 15 minutes.

Mr. MATHIAS. Mr. Speaker, one of the greatest challenges facing the Congress and the Nation is that of making our great cities better places for Americans to live. Attacks on environmental pollution, on educational deficiencies, on problems of law enforcement, on unemployment and transportation are all parts of the answer. Perhaps the greatest need, and the most urgent, is for decent low-income and moderate-income housing. To some extent, this can be provided through urban renewal and housing programs, but these can be harsh remedies and additional steps also should be taken. As long as the Congress serves as the city council of Washington, we in Congress have the opportunity to suggest and test in the District of Columbia the additional programs which could help.

I have today introduced a bill which would authorize the District Commissioners to make repairs on substandard Washington rental housing and charge the landlords for the work. In addition, this measure would prohibit landlords from evicting or raising the rent of tenants who have complained about housing conditions pending determination. It would also provide relocation payments up to $200 to tenants forced to move because a residential building has been condemned or is being repaired.

The gentleman from New Jersey [Mr. WIDNALL] has taken the lead in exploring this question and in introducing this measure in the House. Senator CLIFFORD P. CASE, of New Jersey, has introduced a companion bill in the Senate. My bill is identical to theirs, which was prepared with the cooperation of the Neighborhood Legal Service of the United Planning Organization.

This bill is based on the principle that rehabilitation of substandard slum housing, where possible, is preferable to the ultimate weapon of urban renewal. The gentleman from New Jersey [Mr. WIDNALL] has made great contributions toward this end by developing the workable program provisions of the Housing Act of 1954, the code enforcement and rehabilitation provisions of the Housing Act of 1964, and the rent certification and rehabilitation provisions of the Housing Act of 1965. This year's housing act provides means for expanding this effort by authorizing $400 million for the rehabilitation loan program, under which direct loans at a maximum of 3 percent interest may be made for code enforcement repairs in urban renewal areas.

But the problems of code enforcement have not been solved. In Washington, complaints by tenants, housing organizations, civil rights groups and neighborhood committees have focused on the lack of frequent inspections, the long delays before repairs are made, and the constant threat of eviction. Mr. Julian R. Dugas, director of the UPO Neighborhood Legal Services project, has written in a recent memorandum:

> In August 1955, the Commissioners of the District of Columbia promulgated regulations to prevent and arrest the growth of slums caused by deterioration of residential buildings. However, in spite of the regulations and the penalties provided for their violation, the growth of slums has been on the increase since 1955. Landlords and owners of leased premises have used various maneuvers in order not to keep their properties in conformity with code standards. Moreover, the Department of Licenses and Inspections, which is charged with the administration and enforcement of the housing regulations, has followed a policy of friendly cooperation with the landlord which has worked against enforcement of the regulations. Other factors such as retaliatory eviction and retaliatory rent increases, following the filing of a complaint with the Housing Division, make code enforcement a difficult task.

The bill which I am introducing today is one answer to some of these problems. First, it authorizes the Commissioners of the District to make required repairs in uninhabitable buildings where the landlord has proven unwilling to do so. Second, it prohibits retaliatory rent increases and evictions. Third, it provides relocation assistance for persons forced to move because their home has been condemned or is being repaired. I would note further that the bill provides for review proceedings similar to those used in condemnation proceedings.

"Uninhabitable" is defined in this bill in relation to specific sections of the housing code, and could involve problems of heating, sanitation, drainage, light, utilities, maintenance, and/or other such factors. Many have argued that these conditions are more prevalent in overcrowded dwellings; however, as Mr. Dugas has written:

> The correct approach to the overcrowding problem which is caused by a shortage of low-income housing is not to disregard the other provisions of the housing regulations.

A summary of the provisions of this bill may be found in the RECORD for July 26, 1965, at page 18136. I would emphasize that, while this legislation would provide an important new weapon for the District Commissioners, neither this nor any other tool can be effective unless it is used—fully, fairly, and constantly. Dilapidated and debilitating slum housing cannot be repaired unless municipal officials, in Washington and every other major city, exercise their full responsibilities to enforce housing codes through frequent, careful inspections, followed by insistence on immediate removal or repair of violations. Adequate numbers of inspectors should be hired, and new attitudes toward code enforcement may have to be developed. Ultimately, this can be achieved only if concerned citizens make clear their support for such policies, and express forcibly their determination that city officials should take every authorized action to insure that their fellow citizens will not have to live in squalid, unsanitary, and undignified surroundings, and will not have to face reprisals if, while living in substandard housing, they complain.

A BILL CONCERNING BRANCHING BY NATIONAL BANKS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, on September 17, 1965, I introduced a bill, H.R. 11139, to amend section 5155 of the Revised Statutes relating to the establishment and operation of branches of national banks.

I introduced this bill, by request, as a discussion draft so that the members of the banking community and the Members of the Congress can take a look at it and discuss it between now and the beginning of the second session in January.

It is my hope that the Committee on Banking and Currency will hear from those directly concerned in this matter before the bill is scheduled for hearing in the next session.

ADDRESS OF VICE PRESIDENT HUMPHREY TO VIRGINIA MUNICIPAL LEAGUE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. DOWNING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOWNING. Mr. Speaker, on September 14, 1965, Vice President HUBERT HUMPHREY addressed the Virginia Municipal League at Virginia Beach, Va.

His speech was interesting, informative, and eloquently delivered to an appreciative audience.

The Vice President explained with great clarity the pressing problems facing municipalities, and described the new programs that are being developed by the administration to help minimize these problems.

At the conclusion of his remarks, the Vice President received a standing ovation of long duration.

As part of my remarks today, Mr. Speaker, it gives me pleasure to include the address of Vice President HUMPHREY.

The address follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, VIRGINIA MUNICIPAL LEAGUE, VIRGINIA BEACH, VA., SEPTEMBER 14, 1965

I am pleased to be your guest at your 60th annual meeting today.

Several months ago the President asked me to act as his liaison with officials of local government. As a former mayor—one who knows local government firsthand—I welcomed that assignment. Because I know how distant and remote Washington can seem to the man with local responsibility. I have been trying, in these months, to make Washington less distant, less remote, more able to help.

Virginia has a national reputation for good municipal government. The city manager form of government was born in Virginia in 1908. Today your excellent training programs in municipal administration are being adopted in other parts of the country.

You have recognized the great opportunities, the great challenges, the great potential today for creative local government.

This administration is pledged to the goal of a Great Society—a society of opportunity.

This administration and this Congress are launching creative new programs toward that opportunity.

But the future of our Nation lies not only with the Federal Government and the legislative branch. It lies in our heartland—in individual American communities.

The Great Society will be an America made up of thousands of great communities. It will be an America built where you serve.

It is your communities that will have good schools or bad ones.

It is your communities that will have decent homes or slums.

It is your communities that will have racial harmony or racial antagonism.

It is your communities that will either wage intelligent, coordinated drives on the causes of poverty—or will ignore this social cancer.

My 20 years in political life—from mayor to Vice President—have taught me what I only vaguely understood when I was a political science teacher: That the key to success of great national programs is local implementation and imaginative leadership.

My experience in public life has also taught me that we cannot blame our problems on some other level of government. There are too many manufactured antagonisms between the local, State, and Federal levels—antagonisms too often manufactured to escape responsibility at home base.

No greater opportunity faces all of us today than the opportunity to strengthen the economic and social structures of our communities, of our Nation.

We are moving ahead in seizing that opportunity. We are investing in both the material and human resources of this Nation.

Our goal is nothing less than this: To give each American citizen, and each American community, the opportunity to contribute to and share in our American progress.

We can do nothing less. For we must build a stronger and better America—a country running on all its cylinders—to meet the change and challenge of the years ahead.

There is one change we all know about: The change of our country from a rural nation to an urban nation.

It was only 45 years ago that people in American cities first began to outnumber people on our farms.

But by 1970, we can expect that three-fourths of our people will be living in towns, cities, and suburbs, compared to 70 percent in 1960. At the end of 1964, two-thirds of our population lived in 219 such areas, an increase from 59 percent in 1950. By 1980 that proportion will increase to three-fourths and by the year 2000 to four-fifths.

This growth has imposed new and unprecedented burdens on local government for schools, housing, streets, and highways, commercial expansion, transit, and welfare programs.

Today there are over 9 million American homes which should not be lived in, but are. Four million of those homes have no running water or plumbing.

There is congestion in our cities which cause a man to take more time to get to and from work than it does for an astronaut to orbit the earth.

There are water shortages.

There are millions of children who will, without a doubt, be on the welfare rolls a few years hence if something isn't done. One out of every three children now in fifth grade will not finish high school, if the present dropout rate continues.

There is a general shortage of clean, fresh air, of open space, of parkland, of the things that make life livable.

No single community in this age of change can meet these demands alone and without help. That is why there are more than 50 major programs of Federal assistance to local governments. In fiscal 1966 there will be a total of $13.6 billion in Federal aid payments to State and local units.

To those who fear that the Federal Government is usurping the power and province of State and local governments—that the Federal Government is growing too large, I point to a few salient facts:

State and local share of all government revenues has increased more than 114 percent in the last 20 years. At the same time, State and local spending have increased more than 682 percent.

This year, State and local purchases of goods and services will exceed those of the Federal Government for the first time since 1950.

The Federal debt has increased approximately 20 percent in the last 20 years; State and local debt has increased 420 percent.

In the last 20 years, the number of Federal civilian employees has increased by 100,000—that is, about 4 percent. State and local government employees have increased by 3.7 million—an increase of over 200 percent.

No, the Federal Government is not swallowing State and local government. In fact, there is a case to be made that the Federal Government has not done enough.

All governments—Federal, State, and local—must act as partners in solving the complex problems facing the city.

No, good fences do not make good neighbors when those fences are built between people who must work together to get a job done.

This administration is taking active steps to help cities. In this legislative session alone, the American Congress has passed historic laws to provide that help.

To provide lower-cost housing.

To create more jobs.

To strengthen the local tax base.

To provide better sharing of costs.

To reduce crime.

To improve health conditions.

To stop discrimination.

To give the American city a voice at the highest levels of government through a new Department of Housing and Urban Development.

We will not turn our backs on the problems of our neighbors.

We will not try to pay for needed services at one level of government alone—be it Federal, State, or local government.

We will work together to meet the needs of our citizens and provide opportunity for all.

Our American economy is prosperous and expanding. We look forward to a trillion-dollar economy in 10 years' time.

We have the means, we have the energy, we have the will—we have the leadership to meet change and make it our ally, not our enemy. We can achieve a Great Society.

I said earlier that the building of that Great Society will depend on the building of great communities.

And these communities, in turn, must be built by great people: people of tolerance, compassion and understanding; people of education and good health; people seeking and using opportunity; people of hope and confidence; people who have faith in themselves, their country, and the future.

President Johnson has made his commitment to this task. I join him in that commitment. We ask your help.

THANKS TO TENNESSEE GAS TRANSMISSION CO.'S EQUIPMENT AND ELECTRONIC EXPERTS THE DEADLY CHLORINE BARGE THREATENING THE LIVES OF 100,000 PEOPLE IN BATON ROUGE WAS FOUND

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. MORRISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MORRISON. Mr. Speaker, "A friend in need is a friend indeed" and the State of Louisiana, particularly the city of Baton Rouge has eternal gratitude for the Tennessee Gas Transmission Co., whose equipment "precision profiling sonar system" with two of their electronic specialists, Norvel Miller and N. J. Lanaham found the deadly chlorine barge sunk in the Mississippi River in Baton Rouge late Thursday afternoon. It had been a 5-day hunt with many Navy divers from Charleston, S.C., and Washington, D.C., along with all kinds of electronic equipment and many boats furnished by the U.S. Corps of Engineers and others.

Tennessee Gas Transmission Co. mounted their equipment on a boat of the U.S. Corps of Engineers Wednesday morning, September 15 and the next day, Thursday evening at exactly 6 o'clock, Miller and Lanaham reported that they had found the missing barge. What made the finding of the barge most difficult was the fact that the barge was under a series of floating barges that were tied to the shore. Divers Thomas A. Jenkins and Joel McDuffie immediately were summoned and at 7:30, after diving down and finding the barge reported, what was to be the biggest news story in the United States that night, that the chlorine barge had been found in 60 feet of water in the Mississippi River adjacent to the Louisiana State University campus.

The Tennessee Gas Transmission Co. hit a direct bull's-eye and the city of Baton Rouge and the State of Louisiana owe this company a great debt of gratitude.

To go into detail, the Tennessee Gas Transmission Co. has its base in Houston, Tex., and has been operating there for 22 years. It has grown into a large industrial complex involving gas and chemical operations which bring great benefits to our entire country and our economy. Its officials and employees have always stood up, ready to be counted, for what they sincerely believed was right and proper and they have proved that they did just that, by how quickly they stood up and were counted when help was needed by their fellow citizens. The best proof of this has just been demonstrated by the aftermath of Hurricane Betsy, the most ferocious hurricane to ever hit Louisiana in all of its history.

When the Tennessee Gas Transmission Co. heard of this chlorine barge being sunk, they immediately offered their services and not only did they offer the services of this special electronic equipment and these two electronic specialists who found the barge, but they gave a further tremendous contribution by providing aircraft for flying in food and clothing for the relief of the disaster victims of this hurricane in New Orleans and elsewhere in Louisiana.

Mr. Speaker, it is so easy on occasions to criticize and I guess the Tennessee Gas Transmission Co. has had its share of more criticism in the past than it deserved. But I believe that we can forget this unjust criticism, with full realization that here was a private company composed of fine officials and fine employees who proved themselves through their generosity, at a time when it counted the most, that they were the best of neighbors, the best of good citizens, and certainly made Louisiana and the entire Nation grateful for their magnificent accomplishment. To have tied the traffic up in the important Mississippi River any longer would have been a further disaster and thanks to this Tennessee Gas Transmission Co., not only was a terrible threat to thousands of lives removed, but a continuing disaster in delayed shipping was averted.

On behalf of the State of Louisiana, the Sixth Congressional District, the city of Baton Rouge, I want to express sincere and deep gratitude and appreciation for this company's magnificent effort and generosity and its outstanding accomplishment which meant so much to so many.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MINK. Mr. Speaker, like other Members of this House, I have had a good deal of correspondence on the subject of home rule for the District of Columbia. It comes from individuals, from national organizations, from local community groups. I have been impressed by the wide support home rule has received from members of the Washington community.

The Teachers Union of Washington has forwarded to me the statement it prepared for presentation at the recent hearings on home rule, and I insert it in the RECORD:

THE TEACHERS UNION OF WASHINGTON, D.C., LOCAL NO. 6 OF THE AMERICAN FEDERATION OF TEACHERS INDUSTRIAL UNION DEPARTMENT, AFL–CIO,
Washington, D.C., August 13, 1965.

Gentlemen of the House District Committee:

Teachers Union No. 6 of the American Federation of Teachers has the privilege of giving testimony in regard to bills for granting local self-government to the District of Columbia. We have always supported home rule for the citizens of Washington, D.C. We are, moreover, affiliated with larger organizations which take the same stand on allowing the inhabitants of this city to govern themselves. We refer to our national body, the American Federation of Teachers with more than 100,000 members, the Metropolitan Central Labor Council with an even larger number and to the national AFL–CIO.

We regard the denial of self-government to the citizens of the District of Columbia as a violation of the principles on which this Republic was founded. Although the inhabitants of Washington pay the larger part of the expenses of their government through local taxes, they are not permitted to elect their local officials or send Senators or Representatives to the Congress of the United States. We shall briefly present the arguments for home rule. The reasons for granting self-government to the inhabitants of the Nation's Capital do not require elaborate presentation.

We think, in the first place, the present situation is not only undemocratic but unwise as a matter of policy. We mean that depriving more than three-quarters of a million American citizens of a chance to manage their local affairs creates a poor impression abroad. We are in the forefront of the modern trend toward freedom and self-determination for all nations and ethnic groups throughout the world. Yet, right here, we do not allow the residents of our Capital City to determine how their own money should be spent.

Another strange thing about the present lack of autonomous control of their local government by the inhabitants of this city is the fact that the citizens of the District of Columbia once enjoyed the exercise of local self-government. The present system of control by the Commissioners appointed or detailed by the President of the United States has not always prevailed. Prior to the eighth decade of the 19th century, the inhabitants of this city were regarded as competent to exercise some degree of control over their local affairs.

It should also be emphasized that the people of Washington are very desirous of exercising this fundamental right to govern themselves. One reason that we support S. 1118, the bill that passed the Senate, is that it contains a provision for a referendum, in which the citizens of the District of Columbia may indicate whether they approve or disapprove of the charter under which they will be expected to govern themselves. Of course, we have evidence that Washingtonians desire home rule. The vote in recent primaries makes that clear. Still, it is well to have irrefutable evidence that the citizens of the National Capital are satisfied with what is offered to them. We, accordingly, repeat our endorsement of S. 1118 as it passed the Senate.

Finally, we do not think that Congress should have to take up its time with the local affairs of Washington. We appreciate the time and effort that some of our statesmen have given to our problems; but we think that they should be free to devote their energies to the great national and international problems with which their constituents wish them to deal. For these reasons, we urge the House District Committee to make a favorable report on S. 1118 as soon as possible, in order that the House of Representatives may have an opportunity to vote on it during this session of the 89th Congress.

Very respectfully,

DON B. GOODLOE,
Legislative Representative of Local No. 6 of the American Federation of Teachers.

COMPULSORY SCREENING OF INFANTS FOR METABOLIC DISEASE

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, I would like to insert into the RECORD a recent newspaper clipping from the Evening Bulletin of Providence, in my home State of Rhode Island. This story reports the screening of 19,000 infants in Rhode Island for the metabolic disease, phenylketonuria—PKU—which causes mental retardation in children.

I am proud that Rhode Island is one of 14 States that have compulsory screening of infants. If this chemical imbalance in the blood is not detected during the first month of a baby's life, it causes permanent brain damage. If the condition is caught, the damage can be prevented by altering the child's diet.

The findings reported in the Evening Bulletin are found in the current issue of the Rhode Island Medical Journal and the authors indicate a higher prevalence of this disease than was previously reported. This tends to support an earlier nationwide survey—financially supported by the Children's Bureau—in which 400,000 infants in more than 500 hospitals were tested, and in which PKU was found in 1 of every 10,000 babies. Previous estimates had predicted only 1 case of PKU in every 20,000 or more cases. When you consider that almost 5 million babies are going to be born each year in the next 5 years, the alleviation in human suffering made possible by the simple test we now have for PKU is something for which we may all be grateful.

In this time when so many medical achievements are being reported, it is appropriate, I think, to remind our taxpayers that their dollars sometimes play a vital role in these achievements—though they may never know it. It was a brilliant researcher, Dr. Robert Guthrie of the University of Buffalo, who, in 1961, developed a simple, practical, reliable test for this dread disease. Dr. Guthrie was at that time working with funds provided by the U.S. Public Health Service. He has continued to work with such funds—but the important point is that the Federal Government had the wisdom to provide them to this investigator before—not after—his research triumph in PKU investigation.

And, I would like to add, the Public Health Service is supporting Dr. Robert B. Kugel—one of the authors of the paper in the Rhode Island Medical Journal to which I referred a moment ago. Dr. Kugel, professor of medical science at Brown University Institute for Health Sciences, is continuing to investigate the dread PKU by comparing laboratory techniques for its early detection.

At this point I insert the Evening Bulletin newspaper story:

OF 19,000 INFANTS SCREENED 7 FOUND WITH RETARDATION FACTOR

Seven cases of phenylketonuria (PKU) have been detected in the 19,000 infants tested in Rhode Island in the first year of mass screening for this inherited metabolic disease causing mental retardation.

The results of the first year of the PKU testing program are reported in the current issue of the Rhode Island Medical Journal in an article by Drs. Raymond G. Lundgren, Jr., Robert B. Kugel, and Francis V. Corrigan.

PKU babies are born without an enzyme necessary to convert the amino acid phenylamine into simpler compounds that are required by the body. The condition can be corrected by a diet low in phenylanine.

Mass screening for PKU was begun in Rhode Island in March of 1964 and became compulsory under an act of the legislature last October 1.

The authors of the article report that an additional case of PKU was detected in February of 1964, prior to the beginning of the testing program, because of suspicious symptoms.

The findings, they comment, indicate a higher incidence of the disease than has previously been reported but they caution that "the results of a 1-year study must be viewed with reservations."

"The reason for this increased incidence is not known at present," they say. "However, it is known that PKU is more prevalent in certain ethnic groups than others and that it is transmitted genetically. Of the eight cases found, four were of Irish extraction and four of Italian. It is possible that there is a fortuitous combination of factors in Rhode Island to account for the increase. Further investigation into this possibility is planned for the near future.

The article reports that the cost of the first year of operation of the metabolic disease laboratory in the State health department was $1.14 per test and is expected to decline to 70 cents.

"It has been reported," it adds, "that the lifelong cost of institutionalization of a mentally retarded individual is approximately $100,000. In addition to this cost, there is a loss to the community in terms of productive capacity of these persons that amounts to about $5,000 per year per individual. The value to the child and to his parents is immeasurable."

In the near future, the authors say, the State laboratory expects to provide tests for the detection of other inborn errors of metabolism.

Dr. Lundgren is research associate at the Institute for Health Sciences at Brown University and director of the State health department's PKU detection program. Dr. Kugel is professor of child health at the Brown Institute for Health Sciences. Dr. Corrigan is medical director of the health departments division of maternal and child health.

THE UNTIMELY DEATH OF MARSHALL FIELD, PUBLISHER OF THE CHICAGO SUN-TIMES AND CHICAGO DAILY NEWS, IS A GREAT LOSS TO CHICAGO

The **SPEAKER**. Under previous order of the House, the gentleman from Illinois [Mr. Pucinski] is recognized for 5 minutes.

Mr. **PUCINSKI**. Mr. Speaker, it is with sad hearts that we pause today to reflect on the untimely death of Marshall Field, publisher and editor of the Chicago Sun-Times and the Chicago Daily News.

Marshall Field died of an apparent heart attack on Saturday night at the age of 49. With his death, Chicago has lost a formidable voice in behalf of moderation.

Marshall Field was neither a liberal, a conservative, nor a reactionary. He was one of those Americans who, rather than rely on slogans, stubbornly urged a course of moderation in government to serve the best interest of the American people.

In 1952, Mr. Field was one of the first responsible Americans to propose Gen. Dwight Eisenhower as a candidate for the Presidency. In that year, Mr. Field's publications strongly supported the Republican ticket.

Yet, in 1964, Marshall Field did not hesitate to strongly urge the election of Lyndon Johnson as the best man to lead the Nation.

Throughout his career as editor and publisher of the Chicago Sun-Times and later, also, the Chicago Daily News, Mr. Field piercingly fought mediocrity in government. His two publications championed the cause of good government and under his policy of responsible journalism, Chicago today is so much the wealthier and more beautiful.

It was my great privilege to work closely with Mr. Field before my election to Congress. It was Marshall Field who, when I first entertained the idea of getting into politics, helped work out an extended paid vacation and leave of absence for me so that I could take on a difficult campaign without disrupting my income from the Sun-Times too severely.

After my election in November of 1958, it was Marshall Field who suggested that I ought to return to the paper for the next 2 months because my congressional salary would not begin until January 6, 1959.

I mention this, Mr. Speaker, merely to reflect upon the measure of Mr. Field's deep concern for his fellow workers and his fellow men. Under his imaginative leadership, the Chicago Sun-Times has become a giant in the field of morning publications.

No man in the history of journalism has done more to bring respect and dignity to the tabloid-size publication. Under his fierce insistence for the highest qualities of American journalism in the Chicago Sun-Times, Mr. Field has erased forever the notion that a tabloid-size publication must be loud and bawdy.

Marshall Field gave tabloids a new sense of direction and respectibility. It is a great loss not only in Chicago, but to the country, that the Midwest will no longer be able to benefit from Marshall Field's deep dedication.

Mr. Field's greatest attribute was his stubborn insistence on integrity in journalism.

Mr. Speaker, I include here today a brief biography about Mr. Field and also excerpts from the tributes being paid to him by Americans in all walks of life.

Mrs. Pucinski and I extend to the family of Marshall Field our profound sympathy and share with them their grief and loss. To those who are charged with the responsibility of carrying on publication of the Chicago Sun-Times and the Chicago Daily News, we express our sincere hope that the firm foundation of journalistic dignity which Mr. Field built with such painstaking care in these two newspapers will sustain the men and women of both publications during this period of profound loss.

Mr. Speaker, excerpts concerning the life of Marshall Field follow:

NOTABLES PAY TRIBUTE TO MARSHALL FIELD

Marshall Field, 49, publisher and editor of the Chicago Sun-Times and the Chicago Daily News, and descendant of a pioneer Chicago family, died Saturday, apparently of a heart attack.

Mr. Field, chairman of the board of Field Enterprises, Inc., and nationally known philanthropist, was found dead in his bed at 2430 North Lakeview.

He had been taking a nap and was found by one of his servants when he did not respond to a late afternoon telephone call.

BORN IN 1916

Marshall Field, fourth of his line to bear a name distinguished in merchandising, publishing, and philanthropy, was born in New York City June 15, 1916.

He was the son of the late Marshall Field III, and the former Evelyn Marshall, daughter of the late Charles H. Marshall, New York financier. She is now Mrs. Diego Suarez, of New York City. Mr. Field was the great-grandson of Marshall Field I, founder of the Marshall Field & Co. department stores.

Mr. Field's early education was at St. Paul's School, Concord, N.H. In 1938 he received his bachelor of arts degree, magna cum laude, from Harvard University.

In 1941 Mr. Field received his bachelor of laws degree from the University of Virginia and was president of his graduating class. That year he was admitted to the Illinois bar. He became a member of the Chicago, Ill., State and American Bar Associations.

WARTIME SERVICE

In January 1942, he was commissioned an ensign in the Navy, but resigned the commission in favor of training at the Navy Midshipmen's School at Northwestern University. In June 1942, he was again commissioned an ensign.

From August 1942, until October 1944, he took part in every major naval engagement in the South Pacific. Ensign Field was gunnery officer aboard the aircraft carrier U.S.S. *Enterprise* in the battle of Santa Cruz, October 26, 1942.

In that engagement the *Enterprise* fought off what was at that time the heaviest attack ever made on a carrier. The gunners shot down 32 enemy planes. Subsequently, Ensign Field was known to his shipmates as "Ghost" in recognition of his survival under intense fire.

In the initial attack he was blown out of his battle station by an enemy bomb. He suffered shrapnel wounds in the arm, leg, and back.

For 10 minutes he lay unconscious on the deck. He returned to his station, and in a renewal of the attack by dive bombers and torpedoplanes a bullet from a strafing plane felled him again.

His conduct in this engagement earned him the Silver Star, Presidential Unit Citation, and Purple Heart. The Silver Star citation read in part: "Despite severe wounds he courageously and heroically directed manual gun control at maximum efficiency when damage from enemy aircraft had caused the electrical system to fail."

After V–J Day, Mr. Field was discharged from the Navy with the rank of lieutenant commander and went to work for the Chicago Sun, founded by his father in December 1941.

HIS APPRENTICESHIP

In his book, "The Marshall Fields," published by E. P. Dutton & Co. in 1947, John Tebbel wrote:

"During the war, Field, Jr., did a lot of thinking, the result of which was a decision to give up the law and follow in his father's footsteps. It was a decision that delighted Marshall III."

Tebbel describes Mr. Field's apprenticeship on the Chicago Sun:

"He plunged into the business of learning about newspapers. He began at the bottom, riding circulation trucks. The story goes that, the night he first appeared for duty, the delivery chief slicked up for the occasion and appeared in a state of elegance usually reserved for Sunday. The boss' son arrived wearing a faded sweatshirt and unpressed pants.

"He quickly overcame the 'boss' son' handicap and made a place for himself on his own account. The others saw that he was a natural unself-conscious man, eager to learn. And he learned fast.

"His trained lawyer's mind absorbed one by one the operation of every department from circulation, over the police beat, and up the editorial ladder until he was covering general assignments with the rest of the cityroom staff.

"Then, at the beginning of 1947, he broadened his education by a tour of duty outside Chicago. He worked for a time on the Sun's

Washington staff, spent another period with the London staff, and back to New York for a job with the New York Herald-Tribune."

In 1947 when his father purchased the Chicago Times and merged it with the Sun to form the Chicago Sun-Times. Mr. Field became assistant publisher and associate editor.

SUCCEEDS FATHER

On October 1, 1950, Mr. Field succeeded his father as editor and publisher of the Sun-Times. In November 1955, Mr. Field led ground-breaking ceremonies for a $21 million plant on the north bank of the Chicago River that is now the home of both the Sun-Times and the Chicago Daily News.

In 1952, Mr. Fields was one of the original group of publishers to pledge support to Dwight D. Eisenhower if he agreed to run for President.

On January 5, 1959, Mr. Field negotiated the purchase of a controlling interest in the Chicago Daily News from Knight Newspapers, Inc., and subsequently acquired the remaining shares of stock in the Daily News Co.

Mr. Field was a director of Marshall Field & Co. and the First National Bank of Chicago, and vice president and director of the Field Foundation, Inc. He was also chairman of the board and director of the Field Foundation of Illinois, Inc. He was a trustee of the University of Chicago, the Chicago Natural History Museum, the Art Institute of Chicago, and Presbyterian-St. Luke's Hospital.

He also had served the Newspaper Distributors Association of Chicago as a member of the committee that provides scholarships for newspaper delivery boys.

NEW TV CHANNEL

Mr. Field was chairman of the board and chairman of the executive committee of Field Enterprises, Inc., which publishes the Chicago Sun-Times and the Chicago Daily News. He was publisher and director of Field Enterprises Educational Corp., a wholly owned subsidiary, which publishes World Book Encyclopedia, Childcraft, and other educational material.

Field Communications Corp., formed in June 1964, is another subsidiary of Field Enterprises, Inc.

In January 1965, it was granted approval by the Federal Communications Commission to begin construction of an ultra-high-frequency television station to be seen on channel 32 in Chicago.

This action allowed Field Communications Corp. and five other corporations represented in this joint venture to proceed with plans to have channel 32 on the air by 1966. Mr. Field was president of the communications corporation.

Field Enterprises, Inc., also owns and operates the Manistique Pulp & Paper Co. at Manistique, Mich. The mill produces a portion of the 135,000 tons of newsprint used annually in printing the corporation's two newspapers.

In 1964, Marshall Field married Julia Lynn Templeton. It was his third marriage. They had one child, Corinne. He had married Joanne Bass in 1938 and that marriage produced two children: Marshall Field Jr., and Joanne Field. That marriage ended in divorce in 1947.

In 1950, Mr. Field married Katherine Woodruff. There are three children: Frederick Woodruff Field, Katherine Woodruff Field and Barbara Woodruff Field. That marriage ended in divorce in 1963.

Expressions of regret came from many persons after the death Saturday of Marshall Field, publisher and editor of the Sun-Times and the Daily News.

GOVERNOR'S TRIBUTE

Governor Kerner said:

"Marshall Field was a fine man and an important influence in Chicago. His greatest legacy to Chicago Ill., and the Nation are his newspapers which grew in strength and influence during his leadership. I extend my deepest sympathy to his family and his associates, both as a friend and as the Governor representing the State which he loved so dearly."

DALEY'S MESSAGE

Mayor Daley:

"All Chicago is saddened by the sudden death of Mr. Field. The name of Field has been a symbol of civic contribution to Chicago, and he carried on in that tradition.

"Like his father, he combined business leadership with democratic idealism into a program of action.

"He will always be remembered as a great Chicagoan and a great American."

Senator PAUL H. DOUGLAS, Democrat of Illinois, referred to Mr. Field's comparatively young age of 49 as he said:

"I am saddened by the death of Marshall Field. He was the bearer of a distinguished name who, with great ability, had made the Sun-Times a vital force in the life of our city. With such a brilliant future before him, it is lamentable that he should be cut off so early."

OUTSTANDING THINKER

Dr. Lowell T. Coggeshall, vice president of the University of Chicago and president of the Field Foundation of Illinois of which Mr. Field was chairman said:

"He was very interested in transferring the Field Foundation (from New York) to Chicago, to support great activities in the Chicago area—universities, hospitals, and museums.

"I knew him as an outstanding thinker with great tenacity of purpose. He was interested in supporting only quality causes, and had very long-range plans for the foundation.

"The things he had in mind would have been great assets to the Chicago community."

A BRILLIANT MAN

Dr. George W. Beadle, president of the University of Chicago, said:

"He was a brilliant man, and from the standpoint of the university and personally all of us are certainly going to feel his loss greatly.

"The Field family has played a most significant role in the establishment and development of the University of Chicago.

"Mr Field's grandfather gave the original 10-acre campus on the Midway for the establishment of the university. That was back in January 1890.

"Mr. Field's father, Marshall Field III, was a trustee of the school from 1937 to 1952, and then Marshall Field took his place on the board.

"Until last June, Mr. Field was vice chairman of the university's board of trustees.

"From a personal standpoint, all of us who knew him were very fond of him and recognized his interest in the school. He was a warm man who forged many friendships both at the University of Chicago and in the Chicago community."

LEGACY OF SERVICE

"Marshall Field, as his illustrious father before him, left a legacy of civic service and responsible journalism," said Dr. J. Roscoe Miller, president of Northwestern University.

"Our community has been enriched because of the imprint of their public service.

"Northwestern's board of trustees, faculty, staff, and student body join me in extending condolences to Mr. Field's family in this hour of grief."

Homer J. Livingston, chairman of the board of the First National Bank of Chicago, said of Mr. Field:

"He was one of our finest citizens—a man who had great interest in the community. He was also a personal friend for whom I had great admiration and respect. All of us will feel his loss very keenly."

CALLED ONE OF THE FINEST

"I have known the Field family for many years and Mr. Marshall Field since he was a young boy," said Carl J. Weitzel, vice president and treasurer of the Field Foundation.

"It comes as a great shock to me, as he was one of Chicago's finest citizens."

Dr. Eric Oldberg, president of the Chicago Board of Health, said:

"I am grieved to hear of the death of Marshall Field. He was not only a good friend but a fine man and a credit to the newspaper business and to the city upon which he had chosen to confer his greatest loyalty."

Gerald A. Sivage, president, Marshall Field & Co., said:

"Speaking for his fellow directors and his associates at our company, I can only express our shock and sorrow. He served Chicago in the family tradition and his sudden passing is a great tragedy."

The Right Reverend Monsignor Francis W. Byrne, chancellor of the Roman Catholic archdiocese of Chicago, said in a statement:

"In the name of Archbishop John Patrick Cody, who is in Rome participating in the final session of the Vatican Council, I extend the sincere condolences of the Catholic archdiocese of Chicago to the family of Marshall Field and to the staff of the Sun-Times and Daily News.

"May his accomplishments live after him. May those who follow him always remember that he set the pattern for progressive thought in reporting. May his soul rest in peace."

CHURCHMAN'S SALUTE

Dr. Edgar H. S. Chandler, executive director of the Church Federation of Greater Chicago, said:

"The Marshall Field family made an enormous contribution to the enlightenment and social conviction of the people of Chicago. It has been one of the great epics in the history of newspapers here—objectivity in reporting news events. He certainly pioneered a project of reporting social issues that is of benefit to all the people."

RABBI MOURNS

Rabbi Benzion C. Kaganoff, president of the Chicago Board of Rabbis, speaking for himself and the board, said:

"We join the Chicago community and all Americans in mourning the passing of Marshall Field.

"Mr. Field represented the highest values of dedication to democracy, freedom and civic responsibility. He will be especially remembered by all of us as one to whom the media of newspaper publication was a sacred trust."

Rabbi Kaganoff, who also is spiritual leader of Congregation Ezras Israel, 7001 North California, added:

"His voice was ever a clarion call for the improvement of society and the American way of life.

"His philosophy of liberalism and responsibility was a wholesome synthesis of the American dream, which we all cherish and which we wish to preserve."

GLEN LLOYD'S COMMENTS

Glen A. Lloyd, former chairman of the board of the University of Chicago, expressed shock upon hearing the news of Mr. Field's death.

"I knew him well and admired him greatly, not only in the way he handled his business interests, but in his work as a trustee of the school," Lloyd said.

"He was a devoted friend of the University of Chicago and his loss will be grieved not only by the school, but by the city itself."

The Right Reverend Gerald Francis Burrill, Episcopal bishop of the diocese of Chicago:

"I think Chicago has lost a great civic leader, a representative of one of the great founding families of Chicago. He made a great contribution, particularly in news media and communications. I certainly think it is going to be a great difficulty to replace a man of his caliber. He was a fine person. I am very sorry."

Hermon Dunlap Smith, chairman of Marsh & McLennan, Inc., said:

"Chicago had no more devoted and public spirited a citizen than Marshall Field. In order to carry out some of his aims for the city, he recently had completed the organization of the Field Foundation of Illinois. It is a great tragedy that he did not live to realize his plans. His death will be a deep personal loss to a multitude of devoted friends and to the entire city."

Stuart List, publisher of Chicago's American, said:

"Marshall Field's death is more than a tragic loss. It is a terrible waste of a potentially huge human resource.

"If it had not been for his untimely death, he could have done more for the entire communications field than any other man I know.

"His name, education, background, newspapers, and television interests, placed him in a position to do what few other publishers could even attempt."

DEATH CALLED GREAT LOSS

Mims Thomason, president of United Press International, said in New York:

"The death of Marshall Field is both a great shock and a great loss for American journalism.

"Throughout his publishing career, he displayed at all times his belief that there was no substitute for excellence and his great newspapers stand as a monument to this principle.

"We extend our sincerest sympathies to his family and his colleagues."

Dr. Samuel L. Andelman, Chicago health commissioner:

"Mr. Field's newspapers reflected his humanitarian feelings and his keen interest in his fellow men. His untimely death is a great loss for Chicago."

Ben W. Heineman, chairman of the Chicago & North Western Railway, said:

"He was a great civic leader in this community and a force for good. We can't afford to lose people that good and that young."

Dr. Preston Bradley, pastor of the People's Church, said:

"Chicago has lost one of its younger businessmen who possessed great vision for its future. I have known the family for many years and the indications of previous members of the family were being fulfilled by Mr. Field's accomplishments.

"He was a fine example of what a rich man's son can do without spending his time and energy on things that are of little importance. He had a great vision for Chicago and was one of the most future-minded men in our city. He will be greatly missed.

"Not only did he make great contributions to the business world, but also as a promoter of the arts and of true culture."

Reuben G. Soderstrom, president of the Illinois State Federation of Labor and Congress of Industrial Organizations, said:

"It is a very sad occurrence. He was a very great man. The lives of many men, women, and children were made happier because he lived. He was not only a great newspaper publisher but a great humanitarian."

PRAISE FROM PERCY

Charles H. Percy, 1964 Illinois GOP gubernatorial candidate, chairman of Bell & Howell Co., and a fellow trustee at the University of Chicago, said:

"A man born with a great name has many hurdles to overcome. He has in many ways a tougher road to travel than others. The name of Marshall Field is synonymous with Chicago and its growth. Marshall Field carried on this role with persistence and dedication. He strove for excellence and he achieved it to a degree that he himself never fully appreciated.

"As publisher of two great Chicago newspapers, he constantly strove for a standard of excellence that would bring new distinction to Chicago and the Midwest; as president of the Field Foundation of Illinois, he sought to strengthen human rights and broaden opportunities available to his fellowman; as a trustee of the University of Chicago, he contributed generously of his time and resources to further higher education; as publisher of Childcraft and World Book, he contributed to increased knowledge for children of ages. The television complex just announced was another of many steps he hoped to take in the field of communications."

"A POWERFUL FORCE"

H. B. Law, chairman of the Chicago Urban League's executive committee, said on behalf of himself and Edwin C. Berry, executive director of the organization:

"In the field of human relations, much of the progress Chicago has been making in recent years must be credited to Marshall Field's great newspaper enterprise.

"Under his editorship, the Chicago Sun-Times and the Daily News have become a powerful force for real enlightenment in areas where truth is so desperately needed.

"Mr. Field and the great newspapermen he gathered about him have done the job that had to be done, and that must go on more than ever, if the city is to gain the true understanding it needs."

THE BIG HAND TO JOSEPH M. BERNE

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, the Cleveland Jewish Community Federation moved to its new home last week with an impressive ceremony marking this occasion. The new home is located at Euclid Avenue and East 18th Street which is in the downtown area of Cleveland, now well on the way to becoming a cultural and educational center. Our new Cleveland State University will be developed nearby as well as the Cuyahoga Community College.

This achievement of the Cleveland Jewish Community Federation has been the dream and hope of many people in Cleveland. It has been the goal over many years of Mr. Joseph M. Berne, a distinguished citizen of Cleveland and a member of the bar. He has been on the board of trustees for over three decades, serving as its president from 1936 to 1945. Mr. Berne was the initiator and prime mover behind this project and his constructive work has been recognized by civic leaders of Cleveland.

Mr. Speaker, the Cleveland Press carried a column, "The Big Hand to Joseph M. Berne," on September 17, the day the new home of the Jewish Community Federation was dedicated. I include that column in my remarks at this point:

THE BIG HAND TO JOSEPH M. BERNE

Because he conceived and shepherded the building of a new home for the Jewish Community Federation—

Because, in so doing, he created a structure whose beauty provides an esthetic lift for downtown Cleveland—

Because he has been, over the years, a model citizen engaged in constructive civic endeavor—

Because he is, and long has been, an inspiration to young and old.

The Press today presents its 77th big hand to Joseph M. Berne, lawyer and community leader.

JOSEPH M. BERNE CREATED BEAUTY FOR DOWNTOWN

Most men would be content with far less than the impressive list of successes and honors Joseph M. Berne has accumulated over the years.

Not Berne.

"We can always do twice as much as we think we can," he said on his 70th birthday 8 years ago. Now, with the dedication of the Jewish Community Federation building which he conceived, Berne added:

"I am not at all satisfied with what I have accomplished or publicly contributed. I know that I could have done much more."

This hardly seems possible to those familiar with Berne's accomplishments in the 57 years since, with J. M. Ulmer, he formed the law firm of Ulmer & Berne on his graduation from Western Reserve University Law School.

In 1919, Berne persuaded E. F. Albee, president of Keith's, to build a fine theater on property at Euclid Avenue and East 105th Street leased by Berne and some associates. A year later, at Albee's commission, he assembled the leaseholds on which Albee built the Palace Theater and the Keith Building.

As the attorney in several widely publicized receiverships in the 1920's and 1930's, Berne helped establish many principles of mechanics' lien law.

He early became interested in zoning and in city planning, and worked for the passage of the city's first zoning ordinances. In 1932, he served as cochairman of the chamber of commerce's city planning committee.

He was one of the organizers of the Euclid Avenue Association.

When the banks closed in the early 1930's, Berne's law firm was named special counsel for some of the banks. The enormity of this task is suggested by the fact that, at one time, the firm handled more than 300 such suits.

From 1930 to 1934 Berne served as president of the Oakwood Club. From 1936 to 1945, he was president of the Jewish Community Federation at a time when the Nazi menace made that post one of surpassing importance.

A year and a half ago, recognizing the need of the Jewish Community Federation for new and larger quarters, Berne submitted a plan to a group of federation leaders proposing that they provide the funds to construct a permanent home. They agreed and named him chairman of the building committee.

His speech last evening at the dedication of that fine, graceful building, designed by architect Edward Durell Stone, acknowledged the contributions of 14 family groups whose money made the structure possible.

Not content with that, Berne proceeded to persuade all property owners or tenants on the south side of Euclid Avenue between East 18th and East 14th Streets to install trees along the curb. The fruits of that endeavor are already beginning to show.

Berne was married in 1913 to Louise Schwartz. They have two children, Mrs. Betty (Richard) Schwarzchild of Richmond, Va., and Fred Berne of Los Angeles.

In connection with the dedication of the new home, the Cleveland Jewish News published a special supplement. That publication carried a very interesting story on the history of the Jewish community in Cleveland and work of the federation in carrying out its philanthropic activities. Another article in that publication, by Joseph M. Berne, tells the story of the new federation building which is his dream come true.

Mr. Speaker, this event is an important milestone in the life of the Jewish community in Cleveland. I include these articles in my remarks because they are a tribute to all those who have worked to make the Cleveland Jewish Community Federation one of the most outstanding in the United States, and to Joseph M. Berne, who has done so much to make the new home of the federation a reality:

THE FEDERATION BUILDING: A DREAM COME TRUE—AN EMINENT LEADER, TELLING HOW THE CLASSIC STRUCTURE CAME INTO BEING, VOICES HIS PROFOUND TRIBUTE TO THE DONORS

(By Joseph M. Berne)

Since our federation was formed more than 60 years ago, we have occupied space in numerous buildings. As we grew, we have had to move or occupy quarters which became too small and inefficient for our activities and the attendance at our meetings. In our Huron Road location, we were badly overcrowded for the past few years and there was no possibility of obtaining additional space. This meant considering another move.

For 5 or 6 years a committee of the federation surveyed possible sites for a building. However, the sporadic activities of the committee would drag to a stop because we did not have the funds for such a project.

We never wanted to conduct a public campaign for this purpose which might affect our vital welfare fund campaign. Nevertheless, we continued to dream of a federation building.

In November of 1963, a plan was suggested to our then president, M. E. Glass, whereby the necessary funds might be raised. Under this plan, a small group of our local leaders would be approached and asked to make commitments sufficient to accomplish our purpose.

The terms of the payments were designed to make it possible for the donors to meet their obligations without affecting their current giving to the welfare fund. As a matter of fact, all of the donors have consistently increased their annual giving to our welfare fund.

The reaction of Mr. Glass was immediate and enthusiastic. For the first time, the thought of a building of our own seemed to be practical. Separate meetings were held with each of the prospective donors over a period of a few weeks, and without exception, they each joined the plan before leaving the meeting.

It was one of the most thrilling experiences I have ever had in all of my years of community work.

The donors became the building committee and I was asked to serve as chairman. We held many meetings as matters progressed. Rudi Walter, assistant director of federation, acted throughout as our very efficient aid and secretary. We had the funds committed. It was now necessary to find a site and construct a building.

It was decided that our location should be on a main thoroughfare, downtown, and within walking distance of Euclid Avenue and East Ninth Street, which was regarded as the central point of convenience for our activities. It was also decided that we should erect a building which would take care of our present and reasonable future needs.

The building was to be of architectural excellence and dignity, so that we might make a contribution to the beauty of our city in appreciation of our being a part of one of the finest communities in the country. We decided to enlist, if possible, one of the foremost architects in the country, and we were fortunate in obtaining the services of Edward Durell Stone of New York, nationally known for the fine buildings he has designed. We asked him to plan an attractive modern building, possibly influenced in design by the classical.

We were also fortunate in engaging the local architectural firm of Weinberg & Teare as associate architects with Mr. Stone. The completed building speaks for itself.

It was amazing how few locations of proper size were available, within our budget and within the area we had selected.

After 4 months of study, involving a review of all downtown suitable locations, one of two properties approved was the old Cleveland Press property at East Ninth Street and Rockwell Avenue, in the Erieview Development. After a prolonged negotiation over a period of months, we purchased this property. In connection with this work, Sydney N. Galvin was very helpful. Also, we had assistance and encouragement from Louis B. Seltzer, the editor of the Press.

Later, an opportunity arose to exchange this site for the southwest corner of Euclid Avenue and East 18th Street, which was the second location we had originally approved but which was not then available to us. We made the exchange. In addition, we acquired a parcel of the same size in the rear of the Euclid Avenue parcel and extending from Brownell Court to Prospect Avenue.

It was a most fortunate move, for the dimensions of the Euclid Avenue property were better suited for our proposed building, and the rear parcel could be leased to an operator for public parking, thus assuring a parking facility close to our building. The location was very accessible.

Since acquiring this property, the proposed development of Cleveland State University nearby on Euclid Avenue, and of Cuyahoga Community College to the south, has assumed reality, and we shall find ourselves in the center of the downtown cultural and educational development of Cleveland.

In planning and constructing the building, many months were spent in conferences with members of the federation staff and, of course, with the architects. Henry L. Zucker, the executive vice president of federation, and David Freiman, and others, rendered valuable service as to what was needed functionally. Also, in the planning and throughout the construction of the building, M. E. Glass and Isadore Horvitz were active on a day-to-day basis, considering and advising and contributing their wise judgment on all questions and problems.

In addition to providing the cost of the site and the construction, the donors also equipped and furnished the building.

While the building with its plaza is architecturally impressive, the interior of the building and the offices, meeting rooms, and furnishings are practical and functional.

How shall we express our appreciation to the donors for their wonderful generosity, which made all of this possible? A tablet has been erected in the lobby of the building to commemorate their gifts. More than that, our answer lies in the rededication which will come from having a home of our own, in carrying on the blessed work of helping our fellow men.

In a spirit of gratefulness and with a deepened awareness of the importance of serving our community, let us devote ourselves to the continued work of our federation.

SOME NOTABLE FIRSTS IN FEDERATION'S STORY: FROM ITS FIRST CAMPAIGN, IN 1904, TO A HOME OF ITS OWN, FEDERATION HAS TRAVELED A LONG AND BENEFICENT ROAD

(By Samuel Goldhamer)

In the beginning there was the Cleveland Jewish community * * * but there was no Federation.

That community had its genesis in 1837, when the first permanent Jewish settler arrived in Cleveland. Soon other Jewish immigrants settled here. As their number grew, the congregational building succeeded the private home as the place where the minyan held its religious services. Aid societies, landsleit organizations and other groups sought to help the latest arrivals adjust to their new home.

The growing Jewish communty entered into the life of the general community and into the service of its new homeland. When Jewish widows and orphans were left in the wake of the Civil War, a Jewish orphanage (now Bellefaire) was established in 1868. To provide economic aid and guidance in the Americanization of the Jewish newcomer, the Hebrew Relief Society (forerunner of the Jewish Family Service Association) was formed in 1875. In response to the young Jewish community's concern about care for its aged, a home for the aged (now Montefiore Home) was established in 1882.

Other charitable societies and organizations made their appearance. Accompanying this growth were many benefits and other events that appealed for funds to finance these causes.

The forward-looking leaders of the major agencies and institutions were disturbed at the duplication of effort and the lack of any coordination in both the services and the fund-raising activities. They had heard about a new organizational form that was being initiated in several other American Jewish communities. This new approach was the Federation concept. Reports in the 1890's of its successful operation in Boston, Cincinnati, and a few other cities encouraged these leaders at the turn of the century to consider the organizing of such a federation in Cleveland. Representatives of the leading agencies and organizations held their first meeting for this purpose on October 14, 1900.

Other meetings followed, culminating in the granting of a charter by the State of Ohio on November 17, 1903, establishing the Federation of Jewish Charities of Cleveland as a nonprofit corporation. The board of trustees held its first meeting on November 24, 1903, and elected its officers. The first board consisted of Charles Eisenman, president; Julius Feiss, vice president; Meyer Weil, treasurer; Edward M. Baker, secretary, and Herman Einstein, Rabbi Moses J. Gries, Sol M. Hexter, Isaac Joseph, Isaac Levi, Henry A. Newman, Manuel Reinthal and Abraham Stearn.

And now there was a federation * * * But there was no federation building * * * Not even a federation office. The offices of the brokerage firm of Wright, McCloud & Baker, located in the Garfield Building, served as the office of the federation, and Mr. Baker's secretary handled the clerical, secretarial, and financial recording duties.

Early in 1907, the board authorized the first employment of a full-time paid staff member, and the writer was engaged as secretary. That year witnessed the federation's first rental of office space. Initially this was on the 5th and later on the 10th floors of the Citizens Savings & Trust Co. Building.

I have already mentioned a few federation "firsts." Drawing on my long and continuous association with the federation, I would select the following additional ones while realizing that many other important and interesting "firsts" must be omitted because of space limitations.

The federation held its first campaign in 1904, realizing $41,350 from 1,217 contributors.

In January 1905, it issued its first annual report and list of subscribers in a small pocket-size yearbook.

The first aid given by federation to needy, worthy students seeking a higher education was provided through the educational endowment fund, thanks to a gift in 1904 from the H. Black Estate.

The first summer camp for Jewish boys and girls was established in 1907, through the generosity of Samuel D. Wise. Camp Wise soon became a beneficiary agency of the federation.

The first agency representation on the board of trustees took place in 1913, following an amendment to the constitution calling for representation from each affiliated institution in addition to continuing the at-large category.

At about that same time, the federation conducted its first study of hospital needs for the Cleveland Jewish community, which was accompanied by a building fund campaign and the construction of the new Mount Sinai Hospital to replace a small institution that had been established in 1903 through the efforts of the Jewish Women's Hospital Society.

The first allocation from the Community Chest for the federation's local agencies was received in 1919 in an amount somewhat over $300,000.

From the estate of the federation's first president, Charles Eisenman, came the first large bequest, amounting to $50,000, in 1923.

In 1923–24, the federation conducted its first Jewish communitywide survey, a project covering all facets of social welfare, including Jewish education, and having far-reaching influence on the functions of agencies and their relationships with the federation.

The first large-scale lifetime gift to federation was received in 1928 in the amount of $150,000 through the S. D. and May Wise Foundation.

In 1931, the federation established its Jewish welfare fund, which conducted its first appeal that year and realized $143,428 from 3,600 donors.

The first campaign to pass the $1 million mark took place in the 1944 campaign. From that year on, the totals rose, reaching $4,811,000 in 1948—a figure that remained the record amount until topped by the 1956 campaign of $4,825,560. Since then, the results have increased steadily, climaxed by the record total of $6,074,220 in the 1965 Jewish welfare fund appeal.

Before concluding this list of some federation firsts, I would like to mention the various offices that the federation has occupied.

During Mr. Eisenman's presidency, the federation moved from its first rented quarters in the Citizens Trust Co. Building to the New England Building and later to the Federal Reserve Building. From 1923 to 1927, it was housed in the Hanna Building, from where it moved to the 1900 Euclid Building.

The federation offices were located in the Chester-12th Building from 1936 to 1950, when they moved to 1001 Huron Road. This latter office continued as the federation's address for the next 15 years, until it achieved a most memorable and an historic first: the federation's own building.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRELINGHUYSEN, for an indefinite period, beginning September 17, to serve as U.S. representative to the 20th session of the General Assembly of the United Nations.

Mr. FARNUM, for 1 week, starting September 20, 1965, on account of illness.

Mr. O'HARA of Illinois (at the request of Mr. ALBERT), for an indefinite period, on account of official business.

Mr. GRIDER, for September 20, on account of official business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MATHIAS (at the request of Mr. REID of New York) today for 15 minutes.

Mr. FOGARTY (at the request of Mr. DE LA GARZA) for 10 minutes today.

Mr. PUCINSKI (at the request of Mr. DE LA GARZA) for 5 minutes today.

Mr. FEIGHAN (at the request of Mr. DE LA GARZA) for 15 minutes today.

Mr. FEIGHAN (at the request of Mr. DE LA GARZA) for 30 minutes on September 22.

Mr. PUCINSKI was given permission to revise and extend his remarks and include extraneous matter in his special order today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. EVERETT.

Mr. HORTON.

Mr. PHILBIN.

Mr. KING of Utah and to include extraneous matter.

Mr. MURPHY of Illinois.

Mr. RIVERS OF ALASKA.

Mr. PICKLE.

(The following Member (at the request of Mr. REID of New York) and to include extraneous matter:)

Mr. ELLSWORTH.

(The following Members (at the request of Mr. DE LA GARZA) and to include extraneous matter:)

Mr. MOSS.

Mr. DYAL.

Mr. ROGERS of Florida.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 331. An act for the relief of Warren F. Coleman, Jr.; to the Committee on the Judiciary.

S. 337. An act for the relief of F. F. Hintze; to the Committee on the Judiciary.

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas; to the Committee on the Judiciary.

S. 577. An act for the relief of Mary F. Morse; to the Committee on the Judiciary.

S. 1013. An act to clarify the components of, and to assist in the management of, the national debt and the tax structure; to the Committee on Ways and Means.

S. 1049. An act to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees; to the Committee on the Judiciary.

S. 1804. An act to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes; to the Committee on the Judiciary.

S. 1898. An act for the relief of certain aliens; to the Committee on the Judiciary.

S. 1924. An act to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act; to the Committee on the Judiciary.

S. 2039. An act for the relief of Ken Allen Keene (Yasuo Tsukikawa); to the Committee on the Judiciary.

S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes; to the Committee on the Judiciary.

S.J. Res. 27. Joint resolution providing for the establishment of an annual National Farmers Week; to the Committee on the Judiciary.

S.J. Res. 86. Joint resolution to authorize the President to proclaim a "Day of Recognition" for firefighters; to the Committee on the Judiciary.

S.J. Res. 90. Joint resolution to designate the 7th day of November in 1965 as "National Teachers' Day"; to the Committee on the Judiciary.

S.J. Res. 101. Joint resolution to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible"; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signatures to enrolled bills of the Senate of the following titles:

S. 402. An act for the relief of Oh wha Ja (Penny Korleen Doughty);

S. 618. An act for the relief of Nora Isabella Samuelli;

S. 1198. An act for the relief of the estate of Harley Brewer, deceased; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 948. An act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

H.R. 5883. An act to amend the bonding provisions of the Labor Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act;

H.R. 10014. An act to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the act of June 27, 1956, relating to office space in the States of Senators; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.) the House adjourned until tomorrow, Tuesday, September 21, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1597. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of a project proposed to be undertaken for the Naval and Marine Corps Reserves, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1598. A letter from the Acting Comptroller General of the United States, transmitting a report of potential savings through use of Government-owned laundry facilities at hospitals rather than use of contract services, Veterans' Administration; to the Committee on Government Operations.

1599. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal pursuant to 63 Stat. 377; to the Committee on House Administration.

1600. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting report of visa petitions approved, according beneficiaries of such petitions first preference classification, pursuant to the provisions of section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1601. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Waccasassa River and tributaries, Florida, requested by a resolution of the Committee on Public Works, U.S. Senate, adopted June 7, 1962, and in response to an item in the Flood Control Act, approved October 23, 1962; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 3142. A bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities; with amendment (Rept. No. 1026). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. S. 2232. An act to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes; without amendment (Rept. No. 1034). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIELS: Committee on Post Office and Civil Service. H.R. 969. A bill to authorize redetermination under the Civil Service Retirement Act of annuities of certain reemployed annuitants; with amendment (Rept. No. 1035). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 10774. A bill to amend section 302 of the Labor Management Relations Act, 1947, to broaden the permissible uses of trust funds to which employers contribute, and for other purposes; with amendment (Rept. No. 1039). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 1317. A bill to provide for the free entry of a mass spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, Calif.; with amendment (Rept. No. 1027). Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 1386. A bill to provide for the free entry of one mass spectrometer for the use of Pomona College; with amendment (Rept. No. 1028). Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 3126. A bill to provide for the free entry of one mass spectrometer for the University of Washington; with amendment (Rept. No. 1029). Referred to the Committee of the Whole House.

Mr. KARSTEN: Committee on Ways and Means. H.R. 4832. A bill to provide for the free entry of a mass spectrometer for the use of St. Louis University; with amendment (Rept. No. 1030). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Ways and Means. H.R. 6906. A bill to provide for the free entry of one mass spectrometer and one split-pole spectrograph for the use of the University of Rochester, Rochester, N.Y.; with amendment (Rept. No. 1031). Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 8232. A bill to provide for the free entry of one mass spectrometer-gas chromatograph for the use of Oklahoma State University, Stillwater, Okla.; with amendment (Rept. No. 1032). Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 9903. A bill to provide for the free entry of one multigap magnetic spectrograph for the use of Yale University; with amendment (Rept. No. 1033). Referred to the Committee of the Whole House.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2565. A bill to provide for the free entry of one mass spectrometer for the use of the University of Chicago; with amendment (Rept. No. 1036), Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 6666. A bill to provide for the free entry of a 90-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh; with amendment (Rept No. 1037). Referred to the Committee of the Whole House.

Mr. MILLS: Committee on Ways and Means. H.R. 8272. A bill to provide for the free entry of an isotope separator for the use of Princeton University, Princeton, NJ.; with amendment (Rept. No. 1038). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 11153. A bill to authorize the Secretary of Defense to carry out a special educational training program for enlistees and draftees in the Armed Forces who would otherwise fail to meet minimum requirements of the Armed Forces because of educational deficiencies; to the Committee on Armed Services.

By Mr. CAREY:

H.R. 11154. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 11155. A bill to provide that electric power substations shall not be established along the Interstate System and the primary highway system, and to provide for the screening of existing electric power substations; to the Committee on Public Works.

By Mr. HORTON:

H.R. 11156. A bill to provide for repair by the District of Columbia, at the expense of the owner, of buildings violating the District of Columbia housing regulations, and to make tenants evicted from unsafe and insanitary buildings in the District of Columbia eligible for relocation payments; to the Committee on the District of Columbia.

H.R. 11157. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 11158. A bill to establish a working capital fund for the Department of the Treasury; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 11159. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. YOUNGER:

H.R. 11160. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 11161. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa.; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 11162. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa.; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CORBETT:

H.R. 11163. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa.; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 11164. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa.; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.R. 11165. A bill to expand services in higher education in the fields of television and other transmission media; to the Committee on Education and Labor.

By Mr. DERWINSKI:

H.R. 11166. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

H.R. 11167. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 11168. A bill to provide for the right of persons to be represented in matters before Federal agencies; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 11169. A bill to provide for the right of persons to be represented in matters before Federal agencies; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 11170. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on Interstate and Foreign Commerce.

H.R. 11171. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATHIAS:

H.R. 11172. A bill to provide for repair by the District of Columbia, at the expense of the owner, of buildings violating the District of Columbia housing regulations, and to make tenants evicted from unsafe and insanitary buildings in the District of Columbia eligible for relocation payments; to the Committee on the District of Columbia.

By Mr. POFF:

H.R. 11173. A bill to amend the Internal Revenue Code of 1954 to redefine "earned income" and limitations on the amount of deduction for contributions to pension and profit-sharing plans made on the behalf of self-employed individuals; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11174. A bill for the relief of Leonora Peralta; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 11175. A bill for the relief of Biagio Napolitano and Antonio Napolitano; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 11176. A bill for the relief of Maria Hebda; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 11177. A bill for the relief of Michele, Maria, and Francesca Catalanotto; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11178. A bill for the relief of Giuseppe Bisulca; to the Committee on the Judiciary.

H.R. 11179. A bill for the relief of Domenico Calderone; to the Committee on the Judiciary.

H.R. 11180. A bill for the relief of Mrs. Nettie Mae Cowan; to the Committee on the Judiciary.

By Mr. GILLIGAN:

H.R. 11181. A bill for the relief of Mrs. Sultana Behar Levy; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11182. A bill for the relief of Antonino Fiordimondo; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 11183. A bill for the relief of Bertalan Koncsol; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 11184. A bill for the relief of Milutin and Vodosava Zagorac; to the Committee on the Judiciary.

SENATE

MONDAY, SEPTEMBER 20, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, amid all the voices of this vast and varied world, save us, we pray, from the supreme tragedy of missing Thy call. As in age after age men have heard Thy voice, make us vividly conscious that we, too, can hear it when silence falls and when we listen with reverent and obedient hearts. Help us to know that not only in the haunting beauty of the earth but also in the poignant want and woe of the world's needs, Thy voice to us is calling.

Turning aside for this dedicated moment from the violence and turbulence of human strife, we would hush the words of the wise and the prattle of the foolish and rising above the deafening prejudice of these embittered days, may we be the hearers and doers of Thy word and of Thy truth and so merit Thy approving commendation "Blessed are the peacemakers for they shall be called the children of God." We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 17, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on September 17, 1965, the President had approved and signed the following acts:

S. 440. An act for the relief of Jose L. Rodriguez;

S. 795. An act to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State; and

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 4152) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 402. An act for the relief of Oh Wha Ja (Penny Korleen Doughty);

S. 618. An act for the relief of Nora Isabella Samuelli;

S. 1198. An act for the relief of the estate of Harley Brewer, deceased; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. LONG of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Selective Service System for "Salaries and expenses," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

ADJUSTMENT OF LEGISLATIVE JURISDICTION OVER LANDS WITHIN CAMP ATTERBURY, IND.

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp Atterbury, Ind. (with an accompanying paper); to the Committee on Armed Services.

REPORT ON PROPOSED PROJECT FOR NAVAL AIR STATION, NEW YORK, N.Y.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a proposed dispensary for the Naval Air Station, New York, N.Y.; to the Committee on Armed Services.

REPORT ON INCREASED ESTIMATE OF PROJECT FOR AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, that the estimate for the construction project at Baer Field, Indiana, had been increased from $160,000 to $195,000; to the Committee on Armed Services.

REPORT ON FEDERAL CONTRIBUTIONS PROGRAM, EQUIPMENT AND FACILITIES

A letter from the Director of Civil Defense, Department of the Army, transmitting, pursuant to law, a report on the Federal contributions program, equipment and facilities, for the quarter ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

REPORT OF ACTING COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through use of Government-owned laundry facilities at hospitals rather than use of contract services, Veterans' Administration, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPTS AND EXPENDITURES UNDER THE OUTER CONTINENTAL SHELF LANDS ACT

A letter from the Assistant Secretary for Administration, Department of the Interior, reporting, pursuant to law, on the receipts and expenditures under the Outer Continental Shelf Lands Act, for the fiscal year 1965, to the Committee on Interior and Insular Affairs.

REPORT ON GRANTING OF FIRST PREFERENCE CLASSIFICATION TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report relating to the granting of first preference classification to certain aliens (with accompanying papers); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Washington State Conference of Typographical Unions, favoring the enactment of Senate bill 1781, to prohibit the transportation of professional strikebreakers in interstate commerce; to the Committee on Labor and Public Welfare.

A telegram in the nature of a memorial, signed by Mrs. William Haserbroock, president of the board of directors of the General Federation of Women's Clubs, remonstrating against the repeal of section 14(b) of the Taft-Hartley Act; ordered to lie on the table.

A telegram in the nature of a memorial, signed by Mrs. William Haserbroock, president of the board of directors of the General Federation of Women's Clubs, remonstrating against the enactment of legislation providing home rule for the District of Columbia; ordered to lie on the table.

RESOLUTIONS OF MASSACHUSETTS HOUSE OF REPRESENTATIVES

Mr. KENNEDY of Massachusetts. Mr. President, on behalf of the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I send to the desk a certified copy of "Resolutions Memorializing the Congress of the United States To Establish a Corporation with Sufficient Funds To Provide, Through Insurance, Reasonable Protection Against Loss or Damage to Property Suffered During a Riotous or Tumultuous Assembly of People" adopted by the House of Representatives of the Massachusetts General Court on September 10, 1965.

I ask that this resolution be appropriately referred.

There being no objection, the resolution was referred to the Committee on Banking and Currency, as follows:

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ESTABLISH A CORPORATION WITH SUFFICIENT FUNDS TO PROVIDE, THROUGH INSURANCE, REASONABLE PROTECTION AGAINST LOSS OR DAMAGE TO PROPERTY SUFFERED DURING A RIOTOUS OR TUMULTUOUS ASSEMBLY OF PEOPLE

Whereas it has been brought to the attention of the Massachusetts House of Representatives that a grave question is being raised as to whether or not persons suffering damage to property during a riotous and tumultuous assembly of persons can recover for such damage under such present existing insurance policies: Therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to take immediate action to create a corporation, with sufficient funds, with authority to provide through insurance reasonable protection against loss or damage to property suffered during a riotous or tumultuous assembly of people; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress, and to each Member thereof from this Commonwealth.

House of representatives, adopted, September 10, 1965.

WILLIAM C. MAIERS,
Clerk.

A true copy. Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

The ACTING PRESIDENT pro tempore laid before the Senate a resolution of the House of Representatives of the Commonwealth of Massachusetts, identical with the foregoing, which was referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

S. 597. A bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities (Rept. No. 756).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 5842. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (Rept. No. 757).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs:

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE (for himself, Mr. KENNEDY of Massachusetts, and Mr. PELL):

S. 2546. A bill to amend the Immigration and Nationality Act to impose a limitation upon the time for the institution of deportation proceedings, and a limitation upon the time for the loss of U.S. nationality; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself and Mr. SCOTT):

S. 2547. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of Virginia:

S.J. Res. 111. Joint resolution memorializing Dr. Mahlon Loomis; to the Committee on the Judiciary.

RESOLUTION

DEATH OF HON. ELMER THOMAS, FORMERLY A SENATOR FROM OKLAHOMA

Mr. HARRIS (for himself and Mr. MONRONEY) submitted a resolution (S. Res. 148) on the death of Hon. Elmer Thomas, formerly a Senator from Oklahoma, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. HARRIS, which appears under a separate heading.)

ENLARGEMENT OF U.S. BUREAU OF MINES FACILITY AT BRUCETON, PA.

Mr. CLARK. Mr. President, I introduce for appropriate reference, a bill to authorize the Secretary of the Interior to enlarge and improve the Bureau of Mines facility at Bruceton, Pa. The junior Senator from Pennsylvania [Mr. SCOTT], who is absent on official business, joins me in introducing this legislation. The bill was also introduced in the House of Representatives today by Representatives ROBERT J. CORBETT, JAMES G. FULTON, ELMER J. HOLLAND, and WILLIAM S. MOORHEAD.

The Bureau of Mines now has two facilities in the Pittsburgh area. One building in the city of Pittsburgh itself houses research and administrative offices. Another research facility is located about 13 miles south of Pittsburgh, at Bruceton, Pa.

The facility in the city of Pittsburgh was built over 50 years ago. It is old and, in terms of the Bureau needs today, obsolete. Bureau of Mines officials have indicated they would prefer to consolidate the Bureau's operations in one facility at Bruceton.

The present separation of facilities is inefficient. Many of the shops and storage areas, which serve both facilities, are at Bruceton. The technical library is in Pittsburgh.

More research laboratories are needed; and the Pittsburgh facility is particularly cramped and limited. A supplied air respirator test was conducted in a stairwell.

Since there is little or no room for expansion at the Pittsburgh facility the obvious answer is to enlarge the one at Bruceton.

This arrangement has another advantage. The Pittsburgh facility adjoins the campus of the Carnegie Institute of Technology. Carnegie Tech is badly in need of room for expansion. It is ready and willing to buy the Bureau of Mines property.

Under the terms of the bill I introduce today, Carnegie Tech could purchase the facility at its fair market value. Thus, this legislation will not only aid the valuable work of the Bureau of Mines, but also give a fine educational institution room to expand.

I ask the Senate to give rapid and favorable consideration to this measure.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2547) to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa., and for other purposes, introduced by Mr. CLARK (for himself and Mr. SCOTT), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

GREAT SALT LAKE NATIONAL MONUMENT—AMENDMENT

AMENDMENT NO. 459

Mr. MOSS. Mr. President, I am today introducing an amendment to my bill (S. 25). The original bill would establish a Great Salt Lake National Monument on the western side only of Antelope Island, including certain adjacent waters. This amendment would extend the boundaries of the proposed monument to include all of the island and certain offshore waters.

The western side of the island is in primitive condition. It embraces the best educational display of geologic history of the Great Basin from the present back to the Ice Age. The story of Great Salt Lake is dramatically told in its rock formations and terraces which stretch up the side of the mountain ridge running through the middle of the island.

Sweeping grasslands occupy much of the eastern side of the mountains extending to the crusted salt flats bordering the lake. A cattle ranch is located on the eastern side, boasting of the oldest inhabited house in Utah. There are also several fresh water springs, and a number of roving buffalo. At the northeastern end of the island there is an especially attractive area with a sandy beach which is ideally suited for the location of a visitors' center and facilities for bathing and boating.

By including the eastern as well as the western side of the island in the monument, we can make it a more attractive and versatile place. I am glad that I am now in a position to recommend that this be done. The entire island is privately owned. The private owners have been unwilling to sell only part of the island. I understand, however, that they are now willing to dispose of the entire island, including all its scientific and recreational values. This will make possible more comprehensive resource management, and provide diversification of its recreational attractions.

S. 25, as introduced on January 6 of this year, would have encompassed an area totaling about 16,300 acres of land, and 4,500 acres of water. The amendment I am introducing today would increase the area to 29,000 acres of land, and 14,365 acres of water.

Enormous changes are in the making for Great Salt Lake, and establishment of a Great Salt Lake National Monument at this time would greatly influence future planning for the lake. There is renewed interest in Great Salt Lake, stemming from a bill I introduced in the 86th Congress to establish a Great Salt Lake National Park which would have included not only Antelope Island, but some sections of the shoreland surrounding Great Salt Lake itself. It would have been much larger than the presently contemplated monument.

Hearings were held on my Great Salt Lake National Park bill in Salt Lake City, and it was evident that most of the people there, and in Utah as a whole, strongly favored taking some type of action to preserve the most desirable portions of Great Salt Lake and its islands and open them up and make them accessible for recreation and historical and geological study both to Utah residents and to the thousands of visitors who come to the State each year. As the lake has receded in recent years, the lakeside resorts, such as Saltair, which formerly attracted visitors from all over the world, have been left high and dry and had gone practically out of business. Recreation areas along the lake front have been comparatively small and limited. Also, the problem of pollution in the lake has discouraged new development.

As a result of the hearings on my Great Salt Lake National Park bill, the State legislature established a Great Salt Lake Authority to study the lake and make recommendations for the development of Utah's most unique resource. Out of these studies have come an ambitious plan for diking the lake using Kennecott tailing material to build dikes and roads. A salt water lake would be diked off to the west of Antelope Island and a fresh water lake to the east.

This amendment contains specific language allowing the State to proceed with diking activities. It provides that the Park Service would grant to the State a concession to develop some of the recreational facilities. This would mean increased income to the State, and would assure development of the type of facilities Utahans desire.

Mr. President, I am convinced that S. 25, as broadened by the amendment I am introducing today, will establish one of the most interesting and unique of the Nation's national monuments, and I hope the legislation can be enacted in the 89th Congress.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 459) was referred to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSOR OF BILL

Mr. PELL. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Oregon [Mr. MORSE] be added as a cosponsor of the bill (S. 2364) to provide a statute of limitations with respect to the deportation of aliens lawfully admitted to the United States for permanent residence, and to remove certain distinctions made in the Immigration and Nationality Act between native-born and naturalized citizens.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON THE NOMINATION OF TOM LILLEY, OF WEST VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF WASHINGTON

Mr. ROBERTSON. Mr. President, I should like to announce that the Committee on Banking and Currency will hold a hearing on the nomination of Tom Lilley, of West Virginia, to be a member of the Board of Directors of the Export-Import Bank of Washington. The hearing is scheduled to be held on Thursday, September 23, 1965, in room 5302, New Senate Office Building, at 10 a.m.

Any persons who wish to appear and testify in connection with this nomination are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, telephone 225-3921.

NOTICE OF HEARING ON H.R. 7169, A BILL TO AMEND THE SECURITIES ACT OF 1933 WITH RESPECT TO CERTAIN REGISTRATION FEES

Mr. WILLIAMS of New Jersey. Mr. President, I should like to announce that the Subcommittee on Securities of the Banking and Currency Committee will hold a hearing on Wednesday, September 22, 1965, on the bill S. 1707, to amend the Securities Act of 1933 with respect to certain registration fees. The hearings will be held at 10 a.m., in room 5302, New Senate Office Building.

Any persons who wish to appear and testify in connection with this bill are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone 225-3921.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 20, 1965, he presented to the President of the United States the following enrolled bills:

S. 1483. An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; and

S. 2042. An act to amend section 170 of the Atomic Energy Act of 1954, as amended.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that there be a call of the calendar beginning with Order No. 698.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FRANK E. LIPP

The bill (S. 1407) for the relief of Frank E. Lipp was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1407

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations pertaining to suits against the United States, or any lapse of time, or bars of laches or any prior judgment of the United States Court of Claims, jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon any claim of Frank E. Lipp arising out of his service with the United States Armed Forces from the years 1940 to 1946.

SEC. 2. Suit upon any claim may be instituted at any time within one year after the date of the enactment of this Act. Nothing in this Act shall be construed as an inference of liability on the part of the United States. Except as otherwise provided herein, proceedings for the determination of such claim, and review and payment of any judgment or judgments thereon shall be had in the same manner as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 713), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to provide that notwithstanding any statute of limitations pertaining to suits against the United States, or any lapse of time, or bars of laches, or any prior judgment of the U.S. Court of Claims, jurisdiction is hereby conferred upon the U.S. Court of Claims to hear, determine, and render judgment upon any claim of Frank E. Lipp arising out of his service with the U.S. Armed Forces from the years 1940 to 1946.

BILLS PASSED OVER

The bill (H.R. 6726) for the relief of William S. Perrigo was announced as next in order.

Mr. LONG of Louisiana. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H.R. 2580) to amend the Immigration and Nationality Act and for other purposes was announced as next in order.

Mr. LONG of Louisiana. Over. That is the pending business.

The ACTING PRESIDENT pro tempore. The bill will be passed over on the call of the calendar.

DISTRICT COURT TERMS IN THE DISTRICT OF SOUTH DAKOTA

The bill (S. 2070) to provide for holding terms of U.S. District Court for the district of South Dakota at Rapid City was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 122 of title 28, United States Code, is amended to read as follows: "Court for the Western Division shall be held at Deadwood and Rapid City."

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 749), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to provide for the holding of terms of court in Rapid City, S. Dak. At present Deadwood is the only authorized place of holding court in the western division of the district of South Dakota.

STATEMENT

This legislation was introduced by Senator McGOVERN and has the approval of the State bar of South Dakota, Federal Judge Fred J. Nichol, Rapid City Chamber of Commerce, and many others, to provide that Rapid City be authorized as an additional place for the holding of Federal court.

At present Deadwood, S. Dak., is the only place authorized for holding terms of the U.S. district court in the western division.

At the time Federal courts were first established in South Dakota, Deadwood was the largest city in what is now the western division of the district of South Dakota. However, at present, Rapid City, with a population of approximately 45,000 is by far the largest city, whereas Deadwood is now down to approximately 3,000 in population.

Also, the only airport seving this general area is now located near Rapid City, while Deadwood is more than 50 miles from the nearest airport served by scheduled airlines.

The General Services Administration has approved Rapid City for the construction of a new Federal building; and if Rapid City should be designated as a court town, it is probable that the new building, when constructed, would include provisions for the Federal court.

The Subcommittee on Improvements in Judicial Machinery has considered this matter and reported the bill, S. 2070, favorably to the Committee on the Judiciary.

Attached hereto and made a part hereof are letters from Judge Fred J. Nichol, U.S. district judge for the district of South Dakota, the Pennington County Bar Association, Rapid City Chamber of Commerce, and the State bar of South Dakota.

After a review of these letters and the facts stated heretofore, the committee is of the opinion that there is merit in the provisions of S. 2070. It is, therefore, recommended that the bill be considered favorably.

BILL PASSED OVER

The bill (S. 1357) to revise existing bail practices in courts of the United States, and for other purposes, was announced as next in order.

Mr. LONG of Louisiana. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

INVESTIGATION OF PRACTICABILITY OF THE ADOPTION BY THE UNITED STATES OF THE METRIC SYSTEM OF WEIGHTS AND MEASURES

The Senate proceeded to consider the bill (S. 774) to provide that the Department of Commerce shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures. which had been reported from the Committee on Commerce, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of Commerce is hereby authorized to conduct a program of investigation, research, and survey to determine the impact of increasing worldwide use of the metric system on the United States; to appraise the desirability and practicability of increasing the use of metric weights and measures in the United States; and to evaluate the costs and benefits of alternative courses of action which may be feasible for the United States.

SEC. 2. In carrying out the program described in the first section of this Act, the Secretary, among other things, shall—

(1) investigate and appraise the advantages and disadvantages to the United States in international trade and commerce, and in military and other areas of international relations, of the increased use of an internationally standardized system of weights and measures;

(2) appraise economic and military advantages and disadvantages of the increased use of the metric system in the United States or of the increased use of such system in specific fields and the impact of such increased use upon those affected;

(3) conduct extensive comparative studies of the systems of weights and measures used in educational, engineering, manufacturing, commercial, public, and scientific areas, and the relative advantages and disadvantages, and degree of standardization of each in its respective field;

(4) investigate and appraise the possible practical difficulties which might be encountered in accomplishing the increased use of the metric system of weights and measures generally or in specific fields or areas in the United States;

(5) permit appropriate participation by representatives of United States industry, science, engineering, and labor, and their associations, in the planning and conduct of the program authorized by the first section of this Act, and in the evaluation of the information secured under such program; and

(6) consult and cooperate with other government agencies, Federal, State, and local, and, to the extent practicable, with foreign governments and international organizations.

SEC. 3. The Secretary shall submit to the Congress such interim reports as he deems desirable, and within three years after the date of the enactment of this Act, a full and complete report of the findings made under the program authorized by this Act, together with such recommendations as he considers to be appropriate and in the best interests of the United States.

SEC. 4. There are authorized to be appropriated such sums, not to exceed $500,000 for the first year as may be necessary to carry out this Act.

SEC. 5. This Act shall expire thirty days after the submission of the final report pursuant to section 3.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States."

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 751), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of Commerce to make a 3-year study to determine the advantages and disadvantages of increased use of the metric system of weights and measures in the United States. A complete report to the Congress of the findings, together with appropriate recommendations, is required under the bill. Appropriations, not to exceed $500,000 for the first year, are authorized for the study.

BACKGROUND OF THE BILL

For a variety of historical and commercial reasons, the nations of the world today employ one of two basic systems of weights and measures. One system, in customary use in the United States and most of the British Commonwealth nations, employs the inch, the gallon, the pound, and degree Fahrenheit as basic units of length, volume, mass, and temperature. The metric system, now in general use by all the rest of the world, is based on the meter, liter, gram, and degree Celsius (centigrade) as the fundamental units of length, volume, mass, and temperature.

Both systems are clearly adequate to the needs of a complex, technical society, but the metric system is undeniably easier to handle. Its units are simply related to each other so that engineering and scientific calculations can be more readily made than in the customary units of our British system. For instance, kilometers can be converted into meters by multiplying by a factor of 1,000, while the comparable British conversion from miles to feet requires use of a factor of 5,280.

Both the metric and the British customary system are legal in the United States. An act of July 25, 1866, makes it "lawful throughout the United States of America to employ the weights and measures of the metric system." As a matter of fact, our customary units of measurement are defined in terms of meters and liters of the metric system.

It is the growing use of the metric system throughout the world which gives rise to the need for this legislation. There has been an increasing trend over the past few years in many countries, not only to make the metric system the legal system, but to prohibit the use of any other. France, Venezuela, and India were cited as examples during the committee's hearings. The most significant recent development was the announcement in Parliament by the President of the British Board of Trade (a position equivalent to our Secretary of Commerce) that "the Government consider it desirable that British industries on a broadening front should adopt metric units, sector by sector, until that system can become in time the primary system of weights and measures for the country as a whole * * *. The Government hopes that within 10 years the greater part of the country's industry will have effected the change."

The British action may be mirrored in similar steps by other British Commonwealth countries still using the British system. If carried to a conclusion, these developments may leave the United States (and perhaps Canada) as the only area of the world still employing the British system.

These international trends may have an important effect upon American industry and on our foreign commerce. The Department of Commerce witness before the committee submitted statistics on international commerce which tends to show some relationship between international trade patterns and the measurement systems involved. U.S. exports to 16 metric system countries declined by 2 percent between 1957 and 1963. While it is not possible to conclude that the metric system itself has contributed to this trend, it is clear that differences in the system of weights and measures may have an important impact on foreign commerce.

Under these circumstances, it is clearly proper to question not just whether we can expect to increase our exports, but whether we can maintain our present favorable balance of trade. This determination must be one of the first goals of the study authorized by the legislation.

Increasing use of the metric system could have many other advantages for the United States. It is easier to teach, and its universal use in this country would simplify many aspects of our educational program. The assertion has been made that it could cut by 25 percent the time schoolchildren now must spend learning to use fractions and to memorize the number of feet in a mile or the number of ounces in a pound. The metric system's easier arithmetic could also produce considerable savings in engineering and manufacturing, particularly where the complicated conversion factors between units of the British system take extra time and increase the possibilities of error.

On the other side of the coin, conversion to the metric system could involve awesome costs and difficulties—the replacement of machines and measuring devices, the rewriting of specifications, the maintenance of dual inventories, etc. Regardless of whether such a massive conversion took a decade or a generation the cost would involve tens of billions of dollars. In addition, widespread confusion could confront the American people during the period of transition from inches to centimeters, from quarts to liters, from miles to kilometers. Will 5 hectograms of ground beef make a meal for a family of four? Will 15 liters of gasoline take you 100 kilometers?

In the light of all these considerations, the committee is convinced that it is timely and desirable to undertake a comprehensive study of the advantages and disadvantages of increased use of the metric system in the United States, so that any future decision in this area can be based on a full knowledge of the facts.

PROVISIONS OF THE BILL

The committee has reported a revised bill in the nature of a substitute for the original measure. The changes made by the committee are based on the testimony presented at the committee's public hearing on the bill and have three principal goals.

1. Section 1 of the bill has been revised, as recommended by the Department of Commerce, to assure an objective approach to the study, free from any bias for or against increased use of the metric system. The intent is to provide the Secretary of Commerce with a clear charter to study the problems created by the differing systems of measurement and to recommend the best means for dealing with the problem without creating any preconceived idea of what the recommendations might be.

2. Section 2 of the bill has been revised to focus more clearly on the foreign trade aspects where the more important problems may arise.

3. Section 2 has also been revised to make it clear that the Congress intends the Secretary of Commerce to seek and use advice, participation, and assistance from representatives of American commerce, industry, engineering, science, labor, consumers, and government in carrying out the study.

Mr. PELL. Mr. President, the passage of S. 774, today, is the metric equivalent of a milestone in the field of weights and measures. We are putting our best "foot" forward in an attempt to leap from the confusion of the past to the clarity of the future.

S. 774 is, I believe, a reasonable approach to answering the vexing questions—Should the United States convert to the metric system and, if so, what will be the cost of such conversion?

These are important questions which cannot be begged, in light of present-day developments. Ninety percent of the people in our world use the metric system today. Great Britain recently decided to convert to metric system over the next 10 years. Shortly after Britain's official announcement, Canada indicated she intended to conduct a study of the feasibility of converting. This country does well over $4 billion in trade with these two nations per year. Should Canada follow Britain's lead, there will certainly be an effect on our trade relations with them—one question that S. 774 seeks an answer to, "to determine the impact of increasing worldwide use of the metric system on the United States."

It is important that all parties who would be affected by a changeover join in and contribute to a comprehensive study. Section 5 of my bill permits, "appropriate participation by representatives of U.S. industry, science, engineering, and labor, and their associations."

We have an opportunity to improve upon the efforts of King Edward II who, in an effort to more precisely define the inch from the breadth of a man's thumb to the eminently practical *x* equivalent, three barley corns, round and dry, taken from the middle of the ear and laid end to end.

We metered forward in 1893 when our Secretary of Treasury declared that the international meter and kilogram would be the fundamental standards of the Office of Weights and Measures; and then inched backward in 1958 when, in attempting to standardize the three different inches used by Great Britain, Canada, and the United States, we accepted an international standard and allowed our Coast and Geodetic Survey to continue the use of the different survey inch.

I hope that soon we will be able to proceed, conduct a comprehensive study in depth, separate the barley corns from the centimeters, and make necessary decisions on fact rather than fearful fancy.

Mr. President, I request that, at the conclusion of my remarks, a resolution adopted by the American Soybean Association at its 45th annual convention held in Memphis, Tenn., on August 16–18, 1965, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas 90 percent of the world's population is now using the metric system of weights and measurements; and

Whereas the United States is the only major agricultural exporting nation not using the metric system; and

Whereas the United States Department of Agriculture has now instituted a policy of packaging all Public Law 480 products in metric measurements to accommodate our customers better, and,

Whereas the volume of United States agricultural exports, including soybeans, will continue to increase in quantity and importance; and

Whereas soybeans are now the number one dollar earner for the United States in agricultural export market: Now, therefore, be it

Resolved, That we favor the immediate adoption of the metric system for agricultural commodities consistent with orderly business practices.

SEE THE UNITED STATES

The joint resolution (S.J. Res. 98) authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 98

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested (1) to extend through 1966 the period designated pursuant to the joint resolution approved August 11, 1964 (Public Law 88–416), as a period to see the United States and its territories; (2) to encourage private industry and interested private organizations to continue their efforts to attract greater numbers of the American people to the scenic, historical, and recreational areas and facilities of the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico; and (3) to issue a proclamation specially inviting citizens of other countries to visit the festivals, fairs, pageants, and other ceremonials to be celebrated in 1966 in the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

SEC. 2. The President is authorized to publicize any proclamations issued pursuant to the first section and otherwise to encourage and promote vacation travel within the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico, both by American citizens and by citizens of other countries, through such departments or agencies of the Federal Government as he deems appropriate, in cooperation with State and local agencies and private organizations.

SEC. 3. For the purpose of the extension provided for by this joint resolution, the President is authorized during the period of such extension to exercise the authority conferred by section 3 of the joint resolution approved August 11, 1964 (Public Law 88–416), and for such purpose may extend for such period the appointment of any person serving as National Chairman pursuant to such section.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 752), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to extend through 1966 the period designated pursuant to the joint resolution approved August 11, 1964 (Public Law 88–416) as a period to see the United States and its territories and to encourage private industry and interested private organizations to continue their efforts to attract greater numbers of the American people to the scenic, historical, and recreational areas of the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

STATEMENT

In the 88th Congress, Public Law 88–416 authorized and requested the President of the United States to issue a proclamation designating the years 1964 and 1965 as a period to see the United States and its territories and to invite private industry and interested organizations to begin in 1964 a nationwide effort to encourage the American people to explore, use, and enjoy the scenic, historical, and recreational areas and facilities throughout the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico. This joint resolution would extend through 1966 the "See the United States" program.

President Johnson has designated the Vice President to direct a special Cabinet task force to coordinate governmental travel stimulation programs. The record numbers of Americans seeing the country for the first time this summer bear witness to the vigor of this program. In order that the "See the United States" program will not lapse or lose momentum, this resolution would authorize its extension through 1966.

General legislation has been introduced in the Senate which would (1) broaden the functions of the U.S. Travel Service by assigning to it a new domestic travel program, and by increasing its appropriations to $15 million, and (2) establish a private National Tourism Resources Review Commission to develop a long-range national travel program.

Extension of the "See the United States" program through 1966 is in aid of a cooperative effort by private enterprise to stimulate travel in the United States in this and the coming year.

The committee is of the opinion that this resoluton has a meritorious purpose, and, accordingly, recommends favorable consideration of Senate Joint Resolution 98, without amendment.

SETTLEMENT OF DISPUTES INVOLVING AMATEUR ATHLETICS

The resolution (S. Res. 147) providing for the settlement of disputes involving amateur athletics was considered and agreed to as follows:

S. RES. 147

Resolved, That the President of the Senate is hereby authorized to appoint an independent Board of Arbitration composed of five members, one of whom he shall designate as Chairman, for the purpose of considering disputes relating to the conduct, development, and protection of amateur athletics, which are submitted to it by the parties to such disputes, and rendering decisions determining such disputes which shall be consistent with the purposes of this resolution and shall be final and binding on such parties.

SEC. 2. In the consideration of disputes submitted to the Board appointed under this resolution the members of such Board should consider and determine all relevant facts and issues necessary to the attainment of the goals set out in the preamble to this resolution.

SEC. 3. Until such time as the Board appointed pursuant to this resolution renders its decision in the current dispute between the Amateur Athletic Union of the United States and the National Collegiate Athletic Association, the interested and affected parties should be governed by the following principles:

(a) An immediate and general amnesty shall be granted to all individuals, institutions, and organizations affected by this dispute in any amateur sport.

(b) Any disciplinary action proposed or pending against individuals, institutions, and organizations for reasons related to such dispute shall be vacated.

(c) Any discrimination against the full use of all available facilities for scheduled meets and tournaments shall be discontinued.

(d) Any restraints against participation by any athlete in scheduled meets and tournaments shall be discontinued.

SEC. 4. The Board appointed pursuant to this resolution shall report to the Senate not later than February 15, 1966, and from time to time thereafter as it may deem necessary, with respect to its activities under this resolution.

Mr. CANNON. Mr. President, I join in support of the resolution offered by the chairman of the Commerce Committee, the distinguished senior Senator from Washington.

The chairman has performed a great service in holding the lengthy and thorough hearings on the long-standing and often bitter dispute between the National Collegiate Athletic Association and the Amateur Athletic Union.

The hearings were exceptionally successful in developing a dialog between the NCAA and the AAU, and—perhaps most important—the individual athlete who has found himself increasingly caught in the middle of the dispute which affects virtually every amateur athletic organization in the United States.

During our hearings, Mr. President, we asked high officials of the NCAA and the AAU to get together, to pull together, in an effort to solve their differences by themselves. For one reason or another the problem and the differences remain unsolved.

The committee also ascertained during the hearings that the two organizations would be agreeable to submit their differences to binding and continuing arbitration. The resolution offered by the Senator from Washington would establish the procedures for such arbitration.

There is much more involved in the dispute between the NCAA and the AAU than simple differences between two amateur athletic organizations. At issue here are the futures of countless young men and women—amateur athletes who by this time must be thoroughly frustrated and confused by the bickering between the two organizations. I feel, Mr. President, that many of our amateur athletes have been used as pawns in a power struggle that will not be solved unless we take positive action to establish arbitration procedures.

A second issue—the posture of the United States in international athletic competition—is involved in this dispute.

Our hearings have revealed that many athletes have wanted to participate in summer national or international meets in which they would compete as individuals rather than as members of a track team sponsored by a college or university.

They discovered that the meets were sanctioned by one organization but not the other.

These young men and women then had to elect either to compete, and in so doing risk severe sanctions, or to bypass the competition.

When a qualified amateur who wishes to participate in an event that does not involve his school is told by one organization that he cannot compete, it is small wonder that he would become frustrated and perhaps bitter.

An axiom of athletic competition is that it does not matter if you win or lose. What matters is how you play the game. This is true, but we should add to that axiom that you must always field the best possible team.

In the recent meet at Kiev, Russia, and in several European countries, the United States did not field the best possible team. The reason was that many athletes dared not risk their careers by competing in a meet that was not sanctioned by an organization that has the power to invoke certain penalties.

I want to make it clear that I am not suggesting that one organization was entirely correct while the other was entirely wrong.

But what must be stressed is that it has been shown beyond doubt that there is a wide and serious rift between the NCAA and the AAU, that because of the dispute the United States—a nation committed to excellence—did not field its best track team against the Soviet Union at Kiev, that the individual athlete and other athletic organizations are caught in the middle of the dispute, and that the bickering is not going to be solved voluntarily by the two organizations.

If we do not act now, the situation will only worsen. Other international track and field meets will be scheduled at other times and in other places. Athletes who are anxious to compete during the summer months will again face sanctions. We will not put forward our best effort and our best team. There will be more charges and countercharges, and more ill feeling.

For these reasons I wholeheartedly support the recommendation of the committee that the matter be referred to impartial and binding arbitration, and I urge my colleagues to support this resolution as a positive step toward ending a dispute that can serve only to further divide the American amateur athletic program.

The preamble was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 753), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE RESOLUTION

The purpose of the resolution is to provide a means by which disputes in the administration of amateur track and field may be settled, with a minimum of Government participation.

Throughout the two continuous weeks of hearings and the weeks that have followed, it has been the expectation of the committee that the parties to these disputes would agree to a solution, or at least to a means of effecting a solution, without any action by the committee or the Senate. However, it has become irrefutably evident that the primary disputants, the National Collegiate Athletic Association and the Amateur Athletic Union, have adopted positions which make a private reconciliation impossible. While they have been unable to settle their differences privately, the committee believes the board created by the resolution will produce a solution.

Because of the deleterious effect of the controversy on the athletes and on the efforts of the United States in international track and field competition, the committee believes it is imperative that the Senate recognize that the public interest is heavily involved in these disputes.

The committee, therefore, unanimously recommends that the Senate approve the accompanying resolution authorizing the Vice President of the United States to appoint an independent board of arbitration to consider the issues and render a final and binding decision.

BACKGROUND

The present controversy is traceable, on a sporadic basis, for nearly 50 years. It created considerable difficulty in 1928, and threatened to impair our Olympic effort at that time.

The present nature of the dispute is the desire of both the NCAA and the AAU to obtain a larger role in the administration of amateur track and field. The NCAA is a confederation of approximately 650 colleges and universities in the United States, and their basic jurisdiction in track and field encompasses college and university meets in which member schools and athletes representing member schools compete.

The AAU includes amateur athletic clubs and individuals throughout the United States. The AAU and its members conduct numerous track and field meets. The AAU has additional jurisdiction, resulting from its designation as the U.S. representative to the International Amateur Athletic Federation. The IAAF is the governing body for international athletic competition, and, in that capacity, designates one representative group in each nation for each sport to certify that athletes are eligible to compete in IAAF competitions.

The NCAA, primarily since 1960, has charged that the AAU is not competent to administer track and field meets, and has insisted that it share in the control and administration of open track meets, on the basis that the NCAA is responsible for the welfare of its student athletes. The AAU denies the charges, and refuses to approve track and field meets if the sponsor permits the NCAA to give its approval, asserting that international rules prohibit meet approval by anyone other than AAU. The result of AAU disapproval is banishment from international competition for the athlete who competes in such an "unsanctioned" meet. On the other hand, if a college athlete competes in an AAU-approved, non-NCAA-approved meet, he faces severe penalties from the NCAA through his school. Also the NCAA has the power to inflict sanctions on a member school for failing to reprimand the participating athlete.

The NCAA has established the United States Track and Field Federation, specifically for the purpose of administering and conducting open track meets. For all practical purposes, the NCAA and the USTFF may be regarded as the same organization.

Because of the impending disastrous consequences to the U.S. participation in the 1964 Olympic games, President Kennedy requested Gen. Douglas MacArthur to attempt to resolve the problem. General MacArthur, aided by Col. Earl Blaik, initially regarded his role as that of a mediator. However, after early meetings in 1962 he determined that each organization was intractable, and they would not voluntarily reach a compromise. Therefore, he assumed the role of arbitrator, and after many more meetings, rendered a decision. Each organization immediately originated its own interpretation of that decision, resulting in the same divergence of position that had originally existed. However, the decision of the MacArthur arbitration permitted a temporary truce in the athletic warfare, thus enabling the United States to field the strongest possible team in the 1964 Olympic games. Immediately upon completion of the Olympic games the MacArthur agreement terminated and open warfare has again broken out between the NCAA and the AAU and has continued up to present.

Most recently, in the spring of this year a dispute erupted over the sanctioning of "open" meets where both collegiate and noncollegiate athletes participate. The NCAA demanded that it be allowed to cosponsor these meets along with the AAU.

Such cosponsoring was rejected by the AAU. In retaliation the NCAA barred its collegiate athletes from participating in AAU-sanctioned competition, and the AAU refused to allow those athletes who had competed in non-AAU-sanctioned meets of the United States Track and Field Federation to compete further in AAU meets or in international competition.

The controversy over the sanctioning of "open" meets reached its present impasse with the AAU-sponsored meet in San Diego, Calif., where the U.S. team was to be selected to compete against the Soviet athletes in Kiev, Russia. Since the AAU refused to allow an NCAA approval of the meet, the NCAA banned any of its student athletes from the meet. As a consequence the student was forced to choose between his school and the U.S. team. Several athletes from NCAA schools, including Gerry Lindgren, Washington State University, and Tom Farrell, of St. John's University, defied the NCAA ban and competed at San Diego. By breaking the NCAA rules, these athletes faced the possible loss of their athletic scholarship and their collegiate eligibility. However, other athletes, fearing the consequences to themselves or their schools did not compete at San Diego and were, therefore, ineligible for the U.S. track team.

At Kiev, Russia, the United States lost its first dual track meet with the Russian team since the series began in 1958. Many of the witnesses before the committee blamed the dispute between the AAU and the NCAA for the American defeat at Kiev.

COMMITTEE ACTION

Following 2 weeks of public hearings, at which all aspects of the dispute between the AAU and the NCAA were intensively explored, the committee is convinced that the public interest urgently requires a prompt effective solution to the dispute. It was clear to the committee that outside assistance would be necessary to produce a solution. It therefore recommends the use of an independent arbitration panel, to be named by the Vice President of the United States, to produce a final, conclusive settlement of the dispute.

The committee's views and conclusions were set forth in a letter, dated September 4, 1965, addressed to Everett D. Barnes, president of the National Collegiate Athletic Association, and to Clifford H. Buck, president of the Amateur Athletic Union of the United States. The text of the committee's letter is as follows:

SEPTEMBER 4, 1965.

This letter confirms the agreement reached by the presidents of the National Collegiate Athletic Association and the Amateur Athletic Union and the U.S. Senate Committee on Commerce on September 1, 1965.

First, each president agreed to return to the board of directors of his organization and personally urge that his board of directors unconditionally accept binding arbitration on all issues in all amateur sports, now and in the future. The chairman informed each president that if such arbitration was agreed to, then an independent board of arbitration would be appointed by the Vice President of the United States, pursuant to a Senate resolution. The Board of Arbitration would be of a permanent and continuing nature, composed of distinguished, disinterested citizens not directly involved in the current dispute, and would be empowered to determine all relevant facts and issues and render decisions. The decisions of the Board of Arbitration would be final and binding on all the parties, their members, associates, and affiliates. Each president agreed to report to the chairman by September 7, 1965, the full acceptance (or rejection) of his board of directors as to such binding arbitration.

Second, the chairman informed both parties that in the event either group declined by a vote of its board of directors to accept binding arbitration, then the Committee on Commerce would initiate appropriate action to effect binding arbitration by statute.

Third, each president agreed to personally request that his respective board of directors accept without reservation the following moratorium to govern the conduct of amateur sport until the Board of Arbitration renders its decision:

(a) An immediate and general amnesty shall be granted to all individuals, institutions, and organizations affected by this dispute in any amateur sport.

(b) Any disciplinary action proposed or pending against individuals, institutions, and organizations for reasons related to such dispute shall be suspended.

(c) Any discrimination against the full use of all available facilities and athletes for scheduled meets and tournaments shall be discontinued.

Each President agreed to report the decision of its board of directors concerning the moratorium to the chairman by September 7, 1965.

Fourth, the chairman informed both parties that in the event either group declined to accept the moratorium then appropriate action would be taken by the committee.

Fifth, until the Board of Arbitration renders its decision, each president agreed that he would personally exert every effort to maintain a harmonious and cooperative relationship among all amateur athletic organizations. Each president agreed that there was no reason why men of good will could not prevent the current dispute from disrupting athletic contests until a final judgment could be made by the Board of Arbitration.

On behalf of the committee, I believe that affirmative responses from both organizations may lead to the kind of amateur athletic programs this country should have.

Sincerely yours,

WARREN G. MAGNUSON,
Chairman.

PROVISIONS OF THE RESOLUTION

The resolution is deliberately broad and free of restrictions. It is designed to give the arbitration panel authority which is as broad as the problems. Other parties and groups, in addition to the NCAA and AAU, are deeply affected by the disputes involving the administration of track and field, and the Arbitration Board needs to have authority and scope sufficient to deal with their interests in the matter. Likewise, it is not specifically limited to the current dispute involving the administration of track and field. Unfortunately, it appears that comparable disputes may arise in connection with other sports and the committee desires the Board to have the power to deal with these sports, should it become necessary.

It is not intended that the members of the Board will receive compensation or allowances for expenses from the Government, or that the Government will incur any additional expenses by reason of the adoption of this resolution.

The resolution also includes provisions relating to a moratorium which it expects will permit the fall and winter track and field meets to operate free of the hindrances which the dispute has caused in the past.

Mr. LONG of Louisiana. Mr. President, that concludes the call of the calendar.

EWAN CLAGUE—GREAT CONTRIBUTOR TO SOUND ECONOMIC POLICY

Mr. PROXMIRE. Mr. President, I notice that on the Executive Calendar is the nomination of Arthur M. Ross, of California, to be Commissioner of Labor Statistics. He is to replace Ewan Clague, who has served as Commissioner of Labor Statistics for many years.

Mr. President, what is the single factor most responsible for the advancement of economic policy, for the new confidence our Nation has in the capacity of government to help this free economy of ours grow and provide jobs and opportunity for 200 million Americans?

In my judgment it is the quantity and quality of statistics we now have about this huge and complicated economy of ours.

There are few if any men more responsible for the excellence of those statistics—for their steady improvement in quality and for the constantly more accurate and detailed picture they give of our economy—than Ewan Clague.

Mr. Clague is retiring as Commissioner of the Bureau of Labor Statistics after 19 immensely productive years. They have been the 19 most productive years for economic statistics in America and for improved knowledge of our economy in American history.

There has never been a period like it. Just think: Ewan Clague's service spans that great charter of economic policymaking—the Employment Act of 1946. That act set this Nation and its Federal Government squarely in the direction of responsible understanding of just how this economy of ours operates by declaring it shall be the policy of the Congress and the Federal Government to achieve the fullest possible employment, growth, and price stability.

In a fine article in the Washington Post on Sunday, September 19, 1965, Frank Porter, paid tribute to "Ewan Clague, the Impartial." This morning's Post also carries an editorial that pays tribute to Mr. Clague. That editorial reads in part:

> The country is indebted to him (Clague) not only for long years of leadership, but for striving to maintain the integrity of the BLS as an objective agency at times when there were pressures to twist results in conformity with political preconceptions. His probity and refusal to become involved in Labor Department policymaking have established a standard of excellence toward which all future Commissioners should aspire.

I ask unanimous consent that the article by Frank Porter and the editorial in the Post entitled "Changing Guard at BLS" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

STATISTICS BOSS RETIRING: EWAN CLAGUE, THE IMPARTIAL

(By Frank C. Porter)

"Our figures belong to the country. * * * The public will manage its own business if it knows the facts."

In this simple, offhand observation, Ewan Clague, perhaps unwittingly, spelled out both the credo and epitaph of his career while reminiscing about his 19 years as Commissioner of Labor Statistics the other day.

Clague has dedicated himself over this span to keeping these statistics, like Caesar's wife, above suspicion and free of political controversy. Ironically, he has involved himself in controversy by doing so.

It could not be otherwise. Despite its lack of surface glamour, the Bureau of Labor Statistics is one of the more strategic Government agencies; the data it collects and processes have vast, if indirect, implications for administration economic policy.

If its various time series on retail and wholesale prices begin a precipitous rise, as in the 1950's, they can spur the Federal Reserve Board into a drastic tightening of money and credit, thereby bringing on a widespread economic slowdown.

If its closely watched monthly unemployment rate hangs at a high level, as in the 1958–64 period, this can help spawn a proliferation of social legislation such as manpower retraining, aid to depressed areas, and antipoverty programs.

If its tables on worker productivity (physical output per man-hour) show a sharp acceleration, they can help inflate the bargaining demands of labor unions and cause important shifts in the administration's anti-inflationary wage guidepost.

Consequently, any major and sustained error in these indexes could result in the Federal Government administering the wrong medicine to the wrong ailment at the wrong time.

The Bureau's implicit power is belied by the kindly, ingenious, professorial bearing of Ewan Clague—a sort of statistical Mr. Chips who is retiring later this fall.

Although his successor, Arthur M. Ross, of the University of California at Berkeley, bears excellent credentials, the memory of Clague will evoke more than a little nostalgia in years to come.

"I don't know of anyone who dislikes Ewan Clague," says Nathaniel Goldfinger, research director of the AFL–CIO. "He defended and protected the integrity of BLS and rebuilt its prestige after it had been under fire." (Before his appointment in 1946, the Bureau was bitterly attacked by organized labor for allegedly understating the consumer price index, to which wartime wage increases had been geared.)

At the same time, Goldfinger won't take back a critical appraisal he wrote 15 years ago for the Bureau's own publication, the Monthly Labor Review.

"The growth of collection and time series, however, seems to have become one-sided to the detriment of analytical work and meaningful studies of current problems * * *." Goldfinger wrote. "A greater degree of analytical work by the Bureau and more direct contact with the living experience of industries and workers, when combined with the present high level of statistical techniques, would be most fruitful in expanding the areas of our social and economic knowledge."

But this clearly isn't Clague's style. Although from time to time he has called attention to such problems as teenage unemployment and dislocations brought by automation, he made plain the other day that he considers the Bureau's mission as primarily statistical. Let others analyze the data BLS assembles.

Clague—a restless, voluble man of 68 who alternately sits, stands, paces and rearranges furniture, gesticulating the while—was asked about the highpoints of his stewardship. He mentioned the labor and business advisory committees he set up and the vindication BLS has received after several attacks such as a Reader's Digest article several years ago that suggested unemployment figures are inflated to promote administration social programs.

But Clague had hinted at perhaps a signal accomplishment in earlier conversation. He had observed that the United States was handicapped in coping with the Great Depression because it lacked an adequate statistical profile of the Nation's economy.

Today, he ventured, more complete and sophisticated statistics on wages, incomes, employment and productivity give business, Government and labor a firmer basis for decisionmaking. Clague said he felt this had helped smooth out the business cycle and halt wide swings between boom and bust.

Changing Guard at Bureau of Labor Statistics

Few Government agencies play so pervasive a role in the Nation's economic life as the Bureau of Labor Statistics. When the BLS Consumer Price Index rises, millions of workers who are covered by escalation clauses in labor contracts get automatic wage increases. A significant rise in the BLS Wholesale Price Index is a signal to policymakers that they should move to counter inflationary pressures. And an increase in the rate of unemployment, which BLS estimates with the cooperation of the Census Bureau, may indicate the need for a fiscal or monetary stimulus. It is difficult to conceive of a national labor contract negotiated or an economic policy formulated without the statistical information provided by the BLS.

Ewan Clague served as Commissioner of the BLS from 1946 to 1965 with a single year off in which he was a special assistant to the Secretary of Labor. The country is indebted to him, not only for long years of leadership, but for striving to maintain the integrity of the BLS as an objective agency at times when there were pressures to twist results in conformity with political preconceptions. His probity and refusal to become involved in Labor Department policymaking have established a standard of excellence toward which all future commissioners should aspire.

Mr. Clague passes on to his successor, Arthur M. Ross, an agency that is performing its tasks with efficiency and competence. This is not to say, however, that the work of the BLS could not be substantially improved. Its statistics have been the subject of two major investigations in recent years. In 1961 the Stigler Committee, reporting to the Bureau of the Budget, pointed to the weaknesses of the BLS price indices and made suggestions for their improvement. And in 1962 the Gordon Committee, appointed by the President, made a searching analysis of the employment statistics.

Although the BLS is acting upon the recommendations of the Stigler and Gordon Committees, there is much work to be done. The usefulness of the Wholesale Price Index is still limited by the dependence on posted or book prices rather than the prices at which sales are actually transacted. There should be BLS indices of export and import prices. And the Consumers Price Index would be strengthened if greater account could be taken of changes in quality, admittedly an area in which great difficulties are encountered.

Economic decisions, whether made in industry or Government, can hardly be much better than the statistical information on which they are based. The growth of the American economy and the proliferation of its links with the rest of the world are generating a demand for statistical information of the highest quality. Whether the BLS can meet the challenge may well hinge on the new Commissioner's ability to infuse the organization with the spirit of innovation that spells the difference between mere competence and brilliance.

LET US SUPERVISE THE CIA

Mr. YOUNG of Ohio. Mr. President, the recent disclosures regarding activities of the Central Intelligence Agency in Singapore are disgraceful. After denying that an agent of the CIA offered a bribe of $3,300,000 some 5 years ago to Prime Minister Lee Kuan Yew, of Singapore, officials of the State Department a few hours later were forced to make the admission that this had occurred. This following the time Mr. Yew indignantly produced the letter in which Secretary of State Dean Rusk had apologized for the incident. This latest example of CIA bungling raises many questions. Will we ever know just what the CIA has been doing these past years, and how much of our taxpayers' money this agency has been spending?

Mr. President, there was published in the Washington Post of September 7 an excellent article written by Stanley Karnow, staff writer, entitled "U.S. Image in Southeast Asia Suffers From Clumsy Intrigues of Agents," which details CIA activities in southeast Asia which have embarrassed top officials of our Nation over the years. I commend this to my colleagues and ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 7, 1965]

Espionage Attempts in the 1950's Recalled—U.S. Image in Southeast Asia Suffers From Clumsy Intrigues of Agents

(By Stanley Karnow)

In a petulant mood one day last week, Singapore's Prime Minister Lee Kuan Yew gave an intriguing glimpse into history. Late in 1960, he disclosed, a Central Intelligence Agency operative had offered him a $3-million bribe to conceal a bungled American espionage attempt. The shadowy affair allegedly involved girls, too—or as Lee put it, "like James Bond, only not so good."

On Wednesday, Wisconsin Democrat Clement Zablocki's House subcommittee on foreign affairs is scheduled to begin a closed inquiry into "what happened in Singapore."

But what happened in Singapore, though rather embarrassing, was relatively innocuous compared to an assortment of even clumsier covert efforts of Americans in southeast Asia over the years. For example:

In Burma more than a decade ago, U.S. secret agents striving to influence Burmese political leanings were somewhere sidetracked into the more rewarding pursuit of opium trading.

In Cambodia, U.S. secret agents were indirectly involved in an abortive coup d'etat contrived to overthrow Prince Sihanouk's government.

In Indonesia, U.S. secret agents backed a desultory rebellion aimed at undermining President Sukarno.

In Laos, U.S. secret agents' operations ranged from stuffing ballot boxes to bulwarking a full-scale military offensive by insurgents against the country's capital.

None of the operations really succeeded in any significant, long-range sense. Some served to justify local leaders' doubts or hostility toward the United States. And nearly everywhere in southeast Asia, though supposedly clandestine, American covert activities were widely known.

The first of these earnest efforts, back in the 1950's, was focused on the tangled jungles of northwest Burma. Defeated by the Communists in China, bands of Chinese Nationalist troops had retreated into this area, where they became brisk opium traders. It was considered, however, that they might perform a nobler purpose.

As it does now, Burma in those days adhered to a neutralist line. But neutralism, insisted the then Secretary of State John Foster Dulles, was not only immoral but shortsighted. Thus a scheme was devised to help the Burmese see the light.

The remnant Chinese Nationalists would be inspired to provoke Red China into attacking Burma, thereby forcing the Burmese

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to seek salvation in the Western camp. Ingenious as it was, though, the plan worked poorly.

For one thing, the Americans assigned to supply the Nationalists with weapons and gold enlisted the aid of Gen. Phao Sriyanod, the police chief of neighboring Thailand. But Phao, a leading narcotics dealer, cared little about international politics. He simply wanted to latch on to the Nationalists' opium.

And under his aegis, an operation originally dedicated to saving Burmese souls soon degenerated into a lucrative narcotics traffic. Aircraft mobilized to supply the Nationalists were mostly employed to transport opium, and several American agents, unable to resist temptation, eagerly joined in the smuggling. Finally, in 1953, Gen. William (Wild Bill) Donovan went out to Bangkok, ostensibly as U.S. Ambassabor, effectively to clean up the mess.

The whole maneuver, dubiously conceived and artlessly executed, had inevitable repercussions. Blaming the United States for supporting the Chinese Nationalists on their territory, the Burmese renounced American aid and came close to quitting the United Nations. For other motives as well, Burma has since found an accommodation with Communist China more advantageous.

The abortive Burmese experience evidently did not deter further covert efforts, however. In 1958, a somewhat different sort of tactic was initiated against another uncooperative leader, Cambodia's Prince Norodom Sihanouk.

Financed by U.S. funds and equipment, a team of South Vietnamese operatives joined Cambodian rebels in attempting to overthrow Sihanouk and replace him with Dap Chuon, then the Cambodian Minister of Security. The plot fell apart when loyal Cambodian troops invaded the rebel headquarters, killed Dap Chuon and discovered among the insurgents a U.S. Information Agency employee.

Only a month before, Sihanouk had publicly praised U.S. aid and denied any intention of flirting with communism. After the plot against him, he promptly recognized Red China and rejected a new offer of American assistance.

About the same time, U.S. operatives began to cast an eye toward Indonesia, where local army commanders scattered across the farflung archipelago were rumbling against President Sukarno's government. Some objected to growing Communist strength; others had regional grievances.

As rebellion spread through Sumatra, east Java and other outlying areas, Secretary Dulles intruded with the opinion that the United States wished for Indonesia a regime that "reflects the real interests and desires of the people." Against the opposition of American diplomats in Djakarta, covert U.S. support for the rebels started to flow south from bases in Formosa and the Philippines. One American pilot, Allan Lawrence Pope, was shot down while on a bombing mission over Indonesia.

Undercover U.S. help to the Indonesian rebels was never extensive, it seems. It was enough, however, to reinforce Sukarno's distrust of the United States. Some specialists believe it was a turning point, after which Indonesian-American relations have steadily slid downhill.

By contrast, CIA operatives fanned out through primitive Laos with the authority of game wardens in a national park. They selected and subsidized local political leaders, and actuated uprisings. They so rigged the April 1960 elections that all the contested seats were won by rightwingers. In one constituency their chosen candidate received 18,000 votes while his pro-Communist opponent polled only 4.

Later in 1960, while a State Department spokesman warned that civil war would only help the Communists, a team of covert American advisers engineered Gen. Phoumi Nosavan's drive against Vientiane, the seat of the neutralist government headed by Prince Souvanna Phouma. One effect of the turmoil was to open the way for Soviet intervention into Laos.

After the Bay of Pigs disaster, President Kennedy fortified a watchdog committee to supervise CIA activities, and the day of romantic undercover operations waned. But there is still talk in Washington of putting the CIA under some kind of firm surveillance.

And as Lee Kuan Yew reflected in his Singapore charge, the notion still persists that U.S. policy in southeast Asia is planned and activated by characters out of Ian Fleming novels—only not so good. In the popular image, these characters topple governments, subvert leaders, and seduce dragon ladies.

But whether the image is always true or sometimes exaggerated, U.S. policy is often a victim of its image.

Mr. YOUNG of Ohio. Mr. President, in addition to its mistakes in southeast Asia, everyone is aware of the damage to our prestige caused by CIA bungling of the U-2 incident of 5 years ago and of the stupid and disastrous role CIA operatives played in the ill-fated Bay of Pigs invasion.

Wrapped in its cloak of secrecy, the CIA has, in effect, been making foreign policy. In so doing, it has assumed responsibilities which were heretofore solely those of the President and Congress. The CIA has gradually taken on the character of an invisible government, answerable only to itself.

When Congress created the Central Intelligence Agency in 1947, the Agency was given no power to formulate foreign policy. Its purpose was to centralize the collection and evaluation of intelligence information and material. Today, almost 20 years later, this Agency, with thousands upon thousands of employees, spends more money than the State Department and, at times, has more real influence on important matters of foreign policy. The Director of the CIA is generally recognized as one of the most powerful men in Washington.

The Founding Fathers—the architects of our Constitution—gave Congress alone the power to give advice and consent to the President in making treaties with foreign nations. Congress is also the source of all foreign policy legislation, including all appropriations for foreign assistance and needed expenditures.

Of course, the Founding Fathers could not have envisioned this space age of change and challenge with its cold war and highly developed methods of espionage, counterespionage, and subversion. No one questions the need for secrecy in these activities in which every great power must engage in this grim period of international anarchy.

The ACTING PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, however, such an Agency has no business infringing on the responsibilities of the State Department, the Defense Department and Congress. This must stop. The CIA must be made accountable not only to the President but also to Congress through a responsible committee of Congress.

My belief is that the CIA is also overstaffed and is spending too much of taxpayers' money. Frankly, I could not prove that. No Member of Congress could. This is another reason why there should be a joint committee of Congress to act as watchdog and to direct and supervise the operations and expenditures of this sprawling Central Intelligence Agency.

I suggest that a joint congressional committee be appointed composed of the chairmen and ranking minority members of the Senate and House Committees on Armed Services, Appropriations, and the House Committee on Foreign Affairs and Senate Committee on Foreign Relations. Also, that the majority and minority leaders of the Senate and House of Representatives be included as members if they feel they can spare the time necessary for this added work. It is long past due for Congress to assert itself in this regard.

There should be constant supervision by the representatives of the people of the entire CIA operation. This Agency does not account to anyone for the expenditure of millions of dollars. Undoubtedly some CIA agents have been corrupted along with attempting to corrupt officials of other governments.

Furthermore, stupidity on the part of CIA agents can bring scorn from officials of other nations. This, as well as venality, should be exposed. Let Congress determine what is the dividing line between proper intelligence work and tough but honorable political warfare on the one hand, and dishonorable and corrupt activities on the other. Let Congress reassert that this Nation has ideals and principles, that CIA agents and all officials of our Government must face tough situations in an honorable manner.

Some Members of Congress fear that the security of the CIA might be compromised by the establishment of a watchdog committee. I believe such fears to be entirely unwarranted. The Joint Committee on Atomic Energy which handles highly sensitive and secret information has an excellent security record. Its members have proved to be fully as reliable as the hundreds of civil service, military employees, and Presidential appointees who have knowledge in this highly sensitive field.

A small Joint Committee on Intelligence Activities such as I have proposed would provide the safeguards necessary to prevent further abuses of power by the CIA. It would assure that Congress is included in the making of decisions vital to our national security in accordance with the provisions and intent of the Constitution of the United States.

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Ohio yield to the Senator from Oregon?

Mr. YOUNG of Ohio. I am happy to yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I commend the Senator from Ohio for the speech he has just made on the CIA. As the Senator knows, for several years I have been strongly urging the creation of a congressional watchdog committee on the CIA. Some of my speeches to the American people have pointed out what I consider to be the cancerous nature of the CIA in our body politic.

What the CIA really represents is a police state institution. There is no place in a democracy for any agency of Government not subject to the direct control of Congress and not subject to the knowledge of Congress when its committees ask for information.

Let me say to the American people that unless they take note of the growing threat of control of this Republic by such agencies as the Pentagon and the CIA, they are going to lose their freedom in our time.

Let me say further, as chairman of the Subcommittee on Latin American Relations, that I am aware of some of the conduct of CIA in Latin America. I repeat, the CIA has much for which to answer in the deterioration of America's image in South and Central America.

The CIA must assume responsibility, in considerable share, for what I consider to be the mismanagement of our policy in the Dominican Republic.

Mr. YOUNG of Ohio. Mr. President, I am grateful to the distinguished senior Senator from Oregon for his comments, and that he and I are in complete agreement on this subject.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, at the conclusion of morning business, the Senator from Massachusetts [Mr. SALTONSTALL] be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEMPORARY EXTENSION OF EXISTING SUSPENSION OF DUTIES ON CERTAIN CLASSIFICATIONS OF YARN OF SILK—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 16, 1965, p. 24050, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, so far as I know, there is no objection to the conference report.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from Louisiana yield to the Senator from Oregon?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. I did not hear the Senator. Will he give a brief explanation of the conference report?

Mr. LONG of Louisiana. This was a bill which passed the House and Senate which had to do with the continuation of the suspension of duty on silk yarn. A Senate amendment was added and we could not obtain House agreement, but the House did call upon the President for a study. When that study is completed, we hope that we may be able to obtain action along the line recommended.

Mr. MORSE. I thank the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, this is the conference report on H.R. 5768, a bill to extend for an additional temporary period the existing suspension of duties on certain yarns of silk. Under the bill, duty-free treatment of these yarns would be continued through November 7, 1968.

The Senate added a single amendment to this bill. This amendment would have increased the duty on textured yarns of manmade fiber, sometimes called "crinkle yarn." This product is dutiable at a number of rates under existing law ranging from 22½ percent up to 25 cents plus 30 percent ad valorem. The Senate felt that the manipulations required in the production of this textured yarn justified added protection. Accordingly, the Senate amendment would have fixed the duty on all-textured yarn at 25 cents per pound plus 30 percent ad valorem.

The House conferees were not willing to accept this duty increase at this time. They did agree with the Senate conferees however on the desirability of assuring adequate protection to the manmade fiber industry. They agreed also on the desirability of proper tariff classification for this yarn.

Under the conference agreement, the Senate amendment is deleted. In its place, the conferees agreed to direct the President to promptly undertake a study of the desirability and feasibility of separate classifications for these yarns and to report the results of his study together with his recommendations as to appropriate rate or rates of duty for this product to the House and the Senate not later than February 1, 1966. No doubt when the President's proposal is received, Congress can act swiftly to assure adequate protection for this manmade yarn.

I urge that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CORRECTION OF CERTAIN ERRORS IN THE TARIFF SCHEDULES OF THE UNITED STATES—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 16, 1965, pp. 24051–24052, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, this is the conference report on H.R. 7969, a bill to correct certain errors and omissions in the new tariff schedules. Actually, it corrects more than 140 of them. The Senate passed this measure on August 13 after making 116 changes in the House bill. I am pleased to report to the Senate that in only 9 instances relating to substantive amendments were the Senate conferees forced to yield. In three instances, we compromised our differences with the House.

Mr. President, I am certain that the House has had an opportunity to act. The conference report was agreed to several days ago. Senators interested in the amendments feel that the conferees did a good job. We did the best we could for them particularly with the most controversial amendments. I agree that we had to compromise. We did the best we could for all concerned.

Probably the most important amendment was that relating to the tariff treatment of synthetic rubber and plastic waterproof footwear. Under the present law, these articles are dutiable at 12½ percent on the basis of their foreign or export value. Identical footwear made of natural rubber, however, bears a far higher duty. In this instance, the base is not foreign or export value, but the American selling price of the article. Under the Senate amendment, the American selling price method of valuation would have been abandoned in the case of natural rubber protective footwear and all forms of protective footwear whether of natural or synthetic rubber or of plastics would have been treated alike; those of polyvinyl chloride would have been dutiable at 12½ percent, regular rubbers which do not extend up above the ankles generally would have been dutiable at 25 percent, while over-the-ankle galoshes, boots, waders, and so forth would have been subject to a rate of 60 percent. The House conferees were adamant in their refusal to agree to the 60-percent duty. After arguing with them for 2 days, we were able to convince the House conferees that they should agree to the substance of the Senate amendment. However, we had to yield to them on the rate.

Under the conference agreement, polyvinyl chloride overshoes and boots generally are to be dutiable at 12½ percent as under the Senate bill. Technical amendments enlarge the scope of this low-rate category to include polyvinyl chloride products which are lined with polyvinyl chloride. We have also enlarged the 25-percent category to include below-the-ankle type overshoes of plastic as well as of rubber. In both these instances of enlarging low-rate categories, the products in question would have been dutiable under the 60-percent category under the Senate amendment. As I have already stated, the Senate conferees had to yield on this rate. Under the agreement worked out with the House, the rate on over-the-ankle galoshes, boots, waders, and so forth, is to be 37½ percent. I believe that on balance the conference agreement represents a victory for the Senate position.

Another important provision in the bill which was compromised with the House dealt with particleboard. Under the House bill, duty on this product would have been increased from 12 percent to 20 percent. The Senate bill continued the 12-percent duty. The House conferees were strong in their insistence for their provision and the Senate conferees eventually were constrained to recede. However, I can say that we were able to preserve the 12-percent rate for particleboard manufactured of three types of tropical hardwood. These woods are pterocarpus, triplaris, and virola. Particleboard of these tropical woods typically is sold is Puerto Rico and Florida and generally does not compete with U.S. produced particleboard. Because of the strong position taken by the House conferees, I believe that the Senate conferees did well to preserve this part of its amendment.

It is understood that the Secretary of the Treasury, in the administration of the new item 245.45, has authority under general headnote 11 to the tariff schedules of the United States to require in porters to furnish certifications by governments of the countries of manufacture that 90 percent or more by weight of the wood components of the particleboard consist of the specified tropical hardwoods. Any such certification, would, of course, be subject to verification by the Secretary of the Treasury.

Now let me point out hurriedly for the Senate those instances in which the Senate conferees had to yield. In most of these cases, the House would not accept the Senate amendment because it provided for a reduction in duty on products which were domestically produced. The House conferees insisted that domestic industry should have an opportunity to contest the duty reduction before it was made. Pulp-drying machines, picker sticks, models, and bean sorters are in this category. So also is polyethylene terephthalate film base.

The House conferees refused to accept that Senate amendment which would have provided duty-free entry of a multigap magnetic spectrograph for Yale University. They told us the Ways and Means Committee was considering a similar measure and was likely to act on it.

The Senate conferees also had to yield on the zipper-tape amendment. The House conferees insisted that because their provision corrected an error while the Senate amendment did not, they were not willing to accept the Senate amendment. Nor would they accept our amendments relating to automatic bowling pinsetters and permanent magnets although in this latter instance they did go along with our proposal to provide temporary relief for past importations.

The final amendment, which I should state that the House was not willing to accept, relates to continuous cast aluminum. The Senate bill included an amendment which would have increased the duty from 1¼ cents a pound to 2½ cents a pound on aluminum imported for purposes other than to be melted, rolled, drawn, forged, extruded, or for sacrificial purposes. The Senate amendment set about to restore the vitality of a ruling the aluminum had received under the old tariff structure. Notwithstanding this effort at restoration, the House conferees were not in a mood to accept the Senate amendment which they felt created unnecessary burdens on importers of continuous cast aluminum—which principally comes from Canada—without giving the domestic industry protection from a competing wrought product. In order to make certain that this bill which means a lot to our negotiators in Geneva is enacted this year, the Senate conferees had to yield to the House on this important amendment.

I believe the conference agreement generally is very favorable to the Senate position and I urge that it be agreed to.

Mr. JAVITS. Mr. President, reserving the right to object, I should like to know specifically what was agreed to on the two amendments, one on rubber footwear and the other on broom corn? What was done with both of those?

Mr. LONG of Louisiana. The Senator from New York will recall that he made something of a compromise himself. He was a party to the amendment on broom corn.

Mr. JAVITS. And that was accepted?

Mr. LONG of Louisiana. Yes.

Mr. JAVITS. Fine. I thank the Senator.

Mr. LONG of Louisiana. The Senate also made a compromise on the floor of the Senate and the House accepted that compromise.

Mr. JAVITS. I thank the Senator very much.

Mr. LONG of Louisiana. As I stated, with regard to the rubber and plastic footwear amendment, under present law, these articles are dutiable at 12½ percent on the basis of their foreign export value.

Identical footwear made of natural rubber, however, bears a far higher duty. In this instance, the base is not foreign or export value, but the American selling price of the article. Under the Senate amendment, the American selling price method of valuation would have been abandoned in the case of natural rubber protective footwear and all forms of protective footwear, whether of natural or synthetic rubber or of plastics, would have been treated alike; those of polyvinyl chloride would have been dutiable at 12½ percent, regular rubbers which do not extend up above the ankles generally would have been dutiable at 25 percent, while over-the-ankle galoshes, boots, waders, and so forth, would have been subject to a rate of 60 percent. The House conferees were adamant in their refusal to agree to the 60-percent duty. After arguing with them for 2 days, we were able to convince the House conferees that they should agree to the substance of the Senate amendment. As I have already stated, we had to yield to the House conferees on the rate.

I think that was about the best the conference could have worked out. I am sure neither side was completely satisfied, neither those who wanted all the protection they could get, which had been changed because of the liberal trade policies pursued during the last 30 years, and those who felt that additional tariff adjustments could be permitted.

I hope the Senator is somewhat satisfied, because it is more in the direction of what the Senator wanted than what was originally before the Senate.

Mr. JAVITS. Mr. President, if the Senator will yield, the report represents a compromise. I believe it is a compromise which will be of some help to the consumer, and I think our point is that we must observe what the results to the consumers will be in order to determine whether the compromise has accomplished its purpose. I gather that the conferees were trying to arrive at an agreement which would not put an umbrella over American industry, yet at the same time would not represent a serious jeopardy to American industry in a way which would perhaps overcompensate for lower costs of production abroad. I believe it is desirable that there should have been a compromise. That is what we thought would happen when it was sent to conference. I, and I am sure other Senators, will be observing the effect upon domestic consumers with great interest.

This is an opportunity to make a suggestion—not a warning or a threat or anything like that, but a suggestion—to American industry that, that to avail itself of this opportunity, it should continue to do what it can to deal with costs, so the consumer may feel, in view of this additional protection, that the industry will go beyond this protection and do whatever it must to bring itself into a better competitive position, and not be lulled into a false sense of security with respect to its pricing policies and distribution by virtue of the fact that Congress has gone out of its way to give it a break right now. This protection is by no means permanent. The objective is equal competition and opportunity.

Mr. LONG of Louisiana. Let me point out that what is before the Senate now in the form of a conference report is much more in line with the Senator's point of view than when the bill was before the Senate. So the conference re-

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port represents a move very much in the direction of what the Senator advocated.

Mr. JAVITS. I am very grateful to the Senator. I know how he feels about the consumer's interests and how the consumer should be treated. I have tried to outline, for the benefit of industry, what I think is the general consensus of feeling in Congress.

Mr. LONG of Louisiana. Let me point out that not one of these products is produced in Louisiana, to my knowledge, but as one who had the responsibility and the opportunity to look into the matter, I was fully convinced that in most areas where we give protection—the people have been victimized by decisions made in the executive departments. This is an area where some additional protection should be granted. I am satisfied that the bill gives the protection that was needed. Probably it does not give all the protection that is desired. This is a minimum protection. It is much less than those who asked for the protection they thought they needed. If this is not the right approach, we shall be back here next year to consider the matter.

Mr. JAVITS. That was my point. I was serving notice that it will be our duty to observe what has been done and its effect on the consumer. Industry should give serious consideration to this notice.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. I highly commend the Senator from Louisiana for what I know was his leadership in conference in pressing upon the House conferees the Senate's position. We have been concerned that as a result of some actions taken in the Senate, as a result of the work of the Senate conferees, we have not always been too happy with what we thought should have been sufficient adamancy on the part of the Senate conferees in the presentation of the Senate's point of view. I want the RECORD to show that I speak of personal knowledge of the work of the Senator from Louisiana in conference in seeking to carry out the Senate's purpose to the *n*th degree as to what such a conference should do. I say to the Senator from New York that the handling of the portion dealing with rubber, particularly rubber footwear, was masterfully done. The conference report ends leaning more toward the proposal of the Senator from New York than the other way.

As the Senator has pointed out, come next January, we shall have had some experience, and we shall know whether further legislative proposals will need to be made.

I particularly wish to refer to section 80 of the bill, dealing with brooms and broom corn, for I know what the Senator did with regard to that matter. This was a very sensitive item. I can say this now. I did not say it at the time, although all of us knew what we were talking about. It was a very sensitive item connected with our relations with Mexico, for broom corn comes from one little area in Mexico which represents almost the entire economic return for the population living in that area. It was very important that we provide the remedy and relief that is provided for in section 80.

Again I may say that in my work on the Foreign Relations Committee, connected with Latin American affairs, I consulted with Under Secretary of State Thomas Mann, and Assistant Secretary of State for Latin American Affairs, Mr. Vaughn. They highly recommended the position we took in asking for this relief for brooms made of broom corn.

I take advantage of this occasion to say to our friends in the Mexican Government that I hope they will take note of the good faith attempt on the part of the U.S. Government to follow where the facts lead when they consider the type of problem presented to our Government and which the Government presented in turn both to the Foreign Relations Committee and to the subcommittee, and then to the Senate conferees, in regard to this particular matter.

Here is an example of our keeping faith again and seeing to it that we try to maintain good relations with our neighbors to the south. We try to accommodate them when the facts warrant accommodation.

This accommodation is not going to do any injury to the American economy in the long run. In the sense that it improves economic relations between Mexico and the United States, it will accrue to our trade benefits, for if we are not willing to make this kind of accommodation, what price do we pay?

We created ill will and complete lack of understanding on the part of the Mexican officials in the beginning of this discussion. They were at a loss to understand why there should be any doubt about it.

My reply was that we have to get the facts first, and consider the facts; and I am sure our State Department and the Congress will pass on the merits of the facts.

That is what we have done. But the Senator from Louisiana [Mr. LONG] who is one of the best friends Mexico has in the Senate, soon recognized the soundness of the position that those of us who were advocating this position were taking.

He gave us the support we needed. I wish to thank him.

Mr. LONG of Louisiana. I thank the Senator for the gracious compliment that he has paid me.

In my judgment this was an example of the Senate acting in the best tradition in considering the various conflicting points of view and reaching a legislative compromise which the House would be happy to accept.

I believe the work done on the floor of the Senate made it easier to obtain the action.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

INTEREST EQUALIZATION TAX EXTENSION ACT OF 1965—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4750) to provide an extension of the interest equalization tax, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 16, 1965, pp. 24059–24060, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KUCHEL. Mr. President, reserving the right to object, and I have no intention of objecting, will the able Senator indicate to the Senate how the minority conferees in the Senate voted on this conference report?

Mr. LONG of Louisiana. They all signed the conference report.

Mr. KUCHEL. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, Senators will recall that on August 24 we approved this bill with amendments and requested a conference with the House. The bill extends the life of the interest equalization tax for an additional 19 months, from December 31, 1965, to July 31, 1967. The bill also applies the tax to nonbank loans with a maturity of 1 to 3 years. This provision complements the application of the tax to bank loans with a maturity of 1 year or more. The latter action was taken by the President on February 10 under the authority granted him by the Interest Equalization Tax Act of 1964. Provision was made for such authority at the suggestion of the senior Senator from Tennessee who wisely foresaw that foreign borrowers would use bank loans as a substitute for other forms of taxable financing.

In the main, the other provisions of the bill extend exemptions provided under existing law to cover situations analogous to those now exempt or provide exemptions required by the application of the tax to debt obligations which mature in less than 3 years.

The bill, as agreed to by the conferees, does not depart in any significant way from the bill passed by the Senate on August 24. In fact, it is very nearly the same bill. There were 32 numbered Senate amendments to the House bill.

Nineteen of these were clerical or conforming amendments. Of the 13 remaining, the conferees of the House receded on 12. The Senate conferees receded on only one amendment and agreed to only two minor modifications in other amendments. Clearly, the Senate conferees were successful in representing the position of the Senate in the conference on this bill.

The one amendment which the conferees of the Senate could not persuade their colleagues from the House to accept was a floor amendment submitted by the Senator from Ohio. It would have exempted from the interest equalization tax acquisitions of foreign stocks or bonds by a U.S. newspaper publisher who purchased the securities with moneys derived from selling advertising space to persons in Canada or Mexico. The House conferees were adament in their refusal to accept this amendment and the Senate conferees were forced to recede. I believe that their opposition stemmed from the belief that to exempt outstanding security issues in cases of this type would be a precedent for exempting all outstanding Canadian issues.

The conferees persuaded the House conferees to recede on most of the other amendments without modifications. Furthermore, the two modifications insisted upon by the House conferees were of minor importance and did not change the substance of the Senate amendments.

The first of these modifications relates to the provision which permits the President to consider how well other countries are living up to their commitments under treaties of friendship, commerce, and navigation when he considers whether to grant an exclusion, or whether to revoke an existing exclusion, under the international monetary stability provision. The House conferees insisted upon striking out a specific reference in the language of the bill to treaty provisions related to investments. It is understood, however, that these investments are included within the scope of the provision approved by the conferees. The statement of the managers on the part of the House makes this clear.

The final amendment insisted upon by the House conferees concerns the provision on the use of foreign currencies in the possession of the United States. This provision, which was sponsored by the distinguished chairman of the Finance Committee, Senator BYRD, will assure the more efficient utilization of currencies which the United States obtains under certain aid and assistance programs. The Senator from Virginia brought to the attention of the Senate the fact that, at a time when the state of the balance of payments is a vital concern, the United States is spending dollars in countries in which we have supplies of foreign currency available as a result of our programs of military and economic assistance. The Senator's amendment should not interfere with the conduct of our foreign relations, but it will require that more attention be paid to legitimate U.S. interests when assistance agreements are negotiated.

The amendment requires that all international agreements entered into, modified, or extended under which foreign currencies will accrue for the use of the United States must contain provisions insuring that the currencies may be used to pay U.S. debts in that country, and, to the extent not needed for such purpose, be converted into dollars or other foreign currencies to the extent deemed by the Secretary of the Treasury to be in the interests of the United States. Agreements entered into under title I of the Agricultural Trade Development and Assistance Act of 1954—Public Law 480—are exempt from this provision. I should also emphasize that the Secretary of the Treasury is given the authority to decide how much of the currencies covered by this provision are to be convertible.

The provision also requires the Secretary of the Treasury to determine periodically the amount of funds the United States will need to meet its obligations in each foreign country and to report to the Committee on Finance of the Senate and to the Committee on Ways and Means of the House the expenditures and balances of U.S.-owned foreign currencies.

The amendment suggested by the House, and agreed to by the Senate conferees, modifies this provision to specify that it will terminate when the interest equalization tax terminates. Both provisions are related to the balance of payments, and, therefore, when the tax is no longer required, it will be appropriate to reconsider this provision.

Mr. President, I believe the conferees of the Senate and House have worked out a most satisfactory agreement. I urge the Senate to adopt it.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. The law gave the President the power to make certain exemptions. The President used it in certain respects; for instance, in respect to Canada and Japan.

May I ask whether the power continues under the agreement which has now been arrived at between the Senate and the House of Representatives.

I believe it is possible that the President may decide he needs to exercise that power with respect to the United Kingdom, if that situation should become serious.

I want to be sure the law continues as it does in respect of the authority of the President in that regard.

Mr. LONG of Louisiana. It certainly does. There is no change at all in that respect.

Mr. DODD. Mr. President, now that the Senate is about to approve the conference report on the Interest Equalization Tax Act Extension of 1965, I want to say a few words about an amendment I offered to that legislation on behalf of the tax-exempt organizations of the United States.

The Senate passed that amendment and the conference accepted it.

The amendment remedies a technical defect of the original Interest Equalization Tax Act, passed last year.

Congress intended last year's act to be inapplicable, in general, to foreign security acquisitions by tax-exempt life insurers, such as fraternal organizations, which are made with the premiums paid in foreign currency by foreign members of such organizations.

The transactions the original act was intended to exempt have no adverse effect on the U.S. balance of payments.

Unfortunately, the language of the original act not only failed to exempt all the situations intended to be exempt, but also raised a bar to potential enhancement of our balance-of-payments situation.

My amendment will remedy this technical defect of the original act and, at the same time, will avoid imposing an unintended and crushing tax burden on the organizations in question, many of which are modest fraternal or religious organizations whose civic and charitable works we all recognize.

My amendment merely makes clear the intention of Congress that charitable, fraternal, and other tax-exempt organizations which have traditionally maintained insurance programs for their foreign members may continue their traditional method of operation to the extent that it does not result in an outflow of gold from the United States.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. CLARK. Mr. President, is the Senate still in the morning hour?

The PRESIDING OFFICER. The Senate is still transacting morning hour business. There is a 3-minute limitation.

FOREIGN AID AND THE CONTINUING UNFAVORABLE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, second only to general war and a nuclear exchange, this problem of a continuing unfavorable balance of payments, with consequent steady drain on U.S. gold resources, would appear the most serious problem facing this Government today.

World trade, as it continues to expand, requires adequate additional liquidity; but I do not believe this additional liquidity, which in the past has come almost exclusively from additional U.S. dollars, should come from that source in the future.

Corrective steps taken to date by this Government have not altered this continuing unfavorable balance. As a result, today the United States possesses less than $6 billion of free gold to honor the call of over $28 billion of current liabilities owed abroad, primarily to the foreign central banks, and redeemable in gold.

Primarily because of the above condition, I plan this year to vote against the foreign aid appropriation bill.

AUTOMOTIVE TRADE AGREEMENT BETWEEN UNITED STATES AND CANADA

Mr. GORE. Mr. President, the Committee on Finance has held hearings on the bill, H.R. 9042, which would implement the agreement between the United States and Canada on automotive trade. Many witnesses have testified and their testimony has been most helpful in assisting members of the committee to a better understanding of the terms of the agreement and the related side-deals entered into between the Government of Canada and the Big Four automobile companies.

One facet of this transaction is its probable economic effect on smaller business enterprises in the United States, and one of the witnesses, Mr. Allan Levine, appearing on behalf of the Automotive Service Industry Association, of which he has just been elected president, gave particularly penetrating testimony on this point. I have found Mr. Levine's statement most helpful, and I feel it would also be helpful to all Senators. I therefore ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ALLAN L. LEVINE, PRESIDENT, AUTOMOTIVE SERVICE INDUSTRY ASSOCIATION, BEFORE SENATE FINANCE COMMITTEE, SEPTEMBER 16, 1965

My name is Allan L. Levine of Lowell, Mass. I am executive vice president of Towers Motor Parts Corp., a wholesaler of automotive replacement parts. I am appearing here today in my capacity as the elected president of the Automotive Service Industry Association. Our members are primarily interested in the replacement parts segment of the automotive industry, with respect to this proposed adoption of free trade in new vehicles and parts for installation as original equipment in new vehicles, between the United States and Canada.

First, I should like to state that the Automotive Service Industry Association is a national trade association speaking on behalf of the entire independent automotive service industry—from manufacturer through distributor, jobber, and garage repairman. It has a membership of over 5,000 manufacturers, rebuilders, warehouse distributors and wholesalers of automotive replacement parts, tools, equipment, chemicals, paint, refinishing materials, supplies and accessories. Affiliated with it are Automotive Booster Clubs International, whose members are manufacturers' sales representatives, and Independent Garage Owners of America, whose members are engaged in the servicing and repair of automobiles. ASIA thus represents a combined direct and affiliated membership of approximately 20,000 automotive firms, located in all 50 States, and employing over 400,000 people in the automotive service industry.

This is my second appearance before a committee of the Congress on behalf of our association. Before the Ways and Means Committee of the House of Representatives, I testified on three main objections to enactment of the pending legislation:

1. Competitive position of vehicle manufacturers vis-a-vis independent parts manufacturers would be strengthened;

2. The increased imports from Canada would hurt our balance-of-payments problem;

3. There was no guarantee that parts imported duty free for original equipment would not end up in the replacement market.

To that time, we were apprehensive about what the letters of intent between the Canadian Government and the Canadian subsidiaries of the American vehicle manufacturers contained. It was probably as a result of our demand that those letters be made public that this was done, because before the hearings of the Ways and Means Committee, the officers of the Commerce Department took refuge in the statement that what took place between the Canadian Government and the Canadian vehicle manufacturers was not properly their business.

Now the letters have been made public. Their language is practically identical; their content is identical; their aims are identical. The vehicle manufacturers have agreed to increase production in Canada by about $241 million per year beyond normal growth. Some of this expanded production will be consumed in Canada, but most of it will be exported to the United States.

The independent parts manufacturer often has two functions—(1) OEM under contract to vehicle manufacturers, and (2) replacement via warehouse distributor and jobber. He needs OEM business to pay for tooling costs—to write off his capital investment and this makes replacement business possible. But the independents can lose their OEM business under the proposed legislation. The vehicle manufacturer will now produce in Canada to fulfill his obligations under the letter of intent, or he will buy OEM from Canadian manufacturers. The replacement parts manufacturers in the United States will be trapped, and this will result in higher cost of U.S. replacement parts.

Above all, it will lead to a further concentration of economic power in the hands of a few giant corporations. Therefore, the objection raised by our association in the hearings before the Ways and Means Committee is still valid.

In debates before the House of Representatives, Congressmen did not hesitate to call this arrangement a cartel, and some who favored this bill went so far as to call it a beneficial cartel, but a cartel all the same.

These debates in the House of Representatives are particularly enlightening in that so many of the Representatives who went along with the bill did so only after expressing extreme reservations and doubts about its wisdom.

That it's a bilateral agreement between two countries rather than a broad multilateral trade pact; that it is restricted to a particular industry, indeed, to a certain segment of that industry; that it will require the requesting of a waiver from those countries that subscribe to the General Agreement on Trade and Tariff; that it involves a $50 million a year subsidy by the Canadian Government to a favored group of factories in return for their increasing production in Canada, are just some of the doubts and reservations expressed.

The only rational justification offered for support of this bill is that foreign policy considerations should outweigh economic justifications, and that the proposed bill will bring about a situation better than the one that prevailed before, when the Canadian Government was giving a bounty in the form of tariff rebates to manufacturers who increased their exports.

It may be that this is so, and if this committee comes to that conclusion, I would not be at all surprised, but intellectual honesty demands that the implementation of this agreement between the President of the United States and the Prime Minister of Canada be labeled for what it actually is. It is not free trade. It is a special arrangement for tariff-free importation of new automobiles and parts for new automobiles into Canada by vehicle manufacturers—all of them Canadian subsidiaries of giant American companies—in return for a commitment to expand production in Canada by some one-third by the model year 1968. It has been presented as an integration of automotive production on the North American Continent, but it was designed to get around the necessity of imposing countervailing duties in response to a Canadian program of subsidizing exports, and its result will be the further concentration of economic power in the hands of a few giant companies.

Representing as I do an association of independent replacement parts manufacturers, warehouse distributors, rebuilders, and wholesalers, who are primarily concerned with the automotive aftermarket, who are specialists in having parts available at competitive prices for every make and model of passenger car and truck; who developed this business in the past 40 to 50 years over the objections of the vehicle manufacturers, to fill a void that the vehicle manufacturers were unable to fill—whose success and efficiency in supplying parts was so outstanding that the vehicle manufacturers belatedly formed special divisions for the distribution of replacement parts to all makes of vehicles, not merely for vehicles they themselves manufacture; I must express the feeling of a majority of our members that this proposed bill poses a definite threat to the continued existence of the independent replacement parts industry.

It will strengthen the vehicle manufacturers in their efforts to increase their penetration of the market for replacement parts. It will encourage the vehicle manufacturer to make more original equipment and replacement parts in their own factories. It will eventually lead, in short, to a further domination of the automotive aftermarket by a few giant corporations.

Secretary of Commerce Connor, in the record of his testimony before the House Ways and Means Committee, is quoted to the effect that this bill will not hurt the independent manufacturer. I think the Secretary was poorly advised in making such a statement. The fact is that the independent manufacturer is extremely careful about taking any step that would jeopardize his standing as a supplier of OEM to the vehicle manufacturer. The Big Three have endorsed this plan. The independent does not dare oppose it openly.

But if you want a real insight into the relationship that exists between the vehicle manufacturer and the independent manufacturer from whom the vehicle manufacturer buys component parts, may I refer you to the Wall Street Journal of July 19, 1965, in an article by Norman C. Miller, and I quote:

"The powerful United Auto Workers Union is poised for an attack that could have a far-reaching impact on the major auto companies, the thousands of companies selling parts to the auto makers and the employees of the parts-making companies.

"The UAW's ambitious objective in its new campaign will be to win Government backing for some form of control over the power the big auto companies have in negotiating prices for auto parts with their smaller suppliers.

"Union leaders charge that the Big Three—General Motors Corp., Ford Motor Co., and Chrysler Corp.—increasingly are taking advantage of their huge buying power to foment cutthroat competition among their suppliers so they can buy parts at unreasonably low prices. Moreover, the UAW charges, the auto companies are making more and more of their own parts and are using the threat of further integration as a club to force suppliers to meet dictated prices.

"The auto parts makers are likely to have mixed emotions about the UAW's campaign. On the one hand, the parts companies probably would welcome a letup in the pressure by the auto companies for low-cost parts. On the other, they are fearful that even if such a letup were achieved, it would merely give the union an opening to gobble up the profit gains by demanding more expensive contracts. 'In these power struggles between giants the little guy in the middle always takes the worst beating,' says an official of one parts company."

May I respectfully ask this committee to take into account the adverse effect on the competitive position of the independent parts manufacturer that this bill would bring about before coming to a final decision. Let the record show that those who represent the independent parts manufacturers and their distributors presented to the Members of Congress and the Senate their objections to the bill so that the Congress could act with the knowledge of the possible disadvantages as well as the well-advertised advantages of this proposed legislation.

Mr. GORE. Mr. President, one of the purposes of a committee hearing is to inform the public as to what is happening in Congress, and to give interested segments of public opinion the opportunity to be heard. This is being accomplished in these hearings the Finance

Committee is currently conducting. I think it would be of value to Senators to read a sample of some of the reaction of the public to developments thus far.

I have charged, as have others, that this agreement will result in the closing of or serious damage to many small business operations in the United States, or the curtailment of their activities, because of the necessity, due to the side agreements made between the Government of Canada and the big four automobile manufacturers, of producing more parts in Canada. This move is apparently already underway, and a clear illustration of this move is given in the letter sent out by the Eaton Spring Division of Eaton Manufacturing Co. to its employees in the United States. One of those employees, Mr. Louis P. Zajos, has written to me and sent along one of his company's letters. Also, Mr. Warren Mika, president of Local 368, United Automobile Workers, has telegraphed his concern. These are typical of other communications I have received.

Mr. President, I ask unanimous consent that the letter of Mr. Zajos, the Eaton letter, and Mr. Mika's telegram be printed at this point in my remarks.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

LACKAWANNA, N.Y.,
September 15, 1965.

DEAR SIR: Could you possibly look into this matter, and put a stop to factories moving our plants into Canada, and taking their business there.

This means many of us men will be without a job in the near future.

The reason for this is President Johnson's agreement to eliminate tariffs on automobile parts crossing the border.

Thank you very much.

I remain,

LOUIS P. ZAJOS.

EATON SPRING DIVISION,
EATON MANUFACTURING CO.,
Detroit, Mich., September 3, 1965.

To all Spring Division Employees:

The development of plans for the establishment of a leaf spring plant in Canada has matured to a point where I am in a position to advise you more fully where the move is concerned than at the time of the initial notice on the subject, July 19, 1965.

According to these plans, the Canadian plant will be equipped almost entirely with new machinery. Very little existing equipment will be moved from either Detroit or Lackawanna to the Canadian location, which will be at Chatham, Ontario. Without ruling out the possibility of reactivation of a portion of the facilities at either Detroit or Lackawanna to meet market demands not now foreseen, the leaf springs to be produced by the Spring Division will be made entirely at the Chatham plant beginning approximately 1 year from now.

Under current conditions the suspension coil spring business remaining is not substantial enough to justify the large plant facilities which they will occupy. In order to warrant the continuation of coil spring manufacture at our present location, it will be necessary for us to obtain a most substantial increase in our volume of business where these items are concerned. This can be done in two ways—by the introduction of new products and by increased market penetration for existing products.

Where new products are concerned we have a most encouraging one in the Torsionetic Universal Joint, but a great deal of time and effort must be expended before this item will replace any substantial portion of the loss where leaf springs are concerned. At best then the Torsionetic Joint represents for the present no more than a good start in the right direction.

Increased market penetration for existing products, the second growth path open to us, is a rugged road to follow, but take it we must for only by it will we reach our common goal of jobs and job security. However, we will succeed in reaching this goal only to the extent that we can sell our springs profitably for less money than our customers are paying us currently. This is an obvious and simple statement of economic fact, but the consequences will hit hard on every facet of our operations.

In the past we have been competing largely with firms like ourselves having leaf springs as their principal product. In the future we will be competing with coil spring manufacturers having smaller and less expensive organizations than that to which we have been accustomed. To compete successfully under the new conditions which confront us will require us to examine every single phase of our operations and to make whatever adjustments are required to assure that we operate with a maximum of efficiency and that we avoid all needless expense during the critical days which lie ahead.

In closing, I would emphasize that management has no intention of abandoning the manufacture of coil springs and that it has high hopes that these phases of our current operations can be carried on successfully provided only that every member of the organization accepts his share of the job which confronts us.

Sincerely yours,

H. H. CLARK,
General Manager.

DETROIT, MICH.,
September 16, 1965.

The Honorable ALBERT GORE,
U.S. Senate, Senate Office Building,
Washington, D.C.:

Our heartiest congratulations to you on your forthright and perceptive opposition to the Canadian-United States auto tariff agreement now under Senate consideration.

Our members have already been informed that the entire leaf spring operation in the spring division of Eaton Manufacturing Co. will cease at the end of the 1966 model year because this product will be manufactured exclusively in a new Eaton Canadian facility thereafter.

This means that 350 of our members will have their jobs completely eliminated because of the private assurances to Canada of a substantial business increase.

No doubt many more United States firms, such as Eaton Manufacturing Co., will be transferring their operations to Canada to avail themselves of the competitive advantages these assurances provide. Consequently many more U.S. workers will be losing their jobs once the agreement becomes fully effective.

We respectfully request that you continue your noble endeavor to achieve Senate rejection of this trade-restricting agreement with the wholehearted support of every member of this local union.

Sincerely,

LOCAL 368, U.A.W., AFL–CIO,
WARREN MIKA, *President.*

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The time of the Senator from Tennessee has expired.

Mr. GORE. Mr. President, I ask unanimous consent to proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, although administration witnesses appearing before the committee denied that they knew of any small businessman who has thus far been hurt, or of any who had been intimidated, and thus fearful of opposing this deal for the benefit of the big four, this is also already apparent. I have received a letter from a small businessman in Garden City, Mich., who tells me that he was put out of business after writing a letter to the editor of his newspaper about this agreement. I do not wish to use his name, but I have it in my files if any Senators are interested.

Mr. President, I ask unanimous consent that the letter I now refer to be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The Honorable Senator ALBERT GORE,
The U.S. Senate,
Washington, D.C.

DEAR SIR: I am one of the independent parts makers who carried the Canadian car tariff fight to the public letter box of our local newspapers.

On July 5, 1965, the Detroit Free Press printed the enclosed letter over my signature.

On July 7, 1965, three small parts shipments were returned to me for correction and July 21, 1965, all of my orders were cancelled for "late delivery."

The cancelled orders were assigned to others for more money and the customer tried to charge the penalty to my accounts receivable which still are unpaid. Peak employment was 12 and today none.

Coincidence, perhaps. But you have my best wishes in your fight to protect American industry from unfair competition.

Sincerely,

Mr. GORE. Mr. President, reaction on the Canadian side of the border has been equally interesting. Up there, it would appear that consumers have been paying high prices for automobiles—nigher than necessary, in my judgment—because of Canadian tariffs. Now, they are going to have to pay higher prices because there will be no tariff. Some of them seem to be having difficulty in understanding any explanation other than that the big four automobile companies will pocket unjustified millions of their dollars.

Indeed, that is what the big four have already done. In pursuance of this agreement, Canada has already unilaterally, if temporarily, eliminated her tariff. The Canadian tariff on new automobiles from the United States is 17 percent. On an Impala Chevrolet or a good Ford or Plymouth, this amounts to $500 or more on the automobile. This tariff reduction has been in effect since January, I believe, but there have been no reductions in automobile prices to the automobile consumers in Canada. So the big four are already pocketing vast benefits from this agreement.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SALTONSTALL. Mr. President, since this is the morning hour I shall most respectfully, if there are to be speeches, have to object, because I have matters of pressing importance to attend to and desire to obtain the floor myself.

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Mr. GORE. Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** The Senator from Tennessee has 2 minutes remaining.

Mr. GORE. I shall conclude in 2 minutes. I yield to the Senator from Missouri.

Mr. SYMINGTON. I commend the able senior Senator from Tennessee for the work he has done in this field. The manipulation of the parts tariff has resulted in a number of manufacturers in this country having a 19 percent negative tariff position, as against those who manufacture parts in Canada. In an effort to correct this situation, an arrangement has now been made which, in my opinion, justifies the apprehension of the Senator from Tennessee because of the considerably lower hourly wage rate paid by leading manufacturers of the United States in their Canadian plants. In my opinion, this development can only result in heavy additional unemployment in the United States. Again, I congratulate the Senator for the fine work he has done in this field.

Mr. GORE. I thank the distinguished Senator from Missouri. The very purpose of this agreement, the stated purpose of the agreement, is to increase manufacturing facilities in the automotive industry in Canada. I shall have more to say about this later.

I have much sympathy with the point of view of Canadian consumers, and feel that it has great validity. This matter, of course, also has serious foreign policy implications, for these companies are clearly identified by the average Canadian as U.S. companies.

Mr. President, I ask unanimous consent that two letters I have received from Canadian citizens be printed at this point in my remarks. One of these is a letter written to a Canadian editor. Because he is associated with one of the big four, his name is not included, but I have it in my files.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WINNIPEG, MANITOBA, CANADA,
September 15, 1965.

Senator ALBERT GORE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I have read of your recent stand on the Canada-United States auto trade pact and greatly admire you for your stand on same.

There is no sound reason that we Canadians—in my case I am 60 miles from the border—and there is from $800 to $1,200 difference in price of a new car.

If they want free trade, throw open the border and let the price of autos reach their own level.

I never have been able to see why we Canadians, with lower pay, are forced to pay larger prices to Canadian companies that are owned by U.S. parent companies.

Go after them sir: good luck.

Yours truly,

T. W. WADE.

WINNIPEG, MANITOBA.
May 14, 1965.

The EDITOR,
Winnipeg Free Press,
Winnipeg, Manitoba.

DEAR SIR: In your issue of May 11, you report the Honorable Mr. Drury as stating that in spite of the $50 million yearly reduction or waiver of duty on parts for the car manufacturers, reducing their costs accordingly, this reduction could not be passed on to the public by way of lower prices on cars. The reason he gave was that it was because of the "greater costs of distribution in Canada, stretching as it does from coast to coast, and with many thinly populated areas." Well, the United States stretches from coast to coast, and has many thinly populated areas, and has to meet very similar costs of distribution—which it manages to do, and still keeps the price of its cars hundreds of dollars lower than ours. So this hardly seems to be a valid reason that Mr. Drury has given to us.

To be precise on this matter of costs of distribution in Canada, whether lower or higher or the same as in the United States, such costs are included by the manufacturer in the price at which it sells to its dealers. These costs are integrated and included in factory pricing along with the other elements of cost such as labor, material, supplies, wages, salaries, depreciation, advertising and so forth. Therefore, if the factories reduce the price of cars by the $50 million in question and retained their present methods of costing, their costs of distribution would be covered as always in the price charged to their dealers. So these costs are hardly a factor that prevents factories from passing along to their dealers, and thus to the consumer the benefit of the $50 million bonus they have been given by the Government.

But no. The reduction to the consumer cannot be allowed it is said. (Who says? the Government? the factories?)

Instead, this $50 million (not paid by the factories) plus factory markup on this imaginary $50 million, and then plus the dealers' markup on this already marked up $50 million, are all still to be charged to the consumer. For example:

[In millions]

There is this imaginary nonpaid cost item	$50
To which factory adds its markup, say 20 percent	10
Resulting in extra cost to the dealer of	60
And then the dealer (who has actually paid the $60 million, it isn't imaginary to him) adds his markup, say 20 percent	12
And now we have this extra cost to the consumer	72

The public has to pay $72 million to make good a gift of $50 million to the factories. Good economics? Commonsense? Equitable?

And the above applies to 1 year only. The word is that it may take 3 years or more to reach the goal. (What is the goal? Price parity with the United States? Near price parity? or what? It has never been spelled out.)

Well then, over a 3-year period, we would have 3 times $72 million equals $216 million.

Repeat it—$216 million extra consumer cost.

That is not all. Once the cars with these extra costs get into dealers inventories, the dealers will have to pay the extra insurance premiums and the extra interest on the money borrowed for this $60 million of fictitious cost, and the consumer in turn will have to pay the extra insurance premiums and the extra interest on money borrowed for the $72 million of fictitious cost in his retail price. Think of it. Insuring and borrowing money to cover these extra millions that aren't really there.

It may be a good deal for someone, but not for the consumer, helpless against this gouging.

Who, eventually, gets these hundreds of millions of dollars? Presumably any benefits will be concentrated more or less in the principal car manufacturing area of Canada—in the form of increased investment in land, plant, machinery and equipment, and in the form of local increased employment and the increased wages and salaries flowing therefrom. These are all designed to increase production and, hopefully, to lower prices.

How are the other Provinces and their citizens going to feel about this? They are being called upon to foot the bill for the great part of this $216 million, and about their only tangible return being a promised, sometime, unknown amount of, maybe, car price reduction.

It is ironic. Original imposition of duties and tariffs was to foster Canadian automobile production—being paid for by the consumer in higher prices for his cars and trucks. And now, when tariffs or customs are being eliminated or suspended, the consumer has to pay extra for this too. Tariff up, or tariff down, the consumer pays. These tariffs and duties have helped one area of Canada greatly, and the rest of Canada but slightly. And, in reverse, when tariffs come down, it will be to benefit one area greatly, and the rest of Canada but slightly.

Does anyone know what guarantees of price parity we are getting for this $216 million or more? Apparently none, since all that we have been told is that over the next few years the factories have promised to try to increase volume and to reduce prices.

A former and famous U.S. Secretary of Defense, Mr. Charles Wilson (who had been president of General Motors Corp.), was once quoted as saying that "what was good for General Motors is good for the United States." Likewise it appears that what is good for car makers is good for Canada.

The factories are run by huge, wealthy, and powerful corporations. General Motors, for example, is probably the largest and richest business organization in the world. To say that it needs a share of $50 million annually for the next few years to enable it to increase production is hard to believe. Neither General Motors or the other corporations are short of the necessary cash, or cash resources or managerial ability needed to produce increased production. In fact, General Motors, for one, manufactures money and profits about as fast as it manufactures cars.

The automobile industry does not need to be financed or subsidized. It may need to be told.

We don't want an agreement—terms set by the factories apparently, as to what they may try to do.

Perhaps a directive—governmental—is called for—car and truck prices are to be reduced over the next few years, or else.

Yours truly,

——— ———.

Mr. GORE. Mr. President, the Committee on Finance is continuing its study of the ramifications of this most unusual agreement. I hope every Senator will become informed on this subject by the time the Senate proceeds to debate the bill which would implement it.

DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, last Friday, September 17, beginning at page 24241, of the RECORD, I undertook to defend the chairman of the Committee on Foreign Relations for a speech he made earlier in the week in connection with American foreign policy in the Dominican Republic. The debate has now been joined by two of our well-known, able, and usually accurate and well-informed columnists, Messrs. Rowland Evans and

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Robert Novak, in an article entitled "Fulbright Furor" published in the Washington Post this morning. I ask unanimous consent that the text of the column be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, I should like to make five specific points with respect to the Evans-Novak column.

First, there is ample documentation of Senator FULBRIGHT's reference to the adverse Latin American reaction to U.S. intervention in the Dominican Republic. For example, President Raul Leoni, of Venezuela, said:

> Such actions * * * tend to revive the era of unilateral intervention, which one supposed had been left far behind by the evolution of international life. They place in serious jeopardy the principles and essential norms that constitute the legal basis of the OAS.

That statement is a quotation from an article in the quarterly "Foreign Affairs," for July 1965.

Similar comments were made by Dr. Rafael Caldera, leader of the COPEI Party in Venezuela; President Fernando Belaunde Terry, of Peru, in his interview on the NBC-TV "white paper"; President Eduardo Frei Montalva, of Chile; and President Gustavo Diaz Ordaz, of Mexico. The division of opinion within Argentina was so deep that the Argentine Government faced a domestic political crisis.

There were, of course, Latin Americans who supported the administration's position. But with few exceptions—our action attracted the dictators of Nicaragua, Haiti, and Paraguay, and alienated the democrats of Mexico, Venezuela, and Chile.

My second point is that anti-Americanism in the Dominican Republic, which unquestionably exists to a substantial extent, did not come from the Fulbright speech. It came from the American actions in the Dominican Republic in April and May. By indicating that there is a body of senatorial opinion which is opposed to the actions, the Fulbright speech is more likely to encourage antimilitary and democratic Dominicans who would like to view the United States as a liberal nation and a friend. This applies also elsewhere in the hemisphere, as is borne out by the reactions we are daily getting from that area.

My third point concerns the Evans and Novak reference to White House security clearance of a censored report on the full extent of the Communist influence at the time of the April revolt as justifying the action we took to support the military junta in Santo Domingo.

The PRESIDING OFFICER (Mr. JAVITS in the chair). The time of the Senator has expired.

Mr. CLARK. Mr. President, I ask unanimous consent that I be permitted to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from Pennsylvania is recognized for 2 additional minutes.

Mr. CLARK. Mr. President, I should like to see that report. The Committee on Foreign Relations was given a whole sheaf of classified information on alleged Communist domination of the Dominican revolt.

All I can say is that it was completely unconvincing as to any control of the revolution by Communists except that it indicated that after, but not before, the massive American intervention, a number of Communists did raise their heads and take an active part in the revolution.

My fourth point is that Evans and Novak refer to the so-called quickie probe by the Committee on Foreign Relations. We had 13 sessions, listened to 7 witnesses, all representing the administration, took 660 pages of testimony, and consumed 16½ hours of the committee time. I do not consider that to be a "quickie" investigation. It was searching and far-reaching.

Finally, Mr. President, Evans and Novak complain at some length about the timing of the speech. Granted, there is never a good time for the chairman of the Senate Committee on Foreign Relations to criticize an administration of his own party. However, the speech was withheld until the government of President Garcia Godoy was installed and got off the ground.

In my opinion, the timing of the speech was not only excellent, but it will also, in the long run, do our posture in the Latin American countries a great amount of good.

EXHIBIT 1

THE FULBRIGHT FUROR

(By Rowland Evans and Robert Novak)

One month ago, when the Johnson administration was playing midwife in the birth of a new government in Santo Domingo, Senator FULBRIGHT, Democrat, of Arkansas, temporarily laid aside his scathing indictment of U.S. intervention in the bloody Dominican revolution.

FULBRIGHT's reason for delay: With the new government of U.S.-backed Hector Garcia Godoy barely coming into its own, the highly critical analysis of U.S. actions during the late April uprising might set back the whole affair. FULBRIGHT, chairman of the once-prestigious Senate Foreign Relations Committee, decided to postpone his condemnation of U.S. policy.

But when it came last week, the FULBRIGHT speech was just as ill timed as it would have been a month earlier.

This was President Johnson's appraisal. When he received a copy of the speech 24 hours before its delivery in the Senate, he scanned it briefly.

His immediate complaint: FULBRIGHT's one-sided view of U.S. intervention in the Dominican Republic last April would receive far more attention than it deserved (because he is Foreign Relations Committee chairman) and embarrass the future course of U.S. diplomacy in the Dominican Republic.

But in fact, remarked the President to a Senator, the Fulbright critique did not represent even a simple majority of the 19-member committee.

This raises a serious issue: In critical matters of foreign policy, how candid should a Senator of FULBRIGHT's prestige be in attacking and undermining the Government's policy in such a dangerous confrontation?

Until recently, a major controversy such as the one over U.S. intervention in the Dominican Republic would have come before FULBRIGHT's committee for a long, reasoned investigation (far more thorough than the quickie probe by the Fulbright committee this summer). This, in times past, would have resulted in a committee report backed by a strong majority. But today, FULBRIGHT's 19-man committee is split into almost 19 parts, representing every shade of opinion.

As the committee has gradually increased in size to accommodate ambitious Senators (from 13 members in 1947 to 19 members today), its ability to act in unison has declined drastically.

Furthermore, FULBRIGHT is a uniquely original thinker, the antithesis of the organization man or Senate type. Under his chairmanship, the committee has succumbed to factional bickering so severe that FULBRIGHT threatened at one point to refuse to handle the foreign aid bill.

As a result, it is now every man for himself on the committtee. But Chairman FULBRIGHT, as the embodiment of the Senate's unique constitutional powers in foreign affairs, still has a special responsibility to consider the results of what he says and its impact outside the United States.

In the Dominican Republic, the impact of FULBRIGHT's speech (described by Senator THOMAS E. DODD, Democrat, of Connecticut, as "a sweeping condemnation" of U.S. policy) is predictable. With all Dominican politicians pointing to the next presidential election there, the Fulbright indictment is certain to lift the chances of the most anti-Yankee candidate in the field.

By dramatizing so harshly his own disillusion with the U.S. decision to intervene, the Senator gives the most extreme anti-U.S. political factions in the Dominican Republic a readymade presidential campaign text. The condemnation of Washington that will soon be ringing from the hustings in Santo Domingo will be flavored with the Senator's own ringing condemnation.

Nobody questions FULBRIGHT's unlimited right to condemn U.S. policy. What critics in the administration—and the Senate as well—question is his timing.

Finally, these critics challenged the Senator's disregard of the sudden chaos last April in Santo Domingo and the impressive evidence of deep Communist penetration of the rebel command.

When DODD made his reply on Thursday, the White House was concerned enough to give security clearance to a censored report on the full extent of Communist influence in the April revolt. The report alone is a compelling argument for the intervention.

But in the Dominican Republic, FULBRIGHT's attack will be remembered long after the intelligence report is forgotten.

The PRESIDING OFFICER. Is there further morning business?

REFERENCE OF PROPOSED LEGISLATION TO SENATE COMMITTEES

Mr. MAGNUSON. Mr. President, I wish to raise an important procedural question.

Mr. SALTONSTALL. Mr. President, I ask the Senator from Washington whether he intends to speak for more than 3 minutes?

Mr. MAGNUSON. I do not believe that I shall take more than 3 minutes.

Mr. President, 2 weeks ago, or the week before last, the Senator from Connecticut [Mr. DODD] submitted an amendment to the farm bill. The amendment was proposed as a substitute for the Mondale amendment, concerning the establishment of a Select Joint Committee To Study East-West Trade.

When the Senator from Connecticut submitted the amendment, he suggested that the amendment be referred to the Committee on Foreign Relations.

I shall not take 3 minutes to go into the details concerning the jurisdiction of East-West trade. I am the chairman of a committee dealing with interstate and foreign commerce. It is so designated. I should like to underline foreign commerce.

We call it the Committee on Commerce in order to eliminate some verbiage. However, we not only have authority in this area, but we also have a direct mandate from the Senate to examine matters dealing with foreign commerce.

We have assumed and undertaken this responsibility on many occasions. We have studied foreign commerce with reference to its fiscal aspect and other aspects for many months.

As the Senator from Ohio, who is a distinguished member of the committee, can testify, we have been doing this for many years. However, for some reason, the Committee on Foreign Relations appears to believe this subject is within its jurisdiction. If a measure relates to commerce and is involved with the political situation to such an extent that the measure cannot survive, the committee believes the measure should be referred to the Committee on Foreign Relations. I believe they have sufficient problems with their foreign affairs. From what I read in the papers perhaps they have too many problems, certainly enough so they should not try to usurp the jurisdiction of the Committee on Commerce.

I told the Senator from Connecticut that it would do no good to request that the measure be referred to the Committee on Foreign Relations. I informed him that our committee has deeply considered the problem for quite some time and that we hope to accomplish what the Senator suggested. The committee was unanimous in the view. I suggested that a bill providing for a select committee—even though I do not believe one is needed because our committee is working on the matter—should be referred to the Committee on Commerce.

I understood at that time that the Senator agreed with me, although I have not spoken to him recently. I told the Senator that the committee would prepare a letter, and the committee has prepared a letter. In the meantime, the Senator from Connecticut [MR. DODD] on September 14 resubmitted this measure, not as a substitute for the Mondale amendment, but as a separate resolution.

The Senator then requested that the measure be referred first to the Committee on Foreign Relations and then to the Committee on Commerce for consideration. I do not know what that means. However, I did think we had an understanding. There may be some misunderstanding between us. However, I did go to the desk prior to the 14th and stated that I wanted a hold placed on the referral on behalf of the Committee on Commerce.

Of course, the desk cannot be responsible when a Senator makes a unanimous-consent request and the request is not objected to.

As a result, we have a measure requesting the creation of a Joint Committee on East-West Trade referred to the Committee on Foreign Relations while our committee is in the midst of studying the problem. Subsequently the Senator from New York [Mr. JAVITS] and the Senator from Connecticut [Mr. DODD] submitted a resolution and asked that a certain committee report on East-West trade, prepared by our committee—and the President has appointed a temporary group; I shall place the names in the RECORD—be referred to the Committee on Foreign Relations because they were studying the wheat problem. The East-West trade problem is much broader than that.

I do not want to suggest that the Senator from Connecticut did not do what he thought we had suggested. Perhaps he did, and I shall talk with him. However, in the meantime, I serve notice that tomorrow I shall ask unanimous consent that the bill be rereferred to the Committee on Commerce, regardless of whether the Senator from Connecticut is here. Nobody notified the Committee on Commerce when this happened—we were discussing the matter in the committee at that time.

If a unanimous consent request is not agreed to, I shall serve notice that we shall make a motion to put this measure back where it belongs—in the Committee on Commerce—and the Committee on Foreign Relations can take care of its own matters. They have plenty of matters to consider. However, I believe our committee is competent in this field, having spent day after day, week after week, and year after year in studying the matter of business and travel in foreign countries.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. Mr. President, is it permissible now to move to rerefer the measure to the Committee on Commerce?

The PRESIDING OFFICER. The Senator may introduce a resolution to discharge the Committee on Foreign Relations from further consideration of the matter which has been referred to it. The Senator may introduce such a resolution. If objection is heard, the matter will go over.

Mr. SALTONSTALL. Mr. President, as a Senator on this side of the aisle, I have been asked to object to any unanimous-consent request that would interfere with the pending business. This being the morning hour, I most respectfully object. I have no objection to what the Senator wants to do, but I do object to it being done at this time.

Mr. MAGNUSON. Mr. President, I serve notice that tomorrow, unless this matter is straightened out, I shall, as chairman of the committee—and directed by the committee—so move.

CONCERN OVER ATTEMPTS TO CREATE AND EXPLOIT A SEEMING DISAGREEMENT BETWEEN PRESIDENT JOHNSON AND FORMER PRESIDENT EISENHOWER

Mr. MAGNUSON. Mr. President, I am seriously concerned that attempts to create and exploit a seeming disagreement between our President and former President Eisenhower may damage or obscure this Nation's commitment in Vietnam.

Deep and bitter partisanship has no place in the debate concerning so serious a matter as the situation facing us and the free world in South Vietnam. I deplore, therefore, recent partisan attempts to build up a controversy between these two distinguished Americans for political purposes.

The details surrounding the origin of our commitment in Vietnam may not be precisely remembered; they may be open to some debate. But let us speak frankly and let us speak clearly: there must and can be no debate about the fact that that commitment now exists.

I believe that we must honor it. I believe that this Nation must stand courageously for freedom in South Vietnam or fall abjectly somewhere else in the future.

This is a time for unity, for mutual respect, and for serious discussion of our objectives in this effort—not for petty squabbling.

Fortunately, General Eisenhower has reaffirmed his strong support for President Johnson's policy in Vietnam. There the matter stands—and there it should be left to stand without irrelevant and mischievous debate.

I was deeply impressed by an article in the New York Journal-American of Sunday, August 22, by William Randolph Hearst, Jr., entitled, "Ike Settles It."

Mr. President, this article was written last month, but the controversy and discussion seems to continue. I believe it is well that it be printed in the RECORD.

I ask unanimous consent that this excellent analysis be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDITOR'S REPORT: IKE SETTLES IT

(By William Randolph Hearst, Jr.)

It has seemed to me from the beginning that the attempts to build up a disagreement between President Johnson and former President Eisenhower over Vietnam were surpassingly silly and potentially destructive.

Now, thank goodness, Ike has blasted those efforts to smithereens in two terse words—"All rot."

He spoke not only as the commanding voice of moderate republicanism, but as a patriotic American who, in times of national emergency or crisis, rises about partisan considerations and party lines.

Here is the heart of the matter, as General Eisenhower expressed it:

"When our country is in a position of crisis, there is only one thing a good American can do, and that is support the President."

For those who have been seeking to foment dissension over something that happened 11 years ago it might be well to remember, as

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they apparently had forgotten, that politics stop at the water's edge.

The disagreement buildup, in which sectors of our press and broadcasting industry as well as some Republicans showed more zeal than reason, began last Tuesday after General Eisenhower held a news conference in Washington.

At that time he voiced a mild demurrer over the emphasis that has been placed by the Johnson administration on a letter that Ike wrote in October 1954, to Ngo Dinh Diem, then Premier of South Vietnam. The administration has used the letter to demonstrate that U.S. commitment to South Vietnam began then.

Whether it did or did not depends largely on where you sit. It is quite true, as General Eisenhower pointed out, that "what we were talking about was economic and foreign aid"—not military aid or the commitment of our forces.

Yet General Eisenhower, disturbed by the reckless way in which his words have been slanted, has been among the first to make clear that what was policy in 1954 does not apply to policy in 1965.

In a statement Thursday at his Gettysburg farm he said the public should understand "how different the circumstances are today from a decade ago."

In 1954, he went on, there was hope that South Vietnam would be left in peace by the Communists in North Vietnam, and could survive as a free nation by economic aid alone. Those hopes, he said, have not been realized.

"I have said again and again that I support the President," Ike said. "I've done everything I can to show that I'm behind him."

His stand was endorsed by former Vice President Nixon and other Republican leaders attending the Gettysburg conference. It is endorsed, I am absolutely sure, by the vast majority of the American people, excluding the appeasers and let's-get-out-of-Vietnam clique.

It is distressing that a few Republicans, notably Representative Gerald R. Ford of Michigan, House GOP leader, have sought to make political capital out of a manufactured dissension that does not exist.

In view of General Eisenhower's Gettysburg remarks, where does this leave Mr. Ford?

I would say way out in right field.

Being good soldiers, U.S. astronauts, of course, never comment on matters outside their orbits, but it occurs to me that it would be interesting to know what thoughts pass through their minds when their spins take them over the areas which are our farflung defense lines.

Leaving Vietnam aside as of obvious concern, do they wonder, for instance, how well Western Europe's defenses are prepared to cope with any threat from the East? With the space and time differences from the rest of us on earth, they could be like that character (remember the old play and film, "Berkeley Square?") whose existence on another time level enabled him to see the shape of things to come.

And the shape of things developing in Europe is unlikely to bring satisfaction to any of us in the Western World. On the NATO or Western side of that divided continent there looms a difficult splintering of defenses, while the power massed on the Eastern side, according to reports from neutral Austria, are more formidable now than they were a while back.

I don't want to belabor the question of the deficiency in the sense of responsibility of France's President de Gaulle, but it is his drift toward separatism which has brought about some main problems hounding NATO now.

Three weeks ago, this column commented on De Gaulle's latest move in ordering French officers attached to NATO's staff to boycott planning for integrated exercises. It seemed to me, and I said so, that NATO couldn't just accept that and would have to proceed with future plans bypassing France.

I know personally that De Gaulle's virtual secession, bit by bit, from the common Western defense alliance, is galling to many French military men. Apparently they are more realistic than the lofty Charles, and realize that NATO can, if it must, get along without France far better than France can get along without NATO.

But De Gaulle, being the kind of one-man board of directors he is, appears no more likely to let others guide him in the future than in the past. And neither the United States nor the other European Allies can afford to sacrifice the larger defense interests enough to coddle his egotistical desire to call the shots. If Big Charles won't play unless he can be quarterback, fullback, end, tackle, and center, and all other positions, then apparently the team will have to do without him. That is, unless fear of isolation makes him change his attitude, and that is unlikely from present indications.

An interesting note in the magazine U.S. News & World Report confirms what I wrote about NATO proceeding with planning on the basis of France's absence. This has been going on since the beginning of June. It was based on earlier signals of noncooperation by De Gaulle, and the officer pullout 3 weeks ago was considered the last straw.

The report says new NATO defense maps are being distributed, allowing for logistics, etc., without the French. Supplies are being shifted to handle the major problem growing out of that: Without France, there is no land bridge between the remaining northern European members of NATO and the southern members.

As discussed here in August 1 Editor's Report, this necessarily means bringing West Germany into a larger role along with Britain. But there is no other country which can fill a vacuum such as that created by a French pullout. Not only French military men, but most French people are going to be very unhappy about that and they may begin to ask: "Where's Charley?"

The contrasting—and possibly ominous—report about strengthened forces in Communist Eastern Europe comes from the Viennese newspaper Die Presse. It says weapons and other equipment used by satellite forces of Poland, Czechoslovakia, East Germany, and Rumania have been standardized and made uniform with Soviet models.

Once some 24 to 36 ill-trained and ill-armed divisions, these are now reported to number 50 drilled and combat-prepared divisions. They have Russian rockets, but the suspicious Russians have kept nuclear warheads to themselves.

The contrast with the West, having to regroup because of the failure of French cooperation, is nothing to cheer about. I suppose that, in any alliance of truly free and independent nations such as NATO, it is always possible for somebody to rock the boat. It's just that much more of a headache for others, but it looks as though our side will have to manage it.

PROPOSAL TO INCLUDE JEFFERSON DAVIS IN HALL OF FAME

Mr. SPARKMAN. Mr. President, the hall of fame committee will soon be considering nominations of additional Americans to the hall of fame. Many of us strongly feel that Jefferson Davis should be among those to be admitted to the hall of fame. The War Between the States is now more than 100 years behind us and surely the Nation can now look to all of the accomplishments of Jefferson Davis rather than focus alone on the leadership he gave to the Confederate States of America. In this connection, Mr. President, I ask unanimous consent that a September 6 Newsweek article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Jefferson Davis

(By Raymond Moley)

Among the many observances and notices of these past 4 months marking the termination of the War Between the States, there has, so far as I have noted, been little or no mention of the capture, imprisonment and torture of Jefferson Davis, President of the Confederate States of America. Some of us whose ancestors were on the side of the North and who know the facts may want to have that episode forgotten. For it nakedly revealed the lengths to which passions may go beyond the common decencies and practices of war and the peace which follows. After the First World War the German Kaiser was permitted, despite the screaming of Lloyd George, to find haven at Doorn, where he lived out his life unmolested. Davis was entitled to more consideration, for he headed a struggle not of aggression but for what he conceived to be the constitutional right of secession.

Davis fled from Richmond after Lee's surrender and tried to reach Texas. For there was still plenty of resistance left in parts of the South. He was captured in Georgia and imprisoned for 2 years in Fort Monroe. There, under the orders of the ruthless and cruel Stanton, Secretary of War, he was subjected to unnecessarily bitter punishment. He was locked in an iron cell, with guards clanking up and down outside by day and night. For a while his legs were encased in chains. In the hysteria which followed Lincoln's assassination even President Andrew Johnson, who himself was later attacked for leniency, branded Davis a "traitor" and charged that he was involved in the plot to kill Lincoln.

FOR HALL OF FAME

And so the imprisonment of Davis was justified by the Government not only as a measure of war but as detention pending trial. After 2 years, because of the vigorous activity of Horace Greeley in his behalf, Davis was permitted to have bail fixed at $100,000. Greeley and others, including representatives of Cornelius Vanderbilt, submitted bond and Davis was released. When the time of trial came, Chief Justice Chase on constitutional grounds, quashed the charge, and he was freed.

Davis lived until 1889, a life marked mostly by frustrating misfortune—personal and family troubles and business failure. Peace came only in the last years, at the home friends provided for him at Beauvoir, near Biloxi. Here he wrote his "Short History of the Confederate States."

Luckless in life, he has had the fortune to have a richly talented biographer, Hudson Strode of the University of Alabama. The three-volume "Jefferson Davis" occupied Strode in 13 years of research. (Published by Harcourt, Brace & World. The first volume appeared in 1955 and the final volume in 1964.) It is a fascinating American story.

There is now an effort to have Davis admitted to the Hall of Fame. Among the many Americans, North and South, who have urged this recognition have been Generals Eisenhower, Bradley and Wedemeyer, and Adm. Lewis L. Strauss.

SERVICES TO NATION

By any measure of achievement, even if we limit consideration to the period before 1860, Davis deserves this recognition. He won great respect in the House and Senate by the fervor of his eloquence and his deep understanding of constitutional principles. During his 4 years as Secretary of War in the 1850's, he created great administrative reforms. He sought to the end to prevent a rupture of the Union but, like Lee, he joined his native section in creating a new nation's struggle for independence. "Treason" is a word loosely applied. It depends upon which side defines it. In our War for Independence, Washington and Jefferson were traitors in the idiom of the British Government. But they won and are richly rewarded in world history. Davis failed, and the victors imposed a Carthaginian peace.

A century is a long time—long enough to quiet passions in reunion. Lee has long been accepted as an American hero. Davis deserves just as much. Although it is 76 years since his death, it is time to offer amends to this man who served his country so well in peace and who fought and suffered so much for what he so sincerely believed to be constitutionally right.

PASSING OF GALLANT DAUGHTER OF CALIFORNIA PIONEER STOCK

Mr. KUCHEL. Mr. President, the recent death, shortly before her approaching 94th birthday, of Mrs. Jay Pennington Hitchcock, marks the end of a generation of Californians whose direct antecedents were residents of our State during the first years of statehood.

The daughter of pioneering parents who went to the Pacific frontier via the Isthmus of Panama, Mrs. Hitchcock was a unique link with the past for generations of Californians. After obtaining teaching credentials at San Jose Normal and Stanford University, she instructed a long line of pupils in schools—many of the one-room variety—for more than 5 decades. She taught in San Simeon, San Miguel, and Santa Rosa before her retirement.

The generation of which Mrs. Hitchcock was a last survivor was indeed closely identified with the romantic early days of California's membership in the Union. One of her sisters was married to the editor-publisher of the San Luis Obispo Tribune when that newspaper issued weekly editions in both the Spanish and English languages. Another sister's husband was the first marshal of the village of San Luis Obispo.

The death of Mrs. Hitchcock came a decade after that of her husband of nearly 60 years. However, the connections of the Pennington family with the colorful chapters of California history extending back more than a century remain unbroken as she is survived by 2 sons.

CITIZENSHIP DAY—SEPTEMBER 17

Mr. ALLOTT. Mr. President, the drafting and the ratifying of the American Constitution constitutes one of the most inspiring chapters in the pages of American history. Certainly the possession of a U.S. citizenship represents the dreams and struggles of men for many centuries. This hallowed document, which guarantees priceless freedoms and inalienable rights, sets forth a concept of liberty and justice that has been a constant source of inspiration to freedom-loving men everywhere. It is, therefore, most fitting that we recognize and stress the significance of Citizenship Day and Constitution Week.

On this occasion we honor our youth of native birth, just arrived at voting age, as they begin their quest to give vitality and life to the Nation through the exercise of responsible, dedicated citizenship. We also equally honor persons of other countries recently naturalized as they accept the rights, privileges, and responsibilities of citizenship and immerse their lives with their fellow Americans in meaningful participation in the civic, moral, and political life of their communities, States, and Nation.

Citizenship Day and Constitution Week are not solely important because of their great symbolic significance, but, also because they give an initial impetus to both the new voters and new citizens to share in the privileges and responsibilities of citizenship on both the national and local levels. Most importantly, these observances not only honor and motivate particularly these two groups of new citizens but also afford an opportunity for all citizens, native-born and naturalized, to rededicate themselves to the ideals upon which this Nation was founded and built.

BIG BROTHER: DOCTORS AND PATIENCE

Mr. LONG of Missouri. Mr. President, recent hearings before the Subcommittee on Administrative Practices and Procedure have exposed many questionable activities by overzealous agents in some of our Federal agencies.

The average man in the street generally is relucant to take an agency to task when he becomes the object of agency harassment or bungling. This is particularly true when the agency is the Internal Revenue Service. He will generally choose to keep his counsel and hope that the whole affair will soon blow over. The exceptions to this general rule, however, are frequent enough to command our admiration. Legitimate protests from our fellow citizens can also bring about corrections in an inefficient system if they fall upon the proper ears.

Recently, I have received some correspondence from a doctor in Knoxvile, Tenn., who was the victim of an unbelievable series of blunders by local IRS officials. He refused to be browbeaten by these officials.

To show the kind of harassment that some of our agencies can be guilty of and to make sure that this doctor's protests fall upon the proper ears, I ask unanimous consent to insert some of the correspondence at this point in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
DISTRICT DIRECTOR,
Nashville, Tenn., October 14, 1963.

Form No. 941.
Period ending December 31, 1962.
Assessment date October 14, 1963.
ROBERT F. LASH, M.D.,
Knoxville, Tenn.

STATEMENT OF ACCOUNT, BALANCE DUE

This tax results from an adjustment to your Federal tax return described above:

Balance before adjustment:

Tax	$36.00
Penalty	------
Interest	1.52
Total adjustment	37.52
Net balance due	37.52

You will be saved inconvenience and further expense by making payment in full of the net balance due within 10 days from date of this notice. Otherwise we will have no alternative except to take enforced collection action. Please make remittance payable to Internal Revenue Service and keep duplicate copy of notice for your records.

Your return has not been audited. If selected for audit, you will be contacted.

OCTOBER 21, 1963.

DISTRICT DIRECTOR OF INTERNAL REVENUE,
Nashville, Tenn.

SIR: The correspondence from your office received today further confuses and provokes an already irritating situation. To recapitulate briefly:

In May of 1963 the bill for my quarterly income tax payment from your office contained an error in simple arithmetic amounting to approximately $500 overcharge. However, knowing how long it takes to correct such errors and further knowing that you penalize taxpayers for being even a day late, I paid the overcharge. I then sent you a letter requesting reimbursement of this sum plus 6-percent interest; my feeling being that if taxpayers are penalized for underpayments, late payments or arithmetical errors, the same application should hold true for the Internal Revenue Service.

My first letter was not even answered. I wrote again on August 16 and finally received a form postcard informing me that "reply will be made at the earliest possible date." As of this date we have not had the courtesy of any type of reply or acknowledgment.

On the September quarterly tax bill from you, credit was given for the overpayment I made. On this form I again requested the 6-percent interest on the money I was overcharged. This request has not even been acknowledged.

Today I received from your office a bill for an additional $36-plus $1.52 interest for a completely unexplained "adjustment to your Federal tax return." In addition it states that "you will be saved inconvenience and further expense by making payment in full of the net balance within 10 days from the date of this notice. Otherwise we will have no alternative except to take enforced collection action."

Gentlemen, it appears that you will have to take your "enforced collection action" as I have no intention whatsoever of paying this until I know why I am being billed. I am quite certain from previous experience with your organization it will take considerably more than the 7 days left from "date of this notice" to obtain an explanation of this bill.

In addition to this, your attempted intimidation "If selected for audit you will be contacted" will not deter my effort to collect interest on the $500 error your office made.

U.S. TREASURY,
INTERNAL REVENUE SERVICE,
DISTRICT DIRECTOR,
Nashville, Tenn., December 11, 1963.

DR. ROBERT F. LASH,
Knoxville, Tenn.

DEAR DR. LASH: This is in reply to your letter of November 26, 1963, about the balance due on your form 941 for the quarter ended December 31, 1962, and the overpayment on your 1963 estimated tax account.

You do not owe any tax on your return for the fourth quarter of 1962. The Treasury check for $36.49 that you returned for cancellation will reinstate the credit to your account to offset tax due resulting from the correction of your return.

In your letter of October 21, 1963, you state that you received a bill for your quarterly income tax payment on form 1040-ES which contained an error amounting to approximately $500 overcharge. The statement was issued from your 1963 estimate before the overpayment of $497.54 on your 1962 income tax return had been credited to the account. We have encountered some problems during our first year of processing estimated tax returns under our automatic data processing system. This resulted in a small percentage of the installment notices being printed without including all credits.

The amount of estimated tax listed on your form 1040–ES is $5,152.64, and our records show that you have credit on your estimated account for payment of $1,785.70 and two payments of $790.62 each, and credit of $497.54 from overpayment on your 1962 income tax return. The amount of $1,288.16 is due as the January 15 installment.

As to interest due on the overpayment of your second estimated tax installment for the 1963 account, advance payments of this type are not considered true overpayments until a final return has been filed on form 1040 and a complete tax determination made. Any overpayment would be refunded with allowable interest unless it is indicated on the return to have such overpayment credited to estimated tax.

Very truly yours,

J. P. BOYLE,
Acting District Director.

DECEMBER 26, 1963.

M. J. P. BOYLE,
Acting District Director,
Internal Revenue Service,
Nashville, Tenn.

DEAR MR. BOYLE: With receipt of your letter of December 11, 1963, stating "You do not owe any tax on your return for the fourth quarter of 1962" and your explanation of "some problems during our first year of processing estimated tax returns," I thought my problems with the Internal Revenue Service were solved. This you will recall was after some 8 or 9 months of voluminous correspondence not only with your Service, but with two Members of Congress, my accountants, etc.

However, I find yet another act to be played in this farce, as I have now received a notice from the office collection force threatening me with "levies on my property, receivables, bank accounts, salary, wages, commissions or other income" unless I make immediate payment. There is no way of knowing how much this ridiculous affair has cost both the taxpayers and myself, but my position remains the same as previously: I have no intention of paying this.

Very truly,

ROBERT F. LASH, M.D.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
DISTRICT DIRECTOR,
Nashville, Tenn., January 7, 1964.

Dr. ROBERT F. LASH,
Knoxville, Tenn.

DEAR DR. LASH: This is in reply to your letter of December 26. We regret that you received the notice and demand for payment of tax.

The statement was sent from our Knoxville office before they were notified that you did not owe the amount assessed. We have called that office informing them of your tax status and requesting them to close your file.

Very truly yours,

JAMES A. O'HARA,
District Director.

BEAUTY FOR MENTAL HEALTH

Mr. BYRD of West Virginia. Mr. President, the Charleston, W. Va., Sunday Gazette-Mail State Magazine, dated September 5, carried a report on the efforts of the West Virginia State Department of Mental Health to utilize the therapeutic values of beauty in its various forms in the treatment of mentally ill patients.

The effectiveness of the approach has been noted, and I wish to pass on through the medium of the CONGRESSIONAL RECORD information on this operation.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEALING WITH BEAUTY: REPORTS FROM STATE INSTITUTIONS INDICATE THAT BEAUTY IS A VERY EFFECTIVE MEDICINAL TOOL IN SOME CASES

(By Edward Peeks)

A thing of beauty is not only a joy forever, but it is tonically good for the mind and body when it grows out of the earth.

It may be a flower, a lawn, or a tree, embodying the kind of beauty which Poet John Keats called "a joy forever."

But more than that, doctors and rehabilitation specialists say, beauty has therapeutic values and curative powers. It is good medicine for the mentally ill and the emotionally disturbed.

The State Vocational Rehabilitation Division is striving to use more of this medicine at centers operated on hospital grounds in cooperation with the State Department of Mental Health.

Efforts are being made to expand and intensify programs in horticulture to help more patients to recover and find employment when they return to their communities.

"We think this program has great possibilities," said F. Ray Power, State rehabilitation director. "We have in mind to train clients how to work in shrubbery, gardens, greenhouses, nurseries, and beautification programs on highways and parks."

Power said a growing national interest in beautification, including the Johnson Administration proposal to beautify highways, recommends the expansion of programs at centers in Huntington, Lakin, Spencer, Weston and St. Marys.

"It is wholesome activity to work in the ground to raise vegetables and flowers, to care for shrubbery and lawns," Power said. "It is good for the body and mind when one cultivates the growth of things and sees results. It is not only therapeutic for the mentally ill, but for others."

Power believes America is on the way toward developing the kind of public parks and botanical gardens with glowing garbs of flowers, as seen in countries like England and Holland.

"This trend and others," he said, "offer new challenges in the field of rehabilitation, especially in work with the mentally ill who stand to gain from these changes along with the rest of society."

In addition to horticulture, the centers teach agriculture, animal husbandry, industrial arts, cosmetology, and remedial education in reading and other subjects.

The typical operation of a center may be seen from a monthly report on activity this year at Huntington State Hospital.

The center reported that 33 new referrals were made to counselors. Of that number, 30 cases were accepted and 21 were transferred to field rehabilitation counselors for follow-up services, such as outpatient psychiatric care and job placement.

Four cases were transferred to rehabilitation houses before the final step back to their communities. Four others were rehabilitated through the field service program.

Other activity for the same month showed that 52 patients received therapeutic training in industrial arts, including woodworking, small appliance repairs, plastics, drafting, and sheet metal work.

In domestic arts, 38 were instructed in the use of surplus commodities in planning meals, general housekeeping, baking and cooking, personal grooming, and laundry operations.

A total of 99 patients received occupational therapy in such activities as rug weaving, embroidery work, leather crafts, ceramics, copper enameling, art and painting.

The cosmetology unit, which offers both evaluation and training services, furnished a total of 62 permanent waves, 333 shampoos, 94 color baths, 105 dandruff treatments, 203 haircuts, 60 manicures, 75 facials, 98 facial hair removals, and 15 eyebrow archings.

Remedial and business education enrolled 18 patients and 28 received training in shoe repair. The latter fixed 173 pairs of shoes for fellow patients during the month.

"The center works closely with the client up until the time he leaves the hospital to return to his home community," Power said. "After he is discharged, his case is transferred to a rehabilitation field counselor."

Some responsible citizens say that follow-up services are weak when it comes to discharged patients who have had the benefit of training and evaluation at the various centers.

Others say that the patient load at centers should be larger, and training services should be more relevant to employment opportunities.

For example. they say, shoe repairing is not a field bright with employment opportunity, because of changes that have taken place in the shoe industry. Nor does the trade offer employment prospects in a related field of any kind.

Rehabilitation specialists say, however, that evaluation and training programs under these circumstances are not designed to turn out finished craftsmen and skilled graduates of any description.

The primary aim is therapeutic treatment for the patient. they say. After a patient is discharged, he may be referred for further training under the rehabilitation program where the individual case and circumstances warrant it.

To any such criticism, Power says the standing goal of his agency is to improve services in all categories, although the agency has won national honors several years in a row for achievements in rehabilitation.

"We want to do a better quality job in giving services to patients in hospitals," Power said.

But he said his agency, like others of the kind in the country, faces considerable difficulty in finding trained social workers, psychologists, nurses, special teachers, and occupational therapists.

Serving a total hospital population of 5,227, the five centers last year had nearly 1,000 active cases, not counting those who were tested or given counseling services.

Of the total number of active cases, 271 were rehabilitated. They returned to their communities to lead useful and productive lives.

VICE PRESIDENT ADDRESSES SYRACUSE UNIVERSITY CLASS OF 1965

Mr. BYRD of West Virginia. Mr. President, I was privileged to receive from Vice President HUBERT H. HUMPHREY a copy of his address to the Syracuse University class of 1965. His remarks on congressional service, eloquently stated and based on his personal experience, are an effective exposition of his views on congressional service as a remarkable form of higher education.

I ask unanimous consent that this address be printed in the RECORD.

There being no objection, it was ordered to be printed in the RECORD as follows:

ADDRESS TO THE CLASS OF 1965, SYRACUSE UNIVERSITY, BY HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES OF AMERICA

WILLIAM PEARSON TOLLEY. We are singularly honored today to have so distinguished a guest. Because students are important at Syracuse University we consult each year with the officers of the senior class and ask them their choice of a commencement speaker. And this morning, ladies and gentlemen, by the unanimous action of the senior class, the Vice President of the United States.

Vice President HUMPHREY. Thank you, thank you, Chancellor Tolley. My thanks to you, Chancellor Tolley, deans of the many schools, colleges of this great university, members of the board of trustees, my colleagues in Government who share this platform with me today, Secretary Connor, a graduate of this splendid university, and Secretary Harlan Cleveland, a former professor and head of the Maxwell School of this great university, Congressman HANLEY, the graduates of this class of 1965, the parents who are here in pride and honor, and my fellow Americans, and guests, this is, as I've been reminded once again, as you have, the 111th commencement ceremony, not for me but for this great university. I was saying to Chancellor Tolley how difficult it is these days to be the commencement speaker and try to find a topic that is worthy of the attention and the thoughtful consideration of the graduates. I suppose I should be concerned about the faculty, but in this instance I address myself primarily to the graduates.

The honor that you have done to me today is one that is deeply appreciated, particularly in light of the announcement that has just been made as to how I was selected. I'm especially delighted that the chancellor and the board of trustees extended their invitation to me as a result of the vote of the senior class. You see, I've always been friendly to votes. And I'm particularly pleased when the votes and the voters are friendly to me. And what a refreshing experience, and what a way to renew the spirit of a public official, to be selected once again by votes. I might say to my friends of the graduating class, I have been on both ends of the voting spectrum, and the best end is the winning one. Now I of course have no way of knowing against whom I was running in this contest. But I trust that it was some worthy Republican, of which this State has all too many. I hope that I didn't inspire any fear or trepidation in the heart of the Congressman.

I do want to take just for this moment the opportunity to express, a little bit prematurely, but this is one way of assuring that the ceremony comes off, my thanks for the honor that will be bestowed upon several of us here today, the honorary degrees. Now having made the announcement, there is no way that anything can go wrong.

My presence here today is particularly satisfying to me because this year marks the fortieth anniversary of the founding of the Maxwell School. Syracuse University has made many contributions to scholarship and to professional excellence in a wide variety of fields. I know that this great university encompasses most all of the disciplines of intellectual life. I'm well aware of the achievements and the high standards of your college of engineering, and I well recall that only last year the President of the United States was with you on the occasion of the dedication of your new communications building. I know the outstanding endeavors of this university in the field of social work and social welfare. These are but a few of your achievements in the fields of scholarship and professional excellence.

But as one who has by purpose and design devoted his life to the public service, I want to express my personal thanks and gratitude to the U.S. Government for the work of the Maxwell School. Yes, I've mentioned already the Assistant Secretary of State for International Affairs, a distinguished former dean of the Maxwell School, Harlan Cleveland, who serves his country well and faithfully and with brilliance, and the graduate of this great university, the Secretary of Commerce, who has brought new life to that Department and a new sense of purpose and direction. In addition to the outstanding contributions of the Maxwell School to social science scholarship and the upgrading of public service, its undergraduate course in public affairs and citizenship is world famous. And I would recommend it to every great university in our land. Your chancellor has told me that more than 20,000 Syracuse undergraduates have taken this course over the past generation. Think of it, 20,000 citizens who have been educated in their continuing personal responsibilities for the preservation and the extension of human freedom—and if ever there was a time that this Nation needed men and women who understand their personal responsibilities to the cause of freedom and social justice, it is now.

Our Nation, as never before, bears the mantle of leadership, and that mantle is not a luxury, but rather a responsibility, a burden and a duty. All the more reason then that citizens, not just the leaders, but citizens all be educated in their continuing personal responsibilities for the stewardship of human freedom. It is difficult to think of a more fundamental contribution which a university can make to free society. So my congratulations to this school. I know that it will continue to flourish and accomplish much in the years ahead.

Now, I am also a refugee from the classroom, a former university teacher. Because of the precarious nature of elective life, I like to mention this in the presence of trustees and deans of faculty. And I would care not to be judged entirely on the singular performance of today, but rather on a longer exposition by the applicant at a later time.

I am well aware, as a former teacher, of the pitfalls of commencement speeches. It's so easy to follow the timeworn formula, the world is in a mess (when wasn't it, by the way?), the older generation has failed (it generally has), and it's up to you of the graduating class to put things right, at least for a day or two. And then some day you'll be the older generation and you too can have the dubious honors that other commencement speakers would heap upon you. But platitudes rarely change attitudes. And baneful criticism and vapid exhortations are cheap substitutes for hard thought and analysis. I prefer, therefore, to take my stand on the proposition that the American people working through democratic institutions, changing institutions, have met, are meeting, and will continue to meet the most complex problems of our age. If we still have a long way to go, and we have in achieving human equality, in securing international and domestic tranquillity, in extending the benefits of our technical genius to all citizens in the American Republic and to all of mankind, let us at least glory in and be inspired by the magnitude of the unfinished agenda. Let us glory in the fact that we still possess the wit and the wisdom to continue making our American democratic system responsive to the terribly difficult and complex problems of this turblent and rapidly changing age.

Winston Churchill once was reported to have said that democracy is the worst form of government, except all other. And I suppose there is more truth than humor in that analysis of the social structure. But it is our democracy that we mold and design to our purpose. And the glory of the democracy and of the democratic faith is the courage of it, the experimentation of it, and the willingness to try to begin anew, if we should fail, to rise once again, if we should falter, to try once again, remembering with the prophet that the longest journey is the first step, and the first steps toward freedom we have taken, and further steps we will take.

I want to discuss with this graduating class the importance of one of the great constitutional instruments at the disposal of the American people in the business of making this democracy work. I want to discuss with you an institution that is frequently referred to with cynicism, all too often, may I say, by the media, and all too often held in disrepute by people who know all too little about it. I refer to the institution of the Congress of the United States. What I have to say I think needs saying, because too many of our citizens take an indifferent, cynical, and even hostile view toward the legislative branch. No one branch has a monopoly on wisdom or virtue, but surely each can make a contribution to the common good. This is not, when I speak of the Congress, to underestimate the need for strong and able presidential leadership, or for wise and humane judicial decisions. It is, however, once again to reaffirm the vital role of representative government, the vital role of the Congress in our constitutional system. Few persons can deal directly with either the President or the Supreme Court. But any person, personally or by mail or phone, can communicate with his elected representatives in Washington. The Members of the Congress, the people's representatives, provide a direct link between the National Government, this huge structure that shows no signs of becoming smaller or less complicated, this huge structure and the almost 195 million persons who comprise this Republic, and a growing population it is. Surely, this contact, this connection, is vital in keeping our National Government responsive to the needs and opinions of the American people.

I have found congressional service to be a remarkable form of higher education. It's a super graduate school in every discipline. My teachers have been Presidents and department heads, constituents, press, radio, and television, and above all a group of wise and distinguished colleagues in both Houses. I cannot in the few minutes that I have convey to you all that I have learned from these teachers, but it is a rich and a rewarding experience.

Perhaps I can suggest some lessons in democratic theory and practice which I've gained from my collegial experience in the Congress. The first lesson has to do with the creative and constructive dimension to the process of compromise—compromise without the loss of principle or honor. There are 100 members of the U.S. Senate and 435 Members of the House. They come from States and districts as diverse as Nevada and New York, Alaska, and Alabama. No two States or regions of the United States have identical needs, backgrounds, interests or even prejudices. And one of the jobs of the Congress is to reconcile such differences through the process of compromise and accommodation. What sometimes seem to the naive and untutored eye to be legislative obstructionisms, often are no more than the honest expressions of dedicated representatives trying to make clear the attitudes and the interests of their States and regions, sometimes trying to gain time for public understanding of vital issues. As Sir Richard Grenfell once observed: "Mankind is slowly learning that because two men differ neither need be wicked."

From the earliest days of this Republic—at the Constitutional Convention—the leaders of this Nation have maintained an unswerving commitment to moderation. Now,

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if our Founding Fathers had not understood the need to overcome extremes in drafting our Constitution, this noble experiment of ours in the art of self-government would surely have foundered years ago on the rocks of dissension and discord.

As in the deliberations of the Constitutional Convention, the heart of congressional activity are skills of negotiation, of honest, bargaining among equals. My willingness to compromise, and I have done so more times that I can count, is the respect that I pay to the dignity of those with whom I disagree. Yes, I have come to the conclusion that possibly all of my original suggestions may not have been right. There may be others, you know, who have solid and constructive views. Dogma and doctrine have little place in a society in which there is respect for the attitude and the opinion of others.

Through reasonable discussion, through taking into account the view of many, Congress amends and refines the legislative proposals so that once a law is passed it reflects the collective judgment of a diverse people. This is consensus, the word that is used so much in these days. Consensus is nothing but agreement, obtained by a constructive dialog between persons of different points of view, based upon mutual respect and understanding. Surely this is a remarkable service for a people that aspire to orderly progress. Surely the habits of accommodation and compromise are of universal consequence. These are the very skills and attitudes so desperately needed on the larger stage of world conflict, and possibly our difficults on that world stage can be better understood when we recognize that where there are despotic forms of government or dictatorships, the art of negotiation and compromise has been sacrificed to power, to arrogance, and to the strong will of the man who knows he is right. We possibly have some teaching to do before the processes of peace may reach a maturity and an achievement.

World order and the rule of law will be secure on this earth only when men have learned to cope with the continuing conflicts of peoples and nations through the peaceful processes of bargaining and negotiation. And might I admonish my fellow Americans that we too need to be cognizant of the differences in other lands, that we seek no pax Americana, we seek no trademark "Made in the U.S.A.," we seek above all to negotiate, to accommodate, to adjust so that peoples realize their hopes in their way.

A second lesson that I have learned from my congressional teachers is the importance of the congressional role of responsible surveillance. There are roughly 70 separate departments and agencies in the Federal Government. Now if you should notice two Cabinet officers wince a bit, as I speak of congressional surveillance, may I say that I have not been long from the Chambers of the Congress. I am not fully purified as yet in the executive climate. There are roughly 70 departments, some are small, some are large. All are engaged, however, in doing what they believe is carrying out the will of the people as expressed by the Congress.

In the interest of efficiency, economy, and responsiveness, these departments and agencies need, even if they don't want it, a continuing critical review, constructively critical it is to be hoped, by the committees and the Houses of Congress. The genius of our Founding Fathers is nowhere more in evidence than in that section or those sections of the Constitution which provide for checks and balances. Uncomfortable as those checks and balances may be sometimes to those who seek to administer, through its review of the executive budget, in the appropriations process, yes through committee and subcommittee investigations, through advice and consent on appointments and treaties, and through informal discussion, Congress seeks to improve and to support the executive branch of our government. My fellow Americans, I know that this cross-examination can be interpreted in other lands as division in our ranks, but it appears to me that it is more important that the American people know what is being done in their country, that they have the opportunity to reflect upon the policies and the decisions that are to be made, than it is that he should always have the image abroad of having a sort of monolith mind. I am not that worried. Let those who feel that we may discuss too often and that we may argue too much, let them remember that freedom is hammered out on the anvil of discussion, dissent, and debate, which ultimately yields to a decision that can be supported by the public.

This exercise in congressional freedom protects and extends personal freedom. And that is our goal. If legislative voices are occasionally strident, and they are, citizens should take stock of what their world would be like if no legislative voices were heard at all.

We know what happens in countries without independent and constructively analytical legislatures. Mankind invented a word for such systems centuries ago, and the word is as old as its practice—tyranny.

There's one other lesson that I've learned from my congressional teachers: the creative joy of politics. I can say in personal testimonial that I would not give my life to it unless I found in it a sense of fulfillment and joy. Each Congress is devoted in substantial measure to the development of new public policies designed, as our Constitution says, to promote the general welfare and provide for the common defense, the national security of this Nation.

Congress is not a battlefield for blind armies that clash by night; it is a public forum operating in the light of day for men of reason. It is a place where national objectives are sought, where Presidential programs are reviewed, where great societies are endlessly debated and implemented. Oh yes, I know at times the congressional process exasperates and confounds us; it's clumsy, sometimes it's slow and unresponsive to what some of us believe is urgent need. Its strength and its weakness is the fact that it is representative of our country, of our human institutions. It reveals in its conduct and makeup all of the crosscurrent of social, economic, and political forces. It is like a huge mirror suspended over the Nation, reflecting and revealing us for what we are, dirty face and all at times, our prejudices as well as our ideals, our fears and our hopes, our poverty and our wealth. There it is in the Congress representative of the people. Oh, to be sure, we should seek to constantly improve its rules and its institutions of operating machinery, but ultimately, my fellow Americans, the Congress will behave as the Nation behaves, the Congress will represent the spirit of the American people.

It was Emerson who once wrote that Congress is a "standing insurrection." You don't need a revolution here; you have one built it. It is a standing insurrection against the ancient enemies of mankind: war, and poverty, and ignorance, and injustice, and sickness, environmental ugliness, and economic and personal insecurity.

Now, graduates of this class, few careers offer such remarkable opportunities for translating dreams into reality. Congressman Hanley, I am not seeking opposition to you, I am merely encouraging this group of fine graduates to take a new interest in the affairs of state, in government, in public life. A new bill, a creative amendment, a wise appropriation, may mean the difference to this generation and generations ahead, between health and sickness, jobs and idleness, peace and war for millions of human beings.

And stemming from ancient parliamentary origins, the main job of Congress is to redress the grievances, to right the wrongs, to make freedom and justice living realities for all. What higher calling, I ask you, exists than this? This is the essence of politics: to translate the concerns and the creative responses of a vast citizenry into effective and humane laws. And, I submit, no country does it better than ours. Our competence in the field of self-government is the envy of mankind.

I cannot conclude without a personal note. For almost 20 years, Congress has been my home. As Vice President, my relationships with my former colleagues are inevitably a bit more formal and more intermittent than in past years. Yet I can say unashamedly that I cherish them dearly. I have seen their weakness and they have seen mine.

I have been on occasion restive of delays and procedural anachronisms—and so have they. But I have seen in the Halls of Congress more idealism, more humaneness, more compassion, more profiles of courage than in any other institution that I have ever known. And like many of you today, I find in my heart to praise and to thank my teachers.

Perhaps some of these words of tribute to the institution of freedom known as the U.S. Congress may stay with you. I hope so; I know it well; I respect it greatly. As long as the Congress of the United States continues to function as a responsible and viable element in our constitutional system, the promise of American democracy will forever endure—the torch of freedom will forever light the path of our future.

Each of you, however, must also assume a personal responsibility for preserving freedom in these perilous times. This is not the business of someone else, it is your business. Freedom is the personal commitment and responsibility of each and every one. And the nature of this responsibility, I think, is best illustrated by John Adams' notion of the spirit of public happiness.

It was this spirit, said John Adams, that possessed the American colonists and won the revolution even before it was fought—a spirit which is reflected in delight in participation in public discussion and public action. It is a sense of joy in citizenship, in self-government, in self-control, in self-discipline, and in wholehearted dedication.

An important part of the mission of this great university has been to instill in each of you the spirit of public happiness. And it will be this dedication to the public service—found in the hearts of Americans alive today and the generations yet unborn—that will insure the ultimate victory of freemen in their struggle against the forces of tyranny and oppression.

Your work is ahead of you. The time awaits no man. Seize this opportunity to serve the cause of mankind.

SOVIET ANTI-SEMITISM

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the Record at this point the text of the eloquent address delivered by Rabbi Seymour J. Cohen, the spiritual leader of the Anshe Emet Synagogue in Chicago, Ill., president of the Synagogue Council of America, as well as chairman of the

steering committee of the American Jewish Conference on Soviet Jewry, at the eternal light vigil in LaFayette Park, Washington, D.C., on September 19, 1965.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

We come today before God and man to give witness concerning the fate of our brothers in the Soviet Union. We come today to bestir ourselves and to arouse the conscience of all men.

We come today to consecrate ourselves anew to the solemn task of securing and assuring the religious and cultural continuity of our brothers in Russia.

It is fitting that we should do this. It is proper that we should do this here and now. We are 1 short week before the new year.

Now is the time when a man must search his heart. Now is the time when a man must reflect on his responsibilities. Now is the time when we must concern ourselves with the welfare of others. Now is the time for prayers to God and for action by men.

We plead with the God of the covenant, remember them and help us.

What is the tragedy of Soviet Jewry? The tragedy can be stated simply. They are subjected to a process of spiritual and cultural attrition. They are losing their identity as a distinct group. Unless this process is stopped, a great and historic Jewish community will disappear.

Before God and man we ask: Can we allow the disappearance of any Jewish community as a result of external pressure?

Before God and man we ask: Can we be silent as they are prevented from teaching their children the faith of our fathers?

Before God and man we ask: Dare we stand by as they are intimidated from free association with Jews at home and abroad?

Before God and man we ask: Can we be the silent witnesses as they are being condemned to a lingering spiritual death?

Place yourself in the position of a Soviet Jew and ask: Is that type of life tolerable?

The Soviet Jew stands utterly alone. He has been isolated from his religious heritage. He has been cut off from his cultural tradition.

He is cut off from his past. His present is severely restricted. His future is bleak.

What is life without the strength of roots? What is life without the pride of history? What is life without the warmth of memory? What is life without the ennoblement of culture? What is life without the fellowship of community? What is life without man's link to eternity?

The Soviet Jew as Jew is in limbo. His is not life. It is rather spiritual death.

It is hard to believe that a great government aims consciously at the forceable assimilation of a minority of its population. Can we be silent as a link is torn from the millennial chain of Jewish life? Our fate is intertwined with theirs.

They are bone of our bone, flesh of our flesh.

We are bound to them by the cords of memory. We are all part of a covenant people who share a common history, faith, culture, language, and tradition. They are precious to us. Dare we stand with folded hands? The bar of history would not forgive our inaction. We are a small people with a great heritage, a heritage which teaches that when any man is fallen—you, you must help him stand.

We are a small people whose ranks have been cruelly diminished during this past generation. Can we afford to stand idly by when a quarter of our remaining family is denied the liberating air of spiritual and cultural equality? Will we stand by as this denial of their rights leads to their spiritual asphyxiation?

Conscience demands the elementary right of every people to group life.

Conscience demands the elementary right of each man to worship God as he sees fit.

We plead for those for whom the synagogue and its schools stand at the very heart of their Jewishness. We implore for those who cherish Hebrew and Yiddish, love their language, and see it at the very core of their cultural being. There are those Soviet Jews who saw their dearest perish in the holocaust. Shall they be denied the fundamental right to be reunited with their remaining families? The Soviet Union has affixed its signature to the Universal Declaration of Human Rights. Religious liberty, cultural fulfillment, family reunification—are basic human rights.

In this hour, we welcome the condemnations of anti-Semitism that have appeared in the Soviet press. The remarks of Premier Kosygin and the recent Pravda editorial are first steps. We hope that they are the beginning of a process of the rectification of lingering wrongs. The Soviet Union is not insensitive to world public opinion. We must continue our labors until there is a fundamental change in the situation of the Soviet Jew, a fundamental change which will enable him to live his life as a Jew in dignity, honor, and pride.

Before God and man, we declare that we make our demands in the cause of peace. Together with all men of good will, we hope for the improvement of relations between all nations. Fervently in our daily prayers, we ask for world peace. We pray that there be a rapprochement between our beloved Nation and the U.S.S.R. Let us never forget, however, that the elimination of a moral grievance which causes tension will surely remove an obstacle to understanding. We know the pains of war. We yearn for the serenity of peace. It must be a peace of justice. It must be a peace of equality for the Jews, for all men of the Soviet Union.

Our demands are just. We ask for our brothers that which is promised to all Soviet citizens.

In this solemn hour, our hands are uplifted in solemn oath.

We will not rest until justice is done for our people in the Soviet Union.

We pray to the All Merciful, who answers the broken hearted that He will answer us, that He will save, and that He will have mercy upon our loved ones. Together with our prayers go forth our continued commitment to our labor. We shall struggle to enable our brothers to maintain their religious loyalty and cultural identity. We shall not rest until we secure their right to associate with fellow Jews within and without the Soviet Union. We hope for the day when severed families will be reunited again. Their cause is dear and precious to us. The urgency of their need, the lateness of the hour, bids us to cry aloud, to proclaim before all men that we have come to seek justice for our people.

Mr. DIRKSEN. Mr. President I also ask unanimous consent, in connection with this address, to have printed in the RECORD an article published in the Washington Post of September 20, 1965, entitled "10,000 Protest Soviet Anti-Semitism at Rally," and a list of the 24 Jewish organizations sponsoring the week-long vigil.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NEARLY 10,000 PROTEST SOVIET ANTI-SEMITISM AT RALLY

(By William J. Raspberry)

Ten thousand people from 106 communities thronged to Lafayette Park yesterday in dramatic protest of anti-Semitism in the Soviet Union. The rally marked the beginning of a week-long "national vigil for Soviet Jewry."

Sprawled over three-quarters of the park, in humid, 90-degree weather, the crowd heard bitter charges that the Soviet Government is bent on destroying Russian Jewry and solemn pledges that this would not be allowed to happen.

James Roosevelt, U.S. representative to the United Nations Economic and Social Council and one of nearly a dozen speakers, said Soviet Jews "are uniquely discriminated against."

This means, he said, that they have no opportunity to maintain and perpetuate their existence and are deprived of their human pride and self-respect.

"It is now a quarter of a century since any Jewish school has existed where a Jewish child might learn something of Jewish language, literature and history: a quarter of a century in which a whole generation of Soviet Jewish youth is confronted with a past that is a blank and a future that is empty.

"To force that great community to become a dead end in history is a moral crime, a historic tragedy, a gross violation of human rights." He said the problem "properly belongs on the agenda of the United Nations."

Roosevelt and other speakers, notably Bayard Rustin, Negro civil rights leader, emphasized the difference in the problems faced by Jews in Russia and by Negroes here—principally, that the U.S. Government is "vigorously seeking to eradicate" unjustice to Negroes, while the Soviet Union turns its back to the plight of its Jews.

Other speakers—Catholic, Protestant, Orthodox and Jewish clergymen, labor leaders, writers and educators—pointed up some of the harsh facts that face Russian Jews:

There were 450 Russian synagogues in 1956; 60 in 1965.

Jewish congregations in Russia increasingly are composed of old people, the young being prodded by the State into atheism.

While the Soviet antireligious campaign is general, it is directed with special force against the Jewish community. Although all Russian towns still retain at least one Orthodox church, many towns with sizable Jewish populations have had their only remaining synagogue forcibly closed in recent years.

Following the 2-hour rally, the crowd marched up 16th Street, west on K Street, and returned to the park by way of 17th Street.

A four-man delegation composed of Theodore Bikel, Rustin, Rabbi Seymour Cohen, of Chicago, and the Reverend John Cronin, of the National Catholic Welfare Council, tried to present a petition bearing a million signatures at the Soviet Embassy.

When no one answered the door at the Embassy, Bikel slipped one sheet of signatures under the door and announced that the remainder of the petitions would be returned to Lafayette Park, where a light will remain in place until Friday noon. The torch is inscribed: "The House of Israel Shall Endure."

Delegations from the 24 Jewish organizations sponsoring the week long vigil will go to the State Department at 10 a.m. today for a briefing on Jewish life in Russia, and to the White House at noon for a conference with McGeorge Bundy and Lee White.

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List of Organizations Sponsoring Weeklong Vigil

American Israel Public Affairs Committee.
American Jewish Committee.
American Jewish Congress.
American Trade Union Council for Histadrut.
American Zionist Council.
B'nai B'rith.
Central Conference of American Rabbis.
Conference of Presidents of Major American Jewish Organizations.
Hadassah, Women's Zionist Organization of America.
Jewish Agency for Israel, American Section.
Jewish Labor Committee.
Jewish War Veterans of the U.S.A.
Labor Zionist Movement—Poale Zion, Farband, Pioneer Women.
National Community Relations Advisory Council.
National Council of Jewish Women.
National Council of Young Israel.
Rabbinical Assembly of America.
Rabbinical Council of America.
Synagogue Council of America.
Union of American Hebrew Congregations.
United Synagogue of America.
Zionist Organization of America.

THE CONGRESSIONAL CONFERENCE ON BICYCLING IN AMERICA

Mr. HARTKE. Mr. President, about a year and a half ago on May 1, 1964, I had the great pleasure of attending a conference with many of my distinguished colleagues in both Houses of the Congress. It was the Congressional Conference on Bicycling in America.

At this conference I was privileged to hear such noteworthy speakers as Dr. Paul Dudley White, the eminent heart specialist, Mr. Joseph Penfold, chairman of the Citizens Committee for the Outdoor Recreation Resources Review Commission, and the Honorable Secretary of the Interior, Stewart L. Udall.

Mr. President, I am sure I speak for my colleagues who were in attendance when I say we were enlightened by what we heard.

We heard Dr. White tell us of the many advantages to our health and longevity from the kind of exercise provided by bicycle riding. We heard Mr. Penfold tell us of the 58 million Americans of all ages, in every section of this great land of ours, riding bicycles for fun, physical fitness, and economical transportation. He told us, too, of the great need to provide this growing army of cyclists with safe, pleasant places to ride—away from the hazardous crush of traffic on our busy highways.

And we heard the distinguished Secretary of the Interior tell us that, in planning legislation for increased outdoor recreation opportunities, we must provide bike paths and trails, or condemn our cyclists forever to what he called the tyranny of the automobile.

It was an enlightening experience, Mr. President, one that called dramatic attention to a growing need. Subsequent legislation, passed by the Congress and signed into law, have made provisions for satisfying this need. The Land and Water Conservation Act, the wilderness bill, the open space land program, and the Economic Opportunity Act, all contain provisions whereby Federal assistance can be made available to States and municipalities who want to provide bike paths and trails for use by their citizens.

Not long ago, the President of these great United States still further endorsed the construction of these much-needed facilities. In his message to the Congress on natural beauty on February 8, 1965, President Johnson called the country's cyclists "the forgotten outdoorsmen of today," and urged the construction of a system of hiking and biking trails to span the country.

From the highest levels of government to the local park superintendent's office, on radio and TV and in countless newspaper stories and editorials, there has been widespread support for the cause of expanded cycling facilities. This is just and right, not only for all the reasons I have already mentioned, but because the two-wheeler is the heritage of every American youngster, a heritage that must be guarded, lest it be trampled under the feet of progress.

But everyone faced the same problem, no one knew the answers to such questions as "How do you build a bike path, how long or wide should it be, how should it be surfaced, how can it be financed, what other opportunities are available besides bike paths in parks," and countless others.

At this point, an enlightened industry, the American bicycle industry, stepped in, and in a fine example of the union of the private and the public sectors, cooperated in finding and publishing the answers. The industry's first step was to finance a study by the American Institute of Park Executives to learn from park officials all over the country what they had done and were planning in the way of facilities. Thousands of questionnaires were sent out, and hundreds of personal interviews conducted from Maine to California. The resulting information has been compiled and published in a book entitled "Bike Trails and Facilities: A Guide to Their Design, Construction and Operation."

This book, along with other valuable information on bike paths and trails of all kinds, on special routes through existing streets, called bikeways, and much other valuable information and support material has been put together by the bicycle industry in a brochure called "The Bikeway to Outdoor Recreation." The industry has made this invaluable kit of information available in large quantities to Federal, State, and local government agencies, to park and recreation officials and to civic-minded individuals who are interested in advancing this worthwhile program.

Mr. President, the U.S. Department of the Interior alone, has ordered over 600 copies of this brochure for use by key executives of the Bureau of Outdoor Recreation, the Conservation Department, the National Park Service, the Department of Indian Affairs, the Wildlife Service, and other agencies within the Department of the Interior.

Here are some of the comments these learned men have made about this fine publication:

> Laurence Stevens, Associate Director, Bureau of Outdoor Recreation: "I am most enthusiastic about this. It is terrific. We plan to send copies to each of our regional offices."
>
> William Duddleson, Chief, Division of State Planning, U.S. Department of the Interior: "This material is exceptionally well done and fills a great void in outdoor recreation."

An official of the National Park Service calls it one of the most thorough publications on the subject we have ever seen.

I am proud to have been a part of the beginnings of this effort, and am proud to salute the American bicycle industry for its efforts on behalf of all Americans, in helping provide the tools with which those responsible can provide the bike paths, trails, rental facilities and bikeways over which a healthful, vigorous and mobile citizenry can ride to its heart's content, pursuing the pleasures of outdoor recreation in peace and safety.

LEADERSHIP FOR FREEDOM IN A CHANGING SOCIETY

Mr. HARTKE. Mr. President, I would like to call the attention of my colleagues to an excellent address given by my fellow Hoosier, Congressman JOHN BRADEMAS. Speaking at the 29th annual conference of the National Association of Student Councils, in Lexington, Ky., Representative BRADEMAS noted that "young Americans are no longer isolated from the most urgent problems facing our Nations." Mr. BRADEMAS lauded the concern and commitment of many of our American youth, finding their activities to be an indication of democratic vitality. To his audience of more than a thousand high school students, Mr. BRADEMAS outlined new directions for the dynamism and idealism of young people.

Mr. President, I would commend this speech to the reading of American parents and American youth, as well as American lawmakers. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Leadership for Freedom in a Changing Society

(Address by Congressman JOHN BRADEMAS, of Indiana, 29th annual conference of the National Association of Student Councils, Henry Clay High School, Lexington, Ky., June 21, 1965)

I come to you tonight as a practicing politician, one who sits on the committee of the House of Representatives that writes most of the legislation affecting young people in the United States.

During my 7 years on this committee, I have had many opportunities to travel and talk with students and their teachers, here in our own country as well as in Buenos Aires and Berlin, London, Moscow, Warsaw, and Djakarta.

I am therefore aware of the deep and pressing concern of young people about their role and purpose in this world of turbulence and change.

Where do you, high school students today, college students shortly, people who will be running this country not many years from now—where do you fit?

What is your responsibility now, and later for the future of our country and the world?

For all the commencement speakers these days are calling you the restless generation, and I think rightly.

Ten years ago few students were much concerned about the social and economic injustices that still afflict American society, and even fewer engaged in any kind of protest against them.

But the disappearance 1 year ago today of three young civil rights workers in Mississippi must remind us all that young Americans are now no longer isolated from the most urgent problems facing our Nation.

Young Americans no longer want to sit on the sidelines as history marches by. Whatever criticisms may be made of the sit-ins, freedom rides, teach-ins and student demonstrations, they reflect at their best a deep belief on the part of young Americans in the principles of democracy and a conviction that the practices of our society should match those principles.

If students are sometimes ill informed on the facts or pursue action for its own sake and without purpose, I think we should not be too surprised or distressed. The new student movements of the mid-1960's are the best possible indication that the American democracy is alive and kicking.

I want to talk with you tonight about the new student awakening in America and the opportunities you have for providing the leadership our changing society must have if we are to keep that society free and open.

A little over 25 years ago in a commencement address at Harvard, Justice Learned Hand warned college students to stand aloof from political and social issues, and most of them did.

But today's students no longer feel isolated from the world, no longer feel restrained from championing a cause.

It has been the civil rights movement above all, of course, which has exploded the concept that students must not speak out or take a stand on the controversial issues of the day. For perhaps the first time since the depression of the 1930's, social and political issues have come to the surface with sufficient moral impact to stir young people into action. As I say, it is chiefly the cause of freedom and equality for the American Negro which has propelled students like yourselves from all parts of the country into direct action.

You will recall that there were many students who took part in the 1963 march on Washington, protesting against the failure of Congress to act on proposed civil rights legislation.

But the students went further than just demonstrating and singing, "We Shall Overcome." They went into the field themselves and engaged in community action programs to help tear down some of the barriers that have prevented the Negro from becoming a full-fledged citizen in the American society. While some young people engaged in picket lines, boycotted restaurants and stores, staged sit-ins, went on freedom rides and even went to jail, others felt a moral compulsion to participate directly in community projects to help the Negro.

Last summer many gave up their college vacations to join the Mississippi summer project—to rebuild Negro churches and schools bombed by segregationists, to set up classes and teach Negro children, to register Negro citizens who had never before voted.

Returning to the serenity of the campus and the classroom this fall, some young people were restless under the contrast. After all some had stood up to a police dog or sheriff's electric cattle prod and three of their number had become martyrs and lay beneath a Mississippi dam.

"Involvement, not detachment, became their ideal—not contemplation and inquiry, but direct action and sloganeering," said Buell Gallagher, president of the City College of New York.

Both Presidents Kennedy and Johnson had urged students to become committed and engaged, and they did. But the direction of this commitment on campuses during the past academic year took, for the most part, the form of protests and rebellion. A number of students saw the environment in which they studied as similar to the power structure of Birmingham and Selma and were willing to employ comparable tactics in pressing their protests: demonstrations, ultimatums, sit-ins.

From civil rights for the Negro, students fought for what they claimed was an infringement on their civil liberties on campus. Consider if you will, the eruptions on the Berkeley campus of the University of California. At Yale, too, and St. John's and the University of Kansas, students all protested agains decisions of the university administration.

In the spring of the year, student criticisms of university administrators on the campus gave way to protests directed toward American foreign policy. Instead of mobbing the beaches of Florida during their Easter vacation this year, over 15,000 students from across the country came to Washington on April 17 to demonstrate against U.S. policy in Vietnam. The Washington rally was part of the agitation that had developed on many campuses in the Nation concerning our involvement in southeast Asia. In an effort to answer this demand, some faculty members at the University of Michigan devised a new technique, the teach-in, an idea born out of the classroom and for the most part employing the methods of the college seminar. Teach-ins, held on over 50 campuses this spring, consisted of all-night meetings at which a succession of speakers, usually professors, set forth their positions on U.S. policy in southeast Asia. While some teach-ins were genuine dialogs, on other campuses they became unruly affairs, marred by demonstrations and pickets and took more the form of a protest than of a scholarly debate.

The national teach-in in Washington, unlike the massive Vietnam protest rally, projected the technique of the campus teach-in onto a national scale through a series of debates and panel discussions conducted primarily by foreign affairs experts from leading universities and the government. I am sure many of you watched it.

Although the Nation teach-in was an outgrowth of an academic protest against U.S. foreign policy, I believe it served a valuable purpose not only in contributing some information but in involving the public more deeply with the issues of foreign policy. The real significance of the teach-in movement, as a New York Times magazine writer (Mitchel Levitas) expressed it recently, is that teach-ins act as "catalysts not only for the conversion of ideas but for the dispersion of ideas."

As Arthur S. Flemming, president of the University of Oregon, who sanctioned the faculty-student protest at his university, put it, "If we don't have this kind of discussion and debate, if we don't encourage the trend of getting people involved, then our form of government is in trouble."

I think it possible that the technique of the teach-in with some refinements, may come to be successfully employed as a public forum for the debate and discussion of other issues of national policy.

Let me take the liberty of expressing my own point of view on all this increased activity by students.

Fundamentally, I share the perspective of a contemporary Supreme Court Justice, Arthur J. Goldberg, who said last month:

"I fear intellectual disengagements more than I do involvement although I hasten to add that involvement to be effective must be informed and orderly, and not merely emotional. I do not share forebodings which overlook the intimate relationships between education and democracy. I am one who welcomes the concern among students about the great problems that confront our Nation" (Villanova University, May 7, 1965).

And I join in with the assessment of Senator ROBERT KENNEDY when he spoke at Queens College, the college from which Andy Goodman went to Mississippi:

"The sit-ins and teach-ins, the summer projects, the civil rights vigils and civil liberties protests, organizing the poor, and marching on Washington—all these may be helping to return us to a politics of public participation—where individual citizens, without holding political office, may still contribute to the public dialog—where they do something more than write letters to the newspapers or answer yes or no on a public opinion poll.

"If the forms of action we have seen on our campuses can help to bridge the difference between Government and its citizens, you of this generation will have made a major contribution to all of us" (June 15, 1965).

But I must also, in all candor, offer some admonitions to the new student activists.

Your activism does not free you from the responsibility to be a student, to learn your craft or profession and to learn it well.

Your activism does not free you from the responsibility to inform yourselves on the facts.

Your activism does not free you from the responsibility to listen to the other fellow's point of view and to respect his right to differ with yours.

Your activism does not free you from the responsibility for leadership in society after your college years.

I would now therefore discuss with you briefly at least four areas where you can contribute, positively, and constructively, to helping translate the bright promise of American democracy into reality.

Here are some ways in which you can exert leadership for freedom in our changing society.

I am sure most of you are familiar with the Peace Corps. In fact, some of the graduates of your high school are probably serving in the Corps right now while others may already have returned to tell you about their experiences. The Peace Corps offers young people the opportunity to serve both their own country and mankind by working with people and governments in underdeveloped areas. The Peace Corps volunteers build schools, educate the young, care for the sick and poor, develop sewage systems, build roads and help carry out the multitude of tasks that any underdeveloped nation needs to have done if it is to move into the 20th century.

Today 10,000 Americans, aged 18 to 69, serve as volunteers, living and working in 46 countries of the world. They work with an allowance sufficient only to permit them to live as the people around them do. They live in local housing, eat local food and are subject to the rigors of local climate and

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geography. They have no diplomatic privileges nor can they shop in special stores. They work for the citizens of the country to which they are assigned, and can be fired or transferred by local administrators.

I had the opportunity to visit some Peace Corps volunteers in the field 2 years ago in both Thailand and what is now Malaysia. At the edge of the jungle some 10 miles from Kuala Lumpur, in Malaya, I talked with a young nurse from Brooklyn and a young former businessman from Louisville, Ky., who were working with an English doctor to run a hospital which ministered to the needs of the aborigines of the area.

In Bangkok I talked with a Northwestern University coed who had been an Olympic swimmer and had learned to speak the extraordinarily difficult Thai language fluently and was teaching English and physical education at a girls' school.

The American Peace Corps has met with such success abroad that host countries are asking for more volunteers. In fact, in the recent crisis in the Dominican Republic, when some of the Dominicans demanded that the Americans go home, they were quick to point out that they did not include the Peace Corps volunteers. "You're different, you're Peace Corps volunteers," they said.

Other advanced countries, seeing the impact that our Peace Corps volunteers have made around the world, have decided to establish their own national volunteer corps. More than 30 of these industrialized nations have sent or are in the process of dispatching their own volunteers to work in emerging nations.

What is the secret of the success and appeal of the Peace Corps? It is not merely a question of the dedicated leadership which Mr. Shriver and others have brought to it, nor is it solely novelty and adventure, although these qualities are important. The real strength of the Peace Corps idea, I believe, lies in its ability to touch the deepest motives of young people. As Richard N. Goodwin, former director of the International Peace Corps Secretariat, put it:

"It tells them, and gives them a chance to prove, that idealism, high aspirations, and ideological convictions are not inconsistent with the most practical, rigorous, and efficient of programs—that there is no basic inconsistency between ideals and realistic possibilities—no separation between the deepest desires of heart and mind and the rational application of human effort to human problems."

Already 4,000 men and women, having spent 2 years abroad, have returned from their tours of duty as Peace Corps volunteers. I am confident that many of these returnees will share their knowledge with us in the United States and continue their Peace Corps careers in a variety of forms of service in our own country.

President Johnson urged a group of returning volunteers last year to do so, because, he said "We need in Government what you have demonstrated in the Peace Corps." In particular the President urged them "to play a major role" in the war on poverty at home. "We need your experience * * * your sense of duty * * * your imagination," he declared, "if we are to win this war."

This then brings me to the second opportunity for service to your country, the war on poverty. I believe the war on poverty also serves as one of the most significant training grounds for young leaders of the next decade. There is no better teacher than experience and by becoming involved in community action programs to combat poverty at home, you will learn patterns of leadership for tomorrow.

How are we fighting our war against poverty in America and what opportunities are there for you to be soldiers in this army? Primarily, we are attempting to strike at the roots of poverty, by seeking to teach the children of the poor. For without adequate education, the sons and daughters of the poor will never break through the vicious cycle of poverty.

One of the programs of which I want to speak is the Job Corps. Its purpose is to enable young people, between 16 and 21 years of age, from both city and rural slums, to have an opportunity for useful labor in Job Corps Centers and to obtain basic education in reading, writing, and arithmetic.

Similar programs are provided for the young man or woman who remains in his local community in the Neighborhood Youth Corps, which authorizes work-training and work-study programs.

A central feature of the war on poverty, however, is the local community action program, which include a variety of projects such as educational and preschool programs, remedial reading, special classes for school dropouts, job training programs for youth and adults, expanded health clinics, guidance and counseling for poor families, rehabilitation of the mentally and physically handicapped, and programs for the assistance of the aged.

In most of these projects students like you are needed as volunteers this summer and during your free time next year.

One of the unique aspects of the poverty program is the VISTA volunteers, the domestic counterpart of the Peace Corps program. Already there are 500 VISTA volunteers in training or in the field and by the end of this month this figure is expected to double. These volunteers will bridge the widening gulf between the haves and the have-nots in America by themselves helping the poor in their own neighborhoods and homes. These volunteers, the majority of whom are young people like yourselves, are working for a year side by side with the poor in crowded tenements, slum sidewalks, decaying mill and mine towns, in unpainted shacks on wornout farms, in migrant worker camps, and on Indian reservations.

Right here in Kentucky nine VISTA volunteers are already at work and by the end of the month 35 more volunteers will be taking part in bringing the people from the hollows of Appalachian Kentucky into the 20th century. Their first step is to teach these hollow dwellers the importance of community interaction for lifting themselves out of the slough of poverty.

One of the original VISTA volunteers right here in Kentucky is a student like yourselves, 20-year-old Paul Merrill from Utah. Paul is the only VISTA volunteer in Lower Grassey, a community of some 150 families living in deep poverty in eastern Kentucky. Since February, Paul has been living in this hollow in a two-room cabin, which is heated by a coal burning, potbellied stove, but which has no running water. One of his first projects was to engage the families of the 42 elementary and junior high school children who are taught in a one-room, 25-foot square schoolhouse, in renovating the schoolbuilding.

In addition to rebuilding the schoolhouse, Paul Merrill has encouraged the families of Lower Grassey to come together to discuss their problems and to try to find some means of working them out. This is a community of people whose primary source of income is welfare payments. Very few have jobs and the fact that hardly any collect unemployment insurance reaffirms the sad finding that most of the community has never worked.

This summer Paul is tutoring some of the seventh and eighth grade children in mathematics and English so that they will be prepared to enter the local high school. He will also be engaged in the Council of Southern Mountains project in Kentucky, which is enlisting college volunteers for the summer to assist regular VISTA volunteers like Paul.

Opportunities for you to take part in your local antipoverty programs exist right now. Students are needed as recreation leaders and as teachers in the new Operation Head Start program. Over half a million children of the poor in some 2,300 communities in the United States will be involved in Operation Head Start this year, an effort to prepare preschool children from deprived families for school in the fall.

I have spoken of the Peace Corps and the war on poverty.

There are two other areas of opportunity for young people on which I want to touch briefly.

The first is the field of education. We need more teachers in the United States and we need better teachers.

We in Congress have been busy passing legislation to increase our national investment in education. But we still have a shortage of first-class teachers, especially in our elementary and secondary schools. We need some of you.

The second area of opportunity of which I want to say a word is politics.

A free society depends on politics, which means persons and parties of differing points of view competing for control of the government.

I am a Democrat and proud of my party but I believe that we need a strong Republican Party in the United States as well. Of course, I still hope the Democrats win the elections.

We need men and women trained and skilled in the art of politics. I hope therefore you will look upon politics as a possible vocation. For we live in an age when government touches the lives of all of us and when the decisions made by public officials, both appointed and elected, have great bearing on the lives of every citizens here at home and on millions of people in other lands.

Let me summarize what I have tried to say.

The new generation of young Americans is restless, in search of identity and purpose.

They want to make the practices of American democracy conform with our principles.

This restlessness has expressed itself in the new student movements.

I find these movements encouraging for they evidence the vitality and viability of the American democracy. They show that we are still a free and open society.

I have suggested four areas where this restlessness can be most creatively channeled: The Peace Corps abroad, the war on poverty at home, the drive for improved education and the vocation of political leadership.

You can, I am sure, suggest other causes, other careers.

I think you must rejoice to be alive, to be young, to feel deeply about our country, about our democracy, and about the cause of human freedom.

I am sure you will agree with the words of Albert Camus shortly before he died: "Let us rejoice. Let us rejoice at being faced with cruel truth. * * * Let us seek the respite where it is, in the very thick of the battle."

ORDER OF BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. SALTONSTALL. Mr. President, I wish to speak briefly on the unfinished business pending before the Senate with relation to amending the Immigration and Nationality Act of 1952. I am very happy that my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], is in charge of this bill, and I rise to support him and the committee bringing the legislation before the Senate at this time.

Mr. President, throughout our history the men and women who have chosen to immigrate to the United States have contributed vitality, ideas, resourcefulness, enthusiasm, and hard work to the economic, social, political, and cultural growth of our Nation. As President Kennedy so aptly stated, we are a "nation of immigrants." There is scarcely an area of our national life that has not been favorably affected by the work of people from other lands. The homogeneity of American life has been enhanced by the efforts of many groups of heterogeneous people.

However, our present immigration law seems to ignore the many valuable contributions which immigrants have made to our national growth.

The Immigration and Nationality Act of 1952 was a comprehensive statute which codified a series of previous laws relating to immigration and naturalization. Many of its basic provisions were desirable and have worked effectively for the past 13 years. However, I voted against passage of this measure, and voted to sustain President Truman's veto of it because I felt that it contained certain basic inequities. These inequities have become increasingly apparent with the passage of time. Furthermore, our needs and responsibilties in the field of immigration have changed significantly over the years.

Throughout my service as a Member of the U.S. Senate I have sponsored legislation to amend the Immigration and Nationality Act to make it fairer and more workable, and to eliminate discrimination against any cultural or racial group. On many occasions I have written to the Judiciary Committee in support of legislation to modify the existing law. I am therefore gratified that the committee has reported out this bill, H.R. 2580. The committee members are to be congratulated for the way in which they have dealt with this difficult and complex subject. They have done their job well, placing first things first. They have removed the discriminatory aspects of our immigration policy. They have emphasized the humanitarian task of reuniting families. They have included provisions to facilitate the entry of skilled workers while taking precautionary measure to insure that American jobs and working condition will be protected.

By once and for all eliminating the arbitrary and discriminatory national origins formula for selecting immigrants to come to the United States, we have finally come firmly to grips with the most serious deficiency of the McCarran-Walter Act. Too often in the past we have enacted limited or temporary measures, often on an ad hoc basis, to meet an emergency situation or to deal with a problem not covered in the basic statute. This bill represents an effective and realistic approach to the important task of reshaping and modernizing our basic immigration policy. I hope that it will be passed without further delay.

The bill makes the following changes in our current immigration law:

First. It raises the number of quota visas available each year from the present 158,561 to 170,000. It provides that no quota area can get more than 20,000 numbers in any fiscal year.

Second. It abolishes the "national origins" formula for distributing quota numbers among the countries of the world, and substitutes new selection system on a first-come, first-qualified basis, within the percentage limitations of the adjusted preference categories.

Third. It establishes a new set of preferences giving highest priority to close family members of U.S. citizens and resident aliens, and to immigrants with special talents or skills which are potentially beneficial to our national well-being.

Fourth. It extends nonquota status to parents of U.S. citizens, such citizens being 21 years of age or older.

Fifth. It gives a preference to persons needed to fill jobs for which domestic workers are not available.

Sixth. It abolishes the Asia-Pacific triangle provision which discriminates against persons of oriental ancestry.

Seventh. It establishes a new set of labor controls to safeguard American workers from job competition and from declining work standards and wages as a result of immigrants entering the labor market.

Eighth. It makes permanent provision for the entry of 10,200 refugees each year.

These eight provisions, Mr. President, really modernize and make workable immigration into the United States. I think it is essential that these eight provisions be enacted into law.

PRESENT QUOTA FORMULA IS DISCRIMINATORY

The effect of the present quota allocation formula has been to discriminate against certain nationality groups, particularly those from eastern and southern European and Asian countries. Today there are many quota numbers available in some countries where there is little pressure for immigration, while in other areas, where there are many persons who wish to immigrate to the United States, few quota numbers are available and the quotas are heavily oversubscribed. Some 70 percent of the total 158,561 quota numbers authorized under present law are assigned to only three quota areas. Only half of these are used each year. On a worldwide basis, approximately 50,000 quota numbers are left over each year, but no provision has ever been made to allow for the pooling of these unused numbers, and for their subsequent allocation in areas with oversubscribed quotas.

The remaining 30 percent of the total numbers presently authorized are available to applicants in the rest of the world's countries, but statistics show that the demand is heaviest in these areas. Approximately 60 percent of those on quota waiting lists in oversubscribed areas are from four countries: Italy, 249,583; Greece, 98,385; Poland, 80,481, and Portugal, 71,477. Another 40,443 are waiting on the Chinese persons quota.

In addition to being discriminatory in principle, the national origins system has not, in fact, proven effective in regulating immigration. Total immigration to the United States has averaged some 300,000 annually for the past several years. However, of this number, an average of only 100,000 per year, or 1 out of every 3 persons, has entered as a quota immigrant. The remainder enter either as nonquota immigrants or as beneficiaries of private legislation. For example, in 1963, 103,036 persons entered under the established quota system, whereas 203,244 entered outside of the quota. The corresponding figures for 1964 are 102,844 quota immigrants, and 189,404 outside of the quota.

The primary objective of the bill is to abolish the national origins system. The bill proposes only a modest increase in the total number of quota immigrants who will be admitted to the United States annually, from the present 158,561 to 170,000, only 12,000 additional. The important point here is that all numbers which are authorized each year will be used as long as there is a demand for them. If this law is enacted, instead of asking a prospective immigrant where he was born, we will be concerned with his relationship to a U.S. citizen or resident alien, or whether he possesses special skills or training of potential benefit to our national economy or welfare.

FAMILY REUNITING

Enactment of this legislation would help unite families.

According to 1960 census figures, approximately one-fifth of the total population of the United States was foreign born, or native born with at least one parent born abroad. In Massachusetts, out of a total 1960 population of 5,149,317, approximately 576,452 were foreign born, with another 1,481,857 native born of foreign or mixed parentage. This means that more than 2 out of every 5 residents of my State fall into this category. Many of these people have spouses, children, parents, brothers or sisters still abroad whom they wish to bring to this country to join them. Each of us in this body I know takes great satisfaction in knowing that from time to time he has

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been of assistance in reuniting families. However, all too often we must report to our constituents the discouraging news that delays, often of many years' duration, must be anticipated before families can be brought together. According to the State Department, as of December 28, 1964 there were some 178,515 persons registered as preference immigrants—relatives of U.S. citizens and resident aliens, and skilled persons—on oversubscribed quota lists.

The adjusted preference system of this bill places primary emphasis on family reuniting. Parents of U.S. citizens, such citizens being at least 21 years of age, are to be nonquota. Most of those affected by this change are elderly people who wish to spend their remaining years with their children.

Spouses and children of resident aliens will also be given a higher preference than they previously had. Lesser preferences are given to other relatives. This bill would help facilitate the entry of skilled aliens, which is very important to the economy.

ENTRY OF SKILLED ALIENS FACILITATED

The bill's preference system also gives priority to persons capable of performing jobs, either in our national interest or for which there is a labor shortage in the domestic labor market. Many of our hospitals, educational institutions, industrial firms, and even our own Government agencies need qualified people to assume important positions from which they could contribute significantly to the national prosperity and growth, and more importantly, to advances of international significance in their fields. The present quota system, however, prevents many qualified and needed people from gaining prompt entry.

These people should not be required to experience long waiting periods on the quota lists when there are employment opportunities available to them in the United States. It should be emphasized that this particular group of workers is not in competition with American workers. They would be filling jobs which presently go unfilled because there are not sufficient workers in the United States to fill them. Requiring these individuals to wait serves no real purpose. By admitting them, and filling these vacant positions, the domestic economy will be enhanced, and in addition, employment opportunities will be created for domestic workers.

Many people argue that because we have a substantial unemployment rate in the United States today, we should restrict rather than expand immigration. However, the bill contains strict labor control provisions which have the support of our labor unions. Any alien seeking to enter this country as a worker, skilled or otherwise, must obtain an affirmative certification from the Secretary of Labor that he will not replace a worker in the United States and further, that his employment will not adversely affect the wages and working conditions of individuals in the United States who are similarly employed. This certification is required for all immigrants from the Western Hemisphere countries, all nonpreference immigrants, and for all those applying as skilled or unskilled workers under the preference categories.

We have before us a bill which retains both qualitative and quantitative controls over immigration. After the 3-year phase-out period, which provides an orderly transition to the new system, quota numbers will be issued on a first-come, first-qualified basis, without regard to an applicant's place of birth. However, in order to insure that the quota numbers will be distributed equitably, and to insure that no one country can preempt a majority of the numbers available each year, the bill provides that not more than 20,000 numbers can go to the natives of any single quota area in any fiscal year.

All prospective immigrants will continue to be screened carefully to make sure that they meet the strict qualifications for admissibility which were established by earlier law.

Mr. LAUSCHE. Madam President, will the Senator from Massachusetts yield for information?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. SALTONSTALL. I am happy to yield.

Mr. LAUSCHE. What was the reasoning supporting the conclusion that the 20,000 figure was just and equitable?

Mr. SALTONSTALL. I believe it was a figure considered fair under all the circumstances.

Mr. LAUSCHE. The figure was arrived at, then, in order to prevent any one nation from receiving excessive benefits under the bill, and the limitation was adopted on that basis?

Mr. SALTONSTALL. As I understand it, the Senator is correct.

Mr. LAUSCHE. I thank the Senator.

Mr. SALTONSTALL. I thank the Senator for his inquiry. As I say, I believe that the bill establishes reasonable limits, not so much higher than present limits. It establishes preferences, or reasons, for admitting people into the country who are skilled workers, and will also be helpful in uniting families. Broadly speaking, the pending bill would make our immigration laws more workable.

Mr. LAUSCHE. Is the Senator from Massachusetts on the committee?

Mr. SALTONSTALL. I am not on the committee, but I have been interested in this legislation for at least 6 to 10 years.

Madam President, a prospective immigrant must still provide evidence to show that he will not become a public charge. Persons of questionable moral character or political leanings will continue to be excluded.

REFUGEE PROVISIONS

The bill also takes a significant step forward in the area of refugee legislation. I have previously sponsored legislation in this area and am particularly pleased to note that of the total 170,000 quota numbers available each year, 10,200 are permanently reserved for the use of refugee-escapees. In this important area also we have, in the past, acted on an ad hoc basis, passing legislation to meet emergency situations. Now, a defined policy, offering refuge to persons who have fled from their homelands because of persecution on account of race, religion, or political beliefs, or who are unable to return to their homes on account of a natural disaster, will be a permanent part of our immigration statute.

Madam President, I now come to the very important provision—the Western Hemisphere provision.

WESTERN HEMISPHERE PROVISION

Madam President, in passing this legislation, we are attempting to eliminate the discriminatory features of our immigration laws. We are adopting a general principle governing immigration which imposes a ceiling of 170,000 total visas to be distributed among people all over the world who wish to immigrate to the United States, without any reference to the applicant's place of birth. However, the bill as passed by the House places the natives of the 24 Western Hemisphere countries in a favored position vis-a-vis the natives of the countries of the rest of the world. To permit these people to enjoy nonquota or "special" status as contemplated in the House version of the bill is, in fact, contradictory to our announced goal of removing special preferences for the natives of any quota area, and is inconsistent with the new quota allocation formula which imposes a maximum ceiling on immigration for all the countries of the world.

I believe that sooner or later we will have to deal with the problems posed by increasing immigration from Western Hemisphere countries. Recent demographic studies show that these nations constitute the area of the greatest future population growth. While we in the United States have an annual growth rate of approximately 1.6 percent, the growth rate in these nations is about 3 percent per annum. The population of the area is now approximately 200 million, but projections indicate that within 35 years, the population will reach 600 million.

In 1955, total immigration from the Western Hemisphere nations, including close family members of U.S. citizens, totaled some 94,274. By 1961, this figure had risen to 112,836. In 1964, the total was 139,284, and in the first 6 months of this year, some 75,402 have already been admitted from these areas. The average for the past 5 years has been 125,000 annually, including close relatives of U.S. citizens.

I believe that the compromise worked out by the Senate Judiciary Committee is a realistic and equitable one, and one which is entirely consistent with our overall objective in enacting immigration reform legislation. A total annual quota of 120,000 for Western Hemisphere nations is established, and will become effective on January 1, 1968. However, close relatives of U.S. citizens will continue to enjoy nonquota status. Estimates indicate that about 25,000 persons may be affected by this latter consideration. Therefore, if we impose a total limitation of 120,000, and add to this the 25,000 close relatives of U.S. citizens, total immigration from this area can be as high as 145,000 per year. In view of the recent pattern of immigration, this figure is a just one.

Of course we do not intend to affront our hemispheric neighbors with whom we have traditionally worked closely and with whom we share so many mutual interests. As a senior member of the Appropriations Committee, I have taken great interest in promoting understanding and cooperation with the other nations of the Western Hemisphere. I think we all want that. To say that the action of the Judiciary Committee in limiting immigration from the Western Hemisphere, just as it is limiting it from the rest of the world, will destroy our relationships with those countries is to create a problem which should not arise. Our ties to our hemispheric neighbors are strong. So are our historic ties with the countries of Western Europe, which have given us not only our laws and many of our traditions, but which also sent here the first immigrants who settled the New World. These historic ties—strong as they are—are not preventing us from altering a quota formula which for many years has given these countries a significant advantage with respect to immigration. Today a qualified native of Great Britain, Chile, or Venezuela can enter this country promptly if he desires to do so. A qualified native of Greece or Italy or Poland or Portugal cannot. Our historic ties to Great Britain do not prevent us from correcting this situation—from altering the special privileged status of that country. Nor should they. Nor should our ties and friendship with Chile and Venezuela, and other Western Hemisphere countries prevent us from correcting a policy which discriminates in favor of them at the expense of other nations.

Our neighbors know that the action that we are taking here is designed to equalize opportunity to people of all nations to come here should they meet the general qualifications imposed. Surely they are reasonable and realistic enough to recognize that what is fair for the rest of the world is fair for them.

I prefer to look at the committee's recommendation with respect to the Western Hemisphere nations as a step forward to greater equality in our immigration policy, not as a step backward. We are in the process of a major revision of the concepts which have governed our immigration policy. What we want, and what our relationships with the rest of the world require, is a complete overhaul—not an incomplete job. Clearly this is the time to act. To fail to do so would be to continue our discriminatory policies—not to abolish them.

We must remember that this bill provides for a Select Commission on Western Hemisphere Immigration which is to review and study all aspects of immigration from this area, and to make appropriate recommendations to the Congress. If after careful deliberation the Commission feels that some adjustments should be made in the Western Hemisphere provisions of this bill, there will be an opportunity for it to present its views to Congress and there will be time for Congress to act before the quota limitation becomes crystallized into law on July 1, 1968.

Surely the limitation of 120,000 set on Western Hemisphere immigration as opposed to only 170,000 for the rest of the world is realistic and not restrictive. The time to take such a step is now, and I hope that this amendment will be retained by the Senate, and retained in conference with the House.

IMMIGRANTS HAVE BENEFITED OUR COUNTRY

We all know how much the immigrants have benefited our country. Our Nation has, throughout the years, benefited from the contributions of our immigrants. And, with the aid and challenge of fresh ideas and talents, and the enthusiasm and industry of the immigrants we can anticipate in the future, we will continue to do well. I have had the opportunity to meet many of the individuals whom I have helped come to this country and I have been pleased by their appreciation of what this country stands for. I know that their enthusiasm for the United States, and their determination to make good and to contribute to the continued progress of our Nation has been an important asset to us. I know how successful some of them have been, and how grateful they are that these opportunities have been made available to them.

In an era when other countries seem to be moving in the direction of a more rather than a less restrictive immigration policy, our action in liberalizing our law has special meaning. We are making clear to the rest of the world that we intend to eliminate all vestiges of discrimination against any nationality group from our immigration law, and in so doing that we intend to live up to our image as the land of opportunity. Failure to act will, in the long run, result in a weakening of our position as the leader of the free nations of the world, and in a decline of our domestic, economic, and social well-being.

Passage of this bill will give renewed meaning to the famous words of Emma Lazarus on the base of the Statue of Liberty. The "Golden Door' will at last be open.

I note the presence of my junior colleague [Mr. KENNEDY of Massachusetts] in the Senate. I congratulate him upon fathering this measure, which I believe is of so much value to all of us in this country. I hope the proposed legislation will be passed and that, under his guidance, the committee of conference will adopt its provisions, particularly with regard to limitation in the Western Hemisphere.

Mr. KENNEDY of Massachusetts. Madam President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. KENNEDY of Massachusetts. I would like to express my own personal appreciation, and I am sure that of the members of the committee, to my distinguished colleague for making this address in support of this legislation. As my colleague has pointed out in his address, it is fair legislation. It is equitable legislation. It is meaningful legislation. It is responsive to the particular needs which have been with us for some period of time. The fact that my distinguished colleague is making this eloquent support for the legislation ought to be of great importance to every Member of the Senate.

Mr. SALTONSTALL. I appreciate what my distinguished colleague has said.

Mr. ERVIN. Madam President, I ask unanimous consent that the senior Senator from Massachusetts may yield to me for some observations, without his losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALTONSTALL. Madam President, I am glad to yield to my distinguished colleague, the Senator from North Carolina, whose resourcefulness I always appreciate.

Mr. ERVIN. Madam President, I express my hearty commendation of what the Senator from Massachusetts has said upon the limitation of immigration from the Western Hemisphere. I would like to emphasize in this connection what the Senator from Massachusetts said—that this limitation does not go into effect until July 1, 1968; and that the commission which is to be created by the bill is specifically charged with the duty to study this limitation and make such recommendations to the Congress as it sees fit.

I commend the Senator for pointing out in such an eloquent way that this limitation on the Western Hemisphere does not constitute any discrimination whatever, but, on the contrary, it brings the Western Hemisphere in line with our policy with respect to the rest of the world.

I point out also that the limitation of 120,000 as applied to the Western Hemisphere, as contradistinguished from the 170,000 in the Eastern Hemisphere, still makes provision in favor of the Western Hemisphere, in that it allocates, if my arithmetic is correct, 45 percent of our immigration from an area of the world which at the present moment contains only 15 percent of the world's population. So we are still giving the Western Hemisphere an advantage under this bill.

Mr. SALTONSTALL. I appreciate very much what the Senator from North Carolina has said. I might also add—as I know the Senator is aware—that when he says 120,000, there are 25,000 close relatives of U.S. citizens in addition to that number who can come in. So I believe what we are doing is building up a mutual relationship with the Western Hemisphere, rather than in any way making those countries feel that they should not like or appreciate what we are doing.

Mr. ERVIN. I thank the Senator for yielding to me under those conditions. What the Senator has said in his speech is of great significance.

Mr. SALTONSTALL. I thank the Senator.

Madam President, I yield the floor.

Mr. FONG. Madam President——

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. FONG. Madam President, I ask unanimous consent that I may yield to the Senator from Ohio [Mr. LAUSCHE] without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Madam President, I believe this is an appropriate time for me to express my opinion on the bill that is pending before the Senate.

I have in mind that this Yankee from Massachusetts, of the pure blood stock, with roots dating back to the very earliest days of our history, comes upon the floor of the Senate and speaks in behalf of the immigration bill.

We are receiving letters condemning the bill; and those who write, in my opinion, are not fully informed of its contents, nor are they aware adequately of the significance of keeping our doors moderately open.

Today this Yankee is joined by this Ohioan, whose parents came from Slovenia, in the Alps of Yugoslavia, the Yankee and the Slovenian uniformly expressing the view that this is a good bill.

Moreover, I am happy to join the Kennedys, the Saltonstalls, and the Fongs of Hawaii in supporting it.

Mr. SALTONSTALL. Madam President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. I would like to comment that we all work together. The inscription on the Statue of Liberty proclaims that no matter where one comes from, we offer the opportunities of this country. Whether we came from Ireland, Yugoslavia, or Halifax, we had the same motive. And Hawaii, originally from China.

Mr. FONG. It is remarkable that the descendant of one of Hawaii's plantation laborers, coming from the Far East, should stand on the floor of the Senate and join with the distinguished senior Senator from Massachusetts, the distinguished junior Senator from Massachusetts, and the distinguished senior Senator from Ohio, in asking the Senate to support this bill strongly.

Although we come from ancestors in different parts of the world, we know that the bill is a fine bill, and I commend the Senator from Massachusetts for his excellent address on this subject.

Mr. SALTONSTALL. I thank the Senator.

HIGH-SPEED GROUND TRANSPORTATION—CONFERENCE REPORT

Mr. LAUSCHE. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, pp. 24292–24294, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LAUSCHE. Madam President, I move the adoption of the conference report. The House amendment struck out all of the Senate bill (S. 1588), after the enacting clause and inserted a substitute. Although the House amendment was a complete substitute it did not differ substantially except in a few respects, which I will discuss in a moment. The conference reported measure now before the Senate is an amendment in the nature of a substitute for both the Senate bill and the House amendment.

After the adoption by the House of its amendment to the Senate bill, the comments of the Secretary of Commerce, who must administer this program, were requested on the differences between the House and Senate versions. The Secretary of Commerce advised that the enactment of the Senate approved version would be entirely satisfactory from the Department's point of view; and also, that there would be no objection to the differing provisions contained in the House version, except for the provisions relating to patent policy and to the termination date of the statistical collection program. I ask unanimous consent that the Secretary's letter of September 13, 1965, be incorporated in the RECORD at the conclusion of my remarks.

The major difference upon which agreement was reached is as follows: The House amendment added to the bill a provision which would in effect seem to require compulsory licensing of any private contractor participating in the activities authorized by this legislation, with respect to any patents resulting from work performed under the contract as well as "all information, uses, processes, and other developments resulting" from the contractor's activity under the contract. The Senate bill contained no comparable provision.

At the hearings, the Secretary of Commerce gave his assurance that the Department would apply in its contractual arrangements for research and development the guidelines contained in the "President's patent policy statement" that is presently in effect with respect to the patentable discoveries and inventions emerging from Government-financed contracts. In his letter of September 13, 1965, the Secretary stated his strong view that it would be undesirable to deal with the issue of Government patent policy in a piecemeal fashion. He wrote:

> It is far preferable for the Congress not to direct an executive department to follow a selected type of patent policy contrary to the President's patent policy statement until the Congress has focused on the total issue and made its determination.

The managers on the part of the Senate insisted on the deletion of this provision in view of the position which the Senate has recently taken upon this subject in other bills, the current study now underway looking toward a general governmental patent policy, and the assurance of the Secretary of Commerce that he would protect the public interest by applying the guidelines in the President's patent policy statement. The conferees agreed to eliminate this patent provision.

Another difference upon which agreement was reached is as follows: The House amendment provided that the act shall terminate on June 30, 1969. The corresponding section of the Senate bill provided that the act shall terminate on June 30, 1969, "except for section 3." This section of the bill authorizes the Secretary of Commerce "to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system." The Secretary of Commerce recommended that this general authority be excepted from the termination clause contained in the bill in order to avoid any technical question in the future as to the general authority and responsibility of the Department of Commerce to collect transportation statistics. The provisions of the Senate bill have been retained in the conference substitute.

A third difference upon which agreement was reached is as follows: Both the Senate bill and the House amendment contained provisions requiring the Secretary of Commerce in contracting for demonstration projects to provide fair and equitable arrangements—as determined by the Secretary of Labor—to protect the interests of affected employees. The Senate bill required protection of the interests of railroad employees involved in operations which are the subject of such demonstrations. The House bill required protection of the interests of the employees of any common carrier who are affected by any demonstration carried out by such carrier pursuant to a contract with the Secretary of Commerce.

In an earlier provision, the conference substitute like the House amendment contains language that nothing in this act shall be deemed to limit research and development or demonstrations to any particular mode of high-speed ground transportation. The employee protection provision in the conference substitute is also the same as in the House amendment. Under the conference substitute, the employees of a contracting railroad who are affected by a demonstration conducted by such railroad pursuant to a contract with the Secretary of Commerce, or the employees of a contracting bus company who are affected by a demonstration carried out by the bus company pursuant to a contract with the Secretary of Commerce, would be protected by fair and equitable arrangements. Thus, under the language adopted, affected employees of a contracting company would be protected by fair and equitable arrangements in the contract between the common carrier for which they are employed and the Secretary of Commerce against a worsening of their positions with respect to their employment as the result of such contracted demonstrations. While section 5(2) (f) of the Interstate Commerce Act is made applicable in the case of employees of any carrier with which the Secretary of Commerce has a contract for a demonstration under this legislation, this can have no effect upon any construction placed upon section 5(2) (f) or section 5 or indeed on any other provisions of that act.

A fourth difference upon which agreement was reached is as follows: The House amendment provided for an Advisory Committee to advise the Secretary of Commerce with respect to policy matters arising in the administration of this legislation. The Senate bill contained no comparable provisions. The conference substitute is the same as the House amendment, except that provisions relating to compensation and reimbursement for certain expenses of the members of the Advisory Committee are deleted. It is expected that members of the Advisory Committee will serve without compensation, but will be reimbursed for travel expenses and per diem under other statutory authority.

Finally, the conference substitute is the same as the House amendment as to a number of minor differences in the two versions. The Secretary of Commerce indicated he would have no objection to either the House or Senate version.

Madam President, the report of the Senate Committee on Commerce points out that modern intercity surface transportation service is vital to both our national economic growth and to our national defense. This bill will enable the power of science and technology, demonstrated so well in the evolution of air and high travel, to be utilized in the development of high-speed ground transportation. I urge the adoption of the conference report.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Secretary of Commerce,
Washington, D.C., September 3, 1965.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Thank you for your recent letter requesting the Department of Commerce to comment on the differences between the House (H.R. 5863) and Senate (S. 1588) versions of the proposed legislation for research and development in high speed ground transportation.

We have no questions concerning the Senate approved version of this legislation (S. 1588) and if the Congress enacted this proposal in this form it would be entirely satisfactory from our point of view.

With regard to the House approved version, we are particularly concerned with two changes made by the House. Section 8(a) (2) of H.R. 5863 provides that:

"Any such agreement or contract shall contain provisions effective to insure that all information, uses, processes, patents, and other developments resulting from any activity undertaken pursuant to such agreement or contract will be made readily available on fair and equitable terms to the transportation industry and industries engaging in furnishing supplies to such industry."

This provision in effect would seem to require compulsory licensing of any private contractor participating in the activities authorized by this legislation, with respect to any patents resulting from work performed under the contract as well as "all information, uses, processes, and other developments resulting" from the contractor's activity under the contract. The issue of Government patent policy is currently being given consideration by the Senate Committee on the Judiciary and we further understand this issue will also be thoroughly considered by the appropriate House committee in due course. As you know, the executive departments and agencies presently have for their guidance on Government patent policy matters a statement of guidelines set forth in the President's patent policy statement. It is our strong view that it is undesirable to deal with the issue of Government patent policy in a piecemeal fashion by special amendments to program legislation being considered by the Congress. We feel it is far preferable for the Congress not to direct an executive department to follow a selected type of patent policy contrary to the President's patent policy statement until the Congress has focused on the total issue and made its determination in the form of appropriate legislation on patent policy that would be applicable to all Government agencies and to all Government research programs.

This does not mean, with specific reference to the high-speed ground transportation research effort, that this Department would be unconcerned about patents resulting from Government-financed research. As a matter of fact, under the President's patent policy guidelines, depending on all the facts involved in a research contract under this program, this Department might decide that the Government should take title or that the private contractor should retain title but agree to some form of licensing. The objection to section 8(a) (2) of the House bill is that it would require across the board that a compulsory licensing provision be contained in all the research contracts entered into under this program whether or not such a provision is in fact in the total public interest. Furthermore, you will note that the language of the House amendment which requires this compulsory licensing feature is not limited to patents but would also apply to "all information, uses, processes, and other developments even though these would not be patentable."

Therefore, pending the passage of a Federal statute setting forth generally applicable patent policy, it is our position that there should not be piecemeal legislation in isolated instances, but rather that the executive departments and agencies should be permitted to administer research and development contracts in accordance with the President's patent policy statement. It is our hope that, upon further consideration of this item, the Senate and the House will be able to agree on a bill which does not contain provision regulating Government patent policy.

Section 12 of the House bill provides that the act shall terminate on June 30, 1969. The corresponding section in the Senate bill (sec. 10) provides that the act shall terminate on June 30, 1969, "except for section 3." Section 3 of the Senate bill is similar to section 4 of the House bill and authorizes the Secretary of Commerce "to collect and collate tranportation data, statistics, and other information which he determines will contribute to the improvement of the National Transportation System." While existing law provides the Secretary of Commerce with certain authority to collect transportation statistics, it was felt that it would be desirable to clarify this general authority and hence a provision for this purpose was contained in the text of the administration bill initially submitted to the Congress for its consideration. It is our feeling that to avoid any technical question in the future, beyond 1969, as to the general authority and responsibility of the Department of Commerce to collect transportation statisics, it would be desirable to except this provision from the termination clause contained in the legislation. Therefore, it is our recommendation that the Senate approved version of the termination clause be retained in the bill approved by Congress.

Other than the two items mentioned above, relating to the patent policy provision and the termination provision, the Department of Commerce has no objection to the several other provisions contained in the House approved bill which differ from S. 1588.

We hope these comments will be helpful in the further consideration of this proposed legislation. We, of course, look forward to an early resolution of the differences between the House and Senate versions of this proposed legislation, and we hope that the Congress will approve this important legislation in the very near future.

Please let us know if we can be of further assistance in any way.

Sincerely yours,
John T. Connor,
Secretary of Commerce.

Mr. PASTORE. Madam President, we have under consideration the conference report on the high-speed ground transportation bill.

This is the first step toward modern swift ground transportation and I do not want the moment to pass without commending the author of this legislation, my colleague, Senator Claiborne Pell.

Some critics called it a dream in 1962 when Senator Pell with foresight suggested that steps must be taken to provide high-speed intercity rail service in the densely populated corridor stretching from Washington to Boston. At that time Senator Pell introduced a bill to authorize the negotiation of an eight-State public authority to provide such service. He reintroduced the bill in the 88th Congress.

President Kennedy adopted Senator Pell's suggestion and established an interagency task force to survey the proposal. This task force concluded that an evaluation of the transportation needs of the northeast corridor should be made.

S. 1588 provides for such a study.

We have done so little thus far in an area that needs so much attention. We must bring our scientific and technical talents to bear on the problems of high-speed ground transportation.

The American scientific genius which revolutionized air transportation and now has made it possible to travel in space—must ponder and resolve the more down-to-earth problems of high-speed ground transportation.

But the bill provides for more than a study. It would authorize the Secretary of Commerce to undertake research and development and to initiate demonstrations in high-speed intercity ground transportation. I think it is a fitting—if coincidental—tribute to Senator Pell that the demonstration program will begin in all probability in the State of Rhode Island. The initial demonstration, as was brought out at the hearings before the Committee on Commerce, will involve a gas turbine self-propelled car with high frequency service between Providence and Boston.

Senator Pell's proposal—his determination to improve our railroad service—will become a reality soon in Rhode Island with this demonstration program. The benefits of the program will accrue to the entire Nation.

I urge immediate and favorable action on the conference report.

Mr. PELL. Madam President, I am delighted that the Senate today is taking final action on S. 1588, the administration's bill to provide a program of demonstrations, research, and development in high-speed ground transportation. It seems to me that the conferees have wisely and judiciously resolved the few differences between the House and Senate versions and that the final version is sound in every respect. I urge speedy adoption of the report so that we may clear the legislation for the President's signature.

I am proud to claim a parental relationship to this particular brick in the edifice of the Great Society and thus am particularly pleased at today's action. The campaign for many of the concepts of this bill really began two Congresses ago when, in June 1962, I introduced a resolution, reintroduced in the last Congress and in this one as Senate Joint Resolution 16, which calls for an eight-State public authority to maintain and operate high-speed rail passenger service in the northeast Megalopolis between Washington and Boston. President Kennedy asked the Department of Commerce to review the problems which my original resolution set out to correct, and the Department's preliminary studies led to the expanded programs contemplated in S. 1588. I congratulate President Johnson for taking up the matter with such imagination and vigor.

Now that final enactment appears imminent, I only wish to express the hope that the appropriations committees will see the wisdom of funding the authorized programs fully, and that the Department of Commerce then will proceed as swiftly as possible to implement them. Especially in New England, where we are faced with some hard decisions about public support for the continuance of rail passenger service, the demonstration projects provided in S. 1588 will be most helpful in guiding future policy.

Finally, I would like to express my deep appreciation to the Senator from Washington [Mr. Magnuson] who as chairman of the Commerce Committee introduced S. 1588, and to the Senator from Ohio [Mr. Lausche] who as chairman of the Transportation Subcommittee guided the measure with a sure hand. I extend my fullest thanks to my senior colleague from Rhode Island [Mr. Pastore] who joined me in cosponsoring the legislation and then worked hard for its passage, and finally, thanks are due to Members of the House, particularly Congressman Harris and Congressman Staggers who did much to insure approval of the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Subsequently the Presiding Officer laid before the Senate the amendment of the House of Representatives to the bill (S. 1588) to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes, which was, to amend the title, so as to read: "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes."

Mr. KENNEDY of Massachusetts. Mr. President, I move that the Senate concur in the amendment of the House to the title of the bill.

The motion was agreed to.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. FONG. Madam President, our Declaration of Independence proclaims that all men are created equal. But in many areas of American life we have not practiced this principal tenet of our democracy.

Less than a year ago, Congress enacted the historic Civil Rights Act of 1964, designed to eliminate some of the more blatant forms of racial discrimination against our own citizens. Again, in this 1st session of the 89th Congress, legislation has been enacted to extend, once and for all, the franchise of all eligible American citizens.

As we reappraise the relationship of citizen to citizen under these measures, it is well for us to reexamine this same relationship—man's equality to man—with respect to peoples of the world. Elimination of racial barriers against citizens of other lands is a logical extension of eliminating discrimination against American citizens.

Madam President, repeatedly and for many years, I have spoken in the Senate to urge consideration of legislation to reform our immigration laws in this way. Again and again I have urged that the Congress enact an immigration measure to eliminate the last vestiges of racial discrimination from our immigration laws.

Now, at last, we have before us an immigration proposal, H.R. 2580, which reflects in every detail the principles of equality and human dignity to which our Nation subscribes, and which, at the same time, serves the national interest.

NECESSITY FOR IMMIGRATION REFORM

This is an issue of fundamental national policy, because the racial restrictions inherent in our present immigration laws disparage our democratic heritage. They directly contradict the spirit and principles of the Declaration of Independence, the Constitution of the United States, and our traditional standards of fairness and justice.

Racial immigration restrictions began in 1875 and reached their peak in 1924. Public sentiment in 1924 was summarized by Senator David A. Reed, who said:

> I think most of us are reconciled to the idea of discrimination. I think the American people want us to discriminate; and I do not think discrimination in itself is unfair. We have got to discriminate. The only question that I think worries the committee is (which method) is the more plausible method of attaining that discrimination. Practically all of us are agreed that (racial discrimination) is an end that should be attained.

That is what Senator David A. Reed said.

However, since 1924, we have made tremendous progress toward removing racial restrictions in our immigration policies and practices. An outstanding milestone was the Immigration and Nationality Act of 1952. It was a far-reaching step forward in the relaxation of the racial curbs in our immigration statutes. It wiped out total exclusion against Japan and other Asian nations and for the first time allowed many nations a long-denied quota of immigrants.

Progressive as that 1952 law was, today it is very obsolete. More than 10 years have now passed since its enactment. Since then, our Nation and the world have witnessed revolutionary changes in almost every phase of life. Many areas emerged from colonial status to full nationhood. Many nations have changed their form of government. There is greater clamor for freedom, liberty, and justice, and, worldwide, peoples are on the march seeking equality. Economic, interdependence has shaken traditional economic, social, and political patterns.

At home, we have wiped out racial barriers in our Armed Forces, in interstate transportation, in our institutions of higher learning, and in many areas of our economy. We are making significant progress in desegregating our public schools, housing, business, and public accommodations, and protecting the voting rights of all citizens. It is imperative that we, as a Nation, recognize this great upheaval in our Nation and throughout the world for equal status.

Repeatedly America has been accused that it has been unfair in its immigration laws. We have erected racial barriers that deny equal dignity and respect to more than one-half of the world's population. These racial barriers are bad for America. They hurt America's image as the leader of the free world.

For example, do Senators know that under present American immigration quotas for Asia and the Pacific areas more than 50 percent of the people who populate our newest State could be almost totally excluded from the United States?

That Ireland, with a population of 2,815,000 has a larger quota than all Asia, with a population of nearly one and a half billion?

That the quota for tiny Switzerland is greater than the quotas for the entire African continent?

That Rumania—a Communist nation—has a quota of 289, which is small enough, but this is nearly a third more than our quota for non-Communist India and the non-Communist Philippines combined?

Do Senators know that the immigration quotas of nearly every nation in the Asia-Pacific area are so small that they are heavily oversubscribed, according to latest State Department figures?

Japan's waiting list stretches all the way to 1989 or beyond; the quota for Chinese persons is for all practical purposes exhausted in perpetuity, because immigrants already admitted into the United States have been charged against it; the quota for Okinawa, which does not fall under Japan's but under a special Asia-Pacific quota of 100 shared by 18 other Pacific dependencies, is backlogged for 48 years, until the year 2011; the Philippines quota is 89 years behind, and only the quotas of Afghanistan, Cambodia, Malaya, Laos, and Nepal are open, since these are countries which generally have not sought immigration beyond their borders.

THE ORIENTAL EXCLUSION ACTS

The racial strictures of the present immigration laws have their genesis in the 19th century, when more than 19 million immigrants arrived in this country. The first restrictive law passed by Congress was the act of March 3, 1875, which empowered consular officials to investigate Chinese and Japanese immigrant labor contracts for evidences of any lewd or immoral purposes. It establishes penalties for U.S. citizens who transported subjects of China or Japan without free consent for a term of service and rendered such contracts void. Immigration officers were required to inspect all vessels and certify their compliance.

Because of the tremendous influx of Chinese immigrants—200,000 from 1850 to 1880—following the discovery of gold in California, Congress enacted the first of the Chinese Exclusion Acts of 1882. The act suspended immigration of Chinese laborers to the United States for 10 years, although Chinese already in the country on November 17, 1880, were allowed to leave and reenter.

Two years later, the Chinese Exclusion Act of 1882 was tightened even further. Not only was the period of suspension of Chinese immigration extended another 10 years in the act of 1884, the stricture was made applicable to all Chinese, wherever their birth or whatever their national allegiance.

While the Chinese Exclusion Act of March 12, 1888, allowed entry of Chinese officials, teachers, students, merchants, and travelers for pleasure or curiosity, the legislation of October 1, 1888, took away from Chinese laborers the right of reentry into the United States, unless they had reentered before the date of the act.

These exclusion laws were extended again in 1892 and in 1902; in 1904 they were extended without limitation.

Partly because immigrants continued to pour into the United States—some fourteen and a half million between 1900 and 1920—and partly because of a sharp rise in Japanese immigration during that period, there arose in Congress insistent demands for Japanese restriction. The Japanese Government protested vigorously. President Theodore Roosevelt, who was not in sympathy with Japanese restriction, pressed for passage of an act allowing Japanese to become naturalized citizens. Nevertheless, Congress in 1907 passed an immigration act authorizing the President to negotiate international agreements regulating immigration. As required by law, President Roosevelt signed a gentlemen's agreement with Japan in 1907, limiting the volume of Japanese immigration to the United States.

Then, based on the 1907 law, the President later that year issued a proclamation excluding from the United States Japanese or Korean laborers, skilled or unskilled, who have received passports to go to Mexico, Canada, or Hawaii and come therefrom.

Seventeen years later, the House Committee on Immigration, reporting on the quota law of 1924, pointed out that the real intent of the gentlemen's agreement was to restrict Japanese immigration and thus check any further growth of U.S. Japanese population, which was considered unassimilable and ineligible for citizenship.

Under the gentlemen's agreement, between 1907 and 1924 more than 53,000 Japanese immigrants were brought to Hawaii to work on the pineapple and sugar plantations. Total immigration of Japanese to Hawaii up to that time was 180,000.

With passage of the Immigration Act of 1924, all Japanese immigrants as well as other persons of Oriental descent were barred. In desperate need of cheap labor, Hawaiian planters turned to the Philippines, until 1946 an American possession, as an alternative source of labor supply. Between 1910 and 1932, more than 100,000 Filipinos arrived in Hawaii. This represented the last large wave of Oriental migration to the United States.

Opposition to free immigration gained momentum during World War I, and on February 5, 1917, Congress passed the progenitor of our present immigration law, codifying all previous exclusionary acts and going the rest of the way in laying the bases for our present Asia-Pacific triangle; it declared inadmissible all natives of China, India, Burma, Siam, the Malay States; the eastern part of Russia; part of Arabia and Persia; Afghanistan; most of the Polynesian islands; and the East Indies. Instead of calling it a triangle, the act labeled the area a barred zone.

Seven years later, Congress passed the 1924 Immigration Act, which not only continued exclusion of the barred zone peoples but also brought to an end the gentlemen's agreement, thereby excluding Japanese immigration to the United States.

This exclusionary law of 1924 elicited vehement protests, especially from the Japanese Government, and many have said that this was one of the circumstances that brought on World War II.

Mike M. Masaoka, national legislative director of the Japanese-American Citizens League, testified in the 1951 joint hearings on the Immigration Act as follows:

> To the oriental, Congress divided the world into two parts in 1924 when it approved an immigration law prohibiting the entry of Asiatics into this country for permanent residence. In effect, Congress informed the peoples of Europe, Africa, and the Western Hemisphere that they were considered superior, desirable, welcome to immigrate to the United States, while condemning the peoples of Asia and the Pacific islands as inferior, unfit, undesirable, not good enough.

Included in this act was the concept of the national origins system in American immigration policy, which was first proposed for legislative enactment by Representative John Jacob Rogers as an amendment to the immigration bill then being considered by the House. Mr. Rogers, defining the system, made the following statement on the floor of the House:

> We should * * * proportion our admission of immigrants, not to the numbers of racial or national representatives composing the alien colonies or foreign groups now in the country but to the quantities of the various racial and national elements which have passed the refining test of the melting pot and have become amalgamated in the structure of the American Nation. (65 CONGRESSIONAL RECORD, 6226.)

Madam President, you will remember that Senator Reed made the very same observation, which I quoted earlier.

The national origins system, according to Oscar Handlin, "ranked all the nations of the earth according to the order of precedence and assigned the largest number of admissions to those that were presumed to be closest in racial heritage to the original settlers of the United States." Its avowed purpose was concerned not with the immigrant's individual worth, but with his place of birth.

Our policies since the passage of the 1924 law to the present time have not been basically altered. While Chinese exclusion was repealed in 1943, and Filipinos and natives of India were declared admissible and eligible for naturalization in 1946, natives of the Asia-Pacific triangle area continue to be singled out under present immigration policies as deserving of very meager consideration for entry.

RACIAL STRICTURES OF THE 1952 IMMIGRATION ACT

Secretary of State Dean Acheson, testifying before the President's Commission on Immigration and Naturalization shortly after the passage of the 1952 act, advised the Commission that:

> The lifting of the bar of exclusion caused deep gratification in Asia when the (1952) act was passed, but the racial discrimination apparent in the triangle provision can be expected to keep alive some feelings of resentment. * * * The combination of very small quotas for Asia and the Asia-Pacific triangle provisions still furnish ground for Asian suspicion of U.S. motives.

While the Immigration and Nationality Act of 1952 did eliminate the last of the absolute bars against the admission of persons from the Asiatic barred zone and permitted their naturalization, special provisions were written into the law to carefully hold the total number of immigrants coming from the barred zone to an infinitely small fraction of total allowable annual immigration: 2,890 of 158,561, or 1.82 percent.

In our present immigration laws, we may count at least eight racially discriminatory provisions.

First. In 1924 the national origins system was conceived and annual quotas were allotted only to white nations. Polynesians, Orientals, and Negroes were totally excluded. In the 1952 act the national origins system was continued for white nations, while Oriental and Polynesian countries and the newly emerging nations of Africa were given minimal quotas of about 100 each.

Because nonwhite nations were excluded from the system, annual quota calculations were based only on the white population in the United States in 1920. As an example of how this annual quota was allocated to white nations, based on the 1920 census, there were about 39 million persons who derived their ancestry from the United Kingdom; one-sixth of 1 percent of 39 million is equal to about 66,000 persons, which is, then, the annual British quota.

One reason advanced during the debates over the 1952 act for excluding the African Negroes from the national origins computation was that the geographical origins of American Negroes could not be determined. This assumption was sharply challenged, however, by State Department geographers, who were able substantially to pinpoint their origins by tracing the original African railroad routes and the port of embarkation from which the Africans were transshipped to the United States.

While the natives of Africa were not enclosed in a triangle, there do exist special provisions, discussed below, that are designed to prevent Negro immigration to the United States—even from areas in the Western Hemisphere.

THE ASIA-PACIFIC TRIANGLE

Second. Under the 1952 act only 1.82 percent of the total annual immigration quotas was attached to the Asia-Pacific triangle, where more than one-half of the world's population live. In addition, involved regulations based on race have been issued by the administering agencies to carry out the requirements of the complicated triangle provisions.

The Asia-Pacific triangle, created by the 1952 law, comprises that area bounded by the meridians 60° east and 165° west longitude and by the parallel 25° south latitude. When traced on a map, the area actually appears as a triangle embracing all the Far East, southeast Asia, and all Pacific islands north of Australia and New Zealand—almost all of Polynesia and small portions of Micronesia and Melanesia.

The 21 quota areas of the Asia-Pacific triangle, largely independent nations, are as follows: Asia-Pacific—which I will explain later—Afghanistan, Bhutan, Cambodia, Ceylon, China, Chinese persons—which I will explain later—India, Indonesia, Japan, Korea, Laos, Malaysia, Singapore, Nauru, Nepal, New Guinea, Pacific Islands—trust territories—Pakistan, Philippine Islands, Thailand, Vietnam, and Western Samoa.

Also included in the triangle are the following subquota areas, largely colonies and dependencies: Christmas Island; Cocos—Keeling—Island; and the territory of Papua, Australian dependencies; New Caledonia and the New Hebrides, French dependencies; the British Solomons, Brunei, Fiji, Gilbert and Ellice Islands, Hong Kong, Maldive Islands, and Tonga, all British dependencies; the Ryukyus, presently under American administration; the Cook Islands, a New Zealand dependency; Macao, Portuguese India, and Timor, dependencies of Portugal.

Both the Immigration and Naturalization Service of the Department of Justice and the State Department administer the 1952 law.

By issuing special regulations on the triangle, for example, the State Department sought to delineate the races indigenous to the area within the triangle as well as those not indigenous. Those considered indigenous were the Dyaks of North Borneo, Sarawak, and Brunei; the Melanesians of the Fijis, New Caledonia, New Hebrides, Solomon Islands, and Nauru; the Micronesians of the Carolines, Marshalls, Marianas, Guam, and Gilbert Islands; the Negritos of Netherlands, New Guinea, Papua and New Zealand; the Parsees of India, the Pathans of Afghanistan and Pakistan; and the Sindi of Pakistan.

According to the same regulations, the Turkic race is not considered to be indigenous, while the Polynesian race in itself—including the Maoris—is not regarded as being either indigenous or not indigenous to the Asia-Pacific triangle. This depends entirely on the place of birth, the regulations explain:

> A Polynesian born in Papua, which lies wholly within the Asia-Pacific triangle, is chargeable to the Asia-Pacific quota, but an alien of Polynesian ancestry born in French Oceania (which is outside the triangle) is chargeable to the subquota for French settlements in Oceania within the immigration quota established for France.

This regulation illustrates how involved and complex our present immigration policies really are.

Since all quota areas, except for Indonesia (with a quota of 200), Malaysia (400), Japan (185), and that for Chinese persons (105), are limited to the minimum quota of 100 guaranteed by the act, the total allowable annual immigration from the Asia-Pacific triangle is only 2,890, only 1.82 percent of the total yearly immigration to the United States of 158,561.

But that figure of 2,890 was only recently established.

Until September 26, 1961, when Congress passed Public Law 87-301, the Asia-Pacific triangle had been limited to a ceiling quota of 2,000. Had there been any more than 20 quota areas in the triangle, any newly established quota would have reduced the quota of other nations and dependencies proportionately. Section 9 of Public Law 87-301 repealed this inequitable ceiling.

Still, the fact that more than one-half of the world's population live in the triangle area does not square with an annual allotment of only 2,890 immigrants. The effect of these provisions is to permit the great majority of quota immigrants—over 81 percent—to come from northern and western Europe, and to allow more than 98 percent from Europe alone.

The unfairness of this system is nowhere more evident than in the previously stated facts that, for example, Ireland, with a population of 2,815,000, has a larger quota than all Asia; that we take more people from Switzerland than we do from the entire African Continent; that Rumania, a captive nation of the Iron Curtain, has a quota of 289, which is small enough, but is nearly a third more than our quota for India and the Philippines combined.

Because of the very small quotas assigned the triangle nations, according to the quota report of the State Department dated August 1, 1965, the quotas of nearly every area within the triangle are heavily oversubscribed. For example, short of an extraordinary act of Congress, or the passage of immigration reforms, the nonpreference quota for Chinese persons is so heavily mortgaged into the future—by immigrants already admitted into the United States—that State Department officials say that for all practical purposes, it has already been exhausted in perpetuity. Japan's quota is filled up at least until the year 1989; the quota for Okinawa, which does not fall under Japan's but under a special Asia-Pacific quota of 100 shared by 20 other dependencies, is backlogged for 48 years, until the year 2011; the Philippines quota is 89 years behind. Only the quotas of Afghanistan, Cambodia, Malaya, Laos, and Nepal are open—since these are countries which generally have not sought immigration beyond their borders.

RACE OR ANCESTRY IS DETERMINATIVE

Third. While place of birth determines the quota under which a white person would fall, race or ancestry is determinative for Polynesian and oriental persons.

Normally, each nation's quota may be used only by persons born there. Present or past residence or citizenship is irrelevant. A person born in Italy, for example, will be eligible for only the Italian quota, even if he has become an English citizen and has worked and lived in England for many years.

But the 1952 Immigration Act's provisos spell out special, rather complicated stipulations applicable to oriental persons wherever born. Orientals born outside of Asia are rendered ineligible for the quota of their birthplace. Instead, anyone deriving as much as half his ancestry from persons who were born in or whose race is indigenous to the Asiatic area is eligible only for one of the tiny Asiatic quotas.

If the country of his oriental ancestors can be determined, he is eligible for only its quota. For example, a person born in London to an English father and an Indian mother would have to wait his turn under India's annual quota of 100, even if he had lived all his life in London; under present oversubscribed quota conditions, he would have to wait for at least 159 years.

Yet, if a person's ancestry is mixed or cannot be traced, he is eligible for only the special quota of 100 allotted to "Asia Pacific," more commonly called the triangle quota. This was a quota created for such people, and to cover the 18 colonies and dependencies—called subquota areas by the Immigration and Nationality Act of 1952—in the triangle area. For example, a person born, say, in Brazil of a Korean mother and a Japanese father wishing to enter the United States would be assigned to the so-called triangle quota; an immigrant born in Germany of a Malayan father and a German mother is charged to the triangle quota.

THE TRIANGLE QUOTA

Fourth. Section 202(b)(1) of the act thus established a special triangle quota of 100 to which thousands of oriental and Polynesian peoples living all over the world and in over 18 dependencies in the triangle area must be assigned. The triangle quota is, geographically speaking, a general quota, not tied down to any specific area.

Who, then, must be assigned to this quota of 100 persons?

Not immigrants born within a separate quota area situated wholly within the triangle, for such person must be charged to the quota of the separate quota area in which he was born. For example, a Japanese born in Japan must come under the Japanese quota.

Not immigrants born outside the triangle whose ancestry is attributable by one-half to an ethnic group indigenous to not more than one separate quota area in the triangle, since these persons would fall under the quota of that quota area. For example, an Indonesian born in Germany of an Indonesian mother and a German father would be attributed to the Indonesian quota.

Persons chargeable to the triangle quota fall into three categories:

First. Immigrants whose ancestry is 50 percent or more Asian, except Chinese, and who were born in a colony or other dependent area located in the triangle, are allocated to the triangle quota. They are specifically excepted from the provisions of section 202(c)(1), which allows persons born in colonial areas to draw from the quota of the governing nation to the extent of 100 persons. This provision is available only to white persons born in those dependencies. For instance, the New Hebrides, an archipelago in the south-central Pacific and a French protectorate, may not have a separate quota for native islanders or Asians born in the New Hebrides. Its subquota of 100, taken from the undersubscribed French quota, is available only to white persons born there. Only by a determination of the Secretary of State that it is an independent country may the New Hebrides have its own quota. As the law presently stands, the native of New Hebrides and Asians born in those islands share the triangle quota of 100 with 17 other subquota areas and an indeterminate number of persons born outside the triangle.

The Ryukyus, however, provide a rather complex problem in this regard. Those islands are now assigned to the triangle quota by administrative determination of the State Department and are under U.S. administration and jurisdiction assigned by the United Nations Trusteeship Council. While Japan now has residual sovereignty, should the United States relinquish its administrative rights and full sovereignty revert to Japan, would the Ryukyus still fall under the triangle quota, or would it be assigned to that of Japan? Presumably, if they are deemed a colony or dependency, the Ryukyus would remain under the triangle quota. But if they are considered wholly a part of the sovereign nation of Japan, of course, they would be a part of that quota area. I will have more to say on the Ryukyus later in my talk.

Second. Immigrants born outside the triangle whose ancestry is one-half attributable to a people indigenous to one or more colonies or other dependent area located in the triangle must be charged to the triangle quota. For example, a person born in Spain who is one-half Spanish and one-half Tongan must be charged to the triangle quota.

Third. Immigrants born outside the triangle whose ancestry may be traced to peoples indigenous to two or more separate quota areas in the triangle, except Chinese persons, must be attributed to the triangle quota. That is, a person born in France who is one-half Filipino and one-half Japanese would be charged to the triangle quota.

THE CHINESE PERSONS QUOTA

Fifth. There are two quotas for China—100 for the few white persons born in China and only 105 for the millions of Chinese persons, wherever born. One quota, designated the China quota, is reserved for persons born in Manchuria, Inner and Outer Mongolia, Sinkiang, Tibet, Taiwan, and the area of the Chinese mainland bounded by the 1938 boundaries. A second quota of 105 was established for Chinese persons.

The reason for this lies in the history of the exclusion of Chinese from American shores. Prior to the repeal of Chinese exclusion in 1943, since Chinese persons were ineligible for entry into the United States, the quota for China was used for white persons born on the China mainland. The 1952 immigration law specifically provided in section 201(a) that: "the quota existing for Chinese persons prior to the date of enactment of this act shall be continued." Thus, the practice of allotting the China quota to whites was continued and necessitated the creation of a second quota—for Chinese persons.

To assign a quota of 100 to the few thousand, at most, white persons born in China and only 5 more quota numbers to the entire Chinese world population speaks loudly as to the extremes to which our law has gone in discriminating against a people.

To the quota of Chinese persons were allocated all persons with as much as one-half Chinese blood, wherever born. This would be true, according to the State Department, even if the Chinese person were born in a subquota area located in the triangle. It matters not one whit whether his family had lived in the United Kingdom, Brazil, or in the New Hebrides for generations; if he is one-half Chinese, he is mandatorily allocated to the Chinese persons quota.

Sixth. Although present immigration law grants nonquota status to persons born in the Western Hemisphere, this is greatly diminished by two racial provisions:

First. The special restrictions on orientals apply with equal measure to orientals born in hemispheric nations. For example, a native of Canada born of a Japanese mother and a Canadian father is not a nonquota immigrant, although he is a native of an independent country located in the Western Hemisphere. He must be charged to the quota for Japan.

Second. Nonquota status is denied persons born in colonies of the Western Hemisphere. The immigration law provides that each colony or other dependent area is limited to a quota of 100 a year to be taken from its parent country's quota. As several witnesses to the 1951 joint hearings pointed out, plainly, this provision is aimed squarely against the Negroes of Jamaica, Trinidad, other West Indian and Latin American areas, who make up most of the immigrants from those areas. These immigrants formerly could take advantage of the consistently unfilled quotas of their mother countries. This was true particularly of the British quota, which had been utilized more by West Indians than by other British subjects. The Immigration Act of 1952 has effectively restricted such immigration.

Seventh. Our present law clearly discriminates, not only against orientals and Negroes, but also against persons of eastern European, Middle Eastern, and Mediterranean origins. The combined quotas for Greece, Turkey, and Spain, for example, come to 783, which is roughly one-third of the quota we allot to Norway.

Moreover, oversubscription plagues the quotas of nations from these areas as it does nation and dependencies in the triangle. Italy's quota is subscribed for some 47 years; Yugoslavia's for 35 years; Iran's for 86 years; Israel's for 157 years; Lebanon's for 31 years. Were it not for the fact that, by special legislation in 1957, Congress forgave the mortgages charged against nations from which immigrants entered the United States under the Displaced Persons Act of 1948, Latvian and Greek quotas, for example, would have been mortgaged until the years 2274 and 2014, respectively.

Eighth. Under the 1952 act, an Asian family of mixed blood may be separated in migration if the wife is accountable to an oversubscribed quota, although her husband is chargeable to an open quota. On the other hand, a non-Asian wife accountable to an oversubscribed quota may be given the quota of her immigrant husband, if he is fortunate enough to have access to an open quota.

THE PENDING BILL, H.R. 2580

The bill, H.R. 2580, now before the Senate eliminates all racial discrimination from American immigration laws by doing away with the national origins quota system over a 3-year period ending July 1, 1968. The Asia-Pacific triangle is entirely abolished.

In its place, a ceiling of 170,000 regular immigrants a year is made applicable on a first-come, first qualified basis for all nations outside the Western Hemisphere, with a limitation of 20,000 from any one country in a single year.

In addition to the numerical ceilings, the bill sets up a series of preference categories that give priority to minor children, the spouses and parents of persons who have become citizens or permanent residents.

Below the family priorities, other priorities are set for members of the arts and professions; for skilled and unskilled workers for whom jobs are assured that do not displace American workers; and for refugees driven from their homes by political, racial, or religious persecution.

The bill also provides for the establishment of a Select Commission on Western Hemisphere Immigration, and the imposition of a ceiling of 120,000 quota immigrants from the Western Hemisphere, beginning July 1, 1968; this ceiling becomes effective on that date, unless the Commission recommends another course of action.

During Judiciary Committee deliberations on the Western Hemisphere ceiling, I had suggested additional language providing that these immigrant visas be allocated in accordance with the same preference categories as those which apply to the Eastern Hemisphere, as provided in section 3 of the bill. I felt that this amendment was necessary, because under sections 3 and 10 of the bill, the Secretary of Labor is required to make an affirmative finding that each intending immigrant has a job assured, that he would not displace any American worker and would not adversely affect the wages and working conditions of American workers similarly employed.

This would mean that immigrants who are relatives of American citizens and resident aliens, who normally would fall under one of three preference categories provided for in section 3 of the bill, would be subject to the Secretary's required affirmative finding and would not be accorded preferential status. Thus, Western Hemisphere relatives of citizens and permanent residents would be discriminated against in the following categories: First, unmarried children of U.S. citizens—first preference under section 3 of the bill—second, spouses and unmarried children of alien permanent residents—second preference—and, third, brothers and sisters of U.S. citizens—fifth preference.

At my suggestion, the committee decided to include in the report the consensus of the committee that this matter would be considered by the Select Commission on Western Hemisphere Immigration in the course of its study.

I ask the distinguished Senator from Massachusetts, who has so ably conducted hearings on this legislation and is now floor managing it—am I not correct in this matter?

Mr. KENNEDY of Massachusetts. The Senator from Hawaii is correct. He brought this matter to the attention of the committee. In response to the Senator, let me say that the language included in the report on page 27, reads as follows:

> There was also discussed a proposal to amend section 21 of the bill relating to the establishment of a numerical limitation on Western Hemisphere immigration on July 1, 1968. Additional language was suggested to be added to section 21(e) to provide that immigrant visas be allocated to any immigrant who becomes subject to the numerical limitation under the same system of preferences applicable to other immigrants as specified in section 203 of the Immigration and Nationality Act. It was the consensus of the committee that this is a matter that will be considered by the Select Commission on Western Hemisphere Immigration in the course of its study.

Mr. FONG. I thank the distinguished Senator for his answer.

Mr. President, two other matters of statutory interpretation were adopted by the Judiciary Committee and included in its report.

The first refers to the Ryukyu Islands situation, which I described earlier. I did not press for statutory language to correct a long-standing inequity regarding the Ryukyus—resulting from the fact that those islands are presently included in the triangle quota.

I have a letter which was sent to me from the Department of State containing the following commitment:

> Intending immigrants from the Ryukyu Islands will undoubtedly benefit from the abolition of the Asia-Pacific triangle provisions of existnig law. When this occurs, it is contemplated that the Secretary of State will invoke the authority granted him by * * * Section 202(b) of H.R. 2580, and attribute the Ryukyu Islands to the quota area of the Pacific Islands. Native Ryukyuans will then share the quota numbers allotted from the Pacific Islands quota (during the transition period) and in addition, will have access to the numbers assigned to the quota pool under H.R. 2580.

Thus, native Ryukyuans will share the quota numbers allotted from the Pacific Islands quota and, in addition, will have access to the numbers assigned to the quota pool under the bill. The Ryukyu Islands and the Pacific Islands together will constitute one quota area which will be restricted, like any other quota area, to not more than 20,000 quota numbers annually.

The Judiciary Committee included this commitment of the Department of State in its report as an understanding of the committee. I ask the distinguished Senator from Massachusetts, is this not correct?

Mr. KENNEDY of Massachusetts. The Senator is again correct. In response to the Senator's raising of this point the committee stated, on page 27 of the report:

> The attention of the committee was also directed to an immigration problem of the natives of the Ryukyu Islands resulting from the fact that those islands are presently included within the areas assigned to the Asia-Pacific triangle quota. It is the committee's understanding that in the event H.R. 2580 becomes law, it is contemplated that the Secretary of State will attribute the Ryukyu Islands to the quota area of the Pacific Islands and that during the 3-year interim period natives of the Ryukyu Islands will have access to the Pacific Islands quota.

Mr. FONG. I thank the distinguished Senator for his reply.

Mr. President, the second matter of statutory interpretation refers to the status of refugees from the Dominican Republic. At my suggestion, the committee in its report expressed its opinion that the refugees who fled the country as a result of the recent rebellion may be considered within the provisions of sections 203(a)(7) and 245 of the Immigration and Nationality Act as amended by H.R. 2580.

Again, I ask the Senator from Massachusetts, is this not correct?

Mr. KENNEDY of Massachusetts. The Senator is correct. In response to the Senator's suggestion, the committee added this language to its report, on page 27, as follows:

> The committee discussed the status of refugees from the Dominican Republic and

is of the opinion the refugees who fled the country as a result of the recent rebellion may be considered within the provisions of section 203(a)(7) of the Immigration and Nationality Act, as added by H.R. 2580, as well as under section 245 of the Immigration and Nationality Act, as amended.

Those are the provisions in section 203(a)(7) of the Immigration and Nationality Act, the adjustments and changes which were made in the proposed legislation.

Mr. FONG. Mr. President, I should like to add at this time my highest commendation of the excellent work of the distinguished Senator from Massachusetts [Mr. KENNEDY]. He was the acting chairman of the Subcommittee on Immigration and Naturalization, and he guided the proceedings throughout the many lengthy hearings. He was always most fair and very patient.

He gave to everyone concerned every opportunity to speak on the bill. It is through his very great leadership and guidance that we have this very excellent bill before us today. I congratulate the distinguished junior Senator from Massachusetts for his diligence, his dedication, and his most conscientious efforts in bringing about a consensus of opinion in the U.S. Senate that immigration reform legislation is long overdue.

Mr. KENNEDY of Massachusetts. I thank the Senator from Hawaii. I wanted to express my views, at the end of his very splendid address, on his contributions.

Mr. FONG. I thank the Senator.

The bill also contains three amendments which I had proposed during the executive sessions of the Judiciary Subcommittee on Immigration and Naturalization, and which the subcommittee adopted.

One amendment provides that all aliens who have lived in the United States for 7 years and who entered the country before June 28, 1958, may have their statuses adjusted—so that they may eventually become U.S. citizens.

A second amendment allows the issuance of visas to students—previously denied admission—upon posting bond and showing proof of acceptance at a recognized educational institution.

A third amendment allows refugees from nations of the Western Hemisphere who are now living in the United States, and who have fled persecution or fear of persecution because of race, religion, or political belief from Communist or Communist-dominated countries, to adjust their statuses without having to return to those countries.

Mr. President, I have three tables of estimated quota area and immigration pool issuances under H.R. 2580 during fiscal years 1966, 1967, and 1968, which were issued by the Bureau of Security and Consular Affairs of the Department of State; these tables were accompanied by an explanatory memorandum.

I ask unanimous consent that these tables, together with the memorandum, be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there objection?

There being no objection, the memorandum and tables were ordered to be printed in the RECORD, as follows:

ESTIMATED QUOTA AREA AND IMMIGRATION POOL ISSUANCES UNDER H.R. 2580, AS AMENDED AUGUST 6, 1965, DURING FISCAL YEAR 1966, 1967, AND 1968

The attached tables outline the estimated issuances of national quota and immigration pool numbers during the first, second, and third years (transition period) under H.R. 2580, as reported out by the House Judiciary Committee August 6, 1965. The estimated issuances are within the percentage limitations for the seven preferences, within the overall numerical limitation, and within the 20,000 per foreign state limitation where applicable.

One hundred and two thousand eight hundred and ninety-three quota numbers were actually issued in fiscal year 1965 under the present authorized total quota of 158,561. Thus, 55,668 unused numbers will constitute the immigration pool which under section 201(d) of H.R. 2580 will be available only for issuance in fiscal year 1966 to applicants in the oversubscribed preference categories and to refugees.

As the pattern and volume of immigration under the national quota system has been relatively constant for the past several years, the first year estimates are based on fiscal year 1965 actual issuance figures on the assumption that this pattern and volume will remain essentially the same in fiscal year 1966.

The second- and third-year estimates are necessarily based more upon global experience of operation under the present law for the last 13 years and the estimates for the first-year operations under H.R. 2580, since no firm figure can be derived for the unused quota numbers which will constitute the immigration pool in fiscal year 1967 and 1968 until after June 30, 1966 and 1967.

To arrive at estimates, we have assumed a continuing demand within each of the preference classes. Pool usage in all preferences other than fifth preference (brothers and sisters) will, however, be lower than the first-year issuances because most of the current oversubscriptions in those categories will have been satisfied during the first year. In the fifth preference there will be a substantial carryover of unsatisfied demand which will cause full usage of the pool in the second year. The carryover of unused numbers to the third year, however, will be smaller so that the pool will not be fully utilized in that year.

The preference categories under present law have been translated into the new six classes (plus refugees) of H.R. 2580. This necessitated a division of the percentage of usage of three of the preference categories in the present law. The present second preference (parents and unmarried sons and daughters of U.S. citizens) has been divided into two groups: (1) Parents, who will fall outside of the quota system as "immediate relatives," and (2) unmarried sons and daughters, who will be granted first preference status. Since parents have heretofore consistently accounted for approximately 90 percent of the total issuances to this preference group and under H.R. 2580 will not be subject to any numerical ceiling, the projection of new first preference usage is the remaining 10 percent of such past issuances.

The present fourth preference (married sons and daughters and brothers and sisters) is another category which was divided to fit the new preference categories. Under the present law brothers and sisters have utilized approximately 90 percent of the numbers available to these applicants. Usage in the new fourth preference (married sons and daughters) is, therefore, predicated on 10 percent of the usage of the present fourth preference.

The new fifth preference (brothers and sisters) is based on the remaining 90 percent of issuance under the present fourth preference. This category is so heavily oversubscribed that there will be substantial demand from the pool for numbers for this class of applicants.

Persons of exceptional skill who have previously entered the United States under the present first preference will be attributable under the new system to one of the two new categories: members of the professions (third preference) or skilled and unskilled short-supply labor (sixth preference). The bases for the estimates in these categories was provided by the Immigration and Naturalization Service which reviewed past admissions of such persons to determine the number who were members of the professions (new third preference) and the number who would more appropriately fall within the definition of the new sixth preference (short-supply labor).

The determination of estimates of visa issuances within preference breakdowns in countries that are now undersubscribed (such as Great Britain and Germany) necessarily differed, since applicants issued visas under those quotas have not had to prove preference status in order to receive quota numbers and, therefore, most entered as nonpreference immigrants. The basis for these estimates, therefore, is an evaluation of the percentages of issuances in the quotas of three countries (France, Netherlands, and Switzerland) which are presently slightly oversubscribed in the nonpreference category and, therefore, required that persons eligible for preference status use preference numbers. The average of the percentage of issuance in each preference class for these three countries was applied to the issuance levels of countries now with current quotas, (Belgium, Czechoslovakia, Germany, Great Britain, Ireland, Norway, and Sweden).

Spouses and children of U.S. citizens are entitled to nonquota status under the present law. However, many have entered from undersubscribed quota countries (particularly Great Britain and Germany) as nonpreference quota immigrants. Under H.R. 2580 they, as well as parents, will be required to obtain visas as immediate relatives not chargeable to any numerical ceiling.

It is anticipated that the use of national quota numbers will drop by approximately 10,000 per year due to the "immediate relative" classification. Therefore, the worldwide national quota area estimated usage has been reduced by 10,000 in the second- and third-year tabulations. It has been reduced by 6,667 in the first year as visa issuance under present quotas will continue until the effective date of H.R. 2580.

The attached tables do not set forth in a separate category estimated numbers of the total authorized issuances which will be used for adjustment of status of persons already in the United States. They are included in the individual country national quota estimates against which such adjustments are required to be charged.

During fiscal year 1966, 1967, and 1968, 10,200 numbers (6 percent of 170,000 ceiling) are allotted to refugees for conditional entry (seventh preference) from the pool of 55,668 in 1966; 62,335 in 1967, and 65,668 in 1968.

Estimated issuances under H.R. 2580, as amended Aug. 6, 1965

1ST YEAR (FISCAL YEAR 1966)

Quota area	Total issuances			1st preference—Unmarried sons, daughters of U.S. citizens			2d preference—Spouses, unmarried sons, daughters of permanent residents			3d preference—Members of professions, etc.			4th preference—Married sons, daughters of U.S. citizens			5th preference—Brothers, sisters of U.S. citizens			6th preference—Skilled or unskilled labor, etc.			7th preference—Refugees			Non-preference
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	
All quota areas	151,894	96,226	55,668	1,484	1,108	376	15,676	7,214	8,462	9,202	3,635	5,567	8,374	2,874	5,500	30,784	10,788	19,996	7,686	2,119	5,567	10,200		10,200	68,488
Refugees	10,200		10,200																			10,200		10,200	
Europe	118,238	91,424	26,814	1,209	1,063	146	13,023	6,620	6,403	2,511	2,203	308	6,713	2,813	3,900	26,211	10,462	15,749	1,935	1,627	308				66,636
Albania	116	100	16	1	1		15	15					6	2	4	39	27	12							55
Austria	1,405	1,405		2	2		48	48		107	107		4	4		39	39		32	32					1,173
Belgium [1]	926	926		10	10		34	34		16	16		30	30		33	33								803
Bulgaria	112	100	12	1	1		4	4		6	6		5	2	3	31	22	9	8	8					57
Czechoslovakia [1]	2,037	2,037		23	23		71	71					67	67		131	131		2	2					1,743
Denmark	1,175	1,175		1	1		29	29		51	51		3	3		22	22		19	19					1,050
Estonia	115	115		1	1		3	3					1	1		7	7		6	6					97
Finland	566	566		1	1		44	44		26	26		7	7		62	62		8	8					418
France	2,748	2,748		6	6		129	129		238	238		12	12		109	109		65	65					2,189
Subquotas (6)	321	321					18	18								3	3								300
Germany [1]	18,566	18,566		226	226		816	816		112	112		622	622		948	948		11	11					15,831
Great Britain [1]	25,238	25,238		289	289		896	896		353	353		871	871		888	888		94	94					21,847
Subquotas (25)	4,042	4,042		15	15		616	616					168	168		1,472	1,472								1,771
Greece	4,193	308	3,885	94	6	88	734	41	693	233	149	84	868	2	866	2,095	25	2,070	169	85	84				
Hungary	1,091	865	226	22	22		131	131		26	26		76	14	62	295	131	164	98	98					443
Iceland	100	100		1	1																				99
Ireland [1]	5,246	5,246		55	55		169	169		6	6		165	165		174	174		2	2					4,675
Italy	20,000	5,666	14,334	201	201		6,122	1,400	4,722	342	331	11	1,265	304	961	11,367	2,738	8,629	703	692	11				
Latvia	235	235		2	2		7	7					3	3		32	32		6	6					185
Lithuania	384	384		4	4		10	10					3	3		25	25		11	11					331
Luxembourg	100	100																							100
Netherlands	2,940	2,940		1	1		28	28		151	151		7	7		64	64		61	61					2,628
Subquotas (2)	196	196					34	34					3	3		26	26								133
Norway [1]	2,297	2,297		23	23		71	71		16	16		70	70		70	70		2	2					2,045
Poland	9,068	6,488	2,580	34	34		917	917		101	101		1,064	295	769	4,473	2,662	1,811	120	120					2,359
Portugal	3,863	438	3,425	54	37	17	1,139	277	862	51	51		764	5	759	1,834	47	1,787	21	21					
Subquotas (4)																									
Rumania	561	289	272	12	12		57	57		10	10		89	15	74	341	143	198	52	52					
San Marino	100	100					15	15					1	1		6	6								78
Spain	787	250	537	24	15	9	140	61	79	152	102	50	95		95	253		253	123	72	51				
Sweden [1]	2,363	2,363		24	24		78	78		36	36		74	74		74	74								2,077
Switzerland	1,698	1,698		1	1		48	48		84	84		2	2		22	22		46	46					1,495
Turkey	870	225	645	53	21	32	82	35	47	297	134	163	66		66	175		175	197	35	162				
U.S.S.R.	2,697	2,697		8	8		60	60		10	10		16	16		143	143		15	15					2,445
Yugoslavia	1,824	942	882	20	20		419	419		87	87		276	35	241	865	224	641	64	64					93
Other Europe (5)	258	258					39	39					10	10		93	93								116
Asia	20,783	2,844	17,939	268	39	229	2,474	455	2,019	5,983	830	5,153	1,495	22	1,473	4,127	214	3,913	5,524	372	5,152				912
Burma	121	100	21	1	1		13	13					11	5	6	56	41	15	8	8					32
Ceylon	100	100																							100
China	8,119	100	8,019	136	1	135	675	33	642	2,185	40	2,145	810	2	808	2,165	20	2,145	2,148	4	2,144				
Cyprus	228	100	128	3	3		46	46		24	24		35		35	114	21	93	6	6					
India	2,976	100	2,876	6	3	3	121	19	102	1,386	53	1,333	29		29	76		76	1,358	25	1,333				
Indonesia	209	200	9	1	1		37	37		49	49		7	5	2	53	46	7	11	11					51
Iran	551	100	451	6	2	4	68	20	48	209	46	163	20		20	54		54	194	32	162				
Iraq	527	100	427	5	3	2	94	20	74	53	42	11	91	1	90	243	4	239	41	30	11				
Israel	475	100	375	3	3		89	18	71	151	45	106	26	1	25	76	10	66	130	23	107				
Japan	875	185	690	21	5	16	143	36	107	298	96	202	46	1	45	126	7	119	241	40	201				
Jordan	137	100	37				25	25		45	45		11	1	10	35	8	27	21	21					
Korea	1,112	100	1,012	7	2	5	88	18	70	497	55	442	14		14	38		38	468	25	443				
Lebanon	218	100	118	4	3	1	50	20	30	31	30	1	24	1	23	70	8	62	39	38	1				
Pakistan	266	100	166	1	1		34	20	14	99	32	67	5		5	13		13	114	47	67				
Philippines	3,329	100	3,229	63	2	61	768	12	756	736	53	683	288	2	286	780	20	70	694	11	683				
Thailand	100	100					19	19		4	4					1	1		17	17					59
Vietnam	100	100					4	4		4	4		1	1		5	5		2	2					84
Yemen	100	100					4	4					1	1		11	11								84
Other Asia (14)	1,240	859	381	11	9	2	196	91	105	212	212		76	1	75	211	12	199	32	32					502

Africa	1,963	1,492	471	5	4	1	133	107	26	329	284	45	109	11	98	350	94	256	110	65	45				972
Ethiopia	91	91					1	1																	90
Ghana	100	100					3	3																	97
Libya	113	100	13				1	1		12	12		7	3	4	36	27	9	2	2					55
Morocco	190	100	90	2	2		32	32		21	21		26	1	25	71	6	65	6	6					32
South Africa	148	100	48				18	18		69	52	17	4		4	10		10	47	30	17				
Tunisia	148	100	48	1	1		10	10		6	6		17	4	13	70	35	35	2	2					42
Other Africa (31)	1,173	901	272	2	1	1	68	42	26	221	193	28	55	3	52	163	26	137	53	25	28				611
Oceania	710	466	244	2	2		46	32	14	379	318	61	57	28	29	96	18	78	117	55	62				13
Australia	339	100	239	2	2		34	20	14	84	23	61	55	27	28	75	1	74	89	27	62				
New Zealand	104	100	4				12	12		32	32		2	1	1	20	17	3	28	28					10
Other Oceania (4)	267	266	1							263	263					1		1							3

2D YEAR (FISCAL YEAR 1967)

All quota areas	155,228	92,893	62,335	1,270	1,108	162	8,214	7,214	1,000	6,361	3,635	2,726	6,065	2,874	3,191	5,318	10,788	42,330	4,845	2,119	2,726	10,200		10,200	65,155
Refugees	10,200		10,200																			10,200		10,200	
Europe	124,386	88,091	36,295	1,075	1,063	12	7,380	6,620	760	2,359	2,203	156	5,295	2,813	2,482	43,191	10,462	32,729	1,783	1,627	156				63,303
Albania	124	100	24	1	1		15	15					4	2	2	49	27	22							55
Austria	1,405	1,405		2	2		48	48		107	107		4	4		39	39		32	32					1,173
Belgium [2]	859	859		10	10		34	34		16	16		30	30		33	33								736
Bulgaria	124	100	24	1	1		4	4		6	6		4	2	2	44	22	22	8	8					57
Czechoslovakia [2]	2,004	2,004		23	23		71	71					67	67		131	131		2	2					1,710
Denmark	1,175	1,175		1	1		29	29		51	51		3	3		22	22		19	19					1,050
Estonia	115	115		1	1		3	3					1	1		7	7		6	6					97
Finland	566	566		1	1		44	44		26	26		7	7		62	62		8	8					418
France	2,748	2,748		6	6		129	129		238	238		12	12		109	109		65	65					2,189
Subquotas (6)	321	321					18	18								3	3								300
Germany [2]	16,399	16,399		226	226		816	816		112	112		622	622		948	948		11	11					13,664
Great Britain [2]	24,405	24,405		289	289		896	896		353	353		871	871		888	888		94	94					21,014
Subquotas (25)	4,957	4,042	915	15	15		633	616	17	5		5	168	168		2,360	1,472	888	5		5				1,771
Greece	6,431	308	6,123	14	6	8	122	41	81	193	149	44	384	2	382	5,589	25	4,564	129	85	44				
Hungary	1,181	865	316	22	22		131	131		26	26		41	14	27	420	131	289	98	98					443
Iceland	100	100		1	1																				99
Ireland [2]	5,113	5,113		55	55		169	169		6	6		165	165		174	174		2	2					4,542
Italy	20,000	5,666	14,334	201	201		1,948	1,400	548	331	331		1,490	304	1,186	15,338	2,738	12,600	692	692					
Latvia	235	235		2	2		7	7					3	3		32	32		6	6					185
Lithuania	384	384		4	4		10	10					3	3		25	25		11	11					331
Luxembourg	100	100																							100
Netherlands	2,940	2,940		1	1		28	28		151	151		7	7		64	64		61	61					2,628
Subquotas (2)	196	196					34	34					3	3		26	26								133
Norway [2]	2,264	2,264		23	23		71	71		16	16		70	70		70	70		2	2					2,012
Poland	11,924	6,488	5,436	34	34		917	917		101	101		633	295	338	7,760	2,662	5,098	120	120					2,359
Portugal	5,928	438	5,490	40	37	3	377	277	100	51	51		339	5	334	5,100	47	5,053	21	21					
Subquotas (4)																									
Rumania	678	289	389	12	12		57	57		10	10		48	15	33	499	143	356	52	52					
San Marino	100	100					15	15					1	1		6	6								78
Spain	800	250	550	16	15	1	70	61	9	129	102	27	42		42	444		444	99	72	27				
Sweden [2]	2,296	2,296		24	24		78	78		36	36		74	74		74	74								2,010
Switzerland	1,698	1,698		1	1		48	48		84	84		2	2		22	22		46	46					1,495
Turkey	730	225	505	21	21		40	35	5	214	134	80	29		29	311		311	115	35	80				
U.S.S.R.	2,697	2,697		8	8		60	60		10	10		16	16		143	143		15	15					2,445
Yugoslavia	3,131	942	2,189	20	20		419	419		87	87		142	35	107	2,306	224	2,082	64	64					93
Other Europe (5)	258	258					39	39					10	10		93	93								116
Asia	17,919	2,844	15,075	189	39	150	690	455	235	3,348	830	2,518	675	22	653	9,216	214	9,002	2,889	372	2,517				91
Burma	124	100	24	1	1		13	13					7	5	2	63	41	22	8	8					32
Ceylon	100	100																							100
China	7,651	100	7,551	84	1	83	108	33	75	1,071	40	1,031	360	2	358	4,966	20	4,946	1,062	4	1,058				
Cyprus	270	100	170	3	3		46	46		24	24		15		15	176	21	155	6	6					
India	1,546	100	1,446	3	3		31	19	12	697	53	644	13		13	133		133	669	25	644				
Indonesia	224	200	24	1	1		37	37		49	49		7	5	2	68	46	22	11	11					51
Iran	356	100	256	2	2		26	20	6	123	46	77	8		8	89		89	108	32	76				
Iraq	583	100	483	3	3		29	20	9	48	42	6	41	1	40	426	4	422	36	30	6				
Israel	337	100	237	3	3		26	18	8	99	45	54	12	1	11	120	10	110	77	23	54				
Japan	622	185	437	9	5	4	48	36	12	197	96	101	20	1	19	207	7	200	141	40	101				
Jordan	455	100	355	1		1	37	25	12	45	45		30	1	29	321	8	313	21	21					
Korea	660	100	560	3	2	1	26	18	8	270	55	215	11		11	110		110	240	25	215				
Lebanon	224	100	124	3	3		23	20	3	30	30		11	1	10	119	8	111	38	38					
Pakistan	191	100	91	1	1		22	20	2	64	32	32	2		2	22		22	80	47	33				
Philippines	3,292	100	3,192	62	2	60	100	12	88	384	53	331	127	2	125	2,278	20	2,258	341	11	330				
Thailand	100	100					19	19		4	4					1	1		17	17					59
Vietnam	100	100					4	4		4	4		1	1		5	5		2	2					84
Yemen	100	100					4	4					1	1		11	11								84
Other Asia (14)	984	859	125	10	9	1	91	91		239	212	27	9	1	8	101	12	89	32	32					502

See footnotes at end of table.

Estimated issuances under H.R. 2580, as amended Aug. 6, 1965—Continued

2D YEAR (FISCAL YEAR 1967)

Quota area	Total issuances			1st preference—Unmarried sons, daughters of U.S. citizens			2d preference—Spouses, unmarried sons, daughters of permanent residents			3d preference—Members of professions, etc.			4th preference—Married sons, daughters of U.S. citizens			5th preference—Brothers, sisters of U.S. citizens			6th preference—Skilled or unskilled labor, etc.			7th preference—Refugees			Non-preference
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	
Africa	2,051	1,492	559	4	4		110	107	3	307	284	23	54	11	43	560	94	466	89	65	24				927
Ethiopia	91	91					1	1																	90
Ghana	100	100					3	3																	97
Libya	124	100	24				1	1		12	12		5	3	2	49	27	22	2	2					55
Morocco	221	100	121	2	2		32	32		21	21		11	1	10	117	6	111	6	6					32
South Africa	143	100	43				18	18		61	52	9	2		2	22		22	40	30	10				
Tunisia	173	100	73	1	1		10	10		6	6		10	4	6	102	35	67	2	2					42
Other Africa (31)	1,199	901	298	1	1		45	42	3	207	193	14	26	3	23	270	26	244	39	25	14				611
Oceania	672	466	206	2	2		34	32	2	347	318	29	41	28	13	151	18	133	84	55	29				13
Australia	306	100	206	2	2		22	20	2	52	23	29	40	27	13	134	1	133	66	27	29				
New Zealand	100	100					12	12		32	32		1	1		17	17		28	28					10
Other Oceania (4)	266	266								263	263														3

3D YEAR (FISCAL YEAR 1968)

Quota area	Total issuances			1st preference—Unmarried sons, daughters of U.S. citizens			2d preference—Spouses, unmarried sons, daughters of permanent residents			3d preference—Members of professions, etc.			4th preference—Married sons, daughters of U.S. citizens			5th preference—Brothers, sisters of U.S. citizens			6th preference—Skilled or unskilled labor, etc.			7th preference—Refugees			Non-preference
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	
All quota areas	130,865	92,893	37,972	1,270	1,108	162	8,214	7,214	1,000	6,361	3,635	2,726	6,065	2,874	3,191	28,755	10,788	17,967	4,845	2,119	2,726	10,200		10,200	65,155
Refugees	10,200		10,200																			10,200		10,200	
Europe	107,928	88,091	19,837	1,075	1,063	12	7,380	6,620	760	2,359	2,203	156	5,295	2,813	2,482	26,733	10,462	16,271	1,783	1,627	156				63,303
Albania	108	100	8	1	1		15	15					4	2	2	33	27	6							55
Austria	1,405	1,405		2	2		48	48		107	107		4	4		39	39		32	32					1,173
Belgium [3]	859	859		10	10		34	34		16	16		30	30		33	33								736
Bulgaria	108	100	8	1	1		4	4		6	6		4	2	2	28	22	6	8	8					57
Czechoslovakia [3]	2,004	2,004		23	23		71	71					67	67		131	131		2	2					1,710
Denmark	1,175	1,175		1	1		29	29		51	51		3	3		22	22		19	19					1,050
Estonia	115	115		1	1		3	3					1	1		7	7		6	6					97
Finland	566	566		1	1		44	44		26	26		7	7		62	62		8	8					418
France	2,748	2,748		6	6		129	129		238	238		12	12		109	109		65	65					2,189
Subquotas (6)	321	321					18	18								3	3								300
Germany [3]	16,399	16,399		226	226		816	816		112	112		622	622		948	948		11	11					13,664
Great Britain [3]	24,405	24,405		289	289		896	896		353	353		871	871		888	888		94	94					21,014
Subquotas (25)	4,291	4,042	249	15	15		633	616	17	5		5	168	168		1,694	1,472	222	5		5				1,771
Greece	1,883	308	1,575	14	6	8	122	41	81	193	149	44	384	2	382	1,041	25	1,016	129	85	44				
Hungary	964	865	99	22	22		131	131		26	26		41	14	27	203	131	72	98	98					443
Iceland	100	100		1	1																				99
Ireland [3]	5,113	5,113		55	55		169	169		6	6		165	165		174	174		2	2					4,542
Italy	20,000	5,666	14,334	201	201		1,948	1,400	548	331	331		1,490	304	1,186	15,338	2,738	12,600	692	692					
Latvia	235	235		2	2		7	7					3	3		32	32		6	6					185
Lithuania	384	384		4	4		10	10					3	3		25	25		11	11					331
Luxembourg	100	100																							100
Netherlands	2,940	2,940		1	1		28	28		151	151		7	7		64	64		61	61					2,628
Subquotas (2)	196	196					34	34					3	3		26	26								133
Norway [3]	2,264	2,264		23	23		71	71		16	16		70	70		70	70		2	2					2,012
Poland	7,726	6,488	1,238	34	34		917	917		101	101		633	295	338	3,562	2,662	900	120	120					2,359
Portugal	1,763	438	1,325	40	37	3	377	277	100	51	51		339	5	334	935	47	888	21	21					
Subquotas (4)																									
Rumania	411	289	122	12	12		57	57		10	10		48	15	33	232	143	89	52	52					
San Marino	100	100					15	15					1	1		6	6								78
Spain	467	250	217	16	15	1	70	61	9	129	102	27	42		42	111		111	99	72	27				
Sweden [3]	2,296	2,296		24	24		78	78		36	36		74	74		74	74								2,010
Switzerland	1,698	1,698		1	1		48	48		84	84		2	2		22	22		46	46					1,495
Turkey	497	225	272	21	21		40	35	5	214	134	80	29		29	78		78	115	35	80				
U.S.S.R	2,697	2,697		8	8		60	60		10	10		16	16		143	143		15	15					2,445
Yugoslavia	1,332	942	390	20	20		419	419		87	87		142	35	107	507	224	283	64	64					93
Other Europe (5)	258	258					39	39					10	10		93	93								116

Asia	10,362	2,844	7,518	189	39	150	690	455	235	3,348	830	2,518	675	22	653	1,659	214	1,445	2,889	372	2,517				912
Burma	108	100	8	1	1		13	13					7	5	2	47	41	6	8	8					32
Ceylon	100	100																							100
China	3,365	100	3,265	84	1	83	108	33	75	1,071	40	1,031	360	2	358	680	20	660	1,062	4	1,058				
Cyprus	154	100	54	3	3		46	46		24	24		15		15	60	21	39	6	6					
India	1,446	100	1,346	3	3		31	19	13	697	53	644	13		13	33		33	669	25	644				
Indonesia	208	200	8	1	1		37	37		49	49		7	5	2	52	46	6	11	11					51
Iran	289	100	189	2	2		26	20	6	123	46	77	8		8	22		22	108	32	76				
Iraq	267	100	167	3	3		29	20	9	48	42	6	41	1	40	110	4	106	36	30	6				
Israel	257	100	157	3	3		26	18	8	99	45	54	12	1	11	40	10	30	77	23	54				
Japan	472	185	287	9	5	4	48	36	12	197	96	101	20	1	19	57	7	50	141	40	101				
Jordan	220	100	120	1		1	37	25	12	45	45		30	1	29	86	8	78	21	21					
Korea	577	100	477	3	2	1	26	18	8	270	55	215	11		11	27		27	240	25	215				
Lebanon	140	100	40	3	3		23	20	3	30	30		11	1	10	35	8	27	38	38					
Pakistan	175	100	75	1	1		22	20	2	64	32	32	2		2	6		6	80	47	33				
Philippines	1,367	100	1,267	62	2	60	100	12	88	384	53	331	127	2	125	353	20	333	341	11	330				
Thailand	100	100					19	19		4	4					1	1		17	17					59
Vietnam	100	100					4	4		4	4		1	1		5	5		2	2					84
Yemen	100	100					4	4					1	1		11	11								84
Other Asia (14)	917	859	58	10	9	1	91	91		239	212	27	9	1	8	34	12	22	32	32					502
Africa	1,703	1,492	211	4	4		110	107	3	307	284	23	54	11	43	212	94	118	89	65	24				927
Ethiopia	91	91					1	1																	90
Ghana	100	100					3	3																	97
Libya	108	100	8				1	1		12	12		5	3	2	33	27	6	2	2					55
Morocco	137	100	37	2	2		32	32		21	21		11	1	10	33	6	27	6	6					32
South Africa	127	100	27				18	18		61	52	9	2		2	6		6	40	30	10				
Tunisia	124	100	24	1	1		10	10		6	6		10	4	6	53	35	18	2	2					42
Other Africa (31)	1,016	901	115	1	1		45	42	3	207	193	14	26	3	23	87	26	61	39	25	14				611
Oceania	672	466	206	2	2		34	32	2	347	318	29	41	28	13	151	18	133	84	55	29				13
Australia	306	100	206	2	2		22	20	2	52	23	29	40	27	13	134	1	133	56	27	29				
New Zealand	100	100					12	12		32	32		1	1		17	17		28	28					10
Other Oceania (4)	266	266								263	263														3

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[1] Exclusive of following number of estimated issuances to immediate relatives (nonquota): Great Britain, 1,666; Germany, 4,333; Belgium, 133; Sweden, 133; Ireland, 267; Czechoslovakia, 67; Norway, 67.

[2] Exclusive of following number of estimated issuances to immediate relatives (nonquota): Great Britain, 2,500; Germany, 6,500; Belgium, 200; Czechoslovakia, 100; Ireland, 400; Norway, 100: Sweden, 200.

[3] Exclusive of following number of estimated issuances to immediate relatives (nonquota): Great Britain, 2,500; Germany, 6,500; Belgium, 200; Czechoslovakia, 100; Ireland, 400: Norway, 100; Sweden, 200.

Mr. FONG. Mr. President, H.R. 2580 is a product of many years of study, analysis, and consideration. Many Senators, Congressmen, scholars, and organizations have contributed to this effort.

Perhaps no organization has made a more significant contribution than the American Immigration and Citizenship Conference, representing more than 90 ethnic organizations across the country concerned with immigration reform—an organization so ably led by a very distinguished American, Mrs. Ruth Zellerbach Murphy. The AICC and Mrs. Murphy deserve high commendation for their many years of tireless work in this field.

Because of the dedicated work of organizations such as the AICC and citizens such as Mrs. Murphy, we now have before us H.R. 2580, which is without a doubt a very meritorious measure.

Mr. President, opposition to revising our immigration statutes are based on two arguments: First, the fear that the admission of more immigrants to the country would exhaust our economic resources and add to our already serious employment problems; and, second, the fear that too many persons of Oriental background would be admitted into the country, upsetting traditional patterns of American life. Reasonable analysis of both arguments, however, shows them to be quite unfounded.

Let us analyze each of these in turn.

IMPACT ON THE ECONOMY

First, let us look at the impact of immigration on our economy. We have not introduced immigration reform legislation without thoughtful and thorough consideration of our economic situation and the hard facts about our complex technologically oriented economy. It is our belief that the immigration program proposed by our bill would enhance our economic growth, help stimulate our economy, and generate new employment opportunities. The best data unquestionably supports this assertion.

Based on statistics and facts supplied by the Office of Manpower, Automation, and Training, and the Technical Committee on Critical Occupations, both of the U.S. Department of Labor; the Bureau of the Census, and the Immigration and Naturalization Service of the Justice Department, six points stand out with respect to the impact of immigration on our economy.

ANNUAL CEILING

First, under H.R. 2580 total annual immigration to the United States is limited to 170,000, plus perhaps 180,000 nonquota admissions a year, totaling 350,000, a figure which is only about 50,000 more than the number we actually have been admitting over the past 10 to 15 years. See tables 6, 6A–6E, 7, and 7A, Immigration and Naturalization Service Annual Report, 1964, pages 23 to 32. See also Population Bulletin, November 1962, page 137. This somewhat startling situation can be accounted for by the fact that Congress, recognizing the inadequacy of our present immigration laws, has repeatedly passed special short-term immigration and refugee legislation—the cumulative effect of which has so modified our immigration practice that the act of 1952 no longer represents our immigration quota policy.

Of the 1½ million quota immigrants authorized during the fifties, only a million actually entered the United States. But 1½ million nonquota immigrants were admitted during the same period. In short, out of a total immigration of 2½ million, 3 out of 5 persons were admitted outside the quota provisions of the Immigration and Nationality Act of 1952.

Congress, through special laws enacted every year since 1952, and through thousands of private immigration bills, has drastically revised the pattern of immigration envisioned by the act of 1952. Nations with very small quotas have been among the most substantial contributors to recent immigration. Italian immigration, for example, has been three times greater than its quota allotment. Japanese immigration has been over 20 times greater. Immigration from Greece and China has been 16 times the very small number permitted by their quotas.

IMMIGRATION A DECLINING POPULATION FACTOR

The second noteworthy fact is that immigration has been a sharply declining factor in the increase of U.S. population. In the last 30 years immigration has accounted for an average of 5.1 percent of our population increase.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD table I, showing the components of U.S. population growth from 1870 to 1960.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Components of U.S. population growth, 1870–1960*

[In thousands]

Period	Population			Natural increase		Net immigration	
	Beginning of period	End of period	Increment	Number	Percent	Number	Percent
1870–80	39,818	50,156	10,337	8,063	78.0	2,274	22.0
1880–90	50,156	62,948	12,794	8,302	64.9	4,490	35.1
1890–1900	62,948	75,995	13,047	10,516	80.6	2,531	19.4
1900–10	75,995	91,972	15,978	10,689	66.9	5,289	33.1
1910–20	91,972	105,711	13,738	10,537	76.7	3,201	23.3
1920–30	105,711	122,775	17,064	13,974	81.9	3,089	18.1
1930–40	122,775	131,669	8,894	8,787	98.8	1,067	1.2
1940–50 [1]	131,669	150,697	19,028	18,153	95.4	875	4.6
1950–60 [2]	151,326	179,323	27,997	25,337	90.5	2,660	9.5

[1] Excludes Alaska and Hawaii.

[2] Includes Alaska and Hawaii.

Source: Population Bulletin, November 1962.

Mr. FONG. Table I shows how immigration has been a declining proportion in the growth of our population.

In earlier decades, immigration ranged between 18 and 35 percent of our population growth. But in the 30 years since 1930, the comparable rates were 1.2 percent between 1930 and 1940, 4.6 percent between 1940 and 1950, and 9.5 percent between 1950 and 1960—an average of 5 percent over the 30-year span.

SMALL FRACTION OF WORK FORCE

Third, the number of immigrant workers entering the United States in any single year during the postwar period represented a very small fraction of the total work force.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, table II showing immigrants with occupations as a percent of employed labor force for the years 1957 and 1961.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE II.—*Immigrants with occupations as a percent of employed labor force, selected year*

Occupational group	1961			1957		
	Labor force [1] (thousands)	Immigrants [2]	Immigrants as percent of occupation	Labor force [1] (thousands)	Immigrants [2]	Immigrants as percent of occupation
Total with occupation	66,796	123,688	0.19	65,016	152,986	0.24
Professional, technical, and kindred workers	7,705	21,455	.28	6,468	24,489	.38
Farmers and farm managers	2,711	3,002	.11	3,329	3,506	.11
Managers, officials, and proprietors, except farm	7,119	5,363	.08	6,703	6,127	.09
Clerical, sales, and kindred workers	14,300	25,198	.18	13,280	25,897	.20
Craftsmen, foremen, and kindred workers	8,623	17,679	.21	8,664	26,976	.31
Operatives and kindred workers	11,762	13,288	.11	12,530	19,362	.15
Private household workers	2,317	8,811	.38	2,098	11,457	.55
Service workers, except private household	6,323	8,399	.13	5,534	8,761	.16
Farm laborers and foremen	2,459	4,799	.20	2,730	4,585	.17
Laborers, except farm and mine	3,477	15,694	.45	3,680	21,826	.59

[1] Labor force figures are monthly averages for 1961 and quarterly averages for 1957.

[2] Data are for fiscal years.

Source: Labor force data—1961, U.S. Bureau of Labor Statistics, "Employment and Earnings"; 1957, U.S. Bureau of the Census, "Annual Report on the Labor Force." Immigration data: Annual reports of the Immigration and Naturalization Service, U.S. Department of Justice.

Mr. FONG. Mr. President, this data is taken from the U.S. Census Bureau's population bulletin of November 1962.

Table II shows that in 1961, for example, our total labor force was about 66.7 million, including 123,688 immigrants—so that immigrants were less than one-fifth of 1 percent of our labor force. In that year this proportion did not exceed one-half of 1 percent in any occupational category ranging from the professional and technical workers to clerical, operatives, and unskilled laborers.

This data comes from the U.S. Bureau of Labor Statistics, the U.S. Bureau of the Census, and the Immigration and Naturalization Service.

Between 1947 and 1962, our labor force expanded by about 13 million persons, while the total number of immigrants was only 3.8 million. But not all of these immigrants could or did enter our labor force. About 20 percent were housewives, 20 percent were children under 14 years old, and 7 percent were students.

Thus, in any single year, only about 50 percent of the immigrants who came to this country could have entered our labor force—for instance, in 1962 about 142,000 of the 284,000 immigrants, or less than a quarter of 1 percent of our employed labor force, could have entered our labor force.

It is anticipated that the numbers of immigrants entering the U.S. labor force under the pending bill would be a very small increase over present levels.

Average annual number of quota immigrants actually entering the United States between 1958 and 1962 was 97,500. The annual quota under H.R. 2580 would be 170,000, so that the yearly increase of actual quota immigrants would be 72,500.

Of this 72,500, 60 percent are expected to be housewives, children and others with no occupation (students, aged). Thus, 40 percent—only 29,000 additional persons—will enter the work force annually.

At present about 48,600 quota immigrants enter the labor force. Adding 29,000 to this 48,600, a total of only 77,600 quota immigrants would enter yearly under H.R. 2580.

Against a projected labor force in 1970 of 86 million, the number of quota immigrants entering the labor force annually under H.R. 2580 is only nine one-hundredths of 1 percent.

MOST IMMIGRANTS ARE PROFESSIONAL AND SKILLED

Although their numbers are small, these immigrants have made important contributions to our economy and society. Before they arrived, they had been fully trained and possessed talents and skills urgently needed in our economy. One of our most serious occupational shortages has been a lack of engineers. During the last 10 years, some 31,000 immigrant engineers entered the United States, which was only 5.6 percent of all domestic graduates in engineering and science.

Mr. President, I ask unanimous consent that table III, showing the relationship between totals of immigrant scientists and engineers and domestic graduates in engineering and science, by fiscal year 1951 to 1961, be printed at this point in the RECORD, as follows:

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE III.—*Relationship between totals of immigrant scientists and engineers and domestic graduates in engineering and science, by fiscal years, 1951–61*

Group	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
1. Immigrant scientists and engineers	1,561	3,204	2,718	3,200	2,862	3,790	5,823	5,190	5,081	4,326	3,922
2. Domestic graduates in engineering and science [1]	93,793	72,646	60,834	57,883	57,066	62,534	71,594	79,677	86,474	89,443	[2] 93,000
Percentage of group 1 to group 2	1.7	4.4	4.5	5.5	5.0	6.1	8.1	6.5	5.9	4.8	4.2

[1] Includes earned bachelor's degrees in the natural sciences and engineering. Social sciences are excluded.

[2] Estimated.

Source: "Scientific Manpower From Abroad," by National Science Foundation, 1962.

Mr. FONG. Table III shows that, for example, in 1960, 4,326 immigrant scientists and engineers entered the United States compared with 89,443 domestic graduates in those fields, or a percentage of 4.8.

In 1961, 3,922 immigrant scientists and engineers entered the United States, compared with 93,000 domestic graduates in those fields, or a percentage of 4.2.

This data is taken from the publication Scientific Manpower From Abroad, by the National Science Foundation, 1962.

We are all aware that there is a great need for engineers and scientists, and that we are able to employ many, many more. This sharply accelerated demand for engineers, paralleling steeply increased demands for scientific and technical personnel, is attributed to increases in research activities, defense spending, and a speedup in industrial technological advances. These trends are expected to continue—see Manpower Research Bulletin, August 10, 1962; Scientific Manpower From Abroad, National Science Foundation, 1962; "Current Labor Market Conditions in Engineering, Scientific, and Technical Occupations," Department of Labor, August 1962.

UNEMPLOYMENT MOSTLY UNSKILLED WORKERS

The range of our unemployment in the last 10 years has been between 4 and 5 million jobless persons, who comprised 5.5 to 6 percent of the labor force, according to Labor Department figures—see Manpower Report, March 1963, pages 33 to 38.

However, high unemployment rates in this country are not to be found among professional and technical workers, where it was 1.7 percent in 1964. Highest unemployment was concentrated in the relatively unskilled groups—the nonfarm laborers, operatives, and service workers—which had rates well in excess of the 1962 total.

Mr. President, I ask unanimous consent that table IV, showing unemployment rates of the unemployed, by major occupation groups, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IV.—*Unemployment rates and percent distribution of the unemployed, by major occupation group—Annual averages,*[1] *1947–64*

[Persons 14 years of age and over]

Year	Total unemployed	Experienced workers											Persons with no previous work experience [2]
		Professional, technical, and kindred workers	Farmers and farm managers	Managers, officials, and proprietors, except farm	Clerical and kindred workers	Sales workers	Craftsmen, foremen, and kindred workers	Operatives and kindred workers	Private household workers	Service workers, except private household	Farm laborers and foremen	Laborers, except farm and mine	
	Unemployment rate												
1947	3.6	1.9	.2	1.2	2.9	2.6	3.8	5.1	3.4	4.7	2.7	7.5	----------
1948	3.4	1.7	.2	1.0	2.3	3.4	2.9	4.1	3.2	4.8	2.3	7.5	----------
1949	5.5	1.9	.2	1.5	3.8	3.5	5.9	8.0	5.2	6.1	3.9	12.9	----------
1950	5.0	2.2	.3	1.6	3.4	4.0	5.6	6.8	5.6	6.8	5.0	11.7	----------
1951	3.0	1.5	.3	1.0	2.1	2.8	2.6	4.3	3.8	4.3	2.1	5.6	----------
1952	2.7	1.0	.2	.7	1.8	2.5	2.4	3.9	3.2	3.7	2.3	5.7	----------

See footnotes at end of table.

TABLE IV.—*Unemployment rates and percent distribution of the unemployed, by major occupation group—Annual averages,*[1] *1947–64*—Con.

[Persons 14 years of age and over]

Year	Total unemployed	Experienced workers: Professional, technical, and kindred workers	Farmers and farm managers	Managers, officials, and proprietors, except farm	Clerical and kindred workers	Sales workers	Craftsmen, foremen, and kindred workers	Operatives and kindred workers	Private household workers	Service workers, except private household	Farm laborers and foremen	Laborers, except farm and mine	Persons with no previous work experience[2]
	Unemployment rate—Continued												
1953[3]	2.5	.9	.2	.9	1.7	2.1	2.6	3.2	2.5	3.6	2.5	6.1	----------
1954	5.0	1.6	.4	1.2	3.1	3.7	4.9	7.6	5.0	5.2	4.2	10.7	----------
1955	4.0	1.0	.4	.9	2.6	2.4	4.0	5.7	4.1	5.8	3.7	10.2	----------
1956[4]	3.8	1.0	.4	.8	2.4	2.7	3.2	5.4	4.2	4.8	3.7	8.2	----------
1957	4.3	1.2	.3	1.0	2.8	2.6	3.8	6.3	3.7	5.1	3.7	9.4	----------
1958	6.8	2.0	.6	1.7	4.4	4.0	6.8	10.9	5.2	7.4	6.2	14.9	----------
1959	5.5	1.7	.3	1.3	3.7	3.7	5.3	7.6	4.8	6.4	5.1	12.4	----------
1960[3]	5.6	1.7	.3	1.4	3.8	3.7	5.3	8.0	4.9	6.0	5.2	12.5	----------
1961	6.7	2.0	.4	1.8	4.6	4.7	6.3	9.6	5.9	7.4	5.7	14.5	----------
1962[3]	5.6	1.7	.3	1.5	3.9	4.1	5.1	7.5	4.9	6.4	4.3	12.4	----------
1963	5.7	1.8	.5	1.5	4.0	4.2	4.8	7.4	5.2	6.2	5.5	12.1	----------
1964	5.2	1.7	.5	1.4	3.7	3.4	4.2	6.5	4.9	6.1	5.8	10.6	----------
	Percent distribution												
1947	100.0	3.2	.4	3.1	9.5	4.0	13.5	28.9	2.6	9.1	3.8	12.5	9.4
1948	100.0	3.4	.4	3.3	8.6	6.3	12.0	26.0	2.9	10.7	3.8	14.0	8.8
1949	100.0	2.3	.3	2.9	8.8	4.0	14.4	30.5	2.9	8.8	3.8	14.6	6.6
1950	100.0	3.1	.5	3.2	8.2	4.9	13.8	26.9	3.4	10.3	4.8	14.2	6.8
1951	100.0	3.8	.6	3.2	8.7	5.7	11.5	29.1	3.8	10.9	3.2	12.2	7.3
1952	100.0	3.1	.5	2.4	8.5	5.4	12.5	28.8	3.4	10.4	3.6	13.1	8.3
1953[3]	100.0	3.0	.6	3.8	8.5	5.2	14.5	26.5	3.0	12.0	3.8	14.8	4.4
1954	100.0	2.8	.5	2.5	8.2	4.8	13.5	32.1	2.9	8.7	3.4	13.7	7.0
1955	100.0	2.2	.5	2.2	8.0	3.6	12.8	28.2	3.1	11.7	4.0	15.3	8.4
1956[4]	100.0	2.4	.5	2.0	8.6	4.5	11.3	28.5	3.6	10.9	4.4	12.8	10.4
1957	100.0	2.7	.3	2.3	9.2	3.8	12.0	29.4	2.8	10.2	3.7	13.3	10.3
1958	100.0	2.9	.4	2.6	9.0	3.7	13.2	30.0	2.6	9.5	3.5	13.5	9.3
1959	100.0	3.2	.2	2.4	9.3	4.4	12.5	25.5	2.9	10.5	3.6	13.9	11.6
1960[3]	100.0	3.4	.2	2.5	9.8	4.2	12.1	26.5	2.9	9.9	3.6	13.3	11.6
1961	100.0	3.3	.2	2.8	9.9	4.6	12.1	26.0	3.0	10.5	3.1	12.2	12.2
1962[3]	100.0	3.5	.2	2.8	10.4	4.6	11.5	24.4	3.0	11.1	2.6	12.5	13.4
1963	100.0	3.7	.3	2.6	10.4	4.5	10.9	24.1	3.0	10.8	3.1	11.8	14.8
1964	100.0	3.9	.3	2.7	10.6	4.0	10.1	23.3	3.1	11.6	3.4	11.0	16.0

[1] See footnote 1, table A–10.
[2] Unemployed persons who never held a full-time civilian job.
[3] See footnote 1, table A–1.
[4] Data through 1956 have not been adjusted to reflect changes in the definitions of employment and unemployment adopted in January 1957. See footnote 2, table A–1.

Source: "President's 1965 Manpower Report."

Mr. FONG. Mr. President, table IV shows that higher unemployment rates continued to be found among blue-collar workers and among the less skilled in 1964. While the total unemployment rate was 5.2 percent of the work force, unemployed unskilled nonfarm laborers to those employed in that group was 10.6 percent; blue-collar operatives 6.5 percent; and service workers, 6.1 percent. The unemployed rate for professional and technical occupations was only 1.7 percent.

The source of this data is the 1965 President's Manpower Report.

Since only an extremely small number of immigrants who are unskilled workers are admitted annually, immigration has only a minimal effect, if at all, on unemployment.

PRODUCTIVITY FACTORS

Although our knowledge of the causes underlying the rising trend of unemployment is as yet imperfect, it has been increasingly clear that labor has been displaced largely by advances in technology and the striking gains in man-hour productivity.

It has been estimated that about 1.8 million jobs are affected each year by technological change, and that approximately 18 million jobs will be affected in the decade 1960–70—see population bulletin, November 1962, page 144.

Output per man-hour in private industry since 1947 has increased at an annual average rate of 3.2 percent, and these gains, rather than increases in man-hours of work, account for more than 80 percent of the growth of total output since 1947—see table V below. See also the Manpower Reports, March 1965, page 256, and March 1963, pages 67 to 72.

I ask unanimous consent that table V showing "Indexes of Output Per Man-Hour and Related Data: Annual Averages, 1947–64" may be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE V.—*Indexes of output*[1] *per man-hour and related data: Annual averages, 1947–64*

[1957–59=100]

Output, employment, and man-hours	1964[2]	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947
	Man-hour estimates based primarily on establishment data[3]																	
OUTPUT PER MAN-HOUR																		
Total private	120.5	117.0	113.8	108.9	105.2	103.2	99.6	97.2	93.9	93.8	89.8	88.2	84.7	82.9	80.9	75.5	73.4	7.9
Agriculture	134.4	130.3	119.1	116.3	109.3	102.8	103.0	94.2	88.3	86.4	83.4	77.8	69.9	64.0	64.7	56.8	59.6	50.2
Nonagricultural industries	118.3	115.0	112.6	107.8	104.6	103.0	99.4	97.6	94.9	95.3	91.4	90.0	87.6	86.5	85.1	80.8	77.9	76.3
Manufacturing	119.7	115.4	112.6	106.7	103.8	103.3	99.1	97.8	95.1	96.8	90.9	89.5	88.2	87.1	85.1	81.8	78.2	75.1
Nonmanufacturing	117.7	115.1	112.5	108.5	105.1	102.8	99.7	97.5	94.6	94.3	91.4	90.0	87.1	86.0	84.9	80.5	77.5	-------
HOURS PER UNIT OF OUTPUT																		
Total private	83.0	85.5	87.9	91.8	95.0	96.9	100.4	102.8	106.5	106.6	111.4	113.4	118.0	120.6	123.7	132.5	136.2	141.1
Agriculture	74.4	76.7	84.0	86.0	91.5	97.3	97.1	106.2	113.2	115.7	119.9	128.6	143.1	156.3	154.5	175.9	167.9	199.3
Nonagricultural industries	84.5	87.0	88.8	92.7	95.6	97.1	100.6	102.4	105.4	105.0	109.4	111.1	114.1	115.5	117.5	123.8	128.4	131.0
Manufacturing	83.5	86.7	88.8	93.7	96.4	96.8	101.0	102.3	105.2	103.3	110.0	111.8	113.4	114.8	117.5	122.3	127.9	133.2
Nonmanufacturing	84.9	86.9	88.9	92.2	95.2	97.3	100.3	102.6	105.7	106.0	109.4	111.1	114.8	116.2	117.8	124.3	129.1	130.2

See footnotes at end of table.

TABLE V.—*Indexes of output*[1] *per man-hour and related data: Annual averages, 1947–64*—Continued

[1957–59=100]

Output, employment, and man-hours	1964[2]	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947
	Man-hour estimates based primarily on establishment data[3]—Continued																	
OUTPUT																		
Tota lprivate	125.6	119.8	115.7	108.7	106.8	104.1	97.0	98.9	97.0	95.0	87.2	88.6	84.4	82.0	77.3	70.8	71.2	68.4
Agriculture	108.2	108.7	104.8	104.8	104.8	100.0	100.5	99.0	100.5	102.9	97.6	93.7	90.4	87.0	92.8	88.0	92.8	81.2
Nonagricultural industries	126.6	120.4	116.4	108.9	106.9	104.3	96.8	98.9	96.8	94.5	86.6	88.3	84.1	81.7	76.4	69.8	70.0	67.7
Manufacturing	126.3	119.2	115.2	104.8	104.8	104.6	94.2	101.2	100.0	100.3	89.2	96.1	90.2	87.6	79.6	70.4	73.9	71.4
Nonmanufacturing	126.8	121.1	116.9	110.9	107.9	104.1	98.0	97.9	95.3	91.8	85.3	84.6	91.2	78.9	74.9	69.6	68.1	65.9
EMPLOYMENT																		
Total private	105.5	103.5	102.7	101.0	101.9	100.8	97.9	101.3	101.5	98.9	95.2	97.6	96.2	95.2	91.9	90.2	92.1	90.9
Agriculture	80.9	84.0	87.9	91.2	95.6	97.6	97.9	104.5	110.5	113.2	109.6	110.8	120.5	125.3	133.5	142.1	140.4	145.0
Nonagricultural industries	108.1	105.6	104.2	102.1	102.6	101.1	97.9	101.0	100.5	97.4	93.7	96.1	93.6	92.0	87.5	84.7	87.0	85.2
Manufacturing	104.2	102.5	101.6	98.4	101.2	100.3	96.2	103.5	103.9	101.8	98.4	105.8	100.4	98.9	92.0	87.2	94.0	93.8
Nonmanufacturing	109.8	107.0	105.4	103.7	103.2	101.4	98.7	99.9	99.0	95.5	91.6	91.9	90.6	89.0	85.5	83.6	83.9	81.4
MAN-HOURS																		
Total private	104.2	102.4	101.7	99.8	101.5	100.9	97.4	101.7	103.3	101.3	97.1	100.5	99.6	98.9	95.6	93.8	97.0	96.5
Agriculture	80.5	83.4	88.0	90.1	95.9	97.3	97.6	105.1	113.8	119.1	117.0	120.5	129.4	136.0	143.4	154.8	155.8	161.8
Nonagricultural industries	107.0	104.7	103.4	101.0	102.2	101.3	97.4	101.3	102.0	99.2	94.7	98.1	96.0	94.4	89.8	86.4	89.9	88.7
Manufacturing	105.5	103.3	102.3	98.2	101.0	101.3	95.1	103.5	105.2	103.6	98.1	107.4	102.3	100.6	93.5	86.1	94.5	95.1
Nonmanufacturing	107.7	105.2	103.9	102.2	102.7	101.3	98.3	100.4	100.7	97.3	93.3	94.0	93.2	91.7	88.2	86.5	87.9	85.8
	Man-hour estimates based primarily on labor force data[3]																	
OUTPUT PER MAN-HOUR																		
Total private	118.8	115.5	112.4	107.5	104.8	103.4	99.1	97.5	94.4	94.1	89.7	87.5	83.7	81.1	77.5	72.0	70.6	68.5
Agriculture	134.9	130.6	119.4	116.8	109.3	102.7	103.1	94.2	87.8	85.9	83.0	77.3	69.4	63.6	64.5	56.4	59.6	50.2
Nonagricultural industries	116.1	113.2	111.1	106.1	104.1	103.2	98.8	98.0	95.7	95.8	91.5	89.5	86.7	84.7	81.4	76.9	74.5	73.8
HOURS PER UNIT OF OUTPUT																		
Total private	84.2	86.6	88.9	93.0	95.4	96.7	100.9	102.5	105.9	106.3	111.5	114.3	119.4	123.3	129.0	138.8	141.7	145.9
Agriculture	74.1	76.5	83.8	85.6	91.5	97.4	97.0	106.2	113.9	116.4	120.5	129.3	144.0	157.2	155.1	177.4	167.7	199.3
Nonagricultural industries	86.1	88.4	90.0	94.2	96.1	96.9	101.2	102.0	104.5	104.3	109.2	111.8	115.3	118.1	122.9	130.1	134.1	135.5
OUTPUT																		
Total private	125.6	119.8	115.7	108.7	106.8	104.1	97.0	98.9	97.0	95.0	87.2	88.6	84.4	82.0	77.3	70.8	71.2	68.4
Agriculture	108.2	108.7	104.8	104.8	104.8	100.0	100.5	99.0	100.5	102.9	97.6	93.7	90.4	87.0	92.8	88.0	92.8	81.2
Nonagricultural industries	126.6	120.4	116.4	108.9	106.9	104.3	96.8	98.9	96.8	94.5	86.6	88.3	84.1	81.7	76.4	69.8	70.0	67.7
EMPLOYMENT																		
Total private	107.0	104.8	103.5	102.0	102.2	100.9	98.4	100.7	100.6	98.1	94.9	97.0	96.2	96.2	95.1	93.0	94.5	92.4
Agriculture	80.9	84.0	87.9	91.2	95.6	97.6	97.9	104.5	110.5	113.2	109.6	110.8	120.5	125.3	133.5	142.1	140.4	145.0
Nonagricultural industries	109.9	107.1	105.3	103.3	103.0	101.2	98.5	100.3	99.4	96.3	93.3	95.4	93.4	92.8	90.7	87.4	89.2	86.4
MAN-HOURS																		
Total private	105.7	103.7	102.9	101.1	101.9	100.7	97.9	101.4	102.7	101.0	97.2	101.3	100.8	101.1	99.7	98.3	100.9	99.8
Agriculture	80.2	83.2	87.8	89.7	95.9	97.4	97.5	105.1	114.5	119.8	117.6	121.2	130.2	136.8	143.9	156.1	155.6	161.8
Nonagricultural industries	109.0	106.4	104.8	102.6	102.7	101.1	98.0	100.9	101.2	98.6	94.6	98.7	97.0	96.5	93.9	90.8	93.9	91.7

[1] Output refers to gross national product in 1954 dollars.

[2] Preliminary.

[3] The estimates based on establishment data are derived principally from employment and hours obtained from monthly payroll reports submitted by establishments. The estimates based on labor force data use primarily employment and hours from the monthly labor force survey of households. Data for years prior to 1964 have been revised for several series, particularly for manufacturing and nonmanufacturing.

Source: "President's 1965 Manpower Report."

Mr. FONG. Mr. President, table V shows the close, positive relationship between productivity increases and expanding output; as output per man-hour showed impressive gains, output—as measured by gross private product in 1947 dollars—rose at about the same impressive rate. At the same time while output rose by about 59 percent, employment rose only by 11 percent. Total man-hours worked rose by even less—only about 3 percent.

So that well over 80 percent of the increase in aggregate output from 1947 onward can be explained by increases in output per man-hour.

These data come from the President's 1965 and 1963 Manpower Reports.

The technological innovations of the past 15 years have also created employment opportunities, but the jobs which they have produced demand skills and a degree of sophistication that cannot be supplied by the traditional blue-collar worker with a limited education. Yet, 7.5 million out of the 26 million young people entering the labor force between 1960 and 1970—or some 29 percent—will lack high school diplomas—see Manpower Research Bulletin, Department of Labor, March 1963, pages 9 and 10. There is no doubt that one of the major causes of unemployment is the rapid technological changes in our economy.

Unemployment, then, does not always mean that there is a job shortage. It may also indicate a shortage of persons who have the kinds of skills, knowledge and abilities required by the economy. Labor economists in the United States are discovering that it is possible for large numbers of unemployed to exist, even while innumerable job openings go unfilled. To quote from the Labor Department's 1963 Manpower Report:

> Despite the large supply of unused manpower, serious shortages exist in essential occupations * * *. Jobs remain unfilled because they require different skills from those possessed by the unemployed. Moreover—

The report continues—

> extending market mechanisms and educational programs have not overcome the imbalance of requirements and resources.

Shortages of qualified workers are particularly acute in the scientific, engineering, teaching, technical, health, and other professional fields—see the President's Manpower Report, March 1963, pages 30 to 32; and, as the Manpower Report points out, these ordinarily are not occupations toward which unemployed workers can be directed. To meet these shortages, extensive education and training are required; retraining and reeducation of our existing manpower resources cannot be accomplished except over a prolonged period of time.

IMMIGRATION A SOURCE OF SKILLED LABOR

Where, then, are these highly trained and skilled workers to come from? One important source has been immigration. These immigrants, according to Labor Department officials, have not increased the number of persons on our unemployment rolls, because they possessed the skills and training our economy required. Even if it were possible immediately to retrain and reeducate 150,000 to 200,000 unemployed persons—a relatively small proportion—to give them skills needed by the economy, there can be no doubt that the economy would be significantly stimulated.

Precisely the same thing may be said about the entry of skilled and highly trained immigrants into the economy. Of all immigrant workers arriving since 1947, about one of every three reported a professional, technical, or skilled occupation. Approximately half of the three and a half million immigrants who entered the United States between 1947 and 1961 were reported as having occupational attachments—see table VI—the remainder were primarily housewives, and young and retired persons.

Mr. President, I ask unanimous consent that tables VI and VII be received and made a part of the RECORD. Table VI shows the number and percentage distribution of immigrants by broad occupational groups for 1947–64 and for selected years. Table VII shows the number of immigrants in selected critical occupations admitted each year, 1952–64.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE VI.—*Number and percent distribution of immigrants, by broad occupational groups, for fiscal years 1947–64 and for selected years*

Occupational groups	Total 1947 through 1964		1964		1954		1947	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total admitted	4,424,460	100.0	292,248	100.0	208,177	100.0	147,292	100.0
With occupation	2,077,594	47.0	131,098	44.9	96,110	46.2	65,583	44.5
No occupation	2,346,866	53.0	151,076	51.7	[1] 112,067	53.8	[1] 81,709	55.5
No occupation reported	(1)	------	10,074	3.4	(1)	------	(1)	------
With occupation [2]	2,077,594	100.0	131,098	100.0	96,110	100.0	65,583	100.0
Professional, technical, and kindred workers	343,414	16.5	28,756	21.9	13,817	14.4	10,891	16.6
Farmers and farm managers	92,180	4.4	1,732	1.3	3,846	4.0	3,462	5.3
Managers, officials, and proprietors, except farm	101,708	4.9	6,822	5.2	5,296	5.5	5,886	9.0
Clerical, sales, and kindred workers	367,845	17.7	30,015	22.9	16,018	16.7	13,961	21.3
Craftsmen, foremen, and kindred workers	321,453	15.5	17,568	13.4	15,396	16.0	8,726	13.3
Operatives and kindred workers	279,646	13.5	14,243	10.9	16,755	17.4	10,580	16.1
Private household workers	157,306	7.6	8,451	6.4	8,096	8.4	4,922	7.5
Service workers, except private household	125,053	6.0	10,396	7.9	5,203	5.4	3,882	5.9
Farm laborers and foremen	78,044	3.8	3,988	3.0	1,622	1.7	442	.7
Laborers, except farm and mine	210,945	10.2	9,127	7.0	10,061	10.5	2,831	4.3

[1] "No occupation" includes "No occupation reported" group.

[2] Includes immigrants 14 years of age and over.

NOTE.—Detail may not add to totals due to rounding.

Source: Annual Reports of the Immigration and Naturalization Service, U.S. Department of Justice.

TABLE VII.—*Number of immigrants in selected critical occupations admitted each year, fiscal years 1954–64* [1]

	Total, 1954–64	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954
Biological scientists	601	112	81	49	48	53	57	56	51	35	36	23
Chemists	6,335	825	814	474	551	504	645	626	668	494	351	383
Dentists	1,429	160	177	115	119	110	99	129	132	159	113	116
Engineers	36,461	3,660	3,966	2,909	2,868	3,338	3,936	4,008	4,524	2,794	2,067	2,391
Geologists and geophysicists	659	85	73	88	66	42	59	58	62	51	41	34
Mathematicians	345	50	56	39	24	31	29	32	35	17	18	14
Nurses	36,858	4,230	4,355	3,700	3,449	3,828	3,620	3,729	3,517	3,064	1,864	1,502
Physicians and surgeons	18,424	2,249	2,093	1,797	1,683	1,574	1,630	1,934	1,990	1,388	1,046	1,040
Physicists	1,610	242	216	187	151	162	155	145	128	75	75	74
Professors and instructors	4,767	839	761	589	500	367	340	352	372	290	173	184
Teachers not specified	27,218	4,086	3,727	3,182	2,686	2,532	2,670	2,471	2,304	655	1,549	1,356
Technicians	17,209	2,448	2,197	1,838	1,635	1,632	1,821	1,346	1,553	1,095	840	804
Machinists	10,252	969	897	681	819	993	1,476	836	1,393	1,106	594	488
Toolmakers, diemakers and setters	7,334	423	473	369	460	706	654	858	1,150	894	587	760

[1] The occupational categories listed in this table are those which immigrants reported on their arrival in the United States. It was not possible, in a few instances, because of lack of sufficient occupational detail to make a precise match with the occupations which appear on the "List of Currently Critical Occupations" as determined by the Technical Committee on Critical Occupations of the U.S. Department of Labor. For this reason, totals are not shown.

Source: 1959 through 1964: Annual reports of the Immigration and Naturalization Service, U.S. Department of Justice; 1954 through 1958: Data furnished by the Immigration and Naturalization Service, U.S. Department of Justice.

Mr. FONG. Mr. President, some 14,000 immigrant physicians and surgeons, and about 28,000 nurses helped alleviate the shortage of trained persons in the critical medical field in the 1952–61 periods; about 4,900 chemists, 1,100 physicists, and over 12,000 technicians—vitally needed workers who support scientists and engineers—were admitted in that same period.

This data was gathered from the annual reports of the Immigration and Naturalization Service for the years 1952–61.

Between 1953 and 1961, over 166,000 immigrants entering this country possessed skills in such critical job areas as physics, nursing, medicine, teaching, engineering, and other kindred fields. These were occupations declared to be in short supply by the Technical Committee on Critical Occupations of the Labor Department, occupations which are used by the Selective Service in determining deferments in the national interest. Some 12,680 immigrant physicians and surgeons, and about 25,376 nurses helped alleviate the shortage of trained persons in the critical medical field in the 1952–61 period; about 4,448 chemists, 4,036 natural scientists, and 19,894 technicians—vitally needed workers who support scientists and engineers—were admitted in that same period.

Typical nonagricultural occupations now certified to be in short supply by the Labor Department are librarians, dietitians, laboratory technicians, physical therapists, systems engineers, cabinetmakers, machinists, draftsmen, and tailors.

I ask unanimous consent to submit and have printed in the RECORD table VIII, showing the selected professional, technical, and kindred workers admitted to the United States, 1959–61, and total, January 1, 1953, to June 30, 1961.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE VIII.—*Selected professional, technical, and kindred workers admitted to the United States, 1959–61, and total Jan. 1, 1953, to June 30, 1961*

	1961		1960		1959		Jan. 1, 1953, to June 30, 1961	
	Total	Percent of PTK's [1]	Total	Percent of PTK's [1]	Total	Percent of PTK's [1]	Total	Percent of PTK's [1]
Total	21,453	100.0	21,940	100.0	23,287	100.0	166,413	100.0
Engineers	2,868	13.4	3,338	15.2	3,936	16.9	27,142	16.3
Natural scientists	376	1.7	401	1.8	428	1.8	5,036	2.4
Physicists	151	.7	162	.7	155	.7		
Mathematicians	24	.1	31	.1	29	.1		
Other natural scientists	201	.9	208	1.0	244	1.0		
Chemists	551	2.6	504	2.3	645	2.8	4,448	2.7
Physicians and surgeons	1,683	7.8	1,574	7.2	1,630	7.0	12,680	7.6
Dentists	119	.6	110	.5	99	.4		
Nurses	3,449	16.1	3,828	17.4	3,620	15.5	25,376	15.2
College professors and instructors	500	2.3	367	1.7	340	1.5	1,921	1.2
Teachers (not specified)	2,688	12.5	2,532	11.6	2,670	11.5	17,998	10.8
Technicians [2]	2,138	10.0	2,350	10.7	2,740	11.8	[3] 19,894	12.0
Other professional, technical, and kindred workers	7,085	33.0	6,936	31.6	7,179	30.8	52,918	31.8

[1] Professional, technical, and kindred workers.

[2] Includes draftsmen.

[3] Includes designers, draftsmen, radio operators, surveyors, medical and dental technicians, testing technicians, and technicians not specified.

Source: Annual reports of the Immigration and Naturalization Service, U.S. Department of Justice.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. FONG. I yield to the distinguished Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Is it the impression of the Senator from Hawaii that specific shortages in our labor market could be readily filled today by those who have the skills described by the Senator from Hawaii, and that they would not displace American workers or affect the wages and working conditions of Americans in those particular fields? Is it not true that immigrants who would serve in those capacities would fill positions in our economy which need strengthening?

Mr. FONG. Yes; the Senator is entirely correct.

Mr. KENNEDY of Massachusetts. Would not such immigration provide additional employment and benefits for others who might be dependent upon such positions being filled?

Mr. FONG. If positions which require technical skills are not filled, the many jobs which support such technically skilled positions would also not be filled, and many new jobs would not be created. By bringing in technically equipped persons, jobs would be created for our own people. This is the point I am trying to make.

Mr. KENNEDY of Massachusetts. A real benefit would accrue to our own economy, as the Senator has suggested, by providing job opportunities for Americans, because the vacancies which demand particular skills would be filled.

Mr. FONG. Yes. A report has been made which states that every person who obtains a Ph. D. degree supports at least 200 persons; that because of such a person's brainpower, skill, and know-how, at least 200 persons would be able to obtain work under him because of his Ph. D. degree.

Mr. KENNEDY of Massachusetts. I thank the Senator from Hawaii.

Mr. FONG. Mr. President, it is important to note here that the proportion of immigrants with a high degree of skill has increased significantly in the past decade—see tables VI and VII. For instance, there were 20 percent more engineers entering in 1961 than in 1952, and 84 percent more technicians. It should be noted further that special legislation was passed during the 87th Congress to permit nonquota admission of several thousand highly trained and skilled immigrants.

ECONOMY NEEDS SKILLED AND PROFESSIONAL WORKERS

Virtually every study projecting the occupational structure of our economy in the decade of the sixties shows a shift of employment toward occupations requiring high levels of skill, training and education. While unskilled jobs are not expected to expand at all in terms of absolute numbers, professional and technical positions will be the fastest growing occupations. This simply reflects the continuation of scientific and technological advances and of trends which were becoming increasingly evident as early as 1947.

I submit and ask unanimous consent to have printed in the RECORD table IX which shows employed persons by major occupation group, annual averages, 1947-62.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IX.—*Employed persons by major occupation group; Annual averages, 1947–62, persons 14 years of age and over*

Major occupation group and sex	Number (in thousands)															
	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947
BOTH SEXES																
Total employed	67,846	66,796	66,681	65,581	63,966	65,016	64,928	62,997	61,160	61,778	60,989	60,854	59,648	58,489	59,307	57,843
White-collar workers	29,901	29,124	28,726	27,798	27,056	26,451	25,597	24,585	23,891	23,614	23,070	22,413	22,373	21,636	21.400	20,185
Professional, technical, and kindred workers	8,040	7,705	7,475	7,143	6,961	6,468	6,096	5,792	5,588	5,448	5,092	4,788	4,490	4,028	3,977	3,795
Managers, officials, and proprietors, except farm	7,408	7,119	7,067	6,935	6,785	6,703	6,552	6,450	6,201	6,396	6,182	6,220	6,429	6,433	6,344	5,795
Clerical and kindred workers	10,107	9,861	9,783	9,326	9,137	9,152	8,838	8,367	8,168	7,991	8,122	7,655	7,632	7,438	7,438	7,200
Sales workers	4,346	4,439	4,401	4,394	4,173	4,128	4,111	3,976	3,934	3,779	3,674	3,750	3,822	3,737	3,641	3,395
Blue-collar workers	24,278	23,862	24,211	24,162	23,510	24,874	25,179	24,771	24,167	24,991	24,802	25,009	23,336	22,770	23,988	23,554
Craftsmen, foremen, and kindred workers	8,678	8,623	8,560	8,561	8,469	8,664	8,693	8,328	8,311	8,558	8,742	8,434	7,670	7,625	8,119	7,754
Operatives and kindred workers	12,041	11,762	11,986	11,858	11,441	12,520	12,816	12,762	12,253	12,747	12,352	12,623	12,146	11,780	12,396	12,274
Laborers, except farm and mine	3,559	3,477	3,665	3,743	3,600	3,680	3,670	3,681	3,603	3,656	3,707	3,952	3,520	3,365	3,573	3,526
Service workers	8,802	8,640	8,349	8,040	7,809	7,632	7,609	7,106	6,755	6,949	6,488	6,533	6,535	6,266	6,040	5,987
Private household workers	2,341	2,317	2,216	2,197	2,204	2,098	2,124	1,946	1,760	1,850	1,805	1,869	1,883	1,757	1,754	1,731
Service workers, except private household	6,461	6,323	6,133	5,843	5,605	5,534	5,485	5,160	4,995	5,099	4,683	4,664	4,652	4,509	4,286	4,256
Farmworkers	4,866	5,170	5,395	5,582	5,591	6,059	6,544	6,537	6,348	6,224	6,632	6,900	7,408	7,819	7,881	8,120
Farmers and farm managers	2,595	2,771	2,780	3,019	3,083	3,329	3,655	3,739	3,853	3,842	3,963	4,025	4,393	4,703	4,668	4,995
Farm laborers and foremen	2,271	2,459	2,615	2,563	2,508	2,730	2,889	2,798	2,495	2,382	2,669	2.875	3,015	3,116	3,213	3,125

TABLE IX.—*Employed persons by major occupation group; Annual averages, 1947–62, persons 14 years of age and over*—Continued

Major occupation group and sex	Percent distribution															
	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947
BOTH SEXES—Continued																
Total employed	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
White-collar workers	44.1	43.6	43.1	42.4	42.3	40.6	39.4	39.0	39.0	38.2	37.7	36.8	37.5	37.0	36.1	34.6
Professional, technical, and kindred workers	11.9	11.5	11.2	10.9	10.9	9.9	9.4	9.2	9.1	8.8	8.3	7.9	7.5	6.9	6.7	6.6
Managers, officials, and proprietors, except farm	10.9	10.7	10.6	10.6	10.6	10.3	10.1	10.2	10.1	10.4	10.1	10.2	10.8	11.0	10.7	10.0
Clerical and kindred workers	14.9	14.8	14.7	14.2	14.3	14.1	13.6	13.3	13.4	12.9	13.3	12.6	12.8	12.7	12.5	12.4
Sales workers	6.4	6.6	6.6	6.7	6.5	6.3	6.3	6.3	6.4	6.1	6.0	6.2	6.4	6.4	6.1	5.9
Blue-collar workers	35.8	35.7	36.3	36.9	36.7	38.3	38.8	39.2	39.5	40.4	40.7	41.1	39.1	38.9	40.4	40.7
Craftsmen, foremen, and kindred workers	12.8	12.9	12.8	13.1	13.1	13.3	13.4	13.2	13.6	13.9	14.3	13.9	12.9	13.0	13.7	13.4
Operatives and kindred workers	17.7	17.6	18.0	18.1	17.9	19.3	19.7	20.2	20.0	20.6	20.3	20.7	20.3	20.1	20.9	21.2
Laborers, except farm and mine	5.2	5.2	5.5	5.7	5.6	5.7	5.7	5.8	5.9	5.9	6.1	6.5	5.9	5.8	5.9	6.1
Service workers	13.0	12.9	12.5	12.2	12.2	11.7	11.7	11.3	11.1	11.3	10.7	10.8	11.0	10.7	10.2	10.4
Private household workers	3.5	3.5	3.3	3.4	3.4	3.2	3.3	3.1	2.9	3.0	3.0	3.1	3.2	3.0	3.0	3.0
Service workers, except private household	9.5	9.5	9.2	8.9	8.8	8.5	8.4	8.2	8.2	8.3	7.7	7.7	7.8	7.7	7.2	7.4
Farmworkers	7.2	7.8	8.1	8.5	8.7	9.3	10.1	10.5	10.4	10.1	10.9	11.3	12.5	13.3	13.3	14.0
Farmers and farm managers	3.8	4.1	4.2	4.6	4.8	5.1	5.6	6.0	6.3	6.2	6.5	6.6	7.4	8.0	7.9	8.6
Farm laborers and foremen	3.3	3.7	3.9	3.9	3.9	4.2	4.5	4.5	4.1	3.9	4.4	4.7	5.1	5.3	5.4	5.4

EMPLOYMENT, BY MAJOR OCCUPATIONAL GROUP, 1960–75

Major occupational group	Actual, 1960		Projected, 1970		Projected, 1975		Percent change		
	Number	Percent	Number	Percent	Number	Percent	1960–70	1970–75	1960–75
	Millions		*Millions*		*Millions*				
Total	66.7	100.0	80.5	100.0	87.6	100.0	21	9	31
Professional, technical, and kindred workers	7.5	11.2	10.7	13.3	12.4	14.2	43	16	65
Managers, officials, and proprietors, except farm	7.1	10.6	8.6	10.7	9.4	10.7	21	9	32
Clerical and kindred workers	9.8	14.7	12.8	15.9	14.2	16.2	31	11	45
Sales workers	4.4	6.6	5.4	6.7	5.9	6.7	23	9	34
Craftsmen, foremen, and kindred workers	8.6	12.8	10.3	12.8	11.2	12.8	20	9	30
Operatives and kindred workers	12.0	18.0	13.6	16.9	14.2	16.3	13	4	18
Service workers	8.3	12.5	11.1	13.8	12.5	14.3	34	13	51
Laborers, except farm and mine	3.7	5.5	3.7	4.6	3.7	4.3			
Farmers, farm managers, laborers, and foremen	5.4	8.1	4.2	5.3	3.9	4.5	−22	−7	−28

NOTE.—Individual items may not add to totals because of rounding.

Source: Monthly Labor Review, March 1963; President's 1963 Manpower Report.

Mr. FONG. Mr. President, table VIII, which I have already introduced, shows selected professional, technical, and kindred workers admitted to the United States from 1959 to 1961 and the total number of such workers admitted between January 1, 1953, and June 30, 1961.

The total admitted in that 8-year period was 166,413, of which 21,455 were admitted in 1961, 21,940 in 1960, and 23,287 in 1959.

Table VIII relates directly to table IX, which shows employment by type of occupation between 1947 and 1962, and the percent change in employment projected to 1970.

Table IX shows that the demand for professional, technical, and other skilled workers is expected to continue to rise in the future. But unskilled occupation groups are not expected to grow at all; in fact, they may decline.

These materials are drawn from the Monthly Labor Review, March 1963, and the President's 1963 Manpower Report.

The large unfilled need for personnel in the professional, technical, and other skilled occupations is expected to continue into the foreseeable future. This fact was underscored particularly in the President's 1965 Manpower Report. Immigration will therefore continue to be our best source of supply of highly trained people.

Best estimates of the number of anticipated immigrant workers annually entering the country under H.R. 2580 is that the professional, technical, craft and kindred workers will continue at relatively high levels, and that unskilled workers entering will continue at relatively low levels.

ECONOMIC VALUE OF EDUCATION

The fourth point is tied to the third—the fact that many American economists and social scientists are beginning to recognize the tremendous economic value of educated people. They see that much of the wealth attributable to resources and capital equipment really has its roots in education.

For example, a person born in 1956 who subsequently completes high school would earn a lifetime income of $253,631, computed on the basis of the average income of male high school graduates in 1956. A substantial increase each additional year of schooling completed, so that, for instance, on the basis of 1958 data, a college graduate could expect to earn about $435,000 during his lifetime, compared with $258,000 for the high school graduate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD table X, which shows estimated lifetime income for males, by years of school completed, selected years.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE X.—*Estimated lifetime income for males, by years of school completed, selected years*

Years of school completed	Income from age 18 to death				Income from age 25 to 64			
	1939	1949	1956	1958	1939	1949	1956	1958
Elementary:								
Total	(1)	$113,330	$154,593	$154,114	$37,172	$91,932	$127,047	$127,286
Less than 8 years	(1)	98,222	132,736	129,764	(1)	79,654	108,310	106,449
8 years	(1)	132,683	180,857	181,695	(1)	106,889	148,033	149,687
High school:								
1 to 3 years	(1)	152,068	205,277	211,193	53,011	121,943	169,501	175,779
4 years	(1)	185,279	253,631	257,557	67,383	148,649	208,322	215,487
College:								
1 to 3 years	(1)	209,282	291,581	315,504	73,655	173,166	243,611	269,105
4 years or more	(1)	296,277	405,698	435,242	104,608	241,427	340,131	366,990

[1] Not available.

Source: Occupational Outlook Quarterly, 1961.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. KENNEDY of Massachusetts. The Senator has been referring to the quality of recent immigration to the United States. The Senator has had printed in the RECORD a number of tabulations which indicate the skills possessed by those immigrants.

It is my understanding that, from 1947 to 1964, of all the immigrants who have entered the United States, 16 percent or 350,000 were professional or technical people, while only 1 out of 10 of the American force was professional or technical.

Mr. FONG. That is my understanding.

Mr. KENNEDY of Massachusetts. One out of every six immigrants since 1947 have been skilled workers compared with one out of eight of the U.S. labor force.

Mr. FONG. The Senator is correct.

Mr. KENNEDY of Massachusetts. The provisions of the pending bill, which the Senator from Hawaii supports, as they relate to those who have skills and attempt to come to the United States are even more stringent.

Mr. FONG. As I will show subsequently in my statement, several provisions of the pending bill are very stringent in protecting the American economy.

Mr. KENNEDY of Massachusetts. I believe that the Senator has been very ably directing his remarks in this part of his extremely exhaustive analysis of the present legislation to demonstrating that many of those who will come to our country will be coming under preference Nos. 3 and 6 of the pending legislation, and that those who come within these categories will really be highly skilled and that many of them will fill critical shortages which presently exist in our country.

Mr. FONG. The Senator is correct. I will also point out subsequently in my statement that we have not contributed anything to the education of those people. When one considers that it costs a great deal of money to educate a student so that he will become a skilled technician or a professional person, it will be realized that we are gaining vast resources which are worth billions of dollars to our country.

Mr. KENNEDY of Massachusetts. Mr. President, during the hearings it was suggested that, by setting high standards for those who attempt to gain entry into the United States, we would be attracting skilled people from other parts of the world.

Does the Senator agree with me that all we are trying to assure by means of the immigration policy suggested by this legislation is that if an individual wants to come to the United States, he ought to be considered fairly and equitably on the basis of individual merit and worth, and also because of his familial relationship, and that we are safeguarding the work force in the United States by establishing high standards that we feel are fair to all people? Does the Senator agree that, if an individual possesses a particular skill, he should be permitted to come to this country regardless of his place of birth or any other such irrelevant consideration?

Mr. FONG. The Senator is correct. Our first consideration in an immigration reform bill should be the individual worth of each immigrant. Having made this judgment, another primary consideration is the protection of the American economy and the wages and working conditions of American labor. Immigration reform legislation should safeguard the employment opportunities, wage levels, and high standards of working conditions of American labor.

We have written very specific language into this bill to achieve these ends, as I will specify later in my statement.

When we set up qualifications for people to come to our country, we say to them, "If you wish to come, you may come. These are the qualifications that we have established for your entry into the United States."

Mr. KENNEDY of Massachusetts. Mr. President, the Senator from Hawaii has made a very useful contribution on this particular point.

One of the great misunderstandings in the consideration of the entire immigration legislation is the belief that not only have recent immigrants been unskilled and thereby contributed to the unemployment problem, but also that this pending legislation will contribute to unemployment.

I believe that the Senator has discussed exhaustively and completely what we shall be doing namely, stimulating further job opportunities for the American workers.

I believe that this is an extremely important point.

I commend the Senator for the way in which he has addressed himself to the problem.

Mr. FONG. Mr. President, I thank the distinguished Senator for his remarks.

Mr. President, to cite one set of figures from table X, in 1958 a person with elementary school education can expect to earn $154,114 from age 18 to death, and $127,286 from 25 to 64; with a college education, $435,242 from 18 to death, and $366,990 from 25 to 64. Data is taken from the Occupational Outlook Quarterly, 1961.

Since most higher paying jobs require a high degree of training and education, it is not surprising that persons having more education are employed in better jobs. As of March 1962, the median years of schooling for professional and technical workers was 10.2, as compared to 12.5 for clerical employees, and 8.5 to 10.1 for unskilled persons—see table XI.

Mr. President, I ask unanimous consent to have printed in the RECORD table XI, which shows median years of school completed by employed persons 18 years old and over, by major occupation group and sex, 1952–62.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE XI.—*Median years of school completed by employed persons 18 years old and over, by major occupation group and sex, 1952–62*

Major occupation groups	Both sexes				Male				Female			
	October 1952	March 1957	March 1959	March 1962	October 1952	March 1957	March 1959	March 1961	October 1952	March 1957	March 1959	March 1962
All occupation groups	10.8	11.7	12.0	12.1	10.4	11.2	11.7	12.1	12.0	12.1	12.2	12.3
Professional and managerial workers	12.9	13.2	13.5	13.9	12.8	12.9	13.2	13.5	14.0	14.4	14.0	14.7
Professional, technical, and kindred workers	16+	16+	16.2	16.2	16+	16+	16.4	16.4	16+	16+	15.9	16.1
Managers, officials, and proprietors, except farm	12.2	12.4	12.4	12.5	12.2	12.4	12.4	12.5	12.2	12.5	12.2	12.4
Farmers and farm managers, laborers, and foremen	8.3	8.5	8.6	8.7	8.4	8.4	8.6	8.7	8.0	(1)	8.7	8.9
Farmers and farm managers	8.5	8.6	8.7	8.8	8.5	8.6	8.7	8.8	8.5	(2)	(1)	(1)
Farm laborers and foremen	7.5	8.2	8.3	8.5	7.2	7.4	7.7	8.3	7.9	8.7	(1)	(1)
Clerical and sales workers	12.4	12.4	12.5	12.5	12.4	12.5	12.5	12.6	12.4	12.4	12.4	12.5
Clerical and kindred workers	12.5	12.5	12.5	12.5	12.4	12.4	12.5	12.5	12.5	12.5	12.5	12.5
Sales workers	12.3	12.4	12.4	12.5	12.5	12.5	12.6	12.7	12.0	12.0	12.2	12.1
Craftsmen, operatives, and laborers, except farm and mine	9.2	9.7	10.0	10.4	9.1	9.7	10.1	10.4	9.4	(1)	9.8	10.0
Craftsmen, foremen, and kindred workers	10.1	10.5	11.0	11.2	10.1	10.5	11.0	11.2	11.5	11.3	11.2	9.2
Operatives and kindred workers	9.1	9.5	9.9	10.1	9.0	9.6	10.0	10.2	9.3	9.3	9.7	9.9
Laborers, except farm and mine	8.3	8.5	8.6	8.9	8.3	8.5	8.5	8.9	8.5	(2)	(2)	10.0
Service workers, including private household	8.8	9.0	9.7	10.2	(1)	(1)	(1)	10.3	8.8	9.0	9.5	10.2
Private household workers	8.1	8.3	8.4	8.7	(2)	(2)	(1)	(1)	8.1	8.3	8.4	8.7
Other service workers	9.2	9.6	10.3	10.8	8.8	9.0	10.1	(1)	9.7	10.2	10.5	11.1

[1] Not available.

[2] Median not shown where base is less than 150,000 in 1957 or less than 100,000 in other years.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

Mr. FONG. Mr. President, table XI shows that workers with more education are employed in better jobs. As of March 1962, the median years of schooling for professional and technical workers was 16.2, as compared to 12.5 for clerical employees, and 8.5 to 10.1 for unskilled persons. Data were drawn from the Department of Labor Bureau of Labor Statistics.

While the proportion of workers with less than 5 years of schooling fell during the past decade from 7.3 to 4.6 percent of the labor force, this 4.6 percent represents 3.1 million workers who are considered functional illiterates by the Government. See Manpower Report, March 1963, pages 12 and 13. By contrast, less than 1 percent of the immigrants to the United States are illiterate.

Although the rate of unemployment is high among all young people, it is far higher for youngsters who dropped out of school before graduating. For example, 27 percent of the dropouts in 1961 were unemployed, as compared with 18 percent of the high-school graduates. The high dropout rate in previous years is expected to continue into the 1970's, so that at least 7.5 million or 30 percent of all young people entering the labor force in this decade will lack a high school education.

Mr. President, I ask unanimous consent that table XII showing employment status of June high school graduates not enrolled in college and of school dropouts by year of graduation or dropout, sex, and color, and by marital status of women, October of 1959–61, be received and made a part of the RECORD at this point in my remarks.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE XII.—*Employment status of June high school graduates not enrolled in college and of school dropouts, by year of graduation or dropout, sex, and color, and by marital status of women, October 1959–61*

[Thousands of persons 16 to 24 years of age]

Sex and color, and marital status	June high school graduates							School dropouts						
	Civilian noninstitutional population	Civilian labor force					Not in labor force	Civilian noninstitutional population	Civilian labor force					Not in labor force
		Total		Employed	Unemployed				Total		Employed	Unemployed		
		Number	Percent of population		Number	Percent of civilian labor force			Number	Percent of population		Number	Percent of civilian labor force	
1959														
Total [1]	790	634	80.2	549	85	13.5	156	([2])	([2])	([2])	([2])	([2])	([2])	([2])
Male	304	279	91.7	239	40	14.3	25	([2])	([2])	([2])	([2])	([2])	([2])	([2])
Female	486	355	73.0	310	45	12.8	131	([2])	([2])	([2])	([2])	([2])	([2])	([2])
Single	418	331	79.2	291	40	12.1	88	([2])	([2])	([2])	([2])	([2])	([2])	([2])
Married and other marital status [3]	68	24	([4])	19	5	([4])	43	([2])	([2])	([2])	([2])	([2])	([2])	([2])
1960 [5]														
Total	921	706	76.7	599	107	15.2	215	344	214	62.2	175	39	18.2	130
Male	348	308	88.5	262	46	14.9	40	165	126	76.4	102	24	19.0	39
Female	573	398	69.5	337	61	15.3	175	179	88	49.2	73	15	([4])	91
Single	473	359	75.9	308	51	14.2	114	110	71	64.5	60	11	([4])	39
Married and other marital status [3]	100	39	39.0	29	10	([4])	61	69	17	([4])	13	4	([4])	52
White	848	653	77.0	568	85	13.0	195	273	163	59.7	133	30	18.4	110
Nonwhite	73	53	([4])	31	22	([4])	20	71	51	([4])	42	9	([4])	20
1961														
Total	916	730	79.7	599	131	17.9	186	354	239	67.5	175	64	26.8	115
Male	345	297	86.1	242	55	18.5	48	179	150	83.8	108	42	28.0	29
Female	571	433	75.8	357	76	17.6	138	175	89	50.9	67	22	([4])	86
Single	482	392	81.3	326	66	16.8	90	119	75	63.0	55	20	([4])	44
Married and other marital status [3]	89	41	([4])	31	10	([4])	48	56	14	([4])	12	2	([4])	42
White	814	651	80.0	545	106	16.3	163	283	189	66.8	134	55	29.1	94
Nonwhite	102	79	77.4	54	25	([4])	23	71	50	([4])	41	9	([4])	21

[1] Data not available by color.

[2] Not available.

[3] Other marital status includes widowed and divorced persons, and married persons with spouse absent.

[4] Percent not shown where base is less than 100,000.

[5] Data include Alaska and Hawaii beginning with 1960 and are therefore not strictly comparable with data for 1959.

Source: "President's 1963 Manpower Report."

Mr. FONG. Mr. President, table XII shows that dropouts have significantly higher rates of unemployment than high school graduates.

While the unemployment rate for high school graduates in 1961 was a high 17.9 percent, the comparable rate for youth who had dropped out of school was a very high 26.8 percent.

Data was taken from the President's 1963 Manpower Report.

In addition to the monetary value of an education, the underlying philosophy of the Peace Corps well illustrates the point: the United States sends skilled, professional and technically proficient persons to developing nations whose economic and cultural levels may thereby be lifted and improved. The great success of this Peace Corps idea abroad may be said to operate with equal success in the reverse—that skilled technicians and knowledgeable persons from other countries can and have helped improve the American economic and cultural levels.

There is no doubt that every educated immigrant admitted into the country adds immeasurably to our economic and social wealth. The training of professional and technical workers is a costly undertaking and represents a substantial national economic investment.

It has been estimated that it costs $35,000 to raise a child and send him through college. If this estimate is correct, then the immigrant scientists and engineers who came here since 1952 represented an investment in human capital of approximately $1.25 billion. Together with other highly trained and educated immigrants, the United States has received about $3.5 billion in human capital since 1952 because of immigration.

Thus, because a large number of immigrants to this country are fully trained when they arrive, the United States, as the receiving country, benefits greatly from the education and training acquired in the nation of the immigrant's origin. Not only do they bring with them a wide diversity of knowledge, education, and training which is badly needed throughout our economy, but they also bring with them a willingness to work.

IMMIGRATION HELPS AGE SHORTAGE

The fifth point regarding the impact of immigration on the economy is that, particularly during the coming decade, immigrants can help make up for a shortage of people in the central age ranges, from 25 through 44. We are indeed in critically short supply of workers in this age bracket, because during the depression years of the 1930's the number of children born in the United States fell off sharply. The 1930 babies are now in the 25-to-44 age bracket, a group which normally supplies many of the skilled workers, technicians, and middle management personnel and a group relied on heavily by employers. In 1960 only about 26 percent of the U.S. population was in that age range—considered by economists the prime years of a person's working life.

Census Bureau figures show that an increasingly high proportion of immigrants admitted to the United States in recent years has been in the 25-to-44 age range.

Mr. President, I ask unanimous consent that table XIII, entitled "Immigrants Admitted, by Sex and Age: Years Ended June 30, 1953–62," be received and printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE XIII.—*Immigrants admitted, by sex and age, years ended June 30, 1953–62*

Sex and age	1953–62	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962
Number admitted	2,599,349	170,434	208,177	237,790	321,625	326,867	253,265	260,686	265,398	271,344	283,763
Males	1,185,440	73,073	95,594	112,032	156,410	155,201	109,121	114,367	116,687	121,380	131,576
Under 5 years	117,489	7,226	8,708	9,587	14,087	15,766	11,976	11,511	12,299	13,203	13,126
5 to 9 years	95,053	6,273	7,769	8,783	12,419	13,452	9,488	8,960	8,570	9,604	9,735
10 to 14 years	75,817	4,345	5,513	6,730	9,323	9,898	7,694	7,975	7,731	8,295	8,313
15 years	13,805	732	870	1,303	1,847	1,764	1,304	1,363	1,493	1,446	1,683
16 to 17 years	33,321	1,761	2,211	3,104	4,581	4,247	3,190	3,237	3,565	3,537	3,888
18 to 19 years	45,839	2,103	2,890	4,226	6,204	5,953	4,294	4,739	4,879	5,171	5,380
20 to 24 years	154,531	7,777	10,341	13,986	20,537	20,114	13,782	15,999	15,836	16,618	19,541
25 to 29 years	184,987	11,922	15,447	17,625	23,783	23,986	17,493	17,306	17,788	18,349	21,288
30 to 34 years	144,130	9,661	13,543	14,950	19,883	19,637	12,841	12,487	12,919	13,063	15,146
35 to 39 years	98,270	6,788	8,456	9,106	12,581	12,652	8,840	9,199	9,969	9,802	10,877
40 to 44 years	72,124	5,141	6,950	8,492	11,311	9,745	5,836	5,721	5,827	6,247	6,854
45 to 49 years	56,076	3,587	4,975	6,128	8,523	7,166	4,545	5,346	5,369	5,326	5,111
50 to 54 years	37,831	2,404	2,560	3,703	5,306	4,561	3,076	3,784	3,762	3,865	3,810
55 to 59 years	24,389	1,511	2,046	2,065	3,035	2,917	2,050	2,752	2,646	2,652	2,715
60 to 64 years	14,508	830	1,107	1,100	1,433	1,579	1,268	1,772	1,801	1,756	1,862
65 to 69 years	8,897	508	636	587	813	892	737	1,168	1,187	1,218	1,151
70 to 74 years	4,600	277	309	289	407	445	390	579	592	732	580
75 to 79 years	2,295	118	159	143	209	214	176	317	294	322	343
80 years and over	1,235	99	86	109	99	130	105	129	146	168	164
Not reported	243	10	18	16	29	83	36	23	14	6	8
Females	1,413,909	97,361	112,583	125,758	165,215	171,666	144,144	146,319	148,711	149,964	152,188
Under 5 years	112,371	7,162	8,188	9,065	13,661	14,950	11,172	11,005	11,799	13,001	12,368
5 to 9 years	92,591	6,107	7,429	8,342	11,958	13,102	9,239	8,800	8,953	9,320	9,341
10 to 14 years	74,742	4,331	5,639	6,684	9,173	9,326	7,753	7,811	7,655	8,139	8,231
15 years	14,571	840	989	1,335	1,961	1,882	1,498	1,401	1,395	1,536	1,734
16 to 17 years	44,997	2,878	3,189	4,187	5,440	5,421	4,709	4,621	4,690	4,915	4,947
18 to 19 years	86,695	4,950	6,263	8,060	9,704	9,386	9,091	9,465	9,968	9,825	9,983
20 to 24 years	282,251	18,996	22,126	24,466	30,897	31,244	29,253	30,119	31,838	31,366	31,946
25 to 29 years	213,844	16,317	18,730	19,921	24,852	26,050	22,181	21,384	21,755	21,209	21,445
30 to 34 years	144,848	10,323	12,230	13,299	17,571	18,827	14,698	14,585	14,829	14,211	14,275
35 to 39 years	93,150	6,783	7,224	7,756	10,364	11,418	9,376	10,073	9,989	10,071	10,096
40 to 44 years	69,074	5,460	6,131	6,823	9,062	8,984	6,656	6,431	6,232	6,497	6,798
45 to 49 years	57,592	4,162	4,821	5,303	7,158	6,883	5,703	6,071	5,941	5,756	5,794
50 to 54 years	45,016	3,437	3,722	3,977	5,043	5,114	4,397	4,949	4,633	4,746	5,998
55 to 59 years	33,156	2,386	2,487	2,710	3,606	3,831	3,405	3,737	3,610	3,499	3,885
60 to 64 years	21,881	1,422	1,538	1,669	2,161	2,355	2,253	2,729	2,515	2,484	2,755
65 to 69 years	13,395	890	894	1,053	1,260	1,409	1,303	1,599	1,565	1,649	1,773
70 to 74 years	7,527	500	502	610	703	761	818	872	767	997	997
75 to 79 years	3,886	273	293	315	384	404	406	414	386	512	499
80 years and over	2,031	137	164	164	227	233	181	220	175	226	304
Not reported	291	7	24	19	30	86	52	33	16	5	19

Source: U.S. Department of Justice, Immigration and Naturalization Service.

Estimated changes in the number of workers in each age group from 1960 to 1970, with and without immigration

[In millions]

	With immigration	Without immigration
Total, all ages	12.6	11.1
Under 25	6.2	5.9
25 to 34	1.6	1.1
35 to 44	–.3	–.7
45 and over	5.1	4.8

Mr. FONG. Mr. President, table XIII shows that a large proportion of immigrants, both male and female, in that period were in the 25-to-44 age bracket—about 1 million of about 2.5 million.

Source of this data is the Immigration and Naturalization Service.

Labor Department projections for the 1960's, shown in the following table, indicate how significantly immigration could contribute to alleviate the worker shortage in the central age range:

Estimated changes in the number of workers in each age group from 1960 to 1970, with and without immigration

[In millions]

	With immigration	Without immigration
Total, all ages	12.6	11.1
Under 25	6.2	5.9
25 to 34	1.6	1.1
35 to 44	–.3	–.7
45 and over	5.1	4.8

Mr. President, I ask unanimous consent that table XIV, entitled "Changes in Total Labor Force, by Age and Sex, 1950–75," be received and made a part of the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE XIV.—*Changes in total labor force, by age and sex, 1950–75*

[Numbers in thousands]

Age and sex	Actual		Projected		Change, 1950-60		Change, 1960-70		Change, 1970-75	
	1950	1960 [1]	1970	1975	Number	Percent	Number	Percent	Number	Percent
Both sexes:										
14 years and over	64,749	73,081	85,703	93,031	8,332	12.9	12.622	17.3	7,328	8.6
14 to 24 years	13,331	13,697	19.861	21,787	366	2.7	6,164	45.0	1,926	9.7
25 to 44	29,263	31,878	33,235	37,023	2,615	8.9	1,357	4.3	3,788	11.4
25 to 34 years	15.145	15,099	16.709	20.806	−46	−.3	1,610	10.7	4,097	24.5
35 to 44 years	14.118	16.779	16.526	16.217	2.661	18.8	−253	−1.5	−309	−1.9
45 years and over	22,156	27,506	32,607	34.221	5,350	24.1	5,101	18.5	1,614	4.9
45 to 64 years	19,119	24,127	29.128	30.510	5,008	26.2	5.001	20.7	1,382	4.7
65 years and over	3,037	3.379	3 479	3.711	342	11.3	100	3.0	232	6.7
Male:										
14 years and over	46,069	49,563	56,295	60,916	3,494	7.6	6,732	13.6	4,621	8.2
14 to 24 years	8,668	8,731	12,594	13,782	63	.7	3,863	44.2	1,188	9.4
25 to 44 years	20,996	22,394	23,003	25,671	1,398	6.7	609	2.7	2,668	11.1
25 to 34 years	11,044	10,940	11,990	14,916	−104	−.9	1,050	9.6	2,926	24.4
35 to 44 years	9,952	11,454	11,013	10,755	1,502	15.1	−441	−3.9	−258	−2.3
45 years and over	16,405	18,438	20,698	21,463	2,033	12.4	2,260	12.3	765	3.7
45 to 64 years	13,952	16,013	18,414	19,083	2,061	14.8	2,401	15.0	669	3.6
65 years and over	2,453	2,425	2,284	2,380	−28	−1.1	−141	−5.8	96	4.2
Female:										
14 years and over	18,680	23,518	29,408	32,115	4,838	25.9	5,890	25.0	2,707	9.2
14 to 24 years	4,663	4,966	7,267	8,005	303	6.5	2,301	46.3	738	10.2
25 to 44 years	8,267	9,484	10,232	11,352	1,217	14.7	748	7.9	1,120	10.9
25 to 34 years	4,101	4,159	4,719	5,890	58	1.4	560	13.5	1,171	24.8
35 to 44 years	4,166	5,325	5,513	5,462	1,159	27.8	188	3.5	−51	−.9
45 years and over	5,751	9,068	11,909	12,758	3,317	57.7	2,841	31.3	849	7.1
45 to 64 years	5,167	8,114	10,714	11,427	2,947	57.0	2,600	32.0	713	6.7
65 years and over	584	954	1,195	1,331	370	63.4	241	25.3	136	11.4

[1] Alaska and Hawaii are included beginning with 1960. The 1960 estimates for the labor force differ slightly from those derived from the monthly labor force survey because they were adjusted to be consistent with the revised 1960 population estimates published by the Bureau of the Census in Current Population Reports, Series P-25, No. 241.

NOTE.—Individual items may not add to totals because of rounding.

Source: "President's 1963 Manpower Report."

Mr. FONG. Mr. President, figures drawn from table XIV show that the shortage of workers in the critical 25-to-44 age bracket is expected to continue to 1970.

There would be 700,000 fewer workers in the 35-to-44 age group in 1970 than in 1960 if there were no immigration. But with immigration continuing at present levels, this key age group would be only 300,000 fewer by 1970.

ADMISSIONS ADJUSTED ADMINISTRATIVELY

The sixth point about the economic implications of immigration is that, by and large, adjustments in the timing of admissions of immigrants with different skills to U.S. employment levels and needs may perhaps best be handled administratively. When we are in short supply of medical technicians, for example, at a particular time and have an adequate supply of machinists, then we should adjust our immigration priorities to admit more medical technicians and temporarily suspend admission of machinists. Australia and Canada, nations which have embarked on ambitious programs of immigration, so administer their immigration, and with remarkable success.

J. L. Marion, of the Canadian Immigration Office, said:

> I should emphasize that immigration is for Canada an economically stimulating factor and hence we feel that some immigration is desirable even in periods of economic recession although at such time extra care must be taken to insure that the migrants are well qualified and will not enter into competition with unemployed Canadian workers.

Figures provided by Canadian Labour Congress show that when immigration was high in relation to the labor force, unemployment was low; on the other hand, when immigration was low in relation to the labor force, unemployment was high.

Exclusions based on economic as well as social factors, administered flexibly and pragmatically, are justified. But to arbitrarily exclude skilled or gifted persons needed in this Nation merely because he is a Polynesian, a Negro, or an oriental, or because the country of his birth has a small quota—our experience under the 1952 Immigration Act has been precisely this—is to effectuate undemocratic as well as economically wasteful policies.

As the New York Times editorialized on July 25, 1963, "each immigrant's worth is best judged by personal qualities and skills, not by group stereotypes."

PROVISIONS PROTECT AMERICAN ECONOMY

Incorporated in the bill now pending before the Senate are three provisions to protect American workers and the economy:

First. Third preference immigrants, provided for under section 3 of the bill, must be "qualified immigrants who are members of the professions, or who because of their exceptional ability in the sciences or the arts will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States."

Second. Sixth preference immigrants—provided for in the same section 3—must be "qualified immigrants who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States."

Third. Sections 3 and 10 of the bill require the Secretary of Labor to make an affirmative finding that "first, there are not sufficient workers in the United States and at the place to which the alien is destined to perform such skilled or unskilled labor; and, second, the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed."

What H.R. 2580 proposes for America is fundamentally sound. It rests on the very principles in which we profess belief. It is an integral part of mankind's struggle to achieve equality, justice, dignity, and brotherhood.

Now, Mr. President, I come to the second argument, immigration reform legislation.

One of the oldest and most emotional arguments against changing our immigration laws is the fear that an increase in the number of Asian immigrants would upset the historical and cultural pattern of American life. An objective examination of the facts dispels this fear as groundless.

According to the 1960 census, the population of the United States included 464,332 persons of Japanese ancestry, twenty-six one-hundredths of 1 percent of the total population; 237,292 persons of Chinese ancestry, thirteen one-hundredths of 1 percent; 176,310 persons of Filipino ancestry, nine one-hundredths of 1 percent; and 218,089 in a category designated "All others," including persons of Korean, Indian of the Far East, Polynesian, Indonesian, and other nonwhite ancestries except Negroes and American Indians, about twelve one-hundredths of 1 percent of the total population.

There were, then, in the United States on 1960 only 1,093,023 persons of oriental and Polynesian extraction, or sixty-one one-hundredths of 1 percent of a total of 180 million people—an extraordinarily small minority—not even 1 percent of our population. And as envisaged under our proposed immigration bill, the total allotment for nations of Asia and the Pacific would be 26,990, or only 10.8 percent of the total immigration annually—surely a small enough proportion, since the Asia Pacific area contains over half of the world's population.

CULTURAL ENRICHMENT AND A SOURCE OF STRENGTH

Contributions of our American citizens of Japanese, Chinese, Filipino, Korean, and Polynesian ancestry, and others whose antecedents are native to the triangle area in the building of our country have been significant. They have achieved distinction in nearly every field of endeavor: artistic, scientific, political, socioeconomic, religious, military, financial, industrial, and otherwise.

Once thought to be unassimilable, today they are as much a part as any other ethnic group in the mainstream of American life.

Studies by such scholars as Prof. Harry H. L. Kitano, of UCLA, "Final Report: National Institute of Mental Health, Project Grant, Japanese Crime and Delinquency in the United States," January 1965; Prof. Yamato Ichihashi, of Stanford University, "Japanese in the United States," Stanford University Press, 1952; Rose Hum Lee, "The Chinese in the United States of America," Hong Kong University Press, 1960; and other works by such scholars as E. G. Mears, Bradford Smith, and those works published by J. P. Lippincott in the "Peoples of America" series all show that Americans of oriental ancestry have contributed economically and culturally to our Nation and are great assets in the American body politic.

In addition, they serve well as bridges of understanding between our people and the peoples of Asia and the Pacific, for in sharing common ethnic origins, they are able to reach much better the peoples of the triangle area with their messages of good will, democratic freedom and individual dignity.

A NATION OF IMMIGRANTS

Historically, the United States is an immigrant country. The world came to regard us as a haven where freedom was to be found. Since the first settling of this land, over 40 million people have migrated to America. There is no part of our society which has not been refined by the contributions of aliens who have come to make their home in the United States. This is the essence of our Union. It is its strength. The unequaled economic prosperity and vigorous culture of the Nation are due to the ingenuity, resourcefulness, hard labor, and ideals of people of several score of nationalities—but all American.

Oscar Handlin writes:

> Our remarkable national development testifies to the wisdom of our early and continuing belief in immigration. Our growth as a nation has been achieved, in large measure, through the genius and industry of immigrants of every race and from every quarter of the world. The story of their pursuit of happiness is the saga of America. Their brains and their brawn helped to settle our land, to advance our agriculture, to build our industries, to develop our commerce, to produce new inventions, and, in general, to make us the leading nation that we now are.

In 1959, President Eisenhower said in a message to Congress:

> The strength of this Nation may be measured in many ways—military might, industrial productivity, scientific contributions, its system of justice, its freedom from autocracy, the fertility of its land and prowess of its people. Yet, no analytical study can so dramatically demonstrate its position in the world as the simple truth that here, more than any other place, hundreds of thousands of people each year seek to enter and establish their homes and raise their children.
>
> To the extent possible, without dislocating the lives of those already living here, this flow of immigration to this country must be encouraged. These persons who seek entry to this country seek more than a share in our material prosperity. The contributions of successive waves of immigrants show that they do not bring their families to a strange land and learn a new language and a new way of life simply to indulge themselves with comforts. Their real concern is with their children, and as a result those who have struggled for the right of American citizenship have, in countless ways, shown a deep appreciation of its responsibilities. The names of those who make important contributions in * * * almost every other field of endeavor indicates that there has been no period in which the immigrants to this country have not richly rewarded it for its liberality in receiving them.

To understand the message of these paragraphs, we need only to point to the 15 U.S. Nobel Prize winners in physics and chemistry who were immigrants to this country; we need only to think of a few immigrants—Noguchi, a poor Japanese peasant who became one of the world's greatest scientists in the United States; Japanese Artist Yasuo Kumiyoshi; Lin Yu Tang, Chinese philosopher and author; Dr. Chen Ning Yang and Dr. Tsung Dao Lee, who jointly won the Nobel Prize for physics while engaged in research in the Princeton Institute of Advanced Studies; D. S. Saund, an Indian who was elected Congressman from California; Jiddu Krishnamurti, Hindu poet and philosopher; Wernher von Braun and the entire team of scientists whom Dr. von Braun brought with him from Germany to work for the U.S. Government at the Redstone Arsenal; England's Samuel Gompers, of the labor movement; the German physicist, Albert Einstein; Ireland's Father Flanagan, founder of Boys' Town; the great Spanish philosopher, George Santayana; Hungary's Journalist Joseph Pulitzer; Austrian-born Associate Justice of the Supreme Court Felix Frankfurter; Polish Pianist Artur Rubinstein; the brilliant Italian atomic physicist, Enrico Fermi; the great maestro of the Philadelphia Orchestra, Hungarian Eugene Ormandy, to name a few who have made notable contributions in American culture and thought.

As a nation of immigrants, we have developed a racially heterogeneous society in which citizens of many cultures and ethnic origins live and work side by side to make the American dream a reality.

IDEAL OF BROTHERHOOD, EQUALITY

We live in brotherhood; we believe in it, for we know it has real prospect for success nationally and internationally, and it has the force of logic.

Believing in this ideal and constantly working to achieve it, we cannot but write from our books the discriminatory quota provisions of the Immigration and Nationality Act, which give offense to many peoples of the world.

During my tour of the Far East and southeast Asia, I was asked many questions about our immigration policies. I was pressed again and again to explain the small quotas we allot inhabitants of those nations. These people feel greatly the sting of discriminatory treatment.

America's role of leadership in the free world is one of great sensitivity, and our position is hardly enhanced by an immigation policy which implies that some nationalities and some ethnic groups are less desirable members of the American family.

Many countries of Asia and the Pacific have traditionally sought more than a token of immigration to the United States. These are the countries that will play a large and vital role in determining the future course of world events. Their friendship is crucial to all those who are fighting to preserve freedom.

The problem of immigration is no longer merely a domestic issue; on the contrary, it has great international significance.

While Secretary of State in 1956, John Foster Dulles said:

> My primary concern as Secretary of State is that whatever overall quota is adopted by the Congress be apportioned equitably.

> Our quota restrictions should not discriminate among persons merely on the basis of their national origin, nor should the restrictions discriminate unfairly against any of the friendly nations which have an interest in common with us in the defense of the free world. The present system of determining quotas is offensive on both counts.

America's struggle with totalitarianism is a struggle to vindicate democracy's belief in the individual worth of human beings, as opposed to the totalitarian concept that individuals have no identity except as components in the political and economic structure of society.

Until the racial incongruities of our present basic immigration laws which discriminate against certain national and ethnic groups are eliminated, our laws needlessly impede our struggle for global peace.

Our forebearers, coming to America from all corners of the world, have worked together to transform a vast continent of wilderness and desert into a powerful bastion of freedom and opportunity.

Mr. President, our Nation is the great pilot demonstration of the most influential principles and ideals in history. Our tenets of equality irrespective of race, creed, or color have inspired freedom-loving people everywhere to look to America as a beacon in their struggle to win freedom and independence. Our opportunity is to live up to these ideals.

Since 1924 we have come a long way in our immigration laws. Let us go the final mile in writing a fair and just law. We will then be demonstrating to the world that we practice what we preach, and that all men are equal under law.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. I commend the Senator from Hawaii for what I believe to be one of the finest presentations I have ever heard on the question of our immigration policy.

Senators owe the Senator from Hawaii a great debt of gratitude for his extraordinary contribution in tracing the historical background by which this country arrived at one of the most prejudicial and distasteful parts of U.S. law; namely, the Asian-Pacific triangle.

I have had an opportunity to chair the committee hearings that we held on the immigration bill since February of this last year. The senior Senator from Hawaii has been in constant attendance on those hearings. His questions were pertinent, important, and revealing. He brought to the members of the subcommittee a better understanding and comprehension of this whole matter and how our present immigration law, to a very important extent, affects our relations with the Far East.

I think every Member of the Senate would recognize, and should recognize, the extraordinary contribution the Senator from Hawaii has made to the whole pending legislation. I speak for myself, but I know I speak for many other Members of the Senate, when I commend the Senator from Hawaii for his interest, his participation, and his understanding of this whole issue.

The speech itself which he delivered was most complete and thoughtful. I know it is a question in which he has been interested for many years, in this body and elsewhere. I know that he joins with the other members of the committee in looking forward to speedy and successful passage of this bill.

So I want to extend my congratulations to the Senator from Hawaii for his speech, for his exhaustive participation, his interest, and his constant counseling during the hearings in the subcommittee and in the consideration of the bill by the full committee. I think the product of his work is seen in the contribution which he has made to the Record today. I commend the Senator from Hawaii for his efforts.

Mr. FONG. I thank the distinguished Senator from Massachusetts for his very kind and laudatory remarks. I hope they are deserved. I have worked very hard with the distinguished Senator from Massachusetts, during the course of hearings, deliberations of the subcommittee, and the full committee, and at other times.

The distinguished junior Senator from Massachusetts has been in the forefront of efforts to write and enact a just and fair immigration reform bill. He has worked very diligently and tirelessly in championing this cause. As acting subcommittee chairman, he has called meeting after meeting. He has listened with great fairness to all sides presenting their views. Without the Senator from Massachusetts having been so indefatigably dedicated to the passage of this bill, we would not have a reform immigration bill on the Senate floor today. I commend him in the highest term for the very fine and excellent leadership in drafting and guiding this bill to the Senate floor.

Mr. President, it is quite an event when the descendant of an immigrant from Ireland [Mr. Kennedy] stands on the floor of the Senate with the descendant of an old family from Boston, as represented by the senior Senator from Massachusetts [Mr. Saltonstall], and the Senator from Ohio [Mr. Lausche], who a while ago said his ancestors came from Yugoslavia, and the descendant of an immigrant who came from China, stand on the floor of the Senate today and together agree that we have at last a bill which is fair, just, and equitable, which does justice to all the people of the world, and which we think should be enacted. It is a great credit to the U.S. Congress that we have arrived at this day. A great share of the credit belongs to the distinguished Senator from Massachusetts. I would again like to express my thanks and appreciation to the Senator from Massachusetts for making this effort possible.

THE DEATH OF FORMER SENATOR ELMER THOMAS, OF OKLAHOMA

Mr. JAVITS obtained the floor.

Mr. HARRIS. Mr. President, will the Senator from New York yield to me without losing his right to the floor?

Mr. JAVITS. Mr. President, I will not yield for the offering of an amendment to the bill.

Mr. HARRIS. It is not for that purpose.

Mr. JAVITS. With that understanding, I ask unanimous consent that I may yield to the Senator from Oklahoma without losing my right to the floor.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). Is there objection? The Chair hears none; and it is so ordered.

Mr. HARRIS. Mr. President, it was with deep sorrow and regret that my distinguished colleague [Mr. Monroney] and I learned of the death yesterday of former U.S. Senator Elmer Thomas, of Oklahoma. My colleague is prevented by ill health from being present at this time, but he joins with me in this statement.

Born on a farm near Greencastle, Ind., September 8, 1876, Senator Thomas attended the common schools there and graduated from Central Normal College at Danville, Ind., in 1897, and from De Pauw University in Greencastle, Ind., in 1900.

He studied law and was admitted to the Indiana bar in 1897 and to the Oklahoma bar in 1900, commencing the practice of law in Oklahoma City, Okla.

With the opening of the Kiowa, Comanche, and Apache Reservation to settlement in 1901, he moved his home and law practice to Lawton, Okla. At statehood, he was elected as a member of the first Oklahoma State Senate in 1907, where he served with distinction until 1920. He served continuously during that period as chairman of the Senate Appropriation Committee and was president pro tempore of that body from 1910 to 1913.

In 1920, Senator Thomas resigned from the Oklahoma State Senate to become a candidate for Congress, being unsuccessful in the first campaign, but to which office he was elected in 1923.

He served in the U.S. House of Representatives until 1927, when he was elected as a Member of the U.S. Senate from Oklahoma, and remained a Member of that body until January 3, 1951. He was distinguished in the U.S. Senate as a leader in the field of finance, was chairman of the Agriculture Committee, and was an authority on Indian affairs.

A lifelong Democrat, Senator Thomas was a delegate to all Democratic State conventions in Oklahoma from statehood in 1907 until 1950. He was a delegate from Oklahoma to all of the Democratic National Conventions from 1924 to 1950, and was chairman of the Oklahoma Democratic State convention in 1910.

He engaged in the practice of law in Washington, following his service in the U.S. Senate, and returned to Lawton in August, 1957, where he resided until his death.

Senator Thomas was a faithful public servant, and his good works will long survive him. My visits with him from time to time revealed to me the depth of his wisdom and the keenness of his sense of service. All of us will miss him.

Mr. President, on behalf of myself and my colleague [Mr. Monroney], I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 148), as follows:

> *Resolved,* That the Senate has heard with profound sorrow and extreme regret the announcement of the death of Hon. Elmer Thomas, who served in the U.S. Senate from the State of Oklahoma from 1927 until 1951.
>
> *Resolved,* That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, together with a transcript of remarks made in the Senate in praise of his distinguished service to the Nation.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered, and unanimously agreed to.

Mr. HARRIS. I thank the distinguished Senator from New York for yielding to me.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. JAVITS. Mr. President, first I should like to express my support of the pending bill, H.R. 2580. I have some problems in respect to it, which I share with other Members of this body and other Members of Congress, but the important point I wish to emphasize first is that, in substance, I very much want to see this bill become law.

Leaving aside for the moment the problems, which I shall discuss in a moment, the bill represents a major achievement for Congress in the effort to wipe out immigration policies which for more than 40 years have discriminated against certain people coming into this country on the basis of their place of birth rather than their ability and qualification to enter the United States.

I take pride, together with the Senator from Hawaii [MR. FONG], who just spoke—and he has a very deep place in our hearts—in the origins which are represented by some of us who are supporting these fundamental reforms. My own parents are immigrants, one was from what was known as the Austro-Hungarian Empire, and the other from what is now Israel and what was then known as Palestine.

Amazing divergencies are brought together, in this wonderful country under the authority of our Constitution, with all the strengths of differing origins contributing to and building America's total strength rather than in any way detracting from it.

Mr. President, the areas in which I find myself in considerable concern about the bill are essentially two: First, the absence of a statute of limitations, which has been one of the problems presented by the McCarran-Walter Act, with relation especially to the deportation of those who have been here in many cases for years, and frequently involving tragic instances in which people have had to be deported after spending 20, 30 or more years in this country and having established residence here.

The other problem which gives me great cause for concern, and which was also great cause for concern before the Judiciary Committee—and I have the honor to be a member of that committee—is the problem of the new—and I emphasize the word "new"—ceilings on Western Hemisphere immigration. This is a ceiling which we have never had before, a ceiling of 120,000 imposed by the bill upon Western Hemisphere immigration, with grave differences over what it will mean in terms of our relations with the rest of the nations of the Americas.

First, as to the fundamental bill. Our Nation has has been made great by immigrants. Men and women from all over the world have contributed to the growth of our country, the prosperity of our economy, the diversity of our cultural heritage and the building of the United States as a nation.

Both the dictates of our consciences, as well as precepts of modern sociologists, tell us that immigration, as it exists in the national origins quota system, is wrong, and without any basis in reason or in fact, for we know better than to say that one man is better than another because of color of his skin or the country in which he was born.

I opposed the so-called McCarran-Walter Act, which I said compounded the inequities, injustices, and the discrimination of the national origins quota system, which we will now eliminate at long last. I voted to sustain the veto of that bill. The veto was to the credit of President Truman.

I come to this issue not as a Johnny-come-lately, but as the culmination of a long struggle in which I joined with many Senators in the Congress.

I fought for many years to bring about this immigration reform, and on many occasions protested bitterly and vigorously to efforts to satisfy the Congress by giving the country fixed quotas to alleviate some situation, with the only end result that the basic discrimination of the McCarran-Walter immigration law continued while Congress allowed itself to be satisfied with additional national quotas for one purpose or another.

It is, therefore, with deep gratification, after this struggle which began about 15 years ago, we are finally at a point where from all appearances we shall be embarking on a totally new path from the 1924 immigration law. Many words have been said on the floor of the Senate about all men being equal and about how all men should be given equal opportunity without regard to their race or color.

How then can we tolerate leaving such blatant and unfounded discrimination on our statute books as exists in the national origins quota system in which nearly 70 percent of the visas go to less than 5 countries and the remaining 30 percent for the rest of the world.

I believe most of us agree that it is high time that this be done away with. It has been 13 years since immigration injustice was perpetrated in the Immigration and Nationality Act of 1952, the McCarran-Walter Act. It is time to replace it.

Time and experience have more than dramatized the fact that, as its opponents contended 13 years ago, it is perhaps as unique a law as we have on our statute books. But these 11 years have also produced an atmosphere of political helplessness to exasperate even the most determined immigration reformers, so that today most are resigned to the now annual practice of settling for piecemeal revisions or temporary relief rather than an effective overhaul of our entire policy of immigration. The backdoor methods Congress has used to cover up deficiencies in the basic law is the greatest proof of the law's inadequacies. Since the McCarran-Walter Act was enacted, Congress has passed special, short-term immigration and refugee legislation which has had the cumulative effect of admitting into the United States more than twice as many persons as permitted under the basic McCarran-Walter Act.

But even this piecemeal legislation has represented no relief to the thousands of American families with relatives in countries with heavily mortgaged and oversubscribed immigration quotas. This tragic situation is the result of that section of the McCarran-Walter Act which is admittedly based on national and racial discrimination—the national origins quota system, which remains today a target for Communist propaganda and making our effort to win over the uncommitted nations more difficult. It is based on the rejected racist assumption that people of one ethnic origin are superior, socially and culturally, to those of another. It was designed and is administered not to admit as many immigrants as we can readily absorb, but to exclude as many as possible.

The time has come to end this production on national image with meaningful reform of our immigration policy.

First and foremost, before I get into details to which I might take exception, I urge prompt passage of this legislation so that we can fashion an immigration policy of which this country can be proud instead of ashamed, as it has every right to be up to now.

This bill establishes a national quota outside the Western Hemisphere of 170,000, including 6 preference groups that may use up to 94 percent of the quota, and with 6 percent—10,200 visas set aside—for the conditional entry of refugees from anywhere in the world. Of this 6 percent, 3 percent may be used to adjust the status of refugees after 2 years residence in the United States.

The bill provides that, for the first 3 years after enactment, the area quotas now authorized—158,361—shall not be changed but that quota numbers not used in the prior year shall make up an immigration pool from which visas may be issued within the preferences established in H.R. 2580, as amended, and in chronological order of registration of oversubscriptions. The use of the pool is limited to the extent that the maximum number of visas issued from the area quota plus the pool for any country shall not exceed 20,000.

After the first 3 years there will be no area quotas, and all visas will be issued on a first-come, first-served basis within the preferences established in H.R. 2580, as amended.

We should be quick to realize that the additional immigrants who are being admitted are, for the most part, either family relations of people who are already here or professional and skilled people who will help our economy. Familial relationships have been given high priority in the preference system set up in H.R. 2580, receiving the first 40 percent.

This will permit the reunification of families which have been kept apart. There have been some very tragic cases in this regard. They have been kept apart because of many of the inhuman restrictions contained in the present law. Indeed, I have had called to my attention many cases which have not been adjusted by special legislation—of parents separated from children because the children happen to be born in some other nation, where the quota was heavily against them, as contrasted with that of their parents. It has taken years and years, and sometimes has not happened at all, to reunite those families.

The reuniting of families is further enhanced by the provisions of H.R. 2580 which put parents of U.S. citizens outside the numerical limitation of 170,000 immigrants. This provision was also in the immigration reform bill (S. 1093) which I introduced last February. I have introduced many such reform bills during my service in the Congress.

In many countries which have had small quotas, many qualified people have either not been able to obtain visas or have not even tried because of the length of the waiting lists. It has sometimes taken 10 or more years before they could even remotely have hope of being reached.

The abolition of the national origins quota system and the new preference system will allow competent and needed people to enter the United States, to fill positions and jobs for which there is a shortage of qualified people in this country. For example, thousands of doctors and scientists, nurses and technicians will come to the United States in the next 15 years. For those who are worried about increasing the unemployment rolls, let me point out that no one—not a preference immigrant, a nonpreference immigrant, or a special immigrant from the Western Hemisphere—may enter without prior certification by the Secretary of Labor that he will not be taking the job of another American. This strict control and supervision should enable us to bring in those who can contribute to our Nation without the danger of adding people to the relief rolls.

Foreign nations have often criticized the United States for the national origin quota system, and it has been without doubt a hindrance to the conduct of our foreign relations. Communist nations have used it in their propaganda as an example of the bigotry of Americans—to our detriment in many parts of the world, especially the underdeveloped countries which have small immigration quotas, but where we need to win friends.

We are trying to wage a successful fight for freedom and democracy in Vietnam. We have no better way of demonstrating our faith in the people of Asia than by today's action in eliminating the Asia-Pacific triangle, the most discriminatory section of an unfair system. Such action should demonstrate that we consider the peoples of Asia to be on a fully equal basis with those of the rest of the world. No longer will we single out men and women of Asiatic ancestry and tell them that they are different from others, no matter where they were born. This provision brings to an end a series of measures which laid aside the earlier Chinese exclusion laws, but which themselves were so iniquitous. Now, at long last, these peoples have been put on their rightful basis of equality. In this regard, the bill, S. 1093, which I introduced last February, contained provisions for the immediate elimination of the national origins quota system, including the Asia-Pacific triangle.

I would like to address myself to the provision of the bill containing the Western Hemisphere limitation of 120,000, which constitutes the most controversial part of the bill before us. I believe in the bill's authority for creating a commission to study the various aspects of immigration and population growth in the Western Hemisphere. To establish such a commission is reasonable enough. But I see no reason why, together with that commission must be joined a numerical limitation on immigration from the Western Hemisphere.

I disagree with the principle of stating a numerical limitation on immigration from that part of the world, and so voted in the subcommittee and in the full committee against the imposition of the 120,000 limitation. I say that because our special relationship with our sister Republics in the Americas was established at least 100 years ago, before the present immigration system was established. At that time the number of people we admitted from this hemisphere was 190,000, when our total population was half what it is today.

The average comparable immigration from the Western Hemisphere over the past 10 years has been about 110,000. Last year, the number of nonquota status immigrants from the Western Hemisphere was somewhat in excess of 135,000. I think the limitation of 120,000 will contribute to an impairment of better Western Hemisphere relations, in which we have been so intensely interested. I refer my colleagues to the testimony of the Secretary of State at pages 98 to 100 of the House Immigration Subcommittee hearings and at page 49 of the Senate subcommittee hearings.

I point out in this respect, because I think it is extremely important, that many people say we have not heard from the people in Latin America; that there does not seem to be an outcry about this situation in Latin America. But, Mr. President, this is rarely the case. We rarely hear such an outcry when a bill is pending in Congress. Sometimes it happens, but most often it does not. It is only when a bill becomes law and the people begin to feel the pressure of the bill upon them that they begin to react and protest.

I am deeply concerned about the strong propaganda tool which the limitation of 120,000 would give to demagogues, especially Communist demagogues, in Latin America, who may play this theme to a fare-thee-well. They may say that the United States is following the Dominican episode, which hurt us materially in Latin America; that the United States is imposing a limitation upon immigration from the other American republics, a limitation which has never been imposed before; thereby confirming the historic exclusionist policy of the United States.

Nothing could be further from the truth. Even this limitation accommodates the number of nonquota immigrants the United States has had, on the average, in the last decade, and the number we had last year, because added to the 120,000 would be the unmarried children and spouses who would be free of the 120,000 limitation, making an estimated 20,000 to 30,000 in addition. So the level of availability of immigration into the United States from the Western Hemisphere would be approximately the same as the level reached last year.

However, we shall never break through the barrage of calumny which will be hurled against us. It will be used and reused to a fare-thee-well. The restriction will harvest another problem for us—a problem relating to our relations with Latin America, which area is extremely sensitive on this point in terms of both personal dignity and national dignity of the respective countries concerned. It would also impose a useless limitation upon the other American states concerned. To impose a useless limitation on the other American states is most unwise and improvident in my judgment. As Attorney General Katzenbach testified, approximately 70,000 of the Western Hemisphere immigrants come from Mexico and Canada.

I point out that the House did set this limitation, but that we are proposing to do it. The House, in fact, voted down by 218 to 189 on August 25 an amendment to impose a ceiling of 115,000 for the Western Hemisphere. I know that this limitation is discussed as a part of a package by which the entire bill would be accepted in the Senate, and that it might otherwise be blocked by an extended debate or a filibuster, or that it might not have gotten out of the committee if that point had not successfully carried.

I make no criticism of those who would go along with that policy. Perhaps a nose count which I and others are making may very well indicate that there is nothing to be done about it in the Senate at this time. However, this does not in any way prevent me from protesting it, not so much on an emotional ground as upon the ground that it is most unwise and improvident in terms of the relationships of the United States with the other countries of the Americas.

The question of whether specific efforts will be undertaken about the matter on the floor, or even be attempted, still remains to be decided. However, I raise my voice, as I did in subcommittee and in committee, against it as an action which, in my judgment, is most unwise, unnecessary, and very sad indeed in this very sensitive area.

I am pleased that with respect to another issue the Committee on the Judiciary has accepted an amendment which I proposed, along with some of my colleagues on the committee, the Senator in charge of the bill, the Senator from Massachusetts [Mr. Kennedy], and the Senator from Michigan [Mr. Hart], and the Senator from Hawaii [Mr. Fong] to permit Western Hemisphere refugees to adjust their status to that of lawful, permanent residents once they have arrived in the United States, and without leaving the country, as is required for other Western Hemisphere immigrants under the provisions of the pending bill.

At this time, such a provision would apply to those who escape from Cuba. Because the United States does not have diplomatic relations with Cuba, it is impossible for Cubans to obtain immigrant visas through normal channels, as is the case for people in other Western Hemisphere countries.

Since the takeover in Cuba by Fidel Castro on January 1, 1959, some 280,058 people of Cuban birth entered the United States, of which number 55,535 were immigrants and 100,284 were paroled refugees.

The year 1962 was the peak year for the admission of parolees, with the number reaching almost 65,000. Since the break in diplomatic relations with Cuba, the peak year for entering immigrants was 1964 with 12,554. Though it is impossible to state exactly how many, it is fair to assume that a reasonable proportion of these immigrants were parolees who first entered the United States and then journeyed to Canada or Mexico in order to enter as immigrants. My amendment would make that very heavy expense and burden unnecessary for those who had left Cuba.

I ask unanimous consent to have printed at this point in the Record a tabulation supplied by the Immigration and Naturalization Service of Cubans who have entered the United States year by year. This tabulation is headed, "Cubans Who Have Entered the United States, 1959 to 1965."

The PRESIDING OFFICER (Mr. Nelson in the chair). Without objection, it is so ordered.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

Cubans who have entered the United States, 1959–65

	Total	Immigrants	Nonimmigrants	Parolees
1959	62, 800	6, 700	55, 100	----------
1960	60, 781	12, 554	46, 537	1, 690
1961	58, 857	6, 796	18, 892	25, 170
1962	73, 632	5, 778	3, 093	64, 761
1963	15, 535	6, 624	884	8, 027
1964	11, 899	11, 050	769	80
1965 (January to June)	4, 544	3, 033	965	556

Source: Immigration and Naturalization Service.

Mr. JAVITS. Mr. President, I think that is a very desirable aspect of the bill. I hope very much that it will be retained without change.

Mr. President, during the discussions of this bill in the subcommittee, I raised the proposal, included in the bills which I introduced in the last Congress and in this, of the establishment in the Department of State of a Board of Visa Appeals to review visa determinations made by our consuls and vice consuls overseas.

The present state of the law puts the consul in the position of being the final authority on the issuance or denial of the visas. A system of advisory opinions by reviewing authorities exists, but the review is limited to questions of law, and an alien who may have been wrongfully denied a visa has no recourse of appeal on the substantive decision of issuance or denial of the visa.

At the present time the decision relating to the issuance of a visa to an alien is made by a consular officer. If a consul wishes to refuse a visa, he may ask for an advisory opinion from the Bureau of Security and Consular Affairs of the State Department. These opinions are considering binding on officer as to questions of law but not as to questions of fact. Still the consular officer makes the final decision, and the disadvantaged alien has no recourse.

The President's Commission on Immigration and Naturalization in 1953 urged that visa matters be subject to review by such a Board.

The Board which I proposed would consist of three members who would be appointed by the Secretary of State. They would have no other duties, even though employees of the State Department. The Board would have jurisdiction to review any determinations denying, withdrawing, or revoking a visa or an extension of a visa whose issuance is subject to the direction of the Secretary of State, as well as any determination as to the application of any rule or regulation of the Department relating to immigration. The Board may accept or decline any cases referred to it. The Secretary could direct the Board to refer certain cases to him or the Board could refer cases on its own initiative to the Secretary for review.

The Attorney General has given his assurances that he will investigate what means there are within his Department and the Department of State to provide some relief, and that this matter will be again considered next year with respect to further legislation to correct certain procedural aspects of the Immigration and Nationality Act. The report on H.R. 2580 at page 26 makes clear the intent of the Attorney General to study the creation of a Board of Visa Appeals.

Another proposal which the Attorney General has indicated will receive consideration is the establishment of a 10-year statute of limitations on deportation proceedings. The proposal, it has been agreed, will, because of this further consideration by the Attorney General, not be raised on the floor.

The act already provides that the Attorney General may, at his discretion, suspend deportation proceedings in the case of aliens who have been physically present in the United States for 7 years or, in the case of certain serious offenses, 10 years. An amendment which I offered in the subcommittee and am asking be printed today would not change this provision, but rather establish a limit to 10 years after the occurrence of conduct which makes a lawfully admitted alien deportable during which the Immigration and Naturalization Service may institute deportation proceedings. This 10-year period would appear to provide sufficient time to conduct a full investigation and institute proceedings.

Under this amendment the statute of limitations would apply only to aliens who had entered the United States lawfully. Further, it would apply only to those aliens who remained continuously in the United States for the 10-year period following the acts for which they are deportable. Thus, for example, an alien could not engage in deportable activities and then leave the United States to evade the Immigration and Naturalization Service and have the 10-year statute of limitations running at the same time.

Mr. President, as I have said there are two matters in the bill which give me special concern. The numerical limitation on immigration from the Western Hemisphere, and the time to commence deportation proceedings against those who have been admitted for lawful residence into the United States.

I believe these two matters, at least, should be before us should we think it advisable to deal with them. Therefore, I submit for printing in the Record amendments which would deal with these subjects to establish a clear legislative record on these issues. One, to establish a 10-year statute of limitations on deportation proceedings for lawfully admitted aliens, and the other, to eliminate the Western Hemisphere limitation of 120,000.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the Record.

The amendments are as follows:

On page 58, between lines 3 and 4, insert the following new section:

"Sec. 22. Title II of the Immigration and Nationality Act is amended by adding at the end of such title the following section:

"'LIMITATION ON TIME OF COMMENCING DEPORTATION PROCEEDINGS

"'Sec. 293. No alien lawfully admitted to the United States for permanent residence shall be deported by reason of any conduct occurring more than ten years prior to the institution of deportation proceedings against him, if such alien has resided continuously, and has been physically present, within the United States for at least ten years immediately after such conduct occurred.'"

On page 59, line 5, strike out "Sec. 23." and insert "Sec. 24.".

On page 59, after the matter between lines 14 and 15, insert the following:

"(d) The table of contents (Title II—Immigration, chapter 9) of the Immigration and Nationality Act is amended by adding at the end thereof the following:

"'Sec. 293. Limitation on time of commencing deportation proceedings.'"

On page 59, line 15, strike out "Sec. 24." and insert "Sec. 25.".

On page 56, beginning with line 24, strike out all through line 7, on page 57.

On page 57, line 8, strike out "(f)" and insert "(e)".

On page 57, line 11, strike out "(g)" and insert "(f)".

On page 57, line 25, strike out "(h)" and insert "(g)".

Mr. JAVITS. Mr. President, I would like to conclude by saying that the bill marks a historic departure, a historic turn in immigration legislation and policy, and places our country in the forefront of the nations of the world which wish to do justice in terms of an open world extending not only to goods, but to people. That, I feel, is the ultimate objective of freedom and the ultimate objective of the kind of world in which we in the United States wish to live and wish everybody else to live.

The bill has some imperfections, and I think it could be very materially improved if these imperfections were dealt with. Those which I feel are the most outstanding are the absence of any statute of limitations as to deportation of lawfully admitted aliens, and the Western Hemisphere numerical limitation.

As to the former, as the Attorney General has told us, and as our report states, he will give that matter careful study and will report to us about it, and the committee will be free to do something about it next year.

This is a bill to deal with the national origins quota system. Many of us on the committee feel that, at long last, we ought to get rid of it; and if inherent internal improvements in the procedure under the law are deemed to be required—and they certainly are required—we ought to deal with those next year and hold hearings on them. I hope this will be possible.

Secondly, the new Western Hemisphere numerical limitation is of great concern, not only as to what it does, as a matter of immediate concern, to our relations with our neighbors in the Americas both to the north and to the south, but for what it may do if used as a propaganda tool after it has become law, as undoubtedly it will.

There is no doubt that whatever we do with this measure in the Senate, it will be in conference between the Senate and the House of Representatives and these views may be reflected there.

For those reasons, Mr. President, I think both of the matters I have stated require full consideration before bringing the measure to a vote, and I hope the conferees will study the Western Hemisphere limitation most seriously.

Under the heading "Other matters," in the committee report, Senators will find reference to other matters raised by members of the committee in regard to section 214(c) which will be looked into between now and next year.

The bill, in its general thrust, is long overdue. It corrects one of the most glaring injustices on the statute books. It eliminates, at long last, a statute which seeks to bar people from this country because of ethnic origin. The bill's passage which appears imminent, will be a blessing to the Nation and its honor and conscience.

I join with the Senator from Hawaii [Mr. FONG], a member of the committee who preceded me in his kind sentiments for those who have so long fought this issue of immigration reform, and have been so influential in bringing it out of committee. The Senator from Massachusetts [Mr. KENNEDY], who is in charge of the bill, has performed most outstanding and yeoman service in long, arduous, and exhaustive hearings, sitting through them day after day. It was my privilege to attend a good many of the hearings myself, though not nearly as many as he did, and the Senate is very much in his debt for his efforts in bringing the bill to the floor.

The same is true of the Senator from North Carolina [Mr. ERVIN], though I do not agree with certain of the views upon which he insisted. He, also, participated most actively and with great diligence and interest in the hearings day after day, exhaustively questioning the witnesses, and then, when a bill was proposed which came reasonably close to his views, did not engage in any stubborn opposition to it, but cooperated fully once he had made his basic point on the Western Hemisphere limitation, in bringing the bill to the floor.

I speak in the same regard of the Senator from Illinois [Mr. DIRKSEN], who similarly cooperated in enabling us, at long last, to get a bill out of committee. The Senator from Hawaii [Mr. FONG], who has already spoken, rendered yeoman service also in this regard, as did the Senator from Pennsylvania [Mr. SCOTT].

No list of those who fought hard for this effort, including every member of the Judiciary Committee who voted to report out the bill, could exclude the distinguished name of the Senator from Michigan [Mr. HART], who for a very long time has worked diligently toward this end. I say to the present occupant of the Chair [Mr. KENNEDY of New York], with whom I had the honor of participating in a recent public discussion on the achievements of the Congress, that I was delighted with the great eloquence and conviction with which he spoke concerning the immigration bill.

So, Mr. President, I am hopeful of getting the relatively vital but very important aspects of this matter behind us in one fashion or another. Where I take exception to what is in the bill as it stands, I am hopeful that we may pass the bill soon and join the House of Representatives in bringing the matter to conference. I regard the measure as the most historic immigration reform in this country in 40 years, this time on the constructive side, on the right side, rather than as, in 1924, on the restrictive, and discriminatory side.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. I commend the Senator from New York for the great work that he has done in the field of immigration legislation. I know very well of his deep interest in the problems of immigration. He has been an outspoken opponent of the national origins quota system during the entire time of his membership in this body. In expressing my own appreciation, I know I speak on behalf of all the members of the committee, for his attendance at the hearings, in which he was diligent, and for the great work that he performed in the subcommittee and the full committee, and in seeing that the legislation came out on the floor. He has been interested, he has been concerned, he has been in attendance at the hearings. He has raised a number of extremely important questions; and I believe, from the dialog which took place in the hearings, of both the subcommittee and the full committee, that the bill is a better one because of his actions. I commend him for his interest, his participation, and his help.

Mr. JAVITS. I am very grateful to the Senator from Massachusetts. I hope our efforts will bear the fruit I feel they deserve.

I yield the floor.

Mr. ALLOTT. Mr. President, I see the distinguished Senator from Rhode Island [Mr. PELL] in the Chamber, and I understand that he wishes to take the floor. I should like to ask him at this time if it would be inconvenient for him if I called up my amendment and took 10 minutes to explain it.

Mr. PELL. There is absolutely no inconvenience to me; I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator very much for his courtesy.

AMENDMENT NO. 457

Mr. President, I call up my amendment No. 457 and ask that it be stated.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment (No. 457) offered by Mr. ALLOTT is as follows:

On page 59, after line 15, insert the following new section:

"SEC. 25. (a) The second proviso of section 212(e) of the Immigration and Nationality Act (75 Stat. 535; 8 U.S.C. 1182(e)) is amended to read as follows: '*Provided further*, That (1) upon the favorable recommendation of the Secretary of State, pursuant to the request of an interested United States Government agency, or of the Commissioner of Immigration and Naturalization after he has determined that departure from the United States would impose exceptional hardship upon the alien's spouse or child (if such spouse or child is a citizen of the United States or a lawful resident alien), or (2) upon written notification by the government of the country of which the alien is a citizen or national, advising the Attorney General that it has no objection to the alien's remaining in the United States without departure therefrom, the Attorney General may waive the requirement of such two-year foreign residence abroad in the case of any alien whose admission to the United States is found by the Attorney General to be in the public interest:'.

"(b) The amendment made by this section shall apply to any person who, prior to or after the effective date of this section, (1) acquired exchange visitor status under the United States Information and Educational Exchange Act of 1948, or (2) acquired or acquires exchange visitor status within the purview of section 101(a)(15)(J)."

Mr. ALLOTT. Mr. President, my amendment is directed to section 212(e) of the Immigration and Nationality Act. That section of the act is concerned with the exchange visitors who come here under the Mutual Educational and Cultural Exchange Act of 1961. I ask unamimous consent to have printed in the RECORD a definition of the term "exchange visitor."

There being no objection, the definition was ordered to be printed in the RECORD, as follows:

DEFINITION OF TERM "EXCHANGE VISITOR"

The term includes "students, trainees, teachers, instructors, professors * * * leaders, experts in fields of specialized knowledge or skill, and other influential or distinguished persons * * * performing artists and athletes." (22 U.S.C. 2452.)

Mr. ALLOTT. Mr. President, section 212(e) requires that such exchange visitors leave the United States for a period of at least 2 years before they may be eligible to apply for an immigrant visa or to apply for permanent residence in the United States.

There are two exceptions in section 212(e) where the Attorney General may, if he finds it to be in the public interest, waive the requirement of the 2 years of foreign residence. The first of these is:

> Upon the favorable recommendation of the Secretary of State, pursuant to the request of an interested U.S. Government agency.

Waivers granted under this exception are very, very few. I have a memorandum of the Department of Health, Education, and Welfare, revised in March of 1961, which states that the Department has adopted a stringent and a restrictive policy with respect to requesting waivers for foreign exchange visitors. That policy, I believe, continues in effect today.

The second exception permits a waiver if the Commissioner of Immigration and Naturalization determines that departure from the United States would impose "exceptional hardship" upon the alien's spouse or child.

This exceptional hardship provision is also very restrictively construed. Probably all Senators have, at one time or another, become familiar with a case where an alien has applied for a waiver of the 2-year foreign residence requirement, on the basis of exceptional hardship. It is clear that the Immigration and Naturalization Service will not permit such waiver on the bare fact of separation of a man from his family, nor on the fact that the family otherwise must go to the foreign land with the alien, where customs and language may be unknown to that family. Even health problems, which would better be treated if the individual were to remain in the United States, may not be considered exceptional hardship meriting waiver of the foreign residence requirement.

My amendment, Mr. President, would add another exception upon which a waiver of the 2-year foreign residence requirement might be based. The amendment would make a moderate, but important revision in section 212((e) by permitting waiver if the country of which the alien is a national or citizen advises the Attorney General in writing that it does not demand or insist upon the alien's return to that country. The Attorney General still would have discretion in the approval of requests for such waiver and would be required, before approving the waiver, to find that it was in the public interest.

The basic purpose, of course, for the 2-year foreign residence requirement is to protect the integrity of the exchange program. This is the reason also for the restrictive interpretation placed on the waiver provisions. In reviewing the legislative history of section 212(e), I found that some countries were threatening to withdraw from the exchange program because their citizens, who had come as exchange visitors, were attempting to remain here. In response, we enacted the 2-year requirement which, in effect, promised those countries participating in the exchange program, that their citizens would return to them for a stipulated period of time before allowing them to return to the United States.

But what of the individual who has come here as an exchange visitor, who desires to remain here, who could contribute much to our culture and whose own government has no particular desire to see him return? It seems wholly unnecessary for those people to be forced to depart and their forced departure adds absolutely nothing to the spirit, purpose, and intent of the law under which they came here. The change I propose here simply adds the latitude necessary to equitably resolve such cases, while still maintaining the integrity of the exchange act.

Mr. President, I would have thought that such an obvious problem might have been handled administratively under present law. Such, however, is not the case. My attention was called to this unfortunate fact in 1963, when many citizens of Gunnison, Colo., called on me to see if I could prevent the deportation of a young Chinese lady who had come here as an exchange visitor. She had married here and the couple had a child. She had become an integral part of that community and the citizens were most incensed that she might be forced to return to Taiwan. I was told also that the Chinese Government had no objection to her remaining here. At my suggestion she got a written statement from the Chinese Embassy here confirming that fact. All this was to no avail. The agencies concerned in our Government told me they had no discretion under section 212(e) and that even though the young lady was both wife and mother of American citizens and even though her own government had no objection to her remaining here—even though she was a trained nurse, which is a critical category in this country—she was told that she would be required to leave the country for the 2-year period before she could become a resident here. Fortunately, the deportation proceedings have been delayed, but the threat is still present.

There is one other aspect of the problem. As the Senator from Massachusetts knows, the Judiciary Committees of both the House and the Senate have established a firm policy against granting waivers of the foreign residence requirement for exchange students. I would not argue with that policy, but I would represent, just as strongly as I can, that some avenue of relief should be open to worthy aliens in circumstances such as I have described.

I might mention, too, that after I introduced a bill in 1963, similar to the amendment I proposed today to change section 212(e), I received letters from many parts of the country expressing hope that the law could be changed. I found the case with which I was concerned was by no means an isolated one. I find on page 21776 of the CONGRESSIONAL RECORD for August 25 a discussion by several Members of the other body in which exactly the same sort of cases are involved.

There are countries which participate in the exchange program which are overpopulated or which have no real need nor opportunity to utilize the skills which their citizens may obtain here, and those countries have no objection to the exchange student remaining here. The young lady in Gunnison had become a nurse, and as Senators know, nurses are in short supply in this country and we are doing all we can to increase their number. Yet, we will not permit exchange students with all these equities to remain here.

One more point, Mr. President, H.R. 2580 embodies two principal concepts to replace the national origins quota system. The primary emphasis is on uniting or reuniting families. The second emphasis is on admitting those immigrants who can contribute most to our society. I am in sympathy with those objectives and my amendment is fully in accord with them. The case which led me to submit the amendment is illustrative. If a waiver could be given in this case, we would be preserving a family intact and acquiring for ourselves one with particular skills in short supply in our country, while substracting not one iota from the purposes and integrity of the exchange act.

Mr. President, I have discussed this matter with the distinguished Senator from Massachusetts, and I am still hopeful that he will be able to relent and accept my amendment. However, he has explained to me that he has some problems in this respect.

Mr. KENNEDY of Massachusetts. First of all, let me commend the Senator for his expression of confidence in the general outline of the proposed legislation. His support is meaningful. I also commend the Senator for his concern over a matter which has been brought to the attention of the members of the subcommittee a number of times. It has also been brought to the attention of the Department of Justice, and the Secretary of State. It is a matter in which I am in deep sympathy with the Senator from Colorado.

I believe that every Member of the Senate has had, at one time or another, the kind of cases which the Senator from Colorado has outlined here this afternoon, and in many instances they have served as a source of injustice to people who are in the United States, who could make a contribution to this country.

One of the matters raised by the amendment of the Senator from Colorado relates to scholarships and grants which are given individuals who come from foreign countries under our aid programs to the various nations. The scholarships are made available under the general disposition of funds under foreign aid to persons who have promise, who have ability, and who can substantially benefit their countries by coming to the United States and taking advantage of our educational and other institutions.

I understand that the concept behind such a program is to provide an opportunity to young people who have talent, and who can make some contributions to their country. The United States pays for many of these students, with the rather clear indication that these individuals would return to benefit the countries from which they come.

I understand the point being made by the Senator from Colorado. If the country from which they come is willing to make a statement that those persons are not needed there, and we determine that they can contribute to the national interest by staying in this country, they should be permitted to do so.

Although I am in general sympathy with the Senator from Colorado, I would feel, before taking a position on this question, that probably we should have at least some kind of attitude expressed by the Secretary of State, who is intimately involved in this whole undertaking with respect to the availability of aid funds and the implications of such an amendment on our foreign policy. However, I am in sympathy with the general theme and the approach of the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. ALLOTT. I dislike to interrupt the Senator, but he is entirely correct that this is the purpose of the exchange program. It causes us all a great deal of concern. Actually, the purpose is to help other countries upgrade their technical capabilities, so their citizens who come to this country can go home and be able to help those countries.

I know that this is not an easy area. It is a very complicated area.

I believe the Senator would agree that the amendment I have offered places limitations which are rather strict and severe. First, a waiver would only be granted upon the recommendation of the Secretary of State at the request of an interested U.S. Government agency, or the Commissioner of Immigration after a finding of exceptional hardship, or upon written notification of the country, advising the Attorney General that it has no objection to the alien remaining in the United States. Then the Attorney General may waive the foreign residence requirement, but even in that case it is within his discretion. So in the particular amendment which I have offered, I believe the Senator would agree, would he not, that we have tried to prohibit the category of exchange visitors from coming under the program and simply staying on. There are rather stringent conditions which a person would have to fulfill before the laws were waived.

Mr. KENNEDY of Massachusetts. I agree with the Senator from Colorado. Even if the amendment were included in the legislation, there are other regulations which would apply, giving flexibility to the Attorney General before making a final determination in such questions. I believe that is true.

As I have said, I am in general sympathy with the objectives and spirit of this amendment. I, too, have seen similar cases of individuals who have come here. I mentioned in my original remarks that many students come here under the Mutual Educational and Cultural Exchange Act of 1961. I am sure those students could come to this country to attend a university or college on other scholarships which would be available to them, and not be involved in these aid programs. This fact would seem to give greater authority to the suggestions made by the Senator from Colorado.

Mr. ALLOTT. In the House of Representatives, as appears on page 21776 of the CONGRESSIONAL RECORD for August 25, 1965, Mr. FEIGHAN stated as follows. He was asked if this question would be dealt with in the coming session of Congress. He said:

> Very definitely; we intend to go into that as expeditiously as possible. We have been consuming our time of course to a great extent on the bill presently under consideration, but the gentleman can be assured that we will take that up before this session of the Congress adjourns.

May I inquire of the Senator from Massachusetts what his attitude or disposition would be in reference to these matters coming up at the first of the year, as they should, and toward giving consideration—I am not asking him to commit himself, but I am talking about giving consideration and study—to this type of legislation.

Mr. KENNEDY of Massachusetts. Of course, I would have to consult with the chairman of the subcommittee, of which I am a member—I have been acting chairman—but it has been my understanding, in conversations which I have had with the Attorney General and with the State Department, that they are reviewing not only the question which has been raised by the Senator from Colorado, but related problems, and that they are going to make suggestions in the form of omnibus legislation, to be studied by the committee next year.

I would hope that the area which has been suggested by the Senator from Colorado would be an area on which the committee would have hearings and listen to the attitudes which would be expressed on this particular problem, so it might have some understanding and comprehension of them. If that were done, I think it would be very useful. The fact that the Senator from Colorado has raised the question puts an additional burden on the members of the committee to make sure it is done.

Mr. ALLOTT. I appreciate the remarks of the Senator in charge of the bill. With the assurances he has just given me, I am quite satisfied with the time element. I understand, from previous conversations with the Senator this afternoon, that those concerned with the bill are anxious not to inject these somewhat collateral issues into the issue of this particular bill. I can sympathize with that point of view.

Mr. President, because of the assurances that have been given with respect to going into this matter, not only by the statement of the chairman in the House of Representatives, but also here from the Senator in charge of the bill, I shall withdraw my amendment.

I express my appreciation to the distinguished Senator from Rhode Island [Mr. PELL], who yielded his place on the floor in order that I might have an opportunity to offer my amendment.

The PRESIDING OFFICER. The Senator from Colorado [Mr. ALLOTT] withdraws his amendment.

The Senator from Rhode Island [Mr. PELL] is recognized.

Mr. MORSE. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, one of the most distressing shortcomings in our immigration laws, as they relate to aliens residing in the United States, is the absence of any time limitation on the institution of deportation proceedings.

It is an established principle of law that justice requires a time limit within which authorities must commence proceedings against an individual for any alleged crime. The reason for the statute of limitation principle as a basic element of justice is simply the heavy burden that is placed upon an accused person in locating witnesses and evidence after the lapse of many years.

It is hard enough for the Government, with its many resources, to locate witnesses and evidence after 25 to 30 years have passed. But the resources of the Federal Government are virtually bottomless, if it decides to go to the expense of prosecuting such a case.

For the defendant, a reasonable defense can be almost impossible.

So in the case of the criminal code, we have a time limit within which a person must be prosecuted, and after which he may not. The only exceptions to this rule are usually capital cases.

Yet in the case of actions for which deportation proceedings may be brought, there is no time limit. These actions may not even be of so serious a nature that a criminal prosecution is possible.

Yet the Immigration Service is able to institute proceedings by reason of actions that it alleges took place far in excess of a time limit that would apply to a criminal prosecution.

Two cases in my own State, wherein proceedings for deportation were brought some 25 to 30 years after the alleged acts took place aroused my interest in what I found to be a serious shortcoming in the administration of justice. Other Senators have learned of similar situations affecting their constituents.

One case was shocking and aroused many people in my State, particularly the lawyers in my State.

It is known as the Mackie case. It involves a baby born in Finland, whose parents were naturalized American citizens and who had gone back to Finland for a visit. At the age of 6 months, he was brought to the United States. His associates were in the United States during his whole lifetime. During the depression in the 1930's, he attended various meetings which subsequently were described by the immigration authorities to be at least Communist-dominated meetings, although we have the sworn affidavit that at no time was Mackie a member of the Communist Party, and that he attended meetings which he was led to believe were meetings that would help the unemployed get employment.

More than 20 years later, the immigration authorities, under the administrative processes and immigration procedures, ordered him to be deported.

He is over in Finland today. He has no friends there. His relatives are remote. He was unable to speak the Finnish language. In my State of Oregon, in the city of Portland, this man had led an exemplary life as a family man and had raised a family. He was a house painter. No crime had been charged against him. However, because during that particular era we had a concern and hysteria about people belonging to leftwing organizations, or because they had attended leftwing meetings, and the use by the immigration authorities of typical stool pigeons who testified at the administrative hearings, but not before a jury, this man was deported.

Let me say to the American people that that is one reason why the senior Senator from Oregon in 20 years of service in this body has protested this kind of injustice, under which people are in fact sentenced, but outside the field of criminal law protection.

I am glad that according to the note that has just been handed to me, this was done in the Kennedy administration or by the present Presiding Officer of the Senate [Mr. KENNEDY of New York in the chair], who was Attorney General during the Kennedy administration, but that it was done prior to that time.

I am thinking about the principle that is involved. I do not care under what administration it arises. The basic principle of fair trial in the United States is too precious to have run roughshod over by the U.S. immigration authorities.

I say to those Americans who have a tendency to brush these matters aside, that it means a lot of difference if they or one of their's become involved.

As the senior Senator from Oregon, it is my obligation to rise up, in justice, wherever I find certain practices by the immigration authorities or anybody else.

The time is long overdue when the immigration organization of the U.S. Government should be brought under some checks and balance controls, and subjected to the basic principles of fair procedure guaranteeing Americans the protection from the kind of harassment and penalty Mackie was subjected to.

Mackie is over in Finland removed from his family, on the basis of a charge that immigration authorities never established before a jury. He was supposed to be a Communist sympathizer.

Senators know what we should have done, with the power of the Federal Bureau of Investigation. Mackie was brought over here at age 6 months, legally admitted. He grew up and lived in an American environment. It was an American environment that produced him.

When I think of all the authorities we have for the proper surveillance of this person, I am not at all moved by the administrative ruling of the immigration authorities that such a person could become a danger to the body politic of the United States. Shame on us, to think we could be guilty of such an injustice to a human being.

I cite this as an example of what can and does go on in the Immigration Service without a statute of limitations.

The senior Senator from Oregon is pleading for a statute of limitations, and he is pleading with the Senator from Massachusetts [Mr. KENNEDY] to take his amendment to conference because it is an eminently fair amendment and ought to go to conference, and we ought to write it on the statute books.

I see on the floor the great former Attorney General of the State of New York [Mr. JAVITS].

Senator JAVITS included in his immigration bill of 1963, a bill I joined him in cosponsoring, a 10-year limitation on the bringing of these proceedings. Also in 1963, I introduced my own measure, S. 1500, imposing a 5-year limit on the bringing of proceedings for deportation or loss of nationality. I used 5 years in my bill because that is the standard for Federal crimes.

But in 1963, I also introduced, with Senator HART as a cosponsor, S. 1501, which sought to approach the matter differently by prohibiting deportation proceedings from being brought against any person who was lawfully admitted for permanent residence before his 14th birthday, and establishing a 10-year limitation for all other cases. The objective of this bill was to consider that young people who lawfully entered the country before the age of 14 should not be subject to deportation at all.

The several bills introduced in the last 10 years on this subject, and I have mentioned only a few of them, indicate considerable interest in the subject among Members of Congress. Although the subject matter does not affect as many as does the obnoxious national origins quota, it is nonetheless a bad provision of law and deserves to be remedied.

Page 26 of the report of the Senate Judiciary Committee states, and I quote:

> As previously indicated, the instant bill does not embody a comprehensive revision of the Immigration and Nationality Act. However, the Subcommittee on Immigration and Naturalization did give consideration to many proposals contained in other bills pending before the subcommittee which would have amended the Immigration and Nationality Act in other respects. Included in the suggested changes were proposals to establish a Board of Visa Appeals and to establish a statute of limitations in deportation cases. In the course of the subcommittee's consideration of those two proposals, it was indicated by the Attorney General that while he did not think it appropriate at this time to institute such changes without further study, he expressed his willingness to undertake a complete study of the proposals, to discuss the desirability of the establishment of a Board of Visa Appeals with the Secretary of State and to report seasonably on the above matters.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I do not know of many other provisions in this immigration law that is quite as offensive to law, leaving aside political sciences, as the failure to have a statute of limitations.

The Senator pointed out one glaring inequity.

There have been cases of people who, on the threat of deportation, had heart attacks, who had been in this country for 30 to 35 years; following the deportable offense.

The Attorney General has again—and, we will hold him to it—agreed to bring us back a report on this procedural change so that we can act on it. One reason offered for not supporting the statute of limitations by the Department of Justice is that it is a procedural change, and we are dealing primarily in this bill with a change in the national origins system.

I do not blame the Senator from Oregon a bit for offering this amendment now and pressing it. I can understand his reason perfectly. Perhaps I am not so free to do it as he is, because he is not a member of the committee. He has had a similar experience when he has been in a position of authority with respect to a certain bill. This was a difficult bill to get out of committee, and we had given some ground to get it out.

I have studied the subject carefully. It is really one of the most depressing, deplorable, unjust aspects of law that I, as a lawyer, interested in due process, have seen on the statute books of the United States.

Mr. MORSE. Mr. President, I appreciate the remarks of the Senator from New York. No one has fought harder to remedy this injustice than the senior Senator from New York, as evidenced by the legislation that he has introduced, and to which I have already referred.

But one cannot study these cases without rending his heart. It is heartbreaking to think that our Government should perpetrate shocking injustices upon human beings merely because they happen to be of alien birth. Senators have heard me say before, and I shall say so again this afternoon, that, after all, the test of a democratic form of government is whether it is always willing to deal with individual injustices that any of its processes or procedures create.

Whenever this Government becomes so complex, so big, or so cold in the administration of its affairs that it will not pay attention to human injustices, the

American people had better watch out for their freedoms. The senior Senator from Oregon is talking this afternoon about a basic liberty, without which men are not free—that is, a fair trial.

There is nothing fair or just about the procedures of the U.S. Immigration Service in this respect. I regret that the administrators of the U.S. Immigration Service, for years past, have not come before Congress to ask that they be shorn of this arbitrary, discretionary power they have exercised to the injustice of human beings. What do they fall back on? They say that the law permits it; that the law authorizes them to act in that way. That is always a good escape hatch for one to practice arbitrary, capricious power. The Senator from Oregon favors the sealing of that escape hatch. The Senator from Oregon is making a plea that we give to human beings, be they immigrants or natural born citizens, a fair trial to determine whether there is justification for deporting them.

A fair trial cannot be had without a statute of limitations. We know that basic in Anglo-Saxon justice is the guarantee of a limitation upon the prosecution powers of the government. We also know that a statute of limitations is essential if we really and truly are to implement the presumption of innocence doctrine.

The trouble with the Immigration Service in many cases is that it proceeds on the presumption of guilt; and because Congress has not included basic legal protections for a fair trial, the duty then is upon the one accused to prove his innocence. That procedure cannot be justified. That is why I am urging the favorable consideration of my amendment.

I have quoted the present Attorney General, who, I think by clear implication, recognizes my plea as highly meritorious, when he says—and the committee quotes him—that he will take this matter under study and submit a report in the future.

Mr. President, I do not think we can wait. I gather that it can be assumed from what the Attorney General has said that he will make a recommendation of his own in the near future on the subject of a limitation of immigration proceedings. I regret that he has not made such a recommendation before this. I do not know why he has not; he has known about the problem. The injustices have been perpetrated over and over again for more than a decade; since, in fact, the statute of limitations that existed before 1952 was repealed. That was a 5-year statute comparable with the one I have proposed in my bill S. 1500, that we return to.

I am offering my amendment today because I do not believe the responsibility can be left entirely to the Department of Justice. The initial responsibility lies with Congress. We originally imposed the limitation; then in 1952 we repealed it. It is up to Congress to reestablish it.

Senators have undoubtedly received from the American Civil Liberties Union a memorandum on this subject. It is headed "Proposed Statute of Limitations on Deportation." It begins with a proposed amendment to the pending bill. However, the language I am offering now is not the language suggested in the memorandum of the American Civil Liberties Union, but is the text of my bill S. 1500, of the 88th Congress. Nevertheless, the impact of the language is the same.

The remainder of the memorandum is an excellent exposition of the background of limitations on deportation proceedings. I ask unanimous consent that it be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. MORSE. Mr. President, the bar associations, and the President's Commission on Immigration and Naturalization which reported in 1953, have been highly critical of the absence of this limitation.

We just heard a statement by the former attorney general of the State of New York, but large numbers of leaders of the bar across this country share the view of the senior Senator from Oregon. They have written to me in the last several years in support of a statute of limitations to be added to our body of immigration law.

Mr. ERVIN. Mr. President, will the distinguished Senator from Oregon yield?

Mr. MORSE. I am delighted to yield.

Mr. ERVIN. The committee sat from February until a few weeks ago conducting hearings on the bill, and this problem was never investigated. Does not the Senator from Oregon agree with the Senator from North Carolina that it would be a more proper procedure for the Senator from Oregon to submit his amendment for reference to the committee, and to let hearings be conducted on both sides of the question before Congress takes action? The Senator's amendment was not offered during the hearings.

Mr. MORSE. The Senator from North Carolina is quite correct. That would be preferable. But I do not know why the delightful senior Senator from North Carolina, one of the most distinguished Members of this body and a former justice of the North Carolina Supreme Court, recognizing the hole in the bill, did not offer the amendment himself, or apprise the senior Senator from Oregon of the fact that this problem was before the committee.

I say to the Senator quite frankly that, considering the multitude of things that my complex life causes me to deal with in the Senate, this is one of the things which has slipped by me. I am very sorry that it has. However, now that I see the problem, that would not relieve me of my responsibility of offering the amendment.

This is nothing new. The Committee on the Judiciary is rather well aware of the views of the senior Senator from Oregon. I have offered amendments and bills before which have been before the Committee on the Judiciary, and so have many other Senators. I offered a private bill in the Mackie case. The bill was before the Committee on the Judiciary.

I say to my good friend, the Senator from North Carolina, that I am exceedingly disappointed that the members on the Committee on the Judiciary have not heretofore reported the Mackie bill from the committee. However, I believe it is important that the senior Senator from Oregon raise the question this afternoon.

I am not naive. I am not blind as to what my parliamentary situation is. However, I hope that we can get some understanding or agreement now.

I was directing my remarks to the Senator in charge of the bill, the junior Senator from Massachusetts. I hope that we can get some understanding from the committee. I know that the policy is to add no amendments to the bill. I hope that we can have an understanding that the amendment will be taken to conference, or that we can have some hearings on the problem come January.

Mr. ERVIN. Mr. President, I tell the senior Senator from Oregon, as a member of the Subcommittee on Immigration and Naturalization, and as a member of the Committee on the Judiciary itself, that I shall try to obtain speedy hearings on an amendment of this nature.

Several years ago I attended a hearing of the Committee on the Judiciary which caused me to believe that perhaps there may be something to be said in opposition to a statute of limitations.

We had a hearing on an amendment providing a rule of estoppel and a rule of res adjudicata in deportation matters. ters. We found that the king of the underworld—the boss of the underworld in New Orleans—had successfully fought deportation for something like 14 or 15 years. Every time the authorities were about to deport him, he would obtain another writ of habeas corpus from a different Federal judge.

The United States was powerless to deport from the country a man who, in large measure, was corrupting the city of New Orleans and its environs.

Mr. MORSE. They were not powerless to place him in prison.

Mr. ERVIN. They could not have him deported. He had a multitude of habeas corpus writs issued, and, under the rule, neither res adjudicata nor deportation was applicable.

If my recollection serves me correctly, I believe that the present occupant of the chair, the junior Senator from New York [Mr. KENNEDY] was serving as Attorney General of the United States at that time and has some familiarity with the problem.

I say to the senior Senator from Oregon that I believe a good case can be made for the proposition that, if a man comes to America illegally and engages in underworld activities, he ought not to have the benefit of a simple statute of limitations.

I agree that if a man comes here illegally and becomes a useful member of society and can show that fact, he ought not to be deported. Under the bill as amended at the instance of the able and distinguished senior Senator from Hawaii and myself, a man who comes here illegally and becomes a useful and good citizen can acquire a permanent residence here and eventual citizenship. However, I assure the senior Senator from Oregon that I shall do all I can do to obtain a speedy consideration of the bill by the subcommittee and by the committee.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I wish to inform the Senator of what occurred. I think it has very great bearing on the assurance which is most gratifyingly given by the Senator from North Carolina. I offered the statute of limitation as a part of the bill (S. 1093) I introduced last February and again in the subcommittee as an amendment and proposed to submit this very limitation to which the Senator has referred as an amendment on the floor. In our informal discussions in the committee, as is quite understandable in view of the fact that any amendment of this character, if agreed to, would very materially delay the passage of the legislation, I refrained from actually pressing it to a vote in the interest of getting prompt and favorable action on the bill. That was the reason for the assurance which we had from the Attorney General and which is specifically referred to at page 26 of the report.

I should like to join my distinguished colleague who, I think on the whole, in view of his views concerning this type of legislation, has really strained to try to join with us in an effort to secure passage of this legislation.

I assure the senior Senator from Oregon that, whatever he may do on this matter—and I shall vote with him, as I said—he has one indefatigable fighter trying to get this done as a lawyer, without any regard to what one thinks of the immigration law.

I believe that the Senator from Oregon was correct in saying what he did to the Senator from North Carolina. We may very well find a great ally by virtue of this very thing, because it is the kind of thing that is very offensive to a lawyer. I believe that the Senator from North Carolina, whatever may be our difference of view, in some areas is a lawyer's lawyer.

I join the Senator and assure him that I shall move heaven and earth to obtain action.

Mr. MORSE. Mr. President, the Senator from North Carolina knows my record of handling legislation and facing up to the parliamentary realities in the Senate and cooperating to work out the best adjustment possible.

I have had cooperation from the Senator from North Carolina in connection with some education amendments. The Senator will recall that when we had a so-called judicial review amendment, he urged a vote on the judicial review amendment. I was hoping that he would not, but he had a perfect right to do that, and the amendment did go to a vote. The opposition prevailed, not because we were opposed to a judicial review, but because we felt that, under the parliamentary situation which existed on the floor of the Senate, it was a mistake to jeopardize the interest of the education bill itself by adding to it the judicial review amendment of the Senator from North Carolina and the Senator from Kentucky [Mr. COOPER]. But after his amendment was defeated, to the great credit of the Senator from North Carolina and the Senator from Kentucky, they cooperated completely with me as chairman of that committee, and as the Senator in charge of that bill, in the handling of the judicial review amendment.

I deeply regret—and it is not the fault of the Senator from North Carolina—that the Morse judicial review bill, cosponsored subsequently by the Senator from North Carolina and the Senator from Kentucky and others, has not yet come to a hearing.

Arguing by analogy, I believe that the amendment which I offer now, and which I shall subsequently offer as a bill this afternoon if it is not accepted, should come to an early hearing before the Committee on the Judiciary next January. However, I urge again, as chairman of the Subcommittee on Education, that the Morse-Ervin-Cooper-Clark judicial review measure should come to a hearing before the Committee on the Judiciary this coming January. These vital matters should not be postponed. We ought to get on to a hearing.

Of course, I am fully aware of the parliamentary situation that confronts me. The senior Senator from Oregon will not be a party this afternoon to jeopardizing the passage of this immigration bill. The heart of the immigration bill, as far as I am concerned, is, of course, the national origins feature of it. I believe that it is important that we get the measure passed.

As I say, if I am unable to have this amendment agreed to and taken to conference by voluntary agreement, then I shall withdraw the amendment and introduce it this afternoon as a bill and send it to the desk as a separate bill, and leave it at the desk until Friday of this week at 5 p.m. for any who want to cosponsor the measure with me. We can then let it go to the Committee on the Judiciary in the hope that there will be hearings on it early in the next session of Congress.

I would not want the RECORD to stand on the argument of the Senator from North Carolina without any comment by the senior Senator from Oregon on what I think is not a sound argument, which has been made by the Senator from North Carolina by way of opposition to the statute of limitations.

I have been impressed by the argument of the Justice Department and the immigration authorities, in particular, that there should not be any statute of limitations available in the cases of the underworld characters who may be of alien birth, who have gotten into this country.

What we ought to do is convict them and put them in prison, like any other criminals. Even these unsavory characters are in no small measure the product of our own conditioning. I do not wish to believe, and I refuse to believe, that the only way we can handle criminals who did not happen to be born in this country is to deport them. I do not believe we should deport such people to any other country. I think we should convict them and put them in prison, where they belong. That is my answer.

But even those unsavory characters, in my judgment, from the point of view of fair dealing with human beings, are entitled to a statute of limitations. They are entitled to have the Government proceed against them within the period of time called for by my proposed statute of limitations. If they are not proved guilty within that period of time, then we should deal with their guilt, if any subsequently develops after the running of the statute of limitations, convict them, and put them in prison.

Be that as it may. I would point out to the Senator from North Carolina that my amendment affects only aliens who were lawfully admitted, not those who entered illegally.

Before I last yielded to the Senator from North Carolina [Mr. ERVIN], I was making the point that bar associations, leading lawyers, lawyers on various law enforcement councils, and even representatives of judicial councils, have deplored the very weakness in the administration of the immigration laws about which I have been speaking this afternoon.

I agree with the Senator from North Carolina. In an appropriate hearing in the early part of next year, I shall marshal that opinion evidence. I shall also marshal whatever documentation is available in support of my bill. The Senator from North Carolina may be sure I shall be in the front row the morning he opens his hearings, asking to be recognized as a witness.

I repeat, as I close these remarks, that I believe the amendment I intended to offer is a sound and desirable one. It would not relate to anyone who entered the country in violation of the immigration laws. It would safeguard illegally admitted persons from being deported, and from having loss of citizenship proceedings brought for acts said to have been committed but which may have occurred 15, 20 or 30 years ago. I do not believe longtime residents of the United States should be subjected to what I consider to be this grossly unfair treatment, and therefore I plead with the Senate to give favorable consideration to such amendment, although I would not deny my friend, the Senator from Massachusetts [Mr. KENNEDY] an opportunity either to accept or reject the amendment and take it to conference. I am merely asking him to tell me what he would do should I offer it. I should not press for a vote, if the Senator felt in good faith he could not take it to conference. It may very well be that the Senator may see some advantage in taking it to conference, to get the conference reaction to it, and, if rejected there, it could be considered as a bill later.

On the other hand, if the Senator tells me he thinks it would be a mistake to take it to conference, I shall not even offer it as an amendment to the bill, but send it to the desk and ask to have it appropriately referred. In such event I shall ask that it remain at the desk until 5 p.m. this coming Friday, for cosigners.

Exhibit I

Proposed Statute of Limitations on Deportation (Memorandum of Civil Liberties Union Amendment)

(A) PRESENT SITUATION

1. For 65 years prior to the 1952 law there had been a statute of limitations on deportation proceedings. From 1917 there was a general 5-year period of limitations for bringing deportation proceedings after improper entry, except for:

(a) deportable offenses committed in the United States;

(b) subversive aliens; and

(c) entry in violation of quota requirements or with improper visa.

2. Under the 1952 act, all statutes of limitations are eliminated, and deportation proceedings can be brought at any time, no matter how remote from the improper entry (sec. 241).

(a) Although there is no period of limitations whatsoever for bringing deportation proceedings, in three instances the statute specifies that the ground of deportation must have occurred "within 5 years after entry": institutionalization at public expense for mental disease (sec. 241(a)(3)), public charge (sec. 241(a)(8)), conviction of violations of the provisions of title I of the Alien Registration Act of 1940 (sec. 241(a)(15)).

(b) The 1952 act retroactively eliminated previous statutes of limitations (sec. 241(d)).

(B) PURPOSE AND OPERATION OF STATUTES OF LIMITATIONS

1. Statutes of limitations have a twofold purpose, to protect innocent persons from prosecution of claims at a time when evidence in defense is not available, and to spare the courts from litigation of stale claims "after memories have faded, witnesses died or disappeared, and evidence lost" *Chase Securities Corp.* v. *Donaldson*, 325 U.S. 304, 314 (1944).

2. Under the Federal criminal law, a general 5-year statute of limitations is applicable to crimes not punishable by death, 18 U.S.C. 3282. Arson, robbery, burglary, forgery, white slave traffic, assault with a deadly weapon, and larceny are punishable only if proceedings are instituted within 5 years.

3. Likewise, civil actions are subject to statutes of limitations of varying periods.

4. The Internal Security Act of 1950, § 4 (e), provided a 10-year statute of limitations for conspiracy to establish a totalitarian dictatorship in the United States under foreign domination or control.

5. Under the Federal criminal law, fraudulent procurement of citizenship or naturalization is subject to a 10-year statute of limitations 18 U.S.C. 3291.

6. In some countries an alien's admission for permanent residence exempts him from deportation (Peru). In Brazil, aliens who are married to citizens and who are responsible for the support of citizens may not be deported. The most common statute of limitations in foreign countries is a 5-year period. Canada grants this limitation to most offenses excepting subversives. Australia has a 5-year period with limited exceptions.

(C) RATIONALE FOR PRESENT LAW

The major report of the Senate Judiciary Committee leading to the enactment of the 1952 law justified the present provisions as follows:

"It is the recommendation of the subcommittee that the time limitation on their deportation after entry should be eliminated. If the cause for exclusion existed at the time of entry, it is believed that such aliens are just as undesirable at any subsequent time as they are within the 5 years after entry * * * all aliens who become public charges at any time after entry * * * should be subject to deportation at any time" (S. Rept. No. 1515, 81st Cong., 2d sess., pp. 389–390).

(D) CONGRESSIONAL RECOMMENDATIONS

The House Committee on Immigration (79th Cong., 1st sess., H. Rept. No. 1312, p. 16) recommended a 10-year statute of limitations on deportation under the 1924 Immigration Act.

(E) RECOMMENDATIONS OF PRESIDENTIAL COMMISSION

The President's Commission on Immigration and Naturalization in its 1953 report had the following to say as to periods of limitations on deportation:

"That it is wrong to keep the threat of punishment indefinitely over the head of one who breaks the law is a principle deeply rooted in the ancient traditions of our legal system. The law requires that criminal prosecutions, except for capital offenses, such as murder and treason, be brought within a fixed period of time or not at all. A similar dispensation governs the enforcement of civil liabilities.

"Indeed, the 1952 statute retroactively rescind the limited statute of limitations fixed by previous law. An alien who entered the United States 25 years ago and whose entry involved a purely technical violation enjoyed immunity from deportation for the last 20 years. Under the 1952 act he is now again subject to deportation. The act threatens the security of many aliens and their families. Their immunities have been removed, and they may be torn out of their accustomed places in the communities in which they live, no matter how exemplary their conduct over a long period of years * * * the new act actually restores the threat of cruel and inhuman punishment for offenses long since forgiven.

"This undue severity is underscored by the fact that although prosecutions for aggravated criminal violations of the immigration laws are subject to a 3-year statute of limitations, deportation proceedings for such violations—as well as for infractions which offend no criminal law—are governed by no statute of limitations and may be brought—more than say 20 or 40 years after an alien entered the United States. No one has suggested any sound reason why the purpose of limitations—recognition of the unfairness involved in requiring a person to make a defense long after the event when it is difficult or impossible to assemble witnesses and evidence—does not apply to immigration matters at least with equal force as to prosecutions for serious crimes.

"It is said that the existence of a statute of limitations would encourage aliens to enter the United States in violation of the immigration laws. A person who enters or remains in the United States in violation of the immigration laws should be subject to deportation from the United States, but the consequences of such a violation should be enforced against him within a reasonable time. There is a fundamental public purpose which is served by statutes of limitations for crimes and in civil actions. This is just as important an objective of law enforcement as the avoidance of violation of law" (pp. 197–198).

The Commission recommended "that the immigration statute should provide that a deportation proceeding may not be commenced against any alien more than 10 years after the violation occurred" (pp. 197–198).

(F) ANALYSIS OF SITUATION

1. Persons who have entered the United States illegally or who have improperly obtained naturalization should be subject to removal of the status so improperly attained;

2. But the absence of a statute of limitations covering deportation is an undesirable departure from basic principles of law. There is no valid reason for denying to such persons what is basic to our jurisprudence, protection from raking up old and dead issues after a reasonable period of time, after which memories of witnesses have faded, contemporaneous sources of information are no longer available, and the general peace of the community would be unduly upset. Under present law an alien can be deported for something that took place 50 years ago, even if it were only of a purely minor technical character. This means that people who have lived substantially their entire lives in the United States can be torn away from their families and sent to lands which are utterly foreign to them;

3. There is no showing whatsoever of a need for a change in the 65 year old practice of a statute of limitations for deportation;

4. The failure to provide for a reasonable period of limitations, after which deportation proceedings are based, is unjust, unwarranted, and contrary to the fundamental pattern of American law; and

5. In view of the present pattern of statutes of limitations in Federal law, a strong argument could be advanced for a 5 year statute of limitations for deportation. However, in view of the recommendations by a congressional committee and a Presidential Commission for a 10-year period, a 10-year statute of limitations for instituting deportation should be enacted.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. MORSE. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. I should be happy to cosponsor the bill the Senator says he will send to the desk.

Mr. MORSE. The Senator is already a cosponsor.

Mr. KENNEDY of Massachusetts. But I feel that the record on the matter of deportation has been established in the committee and it has been quite clear since the very earliest date when the Attorney General of the United States testified before the committee, that this matter merited further, real, consideration.

The Attorney General was subjected to considerable examination and questioning by the Senator from New York [Mr. JAVITS], who has demonstrated great concern, not only on this matter, but on the establishment of a board of visa appeals, as well as by other members of the committee who have been concerned about the question of deportations and other matters affecting the basic rights of citizens, both naturalized and alien.

The Senator from Rhode Island [Mr. PELL] has followed the hearings closely and has been deeply concerned about the question of deportation. He has spoken to me, and I know to other members of the committee. Many other Members of the Senate have likewise expressed their concern.

So I thank the Senator from Oregon for once more, as the senior Senator from New York has done earlier in the day, doing great service on the whole question by suggesting the need for active consideration in this area.

During the discussions and the markup in the subcommittee, we had assurances from the Attorney General that this would be a matter of concern to his office, and should be a matter of concern to the members of the committee. Moreover, in the committee report, on page 26, under the title of "Other Matters," it is stated:

> As previously indicated, the instant bill does not embody a comprehensive revision of the Immigration and Nationality Act.

Certainly, Mr. President, if it did, the matters raised by the senior Senator from Oregon unquestionably would have to be considered and perhaps included. The report goes on to state:

> However, the Subcommittee on Immigration and Naturalization did give consideration to many proposals contained in other bills pending before the subcommittee which would have amended the Immigration and Nationality Act in other respects. Included in the suggested changes were proposals to establish a Board of Visa Appeals and to establish a statute of limitations in deportation cases. In the course of the subcommittee's consideration of those two proposals, it was indicated by the Attorney General that while he did not think it appropriate at this time to institute such changes without further study, he expressed his willingness to undertake a complete study of the proposals, to discuss the desirability of the establishment of a Board of Visa Appeals with the Secretary of State and to report seasonably on the above matters.

Mr. President, the Attorney General of the United States has written his views to me, and I should like to read into the Record at this point the body of his letter to me under date of September 16, 1965:

> Hon. Edward M. Kennedy,
> *U.S. Senate,*
> *Washington, D.C.*
>
> Dear Senator Kennedy: This is in response to your request for a statement summarizing my views on certain proposals for changes in the Immigration and Nationality Act. These proposals were, as you know, considered by the Senate Judiciary Committee but were not acted upon by it, partly, I believe, at my request.
>
> None of the proposals in question relates to or would affect substantially either the numbers or the qualifications of persons to be admitted as immigrants. They deal, rather, with such subjects as procedure, review, deportation, citizenship, expatriation and the like.
>
> As I indicated to the committee, it is my view and that of the administration that consideration of these proposals should be deferred until the next session of Congress. We therefore oppose them at this time.
>
> It should be emphasized, however, that we do not necessarily oppose these proposals on the merits. We have always recognized that there are a number of areas within the general area of immigration and nationality law which are in need of review and reform. However, in view of the overriding importance of the reforms needed in our system of choosing prospective immigrants, the administration has believed that that problem should be dealt with first. The other areas in need of reform are in many respects difficult and complex, and we are still in the process of making the review and study needed to develop appropriate recommendations.
>
> Since neither the executive branch nor the committees of the Congress have yet had an opportunity to formulate careful recommendations with respect to these matters, I am hopeful that the proposals to which you refer will not be pressed on the floor of the Senate, or, if pressed, will not be enacted at this time. I can assure you, however, that we are very much interested in pursuing reforms in areas outside that covered by the present bill and will endeavor to have our studies completed and recommendations prepared in time for consideration at the next session of the Congress.

To me this letter indicates, as it did to other members of the committee who had been concerned about such questions, that an effort will be made by the administration to look to these various naturalization and deportation problems. Certainly we should not relinquish our responsibility on the matter, but the record has been established in the hearings held on the immigration bill, and I think the record has been made this afternoon, that this is a matter of concern to members of the committee, not only in general as presented by the Senator from Oregon, but also as deportation applies to those who came to this country as young children. I think perhaps that consideration is even more appealing.

But I say that it was the feeling of the committee that at this time we should take the Attorney General at his word, and anticipate these recommendations as matters to be considered during the next session of Congress.

Mr. MORSE. I say to the Senator from Massachusetts [Mr. Kennedy] that, as he knows, I shall cooperate with him completely, as I shall with the Senator from North Carolina [Mr. Ervin]. I shall not offer the amendment. I shall now send to the desk a bill on behalf of myself and the Senator from Massachusetts [Mr. Kennedy], and anyone else who wishes to join as cosponsor between now and Friday night at 5 o'clock. I ask unanimous consent that the bill may be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Oregon.

The bill (S. 2546) to amend the Immigration and Nationality Act to impose a limitation upon the time for the institution of deportation proceedings, and a limitation upon the time for the loss of U.S. nationality introduced by Mr. Morse (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) title II of the Immigration and Nationality Act is amended by adding at the end of such title the following section:
>
> "LIMITATION ON TIME OF COMMENCING DEPORTATION PROCEEDINGS
>
> "Sec. 293. Notwithstanding any other provision of this Act, any alien lawfully admitted to the United States for permanent residence shall not, on or after the date of the enactment of this section, be deported by reason of any conduct occurring more than ten years prior to the institution of deportation proceedings against him."
>
> (b) Section 340 of the Immigration and Nationality Act (66 Stat. 260; 8 U.S.C. 1451) is amended by adding at the end thereof the following new subsection:
>
> "(k) No proceeding shall be instituted under subsection (a) of this section more than ten years after a naturalized citizen has been admitted to citizenship."
>
> Sec. 2. The table of contents of the Immigration and Nationality Act is amended by adding the following new item at the end of title II thereof:
>
> "Sec. 293. Limitation on time of commencing deportation proceedings."

Mr. MORSE. Mr. President, between now and next January, I shall be open to persuasion for any further modification of the bill which, in its present form, I believe to be desirable. If it can be improved, I shall go along with the improvements, but I urge that there be early hearings on the bill at the next session of Congress.

I thank the Senator from New York, the Senator from Massachusetts, and the Senator from North Carolina for their cooperation in this discussion, and for giving me their assurances that they are willing to have the issue raised and testimony taken.

Mr. JAVITS. Let me say to the Senator from Rhode Island [Mr. Pell], who has shown a profound interest in this matter, that it is included in the omnibus bill, S. 1093, which the Senator from Oregon [Mr. Morse] was gracious enough to cosponsor with me.

I believe, with the assurances written into the bill by the distinguished members of the committee, that the Senator need have no doubt that his work with us this afternoon has had an excellent effect, and we are coming to grips with the problem.

Mr. MORSE. I thank the Senator from New York. The Senator from Rhode Island [Mr. Pell] is about to offer another proposal, in which I shall be happy to join as a cosponsor, because he has a proposal which in some respects is broader than mine. Therefore, I believe that between the two proposals, we focus the light of attention on practically every facet of the problem of what I consider to be gross injustice in the administration of our immigration laws.

Mr. ERVIN. As the Senator from Oregon undoubtedly knows, legislation pertaining to immigration always arouses a great deal of controversy on the part of organizations and individuals. Therefore, under the chairmanship of the junior Senator from Massachusetts, the subcommittee conducted many weeks of hearings and heard many individuals and organizations speak both for and against abolition of the national origins quota system.

We had to make decisions relative to changes in the immigration laws and matters of procedure; and the subcommittee reached the conclusion that it would be best, in order to get effective action, to have a bill which would be confined entirely to admission to the United States of immigrants for permanent residence and ultimate citizenship.

Therefore, the bill has been confined to that one field.

The Senator from New York, who has done much studying in this field, made a valuable contribution to the work of the

Judiciary Committee, both in the degree in which he advocated certain suggestions and his forbearance in advocating others. He agreed with the committee that it would be better not to go beyond the field of admission of immigrants for permanent residence into the United States, and to leave for later, matters dealing with procedure, deportation, and naturalization. By his forbearance, he contributed greatly to the success of the committee in reporting the present bill.

Let me assure the Senator from Oregon that not only will I do all I can to schedule speedy hearings on the deportation bill at the next session of Congress, but that I have already notified the organizations interested in the judicial review bill that we are going to hold hearings speedily in the early part of the next session. I hope that the Senator from Oregon will be there as a witness at the hearings.

Mr. MORSE. I assure the Senator from North Carolina that I will be there as a witness. This is not the first time I have found the Senator from North Carolina to be persuasively convincing.

When I heard him a few moments ago, and when I heard the Senator from Massachusetts making the remarks he did as to the committee problem which faced the Senator from North Carolina, in handling this immigration bill, vis-a-vis the national origins problem, I would have to agree that what we should do from a parliamentary standpoint is to delimit the bill primarily to consideration of the problem of national origins.

I would have to agree with that. However, it does not mean that I do not believe the statute of limitations should not be remedied. It is an injustice, and should be remedied early.

I thank both the Senator from Massachusetts and the Senator from North Carolina. At least, we have pinpointed the problem, and we can go on with consideration of my bill, and the bill which I believe the Senator from Rhode Island [Mr. Pell] is about to introduce.

The last comment I wish to make is by way of a deserved compliment to the Senator from Rhode Island [Mr. Pell]. He, too, has been very much concerned over the general problem of injustice which we have been discussing in respect to the administration of the immigration laws of this country.

The proposal of the Senator from Rhode Island is one which I highly endorse. I assure him that I appreciate the support he has given me on my proposal in the past, and I intend to reciprocate by sincerely supporting his proposal when he offers it.

Mr. President, I should like to make certain that my bill has been received at the desk under the request I have previously made.

The PRESIDING OFFICER (Mr. Brewster in the chair). The Senator's bill will be held until Friday. The Senator is correct.

Mr. MORSE. I thank the Chair.

Mr. President, I yield the floor.

Mr. PELL. Mr. President, first, I ask to be made a cosponsor of the bill introduced by the Senator from Oregon [Mr. Morse].

Mr. MORSE. I welcome the Senator's sponsorship.

Mr. PELL. I thank the Senator from Oregon and the Senator from New York for their kind words.

First, upon the question of deportation and then one or two general comments on the bill before us. Last August I offered a bill cosponsored by the Senator from Michigan [Mr. Hart] which provided for the basic provisions in the bill as submitted by the Senator from Oregon [Mr. Morse], but in addition to providing a 10-year statute of limitations on deportation proceedings, it also made two additional points.

First, it would put an end to the present practice whereby naturalized citizens who refuse to testify before congressional committees could have their citizenship revoked, which would again seem to indicate that naturalized citizens are a different kind of citizens from those born in the United States. To my mind, it seems unfair—citizens by choice rather than citizens by the accident of birth should be given the favored spot and not the unfavored spot.

Second, my bill would seek to rectify what has been already cleared up by the Supreme Court in the Schneider case. This was the case which decided that individuals born in a foreign country and naturalized in the United States, and then, through no fault of their own, spent more than 3 years' residence in the country of their birth, would lose their citizenship. This is on the statute books but declared by the Supreme Court to be unconstitutional. It should be repealed.

Thus, the third portion of my bill would provide for cleaning up the statute by removing those points which have already been rendered inoperative because of the Supreme Court's decision.

My hope is that at the same time the bill of the Senator from Oregon is considered by the Judiciary Committee, my bill, S. 2364, might also be considered, covering these other two points. I would ask the Senator in charge of the bill whether that will be agreeable to him. I thank both him and the Senator from North Carolina for their willingness to consider the basic problem of this question on deportation, and I am wondering whether these other points in my bill might be considered at that time.

Mr. KENNEDY of Massachusetts. The points which the Senator from Rhode Island has raised are worthy of consideration. The bill of the Senator from Oregon [Mr. Morse] has been introduced and will be appropriately referred. It would probably be up to the members of the committee to make the determination whether the bills will be considered together or whether there is overlapping of the legislation. But certainly, as a member of the committee, I would hope that there would be expeditious hearings.

In view of the fact that the Senator from North Carolina has indicated his interest in this whole general area, I would hope the subcommittee itself would consider the points which have been raised and we will have recommendations from the Attorney General in this area, as he has indicated in his letter.

Mr. PELL. I thank the Senator from Massachusetts. As I indicated earlier, I would not want to press this as an amendment. I had it redrafted as an amendment to the present bill but, realizing the importance of having support for the bill, behind which we all seem to be pretty well grouped, I would not want to jeoparize its passage by offering this measure as an amendment. But I hope my bill will be considered by the Judiciary Committee early in the next session.

Mr. ERVIN. Mr. President, if the Senator will yield, I will say to my good friend from Rhode Island that I share the opinion of the Senator from Massachusetts that the proposal of the Senator from Rhode Island merits serious study. A very good case could be made for the doctrine that a naturalized citizen should stand on the same footing as a native-born citizen.

Mr. PELL. I thank the Senator, and appreciate his courtesy, as a senior member of the committee, and that of the Senator from Massachusetts.

Mr. President, at this point I wish to make some general comments on the bill.

Mr. President, the bill before us presents Congress with the opportunity to adopt an equitable and enlightened immigration policy—a clear departure from the discriminatory national origins policy that is our present law. It presents us with the opportunity to prove to the rest of the world that the faith of our Founding Fathers has not been lost. And it grants a greater measure of hope to those in other lands who have long held the dream of becoming active participants in the oldest active democracy the world knows.

The passage of this reform bill getting rid of quotas based on national origins gives me particular delight since my father, then a Member of Congress, opposed the basic restrictive nationalities immigration law when it came up some 45 years ago.

Contrary to the opinions of some of the misinformed, this legislation does not open the floodgates. It increases our total quota of immigrants from approximately 158,000 to 170,000 per year. It still prefers those who have needed skills and who can contribute in a positive fashion to this Nation's progress. It contains that long-lacking element of humaneness which allows the reuniting of families. And it does away with the discrimination of a national origins system which states, in effect as well as in practice, that Southern and Eastern Europeans do not make as good citizens as Western and Northern Europeans—the Orwellian "All animals are equal, but some are more equal than others."

When we go back to the question of why this original concept was put into effect, we realize how correct we are in urging the adoption of the present legislation before us.

In 3 years, the question "Where were you born?" as a condition of entrance, will become academic, and this country will look instead to the relationship to

U.S. citizens and resident aliens, to the professional and other high skills which are offered, and to the assistance of refugees from strife-torn lands.

This bill represents the progressive thinking of a country which has assumed the leadership of the free world. It is really a statement of faith that we mean to continue that leadership, and all the responsibilities and obligations which it entails.

I intend to vote for this bill because I have seen firsthand, through my work as a Vice Consul in our Foreign Service and on the International Rescue Committee, the difficulties and untold hardships which confront refugees and those who wish to emigrate to the United States. Since my election as U.S. Senator from Rhode Island, I have received hundreds of pleas for assistance in getting a brother, a daughter, a mother into this country.

The enactment of H.R. 2580 will eliminate, in great part, most of the hardships written into existing law. I urge my colleagues to join in its passage.

ADDITIONAL COSPONSOR

Mr. President, I ask unanimous consent that the name of the senior Senator from Oregon be added as a cosponsor of my bill (S. 2364).

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of Public Law 89-187, the Speaker had appointed Mr. ZABLOCKI, of Wisconsin, Mr. GRAY, of Illinois, Mr. BYRNES of Wisconsin, and Mr. HUTCHINSON, of Michigan as members of the Father Marquette Tercentenary Commission on the part of the House.

The message also informed the Senate that, pursuant to the provisions of House Resolution 13, 89th Congress, the Speaker had appointed Mr. CORMAN, of California, as a member of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business, to fill an existing vacancy thereon.

The message announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 9811) to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. ABBITT, Mr. HAGEN of California, Mr. STUBBLEFIELD, Mr. PURCELL, Mr. DAGUE, Mr. BELCHER, and Mr. TEAGUE of California were appointed managers on the part of the House at the conference.

HOW THE JOHN BIRCH SOCIETY ABETS THE COMMUNISTS

Mr. DODD. Mr. President last week the John Birch Society opened a headquarters in Washington, thus adding to a local menagerie of extremists which already includes the American Nazi Party and—on a visiting basis for demonstration purposes—a substantial portion of the beatnik population of the Nation.

While we have a commission to protect the architectural beauty of the district so that the Capital City will always be a place of enduring loveliness for the American people, there is no way in which we can protect the city from the political ugliness of our rightwing and leftwing extremists. We must tolerate them, as much as it affronts our sense of decency, because the Constitution must be kept inviolate.

As my colleagues know, I have been a consistent critic of the John Birch Society.

By its extremist antics—its wild charges of communism leveled against everyone with whom it disagrees, from President Eisenhower down; its campaign to impeach Chief Justice Warren; its thesis that the Communists have virtually taken control of the U.S. Government; its conspiratorial activities at community level—by these and many other irresponsible activities, the Birch Society has gravely complicated the task of responsible anti-Communists.

Indeed, the John Birch Society has been a real windfall to the Communist conspiracy because it provides them with a convenient caricature of anticommunism which they skillfully exploit to encourage the spread of anti-anti-communism.

While I know it is in bad taste to speak about one's own honors, I have recently received an accolade from the John Birch Society which I cannot resist mentioning to my colleagues.

In their August bulletin I was assailed as—and I quote their words directly "by far the most persistent, continuous, aggressive—and damaging—enemy the society has had in the U.S. Senate."

I am profoundly flattered by this designation, and I promise to do my best to merit it.

Let me take the time to read to Senators a few of the pertinent paragraphs from the recent bulletin of the John Birch Society, for the purpose of illustrating the berserk quality of the society's anticommunism, and its sweeping rejection of all those, no matter how anti-Communist, who do not share the society's lunatic beliefs:

> Nor has the American public had much opportunity to see behind the smooth and brilliant facade of Senator DODD. Our own chief interest in him should come, perhaps, from the fact that he actually boasts of having himself physically participated in the civil rights mob march on Washington, led by Bayard Rustin in August 1963. Or his other extreme support of the civil rights fraud. But it is worth noting that he practically began his career in 1935 by establishing the Connecticut division of the National Youth Administration, with all of its leftwing impact and affiliation. Also, that later he was chief trial counsel at the infamous Nuremberg trials, correctly described by Senator Taft as a blot forever on the honor of the United States. And perhaps more significant than any of these things is the fact that he is such a close friend and protege of Dean Acheson. In fact Acheson's name headed the list of members of the National Nonpartisan Committee for DODD's reelection to the Senate in 1964.
>
> Among other members of this committee were Steve Allen, Adolph Berle, Victor Borge, Irving Brown, Leo Cherne, Sidney Hook, Brig. Gen. S. L. A. Marshall, Harry and Bonaro Overstreet, Elmo Roper, and Dean Eugene Rostow.
>
> Now it so happens that several people on that list—Steve Allen, S. L. A. Marshall, and Harry Overstreet for instance—have for years been among the most vicious, outspoken, and mendacious enemies of the John Birch Society. It further so happens that Senator DODD, although many of his attacks on us have been more subtle than those, let us say, of his good friend Harry Overstreet, has for years been by far the most persistent, continuous, aggressive—and damaging—enemy the society has had in the U.S. Senate. But we have been able to take bitter and repeated attacks on ourselves—as from William F. Buckley, Jr., for instance—without ever striking back, and in fact while continuing to give our full support to the anti-Socialist efforts of the attackers.
>
> So let's make it plain that these comments are in no way prompted by Senator DODD's insidious and not so insidious thrusts at the John Birch Society. But since the Senator now has nearly 6 years tenure ahead of him before another senatorial election, and since he is now becoming so much bolder in supporting the brazen movement ever farther to the left of this administration—of whose most inner circle he is an inner part—we reluctantly concluded that it was our duty to warn our members not to be misled by the vaunted and highly publicized anticommunism of THOMAS JOSEPH DODD. For—as our excellent research department advised us fully 5 years ago—it is as shallow and opportunistic as the anticommunism of HUBERT HUMPHREY or Henry Cabot Lodge, and a misunderstanding on this point can mislead with regard to many others.

Thus spoke the bulletin of the John Birch Society.

Coming from a man of Robert Welch's genius for fantasy and obfuscation, these paragraphs are not at all surprising.

After all, this is the man who has described President Eisenhower and his brother Milton Eisenhower as members of the Red network:

> In my opinion—

He said—

> the chances are very strong that Milton Eisenhower is actually Dwight Eisenhower's superior and boss within the whole leftwing establishment.

This is also the man who said of John Foster Dulles:

> For many reasons, and after a lot of study, I personally believe Dulles to be a Communist agent who has one clearly defined role to play; namely, always to say the right things and always to do the wrong ones.

And this is the man who said of Gen. Lucius Clay that it was his function "to mess up the Berlin situation so favorably for the Russians."

According to Mr. Welch's peculiar brand of lunacy, any form of social progress, whether it is civil rights or unemployment insurance or medicare, is equated with communism. Thus, in the running scoreboard he keeps of the degree of control exercised by the Communists in various countries, Mr. Welch says that in the United States the Communists have a 60–80 percent control.

Great Britain, Italy, and Norway are supposed to be 50-70 percent controlled by the Communists, while India was 60-80 percent and Iceland 80-100 percent.

Mr. Welch has an elixir, compounded of a few fundamentalist ingredients, for solving all of our problems. All we have to do is abolish the income tax; impeach Earl Warren; reestablish States rights; get the United States out of the United Nations and the United Nations out of the United States; "put an end to the Alliance for Progress and foreign aid, and abolish Radio Free Europe, the Voice of America, the U.S. Information Service, the Peace Corps, and all similar absurdities."

What is distressing is that despite the patent lunacy of his charges and his program, Robert Welch has been able to attract the support of many thousands of people who are groping for answers about communism and who might have followed other leadership if it had established contact with them first.

Although it is proper to hope that the majority of those who today follow Robert Welch will some day come to understand the folly and danger of the course he has charted for their organization, the membership cannot altogether be exonerated.

Mr. William Buckley, the editor of National Review, in a recent series of articles assailing the John Birch Society from the standpoint of responsible conservatism, had this to say on the subject of the responsibility of the membership:

> One continues to wonder how it is that the membership of the John Birch Society tolerates such drivel. Until the members rise up and demand leadership whose programs and analyses are based on other than the premise that practically every liberal politician, every confused professor, every civil rights demonstrator, everyone who wants free medicine and civil rights legislation, and Government control of the economy, is an agent of the Communist conspiracy—until then, at least, they ought not to go about the country complaining that the society is misrepresented. Their voices are undoubtedly misrepresented. But their own voices are not the voices of the John Birch Society.

The John Birch Society is not listed as a subversive organization by the Attorney General, and, in the legal sense of the term, it was specifically found not to be a subversive organization by the California Subcommittee on Un-American Activities which looked into the activities of the Birch Society in 1963. The California subcommittee, however, noted the striking similarity between the organization and techniques of the Communist Party and the John Birch Society.

> Each has a monolithic structure—

Said the report—

> in which authority gravitates from the top down through the various echelons to the rank and file membership. Each employs front organizations which it controls from behind the scenes * * *. Each operates bookstores and reading rooms through which it spreads its ideology * * *. Each movement operates through small units scattered throughout the country. The Communists call them clubs, the Birchers call them chapters. Each publishes a monthly list of directives that establish the current line of activity. The Communists call theirs political affairs. The Birchers call theirs the John Birch Society bulletin. Each is geared to unleash a barrage of invective and attack against the other, and to bring to bear every pressure and device available.

An exceedingly interesting note on how the John Birch Society and other extremist groups have been operating in the Midwest appeared in a recent column by Mr. Charles Bartlett.

Said Mr. Bartlett:

> Rural communities are occasionally riled by strange invasions. Four families came to Pinedale from California 3 years ago. They had bank accounts of about the same size; their children cheered the assassination of President Kennedy; they preached hatred against all minority groups; and they argued that Jesus Christ was an Anglo-Saxon instead of a Jew. Some local conservatives were attracted by their zeal but a storm of resentment broke around them last winter and they moved away.

I came back to the point I made in my opening remarks—that the extremist antics of the John Birch Society serve the purpose of the Communist conspiracy. They do so not merely because they provide the Communists with a convenient caricature, but also because the organization sows hatred and division and suspicion among our people.

Despite the anti-Communist intentions of these who have joined the society, the society, in terms of its objective impact, must be put down as an unwitting abettor of the Communist conspiracy.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. KENNEDY of New York. Mr. President, it gives me great pleasure to voice today my support of the immigration bill, H.R. 2580.

The central principle of this bill—the repeal of the national origins system—was first incorporated in a bill drafted in the Department of Justice while I was Attorney General. The bill distills the accumulated experience and wisdom of 40 years—the years since the institution of the discriminatory national origins system. That system was imposed during the postwar crisis in Europe, when many in the United States feared that a continuance of unlimited immigration would lead to the coming here of tens of millions of unlettered, poverty-stricken refugees—and of hundreds of thousands of revolutionaries.

Those fears proved unfounded. And ever since 1924, we have regretted the excesses of that day. Presidents of both parties—including every President for the last quarter century—have deplored the presence in American law of discriminations directly opposed to the assumptions of our Constitution. Both political parties, for many years, have called for the repeal of this system.

All have seen how absurd the system is. Thaddeus Kosciuszko and Casimir Pulaski built liberty for all Americans—and America says to their descendants, "You are less desirable than Englishmen or Irishmen." Arturo Toscanini built a symphonic and operatic tradition on these shores, and Enrico Fermi built weapons to save our sons' lives—and America says to their countrymen, "You are less welcome here than Swedes or Germans." But we know, all America knows, that our immigrants have built this Nation—the last as well as the first.

And the follies and the random cruelties the national origins system imposes have become too clear to be ignored.

Last year, I urged passage of this immigration bill before the Subcommittee on Immigration of the House of Representatives. I told them about a widely known Turkish physician and scientist who sought to come to this country to pursue important research in treatment of heart attacks. An American medical school was anxious for his services; he was anxious to come. But because our immigration law considers Turks as less worthy than Englishmen, or Irishmen, or Germans, this doctor could not come. The United States had then been waiting a year and a half for the valuable services of this man. We waited until this summer—a total of 2½ years.

I spoke then of others equally qualified, equally likely to make major contributions to the welfare and culture of this country—a Korean radiation specialist; a Japanese microbiologist; a Greek chemist. We are still waiting for them.

Last year I noted that a maid, or an unskilled laborer from a northern European country can enter this country within a matter of weeks, while scientists or doctors or other highly skilled persons from less-favored countries wait for months and years.

Since I spoke then, about 5,000 more housemaids and unskilled laborers from northern Europe have come here. And the doctors and chemists and biologists are still waiting.

And others are waiting as well—American citizens, waiting for their parents and brothers and children. An American citizen whose mother is Greek must wait more than 5 years before she can get a visa. An American citizen whose brother, or sister, or married son or daughter is Italian or Australian, Spanish or Portuguese, Japanese or Korean, Indian or Filipino, cannot expect a visa for them until Congress passes a special bill. The last such bill, passed in 1962, admitted all such relatives who had first applied more than 8 years earlier.

A system which allows an American citizen to bring to this country a maid or a gardener overnight, but forces him to wait 8 years for his sister—makes no sense at all.

It makes even less sense when we realize that every year, tens of thousands of authorized quota visas go unused—because the principal beneficiaries of our discriminatory system neither want nor need the numbers allotted to them.

England and Ireland are assigned 83,000 numbers—over half our total—but only 32,000 come from these countries each year. The other 51,000 numbers are lost.

All this the bill will change. It will eliminate from the statute books a form of discrimination totally alien to the spirit of the Constitution. Distinctions based on race or national origin assume what our law, our traditions, and our commonsense deny: that the worth of men can be judged on a group basis.

Our ancient struggle for due process of law, for equal protection and individual rights, is the story of the struggle for individual treatment—for the proposition that no disability may be imposed on men as members of a class.

Such distinctions will now be abolished. The children of Pulaski will have the same chance to come to these shores as the children of Lafayette; the descendants of Verrazano and Columbus will have a fair chance to see the shores that their ancestors first explored. They will compete for admission to this country on the basis of their family ties here, and on their potential contribution to the welfare and culture of the United States. No longer will the place of a man's birth determine whether he has a place in America.

There is one provision of this bill, however, that is in my judgment a serious mistake. The bill would put a ceiling on immigration from the Western Hemisphere, roughly equivalent to the present rate.

Three years from now, the question of immigration from the Western Hemisphere would be reexamined.

This provision would impose a statutory limit on immigration from Latin America and Canada for the first time in our history. Even in 1920 and 1924, when the national origins system sharply limited immigration from the rest of the world, the Congress recognized the special relationship between the United States and our neighbors to the north and south, and refused to place a flat numerical limitation on immigration from the Western Hemisphere. This provision ignores that history, and that special relationship. In a world which is searching for increased cooperation and closeness between nations, the relationship of the United States with Canada and Latin America could serve as a goal and a model for others. We should not go backward now.

Placing a statutory limit on immigration in the Western Hemisphere, is, moreover, without any affirmative benefit.

The strict requirements of our law with regard to literacy, health, and ability to support oneself without displacing American workers, insure that no more immigrants will come here from the Western Hemisphere than can be reasonably absorbed.

Congress did not at that time regard this far greater volume of immigration as anything but a benefit to the United States.

Now, with a population twice as great, and a gross national product more than seven times as great, we are saying by this provision that we are fearful of immigration from the Western Hemisphere.

Our relationship with Canada and Latin America is unique in the world. In our relationship with Latin America in particular, we are engaged in a great experiment to see whether the societies which are rich and free can help those who are less free and poor, and to live in a world society in peace and harmony.

It is not in our interest to turn away from this experiment.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. KENNEDY of Massachusetts. It is my understanding that in 1924 we had an immigration from Western Hemisphere countries of 190,000 immigrants. As the Senator pointed out, assuming the fact we had 190,000 coming at that particular time, there was no effort to place a restriction on the Western Hemisphere countries.

I believe that in light of the history of our relationship with the Western Hemisphere countries, it is important to indicate to our Latin American and Canadian friends that there are many of us deeply concerned about this particular provision in the legislation.

I wanted to ask the Senator whether it was his feeling, given the history of our relationships within the Western Hemisphere, that the provisions of this bill are of a restrictive nature?

Mr. KENNEDY of New York. Let me say to the Senator from Massachusetts that I do. The 1924 population was only 100 million—about 190,000 immigrants came from Latin American countries—and the gross national product of the United States was only $86 billion. Today the population of the United States is 190 million, and the gross national product is more than $600 billion.

Certainly, if we could afford no limitation at that time, it would seem unreasonable to propose a limitation at this time. We have a special relationship with the countries of Latin America.

Mr. KENNEDY of Massachusetts. As I understand, the bill as it passed the House provided for a moving or sliding formula; that is, if hemispheric immigration exceeded by more than 10 percent the mean of the previous 5 years, it would be the responsibility of the President to report to Congress with recommendations, if any. Does the Senator from New York feel that this kind of provision along with the other provisions in the proposed legislation, such as the tightening of the labor restrictions and the health and the public charge provisions, would have served us well in seeing that there would not be a wave of individuals who would come to the United States from the Western Hemisphere countries?

Mr. KENNEDY of New York. That is correct. Therefore immigration from the Western Hemisphere is, I believe, a gratuitous issue at this time. And this is particularly true when we consider our relationship with Latin America and Canada, which is so close.

It is an example to other countries all over the world where people have trouble getting along with their neighbors.

All we have to do is look around at Vietnam, South Vietnam, Cambodia, Pakistan, and India, the problems in the Middle East and Arab countries, and even Jordan and Egypt.

Here we have this close relationship that exists between our 21 nations to the south—20 close, intimate friends of ours—and Canada to the north. I believe it should be continued.

I do not think this adds to it and I am opposed to it.

Mr. KENNEDY of Massachusetts. As a final point, I believe there have been many who suggested if we had not adopted the ceiling of 120,000 we would be opening the floodgates, so to speak, to the tremendous population growth and development in Central America and South America.

But I hasten to add, as the Senator from New York pointed out, in our colloquy, that this bill still provides strong safeguards with regard to the Secretary of Labor and the Secretary of Health, Education, and Welfare, so far as the health provisions, the public charge provisions, and so forth. Therefore, we are making a generalization that without this kind of firm ceiling we would be opening up our floodgates. It is unrealistic.

Does the Senator agree?

Mr. KENNEDY of New York. I agree.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent to place in the RECORD at this point the separate views filed by myself and Senators HART and JAVITS on this matter.

There being no objection, the separate views were ordered to be printed in the RECORD, as follows:

SEPARATE VIEWS OF MR. KENNEDY OF MASSACHUSETTS, MR. HART, AND MR. JAVITS

The 1965 amendments to the Immigration and Nationality Act, as reported by the Senate Judiciary Committee, contain a numerical ceiling of 120,000 quota numbers for the Western Hemisphere, effective July 1, 1968. This restriction was placed in the bill, over our opposition, during the Senate Immigration Subcommittee's consideration of H.R. 2580. The amendment to the bill also calls for the establishment of a Select Commission on Western Hemisphere Immigration to study and report to the Congress on the demographic, economic, and social trends in this hemisphere and their implications for U.S. immigration policy.

At no other time in the history of our immigration policy have we disturbed or altered the unique relationship that exists among the nations of the New World. The direction of the many treaties and formal agreements between the nations of this hemisphere has been one of bringing greater unity among friends—not the imposition of restrictions. Even with enactment of our most restrictive general immigration law in 1924, special recognition was given to Western Hemisphere countries, at a time when total immigration from the hemisphere to the United States was almost double our present average experience. Yet today, in an unprecedented period of U.S. power and affluence, we are faced with the possibility of placing a quota for the first time on immigration from this hemisphere.

The existence of a nonquota status for nationals of the Western Hemisphere has never been considered a form of discrimination against the other nations of the world, for the distinction was not based on race, religion, or ethnic origin. It was a firm indication of our esteem for our good neighbors and our pride in the special solidarity that exists among the people of this hemisphere. Now. despite the absence of any real immigration problem, and the presence of more stringent qualitative controls on entry to this country, it is proposed that we take this

> historic step backward in our otherwise progressive Western Hemisphere policies.
>
> We consider this decision by the Senate Immigration Subcommittee to be most regrettable. The majority of the hemisphere immigrants come to us from our closest neighbors—Canada and Mexico. We have long welcomed especially the contributions of these nations to our culture and society.
>
> It is our hope, should this provision remain in the bill, that the Select Commission on Western Hemisphere Immigration, having time to give proper consideration to this issue, will see the benefits that would result from a continuation of our present immigration policy within the Americas and recommend the elimination of the quota limitation in this bill prior to its effective date.
>
> Edward M. Kennedy.
> Philip A. Hart.
> Jacob K. Javits.

Mr. ERVIN. Mr. President, would the Senator yield so that I may make some observations, without losing his right to the floor?

Mr. KENNEDY of New York. I would be happy to yield.

Mr. ERVIN. The colloquy between the Senator from New York and the Senator from Massachusetts regarding a Western Hemisphere ceiling reminds me that on February 25, 1955, the then Senator Lehman of New York, on behalf of himself, Senator Green from Rhode Island, Senator Humphrey from Minnesota, Senator Kefauver from Tennessee, the late President Kennedy, while he was serving as a Member of this body, Senator Langer of North Dakota, Senator Chavez of New Mexico, Senator Magnuson of Washington, Senator McNamara of Michigan, Senator Morse of Oregon, Senator Murray of Montana, Senator Pastore of Rhode Island, and the late Senator Richard Neuberger of Oregon, introduced a bill to replace the so-called McCarran-Walter Act.

In stating the principal purposes of this bill, Senator Lehman said that the bill was to establish an annual world immigration ceiling of approximately 250,000 a year. Then, he stated that one of the major purposes would be to require all ordinary immigration from the Western Hemisphere to be included within the annual quota limits.

In other words, the bill which was introduced by Senator Lehman and his cosponsors on February 25, 1955, proposed a worldwide immigration quota of 250,000 persons and covered the Western Hemisphere along with the Eastern Hemisphere.

On February 25, 1955, the same day, Senator Lehman, in a speech in the Senate, said:

> A major feature of the proposed act is its consolidation, within the quota, of all general immigration, including immigration from the Western Hemisphere. This has been done in order to put all foreign countries on the same basis consistent with the best interest and needs of the United States. Thus the proposed act does not give nonquota status, as present law does, to aliens born in the Western Hemisphere, with the right to immigrate to the United States without limitation as to number.

Senator Lehman then testified in favor of the bill before the Committee on the Judiciary on November 22, 1955. In the course of his testimony, he said:

> I say to those who criticize placing Western Hemisphere nations under the quota system—let's be fair to all. The same criteria should apply to all peoples, regardless of the place of their birth. I believe our Latin American neighbors will respect us for such a policy.

Two years prior to that time, on August 3, 1953, Senator Lehman, who was the first person to introduce a bill to abolish the national origins quota system of the McCarran-Walter Act, said this on the same subject:

> In the place of the national origins quota system a new unified quota system has been substituted. This new system, for the first time, places all general immigration for permanent residence, including immigration from the Western Hemisphere, within the framework of the liberalized quota system, and makes that system equitable and nondiscriminatory in all respects while at the same time maintaining a regulated and closely supervised flow of immigration to these shores.

I cite these statements because I believe they have a direct bearing on the subject the Senator from New York is discussing. I recognize that there is a difference of opinion on this point. Some take the position that it would be wiser not to impose a limitation on immigration from the Western Hemisphere; others take Senator Lehman's position. This is my position for two reasons: In the first place, such a limitation would abolish discrimination in favor of the Western Hemisphere as against the Eastern Hemisphere; and, in the second place, it would be wiser at this time to impose a limitation, because, at a future date, when we receive pressure for immigration from those countries, it will be more difficult to impose restrictions.

I think all of us agree that we do not want unrestricted immigration; that the country is no longer in a position to accept unrestricted immigration. I feel we should be consistent in applying our restrictions.

As the Senator from Massachusetts [Mr. Kennedy] said a moment ago, the bill contains a safeguard in that it postpones the effective date of the limitation on immigration from the Western Hemisphere until July 1, 1968, and establishes a commission to study this problem, in the meantime.

I thank the Senator from New York for yielding and giving me the opportunity to call attention to the statements made by the late Senator Lehman in 1953 and 1955.

Mr. KENNEDY of New York. I appreciate the courtesy of the Senator from North Carolina. I appreciate also the force of his argument and the position that was taken a decade ago by Senator Lehman and others, including, as I believe the Senator from North Carolina mentioned, Senator Kennedy of Massachusetts.

Mr. ERVIN. Yes. The late Senator from New York, Mr. Lehman, advocated, in prior sessions of Congress, many of the features of the bill now before the Senate. It is rather significant that this bill should be the culmination of the many recommendations made by the late Senator from New York, and also that they should have been approved and advocated by the late former Senator John F. Kennedy, brother of the distinguished junior Senator from New York, who himself has had much to do with bringing this legislation to fruition, and whose brother, the distinguished Senator from Massachusetts, who is managing the bill so well.

Mr. KENNEDY of New York. I thank the Senator from North Carolina. But I repeat my belief that our relationship with Canada and Latin America is unique in the world. Our relationship with Latin America, in particular, is of special importance at this time. We are engaged in a great experiment, to see whether societies which are rich and free can help those which are less free and poor, in a feeling of partnership, to live in a world society in peace and harmony. I believe it is not in our interest to turn away from this experiment at the present time; I think we would be in error in doing so.

The hardships and the inequities that will be righted by this bill can be seen from the files of any Senator.

Mrs. Berta Alfassa is an elderly widow, whose one sister is an American citizen. She would like to spend her last years with her sister and brother-in-law here in New York State; but the Greek fourth-preference quota is filled for longer than Mrs. Alfassa can expect to live. When this bill is passed, she will be able to come to this country within 2 years time.

Salvatore and Terresa Alanzone and their three daughters want to join their family here. Because the Italian fourth-preference quota does not exist, they have been waiting since September of 1954. Mr. Alanzone is 61 and his wife is 55; under the present system, no visa would be available for them for an indefinite time. But under the bill we are now passing, the Alanzones will join their loved ones here before the year is out.

Wong Chik Chi has been waiting to join her daughter, Yuet Woo Hom, a citizen of the United States. Under present law, it is difficult to tell how much longer their mother and daughter will have to wait to be reunited, but under the new bill, which gives nonquota status to parents of American citizens, they would be reunited as fast as papers could be processed.

Mrs. Ruth Alony was born in Israel. She came here as a student, and last year married a native Israeli now resident in the United States awaiting his citizenship. Because the Israeli quota is so small, she cannot remain here. She and her husband are faced with a cruel choice; either she must return to Israel and leave him here to await his citizenship, or her visa; or he must return to Israel with her and forfeit his chance for citizenship. But the bill we are now enacting into law would give her a visa almost immediately.

But to my mind most important, we need immigration. The history of America, as Oscar Handlin has said, is the history of immigrants.

Our strength is in variety, not sameness. Our unity is that of the living, not the graveyard. Our greatness we owe not to the bayonet, or to the atomic bomb, but to our capacity to attract and absorb the richness of diversity—because to all men we attempt to secure the same measure of freedom and opportunity.

Yet our immigration policy has lagged behind the promises of our tradition and the progress of the world. Trade crosses borders ever more freely; capital flows by the mere entering of figures on ledgers; ideas spirit from one country to another as fast as the printing press and the airplane can carry them; news, protests, approvals, anger and gratitude travel with the speed of light. But people—the people who make the goods, create the capital, think and live the ideas—move almost as slowly as if the airplane or even the railroad had never been invented.

Robert Young, in his campaign for railroad reform, used to say:

> A hog can go coast to coast without changing trains—but you can't.

And so it is now; Olivetti typewriters and Fellini movies come here more smoothly and easily than the gifted people who make them.

This is the central problem of immigration today; that the law has not kept pace with the development of this Nation and of the world. It has not recognized that one people is not intrinsically superior or inferior to another people. It has not recognized that individuals have rights irrespective of their citizenship. It has not recognized that the relevant community is not merely the nation but all men of good will. It has not recognized that no human institution can cease to change and grow—without dying.

It is time that the law catch up to the world. And it is time that we help it to do so.

This legislation would accomplish this end. I am therefore pleased to have played a part in its creation. I am proud to work for it now. I think we will all be proud of its passage.

The **PRESIDING OFFICER.** The senior Senator from Oregon is recognized.

Mr. **MORSE.** Mr. President, I suggest that a page ask the Senator from Mississippi [Mr. STENNIS] to step into the Chamber.

Mr. **KENNEDY** of Massachusetts. Mr. President, with the permission of the senior Senator from Oregon, I should like to commend the junior Senator from New York.

Mr. **MORSE.** Mr. President, first, I commend the junior Senator from New York for his speech. I join him in commending the committee for their report on this bill.

Some of us have worked many years for this particular hour in trying to bring about the passage of a bill that would bring to an end what is considered to be gross discrimination and injustice in regard to the national origins aspect of our immigration policy.

I commend both the Senator from New York and the Senator from Massachusetts.

The Senator from Mississippi is present in the Chamber. I wish to state that shortly he and I propose to give a brief legislative history of the Defense appropriations bill.

The Senator from Mississippi has another engagement and must leave at an early hour. However, I am sure that he can stay long enough for the chairman of the subcommittee to make such comment as he cares to make.

Mr. **KENNEDY** of New York. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. **KENNEDY** of New York. Who has the floor?

The **PRESIDING OFFICER.** The Presiding Officer is under the impression that the Senator from New York has yielded the floor and the Chair then recognized the senior Senator from Oregon.

Mr. **MORSE.** Mr. President, if the Senator did not yield the floor, I apologize and yield the floor back to the Senator from New York.

Mr. **KENNEDY** of New York. Mr. President, I only have a few more moments.

Mr. **KENNEDY** of Massachusetts. Mr. President, I commend the Senator from New York for his presentation here this afternoon and state that we were fortunate in the early part of the hearings to have the testimony of the Senator from New York on S. 500, which was the original Senate bill this year and which lead to the bill that the Senate is considering today.

Senate bill 500 was introduced in this body by the Senator from Michigan [Mr. HART]. This bill was the result of the constant work and deliberation of the Senator from Michigan [Mr. HART], and the Justice Department under the then Attorney General Kennedy.

I know that it was the basis of many of the ideas which are included in H.R. 2580. Many of those ideas have been worked over, developed and considered over a considerable period of time. The members of the committee appreciated the testimony that was given by the Senator from New York and appreciated the work of the Justice Department in placing before us the raw piece of marble that has now become H.R. 2580. Much of this groundwork was done when the junior Senator from New York was Attorney General.

I believe that this is a matter of record and should be noted by the Senate.

Mr. **KENNEDY** of New York. Mr. President, the Senator from North Carolina was kind enough to mention my involvement in this matter several years ago and also the work done by the junior Senator from Massachusetts, my younger brother, who is the Senator in charge of the bill at the present time.

I should like to mention also that President Kennedy was interested in this matter before either of us, when he was in the House of Representatives, when he was a Senator, and finally when he became the President of the United States in 1961.

President Kennedy wrote a book entitled, "A Nation of Immigrants." The work on that book was not completed in November 1963. The work on that book continued after November of 1963 under my general supervision, together with Mr. Mike Feldman at the White House. We contributed ideas to the book, as did my brother, the junior Senator from Massachusetts.

The book traces the immigration progress here in the United States and also the role that President Kennedy played in that progress and how he felt about the matter.

Mr. President, I ask unanimous consent that this book, which is relatively small, be printed at this point in the RECORD.

There being no objection, the book was ordered to be printed in the RECORD, as follows:

A NATION OF IMMIGRANTS

(By John F. Kennedy)

INTRODUCTION BY ROBERT F. KENNEDY

I know of no cause which President Kennedy championed more warmly than the improvement of our immigration policies. Our attitude toward the immigrant has gradually matured to a full appreciation of the contribution he can make and has made to American life. Much of the story of that development is set forth in this book. But recent years have witnessed a legislative lag.

Every forward step in immigration legislation since World War II bore the John F. Kennedy imprint: the Displaced Persons Act and the Refugee Relief Act, which he sponsored while in Congress; the 1957 bill to bring families together, which he led to passage in the Senate; and the comprehensive reform of our law which he recommended to Congress as President.

In 1958, while the fight for the 1957 amendments was still fresh, he published his first edition of this book. It was deliberately designed to provide those who were unfamiliar with this aspect of our history with an appreciation of the enormous contributions to American life made by immigrants. He felt that this understanding was essential to any future effort to eliminate the discrimination and cruelty of our immigration laws.

When President Kennedy sent his historic message to Congress calling for a complete revision of the law, he decided it was also time to revise the book for use as a weapon of enlightenment in the coming legislative battle.

He was working on the book at the time of the assassination. It was decided that it should be published posthumously. This legacy should not be denied those committed to the battle for immigration reform.

President Kennedy's interest in the immigrant and in the law governing his admission to the United States sprang from many sources. He was himself only two generations removed from an immigrant. On his sentimental visit to Ireland in June of 1963, he stood at the spot from which Patrick Kennedy embarked, and said:

"When my great-grandfather left here to become a cooper in East Boston, he carried nothing with him except a strong religious faith and a strong desire for liberty. If he hadn't left, I would be working at the Albatross Co. across the road."

For 14 years, in the House and in the Senate, he represented Massachusetts, which has the highest percentage of foreign nationality groups of any State in our country. President Kennedy met with them, in their homes and factories, at their picnics and cultural events. He admired their heritage and their determination to succeed. A student of history, President Kennedy understood the fruitful interplay between the immigrants and the Nation they adopted. They must be given full credit for changing America from a colony to a leader of the free world, from a predominantly agricultural economy to a highly diversified, highly skilled industrial complex.

Our attitude toward immigration reflects our faith in the American ideal. We have always believed it possible for men and women who start at the bottom to rise as far as their talent and energy allow. Neither race nor creed nor place of birth should affect their chances.

As I stated before the House Judiciary Subcommittee on Immigration and Nationality in July 1964, it is my conviction that there are few areas in our law which more urgently demand than our present unfair system of choosing the immigrants we will allow to enter the United States. It is a source of embarrassment to us around the world. It is a source of anguish to many of our own citizens with relatives abroad. It is a source of loss to the economic and creative strength of our Nation as a whole.

There is no reason to believe that anything has happened to change the relation between America and its immigrants. The number of people who wish to come here today is much smaller than it was in the 19th century. But their aspirations are the same. Their need is as great. The contribution they can make is, if anything, even greater.

In this book, President Kennedy tells us what immigrants have done for America, and what America has done for its immigrants. It is one of the dramatic success stories of world history. I am very happy that this book is being reissued now, so it can stand as a testament to a cause President Kennedy cherished, and which we should carry on.

CHAPTER 1—A NATION OF NATIONS

On May 11, 1831, Alexis de Tocqueville, a young French aristocrat, disembarked in the bustling harbor of New York City. He had crossed the ocean to try to understand the implications for European civilization of the new experiment in democracy on the far side of the Atlantic. In the next 9 months, Tocqueville and his friend Gustave de Beaumont traveled the length and breadth of the eastern half of the continent—from Boston to Green Bay and from New Orleans to Quebec—in search of the essence of American life.

Tocqueville was fascinated by what he saw. He marveled at the energy of the people who were building the new Nation. He admired many of the new political institutions and ideals. And he was impressed most of all by the spirit of equality that pervaded the life and customs of the people. Though he had reservations about some of the expressions of this spirit, he could discern its workings in every aspect of American society—in politics, business, personal relations, culture, thought. This commitment to equality was in striking contrast to the class-ridden society of Europe. Yet Tocqueville believed "the democratic revolution" to be irresistible.

"Balanced between the past and the future," as he wrote of himself, "with no natural instinctive attraction toward either, I could without effort quietly contemplate each side of the question." On his return to France, Tocqueville delivered his dispassionate and penetrating judgment of the American experiment in his great work "Democracy in America." No one, before or since, has written about the United States with such insight. And, in discussing the succesive waves of immigration from England, France, Spain, and other European countries, Tocqueville identified a central factor in the American democratic faith:

"All these European colonies contained the elements, if not the development, of a complete democracy. Two causes led to this result. It may be said that on leaving the mother country the emigrants had, in general, no notion of superiority one over another. The happy and powerful do not go into exile, and there are no surer guarantees of equality among men than poverty and misfortune."

To show the power of the equalitarian spirit in America, Tocqueville added: "It happened, however, on several occasions, that persons of rank were driven to America by political and religious quarrels. Laws were made to establish a gradation of ranks; but it was soon found that the soil of America was opposed to a territorial aristocracy."

What Alexis de Tocqueville saw in America was a society of immigrants, each of whom had begun life anew, on an equal footing. This was the secret of America: a nation of people with the fresh memory of old traditions who dared to explore new frontiers, people eager to build lives for themselves in a spacious society that did not restrict their freedom of choice and action.

Since 1607, when the first English settlers reached the New World, over 42 million people have migrated to the United States. This represents the largest migration of people in all recorded history. It is two and a half times the total number of people now living in Arizona, Arkansas, Colorado, Delaware, Idaho, Kansas, Maine, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, and Wyoming.

Another way of indicating the importance of immigration to America is to point out that every American who ever lived, with the exception of one group, was either an immigrant himself or a descendant of immigrants.

The exception? Will Rogers, part Cherokee Indian, said that his ancestors were at the dock to meet the *Mayflower*. And some anthropologists believe that the Indians themselves were immigrants from another continent who displaced the original Americans—the aborigines.

In just over 350 years, a nation of nearly 200 million people has grown up, populated almost entirely by persons who either came from other lands or whose forefathers came from other lands. As President Franklin D. Roosevelt reminded a convention of the Daughters of the American Revolution, "Remember, remember always, that all of us, and you and I especially, are descended from immigrants and revolutionists."

Any great social movement leaves its mark, and the massive migration of peoples to the New World was no exception to this rule. The interaction of disparate cultures, the vehemence of the ideals that led the immigrants here, the opportunity offered by a new life, all gave America a flavor and a character that make it as unmistakable and as remarkable to people today as it was to Alexis de Tocqueville in the early part of the 19th century. The contribution of immigrants can be seen in every aspect of our national life. We see it in religion, in politics, in business, in the arts, in education, even in athletics and in entertainment. There is no part of our Nation that has not been touched by our immigrant background. Everywhere immigrants have enriched and strengthened the fabric of American life. As Walt Whitman said:

> These States are the amplest poem,
> Here is not merely a nation but a
> teeming Nation of nations.

To know America, then, it is necessary to understand this peculiarly American social revolution. It is necessary to know why over 42 million people gave up their settled lives to start anew in a strange land. We must know how they met the new land and how it met them, and, most important, we must know what these things mean for our present and for our future.

CHAPTER 2—WHY THEY CAME

Little is more extraordinary than the decision to migrate, little more extraordinary than the accumulation of emotions and thoughts which finally leads a family to say farewell to a community where it has lived for centuries, to abandon old ties and familiar landmarks, and to sail across dark seas to a strange land. Today, when mass communications tell one part of the world all about another, it is relatively easy to understand how poverty or tyrany might compel people to exchange an old nation for a new one. But centuries ago migration was a leap into the unknown. It was an enormous intellectual and emotional commitment. The forces that moved our forebears to their great decision—the decision to leave their homes and begin an adventure filled with incalculable uncertainty, risk and hardship—must have been of overpowering proportions.

Oscar Handlin, in his book "The Uprooted," describes the experience of the immigrants:

"The crossing immediately subjected the emigrant to a sucession of shattering shocks and decisively conditioned the life of every man that survived it. This was the initial contact with life as it was to be. For many peasants it was the first time away from home, away from the safety of the circumscribed little villages in which they had passed all their years. Now they would learn to have dealings with people essentially different from themselves. Now they would collide with unaccustomed problems, learn to understand alien ways and alien languages, manage to survive in a grossly foreign environment."

Initially, they had to save up money for passage. Then they had to say goodby to cherished relatives and friends, whom they could expect never to see again. They started their journey by traveling from their villages to the ports of embarkation. Some walked; the luckier trundled their few possessions into carts which they sold before boarding ship. Some paused along the road to work in the fields in order to eat. Before they even reached the ports of embarkation, they were subject to illness, accidents, storm and snow, even to attacks by outlaws.

After arriving at the ports, they often had to wait days, weeks, sometimes months, while they bargained with captains or agents for passage. Meanwhile, they crowded into cheap lodginghouses near the quays, sleeping on straw in small, dark rooms, sometimes as many as 40 in a room 12 by 15 feet.

Until the middle of the 19th century the immigrants traveled in sailing vessels. The average trip from Liverpool to New York took 40 days; but any estimate of time was hazardous, for the ship was subject to winds, tides, primitive navigation, unskilled seamanship and the whim of the captain. A good size for the tiny craft of those days was 300 tons, and each one was crowded with anywhere from 400 to a thousand passengers.

For the immigrants, their shipboard world was the steerage, that confined space below deck, usually about 75 feet long and 25 feet wide. In many vessels no one over 5½ feet tall could stand upright. Here they lived their days and nights, receiving their daily ration of vinegar-flavored water and trying to eke out sustenance from whatever provisions they had brought along. When their food ran out, they were often at the mercy of extortionate captains.

They huddled in their hard, cramped bunks, freezing when the hatches were open, stifling when they were closed. The only light came from a dim, swaying lantern. Night and day were indistinguishable. But they were ever aware of the treacherous winds and waves, the scampering of rats and the splash of burials. Diseases—cholera, yellow fever, smallpox and dysentery—took their toll. One in ten failed to survive the crossing.

Eventually the journey came to an end. The travelers saw the coast of America with mixed feelings of relief, excitement, trepidation and anxiety. For now, uprooted from old patterns of life, they found themselves in Handlin's phrase, "in a prolonged state of crisis—crisis in the sense that they were, and remained, unsettled." They reached the new land exhausted by lack of rest, bad food, confinement and the strain of adjustment to new conditions. But they could not pause to recover their strength. They had no reserves of food or money; they had to keep moving until they found work. This meant new strains at a time when their capacity to cope with new problems had already been overburdened.

There were probably as many reasons for coming to America as there were people who came. It was a highly individual decision. Yet it can be said that three large forces—religious persecution, political oppression and economic hardship—provided the chief motives for the mass migrations to our shores. They were responding, in their own way, to the pledge of the Declaration of Independence: the promise of "life, liberty and the pursuit of happiness."

The search for freedom of worship has brought people to America from the days of the Pilgrims to modern times. In our own day, for example, anti-Semitic and anti-Christian persecution in Hitler's Germany and the Communist empire have driven people from their homes to seek refuge in America. Not all found what they sought immediately. The Puritans of the Massachusetts Bay Colony, who drove Roger Williams and Anne Hutchinson into the wilderness, showed as little tolerance for dissenting beliefs as the Anglicans of England had shown to them. Minority religious sects, from the Quakers and Shakers through the Catholics and Jews to the Mormons and Jehovah's Witnesses, have at various times suffered both discrimination and hostility in the United States.

But the very diversity of religious belief has made for religious toleration. In demanding freedom for itself, each sect had increasingly to permit freedom for others. The insistence of each successive wave of immigrants upon its right to practice its religion helped make freedom of worship a central part of the American creed. People who gambled their lives on the right to believe in their own God would not lightly surrender that right in a new society.

The second great force behind immigration has been political oppression. America has always been a refuge from tyranny. As a nation conceived in liberty, it has held out to the world the promise of respect for the rights of man. Every time a revolution has failed in Europe, every time a nation has succumbed to tyranny, men and women who love freedom have assembled their families and their belongings and set sail across the seas. Nor has this process come to an end in our own day. The Russian Revolution, the terrors of Hitler's Germany and Mussolini's Italy, the Communist suppression of the Hungarian Revolution of 1956, and the cruel measures of the Castro regime in Cuba—all have brought new thousands seeking sanctuary in the United States.

The economic factor has been more complex than the religious and political factors. From the very beginning, some have come to America in search of riches, some in flight from poverty, and some because they were bought and sold and had no choice.

And the various reasons have intertwined. Thus some early arrivals were lured to these shores by dreams of amassing great wealth, like the Spanish conquistadors in Mexico and Peru. These adventurers, expecting quick profits in gold, soon found that real wealth lay in such crops as tobacco and cotton. As they built up the plantation economy in States like Virginia and the Carolinas, they needed cheap labor. So they began to import indentured servants from England, men and women who agreed to labor a term of years in exchange for eventual freedom, and slaves from Africa.

The process of industrialization in America increased the demand for cheap labor, and chaotic economic conditions in Europe increased the supply. If some immigrants continued to believe that the streets of New York were paved with gold, more were driven by the hunger and hardship of their native lands. The Irish potato famine of 1845 brought almost a million people to America in 5 years. American manufacturers advertised in European newspapers, offering to pay the passage of any man willing to come to America to work for them.

The immigrants who came for economic reasons contributed to the strength of the new society in several ways. Those who came from countries with advanced political and economic institutions brought with them faith in those institutions and experience in making them work. They also brought technical and managerial skills which contributed greatly to economic growth in the new land. Above all, they helped give America the extraordinary social mobility which is the essence of an open society.

In the community he had left, the immigrant usually had a fixed place. He would carry on his father's craft or trade; he would farm his father's land, or that small portion of it that was left to him after it was divided with his brothers. Only with the most exceptional talent and enterprise could he break out of the mold in which life had cast him. There was no such mold for him in the New World. Once having broken with the past, except for sentimental ties and cultural inheritance, he had to rely on his own abilities. It was the future and not the past to which he was compelled to address himself. Except for the Negro slave, he could go anywhere and do anything his talents permitted. A sprawling continent lay before him, and he had only to weld it together by canals, by railroads and by roads. If he failed to achieve the dream for himself, he could still retain it for his children.

This has been the foundation of American inventiveness and ingenuity, of the multiplicity of new enterprises, and of the success in achieving the highest standard of living anywhere in the world.

These were the major forces that triggered this massive migration. Every immigrant served to reinforce and strengthen those elements in American society that had attracted him in the first place. The motives of some were commonplace. The motives of others were noble. Taken together they add up to the strengths and weaknesses of America.

The wisest Americans have always understood the significance of the immigrant. Among the "long train of abuses and usurpations" that impelled the framers of the Declaration of Independence to the fateful step of separation was the charge that the British monarch had restricted immigration: "He has endeavored to prevent the population of these States; for that reason obstructing the laws for the naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands."

CHAPTER 3—WAVES OF IMMIGRATION—THE PRE-REVOLUTIONARY FORCES

Immigration flowed toward America in a series of continuous waves. Every new migration gathered force, built momentum, reached a crest and then merged imperceptibly into the great tide of people already on our shores.

The name "America" was given to this continent by a German mapmaker, Martin Waldseemüller, to honor an Italian explorer, Amerigo Vespucci. The three ships which discovered America sailed under a Spanish flag, were commanded by an Italian sea captain, and included in their crews an Englishman, an Irishman, a Jew and a Negro.

Long before the colonies were settled, the Spanish and French explorers left evidences of their visits on great expanses of the American wilderness: the Spanish in a wide arc across the southern part of the country, from Florida, where they founded St. Augustine, our oldest city, in 1565, through Texas and New Mexico, to California; the French, up and down the Mississippi and Ohio River valleys. Spanish influence can be seen today in our architecture, in the old missions, in family names and place names such as Los Angeles, San Francisco and Sacramento; the French influence is apparent in many towns and cities still bearing the names of the original settlements, such as Cadillac, Champlain and La Salle.

The first wave of settlement came with the colonists at Jamestown in 1607 and at Plymouth in 1620. It was predominantly English in origin. The urge for greater economic opportunity, together with the desire for religious freedom, impelled these people to leave their homes. Of all the groups that have come to America, these settlers had the most difficult physical environment to master, but the easiest social adjustment to make. They fought a rugged land, and that was hard. But they built a society in their own image, and never knew the hostility of the old toward the new that succeeding groups would meet.

The English, the numerical majority of the first settlers, gave America the basic foundation of its institutions: our form of government, our common law, our language, our tradition of freedom of religious worship. Some of these concepts have been modified as the Nation has grown, but the basic elements remain. Those who came later built upon these foundations. But America was settled by immigrants from many countries, with diverse national ethnic and social backgrounds.

There were both indentured servants and profit-seeking aristocrats from England. There were farmers, both propertied and bankrupt, from Ireland. There were discharged soldiers, soldiers of fortune, scholars, and intellectuals from Germany. The colonies welcomed all men, regardless of their origin or birth, so long as they could contribute to the building of the country. The Dutch settled Nieuw Amsterdam and explored the Hudson River. The Swedes came to Delaware. Polish, German, and Italian craftsmen were eagerly solicited to join the struggling Virginia colonists in Jamestown. The Germans and Swiss opened up the back country in Pennsylvania, New York, Virginia, and the Carolinas. French Huguenots took root in New England, New York, South Carolina, and Georgia. The Scots and the Irish were in the vanguard that advanced the frontier beyond the Alleghenies. When Britain conquered Nieuw Amsterdam in 1664, it offered citizenship to immigrants of 18 different nationalities.

At one time it seemed the continent might ultimately divide into three language sections: English, Spanish and French. But the English victories over the French and the purchase of territories held by the French and Spanish resulted in the creation of an indivisible country, with the same language, customs and government. Yet each ethnic strain left its own imprint on the new land.

Thus the very name of our country, "The United States of America," was borrowed from "The United States of the Netherlands."

Many "typical American" activities are Dutch in origin. The immigrants from Holland brought to this country ice-skating, bowling, many forms of boating and golf (which they called kolf); they gave us waffles, cookies and that staple of the American menu, the doughnut (originally kruller). To our folklore they contributed the figure of Santa Claus and his reindeer, and the many tales of the Hudson Valley. Examples of their architecture can still be seen on the banks of the Hudson today.

French colonial immigration had two main sources. The Protestant Huguenots came here in considerable numbers after persecution resumed as the result of the revocation of the Edict of Nantes in 1685. The Catholic "Acadians" came here after their exile from Nova Scotia in 1755 when that land fell under British rule.

The Huguenots settled in the larger trading towns of New England, later spreading down through Pennsylvania and Virginia, and in South Carolina. A Huguenot family presented Faneuil Hall, a shrine of American liberty, to the city of Boston. Many of the beautiful houses which make Charleston so picturesque today were built originally by Huguenots.

The Acadians, relatively few in numbers, scattered mostly along the eastern seaboard. But a colony of them settled in Louisiana, along the bayous to the west and north of New Orleans. They were relatively isolated, and as they grew in number, they kept their language, their customs, their faith and folklore, even abiding by the Napoleonic Code rather than English law. Today, sometimes known as "Cajuns," they provide one of the most distinctive ethnic elements on the American scene.

During and after the French Revolution of 1789, French musicians, dancing masters, tutors, and wigmakers, once employed by the now deposed aristocrats, added a touch of grace to the homespun life of the new nation. They introduced the French art of cooking, as well as the cotillion, the waltz, and the quadrille. French-Spanish émigrés from the West Indies made New Orleans into a great cultural and social center. The first opera to be given in America was produced in that city. The only major American city built according to a systematic plan, Washington, D.C., was designed by the French Army Engineer Maj. Pierre Charles L'Enfant.

The early Swedes, too, made their contribution to American culture—in particular, the knowledge of how to build houses from squared-off timbers. This structure was later to become the mark of the frontier, where it was known as the log cabin.

Over 2,000 Jews came to this country in pre-Revolutionary days. Most were from Spain or Portugal. Some established themselves in the Dutch colony of Nieuw Amsterdam, after winning recognition of their right to trade, travel, and live in the colony from Peter Stuyvesant. Others settled in Newport, R.I., then a thriving center of the maritime trade. Many prospered as merchants in the West India trade, which included sugar, rum, and molasses. The oldest synagogue in the United States, built in 1763, is located in Newport, R.I.

Among the earliest settlers in Pennslyvania were Welsh farmers who came here for economic reasons and out of a desire to revive Welsh nationalism. In years 1683–99, they were augmented by Welsh Quakers who came to escape religious persecution. Their presence is reflected by such place names as Bryn Mawr and Radnor, and in the sturdy farmhouses of the area, still standing after almost 300 years.

The pre-Revolutionary Irish immigration is usually referred to as Scotch-Irish, since it consisted largely of Scots who had settled in Ireland during the 17th century.

These were the frontiersmen, ideally suited by their previous environment and experience to spearhead the drive against the colonial frontiers. They pushed out almost at once to the edge of the wilderness in Pennsylvania, Maryland, and Maine, and down the great valley to the Carolina Piedmont. Through them, Presbyterianism became a powerful force on the frontier. The Scotch Presbyterians founded many institutions of higher learning, beginning with Princeton in 1746.

In 1683, 13 German families arrived in Philadelphia. They were the forerunners of a substantial migration from Germany. With them there also came Swiss, Alsatians, Dutch and Bohemians. By the eve of the Revolution there were over 100,000 German immigrants and descendants of German immigrants living in the United States. They constituted the first numerical challenge to the hitherto predominantly English population.

Some were Pietists, Moravians and Mennonites, sects in some ways similar to the Quakers. They found in William Penn's colony a sympathetic climate in which they could practice their beliefs without interference.

Those of their descendants who live today in and around Lancaster County, Pa., are known as the "Pennsylvania Dutch." They have made of their land a model of conservationist farming. Nearly 300 years after they first broke ground, their land is as fertile and productive as they found it. They built the first Conestoga wagon, a vehicle which was to prove immensely useful to the settlement of the West.

Other German immigrants were members of other religious groups, such as the Amish and the Dunkards, who like to be known as "the plain people." They have changed little in their folkways and religious practices. They still wear their traditional clothing and follow traditional customs, providing, like the Cajuns, a picturesque addition to the American scene.

Although there was no large-scale Italian immigration before the Revolution, there were many Italians prominent in American life. As early as 1610, craftsmen were brought from Italy by the colony of Virginia to start a glass trade. Later, others came and planted vineyards. Georgia invited them to organize a silk industry.

In all the large cities there were Italian doctors, merchants, innkeepers and teachers. They wandered everywhere as traveling musicians, held concerts and established music schools. Our first sculptors and our first interior decorators were Italian.

Although predominantly Catholic, the Italians had their own counterpart of the Puritans, the Waldensians. They were an independent sect from the Piedmont, in the north of Italy, who were invited by the Dutch colonial government to form settlements here. Some 167 of them accepted, and in 1657 they were brought to the New World to settle a tract of land set aside for them by the Nieuw Amsterdam government.

Poles, too, were present in pre-Revolutionary America. Originally, they, too, came at the invitation of the Dutch. Most of them were farmers, but some settled in what is now New York City, where one of them, Dr. Alexander Kurcyusz (Curtius), a prominent physician, founded the first Latin school. Pre-Revolutionary America also included Greeks, Russians and other Slavs, immigrants from southeastern and eastern Europe.

During the Revolutionary War itself, men came from many other lands to help the new Nation. Two Poles helped turn the tide toward victory. Thaddeus Kosciusko, a young engineer, offered his services early. He became an aide to General Washington and a major general in the engineers. His plans are credited with winning the Battle of Saratoga, a turning point in the war. Count Casimir Pulaski rose to the rank of general, fought heroically at Brandywine, Trenton, and in other decisive engagements. He organized his own Polish Legion, ultimately giving his life to the new Nation when he died as a result of a wound received at the Battle of Savannah. A German, Baron Friedrich Wilhelm von Steuben, did more than anyone else to shape the raw recruits into a disciplined army. A Frenchman, Marquis de Lafayette, has become something of an American folk hero for his part in the Revolution. He took a leading part in the campaign that led to the defeat of Cornwallis at Yorktown. The service of another Frenchman, Count de Rochambeau, who recruited over 4,000 French volunteers was almost as great.

Between a third and a half of the fighting men of the Revolutionary Army were of Scottish or Scotch-Irish descent. Many of those at Valley Forge were German.

A Pole of Portuguese-Jewish origin, Haym Salomon, risked his life to gain vital intelligence for the American cause. A Scotch-Irish immigrant, Robert Morris, helped finance the war.

Four signers of the Declaration of Independence were immigrants of Irish birth: Matthew Thornton, James Smith, George Taylor, and Edward Rutledge. The great doctrine "All men are created equal," incorporated in the Declaration by Thomas Jefferson, was paraphrased from the writing of Philip Mazzei, an Italian-born patriot and pamphleteer, who was a close friend of Jefferson. Mazzei compiled the first accurate history of the colonies, which he wrote in French so that the European nations would be able to appreciate the political, social, and economic conditions that characterized the New World.

A gravestone in the Shenandoah Valley of Virginia reads: "Here lies the remains of John Lewis, who slew the Irish lord, settled in Augusta County, located the town of Staunton, and furnished five sons to fight the battles of the American Revolution." Statements like this not only speak eloquently of the contribution of one Irish family, but represent the sacrifices of many immigrants to this country even before it had won its independence.

CHAPTER 4—WAVES OF IMMIGRATION—THE POST-REVOLUTIONARY FORCES

American independence, the spreading westward of the new nations, the beginnings of economic diversification and industrialization, all these factors gave immigration in the 19th century a new context and a new role. The gates were now flung open, and men and women in search of a new life came to these shores in ever-increasing numbers—150,000 in the 1820's 1.7 million in the 1840's 2.8 million in the 1870's, 5.2 million in the 1880's, 8.8 million in the first decade of the 20th century. And, as the numbers increased, the sources changed. As the English had predominated in the 17th and 18th centuries, so the Irish and Germans predominated in the first half of the 19th and the Italians and east Europeans in the last part of the 19th and the early part of the 20th centuries. Each new wave of immigration helped meet the needs of American development and made its distinctive contribution to the American character.

The Irish

The Irish were in the vanguard of the great waves of immigration to arrive during the 19th century. By 1850, after the potato famine, they had replaced England as the chief source of new settlers, making up 44 percent of the foreign born in the United States. In the century between 1820 and 1920, some 4¼ million people left Ireland to come to the United States.

They were mostly country folk, small farmers, cottagers, and farm laborers. Yet they congregated mainly in cities along the eastern seaboard, for they did not have the money to travel after reaching shore. Few could read or write; some spoke only Gaelic.

The Irish were the first to endure the scorn and discrimination later to be inflicted, to some degree at least, on each successive wave of immigrants by already settled "Americans." In speech and dress they seemed foreign; they were poor and unskilled; and they were arriving in overwhelming numbers. The Irish are perhaps the only people in our history with the distinction of having a political party, the Know-Nothings, formed against them. Their religion was later also the target of the American Protective Association and, in this century, the Ku Klu Klan.

The Irish found many doors closed to them, both socially and economically. Advertisements for jobs specified: "No Irish need apply." But there was manual labor to be done, and the Irish were ready to do it. They went to work as longshoremen, as ditchdiggers, or as construction workers. When their earnings were not enough to support their families, their wives and daughters obtained employment as servants.

Contractors usually met them at the dock. The Erie Canal, linking New York with the Great Lakes in 1825, and other canals in Massachusetts, New Jersey, Pennsylvania, and Maryland were largely built by Irish labor. But the canals soon became obsolete, and the frenzied building of railroads followed. In the three decades from 1830 to 1860, a network of 30,000 miles of rails was laid across the middle part of the country. Again Irish labor furnished the muscle. When railroad construction was pushed westward in the latter part of the century, the Irish again figured prominently, by now often as foremen and section bosses. They also provided, at the same time, a supply of cheap labor for the mills of Rhode Island and Massachusetts and the coal mines of Pennsylvania.

But as the years passed and new generations were born, things began to change. Gradually, rung by rung, the Irish climbed up the economic and social ladder. Some settled on farms, especially along the canals they had dug. But it was in the cities that they found their principal outlet, in areas in which they could demonstrate their abilities of self-expression, of administration and organization. They gravitated first into law and from that into politics and government. Having experienced for themselves the handicaps of illiteracy, they were determined that their children would have the advantages of education. To that end, they not only started parochial schools, but founded such institutions of higher learning as Notre Dame, Fordham, Holy Cross, Villanova, St. Louis University, Catholic University, and Georgetown. They became teachers, writers, journalists, labor organizers, orators, and priests. As an expanding society offered more opportunities, they swelled not only the civil service rosters, but the ranks of clerical and administrative workers in industry.

The Irish eased the way for other immigrant groups and speeded their assimilation in several ways. They firmly established the Catholic Church, originally French on this continent, as an English-speaking institution. The schools they founded offered educational opportunities to children of later immigrants of other tongues. The Irish had their own press, their own fraternal orders, and their own charitable organizations.

Irish labor leaders fought for the rights of other groups as well as their own. Workers of Irish descent helped organize the Knights of Labor, the first big national union, which was a forerunner of the American Federation of Labor.

The Germans

Between 1830 and 1930, the period of the greatest migration from Europe to the United States, Germany sent 6 million people to the United States—more than any other nation. Their migrations, increasing in numbers after 1850, overlapped the Irish, whose immigration declined.

The Germans were unique among immigrant groups in their wide dispersal, both geographically and occupationally. This was due, at least in part, to the fact that most of them came with some resources, and were not forced to cluster along the eastern seaboard. Attracted to the United States by cheap public and railroad lands, and later by free homesteads, the German farmer helped to farm the new West and to cultivate the Mississippi Valley. German artisans, much sought after because of their skills, became an important factor in industrial expansion.

Almost every State in the Union profited from their intellectual and material contributions. Hard working and knowledgeable about agricultural methods, the Germans became propagators of scientific farming, crop rotation, soil conservation. They share with the Scandinavians the credit for turning millions of acres of wilderness into productive farmland.

The urban settlers lent a distinctive German flavor to many of our cities. Cincinnati, then known as "Queen City" of the West, Baltimore, St. Louis, Minneapolis and Milwaukee, all had substantial German populations. Milwaukee has perhaps retained its distinctive German character longer than any of the others.

In these urban centers Germans entered the fields of education, science, engineering and the arts. German immigrants founded and developed industrial enterprises in the fields of lumbering, food-processing, brewing, steelmaking, electrical engineering, pianomaking, railroading and printing.

A small but significant part of the German immigration consisted of political refugees. Reaction in Germany against the reform ideas of the French Revolution had caused heavy suppression of liberal thought. There was strict censorship of the press, of public meetings and of the schools and universities. Nevertheless, a liberal movement had emerged, nurtured in the universities by young intellectuals. This movement led to unsuccessful revolutions in 1830 and 1848. The United States welcomed a large number of veterans of 1848—men of education, substance, and social standing, like Carl Schurz, the statesman and reformer, and General Franz Sigel. In addition, some of the German religious groups established utopian communities in parts of Pennsylvania, Ohio, Indiana, Texas and Oregon.

German immigration reflected all the chaotic conditions of Central Europe after Napoleon: The population growth, the widespread hunger, the religious dissension and oppression. The Germans included Lutherans, Jews and Catholics, as well as freethinkers. Their talents, training and background greatly enriched the burgeoning nation.

To the influence of the German immigrants in particular—although all minority groups contributed—we owe the mellowing of the austere Puritan imprint on our daily lives. The Puritans observed the Sabbath as a day of silence and solemnity. The Germans clung to their concept of the "continental Sunday" as a day, not only of churchgoing, but also of relaxation, of picnics, of visiting, of quiet drinking in beer gardens while listening to the music of a band.

The Christmas ritual of religious services combined with exchanging gifts around the Christmas tree is of German origin. So, too is the celebration of the New Year.

The fact that today almost every large American city has its symphony orchestra can be traced to the influence of the German migration. Leopold Damrosch and his son, Walter, helped build the famous New York Philharmonic. Originally composed mainly of German immigrant musicians and called the Germania Orchestra, it became the seed bed of similar organizations all over the country. This tradition was carried to the Midwest by Frederick Stock and to Boston by Carl Zerrahn. Others spread this form of cultural expression to additional urban centers throughout the land.

Community singing and glee clubs owe much to the German immigrant, who remembered his singing societies. The first Mannerchor was founded in Philadelphia in 1835; the first Liederkranz was organized in Baltimore in 1836. Their counterparts have been a feature of the German-American community everywhere.

The ideas of German immigrants helped to shape our educational system. They introduced the kindergarten, or "children's play school." They also promoted the concept of the state-endowed university, patterned after the German university. The University of Michigan, founded in 1837, was the first such school to add to the philosophy of general liberal arts education an emphasis upon vocational training. The colonial concept of a university as a place to prepare gentlemen for a life of leisured culture was modified to include training in specialized skills.

The program of physical education in the schools had its roots in the Turnverein, or German gymnastic society. It was adopted and introduced to the American public by the YMCA.

German immigrant influence has been pervasive, in our language, in our mores, in our customs, and in our basic philosophy. Even the hamburger, the frankfurter, and the delicatessen, that omnipresent neighborhood institution, came to us via the German immigrants.

Although they were mostly Democrats prior to 1850, the Germans broke party lines in the decade before the Civil War and played a prominent part in the formation of the Republican Party. They were most united on two issues. They opposed the Blue Laws, and they vigorously fought the extension of slavery into new territories. Indeed, the first protest against Negro slavery came from Germantown settlers, led by Franz Pastorius, in 1688.

During the Civil War they fought on both sides. Following the Civil War, Germans infused the faltering American labor movement with new strength by organizing craft unions for printers, watchmakers, carpenters, ironworkers, locksmiths, butchers, and bakers.

Adjusting with relative ease, they did not feel the sting of ethnic discrimination until the outbreak of the First World War, when they became targets of wartime hysteria. This hysteria even caused overardent "patriots" to call sauerkraut "Liberty cabbage" and hamburger "Salisbury steak." Nonetheless, when the United States entered the war in 1917, men of German ancestry entered the Armed Forces of the United States and served with distinction.

As the Second World War drew near, Americans of German descent faced another test. Only a few joined the pro-Nazi German-American Bund, and many of those left as soon as they discovered its real nature. More "older Americans" than those of German descent could be counted in the ranks of America-Firsters. Again, after the United States was attacked, descendants of German immigrants fought with valor in our armed services.

The Scandinavians

Scandinavian immigrants left their homelands for economic rather than political or religious reasons. In America they found a political and social climate wholly compatible with their prior experience. Democratic institutions and a homogeneous society were already developing in Scandinavia, in an atmosphere of comparative tranquillity.

The seemingly limitless availability of farmland in America was an attractive prospect to land-hungry people.

The tide of Scandinavian immigration overlapped the tide of German immigration just as the Germans overlapped the Irish. The Swedes came first. They started coming about 1840, reaching their crest after 1860. Between 1840 and 1930, about 1.3 million Swedes came to the United States. In the 1880's migrations of other Scandinavians—Danes, Finns, Icelanders and principally the Norwegians—also reached their peak.

Following the Erie Canal and the Great Lakes, the Swedes pushed westward until they found a familiar landscape in the Prairie States of the upper Mississippi Valley. There they settled.

The first colony of these Swedes settled at a place they named Pine Lakes (now New Upsala), in Wisconsin, in 1841. Later colonists showed a preference for a broad belt of land extending westward from Michigan, through Illinois, Wisconsin, Minnesota, Nebraska, Iowa, and Kansas.

Other Scandinavian migrations followed more or less the same geographical pattern, except for the Norwegians. Although not so large numerically as other immigrant groups, Norwegian immigration in proportion to their population at home was second only to the Irish. Some of the Norwegians drove far west to the Dakotas, Oregon and Washington. Norwegian immigration to the United States is estimated at 840,000; Danes at 350,000. Most Scandinavians settled in rural areas, except for the Finns, some of whom went to work in the copper mines of Michigan or the iron mines of Minnesota.

Physically hardy, conditioned by the rigors of life at home to withstand the hardships of the frontier, the Scandinavians made ideal pioneers. Ole Rölvaag, the Norwegian-American novelist, movingly chronicled their struggles in "Giants in the Earth."

Often they started their homesteading in sod huts, some of which were no more than holes in a hillside shored up with logs, with greased-paper windows. They look forward to the day they could live in a log cabin or in a house. Then began the struggle with the unrelenting forces of nature: hailstorms, droughts, blizzards, plagues of grasshoppers and locusts. But they endured.

America was an expanding continent in urgent need of housing. It was the Swedes, familiar with the ax and the saw—called "the Swedish fiddle"—who went into the forests across the northern United States, felled the logs, slid them into the streams and sent them on their way to the mills, where they were cut into boards to provide shelter for millions of other immigrants. Norwegians and Finns were also among the loggers. On the west coast the Norwegians tended to become fishermen.

The Swedes did many other things too. In the long nights of the Swedish winter, they had learned to fashion things with their hands and had become skilled craftsmen and artisans. The "do-it-yourself" hobbyist of today is an avocational descendant of the Swedes. Manual training in our own public school system is derived from a basic course in the Swedish schools.

The Scandinavians were avid supporters of the public school system. And they contributed to the school system and to education generally in a variety of ways. The home economics courses of our public schools were introduced by Scandinavians. They also helped launch adult education programs. The 4-H clubs, now an international as well as a national institution, were originated at a farm school in Minnesota by Americans of Scandinavian descent. A number of colleges today stand as monuments to the early efforts of Norwegians and Swedes to make higher learning available. Among these are Augustana College in Illinois, Gustavus Adolphus in Minnesota, Bethany College in Kansas, and Luther College in Nebraska. All were founded by Swedish immigrants. Luther College in Iowa and St. Olaf College in Minnesota were founded by the Norwegians. They have added to our cultural life with their choral groups and singing societies.

With their background, it was inevitable that the Swedes would develop many engineers, scientists, and inventors. One of the most famous was John Ericsson, who not only designed the *Monitor*, one of the first armor-clad ships, but also perfected the screw propeller.

The Danes, who had an intimate knowledge of animal husbandry, laid the foundations of our dairy industry and early creamery cooperatives. Together with the Germans and the Swiss, they developed cheesemaking into an American industry.

Since the Danes were primarily agriculturists, it is curious that the one who made the most distinctive individual contribution was a city boy, Jacob Riis. As a crusading journalist and documentary photographer, he exposed the conditions under which other immigrants lived and worked in New York, and was instrumental in bringing about major social reforms.

Politically, Scandinavians cannot be classified into a single mold. At times they have been conservative. At times they have provided support for such liberal movements as the Farmer-Labor party, Senator Robert M. La Follette's Progressive Party and the Non-Partisan League. Both major parties have benefited from Scandinavian political thought, and both parties have had Scandinavians in both State and Federal office.

Other immigrant groups

Toward the end of the 19th century, emigration to America underwent a significant change. Large numbers of Italians, Russians, Poles, Czechs, Hungarians, Rumanians, Bulgarians, Austrians, and Greeks began to arrive. Their coming created new problems and gave rise to new tensions.

For these people the language barrier was even greater than it had been for earlier groups, and the gap between the world they had left behind and the one to which they came was wider. For the most part, these were people of the land and, for the most part, too, they were forced to settle in the cities when they reached America. Most large cities had well-defined "Little Italys" or "Little Polands" by 1910. In the 1960 census New York City had more people of Italian birth or parentage than did Rome.

The history of cities shows that when conditions become overcrowded, when people are poor, and when living conditions are bad, tensions run high. This is a situation that feeds on itself; poverty and crime in one group breed fear and hostility in others. This, in turn, impedes the acceptance and progress of the first group, thus prolonging its depressed condition. This was the dismal situation that faced many of the southern and eastern European immigrants just as it had faced some of the earlier waves of immigrants. One New York newspaper had these intemperate words for the newly arrived Italians: "The floodgates are open. The bars are down. The sally-ports are unguarded. The dam is washed away. The sewer is choked * * * the scum of immigration is viscerating upon our shores. The horde of $9.60 steerage slime is being siphoned upon us from Continental mud tanks."

Italy has contributed more immigrants to the United States than any country except Germany. Over 5 million Italians came to this country between 1820 and 1963. Large-scale immigration began in 1880, and almost 4 million Italian immigrants arrived in the present century.

The first Italians were farmers and artisans from northern Italy. Some planted vineyards in Vineland, N.J., in the Finger Lakes region of New York State and in California, where they inaugurated our domestic wine industry. Others settled on the periphery of cities, where they started truck gardens.

But most Italians were peasants from the south. They came because of neither religious persecution nor political repression, but simply in search of a brighter future. Population in Italy was straining the limits of the country's resources and more and more people had to eke out a living from small plots of land, held in many instances by oppressive landlords.

In many ways the experience of the later Italian immigrants parallels the story of the Irish. Mostly farmers, their lack of financial resources kept them from reaching the rural areas of the United States. Instead, they crowded into cities along the eastern seaboard, often segregating themselves by province, even by village, in a density as high as 4,000 to the city block.

Untrained in special skills and unfamiliar with the language, they had to rely on unskilled labor jobs to earn a living. Italians thus filled the gap left by earlier immigrant groups who had now moved up the economic ladder. As bricklayers, masons, stonecutters, ditchdiggers, and hod carriers, they helped build our cities, subways and skyscrapers. They worked on the railroads and the dams, went into the coal mines, iron mines, and factories. Some found a place in urban life as small storekeepers, peddlers, shoemakers, barbers, and tailors. Wages were small and families were large. In the old country everyone worked. Here everyone worked, too. Wives went into the needle trades. Boys picked up what pennies they could as news vendors, bootblacks, and errand runners. Through these difficult years of poverty, toil, and bewilderment, the Italians were bolstered by their adherence to the church, the strength of their family ties, Italian-language newspapers, and their fraternal orders. But they overcame obstacles of prejudice and misunderstanding quickly, and they have found places of importance in almost every phase of American life. Citizens of Italian descent are among our leading bankers, contractors, food importers, educators, labor leaders, and Government officials. Italians have made special contributions to the emergence of American culture, enriching our music, art, and architecture.

An Italian, Filippo Traetta (Philip Trajetta), founded the American Conservatory in Boston in 1800, and another in Philadelphia shortly thereafter. Another Italian, Lorenzo da Ponte, brought the first Italian opera troupe to New York in 1832, where it developed into a permanent institution. Italians have founded and supported the opera as an institution in New York, Chicago, San Francisco and other large cities, providing from their ranks many impresarios and singers. Italian-born music teachers and bandmasters are numerous. Arturo Toscanini, for many years leader of the New York Philharmonic, and our most distinguished conductor of recent years, was Italian-born.

Italians have also been among our most prominent sculptors, architects and artists. A West Indian and a Frenchman designed our Nation's Capital. An Italian beautified it. Constantino Brumidi painted the historical frieze in the rotunda of the Capitol Building. Other Italian painters and sculptors depicted our history in paintings, murals, friezes and statues. Historical monuments and statues up and down the country have been wrought by Italian-American sculptors. On a humbler scale, the taste and skill of Italian-American landscape gardeners and architects have placed our homes and communities in beautiful settings.

About the time the Italians began coming, other great tides of immigration from the countries of Eastern and Southeastern Europe also began arriving in the United States. In the years between 1820 and 1963 these areas, Italy included, sent over 15 million immigrants to our shores.

They came for all manner of reasons: political upheavals, religious persecution, hopes for economic betterment. They comprised a wide ethnic variety, from Lithuanians and Latvians on the Baltic to Greeks, Turks and Armenians on the eastern Mediterranean. They brought with them a bewildering variety of language, dress, custom, ideology and religious belief. To many Americans already here who had grown accustomed to a common way of life, they presented a dismaying bedlam, difficult to understand and more difficult to respond to. Indeed, because of the many changes in national boundaries and prior migrations of races within that area of Europe, there is no way of accurately reporting on them statistically.

The largest number from any of these countries of Eastern Europe were Poles, who for 125 years had been under the domination of Russia, Germany, and Austria-Hungary. Some followed the pattern of the Germans and Scandinavians, settling on individual farms or forming small rural communities which still bear Polish place names. But most gravitated to the cities. Four-fifths were Roman Catholic. Longer than most immigrant groups they kept their language, their customs, and their dances. At first, like other immigrants, they lived under substandard conditions. Gradually they, too, improved their status. They aspired to own their own homes and their own plots of land. In Hamtramck, Mich., an almost wholly Polish community, three-quarters of the residents own their own homes.

By 1963, almost 130,000 Czechs had migrated to this country. They tended to gravitate to the farming communities. It is one of these homesteads that is portrayed by Novelist Willa Cather in "My Antonia." They also formed enclaves in cities, principally in Chicago, Cleveland, and New York.

A potent force in the development of Czech life in this country has been the Sokol, a traditional cultural, social, and gymnastic society. These societies stressed high standards of physical fitness and an interest in singing, music, and literature.

The immigrants from Old Russia are estimated at almost 3½ million. Most of this wave of immigration went into the mines and factories. However, there were also many Russian intellectuals, scientists, scholars, musicians, writers, and artists, who came here usually during periods of political oppression.

Most students of the history of immigration to America make special mention of the Jews. Although they appeared as part of several of the waves of immigration, they warrant separate discussion because of their religion, culture, and historical background.

In colonial times most Jews in America were of Spanish-Portuguese origin. Throughout the 19th century most came from Germany. Beginning at the end of the 19th century they began to come in large numbers from Russia, Poland, Austria-Hungary, Rumania, and, in smaller numbers, from almost every European nation. The American-Jewish population today numbers approximately 6 million.

The Jews who came during the early 19th century were often peddlers, wandering throughout the land with their packs and their carts or settling down to open small stores. They prospered in this era of opportunity and expansion, for from these humble beginnings have grown many of our large department stores and mercantile establishments.

The exodus from Germany after 1848 brought Jewish intellectuals, philosophers, educators, political leaders, and social reformers. These shared much the same experiences as the other immigrants. "Like the Scandinavian Lutherans and the Irish Catholics," says Oscar Handlin, "they appeared merely to maintain their distinctive heritage while sharing the rights and obligations of other Americans within a free society."

At the turn of the century the Jews fleeing persecution in Russia came in such numbers that they could not be so readily absorbed into the mainstream of life as the earlier comers. They clustered in Jewish communities within the large cities, like New York.

Like the Irish and the Italians before them, they had to work at whatever they could find. Most found an outlet for their skills in the needle trades, as garment workers, hatmakers and furriers. Often they worked in sweatshops. In an effort to improve working conditions (which involved child labor and other forms of exploitation), they joined with other immigrant workers to form, in 1900, the International Ladies' Garment Workers Union. In time, they developed the clothing industry as we know it today, centered in New York but reaching into every small town and rural area. The experience and tradition of these pioneers produced many effective leaders in the labor movement, such as Morris Hillquit, Sidney Hillman, Jacob Potofsky, and David Dubinsky.

Jewish immigrants have also made immense contributions to thought: as scholars, as educators, as scientists, as judges and lawyers, as journalists, as literary figures. Refugee scientists such as Albert Einstein and Edward Teller brought great scientific knowledge to this country.

Immigration from the Orient in the latter part of the 19th century was confined chiefly to California and the west coast. Our behavior toward these groups of newcomers represented a shameful episode in our relationships to those seeking the hospitality of our shores. They were often mobbed and stoned by native Americans. The Chinese suffered and were barred from our shores as far back as the Chinese Exclusion Act of 1882. After the Japanese attack on Pearl Harbor, many Japanese-Americans were victimized by prejudice and unreasoning discrimination. They were arbitrarily shipped to relocation camps. It took the extraordinary battlefield accomplishments of the Nisei, Americans of Japanese descent, fighting in the U.S. Army in Europe, to help restore our perspective. While our attitude toward these citizens has been greatly improved over the years, many inequities in the law regarding oriental immigration must still be redressed.

Today many of our newcomers are from Mexico and Puerto Rico. We sometimes forget that Puerto Ricans are U.S. citizens by birth, and, therefore, cannot be considered immigrants. Nonetheless, they often receive the same discriminatory treatment and opprobrium that were faced by other waves of newcomers. The same things are said today of Puerto Ricans and Mexicans that were once said of Irish, Italians, Germans, and Jews: "They'll never adjust; they can't learn the language; they won't be absorbed."

Perhaps our brightest hope for the future lies in the lessons of the past. The people who have come to this country have made America, in the words of one perceptive writer, "a heterogeneous race but a homogeneous nation."

In sum, then, we can see that as each new wave of immigration has reached America it has been faced with problems, not only the problems that come with making new homes and learning new jobs, but, more important, the problems of getting along with people of different backgrounds and habits.

Each new group was met by the groups already in America, and adjustment was often difficult and painful. The early English settlers had to find ways to get along with the Indians; the Irish who followed were met by these "Yankees"; German immigrants faced both Yankee and Irish; and so it has gone down to the latest group of Hungarian refugees. Somehow, the difficult adjustments are made and people get down to the tasks of earning a living, raising a family, living with their new neighbors, and, in the process, building a nation.

CHAPTER 5—THE IMMIGRANT CONTRIBUTION

Oscar Handlin has said, "Once I thought to write a history of the immigrants in America. Then I discovered that the immigrants were American history." In the same sense, we cannot really speak of a particular "immigrant contribution" to America because all Americans have been immigrants or the descendants of immigrants; even the Indians, as mentioned before, migrated to the American Continent. We can only speak of people whose roots in America are older or newer. Yet each wave of immigration left its own imprint on American society; each made its distinctive "contribution" to the building of the Nation and the evolution of American life. Indeed, if, as some of the older immigrants like to do, we were to restrict the definition of immigrants to the 42 million people who came to the United States after the Declaration of Independence, we would have to conclude that our history and our society would have been vastly different if they all had stayed at home.

As we have seen, people migrated to the United States for a variety of reasons. But nearly all shared two great hopes: the hope for personal freedom and the hope for economic opportunity. In consequence, the impact of immigration has been broadly to confirm the impulses in American life demanding more political liberty and more economic growth.

So, of the 56 signers of the Declaration of Independence, 18 were of non-English stock and 8 were first-generation immigrants. Two immigrants—the West Indian Alexander Hamilton, who was Washington's Secretary of the Treasury, and the Swiss, Albert Gallatin, who held the same office under Jefferson—established the financial policies of the young Republic. A German farmer wrote home from Missouri in 1834:

> "If you wish to see our whole family living in * * * a country where freedom of speech obtains, where no spies are eavesdropping, where no simpletons criticize your every word and seek to detect therein a venom that might endanger the life of the state, the church, and the home, in short, if you wish to be really happy and independent, then come here."

Every ethnic minority, in seeking its own freedom, helped strengthen the fabric of liberty in American life.

Similarly, every aspect of the American economy has profited from the contributions of immigrants. We all know, of course, about the spectacular immigrant successes: the men who came from foreign lands, sought their fortunes in the United States and made striking contributions, industrial and scientific, not only to their chosen country but to the entire world. In 1953 the President's Commission on Immigration and Naturalization mentioned the following:

Industrialists: Andrew Carnegie (Scot), in the steel industry; John Jacob Astor (German), in the fur trade; Michael Cudahy (Irish), of the meatpacking industry; the Du Ponts (French), of the munitions and chemical industry; Charles L. Fleischmann (Hungarian), of the yeast business; David Sarnoff (Russian), of the radio industry; and William S. Knudsen (Danish), of the automobile industry.

Scientists and inventors: Among those whose genius has benefited the United States are Albert Einstein (German), in physics; Michael Pupin (Serbian), in electricity; Enrico Fermi (Italian), in atomic research; John Ericsson (Swedish), who invented the ironclad ship and the screw propeller; Guiseppe Bellanca (Italian) and Igor Sikorsky (Russian), who made outstanding contributions to airplane development; John A. Udden (Swedish), who was responsible for opening the Texas oil fields; Lucas P. Kyrides (Greek), industrial chemistry; David Thomas (Welsh), who invented the hot blast furnace; Alexander Graham Bell (Scot), who invented the telephone; Conrad Hubert (Russian), who invented the flashlight; and Ottmar Mergenthaler (German), who invented the linotype machine.

But the anonymous immigrant played his indispensable role, too. Between 1880 and 1920 America became the industrial and agricultural giant of the world as well as the world's leading creditor nation. This could not have been done without the hard labor, the technical skills and the entrepreneurial ability of the 23.5 million people who came to America in this period.

Significant as the immigrant role was in politics and in the economy, the immigrant contribution to the professions and the arts was perhaps even greater. Charles O. Paullin's analysis of the "Dictionary of American Biography" shows that, of the 18th- and 19th-century figures, 20 percent of the businessmen, 20 percent of the scholars and scientists, 23 percent of the painters, 24 percent of the engineers, 28 percent of the architects, 29 percent of the clergymen, 46 percent of the musicians, and 61 percent of the actors were of foreign birth—a remarkable measure of the impact of immigration on American culture. And not only have many American writers and artists themselves been immigrants or the children of immigrants, but immigration has provided American literature with one of its major themes.

Perhaps the most pervasive influence of immigration is to be found in the innumerable details of life and the customs and habits brought by millions of people who never became famous. This impact was felt from the bottom up, and these contributions to American institutions may be the ones which most intimately affect the lives of all Americans.

In the area of religion, all the major American faiths were brought to this country from abroad. The multiplicity of sects established the American tradition of religious pluralism and assured to all the freedom of worship and separation of church and state pledged in the Bill of Rights.

So, too, in the very way we speak, immigration has altered American life. In greatly enriching the American vocabulary, it has been a major force in establishing "the American language," which, as H. L. Mencken demonstrated thirty years ago, had diverged materially from the mother tongue as spoken in Britain. Even the American dinner table has felt the impact. One writer has suggested that "typical American menus" might include some of the following dishes: "Irish stew, chop suey, goulash, chili con carne, ravioli, knockwurst mit sauerkraut, Yorkshire pudding, Welsh rarebit, borscht, gefilte fish, Spanish omelet, caviar, mayonnaise, antipasto, baumkuchen, English muffins, Gruyère cheese, Danish pastry, Canadian bacon, hot tamales, wiener schnitzel, petits fours, spumone, bouillabaisse, maté, scones, Turkish coffee, minestrone, filet mignon."

Immigration plainly was not always a happy experience. It was hard on the newcomers, and hard as well on the communities to which they came. When poor, ill-educated and frightened people disembarked in a strange land, they often fell prey to native racketeers, unscrupulous businessmen and cynical politicians. Boss Tweed said, characteristically, in defense of his own depredations in New York in the 1870's, "This population is too hopelessly split into races and factions to govern it under universal suffrage, except by bribery of patronage, or corruption."

But the very problems of adjustment and assimilation presented a challenge to the American idea—a challenge which subjected that idea to stern testing and eventually brought out the best qualities in American society. Thus the public school became a powerful means of preparing the newcomers for American life. The ideal of the "melting pot" symbolized the process of blending many strains into a single nationality, and we have come to realize in modern times that the "melting pot" need not mean the end of particular ethnic identities or traditions. Only in the case of the Negro has the melting pot failed to bring a minority into the full stream of American life. Today we are belatedly, but resolutely, engaged in ending this condition of national exclusion and shame and abolishing forever the concept of second-class citizenship in the United States.

Sociologists call the process of the melting pot social mobility. One of America's characteristics has always been the lack of a rigid class structure. It has traditionally been possible for people to move up the social and economic scale. Even if one did not succeed in moving up oneself, there was always the hope that one's children would. Immigration is by definition a gesture of faith in social mobility. It is the expression in action of a positive belief in the possibility of a better life. It has thus contributed greatly to developing the spirit of personal betterment in American society and to strengthening the national confidence in change and the future. Such confidence, when widely shared, sets the national tone. The opportunities that America offered made the dream real, at least for a good many; but the dream itself was in large part the product of millions of plain people beginning a new life in the conviction that life could indeed be better, and each new wave of immigration rekindled the dream.

This is the spirit which so impressed Alexis de Tocqueville, and which he called the spirit of equality. Equality in America has never meant literal equality of condition or capacity; there will always be inequalities in character and ability in any society. Equality has meant rather that, in the words of the Declaration of Independence, "all men are created equal * * * [and] are endowed by their Creator with certain unalienable rights"; it has meant that in a democratic society there should be no inequalities in opportunities or in freedoms. The American philsophy of equality has released the energy of the people, built the economy, subdued the continent, shaped and reshaped the structure of government, and animated the American attitude toward the world outside.

The continuous immigration of the 19th and early 20th centuries was thus central to the whole American faith. It gave every old American a standard by which to judge how far he had come and every new American a realization of how far he might go. It reminded every American, old and new, that change is the essence of life, and that American society is a process, not a conclusion. The abundant resources of this land provided the foundation for a great nation. But only people could make the opportunity a reality. Immigration provided the human resources. More than that, it infused the Nation with a commitment to far horizons and new frontiers, and thereby kept the pioneer spirit of American life, the spirit of equality and of hope, always alive and strong. "We are the heirs of all time," wrote Herman Melville, "and with all nations we divide our inheritance."

CHAPTER 6—IMMIGRATION POLICY

From the start, immigration policy has been a prominent subject of discussion in America. This is as it must be in a democracy, where every issue should be freely considered and debated.

Immigration, or rather the British policy of clamping down on immigration, was one of the factors behind the colonial desire for independence. Restrictive immigration policies constituted one of the charges against King George III expressed in the Declaration of Independence. And in the Constitutional Convention James Madison noted, "That part of America which has encouraged them [the immigrants] has advanced most rapidly in population, agriculture and the arts." So, too, Washington in his Thanksgiving Day Proclamation of 1795 asked all Americans "humbly and fervently to beseech the kind Author of these blessings * * * to render this country more and more a safe and propitious asylum for the unfortunate of other countries."

Yet there was the basic ambiguity which older Americans have often shown toward newcommers. In 1797 a Member of Congress argued that, while a liberal immigration policy was fine when the country was new and unsettled, now that America had reached its maturity and was fully populated, immigration should stop—an argument which has been repeated at regular intervals throughout American history.

The fear of embroilment in the wars between Britain and France helped the cause of the restrictionists. In 1798 a Federalist Congress passed the Alien Act, authorizing the expulsion of foreigners "dangerous to the peace and safety of the United States" and extending the residence requirement for naturalization from 5 to 14 years. But the Alien Act, and its accompanying Sedition Act, went too far. Both acts were allowed to expire in 1801; the naturalization period went back to 5 years; and President Thomas Jefferson expressed the predominant American sentiment when he asked: "Shall we refuse to the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe?"

But emotions of xenophobia—hatred of foreigners—and of nativism—the policy of keeping America pure (that is, of preferring old immigrants to new)—continued to thrive. The increase in the rate of immigration in the 1820's and 1830's set off new waves of hostility, directed especially against the Irish, who, as Catholics, were regarded as members of an alien conspiracy. Even Ralph Waldo Emerson could write to Thomas Carlyle about "the wild Irish element * * * led by Romanish priests, who sympathize, of course, with despotism." Samuel F. B. Morse, the painter and inventor of the telegraph, wrote an anti-Catholic book entitled "A Foreign Conspiracy Against the Liberties of the United States." Some alarmed Americans believed that every Catholic was a foreign agent dispatched by the Pope to subvert American society. In 1834 a mob burned down the Ursuline Convent school in Charlestown, Mass. Though the leading citizens of Boston promptly denounced this act, anti-Catholic feeling persisted.

In the 1850's nativism became an open political movement. A secret patriotic society, the Order of the Star-Spangled Banner, founded about 1850, grew into the American Party, whose members were pledged to vote only for native Americans, to demand a 21-year naturalization period and to fight Roman Catholicism. When asked about their program, they were instructed to answer, "I know nothing about it," so people called them the Know-Nothings. Coming into existence at a time when the slavery issue was dissolving the older party allegiances, the Know-Nothings for a moment attracted considerable support. They elected 6 State Governors and 75 Congressmen in 1854 and got almost 25 percent of the vote for their candidate, former President Millard Fillmore, in 1856. But soon they, too, were split by the slavery issue, and the party vanished as quickly as it had appeared.

The legacy of the Know-Nothings lived beyond its life as an organization. The seeds of bigotry, fear, and hatred bore fruit again in the years after the Civil War. The Ku Klux Klan launched a campaign of terrorism against Negroes, and in the 1890's the American Protective Association tried to revive popular feeling against Catholics. Other nativists began to turn their attention to the Jews. In the meantime, agitators on the west coast denounced the "yellow peril," and Congress in 1882 passed the first of a number of laws banning Oriental immigration. Yet, except for Oriental exclusion, Congress ignored the nativist clamor, and most Americans regarded nativism with abhorrence. When a Protestant clergyman supporting James G. Blaine in 1884 denounced the Democrats as the party of "rum, Romanism and rebellion," he provoked a reaction which may well have lost the election for Blaine, who himself had a mother of Irish Catholic descent.

The First World War led to another outbreak of nativism. A new group, adopting the program of the Know-Nothings and the name of the Ku Klux Klan, came into being, denouncing everything its members disliked—Negroes, Catholics, Jews, evolutionists, religious liberals, internationalists, pacifists—in the name of true Americanism and of "Nordic superiority." For a season, the new KKK prospered, claiming 5 million members, mostly in the South but also in Indiana, Ohio, Kansas, and Maine. But like the other nativist movements, the fall of the Klan was as dramatic as its rise. It died when a genuine crisis, the depression, turned people's attention away from the phony issue of racism to the real problems facing the Nation. In later years, the Jew succeeded the Catholic as the chief target of nativist hysteria, and some Catholics, themselves so recently persecuted, now regrettably joined in the attack on the newer minorities.

America had no cause to be smug about the failure of these movements to take deep root. Nativism failed, not because the seeds were not there to be cultivated, but because American society is too complex for an agitation so narrowly and viciously conceived to be politically successful. That the nativist movements found any response at all must cause us to look searchingly at ourselves. That the response was at times so great offers cause for alarm.

Still it remains a remarkable fact that, except for the Oriental Exclusion Act, there was no governmental response till after the First World War.

Not only were newcomers allowed to enter freely, but in some periods they were actively sought after.

Inevitably, though, this mass influx of people presented problems which the Federal Government was forced to recognize. In 1882, recognizing the need for a national immigration policy, Congress enacted the first general legislation on the subject. The most important aspect of this law was that, for the first time, the Government undertook to exclude certain classes of undesirables, such as lunatics, convicts, idiots, and persons likely to become public charges. In 1891 certain health standards were added as well as a provision excluding polygamists.

From time to time additional laws were added. The only deviation from the basic policy of free, nondiscriminatory immigration was the Oriental Exclusion Act.

Under a special treaty arrangement with China, nationals of that country had been guaranteed free and unrestricted immigration to the United States. At the peak of that immigration, in 1882, there were only 40,000 arrivals; even in 1890 there were but 107,000 Chinese in America. Most of them lived in California and had proved good and useful workers and citizens. Although they had originally been welcomed to America for their services in building railroads and reclaiming the land, the conviction began to grow that Chinese labor was undermining the standards of American labor. This became virtually an obsession with many people. In the early 1870's anti-Chinese agitation in California became organized and focused under the leadership of Denis Kearney, who was, ironically, an immigrant from Ireland. A campaign of organized violence against Chinese communities took form, and the hysteria led to political pressure too violent to be resisted. President Hayes vetoed an act of Congress restricting Chinese immigration, but he did force renegotiation of the Burlingame Treaty under which the Government of China agreed to restrict emigration voluntarily. Not satisfied with this remedy, Congress then enacted and the President signed into law a series of measures shutting off almost completely immigration from China.

Shameful as these episodes were, they were, however, only an exception to the prevailing policy. A more serious warning of things to come was sounded in 1897 when Congress, for the first time, provided a literacy test for adult immigrants. President Cleveland vetoed the measure. Presidents Taft and Wilson vetoed similar bills on the ground that literacy was a test only of educational opportunity and not of a person's ability or his potential worth as a citizen. In 1917, with tension high because of the war, Congress overrode President Wilson's veto and the literacy test became law.

The 20-year fight over the literacy test can now be seen as a significant turning point in immigration policy. Indeed, many saw it as such at that time. Finley Peter Dunne, creator of the immortal Mr. Dooley, devoted one of Mr. Dooley's dissertations in 1902 to the subject of the test and immigration. With magnificent irony the Irish bartender says, "As a pilgrim father that missed the first boat, I must raise me claryon voice again' th' invasion iv this fair land be th' paupers an' arnychists in Europe. Ye bet I must—because I'm here first * * *. In thim days America was th' refuge iv th' oppressed in all th' wurruld. * * * But as I tell ye, 'tis diff'rent now. 'Tis time we put our back again' th' open dure an' keep out th' savage horde."

But there is no denying the fact that by the turn of the century the opinion was becoming widespread that the numbers of new immigrants should be limited. Those who were opposed to all immigration and all "foreigners" were now joined by those who believed sincerely, and with some basis in fact, that America's capacity to absorb immigration was limited. This movement toward restricting immigration represented a social and economic reaction, not only to the tremendous increase in immigration after 1880, but also to the shift in its main sources, to Southern, Eastern and Southeastern Europe.

Anti-immigration sentiment was heightened by World War I, and the disillusionment and strong wave of isolationism that marked its aftermath. It was in this climate, in 1921, that Congress passed and the President signed the first major law in our country's history severely limiting new immigration by establishing an emergency quota system. An era in American history had ended; we were committed to a radically new policy toward the peopling of the Nation.

The act of 1921 was an early version of the so-called national origins system. Its provisions limited immigration of numbers of each nationality to a certain percentage of the number of foreign-born individuals of that nationality resident in the United States according to the 1910 census. Nationality meant country of birth. The total number of immigrants permitted to enter under this system each year was 357,000.

In 1924, the act was revised, creating a temporary arrangement for the years 1924 to 1929, under which the national quotas for 1924 were equal to 2 percent of the number of foreign-born persons of a given nationality living in the United States in 1890, or about 164,000 people. The permanent system, which went into force in 1929, includes essentially all the elements of immigration policy that are in our law today. The immigration statutes now establish a system of annual quotas to govern immigration from each country. Under this system 156,987 quota immigrants are permitted to enter the United States each year. The quotas from each country are based upon the national origins of the population of the United States in 1920.

The use of the year 1920 is arbitrary. It rests upon the fact that this system was introduced in 1924 and the last prior census was in 1920. The use of a national origins system is without basis in either logic or reason. It neither satisfies a national need nor accomplishes an international purpose. In an age of interdependence among nations such a system is an anachronism, for it discriminates among applicants for admission into the United States on the basis of accident of birth.

Because of the composition of our population in 1920, the system is heavily weighted in favor of immigration from Northern Europe and severely limits immigration from southern and eastern Europe and from other parts of the world.

To cite some recent examples: Great Britain has an annual quota of 65,361 immigration visas and used 28,291 of them. Germany has a quota of 25,814, and used 26,533 (of this number, about one-third are wives of servicemen who could enter on a nonquota basis). Ireland's quota is 17,756 and only 6,054 Irish availed themselves of it. On the other hand, Poland is permitted 6,488, and there is a backlog of 61,293 Poles wishing to enter the United States. Italy is permitted 5,666 and has a backlog of 132,435. Greece's quota is 308; her backlog is 96,538. Thus a Greek citizen desiring to emigrate to this country has little chance of coming here. And an American citizen with a Greek father or mother must wait at least 18 months to bring his parents here to join him. A citizen whose married son or daughter, or brother or sister, is Italian cannot obtain a quota number for them for 2 years or more. Meanwhile, many thousands of quota numbers are wasted because they are not wanted or needed by nationals of the countries to which they are assigned.

In short, a qualified person born in England or Ireland who wants to emigrate to the United States can do so at any time. A person born in Italy, Hungary, Poland, or the Baltic States may have to wait many years before his turn is reached. This system is based upon the assumption that there is some reason for keeping the origins of our population in exactly the same proportions as they existed in 1920. Such an idea is at complete variance with the American traditions and principles that the qualifications of an immigrant do not depend upon his country of birth and violates the spirit expressed in the Declaration of Independence that all men are created equal.

One writer has listed six motives behind the act of 1924. They were: (1) postwar isolationism; (2) the doctrine of the alleged superiority of Anglo-Saxon and Teutonic "races"; (3) the fear that "pauper labor" would lower wage levels; (4) the belief that people of certain nations were less law abiding than others; (5) the fear of foreign ideologies and subversion; (6) the fear that entrance of too many people with different customs and habits would undermine our national and social unity and order. All of these arguments can be found in congressional debates on the subject and may be heard today in discussions over a new national policy toward immigration. Thus far, they have prevailed. The policy of 1924 was continued in all its essentials by the Immigration and Nationality Act of 1952.

There have been some minor amendments to that act. In 1957 legislation was passed to reunite families being separated by restrictive provisions of the immigration legislation. Under it approximately 80,000 persons have been admitted. Among them are the wives, husbands, parents, or children of American citizens, or escapees and refugees from Communist persecution. In 1958 the immigration laws were amended to give the Attorney General added discretionary powers to adjust the status of people admitted as aliens. A 1959 amendment further facilitated the reunion of families, and a 1960 amendment provided for U.S. participation in the resettlement of certain refugee-escapees. In 1961 a special status was granted orphans coming to this country for adoption by American parents.

CHAPTER 7—WHERE WE STAND

The Immigration and Nationality Act of 1952 undertook to codify all our national laws on immigration. This was a proper and long overdue task. But it was not just a housekeeping chore. In the course of the deliberation over the act, many basic decisions about our immigration policy were made. The total racial bar against the naturalization of Japanese, Koreans, and other East Asians was removed, and a minimum annual quota of 100 was provided for each of these countries. Provision was also made to make it easier to reunite husbands and wives. Most important of all was the decision to do nothing about the national origins system.

The famous words of Emma Lazarus on the pedestal of the Statue of Liberty read: "Give me your tired, your poor, your huddled masses yearning to breathe free." Until 1921 this was an accurate picture of our society. Under present law it would be appropriate to add: "as long as they come from Northern Europe, are not too tired or too poor or slightly ill, never stole a loaf of bread, never joined any questionable organization, and can document their acivities for the past 2 years."

Furthermore, the national origins quota system has strong overtones of an indefensible racial preference. It is strongly weighted toward so-called Anglo-Saxons, a phrase which one writer calls "a term of art" encompassing almost anyone from Northern and Western Europe. Sinclair Lewis described his hero, Martin Arrowsmith, this way: "a typical purebred Anglo-Saxon American—which means that he was a union of German, French, Scotch-Irish, perhaps a little Spanish, conceivably of the strains lumped together as 'Jewish,' and a great deal of English, which is itself a combination of primitive Britain, Celtic, Phoenician, Roman, German, Dane, and Swede."

Yet, however much our present policy may be deplored, it still remains our national policy. As President Truman said when he vetoed the Immigration and Nationality Act (only to have that veto overridden): "The idea behind this discriminatory policy was, to put it boldly, that Americans with English or Irish names were better people and better citizens than Americans with Italian or Greek or Polish names. * * * Such a concept is utterly unworthy of our traditions and our ideals."

Partly as a result of the inflexibility of the national origins quota system, the Government has had to resort to temporary expedients to meet emergency situations. The 1957 Kennedy amendment, which permitted alien spouses, parents, and children with inconsequential disqualifications to enter the United States, was responsive to this need. In 1948 Congress passed the Displaced Persons Act allowing more than 400,000 people made homeless by the war to come to this country. In 1953 Congress passed the Refugee Relief Act to admit about 200,000 people, most of whom had fled from behind the Iron Curtain. Under this act and under a clause of the Immigration and Nationality Act of 1952, not originally intended for use in such situations, some 30,000 freedom fighters from Hungary were admitted in 1957. As a result it became necessary to pass a special law in 1958 to regularize the status of many of these immigrants.

Following the 1958 earthquakes in the Azores which left so many Portuguese homeless, none of these people could enter the United States as quota immigrants. Persons of Dutch origin in the Netherlands who were displaced from Indonesia were also ineligible to enter the United States as quota immigrants. Both needs were met by the Pastore-Kennedy-Walter Act of 1958 admitting a number of them on a nonquota basis into the United States. In 1962 a special law had to be passed to permit the immigration of several thousand Chinese refugees who had escaped from Communist China to Hong Kong. The same legislative procedure was used as in the 1957 Hungarian program. Each world crisis is met by a new exception to the Immigration and Nationality Act of 1952. Each exception reflects the natural humanitarian impulses of the American people, which is in keeping with our traditions of shelter to the homeless and refuge for the oppressed.

While none of these measures are, of themselves, especially generous responses to the tremendous problems to which they are addressed, they all have a great impact on our foreign policy. They demonstrate that there is still a place in America for people fleeing from tyranny or natural calamity. Nevertheless, the effect of these actions is diluted by the very fact that they are viewed as exceptions to our national policy rather than as a part of that policy.

Another measure of the inadequecy of the Immigration and Nationality Act has been the huge volume of private immigration bills introduced in Congress. These are bills to deal with individual hardship cases for which the general law fails to provide. In the 87th Congress over 3,500 such bills were introduced. Private immigration bills make up about half of our legislation today.

It is not hard to see why. A poor European college girl was convicted three times for putting slugs in a pay telephone, and 15 years later, married to an American teacher abroad, she was denied entrance to our country because of three separate convictions for a crime involving moral turpitude. Or another case. An Italian immigrant living in Massachusetts with his small children could not bring his wife to the United States because she had been convicted on two counts involving moral turpitude. Her crimes? In 1913 and 1939 she had stolen bundles of sticks to build a fire. It took acts of Congress to reunite both these families.

These are examples of the inadequacies of the present law. They are important of themselves because people's lives are affected by them. But they are more important for what they represent of the way America looks at the world and the way America looks at itself.

There is, of course, a legitimate argument for some limitation upon immigration. We no longer need settlers for virgin lands, and our economy is expanding more slowly than in the 19th and early 20th centuries. A superficial analysis of the heated arguments over immigration policy which have taken place since 1952 might give the impression that there was an irreconcilable conflict, as if one side wanted to go back to the policy of our Founding Fathers, of unrestricted immigration, and the other side wanted to stop all further immigration. In fact, there are only a few basic differences between the most liberal bill offered in recent years, sponsored by former Senator Herbert H. Lehman, and the supporters of the status quo. The present law admits 156,700 quota immigrants annually. The Lehman bill (like a bill introduced by Senator PHILIP A. HART and cosponsored by over one-third of the Members of the Senate) would admit 250,000.

The clash of opinion arises not over the number of immigrants to be admitted, but over the test for admission—the national origins quota system. Instead of using the discriminatory test of where the immigrant was born, the reform proposals would base admission on the immigrant's possession of skills our country needs and on the humanitarian ground of reuniting families. Such legislation does not seek to make over the face of America. Immigrants would still be given tests for health, intelligence, morality, and security.

The force of this argument is recognized by the special measures enacted since 1952 which have ignored the established pattern of favoring northern and western Europe immigration over southern and eastern European countries. These statutes have resulted in the admission of a great many more persons from southern European countries than would have been possible under the McCarran-Walter Act.

But more than a decade has elapsed since the last substantial amendment to these laws. There is a compelling need for Congress to reexamine and make changes in them.

Religious and civic organizations, ethnic associations, and newspaper editorials, citizens from every walk of life and groups of every description have expressed their support for a more rational and less prejudiced immigration law. Congressional leaders of both parties have urged the adoption of new legislation that would eliminate the most objectionable features of the McCarran-Walter Act and the nationalities quota system.

It is not only the initial assignment of quota numbers which is arbitrary and unjust; additional inequity results from the failure of the law to permit full utilization of the authorized quota numbers. The tiny principality of Andorra in the Pyrenees Mountains, with 6,500 Spanish-speaking inhabitants, has an American immigration quota of 100, while Spain, with 28 million people, has a quota of only 250. While American citizens wait for years for their relatives to receive a quota, approximately 60,000 numbers are wasted each year because the countries to which thy are assigned have far more numbers allocated to them than they have emigrants seeking to move to the United States. There is no way at present in which these numbers can be reassigned to nations where immense backlogs of applicants for admission to the United States have accumulated. This deficiency in the law should be corrected.

A special discriminatory formula is now applied to the immigration of persons who are attributable by their ancestry to an area called the Asia-Pacific triangle. This area embraces all countries from Pakistan to Japan and the Pacific islands north of Australia and New Zealand. Usually, the quota under which a prospective immigrant must enter is determined by his place of birth. However, if as much as one-half of an immigrant's ancestors came from nations in the Asia-Pacific triangle, he must rely upon the small quota assigned to the country of his ancestry, regardless of where he was born. This provision of the law should be repealed.

The Presidential message to Congress of July 23, 1963, recommended that the national origins system be replaced by a formula governing immigration to the United States which takes into account: (1) the skills of the immigrant and their relationships to our needs; (2) the family relationship between immigrants and persons already here, so that the reuniting of families is encouraged; and (3) the priority of registration. Present law grants a preference to immigrants with special skills, education, or training. It also grants a preference to various relatives of United States citizens and lawfully resident aliens. But it does so only with a national origins quota. It should be modified so that those with the greatest ability to add to the national welfare, no matter where they are born, are granted the highest priority. The next priority should go to those who seek to be reunited with their relatives. For applicants with equal claims, the earliest registrant should be the first admitted.

In order to remove other existing barriers to the reuniting of families, two additional improvements in the law are needed.

First, parents of American citizens, who now have a preferred quota status, should be accorded nonquota status.

Second, parents of aliens resident in the United States, who now have no preference, should be accorded a preference, after skilled specialists and other relatives of citizens and alien residents.

These changes will have little effect on the number of immigrants admitted. They will have a major effect insofar as they relieve the hardship many of our citizens and residents now face in being separated from their parents.

These changes will not solve all the problems of immigration. But they will insure that progress will continue to be made toward our ideals and toward the realization of humanitarian objectives.

We must avoid what the Irish Poet John Boyle O'Reilly once called:

"Organized charity, scrimped and iced,
In the name of a cautious, statistical Christ."

Immigration policy should be generous; it should be fair; it should be flexible. With such a policy we can turn to the world, and to our own past, with clean hands and a clear conscience. Such a policy would be but a reaffirmation of old principles. It would be an expression of our agreement with George Washington that "The bosom of America is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment."

APPENDIX A

THE UNITED STATES OF AMERICA—A NATION OF IMMIGRANTS

The map on the following pages (not printed in the RECORD) indicates the general distribution of immigrant groups in the United States. All told, more than 42 million immigrants have come to our shores since the beginning of our history as a nation. Why they came here and what they did after they arrived make up the story of America. They came for a variety of reasons from every quarter of the world, representing almost every race, almost every religion, and almost every creed. Through their ingenuity, their industry, and their imagination, they were able to create out of a wilderness a thriving and prosperous nation—and through their dedication to liberty and freedom, they helped to build a government reflecting man's most cherished ideals.

From Great Britain came Pilgrims, who sought freedom; Quakers, who loved their brothers but who were not allowed to love them in peace; sturdy Scots and Welsh. To date, estimated immigration from Great Britain: 4,642,096. Peak year: 1888.

The bold, imaginative Irish left their land during the years of famine for the land of opportunity. Estimated immigration from Ireland to date: 4,693,009. Peak decade: 1851–60.

From Germany came the liberals and those who fled persecution. Estimated immigration from Germany to date: 6,798,313. Peak decade: 1881–90.

Fleeing Czarist and Communist suppression, came an estimated 3,344,998 Russians, some 40 percent of them Jews fleeing persecution. Peak decade: 1901–10.

Frenchmen cried, "Let us rule ourselves; our kings are not divine." To date, estimated immigration from France, 698,188. Peak year: 1851.

The Japanese and Chinese brought their gentle dreams to the West coast. To date, estimated immigration from Japan: 338,087. Peak year: 1907. Estimated immigration from China: 411,585. Peak year: 1882.

The Greeks found soil where vineyards might flourish. To date, estimated immigration from Greece: 499,465. Peak year: 1907.

In Poland they heard of the land where freedom is. To date, estimated immigration from Poland: 451,010. Peak year: 1921.

From Austria-Hungary and Rumania whole villages banded together to find a new life. To date, estimated immigration from Austria and Hungary: 4,280,863. Peak year: 1907. To date, estimated immigration from Rumania: 159,497. Peak year: 1921.

Italians settled in the cities of the East and the valleys of the West. To date, estimated immigration from Italy: 5,017,625. Peak year: 1907.

To the Midwest the Scandinavians brought their knowledge of agriculture. To date, estimated immigration from Denmark: 354,331. Peak year: 1882. From Finland: 28,358. Peak year: 1902. From Norway: 843,867. Peak year: 1882. From Sweden: 1,255,296. Peak year: 1882.

These are some of yesterday's immigrants who have supplied a continuous flow of creative abilities and ideas that have enriched our Nation.

The immigrants we welcome today and tomorrow will carry on this tradition and help us to retain, reinvigorate and strengthen the American spirit.

APPENDIX B

CHRONOLOGY OF IMMIGRATION

In 1607: Founding of Virginia by English colonists, to "fetch treasure" and enjoy religious and happy government."

In 1619: First shipload of 20 Negro slaves arrives at Jamestown.

In 1620: Voyage of the *Mayflower*, carrying Pilgrims who welcome opportunity of "advancing the gospel of * * * Christ in those remote parts of the world."

In 1623: Settlement of New Netherland as a trading post by Dutch West India Company.

In 1630–40: Puritans migrate to New England to establish a form of government that will allow them to worship as they desire.

In 1634: Lord Baltimore founds Maryland as a refuge for English Catholics.

In 1642: Outbreak of English Civil War and decrease in Puritan migration.

In 1649: Passage of Maryland Toleration Act, extending toleration to all bodies professing trinitarian Christianity.

In 1654: First Jewish immigrants to reach North America arrive at New Amsterdam fleeing Portuguese persecution in Brazil.

In 1660: Emigration from England officially discouraged by government of Charles II, acting on mercantilist doctrine that the wealth of a country depends on number of its inhabitants.

In 1670: Settlement of the Carolinas by a group of English courtiers, anxious to promote national self-sufficiency—and their own fortunes.

In 1681: Founding of Pennsylvania by the Quakers, as William Penn's "holy experiment" in universal philanthropy and brotherhood.

In 1683: First German settlers, Mennonites to reach New World arrive in Pennsylvania, in a desire to withdraw from the world and live peaceably according to the tenets of their faith.

In 1685: Revocation of Edict of Nantes by Louis XIV, culmination of growth of religious intolerance in France, leads to arrival of small but important group of Huguenots. Most settle in South Carolina.

In 1697: Royal African Company's monopoly of slave trade ends and the business of slavery expands rapidly. New Englanders find it extremely profitable.

In 1707: Act of Union between England and Scotland begins a new era of Scottish migration. Scots settle as merchants and factors in colonial seaports; lowland artisans and laborers leave Glasgow to become indentured servants in tobacco colonies and New York.

In 1709: Exodus from German Palatinate in wake of devastation wreaked by wars of Louis XIV. Palatines settle in Hudson Valley and Pennsylvania.

In 1717: Act of English Parliament legalizes transportation to American colonies as punishment; contractors begin regular shipments from jails, most (of some 30,000) to Virginia and Maryland.

In 1718: Large-scale Scotch-Irish immigration begins, sparked by discontent with old country land system: absentee landlords, high rents, short leases. Most settle first in New England, then in Maryland and Pennsylvania.

In 1730: Colonization of Virginia valley and Carolina back country by Germans (Pietist and pacifist sectarians) and Scotch-Irish from Pennsylvania.

In 1732: Georgia founded by James Oglethorpe, as a buffer against Spanish and French attack, as a producer of raw silk and as a haven for imprisoned debtors. (Silk scheme fails; only a handful of debtors come.)

In 1740: Parliament enacts Naturalization Act conferring British citizenship on alien immigrants to colonies in hope of encouraging Jewish immigration. Jews enjoy a greater degree of political and religious freedom in the American colonies than anywhere in the world.

In 1745: Jacobite rebellion in Scotland to put Stuarts back on throne fails. Some rebels transported to American colonies as punishment.

In 1755: Expulsion of French Acadians from Nova Scotia on suspicion of disloyalty. Survivors settle in Louisiana.

In 1771–73: Depression in Ulster linen trade and acute agrarian crises bring new influx of Scotch-Irish, around 10,000 annually.

In 1775: British Government suspends emigration on outbreak of hostilities in America.

In 1783: Treaty of Paris ends Revolutionary War. Revival of immigration; most numerous group: Scotch-Irish.

In 1789: Outbreak of French Revolution. Emigration to the United States of aristocrats and royalist sympathizers.

In 1791: Negro revolt in Santo Domingo; 10,000–20,000 French exiles take refuge in the United States, principally in towns on the Atlantic seaboard.

In 1793: Wars of the French Revolution send Girondists and Jacobins threatened by guillotine to the United States.

In 1798: Unsuccessful Irish rebellion; rebels emigrate to the United States, as do distressed artisans and yeoman farmers and agricultural laborers depressed by bad harvests and low prices.

Alien and Sedition Acts give President arbitrary powers to seize and expel resident aliens suspected of engaging in subversive activities. Though never invoked, acts induce several shiploads of Frenchmen to return to France and Santo Domingo.

In 1803: Resumption of war between England and France. Disrupting of transatlantic trade; emigration from continental Europe practically impossible.

British Passenger Act limits numbers to be carried by emigrant ships, effectively checks Irish emigration.

In 1807: Congress prohibits importing of Negro slaves into the United States (prohibited by Delaware in 1776; Virginia, 1778; Maryland, 1783; South Carolina, 1787; North Carolina, 1794; Georgia, 1798; reopened by South Carolina in 1803).

In 1812: War of 1812 brings immigration to a complete halt.

In 1814: Treaty of Ghent ends War of 1812. Beginning of first great wave of immigration: 5 million immigrants between 1815 and 1860.

In 1818: Black Ball Line of sailing packets begins regular Liverpool-New York service; Liverpool becomes main port of departure for Irish and British, as well as considerable numbers of Germans and Norwegians.

In 1825: Great Britain repeals laws prohibiting emigration as ineffective; official endorsement of view that England is overpopulated.

Arrival in United States of first group of Norwegian immigrants in sloop *Restaurationen*, consisting of freeholders leaving an overpopulated country and shrunken farms. They are followed by cotters, laborers and servants.

In 1830: Polish revolution. Thirty-six sections of public land in Illinois allotted by Congress to Polish revolutionary refugees.

In 1837: Financial panic. Nativists complain that immigration lowers wage levels, contributes to the decline of the apprenticeship system and generally depresses the condition of labor.

In 1840: Cunard Line founded. Beginning of era of steamship lines especially designed for passenger transportation between Europe and the United States.

In 1845: Native American Party founded, with minimal support in 14 States; precursor of nativist, anti-immigrant Know-Nothing Party which reached its peak in 1855, when it elected six Governors, dominated several State legislatures and sent a sizable delegation to Congress.

In 1846: Crop failures in Germany and Holland. Mortgage foreclosures and forced sales send tens of thousands of dispossessed to United States.

In 1846–47: Irish potato famine. Large scale emigration to the United States of all classes of Irish population, not only laborers and cotters, but even substantial farmers.

In 1848: Revolution in Germany. Failure of revolution results in emigration of political refugees to America.

In 1855: Opening of Castle Garden immigrant depot in New York. City to process mass immigration.

In 1856: Collapse of Know-Nothing movement in presidential election; candidate Millard Fillmore carries only one State.

Irish Catholic Colonization Convention at Buffalo, N.Y., to promote Irish rural colonization in the United States. Strongly opposed by eastern bishops, movement proves unsuccessful.

In 1861–65: Large numbers of immigrants serve on both sides during American Civil War.

In 1882: First Federal immigration law bars lunatics, idiots, convicts and those likely to become public charges.

Chinese Exclusion Act denies entry to Chinese laborers for a period of 10 years (renewed in 1892; Chinese immigration suspended indefinitely in 1902; many return home).

Outbreak of anti-Semitism in Russia; sharp rise in Jewish migration to United States.

In 1885: Foran Act prohibits importing of contract labor, but not of skilled labor for new industries, artists, actors, lecturers, domestic servants; individuals in United States not to be prevented from assisting immigration of relatives and personal friends.

In 1886: Statue of Liberty dedicated, just when the resistance to unrestricted immigration begins to mount.

In 1890: Superintendent of the Census announces disappearance of the frontier.

In 1891: Congress adds health qualifications to immigration restrictions.

Pogroms in Russia. Large Jewish immigration to United States.

In 1892: Ellis Island replaces Castle Garden as a reception center for immigrants.

In 1893: Economic depression brings a vast accession of strength to anti-Catholic American Protective Association.

In 1894: Immigration Restriction League organized, to be the spearhead of restrictionist movement for next 25 years. Emphasizes distinction between "old" (northern and western European) and "new" (southern and eastern European) immigrants.

In 1894–96: Massacres of Armenian Christians by Moslems set emigration to United States in motion.

In 1897: Literacy test for immigrants vetoed by President Cleveland.

In 1903: Immigration law denies entry, inter alia, to anarchists or persons believing in the overthrow by force or violence of the Government of the United States, or any government, or in the assassination of public officials (as a result of President McKinley's assassination by the American-born anarchist, Leon Czlogosz).

In 1905: Japanese and Korean Exclusion League formed by organized labor in protest against influx of coolie labor and in fear of threat to the living standards of American workingmen.

In 1907–08: Gentleman's agreement, whereby Japanese Government undertakes to deny passports to laborers going directly from Japan to United States, fails to satisfy west coast exclusionists.

In 1913: California Legislature passes alien land law, effectively barring Japanese, as "aliens ineligible for citizenship," from owning agricultural land in the State.

In 1914–18: World War I. End of period of mass migration to the United States.

In 1916: Madison Grant's "The Passing of the Great Race" calls for exclusion, on racist grounds, of "inferior" Alpine, Mediterranean, and Jewish breeds.

In 1917: Literacy test for immigrants finally adopted after being defeated in Congress in 1896, 1898, 1902, 1906, vetoed in 1897 by President Cleveland, in 1913 by President Taft, and in 1915 and 1917 by President Wilson. It was passed by overriding the second veto by President Wilson.

In 1919: Big Red scare: antiforeign fears and hatreds transferred from German-Americans to alien revolutionaries and radicals. Thousands of alien radicals seized in Palmer raids, hundreds deported.

In 1921: Emergency immigration restriction law introduces quota system, heavily weighted in favor of natives of northern and western Europe, all but slamming the door on southern and eastern Europeans. Immediate slump in immigration.

In 1923: Ku Klu Klan, at heart a virulently anti-immigrant movement, reaches its peak strength.

In 1924: National Origins Act adopted, settling ceiling on number of immigrants, and establishing discriminatory national-racial quotas.

In 1929: National Origins Act becomes operative. Stock market crash. Demands that immigration be further reduced during economic crisis lead Hoover administration to order rigorous enforcement of prohibition against admission of persons liable to be public charges.

In 1933: Hitler becomes German Chancellor; anti-Semitic campaign begins. Jewish refugees from Nazi Germany come to United States, though barriers imposed by the quota system are not lifted.

In 1934: Philippine Independence Act restricts Filipino immigration to an annual quota of 50.

In 1939: World War II begins.

In 1941: United States enters war. All immigrant groups support united war effort.

In 1942: Evacuation of Japanese-Americans from Pacific Coast to detention camps, victims of deep-seated suspicion and animosity, and unjustified fear of espionage and sabotage.

In 1945: Large-scale Puerto Rican migration to escape poverty on island. Many settle in New York.

In 1946: War Brides Act provides for admission of foreign-born wives of American servicemen.

In 1948: Displaced Persons Act (amended in 1950) provides for admission of 400,000 refugees during a 4-year period: three-quarters regular displaced persons from countries with low quotas, one-quarter Volksdeutsche (ethnic Germans), special groups of Greek, Polish, and Italian refugees, orphans and European refugees stranded in the Far East.

In 1952: Immigration and Naturalization Act, codifying existing legislation, makes the quota system even more rigid and repressive, except for a token quota granted those in the Asia-Pacific triangle.

In 1953–56: Refugee Relief Act grants visas to some 5,000 Hungarians after 1956 revolution; President Eisenhower invites 30,000 more to come in on parole.

In 1954: Ellis Island closed. Symbol of ending of mass migration.

In 1957: Special legislation to admit Hungarian refugees.

In 1959: Castro revolution successful in Cuba.

In 1960: Cuban refugees paroled into United States.

In 1962: Special permission for admission of refugees from Hong Kong.

In 1963: Congress urged by President Kennedy to pass new legislation eliminating national origins quota system.

(Appendix C: "Suggested Reading" has been omitted.)

APPENDIX D

TEXT OF PRESIDENT JOHN F. KENNEDY'S PROPOSALS TO LIBERALIZE IMMIGRATION STATUTES (JULY 23, 1963)

I am transmitting herewith, for the consideration of the Congress, legislation revising and modernizing our immigration laws. More than a decade has elapsed since the last substantial amendment to these laws. I believe there exists a compelling need for the Congress to reexamine and make certain changes in these laws.

The most urgent and fundamental reform I am recommending relates to the national origins system of selecting immigrants. Since 1924 it has been used to determine the number of quota immigrants permitted to enter the United States each year. Accordingly, although the legislation I am transmitting deals with many problems which require remedial action, it concentrates attention primarily upon revision of our quota immigration system. The enactment of this legislation will not resolve all of our important problems in the field of immigration law. It will, however, provide a sound basis upon which we can build in developing an immigration law that serves the national interest and reflects in every detail the principles of equality and human dignity to which our Nation subscribes.

Elimination of discrimination based on national origins

Present legislation establishes a system of annual quotas to govern immigration from each country. Under this system, 156,700 quota immigrants are permitted to enter the United States each year. The system is based upon the national origins of the population of the United States in 1920. The use of the year 1920 is arbitrary. It rests upon the fact that this system was introduced in 1924 and the last prior census was in 1920. The use of a national origins system is without basis in either logic or reason. It neither satisfies a national need nor accomplishes an international purpose. In an age of interdependence among nations, such a system is an anachronism, for it discriminates among applicants for admission into the United States on the basis of accident of birth.

Because of the composition of our population in 1920, the system is heavily weighted in favor of immigration from northern Europe and severely limits immigration from southern and eastern Europe and from other parts of the world. An American citizen with a Greek father or mother must wait at least 18 months to bring his parents here to join him. A citizen whose married son or daughter, or brother or sister, is Italian cannot obtain a quota number for an even longer time. Meanwhile, many thousands of quota numbers are wasted because they are not wanted or needed by nationals of the countries to which they are assigned.

I recommend that there be substituted for the national origins system a formula governing immigration to the United States which takes into account (1) the skills of the immigrant and their relationship to our need; (2) the family relationship between immigrants and persons already here, so that the reuniting of families is encouraged; and (3) the priority of registration. Present law grants a preference to immigrants with special skills, education, or training. It also grants a preference to various relatives of U.S. citizens and lawfully resident aliens. But it does so only within a national origins quota. It should be modified so that those with the greatest ability to add to the national welfare, no matter where they were born, are granted the highest priority. The next priority should go to those who seek to be reunited with their relatives. As between applicants with equal claims the earliest registrant should be the first admitted.

Many problems of fairness and foreign policy are involved in replacing a system so long entrenched. The national origins system has produced large backlogs of applications in some countries, and too rapid a change might, in a system of limited immigration, so drastically curtail immigration in some countries the only effect might be to shift the unfairness from one group of nations to another. A reasonable time to adjust to any new system must be provided if individual hardships upon persons who were relying on the present system are to be avoided. In addition, any new system must have sufficient flexibility to allow adjustments to be made when it appears that immigrants from nations closely allied to the United States will be unduly restricted in their freedom to furnish the new seed population that has so long been a source of strength to our Nation.

PROPOSAL IN DETAIL

Accordingly, I recommend:

First, that existing quotas be reduced gradually, at the rate of 20 percent a year. The quota numbers released each year would be placed in a quota reserve pool, to be distributed on the new basis.

Second, that natives of no one country receive over 10 percent of the total quota numbers authorized in any one year. This will insure that the pattern of immigration is not distorted by excessive demand from any one country.

Third, that the President be authorized, after receiving recommendations from a seven-man Immigration Board, to reserve up to 50 percent of the unallocated quota numbers for issuance to persons disadvantaged by the change in the quota system, and up to 20 percent to refugees whose sudden dislocation requires special treatment. The Immigration Board will be composed of two members appointed by the Speaker of the House of Representatives, two members appointed by the President pro tempore of the Senate, and three members appointed by the President. In addition to its responsibility for formulating recommendations regarding the use of the quota reserve pool, the Board will make a continuous study of our immigration policy.

ALL QUOTA NUMBERS USED

But it is not alone the initial assignment of quota numbers which is arbitrary and unjust; additional inequity results from the failure of the law to permit full utilization of the authorized quota numbers. While American citizens wait for years for their relatives to receive a quota, approximately 60,000 quota numbers are wasted each year because the countries to which they are assigned have far more numbers allocated to them than they have emigrants seeking to move to the United States. There is no way at present in which these numbers can be reassigned to Nations where immense backlogs of applicants for admission to the United States have accumulated. I recommend that this deficiency in the law be corrected.

ASIA-PACIFIC TRIANGLE

A special discriminatory formula is now used to regulate the immigration of persons who are attributable by their ancestry to an area called the Asia-Pacific triangle. This area embraces all countries from Pakistan to Japan and the Pacific islands north of Australia and New Zealand. Usually, the quota under which a prospective immigrant must enter is determined by his place of birth. However, if as much as one-half of an immigrant's ancestors came from nations in the Asia-Pacific triangle, he must rely upon the small quota assigned to the country of his ancestry, regardless of where he was born. This provision of our law should be repealed.

OTHER PROVISIONS

In order to remove other existing barriers to the reuniting of families, I recommend two additional improvements in the law.

First, parents of American citizens, who now have a preferred quota status should be accorded nonquota status.

Second, parents of aliens resident in the United States, who now have no preference, should be accorded a preference, after skilled specialists and other relatives of citizens and alien residents.

These changes will have little effect on the number of immigrants admitted. They will have a major effect upon the individual hardships many of our citizens and residents now face in being separated from their parents.

In addition, I recommend the following changes in the law in order to correct certain deficiencies and improve its general application.

1. Changes in the preference structure. At present, the procedure under which specially skilled or trained workers are permitted to enter this country too often prevents talented people from applying for visas to enter the United States. It often deprives us of immigrants who would be helpful to our economy and our culture. This procedure should be liberalized so that highly trained or skilled persons may obtain a preference without requiring that they secure employment here before emigrating. In addition, I recommend that a special preference be accorded workers with lesser skills who can fill specific needs in short supply in this country.

2. Nonquota status for natives of Jamaica, Trinidad and Tobago should be granted. Under existing law, no numerical limitation is imposed upon the number of immigrants coming from Canada, Mexico, Cuba, Haiti, the Dominican Republic, the Canal Zone, or any independent country in Central or South America. But the language of the statute restricts this privilege to persons born in countries in the Caribbean area which gained their independence prior to the date of the last major amendment to the immigration and nationality statutes, in 1952. This accidental discrimination against the newly independent nations of the Western Hemisphere should be corrected.

3. Persons afflicted with mental health problems should be admitted provided certain standards are met. Today, any person afflicted with a mental disease or mental defect, psychotic personality, or epilepsy, and any person who has suffered an attack of mental illness, can enter this country only if a private bill is enacted for his benefit. Families which are able and willing to care for a mentally ill child or parent are often forced to choose between living in the United States and leaving their loved ones behind and not living in the United States but being able to see and care for their loved ones. Mental illness is not incurable. It should be treated like other illnesses. I recommend that the Attorney General, at his discretion and under proper safeguards, be authorized to waive those provisions of the law which prohibit the admission to the United States of persons with mental problems when they are close relatives of United States citizens and lawfully resident aliens.

4. The Secretary of State should be authorized, in his discretion, to require reregistration of certain quota immigrant visa applicants and to regulate the time of payment of visa fees. This authority would bring registration lists up to date, terminate the priority of applicants who have refused to accept a visa, and end the problem of "insurance" registrations by persons who have no present intention to emigrate. Registration figures for oversubscribed quota areas are now inaccurate because there exists no way of determining whether registrants have died, have emigrated to other countries, or for some other reason no longer want to emigrate to the United States. These problems are particularly acute in heavily oversubscribed areas.

CONCLUSION

As I have already indicated the measures I have outlined will not solve all the problems of immigration. Many of them will require additional legislation; some cannot be solved by any one country. But the legislation I am submitting will insure that progress will continue to be made toward our ideals and toward the realization of humanitarian objectives. The measures I have recommended will help eliminate discrimination between peoples and nations on a basis that is unrelated to any contribution that immigrants can make and is inconsistent with our traditions of welcome. Our investment in new citizens has always been a valuable source of our strength.

APPENDIX E

SELECTED COMMENTS ON PRESIDENT KENNEDY'S MESSAGE

Senator **PHILIP A. HART**, Democrat, of Michigan, speaking of the message on revision of the immigration laws sent to the Congress in 1963, said: "It is fitting that this proposal should come at a time when the Nation and the Congress are deeply committed to a full review of our practices and laws affecting our fellow citizens of different races. * * * Let us get on with this job."

From the other side of the Chamber, Republican Senator Kenneth B. Keating, of New York, declared: "I am very pleased that the executive branch has now made these proposals and I am sympathetic to the approach in this bill. * * * I shall certainly exert every possible effort to have such legislation enacted at this session * * * and hope that there will be prompt hearings on this important subject."

Strong support for a thoroughgoing revision of our present immigration policy came from Senator HUBERT H. HUMPHREY, the Minnesota Democrat. He said: "Although Congress faces many urgent matters of national importance at this session and the next, I fervently hope we can, nevertheless, push ahead with the long-postponed long-overdue task of bringing our immigration laws up to the civilized standard which the world has reason to expect of the United States. The present system is cruel, unworkable, discriminatory, and illogical."

Republican Senator HIRAM L. FONG, of Hawaii, said: "I shall strongly support efforts to basically revise our immigration laws and policies," and added that he was "heartened" by the administration's recognition of the need for a basic change in American immigration policies.

Congressman EMANUEL CELLER, of New York, chairman of the House Judiciary Committee, said: "It is my considered opinion that the President's bill offers a broad and firm basis for a long overdue revision of our policies and practices in this most important area of domestic and foreign human relations."

Congressman JAMES ROOSEVELT, of California, stated: "The President of the United States has urgently called upon the Congress to implement long overdue and sorely needed changes in our immigration laws.

"I would like to strongly urge my colleagues to join with me in supporting this new and far-reaching immigration proposal of the President's."

Congressman WILLIAM F. RYAN, of New York, said: "I believe that President Kennedy's proposals represent a giant step forward in the creation of a sensible and humane immigration policy."

Newspaper editorials reflected a similar, nonpartisan approach to the projected revisions. The Chicago Tribune commented:

"The idea of shifting the basis of immigrants' admission from the arbitrary one of country of origin to the rational and humane ones of occupational skills and reuniting families deserves approval.

"The policy of action without regard to race, religion, or country of origin has increasing appeal and scope in the United States, especially in the processes of government. The immigration quotas have been the principal exception in Federal practice to equality before the law for people whatever the circumstances of their birth. It is an exception that it is well to reconsider."

The Denver Post approvingly said of the proposed changes: "It would replace a system based on racial and national discrimination with one having two worthwhile and humane objectives: to assure the United States of a continuing flow of usefully skilled new citizens, and to reunite the families of U.S. citizens."

The Washington Post, July 24, 1963, called President Kennedy's proposal "the best immigration law within living memory to bear a White House endorsement."

The New York Times, July 25, 1963, in its lead editorial stated: "Adoption of the President's wise recommendations would be an act of justice and wisdom, as well as evidence that we fully understand the true nature of the changed world—now grown so small—in which all humanity lives."

The St. Paul Pioneer Press editorialized on July 26, 1963: "Possibly the only negative feature of the administration's new immigration plan is the 5 years it proposes to take in implementing it. The present system is so archaic and inflexible as to deserve speedier abandonment."

"It is time to lay aside the thinking of the twenties in favor of the realities of the sixties with regard to our unreasonable quota system on immigration," wrote the Chattanooga Times. It continued:

"The system of national quotas has long been recognized as a paradox, in a nation proud of its pattern of growth and development based in large part on the openness of its shores to people seeking an opportunity in the 'land of opportunity.'

"The quota system was set up in the immigration law of 1924. Many of its supporters saw this as a means of checking an Asian immigration invasion. But others adapted it to meet their own desires to limit the number who could come to this country from southern Europe.

"We are a big nation with room—and a continuing need—to grow stronger. We can do this with the skill and ability of our native born and of those from other lands who wish to be a part of this great Nation and to work with us in trying to fulfill its ideals.

"The time to worry about immigration is when people stop wanting to come to this country."

Seventy-two leading religious, civic, labor, and social service agencies, members of the American Immigration and Citizenship Conference, jointly commended the President as follows:

"We wish to endorse strongly the historic step you have taken in your message of July 23 in calling for the elimination of the national origins quota system.

"We have long urged the removal of this discriminatory aspect of our American immigration policy.

"We are greatly encouraged and wish to express our appreciation for the outstanding leadership you are giving in this major field of human rights."

Mr. KENNEDY of New York. Mr. President, I should like to read a short paragraph contained in the introduction to this book. It reads as follows:

> On his sentimental visit to Ireland in June of 1963, he stood at the spot from which Patrick Kennedy embarked, and said: "When my great-grandfather left here to become a cooper in East Boston, he carried nothing with him except a strong religious faith and a strong desire for liberty. If he hadn't left, I would be working at the Albatross Co. across the road."

I believe that that is an inspiration for all the immigrants who will come to the United States in the future. It will enable them to stop working at the Albatross Co. and perhaps become President of the United States.

I should also like to express my appreciation for the role played in this legislation by Attorney General Katzenbach, Assistant Attorney General Norbert Schlei, Mr. Leon Ulman, and Mr. Robert Saloschin, all of the Department of Justice; by Commissioner Raymond Farrell, Mr. James Hennessy, and Mrs. Helen Eckerson of the Immigration and Naturalization Service; by Secretary of State Rusk and Mr. Abba Schwartz of the Department of State; and by Mr. Adam Walinsky, formerly of the Department of Justice.

I yield the floor.

THE 35-65 ALLOCATION FORMULA IN THE DEFENSE DEPARTMENT APPROPRIATION BILL—H.R. 9221

Mr. MORSE. Mr. President, I thank the Senator from Mississippi from the bottom of my heart for the great courtesy that he has paid to me in coming to the Senate floor tonight to participate with me in making a brief legislative record in the Senate on the Defense Department appropriation bill which originally was planned to be presented today, but which will be presented tomorrow.

This cooperation of the Senator from Mississippi with the senior Senator from Oregon, and, for that matter, all Senators, is very typical of the Senator from Mississippi. I want the Senator to know that I appreciate it.

Mr. President, it is my understanding that tomorrow the conference report on the Department of Defense appropriation bill, H.R. 9221, will be considered in the Senate.

I thank the Senator from Mississippi [Mr. STENNIS] for his fine cooperation and excellent assistance in bringing about passage in the Appropriations Committee, and in the Senate, of amendment No. 61 to H.R. 9221 which would have restored the language of limitation protecting the so-called 35-65 formula applicable to ship conversion, alteration and repair projects. I am also appreciative of the fine help rendered on this matter by other members of the Senate Appropriations Committee.

Not only am I grateful for the stanch support of this program on the Senate side but I am sure I reflect the views of businessmen and citizens of the State of Oregon when I say they were indeed pleased by the inclusion in the Senate version of H.R. 9221 of this most important public-interest provision.

I was very much concerned, therefore, when I observed that the conferees receded from amendment No. 61, thereby dropping the 35-65 provision from the bill which amendment was important to the shipbuilding and ship repair interest of Oregon and Washington, and, therefore, to the economy of those two great States.

By way of preface, I should indicate that I agree completely with the Senator from Mississippi when he pointed out in the Senate on August 25 that the 35-65 amendment would foster surveillance by the Congress over the allocation of funds to be used for this particular type of Navy work. After all, this item involves more than $840 million in Federal spending for fiscal 1966. Expenditures of that magnitude should be protected by congressional oversight procedures; they should not be relegated to discretionary action on the part of the executive branch. This is a matter which, as the Senator from Mississippi pointed out, should be of special interest to the Congress.

As the Senator from Mississippi also pointed out on August 25, the United States has an excess of shipyard capacity; it is in our national interest to maintain as much of this capacity as possible and it is a fact that during the past 3 years, the 35–65 provision has resulted in no serious defense problems for the Navy.

According to the Navy's preliminary plan, the private shipyards will be allocated only 26.3 percent of the more than $840 million to be devoted to conversion, alteration and repair work during fiscal 1966. This causes me deep concern, because I feel that such a percentage reduction in this work to our private shipyards will jeopardize the economic status of such yards as well as their readiness to meet any national emergency that might occur in the ship conversion, alteration, or repair field.

It is my hope that tomorrow, during the course of the Senate discussion of the conference report, the Senator from Mississippi will supply his observations, as a matter of legislative history on this conference report. As I pointed out in the statement I submitted to the Senate Subcommittee on Defense Appropriations on July 26:

> If the Navy is given complete discretion to deal or not to deal with the private ship repair yards in this field of Government work, a vital segment of our free enterprise economy will disappear from the scene or will be seriously damaged. We, as a nation, cannot afford to lose this segment of our free economy, nor can we afford to have it weakened.

In fact, I think the dropping of the 35–65 percent amendment is another step in the direction of a military takeover of our free economy. More and more we are seeing our free economy changed into a defense economy controlled by military considerations. Such a trend will lead more and more to our economy being controlled by the Pentagon Building.

Last month, I received a very interesting report, dated August 5, addressed to me by the Acting Chief of the Bureau of Ships. This report supplied figures concerning the total volume of repair and alteration work for fiscal 1963 through 1965, inclusive, which had been assigned to the 13th Naval District, which includes Oregon. Here are the figures:

Year:	
1963	$9, 332, 518
1964	6, 370, 525
1965	6, 989, 355

However, the August 5 report continued:

> It is currently estimated that during fiscal year 1966, Oregon will be invited to bid on repair and alteration work having an aggregate dollar value of $1,600,000.

Compared with the figure of $6,989,355, does anyone in the Senate have any surprise that the Senator from Oregon is on his feet in this body tonight, raising serious questions about this terrific cutback from, in round figures, $7 million in 1965 to $1,600,000 in 1966?

I say most respectfully that the business interests of my State, not only the shipbuilding and repair interests, but the business interests of my State in all facets of our economy, are greatly concerned about this report from the Navy.

As the Senator from Mississippi can appreciate, this involves a serious drop in the amount of work which we can expect in the Pacific Northwest in the ship repair, conversion, and alteration program for fiscal 1966. The Bureau of Ships softened the blow by stating:

> It is possible that these yards may be invited to bid on additional Navy ship work during fiscal 1966 because of changing operational requirements or other factors.

I am not interested in carrots on a stick. I dislike to think that the right of private enterprise in my State will be dependent, for example, upon such language as "or other factors," which may involve acceleration and escalation of military combat in Asia. As the Senator well knows, no businessman could plan his program and retain his work force on the basis of a vague promise of this type.

If the Senator from Mississippi were in my position, I am sure that he, too, would be deeply concerned over a proposed drop in estimated repair and alteration work for the 13th Naval District. I must necessarily warn the business interests and labor interests of my State that the Johnson administration is permitting the Navy to strike this serious blow to the free enterprise economy of Oregon. If necessary to check the military attack on our free enterprise economy, I must urge the people of my State and the Nation to resort to the ballot box. It is their only effective answer to economic dictatorship by the American military.

In view of this potential and probable adverse effect on the economy of my State, I would like to have the Senator from Mississippi make a record tomorrow on whether or not the Subcommittee on Defense Department Appropriations plans to undertake surveillance activities with respect to the allocation of ship repair, conversion and alteration work by the private and public shipyards during the current fiscal year.

I am sure the Senator from Mississippi understands why I am raising this question, for his comment.

It is my hope that the subcommittee will undertake close continuing review of the allocation of this type of work to the private yards within the 13th Naval District for this fiscal year, and thereafter. After all, our private yards are a bulwark of defense in time of national emergency and it is extremely important that these yards, which can perform outstanding work and at costs less than those of the Government yards, be given an adequate share of work comparable to the 35-percent allocation that has prevailed for the past 3 years. Unless this allocation is maintained, at least in substance, we are in great danger of losing managerial and employee skills in our private shipyards of the Pacific Northwest. These skills are of great importance to our Nation in the era of defense alert in which we now live.

Mr. President, I ask unanimous consent that the report dated August 5 addressed to me by Rear Admiral Curtze, Acting Chief of the Bureau of Ships, be included in the Record at this point in my remarks. It contains the proof of the Navy's plan to do irreparable damage to the private shipyards of the Pacific Northwest and to the private enterprise economy of the States of Oregon and Washington. The people of Oregon and Washington should not forget this Navy attack on their economy and they should strike back with their political power.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of the Navy,
Bureau of Ships,
Washington, D.C., August 5, 1965.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator Morse: This is in further reply to your letter of July 17, 1965, concerning the amount of Navy ship repair, conversion, and alteration work scheduled for the State of Oregon for fiscal years 1966, 1965, 1964, and 1963. You will recall that in my letter of July 23, 1965, I promised to advise you as to the total dollar volume of repair and alteration work on which Oregon yards were invited to bid during the years under review.

Listed below are the figures you requested for the total dollar volume of repair and alteration work during fiscal years 1963 to 1965 on which Oregon yards were invited to bid, as reported by the industrial manager, 13th Naval District:

Year:	
1963	$9, 332, 518
1964	6, 370, 525
1965	6, 989, 355

It is currently estimated that during fiscal year 1966 Oregon yards will be invited to bid on repair and alteration work having an aggregate dollar value of $1,600,000. In addition, you will be interested to know that on June 23, 1965, modification and repair of the U.S.S. *General H. Arnold* (T–ACM–9) was awarded to Northwest Marine Iron Works, Portland, Oreg., at a contract price of $595,311. This work is expected to begin later this month.

It is the Navy's policy, to the extent practicable, to have active fleet ships overhauled at or near their homeports, in order to facilitate reunions of members of the ships' forces with their families, after extended tours of sea duty. Portland is not a homeport for Pacific Fleet ships. However, the Navy will keep in mind the need and capabilities of Portland area yards for Navy shipwork. It is possible that these yards may be invited to bid on additional Navy shipwork during fiscal 1966 because of changing operational requirements or other factors.

I trust that the foregoing information will be adequate for your needs. However, should you desire additional data, please do not hesitate to communicate with me again.

Sincerely yours,

Charles A. Curtze,
Rear Admiral, USN, Acting Chief of Bureau.

Mr. MORSE. Mr. President, I serve clear notice tonight that I shall be in the Pacific Northwest in 1966, urging the voters to strike back against an administration which is guilty of doing this great damage to our private economy, unless the administration takes necessary steps to right the wrong that Admiral Curtze seems bent on doing to the economy of my section of the country.

I hope the Senator from Mississippi will fully understand that, as the senior Senator from Oregon, with my trust and responsibilities to represent the people in my area, I raise these questions tonight. I do not ask him to agree with any of my political views—I never do—but I would appreciate any assistance that he can give to my State by way of making legislative history tonight or tomorrow as to whether his committee intends to maintain careful surveillance over the Navy Department and its Bureau of Ships, to see to it that they do not resort to what I fear will be very arbitrary discretion which will be applied by them, as indicated by Admiral Curtze in his letter to me.

Mr. STENNIS. Mr. President, if the Senator will yield to me for a brief response at this time, I believe that the Senator from Oregon has made a splendid statement, a very fair one—and penetrating, as is always true in his remarks, going to the very substance of the grave problem we have in the bill and the Senate version of the bill.

I was the author of the amendment providing for a 65–35 percent division of Naval money in the bill for ship alteration and repair—the division between the Federal yards, so-called, and the privately owned yards.

Mr. MORSE. The Senator from Mississippi was not only the author but also its great defender on the floor of the Senate. I wish him to know that I have told that story all over the State of Oregon.

Mr. STENNIS. I thank the Senator from Oregon for that, but it is only right, proper, and sound that we should have this provision, because it has proved valuable in the years we have had it in the bill, and it has not hurt the Navy. There was a clause in the version we had, the so-called escape clause, which would permit latitude by the Secretary of Defense in cases where he had to make exceptions in the military interest of the Nation. But this is a highly controversial question, as the Senator well knows. There are sentiments both ways. It was impossible, with all the existing facts, at this time, to hold the amendment in conference.

I have not yielded one bit on my ideas concerning the matter. That was my plea on the floor and in conference, that we absolutely must have some surveillance over this very large amount of money—I believe it is $850-odd million in the bill alone.

In justifying the money for the privately owned shipyards for the current fiscal year, there is pledged 26.3 percent of the funds to go to those yards, as the Senator knows.

I am going to write to the Bureau of Yards and Docks, to the Chief of Naval Operations, to the Director of the Bureau of the Budget, and even to the President of the United States, expressing my opinion and my conclusions as to the need for this surveillance.

I am sure that other Senators will follow this problem with much interest. The Navy is on trial in reference to this matter. They do not like the restrictions. They have not lobbied with me, as the term is used, but they know that that is their provision. But, if this large amount of money did not get some surveillance by Congress, Congress would be neglecting its duty. I also believe that the pressure will be so great, if we do not have this surveillance, that abuses could result.

We must absolutely, militarywise, maintain both kinds of shipyards. Each has its place. If the alteration, repair, and conversion capacity of the privately owned shipyards is going to remain unused, they cannot keep it standing there. They cannot maintain it on a standby ready-to-work basis from year to year as Federal shipyards can with the money of the Treasury Department behind them. They would have to liquidate the capacity. That is what would happen. Thus, I certainly pledge to the Senator my full interest in this matter.

Tomorrow I shall read the Senator's remarks in the Record. I shall also refer to them tomorrow when we take up the conference report, and summarize his points, if I may; and further address myself to those points so that they will all be in the Record.

Mr. MORSE. I am greatly indebted to the Senator from Mississippi. I thank him very much. He has given me a fine statement. I could not ask for more. The Senator can do no more under the parliamentary situation.

The Senator from Mississippi states that he is going to support surveillance of expenditures of this huge budgetary sum of money which goes to the Bureau of Ships. That is all I can ask for.

When he tells me that he is going to write letters on this subject, including the President of the United States, he has gone all the way in trying to cooperate with me.

He made the comment that the Navy does not like restrictions. The Military Establishment never likes restrictions.

As the Senator from Mississippi knows, I feel that if we are to protect the private segment of the economy, if we are going to maintain civilian control over the military, the military must be subject to restrictions. It must not be placed beyond the reach of reasonable restrictions.

I have felt that surveillance is a reasonable restriction. I agree that the Navy shipyards must be kept strong. I have always defended strong Navy shipyards, and will continue to do so; but, I do not intend to surrender to the Navy in what I believe would be a weakening of the privately owned shipyards, if the surveillance promised by the Senator from Mississippi is not maintained.

Once again, I thank the Senator from Mississippi very much for the legislative history which he has made this afternoon.

Mr. STENNIS. I thank the Senator. Let me add that there is general directive law on this subject with reference to the funds, but clearly there is still in order a limitation in the appropriation bill of the very type the Senate version of the bill contains, and so we are within bounds.

I thank the Senator very much.

Mr. MORSE. I thank the Senator.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. CLARK. Mr. President, early this year I was privileged to be the principal cosponsor of a bill introduced by Senator Philip Hart, of Michigan, to reform our immigration laws. This was the Senate companion to the House bill now before us. The President and his four predecessors in that office have all called for a revision and modernization of our immigration laws. Clearly the time has come to abolish the national origins system. Indeed, this action is long overdue.

The national origins quotas are the antithesis of that for which we say the United States stands—a land of equal opportunity for all, regardless of race, color, creed, or country of national origin, a haven for the oppressed peoples of the world. We are given to quoting the words on the Statue of Liberty on patriotic occasions, but for 40 years we have tolerated grossly inequitable immigration laws that belie those words.

The people of the world are not blind to this sort of hyprocrisy. We sometimes wonder why we do not enjoy everyone's unbridled friendship. We ask why our embassies are picketed by those we believe we have helped. To be sure, our immigration policies alone do not offer an explanation of this, but, as Secretary of State Dean Rusk has said:

> The national origins principle, rather than the facts of our actual immigration, is picked up by people unfriendly to the United States and made an issue in their countries. This causes political disturbances in the good relations which we would hope to establish.

But reforming our immigration laws just to enhance our foreign policy is only one reason for changing our policy.

Immigration reform was urgently needed here at home. Our present laws actually deprive us of the contributions of brilliant, accomplished, and skilled residents of foreign countries who want to bring their talents here—and who would not displace American citizens because of the great need we have here for their unique skills.

In this regard let me say that the bill before us offers even more protection to American workers, while at the same time encouraging skilled and talented people to move to the United States. Primary responsibility is placed on the person who intends to immigrate to obtain the certification of the Secretary of Labor that his skills are needed in this country and are in scarce supply. People with needed skills are given a preferential status.

If these symbolic, foreign policy, and domestic reasons for revision are not enough, there is a fourth ground—simple humanity. This is the most compelling of all the reasons to reform our laws and, above all, abolish the insidious national origins quotas. The cruel operation of our 40-year-old immigration law has torn families apart, in some cases forcing them to choose between America and their children.

The national origins quota provisions have meant that people wilth little or no skill can come into this country readily, if they have the right country of origin.

A naturalized American from one of the southern or eastern European countries may have to wait 5 or more years to get his mother into this country. If he is from Asia—and somehow managed to overcome the policy of almost complete exclusion of these people—he may have to give up hope altogether of getting his mother into this country. And yet, either of these individuals could obtain a resident visa for his English maid in 5 weeks or less.

A brilliant Korean or Indian scientist is turned away, while the northern European is accepted almost without question. The bill before us would abolish the Asia-Pacific triangle provisions, which are nothing other than racial discrimination against Asians. While Plato and Dante would have a hard time getting into the United States if they were alive today, Confucius or Lao-tze could not get in at all.

The national origins quotas and the Asian-Pacific triangle provisions are irrational, arrogantly intolerant, and immoral. The time has come to ask those who come to our doors what they can do for this country—to paraphrase President Kennedy—not what country they come from or what their racial ancestry is.

I share the concern of Senators KENNEDY of Massachusetts, HART, and JAVITS that the limitation proposed in this bill on immigration from Western Hemisphere countries is backsliding from the high principles of the bill itself. And I share their hope that when the Select Commission on Western Hemisphere Immigration studies this issue it will find that this limitation is unnecessary.

I urge the Senate to give this bill its prompt approval. We have run out of adjectives to describe the import of the work we have done this session, but this bill reforming our immigration laws is truly something of which we can be proud. When we pass this bill we can hold our heads a little higher before the world.

Mr. TYDINGS. Mr. President, the Senate is considering legislation to revise the immigration laws of our country. It has taken the labors of many people from many lands to make our country the great power and the great free nation it is today. I am happy to have cosponsored that legislation and to give it my fullest support.

This year marks the diamond jubilee of the Order of the Sons of Italy in this country. One of the proudest sons of Italy is Mario T. Noto, the Associate Commissioner of the U.S. Immigration and Naturalization Service. On August 25, 1965, in Baltimore, Md., Mr. Noto was the guest speaker at the supreme convention of the order. He delivered a moving speech, one which I commend to each of my colleagues. I ask unanimous consent to have his speech included in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. Mr. President, the Italian community of Baltimore has produced many great Americans. Among them are such outstanding citizens as Thomas J. D'Alesandro, Jr., the former mayor of Baltimore, now a member of the Federal Renegotiation Board, and his son, Thomas J. D'Alesandro, III, the president of the city council of Baltimore.

Other ethnic groups in Maryland have provided community leaders of distinction and prominence, including some of our outstanding businessmen, civic leaders, and public officials. None would be in this country today if their grandparents or their parents, or, indeed, in some cases, if they themseves, had been refused entry into America.

In its present form, our immigration law is outdated, discriminatory, and in drastic need of revision. Such revision as is contemplated by the legislation which will soon come before us for a vote will allow my State and our country to continue to flourish through contributions made by persons from every corner of the globe. We must look beyond race, nationality, or ancestry to a person's ability to make a positive contribution to our society.

EXHIBIT 1

OPENING REMARKS BY MARIO T. NOTO, ASSOCIATE COMMISSIONER, U.S. IMMIGRATION AND NATURALIZATION SERVICE, AT THE DIAMOND JUBILEE SUPREME CONVENTION OF ORDER SONS OF ITALY, AUGUST 25, 1965, BALTIMORE, MD.

I extend greetings to all the delegates and participants of this Diamond Jubilee Convention of the Order Sons of Italy. The accomplishments of this proud organization attest to your untiring and dedicated efforts and labors. Each of you, every member and all of us of Italian ancestry throughout the United States may well be proud of your achievements. You exemplify the true spirit of the Italian immigrants who grouped together in common ideals and beliefs to promote unity in a foreign land where they came to plant their roots.

At a gathering such as this, few are given the privilege to speak, and to be included among the few is an honor which I have accepted with genuine appreciation. I feel like the new doctor who was called by the coroner. He told the young doctor that he had made a mistake in filling out the death certificate. He told him he knew the form was complicated but as a doctor he must not sign his name in the space "cause for death." The new doctor looked at the coroner and with candor replied, "I may be a new doctor, but I must be honest." May I then take this occasion as an opportunity to offer you some of my reflections which you may find pertinent to the theme of your convention.

It is said, that to know nothing of the past is to little understand the present and to have no conception of the future. Let us then for a brief interlude revert to the past.

Sixty years ago, a group of serious minded and dedicated men met in New York to form an organization. They signed their names to a simple and yet impassioned document. This document chartered a fraternal organization—named the Order Sons of Italy. These men dedicated their purpose in simple but most meaningful language. Its unbreakable pledge ordained the allegiance of these men in the words "We, the members of the Order Sons of Italy in America, being a part of the United States of America, which we serve at all times with undivided devotion, and to whose progress we dedicate ourselves."

With these words, their aspirations and activities became assimilated into the broad and challenging patterns of the American way of life. These men were fully aware of the responsibilities they undertook. They knew they could do one of two things. They could bring honor and glory to their ancestry; or they could mutilate the dream of the future immigrant who wished to follow. But only time would tell. And it did—in the rolls of honor in government, in industry, in culture and in every cornerstone of American endeavor. Every avenue of human effort is lined with some contribution to our country's greatness.

Who were the dedicated men who grouped together to found this order? They were representative of the type of Italian immigrant to this country—of men and women possessed with God-given strength and determination. They were plain people—from small towns and valleys and mountains. They left their native land because they wanted to share in the spirit of hope, liberty and justice which this land offered. They migrated to unchartered lives in a foreign land equipped only with the endowments of birth and a faith in the future.

These early immigrants encountered bigotry and prejudices. Some of the kindest and most pungent words were "guinea" or "wop" or "dago." But without murmur they accepted the abuses and manmade hardships; and yet they seized every opportunity to give of their work and culture. They gave heart, muscle, knowledge and loyalty.

Their gradual fusion with the multinational immigrants who came to this land before and after them has helped to produce an amalgamated society which has no parellel in the world.

The value of what they have given to America and its way of life has been recognized by no less than five Presidents of the United States. Each has advocated the elimination of that portion of our immigration laws which has closed the doors to those who would be immigrants amongst us except for their place of birth. And yet, despite the obstacles of the national origins system of our immigration laws, and within our one short generation, the Italian immigrant and his offspring has repaid America generously. His payments may be found not only in all that makes our country, but in other lands of the world—where his sons sleep in foreign soil, where they fell in defense of American ideals. He needs no praise or eulogy from me or any other man—for he has written his own history here with the calluses of his hands and the blood from his heart.

Our immigration law has had the effect of opening our doors to persons judged by race and place of birth rather than on an individual's worth to society. It ironically has discriminated with severity against southern and central Europeans. The formula of the national origins system is without basis and logic. Our own President Johnson has said, "There is no consistency in an American policy that both recognizes equality and capriciously bars immigration from countries of southern Europe."

And again it was our own President who in his first state of the Union message declared his solution in offering the criteria "Ask not, 'In what country were you born?' but 'What can you do for our country?' " He has consistently demanded a change to end the national quota. He has asked that each applicant be considered chiefly on the basis of occupational skill and family ties. This can only serve to enhance our Nation in the world community.

The story of the accomplishments of the Italian immigrant whether on this planet, or in this hemisphere or in America can be told in many, many ways. But the past is too well known. Its immeasurable value is well documented in the pages of history.

But now, what is the present and what is the future? The present and the future must reach greater heights. For the story of the American with Italian ancestry must be told in the forms of the beliefs, the ideals and the values which he has. It must be told to promote the truth, and to instill a deeper unity and stronger effort to further enrich our beloved country. It must be told to remove the ugly stains of prejudice made by those in our midst, who are still intolerant and condemn a whole people because of a few.

Unfortunately, there are a few of our ancestry who have not contributed to our greatness—instead they have detracted. But, in each flock some sheep must go astray—and as with some peoples of all nationalities, so it has been with some of Italian ancestry. The truth must be accepted. But it must also serve to enlighten and educate the bigots—who must be taught to accept the principle that each man must be judged and be accepted or rejected on his own record—and not on his ancestry.

Frequently, one reads or hears of the account of criminal activities of specific individuals. But too often the searchlight of sensationalism seems to shine on Italian names. We are told of the Italian or Sicilian mobster. Some of these were born here, some were brought here in childhood and some matured abroad. But the end product is not a creation of nationality or ancestry. And with the passage of time and addition of each succeeding name an unfair image has been presented. Where the facts are true—they cannot and should not be denied. Truth cannot and must not be suppressed—it must be surfaced.

But for the sins of the few wrongdoers, the image is not a true mirror of the 22 million people here who share the Italian ancestry. The image unjustly clouds in the minds of the public the true value of these God-fearing, loyal and dedicated Italian-Americans.

In a recent national publication depicting the fight of a large city against crime, of seven photographs shown of criminals, six had Italian names. An additional five photographs on another page had Italian names. No one disputes that the guilty must be punished. The law must be enforced with all the vigor it commands. The criminal cancer in our society must be curbed—regardless of nationality. But it is sinful to suppose that one creed, color or ethnic group has a monopoly on crime. Yet, there are some who would lead us to believe this.

God endowed each mortal with a will and destiny and each is accountable for his own to society. But a religion, a race or an ancestry must not be held accountable or adjudged guilty for the wrongs of the few. Let no common heritage be tarnished for those few.

And what is the answer to a false image? Can we remove it? Not only can we, but we must. The achievements of the past are prologue. But the positive achievements of today and the continuing contributions of the future to our society must be brought into sharp focus for all people to take note. But this cannot be nor should it be the responsibility of one voice or one organization. It must be the many. At each opportunity let the voices speak individually and in unison to point to the record of the good deeds. Let the people be informed of the true worth of those of Italian ancestry, but, let no one hesitate to denounce criminality regardless of nationality or ancestry.

The Order Sons of Italy was not organized as a pressure group nor must it be. It is what it should be, an assembly of faithful people who share a common ancestry. The community of its interests and objectives which unites its members is not different from that of the DAR, B'nai B'rith, the NAACP, and similar organizations. It seeks no special privileges. It is dedicated to the task of reflecting the collective qualities of a people of one heritage and to achieve equalities for all peoples regardless of race, color or creed. But above all, within our society it displays the whole heart, whole mind and the whole spirit of a people. Your organization is dedicated to the freedoms founded in 1776 and their preservation.

Let one fact be abundantly clear. Let there be no doubt. Ancestry is no expedient or justification for the worth of an individual. But neither shall it be the basis for rejection or ridicule. Ancestry cannot and must not be a substitute for ability or honor. Let no one clamor for recognition or reward on the basis of national origin. Recognition and reward must be commensurate with ability, not ancestry. In America the true test must lie in the virtue and value of man alone and not in the cry for ethnic recognition. As sons and daughters of immigrants we possess priceless heritage; and we hold to certain truths individually and collectively. We believe that where we find dissension, we must bring together; where we find need, we must provide; where we find wrong, we must remedy, and that when we are right we must prove it.

To the bigots, to the unscrupulous, and to the prejudiced, we shall continue to respond with understanding and compassion. We shall continue to give generously of ourselves in toil and battle just as we have in the past and are doing in the present. To those who would question our unity, we say we are united for duty to our President and country; to those who question our sincerity, we say let our deeds be judged and to those who question our loyalty, let history be the proof.

I seek neither approbation or acclaim for what I speak. A man must account only to his God, his country, and himself for his beliefs. If what I have said is responsible then I alone am accountable for my words.

UNITED STATES IMMIGRATION LEGISLATION SHOULD BE BASED ON QUALITY AND QUALIFICATIONS, RATHER THAN RACE OR CREED

Mr. KUCHEL. Mr. President, from the very beginning of my service in the U.S. Senate I have sought to improve the immigration laws of our country. I supported with enthusiasm the recommendations made by General Eisenhower during his administration. They were designed to eliminate much of the harshness of the law, to give hope of reunion to divided families, and to offer a haven to some of the oppressed peoples of the world. They provided, of course, all the safeguards with respect to quality and character of those who looked forward hopefully to becoming American citizens.

Similar recommendations were made by the late President Kennedy, and I coauthored his proposals. Until this year, the House of Representatives failed to act, generally, in this field.

Last week I said in the Senate that I intended to vote for the pending legislation, which is grounded in the traditional American principles of fair play. The bill, as it emerges from the Senate Judiciary Committee, is a good bill, a fair bill, and a superior bill, from the standpoint of our country, to the bill which has recently passed the House.

Mr. President, I have the honor to represent in part the State of California, the most populous State in the Union. We are a heterogeneous State. Among our 19 million Americans living in California, none are more highly respected among my fellow citizens than Americans of Japanese extraction. The valor with which many of them distinguished themselves for bravery, wearing proudly the American military uniform in the Second World War, is well known to our people and to the world. They have written in feats of bravery, and in blood, a gallant chapter in the defense of American freedom. In peace, they have become leaders in all walks of life, in agriculture, in business, and in the public service in my State.

I have received a thoughtful letter from Mr. Mike Masaoka, the Washington representative of the Japanese American Citizens League, which outlines the views of that organization favoring of the pending bill. I think Senators will find it helpful as this debate continues.

I ask unanimous consent that the text of the letter be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JAPANESE AMERICAN CITIZENS LEAGUE,
Washington, D.C., September 17, 1965.
Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: On behalf of the millions of Californians who believe in a more equitable and humane immigration code for our country, including the more than 50 chapters of the Japanese American Citizens League in your State, we are writing you at this time as the Senior Senator from California to urge your active leadership and vote for the principle and objectives of the immigration bill, H.R. 2580, as amended, which is now being considered by the Senate after being approved by the House of Representatives on August 25 by the overwhelming margin of 318 to 95 and reported by the Senate Judiciary Committee on September 8 by an almost unanimous 14 to 2 majority.

Both the principle and the objectives of the immigration bill are consistent with the statesman-like views which you have so courageously articulated and implemented over the past quarter of a century as a dedicated public servant.

The principle of the immigration bill is simple: To eliminate race as a qualification for immigration to the United States.

The objectives of the immigration bill are equally clear and compelling: To provide greater immigration opportunities, within numerical limitations, to members and close relatives of American citizen and resident alien families, to those whose professions, skills, or work will benefit the economy, welfare, or culture of the Nation, and to refugees from political or religious persecution or catastrophic nature calamity, all without regard to race, ancestry, national origin, religion, or color.

The immigration bill accomplishes these worthy purposes by substituting a new immigration system based on specified preference priorities for the existing national origins quota system and the special Asia-Pacific triangle "ancestry" discrimination.

It is not an attempt to comprehensively revise and amend the Immigration and Nationality Act of 1952, being limited in the main to removing race as a prerequisite for immigration.

Under the proposed legislation, the authorized total immigration remains approximately the same as under current law, and none of the security, health, "public charge", and other "safeguards" in the present statute are altered materially, except that those relating to certain prospective workers are "strengthened" considerably.

Because we are certain that many others have written you concerning the general arguments for this immigration bill, and because we are most qualified to comment on this legislation from the viewpoint of those of Japanese ancestry in particular and of Asian origins in general, we shall try to confine our letter to these latter aspects.

After all, except for Hawaii, California has always had the largest population of Asian Americans of any State. And, California, specifically, and the Western States, generally, have in the past been most responsible for influencing national legislation and Federal activity relating to those of so-called oriental ancestry in this land.

RACISM PRINCIPLE REJECTED

In addition to believing that the immigration bill clearly is in the national and international interests of the United States, JACL endorses this legislation because it—finally and completely—abolishes racism as an accepted principle and practice in American immigration law.

The racial concept was introduced into our immigration system 83 years ago in 1882, only 7 years after the initial congressional effort to regulate immigration, when the first of the Chinese Exclusion Act was enacted.

It was then extended by the so-called gentlemen's agreement of 1907, under which Japan undertook to restrict immigration to this country.

It was expanded by the barred zone, established in the Immigration Act of 1917, to include practically all of Asia and all of the Pacific islands. Immigration by natives of this barred zone was excluded.

Racism in our immigration code reached its zenith in the Immigration Act of 1924, when the racial discrimination previously applied exclusively to only Asian-Pacific immigration was modified and made applicable to all of the nations of the Old World, including Europe, through the device of a national origins quota system formula for allocating immigration opportunities to the United States. This same statute, incidentally, also formally wrote Japanese exclusion into law by decreeing that aliens ineligible to citizenship were also ineligible for immigration.

Except for the special exceptions made for the Chinese (1943) and for East Indians and for Filipinos (1946), the first major breakthrough against racism in our immigration program resulted from the enactment of the Immigration and Nationality (Walter-McCarran) Act of 1952. That historic legislation eliminated race as a qualification for citizenship through naturalization for the first time in American history. It also repealed the racist barred zone concept by extending the token quotas of the national origins system to all the countries of Asia and the Pacific, but restricting this extension by continuing the "ancestry" discrimination of the limited Chinese, East, Indian, and Filipino Acts for the Asia-Pacific triangle area.

The Asia-Pacific triangle bias, which had its genesis in the 1882 Chinese Exclusion Act, requires that Asians, and only Asians, anywhere in the world are chargeable to the country of their ancestry, rather than to the place of birth, as for all other prospective immigrants.

Thus, Asians are subject to double discrimination. They are allocated minimal quotas under the national origins quota system. Then, under the "ancestry" attribution of the triangle, others of that ancestry elsewhere in the world are charged to the small and oversubscribed quota of their ancestral homeland, no matter how many generations removed.

Because the proposal abolishes the Asia-Pacific triangle restrictions immediately, and the national origins quota system limitations by June 30, 1968, JACL enthusiastically favors the immigration bill.

Indeed, passage of this legislation with its final repudiation of racism as a principle of American immigration and naturalization policy has been the major legislative objective of JACL since it was organized nationally in 1930, for almost without exception the legal, economic, and social discriminations directed against those of Japanese, and Asian, ancestry in this country have found sanction in such Federal practices.

DOCUMENTARY EVIDENCE OF DISCRIMINATION

Statistical evidence of the racial discriminations in our immigration law explains JACL's real concern for the immigration bill.

Of the authorized 158,361 quota numbers for all the nations of earth under the national origins system formula, for example, more than 50 percent of the world total are reserved for only two countries—England and Ireland. More than 70 percent are reserved for only three countries—England, Ireland, and Germany. More than 81 percent are reserved for the countries of Western and Northern Europe, and for all of Europe—98 percent.

Asia is authorized only 1.53 percent of the world total, and Africa even less—0.47 percent.

The Asia-Pacific triangle, to which only about one and a half percent of the total immigration quotas for the entire world are allocated under the 1924 national origins system, includes a vast, roughly triangular area that encompasses practically all of the Asian Continent except Soviet Asia and almost all of the Pacific islands north of Australia and New Zealand. More than one-half of the earth's population resides in this triangle, which is comprised of 20 independent countries, ranging from Afghanistan to Western Samoa, and 16 subquotas, from Australia's Christmas Island to Portugal's Timor, in 23 quota areas.

Of these 23 quota areas, only China (205 for China and Chinese persons), Japan (185), Indonesia (200), and Malaysia (400) are authorized annual immigration quotas in excess of the minimum 100 quota numbers. In the cases of Indonesia and Malaysia, however, their totals are the results of previously minimum quota areas being joined, and are not national origins computations.

The Asia-Pacific triangle compounds the hardships imposed by the minimal allocations of the national origins system by attributing for immigration purposes all Asian persons, no matter where born, to the country of their ancestry.

No wonder Japan's waiting list for quota immigration is backlogged beyond 1990. That for the Philippines is oversubscribed for about 90 years. And the special quota for "Chinese persons" is for all practical purposes exhausted in perpetuity.

In the 145-year period, from 1820 to 1964, the Immigration and Naturalization Service reports the entry of 42,994,486 immigrants from all the world. Of this number, only 1,181,643 were from all of Asia, which includes more countries than are in the Asia-Pacific triangle. Those of Chinese and Japanese ancestry accounted for 759,000 of the Asian total, with 417,233 attributable to China and 341,767 to Japan.

Of all immigrants to the United States, those of Chinese ancestry account for 0.96 percent and those of Japanese ancestry 0.79 percent.

According to the 1960 census, there are in the United States 464,332 persons of Japanese ancestry, 237,292 of Chinese ancestry, and 176,310 of Filipino ancestry.

All persons attributable by ancestry to the Asia-Pacific triangle, including the Japanese, Chinese, and Filipinos, total only 1,100,000 persons in this country, or about one-half of 1 percent of all the people in the United States.

FLOOD OF ORIENTAL IMMIGRATION IMPOSSIBLE

Some suggestions have been advanced that enactment of this immigration bill, repealing both the national origins quota system and the Asia-Pacific triangle and placing immigration from the Far East on the same basis as from Europe, for instance, might well invite a "flood" of immigration from the Orient.

Such fears, if they may be described as such, are, we believe, groundless.

After all, the restrictions and the exclusions of eight decades against those from Asia cannot be corrected in a single legislative effort. And the very arithmetic of past immigration now precludes any substantial gain in actual immigration opportunities for the Japanese, Chinese, and other Asians.

The immigration bill provides that, of the seven preference priorities, the first, second, fourth, and fifth preferences, accounting for 74 percent of the authorized annual numerical ceiling from Old World countries shall be made available to members and close relatives of American citizen and resident alien families. Only 26 percent is available for professionals, for skilled and unskilled labor in short supply, and for "conditional entries" or refugees.

Inasmuch as the total Asian population of the United States is only about one-half of 1 percent of the total American population, this means that there are very few of Asia-Pacific origin in this country who are entitled to provide the specified preference priorities to family members and close relatives residing abroad, even if all qualified family members and close relatives desire to emigrate immediately to the United States.

Thus, it would seem that, although the immigration bill eliminates race as a matter of principle, in actual operation immigration will still be controlled by the now discredited national origins system and the general pattern of immigration which exists today will continue for many years yet to come.

Moreover, repealing the discrimination of the Asia-Pacific triangle may well be meaningless, or at best less meaningful, if a numerical limitation is placed on immigration from Western Hemisphere countries.

Since those of Asian ancestry born in the New World cannot under existing American immigration law qualify as nonquota immigrants, but have had to seek such immigration opportunities within the small quotas of their ancestral lands, they are not now registered with their birth country from emigration to the United States. Accordingly, if the numerical limitation to be imposed is near or less than the actual New World immigration at this time, the chances that those of Asian ancestry would be issued passports and visas are at least rather slim.

JACL thus recommends that provisions be made to alleviate family hardship cases if a Western Hemisphere ceiling on annual immigration is imposed.

As a matter of fact, JACL doubts very much that many of Asian ancestry residing in Canada and Latin America would seek entry into the United States, regardless of any New World limitation. As a group, they are well accepted in their respective countries, integrated into the respective cultural patterns of their native lands, and successful in their respective businesses, professions, and industries. There is little reason for them to seek admission to the United States, where they would have to start life anew and, in many instances, learn a new language, new customs, etc. Secretary of State Dean Rusk has estimated that only about 5,000 would be involved if the Asia-Pacific triangle were abolished and no New World restrictions established.

Finally, even if the unlikely eventuality that in the near future nonpreference immigration opportunities may become available, after the seven preference priorities are satisfied, JACL notes that there are two provisions in the immigration bill that help assure, perhaps inadvertently, relatively minor immigration from the Asian countries.

One is that such "new seed" nonpreference immigrants are to be considered for immigration opportunities "strictly in the chronological order in which they qualify." If a condition of qualification is to have registered with an American consul, as we understand it, nonpreference Europeans will have a 28-year headstart on Asians, as they are eligible to register for immigration since the Immigration Act of 1924, while Asians were not eligible to do so until after the effective date of the Walter-McCarran Act, or December 24, 1952.

The other is that nonrelative immigrants, including professionals and skilled and unskilled labor, as well as nonpreference aliens, must secure, prior to the issuance of a visa, certification from the Secretary of Labor clearing such immigrants of prescribed conditions for entry. Such certifications may be rather difficult for Asians, especially from the less developed areas, to secure.

To sum up, though the immigration bill eliminates the principle of racism in our immigration law, which JACL applauds, in actual operation we fear that the pattern of immigration will remain approximately as it is—and has been—because of past restrictions and exclusions of those of Asian ancestry which caused the family reunification features of this legislation to be less meaningful than they ought to be.

OUTDATED ALLEGATIONS

As a native Californian, Senator KUCHEL, you may well remember the Yellow Peril menace fears that were deliberately foisted and exploited in the pre-World War II West to explain and excuse the racial exclusion of the Japanese, and of the Chinese and other orientals too, from both immigration and naturalization.

While these slurs and slanders have now been thoroughly discredited, nevertheless there may be a useful purpose in reviewing some of the more emphasized ones in the light of the current legislation that propose to repeal the final racist discriminations against Asiatics in American immigration law. From time to time, one still hears these outdated allegations repeated.

The most vicious of all canards was that the Japanese especially could not be trusted as loyal Americans in times of national emergency, particularly if their ancestral homeland was involved.

The unprecedented combat record of the Japanese-American GI, who served with outstanding gallantry in both the European and Pacific theaters of World War II, refutes this charge.

While that war record is too well known to require documentation here, it may be well to remind Americans that the 442d Regimental Combat Team, composed of Japanese Americans from the continental mainland and Hawaii, many of whom volunteered from so-called relocation camps to which they and their families had been evacuated from their west coast homes and associations, has been described as the most decorated American military unit in history for its size and length of service. And that General MacArthur's Chief of Staff for Intelligence has summed up the contributions of the Japanese-American intelligence troops in the Pacific as having saved millions of American casualties and billions of American dollars.

President Franklin D. Roosevelt, in inviting Japanese Americans to volunteer for combat duty against the enemies of America early in 1942, declared that "Americanism is a matter of the mind and the heart, and not of race or ancestry."

By that yardstick, Japanese Americans are as loyal and dedicated to the cause of the United States as any other group of Americans.

That the Japanese, among other Asians, could not be assimilated into the mainstream of America—because of their oriental background and heritage—was another major allegation directed against those of Japanese ancestry in the pre-World War II era.

The facts offer clear rebuttal.

No group of Americans is more law abiding. Japanese Americans spend more time for education, including the college level, than the average American. More are in the professions than the average. More own their own homes, and operate their own business enterprises. The average income, individual and family, as well as urban and rural, are higher than their non-Japanese counterparts. They are more community and civic minded, contributing more on the average to such charities as the Community Chest, Red Cross, etc. At the same time, they remain off of relief rolls and generally refuse other government aid of a relief nature. They bought more war bonds, and buy more Government savings bonds.

By almost any legitimate criterion of exemplary citizenship and Americanism, Japanese Americans are an assimilated, integrated, and accepted part of the communities in which they live and of the Nation to which they owe allegiance.

Today, in California and in every other State in the Union, Japanese Americans in their lives and in their living prove anew the miracle of America. Involved in almost every line of human endeavor and activity, in your State and in every State in the Union, they have made significant contributions, and will continue to make substantial contributions, to the betterment of the community, State, and Nation.

Personifying the kind of Americans that those of oriental background can be and are, and serving as living refutation of all the stereotypes and smears once directed against those of Asian origins, are your two distinguished colleagues from Hawaii, Senators FONG and INOUYE.

Even more noteworthy than perhaps the accomplishments is that they were achieved in spite of special laws and ordinances, and economic and social practices, which were deliberately exploited to make more difficult, and to prevent the assimilation of the Japanese-Americans.

Indeed, according to a special compilation of a Cornell Law School professor, even as late as 1946, there were some 500 Federal, State, and local laws that directly or indirectly restricted and circumscribed the lives and opportunities of those of Japanese ancestry in the United States, citizens as well as aliens. Included were the so-called alien land laws which not only prevented resident alien Japanese from purchasing and owning real property but also restricted the right of their citizen children in these respects; prohibitions against the issuance of licenses to carry on certain businesses, enterprises, and professions; bars to certain employment; housing and rental restrictions, etc.

That orientals can create a community and state that is thoroughly in keeping with American ideals and traditions, and yet not be of the same ethhic and cultural heritage as those who overwhelmingly dominated in the 1920 census is witnessed in Hawaii, where most of the people of our newest State are of nonwhite ancestry.

There is no evidence, then, that the national origins system and the Asia-Pacific triangle discriminations in American immigration law should be retained and continued because of the activities—past, present, and potential—of those of Japanese, Chinese, and other Asian ancestry.

SUMMARY REASONS FOR IMMIGRATION BILL

JACL believes that there are many real and positive justifications for the early enactment of the immigration bill.

Among these reasons are the following:

It would complete the objective of eliminating race as an accepted principle and practice in our immigration law.

It would remove the stigma and insult of inferiority from certain peoples and nations.

It would demonstrate that our concern for the peoples and nations and problems of Asia are equal to our concerns for Europe.

It would bring our practices closer to our preachments of equality and equity.

It would strengthen U.S. leadership in the free world.

It would bring our immigration law into conformity with our civil rights and other such statutes dealing with the internal opportunities of our citizens.

It would help unite families separated by the vicissitudes of the existing immigration law.

It would encourage the professionals, the scientists, the educators, and the specially gifted and skilled to seek entry, thereby aiding our economic growth and enriching our culture.

It would help alleviate labor shortages, without reducing living standards, working conditions, and wages.

It would continue the great American tradition of a haven for the oppressed and the tempest-tossed.

It would bring about a greater and more prosperous Nation.

We regret that this letter is so long and detailed. But we are hopeful that it may be helpful in securing enactment of the immigration bill, H.R. 2580, as amended. We are also hopeful that this will be the last time that we need to urge the Congress to reject racism in our immigration code for humanity, dignity, and the national interest.

With kindest personal regards.

Sincerely,

MIKE MASAOKA,
Washington Representative.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, there are a number of Senators who have been working on rather extensive speeches on the pending measure. A number of those speeches will be speeches in opposition to the bill. Perhaps some of them—I presume some of them—will be speeches in behalf of the bill. Merely in the hope that a Senator may want to make a rather lengthy speech, or even a short speech, on the subject before we close our business for tonight, I am going to suggest the absence of a quorum. It is my hope that we can get on with this legislation. There are several important measures which must be considered—and this is one of them—before the Senate adjourns sine die.

I would hope we could sit until a later hour tomorrow. I take this means of notifying the Senate that we hope to get a unanimous-consent agreement limiting debate on the measure tomorrow. If we cannot get it then, perhaps we can make the request the following day.

Mr. President, upon that basis, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DOMINICAN REPUBLIC

Mr. LONG of Louisiana. Mr. President, I should like to refer again to the discussion here in the Senate yesterday concerning the actions we have taken in the Dominican Republic. Overnight, I have reflected on my statements at that time. As much as I dislike being in disagreement with the distinguished chairman of the Foreign Relations Committee, I nevertheless continue to believe that the actions of the President were necessary in the national interest of the United States.

We simply cannot stand idly by and run the risk of another Communist takeover in the Western Hemisphere, and we must act promptly when there are clear indications that this may well be taking place. I realize that many will charge me with being "trigger-happy," but I believe that any other course would lead to much worse consequences than the Senator from Arkansas suggested yesterday might result from our intervention in the Dominican Republic.

In my view, it is essential that social revolution, if indeed sufficient progress cannot be achieved by social evolution, in the Western Hemisphere must not become a tool by which Communist domination is achieved. We all certainly know that there are no "independent" Communist regimes. Any Communist-directed group which gains control of a nation will do the bidding of either Moscow, Peiping, or the Castro government at Havana, and such foreign domination is condemned by the unanimous action of all the nations in the Western Hemisphere.

It is a matter of judgment in each individual situation as to the action it is necessary to take and the time to take it. In this particular case, the Senator from Arkansas has reached the conclusion that we should have risked the takeover. Even though I can agree that we might have done more at an earlier stage to use our influence to resist the ascendance of the Communist elements in the rebel forces, I would like again to state that I do not believe President Johnson could have done anything other than use the direct power of the United States as events actually developed.

We had an experience in Louisiana when there was an attempt to overthrow and take over the government. Where that occurs, and there is an attempt to forcibly take over a government, if the legal authorities move soon enough and with overwhelming force, there need be no fight; but if there is a move with only a small amount of force, the government might have a battle on its hands. While we in our State may be criticized by some as being in a "banana republic," we in Louisiana have done business with Central and South America, and we know what the term "banana republic" means. We have traded with Central and South America, and we know that at times certain interests in our State have taken sides in these revolutions as they have occurred.

So I believe we have an understanding of the problems of Central and South America.

In that connection, Mr. President, I do wish to complain about the completely irresponsible handling of the matter by a newspaper for which I have great respect, the Washington Post. That newspaper for the most part tends to report the news by standards that are generally regarded as good ethics. In this particular case the reporting has been bad and the editorializing and writing of the news has been so bad that it has made me wonder whether the reporter, in reporting the debate and writing about the events—which was done by the same reporter, Mr. Goshko—received his training in the schools of the United States or the Soviet Union. Some of those stories have been with regard to this Senator.

It is beyond me to understand the point when someone says we went in with too much force. The safe thing to do is to send a great number of troops, and more than would be needed for a fight, so that Communist elements that might decide to fire on American troops would know they could not defeat the forces of the United States and therefore would not try it. That is the point I made.

All the press reported, as reflected by the articles written by John Goshko of the Washington Post, who chose the Communist philosophy of reporting, was that I talked about my father. He reported that I said "Daddy." I do not believe I said that.

That is all the reporting we got in answer to the statements that we sent in too many troops.

The point is that the best thing is to send in enough troops so that the enemy knows it could not succeed.

The typical Communist-type reporting said only that I made reference to my father. I did so only by way of illustration. When there was a confrontation with what appeared to be a ragtag army to overthrow law and order in that state, they were faced with overwhelming force.

I made reference to people who were organizing and intended to resist the lawful authority of state government.

When the National Guard appeared, the only person who had been hurt was a person who shot himself in attempting to get through a barbed-wire fence. He had shot himself with his own gun. No one else was injured.

When this Nation sent in substantial forces in the Dominican Republic, the Communists or Communist sympathizers, as well as rebel elements, out of caution, in very few instances fired on our troops.

Unfortunately, there were some courageous Americans lost in our effort to preserve freedom and democracy in the Dominican Republic.

Then there were those of the rebel forces who were fired on by our marines and Army troops acting in their own defense and the defense of those that they went there to protect.

I made another point. If it is thought that there is going to be a Communist takeover, the sooner we move and the faster we move, the sooner and easier it will be over.

Our intelligence information was that the Communists were progressively gaining power and control over the rebellion and they were satisfied how difficult it was going to be to keep the Communists from taking charge of the rebellion movement and to keep the Communists from moving in during a situation of chaos; that it was the kind of situation in which Communists take over.

About the only reference I got by this Soviet-type reporter of the Washington Post was that I referred to the Confederacy. Oh, yes; I made an arm-waving speech. I use my hands when I am speaking extemporaneously.

The Post reporter said I referred to the Confederacy. What I said was that a great number of battles are lost, because people move too slowly; or, to use the expression that comes from World War II, "too little and too late." Great Britain suffered much in the early days of the war because her forces came either too late or were not numerous enough to prevail in the battles that occurred.

With regard to the initiative, which is something that is taught in any military exercise, I merely pointed out that there had been occasions when victory was within the grasp of one side or the other if it had exercised the initiative soon enough. I gave an illustration. In a small way, the junior Senator from Louisiana is a student of the Civil War. If, on the first day of the Battle of Shiloh, Albert Sidney Johnston had not been bleeding to death in the saddle because he declined to relinquish command, and if Gen. P. G. T. Beauregard, a resident of my State, had not found himself in command and for lack of better information called off the attack on the first day, but had waited until the atmosphere had been cleared of smoke, and had renewed the attack on the following day, and if General Beauregard had instead pursued the attack, he would have driven General Grant's army into the river. At least, that is what most military experts think. That would then have been a great southern victory of the magnitude of the Battle of Bull Run; and the North having suffered nothing but major defeats, with one victory by Grant at Fort Donelson, the South would have been encouraged, and the capture of Vicksburg and the many other successes that Grant enjoyed thereafter would probably never have occurred. Grant would probably have been relieved of his command and have been dishonored as a result of having been totally unprepared for the attacks that fell upon him in more hostilities than one. I cited that merely as an example by which people exercise the initiative and prevail, when otherwise they would not.

The Soviet-type reporter for the Washington Post said I spoke about the Confederacy. I gave that as an example to prove that, by moving timely, rather than moving late, one could prevail in what he was seeking to do.

I regret that the Washington Post seems to feel so prejudiced about the matter that it cannot report both sides of the debate. The Post is a responsible newspaper. In the main, I have observed that it has conducted itself according to the highest standards of journalism. I regret very much to see this exception.

There is no doubt in my mind that the President had the information he needed to know that this Nation was in danger. Seeing the nature of the republics that have been taken behind the Iron Curtain, the President, in my judgment, saved this country from allowing one more nation to undergo communism by moving so timely as he did. The fact that he moved so soon and with such complete justification, both to protect American lives and to help restore order and enable the people of the Dominican Republic to elect whatever government those people want in free elections, was, in my judgment, a great contribution to freedom and democracy in this hemisphere.

The people of the Dominican Republic would never have had the right to elect a government of their choosing had the Communist brutality succeeded. The record shows that in every country in which the Communists have prevailed, up to this time, the government has been one which has denied the people their right to a free election and a free choice of government. This was accomplished by force of arms, through the movement of troops, or else by sabotage and subversion, in which people were murdered. The result was that the people were denied the right to choose their own government.

No one can predict with any certainty what the people of the Dominican Republic will do when they vote on their choice of a government within 9 months; but at least they will have a chance to choose. If the Communists take over the Dominican Republic, they will have to do it by winning an election, not by murder, assassination, and armed revolt; not by denying the people the rights that a free people should enjoy in Cuba and everywhere else in the Western Hemisphere.

RECESS

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 38 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, September 21, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 20, 1965:

Interstate Commerce Commission

Charles A. Webb, of Virginia, to be an Interstate Commerce Commissioner for a term of 7 years expiring December 31, 1972. (Reappointment.)

U.S. Marshal

Emmett E. Shelby, of Florida, to be U.S. marshal for the northern district of Florida for the term of 4 years. (Reappointment.)

Donald F. Miller, of Washington, to be U.S. marshal for the western district of Washington for the term of 4 years. (Reappointment.)

In the Coast Guard

The following-named officers of the Coast Guard for promotion to the grade of lieutenant:

Frank C. Morgret III
William H. Low, Jr.
Earle W. Keith III
Bruce W. Thompson
Gregory J. Sanok
Joseph Marotta
James C. Carpenter
Derrill R. Kramer
Ruloff W. Whiteman
Kenneth L. Lambertson
John W. Keith
Frederick H. O. Mayr
Ralph E. Knorr
Jack A. Eckert
Francis W. J. Nicely
Hal M. Floyd
Leeland N. Gregg, Jr.
William C. Donnell
Vincent R. Abrahamson
Donald H. Ramsden
George R. Grochowski
Homer A. Purdy
Richard F. Young
John R. Malloy III
Roger D. Williams
Roger T. Ostrom
Donald F. Kemner
David I. Tomlinson
George H. Martin
Joseph B. Donaldson
Jerald L. Rendall
Stanley E. Wood, Jr.
John L. Bailey
Ronald C. Addison
Patrick H. Cannon, Jr.
Frank R. Peasley
James K. Woodle
Edward R. Pusey, Jr.
Pat Murray
James R. Shontell
Richard E. Van Ry
Franklin E. Taylor
Donald C. Addison
James F. Hunt
Gerald W. Barney
Frederick S. Bowman
Roy L. Foote
Allen E. Rolland
James L. Walker
William L. Avery
David W. Proudfoot
James A. McIntosh
James L. Mueller
Richard J. Kiessel
Joseph H. Discenza
David H. Withers
Leonard J. Pichini
William S. Haight
Frederick D. Smith
Charles W. Morgan
Robert A. Bastek
Alexander C. McKean, Jr.
Larry D. Brooks
Francis W. Mooney
Ronald M. Potter
Richard C. Blaschke
Stephen H. Hines
George A. Casimir
Robert K. Blaschke
Thomas P. Keane
Thomas H. Lloyd, Jr.
Thomas W. Boerger
John G. Denninger, Jr.
Arthur R. Gandt
John W. Brittain
Lawrence M. Schilling
David W. Robinette
David H. Whitten
Harvey L. Wahnquist, Jr.
John P. Ryan
Harry A. Allen
Joseph L. Valenti
Lance A. Eagan
Richard B. O'Keefe
Hugh L. Thomas, Jr.
William J. Wallace, Jr.
Eugene Hornstein
John A. Wuestneck
Michael J. Schiro
Harold L. Bonnet
Arthur W. Mergner, Jr.
Elmer Sorensen, Jr.
Frederick A. Kelley
James H. Lightner
Raymond D. Bland
James F. Greene, Jr.
Arthur E. Henn
John T. Mason
Joseph H. Sanford
Joseph J. Smith
Lawrence J. Dallaire, Jr.
Peter C. Hennings
Walter M. Coburn
Henry B. Traver
William H. Spence
Wade M. Moncrief, Jr.
David S. Gemmell
Richard V. Consigli
Carl H. Burkhart
Joseph P. Dibella
Neal Mahan
George E. Archer, Jr.
Glenn E. Haines
Timothy G. McKinna
Peter T. Muth
Richard E. Shrum
David T. Boyle
William A. Borchers
Edward K. Roe, Jr.
Michael O. Murtagh
Joseph L. Crowe, Jr.
Anthony J. Soltys
William H. Roth
William C. Heming
James A. Umberger
Kwang Ping Hsu
Albert F. Baker
William S. Murray
George E. Mason
Norman H. Huff
Clifford E. Banner
Don M. Keehn
Thomas D. Smith
Daniel M. White
Thomas F. McGrath III
Thomas S. Whipple
Robert D. Markoff
Raymond J. Houttekkier
David K. Carey
Louis M. Casale
John M. McCann
Peter M. Bernstein
Robert E. McDonough, Jr.
Joseph R. Finelli
Wayne P. Stevens
Jack W. Whiting, Jr.
Phillip J. Bull
Harry N. Hutchins III
Thomas W. Watkins III
David W. Hastings
Herbert M. Hurst
Richmond D. Greenough, Jr.
Thomas J. Keeney
John G. Schmidtman
Robert F. Boysen, Jr.
James C. McElroy
James F. Sanders
Hugh W. Nabors
Francis J. Stadnicki
Bly R. Elder
Gary L. Rowe
Branson E. Epler
Stephen L. Richmond

In the Marine Corps

The following-named officers of the Marine Corps for temporary appointment to the grade of lieutenant colonel subject to qualification therefor as provided by law:

Charles W. Abbott
James W. Abraham
James R. Aichele
Harry L. Alderman
Richard D. Alexander
Arthur W. Anthony, Jr.
Peter F. C. Armstrong
Maurice C. Ashley, Jr.
Freddie J. Baker
James M. Bannan
William D. Bassett, Jr.
Arnold E. Bench
Lee R. Bendell
Garland T. Beyerle
Darrel E. Bjorklund
Louis A. Bonin
Eugene R. Brady
Robert B. Brennan
Edward J. Bronars
Robert G. Brown
Travis D. Brown
Clement C. Buckley, Jr.
Thomas J. Burckell
Donald J. Burger
Conrad P. Buschmann
Kenneth M. Buss
John E. Buynak
Raymond A. Cameron
Richard E. Campbell
David I. Carter
Clement C. Chamberlain, Jr.
Byron T. Chen
Gregory J. Cizek
Harold C. Colvin
Jack W. Conard
Andrew B. Cook
Charles G. Cooper
William R. Corson
Franklin G. Cowie, Jr.
Harry O. Cowing, Jr.
William E. Cross, Jr.
Philip M. Crosswait
George D. Cumming
Bruce F. Cunliffe
Ralph L. Cunningham, Jr.
John K. Davis
Thomas J. Deen, Jr.
Claude E. Deering, Jr.
Francis L. Delaney
Lewis H. Devine
Birchard B. De Witt
Lawrence R. Dorsa
Joshua W. Dorsey III
Edward J. Driscoll, Jr.
LeRoy M. Duffy
Jimmie W. Duncan
Cecil C. Dunnagan
Carl J. Emma
Clyde L. Ever
Gilbert W. Ferguson
William B. Fleming
Kenneth S. Foley
Eugene D. Foxworth, Jr.
Richard H. Francis
Walter A. Gagne, Jr.
Joseph J. N. Gambardella
Jesse L. Gibney, Jr.
Robert N. Good
Carlton D. Goodiel, Jr.
Fred Grabowski
Fredric A. Green
John R. Greenstone
John E. Greenwood
William R. Grubaugh
Robert E. Gruenler
Edward M. Guell
Thomas I. Gunning
Frederick M. Haden
John W. Haggerty, III
Lawrence A. Hall
Wayne L. Hall
Andrew E. Hare
Elwin B. Hart
Harold A. Hatch
George A. P. Haynes
George E. Hayward
Keith H. Helms
Hans W. Henzel
Stanley A. Herman
William M. Herrin, Jr.
Charles O. Hiett
Henry Hoppe III
William K. Horn
George W. Houck
Dwight E. Howard
Robert E. Howard, Jr.
David J. Hunter
Robert E. Hunter
David J. Hytrek
Edgar K. Jacks
Mallett C. Jackson, Jr.
Charles V. Jarman
John M. Johnson, Jr.
Warren R. Johnson
Charles M. C. Jones, Jr.
Richard E. Jones
Nick J. Kapetan
William C. Keith, Jr.
Don L. Keller
Paul X. Kelley
Calhoun J. Killeen
Grover C. Koontz
George R. Lamb
Joseph M. Laney, Jr.
James W. Laseter
Randlett T. Lawrence
Frederick D. Leder
Harris J. Levert, Jr.
Alan M. Lindell
Carl R. Lundquist
Dean C. Macho
James H. MacLean
Byron L. Magness
Robert B. March
Donald E. Marchette
James W. Marsh
James G. Martz III
Jerry F. Mathis
Frank D. McCarthy
Bain McClintock
Daniel F. McConnell
William G. McCool
Norman B. McCrary
Robert L. McElroy
James R. McEnaney
Donald N. McKeon
Joseph V. McLernan
Paul G. McMahon
Alexander P. McMillan
Russell W. McNutt
Edward J. Megarr
David G. Mehargue
Willard D. Merrill
James F. Meyers, Jr.
John B. Michaud
Richard D. Mickelson
Donald C. Miller
John H. Miller
Robert R. Montgomery
Anthony A. Monti
Ira L. Morgan, Jr.
Roddey B. Moss
Ross L. Mulford
Joseph Nastasi
Robert C. Needham
Harry J. Nolan
Victor Ohanesian
Robert W. Oliver
James R. Omara
Charles H. Opfar, Jr.
Thomas A. Palmer
William K. Parcell
Tom D. Parsons

Roger W. Peard, Jr.
Edward F. Penico
Arthur R. Petersen
George R. Phillips
Reagan L. Preis
Vincent J. Pross, Jr.
Heman J. Redfield III
Pierre D. Reissner, Jr.
Clarke A. Rhykerd
David M. Ridderhof
Edward J. Rigby
Thomas E. Ringwood
Dwight E. Roberts
Kenneth L. Robinson, Jr.
William K. Rockey
Charles A. Rosenfield
Earl F. Roth, Jr.
Edward J. Rutty
Victor A. Ruvo
Raymond M. Ryan
Joseph L. Sadowski
George T. Sargent, Jr.
William F. Saunders, Jr.
Cornelius F. Savage, Jr.
John P. Schied
Baxter W. Seaton
Ronald I. Severson
Charles A. Sewell
Ural W. Shadrick
Richard W. Sheppe
Warren C. Sherman
George H. Shutt, Jr.
Emmett B. Sigmon, Jr
Warren J. Skvaril
Albert C. Smith, Jr.
Edward E. Smith
Erin D. Smith
George W. Smith
Richard J. Smith
Thomas G. Snipes
William F. Sparks
Eugene O. Speckart
Newell D. Staley, Jr.
Donald C. Stanton
Marvin H. Stevens
Harold E. Stine
Donald R. Stiver
John H. Strope
Otto I. Svenson, Jr.
Oral R. Swigart, Jr.
Leonard C. Taft
Aubrey W. Talbert, Jr.
Richard B. Talbott
Robert W. Taylor
Jay J. Thomas, Jr.
Francis H. Thurston
Donald K. Tooker
Marshall J. Treado
Rodolfo L. Trevino
Luther G. Troen
George F. Tubley
Kenneth E. Turner
David M. Twomey
Wendell N. Vest
Hal W. Vincent
Michael J. Vrabel
Theodore R. Wall
Ralph D. Wallace
Edward R. Watson
Robert A. Walker
Charles A. Webster
William Wentworth
Thomas B. White, Jr.
William V. H. White
Robert D. Whitesell
Charles K. Whitfield
Charles S. Whiting
Daniel M. Wilson
James S. Wilson
Frederick M. Woeller
Henry E. Wold
James W. Wood
Harry D. Woods
Richard B. Wyatt
Albert J. Zlogar
John L. Zorack

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel subject to qualification therefor as provided by law:

William C. Adams
Eugene D. Anderson
William C. Bittick, Jr.
Johnny L. Carter
Walter W. Fleetwood
Wesley D. Lamoureux
George M. Olszewski
Harry D. Persons
James W. Wilson

EXTENSIONS OF REMARKS

The International Union of Mine, Mill & Smelter Workers

EXTENSION OF REMARKS

OF

HON. DAVID S. KING

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. KING of Utah. Mr. Speaker, I wish to pay a brief tribute to the hard and persevering work, year after year, of the International Union of Mine, Mill & Smelter Workers on behalf of Federal safety legislation for metallic and nonmetallic mines. The contribution of this union to the passage by the House on September 2 of H.R. 8989, the Federal Metallic and Nonmetallic Mine Safety Act, was very substantial. Its contribution to the outstanding report of Secretary of the Interior Stewart Udall on health and safety in metal and nonmetal mines is deserving of recognition. Its membership in the mines of my State and throughout the West cooperated in an outstanding way in the conduct of the study on which this report is based. Mine-mill local union safety committees met repeatedly with Federal mine inspectors to discuss safety hazards, and submitted to the Department of the Interior literally hundreds of detailed reports on mine accidents, many of which were not otherwise reported. This union has presented most valuable testimony, springing from firsthand knowledge of safety conditions in this country's metallic and nonmetallic mines, at hearings on mine safety held by subcommittees of the House Committee on Education and Labor in 1956, 1957, 1961, and 1965. It has contributed to the drafting of mine safety legislation which has been introduced in both Houses in the 88th and 89th Congresses, and which I was happy to introduce in the present session as H.R. 2993 on January 18, 1965. The Interior Department bill, H.R. 8989, as amended, draws heavily on the thinking that is expressed in H.R. 2993 and in the hard-hitting and specific testimony of its witnesses at subcommittee hearings last May. I commend the record of this great and historic union of hard-rock miners, whose origins in the West, including my State, date back to the 19th century, more than 70 years.

Marshall Field, Jr.

EXTENSION OF REMARKS

OF

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. MURPHY of Illinois. Mr. Speaker, on Saturday, September 18, 1965, the people of the metropolitan area of Chicago and the Nation were saddened by the untimely death of Marshall Field, Jr.

Mr. Field was the fourth member of his line to bear the name of this family distinguished in merchandising, publishing, real estate, and philanthropy.

Marshall Field, Jr., succeeded his father, Marshall Field III, as president and publisher of the Chicago Sun-Times and Chicago Daily News publications. He was also chairman of the board of Field Enterprises, Inc., and honorary chairman of the Field Enterprises Educational Corp. He was a director of Marshall Field & Co.; World Book; Child Craft; First National Bank of Chicago; and vice president of the Field Foundation, Inc. He also was a member of the board of directors of the University of Chicago; Chicago National History Museum; Presbyterian-St. Luke's Hospital; and the Art Institute, Chicago.

Marshall Field, Jr., served from ensign to lieutenant commander in the U.S. Naval Reserve 1941–45. He was awarded the Silver Star and the Purple Heart. He was a member of the American Legion, and the Chicago and Illinois Bar Associations.

Every man leaves a heritage, and the heritage of Mr. Field, Junior, is a memorial of fairness, justice, and courage.

Mrs. Murphy joins me in extending our heartfelt sympathy to his family in this hour of bereavement, and may he receive God's richest blessings.

Congressman Horton's Tribute to the Steuben Society on the Anniversary of the Birth of General Frederick Von Steuben

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. HORTON. Mr. Speaker, last year I had the great honor of addressing the 21st national convention of the Steuben Society of America. At that time, as I have on many other occasions, I expressed my deep admiration for the work of the Steuben Society, a patriotic, nonpartisan American organization which has stimulated service to the nation by Americans of German descent. The interests and activities of the Steuben Society are in the best tradition of American free association, and its members have served with valor and distinction in our military services, just as did one of our great heroes of the American Revolution, Gen. Frederick William Augustus Von Steuben.

On Von Steuben Day, September 17, it is appropriate that we review the contribution made by this great man to the American Revolutionary cause. General Washington was so favorably impressed by Von Steuben's practical knowledge and experience that he asked him to serve as acting inspector general and to undertake the training of the American Army.

This was a matter of some difficulty since Von Steuben at this time did not speak English, and was obliged to act through interpreters. There was no time for the preparation and publication of a complete new drill manual of the kind that Von Steuben had in mind. He therefore prepared his drill instructions in brief installments.

These were translated into English and issued to the regiments as the drills progressed. The general had the great, good sense to rely additionally on the power of example. He formed a model company which made such rapid progress under his own skilled instructions that the imagination of the entire Army was fired by the example of the model company's proficiency. Drill soon became the fashion, and within a few weeks the new drill, imparted day by day to the model company, spread throughout the American forces.

This was perhaps the most remarkable achievement in rapid military training in our history. The value of Von Steuben's instruction was soon shown on the battlefield of Monmouth. There and thereafter throughout the Revolutionary War, the Continental Army proved itself the equal in discipline and skill of the best British regulars.

When Von Steuben was preparing the installments of his famous drill manual, he needed someone to illustrate it in order that there might not be the slightest doubt as to the meaning of his directions. He chose a young Frenchman who had been occupying himself at Valley Forge by drawing crayon portraits of officers and their wives. This was Pierre Charles L'Enfant, and Von Steuben soon put him to more useful work. One day L'Enfant would design forts and emplacements; later he would be New York City's principal Federal architect; finally he would create, as his permanent monument, the city in the wilderness, Washington, D.C. But it was Von Steuben who first recognized L'Enfant's great abilities and put them to use in the service of the American cause.

Through his influence in converting the American Army into an effective and highly disciplined military force. Von Steuben was an indispensable figure in the achievement of American independence. He performed an essential service that none of his contemporaries in America was qualified to perform. We honor him today for what he did for our country at the time of its birth, and we honor also those German Americans who, like him, have made so great a contribution to our national development.

Congress Notes the Service of Former Assistant Treasury Secretary James A. Reed

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. ROGERS of Florida. Mr. Speaker, I wish to join my colleagues, Congressman GARMATZ, of Maryland, and Congressman TUPPER, of Maine, in noting the fine record of service by former Assistant Secretary of the Treasury James A. Reed, who has just returned to the private practice of law.

Assistant Secretary Reed served in his capacity as overseer of the Bureau of Narcotics, the Bureau of Customs, and the U.S. Coast Guard for 4 years. His talents were recognized by the late President Kennedy, under whom Assistant Secretary Reed was appointed. His ability is known to many Members of the Congress as a result of his keen awareness of the role these agencies play in the Government. In particular, Assistant Secretary Reed's performance is well known to the Members of the House Merchant Marine and Fisheries Committee, which has many jurisdictional interests in these agencies.

In accordance with the remarks made by Congressman GARMATZ and Congressman TUPPER and others, I wish former Assistant Secretary Reed every success in his return to private life.

Centennial of Alaska Purchase

EXTENSION OF REMARKS

OF

HON. RALPH J. RIVERS

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. RIVERS of Alaska. Mr. Speaker, my bill (H.R. 9963) to provide for Federal participation in the 1967 Centennial of the Alaska Purchase will be considered by a Special Subcommittee of the House Public Works Committee later this week.

During a hearing on the bill held last week, I presented a statement briefly describing the 1867 purchase of Russian-America and the significance of the acquisition, and giving an overview of planning going on in Alaska to mark the centennial. In order that my colleagues might become acquainted with this statement, I insert it here:

STATEMENT OF RALPH J. RIVERS, U.S. REPRESENTATIVE FROM ALASKA, BEFORE AN AD HOC SUBCOMMITTEE OF THE HOUSE COMMITTEE ON PUBLIC WORKS IN SUPPORT OF H.R. 9963, SEPTEMBER 14, 1965

Mr. Chairman and fellow members of the subcommittee, I appreciate very much this opportunity of presenting a brief introduction to the consideration of my bill, H.R. 9963, to promote the economic develpment of the State of Alaska by providing for U.S. participation in the statewide exposition to be held in Alaska during 1967.

THE EVENT TO BE COMMEMORATED

On March 30, 1867, William H. Seward, Secretary of State to President Andrew Johnson, concluded negotiations with Baron de Stoeckl for the purchase of Russian-America from Russia. On October 18 of that year, at New Archangel, Russian-America (now called Sitka, Alaska), the white, red, and blue banner with the two headed eagle—the flag of the Russian-American Company—was lowered on the flagpole, and in its place was raised the flag of the United States of America.

For $7,200,000—about 2 cents an acre—the United States had acquired more than a half million square miles of land comprising the largest peninsula on the North American Continent.

Russians had been colonists and governors of the vast land for nearly a century when the sale took place. Today, we approach the century mark of American possession and control, and must hasten to get ready to suitably observe Alaska's purchase centennial exposition.

THE ENDURING SIGNIFICANCE OF THE 1867 EVENT

In reporting the Alaska Purchase the day after the treaty was signed, the New York Times observed that the acquisition excluded a large part of British North America from access to the ocean, and described the English representatives in Washington as highly excited and "chagrined."

Though the Times emphasized in its commentary the effect of the purchase upon the English, the newspaper also pointed out that the land acquired would be valuable for its furs and fisheries, and "of the highest importance as a naval depot and for strategic purposes."

There was to be much wealth that would be America's because of the purchase—in fisheries, furs, minerals, and timber—but the great significance of the purchase not wholly recognized until the mid-20th century was Alaska's strategic location.

United States ownership of Alaska in World War II enabled the fortification of northern approaches to America to withstand Japanese attack. When that war ended, and the cold war succeeded it, those fortifications were continued, expanded, and strengthened, so that Alaska continues to be a great buffer area between Asia and North America.

That decision of 1867 ended Russian control on this continent. And—in the mid-20th century, the fact that Russians possess no part of North America is the enduring significance of the Alaska Purchase.

THE INTENDED SIGNIFICANCE OF THE 1967 EVENT

Alaskans intend that the statewide exposition marking the centennial of the Purchase shall be as meaningful as the event commemorated.

When Gov. William A. Egan proposed in 1963 that planning be begun for 1967, he said, "I envision the Alaska Centennial as the most outstanding effort ever undertaken in Alaska."

Since 1963 planning has proceeded energetically on a broad scale in Alaska in keeping with the Governor's forecast. The goal is one of designing the event to be of substance, not floss; the goal is to commemorate the purchase so that it will be of maximum enduring impact.

PLANNING IN THE STATE OF ALASKA

Planning for the centennial of the Alaska Purchase is being carried on by the Alaska Centennial Commission (an agency of the State), by centennial committees in 22 communities, and by dozens of voluntary organizations. State, local, and private spending to date exceeds $1.5 million; projected spending is set at $8 million, exclusive of Federal participation.

Permanent projects include restoration of historic Russian buildings, reconstruction of early Eskimo and Indian structures, preservation of gold-rush relics, construction of convention centers and museums, and erection of historical markers throughout the State. Other projects for 1967 include presentation of historical dramas and musical events, and portrayal of the role of the Federal Government in the building of Alaska.

ACTION BY THE 88TH CONGRESS

The 88th Congress enacted legislation declaring the Alaska Purchase Centennial Exposition to be "not only as an observance by the people of the 49th State, but as an event of national significance," and ordering a study by the Department of Commerce to determine the manner and extent of U.S. participation in the observance.

FINDINGS OF THE DEPARTMENT OF COMMERCE

The most important findings of the Department of Commerce are as folows:

1. The Alaska Centennial will celebrate the historically significant U.S. purchase of Alaska from Russia in 1867;

2. The Federal Government should participate in the observance;

(a) Primary emphasis should be on programs contributing to the long-range development of Alaska;

(b) The State of Alaska should have the basic responsibility for planning and execution of the program;

(c) Federal contribution should be generally commensurate with local efforts;

3. There is ample precedent for Federal participation in celebrations observing centennials of land acquisitions, explorations, and purchases;

4. A plan for Federal participation which accomplishes needed economic development appears to be a proper expenditure of public funds;

5. An effective program to increase tourism as a part of the 1967 observance would in itself be a specific economic development project that would justify Federal participation;

6. All six Department of Commerce criteria for evaluating desirability of Federal participation in domestic exhibitions are met by the Alaska Purchase Centennial Exposition.

THE PRESENT BILL: H.R. 9963

The findings of the Department of Commerce are the basis of my bill, H.R. 9963.

Under this bill, there would be authorized not to exceed $7.2 million in matching funds for use in Centennial-related permanent projects that would contribute to the economic development of Alaska. Such projects could be historical reconstructions or other facilities that would enhance Alaska as a tourist destination, or be adaptable to other economic development purposes.

In addition, there would be authorized $600,000 for provision and display of Federal exhibits in Alaska during 1967.

Final authority for expenditure of Federal funds would rest with the Federal Field Committee for Development Planning in Alaska, an agency of the U.S. Department of Commerce. Recommendations for projects and their administration would be the responsibility of the State of Alaska.

CONCLUSION

In view of the close adherence of H.R. 9963 to recommendations of the Department of Commerce, and in view of the appropriateness of Federal participation and its long-range benefits to both Alaska and the Nation, I urge this committee to favorably report this legislation. Thank you.

The Retirement of Hon. Eugene M. Zuckert

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. MOSS. Mr. Speaker, the Honorable Eugene M. Zuckert is retiring this month as Secretary of the Air Force, and I want to take this opportunity to comment, both as a Member of Congress and as a chairman of a subcommittee which has worked closely with Mr. Zuckert, on his activities the past 4½ years.

During the past 10 years investigating availability of Government information, the subcommittee which I head has looked into dozens of information problems involving the Air Force. In recent years the Air Force has adopted many improvements in its information practices, and I believe Secretary Zuckert deserves a large measure of the credit for these improvements.

Air Force officials under Mr. Zuckert's direction have been readily accessible to the subcommittee and its staff. They have given the most careful consideration to the recommendations which the House Government Operations Committee has adopted as a result of the subcommittee's investigations, and they have made extensive efforts to put these recommendations into effect. Mr. Zuckert is to be commended for the cooperative atmosphere created under his administration.

There are two major Air Force installations in my congressional district and, as a Member of Congress, I have experienced all of the problems which can be expected from extensive Federal activities in a local community. I have found the Air Force officials under Secretary Zuckert most receptive to suggestions from the community and most interested in putting into practice the principles of good management for which Mr. Zuckert stands.

The Jewish Holidays

EXTENSION OF REMARKS

OF

HON. ROBERT F. ELLSWORTH

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. ELLSWORTH. Mr. Speaker, next Sunday night, September 26, marks the beginning of the Jewish High Holidays of Rosh Hashanah and Yom Kippur. Today I would like to pay special tribute to these High Holy Days by joining with my colleagues here in the House to extend to all people of the Jewish faith my sincere wishes for a happy and prosperous new year.

The high holidays usher in the year 5726 on the Jewish calendar. Rosh Hashanah, the new year, begins a 10-day period of repentance which culminates in Yom Kippur, the day of atonement. These are solemn and holy days—a time for fasting, prayer, and personal meditation between man and God. On these high holy days, Jews all over the world pause to reexamine their lives, to thank God for the gifts which He has bestowed upon them, to ask His forgiveness for the sins which they have committed during the preceding year, and to pray for His understanding and guidance so that they may profit from their errors.

It goes without saying that no one can plan for his future until he examines and understands his past. No one can take on further responsibility before he begins to fulfill his present obligations. The spirit of the Jewish holidays unites men of all faiths by calling upon them to look inward and upward—within themselves and up to God—in order to open the way for a richer and fuller existence. In these times of world conflict and unrest, it is my sincere hope that the spirit of these holidays will extend to men everywhere and that the sound of the shofar will call upon all mankind to reexamine their lives and to pray to God for His understanding and guidance.

Judaism is the religion which first envisaged social justice and preached the sanctity and dignity of human life. Too often these age-old teachers are forgotten, but during the High Holy Days let us reaffirm the hope that they will no longer be ignored and that all men will joint together in the coming year and accept their responsibility to God and themselves. In welcoming the Jewish holidays, I take pride in repeating the ancient blessing which symbolizes this hope:

> May you be inscribed, once again, in the book of life for a good new year.

Soviet Jewry and Human Rights

EXTENSION OF REMARKS

OF

HON. KEN W. DYAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. DYAL. Mr. Speaker, in Lafayette Park on Sunday, September 19, 1965, some 10,000 Jewish lay and rabbinic leaders throughout the country met to launch the weeklong National Eternal Light Vigil for Soviet Jewry who are being oppressed by that nation.

An interfaith group of leaders participated in the program with the idea of bringing the moral judgment of millions of people throughout the world to bear on oppression in the Soviet Union just prior to the High Holy Days of Rosh Hashanah and Yom Kippur.

Our colleague and newly named U.S. Representative on the Economic and Social Council of the United Nations, the Honorable JAMES ROOSEVELT, gave an address. With unanimous consent I insert in the RECORD at this point his important comments on this occasion:

SOVIET JEWRY AND HUMAN RIGHTS—AN AGENDA OF CONSCIENCE

It is a privilege to be here with you now, to share this moment of solemn vigil to secure the basic human rights of the Soviet Jewish community.

As you know, one of my main concerns, as U.S. Representative to the United Nations Economic and Social Council, will be the protection and enhancement of human rights. So I am here to tell you that it is my conviction, and that of our Government, that the problem of Soviet Jewry properly belongs on the agenda of the U.N.—whether it is at the Human Rights Commission, at the Subcommission for the Prevention of Discrimination and Protection of Minorities, or at the kind of special world investigative commission on human rights proposed some months ago by Ambassador Goldberg.

But while I strongly believe that this problem must concern the U.N., it does not belong exclusively there. It must be on the agenda of the world's conscience.

In my new post, I have been taking time to read the story of the United Nations and the writing of its charter in San Francisco. I recall that when the charter was framed, there was great controversy about a paragraph which prohibited the international body from intruding into the domestic affairs of the member nations. This safeguard had to be included; otherwise, sovereign nations would not have participated.

The inclusion of this paragraph does not mean that the United Nations Charter was drafted for the purpose of stilling the voices of protest against evil. Written as it was so soon after the destruction of the Jewish communities of Europe and the failure of the democratic nations to come to the rescue of those communities, the charter never intended that we should not take every possible measure to safeguard the survival of peoples wherever they might be exposed to danger.

I have no doubt that the distinguished delegates of the Soviet Union, whom I shall soon be meeting at the United Nations, will scoff at the words we say here today. For they will tell us there is evil in our own land. And they will point to bigotry. They may even feel free to speak of my own city of Los Angeles, which I represent in Congress. To this counteraccusation, we enter no denial. We know that we have much to do in America to bring our daily lives into conformity with the principles which we cherish and which are inscribed in the United Nations Charter and the Declaration of Human Rights. Our answer to our Soviet friends must be that we have to help each other to find the answers.

I think we must say very frankly that if there are wrongs in our own country—and there are—those who are aggrieved and injured are free to speak their protest, to unite with their fellows in the demand for rectification, in the appeal for justice.

But in the U.S.S.R., a large segment of popular sentiment (it cannot properly be called public opinion) is itself anti-Semitic, and that segment which opposes anti-Semitism can at best speak in muffled tones.

As for Soviet public institutions, the hard fact is that it is government policy itself which is the guilty party.

Thank God, Soviet policy leaves Jewish bodies intact. But Jewish souls are in the balance, and this is at the heart of our protest. For Soviet policy seeks to dry up the wellsprings of vitality and creativity that have immemorially marked the Jewish spirit. It intends to atomize the Jewish community, to estrange it from its past, to crush its identity—in short, to destroy every possibility of Jewish group survival.

As you may know, the Jews of the U.S.S.R. are officially considered not only a religious group but primarily a nationality which is a cultural and ethnic concept.

In Eastern Europe, scores of nationalities—be they majorities governing territories or minorities residing in the territory of others—have for centuries clung with natural pride to their national consciousness, their way of life, their memories, their language and literature.

The Soviet Union is ideologically committed and constitutionally structured to recognize the full right of every one of its 108 nationalities to perpetuate their identities and to maintain cultural, communal, and educational institutions toward that end. For though 50 percent of the Soviet population consists of Russian nationality, the remaining half is composed of 107 others whose group needs and aspirations cannot be denied, even by an authoritarian regime.

The importance of the concept of nationality in Soviet society cannot be overemphasized. One's nationality is one of the two or three decisive components of citizenship in the U.S.S.R. It largely determines the language one speaks, the literature and press one reads, the national history one associates with, the customs one grows up with, the national heroes one cherishes and emulates. One's nationality is thus of profound psychological, as well as cultural and political, significance.

It might almost be said that nationality defines the man, as well as the citizen—for it molds his mind and heart and soul, and gives him a heritage of which he can be justly proud.

The real meaning of the Soviet Jewish tragedy inheres precisely in this: That Soviet Jews are the only nationality deprived of all the rights and institutions by which they might live their lives as a self-respecting and respected group.

Try to imagine what it means to be a Jew in the U.S.S.R. You are uniquely discriminated against—and you know it, and your non-Jewish neighbors know it. It means that in your singular humiliation, you are deprived of pride and self-respect.

It is now a quarter of a century since any Jewish school has existed in the U.S.S.R., where a Jewish child might learn something of Jewish language, literature, and history. It is now a quarter of a century, in which a whole generation of Soviet Jewish youth is confronted with a past that is a blank, and a future that is empty.

To force this great community to become a dead end of history is to show inequitous contempt for human rights, to perpetrate a moral crime, a historic tragedy.

It is all too easy to shunt aside those who are voiceless and helpless. We must rise to their defense. We must give the world no surcease—until the world, and especially the U.S.S.R., pays attention.

Lest you fear that all these public protests are in vain, let me assure you that we have fresh, significant evidence that your efforts are most effective indeed. For just 2 weeks ago today, Pravda, the major newspaper of the Soviet Union, published a front-page editorial which did three things:

1. It implicitly but unmistakably conceded the existence of anti-Semitism in the U.S.S.R.

2. It proceeded to condemn anti-Semitism roundly.

3. It explained, in effect, that it did so because the existence of this problem is hurting the image of the Soviet Union abroad.

This striking evidence of Soviet sensitivity should encourage us to continue and intensify our protests.

We must do all in our power to save a great community from cultural annihilation.

Hon. Eugene Zuckert

EXTENSION OF REMARKS

OF

HON. ROBERT A. EVERETT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. EVERETT. Mr. Speaker, for over a quarter of a century it has been a pleasure for me to have known Eugene Zuckert, the Secretary of the Air Force.

Many fine articles have been in the RECORD relative to his excellent service to this great Nation of ours throughout his career. I wish to concur in everything that has been said relative to him.

He has always been most kind and considerate of all official requests that I have had from time to time from our constituents in Tennessee.

As he retires as Secretary of the Air Force on the 30th of September, he can look back upon his career in the Air Force with the satisfaction of knowing that he has done an excellent job.

All of us in the Eighth Congressional District of Tennessee wish for him the best of everything in the years to come.

Award of National Association of Metal Finishers

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Mondcy, September 20, 1965

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a speech made by me at the National Association of Metal Finishers, Hilton Hotel, New York City, on July 10, 1965, when a cherished award was conferred upon me.

I was very much impressed by this outstanding event and am very grateful to Mr. P. Peter Kovatis and the association for the very great honor they conferred upon me and for their kindness and cooperation which have been so very constructive and helpful.

The speech follows:

REMARKS OF CONGRESSMAN PHILIP J. PHILBIN AT AWARD BANQUET, NATIONAL ASSOCIATION OF METAL FINISHERS, HILTON HOTEL, NEW YORK CITY, JULY 10, 1965

Mr. Toastmaster, distinguished guests, friends, and fellow Americans, let me assure you that I am deeply touched and greatly honored as well as very grateful to receive one of your highest awards bestowed on individuals by your outstanding organization, the National Association of Metal Finishers.

In fact, I am humbled and somewhat overwhelmed at the special distinction you have accorded me in receiving this cherished award at a time when you are conferring it upon our very distinguished friends, Mr. William R. Crawford and Mr. P. Peter Kovatis, who has personally been so helpful to me and my committee.

This unusual award will always have great significance to me, and I would like to suggest that I regard it as being something more than personal, since my modest contributions never would have been possible without the loyal, effective support of the great American who heads the House Armed Services Committee, the Honorable L. MENDEL RIVERS, and each and every member of that great committee of which I am so proud, nor could we have achieved the results we did without the help and support of the Members of the House and Senate, of both parties, and the great President of the United States, our executive agencies and the many expert leaders of your organization like Pete Kovatis, and other business groups throughout the country, who counseled and assisted us so invaluably in understanding the problems and pointing the way to their possible solution.

So I feel, my friends, that this cherished award symbolizes the work and dedication of many, not just the work and dedication of one, and in that sense it is to be shared with all those who have served us so loyally, so faithfully, so effectively, and so well, and I want our valued friend, Peter Kovatis to know of our special appreciation.

The sound honest management of our stockpiles to serve the national defense and interests, and to help our economy, our industries, our business groups, and our faithful workers, must continue to be one of our most important national objectives.

As you probably know, in our strategic and critical stockpiles required for defense and national emergency are very large quantities of materials essential to the maintenance of a defense economy, totaling in the aggregate to something over the huge sum of $8 billion.

I will not discuss these matters extensively at this time, but believe it should be noted that in handling these huge quantities of stockpile materials, including those determined to be in surplus supply, the Congress must constantly keep in mind, not only the strategic and critical nature of these stockpiles but also the great need for orderly disposal of surplus materials to industry and commerce in such a manner as to protect the Government and the free market, avoid disruption of price levels and insure as best we can that the needs and well-being of our economy and our industries are served fairly and equitably under the conditions confronting us at any given time. Honesty, fairness, equity, and sound judgments are essential in these tasks.

Next week our committee will start hearings on S. 28, a bill introduced by our able, distinguished friend, Senator SYMINGTON, of Missouri, which has already passed the Senate.

This measure provides for sweeping changes in current disposal and housekeeping functions and procedures. It will be heard before the full House Armed Services Committee and many witnesses representing Government, industry, and business will present their testimony.

Let me assure you that our committee will receive and evaluate this testimony in a fair and impartial manner and will accord interested witnesses every opportunity to be heard, and then the committee will work its will, as it is required to do, in what it deems to be in the best interests of the Government, our defense, our national security, our economy, and our great free enterprise business institutions.

The Members of Congress are deeply interested, as you are, in securing the proper adjustment, implementation, and effective utilization of stockpile materials and I express the hope and the confidence that we will find appropriate solutions for the very complex, challenging problems inherent in this proposed stockpile legislation. We desire and will welcome your cooperation in this vital work.

We are facing a very critical and very difficult international crisis stemming from the aggression, infiltration, and revolutionary tactics of the Communist conspiracy which, according to Marxist time schedules, is moving toward world domination.

In the decisions we make, and the action we take, and the determination we show, to guard and protect our own precious liberties and fulfill our commitments to the cause of freedom throughout the world, much is at stake, because what we say and do in these troublous days, the firmness and resolution and purpose we demonstrate, will determine the whole course of history for many years to come, will determine the fate of small helpless nations, yes, could well determine the destiny of our own great, free Nation.

I know that in these struggles for freedom and, we pray, enduring peace, you and your group will do your full part and that Americans of every class, race, creed, and station in life will unite behind the national leadership with patience, resolution, and unflagging determination to defend our great heritage of liberty, democracy, and justice from all those who seek to overpower and destroy us.

Not only with great strength of arms will our cause prevail, but with strength of the spirit, with continued devotion and loyalty to the fundamental principles of human liberty and the rights of the individual and our interest and purpose to strive for peace, for humanity, for justice, for all peoples, and all nations. Prevail we must and prevail we will.

Let me thank you all for your great kindness to me. I hope in the future to be worthy of your support and confidence and to be privileged to serve you and all our people in the interests of our great beloved free country.

Thank you very much.

Ed Knebel

EXTENSION OF REMARKS

OF

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 20, 1965

Mr. PICKLE. Mr. Speaker, Mr. Ed Knebel was "Mr. Baseball" to everyone in Austin, Tex. His recent passing was a source of great sadness to every sports fan in central Texas. No one has ever done more for baseball—and young people—than the loved and respected and gentle Ed Knebel. We shall miss him greatly.

He was the founder and president of Seven-Up Bottling Co. and the father of professional baseball in Austin. Knebel began playing baseball when he was 12. Sixty years later he became the first person installed in Austin's baseball hall of fame, when Milwaukee Braves President John McHale presented him with a gold baseball glove.

During World War I, while serving in the artillery, he saved enough money to open a cleaning and pressing business in France. From his earnings in this business he purchased the Nu-Icy and NuGrape franchises in Austin in 1927. His present Seven-Up company was opened in 1935.

Knebel's continuous athletic activity earned him the title of Mr. Baseball. When the old city league folded, he continued to play his Seven-Up teams against teams out of Austin. He helped form the Big State League in 1947, and was instrumental in getting the $200,000 Disch Field. In 1962 he gave Disch Field to the city.

I think every man, in his life, wants to feel he might have made some singular contribution to the welfare of humanity. Ed Knebel's primary contribution was his 100 percent devotion to baseball and to the young men of his community. He lived and worked constantly to encourage young boys to play sports and to live wholesome lives. Tens of thousands of young men have been helped through his dedication, and our city and Nation is a much better place because of Ed Knebel who led the good life of productive service to others.

SENATE

TUESDAY, SEPTEMBER 21, 1965

(Legislative day of Monday, September 20, 1965)

The Senate met at 12 o'clock noon, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O merciful God, whose law is truth and whose statutes standing forever break those who break them. We beseech Thee to grant unto us who at noontide seek Thy face, fervently to desire, wisely to apprehend, and obediently to fulfill the mandates of Thy will as it is made known to us.

We pause now for Thy benediction before turning to waiting tasks, grateful for a rich and enriching heritage worth living for and dying for and for a deathless cause that no weapon that has been formed can defeat.

Grant unto Thy ministers here in the Temple of Public Service that rising above any selfish partisan loyalties they may be given tallness of stature to see above the walls of prideful opinions the good of the largest number. And in these perplexing times that try men's souls and test their character, may Thy strength sustain us, may Thy grace preserve us, may Thy wisdom instruct us, may Thy might protect us and Thy hand direct us this day and evermore.

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. TALMADGE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 20, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 664. An act to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes;

S. 906. An act to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes;

S. 1190. An act to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource;

S. 1764. An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; and

S. 1988. An act to provide for the conveyance of certain real property of the United States to the State of Maryland.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2694. An act for the relief of John Allen;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3062. An act for the relief of Son Chung Ja;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 5903. An act for the relief of William C. Page;

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes;

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss;

H.R. 8212. An act for the relief of Kent A. Herath; and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Committee on the District of Columbia and the Subcommittee on Fiscal Affairs of that committee be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Reserving the right to object, has that been cleared with the minority leader?

Mr. SPARKMAN. I have been told it has been cleared on both sides.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hearing none, it is so ordered.

On the request of Mr. SPARKMAN, and by unanimous consent, the Subcommittee on Refugees and Escapees of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. TALMADGE, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 7743. An act to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools (Rept. No. 758).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2126. A bill for the relief of Sook Ja Kim, Ai Ja Kim, and Min Ja Kim (Rept. No. 759);

H.R. 1274. An act for the relief of Mrs. Michiko Miyazaki Williams (Rept. No. 760);

H.R. 2358. An act for the relief of Tony Boone (Rept. No. 761); and

H.R. 2772. An act for the relief of Ksenija Popovic (Rept. No. 762).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 2548. A bill to amend title 18 of the United States Code so as to prohibit the transmission of certain matter which defames or reflects injuriously upon racial or religious groups; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE (for himself and Mr. McCARTHY):

S. 2549. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. PELL:

S. 2550. A bill to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

PROHIBITION OF TRANSMISSION OF CERTAIN DEFAMATORY MAIL MATTER

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to prohibit the mailing of matter on envelopes and postcards that defames racial, religious, or ethnic groups. This bill is intended to plug an unfortunate gap in the present postal laws. These laws presently prohibit the mailing of defamatory, scurrilous, and libelous material, but only when it relates to identifiable individuals. As a result, one can put the most outrageous statements or stickers on an envelope or post card and send them through the mails. It is an unhappy commentary on our society that legislation is needed to discourage this.

This bill stems from a letter I received from a Pennsylvanian, who complained that he had received a business reply card on which some misguided individual affixed the sticker stating, "Communism is Jewish." The man wrote to me asking if this was legal. I asked the Post Office Department. It replied that, unfortunately, it was legal. The postal laws simply do not prohibit defaming an entire race, religion, or ethnic group.

I am sure that people often wonder what good it does to write to their Senator or Congressman. This bill is evidence that it is worthwhile. I was unaware of this gap in the postal laws until Mr. Louis F. Soffer, of Philadelphia, wrote to me with the complaint about the defamatory sticker he had received in the mail. I am grateful to Mr. Soffer for doing this.

The particular sticker that he complained of—"Communism is Jewish"—also bears some mention in light of the events of this past week. This week Jews from all over the Nation are coming to Washington to protest the deprivation of religious liberties to the Jews in the Soviet Union. The Jewish people for 2,000 years have been the object of attempts to destroy their faith and traditions, by kings, by the Fascists, and by the Communists. The plight of the Jews in the Soviet Union points up the idiocy of this sticker campaign.

But the problem is larger than this single sticker. The United States mail should not be a tool of intolerance. I fear that this particular sticker is only one of many campaigns by fanatics and bigots to abuse religious groups, ethnic groups and races, and to fan the fires of intolerance.

I urge Congress to give this bill its prompt consideration, and ask that it lie on the table for 5 days for cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Pennsylvania.

The bill (S. 2548) to amend title 18 of the United States Code so as to prohibit the transmission of certain matter which defames or reflects injuriously upon racial or religious groups, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

THE HIGHER EDUCATION SCHOLARSHIP ACT OF 1965

Mr. PELL. Mr. President, the 88th Congress has often been referred to as the education Congress and its record is a source of some pride to those of us who worked for the passage of the several bills finally enacted.

This Congress is intent on improving upon that record. I offer for introduction the Higher Education Scholarship Act of 1965. Basically, this bill is an across-the-board act to give scholarship assistance for 2 years to every student who has, or will be, accepted by an institution of higher education. It would provide up to $1,000 for each of the 2 years to be applied toward tuition, fees and books. The definition of institution is broadened to include accredited private business, trade, technical, or vocational schools, much as did the old GI bill.

We all recognize the impact on this Nation's growth and well-being of the development of our school system, which has provided opportunity for education for all at the elementary and secondary school level. I see no particular reason to limit this opportunity for all to the completion of secondary school, and offer this legislation as a logical extension of the effort of our Nation to develop the talents of all our children.

There are, moreover, very real and tangible benefits in terms of national wealth. The blunt reality of the situation is that the college graduate pays more income taxes. A high school graduate in 1961 had an estimated lifetime income of $272,629. A person with from 1 to 3 years of college had an estimated lifetime income of $333,581; and, if he had completed 4 or more years of college, his lifetime income would be $452,518. Thus, this investment of $2,000 or less would, in 1961 terms, be the catalyst that will yield a return of over $50,000 of taxable income in one case, and $180,000 in another—if the student went on and completed his education. To my mind, this is one of the best investments we can make, even if we look at it only from the financial point of view; I am certain that we all recognize that the intangible benefits are of even greater importance in terms of the quality of life that is afforded by higher education as well as the means of productively enjoying the increasing amounts of leisure available to us.

Finally, I have an abiding sympathy for the average student. Not everyone can earn high academic marks. The true mark of the man is not necessarily his academic achievement; it may very well be his demonstrated achievements later in life. The average student should have his equal opportunity, also, to reach a higher level often denied him for lack of funds. If we get him started on his way we will be providing that opportunity.

I ask, Mr. President, that this bill be appropriately referred, and that its text be printed in full in the Record at the conclusion of these remarks.

Mr. President, I would also like included in the Record, a statement made by Mr. Albert J. Hoban, vice chairman of the board of trustees for the University of Rhode Island. Mr. Hoban, with that rare vision that characterizes the exceptional educator, is advocating essentially the same program on a State level—the extension of our system of free, universal public education to include 2 years of college.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the Record.

The bill (S. 2550) to extend the well established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education, introduced by Mr. Pell, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Higher Education Scholarship Act of 1965".

Sec. 2. The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is hereby authorized, in the manner hereinafter in this Act provided, to award scholarships to undergraduate students to enable them to pursue their courses of study for not more than two academic years or its equivalent at institutions of higher education.

Sec. 3. The total amount paid to any student awarded a scholarship under this Act shall be based upon the aggregate amount of his costs for tuition, course fees, and books during any academic year or its equivalent, as defined in the regulations of the Commissioner, but in no event shall the amount paid to such student exceed $1,000 for such academic year or its equivalent.

Sec. 4. A student awarded a scholarship under this Act shall continue to be entitled to payments only if the Commissioner finds that such student (1) is maintaining good standing in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution which he is attending, (2) devotes essentially full time to such course of study, during the academic year or its equivalent, in attendance at an institution of higher education, except that failure to be in attendance at an institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines, in accordance with regulations, that there is good cause for his nonattendance (during which periods such student shall receive no payments), shall not be deemed contrary to this clause, and (3) is using payments under such scholarship only for costs of tuition, course fees, and books necessary to pursue his course of study. In no event shall any student receive payments for in excess of two complete academic years or its equivalent.

Sec. 5. In order to carry out the policy of sections 3 and 4, the Commissioner may (1) award a scholarship during any academic year or its equivalent in such installments as he may deem appropriate and (2) provide for such adjustment of scholarship payments under this Act as may be necessary, including, where appropriate, total withholding of payments.

Sec. 6. (a) An individual shall be eligible to compete in any State for a scholarship under this Act if he (1) is living in the State or, if not living in any State, is domiciled in such State; (2) makes application at the time and in the manner prescribed by the State commission; and (3)(A) is enrolled fulltime in any course of undergraduate study at an institution of higher education or (B) is attending a public secondary school in, or a private secondary school accredited by, any State. The State commission established under, or designated pursuant to, section 7(a) may, in accordance with regulations of the Commissioner, for good cause waive or modify the requirements of clause (3)(B).

(b) From among those competing in any State for scholarships for any academic year or its equivalent, the State commission shall, in accordance with the provisions of the State plan approved under section 7 select persons who are to be awarded such scholarships and determine the amounts to be paid to them. Within the amounts appropriated for scholarships under this Act, the Commissioner shall award a scholarship to a person so selected, and in the amount so determined, if—

(1) the State commission certifies that such person (A) has received a certificate of graduation, based on completion of the twelfth grade, from any public secondary school in, or any private secondary school accredited by, a State, or (B) in the case of an individual who has not received such a certificate, is determined by such State commission to have attained a level of advancement generally accepted as constituting the equivalent of that required for graduation from secondary schools accredited by such State; and

(2) such person has become enrolled for a course of undergraduate study in an institution of higher education or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate student.

In the event the total amount of all such scholarships to be awarded pursuant to this subsection for any fiscal year exceeds the amounts appropriated for such scholarships for such fiscal year, the Commissioner shall proportionately reduce the amount of each such scholarship to the extent necessary so that the amounts so appropriated are sufficient to contribute toward all such scholarships.

(c) In awarding scholarships under this Act, the Commissioner shall endeavor, by advice and consultation with State commissions and institutions of higher education, to promote an equitable distribution of scholarships among the States.

Sec. 7. (a) Any State desiring to participate in the scholarship program under this Act may do so by establishing a State commission on scholarships broadly representative of secondary schools and institutions of higher education, and of the public, in the State, or designating an existing State agency with equivalent representation to serve as the State commission on scholarships, and by submitting, through such commission, a State plan for carrying out the purposes of this Act which is approved by the Commissioner under this section. The Commissioner shall approve any such plan which—

(1) is designed to carry out the intent of this Act;

(2) provides for certification to the Commissioner of—

(A) individuals selected pursuant to the State plan for scholarships and the amounts thereof, and

(B) the amounts of payments under their scholarships to individuals previously awarded such scholarships;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under subsection (b); and

(4) provides for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this Act.

(b) The Commissioner shall pay to each State such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan) approved under this Act. There are hereby authorized to be appropriated such sums as may be necessary to make such payments.

(c) No school or institution of any agency of the United States shall be eligible to receive any payment under this Act.

SEC. 8. An individual awarded a scholarship under this Act may attend any institution of higher education which admits him.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 10. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

SEC. 11. In administering this Act, the Commissoner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary or the head thereof, and to pay therefor, in advance or by way of reimbursement as may be provided in the agreement.

SEC. 12. Payments under this Act to any institution of higher education, State commission, or Federal agency may be made in installments and in advance or by way of reimbursement.

SEC. 13 As used in this Act—

(a)(1) The term "institution of higher education" means an educational institution, whether or not such an institution is a nonprofit institution, which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, and (4) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of this subsection, such term includes any private business or trade school or technical or vocational institution which meets the provisions of clauses (1), (2), and (4), except that if the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit any category of such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions as meeting this definition and shall also determine whether particular institutions meet such standards.

(2) For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in any State, as determined by the Commissioners except that it does not include any education provided beyond grade 12.

(c) The term "State" includes, in addition to the several States, the District of Columbia, the Canal Zone, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

The statement presented by Mr. PELL is as follows:

STATEMENT OF ALBERT J. HOBAN

At first glance the proposed increases in tuition fees at the University of Rhode Island and at Rhode Island College appear small. At present, for example, students at the University of Rhode Island pay a fee of $250. Some members of the board would raise this fee to $300. However, when books and other costs are added, the commuting student spends about $700 for a year at the University of Rhode Island. Under the proposal he will pay approximately $750. The cost to the student who lives on campus will go from about $1,600 to $1,650.

When the board meets in September I intend to offer a counterproposal to reduce fees by $50 at each of our three institutions for the freshman and sophomore years and to continue such reductions for the next several years until all fees are eliminated for the first 2 years of college.

I oppose the proposal before the board because it is a departure from a fundamental principle of public higher education, the support of public education by the community as a whole. In raising tuitions the board would move toward a situation in which the student and his parents pay the cost of higher education. I would move in the other direction toward the gradual elimination of all fees, toward a goal of providing 2 years of college for all qualified young men and women free of charge, duplicating what our forefathers did under similar circumstances when they provided for 4 years of high school.

I am convinced that it is essential to the welfare of the people of Rhode Island that every young person be educated to his full potential irrespective of his ability to pay. To a certain extent we owe our youth this opportunity as members of society. Just as important however, is the fact that these young people represent an asset of our State and we owe ourselves the obligation of investing our tax dollars where they will do the most good. Rhode Island has many assets which should be developed through the expenditure of public money: We should encourage the expansion of credit to promote business enterprise. We should develop Narragansett Bay; we should build highways and bridges and beautify our public lands. But Rhode Island's greatest assets are not in bank vaults, not in Narragansett Bay, not in roads and bridges and public lands. Right now our greatest assets are sitting at desks in the grade schools of our cities and towns. What we do about the development of these boys and girls will determine the condition of Rhode Island in 1985.

More and more the leaders of other States, the leaders of our Nation, and the leaders of other nations have come to recognize that the strength or weakness of society 20 years from now will depend upon the education of its members. In 1985 the adult with a college degree will correspond to the adult with a high school education today. The State that has the highest percentage of adults with only high school diplomas will be the State with the highest percentage of unemployment, the greatest number of people on its welfare rolls and the most limited sources of tax revenue. The State with the most college graduates will have the smallest drain on its unemployment funds, and the fewest people on relief. Its college graduates will pay more taxes because they will have a superior ability to earn money and during their lives they will pay back to the State many times what it cost to educate them.

This system has worked at the high school level and it will work at the college level. All the arguments made against free public higher education today are only echos of similar arguments made 50 years ago against free public high school education. Our fathers and grandfathers faced the same difficult decision that we face. They were not rich and they didn't like paying taxes any more than we do but they believed that there was no better investment than education. It turned out to be one of the wisest decisions ever made by a self-governing people. It has made us the strongest and most prosperous Nation on earth. If, because we are uninformed or through selfishness or lack of courage, we ignore their experience we jeopardize the future of Rhode Island.

What I advocate is not novel. Most leaders in the field of education agree with me in principle. Many of them are fighting to maintain the principle. Some States are already ahead of Rhode Island, furnishing public education beyond the high school level free of charge. These States shall reap the rewards of their foresight.

I suggested to the board of trustees informally that this proposal for increasing fees should be discussed at a special meeting of the board, open to the public. I stated that if this were not done I would feel free to bring the matter up for public debate. This is what I am doing. I hope that by the time the board meets in September a majority will subscribe to my view that an informed public in this State will support 2 years of free higher education. I urge all media of communications to seek expressions of opinion from the Governor and the legislative leaders who vote upon the expenditure of public money, from parents and teachers and from all who have an interest in public education and the future of Rhode Island.

ALBERT J. HOBAN,
Vice Chairman.

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. PELL. Mr. President, on behalf of the senior Senator from Connecticut [Mr. DODD], I ask unanimous consent that the name of Mr. KENNEDY, the junior Senator from Massachusetts, be added to the list of cosponsors of Senate Concurrent Resolution 59 for the purpose of establishing a Select Joint Committee To Study East-West Trade, at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and joint resolution:

Authority of September 13, 1965:

S. 2520. A bill to authorize the Secretary of Housing and Urban Development to make loans for the provision of urgently needed nursing homes: Mr. LONG of Missouri and Mrs. NEUBERGER.

Authority of September 14, 1965:

S. 2532. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes: Mr. ANDERSON, Mr. BARTLETT, Mr. BREWSTER, Mr. CARLSON, Mr. CLARK, Mr.

Fong, Mr. Inouye, Mr. Long of Missouri, Mr. McCarthy, Mr. McGovern, Mr. McNamara, Mr. Randolph, Mr. Williams of New Jersey, and Mr. Yarborough.

Authority of September 10, 1965:

S.J. Res. 110. Joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week: Mr. Allott, Mr. Bible, Mr. Carlson, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Hart, Mr. Hruska, Mr. Jordan of Idaho, Mr. Lausche, Mr. Moss, Mr. Pearson, Mr. Randolph, Mr. Robertson, Mr. Saltonstall, Mr. Scott, Mr. Simpson, and Mr. Thurmond.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Joseph V. Conley, of Rhode Island, to be U.S. marshal, district of Rhode Island, term of 4 years (reappointment).

Victor L. Wogan, Jr., of Louisiana, to be U.S. marshal, eastern district of Louisiana, term of 4 years (reappointment).

William Medford, of North Carolina, to be U.S. attorney, western district of North Carolina, term of 4 years (reappointment).

William H. Murdock, of North Carolina, to be U.S. attorney, middle district of North Carolina, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 28, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

POPULATION: PUBLIC HEARING SCHEDULED WEDNESDAY, SEPTEMBER 22 AT 10 A.M. IN ROOM 3302, NEW SENATE OFFICE BUILDING

Mr. GRUENING. Mr. President, tomorrow morning the Government Operations Subcommittee on Foreign Aid Expenditures will hold its 15th public hearing on S. 1676, a bill to coordinate and disseminate birth control information upon request. The bill would also authorize the President to hold a White House Conference on Population.

The public hearings will start at 10 a.m. in room 3302, New Senate Office Building.

Scheduled to testify are:

First. Our able colleague, the junior Senator from West Virginia [Mr. Byrd], a cosponsor of S. 1676.

Second. The director of the population program of the Ford Foundation, Dr. Oscar Harkavy.

Third. The vice president of the Population Council, Dr. Bernard Berelson, who with Dr. Harkavy will discuss the First International Conference on Family Planning Programs held in Geneva, Switzerland, August 23 through August 27.

Fourth. The vice president of the United Nations Second World Population Conference held in Belgrade, Yugoslavia, August 30 to September 10, Dr. Irene Taeuber, who will comment on the significance of the conference. Dr. Taeuber is senior research demographer for the Princeton University Office of Population Research.

Fifth. The inventor of an intrauterine contraceptive device, the Lippes loop, Dr. Jack Lippes, obstetrician and gynecologist, Buffalo, N.Y., General Hospital and associate professor of obstetrics and gynecology at the medical school, State University of New York, Buffalo. Dr. Lippes will discuss the Lippes loop.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 21, 1965, he presented to the President of the United States the following enrolled bills:

S. 402. An act for the relief of Oh Wha Ja (Penny Korleen Doughty);

S. 618. An act for the relief of Nora Isabella Samuelli;

S. 1198. An act for the relief of the estate of Harley Brewer, deceased; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

AMERICAN FOREIGN POLICY IN THE DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, on Saturday, September 18, in the highly respected daily newspaper, the Christian Science Monitor, appeared an editorial entitled "The Fulbright Speech," which I ask to have printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Fulbright Speech

It will be a great pity if Senator Fulbright's Senate speech on the handling of the Dominican crisis leads simply to a fierce public argument about the past. As he himself says, analysis of the past is useful only if it helps to avoid mistakes in the future.

There is validity in Mr. Fulbright's charges of initial "overtimidity" and subsequent "overreaction." But he is careful to say that his assessments are made with the advantage of hindsight. Yet even if one concedes that there were mistakes during those early weeks of the upheaval, we believe that the U.S. Government has since done a good job in trying to pick up the pieces which it perhaps helped to shatter—albeit involuntarily.

Only the first wobbly steps have been made toward normalcy in Santo Domingo. But Ambassador Ellsworth Bunker, tireless and resourceful, would never have been able to encourage those steps if he had not had Washington's backing. It has been a little bit like Macmillan furiously repairing the damage done by Eden at Suez, protesting all the time that no damage had been done. But over the Dominican Republic, the Macmillan and Eden roles are combined in one man—and he wears a Texas hat.

As we have already said, however, we think that what is important now is to eschew the same kind of mistake in the future. Senator Fulbright uttered a few home truths, among them:

"The movement of the future in Latin America is social revolution and the choice which the Latin Americans make will depend in part on how the United States uses its great influence.

"Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning, the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere.

"It should be very clear that the choice is not between social revolution and conservative oligarchy; but whether, by supporting reform, we bolster the popular non-Communist left or whether, by supporting unpopular oligarchies, we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro."

Admittedly all this is easier to preach than to practice. To begin with, effective communication has to be established with that rising generation—and their confidence won. Their language will differ from ours in many ways. But most of them want for themselves what we have won and want—and the overwhelming majority of them would still prefer not to turn outside the American hemisphere or to alien tyrannies to try to get it.

Mr. CLARK. Mr. President, the editorial makes a point which both the chairman of the Foreign Relations Committee and I, as well as other Senators, have been endeavoring to make for some time, that the important matter with respect to our policy in the Dominican Republic, which some of us think has been mistaken, is not what happened in the past, but what should happen in the future.

In this regard, I should hope very much that the attitude of those in the State Department responsible for our Latin-American policy who have become more friendly to democratic nations which are endeavoring to carry out the principles of the Alliance for Progress will be encouraged. This, to me, is of the greatest importance, and is emphasized by a column entitled "A Losing Struggle in Latin America," which appeared in this morning's Washington Post, by the highly respected columnist, Marquis Childs.

Mr. Childs points out that poverty is increasing, not decreasing, in Latin America; that the population problem is becoming worse and not better; and that the hope of saving those nations for freedom and democracy depends, to a very large extent, on the friendly basis on which we in the United States of America advance the cause of free, liberal democratic nations in that portion of the world.

I ask unanimous consent that the Marquis Childs column from today's Washington Post be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Losing Struggle in Latin America

(By Marquis Childs)

The rich lands are getting richer and the poor lands are getting poorer. That is the harsh reality that cannot be concealed by any amount of wishful talk put out by administration spokesmen.

This applies with special force to Latin America, since the Alliance for Progress was to reverse the trend in this hemisphere. In country after country the gnawing ache of poverty, hunger, and the revolution of rising demands bring unrest and disorder. It is no answer, as Senator J. WILLIAM FULBRIGHT noted in his speech on the Dominican crisis, to put this down to the machinations of a handful of Communists. Communism will always try to exploit indigenous disorders.

A recent statement that got too little attention underwrites the reality about Latin America. Felipe Herrera, president of the Inter-American Development Bank, a Chilean with wide banking experience, in discussing the prospect of a common market for Latin America, made some personal observations about the present state of affairs. He said:

"The positive efforts undertaken internally by the Latin American countries, especially since the establishment of the Alliance for Progress, to accelerate development and to achieve the necessary reforms in their economic and social structures have not yet substantially altered the current situation in Latin America. Two out of three inhabitants of the region still suffer from chronic malnutrition, per capita agricultural output is lower today than it was 30 years ago and two out of every five adults are illiterate.

"It is not surprising therefore that tensions of every sort are rising as a product of the interacting processes of inflation, substandard social conditions, urban pressures created by the mass movement of the rural population to the cities, frustration in the middle class and unrest in the countryside. This inevitably has forced governments to take emergency action on a stopgap basis and has made it difficult to undertake long-term programs on a regional level."

The prospect in the near future is therefore for more explosions like that in the Dominican Republic. Herrera's statement confirms this reporter's findings in a recent tour of South America. It belies the convenient explanation of State Department spokesmen such as Under Secretary Thomas C. Mann who tends to see the unrest in terms of a Communist plot that can be suppressed by force.

Herrera pointed to a recent statement by President George Woods of the World Bank. Addressing the developed countries of the West, Woods said that the "present level of financing (for the underdeveloped countries) is wholly inadequate."

Since 1961 the long-term public capital supplied by the developed countries struggling to get going has held at about the same level. This has been true even though the gross national product of the industrialized countries has increased during this period at a rate of 4 to 5 percent a year. Conequently, Herrera oberved, the net official assistance from the industrialized countries represents a declining percentage of their national income.

For the underdeveloped countries this level of aid has meant a decreasing amount in per capita terms because of the population explosion. This is the simple arithmetic demonstrating that the rich are getting richer while the poor get poorer.

In spite of a steadily increasing population, as Hererra noted, per capita income increased by over 2.5 percent in 1964 which was the goal set by the Charter of Punta del Este in 1961. The same increase is in prospect for 1965. This was part of the optimism expressed by Assistant Secretary for Inter-American Affairs Jack Hood Vaughn on his recent tour of the Americas.

The 2.5 percent gain is from such a low base—about $200 a year in many countries—that it is meaningless. Vaughn rightfully said that the Alliance is doing many splendid things. It is pointing the way to the changes essential if the desperately poor nations to the south are to move forward and begin the kind of economic integration that can mean real progress.

But it is the limited scale on which these changes have begun to take place that cannot be concealed by optimistic talk. For what the facts show, as a responsible banker has now suggested, is the need for a new and far broader dimension for the Alliance.

A book President Johnson is said to have read and reread is Barbara Ward's "The Rich Nations and the Poor Nations." It may be that a new edition, "Richer Nation and Poorer Nations" is due.

WHAT GOES ON IN THE SKY?

Mr. CLARK. Mr. President, one of the most controversial matters now before this country is whether the decision by the President to authorize the Air Force to construct a military observation laboratory in outer space was or was not wise. In that connection, I ask unanimous consent that what I consider to be an excellent editorial, written by Norman Cousins in the Saturday Review of September 11, 1965, entitled "What Goes On in the Sky?" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT GOES ON IN THE SKY?

On various occasions during the past year, President Lyndon B. Johnson has stressed the importance of continuity in U.S. foreign policy. One aspect of that continuity is now in question. We refer to the policy of President Dwight D. Eisenhower and President John F. Kennedy on the need to avoid a nightmarish danger of colossal dimensions to the American people and the world's peoples in general. This danger arose the moment man discovered he was able to liberate himself from earth's gravity and go cruising in space. For this development meant that space stations could become the orbiting carriers of atomic weapons, putting the entire planet under the nuclear gun.

President Eisenhower was the first to warn of this Orwellian horror. He spoke of the very real possibility of accident or miscalculation that could trigger an unspeakable holocaust. And even without accident or miscalculation, weapons in orbit would convert the sky into a grim canopy. Prime Minister Harold Macmillan fully supported President Eisenhower's declaration against nuclear weapons in space.

On coming to office, President Kennedy gave high priority to the need for effective agreements aimed at preventing military spacecraft from occupying outer space. Both through the United Nations and through direct negotiations with Premier Nikita Khrushchev, President Kennedy persisted with his effort to insure that space would be reserved for peaceful purposes. As a result, both the United States and the Soviet Union issued declarations of intent against military operations in space. The United Nations, on October 17, 1963, endorsed this action and called upon all other nations to be bound by it. Though the potential military use of rockets was inherent in the development of space technology, neither country crossed the line into military ventures. In fact, the space program in the United States had been deliberately put under civilian control, just as President Truman years earlier successfully fought to keep atomic energy development in nonmilitary hands. To be sure, the U.S. Air Force had been pressing for a prominent role in space development, but Presidents Eisenhower and Kennedy held to their contention that outer space should be out of bounds to the military.

The continuity of this policy has now been broken. On August 25, 1965, President Johnson announced he had authorized the Air Force to proceed with its plans for a Manned Orbiting Laboratory. While it was emphasized that the MOL would not be armed with nuclear firepower, the MOL nevertheless represents a specific military use of space vehicles. As such, it is a step toward the direct extension of the arms race into outer space.

What makes the matter all the more inexplicable is that no one has stated the case against military activity in space more cogently than President Johnson himself—in the very act of making the announcement about MOL. He did not make clear beyond a reasonable doubt, however, why the MOL and also the involvement of the Air Force do not run counter to the United Nations resolution signed by the United States, or the policy of Presidents Eisenhower and Kennedy, or his own statement about the importance of preventing the extension of military technology into space.

If the principal opposing argument here is that the MOL will be unarmed, this may meet a technicality, but it does not meet the problem created by the fact that the door is now open to a long line of new developments in the field of orbiting laboratories. In past negotiations for arms limitation and control, the United States has properly emphasized the need for adequate inspection. Yet we have now taken the initiative in a field where inspection is most improbable and virtually impossible. For the Russians, inevitably, will now send up MOLs of their own, and there will be no way of knowing whether these spacecraft will be secretly armed with nuclear gun mounts. The very existence of such a possibility is certain to produce a clamor in the United States for armed space vehicles of our own. And the stage will be set for other nations to join the horror, cluttering up the sky with death-disseminating vehicles and blocking out man's vision of a rational world in which to live out his life with reasonable faith in the sanity and decency of his fellow man.

We pride ourselves on being an educated nation. But we have not yet learned the most fundamental lesson of the atomic age. This is the lesson that our safety and security no longer depend on the accumulation, multiplication, or refinement of force, but on the control of force. For the force cannot be used without destroying security, shattering freedom, and making a weird farce of claims for human uniqueness, human intelligence, human nobility. What will it profit us in the last instant of recorded time to know that we stood supreme among all the nations of the world in the variety, multiplicity, efficiency, and sophistication of the force that figured in the final holocaust? Inherent in our history are higher distinctions. The time in which to put those distinctions fully to work grows short.

DANGER SIGNAL—AMERICAN FAMILIES SAVING LESS, BORROWING MORE

Mr. PROXMIRE. Mr. President, few economic commentators have noticed it, but there has been an interesting change in spending and saving habits by the American people in recent months that may have considerable significance for our economy.

For years economic experts appearing before the Joint Economic Committee have asserted that Americans are inclined to save between 7 and 8 percent of their income. They save a little more in good times, especially in war times when goods are scarce and saving is vigorously promoted as patriotic and somewhat less in depression times when incomes are low and more is needed to meet firm obligations and necessities.

There has been a recent, dramatic change in this pattern, in part because the statistics have been modified. But also allowing for the statistical change there has been a distinct diminution, a fall off in the savings of Americans in recent months.

Now, Mr. President, this is a phenomenon because the present times cannot by any stretch of the imagination be considered depression times. In fact we have never had anything like the prosperity that has come to this Nation this year.

Last year was a great year for the American economy. This year appears to be far better. Just this morning I received a copy of the "Economic Indicators" for September—the latest statistical report on our economic progress, and it is mighty good reading. In the second quarter gross national product smashed all records, business and professional income, rental income, dividend income, corporate profits, wages—all continued to leap ahead. Unemployment continues at the lowest level in years. It is still much too high for teenagers, minority groups, and unskilled. But for married men it is down to 2.6 percent. Average hourly earnings have jumped to $2.60 and weekly earnings to more than $106 in manufacturing industries.

And yet the American people are saving less and substantially less of their income.

There are many possible explanations for this phenomenon, more confidence in the ability of the Federal Government to keep the economy moving, greater reliance on social security, medicare, etc. for the future, more efficient promotion of automobiles, appliances and other income absorbing expenditure.

At any rate this changing pattern should significantly alter expectations and forecasts for our economic future.

One other significant economic statistical development is the sharp jump in the proportion of income the American people are pouring into interest. This is directly related to the phenomenal growth in installment credit—the time buying of everything from vacations and furniture to automobiles and clothing. The increase is really spectacular. In fact today interest as a proportion of income is almost exactly twice what it was in 1950.

Both of these developments—the reduced tendency of the American people to save in a period of prosperity and the soaring expenditure for interest could be danger signals. The last time the propensity to save dropped sharply in a relative prosperity period was in the late twenties. The sharply increased expenditure for interest demonstrates how extended millions of American families have become in borrowing to buy, and how susceptible they could be to an interruption of their income because of a recession.

George Shea of the Wall Street Journal deals thoughtfully and perceptively with these developments in a column in yesterday's Wall Street Journal. I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Trends in consumer spending and saving have taken on a sharply changed appearance as a result of revisions made by the Government in its statistics on gross national production and associated items. The net of the change is that personal saving appears to have been declining in recent years as a proportion of spendable income, whereas previously it appeared to be holding nearly steady.

As explained here on a previous occasion, the revisions are of two different kinds, statistical and definitional. The statistical ones are merely improvements based on more detailed and more exact figures. The definitional changes result from decisions by the Government's statisticians to treat some items in the national economic accounts differently from the way they were handled before.

In the case of the consumer spending figures, an important definitional change is in the handling of interest paid by consumers. It used to be put elsewhere in the Nation's economic accounts, but now it's handled as an expenditure in the same manner as consumer outlays on goods and services. That is, it's deducted from consumers' spendable income in calculating personal saving. Spendable income is technically called personal disposable income and is roughly defined as personal income minus personal taxes.

The change in treatment is important, because the interest figure is large. In 1964 it amounted to $10 billion, or 2.3 percent of disposable income. Also, it has grown over the years at a little faster rate than has disposable income. In 1955 it was 1.7 percent of disposable income and in 1950 only 1.2 percent.

The deduction of interest payments from income in arriving at saving figures would naturally be expected to reduce the percentage saved, and that is what has happened. Instead of remaining between 7 and 8 percent of disposable income, as the previous arrangement of the figures resulted, personal saving over the past 10 years and more has held between roughly 5 and 7 percent of income.

In addition, the fact that the relative size of consumer interest payments has grown would be expected to cause a downtrend in the percent saved, unless other consumer outlays diminished correspondingly. That, too, is what has happened. Whereas the former figures showed an almost level trend (with rare 1-year deviations) in the proportion saved starting about 1951 and going through 1964, the new figures show a distinct downward trend.

In the 3 years 1951–53, the percent saved didn't fall below 7.2 percent. In the 5 years 1954–58, the highest proportion for any year was 7 percent. Since then the highest rate for any year has been 6 percent. In the first two quarters of this year, furthermore, the proportions were down to 5.3 and 5 percent, respectively.

This downtrend, however, isn't solely the result of including interest payments among the consumer outlays deducted. On the contrary, the Government, in announcing the new figures, says flatly that the main cause of the downtrend in the new figures as opposed to the old is statistical:

"The year-to-year changes based on the new series," it says, "are quite similar to those based on the prior series, but the longer term movement is different. The previously published series show only a minor downdrift from the peak rates reached in the fifties. The revised series show a reduction in the saving rate during the fifties and continuing into the sixties. * * * The change in the trend of the saving ratio is the result of statistical revisions. Definitional changes have reduced the saving ratio * * * but have had no significant effect on its trend."

What the meaning of this downtrend in the saving ratio may be is a question that must be approached in the light of past trends. Unfortunately, trustworthy figures on the ratio are available only back to 1929, and during much of the time since then conditions have been abnormal, being marked by war in the early 1940's and 1950's, and depression in the 1930's.

These two factors have affected the ratio in unmistakable fashion. War has expanded the saving rate hugely, and depression has reduced it sharply. In 4 years of World War II the saving ratio climbed to or above 20 percent.

The reasons are clear. A large part of the population was in the Armed Forces and could do very little consumer spending. Even more important, civilian production was restricted to make room for war production, and there was little in the way of goods on which consumers could spend their incomes.

The causes of reduced saving in depressions are equally clear. Widespread unemployment held many incomes down to or below subsistence levels. In 2 years of the depressed 1930's expenditures were larger than disposable income and the saving figure was a minus. In the two best business years of the period, 1936 and 1937, the saving rates were 5.4 and 5.3 percent respectively. Some of the postwar years also show reduced saving rates associated with business recessions.

In addition, 2 years in the late 1940's show relatively low saving rates, presumably because consumers were splurging on the goods which for the first time were becoming available after the long war years. And 1950, the year of Korean war-scare buying, also showed a saving rate of only 6.3 percent, compared with 7.2 percent or more in 1951–53 when consumer buying was again restricted by war though not as severely as in World War II.

What, then, can be the explanation of the low saving rates of the 1960's? There certainly isn't any depression or recession to squeeze down incomes. On the contrary, personal income has been growing. But consumption has been growing faster.

Perhaps this trend merely reflects confidence in the outlook resulting from a series of good years with rising employment and incomes. However, it also suggests that a reversal could come at any time; and certainly there can't be any hope of much further rise in the consumption rate and reduction in the saving rate. Indeed, the steady relative increase in the amount of interest seems likely to encroach on spending for goods and services. Possibly the fact that the saving rate in 1929, just before the depression of the 1930's, was only 5 percent is significant.—GEORGE SHEA.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 684, S. 1826.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1826) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 1, after line 9, to strike out:

(2) by striking out the last sentence thereof.

On page 2, after line 6, to insert a new section, as follows:

Sec. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

At the beginning of line 17, to change the section number from "3" to "4"; and, at the beginning of line 22, to change the section number from "4" to "5"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended—

(1) by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; and

Sec. 2. Section 503(a) of such Act (22 U.S.C. 1643b(a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

Sec. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

Sec. 4. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the Jnited States of any rights against the Government of Cuba for the amounts so deducted".

Sec. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"Appropriations

"Sec. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

The amendments were agreed to.

Mr. SMATHERS. Mr. President, first of all I congratulate the very able and distinguished Senator from Alabama [Mr. Sparkman], a ranking member of the Foreign Relations Committee, as well as the members of the Foreign Relations Committee for reporting favorably S. 1826, introduced by me early in the year to make certain practical amendments to the Cuban claims provisions of the International Claims Settlement Act.

This measure provides for the adjudication of claims against the Government of Cuba by American citizens at a time when fixed liability can be assessed.

I have read the report of the Foreign Relations Committee on my proposal and certainly agree fully with its contents.

There is one specific section of the report to which I would like to call particular attention and that relates to its comments with respect to "blocked assets."

The committee indicated its judgment that the Treasury Department should unblock certain property situated in the United States, owed to or held in the name of certain defunct Cuban corporations which are substantially owned by U.S. citizens and residents. I certainly concur fully with the committee's conclusion that the Treasury Department should without delay unblock the property described in the committee hearings and report. Unless such action is taken these assets owned by citizens and residents of the United States could be utilized to pay the claim of another U.S. citizen when the liability to pay these claims justly rests with the Government of Cuba.

Passage of this measure, I feel, will make a substantial contribution toward asserting American citizens' claims against the Cuban Government when it is hoped that the present Communist-dominated government will be overthown in the not too distant future and Cuba once again becomes a partner in the free world.

I sincerely trust that the measure will receive the wholehearted support of my colleagues here in the Senate.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HART subsequently said: Mr. President, I ask unanimous consent that the Senate reconsider the engrossment, third reading, and passage of S. 1826.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HART. Mr. President, I send to the desk an amendment and ask that it be stated.

The Legislative Clerk. An amendment is proposed by the Senator from Michigan [Mr. Hart] as follows:

On the first page, beginning with the word "amended" in line 4, strike out through line 9 and insert in lieu thereof the following: "amended by striking out 'which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or'."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

Sec. 2. Section 503(a) of such Act (22 U.S.C. 1643b (a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

Sec. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

Sec. 4. Section 506 of such Act (22 U.S.C. 1643(e)) is amended by striking out ": *Provided,* That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

Sec. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"APPROPRIATIONS

"Sec. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Mr. SPARKMAN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 701), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF BILL

The purpose of S. 1826, as amended by the Committee on Foreign Relations, is to amend and rewrite certain provisions of title V of the International Claims Settlement Act of 1949, relating to claims against Cuba, which was approved by the Congress last year. An explanation of the provisions of the bill is set forth below.

PROVISIONS OF THE BILL

Sections 1 and 2 of S. 1826 amend sections 501 and 503(a) of title V of the International Claims Settlement Act of 1949 by striking out the clauses in those sections which provide for the determination by the Foreign Claims Settlement Commission of claims against the Government of Cuba for merchandise and services furnished by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered.

The committee agreed to delete this language because there may be claims by U.S. citizens against the Government of Cuba which date back many years. These claims are not related to the nationalization or confiscation of American-owned property in Cuba by the Castro government on or after

January 1, 1959. In this connection, however, the committee expects that valid claims by U.S. citizens against the Government of Cuba or any entity expropriated by Cuba that existed prior to January 1, 1959, and are within the statute of limitations and in accord with principles of international law will be given consideration by the Foreign Claims Settlement Commission. It is believed that the provision of section 503(a) which authorizes the Commission to determine claims in accordance with applicable substantive law, including international law, is broad enough to include claims which accrued in the years immediately preceding January 1, 1959, the day on which the present Cuban Government came into power, and which are legally valid under principles of international law. It should be added, the committee is of the view that any debt claim not barred under Cuban law on January 1, 1959, should be considered by the Foreign Claims Settlement Commission as a claim arising on or after January 1, 1959.

Section 3 of the bill amends section 506 of the International Claims Settlement Act of 1949 by striking out the proviso.

The Senate Foreign Relations Committee last year reported a bill (H.R. 12259) with a proviso inserted in section 506 as follows (later accepted by the House):

"SEC. 506. In determining the amount of any claim, the Commission shall deduct all amounts the claimant has received from any source on account of the same loss or losses: *Provided*, That the deduction of such amount shall not be construed as divesting the United States of any rights against the government of Cuba for the amounts so deducted."

The accompanying language of the committee report indicated that this proviso clause may have been intended to prevent both double recovery by claimant (i.e., from both a tax benefit and possible payment on a claim) as well as diminution of the total U.S. claim against Cuba by the amount of any tax benefits related to the Cuban losses.

The House version of section 506 last year, and this year by amendment in H.R. 9336, is similar to a provision in the Czech claims title of the International Claims Settlement Act, and is intended to maximize the use of a claims fund by reducing claims by amounts the claimants had actually received on account of the same loss from other sources, such as insurance. This language, even with the addition of the Senate proviso, technically did not apply to any tax benefits available from such losses (because tax benefits are not an amount received), and was not interpreted to apply to tax benefits by the Foreign Claims Settlement Commission under the Czech claims program.

A review of the applicable Internal Revenue Code provisions and previous practice under the International Claims Settlement Act indicates that the proviso in section 506 is unnecessary and undesirable. The Internal Revenue Code presents double recovery by imposing a tax on any compensation received by a claimant to the extent he has previously derived a tax benefit from the loss. The Treasury has previously indicated that additional language is unnecessary in connection with the wording of title III of the International Claims Settlement Act (see Conference Rept. No. 1475 to accompany H.R. 6382, 84th Cong., 1st sess., 1955). Furthermore, the proviso is unnecessary to protect the total claim of the United States since there is nothing in international law, the Internal Revenue Code, or previous practice under the International Claims Settlement Act that would increase or reduce the total U.S. claim against Cuba by the amount of the writeoff allowed under U.S. tax legislation. Similarly, the amount of the private claim against Cuba by the persons suffering the loss is not diminished by reason of the fact that the deduction of the loss resulted in a savings in income tax.

U.S. Government claims against Cuba are not governed by title V of the International Claims Settlement Act of 1949, and will be handled separately from the U.S. private claims to be adjudicated under this legislation.

Section 4 of the bill amends section 511 of the International Claims Settlement Act to read as follows:

"APPROPRIATIONS

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Section 511 presently provides for the vesting and sale of certain Cuban assets in the United States and the use of the proceeds thereof, to the extent necessary, to reimburse the U.S. Government for the expenses of the Foreign Claims Settlement Commission and the Department of the Treasury in processing claims against Cuba.

In agreeing to the proposed amendment to section 511, the committee was persuaded by the following argument advanced by the Department of State: "* * * it is the Department's view that the vesting and sale of Cuban property could set an unfortunate example for countries less dedicated than the United States to the preservation of property rights. The Government of the United States, as a matter of policy, encourages the investment of American capital overseas and endeavors to protect such investments against nationalization, expropriations, intervention, and taking. To vest and sell Cuban assets could, therefore, be counterproductive. It would place the Government of the United States in the position of doing what Castro has done. It could cause other governments to question the sincerity of the U.S. Government in insisting upon respect for property rights. The result could be a reduction, in an immeasurable but real degree, of one of the protections enjoyed by American-owned property around the world. Should this protection be diminished, the task of economic development to which the United States is devoting a great part of its strength and resources could become more difficult because of an attendant decrease in such investment."

In other words, the sale of the Cuban assets in question would weaken the principle of international law regarding the sanctity of property and would be contrary to the traditional policies and practices of the U.S. Government. It should be added that section 511, as amended by S. 1826, will not have any adverse effect on American claimants.

COMMITTEE AMENDMENTS

S. 1826, as approved by the committee, contains two amendments.

First, paragraph (2) of section 1 of the bill is deleted. The purpose of this paragraph was to strike out the last sentence of section 501 of the International Claims Settlement Act of 1949, which provides that the enactment of legislation relating to Cuban claims shall not be construed as authorizing an appropriation or as any intention to authorize an appropriation for the purpose of paying claims of American nationals against the Government of Cuba. This language was intentionally added by the Committee on Foreign Relations when it approved the Cuban claims bill (H.R. 12259) last year to make it abundantly clear that at no time in the future does it (the Committee on Foreign Relations) expect to authorize an appropriation of Federal funds to pay any claims of U.S. nationals against the Government of Cuba. As the committee stated in its report:

"The payment of such claims is not the responsibility of the U.S. Government. On the contrary, it is the responsibility of the Cuban Government, and under no circumstances should the American taxpayer be required to foot the bill for the payment of any part of these claims. It was with the specific understanding that the Commitee on Foreign Relations decided to report H.R. 12259, which provides only for the receipt and determination by the Foreign Claims Settlement Commission of the amount and validity of claims of U.S. nationals against the Government of Cuba." (See S. Rept. No. 1521, 88th Cong., 2d sess.)

The second amendment approved by the committee was suggested by the Department of State to prevent any ambiguity as to the kinds of creditor claims covered by title V of the International Claims Settlement Act of 1949. The amendment, which was added as a new sentence at the end of section 505(a), provides as follows:

"A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

The purpose of this provision is to make clear that the Foreign Claims Settlement Commission does not have jurisdiction to consider claims over American nationals arising out of debts or other obligations for merchandise sold or services rendered to any corporation, association, or other entity organized under the laws of the United States or of any State, District of Columbia, or the Commonwealth of Puerto Rico whose property was taken by the Government of Cuba provided, however, that the debt or obligation is not a charge on property taken by the Government of Cuba. It is not intended to exclude claims of banks, insurance companies, financial institutions, or other corporations, associations, or legal entities based upon the taking of assets in Cuba including assets in the form of debts or other obligations. Nor is it the purpose to exclude claims of those whose accounts in Cuban banks were nationalized, expropriated, intervened, or otherwise taken by the Government of Cuba.

BLOCKED ASSETS

During the course of the committee's consideration of S. 1826, a memorandum was received (see pp. 88–90 of subcommittee hearings on international claims) indicating that the Treasury Department is continuing to block as Cuban assets certain property situated in the United States nominally owed to or held in the name of certain defunct Cuban corporations which are substantially owned by U.S. citizens and residents.

It was suggested that S. 1826 be amended specifically to direct the Treasury to unblock American-owned property of this type. However, in response to an inquiry, the Treasury Department indicated that it was prepared to unblock these funds if it had an expression of opinion from Congress that funds of this character should be unblocked.

Accordingly, the Committee on Foreign Relations recommends that upon application the Department of the Treasury examine with particular care each case involving Cuban assets beneficially owned by American citizens to determine whether those assets should continue to be blocked. In the committee's view, if the assets are wholly or substantially owned by citizens and residents of the United States they should be unblocked, since it is possible that such assets may be placed in a fund at some future date and used to pay the claims of American citizens against the Cuban Government. This would be tantamount to using the property of one U.S. citizen to pay the claim of another U.S. citizen.

COMMITTEE ACTION

The Subcommittee on Claims Legislation of the Committee on Foreign Relations held a public hearing on S. 1826 on August 5, 1965, at which time Mr. Andreas F. Lowenfeld, Deputy Legal Adviser, Department of State, testified in support of the bill. The subcommittee also received testimony from Mr. Kenneth B. Sprague, vice president, American & Foreign Power Co., Inc., who testified in support of an amendment dealing with creditor claims. No witness appeared in opposition to the bill.

The Committee on Foreign Relations considered S. 1826 in executive session on August 10, 1965, and ordered it favorably reported to the Senate.

REVISION OF EXISTING BAIL PRACTICES IN COURTS OF THE UNITED STATES

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 735, Senate bill 1357.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1357) to revise existing bail practices in courts of the United States, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Bail Reform Act of 1965".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) Present Federal bail practices are repugnant to the spirit of the Constitution and dilute the basic tenets that a person is presumed innocent until proven guilty by a court of law and that justice should be equal and accessible to all;

(2) Persons reasonably expected to appear at future proceedings should not be deprived of their liberty solely because of their financial inability to post bail;

(3) Respect for law and order is diminished when the attainment of pretrial liberty depends solely upon the financial status of an accused;

(4) Bail practices which rely primarily on financial consideration inevitably disadvantage persons and families of limited means;

(5) The high costs of unnecessary detention impose a severe financial burden on the taxpayers and deplete public funds which could be better used for other public purposes;

(6) Family and community ties, a job, residence in the community, and the absence of a substantial criminal record, are factors more likely to assure the appearance of a person than the posting of bail; and

(7) Accused persons should not be unnecessarily detained and subjected to the influence of persons convicted of crimes and the effects of jail life; nor should their families suffer needless public derision and loss of support.

(b) The purpose of this Act is to revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

AMENDMENTS TO CHAPTER 207 OF TITLE 18, UNITED STATES CODE

SEC. 3. (a) Chapter 207 of title 18, United States Code, is amended by striking out section 3146 and inserting in lieu thereof the following new sections:

"§ 3146. Release in noncapital cases prior to trial

"(a) Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

"(1) place the person in the custody of a designated person or organization agreeing to supervise him;

"(2) place the person under the supervision of a probation officer;

"(3) place restrictions on the travel, association, or place of abode of the person during the period of release;

"(4) require the person to return to custody after daylight hours on designated conditions;

"(5) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;

"(6) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

"(7) impose any other condition deemed reasonably necessary to assure appearance as required.

"(b) In determining which conditions of release will reasonably assure appearance, the judicial officer shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

"(c) A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

"(d) A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the conditions reviewed by the judicial officer who imposed them. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on condition numbered (4) of subsection (a) shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the condition of release is amended, the judicial officer shall set forth in writing the reasons for requiring the condition. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer in the district may review such conditions.

"(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release: *Provided*, That, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on condition number (4) of subsection (a), the provisions of subsection (d) shall apply.

"(f) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(g) Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

"§ 3147. Appeal from conditions of release

"(a) A person who is detained, or whose release on condition number (4) of section 3146(a) is continued, after review of his application pursuant to section 3146(d) or section 3146(e) by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Said motion shall be determined promptly.

"(b) In any case in which a person is detained after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, or (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 3146(a). The appeal shall be determined promptly.

"§ 3148. Release in capital cases or after conviction

"A person (1) who is charged with an offense punishable by death, or (2) who has been convicted of an offense and is either waiting sentence or has filed an appeal or a petition for a writ of certiorari, shall be treated in accordance with the provisions of section 3146 unless the court or judge has reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, or if it appears that an appeal is frivolous or taken for delay, the person may be ordered detained. The provisions of section 3147 shall not apply to persons described in this section: *Provided*, That other rights to judicial review of conditions or release or orders of detention shall not be affected.

"§ 3149. Release of material witnesses

"If it appears by affidavit that the testimony of a person is material in any criminal proceeding, and if it is shown that it may become impracticable to secure his presence by subpena, a judicial officer shall impose conditions of release pursuant to section 3146. No material witness shall be detained because of inability to comply with any condition of release if the testimony of such witness can adequately be secured by deposition, and further detention is not necessary to prevent a failure of justice. Release may be delayed for a reasonable period of time until the deposition of the witness can be taken pursuant to the Federal Rules of Criminal Procedure.

"§ 3150. Violation of conditions of release

"Whoever, having been released pursuant to this chapter, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari after conviction of any offense, be fined not more than $5,000 or imprisoned not more than five years, or both, or (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than one year, or both, or (3) if he was released for appearance as a material witness, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"§ 3151. Contempt

"Nothing in this chapter shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

"§ 3152. Definitions

"As used in sections 3146–3150 of this chapter—

"(1) The term 'judicial officer' means, unless otherwise indicated, any person authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to release a person for trial or sentencing or pending appeal in a court of the United States, and any judge of the District of Columbia Court of General Sessions; and

"(2) The term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

(b) The analysis of chapter 207 of title 18, United States Code, is amended by striking out the last item and inserting in lieu thereof the following:

"3146. Release in noncapital cases prior to trial.
"3147. Appeal from conditions of release.
"3148. Release in capital cases or after conviction.
"3149. Release of material witnesses.
"3150. Violation of conditions of release.
"3151. Contempt.
"3152. Definitions."

CREDIT FOR TIME SPENT IN CUSTODY

SEC. 4. The first paragraph of section 3568 of title 18, United States Code, is amended to read as follows:

"The sentence of imprisonment of any person convicted of an offense shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of such sentence. Any such person shall be given credit toward service of his sentence for any days spent in custody in connection with the offense for which sentence was imposed, and, in the case of any person convicted of an offense who is required to pay a fine, there shall be deducted from the amount of such fine a sum equal to the wages for an eight-hour workday at the Federal minimum wage multiplied by the number of days that such person spent in custody prior to his conviction, and pending certiorari or appeal with respect thereto, for the offense for which such fine was imposed: *Provided*, That no such credit shall be given if the judge, in imposing such person's sentence of imprisonment or fine, takes into consideration the number of days such person has spent in custody in connection with the offense for which such sentence or fine is imposed, and so records in his judgment. As used in this section, the term 'offense' means any criminal offense, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by Act of Congress."

TECHNICAL AMENDMENTS

SEC. 5. (a) The first sentence of section 3041 of title 18, United States Code, is amended by striking out "or bailed" and inserting in lieu thereof "or released as provided in chapter 207 of this title".

(b) Section 3141 of such title is amended by striking out all that follows "offenders," and inserting in lieu thereof the following: "but only a court of the United States having original jurisdiction in criminal cases, or a justice or judge thereof, may admit to bail or otherwise release a person charged with an offense punishable by death."

(c) Section 3142 of such title is amended by striking out "and admitted to bail" and inserting in lieu thereof "who is released on the execution of an appearance bail bond with one or more sureties".

(d) Section 3143 of such title is amended by striking out "admitted to bail" and inserting in lieu thereof "released on the execution of an appearance bail bond with one or more sureties".

(e) (1) The heading to chapter 207 of such title is amended by striking out "BAIL" and inserting in lieu thereof "RELEASE".

(2) The table of contents to part II of such title is amended by striking out "207. Bail" and inserting in lieu thereof "207. Release".

Mr. ERVIN. Mr. President, S. 1357, the bail reform measure we are considering, has the broad support of almost every individual and group concerned with the administration of criminal justice in Federal courts.

It has been cosponsored by 21 Senators, including all but two of the members of the Judiciary Committee. In addition, a number of these Senators have made statements in support of the bill, which are included in the records of the hearings on the bill held in August 1964, and June 1965, by the Subcommittees on Constitutional Rights and Improvements in Judicial Machinery, under the chairmanship of Senator JOSEPH D. TYDINGS.

The Department of Justice has carefully studied S. 1357 and its effect on bail procedures in Federal district courts and in the District of Columbia, and has fully approved the measure and recommended its passage. In addition, virtually every individual and group who testified on the bill, or submitted statements for the record, enthusiastically supported the bill. Included among these supporters are the Judicial Conference Committee on the Administration of Criminal Law, Federal and State law enforcement officials, noted judges of both Federal and State courts and a number of law professors who are expert in the area of bail and criminal justice. The only objection to the measure came from professional bail bondsmen.

I can therefore report, Mr. President, that S. 1357, the Bail Reform Act of 1965, has the widespread and enthusiastic support of virtually everyone who has considered the problem, and I strongly urge its passage.

Mr. MONDALE. Mr. President, I am pleased to lend my support to the passage of S. 1357, a bill to reform Federal bail practices in the United States. As former attorney general of the State of Minnesota, where I served for 4 years, I know full well the problems raised by a bail system which places a premium on whether or not the defendant is rich or poor.

Existing Federal law on the subject of bail is very clear. Bail is intended only to insure the defendant's appearance at his trial. It may not be used to confine accused persons, since they are presumed to be innocent, in order to prevent further criminal acts—or to protect witnesses or evidence—or to punish persons accused of crime.

Under present law, we say that the accused may be at liberty prior to his trial so that he might prepare his defense—but only if he can post financial assurance that he will be present for that trial. In effect, we are placing our greatest reliance upon the accident of financial resources, rather than the accused's character or his community ties. This reliance is misplaced. The Manhattan bail project, sponsored by the Vera Foundation in New York, found some time ago that only 1 percent of those released without posting bail failed to appear for trial. The defendants there were released if they had roots in their community, if they were working, supporting their families, and in general such a good risk that financial bond was not required. The bail forfeiture rate, in contrast, is estimated to be about 2½ percent. This legislation declares that if we can find other means to provide reasonable assurance that a defendant will appear for trial we must use them rather than requiring the posting of bail.

The damage we do to our concept of equal justice under law by this practice is great. We disadvantage persons of limited means—and not those who are well-to-do. We handicap them in preparing their defense. We prevent them from locating witnesses, or consulting their lawyer in privacy. The defendant often loses his job—and loses income to support his family and pay for his defense. In addition, the accused and his family suffer what may be a needless stigma from the fact of his imprisonment for an extended period of time.

We rob the accused of the means and resources to defend himself—and as well place a heavy burden upon the resources of the taxpayer. The costs of keeping persons in jail are high. The cost of providing welfare relief for his family are high. The cost of providing public defense for him are high.

But worst of all, the cost to our system of administration of justice is excessive. To insist that the man who has $100 can go free while the man who does not must remain in prison places an unfair burden on the poor. It makes poverty a punishable offense and continues the scourge of the debtor's prison. If we really want "equal justice under law" then this legislation must be passed. I am confident that it will pass, and will support it.

Mr. TYDINGS. Mr. President, emblazoned on American courthouse pediments and inscribed in American judicial opinions we read again and again the proud affirmation, "equal justice under law." I doubt you will find anyone in public life, anyone at bench or bar, anyone at all, who does not honor that inspired ideal. But the plain truth is that under our present bail system we do not have equal justice under law. Equality under our bail system is a cherished myth, not a living reality—the poor have been getting a poorer brand of justice than the rich. The bill before us, S. 1357, revises pretrial release procedures and bail practices in the Federal courts in order to eliminate the unjust discrimination against the poor that our present system fosters.

The legitimate purpose of bail is to guarantee the presence of the accused at his trial. The existing bail system attempts to effectuate this guarantee primarily by conditioning pretrial release on the deposit of a secured bond. But experience has shown, Mr. President, that an accused's financial ability or inability to post a money bond is largely unrelated to the likelihood that he will appear either at trial or at some other future judicial proceeding. Yet every year, thousands of such persons languish in our jails for weeks and even months, because they cannot afford to pay for their freedom. The number of people who cannot afford even low bail is surprisingly large. The tragic truth is that many of our citizens, simply because they are too poor to afford bail, needlessly suffer the humiliation of extended imprisonment even though they are later acquitted of the crime with which they have been charged, and despite the fact that other measures short of imprisonment might well have been sufficient to give reasonable assurance that they will be present at trial.

But more than unnecessary humiliation is involved. Counsel for an indigent defendent held in jail is severely hampered in his preparation for trial. He is able to consult with his client only infrequently, inconveniently, and often under adverse conditions. He is deprived of his client's assistance in locating and interviewing witnesses and in obtaining evidence. Such a defendant, according to studies made by several witnesses who testified at our subcommittee hearings, is less likely to escape indictment, less likely to plead successfully a lesser offense or lesser degree of the offense, less likely to receive a suspended sentence, and more likely to serve a long sentence. Poverty, it seems, can be a punishable crime. Such "unequal justice under law" quietly but firmly reproaches our claims of equality.

Our present bail system threatens the house of justice still further by undermining one of its most important foundations—the presumption of innocence. Thousands of citizens presumed to be innocent now languish in jail not because they are poor risks so far as appearance at trial is concerned, but simply because they are poor. In almost every jurisdiction they are treated no differently than convicted criminals. In Maryland's Montgomery County, in a recent year, nearly 30 percent of jail inmates were persons awaiting grand jury action or trial. They had not been proven guilty, but they waited in jail for from 3 to 6 months. In Pennsylvania, not long ago, a man could not raise bail of $300. He spent 54 days in jail awaiting trial on a traffic violation for which the maximum penalty was 5 days. Such unfortunate cases mock the presumption of innocence and threaten the democratic values which that presumption protects.

Our present bail practices are not merely unjust, Mr. President, they are also costly. Holding in jail thousands of persons awaiting trial cost Federal and State governments millions of dollars. The cost to the accused man himself is often crushing—too often. While in jail, he is unable to work. He is apt to lose his job. He may suffer economic loss that will take years to repair. And even for direct economic loss he will not be compensated by the Government which incarcerated him. The human costs, however, are the greatest costs. The accused man waiting in jail for his trial may lose more than a wage or his job. He may be stigmatized as a criminal, lose the respect of his neighbors, or lose even his own self-respect. It is naive to think that probation or acquittal can undo the damage.

Moreover, conditions in many of our jails can take a terrible toll on the sensibilities of those compelled to endure them because of inability to raise bail. The typical jail has little to inspire the prisoner and much to demoralize him. The result is that he must spend his time there vegetating and degenerating. And why confine accused men, some of whom will be released or acquitted, more of whom will be placed on probation, with those who are already convicted and sentenced? To subject them to such contacts and influences wars with the rehabilitative objectives of our whole criminal process. Jailing a youthful defendant, in the words of Mr. Justice Douglas, "is equivalent to giving a young man an M.A. in crime."

The present bill, Mr. President, is designed to remedy the evils I have described without impairing the purpose of our bail system, which is to assure the presence of the accused at trial. The central provisions of the bill fashion a flexible pretrial release system, designed to render wealth irrelevant to liberty. The bill provides power to judges and commissioners to release accused persons on their own recognizance or under one or more of a number of possible conditions, only the most stringent of which will involve a secured bail bond. In addition to release on personal recognizance, the bill provides for conditional releases, such as release on unsecured bond; release into the custody of a probation officer or some third person, such as a clergyman or relative; release with restrictions on travel, association, or place of abode: and release during daylight hours only. Even if a judicial officer should decide that a secured bail bond is required in a particular case, the bill provides an alternative to the bondsman by allowing deposit in the court of a sum not to exceed 10 percent of the bond, the deposit to be returned upon the performance of the conditions of release. Under the bill the judicial officer setting the accused's release conditions can require the execution of a cash bond or a surety bond only if he is convinced that less stringent measures will be inadequate to guarantee the presence of the accused at trial.

Mr. President, based on the hearings that were held jointly before the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, of which I am chairman, and the Subcommittee on Constitutional Rights, and based also on additional study that I have given the matter, I feel that the present bill is a long overdue step toward divorcing the quality of justice an accused receives from his financial means. The bill should be promptly enacted into law. I do wish to point out, however, as is made clear by the committee's report, that the present bill is not intended to deal with the problem of preventive detention. While the members of the committee recognize that the preventive detention problem is intimately related to the bail reform problem, it was felt that the need for reform of existing bail procedures is so pressing that such reform should not be delayed with the hope of enacting more comprehensive legislation that might deal also with the preventive detention problem. Accordingly, the present bill deals only with the bail reform problem, reserving the preventive detention problem for additional study.

Finally, Mr. President, I would like to acknowledge the very great debt I owe my distinguished colleague, the senior Senator from North Carolina [Mr. ERVIN]. Senator ERVIN, who is chairman of the Subcommittee on Constitutional Rights, gave uncounted hours of consideration to the present bill. I think it is in great measure due to that distinguished Senator that S. 1357 is the admirable reform measure which I think it to be, and that the bill is before us today.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ERVIN. Mr. President, I should like to commend the Senate for passing S. 1357, the Bail Reform Act of 1965, and to express my appreciation for the assistance and support of my Senate colleagues, especially the members of the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery. Special commendation is due to Senator TYDINGS, the chairman of the Subcommittee on Improvements in Judicial Machinery, for his interest in bail reform legislation and his assistance in connection with the joint hearings on the bill.

As I have observed on other occasions, S. 1357 grew out of the continuing study of Federal criminal justice in which the Subcommittee on Constitutional Rights has been engaged since 1958. This legislation is intended to remedy many of the serious inequities found by the subcommittee to pervade Federal bail procedures and to bring those procedures into conformity with our cherished concepts of constitutional due process.

I should point out, however, that the bill does not deal at all with one serious ancillary problem studied by the subcommittee—the concept of the "preventive detention" of an accused person on the grounds that his liberty might endanger the public welfare because of his predisposition to commit further crimes, intimidate witnesses or destroy evidence. It is recognized that preventive detention is intimately related to bail reform and that it involves grave implications concerning the right of the public to be protected against unlawful conduct. On the other hand, however, preventive detention raises serious constitutional problems. For if we are to preserve the principle that an accused person is presumed innocent of the crime with which he is charged, there are obvious grave difficulties with sanctioning a procedure which allows courts to detain him prior to trial for fear that he might commit a crime if released.

Under all the circumstances, the subcommittee decided that legislative authorization of preventive detention seemed premature at the time the bail reform bill was drafted, and that inclusion of a preventive detention provision in the bill might confuse the issues and endanger passage of the bill. Much progress has been made within the framework of present law and more progress can be expected as a result of the passage of S. 1357. Rather than risk the great uncertainties, legal and practical, which might result from legislative authorization of preventive detention at this time, the subcommittee preferred to undertake a more reliable assessment of the need for, the desirability of and the legal permissibility of preventive detention.

With this in mind, the subcommittee is continuing its study of preventive detention and expects to schedule hearings on the subject in the near future.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 750), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 1357, as amended, is to revise bail procedures in Federal courts and in the courts of the District of Columbia in order to (1) assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest; and (2) assure that persons convicted of crimes will receive credit for time spent in custody prior to trial against service of any sentence or payment of any fine imposed. The bill would amend chapter 207 of title 18, United States Code, by striking out section 3146 (the present bail-jumping statute) and inserting in lieu thereof seven new sections, 3146 to 3152; would amend the first paragraph of section 3568 of title 18, United States Code (effective date of sentence); and would make technical changes in sections 3041, 3141, 3142, and 3143 of title 18, United States Code, and in the heading to chapter 207 and the table of contents to part II of such title.

The bill is not intended to deal with the problem of preventive detention of an accused because of the possibility that his liberty might endanger the public welfare, either because of the accused's predisposition to commit further acts of violence during the pretrial period, or because of the likelihood that his freedom might result in the intimidation of witnesses or the destruction of evidence. While it is recognized that the preventive detention problem is intimately related to the bail reform problem, the committee feels that the need for reform of existing bail procedures is so pressing that such reform should not be delayed with the hope of enacting more comprehensive legislation that might deal also with the preventive detention problem. Consequently, the present bill deals only with the bail reform problem, reserving the preventive detention problem for additional study.

LEGISLATIVE HISTORY

Since 1958 the Subcommittee on Constitutional Rights has been engaged in a far-reaching investigation of the need to safeguard the constitutional rights of American citizens in the administration of criminal justice. Apart from its continued study of arrest, police detention, involuntary confessions, discovery, venue, and the right to counsel, the subcommittee has for several years focused its attention on existing Federal bail procedures. As a result of this study, in May 1964, Senator ERVIN, chairman of the subcommittee, introduced, for himself and Senators JOHNSTON, WILLIAMS of New Jersey, BAYH, DOUGLAS, LONG of Missouri, HRUSKA, FONG, and KEATING, three bills (S. 2838, S. 2839, and S. 2840) designed to modify and improve Federal bail procedures. Following the introduction of these bills, the subcommittee sought comments on the bills from law professors, Federal and State law enforcement officials, and other persons or groups interested in the administration of criminal justice. Joint hearings on the bills were held on August 4, 5, and 6, 1964, by the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery. The bills received strong support from the Department of Justice and from virtually all other persons and groups involved with the administration of criminal justice.

Similar bills (S. 646, S. 647, and S. 648), cosponsored by 20 Senators, were introduced by Senator ERVIN on January 22, 1965. Senator ERVIN stated at that time that efforts were being made to develop an omnibus bail reform measure which would embody the substance of S. 646, S. 647, and S. 648 with revisions and additions suggested by representatives of the Department of Justice and by other witnesses who testified at the 1964 hearings.

On March 4, 1965, Senator ERVIN introduced, for himself and 16 other Senators, the present omnibus bail reform measure, S. 1357. As introduced, S. 1357 expanded the provisions of S. 646, S. 647, and S. 648 in three main respects:

First. It provided Federal courts with additional methods of releasing persons accused of criminal offenses. S. 646 provided only for release on personal recognizance and S. 648 provided for release upon deposit in the court of 10 percent of the amount of bond set. S. 1357 set forth seven enumerated methods of release and authorized "any other restriction which the judge may reasonably require to insure appearance as required."

Second. It provided for an appeal of release orders by persons aggrieved by the release conditions imposed. No right to appeal release orders was specifically stated in the earlier bills.

Third. It provided credit for pretrial confinement against any fine imposed by the court as well as against any sentence imposed. S. 647 provided only for credit against service of sentence.

On June 15, 16, and 17, 1965, the Senate Subcommittee on Constitutional Rights and the Senate Subcommittee on Improvements in Judicial Machinery, under the chairmanship of Senator JOSEPH D. TYDINGS, held joint hearings on the four bills, S. 1357, S. 646, S. 647, and S. 648.

NEED FOR LEGISLATION TO MODIFY FEDERAL BAIL PROCEDURES

The principle that a person is presumed innocent until proven guilty by a court of law is perhaps the most basic concept of American criminal justice. A corollary of this presumption of innocence is that a person accused of crime should not be confined because of his impecuniosity prior to his trial and conviction so long as he can provide adequate assurance that he will be available to stand trial when called. The monetary bail system in the United States developed as a method of releasing an accused person pending trial while providing the requisite assurance that he will appear for trial.

Every witness before the subcommittees agreed that, at least in noncapital cases, the principal purpose of bail is to assure that the accused will appear in court for his trial. There is no doubt, however, that each year thousands of citizens accused of crimes are confined before their innocence or guilt has been determined by a court of law, not because there is any substantial doubt that they will appear for trial if released, but merely because they cannot afford money bail. There is little disagreement that this system is indefensible.

Senator ERVIN, in his opening statement, noted that "serious constitutional questions are raised by a system which imposes pretrial confinement on persons presumed innocent, and which hampers their efforts to prove their innocence, merely because they have limited financial means. And although our present bail procedures have not been held to be unconstitutional, they certainly are in sharp contrast with our cherished concepts of equality before the law and the presumption of innocence."

Senator ERVIN noted further: "Almost without exception, those persons and groups who have studied the problem have concluded that it is time to reform the Federal bail system to correct the inequities which, in a real sense, threaten our system of ordered liberty itself."

Deputy Attorney General Clark, the opening witness before the subcommittees, expressed similar views. He said:

"Whatever its conception and earlier value, we have awakened to the realization that bail practice has imposed intolerable injustice, meaningless deprivations of liberty, and harmful losses to individuals and society for decades.

"The hearings which you held last August marked the first time in 175 years that the Congress undertook a close look at the operation of the Federal bail system * * *. The joint report published by your subcommittees in December made it abundantly clear that the need for change, and its direction—diminishing dependence on money and eliminating unnecessary detention—can now be taken as established * * *."

There was widespread agreement among witnesses that the accused who is unable to post bond, and consequently is held in pretrial detention, is severely handicapped in preparing his defense. He cannot locate witnesses, cannot consult his lawyer in private, and enters the courtroom—not in the company of an attorney—but from a cell block in the company of a marshal. Furthermore, being in detention, he is often unable to retain his job and support his family, and is made to suffer the public stigma of incarceration even though he may later be found not guilty.

Because of this disadvantage, Senator Tydings noted: "Those confined because they cannot meet bail requirements serve longer prison sentences and secure fewer acquittals and dismissals than those who are able to secure bail."

The need for reform and the indicated direction of such reform were perhaps best summed up by Deputy Attorney General Clark, who concluded:

"It is clear that defects persist at several stages of the bail process and that resort to a variety of methods is essential to meet them. First, responsible officials in the criminal process have to be awakened to the fact that it is feasible to release many more defendants prior to trial with no loss of effectiveness to law enforcement. There is the problem of promptly providing to commissioners and judges setting bail the facts they need to make well-informed decisions. Finally, there is the clear need to overhaul laws which promote excessive reliance on money, which produce too little flexibility in tailoring conditions of release to the particular defendants, and which pay insufficient heed to the amount and effects of detention."

It is felt by the committee that S. 1357, as amended, will go far in accomplishing the needed reforms.

CONVEYANCE OF CERTAIN LANDS SITUATED IN THE STATE OF OREGON TO THE CITY OF ROSEBURG, OREG.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 739, House bill 2414.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 2414) to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, reserving the right to object, permit me to observe that the bill provides for the conveyance of certain properties from an instrumentality of the Federal Government to a municipality in the State of Oregon, the home State of our beloved friend the Senator from Oregon [Mr. Morse], who has offered in times past the so-called Morse formula. Let me inquire of the Senator from Alabama whether the Morse formula applies to this proposed legislation.

Mr. SPARKMAN. Mr. President, it is my information that there is no monetary consideration involved in this bill, and that it does not violate the Morse formula.

Mr. KUCHEL. Mr. President, again reserving the right to object, I wonder whether I might have a little more expatiation on the reasons why it does not?

Mr. SPARKMAN. It was my purpose to ask that a certain portion of the report be included in the Record, but I shall read the excerpt, which I believe will give the Senator an adequate explanation:

This bill would authorize the Administrator of Veterans' Affairs to convey, without monetary consideration, to the city of Roseburg, Oreg., approximately 47 acres of land of the Veterans' Administration Hospital located in that city.

In 1932 the city of Roseburg donated to the United States a tract of 413.7 acres of land and the State of Oregon donated a tract of 40 acres. A Veterans' Administration hospital was constructed on that land. Subsequently, under Public Law 84-595, the General Services Administration transferred 163 acres to the city of Roseburg. It is presently being used for park purposes. The land sought to be transferred by this bill is in two parcels, one lying north of the South Umpqua River and the other lying immediately south of the river.

The bill contains appropriate language to protect the interests of the United States and would not be adverse to the interests of the Veterans' Administration hospital.

No appropriation would be necessary to carry out the provisions of this bill.

Mr. KUCHEL. Let me inquire of the Senator whether the land, which the bill would authorize the Federal Government to convey to the State, is a part of the lands which formerly the municipality of the State of Oregon conveyed to the Federal Government?

Mr. SPARKMAN. The Senator is correct.

Mr. KUCHEL. Let me inquire whether, at the time of the conveyance by the Oregon municipality of this land, the Federal Government paid any money for the property thus transferred?

Mr. SPARKMAN. The report from which I have just read has stated that it was donated.

Mr. KUCHEL. Mr. President, I believe that this bill is in the public interest. I shall have no objection to register to its passage. Let the Record show, however, that on prior occasions, with considerable pain, I introduced legislation under which the Federal Government would reconvey to the State from which I come, property which prior thereto had been conveyed without cost to the Federal Government. At that time, I encountered some difficulty in having the Senate approve it; although at long last the Senate did approve it. I believe that, too, was in the public interest. I have no objection to the proposed legislation because I believe it will serve a useful purpose.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

RIGHT OF PERSONS TO BE REPRESENTED BY ATTORNEYS IN MATTERS BEFORE FEDERAL AGENCIES

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 740, Senate bill 1758.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 1758) to provide for the right of persons to be represented by attorneys in matters before Federal agencies.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after "Sec. 101.", to strike out "Practice by Attorneys" and insert "Representation Before Federal Agencies"; in line 10, after the word "signature", to strike out "or" and insert "on"; on page 2, line 2, after the word "representation", to strike out "that he is both properly qualified and authorized to represent the particular party in whose behalf he acts" and insert "to the agency that under the provision hereof he is authorized to represent the particular party in whose behalf he acts, and that he is currently qualified as provided herein"; after line 6, to insert:

(b) In the case of representation before the Internal Revenue Service of the Treasury Department, the provisions of section 101(a) shall be applicable to any person duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth or the District of Columbia.

At the beginning of line 13, to strike out "(b)" and insert "(c) Except as provided in section 101(b)"; at the beginning of line 23, to strike out "a power of attorney before the agency transfers funds to the attorney for the party whom he represents" and insert "the filing of a power of attorney as a condition to the settlement of any controversy involving the payment of money"; on page 3, line 8, after the word "participant", to insert "in such matter"; and, after line 13, to insert a new section, as follows:

Sec. 103. Definition of Agency.—As used in this Act, "agency" shall have the same meaning as it does in section 2(a) of the Administrative Procedure Act, as amended (60 Stat. 237, as amended).

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sec. 101. Representation Before Federal Agencies.—(a) Any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia may represent others before any agency; and whenever such a person acting in a representative capacity appears in person or signs a paper in practice before an agency, his personal appearance or signature on any paper filed in the proceeding shall constitute a representation to the agency that under the provisions hereof he is authorized to represent the particular party in whose behalf he acts, and that he is currently qualified as provided herein.

(b) In the case of representation before the Internal Revenue Service of the Treasury Department, the provisions of section 101(a) shall be applicable to any person duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth or the District of Columbia.

(c) Except as provided in section 101(b) nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others before any agency or in any agency proceeding; to authorize or limit the discipline, including disbarment, of persons who appear in a representative capacity before any agency; to authorize any person who is a former officer or employee of an agency to represent others before an agency where such representation is prohibited by statute or regulation of an agency; or to prevent an agency from requiring the filing of a power of attorney as a condition to the settlement of any controversy involving the payment of money.

Sec. 102. Service.—When any participant in any matter before an agency is represented by an attorney at law or other qualified representative, and that fact has been made known in writing or in person by the representative to the agency, any notice or other written communication required or permitted to be given to or by such participant in such matter shall be given to or by such representative in addition to any other service specifically required by statute. If a participant is represented by more than one attorney or other qualified representative, service by or upon any one of such representatives shall be sufficient.

Sec. 103. Definition of Agency.—As used in this Act, "agency" shall have the same meaning as it does in section 2(a) of the Administrative Procedure Act, as amended (60 Stat. 237, as amended).

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The VICE PRESIDENT. Without objection, the amendments will be considered en bloc; and, without objection, they are agreed to.

Mr. ERVIN. Mr. President, before the pending bill is acted on, let me say that I believe it to be a meritorious bill. Accordingly, I would like to urge the adoption of this measure, which would authorize attorneys, licensed to practice law in their home States, to practice before Federal administrative agencies and departments without separate admission by the agency involved.

I congratulate Senator Long of Missouri on introducing this legislation which advances an elementary facet of our constitutional and legal system. Whether by direct or indirect action, a Federal limitation on the choice of counsel abrogates the right to counsel under the sixth amendment to the Constitution. Accordingly, S. 1758 goes a long way to enlarge the right of persons to be represented by attorneys of their choice in matters before Federal agencies and departments.

Under the able guidance of Senator Long, the Subcommittee on Administrative Practice and Procedure has carefully documented the need and importance for this legislation. The bill has the unanimous support of the members of the subcommittee and has been approved by the Department of Justice. Virtually every State and local bar association in the United States has strongly endorsed S. 1758. The bill has the enthusiastic support of the American Bar Association.

Additionally, the bill was amended in the committee to provide that persons licensed to practice as certified public accountants in the various States should have the right to represent clients before the Internal Revenue Service without further qualifications or examinations. The American Institute of Certified Public Accountants approves the bill and recommends its passage.

Therefore, Mr. President, in order to facilitate the practice by attorneys and certified public accountants of their professions without arbitrary restriction by the Government, I strongly urge the passage of S. 1758. The bill is meritorious in every respect.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide for the right of persons to be represented in matters before Federal agencies."

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 755) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE LEGISLATION

This legislation is designed to do away with agency-established bars for attorneys who appear before certain Federal administrative agencies. In those agencies which require that lawyers become members of such bars to represent clients before the agency, lawyers have met with delays attempting to deal with even the most routine tasks. The responses of attorneys prompted by this bill's introduction cite examples of difficulty in attempting to bring even simple matters before these agencies.

The bill would do away with agency-established admission requirements for licensed attorneys, and thus allow persons to be represented before all Federal agencies by counsel of their choice. It would also require the agencies to deal with the counsel so selected.

The bill also would eliminate the special enrollment requirements for certified public accountants in representing others in accounting matters before the Internal Revenue Service. The legislation is not intended to change the scope of service performed by certified public accountants in the practice of accountancy.

The legislation would be implemented by practical procedures which would safeguard the agencies and public alike.

HISTORY

In 1884, a bill was passed by the Congress appropriating moneys for claims for "lost horses" during the Civil War. The claims were processed through the Treasury. This is the statutory authority for the Internal Revenue Service's attorney enrollment procedures in 1965, 81 years later and dealing with a wholly different problem. It is also one of the last remnants of a legislative directive on the subject.

Bills on this subject have been introduced in the U.S. Congress during many of its preceding sessions, but at no time in the past has the support for the measure been so widespread.

Some time ago, many agencies issued regulations requiring application to the agency before attorneys could be deemed acceptable as practitioners. In 1957, the Department of Justice recommended that all agencies discontinue the practice. Most have done so. Today, four retain them, and only two of those object to the proposed legislation. Unfortunately, they are two important agencies and there is no sign that they will voluntarily abandon these without this legislation. Indeed, they have made it perfectly clear that they will continue as in the past until forced to change by the Congress.

OBJECTIONS

Of all the Federal agencies, only two have raised objections, the Internal Revenue Service and the Patent Office. The former generally found fault with the ethical standards of attorneys while the latter believed that the standards were acceptable as enforced by the State bar associations. For its part, the Patent Office found fault with the training and educational background of general practitioners, although the Internal Revenue Service, clearly able to test and determine professional proficiency under existing law, has as a matter of policy failed even to inquire about practitioners' skill. Thus, the objections of these two agencies to the bill contradict rather than support each other.

TREASURY

In 1958, with respect to a recommendation of the Hoover Commission that the admission practices be abandoned, Treasury's position was that it had no objection to this action if directed by legislation to do so.

Today its position is reversed; it is opposed to the legislation. When questioned during the hearings as to what prompted this reversal policy, the representatives of the Treasury did not explain why Treasury should object now but not in 1958.

The Office of the Director of Practice of the Internal Revenue Service is maintained at a cost of some $300,000 annually (an amount the Second Hoover Commission recommended saving by eliminating the Office). It is staffed with 18 full-time employees in its central office and an unknown number of man-hours are spent in field investigations.

An application must be filled out and submitted to the Department with a $25 fee. The very first line of this sworn application states that the applicant has "familiarized" himself with the complete contents of the 24 pages of fine print contained in Circular No. 230.

An affidavit must be filed that the applicant will conduct himself in accordance with those 70 provisions.

The purpose of the application, according to the agency, is to furnish information which will aid the agency in its independent investigation of the attorney's background. This involves checking to see if the attorney has filed his tax returns in prior years, and if there is anything tainted about his personal or professional life. The yardstick used by the director in his sole judgment is the "character and reputation" of the applicant.

The only appeal provided is to the Secretary of the Treasury. If the Director of Practice and the Secretary reject an application, a lawyer cannot represent clients in tax matters before the Treasury—not even if the client wishes it. This is true even though the lawyer could represent that client before the highest court of the State, and all the Federal courts, including the Supreme Court. In some cases, Treasury's refusal to deal with attorneys not having a Treasury card is tantamount to denying the taxpayer his right to counsel.

The reason, according to the Internal Revenue Service, as opposed to every other Federal agency, is that the Treasury Department does not believe that State bar associations adequately police their members and as a result retain on their rolls attorneys who may be persons of questionable character.

The inconsistency of this position is that Treasury cards are not required for preliminary negotiation where the bulk of disagreements over tax reporting are resolved. Nor are they used for the appeals of tax cases from adverse rulings before the Internal Revenue Service. They are deemed necessary by the Internal Revenue Service only through the hearing stage of the case before that agency.

It is the view of this committee that these procedures are not warranted as a restriction on duly licensed attorneys in tax cases. The relationship between the effectiveness of an advocate and that advocate's personal affairs and personal tax problems is remote. Furthermore, the constant surveillance by State bar associations will almost without exception insure the integrity of practice. Indeed, the Internal Revenue Service does not even inform State bar disciplinary bodies when the Internal Revenue Service has taken some disciplinary action against a lawyer.

If matters of ethical misconduct are brought to the attention of the agencies, adequate tools are at their disposal to deal with the situation. Section 101(b) of S. 1758 specifically provides that the agencies shall lose none of their rights to discipline or disbar attorneys.

PATENT OFFICE

The Patent Office objects to the legislation, while the American Patent Law Association considered the proposal at length and took no position on the bill.

It is the position of the Patent Office that practice before it is so specialized that only persons who have particular types of training should be permitted to practice. The Patent Office is vague as to just what this training should be. A broad technical background is considered desirable, but if a person had a specialty in a technical field, that person also would be acceptable. Although all patent practitioners are specialists, one examination for admission is administered to everyone.

The heart of the objection of the Patent Office to the legislation is the conviction that patent law as practiced before the Patent Office is so technical and so unique as to represent a special case requiring an exemption from the provisions of the bill. It is the conclusion of this committee that, despite its technical complexity, patent law is essentially no different from a number of other fields of the law. This conclusion is supported by the fact that patent law practiced before the courts, and indeed everywhere except before the Patent Office, is not held to require a similar restriction on licensed attorneys.

Whenever a lawyer agrees to take a case in a new field of the law, or goes into a new forum, he must learn new substance and/or new procedures. He is bound by the ethics of his profession to decline a case which after study he feels he cannot adequately handle for his client. This is true in every field of the law, not just patent law.

If the committee were to make an exception for the Patent Office, other exceptions would be requested. The committee does not feel that any such exemptions are warranted.

The committee believes that patent cases will continue to be handled by technically competent attorneys. Actually, all fields of law are handled predominantly by attorneys who have, by their continuous experience in the field, become specialists. But this does not mean that the general practitioner should be excluded from any field of law.

Finally, it seems illogical to permit the Patent Office to require special admission procedures for practice by attorneys before the Patent Office, when the same attorneys are not required to pass such examinations to handle patent law cases at all stages before the Federal courts, including the Supreme Court of the United States.

PROVISIONS OF THE BILL (S. 1758)

Section 101 of the bill was written to describe a bona fide attorney who is presently in good standing before the courts and who has not had his right to practice suspended or terminated in any State for nonprofessional conduct.

Certain witnesses questioned the exact scope of the representation made by the entry of appearance of an attorney. The bill was specifically amended to show the dual nature of the representation. The attorney represents that he is an attorney as described in the bill, and that he does in fact represent the client as he indicates. If he is guilty of misrepresentation on either score, the person is liable to the usual criminal penalties included for false statements to a Government agency; i.e., $10,000 fine, 5 years in prison, or both.

In order for the legislation to accomplish its desired ends, the person who is properly before an agency in his representative capacity must deal and be dealt with by the agency. Section 102 of the bill, entitled "Service," focuses specifically on requirements of one aspect of this dealing; i.e., service and communication.

The bill in no way interferes with statutes presently dealing with an agency's duty to hold confidential those things communicated to them by the public.

The very agency which objects to this aspect of the bill, the Internal Revenue Service, readily admits that no power of attorney is required under existing procedures at levels below the hearing stage. If proceedings below the hearing stage present no problem for the agency in withholding confidential communications, it is difficult to understand why the hearing stage presents significantly new or additional problems.

The penalties are severe. There are alternative courses of action an agency may take when a person is suspected of misrepresenting himself under the bill. The aid of State bar licensing authorities may be enlisted, or the investigative machinery of the Government may be set in motion with a view toward criminal prosecution. A person making a false representation to an agency faces a severe fine and long imprisonment. An attorney, in addition, faces loss of professional status and the sanctions of his local bar grievance procedures. This committee feels that a man would be foolhardy to face these consequences for some immediate gain.

There is nothing contained in the measure to prevent an administrative agency from maintaining a list of persons, including attorneys, who appear before them. An agency may have good and proper reasons for such a list. Persons who deal with an agency from day to day may more easily be kept informed on developments within the agency by having their names on a mailing list. The agency may wish to seek the advice of practitioners who because of their practice before the agency have an expert knowledge of the field. This peculiar knowledge and familiarity with agency procedures may be of invaluable service to both agency and practitioner alike. The bill would not inhibit agencies from maintaining lists of attorneys for such purposes.

PUBLIC BENEFIT

Passage of this statute will benefit the public because it will closely aline procedures before Federal administrative agencies with those which are effectively used in court in this country today.

The bill has been given the overwhelming support of attorneys, bar associations, certified public accountants, and other persons who are experts on the administrative process.

On the basis of the foregoing considerations, the committee concludes that S. 1758, as amended, is a meritorious proposal and, therefore, recommends that the bill, as amended, be given favorable consideration.

Mr. SPARKMAN. Mr. President, on the three last bills which were passed, I ask unanimous consent to move that the votes by which the bills were passed be reconsidered en bloc.

The VICE PRESIDENT. Is there objection to consideration en bloc of the votes by which the last three bills were passed? The Chair hears none, and it is so ordered.

Mr. SPARKMAN. Separately and severally en bloc, Mr. President.

Mr. KUCHEL. Mr. President, I have the honor to move that the motion to reconsider these three bills be laid on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. SPARKMAN. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Kae B. Weston, to be postmaster at Laketown, Utah, and Wilma F. Majors, to be postmaster at Russell Springs, Kans., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Richard H. Davis, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Rumania vice William A. Crawford; and

John H. Burns, of Oklahoma, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the United Republic of Tanzania.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

GEOLOGICAL SURVEY

The legislative clerk read the nomination of William T. Pecora, of New Jersey, to be Director of the Geological Survey.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service, which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. Sparkman, the Senate resumed the consideration of legislative business.

WEST VIRGINIA'S GOVERNOR FORESIGHTED IN COAL PLANNING

Mr. BYRD of West Virginia. Mr. President, the public works appropriation bill for fiscal year 1966, which was passed by the Senate on August 23, contained, among other items, a provision of $3 million to permit the dredging of the harbor at Norfolk, Va., so that larger vessels could utilize the shipping area to transport substantially increased tonnages of West Virginia coal to foreign markets. The dredging of the Hampton Roads port by an additional 5 feet to accommodate new colliers from France and Italy, it is believed, will permit the shipping of an increased 10 million tons of coal to those countries by 1970, according to projections of the Department of Commerce. This would increase dollar earnings from coal shipments by a total of $80 to $100 million annually, beginning in 1970, with a possible estimate of an additional 2,000 jobs to be created in West Virginia from the increased production. This would also be of substantial benefit to our American balance-of-payments situation.

The present Governor of West Virginia, the Honorable Hulett Carlson Smith, during the time he served as West Virginia's first commissioner of commerce, was instrumental in actions leading to the development of this project. I, therefore, ask unanimous consent that the article, "West Virginia Coal and the State Government," which he prepared, be inserted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

West Virginia Coal and the State Government

(By Hulett Carlson Smith, Governor of West Virginia)

There has been much recent publicity concerning the plight of certain distressed areas of the Appalachian region. Frequently it is said that this is due in part to the coal industry being dead. This is certainly far from being the case, for coal today is very lively and one of our basic industries.

In 1963, West Virginia produced 126,117,143 tons of coal from 1,986 mines located in 36 of our 55 counties. This compares with a production of 123,061,985 tons in 1925. However, the important factor of change is that it took 111,708 men to mine this amount in 1925 whereas in 1963 more coal was mined by a workforce of only 44,854; consequently, West Virginia was one of the first States to feel the brunt of automation from an employment standpoint.

Naturally, automation has produced severe and complicated economic and sociological problems within the coal regions. My administration is fully cognizant of the problem; there is no easy solution, but we are attempting to meet the challenge head on.

TRAINING PROGRAMS

The 1965 session of our legislature passed the most comprehensive education bill in the State's history. Manpower training programs are underway, industrial development activities are achieving excellent results, tourism is on the increase and existing industry is expanding. We are extremely hopeful that the newly enacted Appalachian Development Act of 1965 will act as the trigger to start the entire region into an era of economic prosperity.

In addition to developing new programs and attracting new industry, a Governor must also do everything in his power to protect existing industry. After all, it is existing industry that has been the mainstay of the State's economy. Consequently, I try to work actively with the chemical, glass, metal, wood, coal, and other industries to help in any way that I can from a Governor's level. This help ranges from helping with Federal procurement orders to protesting against imports of competitive products. However varied as the help may be, it is essential that industry know that it can turn to its State government for help.

It is interesting to follow the help that we have been trying to do for our coal industry. This has encompassed both national and international efforts.

WASHINGTON LIAISON

First, on the national scene, our Washington liaison office each month sends out procurement leads representing a possible million tons of coal. These are sent directly to the operators and/or their associations. These leads range from Department of Defense orders to overseas delivery for the Agency for International Development.

There are also cases where the prestige of the Governor's office is needed to present the State's views in hearing on governmental action that might affect the coal industry. Typical of this was the recent Atomic Energy Commission hearing to resolve the question of continued Federal subsidies for reactors creating a competitive hardship on other conventional fuels. The National Coal Policy Conference, the National Coal Association, and the United Mine Workers filed a joint protest. As Governor of West Virginia, I filed the State's protest of which I quote the following:

"Although automation in the coal industry has produced a number of complex economic and sociological problems within our borders, these improvements in production have kept coal on a competitive basis with other conventional fuels produced by private industry. It is apparent, however, that it is impossible for the coal industry to compete with nuclear reactor plants of the same basic type so long as the latter are subsidized either directly or indirectly by the Federal Government.

"Therefore, it is urgently requested that the Atomic Energy Commission take such appropriate action as is necessary to prevent the displacement of conventional fuels such as coal in its competition with nuclear power plants which should now be built and operated by private industry on a nonsubsidized basis.

"The coal industry in West Virginia is able and willing to compete with such plants in an open and nonsubsidized basis. However, our coal industry will surely suffer if we must continue to compete with nuclear powerplants which are subsidized. It is inequitable to the coal industry and to the taxpayer to continue such subsidization if private industry has demonstrated the ability to pay such costs."

COAL, HIGHWAYS

Again, on a national level, we work very closely with our congressional delegation to include in legislation, where possible, items that might help the coal industry. A good example of this would be the inclusion in the highway system portion of the Appalachian Redevelopment Act the following clause:

"For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act."

It is on the international level that we are able to exert strong influence as the fuel situation abroad abounds with political implications. It is also of extreme importance to our State as some 80 percent of all coal exports to Europe come from West Virginia. The reason for this large percentage coming from our State is our proximity to the Virginia ports, the quality of our coal, and the excellent railroad connections provided by the Norfolk and Western Railway and the Chesapeake and Ohio Railway.

TRADE MISSION

As West Virginia commissioner of commerce, I was active in the organization of the State's first trade mission to Europe. This very successful 10-man mission had 2 of its members representing the coal industry; these were Lawrence Forbes, coal export manager, Norfolk and Western Railway, and Verl Johnson, vice president, Appalachian Coals, Inc. (recently joined Island Creek Coal Co.). The comprehensive report submitted by these men has proven of great help to our export coal trade for it not only showed the potential, but many of the problems.

In connection with these problems, I have had occasion to participate, along with Senator Jennings Randolph and Senator Robert C. Byrd, as well as industry leaders, in a series of high-level meetings. The first of these meetings was with Christian A. Herter, the President's special representative for trade negotiations. Our purpose here was to be sure that coal became one of the key points of discussion in trade and tariff negotiations in Geneva. The second meeting was with Under Secretary of State George W. Ball. It dealt with coal exports in general but with primary emphasis on German import quotas.

Since these meetings, my special assistant in Washington, Henry Barbour, has been working in a three-man committee with Steve Dunn of the National Coal Association and Lawrence Forbes of the Norfolk and Western Railway. This committee has periodic meetings with the Department of State, Department of Defense, and Department of the Interior to discuss developments related to coal exports. In addition, Mr. Barbour, who headed the West Virginia trade mission to Europe, actively calls on embassy officials of coal consuming countries.

EXPORT EXPANSION

On February 19 came the first big breakthrough in coal exports since the start of the late President Kennedy's drive on trade expansion. This was the decision by French as well as Italian interests to build four large coal colliers aimed at loading coal at Hampton Roads.

Attending that meeting in Washington were: myself as Governor, Senators Randolph and Byrd of West Virginia; my Washington assistant, Mr. Barbour; my administrative assistant, Con Hardman; Reed Scollon, chief of the Division of Bituminous Coal, Department of the Interior; Philip H. Trezise, Deputy Assistant Secretary of State; Colonel Young, Assistant Director of Civil Works, U.S. Army Corps of Engineers; and Mr. Forbes.

Representing the French and Italian interests were Raoul G. Duhamel, North American representative of the French ATIC; and Francesco Ferraro, general manager of the Italian Sidermar. ATIC (Association Technique de L'Importation Charbonniere) is the semiautonomous unit that decides on and controls all French coal imports. Sidermar is the steel manufacturing subsidiary of the nationalized Italian industrial complex known as Italsider. It is of particular interest that the French were talking coal for steam purposes and the Italians coal for steel.

Basically, both parties have become convinced that American coal is the answer to their needs both as far as quality and price as well as from the standpoint of long term reserves. This decision was brought about by their independent studies, by the findings of the Nathan Report, by the sales efforts of our West Virginia World Trade Mission, by the efforts of industry officials as well as transportation companies, and by the good offices of our Department of State and the Department of the Interior.

France plans to build two large coal colliers of 82,000 long tons each and drafts of 44 feet 9 inches. Italy plans to build two colliers of 77,500 long tons each and a 42-foot 6-inch draft. As all these ships are being built predicated on loading coal at Hampton Roads, there is immediately apparent the problem of the channel there being only 40 feet deep.

CHANNEL DREDGING

It was for this reason that our special meeting was held as both countries were emphatic in their stand that ship construction plans could not proceed without the firm commitment that the channel would be dredged.

Colonel Young said the Corps of Engineers has known of the need of this dredging for some time. A survey has been funded and completed, and he expects the proposal to be in the hands of Congress by mid-July. Due to the benefit-cost ratio of 5 to 1, it is expected that Congress will look upon the project favorably. Colonel Young further said the overall project could be completed in 5 years, but the crucial outbound channel could be finished in 3 years. The total cost would represent some $26 million of which $7.5 million would be required for fiscal year 1966.

France and Italy realize the channel cannot be completed prior to their ships being in operation, and their budgets figure about a year of sailing with smaller drafts. However, it would represent severe financial penalty if over 2 years were involved. Present ship delivery schedules call for one ship in the winter of 1966 and three ships in the winter of 1967. Consequently, it is crucial that funds be allocated for fiscal year 1966 as otherwise there would be the danger of the shipbuilding contracts being canceled or at least conversion to ore carrying ships.

It is estimated that the dredging of this channel will lead to a yearly increase by 1970 of about 10 million tons of coal exports over what is now being shipped. This would be a boon to West Virginia and Appalachia as a whole. Not counting railway and dock employment, we estimate that this increased tonnage would create over 60,000 man-days of work per year. On a national picture, this would be a great help to our balance-of-payments situation.

Realizing the importance of this dredging project, I have my Washington office working closely with all departments involved. Also, both Senator RANDOLPH and Senator BYRD have their staffs actively at work. Consequently, I am very optimistic that the project will proceed in an orderly fashion and that within a few years our coal industry and coal workers will begin to reap the benefits of this worthy project.

Those of us in the State administration are also active in cooperative efforts with industry officials to hold the line against residual oil imports. We are engaged in continuing attempts to prevent coal markets from being lost to this foreign fuel.

So, as mentioned earlier, coal is very much alive. Just as the industry and labor elements are working constantly to increase the industry prospects, so does the State government of West Virginia. A healthy, prosperous coal industry contributes in a major manner to a healthy and prosperous West Virginia.

DISCRIMINATION AGAINST JEWS BY SOVIET UNION

Mr. BOGGS. Mr. President, we are in the midst of a weeklong national vigil for Soviet Jewry, a protest against the continued discrimination against Jews by the Soviet Union.

The plight of Jews in Russia was emphasized Sunday at a dramatic rally here in Washington. Some 10,000 persons from 106 communities, including Wilmington, Del., gathered at Lafayette Park. Several speakers outlined conditions in Russia.

It is important that attention be focused on this shameful oppression. For that reason I hope the Senate will soon take final action on Senate Concurrent Resolution 17, which condemns persecution by the Soviet Union of any persons because of their religion.

It is my sincere hope that out of this focus of attention will come some easing of the restrictions which are keeping Jews in Russia from maintaining their time-hallowed traditions.

RESERVE OFFICERS ASSOCIATION SUPPORTS S. 9, THE COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, I have spoken before of the unanimous support which the cold war GI bill is rereceiving this year from the veterans organizations and patriotic organizations throughout this Nation.

In the recent hearings before the House Veterans' Committee, Col. John T. Carlton, executive director of the Reserve Officers Association of the United States, testified on behalf of that organization in support of this necessary bill.

To illustrate the excellence of his testimony and the strength of support of the Reserve Officers Association for this bill, I ask unanimous consent that Colonel Carlton's testimony be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF COL. JOHN T. CARLTON, EXECUTIVE DIRECTOR OF THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES, BEFORE THE HOUSE COMMITTEE ON VETERANS' AFFAIRS, SEPTEMBER 15, 1965

Mr. Chairman and members of the committee, we appreciate this opportunity to appear before you in connection with S. 9, a bill "to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period."

There is an obvious national interest, it seems to us, in the purposes of this bill. We earnestly hope the committee will advance it toward enactment.

We have previously testified before Congress in support of like bills which have been considered in previous Congresses.

We come before this committee, whose distinguished chairman, Mr. TEAGUE, and indeed all its members have established a historic record of intelligent and enlightened dealing in veterans affairs—confident of sympathetic, but objective consideration of our views and of this bill.

The cold war in which our country is engaged has for a number of years required our Nation to maintain abnormally large Armed Forces in this country and throughout the world. For those who serve in our Armed Forces, the cold war is just as much a conflict as a declared war. Its requirements upset personal life and involve sacrifices by all civilians who are called to uniformed service in the traditional American manner. To those who have served or are serving in the hot spots of this cold war, the dangers are just as great.

However, even with the great personnel requirements of our Armed Forces during the cold war, the vast manpower pool of this country is such that it is necessary to induct only a fraction of our young men into the armed services. These young men who are inducted and serve their tour of active duty, followed by several years of Reserve obligation, make sacrifices far out of proportion to those who are not called into the service.

One of these sacrifices is, of course, the interruption of the early and formative part of their life careers. They are taken into the service at the age they normally would be pursuing a formal education or technical training. In the meantime, those who have not been called into the service are receiving this education and training and establishing themselves in careers. This gives them a distinct advantage over those whose military service has interrupted these years.

This bill would provide a means by which our Government can at least partly recompense these young men for the sacrifices that they have made.

Senator YARBOROUGH, in his floor statement when he introduced this cold war GI bill, outlined so succinctly the reasons for the great necessity for its enactment, that it would be redundant for us to dwell upon them at any length. We only wish to say that we agree wholeheartedly with Senator YARBOROUGH when he said in his conclusion:

"I, for one, do not believe that the day has yet arrived when citizens who make up our Armed Forces must suffer for their loyalty and willingness to serve. We must begin a program that tells America that the draft law does not cause certain of our sons to lose 2 or more years from their competitive civilian lives, but instead, provides a challenging opportunity for honorable and patriotic service—service that will be suitably recognized and not be a lifetime burden."

During the 1961 hearings in the Senate, Senator WAYNE MORSE, who is recognized as an authority in this field, made a most eloquent and moving plea for support of this legislation. We were impressed by many of his arguments, but I should like to emphasize the principles he enunciated when he said:

"For the benefit of the Bureau of the Budget, and for the Defense Department and the Veterans' Administration, too, may I call their attention to the fact that the greatest defense weapon need of America is to develop the intellectual potential of the youth of America; more important, may I say, than their missile bases; more important than their jet bombers. Yet, we get a report from three departments that ought to be dedicated to the security of this country which shows a gross ignorance as to the need of developing the greatest weapons we have; namely, the intellectual potential of the young people of this country so sorely needed in the decade, the two decades, immediately ahead.

"Mr. Chairman, as vitally important as our military Reserve program is to the defense of the Nation—and I firmly believe in the value of a Ready Reserve to meet any challenge we are called upon to face—I cannot subscribe to the theory that a Reserve obligation assists a cold war veteran in readjusting to civilian life.

"The Active Reserve obligation impedes the cold war veterans' full participation in civil life, which, in turn, again exposes them to unfair competition from their civilian contemporaries. The fact that veterans must discharge a post-Korean Reserve obligation involving drills and other military activities quite obviously enables their civilian contemporaries, by comparison, to make still more gains toward enjoyment of the fruits of our free enterprise society."

Therefore, Mr. Chairman, we would like to conclude our statement by reiterating our support of this most worthy and necessary bill, and urge its favorable consideration by your committee and the the Congress of the United States.

THE WAR ON POVERTY IN PROVIDENCE, R.I.

Mr. PELL. Mr. President, a group of citizens in Providence, R.I., has been quietly engaged upon what might be called their own personal war on poverty. Their efforts to date have been so outstanding that I ask unanimous consent that the following analysis be printed in the RECORD.

One of the city's urban renewal areas abuts one of the city's finest residential areas. As part of the urban renewal program, a new school is under construction, with the student body to be drawn from both sections. The area to be rebuilt has a heavy concentration of Negro families whose children presently attend the T. A. Doyle School and the Jenkins Street School. The community recognized that the students at these two schools will be at an educational and cultural disadvantage when they are integrated with the students from the higher socio-economic levels. To ease the adjustment for these children, a biracial neighborhood improvement group was formed in the fall of 1963. Its performance to date has indeed been impressive. In fact, Dr. Charles A. O'Connor, has written that—

> I have never heard, read or seen a greater example of school and community cooperation than this project exemplifies.

The heart of the plan has been a tutorial program. During the initial period of the project, the second semester of the 1963–64 school session, 150 volunteers worked with 150 students. During the 1964–65 school year, 450 volunteers assisted more than 400 students. The entire budget for that latter period was $7,662 of which $5,000 was a grant from the Rhode Island Foundation and the remainder was the result of individual contributions. The Rhode Island Foundation, after seeing the tremendous achievements that sprang in part from their original contribution, has granted another $5,000 for support of the project during the 1965–66 academic year.

After-school academic tutorial assistance is provided by volunteer students from Brown University, Pembroke, Bryant, Barrington, and Providence Colleges, and Wheeler, Lincoln, and Moses Brown Schools. To meet the individual weaknesses of the children, the tutors work closely with the teaching staff. Success has been such that many parents requested and are now receiving their own academic tutoring in the evening. The adult tutoring program will be expanded this year, with more neighborhood people learning mathematics, English, French, and typing. Educational history was made in this area last spring when Mrs. Iola Mabray became the first of 32 adults participating in the evening program to receive a high school equivalency diploma.

Nor have ingredients other than formal training been neglected. In the Jenkins Street School an 800-volume lending library was established with 30 library volunteers conducting daily library periods during school hours. In the Doyle School a new library has been staffed by volunteers during the day. Evening study halls, too, have been provided, with additional volunteers acting as proctors.

But the program is wider than academic in scope; it has important recreational and esthetic phases. Special trips are made to local points of interest, again with volunteers accompanying the students and supplying transportation. After-school programs are also underway in areas ranging from ballet instruction to ceramics, from sewing classes to woodworking projects. It is as impressive to see 10- and 11-year-old boys carefully operating the woodworking appliances as it is to see the dresses made by their 9- and 10-year-old sisters. Clearly, these children are not only accomplishing something, they are enjoying it.

The academic grades of many of these children have improved markedly. This is heartening. But even more heartening is the improvement in outlook, motivation and attitude. And the volunteers, too, have benefited from their involvement. For certainly individual relationships bring a far greater understanding of a problem than does lending one's name to a letterhead or even making a financial contribution.

Mr. President, it is my firm belief, that it is through skirmishes such as these, coupled with the major battles we have authorized through the Economic Opportunity Act, that the war on poverty will at last be won.

GRANGE LEADER TALKS SENSE

Mr. CHURCH. Mr. President, for nearly 100 years the Grange has been talking sense. This is no less true today than it was in December of 1867 when the Grange was organized to improve the farmer's life.

One of the western leaders of the Grange is A. Lars Nelson, master of the Grange in Idaho's neighboring State of Washington. In the September 11 edition of Washington State's Grange News, Master Nelson talks about local, State, and Federal Government—not with the negativism which is so easy and satisfying for many, but with the realism of responsibility.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PEOPLE—BIG GOVERNMENT

There are some people in our country today who consider government as nebulous and far away, fraught with graft and corruption, an area to be avoided. These same people accept as commonplace and normal a whole host of constantly enlarging and expanding services and costs ranging from the U.S. Post Office—built, financed and staffed by the Federal Government—to the municipal policeman on the beat, afoot, horseback, in the patrol car, or hovering overhead in the helicopter. Further, if a service isn't offered or appears inadequate they ask for its creation—or expansion of an existing function to cover the need.

Government ranges from the preparation and operation of the Gemini capsule and the astronauts in flight to the Moon or Mars with a planned rendezvous in space, in competition with Russia, to the public school or fire alarm box on your street. It may be your State legislature in session—an act of Congress establishing a $6 million intercontinental communications and detection center at Brewster in north central Washington or an appropriation by the Congress for a comprehensive water study in the Eastern United States and the falling of the water level of the Great Lakes.

On the other hand, it may be development of the St. Lawrence Seaway with a vast reduction in shipping costs to and out of the heartland of the United States. Again it may be an appropriation of the Congress authorizing the creation of a dam or series of dams to prevent devastating floods which cause loss in life and property in millions of dollars.

Just a few days ago I saw first hand the ravages of flooding on the limited access 4-lane highway (Interstate 25, running between Denver and Colorado Springs, Colo.), where whole sections were undermined or washed out, leaving major bridges and extended strips of concrete derelict and ruined or requiring major repair or replacement.

These interstate highways are financed on a 90-to-10 ratio—90 percent Federal and 10 percent State, including securing right-of-way. The Governor of Colorado was on the air saying that it was imperative to maintain a special 1-cent gas tax in Colorado and I would agree as to the need. Other officials indicated that Federal funds of $5 to $6 million for agricultural and community rehabilitation and losses sustained were being distributed to people and areas who had sustained appalling losses.

Government is no larger today than burgeoning population requires, people demand, and keeping our position of leadership in a seething, changing, on-rushing world requires. When you pause to reflect it is spectacular and colossal what is taking place from the launch sites at Cape Kennedy—the global communications center at the Pentagon to the variety of decisions required from the President and his aids in the west wing of the White House.

There are few areas of living in the United States in our time that are not affected in some way by city, county, State, or Federal Government as well as international relations.—A.L.N.

MARSHALL UNIVERSITY OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, the action by the Congress in passing the Higher Education Act of 1965, provides prospects of more effective Federal aid to institutions such as Marshall University in West Virginia, which I once attended as a student while it was still Marshall College.

I ask unanimous consent to have a newspaper article, "Marshall Enrollment Zoomed After Name Change," printed in the RECORD.

There being no objection the newspaper article from the Sunday morning, August 29, 1965, Beckley, W. Va., Post-Herald and Raleigh Register was ordered to be printed in the RECORD, as follows:

MARSHALL ENROLLMENT ZOOMED AFTER NAME CHANGED

(By U. Richard Toren)

CHARLESTON.—What's in a name? If you ask the question around the confines of Marshall University you'll get one answer—"Plenty."

Marshall will soon be starting its fifth school year as a university after 124 years as an academy and college. University status was achieved only after a sometimes bitter fight in the 1961 legislature. What's happened since?

Enrollment is up approximately 50 percent, more than the State college average. The budget is up 45 percent, also substantially higher than average.

"I think it (the name change) has given the university some additional status educationally," Marshall President Stewart Smith says.

But Smith is quick to add that "status depends on quality more than it does on a name or size."

"We have been working hard to improve the status of our institution, because the qualification it has is the work that it has done," he said.

Smith and Huntington newspaper editor Raymond Brewster, who served 20 years on the State board of education ending in 1961, were leaders in the campaign that culminated in designation of Marshall as a university.

"There was a considerable body within the legislature and in educational circles who were skeptical of the claims of Marshall for university status," Brewster recalled. "Those were for the most part sincere reservations."

"I think those who held them can today only be impressed by both performance and enrollment at Marshall," he said.

Marshall, named after the great Chief Justice John Marshall, started as Marshall Academy in 1837 and reached college status in 1858. When the legislature granted it university status in March 1961, it had a student body of just over 4,000 and an operating budget of $2.61 million.

The budget for the school year starting in September is $3.79 million. Enrollment is expected to reach about 7,000 counting 6,000 full- and part-time students on campus, 250 each in branches opened at Williamson and Logan in 1963, and 500 extension students.

"Enrollment at most institutions—and it's especially true here—is pretty well regulated by available housing," Smith said. "Dormitory space controls the rate of growth, and we're trying desperately to get financing for a tremendous need.

"As far as finances are concerned, I think there has been some greater recognition by the legislature of Marshall's needs. Whether it would have happened as a college is difficult to say."

How about the sometimes dire predictions of opponents of "U" status for Marshall that it would scatter the State's higher education efforts, maybe hurt West Virginia University, that it was "better for Marshall to be a first-rate college than a second-rate university"?

Smith replied that he considers those objections invalid—then and now.

"Marshall obtained university status because of its different colleges and schools. 'University' described the character of the institution better than 'college' did," he said.

Brewster makes no bones about his feeling that the legislature is not yet providing the support Marshall must have to meet the "opportunity and challenge" presented by the change in name.

Says the veteran newspaperman, who also is president of the Huntington Chamber of Commerce:

"The institution and the staff, despite severely limited budget resources, are meeting the challenge to widen its horizons of service and developing impressively its opportunity to feed in ever-increasing numbers the hunger for knowledge of today's youth.

"That the need existed for another State-supported university has been demonstrated beyond all argument by the fact that Marshall today is literally turning away students for lack of both physical facilities and staff."

Brewster said the answer that "must be apparent to all" is that Marshall must get "adequate financial support."

"To deny the institution such support is to deny the young men and women of our State, and particularly the southern half of our State, the educational opportunity the age in which they live demands," he said.

Brewster said one of the answers to Marshall's problems "is a separate governing board."

"This should be explored without delay, and acted on by the legislature."

While believing that the legislature has not followed through adequately on its commitment to Marshall, Brewster said university status "has unquestionably improved the potential of its financial support from numerous sources other than State appropriations, particularly foundation grants and Federal aid in one area or another."

COMPLETION OF MISSOURI SEGMENT OF INTERSTATE HIGHWAY 70

Mr. LONG of Missouri. Mr. President, this past weekend we marked a major milestone of progress in the development of our Federal highway program in mid-America.

On Sunday, September 19, ceremonies held at Columbia celebrated the completion of the Missouri segment of Interstate Highway 70.

One of the highlights of this pleasant occasion was an address by Secretary of Commerce John T. Connor. Secretary Connor discussed the Federal highway program and its importance for our State in a most informative and thoughtful manner. His remarks were particularly appropriate coming as they did, during National Highway Week. The Secretary's observations on our Federal highway program will, I feel sure, be of interest to many of my colleagues.

Mr. President, I ask unanimous consent to have Secretary Connor's recent address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF COMMERCE JOHN T. CONNOR, PREPARED FOR DELIVERY BEFORE THE MISSOURI GOOD ROADS ASSOCIATION AT CEREMONIES CELEBRATING THE COMPLETION OF THE MISSOURI SEGIMENT OF INTERSTATE HIGHWAY 70, COLUMBIA, MO., SEPTEMBER 19, 1965

It is an honor and a pleasure for me to join you in observing an historic accomplishment with so much significance for the people of Missouri and the Nation.

I think Gov. Warren Hearnes and Mr. Fred Hughes and his colleagues in the Missouri Good Roads Association deserve our appreciation for this occasion they so appropriately arranged.

It is most fitting that we should meet during National Highway Week in the middle of Missouri and the middle of America to commemorate the completion of a major central link in the nationwide Interstate Highway System. And this at the midpoint in the contruction of this system, for shortly we shall have open half of the 41,000 miles of Interstate freeways that promise to bring a new era in highway transportation.

I won't dwell on middleness any longer, though, lest I find myself in the middle of a middle-of-the-road speech.

But I do want to mention one special reason why I am happy to be here in Missouri, today. You see, I have heard a lot about Missouri and its highways from Rex Whitton, our Federal Highway Administrator. Whenever Rex is looking for an example to illustrate a point about highways he likes to refer back to his many years of experience here. And he has been telling me what a good job Marv Snider and the Missouri Highway Department are doing.

So, I thought I would be a Missourian for a day and just let you show me.

Well, you have. And you have every right to be proud of what you have accomplished.

Four decades ago this highway we call Interstate 70 was just being paved for the first time, after having served in bygone years as a major trail for westbound settlers. As U.S. Route 40 it served an increasingly motorized State and Nation, until it could no longer meet the needs of an ever-more-mobile people. And now, in less than a decade you have transformed this once-venerable wagon trail into a modern, high-speed, dual-lane thoroughfare—one of the main streets of the future America.

The scope of this transformation is indeed impressive. Eighty of the 252 miles of I–70 from the Mississippi to the Kaw are on new location. The route crosses the Missouri River twice, and has 46 bridges in all. It has 109 interchanges, 21 separation structures for highway crossings, and 12 for railway crossings. It has cost more than one-quarter of a billion dollars to build Interstate 70 through Missouri—$277,140,623, to date.

But, of course, your State highway department didn't just drop everything else to work on I–70. Before the end of the year, I–44—the old Route 66—will also be a fully divided highway from Joplin to St. Louis.

In 1956, when the accelerated interstate construction program got started, until July 1, Missouri put $651 million to work on interstate projects either completed or underway. You now have 665 miles of your total 1,120 interstate miles open to traffic, and another 100 miles under construction. So, with 59 percent of your mileage open, you are ahead of the national average.

In that same 9 years, I should add, you have put another $529 million to work on Federal-aid primary and secondary roads with regular Federal-State matching funds.

I am sure you can cite many examples of what this investment is doing for Missouri—of how it makes travel faster, safer, more economical, and stimulates economic growth. I–70, for example, cuts driving time between St. Louis and Kansas City to about 4 hours—roughly a 20 percent reduction from the old highway. At the same time, it has increased the route's capacity. Traffic counts show this highway is handling volumes that range from nearly 5,000 vehicles a day in the most rural area to 80,000 a day in St. Louis.

And then there is the enormous bonus in safety. Missouri's latest Interstate Highway accident study showed a striking comparison: A rate of 3.7 deaths per 100 million vehicle miles on your Interstate routes compared with a rate of 12 on the existing highways before the Interstate was opened. Accident and injury rates also were cut to a third or a fourth of what they had been.

So, you are accomplishing much in your highway program, and I know you will continue to do so.

Such a record of achievement gives real meaning to President Johnson's proclamation of National Highway Week "in recognition of the importance of highway transportation to the social and economic progress and defense of our Nation."

When Congress set up the 16-year program for building the Interstate System, and for Federal financing of 90 percent of the cost, President Johnson was Senate majority leader. He said at that time, in July 1956:

"Evidence is mounting daily that the Federal-Aid Highway Act recently enacted by the Congress is one of the most far-reaching legislative measures ever to come out of this body.

"New highways always result in the establishment of new businesses. Intensive industrial and commercial development accompanies the construction of controlled-access highways, such as those that will comprise a large part of the completed Interstate System.

"We cannot depend on the roads of yesterday to carry the motor traffic of today and tomorrow. Fortunately, we have a highway construction industry capable of carrying out this expanded program—promptly, efficiently, economically. We have in my own State—and I know in other States—a highway department that understands how to get the job done. We are on our way with a king-sized road construction program that will benefit all the people of the United States."

Interestingly enough, within weeks of that statement the first interstate construction contract was let for Interstate 70 in St. Charles County, Mo. And not surprisingly, to those who know him, the chief engineer who was ready and eager to get on with that job was Rex M. Whitton.

This is the first highway dedication I have participated in since I became Secretary of Commerce, and I think it's most appropriate that the ceremony is for a highway in Missouri. Rex Whitton was born and educated in Missouri, and began his professional career in the Missouri State Highway Department 45 years ago. I might add that he literally got in on the ground level, as a member of a survey party. It was also in Missouri that he met his wife, Callie Maud.

The qualities of character and intellect that Rex Whitton has drawn from the soil of Missouri have served him well in his present job as Federal Highway Administrator. They have also served the Nation well. Coordinating this vast, national undertaking demands commonsense, hard knowledge, the ability to reason together with other people, and a certain amount of sincere skepticism. Rex Whitton brought just the right balance of these qualities from Missouri to the Nation's Capital, and the Interstate Highway System is all the better for it.

Rex Whitton's career, spanning State and Federal service, reminds us of the real key to the success of the Federal-aid highway program, and that is State and Federal cooperation. As President Johnson has put it: "Today, as never before, the Federal, State, and local governments are working together to meet the highway needs of this Nation on wheels."

This partnership of governments embarked on the largest peacetime public works program in history 9 years ago. Let us take this occasion to see how far we have come.

Since 1956, interstate work costing $23.3 billion has been completed or undertaken, with the Federal Government paying 90 percent. Some 19,729 miles of the Interstate System now are open to traffic. Another 6,210 miles are under construction, and about 11,678 miles are in the engineering and right-of-way stage. So, according to most measures that can be used, the interstate program is on schedule.

During this same period, since 1956, progress also has been made on improving our primary and secondary roads—that is, our basic highway network on which Federal aid is on a 50–50 matching basis. Improvement or new construction has been completed or undertaken on 208,000 miles of the primary and secondary systems, at a total cost of nearly $19 billion.

Think of where we would be, for instance, if we had not put $42 billion into Federal-aid highways since 1956. During these 9 years of accelerated construction, the number of licensed drivers has increased 30 percent, the number of vehicles 38 percent, and the vehicle mileage 38½ percent.

The outlook for the coming decade is equally impressive. Today we have 100 million drivers and 90 million vehicles, traveling 870 billion vehicle miles a year. In 1975, it is predicted we will have over 125 million drivers and 116 million vehicles, traveling more than a trillion miles a year.

It is obvious that we must think big if we are to meet our responsibilities for the Nation's economic and social progress. We need not be timid in this task, for our highways are part of the fabric of a dynamic and powerful economy. It is an economy powered by research, by technical progress, by innovations in marketing and distribution, and by free and vigorous competition.

It has a giant's strength. The new thing is that we are learning better how to utilize and balance that power, so that we can move forward with sustained speed and drive.

It is an economy that meshes together all the productive elements of our society—business, labor, the professions, agriculture, and Government—in a dynamic balance of forces. To operate at maximum efficiency, this economy must have a first-rate transportation system, and I think it will have, because it has the ability, the resources and the will to meet its needs.

I have been talking about how highway improvements serve the Nation, but there are many direct benefits accruing to the individual highway user. These are the savings in travel time, in operating costs, in accident costs, and in comfort and convenience that mean dollars and cents to the motorist or the trucker.

It has been estimated by the Bureau of Public Roads that these benefits resulting from use of the Interstate System now open to traffic will save the users $3.4 billion during 1965. And that is more than the Federal and State Governments are spending on the interstate this year.

What is more, the Bureau's study indicates that user benefits will total $11 billion annually after the Interstate System is fully open. At this rate, users would recapture their entire investment in the system—which is expected to cost $46.8 billion—in a short period of years.

It is evident that highway users, who pay for highway improvements through special taxes, derive substantial dividends in direct benefits.

But an even more important benefit is the saving in lives and disabling injuries. Studies show that the Interstate Highways are two to three times safer than conventional roads. They show that this year alone 3,500 persons will survive who would have been killed if they had been forced to travel on conventional roads. It is estimated that 8,000 lives a year will be saved when the entire system is completed. So, for every 5 miles that are completed on the interstate, we will save, on the average, one more life a year.

The importance of this safety dividend cannot be overstated. The recent increases in our traffic death toll have shocked many Americans and have prompted justifiable demands that more be done to reduce this intolerable waste of our human resources. The record loss of 47,700 lives in traffic accidents last year and the prospect of even more deaths this year speak for themselves with compelling urgency.

There is, of course, no single answer to our traffic safety problem. But some of the most productive approaches lie within the scope of the highway engineer. And I want to commend the engineers for doing something about safety, while many others just talk about it. The Interstate System is the best illustration of how safety can be engineered into a highway to help all drivers avoid accidents.

Following the same approach, much can be done to rebuild more safety into our less modern roads. We need to make a really substantial effort to apply the knowledge we already have to eliminate the hazards that jeopardize the motorist on our existing roads.

As you may know, I have orders from President Johnson to encourage and assist the State and local governments in this undertaking through the Federal-aid highway program. About 350 such spot improvement projects have been initiated nationally since this program was launched in April, 1964. But we need to double and redouble our efforts, in view of the proven value of these improvements in reducing accidents.

Missouri, I am happy to report, topped all the States in the number of projects scheduled during the first year of the program, with 28 projects at a total estimated cost of $2 million.

Meanwhile, we must look for new answers to the safety problem, and the Bureau of Public Roads is now engaged in an expanded safety research and development program, the objective of which is to find new ways to help all drivers in this demanding job of operating a motor vehicle safely. The Bureau is seeking the cooperation of all the States in applying some of their Federal-aid research and planning funds to this endeavor.

Highway safety is, of course, primarily a State responsibility. Congress recently expressed its desire that all States adopt comprehensive safety programs, and designated the Secretary of Commerce to formulate standards for such programs. I am confident that all States share the concern of Congress over improving our safety record, and I look forward to cooperating with Missouri and the other States in this effort.

The increasing preoccupation with highway safety is an indication of the preeminent role of the motor vehicle in our lives, as individuals and as a Nation.

We spend a sizable part of our daily lives on the road. Just consider these facts: 82 percent of commuting workers use automobiles as their means of transport; 82 percent of vacationers use their own car for transportation; 89 percent of all travelers use automobiles for out-of-town trips; 78 percent of all families own automobiles, and 23 percent of these have more than one automobile.

In addition to our dependence on highways for transportation, a large number of us depend on them for a livelihood. Highway transportation accounts for one of every six businesses and one of every seven jobs in the United States.

Along with the awareness of the vital role of highway transportation have come changing concepts of how highways can best serve the Nation's economic and social interests.

Highway engineers are responding to these changes. While still recognizing that the basic function of our roads and streets is the transportation of people and goods, they are giving increased attention to the esthetic, cultural, historical, recreational, and social values so important to our way of life.

The fact is that much of what we see of our country we see from the highway. Recognition of this led President Johnson to initiate his highway beautification program. It is obvious from the warm response to his program throughout the country that many persons are concerned about the ugliness that too often blights our roadsides, and they welcome the President's leadership.

By carrying out his program we can do much to restore, preserve, and enhance the natural beauty of our country. We can provide attractive landscaping, control billboards, screen or remove junkyards and other unsightly areas, and add new rest areas and scenic viewpoints along our major highways.

The support highway builders have given this program is most gratifying. On Missouri's Interstate 70, for instance, two landscaping projects have been completed, one in St. Louis and one in Kansas City, and another is now underway in Jackson County. And I understand that Missouri has more than 30 interstate rest areas now in planning, with some under construction.

Related to this effort to make the time we spend on highways more pleasant and more rewarding is the growing interest in scenic and recreational roads. After all, driving for pleasure is America's favorite form of outdoor recreation. It accounts for 34 percent of all automobile travel.

To find ways to meet the desires of our people for better access to scenic and recreational areas and more enjoyable motoring, a scenic roads and parkways study now is being completed in the Department of Commerce. It will soon be submitted to the Recreation Advisory Council, which is a Cabinet-level group reporting to the President, and may form the basis for legislative recommendations next year.

This study is bringing together the proposals of each of the States and blending them into a potential national program.

I stressed earlier the vital contribution of Federal-State-local cooperation in meeting the challenges of highway transportation. Cooperation has been and continues to be a prime requirement in providing this Nation with the best highways in the world. It is a key element in solving the problems of highway safety, and of our congested urban areas. It enables us to satisfy the public desire for highway beautification and for recreational and scenic roads. And cooperation is just as essential in planning ahead for the future of highway transportation.

Even today, while we are engaged in an unprecedented roadbuilding program, we must look to the years beyond the completion of the Interstate System. Our dynamic society, and our equally dynamic economy, will not stand still. To fail to anticipate our needs would be an invitation to economic chaos and disaster.

In planning for the future we must consider every possible mode of conveyance of people and goods, particularly in our urban areas. Highways must be viewed as part of the total transportation system. But while they are not the sole answer, they undoubtedly will continue to fill the major role in serving our total needs.

It is important that we get together at all levels of government and take stock of the highway needs that can be anticipated after the present interstate program is concluded. This we are now doing. Under the Bureau of Public Roads, a continuing nationwide study of prospective highway needs for 20 years in the future is now underway. Information for this study is being gathered by the State highway departments in cooperation with city and county governments.

All types of roads and streets, regardless of their classification as Federal-aid, State or local, are being included in the study, making it the most comprehensive analysis of highway needs ever undertaken. And a special analysis is planned for urban areas, where the needs are most critical.

Congress has asked for the first report on this study in 1968, so that it can provide for a continuing program that can be carried on without delay after 1972.

At the same time, the Commerce Department and the Bureau of Public Roads are conducting long-range research into possible technological developments in order to anticipate changes in vehicles, highways, or individual transportation systems generally.

On this occasion, when we look back with pride on what we have accomplished, and as we look ahead with confidence that we can meet the challenges of the future, we are doing honor to our country—for Interstate 70 is a monument to our system of government, and a testimonial to our vigorous free-enterprise economy working within that system.

This system of government and our free enterprise economy have given America great power and world leadership. And they give us the confidence to lift our eyes to new horizons, to plan and build a better world for ourselves and our children.

Interstate 70 is a major contribution to this better world. May it serve you well.

ATHENS' BILL KUGLE VISITS GUADALUPE MOUNTAINS, WRITES OF BEAUTIES AS A NATIONAL PARK

Mr. YARBOROUGH. Mr. President, in urging that the Guadalupe Mountains in west Texas be made a national park, I have found it difficult to do justice to this beautiful region with verbal description. My task is lightened somewhat by a recent article which appeared in the Athens (Tex.) Daily Review of Thursday, September 16, 1965, entitled "Guadalupe Trail Ride Thrills Athens Family."

This article was written by Athens Attorney Bill Kugle who rode through the mountains with his family last Labor Day weekend. His accurate descriptions of the beauties and interests which are held captive by the Guadalupe Mountain area are enough to convince everyone of the necessity for this area to become a national park.

To illustrate the wondrous attractions of the Guadalupe Mountains, I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUADALUPE TRAIL RIDE THRILLS ATHENS FAMILY

(By Bill Kugle)

The 72,000-acre Guadalupe Mountain Ranch owned by J. C. Hunter, Jr., of Abilene, will very probably become a national park within the next year or two. The sooner the better because this is beyond any question the most beautiful and exciting area I have ever seen. I have been in every corner of Texas including the Big Bend and in my opinion the Guadalupe Mountains are without parallel. I have gone through the canyons of the Big Bend in a rubber boat, but crossing the Guadalupes on horseback was the high point in my life.

My family and I, together with Senator Don Kennard and family, were the recipients of an invitation from J. C. Hunter, Jr., to visit the ranch over the Labor Day weekend. We were accompanied by Wayne Brown, news cameraman from channel 5 in Fort Worth, who filmed the ride over the mountains for use on the Texas news.

The ranch lies in Culberson County on the New Mexico border. The traveler on the highway between El Paso and Carlsbad is treated to a view of El Capitan, the sheer 8,000-foot cliff which is the end of the Guadalupe Range. Just beyond El Capitan from the highway is Guadalupe Peak, the highest point in Texas at 8,751 feet.

Hunter's lodge, where we stayed, is at the lower end of McKittrick Canyon. The ranch headquarters is about 15 miles away just below Guadalupe Peak. We arrived at noon on Friday and were greeted by Hunter and his foreman, Noel Kincaid. Kincaid, who is in his forties, was born and has lived his life in the Guadalupes. He also is justice of the peace in the precinct in which the ranch lies. There are approximately 50 voters in the precinct. Kincaid was elected by write-in about 10 years ago and his constituents will not let him retire. Recently Supreme Court Justice William Douglas visited the ranch and there was much comment about having two Justices—Kincaid and Douglas—present.

After lunch, Hunter led us all on a hike up McKittrick Canyon. The canyon is indescribably beautiful and there flows therein the only trout stream in Texas. The rainbow trout were plainly visible along the hike. The canyon has been maintained in an unspoiled condition. No stock has been permitted to graze there. The hike became strenuous at times and the wives were ready to turn back after a 2-mile climb up the canyon. We arrived back at the lodge where Kincaid had prepared an excellent meal, including bread which he had baked. I got his recipe together with a starter for sourdough pancakes. Hunter said the sourdough starter was more than 80 years old and had come from Alaska. If you know anything about sourdough pancakes then you know that without the right starter you are wasting your time. Hunter told us about a newspaper man from Houston who visited the ranch and left with a small jar of starter. He was traveling by bus and the bus broke down close to Van Horn. The weather was warm and the starter got to smelling so strong that everybody on the bus started complaining. The driver thought there was a dead body on the bus and commenced looking for it. Finally it got so bad the newspaperman smuggled the sourdough starter off the bus and hid it behind a sign.

We were treated to sourdough pancakes a la Hunter the following morning and they were great. After breakfast Hunter, Kennard, Brown, and my daughter Kandy and I left by pickup for the ranch headquarters where Kincaid was waiting with the horses. Hunter had said the ride was too dangerous for women or children, but Kennard persuaded him to let Kandy go, assuring him that she was a better rider than the rest of us. En route to the ranchhouse we stopped several times to photograph mule deer and wild turkey. We got away about 8 a.m., with Kincaid leading the way on a mule named Wino. Brown rode a mule and the rest of us rode horses. I rode a grey horse named Bandito and I learned to love him. After he got me down off the mountain alive I hugged his neck. I wished there were something nice I could do for him.

For 2 hours we climbed the mountain via a canyon which slashes into the range between Guadalupe Peak and Pine Top. I would not have believed that horses could have climbed straight up a canyon wall if I had not seen it. Only horses raised in the mountains can do it. It readily became apparent that our lives were in the hands (or more correctly the feet) of our horses. If they hadn't known their business we would have toppled off the canyon wall to extinction. After reaching Pine Top, we stopped and took pictures. If the pictures are good I will have some priceless movies and photographs. From Pine Top the Davis Mountains, 200 miles to the south, are visible. During the 2-hour climb to the top of the mountain it was necessary to rest the horses every few minutes. We gave them a good rest on top and rested ourselves as well before continuing. At this point we were over 8,000 feet high and had an excellent view of Guadalupe Peak just across the canyon. I assumed the worst part of the trip was over after reaching the top, as my heart had been in my throat most of the way up. There were countless places on the climb where the slightest misstep would have sent horse and rider over the side into the canyon. Little did I know that the ascent had been childsplay compared to what was to come.

From Pine Top we descended a few hundred feet to what is known as the bowl. The bowl is actually a bowl-shaped area within the mountains, with the rim of the bowl being the mountain ridges. The bowl is a wonderland of lush vegetation, including Ponderosa pine, madrones, ash, alligator juniper, weeping juniper, etc. It shelters the only herd of elk in Texas. We saw elk on two occasions. The first time Kandy and Kincaid saw seven at very close range. The rest of us were playing with a porcupine and missed this bunch, but later we saw two enormous bull elks at some distance. We were able to watch them for several minutes. We saw mule deer at practically every turn. Kincaid caught a fawn and Kandy held it while we took her picture. We then took movies of the fawn running away.

Words fail me in describing the bowl. One writer who had been there called it a Shangri La and this term is not inaccurate. It is almost inconceivable that these rugged mountains could conceal such incredible beauty. The ride through the bowl was extremely pleasant. The terrain was smooth and not rocky. It was possible to relax and absorb the beauty of it all.

When this area becomes a national park many people will have an opportunity to see it, but I think it will always be a considerable undertaking to get there. Even when the Park Service constructs a footpath up the mountain, it will be a tough climb. I hope that no one ever succeeds in getting a motor vehicle into the bowl as it should never be defiled by a gasoline monster.

Noel Kincaid showed me a site where a B-29 crashed during the war. We didn't actually visit the spot of the crash which was across a canyon from us. Parts of the plane were visible however. The plane crashed while there was snow on the mountains. Five months later in the spring of 1944 Kincaid brought the five bodies out on horseback. Altogether Noel has packed 13 bodies—all victims of plane crashes—out of the mountains.

We ate lunch in the bowl at a place where Noel and Hunter had once made a camp with a tent. A bear had torn the camp all to pieces, ripping the tent to shreds. Noel had set a trap for the bear and I almost sat down in it before he caught me. I doubt that having my posterior caught in a bear trap would have enhanced my enjoyment of the trip.

On the far side of the bowl we began to climb again onto the north rim of McKittrick Canyon. After climbing to a point from which we could see a great part of New Mexico, we descended again into a saddle which led into a peak from which we could see the top of the lodge about 2,500 feet below. The descent into the saddle was the most frightening part of the trip. We descended along a sheer wall where there was no obvious trail. The horses seemed to be doing a human fly act. As we got down onto the wall it appeared that there was a trail of sorts which switched abruptly back and forth across the canyon wall. The horses would stop abruptly with their heads hanging over space and pivot on the switchback trail so that their rumps would then be hanging over space. I wanted some movies badly but I was afraid to reach into my saddle bag for fear that my slightest movement might send my horse and me plunging through 2,000 feet of space. The horses proved themselves. They never faltered and this is why I said earlier that I learned to love Bandito. But the animals are not infallible. Kincaid and Hunter told us about a mule falling off this trail some months before. Fortunately no rider was on the mule at the time. Miraculously the mule survived. Noel crawled down several hundred feet to where the mule had stopped rolling to cut the saddle off. When Noel got there the mule was standing up—very sore and missing most of his hide, but nevertheless alive.

As we crossed the saddle we were on a narrow ridge across space from which we could look down on both sides for 2,500 feet. At this point Hunter told Kandy that the worst was yet to come. He was joking. The worst was over. Later that night back at the lodge, Kandy told me she felt like crying when Hunter told her the worst was to come. If I had heard him I am sure I would have cried. I have made parachute jumps and shot rapids in small rubber boats along with a few other exciting things, but this ride across the mountains was the ultimate thrill for me.

We then began a slow descent into the canyon. From the time we spotted the top of the lodge the descent took 2 hours. At one point Hunter instructed us to get off and lead our horses. The trail along the canyon wall had been made by laying a pine log from one rock to another and filling in the space with gravel. The pine log had been there for 30 years or so and was due to rot out. When it does a horse is going over the side—or perhaps the man leading the horse. It held this time. Incidentally, this trail was first made by a cowboy named Jess Parris, who worked for Hunter's father many years ago. The ranch was first acquired by J. C. Hunter, Sr., in 1927. Hunter told me that no more than 25 people have made this trip since Jess Parris made the trail. We counted ourselves fortunate indeed to be among the 25. I told Kandy that I had lived 40 years to make a ride like this and that she was indeed fortunate to do it at age 17.

We were in the saddle about 8 hours and covered the longest 15 miles I ever traveled.

I have said that this area will become a national park soon. Bills are pending in the House and Senate to accomplish this purpose. The Senate Committee on the Interior recently acted favorably on the bill. Senator YARBOROUGH strongly favors it and is the sponsor in the Senate. Senator Kennard was the sponsor of a successful resolution in the State senate which put the State of Texas on record in favor of the project. J. C. Hunter, Jr., has given complete cooperation to the Department of Interior since this Department became interested several years ago. He has expressed his willingness to sell the land to the Government at an extremely reasonable price. Hunter is a conservationist who genuinely wants to share this wonderland with the public, while being certain that it will truly be conserved. Hunter is a true gentleman in every respect. Kennard and I agreed that you couldn't search the world over and find two better fellows to go over the mountain with than Hunter and Kincaid.

THIRTY-THIRD ANNUAL KFEIRIAN BROTHERHOOD REUNION

Mr. BYRD of West Virginia. Mr. President, on September 4, 5, and 6, 1965, the Kfeirian Reunion was held in Beckley, W. Va. I was present at the grand banquet in the Beckley Hotel ballroom on Sunday evening, September 5, when Gov. Hulett C. Smith, of West Virginia, spoke to the descendants of the Lebanese immigrants to the United States who were present for the 33d annual Kfeirian Brotherhood Reunion. I was pleased to be able to add my own congratulatory remarks to those of Governor Smith.

The Lebanese migration to the United States began in the middle of the 19th century when the pressure of population on resources forced the people to seek new places in which they could earn a living and care for their families. The influx to this country had its high point from the 1890's to World War I. As of 1960, there were 400,000 people of Lebanese extraction in this country—more here than anywhere else in the world outside Lebanon. According to Philip K. Hitti in his treatise, A Short History of Lebanon, "Not only did the Lebanese discover America but they sold it to the rest of the Arab world and supplied it with the largest contingent of emigrants."

While most emigrants left Lebanon with the intention of later returning home, they have actually stayed in large part and provided many well-known and outstanding citizens to this country. Examples are the comedian Danny Thomas, the famed heart surgeon, Dr. Michel DeBakey, who appeared on the May 28, 1965, cover of Time, Najeeb Halaby, who is noted for his Government service, and another noted surgeon, Georges Hayek; and many Americans have read the world famous book, the Prophet, by the native Lebanese Kahlil Jibran.

Although they are credited with assimilating easily into the American community, the Lebanese did bring many of their old ways with them, especially in cuisine, religion, et cetera. Some of the oldest papers established for the Lebanese-American community are still in operation in Arabic. Most of the immigrants were Maronite Christians.

The Lebanese have mainly settled in urban areas. The largest concentrations are in New York, Detroit, Boston, Philadelphia, Pittsburgh, St. Louis, San Francisco, and Los Angeles. However, they are settled in all parts of the country, and West Virginia has a large, progressive group of citizens of Lebanese extraction.

The village of Kfeir is located in southern Lebanon very near the Syrian border. It was in Syria during the days of the French Mandate, but was placed in Lebanon when the present borders were established during the Second World War. It is the birthplace of the noted Arab statesman, Faris al-Khouri, and his brother, Fayez, who was once ambassador to the United States and to the U.N. While Syria claims that Faris al-Khouri was a Syrian, Lebanon claims him because of the present location of Kfeir.

Included in the program of the 33d annual Kfeirian Reunion was a statement on the activities sponsored by the Kfeirian Brotherhood, prepared by Mr. Sol N. Steffan of Williamson, W. Va., "Kfeirians—Look Forward."

I ask unanimous consent to have it printed in the RECORD together with a copy of the remarks by Governor Smith.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

KFEIRIANS—LOOK FORWARD

(By Sol N. Steffan, Williamson, W. Va.)

Thirty-three years ago, the Kfeirian Reunion was founded for the purpose of getting acquainted and meeting old friends, and that our children who were born under the skies of liberty will know each other, particularly their genealogy and where they came from. Membership in the reunion is for immigrants from Kfeir, Lebanon, and their descendants by blood or marriage. There are no dues whatsoever other than volunteer contributions.

The following projects were accomplished by the reunion:

A water system in the Kfeir.

An electrical system in the Kfeir.

A road leading to the Kfeir.

A junior college was also established, in addition to material assistance.

All this was done by having assembled for 2 enjoyable days, with one another annually.

Incidentally, few other individuals contributed to Kfeir because of the existence of the foundation, such as a city hall building, house to the church, church improvements, and so forth. Also it is a known fact that the foundation has no organized club officially in Kfeir to communicate with. At the present time, the foundation does not respond to individual requests. A request must be made collectively by an official club or organization.

In 1948 the reunion became a foundation under the laws of the State of Ohio. It is a nonprofit organization for the purpose of rendering assistance to Kfeirians wherever they may be, after which a scholarship fund was established.

Now, we the "oldtimers" of the reunion pray and hope that the Kfeirian descendants, particularly the native born will support and activate this foundation for the purposes intended as prescribed by its bylaws—looking forward to improve the education, the cultural, and the fellowship tie which makes us all progressive citizens of our democracy.

The foundation's success in the future depends largely on the descendants of the Kfeirians—and remember that your genealogy will lead you back to the Phoenician ancestry which you should always be proud of.

We should be thankful to God that we are Americans, and able to organize for the betterment of ourselves in this great democracy of ours.

Always believe we have seen the past. We know today, and have no fear of tomorrow—because yesterday is but a dream and tomorrow is hope. But today well lived will make yesterday a dream of happiness and tomorrow a hope of reality.

Look forward—Kfeirians.

EXCERPTS OF REMARKS BY GOV. HULETT C. SMITH, 33D ANNUAL KFIERIAN REUNION, BECKLEY, W. VA., SEPTEMBER 5, 1965

It's a real honor to be here with his Eminence (Most Rev. Antony Bashir, archbishop), and to be able to talk with him about his diocese, and the area that it covers, and the efforts that are being made by all of you in the areas of education and better understanding.

Then, of course, it's an honor to be on the same platform with our distinguished Senator from Raleigh County, and Senator from West Virginia, who has made such a wonderful name for himself and put our State on the map—Senator BYRD. BOB and I have been friends for many years, and to have followed his career as many of you have, is a real tribute to one whom you could point to as being very, very successful in his endeavors, and in his interest in the people of West Virginia. And I'm just delighted to be here with Senator and Mrs. Byrd tonight.

But tonight, I could not help but think that perhaps this is not necessarily the occasion for pleasantry. Because tonight, this reunion, which attracted people to West Virginia (for a homecoming perhaps, as a get-together from all parts of this Nation—from South Dakota, and California, and Michigan, and Ohio, and New York, as well as our sister States and West Virginia)—helps us to face the facts; the fact that we are getting older.

We have seen the world around us for many years, watching it develop and watching it change.

And those in this room, as well as myself, have seen the changes of the past 30 years: a hopelessness of a depression, the problems of war, whether it be a hot war, or a cold war; the development of atomic power; the spirit of West Virginia, a State that was determined to get on the move again—and the spirit of West Virginians, as they came off the flat of their backs, having been knocked there by automation, and the decline in the coal industries and many of the State's industries—to recover economically—and so greatly—within a period of 5 years.

This is a State of West Virginians determined that this State will move again. We've all seen these things—and we've seen these rapidly moving times. Honestly, to keep pace with them sometimes taxes the brain.

I was wondering the other day, as I thought about it—do you realize that in the Gemini 4 shot, Major White walked across this Nation in a matter of 18 minutes? Actually, when he was out of the space capsule, he was walking—and he walked from Catalina Island to the Bahamas in 18 minutes.

You put things of this world, changing so rapidly, into the perspective of walking, and somehow or another the mass of change and speed of change facing this Nation comes home a little more strongly than it would otherwise.

And we recognize the fact that sometime next year, this Nation will probably launch a Saturn booster with an Apollo capsule—and that booster is as tall as the Washington Monument. This, somehow, makes you dwarfed in your thinking.

But yet, along with all of these things, we have seen that to keep pace is our job. And it was learned that it is necessary for us to keep in touch with whatever small incident might occur, in such a small country as Lebanon, or any other small county—and how it can change the course of history.

Here, in West Virginia, we saw how it occurred in the battle of Point Pleasant. It changed the course of this Nation.

It occurred when Henry Ford had his first automobile to move, and he recognized the fact that this was a vehicle that should be available to everyone in this country, and in the world—and with that, this country changed.

It changed in this world, when someone decided that it wasn't necessary to defend the Rhine—or that we could be better served by abandoning Czechoslovakia.

It happened, too, when Einstein put the finishing touches on his formula; his equation.

And this same fact is happening in this world today, in the small, yet large, country of Vietnam. This one small nation, if it were placed on the map of the United States, might extend from Washington or Baltimore to the tip of Florida. Yet located far away, it can and has become one of the most important battlegrounds for freedom in our generation.

A mother in Pleasantville, N.Y., recently sent President Johnson a letter from her son that he had written her from Vietnam.

He said it was "maddening" for the troops to come in from battle and hear the cries of protest—marches by modern-day beatniks, in protest of the Vietnam policy of this country. And he wrote his mother and said, "It's easy to sit in front of the ol' TV, and say to hell with Vietnam, but then," he said, "I don't think that anyone over here feels that way. And it's disheartening to know so many back home do."

"If we say to hell with Vietnam," he wrote, "we might as well say to hell with southeast Asia, Europe, Africa, and then, maybe, to hell with freedom."

That GI—in typical GI language—has illustrated in his own way, the importance of our role in Vietnam today.

That war is not our war, to be sure. It is guided by North Vietnam, and is spurred on by Communist China.

But if it is not our war, then why are we there?

We're there, because as President Johnson has said, "we have a promise to keep." And since 1954, every American President has pledged this country's support to the people of Vietnam, and that support has but one goal: to help South Vietnam defend its independence.

And that's the same goal we've had in Europe; the same goal that this Nation has always expressed: to help man attain his inalienable rights.

We don't want things for ourselves; we just want freedom for all men, whether they be in Vietnam or East Liverpool, Ohio. And we want this without bullying tactics by Communists; without kidnaping by Communists; without threats by Communists; and without murder by Communists.

This Nation has learned a lot by bitter experience; this world has learned a lot. It has learned, because we did not halt the march of Hitler, the march of Hirohito, the march of Mussolini, in time. We must not fail to halt the march of Ho Chi-Minh and Mao Tse-tung.

If the United States does not or will not join in the effort to save South Vietnam today, then basically no nation, European or Asian, would again feel safe by putting its faith in the United States.

And this would be the greatest calamity of our times, because it would only be a matter of time before we would see southeast Asia fall completely under Communist domination.

And it's a threat to every man, woman, and child in the United States, just as much as it is a threat to the people of South Vietnam.

As President Johnson has said, "Our power is the shield"—the shield for America.

Many have said we should withdraw. This would bring neither peace nor victory. But it would bring about a serious shift in the balance of world power—a shift against the interest of the free world—a shift that President Kennedy, in the determination of October of 1962, prevented with the Cuban quarantine.

There's a great deal at stake in this war, and no matter what anyone says, it's important to everyone in this room—particularly at a meeting dedicated to youth—to think what we could bring upon ourselves by failing to live up to our obligations.

So, where do we go from here?

There is only one path to take—the path for reasonable men. That is, to determine and bring about as best as possible and as quickly as possible a peaceful settlement, and one that can only come about when the Communists know, as we do, that a violent settlement will be impossible. Then, the peaceful solution is going to be inevitable.

Recently at the White House, President Johnson told us, when the Governors were gathered there, that America is willing at any time to go from the battlefield to the conference table, and begin unconditional talks with any government on the matter of Vietnam.

At that time, 15 efforts had already been initiated. And for 15 times, "No" had been the answer.

Yet, as the President has said, "we shall persist," and we shall bring about the end of this dreadful war.

You may wonder why I chose to speak to you on such a subject quite so serious as Vietnam.

The answer is obvious, if you'll just think about it. We as West Virginians, and you as our guests from out-of-State, have seen those fighting men go off before. At this very moment, West Virginians are fighting in South Vietnam. We have had our tragedies in the State, and many of you from other States have seen it also.

Yet, we in West Virginia must recognize that these young are not suffering alone. They want us to know why we are fighting as the battle rages on, and as tiny Vietnam goes on through its time of trial, we must recognize that these men are fighting for us—and for our freedom—and for the freedom of the world—and for the freedom of the youth to which this program is dedicated.

This generation has a choice. It has a choice to destroy or build—kill or aid—hate or understand—and through understanding, bring about peace, and recognize the true meaning of the phrase that we've all been taught for so long, "Love thy neighbor as thyself.'

We can do all these things on a scale never dreamed of before: We can either destroy or build; kill or aid; hate or understand, on the same scale that we can build a rocket—or send a rocket to the moon—or photograph pictures of Mars, and transmit them back by means of computers.

We recognize that this Nation has the power and the ability to do all of these things. But sometimes we fail to recognize that this Nation also has the future and the ability and the strength to bring about peace in the world, and to determine—through our own actions—to lead this world on a course of understanding and love for our neighbors.

I know how this Nation shall choose—and so do you.

We will choose to understand, and to fight for peace.

And as we do so, we'll rededicate this meeting to the youth—and our lives to our young people—so that they, too, will enjoy the fruits and benefits of a young nation, and will be able to come home—as Senator BYRD has said—to friends.

THE OPERATIONS OF THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. MUSKIE. Mr. President, the Office of Economic Opportunity, somewhat in the manner of Caesar, frequently finds its shortcomings very much alive in the front page headlines, while the good it does is interred in fine print on the back pages.

In the past few days, I have received a letter from a young participant in the work-study program at the University of Maine, and a newspaper clipping from Bridgton, Maine, listing the astounding number of projects completed over the summer months by the community's Neighborhood Youth Corps.

Both are eloquent testimony to the good that OEO programs are doing. And I am confident that this good will survive in the full, productive lives which OEO programs have opened to so many of our young people.

I ask unanimous consent that the letter from Mr. John M. Gooding and the article from the September 9 Bridgton News be printed in the RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

BANGOR, MAINE,
September 11, 1965.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: My name is John Gooding and I am a sophomore at the University of Maine. I have been employed on the work-study program, of the Office of Economic Opportunity, since it was established at the university in February of this year. Knowing you were influential in setting the work-study program up, I wanted to report to you just how this thing is working out from the grassroots level.

First off let me explain a little about my background. I am a native of Bangor, 22 years old, ex-Marine, self-supporting, and am going to study medicine after the University of Maine (also must brag and tell that I am a dean's list student). When I started school last fall, I was employed part time at the Y.M.C.A. in Bangor as a physical instructor. As the Y could only allot so much money in funds for employees, my time working there, for the most part, was spent instructing businessmen's classes. However, I did have a few youth groups for gym and swim classes.

At that time, I was the only other physical department employee, other than John Coombs who heads up the whole department. The classes we had were about 60 to 70 boys, ranging from 8 to 12 years of age. With just the two of us, it was more or less a wild scramble, almost out of control, but at least the boys were having fun and burning off energy. All this time, with what the Y could afford to pay me, I was just barely able to survive. When the university set up the work-study program in February, we added about a half dozen students from the university to the physical department and about 15 or 20 to neighborhood youth clubs. With the extra help, we were able to expand our programs, do better things, accomplish a lot more with the boys, get to know them personally, and get to know their problems. We were also able to add more boys to the programs. I may add that although we had larger classes, we were organized by having ample staff. During my year of working at the Y, my grades were on a constant rise. Surprising as it seems, I was finding more time to study than before. Probably most important of all, I was achieving satisfaction from what I was doing. Here, I would like to point out that having met the qualifications for the work-study program, I was able to make more pay each week and not have to worry over financial matters.

My work has shown to me the need of this type of program. Not only to help the students, but to help the community as well.

I was greatly surprised to uncover so much poverty especially in this area which I always thought to be only in the South. The boys I have at the Y are so much in need of its activities. By just observing a boy for a period of time I can tell what he would be missing in his growing years if he didn't have this type of activity and most of all, a "big friend's" companionship and understanding. This is probably the most important factor in solving 99 percent of their problems.

This summer I was working for the National Park Service at Acadia, under the work-study program. Although there was quite a bit of difficulty in administrative matters, it worked out pretty well on the whole. I believe there was some trouble in getting the 10 percent of our wages from the Department of the Interior, anyway the student aid department at the university put up the money for the National Park Service. I believe that this should not have to be a recurring thing.

Sincerely yours,
JOHN M. GOODING.

[From the Bridgton (Maine) News, Sept. 9, 1965]

NEIGHBORHOOD YOUTH CORPS COMPLETES SUMMER PROJECTS

Principal Fred M. Crouse, of Bridgton High School, who has been supervisor of the Neighborhood Youth Corps program in Bridgton for 8 weeks this summer, reports on work accomplished under the program which was made possible by the Economic Opportunity Act.

Fourteen boys and six girls participated in this program which provided work and experience in training projects suitable to their needs, abilities and skills. The purpose also was to assist the participants through improved attitudes, skills, and finances, and to provide an opportunity to pursue further education and/or to become improved potential employees.

Mr. Crouse reports that "generally speaking the program was very worthwhile and accomplished the established goals and the town of Bridgton also benefited indirectly."

Community projects accomplished are listed completely by the News, in order to inform the public of the wide scope of the local program and extensive work accomplished:

MALE ENROLLEES

I—High school building

Scraped, brushed and painted all wood and metal surfaces on the outside of building. Glazed all sash, using 30 pounds of glazing compound. Used 20 gallons of paint.

Scraped, brushed, painted and cleaned all storm windows.

Cleaned all glass, both inside and outside in the building.

Scraped, brushed and applied two coats of paint to corridor ceiling and walls.

Removed unused radiator and piping.

Constructed and erected 40 feet of cork bulletin board for corridor walls.

Relocated plaque from boiler room wall to front corridor wall.

II—High school rooms

Principal's office: Constructed, painted and erected a 6-foot by 4-foot bulletin board.

Guidance office: Constructed, painted and erected two 6-foot by 4-foot bulletin boards. Constructed, painted and erected additional bookracks. Painted two walls.

School office: Constructed, painted and erected two bulletin boards. Painted two walls.

Faculty room: Constructed two inner walls, applied insulation and homosote. Constructed and erected a 7-foot by 4-foot bulletin board and a 3-foot by 3-foot chalk board. Painted all interior surfaces.

Boys' basement: Scraped, brushed and painted all surfaces including stalls.

Girls' basement: Scraped, brushed and painted all surfaces including stalls.

Room 102: Refinished 45 desks. Sanded and applied two coats of paint and two coats of varnish to top of bookshelf. Constructed and finished shelves in room closet. (Refinishing desk includes sanding twice with rotating sander, once with vibrating sander, and hand sanding pencil trays; applying three coats of gym seal; rubbing with steel wool after first two coats, repairing and applying glides where needed and washing unfinished areas.)

Room 103: Same as 102 plus constructed and finished six storage boxes for audio-visual materials.

Room 106: (Industrial arts shop) Washed and sealed all concrete floor applying two coats of floor sealer.

Room 108: (Home economics) Sanded and applied two coats of paint and two coats of varnish to window stools.

Room 114: Refinished 35 desks. Painted two walls and mop board.

Room 115: Removed old blackout screens, removed boards and guides holding same: constructed additional window casings, installed two ventilators, painted all walls, ceilings, and mop boards.

Room 116: Painted entire interior except one wall.

Room 117: Constructed and installed a 16- by 4-foot and a 4- by 4-foot bulletin board. Constructed chalk rails on chalk board. Constructed a small bookcase. Glued and repair 25 desks.

Room 117: Constructed a 16- by 4-foot bulletin board. Constructed and installed shelves in closet. Painted two walls and mop board. Refinished 32 desks.

Room 118: Relocated chalk board by constructing and erecting new frame on a different wall. Constructed and erected a 16- by 4-foot bulletin board. Constructed and installed shelves in closet. Painted two walls and mop board. Refinished 35 desks.

Room 119: Constructed, erected, and painted a 6- by 3-foot bulletin board.

Library: Constructed a 6- by 4-foot section of library shelves, constructed small bulletin board, painted all shelves and racks.

Storeroom: Constructed additional shelving.

III—Bridgeton High School Annex

Refinished 81 desks. Constructed and painted a 6- by 4-foot riser for music-room piano. Removed unused shelving in old industrial arts room for salvage lumber. Relocated in unused basement area many old desks and other junk. Repaired industrial arts lumber storage racks.

IV—Grandstand

Scraped, brushed, and painted both ends and one side of exterior. Painted interior of both locker rooms. Constructed and installed shelving in upper storage area, repaired, painted, and improved training table. Constructed additional shelves, and painted all benches. Painted and installed hooks. Cleaned, arranged, and properly stored all equipment and other items.

V—Elementary school

Cleaned all glass both inside and outside. Washed all walls and room furniture including desks, bookshelves, coat closets. Constructed and erected one 12-foot by 4-foot, two 16-foot by 4-foot, and one 3-foot by 3-foot cork bulletin boards. Constructed a 5-foot by 3-foot teacher's mailbox.

VI—Miscellaneous

Removed by hand all sod and soil adjacent to new part of high school building. Leveled and graded for surfacing.

Removed by hand all sod over a 1,000-square-foot walk area. Outlined and edged about 2,000-square feet of additional walk area. Leveled and graded for surfacing.

Pruned trees and removed all brush and other trash from grandstand to end of athletic field. Hauled away five dump truckloads of materials.

Pruned all trees, cut stumps, and removed all trash from woods area adjacent to athletic field and elementary school. Hauled to dump seven dump truck and three pickup truckloads of materials.

Renovated area south of high school building.

Hand-mowed area adjoining elementary school athletic fields and Route 302.

Hand-mowed Depot Street bank adjacent to annex.

Creosoted annex stairway.

Repaired high school baseball backstop and elementary school baseball backstop.

Painted teeter boards, constructed and painted swing seats from elementary school, primary A and primary B.

Painted and repaired 10 sections of outdoor bleachers.

Constructed and finished 8 saw horses; 2 library rolling book shelves; numerous tool, nail, and storage boxes.

Constructed and painted new box for oil storage pipes.

Placed sod and reseeded road areas adjacent to elementary school.

Scraped, graded and improved baseball diamond on high school renovated athletic field and elementary school athletic field.

Relocated fence posts adjacent to athletic field.

Constructed and erected additional goal posts on football field, relocated football field.

Constructed concrete base stop and replaced wooden steps and porch floor boards at primary B.

Leveled and graded areas adjacent to grandstand.

Repaired concession buildings.

Numerous other minor miscellaneous projects.

FEMALE ENROLLEES

Answered telephone, received and relayed messages.

Sorted and distributed mail.

Maintained individual daily, weekly, and cumulative time records for all enrollees.

Answered telephone and performed other routine tasks as substitute for superintendents' secretary while on vacation for 2 weeks.

Prepared weekly payrolls.

Itemized all bills and maintained a cumulative record of all supplies and equipment.

Typed and reproduced materials for teachers.

Reproduced materials for superintendents' secretary.

Supervised concession for enrollees.

Cleaned high school office, home economics and faculty rooms periodically.

Attended to all correspondence.

Checked, stamped and inventoried all shipments of books and school supplies.

Reproduced a year's supply of school forms.

Reproduced 15 copies of faculty handbook.

Typed and reproduced 100 copies of senior handbook.

Typed and reproduced 30 copies of student council guidelines.

Discarded unneeded permanent record information in files 1952 through 1964.

Revised nongraduate files and typed copies of all nongraduates.

Typed high school inventory of equipment.

Prepared and typed elementary school inventory of equipment.

Typed and reproduced 50 copies of high school rules and regulations.

Scored, prepared individual student profile sheets, typed and reproduced summaries of the following tests:

Eighth grade: 100 SRA reading record.

Freshmen: 95 SCAT tests and 45 mechanical aptitude tests.

Sophomore S: 80 step (math, science, social studies) and 80 English cooperative tests.

Juniors: 80 SCAT tests and 80 Kuder preference inventories.

Reorganized high school library by cataloging all (1,200) school library books. Prepared new accession book. Grouped all books under proper headings on shelves. Repaired old books and covered all new books.

Assisted foreign language teacher in preparing tapes for class instruction and use.

Recorded all rank information for 1964–65 school year on permanent records.

Filed all materials in filing system.

Went through the town clerk's records and prepared a list of all roads that were accepted or discontinued through the years.

Went through the town clerk's records and prepared a list of all ordinances that had been accepted.

Typed 2 and 3 copies of 150 pages of the historical society's history of Bridgton.

SURVEY INDICATES SHORTAGE OF COLLEGE TEACHERS, HIGHER EDUCATION BILL AIMS TO HELP RELIEVE DEFICIENCIES

Mr. YARBOROUGH. Mr. President, an informal survey made by the Woodrow Wilson National Fellowships Foundation indicates that colleges and universities all over the country are facing a shortage of teachers. In many instances, more and more college teaching is done by inexperienced graduate students.

Title VI of the higher education bill as passed by the Senate authorizes a program of matching grants to needy colleges to aid them in purchasing audiovisual and other types of classroom and laboratory equipment.

Educational research is constantly improving our teaching methods. These improved methods can make our teachers more effective. They can make learning more meaningful to the student. At the same time they can free the teacher to allow him to devote more time to individual students.

With our current teacher shortage, as indicated by the Wilson report, it is vital that we improve the effectiveness of the teachers we have. Many of these improved techniques involve the use of special equipment. The equipment is expensive and thus in many cases is beyond the reach of the colleges which need it most.

The purpose of title VI is to upgrade the quality of teaching in undergraduate instruction by aiding needy colleges to purchase this new equipment. In this sense it should have the same effect as title III of the National Defense Education Act of 1958, which for the past several years has assisted elementary and secondary schools in purchasing this equipment. Title III of the National Defense Education Act of 1958 has made a great impact upon elementary and secondary education, so much so that many students encounter a dropoff in the quality of teaching when they go from high school to college.

Mr. President, I sincerely hope that title VI of the Senate-passed higher education bill will be retained in conference.

I ask unanimous consent that a summary of the findings of the Woodrow Wilson Foundation survey of August 1965 be printed at this point in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Princeton, N.J.—College teachers of foreign languages are almost as much in demand as science teachers, according to an informal survey made by the Woodrow Wilson National Fellowship Foundation.

Woodrow Wilson faculty representatives at over 1,000 colleges in the United States and Canada were asked whether their colleges were experiencing hardship in obtaining teachers. Two hundred and fifty-three colleges reported that they were indeed having difficulties in filling faculty openings at all levels, and only nine reported no problems. The largest group of schools heard from were private coeducational institutions.

The dearth was found to be particularly severe in mathematics (142 colleges report problems) and physics (128). Many campus representatives, however, stated that there were also acute shortages of language teachers, especially in romance languages and German (102). There were 79 requests for teachers in economics, 77 in sociology and anthropology, and 72 in English, exceeding the need for chemistry (64) and psychology teachers (50). Teachers in art, music, and classics are needed also, but the demand is not so keen.

In commenting on the findings of the survey, Dr. Hans Rosenhaupt, the Foundation's National Director, said that colleges in Southern States, including many Negro colleges, had reported considerable difficulty in recruiting faculty. By comparison, a relatively small percentage of colleges in the Metropolitan New York area had reported faculty shortages. "Although starting salaries in the South are competitive with those offered in New York," he said, "the attractions of the metropolitan area probably draw many of the available teachers. In many instances, particularly in metropolitan areas like New York and also at the large State universities which maintain sizable graduate schools, an ever larger sector of college teaching is done by relatively inexperienced young graduate students. Therefore, the actual shortage of fully trained college teachers is far more severe than this mere counting of heads indicates."

SPRUCE KNOB-SENECA ROCKS NATIONAL RECREATION AREA

Mr. BYRD of West Virginia. Mr. President, recently I stated my belief that the term "Spruce Knob-Seneca Rocks National Recreation Area" is one which West Virginians are going to see mentioned increasingly, as will citizens elsewhere in the United States. The recent passage by Congress of a bill which I introduced establishing this recreation area, and authorizing its funding through use of provisions of the Land and Water Conservation Act, will secure permanently for the American public the valuable outdoor recreation resources of the 100,000 acres of scenic lands included in this project and located in the headwaters of the Potomac River in West Virginia.

A recent article in the Charleston, W. Va., Gazette makes it clear that Mountain State folk are eagerly awaiting implementation of this legislation. At the time the article was prepared, and published—Saturday morning, August 28—the bill had not received Senate concurrence with the House amendments to the original bill, this concurrence having taken place on September 14, followed by the signature on Friday, September 17, of the bill by Vice President HUBERT H. HUMPHREY, in his capacity as Presiding Officer of the Senate. The bill presently awaits Presidential signature.

I ask unanimous consent to have this newspaper article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Charleston, (W. Va.) Gazette, Aug. 28, 1965]

RETREAT FOR MILLIONS IN STATE—PROPOSED PARK PROMISES PLENTY

If the Spruce Knob-Seneca Rocks National Recreation Area is created, as recommended by President Johnson, West Virginia will gain a tourist retreat capable of serving millions of people.

The area under consideration is almost entirely within Monongahela National Forest, in Grant and Pendleton Counties.

It is divided into two parts: one containing 74,000 acres, encompassing Seneca Rocks and the Smoke Hole country; the other covering 24,000 acres around and north of Spruce Knob.

The Smoke Hole is a 22-mile "S" shaped canyon, gouged out of the Allegheny Front by the south branch of the Potomac River. The stream offers some of the best white water canoeing and rubber rafting in this part of the country. Fishermen wade it for miles. Hikers pick their way along an old road, now impassable in most places, crossing the stream a dozen times in half as many miles because there is little room between the river and steep cliffs in some places.

There are several legends concerning the Smoke Hole country and how it got its name. One of the most popular stories concerns the Indians who used the Smoke Hole as a meat curing chamber for preserving meat. Later, early whilte settlers adopted this practice, curing venison, buffalo, and bear steak. From this usage came the name Smoke Hole country.

Once there were farms along parts of the river, but most have been abandoned because of floods, according to area residents. However, cattle owned by the few who have upland farms still graze on the old pastures.

Each year about the Fourth of July old-time residents of the Smoke Hole country have a reunion, coming from Pennsylvania, Maryland, and Washington, D.C., as well as the home State. Frequently they use the Smoke Hole picnic ground maintained by the U.S. Forest Service.

Here there are bathhouses and a swimming hole, a large field for baseball and a place to pitch horseshoes. A trail leads up to an old cave.

The campground near the picnic area is full to overflowing all through the summer and most of the fall. Plans are to provide more facilities and at the same time maintain the general atmosphere of isolation and seclusion, of untouched beauty. The country has been aptly described as a retreat from the disturbing noises of expanding American industrialism.

It is possible to hike from the Smoke Hole country to Seneca Rocks. Eventually a scenic road would connect these two. From the Smoke Hole side the hiker can find a walkup route onto the rocks which comprise one of the greatest areas for rope and piton climbing in this part of the country.

There are many climbing routes on the rocks, requiring varying degrees of ability in mountaineering techniques. Climbing groups from Pittsburgh, Cleveland, and Washington practice here in preparation for longer and more difficult ascents in the western part of this country and Canada. Sometimes clubs from all three cities rendezvous for joint climbing sessions, followed by swimming in the cold streams and relaxing in the fields 1,000 feet below. More camping facilities are needed in this area to accommodate climbers and canoeists.

Nearby are commercial developments such as Seneca and Smoke Hole Caverns.

Spruce Knob, highest peak in West Virginia, provides views of Shenandoah Mountain, Massanutten Mountain, and the Blue Ridge. In the knob are interesting rock formations. A trail leads north through Norway Spruce onto the open tops of Spruce Mountain and other peaks along the ridge. The most casual of Sunday afternoon strollers find this trail easy. Side trails from it lead down to Seneca Creek, a favorite area for exploration by backpackers who obtain fire permits from the Forest Service to make camp where they choose.

There is camping at the foot of the knob along one of the access roads. More are needed to meet the growing demand and use. Much of the country in the Spruce Knob unit is in timber, but some is in open rolling hills. The knob is accessible by roads from U.S. 33 and from Spruce Knob Lake.

The manmade lake was financed by fishermen and hunters' stamp money. The lake is for fishing only and small motorless boats are permited on it. There are campsites for tents and trailers near the shore. Though not in the proposed recreation area, the lake will be managed for recreation.

Nearby on private land are the Sinks of Gandy. Here Gandy Creek goes underground for about a mile. Courageous hikers and those not so brave have made their way through the underground passage. In the old days those who dared to go through the sinks used lighted pine torches. Today hikers use miners lamps or flashlights.

A highlands scenic highway is planned along the west side of the Spruce Knob unit of the national recreation area. It will provide access to this country for fishermen and hunters as well as other recreationists. In this unit are deer, black bear, wild turkey, gray squirrels, and native and stocked trout.

The proposed national recreation area fits well into several current programs. First, it would provide recreation opportunities to urban populations. About 27 million people live within a 150-mile radius of the area, and 60 million live within a 300-mile radius. By 1970 the area is expected to attract 1 million visitors daily.

A TRIBUTE TO GRACIE PFOST

Mr. CHURCH. Mr. President, Idaho and the Nation lost a devoted servant with the death last month of Gracie Pfost, former U.S. Congresswoman and special assistant to the Federal Housing Administration.

Gracie Pfost was born in a log cabin in the Ozarks of Arkansas. She came to Idaho as a young girl, and was raised on a farm in the Boise Valley. She was educated in the public schools and Links Business College in Boise.

Gracie Pfost began her career in public service as deputy county clerk, auditor and recorder of Canyon County, Idaho, in 1929, a post she held for 9 years. She was elected treasurer of Canyon County in 1940, serving for five consecutive terms.

It was her late husband, Jack, who persuaded Gracie Pfost to take leave of her real estate business in Nampa, Idaho, to run for Congress. She narrowly lost her first race in 1950, but she was elected on her second try in 1952.

For the following 10 years, Gracie Pfost represented Idaho's First Congressional District in the Congress. Her principal service was on the Interior and Insular Affairs Committee, where she was chairman of the Subcommittee on Public Lands. She was also a member of the Public Works Committee, and, for a short time, of the Post Office and Civil Service Committee, where she had much to do with the passage of legislation, in 1958, increasing annuities for retired civil service employees.

Early in her congressional career, Gracie Pfost championed the cause for a high dam in the Hells Canyon of Idaho. The dam was never authorized, but her fight for it was so spirited that she became affectionately known as Idaho's "Hell's Belle."

Her district was a rugged one, but Gracie Pfost was a tireless campaigner who never lost her personal touch with the people she represented. She was noted for her impromptu visits to mines, lumber camps, ranches, and village stores. It was not unusual for her to ride muleback over mountain trails to eat breakfast with the lumberjacks. She was always to be seen at the county fairs, and each year she was the hit of the Lewiston Round-Up, where, dressed in western finery, she used to ride a high-stepping Palomino pony named "Silver." Once she challenged one of her male opponents to a log-rolling contest during Lumber-Jack Day in Orofino. Naturally, Gracie won.

We who knew her relished her friendship. We admired her pluck, the way she always carried her head high and her chin up. Her life proved how much a good woman can contribute to the public service. She was ever a credit to her country, her State, her party, her family, and her friends.

Mr. President, Idaho's newspapers reflected the feeling of loss at Gracie Pfost's death. I ask unanimous consent that those editorials be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Boise (Idaho) Statesman, Aug. 12, 1965]

Gracie Pfost

The passing Wednesday of Former Congresswoman Gracie Pfost ends a career dedicated to public service. She is mourned by the many Idahoans with whom she was personally acquainted. In the First District, she was elected to five terms in the U.S. House of Representatives. Nominated for her sixth term in 1962, she resigned and ran unsuccessfully for the U.S. Senate.

The charming woman from Nampa served the Democratic Party well. She was a diligent campaigner. She was respected for her courageous stand on many liberal issues, yet she had the talent to interpret the wishes of a more conservative constituency in her legislative work.

She fought dramatically for a Federal Hells Canyon Dam on Idaho's Snake River and never wavered as a friend of public power. Although this issue ended with private development of the river, her mission in Washington remained effective.

She became known in her beloved district as a Representative who would respond quickly to letters and requests from her people. "Write Gracie" was a familiar phrase to many voters. No matter how trivial the request, Gracie answered and kept the matter active until settled.

On the campaign trail, she was warmly received in small towns, took part in the county fairs, the women's socials, and led the Democratic rallies. Whether it was farming, logging, mining, grazing, or welfare problems, she always had an answer and a promise.

Following the termination of her career in Congress, it was appropriate that she accepted the late President Kennedy's appointment of assistant to the Federal Housing Administrator working with senior citizens. It was in such a position that Mrs. Pfost would be most dedicated, carrying out beliefs that more Federal aid should go to the elderly and needy.

Mrs. Pfost found service as the only Congresswoman in Idaho's history most challenging. In committee work and when speaking on the House floor, she held her own in debate against opponents and was never hesitant in pleading her case.

Her passing marks the loss of an Idahoan true to her duty and to her State.

[From the Pocatello, Idaho, State Journal, Aug. 12, 1965]

Gracie Will Be Missed

In congressional circles Idaho Congresswoman Gracie Pfost was better known as "Hell's Belle." The name stuck while she was campaigning for a high dam at Hells Canyon. She lost that fight, but it served notice to all that Idaho's First District Representative was a real scrapper and would do battle any time and any place for the things she believed were right.

Officially she represented the northern end of Idaho, but she considered the entire State as her district. Many southern Idahoans are in her debt.

She was a dedicated party worker. She could have stayed as First District Representative, but chose instead to do battle for the Senate. She won more than she lost even in defeat. She gave the impression that she could always bounce back from defeat to do battle again, the exception being her fight with Hodgkins disease. She died Wednesday while still in public service.

She will be sorely missed from the Idaho political scene.

[From the Lewiston (Idaho) Morning Tribune, Aug. 12, 1965]

Gracie Pfost: A One-in-a-Million Girl

Gracie Pfost, for 10 years the Hell's Belle of the U.S. Congress, is dead at 59, and it is altogether possible that Idaho may never see the like of her again.

She won her nickname while fighting the good fight for a high Federal dam in Hells Canyon of the Snake River (the first bill she introduced in Congress, in 1953, called for the authorization of the high dam), and the name stuck through a decade of other campaigns. She lost her campaign for the high Hells Canyon Dam, and she lost another big campaign, for election to the Senate in 1964, but in no case did she lose for lack of trying.

She was formidable on the hustings, and there is little doubt she would have been in the House of Representatives still had she not succumbed to an ambition to step up to the Senate. She already had won the Democratic nomination to Congress from the First District in 1962 when Republican Senator Henry C. Dworshak died, leaving available the most coveted elective office short of the Presidency. Few politicians—and Gracie Pfost was a politician to the soles of her high-heeled shoes—could have resisted the temptation to reach for the Senate. She did, against the advice of many Democratic colleagues, and she lost.

She did not drop out of public life, however. She called in some political debts and won appointment to the Federal Housing Administration as special assistant for elderly housing. Her new position was much less exciting, and probably far less stimulating, than the work she had become accustomed to in the House, but she shouldered her new responsibilities with the energy that was typical of her, and she was forcefully espousing adequate housing for the elderly when she was laid low by the disease which took her life.

Ideologically, Gracie Pfost probably could best be described as a moderately liberal Democrat; her liberalism was tempered by the nature of the First Congressional District. She was a stanch advocate of public power. She took a liberal position in favor of the reduction of tariffs but insisted on the protection of the Idaho lead-zinc industry. She saw good commonsense, not creeping socialism, in Federal programs like social security. She opposed the tactics of Senator Joseph McCarthy, when the Senator was riding high, but she had too firm a thumb on the pulse back home to discount entirely the dangers of communism.

The First Congressional District, in fact, was seldom out of her mind, and it was the assiduous attention she paid to her constituency, more than her political convictions, that kept her in office. No letter to Gracie Pfost went unanswered, no errand was left unrun, no visitor to her office went home without a tour of the Capitol.

Her quarters in the Old House Office Building were a fright. Copies of the Congressional Record, newspapers from Idaho, the Government pamphlets were stacked on the chairs and on the floor, and although her husband, Jack, was always at work bringing order out of the chaos, the visitor sensed that he would never succeed. Mrs. Pfost's relations with her staff were a bit chaotic, too. She was said to be hard to work for and those who knew her well have found it easy to believe that she was. She was a woman of impatience, ambition, and vast energy, and she worked her staff for long hours, just as she worked herself.

Idahoans will remember Gracie Pfost in various ways: as the freckled redhead in plaid shirt and slacks panning for gold at a Dixie Days celebration; in cowboy boots and Stetson at the Lewiston Roundup; rolling a peeled log in a birling contest at Orofino; condemning the Eisenhower administration from a platform at Sandpoint. They won't remember her legislative record, which is unimpressive, but her constituents will not soon forget her campaigns, in which she excelled. Gracie Pfost was a colorful, refreshing addition to the political life of our State; a tireless fighter, a canny strategist, and a warm and vital human being.

[From the Salt Lake City Tribune, Aug. 13, 1965]

Distinguished Idahoan

Death has closed the distinguished career of Mrs. Gracie Pfost, former Democratic Member of the House of Representatives, from Idaho. The good work she did for her State, and the Nation, too, is attested by the tributes paid her memory by leaders of both political parties.

Political life had a natural attraction for Mrs. Pfost. She first served as deputy county clerk, auditor and recorder in Canyon County, then as county treasurer for 9 years. In 1952 she was elected to Congress from the First District and held office until 1962 when she ran for the Senate and was defeated in the general election. The Democratic Party recognized her talents by assigning her to the platform and resolutions committee at five successive national conventions.

Mrs. Pfost was a forthright exponent of her political beliefs. But while she had opponents, she had few enemies. Her graciousness and ability were great assets which she had the knack of using in the right combination.

[From the Salt Lake City (Utah) Deseret News, Aug. 13, 1965]

Mrs. Gracie Pfost

Today it is hard to believe that only 45 years ago women were denied voting rights in the United States, and that 65 years ago no nation allowed women to cast ballots.

We have come far in 45 years, and one of those who helped us on the path of political equality for men and women was Mrs. Gracie Pfost, former Member of Congress from Idaho, who died Wednesday. She was, as are all the distaff side of Congress, a crusader for equal rights, privileges, and opportunities for women.

Such was the character of Mrs. Pfost that she did not limit her activities to just congressional work—where she served in committees whose work was important to the West. She also actively engaged in business, professional, and civic organizations where she lent leadership and enthusiasm to many public service programs.

Women such as Mrs. Pfost have, of course, immeasurably improved the political, social, and economic status of their sex in this country and others since they were given the franchise—nor has doomsday arrived, either, as was darkly forecast.

Despite the increasing effectiveness of women in public life, they have not cleaned up politics as was expected when women were first given the vote—perhaps because not nearly as high a percentage of women take active part in civic affairs as do men. In this respect, the task of Mrs. Pfost and others like her needs to be carried on.

[From the Idaho Free Press, Nampa, Aug. 12, 1965]

GRACIE PFOST'S DEATH SADDENS CANYON FRIENDS

The death of Gracie Pfost has brought many expressions of sorrow from her many friends in Canyon County. Among those expressing grief at her passing were the following:

Ernest Starr, mayor of Nampa: "Nampa is grieved by the loss of one of our leading citizens, Gracie Pfost. Her time in public office was served with dignity and distinction. Her passing was a loss to the Nampa community, State of Idaho, and the Nation."

Preston Capell, former mayor of Nampa: "All Nampa will mourn the loss of Gracie Pfost. She achieved her great success almost entirely by her own efforts but never lost the common touch or forgot a friend. It was a privilege to have known her."

Mrs. Marie Johnson, president of Nampa Business and Professional Women's Club: "Members of the Nampa Business and Professional Women's Club mourn the death of Gracie Pfost, distinguished longtime member of the Nampa club and former district director. It was a privilege to have one so deeply involved in State and National affairs in our ranks. She will be deeply missed."

Postmaster Harold K. Beaudreau: "In Nampa we were all proud of Gracie Pfost—not only because she was a statesmen of stature who did much for Idaho but because of her sex. She made other women aware of their duties not only in the home but to the State and Government as a whole. A number have since branched out into State and local positions, taking a cue from her lead."

Charles H. Burns, Idaho shipper and life member of the National Onion Association: "We have known Mrs. Pfost for many years. She was a tireless and conscientious worker. She loved Idaho and truly represented her people while in Congress."

Edith C. Huntsman, a longtime friend: "Gracie was truly an able and devoted servant to the people of Idaho and her hundreds of Canyon County friends. My life was enriched by my association with her in work, politics, and friendship. I truly regret and mourn her death, as do her hundreds of other friends in Canyon County."

W. J. (Bill) Brauner, Democratic representative from Canyon County: "I know that our State will keenly miss the gracious and vivacious lady from Idaho, Gracie Pfost. Gracie worked tirelessly in her efforts for the people of Idaho and there will always be a place in the hearts of all who knew her. Idaho has lost its great lady in politics.

"Those of us who campaigned with her found out that the difference between being a candidate and being a successful candidate meant hours and hours of hard work and sincere dedication for a cause; she lacked nothing in sincerity and exceeded all in ambition."

Henry Bradley, justice of the peace at Nampa for 20 years: "I had known Gracie all her life and have never failed to vote for her. We have all lost a friend."

Wilma Patterson, Canyon County Democratic central committee chairman: "A dedicated and courageous woman, who spent her life in service to the people is gone. A voice that has argued long for Idaho is still. The loss to her beloved State, the Democratic Party, and her many friends will be felt for years to come. She has served as an inspiration for women in politics and as an example to all. Let her long be remembered."

WHITE SULPHUR SPRINGS, W. VA.

Mr. BYRD of West Virginia. Mr. President, West Virginia has a famous resort area, White Sulphur Springs, which increases in popularity with the years. Located in Greenbrier County, in the heart of the Allegheny Mountains, the springs have been internationally praised for their "curative" and "restorative" effects. The resort itself was brought to a high peak of development following its purchase by the Chesapeake and Ohio Railroad.

Then, following World War II, an extensive remodeling and redecorating project was undertaken to return the historic Greenbrier Hotel to its favored position as the heart of the resort area, the hotel having been taken over by the Federal Government and used as a hospital for care of sick and wounded soldiers during the war years of the 1940's.

Today, this resort area is again affectionately known as the "playground of the Nation"; and, in response to many questions reaching my office concerning its history and background, I ask unanimous consent to have the newspaper article, "White Sulphur—Nation's Oldest Resort," as published in the Beckley, W. Va., Post-Herald and Register on Sunday morning, August 29, 1965, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITE SULPHUR—NATION'S OLDEST RESORT

(By Lowell Talbott)

Often called the "playground of the Nation," White Sulphur Springs in Greenbrier County lies cradled in a beautiful mountain valley in the heart of the Alleghenies, at an altitude of about 2,000 feet above sea level.

The curative properties of the spring's waters were known to the Indians and the early white settlers considered them helpful in the treatment of rheumatism and other ailments.

As early as 1774 Nathan Carpenter laid the foundation for what was to become one of the Nation's most popular resorts when he secured title to a tract of land which included the springs.

Early white visitors lived in tents grouped about the springs in much the same manner as the natives had done before them.

But the tents soon gave away to cabins, and in 1808, James Caldwell, sometimes called the "Father of White Sulphur," built the first tavern for the accommodation of visitors. This tavern soon became a political and social center.

Later the Masten House, surrounded by cottages, was erected.

The social position of the "Springs" was definitely established when Thomas Jefferson, then President of the United States, selected them for a summer vacation.

Between that time and the outbreak of the Civil War the resort was visited by most of the Presidents. It is said that from Andrew Jackson to Abraham Lincoln, all of them spent time here with the lone exception of William H. Harrison.

In addition to Presidents, Senators, Congressmen, financial tycoons, planters, sportsmen and foreign royalty patronized the resort. Among the notables was Edward VII of England who, as Prince of Wales, visited White Sulphur in 1860.

In 1919 it was visited by another Prince of Wales, now the Duke of Windsor.

Increasing popularity created a need for greater accommodations and in 1958 the White Sulphur Springs Co. erected the large building which later came to be known as "Old White."

The dining room of this establishment was at the time the largest in the United States—possibly in the world.

During the Civil War, as the tides of battle surged back and forth, the Old White served alternately as headquarters for both Union and Confederate officers.

Later, Gen. Robert E. Lee spent his last three summers here, and it was here that his postwar meeting with General Grant took place.

In 1913 the Greenbrier Hotel was built, a spacious and luxurious structure of eight stories and designed in the style of the Georgian period.

White Sulphur's appeal to sportsmen has grown until it is today one of the favorite playgrounds of the entire Nation.

Before the Civil War the favorite sports enjoyed here were billiards, quoits, tenpins, croquet, and horseback riding.

It has been claimed that golf was played there for the first time in America.

At any rate, the first golf club in the United States was organized here in 1884, and Charles Blair McDonald, American's first amateur golf champion, designed two of the Spring's excellent courses.

This is the scene of several important tournaments, and most of the greats of golf have played here.

Other popular sports included polo, tennis, and swimming.

Several swimming champions have trained in the indoor pool, which is one of the largest in the United States, measuring 40 by 130 feet.

Now, next to golf, the most popular engaged in by patrons of this world-famous resort, is one of the oldest—horseback riding. And no wonder.

The 7,200 acres of Greenbrier estate offers riders 250 miles of bridle paths over terrain unexcelled anywhere for its natural beauty.

NEW DOCTRINE OF CONSERVATION

Mr. BREWSTER. Mr. President, today I had the distinct honor of witnessing the President of the United States sign into law the Assateague Island National Seashore legislation which I introduced in Congress 2 years ago.

On this historic occasion, President Johnson took the opportunity to proclaim his new doctrine of conservation—one designed to preserve our most basic heritage.

As one who is deeply concerned with the need to increase our conservation efforts, I was greatly heartened to hear the President strongly reaffirm his own personal dedication to the cause of conservation.

The acquisition of Assateague Island, along Maryland's Atlantic shoreline, is a prime example of President Johnson's new doctrine of conservation. The preservation of this 33-mile barrier reef means that untold future generations will be able to enjoy its unique beauty.

Thanks to the foresight of past generations, many remote wilderness areas have been passed down to our generation. The President rightly pointed out today that we must now concentrate on the acquisition of recreational areas "where they will do the greatest good for the greatest number of people."

Mr. President, I ask unanimous consent to place the President's remarks in the RECORD because I know that all of my colleagues will want to read what is but a prelude to President Johnson's great conservation crusade. Once again, he has both my admiration and support.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

CENTURY OF CHANGE

We are living in the century of change. But if future generations are to remember us more with gratitude than sorrow, we must achieve more than miracles of technology. We must also leave them a glimpse of the world as God made it, not as it looked when we got through with it.

Thanks to this bill, we can now do that with Assateague Island. Stretching some 33 miles along the Maryland and Virginia coastline, this is the last undeveloped seashore between Massachusetts and North Carolina.

One-fifth of all our people live within an easy day's drive of Assateague. And now its clean, wide, sandy beaches will be theirs to enjoy forever.

A DREAM BECOMES A REALITY

They were almost lost. The National Park Service first recommended an Assateague National Seashore in 1935. Many bills were introduced in the Congress. But it took us 30 years to make the dream a reality.

We must learn to move faster. Our population is growing, but our shoreline is shrinking. Of the 3,700 miles of shoreline along our Atlantic and Gulf coasts, only 105 miles—less than 3 percent—are today available to public use.

What the Good Lord once gave in greatest abundance have become rare and precious possessions. Clear water and warm, sandy beaches are a nation's treasure.

OUR SHORELINE MUST BE PRESERVED

For the rest of this century, the shoreline within reach of our major cities must be preserved and maintained primarily for recreation. This cannot be done by Federal Government alone. Conservationists, State governments, and municipalities must also act. And we must begin to act now if this most basic heritage is to be preserved.

We have already accomplished much. Last year we acquired Fire Island National Seashore in New York—and it is within easy reach of one out of every four Americans. Like Assateague, which we acquire today, Fire Island symbolizes the new philosophy of conservation. We are going to acquire our places of recreation where they will do the greatest good for the greatest number of people.

The year I was born, 57 years ago, President Theodore Roosevelt held a great conference on conservation in the White House. He and that other great conservationist, Gifford Pinchot, rescued millions of acres of Western wilderness from commercial exploitation.

OUR HERITAGE WILL BE EXTENDED

I grew up in that West. I know what that heritage means. And so long as I am your President, I mean to preserve and extend that heritage for all our people, East as well as West, North as well as South. I intend to seek out what can still be saved, and preserve it. I intend to find those oases of natural beauty which should never have been lost, and reclaim them for all our people.

Conservation has been in eclipse in this country ever since Theodore Roosevelt's day. It had barely gotten off the ground when Uncle Joe Cannon, the Speaker of the House in those days, issued his ultimatum: "Not 1 cent for scenery."

Well, today we are repealing Cannon's law. We are declaring a new doctrine of conservation.

Before my allotted time in office has run out, I hope to see the best and fairest regions of America a matter of daily concern in this Government.

RECLAMATION A CONCERN OF CONGRESS

I hope to see the preservation—or the reclamation—of those areas become an annual concern of the Congress.

I want to see our unrivaled power to create matched by an equal power to conserve.

We have already gone far in that direction. We have almost doubled the portion of our precious shoreline in our national park system. Almost $20,000 acres of sand dunes and beaches are now a perpetual possession of all our people.

NEARLY 27 MILLION ACRES RESERVED

Nearly 27 million acres of the most beautiful land in America have been set aside for the joy and pleasure of present and future generations.

Most of this would have been impossible without a conservation-minded Congress. Fortunately, that is the kind of Congress we have. The 88th Congress passed more than 30 major conservation bills. And the 89th Congress is adding magnificently to that record.

These have been memorable years in the history of conservation. But the work is still unfinished. We have shown what can be done. If we can continue the same superb record which we have already begun, then the day will soon come when we can say to our people: Your heritage is secure.

SUMMER OF OUR GREATNESS

Over 100 years ago, Henry David Thoreau looked out upon the beauty of America and wrote: "It is a noble country where we dwell. Fit for a stalwart race to summer in."

It remains for us, who live in the summer of our greatness as a nation, to preserve both the vision and the beauty which gave it rise.

LAW, WORLDWIDE COMMUNICATIONS, AND WORLD PEACE—ADDRESS BY DAVID SARNOFF, CHAIRMAN, RADIO CORP. OF AMERICA

Mr. AIKEN. Mr. President, on September 17, 1965, David Sarnoff, chairman of the board of the Radio Corp. of America, addressed the Conference on World Peace Through Law on the subject "Law, Worldwide Communications, and World Peace." I believe his address is of sufficient interest to Members of Congress that I ask unanimous consent to have it printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW, WORLDWIDE COMMUNICATIONS, AND WORLD PEACE

(Address by David Sarnoff, chairman of the board, Radio Corp. of America, to the Conference on World Peace Through Law, Washington, D.C., Sept. 17, 1965)

I feel highly honored by the invitation to address this assembly and welcome the opportunity to voice a layman's endorsement of your efforts to place the cause of world peace upon a strengthened foundation of law and order.

Standing before so many distinguished lawyers, jurists, and legal scholars from every continent on the globe, I cannot escape a feeling of concern that must have been common to pleaders before the bar in a particular area of ancient Greece. According to a legend—perhaps apocryphal but an interesting one nonetheless—it was the custom for a petitioner to stand on a platform with a rope around his neck. If his case were judged to have merit, the rope was removed; if the case were irrelevant or lacking in merit, the platform was removed.

Today, I see no ropes, the platform seems solid, and I hope you may consider my case relevant to your search for ways to fulfill the oldest and loftiest of human aspirations. It concerns the compelling need to establish a durable foundation for worldwide operation of satellite communications.

It is appropriate that we jointly consider this subject, since our two professions of communications and the law share a historic community of interests. Over the years, we have joined forces to fashion a body of laws permitting the transmission of messages within and among nations. We are partners too in a more fundamental sense, for without the means to communicate its wisdom and weave it into the fabric of society, the law is silent and justice is impotent.

On the threshold of a new era in communications—worldwide in its reach and universal in its promise—our collaboration is not only desirable but indispensable to the orderly progression of human affairs. The rate of change in the art of communications is so great that if we delay even 5 years in coming to grips with its problems, they may pass beyond our control. Our hopes for progress might then degenerate into further confusion and deepening of world disorder.

Global satellites represent the most dynamic element in a communications revolution that has achieved its greatest momentum in the two brief decades since the Second World War. In so doing, it has demolished the barriers of space and time. Barely 20 years ago, the transmission of moving images through space was in its infancy, and transoceanic telephony depended entirely on the inadequate service of shortwave radio. Satellite was a word found only in the vocabulary of astronomers and diplomats.

Today, electronic impulses carry television, telephony, facsimile, computer data, and written messages to any overland point. New undersea cables can handle telephone as well as telegraph communications between continents, and new cables will soon have the technical capacity to carry television programs.

Television has already brought the surface of the moon into the living room. Electronic photography, sensing devices, and modern communications have given us an insight of the nearby planets. We communicate with orbiting astronauts in space almost as readily as with an associate in an adjoining office.

Through our initial efforts in space communications, it has become possible for millions on both shores of the Atlantic and Pacific communities to view and listen simultaneously to each other's leaders, to see important events at the moment they occur, to examine each other's national treasures, and to exchange man-in-the-street opinions on subjects of topical importance.

The instrument that is leading the way in this phase of the communications revolution hovers above the equator at a fixed point more than 22,000 miles in space. It is a synchronous satellite, known as the Early Bird, and it provides intercontinental commercial service in telephony, telegraphy, and television. It is the electronic symbol of a time, now swiftly approaching, when channels through space will become major arteries of world communications, and particularly in the transmission of television.

By the end of the decade there will be not only one communications satellite but many; not a single global satellite system but possibly several in competition with one another; not a sole operating agency dealing with many nations, but many nations with their own operating agencies pursuing different satellite communications plans and objectives.

As the number of satellites multiplies in space, a corresponding number of problems will multiply on earth. We are faced not only with a new technology, but with a new means of reaching the minds and influencing the actions of every society and individual on the surface of the globe. When we can communicate instantly to everybody, everywhere, we will set in motion a force whose ultimate political, social, and economic impact upon mankind cannot be calculated today. It is vitally important that we understand the nature and dimensions of this new force.

History shows us that where the means of communication have been most advanced, so has been the progress of the nations and peoples within its reach. In ancient times, Rome extended its civilization, its law, its economic wealth, and political stability through a magnificent network of roads that stretched to every corner of the empire. In modern times, power and progress have marched hand in hand with the telephone, the telegraph, radio broadcasting, and television.

Thus, it is more than coincidence that over 80 percent of the world's telephones and radios are in North America, Europe, and Japan. These areas also account for the same preponderance of cable and radio communications. These three regions constitute the heartland of commercial and industrial power, and the most advanced centers of economic progress.

Yet Europe, North America, and Japan together comprise only one-quarter of the world's population of 3¼ billion. The communications revolution has yet to influence to a significant degree the lives of the remaining 75 percent of the earth's people.

Within this vast area of primitive communications, hundreds of millions of people still go to sleep hungry—often on a bed of packed earth or the pavement of a city street. Their per capita income is less than 5 percent that of the more advanced nations. In this environment we naturally find the highest rates of illiteracy.

Through satellite broadcasting we have a new tool with which to combat this problem—a universal instrument for communicating education and knowledge on a scale that can advance all of humanity to higher levels of understanding and improved standards of living.

Geographical barriers and political boundaries will be rendered meaningless in any technical communications sense. Every item of information that man has accumulated in his endless pursuit of knowledge, every known process for human advancement, can be made instantly available through electronic communications and computation for men everywhere to receive, to store, to retrieve, and to use as needed.

This is not a remote hypothetical possibility. Progress in the area of satellite communications technology is far more rapid than was first anticipated. Only 3 years ago, it was assumed that cost and technical complexity would make impractical more than a single satellite global system to serve all countries for the foreseeable future. That assumption has already been invalidated.

Technology, in fact, is moving so rapidly that the establishment of a satellite service has now come within the economic capability of many nations. Through a single transmitting and receiving ground station costing approximately $5 million, any nation can have access to a satellite linked by sight and sound to any other nation similarly equipped. The cost of a satellite itself may be as little as $1 million. Already, the Soviet Union is operating a prototype satellite communications system of its own.

But even developments of this significance are likely to be eclipsed by a new revolution in satellite technology. Within 5 to 10 years, I believe that we will develop high-power broadcasting satellites capable of transmitting television and radio directly into the home.

These would be nuclear-powered synchronous satellites radiating up to 30 kilowatts of power, sufficient to transmit simultaneously on three television and three radio channels to home receivers within an area of 1 million square miles. The present type of home antenna could be modified without difficulty to receive such transmissions in the ultra-high frequency band.

For the North American continent, a direct-broadcast satellite could be positioned in synchronous equatorial orbit over the Pacific just west of South America. To provide continuous service, three satellites would be required. A standby unit would be placed in orbit beside the operating satellite in the event of failure. A third satellite would be kept in readiness for launching should either of the first two fail to operate.

The cost of such a three-satellite system would be far less than the establishment of a conventional communications network covering a large area such as South America or nations such as Argentina or Brazil. It would enable the remotest village to be linked to major industrial and cultural centers. It would give less developed areas access to the same communications technology that the industrial powers enjoy.

Direct broadcast satellites will alter the entire pattern of relationships in international communications, and their operation will obviously involve far more than simple positioning of the satellites in orbit. When many nations possess the capability for transmission through space to any place on earth, they must agree to a new pattern of global regulation. Otherwise, the prospect of social and economic gains will be thwarted by the ensuing chaos in the world's air waves.

Anyone who listens to international shortwave radio is aware of the disorder that lack of effective worldwide regulation produces—the jamming, the censorship, the conflicts of channels, the overlapping and garbled transmissions. These are the outgrowth of an earlier inability among nations to establish a firm pattern of frequency use, and their failure to adopt appropriate international regulations that would permit people everywhere the freedom to listen and look.

However, there is a hopeful precedent for cooperation in the work of the International Telecommunication Union which was founded 100 years ago to bring order to international telegraphy.

Since 1865 the ITU has grown from 20 to more than 120 member states and territories. Its original terms of reference have been expanded to cover certain aspects of doing business in all present forms of international electronic communications, including tariffs, technical standards, and frequency allocations.

But the ITU, or any other international agency, will be powerless to avoid conflict in direct satellite broadcasting without advance agreement on certain fundamentals among the nations owning and operating the space systems.

For example, it will be difficult to avoid confusion both in space and on the ground without greater uniformity in worldwide television standards. Ideally, there should be agreement among all nations to operate on standards that would enable television sets everywhere to receive broadcasts from any part of the world. That ideal is far from realization, but it is within the collective power of the nations of the world to achieve it.

Formidable allocations problems will also require a high level of statesmanship to resolve. No legal basis yet exists for agreements to prevent interference among high-power satellites in the coverage of geographic areas. Nor has an international plan yet been devised to avoid conflicts between satellite and ground broadcasting services that will operate in the same general frequency ranges.

I present these technical problems in terms of broadcasting because I believe that broadcasting on a world scale may prove to be the most important function of these satellites of the future. Yet, complex as these technical problems are, there are others of an even more formidable nature that must be considered from a different perspective.

When, for example, a Russian satellite can broadcast directly to a Kansas farm, or an American satellite can broadcast directly to a Hungarian collective, what will be the reaction in both countries? When we can reach the homes of the world with instantaneous sight and sound, what rules of conduct are to apply, and who is to establish them? This question evades the jurisdiction of any established body, yet it will affect the welfare of all nations and all people.

Today, the proliferation of nuclear armaments has become an ominous threat to world peace. No international agreement has been reached thus far on a practical plan that would solve this problem, but at least its menace to mankind is now universally acknowledged. Many able minds, in many nations, are working hard to neutralize the danger. But surely, had comparable efforts been put forth at the earlier stages of nuclear development, the task would have been far simpler than it is today.

In the development of global satellite communications—especially in the area of future direct broadcasts from outer space to the home—we face an analogous situation. Communications satellites must not be allowed to become propaganda instruments used primarily for heating up the cold war, for stimulating subversion, for promoting conflict and confusion on a worldwide scale. These uses, too, could proliferate if we ignore the lessons of communications history.

If direct satellite broadcasting is to fulfill its destiny, I am convinced that some type of modus vivendi must be established among the many rival national and ideological interests. It would be a travesty on the hopes of humanity if this immense force for enlightenment, understanding, and social advancement were to be subverted to narrow national ends, or become discredited by the failure of nations to agree upon its beneficial uses.

We live in a world in which open and closed societies exist side by side in varying degrees of mistrust. They differ, among other things, on what is to be accessible to the eyes, ears, and minds of their people.

To counter this deeply rooted division, it seems to me that we should begin to concern ourselves initially with an examination of the broad fields of subject matter that might be acceptable to all nations and peoples. I visualize five broad areas in which we might achieve some form of understanding prior to the orbiting of the first direct broadcast satellite.

The first is in the field of culture. In the midst of national rivalries an interchange of art forms continues to grow—in painting, in music, drama, ballet, and the folk arts. All of these are readily transferable to the medium of global television, and all strike a chord of response in civilized man regardless of his nationality or ideological allegiance.

The second area could extend to the presentation of certain types of major news events. Whatever our personal loyalties, there are events and occasions that move us all to wonder and pride. For example, the first astronaut to set foot on the moon will place man on the threshold of a world far vaster than anything discovered in the age of Columbus and Magellan. Happenings such as this transcend all national boundaries and, here too, it should be possible to reach a broad consensus on what could be broadcast to all people everywhere.

A third area of exploration might be the use of global satellite broadcasting as a direct channel of communication between nations. Agreement on this basic concept might ultimately lead to summit conferences in which the principals would confer face to face without leaving their capitols. If closed sessions were desired, the transmissions could be scrambled and decoded by special equipment at each terminal, comparable to today's "hot line" between Washington and Moscow. If no need for secrecy existed, the conferences could be available for all people to see and hear.

The fourth area of examination lies in a realm of political activity where all nations share a common interest. Perhaps an agreement could be achieved that one channel in each space system would be allocated for the deliberations of the United Nations. It might not always be a placid picture that humanity would view, but it would mirror society through the only world forum where all ideas are publicly exchanged and debated. Global television by the U.N. would help at least to create an understanding of the issues involved, and thus further the cause of peace.

The fifth area in the search for a common accord is instructional. The greatest promise of direct satellite television rests on its ability to educate millions simultaneously, to bring people everywhere into instant contact with technological and social progress. The prospects for educational programing by satellites are virtually limitless, and they offer perhaps the greatest hope for advancing the world to a higher plateau of understanding and peace.

If we can achieve broad agreement in these five areas, it should not be beyond our ingenuity to devise arrangements for utilizing all satellite broadcasting facilities on suitable occasions as a world network serving the interests of all nations. Inevitably, as the world continues to grow smaller in distance and time, I believe we will find more things to unite rather than to separate the community of man.

No other generation has ever had so great an opportunity to diminish the discords that divide our world. It demands of all of us—lawyer and jurist, communicator, statesman, and diplomat—that we unite our best efforts in establishing a basis for progress.

During the past week, you have devoted part of your attention to a consideration of world communications. Its position on your agenda indicates the importance you attach to its potential contributions to world peace through law. I earnestly hope that your efforts in this direction will extend beyond this constructive conference, for you have more than your expert knowledge to contribute. Among your own countrymen, you possess the prestige and moral stature to create broader awareness of the revolution in communications and the need for new agreements that will enlist satellite technology in the cause of a world founded on peace through law.

The adjustment of law to technology, and of technology to law, may well be the enduring task of this generation. It is a challenge to our combined wisdom and leadership. We can meet it by joining all mankind in a brotherhood of sight and sound through global communications.

OPPOSITION TO IMMIGRATION LAW CHANGES

Mr. BYRD of West Virginia. Mr. President, on Tuesday, September 14, I stated my opposition to the proposed immigration bill except for specific reservations which I made, particularly with reference to the need for a limitation on Western Hemisphere immigration.

A number of newspapers in my State of West Virginia have seen fit to support my stand on this legislation, now under debate in the Senate.

I ask unanimous consent that these articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Wheeling (W. Va.) Intelligencer, Sept. 18, 1965]

Byrd Pulls No Punches in Parting Company With Chief on Immigration

The purpose of the immigration law now in effect in the United States is both to limit the number of foreigners admitted for residence here and to influence the character of the immigration by favoring those peoples historically proven to be more readily assimilable by our society.

To implement this purpose annual quotas are assigned non-American countries based on the national origins of inhabitants of the United States as reflected in the census of 1920.

This principle was written into the law in 1924 and was retained in the Immigration and Nationality Act of 1952, a codification of various regulations then on the books dealing with separate phases of immigration control.

There now is pending in Congress a bill, originating during the Kennedy administration, which strikes at the foundation of the existing policy by scrapping the national origins quotas. It has strong administration support and appears on the list of must legislation earmarked by the President for action at this session.

In the able speech he delivered on the floor of the Senate the other day in which he announced his intention of voting against the bill because of its abandonment of the national origins principle, West Virginia's Robert C. Byrd made several telling points:

That it is "completely unrealistic for us to be considering legislation that is going to permanently increase our immigration to any degree whatever."

That we have no need for more people at a time when we are wrestling with an unemployment problem and facing the consequences of a population explosion, and that other countries need more than we do those possessed of special skills upon whom so much emphasis is placed by advocates of change.

That "our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world."

That it doesn't make sense to "develop a guilt complex concerning immigration policies" when this country is "far more liberal than other countries in this respect," and when every other country "that is attractive to immigrants practices selectivity and without apology."

That those "who would have us believe that our foreign policy will be ineffective and hampered if we retain the national origins quota system" are uttering "pure drivel."

Senator Byrd goes to the heart of the matter, we think, in this passage:

"But, Mr. President, if we scuttle the national origins quota system, we will have many years and many reasons to regret it. I do not claim that the existing national origins system is perfect, but it has provided a reasonably effective means of controlling immigration, and where it has not worked, we have enacted special legislation to alleviate special problems as they have arisen.

"The national interest must come first. Sentimental slogans have been all too adroitly exploited, and the time is at hand when we must resist the pressures for sharply increased immigration of persons with cultures, customs, and concepts of government altogether at variance with those of the basic American stocks. We must not throw open the gates to areas whose peoples would be undeniably more difficult for our population to assimilate and convert into patriotic Americans. The alien inflow to America from potential waiting lists of applicants from Jamaica, Trinidad, Tobago, Indonesia, India, Nigeria, etc., can profoundly affect the character of the American population, and in the long run can critically influence our concepts of government."

In this connection Senator Byrd voices a criticism of the present immigration law that would be met by an amendment—if it is permitted to stand—now attached to the pending bill. That is its failure to limit immigration from the Western Hemisphere. Applying the same reasoning to Latin American immigrants that he does to those from overseas, Senator Byrd fears that the impact on us of population problems in the neighboring countries to the south, while not seriously felt as yet, will become serious in the years ahead.

Because free access to this country by our hemisphere neighbors is an integral part of the broader good neighbor policy, this newspaper has been disposed to agree with it. But it may be, as the Senator says, that the time has come when limitation in this direction also is necessary as a matter of national interest. But a limit on Western Hemisphere immigrations, as we are sure Senator Byrd would agree, would be too much of a price to pay for letting down the bars to the type of immigrants the pending legislation would encourage.

Our own feeling is that the law is sound as it stands and should not be disturbed. But whether or not a new law along the prepared lines is enacted, with or without a limit on Western Hemisphere immigration, Senator Byrd has performed a public service and displayed again the political courage that has characterized his tenure in the Senate of the United States by putting the spotlight on what's afoot.

[From the Huntington (W. Va.) Advertiser, Sept. 17, 1965]

Byrd Raps Immigration Bill

Problems resulting from unemployment and the rapidly expanding population would be complicated, Senator Robert C. Byrd, Democrat, of West Virginia, has warned, by pending legislation that would open U.S. gates to more immigrants.

As a member of the Senate Appropriations Subcommittee which this year approved appropriations of more than $8 billion for the Departments of Labor and Health, Education, and Welfare. Senator Byrd is thoroughly familiar with the problems of big cities into which immigrants usually flock.

At a time when the Government is spending huge sums to relieve unemployment among native Americans, it seems highly unwise to expand the labor force with unskilled and smiskilled workers.

Senator Byrd expressed particular opposition to the pending measure because it would abolish the national origins quota system on which immigration regulations have been based since 1924 and would swell the flow of immigrants from Asia and the newly emerging countries.

Although the leveling tendency of the times would wipe out distinctions of quality and genius, it is highly unlikely that the new law would increase the probability of the arrival of an Einstein, a Carl Schurz, or another great contributor to the progress of the United States or the world.

The immigration bill seems to be an extreme development in the liberal tendency that has poured more than a hundred billion dollars of American money into aid for less favored nations.

What might eventually happen in the United States as a result of opening the doors to those untrained in the ways of freedom has been demonstrated by the United Nations' loss of prestige, influence, and effectiveness by the admission of representatives from many nations unable to govern themselves.

Besides the political shifts that the newcomers could produce, they could also in future years complicate the problems of health and survival by enlarging the population and thus increasing the pollution of air and streams, the shortage of water and wildlife and the demand for expanding welfare programs.

Opening the way to more such difficulties now is like abolishing capital punishment and making the conviction of habitual criminals more difficult at a time when the rate of crime is spiraling alarmingly in every city of the country.

[From the Morgantown (W. Va.) Post, Sept. 18, 1965]

Byrd Puts It on the Line

In announcing he has decided to vote against the pending immigration bill, Senator Bob Byrd was forthright enough to confess he believes this is a time when Congress should give its first attention to the American people and their welfare.

We say "forthright enough" because in the present climate of Washington opinion entirely too much emphasis is placed upon what we can do for others instead of what we should do for ourselves.

Senator Byrd was certainly putting it mildly enough when he said he deems it "highly unwise to expand the available work force (in the United States) with skilled or semiskilled workers from abroad." Yet, sensible as this is, little talk of that kind has been heard in the congressional debate of immigration problems.

The Senator made the further point—and this, too, is rarely mentioned—that in considering the welfare of other countries we should ask ourselves whether we are really helping those countries by attracting their skilled workers to our shores. "It seems to me," he said, "that these countries need the services of their talented and trained people more than we do."

We do not know how other members of West Virginia's congressional delegation feel about lowering the immigration bars, but they might well give heed to what Senator Byrd said. We believe most West Virginians agree with him.

[From the Wheeling (W. Va.) News-Register, Sept. 17, 1965]

Hold the Line on Immigration

U.S. Senator Robert C. Byrd has taken a very reasonable and sound stand in opposing the administration's proposed new immigration bill which would scrap the basic national origins quota system first drawn in 1924.

Admittedly there are some weaknesses in the present system as it applies no limitations on immigration from South America and other Western Hemisphere countries, yet it has served the interests of the United States well in the past. The proposed legislation now being considered, however, would pose grave problems for our country and in a way could lessen the effectiveness of current U.S. policy to help other countries improve their economic conditions.

Certainly it is difficult to understand why we would want to encourage massive migration to the United States at the very time when our Nation is confronted with critical problems of unemployment, poverty, depressed areas, automation, integration, increasing crime, and a skyrocketing welfare bill.

In many parts of the country, including our own, joblessness remains a nagging problem. As stated by Senator Byrd, sooner or later, we are going to have to recognize the realities of this situation and admit to ourselves, that our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world.

The advocates of the change, state that under the proposed legislation it will be easier for people of special skills to come into the country and help the U.S. economy. Yet, under the new legislation, there would be an increase in quotas for such countries as Trinidad, Jamaica, Tanzia, Malawai, Yemen, and Nepal, and it would seem that persons with special skills needed in the United States might be very hard to find in those countries. Besides these countries need the services of their talented and trained people more than we do if they hope to build a better economy.

Under the present system, it is true, that relatively larger quotas are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population. As pointed out by the West Virginia Senator there are fine human beings in all parts of the world, but peoples do differ widely in their social habits, their levels of ambition, their mechanical aptitudes, their inherited ability and intelligence, their moral traditions, and their capacities for maintaining stable governments.

The United States need make no apologies for its immigration policies which already are far more liberal than other countries and in view of the fact that other advanced nations are selective in dealing with immigrants.

The time is here when we must begin thinking about our own national interest without being influenced by foreign nationals. We fully support the stand of Senator Byrd on this vital issue.

[From the Williamson (W. Va.) Daily News, Sept. 18, 1965]

Byrd Warns of Immigration Bill Perils

Once again U.S. Senator Robert C. Byrd has demonstrated a keen sense of perception with regard to potential perils posed by legislation which is being advanced for congressional approval. His latest warning comes on the impending immigration bill which Senator Byrd says "will increase the problems of the expanding American population."

Taking a forthright stand against the proposal, Senator Byrd told his senatorial colleagues that "we are now encountering many hazardous problems in our growing cities, where most new immigrants settle thereby creating the possibility of compounding these dangers to public health by adding to the population."

Byrd further pointed out that "at a time when we are making an all-out effort to reduce unemployment, I believe it to be highly unwise to expand the available labor force with skilled and semiskilled workers from abroad."

In its present form, the bill authorizes an annual increase in immigration. It would also abolish the national origins quota system on which immigration from various countries into the United States has been based since 1924.

Byrd said that "we are now experiencing a number of problems which are directly or indirectly attributable to our increasing population. These include pollution of our rivers and streams and the air we breathe in our great metropolitan areas; the first serious water shortages in the northeastern part of the country; progressive extinction of wildlife; ever-increasing welfare costs at the nonproductive segments of our population continues to expand."

The West Virginia Senator said he was convinced that "our own problems of chronic unemployment and underemployment, housing, job retraining needs, crime and juvenile delinquency are so great that we should not be considering any liberalization of the immigration laws.

"Advocates of the proposed legislation say that it will enable us to secure a greater number of skilled aliens. A collateral question that arises is whether we really want or need to permanently attract skilled workers away from other countries. This policy seems at odds with our other efforts to help these countries improve their economic condition. It seems to me that these countries need the services of their talented and trained people more than we do."

One of the big points made in favor of the measure, already approved by the House, is that by abolishing the national quota system it discontinues the discrimination historically practiced in favor of immigrants from such countries as Germany, England, Ireland, and France.

This newspaper's objection to the legislation is not that it will increase immigration, although we see no great merit in this, but that it constitutes an indictment of a perfectly legitimate public policy.

The purpose of any immigration law is to serve the welfare of the American people, not to cater to the wishes of those in other lands who would like to come here to live. In the old laws we favored some countries over others because we believed their people to be more assimilable. We opened our doors to all of the Western Hemisphere because we believed this to be in the interest of inter-American solidarity. Both points of view were and are, we think, sound.

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

CONTRIBUTION TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS—CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, p. 24295, Congressional Record.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, the issue between the House of Representatives and the Senate was very simple. The House bill authorized a contribution of not to exceed $75,000 a year and the Senate amendment one of $25,000 a year. The conference agreement is on a contribution of $50,000 a year.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. SPARKMAN. Mr. President, I move that the unfinished business now be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER (Mr. ERVIN in the chair). The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate resumed the consideration of the bill.

Mr. EASTLAND. Mr. President, we again are witnessing the assault on our immigration laws by those individuals and groups who feel that they can obtain political mileage by this form of appeal to the organized minority blocs in the great urban areas of this country.

I have witnessed these efforts for many sessions of the Congress, and this 1st session of the 89th Congress is proving to be no exception. In fact, Mr. President, the efforts in this Congress to curry the favor of the minority blocs of votes by destroying our present national origins quota system through bipartisan political efforts exceeds all efforts in the past. It is an assault which is dangerous and which could have, in fact, most serious consequences on our present form of government if not met with determined resistance. I have opposed these efforts to destroy the McCarran-Walter Act in the past and I shall oppose them now.

Mr. President, it has been my privilege to be a member of the Committee on the Judiciary of this body since February 7, 1944, which was in the 2d session of the 78th Congress. I have had a keen interest in matters relating to our immigration and naturalization system since jurisdiction over such matters was transferred to the Committee on the Judiciary pursuant to the terms of the Legislative Reorganization Act of 1946. As a matter of fact, my interest in these matters antedates the transfer of jurisdiction over them to the Judiciary Committee, for I had the privilege of serving on the Immigration Committee prior to the reorganization of the committees in the Senate. As a member of a special subcommittee which made a complete study of our immigration and naturalization systems, I became intimately acquainted with many and varied groups that are interested in immigration matters and the subtle ways in which pressures are exerted in hopes of obtaining special privileges and preferred treatment. That subcommittee made the recommendations to the Congress which ultimately were incorporated into the Immigration and Nationality Act. Since 1956, I have been chairman of the Immigration and Naturalization Subcommittee, and not only have I observed, but I have had to resist continually, these relentless yearly efforts to scrap our immigration laws or pass special enactments for special groups of aliens in order to gain what is thought to be a political advantage. The fact that such precipitate action might undermine our sound system of immigration laws is lost sight of in the hot pursuit of minority bloc votes.

Over the course of the past several years, there have been a number of special enactments to take care of certain harship situations which arose in the administration of the immigration laws. For example, there was a special enactment to offer relief to certain distressed aliens in the Azores and certain Indonesian refugees in the Netherlands. There were several enactments to facilitate the reunion of families by providing special visas for certain relatives of U.S. citizens and lawful permanent residents. In addition, relief through special enactments was granted to a large number of Hungarian refugees and many other refugees from Communist oppression. In all these cases the result was that more immigrants were permitted to enter the United States. Mr. President, you would think that after such acts of generosity on the part of this Nation perhaps the pressure would be relaxed, but that is never the case. Immediately upon receipt of that bounty, the recipients sent out a cry for more. There is always the cry that unless more aliens are admitted from special groups, families will be separated for years and the hardships will be unbearable. But we have seen that this demand is insatiable. We have also seen that when the politicians prevail and legislate in the anticipation of compensatory votes at the polls, we always find that an even greater pressure is created for the admission of more and more aliens. To continue to follow such a course of political expediency can only lead to disaster.

It has been claimed by some that those who advocate immigration reforms demonstrate great political courage and that there is no political mileage to be gained from attacking our present system, but rather that overt action could be politically damaging. To accept such a line of reasoning one must be really politically naive, and I would most certainly not place the Members of this body in that category. Nor do I for one moment believe that the thoughtful people of this Nation fail to recognize the political implications of the so-called drives for immigration reforms. It is no secret that both national political parties have "nationalities" divisions which actively direct the efforts of pursuing the votes of the hyphenated nationalities groups in our population. Those groups are concentrated in our big urban centers. Is it any wonder then that we are told that we must have immigration reforms which will favor those groups? When the politicians are so busy, how can one say there are no political motivations behind the reform movements?

We now have before us the bill, H.R. 2580, which has been hastily passed by the other body and sent over to this body with the command that the Senate adopt it in equal haste. This bill, Mr. President, in my opinion, is not a good bill and is deficient in many respects. I intend to oppose it. The bill, H.R. 2580, is an original bill which was reported by the Subcommittee on Immigration and Nationality of the House Committee on the Judiciary and has not been the subject of hearings in either the House or the Senate. The bill before the House committee in the hearing stage bore the same number, H.R. 2580, but as stated in the House report—No. 745—the committee reported an original bill to the House, which was promptly adopted with only minor changes. The bill bears little resemblance to the original proposals made by the administration, which were contained in the bill, H.R. 2580, and the companion bill, S. 500, which was before the Committee on the Judiciary of the Senate. Extensive hearings were held by both the House and Senate Committees on the Judiciary on the administration proposals contained in S. 500, and the original H.R. 2580, but the testimony received in those hearings has little relationship to this new bill which is before the Senate today.

As a matter of background, I feel that I should advise the Senate of the immigration matters which have been before the Committee on the Judiciary in this session of the Congress. By doing this, I feel that the Members of the Senate will readily discern the hasty manner in which the present version of an immigration bill has evolved. The divergent views represented by the proposals before the committee, in my opinion, illustrate the confusion which is present in the continuing effort to destroy the present quota system.

There were pending before the Subcommittee on Immigration and Naturalization 11 measures introduced in the Senate which would have modified in some manner our immigration or naturalization laws. Three of these proposals, namely, S. 500—the administration bill, S. 436, and S. 1093, represented the continuing assault upon the national origins quota system as embodied in the Immigration and Nationality Act. Later on, I intend to discuss more fully the implications of H.R. 2580. At this point, since I do not feel it necessary to discuss in detail the three bills mentioned previously, I shall merely point out the general background in the committee of the bill, S. 500, which has been so easily set aside in favor of H.R. 2580.

The bill, S. 500, to amend the Immigration and Nationality Act, commonly referred to as the Kennedy-Johnson bill, since it embraces the recommendations made by the late President John F. Kennedy, as well as those of the present occupant of the White House. Similar recommendations were contained in the predecessor bill, S. 1932, 88th Congress, which was introduced on July 24, 1963, by Senator HART for himself and 26 other Senators. The bill, S. 500, did not embody a comprehensive revision of the Immigration and Nationality Act, but had as its primary purpose the abolishment of the national origins quota system and the substitution of a new system for the allocation of quota numbers. Briefly, over a 5-year period, the present annual quotas would be reduced 20 percent each year with the numbers resulting from the reduction being placed in a "quota reserve." The numbers in the quota reserve would be issued without regard to nationality on a "first-come, first-served" basis. Thus in the fifth year after enactment there would no longer be national quotas as such, but all visas would be issued on the first-come, first-served basis under a system of preferences for certain relatives of United States citizens and aliens lawfully admitted for permanent residence and certain skilled aliens. Prior to the beginning of this abolition through reduction plan, the minimum quotas under the present quota system would be increased to 200 for each minimum quota country, which would result in an increase in the present overall quota of 158,561 to approximately 166,000. In addition, the bill would have substantially enlarged the nonquota classes of aliens and the number of refugees who could enter the country each year. Total immigration under this bill would, therefore, be increased substantially.

As a matter of interest to the Members of this body, and as background for our examination of this entire subject, I would like to refer briefly to a bill in the 88th Congress, S. 747, to amend the Immigration and Nationality Act, which was introduced by Senator HART on February 7, 1963, for himself and 34 other Senators. Senator HART had previously introduced an almost identical bill, S. 3043, in the 87th Congress. Before the advent of the bill, S. 500, and its predecessor, S. 1932, which recently appeared to be the major vehicle of the immigration reformists and the politicians, this measure, S. 747, appeared to have the blessing of those bent upon repeal of the present national origins quota provisions of the Immigration and Nationality Act and replacing it with a new quota formula.

S. 747, or the Hart bill, as it was commonly referred to, also was primarily concerned with reforms in the immigration laws which would change the manner by which quotas are established and which would increase the number of aliens admitted as immigrants. The present quota would have been increased from 158,261, to an overall quota of 250,000 annually. Of that number 50,000 quota immigrant visas would have been made available to certain refugees and the remaining 200,000 immigrant visas would have been distributed under a quota formula based on, first, the relationship of the population of each quota area to world population, and second, the relationship of the number of immigrants who entered the United States from each quota area during the 15 years preceding the effective date of the act to the total number of immigrants who were admitted during such 15-year period. Other provisions of this reform bill would have enlarged the nonquota classes and provided for the complete utilization of quotas through the pooling of unused quotas, all of which would have had the effect of substantially increasing the number of aliens who could be admitted annually.

When Senator HART introduced S. 747 in the 88th Congress he characterized it as a reform bill which "follows closely the counsel and wisdom of America's foremost immigration specialists." It was said to be "in line with the estimates of our leading economists both in government and in the private sector, regarding the number of immigrants this country can absorb." He then paid tribute to the American Immigration and Citizenship Conference and its affiliated organizations for the major role that organization had played in the development of this measure. He pointed out that an ad hoc committee of the American Immigration and Citizenship Conference had given 2 years of intensive study to American immigration policy and that the proposals contained in S. 747, and its predecessor, S. 3043, closely followed the recommendations of that organization. Yet, Mr. President, we find that many of the sponsors of this measure quickly abandoned their position based on the allegedly extensive, thorough, and searching study of American immigration policy by the American Immigration and Citizenship Conference and its many affiliated voluntary service organizations and community, civic, and labor organizations and embraced the proposals for the destruction of the national origins quota system contained in S. 1932 in the 88th Congress, which was introduced only 6 months after the introduction of S. 747. The abandonment so hurriedly of a position that was claimed to be based on the considered opinion of some of the best minds in the immigration field as the proper approach to immigration reforms in order to embrace the hastily conceived proposals contained in S. 1932, and now embodied in S. 500, indicates to me that those in the forefront of the demands for immigration reforms by their vacillations are sure of only two things: First, they want to abolish the national origins quota system and, second, they want to admit more immigrants. Such experimentation as this will never produce good legislation.

Mr. President, the bill, H.R. 2580, has as its purpose not only an increase in the flow of immigrants into the United States, but also the alteration of the pattern of that flow. It seems to me that our national welfare and the security of this country demand that we approach this question of immigration reforms sensibly and sanely lest we, as the nation we know, perish. In my opinion, we must have detailed findings as to how many immigrants we should admit and from what areas we should admit them. These findings must be impartial and unbiased and based on scientific facts rather than political opinion if we are to maintain a sound immigration system which will serve the interests of every part of this Nation. In my opinion, it would be a grave mistake if we proceeded with haste to adopt new concepts unsupported by detailed factual surveys and studies. Certainly, there are opponents of the McCarran-Walter Act but no one can say that that act was enacted in haste and in the political arena. A 5-year investigation of every aspect of the immigration question in the United States, which was both extensive and intensive, preceded the enactment of that law. Its enactment was resisted to the last ditch, and I am firmly convinced that both its enactment and its ability to withstand subsequent assaults is the result of the fact that it had as its foundation a solid basis of findings which were impartial and unbiased. It would be extremely foolhardy for this body to proceed to a consideration of any of the pending measures without similar findings upon which to base its action. Sound legislation has never been the result of hasty and reckless action, and I sincerely hope that each of you will ponder well the disastrous results that could flow from the precipitate course that is being urged upon us.

Let us now take a look at the bill before us to see just what it proposes to accomplish. From a study of the proposal, it is my understanding that H.R. 2580 would make the following basic changes in the Immigration and Nationality Act, and in making such changes would substantially modify the present immigration policy of this Nation:

First. (a) The present system of national origin quotas is to be abolished on June 30, 1968, and a new selective system is established giving priorities to close relatives of citizens and alien residents, members of the arts and professions, needed skilled and unskilled workers, and refugees.

(b) In the interim 3-year period national origin quotas remain in effect, but the unused quota numbers are pooled and allocated under the new system of preferences to intending immigrants from oversubscribed quota areas.

(c) Spouses, children, and parents of U.S. citizens are to be admitted without numerical limitation as immediate relatives.

(d) Natives of independent countries of the Western Hemisphere are to be admitted quota free as special immigrants for an additional period of 3 years. On July 1, 1968, a numerical limitation of 120,000 annually would be placed on immigrants from independent countries of the Western Hemisphere unless the Congress enacts legislation providing otherwise prior to that date. A Select Commission on Western Hemisphere Immigration is established to be composed of 15 members—the Chairman and 8 members to be appointed by the President; 3 members to be appointed by the President of the Senate; and 3 members to be appointed by the Speaker of the House. This Commission shall study all aspects of Western Hemisphere immigration and report its findings to the Congress on July 1, 1967, with a final report on January 15, 1968.

Second. An annual numerical limitation of 170,000 is placed on the admission of immigrants from Eastern Hemisphere countries, other than immediate relatives and including 10,200 refugees who may be granted conditional entries. Immigration from any foreign state outside the Western Hemisphere, exclusive of immediate relatives, is limited to 20,000 annually.

Third. After June 30, 1968, the 170,000 immigrant visas will be allocated on a worldwide, first-come, first-served basis under the following system of preferences:

(a) Twenty percent to unmarried sons and daughters of U.S. citizens.

(b) Twenty percent to spouses and unmarried sons and daughters of lawful alien residents.

(c) Ten percent to members of the professions, arts and sciences.

(d) Ten percent to married sons and daughters of U.S. citizens.

(e) Twenty-four percent to brothers and sisters of U.S. citizens.

(f) Ten percent to needed skilled and unskilled workers.

(g) Six percent to refugees from communism, the area of the Middle East and natural calamity.

Any numbers not required for issuance to the preference classes are available to nonpreference applicants.

Fourth. The special Asiatic triangle provisions of existing law are repealed.

Fifth. The Fair Share Refugee Act is repealed and all refugees henceforth must enter conditionally.

Sixth. In the case of aliens who seek to enter the United States to be employed, the Secretary of Labor must certify, on an individual basis, first, that there are not available American workers to fill the particular jobs, and second, that the admission of the alien workers will not adversely affect the wages and working conditions of the American worker.

Seventh. Aliens who are mentally retarded may be admitted by the Attorney General under proper safeguards if they are the spouses, children, or parents of citizens or lawful alien residents. Epileptics are removed from the excludable class of aliens.

Eighth. Alien crewmen are made eligible for adjustment of their immigration status under section 244 of the Immigration and Nationality Act.

Ninth. Aliens who have resided in the United States prior to June 28, 1958, are made eligible for adjustment of immigration status under registry proceedings of section 249 of the Immigration and Nationality Act.

Tenth. Natives of Western Hemisphere countries in general are denied the privilege of adjusting their status under section 245 of the Immigration and Nationality Act, but refugees from such countries may adjust.

Since this bill has the blessing of the administration, I believe it would be appropriate at this time to refer to the message of the President of the United States which he sent to the Congress on January 13, 1965, requesting amendment of the Immigration and Nationality Act. In that statement the President said:

> The principal reform called for is the elimination of the national origins quota system.

There could be no doubt in anyone's mind after reading the proposed bill that it would accomplish the purpose desired by the President, for it is crystal clear that the national origins quota system would be abolished. Since that is true, my purpose will be to take a careful look at the act to see what its substitute would be. In doing this, let us bear in mind the words of the President that:

> The fundamental longtime attitude has been to ask not where a person comes from but what are his personal qualities.

As used in the context of his message requesting that all forms of discrimination be removed from the law, we would expect, therefore, that the bill before the Senate would not only abolish the national origins quota system, but would replace it with a law which would make no distinction between the peoples of the earth because of their place of birth in any form whatoever.

In an attempt to carry out the request of the President, we find that section 2 of the bill has amended section 202 of the Immigration and Nationality Act to provide as follows:

> (a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101(a)(27), section 201(b), and section 203: *Provided,* That the total number of immigrant visas and the number of conditional entries made available to natives of any single foreign state under paragraphs (1) through (8) of section 203(a) shall not exceed 20,000 in any fiscal year: *Provided further,* That the foregoing proviso shall not operate to reduce the number of immigrants who may be admitted under the quota of any quota area before June 30, 1968.

Mr. President, in all of my experience in the Senate of the United States, I believe that language is the most unique I have ever seen in a statute. Note that it begins "No person shall receive any preference or priority or be discriminated against" and then it lists numerous instances in the act which are discriminations but which are specifically exempted from the antidiscrimination policy. First to be exempted from the bar against discrimination are the natives of Western Hemisphere countries. In the case of these aliens they will be quota free for the next 3 years while all other aliens from other parts of the world, other than immediate relatives, will be subject to a number of limitations. Second, we find that there is a category of aliens designated as immediate relatives who include the children, spouses, and parents of citizens of the United States who will not be subject to the numerical limitations applicable to other aliens. Third, we find that the bill establishes a system of 7 preferences within the numerical limitation of 170,000 with fixed percentage allocations to each preference category which, in effect, establishes priorities among the group as between persons with definite family relationships, persons with definite skills and persons who are in a refugee status. Fourth, a numerical limitation of 20,000 per year is fixed for any foreign state, but that limitation is not applicable for 3 years if it reduces the present quota of any quota area. It is difficult for me to see, Mr. President, how anyone could possibly have written so many discriminatory provisions in one section of a law under the expressed policy of eliminating discrimination in the allocation of quota or visa numbers.

But, Mr. President, if one should feel that perhaps there must be a certain degree of discrimination in any law, let us look further at this particular proposal and you will be amazed at the instances of discrimination that appear throughout it. There is a provision designed to strengthen the protection of the American worker from an influx of skilled or unskilled workers from abroad. Under that proposal the intending immigrant must present a certification from the Secretary of Labor that he will not displace an American worker and that his employment will not adversely affect the wages of American workers. In order for this provision to be nondiscriminatory one would immediately assume that it would be applicable in the case of all immigrants. But such is not the case. The drafters of this proposal well know that such a policy would create many more problems than it would solve. So we find that the bill contains a complicated system of exemptions from the provision. Specifically, the provision only applies to natives of Western Hemisphere countries other than parents; spouses or children of citizens of the United States or lawful resident aliens; to members of the professions, arts, and sciences; skilled or unskilled workers; and most nonpreference immigrants. In other words, it will probably not be applicable in as many cases as it will be applicable. Let us look at the different manner of application to different groups of aliens:

First. Exempted from the requirement in all cases are "immediate relatives" which include spouses, children, and parents of U.S. citizens;

Second. In the case of aliens from the areas outside the Western Hemisphere in addition to the immediate relatives an exemption is made in the case of unmarried sons and daughters of U.S. citizens, married sons and daughters of U.S. citizens, spouses and children of alien residents, and brothers and sisters of U.S. citizens;

Third. In the case of immigrants from the Western Hemisphere the exemption extends only to parents, spouses, and children of U.S. citizens and alien residents. Thus, unmarried sons and daughters, married sons and daughters, and brothers and sisters of U.S. citizens would be subject to the special labor provision.

Fourth. I believe that I should also call to the attention of the Members of this body the manner in which this labor provision would be applied in the case of new seed immigration as compared to the treatment of the preference class of brothers and sisters residing outside the Western Hemisphere. In the case of a nonpreference immigrant who is the head of a healthy family and who has a fervent desire to immigrate to this land of opportunity, the bill would require that he obtain a certification from the Secretary of Labor that he would not displace an American worker or adversely affect the wages of American workers if he came to the United States to engage in the same employment in order to support his family. That is the immigrant we hear so much about and whom the supporters of the bill have so frequently described as the immigrant who built this country from the wilderness; and yet it is obvious that under the proposed legislation he would have little chance of gaining entry in view of the continuing unemployment situation here. On the other hand, take the case of a brother of a U.S. citizen who has an equally healthy family consisting of a wife and three or four children whom he must support after he enters the United States. In his case, if he resides outside the Western Hemisphere he is not required to obtain the certification from the Secretary of Labor but may enter upon the assurance of his citizen brother that he will not become a public charge after entry. But obviously such a man must work to support his family and he will be permitted to enter regardless of whether he will displace an American worker. Is this not only discrimination against the two alien families, but also the American worker who may remain unemployed or even lose his job?

Furthermore, it might well be discrimination against the interests of the United States because it is quite likely that the better qualified alien family would not be permitted to enter.

Mr. President, there is another aspect of the bill which has not received much attention in the course of the hearings either in the House or in the Senate. Much has been said about the fact that the bill does away with the national origins quota system and places the opportunity to immigrate to the United States on a first-come, first-served basis but I ask whether that is really the truth. Immigration during the interim period when quotas are phased out and when the new provisions become effective 3 years hence in their entirety, will be based upon the registration date of immigrants on waiting lists at the consulates around the world. It is well known to those who are familiar with the immigration problem that the heaviest registration for many years has occurred in a limited number of countries where the pressures and encouragement to immigrate have been the greatest. In fact, in many of the low-quota countries, immigrants have been discouraged from registering on the waiting lists. The heavily oversubscribed countries will preempt the available visa numbers under the first-come, first-served basis for many years under the new proposal. In order to remove this discrimination in the treatment of aliens in different areas of the world, if that is what the proponents really want to do, it would be logical and consistent to provide for a reregistration of all intending immigrants on a given date. Then truly the immigrant visas would be made available on a first-come, first-served basis. But nowhere in the testimony received by the committee was such a proposal made by those who advocate the elimination of the national origins formula which provides fixed numerical quotas for every country determined by fixed mathematical formulas equally applicable to all areas of the world.

Mr. President, now let us look at another provision of the proposed legislation which would modify the existing provisions of section 245 of the Immigration and Nationality Act which, in general, provide an administrative procedure for the adjustment of status of aliens who have entered or who have been paroled into the United States and desire to have their status adjusted to that of permanent residents. At the present time, this method of adjustment is not available to natives of contiguous territory and adjacent islands. Under the bill, H.R. 2580, in section 13 this form of administrative relief is denied to all natives of Western Hemisphere countries. I ask, Mr. President, does it not seem a little odd that a person from Italy who enters the United States as a bona fide visitor and then decides to remain in the United States may have his status adjusted under this administrative procedure when he has come from a country 4,500 miles away while on the other hand a native of Argentina, who has come from a country 6,000 miles away would not be eligible for the adjustment. To me, this is an obvious case of rank discrimination against persons because of their place of birth and yet we were asked and told that the law must be changed to remove all discrimination from our immigration laws which would make distinctions between the peoples of the earth because of their place of birth. This discrimination is made even worse by the fact that under the Immigration and Nationality Act both the native of Italy and the native of Argentina may apply for this adjustment. This is really progress, Mr. President. Elimination of discrimination from the law when we are in fact adding this new form of discrimination. If this is discrimination under section 245, Mr. President, let us take a further look. It will be noted under the language of section 13, which amends section 245 of the Immigration and Nationality Act that refugees from Western Hemisphere countries are eligible for an adjustment under this same section 245. This language, of course, would include Cuban refugees who have been paroled into this country under the program which has been in existence for several years and under which approximately 225,000 Cuban refugees have been permitted to reside in the United States. At the present time, this form of relief is not available to them as native of an adjacent island, but under the bill before us it would become available. The joker, however, is that under this form of relief a record of lawful admission is created for the alien as of the date of the adjustment. Now let us look at another section of the proposed bill. Under section 3 of the bill section 203 of the Immigration and Nationality Act is substantially revised and among the preference classes created is one for refugees. Such refugees are granted conditional entries and under paragraphs 203 (g) and (h), as amended, their status may be regularized after 2 years' residence and a record of lawful admission created as of the date of the original arrival in the United States. Thus in one case, a refugee would be given credit toward naturalization for the time he has resided in the United States while waiting for his adjustment, and in the other case he would not be granted such credit for naturalization purposes. A Cuban refugee, therefore, might have to reside in the United States 7 years before he could obtain naturalization, while a similarly situated Cuban or other refugee who entered under the new provision will have to wait only 5 years. The basis for this discrimination is not apparent.

Mr. President, there is another provision in H.R. 2580 which, in my opinion, has not received enough attention. Section 1 of the bill amends section 201 of the Immigration and Nationality Act and completely revises it. Section 201(c) as revised provides that during the 3-year interim period subquota areas are to be limited to 1 percent of the maximum authorized visa numbers available to the mother country. Under existing law, colonies and other dependent areas which are classified as subquota areas have access to the quotas of the mother countries to the extent of only 100 quota numbers per year, which places them in the same category as the minimum quota countries. Under the language of H.R. 2580, it seems inescapable that during the 3-year interim period the application of the formula for the subquota areas of 1 percent of the maximum numbers available to the mother country will create some rather unusual and unique results. For instance, the present quota of Great Britain is approximately 65,000 per year and therefore that would be the maximum number of visas available to Great Britain during the 3-year period. Applying the 1-percent formula, each subquota area under the quota for Great Britain would have available to its natives for use in each fiscal year a total of 650 visa numbers. It is interesting to note that there are 15 subquotas under the quota for Great Britain and each subquota has access to 650 visa numbers annually. Therefore, a total of 9,750 numbers will be available to the subquota areas annually as compared to the present total of 1,500. I might just name a few of the subquotas involved: Antigua with a subquota of 100 would have a quota of 650; British Guiana with a subquota of 100 would have a quota of 650; British Virgin Islands with a subquota of 100 would have a quota of 650; to name only a few. But now let us take a look at some of the other quota areas. Greece, for instance, during the

3-year period would have an annual quota of only 308. Japan will have an annual quota of only 185. China will have only a quota of 105. Portugal will have a quota of only 438. Spain will have an annual quota of only 250. Turkey will have a quota of only 225. Mr. President, it seems to me a little unusual and a form of discrimination to make such large numbers available to the colonies and dependent areas while the quotas of many of the independent countries which are among this Nation's best friends receive no comparable increase. Mr. President, this is not just my own understanding of the effect of this provision of the new bill, as a similar interpretation has appeared in an official State Department memorandum.

Mr. President, the proponents of H.R. 2580 have placed a great deal of emphasis on the pattern of immigration since the Immigration and Nationality Act became law in 1952 in attempting to demonstrate the necessity for changing the present quota law. As I previously pointed out, 3,108,538 immigrants have entered the United States under the Immigration and Nationality Act. Of that number 1,082,833 entered as quota immigrants and 2,025,705 as nonquota immigrants. It is the large number of nonquota immigrants which gives rise to so much concern by the sponsors. It is alleged that because of the inequities in the national origins system, Congress was forced to enact special legislation during the period since the Immigration and Nationality Act became law to alleviate the hardship cases, and as a result the admission of 2,025,705 aliens in a nonquota status clearly establishes the national origins quota formula to be outdated and out of step with reality. This is not so, because they fail to recognize that only 382,045 of the total of 2,025,705 nonquota immigrants entered under special enactments. The bulk of those nonquota immigrants, or roughly 1,643,660, entered under the permanent nonquota provisions of the Immigration and Nationality Act. Those are the provisions which the framers of the Immigration and Nationality Act recognized as desirable to include in the permanent law, although it was known that they would increase total immigration. For obvious compassionate reasons, it was accepted as necessary to permit wives, husbands, and children of U.S. citizens to enter without restriction. For reasons of "good neighborliness," it was agreed to permit natives of independent countries of North, South, and Central America to enter free of the quotas. Likewise, quota restrictions were not imposed upon the free movement of ministers of religion and their families. These policies are imbedded in the national origins quota law and it is under them that the bulk of the nonquota immigration has entered the country. There is just no justification for saying that the quota law must be scrapped because a significant number of aliens were admitted outside of the quotas under special enactments of Congress. Those enactments were special acts of generosity in response to appeals to grant relief in particular situations after careful study and I feel that they should only be treated as such.

Now, Mr. President, let us take a look at the new quota formula provided in H.R. 2580. It is said that enactment of this quota scheme will remove "the 1952 act's well-known restrictive provisions against immigrants from eastern and southern Europe," but I defy anyone, from reading the Immigration and Nationality Act, to find any special restrictive provisions against immigration from those areas. Certainly, the law embodies a policy of restriction, but as we have seen, restriction has been the accepted policy of this Government for decades. The quotas of each quota area are established under a formula which is applied in identically the same fashion to all other quota areas in the world without mentioning any country by name, and yet it is said that the law restricts immigration from particular areas. The truth is that it restricts immigration from all areas, under a uniformly applied rule, and that is as close as any law can get to being nondiscriminatory. Quotas for one country may be larger than quotas for another under the national origins formula, but the same will be true under the formula provided in H.R. 2580. Thus, basically, it boils down to the question of whose ox is being gored.

It is said that the new formula would be based on equality and fair play, but would it? In the eyes of the smaller country is it equal and just to give the larger share to the larger country? In the eyes of the newer country is it fair and just to give the larger share of the quota to the older countries because they have had immigration opportunities for many years and have longer waiting lists? It seems to me that the answers to those questions are quite obvious. It is inevitable that the quotas will be different, and as long as they are, some will say they discriminate and, unfortunately, most of these charges originate in our own country. Quite obviously, the only quota law which could possibly treat all Nations equally is one which would provide an identical quota for each country. Such a law would not be subject to a charge of discrimination, but I doubt seriously whether it would receive any support. The test of whether the law is fair or just, Mr. President, is not whether it discriminates, for all quota laws will, but whether the law discriminates unreasonably or unjustly. The national origins quota formula is applied in the same manner to all without qualification, and as long as it is so applied it is certainly not subject to a charge of unreasonable or unjust discrimination. One may disagree with the policy of the law, but I fail to see how any workable quota could provide any more uniformity of treatment of the nations of the world.

There is another interesting aspect of the system provided in H.R. 2580. In allocating visa numbers, this Nation would look first to the desires of the people of other countries to come to the United States, and visas would be allocated on a first-come, first-served basis. Under the national origins quota, we look first at the composition of the population of this country; then we say that each country shall have a quota fixed on the basis of the ratio of the number of persons in the United States in 1920 attributable by nationality to a given country to the population of the United States, or reduced to the mathematical formula of one-sixth of 1 percent of the persons of the nationality of that country in the United States in 1920. In other words, we hold up a mirror and look at ourselves and base the quotas of those who wish to join us on what we see.

Mr. President, for the life of me, I cannot see how it can be said that it is discriminatory to base the numerical quota on factors derived from the population of this country. I do not apologize for the fact that, as an American, I feel that we should and must give due recognition to the composition of the population of this country in fixing our quotas. That is what the present quota law does and that is why I believe it to be sound and in the best interests, not only of this country, but also of the rest of the world.

Mr. President, there are many other provisions in H.R. 2580 which, in my opinion, should be brought to the attention of the Members of this body, because I feel that they are a cause of real concern. We are all familiar with the continual attempt that is being made to erode the constitutional powers of the Congress. Whenever authority is delegated to those groups charged with administration of a law, I feel it is my duty to point out the areas of possibility of abuses of such authority.

As I have pointed out before, H.R. 2580 will eliminate the national origin quotas and substitute therefor an overall numerical limitation of 170,000 visa numbers per year for areas outside the Western Hemisphere exclusive of immediate relatives. The allocation of those numbers will be made in accordance with the multitude of preferences set forth in the act. The preferences insofar as they relate to relatives are so designed that if not used by one relative preference group, then they automatically become available to other preference groups. Priority in the issuance is to be determined by the date of the filing of the relative preference petition. It seems to me, Mr. President, that since the total quota of 170,000 will be allocated on a worldwide basis upon the basis of these many preference petitions, a great deal of confusion will result. The bill itself provides that the Secretary of State will be permitted to base the quarterly allocation of visas to the extent necessary upon estimates based upon reports received from the consular officers all over the world. He is then faced with the monumental task of allocating the visa numbers to the various applicants under the numerous limitations provided in the bill. These include not only the limitations on each preference group, but also the numerical limitation applicable to each country. The manner in which the plan will work, therefore, Mr. President, will depend to a very large degree upon the ability of the estimator to estimate. In other words, to put it more simply, there will be much, much discretion vested in the administrators as to how these numbers will be dealt out to the various applicants.

Mr. President, there is another unusual provision in the bill which seems to leave a great deal of discretion in the hands of the administrators. The section of the bill which provides for the allocation of 6 percent of the quota numbers for conditional entries to be granted refugees contains a proviso that in lieu of the total number of conditional entries authorized, immigrant visas in a number not to exceed 50 percent may be made available to refugees in the United States. This language is unique in two respects. The first is that immigrant visas can only be issued by consular officers and consular officers are only present at posts outside the United States; and second, no provision is made for the adjustment of the status of these refugees to whom the visas are made available. In other words, in the absence of specific language, an interpretation would be required by the administrators of the law. The framers of the bill must have had something in mind with reference to the manner of adjustment and if so, why was it not written into the law where it properly belongs? The conclusion is that this is another instance of where the framers desired to retain for the administrators the authority to write their own rules.

There is another provision in H.R. 2580 which I believe should be viewed with some alarm. Under the Immigration and Nationality Act, as you all know, all immigrant applicants have always received fair treatment because of the specific provisions that their applications must be processed strictly in accordance with the priority of their registration on quota waiting lists. This becomes particularly important to the nonpreference quota applicants where the demand has always exceeded the supply. Under the language of H.R. 2580, the numbers made available to the nonpreference category will be issued strictly in the chronological order in which they qualify. It would seem quite obvious that this is another instance where a great deal of discretion is left in the hands of the administrators to determine when and whether a particular applicant is qualified and to be granted priority by administrative order rather than by law as at present. I do not believe that this reaction of mine is at all unfounded in view of a statement I have seen by an official of the Department of State concerning the application of this new provision to the effect that new applicants in a particular area or foreign state will have an equal opportunity with all present applicants who are on the waiting lists in the order in which they qualify. In other words, a new applicant may be qualified far ahead of present applicants on the waiting lists.

Mr. President, my concern over this matter of placing too much discretion in the hands of those charged with the responsibility of administering the quota law results from my observations over the years of how the administrators frequently twist and bend the law to suit their purpose. At this point, I ask unanimous consent to insert in the body of the Record complete documentation of such a case, which I believe quite clearly will show that my concern in this regard is not unfounded.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Immigration and Nationality Act is quite specific with respect to the manner in which quotas are to be determined and established. Section 201(a) provides that the annual quota for any quota area shall be one-sixth of 1 percent of the number of inhabitants in the continental United States in 1920 attributable by national origin to such quota area with the proviso that the minimum quota for any quota area shall be one hundred. Section 201(b) specifies that the determination of the annual quota of any quota area shall be made jointly by the Secretary of State, the Secretary of Commerce and the Attorney General, and upon the basis of that report the President shall proclaim the quotas. Section 202(a) makes it quite clear that each independent country, self-governing dominion, mandated territory and territory under the international trusteeship system of the United Nations, other than the United States and its outlying posessions shall be treated as a separate quota area when approved by the Secretary of State. Section 202 (e) sets forth the procedure for the revision of quotas whenever required by any change of boundaries, transfer of territory, or any political change. Since that provision is directly controlling in the case I shall discuss, I shall read it in toto:

"(e) After the determination of quotas has been made as provided in section 201, revision of the quotas shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, whenever necessary, to provide for any change of boundaries resulting in transfer of territory from one sovereignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change, requiring a change in the list of quota areas or of the territorial limits thereof. In the case of any change in the territorial limits of quota areas, not requiring a change in the quotas for such areas, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all consular offices concerning the change in the territorial limits of the quota areas involved. Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c) (1), notwithstanding any other provisions of this act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

On January 10, 1964, there appeared in the Federal Register, Presidential Proclamation No. 3569 establishing an annual immigration quota for Malaysia and Presidential Proclamation No. 3570 establishing annual immigration quotas for Algeria and Uganda and a revised annual immigration quota for Indonesia. In response to a request directed to the Secretary of State for information concerning the method used for the determination of the new and revised quotas, I received the following communication from the then Assistant Secretary of State, the Honorable Frederick G. Dutton:

February 17, 1964.

Dear Senator Eastland: I want to thank you for your letter of January 23, 1964, to the Secretary of State in which you referred to recently published Proclamations Nos. 3569 and 3570 and requested a detailed report on the method used in determining the immigration quotas for Malaysia and Algeria and the revised quota for Indonesia.

The basic authority for the computations which resulted in the newly proclaimed quotas for Malaysia, Algeria and Indonesia is contained in the last sentence of section 202(e) of the Immigration and Nationality Act, as amended by section 9 of the act of September 26, 1961. This sentence reads as follows:

"Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one or more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c) (1), notwithstanding any other provisions of this Act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

The new state of Malaysia comprises what was formerly a single quota area (Federation of Malaya) and three subquota areas (North Borneo, Sarawak, and Singapore). Prior to the establishment of Malaysia, each of these component parts of the new quota area was entitled to 100 quota numbers annually and, hence, the new quota of 400 for Malaysia is equal to the total of quota numbers available to that quota area immediately preceding the political change, which took place on September 16, 1963.

The annual quota for Indonesia was increased from 100 to 200 by Proclamation 3570 because of the transfer of Irian Barat (former West New Guinea) from the Netherlands to Indonesia on May 1, 1963. West New Guinea was formerly a subquota area under the Netherlands quota and, as such, was entitled to 100 quota numbers annually as provided in section 202(c) of the Immigration and Nationality Act. Thus the increased quota of 200 for Indonesia is equal to the total of quota numbers available to the components of the new quota area immediately preceding the political change of May 1, 1963.

In the case of the new state of Algeria, which the United States recognized as an independent state on July 3, 1962, the problem of computing a new quota for that quota area presented us with a unique situation. This was so because the territory formerly known as Northern Algeria was one of the very few component areas overseas from the governing country which were treated as an integral part of the quota area of the governing country when the quotas were proclaimed under the Immigration and Nationality Act (Proc. 2980 of June 30, 1952). This being the case, intending immigrants born in Northern Algeria had full access to the French quota of 3,069. Southern Algeria was treated as a subquota area and therefore was limited to 100 quota numbers per year. A strict application of the national-origins formula for computing quotas would have resulted in a minimum quota of 100 for the new state of Algeria. This seemed unrealistic in view of the advantage which Algerians had long enjoyed in relation to the French quota, and not in keeping with the spirit and intent of section 202(e), as amended by section 9 of the act of September 26, 1961. The main purpose of the 1961 amendment, as the Department understands it, was to minimize the impact of political changes affecting national boundaries so that intending immigrants would be placed in a position no less favorable than they enjoyed prior to the political change. The new quota of 574 proclaimed for Algeria bears the same ratio to 3,069 (quota for France) as the estimated population of Algeria bore to the entire population of the French quota area as of July 1, 1962. The number 574, in other words, is roughly one-fifth of the French quota.

If I can be of further assistance, please do not hesitate to let me know.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

It is the next last paragraph of that letter relating to the determination of the annual quota of 574 for the new state of Algeria which illustrates the manner in which those persons charged with the administration of a law are able to thwart the legislative intent by a strained interpretation. The Subcommittee on Immigration and Naturalization was concerned with the manner in which the quota for Algeria was computed and requested further enlightenment in the following communication:

MAY 14, 1964.

Mr. FREDERICK G. DUTTON,
Assistant Secretary,
Department of State,
Washington, D.C.

DEAR MR. DUTTON: This has further reference to my letter of January 23, 1964, to the Secretary of State with reference to Proclamation Nos. 3569 and 3570, and your reply of February 17, 1964; but first I wish to thank you for your detailed report on the method used in determining the immigration quotas for Malaysia and Algeria, and the revised quota for Indonesia.

The Subcommittee on Immigration and Naturalization has expressed some concern with respect to the State Department's rationalization of the method used in the determination of the new quota of 574 annually for Algeria. It is the subcommittee's view that the last sentence of section 202(e) of the Immigration and Nationality Act, as amended by section 9 of the act of September 26, 1961, was added for the sole purpose of assuring to all new political entities an immigration quota at least equal to the total of subquotas or quotas previously available for each of the component parts of such new entity. In other words, in amending section 202(e), Congress was concerned with the quota situation resulting from the combination of minimum quota areas or subquota areas and did not intend that the new provision contained in the last sentence of 202(e) should encompass revisions resulting from the transfer of allegiance of an integral portion of the population of a governing country to that of a new political entity. It is believed that section 202(e), prior to its amendment, adequately covered that situation. This understanding of the purpose of the last sentence of section 202(e) is supported by the following language contained in House Report No. 1086, 87th Congress, 1st session, which accompanied the amending legislation when it was reported by the Committee on the Judiciary of the House of Representatives on August 30, 1961:

"Similarly, anticipating the forthcoming assumption of an independent status by the West Indies Federation, this section of the bill proposes to assure to this or similar new political entities an immigration quota equal to the total of subquotas or quotas now available for each of the component parts of such a new entity.

"To cite an example, upon the merger of Syria and Egypt into the United Arab Republic, the new entity was allocated only 100 quota numbers annually, while prior to the merger, each of the 2 component parts had a 100 quota for itself. This situation will be corrected under section 9 of this legislation."

In addition, that document refers to the views of the State Department contained in reports on similar legislation which appear to be in accord with the subcommittee's understanding.

In the case of Algeria, it is the subcommittee's understanding that historically northern Algeria has been treated as an integral part of metropolitan France and intending immigrants from northern Algeria had full access to the French quota of 3,069. In view of the provisions of section 201(a) and 202(e) of the Immigration and Nationality Act relating to the establishment and the revision of quotas, it is difficult for the subcommittee to find the justification for establishing for Algeria a quota equal to one-fifth of the quota for France on the basis of the ratio of the population of northern Algeria to France without making any corresponding revision in the quota for France as a result of the population transfer.

I would appreciate receiving any further comments you may have regarding this matter at your earliest convenience.

With kindest regards, I am

Sincerely yours,

——— ———,
Chairman.

In reply to that further inquiry the following letter was received from the then Assistant Secretary of State, the Honorable Frederick G. Dutton, which I read:

DEPARTMENT OF STATE,
Washington, June 9, 1964.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate.

DEAR MR. CHAIRMAN: I wish to thank you for your letter of May 14, 1964, making further inquiry with regard to the immigration quota for Algeria (Proc. No. 3570 of January 7, 1964; 29 F.R. 249), and expressing the Subcommittee's concern with the method used by the Department in computing that quota.

The Department's letter of February 17, 1964, in reply to your letter of January 23, 1964, explained that the problem of computing a new quota for the independent State of Algeria presented a unique situation. We realized that the 1961 amendment of section 202(e) of the Immigration and Nationality Act (Public Law 87-301) contemplated political changes similar to those involved in the formation of the West Indies Federation and the merger of Egypt and Syria into the United Arab Republic. However, the language of the amended section 202(e), as interpreted by the Department, allows for a broader application. It refers to political changes involving *one or more colonies * * * or one or more quota areas.* (Italics supplied.) The change of boundaries which resulted in the establishment of the State of Algeria actually involved one quota area; i.e., France, and one subquota area; i.e., southern Algeria. If the statutory language had limited its application to political changes involving two or more colonies or two or more quota areas, as in the case of the West Indies Federation or the United Arab Republic, there would be little room for doubt or misunderstanding.

So far as concerns the annual quota of 3,069 established for France, it was not considered necessary to make a proportionate reduction in that quota when the Algerian quota was proclaimed. The 1920 population base on which the French quota was determined under section 11 of the Immigration Act of 1924 did not include inhabitants who attributed their national origin to Algeria. It represented immigration from continental France only.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

It seems to me that it is quite clear in this case that there is no real foundation in the statute for the conclusion which has been reached through administrative interpretation which completely disregards the legislative history of the provision. The language of the sentence which was added to section 202(e) is not complicated and when read in the light of the statement of the House Committee on the Judiciary when the bill was favorably reported its purpose is obvious. That purpose is to insure that when one or more colonies or one or more quota areas merge, that the new political entity will have the same number of quota numbers available to it as previously were available to the component bodies under the Immigration and Nationality Act. Its purpose is not to make quota numbers available where they had not been available before under any provision of that act. Let me read from the House Report No. 1086 of the 1st session of the 81st Congress which makes this purpose abundantly clear:

"Similarly, anticipating the forthcoming assumption of an independent status by the West Indies Federation, this section of the bill proposes to assure to this or similar new political entities an immigration quota equal to the total of subquotas or quotas now available for each of the component parts of such a new entity.

"To cite an example, upon the merger of Syria and Egypt into the United Arab Republic, the new entity was allocated only 100 quota numbers annually, while prior to the merger each of the 2 component parts had a 100 quota for itself. This situation will be corrected under section 9 of this legislation.

"In reporting on July 10, 1961, on a similar provision contained in H.R. 6300, the Department of State, over the signature of Mr. Brooks Hays, Assistant Secretary of Congressional Relations, recommended the enactment of this provision of the amendment stating as follows:

"'Section 6 would amend section 202(e) of the Immigration and Nationality Act in two significant respects:

"'(a) It would eliminate the ceiling of 2,000 now imposed on the aggregate of all minimum quotas within the Asia-Pacific Triangle, and

"'(b) It would assure to new political entities an immigration quota equal to the total of quotas or subquotas presently established for each of the component parts which comprise the new entity.'

"The Department strongly favors the amendment (summarized under (a) above) inasmuch as any reduction in quotas as required by existing law would adversely affect the foreign relations of the United States. The prompt enactment of the other amendment to section 202(e) is of particular concern to the Department in view of the imminent independence of the West Indies Federation, now expected in the early part of 1962. Upon gaining independence, the Federation will be entitled to an immigration quota which, if computed under existing law, would amount to 100 compared with a total of 1,000 quota numbers now available to the component areas of the Federation. This reduction would be highly undesirable from a foreign policy point of view. Consequently, the Department strongly endorses the proposed amendment which would authorize an annual quota of 1,000 for the Federation. In the event that H.R. 6300 should not be enacted during the current session of the Congress, the Department urges that this particular amendment be considered in a separate bill. Otherwise, the United States would be placed in the position of restricting the Federation to a quota of 100 upon its acquisition of an independent status."

Admittedly, the situation in Algeria prior to its independence was unique in that southern Algeria was treated as a subquota area while northern Algeria was treated as an integral part of France and the inhabitants of northern Algeria had full access to the quota of France of 3069. The newly independent Algeria, then, did not result from a merger of one or more colonies or one or more quota areas as contemplated by the new language in section 202(e), of the Immigration and Nationality Act. What occurred was a political change in an area from the Mother country, France, under which Algeria became an independent nation. It is true that quota numbers prior to independence had been authorized for issuance to inhabitants of the area involved under both the French quota and a subquota of that quota for southern Algeria. But does this justify the establishment of a quota of 574 for Algeria on the ground that the new language in section 202(e) guarantees an annual quota for the newly established quota area which shall not be less than the number of visas authorized for the area preceding the political change? There were no specific quota numbers previously authorized for Algeria other than the subquota of 100 for southern Algeria, and so the State Department explains that the new quota of 574 bears the same ratio to the overall quota of 3069 for France as the estimated population of Algeria on July 1, 1962, bore to the total population of France. This new quota is roughly one-fifth of the French quota. The State Department explains that a strict application of the national origin provisions would have resulted in the establishment of a minimum quota of 100, to which it is entitled under the law, but this is considered to be unrealistic. Accordingly, it created a new quota and seeks to justify its action under a provision of the law which is completely inapplicable to the situation with which we are concerned. In other words, the administrators decided what they wanted to do first and then twisted the language of the statute to justify their action calling it a broader application of the provision. Instead of establishing a quota of 100 for Algeria they established a quota of 574, thereby adding 474 unauthorized numbers to the overall quota. If Algeria, as the State Department contends, is entitled to part of the French quota as a result of the political change why was not the French quota reduced to the extent of the numbers transferred as a result of the boundary changes as has been the practice under section 202(e) of the Immigration and Nationality Act? The State Department passes this off lightly by saying that no proportionate reduction was made because the population on which the French quota was based did not include inhabitants who attributed their national origin to Algeria, but was limited to continental France. Then, the question might be asked: Why were the inhabitants of northern Algeria ever permitted to use the French quota?

This raises the question of why Algeria was accorded special treatment. Does this not constitute administrative discrimination against those countries whose quotas have been established under the national origins provisions? Is Algeria entitled to a special quota of 574 while Greece has a quota of 308; Spain a quota of 250; Australia a quota of 100? I hope that I have made my point that it would be exceedingly unwise if not disastrous to accept any proposal which would vest administrative agencies with broad discretionary control over the allocation of quotas. In the situation to which I have just alluded, we have seen an example of the liberties the bureaucrats will take in interpreting any law in order to justify a desired end result. Just imagine what would happen if they had a statute which actually granted them discretionary authority in the allocation of visas among the peoples of the world.

Mr. EASTLAND. In summary, then, it may be observed that the proposed revisions of the quota provisions of the Immigration and Nationality Act contained in the bill, H.R. 2580, constitute a complete reversal of the policy expressed in the national origins quota provisions. The Immigration and Nationality Act provides for a maximum quota with an empirical formula for the allocation of the quota numbers. That formula does not contemplate the mandatory issuance of all numbers made available, but rather that the flow of immigrants up to the maximum will be in accordance with the formula. Under the provisions of H.R. 2580, however, the overall quota of 170,000 will be a minimum quota as the provisions of the bill are designed to insure full use of all quota numbers each year.

Mr. President, this is the loosely drawn bill which we are asked to hastily enact into law for the avowed purpose of destroying the national origins quotas. Why, we must ask ourselves, is there such a burning desire to destroy the national origins quota? We are told that quotas must be eliminated completely and that determination of the order of admission of admissible aliens should be based only on his relationship to persons in the United States, his training and skills and the time of his application. An examination of the measure clearly shows that the idea of quotas has not been abandoned, but only national origin quotas. By the very words of the statute, 1 country may not use more than 20,000 of the overall visa numbers, so that certainly establishes quotas. Does this mean that all men are to be treated the same until 20,000 visa numbers have been used by any 1 country? When that 20,000 limit has been reached, the next man in line for a number in that country is not going to be treated the same as the man in a country where the limit has not been reached. If there are no quotas, then how is it that in section 2 of the bill we find that the provisions of the Immigration and Nationality Act relating to the use of the "mother country" quota by colonies or other dependent areas is to be amended to provide a specific formula for establishing the number of immigrants in such colonies or dependent areas which may be charged to the governing foreign state.

Certainly, the measure recognizes that there will be quotas or limits and that they are bound to be different. Being different, will not the quotas or numerical limitations be subject to a charge of being discriminatory? Will the fact that a different formula is used placate all immigrant peoples when the inevitable result will be to permit more persons to enter from one country than another? Why must we offend our friends by the adoption of a formula under which it is highly probable that occasions will arise when their natives will no longer be able to obtain visas freely as formerly. Will this promote good relations with our friends? This measure does not even provide a minimum quota for all countries, and yet its sponsors say the quota system under the Immigration and Nationality Act is discriminatory and unjust.

This attack against the national origins quota system is not new, for it had been subjected to constant sniping in the decades following its enactment in 1924 and the same charges of discrimination were constantly leveled at it; but yet a two-thirds majority of the Congress approved its reenactment in 1952 when Congress overrode a Presidential veto of the Immigration and Nationality Act. Why then is there this continuing attack which grows more vociferous in election years? Is it really a basic concern of theory or is it in reality a desire for more immigration? I believe it to be the latter.

The national origins quota system allocates to each country of the world, and I emphasize each, an immigration quota of one-sixth of 1 percent of the number of our people who attribute their national origin to that country. Thus we have an invariable exact mathematical formula equally applicable to all countries of the world, with one exception and that is that no country shall be left out, but shall have at least a quota of 100 annually. It has been described as a mirror held up before the American people and as the various proportions of our national origins groups are reflected in the mirror, computations of the quotas are made in accordance with that reflection. Is this discrimination which we find unjust? I think not. Certainly it is discriminate action, but it is action which recognizes the differences among the ethnic groups in our population, and it is not the practice of discrimination in its abhorrent sense.

This formula which treats persons differently, because they are basically different, was not hastily arrived at. There was a special departmental committee which undertook the task in 1924 of determining the ethnic composition of the population of the United States. It did not complete its work until 1929 when it made its report to the President. That committee analyzed the population of the United States and through most careful research and study calculated as exactly as humanly possible how many of the members of our population at that time descended from the English, the Dutch, the Italian, the Polish, the German, the Spanish, the Irish, the Portuguese, the Greek, and so on. The formula placed in effect is the recognition by the Congress that it is in the best interests of this country to maintain as nearly as possible that basic composition. This was the purpose of the numerical limitations imposed under the national origins formula, and such numerical limitation based on an invariable formula is not unjust discrimination. Those provisions which denied quotas to persons because of race have been removed from our law, and to charge that the present formula is based on a policy of deliberate discrimination is just not based on fact.

Our immigration policy as embodied in our quota law recognizes that people are different and that nations are different and that all have made a contribution to the growth and development of this country, but because of their very differences their contribution has varied. The fact that we recognize that different peoples made different contributions to the great American amalgamation does not mean that we are saying that one is superior to the other. We are saying that we believe that our legal, political and social systems derived from a population composed of persons of those great differences, and that we further believe that the preservation of this new American culture and the fundamental institutions of this Nation can most likely be preserved and strengthened by the preservation of the relative proportions of those different people in our society. Again, this does not mean that we say that one group is superior or another group is inferior, but simply that various groups of people are different. The Immigration and Nationality Act does not set forth any theory of racial or ethnic superiority, nor is there valid ground for saying there is an implication of racial or ethnic inferiority, though some persons for purely self-serving purposes seek to draw such an inference.

Mr. President, I believe that it would be interesting to read a commentary on the national origins quota system which appeared in an editorial in the New York Times on March 1, 1924, when Congress was considering legislation which it ultimately enacted as the 1924 Quota Act embodying national origins quotas:

> In formulating a permanent policy two considerations are of prime importance. The first is that the country has a right to say who shall and who shall not come in. It is not for any foreign country to determine our immigration policy. The second is that the basis for restriction must be chosen with a view not to the interest of any group or groups in this country, whether racial or religious, but rather with a view to the country's best interests as a whole. The great test is assimilability. Will the newcomers fit into the American life readily? Is their culture sufficiently akin to our own to make it possible for them easily to take their place among us? There is no question of "superior" or "inferior" races, or of "Nordics," or of prejudice, or racial egotism. Certain groups not only do not fuse easily, but consistently endeavor to keep alive their racial distinctions when they settle among us. They perpetuate the "hyphen" which is but another way of saying that they seek to create foreign blocs in our midst.

The editorial policy of that newspaper has changed considerably in the passing years but its reasoning then is still valid.

I hope, Mr. President, that it has become quite obvious that the critics of our present immigration policy will find themselves stuck with this spurious label of discrimination which they have been hurling at the national origins quota law ever since its enactment. They shout "discrimination" and then over the years what have they done? They have offered plan after plan to break down the law: unified quota plans; family reunification quota plans; quota pooling plans; population-immigration plans; and ad infinitum. But what has been the result? In all cases the substitutes contained quantitative variations in the selection of immigrants, but those who cried loudest did not advocate unrestricted immigration. This is the dilemma of those who cast these unfounded charges against a formula which is based soundly on the true proportions of the national origins groups in our population. They do not advocate establishment of numerically equal quotas for all countries. They offer a substitute without a sound formula with built-in mechanisms for the allocation of quota numbers by administrative discrimination.

Mr. President, we hear the clamor of the immigration reformists that we must remove the national origin quotas because it offends other nations and damages our foreign relations. It has been stated officially that it would better our foreign relations if we followed a different immigration policy. Do these critics ever attempt to explain the national origins quotas from a position of strength? Do they ever attempt to tell the truth rather than malign this law of ours which many of them are constitutionally bound to uphold and support? No, that is not the way they proceed as Americans.

They engage in continuing campaigns of self-condemnation and unceasingly shout discrimination from the housetops. We have always honored our obligations to the rest of the world and it is time that we started defending our policy rather than apologizing for it. Our domestic strength is our concern and it must not be governed by demands from abroad. If there are claims from abroad that our immigration policy discriminates against the peoples of a particular country, it would occur to me that that country is saying that it does not like the composition of our population and would like to see it changed.

Is this a valid position to respect? There are many policies of this country which will not please all nations and it is a mistake to try to win the approval and love of the outside world through the enactment of such an immigration policy. The pursuit of such a policy would inevitably lead to the weakening of the institutions of this country, and if we do not remain strong, then immigration policy will become a moot question in any event.

Mr. President, the advocates of the proposed revisions of the quota system contained in the bill, H.R. 2580 place much emphasis on the assertion that it will facilitate the admission into this country of aliens with special skills which are needed here. They would lead one to believe that this is a new policy and that it is imperative that we change our quota system in order to grant preferential treatment to those prospective immigrants with much needed skills. I feel that it is my duty to set the record straight in this regard.

Since December 24, 1952, when the McCarran-Walter Act became effective, 50 percent of all the quota numbers have been available for issuance to intending immigrants with special knowledge or skills whose services are needed in this country. This first preference class of immigrants, as they are called, are entitled to use 79,280 quota numbers each year out of the total overall quota of 158,561. The visas for the first preference immigrants are issued on the basis of petitions filed by the prospective employer which establish the aliens qualifications and the need for his services. This selective feature of the quota system permits those who establish the need because of the nonavailability of skilled persons in this country to obtain a preference in the issuance of visas under each quota for qualified specialists or skilled workers from abroad. The concept of asking the aliens what they can do for this country, then, is not new and has formed the basis for the selectivity under the first preference quota for the past decade.

It was after lengthy consideration that the Congress decided that the interests of this country required that at least 50 percent of each quota be reserved for persons needed in the United States because of their special skills of training. The remaining 50 percent of the quotas was made available to close relatives of U.S. citizens and resident aliens.

It is significant, Mr. President, that out of the total of 132 principal quota areas and subquota areas under which visas are available to aliens, 110 of those quotas or subquotas are current at the present time. In other words, if an industry, or a hospital, or a university, or a Government agency needs the services of an alien specialist or skilled worker, no difficulty would be encountered in obtaining a visa under the first preference portion of the quota for 108 countries. It is true that there would be a delay in issuance in the remaining countries, but not for an indefinite length of time. Perhaps it would not be possible to obtain the immediate entry from the Union of South Africa of a physicist to do research in the structure of metal, but it is quite likely that the need could be met under one of the other quotas. The law is not intended to discriminate in favor of skilled persons from particular areas of the world, and I am satisfied that if a need is established a qualified alien can be found under the present quota system.

The present system for according preferential treatment is not so inflexible as it is sometimes alleged. It may not be generally known, but under present procedures if an alien who is temporarily in the country acquires first preference status upon the basis of a petition filed by an employer who needs his services, he will be permitted to remain here so long as he maintains that status even though the first preference portion of the quota to which he is chargeable is oversubscribed. He will be permitted to carry on his essential work while he awaits the availability of a quota number. In order to accommodate the need, his spouse and children may be paroled into the United States to be with him while he waits. Furthermore, if it is determined that national defense interests warrant such action, a highly skilled technician and his family may be paroled into the United States by the Attorney General if the first preference portion of the quota to which he is chargeable is not immediately available. It seems quite clear to me, Mr. President, that when there is a real need for the specialized or skilled services of aliens in this country, that need can be met reasonably well under existing law while at the same time the interests of our own labor market are protected.

Concurrent with all the publicity for immigration reforms to facilitate the admission of skilled workers there is the demand for reforms to permit the reunifications of families. One might get the impression that the national origins quota system results in the separation of families, but this is far from the truth. The truth is that after 50 percent of each quota is made available to the first preference skilled group the remaining 50 percent is made available to close relatives of U.S. citizens and resident aliens, plus any numbers not used by the first preference. The relatives entitled to the preferences include parents of U.S. citizens, unmarried children of U.S. citizens, and spouses and children of resident aliens. The Immigration and Nationality Act goes even further and provides that if any numbers remain after the specific preference groups have been served, 50 percent of any such numbers shall be available to the brothers, sisters, and married children of U.S. citizens. This latter group is commonly referred to as the fourth preference under the quota.

In view of the fact that much of the criticism of the McCarran-Walter Act stems from the heavy oversubscription of this fourth preference class, I feel that a little clarification should be offered at this time. In the first place, this compassionate feature was added to the law for the first time in 1952 by the Immigration and Nationality Act. The attention of Congress was brought to certain isolated cases where elderly brothers and sisters of U.S. citizens were alone in the Old World and without any preference faced the bleak prospect of never seeing their relatives in the United States again. They were single and in many cases supported by the brother or sister, here. They were not given a true preference, but it was felt that if any numbers remained in the quotas after the preferences had first call, then these older brothers and sisters should have a priority in the use of the nonpreference portion of the quotas to the extent of 25 percent which was subsequently raised to 50 percent. Since they were old and alone it was considered reasonable to include them within the concept of a "family unit" which should be maintained. Similarly, the extension of this small priority to married children of citizens seemed justified. In other words, if any numbers were left over, these relatives of U.S. citizens should have a preference over "new seed" immigrants. It was never contemplated that this class of immigrant applicants would assume the proportions it has today, and create such pressures for measures to permit their entry.

As of July 1, 1964, there were 163,805 aliens who had registered on quota waiting lists under this fourth preference category. This heavy demand was never contemplated and may be attributed to the act of September 22, 1959, which hastily enlarged the fourth preference group to include the spouse and children of the principal applicant. Unfortunately by that action, which was taken in the best of faith in answer to appeals for relief in hardship cases, Congress departed from the time-honored concept of preserving the immediate family unit of the immigrant or the citizen, and extended it to include another family unit.

Thus, Congress through its act of charity, multiplied many times the persons eligible for fourth preference. The class by its nature will continue to increase, and this points out quite clearly the dangers involved in further extensions of the relative preference groups. It is an interesting fact, too, that out of the total fourth preference registrations of 163,805, nearly 114,717 of that number are registered on the quota of one country.

It is true, Mr. President, that some of the quotas are oversubscribed and that certain relatives in those countries face a delay in obtaining visas, but to me those circumstances do not justify scrapping the quota system. In 90 of the 114 principal quota areas, there is no waiting period at all for immediate family groups. In 54 of the countries there is no waiting period for anyone. It is only when you get beyond the "immediate" family groups, such as the fourth preference applicants that any serious difficulty is encountered and, as indicated above, even then only in a few quota areas.

There is one aspect of the preference quotas for each country which I believe is of particular importance and which is glossed over. While 50 percent of each quota is made available for skilled persons, that portion can only be used if the persons are urgently needed in this country. If such persons are not needed, the unused part of the first preference becomes available to the close relative preference cases in each country. In other words, just because a person has skills does not entitle him to displace a relative of a citizen unless a need for his services is firmly established. I believe that this is as it should be and as long as we live in a family of nations each nation should have its quota with a system of preferences which serves American industry by providing highly skilled workers; which preserves the immediate family unit of immigrants from that nation; and which protects the American worker in the skilled, semiskilled and unskilled classes. All these things the Immigration and Nationality Act has done and is continuing to do.

We have no cause to be ashamed of our immigration policy. Since the enactment of the Immigration and Nationality Act in 1952 through June 1964 a total of 3,108,538 immigrants have entered the United States under the provisions of that act and special enactments. Of that number 1,082,833 were quota immigrants and 2,025,705 were nonquota immigrants. That is a larger share of immigrants than any other nation has received. The number of admissions as nonquota immigrants, most of whom entered under the regular provisions of the Immigration and Nationality Act, is of particular significance. Over 55,000 natives of Japan entered as immigrants while the quota for that country is 185 annually. Over 27,000 have entered from the Philippines and the quota of that country is 100 annually. Italy has an annual quota of 5,666, but over the 11-year period over 243,000 immigrants entered from that country. From Greece with a quota of 308, there came over 53,000. Portugal has a quota of 438, but over 31,000 have entered from that country in the 11-year period. China has a quota of 105, but over the 11-year period 46,000 immigrants entered from that country. That is a good record and yet it is said that we are making enemies abroad through our immigration policy.

It is claimed that the increase in the number of aliens who would enter under H.R. 2580 would be more modest than under some of the previous proposals, but they would still be substantial. The quota would rise from 158,561 to 170,000. By extending nonquota status to adjacent islands which have recently acquired independence, it is estimated that approximately 15,000 nonquota immigrants would enter. We could expect approximately 7,300 parents of citizens under the new nonquota status. To these increases we would add 55,000 immigrants which represents the average quota numbers which have been unused in past years and would now be used. Thus, in the first year of the operation of H.R. 2580, should it be enacted, we could expect an increase in immigration of approximately 77,300, plus a substantial number of Asiatics who are natives of Western Hemisphere countries and who would enjoy nonquota status for the first time. From this latter group we could expect over 5,000 in the first year alone. Last year immigration totaled 292,248, and when we add almost 85,000 more a year, immigration will certainly approach 375,000. And mark my word, should this effort prevail, it will follow as surely as the night must the day, that in the next Congress the effort will be to increase the overall number.

Before seriously considering any measure which would increase the number of immigrants to be added to our population, we should ask ourselves some very searching questions.

In view of the level of unemployment, should we increase the rate of immigration?

In view of the threat of increases in unemployment in the future as the result of automation should we at this time increase immigration?

In view of the population explosion that is taking place in this country, should we accelerate it artificially by increased immigration?

In view of the shortage of classrooms in schools and institutions of higher learning, should we increase immigration?

In view of declining natural resources, do we need increased immigration?

In view of the growing threat of a water shortage through increased consumption and contamination, do we need increased immigration?

Mr. President, I believe this country has certainly taken its share of the oppressed and others desiring to join our community of peoples and it has done so gladly. However, no single country can solve the population ills of the world and to attempt to do so can only end in disaster.

In conclusion, Mr. President, I urge the Senate to reject the bill, H.R. 2580, and thereby maintain a sound immigration and naturalization system for our country.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 450. An act for the relief of William John Campbell McCaughey;

S. 1111. An act for the relief of Pola Bodenstein; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 9377) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I have listened with very deep interest to the address of the distinguished Senator from Mississippi who preceded me. I commend him for his very thorough and penetrating analysis of the pending measure.

It is difficult for me to understand how, after duly considering the salient aspects of this bill, one could feel that it would be in the interest of our country to enact the measure into law.

Mr. President, I am opposed to the pending immigration bill—the people of Arkansas are opposed to it—and, according to a recent national poll—the American people are opposed to it.

After several years of intensive study, the Congress enacted less than 15 years ago, the Walter-McCarran Act, which sought to define and express this Nation's immigration policy. That act was an attempt to blend national interest with the traditional American concept of the brotherhood of man. It was a reasonable act in that it attempted to build our immigraion policy on the premise that we should admit to our shores those aliens who stood the best chance of becoming Americanized. The Act was based on the national origins system which has become a symbol it seems of dread and discrimination if we are to heed the emotional cries of those who seek to change and liberalize that act by the emasculating language of the pending bill.

National origins means, quite simply, that system devised by this country following World War I whereby preferential immigration status was accorded to those countries which contributed the most to the formation of our country. In effect, the system sought to reflect the makeup of our people by allowing immigration on a fractional basis of America's population. This is today baldly labeled as a discriminatory system and it is said that it has to go. I would ask, discriminatory to whom? And I would also ask, since when has it become discriminatory to found immigration on a reasonable and rational system designed to accomplish the desired end of immigration?

The decade of the 1960's promises to go down in this country's history as the decade of discrimination. The erroneous connotation of the word "discrimination" has become so evil that I doubt that there is an American alive today who would want to be described as having discriminating taste whether in food or clothing. How ridiculous we have become. Each of us in our everyday life discriminates with every choice, be it with friends, commodities, or facilities. And regardless of some of the inane laws passed by the Congress or twisted by the Supreme Court, such discrimination will persist, for it is a natural compulsion of the human mind.

If so many people are opposed to changing our immigration policy as expressed in the Walter-McCarran Act, then why the big rush to enact the new law? Well, this concerned me, too, and I reviewed again the testimony of administration witnesses before the Senate Judiciary Committee. The Secretary of State said that he has often been approached by foreign ministers who believe that the national origins principle discriminates against their countries. This, according to the Secretary, creates difficulties in establishing good relations required by our national interest. Following this perverted logic to its end conclusion would have the national Congress taking a poll of foreign ministers or getting a consensus from foreign countries before acting on legislation in many fields.

How utterly silly it is to base our immigration policy on the complaint of a few foreign ministers who feel that our policy is discriminatory. The cry to amend the present law for the sake of the tin god of discrimination does not move me either by logic or emotion. Nor, apparently did it move the drafters of the original bill, who proposed the retention of the discriminatory unlimited provisions of the present law in regard to foreigners in the Western Hemisphere. The Senate Judiciary Committee did amend the bill to impose a 120,000 limitation on Western Hemisphere immigration beginning in 1968, but since a similar provision was defeated in the House, the final version of the bill may well continue this discriminatory aspect of the original bill.

Another witness before the committee, Attorney General Katzenbach, also relied heavily on the discriminatory features of the national origins system in making his plea for enactment of the pending bill. He complained that the system creates an image of hypocrisy which can be exploited by those who seek to discredit us abroad because we profess that all are equal yet we use the "discriminatory national origins system."

Mr. President, if we exclude anybody by law from immigrating to our country, to that extent we discriminate. The only way to have absolutely no discrimination in an immigration policy is to repeal all immigration law, and let them all stand equal. We might as well be honest about it. We are discriminating with this law. We shall discriminate with the next one and the next one, until we remove every barrier.

So the argument about some country feeling it is discriminated against loses its appeal, loses its force and persuasion. After all, whose country is this? Who has a right?

No alien has a right to admittance. We grant him a privilege, and we are under no compulsion to do that, if the granting of the privilege is against or does not serve the national interest.

Woe betide us if we ever go down the road in an effort to wipe out all the things that our enemies might use in their propaganda programs against us for this would result eventually in the elimination of the free enterprise system.

I do not understand the attitude of trembling in the presence of foreign potentates, kings, dictators, or any other heads of government, merely because we have a little pride in our own country, in our achievements, in our preeminent position in world affairs. Why should we not have?

Because we have, because we have reached these attainments, are we now required by wisdom, by logic, by humanitarian causes, or any other persuasion to say, "All we have achieved is yours"? Say it to the rest of the world: Come. Partake. Enjoy the privilege.

Mr. President, with that idea I do not agree. America cannot survive as the great Nation she is today if we ever so modify and change our immigration policy so as not to protect that which we have developed, produced, and now possess.

The Attorney General also pointed out that under the present act we deprive ourselves of skills that we could use in this country, that is, we will be deprived of the services of a brilliant surgeon from India for several years because of that country's limited quota of 100. I am sure that this Indian surgeon is brilliant, but if he is, could he not serve mankind far better by remaining in his country and ministering to the needs of the masses of his own country whose population is nearly triple that of ours?

Mr. President, I am sure that there is just as urgent need—more, possibly—in India for the skill of this brilliant physician than in America. Yet, the argument is made in support of the bill to siphon him off, to take him away from his native land, where he is needed most, because we would be embarrassed if someone should state that we were discriminating.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield at that point?

Mr. McCLELLAN. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. When it comes to the charge of discrimination, is that not mostly confined to some of our own liberals? I have not noticed that there is any undersubscription of quota allowances for the people of other nations who wish to come to America other than those which are already heavily represented in this country. Every time a matter is taken up with my office by citizens of other countries, or their relatives, and I check it with the State Department, I find that there is a long list of oversubscriptions. Does that look as though anyone is desirous of going somewhere else except to the United States, that they feel they do not wish to come to this country because we are discriminating? Is it not true that our quotas are generally oversubscribed in many parts of the world at this time?

Mr. McCLELLAN. That is certainly true. I believe it can be said without successful contradiction or challenge that we have the most liberal immigration policy in the world. I am not an expert in this field, but I do not know of any country which is more generous and liberal than the United States.

Mr. HOLLAND. Not many days ago, I had the privilege of reading a long article on immigration policy in Australia, which is vastly more restrictive than ours. Australia picks not only the countries from which it is willing to invite migrants, but also picks the individuals in those countries. The article mentioned that oversubscription in Australia was very great, that they had almost an indefinite right of selection between numerous individuals and numerous families. Does that indicate that there is any world disapproval of a people who wish to protect their own civilization and to bring to themselves, for their benefit, those whom they believe will be attuned to what their country is trying to do?

Mr. McCLELLAN. Certainly not. there is much reason or more for Australia to throw down the floodgates and open up its country to unrestricted immigration because from the point of view of its geography, Australia has a much vaster area unpopulated and undeveloped than has the United States.

The point is that if a good image of this country is related to its immigration policy, the United States should already have the greatest image of any country on earth because of its generosity and liberal attitude toward inviting people to its shores.

I do not understand why we must take the attitude that, in order to please someone else, we must now further liberalize our immigration policy.

Mr. HOLLAND. I agree with the Senator from Arkansas completely. I merely wish the RECORD to show that in the case of Australia, whose policy is restrictive and highly selective, they are being overwhelmed with applications to come in from good people who wish to emigrate to Australia and settle there and claim a part of the future of that relatively new continent as pioneers and settlers.

I am completely out of accord, however, with the theory that we must change our policy merely to suit someone else. I do not believe that people in the world, generally, will approve or disapprove of America merely because of its immigration policy. It does not make any sense. We have the right to be as restrictive as we feel our own interests require, and I am very glad that the Senator from Arkansas is bringing out that point so clearly.

Mr. McCLELLAN. I thank the Senator from Florida for his valuable comments. There is not a country on earth which will not continue to have greater respect for us because we are discriminatory in our taste and in our selection than if we were no longer to have any pride in ourselves in what we are.

Secretary of Labor Wirtz testified before the committee that the pending bill would increase the opportunities for workers with needed abilities to come into this country. The Secretary pointed out—this is under our present law, Mr. President, and I emphasize how generous it is—that during the 1952–61 period, some 14,000 immigrant physicians and surgeons and about 28,000 nurses helped alleviate the shortage of trained personnel in the critical medical field.

I do not know of any countries which have less need for skilled doctors and nurses than we have. They can do as great a service for humanity—probably greater, and with greater opportunities to serve humanity—in their own countries, where the need is greater.

Are we proud, are we boasting of the fact that we can offer inducements to take them away from where they are needed most and bring them to this country? Is that our policy?

Some 4,900 chemists and nearly 1,100 physicists, more than 12,000 technicians, and about 9,000 machinists and 7,000 tool and die makers entered during the same period. With these facts in mind, it is little wonder that we now find ourselves continuing to spend billions abroad in economic and technical aid, or that we are sending hordes of Peace Corps workers abroad. Do not these figures and arguments clearly indicate that this country has been siphoning away the very people needed most by the underdeveloped countries of the world which we are professing to help with our foreign aid, our economic aid, our dollars?

But then, perhaps this is bureaucracy at its best—taking away with the left hand and giving away with the right hand. We could eliminate the middle man in this process—our Government—by letting these highly trained people remain in their own countries where they could contribute much to their development, local economy, and culture.

It is a poor excuse for amending and liberalizing our existing law to say that we are going to do it so we can drain off more talent and more skills from other countries.

Two categories of the pending bill aroused my attention. On page 22 of the report, commenting on section 3 of the bill, it is pointed out that 20 percent each of the 170,000 will be used to take care of unmarried sons or daughters of U.S. citizens, and husbands, wives, and unmarried sons or daughters of alien residents.

A little further on in the subsection, it is stated that 10 percent of the 170,000 are to be made up of skilled or unskilled persons capable of filling labor shortages in the United States—that is, 17,000 in the category of the professions, scientists, and artists that we are proposing to drain off each year from other countries and bring them to this country.

It is proposed to let into this country 17,000 skilled or unskilled persons capable of filling labor shortages in the United States.

Where is the labor shortage that we are undertaking to accommodate? My understanding is that we have unemployment in certain areas. My recollection is that we passed a $1 billion Appalachia bill to take a sweep across a great portion of the country and try to rehabilitate that section. My recollection is that we passed another bill proposing a study of other regional developments where there are supposed to be depressed conditions.

Where is the demand for foreign labor in this country—except on some farms, by some fruit producers and others in the southern part of the Nation or in the western or Pacific Coast areas where fruits and citrus are grown?

When there was a demand for workers in Florida, we had to fight for bills on the floor over and over again to try to get a little temporary help during the season when the labor was needed most.

Mr. President, it seems to me that our country, now streaking toward unprecedented expenditures to combat poverty, to increase welfare programs, to provide more job retraining, to provide rent subsidies with wage subsidies lurking around the corner—has absolutely no business liberalizing its immigration laws.

Why should we bring to this country persons from other countries, when their skills and training are needed in those countries? We appropriate money and give it to other countries on the pretext that we are trying to develop underdeveloped areas. At the same time we propose to take away from those countries the very brains that are necessary, that those countries already possess, which can help those countries get out of a state of underdevelopment and into a state of a developed economy and society. It does not make sense.

We are told that millions of Americans today are existing on poverty wages and we are spending more and more money to raise their standard of living. Why, in the face of this national problem, should we deliberately add to it? Why should we compound the problem by letting down the floodgates and admitting thousands and thousands of additional immigrants? Do we have an obligation to the world to do this? The answer is no, and we will be unwise and imprudent to do it.

America has—and has had for years—the most liberal and compassionate immigration policy of any nation in the world. According to testimony given before the Senate Judiciary Committee, other countries of the world are not only highly discriminatory in their immigration policy—indeed, some even preclude immigration of any sort. This latter policy is probably the ultimate in discrimination as used by the proponents of this bill. But I am not aware of any great rush on the part of such countries to alter their national policy simply because someone says it is discriminatory. I think it is high time we practice more discrimination—discrimination in favor of America's self-interest. It saddens me to see that it has become completely out of vogue for an American to embrace nationalism. For some time there has been a trend in this country toward conformity, toward the norm with the resultant lowering of standards of the whole society. The immigration policy provided for in the pending bill would seek to extend that lowering of standards. This despite the cries for excellence that rang so eloquently across the land just a few brief years ago.

For example, Australia bars all except the white race; Canada bars practically all Asiatic people; Israel excludes all but those of Jewish origin. Switzerland accepts no immigrants. Russia admits only by special arrangement; and England has further tightened her immigration laws even as they relate to members of its Commonwealth. So if there is to be world criticism of immigration policy—if that is in order—let it be directed to those countries and not against the one country of the world which has consistently taken the most humanitarian attitude toward foreigners.

As I stated a few moments ago, immigration is not a right, but a privilege, and it should be treated as such. If it is in our own self-interest to restrict immigration—as every great nation of the world does—then let us frankly do so without apologies, and not enact this ill-advised piece of legislation.

Many proponents of this bill base their plea for support on humanitarian grounds. I say to them that the greatest service that this Nation can perform for the world is to remain strong, economically and militarily. The greatness of America just did not happen. This Nation achieved its greatness by dedication to the principles of self-government, to hard work and a strong sense of nationalism. And I say that liberalizing our present immigration policy will only tend to dilute rather than to augment our strength.

What high purpose do we serve by letting down the bars? Certainly we cannot hope to relieve the overpopulated areas of the world by easing immigration restrictions. The very idea is sheer folly. It is equally a disservice in my mind to establish an expanded immigration policy that seeks to drain the professional and the skilled workers from other nations who need them far more desperately than we do. By promoting this so-called brain-drain on underdeveloped countries, whose purpose do we serve? Is that not a selfish attitude on our part? And if we are to be selfish at all, then let us be so at the threshold and set realistic immigration figures. Certainly I contend that no useful purpose is served by setting a completely arbitrary figure.

One of the crying issues of the day is the problem of birth control, and how to check the population explosion. America is currently faced with the problems of the burgeoning cities, the need for more and more schoolrooms, better housing, more hospitals and highways. Local governments are stretching dollars to meet the need for more and more services. The tax dollars are split as finely as possible. Yet we in the Congress are presented with an immigration bill that would admit more and more people to further sap, if not burden, our resources.

We have had an influx of immigrants at the rate of some 300,000 per year for the past decade. It has been estimated that this bill will increase that figure by at least another 50,000 and perhaps more. Personally, I would think that another 100,000 per year would be a much more realistic figure, bearing in mind the current unlimited immigration from Latin American countries and the tremendous population increases currently being experienced in those countries. It has been estimated that the present population of 163 million in South America will mushroom up to 600 million by the year 2000. This can only portend more and more immigrants from that area of the world.

In addition to the 4 or 5 million immigrants admitted to this country since World War II, we have given asylum to more than 700,000 refugees and displaced persons. This action is a positive manifestation of this country's humanitarian concern for the oppressed people of the world. I wonder, however, how we can afford to remove the restrictions in our present immigration law and still maintain sufficient flexibility to offer asylum to any future refugees and displaced persons. And the tumultuous events of today's world would certainly indicate that the need for our accommodating refugees or displaced persons has not ended, and there is the strong possibility that it may be tremendously increased.

As further evidence of the fact that our present law is not too restrictive—or sufficiently policed—as the case may be, consider an estimate by the Senate Internal Security Subcommittee that some one-half million aliens enter this country illegally every year. With the population explosion echoing around the world, attempts to enter this country illegally will undoubtedly increase, as will efforts to further liberalize and dilute any immigration law we might enact, including the bill now before us.

The enactment of the pending bill would encourage and invite further efforts to greater liberalization until ultimately, for all practical purposes, we shall have no immigration law.

With our millions of unemployed—with our millions of poverty stricken—with our housing shortage—classroom shortage—hospital and nursing requirements—and burgeoning cities—how can we hope to alleviate conditions here at home by letting down the floodgates for the streams of ever more immigrants seeking entry—legally and illegally—into this country? Have we not already reached a reasonable limit?

This Congress recently created another Cabinet post designed to take care of the problems of the urban areas. Yet under the proposed immigration bill we will be letting in enough people in 1 year to populate a larger metropolitan area. Where is the rationale in such a practice?

By easing the restrictions on immigration we therefore make it easier for those elements who hold beliefs inimical to our own best interests to gain admission. The internal security of this Nation is already threatened to some degree from members of the Communist Party within our borders. More adherents to that ideology will be admitted through the instrument of the pending bill.

Will the addition of still more minority groups from all parts of the world lessen or contribute to the increasing racial tensions and violence we are currently witnessing on the streets of our major cities? Will our crime problems be lessened or heightened by the influx of the new hordes from the far reaches of the world? Under the national origins system, an effort was made to bring into this country those people who demonstrated the ability to assimilate readily into our culture and civilization. Will the new people to be admitted under the terms of this bill so assimilate, or will they end to gather into ghettoes? We are told repeatedly that our society is to blame for allowing ghettoes to exist now, and attempts are made to rationalize away riots and acts of violence on the ghetto environment. If that is so, will not the new bill contribute to the creation of still more ghettoes and thus more and more acts of violence and riots?

Remember that under this bill, immigration will shift from those European countries that contributed most to the formation of this Nation to the countries of Asia and Africa.

We are told that we need this bill, but, Mr. President, I have searched the record in vain to find out why. Certainly it cannot seriously be founded on the premise that the present law embarrasses our diplomats.

The nations to which our diplomats are accredited, and with whose representatives they come in contact, have more restrictive immigration laws than we have. So why should we be embarrassed?

It is not apparent to me that we are in such desperate need of "skilled technicians "from abroad that we must pass this bill. In fact, I can tell Senators that not one single employer of the State of Arkansas has asked me to find him a skilled foreigner to work in his factory. Perhaps the situation is a little different in other areas of the country, but it would be interesting to know how many Members of Congress have received requests from the major employers in their States seeking skilled immigrants.

I might also note that I am a bit puzzled by the professed support of this measure by our labor leaders. How, in the face of unemployment, can they justify support for increased immigration? If I were a union member, a worker who belonged to a union, I would want some explanation of that detrimental policy.

Aside from the immigrant, I still have not found out to whom the alleged benefits of this bill will flow—to pressure groups, to foreign governments, to immigration lawyers, to embarrassed American diplomats? It seems that this administration—which is noted for its proclivity for survey and is often termed "consensus-conscious"—is a way off base by offering the bill now before the Senate bill to liberalize our immigration program in the face of majority opposition of the American people. I am aware of no clamoring for this legislation; indeed, as indicated, widespread public opinion runs counter to this bill, if we can believe a Harris survey conducted May 31, 1965. I quote from that survey, entitled: "U.S. Public Is Strongly Opposed To Easing of Immigration Laws":

> The American public, although largely descended from people who came to a new land to escape the persecution, famine, and chaos of other lands, today by better than 2-to-1 opposes changing immigration laws to allow more people to enter this country. What is more, President Johnson's proposal that immigrants be admitted on the basis of skills rather than by country quotas meets with tepid response.
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> In fact, a survey of public opinion reveals that Americans prefer people from Canada and Northern and Western Europe as immigrants and tend to oppose immigrants from Latin America, Southern and Eastern Europe, Russia, the Middle East, and Asia.

The American people have a right to know just whose interests we seek to serve by passing this legislation. Are we, by passing this bill, acting in the national interest? Do we really need added hordes of new immigrants to further multiply the many acute domestic problems we face today? Or are we just being magnanimous in slavish addiction to some strained concept of altruism?

I am well aware that all Americans—aside from the native Indians—are descended from immigrants and that it can be truly said that we are a Nation of immigrants. But there comes a time—as with most things—when a saturation point is reached and moderation should be practiced. I think we have long since reached the point in this field where moderation is needed. America, the world's great melting pot, already runneth over. We need no increase in immigration.

We need no change in our immigration law, and we should tell those who criticize our policies to direct their complaints at the other countries of the world whose immigration programs are far more restrictive than our liberal laws and practices.

This measure should be defeated, and I shall vote against it.

Mr. President, I ask unanimous consent, as I conclude my remarks, to have printed at this point in the RECORD an editorial entitled "Why Do We Want To Bring More People to the United States?" published in the North Little Rock Times of September 16, 1965.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY DO WE WANT TO BRING MORE PEOPLE TO THE UNITED STATES?

> Now before the Senate is President Johnson's immigration bill, which has as its major purpose the repeal of the national origins quota system. What this means is that if the bill passes, the United States would favor no nation over another one in accepting new residents. We have been showing favoritism since 1924—admitting immigrants in proportion to the makeup of our population. For instance, since there were many more descendants of Englishmen living in this country than Italians the quota for Great Britain was set at 65,361 and for Italy, 5,666. This looked like raw prejudice when viewed in the light of the Great Society. So it had to go, even though most other nations see nothing wrong in being arbitrary and highly selective about whom they let into their country. Australia, for example, takes no Negroes, Liberia accepts no white people, Israel will take only Jews, and Japan and Switzerland allow no immigrants at all.
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> Of more concern to us than the origins of immigrants, however, is the number of them who come in each year. We hope the Senate, unlike the House, will be able to do more to limit immigration. Why should we be looking for ways to bring in more people? There are 7,200 persons born every day in this country, a rate that will give us a population of 240 million people in 1980. Seventy percent of our residents live in the cities—the exact spot that all immigrants seem to head for. Right now we are passing all kinds of social legislation to eliminate poverty and reduce unemployment, which, among Negroes, was at an alltime high last month. More and more of our unskilled and underprivileged Americans are going to find it harder to support themselves as machines replace men. Many immigrants will join these ranks of the unemployed, no matter how carefully they are screened. A Brazilian off a coffee plantation can live a thousand times better on relief in Chicago or New York than he can on his country's average per capita income of $129 a year.
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> Now the bill has a ceiling of 170,000 for the Eastern Hemisphere. The very least that the Senate ought to do before it passes this bill is to put some kind of a ceiling on the nations in this hemisphere, too—especially Latin America, where the population is going to double in 20 years. Congressmen MILLS and GATHINGS did their best to get a quota of 115,000 for the Western Hemisphere put into the bill, but the amendment was defeated mainly because the State Department said that it would embarrass the United States to limit immigration from our neighbor countries. Why should it embarrass us? Great Britain was not embarrassed when it reduced immigration from its own colonies in the Caribbean from 20,000 to 8,500. Plainly, the English are disturbed about unemployment and the population explosion and are trying to do something about it. Why should we be ashamed to do likewise?

Mr. McCLELLAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. RUSSELL of Georgia. I object.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE SITUATION IN THE DOMINICAN REPUBLIC—TRIBUTE TO AMBASSADOR W. TAPLEY BENNETT, JR.

Mr. RUSSELL of Georgia. Mr. President, during the past several days there has been a great deal of discussion and debate on the floor of the Senate, and, indeed, in the press and throughout the country, concerning the President's decision last April to intervene in the bloody civil strife that then gripped Santo Domingo.

The President was compelled to send U.S. Armed Forces to that riot-torn and chaotic island in order to prevent the loss of American lives and property and to prevent the possibility of a Communist takeover.

Now, 5 months later, the President's prudent, patriotic, and forthright action has come under heavy criticism by the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], and others who apparently feel that there was no real danger to American citizens on the island and that the threat of a Communist takeover was exaggerated.

Mr. President, a great deal of the criticism of our actions in Santo Domingo is apparently not directed directly at the President personally, but the charge has been made by certain critics that the President was a gullible victim of faulty advice given, among others, by our Ambassador in Santo Domingo, Tapley Bennett, Jr.

I wish to emphasize that I vigorously and categorically disagree with this criticism of American policy in Santo Domingo. It was not my privilege to be in the city of Washington when the decision to intervene was taken. I was not at the conference at the White House at which some of our hindsighters were apprised of the action that would be taken, but I did discuss the matter with the President over the telephone from my home in Georgia.

The President was kind enough to ask me what I thought of the situation. I asked him if there were any indications of a definite Communist influence in the so-called rebel forces. He stated that there was little doubt that there was a definite Communist influence there, and I told him that, in my opinion, he had no alternative other than to proceed to send the Armed Forces to San Domingo to avoid another Cuba.

No one, of course, can know definitely what would have happened had the President not intervened when he did. But we do know that, subsequent to the landing of U.S. troops, the fighting was brought to a halt and we do not have today another Castroite dictatorship in the Caribbean.

I do not know, Mr. President, how it would be possible to measure in exact numbers how many Communists must be involved in an operation of this kind before it becomes dangerous to a republican form of government, or to any other form of government. We do know that a mere handful of Communists took over in Cuba, and many of the most valorous soldiers who assisted Castro in the revolution have been compelled to flee from that island, their homeland, because they are not Communists.

We also know that in the case of Czechoslovakia, a very small percentage of the people of that country were actually Communists; those who were Communists but were smart enough, tough enough, and mean enough to take to the streets with weapons while the peace-loving people took to their homes. As a consequence, Czechoslovakia wound up behind the Iron Curtain.

Mr. President, I do not intend at this time to go into any extensive discussion of what has happened over the world, and recount the instances in which small numbers of Communists have succeeded in taking over the government of countries where the majority of people were anti-Communist. Nor do I wish to go into an extensive discussion of our Dominican policy at this time. I will say, in passing, that I do not have the confidence of some that we will be able to establish a permanent republican form of government in Santo Domingo under the procedures we are now following.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. RUSSELL of Georgia. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I do not wish to draw the Senator into a discussion of the illustrations he used a moment ago, but it runs in my mind that there never have been 20 percent of the Russian people who are Communists, or even 10 percent. In my judgment, less than 10 percent of the people in Russia are Communists.

Mr. RUSSELL of Georgia. Have never been members of the Bolshevik organization; the Senator is absolutely correct in that.

Mr. HICKENLOOPER. Yes, the disciplined members of the Communist Party.

Mr. RUSSELL of Georgia. That is right. It only requires a very small percentage of dedicated Communists who are absolutely indifferent to human life, human suffering, human liberties, and the rights of others, when a country is in a chaotic condition, to seize the power of government and impose their will on the vast majority. It has happened time and again.

Mr. HICKENLOOPER. The Senator is entirely correct.

Mr. RUSSELL of Georgia. I thank the distinguished Senator from Iowa.

Mr. President, aside from this discussion, what concerns me today has been the attempt to make a whipping boy of Ambassador Tap Bennett by those who happen to disagree with the policy and the action of our National Government.

Ambassador Bennett is an experienced and distinguished career diplomat. It happens that he is a native of my State. I have known him since he was a small boy. I have known his father and his mother for many years. I also knew both of his grandfathers, and had the honor to serve in the legislature in my State, when I was the youngest member of that body, with one of them. Only last year, I enjoyed a midday meal, which we still call dinner where I come from, with Ambassador Bennett's father and mother on their Franklin County farm in the rolling red clay hills of northeast Georgia.

I can assure the Senate that Ambassador Bennett does not come of a stock that panics and frightens very easily; he is a man of sound commonsense with both feet on the ground. It is a grievous disservice to this dedicated and patriotic public servant to suggest that when the chips were down and danger was impending, he gave the President faulty information and panicky advice.

I have known Ambassador Bennett in other posts. I visited him in Greece, when he was serving in the Embassy there. I have never known a career diplomat who endeavors more strenuously to keep in touch with the little people in the country where he is stationed than does Ambassador Bennett. He had visited virtually every community in the Dominican Republic prior to the crisis, though he had not been in that nation for any great length of time.

Last Friday, Ambassador Bennett was guest speaker at a dinner given by the professional communications media groups in Atlanta. Characteristically, he did not reply to his critics, but the Ambassador did relate, from his rather unique vantage point of having been on the scene, some of the events that took place in Santo Domingo during the bloody fighting which initiated the revolution. He also summarized three salient consequences that resulted from our intervention in that fighting. They are brief, and I should like to read them to the Senate.

This is his own summary:

> 1. No American civilians lost their lives, although one remembers with sadness that 24 gallant men of our Armed Forces gave their lives in the stern tasks that fell their lot. Close to 5,000 persons from 46 nations were evacuated safely from the country. These evacuees, almost 5,000 of them, went voluntarily, the departure of each testifying to his individual estimate of the dangers in the situation.

I interpolate here, Mr. President, to say that that is a point that I have not yet heard made, that almost 5,000 citizens of 46 nations, who were in Santo Domingo and saw what was taking place, thought it was an extremely dangerous and precarious situation, and voluntarily left the country. Many of them left behind substantial business interests. I have talked to two or three citizens of my State who were engaged in agriculture in there, who left, and there was no doubt in their minds but that it was a very dangerous situation—one that they considered to be critical insofar as preventing a Communist takeover in that unfortunate state was concerned.

I resume the reading of the summary by Ambassador Bennett:

> 2. The Communists were prevented from taking over in a chaotic situation and pushing aside democratic elements involved in the revolt. Communist tactics contributed to the long delay in reaching a settlement, but at the same time made their presence more publicly apparent than had been the case at the beginning. Their leadership has not changed.
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> 3. Another development which thankfully did not occur was that the fighting did not spread throughout the country, as seemed decidedly possible on more than one occasion. Disorders were confined to one or two areas in the capital city, and a major civil war with much wider consequences and untold loss of life was prevented.

Mr. President, I believe Ambassador Bennett's remarks in Atlanta were extremely timely and pertinent to the current debate and discussion of our Dominican policy, and I ask unanimous consent that his address be published in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RUSSELL of Georgia. Mr. President, I also wish to call to the Senate's attention a telegram warmly praising Ambassador Bennett sent by President

Johnson on the occasion of the Ambassador's appearance in Atlanta. I ask unanimous consent to have this telegram and an editorial appearing in the Atlanta Journal of September 17 concerning the Dominican discussion printed in the Record following Ambassador Bennett's speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2 and 3.)

EXHIBIT 1

COMMUNICATIONS AS A KEY TO UNDERSTANDING

(Address by Hon. W. Tapley Bennett, U.S. Ambassador to the Dominican Republic on receipt of the Big Beef Award at banquet sponsored by Atlanta Chapters of American Women in Radio and Television, Public Relations Society of America Sigma Delta Chi Fraternity, Theda Sigma Phi Sorority, Atlanta, Ga., Sept. 17, 1965)

Only this morning I flew away from an island in the Caribbean which in recent months has known the tragedy of civil strife and the horrors of violence out of control. Decisive action by your Government and other governments of this hemisphere brought an end to the major bloodletting. After arduous and often frustrating negotiations by a committee of the Organization of the American States which lasted more than 3 months, a path for rehabilitation and reconstruction has now been marked out.

We have known violent rioting in our own country in these past months, and the death toll in the recent events in Los Angeles came, I believe, to some 35. By way of perhaps inapt comparison estimates of the deaths in Santo Domingo in the chaos of late April and early May run up to 3,000. I personally think that figure is too high, that a more correct toll of that fratricidal strife would be somewhere between 1,500 and 2,000. But no one will ever know for certainty.

I recall the worst nights in April and May, when up to 70 people were using my house to catch a few hours of sleep. During that period nine snipers were despatched from their positions around the Embassy property, on which my residence also stands. Conditions were obviously not such as to permit people to go to their homes, and they groped their way up through the garden from office to residence in the pitch black night—and there is nothing darker than a tropical night without a moon—in conditions resembling a London blackout. Most of them stretched out on the floor, after the first 15 to arrive had got the available beds. By way of personal footnote—during the 6-week period from April 25 to June 2, my kitchen served up 1,963 meals, feeding everyone from the American President's Special Assistant for National Security Affairs to the Dominican gardener's granddaughter.

I think back to the bravery of young American girls, some of them in their first tour of duty as secretaries abroad, sitting calmly and typing away at 3 in the morning on telegrams to Washington while guns popped outside. Then there was the young civilian officer who day after day drove a highly flammable fuel truck through the fighting downtown because the powerplant had to be kept going—and then indignantly refused an honor award offered him from Washington with the comment that he was only doing his duty. And there was the petite woman officer who shouldered her way time and again through an undisciplined mob in one of the dock areas because she had things to do in the customs warehouse. And the Army lieutenant colonel on my staff who interposed himself calmly between two groups of men armed with submachineguns when they were about to open fire on each other, acting to protect several hundred Americans awaiting evacuation who were directly in the line of fire behind one group. Somehow these simple acts of heroism didn't seem often to get into the press accounts of the crisis. And so here I pay tribute to those who did their duty—and more—at an anxious time.

Certainly none of us there will forget the lift we got one night when President Johnson with great thoughtfulness. called up at 4 a.m. because he had received information the embassy might be attacked by a group with special demolition equipment. Fortunately that attack never came off.

Now after almost 5 months of tragedy, frustrations, and travail in the Dominican Republic, a brighter future beckons for the Dominican people. A provisional government—moderate in complexion and avoiding the extremes of both left and right—has taken office under the distinguished leadership of Dr. Hector Garcia Godoy, and the people will have a free choice for the future in elections to be held within 9 months. For those interested in comparisons, Fidel Castro took over in Cuba in 1959, and there has been no election since.

Harsh developments dictated hard decisions in April. Those decisions achieved several important results. In consequence of them several things did not occur.

1. No American civilians lost their lives, although one remembers with sadness that 24 gallant men of our Armed Forces gave their lives in the stern tasks that fell their lot. Close to 5,000 persons from 46 nations were evacuated safely from the country. These evacuees, almost 5,000 of them, went voluntarily, the departure of each testifying to his individual estimate of the dangers in the situation.

2. The Communists were prevented from taking over in a chaotic situation and pushing aside democratic elements involved in the revolt. Communist tactics contributed to the long delay in reaching a settlement, but at the same time made their presence more publicly apparent than had been the case at the beginning. Their leadership has not changed.

3. Another development which thankfully did not occur was that the fighting did not spread throughout the country, as seemed decidedly possible on more than one occasion. Disorders were confined to one or two areas in the capital city, and a major civil war with much wider consequences and untold loss of life was prevented.

In a situation in which distribution and transportation of foodstuffs was almost completely disrupted and imports to an island nation cut off, starvation was avoided. Along with other actions taken by the United States and the OAS to shore up the country's paralyzed economy, more than 63 million pounds of food were distributed to the hungry, substantial quantities of it directly by our soldiers and marines. Medicines and medical care and other vital services were provided. Private American citizens and companies and voluntary relief agencies made generous food and medical contributions, as did 11 other American republics from Argentina to Mexico. Brazil, Costa Rica, Honduras, Nicaragua, and Paraguay have joined with the United States in supplying military units to make up the Inter-American Peace Force, which is a guarantee of order and protection for rehabilitation and progress.

It was one thing to stave off disaster. Now the need is for positive, productive action to build a better nation, with greater participation for all its citizens. A moderate, progressive government needs our help and cooperation and will get it. Suffice it to say that the situation continues to be a most complex one—and one that requires our best efforts.

It is worth underlining here that modern Dominican democracy is really only 4 years old, dating from 1961, when the country broke loose from 31 years of the harsh Trujillo dictatorship. Today's complicated problems derive in large measure from the political, social, and economic stresses accompanying the emergence from the long night of totalitarianism—the social frustrations and the pent-up demands for more economic opportunity and a better life—for more jobs and more food. Our task and our objective is to respond to this desire for change in the social structure and to find rational ways in which the demands of a new society can be met.

The United States and fellow nations of the Americas, acting through the Organization of American States, are now mustering manpower and resources to help energize and build the country whose fertile valleys and wave-tossed shores were so admired by Christopher Columbus. Agriculture, transportation, and education will have priority in these efforts, and there will be specific projects in such areas as housing, irrigation, school construction, cattle production, and farm-to-market roads, as well as maintenance of the existing road net. An important part of our effort will be to help private enterprise repair its damages, increase its productive facilities and put people to work.

All these activities, whether in the Dominican Republic or elsewhere in the world, rest on cooperation and understanding. This brings us to communications, for the communication of understanding is an important factor in making effective this Nation's foreign policy, a policy based on truths, progress, and freedom. Communications is perhaps best defined as the ability to talk to each other and be understood by each other. It is much harder than many realize. Each of us has our own frame of reference. We tend, naturally enough, to accept the history of our country as the only correct history and the only really important one. Other people put similar emphasis on their own history.

Modern transportation and the speed of the news industry means that today groups with vastly different frames of reference are attempting to communicate with one another on a scale hitherto not possible. These differences between groups and peoples make communication difficult—basic differences in religion for example. Some religions believe in one God, others in many. Some have life after death as a tenet of their faith; others reject that idea. Some consider that the killing of even a fly, not to mention a cow, is a crime; others hold that killing in the name of their God is the surest way to heaven. These are fundamental differences as to the very purpose and meaning of life.

There are great differences of culture. The differences between the urban and rural approach to everyday problems has been a lasting aspect of our political life in this country. And there is of course in today's divided world the basic difference between Communist and non-Communist, and the almost impassable semantic boundary. The Communists have precise but very different meanings from our own for many words, such as democracy, republic, popular, elections, etc. These differences are one reason why negotiations with people like the Russians and the Chinese are so frustrating and interminable.

In the struggle to win men's minds, we have got to communicate effectively with the sugarcane cutter in the Caribbean, with the coffee harvester in Central America, with the Indian herdsman in the wind-swept villages of the high Andes, with the planter in the rice paddies of southeast Asia. The tools of language are required, of course. But foremost these fellow members of the human family can use a friendly hand with their problems. We work with them to increase their crops through new techniques; we assist their local doctors by offering them modern practices; we persuade them and their neighbors of the advantage of community development, of a closer working relationship with their neighbors. It is done with honest toil and basic truth.

Recently at the swearing-in ceremony for the new Director of the U.S. Information Agency, Mr. Leonard Marks, President Johnson quoted the following from Mr. Marks' writings: "Communications is the lifeline of civilization. Without it, people live in small tribal societies, suspicious of strange and different customs. With improved communications comes better understanding and a removal of the barriers of suspicion and distrust. When we know our neighbors, we are more likely to become friends, philosophically and socially, and from this relationship may evolve a world dedicated to the preservation of law in an atmosphere of peace."

The President went on to say in his own words: "I believe this is a new era in the affairs of man and the relations between nations. It is an era of greater maturity—and I hope that our own goals and standards may also mature. I hope we shall not expect quick answers to ancient questions, that we shall not expect simple solutions to complex problems. I especially hope we may not strive foolishly and vainly for the world's love and affection when what we really seek is the world's respect and the world's trust."

You and I—all of us—are engaged in the great adventure of communications as a means to achieve this respect and trust on the part of others. To those of you who labor in the vineyards of the press, the radio, the television, and other mass media, I would recall our common responsibility to get the facts, to be accurate, to be objective. And as one who has spent a good part of his time in recent years—along the border of the Iron Curtain in Central Europe, in the Balkans, and the Eastern Mediterranean with their age-old feuds, and now in the turbulent Caribbean—trying to compose problems of varying difficulty, I feel qualified to observe on the basis of some tender experience that it is usually easier to find fault than to find solutions.

Around the world our country is engaged on many fronts and in many fields. As our fellow Georgian, Secretary of State Dean Rusk, recently observed: "It is the purpose of the Department of State to try to bring about what some people will call a boring situation; that is, a period of peace. I should not object if we got international relations off of the front page for a while. I see no prospect of it.

"But settlement is our object, and settlement frequently is not very newsworthy."

But peace is elusive, and the way of the peacemaker often leads across stony and unyielding ground. President Kennedy reminded us that "only a few generations have been granted the role of defending freedom in its hour of maximum danger." That is a proud and demanding role—one that befits a great nation and demands its best.

To close I would recall the words of Euripides in describing ancient Athens—a world power in its time which, not unlike our own country today, was the leader of a coalition of free communities against those who would smother freedom and stifle democracy. Euripides wrote with pride and compassion of the penalties of power when he spoke of Athens as a city which "takes much and bears it; (and) therefore she is blessed."

EXHIBIT 2

THE WHITE HOUSE,
Washington, September 17, 1965.

FELTON GORDON,
Dinner Chairman, Big Beef Banquet Progressive Club, Atlanta, Ga.:

I am very happy to join the many friends of Tapley Bennett as they gather to applaud his dedicated record of public service. Yours is a richly deserved tribute to an outstanding professional who has shown his coolness, courage, and good judgment in danger and difficulty. To Ambassador Bennett and to all his fellow Georgians who honor him this evening, I extend my warmest good wishes for a memorable event.

LYNDON B. JOHNSON.

EXHIBIT 3

[From the Atlanta Journal, Sept. 17, 1965]

AMBASSADOR BENNETT

Our Ambassador to Santo Domingo is W. Tapley Bennett, Jr. A Georgian, Ambassador Bennett is a frequent (and current) visitor to Atlanta.

Now that the Dominican crisis seems settled there is a lot of second guessing going on in Washington. Did the administration handle the matter correctly? Or was the President panicked into sending troops?

The Journal has been with the administration, therefore it was good to read that recent criticism by Senator J. W. FULBRIGHT has in turn been criticized by a substantial part of Washington.

Senator FULBRIGHT thought the President did wrong to act on Mr. Bennett's advice that the situation was out of hand.

A lot of the Senate has disagreed with Senator FULBRIGHT.

On September 8, the Journal looked at it this way, and the Journal still does.

"The Dominican problem has been an intense one. After our Cuban experience with 'democratic liberators' this country has followed it with anxiety plus cynicism.

"But alas * * * there are indications many of our writers and political theorists are closer to the dream world than reality."

We didn't say Senators then, but we now add them to the list.

Welcome home, Mr. Bennett. Remember the newspapers and members of the intelligentsia who first thought Castro a democratic hero?

They haven't learned much since.

But the rest of us seem to have learned the valuable lesson that so-called popular fronts today are fronts for the Communists rather than the people.

Mr. RUSSELL of Georgia. Mr. President, I yield the floor to the distinguished Senator from Pennsylvania.

Mr. CLARK. I thank my friend, the Senator from Georgia.

Mr. President, the defense of Ambassador Bennett by the Senator from Georgia does him credit, as an old friend and as a constituent. I do not think any of us who feel that perhaps the Ambassador's judgment was not entirely sound, our feeling being based, as we have admitted, on Monday morning quarterbacking, would question in any way the Ambassador's integrity, loyalty, or devotion to duty. There is no further reason for me to further defend the able and distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT], and I have nothing further to say on that matter.

WATER QUALITY ACT OF 1965—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, I submit a report of the committee of conference of the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, the conference report on S. 4 represents a reasonable and sound compromise on the Water Quality Act of 1965. As my colleagues know, it was not easy to obtain agreement on this legislation. On the primary issue of water quality standards there were strong opinions on both sides of the table. In the end, however, the agreement we reached represents both a middle ground and, in many respects, an improvement over the original version as it passed the Senate.

I want to take this opportunity to express my appreciation and gratitude to the Senate conferees, Senators RANDOLPH, MOSS, BOGGS, and PEARSON. The unanimity we reached on the basic issues in S. 4 strengthened our hand immeasurably and added to the quality of the discussions in conference. Through the months since the House enacted its version of S. 4 the Senate Members of the conference and their staffs reviewed the two proposals. Many of their suggestions were incorporated in the final version and contributed to the successful agreement between the representatives of the two bodies. Partisan differences were forgotten in the common effort to develop a meaningful act for the enhancement of the quality of our national water supplies.

The discussions in the conference were vigorous, but amicable. The delay in agreement is a measure of the strong feelings related to matters of principle rather than to any unwillingness to reach a consensus. I could not report to my colleagues on the conference without paying tribute to the House conferees for the contribution they made to this legislation on behalf of the House of Representatives and particularly to Congressmen JOHN BLATNIK and ROBERT JONES for their leadership on S. 4 and in the general effort toward water pollution control and abatement.

I shall not take the time of my colleagues to review in detail the entire conference report on S. 4. That report, and the report of the managers on the part of the House, can be found on pages 24583–24587 of the CONGRESSIONAL RECORD for September 17, 1965.

In brief, the conferees agreed on the establishment of a water pollution control administration in the Department of Health, Education, and Welfare, headed by an Administrator and supervised by an assistant secretary. The Senate conferees accepted the House version, which transfers all of the activities of the present division of water supply and pollution control to the new Administration and spells out in detail the procedures to be used in transferring personnel. We believe an orderly transition can be made from the present arrangement under the Public Health Service to the new Administration.

The managers for both the Senate and the House agreed that the selection of the Administrator is crucial to the success of the program and that his grade level and status should reflect the importance the Congress attaches to this program in establishing it as a separate Administration.

The Senate conferees accepted the House proposals on increased authorizations for sewage treatment grants. These include an increase to $150 million a year for the next 2 years in the total authorization and an increase to $1,200,000 in individual project authorizations and $4,800,000 for multi-community projects. Funds appropriated in excess of $100 million in each of the next 2 fiscal years will be allotted to the several States on the basis of population and individual project authorization limitations will not apply on the use of such funds where States match the Federal contribution.

The Senate conferees agree to these provisions as a temporary measure because of the demonstrated crisis in such States as New York. I know that Senators JAVITS and KENNEDY are very much concerned about this problem. At the same time, the Senate conferees made it very clear that the increases in authorizations and the modifications in the allocation formula do not represent a judgment as to the realistic levels of Federal grants or formula in the years ahead. The Senate Subcommittee on Air and Water Pollution is examining this problem and will make recommendations in the next session of the Congress.

The next major provision in the act is the water quality standards section. As it passed the Senate, S. 4 authorized the Secretary of Health, Education, and Welfare to establish water quality standards on interstate waters or portions thereof in the absence of effective State standards, following a conference of affected Federal, State, interstate, municipal, and industrial representatives. Violation of established standards would be subject to enforcement in accordance with the present enforcement procedures in the Water Pollution Control Act.

The House version of S. 4 contained a provision for States to file letters of intent on the establishment of water quality criteria, with a pollution control grant penalty for failure to file such a letter of intent. There was no provision for the establishment of water quality standards.

The conferees agreed to amend the Senate version to give the States until June 30, 1967, to establish water quality standards on interstate waters which the Secretary determines are consistent with the purposes of the act. In those cases where the States fail to establish such standards the Secretary is authorized to call a conference of affected, Federal, State, interstate, municipal, and industrial representatives to discuss proposed standards, after which the Secretary is authorized to publish recommended standards.

If a State fails to establish standards consistent with the purposes of the act within 6 months after promulgation of the Standards—unless the Governor of an affected State requests a public hearing within that period—the Secretary is authorized to promulgate his proposed standards. The Governor of an affected State would be permitted to petition for a public hearing within the 6-month period after publication of the proposed standards and up to 30 days following promulgation of the Secretary's standards. The Secretary is required to call such a hearing and to appoint five or more members to the board. The Secretary of Commerce and the heads of other affected Federal departments and agencies are to be given an opportunity to select one member of the board. The same right is accorded the Governor of each affected State. It is the intent of the conferees that the hearing board represent a balance of Federal and State interests.

The hearing board may recommend either: First, establishment of the Secretary's standards; or second, modification of those standards. The Secretary must adopt the board's recommendations. If the board recommends adoption of the Secretary's standards they become effective immediately on the Secretary's receipt of the board's recommendations. If the board recommends modifications in the standards the Secretary must modify them in accordance with the board's recommendations and promulgate them. The revised standards become effective on promulgation. Revisions in established standards can be considered and proposed by the Secretary on his own motion or on request by the Governor of an affected State in accordance with the foregoing procedures.

Violations of standards under the provisions of this act are subject to Federal abatement action. If the Secretary finds such violation he must notify the violators and interested parties, giving the violators 6 months within which to comply with the standards. If, at the end of that period, the violator has not complied, the Secretary is authorized to bring suit, with the consent of the Governor of the affected State in the case of intrastate pollution, through the Attorney General of the United States under section 10(g)(1) or (2) of the amended Water Pollution Control Act.

This enforcement procedure differs from the procedure followed under the present act by omitting the conference and hearing board stages. Because there is a conference and hearing board under the standard-setting procedure the managers for the House and Senate did not consider a repetition of these proceedings necessary in cases of violations of standards. The conference and hearing board stages remain in enforcement proceedings arising out of endangerment of health or welfare where water quality standards have not been established, as under existing law.

In court proceedings resulting from a suit for violation of water quality standards established under this act, the court is directed to accept in evidence the transcripts of proceedings before the conference and hearing board and to accept other evidence relevant to the alleged violations and the standards. The court is to give due consideration to the "practicability and physical and economic feasibility" of complying with the standards in making judgments in such cases.

There was one final set of compromises in the conference. The House managers agreed to recede on the House "subpena section" and insisted that the Senate recede on the Senate "patents section."

Measures contained in both versions were: a 10-percent bonus in sewage treatment plant grants for those projects carried out in accordance with an areawide plan; a 4-year, $20 million per year research and development program for new and improved methods of controlling the discharge of inadequately treated combined storm and sanitary sewage; authorization for the Secretary to initiate enforcement proceedings in cases where he finds substantial economic injury results from the inability to market shellfish or shellfish products as a result of water pollution, recordkeeping and audit provisions; authority for the Secretary of Labor to set labor standards on projects financed through this act under Reorganization Plan No. 14 of 1950; and an additional Assistant Secretary in the Department of Health, Education, and Welfare.

Mr. President, I believe this act, as amended, will give strong impetus to our efforts to control and abate water pollution and to improve the quality of our water supplies.

The conference report is signed by all the conferees on the part of the Senate and by all of the conferees on the part of the House.

Congressional staff members have an important role in any legislation. In the development of S. 4 and in the achievement of the conference report the Senate and House staffs made an invaluable contribution to our success. I am particularly indebted to Ron M. Linton, chief clerk and staff director of the Senate

Committee on Public Works, William Hildenbrand, legislative assistant to Senator BOGGS, and my administrative assistant, Donald E. Nicoll, for their imagination, patience, and skill in making suggestions and drafting successive versions of the bill. A similar contribution was made by the able and cooperative House staff members: Richard J. Sullivan, chief counsel of the House Committee on Public Works; Maurice Tobin, assistant to Congressman BLATNIK; Clifford W. Enfield, minority counsel of the House Committee on Public Works; and Robert L. Mowson, assistant legislative counsel for the House. Without their assistance we could not have this report.

Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JAVITS. Mr. President, I am most pleased that the conferees on S. 4 have reached an agreement. The bill was passed by the Senate last January, and by the House in April, and I know that great differences had to be resolved before a final measure could be presented to the Congress.

The measure is of particular importance to the drought-stricken Northeast which must begin extensive water pollution control programs immediately, and is particularly vital to the State of New York, which will begin a $1.7 billion program with the aid of these funds.

I would also like to call attention to two changes in the final version of the bill which I sought to have adopted here in the Senate. The first raises the dollar limitation on any single project from $600,000 to $1,200,000. The second provides $50 million a year to the grants program, such additional money to be distributed on the basis of population alone.

The conferees and the distinguished chairman of the subcommittee, the Senator from Maine [Mr. MUSKIE] are to be commended for their fine work on this measure. On behalf of the people of the Empire State, I express my most sincere thanks for their efforts in securing final passage during this session.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. PASTORE. Mr. President, I rise to support H.R. 2580, a bill to amend the Immigration and Nationality Act.

We are about to write one of the finest pages in the human history of America, this land where only the red man is native, this land of immigrants since Columbus first set foot on this sacred soil.

This soil is sacred in the sincere faith of every American in whose youth, or the youth of his parent, this land of liberty was just beyond the horizon of hope as he viewed it from his native soil.

Then came the day of welcome, of opportunity, of responsibility, of obligation. The record shows their obligation has been discharged by 40 million immigrants and their offspring; discharged in faithful service and sacrifice supreme.

This is an honest hour in which we are about to remedy one of the faults of 40 years, the national origins quota system. This was a device for discriminating against races and places. It was illogical, ill conceived, un-American. It opened our doors wide to people who did not wish to come, and did not come. It closed our doors to the willing and the worthy. It refused those ready to share our prospects and our perils. It mocked our Founding Fathers; those who set our standards of decency and dignity, those who saw all men equal as created by their God.

This inequity of 40 years ago was compounded by the Immigration and Nationality Act of 1952. This codified the restrictions of the twenties—and confirmed the quota system.

Today, we are correcting that misconception of America's purpose.

I have worked for it throughout the 15 years I have been a Senator.

I worked for it not only because the quota system was an injustice to the worthy, would-be immigrant—and I am the son of immigrants.

I worked for it because I am a Senator of the United States—and it is an injustice to my country to turn away the clean of heart, the sound of mind, the strong of body, the soul stirred by the adventure and opportunity that America means.

I have worked constantly, continuously, consistently, to make our immigration laws speak the true spirit of America without inviting to our shores more people than we know we can afford to welcome.

Mine was no lonely stand. I have served under five Presidents of these United States. Each of them; with a responsibility higher than mine, an understanding deeper than mine, and an authority greater than mine, has pressed for this triumph of justice.

This is a great hour for President Harry Truman. He called the quota system "at variance with American ideals—out of date—invidious discrimination" and in June 1952 he vetoed the act of 1952. It was passed over his veto.

It is an hour of satisfaction for President Eisenhower.

In 1952, in his state of the Union message, he said of our immigration laws:

> Existing legislation contains injustices. It does, in fact, discriminate. I am therefore requesting Congress to review this legislation and to enact a statute which will at one and the same time guard our legitimate national interest and be faithful to our basic ideas of freedom and fairness to all.

Again in 1956, President Eisenhower addressed the Congress on immigration, saying:

> The national origins method needs to be reexamined and a new system adopted which will admit aliens within allowable numbers according to new guidelines and standards.

We did not have to wait for John F. Kennedy to be elevated to the White House to know his mind in this matter, and President Lyndon B. Johnson has been faithful to his memory and to his trust in his earnest advocacy of equity in these laws.

I will not stress the convictions and dedication of these two leaders. We knew these men—Lyndon B. Johnson and John F. Kennedy—on this Senate floor. We knew these men and we knew their minds and their hearts.

I will borrow a few lines from a newspaper editorial back home. It says:

> Immigration reform is essential. A few moments before his death, President Kennedy launched a renewed effort to wipe out patent inequities of U.S. immigration policy. President Johnson has continued it.

The very simplicity of those sentences makes them eloquent.

Through the years I was honored to be associated with Senator John F. Kennedy—as I joined with him and he joined with me in immigration measures beyond count.

John F. Kennedy, who owed his American day to his immigrant forbears, felt deeply, spoke honestly, and acted earnestly in wanting America to keep faith with the world. It is a world that looks to us for standards of decency and dignity—of equity and fair play.

John Kennedy's immortal test—Ask not what America can do for you—ask only what you can do for America—would still be his test.

He would remember what the immigrant had done for America—and the need that still exists that our character and courage and culture continue to be stimulated by the qualities and equities that made our history. These are the qualities and equities that gave our country growth to greatness in a world that has become too small to permit us to be too smug—too self-centered.

The act of 1952 was far from satisfying many of us—and it did not silence us. In these 13 years we have not merely marked time. By dint of dedication and determined effort, we have made more than a score of corrections, exceptions, alterations, improvements, and advancements in our immigration laws.

And now we make the major reform in the iniquitous—and I say that advisedly—quota system.

Two years ago, President John F. Kennedy asked us to eliminate this discrimination. His message might be summarized in these excerpts:

> The use of the national origins system is without basis in logic or reason. It neither satisfies a national need nor accomplishes an international purpose * * * in an age of interdependence among nations.

After 2 years, we are making our response with this remedy. It seems historic justice that the response—in large part—is being made for us by another Senator from Massachusetts—a Senator bearing the name of Kennedy.

It might seem too emotional to call this measure a memorial to anyone. So

I will just say it is an American milestone—another measurement which finds its principle in equality of opportunity—and finds its proof in the record of responsibility of those to whom the opportunity was given. That record is written on every page of American history—and no page is more American than the one we are writing today.

Mr. President, it is my fervent hope that this measure will pass by an overwhelming majority.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. As a member of the committee, and Senator in charge of the bill, let me express my great appreciation for the statement of the Senator from Rhode Island. He has been a Member of this body for many more years than I have, and I know that this is a subject in which he has been greatly interested. His statement this afternoon has summarized and captured the fundamental theme which is basic to this legislation before the Senate. The Senator from Rhode Island has once again addressed himself to, provided enlightenment on, and brought to bear a dedication and interest on this problem, which I know all Senators fully appreciate. Therefore, I commend the Senator from Rhode Island for his support of the bill, and I ask all Senators to read his remarks.

Mr. PASTORE. I thank the Senator from Massachusetts.

If I have said it once I have said it a hundred times—we do not wish one more person to come to this land than can be comfortably absorbed into our way of life. We do not wish one more person to come to this country who will take a job away from an American—and I have heard that accusation made.

"How many" is not so important as "how." The number is not so important as the method.

Today America is the beacon light of mankind. America is the hope and envy of the world. America wears the mantle of leadership. How we act and how we speak has repercussions all over the world. Let us do away with discrimination, because discrimination is invidious to our way of life. What we want is equality and fairness. We want only good people to come to America, who will contribute to the welfare and grandeur of America.

I am not disturbed about numbers. I do not care how big or small the number is made, but once that number is arrived at, it should be meted out with equality and justice to all. We should say equally to an individual, "You can come here for what you can do for America." That is the only just way.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KENNEDY of Massachusetts. The Senator from Rhode Island has touched on the most basic point of this legislation. We have often heard in speeches in opposition to the legislation that because other countries throughout the world have discriminatory and restrictive immigration policies, it is reasonable to argue that our immigration policy, in the year 1965, should be discriminatory. The Senator from Rhode Island, however, has underscored the fundamental point that, as the leader of the free world, and as a country that tries to demonstrate leadership in the whole cause of democracy and freedom, it is essential that our immigration law reflect our fundamental belief in the dignity and worth of the individual. That is the theme of the remarks of the Senator from Rhode Island. It is basic to this legislation. It is something that all Senators should reflect upon. When they do, I believe they will find that this immigration legislation is fundamentally based on the dignity of the individual. It is in keeping with the growth of a stronger national policy as regards individual rights that has been reflected in many other measures enacted by the Congress in recent years.

Mr. PASTORE. I give the Senator from Massachusetts a more dramatic and classic example of why the free world is secure today. Why is it secure? Because the United States has primacy in nuclear and thermonuclear weapons. This country is the bastion of freedom and liberty in an imperiled world today because of its primacy in that field.

In 1939 Niels Bohr, a Nobel Prize winner, and a great Danish scientist, came to the United States to meet Enrico Fermi, here as a refugee from Italy. His wife was a Jewess. He refused to return to Mussolini's Italy after receiving the Nobel Prize in 1938 because she was subject to persecution in Mussolini's Italy. Fermi smuggled her across the frontier, and fled to America.

When Niels Bohr landed in New York, the man who met him there was Enrico Fermi. Niels Bohr told Fermi about two scientists in Germany, Strassmann and Hahn, who were ready to break the atom and who were on the verge of a significant nuclear discovery. Enrico Fermi, an Italian, and Niels Bohr, a Dane, went to see Professor Szilard, a Jewish refugee from the persecution of Europe. So we are talking about America as a haven. The exiled scientists talked it over. They were deeply concerned over the possibility that Hitler might achieve the bomb. They went to see another scientist by the name of Albert Einstein, another Jew, another refugee from persecution. Those four men aroused America to its peril. Albert Einstein wrote the famous letter to President Roosevelt. Roosevelt had the courage to give the "go-ahead." The best-kept secret of the war was launched. This country then invested the money and began our research for the atomic bomb. How prophetic is the date of December 2, 1942. 1942–1492. Transform those dates. Columbus in 1492, Enrico Fermi in 1942. It was Enrico Fermi in 1942 who, at Stagg Stadium in Chicago, first achieved an atomic chain reaction. He gave America the atomic bomb.

If we had followed the logic of those who are opposed to this legislation, we would have handcuffed America. We would not have had an Enrico Fermi. We would not have had a Professor Szilard. We would not have had an Albert Einstein. We would not have had Niels Bohr. And we would not have primacy in the development of a weapon that has protected the cause of freedom in the free world for these 20 years.

I am urging that it makes no difference what the race is, it makes no difference what the nationality is, it makes no difference what the place of birth is. What counts is the contribution that a person can make to this great America of ours. Let us open our doors and open our hearts to such people. Let us remove a stigma which would be a blot on American history. I am glad we are meeting today. I am hopeful we shall meet the House of Representatives and have this legislation enacted.

I raise my hat today to the memory of John Fitzgerald Kennedy and to the leadership of President Lyndon Johnson. By their efforts America takes a prouder place in the galaxy of nations in a world that seeks fairness and freedom.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I have heard the Senator from Rhode Island speak eloquently before. I have always enjoyed his speeches. Today I compliment the Senator on the deep feeling he has expressed in the matter to which he has just addressed himself. I have heard the Senator speak on immigration bills before, the so-called pistol point bills that the Senate has passed from time to time because we could not get anything else. This is one issue that absorbs the humanitarian and patriotic feelings of the Senator from Rhode Island. I congratulate him for his outstanding speech.

Mr. DODD. Mr. President, I vigorously support the immigration reform bill of 1965.

Our present immigration law has split families, forced us to forgo talents needed for American science, education, and industry, and has discriminated between peoples on the basis of the country of their birth, without regard to the hardship thus caused them, their families, and the United States.

The basis for our immigration laws for the last 41 years has been a discriminatory system called the national origins system, designed to freeze the ethnic balance of our country in the form it had in 1920.

Instead of asking an immigrant what he can do for America, the national origins system has asked only, "Where were you born?"

Instead of setting a limit on immigration and admitting persons under that limit on the basis of their ability and desire to immigrate the national origins system has rejected many of those who have wanted to immigrate and offered permission to immigrate to people who have no such desire.

The unfairness and discriminatory nature of the national origins quota system is nowhere more clearly demonstrated than by the fact that in the last 20 years Congress has acted 10 times to alleviate its hardships, and in the last decade alone has passed hundreds of pieces of special legislation to allow 373,000 individuals into the country who were ineligible for admission under our present immigration laws.

For as long as I have been in the Congress, I have worked for a reasonable reform in the immigration laws.

I have introduced numerous bills dealing with immigration reform and have cosponsored others.

My efforts and those of my colleagues to bring rationality and compassion into our immigration laws have been met with some success.

Four times since 1957 we have made special provision for relatives of American citizens and for orphans.

Six times since 1948 we have enacted laws to allow immigration by refugees.

And every year many private immigration bills are passed, each of them intended to help people who are caught up unjustly in the rigidities of the national origins quota system.

But systematic and thoroughgoing revision of the unfair and discriminatory aspects of our immigration laws has yet to be accomplished.

This year I am cosponsor of S. 500, the Senate version of the bill now pending before the Senate, to make the changes in our immigration law which our economy needs, which our citizens want, and which American tradition demands.

This immigration reform bill is not designed to increase immigration.

In fact, it will not authorize a significant increase over the number of immigrants now allowed to enter the United States annually.

There will be some increase in immigration to the United States, but not more than three ten-thousandths of 1 percent a year of our present population.

The reason for this increase is not primarily that the bill authorizes more immigrants, but rather because the bill provides for more efficient and fairer administration of the whole immigration system.

And most of this increase is devoted to a special category to admit up to 10,200 refugees, a change which I have long wanted to see made.

The immigration reform bill will authorize the immigration of 170,000 persons from outside the Western Hemisphere each year.

Immigration from within the Western Hemisphere will be limited to 120,000 a year. Previously it has been unrestricted.

If these quotas are filled every year, our total annual immigration will amount to litle more than 1½ percent of our total population this year. By 1980, it will be barely more than 1 percent of what our population will be in that year.

Within these overall limits, permission to immigrate will be allocated on a first-come, first-served basis, with first preference to the families of immigrants already here and a 20,000-person annual limitation on any one country.

The bill also gives preference to people whose professional, scientific, or artistic ability will substantially benefit the United States.

The bill contains a new feature designed to protect U.S. workers from unemployment. It requires each immigrant to obtain a certificate from the Secretary of Labor that his presence in the United States will not affect U.S. employment, wages, or working conditions.

In short, Mr. President, the immigration reform bill replaces outmoded prejudice with rationality.

It provides compassion for separated families and protection for the United States worker.

It replaces distinctions based on nationality with distinctions based on individual worth and qualification.

The immigration reform bill will replace the existing law which makes a man's ability to be reunited with his family depend on the country in which he was born.

It will replace the law which has kept from our shores people whose skills we need to make our Nation stronger.

It will replace the law which has kept us from helping refugees from natural and manmade horrors to make a useful life for themselves and for our society in America.

It will replace a law which has contradicted the American heritage.

All of us in this country who do not descend from Indians are immigrants.

Our Nation's greatness is as much due to our diversity and our ability to live together as to any other factor in American life.

On our Statue of Liberty in New York Harbor we have written:

> Give me your tired, your poor, Your huddled masses yearning to breathe free. Send these, the homeless, tempest-tossed to me. I lift my lamp beside the golden door.

For 41 years a discriminatory immigration law has barred and tarnished our Golden Door. It is time to strike down those bars and restore its splendor.

It is time to pass the Immigration Reform Act of 1965.

Mr. SMATHERS. Mr. President, I support the pending legislation which amends the Immigration and Nationality Act of 1952 because I sincerely believe that it makes necessary and needed changes in existing law. These changes, in my opinion, protect the national security, as well as the economic well-being of this Nation.

The very able and distinguished Senator from Massachusetts [Mr. KENNEDY], the very able and distinguished Senator from Michigan [Mr. HART], as well as the very able and distinguished Senator from North Carolina [Mr. ERVIN], have previously pointed out in detail the provisions of the pending measure. Therefore, I will not take the time of the Senate to repeat what has already been adequately and fully explained.

I would, however, like to briefly comment upon the change made in the adjustment provisions contained in section 245 of existing law. The change made in this section does not repeal its provisions. Frankly I do not think there is any member of the Judiciary Committee who felt that this section should be repealed. However, the committee felt and rightly so that some leeway should be made when normal procedures cannot be followed by virtue of circumstances such as those which brought about the entry into this country of some 250,000 Cuban refugees since 1959.

Under section 13 of the bill, qualified Cuban refugees will be afforded an opportunity for adjustment of status from parolee to permanent residence upon application made to the Attorney General of the United States without departing therefrom. I would like to point out that the provision is permissive rather than mandatory and does not blanket all Cuban refugees with an adjustment of status. The usual screening process will apply in all cases.

Many of us are familiar with the Federal program of assistance administered by the Department of Health, Education, and Welfare designed to render effective asylum to Cuban refugees with opportunities for self-support, chiefly through resettlement. The program is carried out in cooperation with volunteer agencies, religious bodies, and civic organizations.

Unfortunately, many of the Cuban refugees who are skilled in the practice of law, medicine, and teaching have found it very difficult to apply their skills not only to the detriment of themselves, but to the detriment of our Nation as well. This is chiefly due to the fact that most States require individuals to have either permanent status or citizenship in order to practice their skills or professions.

I feel that the action taken by the Senate Judiciary Committee in amending section 245 of existing law is commendable indeed, and certainly will assist greatly in phasing out the Cuban refugee program.

By and large the Cuban refugees are a highly skilled group. It is estimated that at least 50 percent of them are in the professional, technical, and managerial fields. This change in section 245 will speed up the resettlement of these refugees and relieve their present dependency on public and private assistance programs. Such action is in our own national interest.

As a whole the pending bill will greatly improve existing law. As reported out of the Senate Judiciary Committee, I sincerely trust that my colleagues in the Senate will give the measure their wholehearted support.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I ask unanimous consent that the pending measure be temporarily set aside, so that the conference report on the Defense Department appropriation bill may be called up.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, p. 24250, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, a yea-and-nay vote will not be asked for on this conference report. So far as we are planning, we shall not ask for such a vote. Some items need to be explained, so that a history may be made. I propose to speak for approximately 15 or 20 minutes. This conference report, if agreed to, will be succeeded immediately by the conference report on the military construction appropriation bill, and in that case, too, there will be no request for a yea-and-nay vote, but a short explanation will be made.

Mr. President, H.R. 9221, the Defense Department appropriation bill for fiscal year 1966, as agreed to unanimously by the committee of conference of both Houses contains a total of $46,766,419,000 in new obligational authority for the Army, Navy, Marine Corps, and Air Force. This is $10.1 million over the amount provided by the Senate and $1,698,919,000 over the amount provided by the House. It is a reduction from the revised budget estimate of $85,681,000.

I ask unanimous consent to have printed at this point in the RECORD a tabulation by appropriation titles, giving the appropriation for fiscal year 1965, the budget estimates for fiscal year 1966, the House and Senate allowances, and the conference action.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966 (H.R. 9221)

Comparative statement of the appropriations for the fiscal year 1965, budget estimates, House allowances, Senate allowances, and conference committee allowances for fiscal year 1966

TITLE I—MILITARY PERSONNEL

Item	Appropriations, fiscal 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference allowance
Military personnel, Army	[1] $4,221,000,000	[2] $4,102,600,000	[2] $4,096,100,000	[2] $4,092,291,000	[2] $4,092,291,000
Military personnel, Army (reappropriation)		(12,300,000)	(12,300,000)	(12,300,000)	(12,300,000)
Military personnel, Navy	[3] 3,074,000,000	[4] 3,055,000,000	[4] 3,055,000,000	[4] 3,055,000,000	[4] 3,055,000,000
Military personnel, Marine Corps	[5] 750,500,000	[6] 749,900,000	[6] 749,900,000	[6] 749,900,000	[6] 749,900,000
Military personnel, Air Force	[7] 4,442,500,000	[8] 4,393,800,000	[8] 4,393,800,000	[8] 4,393,800,000	[8] 4,393,800,000
Military personnel, Air Force (reappropriation)		(45,800,000)	(45,800,000)	(45,800,000)	(45,800,000)
Reserve personnel, Army	242,900,000		238,600,000	238,600,000	238,600,000
Reserve personnel, Navy	[9] 99,200,000	105,100,000	105,100,000	105,100,000	105,100,000
Reserve personnel, Marine Corps	[10] 30,900,000	33,000,000	33,000,000	33,000,000	33,000,000
Reserve personnel, Air Force	[11] 59,200,000	60,500,000	60,500,000	60,500,000	60,500,000
National Guard and Reserve personnel, Army		459,800,000			
National Guard personnel, Army	277,500,000		266,200,000	271,800,000	271,800,000
National Guard personnel, Air Force	69,300,000	71,300,000	71,300,000	71,300,000	71,300,000
Retired pay, Defense	1,399,000,000	1,529,000,000	1,529,000,000	1,529,000,000	1,529,000,000
Total, title I—Military personnel	14,666,000,000	14,560,000,000	14,598,500,000	14,600,291,000	14,600,291,000
Reappropriations		58,100,000	58,100,000	58,100,000	58,100,000
Adjusted total, title I	14,666,000,000	14,618,100,000	14,656,000,000	14,658,391,000	14,658,391,000

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army	$3,482,910,000	$3,379,100,000	$3,475,200,000	$3,483,600,000	$3,483,600,000
Operation and maintenance, Army, 1962 (liquidation of contract authorization)		(54,044,000)	(54,044,000)	(54,044,000)	(54,044,000)
Operation and maintenance, Navy	3,178,472,000	3,332,100,000	3,332,100,000	3,332,100,000	3,332,100,000
Operation and maintenance, Navy (reappropriation)		(8,600,000)	(8,600,000)	(8,600,000)	(8,600,000)
Operation and maintenance, Marine Corps	189,621,000	192,500,000	192,500,000	192,500,000	192,500,000
Operation and maintenance, Air Force	4,615,216,000	4,464,100,000	4,464,100,000	4,464,100,000	4,464,100,000
Operation and maintenance, Defense agencies	511,620,000	533,762,000	533,762,000	533,490,000	533,490,000
Defense industrial fund		(12)	(12)	(12)	(12)
Operation and maintenance, Army National Guard and Reserve		292,000,000			
Operation and maintenance, Army National Guard	191,424,000		208,800,000	208,800,000	208,800,000
Operation and maintenance, Air National Guard	237,552,000	238,000,000	238,000,000	238,000,000	238,000,000
National Board for the Promotion of Rifle Practice, Army	484,000	459,000	459,000	459,000	459,000
Claims, Defense	[13] 23,000,000	24,000,000	24,000,000	24,000,000	24,000,000
Contingencies, Defense	15,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Court of Military Appeals, Defense	579,000	579,000	579,000	579,000	579,000
Total, title II—Operation and maintenance	12,445,878,000	12,471,600,000	12,484,500,000	12,492,628,000	12,492,628,000
Reappropriations and contract authority liquidation		62,644,000	62,644,000	62,644,000	62,644,000
Adjusted total, title II	12,445,878,000	12,534,244,000	12,547,144,000	12,555,272,000	12,555,272,000

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army	$1,656,396,000	$1,223,100,000	$1,205,800,000	$1,204,800,000	$1,204,800,000
Procurement of aircraft and missiles, Navy	2,496,358,000	2,279,800,000	2,272,500,000	2,272,500,000	2,272,500,000
Shipbuilding and conversion, Navy	1,930,076,000	1,501,100,000	1,590,500,000	1,590,500,000	1,590,500,000
Other procurement, Navy	1,041,440,000	1,159,100,000	1,120,000,000	1,149,900,000	1,135,000,000
Procurement, Marine Corps	162,944,000	43,800,000	43,800,000	43,800,000	43,800,000
Aircraft procurement, Air Force	3,563,737,000	3,550,200,000	3,517,000,000	3,517,000,000	3,517,000,000
Missile procurement, Air Force	1,730,000,000	796,100,000	796,100,000	796,100,000	796,100,000
Other procurement, Air Force	779,096,000	834,500,000	829,100,000	829,100,000	829,100,000
Procurement, Defense agencies	62,000,000	24,000,000	15,200,000	15,200,000	15,200,000
Total, title III—Procurement	13,422,047,000	11,411,700,000	11,390,000,000	11,418,900,000	11,404,000,000

See footnotes at end of table.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966 (H.R. 9221)—Continued

Comparative statement of the appropriations for the fiscal year 1965, budget estimates, House allowances, Senate allowances, and conference committee allowances for fiscal year 1966—Continued

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Item	Appropriations, fiscal 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference allowance
Research, development, test, and evaluation, Army	$1,340,045,000	$1,438,000,000	$1,406,400,000	$1,406,400,000	$1,406,400,000
Research, development, test, and evaluation, Navy	1,372,760,000	1,472,600,000	1,439,200,000	1,439,200,000	1,439,200,000
Research, development, test, and evaluation, Air Force	3,112,000,000	3,147,800,000	3,103,900,000	3,103,900,000	3,103,900,000
Research, development, test, and evaluation, Defense agencies	498,715,000	500,400,000	495,000,000	495,000,000	495,000,000
Emergency fund, Defense	[14] 125,000,000	[14] 150,000,000	[14] 150,000,000	[14] 100,000,000	[14] 125,000,000
Total, title IV—Research, development, test, and evaluation	6,448,520,000	6,708,800,000	6,594,500,000	6,544,500,000	6,569,500,000

TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

Item	Appropriations, fiscal 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference allowance
Emergency fund, southeast Asia	$700,000,000	[15] $1,700,000,000		[15] $1,700,000,000	$1,700,000,000
Total, Department of Defense	47,682,445,000	46,852,100,000	$45,067,500,000	46,756,319,000	46,766,419,000
Reappropriations and liquidation of contract authority		120,744,000	120,744,000	120,744,000	120,744,000
Adjusted total, Department of Defense	47,682,445,000	46,972,844,000	45,188,244,000	46,877,063,000	46,887,163,000

[1] In addition, $85,000,000 to be derived by transfer.
[2] In addition, $240,000,000 to be derived by transfer.
[3] In addition, $60,000,000 to be derived by transfer.
[4] In addition, $120,000,000 to be derived by transfer.
[5] In addition, $6,000,000 to be derived by transfer.
[6] In addition, $25,000,000 to be derived by transfer.
[7] In addition, $81,000,000 to be derived by transfer.
[8] In addition, $85,000,000 to be derived by transfer.
[9] In addition, $3,400,000 to be derived by transfer.
[10] In addition, $1,200,000 to be derived by transfer.
[11] In addition, $3,400,000 to be derived by transfer.
[12] $30,000,000 by transfer from Defense Stock Fund.
[13] In addition not to exceed $6,000,000 to be derived by transfer and to be immediately available.
[14] In addition, $150,000,000 to be derived by transfer.
[15] Submitted in S. Doc. 45. Not considered by the House.

Mr. STENNIS. Mr. President, in view of the interest expressed in certain aspects of the bill, I wish to make a few brief remarks as to the conference agreement. I shall then be happy to answer any questions.

The Senate will recall that after the House consideration of the bill, the President submitted a supplemental request for the southeast Asia emergency fund for $1.7 billion. I spoke at length about this when the bill was considered on the Senate floor. This $1.7 billion is included in the conference action and accounts for a substantial increase in the bill over the amount provided by the House. Funds are included to finance procurement and certain military construction items related to the war in Vietnam. It does not include additional costs brought on by the war in the areas of military personnel and operation and maintenance for which additional funds will be requested early next session. However, under the provisions of the present bill, sufficient funds are available under transfer procedures to assure the flow of men and materiel at required levels.

One item of general interest was the action taken on the Army Reserve components. The conference agreement has maintained the position taken by the Senate. It will be recalled that the budget requested that the Army Reserve be merged with the Army National Guard, and that the Senate failed to approve this unless legislation were passed approving such a merger. The conference committee agreed to this. The bill as it is now written does the following: First, it places a mandatory floor under the Army Reserve end strength for fiscal year 1966 of 270,000 and under the Army National Guard of 380,000. These are the strengths as provided in the Senate bill and are also the approximate strengths of the two components. Second, it provides the funds necessary to implement this program. Third, the section in the general provisions inserted by the Senate prohibiting transfer of funds to bring about the realinement of the Reserve components without the express approval of the Congress through the enactment of law hereafter has been retained with only a minor change.

The statement of the managers on the part of the House in House Report No. 1006 makes this doubly clear. On page 3 it reads as follows:

> It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that the Army Reserve be programed to attain an end strength of 270,000 in fiscal year 1966.
>
> It is the intention of the Committee of Conference, by its actions in connection with amendments 8, 10, and 62, to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard as had been proposed in the budget estimates for fiscal year 1966. It is further intended to express disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States. It should be clear from this action that the realinement or reorganization of the Army Reserve components can be effected only through the enactment of appropriate law.

From this, and from the language of the bill itself, there can be no doubt in anyone's mind that the Congress forbids any realinement or reorganization of the Army Reserve components unless substantive legislation is enacted.

It will be noted that there is a slight difference between the wording of the provision dealing with the mandatory floor of 270,000 for the Army Reserve and that of 380,000 for the Army National Guard. Essentially, this was done because the National Guard is already slightly over the floor strength and the Army Reserve is slightly under it. The conference committee did not wish to reduce the size of the Army National Guard. Furthermore, the conference committee did not wish to place the Army Reserve in a position of being forced to increase its present strength without regard to personnel qualification and recruiting capability. However, the use of the phrase "programed to attain" in the Army Reserve should in no wise be considered an opportunity to make reductions in the Army Reserve. Every effort must be made by the Department of Defense to achieve its goal of 270,000 within the limits of available personnel. To do otherwise would be to subvert the intent of the Congress.

Another item of general interest was the budget proposal for the Army's special training enlistment program for which a total of $31.2 million was originally requested. The Senate disapproved this program and the conference committee approved the Senate's position. The slight change from the Senate wording in the section in the general provisions in which the words "or similar programs" were deleted is not intended to enable the Department of Defense to initiate another STEP program under a different name, but merely to avoid precluding all educational and physical training assistance to military personnel should the Department so desire.

The House insisted that the section which the Senate had inserted on ship repair, alteration and conversion be deleted, and your conferees reluctantly agreed. This section would have provided that 65 percent of all such repair, alteration and conversion be done in public shipyards and that 35 percent be done in private shipyards. It is our view that this provision had proved to assure an equitable distribution of these funds between public and private shipyards. The provision is no longer in the bill. However, the House agreed to provide a statement in its report which reads as follows:

> The committee of conference is agreed that the most effective practical use of both pub-

lic and private shipyards must continue to be made since both are essential to the security of the Nation. The committee of conference is in agreement that allocations of funds for ship repair, alteration, and conversion should be made to both public and private yards on a reasonable and equitable basis consistent with the national interest. It is requested that the Secretary of Defense keep the appropriate committees of Congress informed at least quarterly of the allocations of funds for such purposes.

It is my personal view that this is a matter over which the Congress must continue to exercise surveillance in order to be certain that an equitable portion of such work is allocated to both public and private shipyards. Let me assure the Senate that this problem will be given very careful consideration again next year.

Mr. President, there is very lively interest in many parts of the Nation in this provision which was not included in the final version of the bill. There has been an allocation on funds for ship alteration and repair between Navy and private yards for 3 years now. I am fully satisfied that both the publicly and privately owned yards are absolutely necessary for the maintenance of our military security, and that the capacity to quickly alter, repair, and convert various ships, and do so quickly, is absolutely essential as a military necessity. We cannot afford to lose this capacity in either publicly or privately owned yards—much less in both. That is the basis for the allocation of these funds. Under the action of the conference the allocation is left to the discretion of the Department of Defense. The Department justified the funds and estimated that at least 23.6 percent of the funds would be allocated to the private yards.

Mr. President, I invite the attention of Senators to the special interest shown by the senior Senator from Oregon [Mr. MORSE], as evidenced by his remarks of yesterday in the CONGRESSIONAL RECORD.

I ask unanimous consent that the portion of this discussion yesterday between the senior Senator from Oregon and me, beginning halfway down the last column of page 24499 and ending on the succeeding page, be printed at this point in the RECORD.

Mr. President, this will give continuity to the debate on this subject, as well as underscore the expression of interest by the senior Senator from Oregon.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mr. MORSE. Mr. President, I serve clear notice tonight that I shall be in the Pacific Northwest in 1966, urging the voters to strike back against an administration which is guilty of doing this great damage to our private economy, unless the administration takes necessary steps to right the wrong that Admiral Curtze seems bent on doing to the economy of my section of the country.

I hope the Senator from Mississippi will fully understand that, as the senior Senator from Oregon, with my trust and responsibilities to represent the people in my area, I raise these questions tonight. I do not ask him to agree with any of my political views—I never do—but I would appreciate any assistance that he can give to my State by way of making legislative history tonight or tomorrow as to whether his committee intends to maintain careful surveillance over the Navy Department and its Bureau of Ships, to see to it that they do not resort to what I fear will be very arbitrary discretion which will be applied by them, as indicated by Admiral Curtze in his letter to me.

Mr. STENNIS. Mr. President, if the Senator will yield to me for a brief response at this time, I believe that the Senator from Oregon has made a splendid statement, a very fair one—and penetrating, as is always true in his remarks, going to the very substance of the grave problem we have in the bill and the Senate version of the bill.

I was the author of the amendment providing for a 65-35 percent division of Naval money in the bill for ship alteration and repair—the division between the Federal yards, so-called, and the privately owned yards.

Mr. MORSE. The Senator from Mississippi was not only the author but also its great defender on the floor of the Senate. I wish him to know that I have told that story all over the State of Oregon.

Mr. STENNIS. I thank the Senator from Oregon for that, but it is only right, proper, and sound that we should have this provision, because it has proved valuable in the years we have had it in the bill, and it has not hurt the Navy. There was a clause in the version we had, the so-called escape clause, which would permit latitude by the Secretary of Defense in cases where he had to make exceptions in the military interest of the Nation. But this is a highly controversial question, as the Senator well knows. There are sentiments both ways. It was impossible, with all the existing facts, at this time, to hold the amendment in conference.

I have not yielded one bit on my ideas concerning the matter. That was my plea on the floor and in conference, that we absolutely must have some surveillance over this very large amount of money—I believe it is $850-odd million in the bill alone.

In justifying the money for the privately owned shipyards for the current fiscal year, there is pledged 26.3 percent of the funds to go to those yards, as the Senator knows.

I am going to write to the Bureau of Yards and Docks, to the Chief of Naval Operations, to the Director of the Bureau of the Budget, and even to the President of the United States, expressing my opinion and my conclusions as to the need for this surveillance.

I am sure that other Senators will follow this problem with much interest. The Navy is on trial in reference to this matter. They do not like the restrictions. They have not lobbied with me, as the term is used, but they know that that is their provision. But, if this large amount of money did not get some surveillance by Congress, Congress would be neglecting its duty. I also believe that the pressure will be so great, if we do not have this surveillance, that abuses could result.

We must absolutely, militarywise, maintain both kinds of shipyards. Each has its place. If the alteration, repair, and conversion capacity of the privately owned shipyards is going to remain unused, they cannot keep it standing there. They cannot maintain it on a standby ready-to-work basis from year to year as Federal shipyards can with the money of the Treasury Department behind them. They would have to liquidate the capacity. That is what would happen. Thus, I certainly pledge to the Senator my full interest in this matter.

Tomorrow I shall read the Senator's remarks in the RECORD. I shall also refer to them tomorrow when we take up the conference report, and summarize his points, if I may; and further address myself to those points so that they will all be in the RECORD.

Mr. MORSE. I am greatly indebted to the Senator from Mississippi. I thank him very much. He has given me a fine statement. I could not ask for more. The Senator can do no more under the parliamentary situation.

The Senator from Mississippi states that he is going to support surveillance of expenditures of this huge budgetary sum of money which goes to the Bureau of Ships. That is all I can ask for.

When he tells me that he is going to write letters on this subject, including the President of the United States, he has gone all the way in trying to cooperate with me.

He made the comment that the Navy does not like restrictions. The Military Establishment never likes restrictions.

As the Senator from Mississippi knows, I feel that if we are to protect the private segment of the economy, if we are going to maintain civilian control over the military, the military must be subject to restrictions. It must not be placed beyond the reach of reasonable restrictions.

I have felt that surveillance is a reasonable restriction. I agree that the Navy shipyards must be kept strong. I have always defended strong Navy shipyards, and will continue to do so; but, I do not intend to surrender to the Navy in what I believe would be a weakening of the privately owned shipyards, if the surveillance promised by the Senator from Mississippi is not maintained.

Once again, I thank the Senator from Mississippi very much for the legislative history which he has made this afternoon.

Mr. STENNIS. I thank the Senator. Let me add that there is general directive law on this subject with reference to the funds, but clearly there is still in order a limitation in the appropriation bill of the very type the Senate version of the bill contains, and so we are within bounds.

I thank the Senator very much.

Mr. MORSE. I thank the Senator.

Mr. STENNIS. Mr. President, I repeat, and I assured the Senator yesterday, that for my part I was going to do all that I could and give all the attention that should be given to the matter to insure that the proper surveillance over the Navy and the Bureau of the Budget will be afforded by all parties. I also stated that I would write a letter to the President of the United States incorporating my impressions concerning the importance of this matter so as to keep it before him and his most immediate staff. It is a matter of the greatest interest and highest importance.

One other item of major interest was that dealing with the direct and indirect costs of research grants. The Senate conferees receded from their position and agreed to the House language, but did so only with the understanding as expressed in the conference report that funds for research grants will be limited to those amounts justified in the budget presentations. The committee intends to follow this matter closely during the current fiscal year.

The committee intends also to follow this matter with interest and attention. I also point out that we yielded in part here for the sake of uniformity. Other appropriation bills have already included this provision.

We are also depending on the Bureau of the Budget to promulgate regulations to implement this provision which will be fair to the Government, and the institutions receiving the grants. It is not an easy matter to deal with this because such a difference exists in the various colleges and universities with reference to their cost.

In conclusion, I wish to remind the Senate of what I have repeatedly stated in connection with this bill. Although the Department of Defense has assured the Congress that the funds and flexibility provided are adequate at the present time, it is certain that a supplemental request of substantial proportions must be submitted early in the next session in order to fully fund the war in Vietnam and for other purposes. With that understanding, and barring unforeseen contingencies, it is my belief that the conference action you are being asked to approve today will provide for our defense needs until the Congress reconvenes.

Mr. President, it goes without saying that Representative George Mahon, of Texas, did his usual fine work in handling this measure. He sent to the Senate a splendid bill this year.

I urge the adoption of the conference report.

I note that there are Senators present in the Chamber who may have an interest in the pending measure. I know that the senior Senator from Massachusetts is interested. If he wishes, I shall yield to him at this time.

Mr. SALTONSTALL. Mr. President, I thank the Senator.

Mr. STENNIS. Mr. President, I commend the Senator from Massachusetts for his very fine and helpful work on this bill since last February when it started on its journey.

Mr. SALTONSTALL. Mr. President, the Senator from Mississippi upheld very strongly the position of the Senate in the conference. The bill which has come from the conferees is a fair bill from the point of view of the Defense Department this year.

The amount of the Defense appropriation bill for fiscal year 1966 as it came out of conference totaled $46,766,419,000 which is $85,681,000 below the January budget estimate. The total is $1,698,919,000 above the House figure but it should be borne in mind that a supplemental request of $1,700 million—for the problems in Vietnam—was submitted to the Senate for the Emergency Fund, southeast Asia, between the time the House had acted and final action by the Senate. In effect, the House and Senate appropriations for the Defense Department, after eliminating the $1.7 billion, are approximately the same amounts. The conference action raised the overall figure $10 million above the amount approved by the Senate. I believe that is the smallest change that we have had on a matter of this kind for a number of years.

In my opinion the defense needs of this country have been adequately provided for temporarily. However, I expect that in January the administration will request from $7 to $10 billion in additional funds, in connection with the southeast Asia operation and in connection with procurement for all our Armed Forces.

The Congress has been most willing to provide the necessary funds in view of the emergency situation facing the Nation. It has depended on the recommendations of the military and has made available sufficient funds to take care of their immediate needs. Some, however, feel that more money should be provided, but we have been assured by the Defense Department that they have a sufficient amount of money to carry them over until next year.

As the Senator from Mississippi has pointed out, there were several rather strong differences of opinion between the House and the Senate which had to be adjusted in conference.

The position taken by the conferees with reference to the realinement of the National Guard and Army Reserves is consistent with the intentions expressed by the Senate in that it is based on the introduction and passage of legislation to bring about the merger.

The language on page 5 of the conference report referring to amendment No. 62 makes this clear. Mr. President, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

Amendment No. 62: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide that funds may be transferred to implement a realinement or reorganization of the Army Reserve components only upon the approval by Congress through the enactment of law of such a realinement or reorganization.

Mr. SALTONSTALL. After much discussion the conference committee decided to eliminate the allocation of funds for ship repair, alteration, and conversion to be made to both public and private yards. In prior years this has been on the basis of 65 percent to public yards and 35 percent to private yards. The deletion of the Senate language was agreed to with the understanding that strong language would be put in the report to the effect that the Congress would carefully review the allocation of this work by the Navy Department, and expect the Navy to keep the members of the appropriate committees of the Congress informed.

Mr. President, I ask unanimous consent to have printed in the Record at this point in my remarks the language from the committee report.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Amendment No. 61: Strikes language proposed by the Senate with respect to the allocation of funds for repair, alteration, and conversion of naval vessels.

The committee of conference is agreed that the most effective, practical use of both public and private shipyards must continue to be made since both are essential to the security of the Nation. The committee of conference is in agreement that allocations of funds for ship repair, alteration, and conversion should be made to both public and private yards on a reasonable and equitable basis consistent with the national interest. It is requested that the Secretary of Defense keep the appropriate committees of Congress informed at least quarterly of the allocations of funds for such purposes.

Mr. SALTONSTALL. The Senate conferees agreed to the restoration of the language proposed by the House respecting the share of costs of research project grants which is in conformity with similar language concerning grants made by the Department of Labor, Health, Education, and Welfare and the independent offices appropriation language.

Mr. President, the conferees' agreement was a strictly temporary matter, to be worked out this year on grants. On contracts it does not apply, but only on grants. We wanted to see how it would work out in the current year, rather than providing any strict percentage amount, as has been the case in prior years, of either 15 or 20 percent in the last few years.

I commend the chairman of the committee for the excellent manner in which he handled this appropriation measure and I join with him in supporting approval of this conference report by the Senate.

Mr. STENNIS. I thank the Senator, and again emphasize his very fine contribution to all the work, including the hearings on the bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Was there any proposal, with certainty, to close certain naval yards, on the grounds that economies could be achieved?

Mr. STENNIS. There is nothing new in the bill concerning that subject. That was a matter that was announced last December, as the Senator will recall, and no action thereon is required by the pending bill. The order of the President in his progressively closing certain Navy yards has not been changed.

Mr. LAUSCHE. About a year or perhaps 18 months ago, there was an announcement issued about the closing of military bases, some of which were in Ohio, and an announcement about the closing of naval yards that were doing repair work, on the ground that the work could be done with less cost in private yards.

Mr. STENNIS. Yes.

Mr. LAUSCHE. I think Philadelphia—

As I recall the New York and Portsmouth yards are to be closed and two west coast yards are to be consolidated.

Mr. STENNIS. New York.

Mr. LAUSCHE. Yes. A yard in New York, and a yard on the west coast, were contemplated to be closed.

Mr. STENNIS. The Senator is correct. That order has never been changed. That was a progressive closing. It will take several years to implement the closing plan, and that process is continuing without being affected by the pending bill.

Mr. LAUSCHE. At the time that notice was given, I made the statement that I would cooperate with the Department of Defense in closing the military bases in Ohio, but I wanted to make certain that there would be equal treatment given to every State. Is that order still unhampered by what has been done here?

Mr. STENNIS. That is correct, absolutely correct.

Mr. LAUSCHE. With regard to the realinement of the Reserves and the National Guard, the effect of what the conferees did is not to abide by the recommendation made by the Secretary of Defense that there should be a realinement?

Mr. STENNIS. That is correct. In other words, this is a money bill, and we refuse to put the money in the bill and leave it to someone else to decide the Guard and Reserve matter. We said the funds would be used for the National Guard and Army Reserve, as herein provided, unless Congress enacts legislation approving a reorganization.

Mr. LAUSCHE. Yes. The Secretary of Defense took the position that the efficiency of the military service would not be impaired by a realinement, but that economies would be effected if that alinement were made. Am I correct in that understanding?

Mr. STENNIS. Yes. However, the savings resulted from a proposed reduction in the Army Reserve component forces.

I have some special prepared remarks that I shall make as soon as the Senator concludes his questions, which would cover that subject. I should like for him to hear what I shall say.

Mr. SALTONSTALL. Will the Senator yield and permit me to make a remark on that point, or would he prefer to have me to wait until after he makes his remarks?

Mr. STENNIS. If the Senator will be brief, I will yield to him.

Mr. SALTONSTALL. No; go on.

Mr. LAUSCHE. The purpose of putting these questions with respect to the latter suggestion is that I have applauded the Secretary of Defense in his efforts to achieve economies in the operation of the Defense Department without impairing the efficiency of our defense structure.

Mr. STENNIS. The committee applauds his efforts, also. The Secretary of Defense, Mr. McNamara, is entitled to a great deal of credit for economies achieved in the procurement field, the management field and many others.

But for reasons that are very clear to us, we unanimously rejected the idea of him unilaterally making this realinement and reorganization of these important military units.

Mr. LAUSCHE. Has involvement in Vietnam and possible troubles in China and India had any influence on the committee's reaching the decision about nonrealinement?

Mr. STENNIS. We believe that any far-reaching reorganization such as this would not hasten readiness, but would destroy some of the readiness we have. I had rather make my prepared statement about the matter, if I may, and then I can answer any further questions the Senator may have.

Mr. President, I have already outlined in brief what we did with reference to rejecting the plan of the proposed merger.

We must remember that the legislative committees during this entire session have held hearings on this very proposal in the House and the Senate, and did not see fit to approve the merger plan. Now, at the last minute, the Department of Defense attempted to come in the side door and get half of it approved and authorized in this bill. We had warned them for months that that would not be the place to do it, but I wish to state very briefly some of the things that we learned about it, and I refer—with all deference to Mr. McNamara and his position—to a statement that he made immediately after the conferees had reached the agreement, wherein he charged that "the congressional action perpetuates unneeded, wasteful, useless units in our Reserve and Guard organizations."

That statement could make it appear that the Congress is needlessly and wrongfully blocking the attainment of enhanced combat readiness by the Army Reserve components, and prompts me now to go into some detail on the subject.

This charge is not factually correct. It is factually incorrect, as we found from the evidence. In the first place, Senators should know that the Reserve organization structure, which the Secretary now describes as containing "unneeded, wasteful, useless units," is what he and his spokesmen themselves urged upon Congress in 1962 as being responsive to the need of Reserve components and necessary to achieve a high degree of combat readiness and military preparedness. It is his original military proposal, which we considered last December.

He spoke of it then as already an accomplished fact, rather than a proposal to be studied and considered by the Congress. However, the merits of the proposal were carefully weighed and inquired into in extensive hearings before the Preparedness Subcommittee of the Senate, and before the Armed Services Subcommittee of the House, chaired by Representative HÉBERT. The evidence before the Preparedness Subcommittee failed to convince a majority of the members of that group that the plan was sound and desirable, or that it would in fact achieve its declared objective. The result was the same in the House of Representatives. In announcing the subcommittee decision, Representative HÉBERT said:

> The merger, as approved by the Department of Defense, would result in an immediate and serious loss in the combat readiness of the affected units.

This was with reference to the original merger proposal, which was to eliminate the unit structure of the Army Reserve, and reduce the Army Reserve forces on a drill pay status from 700,000 to 550,000.

After the rejection of this plan, the Department of Defense presented and insisted upon a modified plan which would have effected a merger in 17 States. This 17-State plan had never been presented to the Armed Services Committee or the Appropriations Committee until after the Senate had passed the Department of Defense appropriation bill. This partial merger plan, if approved, would have gone so far that a complete merger would ultimately have been inevitable. In essence, all it meant was that two steps rather than one would be taken to accomplish the original merger proposal.

The modified plan was rejected by the Senate Appropriations Committee and subsequently by the Senate itself. With some minor modifications, the conferees have adopted the Senate position.

As I say, this was a late call. It was not even reduced to writing. So far as I know, I had not seen it in written proposal form until after we had held the first conference meeting on this appropriation bill.

Whether or not Secretary McNamara appreciates the congressional processes or agrees with its conclusions, he should at least recognize when the Congress has spoken and respect both its considered judgment and sincerity of purpose. The Secretary and his representatives had a full and fair opportunity to present their views and arguments on both the original and modified merger proposals.

This matter has been given as much attention this year, by several Members, as has been given to any other one subject. I note that over and over again, week after week, and month after month, I have given it attention from every conceivable point of evidence, information, and judgment, and I have talked with many highly competent military men about the effect of this merger on our readiness.

The fact of the matter is that, since Secretary McNamara announced his merger proposal last December 12, the Army National Guard and Reserve programs have been on dead center. As a result, readiness has suffered and continues to suffer. It would appear to me that our national security will be best promoted if the decision of the Congress is accepted in good grace and if the Secretary of Defense will devote his very considerable talent, energy, and ability to bringing the Army Reserve components to the highest possible level of combat readiness and military preparedness under the law which Congress has fashioned. Then, if and when Congress decides to change the law, the plans can be made.

I take second place to no one in my desire to insure that the Reserve forces are brought to the highest possible state of preparedness and readiness. I am convinced that this can be done under the recommendations of the conferees, and under the plan which the conferees have adopted.

I do not feel that the language agreed upon hampers or restricts the Secretary of Defense adversely in this respect. I say that based upon some of the finest of military counsel and advice which is obtainable.

There are already plans in existence for the operation of the Reserve Forces under this language which, if promptly, conscientiously, and vigorously implemented, will produce more readiness, faster, and at less cost than either the original or the modified merger plan. These plans permit the selection of high-priority units already in being, in the role for which they have been manned, equipped, and trained. They avoid the serious loss of existing readiness which would result from the merger reorganizations, consolidations, and conversions of units generating a requirement for unit and individual retraining, and long-term school training for key personnel. They do not entail the breaking up of existing high-priority units or the loss of skilled, trained, and valuable manpower which the Secretary's plans would have brought about.

I might add that the military experts who testified before the Preparedness Investigating Subcommittee agreed that all major reorganizations in the past had resulted in turbulence and loss of readiness. We can ill afford this, in view of our present involvement in southeast Asia and international tensions in general.

What is needed at this time is realistic and adequate support for the Reserve Forces, to bring them up to the high standards of combat readiness which is so urgently required.

When I refer to support, I have in mind equipment, training, and money. The personnel and the units are already available. They are doing an outstanding job with the limited equipment and training opportunities available to them. They need much more in the way of training and equipment. We already have the men and the units as a going concern. The Reserves need much more equipment of all kinds.

In addition to substantial existing shortages of equipment, a high percentage of the equipment on hand is suitable for training only, and is not suitable for sustained combat, should that become necessary.

I am speaking of overage, obsolescent, and outdated equipment. Within the past 12 months, in many instances, equipment has had to be recalled from these units for use in the active forces. I know of some instances where equipment was given to them 2 or 3 years ago, and the State spent a good deal of money on it, and then the Army had to recall it. Therefore, on the matter of getting ready, the Reserves already have the organization, officers and men, but they need more training and more equipment.

It is true that they will have to put a few more men in their divisions, in order to bring them up to improved strength. We are not going to permit them to take men out of the Reserves and put them in the Army National Guard. They did not propose to do that under their plan, unless the men consented. The Reserve units are largely under enforced service—not many men will willingly and voluntarily enlist in the National Guard. Some of the officers will. But we have looked at the problem very closely and believe that they were going to get only a few men under the Department's plan.

They can call up and put more men in any National Guard unit they wish. They can put them in there as 6-month trainees, and they can bring the organization up to a fine standard of readiness training. The money is in the bill. They have everything necessary to do that. I do not blame anyone for even at a late date in trying to secure a partial reorganization. But in the soundness of what we thought was the obligation and duty of the legislative branch of the Government, we refused to approve it. We will consider it next January, of course, as we should.

The proposal was that we appropriate the funds and then, later, the Department of Defense and the committees, not Congress—the Armed Services Committee of the House and the Armed Services Committee of the Senate—would reach some kind of agreement whereby realinement could be brought about.

With a sense of obligation to Congress, and with a sense of obligation to the Constitution of the United States, the legislative branch of the Government—not the committees thereof—is the agency to make a decision of that kind. I never would have agreed—never would have—to the prostitution of the processes of constitutional government on that point.

Mr. President, all of my remarks are made with a personal deference to Mr. McNamara. I question his judgment on some matters, sharply, as I do in this case. But I think he is doing a fine job in many fields of endeavors; I know that he has a hard job to fill; perhaps the most difficult in the Nation next to the Presidency. He has enormous energy, is thorough and complete. My obligation, though, is not to him. It is to the Senate and to the Nation.

For the past several months, the Preparedness Investigating Subcommittee has been looking into the readiness of the Active Army. We found significant equipment shortages and large stocks of overage equipment that should be replaced. As one might suspect, the condition is much worse in the Reserve forces.

I am supported by the facts when I say that there just is not enough equipment available to equip the Active Army forces in the manner they should be and that, regardless of equipment management, there just isn't enough to go around. As a matter of fact, one method which has been suggested to alleviate the Active Army shortages is the recovery of equipment from the Reserve forces. To an extent this has been done already. Last year large numbers of trucks and communication equipment were recaptured from the Reserve forces for Active Army use. This practice has continued this year.

Mr. SALTONSTALL and Mr. LAUSCHE addressed the Chair.

Mr. STENNIS. I should like to yield to the Senator from Massachusetts first, and then——

Mr. SALTONSTALL. If the Senator is through——

Mr. STENNIS. I am virtually through.

Mr. SALTONSTALL. I thank the Senator from Ohio for letting me speak first. The Senator from Mississippi and I sat together with other Members of the Senate on the Senate Preparedness Investigating Subcommittee; and, starting last January, we heard the subject discussed and brought before us on several occasions. At that time, we knew that the House subcommittee, headed by Representative HÉBERT, of Louisiana was going into the subject of the National Guard and Reserves in great detail. We said we will make no report now to the Preparedness Committee on this very fundamental question until we see what the House committee does and what suggestion it may make. Mr. HÉBERT's committee had a number of hearings, and in the end decided to do nothing.

As the Senator from Mississippi has so well said, the principal function of the Appropriations Committee is to provide funds based on the present law.

The House removed the mandatory provision in the 1965 act and made it possible for the Defense Department to go forward with reorganization without having to come before the legislative committees.

There were several conferences on that matter, and the conference report that was finally agreed upon is similar to the language that has been used in past years.

The Senator from Mississippi and I, as well as others, agreed that until the law was changed, we should abide by the present law, and make appropriations accordingly, and then, through the proper legislative committees of Congress agree on the legislation.

I read from the language accompanying the conference report:

> *Resolved*, That the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows:
>
> In lieu of the matter proposed, insert: ": *Provided*, That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966".
>
> *Resolved*, That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows:
>
> "In lieu of the matter proposed, insert: ': *Provided further*, That the Army National Guard will be programed to attain an end strength of not less than three hundred eighty thousand for fiscal year 1966'."

That is the same language in substance—the amounts may be a little different—that we have had in past years.

With respect to section 639 of the conference report, which was a new provision, let me quote that language:

> Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve components, the Secretary may

> transfer the balances of appropriations made in this act for the support of the Army Reserve components to the extent necessary to implement such a realinement or reorganization; and the provisions in this act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective.

As the Senator from Mississippi has so well described, we said we would appropriate according to the present law, because the legislative committee, the House Armed Services Committee, decided not to enact any legislation. Therefore, there was no authorization bill before the Senate.

The Military Appropriations Subcommittee appropriated the money in the only way it could appropriate. That is what the Senator from Mississippi has stated. That is the position of the Senate conferees.

I say this, that we can have this matter up again the first of the year. I personally feel that if the President, or the Secretary of Defense, or the Secretary of the Army feels that a realinement is necessary to create efficiency, the appropriate officials of the Pentagon can submit a bill to the Armed Services Committees of the House and Senate. I personally believe that if they can show a real need for the change, because of the necessity for building up the strength in the divisions, in view of what has been going on in Vietnam and other sections of the world, Congress will carry out its responsibility and do it promptly. There then can be realinements and reallocations. But until there is legislation, I support the Senator from Mississippi. I agree that we should not do anything about the realinement of the Army, the National Guard, or the Reserves, when there is some question as to whether it can properly be done, because Congress, under the Constitution, has the responsibility of appropriating funds for the Armed Forces.

Therefore, I believe the position of the Senate, which was sustained by the House conferees, is the correct one. I commend the Senator from Mississippi for the able way in which he described the procedures in the Senate Preparedness Subcommittee and in the Appropriations Committee. He and I and others have worked on this subject. We have been in accord upon this message.

Mr. STENNIS. I thank the Senator for his remarks.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Ohio.

Mr. LAUSCHE. This appropriation bill will have to be approved, and I will support its approval. However, I hope, that the fine purposes and intentions of the Secretary of Defense, Mr. McNamara, in attempting to eliminate waste and improve the efficiency of the military structure will not be dampened by what is being done here.

I recognize the absolute sincerity of purpose on the part of the Senator from Mississippi and the Senator from Massachusetts. However, I must say that I have been highly impressed by Secretary McNamara's efforts to introduce economies without impairing the efficiency of the military units and the progress that he has made in that effort.

One further thought and I shall close. It was my understanding that, under the existing law, the Secretary of Defense had the power to realine and readjust the Army Reserve and the National Guard, but that by the appropriation bill, with respect to which Congress has control of the purse, that power has been taken from him.

Mr. STENNIS. The Senator is incorrect.

Mr. LAUSCHE. I would like to have the Senator comment on that latter statement.

Mr. STENNIS. There is no comment to make, that the Senator from Mississippi knows of, except that after careful consideration of this matter, during the entire year, one might say, almost every committee of the Congress concerned with the matter has considered it, and has decided that the Secretary does not have the authority to make the transfers.

According to press reports, Mr. McNamara changed his mind. He had a joint press conference for Representative HÉBERT, of the House Armed Services Committee, and agreed with Mr. HÉBERT that to carry out the proposals, there would have to be legislation on the subject.

Mr. LAUSCHE. And that is the basis on which the conference proceeded?

Mr. STENNIS. Not so much on what Mr. McNamara said, but upon making our point on that very issue, he changed his mind, and there has been no legislation on it.

There is not going to be any general legislation on this matter this session, as we all know. There was agreement that there would have to be legislation before there was agreement on the conference report. The conference report reiterates what the findings have already been. Let me refer to the language. It is the intention of the committee of conference, by its actions in connection with amendments 8, 10, and 62, to expressly disapprove a realinement or reorganization of the Army Reserve and Army National Guard as had been proposed in the budget estimates for fiscal year 1966. It is further intended to express disapproval of a subsequently offered plan providing for a limited realinement or reorganization in 17 States. It should be clear from this action that the realinement or reorganization of the Army Reserve components can be effected only through the enactment of appropriate law.

Mr. LAUSCHE. Did I correctly understand the Senator from Mississippi to say that the Secretary of Defense still would have the power to proceed substantially unhampered by what is being done?

Mr. STENNIS. He would not have the power to merge the forces. But he can proceed to fill the vacancies in the National Guard divisions, or regiments, or the Army Reserve regiments, and bring them up to a high state of readiness in training and manpower, and if the equipment is available, to give them the equipment.

I believe that a plan has already been prepared in the Pentagon to do that. It has already been formulated.

It is no transgression to say here that Secretary Vance communicated with us this morning. He wanted to explain what was proposed under this proposal. I assure the Senator from Ohio——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I believe the Senator from Massachusetts had a remark to make.

Mr. SALTONSTALL. I thank the Senator from Mississippi.

On page 57 of the memorandum, there is a colloquy between General Wright and myself. I will not read it all, but only the pertinent part:

> Senator SALTONSTALL. If I might interrupt there, does the Defense Department now agree that legislation is required of Congress before this National Guard and Reserve combination and cutting back the 550,000 men is completed?
>
> General TAYLOR. I would like to ask General Wright to answer that question.
>
> Senator SALTONSTALL. You have apparently based this budget on the new setup, so that if the legislation is required, we have to go back to the old setup and you would have to give us a revised set of figures, would you not?
>
> General TAYLOR. We would, Senator.
>
> Senator SALTONSTALL. It is my understanding that the Secretary of Defense now agrees that legislation is necessary.
>
> General WRIGHT. Yes, sir; that is correct. The Secretary of Defense and Mr. HÉBERT of the House committee have agreed that legislation is necessary.
>
> Senator SALTONSTALL. So from our point of view, unless that legislation is passed, we go back to the old system.
>
> General WRIGHT. Yes, sir.
>
> Senator SALTONSTALL. You will have to submit to us new figures, then?
>
> General WRIGHT. Yes, sir.
>
> Senator SALTONSTALL. Thank you.

Mr. STENNIS. Will the Senator from Ohio wait a moment? I know he is exceedingly thorough in the way he considers matters. I want him to get all of the information. I want to answer the question about the law. There was a press conference on May 16, 1965, at the Rayburn House Office Building, attended by Representative HÉBERT and Secretary McNamara. Secretary McNamara started. He introduced the subject and made this statement:

> We think these hearings have indicated that certain legislative changes are necessary if the realinement plan is to fully achieve our ultimate objectives, and we are, therefore, submitting to the Congress for its consideration certain supporting legislation. This will include legislation in five areas.

Further, on this point, I will say to the Senator from Ohio that the legislation on the subject for several years has come in the appropriation bill. That legislation has been maintaining these two groups. That legislation lasts for only 1 year, as the Senator knows.

The substance of what Secretary McNamara was proposing to us this year for the first time was: "Leave out provisions in the appropriation bill establishing strengths for the National Guard and Army Reserve. If you turn me loose, I will have all that money to use as I see fit."

That is the real situation. Without the language here, he would have authority to decrease Reserve strength.

I believe the question of the Senator is a good one, and I hope that covers it.

I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator. I believe he covered most of what I proposed going into now.

As I understand it, before the Secretary of Defense can transfer personnel of the Reserve to the National Guard, by Executive order or departmental order, there must be appropriate legislation.

Mr. STENNIS. The Senator is correct. That is the point the Secretary recognized when he had been convinced during the hearings and that is one of the things he referred to in his statement of May 15.

Mr. HOLLAND. I thank the Senator. That seemed so clear to me all the way without trying to question the wisdom of the Secretary's suggestions.

Mr. STENNIS. Yes.

Mr. HOLLAND. It may be a wise suggestion and a wise reorganization.

It seems to me that the effort to accomplish the transfer by Executive order on the executive side of government, without recognizing the constitutional authority of Congress to deal with this subject, was completely abortive.

Mr. STENNIS. The Senator is correct.

Mr. HOLLAND. I am glad that there resulted from the series of hearings and the action of the committee, so well headed by the distinguished Senator from Mississippi and the distinguished Senator from Massachusetts, that kind of ruling now agreed upon, as I understand it, by the legislative and the executive departments.

It has been so agreed, has it not?

Mr. STENNIS. It is if this conference report is agreed to. Yes, it has been agreed, as the Senator said.

Mr. McNamara agrees that the legislation is necessary.

Mr. HOLLAND. I do not see how it can be otherwise. I understand from the Constitution that the powers of Congress are stated as, first, to raise and support armies.

Mr. STENNIS. Yes.

Mr. HOLLAND. And then continuing, to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States.

In other words, the Constitution defines in treatment of the organized militia, between what may be done when they are not called into the service of the United States and when they are federalized into the service of the United States.

Of course, we are in a time of peace. The National Guard has not been called into the service of the United States. The Reserve exists under separate legislation with separate rights recognized as existing on behalf of both the commissioned and enlisted personnel. It seems to me the committees have come to a more salutary conclusion. I am glad the executive department, for the time being at least, joined them in that conclusion because, after all, the authority is vested in Congress to organize, equip, regulate, and set up the legal background upon which the various components of our defense may be organized.

I congratulate the Senator warmly upon having this kind of satisfactory conclusion emerge from his labors which began early this year.

The two Senators are on the floor of the Senate now, the Senator from Mississippi and the Senator from Massachusetts, who have made magnificent contributions always to the defense of our country, but never better than now.

Mr. STENNIS. I thank the Senator from Florida for his fine and generous language.

With respect to the Reserve and the National Guard, I have steadily favored for more than 10 years, that I can recall, a high priority for all of our Reserves; that they be given a better place at the table; that they not have to sit at the third table for money, for equipment, for recognition, and for a place in the sun.

It has been the legislative branch of Government, through its Committee on Armed Services, and the Appropriations Committee, not the Pentagon, that has pushed the Reserve forces and given it a high priority, more recognition, more equipment, more money, more buildings, and they have been scant even at that.

It is like pulling eyeteeth to persuade the Department of Defense to provide the facilities, the armories. They are such small items like storage at summer training for the National Guard, and even for latrines.

I estimate that over one-half of the military construction throughout the Nation for the past several years for the National Guard has been in items that were put in by the legislative branch of the Government.

That is to take care of the very small units and the summer training.

Frequently Congress appropriates money, and the Department is quite slow in spending it. We have urged the Department to provide the National Guard units and Army Reserve units with better equipment. We have worked primarily for the benefit of those services rather than for the Air Force and Naval Reserve, because of the different situation. The Army Reserve and National Guard are now pleading and begging for equipment that will come up to the standards needed for adequate training. In many instances, they are required to train with old weapons that cannot be used any longer in regular services. In a way, that is tragic.

The Senate Subcommittee on Preparedness was working on this subject when the bold announcement was made last December that there would be a merger. No request was made of Congress for a merger. There was no seeking of advice; merely an announcement that the merger would take place.

The Committees on Armed Services of both the Senate and the House have been working on this subject for a long time. I do not feel that I have been neglected by not being consulted—not in the least. But the chairman of the Committee on Armed Services, the distinguished senior Senator from Georgia [Mr. RUSSELL], was not consulted; he was merely told that the Department intended to effect a merger. He is not complaining about that action, and I am not authorized to complain for him. But the interest in the Army Reserve and National Guard has come from the legislative branch of the Government. We are ready to appropriate more money to provide them with more equipment and to give high priority for all Reserve forces.

I have never said that I would oppose a merger that was proved to be sound, solid, and helpful, and that could be enacted by Congress. But I would oppose all mergers by Department of Defense fiat. I think we shall get off to a better start now because the question has been decided.

I plead for more support from the Secretary of Defense and more support for the Reserves and the active members of the service. I suppose it is natural for them to do so, but they have ways to find a need for money for the Active Forces rather than for the Reserves.

The citizen soldier typifies one of the finest concepts of American citizenship. I am not talking about a few men; the Reserves and the National Guard consist of about 650,000 men in organized units, scattered throughout the Nation. They serve at little pay and at great inconvenience. They have some of the highest ratings of efficiency. It is amazing to read the record of some of the Reserve and Guard organizations. They did not score themselves; neither were they scored by their counterparts in other States. They were scored by Regular Army officers. It is a pleasure to read the efficiency ratings of many of these units.

I have had experience with the money side of military problems for many years. I believe it is fair to say that as a general proposition the maintenance of five Reserve units for a 12-month period can be accomplished for the cost of one Regular unit.

The legislative branch of the Government is the one that has been the friend of the National Guard and Army Reserve and has demonstrated its support and sustained interest as we demonstrate it now.

I believe that this bill will augment the National Guard and Reserve services, and if a good plan for realinement is submitted for legislative consent, I shall be one of the first to welcome it.

I should like to make a brief reference to the times within the memory of many Senators when the Army Reserve and Army National Guard were called into service in recent history, as in 1916, 1917, and 1918.

The Army National Guard was called upon to serve during World War I, and answered the call with 18 divisions composed of 300,000 men.

I remember, as a little boy, that the first man I ever saw in uniform was a member of the Army National Guard.

Mr. President, I ask unanimous consent to have printed in the RECORD statistics on this subject.

There being no objection, the statistics were ordered to be printed in the RECORD, as follows:

In 1916 and again in 1917–18, the Army National Guard was called upon to serve.

During World War II, the National Guard answered the call with 18 divisions, comprising 300,000 men.

The National Guard furnished 1,672 units, including 8 infantry divisions, which included 138,600 men during the Korean war.

In 1961 during the Berlin crisis, the National Guard furnished 138 units, with 44,000 men.

The Army Reserve also supplied units during World War I.

During World War II, the Army Reserve supplied 26 divisions and other units that included 112,000 men.

During the Korean war, the Army Reserve furnished 244,300 men, in addition to some 43,000 Army Reserve officers already on active duty.

The Army Reserve furnished 294 units, with 68,833 men during the Berlin crisis.

Mr. STENNIS. Mr. President, I ask that the Chair put the question.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9221, which was read as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 16 and 31 to the bill (H.R. 9221) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': *Provided*, That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966'".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': *Provided further*, That the Army National Guard will be programed to attain an end strength of not less than three hundred eighty thousand for fiscal year 1966'."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert: ': (h) for the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 1446a, title 7, United States Code'."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 62, and concur therein with an amendment, as follows:

"In lieu of the matter proposed, insert:

" 'SEC. 639. Only upon the approval by the Congress, through the enactment of law hereafter, of a realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective.' "

Mr. STENNIS. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments numbered 8, 10, 24, and 62.

The motion was agreed to.

APPROPRIATIONS FOR CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1965, p. 24248, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, the total of the bill as agreed to in conference amounts to $1,756,635,000. This amount is $2,869,000 below the amount approved by the Senate and $1,140,000 above the amount approved by the House.

The total reduction in this bill, reflecting reductions made in the authorization bill plus the action of your conference committee, amounts to $292,365,000. Mr. President, this is a sizable reduction and it was made only after the utmost analysis and consideration by the committees of the two Houses.

This is the first year that Representative SIKES of Florida has been chairman of the Appropriations Subcommittee in the House, which subcommittee handles this bill. Representative SIKES did an excellent job. Of course, credit goes not only to Representative SIKES, but also to the other members of his very fine subcommittee.

I was very much impressed with what Representative SIKES did and the reasons for his action. He demonstrated that he gives these matters scrupulous attention.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I greatly appreciate the courteous and gracious compliments given by the chairman of the committee to my distinguished colleague, Representative SIKES of Florida. The commendation given to the Representative is no less than that which I expected to hear. I know that he is a real servant of the country and a real soldier. I believe that he is a major general in the Army Reserve forces.

I am delighted to have these kind words spoken into the RECORD as evidence of the type of service which Representative SIKES has rendered to the country.

Mr. STENNIS. Mr. President, I thank the Senator. I know that the Senator from Florida is also interested in the program as a whole. The Senator from Florida gives a great deal of attention to these matters, even though he is not on the committee. He is rightfully proud of Representative SIKES. The Senator has a fine background of knowledge about the entire matter of national defense.

In taking action, the conferees made sure that all items were fully justified. We tried to make all of the items in the bill fit into a pattern of actual need, serve a definite purpose, worth the money, and constitute an essential part of our farflung military program. A number of items were left out of the bill because it was felt that their need was not urgent, that they did not directly contribute to the operational need of our military forces, or that they were an added luxury with which the military services could dispense.

A headquarters building was approved for the STRIKE command at MacDill Air Force Base, Fla.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I congratulate the two distinguished Senators, the Senator from Mississippi and the Senator from Massachusetts, upon their insisting on the inclusion of that provision, not because it is for the State of Florida, but because I believe that the STRIKE Command, under the present world conditions, being the nerve center of the operations of our farflung Army and Air Force, is entitled to have an adequate place in which to work. It does not have such a place in the converted barracks in which it is now located.

The appropriation, which, as I recall, was some $3.6 million, is badly needed. I would have felt exactly the same if it were a headquarters located in some area remote from my State.

I happen to know, from observation of the conditions, that such facilities are very badly needed. I congratulate the two distinguished Senators.

Mr. STENNIS. Mr. President, I thank the Senator. I thank him for his support and for his presentation concerning this very item on the floor of the Senate when the bill was before the Senate. The House committee, when fully conversant with the need which existed there, was agreeable to including the provision in the bill.

Mr. President, this building is urgently needed to improve the efficiency of the command functions and to house one of our most important military commands. On the reverse side of the coin, a headquarters building was requested for CONARC, the Continental Army Command, at Fort Monroe, Va. It is the consensus of the conferees that this command headquarters is operating well in the structures in which it is presently housed, that there is no great urgency for this project and that it can wait until an ensuing year for further consideration.

A number of laboratory structures for the Army, Navy, and Air Force was deleted from this bill, either by this conference or by the action of the House or Senate. The conference committee feels that some of these laboratories are not of an urgent nature. The work is presently being performed in structures that are adequate and the disapproval of the construction of these laboratories will in no way impede the research activity of the services.

A great deal of money is contained in this bill for the housing of troops. This is a continuation of a congressional policy advocated and initiated a number of years ago. The conferees made a reduction of $1,005,000 in the barracks program presented by the Army. This was made when information furnished the conferees indicated that this economy could be safely effected.

Agreement was reached to delete the Fort Riley complex costing $9 million. This action was accomplished without prejudicing this project because the Senate conferees felt that this complex should be a four-battalion complex instead of a three-battalion complex; and, by way of explanation, this item was added to the bill after the Army decided to cancel $9 million worth of construction in West Germany. The Fort Riley project was originally scheduled to go into the 1967 construction bill.

In the matter of housing, the conferees approved 8,500 housing units. This means that the Department of Defense will select the 8,500 units from an eligible list of 11,180 units as authorized by the Congress. The Senate bill contained an appropriation for 7,500 units and the House bill carried 9,500 units of housing. We believe that the 8,500 units will adequately meet the requirements for the military in the ensuing year and, I might add in this respect, that the Appropriations Subcommittee on Military Construction intends to take a very penetrating look at the fiscal year 1967 program.

Mr. President, I want to say also that this bill contains money for construction connected with the conflict in Vietnam. Thus, I wish to assure my colleagues that insofar as possible the situation concerning construction in Vietnam has been taken care of. Of course, you are well aware that in the emergency appropriation of $1.7 billion a large amount of funds was also designated for emergency construction and, in the past 6 months, money has been reprogramed for construction in Vietnam.

Mr. President, the conferees believe that this is a sound bill and will provide the military with the necessary funds to carry out its mission for the ensuing fiscal year. Admittedly, some of the fat has been trimmed from this bill. We believe that we have left only those projects which are needed for an adequate national defense.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. Mr. President, as the senior Senator from Florida has said so well, I commend the chairman of the committee, the distinguished Senator from Mississippi, for the excellent and thoughtful manner in which he has handled this legislation. He was most patient and effective in seeing that the position of the Senate was carefully considered by the conferees. Naturally, it was necessary to compromise several positions taken by the committee but, on the overall the views of the Senate prevailed in most instances.

The amount of the bill as it came out of conference totaled $1,756,635,000, which is $292,365,000, or 14.2 percent below the budget estimated for fiscal year 1966. This total is $1,140,000 above the House figure and $2,869,000 below the amount as approved by the Senate. We are confident that this will adequately provide the funds for the construction needs of the various services and the money required to contract needed repair shops, supply centers, schools and barracks for the services. I should point out that we used as a yardstick the urgency of the projects in the light of our increasing demands for funds to finance the conflict in southeast Asia. With this in mind we felt that many projects could be deferred for another year. Numerous requests for building additional service clubs, bachelor officer's quarters and other items of construction were denied. In our opinion these could be deferred without affecting our military strength.

As to family housing, the overall defense housing request for the military services and defense agencies as presented in the President's budget totaled 12,500 units. Congress subsequently reduced the number of units which could be contracted for to 9,500 units. Authority was given to the Department of Defense to determine the housing projects to be selected from the eligible list of 11,180 units actually authorized. The housing provided funds for 9,500 units, the Senate provided money to build 7,500 units. The conferees settled on 8,500 units, which represents an increase of 250 units above the amount approved last year. The House conferees felt very strongly that these housing units should be approved and I believe that the compromise which we worked out will be most satisfactory. In addition, the Congress approved the leasing of 7,000 housing units. In my opinion we have provided for the urgent needs of the military with respect to construction. We have also included funds in the amount of $50 million to be used to meet the emergency construction requirements in situations which the Secretary of Defense determines to be vital to the security of the United States. It is expected that the Secretary will inform the Committee on Appropriations of both the Senate and the House immediately upon a decision to use any of these funds.

Mr. President, again let me say in conclusion that I commend the Senator from Mississippi on his hard work on this bill and on the Defense appropriation bill. It has been a pleasure to work with him.

Mr. STENNIS. The Senator from Massachusetts is very generous. I thank him for the hard work he has put forth on this bill. Whenever I find it necessary to call upon him, he is always present at committee hearings, and willing with advice and counsel, and it is a pleasure, a joy, and an inspiration to work with him from year to year.

Mr. President, I now ask unanimous consent, in order that we may complete the record, that there be printed in the RECORD at this point the table of appraisals for military construction and family housing, Defense, fiscal year 1966, showing also the 1965 appropriations, the 1966 estimates, and the congressional action taken thereon.

There being no objection, the table was ordered to be printed in the RECORD.

Appropriations for military construction and family housing, Defense, fiscal year 1966, showing 1965 appropriations, 1966 estimates, and congressional action

Title	Appropriations, 1965	Budget estimate, 1966	House passed	House decrease (−)	Restoration requested	Revised estimate	Passed Senate	Conference action	Conference action compared with—			
									Appropriation, 1965	Budget estimate, 1966	House	Senate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
MILITARY CONSTRUCTION												
DEPARTMENT OF THE ARMY												
Military construction, Army	$300,393,000	$441,400,000	$319,732,000	−$121,668,000	+$32,088,000	$351,820,000	$332,039,000	$323,443,000	+$23,050,000	−$117,957,000	+$3,711,000	−$8,596,000
Military construction, Army Reserve	5,000,000							0	−5,000,000	0	0	0
Military construction, Army National Guard	10,800,000		10,000,000	+10,000,000		10,000,000	10,000,000	10,000,000	−800,000	+10,000,000	0	0
DEPARTMENT OF THE NAVY												
Military construction, Navy	247,867,000	338,300,000	312,357,000	−25,943,000	+22,014,000	334,371,000	320,603,000	316,305,000	+68,438,000	−21,995,000	+3,948,000	−4,298,000
Military construction, Naval Reserve	7,000,000	9,500,000	9,500,000			9,500,000	9,590,000	9,500,000	+2,500,000	0	0	−90,000
DEPARTMENT OF THE AIR FORCE												
Military construction, Air Force	332,101,000	422,000,000	337,478,000	−84,522,000	+33,041,000	370,519,000	355,410,000	348,273,000	+16,172,000	−73,727,000	+10,795,000	−7,137,000
Military construction, Air Force Reserve	5,000,000	4,000,000	4,000,000			4,000,000	4,000,000	4,000,000	−1,000,000	0	0	0
Military construction, Air National Guard	14,000,000	10,000,000	10,000,000			10,000,000	10,000,000	10,000,000	−4,000,000	0	0	0
OFFICE OF THE SECRETARY OF DEFENSE												
Military construction, Defense agencies	12,656,000	83,200,000	63,468,000	−19,732,000	+1,663,000	65,131,000	65,131,000	64,268,000	+51,612,000	−18,932,000	+800,000	−863,000
Loran stations, Department of Defense	5,000,000	5,000,000	5,000,000			5,000,000	5,000,000	5,000,000	0	0	0	0
Total, military construction	939,817,000	1,313,400,000	1,071,535,000	−241,865,000	+88,806,000	1,160,341,000	1,111,773,000	1,090,789,000	+150,972,000	−222,611,000	+19,254,000	−20,984,000
FAMILY HOUSING, DEFENSE												
Family housing, Army:												
Construction	35,600,000	54,064,000	42,282,000	−11,782,000		42,282,000	37,408,000	39,845,000	+4,245,000	−14,219,000	−2,437,000	+2,437,000
Operation, maintenance, and debt payments	173,328,000	181,156,000	180,649,000	−507,000		180,649,000	180,649,000	180,649,000	+7,321,000	−507,000	0	0
Family housing, Navy and Marine Corps:												
Construction	64,544,000	92,140,000	73,415,000	−18,725,000		73,415,000	58,309,000	65,862,000	+1,318,000	−26,278,000	−7,553,000	+7,553,000
Operation, maintenance, and debt payments	97,739,000	96,948,000	96,812,000	−136,000		96,812,000	96,812,000	96,812,000	−927,000	−136,000	0	0
Family housing, Air Force:												
Construction	57,589,000	99,290,000	79,058,000	−20,232,000		79,058,000	62,809,000	70,934,000	+13,345,000	−28,356,000	−8,124,000	+8,125,000
Operation, maintenance, and debt payments	198,859,000	209,307,000	209,049,000	−258,000		209,049,000	209,049,000	209,049,000	+10,190,000	−258,000	0	0
Family housing, Defense agencies:												
Construction	981,000	406,000	406,000			406,000	406,000	406,000	−575,000	0	0	0
Operation, maintenance, and debt payments	2,511,000	2,289,000	2,289,000			2,289,000	2,289,000	2,289,000	−222,000	0	0	0
Total, family housing	631,151,000	735,600,000	683,960,000	−51,640,000		683,960,000	647,731,000	665,846,000	+34,695,000	−69,754,000	−18,114,000	+18,115,000
Grand total	1,570,968,000	2,049,000,000	1,755,495,000	−293,505,000	+88,806,000	1,844,301,000	1,759,504,000	1,756,635,000	+185,667,000	−292,365,000	+1,140,000	−2,869,000

Mr. STENNIS. Mr. President, the completion of action on these two bills in conference presents for approval the appropriation of a striking sum of money, $48,523,044,000. I think it is appropriate here to say a word of tribute to our men abroad, fighting in the jungles of faraway Asia, and on duty in Latin America, in Europe, in Korea, and around the world.

A word should also be said about the American people, who are willing to put up over $50 billion—and there is well over $50 billion to be spent—in the short span of 12 months.

It is a challenge to our country to be able to carry on the burden of representative government while at the same time having that Government spend over $100 billion of new money every 12 months.

Mr. LONG of Louisiana. Will the Senator yield?

Mr. STENNIS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I congratulate the Senator from Mississippi, and express the gratitude of the Senate for the fine job he has done on this bill and other important military appropriation authorization bills. It was once my pleasure to serve with the Senator from Mississippi on the Armed Services Committee and to observe the extremely conscientious and responsible manner in which he goes into every one of the thousands of line items on these bills, to examine the necessity for even so small an item as a $1,000 expenditure. The Nation is extremely fortunate to have the Senator from Mississippi managing these bills. I speak as one who has had some interest in the bill, because we have certain military installations in Louisiana, as most States do. The Senator has been most considerate of all the various problems involved, and has rendered a fine service in providing leadership for the Senate conferees in bringing back a very fine conference report.

Mr. STENNIS. I thank the Senator from Louisiana very much. I appreciate having served with the Senator on the Armed Services Committee in the past, and I am sorry he ever left it. But he is doing fine work where he is.

Now, Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1065. An act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; and

S. 2127. An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes.

The message also announced that the House had passed the bill (S. 944) to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 23. An act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes;

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 5665. An act to authorize the disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6515. An act to supplement the act of October 6, 1964, reestablishing the Lewis and Clark Trail Commission, and for other purposes;

H.R. 6852. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile;

H.R. 7571. An act to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes;

H.R. 8848. An act to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces;

H.R. 9047. An act to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both;

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes;

H.R. 9830. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor;

H.R. 10238. An act to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes;

H.R. 10516. An act authorizing the disposal of vegetable tannin extracts from the national stockpile;

H.R. 10553. An act to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships;

H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile;

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile;

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint; and

H.J. Res. 597. Joint resolution providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 23. An act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes; to the Committee on Commerce.

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 5665. An act to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6852. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile;

H.R. 8848. An act to amend title 10, United States Code, to provide transportation for the immediate families of personnel of the American National Red Cross serving with the Armed Forces;

H.R. 9047. An act to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both;

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H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile;

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile; and

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint; to the Committee on Armed Services.

H.R. 6515. An act to supplement the act of October 6, 1964, reestablishing the Lewis and Clark Trail Commission, and for other purposes;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes; and

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7571. An act to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs; and

H.R. 10238. An act to provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 9830. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor; to the Committee on Government Operations.

H.R. 10553. An act to preserve the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 for congressional employees receiving certain congressional staff fellowships; to the Committee on Post Office and Civil Service.

H.J. Res. 597. Joint resolution providing for the erection of a memorial to the late Dr. Robert H. Goddard, the father of rocketry; to the Committee on Rules and Administation.

BAIL REFORM ACT OF 1965

Mr. JAVITS. Mr. President, passage by the Senate today of S. 1357, the Bail Reform Act of 1965, marks a historic effort to bring much needed reform to bail procedures in the Federal courts and the courts of the District of Columbia. The reform brought about by this measure, of which I am pleased to be a cosponsor, will insure improved and fairer methods of treatment of the thousands of citizens accused of crimes each year who are confined before their innocence or guilt has been determined by a court of law—not because there is any substantial doubt that they will appear for trial if released, but because they cannot afford bail. Early in this Congress the Subcommittee on Constitutional Rights of which I am a member and the Subcommittee on Improvements in Judicial Machinery jointly issued a report entitled "Constitutional Rights and Federal Bail Procedures." The principal conclusion of the report was that the defects in Federal bail practices stem, in large part, from the fact that bail decisions rely primarily upon financial inducements to insure the presence of the accused at trial, rather than his character, employment, residence, or other community ties.

Our present bail system has created many inequities. The fact of pretrial confinement or liberty should not depend on the question of whether a citizen can economically afford bail. A citizen deprived of his liberty because he is unable to afford bail is frequently handicapped in preparing his defense and often unable to support his family which may be forced to suffer both economic loss and public opprobrium as a result of the confinement even though the citizen may at a later date be found not guilty.

S. 1357 takes significant steps towards the much needed objective of bail reform. The bill provides, among other things for release in noncapital cases upon personal recognizance or unsecured bonds unless a judicial officer determines, upon good cause shown that such a release will not reasonably assure the appearance of the accused as required. The bill provides for appeal of release orders by persons aggrieved by the release conditions imposed and provides credit for pretrial confinement against any fine imposed by a court as well as against any sentence imposed. It also provides for the amendment of release orders to impose different conditions. The leadership in this reform provided by the distinguished Senator from North Carolina [Mr. ERVIN], chairman of the Constitutional Rights Subcommittee, and the Senator from Maryland [Mr. TYDINGS], chairman of the Subcommittee on Improvements in Judicial Machinery has been of great importance in obtaining this greatly needed revision of existing bail practices. I very much hope that this legislation will be enacted and the principles of justice and fairness carried out fully under the newly established bail procedures.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, if other Senators wish to make speeches, it is the intention that we stay here as long as Senators wish to speak this evening. Having discussed the matter with the leadership on both sides of the aisle and the Senators interested, I announce that we do not plan to press for a vote on the immigration bill today, although we are hopeful it may be voted upon tomorrow. I hope that all Senators will be alerted. We hope to reach a vote on the bill tomorrow; and if Senators wish to make further speeches on the matter, they may come to the floor and address themselves to the subject. Having discussed the parliamentary situation with Senators on both sides of the aisle, in the event someone should wish to discuss this or some other matter during the remainder of the session today, I suggest the absence of a quorum, so that Senators may know that the floor is available.

Mr. SALTONSTALL. Will the Senator withhold his request for a quorum call for a moment? It has come to my attention that the vote might come on the bill somewhere near the middle of the afternoon tomorrow.

Mr. LONG of Louisiana. Yes; we have every hope that a vote on the bill will be reached tomorrow, and if necessary we shall try to obtain unanimous consent to limit debate tomorrow. In the event we are not able to arrive at a vote early, we would run late tomorrow, but it is our hope that we might be able to vote early in the day, so that Senators may be about their other important plans and the legislation upon which they are working.

Mr. SALTONSTALL. And then take up the foreign aid bill?

Mr. LONG of Louisiana. The foreign aid appropriation bill will be laid before the Senate next.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. I understood the Senator to say that there would be no vote on the bill tonight. Does he mean no vote on either the bill or any amendments?

Mr. LONG of Louisiana. That is correct. There may be some Senators who wish to be heard on the measure; and to make my position clear, I do not wish to deny them that opportunity. I have explored the question of requesting unanimous consent to limit debate, if the prospect for an early vote tomorrow should make it necessary. But the Senator may be assured that we shall not press for a vote tonight, and there will be none.

AUTHORIZATION TO COMMITTEE ON FINANCE TO MEET DURING SESSION OF SENATE TOMORROW

Mr. LONG of Louisiana. Mr. President, in order to be of assistance to the minority leader, I am about to make a unanimous-consent request that the Senate Committee on Finance be permitted to meet during the session of the Senate tomorrow in the event we are not able to report on an important measure before that committee tomorrow morning.

Mr. President, I suggest the absence of a quorum, and after that will make the unanimous request to which I have just referred.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate Committee on Finance be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, September 22, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 21 (legislative day of September 20), 1965:

U.S. ATTORNEY

Robert H. Cowen, of North Carolina, to be U.S. attorney for the eastern district of North Carolina for the term of 4 years. (Reappointment.)

U.S. PATENT OFFICE

Philip E. Mangan, of Maryland, to be an examiner in chief, U.S. Patent Office, vice Hyman Freehof.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 20 (legislative day of September 20), 1965:

DEPARTMENT OF LABOR

Arthur M. Ross, of California, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

GEOLOGICAL SURVEY

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning Henry Bosshard, to be senior surgeon, and ending Neil O. Hartman, to be senior assistant therapist, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 13, 1965.

WITHDRAWALS

Executive nominations withdrawn from the Senate September 21 (legislative day of September 20), 1965:

POSTMASTERS

Wilma F. Majors to be postmaster at Russell Springs, in the State of Kansas.

Kae B. Weston to be postmaster at Laketown, in the State of Utah.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 21, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: I Corinthians 4:2: *It is required of stewards that they be found faithful.*

Eternal God, whose voice bids us to be humble and penitent and faithful in these difficult days in which we are living, grant that we may not be found wanting in this bewildering perplexity which often confuses us.

We earnestly beseech Thee to renew our spiritual life of faith and inspire us with a passion that demands justice for the poor and the oppressed and gives courage to all mankind.

Help us to see our work in its true perspective and may we cultivate the upward look lest we become feverish and fretful and faithless.

Deepen our trust in Thee for we know that we can bear anything if our faith holds, but if we allow it to be eclipsed, then the way becomes dim.

Grant that we may never allow hardness to get into our hearts, but may we make a vow of fidelity knowing that Thou wilt help us to keep that vow and thus may we rise above our doubts and our dismay.

To Thy name shall be all the glory. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 774. An act to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States;

S. 1407. An act for the relief of Frank E. Lipp;

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1588) entitled "An act to authorize the Secretary of Commerce to undertake research, development, and demonstrations in high-speed ground transportation, and for other purposes."

The message also announced that the Senate recedes from its disagreement to the amendment of the House to the title and concurs therein.

The message also announced that the Senate had passed Senate Resolution 148, as follows:

Resolved, That the Senate has heard with profound sorrow and extreme regret the announcement of the death of Hon. Elmer Thomas, who served in the U.S. Senate from the State of Oklahoma from 1927 until 1951.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, together with a transcript of remarks made in the Senate in praise of his distinguished service to the Nation.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States No. 66-5.

AUTHORIZING EXTENSION OF PROCLAMATION TO "SEE THE UNITED STATES"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S.J. Res. 98) authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. McCLORY. Mr. Speaker, reserving the right to object, I should like to ask a question.

This resolution does nothing more than to extend for 1 year the authority to proclaim the "See the United States First" policy?

Mr. ROGERS of Colorado. The gentleman is correct.

Mr. McCLORY. It does not involve any expenditure of funds?

Mr. ROGERS of Colorado. It is just for extending Public Law 88-416 for another year. No money is required.

Mr. McCLORY. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, what is Public Law 88?

Mr. ROGERS of Colorado. Public Law 88-416 is a resolution to see the United States.

Mr. GROSS. To do what?

Mr. ROGERS of Colorado. This program invites industry and interested organizations to encourage the American people to explore, use, and enjoy the historical, scenic, and recreation areas throughout the United States, its territories and possessions, and the Commonwealth of Puerto Rico.

Mr. GROSS. I think that can very well be renewed, President Johnson not having had very much success in his campaign to stop tourism overseas. Anything we can do to emphasize tourism in the United States should help the deficit in the balance of payments.

Mr. ROGERS of Colorado. Mr. Speaker, I appreciate the comments of the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 98

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested (1) to extend through 1966 the period designated pursuant to the joint resolution approved August 11, 1964 (Public Law 88-416), as a period to see the United States and its territories; (2) to encourage private industry and interested private organizations to continue their efforts to attract greater numbers of the American people to the scenic, historical, and recreational areas and facilities of the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico; and (3) to issue a proclamation specifically inviting citizens of other countries to visit the festivals, fairs, pageants, and other ceremonials, to be celebrated in 1966 in the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

SEC. 2. The President is authorized to publicize any proclamations issued pursuant to the first section and otherwise to encourage and promote vacation travel within the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico, both by American citizens and by citizens of other countries, through such departments or agencies of the Federal Government as he deems appropriate, in cooperation with State and local agencies and private organizations.

SEC. 3. For the purpose of the extension provided for by this joint resolution, the President is authorized during the period of such extension to exercise the authority conferred by section 3 of the joint resolution approved August 11, 1964 (Public Law 88-416), and for such purpose may extend for such period the appointment of any person serving as National Chairman pursuant to such section.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVE RESTRICTIONS ON AMERICAN HOSPITAL OF PARIS

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 1, after line 8, insert:
>
> "Sec. 2. Section 9 of said Act is amended by striking out: ': *Provided*, That at no time shall said corporation hold real estate except for the necessary use of office and hospital purposes of said hospital'."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

THE LATE HONORABLE ELMER THOMAS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, it is my sad duty to inform the House of the death in Lawton, Okla., Sunday of a distinguished former Member of this body, Hon. Elmer Thomas, who represented the Sixth District of Oklahoma from March 4, 1923, to March 3, 1927.

He did not seek reelection to the House in 1926, having become a candidate for the U.S. Senate. He was elected as a Democrat to the Senate in 1926, relected in 1932, 1938, and again in 1944, serving from March 4, 1927, to January 3, 1951.

Senator Thomas was born on a farm near Greencastle, Putnam County, Ind., September 8, 1876. He was graduated from the Central Normal College—now Canterbury—at Danville, Ind., in 1897 and from DePauw University, Greencastle, Ind., in 1900. He was admitted to the Indiana bar in 1897 and to the bar in Oklahoma in 1900. He began practice in Oklahoma City and later moved to Lawton where he continued the practice of law.

He was a member of the first State senate in Oklahoma in 1907 and served with great distinction until 1920, when he resigned. He served as president pro tempore from 1910 to 1913. He was a delegate to all of the Democratic State conventions from 1907 to 1950 and was chairman of the Democratic State Convention in 1910.

After he left the other body, he practiced law in Washington until August 1957, when he returned to Lawton.

It was my privilege to know this remarkable man all of my life. It was my extreme good fortune to enjoy the benefit of his counsel and advice.

Senator Thomas, who served many years as chairman of the Committee on Agriculture in other body, was a recognized authority on agriculture and financial affairs. He was a student of the public affairs and kept well informed even after he had retired to private life. At every opportunity when I visited in Lawton, I paid him a visit to seek his views and comments on important issues facing the Congress and found him always graciously willing to spend his time in being helpful to a younger Member.

Mr. Speaker, the State of Oklahoma has lost one of its most distinguished citizens. The Congress has lost one of its most articulate former Members, and the Nation has lost a truly great statesman.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. JOHNSON of Oklahoma. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my colleague the gentleman from Oklahoma [Mr. Johnson] in this tribute to one of the great men in the history of our State. Senator Elmer Thomas served in the Congress of the United States a total of 28 years, 4 years in the House and 24 years in the Senate. Prior to that time he had served as a member of the first Oklahoma Senate in 1907 and in succeeding legislatures until 1920 when he resigned. He was considered by many to have been the outstanding member of the State senate during its early years.

Elmer Thomas served with extraordinary distinction in the U.S. Senate. He was a recognized authority on agriculture, finance, Indian legislation, and oil and gas, and these were also the areas of his leadership and responsibility on Senate legislative committees. He was for many years chairman of the Senate Committee on Agriculture which handled most of the important legislative measures in the field of agriculture which came out of the New Deal era.

He was the ranking Democratic member of the Senate Committee on Appropriations.

He was also chairman of the Subcommittee on the Department of Defense of the Committee on Appropriations. It was under his leadership that most of the military requirements of World War II were funded.

Senator Thomas through his foresight planned ahead for Oklahoma. He probably did as much as any person in our State to lay the groundwork for the great watershed developments on the Arkansas and Red Rivers; he certainly pioneered these projects in the Congress. His service to Oklahoma is second to none in all its history and his service to our Nation was of the highest order.

Senator Thomas' death is a great personal loss to me. I have known him ever since he made his first race for the U.S. Senate in 1926. He has been my friend over 39 years. I met him when he made his speech in my hometown of McAlester in the spring of 1926. In the spring of 1927 I was his guest here in the city of Washington while attending a national high school function. This was my first trip to our Nation's Capital. Senator Thomas met me at the Union Station. I was his guest at Arlington when President Coolidge made his Memorial Day address in May 1927.

I was in Senator Thomas' campaign actively in 1938. After I was elected to Congress he befriended me in many ways. He was always a kind counselor and close friend and a tremendous ally in legislative problems which affected our State.

Under the redistricting plan recently adopted by the Oklahoma Legislature, Comanche County in which he lived was placed in my district. I had looked forward to serving him as his Congressman and having him in my constituency.

I shall miss him. Mrs. Albert and I extend to his son and all his loved ones our heartfelt sympathy in their bereavement.

Mr. EDMONDSON. Mr. Speaker, one of Oklahoma's greatest statesmen, and a distinguished former member of this body, has left us.

In the death of the Honorable Elmer Thomas, Oklahoma has lost one of its most effective and able public servants and leaders.

As a member of this House, and later as a U.S. Senator, Elmer Thomas made many contributions to the progress of our country. He was an acknowledged expert on agriculture, on money, on water development, on Indian affairs, and on a host of other legislative subjects. He was an active and effective legislator who exerted great influence upon the actions of the Government throughout his service in Washington.

Elmer Thomas was a strong and loyal friend, and he was not afraid to speak out forcefully on controversial questions. An able orator with a phenomenal memory, he placed the imprint of his keen mind upon many pages of the Congressional Record.

It was a great privilege to have known this distinguished American, and to have received the benefit of his wise counsel on more than one occasion.

I will miss Elmer Thomas, and his family is joined in this time of mourning by many who respected and loved him.

Mr. STEED. Mr. Speaker, Oklahoma has lost one of its foremost citizens, a public servant whose career has spanned the entire period of our existence as a State, in the passing of Senator Elmer Thomas.

The only Oklahoman ever elected four times to the Senate, he served in that body for 24 years, longer than any other man from our State.

Born on an Indiana farm in 1876, he was educated in the public schools and was graduated from Central Normal College—now Canterbury—at Danville, Ind., and from DePauw University, Greencastle, Ind.

In 1900 he moved to Oklahoma, where he was admitted to the bar and began the practice of law at Oklahoma City. The next year he began his practice at Lawton, which was his home for the remaining 64 years of his life.

When Oklahoma became a State in 1907 Elmer Thomas was a member of the first State senate. There he served until 1920, when he won the Democratic nomination for Congressman from the Sixth Congressional District. He lost that year in the Harding landslide, but 2 years later he was renominated and elected, taking his seat in the 68th Congress.

After two terms in the House, Elmer Thomas was elected to the Senate in 1926, serving four terms. He won distinction as chairman of the Agriculture Committee, eventually as a senior member of the Appropriations Committee, and as a forceful authority on monetary policy.

He was a pioneer in the water resources development of Oklahoma, and won authorization for many projects that still bring increasing benefits to our State. Keystone Dam, whose authorization he won before World War II was completed only recently.

After he was defeated for reelection in 1950 Senator Thomas practiced law in Washington until 1957, then he returned to Lawton to make his home. He became the author of three books, and maintained an alert, well-informed interest in the Government and economic development of our State.

It was my privilege to know him personally for many years and to have served with him in the 81st Congress.

All Oklahomans will join in expressing their sympathy to his family and in saluting the accomplishments of a distinguished career.

Mr. BELCHER. Mr. Speaker, it was very sad to hear of the passing of my good friend, John William Elmer Thomas—one of Oklahoma's best-known citizens.

Elmer Thomas and I were friends over a long period of years. He was a Democrat and I am a Republican; but this never in any way affected our friendship.

He was an exceptionally friendly and modest man, who devoted the major part of his life to public service for the betterment of Oklahoma. Starting with the first State senate in Oklahoma, where he served from 1907 to 1920, he followed by tours of duty in both the U.S. House of Representatives from 1923 to 1927, and the U.S. Senate from 1927 to 1951.

Few men are better known Oklahomans than Elmer, or served their State through more perilous times in the U.S. Congress, for Elmer was here during World War II.

I shall long remember this respected statesman and cherish our warm friendship; and I send my sincere condolences to his family at this time, and know that God will strengthen and sustain them in their hour of need.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the life and services of the late Senator Elmer Thomas.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

BENJAMIN A. RAMELB

The Clerk called the bill (S. 149) for the relief of Benjamin A. Ramelb.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LT. COL. WILLIAM T. SCHUSTER, U.S. AIR FORCE, RETIRED

The Clerk called the bill (S. 919) for the relief of Lt. Col. William T. Schuster, U.S. Air Force, retired.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JAMES P. BRADLEY

The Clerk called the bill (H.R. 5121) for the relief of James P. Bradley.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. GROSS objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

NORTH COUNTIES HYDROELECTRIC CO.

The Clerk called the bill (H.R. 10097) for the relief of North Counties Hydroelectric Co.

There being no objection, the Clerk read the bill, as follows:

H.R. 10097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to North Counties Hydro-Electric Company of Illinois, the sum of $187,058, in full satisfaction of all claims of such company against the United States for damages to its powerplant and dam at Dayton, Illinois, sustained as the result of a dam built by the United States on the Illinois River, at Starved Rock near Ottawa, Illinois. The United States Court of Claims in Congressional Numbered 2–59 entitled North Counties Hydro-Electric Company, a corporation of Illinois against the United States (decided on April 16, 1965) held that the amount due the plaintiff from the United States is $187,058: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, after "for" insert "past and future."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM JOHN CAMPBELL McCAUGHEY

The Clerk called the bill (S. 450) for the relief of William John Campbell McCaughey.

There being no objection, the Clerk read the bill, as follows:

S. 450

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William John Campbell McCaughey may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of physical presence within the United States shall be required in addition to his physical presence within the United States since November 27, 1956.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. OTTO F. KERNBERG

The Clerk called the bill (S. 1012) for the relief of Dr. Otto F. Kernberg.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

POLA BODENSTEIN

The Clerk called the bill (S. 1111) for the relief of Pola Bodenstein.

There being no objection, the Clerk read the bill, as follows:

S. 1111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Pola Bodenstein may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIGIO CIARDIELLO

The Clerk called the bill (H.R. 1918) for the relief of Eligio Ciardiello.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MAXIE L. RUPERT

The Clerk called the bill (H.R. 2578) for the relief of Maxie L. Rupert.

There being no objection, the Clerk read the bill, as follows:

H.R. 2578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Maxie L. Rupert of Battle Creek, Michigan, is hereby relieved of liability to the United States in the amount of $1,344, the amount of overpayments of salary between December 10, 1962, and June 23, 1963, resulting from a promotion in violation of section 1310(c) of the Act of November 1, 1951 (5 U.S.C. 43 note). In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maxie L. Rupert, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 8, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CLARA W. DOLLAR

The Clerk called the bill (S. 1873) for the relief of Mrs. Clara W. Dollar.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LOUIS W. HANN

The Clerk called the bill (H.R. 1409) for the relief of Louis W. Hann.

There being no objection, the Clerk read the bill, as follows:

H.R. 1409

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis W. Hann, of Orange, New Jersey, the sum of $1,422.13 in full settlement of all his claims against the United States for the amount he was required to pay to the United States for transporting the excess weight of his household goods from Stuttgart, Germany, to Orange, New Jersey, during 1961, after being improperly separated from his position as a civilian employee of the Department of the Army. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 2, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR HILL

The Clerk called the bill (H.R. 6590) for the relief of Arthur Hill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

JOSEPH B. STEVENS

The Clerk called the bill (H.R. 10338) for the relief of Joseph B. Stevens.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. MARIA FINOCCHIARO

The Clerk called the bill (H.R. 4211) for the relief of Mrs. Maria Finocchiaro.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHIZUYO HOSHIZAKI

The Clerk called the bill (H.R. 4928) for the relief of Chizuyo Hoshizaki.

There being no objection, the Clerk read the bill, as follows:

H.R. 4928

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chizuyo Hoshizaki, who lost United States citizenship under the provisions of section 349(a)(5) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Chizuyo Hoshizaki shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARVEY E. WARD

The Clerk called the bill (H.R. 8085) for the relief of Harvey E. Ward.

There being no objection, the Clerk read the bill, as follows:

H.R. 8085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby consents, for the purposes of the seventh clause of section 9 of article I of the Constitution of the United States, to the acceptance by Harvey E. Ward, United States Coast Guard, retired, of Taipei, Taiwan, from the State of Tasmania, Commonwealth of Australia, of the office and emolument of teacher in the Department of Education in such State during the calendar years 1960 through 1964.

SEC. 2. Said Harvey E. Ward is relieved of any liability to the United States which the Comptroller General (in the decision numbered B-154213) held arose from his receipt of United States Coast Guard retired pay in violation of the seventh clause of section 9 of article I of the Constitution. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harvey E. Ward an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the liability to the United States specified in section 2 of this Act. No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4: Strike "seventh" and insert "eighth".

Page 2, lines 14 and 15: Strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHMORE: On page 2, line 4, strike "seventh" and insert "eighth".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

S. SGT. ROBERT E. MARTIN, U.S. AIR FORCE, RETIRED

The Clerk called the bill (H.R. 8829) for the relief of S. Sgt. Robert E. Martin, U.S. Air Force, retired.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EDWARD F. MURZYN AND EDWARD J. O'BRIEN

The Clerk called the bill (H.R. 10403) for the relief of Edward F. Murzyn and Edward J. O'Brien.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LT. COL. JAMES E. BAILEY, JR., U.S. AIR FORCE (RETIRED)

The Clerk called the bill (H.R. 10404) for the relief of Lt. Col. James E. Bailey, Jr., U.S. Air Force, retired.

There being no objection, the Clerk read the bill, as follows:

H.R. 10404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel James E. Bailey, Junior, 7506A, United States Air Force (retired), Rural Route Number 2, Clarksville, Tennessee, the sum of $1,793.70 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire on January 15, 1964, at the Altus-Hollis Transport Company warehouse, Altus, Oklahoma, while the property was stored in the warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. DONALD J. M. BLAKESLEE, AND LT. COL. ROBERT E. WAYNE, U.S. AIR FORCE

The Clerk called the bill (H.R. 10405) for the relief of Col. Donald J. M. Blakeslee and Lt. Col. Robert E. Wayne, U.S. Air Force.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri

There was no objection.

LT. COL. JACK F. OREND

The Clerk called the bill (H.R. 4911) for the relief of Lt. Col. Jack F. Orend.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. LONETA HACKNEY

The Clerk called the bill (H.R. 1484) for the relief of Mrs. Loneta Hackney.

There being no objection, the Clerk read the bill, as follows:

H.R. 1484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85–844), Mrs. Loneta Hackney, Waco, Texas, widow of Charles B. Hackney, retired employee of the Veterans' Administration, shall be held and considered to be the wife and widow of the said Charles B. Hackney within the meaning of sections 1(h), 9(g), and 10(a) of the Civil Service Retirement Act, as amended (5 U.S.C. 2251(h), 2259(g), and 2260(a)), at and after the time of his retirement under such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF AUTOMATIC STEADY STATE DISTRIBUTION MACHINE FOR UNIVERSITY OF OKLAHOMA

The Clerk called the bill (H.R. 7608) to provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Okla.

There being no objection, the Clerk read the bill, as follows:

H.R. 7608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Oklahoma.

(b) If the liquidation of the entry of the article described in subsection (a) of this section has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF SHADOMASTER MEASURING PROJECTOR FOR UNIVERSITY OF SOUTH DAKOTA

The Clerk called the bill (H.R. 9351) to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota.

There being no objection, the Clerk read the bill, as follows:

H.R. 9351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one shadomaster measuring projector for the use of the University of South Dakota.

SEC. 2. If the liquidation of the entry of any article described in this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendment:

Page 1, line 4, insert after "projector" the following; "(and its accompanying parts and equipment)".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF CRAIG COUNTERCURRENT DISTRIBUTION APPARATUS FOR COLORADO STATE UNIVERSITY

The Clerk called the bill (H.R. 9587) to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.

There being no objection, the Clerk read the bill, as follows:

H.R. 9587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to admit free of duty the Craig countercurrent distribution apparatus (and its accompanying parts and equipment) imported for the use of Colorado State University, Fort Collins, Colorado, which was entered during February 1963 pursuant to consumption entry 1136.

(b) If the liquidation of the entry of the articles described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF ELECTRICALLY DRIVEN ROTATING CHAIR FOR LOUISIANA STATE UNIVERSITY MEDICAL CENTER

The Clerk called the bill (H.R. 9588) to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.

There being no objection, the Clerk read the bill as follows:

H.R. 9588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one electrically driven rotating chair (and the control unit and other equipment accompanying such chair) for the use of the Louisiana State University Medical Center, New Orleans, Louisiana.

With the following committee amendment:

On page 1 of the bill, after line 7, add the following:

"SEC. 2. If the liquidation of the entry of any article described in the first section of this act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that further calls of bills on the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tomorrow night to file a report on the bill S. 2084.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Maryland?

There was no objection.

CALL OF THE HOUSE

Mr. RUMSFELD. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 312]

Anderson, Ill.
Andrews, George W.
Bolton
Bonner
Buchanan
Burton, Utah
Cabell
Clevenger
Colmer
Cramer
Diggs
Dow
Dowdy
Farnsley
Farnum
Fino
Ford, William D.
Frelinghuysen
Fulton, Tenn.
Gallagher
Hamilton
Hanna
Harris
Herlong
Holifield
Holland
Hosmer
Jarman
Lindsay
Long, La.
McDowell
Madden
Martin, Mass.
Miller
Morton
Murray
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Powell
Roosevelt
Roudebush
Roybal
St Germain
Senner
Smith, Iowa
Springer
Stephens
Stratton
Thomas
Thompson, Tex.
Toll
Whitener

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WATER QUALITY ACT OF 1965

Mr. BLATNIK. Mr. Speaker, I call up the conference report on the bill—S. 4—to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1022)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That (a)(1) section 1 of the Federal Water Pollution Control Act (33 U.S.C. 466) is amended by inserting after the words "SECTION 1." a new subsection (a) as follows:

"'(a) The purpose of this Act is to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution.'

"(2) Such section is further amended by redesignating subsections (a) and (b) thereof as (b) and (c), respectively.

"(3) Subsection (b) of such section (as redesignated by paragraph (2) of this subsection) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: 'The Secretary of Health, Education, and Welfare (hereinafter in this Act called "Secretary") shall administer this Act through the Administration created by section 2 of this Act, and with the assistance of an Assistant Secretary of Health, Education, and Welfare designated by him, shall supervise and direct (1) the head of such Administration in administering this Act and (2) the administration of all other functions of the Department of Health, Education, and Welfare related to water pollution. Such Assistant Secretary shall perform such additional functions as the Secretary may prescribe.'

"(b) There shall be in the Department of Health, Education, and Welfare, in addition to the Assistant Secretaries now provided for by law, one additional Assistant Secretary of Health, Education, and Welfare who shall be appointed by the President, by and with the advice and consent of the Senate. The provisions of section 2 of Reorganization Plan Numbered 1 of 1953 (67 Stat. 631) shall be applicable to such additional Assistant Secretary to the same extent as they are applicable to the Assistant Secretaries authorized by that section. Paragraph (17) of section 303(d) of the Federal Executive Salary Act of 1964 (78 Stat. 418) is amended by striking out '(5)' before the period at the end thereof and inserting in lieu thereof '(6)'.

"SEC. 2. (a) Such Act is further amended by redesignating sections 2 through 4, and references thereto, as sections 3 through 5, respectively, sections 5 through 14, as sections 7 through 16, respectively, by inserting after section 1 the following new section:

"'FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

"'SEC. 2. Effective ninety days after the date of enactment of this section there is created within the Department of Health, Education, and Welfare a Federal Water Pollution Control Administration (hereinafter in this Act referred to as the "Administration"). The head of the Administration shall be appointed, and his compensation fixed, by the Secretary. The head of the Administration may, in addition to regular staff of the Administration, which shall be initially provided from the personnel of the Department, obtain, from within the Department or otherwise as authorized by law, such professional, technical, and clerical assistance as may be necessary to discharge the Administration's functions and may for that purpose use funds available for carrying out such functions; and he may delegate any of his functions to, or otherwise authorize their performance by, any officer or employee of, or assigned or detailed to, the Administration.'

"(b) Subject to such requirements as the Civil Service Commission may prescribe, any commissioned officer of the Public Health Service who, on the day before the effective date of the establishment of the Federal Water Pollution Control Administration, was, as such officer, performing functions relating to the Federal Water Pollution Control Act may acquire competitive civil service status and be transferred to a classified position in the Administration if he so transfers within six months (or such further period as the Secretary of Health, Education, and Welfare may find necessary in individual cases) after such effective date. No commissioned officer of the Public Health Service may be transferred to the Administration under this section if he does not consent to such transfer. As used in this section, the term 'transferring officer' means an officer transferred in accordance with this subsection.

"(c) (1) The Secretary shall deposit in the Treasury of the United States to the credit of the civil service retirement and disability fund, on behalf of and to the credit of each transferring officer, an amount equal to that which such individual would be required to deposit in such fund to cover the years of service credited to him for purposes of his retirement as a commissioned officer of the Public Health Service to the date of his transfer as provided in subsection (b), but only to the extent that such service is otherwise creditable under the Civil Service Retirement Act. The amount so required to be deposited with respect to any transferring officer shall be computed on the basis of the sum of his basic pay, allowance for quarters, and allowance for subsistence and, in the case of a medical officer, his special pay, during the years of service so creditable, including all such years after June 30, 1960.

"(2) The deposits which the Secretary of Health, Education, and Welfare is required to make under this subsection with respect to any transferring officer shall be made within two years after the date of his transfer as provided in subsection (b), and the amounts due under this subsection shall include interest computed from the period of service credited to the date of payment in accordance with section 4(e) of the Civil Service Retirement Act (5 U.S.C. 2254(e)).

"(d) All past service of a transferring officer as a commissioned officer of the Public Health Service shall be considered as civilian service for all purposes under the Civil Service Retirement Act, effective as of the date any such transferring officer acquires civil service status as an employee of the Federal Water Pollution Control Administration; however, no transferring officer may become entitled to benefits under both the Civil Service Retirement Act and title II of the Social Security Act based on service as such a commissioned officer performed after 1956, but the individual (or his survivors) may irrevocably elect to waive benefit credit for the service under one Act to secure credit under the other.

"(e) A transferring officer on whose behalf a deposit is required to be made by subsection (c) and who, after transfer to a classified position in the Federal Water Pollution Control Administration under subsection (b), is separated from Federal service or transfers to a position not covered by the Civil Service Retirement Act, shall not be entitled, nor shall his survivors be entitled, to a refund of any amount deposited on his behalf in accordance with this section. In the event he transfers, after transfer under subsection (b), to a position covered by another Government staff retirement system under which credit is allowable for service with respect to which a deposit is required under subsection (c), no credit shall be allowed under the Civil Service Retirement Act with respect to such service.

"(f) Each transferring officer who prior to January 1, 1957, was insured pursuant to the Federal Employees' Group Life Insurance Act of 1954, and who subsequently waived such insurance, shall be entitled to become insured under such Act upon his transfer to the Federal Water Pollution Control Administration regardless of age and insurability.

"(g) Any commissioned officer of the Public Health Service who, pursuant to subsection (b) of this section, is transferred to a position in the Federal Water Pollution Control Administration which is subject to the Classification Act of 1949, as amended, shall receive a salary rate of the General Schedule grade of such position which is nearest to but not less than the sum of (1) basic pay, quarters and subsistence allowances, and, in the case of a medical officer, special pay, to which he was entitled as a commissioned officer of the Public Health Service on the day immediately preceding his transfer, and (2) an amount equal to the equalization factor (as defined in this subsection); but in no event shall the rate so established exceed the maximum rate of such grade. As used in this section, the term 'equalization factor' means an amount determined by the Secretary to be equal to the sum of (A) 6½ per centum of such basic pay and (B) the amount of Federal income tax which the transferring officer, had he remained a commissioned officer, would have been required to pay on such allowances for quarters and subsistence for the taxable year then current if they had not been tax free.

"(h) A transferring officer who has had one or more years of commissioned service in the Public Health Service immediately prior to his transfer under subsection (b) shall, on the date of such transfer, be credited with thirteeen days of sick leave.

"(i) Notwithstanding the provisions of any other law, any commissioned officer of the United States Public Health Service with twenty-five or more years of service who has held the temporary rank of Assistant Surgeon General in the Division of Water Supply and Pollution Control of the United States Public Health Service for three or more years and whose position and duties are affected by this Act, may, with the approval of the President, voluntarily retire from the United States Public Health Service with the same retirement benefits that would accrue to him if he had held the rank of Assistant Surgeon General for a period of four years or more if he so retires within ninety days of the date of the establishment of the Federal Water Pollution Control Administration.

"(j) Nothing contained in this section shall be construed to restrict or in any way limit the head of the Federal Water Pollution Control Administration in matters of organization or in otherwise carrying out his duties under section 2 of this Act as he deems appropriate to the discharge of the functions of such Administration.

"(k) The Surgeon General shall be consulted by the head of the Administration on the public health aspects relating to water pollution over which the head of such Administration has administrative responsibility.

"Sec. 3. Such Act is further amended by inserting after the section redesignated as section 5 a new section as follows:

" 'GRANTS FOR RESEARCH AND DEVELOPMENT

" 'Sec. 6. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the purpose of assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, and for the purpose of reports, plans, and specifications in connection therewith. The Secretary is authorized to provide for the conduct of research and demonstrations relating to new or improved methods of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes, except that not to exceed 25 per centum of the total amount appropriated under authority of this section for any fiscal year may be expended under authority of this sentence during such fiscal year.

" '(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by an appropriate State water pollution control agency or agencies and by the Secretary; (2) no grant shall be made for any project in an amount exceeding 50 per centum of the estimated reasonable cost thereof as determined by the Secretary; (3) no grant shall be made for any project under this section unless the Secretary determines that such project will serve as a useful demonstration of a new or improved method of controlling the discharge into any water of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes.

" '(c) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1966, and for each of the next three succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purposes of this section. Sums so appropriated shall remain available until expended. No grant or contract shall be made for any project in an amount exceeding 5 per centum of the total amount authorized by this section in any one fiscal year.'

"Sec. 4. (a) Clause (2) of subsection (b) of the section of the Federal Water Pollution Control Act herein redesignated as section 8 is amended by striking out '$600,000,' and inserting in lieu thereof '$1,200,000,'.

"(b) The second proviso in clause (2) of subsection (b) of such redesignated section 8 is amended by striking out '$2,400,000,' and inserting in lieu thereof '$4,800,000,'.

"(c) Subsection (b) of such redesignated section 8 is amended by adding at the end thereof the following: 'The limitations of $1,200,000 and $4,800,000 imposed by clause (2) of this subsection shall not apply in the case of grants made under this section from funds allocated under the third sentence of subsection (c) of this section if the State agrees to match equally all Federal grants made from such allocation for projects in such State.'

"(d) (1) The second sentence of subsection (c) of such redesignated section 8 is amended by striking out 'for any fiscal year' and inserting in lieu thereof 'for each fiscal year ending on or before June 30, 1965, and the first $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965,'.

"(2) Subsection (c) of such redesignated section 8 is amended by inserting immediately after the period at the end of the second sentence thereof the following: 'All sums in excess of $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965, shall be allotted by the Secretary from time to time, in accordance with regulations, in the ratio that the population of each State bears to the population of all States.'

"(3) The third sentence of subsection (c) of such redesignated section 8 is amended by striking out 'the preceding sentence' and inserting in lieu thereof 'the two preceding sentences'.

"(4) The next to the last sentence of subsection (c) of such redesignated section 8 is amended by striking out 'and third' and inserting in lieu thereof ', third, and fourth'.

"(e) The last sentence of subsection (d) of such redesignated section 8 is amended to read as follows: 'Sums so appropriated shall remain available until expended. At least 50 per centum of the funds so appropriated for each fiscal year ending on or before June 30, 1965, and at least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under.'

"(f) Subsection (d) of such redesignated section 8 is amended by striking out '$100,000,000 for the fiscal year ending June 30, 1966, and $100,000,000 for the fiscal year ending June 30, 1967.' and inserting in lieu thereof '$150,000,000 for the fiscal year ending June 30, 1966, and $150,000,000 for the fiscal year ending June 30, 1967.'

"(g) Subsection (f) of such redesignated section 8 is redesignated as subsection (g) thereof and is amended by adding at the end thereof the following new sentence: 'The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z—15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).'

"(h) Such redesignated section 8 is further amended by inserting therein, immediately after subsection (e) thereof, the following new subsection:

"'(f) Notwithstanding any other provisions of this section, the Secretary may increase the amount of a grant made under subsection (b) of this section by an additional 10 per centum of the amount of such grant for any project which has been certified to him by an official State, metropolitan, or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for a metropolitan area within which the assistance is to be used, or other agency or instrumentality designated for such purposes by the Governor (or Governors in the case of interstate planning) as being in conformity with the comprehensive plan developed or in process of development for such metropolitan area. For the purposes of this subsection, the term "metropolitan area" means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget, except as may be determined by the President as not being appropriate for the purposes hereof, or (2) any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which in the opinion of the President lends itself as being appropriate for the purposes hereof.'

"Sec. 5. (a) Redesignated section 10 of the Federal Water Pollution Control Act is amended by redesignating subsections (c) through (i) as subsections (d) through (j), and by inserting after subsection (b) the following new subsection:

"'(c)(1) If the Governor of a State or a State water pollution control agency files, within one year after the date of enactment of this subsection, a letter of intent that such State, after public hearings, will before June 30, 1967, adopt (A) water quality criteria applicable to interstate waters or portions thereof within such State, and (B) a plan for the implementation and enforcement of the water quality criteria adopted, and if such criteria and plan are established in accordance with the letter of intent, and if the Secretary determines that such State criteria and plan are consistent with paragraph (3) of this subsection, such State criteria and plan shall thereafter be the water quality standards applicable to such interstate waters or portions thereof.

"'(2) If a State does not (A) file a letter of intent or (B) establish water quality standards in accordance with paragraph (1) of this subsection, or if the Secretary or the Governor of any State affected by water quality standards established pursuant to this subsection desires a revision in such standards, the Secretary may, after reasonable notice and a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities and industries involved, prepare regulations setting forth standards of water quality to be applicable to interstate waters or portions thereof. If, within six months from the date the Secretary publishes such regulations, the State has not adopted water quality standards found by the Secretary to be consistent with paragraph (3) of this subsection, or a petition for public hearing has not been filed under paragraph (4) of this subsection, the Secretary shall promulgate such standards.

"'(3) Standards of quality established pursuant to this subsection shall be such as to protect the public health or welfare, enhance the quality of water and serve the purposes of this Act. In establishing such standards the Secretary, the Hearing Board, or the appropriate State authority shall take into consideration their use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses.

"'(4) If at any time prior to 30 days after standards have been promulgated under paragraph (2) of this subsection, the Governor of any State affected by such standards petitions the Secretary for a hearing, the Secretary shall call a public hearing, to be held in or near one or more of the places where the water quality standards will take effect, before a Hearing Board of five or more persons appointed by the Secretary. Each State which would be affected by such standards shall be given an opportunity to select one member of the Hearing Board. The Department of Commerce and other affected Federal departments and agencies shall each be given an opportunity to select a member of the Hearing Board and not less than a majority of the Hearing Board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. The members of the Board who are not officers or employees of the United States, while participating in the hearing conducted by such Hearing Board or otherwise engaged on the work of such Hearing Board, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Notice of such hearing shall be published in the Federal Register and given to the State water pollution control agencies, interstate agencies and municipalities involved at least 30 days prior to the date of such hearing. On the basis of the evidence presented at such hearing, the Hearing Board shall make findings as to whether the standards published or promulgated by the Secretary should be approved or modified and transmit its findings to the Secretary. If the Hearing Board approves the standards as published or promulgated by the Secretary, the standards shall take effect on receipt by the Secretary of the Hearing Board's recommendations. If the Hearing Board recommends modifications in the standards as published or promulgated by the Secretary, the Secretary shall promulgate revised regulations setting forth standards of water quality in accordance with the Hearing Board's recommendations which will become effective immediately upon promulgation.

"'(5) The discharge of matter into such interstate waters or portions thereof, which reduces the quality of such waters below the water quality standards established under this subsection (whether the matter causing or contributing to such reduction is discharged directly into such waters or reaches such waters after discharge into tributaries of such waters), is subject to abatement in accordance with the provisions of paragraph (1) or (2) of subsection (g) of this section, except that at least 180 days before any abatement action is initiated under either paragraph (1) or (2) of subsection (g) as authorized by this subsection, the Secretary shall notify the violators and other interested parties of the violation of such standards. In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the conference and hearing provided for in this subsection, together with the recommendations of the conference and Hearing Board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violation of the standards, as it deems necessary to a complete review of the standards and to a determination of all other issues relating to the alleged violation. The court, giving due consideration to the practicability and to the physical and economic feasibility of complying with such standards, shall have jurisdiction to enter such judgment and orders enforcing such judgment as the public interest and the equities of the case may require.

"'(6) Nothing in this subsection shall (A) prevent the application of this section to any case to which subsection (a) of this section would otherwise be applicable, or (B) extend Federal jurisdiction over water not otherwise authorized by this Act.

"'(7) In connection with any hearings under this section no witness or any other person shall be required to divulge trade secrets or secret processes.'

"(b) Paragraph (1) of subsection (*d*) of the section of the Federal Water Pollution Control Act herein redesignated as section 10 is amended by striking out the final period after the third sentence of such subsection and inserting the following in lieu thereof: '; or he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution referred to in subsection (a) and action of Federal, State, or local authorities.'

"Sec. 6. The section of the Federal Water Pollution Control Act hereinbefore redesignated as section 12 is amended by adding at the end thereof the following new subsections:

"'(d) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"'(e) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act.'

"Sec. 7. (a) Section 7(f)(6) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out 'section 6(b)(4).' as contained therein and inserting in lieu thereof 'section 8(b)(4).'.

"(b) Section 8 of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out 'section 5' as contained therein and inserting in lieu thereof 'section 7'.

"(c) Section 10(b) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out 'subsection (g)' and inserting in lieu thereof 'subsection (h)'.

"(d) Section 10(i) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out 'subsection (e)' and inserting in lieu thereof 'subsection (f)'.

"(e) Section 11 of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out 'section 8(c)(3)' and inserting in lieu thereof 'section 10(d)(3)' and by striking out 'section 8(e)' and inserting in lieu thereof 'section 10(f)'.

"SEC. 8. This Act may be cited as the 'Water Quality Act of 1965'."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title and agree to the same.

GEORGE H. FALLON,
JOHN A. BLATNIK,
ROBT. E. JONES,
WILLIAM C. CRAMER,
JOHN F. BALDWIN,
Managers on the Part of the House.
EDMUND S. MUSKIE,
JENNINGS RANDOLPH,
FRANK E. MOSS,
J. CALEB BOGGS,
JAMES B. PEARSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompaning conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the House amendment and the substitute agreed to in conference are noted in the following outline, except for technical and clerical corrections and changes.

ASSISTANT SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Both the Senate bill and the House amendment in subsection (b) of the first section thereof provide for an additional Assistant Secretary of Health, Education, and Welfare to assist the Secretary of Health, Education, and Welfare in administering this act.

The conference substitute makes certain technical revisions in the language establishing this additional Assistant Secretary necessary because of the enactment of the Health Research Facilities Amendments of 1965. These amendments are technical in nature only.

The conferees wish to indicate the importance they believe should be placed on this reorganization of the water pollution control program within the Department of Health, Education, and Welfare This new Assistant Secretary of Health, Education, and Welfare and the Administrator of the new Federal Water Pollution Control Administration should be individuals of the highest caliber with the finest possible background in the field of water pollution, so that this program can be accelerated and real progress can begin to be made in reducing the pollution of the streams of this Nation.

WATER QUALITY STANDARDS

The Senate bill in subsection (b) of section 5 amends redesignated section 10 of the Federal Water Pollution Control Act by adding thereto a new subsection (c) which authorizes the Secretary of Health, Education, and Welfare to establish standards of water quality to be applicable to interstate waters or portions thereof. These standards are to be formulated in accordance with administrative procedures calling for notice and public hearing, consultation with affected Federal, State, interstate, and local interests, and are required to be such as to protect the public health or welfare and otherwise generally to enhance the quality and value of interstate waters. These standards would also be subject to revision either by the Secretary on his own motion or when petitioned for revision by the Governor of any affected State. The same procedure for hearing and consultation would be followed in revisions as when standards were originally being formulated. The Senate bill further directs the Secretary to promulgate standards only if the appropriate State and interstate agencies have not developed standards which he finds consistent with the purposes of the section within a reasonable time after being requested by the Secretary to do so. Once the Secretary has promulgated water quality standards or there have been standards established by State or interstate agencies consistent with the section, any discharge of matter which reduces the quality of the waters below the established standards is made subject to abatement under the existing enforcement procedures provided in the Federal Water Pollution Control Act.

Subsection (a) of section 5 of the House amendment amends redesignated section 7 (f) of the Federal Water Pollution Control Act by adding at the end thereof a new clause (7) which provides that each State, within 90 days after the date of enactment of the bill, is to file with the Secretary a letter of intent that such State will establish water quality criteria applicable to interstate waters or portions thereof within its jurisdiction on or before June 30, 1967. Failure to file such a letter of intent would preclude the State from receiving any further funds under the Federal Water Pollution Control Act until such time as such a letter is filed.

Section 5(a) of the proposed conference substitute would amend redesignated section 10 of the Federal Water Pollution Control Act to add to that section a new subsection (c).

Paragraph (1) of this new subsection provides that if the Governor of a State or a State water pollution control agency files within 1 year after date of enactment of the subsection a letter of intent that such State after public hearings will before June 30, 1967, adopt water quality criteria applicable to interstate waters or portions thereof within such State and a plan to implement and enforce such criteria and if the Secretary determines that such criteria and plan are consistent with paragraph (3) of the subsection, then the State criteria and plan will thereafter be the water quality standards applicable to those interstate waters or portions thereof.

Paragraph (2) of the new subsection provides that if a State does not file a letter of intent or establish water quality standards under paragraph (1) or if the Secretary or Governor of any affected State wants a revision of the standards then the Secretary may after having given a reasonable notice and having had a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities, and affected industries, prepare and publish regulations setting forth standards of water quality to be applicable to interstate waters or portions thereof. The Secretary may promulgate standards 6 months after the date he publishes his regulations unless within that period the State has adopted water quality standards which the Secretary finds to be consistent with paragraph (3) of this subsection or a petition for a public hearing has been filed under paragraph (4) of this subsection.

Paragraph (4) of this subsection provides that if the Governor of any State affected by the standards petitions the Secretary for a hearing at any time after the regulations have been published and prior to 30 days after standards have been promulgated under paragraph (2) the Secretary is required to call a public hearing. This public hearing is to be held in or near one or more of the places where the standards will take effect and is to be before a hearing board consisting of at least five persons. The members of the hearing board are to be appointed by the Secretary. However, each affected State may select one member and the Department of Commerce and other affected agencies may each select one member. There is a further restriction that at least a majority of the hearing board must be persons other than officers or employees of the Department of Health, Education, and Welfare. The conferees expect that the Secretary will appoint at least one public member of each hearing board who will be from the area to be directly affected by the standards. Further, the conferees intend that the Secretary in appointing hearing boards will insure a proper balance between all affected interests. Paragraph (4) provides that members of the hearing board who are not officers or employees of the United States will receive compensation at a rate not to exceed $100 per diem as well as travel expenses while away from their homes or regular places of business all in accordance with provisions of applicable law. Notice of the public hearing is to be published in the Federal Register and is to be given to the State water pollution agencies, interstate agencies, and municipalities involved at least 30 days before the hearing. After the evidence has been presented and on the basis thereof the hearing board is required to make findings as to whether the Secretary's standards should be approved or modified, and to transmit its findings to the Secretary. If the hearing board approves the standards as published or promulgated, they take effect when the Secretary receives the hearing board's recommendations. If modifications are recommended the Secretary is required to promulgate revised regulations setting forth standards in accordance with the recommendations and these revised regulations will take effect immediately upon their promulgation.

Paragraph (5) of the new subsection provides that the discharge of matter into interstate waters or portions thereof which reduce their quality below the applicable standard (whether the matter is discharged directly into the waters or reaches the waters after discharging into tributaries thereof) is subject to abatement in accordance with either paragraph (1) or (2) of subsection (g) of this section whichever of those paragraphs is applicable. However, before abatement is initiated under either paragraph (1) or (2) of subsection (g) the Secretary is required to notify the violators and other interested parties of the violation of the standards and at least 180 days must elapse so that there may be voluntary compliance. The conferees intend that during such period the Secretary should afford an opportunity for an informal hearing before himself or such hearing officer or board as he may appoint relative to the alleged violation of standards, upon the request of any affected State, alleged violator, or other interested party, so that if possible there can be voluntary agreement reached during this period, thus eliminating the necessity for suit. In any suit brought to secure abatement of pollution under this subsection the court is required to receive in evidence a transcript of the conference and hearing provided for in this subsection, the recommendations of the conference and the hearing board and the recommendations and standards promulgated by the Secretary and such additional evidence including that related to the alleged violation of the standards as the court deems necessary to a complete review of the standards as well as a determination of all other issues relating to the alleged violation. The court is given jurisdiction to enter whatever judgment and orders the public interest and equities of the case may require after having given due consideration to the practicability and to the physical and economic feasibility of complying with the applicable standards. The existing enforcement procedures in the present Water Pollution Control Act which consist of three stages, conference, public hearings, and court action, will continue to be applicable for enforcing the abatement of pollution which endangers the health or welfare of persons.

Paragraph (3) of this subsection requires standards of water quality established pursuant to this subsection to be such as to protect the public health or welfare, enhance water quality and generally to serve the purposes of the Act. In establishing such standards the Secretary, Hearing Board, or State, as the case may be, is required to take into consideration their use and value for water supply, propagation of fish and wildlife, recreation, agriculture, industrial, and other legitimate uses.

Paragraph (6) of this subsection provides that this subsection is not to prevent the application of section 10 of the Federal Water Pollution Control Act in any case to which subsection (a) of section 10 would otherwise be applicable, or to extend Federal jurisdiction over water if not otherwise authorized by this Act.

Paragraph (7) of this subsection prohibits any witness or other person from being required to divulge in connection with any hearing under this section any trade secrets or secret processes.

SUBPENA POWER IN ENFORCEMENT ACTIONS

Subsection (c) of section 5 of the House amendment amends redesignated section 10(e) of the Federal Water Pollution Control Act to add a new sentence which authorizes the Secretary in an enforcement action to administer oaths and to compel the presence and testimony of witnesses and the production of evidence by the issuance of subpenas. It further provides that no person would be required to divulge trade secrets or secret processes and provide for payment of witness fees, mileage, and for the enforcement of subpenas by district courts of the United States.

The proposed conference substitute does not contain such a provision.

CONFORMING AMENDMENTS

Section 7 of the proposed conference substitute contains a number of technical conforming changes in the Federal Water Pollution Control Act made necessary by the amendments otherwise made by the conference substitute.

GEORGE H. FALLON,
JOHN A. BLATNIK,
ROBT. E. JONES,
WILLIAM C. CRAMER,
JOHN F. BALDWIN,
Managers on the Part of the House.

Mr. BLATNIK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we discuss today the very important, conclusive, and the final step on a very important piece of legislation which deals with the control and reduction and, if possible, prevention or at least minimizing the ever-increasing degree of pollution of our water resources of this great country of ours.

Now, Mr. Speaker, we have had good law which this House initially asked for and received back in 1956. This law was subsequently amended in 1961 and this year amended by the other body.

Mr. Speaker, I can report to the Members of the House I am pleased to state that practically all of the version of the House bill was agreed to by the conferees of the other body.

But, Mr. Speaker, we did have a major issue in dispute on the extremely important but likewise complex and complicated and involved matter of establishing standards. That was the major point of dispute. It took us almost 4 months to resolve that dispute.

Mr. Speaker, I am willing to state before my colleagues and for the public record, that the compromise which we have worked out on this very difficult matter of standards involving the great difference between the House version and the version in the other body as we worked it out, is not only sound, it is not only fair, but it is workable and practical and in my own judgment it makes a better bill than either of the original two bills.

So, Mr. Speaker, I am pleased to come here and report our agreement.

This legislation, as you are all well aware, has been the subject of considerable discussion over the past several months. We have been meeting with the other body formally and informally over the past several months in an effort to iron out the differences between the two versions of the legislation. I believe this has been most successfully accomplished and the conference report we present you today is one which will not only provide authorizations to further continue our fight against the elimination of the pollution in our streams and lakes in all sections of the country, but will, at the same time, provide fair treatment to all those who are affected by this legislation. I believe it is a stronger bill, a more equitable bill, than either of the original two versions. By this I mean the States, cities, towns, the private industries, and individuals themselves, all of whom, as you know, are constant users of our most precious natural resource—water.

Before I continue with my comments on S. 4, might I pay particular tribute to my colleagues on the conference, the distinguished gentleman from Maryland, the Honorable GEORGE H. FALLON, chairman of the Committee on Public Works; the gentleman from Alabama [Mr. JONES], and the two minority members of the conference who contributed so much to the successful completion of what has been a most difficult and trying time, the gentleman from Florida, the ranking minority member of the committee [Mr. CRAMER], and the gentleman from California [Mr. BALDWIN].

This conference report I present to you today is one that has been worked out most carefully.

It embodies, I believe, the best features of the legislation as it passed the House and the Senate.

Now, Mr. Speaker, to refresh the Members of the House with reference to this legislation, they may recall that in the House version when it came to the matter of standards, the House bill had merely this language: We directed that the States should file with the Secretary of the Department of Health, Education, and Welfare a letter of intent within 90 days after the enactment of this piece of legislation and that on or before June 30, 1967, approximately 2 years hence, that the States establish water quality criteria to be applicable to interstate waters within the States. If they do not file this letter of intent, we had a penalty provision which provided that any Federal assistance to any State or municipal organizations would be cut off.

Mr. Speaker, the Senate version called for the establishment of standards by the Secretary of the Department of Health, Education, and Welfare almost immediately. Oh, yes, we had been to conference and had had an informal type of huddle between the conferees and the Federal agencies involved, as well as with the States and private industry and other private parties with reference to the question of whether the Secretary on his own would establish these standards and proceed promptly to enforce them under the enforcement provisions contained in the existing law. So, here, we were granting almost total power to the Secretary of the Department of Health, Education, and Welfare, to establish standards on a very important and complex issue, and the standards would be promulgated almost immediately, and thereupon enforced.

As a result of the hard fought conference, we now give the States 1 year to write a letter of intent that they will by June of 1967 establish water quality criteria. If after that period of time the State does establish water quality criteria satisfactory to the Secretary of the Department of Health, Education, and Welfare as he sees it, to meet the objectives of this act, then they shall become the standard for the State.

Second. If a State does not act or if it has water quality criteria which the Secretary of HEW feels are inferior or not adequate to accomplish the purposes of the act, then the Secretary of HEW, after an informal conference with all the parties concerned, the Federal agencies, the State agencies, and individual people, will publish—and do remember this—standards for the given area or the State.

The State is then given 6 months to develop acceptable standards of their own. If they do so, all well and good. If they do not, then the Secretary after 6 months will promulgate his published standards, as I say, after a 6-month period. Even though these standards promulgated by the Secretary of HEW are made, the Governor of any State may ask for a revision of the standards any time during the 6-month period and up to the 30 days after the Secretary has promulgated the standards. If the Governor asks for revision then the Secretary must grant a hearing. In short, a Governor can ask for a hearing and the Secretary must grant a hearing. This is before a quasi-official board, and a record of all proceedings is kept.

The Senate side accepted the House version of how the board would be appointed. We insisted that the board be appointed by the Secretary rather than the President. The board shall have not less than five members. The membership on the hearing board must be one that has broad balance of representation. Each and all of the States involved in a hearing would appoint their own respective members to the board. The Department of Commerce may appoint its member of the board, and other interested or affected or participant Federal agencies or any other State agency would have their representatives, and a public member would be on the board also, and less than a majority of the members may be employees of the Department of HEW.

In short, we have made adequate provision for fair representation on the board, and the board shall be as representative as possible of a given area, and the hearings must be held in that area.

This hearing board, after hearing all of the evidence from all parties concerned, can then do either one of two things: Approve the standards and recommend approval at the same time to the Secretary, whereupon he may promulgate them and enforce them. Or the board may modify the proposed standards. These modifications are reported back with a recommendation to the Secretary of HEW. He shall conform and comply with these recommendations of the hearing board and promulgate the standards. We have a process for establishing standards which will be a joint operation at which not only the Federal Government and its agencies, other than the Secretary of HEW, shall be represented, but the States affected shall be represented, private industry shall be represented, the general public shall be represented. In fact, all members affected by the standards are represented on this board, and the recommendations of the board shall govern the final decision of HEW.

All of this would be under the heading, Mr. Speaker, of establishing standards.

So, Mr. Speaker, we have come a long way from the Senate's Secretary setting standards stalemate. We on the House side have receded from the penalty section for noncompliance and have given the States a full year rather than the 90 days restriction for the filing of the letter of intent. Thanks to the diligent work of both Houses, we have before us a procedure that brings the States into full participation in establishing criteria that after June 30, 1967, could become standards.

Let it not be said that the States have not been given full power to establish for themselves a quality of clean water that they can truly be proud of. Let the RECORD also show that this standard setting process is greatly fortified by the fact that the Governor of the State can petition to have the standards revised and the Secretary must then submit to a hearing board and this hearing board's determination will be final. In short, the States, municipalities, industries, and all other affected parties have a full and fair opportunity to be heard in this very practical and workable procedure that will do much to prevent the pollution of our Nation's waters. Instead of just rolling back pollution that already exists, this procedure serves as a preventive measure. It will serve to prevent pollution before it happens.

From here on, of course, once these standards have been promulgated, then you have the second phase, which is enforcement.

If a standard is violated, and this material is discharged into the waters which would further deteriorate the waters, according to the provisions of the act he may institute enforcement proceedings. However, before any abatement action is initiated the violator or alleged violator is given 6 months for voluntary compliance. Again, you will note in the statement of the managers on the part of the House the alleged violator or violators will not only be given this time for compliance, but will be given full opportunity to meet with and to discuss with either the Secretary or his responsible representative to see if they can work out an arrangement or statement so that an agreeable solution may be arrived at without going into court or instituting a suit.

So we do believe we have worked out a fair and yet effective manner of requiring standards and enforcing those standards. We do it so that the Federal Government with the States and municipalities and public entities as well as private industries and other persons directly interested have a share in the participation because in my own opinion there is no question whatsoever that with the rapidly increasing problem of pollution which is already of critical proportions in many, many large river basins in different areas of the country, this problem will not be coped with effectively and it will not be solved unless we have a massive joint effort and we think that this procedure that both bodies have agreed upon will provide the opportunity for that kind of effort.

In concluding I merely want to say, and I would like to refresh your memory about how urgent this whole problem is. Time is rapidly running out. In the eastern half of the United States alone, 15 years ago, and I was here in the House then in 1950, water consumption was about 100 billion gallons a day. That is 15 years ago. Now we are in the 1965, and as we look ahead to the year 1980, 15 years from today, the water consumption in use in the eastern half of the United States will increase fourfold from 100 billion gallons of water in 1950—and we are at the half-way point, 15 years later—and projecting into the future 15 years hence—it will be 400 billion gallons or a 400-percent increase.

Now the key to this program that we provide for in this bill is that now we have for the first time placed the emphasis where it belongs in trying to solve this problem, and that is on the prevention and minimizing as much as possible this pollution before it occurs.

We know now and we will know even better after more scientific and technical data is brought in from our respective regional water research laboratories what can and ought to be done as to the nature of pollutants and how to cope with them. When we know that pollution is going to occur in a given area just as surely as the sands run out of an hourglass and when today we know that we will have a very serious pollution problem 10 or 20 years from now, why wait for that to happen when we can have intelligent, systematic, preventive, effective measures to begin now to encourage and make possible orderly utilization of the water and yet provide for its preservation and conservation for the many uses and the many demands which will be made for that water in the years to come.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield for a question?

Mr. BLATNIK. I yield to the gentleman.

Mr. McCARTHY. As the distinguished gentleman and the father of this legislation knows, my district stretches about 20 miles along the shores of Lake Erie, probably known as the most severely polluted major body of water. This subject of standards has been one of intense interest in New York as well as throughout the country. It seems to me that the compromise reached by the conferees on this matter as to the criteria of standards is eminently fair and reasonable and will accomplish the objectives that the gentleman has in mind. Would the gentleman care to comment on that?

Mr. BLATNIK. Yes. There is no question in my mind that the program will be very effective. As I said earlier, it will bring into play all the parties involved and not merely the Federal agency. The program is definitely needed. There is no question whatsoever that it will be a most effective and workable program. It will give full opportunity for all parties to participate, and particularly enable them to show a little more initiative than they have. Some have done an excellent job, many fairly well, and unfortunately too many not well at all. The program will give them a full opportunity to get on the move in 2 years and then from then on the momentum will gather and we will proceed full steam ahead. I am confident that we can handle this needed program.

Mr. OTTINGER. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I am pleased to yield to the gentleman from New York.

Mr. OTTINGER. I should like to congratulate the gentleman from Minnesota on the excellent job which the conference committee has done in working out a system whereby we can have Federal standards and State participation. The result is a very fine compromise.

However, I wondered whether it will be necessary to delay the operation of the program until June 30, 1967, when these standards will be put into effect, or will they be put into effect before that date?

Mr. BLATNIK. There is no reason for delay. We are confident that the States will comply by establishing their own water quality criteria just as soon as physically possible. We on the House side felt very strongly that the States ought to be given time to get their own houses in order and get on the way rather than to lower the boom on them now with arbitrary Federal standards.

We do not today have enough information really to come up with practical and reasonable standards. So to prevent unfair or capricious standards by the Federal Government, the States were brought into the picture and given a chance to establish for themselves water quality criteria. By soliciting their cooperation the Federal program is made 50 times as strong as it would be without the participation of the States. Meanwhile, we are developing further information so that 2 years hence, working with the States, the agencies of the Federal Government, the municipalities, and the industry, we will be able to come to an agreement and establish the necessary hearing board mechanism and provide bona fide, ironclad, and yet effective, realistic, and workable standards. So we shall lose no time.

Mr. OTTINGER. The 6 months participation for the States promulgating standards would apply after June 30?

Mr. BLATNIK. No; it could apply before that. On failure of a State to file a letter of intent within a year of enactment of this legislation, the Secretary could publish standards and at the end of 6 months if the State still has not acted he could promulgate them.

Mr. Speaker, in addition to the standard-setting procedures and the advances made in the enforcement section that includes a full and complete court review of the standards, the House prevailed in other equally important sections of the bill. The Senate side accepted our $50 million annual increase in construction grants. It also accepted our dollar increase version of individual and multicommunity construction projects. This money is badly needed if we are to meet the backlog of projects.

Again my personal thanks for the generous support over these long months. At last we have a measure that strikes a happy balance between strong controls and fair procedures.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from South Carolina, who is a very good friend and an able member of the committee, I am pleased to add.

Mr. DORN. Mr. Speaker, and ladies and gentlemen of the House, I should like to take this opportunity to congratulate my distinguished subcommittee chairman for the superb job that he had done in working out this compromise, he and the other members of the conference committee, with the other body, and bringing before this body today a conference report which is excellent, one which is fair, and one which I think more than anything else is a tribute to the distinguished gentleman now in the well for his long suffering, his patience, and his perseverance.

We have here a conference report that I think will have the cooperation of the States, the municipalities, and the industry involved. I want also to praise the minority for their splendid cooperation during the long months it took to develop this important legislation.

This is a good conference report. It is a good bill. Again I wish to congratulate, commend, and thank my distinguished subcommittee chairman for a magnificent job.

Mr. BLATNIK. I thank the gentleman.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. Yes; I yield to the gentleman from Florida [Mr. CRAMER], the leader of the minority members of the committee on conference.

As I indicated earlier, I wish to make official acknowledgment and public recognition of the constructive and cooperative participation and assistance on the part of the minority members of the conference, without whose assistance, cooperation, and work on this controversial matter, the result would have been impossible. I yield 10 minutes to the gentleman.

Mr. CRAMER. Mr. Speaker, I shall not repeat those matters discussed by the gentleman from Minnesota.

Let me say that I am glad this conference has finally resolved its differences. This was probably one of the longest conferences on record in which agreement was finally reached. There were many weeks between the appointment of conferees and final conference action. I believe the long lapse of time indicates the difficulty of the problems with which we were concerned.

These problems principally involved the one issue of whether Federal water quality standards should be adopted relating to the interstate streams and portions thereof in the United States, or whether the States should retain jurisdiction over the determination of those water quality standards subject to possible review by the Secretary.

Let me say at the outset, I do not intend to oppose the conference report. I signed the conference report. However, if I had been writing the bill which was drafted relating to the standards section in conference, I would have written it differently than it is before us. Nevertheless I believe it is as good a compromise as we could obtain between the Senate and House versions of the legislation.

I believe some significant concessions were made by the other body in the drafts we had before us for consideration, and I will mention those in just a moment. There were a sufficiently large number of concessions and significant concessions, including the subject matter written into the conference report itself, made by the other body, so that I feel I can support the conference report with that language written into that report, so long as the Secretary abides by the language written into that report.

I specifically refer to pages 12 and 13 of the statement of the managers on the part of the House, more specifically to the language at the bottom of page 12. This language relates to what will happen after the standards are set and a given industry is brought in for violation thereof. The question is this: What will then happen?

The Secretary will first decide in his mind that a violation has occurred. The question I was concerned about, in the conference, is that then the Secretary has the power to bring the party, the business, and the State into court, after a lapse of a 6-month period. The 6 months was conceded in conference. The 6 months is intended to give the State and the local industry involved, or whoever may be a violator, an opportunity to conform to the Secretary's demands.

The thing which disturbed me was that once these standards were set, the Secretary could arbitrarily, if he saw fit to do so, bring not only the industry involved but also the State agency as well into court. The objection I had to that procedure was that there was nothing specifically provided to permit the State agency to conform. If water pollution control is going to be a partnership approach, then there must be cooperation with the State and local governments by the Federal agency. That makes it a partnership approach, and in my opinion, that is the only way this program can succeed. To be a partnership, the violator and/or the State agency has to be given an opportunity for a hearing of some nature with the Secretary before a final determination by the Secretary to file suit, through the Attorney General, for the violation can be made.

Appropriate language has been written into the conference report. I had hoped it would be in the language of the bill we are actually considering, but instead it is in the conference report. If it is lived up to, I believe it will meet that objection.

The language states:

> The conferees intend that during such period the Secretary should afford an opportunity for an informal hearing before himself or such hearing officer or board as he may appoint relative to the alleged violation of standards, upon the request of any affected State, alleged violator, or other interested party, so that if possible there can be voluntary agreement reached during this period, thus eliminating the necessity for suit.

That provision helps on that situation. Then we come to the next question.

If we are to have a court review—and this is a question we are faced with in all court review instances—what kind of a court review is it to be?

Is it going to be under the Administrative Procedure Act, with the decision of the administrative agency presumed to be proper, and with the weight of overturning the decision on the opposing party, that is, the State or the violator in this instance, he having to prove the indiscretion? No, that is not what we wrote into this in the way of judicial review. This is a complete judicial review. I wish the gentleman from Minnesota would give me his attention relating to these points, because I hope we will have agreement in the debate here as well as the agreement which appears in the House report of the conferees. It is the intention that there be informal hearings during the 6-month period of compliance where voluntary compliance is permitted, following the finding of the Secretary that he believes a violation has occurred. It is the intention before the Secretary files a suit that informal hearings be held so that the State agency or the violator have a chance to present their case and thus determine whether a court action would follow.

Mr. BLATNIK. If the gentleman will yield, that was the clear and unequivocal opinion of all of the three majority members of the conferees.

Mr. CRAMER. Then, may I ask this one other question on judicial review? As is stated in this report of the managers on the part of the House, is it not true the intention of the House conferees was to write in a full and complete judicial review including the question of all standards that have been established that might affect that industry? They are all subject to review when the question of a violation is raised even though the specific standard which is alleged to have been violated will be included, but in addition to that all other standards that might affect that industry likewise will be subject to review as to their reasonableness?

Mr. BLATNIK. Yes. That is correct.

Mr. CRAMER. I wanted to make sure that is on the RECORD, because those two points, I think, are the two principal points that tied up the conferees for this lengthy period. I am glad to get it on the RECORD that that is clear. The conferees also got a concession out of the other body to the effect that when these standards are determined by the Secretary after consultation with the States he shall then publish them in the Federal Register and over a period of time the State shall have an opportunity to be heard before, first, a conference, and then the standards are promulgated. Thirty days thereafter the States can ask for a hearing before an official hearing board, if they disagree. That is the protection given to the States, the local communities, and the industries involved. That hearing board, it was proposed in the draft we had before us, was to be appointed by the President. The other body made the concession that it should be appointed by the Secretary. Is that correct?

Mr. BLATNIK. Yes, sir. That is certainly correct.

Mr. CRAMER. This protection to the State and the local violator or the proposed possible prospective violator is through the appointment of a hearing board. That hearing board is appointed by the Secretary of HEW and not the President of the United States. We also stated that each State affected may not recommend, as was in the draft language, but select.

Mr. BLATNIK. That is correct. Select their members.

Mr. CRAMER. There is no question from the standpoint of legislative history and intent that the State to be affected has the right to membership on the hearing board which determines the reasonableness of the standards after they are published in the Federal Register. Is that not correct?

Mr. BLATNIK. That is absolutely correct.

Mr. CRAMER. That board has the power to modify its proposed regulations. Is that not correct?

Mr. BLATNIK. That is correct.

Mr. CRAMER. The Secretary must issue regulations carrying out the hearing board's—not his but the hearing board's—determination?

Mr. BLATNIK. That is correct. Yes, it is.

Mr. CRAMER. I just want to point out one or two other matters.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLATNIK. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. CRAMER. We on this side of the aisle have been insisting—we did when we had the question of the additional $50 million authorization a few years ago, and we now have $50 million more in this legislation—if this program is going to succeed, that the States should be encouraged to help to match these additional Federal funds. There was a provision written into the House bill which, incidentally, passed unanimously, that required the States to match Federal funds for the construction of sewage treatment works, if the States wanted to go above the ceiling set in the proposed legislation. That provision is retained in the House-Senate conference. Is that not correct, I ask the gentleman?

Mr. BLATNIK. Yes.

Mr. CRAMER. Mr. Speaker, let me say in closing that I support the conference report. It took a long time to work it out. I think it is probably the best we could do in protecting the rights of the States and the industries that might be involved and giving them the proper opportunity to be heard.

I will say that the minority and the majority were given an opportunity on this legislation to work their will without the interference of the White House and the executive branch of the Government. The conferees of the House and Senate did an outstanding job in coming up with a bill that will do the job and not work undue hardships. This is a tough problem. It is a problem we have to meet. We are meeting our responsibility with this conference report, and I hope it will be adopted.

Mr. Speaker, I think it is most unfortunate that in another matter involving even more money which is before the Committee on Public Works, involving $160 million a year and this water pollution legislation only involves $150 million a year and I am now talking about highway beautification, that we in this body are not likewise being given an opportunity to consider and determine the matter on its merits, in trying to get a consensus between the majority and the minority as between what is right and wrong. I am referring, as I said, to the matter of highway beautification. I think that the inability of a committee to work its own will is wrong.

Mr. BLATNIK. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. DUNCAN].

Mr. DUNCAN of Oregon. Mr. Speaker, I said when this bill was before us earlier this year that it was a tremendous step forward, but I was disappointed that it did not go further. Today I think on the question of the establishment of water standards the chairman and the conferees on both sides of the aisle are to be congratulated for bringing back a stronger bill—though I can still foresee a possible delay in excess of 2½ years before standards are set. This is a delay the Nation can ill afford.

Mr. Speaker, for years we have been on a treadmill. As fast as we go, we are still unable or barely able to stay up with the increased extent of the problem. As a member of the Appropriations Subcommittee dealing with this subject, I was disappointed last spring to learn that the maximum authorization for Federal grants for municipal sewer systems was only $100 million. It would take a full authorization of $200 million Federal dollars to meet the demands of the municipalities for the construction of sewer systems in cases where local bonding authority for the local contribution already exists.

I ask the chairman, is it not true that this bill increases the authorization from $100 million to $150 million?

Mr. BLATNIK. That is correct; that is a 50-percent increase.

Mr. DUNCAN of Oregon. I am delighted with the increase. I am disappointed that it isn't greater, when we know what must be done and know how to do it—as we do here—and when the threat of failure is so great—as it is in the case of water pollution—we cannot justify doing less than our best. I intend to press for the appropriation of the full authorization in the appropriation subcommittee on which I serve. I hope that these funds, together with those that will be appropriated in support of related programs authorized by the new housing bill and the Economic Redevelopment Act, will do the job which must be done.

Mr. Speaker, the name of JOHN BLATNIK has always been in the forefront of the battle for pure water. This bill adds further honor to an already honored name.

Mr. BLATNIK. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California [Mr. BALDWIN], who played a most effective role in working out this compromise arrangement.

Mr. BALDWIN. Mr. Speaker, I rise in support of this conference report. The conferees worked long and hard in an effort to arrive at a reasonable and effective compromise between the House- and Senate-passed bills. We believe that this conference report does represent such a reasonable and equitable compromise.

Basically, we have a most serious problem facing the Nation in the field of water pollution. That problem is that the supply of water in our streams remains approximately the same; in fact, in some areas right now it has been reduced. But the sources of pollution have been going up steadily year by year as our population increases and as the size of our cities increases, and as the number of our industries increases. Therefore, the potential sources of pollution have been increasing each year and our streams are in greater and greater danger of being polluted to a point where their natural beauty will be seriously adversely affected.

Mr. Speaker, the purpose of this bill is to meet this issue head on and to endeavor to take steps that will result in an improvement in the quality of our streams.

Mr. Speaker, this bill gives recognition to the historic division of power between the Federal Government and the State governments in this field. This bill applies to interstate streams, streams in which the Federal Government has a proper interest under the Constitution of the United States.

It provides that the States will have the first opportunity to establish criteria for these streams that will meet reasonable standards. But if those States do not exercise that first opportunity to establish criteria that will meet reasonable standards, then this bill for the first time gives the Secretary of the Department of Commerce the power to establish such standards and to promulgate those standards and to enforce those standards. This is only right and proper because the Federal Government has a legitimate interest under the Constitution in interstate streams.

Now, Mr. Speaker, another extremely important phase of this bill is the allocation of $20 million for research and demonstration projects dealing with sewers that handle both sewage and also storm drainage.

In this field we have many problems throughout the United States and many of our cities have inadequate sewer systems today or combinations of sewers which also have to handle storm waters. Many of these systems are inadequate. When serious storms occur the amount of storm water coming into those sewer systems is such that the treatment plants cannot handle the full flow and a part of the untreated sewage gets into the streams and creates serious problems of water pollution. Therefore, we will have to find an effective method in dealing with and controlling this problem, and that is the purpose for the authorization of $20 million a year for demonstration grants in this particular field.

The bill also establishes a higher priority within the Department of Commerce for the agency dealing with this problem. Therefore, the Public Health Service has been raised in stature you might say to an agency called the Water Pollution Control Administration which will be under the jurisdiction of an Assistant Secretary of Commerce in order to give it the status required to deal with this increasingly important problem.

Mr. Speaker, this conference report is a good conference report. It represents an effective stride forward in meeting the needs of our Nation in controlling water pollution.

Mr. Speaker, I am convinced that the great majority of the people of our Nation and all of the conservation groups of our Nation are most desirous that the Congress take positive action along these lines in order to deal effectively with this difficult problem.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. BALDWIN. I am glad to yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Mr. Speaker, I want to compliment the gentleman from California as well as the chairman of this committee and the other members of the conference committee for the magnificent job they have done in upholding the House position and in bringing back what in my judgment as a member of the Public Works Committee is one of the best bills we have ever had in this House of Representatives.

Mr. BLATNIK. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Speaker, I thank the gentleman for yielding and I, too, want to compliment the gentleman from Minnesota [Mr. Blatnik], and the gentleman from Florida [Mr. Cramer], as well as all of the members of the conference committee who brought forth this conference committee report.

It seems to me that the report resolves several difficult problems in a most appropriate and admirable way.

Mr. Speaker, my familiarity with this subject of control of water pollution results in large part from my service during the last session when I served on the so-called Jones committee, a subcommittee of the House Committee on Government Operations, chaired by the distinguished gentleman from Alabama [Mr. Jones] at which time we investigated the subject of water pollution throughout the entire Nation.

As a result of this experience I came to gain a great respect for the ability and record of progress demonstrated by some of the local and State agencies charged with this responsibility of water pollution control.

Mr. Speaker, I am delighted to see that the conference committee report and the bill recognize the efficacy of these local and State agencies.

I cannot help but feel that responsibility for reducing and eliminating water pollution is one that will have to be undertaken in the long run by the local and State groups. This new legislation should not be interpreted as shifting responsibility to Washington. Instead, it should be noted that it affords direction and guidance on the part of the Federal Government and challenges the local and State agencies to do the job which they are charged with performing under the present legislation and which they are capable of performing.

We should not have any illusions about what we can do from Washington. We are going to have to recognize that water pollution problems are different wherever we find them, and each one differs from every other problem. While we provide funds, while we provide direction, while we provide a new administration for the purpose of resolving the problem of water pollution, at the same time the local and State governments must continue with their responsibility.

Mr. BLATNIK. Mr. Speaker, I thank the gentleman for his excellent statement. I want to express my appreciation to all the conferees and to the able and respected chairman of our full committee, the gentleman from Maryland [Mr. Fallon], for his support and for his competence and tolerance which enabled us to come out with a workable bill that I know has his support.

Mrs. DWYER. Mr. Speaker, all those who are deeply concerned at the extent to which pollution of our rivers and streams has denied our people the clean water so essential for our health and well-being must welcome the long-delayed appearance here today of the conference report on the Water Quality Act of 1965.

While I recognize that the compromise bill has given rise to some doubt about the speed and effectiveness with which the essential water quality standards can be agreed on and implemented, I share the conclusion of the Daily Journal of Elizabeth, N.J., that the legislation will bolster the antipollution cause and do much long-range good.

Final approval of this bill will place a heavy responsibility on State and Federal officials to get about the business of cleaning up the rivers and streams of the United States, so many of which—because of years of pollution—have become virtually unusable. The loss of this immense supply of water has contributed greatly to the present drought emergency in the Northeast. The recovery of the water—through enforcement of adequate water standards and more efficient administration of water pollution control statutes, which this bill will make possible—can help assure a successful attack on the long-range threat of drought.

As a part of my remarks, Mr. Speaker, I include the text of the Daily Journal editorial of September 17, 1965.

A WATER POLLUTION BILL AT LAST

A compromise nearly 5 months overdue has washed away the barriers to new Federal legislation for the control of water pollution. Its significance is heightened by the drought plight of the Northeast although, of course, the benefits will not come quickly.

The bill gives the States until July 1, 1967, to set water quality standards. It will take a long time to clean up streams and rivers rendered unusable in the present emergency by industrial contamination which has been pouring into them for years.

There's a handy example in the open sewer which is the Hudson River. Earlier this year, the harmful effects of industrial pollution were dramatized for New Jersey when 15,000 trout died in cyanide-tainted waters at the State hatchery in Hackettstown.

Regrettably, the bill had to be weakened by concessions in order to get it passed. The Senate measure, adopted January 28, empowered the Secretary of Health, Education, and Welfare to set the water quality standards. Under the revision the States are given the opportunity first.

The change will please those who think the Federal Government is taking away too many of the States rights. But if the States would meet their obligations, there would be no reason for Washington to do what's obviously necessary.

Officials right now would not be casting about so anxiously for sources of potable water if greater attention had been paid by the States and their communities to the problem of pollution. In view of this laxity, more might have been accomplished faster by having the HEW Secretary fix the water standards.

Another provision in the compromise version could be used as a stalling tactic by industry. Companies will be allowed to appeal to the courts for exemptions from the standards.

Watered down as it is, though, the legislation will bolster the antipollution cause. It should do much long-range good.

Mr. BLATNIK. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the conference report.

The question was taken, and the Speaker pro tempore announced that the ayes had it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 381, nays 0, not voting 51, as follows:

[Roll No. 313]

YEAS—381

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Bray
Brooks
Broomfield
Broyhill, N.C.
Buchanan
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Cameron
Carey
Carter
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Henderson
Hicks
Horton
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McMillan
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stafford
Staggers
Stalbaum
Stanton
Steed
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—0

NOT VOTING—51

Anderson, Ill.
Andrews, George W.
Bolton
Bonner
Bow
Brock
Brown, Calif.
Broyhill, Va.
Burton, Utah
Casey
Colmer
Diggs
Farnsley
Farnum
Fino
Ford, William D.
Frelinghuysen
Gallagher
Hansen, Wash.
Harris
Herlong
Holifield
Holland
Hosmer
Landrum
Lindsay
Long, La.
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Miller
Powell
Resnick
Rogers, Tex.
Roosevelt
Roudebush
Roybal
Sisk
Springer
Stephens
Stratton
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Whitener
Morton
Murray
O'Brien
O'Hara, Ill.

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Toll with Mr. Mailliard.

Mr. Thompson of Texas with Mr. Broyhill of Virginia.

Mr. Long of Louisiana with Mr. Martin of Alabama.

Mr. Holifield with Mr. Hosmer.

Mr. Colmer with Mr. Bow.

Mr. Teague of Texas with Mrs. Bolton.

Mr. O'Brien with Mr. Frelinghuysen.

Mr. Sisk with Mr. Roudebush.

Mr. Miller with Mr. Springer.

Mr. Herlong with Mr. Martin of Massachusetts.

Mr. Holland with Mr. Fino.

Mr. Roosevelt with Mr. Morton.

Mr. George W. Andrews with Mr. Brock.

Mr. Rogers of Texas with Mr. Burton of Utah.

Mr. Roybal with Mr. Lindsay.

Mr. Thomas with Mr. Farnum.

Mr. Whitener with Mr. Gallagher.

Mr. Brown of California with Mr. Harris.

Mr. Stratton with Mr. William D. Ford.

Mr. Powell with Mr. Resnick.

Mr. Landrum with Mr. Farnsley.

Mrs. Hansen of Washington with Mr. Diggs.

Mr. Casey with Mr. Bonner.

Mr. Madden with Mr. O'Hara of Illinois.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the conference report just adopted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. ABBITT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture have until midnight tonight to file a report on the bill H.R. 11135.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

RIVERS, HARBORS, AND FLOOD CONTROL

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 588 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 588

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill, and read by titles instead of by sections. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 588 makes in order the consideration of S. 2300 authorizing the construction, repair, and preservation of Federal public works on rivers and harbors for navigation, flood control, and for other purposes.

Mr. Speaker, the rule provides for 3 hours of debate. It is an open rule. It waives points of order and it makes in order the substitute amendments recommended by the committee and as contained in the bill.

As I say, Mr. Speaker, it covers construction, repair, and preservation of certain public works on rivers and harbors and flood control.

The last bill, Mr. Speaker, dealing with this subject was enacted in 1962. There is, on the average, an omnibus bill which has been brought up in the past every 2 to 4 years.

Mr. Speaker, this bill covers 144 projects at an estimated cost of $1.97 billion in 41 States.

Mr. Speaker, I urge the adoption of House Resolution 588.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Texas has explained the rule in accordance with my understanding and I concur in the remarks which he has made in that respect.

In addition thereto, Mr. Speaker, I would like to break the bill down briefly.

Mr. Speaker, title I is the "Northeastern U.S. Water Supply." This title would authorize an overall regional plan for meeting the future supply needs of the megalopolis now developing along the northeastern seaboard. The plan will provide for a system of major reservoirs, aqueducts between river basins, and purification plants.

The title further provides that any works proposed must be specifically authorized by law. The usual procedure for formulation of such plans, include coordination with State, Federal, and interstate agencies which is a prerequisite to such enactment. The plan is to be a combination of Federal and non-Federal works.

Mr. Speaker, title II has to do with flood control projects.

This title seeks to expedite works on smaller water resources development projects. Presently, such projects are generally included in omnibus river and harbor bills and are subject to the same time consuming authorization procedures as are the major projects.

Mr. Speaker, this title's enactment will enable the committee to review such projects and approve them by resolution, action similar to that used by the Department of Agriculture under the Watershed Flood Prevention Act of 1944, and the GSA under the Public Buildings Act of 1959.

Mr. Speaker, projects under title II are found in the report on pages 13 to 146, inclusive. The title covers 88 projects, at a Federal cost estimated at about $1.6 billion.

Mr. Speaker, title III is the beach erosion control projects program. A list of the projects contained under this title can be found at pages 151 through 235. There are 56 projects totaling some $348 million.

Mr. Speaker, section 310 of the bill is an interesting section in that it amends the existing authority available to the Corps of Engineers to construct small navigation and beach control projects without specific congressional authorization, by increasing the current Federal cost limitation to $500,000 per project. The total appropriation for one fiscal year is increased to $10 million.

Mr. Speaker, I assume that all Members have received the same letter that I received from the gentleman from California [Mr. BALDWIN]. He objects to three items in this particular bill and I want to mention those as I am sure he will go into detail on them later during the general debate.

Mr. Speaker, one project has to do with the $227 million Dickey-Lincoln School project on the St. John River in Maine.

The second project to which he objects and to which an amendment I understand will be offered to delete, has to do with the Rowlesburg Dam and Reservoir on the Cheat River in West Virginia.

The third project has to do with the Federal-private development of power in connection with two dams authorized by this bill to be built on the Flint River in Georgia.

In addition to that, Mr. Speaker, I am in receipt, as I suppose my colleagues are, of a letter from the gentleman from Pennsylvania [Mr. CLARK] who is in opposition to the first project mentioned under Mr. BALDWIN's letter, namely, the Dickey-Lincoln School project located on the St. John River in Maine.

Mr. Speaker, I know of no objection to the rule itself.

I reserve the balance of my time.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2300, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLATNIK. Mr. Chairman, I yield such time as he desires to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, the bill we are submitting today is S. 2300 or the omnibus rivers and harbors and flood control bill. Although it is identified as a Senate bill, it really is a new piece of legislation drawn up in the Public Works Committee.

The members of our committee have done an outstanding job in bringing this bill to the floor. I wish to publicly acknowledge the experienced skills of the chairman of the Flood Control Subcommittee, the gentleman from Alabama [Mr. BOB JONES], and the chairman of the Rivers and Harbors Subcommittee, the gentleman from Minnesota [Mr. JOHN BLATNIK].

After the Senate completed action on its bill, our committee was given many, many amendments to it. Because they were so numerous and complex and so many changes were made in the original version, we struck out all the language of the Senate bill and are now presenting the Public Works Committee bill as one big amendment. We did this with a view to clarity and saving of time.

S. 2300, as amended, is an omnibus bill similar in all aspects with similar legislation which has been passed regularly by many previous Congresses—in intervals of 2 to 4 years. The last major omnibus bill was in 1962.

However, I ask your indulgence of a few minutes to explain that this omnibus bill is by no means a matter of routine, or the usual and expected.

This year we were presented with one crisis after another—largely due to either too much water, or not enough water.

Weeks before this 89th Congress assembled, we were confronted with the unprecedented devastation caused by the Christmastime floods in the Northwestern States.

We were still studying the enormous destruction to this region's economy and its people when the upper Mississippi Basin areas were hit by floods in April and May.

The rampaging floods in the Mississippi had not abated, when he experienced another disaster in the San Antonio area in May. Then in June we were struck with even more floods in Colorado, Kansas, and Nebraska. Then, as we are all aware, we have the critical drought conditions in the Eastern States from Maine to the Chesapeake Bay. We have water problems virtually in every area of the Nation.

To repeat, this omnibus bill is not the usual presentation. The challenge to the very future of our country rests in what we do with our natural resources, especially water, but the demands to do something about them extends to flood control, river development, water pollution, navigation and preservation of our open spaces and recreational areas, which are diminishing at too rapid a rate for our expanding population.

Willingness to meet these challenges are embodied in this legislation. There was willingness before, but now, it is of utmost urgency that we do more.

There are, frankly, many items in this report which were questioned by the committee. I insisted that this be done, before we acted favorably on them. This is one reason that the committee spent 5 weeks in consideration of the various proposals.

Also, there are other worthwhile proposals which are not included in this bill. These must have adequate hearings and consideration, and that explains their absence here. This is why we plan an annual omnibus bill in future years. There are, however, 144 projects in this omnibus bill, and I assure the House that every one of them was included only after long consideration and with full appreciation for their necessity in these critical times of natural upheavals, affecting our national life.

Mr. Chairman, the Public Works Committee this year has been extremely busy. The membership has been acutely aware of the needs of our country and its people, now and for future years. This omnibus bill is really a blueprint for long-delayed remedies on a national scale. In that light, we present it to the House, with the hope that it will agree.

Mr. BLATNIK. Mr. Chairman, I yield to the distinguished, able, and dedicated chairman of the Subcommittee on Rivers and Flood Control, such time as he may desire.

Mr. JONES of Alabama. Mr. Chairman, S. 2300, the rivers and harbors and flood control bill for 1965, is a result of diligent work on the part of all members of the Committee on Public Works.

I should like to add, in addition, that never in my 19 years of service on the committee have I seen such a cooperative spirit, such a display of talents, and such hard work. There was a spirit of cooperative thinking, work, and application for a total effort. No one could have worked better in harmony and more zealously than the gentleman from California [Mr. BALDWIN], the ranking minority member. We carefully analyzed and examined all the projects that were presented to the committee as well as the subject matter of the legislative proposals contained in the bill.

This bill includes 144 individual projects, and the total amount which would be authorized is $1,970,228,000. The projects are located in 41 States and cover flood control, navigation, water supply and related matters.

The Senate held extensive hearings on S. 2300 and passed a bill which was referred to the House Committee on Public Works. We held 5 weeks of hearings on various projects and related matters which were before the committee and eligible for consideration in a bill of this kind. The total amount involved in both the House and Senate version is substantially the same.

The bill has three separate titles. Title I is concerned with water supply for the Northeastern United States. Title II is flood control and related functions. Title III is navigation and beach erosion. In titles II and III, there, in addition to individual projects which are recommended for authorization, are a number of individual sections dealing with items of general or specific policy, and with provisions for authorizing the Corps of Engineers to carry on general investigations on new projects. In title II, flood control, there are 88 flood control and multiple-purpose projects, with a total authorization of $1,622,159,000.

In title III there are 47 navigation projects, and 9 beach erosion control propects, totaling $348 million. As I mentioned before, the total amount of authorization provided for in this bill is $1,970,228,000.

The committee in considering action on the bill decided that the numerous amendments that would be required to S. 2300 indicated the advisability of preparing a new bill and striking out all after the enacting clause and inserting in lieu thereof a substitute which appears in the reported bill.

In addition to the individual projects which would be authorized in this bill, the committee has included two specific authorizations which it considers are needed and justified. The first is title I of the bill which gives authority for a comprehensive planning program, followed up by a construction program if authorized by the Congress, to attempt to solve the water supply problem of the Northeastern United States. The committee feels it would be folly for the Nation to disregard the warning which has been evident over the past several years. Many times in the past this country has recognized that with the growing complexity of social problems, it has become difficult for a solution to be achieved by individuals or local governmental units. The transition from the primitive water supply system of wells in local streams has long since been superseded by metropolitan water supplies. We have now reached the point where metropolitan water supplies are themselves no longer able to satisfy the needs of the people in large metropolitan areas without some degree of dependence upon consideration of water supply in adjoining basins.

Title I of the bill, therefore, would recognize this need and would provide for a plan and ultimate construction of reservoirs and distribution works for the northeastern United States, where the need for water supply is most severely felt. I would like to point out that the provisions of title I would also recognize the necessity for cooperating with the States and with the other Federal agencies in the formulation of such plans, and would specifically provide that the provisions of the Water Resources Planning Act—Public Law 89-80—would be completely recognized and would be actually complemented by the provisions of title I.

Mr. Chairman, the other major legislative item in the bill is the provision in section 201 that provides that projects may be approved by the Committees on Public Works of the House and the Senate if the total Federal cost does not exceed $10 million. This proviso is agreed to by all members of the committee and will tend to reduce the enormous burden which now is imposed upon the Congress by requiring individual consideration of a hash of small projects. This is exactly the same principle and the same proviso that was included in the Public Buildings Act of 1959, and in the Small Watershed Projects Act of the Soil Conservation Service. It streamlines the provisions of the present law for water resource projects in the same way that the program for public buildings and watershed were streamlined many years ago.

Water—the emerging water crisis in the northeastern portion of our country, the responsibility of the National Government and the development of practical means through cooperation at all levels of government for dealing with this grave problem—these are the themes of title I of S. 2300.

Its genesis is an imperative human need. At stake are the health, welfare, indeed, the very lives of the more than 30 million Americans now living in the vast metropolitan concentration along the Atlantic seaboard from New England to the Nation's Capital.

The Congress of the United States needs no demonstration of the importance of water to human welfare. We are, all of us, keenly aware of the pervasive necessity of water for the normal functions of life. But, only in comparatively recent years, with rising population and particularly the increasing concentration of our people within metropolitan areas, improving standards of living and the growing dependence of industrial technology upon enormous volumes of water, have most Americans begun to realize that water supplies from customary sources are not inexhaustible.

Congress, of course, has long recognized the water problems of the arid portions of our country and for many years has approved and supported Federal action to provide the great irrigation and reclamation works upon which the very existence of modern civilization in the Western States depends. Indeed, the Hoover Dam on the Colorado River constructed by the Bureau of Reclamation is a vital element in the growth of southern California, where the city of Los Angeles and many other communities with a population of some 5 million people are dependent to a major degree upon the Colorado River aqueduct of the Metropolitan Water District of Southern California which conveys water from the Colorado Basin to the Pacific coast.

A measure of Federal responsibility for water supply generally was accepted in the Water Supply Act of 1958 with respect to the incorporation of water supply storage in Federal multipurpose reservoirs.

Again in 1961, the Congress, by amendment to the Water Pollution Control Act, authorized inclusion in Federal reservoirs of storage for regulation of streamflow for water quality control as a Federal responsibility.

And in this very session of Congress, the Water Resources Planning Act was enacted with a policy statement to the effect that:

> In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.

This developing congressional recognition of the national interest in water supply problems is well founded.

In the highly competent and comprehensive report of the President's Water Resources Policy Commission published in 1950, it is stated:

> There is a pressing need for improved cooperation in the planning of river and drainage basin studies which necessarily involve municipal water supplies. * * * The continuing expansion of urban population and industry will require expanding volumes of water. Planning for the development of river systems and drainage basins for the best multipurpose use should, in the broad national interest, take into consideration all problems of industrial and domestic water supply which directly involve the great majority of the people of the Nation.

Former President Eisenhower commented on the emerging water crisis in these words:

> If we are to advance agriculturally and industrially we must make the best use of every drop of water which falls on our soil or can be extracted from the oceans.

The late President Kennedy, concerned with the pressure of new demands for water, in a message to Congress stated that:

> Our goal, therefore, is to have sufficient water, sufficiently clean, in the right place at the right time to serve the range of human and industrial needs.

President Lyndon B. Johnson—then Vice President—in his dedication of the late, great Senator Robert S. Kerr's book entitled "Land, Wood, and Water," said:

> To the Nation collectively, the growing water crisis is just as urgent as it was to me personally when my family was stranded and my property menaced. In fact, I am of the opinion that water management is a decisive tool in our mighty struggle for national security and world peace. The best control and use of this precious resource is the key to progress here and elsewhere.

A keen sense of the urgency of the problem is reflected in the report of the Select Committee on National Water Resources under the chairmanship of Senator Kerr. There the committee stated:

> Human existence depends on water. The pervasiveness of water is revealed dramatically, yet simply, in the initial verses of Genesis' stirring account of the creation. Science tells us that the earliest forms of life began in the vast oceans of the primeval earth. We know that the human body is over 70 percent water. Without water, life as we know it would perish from the earth.
>
> This precious mineral has been a key to man's advancement since before the beginning of recorded history. In addition to personal uses, we need it to grow our crops, to water our stock, to move our heavy cargoes, to dispose of our wastes. Many manufacturing processes depend on water. It is the universal solvent, the universal coolant. We use it to power our industry. And when our work is done, we find water is essential to much of our recreational activity.
>
> The earliest civilizations were established where water supplies were available. Recorded history began in the valleys of the Tigris and Euphrates, and the Nile. Many historians believe that the decline and disappearance from the face of the earth of ancient civilizations in many of the arid or semiarid regions began with the failure to properly use their available water resources. And today, water is assuming ever-increasing importance, as civilization's needs for water and water related products and services grow. Areas of this globe that will thrive, or even survive, will be determined by the availability of water resources and their wise use to serve man.
>
> With its abundant supply of good water, and its advanced technology and skills, the United States need never suffer for lack of water. Water shortages can be alleviated. The lack of water need not limit our economic destiny. But positive action must be substituted for complacency. There is work to be done, work to develop and use the abundant resources placed in our custody by a munificent providence, work to develop the practices and techniques which will permit ever-increasing needs to be filled within the finite limits of the resources we have.

And it was Senator Kerr, with the foresight of deep knowledge, who pinpointed the grave problem with which we seek to deal in title I of the pending bill. In his brilliant book, "Land, Wood and Water," he underscored the growing danger to our national welfare in these words:

> Some 40 million Americans today are teetering on the edge of a serious water shortage. * * * This is true all the way from Long Beach, Calif., to Baltimore, Md. New Yorkers were urged to limit drastically their use of water in a recent dry year, before works to bring in their new supply from the Delaware River could be completed.
>
> This is an emergency looking in our windows. Our growing civilization can be rudely jolted, if not checked, by lack of water in the taps. It can be as threatening to survival as the missiles which tower on the launching pads. We can learn from the lessons of Oklahoma City and Washington and New York and wherever shortages have imperiled the lives of our cities. We can bequeath our children cities of iron and stone and aluminum, but we had better be sure we give them the water to make them livable.

This wisdom has guided your committee in its search for a fruitful approach to what may well be the most critical domestic problem of our time.

We have sought a plan of action which can be initiated now, for there is no time to lose. It is later than most of us can yet imagine until the specter of drought directly touches our own lives. The Corps of Engineers is a force in being with the know-how, the skills and the experience to proceed at once to develop a plan of action. In countless disasters we have called upon the corps. It has never been found wanting in dedication and competence. It will not fail us now.

We have sought a program also which will bring to bear the wisdom and concern of all affected groups, agencies of government—National, State, and local, as well as private interests. Under the proposed legislation, as explained in the committee's report there will be no conflict with existing law and policy in the matter of river basin planning under the Water Resources Planning Act, for the committee seeks coordination of plans developed under that act in the light of the transcendent problem of the entire northeastern region. Nor will there be any impairment of the existing interstate compacts or other governmental or private interests. For, applicable statutes and directives will assure consultation and cooperation, prior to authorization of recommended works in accordance with law.

Finally, the committee has sought an approach sufficiently comprehensive to deal fully with all ramifications and aspects of the problem. National initiative and a framework for requisite national action are imperative. Just as in the case of flood control, the problem transcends local and State authority and range. Water supplies for the rising concentrations of populations along the eastern seaboard are alread dependent upon multi-State sources. A unified system of supply must eventually be found for the entire complex of related urban and suburban communities. The Federal responsibility cannot be ignored without endangering the health and welfare of millions.

We, therefore, offer the Congress, not a solution, for that is the goal we seek, but an approach with the potential for a solution, comprehensive in scope, sensitive to the variety and complexity of the interests involved and capable of activation soon enough to forestall a national disaster. If we fail to act now—wisely and effectively—we shall be answerable for the suffering of millions of our fellow citizens and for a major impairment to the future welfare of our country. We must not fail.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from New York.

Mr. ROBISON. Mr. Chairman, I appreciate the gentleman's yielding to me. I might say that it was a privilege until this year to serve with the gentleman who is now in the well, on the great Committee on Public Works in the House of Representatives. I miss my work on that committee and I have missed working with the gentleman.

Mr. JONES of Alabama. I should like to say that during the gentleman's tenure on the committee he was the most effective and attentive member that we had. We have a pleasant memory of his service on the committee.

Mr. ROBISON. Mr. Chairman, I thank the gentleman very much. I should like to congratulate him and also my colleague, the gentleman from California [Mr. BALDWIN], on the interest and concern that they have both shown in the problems of the Northeast with respect to water.

Mr. JONES of Alabama. Mr. Chairman, I should like to point out to the gentleman that the gentleman from California [Mr. BALDWIN], who is coauthor of title I, and I do not live in the areas affected, but we did recognize that a national problem there did exist, and therefore we should address ourselves to it promptly. That is what we have earnestly sought to accomplish.

Mr. ROBISON. Mr. Chairman, if the gentleman will yield further, like most of my colleagues from New York, Delaware, New Jersey, and Pennsylvania, under date of September 14 this year I received from the Delaware River Basin Commission a copy of a resolution stating that title I, to which the gentleman has been addressing himself, would, in the words of the resolution:

> Cause a major redistribution of governmental responsibilities within the Federal Government and as between the Federal Government and the States, regional agencies, and local governments.

Will the gentleman comment on that particular point?

Mr. JONES of Alabama. Mr. Chairman, if the gentleman will turn to page 11 of the report, commenting on title I of the bill he will find the language specifically setting forth that we were not to trespass upon the authority or the sovereignty or the capabilities of the Delaware Commission. We stated specifically that we were giving them another tool, because they are the ones to implement this program in the area. We thought we were enhancing their role in water resource development, not diminishing it.

Mr. ROBISON. The gentleman refers to page 11, in which it is stated:

> The committee wishes to emphasize that the legislation envisioned in title I will result in no impairment of existing interstate compacts, such as the Delaware River compact, the New England compact, and others.

Mr. JONES of Alabama. Mr. Chairman, I would like to point out that section 203 of the bill requires the same reporting system that is contained in the Flood Control Act, section 8, of 1944, so the Corps of Engineers could not transmit to the Congress a report involving the territory or jurisdiction of the Delaware Commission without its comment, as is presently done under existing law.

Mr. ROBISON. Mr. Chairman, if the gentleman will yield one moment further, is not the point here perhaps that the Delaware River Basin Commission has misunderstood this legislation?

Mr. JONES of Alabama. I would presume so.

Mr. BALDWIN. Precisely this—that there would be no change under title I of the existing congressional procedures requiring first authorization of any project that might be fitted into such plan as the gentleman envisions; and, second, an appropriation by the Congress of the necessary funds to go forward with that project?

Mr. JONES of Alabama. We have the same authorization scheme that we have used historically and are doing again with the provisions of titles I and II of the bill.

Mr. ROBISON. Mr. Chairman, if the gentleman will yield further, where it is stated in title I, section 10, that the plan shall provide for the construction, operation, and so forth of these projected facilities, that language means, in effect, shall only be done according to the carrying out of the traditional congressional procedures for any such facilities or project?

Mr. JONES of Alabama. The gentleman is correct.

Mr. ROBISON. I thank the gentleman.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. Yes, I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I would direct the gentleman's attention to the language which appears on page 46 of the bill. Does the gentleman from Alabama have a copy before him?

Mr. JONES of Alabama. No, I do not have a copy at the moment. If the gentleman will withhold his questions, there are 144 projects involved, and I do not have them all in front of me. Let me discuss the matter with the gentleman and I shall go into it further with him later.

Mr. WILLIAMS. That would suit me better. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the Committee, I believe this bill is a demonstration of the effective, and I believe extremely effective, action that can result from our committee seeking and getting a consensus on most of the matters pending before us, particularly when we are given the liberty to do so.

Incidentally, Mr. Chairman, in my opinion we were not permitted to work our will in relation to the bill which we voted out of the committee today, the Highway Beautification Act of 1965 bill.

Mr. Chairman, we were given an opportunity to consider this rivers and harbors and flood control matter on its merits. I believe this bill is a good bill.

Mr. Chairman, the points of differences of opinion are pointed out largely or clarified largely in the supplemental views of the minority Members.

Those views indicate a difference of opinion relating specifically to certain projects in the flood control section of the bill, and I refer principally to certain projects involving a basic issue which we traditionally have on this bill. This is the question of public power versus private power in those instances when it appears to the committee or at least the members of the committee who are in favor of not using public funds for public power development that private enterprise can do the job and can do it reasonably and can provide power at a more reasonable cost and thus not burden the Federal taxpayers with that additional cost of public power, than can public power at taxpayers expense.

That question, Mr. Chairman, is involved in the projects which will be discussed in detail by the ranking minority member on the Flood Control Subcommittee, the gentleman from California [Mr. BALDWIN], and involved with projects that are discussed in the supplemental views in the House report itself on S. 2300 and which involve the Dickey-Lincoln project, on the Saint John River in Maine, the Rowlesberg Dam and Reservoir on the Cheat River in West Virginia, and the Flint River Basin in Georgia.

Mr. Chairman, those are the principal matters in controversy, and I assume that they will be discussed in the debate and also at the time for amendments. I understand amendments will be offered in an effort to bring those projects basically into consistency with the Bureau of the Budget recommendations in some instances and with our views relating to private power versus public power in other instances. The gentleman from California will discuss them in greater detail.

Let me say, given an opportunity to work our will with a free hand, the committee has come up with a bill that, except for those three projects, deserves the support of the Members of the House. As a matter of fact, I think it is one of the most significant authorization bills relating to basic law concerning public works, rivers and harbors, and flood control, that has been brought before this House in my memory. This is for a number of reasons. The reason the gentleman from Alabama just mentioned, relating to title I, is one reason. The Northeastern United States water supply provision provides for a plan to be developed by the Corps of Engineers relating to making available in the future, pursuant to this plan, an adequate water supply and adequate reservoirs. I must say it offers new areas of possibility, and I say possible Federal participation, and that is the transmission lines and purification programs envisioned in the plan.

Again, I specifically point out a proposition that this is a plan and study. I understand the gentleman from Alabama is considering some amendments, one of which would have the effect of clarifying the point asked by the gentleman from New York [Mr. ROBISON]. It is a question I raised in the committee. I offered an amendment, as a matter of fact, that would have required consultation with State authorities, including the local authorities and private enterprise, relating to water resources studies, planning, and programing.

The gentleman from Alabama stated that this was the intention and, therefore, it would be written into the report that that is the case, and it so appears in the language the gentleman read on page 11 of the report, and I quote:

> The usual procedure for formulation of such plans including coordination with State, Federal, and interstate agencies is a prerequisite to such enactment. The same procedures as contained in the present laws shall be applicable to such projects. It should be emphasized that the plan would be a combination of Federal and non-Federal works taking into account those features which may best be constructed or operated and maintained by non-Federal interests.

The gentleman confirms that is a correct statement of his position, particularly in view of his comment on section 203 which sets up the procedures.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I do agree with the gentleman because the report, as the gentleman has pointed out, states that specifically.

Mr. CRAMER. The gentleman is also considering offering an amendment that will carry out what is stated in the committee report, and that is to the effect that these plans shall be in accordance with the Water Resources Planning Act and consistent therewith. Is that correct?

Mr. JONES of Alabama. At the appropriate time I will offer this amendment:

> On page 37, strike out the sentence which begins on line 8 and insert in lieu thereof the following: "Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with Federal, State, and local agencies in preparing plans in accordance with the Water Resources Planning Act (P.L. 89–80) to meet the long-range water needs of the Northeastern United States."

Mr. CRAMER. That act specifically provides for the question raised by the gentleman from New York, a question I also raised requiring State, local, and private enterprise interests involved in this function of providing water resources. I am the first to admit that has become one of the most serious problems in America and, in particular, in the Northeast. That act specifically says in section 2:

> In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprise, and others concerned.

Now the gentleman is incorporating by reference that language into this legislation; is he not?

Mr. JONES of Alabama. That is the sole intention of the amendment.

Mr. CRAMER. So there should be no question about State, local, and private enterprise participation not only with the Water Resources Planning Council but also the Corps of Engineers consideration of recommendations of the Planning Council. Is it my understanding also under the act as it presently exists, the Water Resources Planning Act, that under that the Planning Council does not have the authority to actually come up with plans itself relating to water resources development and therefore this title is needed in order to give the Corps of Engineers proper authority and the power to so evolve a plan?

Mr. JONES of Alabama. That is my understanding of the act which the gentleman has reference to.

Mr. CRAMER. I thank the gentleman. Of course, whatever plan is being considered has to first be submitted to the Congress for proper authorization at the time the plan is promulgated and proposed. Then, second, for a proper appropriation of funds following congressional action relating to the authorization. So we do get another look, not once but twice, at whatever plan is proposed.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I compliment the gentleman from Florida for the statement he has made, and in particular, on his colloquy with the chairman because, as the chairman knows, he and I toured the country this last year together. While we are now referring to a matter that affects the Northeast, the same thing can be said for the Northwest part of the United States and the areas that we toured out in California, Oregon, and Washington. I think we are setting the stage properly here today with this language which is to be included as mentioned by the chairman. We are in the stages of developing a similar plan for development in my congressional district of California. The Corps of Engineers has developed a preliminary plan of development and presented it to the committee early in the year. Further recommendations will be brought to the committee and the Congress in the coming years as we work cooperatively with the State of California for the maximum development of our water resources.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. ROBISON. Recently the Assistant Secretary of the Interior, Mr. Holum, came before our Subcommittee on Appropriations for Public Works and asked for funds to be included in the pending supplemental bill which will reach us here eventually for the staffing of the water resources council, so called. I asked him at that time if he had any position that he could give to us and particularly to me with respect to title I as contained in the bill before us. He said he did not. I asked him whether or not he envisioned or the Interior Department, since the chairman of that department is chairman of the water resources council—if the Secretary envisioned that the water resources council would be a studying agency with authority to make plans of this type by itself. The answer was—no, it was a coordinating body only. And this is, I think, what the gentleman is attempting to bring out.

Mr. CRAMER. I thank the gentleman. I am glad that the record was clarified before his subcommittee on the Appropriations Committee as well, and that the agency is apparently going to follow the intention of the Congress relating to that.

Mr. ROBISON. To continue further, if there were to be studies of this sort, they should and would be done by the various existing agencies or departments having competence in this field so I assume that in this instance it would be the Corps of Engineers.

Mr. CRAMER. I trust that this helps to clarify the question of title I relating to the Northeast water study.

As I have said, Mr. Chairman, this is one of the most important authorization bills that we have considered in some time, not because of the dollar value of approximately $2 billion and, incidentally, that is about what the previous authorization bill was and it has been 3 years since we considered one and this is in effect resulting from a 3-year backlog of projects, and usually we only consider 2-year backlogs so the $2 billion figure is not, in my opinion, an unreasonable one in that respect.

Now what else did the committee do which was of considerable consequence? One thing it did was to promote a new procedure which the gentleman from Alabama explained relating to the authorization of projects, the cost of which does not exceed $10 million. That is the estimated Federal first-cost share does not exceed $10 million. That is the procedure similarly consistent with the Public Buildings Authorization Act of 1959.

That act permits authorization by committees, committees of the House and Senate, instead of authorization by the House and the Senate, or the Congress of public buildings.

The purpose of that provisions is obviously to expedite consideration of these projects. I believe there is every justifications for expedition, for the simple reason that the cost of these projects and the estimated benefits of these projects, as well, often change considerably between the date that they are studied and the date that they are up before our committee for authorization and actual congressional authorization. In many instances that lag time is most unreasonable. The purpose of the provision is to get these projects before them when the figures we have are reliable and obviously when the projects are needed.

Therefore, because of that principle, and knowing the problems that have been involved, in particular relation to this bill, it having been 3 years before we had an omnibus bill, I support the concept of $10 million—no more than that—for estimated Federal share on rivers and harbors, flood control, and beach erosion projects, to be subject to committee authorization.

However, it is my personal view that possibly the rivers and harbors, and beach erosion projects should be a lesser amount, because that involves about 85 percent of the projects in this bill, as an example.

However, we have crossed that bridge. The $10 million figure offers one problem. I should like to discuss it briefly. I may have an amendment relating to it. The figure involved in the $10 million top figure relates to the "estimated Federal share." Many times when we get to the appropriation stage, the amount estimated by the Corps of Engineers increases substantially. If there is one thing I want to be sure is avoided by this $10 million authorization section, so far as this Member is concerned, it is to see that this is not used as a subterfuge and not made a sham out of by the proponents of the projects, or the Corps of Engineers, or the Bureau of the Budget, using the $10 million figure, their objective being to keep under it even though they know full well that that figure would not be substantiated at a later appropriation date, when a new estimate would have to be justified.

It should be perfectly clear in the record that the $10 million figure which is authorized is an estimated Federal share, and that can be increased substantially at the time of the appropriation without additional authorization by our committee.

I should like to ask the gentleman from Alabama if that is not a correct statement. The amount authorized in this bill, and all others, is the "estimated Federal share" of the cost of the projects as it relates to the $10 million committee authorization section in the bill; is that not correct?

Mr. JONES of Alabama. That is correct.

Mr. CRAMER. Is it not correct that at the time of the appropriation the figure can be exceeded without our committee acting further on the authorization?

Mr. JONES of Alabama. It may not exceed the $10 million authorization.

Mr. CRAMER. I am quoting the language in section 201, a committee authorization similar to that for public buildings, which section is for projects estimated to cost not more than $10 million, which reads as follows: "if the estimated Federal first cost of such project were $10 million"—that is the estimated Federal first cost. Before the Appropriations Committee, that figure could be exceeded if the estimate at that time should exceed the estimate before our committee.

Mr. JONES of Alabama. No; the appropriation could not exceed $10 million. For example, if the Appropriations Committee were considering a project, the authorization for which might be $5 million, that committee could not make an expenditure of $6 million. The same rule applies here.

Mr. CRAMER. I will ask the gentleman an additional question, using the example of the Housatonic River Basin on page 41 of the bill. There is proposed the authorizing of the project "at an estimated cost of $5,100,000."

If the estimate of the cost of that project at the time of appropriation is $6 million, in the opinion of the gentleman would the Appropriations Committee exceed its authority, if it authorized the expenditure of funds in excess of $5.1 million?

Mr. JONES of Alabama. I believe it would.

Mr. CRAMER. I hope that is true, but I understand that is not the procedure followed, and that in many instances the Appropriations Committee exceeds the amount and does so because the language is "the estimated cost."

Mr. JONES of Alabama. If the estimated cost is submitted to the Public Works Committee at $5.1 million and is so approved, no appropriation should be made in excess of that amount.

Mr. CRAMER. Is it the intention of the gentleman—because it is the intention of this gentleman, as well—that the $10 million top figure shall be the limitation not only for authorization before our committee but also for appropriations before the Appropriations Committee?

Mr. JONES of Alabama. The gentleman is stating correctly what section 201 intends to accomplish. There can not be an appropriation in excess of the authorized amount.

Mr. CRAMER. I thank the gentleman.

I would hope, with this legislative record, that the top limitation will be observed. I should be very concerned if by authorizing an estimated amount appropriations could be provided for a project substantially in excess of that amount. I hope this legislative record will clarify that.

There is one other point relating to new authorizations generally under this bill which I want to discuss. It takes another giant step—and I believe a giant step forward—by providing that the small project authorization amounts and the lump sum appropriations shall be increased. The total appropriation is to be increased to some $10 million for all of these small projects, and the size of the projects is to be increased from $200,000 per project, for Federal costs, for rivers and harbors, to $500,000, and from $400,000 for beach erosion to $500,000. That brings those into uniformity. Flood control remains at the present amount of $1 million which does not require authorization by Congress and under this new procedure authorization by the committees, or even the submission to Congress of a resolution authorizing a survey of the project.

These are the small projects on which the Corps of Engineers can act to authorize them. The Bureau of the Budget and the Appropriations Committee will have submissions made to them regarding the project, but our committee does not need to take action thereon.

I believe that is a sound approach. The proposal in the subcommittee was to make it $1 million for all such projects. The full committee, I believe properly so, made it half a million dollars for beach erosion and rivers and harbors, and $1 million for flood control, as it presently is. I support that action.

There were two other matters on which the committee took action. I wish to call those briefly to the attention of the House.

First, this bill authorizes a codification of all water resources laws, which will permit those who are interested, the general public and the local authorities, to know exactly what is the basic law relating to all of these projects now and in the future, as was done with respect to the highway recodification. I believe that is a sound approach, and I am confident the Engineers will carry it out in the very near future.

There is another section which was written into the bill, which contains language I shall comment on, relating to those communities which wish to go forward with a project and be reimbursed for the expenditure when the construction is consistent with whatever plan has been authorized by Congress. Many such examples have been called to our attention. As a matter of fact, there are some in this bill where we specifically as a committee—and hopefully, the Congress—authorize repayment to those local communities when the work done is consistent with the plans authorized by the Congress.

It is my belief that we should not pick and choose in these projects, we should not say "yes; it is all right" to one and not to another, without having some sort of standard apply to all of them. For that reason, I proposed, and there is now in this bill, a provision that a restudy be made relating to what our policy should be concerning reimbursement of moneys expended by the local interests on projects when the work done is consistent with the authorized project, permitting possible Federal repayment to that community or local agency sometime in the future.

I hope it will result in some standard or nationwide policy relating to this matter, which can be considered at the proper time in the next authorization bill. I think this is a good and sound approach to this problem which to date we are dealing with on a project-by-project, piecemeal basis, with no real standards being involved.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, I request this time so as to address some questions to the chairman of the committee, the gentleman from Maryland, with regard to a project in Georgia known as Trotter's Shoals. In years past it has not been authorized by the committee on the grounds that it did not have approval of the Bureau of the Budget. I want to ask the chairman at this point if it is true that this project is now before his committee as pending business. Is that true, Mr. Chairman?

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the chairman of the committee.

Mr. FALLON. May I say to the gentleman that no consideration was given to Trotter's Shoals as a project this year because at the time we were considering the omnibus rivers and harbors and flood control bill we did not have the proper reports on Trotter's Shoals, but I understand that we do have the reports and it will be pending business before the Committee on Public Works when an omnibus bill is considered next year.

Mr. LANDRUM. Is it the intention of the chairman that his committee will meet next year, in 1966, to consider an omnibus rivers and harbors bill?

Mr. FALLON. That is the desire of the committee at the present time.

Mr. LANDRUM. And at that time the Trotter's Shoals project will be pending business before the committee?

Mr. FALLON. It is pending business and will be given consideration.

Mr. LANDRUM. The record discloses that the project labeled as Trotter's Shoals now has the approval of the Departments of Commerce, Defense, HEW, Agriculture, Interior as well as the Bureau of the Budget. Is that correct?

Mr. FALLON. As I understand it, that is correct.

Mr. LANDRUM. So there will be no necessity when the committee reconvenes January next to again ask these departments to make reports?

Mr. FALLON. No, it will not be necessary to get a second report. It will be pending business.

Mr. LANDRUM. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of S. 2300. During the 5 weeks of intensive hearings that our Subcommittee on Flood Control held on the flood control aspects of the bill, it has been my privilege to work very closely with the chairman of the Flood Control Subcommittee, the gentleman from Alabama [Mr. JONES]. No person in this House worked with more diligence, more conscientiousness, and more sincerity on this flood control section of the bill than did the gentleman from Alabama [Mr. JONES]. It was a privilege on my part to work with him on this bill.

This bill is a many-faceted bill. It affects practically every part of the country. In the northern California region the bill contains authorization for a very important deep water channel project from San Francisco Bay to Stockton. This is a project which has been made necessary by the trend toward deeper draft shipping which has occurred since World War II. This trend has had an impact on deep water ports throughout the Nation.

Since World War II, particularly with tankers and bulk cargo carriers, there have been bigger and bigger ships built with deeper draft, and the old channel depths that at one time could accommodate all types of ships no longer can accommodate the new type vessels. For this reason it is important to the northern California region that there is included in this bill the project authorizing a deep water channel from San Francisco Bay to Stockton to handle the deeper draft ships now coming into San Francisco Bay and serving the ports on the tributaries to that bay.

Also, in this bill is another survey important to that area; that is the authorization of a study by the Corps of Engineers of the feasibility of constructing an interceptor drain to go around San Francisco Bay and out to the ocean to handle the disposal of sewage effluent and industrial wastes, including agricultural waste waters so that these might be disposed of in the ocean and not involve further pollution to San Francisco Bay. This is a study to determine whether construction of such an interceptor drain might be feasible. The recommendations of the Corps of Engineers will have to come back to Congress and be considered by this body.

There are in this bill several projects involving public power on a major scale, and on these projects there was a sincere difference of opinion within our committee. And there has been for many years a sincere difference of opinion among the Members of the House as a whole on this issue. In most cases, the House has given recognition to the fact that in connection with multiple-purpose projects it may be necessary to authorize public power as a part of those projects. But where projects are of such a nature that the power aspects can be differentiated from the rest of the project there have been differences of opinion as to how these should be handled.

In this bill this issue has come to a focal point in three projects; the St. John's project in Maine, the Cheat River project involving Rowlesburg Dam in West Virginia and the Flint River project in Georgia.

The St. John's project in Maine basically is a single-purpose project for all practical purposes because it involves more than 95 percent power, and therefore it is basically a power project. The flood control aspects in it are minute.

In connection with the Rowlesburg Dam on the Cheat River in West Virginia and also the Flint River project, these are multiple-purpose projects that could be justified from an economic standpoint without the public power features being constructed by the Federal Government. In each of these three cases there was testimony before the committee by representatives of private enterprise, in the form of the investor-owned public utility companies in the areas involved that they had been providing the power needs of the area and felt that they could continue to do so in the future.

Those of us who are concerned about the size of the Federal budget today, those of us who are concerned about the size of the Federal deficit today do not feel that Federal funds should be expended where testimony has been given before our committee that the power needs of an area can adequately be supplied by private enterprise in the form of investor-owned public utility companies. For this reason there will be amendments offered on the floor to eliminate the St. John's project and to modify the Cheat River project in West Virginia and the Flint River project in Georgia. In the case of the Cheat River project, the amendment will authorize the project except for the public power aspects of the project; and in the case of the Flint River project the amendment will authorize a partnership development of the project so that private enterprise can develop the power facilities in connection with the project.

I might say in connection with the Cheat River project in West Virginia that an application has been pending before the Federal Power Commission on the part of an investor-owned public utility for a permit to build a power facility on that river. Just a few weeks ago—since our hearings in fact—the Federal Power Commission has granted a preliminary permit to that private company to make a study to determine the feasibility of going forward with such power facilities on their own.

I do not believe we should be authorizing a public power project in connection with that dam when this private application is pending and a study has been authorized by the Federal Power Commission to determine the feasibility of constructing private power facilities to provide the power needs of that area.

Mr. Chairman, these amendments will be offered during the amendment period. We hope the House will consider these amendments on their merits, giving consideration to the need for our saving the expenditure of Federal funds wherever such savings are possible.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Chairman, I would like to ask the gentleman from Alabama [Mr. JONES] about a bill which I introduced, H.R. 8298, and which I had hoped would become a part of this omnibus bill.

Mr. Chairman, that bill would have authorized the Secretary of the Department of the Army to grant rights of storage and transportation on the Dworshak Reservoir in Idaho.

My question is with reference to the disposition of the committee toward the bill and whether it was judged necessary for the activities planned on that reservoir.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I want to say to the gentlemen from Idaho that the Flood Control Subcommittee examined the proposition which the gentleman has reference to, most thoroughly.

As the gentleman knows, the Department of the Army reported that it now is in possession of sufficient statutory authority to do under existing law what the gentleman from Idaho proposes to do in his resolution.

If the gentleman will refer to the 1962 Flood Control Act, sections 2667 and 2668 of title 10, United States Code, the gentleman will find that this confers ample power upon the Secretary to do everything he could do under H.R. 8298, if it were adopted.

There was no necessity for the committee to report out that bill, since there is ample statutory authority to accomplish the aims of the bill introduced by the gentleman from Idaho.

Mr. WHITE of Idaho. I want to thank the gentleman from Alabama and to congratulate him on the bill which he has brought before the Congress today.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Chairman, I rise in full support of the project to provide flood protection on Chartiers Creek Basin in Pennsylvania, which is to be found at page 57 of the bill, and which is located in the Ohio River Basin, and to be found at page 37 of the report.

Mr. FULTON of Pennsylvania. Mr. Chairman, it is an honor today to urge immediate authorization of the Chartiers Valley flood control program.

The House Public Works Committee is to be congratulated on approving this vitally necessary program when reporting to the House favorably S. 2300, the rivers and harbors and flood control bill.

On April 21, 1965, I appeared before the Senate Public Works Committee strongly urging that the committee act favorably on the authorization of the Chartiers Valley flood control program in Allegheny County, Pa. This is a necessary and urgent program, and should be considered on an emergency basis, not only because of the families, homes, and businesses endangered, but because this valley contains many U.S. defense industries. The various Federal agencies as well as the Commonwealth of Pennsylvania have all approved this project and recommended its completion.

The Chartiers Valley flood control project has now been favorably recommended by the U.S. Army Engineers for the western district of Pennsylvania, the Board of Engineers for Rivers and Harbors in Washington, D.C., the Chief of Engineers of the Department of Army, and the Secretary of the Army. The U.S. Bureau of the Budget approved this project on April 10, 1964.

The Chartiers Valley area in Allegheny and Washington Counties contains 276.67 square miles, has 217,592 population in Allegheny County, and 98,984 population in Washington County. The total number of employees of Chartiers Valley industries is about 6,500 in the Carnegie-Bridgeville region, Allegheny County, and about 4,000 employees in the Canonsburg-Houston region, Washington County. It is apparent that the Chartiers Valley area is an important part of the economy of western Pennsylvania, and that these recurring annual floods in this valley have caused great damage and loss to many people in this large geographical area.

As Congressman for the 27th Congressional District of Pennsylvania, representing the Chartiers Valley area in Allegheny County, I have been working closely with my good friend and colleague, Congressman Tom Morgan, of Washington County, as well as with our two U.S. Senators for the State of Pennsylvania, Senator Joseph Clark and Senator Hugh Scott, to see that the Chartiers Valley flood control program is immediately undertaken to eliminate further unnecessary disasters and hardship in this economically depressed area. All citizens in the area, business and labor alike, are united in appealing for immediate action on this long overdue flood control program.

I strongly urge the immediate authorization of the Chartiers Valley flood control program on an emergency basis to prevent damage to vital national industries in the Chartiers Valley at this time of stress and strain in Vietnam.

We must also remember that the homes, the jobs, the workers, and their families in the Chartiers Valley are in danger every year as there have been almost annual damaging floods in the Chariers Valley over 50 years now. In 1956 the area was declared a national disaster emergency area when Chartiers Creek once more flooded its banks and the valley it traces. And as recently as 1963 the residents of Chartiers Valley were again subjected to a disastrous flood.

Immediate authorization is essential to safeguard the lines, the businesses, the homes, and families of the Chartiers Valley and to protect the vital defense industry located there.

Mr. JONES of Alabama. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. Clark].

Mr. CLARK. Mr. Chairman, what I have to say on the bill presently being considered will relate entirely to only one project—the Dickey-Lincoln School project in northern Maine. I do not intend to engage in a philosophical discussion concerning private versus public power; rather, I want only to talk some economic sense. That there are serious questions concerning the economic feasibility of this project is clearly indicated by the fact that these questions concerning it are coming from both sides of the aisle—so what we have to discuss is bipartisan in nature.

The Dickey-Lincoln School authorization will, in due course of time, amount to something well in excess of $300 million. The present authorization is for $227 million—which, by the way, constitutes almost 10 percent of the entire bill. However, if it is authorized, and in time built with an additional $80 million for transmission lines, the total cost will be about $300 million.

Now, Mr. Chairman, $300 million is a considerable sum of money for the Members to consider. If the proposed project had clear benefits to the Nation; if the Federal agencies involved were in agreement; if it were going to pay itself off in due course of time; and if it benefited the New England area without damaging other parts of the Nation, then we might be able to proceed with confidence. But it does none of these things—and it seems to me that a bill with five strikes against it has to be considered a bad bill—any way you look at it.

Let us take up these five points briefly, examine them carefully, and then see if our colleagues can still, in good conscience, approve such a massive authorization.

First, the question must be raised as to whether there would be a clear benefit to the Nation. I think to be fair one must agree the expenditure of well over 200 million Federal dollars in Maine would bring benefits to that State. Even if only temporary—and it would be temporary—a depressed region would be helped. The question then immediately comes to mind as to whether there might not be a better way to assist this State, and it would appear—once looking at this project—there must be a number of ways which are better. On the other hand, extensive testimony during our committee's hearings indicated that in order for this project to succeed—to be economically feasible—it had to be considered on a New England-wide basis.

There is also considerable evidence that although the theoretical purpose of the project is to help reduce the high power costs of this region, it will not even do that. Therefore, if this power project is a temporary pumping of Federal dollars into the Maine economic bloodstream and there are better ways to accomplish such a goal, then I submit it cannot be classified as a project having national benefits. I have every desire to assist the people of Maine with their economic problems; I am simply saying we should, and can, do that within the context of national benefit.

The second important question which must be discussed if we are to bring any sort of reason to this proposal relates to the disagreement of Federal agencies over the desirability of proceeding at this time with the Dickey-Lincoln School portion of the Passamaquoddy project. A careful reading of the report of the Secretary of the Interior to the President, dated July 9 of this year, indicated basic disagreements between several agencies concerning the project. For this reason, I suggested in my supplemental views to the Public Works Committee report on S. 2300 that the interested Federal agencies have not given the Congress sufficient information upon which to make an enlightened decision. The Interior Department gives us a set of numbers concerning costs on the project. But these numbers are directly challenged by the electric companies of the area who should be in a pretty good position to know the cost situation in their own area. In addition, two comprehensive engineering studies, done by consulting engineering firms, challenged the cost figures of Interior. The Commerce Department, in their report, expressed reservations concerning the project. The Treasury Department questioned the interest rates used in charting the costs of the job.

Now, in the midst of all of this confusion, we are being asked to proceed with an authorization of immense size without further information. The electric companies of the area, rather than simply opposing this project have offered concrete, well-thought-out, and feasible economic alternatives that would not require the expenditure of a dime of the public's money. Therefore, I submit that this hardly qualifies as a project with which we can proceed with confidence.

Meeting the standards of feasibility previously established by the Congress brings us into still another gray area. Mr. Chairman, I am sure we all know it is a requirement that other alternatives be carefully examined before requests for authorization are made. Yet here we find, from the testimony at the hearings, that the Interior Department quickly skimmed over available alternatives—that is, the generation of electric power by large thermal plants—both conventional and nuclear, tied to pumped-storage electric plants. Several Federal agencies questioned the lack of sufficient exploration of these alternatives, and I question them as well. Additionally, it was admitted by the Secretary of the Interior at the hearings that no studies, or even conversations, had been held with the private companies of this area concerning the marketing of the power to be produced. And yet more than 90 percent of this power will have to be sold to these companies for the project even to come close to being feasible. The electric companies have indicated serious reservations about the ultimate purchase of the output of this project, because they say the power will cost too much; will, in fact, cost more than they are producing power for at some of their plants right now, and most certainly will cost more than the average to be produced in New England by 1972 when this project would go on the line. No consideration of nuclear-conventional thermal plants tied to pumped storage, no consideration of marketing plans; this hardly meets the standards of the Congress, requiring thorough examination of feasible alternatives.

Perhaps an even more fundamental issue, Mr. Chairman, is whether the Congress is being asked here for a subsidy rather than an investment that will pay off over a period of years. In an unusual move, the Interior Department is taking a 100-year period of amortization and benefit, when, by their own previous standards, 50 years is used. Why does this project have a 100-year life? I still do not have the answer to that question. If anything, it should probably have a 25-year life in view of the fact that, in the New England area, anyway, the rapid development of nuclear power and large-scale conventional thermal efficiencies are making waterpower peaking stations increasingly obsolete. Some engineers question whether any such plant can now be considered modern and efficient when measured against the fact that the small Yankee atomic electric plant in this area, built at a cost of only $40 million, is turning out power—and more of it—than this massive project will be able to do a half decade or more from now. How can we be reasonably expected to believe that Dickey-Lincoln School will be an efficient, low-cost power source in the year 2070? A questionable payoff in economic terms indeed.

Finally, it seems to me, Mr. Chairman, that even considering all the foregoing, if the project benefited all the New England States—which it does not or it hardly seems likely there would be Members of the House from that area opposing it—you could make some kind of a case for it, provided it did no harm to other areas of the Nation. But it does. It would mean, for example, that this large hydroelectric plant would be built—slowing down the development of the nuclear industry in the New England region, reducing the sale of coal and oil to the region and benefiting no one at all since it would not reduce the cost of power to the consumers of the region.

Mr. Chairman, frankly I get a little lost in the maze of some kind of new political-economic logic that asks us earlier in the session to appropriate moneys to assist economically deprived Appalachia and its coal industry—and then later in the session asks us to authorize even more Federal moneys so that we can reduce this business more in Appalachia by building a project which will do nothing for the people of New England.

It seems to me to be like something out of "Alice in Wonderland." And it reminds me of the saying therein, "Will you walk a little faster, said the whiting to the snail, there's a porpoise close behind us and he's treading on my tail." This project is a porpoise treading on everyone's tail—costing everyone, benefiting no one. I suggest Mr. Chairman, that we had best walk a little slower on this one. I suggest it be returned for considerably further study until such time as the Federal agencies involved can give us a clear picture of what we are doing with our constituents' money.

Mr. CLEVENGER. Mr. Chairman, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HATHAWAY. Mr. Chairman, Congressman TUPPER and I have written Members of the House concerning the desirability of House approval of the so-called Dickey-Lincoln School projects in northern Maine. The full text follows:

DEAR COLLEAGUE: We are writing to you to urge your support for the Dickey-Lincoln School flood control and hydroelectric project on the Upper St. John River in Maine as authorized under S. 2300, the omnibus rivers and harbors bill. This project which was strongly endorsed by President Johnson in a letter of transmittal to both the House and the Senate has passed the Senate and, of course, has been endorsed by the House Public Works Committee. It is our understanding that when this bill comes up for consideration this week an effort will be made to strike this project from the bill. In an effort to gain your support for this project and to correct misunderstandings which may have arisen we submit the following points for your consideration:

1. The Dickey-Lincoln School project has a benefit cost ratio of 1.86 to 1.

2. History has shown that Federal hydroelectric plants bringing low-cost electricity into an area have stimulated the demand for power from fossil fuel generating plants; i.e., plants using coal, oil, or gas, so that the demand for such fuel is enhanced.

3. In other sections of the country private utilities were violently opposed to hydroelectric projects at first but after they realized the benefits which accrued to them through the increased consumption of electricity brought about by the decrease in rates they began to cooperate with such projects. On the Upper Colorado River Basin in 1962, Secretary of the Interior, Stewart Udall, negotiated a jointly constructed transmission grid with private companies to market public power on that river. Last year Secretary Udall again successfully negotiated a huge project integrating the electric facilities of the Pacific Northwest and the Pacific Southwest. Six private utilities, the city of Los Angeles, and the Department of Interior are participating in this history-making project and today the largest combine, comprising nearly all of the western utilities, is discussing with the Department of Interior the legitimate role each can play in meeting the future power needs of a 10-State area.

4. The alternate proposal of an atomic plant with pumped storage proposed by the Electric Coordinating Council of New England in its last-minute attempt to thwart the Dickey project does not stand up as indicated by the attached memorandum.

There is no question that nuclear energy holds great promise for the future. We think it should be developed just as we believe our fossil fuel resources should be developed and used. But we do not think we can casually dismiss the flexibility and compatibility of hydroelectric energy which complements rather than competes with thermal generating sources. The fact is that the Dickey-Lincoln School project and its associated transmission system will help stimulate the aforementioned use of fossil fuel and nuclear energy in New England by lowering rates and increasing consumption of electrical energy thus requiring larger thermal generating capacity.

5. The Dickey project has been thoroughly studied since a survey was first authorized by President Eisenhower in 1956.

6. The project was thoroughly reviewed by the Federal Power Commission which gave the project a green light only after making the finding that there was no better alternate.

7. There is no question with respect to the need for this power. Even the opponents to the project admitted this need in hearings before the subcommittee.

8. Although the ratio of power benefits to flood control and other benefits of this project is very high, this is certainly not unprecedented in Congress especially where the need for low-cost power is acute.

9. As a long-standing policy, the Department of Interior does not discuss the marketing of power for any project prior to authorization by Congress. This policy is a sound one because no Member of the House would advocate the Federal Government committing itself to a course of action before the proper committees of the House and the Congress as a whole had approved that course of action.

10. All computations were made in accordance with Senate Document No. 97. Computations for the marketing of the power included load factor, capacity, and energy and repayment within 50 years which included both the cost of the project ($227 million) plus the transmission line ($73 million). All figures were studied and approved by the Federal Power Commission.

11. The project as the support of all appropriate executive agencies, including the Bureau of the Budget, the Department of Interior and the Corps of Engineers.

12. Power costs in New England are the highest of any region in the country; and there is no public power yardstick in any of the six New England States.

13. The Dickey-Lincoln School project would be located in an economically depressed area where, for example, 33 percent of the families have incomes of less than $3,000 per year; 48.6 percent of the population is over 65 or under 15 years of age. This is an area where wholesale rates for electric energy average three times what Dickey-Lincoln School rates, delivered would be.

14. The price of power from the Dickey-Lincoln School project will be less than one-half that of the average charge in New England today.

15. All of the power projects in the bill are good projects in meeting the benefit-cost tests laid down by the Congress. Dickey-Lincoln School compares very favorably with these other projects.

We believe this project to be in the best interests of Maine, New England, and the country and therefor seek your support.

Sincerely,

WM. D. HATHAWAY,
Second District, Maine.
STANLEY R. TUPPER,
First District, Maine.

POWER COMPANY SUBSTITUTE FOR DICKEY-LINCOLN SCHOOL PROJECT IS MISLEADING, COSTLY, AND NOT CAPABLE OF SERVING THE SAME PURPOSE

(By the National Rural Electric Cooperative Association)

The Electric Coordinating Council of New England (ECCNE), which numbers the principal investor-owned electric utilities in that region among its membership, claims that it has devised a substitute project which purports to be superior to the Dickey-Lincoln School development and to thereby render the latter unnecessary. The proposed substitute plan, which was released scarcely a week before the House hearings, combines a pumped storage peaking plant in western Massachusetts and a nuclear baseload plant on Long Island Sound in Connecticut as an alternative to the all hydro Dickey-Lincoln School development in northeastern Maine. The companies' alternative is assertedly designed to parallel Dickey-Lincoln School, but it fails to do this in a number of important respects.

Dickey and Lincoln School would together develop 794,000 kilowatts of installed capacity. Of this amount, it is estimated that 635,000 kilowatts of capacity would be used for peaking purposes with an annual output of 330 million kilowatt-hours; the remaining 159,000 kilowatts being used to produce an annual 695 million kilowatt-hours of energy at 50 percent load factor. Net annual generation would therefore be 1,025 million kilowatt-hours.

The big block of 635,000-kilowatt peaking capacity would be available to any electric system which operates its own generation. Its cost delivered would be $15 per kilowatt per year as compared to $23.50 per kilowatt/year estimated by FPC to apply to new power company plants scheduled for New England. The 50-percent load factor energy could be sold to co-ops, municipals, and power companies which do not own any generation. It would be firm power for them. It would cost them about 7 mills/kilowatt-hour delivered. They now pay from 13 to 20 mills.

The ECCNE proposal embodies a pumped storage peaking project of 612,000 kilowatts in western Massachusetts and a 159,000-kilowatt portion of a 700,000-kilowatt nuclear plant on Long Island Sound. The combined project would develop approximately the same capacity and annual energy as Dickey-Lincoln School. But the similarity between the two plans ends there.

First of all, very little transmission is associated with the ECCNE proposal; $4 million compared to $73 million in transmission for the Federal Dickey-Lincoln School project. Thus, the ECCNE plan is geographically no substitute because its power could not be delivered to Maine, New Hampshire, or eastern Massachusetts. Moreover, the purported economics of the ECCNE proposal are not supported by present or anticipated experience in the electric industry, as the following points make clear:

1. The $80 per kilowatt cost of ECCNE's pumped storage peaking capacity is lower than anything built in modern times. At chapter 7 (p. 121) of its National Power Survey, entitled "Peaking Power," the FPC states: "Economically attractive projects usually cost $100 to $120 per kilowatt or less." Experience has taught that this estimate, though essentially accurate, may be slightly liberal.

The Taum Sauk project of the Union Electric Co.—the most recently constructed pumped storage project of significance—has 350,000 kilowatts installed and cost $50 million to construct, for a cost of $143 per kilowatt. Projects in Colorado, one under construction and one proposed, anticipate costs of $107 per kilowatt and $137 per kilowatt, respectively.

In the light of the above, a realistic cost for the ECCNE pumped storage project would be $110 per kilowatt, or $8,820,000; 38 percent above the ECCNE estimate.

2. The energy costs for the 311 million kilowatt-hours expected to be generated from the ECCNE pumped storage project also seems low. A widely accepted rule of thumb for pumped storage units requires 3 kilowatt-hours of offpeak steam energy to pump water uphill in order to get 2 kilowatt-hours of peaking energy from the storage reservoir when the water is allowed to run back down through the turbines. Since electric energy, even at wholesale rates, would be bargain priced at 4.62 mills per kilowatt-hour, claimed by ECCNE to be its pumping cost per kilowatt-hour, it seems clear they have only counted on using one unit of energy for pumping in order to get one back. Therefore, the proper energy costs for the pumped storage project would not be 4.62 mills per kilowatt-hour as claimed by ECCNE, but 6.93 mills per kilowatt-hour. As a result, the total energy costs for the project would not be $1,480,000, as claimed, but $2,230,000; 50 percent above the ECCNE estimate.

3. The ECCNE plan assumes a nuclear capacity cost of $114 per kilowatt and fuel cost of 1.6 mills per kilowatt-hour, both of which figures seem extremely low. Also, the choice of a 700,000-kilowatt plant as the source of such capacity which would be available from Dickey-Lincoln School is inherently unfair for a unit cost comparison.

(a) At chapter 5 of the National Power Survey, entitled "Nuclear Power," table 31 indicates that a 500-megawatt plant constructed as late as 1970 would have a cost of from $132 to $152 per kilowatt. Fuel costs for such a project at that time might be 1.7 mills per kilowatt-hour.

(b) The Advisory Committee Report No. 15 of the Survey, entitled "Nuclear Development," states in its table 1(A) that the installed cost of a 500,000-kilowatt nuclear unit in 1967 will vary between $160 and $185, with fuel costs running 1.9 mills per kilowatt-hour.

(c) We respectfully point out that no project approaching the size of 700,000 kilowatts, which the ECCNE proposal envisions, has yet been built in this country. The best known plant approaching that size is the Oyster Creek plant of the Jersey Central Power & Light Co. which would have a nameplate 515,000-kilowatt unit installed at a cost of $68 million, averaging out to a per-kilowatt cost of $132—16 percent above the $114 per kilowatt estimate by ECCNE. Another plant under construction is the Nine Mile Point Plant of the Niagara-Mohawk Power Corp. which would develop 500,000 kilowatts installed at a cost of $90.2 million; this averages out to a cost of $180 per kilowatt, 58 percent above the ECCNE estimate.

In view of the above it is likely that the 159,000-kilowatt plant would cost $180 per kilowatt, while the 700,000-kilowatt plant would cost $130 per kilowatt, both substantially higher than the ECCNE estimate.

4. The ECCNE estimate of associated transmission is only $3,950,000, as against an estimated $73 million for the Dickey-Lincoln School transmission. The ECCNE proposal thus envisions transmission construction being limited to the immediate location of the plants. Citizens of Vermont and of New Hampshire and of Maine would apparently be limited to existing transmission line voltages, most of which, at 115 kilovolts, have only one-ninth the carrying capacity of the proposed 345-kilovolt Federal lines. Thus, the ECCNE proposal, in terms of its location, is not a substitute for the Federal project.

5. There is no assurance whatever that any savings derived by the companies from their proposal would result in lower power bills for the consumers of New England. During the hearings, the ECCNE company witnesses refused flatly and repeatedly to answer questions as to the rate at which power from their proposed substitute would be sold. We know that the Federal power would be cheaper than any existing or potential source in New England—$15 per kilowatt per year plus 3 mills for energy.

In the light of the above facts, without which it cannot be properly understood, the ECCNE proposal is reevaluated and compared with the Dickey-Lincoln School projects in tabular form in the appendix. The table shows quite clearly that the annual cost of the ECCNE proposal would far exceed that of Dickey-Lincoln Schol. The ECCNE projects are also deficient in that they would not provide the average annual $1 million benefits to flood control, area redevelopment, and downstream hydro projects attributable to Dickey-Lincoln School.

In short, Dickey-Lincoln School will provide more benefits at lower cost than the ECCNE alternatives. And, of overriding importance to the people of New England, the benefits of the low-cost power to be developed at the Federal project will flow through to the consumer.

APPENDIX

Economic comparison of Dickey-Lincoln School with ECCNE-proposed "Substitute"

	ECCNE proposal [1]		Dickey-Lincoln School
	With 700-megawatt nuclear plant	With 159-megawatt nuclear plant	
Fixed charges for peaking power (13.1 percent of $110)	$8,820,000	$8,820,000	----------
Energy costs for peaking power (at 6.93 mills per kilowatt-hour)	2,230,000	2,230,000	----------
Fixed charges for load factor power ($19.10 per kilowatt for 700-megawatt plant; $26.50 per kilowatt for 159-megawatt plant)	3,040,000	4,210,000	----------
Energy costs for load factor power (1.8 mills per kilowatt-hour for 700-megawatt plant; 2.2 mills per kilowatt-hour for 159-megawatt plant)	1,250,000	1,530,000	----------
Annual charges for transmission	600,000	600,000	----------
Total annual charges	15,940,000	17,390,000	$11,900,000

[1] Figures are those submitted by ECCNE corrected to reflect industry experience and FPC estimates.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I am pleased to be able to speak in support of the rivers and harbors omnibus bill that is presently before this body. I wish to take this time briefly to compliment the chairman and the ranking members on all the committees. As the gentleman from Florida [Mr. CRAMER] has so ably suggested, whenever this committee has an opportunity to work its will, I am convinced that the committee is one of the finest committees in the House.

During this past year we have been hit with disasters and tragedies throughout the Nation. Not only has this committee concerned itself with proposed legislation and recommendations to correct some of these problems in the future, but this particular committee has gone out into these various areas and actually seen firsthand some of the problems. Chairman JONES of Alabama has demonstrated great leadership, compassion, and understanding as he directed many of these visitations. It was my privilege to accompany him on most of these trips. We toured most of the United States wherever disasters took place with these committees. I can say without any reservation that this was one of the greatest morale boosters to the people in the areas affected, at a time when they really needed it the most, that I have ever seen.

This bill would authorize some of the most needed public works projects, and it should have the support of every Member of this body.

Like most of the bills that come before us, there are areas in which we have disagreements. I cannot say I support everything in the bill. But by and large, this is a good bill, and will be of great benefit not only to the Congress but to the entire country.

As a member of the Committee on Public Works and a member of the Subcommittee on Rivers, Harbors, and Flood Control, which held more than a month of hearings on the bill, I believe I can testify with some degree of accuracy to the almost incalculable amount of human suffering and property damage that will be saved if these projects are completed.

Last winter my own congressional district suffered from a lack of projects such as these. I fervently hope a failure of foresight and planning will not allow this to happen again.

This past year we have seen the loss of hundreds of lives and many millions of dollars of property damaged by floods throughout our Nation. If we are to prevent similar catastrophes from happening each year, now is the time to authorize these projects so the final planning can begin.

I sincerely believe that we are discussing an area today in which Federal participation is right and proper. These projects represent the best in intergovernmental cooperation. It takes both local interest and Federal Government to bring any project to a successful conclusion. To my mind, that is how it should be.

The reasons why the Federal Government should participate in these projects are many. First, many of the projects are interstate in nature and, as such, properly belong in the sphere of activities of the Federal Government. Second, some of the projects deal with navigable waterways and they, too, are a function of our Federal Government because the Corps of Engineers has jurisdiction over the navigable streams of America.

Finally, many of these projects require financial resources that are beyond the reach of local interests. Certainly the role of the Federal Government is to do that which cannot be done at a lower level of government. Included in this bill there are projects which could not and would not be undertaken if left solely to local interests, as the local interests have neither the financial resources nor the expertise to devote to these large projects.

Quite frankly, I wish that some of the States throughout the Nation would develop programs of public works authorization on their own, with respect to smaller community projects, in cooperation with the cities, counties, and local districts. This would be an example of our federal system of government working at its best.

Before concluding my remarks, I should like to take this opportunity to thank the Corps of Engineers, the Bureau of Reclamation, and other agencies, for their excellent cooperation in preparing the preliminary plans for the projects in this bill. I personally have had the finest working relationship with these two agencies, and I am delighted to commend them from the House floor today. Certainly, interagency cooperation for multiple purpose project development must be the theme of this Congress as we offer legislation to advance the orderly development of this great Nation. This is our responsibility, and I am convinced our committee has done an excellent job in proposing this omnibus bill to the House for approval.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, there are several provisions in the omnibus rivers and harbors and flood control bill now before us which I believe make this an outstanding piece of legislation. At the outset, therefore, I want to express my appreciation for the work of the Public Works Committee and especially its Subcommittees on Flood Control and Rivers and Harbors.

This year, more than most, we have experienced in this country the great destructive power of nature—both in the prolonged drought which has afflicted most of the populous Northeast and in the severe flooding which has devastated areas in the West. We have learned again that conservation, control, and development of our precious water resources is a matter of growing urgency, especially as our people continue to congregate in heavily populated urban areas and place an increasing strain on the capacity of State and local governments to provide these basic water resources. It is the purpose of this bill, therefore, to harness nature, to overcome the extremes of shortage and surfeit, and to make our water resources better serve the needs of our people. If there are unnecessary, unwise or low priority projects included in this or similar bills, then I suggest the proper approach is not to condemn the legislation with the broad brush of "pork barrel" but to identify the projects that lack justification and seek to delete them on the basis of their individual lack of merit.

Among the provisions in which I am especially interested, Mr. Chairman, are the following:

First, the authorization of a Federal flood control project in the Elizabeth River Basin. As recommended by the Corps of Engineers, and approved by the committee, this project will cost a total of $12,200,000, of which $9,769,000 is the Federal share. The benefit-cost ratio is 1.3, and the appropriate Federal and State agencies have given the project their unanimous approval.

As the committee has indicated in its report, the Elizabeth River flood control project is necessary. Severe and destructive floods have been a recurrent problem, especially in the densely populated, heavily industrialized section of the river basin that lies in Union, Hillside, and Elizabeth. The recommended improvements will protect the basin against the worst floods on record, both fluvial and tidal, and such flooding at current costs would cause damage estimated at $3,700,000.

This is a most worthwhile project, Mr. Chairman, and one that the governing bodies, private organizations, and the people wholeheartedly support.

Second, Mr. Chairman, the widening of the entrance channel to Kill van Kull from upper New York Bay. The committee considers this project to be urgent for the safe and efficient use of the channel, and those who are familiar with the importance of the channel and its essential role in the huge commerce of the Port of New York and New Jersey will concur vigorously.

This one entrance channel carries no less than 50 percent of the waterborne commerce of the entire port area—a greater volume of traffic than is carried by any other coastal port in the United States.

The narrowness of the present entrance channel has caused an increasing number of collisions, groundings, and near accidents, and conditions there are considered critical especially in view of the bigger, heavier vessels now using the channel to reach Port Elizabeth and Port Newark in Newark Bay. Recognizing this fact, the Corps of Engineers has separated the Kill van Kull entrance project from its more comprehensive review of the New York-New Jersey Channels and in March of this year recommended to Congress that the entrance be widened from 800 to 1,400 feet at an estimated cost of $2,581,000.

This project, Mr. Chairman, is vital not only in the interests of safety and convenience but also of the continued growth of one of the world's busiest port areas, the rapidly developing facilities along the shores of Newark Bay.

Third, Mr. Chairman, I refer to the decision of the committee, which it has noted in its report on the bill, to report an omnibus rivers and harbors and flood control bill every year, rather than every 2 to 4 years. This is a highly welcome change, and I applaud the committee for making it. As the report points out, when the report of a proposed project is transmitted to Congress following enactment of an omnibus bill, it has meant a further delay of 2, 3, or 4 years before the project is finally authorized—a delay which, in many cases, can be extremely costly.

One such case comes immediately to mind. The single most important current project in the whole New York-New Jersey port area—the largest in the world—is the overhaul of navigation channels in Newark Bay. This is the center of the greatest growth in the port area, focusing chiefly on the development of Port Elizabeth and Port Newark which, when completed, will be the largest terminals in the port. Waterborne commerce in Newark Bay already exceeds 10 million tons annually, with an estimated value of $6 billion.

The principal factor in the growth of the area's commerce has been the increase in the movement of deep-draft vessels which, in order to operate at capacity, require deeper and wider channels than are now available. The Corps of Engineers, which has completed its preliminary report on this project, is expected to recommend major improvements in the Newark Bay channels. Final transmittal of a favorable report has, however, been impossible prior to action on the pending bill. Without the announced decision of the committee to consider annual authorization bills, therefore, this extremely significant project would be consigned to several more years of limbo, and at a time when the improvements are critically needed. The Port of New York Authority alone is investing hundreds of millions of dollars in port facilities on Newark Bay. Port Newark now employs more than 4,500 people with an annual payroll exceeding $25 million. When completed, Port Elizabeth will employ an estimated 9,500 people earning more than $52 million a year.

These figures, I think you will agree, suggest the tremendous importance to the economy of our area of the proposed projects for the improvement of channels in Newark Bay. And for this reason, we are grateful to the committee for its decision which will save years in providing the improvements so badly needed.

Fourth, and finally, Mr. Chairman, I want to add my strong endorsement of title I of the bill—a triumph of imagination and determination, far and away the most important single effort so far devised in Congress to do something effective about solving the critical water shortage problem in the Northeast. This one title makes the present bill historically important and presents the Congress with an unprecedented opportunity to set in motion a series of studies which will result, hopefully, in the construction of a comprehensive, regionwide system of reservoirs, completely interrelated with each other and fully integrated with existing facilities. Such a system is our only assurance that on a long-term basis the most heavily populated, most intensely industrialized section of the United States will have enough water to meet its increasing and essential needs.

Consequently, I hope the House will give this new and far-reaching title the strongest possible support. And while I do not wish to be a part of what seems to be an interagency tug of war, or a battle for power over the development of the Northeast's water resources, I must express my deep regret that the administration, according to reliable reports, opposes title I. I know of no substantive reason for this alleged opposition, nor can I understand what seems to me the completely groundless opposition of the Delaware River Basin Commission. Title I simply authorizes the Corps of Engineers to prepare a plan to meet the Northeast region's future water supply needs. Every individual project resulting from the Engineers' study would have to go through the full authorization and appropriation process. The fears of the commission and, apparently, of the administration, appear in this light to be quite groundless.

I hope, therefore, that the House will reject any amendment to delete or substantially change title I. In particular, I hope we will not be influenced to transfer the authority to make the study and prepare the plan from the Corps of Engineers to another agency which may not possess the resources, the experience, the operating capacity or the legal authority to carry out this huge responsibility.

All of us, Mr. Chairman, agree that the time for action is now, both on a long-term and short-term basis. Title I represents a carefully calculated response to the long-term need. It would be very unfortunate to lose sight of our mutual objective and allow ourselves to get bogged down in essentially extraneous and irrelevant considerations and lose this great opportunity to get moving.

Tens of millions of people in northeast New Jersey, New York, Philadelphia, and the wide region surrounding this giant metropolitan center have been brought to the brink of disaster by the present drought. We simply cannot wait any longer to do what we all know must be done. We have paid lip service to the need during the weeks and months of the emergency. Now is the time to back up our words with our votes.

Mr. BALDWIN. Mr. Chairman, will the gentlewoman yield?

Mrs. DWYER. I am glad to yield to the gentleman from California.

Mr. BALDWIN. I would like to commend the gentlewoman from New Jersey for the very effective testimony she presented to our Subcommittee on Flood Control on the Elizabeth River Basin project. She was one of the most persuasive witnesses who came before our subcommittee during the entire hearing.

Mrs. DWYER. Thank you very much. I certainly appreciate that remark.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I congratulate the chairman and the members of the committee and the appropriate subcommittees thereof for bringing this bill to the floor.

The water problems of the Nation are becoming increasingly serious. This is the proper medium for seeking solutions to those problems.

I asked for this time primarily to discuss projects which have been recommended for authorization by the Corps of Engineers since the bill was reported. This organization has, as of last Friday, recommended the approval by the Congress of authorization for 12 additional projects. One of these is a project in which I am very keenly interested. It is the Gulf County Canal project which is found in the First District of Florida. It is not a costly project, the Federal share is something under a half million dollars, but it connects the Gulf Intracoastal Canal with the port of St. Joe and St. Joseph's Harbor, Fla., and as such serves a very important purpose to an industrial community. It would be my hope that these newly recommended projects could be included in the present bill. However, I am mindful of the fact that they total something over $150 million. I am somewhat reluctant to assume the responsibility of asking the committee to open the door for one, because I realize it is tantamount to opening the door for all of them.

Now, Mr. Chairman, if I could have the attention of the chairman of the subcommittee at this point. First of all, I am told that the committee proposes to have an annual authorization bill. I would certainly hope that this is going to be the case, because we have waited three years for the present omnibus rivers and harbors and flood control bill and that 3-year wait has been a very taxing and trying time for some of us who had meritorious and worthwhile projects which have needed authorization and construction. However, in addition, I understand the present bill carries language which permits the committee itself to authorize projects of less than one-half million dollars in cost without the necessity for congressional action. The Federal contribution to the project to which I refer would be $470,000. If I can yield to the distinguished chairman of the subcommittee, am I correct in the assumption which I stated?

Mr. BLATNIK. Yes. Your statement is absolutely correct.

Mr. SIKES. May I ask my distinguished friend, who has contributed much to good legislation in this and other fields, whether it is the intention of the committee to handle expeditiously projects such as the one to which I have referred, which has been recommended and which is less than half a million dollars in cost so that there will be no necessity for these projects to have to wait for another omnibus rivers and harbors bill?

Mr. BLATNIK. That is exactly the purpose. It is a great inequity and does great injustice. There are many projects of small and modest size which are completely worthwhile and about which there is no question whatsoever, but they have to wait for 2 or 3 or 4 years in the committee for an omnibus bill.

But through no fault of their own, year after year numerous projects are suggested, such as the gentleman has mentioned here, that are put in the "deep freeze." So our thought would be this, that the smaller type projects could be put right out. They would not be bypassing anything. They would have to meet all of the criteria and go through all the steps and the processes, and some of them might take several years, such as any other projects may take.

We hope to have and we do intend to have an omnibus bill each year from now on.

Mr. SIKES. Certainly this will improve the procedure for handling these matters. The gentleman has been most reassuring. Before I yield the floor may I respectfully remind my good and distinguished friend that I am talking about the Gulf County Canal in Florida.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I am delighted to yield to the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, I should like to submit a question to the chairman of the committee. As he knows, on the North Coast of California we were hit very hard by tidal waves. If I understand this correctly—and I should like his comments on it, however—with this new concept in the bill itself, those projects on the North Coast of California will qualify to come before the committee each year, providing they qualify otherwise?

Mr. BLATNIK. That is correct.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD immediately following those of the gentleman from Florida [Mr. SIKES].

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to my colleague from Florida.

Mr. CRAMER. Mr. Chairman, I concur in what the gentleman has said. As I understand, the Gulf County Canal has been approved by the Bureau of the Budget, and the Corps of Engineers. I do not think there will be any problem getting it authorized expeditiously.

Mr. SIKES. Mr. Chairman, I am very grateful for my distinguished friend's comments. It is a needed project which I trust will have early and favorable action by the committee.

Mr. EDWARDS of Alabama. Mr. Chairman, in support of S. 2300, authorizing funds for river and harbor and flood control projects, I want to call attention to two projects which are included in the bill and deserve approval.

And in this connection I want to commend the Committee on Public Works. I know that members of the committee have spent many many hours of diligent, thorough, and hard work studying the various projects submitted to them. The American people owe much to this committee.

The Gulf Coast of Alabama has some of the finest fishing and recreational potential of any coast area of the country. Part of the area has been developed, but other parts need improvements so that the potential which is there can be fully realized in terms of both added economic strength and in terms of recreational values which the country is coming more to appreciate with each passing year.

One of the important commercial fishing and pleasure boat areas along the Gulf Coast of Alabama is Bayou La Batre which extends from the sea inland approximately 24,000 feet to the town of the same name. The town of Bayou La Batre is 30 miles southwest of Mobile.

The channel should be maintained at a depth of 9 feet by previous authorization. However over the years it has been difficult to maintain that depth, with the result that serious difficulty has been encountered by craft of various kinds in negotiating from the community to the sea.

Many individuals depend on this navigation for their livelihood. An extensive industry in shrimp, oysters and other seafood revolves around the fishing activity made possible by the Bayou itself.

In July 1964, the Corps of Engineers recommended a 12-foot channel for Bayou La Batre. To implement that recommendation an item of $262,000 is included in this bill.

The 12-foot channel will bring solid opportunity for development along the waterway and in the community of Bayou La Batre. People there have been master boat builders for generations but many orders have been lost for the lack of a satisfactory access to the sea.

There are no better fisherman anywhere than in this area. And yet when they come in with a successful catch they often must unload in neighboring areas because they cannot get into their own port without tearing the bottom out of their boats.

The improved navigational opportunities will mean recreational advantages as well. Sport fishing and pleasure boating are swiftly increasing as major recreational activities.

And while a few years ago the country considered recreational needs to be unimportant or even foolish, the time is fast coming when we consider adequate recreational facilities to be essential to the economy as well as to the full life which we as Americans seek.

The second item I want to mention today is the Perdido Pass channel. This channel is located about half way between Mobile and Pensacola, and forms part of the boundary between Alabama and Florida.

The bill provides $625,000 for work in establishing a 12-foot channel between Perdido Pass and the Gulf of Mexico, and a 9-foot channel from the Pass to Perdido Bay, and also a 9-foot channel into Terry Cove.

There has been no Federal project involved here before. The navigable depth in many places is less than 4 feet. And craft requiring greater depths must use routes several miles away. Only in calm weather can the Perdido route be used at all without hazardous conditions.

The project includes non-Federal participation in the amount of $471,000. Local interests are especially interested in this improvement as a means of realizing the great commercial fishing potential of the area and the sport fishing and pleasure boat activities as well.

Again I want to commend the work of the Committee on Public Works and I welcome this progress toward needed improvements in the Bayou La Batre and the Perdido Pass channels.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may require to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I support S. 2300 and commend the able chairmen of the committee and its subcommittees for the splendid work they have done.

This bill looks to the future and endeavors to meet, in statesmanlike manner, the needs of our country in the years ahead.

A good example is afforded by inclusion in the bill of approval for Shidler Reservoir, on Salt Creek, in Oklahoma.

This reservoir is urgently needed by the communities of the area, and their future growth is dependent upon its construction.

I do not know of any community that has worked harder in support of a project than the city of Shidler, under the able leadership of Mayor G. L. Willis and civic leader Ben Jones. I share their conviction that the growth of their area will be advanced tremendously by Shidler Reservoir, and major flood control and recreational benefits will accompany the water conservation benefits.

I hope this bill will be overwhelmingly approved and an early start on the Shidler project will follow.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, I enthusiastically support S. 2300 and the language thereof as reported by the House Committee on Public Works. I entertain confidence in and great respect for the members of the committee, individually and collectively.

Emblazoned on the wall of the Chamber of the House of Representatives, directly above the chair occupied by the presiding officer, are the words of Daniel Webster:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

In the favorable consideration and passage of legislation such as we are now considering, we are following the instructions and the imperative of our predecessor, Mr. Webster. The consideration of the omnibus flood control and rivers and harbors bill is always one which brings us to a closer realization of the great strength of the natural resources of the United States.

Under the criteria established by the Congress and by the rules of the Committee on Public Works, the benefit-cost ratio of the projects listed in bills of this character must exceed unity. That means that every dollar authorized and eventually appropriated for the development of these natural resources is an investment in America and its future.

May it always be so, so that each of us in our time may have contributed to the development and strengthening of our land, of our resources, and of our future.

Mr. Chairman, I call attention to the foresight and long-range vision which the Committee on Public Works has demonstrated by including the language of title I—Northeastern U.S. Water Supply—as appears on pages 37 and 38. All of us are well aware of the dangerous situation which has developed in New York and other parts of the northeastern United States, which has been caused by severe drought conditions.

An entire area comprising more than 20 million people is experiencing a dangerously low level of usable water supply for personal, residential, commercial and industrial purposes. This is a problem which affects not only the areas and the people involved, but affects the entire Nation.

The careful study and the excellent judgment of the committee is clearly demonstrated by the directions to prepare and plan to meet the long-range water needs of the United States. I strongly support this section as it is strong evidence of the necessity to develop and conserve our water resources.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield to my friend from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, I wish to join the gentleman from Georgia [Mr. FLYNT] in expressing approval of the committee's action in placing into this bill this new concept of treating our Nation's critical water problem.

Further, Mr. Chairman, I want to commend the gentleman from Georgia for including in his statement supporting this bill his approval of title I of the bill.

I believe there is no more important problem facing the United States today, at least domestically, than the short water supply that is developing year after year in various sections of the country.

I further believe it is well for us to recognize the problem in the northeastern section of the United States where the great population centers lie, and direct our initial studies to the problem in this area.

I am glad to join the gentleman not only in support of the entire bill but in speaking enthusiastically on this new concept in an effort to solve the water needs of the Northeast United States and with the hope that we point the way to avoid such critical circumstances in other sections of this country.

Mr. FLYNT. Mr. Chairman, while approving of the bill as a whole, I particularly approve that portion contained on lines 11 through 21 on page 44 of the bill as reported to the House. Together with my colleagues in the other body, I have sponsored and advocated this legislation in fulfillment of a promise which I made to my friends and neighbors when I first campaigned for election to Congress. I believe in river development as a proper Federal function and as part of a comprehensive plan of resource conservation and the development of hydroelectric power.

I believe that I have the unanimous support of the Georgia delegation in the House in behalf of the authorization of the two Flint River projects which are designated as the Lazer Creek project and the Lower Auchumpkee project. On their behalf, as well as on my own, I respectfully urge the passage of this authorization.

Mr. Chairman, I do not profess to be an expert on many subjects. I seldom trespass upon the time of this House in floor debate. However, if there is any subject upon which I do claim more than a modicum of general knowledge, it is the subject of the Flint River, Ga., and its development. The Flint River is as dear and close to me as the Chattahoochee must have been to our great Georgia poet, Sidney Lanier, when he wrote the "Song of the Chattahoochee." The Flint River rises a few miles north of my home. It flows through my native county and is crossed by the very highway on which my residence is located and where four generations of my family have lived and made their home. From earliest boyhood, I have fished and swum in its waters. I have hiked, picnicked, camped, cooked, and slept along its banks. I have floated down it and portaged over its shoals from the place where it is wide enough to accommodate a boat to its confluence with the Chattahoochee.

Ever since the Congress became conscious of the great potential of river development, I have envisioned multipurpose development of the Flint River within and adjacent to the Sixth District of Georgia. Upon the passage of this bill today, the authorization of the second and third dams of the three-dam complex will become a reality.

The House of Representatives authorized the construction of the uppermost of these three dams, known as the Spewrell Bluff Dam, in the act approved December 30, 1963. This legislation today authorizes the construction of the two companion projects which form this complex.

The falling waters of the Flint River will be utilized three times within 30 river miles for the generation of hydroelectric power. These dams will harness flood waters and prevent flood damage over thousands of acres and many miles of river basin. These three dams will form the necessary reservoirs which will provide a continuous flow of deep water and will eventually make possible navigation of the lower reaches of the Flint River above Bainbridge and as far north as Albany, Ga., as a part of the plan designed by the Corps of Engineers in 1963.

In 1836, the General Assembly of Georgia authorized a study of the Flint River with regard to navigation and appropriated $10,000 for the study. If electricity had been generated by hydroelectric plants at that time, no doubt the authorization would have included a reference to the study of the hydroelectric potential of this river.

In 1872, still before the era of electricity and hydroelectric power, the U.S. Congress authorized a Federal survey of the Flint River from Albany, Ga., to Chattahoochee, Fla.

In 1939, the civil works division of the Corps of Engineers of the U.S. Army began preparation of a general plan for full development of the Apalachicola-Chattahoochee-Flint River System. In 1948, the Congress implemented this recommendation with general legislation authorizing further study and development of this system.

In 1961, the Corps of Engineers announced the beginning of a survey of Flint River to include a study of multiple hydroelectric sites.

In August 1962, the Corps of Engineers completed this study and prepared a report which, on September 20, 1962, was transmitted to the Speaker of the U.S. House of Representatives. The letter transmitting a favorable report of the detailed plan for comprehensive development of Flint River, Ga., to eventually include five dams, recommended immediate authorization of the upper three dams, namely: Spewrell Bluff, Lazer Creek, and Lower Auchumpkee projects. The following day, September 21, 1962, Speaker JOHN W. MCCORMACK referred this report and letter to the Committee on Public Works and ordered it printed with illustrations as a House document. It was designated House Document No. 567, 87th Congress, 2d session.

Beginning in 1908, non-Federal agencies considered the hydroelectric potential of this river. Easements and other properties have been acquired in possible anticipation of such development, but no further action was taken.

As a candidate for election to an unexpired term in the 83d Congress, I spoke of the development of this river and its basin, and pledged that if elected I would seek the enactment of authorizing legislation. One of the first actions taken by me after becoming a Member of this House was to generate additional activity which resulted in the preparation and submission of the report of the Chief of Engineers which is incorporated in House Document No. 567, 87th Congress, which report forms the basis for this authorization.

To the best of my knowledge, this section of the bill reported by the Committee on Public Works meets with the practically unanimous approval of the people of the sixth and adjoining districts. Local interest, local officials, and local citizens have joined together in endorsing and asking approval of the Flint River development. I am confident that I can give assurance that the local cooperation required under the terms of the report which accompanies this bill will be enthusiastically provided.

I urge the authorization of this development on the Flint River, Ga., within the language approved by the Committee on Public Works. The comprehensive plan of water resource development of the Flint River Basin consists of five dams and reservoirs for general approval as a guide to the resource development of the Flint River Basin. Congress authorized the Spewrell Bluff Dam and Reservoir as the first step in the recommended plan in the 88th Congress, and such authorization is contained in the Flood Control Act approved December 30, 1963. The language contained in

S. 2300 authorizes the Lazer Creek project and the lower Auchumpkee project.

The authorization of the Lazer Creek project and the Lower Auchumpkee project to include a dam and reservoir at each location constitutes the next logical step in this comprehensive plan and development, and these projects and their authorization are consistent with orderly processes and the rules and procedures of the House of Representatives.

I wholeheartedly approve this entire plan and urge authorization at this time of the Lazer Creek and Lower Auchumpkee projects, in accordance with the recommendations of the Chief of Engineers in House Document No. 567 of the 87th Congress.

The comprehensive development of the Flint River Basin has the potential of further developing the economy of this entire area.

Flint River rises 350 miles above its mouth and 1,000 feet above mean sea level in the southerly outskirts of Atlanta, Ga., the largest city in the Southeast. It crosses the fall line, marking the division of the Piedmont Plateau and the Coastal Plain, between river miles 230 and 285, falling 370 feet in 55 miles. It joins the Chattahoochee River to form the Apalachicola River, 108 miles above Apalachicola Bay, an arm of the Gulf of Mexico.

The power needs of the Flint River Basin are increasing rapidly and continuously. Power from projects on the Flint River could be used in power supply areas 23 and 24 as designated by the Federal Power Commission. Annual flood damages below the fall line total $180,000, and productive values of farm and urban land will increase substantially when flood control is provided.

The estimated costs of the two projects are as follows: The Lazer Creek project is estimated to cost $41,028,000, of which $40,378,000 are Federal funds and $650,000 are non-Federal funds. The Lower Auchumpkee project is estimated to cost $49,295,000, of which $48,275,000 are Federal funds and $1,020,000 are non-Federal funds.

The benefit-cost ratios of the Lazer Creek and Lower Auchumpkee projects are 1.2 and 1.3 respectively. The total annual benefits of the two projects is $5,885,000, compared to annual charges of $4,737,000.

Broken down into each individual project, the annual benefits to be derived from the Lazer Creek project total $2,725,000. The annual benefits of the Lower Auchumpkee Dam and Reservoir are shown by the engineers to be $3,160,000. By comparison, the annual charges of the Lazer Creek and Lower Auchumpkee projects are $2,228,000 and $2,509,000, respectively.

The benefit-cost ratio of each of these projects is well above the standard and criteria heretofore established by the Committee on Public Works and the Congress.

In addition to the economic benefits, the beauty of a truly delightful area of Georgia will be multiplied by the reservoirs which will come into being as a result of this legislation. The often-muddy waters of the Flint River will be transformed into the clear blue lakes which will find their ways up creeks and into coves at the place where the northernmost Spanish moss meets the southernmost trailing arbutus. Citizens of our time and generation, as well as those who will take our places, will enjoy the facilities and the beauty, as well as reap the economic benefits of the projects which will be authorized by this legislation which we shall pass today.

Mr. Chairman, I sincerely and enthusiastically support this legislation, and urge its passage by the House of Representatives.

I thank my distinguished friend, the gentleman from Georgia, for his contribution and I would like to associate myself with his remarks.

Mr. O'NEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield to my colleague, the gentleman from Georgia [Mr. O'NEAL].

Mr. O'NEAL of Georgia. I thank my colleague and longtime friend for yielding.

Mr. Chairman, I rise in support of S. 2300, the Omnibus Rivers and Harbors, Beach Erosion, and Flood Control Act of 1965.

S. 2300 is the first legislation of this nature which has been reported to the House of Representatives by the Committee on Public Works during my service as a Member of this body. It has been my pleasure to appear before the Committee on Public Works and its subcommittees. In this way, I have seen the manner in which the members of this committee apply themselves to the consideration of and development of the legislative language which is incorporated into a bill of this kind. From them and through them I have learned the standards and criteria which individual projects must meet in order to be included in legislation and recommended by the Committee on Public Works.

A careful study and analysis of this legislation as a whole and by its component parts leads one to the unmistakable conclusion that the great public works which come into being as a result of legislation sponsored by this committee are investments in the future of America.

The individual projects contained in this legislation are naturally of great importance to the Representatives and people of the area in which the respective projects are located. In addition to such local significance as each item in this bill may have, altogether this bill represents the result of careful study and demonstrated good judgment in this development of the resources of this country and the conservation of those resources.

Mr. Chairman, I support this bill in its entirety. I especially support that section which appears under the heading of Flint River Basin—Georgia—in the exact language in which it was reported by the committee.

The general plan of development of the Flint River Basin includes five river development projects, three in the upper reaches and two in the lower reaches of the Flint River. Of the three upper dams, the Spewrell Bluff Dam and Reservoir was authorized in the act approved December 30, 1963. This bill now under consideration will authorize the next two projects, Lazer Creek and Lower Auchumpkee, in the order recommended by the Chief of Engineers, as reported to the Congress in House Document No. 567, 87th Congress.

A map study of Georgia will quickly show that each of the three above-mentioned projects are located in districts other than the Second District of Georgia. However, more river miles of Flint River are located in the Second District of Georgia than either of the other districts through which the Flint River flows.

One purpose of the three upper projects is to provide water storage and holding effect in order to maintain the constant source of water to fully untilize the lower reaches of the Flint River and to justify the authorization of two additional projects in the lower reaches of the Flint River, known as Raccoon Creek project and Lower Vada project. It is my hope that the Committee on Public Works will recommend and that the Congress will authorize early development of the two downstream projects.

With this in view, and in the firm belief that the Flint River projects which are contained and described in this legislation are of great and lasting importance to the State of Georgia and the Nation, I wholeheartedly support the provision of S. 2300 and especially endorse the authorizing language for the two Flint River projects.

I respectfully urge that the bill be passed and that any amendments to that portion relating to the Flint River, Ga., to change the language recommended by the Committee on Public Works be rejected.

Mr. HARSHA. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Chairman, I expect that today there will be considerable discussion concerning some parts of this omnibus public works bill. The power-producing sections are creating the controversies and should bring the entire House to question why they are there at all.

There is little question about the beach erosion, flood control, river dredging, and similar projects of the bill designed to benefit the citizens of a number of areas, and doing for them something which neither they nor private business can do independently. But once again the time of the Members of the House is to be consumed in protracted debate about power-producing projects that have no business being there in the first place.

My patience begins to wear thin when I see an endless stream of Interior Department reports attempting to indicate that there are power shortages here, high costs there, and insufficient power for what has been intriguingly called preference customers—although I am at a loss as to why some preferred people in this land should have a special advantage in getting power produced by facilities which were paid for by all the taxpayers.

And yet, at the same time I am told on the very best of authority, that our investor-owned electric companies are outstripping the Russians and the world in power supply and technology—something in the order of 3 or 4 to 1—and gaining every day. Other than some limited technological instances, I know of nowhere in this great land where people are throwing their electric switches and not getting instantaneous results—24 hours a day, 365 days a year. I am not an expert on the electric utility business, but it seems to me that these companies have been doing a truly outstanding job in anticipating what the American people will want tomorrow, and next week, and a decade from now for their electric requirements—and then going out and providing them.

The costs of power? What is it, Mr. Chairman, that leads some of the agencies of the administration, in both Democratic and Republican administrations, to constantly challenge the costs of electric power? Certainly there are parts of the Nation where electricity costs more than in others. There are also places where coal and bread and oil and butter and pork and chickens cost more than in some others. Yet, so far as I know no one has seriously proposed that the Government go into the oil business or the butter business.

Maybe I do not understand the economics here, but it seems that something is awry somewhere. The costs of most of these other items to the consumer has gone up and we make no attempts to inject the Government or offer subsidies to the poor consumer. At the same time the electric industry has been constantly reducing the cost of its product and we attempt to rush in and improve its performance by massive doses of Federal funds.

Mr. Chairman, I pose a serious question to the Members of the Committee of the Whole. How many products can you name that cost your constituents less today than a decade or two ago? There are very few indeed, but electricity is one of them.

Certainly everyone wants to continue that trend. We might think about, as well, ways to spread and accelerate that trend to other products—it might well be a more worthwhile expenditure of the House's time to do that than constantly to berate and encroach on an industry that is the Nation's largest taxpayer.

Let me take just a moment more to point out exactly what I mean. Examining that Dickey-Lincoln School project in this bill leads me to actual astonishment. Can it really be true that we are being asked to authorize some $300 million in expenditure for a project that will be obsolete when it is built? Are we truly being asked to give our blessing to a project that will be detrimental to other parts of the country and will do nothing to lower power costs in New England but will provide only temporary assistance to the depressed parts of the State of Maine? Can there really be people who feel the Congress of the United States is foolish enough to say "yes" to a project that will slow down the development of nuclear power in New England, the best hope in generations for lower cost power for all the people of that area? Are we really in the process of spending $300 million to land another blow at Appalachia and its coal industry when such a short time ago we appropriated money to help this very area.

What this project will really do is to fill part of New England's growing needs for power with an overly expensive project, which may produce power more cheaply than obsolete steamplants, but which will produce more expensive power than nuclear or coal plants that can be built today. The benefits will be concentrated on so-called preference customers. The majority of New Englanders will get this power on a—you can have what is left over—basis. If a company tried to give the economies of a new low-cost plant to a few preferred customers, the New England regulatory commissions would promptly put a stop to the practice. But the Federal Government is immune from State regulation and by constructing this project can give preferred treatment to a few, while taking away part of the New England companies' load growth, a load growth which—without Federal intervention—would permit companies to build new low-cost facilities and spread the benefits over all New England.

The Flint River project is bad enough, several of the other power projects border on the unsound, but this massive project suggested for Maine is a tremendously expensive stalking horse for the now discredited Passamaquoddy project. It is a horse that I do not care to buy or even ride. If we find ourselves authorizing such a massive part of this Quoddy project, what is to stop us next year or the year after from buying the whole scheme? The original estimates were in the vicinity of over a billion dollars. But, apparently, there still remains some semblance of economic logic with us to cause, at least, its delay. Instead, a new horse appears, but its teeth are not much better than the shoddy Quoddy nag. Perhaps to the people of Maine it is a gift horse and not to be looked in the mouth. But to the rest of the Nation it is a poor buy indeed.

Mr. Chairman, let us be honest with one of America's greatest sources of strength—our electric industry. Let us be honest, too, with the people of Maine. Let us reject this St. John River project—as it should be rejected by all the rules of logic—and then let us do something for the people of Maine that makes sense. Something that will have a lasting benefit for Maine and the rest of New England. Let us return this St. John River project to the committee or even better, eliminate this dead horse once and for all.

Mr. HARSHA. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. CALLAWAY].

Mr. CALLAWAY. Mr. Chairman, the development of the Flint River Basin is of great importance to me.

The comprehensive plan for the development of the basin consists of five dams and reservoirs. The Spewell Bluff Dam and Reservoir has already been authorized by the Congress as the first step.

This omnibus bill contains the second step, the authorization of the Lazer Creek and Lower Ochumpkee Dams.

Three of the four counties in which the two dams are located are in my district, the Third District of Georgia. Most of the waters of the proposed reservoirs lie in my district. And I want to say that the citizens of my district are overwhelmingly in favor of the prompt development of this river.

With the development of this great natural resource, the citizens of the Third District will reap the benefits of additional peaking power, of much needed flood control, and of a recreational area in one of the most beautiful sections of the South.

The total annual benefits of the projects as determined by the Corps of Engineers are $5,885,000, compared to annual charges of $4,737,000.

In my opinion, the development of the Flint River will have a long-range significant effect on the growth of our State and our region, and I wholeheartedly support the adoption of this portion of the bill.

Mr. HARSHA. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I take this time simply to ask one or two questions with reference to the John Martin Dam and Reservoir and the permanent pool which is to be authorized by language contained in this bill commencing on page 53, and ending on page 54. The John Martin Reservoir and the permanent pool, not to exceed 10,000 acre-feet, are discussed on page 74 of the committee report. This dam was authorized by the Flood Control Act of June 22, 1936. Since May 31, 1949, the waters of the Arkansas River impounded behind the dam are controlled and apportioned by the Arkansas River Compact and administered by the Arkansas River Compact Administration as established by the compact.

The administration consists of three members from Colorado, three members from Kansas, and an ex officio Federal member who acts as chairman. Two of the Kansas members, Mr. Logan N. Green, of Garden City, Kans., and Mr. Carl E. Bentrup, of Deerfield, Kans., reside in my congressional district, and along with Mr. R. V. Smrha, chief engineer, Division of Water Resources, Kansas State Board of Agriculture, have expressed some concern about the permanent pool provision. They are principally concerned with protecting irrigation interests downstream from the dam and particularly in the State of Kansas.

I take this time to ask whether or not the establishment of this permanent pool of some 10,000 acre-feet will in any way affect the rights of the irrigators now in the State of Kansas?

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from California.

Mr. BALDWIN. I should like to point out that the bill on pages 53 and 54 states specifically "the rights of irrigators in

Colorado and Kansas to those waters available to them under the terms of the Arkansas River Compact and under the laws of their respective States shall not be diminished or impaired by anything contained in this paragraph."

That is reiterated even more strongly in the committee report. Therefore it is the clear intention of the committee that the rights in these compacts will in no way be diminished or reduced by this particular section of the bill.

Mr. DOLE. Do I understand there have been no field hearings on this particular project?

Mr. BALDWIN. There have been no field hearings, but we did hold hearings in Washington on this project.

Mr. DOLE. It is then the clear intent of this committee not to diminish the present rights of the downstream irrigators.

Mr. BALDWIN. That is correct.

Mr. DOLE. I thank the gentleman. My concern is that Kansas water users are not deprived of any portion of the water to which they are presently entitled under the terms of the compact; and while I understand the language in the bill clearly indicates their rights will be protected, it does seem that some provision should be made to insure that in actual practice the rights of the irrigators are preserved. Certainly the interested parties in Kansas have no objection to all possible utilization of available waters, but we cannot approve any form of supplemental agreement without formal sanction of Congress and the original negotiating parties. In other words, the compact is the controlling instrument notwithstanding anything contained in the bill or the language of the report. Again, I thank the gentleman from California for confirming the clear intent of the committee.

Mr. WRIGHT. Mr. Chairman, I yield to the gentleman from New York [Mr. McCarthy] 5 minutes.

Mr. McCARTHY. Mr. Chairman, concern has been expressed in upstate New York regarding the possibilities that waters which ordinarily would flow into Lake Ontario, one of the already low-level lakes would be withheld under the farsighted Jones plan.

I think two points should be made for the Record in this connection. One is that each project outlined in the plan would return here to the Congress for authorization so that we would review each project. Second, as the distinguished chairman, the gentleman from Alabama [Mr. Jones], has assured me this whole plan is based on the theory of riparian rights so that if one State found a project would injure its riparian rights, it could object.

I think, Mr. Chairman, that this points up a very urgent problem, the problem of low levels in the Great Lakes and the concern that is expressed is occasioned by the fact that the levels of the lakes are already low. The only answer is to put more water into the lakes. There is only one place that this water can come from and that is from Canada. Until recently the Canadians were very loath to consider any plan involving the diversion of any of their waters into the Great Lakes to raise the water levels and to flush out pollutants. Recently, however, there has been a change of attitude.

I recently introduced a resolution which would declare it to be the sense of the Congress that the President of the United States refer this matter to the International Joint Commission with a request that the so-called great replenishment plan for channeling rivers that flow into Hudson Bay and rechanneling them into the Great Lakes be studied and that studies be undertaken with reference to the economic feasibility of such a project as well as the engineering problems involved.

I would hope as we consider the idea of diverting waters from the Great Lakes to the drought stricken Atlantic seaboard, we in the Congress give serious consideration to the binational plan of the United States and Canada, to divert these northern Canadian rivers that now flow out and gush unused millions of gallons of water daily into Hudson Bay to be rechanneled into the Great Lakes to raise the level and flush out pollutants, and thus provide for the increasing water needs of the States of Illinois, Ohio, and New York.

Mr. WRIGHT. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. Cabell].

Mr. CABELL. Mr. Chairman, may I rise in support of the pending bill, S. 2300. I would call the attention of this committee to two very distinguishing characteristics of this bill, characteristic of the entire bill but particularly applicable to the projected development of the Trinity River Basin. One is that the bill meets every criteria of good legislation and good public works in that it ties into a package both local, State, and Federal participation in those areas of responsibility of the governmental subdivisions involved.

I rise also to call attention to the very distinguishing feature that this recognizes the need for looking ahead and keeping pace with the growth of our economy and the growth of our population so as not to let any portion of our community or any portion of the Nation to lag behind in some of the facilities that are so necessary and essential to their well-being.

May I thank the Members of this Committee and the members of the subcommittees who have worked so diligently on this legislation.

Mr. Chairman, I urge most respectfully the support of this Committee for this very fine bill.

Mr. HARSHA. Mr. Chairman, I yield 1 minute to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I wonder if I might have the attention of the chairman of the subcommittee, the gentleman from Alabama [Mr. Jones].

If section 201, which is included in the bill, survives today, I wonder if the gentleman would tell me whether it would apply to a specific problem in my district. As the gentlemen knows, a community in my district, Klamath, was entirely wiped out during the floods of 1964. There is a very serious emergency, in that the State of California is actually holding up the construction of a highway which they intend to use for levee purposes in order to protect the new location of the community against future floods. The Corps of Engineers now has a project underway to relocate the community, and the matter will come before the committee once it has cleared the agencies. The State of California has already approved the project and it is scheduled to clear the agencies in the near future.

Might I have some assurance from the Chairman that as soon as the project clears the agencies, and as soon as the bill is passed, we can have a hearing on the project shortly after the first of the year?

Mr. JONES of Alabama. I can only speak for the subcommittee. Certainly it would be our intention to address ourselves to any proposition that would be raised in the prospectus transmitted to us by the executive branch of the Government.

Mr. DON H. CLAUSEN. We have a very short season for construction in this northern part of California and I want all of the Members of this House to understand the problem of the people of the Klamath area who are at the mercy of the Congress for assistance in this case. The future of these people and their community is at stake. They desire to relocate the site of the town. I have been working closely with the State of California, the Del Norte Board of Supervisors, and the people concerned, as we do everything within our power to advance this critical project.

I will be following up on this request in our committee.

Mr. HARSHA. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I wish to take a bit of time to discuss with the Committee, particularly my colleague, the gentleman from Minnesota [Mr. Blatnik], details relative to the Mankato and North Mankato flood control project. I might comment at this point that my good friend of long standing, the senior Member of our Minnesota delegation, has been most helpful to me in this matter. I am most appreciative. His counsel and help I know are also appreciated by the citizens of Mankato and North Mankato.

Many Members will recall the devastating floods that hit Minnesota earlier this year. At Mankato much of the city was under water. Terrible damage resulted from one of the worst floods in Minnesota's history. The story was reported nationwide.

Back in 1958, a flood control project at Mankato and North Mankato was approved by the Congress, but the local jurisdictions failed to take advantage of the authorization because of some difficulties in meeting the requirements under the bill for local participation. But last spring the flood hit, and the damage was devastating. I know there was a big four-motor plane which flew all the way from Washington carrying officials who wished to observe the flood conditions. I know that politicians shoveled to fill sandbags, flash bulbs were flashing all over the place, and promises were made of many things which were going to be done.

It was my belief that in view of the fact that this project had been authorized, and in view of the fact that the local people have already started to build levees to prevent a similar disaster next spring, language should be included in this omnibus bill which would permit them to take credit for the dollars they presently spend against the requirement for local contribution. This is the purpose of the bill which I introduced earlier in this session. This is a fair request. I hope it will be granted.

I have in my hand a letter from the Army Engineers dated September 8 in which they indicate that they needed no further information upon which to base their report on my bill and had forwarded their report to the Budget Bureau for clearance. But I am advised that the Budget Bureau has not at this time made a report to the committee, and the committee is not at fault because the Budget Bureau did not submit the report. I was advised that the committee would attempt to put some language in the bill which would reach a project such as this.

I am wondering, if I might inquire of my good friend, Mr. BLATNIK, if there is any possibility that the provisions of my proposal could be written into this bill because I know that the gentleman's sympathies are with me, for we have discussed this matter. I might say to the Members of Congress that JOHN and I, way back in 1940, served together in the Minnesota Senate; so we have common interests as far as our State is concerned on projects such as this one.

Mr. BLATNIK. I say to my colleague, my very dear friend for many years, it has certainly been a pleasure to work with him on many important projects, dating back to our early days in the Minnesota State Senate.

The gentleman from Minnesota has explained the situation absolutely correctly. As he stated, I have been more than sympathetic. I have been anxious, in view of the urgency of the need and the readiness of the people there to do more than their share to meet the local participation on the project. I was most hopeful that we would be able to get this into the omnibus bill now before us.

We did ask the Corps of Engineers about this. As the gentleman knows, these projects must go through the regular procedures. In forwarding the project to the Bureau of the Budget, there were some modifications to the original authorizations, which apparently would increase the local cost. Instead of the estimated $50,000 or $60,000 under the original design for the project, with the additional improvements the local cost could be up to $200,000 or perhaps $300,000.

Mr. NELSEN. That is correct.

Mr. BLATNIK. As was explained to me, the Bureau of the Budget has not yet come up with a report on exactly what would be the local cost. It would be much higher than $50,000 or $60,000. Certainly it would be closer to, but probably not larger than, $200,000.

I have nothing more to say, except I have deep regret that the processing by the Bureau has not been completed. They have had this only 10 or 11 days, but certainly through no fault of ours and certainly no fault of the gentleman, who has been after us for months on this project. There is a crying need. There was a devastating flood which the people went through. I am sorry there is no more I can offer to the gentleman.

Mr. NELSEN. I intend to offer an amendment to the bill, though I was earlier advised not to do so. I was also advised that the committee would attempt to do this. I am sure they would like to.

The thing which is—I hestitate to use the word "irritating," but it is true that I do not know of a politician in Minnesota who was not out there last spring, and I do not know where they found all of the cameras and all of the headlines.

This was a flood which was devastating. It was an emergency which could recur. The river is again rising. It is almost a flood situation now, with constant rain. They are putting in levees now. Some of those are being washed away.

It seems only fair, when the people are willing to dig into their own pockets to build the levees, that they should be given credit for what they have done when the Congress finally acts. We know we will get to that finally. Because of the delay, even this little time, it seems to me this is an emergency. Every politician of whom I know in the State promised to do something about it. Now we face the prospect of nothing being done. I feel we shall have failed if we do not do something at this time. I hope the Committee will adopt my amendment.

Mr. WRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT Mr. Chairman and Members of the Committee, it is hardly necessary to say that I urge support of this legislation, in view of what has happended in the past several days in my own congressional district in Louisiana, as related to Hurricane Betsy. You all know of this disaster. You have read about it in the newspapers. You have heard of it on the radio. You have seen it on television. It was highly dramatized by the personal appearance of the President himself, accompanied by members of the Louisiana delegation, the day after the hurricane struck the area.

In its wake, as Members well know, it left in excess of 70 dead and, according to the Governor of Louisiana, $1 billion worth of damages.

Practically my whole district in the lower section bordering on the Gulf of Mexico and the lower Mississippi River was wiped out. Town after town and community after community were laid bare; individuals losing their life's savings and their homes. It is hard to understand how they can recover from this disaster in their own lifetimes.

I mention this fact to you because of the urgency to focus attention on this needed authorization for a flood control system in this particular area. For many years now my distinguished colleague whose district abuts mine, Congressman BOGGS, and I have cooperated in urging the adoption of what is known as the Lake Pontchartrain flood control program. This program, which is authorized in the bill, through the understanding of the Committee on Public Works and its distinguished chairman of the subcommittee, the gentleman from Alabama [Mr. JONES], who heard the testimony of my colleague and myself only a few weeks ago, was passed before our recent disaster. Not once did we think at that moment that such a terrible disaster as Hurricane Betsy would strike us, as we listened intently to the testimony of the engineers from the State of Louisiana and the Corps of Army Engineers who approved this project. I think it would not be stretching a point to indicate that if in the course of human events this project had been authorized several years ago much of this damage would not have occurred. Certainly many lives would have been saved. However, this is literally water over the dam. This is something in the past. We now come to the present and look to the future. I suggest that you take this one incident as an example, as a horrible illustration, if you please, of the necesssity and the urgency for expediting this legislation.

I am most pleased that in the future we can expect annual omnibus bills. I think the devastation wrought by Hurricane Betsy has clearly demonstrated that we cannot wait nor postpone from year to year efforts and preparations to eliminate as far as possible that which has happened to us in Louisiana.

My distinguished colleague from Alabama [Mr. JONES] has graciously consented to come to Louisiana over the weekend to see exactly what did happen there; to witness the devastation which is beyond description even by the most eloquent and adequate speakers or writers. The land was laid low, homes were razed, and people are still in evacuation centers as of today. All of this could not have been prevented. Certainly some of it could have been if we had only had in being and in effect this particular program authorized in this legislation and which my colleague from Louisiana and I have sponsored for so long a time. I do not wish to belabor the question or to trespass upon your time any longer, because it is not necessary. I express the appreciation of myself and the people who live in my community for the great assistance that has been given us at this moment by the Federal Government and the various Federal agencies. These people will be on this trip with our colleague from Alabama over the weekend. They will see for themselves exactly what happened. I hope remedial legislation will be offered not only in this area but certainly in more expansive measures. My colleague has already introduced some legislation in that regard. I think this is the time when we should look forward to the Federal Government to assist in areas which cannot be assisted by private enterprise, particularly insurance companies.

We have had wartime disasters. But what is more continuous, what hangs over our heads more permanently, are natural disasters. I have been living through hurricanes since 1915. This was the worst of all in our own State. Other States are being affected by tornadoes and floods.

I suggest that disaster insurance of this kind is what is needed. Also I suggest that we explore some means for alleviating the losses of and assisting those helpless individuals. Mighty as the Government is and mighty as has been its help, not one thin dime is to be given to these people down there. I do not advocate a grant, but I do take umbrage at any suggestion that help by the Federal Government will result in help to the individual, because it will not.

I ask my colleagues to give favorable consideration to and recognize the urgency of passing this bill at this particular time.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, I should like to express my sympathy for the situation of the gentleman from Louisiana, because those of us in the northwest part of the United States were affected in a similar way. With regard to the matter of a disaster insurance program he will be pleased to know that we are asking a Federal agency, possibly the Housing and Home Finance Agency, to conduct a study in depth and make a recommendation to the Congress, because I think he knows that those of us who have been affected by floods simply do not have any program that can be triggered into action to help the small individual who has lost everything.

I want to offer my support to him. I have already talked to the distinguished majority whip and offered assistance from my own experiences in California.

Mr. WRIGHT. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. HAGAN].

Mr. HAGAN of Georgia. Mr. Chairman, I wish to take just a few moments to express my appreciation to our distinguished colleagues, the members of the Public Works Committee, for their hard work and the fine job they have done in reporting S. 2300 to the House.

In addition to supporting the bill, and particularly that portion which affects the First District of Georgia, I wish at this time to associate myself with the remarks of the gentleman from Georgia [Mr. FLYNT] in support of the Flint River project, as reported by the committee.

I would like to comment also on sections of this bill which are of vital interest to southeast Georgia. This, of course, is in reference to the inclusion of some $13 million for needed improvements at Savannah Harbor.

Since General Oglethorpe sailed up the Savannah River and founded Georgia's mother city in 1733, the Savannah Harbor has been the key to the development of much of Georgia. The harbor has made possible the development of numerous industries which depend almost solely on water transportation in their basic operations. The harbor is also important in the movement of military personnel and cargo for the defense of our Nation. The harbor has been used extensively during every war, and within the past month troops boarded ships at Savannah en route to Vietnam.

Although State and private organizations have spent millions of dollars on new facilities at the harbor in recent years, its future growth depends greatly on this authorization bill.

With all of the fine facilities now available at the port, large ships must still enter and leave the harbor partially loaded because of an inadequate channel depth. The present width of 500 feet in the bar channel and 400 feet in the inner harbor are hazardous as larger ships attempt to pass during the existence of fog, crosswinds, or other unfavorable weather conditions. In the upper reaches of the harbor, shipping is seriously hampered by the 200-foot width and 30-foot depth of the channel. This narrow channel makes movement at night extremely hazardous and ships cannot attempt to pass in the channel.

This bill would provide for widening and increasing the depth of the channel and for construction of additional turning basins.

In addition, the bill also provides for the construction of a tidegate and sediment basin which would greatly improve the harbor, and, at the same time, substantially reduce the annual maintenance by the Corps of Engineers.

Because of the somewhat unusual nature of this harbor, constant shoaling takes place along the main shipping channel. This shoaling is a continuous hazard to navigation and requires constant dredging of the channel. Construction of the tidegate and sediment basin would greatly reduce this problem.

In view of the importance of this legislation to my district and to other districts throughout the Nation, I urge that it be approved by the House.

Mr. ROUSH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Chairman, I want to stress my support for S. 2300 now under consideration by the House of Representatives. I am particularly interested in the Burns Waterway Harbor project contained in title II of the bill. When completed, this port will introduce a new era of economic prosperity and progress for the State of Indiana. It will represent the dreams of many people in Indiana who have worked for a port for many years. The State of Indiana demonstrated its faith in the potential benefits of a deep-water port on Lake Michigan when the 1965 legislature allotted $25.6 million to begin construction of the port's breakwater and the dredging of the harbor. This indicates the willingness of Indiana to invest in its own future.

The Burns Harbor project is incorporated in S. 2300 through the wording used in my particular bill, H.R. 50. It stresses the desirable feature of authorizing the Federal Government to make a monetary contribution to the State of Indiana as a means of financial aid for building the port. This approach to a Federal-State relationship is not part of the Senate's version of S. 2300. Yet, the idea of a Federal reimbursement of funds to a State for a public works project has precedent. The Army Corps of Engineers has participated in such projects many times in the past. What is really needed is a clearly defined policy to guide future projects of this type. However, at present, I strongly advise that the reimbursement feature be kept in the bill so that the State of Indiana might progress toward attaining this goal of a public port at the Burns Waterway.

The House version of S. 2300 also includes an additional paragraph—pages 84 and 85—which reads:

> Neither this paragraph nor the construction authorized by this paragraph shall adversely affect or otherwise prejudice the establishment of all or any part of the Indiana Dunes as a national lakeshore.

Mr. Chairman, this is a means of calling attention to the other side of a controversy which has been bothering Hoosiers for a long time. I am quite willing to accept this version of a "proviso" to show the importance of the dunes national lakeshore project. In fact, I have taken constructive steps to begin action on such a measure. The House Subcommittee on National Parks and Recreation, chaired by my colleague [Mr. RIVERS of Alaska], will conduct field hearings in Indiana on October 2 and 3 to review the merits of a national lakeshore park in the Indiana Dunes area as set out in my bill, H.R. 51. This, I feel, indicates more measurable progress toward gaining a national park than using unnecessary provisos in an omnibus public works bill. However, if it will insure passage of S. 2300 in its House form, I am willing to accept the compromise proviso as worded in the House version.

Indiana is interested in gaining both a port and a national lakeshore park. In my opinion, the best place to begin is with expedient passage of this omnibus public works bill.

Mr. WRIGHT. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. KREBS].

Mr. KREBS. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, as one who comes from a part of the country that now is and has in the past suffered severely under these conditions, I also feel that the committee is to be commended for the comprehensive job it has done on this bill and I urge its passage.

Mr. Chairman, the residents of my 12th Congressional District in New Jersey know only too well that this had indeed been a long, dry summer.

To many communities of northern New Jersey, the specter of water rationing is no longer a mere threat. Some of my constituents have already begun to put into operation their own hurriedly prepared conservation and water retention facilities. Indeed, in many communities we have returned to the rain barrel technique of what we thought were days gone by.

Our rich industrial complex of the Northeast need not have to rely on rain barrels, Mr. Chairman. Congress, therefore, should not hesitate to accept our responsibility in replacing the rain barrel with reservoirs and aqueducts. I am convinced that Members of this Congress in approving S. 2300 will provide authority for regional planning that will insure a water supply for the long-range needs of our northeastern communities.

This planning is a necessity not only to guarantee the best possible use of available resources, but to insure wherever possible that the specter of water-rationing will not for long haunt the thriving communities of the northeastern megalopolis.

It is my fervent wish that the majority of my colleagues in Congress support S. 2300 and the commitment to safeguard the future water supplies of our communities that have so generously contributed to the economic progress of the Nation.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Maine [Mr. Tupper].

Mr. TUPPER. Mr. Chairman, the gentleman from Pennsylvania [Mr. Clark] in general debate on S. 2300, argued that because the Dickey-Lincoln School project is located in the State of Maine, the low-cost power from it will be utilized to develop the industrial potential of that State at the expense of other States. Nothing could be further from the truth. He asks if this is a subsidy or an investment. The answer certainly is that this is an investment in the resources of Maine to the benefit of all our people.

These multiple-purpose hydroelectric projects are regional developments and in the larger sense are designed to benefit the Nation as a whole rather than any particular State or locality. Nor does it necessarily follow that merely because the industrial potential of Maine is developed that of other States is depleted. No modern nation in history has enjoyed the tremendous economic expansion and the rapidity of industrial development which the United States has experienced in the past few years and which we all hope will continue in the years to come. This unprecedented growth means that all areas which possess the necessary raw ingredients will enjoy the prosperity of increased industrialization. It is not a matter of one State developing industry at the expense of another State, but rather of providing basic elements essential to the continued industrial development of a region. Where these elements are available, the economy will develop.

One of these indispensable elements is low-cost electricity. The simple truth is that New England electricity rates are the highest in the Nation and those of the State of Maine the highest of the New England States. No sustained coherent and well organized plan has been developed by the existing private power interests to bring about lower cost electricity for the residential, commercial, and industrial consumers of the region which are paying these rates. To the extent that the Dickey-Lincoln School development will make available 694,000 kilowatts of electricity at a wholesale rate lower than that anywhere available in New England at the present time with the possible exception of St. Lawrence power in Vermont, it will supply a basic element necessary to revitalize the economy of the area. History demonstrates clearly that the advent of low-cost Federal power creates an element of competition in the power industry which inexorably results in all power suppliers offering parallel service at lower rates. No New England private power company will be put out of business or damaged by the Dickey-Lincoln School project. Competition—yes, but damage—no. As a matter of fact, private power companies located close to Federal power dams have enjoyed a rate of growth and a rate of profit which exceeds that of the industry as a whole.

Finally, with respect to the specific charge that authorization and construction of the Dickey-Lincoln School project will result in a transfer of industry from southern New England to northern New England, I respectfully but urgently emphasize that the plan for this project, as envisioned by the Department of the Interior, includes construction by the Federal Government, if necessary, of a transmission line from the project site to Boston, Mass. The only purpose for including this line in the project plan is to assure the people of all New England States that the benefits of the project will not be limited to Maine but will be made available on a regionwide basis.

There is, therefore, no merit whatever in arguments and contentions to the effect that the Dickey-Lincoln School project would result in the industrial development of one State at the expense of another. There is plenty of peaking power in the project for many States—there is no intent on the part of any one State to exercise a monopoly on its use.

For too long New England has complained about the benefits of low-cost power in other regions. Someone once said it is better to light a candle than to complain about the dark. Let us light this one candle and banish some of the high-cost darkness from New England.

I will submit other facts favorable to the Dickey-Lincoln School project before debate closes on S. 2300.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

Mr. WRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana, the distinguished majority whip [Mr. Boggs].

Mr. BOGGS. Mr. Chairman and Members of the Committee, my distinguished colleague from the First District of Louisiana has graphically described the damage inflicted upon our State by this devastating hurricane.

Upon returning here last week I made a report, attempting to estimate at least to some extent the amount of damage. Even then the amount of damage was very difficult to estimate. We are very fortunate indeed that the gentleman from Alabama, Chairman Jones, and his colleagues on this great committee, are going to our State and will be working over this weekend so they can ascertain just how bad and how devastating this natural disaster has been.

Mr. Chairman, this has been, in terms of loss of property, the worst natural disaster that we have ever experienced. In terms of the loss of life, it has been much less tragic than many other storms that we have experienced.

In 1893, for instance, as the result of a hurricane there were 2,000 people lost in the State of Louisiana. And, again, as late as 1957, if my memory serves me correctly, there were 500 people drowned in southwest Louisiana in a hurricane which hit Cameron Parish.

Mr. Chairman, in this last hurricane it is estimated that between a quarter of a million and one-half million people were evacuated from Congressman Hébert's district, from Congressman Willis' district, mine, and others in the State of Louisiana.

Mr. Chairman, whereas, there is nothing one can to do bring consolation and comfort to the people who lost their lives in Florida, Mississippi, and Louisiana, at least we can take consolation in the fact that we have progressed to the point where rather than losing 2,000 lives or 500 lives in a hurricane much more devastating in its impact, we lost less than 100 lives.

Having said this, Mr. Chairman, much remains to be done. Fortunately, we learn from experience, even though the experience may be as gruesome as this one.

It has only been recently that Congress has authorized hurricane studies. There are many areas of the country similarly exposed, as is our own. Hurricanes are not limited to Louisiana. Hurricanes have hit every State on the gulf coast many times and every State in the Atlantic area and in the Northeast. One of the most devastating hit the area of the great State of Massachusetts—I see our Speaker sitting here—in the year 1938.

So, Mr. Chairman, this has been a matter of continuing and constant research. Fortunately, as a result of previous hurricanes, particularly the devastating 1947 hurricane, the Corps of Engineers, working in close collaboration with this distinguished committee of this Congress, has already perfected a hurricane protection plan for southeast Louisiana and that plan is incorporated in this omnibus rivers and harbors bill which we will be voting on hopefully today. It is a comprehensive plan. It is one that may have to be reviewed in light of the experience of 10 days ago, but it is the opinion of the Corps of Engineers that had the plan been in effect the damage from floodwaters would have been incalculably less than has been experienced.

As a matter of fact, we have examples to demonstrate that. In 1947 a heavily populated area in my own district, similar to the one that was flooded by Betsy in Mr. Hébert's district, was flooded out. Fortunately, we had a special project

Whereas there was more water on that levee this time than last time, not one drop of water inundated the homes of these people in East Jefferson parish. This demonstrates better than any words I can utter the wisdom of the Congress in considering and adopting these flood control and other projects designed to conserve the resources of our country and to protect our people from disaster.

Mr. Chairman, I get considerably annoyed, as I am sure most of you do, when I read the trite and ill-considered expressions oftentimes by people who know little about what they are speaking, in which they describe this bill, for instance, as a "pork-barrel" bill, one that apparently they think has had little or no consideration. All of us know that each one of these projects is carefully reviewed by a whole host of Government agencies. Then we finally authorize, and after authorization we must go through the long, deliberate process of obtaining appropriations, where again these projects are reviewed. I do not know of a single project that has been approved in any part of our country since I have had the privilege of being here that has not added to the wealth of our Nation and returned twofold or tenfold what we spent.

This very project which will be built in southeast Louisiana, largely in the constituency of my colleague from the First District, has a 17-to-1 ratio. That means for every dollar spent by the National Government there will be $17 in benefits to the people who live in that area.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. KEOGH. I am sure our distinguished majority whip knows I have consistently in my service here supported these projects. But I would like the Committee to know, as little traveling as I usually do, I did have an opportunity a few years ago of viewing in person the Hoover Dam. And, Mr. Chairman, I left that place determined that so long as I am a Member of this body I shall support such worthwhile projects.

Mr. BOGGS. I thank the gentleman.

Let me deal for a moment with a very important matter that my distinguished colleague from the First District of Louisiana [Mr. HÉBERT] and the distinguished gentleman from California, touched on; namely, where a hiatus exists in our disaster laws. We have done a remarkable job in disasters in this country, and the expedition with which every branch of the National Government, working in conjunction with our State government and our city and parish governments, came to the aid of Louisiana, is something I will be eternally grateful for, as I am sure all of the people of Louisiana will, and should be.

Let me characterize some of these areas of assistance. To begin with, the port of New Orleans is the second largest port in the United States. The amount of damage at that port is great. In the port many ships were damaged. Several were sunk. Two modern automated ships that were almost completed were sunk, and each one of them cost about $12 to $14 million. Many barges, very expensive barges, were grounded and sunk. Many of the facilities of the port were absolutely wrecked and many suffered great damage.

In a matter of a few hours, the Office of Emergency Planning was there. Under the disaster relief legislation, most of those facilities can be rebuilt under programs that the Congress has approved. In addition, public schools, public installations, sewerage installations, drainage, water works and public buildings are all eligible for direct grants.

So you get down to two areas and I am sure they are the areas that need help probably most of all. No. 1 is the individual homeowner whose home was flooded and who is unable to purchase commercially or from the Government any type of flood insurance because no such thing exists because the risks are so high. This, of course, is what the gentleman from Louisiana and the gentleman from California were referring to.

The other is with reference to the farmer, particularly the small farmer who carries a tremendous burden. Even the aid which is now available through the SBA and through other agencies of Government, unfortunately is limited so far as farmers are concerned. So I would hope that this terrible disaster that affected not only my State, but other States as well, and the disaster which occurred in California in the latter part of last year and other disasters that have occurred would not only teach us the great benefit and value of this legislation that we are considering today, but also will be the vehicle through which we can fill the last remaining gaps in the disaster programs of our National Government.

Mr. Chairman, I congratulate and commend this committee on the fine and outstanding job they have done in reporting this legislation to the House of Representatives.

Mr. Chairman, this rivers and harbors bill which we are considering today has a special meaning for me. Its importance for the safety of more of our citizens is all the more poignant in view of what I have seen in recent days. I refer to the devastation brought to my State of Louisiana by Hurricane Betsy.

Several of my colleagues in the Louisiana delegation and I accompanied President Johnson to my State the day that Hurricane Betsy struck south Louisiana. The President had a firsthand look at the human misery and the destruction caused by this monster storm. He pledged the full resources of the Federal Government to bring all manner of aid to the victims of Betsy.

I spent that same weekend touring the Metropolitan New Orleans area and the parishes in my district. What I saw was awesome, and terrifying. Death, destruction, anguish—all were there. One-hundred and twenty-five-mile-an-hour winds whipped tidal waves of more than 7 feet over and through the Mississippi-to-gulf tidewater channel; the industrial canal and over and through back levees in the area. After this nightmare, I also saw the courage and determination of the people of New Orleans and of south Louisiana to rebuild, and to do so as quickly as possible. I was particularly heartened by the efficiency and dispatch with which the President mobilized the agencies of the National Government to bring broad assistance and relief to the people of my State. The cooperation between all levels of government to ease the suffering, to clear the debris, to begin to rebuild was, and is, stirring. Man's humanity to man has been displayed countless times in the wake of this terrible hurricane. It has been done in the spirit of Christianity and brotherly love. Gov. John J. McKeithen opened his home in Baton Rouge—the Governor's mansion—to families made homeless by the ravages of this storm.

Mr. Chairman, Hurricane Betsy certainly was the most devastating hurricane to strike southeast Louisiana in this century, and probably the worst one, in terms of total property damage in the entire history of my State.

I daresay all of us in this House would much prefer that preventative measures, such as the navigation and flood control projects in this bill, were perfect, were foolproof, so as to prevent the loss of life, the injuries and destruction of property which occurred in Louisiana, or has occurred in other States. Of course, it is impossible that our preventative measures against major disasters will be perfect. But through our skills, we can improve them, we can make them superior and more extensive than they are now. That is the purpose of this authorization bill. That is the reason members of the Public Works Committee and the Corps of Engineers have worked closely together to give to our people of this great Nation more extensive and superior protective projects.

In the United States, Mr. Chairman, we have achieved more than any other nation in controlling and harnessing to our good use the great rivers, streams, lakes and other bodies of water in our country. Through the ingenuity and foresight of the U.S. Army Corps of Engineers, and the wisdom of Congress, we have approved and constructed many navigation and flood control projects across this land. We have done so, not only to control the destructive force of some of our bodies of water, but also—and more importantly—to improve them to our good use. We have built deeper channels to increase commerce and improve navigation on our waterways.

We have built harbors; we have provided, through locks and levees, through damming up and through opening or diverting waterways, the means for increasing commerce by inland boats and oceangoing vessels. We have accomplished much in this field to strengthen our country and enhance its progress and prosperity.

Navigation and flood control projects—their construction and maintenance—are absolutely necessary for the growth and development of the United States, Mr. Chairman. This is a good bill; this is a most worthy bill, and I am confident that the House, in its wisdom, will approve the projects included in it.

In light of the havoc caused by Hurricane Betsy to south Louisiana and to Florida and other areas, I should like to cite one existing project of the Army Engineers in the Lake Pontchartrain area. I am very proud of the success of this project. I refer, Mr. Chairman, to the protection levee, built by the Army Engineers after the terrific hurricane of 1947, to keep east Jefferson Parish free of lake waters in any hurricane. This levee has been erected along the south shore of Lake Pontchartrain from the Orleans-Jefferson line to St. Charles Parish, and it has proved to be remarkably effective.

The central force of the 1947 hurricane included the New Orleans area, and I lost an aunt in that terrible storm. But the destructive swath of the hurricane included the New Orleans area, and I know firsthand what devastation that storm brought. I was a young Congressman then; and the impact of what I saw has remained with me very vividly. It was rekindled by the horrors of Betsy.

The 1947 hurricane dumped tons of water on east Jefferson Parish, up to a depth of 8 feet and as far back as two and a half miles from the lake. Some 39 square miles in Metairie and in the rest of east Jefferson were inundated. Some $4 million in property damage was suffered by the people of east Jefferson alone; and the total property loss in the Metropolitan New Orleans area was more than $6.5 million.

After the 1947 hurricane, I was determined to do everything I could to provide floodwater protection for the people of east Jefferson Parish. By working with Senators ALLEN ELLENDER and RUSSELL LONG of Louisiana, we obtained authorization for construction of a protection levee there. And we have worked to obtain on a regular basis the necessary funds to build and to maintain this protection levee. Today this levee is more than 80 percent complete. This strong barrier has kept Lake Pontchartrain waters out of east Jefferson in the hurricanes of 1956, Flossie; 1964, Hilda; and again with Betsy this year. The effectiveness of this levee is full proof of what can be done. The value of this levee emphasizes the need for a larger, more extensive hurricane barrier all along the south shore of the lake and part of the north shore, so as to protect the citizens of Orleans, Jefferson, St. Bernard, St. Charles, and other parishes; and to provide greater protection in the area below New Orleans in St. Bernard and Plaquemines Parishes.

As Members of the House know, the total property damage to public and private property in Louisiana alone—not to mention Florida, Mississippi, Alabama—will exceed $1 billion, according to an estimate by Governor McKeithen. In 7 major hurricanes to hit southeast Louisiana since 1900, some 800 people have lost their lives. The terrible hurricane of 1893 brought death to some 2,000 people.

One of the projects in this bill—the Lake Pontchartrain and vicinity project—is designed to provide the Metropolitan New Orleans area and southeast Louisiana with more extensive, stronger hurricane and flood protection. The project calls for the erection of a huge hurricane barrier wall along the south shore of the lake, and on part of the north shore; and the construction of new levees, or the improvement of existing ones, in the Mississippi River area east of New Orleans and below the city. The approval of this project will reduce greatly the dangers of flooding, particularly in New Orleans itself, which came in Betsy's wake.

In brief, the Lake Pontchartrain and vicinity project will provide:

First. A full levee and floodwall barrier along the south shore of the lake, together with repair and reinforcement of the existing seawall at Mandeville on the north shore;

Second. That this huge barrier include a navigation gate and flood gates in the Chef Menteur Pass to the east of New Orleans; a lock and floodgates in the Rigolets Pass to the east of New Orleans; and a multiple-purpose lock at the lakeward end of the inner harbor navigation canal;

Third. A levee and a floodwall barrier along the southeast side of the area to prevent tidal surges from Lake Borgne into Lake Pontchartrain;

Fourth. For the Chalmette area, a total of about 17.3 miles of new and enlarged levees, extending generally along the southerly banks of the gulf intracoastal waterway and the Mississippi-to-Gulf outlet to Bayou Dupre and thence westerly to the Mississippi River levee at Violet;

Fifth. A lock in the inner harbor navigation canal near Seabrook to prevent water velocities hazardous to navigation in the canal, and the increased salinity in Lake Pontchartrain; both this Seabrook lock and the levee for the intracoastal waterway and the Mississippi River tidewater channel would help control tidal surges into the lake and also augment the hurricane barrier across Pontchartrain's south shore.

I do not pretend to say, Mr. Chairman, that this project to protect southeast Louisiana from hurricane floodwaters is perfect. But I am confident it will accomplish much to prevent loss of life and property destruction.

For one thing, my distinguished colleague from Alabama, Congressman ROBERT JONES, who is chairman of the Flood Control Subcommittee of the Public Works Committee, and is a recognized authority in this field, pointed out in the committee report on this rivers and harbors bill that the ratio of benefit to cost for the Lake Pontchartrain project is $17 for every $1 spent to build it and maintain it.

This is one of the highest benefit-to-cost ratios ever estimated for any flood control project presented to the Public Works Committee, according to Congressman JONES. The cost of this worthy project will be about $84.8 million—with the National Government providing about 70 percent of the total or about $56.9 million, and the parishes in south Louisiana involved providing about $27.9 million.

My distinguished colleague, the gentleman from Alabama [Mr. JONES], and other members of the Public Works Committee, have agreed, Mr. Chairman, to take a firsthand look at the destruction wrought by Betsy in south Louisiana this weekend; and to take testimony on the total property damage in Louisiana, Florida, Alabama, and Mississippi from public and private officials. My colleagues, Mr. HÉBERT, Mr. MORRISON, Mr. WILLIS, and I will accompany Mr. JONES and other members of the Public Works Committee, including Mr. GRAY, of Illinois, Mr. SCHMIDHAUSER, of Iowa, and Mr. SWEENEY, of Ohio. There may be other members who will join us, Mr. Chairman, on this important mission.

We will conduct a hearing on Saturday in New Orleans, and on Sunday in Baton Rouge, the State capital city. We will hear testimony on total property damage with two principal views in mind:

First. To ascertain whether it is desirable to recommend to the Congress that special legislation be enacted immediately to provide extra financial assistance and relief to the victims of hurricane Betsy in all four States; such financial aid would augment and supplement that now being provided by President Johnson through his Emergency Disaster Relief Fund; and

Second. To determine whether a recommendation should be made to the Army Corps of Engineers that the Lake Pontchartrain and vicinity project should be reviewed with the thought that as its construction is progressing, the project would be expanded, modified and improved to give more extensive hurricane and flood protection to the people of southeast Louisiana.

Mr. Chairman, Mr. JONES' committee has the authority to do these things; and I and my colleagues from Louisiana and I dare say all the people of my State, are most grateful to Mr. JONES for his generosity and his thoughtfulness in agreeing to go to Louisiana and conduct these hearings. We will be most appreciative for his advice and counsel in this matter, once he has made an onsite inspection of the devastated areas and heard the testimony of public and private officials. I am confident that the result of this inspection trip and these hearings will be most fruitful, and will bring both added help to Betsy's victims and greater hurricane protection for southeast Louisiana.

I am pleased to report also, Mr. Chairman, that the House is receiving for this important mission the full and complete cooperation of some 10 or 11 Federal agencies which have been directly engaged in bringing assistance and relief to the victims of Betsy. Representatives of these agencies and departments will join us in journeying to Louisiana for the inspection and the hearings. Some of them will testify, along with their field officers who have been stationed in Louisiana since Betsy struck. Those agencies to be represented by high-ranking officers include: the Department of Agriculture; the Bureau of Public Roads; the Economic Development Administration—arm of the Commerce Department; Housing and Home Finance Administration; the Army Corps of Engineers; the

Maritime Administration; the Small Business Administration; the Red Cross; the U.S. Public Health Service; the Office of Emergency Planning, and maybe others. I know they will give to the Congress and the people of Louisiana and the other States involved the best of their advice and counsel, and the maximum in the form of assistance and relief—something they have been doing in a magnificent way since Hurricane Betsy hit south Louisiana on September 10 and 11. I am proud and pleased that representatives of these fine agencies are going to join in this worthy undertaking for the benefit of Louisiana, Florida, Alabama, and Mississippi.

I frankly think that in the design stages of this project, when construction planning is being refined through funds to be provided by the appropriations committees of the House and the Senate, there should be an extensive review of the project, keeping in mind the erratic course of Hurricane Betsy and the ravages of that hurricane. I think it would be constructive if the Army Corps of Engineers, as they have done in the past, could review this project, with a view toward expanding it or modifying it. If they find, in their wisdom, that this hurricane barrier plan, as proposed in this bill, is not adequate, is not as good as it should be, then I am confident that the Engineers will work diligently to improve the project. There is no doubt that Hurricane Betsy points up the need, too, of accelerated action to begin the construction of this sweeping barrier plan for the Metropolitan New Orleans area. I am confident that in this session of Congress, the first planning funds for this project will be appropriated; my colleagues and I from Louisiana are working toward that end.

I am also pleased to insert into the RECORD for the benefit of my colleagues a fine front-page story from the Times-Picayune of New Orleans, La., in the issue of this past Sunday, September 19, 1965. The article was written by Mr. Clarence Doucet, and in it, he provides a clear word picture of the status of the Lake Pontchartrain and vicinity project, and what this fine project includes. Mr. Doucet's article follows:

HURRICANE PLAN 2 YEARS OLD; MIGHT HAVE CUT OFF FLOODS—$56.9 MILLION IN BILL COMING BEFORE HOUSE

(By Clarence Doucet)

Already 2 years old is a recommended hurricane plan by the U.S. Corps of Engineers, which, had it been carried out before Betsy, might have prevented disastrous flooding.

Federal funds for the plan, costing $84.6 million, are included in the omnibus bill on rivers, harbors, and flood control which the House will consider this week.

Prof. Chester A. Peyronnin, Jr., Tulane University engineer and specialist on hurricane damages, served as a consultant to the U.S. Engineers on the hurricane protection plan design.

He says completion of the study was delayed by the U.S. Fish and Wildlife Service and the Louisiana Wild Life and Fisheries Commission who required assurance that any plan would not adversely affect the fish life in Lake Pontchartrain.

OUTLOOK GOOD—BOGGS

United States Representative HALE BOGGS has said the outlook is good for obtaining the first appropriations from Congress this year to begin planning the construction of the hurricane barrier project.

Getting the Federal funds is only part of the problem.

The Federal Government agrees to pay about 70 percent of the cost, or $56.9 million. Those funds are in the bill before the House.

The remaining $27.9 million must be put up by the State and the parishes.

Even after the money became available, it would take about 10 years to fully implement the plan.

DESIGN FOR PROTECTION

The plan is designed to protect the New Orleans area against a "design" storm, the type officials say comes only once in a century.

Two years ago when the plan was announced, a newspaper headline warned: "Hurricane Could Flood Most of New Orleans."

It was pointed out in the report that in the case of a "design" storm that Chalmette would be under at least 10 feet of water, and that water would be over the tops of automobiles.

The problem of how to deal with a "design" storm, or her real-life counterpart is solved, according to the report, by a system of gates and control structures to keep water out of Lake Pontchartrain as well as a string of high levees to protect the remainder of the area which would be threatened by water by any of the various inland waterways.

CONFIDENCE OF WORTH

Professor Peyronnin, Jr., is confident that had the hurricane plan been completed before Betsy, flooded areas at the most would have experienced "a little spill" that would have caused water in the street, but little more.

He further asserts that construction of the levees which would have prevented much of Betty's damage could be done in 2 to 3 years.

While there was not time to prevent Betsy from causing damage, speedy action by Congress and State and parish governments can lend some insurance against future storms leaving the area as devastated.

The Engineers call their creation Standard Project Hurricane, and to it they have added the course they believe would be most dangerous to the city. It is a course several miles east of the 1915 hurricane.

BARRIER PROPOSED

Recommended is a barrier to keep hurricanes from forcing more water into Lake Pontchartrain than the lake can handle. This would cost about $65 million, or about the same amount it cost to build the Greater New Orleans Mississippi River Bridge.

The plan calls for control structures where Lake Borgne flows into Lake Pontchartrain at Chef Menteur Pass and the Rigolets.

The Engineers discarded the possibility of increasing the height of levees on the Lake Pontchartrain lakefront because they would have to be so high to withstand a 12-foot tidal surge.

This is what the plan would do:

The Rigolets: Where Highway 90 crosses this major opening from the gulf to Lake Pontchartrain a concrete control structure, earthen dam and navigation lock would be constructed.

The 1,450-foot control structure with 23 huge vertical lift steel gates to permit or shut off tidal flow would be on the New Orleans side of the channel.

LOCK 84 FEET WIDE

The lock, 84 feet wide by 800 feet long would be open continually to pleasure craft, commercial vessels and tows except under abnormal tide conditions and would be on the other side of the channel.

The open water between the two would be blocked off with an earthen dam.

Chef Menteur Pass: The Chef Menteur would be closed off with a dam where it meets Bayou Sauvage. The bayou would have a dam across it.

Navigation channels, 12 by 100 feet, would be dug to allow entry to the lake from both the bayou and the Chef. A floodgate would allow free flow of tidal waters except in emergency situations.

Chef to Rigolets Dike Levees: A 9-foot levee would run from the Rigolets to Chef Menteur and from the Chef Menteur to a present New Orleans East levee.

The levee along the Gulf Intracoastal Waterway and its link to Highway 90 would be enlarged and the Industrial Canal levees raised about 3½ feet.

A new levee would go up along the lakeshore between the Bonnet Carre Spillway and the St. Charles-Jefferson Parish line, with a lateral levee along the parish line itself.

Existing levees along the New Orleans lakefront would be raised 2 feet. East of the Industrial Canal, a new 11-foot-high levee would be constructed all the way to South Point (South Shore).

NEW 16-FOOT LEVEE

A new 16-foot levee would be constructed for more than 13 miles along the south bank of the Mississippi River-Gulf Outlet to Bayou Dupre and then along the bayou to Violet. (This is the back edge of the protective ring that would be provided for Chalmette and other St. Bernard areas.) No levee exists at present, although the report indicates a 6-foot-high spoils bank.

Industrial Canal: The Engineers think it is important to construct a navigation lock where the canal meets the lake to prevent hurricane surges from entering the lake through the gulf outlet, which joins the canal.

The project would be funded under present gulf outlet authorizations.

North Shore: A concrete wall and strengthened seawall would be built at Mandeville, where considerable flooding would take place if Standard Project Hurricane hit.

Standard Project Hurricane is given a specific course. It approaches New Orleans from the south, crossing the coastline west of the Mississippi River mouth and curves northeastward over Lake Borgne.

PREVENTION POSSIBLE

Peyronnin says the Betsy flooding could have been prevented by this plan via the higher levees along the Gulf Intracoastal Waterway and around Chalmette which would have either prevented or minimized the overlap of floodwater in those areas.

The proposed control structures where Lake Borgne flows into Lake Pontchartrain and the Industrial Canal could have kept the surplus water confined to Borgne.

He also said Pointe a la Hache on the east bank and Port Sulphur, Empire, Buras, and Venice on the west bank would have been afforded considerable protection by the recommended improvements.

In those areas, he says, there would not have been flooding of any consequence. The reason is that present 8-foot levees would have been raised to 13.5 feet from Empire to Venice. Pointe a la Hache and Port Sulphur.

WOULD HALT TIDES

The raised levees along the Industrial Canal, Intracoastal Waterway and Mississippi River-Gulf Outlet would take care of rising tides which might move from Lake Borgne, he said.

No floodgates or locks are proposed for the Mississippi River-Gulf Outlet.

As far as the possibility of flooding through wharf structures on the Industrial Canal, a dock board spokesman said the wharves are built 2 feet above the highest known water level.

Peyronnin said new boats slips built along the outer waterways will be sealed in some way and this is being studied.

UNITED FUND STORM AID PANEL FORMED

A special committee has been organized by the New Orleans United Fund to receive and process donations for aid of disaster victims, announced United Fund president, Francis Doyle.

J. Mason Webster of Tulane University is director of a committee established in response to many inquiries from individuals and corporations who want to provide emergency funds.

Webster said his committee will receive and process funds, including those designated for special agencies. The United Fund has the machinery to see that those agencies which urgently need additional funds will receive them from contributors, he said.

The Fund recently announced that neither it nor any of its member agencies would conduct a special campaign. Individuals and firms served by the Fund will be asked to give a "plus gift."

Webster said funds being received locally to support the work of 60 agencies including the Red Cross and Salvation Army are in excess of $3.873 million.

Serving on the Special United Fund Disaster Committee with Webster are Willis Penny, Dr. Leonard L. Burns, Robert E. Develle, Mrs. L. D. Hall, and Wilmer G. Hinrichs.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may require to comment briefly on the remarks made by the gentleman from Louisiana and others and also the rights and responsibility of our committee in this area.

I am sure many Members of this body recall that when we had the education committee disaster relief bill that gives special treatment to the educational facilities including replacement of textbooks and maintenance, I raised the question: If you are going to do it relating to schools, why not consider giving treatment that is needed proper and judicious consideration to what should be done in all respects regarding disaster relief?

Now it is clear and it is true that in every instance of a disaster, I think our committee has accepted full responsibility and gone into the area. I will say to the gentleman from Louisiana that our committee for the first time in my memory, thanks to the good chairmanship of the gentleman from Maryland, has gone into each disaster area, and the committee itself has inspected the damage and has indicated properly an interest in the matter and has tried to come up with some solutions regarding the need under existing law to provide additional authorizations for funds. But we are faced with the basic problem today and tomorrow that the gentleman from Louisiana raised and that is: what do you do with regard to areas not covered under present law relating to private homes and other public facilities for which under the present law only repair and returning to the previous condition of those public facilities is permitted? That is an issue in my opinion that this Congress has to face up to. I would suggest respectfully to our committee that now is not too late to act. I would suggest to the Committee on Public Works and to the Members present on the floor of the House that what we should do is that the chairman of the committee should appoint an ad hoc committee to act during the recess, if they ever let us recess around here, to study the basic laws relating to national and natural disasters to determine what our committee action should be in the coming sessions of Congress. We have to face up to this problem. We cannot put it off. I say in addition to that, of course, we have on the books today, and it was written a number of years ago, but never implemented, a national insurance program for natural disasters and hurricane insurance.

That has never been implemented. Why should not consideration be given to that program? I think our committee ought to get into this field now and study the basic law of those questions.

Mr. FALLON. Mr. Chairman, I yield to the gentleman from North Carolina such time as he may consume.

Mr. COOLEY. Mr. Chairman, I want to commend each member of the great Committee on Public Works, particularly the gentleman from Alabama [Mr. JONES], the chairman of the Subcommittee on Flood Control, for their foresight, good judgment and their dedicated concern for the resources of the Nation, and the well-being of our people, in reporting to the House for our consideration here today this bill authorizing the construction, repair, and preservation of public works on rivers and harbors for navigation, flood control, for recreation, and for other economic purposes.

A total of 144 individual projects is included in the bill at a total estimated Federal cost of $1,970 million. The projects are located in 41 States, spreading their benefits to many millions of our people.

Of course, Mr. Chairman, I am especially interested in the authorization, through this legislation, of the development of the Neuse River Basin in the great State of North Carolina.

This bill authorizes improvements in the Neuse Basin down to Pamlico Sound involving Federal expenditures totaling **$29 million—$18,600,000 for the Falls Dam and Reservoir and $10,400,000 for** the project for hurricane-flood protection at New Bern and vicinity.

Mr. Chairman, the development of the Neuse River Basin will bring untold benefits to the people of the Fourth Congressional District of North Carolina, which it is my privilege to represent in the Congress, and to our State generally; and the economic stimulation will be felt over a wide area beyond the bounds of North Carolina.

This development is especially beneficial to the city of Raleigh, the capital of the State of North Carolina.

The rapidly growing capital city has an immediate and pressing need for an adequate supply of water for municipal and industrial uses. At present Raleigh gets its water from several reservoirs on the smaller creeks. The safe yield of the present source will soon be exceeded. The Falls Reservoir will store 45,000-acre-feet of water for this purpose. This will provide for Raleigh's needs for years to come. The 45,000-acre-feet of storage will provide Raleigh with about 100 million gallons of water per day.

The Neuse River Basin, situated in the eastern part of North Carolina, is approximately 180 miles long, with a maximum width of 46 miles. The Neuse is formed by the confluence of the Eno and Flat Rivers, about 8 miles north of the city of Durham, and has a drainage area of approximately 5,700 square miles.

The only existing flood control project of a permanent nature constructed on the Neuse by the Corps of Engineers is the cutoff at Goldsboro. This project consists of a flood channel across two adjoining bends of the river.

Major floods occur in the Neuse River Basin as a result of heavy rainfall from thunderstorms, hurricanes, and tropical storms. Such damage, according to the Corps of Engineers, averages about $1,256,000 annually.

The recommended plan of improvement of the basin is for construction of the Falls Dam and Reservoir in the interest of flood control, water supply, water quality control, recreation and for other purposes, and the recommendations include a general plan of improvement embracing 12 other reservoirs as a guide for future development of the water and related land resources of the basin.

The authorization in the bill before us today is for the Falls Dam and Reservoir, $18,600,000, and for the project for hurricane-flood protection at New Bern and vicinity, $10,400,000.

At New Bern the Neuse River widens into a broad tidal estuary that empties into Pamlico Sound. Any sustained strong winds from the northeast quadrant on Pamlico Sound cause increased water levels in the Neuse estuary with frequent damaging results to urban and other developed areas. This legislation authorizes construction of a hurricane-tidal barrier at the Cherry Point-Wilkinson Point site on the Neuse, to include an ungated navigation opening.

Mr. Chairman, I note particularly the statements of the committee with respect to the authorizations on the Neuse, as follows:

> Falls Dam and Reservoir: The committee recognizes the desirability of protecting the flood plains of the Neuse River from disastrous flood damage. The Falls Dam and Reservoir project would be an effective initial step in controlling floods and providing needed water supply, water quality control, and recreation in the basin.
>
> New Bern and vicinity: The committee considers this project to be needed for hurricane protection at New Bern. However, the committee notes that economic justification is dependent on realization of benefits which, in turn, are dependent in considerable part on actions by local interest in regard to bridge construction and recreational use of the hurricane barrier slope. Accordingly, the committee considers it desirable that these benefits be reviewed carefully in connection with the evaluation studies normally made during preconstruction planning, taking into account the intentions of local interests at that time.

Mr. Chairman, I would like to point out that the Falls Dam and Reservoir is a first step in the development of the

land and water resources of the Neuse River Basin. The Corps of Engineers' report describes 12 additional potential reservoir projects in the basin which are to be studied in the future.

I would also point out that the local people in the Neuse River Basin are taking steps to solve some of the existing land and water problems. The Department of Agriculture has received nine applications for assistance under the provisions of the Watershed Protection and Flood Prevention Act—Public Law 566, 83d Congress, as amended. Watershed work plans developed by these local organizations with assistance from the Department of Agriculture have been approved for five of these watersheds and assistance is being provided for the installation of improvements. The Department of Agriculture is now providing technical assistance to local organizations in developing a watershed work plan for a sixth watershed in the basin.

Other local organizations have also indicated an interest in developing watershed work plans and installing improvement measures in other watersheds in the basin.

I am greatly interested in seeing that the land and water resources of the Neuse Riven Basin are developed to their maximum potential. I hope that future studies in the basin will be carried out jointly by the Soil Conservation Service and the Corps of Engineers in cooperation with State and local agencies. I am sure such studies will determine the most appropriate manner of providing for the development of the basin's resources through combinations of watershed projects under the provisions of Public Law 566 and additional reservoir projects as are considered in the Chief of Engineers' report.

Mr. Chairman, I can assure the House that our people living in the basin are ready and willing to do their part in the Neuse River Basin development.

Mr. CRAMER. Mr. Chairman, I yield 1 minute to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I wish to compliment the gentleman from Florida for again pointing out, as he usually does, with his great skill, the overwhelming need to meet this particular disaster problem.

As the gentleman knows, in 1956 a disaster act was passed, but it has never been implemented.

I shall ask to include in the RECORD at this point a recommendation I have made to the committee in support of a study in depth on the problem of inadequate disaster insurance. I would like to work with the committee, and I hope that my recommendations will be followed.

The attached news release from my office on July 14, 1965, spells out guidelines for the development of an adequate natural disaster insurance program. This could be of value to the Members similarly concerned:

NEWS RELEASE

Congressman DON H. CLAUSEN today charged that a program of adequate aid to private individuals whose property is damaged in floods and other natural disasters "simply does not exist."

In testimony before the House Subcommittee on Small Business, CLAUSEN said such a program is critically needed.

"It is to this end that I ask the Congress to direct its greatest efforts and talents," he said.

CLAUSEN said, "The millions of dollars spent by the Federal Government, the States, the Red Cross, Salvation Army, church relief, and the many great voluntary organizations, though sincerely appreciated, can by no means begin to provide relief for the mental anguish and personal losses suffered by those immediately affected."

The First District Congressman said that the National Disaster Act of 1956 takes care of political subdivisions and the public sector generally, "but the program to sufficiently handle the private sector problems simply does not exist."

The subcommittee, an arm of the House Banking and Currency Committee, held hearings last week on a series of bills calling for detailed studies of flood aid to individuals. It was hoped that such studies, one of which was proposed by CLAUSEN, would lead to national disaster insurance which individuals could afford and would cover their losses in time of disaster.

The subcommittee today released testimony received during its hearings.

"We need a program that can be triggered into action as soon after the disaster occurs as is physically and administratively possible," CLAUSEN said.

CLAUSEN said he believed any study proposed by Congress should proceed in the following general direction:

Ask the insurance industry to advise the Congress whether it can or cannot specifically provide adequate insurance underwriting to meet the problem, either by individual companies, through re-insurance or risk-pooling concepts?

If not, can an arrangement similar to the FHA underwriting Government industry cooperative agreement be developed?

Is a subsidy arrangement, containing adequately defined insurable limits a possibility—providing the administration of the program supplements and does not conflict with reasonable insurance program objectives?

The Red Cross, Salvation Army, Office of Emergency Planning, churches of all denominations and the many voluntary relief agencies should be asked to provide advice and counsel to the agency conducting the study, thereby providing the Congress with the invaluable benefits gained through years of disaster relief experience.

Adequate flood plain zoning must be an integral part of the program until such time as adequate flood protective works can be built.

Mr. CRAMER. This is one of the areas which such an ad hoc committee could study and come up with recommendations with regard to disaster relief in all of these areas.

Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. KEITH. Mr. Chairman, earlier in the session I introduced a bill requesting the Congress to establish such a commission and study the whole problem of disaster insurance and the relationship of the Federal Government, State governments, and local governments, with the insurance industry. Some months later the gentleman from Texas [Mr. PATMAN] filed a bill identical to mine. Such a bill has passed the Senate. The measure was on our calendar a week ago Monday, the day on which we had 22 quorum and rollcalls. I believe it is known as Senate 408. If there is any possibility of taking that bill up this session, that proposal would be available for us to approach this serious and timely subject.

Mr. CRAMER. I thank the gentleman. That is another indication of the importance of the subject to many Members of the Congress. It is obviously urgent as a result of the floods that have taken place and the damage which has resulted throughout much of the South, including Florida and Louisiana, as examples.

Mr. Charman, I yield to the gentleman from Wisconsin [Mr. DAVIS] 7 minutes.

Mr. DAVIS of Wisconsin. Mr. Chairman, I hesitate to take up the time of my colleagues in debate on the floor of the House in relation to a bill which does not come from a committee of which I am a member. But I think it is necessary to do so because one of the projects in the bill directly affects both the responsibility and the position of a committee of which I am a member, the Committee on Appropriations.

The project involved that requires the attention of all of us who serve as Members of the House, and the manner in which that project appears in the bill, is the Trinity River project in Texas.

As I understand it, that is a project which approaches $1 billion in its scope. We are talking about the authorization of two parts of that project. The parts are quite similar in the amount of money involved. One-half billion dollars relates to water conservation, recreation, and flood control. That part, as I understand it, has the approval of the Bureau of the Budget. The other part, another one-half billion dollars, relates to navigation, a 12-foot canal, 150 feet wide, running for 300 or 400 miles across the State of Texas.

That part, as I also understand, does not have the approval of the Bureau of the Budget. The Bureau of the Budget has said that that part ought to be restudied and ought to be reevaluated, and the criteria upon which that reevaluation is made should be in terms of having it brought up to date before it ought to be considered for authorization. That part, as I also understand it, has a benefit-to-cost ratio of less than unity on the basis of the figures which have been set forth by the Bureau of the Budget.

On page 85 appears an authorization for this $1 billion project of only $83 million.

But the language specifically says "including navigation." In other words, we are asked to partially authorize the part which has not been approved by the Bureau of the Budget and the part which, under existing criteria, has a benefit-to-cost ratio of less than unity.

Earlier today, if I recall correctly—and perhaps some corrections will be made by members of the committee—the gentleman from Florida [Mr. SIKES] referred to 12 new projects which have been sent up since this bill was reported, and earlier in the general debate someone referred to another project, I believe the gentleman from Georgia, and the gentleman in charge of floor debate suggested that there would probably be another omnibus bill next year.

As a member of the Appropriations Committee and particularly of the Subcommittee on Public Works, which has cognizance over the funding of projects of this kind, I cannot help being concerned over the manner in which this is being handled. This is a piecemeal authorization of a huge project, part of which does not have the approval of the Bureau of the Budget and which has a benefit-to-cost ratio of less than 1. I cannot help being concerned over the argument that we should authorize a part of it now so that the highway officials in the State of Texas will know that they can go ahead on the basis of it.

In other words, the foot will be in the door and every member of this committee will be considered as being committed, and the Appropriations Committee will be considered as being committed for not the $83 million which appears in this bill but for the billion dollars we are talking about for this project.

The Bureau of the Budget has said that there can be a restudy and a reevaluation within a period of 6 months. If that is true, I believe this Congress owes it to itself and the Members of the House owe to the integrity of our Appropriations Committee to await the results of that kind of a restudy and reevaluation. If it can be done in 6 months, as the Bureau of the Budget says, the results of that restudy will be before the second session of the 89th Congress so that, if there is an omnibus bill, as twice has been indicated today, it could be included as an authorization at that time.

It appears to me that we can do great harm to the confidence of the American people. We can do great harm to the confidence of the people in us and great harm to the confidence of the Members of the House and of the American people in the Committee on Public Works, the authorizing committee, if we proceed with this kind of a piecemeal authorization, in the light of the questions which have been raised both in the executive and legislative branches.

If I am wrong in these figures or if I am wrong in asserting that the Bureau of the Budget has said this ought to be reevaluated and restudied and that they do not approve of authorizing it at this time, we should have some clarification now. If I am correct, I believe this project ought to be deferred until the omnibus bill for next year.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Ohio.

Mr. HARSHA. I thank the gentleman for yielding. I commend the gentleman on his position. He is taking the same position that I took before the committee. I raised the same points he has raised and the Bureau of the Budget and the Secretary of the Army raised. I offered an amendment to strike the navigational features from that portion of the authorization, setting forth the same objections and the same reasons the distinguished gentleman from Wisconsin has stated.

However, we were not successful in that effort. We did achieve an element of success. We had written into the authorization a provision for a restudy. We further obtained a concession that up-to-date or present criteria would be used in the restudy, including an adequate rate of interest together with the usual 50-year amortization or lifetime period.

In addition to that, the authorization, while it does in effect give blanket authorization to the entire project, only gives a monetary authorization in the sum of $83 million. That means the committee and the Congress will have to come back and take another look at this project after the restudy and before further monetary authorizations are made. So, while we did not accomplish the purposes set forth and overcome the objections raised by the Bureau of the Budget and the Secretary of the Army, we did in great measure strengthen the original proposal. We did accomplish that.

Mr. DAVIS of Wisconsin. Mr. Chairman, I wonder if the gentleman from Ohio feels at least in the eyes of the people from the State of Texas that Congress is not committed and the hands of the members of the Committee on Appropriations are tied as far as being sure that we get the kind of a restudy and reevaluation we are talking about.

Mr. HARSHA. I think we will certainly get a restudy and certainly the legislative history is clear enough so that we will get a restudy based on current criteria. I am not fooling you or anybody else. We have authorized the project.

Mr. WRIGHT. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, in answer to the remarks of the gentleman from Wisconsin, let me set the record straight.

One of the really impressive things about this Trinity River program is the number of Americans it will serve.

The amount of money involved would not be considered too great when representing a total package for the development of the waters over the next 15 or 20 years in an entire State of our Union.

And yet, the Trinity River Basin, for which this project will do just that, contains more people than any one of 32 States in our Nation. The people who will benefit by this project amount to more than 3 percent of the Nation's total population.

Certainly we are not doing too much for them by comparison to projects for the rest of the country in development of water resources.

According to the projection made before our committee by Maj. Gen. Jackson Graham, the Chief of Engineers for Civil Works if we assume that this project could be completed in 10 annual installments, we would be devoting approximately 2 percent of the Federal expenditures on water resources development. And yet this amount would be serving more than 3 percent of the population.

Today the Fort Worth and Dallas metropolitan area is the largest single concentration of people anywhere in the country not served by a navigable waterway.

So, as a matter of justice and fairness, it seems to me that this project is amply justified on the basis of the great part of Americans that it will serve and by the careful planning and cooperation which has gone into it.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, I appreciate the interest expressed by our colleague, the gentleman from Wisconsin [Mr. DAVIS], but there are certain factual inaccuracies contained in his summation of the Trinity River project.

It is not, as he indicated, a "billion-dollar project." At least it does not involve $1 billion in Federal expenditures. The only way we could refer to it accurately as a billion-dollar project would be by taking into account all of the moneys which have been expended and pledged by State and local and private sources to the completion of this vital program.

The best estimate available on the total Federal cost of the entire comprehensive program is approximately $737 million. This would extend over a period of at least 10 years in the completion of 14 flood control and multiple-purpose projects, as well as the navigation canal. The U.S. Corps of Engineers' estimate of $515 million for the navigation canal includes a 25-percent contingency fund safety factor which has been added to the cost estimates.

No comprehensive program of this type that has ever come before the Congress has enjoyed such a magnificent degree of willing local financial participation. More than $500 million in totally non-Federal funds either have been spent or will be spent on this total development program.

Our entire committee, I am sure, was greatly impressed by the intelligence and spirit of the large delegation from Texas which appeared before us in behalf of this Trinity River project.

It was the largest group to come before the committee in behalf of any program we had under consideration. The testimony given by the group was factual and intelligent and extremely well presented.

But the main thing this delegation demonstrated was the complete unanimity of support, public and private, for this project. There were in that group 62 mayors and 15 county judges, as well as the civic and industrial leaders of Texas.

They filed with the committee copies of official resolutions adopted by the local governing bodies pledging their local financial and moral cooperation in every phase of this activity.

The people living in the Trinity River Basin have indeed put their money where their mouth is. They already have spent $269 million of local money in the development of this river basin and have pledged additional amounts totaling $256 million more.

In other words, the local non-Federal interests, are putting up a total of more than half a billion dollars to match the Federal Government's work in connection with this project. They have completely demonstrated their good faith.

On the basis of this factor alone, it seems to me that this project deserves our support.

The committee very carefully considered the Trinity River project and determined that it is fully justified on the basis of a realistic benefits-cost ratio.

The economic justification of the project was quite evident to those of us who listened attentively to the testimony.

We in the committee feel that the Corps of Engineers projection of the usage of the navigation canal is extremely conservative and that it actually will produce an enormous volume of shipping, a great deal more, in fact, than would be necessary to produce a favorable benefits-cost ratio.

The history of the traffic projections by the Corps of Engineers would seem to bear this out.

On the upper Mississippi, the Engineers projected anticipated tonnage of only 9 million tons. By 1963, the actual tonnage had reached 31 million, or 344 percent of the anticipated volume.

On the Illinois Waterway, the official projection was for only 7.5 million tons. Actually. tonnage in 1963 was 23.6 million—three times as much.

The Ohio River, estimated by the Corps of Engineers at 9 million tons annually, reached 88 million tons in 1963, or 973 percent of the estimate.

More in point, the Gulf Intra-Coastal Canal between New Orleans and Corpus Christi exceeded the 7-million-ton estimate by seven times, reaching approximately 50 million tons in 1963.

This Trinity Canal will connect with the Gulf Intra-Coastal Canal. The Bureau of the Budget stated that it was greatly impressed by the growth of the area. The canal will bring still greater industrialization and growth, and will pay for itself several times over.

The Bureau of the Budget made what the committee regarded as a most significant statement, when it said:

> More recent information on the growth of industry and freight traffic in the area suggests significant changes in the benefits originally assigned to the project. We have been impressed by the industrial growth in this region which has occurred since 1958.

As set forth in this bill, there are ample safeguards and continuing opportunities for congressional review, as explained by the gentleman from Ohio [Mr. Harsha]. It is quite true that we are authorizing the project exactly as recommended by the Board of Engineers for Rivers and Harbors.

On any project of this scope and duration, however, the requirement of appropriations to carry out the work gives to Congress a continuing review.

The Public Works Committee, after carefully considering all sides and hearing all testimony in connection with the Trinity River project, has decided clearly that it is economically justified.

The divsion engineer assigned to it a favorable benefit-cost ratio of 1.6 to 1. The Chief of Engineers recommended the project. The Board of Engineers for Rivers and Harbors also recommended the project.

It has been further recommended by the Department of Commerce, the Department of Interior, the Department of Agriculture, the Department of Health, Education, and Welfare, and in all by a total of 18 official State and Federal agencies of government.

Interestingly, these recommendations were based on very low tonnage projections for shipments of grain and other commodities by way of the navigation canal.

The basic year used in the Corps of Engineers study was 1958—the last year of a scorching 7-year drought in the Southwest. Obviously, the amount of grain being grown in that year was far below normal.

Yet, even so, the figures came out favorably.

The records show that the actual shipment of grain today which would go by the waterway is already more than three times as much as was anticipated by this time in the use of the 1958 figures which formed the basis of the favorable report of the study.

To put it another way, shipments available for the barge canal are already greater than the Corps of Engineers projection anticipated for the year 2010.

The committee has on file affidavits from commercial shippers who state the volumes available which they would ship by the canal if it were complete now. In some cases these totals amount to 10 times as much as was credited in the favorable Corps of Engineers study.

So, on the basis of these facts and on the basis of the demonstrated local enthusiasm and cooperation, the committee felt strongly that this project is well-justified economically and deserves our support.

Mr. MURPHY of New York. Mr. Chairman, as a former member of the Committee on Public Works, I want to commend the chairman of the full committee, the gentleman from Maryland [Mr. Fallon], and the chairman of the subcommittee, the gentleman from Minnesota [Mr. Blatnik], for their diligent and outstanding efforts in bringing this omnibus bill to the floor. It has been 3 years since a rivers and harbors beach erosion, flood control and water supply proposal has come to the House and I think these gentlemen are to be commended for their stated policy that in the future an omnibus bill will come up each year. This will insure that projects that have been studied closely by the Corps of Engineers and recommended favorably by Government departments will be acted upon without undue legislative delay.

The actions of the Corps of Engineers, and of course of this committee, in their deliberations in authorizing the Staten Island hurricane protection and beach erosion control will insure that this rapidly expanding community does not suffer the critical damage and heartbreaking effects that have always accompanied the seasonal hurricane assaults on the northeastern coast.

The action of the committee also in approving the East Rockaway Inlet and Jamaica Bay shore erosion and hurricane protection will not only assist this community, which has already poured 11 million cubic yards of fill on this shoreline, but will insure thousands of small craft owners a hurricane seawall across the entrance to Jamaica Bay to insure that their boats will have a protected haven from hurricanes and other heavy storms.

Mr. Chairman, I notice that in the report it is stated that a long period of time has been required from a survey investigation to the final submission of a report to Congress. The committee report stated that the average time for this action has been estimated at something in excess of 10 years. I am happy to note that the two projects on Staten Island and East Rockaway have been studied and authorized within a 2½-year period. This could not have been done had not the Corps of Engineers and the members of this committee been so cooperative in expending their time and energy throughout the hearings to assist in the authorizations of these vital projects.

Mr. ST GERMAIN. Mr. Chairman, I rise in support of the bill now under consideration—the rivers and harbors flood control bill. First, I want to commend the members of the House Public Works Committee on its comprehensive and detailed report on this measure. I know the members labored long—at least 5 weeks of House hearings were held in addition to Senate hearings and many of the 144 projects provided for in this measure had separate days of hearings.

It is of extreme interest to me that the farsighted members of the House Public Works Committee saw fit to include in this legislation provisions to meet the future water supply needs of our northeastern seaboard.

We cannot be indifferent to the warning signals we have received via drought and from which our northeastern seaboard has not recovered. Those of us who represent communities suffering from shortage of water this year are understandably apprehensive about our Nation's dwindling water supply and the plans set forth in title I of this act provide for a good first step in the right direction.

In addition, I want to make note of the fact that it is gratifying to me that two projects for my congressional district have been favorably recommended for consideration.

For the benefit of the economy and easy navigation of Providence River, local authorities of the capital city of my State have long been urging the deepening of the channel to the port of Providence itself. We have been experiencing a serious navigation problem in this area, as many large vessels serving the industries on the river and the harbor have been subjected to tidal delays and serious restrictions on loading. Additionally, large tankers now cannot enter the channel and this in itself seriously affects the economy of what was once a thriving port. The deepening of the river and enlarging of the harbor will add a stimulus to our State's economy at a time when existing industry needs it and when the port of Providence needs new industry. This project is of deep concern to me for its subsequent benefits to my State and I urge its retention in this measure which I hope will be passed with an overwhelming vote.

The second project in the measure, which is also of deep concern to me, is the restoration of Cliff Walk at Newport, R.I., where beach erosion has caused this historic walk to be impassable. Its restoration, well in line with the administration's beautification recommendations, will allow our present and future generations—as our past generations have done—to view the Narragansett Bay area, the scenic beauty of which far exceeds one's expectations.

Mr. STRATTON. Mr. Chairman, I rise in support of this bill. I am especially interested in the proposal contained in title I to direct an overall survey of the water needs of the northeastern part of the country, which is now suffering from its fourth consecutive year of bruising drought. This title would direct the Army Engineers to survey the possibilities of establishing some sort of water "grid" within this northeast area, so that available water supplies could be more easily diverted from one area into other areas where the need happened at the moment to be greater. This is what is done at the moment in the case of electric power. Whether the same concept can be entirely successfully applied to water I do not know, but I do think it makes sense for us to take a look at it and see whether it does.

I am interested in this overall idea in particular because it applies to a situation which has existed for some years in my own district, and which may exist in other areas of the country as well. Some 30 years ago as the result of a damaging 1935 flash flood in New York State the Army Engineers proposed the construction of some seven flood-control dams to be built on tributaries of the north branch of the Susquehanna River for the purpose of impounding and holding back any future flood waters of this kind. Congress authorized their construction, and two of these dams were soon constructed. But funds for the remaining five were never appropriated, largely because of protests from upstream residents whose valuable farmland, homes, and even villages would be destroyed by the dams in question. No repetition of the 1935 flood has ever occurred in the intervening years, partly because of the protection afforded not only by the two dams which have been built but also because of flood walls and other works constructed in the downstream area. Yet the fight between the downstream people and the upstream people—who are my constituents—has gone on with considerable intensity. In fact only this year the gentleman from New York [Mr. Dow] and I both had to fight hard to head off a renewed effort to get the appropriation of construction funds begun for two of these five unconstructed dams. We sold our case to the Appropriations Committee of the House, though we only partly sold it to the other body. But both of us are hopeful that the conference committee will accept the point of view of the House committee on this issue and defer any construction of these costly unbudgeted dams for yet another year.

Some 5 years ago, however, in an effort to try to be constructive on this issue, I proposed in an address to the Binghamton, N.Y., Rotary Club in September 1960, that there might be a way to deal with any possible flood waters along the Susquehanna that might menace the city of Binghamton without requiring the expropriation of valuable upstream farmland, and the destruction of homes and villages which the Army Engineers' proposal would entail. I pointed out that the Delaware River Basin, just to the east of the Susquehanna Basin, already included two very large reservoir dams, for the purpose of supplying water for the city of New York, one of these at Cannonsville, and one at Downsville. In fact in the areas of the Cannonsville Dam the Susquehanna and the Delaware Rivers are only about 20 miles apart. My suggestion was that instead of building costly upstream dams, that would have at the best very limited usefulness, we should construct a tunnel between the two river basins, and divert any excess waters from the Susquehanna in time of high water or potential flood into the Delaware River and its reservoirs.

The idea was regarded as rather fantastic at the time. But this is precisely what is now being proposed here in title I. And the proposal is even more relevant than ever, because of course the city of New York is short of water, and the city of Philadelphia also wants more water in the Delaware too to keep the salt water line below her boundaries.

I do not know just how feasible my idea is. But at least now it can be fully explored, and I am very hopeful that when the survey is completed we can indeed come up with something that will meet the needs of the people of the Binghamton area without causing the destruction that the 30-year-old dam program of the Army Engineers would certainly do.

In this connection, however, Mr. Chairman, I do support very strongly the suggestion that the conduct of this survey should not be turned over to the Army Engineers. It should be given instead to the Water Resources Council, under the control of the Department of the Interior. In my own case, for example, it would be most unlikely that the Army Engineers, investigating my proposal for diverting water from the Susquehanna to the Delaware, would be likely to end up rejecting their own original big dam project. I have found over the years that when it comes to water matters the Army Engineers have no flexibility or imagination. They have only one approach: dams, dams, and more big dams. We certainly do need fresh thinking if the full value of the very unusual studies proposed in title I is to be achieved. Hence I strongly support the change.

One final word, Mr. Chairman. Some fear has been expressed within the Finger Lakes area which I also have the honor to represent, that the construction of such a water grid system might mean that the waters of the Finger Lakes might be tapped to meet the needs of New York City. I am quite confident that this would never be the case. In any case this is only a study. We have pressing water needs enough within our own territory. Besides that, we certainly would not want to destroy one of the great recreational assets of our State and indeed of the entire country for the benefit of just one city. But in any event, Mr. Chairman, I want to serve notice now that I would strongly and vigorously resist any such proposal to tap the water resources of the Finger Lakes for the benefit of any area except the Finger Lakes area itself. It would be completely unwarranted.

Mr. SHRIVER. Mr. Chairman, this has been a disastrous year for thousands of Kansans who have experienced great personal and property losses because of floods. The economic impact upon my State has been heavy. Early in the spring, floods in the Walnut River Basin caused approximately $5 to $6 million in damages. In June, rampaging floodwaters of the Arkansas River caused over $20 million damages in Kansas and Colorado. Untold damages also have resulted from flash floods on creeks and other smaller tributaries in Kansas.

But Kansas citizens also know the serious consequences of the prolonged cycles of drought which historically have plagued mankind.

These experiences have brought us to recognize the importance of planning and developing effective flood control measures and at the same time implementing programs to conserve, develop, and fully utilize our precious water resources.

Over $73 million in new authorizations are included in this bill, S. 2300, for flood control projects in the State of Kansas. In addition, this legislation also authorizes several important studies by the Corps of Engineers.

Section 207, title II, of this bill provides for broadening an on-going study of the Arkansas River and tributaries at and above Tulsa, Okla., to include navigation as a purpose and to include the reach between Hutchinson and Great Bend, Kans., which are not covered by the outstanding authorities under which such studies are being made.

The estimated cost of the additional studies that would be made, assuming that a complete survey scope investigation might be necessary, is $387,000 and about 6 years will be required to submit a report to Congress. Appropriations would be divided over the 6-year study period.

There is strong support at local, State, and regional levels for a comprehensive multipurpose study, including navigation, of the Arkansas River and tributaries from the headwaters of the Arkansas River to the vicinity of Tulsa, Okla. Such a study also would encompass the needs for flood control, water supply, water quality control, recreation, and other beneficial uses of the water resources.

I have received strong statements of support from the Governor of Kansas, the Mid-Arkansas River Basin Water Study Committee and its chairman, Don Pray, of Wichita, the city of Wichita, city of Hutchinson, Kans., the Arkansas Basin Development Association in Kansas, the Kaw Dam and Reservoir Development Association, Inc., and many private citizens.

The interest in determining the feasibility of extension of navigation stems from several significant factors. Navigation is now a reality to Kansas City and Omaha on the Missouri River. By 1970 navigation will be an accomplished fact to Catoosa, a suburb of Tulsa, Okla. Extension of navigation to Wichita and beyond would be a logical next step if this investigation determines it to be feasible and within economic reason.

Admittedly it is difficult to envision in 1965 barges or other large vessels moving down a navigable channel of the Arkansas River from Wichita to Tulsa. However, we would be remiss in our responsibilities to future generations if we failed to explore every possibility of developing, to the fullest extent possible, every resource for the economic development of this area and the Nation.

Mr. MOELLER. Mr. Chairman, the legislation that we consider here today—S. 2300, the omnibus rivers, harbors, and flood protection bill—is absolutely essential to the growth, safety, and continued expansion of our common country.

The bill provides America's cities, towns, and rural areas critically needed protection against the threat and reality of floods—floods that in recent times have racked almost every section of the Nation, causing billions of dollars in destruction, leaving thousands of families homeless, and inflicting incalculable human misery and suffering.

This legislation will improve and increase the Nation's water supply at a time when the severe, growing shortage of pure water is a cause for national alarm.

The bill will further strengthen the great network of rivers and harbors that means so very much to our national economy and to our international trade program.

Finally, this legislation will combat the ever-present menace of erosion; it will increase the use of hydroelectric power and it will create new recreational areas in a nation that is fast outgrowing existing facilities for outdoor recreation, such as fishing, boating, swimming, and camping.

Let me briefly discuss the benefits of just one of the programs authorized in this legislation. I refer to the Athens local flood protection projects for my 10th District of Ohio.

This project would prevent land and property damages from smaller floods that have plagued Athens and Ohio University for so many years; it would substantially reduce damages from larger floods, such as those that caused nearly $2 million in destruction to the Athens area in 1963–64.

Importantly, the flood protection project would open up almost 500 acres of undeveloped land in the Athens flood plain for utilization by Ohio University and private industry. Specifically, it would protect 235 acres on which the university has invested $30 million in physical improvements, and it would permit immediately additional construction of $41 million by Ohio University on land that is now undeveloped.

The Athens project also would result in average annual benefits of $460,000 in increased property values and local tax revenues; improved water quality, recreation, tourism, and, of course, in flood protection.

I would be remiss if I did not commend the House Committee on Public Works and the Subcommittee on Flood Control for the tremendous work it has done in putting this legislation together. I particularly commend the distinguished chairman of the Flood Control Subcommittee [Mr. JONES] for his valuable assistance in my efforts to secure authorization of the Athens local flood protection plan. The people of my area had been striving for 24 long and frustrating years to obtain this project. I am delighted that I was able to bring it to the point where success depends now only on the affirmative vote of this Congress.

Mr. BENNETT. Mr. Chairman, I want to take this opportunity to congratulate the distinguished chairman of the House Public Works Committee, the gentleman from Maryland [Mr. FALLON], and the ranking minority member, my colleague from Florida [Mr. CRAMER], and all their able colleagues on the fine work they have done in presenting this bill to the House. Long hearings and careful study of the projects in the public works omnibus authorization bill have produced this important bill, which is vital to the national interest.

I would like to comment on two projects in the bill, which are in my home district, Duval County, Fla.

One is the Corps of Engineers and Bureau of the Budget approved project to deepen the Jacksonville Harbor from 34 to 38 feet. In recent years millions of dollars have been spent by local interests on improving the port which serves as an important port of entry from the Atlantic Ocean and joins with the St. Johns River to serve a wide area for commerce in the South. The Jacksonville Port Authority, led by a distinguished group of local citizens, has been established and the proposed deepening of the Jacksonville Harbor is needed in line with the authority's goals to improve shipping and commerce and to handle the great amount of traffic which has been generated.

The Jacksonville Harbor is destined to play an even more important role in the waterway traffic of the Nation. The Cross-Florida Barge Canal, which will link the oil-producing States of the West to the oil-consuming States of the East for the benefit of millions of Americans and the national security, is now being constructed at an adequate pace. The completion of the canal will mean even more traffic by water between the Atlantic Ocean and the Gulf of Mexico.

The discovery of new phosphate deposits in northeast Florida increases the need for the harbor improvements, and one large international company has already spent very substantial sums to provide for a shipping area, including a huge dock, to handle the increased phosphate shipments.

The proposed project would deepen the harbor to the Jacksonville municipal docks and terminals. I am pushing for further deepening nearer the center of Jacksonville, which has the support of local interests, and I am hopeful in the near future that this will gain approval by the Corps of Engineers.

The other Duval County project included in this bill is a 10-year program, approved by the Corps of Engineers and Bureau of the Budget, for beach erosion control along the shoreline of the county. The local sponsor, the Board of County Commissioners of Duval County, has agreed to meet the non-Federal cost of the project, which will involve some $3.5 million over the 10 years.

This is a very important project for the shoreline of the county. During the last 3 years, storms and Hurricane Dora have battered the beach area, which includes a growing population of now over 20,000 persons. A program for beach nourishment is badly needed, and the Corps of Engineers have developed a plan of improvement which will help solve the beach erosion problem and protect valuable public and private buildings and developments along the shoreline. Included in the master plan is beach erosion control at the Mayport Naval Station, a key base from which carriers and destroyers are directed for worldwide duty.

Mr. Chairman, both the Jacksonville Harbor project and the beach erosion plan for Duval County are essential to the national interest. I am happy to support this bill.

Mr. RONCALIO. Mr. Chairman, the bill before the House authorizes nearly $2 billion in public works, including flood control projects, water supply, water treatment, and similar purposes. It is my understanding that nearly 42 States reap in some degree the largess of this legislation. Yet Wyoming, for reasons long a puzzle to its citizens, is dealt a summary and resounding zero in the authorizations under this bill.

Recently the town of Mountain View in Uinta County suffered flood damage which will require expenditures well in excess of a quarter of a million dollars. The Smith Fork River will need riprapping for nearly a mile on both of its banks in order to stabilize the course and to make sure that there will not be repetition of this year's damage. Conservative estimates in excess of one-half million dollars tabbed the damage which was done to the parks and shorelines of the much-used Flaming Gorge Reservoir which is mainly in Wyoming and in a portion of Utah.

A disaster area designation this summer would have done much to assist these Wyoming communities and interests that were so severely damaged. But in the direct proportion to the damage of Colorado and of areas in other parts of America, Wyoming's damage was, of course, minimal, but a ruined farm is just as ruined if you are a Wyoming farmer as your interest should you be one of many others similarly damaged in the larger States.

Still in all, when Wyoming's Governor made application to Director Ellington of the Office of Emergency Planning for a disaster designation for Wyoming, we in Wyoming were categorically refused assistance, and even refused a visit of OEP officials in order that our evidence for such a designation might be examined first-hand. Indeed as Wyoming's only Congressman, I know that I was not notified, not appraised, nor in anyway contacted by the Office of Emergency Planning regarding this designation. I am further informed that neither of Wyoming's representatives in the other body of Congress were informed or contacted upon this categorical refusal for flood aid to the people or the political subdivisions of Wyoming.

In addition, Wyoming now has a project called the Fontennelle Dam which has sprung a serious leak in it and has endangered life and property along the entire Green River Valley.

I am aware that this bill will pass with an overwhelming majority since some 42 States have an economic interest in its passage; I am also aware that a voice vote against it is somewhat a voice in the wilderness with no intention of being provincial but with the hope that I can attract attention to an inequity, I ought to vote against its passage today as a measure of protest against neglect and abuse which I feel has been dealt to my State in this legislation. It would seem to me that equity itself ought to dictate the consideration of every State in the Union when $2 billion is packaged in one omnibus bill for projects benefiting the citizens of this Nation.

I shall, however reluctantly, support this bill in the hope that Wyoming's days of such neglect in this regard and its days of being treated as something short of a colony or territory may soon be coming to an end.

I hope other Members of this Congress from those States benefiting from this bill may take notice and remember this action when big and beautiful Wyoming presents its projects in the years to come.

Mr. BANDSTRA. Mr. Chairman, I rise in support of S. 2300, the 1965 omnibus public works authorization bill.

This bill, as reported by the House Committee on Public Works, would authorize construction of two projects of importance to many people in the Fourth Congressional District of Iowa, which I represent.

First, it would provide authorization for a dam and reservoir to be constructed on the Skunk River, about 5 miles north of the city of Ames. This project is needed for flood protection in the Skunk River Valley, which includes four counties in the district which I represent.

The Skunk River has caused extensive flood damage to crops and property in this area. In June 1947, for example, the river flooded about 78,000 acres, causing a total of $3,878,000 in damage.

This project was not included in S. 2300, as passed by the Senate on July 27, because the U.S. Army Corps of Engineers was not able to transmit its recommendation to the Congress until August 12.

However, the House Committee on Public Works has included the Skunk River project in the bill under consideration today, and I am hopeful that this project will remain in the version of S. 2300 that is finally passed by the Congress.

Second, this bill contains authorization for construction of a flood control project at Marshalltown, Iowa, which is needed to protect portions of the city against high waters on the Iowa River and Linn Creek.

This project is also vitally needed, since flooding at Marshalltown has been persistent and costly. Since June 1947, for example, six major floods have hit Marshalltown, either from the Iowa River or Linn Creek, causing a total of more than $750,000 in property damage to the community. This total excludes an estimated $55,000 in damage caused this spring by flood waters that swept through Marshalltown, forcing residents to resort to emergency measures to keep the high waters at least partly under control.

The Marshalltown project is included in the Senate version of S. 2300. In addition, the Senate voted to provide a $50,000 appropriation for planning work on the Marshalltown project when it voted approval August 23 of H.R. 9220, the omnibus public works appropriations bill.

The House of Representatives, of course, was unable to appropriate any funds for the Marshalltown project when it passed H.R. 9220 on June 22, since the project was not authorized at that time.

However, the House and Senate conferees have not yet met to resolve the differences in the two versions of H.R 9220. If the House approves the bill before it today, including authorization for the Marshalltown project, it will be possible to include the $50,000 in planning funds in the final version of the public works appropriations bill.

Prompt and favorable action by the Congress is needed if the Skunk River and Marshalltown projects are to proceed without delay, and I therefore urge the House to pass the authorization bill under consideration today.

Mr. ADDABBO. Mr. Chairman, I rise in support of this bill, S. 2300.

Mr. Chairman, I cannot help but be provoked when I hear this bill referred to as pork barrel legislation. The projects carried in this and prior bills on the same subject have authorized great projects which have directly benefited our own citizens. The bill before us today provides for flood control, navigation projects, hurricane protection, and so forth.

This bill directly affects my own congressional district. It authorizes a project to provide hurricane protection in Jamaica Bay, N.Y., which borders the entire southern portion of my district.

Jamaica Bay is 8 miles long, 4 miles wide, and covers an area of approximately 26 square miles. Communities in my district which border on the bay are Howard Beach, Rosedale—reached by Hook Creek—and the John F. Kennedy International Airport—a veritable city unto itself.

Howard Beach, including Hamilton Beach, is experiencing a tremendous and rapid growth. The population figure of 13,000 given in the Engineers' report is based on the 1960 census which is no longer realistic—entire communities have sprung up within the boundaries of Howard Beach since 1960. Howard Beach is constantly under the threat of flooding in the shore area from any abnormally high tides.

Rosedale is not physically on Jamaica Bay as is Howard Beach, but Hook Creek is the means by which flooding, at times up to 3 feet, comes to this community.

The John F. Kennedy International Airport, entirely within my congressional district, occupies approximately 4,900 acres of land bordering on Jamaica Bay between Bergen Basin and head of bay. The airport continues to expand as marshland is filled in for runway extensions, and so forth. Flooding from severe storms causes disruption to flight activities. As this airport expands its activities, there is an increase in the demand for gasoline and other supplies, much of which reaches the airport by water transportation, using the navigation channels in Jamaica Bay.

If we can secure hurricane protection, I can see untold benefits accruing to untold numbers of people. Jamaica Bay has the potential for becoming a great recreation and commercial area. With adequate protection, we may look forward to a tremendous increase in boating, swimming, fishing, and other water-related activities. These activities will, of course, bring demands for business facilities to supply the needs of these interests, and so it goes with demand and supply. Business brings profits and profits are taxed and income flows to the Treasury. In Queens County we seek additional business investment—I know that this project will be another incentive for such investment.

I have referred to the project which directly affects the Seventh Congressional District of New York. I am sure that the other projects in this bill are just as vital to other areas as the Jamaica Bay project is to my district.

I urge the passage of S. 2300.

Mr. RYAN. Mr. Chairman, I want to comment upon the importance of title I of S. 2300. Title I authorizes the preparation of a regional plan for meeting the future water needs of the northeastern seaboard. Title I authorizes and directs the Secretary of the Army through the Chief of Engineers "to prepare a plan to meet the long-range water needs of the Northeastern United States." The plan, according to title I, would provide for a system of major reservoirs, aqueducts between major river basins, and purification plants.

Significantly title I recognizes that the Federal Government has an obligation to develop a national policy in the vitally important area of water resources. The report of the Committee on Public Works points out that State and even interstate arrangements are no longer adequate to meet the water needs of the great megalopolis of the northeastern seaboard. The committee concludes:

> Now we face a situation that requires collective action at a still higher level—the level of the Federal Government.

Mr. Chairman, while I note the foresight contained in title I, I do not think that the proposed survey for the Northeast will be sufficient to meet the great water supply problems of that area. At present there is a multiplicity of jurisdictions and policies concerning water resources. Although the need for Federal coordination is recognized, there is no overall national water policy. Of course, the plan envisioned in title I will be helpful and could make a major contribution to an overall policy, but it is not a substitute for an overall policy.

The water shortage crisis in the Northeast makes clear the need to establish a national policy and a uniform Federal standard governing the use of all water resources constitutionally subject to Federal supervision.

I have introduced the Federal Water Commission Act of 1965, H.R. 10244, to accomplish this through a Federal Water Commission. This bill vests authority to enforce Federal standards in an independent regulatory agency comparable to the Federal Power Commission.

A key provision in the measure permits the Commission to suspend the application of the Federal water use and water pollution law if it finds that regional, State, or local regulations meet Federal standards. Any such action by the Commission would be reviewed after the elapse of 5 years in order to assure continuous coordination in the development and use of Federal water resources.

Other provisions of my proposed Federal Water Commission Act would—

Establish a Federal Water Commission of 5 members appointed by the President to develop and administer and enforce an integrated national policy of water use and water pollution control;

Provide Federal licensing procedures governing the withdrawal and pollution of all interstate, navigable, and coastal waters where existing laws fall below Federal standards;

Set a Federal standard of beneficial use applicable to all public and private activities which draw on water under Federal jurisdiction or result in their pollution;

Specifically protect all existing water rights as long as they are not injurious, and exempt all withdrawals of water by individual householders for normal domestic use;

Provide the Commission with special powers to cope with acute water shortages and emergencies; and

Delete a provision in the Water Resources Planning Act of 1965 which would prohibit the Delaware River Basin Commission from cooperating effectively with the proposed Hudson River Basin Commission to increase New York City's water supplies.

Although title I of S. 2300 provides for a constructive plan, Congress has failed to face the hard fact that we must have an integrated national policy of water conservation, water development, and water pollution control. We are developing a national electric power grid. Water is obviously a scarcer resource and far more vulnerable to the caprices of nature. The establishment of a Federal Water Commission will result in the allocation of water resources to secure an ample, constant water supply for all citizens of the United States.

Title I of S. 2300 is a step in the direction of establishing a national water policy, but I urge that there be hearings as soon as possible on H.R. 10244.

Mr. BINGHAM. Mr. Chairman, one of the most important features of S. 2300, the omnibus public works bill, is title I of the bill, which calls for the Federal Government to take the lead in making an intensive study of how to meet the future water supply needs of the Nation's northeastern seaboard and to prepare a regional plan for meeting these needs, including a system of major reservoirs, aqueducts between major river basins, and purification plants.

I am delighted that under this bill the principle is recognized that the Federal Government must accept substantial responsibility in meeting the water shortage problems of the northeastern area. At the same time, I am glad that the bill was amended to assure that the study will be carried on in cooperation with all agencies concerned: Federal, State, and local; and that all procedures will be consistent with the Water Resources Planning Act passed at this session—and which I was glad to support, both in the Interior Committee and on the floor of the House.

The New York City water shortage is part of a regional problem. To a certain extent, the needs of New York City are in competition with the needs of other nearby cities and suburban areas, and the various conflicting claims must be resolved by Federal and interstate action. At the same time, however, the interests of the entire region can be furthered by Federal study, planning, and action in this area.

The bill leaves open the possibility that the Federal Government will actually undertake to construct the reservoirs, aqueducts, and purification plants in question, with provision for appropriate financial participation by the States and localities. However, each such project would have to be approved by a future act of Congress.

While the bill before us can have no immediate effect on the current water shortage, it represents needed action in the direction of long-range and permanent solutions.

Mr. DENT. Mr. Chairman, this body is today being asked to authorize almost $2 billion worth of public works projects. Most of these projects are being strongly supported by local interests in the areas involved and by Members of Congress from the regions involved. However, my attention is drawn to one of the most expensive projects—the proposed power development on the St. John River in Maine—which does not have this overwhelming local support. Opponents of the St. John project include some Congressmen from the New England region, the New England Council, and the electric companies of New England.

Mr. Speaker, where there is smoke I am one who believes that a search for fire is necessary and in the case of this project that fire is there. On examination, the project turns out not to be flood control, not to be navigation, not to be area development but to be almost pure power. The Department of the Interior—which is not known for undervaluing the benefits from its proposals—claims less than 5 percent of the benefits from sources other than power. So we have here a power project, and any power project in New England is important to the people of Pennsylvania because coal—one of our State's major resources and sources of livelihood—represents the fuel supply for roughly 60 percent of the power used in New England. This hydroelectric project will supplant both coal and nuclear facilities for the part of New England's future powerload which it will fill.

Replacing coal with hydroelectric power—by committing $300 million of tax money—is something which the Pennsylvania delegation should wish to examine with considerable care. If hydropower is really cheaper than other sources in New England that is one thing, but it is clear from the testimony of witnesses before the Public Works Committee that this is not the case. In the committee hearings various cost estimates were given for alternative power sources. One fact stands out in that discussion—there are cheaper ways to produce equivalent quantities of power. Coal should be allowed to compete for the privilege of serving New England's expanding power loads. Even the Federal Power Commission in its formal comments on this project seems to be excluding the coal industry from consideration. The FPC admitted that steamplants, nuclear plants and pumped storage "were found to be capable of producing power at lower cost than the proposed Passamaquoddy-Dickey-Lincoln School project." The FPC went on to say that "such comparisons with alternatives should not be governing" because Federal financing was not anticipated for the other power sources.

Mr. Chairman, while the FPC report was aimed at the combination of Passamaquoddy and St. John, the attitude reflected in that letter seems to permeate the executive branch. Who says that "comparisons with alternatives should not be governing"? Who says that we should be asked to spend $300 million for hydro, when coal fired steamplants are cheaper? Who says we should spend these funds when private utilities can and will do the job cheaper and pay taxes to boot? Who says that the people of the 21st District of Pennsylvania should pay the costs of hydro in New England when steam is cheaper? Mr. Chairman, I say, "no."

I would like to be able to provide great detail on the costs of this project and the relative costs of other projects on the basis of information provided by the Department of the Interior—but no such details exist. We have before us a project which was conceived and designed as a part of another project—a child yanked from its mother with no indication of whether it can stand on its own feet. The Corps of Engineers—whose technical abilities I admire greatly—has advised that it does not know whether there is market for this power.

It has been advised by Interior that there is. Fine, so long as Interior knows whereof it speaks. It does not. There is a market says Interior. But that agency, by its own testimony, has not talked to power companies, has not talked to cooperatives, and has not talked to municipalities to determine whether or not anybody wants the power at prices that will repay the costs of the project even over the 100 years over which payments will be stretched at the artificially low interest rate of 3⅛ percent. The power from this project has to be sold somewhere. It can not all be sold in Maine—in fact, some 96 percent of the output will have to be sold outside of the area in which it is to be produced. So, we are told that if we authorize this project we are also, in effect, authorizing some $70 million worth of transmission lines, but nobody knows where these lines will go nor what they will carry nor to whom.

In short, Mr. Chairman, I concur with my colleague from Pennsylvania—a member of the Public Works Committee—who in his individual views said:

> There are many unanswered questions on this particular project. I am not sure that we are ever going to get the answers to them. But I am sure that until we make a try at getting the information that we do not now have, we should not support any requests for authorization of this project.

The CHAIRMAN. All time having expired, under the rule the bill and the committee substitute now in the bill will be read by titles instead of by sections. The Clerk will now read by titles the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—NORTHEASTERN UNITED STATES WATER SUPPLY

SEC. 101. (a) Congress hereby recognizes that assuring adequate supplies of water for the great metropolitan centers of the United States has become a problem of such magnitude that the welfare and prosperity of this country require the Federal Government to assist in the solution of water supply problems. Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to prepare a plan to meet the long-range water needs of the Northeastern United States. This plan shall provide for the construction, operation, and maintenance by the United States of (1) a system of major reservoirs to be located within those river basins of the Northeastern United States which drain into the Chesapeake Bay, those that drain into the Atlantic Ocean north of the Chesapeake Bay, those that drain into Lake Ontario and those that drain into the Saint Lawrence River, (2) major conveyance facilities by which water may be exchanged between these river basins to the extent found desirable in the national interest, and (3) major purification facilities. Such plan shall provide for appropriate financial participation by the States, political subdivisions thereof, and other local interests.

(b) The Secretary of the Army, acting through the Chief of Engineers, shall construct, operate, and maintain those reservoirs, conveyance facilities, and purification facilities, which are recommended in the plan prepared in accordance with subsection (a) of this section, and which are specifically authorized by law enacted after the date of enactment of this Act.

(c) Each reservoir included in the plan authorized by this section shall be considered as a component of a comprehensive plan for the optimum development of the river basin in which it is situated, as well as a component of the plan established in accordance with this section.

Mr. CRAMER (interrupting the reading of the title). Mr. Chairman, I ask unanimous consent that title I be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENTS OFFERED BY MR. JONES OF ALABAMA

Mr. JONES of Alabama. Mr. Chairman, I have two amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read as follows:

On page 37, strike out the sentence which begins on line 8 and insert in lieu thereof the following: "Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with Federal, State, and local agencies in preparing plans in accordance with the Water Resources Planning Act (Public Law 89–80) to meet the long-range water needs of the northeastern United States."

On page 37, line 11, delete "shall" and substitute in lieu thereof "may".

Mr. JONES of Alabama. Mr. Chairman, this is the amendment I discussed earlier in the debate on the pending proposal. What this seeks to do is to allay the apprehensions of some people that the Water Resources Planning Act would be violated by title I. This is intended to make clear that the Water Resources Planning Act will be honored in making presentations and representations in any plans that may be submitted by the Corps of Engineers for the consideration of the Congress.

The second amendment is on page 37 and provides for deletion of the word "shall" and places in lieu thereof the word "may".

This is to give ample assurances that the Water Resources Planning Act is further recognized as being the strong arm of water resources development.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I support the amendments that the gentleman has proposed. Without repeating what was discussed in the general debate, and the questions I asked the gentleman relating to these amendments which I understood would be offered, I trust the gentleman agrees now, as I said then, that these amendments, of course, relate to the Water Resources Planning Act and will guarantee—plus section 203 in the bill—that the States, the local agencies—and I am now referring to the Water Resources Planning Act—the States, localities, private enterprise, in cooperation with all affected Federal agencies, States, local governments, individuals, corporations, business enterprises and others concerned, with the conservation, development, and utilization of water, will be consulted regarding any such plan.

Mr. JONES of Alabama. I agree with the gentleman. That is the purpose of the amendments, to make assurance doubly sure.

Mr. CRAMER. And likewise, changing "shall" to "may" means that the corps will have greater flexibility in determining what will be the Federal responsibility in these different areas suggested in the authorizing language, including the area of water purification and transmission lines.

Mr. JONES of Alabama. That is the aim I seek in the amendment.

Mr. CRAMER. Mr. Chairman, I will say to the gentleman that I support the amendment. I think it will benefit this northeastern water study and plan proposal.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. OTTINGER. Mr. Chairman, I would like to compliment the gentleman from Alabama on the excellent job he has done in providing us with this Northeast water planning provision, particularly with respect to the amendments to bring into play the Water Resources Council. This is something that will be invaluable to communities such as my own, that are suffering under the severest kind of drought situation.

I would like to ask one question for the sake of the legislative record, if I may. That is, who is actually to do the planning work under this provision as amended? It is not 100 percent clear whether the Secretary of the Army acting through the Chief of Engineers will do this work or whether it is to be done in cooperation with all the agencies involved.

Mr. JONES of Alabama. It would have to be with all the agencies involved. I would like to inform the gentleman from New York that in the submission of a project there may be involved some 35 agencies and activities of the Federal Government. It was never the intention of the committee in writing title I to exclude the Council from participating in the promulgation of the plan. That was the suspicion that was raised, without, I am afraid, close examination of the existing law. But I repeat to the gentleman what I said earlier in the debate;

section 203 of the bill provides that the procedures adopted in the Flood Control Act of 1944 would be continued. Therefore it will assure to the Congress that the plans and programs would have to be submitted with comments from the various agencies of the States and other involved principals in the project.

Mr. OTTINGER. Mr. Chairman, if the gentleman will yield further, suppose there were disagreement between the Water Resources Council and, say, the Corps of Engineers on a particular point in these plans? Which agency is the coordinating agency?

Mr. JONES of Alabama. The submission would be made by the Corps of Engineers, but it would have to contain the points of disagreement; and the Congress itself will resolve the disagreement. It does not mean by passing this title that there will not be problems which will always be inherent in any type of arrangement involving so many agencies. I sincerely hope that the Council members will use their good offices to bring about harmony in resolving disagreements when they arise.

Mr. OTTINGER. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. Without objection, the amendments offered by the gentleman from Alabama [Mr. JONES] are agreed to.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows: Page 38, line 12:

TITLE II—FLOOD CONTROL

SEC. 201. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct, operate, and maintain any water resource development project, including single- and multiple-purpose projects involving, but not limited to, navigation, flood control, and shore protection, if the estimated Federal first cost of constructing such project is less than $10,000,000. No appropriation shall be made to construct, operate, or maintain any such project if such project has not been approved by resolutions adopted by the Committees on Public Works of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Secretary shall transmit to Congress a report of such proposed project, including all relevant data and all costs.

(b) Any water resource development project authorized to be constructed by this section shall be subject to the same requirements of local cooperation as it would be if the estimated Federal first cost of such project were $10,000,000 or more.

SEC. 202. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law, the authorization for any flood control project authorized by this Act requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 203. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

SEC. 204. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein. The necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program. The projects authorized in this title shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements. Penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

Saint John River Basin

The Dickey-Lincoln School project, Saint John River, Maine, is hereby authorized as approved by the President on July 12, 1965, and substantially in accordance with the plans included in the report of the Department of the Interior and the Corps of Engineers dated August 1964, which is a supplement to the July 1963 report of the International Passamaquoddy tidal power project and upper Saint John River hydroelectric power development, at an estimated cost of $227,000,000.

Housatonic River Basin

The projects for flood protection on the Housatonic, Naugatuck, and Still Rivers at Derby and Danbury, Connecticut, are hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 324, Eighty-eighth Congress, at an estimated cost of $5,100,000.

New England-Atlantic coastal area

The project for hurricane-flood control protection at Westerly, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 85, Eighty-ninth Congress, at an estimated cost of $3,287,000.

Long Island Sound area

The project for hurricane-flood protection at Stratford, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 292, Eighty-eighth Congress, at an estimated cost of $4,340,000.

Hudson River Basin

The project for flood protection at Yonkers, Saw Mill River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 258, Eighty-ninth Congress, at an estimated cost of $1,924,000.

New York-Atlantic coastal area

The project for hurricane-flood protection and beach erosion control at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 215, Eighty-ninth Congress, at an estimated cost of $32,620,000.

The project for hurricane-flood protection and beach erosion control at Staten Island, Fort Wadsworth to Arthur Kill, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 181, Eighty-ninth Congress, at an estimated cost of $6,230,000.

Elizabeth River Basin, New Jersey

The project for hurricane-flood protection on the Elizabeth River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 249, Eighth-ninth Congress, at an estimated cost of $9,769,000.

Rahway River Basin, New Jersey

The project for flood protection on the Rahway River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 67, Eighty-ninth Congress, at an estimated cost of $1,514,000.

Neuse River Basin

The project for the Falls Dam and Reservoir, Neuse River, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 175, Eighty-ninth Congress, at an estimated cost of $18,600,000.

The project for hurricane-flood protection at New Bern and Vicinity, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 183, Eighty-ninth Congress, at an estimated cost of $10,400,000.

Middle Atlantic coastal area

The project for hurricane-flood protection and beach erosion control at Ocracoke Island, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 109, Eighty-ninth Congress, at an estimated cost of $1,636,000.

Flint River Basin

The project for the Lazer Creek Reservoir, Flint River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $40,378,000.

The project for the Lower Auchumpkee Reservoir, Flint River, Georgia, is hereby authorized substantially, in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $48,275,000.

Central and southern Florida basin

Comprehensive Plan

The comprehensive plan for flood control and other purposes in central and southern Florida approved in the Act of June 30, 1948, and subsequent Acts of Congress, is hereby modified to include the following items:

The project for flood protection in Hendry County, west of levees 1, 2, and 3, Florida, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 102, Eighty-eighth Congress, at an estimated cost of $4,986,000.

The project for flood protection in Southwest Dade County, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 20, Eighty-ninth Congress, at an estimated cost of $4,903,000.

South Atlantic coastal area

The project for hurricane-flood protection on Biscayne Bay, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 213, Eighty-ninth Congress at an estimated cost of $1,954,000.

Phillippi Creek Basin, Florida

The project for flood control on Phillippi Creek, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 156, Eighty-ninth Congress, at an estimated cost of $4,592,000.

Lower Mississippi River Basin

Comprehensive Plan

The project for flood control and improvement of the lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534), as amended and modified, is hereby further modified and expanded to include the projects and plans substantially as recommended by the Chief of Engineers in House Documents Numbered 308 and 319, Eighty-eighth Congress, at an estimated cost of $181,109,000 and the authorization for the lower Mississippi River project is hereby increased accordingly, except that (1) any modified easements required in the improvement of the Birds Point-New Madrid, Missouri, Floodway shall be required as provided by section 4 of the Act of May 15, 1928, (2) the pumping plant in the Red River backwater area shall be operated and maintained by the Corps of Engineers, (3) the recommendations of the Bureau of the Budget shall apply with respect to improvements for fish and wildlife, and (4) the requirement of local cooperation for the improvements in the St. Francis Basin, Arkansas and Missouri, shall be the same as is required by paragraph (q) under the heading "Lower Mississippi River" in section 10 of the Flood Control Act of 1946.

The project for the St. Francis River, Missouri and Arkansas within Drainage District No. 7, Poinsett County, Arkansas, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 57, Eighty-ninth Congress, at an estimated cost of $1,372,000.

General Projects

The project for hurricane-flood protection at Grand Isle and Vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 184, Eighty-ninth Congress, at an estimated cost of $5,500,000.

The project for hurricane-flood protection at Morgan City and Vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 167, Eighty-ninth Congress at an estimated cost of $3,049,000.

The project for hurricane-flood protection on Lake Pontchartrain, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 231, Eighty-ninth Congress, except that the recommendations of the Secretary of the Army in that document shall apply with respect to the Seabrook Lock feature of the project. The estimated cost is $56,235,000.

Ouachita River Basin

The project for flood protection on the Ouachita River at Monroe, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in the House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of $520,000.

Red River Basin

The proviso in the paragraph under the center heading "Red River Basin" in the Act of December 30, 1963 (77 Stat. 840, Public Law 88–253) relating to the Waurika project, Oklahoma, is amended to read as follows: "*Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized to acquire lands and interests therein required for the establishment of a national wildlife refuge at the reservoir as described in Senate Document Numbered 33, Eighty-eighth Congress, at an estimated cost of $418,000, whenever the Secretary of the Interior approves the establishment of such a refuge.".

The project for flood protection on Bayou Bodcau and tributaries, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 203, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for Caddo Dam and Reservoir, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in Senate Document Numbered 39, Eighty-ninth Congress, at an estimated cost of $1,934,000.

The project for Sandars, Big Pine, and Collier Creeks, Texas, as authorized in the Act of October 23, 1962 (76 Stat. 187), is hereby modified in order to provide for a highway crossing Pat Mayse Reservoir to replace the present FM Highway 1499 across Sanders Creek, at an estimated cost of $310,000. Such crossing shall be constructed under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with such plans as may be recommended by the Chief of Engineers.

Gulf of Mexico

The project for flood protection on the Buffalo Bayou and tributaries, White Oak Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 169, Eighty-ninth Congress, at an estimated cost of $1,800,000.

The project for flood protection on Highland Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 168, Eighty-ninth Congress, at an estimated cost of $3,500,000.

The project for flood protection on Taylors Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 206, Eighty-ninth Congress, at an estimated cost of $5,004,000.

Rio Grande Basin

The project for flood protection on the Rio Grande at El Paso, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 207, Eighty-ninth Congress, at an estimated cost of $12,493,000.

Arkansas River Basin

Comprehensive Plan

The multiple-purpose plan for improvement of Arkansas River and tributaries, authorized by the River and Harbor Act of July 24, 1946, as amended, is hereby modified to authorize the Secretary of the Army acting through the Chief of Engineers, to provide replacement outfall facilities for the Kansas Street outfall sewer in the city of Pine Bluff, Arkansas, including such new pumping facilities as may be necessary, at the most economical Federal expense, but including in the Federal expense the reasonable capitalized cost of operation and maintenance of the pumping facilities over the cost of pumping now required in the existing system.

General Projects

The project for flood protection on the Arkansas River at Las Animas, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 165, Eighty-ninth Congress, at an estimated cost of $1,541,000.

The project for flood protection on Lee Creek, Arkansas and Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 270, Eighty-ninth Congress, at an estimated cost of $10,000,000.

The project for flood protection at Little Rock, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 55, Eighty-ninth Congress, at an estimated cost of $363,000.

The project for flood protection on the Arkansas River at Great Bend, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 182, Eighty-ninth Congress, at an estimated cost of $4,030,000.

The project for establishment of a national wildlife refuge at the John Redmond Dam and Reservoir, Grand (Neosho) River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 27, Eighty-ninth Congress, at an estimated cost of $730,000.

The project for flood protection on the Walnut River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-ninth Congress, at an estimated cost of $66,036,000.

The project for the Shidler Dam and Reservoir, Salt Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 242, Eighty-ninth Congress, at an estimated cost of $6,150,000.

The project for flood protection on Crutcho Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 47, Eighty-ninth Congress, at an estimated cost of $1,801,000.

The project for Trinidad Dam on Purgatoire River, Colorado, House Document Numbered 325, Eighty-fourth Congress, authorized by the Flood Control Act of 1958 (72 Stat. 297) is hereby modified to provide that in lieu of the local cooperation recommended in paragraph 2(a) of the report of the Chief of Engineers dated July 22, 1954, published in said document, local interests shall maintain the channel of Purgatoire River through the city of Trinidad. The conditions set forth in paragraphs 2(b) and 2(c) of said report shall be applicable to the project.

The John Martin Reservoir project (formerly known as Caddoa Reservoir), Arkansas River, Colorado, as authorized by the Act of June 22, 1936 (49 Stat. 1570), is modified to authorize and direct the Chief of Engineers to use not to exceed ten thousand acre-feet of reservoir flood control storage space for the purpose of establishing and maintaining a permanent pool for fish and wildlife and recreational purposes, at such times as storage space may not be available for such permanent pool within the conservation pool as defined in article III F, Arkansas River compact (63 Stat. 145) except that—

(1) The State of Colorado shall purchase and make available any water rights necessary under State law to establish and thereafter maintain the permanent pool.

(2) The rights of irrigators in Colorado and Kansas to those waters available to them under the terms of the Arkansas River compact and under the laws of their respective States shall not be diminished or impaired by anything contained in this paragraph.

(3) Nothing in this paragraph shall be construed so as to give any preference to the permanent pool over other project purposes.

(4) No permanent pool as herein defined shall be maintained except upon written terms and conditions acceptable and agreed to (A) by the Chief of Engineers in the interest of flood control, and (B) by the Colorado State Engineer, the Arkansas River Compact Administration, and the Colorado Water Conservation Board, in the interest of establishing, maintaining, and operating the permanent pool for recreational and fish and wildlife purposes.

(5) Nothing in this paragraph shall be construed so as to limit the authority of the Chief of Engineers to operate John Martin Reservoir for the primary purposes of the prevention of floods and the preservation of life and property.

Missouri River Basin

The project for flood protection on Big Creek at Hays, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 22, Eighty-ninth Congress, at an estimated cost of $2,702,000.

The project for flood protection on the Little Nemaha River and tributaries, Nebraska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 160, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for flood protection on the Big Sioux River and tributaries, Iowa and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 199, Eighty-eighth Congress, at an estimated cost of $6,400,000 except that such portion of the project as relates to the area above the city limits of Sioux City, Iowa, shall be compatible with a fish and wildlife mitigation plan and also a flood control plan for the upper basin of the Big Sioux River, both to be approved by the States of Iowa and South Dakota.

The project for flood protection on the James River and tributaries, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 266, Eighty-ninth Congress, at an estimated cost of $3,083,000.

The project for flood control on the Fishing River and tributaries, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 281, Eighty-ninth Congress, at an estimated cost of $7,260,000.

The project for flood protection on the Chariton and Little Chariton Rivers and tributaries, Iowa and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers and the Secretary of the Army in House Document Numbered 238, Eighty-ninth Congress, at an estimated cost of $9,167,000.

The project for flood protection on the Grand River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 241, Eighty-ninth Congress, at an estimated cost of $218,009,000. Nothing in this Act shall be construed as authorizing the construction of Linneus Reservoir on Locust Creek, St. Catherine Reservoir on East Yellow Creek, the Honey Creek-No Creek local protection works, nor hydroelectric power facilities at Pattonsburg Reservoir on Grand River.

The project for flood protection on the Platte River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 262, Eighty-ninth Congress, at an estimated cost of $26,889,000.

The project for flood protection on the Sun River at Great Falls, Montana, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 297; Public Law 85-500) is hereby modified to waive the requirement that local interests contribute in cash 2.16 per centum of the actual construction cost of all items of work provided by the United States.

Ohio River Basin

The project for flood protection on Chartiers Creek, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 302, Eighty-eighth Congress, at an estimated cost of $12,207,000.

The project for flood protection on Sandy Lick Creek at Du Bois, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 185, Eighty-ninth Congress, at an estimated cost of $1,654,000.

The project for the Hocking River, Ohio, in the vicinity of Athens, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 287, Eighty-ninth Congress, at an estimated cost of $4,520,000.

The project for the Lincoln, Clifty Creek, and Patoka Dams and Reservoirs, Wabash River, Indiana and Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 202, Eighty-ninth Congress, at an estimated cost of $72,900,000.

The project for the Lafayette and Big Pine Dams and Reservoirs, Wabash River, Indiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 29, Eighty-ninth Congress, at an estimated cost of $44,800,000.

The project for the Rowlesburg Dam and Reservoir, Cheat River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 243, Eighty-ninth Congress, at an estimated cost of $133,548,000: *Provided,* That the power features of this project shall not be undertaken until such time as the Federal Power Commission has completed action on any applications that may be pending before that agency for private development of the pumped-storage facility of the project: *Provided further,* That should the Federal Power Commission act in the affirmative on any pending applications, the authority for such project shall not include Federal power features and the estimated cost of such project shall be $88,402,000: *And provided further,* That in the event the Federal Power Commission dismisses any pending applications, Federal construction of such pumped-storage power facilities is hereby authorized and approved.

The project for the Martins Fork Reservoir, Upper Cumberland River Basin, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 244, Eighty-ninth Congress, at an estimated cost of $4,860,000.

The Yatesville, Paintsville, and Panther Creek Reservoir projects and the Martin, Kentucky, local protection project on the Big Sandy River and Tug and Levisa Forks of Kentucky, West Virginia, and Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 246, Eighty-ninth Congress, at an estimated cost of $51,491,000. Prior to initiation of construction the Secretary of the Army shall prepare an analysis of benefits and costs of the proposed projects, including such reformulation as may be necessary to comply with the Federal Water Project Recreation Act.

Red River of the north basin

The project for flood protection on the Roseau River, Minnesota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 282, Eighty-ninth Congress, at an estimated cost of $2,550,000.

Upper Mississippi River Basin

The project for flood protection at East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 329, Eighty-eighth Congress, at an estimated cost of $6,180,000.

The project for the Kaskaskia River, Illinois, authorized by the Flood Control Act of 1958 (Public Law 500, Eighty-fifth Congress), in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-fifth Congress, is hereby modified substantially as recommended by the Chief of Engineers in House Document Numbered 351, Eighty-eighth Congress, to provide for the deletion from the items of local cooperation the requirement of a cash contribution due to changed land use, at an estimtaed increased Federal cost of $3,498,000, if local interests make a cash contribution of an amount equal to the full cost of acquisition of flowage easements in those lands which are no longer needed for construction, operation, and maintenance of Carlyle Reservoir.

The project for the Wood River Drainage and Levee District, Madison County, Illinois, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 150, Eighty-eighth Congress, at an estimated cost of $179,000.

The project for Ames Dam and Reservoir, Skunk River, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 267, Eighty-ninth Congress, at an estimated cost of $12,893,000.

The projects for flood protection at Marshalltown and Waterloo on the Iowa and Cedar Rivers, Iowa, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 166, Eighty-ninth Congress, at an estimated cost of $17,570,000.

The project for the Zumbro River, Minnesota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 246, Eighty-eighth Congress, at an estimated cost of $975,000.

The project for the Big Stone Lake and Whetstone River, Minnesota and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 579, Eighty-seventh Congress, and House Document Numbered 193, Eighty-eighth Congress, at an estimated cost of $3,885,000.

The project on the Des Moines River for flood protection of Des Moines, Iowa, House Document Numbered 651, Seventy-eighth Congress, authorized by the Act of December 22, 1944, (58 Stat. 887), is hereby modified to eliminate the requirement recommended in paragraph 10(a)(2) of the report of the Chief of Engineers dated December 13, 1943, that local interests bear the expense of repairs and provision of gates on existing drains.

Great Lakes Basin

The project for flood control and navigation on the Chagrin River, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 35, Eighty-ninth Congress at an estimated cost of $2,200,000.

The project for flood protection on the Grand River at and in the vicinity of Grandville, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 157, Eighty-eighth Congress, at an estimated cost of $1,373,000.

Little Colorado River Basin

The project for flood protection on the Little Colorado River at and in the vicinity of Winslow, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 63, Eighty-eighth Congress, at an estimated cost of $2,775,000.

Gila River Basin

The project for flood protection on Indian Bend Wash, Maricopa County, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 303, Eighty-eighth Congress, at an estimated cost of $7,250,000.

The project for flood protection on the Santa Rosa Wash, Arizona, is hereby authorized substantially in accordance with the recommenadtions of the Chief of Engineers in House Document Numbered 189, Eighty-ninth Congress, at an estimated cost of $6,430,000, except that the development of recreation and fish and wildlife facilities shall be in accordance with the Federal Water Project Recreation Act.

The project for flood protection at Phoenix, Arizona, and vicinity, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 216, Eighty-ninth Congress, at an estimated cost of $58,310,000.

Eel River Basin

The project for flood protection on the Eel River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 234, Eighty-ninth Congress, at an estimated cost of $13,732,000.

Sacramento River Basin

The project for the New Bullards Bar Dam and Reservoir, Yuba River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 180, Eighty-ninth Congress, at an estimated cost of $8,979,000.

The project for the Lakeport Dam and Reservoir with supplemental channel improvements, Scotts Creek, Cache Creek Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 259, Eighty-ninth Congress, at an estimated cost of $9,360,000.

San Francisco Bay Area

The project for flood protection on Sonoma Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 224, Eighty-ninth Congress, at an estimated cost of $9,400,000.

The project for the Napa River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 222, Eighty-ninth Congress, at an estimated cost of $14,950,000.

Whitewater River Basin

The project for flood protection on Tahquitz Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 223, Eighty-ninth Congress, except that the amount of local contribution required due to enhancement of land shall be reduced by the amount of contribution determined on lands under Indian ownership at the time of project authorization and not subject to taxation due to Federal statutory restrictions. The amount of contribution on this basis is presently estimated at $508,000. The estimated cost is $3,442,000.

Santa Ana River Basin

The project for flood protection on Lytle and Warm Creeks, San Bernardino County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 53, Eighty-ninth Congress, at an estimated cost of $9,750,000.

San Diego River Basin

The project for flood protection on San Diego River (Mission Valley), California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 212, Eighty-ninth Congress, at an estimated cost of $14,600,000, except that the Secretary of the Army is authorized to credit local interests against their required contribution to such project for any work done by such interests on such project after the date of enactment of this Act, if he approves such work as being in accordance with the project as otherwise authorized.

Columbia River Basin

The projects for the Lower Grande Ronde and Catherine Creek dams and reservoirs, Grande Ronde River and tributaries, Oregon, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 280, Eighty-ninth Congress, at an estimated cost of $20,440,000. The Chief of Engineers shall construct, operate, and maintain such projects.

The project for flood protection on Willow Creek, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 233, Eighty-ninth Congress, at an estimated cost of $6,680,000.

The project for acquisition of additional lands for waterfowl management at John Day Lock and Dam, Oregon and Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 28, Eighty-ninth Congress, at an estimated cost of $706,000, except that the parcels of land, in Oregon, between the Columbia River and the management area boundary within sections 3, 4, 10, and 11 of Township 4 North, Range 25 East, Willamette Meridian, as shown on plate 1 of the Senate Document Numbered 28, Eighty-ninth Congress, estimated at 611.02 acres, shall not be part of the management area, and the Secretary of the Army is authorized to purchase such additional lands in sections 22, 27, 29, and 30, Township 5 North, Range 26 East, Willamette Meridian, outside the present indicated management area boundary on plate 1, as he determines necessary to replace the lands so excluded.

SEC. 205. That the flood control project for the Scioto River, Ohio, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the construction of the local protection works at Chillicothe, Ohio, at such time as the reservoirs on Alum, Mill, Big Darby, and Deer Creeks are under construction. In the event the Mill Creek and Alum Creek Reservoirs are constructed by an agency other than the Federal Government, the Federal Government shall not construct such local protection works at Chillicothe, Ohio, until said agency shall furnish assurances satisfactory to the Secretary of the Army that (1) it will provide flood control storage in those reservoirs equivalent to that proposed for the Federal reservoir projects, as authorized by the Flood Control Act of 1962, in accordance with the plan set forth in House Document Numbered 587, Eighty-seventh Congress, and (2) that such reservoirs shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army.

SEC. 206. (a) That the Secretary of the Army is hereby authorized and directed to prepare under the direction of the Chief of Engineers, a comprehensive plan for the development and efficient utilization of the water and related resources of the region drained by streams which discharge, within the State of Michigan, into the Saint Clair River, Lake Saint Clair, the Detroit River and Lake Erie. Such plan may provide for importation of water from points not located within the region as defined above.

(b) Said comprehensive plan shall be designed to meet the long-range needs of the region for protection against floods, wise use of flood plain lands, improvement of navigation facilities, water supplies for industrial and municipal purposes, outdoor recreational facilities, the enhancement and control of water quality, and related purposes; all with a view to encouraging and supporting the optimum long-range economic development of the region and enhancing the welfare of its people.

SEC. 207. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the localities specifically named in this section. After the regular or formal reports made on any survey authorized by this section are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions.

Watersheds of streams in the North Atlantic region draining northward in New York toward the Saint Lawrence River below the international boundary and draining directly into the Atlantic Ocean above the Virginia-North Carolina State line with respect to a framework plan for developing the water resources of the region.

All streams flowing into the sounds of North Carolina between Cape Lookout and the Virginia line except those portions of the Neuse, Pamlico, and Roanoke Rivers above the estuarine reaches.

Watersheds of streams in the South Atlantic region draining directly to the Atlantic Ocean below the Virginia-North Carolina State line and draining directly into the Gulf of Mexico east of Lake Pontchartrain with respect to a framework plan for developing the water resources of the region.

The Rio Grande and its tributaries with respect to a framework plan for flood control and other purposes.

Watersheds of streams, washes, lakes, and their tributaries, which drain areas of the great basin region of Oregon, California, Nevada, Utah, Idaho, and Wyoming with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries above Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries below Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

Watersheds of streams in the Pacific Northwest region which drain directly into the Pacific Ocean along the coast lines of Washington and Oregon with respect to a framework plan for developing the water resources of the region.

Watersheds of streams in California which drain directly into the Pacific Ocean and of streams, washes, lakes and their tributaries, which drain areas in the eastern portion of the California region with respect to a framework plan for developing the water resources of the region.

Kaneohe-Kailua area, Oahu, Hawaii.

Terrebonne Parish, Louisiana (water supply).

Boyer River, Iowa.

Keokuk, Iowa.

Mississippi River, north of Dubuque, Iowa.

Black Hawk Creek, Iowa.

Mount Vernon, Indiana.

Orange Lake Basin, Florida.

Mayfield Creek, Kentucky.

Hatchie River and tributaries, Tennessee and Mississippi.

Spoon River, Illinois.

Grand (Neosho) River, Oklahoma and Kansas (including navigation).

Verdigris River, Kansas.

Verdigris River, Oklahoma and Kansas (including navigation).

Arkansas River and tributaries at and above Tulsa, Oklahoma.

Sanderson, Texas.

Abbeville, South Carolina.

All streams which drain directly to Pacific Ocean from San Mateo County, California.

Big Mineral Creek, Texas, particularly with reference to construction of a highway bridge.

Irondequoit Creek, New York, and tributaries, including Allens Creek, New York.

Coasts of Washington, Oregon, and California to determine advisability of protection work against storm and tidal waves.

SEC. 208. Notwithstanding the first proviso in section 201 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes", approved May 17, 1950 (64 Stat. 163), the authorization in section 204 of such Act of projects for local protection on the Yakima River at Ellensburg, Washington, shall expire on June 10, 1970, unless local interests shall before such date furnish assurances satisfactory to the Secretary of the Army that the required local cooperation in such project will be furnished.

SEC. 209. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to replace the roads described and set forth in the provisions of their contract numbered DA-41-443-eng-939 with Hill County, Texas, which are subject to flooding; such roads being a part of the Whitney Dam and Reservoir project, Whitney, Texas, authorized by the Flood Control Act of December 22, 1944, at an estimated cost of $130,000.

SEC. 210. (a) The Secretary of the Army is authorized and directed to convey to the Tennessee Society for Crippled Children and Adults, Incorporated, subject to the provisions of this section, all of the right, title, and interest of the United States in and to that portion of the tract of land lying above elevation 454 feet mean sea level now occupied by such Society at the Old Hickory lock and dam, Cumberland River, Tennessee, under a lease executed by the Secretary of the Army and dated February 10, 1958.

(b) The conveyance authorized by this section shall be made upon payment to the United States of the fair market value of the property as determined by the Secretary of the Army, and upon such terms, conditions, reservations, and restrictions as he shall deem necessary to protect the interests of the United States. In determining the fair market value of the property, the Secretary shall exclude the value of any improvements made by or at the expense of the Tennessee Society for Crippled Children and Adults, Incorporated.

(c) The cost of any surveys necessary as an incident of the conveyance authorized by this section shall be borne by the Tennessee Society for Crippled Children and Adults, Incorporated.

(d) Title to the property authorized to be conveyed by this section shall revert to the United States, which shall have the right of immediate entry thereon, if the Tennessee Society for Crippled Children and Adults, Incorporated, shall ever cease to use such property for recreation and camping purposes.

SEC. 211. The authorized Justice Reservoir on the Guyandot River, West Virginia, hereafter shall be known and designated as the R. D. Bailey Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which the authorized Justice Reservoir is referred to shall be held to refer to such reservoir as the R. D. Bailey Reservoir.

SEC. 212. In recognition of the flood control accomplishments of the water resource project proposed to be constructed on Calispell Creek, Washington, by the Pend Oreille County Public Utility District Number One, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such project and the amount of such contribution shall be determined by the Secretary of the Army, subject to a finding by him approved by the President, of economic justification for allocation of the amount of flood control, such funds to be administered by the Secretary of the Army. Prior to making the monetary contribution or any part thereof, the Secretary of the Army and the Pend Oreille County Public Utility District Number One, shall have entered into an agreement providing for operation of the proposed project in such manner as will produce the flood control benefits upon which the monetary contribution is predicated, and such operation of the project for flood control shall be in accordance with rules prescribed by the Secretary of the Army pursuant to the provisions of section 7 of the Flood Control Act of 1944 (58 Stat. 890). Unless construction of the project is undertaken within three years from the date of enactment of this section, the authority for the monetary contribution contained herein shall expire.

SEC. 213. The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with the State of New York, political subdivisions thereof, and appropriate agencies and instrumentalities thereof, and with other departments, agencies, and instrumentalities of the United States, in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins within the State of New York, and to submit to Congress reports and recommendations with respect to appropriate participation by the Department of the Army in carrying out such plans.

SEC. 214. The Act entitled "An Act to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities at reservoir areas", approved September 14, 1961 (75 Stat. 509), is hereby amended by striking out "before November 1, 1956,".

SEC. 215. The Secretary of the Army is hereby authorized and directed to cause to be made, under the direction of the Chief of Engineers, an investigation and study of San Francisco Bay, California, including San Pablo Bay, Suisun Bay, and other adjacent bays and tributaries thereto, with a view toward determining the feasibility of, and extent of Federal interest in, measures for waste disposal and water quality control and allied purposes.

SEC. 216. The Secretary of the Army shall pay to any bona fide lessee or permittee owning improvements, which are or which were totally situated or partially situated on a railroad right-of-way, the fair value of such improvements, which have been or will be rendered inoperative or be otherwise adversely affected by the construction of the Milford Dam and Reservoir project on the Republican River, Kansas, as determined by the Secretary, or by the United States District Court for the District of Kansas on which is conferred jurisdiction for this purpose. In no case shall the owner of such improvements receive dual compensation for any part of said improvements as a result of this section or otherwise. The Secretary of the Army is authorized to provide the funds necessary to carry out the provisions of this section from any moneys appropriated for the construction of the Milford Dam and Reservoir project.

SEC. 217. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the years 1965 and 1966 along the banks of the Eel River, California, to deter recurrence of damage to such banks by floods or high waters, but such reimbursement shall not exceed $3,000,000.

SEC. 218. The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to accept orders from other Federal departments and agencies for work or services and to perform all or any part of such work or services by contract.

SEC. 219. Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking out "$1,000,000" and inserting in lieu thereof "$2,500,000".

SEC. 220. The Joanna Dam proposed for construction at or near mile 63 of the Salt River near Joanna, Missouri, and the Joanna Reservoir to be created by such dam, authorized to be constructed by section 203 of the Flood Control Act of 1962 (76 Stat. 1180), shall be known and designated hereafter as the Clarence Cannon Dam and Reservoir. Any law, regulation, map, document, or record of the United States in which such dam and reservoir are referred to as the Joanna Dam and Reservoir shall be held to refer to such dam and reservoir as the Clarence Cannon Dam and Reservoir.

SEC. 221. Title II of this Act may be cited as the "Flood Control Act of 1965".

Mr. JONES of Alabama (interrupting reading of title). Mr. Chairman, I ask unanimous consent that the title be considered as read and open to amendment at any point.

Mr. CRAMER. Mr. Chairman, reserving the right to object and I shall not object, the gentleman from Alabama is not going to attempt to cut off debate or discussion of the amendments on this title through such a request, is he?

Mr. JONES of Alabama. Mr. Chairman, if the gentleman will yield, no, I do not intend to make any such request so long as there is a reasonable amount of time used in debating it. If there is a protracted discussion that is repetitious, then we would have to consider that approach.

Mr. CRAMER. Mr. Chairman, further reserving the right to object, the gentleman from Alabama agrees, does he not, that if there is any controversy on the bill—and I believe there is a minimum of controversy—this title is where it will appear and where the amendments will take place?

Mr. JONES of Alabama. Yes, that is true.

Mr. CRAMER. And, there are three or four amendments that should be adequately debated, and I ask the assurance of the gentleman from Alabama that he will not attempt to cut off debate on those amendments.

Mr. JONES of Alabama. No; I do not intend to do that.

Mr. CRAMER. Mr. Chairman, I withdraw my reservation.

AMENDMENT OFFERED BY MR. CARTER

Mr. CARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER: On page 58, after line 8, insert the following:

"The project for the Devils Jumps Reservoir, Big South Fork of the Cumberland River, Kentucky and Tennessee, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 175, Eighty-seventh Congress, at an estimated cost of $151,000,000."

Mr. CARTER. Mr. Chairman, Devils Jumps Dam would be built on the Big South Fork of the Cumberland River in McCreary County, Ky. The reservoir would lie in Wayne, McCreary, and Pulaski Counties in Kentucky and Scott, Fentress, Morgan, Anderson, Campbell, and Pickett Counties in Tennessee. The dam would be 483 feet high and would have a length of 6,250 feet, and would be built of concrete. The reservoir would cover approximately 37,000 acres and have a drainage area of approximately 1,383 square miles.

The purpose of the dam would be flood control, power, and recreation. The power output would amount, on an average, to 475 million kilowatt-hours per year. Use of this power would be managed by the Southeastern Power Administration. It is estimated that the sale of this power would bring in approximately $12,079,000 annually.

It is estimated that 800,000 people would visit this area annually.

The benefit-cost ratio would be 1.8 to 1 so that the entire cost could be paid in 50 years. This project has one of the highest benefit-cost ratios of any dam proposed to be built in this area.

The people of McCreary County in which the dam would be built have a median family income of approximately $1,800 per year, and a per capita income of $516 per year.

This project is accepted by the Department of Health, Education, and Welfare, the Federal Power Commission, the State of Kentucky, the State of Tennessee; it has been recommended by the Army Corps of Engineers and there is no objection by the Departments of the Interior, Agriculture, and Commerce.

The Southeastern Power Administration is convinced that the power can be marketed at rates sufficient to recover all power costs within a 50-year period.

This project has been included in the Senate omnibus bill for rivers and harbors and has been passed by the other body three times, including this year. Since this is recognized by the other body to be a worthwhile project, I strongly urge this body to reconsider and vote for inclusion of this amendment.

Building this dam in McCreary County would tremendously improve the economy of that area and the entire Commonwealth of Kentucky. Industry always follows cheap sources of electric power and would undoubtedly move into this area. It would be transformed just as the Tennessee Valley area has been. Devils Jumps is a natural resource and is a property owned by the people. It would be used for their benefit and could best be used by construction of the Devils Jumps hydroelectric dam.

Mr. BALDWIN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I realize the gentleman who offers this amendment is sincere in having this project approved. That is only logical, for he is representing the people in his area.

Our committee had only limited hearings on this project this year, and did not allow the opponents to be heard; therefore, we do not have an adequate record in the printed record of the hearings of the full committee and subcommittee on this project to guide the Members of the House at this time.

Secondly, our subcommittee did have extensive hearings on this project 3 years ago, the last time a similar omnibus bill was before the House. In those hearings it was brought out that the TVA, which would be the nearest major user of power, does not desire or intend to use any power that might be produced by this project. We asked the Secretary of the Interior to indicate where this power would be used. It was indicated by the private power companies in the area that they did not require power from this source. It was brought out in the testimony it would be necessary to push this power up to areas in Indiana, Ohio, and even Michigan in order to provide some market for it, even though none of those areas indicated they desired the power. The result of the testimony 3 years ago indicated no assured consumer demand for this power, and because of that fact the Flood Control Subcommittee 3 years ago voted against this project. There has been no change so far as the uncertain use of this power is concerned, and for the Federal taxpayers to spend $151 million for this purpose now, without full hearings, would be highly unjustified.

I urge that the amendment be defeated.

Mr. HARSHA. Mr. Chairman, I rise in opposition to the pending amendment.

(By unanimous consent (at the request of Mr. HARSHA) he was allowed to proceed for 5 additional minutes.)

Mr. HARSHA. Mr. Chairman, there has been a great hue and cry from the proponents of this project that the area in which this plant will be constructed is in the Appalachia area and will provide much needed jobs for the unemployed. But let me squash that argument here and now.

NINETY-EIGHT PERCENT PUBLIC POWER

In the first place, the construction of this project—a hydroelectric project—would displace forever power supplied by coal-fired steam electric-generating plants consuming almost one-quarter million tons of coal per year, adding to unemployment and the very reasons that many of the Appalachia areas today are depressed is because of the loss of business by the coal industry. This will only compound the problem. Furthermore, if the Government hydroelectric power comes into this area it will prevent expansion of many existing generating facilities in Ohio and other depressed areas, perhaps even curtailing operations of those existing plants with subsequent reduction in tax revenue to the locality, making them even more depressed. It would lead to further reductions in coal consumption—increased unemployment, adding to the already enormous burdens of these underemployed areas located in Kentucky, Ohio, parts of Pennsylvania, Indiana, and Michigan as well.

Furthermore, any power produced by a Government project at this site will necessarily be marketed by the Southeastern Power Administration. Presently the Southeastern Power Administration does not have authority to go out of its original 10-State area and the Southeastern Power Administration has been marketing most of its power through TVA. However, TVA on at least two occasions has expressed its opposition to the purchase of any of this power because of its high cost. Furthermore, the Southeastern Power Administration has admitted it would have to go into Ohio, Kentucky, Indiana, Illinois, Michigan, and probably part of Pennsylvania to market this power and it has not made any study of the needs of those areas for additional power and has little knowledge of the area.

Furthermore, there are presently in operation five existing power projects with a combined output of 595,000 kilowatts, all of which are now under sale to TVA. In addition there is the Barkley project with a capacity of 130,000 kilowatts which is or about to be placed in operation.

There are an additional five Federal hydroelectric projects within the basin with a combined total of 212,500 kilowatts which have already been authorized but have not been constructed. So you now have in this area either authorized or constructed projects totaling a combined capacity of 937,500 kilowatts in addition to the 480,000 represented by Devils Jump. TVA has expressed a desire to renegotiate its present contract with Southeastern Power Administration so it can be released from some of the power it is now taking. In other words, the TVA has more now than it needs, and desires to get out of the obligation to market all of the existing power to say nothing of additional power represented by the Barkley project and the five additional projects heretofore authorized but not constructed. So quite obviously, there is no need for this additional 480,000 kilowatts of peaking power in this area and by Southeastern Power Administration's own admission, they have little or no knowledge of a market elsewhere.

Furthermore, using the latest figures available, those of 1964, the simultaneous peak load of investor-owned companies in Ohio alone, were 11.2 million kilowatts. The generating capacity was 14 million kilowatts, 2.8 million kilowatts in excess of need, or in other words, 25 percent in excess of the load required—more than an ample reserve capacity. In addition to these there is an extremely large block of capacity available to most of the utilties in Indiana, Kentucky, Ohio, and Pennsylvania from the Ohio Valley Electric Corp. due to cutbacks in demand from the Atomic Energy Commission installation at Waverly, Ohio. Therefore, there is no need and no use for this enormous capacity that would be created by Devils Jump in any of the outlying areas outside of Southeastern Power Administration's present authority or more technically known as "power supply areas." Further, dependent upon the success of TVA in rescinding or revising its contract with Southeastern Power Administration to reduce the power purchased by it, Southeastern Power Administration will have the problem of finding markets for excess power of somewhere between 342,000 kilowatts and 937,000 kilowatts of Cumberland River Basin power and in addition to that the problem of some 480,000 kilowatts merely compounds the problem and is a complete waste of Federal funds to produce a product that is absolutely not needed.

Now to deal specifically with the justification of the cost-benefit analysis of the project. First let me remind you that Senate Document 97 setting forth the procedures by which projects of this type must be justified states that the usual practice is to measure the benefit in terms of the cost in achieving the same results by the most likely alternative means that would exist in the absence of the project. Neither in the hearings of the other body nor in the hearings of the House is there any evidence concerning what alternative method or means were used to determine the cost of achieving the same results by the Corps of Engineers. We do not know whether they used steam, pumped storage, jet engine, nuclear, or just what other types of generation or combinations thereof were used. However, the testimony before the House introduced by investor-owned companies, outlined three different types of installation which would achieve the same results. Three alternative methods of producing peaking capacity and energy, which are basic methods used in the electric utility industries were presented by the private investor-owned companies, each of which would be located in the areas which are claimed as potential markets by Devils Jump. The three were an overpressure system, pumped storage proposal, and an existing jet installation.

Further, a steam generating unit presently under construction on the Wabash River in Indiana could be expanded for a capital investment of $10.5 million, which would provide the same peaking capacity equivalent to the Devils Jump capacity which is estimated to cost $167 million. Furthermore, the annual cost of this capacity and energy would amount to only approximately $2 million, about 30 percent of the annual cost of the Devils Jump power.

The second alternative is a pumped storage project which could supply comparable peaking capacity at a total investment of $65 million at an annual cost of roughly $5 million, thereby producing the same type power annually at 82 percent of the annual cost of Devils Jump power with a capital investment of $65 million as compared to capital investment of $165 million at Devils Jump, and there are a number of pumped storage sites available in the Devils Jump area.

The third alternative—the jet engine—was used in a recent completed installation. This type of installation has the decided advantage of flexibility and can be located at the load center, thereby eliminating very substantial transmission investments and power loss. An analysis of this third alternative showed that 592,000 kilowatts, over 100,000 more kilowatts of peaking capacity than that claimed at Devils Jump, could be supplied by this third alternative by $39 million investment, or less than one-fourth of the Devils Jump investment, at an annual production cost of $4.8 million, or about 81 percent of the annual cost of the Devils Jump power. As usual, there is a maze of conflicting figures presented by the proponents of this project and the corps. In the hearings both in the other body and in the House, the Corps of Engineers in some instances used annual costs of $6.1 million, in others $6.8 million. It used, in some cases, benefits of $12 million, and in others benefits of $10.4 million. It used different interest rates. For example, it originally used 2½ percent, 2⅞ percent, then 3⅛ percent interest. It used different amortization and replacement costs and, in some cases, 100 years lifetime as opposed to 50-year lifetime.

Now you take all the fancy formulas and high-faluting methods to figure these projects you want but, when it all boils down the project only pays out through the sale of electricity. Now Southeastern Power Administration says it will sell this power. The project is to produce 475,000 kilowatt-hours annually. In 1962, the average rate for all power sold by Southeastern Power Administration was only 5.4 mills per kilowatt hour. Take the claimed 475 million kilowatts and multiply by 5.4 mills, assuming you can sell this power, gives you an annual revenue of $2.5 million. Now compare this against what the proponents say it will cost annually to produce this power, that is $6.1 million or $6.8 both of which are the Corps figures and you have a loss annually of $3.6 million or $4.3 depending upon the figures you take. As a matter of fact, the cost would even be greater if you used the same interest rate the Federal Government is required to pay. Remember this: None of these figures includes the market cost, which is over $50 thousand annually, nor do they include the transmission cost or losses due to transmission. Further there would have to be an additional capital investment for the construction of transmission lines which are not now in existence in the area, and one last thing, if this project is constructed by the Federal Government, the Corps estimates that the annual loss of taxes would be $3.67 million and the sale of this power by Southeastern Power Administration would not return a sufficient sum to even offset this cost annually. So if you include the annual loss, representing the difference from the sale of power and the cost of production or the sum of $3.6 million, taking the lesser figure plus the annual loss of taxes of $3.67 million, you have a total annual loss of this project in excess of $7 million annually and over the life of the project, depending on what figure you use, a 50-year or a 100-year basis, you have a $350 million loss or a $700 million loss to the general taxpayer. I submit to you gentlemen that this project is not feasible, it is not needed in the area, it is a raid on the Treasury, adding to the enormous deficit, and creates additional loss of jobs and great hardships in the already depressed coal industry and Appalachian areas and this amendment should be defeated.

Mr. Chairman, there is no flood control in this project. The Corps of Engineers has stated it did not take any benefit for flood control in this project because it does not add any flood control benefits to the system.

Now, Mr. Chairman, in conclusion, let me say that because this project is so controversial the committee did not even request testimony from the Corps of Engineers. No opportunity to cross-examine any of the witnesses nor the testimony placed in the record was given to the opponents of this project because the committee having had considerable experience and knowledge of this project over the years knew and felt that it was not justified and should not be included in the bill. As a matter of fact in 1962 and again in 1963 an effort was made to include it and it was defeated on both occasions. Again this year the committee obviously felt the project was not justified and therefore it was not placed in this bill.

Mr. Chairman, the gentleman from Kentucky [Mr. CARTER] has been a very worthy and extremely able advocate of this project. I know of no other person who has worked harder or more ably in behalf of his district and this project. He has been very sincere and persuasive and I regret I find myself in disagreement with him. He has represented his people well.

Mr. Chairman, I hope the committee sustains the position of the Public Works Committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. CARTER].

The amendment was rejected.

AMENDMENT OF MR. CLARK

Mr. CLARK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offer by Mr. CLARK: On page 41, strike out lines 3 through 12, inclusive.

Mr. CLARK. Mr. Chairman, and Members, first, I intend to support all of the projects in the bill with the exception of the request for the authorization of $227 million to the Dickey-Lincoln School project on the St. John River in Maine. This is the largest single item in the bill and constitutes more than 10 percent of the total authorization. I am opposed to the Dickey project for the following reasons:

First, the project, despite its ultimate cost of more than $300 million, received only cursory examination on the Senate side. Public hearings were not held there. Furthermore, House hearings revealed that the project has not been adequately studied by either the Corps of Engineers or the Department of the Interior.

Second, the Secretary of the Interior admitted in public testimony that the private companies in the region had not even been consulted on the need for this power, and further that there were no marketing plans for the more than 95 percent of the power that will be exported from Maine.

Third, the project is opposed by the majority of the New England Congressmen because it will not even achieve its stated goal of helping to reduce the cost of power in the New England area. It will instead retard the construction of the large thermal-electric plants near the load centers of the region, and it is these large thermal plants that hold the best prospects for reducing power costs.

Fourth, the Interior Department used a 100-year payoff for the project instead of the usual 50 years. In actual fact the project may be obsolete before it is built and the output of the Federal power project may not be marketable due to its high cost.

Fifth, the electric companies of the region have offered concrete alternatives for the production of equivalent power at less cost, without spending a dime of Federal money. Thus, the project does not meet the basic criteria of the Congress that there be no better alternate.

Sixth, it is virtually a pure power project, with less than 5 percent recreational and flood control benefits, for a region that has no power shortage.

Seventh, as the largest project moneywise in the omnibus bill, it was narrowly approved by the entire Public Works Committee.

The Interior Department spokesman says there "are too many imponderables involved to give a precise reply" on the power.

The Department's July report to President Johnson discussed power costs this way:

> It does not contend that the project will provide power locally at such a low rate as to act as a magnet to industry.

The report went on:

> In the early years more of the power would be used in the Boston area.

I say to you ladies and gentlemen, the President has recently signed the Public Works and Economic Development Act, which provides a legal framework and funds for regional commissions like the Appalachia Commission, which will undoubtedly recommend extensive Federal regional development programs. I am certain the people of New England would benefit more from $300 million of these types of projects—roads, medical facilities, timber development, and perhaps water supply—than from the Dickey project. I intend to support all the other projects, but I cannot in good conscience sit here and allow this project to go through without stating my views.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Connecticut.

Mr. DADDARIO. Can the gentleman give me a figure on the overall cost of this project?

Mr. CLARK. The cost, from this bill, is $227 million. There will be $80 million for transmission lines, which will make the project more than $300 million.

Mr. DADDARIO. The reason I ask that is in Connecticut we have a nuclear project underway.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. CLARK was allowed to proceed for 2 additional minutes.)

Mr. DADDARIO. We have a nuclear project in Connecticut at the moment which is costing some $127 million, which will combine with a fossil fuel program and which I understand will have a 5-mill cost. Can the gentleman go into that?

Mr. CLARK. I went into that earlier, I will say to the gentleman. The Yankee atomic plant received a $5 million Federal grant for research and development, all of which went to Westinghouse Electric Co. In addition it had an interest-free use of fuel for 5 years, which amounted to a subsidy of $3.9 million. It is now operating entirely independently of the Government and naturally paying itself. Its output is in excess of what the St. John project will be able to support in 1972.

Mr. DADDARIO. And it will be, the Connecticut project, completed when?

Mr. CLARK. The project has a 100-year payoff.

Mr. DADDARIO. The Connecticut project will be completed much prior to the 1971 date, as I understand it.

Mr. CLARK. That is true.

Mr. DADDARIO. And at a lesser cost.

Mr. CLARK. And at much less cost.

Mr. DADDARIO. As I understand it, it provides power at under 5 mills and will produce electricity for use throughout the whole New England area.

Mr. CLARK. That is correct.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, normally I have not been an advocate of public power as such. Nor has the Public Works Committee characteristically advocated public power where private investor-owned companies were capable of providing the needs.

A few years ago, in the Tennessee Valley bonding bill, the committee with my individual concurrence provided clearly that any expansion of generating capacity in the TVA area must stop at the limits of its present service region. We were extremely careful to make certain that there be no invasion of those areas now served by private power.

Just this year, in both the Appalachian bill and the Economic Development bill, the committee with my active help inserted language to guarantee that no funds could be used to develop any public power whatever in competition with the existing private power sources.

In considering the present bill, the committee rejected certain proposals which would have developed water resources in various parts of the country primarily for the public production of power.

In the St. John River project, however, we have a unique and impelling situation.

The one great roadblock which lies across the trail to commercial and industrial progress in New England is the extremely high price of electric power throughout that region.

The single most effective thing we can do to assist in the development of New England is to make it possible for New England citizens and businesses to purchase electric energy at rates more nearly in keeping with those the rest of us pay throughout the country.

As serious as any water crisis in New England is the electric supply in the area. It is a severe handicap to the area. New Englanders today are required to pay about 20 percent more for their electricity than are the citizens elsewhere in this Nation.

The 1963 census of manufacturers published by the Bureau of the Census concluded that power purchased by New England industries in 1962 cost those industries approximately 66 percent more than the average U.S. industrial rate. Transplanted into dollars, this means that New England industries would have saved $72 million that year had they been able to acquire electricity at the average U.S. rate.

The present project is designed to help equalize that appalling handicap. It has been carefully studied by both the Corps of Army Engineers and the Public Works Committee. On the basis of studious analysis, we have concluded that the project is highly feasible and economically well justified. The two sites on the river, the Dickey Dam and the downstream Lincoln Regulating Dam, would provide a combined supply of approximately 800,000 kilowatts to produce more than 1 billion kilowatt-hours of electricity annually.

By the terms of this project, this high load factor energy could be sold for as little as 7 mills per kilowatt-hour and still easily pay off the project. This would be only a little more than half the present average of 13 mills per kilowatt-hour which New England electric consumers are paying today for their wholesale energy.

Peaking power would be sold for $15 per kilowatt a year as compared with the present going rate of $23.50 per kilowatt a year which the Federal Power Commission estimates as the cost of the most modern New England plants.

The opponents of this project are the New England power companies—the same companies which charge their consumers the highest rates for electricity in the Nation. These are the companies which Chairman Joseph Swidler, of the FPC, chastised when he noted that:

> New England is still an undeveloped power market * * * not since 1953 has a generating unit installed in New England been included among the first 20 in the Nation in efficiency.

Even under the rigorous standards of a 3¼-percent interest rate and a 50 year payout period with interest payments during construction, this project shows a benefit-to-cost ratio of 1.8. In other words, according to the very conservative criteria used by the Corps of Army Engineers, this project will pay $1.80 in measurable benefits for each dollar of cost during every year of its existence.

This project has been attacked as being primarily one for the purpose of generating hydroelectric power. To a considerable degree, it is this. But this also means that the project will be almost 100 percent reimbursable with interest. And certainly nobody can say that any project in this Nation which will store 8 million acre-feet of badly needed water will serve no other purpose beyond power.

New England has been too long denied. This great and historic section of our Nation has waited patiently while the problems of other regions of our country have been assaulted. Members of Congress from New England have assisted the Western States through reclamation programs, have assisted the South and Midwest through agricultural programs, have assisted Appalachia through our bill earlier this year, have assisted the Atlantic and Gulf and Pacific Coast States through hurricane protection and beach erosion works.

The time has come for the rest of us to put aside whatever parochial reservations we may have, and assist New England with the solution of this critical problem through the enactment of this bill which is supported by a preponderate number of the Governors from New England and members of this committee and by each member of the delegation from the State of Maine.

Mr. OLSEN of Montana. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. Yes. I will be glad to yield to the gentleman from Montana.

Mr. OLSEN of Montana. Mr. Chairman, I want to compliment the gentleman on his statement, and I want to expand this much on it. In that connection it was brought out very well in our hearings that the private power companies, when they talk about cheaper cost of developing electric energy, are not talking about cheaper cost to the consumer but they are talking about some relatively cheaper cost to the producing company. The cost to the consumer they would not predict as being cheaper. I would bring to the attention of the Committee that on the specific question of asking the private power companies an estimate of how much reduction in the price of power they would make to the consumer, they would make no response. So, so far as the consumer in New England is concerned, his condition will remain the same. They are at the mercy of the private power companies. I think we should follow the recommendation of this committee and bring in this new wonderful development on the St. John River.

Mr. WRIGHT. I thank the gentleman for his contribution.

Mr. GRABOWSKI. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I intend to vote for this bill, but I am going to support the amendment striking out this specific project in Maine.

Mr. Chairman, I rise to oppose the Dickey-Lincoln School project on the St. John River in Maine which is part of the omnibus public works bill, S. 2300.

I base my opposition on these points. This project, despite its ultimate cost of more than $300 million, received scant examination by the Senate and that body did not hold public hearings.

The House Public Works Subcommittee held hearings of only 2 days.

I think it is important that the members bear in mind that this project will not achieve its stated goal of helping to reduce the cost of the power in the New England area. In fact, it will hold back the construction of large thermal-electric plants near the load centers of the region. It is these plants that hold the best prospect for reducing power costs. Furthermore, the electric companies of the region have offered concrete alternatives for the production of equivalent power at less cost without the use of Federal money. This violates what has been a basic criteria of the Congress for many years regarding public power projects—there is no better alternative under free enterprise. For example, the great TVA was created because private capital was unable to do the job.

The Secretary of the Interior had admitted that the private companies in the region have not been consulted on the need for this project. But what is most astounding is that the Department of the Interior has made no plans for selling the electricity the two proposed powerplants would produce. Secretary Udall told the Flood Control Subcommittee, "We'll plan this after the project is authorized."

Also let me point out that the Department of the Interior used 100-year payoff for the project instead of the customary 50 years. There is also the possibility the project may be obsolete before it is completed, and the output may not be marketable due to its high cost.

Mr. TUPPER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

At the outset I want to commend the distinguished chairman of the subcommittee [Mr. JONES] for his demonstrated concern for the northern New England area, in the face of determined opposition by special interest groups. There has been a most formidable array of forces alined against this project. In the 5 years I have been in Congress I have never seen a greater lobbying effort against an individual project. The opposition has been most intensive.

It is an undisputed fact that Maine is the principal beneficiary of this project. Maine is larger in size than the rest of New England. I appeal to you today on behalf of my State and its people.

I have been in public service for the major part of my adult life. During this time I have spoken in behalf of a great many measures before the State legislature and Congress designed to assist Maine; of all these proposals none have offered the potential that this project does for helping my State grow and prosper.

The State of Maine has the highest power rates in the Nation. This has placed an intolerable burden on Maine families and has seriously hampered our industrial effort. As a matter of fact it is the principal reason why Maine's chief export is its young men.

Some of my friends raise the time-worn argument that public power is bad per se, inasmuch as the private power companies should do the job. The answer to this shortsighted argument—in my State—is that private power interests have certainly had enough time to do the job and they have failed. Their promises are rather late.

These very same private power interests now opposing this bill have too long strangled the economic growth of my State.

It is alleged that atomic power development will make hydroelectric projects such as this obsolete. Yet the U.S. Army Corps of Engineers, Federal Power Commission, and the Department of Interior do not agree with this conclusion.

By 1980 there will be a requirement of 36 million kilowatts in the Northeastern part of North America, of which 4 million kilowatts will be needed for peaking purposes. The State of Maine alone will require 1,750,000 kilowatts. The Dickey-Lincoln School project could prove to be a valuable source of supply for this purpose at that time—even with atomic development.

It is estimated that firm energy can be delivered to Maine customers for 7 to 8 mills per kilowatt-hour compared with present charges ranging up to 20 mills, and peaking energy will be available at 3 mills per kilowatt-hour.

It seems significant to me that this project has the support of the President of the United States, of the entire Maine congressional delegation, of the Governor of Maine and all the other New England Governors, and the Government agencies involved. The Atomic Energy Commission has stated that this project will produce lower-cost power than a nuclear alternative.

In transmitting a report on this project to Speaker McCormack, President Johnson said:

> Authorization of the Dickey-Lincoln school project and the carrying forward of the other recommendations contained in the report is a highly important step in the future economic growth of the New England area.

The President went on to say that it would save New England power consumers over $9 million annually compared with present average costs, and more than $7 million each year compared with costs of alternative new sources of power supply.

I make no claim of knowing what the benefits may be for the rest of New England, although it seems probable that northern New England—Maine, New Hampshire, and Vermont—will benefit the most—and certainly Maine will benefit the most.

Maine is a great State and I do not think it detracts from its many attributes to state it is not the influential State it once was.

There was a time when Maine had 10 Members of this body. Today we have but two, my friend Bill Hathaway on the Democratic side of the aisle and myself on the Republican side. There was a time when Maine produced Speakers of the House, a Vice President of the United States, and a nominee for President. These days are long past.

With the failure of our population to grow at the rate of most other States, our influence waned. The largest single factor responsible for the lack of stable full-time job opportunities has been the tremendously high power rate structure.

Since coming to Congress in 1961, I have supported public works projects in other States without exception, because I relied upon the individual to know what was necessary and feasible for his own State. I hope that Members will reciprocate today in helping the State of Maine.

Mr. BALDWIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, there was a reference made by the gentleman from Texas [Mr. Wright] or the gentleman from Montana [Mr. Olsen] in their colloquy as to whether or not there were actually facts brought out at the hearing relative to proposing a reduction of rates in the New England area if the power needs of that area continue to be provided by private enterprise in the form of investor-owned public utilities.

Mr. Chairman, we requested during the hearings that testimony be submitted to the committee on this issue, and on page 536 of the printed hearings appears the testimony submitted to us by the investor-owned private power companies in New England, stating that by 1980 they intended to reduce the power rates in that area by 40 percent and they intended to do so through nuclear plants.

Since the hearings I have before me a clipping from one of the newspapers in New England of September 8 announcing a contract for a nuclear energy plant awarded by three of the Vestal private utility companies in New England, a contract for $65 million to the General Electric Co. to build a nuclear energy plant in Connecticut, which would produce 600,000 kilowatts.

May I point out that if the $65 million contract for a nuclear energy plant is going to be constructed they will produce 600,000 kilowatts. The proposed public power project proposed in this bill at a cost of a total of $300 million, counting the transmission lines, would produce only 794,000 kilowatts. Therefore, this nuclear energy plant would produce almost an equivalent and cost one-fourth of the amount of the estimated cost of the public power facilities that would be proposed by the bill now before us. Therefore, I support the amendment offered by the gentleman from Pennsylvania [Mr. Clark]. I do not see any reason why the taxpayers of our respective congressional districts should be burdened with a $300 million cost when we have testimony before our committee that the private utilities of the area are meeting the power needs through the letting of a contract for a nuclear energy plant. Our best estimates are they can produce power that will be even lower in estimate made by the Department of the Interior.

For this reason I am in full support of the amendment. In view of the anticipated large deficit in our budget this year I see no reason why we should spend this large amount of money up there.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I want to say I agree with the gentleman's statement. I am supporting the amendment.

Mr. Chairman, I support this amendment. I fully agree with the statements of the gentleman from California [Mr. Baldwin] and the gentleman from Pennsylvania [Mr. Clark], to the effect that private interests are ready, willing, and able to take care of the foreseeable power needs of New England and that there is no need for the authorization of this project.

Particularly in Connecticut is this the case, where our companies have not only established atomic-powered plants to produce electric energy, but have joined with other out-of-State power producers to create the larger operating unit which will be necessary to provide the technology, the volume and the lower cost power that the future will require.

One other fact has not been mentioned and that is that the cost of operation of these private companies involves the payment of taxes and the contribution of interest by the companies which are also paying dividends to thousands of stockholders throughout the area.

Finally, one might ask whether it is logical at this time of enormous public expenditures, in a bill which spends $1.9 billion and in the face of sharply mounting costs of carrying on the war effort in Vietnam that we should tack another $300 million on to the taxpayers' bill.

Mr. HATHAWAY. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, members of the Committee, I am concerned that the Dickey-Lincoln School project be approved. This project is located in my district and of course would benefit my people considerably. It goes without saying that the construction alone would create welcome jobs, income, and opportunity for many of the residents of Maine. But the construction of this project would mean more than simply the creation of onsite benefits. Materials from every portion of the country would be utilized. In the construction of the Trinity Dam in California, for example, tractors and conveyors came from Illinois, trucks from Indiana and Pennsylvania, steel from Ohio, generators from New York, cranes, shovels, and draglines from Wisconsin—plus a myriad of products produced under contract or subcontract in many other States. The same was true of Glen Canyon in Arizona, of Hungry Horse in Montana, of Hartwell on the Savannah River—and it will be equally true of Dickey-Lincoln School in Maine. While this House approves construction of a project for Maine, it is also approving it for all America. In addition to the widespread benefits resulting from the construction the finished product will also be national in scope because it will help fulfill our objective to reduce power costs throughout the Nation and bring to every corner of our country a stimulus for greater economic growth. In every area where the Federal Government has constructed hydroelectric projects the private as well as the public utilities have prospered, low-cost power has increased the demand for power from every source. The creation of jobs, income, and opportunity have been the direct result of water resource development in the Northwest, the Southwest, and the Southeast. We can justifiably expect the same for this project in the Northeast, an area far from the coal, oil, and gas resources of the Nation, where power rates are the highest in the country, and where water is the prime natural resource for power.

Coal, oil, and gas once burned are gone forever. Nor is it enough to say that we might replace them with nuclear energy. Grave problems of waste disposal, unresolved questions concerning possible risk to public health, and high costs, all obscure the extent to which the country will convert to nuclear power. I trust these problems will be solved, and I am confident that the cost of nuclear fuels will be reduced, but hydroelectric generators may well remain our best source of power, because falling water is free.

The Dickey-Lincoln School project is an integral part of the omnibus rivers and harbors bill for water resource development throughout the country. It is no more equitable to strike this project than to strike any of the other 143 projects in this bill. The entire parcel has been carefully considered by the Public Works Committee and that committee in presenting this bill is presenting us with an answer to a national problem. Like the elementary and secondary education bill, the Higher Education Act, the omnibus housing bill, and the omnibus farm bill and many other pieces of legislation which we have passed at this session, this omnibus rivers and harbors bill is national in scope and should be kept intact in order to accomplish its objective of providing nationwide water resource development.

Over 60 years ago Senator J. H. Gallinger, of New Hampshire, rose to voice his support of the Reclamation Act of 1902. His support was based, he said, on the fact that development of the West would add to the development of the entire Nation. Since 1902 water resource development west of the Mississippi has totaled $11.2 billion. In the Southeast the Federal investment has totaled $5.5 billion. In New England, however, water resource development investment has been only $413 million. The authorization of this project will make the total investment since 1902 still less than $1 billion but it will be a giant step toward providing low-cost power to every part of our Nation.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HATHAWAY. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. I commend our distinguished colleague on the fine statement he is making, and I commend him for the hard fight and the hard work he has put into this matter. The development of the resources of the State of Maine is important to all the country, and I think most of the country will support the gentleman in the advocacy of this project.

Mr. HATHAWAY. I thank the majority leader.

Mr. Chairman, in concluding my remarks let me simply say this.

If the residents on one side of Main Street in your home town were paying $10 a month for power while the people on the other side of the street were paying $30 a month for power you would think it was ridiculous. In this day and age it is just as ridiculous for the people of Portland, Oreg., to be paying less than one-half the amount for electricity than the people of Portland, Maine, are currently charged.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Clark].

The question was taken, and the Chairman announced that the noes had it.

Mr. CRAMER. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Clark and Mr. Blatnik.

The Committee divided.

The CHAIRMAN. On this vote by tellers, the ayes are 100, noes 99.

The Chair votes in the negative.

So the amendment was rejected.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words for the purpose of asking the gentleman from Minnesota [Mr. Blatnik] what the leadership's plans in regard to the pending bill are. We on this side are prepared to act on the bill today, if possible. I understand now that it may be put over until tomorrow. The membership would like to know.

Mr. BLATNIK. There are some engagements which a number of the Members of the House are committed or obligated to attend this evening. It is my understanding that the leadership on both sides strongly endorse the proposal that the Committee rise around 6 o'clock. So if the gentleman has no objection, I am prepared to make a motion that the Committee now do rise, and we shall return at noon tomorrow.

Mr. CRAMER. Mr. Chairman, I wish to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAMER. Is it proper for the Chair to make a tie or to break a tie, from a parliamentary standpoint, on a teller vote?

The CHAIRMAN. Under the rules, the Chair can vote to make or break a tie, the Chair informs the gentleman.

Mr. CRAMER. That was my recollection. I believe I lost an amendment that way a couple of years ago. I wanted to make sure, for the record

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. ARENDS. I should like to ask the Chairman if we are going to continue tonight or not. I should think, in view of what has transpired in the last couple of weeks, we should go ahead and finish our business. We have been inconvenienced many times. Let us keep on doing it.

Mr. BLATNIK. We are prepared—I certainly am; and, in fact, all of the Committee Members are—to go ahead, but I believe in all fairness to Members who, by coincidence, have a serious conflict with obligations, we should not. Let me make the statement that I am prepared to move that the Committee rise now. I shall not at this moment. I believe we are over the hump. There are probably four amendments of any substance left.

Mr. CRAMER. I say to the gentleman, so far as I am concerned we are here. We are prepared to go ahead and finish the bill. There seems to be a great demand for these bills at this time. We have an opportunity to finish this bill today. So far as I am concerned, I have had a number of requests on this side that we finish the bill today. If the gentleman wishes, so far as we are concerned, we are ready to go ahead and finish it.

Mr. BLATNIK. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Blatnik and Mr. Cramer.

The Committee divided, and the tellers reported that there were—ayes 130, noes 72.

So the motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just under discussion.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERSONAL EXPLANATION

Mr. VIGORITO. Mr. Speaker, on September 17 I was absent due to official business, the dedication of the Shenango Valley Dam in Mercer County, Pa. Consequently I missed rollcall No. 307. If I had been present, I would have voted "no."

CHRYSLER CORP. ANNOUNCES PRICE INCREASES FOR 1966 MODELS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, in today's newspapers the Chrysler Corp. has announced its new price schedule for the 1966 models. By coincidence, which I consider more planned than strange, the increase is just about equal to the amount of the excise tax reduction which was voted by this Congress several months ago.

The explanation of the corporation is that this added price includes the cost of safety devices. When these safety devices are installed on all the automobiles produced by the manufacturer, the actual cost to the company will be about $22 to $24 per car. It looks as though the manufacturers contemplate an extra profit of $45 to $70 per automobile. If all of the other manufacturers agree to the same pricing policies—and I would suppose they have that in their plans, an average profit increase of $50 per car would apply to 7½ or 8 million new cars to be produced next year.

I do not believe that the Congress intended to give the automobile industry an extra profit of $350 million to $400 million by reducing the excise taxes this year. It looks as though the automobile industry is reneging on its promise of less than 1 year ago to pass the excise tax reduction on to the American consumer.

MARTIN LUTHER KING, GO HOME

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the Washington Star of yesterday, September 20, summarized the feeling of those in Government and out for the latest bit of meddling by Martin Luther King in an editorial aptly titled, "Martin Luther King, Go Home." There is a great deal of concern in every quarter of the Nation over the role this professional wowser has recently taken upon himself, that of a Secretary of State without portfolio. And, I might add, without invitation and without qualifications.

For years, the South has been saying the same thing, "Martin Luther King, go home," and for exactly the same reason the Star points out in this editorial: that he is a meddler and unqualified to tell others how to run either their government or their personal affairs. The fact that he is a Negro gives him the right, in the eyes of the deluded liberals, to meddle in any affair in which any other Negro is involved. Yet the record shows that, wherever his presence is felt, there has been bloodshed, strife, and anarchy. His "nonviolence" has bred violence. His "leadership" has turned loose the rampaging mob. His "peace" has fomented hatred at a time when cool heads and reasoning was needed.

I welcome to the chorus of voices raised in protest, the Washington Star. They have put in print with this editorial the truth that cannot be denied: that a meddler is a meddler whether he meddles in Vietnam or the South. He can cause nothing but trouble.

I hope the President does, in this instance, what should have been done years ago, order this troublemaker to the sidelines.

The Star editorial is inserted here for everyone's attention:

MARTIN LUTHER KING, GO HOME

"Homespun collars and homespun hearts wear to rags in foreign parts," said Houseman, and it is also true of homespun charisma, homespun mana, and plain old homespun reputation. Of no one is it truer than of Dr. Martin Luther King, the homemade foreign policy expert.

There is something positively ridiculous about Dr. King hobnobbing around the U.N. with Ambassador Goldberg and solemnly delivering himself of pronunciamentoes on international relations. He wants peace in Vietnam. Who doesn't? The Vietcong, perhaps, and perhaps the North Vietnamese, neither of whom are listening except as one listens for signs of weakness in the enemy.

And Dr. King avers that Red China ought to be admitted to the United Nations. This is an endlessly complicated question full of commitments to many nations and a generation of history, none of which seems to have registered on Dr. King. It is not a question that is about to be solved by the mindless repetition of fringe-group slogans.

Beyond specifics, there is the interesting assumption that Dr. King is somehow qualified to hold an informed opinion in these matters, let alone to express it in public with the apparent approbation of his Government. He gets his qualification from his work in the civil rights movement which has absolutely nothing whatsoever to do with the area he now surveys.

The further assumption about his new role is that, in his view, the civil rights question is now solved and needs him no longer. If this is indeed the case, surely there are other fields even more desperately in need of his ministrations. The Broadway stage, for one, has been in trouble for years and so has our local ball club. What about the newspaper strike in New York? Or the rising hemline on women's dresses?

If he thinks about it at all, Dr. King can find a hundred fields of human endeavor in which he can do less harm and in which he is at least as well qualified as in foreign policy.

INCREASE IN SBA REVOLVING FUND AUTHORIZATION

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, I have today introduced a bill to increase the revolving fund authorization of the Small Business Administration from $1,725 million to $2 billion. When Public Law 89-78 was passed on July 21, increasing the SBA revolving fund authorization for purposes of the investment company program, the total authorization set out in section 4(c) of the act was not correspondingly increased. This bill will correct that oversight. One hundred twenty million dollars of the proposed increase is for that purpose.

There should, however, be a substantial increase in the revolving fund authorization for the business loan and disaster loan programs. This bill also contains an authorization increase of $159 million for these programs.

We all remember too well the necessity for curtailment of the business loan program during the latter part of 1964 and the first part of 1965 because of the extensive call on disaster funds as a result of the Alaska earthquake and other disasters during 1965. This should not happen again.

On June 30, 1965, the Small Business Administration's appropriation balance was approximately $40 million for all of its financial assistance programs, including the disaster loan program; $150 million was appropriated for fiscal year 1966. As a result, the SBA had available no more than $190 million for the entire fiscal year, plus repayments.

It is expected that the demands on the revolving fund as a result of the hurricane which struck southern Florida, Louisiana, and the gulf coast will more than deplete the available balance now outstanding.

The total authorization balance to which additional funds may be appropriated is only $76 million at this time. If all of those funds were appropriated, it is doubtful if they could supply the funding need as a result of the recent hurricane, alone. We may have other hurricanes—we may have other disasters—and certainly our small business loan program should go on.

It is time that we be realistic—it is time that those who request the appropriations should plan ahead in order that these programs established by Congress may be maintained.

We must not fail to be prepared for disasters. We must not allow the revolving fund and appropriations for the purposes of the disaster and business loan programs to be at such a dangerous low that further curtailment may again become necessary.

There are those who feel that if a substantial increase in the revolving fund is not now made available and if substantial supplemental appropriations are not now requested by the Small Business Administration, that agency will again be out of funds by the end of the year. If so, the small business loan program and the disaster program will suffer severe curtailment.

These are not wasted funds—they are not grants or giveaways—these funds expended by the Small Business Administration are investments in the future of America.

It is not necessary that the full authorization be utilized—it is not necessary that all funds appropriated be spent. But it is necessary that a sufficient backlog in funds exists to protect the whole program. To fail to maintain a substantial balance available for these programs is to fail to anticipate the possible needs of millions of Americans and to play with the future of small business.

The revolving fund authorization should be increased at this time.

"PERCOLATE UP" VERSUS "TRICKLE DOWN"—THE SUCCESS OF THE PRESIDENT'S APPROACH TO ECONOMICS—NO PLACE FOR SPECIAL PRIVILEGE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, for 20 years, I have had the privilege of serving on the Joint Economic Committee and, through that, have had some opportunity to observe the functioning of our economy. In that time, there was one fundamental principle that has been reaffirmed time and time again. That is that purchasing power which is made available to the people of the country is spent over and over again, and percolates up to the great advantage of the economy. But when measures are adopted to benefit the self-acclaimed "chosen few" rich and give them special privileges, the money does not trickle down. It is sometimes siphoned off into luxury spending, Swiss bank accounts, and so forth, so that the plain people never see it.

TWENTY-FIVE BILLION DOLLARS ADDED TO OUR GROSS NATIONAL PRODUCT—MORE TO COME

We have excellent proof of these observations in the 1964 income and corporation tax cuts. The Council of Economic Advisers has made a very careful study of their effect on the economy, and has concluded that the reductions in personal and corporation taxes have already added $25 billion to our gross national product—up to now. Moreover, for the balance of this year, at least $10 billion more in increase is expected. Next year, there will be further increases in the gross national product attributable to the tax cut. When we stop to think about this, it makes very good sense.

When consumers get a tax break they spend the money for things they need and this stimulates business in the community so that larger orders are placed in the factories and, with more business, the producers are able to increase their production and expand. So the effect of an increase in purchasing power spreads throughout the economy and multiplies itself and results in a much greater increase in the total production of goods and services.

EXCISE TAX ALSO HELPS ECONOMY

Another case in point is the excise tax cut enacted this year. While it is still early in the game, so to speak, to get the final results, it is obvious that these reductions are providing a powerful economic stimulus because they have permitted price reductions that aid the American consumer. The estimated total of reduction, $4.6 billion, will have a multiplier effect on the economy. If passed along to the consumer as intended by the Congress, this reduction can add $15 billion to our gross national product. Moreover, these beneficial effects do not die out in a year or so, but continue to benefit the economy.

These tax reductions are an excellent illustration of why it is important to base our economic performance on healthy, strong, purchasing power. In economics as in politics, strength begins at the grassroots—with the people of the country.

ECONOMIC PRIVILEGE LEADS TO ECONOMIC WEAKNESS

The road to economic privilege is the road to economic weakness and political weakness, as well. There should be no place in American law for special advantages for the wealthy—be it special advantages under the tax laws, special treatment under the Bank Holding Company Act as the Du Pont Trust is attempting to maintain, or special privileges under the now proposed amendments to the Bank Merger Act which would absolve six of the largest banks in the country from violations under the antitrust laws.

THE REPUBLICANS' TIME-HONORED CURE-ALL—RAISE THE INTEREST RATES AND TIGHTEN MONEY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last week the Republican Party issued a so-called position paper entitled "The Balance of Payments, the Gold Drain, and Your Dollar." Enshrined in this ill-fated attempt to establish a proper prognosis for our balance-of-payments ills, is the Republican's time-honored cure-all, tight money, and high interest rates.

In the many years that I have been privileged to serve in the House, it has become more than apparent to me that high interest rate policy is a selfish attempt by a few to stifle economic growth for the short-sighted benefit of a small number of the rich and powerful. The facts are all too evident to prove this case.

I am saddened at my Republican colleagues who are damning one of the tools that have caused this Nation's economy to be more prosperous than any in the history of man. Perhaps the Republicans are suggesting that this country adopt the stifling economic policies of some of the European nations.

The Republican Party has always praised the indigenous genius of our material success, but why, I wonder, are they seeking to destroy this quality now? I hope my colleagues on the opposite side will ponder the disastrous effects that a credit squeeze and high interest rates would cause. Blindness to the disastrous actions of the 1920's and the recession policies of the Eisenhower administration is no defense for present manmade blindness. The recommendations of this policy statement will cause the Nation's economy and citizens untold hardship that result from recession and a depression policy of tight money and high interest rates.

Mr. Speaker, I ask that an editorial from the Washington Post of September 13, 1965, be placed in the RECORD for a further elucidation on the fallacies of this Republican position paper.

THE GOP ON THE B-O-P

The Republican Party's publication of position papers on major issues—full discussions in which arguments proceed in orderly fashion from promises to conclusions—is surely contributing to a higher level of political discourse. But the latest effort, "The Balance of Payments, the Gold Drain, and Your Dollar," is more likely to generate heat than shed light.

Some of the GOP's strictures on our balance-of-payments (B-O-P) policies are well placed. It is true, for example, that the efforts to stanch the outflow of capital are, over the longer run, self-defeating. And one can hardly fault the authors of the statement when they charge that those restraints are inhibiting the expansion of world trade.

When they pass from diagnosis to prescription, however, the GOP doctors seem to throw caution to winds. They advocate a monetary policy that "will narrow interest-rate differentials between the United States and other countries" and judging from the remark about the administration's policy of artifically low rates, it is we who would have to come up to the high European level. But boosting long-term rates to the 6–7 percent range prevailing in Europe would result in a recession in the American economy.

A second quarrel with the GOP is over a matter of political timing. It proposes that our European military force of some 700,000 should be replaced by a small detachment, a move that would reduce the payments deficit by more than $1 billion. But is this the time, on the eve of West German elections, to propose a sharp reduction of American forces in Europe? At some time in the future such a proposal might be appropriate. To implement it now would involve a political sacrifice, the cost of which—if indeed it can be calculated—would far exceed the improvement in the balance of payments.

The document concludes with the warning that the party in power must be responsible for the consequences of the failures to solve the payments problem. That is true, but the opposition party would do well to think through the consequences of its own policy recommendations.

PROPOSALS MADE TO REJUVENATE U.S. MERCHANT MARINE

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, as Members of this House have been advised from time to time, the Nation's privately owned commercial shipping fleet is rapidly approaching obsolescence. Many of these vessels were built during World War II and they are economically outmoded by the more modern ships of Europe's maritime nations. A large proportion of the merchant fleet will be far past the official 25-year useful age before they can be replaced under the present Maritime Administration's rebuilding program of 16 to 18 vessels annually.

The defense, as is well known, is budgetary. Under present practices, the Government pays 50 percent or slightly more, of the cost of constructing vessels, which is a difference between cost in foreign yards and in the United States. As a result, the budgets of the past few years have included approximately $100 million toward the building of the 16 to 18 vessels approved by Maritime.

Now the Shipbuilders Council of America has come forward with a program of deferred financing, both for the presently subsidized operators who must replace their vessels at the end of 25 years service and for urgently needed new construction of tramp ships and other bulk carriers, of which this country is sadly lacking.

In a letter to Secretary of Commerce John T. Connor, the president of the Shipbuilders Council, Edwin M. Hood, has outlined a procedure developed by Ernst & Ernst, accountants and finance research specialists, whereby the 50 new vessels per year that will be required for the next 5 years to prevent block obsolescence can be built for lower expenditures than are now being provided annually.

Not only will such step-up construction place U.S. shipping in a truly competitive position with all the world, but the Ernst & Ernst figures forecast both a pronounced reduction in operating and construction subsidies and a greater efficiency in operation of these newer modern vessels.

Full details of the plan have been supplied to House Members directly concerned with maritime finances and operations, and a comprehensive summary of the Ernst & Ernst findings is submitted herewith.

Reveals Plan To Rejuvenate U.S. Merchant Marine Without Additional Federal Support Funds

Secretary of Commerce John T. Connor has been advised by the spokesman for the Nation's private shipyard industry that the long-overdue expansion and modernization of the Nation's overaged merchant fleet can be accomplished without imposing any additional drain on the Federal Treasury.

This was made known today by Edwin M. Hood, president of the Shipbuilders Council of America, who released the findings of a special research study commissioned by his trade association which reveals that a large-scale fleet replacement program could be undertaken within existing levels of governmental support of the merchant marine. The study was made by the accounting firm of Ernst & Ernst. Also made public was the text of a September 9 letter which Hood sent to Secretary Connor with a copy of the 58-page research report.

In essence, the report recommends modification of existing procedures which require the Government to pay virtually in a lump sum up to 55 percent of the construction cost of a subsidized ship by the time of delivery. It suggests that the Government's share of the cost be spread over the 25-year economic life of the ship. Under the annual amortization plan, according to the report, the annual cost to the Government of a $10 million ship, at a differential subsidy of 50 percent, would be $320,000 rather than $5 million paid upon delivery of the vessel.

In his letter of transmittal to Secretary Connor, Hood pointed out: "A principal factor in the present maritime problem is the requirement that 20 years of construction activity must be compressed into the next few years due to obsolescence of World War II vessels. The amortization approach then represents a unique solution to the troublesome problem of block obsolescence—how to level yearly capital expenditures by the Federal Government for subsidizing vessel construction while at the same time improving the quality of the fleet. Moreover, from our standpoint, it offers a logical answer to the question—how to utilize idle U.S. shipyard capacity for the construction of U.S. flag ships with consequent employment for U.S. workers without placing an extraordinary burden on the Public Treasury."

Hood also stressed that the Ernst & Ernst study had exposed serious shortcomings in the Government's Interagency Maritime Task Force's analysis of a recent proposal calling for an expansion of the U.S.-flag tanker and bulk carrier fleet.

The shipyard's spokesman told Secretary Connor "we cannot escape the impression that the Interagency Maritime Task Force has engaged in expediency and a certain amount of superficiality, almost to the point of seeming to fortify a preconceived contraposition." He then cited seven specific analytical and statistical deficiencies which, he contends, distorted the task force's evaluation of the Kheel report.

The Ernst & Ernst study revealed that the U.S. merchant fleet is composed predominantly of ships which will reach the end of their useful lives simultaneously within the next few years. And, it pointed out, the shipping industry lacks an effectual mechanism to provide the capital needed to replace these ships with modern vessels. Merely keeping pace with the obsolescence overtaking the existing fleet would require the construction of 50 large ships per year for the next 5 years at an annual capital investment of $536 million.

A program to increase the U.S.-flag vessels' carriage of the Nation's foreign trade tonnage from the present level (below 9 perecnt) to 25 percent by 1975 would require the construction of 65 ships annually for the next 5 years at a capital expenditure of $700 million annually. To achieve a 50 percent participation in the foreign trade movement, 111 ships per year would have to be built during this period at an annual cost of $1,173 million.

In recent years, Government expenditures to sustain the American-flag merchant fleet have averaged about $390 million annually. Approximately $300 million is accounted for by direct subsidies to place the subsidized operators of 300 ships on a cost parity with their foreign-flag competitors. (Roughly $200 million is represented by operating subsidies and approximately $100 million has been for ship construction subsidies.) Additionally, the Government has paid about $90 million annually in the form of premium cargo rates to the so-called nonsubsidized operators for the transportation of Government-sponsored cargoes.

The $100 million for subsidized ship construction has resulted in orders for an average of 15 or 16 ships per year for subsidized operators. The nonsubsidized segment of the fleet, however, has not received Federal assistance for new ship construction. As a consequence, this fleet is composed nearly exclusively of inefficient, overaged vessels of World War II vintage.

Since the ship operators, particularly the nonsubsidized lines, haven't the capital to undertake ship construction without Government assistance, and the Government has shown no incilination to expand the subsidized ship construction program, the ways and means to accomplish replacement of the obsolete vessels has been the major dilemma faced by the Government and the private maritime industry, it was pointed out.

The solution to this problem, according to the Ernst & Ernst report, is replacement of the existing construction subsidy procedures with a construction amortization plan which would permit a massive ship replacement program to be undertaken without the concurrent requirement of increased construction subsidy appropriations. The plan, it was emphasized, not only would retain the foreign cost-parity benefits received by presently subsidized lines, but also extend them to the nonsubsidized lines engaged in foreign trade. Additionally, 44 new vessels for the domestic fleet could be built with an annual amortization subsidy of only $15 million.

Under the proposed amortization plan the Government would equalize the ship construction cost disparity between United States and foreign shipyards by paying the ship operator an amount each year which would reduce the annual mortgage payment for a ship to the level that would have been incurred had the ship been built at foreign price levels. Accordingly, the ship operator would obtain mortgages from private lending institutions covering the entire cost of the ship, less the 12½-percent investment required by law. The Government would compensate the operator for the United States versus foreign construction differential each year over the 25-year economic life of the ship—rather than paying the entire cost differential in 1 or 2 years while the ship is being built. The following example explains how the proposed amortization plan would work:

a. Assume a ship would cost $10 million if built in U.S. shipyards and $5 million in foreign shipyards.

b. Under the present plan, the ship operator would receive a $5 million construction subsidy payment from the Government at the outset. He would mortgage $3,750,000 of the remaining $5 million payable over 25 years; the balance of $1,250,000 would come from his own reserves.

c. Under the amortization subsidy plan, the operator would procure an additional mortgage for $5 million which would be retired by the Government over 25 years. Assuming a 4-percent interest rate (approximately the current rate for long-term Treasury bonds), the Government's annual payment would be $320,000, rather than $5 million paid by delivery.

In outlining the benefits which would accrue from the proposed construction amortization plan, the Ernst & Ernst report cited the following examples:

The annual cost to the Government, including operating-subsidy and construction amortization payments, of the subsidized fleet would be reduced by $14 million. In addition, two-thirds of the present annual construction subsidy, or $67 million, would be unnecessary.

The annual cost to the Government of the nonsubsidized fleet employed in foreign trade (if it were replaced with new ships via the construction amortization plan) would be reduced by $24 million. (The present annual Government outlays in the form of premium cargo rates paid for cargo preference shipments amount to $91.3 million.)

A new domestic dry cargo fleet of 34 freighters and 10 bulk carriers to meet future needs could be attained with an annual amortization subsidy of $15 million.

The net effect of implementing all three programs would be an annual reduction of $23 million in terms of operating subsidy payments at present levels. Since these calculations include the construction amortization subsidy, $67 million per year presently programed for replacement of about 200 ships to be constructed by the subsidized lines over the next 13 or 14 years would not be necessary—or would be available for fleet expansion.

Increasing the capacity of the dry cargo fleet to a size adequate to carry all our domestic oceanborne commerce plus 25 percent of our foreign commerce would result in an additional annual subsidy expenditure of $66 million. Of that amount $31 million would be for amortization subsidy.

In his letter of transmittal to Secretary Connor, Hood indicated that the interest costs to the Government inherent in the amortization plan would be offset by the interest earnings effect resulting from the Government's delayed capital expenditure.

For further information, please contact: Walter E. Oates, Assistant to the President, Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

MAINTAINING FREE ENTERPRISE SYSTEM

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, the chairman of my Committee on Banking and Currency, the Honorable WRIGHT PATMAN, of Texas, introduced H.R. 48 on January 4, 1965.

This bill would make firms who solicit and knowingly obtain unfair price advantage, including secret rebates, equally guilty of antitrust law violations with those who grant them. It would provide further substance to the Robinson-Patman Act of 1936 by enforcing the prohibition of secret rebates between buyer and seller.

In a recent poll of the National Federation of Independent Business, 61 percent favored this legislation, 34 percent opposed, and 5 percent were undecided.

I want to commend Chairman PATMAN for his continued interest in the small businessman. I applaud his efforts to maintain the integrity of our free enterprise system.

REPUBLICAN TASK FORCE ON THE UNITED NATIONS OF THE HOUSE REPUBLICAN CONFERENCE

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, I would like to call to the attention of my colleagues a news release from the Republican Task Force on the United Nations of the House Republican Conference. Included is the news release and the statement of the task force. The text of both follow:

On the eve of the convening of the 20th General Assembly of the United Nations, the House of Representatives Republican Task Force on the United Nations called upon President Johnson to exercise positive and constructive U.S. leadership in the Assembly session.

The Republican Task Force is chaired by Congressman JOHN ANDERSON of Illinois. The other members are:

FRANCES P. BOLTON of Ohio.
WILLIAM S. MAILLIARD of California.
EDWARD J. DERWINSKI of Illinois.
HERMAN T. SCHNEEBELI of Pennsylvania.
ROBERT F. ELLSWORTH of Kansas.
CARLETON J. KING of New York.
CHARLES McC. MATHIAS of Maryland.
CHARLES A. MOSHER of Ohio.
BEN REIFEL of South Dakota.
STANLEY R. TUPPER of Maine.
CHESTER L. MIZE of Kansas.
J. WILLIAM STANTON of Ohio.

The task force cited several areas in which the United States could take responsible initiatives to help strengthen the world organization: Establishing reasonable and firm procedures for the financing of U.N. operations by all of the members, encouraging more effective machinery for U.N. peacekeeping efforts, establishing guidelines for relations between the world organization and regional collective security organizations, such as the Organization of American States, calling for further U.N. study and efforts to deal effectively with the worldwide population explosion, and withholding membership in the U.N. to Red China.

STATEMENT OF THE TASK FORCE

As the United Nations enters its third decade, it is more necessary than ever that a viable world organization with the prestige accumulated in a number of successful peacekeeping efforts in the past, should receive the wholehearted active support of the U.S. Government.

It is necessary that the United States exercise firm and consistent leadership in the U.N. session now opening.

The prolonged financial crisis of the organization and the decision by the administration to ignore the charter after originally insisting upon its rigid application have greatly undermined confidence in the capacities of the United Nations. It is, therefore, of the greatest urgency that the Johnson administration take positive steps to reestablish our country's position of leadership within the United Nations in order to serve the noble purposes for which it was founded 20 years ago.

The administration has made a faltering start. Its decision to retreat on the U.N. financing issue was made without serious effort to secure equivalent Soviet concessions.

The administration's decision to shut its eyes to past violations of article 19 of the charter does not assure the successful financing of future U.N. operations. We hope that the administration will seek an eminently fair formula for assuring the United Nations of the funds needed to act—without casting upon the United States alone the burden of maintaining the financial solvency of the world organization.

There are two specific areas where U.N. peacekeeping operations could be strengthened. The first would be an expansion of personnel and functions of the Military Advisors Group in the Office of the Secretary General. The Military Advisors Group should be able to advise the Secretary General of forces available for any operation in which he is authorized to act and it should be capable of effective coordination in the establishment and functioning of U.N. peacekeeping forces in any threat to the peace.

Last June, a proposal was made by several Republican Members of the Congress to establish a U.S. first brigade of 1,000 technicians and logistical experts in a peacekeeping force earmarked for the use of the United Nations in peacekeeping emergencies. This proposal merits administration support. Another problem that needs attention is the competition between the United Nations peacekeeping machinery and that of regional international bodies. The dispatch of a United Nations mission to the Dominican Republic last spring when the OAS already had a mission on the spot complicated the task of the Inter-American organization. This kind of competition makes peacekeeping operations more difficult.

Steps should be taken during the forthcoming session of the General Assembly to assure serious consideration of more efficacious ways by which regional organizations can function without either (a) impinging upon the authority of the world organization, or (b) allowing a period of buck-passing between the U.N. and the regional grouping to prolong a crisis and threat to the peace.

Not the least important program of the U.N. which the United States should back is its measures to meet the problems arising out of the population explosion in the underdeveloped countries. A beginning has been made; the task force calls for positive action to go forward in this direction.

Communist governments may launch a campaign to grant membership in the United Nations to Red China. It is hoped that the administration will maintain the past record of U.S. delegations to the U.N., under both the Republican and Democratic Presidents, in successfully defeating any such move. The daily record of Red Chinese involvement in wars in Asia forms an eloquent testimony that by no stretch of the imagination can Red China be considered a "peace-loving nation," a requirement which the U.N. Charter specifies for its members.

URBAN RENEWAL IN NORTH HARVARD STREET, ALLSTON, MASS., REVISITED

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, on August 19 I placed in the CONGRESSIONAL RECORD the sorry story of the Boston Redevelopment Authority's attempts to oust low- and moderate-income families from perfectly good homes to make way for a luxury apartment building in the North Harvard Street area of Allston, Mass. A number of events have occurred since that time that deserve mention, which are detailed in the newspaper accounts and letters I will include at the close of my remarks.

First, the residents of North Harvard Street chartered a bus and visited the Capitol of the United States to see democracy in action. Dr. Robert Weaver, the Housing and Home Finance Administrator, refused to see the delegation on the grounds that this was a local matter, despite the requirement in the 1964 Housing Act that the Administrator must make a finding that rehabilitation cannot achieve the objectives of the urban renewal plan before a clearance project such as the North Harvard Street project can be put into operation. I was successful, however, in arranging a meeting between the delegation and William Slayton, the Urban Renewal Commissioner.

Later that day, three members of the Massachusetts congressional delegation responded to the pleas of the residents of the North Harvard Street urban renewal area and called on URA Commissioner Slayton to seek a halt in the demolition and evictions being carried on by the Boston Redevelopment Authority until a review of the planned clearance and high income reuse could be made. It is my understanding that activity in general has been at a standstill since that time, and I think our colleague, the distinguished gentleman from Massachusetts [Mr. O'NEILL] deserves a great deal of credit in this regard. Joining him in the appeal were Senators SALTONSTALL and EDWARD KENNEDY. The gentleman from Massachusetts [Mr. O'NEILL] is quoted in the Boston Herald of August 17, 1965, as describing the area as "basically a good one," and I am inclined to agree with him after seeing pictures of the well-kept houses and yards.

I have been informed, however, that the Federal officials in the New York urban renewal regional office, after a very cursory examination of the North Harvard Street urban renewal project area, have declared it unfit for rehabilitation and thus marked it for clearance. This is contrary not only to what Members of Congress have observed about the conditions of the area, but runs in the face of findings by groups ranging from the Massachusetts Committee on Discrimination in Housing, local and State Democratic representatives, the League of Women Voters, 10 of the top ranking city planners in the State, and the Democratic City Council of Boston itself. A possible reason for the reluctance to act on the part of Federal and local officials is outlined in a letter from a member of the American Institute of Planning and the former director of the special Massachusetts State Committee on Low Income Housing, Chester W. Hartman, which I will include at the end of my remarks. Mr. Hartman considers this reluctance to be based on a desire to punish the residents of the area for their action in opposing the powers that be within the urban renewal machinery of Boston.

Mr. Logue, the Boston Redevelopment Authority director, has characterized his opposition in the North Harvard Street project controversy as a group of outsiders, and a band of hard-core irresponsibles. I recently received a copy of a letter directed to Mr. Logue from one of these people, Mr. Donald C. Byron, chairman, Cambridge Friends of North Harvard Street. Mr. Byron notes that the group of irresponsibles is made up, almost entirely, of Harvard graduates and property owners, between the ages of 35 and 80, all Democrats and liberals, and includes four or five members of some of Boston's oldest and most distinguished families, Harvard Square and MIT professors, and the world renowned international lawyer and adviser to five Presidents, Grenville Clark. Mr. Byron observes to the Boston Redevelopment Administrator, a non-Bostonian, that:

> We have the curious notion that what happens to the buildings, neighborhoods and people of this city is as much our concern as yours.

In the past 2 years, Congress and the President have both expressed concern over the need to emphasize rehabilitation and preserve neighborhoods, and to construct more low-income housing and preserve present housing where it will serve this purpose. Mayor Collins of Boston has recognized, in part, this new approach in his decision to appoint a blue ribbon council to investigate a different developer and a different reuse for the area. In deciding to have the entire North Harvard Street urban renewal project area torn down first, however, he has unfortunately precluded the logical alternatives of rehabilitation and conservation of the neighborhood. I will await with interest to see if the Federal officials in New York and Washington live up to the spirit of the housing laws with respect to rehabilitation and conservation, or whether they will again fall back on legal technicalities in order to extricate themselves from a perilous political dilemma.

The irony of it all, if they take this course of inaction, will be that they will place themselves in an even more unfavorable position. There is already talk of forcing on to the ballot for November 1966 a proposal which would require a referendum for all urban renewal projects in Massachusetts. The national repercussions are obvious. As one who has contributed to the urban renewal laws, and cosponsored the last two major housing bills, I regret the need for this development. This grassroots reaction, however, is inevitable if the urban renewal program continues with its North Harvard Street-type projects.

I include a number of items, including the newspaper articles with the letters mentioned:

[From the Boston Sunday Herald, Aug. 22, 1965]

LETTERS FROM OUR READERS: LOGUE AND NORTH HARVARD STREET

To the EDITOR OF THE HERALD:

There was one part of Jim Morse's excellent story on the North Harvard Street renewal project in last Sunday's Herald which truly shocked me. That was Development Administrator Logue's statement that despite his own doubts about the wisdom of this project, "I gave (it) my support because of the attitude of the people out there at the 1962 hearings." Is it an exaggeration to term this an outrageously irresponsible position for a public official to take? It appears that for Logue the question is not one of applying professional standards and devising the best possible project for the city, but one of taking punitive action against persons whose attitudes he does not like and following through on a 3-year-old grudge. The financial aids and landtaking powers bestowed by urban renewal represents a potentially useful tool; I seriously doubt whether the great powers given to whoever directs such a program ought to be in the hands of a man who uses them instead as a weapon. The message Logue wishes to give to other neighborhood groups in the city is clear: either behave yourself (i.e. do not seriously oppose what we are doing), or we'll sick the bulldozers on you.

It is possible too that this same punitive attitude toward the people of North Harvard Street is evident in the mayor's otherwise sensible suggestion that a "blue ribbon panel" be appointed to submit a new reuse plan as an alternative to the present plans to construct a high-rise luxury apartment house. For the mayor has indicated that the panel's role should be only to decide what reuse is made of the site after the land is cleared. But part of a reevaluation of this project must involve the basic question of whether the land should be cleared at all. How many of the present buildings can be saved, and is this a better course of action than total clearance? The sensible course of action is to leave open all present alternatives, including selective clearance, with new construction only on those lots which must be cleared.

Mr. Logue, in the Herald article, is quoted as calling the North Harvard Street protest an "effort to destroy the BRA." It is not. It is an effort to reorient the renewal program so as to make it more responsive to the needs of those people who need help the most. If the BRA is destroyed, it will be because Mr. Logue and others have been too inflexible to make the changes that the people and the times demand.

CHESTER W. HARTMAN.

CAMBRIDGE.

AUGUST 20, 1965.

Mr. EDWARD LOGUE,
Boston, Mass.

DEAR MR. LOGUE: Enclosed please find copy of letter delivered to William Slayton by my wife who accompanied the busload of Allston residents to Washington, August 16, 1965.

Our little, growing, group of Cambridge "hard-core irresponsibles" already includes former Harvard overseer, world-renowned international lawyer and adviser to five U.S. Presidents, Grenville Clark (he has been paying the lion's share of Attorney William P. Homan's law fee all along), four or five members of some of Boston's oldest and most distinguished families, some Harvard Square businessmen and architects, a handful of Harvard and MIT professors. We are almost all Harvard graduates and property owners, all Democrats and liberals. Our age range is 35 to 80. We are all prourban renewal but against your totally outdated, bankrupt and undemocratic policies. You lost the people of this city some time ago; you lost the businessmen and realtors this summer; you are in process of losing the intellectuals. While the rest of the country has moved on to comprehensive neighborhood rehabilitation, while other planners have learned to plan with the people, all we hear from you is "relocation of 500 and 1,300 families."

We find Mayor Collins' "blue ribbon panel" a totally inadequate solution, as Representative WIDNALL, of New Jersey, has so aptly characterized it, to the problem of North Harvard Street since it will render its decision after the residents have been forced from their neighborhood. Our group will settle for nothing less than a rehabilitation plan for North Harvard Street that leaves all existing structures standing, returns titles to all remaining residents and uses the cleared land for low-income housing. If you should be foolish enough to recommence the demolition at North Harvard Street, and if you should by some miracle succeed in razing the neighborhood, then North Harvard Street is going to become a rallying cry that will, we predict, bind the BRA hand and foot within the tight confines of local referendums within 18 months. Some of us at least are prepared to work for such a project which, as you know, has already been launched.

We are sorry you think we are "outside agitators." Many of our families came to Boston over 300 years ago and we have the curious notion that what happens to the buildings, neighborhoods, and people of this city is as much our concern as yours. It is you in fact who is the outsider. Go back to your drawing boards and draw some plans that are acceptable to the neighborhoods of this city and perhaps then we shall be able to get on with the new Boston. The new Boston will not, repeat not, be forced down our throats with policemen's fists and billyclubs.

We shall see you at the sit-in at the next Allston eviction.

Yours truly,

DONALD C. BYRON,
Chairman, Cambridge Friends of North Harvard Street.

[From the Boston Herald, Aug. 14, 1965]

WEAVER REFUSES TO MEET WITH ALLSTON RENEWAL FOES

A delegation of urban renewal foes fighting the evictions in Allston lost out yesterday on an attempt to present their case in person to the Nation's top renewal director.

Dr. Robert Weaver, head of the Federal Housing and Home Finance Agency sent word he would not meet with the delegation which arrived yesterday in Washington, D.C.

"Tell them it's a local problem," Weaver said. "The vote was taken by the proper authorities in Boston.

"It would be unfair to them if I were to interject myself into what is evidently a local problem," he said.

The group had been attempting through Senator SALTONSTALL's office to arrange a Monday meeting with Dr. Weaver.

[From the Harvard Summer News, Aug. 19, 1965]

CONGRESSMEN RIDE TO RESCUE OF NORTH HARVARD RESIDENTS—O'NEILL CONVINCED E.M.K., SALTONSTALL

(By A. Douglas Matthews)

WASHINGTON, August 17.—They did it.

A busload of Allston residents who traveled to Washington to seek Federal intervention in their struggle to prevent the Boston Redevelopment Authority from razing their homes actually succeeded in prodding the glacial bureaucracy into movement. It wasn't easy and, as in all good success stories, there were times when the outlook was exceedingly dim; but, to the amazement of almost everyone save themselves, the group left Washington with the assurances it had come to obtain.

What they wheedled was a statement from Senator Leverett Saltonstall, Republican, of Massachusetts, Senator Edward M. Kennedy, Democrat, of Massachusetts, and Representative Thomas P. O'Neill, Democrat, of Massachusetts. It asked Federal Urban Renewal Commissioner William Slayton to request that the Boston Redevelopment Authority halt evictions and demolitions. A two-man committee proposed by regional Urban Renewal Director Charles Horan could then inspect the situation and confer with the blue-ribbon committee proposed by Mayor John F. Collins to study renewal in the north Harvard area.

This would give the residents a stay of execution and permit them to try to stop the project by legislation or court action.

Their success is a tribute to persistence, a case study in democracy, a lesson in public relations and a minor miracle.

After arising and breakfasting at Washington's Greyhound bus terminal, the 40-member delegation chose a flagbearer and marched to the Housing and Home Finance Administration Building to seek an interview with its Administrator, Robert Weaver. Weaver had previously said that he wouldn't see the Allston delegation, but Slayton consented to give them a hearing. They were shown into the sixth-floor conference room.

"We'd better play it cool," observed one 12-year-old member.

"Look at me. I'm an executive," said Charlestown resident, Harold Nice, sitting at the head of the long, well-waxed conference table. Mrs. James B. Wheelis' 8-month-old son Eric began to whimper.

While Mrs. Marjorie Redgate, Herbert Brazo, and Stevan Goldin '64-4 spoke for the delegation, stating its case and asking that evictions and demolition be temporarily halted pending legislative and judicial processing, Slayton listened politely and took notes.

After Goldin had finished, Slayton noted that he "wanted to get on the record" that there had been public hearings on this matter and that there had been some illegal rent withholding on the residents' part. Goldin countered that the residents were using the only weapons at their disposal, then stood up, pounding on the table, pleading. "The point is that before the legislature can act the BRA is using terrorism." "Mr. Goldin, sit down," said Slayton, his smile fading. "You've made your point and I've recorded it here," he said, pointing to his pad.

Slayton later asked the four delegates from Charlestown, another Boston suburb that is due for renewal soon, if they wanted a hearing.

They agreed, but ended by stalking out of the room in a rage 10 minutes later.

The group then decided to picket the building, but half of its members balked when they saw a policeman arrive. This half, including the Charlestown contingent and other non-Allston supporters, later stalked out of Saltonstall's office, scratching their names from the guest book. Meanwhile the other half stayed to picket for about an hour, then decided to go over to the Capitol to see Representative William B. Widnall, Republican, of New Jersey, perhaps the House's leading expert on housing.

Goldin's group, now totaling seven, discovered that the first group had seen Saltonstall and were now in O'Neill's office arguing against renewal in Charlestown. They rushed down, managed with some difficulty to get the floor, and began to plead their own case.

O'Neill listened, but then explained "My heart goes out to the people of North Harvard, but I can't get into every backyard squabble." He said that Slayton really had no jurisdiction over Logue. Goldin maintained that Widnall had said that Slayton did have power because Logue would have to come to him for future Federal funds.

O'Neill agreed to check on this point with Widnall on the House floor.

The Charlestown group, consistent as Old Faithful, then got into a heated discussion with O'Neill and ended by stomping out yelling insults while the Allston residents remained with the annoyed Representative.

When O'Neill left, some of the group stayed in his office. Others went to sit under a tree, and still others went to Senator Kennedy's office to plead their case. Senator Kennedy was absent, but the group presented its case to Charles Trettor, an administrative assistant. The discussion was interrupted by a call from the Senator, who explained that he had just been contacted by O'Neill and that a joint statement was being written. Trettor explained the development to the pilgrims, who profusely expressed their gratitude and decided to reunite under the tree. "I admire their grit," said Trettor, originally from Allston himself.

About a half an hour later, the reunited group was headed for dinner, dehydrated but delighted, their faith in democracy restored.

[From the Boston Herald, Aug. 17, 1965]

Kennedy, Saltonstall Urge Allston Probe: Ask Halt to Evictions

(By Joseph T. Sullivan)

Washington.—Three leaders of the Massachusetts congressional delegation urged Monday afternoon that evictions and demolitions be stopped in the North Harvard Street urban renewal area until Federal officials make a complete probe of the controversial project.

DAY-LONG SERIES OF PROTESTS

A joint statement to this effect was released by Senators Edward M. Kennedy and Leverett Saltonstall and Congressman Thomas P. O'Neill, Democrat, of Cambridge, following a day-long series of protests here by a delegation of 40 residents of the Allston district.

After the residents met with Senator Saltonstall in his office, the Senator said he thought they had a "damned meritorious case."

The delegation said its feelings would be made known to Boston Redevelopment Administrator Edward J. Logue by Federal Urban Renewal Commissioner William L. Slayton immediately.

TO SEND INSPECTORS

Earlier, following a meeting with the protesters, Slayton said he would send personal representatives to Boston to inspect the situation.

The statement from Kennedy, Saltonstall, and O'Neill read:

"In view of Mayor Collins' appointment of a blue ribbon commission to study the North Harvard Street problem we are seeking William Slayton to immediately stop evictions and demolitions until the two men, Urban Renewal Regional Director Charles Horan has agreed to send to Boston, can talk it over with the blue ribbon commission."

Mayor Collins announced last Thursday that he would appoint such a commission in the wake of demonstrations in the area at which several residents were arrested for refusing eviction. Members of the commission have not yet been named.

At that time he also ordered a temporary stop to the evictions and demolitions.

CHILDREN IN DELEGATION

The delegation, including children, came here by bus and spokesmen said all have received eviction notices ordering them to move from the 6-acre tract part of which has already been demolished to make way for a luxury apartment complex.

Earlier, at an hour-long meeting in his office, Representative O'Neill told the group their only recourse was "persuasion."

Steven Goldin, a Harvard senior who lives in the area, and organizer of the group, said residents are "living in real terror there."

He charged that the Boston Redevelopment Authority has never listened to the group. "They ignored everything we ever tried to say to them," he maintained. "You don't destroy good low-rent neighborhoods."

O'Neill told him, "I can't get involved in every backyard squabble," and that the final decision would have to come from Logue.

"It's impossible to get embroiled in this matter at this stage," O'Neill added. "But what can I do for you?"

He agreed with Goldin, he said, that the neighborhood was "basically a good one," and said he had personally visited it over the past weekend.

PICKET BUILDING

After the session, he telephoned Kennedy and Saltonstall on the protesters' behalf. He also telephoned Slayton.

The group left Boston by bus Sunday at 11 p.m. and arrived here at 9:30 a.m. They spent the morning at the offices of the Urban Renewal Administration in a heated, emotional session and afterwards picketed the building near the Nation's Capitol.

It was the hottest day of the year for the city as temperatures approached 100 degrees.

The group told Slayton at the session he had 1 hour to investigate and come up with an answer. Otherwise, members would take further action.

"We consider this an emergency situation," Goldin said:

After Horan said he would send representatives to Boston, he added: "I don't think I can make another commitment further than that."

One woman said: "I can't afford to pay high rents. I have a nice decent home and can afford to live in it. But I can't afford anything else."

They also protested that Mayor Collins planned to have the Blue Ribbon commission restudy the situation with an eye toward the possibility of low-rent construction but only after the entire area had been cleared.

After meeting with O'Neill the group spent about 3 minutes with Senator Saltonstall in the latter's office during which he again said they shouldn't have come to Washington because they were unable to get a personal hearing with Housing and Home Finance Administrator Robert Weaver.

[From the Boston (Mass.) Globe, Aug. 20, 1965]

The Political Circuit: Urban Renewal Ballot—Bound

(By S. J. Micciche)

Urban renewal is likely to become a hot political issue across the State in next year's election.

And to some degree the prospect may explain the slowdown by the Boston Redevelopment Authority toward the North Harvard Street project in Brighton.

An initiative petition that could put urban renewal on the 1966 ballot as a referendum question was approved as to form and subject matter this week by Attorney General Brooke.

The petition would impose plebiscite approval by the property owners and tenants of a proposed renewal area as a requirement before any project can be undertaken.

The antirenewal forces must obtain about 72,000 signatures, amounting to 3 percent of the vote cast for Governor in the 1964 election, to put the petition before the legislature in January.

If the legislature defeats the proposal, proponents must obtain an additional 11,000 signatures to make a ballot issue.

The legislature earlier this year rejected the idea of voting in connection with urban renewal projects and there's little likelihood this sentiment would change since the same members will be coming back for the 1966 session.

In effect, the plebiscite could virtually block all urban renewal.

Under the petition, no area can be designated for a renewal project unless it is approved by two-thirds of the property owners and tenants voting or a majority of those qualified by residence and ownership to vote.

Further, if the project is so approved, no changes in the plans can be made unless similarly assented to by another vote.

Also, each tenant and property owner must be supplied a copy of the renewal plan and three public hearings must be held prior to the voting.

No funds may be spent beyond the preparation of the plans going to inhabitants of the proposed renewal area and for the public hearings. Specifically, the petition prohibits the taking of any property until the project is approved by the area's property owners and tenants.

Among the 10 signers of the initiative petition are Boston City Councilor Katherine Craven, of Hyde Park, and Representative Thomas F. Farrell, Democrat, of Worcester.

Simultaneously with the filing of the initiative petition, antirenewal proponents submitted legislation seeking an investigation on urban renewal spending.

Legislative approval of such a probe could give impetus to the signature drive for the initiative petition.

An urban renewal referendum on the 1966 ballot could rebound on to the candidates. If it is a ballot question, it would certainly put the major candidates on the spot for an opinion.

The heat now generated locally, particularly in Boston, could conceivably mushroom across the State and become a central campaign issue.

Mayor Collins, with aspirations for the Democratic nomination for the U.S. Senate, could be hurt within his own city if urban renewal supersedes foreign policy and domestic affairs as the overriding issue for that lofty position.

Though he has not been directly involved in each of the renewal projects, Collins did hire Boston Redevelopment Authority's Edward Logue and he has defended his policies.

Logue is the target for antirenewal venom in Boston. In a campaign, it would be difficult to insulate Collins from it.

[From the Boston Herald, Aug. 6, 1965]

Boston Redevelopment Authority Kicks Out Harvard Soccer Field: Allston Project Taken Over for Urban Renewal

(By W. J. McCarthy)

The Boston Redevelopment Authority said yesterday that it had undertaken its controversial North Harvard project in Allston to stop Harvard University from buying up property in the area and making it a soccer field.

Effort by deputy sheriffs to evict four families from the project area precipitated a melee Tuesday and the arrest of four young men who are now free on $50 bail each, pending disposition of breach-of-the-peace charges.

Last night, the North Harvard Neighborhood Association sent telegrams to President Johnson and Senator EDWARD M. KENNEDY protesting the Boston Redevelopment Authority evictions.

The telegram to the White House called upon Johnson "to keep your promise of a decent home for every American family and direct Mayor Collins to stop the reign of terror on North Harvard Street."

The group called upon KENNEDY to use his influence to stop "a monument to human cruelty" only a few hundred yards from the site of the Kennedy Memorial Library.

In a 3-page press release issued yesterday, the Boston Redevelopment Authority said the evictions had been ordered against those tenants in the project area "who flatly and for no valid reason refused to pay their rents."

One of those facing eviction, and one of those arrested Tuesday, James G. Wheelis of 4 Hefferan Street, said it was his recollection that the eviction notice had specified "noncooperation" as the reason.

Wheelis said that he had not paid any rent since November, "but I'm quite sure the notice didn't say for nonpayment of rent. It was for noncooperation, for not going down in their relocation office, and things like that."

PACKED AWAY

He said that he had the notice, "but it's probably packed away in one of the barrels."

Wheelis said he expected that he and his wife and their 8-month-old son, Erik, would be "forcefully evicted," and that he had made arrangements for temporary quarters.

He indicated that he would put up no more resistance when the sheriff's men come back.

"I'm personally not swinging under any more trucks" said Wheelis.

Wheelis and three others, David Outerbridge, 28, of 31 Field Street, Roxbury, Stevan Goldin, 23, of 9 Hefferan Street, and Bernard Redgate, 24, of 162 North Harvard Street, are free in $50 bail each on charges of breach of the peace. Their cases will be heard August 12 in Brighton District Court.

John F. McMorrow, director of administrative management for the BRA, said that he wasn't sure of the precise reason for the eviction notices, but hazarded the guess that if they did read "noncooperation" it would be for technical or legal reasons.

It was impossible to obtain further clarification at the BRA legal office. John C. Conley, counsel, was on vacation, and Thomas F. Hanley, assistant counsel, was, according to a secretary, "unavailable. He's in the board room."

LATER DEADLINE

Edward M. Logue, BRA administrator, said Tuesday that those tenants in the project area who have paid their rents have until September 1 to move out.

The BRA statement gave this as the history of the project:

"In most of the projects it is undertaking the Redevelopment Authority is endeavoring to renew and rehabilitate existing neighborhoods.

"The North Harvard project, however, does not fall in that category because the property within the project area was being purchased by Harvard University for conversion into a soccer field and was scheduled to go off the city"s tax rolls. At the time the authority took the North Harvard property, 40 percent of it was owned by Harvard.

"The redevelopment authority felt it would be in the public interest to keep the property on the tax roles, and an apartment building containing middle-income housing is planned.

"A separate project of moderately priced relocation housing will also be constructed nearby."

The statement continued that if BRA actions were "to be determined by irresponsible pickets and demonstrators, by vilification and cursing, by shouting and shoving, then there will be no New Boston."

[From the Boston (Mass.) Herald, Aug. 7, 1965]

Soccer Field Plans Denied

(By W. J. McCarthy)

A spokesman for Harvard University described as "absolutely false" yesterday an assertion by the Boston Redevelopment Authority that the institution was buying property in the North Harvard area of Allston for conversion to a tax-exempt soccer field.

"We have been buying property in the area, as it became available," said W. H. Stiles of the Harvard News Office, "but for possible expansion of the business school. There was also thought given to it as a possible site for the Kennedy Memorial Library, but not as a soccer field."

OUT OF MARKET

Stiles said that Harvard withdrew from the market in 1961, when it first heard of plans by the BRA to take over the area for development as a site for high-rise and middle-income apartments.

Another Harvard official, in a conversation with a representative of the North Harvard Neighborhood Association, was quoted as saying that the university was repeating now an offer made last year to redevelop the area itself "to provide relief from the critical shortage of low-cost housing."

Efforts by deputy sheriffs, acting on warrants issued by the BRA, to evict four families from the project area touched off a wild melee Tuesday. Four men who tried to stop the evictions were arrested and are now free in bail of $50 each on charges of breach of the peace.

Yesterday one of the four, Stevan Goldin, 23, of 9 Hefferan Street, talked with Charles Whitlock, special assistant to President Nathan M. Pusey, of Harvard, and quoted Whitlock as saying that the soccer field report was "untrue."

The Neighborhood Association promptly branded the BRA's defense of the project as "a complete fraud." The association charged the BRA with engaging in "a crusade against soccer fields to hide the ugly truth that the residents were only to be evicted because they have the misfortune of being poor people living on valuable real estate wanted by influential developers for luxury apartment houses."

SEEMS INCONSISTENT

The association then went on to dispute an assertion by the BRA that it had undertaken the North Harvard project in order to keep the property on the tax rolls of the city.

But they directed their fire in this instance at Edward M. Logue, BRA administrator.

"Ed Logue's concern about Harvard's possible expansion seems inconsistent," said an association statement, "with the fact that last month the BRA voted to seize taxpaying land and give it to Tufts Medical School in the South Cove project."

Another of the four men arrested, James G. Wheelis, 23, of 4 Hefferan Street, offered yesterday to pay the rent on his apartment back to last November, on condition that the authority call a halt to the eviction proceedings.

His offer was rejected by Joseph Buckman, project director, with the statement:

"The BRA will accept the money but doesn't waive its right, as stated in the notice to vacate you received in May 1965."

Wheelis, who owes $414, put away his checkbook and kept his prepared statement, which read:

"I, James Wheelis, agree to pay all my back and future rent to the BRA on condition that they will desist hereafter from evicting all residents, both homeowners and tenants, if they have paid their rent."

Not long afterward the BRA issued a statement which questioned Wheelis' motives in the entire controversy, and which repeated the assertion that Harvard planned to use the area for soccer.

"Mr. Wheelis," said the BRA statement, "is a student at Harvard University. It would be interesting to know if he would have refused to pay his rent if Harvard University had taken this property, as it started to do, for use as the site of a soccer field."

Regarding the university's position, Goldin quoted Whitlock as saying that it was prepared to demolish any unsound buildings and repair those remaining so that it could continue to lease apartments to students and Allston families, to provide relief from the critical shortage of low-cost housing."

Whitlock was further quoted as saying: "Harvard will continue to pay taxes on these buildings."

Logue, meanwhile, told reporter that evictions in the project would resume next week.

BARRIERS LIKELY

"More people will be moved out next week," he said. "Let them keep their picket lines. I don't care. The sheriffs and police will deal quickly with those who defy the law."

Logue said there was "a likelihood that barriers will be used" if outsiders come in to lend assistance to the embattled tenants and householders.

In two other developments, efforts were made at the city and State level to stop the evictions.

At city hall, Councilman Christopher A. Iannella, who voted against the project when it passed the city council by a 5-to-4 vote 3 years ago, terms the project "a sad exception" to an urban renewal programs that was good overall.

He called upon Mayor Collins to modify the project "so that it will be in the interests of the residents rather than the real estate developers."

At the State House, Senator Beryl Cohen, Democrat, of Brookline, filed a bill to require that the takings be stopped unless provision is made:

For conservation and rehabilitation of the project area.

For installation of streets, utilities, parks, playgrounds.

For reconveyance to former owners of property taken by eminent domain.

For participation by the people involved in preparation of a modified plan.

For approval of such plans by individuals and families.

Cohen said that he had help in preparing the legislation from Attorney William Homas of Cambridge, who is council for the residents of the neighborhood.

[From the Boston Sunday Herald, Aug. 15, 1965]

North Harvard Street Battles the BRA—The Story Behind the Eviction Dispute as Besieged Allston Residents and Urban Renewal Boss Edward Logue See It

(By Jim Morse)

It was one of those summer mornings when the air was warm and sticky shortly after daybreak. On Hefferan Street in Allston, tempers—like the temperature—became increasingly hot as breakfast dishes were piled in the sink and the morning progressed.

This was the day when Harvard student James Wheelis, his wife and infant son were scheduled to be evicted from their apartment to make room for an urban renewal project in a 6-acre tract bordering North Harvard Street and Western Avenue.

It was to be a day of protest. A day of battle.

Residents of the area had been opposing the Boston Redevelopment Authority (BRA) renewal plans for 4 years and they had been joined by sympathizers from throughout Boston and its suburbs.

There had already been a skirmish with police. Four men had been arrested the week before when another Harvard student was evicted. But this was to be a day of major protest. It was Monday, August 9, 1965.

Early in the morning at 168 North Harvard Street Mrs. Anne Soricelli prayed before a statue of the Virgin Mary which she had placed on a table in front of her home. She was joined by several neighbors.

Mrs. Soricelli, who is 75, has lived at 168 North Harvard Street for 57 years. "This home has been my life," she says. "My husband was sick for 23 years before he died and I had to work to support the family. I was a machine operator in a silk factory. Sometimes all I got was $8 a week.

"I worked and I paid for this place and now they tell me to say goodbye. I don't want to say goodbye. This is my home."

Next door, at the Ready Luncheonette, Albert Redgate and his wife, Marjorie, prepared for the day. The Redgates operate the luncheonette, which has become the unofficial anti-BRA headquarters. Mrs. Redgate has been leading the fight since March of 1961 when, she says, "they told us they were going to come in and take over."

The Redgates didn't know it, but before this day was over they would both be arrested.

On Hefferan Street, which, with Hefferan Drive forms a triange with Western Avenue at the rear of the Harvard Business School, Mr. and Mrs. Wheelis didn't know what to expect.

Their apartment was the BRA's target for the day.

In Boston, Edward J. Logue, the BRA administrator, wasn't pleased about what would happen before nightfall.

Logue has frequently said that the Allston project "isn't one of my favorites," but he had a job to do and he was determined to do it.

Meanwhile, back in the North Harvard Street area, the excitement was beginning.

Residents and outsiders moved old cars into the two entrances of Hefferan Street in an attempt to block passage. Crowds began collecting, and people stood in front of the Wheelis home talking and waiting. There was still no sign of the police.

Not far away, however, on Smith Street, bulldozers moved into the project area and, while jeering spectators looked on, they took less than 10 minutes to demolish a house. It was the first dwelling to be leveled.

The noise and the sight of the debris left by the bulldozers served as a torch to already broiling tempers. There was a mood of defiance.

Shortly after 1 p.m. police, deputy sheriffs, and a BRA-hired moving van arrived on the scene.

Tow trucks were used to remove the autos blocking the street, and the van was driven to the front of the three-decker house in which the Wheelis family occupied an apartment.

Violence threatened to break out at any moment.

The crowd of several hundred urban renewal foes shouted and sang "freedom" songs.

Men and women screamed at the police. Tomatoes were thrown.

The steps leading to the building were packed with sympathizers who refused to let police go through. These people were orderly, however.

They were led by Stevan Goldin, 23, a Harvard student who, on August 3, became the first project resident to the evicted. Golden urged the crowd not to become violent.

"Don't fight when the police move in," he pleaded. "They don't want to do this. It's their job. Just sit and don't move. Lock your arms and legs. Mayor Collins and Logue are to blame, not the police."

Mrs. Wheelis, holding her 8-month-old son, Eric, in her arms, was standing at the front door when deputies and police began clearing the steps and porch. Mrs. Marjorie Rhoads, a friend, was with her, and when they saw what was happening, the two women slipped back inside the door.

Two women deputies entered the house and escorted Mrs. Wheelis and Mrs. Rhoads outside.

"One of them took the baby from me," Mrs. Wheelis told the crowd. "I had to come out. They had my baby."

Once the porch was cleared, movers went into the apartment and began bringing out the furniture while Mrs. Wheelis sat on the sidewalk across the street and cried.

When the affair was over, 12 persons were under arrest, 10 of them on charges of trespassing. Mrs. Redgate was charged with assault and battery for allegedly striking an arresting policeman and her husband was charged with attempting to rescue a prisoner under arrest, his wife.

The 12 were taken to Brighton district court, where Judge Charles J. Artesani gave them a tongue lashing and continued their cases to August 18. Bail ranged from $50 to $2,000.

The BRA had won the battle to evict the Wheelis family, but Mrs. Redgate and her followers still believe they will win the war.

Several hours after the Wheelis apartment had been emptied and news of the incident began to spread about the city, the legislature and city council took action.

State Senator Beryl W. Cohen, Democrat, of Brookline, filed an emergency bill to modify the North Harvard renewal plan. The bill would reconvey property taken by the BRA back to original owners and provide for rehabilitation and conservation of the area.

The city council followed this move by voting to ask the BRA to halt further evictions until the legislature acts on Senator Cohen's bill.

During the same meeting, the council turned down, by a 7-to-1 vote, a motion by Councilwoman Katherine Craven asking the BRA to "summarily dismiss" Logue.

Mrs. Craven is one of the more outspoken critics of Logue.

"He couldn't care less about the defenseless people of the city," she said the other day. "He takes advantage of them. I won't stand for it." She paused, then added: "I won't sit for it, either."

Logue is used to criticism and claims it doesn't bother him.

"My mother used to have a happy phrase," he says. "'Consider the source.' When Mrs. Craven speaks, for example, I don't hear her."

On Tuesday, Logue ordered the evictions to be continued.

"I'm merely carrying out the instructions of the BRA," he said. He called Senator Cohen's action "very shortsighted" and expressed the hope the legislature would not interfere with the renewal plans for Allston.

The following day, however, there was an interesting development.

Logue said he would order no more evictions until after the next BRA meeting, scheduled August 19. He said he had taken this step because "cooperation has improved considerably."

Mrs. Redgate wonders who is cooperating.

"We're not cooperating," she says. "We still want our homes."

Following Logue's decision to delay evictions, Mayor Collins—who had been a strong supporter of the BRA's Allston project—issued a statement urging the BRA to reconsider its plans.

It has been reported for 2 years that a 10-story, $7 million luxury apartment would be constructed on the renewal site. Rentals, it was said, would range from $175 to $290 a month. Present rentals in the area are from $40 to $80.

On Thursday, however, Mayor Collins suggested construction of low-rent housing instead of luxury apartments. He also proposed creation of a "blue ribbon panel" to recommend the best use of the land and to select a developer.

This didn't make the people of North Harvard Street any happier.

Attorney William Homans, Jr., who represents many of the residents involved, told the Sunday Herald: "They are gratified that some change is being made, but Mayor Collins' recommendation doesn't do them any good. The people are still to be evicted and the area is still to be cleared.

"The only real change is that it appears there is no longer a commitment to any particular developer."

Mrs. Redgate agrees.

"They're all hypocrites," she says. "Collins, Logue and the rest of them. I'll go to jail before I give in to the BRA. What is the BRA doing for us? Nothing. Just tearing down our homes."

From the outset 4 years ago, the proposed urban renewal project in Allston has encountered stiff opposition.

The plan was officially approved by the BRA in the late summer of 1962 and by the city council on December 28 of that year. It was not until last November, however, that actual landtaking began.

In 1962 a large sign appeared outside the Redgates' luncheonette. It is still there and it says, in part: "To Hell with Urban Renewal. It is Legalized Theft of Private Property. We Shall Defend Our Homes with Our Lives."

Three days ago another sign appeared: "Mayor Collins—Stop Power Politics."

The fight has been long and bitter.

In 1962, at a public hearing held in Allston's Gardner School, BRA board members were jeered and shouted down by a foot-stomping crowd. In December of 1962, Mayor Collins' home in Jamaica Plain was picketed by Allston residents when he gave approval to the project.

That public hearing, incidentally, is one of the reasons for Logue's determination to see the Allston renewal plans carried out.

"I gave this project my support because of the attitude of the people out there at the 1962 public hearing," he says. "If the Authority had been persuaded to drop the project by that kind of demonstration, it might as well have gone out of business right then and there.

"There was violent abuse at that hearing. If this abuse had been allowed to sway the decision, it would have led to more abuse."

Since the BRA began taking over properties in the project area last November, several of the residents, as a method of protest, have refused to pay their rents. These are the ones who have received eviction notices.

Wheelis, for one, did not pay his rent. He was given notice to vacate his Hefferan Street apartment last May. Early this month he offered to pay his back rent, provided the BRA would desist from evicting all residents, both homeowners and tenants, if they, too, paid their rent. The BRA refused his offer.

A group known as the North Harvard Neighborhood Association sent telegrams to President Johnson and Senator Edward Kennedy urging them to "stop the reign of terror in this embattled area."

Evictions in the area were opposed by the League of Women Voters, the Massachusetts Committee Against Discrimination in Housing, and several city planners.

Four young men were arrested August 3 when Harvard senior, Stevan Goldin, was evicted from his Hefferan Street apartment. Goldin was one of the four whom police accused of disturbing the peace. The others were Wheelis, Bernard Redgate, a teacher at Xavianian Brothers School in Westwood, and David Outerbridge of Roxbury.

When they appeared in Brighton District Court last week, Judge Artesani continued their cases for 2 months and said they would be dropped if there is no further trouble.

The four were arrested after they attempted to block a moving truck attempting to leave the area with Goldin's furniture. They were dragged from beneath the truck by police and carried to a patrol wagon.

The names Wheelis, Goldin, and Redgate appear frequently in the Allston proceedings. They are spearheading the fight.

Wheelis admits that his participation in the battle is interfering with his studies at Harvard. "I was taking two math courses this summer," he says, "and I had to drop one."

Why did he become involved?

"Because the injustice is so great," he says. "Anything I can do to help remedy the situation will seem worthwhile."

Wheelis denies that "any political types" are aiding the urban renewal opponents in Allston.

"'No political groups are officially participating," he says, "and I do not know of any of the volunteers who are politically motivated. There is enough injustice here to go around without political aims."

Stevan Goldin joined the fight, he says, "because Mrs. Redgate deserved some help. She has held the opposition together for years. She is a woman of amazing courage."

This is not Goldin's first experience as an urban renewal foe. When he was living on the Lower East Side of New York City, he actively opposed a similar project there. "We were trying to save our neighborhood," he says, "just as these people in Allston are trying to save their homes."

Why is he so strongly opposed?

"All this project is doing," he says, "is throwing poor people out of their homes for the benefit of a few wealthy individuals. This is a closely knit neighborhood. The people like each other and want to stay together."

Another big name is the continuing battle, the "general" for the BRA, is Logue.

In his opinion, the area involved is not suitable for rehabilitation.

"I do not know what all the shouting is about," he says. "In Roxbury we have moved 1,200 families from substandard to standard housing, and there has been no fuss.

"I understand that Goldin is moving to Roxbury and that he plans to fight the proposed innerbelt highways through that section of the city. He will find little sympathy there. He is an immature kid. I am surprised that he can continue at Harvard. I am surprised he was adimtted there in the first place."

Logue says that of the 62 families who were living in the Allston project area when urban renewal plans were announced, 34 remain. "Of the 34, 16 have been paying their rent right along," he adds.

"There is a lot more to the new Boston than 6 acres of land in back of the Harvard Business School," Logue says. "This effort to destroy the BRA will fail.

"Big cities always invite expression of free speech. People don't usually talk up in the suburbs. They come here. Boston, like other big cities, is a target area for demonstrations. I think that's what is going on in Allston."

Logue says he has no evidence that the John Birch Society, which has been campaigning against urban renewal on a national level, is engaged in the Allston rhubarb.

"I don't take the Birch Society very seriously," he says.

Although he has delayed further evictions, Logue says that bulldozers will continue to be busy in Allston.

"We're going to keep on demolishing already emptied buildings," he says.

And the Allston renewal foes are also continuing their efforts.

Tomorrow a delegation of North Harvard Street residents will be in Washington, D.C., to confer with Housing and Home Administrator Robert Weaver.

The trip is being financed by contributions from the neighborhood.

[From the Boston Herald]

An Open Letter to the Boston Redevelopment Authority—or a Liberal Recants

Some of us who have been liberals and Democrats all our lives, and have backed the Federal urban renewal program because it seemed to bring a ray of hope to slum dwellers, are now having second thoughts. Too often what starts out to be a program to help the poor, ends up by being a kind of nightmare, blitzkrieg warfare against them and their way of life, a foredoomed attempt to inflict middle-class values on those who do not want them. Urban renewal has built about 2 low-cost housing units for each 10 it destroyed; the majority of relocatees are forced to pay higher rents for similar units in similar neighborhoods. It would appear that urban renewal does not destroy slums but sweeps them instead from one corner of the city to another, that it does not decrease crime or perversion or alcoholism or drug addiction but moves them instead around the corner. Better housing may have an effect on slum mentality but if it does it probably comes at the end of a long list that starts with better schools, better courts, more and better social, medical, and employment services. Hope, to the best of our knowledge, does not come to the poor in the form of a bulldozer—anyone who believes it does should get out and try talking to the poor.

As well as destroying countless thousands of low-cost dwelling units, urban renewal appears to be a destroyer of one of this country's rarest and most precious possessions—neighborhoods—those living, viable sociological entities that bind man to man and bring a degree of comfort to those who know few other comforts. If the present program is doubled or tripled as Washington now plans, and if it is left in the hands of renewal directors such as Edward Logue, this country is in danger of creating a pool of from 10 to 20 million bitter, disaffected people at the bottom of the social heap who look on their governments as their deadly enemy.

What then of the dying city, what of the tax base, of the flight of the middle classes? We do not deny any of these problems and they would not go away if we did. We stanchly maintain we are not antiurban renewal. We submit however, that a program that turns the poor against their Government, that brings a 25 to 40 percent casualty rate to displaced businesses, that does such violence to our basic property rights, that produces hesitancy and uncertainty among real estate investors, and that is fraught with unprecedented possibilities for personal and political graft—such a program must be radically altered.

Something, of course, has to be done, some Federal money is necessary, the program has, on balance, helped Boston. But the days of the hard-nosed, hard-driving prima donna renewal directors are over—dead, gone, finished. We need a whole new breed of planners, sensitive, democratic, cooperative, willing to plan with the people of the poorest sections and with the real estate investors who are, after all, responsible for 95 percent or more of all the actual construction and reconstruction that is completed each year in the United States. Sensitive men, with humility, unconcerned with personal fame or ambition, willing to take 15 or even 20 years to bring about changes that are now rushed through in 5 of 6 years at such terrible cost—human, financial, and sociological.

Many of us are wondering now about this entity initialed BRA, this vast seemingly uncontrollable authority that our naive liberal confidence in Federal good will has implanted here in our midst. We like not the feel of this State within the State, of all these nonelected officials running around with so many millions of our tax dollars, of this abuse of the power of eminent domain, of this arbitrary setting of so-called fair-market value, of actions like the hiring of 125 policemen (at a cost of about $3,000 of our money) for one evening's hearing in South Boston. We feel the time is now to cut back rather than expand this program, to submit this authority to the closest possible scrutiny, to curb and democratize its powers, possibly to put it within the confines of the local referendum system. The all-American city is not quite American enough for us.

Donald C. Byron,
Chairman, Cambridge Friends of North Harvard Street.

HOME RULE: CULTURE AND RECREATION IN THE NATION'S CAPITAL

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, during the consideration by this House of the National Foundation on the Arts and Humanities Act of 1965 on September 15, I offered an amendment which provided that in the case of the District of Columbia the Recreation Board shall be the State agency. The amendment was accepted by the very able chairman, the gentleman from New Jersey [Mr. Thompson], who, incidentally, and more than incidentally, as I said at the time, has demonstrated outstanding dedication and performance on this bill and other bills pertaining to the arts over a period of years. He is an acknowledged expert in the arts field and is extremely interested in the welfare of the arts.

Considerable interest has been expressed in my amendment, and the Washington Post recently carried an editorial critical of the amendment I offered. I include the following informational material in explanation of the amendment which has now been accepted by both the House and Senate without debate, and is now a firm part of the act which is before the President for his approval.

[From the Congressional Record, p. 23977, Sept. 15, 1965]

AMENDMENT OFFERED BY MR. WIDNALL

Mr. Widnall. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

"Amendment offered by Mr. Widnall: On page 9, line 20, after 'plan' insert the following: 'except that in the case of the District of Columbia the Recreation Board shall be the State agency.' "

Mr. Thompson of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. Widnall. I yield to the gentleman from New Jersey.

Mr. Thompson of New Jersey. The gentleman has discussed this amendment with me, and I have discussed it. We are prepared to accept it. In the District of Columbia currently the Recreation Board does receive funds for such activities. We will be delighted to accept the amendment.

The Chairman. The question is on the amendment offered by the gentleman from New Jersey [Mr. Widnall].

The amendment was agreed to.

Mr. Widnall. Mr. Chairman, while the bill was being read for amendment, I offered an amendment which provided that on page 9, line 20, after "plan" insert the following: ", except that in the case of the District of Columbia the Recreation Board shall be the 'State agency'." This amendment was accepted by the chairman [Mr. Thompson] without debate.

This amendment recognized the longtime place of the District Recreation Board in having responsibility over the recreational and art programs of the District of Columbia. Congress in 1942 authorized such jurisdiction for the District of Columbia Recreation Department. Through the years the Recreation Board has been commended for its fine performance and I fully believe that it has the support of all the District citizens whom it has served so well and impartially throughout the years, as well as the National Symphony Orchestra, the Washington Civic Opera Association, and other cultural groups and organizations.

At the present time, Congress is now appropriating nearly $5 million per year to the District Recreation Department to carry on all of the District's recreation and art activities. The adoption of the amendment will insure that the District of Columbia Recreation Department will be protected by the Congress and the District government in future legislation brought before the Congress, including the home rule bill. Mr. Milo F. Christiansen, presently and for a long time superintendent of the Recreation Department, Joseph H. Cole, the assistant superintendent, and the board chairman, William H. Waters, Jr., deserve great credit for the work that has been done and the programs accomplished during their tenure in office.

Congress of the United States,
House of Representatives,
Washington, D.C., September 17, 1965.
Mr. William H. Waters, Jr.,
Chairman, Recreation Board of the District of Columbia, Washington, D.C.

Dear Mr. Waters: As you know, the House amended the bill creating a National Foundation on the Arts and the Humanities by specifying that the District of Columbia Recreation Department will be the state agency for administering the program in the District of Columbia.

Because of your long association with cultural activities in the District, I was, of course, happy to accept the amendment offered by my colleague, Mr. Widnall. I am aware, however, that in the minds of a great many people "recreation" is associated with playgrounds and allied activities. I therefore think it might be advisable if you were to consider having an Advisory Committee of distinguished citizens of the District who are associated with or are themselves creative or performing artists. I believe that such a committee could have the same relationship with you as the widespread Citizens Advisory Council has with the Board of Commissioners, and would be a good public relations move by you.

Kind regards.

Cordially yours,

Frank Thompson, Jr.

Copies to: Mr. Livingston Biddle, and Hon. William B. Widnall.

[From the Washington (D.C.) Post, Sept. 19, 1965]

Culture and Recreation

In a well-motivated but unfortunate amendment to the bill creating a National Foundation for the Arts and Humanities, Representative Widnall succeeded in having the District Recreation Board named as the agency to supervise Foundation programs in Washington. With no reflection on the energetic activities of the Recreation Board, there are two objections to this legislative prescription for handling the $50,000 grant to which Washington will become entitled.

First, although several cultural programs have been funded through the Board, the vast majority of its work has been in the recreation field. Second, the stipulation of the Recreation Board as the agent implies that the Board should have an independent or autonomous existence under home rule. This ought not to be the case. An advisory council of citizens and community organizations including arts groups, will be needed to frame the cultural program in any event. Let it be created under an elected city government.

Congress of the United States,
House of Representatives,
Washington, D.C., September 21, 1965.

Re home rule—culture and recreation in the Nation's Capital—an open letter.

The Editor,
Washington Post,
Washington, D.C.

Dear Sir: Your editorial, "Culture and Recreation" (Sept. 19), raises a number of interesting points to which, in view of the imminence of home rule for District citizens, early and objective answers should be sought. As you know, I have long advocated home rule for the District, and I signed the current discharge petition. I am also deeply interested in the arts, and believe that under home rule they will burgeon here as they are doing all over the country at this time.

On many occasions the Post has called for steps to preserve freedom of the arts, a basic and essential freedom. Congress itself has long recognized the importance of freedom of the arts from domination and control from whatever source, and has placed the Federal art institutions—the National Gallery of Art, the Freer Gallery, the National Collection of Fine Arts, the National Portrait Gallery, and the John F. Kennedy Center for the Performing Arts—in the Smithsonian Institution, "a quasi-public, quasi-private entity,"—where they can be fully nurtured and protected, as far as humanly possible, from unwise and dominating influences and pressures. Since the Smithsonian Institution and its art institutions are being zealously maintained and protected under home rule by the Congress, it seems equally reasonable and desirable to zealously maintain and protect the District's "independent or autonomous" art agency: the District of Columbia Recreation Board, under home rule.

The contribution to the arts of the District of Columbia Recreation Board is amazingly large and of very high standards, despite the pitifully small budget furnished the Board by the Congress and the District Commissioners in recent years. Currently it is under $50,000, whereas other cities the size of Washington spend $500,000 to $1 million on their own local art programs. Programs sponsored and financially aided by the Board include the annual art fair in the President's Park south of the White House which is cosponsored by the Post. One hundred and forty-eight thousand people attended the fair this year, and hundreds of artists participated and had their works displayed. President and Mrs. Johnson have attended this fair, as has other notables. President Johnson has purchased some of the works of art. Mrs. Johnson opened the program last year. The National Symphony Orchestra provides free concerts for the funds provided it, and free performances are likewise presented by such sponsored and financially aided groups as the Shakespeare Summer

Festival, the Washington Civic Opera Association, the Children's Theater, the One-Act Play Tournament, the Watergate Concerts, etc. Some of these programs are so highly regarded that they have been presented under the patronage of the Ambassadors of France, Austria, Germany, Italy, and other countries.

While he was a Senator, Vice President HUBERT H. HUMPHREY introduced legislation to deposit in a special fund in the U.S. Treasury to the credit of the District of Columbia Recreation Board 1 mill out of each $1 of tax revenue of the District government. These funds were to be available to the Board to defray in part the expense of the National Symphony Orchestra, the Corcoran Gallery of Art, and other nonprofit art programs of the District.

In his introductory speech Vice President HUMPHREY said that "Unfortunately, all too little has been done to promote the arts in the Nation's Capital * * *. Washington's budget has allotted for civic events only $16,000." He included in the CONGRESSIONAL RECORD a study by the Library of Congress showing that other cities in our country, large and small, provided many times as much financial aid to their local art institutions and programs as Washington does. The Post editorially supported the concept of this bill offered by Senator HUMPHREY and his colleagues.

While President John F. Kennedy was in the Senate he introduced a bill to establish a municipal arts center to be managed with the advice of the District of Columbia Recreation Board and Department. Such an arts center could have prepared the District's own art groups and young artists for presentation at the John F. Kennedy Center for the Performing Arts.

The overconcentration on sports by the District of Columbia Recreation Board, of which the Post complains, is due, primarily, to such things as (a) congressional failure to adopt the significant proposals initiated by Vice President HUMPHREY and President Kennedy, (b) the failure of the District Commissioners to even forward to Congress those budget requests presented to them by the Board for funds to aid local art programs, and (c) strong community support for a realistic program providing financial aid to the District's art programs and groups.

It would seem to be the sounder and wiser course to work to maintain the independence and autonomy of the District of Columbia Recreation Board under home rule, and to support it in working out a viable art program which would include a revival of the spirit, intent, and even some of the bills offered by Vice President HUMPHREY, President Kennedy, Representative FRANK THOMPSON, JR., myself, and others on a bipartisan basis to aid the District's own artists and art programs.

Sincerely,

WILLIAM B. WIDNALL,
Member of Congress.

IMPROVING THE OPPORTUNITY FOR SELF-EMPLOYED PERSONS TO ESTABLISH RETIREMENT PLAN

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. POFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POFF. Mr. Speaker, in 1942, our tax laws were changed to offer substantial tax benefits to corporations and their employees in the establishment of pension plans, supplementing Social Security. There has been a tremendous growth of such plans over the past 20 years. Today, approximately 25 million persons are covered by private retirement plans and coverage is increasing at a rapid rate. This is good for the individual and the Nation, in that persons in their senior years will have some income upon which to depend and will, therefore, not be solely dependent upon Government or relatives. The largest segment of our population which is not participating in retirement plans is the 10 million self-employed persons and their 10 million employees. Without some tax deferral for retirement savings, adequate savings for old age by the self-employed is virtually impossible.

The result of the legislation enacted in 1942 was to discriminate in favor of employed persons and against all self-employed persons and their employees. To correct this inequity, the Congress in 1962 passed legislation to permit limited tax deferral on retirement savings by self-employed individuals and their employees. Although the Self-Employed Individuals Tax Retirement Act of 1962 was a step forward, it by no means provides an adequate method for average self-employed individuals to establish retirement plans.

Over the long history of this legislation, the intended value was substantially diminished by amendments which were added in the final days of the 87th Congress in the other body. Although as passed by the House, the legislation would not have put the self-employed on a comparable basis with corporate employees, it would have provided considerable incentive for participation by self-employed individuals and their employees in tax-deferred private pension plans.

I have introduced legislation to amend the 1962 act by bringing it more in line with the legislation as passed by the House of Representatives on three occasions. My bill, H.R. 11173, would make two major improvements in the 1962 act.

First, the definition of "earned income" would be liberalized to provide a more realistic method for arriving at the income of a self-employed person whose earnings are derived from both personal services and capital. One of the largest occupational groups which are severely affected by the present definition of income under the 1962 act are farmers. Under the present law, a farmer would have to have an income of over $83,000 in order to qualify for setting aside $2,500 in a retirement plan.

Second, my bill would permit self-employed individuals to defer taxes on the entire amount put into a qualified retirement plan subject to limits provided by law. The House of Representatives approved on three occasions a full deduction, but an amendment on the floor of the other body reduced this to 50 percent of the amount which a self-employed individual contributes to a plan on his behalf. This 50-percent limitation in the 1962 act has destroyed much of the incentive for the establishment of retirement plans. Until this is corrected, there is little likelihood that professional persons, small business men, and farmers, will establish retirement plans for themselves and their employees. Certainly if a self-employed individual is willing to finance a retirement plan for his employees, he should receive a deferral of taxes on the entire contribution made on his own behalf just as is permitted for employees of the self-employed individual or of corporations.

If this Congress enacts legislation to bring about these two major improvements in the tax laws pertaining to retirement savings for self-employed individuals, some 20 million Americans would be given a better opportunity to provide for their retirement.

CONSTITUTION WEEK

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, this week the Nation pays its respects to the Constitution. The week has been set aside as the 178th anniversary of the signing of the Constitution by 39 delegates to the Constitutional Convention at Philadelphia on September 17, 1787.

And this is certainly proper, for this document is one of the remarkable documents of world history, setting forth the idea that our Government is one to serve the interests of the people rather than the other way around.

And the Constitution specified the manner in which the people are to operate their Government through elected Representatives acting as a National Legislature, one of three coequal branches of the Federal Government.

The President has proclaimed this week of observance, and in his proclamation makes a fine statement:

> The Constitution is still the guarantee of our basic rights. It is still the promise of protection from government and by government.

One cannot help but wonder in this particular year if these words of the President are simply fine sounding words or whether the Nation still really considers the Constitution as it was intended—a protection of the people against government.

For running concurrently with the White House statement are at least three major Government efforts, each one of which does much damage to the principle highlighted in the President's statement. In fact, never before has the Constitution appeared so battered, buffeted, and bruised as it does today in September of 1965.

What are the three problem areas?

REAPPORTIONMENT

First, the Constitution leaves to the States the determination of the makeup of State legislatures. This has been agreed upon by constitutional lawyers down through the years, and only recently has the idea even been brought into question.

The Supreme Court in 1964 presented an opinion which in effect decreed how the State legislatures were to be apportioned.

A major effort has been made in the Congress to approve an amendment specifically giving constitutional approval to any State plan of apportioning its own legislature if the State's voters approve the plan by referendum.

But the White House opposes it. The majority party in the House of Representatives has succeeded in preventing any consideration of it, and in the Senate has succeeded in delaying it, at least until next year. So the fact is that in all probability the people of the United States will be denied an opportunity to affirm the right of the people of any State to determine its own legislative apportionment.

VOTING QUALIFICATIONS

Second, the Constitution gives to the States the responsibility to establish voting qualifications. And until now each State has duly fulfilled this responsibility free of interference from the Federal Government.

Yet this year the President demanded that the Federal Government intervene to change the voting qualifications in some States, the selection of which was based on an artificial formula designed to penalize Southern States and not others.

The Congress, acting under a political control exercised from the White House, approved the President's proposal, and did so even though it could have approved instead another proposal to achieve the objective of equal voting opportunity without upsetting constitutional rights. Now illiterates are being registered by the thousands.

SPENDING

Third, section 9, article I of the Constitution states:

> No money shall be drawn from the Treasury but in consequence of appropriations made by law.

Over the years the executive branch has steadily moved away from this requirement by succeeding in having Congress approve several methods of drawing money from the Treasury other than by appropriations.

This practice is called backdoor spending. It has been growing to the extent that in 1961 alone the executive branch requested more than $28 billion in backdoor spending, and was given almost $20 billion of those requests.

Even now in the time of a Congress which readily approves almost every White House request, the practice of backdoor spending is still growing, and presents one of the major concerns in Washington today.

Yes, we need to pay honor to the Constitution this week. We need to do more than speak fine words. There must be a public awareness of how the Federal Government is avoiding, violating, and thwarting constitutional guarantees of the people's right to protection from Government.

PERSONAL EXPLANATION

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORTON. Mr. Speaker, during the rollcall on the conference report on S. 4, the Water Quality Act of 1965, I was unavoidably absent on official business. If I were present, I would have voted "yea."

SUPPORT FOR DISTRICT HOME RULE

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BINGHAM. Mr. Speaker, one of the several local organizations not heard during the recent hearings on home rule held by Subcommittee No. 5 of the District of Columbia Committee was the National Capital Chapter of the American Jewish Congress. Under leave to revise and extend my remarks, I include herewith a statement by that organization signed by Mrs. Murray Foss, executive secretary, in support of S. 1118:

STATEMENT BY MRS. FOSS

> On behalf of the National Capital Chapter, American Jewish Congress, an organization deeply concerned with the expansion of democratic principles, we urge the committee to report favorably at an early date S. 1118.
>
> One of the major paradoxes of American society has been that the residents of the National Capital are denied self-government. The representation available to every American citizen should at long last be provided for the citizens of the District of Columbia.
>
> With responsible self-government, the pressing problems relating to housing, education, health, and protection of its residents could be more adequately met.
>
> We therefore respectfully urge your support and favorable vote for S. 1118 providing home rule for the District of Columbia.

NATIONWIDE COMPETITIVE EXAMINATIONS FOR SUMMER EMPLOYMENT IN THE FEDERAL GOVERNMENT

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BECKWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, during the last three Congresses, I have introduced legislation to require that temporary summer appointments in Federal positions in the Washington metropolitan area be subject to the apportionment requirements of the Civil Service Act. The legislation would provide a more equitable opportunity for young people throughout the Nation to benefit from summer employment in the Nation's capital.

The best way to achieve this highly desirable purpose, of course, is to require by law that appointments to such jobs be based upon civil service examinations.

The bills I sponsored were approved by the House of Representatives in the 87th and 88th Congresses, but the other body failed to act. More recently, my current bill, H.R. 242, was approved by the House of Representatives on July 12, 1965, and is now pending in the Senate.

On Monday, September 20, 1965, the Civil Service Commission gave full recognition to the merits of my proposal by announcing that it plans to hold nationwide competitive examinations for most summer Federal positions in the Washington, D.C., area for the summer of 1966 and subsequent summers.

The Commission stated that the purpose of its new program is to give young people from other parts of the country an opportunity to serve in temporary Government positions during the summer months. Consistent with the objective of my bill, the Commission announced that the program is designed to assure that students hired for summer positions in Washington are selected on a merit basis and to provide broader geographical distribution of summer appointments in our Nation's Capital.

During the course of hearings on this legislation, our Committee on Post Office and Civil Service rather clearly established that nepotism and both personal and political patronage have played prominent roles in appointments to summer positions in the Federal Government. My bill—and to a large extent the recent action of the Civil Service Commission—should reduce the recurrence in the future of these abuses of the merit civil service system.

Of particular significance is the statement of the Commission that "priority for appointment would be given to residents of other States in an effort to bring in highly qualified young people from all over the Nation to gain the broadening experience of summer employment in a Federal job in Washington."

In my judgment the Commission has taken a progressive step in the announcement of this program and is to be commended for its move toward strengthening the merit system. However, whether the program will be fully and permanently effective without legislation remains to be seen. To make certain, it is my earnest hope that the other body will act favorably on my bill, H.R. 242, so that the type of program announced by the Civil Service Commission will be made permanent and not be changed or revoked by some future administrative policy.

In order that the Members may be more fully informed regarding this program of the Civil Service Commission, I insert the Commission's press release dated September 20, 1965, immediately following my remarks:

PRESS RELEASE FROM U.S. CIVIL SERVICE COMMISSION

The Civil Service Commission has opened discussion of its plans for competitive examinations for most Federal summer employment in 1966 and subsequent years. The details of these plans were reviewed with Federal personnel officers last week. Full information will be released later after consultation and the development of complete information.

The plan is designed to assure that employees temporarily hired to work during the summer are selected on a merit basis and to provide for broader geographical distribution of summer appointments in the Washington metropolitan area. Priority for appointment would be given to residents of other States in an effort to bring in highly qualified young people from all over the Nation to gain the broadening experience of summer employment in a Federal job in Washington.

A yearly nationwide examination for summer employment, both in Washington and other locations, would cover clerks, stenographers, typists, office machine operators, and laboratory and scientific aides at grades GS–1 through GS–4. These categories constitute over half of the positions filled by summer employment in the Washington, D.C., area, and about one-fourth of the jobs filled at field locations. Applicants would take a written test and meet the full civil service qualification requirements in order to obtain summer employment.

A competitive testing plan is also being developed for summer employment in post offices throughout the Nation. Examinations to be held will be separate from the general summer employment examination and will be conducted by Post Office Boards of Civil Service Examiners under the supervision of the Civil Service Commission.

Summer hiring programs not covered by the new competitive examinations would be required to meet Civil Service Commission requirements for competition and consideration of merit in selection of all appointees. These programs cover blue-collar workers, certain summer interns, and other miscellaneous categories of such variety that a common written test is not feasible.

Summer hiring programs for the disadvantaged, which call for referral of needy youths by Employment Service offices or by welfare organizations and, in many cases, pay lower wages, would not be affected by the new competitive examining programs.

Present policies forbidding summer employment of sons or daughters of Federal employees in the same agencies would be continued.

U.S. CIVIL SERVICE COMMISSION PROPOSAL FOR SUMMER EMPLOYMENT, 1966

I. Background and basic issues.

II. The broad elements of a program:

A. Disadvantaged—separate.

B. Post Office—special competition.

C. Office and science assistants, GS–1 to GS–4 (main item for attention today).

D. Others: (All jobs not covered by C.) Individual agency merit plans. Examples: GS–5 and above, wage board, certain seasonal jobs, etc.

III. Office and science assistants:

A. Coverage. All appointments to GS–1 to GS–4 clerks, stenographers, typists, office machine operators, and laboratory and science aides.

B. Nationwide written examination—general characteristics:

1. Test of verbal abilities, abstract reasoning, chart interpretation, clerical skills (1¾ hours).

2. Subsequent filing of applications with individual agencies.

3. Supplementary agency testing for special skills—typing, stenography, etc.—plus agency application of X–118 experience and training standards.

4. Individual agencywide eligible lists; one person in each agency to be responsible.

5. Certification and appointment by rating categories (95 to 100, 90 to 94, etc.).

6. Limitation on applicant filing to two or three agencies.

7. Appointment under 700-hour authority.

8. Cost prorated on basis of proportionate hires.

C. Special provisions for Washington area:

1. Each eligible to apply—

(a) To three agencies; or

(b) To two agencies and a special interagency board established by CSC.

2. Within each 5-point test rating category, eligibles further grouped by—

(a) Residents outside District of Columbia, Maryland, and Virginia;

(b) Residents within District of Columbia, Maryland, and Virginia.

3. After using up eligibles from one subcategory, agency must get eligibles from interagency board before appointing from next subcategory.

D. Special provisions for field:

1. Applicants file directly with no more than three establishments.

2. No central referral or subcategories based on residence.

E. Time schedule:

September: Begin printing of instructions, informational brochure, tests, application forms, etc.

Late November: Formal announcement of examination and widespread distribution of brochures.

January 3: Cutoff date for filing.

February 5: Examination held.

March 1: Notice of ratings mailed, along with simplified application form and detailed instructions about opportunities and how to apply.

April 15: Last date for receipt of applications by agencies.

May 1: Each agency establishes eligible list (copy to CSC).

IV. Nepotism still outlawed.

V. Advantages:

A. Simpler than present.

B. Meets problem of diversity.

C. Insures greater emphasis on merit.

D. Insures due weight to apportionment.

E. Provides better publicity and information.

F. Requires more advance planning.

G. Regularizes time schedules and avoids last-minute panic.

H. Examination covers 54 percent of Washington jobs; 25 percent of field.

I. Is operationally feasible.

J. Cost cheap to users.

PRESIDENT'S ADVISORY STAFF ON SCIENTIFIC INFORMATION MANAGEMENT

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I am introducing today a joint resolution providing for the establishment of an agency in the Executive Office of the President to be known as the President's Advisory Staff on Scientific Information Management.

The purpose of the resolution is to assemble at the highest level of Government an extremely high caliber staff of economists, sociologists, mathematicians and scientists to develop decision-aiding systems, for use by the Government.

Such action is necessary, because ever since World War II the rapid rate of change, the breadth and depth of new knowledge and the complexity and interdependence of today's sociological, technological, economic and governmental factors has exceeded the normal capacity of the human mind for assimilation on a scale equal to the demands of this new environment.

Responsible decisionmakers in Government and in industry need new techniques and systems for organizing, storing, retrieving, integrating, analyzing and testing the multitude of factors upon which a rational decision must rest.

Certain areas of industry and certain areas of Government have developed information structures and decision-aiding techniques. Some of these new techniques make substantial use of mathematics and the computer sciences, mathematical programing, mathematical simulation and econometrics.

Now is the time to use these techniques at the highest level of Government where the mass of relevant and important information is the largest, where the complexity of the interrelationships is the greatest and, hence, where the decisionmaking is most difficult.

The agency which this resolution would establish will give us a start on discovering and applying new information management techniques to the major unsolved problems of our society.

This proposal was first put forward a year ago by the then Senator HUBERT HUMPHREY. In introducing then such a resolution Mr. HUMPHREY said:

> Many of the current and impending problems of our society will remain insolvable until we discover and adapt information management and decision-aiding techniques which are commensurate with the changes which have occurred and will occur in our national and international environment.

Mr. HUMPHREY found it evident that:

> We have many serious unsolved problems which exceed in scope and complexity present information management and problem-solving structures.

Experts say that the human mind has difficulty in considering more than 10 or 20 factors at the same time in making decisions. Yet, the unsolved problems of our society may require thousands or hundreds of thousands of factors or subfactors to be considered. Industry has learned to simulate mathematically a given environment. By varying the input assumptions or by varying subdecisions the decisionmaker can be given rational basis on which to make alternative decisions.

It should be emphasized that such decision-aiding techniques are only to aid decisionmakers by providing them with the type of information which will, along with other factors, including their own judgment and experience, assist them in establishing sound policies and in making meaningful decisions.

Thus, these modern techniques are consistent with the processes of democratic government. The use of them may be necessary for the survival of democratic government.

PARKINSON'S DISEASE

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, the public of this country is well acquainted with the diseases of the heart, cancer, mental illness, and many others, because of the wide publicity these diseases have been given in the press and other media of communication. However, many dreaded diseases have not come to the attention of the general public in as great a scope as the ones I just mentioned, because not much has been said about them.

Today, I am introducing a House joint resolution to authorize the President to proclaim the week of October 25 in each year as National Parkinson Week, and wish to discuss some of the aspects of this dreaded disease.

Parkinson's disease is a progressive, disabling neurological disorder known to man since Biblical times as "shaking palsy" and first described in the second century A.D. by Galen, a Greek physician living in Rome. A few physicians wrote about it in the 17th century, but not until 1817 was it distinguished from several related disorders. Dr. James Parkinson, of London, is his "Essay on the Shaking Palsy," characterized it as involving "involuntary tremulous motion, with lessened muscular power in parts not in action and even when supported; with a propensity to bend the trunk forward and to pass from a walking to a running pace; the senses and intellect being uninjured." His description remains clinically accurate.

Strictly speaking, Parkinson's disease or Parkinsonism is not a disease but a group of symptoms. The first symptom is usually a slight and rhythmic tremor in one of the limbs which in time spreads and increases in intensity. Soon after the trembling begins, muscular rigidity sets in. This rigidity in combination with a progressive loss of semiautomatic movements produces the characteristic stooped posture, shuffling gait, and loss of facial expression. The symptoms occur in varying degrees in different patients, but in most cases eventually produce disability and often complete helplessness. The course of the disease is variable, but usually there is a rapid decline within 10 years of its onset. It is almost never the direct cause of death, but does contribute to other causes.

Although it may occur at any age, Parkinson's disease usually strikes people in their 50's and 60's. Epidemiological studies estimate that approximately half a million Americans are afflicted—some estimates are much higher—and that between 25,000 and 43,000 new cases develop annually. The rate is approximately twice as high for men as for women and three times higher for white persons than nonwhite. In 25 countries where its distribution has been studied, no consistent geographic pattern has been observed.

The causes of Parkinsonism are not known. The basic disturbance is believed to be malfunctioning of centers in the interior of the brain—possibly of the thalamus, a portion of the basal ganglia, which coordinates information received from the senses and interacts with other areas of the brain to convert these sensory stimuli into physical movement. But the cause of the malfunctioning remains a mystery. Certain forms of the disease are thought to result from a virus; "postencephalitic Parkinsonism" has appeared up to 25 years after an attack of encephalitis. Other forms may be due to subtle circulation changes in the brain. A number of tranquilizers used in heavy doses to treat mental illness produce symptoms so similar to some symptoms of Parkinson's disease that chemical imbalance in the body is suggested as a cause. Symptoms of Parkinsonism are also produced by a few poisons. Hereditary susceptibility is possible in other cases.

Nor is there any cure. Drugs, surgery, and physical rehabilitation are used with varying success to relieve the symptoms. There are approximately a dozen frequently prescribed drugs; when therapy is successful, these provide a 25- to 50-percent control of rigidity, tremor, and lethargy. Many of them, however, lose their value for a particular patient over a period of time, and some of them have unpleasant side effects. But even small improvements significantly affect the performance of most patients. There are as yet no drugs capable of restoring automatic movements or correcting weakness.

Surgery is attempted only in certain cases, usually younger patients who suffer mainly from tremor or whose rigidity is limited to one side of the body. Surgical techniques include cutting out or destroying—most frequently by injection of chemical agents or use of local freezing—small sections of the thalamus. Recently, investigators have discovered how to pick up the brain's electric signals and convert them to sound pulses capable of guiding the surgeon to the exact area to be destroyed.

Physical therapy is helpful in relaxing rigid muscles and can delay the onset of severe disability. Special exercises have been devised to enable patients to carry on regular programs of prescribed exercise without the constant aid of a physical therapist. In addition, every physical activity—even the most simple—can be considered exercise and therefore useful in preserving as much function as possible.

With both cause and cure unknown and current therapy severely limited in effectiveness, a great deal of hope and effort has been put into research, the bulk of it federally sponsored.

The National Institute of Neurological Diseases and Blindness of the National Institutes of Health supports many research projects in universities and other research centers throughout the country as well as conducting its own projects. In fiscal year 1965, the NINDB spent almost $3 million for research into chronic neurological disorders of aging, the main emphasis of which was Parkinsonism and related disorders; this amount was distributed among 81 extramural projects and 13 intramural. The Institute's program has focused on the development of new drugs, the improvement of surgical techniques, a search for abnormalities of brain chemistry, the evaluation of hereditory factors, a study of the role of viruses and of the anatomical, physiological, and pathological basis of the disease.

Important advances have been made in the last few years. The rigidity and tremor symptomatic of Parkinsonism can be attributed to an "imbalance between the alpha and gamma motor systems of the brain," and "the characterization of certain specific chemical compounds involved in the activity of these two systems suggest that a specific enzyme defect may be involved in some form of the disorder."

To encourage a multidisciplinary approach to Parkinsonism, the institute is providing support for the Parkinson's Disease Information and Research Center at Columbia University. The center's information section is collecting research findings both here and abroad, provides library services, and publishes periodic reviews of work in the field in an attempt to keep the world's 500 Parkinson's researchers abreast of current developments. It also sponsors symposia for the purpose of stimulating critical evaluation of research results. The clinical center's program integrates basic and clinical research and is aimed at "determining the cause, improving diagnostic techniques, and developing methods of treatment" for Parkinson's and related disorders. It also trains personnel for research.

There are, in addition, a number of private organizations interested in Parkinson's disease, the oldest of them formed less than 10 years ago. The American Parkinson Disease Association maintains an outpatient rehabilitation center in Miami and is currently attempting to raise funds for an associated hospital and care center. The National Parkinson Foundation sponsors some research, develops referral services for patients and families, and distributes information. The Parkinson Disease Foundation raises funds to support research.

This combination of private and Government interest allied with the international concern and determination evidenced in the past few years are reason to hope that the prevention and control of Parkinsonism will someday be possible.

CRILE HOSPITAL SITE TO BECOME GREATER CLEVELAND EDUCATIONAL CENTER

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, education in Greater Cleveland received a great lift today. The Department of Health, Education, and Welfare informed me by letter today that a decision had been made to approve the use of the Crile Veterans' Administration Hospital property for Cuyahoga Community College and the Parma Public School system. The Crile Hospital property has been vacant for some time and various proposals have been advanced for its use. Since Crile Hospital is in my district, I made a canvass in 1961 among responsible civic leaders to determine the best possible use of this valuable property. The almost unanimous opinion was that efforts should be made to secure use of this property for a community college and for the public school system of rapidly expanding Parma.

With the cooperation of Mayor James Day of Parma, former superintendent of Parma schools, Dr. Paul W. Briggs, the present superintendent, Stuart L. Openlander, Dr. Charles E. Chapman, president of Cuyahoga Community College, and the mayors of nine adjoining communities, these efforts have been successful. The Division of Surplus Property Utilization of the Department of Health, Education, and Welfare has concluded that there is a serious need for educational facilities in the area, both at the elementary-secondary and higher educational levels. As a consequence 103 acres of improved land with 92 buildings will be made available as a campus for Cuyahoga Community College and 8 acres of unimproved land will be made available to the Parma public schools as a site for an elementary school. The General Services Administration is now in the process of preparing the necessary conveyance documents to transfer these properties.

Cuyahoga Community College is Ohio's first public community junior college. It opened instructional programs in September of 1963 with a student body in excess of 3,000. Student enrollment in 1964 reached 6,500 and it is expected to reach 8,000 this fall term. By 1970 this college, together with our newly established Cleveland State University, will be expected to accommodate 40,000 young men and women of college age. From these trends it is quite obvious that the higher educational needs of Greater Cleveland present a real challenge and that the decision of our Government to make the Crile Veterans' Hospital property available to assist in meeting this challenge is a practical one. It has often been said that the soundest investment we can make in the future of our Nation is in the field of education. This decision by our Government gives life to that belief.

On behalf of all those in Greater Cleveland who have worked to make this project a reality, I express appreciation to the Secretary of the Department of Health, Education, and Welfare and his able assistant, Mr. Joseph Ventura, Mr. William J. Driver, Administrator of Veterans' Affairs, and to the staff members of these able public servants who have participated in the many conferences involved in the review of the proposals made by the civic and education leaders of Greater Cleveland.

This is good news for many families in Greater Cleveland who have or will soon have children of college age and ambition. I am listing the mayors of the cities who cooperated in this communitywide effort to utilize the Crile Hospital site as an educational center:

	Population
James W. Day (Parma)	98,000
John M. Coyne (Brooklyn)	13,000
Paul W. Cassidy (Parma Heights)	24,000
Stephen Tymcio (Middleburg Heights)	10,000
Wm. L. Tomson (Strongsville)	11,000
Lester Edgerton (North Royalton)	11,000
J. B. Crabbs (Berea)	19,000
V. C. Kraushaar (Brooklyn Heights)	2,000
Joseph G. Graskemper (Seven Hills)	7,000
John A. Polonye (Brook Park)	23,500

Mr. Speaker, the Cleveland Press carried an article on September 8, 1964, which underlined the hopes of the people of Parma and Parma Heights that a community college would be established on the Crile Hospital site. I include that article in my remarks because it indicates why I gave my full support for the community college:

Put College on Crile Site, Says Feighan

The people of Parma and Parma Heights want a college, not a mental institution or antipoverty camp located on the Crile Hospital site, Congressman Michael Feighan said in a statement today.

He said he had been working closely with Parma's Mayor James Day to help bring a community college to the former veterans hospital grounds on York Road.

"It is my opinion that the people of the Parma area are the best judges as to how the Crile Hospital site should be used," said the Democratic Congressman. "Parma is one of our finest residential communities and I am confident the people of Parma want to keep it that way," he said.

Congressman Feighan said he would continue to work with Mayor Day and others "to secure State and Federal assistance in order that a community college offering a diversified college education will be established on the Crile Hospital site."

Officials of the Cuyahoga Community College have been in touch with Federal officials in relation to the Crile property but no steps have been taken to acquire the site.

Ohio welfare officials have indicated a desire to open a training school for the mentally retarded. Last week it was proposed the land be used as a camp for the training of unemployed youth in the Government's antipoverty program.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Resnick (at the request of Mr. Ryan), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan (at the request of Mr. Clevenger), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Clevenger), for 30 minutes, on September 23; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Boggs to revise and extend his remarks made in Committee of the Whole today and to include extraneous matter on S. 2300.

Mr. Stanton.

(The following Members (at the request of Mr. Reid of New York) and to include extraneous matter:)

Mr. Fino.

Mr. Martin of Alabama.

(The following Members (at the request of Mr. Clevenger) and to include extraneous matter:)

Mr. Powell.

Mr. Leggett.

Mr. Evins of Tennessee.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1407. An act for the relief of Frank E. Lipp; to the Committee on the Judiciary.

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 906. An act to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes;

S. 1190. An act to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska;

S. 1588. An act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource;

S. 1764. An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; and

S. 1988. An act to provide for the conveyance of certain real property of the United States to the State of Maryland.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2694. An act for the relief of John Allen;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3062. An act for the relief of Son Chung Ja;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 5903. An act for the relief of William C. Page;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes;

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes;

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss;

H.R. 8212. An act for the relief of Kent A. Herath; and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States.

ADJOURNMENT

Mr. CLEVENGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p.m.) the House adjourned until tomorrow, September 22, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1602. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report on title 1, Public Law 480 agreements concluded during June 1965 and August 1965, pursuant to Public Law 85–128; to the Committee on Agriculture.

1603. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared for the following watersheds: Zeigler Creek, Nebr.; Elko, Nev.; Swan Quarter, N.C.; Frogville Creek, Okla.; Chocolate, Little Chocolate, and Lynn Bayou, Tex., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended, (16 U.S.C. 1005), and to the authority delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

1604. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report indicating the necessity for a supplemental estimate of appropriation for the Railroad Retirement Board, Department of Health, Education, and Welfare, for fiscal year 1966, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1605. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report indicating the necessity for a supplemental estimate of appropriation for the Veterans' Administration for fiscal year 1966, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1606. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report indicating the necessity for a supplemental estimate of appropriation for the Civil Service Commission for fiscal year 1966, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1607. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report of insurance and guarantees on U.S. exports to Yugoslavia for the month of August 1965 pursuant to title III of the Foreign Assistance and Related Agencies Appropriation Act of 1965, and to the Presidential determination of February 4, 1965; to the Committee on Foreign Affairs.

1608. A letter from the Acting Comptroller General of the United States, transmitting a report of need for improvement in pricing of change orders for construction of naval vessels, Department of the Navy; to the Committee on Government Operations.

1609. A letter from the Acting Comptroller General of the United States, transmitting a report of potential savings by direct rather than indirect procurement of selected subsystems for F–4 type of aircraft, Department of the Navy; to the Committee on Government Operations.

1610. A letter from the Acting Comptroller General of the United States, transmitting a report of readiness of combat and combat-support equipment assigned to the 2d Marine Division and Force Troops, Camp Lejeune, N.C., U.S. Marine Corps, Department of the Navy; to the Committee on Government Operations.

1611. A letter from the Administrator, Federal Aviation Agency, transmitting a report of claims paid during fiscal year 1965, pursuant to the provisions of section 404, 28 U.S.C. 2673; to the Committee on the Judiciary.

1612. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared for the following watersheds: Bayou Boeuf, La.; Mauch Chunk Creek, Pa.; Middle Creek, Pa.; and Oil Creek, Pa., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and to the authority delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

1613. A letter from the Chairman, Board of Trustees, John F. Kennedy Center for the Performing Arts, transmitting a status and financial report for the period July 1, 1964, through June 30, 1965; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SELDEN: Committee on Foreign Affairs. H.R. 10779. A bill to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.; with amendment (Rept. No. 1040). Referred to the House Calendar.

Mr. POWELL: Committee on Education and Labor. H.R. 10027. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; without amendment (Rept. No. 1041). Referred to the House Calendar.

Mr. JONES of Missouri: Committee on House Administration. H.R. 6125. A bill to amend Public Law 722 of the 79th Congress and Public Law 85–935, relating to the National Air Museum of the Smithsonian Institution; without amendment (Rept. No. 1042). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri: Committee on House Administration. H.R. 9495. A bill to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes; with amendment (Rept. No. 1043). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. Report on Federal opinion on the need for an Indian treaty study; without amendment (Rept. No. 1044). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 11096. A bill to authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both; without amendment (Rept. No. 1045). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 11135. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; with amendment (Rept. 1046). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 11185. A bill to authorize the Secretary of the Interior to construct two modern stern-ramp trawlers to be used for experimental, commercial fishing, research, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOW:

H.R. 11186. A bill to amend the Railroad Retirement Act of 1937 to provide for the payment of annuities thereunder to children over 18 and under 22 who are full-time students; to the Committee on Interstate and Foreign Commerce.

By Mr. EVINS:

H.R. 11187. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. HAWKINS:

H.R. 11188. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

By Mr. LIPSCOMB:

H.R. 11189. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 11190. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 to permit a person insured under such act to provide for the payment of insurance in a lump sum or in monthly installments; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 11191. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for traumatic aneurysm and malignant tumors (cancer) which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

By Mr. RONAN:

H.R. 11192. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

H.R. 11193. A bill to establish a Federal Commission on Alcoholism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DON H. CLAUSEN:

H.R. 11194. A bill to provide for the establishment of the King Range National Conservation Area in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. SHIPLEY:

H.R. 11195. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. MOORHEAD:

H.J. Res. 666. Joint resolution providing for the establishment of an agency in the Executive Office of the President to be known as the President's Advisory Staff on Scientific Information Management; to the Committee on Government Operations.

By Mr. FOGARTY:

H.J. Res. 667. Joint resolution to authorize the President to proclaim November 13 of each year as "National Dental Assistants Day"; to the Committee on the Judiciary.

By Mr. BURTON of Utah:

H.J. Res. 668. Joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 669. Joint resolution to authorize the President to proclaim the week beginning October 25 in each year as National Parkinson Week; to the Committee on the Judiciary.

By Mr. ASPINALL:

H. Con. Res. 513. Concurrent resolution authorizing the printing of additional copies of hearings on "Lower Colorado River Basin Project," 89th Congress, 1st session, to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11196. A bill for the relief of Donato Minerva; to the Committee on the Judiciary.

H.R. 11197. A bill for the relief of Winston Nurse; to the Committee on the Judiciary.

H.R. 11198. A bill for the relief of Spiridon Andreadis; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 11199. A bill for the relief of Sister Emidia; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 11200. A bill for the relief of Nicholas and Triseygeny Dakalis; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 11201. A bill for the relief of Joseph J. and Mrs. Joseph J. (Janet) Russell; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 11202. A bill for the relief of Silvestre Giannetto; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11203. A bill for the relief of Pietro Bataglia; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Salute to the Federal Republic of Germany

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1965

Mr. POWELL. Mr. Speaker, the 21st of September, today, marks the 16th anniversary of the Federal Republic of Germany. On this occasion we wish to extend warm felicitations to His Excellency Ludwig Erhard, the Chancellor of the Federal Republic of Germany, and to His Excellency Heinrich Knappstein, the German Ambassador to the United States.

This date markes 16 years of spectacular growth and political stability for this amazing country.

As Americans we can be doubly proud as we note the record of economic and political accomplishments achieved by the Federal Republic since World War II. The democratic character and political stability of our stanch ally in Bonn vindicate the faith postwar American planners placed in the future of West Germany. Beyond rewarding the policies of those Americans who rejected the brutal Soviet formula of exploitation and subjugation in favor of a revived and rejuvenated Germany, the manner in which the German miracle has been achieved represents a shining example of the successful application of the American system of federal democracy and free enterprise.

As we look back to the political environment of the new Federal Republic of 1949 it is difficult, in the light of the stability of German federalism today, for us to remember the uncertainties and fears that surrounded the application of the new Bonn constitution. At that time many felt that the division of powers, so successful in our own Constitution, would either collapse or lead to the paralysis of government in a nation with traditions of either state autonomy or highly centralized government. Some feared the possibility of political anarchy resulting from unrestrained elements of separatism in the states; others feared a return to the authoritarianism which blighted the German political landscape in the recent past.

Fortunately, both medieval separatism and modern authoritarianism have given way to German liberalism, a strain in German political thought which began to take root in the middle of the 19th century. The mixture of traditional German liberalism with American federalism has resulted in the smoothly functioning democratic system so clearly evidenced by Sunday's elections.

The German economic program, which is so often referred to as the economic miracle of Europe, is closely related to the free enterprise system of the United States. Without foregoing the social responsibilities which have been rooted in German politicoeconomic practice since Bismarck, Germany has applied a minimum of governmental control in its spectacular rise from the rubble and ashes of World War II into one of the great economic powers of the world today. The economic miracle is a testimony to the initiative of the German people and the program of free enterprise coupled with social responsibility—another design which we share with our German neighbors.

These are grand achievements and no little source of encouragement in a world beset with political instability and economic crises.

The foreign policies—both economic and political—of the Federal Republic have been even more encouraging. A foremost leader in the economic and political integration of Europe, Germany continues to stand as a steadfast ally of the United States and stanch champion of the Western alliance.

Such are the remarkable accomplishments of the last 16 years. It is with great pleasure that I take this moment to salute the achievements of the Federal Republic of Germany.

Hon. Eugene Zuckert—A Great Leader of the U.S. Air Force

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1965

Mr. EVINS of Tennessee. Mr. Speaker, permit me to pay tribute today to the distinguished Secretary of the Air Force, the Honorable Eugene Zuckert, who has resigned, effective September 30 next.

Secretary Zuckert brought years of knowledge and valuable governmental experience to the Office of Secretary of the Air Force when he assumed that position in 1961.

He has done an excellent job. He has rendered an outstanding public service.

As he leaves the Office of Secretary, he leaves an Air Force second to none in the world. He leaves a U.S. Air Force that is fulfilling its obligations in the fight for freedom in Vietnam and around the world.

The Air Force of the United States has been prepared with the latest in aircraft and the best equipment available. The fact that there are indications that the tide in Vietnam is turning in our favor is due in no small part to the Air Force and the inspired leadership of Eugene Zuckert and our gallant fighting forces.

Secretary Zuckert has capably presented the case for the Air Force to the Executive and to the Congress. He has distinguished himself with great credit to his country.

The people of the great district which I am honored to represent wish him all good luck, success, and happiness as he seeks retirement from his high post of public service.

New Hampshire: Pioneer in Social and Financial Progress

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 21, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about some gambling dollars which, unlike so many others, are not going to support organized crime. I refer to the moneys wagered in New Hampshire's parimutuels and State lottery.

Last year, the parimutuel turnover in New Hampshire came to $105 million, contributing $7 million to New Hampshire in revenue. The New Hampshire lottery brought in a total of $5.7 million in 1964. These gross receipts produced a profit of $2.8 million last year. New Hampshire's common sense is making New Hampshire's gambling proclivities produce public rather than mob revenues.

New Hampshire's profits accruing from sane and realistic gambling policies are being spent on New Hampshire schools. Like the many nations throughout the world who use lottery profits for schools, hospitals, orphanages and the like, New Hampshire has realized that the best way to deal with the ineradicable human gambling urge is to regulate it and channel its revenues into public coffers. The State of New Hampshire, instead of being a partner with the Federal Government in keeping gambling illegal and thus a checkbook of crime, has chosen to be a pioneer in progress—a pioneer in the forward-looking social and financial policy of making gambling revenues work for the people.

Mr. Speaker, I commend the example of the lottery of the State of New Hampshire to my fellow Members of this House. It is living, working proof that the lottery device can make gambling profits work for good rather than evil ends. I commend the example of New Hampshire to our many States, where illegal gambling of great magnitude is often bankrolling the many facets of organized crime, and I commend New Hampshire's example to the Federal Government as well, because a national lottery would be both a painless, large-scale revenue earner and a sword with which to cut away the financial resources of the crime syndicates. The United States ought to profit from the example of New Hampshire by establishing a national lottery as soon as possible.

Challenge Against Mississippi Delegation Dismissed

EXTENSION OF REMARKS
OF
HON. JAMES D. MARTIN
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 21, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my weekly report to the people of the Seventh District of Alabama for September 20, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

CHALLENGE AGAINST MISSISSIPPI DELEGATION DISMISSED

At long last the challenge to unseat the legally elected Members of Congress from Mississippi was dismissed by the House of Representatives. The vote to put an end to this matter, which has been used to defame the great State of Mississippi and other States of the South for the past 8½ months, carried by 228 to 143. The vote was on a resolution by the Committee on House Administration that the contests against the five Mississippi Congressmen be dismissed.

The committee action to dismiss the challenge was based on the very basic fact that the members of the Democratic Freedom Party of Mississippi were never on any ballot in a legal election, and they made no attempt to seek legal means to prove their charge that Negroes in large numbers had been prevented from voting in Mississippi. The vote to dismiss the challenge was a victory for proper procedures and government by law.

Since this session of Congress began in January, the Members have been under constant pressure to unseat these Congressmen. Even while the final debate was in progress, a so-called silent demonstration was going on outside the Capitol in violation of the laws and the rules against demonstrations on the Capitol Grounds. Even some of the members of the Democratic Freedom Party were admitted to the floor of the House of Representatives, an unheard of concession to a pressure group. However, the majority of the Members of Congress, remembering their oath of allegiance to the Constitution and unafraid of the pressure tactics, had the courage to vote to support legal elections, proper procedures, and the integrity of the House of Representatives.

REPUBLICANS SOLIDLY SUPPORT STATES RIGHTS

Without a dissenting vote Republican Members of Congress forced rejection of the conference report on the Economic Opportunities Act. The report was returned to conference with instructions to keep in the bill the veto power of the Governors over Federal projects within the individual States. 37 Governors, Republican and Democrat, opposed any weakening of their veto power as it now stands in the law; 209 Democrats voted against the Governors and for increasing Federal power over the States.

DEADLINE FOR APPLICATIONS FOR MILITARY ACADEMIES

Any young men in the Seventh District interested in competing for nomination to one of the military academies must notify me not later than October 1. Nominations are open to high school graduates who will be at least 17 and not have reached the age of 22 by July 1, 1966. All candidates will be given a civil service examination on November 6, 1965, and my nominations will be given to those making the highest grades on that exam. The exam will be given in several locations in the district on that date. If you are interested—or know anyone who is—please just drop me a note for application blanks, catalogs, etc.: Congressman JIM MARTIN, 1533 Longworth House Office Building, Washington, D.C.

SPENDORAMA

What is the Great Society costing you? You, your children, their children and the children of generations to come will be paying the bill for one of the biggest spending Congresses in history. Under the liberal Democrat leadership this session of Congress will have spent more money than any other Congress in history, except the 1942 session, which appropriated $150 billion to finance World War II. Under the bills passed you will be paying more for bigger welfare programs, expanded political slush funds to keep the President's cronies in office, and to increase Federal controls over the States and over you as an individual.

Here are just a few of the more expensive bills Congress has passed, or is in the process of passing:

The antipoverty bill, a 3-year program, $1.7 billion approved for this year.

Help to elementary schools, no time limit, first year cost $1.1 billion, $4.7 billion over 5 years under a Senate plan. A disproportionate amount of this huge sum will go to big cities in Northern States. Children in Southern States will receive less.

Public works and area redevelopment, $3.2 billion over 5 years.

Farm bill, $18 billion over the next 5 years. In addition, this bill drastically cuts the cotton acreage allotment in Southern States.

Housing bill, with rent subsidies, $8 billion over the next 4 years.

Total Federal spending this year will run about $120 billion. Remember what a grandstand play the President made about keeping Federal spending under $100 billion? We can put just as much faith in the other Great Society promises. Under such reckless spending policies, it is costing us more than money, it will eventually cost us our freedom.

Nikola Petkov—A Bulgarian National Hero

EXTENSION OF REMARKS
OF
HON. J. WILLIAM STANTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 21, 1965

Mr. STANTON. Mr. Speaker, on September 23 the freedom-loving Bulgarian people everywhere will honor the memory of a man who fought to prevent the Communist dictatorship which today denies freedom and self-determination to the Bulgarian nation. On that day in 1947 Nikola Petkov was hanged by the

Communist regime in what was both an end to legal free opposition to them and a classic case of their callous disregard for world opinion. When Nikola Petkov was murdered for his political beliefs a martyr was created against the tyranny which has been ruthlessly forced upon the Bulgarian people. His death was neither the first nor the last of men and women who sought to bring liberty and democracy to Bulgaria. But the nature of his trial and his gallant performance during it are an example of the hard and dangerous task which must be faced in fighting oppression.

Nikola Petkov was accused of no crimes except opposing the creation of a Communist satellite in his native land. He undoubtedly was put under great pressure to confess his sins as did so many others in Eastern Europe during those terrible days when Communist rule was being established. But he never yielded. He never confessed to the trumped-up charges by which he was being railroaded to his legal death. The manner of conducting his trial is worthy of our remembering. People testified to lies against him. His witnesses were intimidated. His lawyers were arrested as soon as he chose them. He was only brought to trial because the Communist-dominated assembly voted to deprive him of his parliamentary immunity. Convicted by a kangaroo court he was hanged on September 23, 1947, in what was a horrible warning to all opposition to Communist tyranny in Eastern Europe.

The Bulgarian people, Mr. Speaker, will not forget the example set by Nikola Petkov. Nor should those of us who are more fortunate in living in free lands. Like so many others he had the courage to fight for a better way of life for his nation. He must have known that all the high cards were held by his ruthless opponents. The examples of countless other political murders of his countrymen were fresh. But, while knowing the fate in store for him, he led the last free opposition to the complete Red takeover. On this day of national memorial for the Bulgarian nation, it is fitting that we should remember that the hope for a free democratic Bulgaria was made brighter because a man was willing to die for his people's cause. I wish to extend my best wishes to the Bulgarian people on this day dedicated to one of their national heroes.

Latins Want Change—Not Communism

EXTENSION OF REMARKS

OF

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1965

Mr. LEGGETT. Mr. Speaker, I believe it unfortunate that House Resolution 560 was presented on the floor yesterday. The House resolution according to its terms states that:

> Any subversive threat (of communism) violates the Monroe Doctrine and any contracting party (country) to the Inter-American Treaty of Reciprocal Assistance may resort to armed force to forestall and combat control and colonization (by communism).

A few words have been omitted from the quoted purpose, but the sense is apparently clear.

Certainly the United States should have learned some things from recent diplomatic history. We have won many friends in Latin America in modern times, probably really beginning with the F.D.R. "good neighbor" policy and the enactment of the Reciprocal Trade Treaties. This friendship has flourished from time to time and reached its culmination in the Organization of American States and the Alliance for Progress programs. Many in the Latin world are true friends of America. Of others, their friendship has been dulled by lack of substantial Latin American progress in spite of the largest hemispheric aid program in history.

Many in Latin America want change. They resort to communism in Chile where 24 percent are registered in that party, not because of Russian submarines off the coast or parachuting Red Chinese infiltrators, but because 600,000 people can't live like animals in Santiago seeing much of the aid money go into military weapons and being filtered off at the top by the 100 ruling families.

The Alliance for Progress in Latin America should be aimed at short circuiting the military juntas and selfish power blocks wherever possible in an all out effort to effectuate "change" at the grassroots by helping plain people to better their standard of living. During the last year we have helped Socialist President Frei of Chile take steps to effect "change"—he has the vision and the power to stop communism in its tracks.

Our fine relations with the Chilean people were slightly confounded with our entry into the Dominican Republic—not because Chile is for communism but because she resented the interference in the affairs of a sovereign state where a clear case of outside intervention was not made out in violation of the Monroe Doctrine.

This is much like in a criminal case when the court throws out an indictment based on unlawful search and seizure. The court takes the action not because it favors the criminal, but because the Bill of Rights is paramount. Irrespective, I think the Dominican Republic action can be rationalized in defense of the administration, especially with the action by the OAS.

When the Congress then passes House Resolution 560 which would appear to lock in concrete Dominican Republic-type policy for the future—a policy of force for the United States or any of the Americas based on a fragmentary threat—it is readily foreseeable that America will be further embarrassed in her relationship with her "good neighbors."

If we then confound this by establishing quotas on hemispheric immigration to protect ourselves from hemispheric Communists, we will, in fact, lay the cornerstone for chaos in the Americas for the balance of the 20th century.

To tell any Latin dictator that he can forcibly meddle, with our approval, in the affairs of his neighbor that may or may not have a substantial Communist Party on the theory that he is forcibly suppressing a Communist threat, can only have the effect of, in fact, stimulating the forces of communism and diminishing American stature on these continents.

A Birch-type philosophy does not work in the United States. Why should it work outside?

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 22, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: Psalms 95:2: *Let us come into His presence with thanksgiving.*

Almighty God, during the hours of the new day, may we be aware of Thy presence, filling our minds and hearts with Thy peace and power and may Thy love always be with us to guard and guide us in the ways which are well pleasing unto Thee.

May we feel how solemn and wonderful it is to live daily under Thy kind and beneficent providence which will never leave us uncared for and unprotected and unnourished.

Grant that our whole life may be a pursuit of the best not only for ourselves but especially also for the needy members of the human family who may be finding the struggle of life so very difficult.

In these strange times when confused cries are echoing through the world, may we hear and heed Thy voice proclaiming the eternal values and bidding us to be strong and steadfast in the faith.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

> H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 8, 10, 24, 62.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8715) entitled "An act to authorize a contribution by the United States to the International Committee of the Red Cross."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10323) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) entitled "An act to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1357. An act to revise existing bail practices in courts of the United States, and for other purposes;

S. 1758. An act to provide for the right of persons to be represented in matters before Federal agencies; and

S. 1826. An act to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

PERSONAL EXPLANATION

Mr. CHAMBERLAIN. Mr. Speaker, on September 7, I was necessarily absent because of a death in my family and I missed certain rollcall votes. I would like to have the RECORD indicate my position on each of these issues. Had I been present I would have voted as follows:

H.R. 8439, motion to table previous motion on H.R. 8439, rollcall No. 262: "Yea."

H.R. 10775, rollcall No. 263: "Yea."

H.R. 168, rollcall No. 264: "Yea."

Senate Joint Resolution 102, rollcall No. 265: "Yea."

PERSONAL EXPLANATION

Mr. DEVINE. Mr. Speaker, Members of Congress have some family responsibilities from time to time. On Monday last I found it necessary to take a daughter to college in the Speaker's State. As a result thereof, I missed rollcalls 309 and 310.

Mr. Speaker, had I been present I would have voted "yea" in each instance.

Mr. Speaker, I wish the RECORD to so indicate.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 314]

Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Ashley
Ayres
Bolton
Bonner
Bow
Brock
Burton, Utah
Colmer
Dickinson
Diggs
Dow
Farnsley
Fino
Foley
Frelinghuysen
Giaimo
Hanna
Harris
Herlong
Hicks
Holifield
Holland
Hosmer
Johnson, Okla.
Lindsay
McEwen
Martin, Ala.
Martin, Mass.
Miller
Moorhead
O'Brien
O'Hara, Ill.
Passman
Redlin
Resnick
Roosevelt
Scott
Senner
Springer
Stephens
Stratton
Tenzer
Thomas
Thompson, Tex.
Toll
Watson
Willis

The SPEAKER. On this rollcall 378 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RIVERS, HARBORS, AND FLOOD CONTROL

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 2300, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through title II of the committee substitute, ending on line 24, page 77.

Are there further amendments to title II?

AMENDMENT OFFERED BY MR. NELSEN

Mr. NELSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NELSEN: On page 68, after line 22 insert the following new section:

"SEC. 207. That the project for flood protection on the Minnesota River at Mankato and North Mankato, Minnesota, authorized in section 203 of the Flood Control Act of 1958 (Public Law 85–500, 72 Stat. 297) is hereby modified to authorize the Secretary of the Army to credit local interests against their required contribution to such project for any work done by such interests on such project after April 1, 1965, if he approves such work as being in accordance with such project as authorized."

Renumber succeeding sections and reference thereto accordingly.

Mr. NELSEN. Mr. Chairman, I hope my colleague from Minnesota [Mr. BLATNIK] will give me his attention. I received a call from the Bureau of the Budget and it was called to my attention that the last several lines of my original amendment were objected to. However, the first part of it—the amendment that was discussed yesterday—was found to be satisfactory and a precedent did exist similar to it.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. Yes; I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, in order to save time, the committee is fully familiar with the project about which the gentleman speaks, as the gentleman knows, and is most sympathetic.

Do we have it correctly understood that in the gentlemen's amendment he is dropping and deleting the originally proposed latter part which deals with the excess cost, in case of excess, of required local contributions and the Secretary of the Army be authorized to reimburse such local interests for all amounts in excess of such required contributions?

Do I understand the gentleman is deleting that language in his proposed amendment?

Mr. NELSEN. Yes; in keeping with the request of the Bureau of the Budget I have deleted this part. I hope the first part will cover it. I realize that it would be unwise to press for something unacceptable to the committee and I thank the gentleman from Minnesota for his concurrence in the amendment.

Mr. BLATNIK. Mr. Chairman, we accept the amendment as the gentleman presents it, which omits the point that had been giving us difficulties. The amendment is satisfactory and the committee agrees to it.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I would be glad to yield to the gentleman from Florida.

Mr. CRAMER. Would the gentleman indicate what language is being stricken?

Mr. NELSEN. The language which appears in the middle of the paragraph beginning with "if the costs to local interests"—and then from there on strike the rest of the original amendment.

Mr. CRAMER. If the gentleman will yield further, the gentleman's request conforms then to the type of action our committee has taken in other instances in a similar situation and does not thus give preference to this project over other projects?

Mr. NELSEN. It is my understanding there is a precedent for this and I believe it is fully justified. I am sure there will be no objection in the Congress to later coming through with the necessary appropriations for the project.

Mr. CRAMER. I want to say to the gentleman that he made a most convincing presentation yesterday on the floor of the House. I consider this a most unique situation relative to this project and for that reason insofar as this side of the aisle is concerned we too accept the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. NELSEN].

The amendment was agreed to.

Mr. JOELSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Chairman, as the Representative of a district plagued by a persistent drought, I certainly hope that the Congress on ultimate passage will retain title I which deals with the problem of water supply in the northeastern part of our Nation. I urge my colleagues in this House as well as the other body not to abandon a vitally important section of our country to the vagaries of unpredictable nature.

As paradoxical as it may sound, the provision in the bill may at the same time solve the problem of the water shortage which is haunting us now and the problem of floods which has vexed us in the past.

By allowing the U.S. Army Engineers to plan for the construction, operation, and maintenance of major reservoirs by the United States, we will be taking a giant step forward in the age-old battle against the devastation of the elements.

AMENDMENT OFFERED BY MR. BALDWIN

Mr. BALDWIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN: Page 58, line 13, strike out "$133,548,000" and all that follows down through and including the period on line 2 of page 59, and insert in lieu thereof the following: "$88,402,000, except that pump storage power development is not authorized to be constructed at such project."

Mr. BALDWIN. Mr. Chairman, this amendment would make a modification in the project which is authorized on page 58 of the bill, called the Rowlesburg Dam and Reservoir, Cheat River, W. Va. This would simply eliminate the authorization to build a public power facility as a portion of this project. The project is economically feasible without it. The flood control aspects and the construction of a flood control reservoir are economically feasible without the public power facility. This would simply strike that facility.

I think it is important to note that an application has been pending before the Federal Power Commission by a public utility in the area, the Monongahela Power Co., for a permit to construct a powerplant on this river in this general location. Not only has this application been pending before the Federal Power Commission but since our hearings in the last month the Federal Power Commission has issued an order. I hold a copy of it in my hand. This relates to the Monongahela Power Co. application and awards the company a 24-month preliminary permit to study the proposed 380,000 kilowatt pump storage project on this river in West Virginia.

Since the permit is not only pending for construction, but a preliminary permit has now been granted for the 24-month study, it seems to me it would be inappropriate for us at this time while the study is now authorized and in process to authorize the expenditure of $45 million of Federal funds for the construction of a public power facility that will not be necessary if this private powerplant is built.

In the Senate an amendment was approved which has the wording that appears in the House bill that states, and I read from the House bill:

Provided, That the power features of this project shall not be undertaken until such time as the Federal Power Commission has completed action on any applications that may be pending before that agency for private development of the pumped-storage facility of the project:

The committee wording goes on with this further proviso:

Provided further, That should the Federal Power Commission act in the affirmative on any pending applications, the authority for such project shall not include Federal power features and the estimated cost of such project shall be $88,402,000: *And provided further*, That in the event the Federal Power Commission dismisses any pending applications, Federal construction of such pumped-storage power facilities is hereby authorized and approved.

The language therefore goes ahead and approves now the Federal construction of a Federal power facility if the FPC does not grant an application for a private power facility. This would authorize a Federal power facility if the FPC does not act. I think we are prejudicing the case before the FPC if we approve a law today that gives definite approval to a public power facility if the FPC does not act favorably on the final construction permit.

It seems to me we should defer any such decision and give the FPC a clear right to make a ruling without having any legislation that says we automatically have authorized a Federal power facility if the FPC does not grant this private permit.

For this reason my motion would just strike out the Federal cost for Federal construction of the power facility and simply authorizes the other aspects of the project, including flood control. Incidentally, it would save $45 million which I am sure our Federal taxpayers would be very happy to have us say that we could save.

Mr. KEE. Mr. Chairman, I rise in opposition to the amendment.

The proposed authorization of this project has been criticized because it would provide authorization for Federal construction of the power features in the event the Federal Power Commission dismisses any pending applications. It is contended that no Federal authorization should be provided if private interests are taking active measures to construct the project.

In this connection, it is to be noted that the language in the present bill places no restriction in the way of private development other than the approval of the Federal Power Commission—a step required in the case of any project licensed by the Federal Power Commission. In fact, the act gives priority to the private developer and no consideration could be given to Federal construction of the power facilities unless and until the Federal Power Commission dismisses any pending application. The Federal Power Commission has, in fact, granted a temporary permit to the Monongahela Power Co. to study private power development.

The bill would insure full comprehensive development of the Rowlesburg site, including construction of the power facilities by either a private developer under Federal Power Commission license, or if this is not done, by the Federal Government. There is no reason to delay Federal authorization at this time. If, for one reason or another, the power was not developed by a private developer there would be a subsequent delay in obtaining Federal authorization.

If the power facilities are not constructed concurrently with construction of the Federal dam and reservoir it will be necessary for the Government to include an intake and tunnel stub at a cost of $1½ million to permit the later addition of power either by the private developer or the Government. To avoid excessive costs, this must be done before the reservoir is filled. Such initial costs will be repaid by the private developer, but in all likelihood will be sunk costs and never recovered if the private developer should back out and there is no Federal authorization for power construction. The Government could insure recovery of these initial costs under the terms of the bill. If the private developer is indeed sincere in making the application and is not making it primarily as a device to forestall the development of public power it is difficult to see how he can object to the inclusion of provisions for Federal authorization.

Therefore, Mr. Chairman, I hope this amendment will be defeated.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield to my distinguished colleague from West Virginia.

Mr. STAGGERS. In this project, if it is constructed, coal will be used, will it not, to produce electricity?

Mr. KEE. That is correct.

Mr. STAGGERS. And instead of electric energy produced solely by waterpower, we will use up at least 1 kilowatt of energy produced by coal for every kilowatt of energy obtained from the hydroelectric generators? The energy produced by coal will be used to pump the water about a thousand feet uphill to the reservoir for the hydroelectric generator?

Mr. KEE. That is correct.

Mr. STAGGERS. I would like to assure the gentleman in the well that I have been assured by the head of the utility company that proposes to build this project and that has made application to build it, that if the application is approved, 100 percent union coal will be used at the Rowlesburg plant.

Mr. KEE. That is correct.

Mr. STAGGERS. I just wanted to make it clear that by building the project, we will be using coal, the one thing that we have in abundance in the State of West Virginia, to produce the electricity and that by doing that we will be developing the whole area economically and we will be bringing in more industry and that we will be using our natural products and resources. Also it will be the first attack on poverty in a direct and positive way that we have ever had in our area.

Further I want to point out that this is the only major project I know of that has ever been proposed to be constructed in the State of West Virginia.

Mr. KEE. My colleague is correctly stating the situation.

Mr. STAGGERS. For that reason I want to be sure that this project is approved and the only way we can do it is by assuring that public power stands in the background in case this permit is not issued by the Public Power Commission and also if the utility is dilatory in constructing the facility once license has been granted. We want to be absolutely sure that West Virginia is not deprived of this vital project because of the failure or inability of private industry to act promptly.

Mr. KEE. I thank the distinguished gentleman.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield to the gentleman.

Mr. JONES of Alabama. I think it should be pointed out to the committee that this project has a benefit cost ratio of 2.1 to 1. Let us examine the report and see if that is concurred in by the Federal agencies and the State. On page 40 of the report, the statement is made as follows:

COMMENTS OF THE STATE AND FEDERAL AGENCIES

Department of the Interior: Favorable.
Department of Agriculture: Favorable.
Department of Health, Education, and Welfare: Favorable.
Federal Power Commission: Favorable.
Department of Commerce: Favorable.
State of West Virginia: Favorable.

Therefore, we see that all these State and Federal agencies and the State of West Virginia are in favor of this project that is being discussed here today.

Mr. CRAMER. Mr. Chairman, I rise in support of the amendment.

Very briefly, I am hopeful that we can get to final consideration of these amendments to the bill this afternoon.

The gentleman from California has very clearly explained why he feels that unless this amendment is adopted that the Federal Power Commission, which presently has issued a preliminary license to the private enterprise development, is likely, on final consideration to be prejudiced by the action of this Congress in authorizing the project as a possible function at taxpayers' expense. I agree with the gentleman from California wholeheartedly.

I believe that the amendment offered by the gentleman from California is a most reasonable one. It is most reasonable considering the circumstances of the consideration which will be given, according to the majority's report on S. 2300, next year, on an annual basis, of these omnibus bills. By that time, the Federal Power Commission will have had a reasonable opportunity to act. There will be no delay in the matter, and the matter can be considered next year.

I refer to page 2 of the committee report, where the following statement appears:

> The committee intends to report an omnibus bill every year hereafter rather than every 2 to 4 years.

So I suggest that the question will be considered on its merits by the Federal Power Commission, construction will not be prejudiced, and the taxpayers' burden of paying the cost will not be prejudiced.

Under those circumstances, it is logical and reasonable to agree to the amendment. The gentleman from California [Mr. BALDWIN] sat through and heard all the hearings on this subject. His amendment would give the Commission an opportunity to act on the private development aspects, which it already has done preliminarily.

I understand that there is some argument that perhaps private enterprise will not push it hard enough. It seems to me that private enterprise has pushed it hard enough to get a preliminary license, and, it seems to me, they have shown good faith and intent to go ahead with the project. I cannot undertsand why our committee insists on prejudicing the private development of that power by inserting in the bill proposed language which indicates that if they do not act on the project, then the Congress will authorize a public project. That is not the way to do it. I do not want the Federal Power Commission so prejudiced. I hope that the amendment will be agreed to.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and Members of the Congress, my colleague from California, my good friend and colleague from Florida and I are not necessarily in disagreement on this issue. It is highly important to me—and to my State—that this project be undertaken, and I want insurance that it will be undertaken. As the gentlemen know, and as the Congress knows, the proposal here is only an authorization. If the private power company goes ahead—and I know they will go ahead, unless some unforseen circumstances intervene—there will be no question that the project will be built and operated by the private power company. I can see no harm in authorizing it. The House committee saw no harm in authorizing it after prolonged debate.

I remember that before final conclusion was reached, a preliminary permit to the utility company had been brought to the attention of the House committee.

Many things might happen in the next year or two, when the project should be in process of construction. Then, if the private power company does not built it, and this public construction provision is eliminated from the bill, we would have to come back here and ask again for authorization for public construction, thus delaying action for an unreasonable time.

If this project is authorized, as submitted, there will never be any money appropriated. There will never be a request for it.

As to the fears of my friend from Florida, that if the bill passes as now written, the Federal Power Commission will never grant permission for private construction, let me assure the gentleman and the Congress that I will unreservedly support any reasonable measure designed to secure FPC permission for private construction. I want to have the assurance that public power is going to stand in the background. The Senate wanted it that way, and our committee voted it out that way.

As I said, this is the first major project which has ever been proposed to be constructed in the State of West Virginia. Certainly, at this time I do not want to jeopardize it. It will mean much to our people. It will be a direct attack on poverty. It will be one which will consume our natural products, bring in industry, and create jobs right in the center of our State.

The dam in itself is a good thing, but will do only half the job. The power-generating project will do the other half.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am glad to yield to the chairman of the subcommittee.

Mr. JONES of Alabama. We on the committee know the great interest the gentleman from West Virginia has taken in this project. If the Baldwin amendment were to prevail it would prejudice the development of the project, since the scheme provides that the Federal Government can continue to make plans for the complete project and not segment it by having the Federal Government do a part of the job and the private utility the other. If the Baldwin amendment is adopted, it will erase the opportunity of the Federal Government to prosecute this project.

Mr. STAGGERS. That is true. I appreciate the contribution of the capable and distinguished gentleman from Alabama, who presided during the hearings on this project, and who ruled with consistent fairness and understanding of the issues involved.

I might say that construction economies should be considered in this project. If the powerplant is to be a part of the project, either private or public power, a tunnel and a tower must be made a part of the dam. These should be incorporated in the body of the dam itself, and not added as an afterthought at greater expense.

If the private power company takes over they will pay the cost. If they do not, the Federal Government will assume it. They will pay for it as it is constructed.

I hope the committee in its wisdom will keep this provision in the bill. I assure those men who come from coal-producing States that not one kilowatt of electricity will be produced, except by coal, because this will be a pumped storage station. The water will be pumped to the top of the mountain and brought back down through chutes and tunnels to produce electricity. Pumping will be done at night, when the load on the generators is light; the hydroelectric generators will be operated during the day, when demand is at the peak. This will even out total demand over the full 24 hours.

I have been assured by the head of the utility that it will use union coal, and it will use our most plentiful natural resource.

I want to be sure that this project will be completed in full, not only the water control dam, but the appended powerplant. It is a project vital to the economic health of West Virginia. And I am convinced that the bill as written is the only way to assure its completion.

I say again I do not believe my good friend from California and my friend from Florida disagree with me as to what should be done; it is only a matter of approach.

I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BALDWIN and Mr. JONES of Alabama.

The Committee divided, and the tellers reported that there were—ayes 69, noes 96.

So the amendment was rejected.

The CHAIRMAN. Are there any further amendments to this section?

AMENDMENT OFFERED BY MR. CLARK

Mr. CLARK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLARK: Substitute the following language for the language on page 41, lines 4 through 12, inclusively:

"The Secretary of the Army is hereby authorized and directed to make a survey for flood control and allied purposes of the Saint John River, Maine, separate and apart from the Passamaquoddy Tidal Power Project, which survey shall include a detailed study of alternative methods of providing power, including thermal power development using nuclear energy, and to submit a report thereon to the Congress not later than March 30, 1966."

Mr. JONES of Alabama. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Alabama will state his point of order.

Mr. JONES of Alabama. This amendment had been considered and was subject to amendment under the previous amendment offered to strike this project.

The CHAIRMAN (Mr. ROSTENKOWSKI). The Chair will inform the gentleman from Alabama that the purpose of this amendment is to insert something other than that which was taken into consideration yesterday. So the point of order against this amendment is overruled.

The gentleman from Pennsylvania [Mr. CLARK], is recognized for 5 minutes.

Mr. CLARK. Mr. Chairman, this is practically the same as that which was offered yesterday as far as the St. John River project is concerned. In this amendment the Secretary of the Army is hereby authorized and directed to make a survey for flood control and allied purposes of the St. John River, Maine, separate and apart from the Passamaquoddy tidal project, which survey shall include a detailed study of alternative methods of providing power, including thermal power development using nuclear energy, and to submit a report thereon to the Congress not later than March 30, 1966.

I have offered this amendment for the following reasons. In the New England area we now have thermonuclear power. If this amendment is defeated we will have a $300 million water project using nothing but water. The thermonuclear powerplant in Connecticut which, of course, will be and is completely different from what is in this bill, uses today many, many thousands of tons of coal. So I ask your consideration today to strike out on page 41 lines 4 to 12 inclusive for this purpose.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I dislike to be in opposition to my distinguished friend, the gentleman from Pennsylvania [Mr. CLARK]. I recognize and respect his feelings with respect to this matter. He comes from a coal producing area. Members from some of those coal producing areas have found it desirable in some cases to oppose this project, I suppose upon the theory that the existing private power facilities in New England use coal and that a hydropower facility would be able to produce cheaper power than could be produced by coal.

However, just to authorize another survey of a project that has been studied for more than 30 years would be only to postpone the day of inevitable reckoning. This is not a solution.

The committee has thoroughly, carefully, and painstakingly heard both proponents and opponents. They have studied this project. Unlike most power projects, this one seems particularly warranted because of the great roadblock which lies across the trail of development for New England. This roadblock is the high price of power. New England industries pay 66 percent more for their power than do the average industries throughout the country. This is a terrible handicap to that area.

This project is the only opportunity we will have in this bill to make a meaningful, substantial contribution to the economic development of that historic section of our country which is New England. They have helped us on our projects. New England Congressmen have assisted the westerners in reclamation projects; they have assisted the southwesterners and the southerners and the midwesterners in our agricultural programs. They have assisted the west coast and the east coast and the gulf coast areas in beach erosion and hurricane protection projects. This is all they have asked for. This is their great need, for some measure of power at a price that people can pay.

Mr. Chairman, the average consumer in New England is required to pay 20 percent more for electric energy than is the case throughout the rest of the country.

Mr. Chairman, we faced this issue yesterday and there was admittedly a close vote. Normally I am not an advocate of public power, but in this instance where Chairman Joseph Swidler, of the Federal Power Commission, found it necessary to chastise the private power interests in New England for not having produced modern, efficient, electric power generating capacity, where there have been years and years of study, years and years of opportunity for those private companies to come in and provide this demonstrable need for the people of New England and they have not done it, I see no justice in postponing the day of reckoning and putting it off and calling for another study. We have had study on top of study, ad infinitum, and there has been no action.

It is time for us to take a stand. I am going to stand today with New England because I think they have been too long denied.

Mr. CLEVELAND. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I remained silent yesterday while the amendment of the distinguished gentleman from Pennsylvania [Mr. CLARK] to delete the Lincoln-Dickey part of the Passamaquoddy project was under consideration. I remained silent yesterday, but today I cannot remain silent. Misstatement of fact and distortion of motive have been too great. First of all, the distinguished gentleman from Texas [Mr. WRIGHT] has blithely said he can see no reason why we oppose this. I want to remind the Members of the Committee that in the full Committee on Public works, and surely all of the people of the Committee of the Whole House on the State of the Union are entitled to know this, the vote for this project was 18 to 15, and our distinguished chairman, the gentleman from Maryland [Mr. FALLON], joined with us, who felt this project is not justified on the facts and evidence which we have had before us.

Mr. Chairman, the gentleman from Texas has misinformed the Members of the Committee of the Whole when he said that this project has been studied for 30 long years. It is not true, and the gentleman knows it.

Mr. Chairman, Passamaquoddy was studied for 30 long years, and this project is only part of Passamaquoddy. At the last moment when the administrative agencies involved, even this administration, could not put their stamp of approval on Passamaquoddy, then they lopped off this part of Passamaquoddy—and not such a little part at that, $300 million worth of Passamaquoddy was lopped off, and here it is.

Mr. Chairman, there has never been full and complete public hearings held on this particular project, standing on its own two feet. These 30 years of hearings about which they talk have been the 30 years of hearings on the ill-fated Passamaquoddy project as a whole, of which this Lincoln-Dickey project is but one part. There has never been a true hearing on Lincoln-Dickey by itself. This was tacked on, on the floor of the other body without debate, without real discussion, and without hearings in the Senate, and came to our Public Works Committee.

Mr. Chairman, everyone knows how busy the Committee on Public Works has been lately with the Economic Development Act, the Highway Beautification Act, and other important matters. It came to our committee and there was never an opportunity to have full and complete hearings on it.

Mr. Chairman, it is not fair to say that this matter has been heard and reheard, studied and restudied. I believe the gentleman from Pennsylvania is leaning backward in fairness when he proposes that this Lincoln-Dickey project be given a study, with the directive that the study come back next March, no later than next March, so the House can work its will at that time in trying to be fair.

Mr. Chairman, for those on the majority side who are keenly aware of the importance of being fair in the legislative process, here is an amendment they can support in good faith, because this project has never been really studied before. Based on figures we are given here, the need for a study is real. There has been distortion of facts and figures that should stand the test of study.

Mr. Chairman, there is one other point I want to mention in respect to the remarks of the gentleman from Texas [Mr. WRIGHT]. I appreciate the gentleman's interest in New England, but I want to tell the gentleman from Texas that New Hampshire has one of the lowest unemployment rates in the entire United States—less than 2 percent. I think we people in New England are well qualified to make our own decision as to whether or not we want unnecessary public power which costs more than our own taxpayer utilities can produce it for.

Mr. Chairman, as welfare program after welfare program has marched through this House, again and again I have heard gentlemen from the other side of the aisle rise in righteous wrath and say, "Let us pass this legislation so that we will make taxpayers out of these tax eaters on the welfare rolls."

Well and truly said, Mr. Chairman, and I agree. But why now are they trying to downgrade and denigrate the taxpaying utility and put in its place a tax-eating monstrosity? Costly, outdated, and inefficient, it makes no economic sense; it makes no sense at all. Let us be consistent, let us give the taxpayers of this country a break.

Mr. HARSHA. Mr. Chairman, I rise in support of the pending amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield for a question?

Mr. HARSHA. I yield to the gentleman from Florida.

Mr. CRAMER. Is not one of the crux issues in this whole matter that the Secretary of the Interior desires to get this project through which is really the beginning of his effort to try to get a national grid system established in the northeastern United States under the control of the Federal Government, no matter what we have in the Northwest and other places? Is that not the real issue behind this effort?

Mr. HARSHA. I think that is absolutely right.

Mr. CRAMER. It is true, may I ask the gentleman, that the Atomic Energy Commission indicated that a project that would be one-fifth of the cost of the proposed hydroelectric project could be built in New England, and I am reading from page 244 of the report on the bill.

Mr. HARSHA. I think that is right.

Mr. Chairman, I think it is time we set the record straight on the Dickey-Lincoln project.

Dickey-Lincoln is a new quicky proposal that emerged as an expediency in order to open up New England for public power. It is a part of the much discredited international Passamaquoddy tidal project and is an indirect means of getting the unfeasible Passamaquoddy project approved, piecemeal. As a separate isolated power project, contrary to what my friend from Texas says, Dickey has neither been studied nor has it followed the procedures set forth by law for presentation of a project proposal for authorization by the Congress.

The 1944 Flood Control Act requires that project proposals be submitted to States and affected agencies for comment and review. As a separate project, the Dickey proposal was never submitted to the States and the agencies for review and comment. It was submitted as a combination of the Passamaquoddy project to be constructed and operated on an entirely different basis than the project now proposed, and no information has been presented to the States and the agencies for review and comment on this new basis. Is the Congress now to violate its own rules with respect to this particular project in authorizing a proposal which has not been studied on its own merits and which has not followed the statutory requirements. Not only have we failed to follow the statutory requirements, but this project is inconsistent with the basic philosophy of Federal power development.

One of the fundamentals of that philosophy as expressed in Senate Document No. 97 which is the bible, so to speak, for the procedure in approving these projects by the Corps of Engineers—that fundamental is that the proposal must be the cheapest and most effective alternative. The record is replete with evidence that this is not the cheapest and most effective alternative.

Now we have heard arguments that there is a great need for additional electricity in this New England region. The Federal Power Commission reports on electric power supply, as late as April 30 of this year, indicate a reserve of more than 25 percent in this area. This certainly refutes the argument that there is a shortage of power in that area.

Further, the argument has been advanced that this power will be cheap power and will cause industry to move into the area. This is just not so. The cost of power as an increment of product value, as shown by the 1960 annual survey of manufacturers conducted by the Census Bureau, averages only 0.84 percent of all manufacturing. I repeat, power averages less than 1 percent of the cost of production. The highest occurred in the chemicals and allied products industry which averaged only 2.4 percent and next were primary metals which averaged 1.9 percent. The relationship of power cost to product value has been going down over the years because of low power cost and the increasing prices of other materials. Power costs are actually insignificant in a decision to locate industry in a particular area. The primary considerations are labor and transportation costs in getting, not only raw materials to the plants, but in transporting processed products to and from the market.

And now as to whether or not this is cheap power, I would point out that Charles Robinson, engineer and counsel of the National Rural Electrification Association, who can hardly be classified as a private power exponent, says in his testimony before the Public Works Committee that the average of all power purchased in Maine is 13.9 mills and for Vermont 9.4 mills. He also says in his testimony that the annual cost of producing this power at Dickey-Lincoln would be $14.6 million. In order to obtain $14.6 million annually to meet the cost of production of this power, the power would have to be sold at 15½ mills.

Now this may be low cost power to you, gentlemen, but I submit that when it is about 2 to 6 mills above what is presently being charged, I fail to see how this will ever reduce power rates in that area. The people of Maine cannot afford this "cheap" power.

Nor can the U.S. taxpayer afford to finance this project to the tune of $300 million.

I urge this Committee to adopt this substitute and to uphold the statutory and procedural requirements of Congress. Let us give this project a hearing and study on its own merits.

Mr. JOHNSON of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and Members of the Congress, I rise in opposition to the amendment submitted by our good friend, the gentleman from Pennsylvania, a member of our committee.

I want to say this particular project was heard a year ago in the Senate. There was no need for further hearings in the Senate. The hearings that were held on the House side were full hearings. We held hearings and we heard every witness who wanted to appear.

Certainly the project that was brought before our committee was a project that had been well studied. Our late President Kennedy asked for this project to be studied and our present President, President Johnson asked for the same.

This project is located on an international stream between the State of Maine and Canada. This particular project had met all of the criteria of the Corps of Engineers and the Bureau of Reclamation and it had the approval of the Bureau of the Budget.

Now I am sure that all projects come up in the same manner for consideration before our various committees. Serving on the Committee on the Interior and Insular Affairs and also on the Committee on Public Works, I know this to be a fact. You must receive the support of the agencies and they must meet the criteria laid down by the Congress. The projects must have the approval of the Bureau of the Budget. This particular project had just that. Every witness was heard from.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. JONES of Alabama. Did we not have the approval of the Governor of Maine, Gov. John H. Reed?

Mr. JOHNSON of California. Yes, Governor Reed came here and testified in support of this project as did both of their Members of Congress and I understand the like membership in the other body were in support of this project.

This particular dam is on the St. John River. It is going to utilize a resource—water—that is flowing down that river. It needs to be controlled on this side of the border and it needs to be controlled on the other side of the border. President Johnson made this request in the light that they would perfect an intertie in this particular area. We have just finished perfecting an intertie in the Pacific Northwest, the Southwest, and in the western part of the United States and the private utilities are going to be the biggest benefactors of that intertie. Certainly the private utilities in this area would have a very important benefit and part in this particular project. I am certain that if this is built, the utilities there would be brought into it as far as marketing the power and transmitting the power. If the intertie is perfected between the two countries, they would be a part of it.

In Canada there is also a need for river regulation and power generation.

I know that there is no low-cost power in the New England States. The power costs there are the highest of any place in the United States. This would be the first time that we had a Federal public development that would offer low-cost power to the people of Maine. We have had this fight throughout the United States. Wherever we have had one of these projects—and I cite the Missouri River Basin, TVA, the Bonneville project, the CVP project in the Central Valley of California, the Southeast and the Southwest power authorities—they are all working for the best interests of the people of the United States.

The private utilities are getting along very fine. They are taking from those projects a large proportion of the power and passing it on to other people as local consumers. Certainly when the people of Maine come down here in force and support this project that has been approved by all the Federal agencies—and it has the approval of the Bureau of the Budget—I say that we should not set the project aside for further study. It has been studied. There is no need for further study. This project will pay itself out in 50 years with interest to the Federal Government, because 98 percent of it is power and that money will come back to the Federal Government, the same as with other great projects we have approved across the Nation. All power facilities are reimbursable with interest.

Mr. TUPPER. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from New Hampshire has given a rather impassioned plea, repeating the timeworn argument that the private power companies make against this very valuable project in my State of Maine.

Again, let me say that the people of the State of Maine need this project. They need it desperately to lower the cost of power in our State. There are only two of us in the House of Representatives—my friend, BILL HATHAWAY on the Democratic side and myself on the Republican side—and I certainly hope that the Members will give Maine this assist today, so that we can help ourselves develop industry in our State.

I should like to tell the membership a little bit about what the private power companies in the State of Maine have done in the past: they have attempted to strangle industrial development in my State. I speak with some knowledge on this subject because I was once, as commissioner of fisheries in Maine, an ex officio member of the Maine Development Commission.

Gentlemen, guess who was in charge of the Maine Development Commission? Always one of the executives of one of the Maine power companies. In that sensitive position they were able to keep industry from our State, and allow industry to grow only as the power companies grew, and not vice versa.

Gentlemen, I appear here today to implore you to give us a hand with this project that is so badly needed. Our young men are leaving the State of Maine. I have a 23-year-old son who himself may have to leave the State of Maine in order to support his wife and his three children. Maine Representatives have given support to many projects in various sections of the Nation over past years. Today we ask that you reciprocate.

I notice that over $11 billion has been spent on these projects west of the Mississippi. Over $5.550 billion east of the Mississippi and south of the Mason-Dixon line has been spent. Yet in all of New England only $413 million has been spent, and out of that only $19,388,000 has been spent for the Pinetree State of Maine. I beg your consideration for the defeat of the amendment.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield briefly to the gentleman from Ohio.

Mr. HARSHA. I would like to point out to the Committee certain testimony concerning this issue of power casts. Mr. Charles Robinson, the engineer and counsel of the Natural Rural Electrification Association, who can hardly be classified as a private power advocate, stated in his testimony before the Committee on Public Works that the average of all power purchased in Maine is purchased at a cost of 13.9 mills, and for Vermont it is 9.4 mills.

He also says in his testimony that the annual cost of producing this power at Dickey-Lincoln would be $14.6 million. In order to obtain $14.6 million annually to meet this cost of production, the power would have to be sold at 15½ mills. This may be low-cost power to some, but I submit that when it is about 2 to 6 mills above what is presently being charged I fail to see how such "cheap" power will ever reduce the power rates in that area. The reason the power rates now charged in New England are somewhat higher than other areas is the high cost of transportation of coal to the power facility. A contract has already been awarded to GE to construct a nuclear powerplant in Connecticut to serve this area which would provide much cheaper power, not only than coal but also much cheaper than this hydro project. High cost public power is not going to reduce the rates to New England. It just is not possible to sell the Dickey-Lincoln power at less than 15½ mills and recover the annual production costs of this power of some $14.6 million. The construction of this project will raise the costs of power to New Englanders rather than lower it.

Mr. CRAMER. The gentleman is correct. The comments on that appear on pages 242, 243, and 244 of the supplemental views in the report on the legislation.

There is not any question that the power will be sold at a price in excess of the present power cost, according to the REA Chairman in that area, Mr. Robinson. So this cheap power argument does not hold water.

The House might as well be on notice. This is what will happen. Secretary Udall of the Department of the Interior wants to establish a grid system in the northeastern part of the United States. They have not been able to do so to date. This is where they want to start. The reason they have to start here is because this power cannot be sold in the area where it is produced. The majority report even says so. This power is going to be produced on the St. John River in Maine and sold elsewhere, because the users are not available in that area. That means the Federal Government will have to go into Federal power transmission, with the beginning of a grid system.

The Passamaquoddy project has never been, as a whole project, approved by any department or by any agency of the Federal Government, because it is so bad, because the cost is so high, and because the benefits are so little.

I have served on the Committee on Public Works for 11 years. I have never known of such a project being approved by the Congress of the United States. It is supposedly a multiple-purpose project. It is admitted by the majority report on the proposal that there is very little relationship to flood control.

Flood control is supposed to be and has traditionally been how we get into these things. Power is supposed to be secondary and incidental. We get into these multiple-purpose projects of flood control and power, but power is not the principal consideration. Flood control is how we get into these things.

How much of this is flood control? I ask Members to listen. How much? I have never seen a project with so little flood control on multiple-purpose usage. Here it is: Two-tenths of 1 percent. Two-tenths of 1 percent for flood control is to eventually cost the taxpayers of America $300 million because of the power features.

That is the only way we get into this project, yet it involves only two-tenths of 1 percent. Two percent of it is for what? It is for nothing relating to rivers and harbors or flood control, but it is rather a new gimmick brought into these projects to try to make them feasible—area redevelopment. It has nothing to do with the development of water resources in America.

For two-tenths of 1 percent for flood control we are asked to vote for nearly $300 million of Federal expenditures for something that is a power project, to provide power where it is not even needed.

The issue is simple. This is a project which is being taken out of order of usual flood control procedures. This is a project which has not conformed to the usual criteria of our committee. This is a project which has not been approved by the U.S. Army Corps of Engineers as a separate project. I will accept a challenge on that from anybody. This is a project which has not been approved by the Bureau of the Budget as a separate project.

This project came in as a part of the international Passamaquoddy tidal project. Passamaquoddy was such a bad project in total that when the report on it was submitted to the administration, as set forth to the Secretary of the Interior from the Passamaquoddy-St. John River Study Committee in 1964, it was so bad, they were so critical in their comments, and it was so accurately exposed as to fundamental defects in the plan, that construction of this project had to be abandoned. It was admittedly uneconomical.

They took one segment of it which has never gone through the Corps of Army Engineers and which has never gone through the procedures and the requirements of law. It has been brought up as a separate type of procedure, in order to try to force the beginning of Passamaquoddy and a national grid system. We cannot do that to the taxpayers of America to the tune of $300 million, for two-tenths of 1 percent flood-control protection.

Mr. OLSEN of Montana. Mr. Chairman I move to strike out the requisite number of words.

Mr. Chairman, I rise in support of this project and against this amendment. This amendment is just a camouflage. There is not any sincere proposal that has been made to the committee to study an atomic energy plant in Maine. There has not been any such proposal before the committee at all. Any atomic energy plant that has been recommended, for example, before our committee has been somewhere in the lower part of New England. There has never been any contention that atomic energy plants could be or would be comparable to harnessing the St. John River in Maine.

Here is a river that has been flowing to the sea wasting its energy for all time. This is a great resource that renews itself constantly. It is a feasible project according to the historical standards of our committee. The Corps of Engineers testified that it had a favorable benefit-cost ratio. More than anything else they testified to the great need of the State of Maine for some low-cost power.

When this body is told that there will be low-cost power from the private power companies, they are not giving the real facts. The private power companies can and do boast that they will produce electric energy cheaper, but that is not what they are going to sell it for. They will sell it at as high a price as they can possibly get. That has been their history, and they will not change that history. I was one on the committee who asked for testimony from the private power companies. I was one of those on the committee who asked the private power companies what the price would be of their so-called cheap power for the people. Their spokesman said he would not tell us. He found out from others on the committee that the committee did not like that kind of an answer. So he went home and burned the midnight oil and came back with some figures which demonstrated that his company certainly and other companies in New England for whom he was speaking were not talking about reducing the rate for power even by 1980 to anything comparable to the Dickey project.

This Dickey project was testified to by Secretary Udall and others who represented that it would have power produced at 7 mills per kilowatt. That is what it would be sold for. Even with all of the reductions promised by the New England power companies as of 1980, they will only testify to an average reduction of about 9.7 mills. That will bring their power rates down to 14.5 mills from where it is now on an average of 24.2 mills.

For 30 years this river has been studied along with other projects in an attempt to relieve the State of Maine and the New England area from the onerous burden they carry of power rates. For pretty near all that time the State of Maine has suffered from an exodus of population. This is the kind of burden that we share in some areas in my part of the country in the West.

For these reasons I beg you to give attention to the problems of Maine by helping them to develop this great resource.

You know, a great deal is said about buying or selling coal to develop electric energy, but when you get all through mining it, you have ruined the resource. All you have is a hole in the ground that you have to tend to forever. Here is a river that is renewing itself constantly that will produce power cheaper for the consumer than any project testified to before the committee, whether it is public or private, in the New England area. I think that we are just dutybound to the people of the State of Maine to develop this cheap, low-cost energy for them so that they can develop other resources of their great country.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the majority leader.

Mr. ALBERT. The gentleman is discussing power rates. Could he tell us what the power rates would be in the Tennessee Valley if it were not for the TVA in the Southwest or Northwest if it were not for the great hydroelectric power developments in those areas and elsewhere in the country?

Mr. OLSEN of Montana. We took testimony in the committee as to the great reductions that have occurred in power rates from our yardstick furnished by Bonneville, and our yardstick furnished by TVA, and those yardsticks furnished everywhere by public power. We found this was the thing that made the development of new resources and new industries possible in every other area of the United States.

Mr. HATHAWAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and Members of the Committee, I shall not take up much of your time. You heard my comments yesterday in favor of this project which would be located in my district. It is very interesting to hear the gentleman from New Hampshire say that he has only a 2-percent unemployment rate. I congratulate him on that.

In the State of Maine the unemployment rate is much higher. In the very area where this dam willl be located one-third of the families make less than $3,000 a year. As a matter of fact about half of the population of my district is located in area redevelopment areas.

The gentleman pointed out in the report the statement that the power rates would appear to be higher, if you average out figures, by about 2 mills. He says it will be 15.5 to 13.3, but he did not tell you that 80 percent of this power will be used as peaking power, at $15.50 per kilowatt-year for capacity and 3 mills for energy. That is at least 25 percent less than the nuclear alternative to produce the same power.

Under the marketing of this power the full amount of money will be repaid to the Federal Government so that in effect the $300 million, about which you have heard over and over again as going down the drain will not be going down the drain. The entire amount of money, with interest, will be returned.

Mr. Chairman, I would like to say in conclusion that I appreciate very much the comments of the members of the committee. I join with the gentleman from Montana [Mr. OLSEN] in saying that yesterday the opposition had their day in court. They are sorry they lost. I think they are simply sore losers in offering this amendment, and I urge the Members to vote against the amendment.

Mr. REID of New York. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. BATES] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BATES. Mr. Chairman, during the course of the debate today considerable emphasis was placed on the fact that New England is a high-cost power area and that the proposed Dickey-Lincoln School project was the answer to this problem. It is true that power costs in New England are high but to suggest that the Dickey-Lincoln project, or a series of them, will provide the answer to that problem is absolutely ridiculous.

This project is nothing but a mid-sixties WPA that will provide expensive power. Of course, the Government will write off so much of the costs that the true economics of the plan are not even mentioned. However, it is quite clear that alternate sources of power, either with nuclear energy or fossil fuels, can provide more power for a fraction of the cost. It is here proposed to spend over $300 million to build a powerplant 400 miles from the load center when the Yankee atomic plant, built several years ago, can produce more power than Dickey-Lincoln and that project cost only $38 million.

Now, I know the Secretary of the Interior has urged the construction of this project but I do not consider him an expert in nuclear power matters. I do wish he had examined the advisability of atomic energy being provided to New England but his lack of study of such an alternative leaves me bewildered. On page 423 of the hearings he indicated that he had no knowledge of any proposed atomic plants for New England or even if we had any nuclear plants located there now. He should have known that we not only have several projects proposed now but in the Yankee plant at Rowe, Mass., we have, over a period of 5 years, produced more atomic power than any other atomic plant in the world.

I have served on the Joint Committee on Atomic Energy for 6 years. As a member of the House Armed Services Committee, I was interested in serving on the Joint Committee because of the military applications of atomic energy. However, I was also prompted to serve on the committee because of the high power costs in New England and I hoped that my service on the committee might help hasten the day when our power costs, derived from either nuclear or fossil fuels, would be competitive with other sections of this country. That day has arrived and, in fact, the future is even more promising.

The Atomic Energy Commission has this week provided me with information that indicates, for a plant entering service in 1969, which is before the Dickey-Lincoln project would become a reality, that the cost of electricity by atomic power would be considerably less than that provided by the Dickey project. Starting with a plant about 200,000-kilowatt capacity and increasing in size to 1 million kilowatts, we would find that costs would vary between 6 mills and 3.75 mills, compared to at least 8 mills for Dickey-Lincoln for preference customers. The costs of these plants would be about $200 a kilowatt for a plant of about 200,000 kilowatts to about $100 a kilowatt for a plant of 800,000 kilowatts. In fact, I was advised that this data is over a year old and "if updated for today's market prices and conditions would be somewhat more favorable for nuclear power." A revolution is occurring in the civilian atomic energy field. As of January 1965, after 15 years of development work, there was only 1,000 megawatts of nuclear capacity in operation, and about 2,500 megawatts on order. However, in the past few months orders were placed for over 3,000 megawatts of additional capacity. In other words, sales in the past few months have equaled the total for the last 15 years. It is interesting to note that New England is leading the entire country in this effort. Latest figures also indicate that coal and oil can also produce power cheaper than that which the proponents claim for Dickey-Lincoln.

I intend to support the amendment to have this project deleted from this bill because, first, it will obviously produce very expensive power; second, there are cheaper ways to produce power in New England; third, there is no market for this power which is 400 miles away from the load center; and fourth, excepting for its WPA nature will not inure to the benefit of New England. With the marked advances in power technology here and on the horizon, it would not be wise to proceed with this inflexible, high cost project which is expensive to the taxpayer and unresponsive to the need for lower power costs in New England.

As an indication of the serious questions in the minds of the people I represent, I am enclosing herewith some newspaper editorials on this subject:

[From the Quincy (Mass.) Patriot Ledger, July 10, 1965]

Power and Water

Does it make any sense for the Federal Government to put a huge, extravagant power project in the wilds of Maine?

Washington seems to think so, as it continues to come up with proposals for hydroelectric projects in northern Maine.

While President Johnson last week expressed concern over the urgent water problem in New England, the Government's desire for a hydroelectric plant completely overlooks the possibilities of a New England project that could provide power for the region and add to our water supplies by desalinization of sea water, both through nuclear energy.

The dreamed-of Passamaquoddy Bay tidal powerplant—under discussion for four decades—now has been laid to rest for the time being. Even Secretary of the Interior Stewart L. Udall now concedes that the Quoddy plan he recommended in 1963 now is no longer economically feasible.

Instead, the Government now proposes a $227 million hydroelectric power project in northern Maine at the Lincoln School-Dickey site just above the confluence of the St. John and Allagash Rivers. Secretary Udall claims the plan would not flood the Allagash River, thus preserving one of the Nation's few remaining wild river areas, and would provide cheap power for all of New England.

This action is not unexpected. In fact, for some time now, New England utility interests have suspected that the Government was introducing the Quoddy project as a straw man, with the intention of introducing a smaller-scaled hydroelectric plan at the Dickey site once the critics had demolished the Quoddy proposals.

The latest recommendation is far less ambitious than the billion-dollar Quoddy plan. But it is still open to some of the objections raised against Quoddy.

In the nuclear age it seems incredible that the Government wants to put a hydroelectric plant so far from New England's population centers. This means, of course, that if New England is to benefit from power generated on the St. John River, transmission lines will have to be strung for hundreds of miles.

This seems obviously uneconomic when the costs of electricity produced by nuclear plants have been dropping steadily and are not far from being cheaper than conventionally produced power. And nuclear powerplants have proven to be safe enough for location near centers of population.

For example, Commonwealth Edison Co., in Chicago, is now building the Nation's largest atomic power station. The 700,000-kilowatt unit is estimated to cost $76 million. Compare that with the Government's St. John River proposal of a 794,000-kilowatt unit costing $227 million.

The new nuclear plant is expected to generate and deliver power to the Chicago area at a cost 5 to 10 percent lower than Commonwealth Edison's new conventional units under construction.

Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, has predicted that large nuclear power plants (more than 500,000 kilowatts) probably will be able to produce electricity costing about 4 to 5 mills per kilowatt-hour and lower. Secretary Udall says power from the St. John River project could be delivered to preference customers in Maine for 7 to 8 mills per kilowatt-hour. What the cost would be to other New England customers, for instance in Boston, is unclear.

But at any rate, by the time the St. John River project could be completed it might be utterly obsolete because of advances in nuclear power technology.

Also to be considered is the possibility of a dual-purpose atomic plant, producing power and purifying sea water for consumption.

Dr. Seaborg, in a copyrighted interview in U.S. News & World Report, says: "We are particularly interested in the so-called dual-purpose reactors—that is, reactors that produce electricity and at the same time use the waste heat, which would otherwise be dissipated, to desalt water. By the 1980's we expect that there will be huge dual-purpose reactors. Reactors that would be developing a thousand megawatts—that is, a million kilowatts—of electricity, or more, and perhaps desalting water to the extent of 500 million gallons a day."

Such a plant would be ideal for New England of course, which is waking up to the fact that its water supplies are inadequate.

The Government's interest in a big, public hydroelectric project Down East seems to make less and less sense when viewed against the potentialities of nuclear power. While the Government has cited the benefits of low-cost power as a boon to New England industry and as a way of stimulating the economy of depressed northern Maine, unfortunately it has not shown the same solicitude for New England by continuing unreasonable quotas on imports of residual fuel oil which force power companies to pay more for this fuel used in generating electricity.

Instead of concentrating its studies on Maine rivers and bays, the Government should turn its attention to what nuclear power could do for the region.

[From the Haverhill Gazette, Aug. 26, 1965]

Power Versus Water

Representatives of New England's investor-owned power companies, fighting proposed legislation for creation of a Federal hydroelectric power station in northern Maine, are making some strong arguments in their opposition stand.

They have argued in congressional hearings that the existing companies, constantly improving their service and building more nuclear stations, are providing power now even more cheaply than the Government can produce it.

There are many who feel, of course, the Government has no business producing power in the first place, that this is another step toward socialism.

Others who oppose the project base their opposition on the advantages that might be lost to Maine if the power facility floods areas that are potentially of great recreational value.

New England already has plenty of electrical power, and the private firms are constantly expanding to keep up with the demand. It is the view of many persons who have looked into the situation that the Federal Government could put its $300 million into something New England lacks, instead of something it already has.

Take water resources, for instance. This area has a shortage during this drought because States and communities have not properly conserved their water supplies. Beyond that—and this is where it could affect Haverhill and the Merrimack Valley—our rivers are among the worst in the Nation where pollution is concerned.

If persons in Washington who want to spend money in New England would direct their efforts toward providing funds for pollution control, they would be doing us a far greater favor than they could ever do by building another power dam in northern Maine.

The advantages of cleaning rivers would be apparent in far shorter time than any powerplant in the forests of Maine. Since rivers like the Merrimack are interstate waterways, and since it is the Federal Government which is making the most noise about their conditions, it would seem Washington has the prime obligation to provide the funds for such projects.

It would be far better for the Federal Government to relieve taxpayers in Haverhill and other communities of the staggering bills for cleaning rivers than to intrude on the province of private enterprise by going into the electrical business.

We'll be glad to get that Federal money if Congress just can't resist spending it.

[From the Boston Herald, Aug. 25, 1965]

ST. JOHN GIFT HORSE

Senator EDMUND S. MUSKIE, of Maine, is furious with the New England Council for opposing the construction of a $227 million Federal power project at Dickey-Lincoln School on Maine's St. John River.

This is understandable, because the Senator has worked hard to steer the huge public works project through the Upper Chamber (as a rider to the rivers and harbors bill) and he does not want to lose it in the House, where it is now pending. A lot of jobs are involved, and the project could mean much to northern Maine's non-too-healthy economy.

Nevertheless, we are disposed to side with the council—at least until the facts are explored a little more.

For if Maine would gain something from the project, it and the whole New England region would lose something, too. The Dickey-Lincoln School project, while sparing the Allagash wilderness, would destroy a vast natural recreation area along the St. John. And in the long run these unique recreation areas may be more valuable to Maine than cheap hydroelectric power.

Testimony before the House committee this month raised a serious question whether power produced at the Dickey-Lincoln School site would be economically competitive with that now being produced by private utilities here, and this admittedly is not cheap.

Many people believe that within the next decade or so atomic power will provide the answer to all New England's electric problems, including its cost problems, in which case the St. John River project will certainly become obsolete. Does the region really want to destroy another great natural asset on the off chance that this will not happen.

We think that the New England Council has a point and that Congress should take a long second look before approving this doubtful project.

[From the Salem (Mass.) Evening News, Aug. 20, 1965]

WHY GO BACKWARD?

Lower rates for electricity in the New England area are predicted through the gradual harnessing of atomic power. A rate drop of 30 percent within the next 15 years is expected, a Federal Power Commission study reveals. Use of nuclear energy is the modern trend, moving New England away from dependence upon high cost fuels. Combining the rapid technological progress in the atomic power field with the economies of new pumped storage installations is expected to cut electric rates almost one-third by 1980.

Now that atomic power looms as the means of liberating New England from the burden of expensive electric production it would seem that everyone should rejoice at the prospect of reduced electric rates. But not so. There rises on the congressional horizon the bogey of a Federal power project at Dickey-Lincoln School in Maine. The Government plans to sink $300 million of the taxpayers' money in a hydroelectric system that is rapidly becoming obsolescent before the rise of atomic fuel.

Is it progress to turn back to an old-fashioned method of electric production? Especially when the Federal project would be incapable of bringing power to the New England region at a production cost as low as that of systems using nuclear power plants and pumped storage stations.

The Federal project can only result in retarding development of the nuclear power industry on which New England relies as the only practical means of cutting electric rates. Seven atomic powerplants already are in operation or underway. The Yankee plant at Rowe in the past year produced more power from a $40 million private investment than the unnecessary Maine project would produce in 1971, when its completion is scheduled.

By 1980 at least 7,500,000 kilowatts of atomic power will be available in the area from atomic plants.

As for the power output of the Maine project, no marketing plan exists although 90 percent of the power would be used outside of Maine. The power would be too expensive for New England utilities to buy. And the whole project would return not a dollar in tax revenues. Then why build it?

The millions sought total about 10 percent of the huge public works omnibus bill already okayed by the Senate. A rush of protests from constituents to their Congressmen would help House Members decide that the issue deserves a lot more study.

[From the Lynn (Mass.) Daily Evening Item, Aug. 21, 1965]

WHAT PRICE NORTHEAST POWER?

Congress should take a hard and hesitant look at a current bill which seeks a $220 million authorization for construction of a Federal power project at Dickey-Lincoln School in Maine. It is a measure that deserves defeat and we hope our New England congressional delegation will lead the way in rejecting it.

The stated goal of this project is to bring low-cost power to the New England region at an apparent expected cost of 7 to 8 mills per kilowatt-hour. Actually, some Northeast sources of power are now at less than 6 mills and by 1971, when the Maine project would be operative, public utilities would be producing power at about 4½ mills per kilowatt-hour through use of nuclear powerplants and pumped storage stations.

The Dickey-Lincoln scheme is basically a case of the Government spending more money to build a power producing plant than would be done by private companies for a plant of the same capacity. The resultant cost from the Government-owned operation would be greater than that from the privately-owned plant. And, finally, no taxes would be paid in local areas where the plant is located because the Maine project would not contribute a single tax dollar at local, State, or Federal levels. A privately owned plant would pay full taxes

It is all too reminiscent of another Passamaquoddy dream—and at a cost that would be approximately seven times greater than the projected tunnel between England and France There's no need in New England for a TVA-style Government venture when private interests can do it better—and at much less cost

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[From the Gloucester Times, Aug. 27, 1965]

DICKEY-LINCOLN WON'T CUT OUR POWER COSTS

The proposed Federal hydroelectric plant on the St. John River near the Maine-Canadian border may seem remote from Massachusetts. It isn't. The so-called Dickey-Lincoln School electric project wants to sell its power as far south as the Boston area.

Maine legislators are jubilant at the prospect of the Federal Government spending $302 million (including $75 million for transmission lines). They feel the project will not only help unemployment for a few years during the construction period, it will open up and develop the vast Maine forests. Instead of a preserve for lumber companies and a few hardy sportsmen, the area will draw commerce and industry. (At present 16 corporations and 4 families own 75 percent of the sparsely populated woodland in the northern half of Maine.)

The New England Governors have endorsed the project. The basic reasoning seems to be—"Let's get this Federal money. If we don't, Texas or points south and west will."

After examining the pros and cons we cannot endorse the Dickey-Lincoln project. We can't see how it is going to lower power costs for New England. We think the best approach to lower power cost is through atomic electric plants.

The various classes of electricity users in New England pay between 9 and 40 percent above the national average. To turn the generators that make electricity, New England must import coal and oil. The coal and oil lobby in Washington has also been successful in curbing imports of low-cost residual oil into New England.

But let's get down to facts and figures. The Government promises it will deliver wholesale electricity to Boston for 7 to 8 mills per kilowatt-hour. But the New England Power Co. says its Salem, Mass., plant is producing wholesale electricity right now at 6 to 7 mills. The new plant at Brayton Point is producing electricity at 6 mills.

The Boston Edison Co. has a plant producing at about 6 mills. Admittedly these are the most efficient of the conventional plants.

The Federal planners didn't even bother to consult the private utilities about possible sales of power. The utilities say they are not interested at the 7- to 8-mill price. They are already doing better than that in their newest plants.

It seems to us the advocates of the Dickey-Lincoln project have overlooked the facts in the rapidly developing atomic field. Atomic produced electric power was pioneered at the

Rowe, Mass., plant. Although this experimental plant produces electricity at 9 mills, the plant now under construction at Haddam, Conn., expects to turn out electricity at between 6 and 7 mills. This includes paying Federal, State, and local taxes.

According to a publication of the Federal Reserve Bank in Boston, the Jersey Central Power & Light Co., based on the builder's bid, expects to produce electricity from an atomic plant at 4 mills per kilowatt-hour.

The Federal Reserve publication says most authorities now believe only atomic electric plants will be built in New England during the next 10 years. Even with a 150-percent increase in New England electric usage by 1980, atomic plants will supply all the base-load needs for the region. Boston Edison has four bids on an atomic plant under consideration. The trend is clear.

For the peak period (from dark to about 11 p.m.), the private utilities have worked out a system of pumped storage. After midnight when power use drops, the atomic plants will be kept going and the power sent to privately owned hydroelectric dams. The offpeak power will be used to pump water below the dam back into the reservoir. The next evening when the peak demand starts at 5 p.m., the water will be released and the power recovered at the time it is needed.

Here are some startling figures. The electric companies say that it would only cost them $71 million to produce 794,000 kilowatts of power if the atomic plant and pumped storage system were used. To get that amount of power and distribute it, the Federal Government proposes to spend $302 million for Dickey-Lincoln in Maine. The Federal project is tax free, but the utilities have figured in all their taxes and interest charges.

It seems clear, that if the Federal Government or anyone else wants to get into the New England power business it should build atomic plants.

The cities and towns of New England should remember how much property tax revenue they get from the private utilities. The New England Power Co. which supplies our area and others rank in the top 5 taxpayers in 219 municipalities. In 131 of those cities and towns it is the largest taxpayer. Our hard-pressed municipalities can't afford to lose that kind of tax revenue.

The Federal Government's famous TVA project in Tennessee can be justified because at the time it was built, the private power companies didn't have the money and weren't interested. New England utilities are pioneers in the use of atomic energy and have proven they are interested. Atomic energy will soon cut our power costs if we let the utilities do it. Dickey-Lincoln won't.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Chairman, the well-known news analyst, Eric Sevareid, recently returned to Washington from important overseas assignments. Last Tuesday, in the Washington Evening Star, Mr. Sevareid had an interesting editorial column entitled "Time for a Pause To Reflect." In the column he said:

> The American political capital is in dire need of the pause that reflects, even if it does not refresh. People are intellectually exhausted, but don't know it. They are not allowed to feel it, because events and the President won't let them.
>
> Even God rested on the seventh day, and since it would be presumptuous to think that He got tired, one has to assume He paused to reflect on what He had done.

It is true this 89th Congress has already enacted an awesome list of far-reaching legislation. Only time will give a true picture of its wisdom and implication on the Nation and the people. The magnitude of this legislation has even prompted our able young colleague from Indiana [Mr. HAMILTON], the president of the organization of first-term Members from the other side of the aisle, to write a note to the President saying: "It is time to pause."

Mr. Chairman, we have before us today another major landmark in this stream of measures, the 1965 rivers and harbors and flood control bill. As stewards of our Nation's wealth and resources, we are again being called upon to decide what is in the best long-range interest of all our people.

We, the Congress, have been chosen by the votes of conscientious American citizens to represent them in accepting the tremendous responsibility of making the laws which affect them and their resources. Each succeeding bill sharpens the issue of whether we would be reducing or expanding or managing wisely the remaining balance of resources available to meet the Nation's needs in the years ahead. Consequently, the importance of sound decisions—and the inherent danger of shortcuts—increases geometrically with the effect these decisions have on the remaining balance of resources. I hope and pray that history will not find America wanting because of unwise actions we might take.

Mr. Chairman, great publicity has been given by the executive branch over the past year to its efforts to eliminate waste in Government. God knows how badly that is needed. But, the real issue with which the Congress of the United States should be wrestling is whether we are achieving the most efficient allocation of our resources, material and human. This involves, first, a clear cataloging of available resources, present and future, and second, a determination, on a priority basis, of our greatest needs as a people. It involves formulation of creative and imaginative plans for meeting such needs and the ascertainment and evaluation of the resulting consequences of each possible alternative. Achieving the most efficient allocation of our resources also involves analysis and choice between existing programs and new proposals, between investment and current expense, between accomplishment by Government and by private enterprise. Such program evaluations are fundamental to attainment of wise and meaningful conclusions. The manner and degree of the use of the Nation's resources will determine whether we are to become a "have" or a "have not" nation.

Mr. Chairman, the 1965 rivers and harbors and flood control bill, as reported by the Committee on Public Works, includes a number of proposals which have not been tested adequately against the principles of sound stewardship I have just mentioned. I question whether it is in the best interest of ourselves, the Nation, and future generations to take the gamble these projects involve. There are three points in particular I wish to discuss.

First. Title I provides for the planning of a vast new complex of water storage, conveyance, and purification works to be accomplished solely by the Federal Government through the Corps of Engineers. This extensive new scheme comes almost immediately on the heels of the Water Resources Planning Act—Public Law 89-80—approved July 22, 1965. The principles embodied in the Water Resources Planning Act have been studied for decades and the concept of that law has had the support of at least the last four administrations. That act clearly declares it to be "the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned," rather than having comprehensive water resources planned unilaterally by one agency. The Water Resources Planning Act provides for establishment of river basin commissions to prepare and coordinate these comprehensive plans.

The need for studies of long-range water requirements of the Northeastern United States is unquestioned. But, the proposed authorization for a unilateral Federal study by the Corps of Engineers represents a complete reversal of the policy of comprehensive and coordinated planning, expressed in a law hardly 2 months old. I think it is unprecedented and the height of frivolity to assign full responsibility to one Federal agency for providing all facilities, including a new function never before considered a Federal activity—purification and treatment works—with the attendant abdication by all other Federal agencies as well as States, local governments, individuals, corporations, business enterprises, and others as described in Public Law 89-80, without detailed analysis, evaluation, and hearing. Such a sudden major reversal of the studies and travail which resulted in the enactment of Public Law 89-80 would be shocking. Certainly the conception in that law should be given a fair opportunity to prove itself, or should be, at least, assaulted directly, not covertly, so that all can understand what is at stake.

Second. Section 201(a) of title II of the bill would give blanket authority to the Corps of Engineers to construct any water resource development project if the estimated Federal first cost of constructing such project is less than $10 million. Appropriations for prosecution of the work could not be made unless approved by resolutions adopted by the Committee on Public Works of the Senate and House of Representatives, respectively.

For 145 years the Congress has insisted on specific authorization of major works of the Corps of Engineers. Without careful examination of the need and justification for such a substantial departure from historic procedure, a new practice is to be initiated. I know my colleagues on the Public Works Committee possess great knowledge in this field, but I seriously question whether undertakings of this character and magnitude should be prosecuted without the regular procedure of hearing, review, evaluation, consideration, and approval of the entire Congress. The need for such urgency has not been established. Now that the Public Works Committee seems to have adopted a policy of introducing a river and harbor and flood control bill each year, there is no need for short-circuiting the established legislative process.

The language of this provision is also so broad as to encompass a scope of development far beyond anything heretofore considered to be within the purview of the Federal responsibility. "Any" water resource project would be eligible and its total cost could be unlimited. Only the "estimate" of its "Federal" first cost could not exceed $10 million.

Third. Section 204 of title II would authorize the Dickey-Lincoln School project, St. John River in Maine. I emphasized earlier the importance to ourselves and future generations that our limited resources are used most efficiently and have suggested the steps required to be taken to guarantee that they are. I find repeated support for this approach in statements of executive branch officials. For example, Budget Director Charles L. Schultze said in an article in the Tax Foundation's Tax Review, dated August 1965:

> The efficient allocation of resources in the Federal sector of the economy requires * * * a choice of the least-cost method of carrying on a given program—in other words, cost reduction.
>
> Our major need is a much wider application of improved methods, techniques, and systems analysis to the definition of program objectives, the measurement of performance and the weighing of alternatives as the basis for decisions.

The Dickey-Lincoln School project, which will cost some $300 million or more when basic electric transmission lines are included is, for all intents and purposes, totally a Federal power project. Ninety-eight percent of the alleged benefits are from electric power. Nine-tenths of the remaining 2 percent of benefits are for area redevelopment, leaving only two-tenths of 1 percent, or $40,000 for flood control, a traditional Corps of Engineer function. The project must be evaluated, therefore, almost solely on its power efficiency.

Mr. Chairman, I fully realize that our hardworking and conscientious colleagues on the Public Works Committee barely approved this project by a vote of 18 to 15. I am not a member of that distinguished committee but, having served on the Interior and Insular Affairs Committee for some 16 years, I think my credentials are in order to speak with some knowledge on water resource development and hydroelectric dams. This St. John—Dickey-Lincoln School—project, which has always been considered in connection with the discredited Passamaquoddy project, has been ramrodded this far through Congress by Secretary of the Interior Stewart Udall. Because of their experience, the members of the Public Works Committee may be pretty familiar with the Corps of Engineers, its activities, and its programs. But, because of my experience, I may know a little bit more about the Department of the Interior, its activities, and its programs, and let me assure each and every one of the Members here today that some of the proposals and activities of the Department of the Interior, as they relate to the development of Federal electric power, leave much to be desired.

Time and time again I have stood in the well of this House to tell my colleagues about the almost unbelievable attempts of the Department of the Interior to further the cause of public power. I have discussed the millions of dollars that are being lost annually by the power marketing agencies of the department. Despite this tremendous annual loss in every single one of its marketing agencies, Secretary Udall glibly tells the Public Works Committee—according to the transcript of the hearings before that group—that, of course, a new power administration would have to be created in New England to market the power from the Dickey-Lincoln School project. The Secretary also admitted under careful cross-examination that no attempt has yet been made by any official of his Department to discuss with potential customers in New England the possibilities of marketing this block of power. This should be a startling revelation about the slipshod way this project has been conceived, nurtured, and foisted on the Congress and the unsuspecting American public. It is not startling to me, however, because I have dealt with that agency too closely too long.

Mr. Chairman, even in the report of other Government agencies to the Secretary of the Interior on the combined St. John-Passamaquoddy project, some of them admitted that alternative methods of generation could and would produce electric power more cheaply in New England. In addition to the many admonitions and expressions of Government officials emphasizing how essential it is to select the best way of doing things, the need for comparing alternatives to show the relative economic efficiency of a project and available alternatives is set forth in the administration's statement of "Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources"—Senate Document No. 97. Chapter V, paragraph C2, of that document states that comprehensive plans shall be formulated to include units and purposes which, among other things, satisfy the following criteria:

> There is no more economical means, evaluated on a comparable basis, of accomplishing the same purpose or purposes which could be precluded from development if the plan were undertaken. This limitation refers only to those alternative possibilities that would be physically displaced or economically precluded from development if the project is undertaken.

The hearing record before the Public Works Committee clearly establishes that there are more economic alternatives. The Department of the Interior reports on the project succinctly point out that there are more economical means than Dickey of producing power in the New England area. Such other means, however, are rejected because there is no Federal authority to undertake them. In other words, if the Federal Government cannot do it, it is not an acceptable alternative. Such specious reasoning not only makes a mockery of the comparability test, but also exposes the real objectives of the Interior Department—Federal power regardless of cost or economics.

Non-Federal interests have confirmed the findings of Interior that power can be produced more economically by nuclear energy and pumped storage, yet the pressures to authorize this uneconomic and inefficient proposed Federal development persist. It has not even been studied from the standpoint of securing the best development of the resources of the area.

This country cannot afford the luxury of building the Dickey-Lincoln School project, at least as presently conceived, merely to advance a philosophical and ideological ambition.

Mr. Chairman, I have briefly discussed three major provisions of S. 2300, as reported to the House of Representatives, which involve fundamental policies of Government as well as enormous expenditures. There are other provisions in the bill of similar import. This body, if it is to act responsibly, must insist on a much more careful review of their implications and potentials before giving them its approval. It is pitiful that we are about to embark on some of these significant new ventures in such a casual way. The time for demonstration of interest, concern, and integrity is here. I hope we will capitalize on this opportunity to make sound decisions and to give statesmanlike direction to these matters because if we fail to do so—

> The moving finger writes; and, having writ,
> Moves on: nor all our piety nor wit
> Shall lure it back to cancel half a line,
> Nor all our tears wash out a word of it.

Mr. Chairman, the St. John project can and must be stricken from this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Clark].

The question was taken; and the Chairman announced that in his opinion the "noes" had it.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chairman appointed as tellers Mr. Clark and Mr. Blatnik.

The Committee divided, and the tellers reported that there were—ayes 132, noes 130.

So the amendment was agreed to.

Mr. WILLIAMS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to direct an inquiry to the committee, perhaps the gentleman from Alabama [Mr. Jones].

I am concerned over the language which appears at page 46, line 24 of the bill, wherein it is stated in subparagraph (3) that "the recommendations of the Bureau of the Budget shall apply with respect to improvements for fish and wildlife."

The House report accompanying the 1966 public works appropriation bill would prohibit certain purchases of land. I quote from that report:

> The committee has not approved the use of any funds for the purchase of land in fee for a sump area or a wildlife refuge on the Yazoo Backwater project in Issaquena and Warren Counties.

I may say that the report accompanying the bill S. 2300 states that the Bureau of the Budget recommends the acquisition of land for fish and wildlife purposes in the Hillside floodway.

I would like to ask the gentleman from Alabama this question. Is it intended that the language in the Senate bill, S. 2300, which I quoted a moment ago overrides or vitiates or nullifies or repeals the prohibition contained in the report of the Committee on Appropriations from which I quoted a moment ago?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman.

Mr. JONES of Alabama. No; this provision is not intended to override the prohibition the gentleman refers to. It has to do, instead, with the matter of cost sharing between Federal and non-Federal interests in land they would be authorized to purchase.

Mr. WILLIAMS. I am very grateful to the gentleman for clarifying that for me. I have one further question to ask the gentleman. Do I understand that future appropriations will have to be made before they could purchase land as purchased by this bill; is that correct?

Mr. JONES of Alabama. It certainly would require an appropriation in order to purchase this land.

Mr. WILLIAMS. I thank the gentleman.

AMENDMENT OFFERED BY MR. KUNKEL

Mr. KUNKEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. KUNKEL: Page 44, after line 21, insert the following: "The projects for Lazer Creek Reservoir, Lower Auchumpkee Reservoir, and the project for Spewrell Bluff Reservoir authorized by the Act of December 30, 1963 (Public Law 88–253), are each modified to provide that a private power company may construct, own, operate, and maintain the hydroelectric power facilities at such reservoir if, within 2 years of the date of enactment of this Act, the Federal Power Commission (1) licenses such company to do so in accordance with the Federal Power Act, and other applicable provisions of law, and (2) fixes, in accordance with section 10(e) of the Federal Power Act, the charges to be paid by the licensee for use of the dam so as to reimburse the Federal Government for project costs allocated to power during the period of the license. The operation and maintenance of such hydroelectric power facilities by a private power company shall be in accordance with rules and regulations prescribed by the Secretary of the Army."

Mr. KUNKEL. Mr. Chairman, the amendment which I have just offered would provide for a joint Federal-private development of the Flint River Basin, Georgia, by the Federal Government and a private power company. The joint development of the Flint River Basin will promote a closer partnership between government and private enterprise and will result in a reduction in Federal expenditures for the development of that river.

In 1962, the Chief of Engineers recommended a comprehensive plan for development of the Flint River. This plan included construction of the Spewrell Bluff, Lazer Creek, and Lower Auchumpkee Creek Dams and Reservoirs in the headwaters for flood control, hydroelectric power generation, general recreation and fishing recreation, and two other projects, primarily for navigation, below Albany, Ga. The general plan was approved by Congress in 1963, but only the construction of the Spewrell Bluff Dam and Reservoir was authorized at that time.

The bill now being considered would authorize the other two headwater projects at Lazer Creek and Lower Auchumpkee Creek at an estimated Federal cost of $88,653,000. The total estimated cost of these two projects and Spewrell Bluff Dam and Reservoir is $156,455,000, of which $52 million, or one-third of the entire cost, is for construction of the hydroelectric power features.

The amendment which I have offered would provide that a private power company may construct, own, operate, and maintain the hydroelectric power facilities at each of these three reservoirs if, within 2 years after the date of enactment of this legislation, the Federal Power Commisssion licenses such company to do so in accordance with the Federal Power Act and other applicable provisions of law, and fixes, in accordance with section 10(e) of the Federal Power Act, the charges to be paid by the licensee for use of the dam so as to reimburse the Federal Government for project costs allocated to power during the period of the time of the license. The operation and maintenance of such hydroelectric power facilities by a private power company would be in accordance with rules and regulations prescribed by the Secretary of the Army.

Mr. Chairman, the Georgia Power Co. has made a firm offer in hearings before the committee to build, maintain, and operate powerhouses, and incidental facilities at the three dams under FPC license and in a manner satisfactory to the Corps of Engineers. The company would make annual payments which would fully repay the Federal Government for the project costs allocated to power.

Mr. Chairman, the present and immediately past Governors of Georgia have gone on record as favoring a joint project. The U.S. Study Commission, Southeast River Basins, has recommended a joint venture. Local interests have given overwhelming support for joint development.

Joint construction of these three projects would result in a reduction in the Federal investment of $52 million. Furthermore, independent auditors have estimated that joint projects at these three sites would generate over the 50-year period of the projects approximately $41 million in additional Federal income taxes. In addition, the company would pay the Government an estimated $2.3 million annually for use of the dams.

The State, counties, and school districts would also substantially benefit. State income taxes attributable to the private portion of the projects over the 50-year period are estimated to be $4.5 million. State and county ad valorem taxes are estimated at $20.5 million.

Mr. Chairman, Federal construction of power generating facilities at the Spewrell Bluff, Lazer Creek, and Lower Auchumpkee Creek Dams and Reservoirs is not warranted. Private investment, in cooperation with the Federal Government, can accomplish the purposes with many additional public advantages.

Mr. Chairman, it is my sincere hope that this amendment will be adopted.

(By unanimous consent, Mr. KUNKEL was allowed to proceed for 1 additional minute.)

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. KUNKEL. I yield to the gentleman from Florida.

Mr. CRAMER. The amendment of the gentleman from Pennsylvania would, of course, permit the private power development at these particular damsites, would it not? I speak of the three damsites in the authorization. Would not that action be consistent with the recommendation of the Resource Advisory Board of the Southeast River Basin of which Georgia is a participant? They have recommended that that be done on a partnership basis with private power companies putting in the facilities needed for power development and the Federal Government putting in the facilities needed for the necessary rivers, harbors, and flood control development. Is that not correct?

Mr. KUNKEL. That is correct.

Most importantly, it would enable the river development to go right along as planned.

Mr. FLYNT. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, I oppose the amendment offered by the gentleman from Pennsylvania [Mr. KUNKEL] for a variety of reasons, foremost among which is that if there is any sphere of activity in this Nation where the Federal Government has an undisputed right to participate in a full development, if it so desires, it is in the development, construction, and operation of multiple-purpose river development projects. This is exactly the type of project involved here, in a three-dam complex, each of which is a multiple-purpose dam of which hydroelectric power generation is one phase, navigation is another phase, flood control is another, and recreation is an additional phase.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield to the gentleman from Oklahoma, the majority leader.

Mr. ALBERT. I agree with the distinguished gentleman. It seems to me it would be a tragedy in the development of these resources if we only partially developed them. If power, flood control, and recreation are all justified, why not develop them so that their full potential can be realized?

Mr. **FLYNT**. I thank the distinguished majority leader for his comments and for his contribution.

This project is one which is an investment in the future. It is an investment in the future development of this particular area just as it is an investment in the development of the United States of America.

This is a full payout project. The benefit-to-cost ratio exceeds unity. The benefit-to-cost ratio on the 3-dam complex stands at better than 1.3 to 1, which means for every dollar invested $1.30 will be paid back in benefits.

We feel that this is a measure which has long been pending in the Congress of the United States, one to which the House Committee on Public Works and the Senate Committee on Public Works have given serious study over the years.

I heartily subscribe to this development, and I endorse the language of the committee bill, which provides for full Federal development of the Flint River.

The language of the amendment offered by the gentleman from Pennsylvania would do more than affect the projects which are contained in this bill. It would have the effect of deauthorizing a project which was authorized in December of 1963.

I urge the rejection of the amendment and the passage of S. 2300 including the language of the Committee on Public Works, which provides for full Federal development on this project which is very important to our State and our Nation.

Mr. CALLAWAY. Mr. Chairman, I rise in support of the amendment and move to strike the requisite number of words.

Mr. Chairman, I have previously testified before the Committee on Public Works and spoken in general debate on this bill, and I am wholeheartedly in favor of the full development of the Flint River.

The question raised by this amendment, however, is not whether the Flint River shall be developed, but how it can best be developed.

Under this amendment, private power would be given permission to participate in the development of the great Flint River.

Although I enthusiastically support this amendment, I have hesitated to speak in its behalf, because I have wanted to assure myself that I am representing all of my constituents and not just representing one particular company. I say this because for the last few years, and up until the time I was elected to this Congress, I served as a Member of the Board of Directors of the Georgia Power Co., and this is the private power company which serves this area, the company that could be affected by this amendment.

On further reflection, however, I have felt that I should speak on this amendment for a number of reasons. First, although my service on the power company board might tend to influence my judgment, this same service has certainly given me firsthand knowledge of the facts in this case.

Second and more important to me, millions of dollars of tax money for my constituents and yours will go into this project. Thus I feel that I have an obligation to them and to all of the citizens of this country to try to save that tax money.

The Georgia Power Co. has had a long-standing interest in all Georgia rivers and specifically in the Flint River. As early as 1909 the company began to purchase land and flood rights at the sites of the very dams mentioned in this amendment. Throughout the years the Georgia Power Co. has built 17 separate dams to complement its steam generation plants with hydroelectric peaking capacity. The company has always been ready to build additional dams as this peaking power capacity was needed. In 1961 the company requested a preliminary permit from the Federal Power Commission to survey the Flint River in the hope of being granted permission for a private development of the river at no expense to the taxpayer. Unfortunately, this request was turned down by the Commission because the Corps of Engineers was studying the project. Now the Georgia Power Co. has made a firm offer to build, maintain, and operate the powerhouses on the Flint River. It is estimated that this will save the taxpayers a minimum of $52 million. It was pointed out by the gentleman from Pennsylvania that additional payments in addition to that will save another $181 million over a 150-year period.

I agree with the majority leader that it would be a tragedy if this river were not fully developed, but it can be by the power company and the Government in partnership.

The Governor of Georgia, Mr. Sanders, favors the joint participation by private power in this development. The immediate past governor of Georgia, Mr. Vandiver, favored this development. The Georgia Waterways Commission, which is the official agency of the State of Georgia charged with the development of its rivers, favors it. The U.S. Study Commission, on the southeast river basins, rendered a comprehensive report in favor of joint development. Many mayors, councils, county commissions, and groups in the Flint River area have gone on record in favor of joint development. They are particularly interested in the local ad valorem taxes that would be developed by private power development and ownership of these projects.

Mr. Chairman, this amendment does not require a single thing. It just gives the private power company the chance to bid and prove its case. If they can prove their case to the Federal Power Commission, then they have an opportunity to participate.

Mr. Vinson, when he offered a similar proposal in the House, had language that would make private development mandatory. This is merely permissive for private power to participate.

Mr. Chairman, the time has come for all of us who are for saving the taxpayers' money and for free enterprise to stand up. The time is now, and I wholeheartedly support this amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. I am happy to yield to the gentleman from Florida.

Mr. CRAMER. The amount of Federal taxpayer money involved in this amendment is $52 million. Is that correct?

Mr. CALLAWAY. That is the estimate. Yes.

Mr. CRAMER. This is the opportunity for those who are worried about the cost of this Government, which is going up constantly, particularly with the defense effort needed now, to save $52 million with this one amendment and let private enterprise do what they can admittedly do and what the people in Georgia say should be done on this project. This is the time for them to act.

Mr. CALLAWAY. That is correct. This will save $52 million at this time and throughout all the years of taxpaying will save much more. That is correct.

Mr. CRAMER. The gentleman has made an outstanding contribution to this debate and I congratulate him.

Mr. TUTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee went into a detailed study of the Flint River project. We were thoroughly convinced in the Committee on Public Works that it would be in the best interests of all concerned to develop this river as a Federal project. In this particular area of Georgia the rivers run red with the soils of the surrounding hillsides. We expect to take this development further down the river in years to come and do not want to be involved in any long-term agreements with private power companies which might in some way hamper future development.

I urge that we support the committee and defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. KUNKEL].

The question was taken; and the Chairman announced that the "noes" had it.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KUNKEL and Mr. BLATNIK.

The Committee divided, and the tellers reported that there were—ayes 87, noes 134.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The CLERK. Page 78, line 1:

TITLE III—RIVERS AND HARBORS

SEC. 301. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated. The provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full.

Navigation

Weymouth-Fore and Town Rivers, Boston Harbor, Massachusetts: House Document Numbered 247, Eighty-eighth Congress, at an estimated cost of $12,500,000;

Providence River and Harbor, Rhode Island: Senate Document Numbered 93, Eighty-eighth Congress, at an estimated cost of $13,900,000;

Rondout Harbor, New York: House Document Numbered 288, Eighty-ninth Congress, at an estimated cost of $20,000;

New York and New Jersey Channels-Entrance to Kill Van Kull from Upper New York Bay: House Document Numbered 108, Eighty-ninth Congress, at an estimated cost of $2,581,000;

New York Harbor, New York (Anchorage Areas): Senate Document Numbered 17, Eighty-ninth Congress, at an estimated cost of $44,852,000;

Shrewsbury River, New Jersey: House Document Numbered 274, Eighty-ninth Congress, at an estimated cost of $4,090,000;

Tred Avon River, Talbot County, Maryland: House Document Numbered 225, Eighty-ninth Congress, at an estimated cost of $323,000;

Potomac and Anacostia Rivers—Removal of Drift in the Washington Metropolitan Area: House Document Numbered 286, Eighty-ninth Congress, maintenance;

Channel to Newport News and Norfolk Harbor, Hampton Roads, Virginia: House Document Numbered 143, Eighty-ninth Congress, at an estimated cost of $7,095,000;

Channel to Newport News, Norfolk Harbor, and Thimble Shoal Channel, Virginia: House Document Numbered 187, Eighty-ninth Congress, at an estimated cost of $25,600,000;

Hampton Creek, Virginia: House Document Numbered 201, Eighty-ninth Congress, modification of items of local cooperation;

Cape Fear River, North Carolina: House Document Numbered 252, Eighty-ninth Congress, at an estimated cost of $1,510,000;

Savannah Harbor, Georgia: House Documents Numbered 226 and 263, Eighty-ninth Congress, at an estimated cost of $13,569,000. The plan recommended by the Chief of Engineers in House Document Numbered 263, Eighty-ninth Congress, shall include facilities to mitigate damages to presently improved areas southeast of the Savannah Wildlife Refuge at an estimated additional cost of $40,000. The Chief of Engineers may include additional facilities to mitigate damages to additional lands southeast of the Savannah Wildlife Refuge if he determines them to be necessary and justified, at an estimated additional cost of $60,000. All such facilities to mitigate damages shall be maintained by local interests.

Jacksonville Harbor, Florida: House Document Numbered 214, Eighty-ninth Congress, at an estimated cost of $8,484,000;

Ponce de Leon Inlet, Florida: House Document Numbered 74, Eighty-ninth Congress, at an estimated cost of $1,104,000;

Broward County and Hillsboro Inlet, Florida: House Document Numbered 91, Eighty-ninth Congress, at an estimated cost of $1,093,000;

East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Florida: House Document Numbered 194, Eighty-eighth Congress, at an estimated cost of $1,151,000;

Perdido Pass Channel, Alabama: Senate Document Numbered 94, Eighty-eighth Congress, at an estimated cost of $625,000;

Bayou La Batre, Alabama: House Document Numbered 327, Eighty-eighth Congress, at an estimated cost of $262,000;

Mermentau River, Louisiana: House Document Numbered 239, Eighty-ninth Congress, at an estimated cost of $2,690,000;

Alpena Harbor, Michigan: House Document Numbered 151, Eighty-eighth Congress, at an estimated cost of $806,000. In order to compensate for existing low water levels in Lake Huron, an additional increment of one foot in channel depth is hereby authorized;

Frankfort Harbor, Michigan: Senate Document Numbered 16, Eighty-ninth Congress, at an estimated cost of $237,000;

Lexington Harbor, Michigan: House Document Numbered 301, Eighty-eighth Congress, at an estimated cost of $570,000, except that the modified recommendations of the Chief of Engineers and the Secretary of the Army, contained in letter of April 5, 1965, from the Department of the Army to the Committee on Public Works of the United States Senate, shall apply with respect to recreational fishing facilities on the main breakwater;

Saginaw River, Michigan: House Document Numbered 240, Eighty-ninth Congress, at an estimated cost of $437,000;

Cedar River Harbor, Michigan: House Document Numbered 248, Eighty-ninth Congress, at an estimated cost of $664,000;

Ashtabula Harbor, Ohio: House Document Numbered 269, Eighty-ninth Congress, at an estimated cost of $1,840,000;

Rocky River Harbor, Ohio: House Document Numbered 352, Eighty-eighth Congress, at an estimated cost of $235,000.

The project for Lorain Harbor, Ohio, authorized in section 101 of the River and Harbor Act of 1960 (Public Law 86–645; 74 Stat. 480) is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct a steel bulkhead at cut numbered 1. Local interests shall contribute to the cost of the project an amount equal to the value of the land on the date of the original authorization of this project that would have been required for cut numbered 1, but for this modification.

West Harbor, Ohio: House Document Numbered 245, Eighty-eighth Congress, at an estimated cost of $544,000;

Indiana Harbor, Indiana: House Document Numbered 227, Eighty-ninth Congress, at an estimated cost of $96,000;

Burns Waterway Harbor, Indiana: House Document Numbered 160, Eighty-eighth Congress, at an estimated cost of $25,000,000. In view of the willingness of the State of Indiana to construct, maintain, and operate a deep-draft public harbor in that vicinity, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such a harbor according to a design agreed upon by the Secretary of the Army and the State of Indiana, subject to the following conditions: (1) The amount of such contribution shall be determined by the Secretary of the Army, in cooperation with the State of Indiana, and approved by the President; (2) such amount shall not exceed the cost to the United States of constructing an equivalent Federal harbor at the same site; (3) prior to the time that the monetary contribution, or any part thereof, is made available to the State of Indiana the Secretary of the Army and the State of Indiana shall have entered into an agreement providing for the operation of the harbor essentially as it would be operated by the Secretary of the Army had it been constructed as a Federal harbor; (4) no fees or tolls shall be charged for entrance to the outer harbor; (5) any other fees or charges collected by the State of Indiana shall not be used to cover any part of the contribution made by the Federal Government under this Act; (6) any funds appropriated under this authorization shall be administered by the Secretary of the Army and made available to the State of Indiana over the period of construction in proportion to the proposed annual expenditures of the State for construction of the outer harbor; and (7) at least sixty days prior to the date on which the Secretary of the Army makes available to the State of Indiana the initial installment of the monetary contribution authorized by this Act, he shall submit to the Committees on Public Works of the Senate and the House of Representatives a letter report setting forth the basis for his determination under clause (1) above. Unless construction of the harbor is initiated within five years from the date of the enactment of this Act, the authority for the monetary contribution contained in this paragraph shall expire. Neither this paragraph nor the construction authorized by this paragraph shall adversely affect or otherwise prejudice the establishment of all or any part of the Indiana dunes as a national lakeshore.

Chocolate Bayou, Texas: House Document Numbered 217, Eighty-ninth Congress, at an estimated cost of $1,254,000;

Houston Ship Channel (Greens Bayou), Texas: House Document Numbered 257, Eighty-ninth Congress, at an estimated cost of $470,000;

Trinity River and tributaries, Texas: House Document Numbered 276, Eighty-ninth Congress, including navigation, except that the recommendations of the Board of Engineers for Rivers and Harbors, dated March 14, 1963, shall apply, and there is hereby authorized $83,000,000 for initiation and partial accomplishment of the project.

San Francisco Bay to Stockton, California: House Document Numbered 208, Eighty-ninth Congress, at an estimated cost of $46,853,000. The works for wavewash protection within the limits of the modified San Joaquin River navigation project shall be repaired or restored by the United States as determined to be necessary by the Secretary of the Army over the life of the project.

Crescent City Harbor, California: House Document Numbered 264, Eighty-ninth Congress, at an estimated cost of $1,980,000;

Bodega Bay, California: House Document Numbered 106, Eighty-ninth Congress, at an estimated cost of $853,000;

Port San Luis, San Luis Obispo Harbor, California: House Document Numbered 148, Eighty-eighth Congress, at an estimated cost of $6,360,000;

Oceanside Harbor, California: House Document Numbered 76, Eighty-ninth Congress, maintenance. The Secretary of the Army is authorized to reimburse local interests for any work done by such interests on such project after August 1, 1965, if he approves such work as being in accordance with the project as otherwise authorized.

Port Orford, Oregon: Senate Document Numbered 62, Eighty-eighth Congress, at an estimated cost of $696,000;

Chetco River, Oregon: Senate Document Numbered 21, Eighty-ninth Congress, at an estimated cost of $1,308,000;

Tillamook Bay and Bar, Oregon: Senate Document Numbered 43, Eighty-ninth Congress at an estimated cost of $9,000,000;

Edmonds Harbor, Washington: House Document Numbered 147, Eighty-eighth Congress, maintenance;

Coasts of the Hawaiian Islands, harbors for light-draft vessels, Hawaii: House Document Numbered 353, Eighty-eighth Congress, at an estimated cost of $4,737,000;

Honokahau Harbor, Hawaii: House Document Numbered 68, Eighty-ninth Congress, at an estimated cost of $680,000;

Honolulu Harbor and Barbers Point Harbor, Oahu, Hawaii: House Document Numbered 93, Eighty-ninth Congress, at an estimated cost of $9,928,000;

Kawaihae Harbor, Hawaii: House Document Numbered 75, Eighty-ninth Congress, at an estimated cost of $2,291,000;

Beach erosion

Cliff Walk, Newport, Rhode Island: House Document Numbered 228, Eighty-ninth Congress, at an estimated cost of $340,000;

Perth Amboy, New Jersey: House Document Numbered 186, Eighty-ninth Congress, at an estimated cost of $82,000;

Atlantic City, New Jersey: House Document Numbered 325, Eighty-eighth Congress, periodic nourishment;

Hunting Island Beach, South Carolina: House Document Numbered 323, Eighty-eighth Congress, at an estimated cost of $319,000;

Duval County, Florida: House Document Numbered 273, Eighty-ninth Congress, at an estimated cost of $2,266,000;

Fort Pierce, Florida: House Document Numbered 84, Eighty-ninth Congress, at an estimated cost of $220,000;

Evanston, Illinois: House Document Numbered 159, Eighty-ninth Congress, at an estimated cost of $392,000;

Haleiva Beach, Oahu, Hawaii: House Document Numbered 107, Eighty-ninth Congress, at an estimated cost of $572,000;

Waikiki Beach, Hawaii: House Document Numbered 104, Eighty-ninth Congress, at an estimated cost of $2,490,000.

SEC. 302. Section 104 of the River and Harbor Act of 1958 (72 Stat. 297, 300), as amended by section 104 of the River and Harbor Act of 1962 (76 Stat. 1173, 1180), is hereby further amended to read as follows:

"SEC. 104. (a) There is hereby authorized a comprehensive program to provide for control and progressive eradication of water-hyacinth, alligatorweed, Eurasion watermilfoil, and other obnoxious aquatic plant growths, from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army, in cooperation with other Federal and State agencies. Local interests shall agree to hold and save the United States free from claims that may occur from control operations and to participate to the extent of 30 per centum of the cost of such operations. Costs for research and planning undertaken pursuant to the authorities of this section shall be borne fully by the Federal Government.

"(b) There are authorized to be appropriated such amounts, not in excess of $5,000,000 annually, as may be necessary to carry out the provisions of this section. Any such funds employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based upon the urgency and need of each area, and the availability of local funds."

SEC. 303. The consent of Congress is hereby granted for the purposes of section 9 of the Act of March 3, 1899 (33 U.S.C. 401), to the State of Pennsylvania, to construct a dam on the Susquehanna River, downstream from the Bainbridge Street Bridge at Sunbury, Pennsylvania.

SEC. 304. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

Jonesport Harbor, Maine.

Blue Hill Harbor, Maine.

Great and Little Bays and their tributaries, New Hampshire, and adjoining tributaries of the Piscataqua River, New Hampshire and Maine, with a view to determining the advisability of providing improvements in the interest of navigation and allied purposes.

Niagara River, New York, with respect to nature and extent of measures necessary to preserve and enhance the scenic beauty of the American Falls.

Great Lakes and Saint Lawrence Seaway: Investigation and study of means of extending the navigation season on the waterways at an estimated cost not to exceed $75,000. Report to include a full and complete investigation and study of waterway deicing systems, including a review of any previous pertinent reports by the Department of the Army, any available information from any of the other Departments of the Government, and waterway deicing methods in use by private concerns and foreign governments, for the purpose of determining the practicability, means, and economic justification for extending the navigation season on the Great Lakes (including connecting channels and harbors) and the Saint Lawrence Seaway by eliminating ice conditions to the extent possible. The Chief of Engineers may submit such interim reports as may be deemed advisable, and shall submit his final reports, together with his recommendations for such legislation and administrative actions as he may deem advisable, not later than two years after funds are made available for the study.

Lake Dauterive and Chareton Floodgate, Louisiana.

Dickinson Bayou, Texas.

Manchester Harbor, Washington.

Gulfport Harbor, Mississippi.

Calumet River, Illinois.

Gulf Intracoastal Waterway, from about mile 29 West of Harvey Lock to U.S. Highway No. 90 in vicinity of Boutte, Louisiana.

Intracoastal Waterway from the Caloosahatchee River to the Withlacoochee River, Florida, with a view to determining the advisability of modifying the project, with particular reference to provision for a side channel or connecting channel improvement through Cross Bayou to Old Tampa Bay, in the vicinity of Howard Frankland Bridge, for navigation, flood control, and related purposes.

San Francisco County, California (beach erosion).

Lake Michigan Shoreline, Milwaukee County, Michigan (beach erosion).

Indian River County, Florida (beach erosion).

SEC. 305. The first proviso in the paragraph which begins "James River, Virginia:" in section 101 of the River and Harbor Act of 1962 (Public Law 87–874) is amended by striking out "after a period of five years from the date of approval of this Act unless the Governor of Virginia has endorsed the project within that time" and inserting in lieu thereof "October 23, 1971, unless the Governor of Virginia has endorsed the project by that date".

SEC. 306. Section 107 of the River and Harbor Act of 1948 (62 Stat. 1174) is amended by striking out "$5,000" and inserting in lieu thereof "$22,000".

SEC. 307. That portion of the East River, in New York County, State of New York, lying between the south line of East Seventeenth Street, extended eastwardly, the United States pierhead line as it existed on July 1, 1965, and the south line of East Thirtieth Street, extended eastwardly, is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States.

SEC. 308. The old channel of the River Raisin in Monroe County, Michigan, lying between the Monroe Harbor range front light and Raisin Point, its entrance into Lake Erie, is declared to be not a navigable stream of the United States within the meaning of the Constitution and the laws of the United States, and the consent of Congress is hereby given for the filling in of the old channel by the riparian owners on such channel.

SEC. 309. Section 111 of the River and Harbor Act of 1958 (72 Stat. 303) is amended to read as follows:

"SEC. 111. Whenever, during the construction or reconstruction of any navigation, flood control, or related water development project under the direction of the Secretary of the Army, the Chief of Engineers determines that any structure or facility owned by an agency of government and utilized in the performance of a governmental function should be protected, altered, reconstructed, relocated, or replaced to meet the requirements of navigation or flood control, or both; or to preserve the safety or integrity of such facility when its safety or usefulness is determined by the Chief of Engineers to be adversely affected or threatend by the project, the Chief of Engineers may, if he deems such action to be in the public interest, enter into a contract providing for (1) the payment from appropriations made for the construction or maintenance of such project of the reasonable cost of replacing, relocating, or reconstructing such facility to such standard as he deems reasonable but not to exceed the minimum standard of the State or political subdivision for the same type of facility involved, except that if the existing facility exceeds the minimum standard of the State or political subdivision, the Chief of Engineers may provide a facility of comparable standard, or (2) the payment of a lump sum representing the estimated reasonable cost thereof. This section shall not be construed as modifying any existing or future requirement of local cooperation, or as indicating a policy that local interests shall not hereafter be required to assume costs of modifying such facilities. The provisions of this section may be applied to projects hereafter authorized and to those heretofore authorized but not completed as of July 3, 1958, and notwithstanding the navigation servitude vested in the United States, they may be applied to such structures or facilities occupying the beds of navigable waters of the United States."

SEC. 310. (a)(1) Subsection (a) of section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended by striking out "$2,000,000" and inserting in lieu thereof "$10,000,000".

(2) Subsection (b) of such section 107 is amended by striking out "$200,000" and inserting in lieu thereof "$500,000".

(b) Section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946, as amended (33 U.S.C. 426g), is amended (1) by striking out "$3,000,000" and inserting in lieu thereof "$10,000,000", and (2) by striking out "$400,000" and inserting in lieu thereof "$500,000".

(c) The amendments made by this section shall not apply to any project under contract for construction on the date of the enactment of this Act.

SEC. 311. The project for Calumet Harbor and River, Illinois and Indiana, as authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), is modified in order to authorize the Chief of Engineers, under the direction of the Secretary of the Army, to provide at Federal cost (1) such protection for the Elgin, Joliet, and Eastern Railway bridge over the Calumet River, Chicago, Illinois, as is necessary to permit dredging of the full width of the south draw to the depth of twenty-seven feet, (2) such temporary protection for the center pier and the south abutment of the New York, Chicago, and Saint Louis Railroad bridge (Nickel Plate) as is necessary to permit dredging of the full width of the south bridge draw to the depth of twenty-seven feet prior to its replacement, and (3) such modification of the channel limits as is necessary to insure full use of each such draw.

SEC. 312. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a complete investigation and study of water utilization and control of the Chesapeake Bay Basin, including the waters of the Baltimore Harbor and including, but not limited to, the following: navigation, fisheries, flood control,

control of noxious weeds, water pollution, water quality control, beach erosion, and recreation. In order to carry out the purposes of this section, the Secretary, acting through the Chief of Engineers, shall construct, operate, and maintain in the State of Maryland a hydraulic model of the Chesapeake Bay Basin and associated technical center. Such model and center may be utilized, subject to such terms and conditions as the Secretary deems necessary, by any department, agency, or instrumentality of the Federal Government or of the States of Maryland, Virginia, and Pennsylvania, in connection with any research, investigation, or study being carried on by them of any aspect of the Chesapeake Bay Basin. The study authorized by this section shall be given priority.

(b) There is authorized to be appropriated not to exceed $8,500,000 to carry out this section.

SEC. 313. (a) The Act approved December 21, 1944 (58 Stat. 846), authorizing the City of Clinton Bridge Commission to acquire, construct, maintain, and operate a bridge or bridges, including approaches thereto, across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Illinois, is hereby revived and reenacted. This section (including the amendments made by this section) shall be null and void insofar as it authorizes the construction of a bridge or bridges unless actual construction thereof be commenced within three years and completed within five years from the date of the enactment of this section.

(b) Section 5 of such Act is amended to read as follows:

"SEC. 5. (a) The commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge, or bridges as may be acquired, reconstructed, or constructed, as herein provided, and approaches (including the approach highways, which, in the judgment of the commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connections with existing improved highways) and the necessary land easements and appurtenances thereto, by an issue or issues of negotiable bonds of the commission, bearing interest, payable semiannually, at the rate of not more than 6 per centum per annum, the principal and interest of which bonds shall be payable solely from the funds provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registrable as to principal alone or both principal and interest, shall be payable as to principal within not to exceed twenty-five years from the date thereof, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the commission may determine, and the face amount thereof shall be co calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired or constructed, and approaches and the land easements, and appurtenances used in connection therewith, when added to any other funds made available to the commission for the use of said purposes. The commission may reserve the right to redeem any or all of said bonds before maturity in such manner and at such price or prices not exceeding 105 and accrued interest as may be fixed by the commission prior to the issuance of the bonds. Subject to the provisions of any prior contracts or obligations the commission may disburse any available bridge revenues or other funds or borrow money and issue its negotiable interest-bearing notes in evidence thereof to defray the cost of designing, engineering, and planning a new bridge or bridges under this Act and acquire lands for the location and approaches thereto, provided that all notes evidencing the funds so borrowed, if not previously paid from such bridge revenues, shall be repaid from the proceeds of the bonds of the commission when issued for account of such new bridge or bridges. In the event the commission issues notes as hereinbefore in this section provided and said notes have not been otherwise paid and a new bridge or bridges are not built, said notes shall be paid from revenues derived from the operation of any other bridge or bridges owned by the commission, subject to the obligation of payment of all outstanding indebtedness for which said revenues have been therefore pledged. The commission when it deems it advisable may issue refunding bonds to refinance any outstanding bonds, and to pay any other indebtedness of the commission, at maturity or before maturity when called for redemption, and may include, as a part of an issue of bonds to provide for the cost of a bridge to be constructed under this Act, sufficient additional bonds bearing interest at a rate or rates not exceeding 6 per centum per annum to refinance any outstanding bonds and notes at maturity or before maturity when called for redemption. The commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the commission in respect to the acquisition, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

"(b) Such bonds may be sold at not less than par after public advertisement for bids to be opened publicly at the time and place stated in such advertisement and at the price bid which will yield the greatest return to the commission for the bonds to be sold. Such advertisement for bids shall be published at least once each week for at least two consecutive weeks in a newspaper or financial journal having recognized circulation among bidders for bonds of the type and character offered. The price to be paid for the bridge or bridges acquired hereunder shall not exceed the reasonable value thereof as determined by the commission at the time of acquisition. The cost of the bridge to be constructed as provided herein, together with the approaches and approach highways, shall be deemed to include interest during construction of the bridge and for twelve months thereafter, and all engineering, legal, financing, architectural, traffic surveying, condemnation, and other expenses incident to the bridge and the acquisition of the necessary property, including the cost of acquiring existing franchises and riparian rights relating to the bridge, as well as the cost of abandonment or dismantlement of any existing bridge to be replaced thereby. If the proceeds of the bonds shall exceed the cost as finally determined, the excess shall be placed in the fund hereafter provided to pay the principal and interest of such bonds. Prior to the preparation of definitive bonds the commission may, under like restrictions, issue temporary bonds or may, under like restrictions, issue temporary bonds or interim certificates without coupons, of any denominations whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery."

(c) Subsection (a) of section 8 of such Act of December 21, 1944, as amended, is amended by striking out "the bonds and interest," and inserting in lieu thereof: "the bonds, the notes issued under section 5 of this Act, and the interest,".

(d) The right to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 314. The Act entitled "An Act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois", approved July 26, 1956 (70 Stat. 669), as amended by the Act of April 27, 1962 (76 Stat. 59), is amended by inserting immediately after section 14 the following new section:

"SEC. 15. The Commission and its successors and assigns are authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois, subject to the provisions of this Act; except that the authority granted by this section shall cease and be null and void unless the actual construction of such bridge is commenced within three years and completed within five years from the date of enactment of this section."

SEC. 315. The Secretary of the Army shall transmit to the Committees on Public Works of the Senate and the House of Representatives not later than June 30, 1968, a suggested draft of legislation revising and codifying the general and permanent laws relating to civil works projects by the Corps of Engineers for navigation, beach erosion control, flood control, and related water resources development. The Secretary shall also submit a report explaining the proposed legislation, and making specific reference to each change in or omission of any provision of existing law.

SEC. 316. The Secretary of the Army, acting through the Chief of Engineers, shall make a study of the need for, and the feasibility of, the Federal Government reimbursing States, political subdivisions thereof, and other public entities, for expenditures incurred by them in connection with authorized projects for improvement of rivers and harbors and other waterways for navigation, flood control, hurricane protection, beach erosion control, and other water resources development purposes, to the extent that such expenditures are incurred after the initiation of the survey studies which form the basis for such authorized projects. The Secretary shall report to Congress, not later than January 31, 1967, the results of such study together with his recommendations in connection therewith.

SEC. 317. Title III of this Act may be cited as the "River and Harbor Act of 1965".

Mr. CRAMER (interrupting reading of title). Mr. Chairman, I ask unanimous consent that title III be considered as read and open for amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BLATNIK. Mr. Chairman, I would like to have the attention of the minority, the gentleman from Florida [Mr. CRAMER]. I have two survey resolutions which were inadvertently left out of the bill and I would like to have them read and considered en bloc.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Minnesota?

Mr. CRAMER. Mr. Chairman, reserving the right to object, and I shall not object, the gentleman has cleared these two amendments with this side, No. 1; and, second, the gentleman has stated his reason for offering them at this time is because they were inadvertently omitted when survey resolutions were considered in the committee and for that reason, Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. HAYS. Mr. Chairman, reserving the right to object, on what page does title 3 start?

The CHAIRMAN. Page 78 and goes to the end of the bill.

Mr. HAYS. Mr. Chairman, further reserving the right to object, an amendment to page 61 is now not in order through unanimous consent; is that right?

The CHAIRMAN. The gentleman is correct.

Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AMENDMENT OFFERED BY MR. BLATNIK

Mr. BLATNIK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. BLATNIK: Page 90, after line 6, insert the following: "Popponesset Bay, Massachusetts."
>
> Page 91, after line 22, insert the following: "Marquette County, Michigan."

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CLEVELAND

Mr. CLEVELAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CLEVELAND: Page 90, strike out line 10 and all that follows down through and including line 3 on page 91.

Mr. CLEVELAND. Mr. Chairman, the purpose of my amendment is to strike out on page 90 of the printed bill a section that sets up a study for de-icing the Great Lakes.

Mr. Chairman, this study costs but a mere $75,000, and I feel a little bit hesitant to stand before you and plead economy, but only to save $75,000.

Let me tell you something about this amendment of mine, and this particular project of somebody's.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Florida.

Mr. CRAMER. I will say to the gentleman he does not have to apologize as far as this gentleman is concerned for standing in the well and offering this proposal for the simple reason we had it up in the rivers and harbors omnibus bill 3 years ago, and in a separate bill. It was never acted on. The project is so asinine in itself that a study is not justified even if it cost only $5,000. It makes this House ridiculous to consider such a project.

Mr. CLEVELAND. The gentleman is correct. Two years ago this study passed the Senate and the Public Works Committee, but it never got any further. Two years ago they thought they could make this study for $50,000. Now they have come back with it, and it has gone to $75,000. Perhaps I should not try to kill it, because if it comes back 2 years from now it may be up to $100,000. There was little or no evidence in favor of it. The Bureau of the Budget concurs with me. There is no evidence that there was any practical way of de-icing the Great Lakes. Here you are taking $75,000 of the taxpayers' money to study nothing. They have what they call a system of bubbling by putting bubbles into water and they can keep small areas of water free of ice, areas around a dredge, for instance, but can anybody in their right mind conceive of a situation where we are going to have the Great Lakes turned into one gigantic bubble bath?

This just makes no sense at all.

Mr. RONCALIO. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Wyoming.

Mr. RONCALIO. I can conceive what the gentleman speaks of, not as a foolish gesture, but as a reality. I can envision water being kept in an uniced state.

Mr. CLEVELAND. I yielded for a question. The gentleman should get his own time.

Mr. RONCALIO. The gentleman asked a question, and I answered it.

Mr. CLEVELAND. I yield no further.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from California.

Mr. BALDWIN. The gentleman asked me a moment ago on what page this occurred. It is page 214, and if the gentleman would like to have this section I will give it to him.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Ohio.

Mr. HARSHA. Would the gentleman agree to put his amendment on ice for the time being?

Mr. CLEVELAND. I think that is where my amendment will go, but I want to be sure that the RECORD shows a description of the project and how at least I feel about it. It appears on page 236 of the majority report, but it is not described, it is not even referred to. You have to read the bill to find it. On page 215 of the printed record, part 1, and I inserted in that part of the record of our hearings the minority views in which I expressed my views 2 years ago. Other than that the hearings have been quiet on this subject. I also inserted my views on this matter in the CONGRESSIONAL RECORD on August 31, 1965—page 22415—it is not necessary to discuss them again in detail here. As I say, this is a small matter, but I hope that the chairman of the committee will agree to this amendment.

I urge the House to adopt my amendment.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the only statement which had any semblance of reality, logic or commonsense that the gentleman made was the fact that $75,000 in a $2 billion public works authorization is not very much money. From then on he had just sheer fantasy.

In this bill we have over $5 million for an authorization for weed control. Here is the largest body of fresh water on this planet through which runs the longest inland waterway on this planet. We ask for an amount of money, $75,000, merely to review scientific information, processes and procedures that already exist and to select which one of them shows some promise of protecting ports from ice, which may extend the navigation season for whatever amount of time it may be extendable. We already have this enormous investment on the part of the Government in the channels and harbors. The States and municipalities have investment in terminal and harbor facilities and private industry has their investment in boats and shipping equipment and loading and unloading facilities and so forth and so on. A lake can be 95 percent open but if ice jams the Sault Saint Marie Locks or if it jams up the Welland Canal, then all intercontinental transoceanic traffic is stopped.

So I will read very quickly here the problem of icing conditions in the Great Lakes and the St. Lawrence Seaway have remained in the status quo for so long and only limited information of a scientific nature is available on specific ice formation and deicing problems. Extending the navigation season can best be accomplished by concentrating these investigations under proper conditions in order to improve the accuracy of the forecast as well as evaluate ice control methods which can be used to aid in the opening of navigation.

This approach offers the best chance of success and can provide major economic benefits. Any means of improving the accuracy of the forecast for the opening of navigation on various routes can save U.S. shippers significant sums of money which are now lost because fully crewed ships have to wait out the actual opening and the Corps of Engineers recognizes the feasibility of the study, the objectives of which are to investigate the practicability and means and economic justification for extending the shipping season.

Mr. Chairman, I urge the defeat of the amendment and the retention of this most modest amount of money for this purpose.

Mr. HAYS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time to inquire about a project in this bill in the State of Iowa which is to be found, I think, on page 61 of the bill. I wonder if the gentleman from Iowa [Mr. GROSS] can tell us something about that. I would like to vote intelligently on this bill. I know he normally opposes all of these so-called pork-barrel projects and I wonder if the gentleman can conscientiously vote for this bill with this project in it?

Mr. GROSS. I do not know whether the gentleman from Iowa can enlighten the gentleman from Ohio.

Mr. HAYS. Do not say that it is not easy because that is not like the gentleman. But go ahead.

Mr. GROSS. I would not say it is easy to enlighten the gentleman from Ohio. What does the gentleman want to know?

Mr. HAYS. Well there is $14 million here and the gentleman is a great watchdog of the Treasury, and I just wonder if the taxpayers can afford to spend $14 million out there which I understand $3 million of which is for urban renewal which the gentleman has not been known to favor heretofore.

I hope I have not rendered the gentleman speechless.

Mr. GROSS. The gentleman from Ohio is not now expressing concern about $14 million, is he—with his record of spending in the Congress?

Mr. HAYS. I am a big spender, but then you know I want to be consistent. I suppose I ought to be for this but the gentleman from Iowa is always against spending, especially for urban renewal, and I just wonder if it makes any difference if the urban renewal is in Ohio or in Iowa—or in my district or in his district?

Mr. GROSS. I was not aware that the gentleman from Iowa was against all spending. There is in the bill a project for a district adjoining the Third District of Iowa and which is a part of the $14 million. The gentleman might have brought the Democrat Member from Iowa into this discussion, and asked him to help to justify the project.

Mr. HAYS. I never thought the day would come when a question about money would render the gentleman from Iowa speechless or near speechless. Speak up if you can, my time is running out.

Mr. GROSS. I am perfectly able to talk. The gentleman from Ohio could make quite a downpayment on the $14 million if he would forgo a few of the junkets around the world that he takes.

Mr. HAYS. Though I told the gentleman from Iowa the story once before, since there are many new Members here, I shall tell the story again.

There were two Quakers who many years ago lived in the little town I came from. One of them liked to travel; the other did not.

One time the one friend who liked to travel came back from an around-the-world trip, and his fellow churchman met him in the town square and said, "Friend John, does not thee know that a rolling stone gathers no moss?"

The other replied, "Thee may be right, friend Asa; but it gets a lot of polish."

As chairman of the Foreign Affairs Subcommittee on State Department personnel and foreign operations I need all the knowledge I can get. I recommend some foreign travel for the gentleman from Iowa. It not only gives polish; it helps cure parochialism.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. CLEVELAND].

The amendment was rejected.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

I am concerned with a project that appears on page 83 of the bill, the so-called Burns Waterway harbor project.

I am concerned that this project should not represent the latest triumph of the bulldozer in eliminating a great naturally beautiful area of our country. I am concerned that approval of this project should not mean the death of the proposal to make the sand dunes of Indiana a beautiful national park.

The Burns Harbor development has been the center of a controversy for years between those who favor conservation and those who want industrial development of the area. Those of us who favor conservation do not oppose industrial development; in fact, we are not opposed to the project as such. But what we are fearful of is that approval of this project may result in killing the establishment of the dunes as a national park.

This was certainly not the intent of the compromise that resulted from a White House study of the area in 1963. President Kennedy personally took an interest in the area and instructed the Bureau of the Budget to look into the possibilities for both the industrial and recreational developments. The resulting compromise was confirmed in a letter dated 2 years ago this week, September 24, 1963, from the Bureau of the Budget to the Secretary of the Army. The letter stated:

> It is the President's wish to see a deep-draft harbor for Indiana made a reality, while at the same time preserving as much as possible of the priceless heritage of the Indiana Dunes for future generations.

The key words are "at the same time." This position has been affirmed and amplified on numerous occasions. Mr. Philip S. Hughes, Assistant Director for Legislative Reference for the Bureau of the Budget, wrote in a letter to Senator HENRY JACKSON, chairman of the Senate Committee on Interior and Insular Affairs, on February 8 of this year:

> The Bureau of the Budget regards both the Burns Harbor and the Indiana Dunes National Lakeshore proposals as integral elements for a balanced development of the area.

On the same day, President Johnson stated his firm support for the national lakeshore in his message on natural beauty.

Up to the present time both proposals have gone forward concurrently. In fact, the bill that was passed by the Senate provided that no funds should be expended for the development of this harbor unless there should have been established a national park for the sand dunes of Indiana.

Now, apparently that is no longer the case.

Some say it may come with ill grace for a Member of Congress from the State of Illinois to take the floor to comment upon an area in Indiana. But, Mr. Chairman, many of my people in the city of Chicago use the Indiana sand dunes. It is one of the great remaining natural facilities in the entire country. The people of the entire Midwest are aware of this. They relish its beauty. It is a unique place and should be given appropriate recognition to preserve its beauties. It ranks in principle with Yellowstone, Glacier, and other national parks as natural retreats or sanctuaries, serving as centers of attraction for the people not only of Indiana but of the entire country. The sand dunes of Indiana deserve such recognition so that they belong to all the people of our country.

The lakeshore proposal accomplishes that which is truly a rarity in the United States today. It puts a park where people are. There are today nearly 10 million people residing within 100 miles of the proposed 11,292-acre park. This is a park that would have that incomparable advantage of accessibility. The people of Chicago are included in that 100-mile radius. In Chicago we are very mindful of the beauty of the Indiana dunes and we are concerned for their preservation. As Carl Sandburg has written:

> The Dunes are to the Midwest what the Grand Canyon is to Arizona and Yosemite is to California. They constitute a signature of time and eternity; once lost the loss would be irrevocable.

The Senate Committee on Interior and Insular Affairs concluded:

> Nowhere on the Great Lakes are water, waterfront, and hinterland more favorably combined for recreational use of millions.

Mr. ROUSH. Mr. Chairman, will the gentleman yield?

Mr. YATES. I am glad to yield to the gentleman from Indiana.

Mr. ROUSH. First, let me say that the gentleman's concern for the Indiana Dunes Park could be no less than my own, but I am equally concerned that Indiana have its port. The language which Members will find in the bill before us is language which I have included in H.R. 50 a bill which I introduced to provide for the port.

Also pending before the House is a bill which I introduced on the same day, H.R. 51, to provide for a National Dunes Lakeshore in Indiana on Lake Michigan.

As the gentleman knows, there has been an agreement between the proponents of the park and the proponents of the port which is in general, accepted by both sides.

I am happy to inform the gentleman that the distinguished chairman of the House Committee on Interior and Insular Affairs only yesterday announced that hearings will be held on the proposal for the Indiana Dunes Park. These hearings will be held October 2 and 3. They will be held in Indiana. They will be followed by further hearings in Washington, D.C., early next year.

I certainly urge the gentleman to continue his support of this very worthwhile project, and I hope he shares my concern that both the port and the park may go forward at the same time and that we may be able to say there will be a total development of the northern area of Indiana involved.

Mr. YATES. I thank the gentleman for his comments. I am pleased to know that he, too, supports the development of the dunes and to learn of his efforts to develop the dunes as a national park. I take it from what the gentleman said that if he will do his best to expedite passage of his bill making the dunes a national park. The gentleman from Indiana favors concurrent development of both projects. I agree with that.

I also favor concurrent development. That is why I am concerned that the development authorized in this bill of the Burns Harbor project shall not impede or prevent the development of the dunes as a national park. I am pleased, too, with assurances given me by members of the committee that they favor establishing the dunes as a national park and that this project will not interfere with the park.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(By unanimous consent, Mr. YATES was allowed to proceed for 1 additional minute.)

Mr. YATES. I had hoped that the gentleman would say that which he did. I am grateful to have the assurance of the distinguished chairman of the Committee on Interior and Insular Affairs that hearings will proceed expeditiously on the establishment of the National Park for the Sand Dunes of Indiana.

I thank the gentleman.

Mr. YOUNG. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of this legislation and I desire to commend the great Committee on Public Works for the fine work which has been done in bringing this bill to the House.

Mr. BLATNIK. Mr. Chairman, I move to strike the requisite number of words.

I am reluctant to take more time, but since there will be no further amendments and probably no other discussion, I believe it fitting and proper, as well as justifiable, to say a word or two in behalf of our colleague, our respected and beloved friend, Congressman ROBERT E. JONES, of Alabama, for the tremendous amount of work he has put in on this bill.

Certainly the major share dollarwise, if that can be considered a measure—for what it is worth—has come under his jurisdiction. Two-thirds or three-fourths of this omnibus bill comes under the flood control subcommittee, of which he is chairman, the chairmanship of which he assumed for the first time in this session of the Congress.

Far above that, and far more important, is his dedication to the basic principles of conservation and the utilization and preservation of our resources wherever they may be in this great country.

Equally important is his personal interest in every municipality, every hamlet and city and rural area represented by any Member of the House. He devotes his time to the problems of each, knowing that the particular area involved for that Congressman is the most important problem.

I wish to pay this tribute to him. I know I speak for a host of Members on both sides of the aisle in paying respects for a job done far beyond the call of duty in this body.

Mr. Chairman, I now yield to the distinguished chairman of the full Committee on Public Works.

Mr. FALLON. Mr. Chairman, yesterday in my opening remarks I complimented the two gentlemen who put this rivers and harbors and flood control bill together [Mr. BLATNIK and Mr. JONES of Alabama].

I might say I do not know of any two men who worked harder to bring a bill before the House to extend the economy of this country than these two gentlemen. The greatest part of this bill is for the protection of lives and property. Certainly the history of rivers and harbors and flood control projects that have been built has proven that they have saved not only billions of dollars but many, many lives.

This bill that is before the House today is one of the best bills that has ever come before this House from the Committees on Public Works. It is an attempt to do the job necessary not only for the present but for many years to come.

I would like to pay tribute, also, to the other members of the subcommittee and the full committee who worked so hard and so diligently and put in so many hours not only during the day but far into the night in order to bring out this legislation. I would like to say to this House that this is an example of a great team working under the leadership of great subcommittee chairmen.

Mr. CRAMER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I want to join in the remarks made by the distinguished chairman relating to our committee working its will and doing its best.

I might add an addendum—when given the opportunity to do so. In past years we have had omnibus rivers and harbors and flood control bills where Democrats and Republicans, those on both sides of the aisle, stood shoulder to shoulder as far as leadership is concerned in trying to keep out of the bill projects that were admittedly bad, largely involving public versus private power and which should not be approved. Some of the most heated debate and divisions in this House have been on that one issue. I hope a similar decision will be made here. I understand a demand for a separate vote will be made on the Clark amendment. I hope this House will sustain the Clark amendment, which does what should be done on the Passamaquoddy-St. John project today to make a study and bring a report back to Congress next year. I say that because this project has been at no time studied separately. This is the proper procedure that should be followed in this case and which our committee and this House has constantly sustained.

Mr. Chairman, I have one other observation. I say this in all sincerity. I think it is most unfortunate that our committee was not given an equal opportunity to make its own decision and come up with a consensus on highway beautification. It was possible to do so and, as a matter of fact, the groundwork for it was laid 2 weekends ago when a consensus committee print was before the committee and so that we could come up with a consensus bill that would do the job relating to highway beautification but without the result of putting small business people who necessarily serve the highway traveling public and whose businesses are not located on the highways out of business.

I am talking about the little hotel and restaurant operators and the operators of recreational centers available to the traveling public in America. We need a bill to do the job but that would not put them out of business, which this proposal would do which was demanded by the White House and in effect reported by our committee. This proposal would have the effect of getting the Federal Government into zoning questions which are presently within the jurisdiction of local areas and cities. For the first time a demand was made by the White House on Wednesday of last week which was a demand for a proposal giving the Secretary power to set standards in areas zoned industrial and commercial which was not even included by the administration in its initial bill, and it was not proposed prior to that and thus subject to our hearings or subject to discussion in our hearings. I say to you all of us want to beautify highways but not at the expense of unduly putting people out of business and making depressed business in our country that are operated by people who are legitimately trying to serve the traveling public. We also do not want the traveling public denied the necessary information, services, and facilities for their food, shelter, repairs, and gasoline for automobiles, and information as to the whereabouts of recreational facilities which will be denied to them, in my opinion, under the bill as drafted.

I sincerely hope when that bill gets to the floor of the House we will be able to get proper and unhampered consideration of it.

I am sorry that similar action was not possible in the Public Works Committee on the beautification bill as on this omnibus public works bill.

Mr. DAVIS of Wisconsin. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I think that in the morning paper in Washington a grave injustice was done to one of our colleagues from the State of Texas and a grave injustice was done to me in quoting me as having made a personal reference to the gentleman from Texas, one which I did not make. I made no remarks that were anywhere close to that to which reference was made. I am sure the gentleman from Texas was present at all times on the floor. I am sure he is personally aware that I did not and would not make any comment of that kind.

I may thoroughly disagree with the gentleman with respect to a particular project in which he is very much interested, but I hope the day never comes when I shall have to resort to tactics of that kind in debate in this House of Representatives.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I am happy to yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I should like to express my very sincere and earnest gratitude to the distinguished gentleman from Wisconsin for the comment he has just made and assure him that at no time did I believe that he had said that which was recorded in the paper this morning. I assumed that it was an error. And even if the gentleman had said such a thing, he would still be my friend.

In any event, I did not believe that he had said it and I am very grateful to him for the opportunity which he has graciously afforded me to make this statement.

Mr. DAVIS of Wisconsin. Mr. Chairman, I want to say to the gentleman from Texas not only did I make no such comment publicly on this floor, or in any other place, but made no such comment privately at any time, or in any place.

Mr. DANIELS. Mr. Chairman, I rise in support of S. 2300, a bill that has much significance in the 14th District of New Jersey which I have the honor to represent in the Congress of the United States.

Much has been said on the floor today about "megalopolis" the name which we have coined for that great city which shall soon reach from Norfolk, Va., to Portland, Maine.

We have a great interest in megalopolis in northern New Jersey because we stand at the midpoint of this gigantic urban metropolis.

It is superfluous, Mr. Chairman, for me to dwell upon our recent water shortage which has posed a tremendous threat to our economic and physical well-being in the Northeastern United States.

Title I of this bill will set up a plan for a system of reservoirs to serve the Northeastern United States.

And, Mr. Chairman, the need for this comprehensive planning has been so well dramatized that I shall not waste the time of this House in explaining the need for a more adequate water supply in the Northeast. Every Member, whether he is from New Jersey or New York or California or Oregon, knows only too well the threat that another year of drought will pose to the northeastern part of the United States. If for no other reason than this, I would support this worthy bill.

I have said many times on the floor of the House that we are one nation. Economic sickness in one part of the United States means economic sickness in all parts of the Nation. It is for this reason that I supported the Appalachia program. I know in my heart that what is good for Kentucky and Tennessee is inevitably good for Hudson County, N.J. If the New York-New Jersey area is to suffer because of a water shortage, all parts of America in turn will feel the effects of our decline.

Mr. Chairman, for this reason, I urge all Members to support this much needed legislation.

Mr. BURKE. Mr. Chairman, while approving the omnibus rivers and harbors and flood control bill as a whole, I particularly approve that portion of the bill as contained on pages 215–217 of the report of the Committee on Public Works, dealing with the Weymouth-Fore and Town Rivers, Boston Harbor, Mass. Since the conclusion of World War II tankers and bulk cargo carriers have been built much bigger, and these larger ships require deeper draft and old channel depths that at one time could accommodate all types of ships can no longer accommodate the new type vessels. Passage of this legislation will vitally affect the city of Quincy and the town of Weymouth in my 11th Congressional District of Massachusetts. The Town River is a tributary waterway of the port of Boston and lies entirely within the limits of the city of Quincy. The Town River is a tidal river, approximately 2 miles in length and empties into the Weymouth Fore River at Quincy Point. This river is chiefly used for transportation of petroleum products and the annual tonnage traffic increases each year. The Quincy Oil Co. is located about 1⅓ miles from the mouth of the river and has a 30 million gallon oil terminal, receiving over 50 tankers a year.

Present depths of the Town River will not accommodate the large tankers now in use and necessitates the use of barges to transport the fuel to the terminal from the tankers. Increasing the depth to 35 feet and widening the river will provide adequate channel depths and widths for larger ships to carry the prospective commerce on the waterway as well as the existing commerce.

Other oil companies as well as ship repair yards and the Quincy Electric Co. are located on the waterway in question. The latter will require the use of deep-draft traffic for receipt of fuel in line with construction of a new generating plant.

The Weymouth-Fore River is the location of the General Dynamics/Electric Boat Division Quincy yard which is one of the largest and most complete shipbuilding plants on the Atlantic coast. It is equipped with 12 launching ways and 3 mooring basins.

Also on this river is the Boston Edison Co.'s Edgar Station and the Cities Service Oil Co.

The project has an estimated Federal cost of $12.5 million and local participation of $1.5 million. The benefit from the completion of this project will be felt by these concerns and assist in the population, industrial, and commercial growth of the complete south shore area of which Quincy and Weymouth play a leading role.

Mr. ASHBROOK. Mr. Chairman, I am supporting this bill. I have always given my support to public works projects which protect and improve the vital natural resources of this country. While it may be argued that some of these measures are extravagant and not needed, on the whole the overwhelming majority of these projects have been carefully studied by the Committee on Public Works and have received their stamp of approval as worthwhile projects for the expenditure of taxpayers' money. I concur in this conclusion. During debate on the bill, I supported amendments which would delete or cut those projects which were wasteful or questionable.

The people of my District are hopeful that two of our vital projects will get the go-ahead in next year's public works authorization and appropriation bills. The Kokosing project has already been authorized and funds have been advanced for initial work. We need to allocate the necessary funds for this vital project so the people of Knox County and Mount Vernon, Ohio, will be afforded the flood control protection they so badly need.

In Licking County, the Corps of Engineers currently has a project which is still under study. They are nearing completion and we certaintly hope that it will be authorized as soon as possible so this work can proceed. This, too, is a flood control project and vital to the growth of Newark and Licking County. No work of my office has been more intensive or more rewarding than my efforts on these two projects.

Both of these areas have been hit by disastrous floods which caused many millions of dollars worth of damage. In consulting with the members of the committee, I have found widespread support for the Licking project when it clears the survey stage. Inasmuch as the Licking project has not proceeded beyond the survey stage, nothing can be done here today. My constituents are patient people and yet they all feel as I do that the time for action is now. I hope that the Corps of Engineers will give us the final OK on the Licking project and the Bureau of the Budget will include an adequate appropriation for the Kokosing project in their 1967 requests. In this way, we can take a positive step forward.

Mr. HENDERSON. Mr. Chairman, I rise in support of S. 2300 and particularly in support of the projects on the Neuse River Basin: The Falls Dam and Reservoir and the project for hurricane-flood protection at New Bern and vicinity.

Last fall following unusually heavy rainfall in the upper Neuse Basin, I flew by helicopter over the Neuse in Wayne and Lenoir Counties in the vicinity of Goldsboro and Seven Springs, N.C., and the flood damage was almost indescribable. It was obvious that it came from the upper reaches of the river, and the Wilmington district office of the U.S. Army Corps of Engineers reported that had the Falls Dam been constructed at that time, the great majority of the damage would have been prevented.

Cost-benefit ratios as shown in reports of the Corps of Engineers are cold statistics and are hard to visualize in terms of evacuated homes with water standing in them several feet deep, of isolated families clustered outside their houses completely surrounded by water looking up and waving at a helicopter; or hundreds of acres of unharvested corn under water; flooded pastures with cattle in tight little knots on a high spot, or a gigantic industrial complex like the Carolina Power & Light Co. steam generation plant at Quaker Neck with the waters submerging its coal piles and lapping ominously around the footings of the generator itself.

The cost-benefit ratio for the Falls Dam project is a favorable one, but I am confident that there is not a Member of this body who, if he had seen what I saw along the Neuse Basin in the Goldsboro-Seven Springs vicinity last fall, would not only agree that the project is justified, but would be an enthusiastic supporter of it.

The project for hurricane-flood protection at New Bern and vicinity is a different type of proposal and provides for the construction of a dam with a break in the center. It would retard and spread out the flow of tidal waters forced upriver by heavy hurricane tides and winds. It is a relatively new concept and

I am advised that before a request is made for funding of construction of the project, the Corps of Engineers will first request funds for a model study to prove completely the feasibility of the construction.

Certainly the authorization of the project to the end that the model study can be funded is justified. As these remarks are being made, interests along the gulf coast are still trying to evaluate the damage caused by Hurricane Betsy and Hurricane Carol is meandering about in the Caribbean trying to make up her mind where to go.

In recent years, it has not been a question of whether New Bern and vicinity would be hit by hurricane winds and tides, but rather a question of when.

Both of these projects are worthy of being included in this bill.

Mr. TODD. Mr. Chairman, I note with some degree of curiosity that this bill—which I have often heard described as pork barrel legislation—authorizes a total appropriation of $4 million for the State of Michigan, which has more coastline, more harbors, and handles as much shipping as any State in the Union. At the same time, it authorizes more than six times as much for the construction of one harbor in Indiana, at Burns ditch, which will be of immediate benefit to one steel company. If steel were used to make pork barrels, I could understand how the legislation got its name.

I notice, too, that Texas will receive about 26 times as much as Michigan, three-quarters of which is a downpayment on developing a port for the city of Fort Worth. Both Kalamazoo and Battle Creek, in my district, are on an equally navigable river, and for less money we might well be able to make an ocean port—accessible through the Great Lakes—for them. And yet this obviously worthwhile proposal was not even considered.

Mr. Chairman, I believe that this type of public works bill may be of value when our Nation is not on the verge of inflation. Pump priming may have its virtues when the pump is dry. But today I feel we may need to be more concerned that the well will go dry, particularly in view of the impending increases in our defense appropriations. I cannot consider the bill, as a whole, timely nor a good investment of our national funds. So I vote against it. These programs would be well curtailed and delayed.

Should the Federal Government indeed have an excess $1.9 billion setting around, I would prefer it be given to the States on a per capita basis, in the nature of a tax sharing scheme.

Mr. BURLESON. Mr. Chairman, over the years I think I have a pretty good record in support of flood control and the conservation of soil and water resources. I know of nothing more necessary and no responsibility greater than to do the things we know we must to preserve these God-given resources for the benefit of the future.

It is now being realized in other parts of the country where water has been plentiful that the problem of water shortage and water quality can be as important as survival itself. We from the more arid areas have long been aware of the problem because we have learned it from hard experience.

It is trite to say that water is essential to all other things, and to neglect doing those things which we must is to shirk a responsibility and close our eyes to the progress and development of our country.

I say this, Mr. Chairman, in support of the record I have for projects which have these things as their goal and purpose. There are many good projects in this bill. There are some of highly doubtful merit.

Now, Mr. Chairman, I face a very difficult choice involving several big items included in the measure before us. First, it seems to me the project on the St. John River in Maine is neither justified nor needed. You have heard the debate and the reasons for the weakness of this proposal. Other things aside, it just does not seem right to me that a $227 million project should not have some local contribution, and this has none.

Then, Mr. Chairman, of course, even more difficult is to oppose any part or feature of a great project in my own State of Texas. Without hesitancy, I would vote for flood control, municipal water, recreation or any of the other benefits coming from the development of the Trinity River, but I cannot, in judgment and conscience, support the canalization of the Trinity River to make it navigable from the gulf to Fort Worth, Tex.

I am well aware of the contention of my colleagues that this feature will be further studied and that it will be necessary to return to the Congress for funds to carry out this part of the proposal. I do not see it this way at all, and there is no doubt in my mind that the authorization contained in this bill is final and obligatory to undertake this development, which is really undefined in many respects, and especially as to cost.

I repeat, Mr. Chairman, that it affords me no pleasure at all to oppose my respected and esteemed colleagues who are convinced of the worthiness of this project, but I have long been committed against the navigational aspect of the Trinity River. For the reasons of pure economics, involving hundreds of millions of dollars, and the lack of feasibility, I simply must oppose this feature of it. Otherwise I enthusiastically support the proposition.

Mr. HARSHA. Mr. Chairman, at the outset, let me say that I support S. 2300, as reported by the House Committee on Public Works, with the exception of the three projects set forth in the supplemental views of which I am a coauthor. Generally speaking, this legislation is good legislation and I would hope that we could correct those phases of the legislation with which I disagree. However, at this time I want to make a few remarks concerning the Trinity River project.

I think it is well that I do so because the subcommittee on which I have the honor of serving as ranking minority member, recommended this project to the full committee. I am frank to admit that, initially, I had serious misgivings about this project, particularly in view of the position of the Bureau of the Budget and the Secretary of the Army, however, I feel that we have considerably improved that phase of the legislation by writing into the bill and in the committee report, provisions whereby there will be an appropriate restudy based on current criteria and, in addition thereto, there will be an opportunity for this Congress, as well as the Public Works Committee, to review that project at such time as later monetary authorizations are necessary.

I want to pay particular tribute here, Mr. Chairman, to the work of the gentleman from Texas, Congressman RAY ROBERTS, who was quite instrumental, not only in seeing that this project was approved by both the subcommittee and full committee of the House Public Works Committee, but whose persuasive and logical arguments in behalf of this project convinced me that, in the long run, the project will be in the best interest of our Nation.

During my service on the House Committee on Public Works, I have found that Congressman ROBERTS has been one of the most dedicated, diligent and effective members serving thereon. He not only has been a strong supporter of the Trinity River project and one of the principal reasons why the committee approved it, but he has been equally an effective spokesman for navigational development on the Red and Sabine Rivers in Texas.

While these particular projects have not, as yet, been submitted to the committee, I feel sure that, as a result of his diligent efforts in their behalf, they will soon appear in an omnibus bill and I, again, want to commend Congressman ROBERTS for, not only his tremendous and effective efforts in behalf of the Trinity River project, but in behalf of all of his work on our committee. He truly represents his district ably and well.

And, at this juncture, Mr. Chairman, I would like to call the House's attention to the extremely effective efforts of the distinguished Senator from Texas, JOHN G. TOWER, in behalf of this project.

Senator TOWER has conferred with me and other members of the committee on numerous occasions, strongly urging support of this project and his logical, persuasive and aggressive arguments in behalf of this project to me and to others as well, I am sure, contributed immensely to the position of the Public Works Committee in favoring the authorization of the Trinity River project.

The Trinity River project has long been a bipartisan project supported by most Texans of all political persuasions, who are interested in the development of the entire Trinity River watershed. This was summed up in a statement presented to the House Public Works Committee by Senator JOHN TOWER. In recognizing the contributions made toward the Trinity River project by Texans of all political and economic persuasions, the Senator said:

> Many men have dreamed and worked for many years to make the Trinity River project a reality.

> I want the House Public Works Committee to know that I share that dream and support efforts aimed at seeing it become a reality.
>
> As a citizen of our State, and as a representative of our people in the National Congress, I want to ask the Public Works Committee of the House of Representatives to look with favor on the entire Trinity River project.
>
> I shall not here attempt to argue the merits of the Trinity River project. Others have done this ably and well over the years. The technical and economic considerations have been explored fully by persons well-trained and qualified for their tasks. I merely wish to state that I have carefully considered factors on both sides of the argument, and I am convinced that the economy of our State and Nation would receive benefits far in excess of the costs involved.

As further evidence that the people of Texas regard this as a project to which many people have contributed, and in which no single person can claim all the credit for its progress thus far, it is worthwhile to note the response to Senator TOWER's statement to the House committee.

Mr. L. H. Armstrong, traffic general foreman of General Dynamics in Fort Worth, said this:

> I want to express my sincere appreciation for the statement you presented to the House Public Works Committee in support of the plan for development of the Trinity River Basin.
>
> As a member of the Texas delegation which appeared at the recent hearing before the committee, I was greatly impressed, and I am sure the committee was, by the statements presented by the many Texas Members of Congress in support of the Trinity improvement plan.

From Mr. J. Lee Johnson III, executive vice president and general manager of the Fort Worth Star-Telegram, came this statement:

> I had the pleasure to be one of the delegates representing Texas before the House Public Works Committee at its recent hearing on the comprehensive plan for development of the Trinity River Basin, and I want to express to you my sincere thanks and appreciation for the statement you presented in support of this plan.

From Mr. Clyde Skeen, president of Ling-Temco-Vought, Inc., of Dallas, came this statement:

> It is very gratifying to see the support you are giving to the comprehensive plan of development for the Trinity River Basin of Texas.

From Roy Appleton, Jr., general manager of the Denton Record-Chronicle, came this response:

> As a member of the Texas delegation that appeared recently before the House Public Works Committee at its hearing in regard to the development of the Trinity River Basin, I was most impressed by the work that has been done on this project by you and the other members of the Texas congressional delegation. As was pointed out by you and others at the hearing, this project has the wholehearted support of all Texans, and the time for action is now.

From Mr. W. Lamar Hamilton, of the Palestine Herald-Press, came this statement:

> The interest you showed in our reception and dinner of August 11, was most appreciated, and the statement you presented on August 12, to the House Public Works Committee was a masterpiece of factual information.

And from Mr. W. W. Lynch, president of the Texas Power & Light Co., came this statement:

> I have heard many expressions of appreciation and I want to add mine with respect to your testimony before the House in regard to the Trinity River development program. You made a very important contribution.

These statements give ample evidence of the broad nature of support for the Trinity River development project, both in Texas and among those who represent Texas in the National Congress.

In conclusion, Mr. Chairman, I want to again commend the distinguished Senator from Texas for his very diligent and effective efforts in behalf of this project. I am sure that, without his assistance, it may never have been authorized by this Congress.

Mr. YOUNG. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. YOUNG. Mr. Chairman, the Trinity River Basin project, by any standard, is a huge undertaking. It is enormous in size, cost, vision, ambition, benefit, and merit. When completed, it will have cost $1 billion and will be a fitting complement to the many other greatly meritorious and costly, multimillion-dollar projects which in our time have become a measure of our Nation's greatness. I refer to the Arkansas River, Puget Sound, the Missouri River, the Intracoastal Canal, the Mississippi River, the Cross Florida Canal, New York Harbor, and many others of which we can be and are justly proud.

I suppose, Mr. Chairman, if there is anything more tempting to a Member of Congress than voting for a public works project in his own district, it is the temptation to vote against a public works project in the other Member's district. Yet, yielding to either temptation would be irrational and destructive of the Nation's well-being if our judgments were not based strictly on the question of the merits of each individual public works project. It is with this in mind that I wish to examine the Trinity River Basin project.

This great river basin encompasses some 17,845 square miles of land and stretches some 360 miles from above Fort Worth, past Dallas, Corsicana, Palestine, and Liberty on down to the gulf coast near Houston. The basin is more than 100 miles wide above Fort Worth and furnishes livelihood and residence to 3 percent of the total population of our country. It has more people than are to be found in any one of 32 States of the United States.

The potential of the Trinity River Basin has long been recognized by the people of this great area as well as the people of the Nation. There are presently seven Corps of Engineers projects in various stages of planning and construction—four completed, two under construction, and one in planning stage; several local flood-protection projects are in existence, and quite a few others have been authorized. State, local, and private funds in the amount of $500 million have been spent or will be spent—$269 million spent, and $256 million pledged to be spent by reliable State, local, and private sources. Mr. Chairman, if there is anything that would distinguish this great project from the other great projects throughout our country, it would be the investment of such large sums of State, local, and private funds.

The Trinity River Basin project is a great and worthwhile project. Like all meritorious public works projects, it is an investment in the future of our great Nation; and, more important, it is an expression of the confidence we have in ourselves and the future of our country.

Mr. DERWINSKI. Mr. Chairman, I am pleased to direct the attention of the House to two very necessary provisions in S. 2300 for the development of Calumet Harbor and River, Ill., and Ind., as authorized by the River and Harbor Act approved October 23, 1962.

The Calumet River is a connecting channel between Lake Michigan proper and the extensive harbor facilities of Lake Calumet. It provides the only link between the St. Lawrence Seaway and the Cal-Sag Channel connection with the vast inland waterway system that serves the State of Illinois, the Midwest, and the whole center section of this country. It required deepening subsequent to the opening of the St. Lawrence Seaway, and it still remains to be deepened. The public and private facilities located along the Calumet River, which represents an expenditure of tens of millions of dollars cannot be rendered fully capable of meeting their potential until the dredging of the channel to full seaway depth is completed.

In order to permit dredging to full project depth of 27 feet, the New York, Chicago & St. Louis—Nickel Plate—Railroad bridge and the Elgin, Joliet & Eastern Railroad bridge must be strengthened to withstand the channel deepening. Therefore, I am pleased that S. 2300 modifies the River and Harbor Act of 1962 in order to authorize the Chief of Engineers to provide this necessary protection for both bridges.

This development is overdue in that the full potential to the Chicago metropolitan area of the St. Lawrence Seaway and its connecting waterway with the Mississippi River will not be fully utilized until the navigation problems on the Calumet River have been completely solved.

Mr. DORN. Mr. Chairman, it has been my honor to serve in the Congress for 17 years. I have never served on any committee or sat through any hearings or heard any deliberations presided over in a more superb manner than by my friends, the Honorable BOB JONES, of Alabama, and the Honorable JOHN BLATNIK, of Minnesota. These gentlemen presided with patience, understanding, and devotion to the welfare of our country beyond the call of duty. It was an inspiration to serve on the subcommittee with these great Americans. This bill before the House today is a result of their tact, diplomacy, fairness, and dedication to the general welfare.

Mr. Chairman, our beloved and able chairman, the gentleman from Maryland, GEORGE FALLON, was always in the background, guiding, and counseling all of us. He is one of the greatest committee chairmen in the history of the Congress.

This bill and the projects it creates will be a monument to the genius of Mr. FALLON, Mr. BLATNIK, Mr. JONES, the senior members of the Public Works Committee, and an able, dedicated, and conscientious staff.

The CHAIRMAN. There being no further amendments, the bill is considered as read.

The question is on the committee substitute to the Senate bill.

The committee substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, pursuant to House Resolution 588, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. BLATNIK. Mr. Speaker, I ask for a separate vote on the amendment offered by Mr. CLARK on page 41, lines 4 through 12, inclusively.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. CLARK: Substitute the following language for the language on page 41, lines 4 through 12, inclusively:

"The Secretary of the Army is hereby authorized and directed to make a survey for flood control and allied purposes of the St. John River, Maine, separate and apart from the Passamaquoddy Tidal Power Project, which survey shall include a detailed study of alternative methods of providing power, including thermal power development using nuclear energy, and to submit a report thereon to the Congress not later than March 30, 1966."

The question is on the amendment.

The question was taken and the Speaker announced that the "noes" appeared to have it.

Mr. CRAMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 207, nays 185, answered "present" 1, not voting 39, as follows:

[Roll No. 315]

YEAS—207

Abbitt
Adair
Addabbo
Andrews,
Glenn
Andrews,
N. Dak.
Arends
Ashbrook
Ashmore
Baldwin
Bates
Battin
Belcher
Bell
Berry
Betts
Boland
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Byrnes, Wis.
Cahill
Callaway
Carey
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen,
Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Cooley
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fisher
Flood
Fogarty
Fountain
Fulton, Pa.
Fuqua
Giaimo
Goodell
Grabowski
Gray
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hanley
Hansen, Idaho
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Henderson
Horton
Huot
Hutchinson
Ichord
Irwin
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Mo.
Keith
Kelly
Keogh
King, N.Y.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Love
McClory
McCulloch
McDade
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
May
Michel
Minshall
Mize
Monagan
Moore
Moorhead
Morgan
Morse
Murray
Natcher
Nedzi
Nelsen
O'Neill, Mass.
Pelly
Perkins
Philbin
Pike
Pirnie
Poff
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rogers, Tex.
Rooney, Pa.
Roudebush
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Schneebeli
Schweiker
Secrest
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Va.
Stanton
Steed
Stratton
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Vivian
Walker, Miss.
Watkins
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wolff
Wyatt
Wydler
Younger

NAYS—185

Abernethy
Adams
Albert
Anderson,
Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Bolling
Brademas
Brooks
Brown, Calif.
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Cameron
Carter
Celler
Clevenger
Cohelan
Conyers
Corman
Culver
Daniels
Davis, Ga.
Dawson
Dingell
Dow
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Flynt
Foley
Ford,
William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagan, Ga.
Hagen, Calif.
Halpern
Hamilton
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hébert
Hechler
Helstoski
Howard
Hull
Hungate
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Landrum
Leggett
Long, La.
Long, Md.
McCarthy
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Matsunaga
Meeds
Mills
Minish
Mink
Moeller
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nix
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Ottinger
Patman
Patten
Pepper
Pickle
Poage
Pool
Powell
Price
Pucinski
Purcell
Race
Redlin
Reuss
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Scheuer
Schisler
Schmidhauser
Scott
Sickles
Sisk
Smith, Iowa
Stafford
Stalbaum
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Walker, N. Mex.
Weltner
White, Idaho
Willis
Wilson,
Charles H.
Wright
Yates
Young
Zablocki

ANSWERED "PRESENT"—1

Roncalio

NOT VOTING—39

Anderson, Ill.
Andrews,
George W.
Ayres
Baring
Bolton
Bonner
Bow
Burton, Utah
Colmer
Diggs
Farnsley
Farnum
Fino
Ford, Gerald R.
Frelinghuysen
Harris
Herlong
Hicks
Holifield
Holland
Hosmer
Johnson, Okla.
Lindsay
McEwen
Miller
Morton
Mosher
O'Brien
O'Hara, Ill.
Passman
Resnick
Roosevelt
Senner
Springer
Staggers
Stephens
Thomas
Thompson, Tex.
Toll

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Roncalio for, with Mr. Hicks against.

Mr. Hosmer for, with Mr. Holifield against.

Mr. Colmer for, with Mr. Johnson of Oklahoma against.

Mr. O'Brien for, with Mr. Senner against.

Mr. McEwen for, with Mr. Toll against.

Mr. Anderson of Illinois for, with Mr. Miller against.

Mr. Morton for, with Mr. Farnum against.

Mr. Bow for, with Mr. Resnick against.

Mr. Bonner for, with Mr. Farnsley against.

Mr. Burton of Utah for, with Mr. Diggs against.

Mr. Frelinghuysen for, with Mr. Roosevelt against.

Until further notice:

Mr. Holland with Mr. Lindsay.

Mr. Stephens with Mr. Springer.

Mr. O'Hara of Illinois with Mr. Fino.

Mr. Passman with Mr. Mosher.

Mr. Thomas with Mrs. Bolton.

Mr. Thompson of Texas with Mr. Ayres.

Mr. Staggers with Mr. Baring.

Mr. Herlong with Mr. George W. Andrews.

Messrs. ABERNETHY, POOL, O'KONSKI, and MOELLER changed their votes from "yea" to "nay."

Messrs. COOLEY, HANLEY, and BROOMFIELD changed their votes from "nay" to "yea."

Mr. RONCALIO. Mr. Speaker, I have a live pair with the gentleman from Washington [Mr. HICKS]. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the committee substitute for the Senate bill.

The committee substitute was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on passage of the bill.

Mr. HALL. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

The bill was passed.

A motion to reconsider was laid on the table.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

Mr. POWELL submitted a conference report and statement on the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5842. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961.

The message also announced that the Senate agrees to the House amendment to the bill S. 2127, an act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes, with amendment in which concurence of the House is requested.

HEMISFAIR 1968

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 583 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9247) to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto a final passage without intervening motion except one motion to recommit.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. Smith] and pending that I yield myself such time as I may consume.

Mr. SPEAKER, House Resolution 583 makes in order the consideration of H.R. 9247 which provides for the participation of the United States in the HemisFair 1968 exposition to be held at San Antonio, Tex.

Mr. Speaker, the rule provides for 1 hour of general debate. It is an open rule.

Mr. Speaker, the bill if adopted will provide for $250,000 for survey money to examine into how the United States can participate in this project and how the participation of the United States can best be effectuated.

Mr. Speaker, I urge the adoption of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. SPEAKER, the distinguished gentleman from Texas [Mr. Young] has explained the rule in accordance with my understanding, in that House Resolution 583 will provide for 1 hour of general debate under an open rule for the consideration of H.R. 9247, which is a bill to provide for the participation of the United States in the HemisFair 1968 exposition to be held in San Antonio, Tex.

Mr. Speaker, I think it might be well to read into the Record a part or a portion of the legislation as set forth in the report which seems to be very concise and very complete to me, to the extent that H.R. 9247 grants congressional recognition to the international exposition, HemisFair 1968, which is planned to be held at San Antonio, Tex. in 1968, and which is designed to "enhance the existing brotherhood between New World nations, reaffirm common ties, increase understanding, and fortify world peace."

Second. The bill authorizes and requests the President, by proclamation or in such other manner as he may deem proper, to invite the several States of the Union and foreign countries to take part in the exposition; and it directs the President to report to the Congress, during the first regular session of Congress after the date of the enactment of this legislation.

Third. It directs the Secretary of Commerce to establish a planning staff to conduct a study to determine the manner in which, and the extent to which, the United States shall be a participant in and an exhibitor at the HemisFair 1968, and grants him certain powers required to accomplish this assignment.

Mr. Speaker, the appropriation authorized for this study is $250,000.

Mr. Speaker, I reserve the balance of my time, but I will say to the gentleman from Texas [Mr. Young] that I do not have any requests for time.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTER-AMERICAN CULTURAL AND TRADE CENTER (INTERAMA)

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 582 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 30) to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Florida, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Foreign Affairs now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without intructions.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. Smith]; and pending that I yield myself such time as I may consume.

Mr. Speaker, there was no objection to this rule in the Committee on Rules. It provides for an open rule with 1 hour of general debate on H.R. 30 which comes to the House of Representatives from the distinguished Committee on Foreign Affairs.

Mr. Speaker, the bill (H.R. 30) would provide for the participation of the Government of the United States in the Inter-American Cultural and Trade Center located at Miami, Fla.—the nature, extent, and cost of such participation to be as recommended by the department or agency of the Government of the United States designated by the President in a report to the Congress by February 15 next to the Congress.

Mr. Speaker, in view of the fact that there was no opposition in the committee and I know of no controversy about the rule I urge the adoption of the rule and I yield to the able gentleman from California [Mr. Smith].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the able gentleman from Florida [Mr. Pepper] this provides an open rule with 1 hour of general debate for the consideration of H.R. 30, a bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County.

My understanding of the purpose of the legislation is the same as that set forth by the gentleman from Florida. I would like to add, however, that the legislation authorizes an appropriation of not to exceed $11 million for the U.S. participation in the Interama, subject to the condition that not more than $250,000 of this amount may be available for the preparation of the report required to be submitted to the Congress not later than February 15, 1966. In addition, there is authorized to be appropriated not to exceed $1 million annually for each of the fiscal years 1967 through 1970 for the maintenance of U.S. installations and activities in Interama.

Mr. Speaker, I know of no objection to the rule and reserve the balance of my time.

Mr. PEPPER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

HEMISFAIR 1968

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9247) to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9247, with Mr. Olsen of Montana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. FASCELL. Mr. Chairman, the bill H.R. 9247 provides for participation of the United States in HemisFair 1968, an international exposition to be held in San Antonio, Tex. The bill authorizes an appropriation of not to exceed $250,000 for the purpose of a study of the best way for the United States to participate in this exposition and the preparation of preliminary plans for such participation.

The legislation also gives the Secretary of Commerce the necessary authority to carry out the purposes of the act.

The Subcommittee on International Organization and Movements and the Committee on Foreign Affairs very carefully considered this proposal, and we believe this is a worthy project for the United States to participate in.

The sponsors of HemisFair 1968 have submitted sufficient evidence which indicates their proposed exposition meets the basic criteria for U.S. participation as set forth in the Federal Register of October 2, 1964; namely, that the project has received substantial support from the State of Texas, from the city of San Antonio, and from the local business community.

Further, the feasibility studies conducted by reputable organizations indicate this is an economically feasible project.

Finally, U.S. participation in HemisFair 1968 would not interfere with the securing of the approval of the Bureau of International Expositions in Paris for the U.S. Bicentennial Exposition which will be held in 1975 or 1976.

I would only add one other thing, Mr. Chairman. This method of legislating is the only way in which the Congress can make a decision with respect to these kinds of projects and the selection of sites. That is a congressional problem by virtue of the nonexistence of general legislation. So in refreshing our memory on this, I just want to repeat that if there were several sites proposed for international fairs for the same period of time, the determination whether the United States should participate in a particular exposition is a congressional determination, and we have to make it separately each time in each individual case.

This is the way we have been proceeding with respect to the authorization of projects of this type. At one time general legislation did exist for U.S. participation in domestic expositions. That authority, however, was removed by amendment in the other body, and we concurred in its removal. Therefore, we are back to the way in which we have proceeded throughout all the previous years, and that is by special authorization reviewed by the proper legislative committee, and sent through the normal appropriation route, for implementing U.S. participation in each specific project.

That, Mr. Chairman, is what this bill does.

At this time, Mr. Chairman, I would like to yield to one of the sponsors of this legislation who has worked very diligently on behalf of it and who has handled himself very ably before the committee in testifying on it, the gentleman from Texas [Mr. Gonzalez].

Mr. GONZALEZ. Mr. Chairman, as the author of H.R. 9427, I want to extend my deep appreciation to Chairman Morgan and Chairman Fascell for the many courtesies they have given me and for the expeditious and businesslike handling of this bill.

H.R. 9427 does four things:

First. It grants congressional recognition to HemisFair, an international exposition, to be held in my hometown, San Antonio, Tex., in 1968.

Second. It authorizes and requests the President to invite the several States of the Union and foreign countries to take part in the exposition; and it directs the President to report to Congress in the next session of Congress concerning the most effective way for the United States to participate.

Third. It directs the Secretary of Commerce to conduct a study to determine the manner in and the extent to which the United States shall be a participant.

Fourth. It authorizes an appropriation of $250,000 to carry out the study.

Mr. Chairman, few, if any, applicants for Federal participation in an international exposition to be held in this country have ever come before Congress with as much of the groundwork completed as HemisFair 1968. San Antonio has made a total communitywide commitment in the form of a nearly $8 million voluntary subscription by local individuals, businesses and labor unions, and by passage of a $30-million bond issue. The State of Texas, likewise, has committed its resources to the success of this great exposition. During the last session of the State legislature a $4.5-million appropriation for HemisFair was voted and has since been signed by Gov. John Connally. The Governor himself has accepted the position of commissioner general for the exposition.

The planning study authorized by this bill will reveal the best, the most effective and the most economical way in which the United States can participate. It will be a wonderful and a most useful exposition, from the point of view of our involvement in the Alliance for Progress, as well as for general trade and cultural purposes. I urge my colleagues to join me in voting for this excellent project.

Mr. CABELL. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to my distinguished colleague from Dallas.

Mr. CABELL. I thank the gentleman from Texas for yielding.

Mr. Chairman and Members of the Committee, I rise to associate myself with the remarks of the gentleman from San Antonio, Tex., and to compliment the committee on approving this project.

The proposed undertaking will benefit not only San Antonio and the great southwestern area of the country, but also the United States as a whole. There is a tremendous background of history, Latin and Spanish culture in the San Antonio area, and the project will bring visitors not only from Latin America but from all over the world. They will gain an impression that will be long lasting.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the other distinguished colleague from Dallas, Tex.

Mr. POOL. Mr. Chairman, it is a distinct honor and privilege to join with the gentlemen from Texas [Earle Cabell and Henry Gonzalez] and other Texans in speaking in behalf of HemisFair.

I have been down in San Antonio and inspected HemisFair as the Congressman at large from Texas; I also represent San Antonio.

The HemisFair project is a great one. The people of San Antonio will be proud of this fair. It will do the American people a great deal of good. Our Latin American relations will be improved by this great gesture of better understanding and good will. I think it is a wonderful project. Henry, I congratulate you for doing a tremendous job.

Mr. GONZALEZ. I thank the gentleman very much.

Mr. GROSS. Mr. Chairman, I yield myself such time as I might require.

Today ought to be a red-letter day in the history of Texas, the House having approved the Trinity River project in the rivers and harbors bill, and now comes HemisFair. We have some idea of what the Trinity River project will cost us if it ever gets underway, but we do not know precisely what the HemisFair project will cost.

Mr. Chairman, we have set the precedent for Federal support of fairs by appropriating for the World's Fair in New York, the Seattle fair, and others at home and abroad. I assume that we can do no less than give some support to a fair even in the oil-rich State of Texas.

I do think that $250,000 for survey or study money is out of line, because they seemed to do very well with $125,000 in their study and survey in connection with the Seattle fair. Moreover, the Texas fair will be getting the benefit of the experience of those who put together the U.S. participation in the Seattle fair. So at the proper time it will be my purpose to offer an amendment to cut the authorization from $250,000 to $125,000, the amount allocated for the survey or study of the Federal Government's participation in the Seattle fair.

Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Derwinski].

Mr. DERWINSKI. Mr. Chairman, even though I do not represent the great State of Texas I do support this measure.

I cannot conceive of a major trade fair being held in San Antonio, drawing, as it obviously will, people from Latin America, without a very practical participation by the U.S. Government; so I feel we are doing a very necessary and practical thing in approving this measure.

I point out that the U.S. Information Agency conducts exhibits in various trade fairs around the world, most of them not nearly as good as they should be, because the USIA is a rather weak, spineless, ineffective propaganda arm of our Government. Nevertheless, the potential of a Federal Government exhibit at a fair is really beyond comprehension. I would hope that the good Texans, recognizing as they do the superior qualities of their State, would see to it that the Federal exhibit at the San Antonio fair would be as great and as noble as all of the things which are always undertaken in the State of Texas.

Mr. Chairman, for the same basic reasons I support H.R. 30, U.S. participation in the so-called Interama in the great State of Florida. I feel it would be inconsistent to conduct either one of these fairs without substantial and effective participation by our Government.

I should also mention that the distinguished Senator from Texas [Mr. Tower] has been most active in urging support of this bill. This typifies the great spirit of unity which exists among the Texans.

Incidentally, may I point out to the Members of the House that Senator Tower has evidenced a vigorous interest in the leadership that must be forthcoming from the United States in dealing with the problems in Latin America. The Senator from Texas [Mr. Tower] recognizes, as evidently the Department of State does not, that it takes more than fancy slogans and dollars to solve the economic and political complications south of the border. He recognizes that U.S. leadership emphasizing principles of free enterprise and respect for constitutional government must be a major contribution on our part to the peoples of Latin America.

May I point out, Mr. Chairman, that it has not been my practice to automatically vote for the vast expenditures of funds so consistently authorized by the Committee on Foreign Affairs. However, I feel that an investment in the two fairs is potentially well worth the money, and I urge approval by the House of both measures.

Mr. FASCELL. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from Texas [Mr. Fisher].

Mr. FISHER. Mr. Chairman, I rise in support of H.R. 9247, introduced by my colleague, the gentleman from Texas [Mr. Gonzalez]. In fact, I introduced a companion bill, H.R. 9533.

In 2½ years from now an international exposition will open in the historic city of San Antonio, Tex. This promises to be the largest and most significant exposition ever held in the Southwest. The purpose of the pending bill is to grant congressional recognition to this project, HemisFair 1968. In brief, the purpose of this fair will be to enhance the existing brotherhood between the nations of this hemisphere and to reaffirm common ties, increase understanding, and fortify world peace. These objectives are lofty and their promotion most appropriate and timely.

Mr. Chairman, the pending bill authorizes an appropriation of $250,000 to help finance the Federal planning which is required before there can be actual Federal participation in the exhibits.

This exposition was initiated by our colleague, the gentleman from Texas [Mr. Gonzalez] and has solid local and State support. The State of Texas has provided $4.5 million, and has committed itself to an additional $3 million later. The people of San Antonio, by a vote of 3½ to 1, approved a $30 million bond issue, to support the project. In addition, the 26 banks in San Antonio advanced $4½ million, and the businessmen of the Alamo City pledged $7.5 million.

Thus, it can be seen that there is solid support on the local level, and very limited additional cost will be involved so far as the Federal Government is concerned. It is most important, however, that the project be given congressional approval. Once that is done, it will be in order for the President to extend invitations to foreign governments to participate, and it will then be in order for the Bureau of International Expositions, to approve the exposition.

Mr. Chairman, this exposition has the approval of the President of the United States, of the Governor of Texas, of the Department of Commerce, the State Department, and indeed of all who have had occasion to express judgment with respect to it.

The year 1968 will mark the 250th anniversary of beautiful and romantic old San Antonio—the home of the Alamo and the cradle of Texas liberty.

The exposition is designed to display the very best of the Americas, and will feature their achievements in commerce, industry, agriculture, science, and also the arts, education, and the professions. The project will advance international understanding, respect, and interdependence by featuring the merging of civilizations of one continent to form a brotherhood of free and independent nations, all seeking the same lofty objectives. Indeed, the theme of the exposition will be "The Confluence of the Civilizations of the Americas."

Mr. Chairman, the importance and the attractiveness of this great project cannot be overemphasized. The good that it will accomplish can hardly be estimated. Its timing coincides with the 1968 Olympics in Mexico City, and San Antonio, the "Gateway to Latin America," will be an appropriate stopover for those en route to the Olympics. There they will see not only the magnificent exhibits located on the 92½-acre exposition site, but only 2 blocks away will be able to gaze upon the Alamo itself, a sacred shrine in the history of man's struggle for freedom and liberty.

I feel sure that before the exposition is concluded every Member of the Congress will want to visit San Antonio, enjoy the traditional Texas hospitality, and participate by your presence in this great promotion of international good will and understanding.

Mr. ROBERTS. Mr. Chairman, will my distinguished colleague yield?

Mr. FISHER. I yield to my colleague from Texas.

Mr. ROBERTS. I commend my colleague. I wish to associate myself with his remarks. I support the legislation. I believe nothing could happen in this country which would be of more importance in respect to our Latin American relations.

Mr. YOUNG. Mr. Chairman, will the gentleman yield?

Mr. FISHER. I am glad to yield to my colleague from Texas.

Mr. YOUNG. Mr. Chairman, I would like to associate myself with the remarks of the distinguished gentleman from San Angelo and to commend the Committee on Foreign Affairs, my colleague from San Antonio, and all of the members who have worked so hard to bring this fine measure before this House. I enthusiastically support this bill.

Mr. FASCELL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. Burleson].

Mr. BURLESON. Mr. Chairman, I am sure there are enough Texans speaking on this subject, but as a member of the subcommittee of which the able gentleman from Florida is chairman, I do want to compliment my colleague, the gentleman from Texas [Mr. Gonzalez], and his associates from San Antonio, Tex., for presenting in a most interesting and effective way their proposal for HemisFair. I have never seen anything more thoroughly, more convincingly, or more attractively presented than this legislation before the Committee. I enthusiastically support them in these efforts. I also take this opportunity to express the appreciation of those of us from Texas for the interest, understanding and support of the Subcommittee and the full Committee on Foreign Affairs in this worthy plan. I trust we may have the unanimous support of the House and in advance assure you of our gratitude.

Mr. GROSS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SCHWEIKER].

Mr. SCHWEIKER. Mr. Chairman, it is appropriate today as I rise in support of this bill, providing for U.S. participation in the 1968 HemisFair Exposition at San Antonio, that I call to the attention of my colleagues House Concurrent Resolution 465 which I have introduced expressing the sense of Congress that Philadelphia should be designated the host city for the 1976 National Bicentennial Celebration commemorating 2 centuries of independence.

I have today received from the Philadelphia City Council its unanimous resolution of September 16 memorializing the House to enact House Concurrent Resolution 465. It is my great hope that the House will move quickly and favorably upon this matter.

Through passage of House Concurrent Resolution 465, the Congress would express its enthusiasm and encouragement for Philadelphia's plans for such a bicentennial celebration.

Philadelphia was the meeting place of the First Continental Congress. The Declaration of Independence was signed and first read to the people in Philadelphia. It is most appropriate that we rededicate ourselves to that Declaration in Philadelphia, the birthplace of our Nation.

Mr. Chairman, I introduce the memorializing resolution of the Philadelphia City Council and ask that it be referred to the Judiciary Committee which is considering my proposal.

Further, Mr. Chairman, I will ask unanimous consent at the appropriate time to insert at this point the text of the memorializing resolution and the covering letter from Philadelphia City Council President Paul D'Ortona:

CITY COUNCIL,
CITY OF PHILADELPHIA,
September 20, 1965.

Hon. RICHARD S. SCHWEIKER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SCHWEIKER: I am privileged to forward to you a certified copy of resolution No. 148, entitled: "Resolution memorializing the House of Representatives of the United States to enact House Concurrent Resolution No. 465, which expresses the sense of Congress that Philadelphia should be designated the host city for the 1976 National Bicentennial Celebration commemorating two centuries of independence."

This resolution was adopted unanimously by the council of the city of Philadelphia at a meeting held September 16, 1965.

Respectfully,

PAUL D'ORTONA,
President, City Council.

RESOLUTION 148

Resolution memorializing the House of Representatives of the United States to enact House Concurrent Resolution 465, which expresses the sense of Congress that Philadelphia should be designated the host city for the 1976 National Bicentennial Celebration commemorating two centuries of independence

Whereas the President of the United States has declared that a national celebration shall take place in 1976 to commemorate our Nation's 200 years of independence; and

Whereas our Nation was born in Independence Hall in Philadelphia and it was here the Declaration of Independence was signed and first announced to the people in 1776 and these buildings are still standing and have become a national shrine; and

Whereas no other city is as rich as Philadelphia in historical background connected with the founding of our Nation; and

Whereas Philadelphia was the site of the Nation's centennial celebration in 1876 and the sesquicentennial in 1926; and

Whereas while Philadelphia is rich in history it is also modern in the accommodations and entertainment which could be offered to visitors; and

Whereas a Philadelphia Bicentennial Committee of prominent citizens has been formed and its studies show that a national celebration would be artistically successful and would financially benefit all Pennsylvanians: Therefore

Resolved, by the Council of the City of Philadelphia, That we hereby memorialize the Members of the House of Representatives of the United States to enact House Concurrent Resolution 465, which expresses the sense of Congress that Philadelphia is the Nation's most qualified city to host a national celebration commemorating 200 years of independence in the United States of America and the two Houses of Congress view with enthusiasm and encouragement the efforts of Philadelphia citizens to plan a national celebration in Philadelphia in 1976.

Resolved, That certified copies of this resolution be forwarded to the Speaker of the House of Representatives and to the Members of Congress representing the Commonwealth of Pennsylvania.

PAUL D'ORTONA,
President of City Council.

Attest:

NATHAN WOLFMAN,
Chief Clerk of the Council.

Mr. FASCELL. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I rise in support of this measure. I would like to point out that in this day and time each section of our country has great pride in its own environment. We have put particular emphasis on the education of the North and East and the other scientific centers. I point out that in the great Southwest our civilization goes back further than does that of any other part of the country.

In connection with this exposition in 1968, HemisFair, I think the great Southwest will take great pride in pointing out that the roots of civilization and of our culture in these United States and, indeed, in Latin and Central America are deeper here than in any other section of the Americas.

Mr. FASCELL. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, I join with my colleagues from Texas, and especially my colleague from San Antonio in support of this legislation. My district is to the south of San Antonio. I represent some 300 miles on the Rio Grande River, along the Mexican border. We know full well that any amount that we spend cannot be sufficient to better the wonderful relations or continue the wonderful relations that we have with our immediate neighbor to the south and all of the other countries south of her.

Mr. Chairman, I should like to say to my colleague from Iowa that this is certainly a red letter day, when he joins us Texans in this effort. I should like further to tell him that if he would be so generous and make it a gold letter day by withdrawing his proposed amendment, his name will be put inside the Alamo alongside the other heroes who fought for Texas.

Mr. WRIGHT. Mr. Chairman, I join my colleague, the gentleman from Texas [Mr. GONZALEZ], in his enthusiasm for this exciting HemisFair proposal.

San Antonio leaders and citizens have been working diligently for many months in the interest of a well-planned and well-directed exposition.

The city of San Antonio is an ideal site for such an event. It is the gateway and meeting place where the cultures of Latin and North America meet and mingle.

I am certain that this exposition will do much for our hemispheric relations, and I feel sure the House will adopt this bill.

Mr. CASEY. Mr. Chairman, nearly 4 years ago, our distinguished colleague, the gentleman from Texas, Representative HENRY B. GONZALEZ, first proposed that the 250th anniversary of the founding of the city of San Antonio, Tex., be celebrated with a Fair of the Americas.

Today, the culmination of his efforts is before this House in H.R. 9247, providing for U.S. participation in this great undertaking.

Now known as "HemisFair," it is dedicated to the people of all the Americas to whom we in the Southwest are so closely tied. It is estimated that in 1968, more than 10 million people will visit this showcase of all that is good in the Western Hemisphere—and there is little doubt in my mind but that the eyes of the world will view the fair through our television satellites.

The people of Harris County, Tex., some 200 miles distant, support the great effort of our sister city in commemorating its 250th anniversary. We share not only the great heritage of our State's history, but the same deep and abiding interest in, and friendship for, our good neighbors to the south. HemisFair will not only benefit San Antonio, but in my judgment will be of great help to all areas of our State and our Nation. For this reason, it is a privilege for me to support H.R. 9247.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby recognizes the international exposition, HemisFair 1968 (hereafter in this Act referred to as the "exposition"), which is being held at San Antonio, Texas, in 1968, as an event designed to enhance the existing brotherhood between new world nations, reaffirm common ties, increase understanding, and fortify world peace. The purposes of such exposition are to—

(1) honor and display the diversified cultures of Pan America, including the history, art, industry, commerce, and economic development of each of the nations of the Western Hemisphere, their interrelationships and common ties, and the contributions to their development from Europe, Asia, and Africa;

(2) encourage, coincident with the Olympic Games being held in Mexico City in 1968, tourist travel in and to the United States, stimulate foreign trade, and promote cultural exchanges; and

(3) commemorate the two hundred and fiftieth anniversary of the founding of historic bilingual San Antonio, "the gateway of Latin America".

SEC. 2. (a) To implement the recognition declared in the first section of this Act, the President, through the Secretary of Commerce, shall cooperate with the State of Texas with respect to, and determine the extent to which the United States shall be a participant in and an exhibitor at, the exposition.

(b) The President is authorized and requested, by proclamation or in such other manner as he may deem proper, to invite the several States of the Union and foreign countries to take part in the exposition.

SEC. 3. (a) In carrying out his duties under section 2(a) of this Act, the Secretary of Commerce shall establish a planning staff to conduct a study to determine the manner in which and the extent to which the United States shall be a participant in and an exhibitor at the exposition, and to report thereon to the Secretary of Commerce and the President.

(b)(1) The Secretary of Commerce is authorized to appoint, without regard to the civil service laws and the Classification Act of 1949, such consultants and experts as he deems to be necessary to assist the planning staff established under subsection (a). Persons so appointed as consultants and experts, who are not otherwise employed by the United States, shall be (A) paid compensation at a rate not to exceed $100 per diem while engaged in the work of such planning staff, and (B) reimbursed for travel and other necessary expenses incurred while so engaged, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(2) The Secretary of Commerce is authorized to appoint and fix the compensation of the members of such planning staff and such secretarial, clerical, and other staff assistants as may be necessary to enable such planning staff to perform its functions, without regard to the civil service laws and the Classification Act of 1949, except that no person appointed under this paragraph shall receive compensation at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties.

SEC. 4. The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the Secretary of Commerce with respect to determining the manner in which and the extent to which the United States shall be a participant in and an exhibitor at the exposition; and

(2) to make available to the Secretary of Commerce, from time to time, on a reimbursable basis, such personnel as may be necessary to assist the Secretary of Commerce in carrying out his functions under this Act.

SEC. 5. The President shall report to the Congress during the first regular session of Congress which begins after the date of enactment of this Act with respect to (1) the findings derived from the study referred to in section 3, together with such recommendations as the Secretary of Commerce and the President may deem appropriate concerning the most effective manner of representation of the United States at the exposition, and (2) the amount of appropriations which are necessary to accomplish such representation.

SEC. 6. There are hereby authorized to be appropriated not to exceed $250,000 to carry out the provisions of this Act.

Mr. FASCELL (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 5, line 2, strike the figure "$250,000" and insert "$125,000"

Mr. GROSS. Mr. Chairman, I deeply regret that I cannot accept the kind offer of the gentleman from Texas [Mr. DE LA GARZA]. I first visited the Alamo many years ago. I am sorry that by offering the amendment I have to forfeit in this fashion my right to the recognition in the Alamo which he offered.

Mr. Chairman, I have offered this amendment because I am convinced the expenditure can very well be limited to $125,000.

Without repeating my previous argument, I again point to the fact that this was the amount allotted to the Seattle Fair for the preliminary study and there was no complaint that the amount was inadequate.

Mr. Chairman, there is no reason why $125,000 would not be completely adequate to determine the amount and the kind of participation by the U.S. Government in this project.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to my colleague from Missouri.

Mr. HALL. Does not the gentleman know the old saying, that you have to fly twice as fast as a normal liar, in order to keep up with the truth about Texas? Therefore, this request is perhaps in order, to have twice as much study money as we had for the Seattle Fair in Federal study and participation.

Mr. GROSS. I can see that my good friend from Missouri is well acquainted with Texas and Texans.

Mr. Chairman, I yield back the balance of my time.

Mr. ROSENTHAL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I address myself to this amendment not only as a member of the subcommittee who sat through all of the hearings on this matter, but also as a member of the board of directors of the New York World's Fair. I have had some experience—some of it quite unhappy—with fairs of this type.

Mr. Chairman, I might say that I was more than cautious, perhaps because of my experience, than some of my other colleagues and because of that fact, I was very much interested in the report of the economic consultants who testified in support of the San Antonio fair.

Mr. Chairman, I was very, very much convinced that they had been most conservative in their projection of attendance, and I am completely satisfied as to the proposed financial success of HemisFair.

Mr. Chairman, I was also very much impressed by the fact that they had hired a Mr. Dingwall, who had been the executive vice president of the Seattle World's Fair. Mr. Dingwall addressed himself to the matter that Seattle had used only $125,000 in their original plans. As related to this inquiry, Mr. Dingwall said at page 22 of the hearings as follows:

We have asked for more here than Seattle did some years ago because we did hope—Seattle asked for $125,000 and we doubled that because we would hope that there could be some design work undertaken along with the writing of the program for full participation.

Mr. Chairman, Mr. Dingwall was supported in that position by Mr. Perry, who was in charge of the design and architecture for the proposed HemisFair and he said on page 23 of the hearings as follows:

It was our consideration that architectural work of a schematic nature should accompany the program work done by those authorized under this legislation.

And, Mr. Chairman, in explaining this as a result of an inquiry from my colleague, the gentleman from New Jersey [Mr. FRELINGHUYSEN] as to what "schematic" meant, Mr. Perry said:

A schematic design to an architect is a technical term which comprises the beginning stages of architectural work. It includes conceptual design and analysis and preliminary cost estimates. This would accompany the programing done by those who would be doing the exhibit planning.

He further explained to us, and completely to my satisfaction and to that of the subcommittee, that by doubling the amount they could not only save money but save time, that they would do much of the architectural design and project work in the initial stages so that the net effect, by doing this at the same time they were doing the programing with reference to the initial inquiry as to the feasibility and the type structure we would have, the net result would be a substantial savings to the United States and would probably result in a finer and more appropriate exhibit and would in the long run save time.

Mr. Chairman, the sponsors of the resolution, the gentleman from Texas [Mr. GONZALEZ] and his supporters, did an excellent job in the presentation submitted to us. They included a complete statement of figures and a projection of expenditures which reached the sum of $250,000, and indicated that if there were something less than that spent, they would only ask for what they actually needed.

Mr. Chairman, in my judgment this was the wise way to approach it, and for these reasons I hope the amendment is defeated.

Mr. DERWINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was intrigued by the fact that it was necessary for a member of the committee from New York to rise to defend this fair in San Antonio. I would like to point out to the Members of the House—I believe the chairman of the subcommittee will bear me out—that it was our intention—as we discussed the matter in the subcommittee—that the Commerce Department, in working on these plans, assumes that there will be no question of participation so that the major emphasis will be to produce the most practical possible exhibit. This survey is not in the nature of deciding whether or not we shall participate; it is based on the premise that participation will take place. Therefore, as the gentleman pointed out, the funds will be a practical investment in the final project. It is more than a plan to determine a course of action. I do not think there is any need of reducing this amount, but, on the other hand, it must be utilized to the most practical extent possible, keeping in mind the ultimate objective.

I feel that the amendment, although moderate of the normal standpoint of the gentleman from Iowa, should be defeated.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

The **CHAIRMAN.** Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. OLSEN of Montana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9247) to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes, pursuant to House Resolution 583, he reported the bill back to the House.

The **SPEAKER.** Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER.** The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INTER-AMERICAN CULTURAL AND TRADE CENTER (INTERAMA)

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 30) to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 30), with Mr. OLSEN of Montana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, H.R. 30, as amended, provides for the participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., known as Interama. It authorizes the President to invite the several States of the United States and foreign countries to take part in this exposition, and to appoint a commissioner for Interama who shall perform such duties as the President may assign to him. Further, the bill provides certain powers to the head of a department or agency designated by the President, to carry out U.S. participation in Interama. The head of such department or agency is directed to report on the proposed nature and extent of U.S. participation during the early part of the forthcoming session of the Congress, and other agencies of the executive branch are authorized to cooperate with him, on a reimbursable basis, in fulfilling his duties.

The legislation, in section 5, authorizes an appropriation of not to exceed $11 million to carry out the above stated purposes, as well an appropriation of not to exceed $1 million for each of the fiscal years 1967 through 1970 for the maintenance of the U.S. exhibit at Interama.

Mr. Chairman, our committee has given very careful study to this legislation. The concept of Interama as a permanent year-round, nonprofit, self-sustaining enterprise for the development of improved relations and increased trade with the Republics of Latin America, has already been endorsed by the Congress and granted recognition in a Presidential proclamation. This is a carefully thought out undertaking and the plans for it are being implemented in accordance with the very thorough and well documented feasibility studies conducted by several research firms with extensive experience in the recreational and exposition fields.

To date, Interama has obtained financial resources and commitments which already approach $150 million and give evidence of substantial local support, both governmental and private, for this project. The full scope of this proposed $500 million undertaking is explained in detail in the statistical table which appears in the appendix to the report filed on this legislation.

Mr. Chairman, I would like to mention one more thing: After careful consideration of H.R. 30 in open hearings and executive sessions, our committee has amended the text of the bill so as to make it conform to the principles and procedures which our Government has used in the past and is using currently, in participating in various international expositions. We also received assurances from the executive branch that U.S. participation in Intrama will not interfere with the securing of the approval of the Bureau of International Expositions for the celebration of the U.S. Bicentennial to be held in 1975 or 1976.

Of course, Mr. Chairman, we strongly recommend that the legislation be passed.

Mr. Chairman, at this point I would like to yield to one of the sponsors of this legislation, the principal sponsor, my distinguished colleague from the same area that I have the honor to represent, who today sees the opportunity for at least a partial fulfillment of a lifelong dream which he initiated many, many years ago and which has been close to his heart for all this long period of time—a man who has made an outstanding record in the other body and who is now building for himself an outstanding record in this body. It is really a privilege for me to yield such time as he may require to my colleague, the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman and Members of the Committee, I thank my able and very generous colleague, the gentleman from Florida [Mr. FASCELL] for his kind references to me. I particularly want to commend him for the splendid leadership he has given not only on this measure but to so many other measures that have had the attention and the favorable consideration of the House of Representatives to promote trade and cultural exchange and friendship and cooperation between the United States and Latin American countries, which is the primary aim and purpose of this bill.

Mr. Chairman, I want to make it very clear that this bill has the complete support of the Florida delegation in both Houses of the Congress. While this bill, H.R. 30, happens to be my bill which is being considered by the House of Representatives today as amended by the able Committee on Foreign Affairs, all the members of the Florida delegation with the exception of one, introduced a companion bill.

I am very pleased to say that the two able Republican members of our Florida delegation introduced the same bill and they have given strong and most helpful and commendable support to this project all along the road of its consideration in the Congress.

Mr. Chairman, as my able colleague has been generous enough to say, this is an old dream to many of us—and great credit for its maturity goes to many. I do not claim to be the first to advocate this inspiring center, although my wife and I for nearly a third of a century following the example of others ahead of us, have done what we could to push this great project forward to bring about a closer relationship and understanding and a greater degree of cultural and business exchange between the United States and the Latin American countries.

All of us believe that to a great extent the destiny of freedom in the world will be determined by the cooperation, the unity, and the strength in dedication to peace and progress on the part of the nations that make up our Western Hemisphere.

As my able colleague and friend, the gentleman from Florida [Mr. FASCELL] has said, the proposed project happens to lie in my district, in the northern part of Biscayne Bay, although very proximate also to the district of my distinguished colleague and friend, the gentleman from Florida [Mr. FASCELL]. Yet I did not come to be a supporter of this project when it came to lie in my district, proud as I am that I can represent a district in which this great project is conceived and, I hope, will come to its magnificent maturity.

In March 1941, when I had the honor to be a Member of the other body, and when I lived in Tallahassee, Fla., in the northern part of the State—almost 500 miles from where this project lies—I introduced in that body a bill the title of which was "to provide for the establishment of a Pan American Center at Miami, Fla., for the coordination of commercial and cultural relations between the American Republics, and for other purposes."

In 1950, both Houses of Congress passed measures of which I was one of the authors in the other body. On August 25, 1950, the House passed one of those resolutions, the "resolving" part of which I should like to read:

> *Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled*, That the Congress hereby expresses its endorsement of the establishment of the Inter-American Cultural and Trade Center in Miami as a permanent year-round, nonprofit self-sustaining enterprise for the development of improved relations and increased trade with the Republics of Latin America.

In 1952, in January, President Truman, pursuant to the provisions of that resolution adopted by the Congress, said—and I quote only a part of the declaration:

> Now, therefore, I, Harry S. Truman, President of the United States, in consonance with the Joint Resolution, do hereby call upon officials and agencies of the Government to assist and cooperate with the Inter-American Cultural and Trade Center in Miami, Fla., and I invite the participation of all the nations of the Western Hemisphere therein.

Mr. Chairman, all that remains before this great project comes into establishment, early maturity, and fruition is the assurance of participation by the Government of the United States, for assurance of participation by our Government will assure participation by the countries of Latin America. Everything is now ready for the wheels to move toward completion of the project when this resolution is adopted. I hope it will be speedily adopted in this House and in the other body. State, county, and local authorities in Florida have advanced $882,000 to inaugurate and to forward Interama.

We have 1,700 acres of land in the northern part of Biscayne Bay as the site of the center, 680 acres of which have already been prepared for building sites. This land provided by the city of Miami has been appraised as worth $54 million.

We now have arrangements with private utilities, including telephone, power, and light, to put $15 million worth of instrumentalities in the center.

We have a commitment from the State of Florida to build $6 million of access and interior roads to and through the site.

We have a commitment from Goodbody & Co. to grant the authority, which is a State agency, of which the Governor of Florida is the honorary chairman—one member is the president of the First National Bank of Miami, the largest bank in Florida—an additional $13 million. By letter Goodbody has already said that it is ready to turn that money over to the authority on the basis of a feasibility report prepared by Economic Research Associates, an outstanding research agency in America. That firm, which is located in Los Angeles, made the same inquiry for Seattle and many similar expositions. That makes a total of $21 million advanced by one of the outstanding private bond houses of America—$8 million having already been advanced to the authority by Goodbody, part of which has been used in the preparation of the site.

In addition, we have an additional commitment from Goodbody & Co. for $10 million, without any relation to the Federal Government, for building a $10 million freedom tower.

The theme of this great project is the American way of life—progress with freedom. From the city of North Miami $3,800,000 is committed for the installation of water and sewerage facilities.

In addition, we have a commitment of $12 million from International Trade Mart, a private agency; and in addition to that we have a commitment from the Community Facilities Administration for a loan, adequately secured, as the research agencies have assured, of $22 million, to build all the buildings required for the participation of the Latin American countries and for the Government of the United States.

In fact $4.5 million of $18.5 million principal borrowed from CFA by the Miami authority, the total amount of the loan, including service charges, being $22 million—is for the building of a suitable building to house the exhibit of the Government of the United States, for which exhibit or participation we seek authority under this bill.

So, Mr. Chairman, this great project which will mean so much to the progress of freedom in our hemisphere is awaiting only a commitment for participation by the Government of our country in a suitable character in the center to become an exciting reality.

Our attention was called by the Committee on Foreign Relations in the other body, during the hearings, to the fact that this bill as originally drafted was an open-end authorization. It was said, "You do not have any limitation on the amount of authorization."

We had provided in the original bill that the character of the exhibit by the United States, the extent of it and its cost, should be as recommended by the department or the agency of the Government designated by the President—such report to be made to the Speaker and to the Foreign Relations Committee and to the Appropriations Committee of the other body—and as the Appropriations Committees of the two Houses might determine to be appropriate for a suitable exhibit or for suitable participation in the center, by our Government. We preferred to leave it that way.

But to satisfy those who felt there should be a ceiling to the authorization we put in a limitation of $11 million as the maximum cost the Government of the United States could incur. But the amount of the governmental expenditure will be determined by the recommendation of the department or agency appointed by the President, and of course by the Appropriations Committees of the Senate and the House of Representatives. The matter will have the consideration of the Bureau of the Budget of the executive branch of the Government also.

Mr. Chairman and members of the committee this is a meritorious project. It will create a center in Miami, where there is a keen awareness of our intimate relationship with our Latin American friends which will excitingly portray all the free nations of the Americas; a great center designed in a beautiful Florida setting by the outstanding architects of the Americas, where there will be a coming together of the people of the Americas in the four aspects of the project which are contemplated in the design—international, industrial, cultural and festival—all to promote human dignity and freedom.

I add, in conclusion, Mr. Chairman, that I hope and pray that the great capstone of this project, when it comes to its magnificent completion, will be a truly great Inter-American University in connection with the University of Miami where, in the fallow ground of American democracy, boys and girls from Latin America may come to study, and to then go home to be the leaders in the propagation and defense of democratic faith in the Latin American countries, which are so essential to our security and our welfare in our hemisphere.

With all my heart, Mr. Chairman, I commend this authorization to my colleagues in this Committee.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. I should like to ask some questions of the gentleman from Florida [Mr. FASCELL].

Is this considered to be a permanent or a somewhat temporary—meaning over a period of years—establishment?

Mr. FASCELL. If the gentleman will yield, it will be a permanent establishment.

Mr. ADAIR. Second, is it to be regarded as something in the nature of a trade fair? Could the gentleman give us a little more detail as to precisely what is to be accomplished?

Mr. FASCELL. It will be more than a trade fair, because its basic concept involves both cultural and trade considerations. It will have all of the normal things one would associate with an international exposition, but it will go far beyond that, in that the exhibits will not be static but will be flexible exhibits, in the sense of the normal kinds of exhibits one thinks of in an exposition.

Also, there will be opportunity for the presentation of the cultures of the various countries that participate, Latin American and others, in the form of symphonies, dances, art exhibits, and other types of cultural exhibits. In addition, there will be the normal kind of a trade mart and recreation area, together with opportunities for seminars, conferences, and that kind of thing. So this is a combination of every kind of concept in the field of expositions that you might think of, but not a normal trade exposition within the narrow meaning of that term. It is not simply a place where producers and buyers of products come to exchange ideas with respect to their products and to carry on commercial transactions. The opportunity for that would exist, but this center is not limited to that concept. That is the reason why it has the name cultural and trade fair.

Mr. ADAIR. I understood the gentleman from Florida [Mr. PEPPER] to say that this is a hemispheric effort, or it is so envisioned. In other words, participation will be invited from all nations of this Western Hemisphere.

Mr. FASCELL. It will be all nations, I will tell the gentleman. The emphasis, of course, is on this hemisphere because of the nature of its concept; that is, of an inter-American exhibition. However, it will be open to all nations except those that are Communist dominated.

Mr. ADAIR. So that if a European country wanted to participate, it might do so?

Mr. FASCELL. Very definitely. Yes, sir.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. PEPPER. I heartily endorse what my able colleague said, but the only difference is our authority, with the money that we borrow is going to build the buildings for the Latin American countries without any cost to them and furnish it to them. Their architects will participate with ours. Six of the outstanding architects in America headed by Mr. Edward Durrell Stone and Mr. Cerf, dean of architecture at Harvard. However, in the case of all foreign countries other than those in our hemisphere, they will pay for their own buildings.

Mr. ADAIR. I would like to ask either of the two gentlemen from the Miami area for a little further clarification as to the financial aspect of the matter. As I understand it, the request is for an authorization of $11 million to which is to be added the authorization for four annual $1 million appropriations.

Mr. FASCELL. The gentleman is correct. It is so stated in the report.

Mr. ADAIR. So the request is for a total at this time of $15 million.

Mr. FASCELL. The gentleman is correct. It is not to exceed $15 million.

Mr. ADAIR. Is it anticipated 4 or 5 years hence it may be necessary to come in and ask for further authorization, or is it anticipated at that time the institution will be self-maintaining?

Mr. FASCELL. It is not anticipated that there will be any further requests for authorizations. The gentleman is correct.

Mr. ADAIR. My final question is this: There have been a number of figures mentioned by both of you gentlemen. What is expected to be the overall cost of the establishment of this institution?

Mr. FASCELL. It is projected at this point that the total cost of development will be in the neighborhood of $500 million when the project is completed.

Mr. ADAIR. I am not clear as to how much the State of Florida as a State is putting in.

Mr. FASCELL. The State of Florida is coming into the project in various aspects of it, both with direct cash, which has been made available heretofore to the State authority called the International Cultural and Trade Center Authority, and also by virtue of a commitment with respect to the construction of access and other roads in the project amounting to approximately $6 million—or $5.9 million, I believe, to be exact.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. FASCELL. If the gentleman will yield further, the State has already started on the construction, or has made commitments with respect to the first $3 million of construction. So you have a total participation of better than $6 million by the State thus far.

Mr. ADAIR. How about the county of Dade or the city of Miami?

Mr. FASCELL. Well, the county participated with respect to moneys actually heretofore made available to the Authority for necessary preliminary expenses in the sum of several hundred thousand dollars. I have forgotten the exact amount, but it is detailed in the record of the hearing and the report. The city of Miami, of course, is making the land available to the Authority under a subordination agreement, 1,700 acres of land, title to which was actually owned by the city of Miami and transferred to the State authority.

Mr. ADAIR. Does the gentleman anticipate that there will be any further Federal contribution beyond the amount asked here?

Mr. FASCELL. We know of none.

Mr. ADAIR. Then the balance of the money, of the $500 million, to which reference was made, would come from private sources or other nations?

Mr. FASCELL. That is correct. It will come from the bonded financing which has already been arranged, and which has been alluded to and is detailed in the report, and includes all of the other construction and other contributions that will be made either by private organizations, other governments, or through other sources. It would be non-U.S. Federal, in other words.

Mr. ADAIR. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, at the outset I want to emphasize that this is a far different proposition than that of the previous bill providing for what is called HemisFair, at San Antonio, Tex. That, I hope, will be a one-shot affair, insofar as a Federal appropriation is concerned. This is a permanent institution.

I am far from convinced that the Federal Government, although it has already put up or has made available $22 million through a so-called loan under the Community Facilities Administration, and another $11 million is asked for in this bill, has seen the end of the Federal financing of this project as it now stands.

I sat through the hearings on this bill. I cannot understand why, with $54 million worth of real estate allegedly dedicated to this project, Floridians cannot take care of the financing without going so deeply into the Federal Treasury. I am not convinced that they are going to be able, through revenues from this Interama, to retire the loan that has been made. In other words, I think that already too much dependence has been put upon the Federal Government in this affair. Moreover, I am not aware that in the development of the Trade Center in New York that the Federal Government has put up a dime so far. It is my understanding that the city of New York is raising a considerable amount of money on its own from various sources other than the Federal Government—from private and public sources in the State and city of New York to establish its trade center.

And for the first time this afternoon I heard Interama emphasized as a cultural center as well as a trade center. I am now at a loss now to know whether it is to be a cultural center or a trade center.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am delighted to yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I notice in a letter to the committee of which the gentleman from Iowa is a member, addressed to the chairman of the committee, dated September 8, 1965, the Assistant Secretary of State for Congressional Relations states that:

> The Bureau of the Budget is unable to advise as to the administration's position on this matter.

Does that mean that the Bureau of the Budget has not taken a position and the administration is not either in favor of or against this proposal?

Mr. GROSS. I will say to the gentleman that so far as I can remember we had no witness representing the Bureau of the Budget before the subcommittee that held hearings on the bill.

Mr. JONAS. Mr. Chairman, if the gentleman will yield further, I was reading from a letter that appears on page 6 of the report.

Mr. GROSS. Yes, and I am aware of the letter.

Mr. JONAS. Can we find out whether the administration has a position for or against this project?

Mr. GROSS. I would suggest—and I yield to the gentleman for the purpose—that he ask the sponsors of the legislation that question.

Mr. JONAS. May I ask the distinguished gentleman from Florida whether this correctly sets forth the fact that the administration has not expressed an opinion for or against the proposal?

Mr. FASCELL. Mr. Chairman, if the gentleman will yield, I would not want to add or detract from anything which the letter says, because I think it is self-explanatory. It simply says that the departments in their submission of reports were not able to obtain the normal pro forma statements, and the Bureau of the Budget had no objection to the submission of the report as far as the President's program is concerned. I would further state that we normally do not call and have not called any representative from the Bureau of the Budget to determine what their position is with respect to the Bureau of the Budget.

As the gentleman well knows, the only reason the statement is in there at all is because under the Executive procedure all departments are required to clear their reports with the Bureau of the Budget.

Mr. JONAS. I might add that there is another sentence in this letter from the Department of State which concerns me, and it reads as follows:

> But before the Federal Government makes a commitment to become a permanent exhibitor it would seem reasonable to confirm by some independent study the likelihood of participation in this event by U.S. private enterprise and Latin American countries.

That would seem to be a recognition at least on behalf of the Department of State that we not go forward with this until these questions are cleared up.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. FASCELL. I do not think that interpretation is going to be put on that language. I would simply say, though, that the economic feasibility studies which are available and which are a part of the record do not have that reservation at all, as has been testified to before the committee and which I think has substantially satisfied our members. And even these economic feasibility studies are most conservative. So I do not quite understand the applicability of the statement of the gentleman from North Carolina or the interpretation which the gentleman from North Carolina places on this with reference to his reservations in the matter.

Mr. JONAS. I am not making any reservation at all. I am asking for a clarification. The letter from the Department of State was written apparently as is stated in the first sentence, in reply to a request from Chairman MORGAN for the views of the Department. What I have read is a part of the views.

Mr. FASCELL. That is right.

Mr. JONAS. And, I just wondered whether there had been any subsequent change or whether the gentleman could now tell us whether there is approval of this project on the part of the administration or whether it is neutral or negative.

Mr. FASCELL. I think their statement of position is as expressed in that letter, and I do not want to add anything to it or take anything from it, as I said earlier. This is the reason for the report. I would simply say there certainly would not be any reservation at all with respect to the feasibility study because that has been made by one of the best organizations we have, and as I stated, in a very conservative manner.

With reference to the question of feasibility and talking about the economics of it, it can stand on its own. There might be a difference of opinion as to how many exhibitors you are going to have or just how much participation, until you actually get into the mechanics of the thing.

For example, in Seattle and New York we did not have any idea as to how many people were going to participate when we started. So one could naturally and normally have a reservation with respect to the extent of participation by the people. I see nothing wrong with that reservation.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. GROSS. Mr. Chairman, I yield myself 2 additional minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 2 additional minutes.

Mr. GROSS. Mr. Chairman, in conclusion, I say again that we must understand, in the consideration of this legislation, that here we are being asked to underwrite a permanent fair or trade center or cultural center, whatever you want to call it—I say again I am far from convinced that the $22 million which the Federal Government has allegedly on loan in this case, and the $11 million which is called for in this bill, will be the end of the financing on the part of the Federal Government.

Mr. Chairman, I urge defeat of the bill, and reserve the balance of my time.

Mr. FASCELL. Mr. Chairman, I yield myself 2 minutes.

First of all, I want to remind the Members that with respect to the New York World's Fair, the Federal participation was $17 million. The only way the U.S. Government can participate in these fairs and expositions is for us to authorize the appropriation and have the Appropriations Committee appropriate the money. Normally the Department of Commerce discharges the operational functions.

In comparison with any of the projects we have had before us in the past 10 years, this one will stand on its own merits as being as good or better than any other one. The feasibility studies bear that out.

I do not see any reason for concern with respect to the permanent nature of this matter because we have a limitation on the authorization. The authorization is also subject to the normal appropriation processes. Further, I see nothing to be concerned about with respect to the facilities and the exposition itself. By all of the criteria for U.S. participation, by any standards we have used in the past, or we may expect to use in the future, I would think that we could go ahead with this project.

Mr. Chairman, I yield to the gentleman from Florida [Mr. ROGERS] such time as he may desire.

Mr. ROGERS of Florida. Mr. Chairman, as one of the sponsors of Interama legislation, I strongly support the measure before the House today, and urge its adoption.

This week this House adopted a resolution supporting the actions of the President in upholding freedom in this hemisphere by force if necessary. As an expression of the sense of the House the overwhelming support on this resolution clearly indicates our feeling that the wave of communism must be stopped in order to guarantee the freedom of the peoples of the Caribbean and of our own country as well.

Interama is a fitting sequel. By promoting international understanding through trade and commerce, it will stand as a monument to the cooperation of freedom-loving people throughout North and South America.

At the crossroad of inter-American travel, Interama will be a center for cultural exchange and cooperation.

Interama will be proof that the people of the United States have trust and faith in the future of good relations between our own Nation and our sister Republics of this hemisphere. It will be a cornerstone of a new understanding through peaceful means to the mutual benefit of all, so that we can build a more durable bridge between our people.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, it gives me great pleasure to support this bill, H.R. 30, and my distinguished colleagues from Florida [Mr. PEPPER and Mr. FASCELL].

The bill has been fully explained. I would like to perhaps emphasize this aspect: While we are here asking for an authorization for a permanent exhibit in this trade center on the part of the U.S. Government, what we have is a joint venture of the local people, the State people, and the Federal Government. As has been pointed out, the city of Miami has put up 1,700 acres of extremely valuable land for the site this trade center will be erected on. The State of Florida has made a substantial contribution as an additional investment, and has also pledged the cost of the roads in the center. The Authority is borrowing up to $21 million to develop the center. Actually, the private public utilities companies in the area expect to invest about $15 million in furnishing utilities for this permanent exposition. So it is indeed a joint venture with financial participation at all levels of government.

It will serve two purposes: First, an economic purpose. It will generate a tremendous amount of activity for this part of Florida, and for the whole State of Florida and, for that matter, all of the United States and, second, of great importance is the good relations it will generate with our Latin American neighbors.

Presidents have supported this as far back as President Truman and President Eisenhower, as well as the Congress itself. I would like to refer to what a Republican President said in a proclamation concerning this project:

> The effective functioning of the center will encourage the mutually beneficial exchange of goods and services between the nations of the Western Hemisphere, thereby fostering the solidarity of the American Republics.

Mr. Chairman, I think this is a sound measure and I fully support it. I hope the Members on our side support it too as well as those on the Democrat side.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman and Members of the Committee, I am unalterably opposed to this grab of the taxpayers' money for whatever the benefit may be—cultural or hemispherical solidarity—or trade fair or exposition—or on any other basis. We do enough for these things, and notions through the U.N. and its offshoots—foreign aid, the OAS and so forth.

It seems to me it is time the House of Representatives, the people's personal Representatives, elected on a biennial basis, because they are the keepers of the taxpayers' money, of the Treasury, the exchequer and as I say, I think it is time the House of Representatives called a sudden halt and dug their heels into the ground on a day when we have just authorized a study to the tune of a quarter of a million dollars for one HemisFair in Texas in the interest of Latin American relations and now another $37 million on a half-billion-dollar project for exactly the same operation in another southern area of the United States.

I object to this, because like Sam Houston said when he was in the Senate:

> I am positive that we should not be charitable with the taxpayers' money.

Furthermore, I am not sure we will accomplish the purpose intended. When the International Bureau of Expositions—IBE—says that they cannot be interested in this long-range project, I think it is a sorry day for our taxpayers and I doubt if the Latin Americans can stand much more loving care or stand much more donations on our part, as far as their participation is concerned.

Mr. Chairman, I strongly object to this bill. I resent the manner in which it has been brought up for this raid on the Treasury.

The CHAIRMAN. If there are no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment, printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 30

A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Florida, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized, through such department or agency in the executive branch of the Government as he may designate, to provide for United States participation in the Inter-American Cultural and Trade Center (hereafter in this Act referred to as "Interama"). In providing for United States participation, the President shall cooperate with the Inter-American Center Authority (an agency of the State of Florida). The purposes of Interama are—

(1) to provide a permanent international center which will serve as a meeting ground for the governments and industries of the Western Hemisphere and of other areas of the world;

(2) to facilitate broad and continuous exchanges of ideas, persons, and products through cultural, educational, and other exchanges; and

(3) by other appropriate means, to promote mutual understanding between the peoples of the Western Hemisphere and to strengthen the ties which unite the United States with other nations of the free world.

SEC. 2. (a) The President is authorized, by proclamation or in such other manner as he may deem proper, to invite the several States of the United States and foreign countries to take part in Interama, except that no Communist de facto government holding any people in subjugation shall be invited to participate.

(b) The department or agency in the executive branch designated by the President under the first section of this Act shall, not later than February 15, 1966, report to the Committees on Foreign Relations and Appropriations of the Senate and to the Speaker of the House of Representatives with respect to the proposed nature, extent, and cost of United States participation in Interama and the nature and extent of the participation in Interama to be anticipated on the part of foreign countries (particularly Latin American countries) and private industries.

SEC. 3. (a) There shall be in the designated department or agency a Commissioner for Interama who shall be appointed by the President and who shall receive compensation at the rate prescribed for level IV of the Federal Executive Salary Schedule. Subject to the direction of the head of the designated department or agency, the Commissioner for Interama shall perform such duties as the President may prescribe to carry out this Act.

(b) In order to carry out the provisions of this Act, the head of the designated department or agency is authorized—

(1) to appoint and fix the compensation of such persons as he deems necessary without regard to the civil service laws and the Classification Act of 1949; except that no person so appointed shall reecive compensation at a rate in excess of that received by persons under the Classification Act of 1949 for the performance of comparable duties;

(2) to procure temporary and intermittent services in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a);

(3) to enter into contracts;

(4) to select, purchase, rent, construct, or otherwise acquire exhibits, including materials and equipment therefor, and to provide for the transportation, insurance, display, maintenance, and dismantling thereof;

(5) to incur such other expenses as may be necessary; and

(6) to accept donations of money, property, and services and the loan of property.

SEC. 4. The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the head of the designated department or agency with respect to determining the manner in which and the extent to which the United States shall be a participant in and an exhibitor at Interama; and

(2) to make available to the head of the designated department or agency, on a reimbursable basis, such personnel as may be necessary to assist him in carrying out his functions under this Act.

SEC. 5. (a) There is authorized to be appropriated not to exceed $11,000,000 to provide for United States participation in Interama under this Act, of which not to exceed $250,000 shall be available for expenditure in connection with the preparation of the report required to be submitted to the Congress under section 2(b) of this Act. Sums appropriated under this subsection shall remain available until expended.

(b) In addition to the amount authorized in subsection (a), there is authorized to be appropriated not to exceed $1,000,000 annually for each of the fiscal years 1967, 1968, 1969, and 1970 for the maintenance of United States installations and activities at Interama.

Mr. FASCELL (during the reading of the substitute committee amendment). Mr. Chairman, I ask unanimous consent that the substitute committee amendment be considered as read and printed in full in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS: On page 9, line 17, strike "$250,000" and insert "$125,000".

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS] in support of his amendment.

Mr. GROSS. Mr. Chairman, I would not want the Floridians who are supporting this proposition to feel slighted for I offered the same amendment to the HemisFair bill. Again, I am convinced that $125,000 is more than ample for those who will prepare and submit a report to the Congress. I do not see how they could possibly spend $250,000. I join with my colleague, the gentleman from Missouri, in saying to the Members of the House that sometime soon there ought to be some disposition in favor of a little economy in matters of this kind where economy can easily be effected. This is an excellent time and place to start.

But, Mr. Chairman, I labor under no illusion as to the probable fate of my amendment for there is no evidence that extravagance in the Federal Government is to end soon.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HALL. Does the gentleman know of any fair or exposition that has paid itself out in his lifetime or mine? Does he know of any successful so-called international fair including the last one in New York State?

Mr. GROSS. As the gentleman remarked, we have the very recent example of the New York fair which has failed to come anywhere close to paying its way.

Mr. HALL. There was the first World's Fair or International Exposition that I can remember—the one in 1933 in Chicago. That was the first one in this century and then the two in New York, in addition to the one that is going on at this time—plus the one in Fort Worth, Tex., and Seattle; and these fairs or expositions so far as I know have all been failures financially, in spite of the glowing advance predictions of what was expected and what was to happen in the future.

I support the gentleman's amendment and encourage the committee to support it.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment. While I can appreciate the feelings of my colleagues with respect to the general policy of U.S. participation in trade fairs and expositions, the facts of life are that we have long had such a national policy because we have deemed it in our national interest to participate in fairs and expositions both abroad and at home.

I would disagree most vehemently with the conclusion that those fairs and those expositions and our participation in them as a National Government has been a failure. Quite to the contrary. All the evidence is that such participation has been an outstanding success, and that there is very good reason for us to participate either on the basis of business and economics or on the basis of culture.

I would think that this is a wise policy that we have followed and that we should continue to follow it.

With respect to general authorization, that is another subject. It might very well be that at sometime in the future, this body or the other body might wish to consider general authorization with respect to U.S. participation in domestic exhibitions in the same fashion that we now have general authorization with respect to participation in international exhibitions. I think that would be a far better way to proceed. But until that decision is made and until the Department of Commerce or some other appropriate Department is given the general authority to establish the criteria, to handle applications, to pass on them, and the necessary funds to carry out the job with respect to U.S. participation in domestic fairs, we must proceed as we are doing today: on an individual basis.

This is our national practice and policy, both at the administrative level and at the congressional level. So far, it has stood us in good standing. We have reserved to ourselves, as Members of the Congress in this body, the right to review, through the authorization process and the appropriation process and by open debate on this floor, the right to review and to make the determination in each case. That has been our policy and I think it is a good policy. That is what we are doing here.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I am delighted to yield to the gentleman from North Carolina.

Mr. JONAS. I hope my friend will speak to the amendment.

Mr. FASCELL. I have been and I shall continue to do so.

Mr. JONAS. The gentleman has been talking, I think, about the general proposition. But I would like some information on why it would be expected to cost $250,000 to make up a report that must be filed by February 15, 1966. I rather agree with the gentleman from Iowa. I am skeptical that that $250,000 can well be spent in preparing a report.

When the amendment was offered, it struck me that it was a sensible one. I should like to have some discussion or some information indicating why it is felt that $250,000 could properly be spent.

Mr. FASCELL. I trust the gentleman will not think I am facetious in response to his very genuine inquiry. But if we are talking in round sums, we might very well ask the question, What is the basis for the proposed $125,000, other than an opinion, with which I do not argue? I think that the gentleman's question is a very sincere inquiry and I should attempt to reply to it.

Mr. JONAS. Did the committee have any information on which the $250,000 figure was established? Did the committee determine how many people would be employed or engaged and what would be the extent of the investigation?

Mr. FASCELL. I am sure the gentleman knows that with the limitation we have in the bill, not to exceed $250,000, the gentleman's appropriation committee will be able to reach its own conclusions. We do, however, have an estimate with respect to the budget breakdown of the $250,000. I shall be glad to detail it on the record here. It is available. I shall be glad to read it to the gentleman in full right now.

Mr. JONAS. Mr. Chairman, if the gentleman will yield further——

Mr. FASCELL. I yield.

Mr. JONAS. I think that would be helpful to some of us. I should like to know on what basis the $250,000 estimate was made.

Mr. FASCELL. First, it is an estimate and is subject to the appropriations process. Further, as the gentleman knows, the study may be undertaken with the help of the personnel of the executive departments, if the appropriations committee would let them do so, and in that event the actual cost may be smaller. But they cannot undertake such a study and write a report without specific authorization. That is the reason we have it in this form. That is the reason we have placed a limitation on the amount that may be spent for this purpose. As far as we are concerned, if it can be done for less, we shall be delighted to have it so done. The estimates which we have are as follows:

Planning funds expenditures

	Per year
U.S. Commissioner	$20,000
Deputy Commissioner	17,500
Administrative assistant	10,000
Architectural and engineering fees	45,000
Conceptual exhibit development	15,000
Office and other expenses:	
Secretarial	6,000
Clerical	10,000
Conferences and meetings	20,000
Contracted services	3,000
Rent	2,500
Furnishings and equipment	10,000
Supplies	3,000
Telephone and telegraph	$4,000
Postage	1,200
Travel	30,000
Professional	30,000
Total	227,200
Plus 10 percent contingency	22,720
Total	249,920

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. JONAS. Mr. Chairman, I rise in favor of the amendment.

I yield to the gentleman from Florida, so that he may continue.

Mr. FASCELL. I might add that when one considers in the case of New York it was approximately $300,000 and in the case of Seattle $125,000, there can be a considerable variation in the amount. Based on the experience we have had in the past, this limitation has been fixed.

Mr. JONAS. I thought the limitation was to be made in connection with the preparation of a study which is to be filed on February 15, 1966.

Mr. FASCELL. That is correct.

Mr. JONAS. The gentleman related a number of annual salaries, including $20,000 to one man. Are these to be on a full-year basis, or are the salaries for only 4 or 5 months, until the report is completed?

Mr. FASCELL. No; they will be continuing. The gentleman will note the language that the limitation is within the total authorization.

Mr. JONAS. But the limitation is on what can be spent for preparing the report.

Mr. FASCELL. I understand. That is a technical breakout for accounting purposes. The limitation is within the total authorization.

Mr. JONAS. I understand that.

Mr. FASCELL. The fact is there will be a U.S. Commissioner who will be a U.S. Commissioner for the entire purpose of the authorization. Technically, the breakout for the study will be for whatever would be applicable to the study.

Mr. JONAS. So it will not cost $250,000 to make the report?

Mr. FASCELL. Obviously, it probably will not. I agree.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. Of course there is a saving clause that "Sums appropriated under this subsection shall remain available until expended."

If they did not spend $250,000, the funds would still be there to be expended.

Mr. JONAS. I am sure the gentleman from Florida would want me to say, because he has already said it, that this is a limitation out of the authorization of $11 million. The $11 million will be available until spent. I assume they will not spend more money for preparing the report, after the report is completed and filed.

Mr. FASCELL. The gentleman is correct. Of course, this is subject to the appropriations process.

While I respect the gentleman who offered the amendment for his sincerity, I believe that under the circumstances it is not necessary, and I ask that it be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

Mr. BENNETT. Mr. Chairman, I vigorously support this legislation, H.R. 30, to provide for U.S. participation in the Inter-American Cultural and Trade Center in Dade County, Fla.

Interama was established as a State of Florida agency in 1951 and the purpose of the agency is to do whatever may be necessary for the establishment, construction, maintenance, operation and financing of an Inter-American Cultural and Trade Center in or near Miami, Fla., as a permanent enterprise.

The character and purpose of Interama were outlined in 1951 by Dr. W. H. Walker, the first chairman of the organization, and a distinguished Floridian, who said:

> The worldwide Communist drive must be met by a stronger one for truth, freedom and democracy. If communism continues to spread the next 5 years as it has the past 5, a majority of the world's population will be under Kremlin control, greatly enhancing the possibility of eventual Russian military victory. The nations of this hemisphere constitute a strong and unconquerable group if they will stand solidly together and restrain communism within their own borders. Unless the United States can solidly cement its relations with the Latin American people, it is in a poor position to do so in other faraway countries.

Interama is to be a permanent reminder of our Nation's interest in our hemisphere—a living reminder of our belief in representative government and freedom for all people. This lasting memorial to the Americas will stand as a strong example to other nations in our desire for a permanent peace and security for our area and of the world.

I am hopeful the House will act favorably on this important project, which has had the backing of the last five Presidents of the United States, the Florida congressional delegation, the Governor and cabinet of Florida, the State legislature, and the citizens of our State.

In these days of continuing crisis in Latin America we need this concrete display of the cultures of North and South America to stand not only as an example of our mutual desire for freedom, but also as a bulwark in our national defense effort.

Participation by our Government will insure the success of Interama and prove the purpose of the undertaking as outlined by Dr. Walker: meeting the Communist threat with truth, freedom and democracy through this hemispheric illustration of solidarity.

Mr. CRAMER. Mr. Chairman, I rise in support of H.R. 30, which requests Federal participation in Interama.

I would like to point out my belief that this permanent international exposition will reflect favorably, not only on my State of Florida, but on the entire country in its relations with the rest of the world. For, Interama will be the world's first living exposition and, as such, will be a showcase to which the entire Nation can look with pride.

Out of the estimated $500 million this project will cost, Mr. Chairman, Interama seeks no more than $11 million for the Federal exhibit. It should be emphasized that this is an investment by the Federal Government in an exhibit that will attract an estimated 75 million visitors in the first 5 years. Thousands will be visiting Interama from countries throughout the world and it is here that the United States, through its exhibit, can proudly display the American way of life to the rest of the world.

Mr. Chairman, in view of the fact that a total of $17 million was authorized for the New York World's Fair, the $11 million asked here today for Interama—considering its permanency—is not unreasonable. Nor is it unreasonable when one considers the laudable purpose of Interama; namely, the development of improved relations and increased trade with the Republics of Latin America, and indeed the rest of the free world.

The theme of Interama is, appropriately, "Progress Through Freedom." As such, Interama will start as a living monument to the great American way of life. The Federal exhibit is an integral part of this overall imaginative program and I am hopeful, therefore, that this bill will be enacted into public law.

Mr. RANDALL. Mr. Chairman, the proposal for an Inter-American Cultural and Trade Center as embodied in H.R. 30 should receive the support of every Member of the House.

The gentleman from Florida [Mr. PEPPER], is to be congratulated for his efforts to secure the participation of the United States in what is otherwise described as Interama. With special emphasis on exhibits and a pavilion of Western Hemisphere nations it will become a permanent international exposition to portray the American way of life and will strengthen our ties with other nations of this hemisphere.

The proposal is most attractive because it is not only a permanent year round, nonprofit and a self-sustaining enterprise but also because its avowed and most worthwhile objective is to improve relations through trade with the republics of Latin America. If we can encourage exchange of goods and services between the nations of the Western Hemisphere then such an exchange will undoubtedly foster the solidarity of the American Republics.

Already an agency known as the Inter-American Center Authority has been created by the Florida Legislature and it has already obtained approval of a $22 million dollar loan from the community facilities administration. The State of Florida, the Dade County Port Authority and others have made contributions of more than $800,000 for studies for preliminary design and engineering data, to determine the scope and cost of the Interama program. A $21 million bond issue has already been validated by the circuit court of Dade County and also by the Florida Supreme Court.

Back in 1961 a 1,700 acre tract of land was acquired in northeast Dade County with appraised value in excess of $50 million. The financial resources and commitments of Interama already approached $150 million which proves there is substantial State, and local financial support for this project. Set off against such impressive figures there is the present request for not more than $11 million in Federal money for the installation of exhibits and equipment of the U.S. pavilion at Interama. There is an additional authorization of an appropriation not to exceed $1 million annually for the operation and maintenance of the U.S. exhibit at the U.S. pavilion.

This is a well-conceived project but best of all is the potential in terms of the anticipated effect of our participation with our neighbors to the south.

Mr. Speaker, I have not always been a full-time supporter of foreign aid projects and have not always been in favor of the Inter-American Development Bank but I support a project of this kind because this is the very finest way to encourage educational, scientific and other exchanges among the American Republics consistent with out commitments with the Alliance for Progress. H.R. 30 is a good bill and deserves the support of every Member of this House.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. OLSEN of Montana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 30) to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes, pursuant to House Resolution 582, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes had it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 255, nays 112, answered "present" 1, not voting 64, as follows:

[Roll No. 316]

Yeas—255

Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Ayres
Bandstra
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Cabell
Callan
Cameron
Carey
Casey
Celler
Clark
Clevenger
Cohelan
Collier
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Derwinski
Dingell
Donohue
Dorn
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffiths
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Karsten
Karth
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kornegay
Krebs
Latta
Leggett
Long, La.
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
McMillan
McVicker
Machen
Mackay
Madden
Mailliard
Martin, Mass.
Mathias
Matsunaga
Matthews
May
Meeds
Mills
Minish
Mink
Minshall
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Nedzi
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price
Pucinski
Purcell
Quillen
Randall
Redlin
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Selden
Shipley
Sickles
Sikes
Sisk
Smith, Iowa
Smith, Va.
Staggers
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vivian
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—112

Abbitt
Abernethy
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baldwin
Bates
Battin
Belcher
Bell
Berry
Betts
Bray
Brock
Broomfield
Broyhill, N.C.
Buchanan
Byrnes, Wis.
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clawson, Del
Cleveland
Conable
Curtis
Davis, Wis.
Devine
Dickinson
Dole
Downing
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fountain
Gathings
Goodell
Green, Oreg.
Griffin
Gross
Grover
Gubser
Hall
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Henderson
Hutchinson
Jennings
Jones, Mo.
Kastenmeier
Keith
King, N.Y.
Kunkel
Laird
Langen
Lennon
Lipscomb
McClory
McCulloch
McDade
MacGregor
Mackie
Mahon
Marsh
Martin, Nebr.
Michel
Mize
Moore
Natcher
Nelsen
O'Konski
Patten
Pelly
Pirnie
Poff
Quie
Race
Reid, Ill.
Reinecke
Rhodes, Ariz.
Robison
Rooney, N.Y.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Shriver
Skubitz
Slack
Smith, Calif.
Stafford
Stalbaum
Stanton
Talcott
Tuck
Utt
Vigorito
Walker, Miss.
Williams
Wilson, Bob
Wyatt
Wydler
Younger

ANSWERED "PRESENT"—1

Dow

NOT VOTING—64

Anderson, Ill.
Andrews, George W.
Baring
Barrett
Bolling
Bolton
Bonner
Bow
Burton, Utah
Byrne, Pa.
Clausen, Don H.
Colmer
Denton
Diggs
Dowdy
Edwards, Calif.
Evins, Tenn.
Fallon
Farnsley
Farnum
Fino
Fogarty
Ford, Gerald R.
Frelinghuysen
Garmatz
Halleck
Hansen, Idaho
Hansen, Wash.
Harris
Herlong
Hicks
Holifield
Holland
Hosmer
Johnson, Okla.
Jones, Ala.
Kluczynski
Landrum
Lindsay
McEwen
Macdonald
Martin, Ala.
Miller
Moeller
Monagan
Morton
Murphy, N.Y.
Murray
Nix
O'Brien
O'Hara, Ill.
Passman
Powell
Resnick
Roosevelt
Scott
Senner
Smith, N.Y.
Springer
Stephens
Thomas
Thompson, Tex.
Toll
Whitten

So the bill was passed.

The Clerk announced the following pairs:

Mr. Passman with Mr. Halleck.
Mr. Toll with Mr. Fino.
Mr. Fogarty with Mr. Gerald R. Ford.
Mr. Thomas with Mr. Morton.
Mr. Farnsley with Mr. McEwen.
Mr. Thompson of Texas with Mr. Martin of Alabama.
Mr. Garmatz with Mr. Lindsay.
Mr. George W. Andrews with Mr. Bow.
Mr. Fallon with Mrs. Bolton.
Mr. Evins of Tennessee with Mr. Burton of Utah.
Mr. Colmer with Mr. Smith of New York.
Mr. Whitten with Mr. Springer.
Mr. Byrne of Pennsylvania with Mr. Hansen of Idaho.
Mr. Barrett with Mr. Frelinghuysen.
Mr. Nix with Mr. Anderson of Illinois.
Mr. Holifield with Mr. Hosmer.
Mr. Hicks with Mr. Don H. Clausen.
Mr. Murphy of New York with Mr. Murray.
Mr. O'Brien with Mr. Landrum.
Mr. Kluczynski with Mr. Jones of Alabama.
Mr. Powell with Mrs. Hansen of Washington.
Mr. Macdonald with Mr. Herlong.
Mr. Roosevelt with Mr. Senner.
Mr. Scott with Mr. Denton.
Mr. Edwards of California with Mr. Diggs.
Mr. Monagan with Mr. O'Hara of Illinois.
Mr. Stephens with Mr. Resnick.
Mr. Farnum with Mr. Harris.
Mr. Holland with Mr. Baring.
Mr. Miller with Mr. Bonner.

Mr. DOW changed his vote from "nay" to "present."

Mr. BYRNES of Wisconsin and Mr. LANGEN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bills H.R. 9247 and H.R. 30, both of which were just passed by the House, during the general debate on both of those bills.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

MONEY SPEAKS LOUDER THAN WORDS

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the old adage that "money speaks louder than words," may have been an important underlying factor in what appears to be a more reasonable attitude on the part of Pakistan and India in resolving their differences over Kashmir. Buried beneath this morning's headlines concerning a possible cease-fire, was an announcement by the World Bank that it had postponed indefinitely a meeting scheduled for tomorrow of nine Western nations that were supposed to pledge contributions to finance the first year of a new Pakistani 5-year plan for economic development.

The World Bank said the session could not be held at present because of the "abnormal conditions in the subcontinent. A meeting will be convened as soon as circumstances permit," a spokesman said.

Pakistan was seeking the equivalent of $500 million for the first year of its third 5-year plan. Currently, World Bank economic assistance to India amounts to approximately $1 billion per year.

As the ranking Minority Member of the House Committee on Banking and Currency, which has under its jurisdiction both the World Bank and the International Development Association, I want to take this opportunity to commend the World Bank for this timely action.

The threat to postpone massive economic assistance to recipient nations involved in costly wars can be a very real deterrent to those who threaten world peace. I would personally recommend that any and all World Bank meetings leading to new economic commitments be postponed until the Kashmir question is settled.

Moreover, under the anti-aggression amendment to the Foreign Assistance

Act of 1963, the President has the authority to cut off all unilateral U.S. economic aid to India and Pakistan at any time he deems desirable.

Mr. Speaker, the threat to cut off or postpone large-scale World Bank economic aid to these two countries may very well turn out to have been the single most important factor in bringing about a cease-fire.

AMERICA'S DWINDLING WATER SUPPLY

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, many Members have taken notice of America's dwindling water supply. Various legislation has been passed this year, or is presently under consideration, which would assist in the alleviation of the water supply problem—on a long-range basis.

None of these proposals or programs will solve the problem next week or at any time in the immediate future.

Something must be done now—to alert the American public to the gravity of the situation and to point out to all of our citizens various ways through which they, in their own homes and on their own jobs, can help their country in what is rapidly becoming a desperate situation.

For this reason, I am introducing today a joint resolution authorizing and requesting that the President designate November, as National Water Conservation Month in recognition of the importance of water conservation to the maintenance of public health and the national economy.

Mr. Speaker, I have notified the President of my proposal and I hope to have his support in this worthwhile endeavor. I hope also to have support of all Members of this House.

HUGH LAWSON WHITE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, the people of Mississippi today mourn the loss of one of her most productive and illustrious sons. Hugh Lawson White, twice Governor of Mississippi, quietly passed away September 19, in Jackson, at the age of 84.

Governor White contributed to his fellow man at every step in his busy life. His energetic devotion to economic progress was the main theme of his being. Even during the closing chapter of his life, Governor White tirelessly boosted his State, inspired its people, and expressed faith in its future. His monuments are of his own erection. The din surrounding the industrial worker will echo into history as a tribute to the balance agriculture with industry program which was conceived, nurtured, and ripened by the intellect of Hugh White.

Loved and respected by all who knew him, Governor White's towering strength will be irreplaceable in the hearts and minds of his friends. The world is a better place because he passed our way.

I ask consent to insert at this point in the RECORD an article on the death of Governor White which appeared in the McComb, Miss., Enterprise Journal on September 20, 1965. It follows:

GOV. HUGH WHITE MOURNED AT 84—STATE, CITY LOSE A FAVORITE SON

(By Charles B. Gordon)

McComb's proudest native son who became Governor of Mississippi on two separate occasions, died at his home in Jackson early Monday at the age of 84.

Hugh Lawson White, son of the late Captain and Mrs. John J. White of McComb, succumbed peacefully to a heart attack brought on by his advanced age, relatives said.

Mississippi officials issued formal announcements of his death early today, then ordered that flags at the capitol, which he graced in two notably successful terms as Governor, be lowered at half mast.

FUNERAL PLANS

Governor White's body was scheduled to lie in state at the new capitol from 2 p.m. to 8 p.m. today. Funeral services will be held at 11 a.m. Tuesday at one of Jackson's Baptist churches.

The body will be brought to McComb to J. J. White Memorial Presbyterian Church for final services set for 2 p.m. tomorrow.

Burial will take place in the family mausoleum in Hollywood Cemetery by the side of his illustrious parents and his first wife, who died 5 years ago last May 13.

Governor White's death came 1 week after this grateful community tendered him a "Hugh White Day," which he attended and enjoyed to the fullest.

HISTORIC FAMILY

Governor White was born here August 19, 1831, a son of Capt. J. J. and Helen Tyree White who had settled near Summit and operated a sawmill after Captain White completed his long tour of duty as a Confederate soldier.

Not long after McComb came into official existence in 1872, Captain White moved his mill and his family to what is now the Whitestown community of McComb.

The venerable rebel and his wife had three sons—Will, John J., and Hugh L.—all now deceased. Will White made his home at Pass Christian, and J. J. White, Jr., operated a laundry and other businesses in McComb until his death about 15 years ago.

White attended the University of Mississippi after his graduation from the McComb schools. He did not graduate but returned to the city to enter the family lumber business.

ADVANCED SWIFTLY

He swiftly gained a place of stature in the area's business and banking life that foretold of the immensity of his economic future and his productive work for his State.

When the pine forests of this immediate community reached a point of decline that made the move necessary, he moved the lumber business to Columbia, where he attained new heights of success over many fine years.

He had married Miss Judith Sugg, who came from Providence, Ky., to teach piano in McComb Female College, later a part of Belhaven College at Jackson.

The Whites had no children. After her death he married the former Miss Maxine Maxwell, who survives as the widow.

FEW RELATIVES

Of the immediate White family, only the following nieces and nephews survive:

Mrs. Helen White Brumfield, McComb; Hugh Johnson, Mrs. D. A. Ratliff and Mrs. Howard Rankin, Columbia, and Mrs. George Evans, Jackson.

He served as mayor of Columbia on three different occasions, then fixed his sights on State office. He was elected Governor in 1936 and fostered the now famous balance agriculture with industry program. The project sought to equalize the industrial work force with the traditional agriculture.

SECOND TERM

He was elected to a second term as Governor in 1952–56 and sandwiched a term in the State legislature during 1944–48.

Among his many philanthrophies is the church in McComb that is a memorial to his father and a $50,000 contribution to Belhaven College for a new dormitory as a memorial to his mother.

WEDS AGAIN

In April 1962, he honeymooned with his 40-year-old bride in New Orleans.

"It's the condition, the attitude, and the health of the man that make the difference," he said in an interview.

"Who knows? She may be too old for me," said White with a smile.

"He may be right," his bride said. "I have a hard time keeping up with him and the busy schedule he keeps."

LOVED PROGRESS

"I'm not as interested in holding a political job as I am in seeing the State move forward," he said.

This philosophy pushed the State ahead at a pace that has been unequaled.

White was a true southern gentleman who was seldom seen without a coat and a rose in his label.

"I want to see at least one industry in every one of the 82 counties," White said, "I'll work for Mississippi just as long as I have breath to travel."

SHARING OF FEDERAL REVENUES

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, my distinguished colleague, the senior Senator from New York, JACOB K. JAVITS, speaking before the New York State County Officers Association in New York City, proposed a thoughtful and workable plan for the sharing of Federal tax revenues with the States. Our States need additional funds if they are to institute and maintain vital programs—particularly in education and health. I intend to cosponsor the Javits bill in the House of Representatives so that serious discussion and debate on this proposal can begin now.

A Federal-State tax revenue sharing plan was first suggested several years ago, yet there has been little serious discussion of the merits and certainly no concrete action on the proposal since that time.

The need for remission of certain Federal tax moneys to the States and localities is increasingly clear. Property taxes on which much of education depends have risen about as high as they can go, yet the cost of education and other needed services and facilities continues to rise at a rapid rate.

Senator JAVITS has proposed a necessary and feasible piece of legislation.

Under his proposal, 1 percent of the current income tax base would be deposited in a trust fund. Eighty percent of this fund would then be allocated to the States, on the basis of population. State efforts to raise their own revenue would not be discouraged, however, because State shares would be increased or decreased depending on the ratio of State-local general revenues to personal income in the State compared to the national average ratio. The remaining 20 percent would be distributed to the 12 or 15 States with the lowest per capita incomes.

States could use these moneys only for programs that would benefit directly the greatest number of people in the State—such as in the fields of health and education. Equitable sharing by States with local governments would also be insured.

I am pleased to join with the distinguished senior Senator from New York in sponsoring legislation along these lines and I compliment him on his initiative.

Mr. Speaker, the Washington Post this morning carried a descriptive article on Senator Javits' bill as well as an excellent editorial commending his suggestion. I ask unanimous consent to insert these two articles at this point in the Record.

[From the Washington Post, Sept. 22, 1965]

Javits Breaks Through

Senator Jacob K. Javits deserves a burst of applause for introducing a bill that would provide for the sharing of surplus Federal revenues with the States. The prospect for tax legislation sponsored by a member of the minority party cannot be regarded as auspicious. But Mr. Javits is performing the necessary task of bringing a controversial proposal to the attention of Congress for the first time.

Mr. Javits' point of departure has already been amply discussed by proponents of revenue sharing. The Federal Government, under conditions of high employment, will collect more tax moneys than it can wisely spend. The State and local governments will be spending more money than they can raise through efficient measures of taxation. Both problems—the embarrassing affluence of the Federal Government and the pressing needs of State and local governments—can be neatly solved through a program of Federal revenue sharing.

In the Senator's thoughtful proposal, 1 percent of the current income tax base—about $2.5 billion—would be deposited in a trust fund. The proceeds of the fund would then be allocated to the States. Each year 80 percent would be distributed on the basis of population and 20 percent would be divided among the 12 or 15 States with lowest per capita incomes.

The Federal grants would be used only to support programs in the fields of health, education, and welfare. This constraint would leave the States and localities ample freedom of action, while precluding the support of programs such as highway construction that are already heavily funded by the Congress.

The revenue sharing plan was first proposed by Walter W. Heller, former Chairman of the Council of Economic Advisers. But the President, seemingly piqued by a premature leak, has maintained an air of chilly disdain. It would be ironic indeed if this important proposal, the brainchild of a Democrat, should become the property of the opposition.

[From the Washington Post, Sept. 22, 1965]

United States-State Tax-Sharing Plan Revived by Javits

(By Frank Porter)

A leading Republican Senator plucked a controversial Federal-State revenue-sharing plan off the administration's back burner yesterday and said he will offer it as legislation before the end of the current session.

"I think it is now generally agreed that some form of Federal assistance to State and local government is necessary but there has been a lack of serious discussion," said Senator Jacob K. Javits, Republican, of New York.

"Debate should begin, and decisions should be made on a tax-sharing plan before State and local governments become completely inundated in the flood of demands for new services and facilities, particularly in the fields of health, education, and welfare," Javits told the New York State County Officers Association in New York City.

Javits thereby stole a march on the White House itself, which put the plan under wraps last fall after its leaked details aroused intense opposition, particularly in labor and liberal circles.

Since then, however, it has attracted widespread grassroots interest, particularly among State and local officials feeling a financial pinch.

Republicans have made political capital of it. During last fall's presidential campaign, even Barry Goldwater embraced the concept, fathered 5 years ago by Walter W. Heller shortly before he became President Kennedy's chief economic adviser. It was a prime topic of discussion at the Republican Governors conference earlier this year.

But the administration is apparently unmoved by the Javits initiative. A White House source said last night that the revenue-sharing plan is a "dead duck" and that there is no present intention of reviving it.

The Javits bill would follow closely the Heller concept as developed last year by a Presidential task force headed by Joseph A. Pechman, of the Brookings Institution. The White House has never released the Pechman report.

The carefully drawn measure also contains a number of safeguards and limitations which should go far to conciliate both conservative and liberal critics.

It would create a special trust fund of 1 percent of the individual income tax base—or about $2.5 billion annually under present conditions.

Eighty percent of these funds would be allocated the States in proportion to their population. To maintain State efforts to raise their own revenue, however, these amounts would be increased or diminished by the amount the ratio of State-local general revenues to personal income in the State exceeded or lagged the national ratio.

The other 20 percent would be distributed to the 12 or 15 States with the lowest per capita incomes.

The funds could be used only for health, education, and welfare to benefit directly the greatest number of people in a State. Earlier critics had opposed a no-strings-type distribution on grounds the funds might be misused—say for an ornate Governor's mansion, or for highways at the expense of education.

The bill also would require an audit of how the funds are used, the equitable sharing of funds by the States with local governments, and certification that projects financed by these revenues comply with all Federal laws, such as the Civil Rights Act.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourns to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask whether the majority leader has cleared this with the minority leader?

Mr. ALBERT. I have cleared this with the Republican whip, the acting minority leader, the gentleman from Illinois [Mr. Arends].

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. REID of New York. Mr. Speaker, it is my understanding that this matter has been cleared with the minority whip.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUGAR ACT A HEAVY BURDEN ON CONSUMERS

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the bill (H.R. 11135) proposing a 5-year extension of the Sugar Act, reported by the Committee on Agriculture, is in direct conflict with avowed U.S. objectives in foreign trade.

Acting under authority of the Trade Expansion Act of 1962, U.S. negotiators at Geneva are striving for lower trade barriers so as to promote a freer movement of commerce among nations. The objective of the Trade Expansion Act was to eliminate or reduce quotas and other restrictive devices imposed by other nations which have the effect of discriminating against American products.

We could examine more easily and accurately the mote in the eye of others if we would first remove the beam from our own.

The Sugar Act is a good place to start.

Of all American schemes to rig markets and control production—and we have them in embarrassing abundance—this one should qualify as the prototype for complexity, extent of Government power and absence of competitive conditions. It makes the Secretary of Agriculture the absolute czar of sugar. Not one pound can move legally without his authority.

The act has several purposes:

First. To protect domestic producers. The tropics are best suited to sugar production, and because of this, little or no sugar would be produced in the United States were it not for protection. Under the Sugar Act, approximately 60 percent of the sugar we use is produced domestically.

Second. To assure dependable supplies. Foreign countries providing us with the other 40 percent of our requirements are guaranteed premium prices. Because U.S. prices are higher, dependable supplies are assured.

Third. To stabilize prices at reasonable levels. Under successive Sugar Acts, prices have relatively remained stable.

This should not be surprising. If Government controlled the supply of shoes the same as sugar, the American consumer could be assured stable shoe prices. But $15 shoes would probably be selling for $25. Prices which are pegged high and kept there by tight Government controls are naturally very stable.

Whether these stable prices are reasonable is open to question. If the American homemaker were confronted with the choice between Canada-priced sugar—currently about 8 cents a pound on the grocery shelf—and U.S.-priced sugar—about 11 cents—she would quickly identify the Canadian item as reasonable and the U.S. item as not. As a practical matter she has no such choice.

HOW THE PROGRAM OPERATES

Currently, the world price of raw sugar is about $2 a hundredweight. The comparable U.S. price is about $5.50. These figures are adjusted for transportation and the tariff fee of 62 cents per hundredweight, which applies to all imports except those from the Philippines. Under a treaty agreement, the Philippine sugar tariff is on a graduated scale which will not reach the full amount imposed on other countries until 1975.

The inflated U.S. price is achieved and maintained through supply control which is completely in charge of the Secretary of Agriculture. By controlling all marketings and imports, he forces prices to the desired artificial level and keeps them there.

Congress specifies what countries will share in the foreign quotas, how big a piece each will get and who will share in the fill-in business when—due to the weather or other factors—countries do not meet their quotas.

The U.S. part of the pie is also controlled by the Secretary of Agriculture. Production is controlled through Federal licensing of mills. Each mill contracts for supplies from individual farmers. Authority for acreage allotments is also in the act, as a secondary means of production control.

U.S. farmers benefit from two forms of Government action. They produce for the artificially high market price. They also get the advantage of direct payments.

These payments are graduated, depending on the size of the farm. They range from 30 cents per hundredweight for the big farms to 80 cents for the smallest.

To illustrate the magnitude of these payments to some individual company-farmers, here are the 25 highest payments for the 1963 crop:

U.S. Sugar Corp., Florida: $1,104,613.05.

Hawaiian Commercial & Sugar Co., Ltd., Hawaii: $1,074,520.77.

Oahu Sugar Co., Ltd., Hawaii: $574,552.89.

C. Brewer Puerto Rico, Inc., Puerto Rico: $569,233.42.

Lihue Plantation Co., Ltd., Hawaii: $559,892.84.

Waialua Ag. Co., Ltd., Hawaii: $549,392.78.

Okeelanta Sugar Refinery, Florida: $548,282.33.

Luce & Co., Puerto Rico: $539,645.20.

Ewa Plantation Co., Hawaii: $460,721.35.

Pioneer Mill Co., Ltd., Hawaii: $444,611.23.

Kekaha Sugar Co., Ltd., Hawaii; $399,285.52.

Grove Farm Co., Ltd., Hawaii: $368,795.14,

Pepeekeo Sugar Co., Hawaii: $362,866.55.

Hawaiian Ag. Co., Hawaii: $359,090.02.

South Coast Corp., Louisiana: $356,593.10.

Antonio Roig Sucrs. S. en C., Puerto Rico: $346,517.03.

Laupahoehoe Sugar Co., Hawaii: $344,705.63.

Kohala Sugar Co., Hawaii: $322,175.94.

Olokele Sugar Co., Ltd., Hawaii: $312,628.01.

Puna Sugar Co., Ltd., Hawaii: $298,803.48.

Wailuku Sugar Co., Hawaii: $296,631.39.

McBryde Sugar Co., Ltd., Hawaii: $294,161.87.

Hutchinson Sugar Co., Ltd., Hawaii: $287,647.39.

Suc J. Serralles, Puerto Rico: $273,404.51.

Onomea Sugar Co., Hawaii: $268,893.31.

Because of these direct payments—and the 62 cent tariff—raw sugar produced locally is about $1.20 per hundredweight more costly than sugar imported under quotas from foreign producers. It is about $4.70 higher than the price at which sugar presently moves in world markets.

COST OF PROGRAM

It is apparent from this that the Sugar Act is very costly for U.S. consumers. For example, the shelf price of sugar in Canada recently was 8 cents a pound compared with 11 cents in the United States. Canada is within a British-protected market and prices below 8 cents can be found elsewhere in the world.

At present prices, the value of the "quota premium"—approximately the difference between the world price and the U.S. price of raw sugar—is about $3.50, or $70 a ton. If the United States consumes 10 million tons as expected during the next year, this means the Sugar Act will impose a burden of at least $700 million on U.S. consumers.

Of the 10 million tons, about 4 million will be purchased under foreign quotas. Thus, the "quota premium" for the foreign part alone is about $280 million.

This bill will authorize the program for 5 years. If prices average out at present levels for the 5 years, this legislation will put a burden of about $3.5 billion on consumers for the whole package, or $1.4 billion for the foreign aid part alone.

A proper evaluation of the program's cost must of course give consideration to the importance to the U.S. economy of domestic sugar production. The domestic part gives livelihood to many taxpaying U.S. citizens. Some argue that domestic sugar production is important from the standpoint of national security.

The question is where and how the line is drawn. In my view, this legislation puts the line far beyond the limits of reason.

A substantial amount of domestic production can be protected at far less cost through a simple tariff pegged at $2 per hundredweight.

Dependable additional supplies could be assured through private contractual arrangements—as they are in the case of many raw materials—without the tight Government controls embodied in this program.

Even if the Government-control approach is retained, dependable supplies could be assured at a premium price far below the present one.

The price paid to foreign suppliers is presently nearly three times the world price.

This is profiteering on a grand scale, and the consumers are forced to pick up the tab. The Federal Trade Commission and other agencies which are intended to protect the public interest are powerless to act in this case, because the profiteering is not only sanctioned, but promoted and carried out by the Government itself.

INFLUENCE OF LOBBYISTS

Because this legislation is such a sugary plum for foreigners lucky enough to get a piece, lobbying has developed to an extraordinary level.

I was unable to question lobbyists who appeared before the committee concerning their fees and services performed—see page 203 of the hearings on H.R. 10496—but I was able to secure the desired information from the Foreign Agents Registrations Section of the Justice Department, where filing by these lobbyists is required every 6 months.

The fees range from relatively modest retainers of $3,000 a year—two lobbyists fall in that range—to $50,000 a year—two at this level—several in the $20,000 to $25,000 a year rung, and others in between—see CONGRESSIONAL RECORD, August 24, 1965, page 21611, for details.

Most of the lobbyists either represent foreign governments directly or Government-controlled sugar enterprises.

Public money—and only public money— is involved. The lobbyists have one clear objective: to get as much of the sugar pie as possible. In effect, their fees are covered by the American taxpayers and consumers, because the sugar program—which is completely under the control of the Secretary of Agriculture—makes possible the sugary premium prices for foreign countries lucky enough to get quotas.

Lobbying in behalf of sugar legislation appears to me to be more costly and more extensive than that in behalf of any other legislation on Capitol Hill. I have made several inquiries and have learned of no other legislation which has called forth as witnesses such an impressive string of well-paid private attorneys representing foreign governments. For that matter, private attorneys representing foreign government are unknown as witnesses before the Foreign Affairs

Committee, which sets the guidelines for foreign-aid programs even more extensive than the Sugar Act.

The Sugar Act touches intimately on foreign policy. Undoubtedly it has influenced tremendously the economic development of many small countries. Cuba, for example, once had a diversified agriculture. Preferential treatment which Cuba for many years received from the United States on sugar quotas eventually shifted Cuba to a one-crop economy. Sugar quotas undoubtedly have figured in the rise and fall of several Latin American governments. Like it or not, the Sugar Act has built into it the seeds of war and peace.

Sugar quotas caused rioting in Argentina in 1962. Whether the committee action this year reducing to one-third the quota sought by the administration for Argentina will cause trouble again remains to be seen. Certainly the Peronistas are strong in sugar areas of Argentina. Our Sugar Act clearly has great impact on foreign affairs.

Some of the fees of sugar lobbyists are shockingly high. They are so high they raise questions. For example, what do the clients get for the money? How does an attorney justify a fee of $50,000 a year? Maybe he does things and performs services that do not readily come to mind, but it appears that most of them are overpaid. But would foreign countries continue year after year to overpay them? The lobbyists should have the opportunity to explain why they get so much.

TABLE I.—*Information on sugar lobbyists*

Name of attorney and firm	Client's name	Compensation for most recent 12-month period reported
Attorney Charles Patrick Clark, 500 World Center Bldg., Washington, D.C	Venezuelan Sugar Distributing Association	$50,000.00
Attorney Oscar L. Chapman of Chapman & Friedman, Pennsylvania Bldg., Washington, D.C.	National Union of Sugar Producers of Mexico	50,000.00
Mr. Albert S. Nemir, A. S. Nemir Associates, 1016–1022 Warner Bldg., Washington, D.C.	Brazilian Sugar & Alcohol Institute	31,511.06
Attorney Arthur L. Quinn of Quinn & Quinn, 1625 K St. NW., Washington, D.C	Privately owned sugar companies in British West Indies, Ecudaor, Panama, and British Honduras.	25,000.00
Attorney Sheldon Z. Kaplan of Wilkinson, Cragun & Barker, 1616 H St. NW., Washington, D.C.	Representing Latin American Sugar Council, Honduras, El Salvador, Nicaragua, Guatemala, and Costa Rica.	24,800.00
Attorney Charles H. Brown, 1705 DeSales St. NW., Washington, D.C	Fiji	24,000.00
Dawson, Griffin, Pickens & Riddell, 731 Washington Bldg., Washington, D.C	Indian Sugar Mills Association	20,000.00
Attorney John R. Mahoney of Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.	South African Sugar Association	19,320.08
Attorney Robert C. Barnard of Cleary, Gottlieb, Steen & Hamilton, 52 Wall St., New York, N.Y.	Colonial Sugar Refinery, Sydney, Australia	19,175.12
Attorney John A. O'Donnell, 1025 Connecticut Ave. NW., Washington, D.C	Philippine Sugar Association and the National Federation of Sugarcane Planters of the Philippines.	18,000.00
Attorney Arnold F. Shaw, 503 D St. NW., Washington, D.C	Sugar Producers Committee of Peru	15,000.00
Attorney Ernest Schein and John G. Laylin, 815 15th St. NW., Washington, D.C	Associated Sugar Producers of Colombia	15,000.00
Attorney James M. Earnest, 1000 Woodward Bldg., Washington, D.C	Mauritius Chamber of Agriculture and the Mauritius Sugar Syndicate	13,952.00
Attorney Walter Sterling Surrey of Surrey, Karasik, Gould & Greene, 1116 Woodward Bldg., Washington, D.C.	Sugar Producers of Guadaloupe and Martinique	12,500.00
Attorney Seymour S. Guthman, Woodward Bldg., suite 200, Washington, D.C	Sugar Producers of the Madagascar Republic	7,500.00
Attorney Ganson Purcell, partner in firm of Purcell & Nelson, 888 17th St. NW., Washington, D.C.	Southern Rhodesia Sugar Sales, Ltd	5,000.00
Attorney George M. Grant, 1619 Massachusetts Ave. NW., Washington, D.C	Thailand	3,500.00
Attorney Robert L. Farrington, 1155 15th St. NW., Washington, D.C	Republic of China	3,000.00
Attorney Robert D. Larsen of Royall, Koegel & Rogers, 1730 K St. NW., Washington, D.C.	Swaziland Sugar Association	[1]

[1] Filed Aug. 2, 1965 (nothing received up to time of filing).

TABLE II.—*Comparison of foreign sugar quotas for nations other than the Philippine Islands under H.R. 11135 and administration proposal at 9,700,000 tons annual U.S. consumption*

[Short tons, raw value]

Country	H.R. 11135 as reported by House Agriculture Committee	H.R. 10496 as recommended by the administration
(A) Countries in the Western Hemisphere:		
Mexico	340,925	390,135
Dominican Republic	340,925	385,854
Brazil	340,925	221,558
Peru	272,013	240,824
British West Indies	150,397	122,017
Ecuador	50,267	49,770
French West Indies	42,970	50,841
Colombia	42,970	27,829
Costa Rica	42,159	34,786
Nicaragua	38,511	40,672
Guatemala	32,836	35,321
Venezuela	30,809	2,676
El Salvador	30,403	17,125
Haiti	28,782	18,731
Panama	25,134	14,449
Argentina	21,485	63,685
British Honduras	19,864	4,281
Bolivia	4,054	None
Honduras	4,054	None
(B) Countries outside the Western Hemisphere:		
Australia	162,152	186,772
Republic of China	67,293	67,431
India	64,861	96,865
South Africa	29,593	96,865
Fiji	24,323	45,489
Thailand	19.864	None
Mauritius	14,188	14,985
Swaziland	6,081	9,098
Southern Rhodesia	6,081	9,098
Malagasy Republic	6,081	7,492
Total	2,260,000	2,260,000

How effective are the lobbyists in getting what they want? The results are mixed.

One of them was given credit by the chairman of this committee for rallying a foreign-producer protest of sufficient magnitude that the Johnson administration dropped plans to recommend a "recapture" arrangement which, at present prices, would have enriched the U.S. Treasury by $80 million a year. See page 182 of the hearings on H.R. 10496.

The "recapture" proposal had been recommended earlier this year by the "Sugar Industry," a group of U.S. firms interested in sugar production and processing. Included were the Domestic Beet Sugar Industry, Mainland Cane Sugar Industry, Hawaiian Sugar Industry, Puerto Rican Sugar Industry, and the U.S. Cane Sugar Refiners Association. At the request of the administration, this group made proposals for Sugar Act revision. The "recapture" proposal was included in them.

It would have established next year an import fee on foreign sugar which would be 1 cent per pound or one-half the difference between the U.S. price objective and the world raw sugar price—whichever is less.

Under present prices, the 1-cent provision would operate, and it would yield about $80 million a year.

In a statement March 29, the "Sugar Industry" said the import fee would "tend to discourage overexpansion of world sugar production and tend to facilitate achievement of price objectives of the act."

This provision—worth $80 million a year to U.S. taxpayers—was dropped. In committee I offered an amendment to restore the import fee. My amendment was defeated.

Philippine sugar interests seem to be well represented.

Under a longstanding treaty, the Philippines get a basic quota of 980,000 tons and, as mentioned before, a sliding scale on the tariff. In the present legislation, the Philippines get an extra quota of 70,000 tons annually. In addition, they get 10.86 percent of all increase in sugar consumption starting at the level of 9.7 million tons. This will yield an additional quota of about 30,000 tons the first year of this legislation.

A tidbit in H.R. 10496 gave the Philippines 47.22 percent of any deficit which occurs in domestic quota production. Based on past performance, this will yield the Philippines an additional 150,000 tons a year.

But this was not enough.

After the Philippines examined the language of the bill, they complained that the Philippines were not given 47.22 percent of deficits which might occur in all foreign quotas too.

The result was a new sugar bill, H.R. 11135, introduced the day after the committee had thought it had taken final action reporting the bill. It gives the Philippines 47.22 percent of all quota deficits, foreign and domestic except for the 6 Central American common market countries.

In both versions, the Philippines get an increase of more than 3,000 tons in a special category called direct-consumption. This sugar is refined, not raw. The Philippines is one of two countries enjoying this special privilege and the only one getting an increase.

Not all countries which had lobbyists got increased quotas, but each of the nine countries which got quotas for the first time this year had lobbyists. Argentina did not hire a lobbyist, reportedly because it thought it was not the thing to do. The Argentina quota is cut to about one-third the level recommended by the administration.

STUDY IS NEEDED

A thorough study of sugar is needed. Many questions need answers. Among them are these:

What price advantage is needed to assure dependable supplies from foreign producers?

To what extent, if at all, were the sugar price increases in 1963–64 caused by the global quotas imposed by the 1962 act?

Does the domestic program keep inefficient producers in business and thus bring excessive profits to the efficient producers, and if so to what extent?

What effect does the program have on economic and political developments in quota countries?

Do foreign governments actually get the foreign-aid component of U.S. sugar prices, or does it simply enrich private firms?

What level of domestic sugar production is required by national security considerations?

A proposal was recently made for the study of sugar legislation by the Joint Economic Committee to determine its economic impact. The Congress might profit from a study of this program by the Tariff Commission, or by the staff of Ways and Means Committee which has an extensive background in tariff and quota matters. Curiously, the Ways and Means Committee is completely bypassed, although the legislation intimately involves tariff and other revenue.

WAYS BILL COULD BE IMPROVED

The most-needed improvement is reduction of the bill's foreign-aid component. A quota premium worth more than the world market price of raw sugar is nonsense. It is not needed to assure dependable supplies.

One way to cut is to restore the import fee which the Kennedy administration proposed but the Johnson administration later dropped. This would cut the foreign-aid component from about $280 million a year, to about $200 million.

Another approach would be to increase the sugar tariff from its present level of 62 cents per hundredweight to $2. This would transfer over $100 million of the foreign-aid gravy to the U.S. Treasury.

Still another possibility would be to reduce U.S. sugar prices. This probably would force out some of the less efficient domestic producers.

The best improvement would be to drop the act entirely, and rely on a simple tariff to give desired domestic protection. The tariff approach would end Government rule of sugar. All foreign producers would have fair and equal access to the U.S. market. All domestic farmers would have fair and equal opportunity to compete for tariff-protected business.

To provide time for an objective study of the Sugar Act, the Congress would be wise to deal at this time only with stopgap legislation needed to meet marketing problems of domestic producers, and leave the foreign-quota problem to next year.

COMMERCIAL JETS NEEDED IN WASHINGTON NATIONAL AIRPORT

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. DEVINE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEVINE. Mr. Speaker, nearly every Member of Congress is vitally concerned with air transportation, and particularly air safety as well as public convenience and necessity. My remarks today have to do with an apparent policy by the Federal Aviation Agency denying commercial airlines the permission to fly jet equipment in or out of Washington National Airport.

The Washington Post treated this subject in some detail in the Sunday, September 19 paper:

JETS ARE BOUND TO SWISH IF NATIONAL IS TO SURVIVE

(By Leonard Downie, Jr.)

The pace of technology and the demands of competition have taken the "whether" out of the dispute over jet airplanes at National Airport and replaced it with a "when."

Either jets will be flying regularly in and out of National in a few years or the airport will have begun to shrink toward nonexistence.

Small, short-haul jets are arriving faster than anyone expected a few years ago and their planned use on short flights by one line has forced all other major carriers to prepare for the day when they will fly only jets and turboprop planes.

Some airline officials expect that day to come by the end of 1967. The Federal Aviation Agency, of course, is conducting another in a long series of studies and will not change its present opposition to jets at National at least until it is completed. But G. Ward Hobbs, director of the FAA's Bureau of National Airports, says "jets can't help but be an eventuality" at National.

The reason there were no jets allowed at National when they first went into general service in the mid-1950's was, of course, that they were too big, too fast, too heavy and made too much noise.

But jets are changing with the times, and the original arguments against their use at National no longer seem as pertinent.

NATIONAL'S PROBLEM

Hobbs explained that the study will try to predict what jet use of National would do to traffic volume and economics there, at Dulles International Airport at Chantilly, Va., and at Baltimore's Friendship International Airport. The FAA also is checking National's physical capacity for jets and the effects of jet engine noise on the inner-city area.

From the beginning, National's runways were too short and not nearly strong enough for the big jetliners. All suggestions for adapting National to accommodate them were rejected for "lack of feasibility" and the fear of excessive noise and air traffic congestion.

Instead, Dulles was planned as Washington's "jet port," to be tailor made for jetliners and located too far from the city to worry about noise or other interference.

UPSET LOGIC

But since the opening of Dulles, several unexpected trends in air travel have, in the opinion of most of the air carrier industry, upset the original logic for restricting National to piston-driven aircraft.

Passenger jets are no longer all big four-engine craft that eat up a mile or more of runway on takeoff and landing and suitable only for long-distance hauls. Already introduced into regular service are the three-engined Boeing 727 and the twin-jet French Caravelle, suited for 1,000-mile flights and adaptable to shorter landing strips.

But the planes expected to make piston-driven craft obsolete for scheduled passenger flight are the three newest small jets, the Douglas DC–9, the Boeing 737 and the English BAC–111.

Airline officials say these planes vastly outperform piston-driven airliners on even the shortest runs. They fly faster, carry more passengers, require less maintenance, need only about the same amount of runway and, the airlines claim, are much more quiet than bigger jets. According to the Air Transport Association, to which all the airlines belong, the new small jets will be twice as efficient as propeller planes for both the airlines and the passenger.

More than 340 of the small jets are now on order. The first will be put into service next month and the last ones now on order will be flying by the end of 1966. Already, 500 piston-driven airliners have been replaced by larger jets and turboprops, propellers run by a jet engine (jets flew 73 percent of the passenger miles last year), and the rest, still used for short flights and the east coast shuttle, are expected to be shoved aside by the small jets within 18 months.

The carriers already have slowed piston-plane phaseout on medium-range routes to the Midwest because of National's jet ban and what they feel is still too great a distance from downtown Washington to Dulles for any but long-distance flight passengers.

FRESH LOOK

But the airlines believe that the development of the small jets, and possibly the recent change in FAA administrators, has spurred the agency into taking a fresh look at admitting jets to National.

FAA spokesmen agreed that the study was designed as a "fresh look," but pointed out that the study was begun before the previous administrator, Najeeb E. Halaby, retired in July and was replaced by Gen. William McKee.

The major roadblocks to a change of FAA policy—uncertainty about National's capacity for jets, the effects on Dulles and Friendship and the persistent noise fear—still exist.

Hobbs has said that the parking and taxi airstrips at National, where the runways were overhauled and relighted just a year ago, would have to be strengthened to support even the smaller jet safely. He added that traffic programs would have to be solved and that longer runways may be necessary.

Congress has been the source of concern about Dulles and Friendship. The Maryland delegation, led by Representative CLARENCE D. LONG, Democrat, of Ruxton, near Baltimore, has argued that opening National to jet traffic would severely cut into Friendship's current short- and medium-range jetliner business, and limit its future expansion. In 1964, 6 million passengers used National, 1.4 million used Friendship and 800,000 used Dulles.

Other Congressmen who bitterly opposed Dulles, and its $110 million price tag, from its inception, now are fighting to keep jets out of National on the grounds that if Dulles was built for jets, that is where they all should go. Besides, they add, Dulles, 27 miles from downtown, already is badly lacking business and losing money, without having some of its current jet trade diverted to convenient National.

The noise issue has been raised mostly by residents of the Virginia suburbs near National. Some Congressmen also have voiced concern about jet noise in the Federal City area.

LAGUARDIA DID IT

On the other side, Stuart G. Tipton, president of the Air Transport Association, told the Senate Aviation Subcommittee recently. "There are no technical or operational obstacles standing in the way of opening the airport to small airline jets tomorrow."

Other airport spokesmen point to tests of the Boeing 727 at LaGuardia Airport, located in the heart of New York City, where the medium-sized jet needed less than half the length of National's longest runway to take off and land. LaGuardia, which also had banned jets for many years, now is used by the 727 and similar jets.

They say only small and medium-sized jets are needed for National's type of business—primarily short-to-medium-length flights up and down the east coast and to the Midwest.

They do not think jet traffic at National would pose any threat to the intercontinental and cross-country business that Dulles handles, although Friendship might be expected to lose some traffic. "But the way things are going," one airline official said, "no airport anywhere will soon suffer for lack of business, anyway."

He added that the noise caused by small jets is no louder than that of piston-engine planes, and that it actually should cause less concern because, on take off, jet craft can climb more quickly to higher altitudes.

The airlines also will need fewer small jets to carry the same number of passengers now using National, their officials argue, so that even with increased business there, traffic congestion should not grow alarmingly.

The airlines also have their supporters in Congress, notably the chairmen of the House and Senate Commerce Committees, Representative Oren Harris, Democrat, of Arkansas, and Senator Warren C. Magnuson, Democrat, of Washington.

"I believe the time has arrived, if it has not already passed, when we should expect jet air service at National," Harris said on the House floor recently.

For the information of the Members, I wrote a letter to the Administrator, General McKee, last September 15, 1965, requesting a complete and prompt reevaluation of this so-called policy. The letter follows:

Congress of the United States,
House of Representatives,
Washington, D.C., September 15, 1965.
Gen. William F. McKee,
Administrator, Federal Aviation Agency,
Washington, D.C.

Dear General McKee: A great deal of publicity has been given in the past months to the alleged refusal of the Federal Aviation Agency to grant commercial airlines the privilege of operating jet equipment in and out of Washington National Airport.

Many reasons have been given, some of which appear to be pure rationalization, including the problems of jet noise, heavy traffic, etc.

Further, it has been suggested that the FAA has taken this position purely as a face-saving device in order to attract traffic into the so-called white elephant at Dulles International Airport, Chantilly, Va.

It seems to me as a private citizen, a frequent user of commercial arlines, and as ranking minority member of the Subcommittee on Transportation and Aeronautics, that it is high time a realistic and logical approach be taken in this serious matter. I am advised that Mohawk Airlines are prepared to fly jet equipment into National Airport, whenever permitted; that United Airlines is scheduling Caravelle aircraft in flights from the West, including my district, but are being required to land at other than Washington National; that TWA, in the next month, will put 727's on their flights into this area and they, too, will be diverted to airports other than Washington National, because of this allegedly made ruling by your Agency.

Needles to say, persons from areas of less than 500 miles from the Nation's Capital will be required to spend as much, if not more time, using ground transportation from Dulles and Friendship, as it would take from their point of origin.

It is respectfully requested as a new Administrator of the FAA that you and your organization promptly reexamine this reported decision and take a realistic look at the needs of the flying public, and the convenience and necessity of jet service into Washington National Airport.

Your prompt reply and consideration will be indeed appreciated.

Sincerely,

Samuel L. Devine,
Member of Congress.

Although a reply has not yet been received, it seems to me this entire matter should be brought out into the open, and have it settled once and for all. General McKee's predecessor, Mr. Halaby, afforded himself the conveniences of Washington National, flying jet equipment in and out on frequent occasions. Obviously he was not concerned either with the noise or safety factor that is sometimes offered as an excuse. Private jets daily use this airport.

In my opinion, Washington National Airport, as presently constituted, is fully capable of efficiently handling commercial jet aircraft of the intermediate or short-range type, and I am looking forward with interest to the current attitude of the Agency and the Administrator.

CHICAGO URBAN RENEWAL AS VIEWED BY CITY RESIDENTS

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, most speeches, comments or articles on urban renewal projects are delivered or written by public elected and appointed officials, or planners and architects who have an obvious interest in painting as attractive a picture of success as possible. There is another side to this picture, however, which can be found in the opinions of the homeowners, tenants and the businessmen of an area marked for an urban renewal project. These are the people so often brushed aside as "marginal" businessmen or anachronisms obstructing the path of progress. Yet their opinions deserve to be heard and be considered.

For the past 2 years I have maintained an interest in a Chicago urban renewal project known as the Lincoln Park Area I project. Twice during this period of time a staff member from my office has toured the area and spoken to the residents and businessmen concerned. Although I have received much correspondence from throughout the country on various projects, none has ever approached the volume of mail I have received in connection with the Lincoln Park project.

From the information that I have acquired on Lincoln Park, the area has struck me as being one in which rehabilitation rather than clearance could be profitably followed. As the author of both the rehabilitation loan program in the 1964 Housing Act and section 307 of that act, which indicates congressional priority for rehabilitation rather than clearance whenever possible, I became interested in the manner in which these two provisions were being implemented by Federal and local officials. On June 21 of this year I wrote to the Housing and Home Finance Administrator, Robert C. Weaver, with respect to rehabilitation for the area. In his reply of July 29, Dr. Weaver indicated that no section 307 determination has as yet been made in this case. He did indicate, however, that the project was to consist of a combination of clearance and rehabilitation activities, with an emphasis on rehabilitation and code enforcement. Dr. Weaver also indicated that the city of Chicago had been fully informed with respect to the availability of rehabilitation loans and the assistance available under code enforcement programs, both of which were increased in the Housing and Urban Development Act of 1965.

While the interest of Federal officials in a project emphasizing rehabilitation instead of clearance is gratifying, the information that I have received from the residents of the area concerned indicates that this may be a rehabilitation project in name only. The Lincoln Park Chamber of Commerce, in a recent survey, discovered that over 159 ground level businesses in the area would be replaced, with no provision made for their relocation. The Larrabee Street Neighborhood Improvement Association indicates that at no time were property owners in the area contacted with regard to their willingness to rehabilitate. Somewhere between 30 and 35 percent of the buildings in the project are scheduled to be demolished. Yet the residents of the area estimate that less than 3 percent of these are beyond repair or are owned by those not interested in rehabilitation in conformance with the urban renewal plans.

When residents of the area have attempted to improve their property, they report that they have been discouraged by the City of Chicago Building Department on the grounds that this would be a waste of money in an urban renewal area where their property might very well be taken anyway. A survey indicating the willingness of property owners to participate in the new rehabilitation loan program under urban renewal has been ignored. A plan prepared by an outstanding firm of architects for the Lincoln Park Chamber of Commerce, which would have provided for a shopping center containing twice the number of sites for displaced businesses as the present approved plan was given no consideration at all.

Mr. Speaker, there are two other themes which reoccur in the letters I have received. Both deserve careful consideration in evaluating the success of any urban renewal program. First, there is the problem of local community representation in the preparation of a plan for the area. It is alleged, for example, that the local conservation community council represented only 5 percent of the population of the Lincoln Park area and that the plan was approved by only 10 percent of that limited membership.

Secondly, there is the question of the relocation and displacement of elderly and low income citizens from property which is either in perfectly good condition or could be rehabilitated. In so many instances, they become involuntary wards of the State in public housing or subsidized elderly housing projects as renters, rather than as homeowners. In the Lincoln Park project, a street of well kept homes, Shakespeare Avenue, is to be eliminated for a public park. At least a dozen of the homeowners in this area who have made an effort to keep up their property are widows or the elderly who will have almost no choice with respect to future housing.

The irony of this is the fact that this new neighborhood park is to be located only 3 blocks from Chicago's Lincoln Park. It is stated in defense of this proposal that Lincoln Park is a regional facility rather than a neighborhood facility and that the local high school is in need of more recreation area. One of the letters from the residents of the area, however, quotes the local high school principal as stating that he has sufficient space now and what he really needs is money to operate what he has already acquired. And it takes little imagination to realize that however regional a park may be in terms of areas served, it obviously also serves the purposes of the surrounding neighborhood.

Mr. Speaker, at this point, I would like to include in the RECORD a sampling of the letters I have received from tenants, homeowners, and businessmen in the Lincoln Park area with respect to the interest shown by local officials in a true rehabilitation and neighborhood conservation program. I would hope that Federal officials charged with the responsibility under section 307 of the Housing Act of 1965 relating to rehabilitation, would look beyond the formal presentations of local officials, and take into account the people involved.

The letters follow:

LINCOLN PARK CHAMBER OF COMMERCE, INC.,
Chicago, Ill., August 26, 1965.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: On behalf of the Lincoln Park Chamber of Commerce, the oldest established group of businessmen in this area, we would like to have you consider the following objections to the Urban Renewal Project, Lincoln Park No. 1:

1. A recent survey by our organization shows that over 159 ground level businesses in this area would be replaced, with no provision made for their relocation. Recent statistics of the Small Business Administration show that one of every three of these businesses will not survive this relocation.

2. A plan submitted to the Department of Urban Renewal by this organization, prepared at our expense, by the firm of Holabird & Root, an outstanding firm of architects, received no consideration. This plan envisioned the retention of Ogden Avenue and Larrabee Street providing a shopping center at the corner of Ogden and Larrabee twice the size as that recommended by the Department of Urban Renewal. This shopping center would have given the dislocated merchants a location close to their current place of business with their present customers.

3. We object to the almost rubber-stamped approval of all provisions of this renewal project by the members of the Lincoln Park Conservation Community Council and the Lincoln Park Conservation Association. Not one member of the Conservation Community Council is a businessman directly affected by this plan. We consider this lack of representation unfair.

Your efforts to right these wrongs would be highly appreciated.

Sincerely,
MICHAEL SAPPANOS,
President.

SHAKESPEARE AVENUE HOME OWNERS ASSOCIATION,
Chicago, Ill., August 20, 1965.

Re: Lincoln Park Urban Renewal Project No. 1, Chicago, Ill.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: I am writing you in behalf of our organization in the Lincoln Park area.

The planners were successful in having the No. 1 Lincoln Park Urban Renewal project approved by the Housing and Home Finance Agency. However, we do not feel that the provisions and regulations of the 1964 Housing Act have been followed as provided in section 307.

The Lincoln Park area is not a slum area. We have large trees lining our streets and flowers in our yards.

Over $15 million were spent for rehabilitation in the past 5 years in this area.

Why demolition now?

The project was approved 8 to 1 by a community conservation council.

However, 7 of these gentlemen do not live in the project area, and are not representative of the area.

It is true they held a number of hearings, however these hearings were a farce to our democratic way of doing things.

They did not seek any advice as to alternative forms of treatment for the area, or even specific parcels.

As a matter of fact, the eight council members who voted for the project were members of our community organizations and were advocating this project for some time. They were picked and nominated by the urban renewal planners, and their names submitted to the mayor for appointment to their role.

The 3-hour hearing held by the subcommittee of the Chicago City Council allowed public witnesses, and a great majority spoke against the project. However, without adjourning or giving any consideration to the testimony given to them, they moved and adopted the previously prepared resolution without any comments, recommendations, and suggestions by any of the committee members on the subject, in less than 30 seconds.

Yours very truly,
SHAKESPEARE AVENUE HOME OWNERS ASSOCIATION,
WILLIAM GRIMMISH.

NORTH AVENUE BUSINESS MEN'S ASSOCIATION,
Chicago, Ill.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: I am writing to you on behalf of the members of the North Avenue Business Men's Association in the Lincoln Park area. We are of the opinion that section 307 of the Housing Act of 1964 requires surveys and plans indicating that the objectives of the urban renewal plan cannot be achieved by the rehabilitation of the project area, and such surveys are a prerequisite to a loan grant contract.

We feel that the Lincoln Park Conservation Council was not representative of a majority of the people of this area, but rather of small groups within the area. They did not seek any advice as to alternative methods of treatment for the area, or even specific parcels. The public meeting held prior to the adoption of the resolution required pursuant to section 307 procedure finding was already prepared before the meeting and was immediately adopted after allowing a few people to speak.

If urban renewal goes though as planned 150 merchants will be displaced, employing hundreds of people. It is true a shopping center will be built, but can only house 12 to 14 merchants. These few merchants, perhaps can pay the high rents of a shopping center. Prices will have to be higher in order to enable them to do so. However, what will happen to the other 136 merchants? Are their businesses to be shut down? Are they to be relocated to another neighborhood? If so, who will compensate these merchants for the loss of their customers' goodwill, which has taken decades to build up?

At no time were our member merchants allowed to present an alternative plan to the one that will destroy the whole north side of North Avenue. We, who stand to lose our stores and businesses stand ready to make any necessary improvements to our properties that will make North Avenue an outstanding shopping area. One that truly may become world famous. All we ask is the opportunity to do so before we are torn down.

Very truly yours,
NORTH AVENUE BUSINESS MEN'S ASSOCIATION,
JACK A. GERSHON, *President.*

LARRABEE STREET NEIGHBORHOOD IMPROVEMENT ASSOCIATION,
Chicago, Ill., August 22, 1965.

Re: Lincoln Park Urban Renewal Project 1, Chicago, Ill.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: We are sending you information on violations of section 307 of the 1964 Housing Act. The following are questions we hope you will be interested in:

No. 1. Were residents informed that Federal funds are available for rehabilitation?

Definitely not. Residents in demolition areas were told repeatedly by Urban Renewal personnel that they should not repair, paint, nor spend any money whatsoever on improvements. That the building would be torn down, and that any money spent would be lost. Property owners were told they had no choice except to wait for urban renewal.

Owners of property not at this time scheduled for demolition are not aware that they will be forced to remodel or be condemned. (As stated by Mr. Hill in Real Estate News, July 12, 1965.) They are not only not aware that they will have to rehabilitate, but they certainly know nothing about Federal funds available for this purpose.

Residents who tried to express their opposition to the plans were allowed no voice at meeting of the local organizations. Even paid up members (the only ones allowed to speak or vote) of Lincoln Park Conservation Association who were not among the chosen few were allowed no voice at meetings.

Our organization requested hearings before the Conservation Community Council but were always deprived of the opportunity. This is covered by material attached.

No. 2. Plans for relocation of residents and businessmen.

In the city of Chicago no urban renewal project has relocated either residents nor businessmen. The only place residents can go is into public housing, and these in Chicago are our worst ghettos.

And the only place a businessman can go is out of business.

A woman who has three children to support inquired about where she could move and was quoted a rental and when she said she could not afford this was told she should get another family to move in with her to share expenses. Her answer was that if she wanted to live like people in Russia, she would move to Russia.

No one moved out of an urban renewal area ever returns. Rents are too high. Nor can small businessmen pay rentals in large shopping areas. These are without exception leased to large chain stories, or in other words to big business.

There is no relocation. Displacement will be financial ruin for not only residents and businessmen, but for property owners as well. About 99 percent of the senior citizens who are independent now will become dependents when they are dislocated.

No. 3. Were residents or property owners contacted regarding their willingness to rehabilitate?

They were not. The only time property owners were contacted was by "inspectors" hired by Urban Renewal who told the owner that the property would be torn down. Many people as long ago as March of 1963 were confident that they would receive money from Urban Renewal no later than the first of May of that year. People who are willing to sell their property at a reasonable market value are told to hang onto the property that they will get more from Urban Renewal. This is done because Urban Renewal does not want any new owner to do any remodeling in the demolition areas. Everything possible has been done by the Department of Urban Renewal to discourage any improvements being made. Many residents in the project have been moved twice before by Urban Renewal, and always at a financial loss.

Possibly worse than being uninformed is being misinformed. In Chicago there is no publicity on urban renewal except what is released by the Department of Urban Renewal.

Within the next few weeks we will start sending you sworn statements from property owners, tenants, and businessmen covering these points.

In the meantime if you have any suggestions we will be more than happy to cooperate.

Thanking you for your interest, we are,

Respectfully yours,

LARRABEE STREET NEIGHBORHOOD IMPROVEMENT ASSOCIATION.

LARRABEE NEIGHBORHOOD IMPROVEMENT ASSOCIATION,
Chicago, Ill., June 23, 1965.

Copies to: President Johnson, Mr. Weaver, Department of Urban Renewal, Mayor Daley, Representative WILLIAM B. WIDNALL, Senator ROBERT KENNEDY, Ronald Reagan, Chicago Tribune, Chicago Sun Times, Chicago American, Chicago Daily News, Time magazine.

MR. PRESIDENT AND GENTLEMEN: Attached is the letter our president Mr. Budd had hoped to present to the Conservation Community Council, June 21, 1965, when the plans for Lincoln Park Urban Renewal Project 1 were approved. However, time was not allowed. The 1 hour allotted for hearing opposition to the plan was abused. Board members spoke, especially Father Wangler spoke and said loss of home or business will not be too bad and people will not suffer too much. What is too much? This attitude is not usually associated with the ministry.

It was also stated by the board that a majority of the residents of the project approved the plans. The plans were approved by paid membership associations. Total membership in these organizations is less than 5 percent of the population of the area. Attendance at meetings is less than 10 percent of membership. How could a majority of the residents have approved the plan?

Our organization was formed 1 year ago in February, and we have accomplished much compared to the 10 years others had.

One member of the Conservation Community Council stated he had heard of Larrabee Street Neighborhood Improvement Association a couple of times. We do not know where he has been. Our organization had 200 people at the public hearing at St. Michael's church. Ninety percent of people attending were opposed to the plan. We have attended and spoken at each C.C.C. meeting since.

We wrote the C.C.C. and asked to be heard, but our hearing was always postponed.

Also enclosed are letters from residents of the area, and from alarmed residents of future project 2. As Dr. Rosner so kindly stated in his interview with the Chicago Tribune, "hecklers from Larrabee Street and Shakespeare Avenue" also wrote.

Urban Renewal takes full credit for the millions of private dollars being spent in the neighborhood, and states that without the plan the neighborhood will deteriorate. Once a neighborhood starts to rehabilitate itself, it continues. And that has happened in Lincoln Park.

Respectfully,

LARRABEE STREET NEIGHBORHOOD IMPROVEMENT ASSOCIATION,
HELEN KELLEY, *Secretary.*

To: The Chicago City Council and to each and every committee or agency of the city of Chicago which has or will vote on the approval or disapproval of the plan for project 1 of the Lincoln Park General Neighborhood Renewal Plan.

LARRABEE STREET NEIGHBORHOOD IMPROVEMENT ASSOCIATION,
Chicago, Ill., June 12, 1965.

GENTLEMEN: We are requesting a postponement of the vote to approve or disapprove the plans as presented in booklet captioned "Lincoln Park, Project 1, Chicago, Ill." and dated June 1965.

We request this postponement on the plea that at no time were the residents, property owners, or business people of our organization given an opportunity to present their opinions on the project. This request was acknowledged by the Conservation Community Council, and was scheduled for hearing, but each time was postponed.

We have a survey of the Larrabee Street neighborhood which indicates that $2 million will be spent by property owners and tenants.

On page 5 of this booklet it reads "All affected community organizations generally approved the design plan proposals with the result that the basic concepts of this plan have been incorporated into the Urban Renewal Plan for Lincoln Park Project 1." Our organization knew nothing of these plans. We state that people in the areas of demolition not only did not approve the plan, but were completely uninformed. That the areas to be demolished were planned by people who do not live in the areas, and who will not be affected by the plan. That the people most affected by demolition had no voice whatsoever. The basic laws of urban renewal are for the clearance of slums and blighted areas, and state that there must be citizen participation.

We object to the statement on the fifth page which states "New residential development is designed to preserve the present diversity of structure types, accommodations, and income levels."

Rents in the area designated for acquisition average about $55 per month. These units are four rooms or more and are rented by families who cannot afford to pay more. These people are low- to middle-income families with children. Living in this area and paying these rents they are able to budget college educations for their children, as evidenced by the 40 percent of graduates from Waller who go from high school to college. Relocation of these people without creating financial hardships, and without depriving children of an education, is completely impossible. Preserving accommodations, and income levels is absurd. It isn't necessary to be an expert in the construction field to know that the cost of construction makes it impossible to build even one-room apartments that could rent for $55 per month. How can the income level remain the same?

We propose that the plan be revamped and made realistic. That contradictions be omitted. Such as the statement which reads "Present lack of public recreational space will be remedied by construction of a neighborhood park, two smaller playgrounds and a number of public plaza areas designed for pedestrian use." Residents in the area are not aware of a lack of so-called public recreational space. Lincoln Park is one of the most beautiful parks in the world, and is within walking distance of everyone. Tot lots referred to on page 13 have been frowned upon by planning commissions for years. The expense of caring for these small plots is exorbitant, and to police them is completely impossible. There are vacant areas on Larrabee Street which could be acquired for playgrounds and could be policed by the residents.

Public plazas are universally known to be fair playgrounds for muggers, rapists, and gang wars. Why create a future slum? Other urban renewal projects have, after a few years, proven this to be the case. It is the butcher, the baker and the candlestick maker who make the backbone of a solid, stable community. Chicago needs middle income families. This is essential to keep industry from moving to the suburbs, and for the preservation of the city.

Contradictions dealing with businesses are found throughout the document. "The specific planning proposals contained in this urban renewal plan will enhance the project area as a desirable urban community and will encourage the physical rehabilitation of residential, business and institutional properties." This has already been accomplished and more will be done when people know what they can expect.

On page 15 it reads, "Some properties not herein designated for acquisition and clearance may be so designated by amendment to the urban renewal plan." Why aren't these properties, or at least some of them, designated at this time? Is it because they are owned by members of associations whose support was needed to approve the plan?

On page 3 it is stated, "Existing retail complexes should be retained where feasible and first priority be given to displaced businessmen, where possible and legal, either in existing or new shopping areas, and the overall amount of retail space should be reduced." Does this make sense, or it is possible in any way?

This is not a plan for the benefit of a community, but a dream. Chicago has been a vigorous city in the past, but every year is becoming weaker and weaker. Our middle-income families are moving to the suburbs, our industry is moving to the suburbs, money is moving to other areas. Unless the trend changes Chicago will become a ghost city. Chicago needs attractions to draw people for vacations, and conventions and what is more interesting than historical old town?

As an improvement association we are interested in the improvement of our neighborhood. Our plan is based on the desire of the residents and property owners, and business people to conform with the plan of urban renewal for project 1, for conservation and rehabilitation. Why should 40 percent of the residents of an area be the victims of the whim of less than 1 percent of the population of the area? We are prepared to present from each property owner his intentions for the rehabilitation of his building. If the owner is not interested in this and refuses to sell to someone who will rehabilitate, the property would be subject to code enforcement by our association.

Our survey shows many small businessmen and residents of the area in need of good residential property and ready to cooperate with us for the rehabilitation of the neighborhood.

We are requesting time to present this plan. A door-to-door survey is slow hard work, and we need time to make this plan workable with the Department of Urban Renewal. If residents of the area will rehabilitate at their own expense it would seem a great shame that this money couldn't be spent more profitably for benefit of the citizens of the area.

As citizens of the area we want participation not annihilation.

Our organization is strongly opposed to the demolition of the Larrabee Street neighborhood.

Respectfully submitted.

Larrabee Street Neighborhood Improvement Association,
Harley A. Budd, *President*.

Copies to: President Johnson, Representative William B. Widnall, Senator Robert Kennedy, Ronald Reagan, Mayor Daley, Chicago Tribune, Chicago American, Chicago Daily News, Chicago Sun Times, Time magazine.

Larrabee Street Neighborhood Improvement Association,
Chicago, Ill., August 2, 1965.

Attention: Mr. Mayer, Mr. Hill.
Lincoln Park,
Conservation Community Council,
Chicago, Ill.
Department of Urban Renewal,
Chicago, Ill.

Gentlemen: On or about June 10, 1965, we wrote you for information as to where we could obtain large-scale maps. To date we have had no answer, so once again we are asking for the information.

We are prepared to present a preliminary plan of Larrabee Street at this time, and later other streets in the neighborhood. This plan will show the construction, the condition, and the intentions of the owner.

Therefore you can appreciate that a large-scale map of the area is essential.

We also request a meeting to discuss these plans. Your help and suggestions could be very valuable to us. This we also asked for in a previous letter.

A response at your earliest convenience will be appreciated.

Respectfully yours,
Larrabee Street Neighborhood Improvement Association,
Harley A. Budd, *President*.

Copies to:
President Johnson,
Mayor Daley,
Mr. Weaver, Department of Urban Renewal;
Senator Robert Kennedy,
Representative William B. Widnall,
Senator Dirksen,
Chicago Tribune, Sun Times, American & Daily News,
Time Magazine.

Halfpenny, Hahn & Ryan,
Chicago, Ill., July 12, 1965.

Re Lincoln Park, Area 1, project.

Hon. William B. Widnall,
House of Representatives,
Washington, D.C.

My Dear Congressman: This letter will bring you up to date in regard to the Lincoln Park Area, project 1, in Chicago, of which we have previously conferred and corresponded. The part 1, loan and grant application for this project was returned by the Urban Renewal Administration, Washington, D.C. and was approved July 7, by the Chicago City Council so is now being returned to Washington for final approval.

A meeting was held a week ago by the Lincoln Park Conservation Community Organization in regard to the plan, at which time numerous objectors appeared. Each was given only a few minutes, oral statements were not transcribed. No consideration was given to any of the recommended changes or plans submitted, and an immediate vote was taken by the committee for approval. The committee itself is not representative of the area, nor interested in the local residents' welfare. Many of the people living in the area are extremely bitter because they feel this is being promoted by certain real estate and financial interests to their detriment. A great majority of the neighborhood is opposed to the demolition of their homes, which are sound, well maintained, and owned by people who have lived their entire life in the area. This is not a slum area, and the people themselves are desirous of improving it.

Members of the local committee are all impractical people, most of them being connected with churches or hospitals, that will benefit by obtaining property that they would otherwise have to purchase. The one businessman, a banker, voted against the plan.

Public hearings were held July 6, before a subcommittee of the Chicago City Council, which was merely perfunctory. They allowed the objectors to testify, but immediately at the close of the testimony in open meeting, with no discussion, approved the plan and recommended that it be adopted, which was done at full council meeting next day with no comments.

It appears the plan does not comply with title III of the 1965 Housing Act. The demolishing of homes for people only three blocks from Lincoln Park and making Larrabee Street, which has always been commercial, residential, are the two real sources of conflict. The Larrabee Improvement Association prepared a survey showing the nature of each building and what amount owners would expend to rehabilitate or repair present structures, but this was given no attention.

Is there anything that you could recommend we do in Washington that would delay or change the plan? It is our intention to contest the plan in court on behalf of Krema and some others and we would appreciate any idea or suggestion you could give us.

With kind personal regards.

Very truly yours,
Harold T. Halfpenny.

Halfpenny, Hahn & Ryan,
Chicago, Ill., August 18, 1965.

Re Lincoln Park No. 1 urban renewal project, Chicago, Ill.

Hon. William Widnall,
House of Representatives,
Washington, D.C.

Dear Congressman Widnall: I am writing on behalf of Krema Trucking Co., a common carrier registered by the Interstate Commerce Commission, and one of the oldest operators in the Chicago area, located at 1735 North Larrabee Street, Chicago, Ill., as well as other business interests, in the Lincoln Park area project.

From my study of the Housing Act of 1964, it appears that section 307 of the act requires surveys and plans, indicating that the objectives of an urban renewal plan cannot be achieved through rehabilitation of the project area, and that such is a prerequisite to allowing a loan grant contract.

For the record, I will recite some background information. The Lincoln Park Conservation Community Council membership was not representative of the area, its membership consisted of clergymen and doctors connected with institutions in the area, all interested in obtaining additional parking facilities, with other members living on the east side "gold coast" area. They did not seek, request, or allow any advice or plans as to alternate forms of treatment for the area, or for even alternate use for specific parcels involved. In fact, all such offers were summarily dismissed. The council did hold a number of meetings which I attended as an observer. They did not allow anyone to speak or enter into any discussion. The several meetings where they allowed interested people to testify, none of their suggestions were recorded or adopted. I addressed a public meeting held the same night as the council adopted the resolution required under section 307 procedures. No consideration was given to any suggestion, or any of the recommendations, nor was any alternate suggestion or plan made by the Board. The resolution had already been prepared prior to the meeting and was immediately adopted. The only real local businessman on the board, vice president of a local bank, voted against its adoption.

The subcommittee hearing in the Chicago city council followed similar tactics, allowing public witnesses to make statements. I was among them. However, without even adjourning or giving any consideration whatsoever to the information submitted, the resolution was adopted without any comments, recommendations, or suggestions.

My client, Mr. Krema, had an architectural plan prepared for additional improvements to his property, primarily of an esthetic nature, due to the fact his buildings are of excellent construction and well maintained. The only opportunity he was given to present such plans was before the special House committee hearing held in Chicago with the Honorable Congressman Kluczynski presiding. Numerous individual property owners have stated that when they requested permits to improve their property, the city of Chicago building department would discourage them on the basis that any improvement was a waste of money, that the area was in urban renewal, and they would no doubt lose it.

The present Lincoln Park No. 1 Area plan is substantially the same as submitted prior to the passage of the 1964 Housing Act—no opportunity was allowed the residents to make valuable suggestions. For example, the elimination of Ogden Avenue, a diagonal main thoroughfare, developed and widened at great public expense, never properly studied. Business interests indicate a desire to purchase property if title could be cleared in regard to numerous small triangle spaces so as to give full frontage on the street.

Due to this procedure there is deep resentment of the majority of the home owners and small businessmen located in the area, the only organizations that have approved are the ones that benefit substantially by the terms of the plan to the detriment of the entire area.

If detailed information can be of any assistance or value, we will be happy to furnish it. We appreciate your continued interest in the small home owner and businessman, especially when they are not located in your district or State, thus you are surely performing a great public service.

Sincerely yours,
HAROLD T. HALFPENNY.

CHICAGO, ILL.,
May 25, 1964.

Hon. WILLIAM B. WIDNALL,
U.S. House of Representatives,
Washington, D.C.

HONORABLE SIR: I am one of the widows (widow 24 years) who is going to lose her home for a park. I lived in my home for 38 years, it was a new building just completed when I purchased it. I've kept it up to standard on all repairs when it needed it, there isn't a thing wrong with the building.

Why they picked this site for a park is just outrageous. We have one of the largest, most beautiful parks four blocks from my home (Lincoln Park). There are many schools which I could mention by name that are on main streets with no park close by nor even a playground for children.

We are promised low-income housing at reasonable rates. One old home on Dickens Street was remodeled and rents for $180 a month. Another new apartment building on Dickens just completed, rents for $300 per month or if one wants to buy the unit it costs $37,000. Is that reasonable?

I had planned to retire at 62 years and rent a room or two which would have helped me, as I have a heart condition, high blood pressure, and arthritis. From where I live it takes me 10 minutes to get to work, when I lose my home where will I go that is so convenient? One does not receive enough money to buy a new home and rents are tremendously high.

I raised two children, my son fought in the Korean war, was left with a very bad heart condition, Is that what he fought for?

If they demolish everything at one time people will have to find homes—then do they expect us to come back into this same area to the new low rental houses for the elderly? Why not build apartment buildings somewhere in this neighborhood before tearing all of it down, so that we can move into the new homes when ours are torn down and we are evicted?

People outside of the park area voted for this project, those living in the park area had no chance to voice their opinions against it—we are all displaced with a promise of low rental houses—we cannot get in as promised—rents are too high and we heard there is a waiting list of 27,000 for some of the high rise buildings—people outside of this project seem to come first? Is this justice, it's against the Constitution.

Yours very truly,
MRS. MARGARET B. WILSON.

A. HUMBERT & CO.,
Chicago, Ill., May 22, 1964.

Congressman WILLIAM BECK WIDNALL,
Cannon Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I am told that you are "interviewing individuals who are directly affected by urban renewal." I am happy that someone is interested in the manner in which this vast "pork barrel" is being conducted.

Our office is just outside the boundaries of the "Lincoln Park Urban Renewal Area" on Chicago's North Side. My experience with urban renewal is limited to this one project. The following are my observations, concisely stated. I will be happy to go into greater detail if you wish.

1. One of the problems is that "only persons directly affected" is interpreted as those who live in the renewal area. For example, Lincoln Avenue is one of the longest thoroughfares in Chicago, used by many people from the northwest areas of the city to the downtown area. Yet, those people in the renewal area, who live along just four blocks of Lincoln Avenue, have decreed that this great thoroughfare should no longer be a through street. None of the residents or businessmen along the street have been consulted nor do they have a voice in this matter.

2. The preponderant benefits of this program are given over to nontaxpaying groups, who are in the area: DePaul University, McCormick Theological Seminary, and the following hospitals: St. Joseph's, Augustana, Grant, Children's Memorial; each is purported to be nonprofit, yet each found the funds to undertake huge expansions; suddenly there was no parking space—and urban renewal generously stepped in to make up the loss.

3. The primary goal of urban renewal should be the upgrading of existing residential properties. Instead of this, we find the large-scale relocation of the underprivileged only to make room for the more affluent (for example, Carl Sandburg Village). There is also too much emphasis on commercial (shopping centers, etc.) when we already have a tremendous number of vacant stores along our strip streets.

Your interest is appreciated; your study is invited to these problems.

Yours very truly,
ALFRED HUMBERT, Jr.,
Realtor.

CHICAGO CASTER & EQUIPMENT CO., INC.,
Chicago, Ill., August 20, 1965.

Re Lincoln Park No. 1, Urban Renewal Project, Chicago, Ill.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: I am writing you on behalf of the members of our organization in the Lincoln Park area. We are of the opinion that section 307 of the Housing Act of 1965 requires surveys and plans indicating that the objectives of the urban renewal plan cannot be achieved through rehabilitation of the project area, and such is a prerequisite to a loan grant contract. The Lincoln Park Conservation Community Council was not representative of the area. They did not seek any advice as to alternative forms of treatment for the area, or even specific parcels. It is true they held a number of meetings at which they did allow people to speak, and at meetings where they allowed people to protest none of their suggestions were recorded or adopted. The public meeting held prior to the adoption of the resolution required pursuant to section 307 procedure finding was already prepared before the meeting and was immediately adopted after allowing people to speak.

The subcommittee hearing of the Chicago City Council allowed public witnesses, but without adjourning or giving any consideration to the information given to them they moved and adopted the previously prepared resolution without any comments, recommendations, and suggestions by anyone on the subject.

We do not feel, that we were amply advised on the situation. May we have your views on the above?

Very truly yours,
W. H. RISKE,
President.

LIFE-TIME BLIND & SHUTTER CO.,
Chicago, Ill., August 17, 1965.

Re Lincoln Park No. 1 urban renewal project, Chicago, Ill.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: In reference to the Lincoln Park No. 1 urban renewal project in Chicago, Ill., we wish to state that we do not feel that the provisions and regulations of the 1964 Housing Act have been followed as provided in section 307.

We are a small business concern. We own and occupy a building comprising 12,500 square feet. We are a growing concern now located in a neighborhood that we feel is one in which we can be of a great asset to the community—one in which our 20 employees are not anxious to leave because of good transportation and we feel that we have a good building and are most willing to make improvements which will enhance this street.

At no time has any representative ever approached us to ask us what we would do to improve our building. We have not been asked for any plans or surveys of improvement. We therefore feel the Lincoln Park Conservation Community Council did not represent truly the people in this area and feel in so doing that section 307 of the Housing Act has been violated.

We do not wish to relocate our business or employees and are most anxious to be given the opportunity of making any improvement to our building which will aid in the rehabilitation of this community.

Very truly yours,
LIFE-TIME BLIND & SHUTTER CO.,
BERNARD MARKS.

ART FURNITURE SHOP,
Chicago, Ill., August 20, 1965.

Re: Lincoln Park Urban Renewal Project I, Chicago, Ill.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: We are located in the area of Lincoln Park Urban Renewal Project I and are of the opinion that section 307 of the Housing Act of 1964 has not been complied with.

We feel that the Lincoln Park Conservation Community Council did not truly represent the majority of the people in the proposed project.

The original committees and organizations formed, with conservation as their goal were infiltrated with people, who in their small meetings favored demolition rather than conservation.

One of the oldest organizations in the Lincoln Park area, the Lincoln Park Chamber of Commerce was not represented on the Community Conservation Council and could have rendered valuable assistance in views, plans and needs of the area.

We are a small business concern and have been in the same location since 1925. We have been an asset to the community in the fine arts field and wish to remain here as an asset to the culture of this area.

No council member or representative has approached us and asked for plans, views or expressions as to how we could enhance or improve our building.

We therefore feel that the Housing Act, section 307, has been violated by the Lincoln Park Conservation Community Council in not honestly representing the people of the area and primarily the ones in the planned project I area.

Yours truly,
ART FURNITURE SHOP,
HOWARD W. JEMO.

HERMAN SEEKAMP, INC.,
August 20, 1965.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: I am writing to you in regard to Lincoln Park No. 1 urban renewal project in Chicago.

I own and operate a small wholesale bakery employing 45 people with an annual payroll of $250,000. Obviously I have a sizable personal investment in our present location. A move will be very costly. Property adjacent to mine is available should we be able to stay here. I would be willing to build and upgrade the entire property with assurance of a long-term lease availability.

We are of the opinion that section 307 of the Housing Act of 1964 requires surveys and plans indicating that the objectives of the urban renewal plan cannot be achieved through rehabilitation of the project area, and such is a prerequisite to a loan grant contract. The Lincoln Park Conservation Community Council was not representative of the area. They did not seek any advice as to alternative forms of treatment for the area, or even specific parcels. It is true they held a number of meetings at which they did not allow people to speak, and at meetings where they allowed people to protest none of their suggestions were recorded or adopted. The public meeting held prior to the adoption of the resolution required pursuant to section 307 procedure finding was already prepared before the meeting and was immediately adopted after allowing people to speak.

The subcommittee hearing of the Chicago City Council allowed public witnesses, but without adjourning or giving any consideration to the information given to them they moved and adopted the previously prepared resolution without any comments, recommendations, and suggestions by any one on the subject.

Sincerely,
WILLARD W. BICKFORD,
President.

TAT LING CHAN,
June 25, 1964.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

SIR: Having heard the bad news from the urban renewal intended to demolish Larrabee Street, rendering me, and those people who are living, and doing business in that street wish to cry, but no tears, for losing homes and business. No wonder everyone living in the Larrabee Street is unhappy.

The President announced in the newspapers stated that he will try his best to overcome the people poverty. Then if the urban renewal will decide to demolish Larrabee Street, no wonder the residents and businessmen of that street will suffer more hardships and poverty.

So far I know the American citizens can enjoy more freedom than any other citizens in the world. Therefore I beg to take the liberty to against the urban renewal to do so.

I and all the other residents of Larrabee Street will be much appreciated, if you will kindly see your way to stop the urban renewal demolishing Larrabee Street according to your convenience. If so the God will bless you, and your family good luck, and long life.

Hoping this will meet with your favorable consideration.

I have the honor to be, sir,
Yours obediently,
TAT LING CHAN.

CHICAGO, ILL.,
August 18, 1965.

Re Lincoln Park Project No. 1 Urban Renewal, Chicago, about section 307.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIDNALL: I live in project No. 1, in the area proposed for a community park, which is not necessary because of the three blocks distance from the famous Lincoln Park. My sister and I attended most of these neighborhood meetings, and those of the CCC which is a panel of 11 men, handpicked by the mayor and ironically most of them do not reside in the project No. 1—so how can they know and vote on our problems unless they are briefed by urban renewal. At no time at any of these meetings was there ever any mention of the Housing Act of 1964 known as section 307. My neighbors who also attended these meetings can attest to this statement.

We were told that we could be observers at the CCC meetings but could not have the floor to ask questions or have any voice whatever. On this CCC panel were Daggett Harvey, a millionaire residing on Lake Shore Drive who could not care less what happened to our homes, two ministers, one bowed out gracefully when he learned that most of us oldtimers were members of his church and would be victims of the bulldozer (this was Rev. Gerhard Grauer), one lawyer (employed days by the railroad), a Catholic priest from a nontaxable institution who was anything but courteous and had pressure tactics, asking the pastor of Peoples Baptist Church if they did not want to take their money from urban renewal and move elsewhere (they already were displaced two times), which they refused to consider at that meeting. If they have since used persuasion, I do not know. The next man was the secretary of Aetna bank who was absolutely against the proposed park, Dr. Marvin Rosner, on staff at Grant Hospital who was using pressure for more land for the hospital, an artist, and Mr. * * * who also resided way out of the project.

I think I stated in a previous letter that I called at the office of Lincoln Park Conservation at 2419 North Halsted Street, stating I wanted to make extensive improvements—new stairs and wrought fence and was told by William Friedlander who consulted a map and then replied not to spend any more money on my home. That was 28 months ago.

Was it the purpose to create slum property by advising us not to spend money to make these improvements if we were willing and had the cash to pay for same.

My sister is a widow, is self-sufficient from daily employment and lives in our late father's home, which was handed down to him from his forefathers—Civil War veteran 1849—that's a long record of ownership and paying taxes, plus grassroots. Now to be displaced would indeed be a hardship.

My husband, 76, and I, 68, live in the same area and have the threat of the bulldozer at our door.

It's inhuman and unjust to root us out in new surroundings at our age. Living in a housing project is not the answer at our age.

We want the "go sign" to make improvements on our own and continue living in familiar surroundings.

MRS. JOHN ABDALLAH.

CHICAGO, ILL.,
May 26, 1964.

Hon. WILLIAM B. WIDNALL,
Congressman of New Jersey,
House of Representatives,
Washington, D.C.

DEAR SIR: We of the Lincoln Park urban renewal project I, humbly suggest that legislation of some sort be considered to relieve the vicious injustices regarding the same.

Wherever urban renewal enters an area, the tax-exempt institutions such as churches, hospitals, and schools, start the land grab with the innocent friendly neighborhood meetings to supposedly improve our areas.

Soon a map is shown, showing the land to be allotted each of these community centers.

Then come the big deal real estate operators with scare stories about the bulldozers coming, and we'll get nothing for our property. They have bought up valuable locations as people panicked and sold for minimal sums.

They then proceeded to fill the area with Puerto Rican tenants who are making life unbearable until such time we can teach them the conditions of urban living. They brought to our area a terrible crime wave of every description, including a national car-theft gang which was exposed.

We have lived for 12 years with the threat of demolition of our homes. The neighbors around us have fought to keep their homes in decent condition, but through discouragement and an uphill battle, find we must have help or we will lose everything.

When the urban renewal wants a particular property, they move in with the building code inspectors.

A prominent building engineer spoke before the city council in Chicago city hall. He stated that there was no downtown building that he had worked on (and he gave the names of many) from 1938 up to some of our recent models, that could pass the present building code inspections. These excessively abusive codes enter wherever urban renewal is accepted. Any building not in accordance with this urban renewal code, is judged to be substandard. With that word, they heap on the abuses of power to demand building code compliance; or they proceed through the code to show that your property has no value as it would cost too much to recondition it.

They demand an architect's blueprint of your home, before you can proceed to make the code repairs. This is $500 on up.

The usual procedure is to then apply for a loan to make the repairs.

Of the many cases presented before the Chicago City Counsel, by the Chicago Property Owners Association, none was able to get a loan from any bank, though from every aspect, the owner had reliable assets and collateral.

When the owner could not show proof of the total contracting job in action within 30 days, they were taken to court. Thereafter they were fined $200 for each day that they were not in compliance on their particular building code violations.

Innumerable property owners have lost their homes due to these lecherous laws in Chicago, or wherever urban renewal goes. The property is then seized for the urban renewal project on hand.

Some property owners are jailed because there is no possible way they could pay $200 per day for their fine. Such laws are more unjust than usurious loan sharks.

At a recent urban renewal meeting for our Lincoln Park project I, a director stated that they were going to build a home for the aged, giving the exact location in our area where it would be built. A neighbor told the speaker she did not know how he could make that statement, as she knew the owner of that property, and it had not as yet been acquired for urban renewal.

The man who owns this building has invested large sums to have it in first-class condition. The squads of code men have made 87 visits (which he has properly dated and recorded) keeping him tearing up and repairing. It is evident that unless he has some help, he will soon be compelled to relinquish his property to the authorities.

There are 644 homes involved in this project. Also truckers, small factories, many businessmen's establishments which all helpfully employ and serve members of the community. They are planning to completely cut off two great business and travel thoroughfares—Lincoln Avenue, also Ogden Avenue. These streets are of great importance commercially and for good transportation.

On your road maps you will note that Ogden Avenue is Route 34, which takes you all the way to St. Louis, Mo.

Lincoln Avenue angles north and west from its start at 1600 North in Chicago, ending in the suburb Skokie.

They propose to take away a portion of these avenues with each new urban renewal project, as they would proceed in the future. When you study the length of Ogden and Lincoln Avenues you will have a slight idea of the enormity of their destructive schemes.

Urban renewal planners are, at random, mapping serious dislocations of homes and businesses. They are planning three green spots for the area; two of the three are for the Catholic Church properties.

My particular problem is a planned bulldozing of 144 homes and businesses to make a park for Waller High School. Waller already has a half city block of play area. The Christ Presbyterian Church is moving and this area will be added to the half block playground.

Lincoln Park Zoo is 4 blocks east of the Waller High School. It has four baseball diamonds, tennis courts, shuffleboard, horseshoe games, archery, and gun clubs, Belmont Yacht Harbor rented boats and boat lagoon, bridle paths (horses may be rented near the park), pony rides, and places to enjoy other hobbies. Picnic grounds, carousel, miniature diesel train rides, a special children's zoo, also two museums, a park meeting hall center, a golf course.

The zoo area is now in the process of constructing a farm exhibit which will also show the farm animals in a rural atmosphere. It is expected to be interesting and educational. Lincoln Park Zoo is regarded as one of the finest zoos in the world. Most every one has at one time enjoyed Marlin Perkins most interesting TV show "Zoo Parade" from Lincoln Park Zoo. Mr. Perkins is now associated with the St. Louis zoo.

There is 25-cent bus transportation in close range to all in our neighborhood (which includes Waller High) who desire a ride to the zoo (Lincoln Park). We think the young people of our area are specially privileged to be so located.

U.R. planners mention the Arnold School in connection with a playground for Waller High. Arnold School is one-storied and admits only two grades of junior high. It is located beside the one-half block playground which is being enlarged.

When all these facts were disclosed to Louis W. Hill, deputy commissioner of urban renewal in Chicago he stated that Lincoln Park Zoo was decadent for present-day use and that four blocks was too far for mothers to take their children to the park.

We would presume that we must therefore, tear down areas every three blocks to give like privileges to other mothers across the United States.

There are 15 widows in our block that I know of. My mother and I count as 2; 14 widows are property owners. We have owned our 2-story building which contains 2 apartments (also a 2-truck garage at rear) for 24 years. We are all self-supporting, with rental incomes, jobs, and pensions. We all own our own homes clear. We are part of this wasteful project 1 which plans to tear our homes down for an unnecessary park for the Waller and Arnold Schools. The police are continually being called for racial rumbles around the schools. It seems the plan is to give them a larger battleground.

We neighbors maintain good, clean, comfortable homes for our tenants, with reasonable rents. We have beautiful trees and grass on our parkways, and most homes have flowers and gardens in their backyards.

We are of ages (by the time we own our property clear of debt) that we are ineligible for financial loans, to get a similar rental property at present-day prices.

The urban renewal plan is to place older persons with our problem in old age housing. They plan to offer a 3-room unit with bath for $52 per month.

Some elderly people's only source of income is their rental income. Some have very small social security pensions. After the pittances they will offer for our properties have been lived up, many will be welfare cases. This statement is not exaggerated.

Mayor Daley has kept up a continuous harangue about slumlords to psychologically condition the public for urban renewal and its disastrous upheavals and treachery. We find that all those who are for urban renewal, have ulterior motives. We believe this area of Project I to be the most desirable location in the city of Chicago. Our home location is 21 blocks north of State and Madison (which is the center of the Chicago downtown which divides the north and south sides of Chicago). Our home is 600 West (which means it is 6 blocks west of Lake Michigan). The east side of Lincoln Park faces Lake Michigan. We are on the extreme north end of Project I. It is evident that those who live south of us are closer to the downtown area.

We suggest that Federal funds for urban renewal be withheld until we are given a referendum at the polls.

We will be most grateful for any help you can send our way to save our homes and businesses.

Sincerely,

Mrs. Yvonne A. Newlin.

Chicago, Ill.

Dear Representative Widnall: I'm adding this bit of information. The officers of Lincoln Park Conservation Association are appointed by Mayor Daley. When people who paid for membership realized that they had no voice in the organization, they withdrew. The officers had a sneak vote one night when there were only 11 Lincoln Park conservation members present. These 11 members were the only ones (of a large audience) who were allowed to vote for or against Lincoln Park Project 1. They unanimously voted against it, but they were outnumbered by Daley's appointed officers and some bearded beatniks who joined with the officers in the vote. That is the way the approval for Lincoln Park Project 1 took place.

There are no property owners in the entire area who want anything to do with this horror.

We have organized to combat it as best we can with our small incomes.

Wasteful urban renewal projects will finish ruining the economy of our Nation far greater than an enemy nation.

The only interest in the United States seems to be civil rights. Perhaps the knowledge that Negro's homes are also included in Project I, may arouse some interest.

We thank you for your interest and consideration.

Mrs. Yvonne A. Newlin.

Chicago, Ill.,
July 11, 1964.

Dear Mr. Widnall: I am glad to hear that you were in Chicago to study plan I of the Lincoln Park redevelopment project.

I am a property owner in that area, and am against the plan as are many people who live there.

It should be canceled until there is proof that it is needed or helpful.

Let the people who are involved decide—not the politicians.

Sincerely,

Margo H. Buekar.

Chicago, Ill.,
August 12, 1964.

Hon. William B. Widnall,
House of Representatives,
Washington, D.C.

Without exception during the past 3 years it has been my duty as a neighbor in our community to meet with and support the wishes of the elderly folks, homeowners, and tenants residing in the area designated as project 1 (called the park area).

These folks have placed their confidence in my efforts to help if possible to save their homes and present living status.

Meetings held were supposed to be of interest and information as to proceedings in the area were merely camouflage.

If and when even a paid-up member was on the floor to request information on subjects relative to important matters, concerning loans, rehabilitation and interest rates, they were rudely told by the chairman, Lyle Mayer, that they were out of order, as the commission members were the ones to direct and plan for the area, not an individual. The police were requested to stop anyone and eject them bodily, which they tried to do.

As section 307 of the Housing Act of 1964 supports financing of projects for rehabilitation, we see no need for the paid-up taxpayers who have lived and financed their share of the cities' prosperity through some 50 and probably more years of hard-earned money to be treated as nincompoops.

No one in project I approves of the park.

At one of the CCC meetings we attended at Arnold School we pleaded for our homes and opposed the park, which is supposed to be a need for Waller High.

Waller High has already acquired all the land they need, which put about 500 people out of their homes.

At this same meeting attended Principal Ellenbogen and stated, "I heard your pleas for your homes, I want to assure you, Waller High has all the land they need. We do not want your homes. It's funds we need to operate our needs."

This is just a greedy scheme of the planners.

So in the name of justice, please Mr. Widnall, help us retain our homes and freedom again.

Sincerely,

Mrs. Leone V. Gusman.

Chicago, Ill., *August 16, 1965.*

Re: Project No. 1, urban renewal.

Hon. William B. Widnall,
House of Representatives,
Washington, D.C.

Honorable Sir: Section 307 Housing Act of 1964 has been absolutely disregarded by members of Urban Renewal, the Commission and affiliated organizations whenever the matter is brought up for further advice and consultation.

Rehabilitating in this area for the elderly is a major problem in many instances and important under the present rigid codes, as being enforced by the present administration. Many family homes can be saved in this area if the law was explained and enacted fully.

When the first views of urban renewal, in the area known now as project No. 1, became public through a map issued by a local newspaper 5 years ago people were stunned; as it was not classed as a slum or blighted area.

Many people profited by the knowledge, especially those affiliated with the various groups, officers and their families connected with the Lincoln Park Association. Through smart promotors, homes were purchased at low prices and rehabilitated and resold or held as an investment because of the close proximity to Project No. 1.

As a member of Lincoln central and part owner of property here, I attended meetings continuously (for 3 or 4 years monthly). Very little information, if any, was ever given on the project. Meaningless programs on film, lectures, and talks on various subjects not related voting on any subject was planned for small meetings controlled by officers, their families and friends leaving the few outsiders attending a losing vote. All in all urban renewal is simply an overall blindfold for taking away from the poor hardworking taxpayer his home, his health and happiness something he had planned for 50 or 60 years and his descendants also planned on for their old age. This project is the most heartless move, not being warranted.

Sincerely for your success,

Mrs. Evelyn Mercier Callahan.

HUMAN INVESTMENT ACT OF 1965

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am most happy to join with many of my colleagues in introducing a bill entitled "the Human Investment Act of 1965." I surely agree that private enterprise, when given the incentive, can conduct job training more effectively, more efficiently, and more dependably than can the Government.

This bill would provide an employer with a 7-percent tax credit, within certain limitations, toward training and retraining expenses for employees and prospective employees.

The measure would enable an employer to retrain any of his employees who were about to be displaced by automation or mechanization, and it would enable him to train new employees for job skills needed within that particular industry.

A substantial amount of our present unemployment is not due to a lack of available jobs, but due to a large portion of our manpower being untrained in the skills that are actually in serious demand at any given moment.

This bill would work hand in hand with the Manpower Development and Training Act, providing on-the-spot training in the industries where it is needed. The two programs would complement each other and would lead to greater utilization of our labor force. It is, indeed, a human investment.

LIQUIDITY AND DEBT IN THE AMERICAN ECONOMY

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the outstanding characteristics of the current economic expansion is the rapid growth in total liquid assets in the economy accompanied by a sharp rise in debt obligations and a widespread concern over the quality of credit being extended today. These issues are discussed in an intelligent and scholarly article by Herbert E. Neil, Jr., associate economist with the Harris Trust & Savings Bank in Chicago.

During the past 4½ years, liquid assets have grown by 40 percent or at the highest rate since World War II. The public's liquid assets rose as much from 1961 through 1964 as during the 12 previous years.

It is this remarkable growth in liquid assets which causes many economists to see serious inflationary dangers in the economy today. Altogether, liquid assets and marketable securities total $1.1 trillion which could be quickly poured into the spending stream. In a period of high demand, any substantial conversion of these assets to cash might very well have inflationary consequences similar to those which followed World War II. It is interesting to note that practically all of the growing liquidity during this period was concentrated in the household sector of the economy. Corporations are actually less liquid today than they were in 1960.

Along with rising liquid assets goes rising debt. Net public and private debt, which advanced by 32 percent between December 1960 and December 1964, today totals $1.2 trillion.

The most dramatic growth has been in the individual and noncorporate sector. Between 1960 and 1964, the debt in this category rose by 46 percent. Individual debt now is the largest component of total debt. Consumer credit has also risen sharply in the 4-year period, having increased by $20 billion or 37 percent.

The danger here is that a high volume of debt could intensify a recession if debtors are forced to curtail expenditures in order to meet their payments during a period of declining incomes. Individual indebtedness has advanced at a much faster rate—46 percent—than disposable personal income which is up only 25 percent over the past 4 years. Repayments of installment credit took 14.4 percent of disposable personal income in the second quarter of 1965. Many debtors, of course, hold substantial liquid assets, but for many others this is not the case.

In diagnosing the state of the economy, I feel that the administration, as well as many private economists, has paid insufficient attention to liquidity and debt. Mr. Neil's balanced article makes a highly useful contribution to our understanding of what has been happening in this important area, and I include this article in the Record at this point:

Liquidity and Debt

(By Herbert E. Neil, Jr.)

Questions concerning the liquidity and the debt position of the overall U.S. economy and particular sectors within the economy have been raised in recent months. Growth in total liquid assets continues following 4½ years of rapid expansion during the longest peacetime advance in American business activity. However, the liquidity of corporations, including financial institutions, has declined relative to the sharp rise in business liabilities. At the same time, debt obligations of consumers, businesses and governments increased rapidly, leading to considerable concern as to the quality of credit being extended today. An analysis of the sharp advance in the financial portion of the Nation's balance sheet, assets and liabilities, will be pursued in this article together with its implications for the future economic health of the country.

I. LIQUID ASSET GROWTH

A 4½-year economic advance, an expansive monetary policy, and higher saving rates have led to an accelerated growth in liquid assets since 1960. Rising incomes, augmented on an after tax basis by the reduction in tax rates in 1964 and 1965, provided individuals with increased purchasing power to step up their saving. The Federal Reserve has steadily increased bank reserves for 5 years, enabling commercial banks to create additional deposits. At the same time, banks and savings and loan associations encouraged the public to augment their liquid assets through offering higher interest and dividend rates, respectively. Moreover, to the extent that depositors are attracted to time as opposed to demand deposits the commercial banks are able to accelerate deposit growth because of the lower reserve requirements on the former.

A. Volume of new liquid assets

Liquid asset growth during the past 4½ years has been the most rapid since World War II. Since the end of 1960, liquid assets held by the public—currency, demand deposits, time deposits, savings and loan shares, and U.S. Government savings bonds—have advanced over $140 billion, 40 percent, to $500 billion. The public's liquid assets in dollar terms rose as much in the 4 years, 1961 through 1964, as during the previous 12 years.

An acceleration in the expansion of commercial bank deposits has been primarily responsible for the recent 8 percent annual rate of growth in liquid assets, twice the previous postwar rate of advance. Demand deposits and currency in the hands of the public increased $18.3 billion from December 1960 to December 1964, after showing a nominal $3.8 billion rise in the previous 4 years. Time deposits of commercial banks registered a dramatic advance—$54 billion, 74 percent, from 1960 to 1964 versus $21.1 billion, 41 percent, during the previous 4 years. The public also accelerated the pace at which it increased its holdings of mutual savings bank time deposits from 21 tc 35 percent, but the dollar amount was small—$12.8 billion—relative to the commercial bank gain. Nearly $40 billion of the liquid asset growth between

1960 and 1964 took the form of savings and loan shares, but there was little change in the percentage increase from the 1956–60 period, 64 percent compared with 67 percent. U.S. Government savings bonds in the hands of the public went up $2.9 billion between 1960 and 1964 after declining $8.9 billion from 1955 to 1960.

The sharp advance in time deposits at both commercial and mutual savings banks in the past 4½ years reflects the higher rates offered to savers by these institutions. Moreover, savings and loan associations increased their dividend rates during the 1960–64 period in order to maintain their postwar expansion in the face of the more intense competition for savings from the banks. Promotion of savings by banks and savings and loan associations thus expanded the savings market and accelerated the rate of growth in liquid assets. Increases in savings type accounts have occurred partially at the expense of investment by individuals in corporate bonds and stocks. Individuals show a net disinvestment in corporate securities in each of the last 3 years, as liquidation of direct common stock holdings more than offset net purchases of mutual funds.

Following a slackened rate of demand deposit growth in the late 1950's, commercial banks pursued a more vigorous policy of seeking new time deposits in the 1960's. Indicative of the growing importance which time deposits were to play in the 1960's was the offering in early 1961 by several large commercial banks in New York City of negotiable time certificates of deposit in readily marketable form to their corporate depositors. Negotiable time certificates of deposits tripled in 1961 alone from slightly over $1 billion to $3.2 billion and then doubled again in 1962. Liberalization of regulation Q on January 1, 1962, which allowed commercial banks to raise their rates on savings deposits from 3 percent to 4 percent for 1-year money and to 3½ percent for deposits of less than 1 year sparked a record growth of $15.6 billion, 19 percent, in time deposits of commercial banks in 1962. Mutual savings banks also raised rates, increasing their time deposits from a net inflow of $1.9 billion in 1961 to $3.1 billion in 1962. At the same time many savings and loan associations across the country upped their dividend rates so as to maintain their growth rate during 1962 close to the 14 percent pace of 1958 through 1961.

Lifting of the ceiling rate to 4 percent on time deposits other than savings deposits of 90-days to 1-year maturity in July 1963, led to a gain of nearly $4 billion in time certificate of deposits in 1963 and a total commercial bank time deposit growth of $14.8 billion, only slightly under the record 1962 advance. Mutual savings banks and savings and loan associations showed no slackening in growth, as they recorded increases of $3.3 billion deposits and $11.1 billion shares, respectively, in 1963. A further liberalization of regulation Q in November 1964 permitted commercial banks to pay 4 percent on all savings deposits, 4½ percent on other time deposits of at least 90-day maturity and 4 percent on under 90-day time certificates of deposit. Time deposits of commercial banks rose another $14.2 billion in 1964, moderately under the 1962 and 1963 inflows. The dollar gain in savings and loan shares also slackened slightly in 1964, the first annual decline in net inflow since 1957, from $11.1 billion to $10.5 billion. However, mutual savings banks registered a record gain in deposits for the third straight year, $4.2 billion in 1964.

B. Economic implications of liquid asset growth

The massive rise in liquid assets since 1960 has brought forth warnings from some analysts as to the inflationary threat of a 40 percent expansion in liquid assets in the last 4½ years. Moreover, this increase does not include a nearly 50 percent rise during the same period in the value of marketable securities—U.S. Government obligations other than savings bonds, State and local government debt instruments, and corporate bonds and stocks—of individuals largely due to rising stock prices. With over $400 billion of liquid assets and nearly $700 billion of marketable securities—mostly liquid—in their portfolios, individuals could transfer a large volume of asset holdings quickly into the spending stream. The sharp rise in liquid assets during World War II no doubt contributed to the consumer spending spree following the war which in turn abetted inflation when price controls were discontinued.

Inflationary pressure generated from the liquid asset expansion of recent years, however, is far less acute than in the latter half of the 1940's. No backlog of unfilled needs for consumer goods, especially durables, exists today as was the case in 1945 after 15 years of curtailed purchases. Most manufacturers are steadily adding to their capacity for future needs and could increase production if demand were to rise. In contrast, the problems of reconversion, obsolete plants, and a shortage of labor limited the supply of goods which manufacturers could produce to fill the insistent demands of consumers in the immediate postwar period. Prices were forced up as individuals attempted to buy a limited supply of commodities with their rising incomes and large liquid asset holdings. In the 4-year period, December 1960 to December 1964, while liquid assets were rising sharply consumer prices advanced only 1.2 percent per year compared with an annual increase of 2.1 percent during the previous 5 years. The somewhat faster upward movement in consumer prices this spring reflects sharply higher food prices associated with reduced supplies of a number of farm commodities.

Liquid asset growth is spurred by increases in the number of both high income and older people. As shown in Table 1, liquid assets rise at a faster rate than income, with spending units receiving incomes of over $15,000 typically holding checking accounts, savings accounts, and U.S. savings bonds in excess of $5,000. Families with incomes of $15,000 and over advanced dramatically between 1960 and 1964, from 3.7 percent to 6.3 percent of all U.S. families (excluding spending units headed by a single person). Moreover, the $10,000 to $15,000 income families increased to 16.2 percent of all families in 1964 from 10.6 percent in 1960. Since families with incomes of $10,000 and over have been the fastest growing income classes, a ready market for liquid assets has been available to savings institutions. Although their incomes are generally lower, spending units headed by persons 65 or older typically hold nearly three times as many liquid assets as the average spending unit. In the age category 45 to 64 these assets generally run 60 to 70 percent above the average for the Nation. Both of the older age groups increased in number between 1960 and 1965, with the 45 to 64 population group up from 36.2 million to 39 million and the 65 or over class from 16.7 million to over 18.1 million. Assets in the hands of higher income and older individuals pose less of an inflationary threat because of the strong willingness of these people to invest their funds in this form.

TABLE 1.—*Liquid asset holdings by income and age groups, 1963*

	Percentage distribution	Median liquid assets
Income of spending unit:		
Under $1,000	5	0
$1,000 to $1,999	11	0
$2,000 to $2,999	11	$75
$3.000 to $3,999	9	160
$4,000 to $4,999	10	330
$5,000 to $5,999	10	255
$6,000 to $7,499	14	465
$7,500 to $9,999	14	880
$10,000 to $14,999	12	1,485
$15,000 or more	4	5,375
All spending units	100	440
Age of head of spending unit:		
18 to 24	11	145
25 to 34	18	255
35 to 44	21	450
45 to 54	18	710
55 to 64	16	765
65 or older	16	1,215
All spending units	100	440

NOTE.—Liquid assets include checking accounts, savings accounts, and nonmarketable U.S. savings bonds.

Source: University of Michigan Survey Research Center.

Large liquid asset holdings which could be injected into the spending stream initiating an inflation are conversely a positive force in times of cyclical downturns. Individuals owning bank deposits, savings and loan shares, and U.S. savings bonds can easily liquidate these assets if their incomes decline and maintain a previous level of expenditures. Individual portfolios of liquid assets of approximately $410 billion today are equal to nearly 1 year of disposable personal income, $455 billion. Compared with a liquid asset/income ratio of over 90 percent today, the ratio was 83 percent at the time of the last recession in 1960. Liquid assets thus provide a rather important stabilizing factor limiting the magnitude of a decline through their favorable effect on consumer spending.

C. Illiquidity in the midst of record liquid assets

While individuals have accumulated liquid assets at a record pace during the past 4½ years, business has not participated to any great extent in this phenomenon. Practically all of the growing liquidity during this period was concentrated in the household sector of the economy. In fact, corporate liquid assets advanced at a much slower pace than corporate sales, profits, physical assets, or financial assets. Corporations are thus less liquid today than they were in 1960 when the rapid expansion in liquid assets commenced. In particular, bank loans expanded at an unprecedented rate for such an extensive period. Concern as to the liquidity of commercial banks, which contributed so significantly to the growth in liquid assets of individuals, reflects recent trends in bank portfolios.

Despite the sharp increase in time certificates of deposits cited earlier, corporations have added little to their total liquid assets since 1960. Time deposits of corporations increased over $11 billion in the 4 years 1961–64 from a nominal $2.3 billion, but corporate holdings of currency and demand deposits have been unchanged. Moreover, nonfinancial corporations sold on net $1.5 billion of their $20 billion portfolio of U.S. Government securities last year following 3 years of nominal variation. Corporations own fewer Government securities than at any time since 1950. Total liquid assets—currency, demand deposits, time deposits, and

U.S. Government securities—of nonfinancial corporations thus grew only $10.4 billion between the end of 1960 and the end of 1964. Meanwhile, other financial assets—primarily receivables, finance paper, foreign portfolio investments, and foreign currency holdings—rose nearly $60 billion and physical assets by $35 billion after deducting depreciation. Financial assets of nonfinancial corporations doubled between 1954 and 1964 but liquid assets advanced only 26 percent. Liquid assets comprised 24½ percent of total financial assets at the end of 1964 compared with 28 percent 4 years earlier and 57 percent at the end of 1945.

A similar trend of decreasing liquidity is evident among manufacturing companies within the corporate sector of the economy. Total cash and U.S. Government securities amounted to only 8.8 percent of total assets of manufacturing corporations during the first quarter of 1965, a marked decline from 9.9 percent only a year earlier and 19.1 percent in early 1950. The steady decline in the liquidity ratio of nonfinancial corporations during the last 15 years reflects increased relative investment in receivables and fixed assets. Corporations are currently devoting an increasing proportion of their available resources to assets directly related to their prime business activities rather than to the financial markets. General economic prosperity during the past 15 years has lessened fears of a major contraction in business and encouraged firms to invest in nonliquid assets where returns are typically higher.

Commercial banks, like nonfinancial corporations, are today concentrating their resources to a greater extent in their prime business activity and placing less emphasis on liquidity. Thus, banks have accelerated their lending to businesses and consumers and devoted less of their portfolios to securities. While total loans and investments of commercial banks went up 8 percent per year, between the end of 1960 and the end of 1964, loans, excluding interbank loans, advanced at an annual rate of 10 percent. Moreover, loan growth accelerated further in the first half of 1965 as banks experienced a strong contraseasonal expansion of loan demand. Loans made up 62½ percent of total commercial bank investable portfolios at the end of last year compared with 58½ percent 4 years earlier, and exceeded 64½ percent by mid-1965.

At the same time that loans rose as a percentage of bank portfolios, the new loans extended by banks were longer term and presumably less liquid. Between the end of 1960 and the end of 1964, mortgage loans of commercial banks increased 52.7 percent, a faster rate of growth than for all bank loans. Moreover, conventional residential mortgage loans advanced 62 percent during the 4-year period while the more marketable FHA-insured and VA-guaranteed mortgages held by commercial banks rose only 15 percent. The traditional type of borrowing from commercial banks, short-term business loans, is playing a smaller role in the present lending activities.

Further evidence of decreasing bank liquidity is apparent from an examination of the investments of commercial banks. U.S. Government securities held by commercial banks have fluctuated during the last 4½ years but show no upward trend. Compared with the end of 1954, banks hold over $10 billion, 15 percent, fewer U.S. Government securities today, while their portfolios of other securities, predominantly less readily marketable municipals, are up $25½ billion, over 150 percent. Moreover, within the U.S. Government total, commercial banks in recent years have been increasing their investments in bonds of over 5 years maturities and cutting back sharply on their shorter term Governments. Mutual savings banks display a similar pattern of increasing mortgage commitments relative to securities during the postwar period.

Recent illiquidity trends of financial institutions, as evidenced by rising loan/investment ratios and a declining relative importance of U.S. Governments, could be viewed as increased vulnerability to future problems associated with loan repayments. However, the phenomenon can also be interpreted as more aggressive lending and investing policies designed to increase rates of return on portfolios. In following such policies banks, in particular, are channeling funds to many businesses and consumers who would not have been extended loans in the past. Financial institutions are thus contributing to the present business expansion by performing a greater lending role in today's economy.

II. A DEBTOR ECONOMY

Concurrent with the rapid growth in liquid assets of the economy during the last 4½ years has been an equally large rise in debt. This is hardly surprising since debts are the source of earnings for the financial institutions which provided the liquid asset expansion. Banks and savings and loan associations were obliged to seek outlets for the great inflow of funds attracted by higher interest and dividend rates. Acting as intermediaries, they have performed the function of placing the funds of savers in the hands of borrowers. Since the earning assets of financial institutions are predominantly loans, debts necessarily rose in tandem with liquid assets. Concern has been voiced as to the sharp increase in the volume and quality of debt, however, since a weak debt structure would impair the value of liquid assets offered by the financial institutions.

A. The volume of debt

The dollar amount of net public and private debt—excluding Federal debt held by Federal agencies, State and local government debt in the portfolios of other non-Federal governments, and corporate debt of affiliated companies—in the economy today is approximately $1.2 trillion. Moreover, the rate of rise in debt has accelerated during the present business expansion. Net debt advanced $281.5 billion, 32 percent, between the end of 1960 and the end of 1964, compared with $182.7 billion, 26 percent, in the previous 4 years. Private debt accounted for 82 percent of the 1960–64 increase, rising 39 percent during these 4 years. In the public sector State and local government obligations advanced 42 percent, but Federal Government debt increased only 11 percent between 1960 and 1964.

Individual and noncorporate debt has provided the dramatic growth in debt of the past 4½ years. Between 1960 and 1964 this category rose over $130 billion, 46 percent, an acceleration from the $79 billion, 38 percent gain of the previous 4 years. By 1962 individual and noncorporate debt exceeded total public debt for the first time since 1935 when Federal debt was rising rapidly during the great depression. Individual debt surpassed corporate debt in 1963 and has now become the largest component of debt. Nonfarm mortgages paced the 1960-64 debt expansion, advancing 49 percent, with mortgages on apartments and commercial property up 80 percent in the 4-year period. The sharp increase in mortgage debt against apartments reflected the phenomenal gain in multifamily residential building. Private nonfarm housing units started in multifamily buildings during 1963 and 1964 were over 115 percent higher than in 1959 and 1960.

An 8-percent annual rate of advance in mortgages secured by single family homes during the 1960's, however, is somewhat surprising in view of the lower rate of new units started. Private nonfarm single family home starts declined sharply from over 1.2 million units in 1959 to under 1 million in each of the first 5 years of the 1960's. Construction of more expensive homes in the last 5 years than in the 1950's partially accounts for the growing mortgage debt on single family homes, but a willingness on the part of financial institutions to make larger loans on new and existing houses provides a more fundamental explanation. Lower downpayments and longer terms have raised the size of mortgages relative to home values on new homes, while refinancing following sales of used houses and increases in mortgage balances of homeowners to finance nonhousing expenditures such as durable goods, education, and travel boosted mortgages on existing homes.

The other category of individual debt which shows a large increase in the current business expansion is consumer credit. It climbed over $20 billion, 37 percent, between the end of 1960 and the end of 1964. In the previous 4-year period consumer credit advanced $13½ billion, 32 percent. Outstanding installment credit rose at an annual rate of 10 percent during the 3 years 1962 through 1964. Moreover, due to record automobile sales consumer credit extensions accelerated further in the first half of 1965. Not since the immediate postwar years, 1945–50, have consumers added to their outstanding indebtedness at such a fast pace for as long as 3½ years.

Corporate debt rose 32½ percent in the last 4 years, only modestly faster than the 1956–60 increase of 30½ percent. However, corporations continued to make increased use of long-term debt—maturity of at least 1 year—in recent years. At the end of 1951 long-term issues made up only 41 percent of total corporate debt, but by the end of last year this percentage had reached 47 percent. The more rapid growth of long-term debt reflects the substitution of bonds and other long-term debt for new stock issues. During the 4 years, 1961–64, sales of stock provided corporations with only $10.1 billion of funds while bonds and other long-term debt supplied $37.2 billion. Stocks comprised a larger portion of external financing in the 1957–60 period—$13.8 billion compared with $28.3 billion of long-term debt. Debt financing has a tax advantage over stock issues since interest costs are deductible. To the extent that corporations secure long-term funds through the sale of bonds rather than stock, the corporate debt figures are augmented while stock in the hands of the public rises more slowly. In both instances the corporation secures funds from outside sources, but the legal relationship between the corporation and supplier of finance differs.

B. Distribution and burden of debt

Although the recent rapid growth of debt is high by historical standards and exceeds increases in most other economic series, the burden of the obligations to the particular debtors who receive the credit is probably more crucial to the proper functioning of the economy. If the individuals, businesses, and governments that took on the added debt are enjoying rising incomes or had modest debt initially, there is little danger in the record total of obligations. Conversely, if the debtors are likely to become overburdened by repayments in the near future, losses to creditors could rise sharply and in turn put a damper on the extension of new loans and further economic expansion. A high volume of debt could intensify a recession if debtors are forced to curtail expenditures in order to meet their payments during a period of declining incomes.

However, the repayment burden of debt has not been a contributing factor to the mild economic contractions of the postwar period.

Government debt poses no problem from the credit standpoint as long as tax revenues are sufficient to service the obligations or maturing debt can be readily sold to willing buyers. The Federal Government is in a rather unique situation since the Federal Reserve could be expected to purchase Government obligations which the public was unwilling to hold at interest rates or a rate of monetary expansion consistent with economic policy. In effect, the central bank stands ready to buy a sufficient quantity of Government securities to pursue its monetary policy of encouraging noninflationary economic growth. From a tax standpoint the potential revenue source of the Federal Government, national income, has been rising at a much faster rate than its debt since World War II. From a postwar low in 1948 net Federal debt advanced only 23 percent by the end of 1964 while national income rose 127 percent in the 16-year interval. Moreover, because the Federal Government relies to such a great extent upon the progressive individual income tax its potential revenue source climbs at a faster rate than national income. As an example, between 1954 and 1963 at the same time that personal income rose 60 percent Federal Government personal tax receipts advanced 78 percent.

State and local governments are not in as favorable position as the Federal Government since their expenditures and debts have been rising at a much faster pace, their taxable income base does not automatically expand as rapidly as income, and no residual buyer, such as the Federal Reserve, stands ready to purchase their bonds. Spending and debt of State and local governments have doubled every 7 or 8 years since 1948 while national income doubled in approximately 13½ years. Additionally, property and sales taxes which make up over 50 percent of State and local government revenue do not generally advance in line with income unless rates are raised. Retail sales, which provide the primary base for general sales taxes, required 16 years to double due to increased preference for services on the part of consumers during the postwar period. However, a rapid expansion of State and local government debt is sustainable as long as incomes continue to rise and taxpayers are willing to vote tax increases to finance the repayment of the debt. Reductions in Federal tax rates, such as the income and excise tax cuts of the past 2 years, in providing a larger disposable personal income tax base, can be expected to aid State and local governments in securing future revenue.

Turning to the private economy, the ability of corporations to handle their rising debt of the past 4 years appears to be quite satisfactory on a gross basis. Total corporate debt rose just under one-third between 1960 and 1964 while corporate profits after taxes advanced 56 percent and were up nearly 80 percent from the last quarter of 1960 during the first half of this year. The recent improvement in the relationship between profits and debt is a reversal of the trend during the 1950's. Corporate profits after taxes were slightly lower in 1960 than in 1950 while corporate debt more than doubled, with long-term debt up over 130 percent.

As pointed out earlier, corporations have relied to a greater extent in recent years on debt financing than on stock issues in meeting their long-term needs. This is reflected in a decrease in the percentage of stockholders' equity in manufacturing corporations from 65.8 percent in the first quarter of 1961 to 62.2 percent in the initial quarter of this year. An analysis of the importance of liabilities by size of manufacturing corporation shows an increase in the percentage of liabilities between 1961 and 1965 for each asset size class (table 2). The largest advances in relative liabilities occurred among small manufacturers with assets of $1 to $25 million and the large corporations of over $1 billion. In the case of the latter, the rise is from a percentage well below the average for all manufacturing companies. Trade accounts payable and long-term loans from banks and other lenders are responsible for the sharp increase in liabilities of the smaller manufacturers, suggesting increased willingness on the part of suppliers and lenders to extend credit to small businesses. The high liability percentage of manufacturing corporations with assets under $5 million might suggest potential danger, but the small companies have also enjoyed the sharpest increase in profits during the recent economic expansion. Thus, it appears that the substantial debt incurred by smaller manufacturers is creditworthy in a period of high profits, but could cause problems in the event of a recession.

TABLE 2.—*Liabilities as a percentage of total liabilities and stockholders' equity of manufacturing corporations by asset size, 1st quarter 1961 and 1965*

Asset size	1st quarter 1961	1st quarter 1965
Under $1,000,000	46.5	48.7
$1 to $5,000,000	37.5	42.2
$5 to $10,000,000	31.6	38.8
$10 to $25,000,000	32.3	38.8
$25 to $50,000,000	32.7	36.6
$50 to $100,000,000	34.5	37.7
$100 to $250,000,000	36.0	39.1
$250,000,000 to $1,000,000,000	37.6	40.7
$1,000,000,000 and over	27.4	31.9
All asset sizes	34.2	37.8

Source: Federal Trade Commission, Securities and Exchange Commission.

Individual indebtedness has unquestionably advanced at a much faster rate than disposable personal income in the last few years, with the former up 46 percent and income only 25 percent higher in late 1964 than 4 years earlier. Installment credit extensions advanced from 14.2 percent of disposable personal income in 1960 to 15.3 percent in 1964 and have recently exceeded 16 percent. At the same time, the repayment burden of installment credit rose to 14 percent in 1964 after holding just under 13 percent during the 1956–59 period. Repayments ran 14.4 percent of disposable personal income in the second quarter of 1965. However, the percentage of families for whom the repayment burden is especially high—over 20 percent of disposable income—has remained at approximately 10 percent since the mid-fifties. It is also apparent that a sizable number of debtors hold substantial liquid assets. Based upon a 1963 study by the Survey Research Center of the University of Michigan, 51 percent of the spending units with liquid assets of $500 to $2,000 had installment debt and 24 percent with liquid assets of over $2,000 were paying on installment contracts. Finally, despite the rise in total installment credit, delinquency rates are virtually unchanged from 4 years ago.

Income and age characteristics of the population suggest that debt as well as liquid assets will continue to advance rapidly during the next 5 years. At income levels under $15,000, installment debt is positively related to income (table 3). The percentage of families incurring installment debt increases up to the $7,500 income level, and the average amount of outstanding debt per family continues to rise to at least an income of $15,000.

Installment debt is concentrated among spending units in which the head is under 55 years of age. Dollar obligations are heaviest in the youngest age group, 18–24. A contributing factor to the expansion of installment debt in the 1960's has been a 4-million, 25 percent, rise in the number of young people between the ages of 18 and 24 during the past 5 years. This group which borrows heavily despite below-average incomes will increase 4¼ million between 1965 and 1970. Consequently, the age characteristics of the American population appear to be conducive to substantial further growth in installment debt.

C. Implications of debt expansion

Although fundamental age and income characteristics have contributed to the demand for debt, the prime stimulus to a faster rate of debt expansion since 1960 can probably be attributed to an increased supply of debt offered by financial institutions, particularly commercial banks. A combination of rising banks reserves supplied by the Federal Reserve and attractive rates on time deposits, which carry lower reserve requirements than demand deposits, enabled commercial banks to expand their loan portfolios substantially. The result has been an increased relative role of commercial banks in providing both liquid assets and debt to the public. Moreover, the enhanced role of commercial banks in the saving-lending arena is no doubt stimulating competing financial institutions to introduce new techniques for attracting funds and for then lending the additional funds in their custody. In short, the financial community is doing a better job of bringing savers and borrowers together today than 5 years ago and will probably attempt to improve on this performance during the last half of the 1960's.

Due to the larger role played by financial intermediaries today, the total of both financial assets and debt obligations of the public has risen faster than real production since 1960. Equity ownership of both business and consumer assets plays a less important role now than formerly. The financial institutions are performing their specialized function of providing financing to consumers and businesses to a greater extent while the latter devote their resources to nonfinancial activities. This type of specialization is a stimulus to economic expansion and at the same time improves the efficiency of the economy.

TABLE 3.—*Installment debt outstanding by income and age groups, 1964*

	Percent with installment debt	Median installment debt of debtors
Family income:		
Under $3,000	27	$270
$3,000 to $4,999	45	545
$5,000 to $7,499	59	645
$7,500 to $9,999	58	845
$10,000 to $14,999	56	1,045
$15,000 or more	39	(1)
All spending units	47	655
Age of head of family:		
18 to 24	60	810
25 to 34	68	565
35 to 44	59	710
45 to 54	53	655
55 to 64	36	710
65 or older	12	(1)
All spending units	47	655

[1] Too few cases to estimate medians.

Source: University of Michigan Survey Research Center.

Benefits to the economy from the financial growth of the last 5 years are not without possible dangers, however. With the rapid expansion of both liquid assets and debt, a smaller relative share of investment is supplied directly by owners. The liquid asset holders of today expect prompt conversion of their claims when desired rather than a more uncertain longer run return associated with equity investment. Thus, it is crucial to the enhanced role of financial intermediaries that their liabilities—liquid assets of the public—be supported by loans which are creditworthy—will be repaid under terms of the contracts. Financial institutions must not sharply reduce the quality of their loans in order to augment their role in the economy.

Although the quality of a particular loan must be judged by the financial intermediary making the loan, overall loan quality is largely a reflection of the state of the economy. A turndown in business will suddenly increase the likelihood of default on loans because of reduced incomes. With larger loans relative to real output, the impact of a recession upon loan repayments is likely to be more severe than in the past. Therefore, it is imperative that monetary policy be conducted in a manner which leads to economic expansion in a noninflationary setting. Since 1960 the Federal Reserve has pursued an enlightened policy consistent with steady business growth. However, with the increased importance of financial institutions, and especially commercial banks, central bank actions become even more crucial to the economy. Federal Reserve policy directly affects commercial bank portfolios and hence influences a larger proportion of the Nation's loans today than in the 1950's. Liquid assets and debts can continue to expand without adverse effects as long as a judicious monetary policy is pursued. Individual financial institutions are responsible for the quality of the loans they extend at a given time, but the overall setting for loans reflects the state of the economy which is strongly influenced by monetary policy.

A BILL TO ESTABLISH U.S. LABOR COURT

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, today I have introduced a bill, H.R. 11217, which would abolish the National Labor Relations Board and establish in its place a 15-man U.S. Labor Court, similar in many respects to the U.S. Tax Court.

Judges of the Labor Court would serve for 20 years, except that the original appointees would serve staggered terms. The bill provides for appointment by the Labor Court of 90 U.S. court commissioners, who would have to be lawyers to assume the duties of trial examiners who now hear cases for the NLRB.

Mr. Speaker, I believe the National Labor Relations Act should be interpreted by a judicial body that would not be subject to continuing day-to-day political and special interest pressures.

At the present time NLRB members are appointed for 6-year terms. Two of the five members of the present Board are not even lawyers.

Instead of operating as a court, it is apparent that the NLRB now looks upon itself as a policymaking body. Too often, in my opinion, the NLRB undertakes to write the labor laws instead of exercising the restraint of a judicial body with the limited function of interpreting laws made by Congress in accordance with the intent of Congress.

I would like to point out that my bill generally follows recommendations which have been made by the American Bar Association.

Mr. Speaker, I would not contend that this bill in its present form is necessarily the perfect answer. However, I am confident that it points in the right direction toward reforms that are sorely needed.

MR. TURKIEWICZ RETURNS FROM POLAND

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DULSKI. Mr. Speaker, just recently Mr. Stanley P. Turkiewicz returned to the United States from Poland where he was the chief of American Relief for Poland—ARP—for 2½ years. Mr. Turkiewicz and his lovely wife are natives of Buffalo, N.Y.

On September 9, 1965, one of our local weekly newspapers, the Ampol Eagle, included an article covering its interview with Mr. Turkiewicz on his stay in Poland. I was particularly interested in his comment concerning the reaction of the people in Poland with respect to Postmaster General Gronouski's appointment as our Ambassador.

The article follows:

MR. AND MRS. STANLEY P. TURKIEWICZ RETURN FROM POLAND AFTER 2 YEARS

Mr. Stanley P. Turkiewicz, of 194 Townsend Street, returned last Friday night from his 2½-year stay in Poland where he administered as chief of American Relief for Poland (ARP).

Turkiewicz, 68, a former Buffalo city license director, and former editor of Polish Everybody's Daily at Buffalo, administered in Poland a food-medicine relief program subsidized by the U.S. Government.

Accompanied by his wife, Wanda, Turkiewicz was met at the Greater Buffalo International Airport by their three sons, Richard S., of 20 Holly Street, Eugene, of 54 Schreck Avenue, and Stanley, of the Townsend Street address.

ARP, a private organization with U.S. headquarters in Chicago, annually distributed food worth $500,000 to needy in schools, children's institutions, and hospitals. Turkiewicz also added that ARP contributed medicine and medical surgical apparatus.

Mr. Turkiewicz noted that the people are very grateful for the work of ARP. In addition ARP makes sure that donations are properly distributed, only to the needy, and that recipient institutions know the goods came from America.

ARP launched its aid program in 1958. Distribution in Poland is made on a county basis from Warsaw headquarters.

IMPRESSION REVEALED

Turkiewicz noted that the "Polish people are friendly and outgoing to the American people." From his 2½ years' stay he observed that every fourth person in Poland has some relative living in America.

Concerning the Polish youth he reported that education is not limited to the wealthy. "Good scholastic standing and an earnest desire to learn is all that is required of any ambitious student," Mr. Turkiewicz said.

Mr. Turkiewicz was very impressed with the high standard of Polish culture prevalent in Poland. "The arts are booming. Almost any time one can go to an opera or a concert for less than $1. There are many theaters and anyone interested attends."

FAITH ALIVE

"Although you might not expect it, because of communism," Mr. Turkiewicz continued, "the churches are jammed full. There are not so many pews as in our churches perhaps, and the people stand in the back and stand outside on the sidewalk for the services."

He said the recent appointment of John A. Gronouski, former Postmaster General, as Ambassador to Poland has pleased its citizens immensely.

A Buffalo native, Turkiewicz was president of the Polish Roman Catholic Union of America from 1958–62. Turkiewicz felt at home in Poland since he speaks the language fluently and has relatives all over the country. His wife is the daughter of the late Joseph Slisz, an organizer of the newspaper her husband editored for 15 years.

REPUBLIC OF MALI

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. FARNUM] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FARNUM. Mr. Speaker, this is the anniversary of the day in 1960 when Sudan proclaimed itself the Republic of Mali. This name, Mali, is a proud one in African history for in its greatest era, around the year 1300, the Kingdom of Mali extended as far as Timbuktu and Gao.

The philosophy of Mali's ruling party, the Union Sudannaise, is that national unity within the framework of a single party is necessary to realize the economic and social development of the country.

The government has therefore endeavored to diversify its international contacts, while maintaining a basic policy of neutrality. Meanwhile it has worked to strengthen its relations with its neighbors.

I am sure all Members of this honorable body wish to see Mali achieve its aspirations in harmony with other developing nations of Africa, and I am personally happy that we have been able to provide this important nation with modest amounts of grant aid and development loans.

I am happy today to extend greetings on Mali's Independence Day to President Mobido Keita, to the Minister of State Jean-Marie Kone, to Ousman Ba who is the minister-delegate charged under the presidency with foreign affairs and to the others charged with major responsibility in this vital area of Africa.

JEWISH COMMUNITY COUNCIL OF GREATER WASHINGTON

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I have been struck by the fact that so many organizations in Washington which are directly concerned with community welfare are strong supporters of home rule for Washington. This can only mean that groups which year after year have attempted to deal with the many problems that face this growing metropolitan center, have been brought by the facts of life to the conclusion that these problems can be adequately met only through a government responsible to the people who elect it.

Following is a statement supporting home rule made by Mr. Seymour D. Wolf, first vice president, on behalf of the Jewish Community Council of Greater Washington, which speaks for 132 member organizations:

The Jewish Community Council of Greater Washington is a volunteer association of 132 organizations, synagogues and institutions in the Greater Washington area, devoted to community planning, research, education, and community relations. The welfare of the people of the District of Columbia, and their freedom and opportunity to live a dignified human life with the full exercise of their God-given rights and the rights guaranteed in our Constitution, are a major concern of the Jewish Community Council.

Because of this deep concern, the Jewish Community Council of Greater Washington strongly supports the principle of home rule for the District of Columbia. The continued denial of home rule to the residents of this city deprives them of elementary rights guaranteed to all Americans, robs them of one of the most important elements of human dignity in a democracy, namely the right to vote for those who govern so large a part of their lives. We consider that the Congress of the United States has a moral responsibility to pass a home rule bill to restore to the citizens of the District the dignity of the franchise through which they can choose who will govern them.

We believe effective home rule legislation is long overdue. Such legislation should permit the delegation by Congress of maximum self-determination to the citizens of the District of Columbia over their local affairs, and at the same time, protect the interest, and recognize the responsibility, of every citizen of the United States in his Capital City.

We support S. 1118, passed by the Senate in July, as fulfilling these requirements. Congress can, under the provisions of this bill, maintain its authority over the District as provided in the Constitution, and also free itself of the time-consuming details of purely local problems.

The Jewish Community of Greater Washington therefore respectfully urges that the committee report out S. 1118 as promptly as possible.

METROPOLITAN DADE COUNTY, FLA., SUPPORTS H.R. 10513, 10514, AND 10515

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PEPPER. Mr. Speaker, overhead power transmission lines are one of the major challenges to our efforts to preserve the natural beauty of this Nation. An ever-increasing number of power corridors is encroaching upon our dwindling open space; unsightly steel towers and high-voltage lines threaten a growing number of the finest residential communities with defacement and devaluation.

But the threat of these lines is not only to beauty. Overhead transmission lines are particularly vulnerable to storms and other disasters. The recent hurricane which devastated Florida and particularly the southern part of my State, including my district and that of my colleague Dante B. Fascell, and the Gulf Coast States, knocked down hundreds of these powerlines. In the process, whole regions were deprived of electric service at a time when the need was most urgent, and the whipping, charged high-voltage wires added still another danger to the lives of the embattled citizens. One of the deaths in Dade County, from Hurricane Betsy, was attributed to electrocution from fallen powerlines.

This is no criticism of the utilities serving the area. They deserve nothing but the highest praise for the herculean task of cleaning up and restoring service. But it does seem incredible to me that we should have to wrestle with this problem time and time again. How can it be that we, in the middle of the 20th century, should be capable of reaching the moon and harnessing the power of the atom and still use essentially the same techniques for transmitting power that were used when electricity was first developed for commercial use?

Mr. Speaker, it is indeed a privilege and honor to have as a friend and colleague, Congressman Richard L. Ottinger, of New York. Even though a novice, he has made an outstanding record for himself. Mr. Ottinger has introduced three important bills which will help us to deal with this problem—H.R. 10513, 10514, and 10515. The research and demonstration projects and the tax incentives for private utilities provided in these measures should give strong impetus to underground installations and help us make up for the time we have lost through inaction.

Not only do I support these bills, but I can report a growing enthusiasm and demand for action throughout my district.

Recently the Board of County Commissioners of Dade County expressed the strong feelings of the citizens of this thriving and populous Florida metropolitan center by adopting a unanimous resolution endorsing the Ottinger bills. I am pleased to present this excellent statement for the Record:

Metropolitan Dade County, Fla.,
Office of County Attorney,
Miami, Fla., September 16, 1965.

Hon. Richard L. Ottinger,
House Office Building,
Washington, D.C.

Dear Representative Ottinger: Enclosed is a certified copy of resolution No. 11120, adopted at the county commission meeting, September 13, 1965, endorsing in principle H.R. 10513, 10514, and 10515.

We appreciate the speedy manner in which you provided us with the bills you introduced in the House of Representatives on which we based the contents of our resolution.

We will follow the progress of your bills as we are interested in the final outcome.

Again, thank you for your cooperation and courtesy.

Very truly yours,
Joan Odell Fransella,
Assistant County Attorney.

Enclosure.

"Resolution 11120

"Resolution endorsing in principle H.R. 10513, 10514, and 10515, authorizing a program of research regarding overhead electric transmission lines, to encourage use of underground transmission of electrical power, and to amend the Internal Revenue Code to provide tax credit for certain underground electrical transmission lines

"Whereas H.R. 10513, 10514, and 10515 have been introduced in the House of Representatives by the Honorable Richard L. Ottinger, 25th District, New York, to authorize the Secretary of the Interior to conduct a program of research regarding overhead transmission lines and the effect of such lines on health and welfare, community planning and zoning, and real estate values and tax revenues; and to authorize a further program of research and development to encourage use of underground transmission of electrical power, and to undertake projects to evaluate the economical and technical feasibility of such transmission, and to amend the Internal Revenue Code of 1954 to provide for an amortization deduction and an increased tax credit for certain underground electrical transmission lines; and

"Whereas the people of Dade County have long favored the placement of powerlines underground, not only for esthetic purposes, but also for safety, and for continuation of service during hurricanes: Now, therefore, be it

"*Resolved by the Board of County Commissioners of Dade County, Fla.,* That this board endorses in principle H.R. 10513, 10514, and 10515, and urges the Florida congressional delegation to support this or similar legislation making it more feasible to place power transmission lines underground. The clerk of this board is directed to furnish copies of this resolution to the Honorable George Smathers and Spessard Holland, of the U.S. Senate; and to the Honorable Dante Fascell and Claude Pepper, Members of the U.S. House of Representatives."

The foregoing resolution was offered by Commissioner Alexander S. Gordon, who moved its adoption. The motion was seconded by Commissioner Earl M. Starnes, and upon being put to a vote, the vote was as follows: Joseph A. Boyd, Jr., "aye"; Alexander S. Gordon, "aye"; Harold A. Greene, "aye"; R. Hardy Matheson, "aye"; Thomas D. O'Malley, "aye"; Arthur H. Patten, Jr., "aye"; Earl M. Starnes, "aye"; Lewis B. Whitworth, Jr., "aye"; Chuck Hall, "aye".

The mayor thereupon declared the resolution duly passed and adopted this 13th day of September 1965.

Dade County, Fla., by its board of county commissioners:

Attest:

E. B. Leatherman, *Clerk.*
By Edward D. Phelan,
Deputy Clerk.

FIFTH ANNIVERSARY OF MAIDEN VOYAGE OF THE S.S. "HOPE"

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, today is a momentous day for Project Hope. It is the fifth anniversary of the maiden voyage of the SS *Hope*.

Just 5 years ago today this white hospital ship sailed out of San Francisco harbor on an unprecedented mission. For the first time a hospital ship was commissioned for peacetime duty under private auspices and finances.

Many persons had advocated such a venture, but no one actually put the idea into motion. No one, that is, until a Washington, D.C., doctor, William B. Walsh, launched the SS *Hope*, on September 22, 1960.

Two years earlier Dr. Walsh, named by President Eisenhower to cochair the medical committee of the President's new people-to-people program, decided that his dream of a floating medical center could best be achieved through a private organization.

Dr. Walsh's vision proved to be correct—in Indonesia, South Vietnam, Peru, Ecuador, and Guinea—where the direct contact of HOPE doctors and nurses with their counterparts on three continents not only elevated the medical standards of the countries visited, but also built strong bonds of good will for the United States.

Dr. Walsh conducted his worldwide programs through Project Hope, the principal activity of the People-to-People Health Foundation, Inc., of Washington, D.C., both of which he founded in 1958.

In 2 years he raised the 3½ million dollars in contributions needed to finance the first 10-month voyage, obtained supplies and equipment donated from American industry and recruited volunteer doctors who would serve HOPE for 2 months without pay.

With the mothballed U.S.S. *Consolation* loaned to Project Hope by the U.S. Navy and renamed the SS *Hope*, the veteran hospital ship headed to southeast Asia. The success of that first trip was heralded in the press and on both floors of Congress, as were the three succeeding voyages.

Statistically, during 5 years, HOPE's 900 physicians, surgeons, dentists, nurses, and medical technicians have trained more than 3,000 counterparts; treated over 100,000 persons; vaccinated some 1 million children and distributed nearly 2 million cartons of nourishing milk.

But more important, Mr. Speaker, HOPE has given hope and dignity to the people of developing nations, and has kindled warm friendships for the American people.

Today the good ship *Hope* lies in a Chester, Pa., shipyard, where it is undergoing repairs and reoutfitting. After trips to Asia, Africa, and Latin America, the vessel next January sails to Central America for a 10-month mission to Nicaragua.

Mr. Speaker, I am pleased to announce that when the SS *Hope* docks in Corinto, Nicaragua, next year, a nurse from South Bend, Ind., will be aboard for the fifth time. She is Ann Roden. Miss Roden not only is one of six nurses who have served on all four *Hope* voyages, but next year she will be the only *Hope* medical staff member to have served on all five.

In addition, Mr. Speaker, I am honored to announce that this fine dedicated young woman will be elevated to the position of chief nurse, the top post among the 40 nurses that serve during the entire 10 months of a voyage.

And so, Mr. Speaker, I wish to commend Project Hope, its founder Dr. Walsh, and the outstanding Americans like Miss Roden, whose dedication to the cause of world humanitarianism has brought great distinction to HOPE and the United States.

IOWA'S STAKE IN THE EXPORT TRADE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to call to the attention of my colleagues in the House of Representatives a speech which was made by Maritime Administrator, Nicholas Johnson, before the Foreign Trade Bureau of the Cedar Rapids, Iowa, Chamber of Commerce. In this very interesting speech, the Maritime Administrator points out the great potential for increasing our exports which is found in the State of Iowa. In cooperation with U.S. Maritime Administrator Johnson, I have called a navigation conference to thoroughly explore possible means of stepping up Iowa's role in the export trade for November 10 in the city of Davenport, Iowa.

Mr. Johnson's perceptive analysis is of great significance to the upper Mississippi Valley. Here is his excellent speech:

IOWA'S UNTILLED OPPORTUNITY

(By Nicholas Johnson, Maritime Administrator, U.S. Department of Commerce)

"You know we began this Nation as a world of traders, and we still are. It remains surprising and even shocking that about 80 percent of our business firms have never yet entered into foreign trade. I think this represents a great wasteland of untilled opportunity that is open. I hope that over the next 10 years we can increase three- or fourfold the number of American shippers who send goods abroad," President Lyndon B. Johnson, remarks at swearing in ceremony for Federal Maritime Commission Chairman Harllee and Commissioner Day, White House, July 20, 1965.

There is one industry upon which the growth of Iowa's economy depends more than any other. Do you know what it is?

Corn? Livestock? Many easterners think there's nothing else here. And there was a $1 billion crop recently—860 million bushels at over 80 bushels per acre. Iowa ranks first in the Nation in cattle and hogs and second in chickens and eggs.

Manufacturing? Iowans, of course, know that Iowa increasingly is becoming an industrial State. Alcoa, Du Pont, Firestone, Monsanto, Procter & Gamble (to name a few of the 100 of America's top 500 corporations with Iowa plants) also know this is true. In fact, during one recent 16-month period over 8,300 industrial jobs and 300 plants were created in the State. In 1 year alone, the chemical industry is reported to have spent over $140 million for new manufacturing facilities. Today not one of Iowa's 99 counties has fewer than five factories. These include an aluminum plate rolling mill, cellophane plant, and washing machine industry which are among the world's largest—to name but a few of the plants and factories beginning to take over the cornfields and run Iowa's manufacturing output up to something over $7 billion annually.

Some might say Iowa's most important industry is education. No one of Iowa's 66,000 students needs to travel over 50 miles to find one of the State's 49 college campuses. Iowa ranks first in the Nation in functional literacy; 97 percent of its high school graduates score in the top half of the American college testing program. Iowa State at Ames turns out more engineering students than any other institution west of the Mississippi. Paul Engle at the University of Iowa at Iowa City attracts from all over the world students who produce more award-winning poetry and novels than those at any other university—to name but one of the university's areas of international renown. The State ranks third in the Nation in the total number of Ph. D.'s awarded annually per million population.

Agriculture, manufacturing, education—each is important to Iowa's present economic condition and future growth.

But if I were asked to select the industry upon which Iowa's future economic growth is most dependent it would be another: transportation.

Yes; transportation.

Peter Drucker, one of America's outstanding management consultants, says in his recent book "Managing for Results" that many manufacturing companies invest far too much of their talent in trying to cut plant costs. If they would examine their total cost picture, Drucker says, they often would find a greater opportunity for cost cutting in transportation and warehousing.

The same point can be made for the entire national economy. Roughly 20 percent of our entire gross national product—about $120 billion—is spent on the transportation of goods and people from one place to another.

Transportation. That's the business the Maritime Administration is concerned with, specifically, the shipping business. Ships become relevant only where they are cheaper or faster or safer or provide better service. Today they are a useful part of our total transportation system. They will continue to be—but only so long as they continue to be cheaper or faster or safer or provide better service.

As Maritime Administrator, and as an Iowan, I would like to reflect on the importance of shipping to Iowa.

The Foreign Trade Bureau of the Cedar Rapids Chamber of Commerce may not realize what a select group of American businessmen are in its ranks. Only one-fifth of the firms of this country engage in overseas commerce. You gentlemen are among that small, adventurous and profiting band. I am especially pleased that in my own home State, 20 miles from my native Iowa City, almost as far from the oceans as it is possible to be in this country, you gentlemen are interested in expanding your markets abroad.

In 1963, $243 million worth of export goods left our State, including $74 million in food products, $44 million in electrical machinery, and $96 million in other machinery. Cedar Rapids is one of the largest exporting cities in the Middle West.

Up to the present time Iowa's corn and soybean production has made its way into international commerce in a big way. The Agency for International Development and its programs abroad encourage further expansion in the shipping of agricultural products, and Iowa should have a significant concern in the success of U.S. efforts to market these commodities overseas.

A stake in the U.S. export trade—such as Iowa has—is a stake in the development of an efficient and capable U.S. merchant marine. Lower costs in transportation can mean lower selling prices abroad. This in turn means wider markets, greater volume, higher profits, and more jobs. Reduced costs and improved service in transportation affect the welfare of your companies and the economic health of our country far out of proportion to the accountant's entry in your books or an economist's estimate of the "transportation account" in our gross national product.

What could Iowa's exports have been last year if, for example, all transportation costs had been one-half of what they were?

Both Iowa and the Maritime Administration have a stake in more efficient oceanborne commerce. With the over $300 million in subsidy that the Maritime Administration pays out in maintenance of the merchant marine every year, and the comparable amount that Iowa has in foreign commerce, our combined investment in export trade is high. It makes good business sense to protect that investment by insuring that our transportation essentials are in good working order.

Iowa and the Maritime Administration should seek to find ways of developing an efficient, low-cost, fast, integrated transportation system. Let us consider transportation as a resource as fundamental to human society as water and electric power. Ideally, the ultimate, theoretical goal of a well-functioning economy should be to have goods immediately available to any willing buyer at any given place—and at the minimum possible increase over the factory price. We might describe our goal as "instantaneous, ubiquitous transportation at an ever-diminishing cost."

Isn't our present transportation system simply an attempt to come as close as possible to that goal, and along the way to find the optimum combinations of speed, service, and cost of delivery for each product?

How are we doing in developing economical transportation? One hundred twenty billion dollars of the economic power of this country is involved directly or indirectly in moving the raw materials and finished products of American industry from one place to another. Even the most wealthy nation cannot afford to put such vast sums of money to any but the most productive use.

Let's speculate. Suppose we developed an integrated transportation system that allowed half of this $120 billion to be released for more productive use. What would Iowa's share of this $60 billion "transportation cut" be? But the more relevant question is: What is Iowa's share of the consequent economic expansion going to be? For although the first beneficiaries of the cut would be the transportation-related industries—shippers, importers, and exporters—the benefits of increased sales in new markets, production, profits, jobs, wages, and availability of goods would quickly affect everyone.

Iowa has a large transportation network: well over 100,000 miles of roads; it ranks fifth in the Nation in lighted airports; fourth in railroad trackage (there is no point in the State over 13 miles from a railroad).

What is often forgotten is the role of water transportation. The same river which brought Marquette and Joliet to Iowa in 1673 is responsible for the establishment and growth of 12 of Iowa's eastern industrial cities—cities with 33 barge terminals. With the 9-foot channel Missouri River project, Iowa—the only State in the Union bounded by two navigable rivers—will have water transportation to Sioux City for the first time. Each transportation mode is essential to Iowa—as is research and investment in their continued improvement. But it is natural that I should choose especially to emphasize Iowa's increasing dependence upon ocean transportation and thus her rising interest in the problems confronting the American merchant marine.

Granted that those of us concerned with improvement in ocean transportation agree that measures should be taken to increase the productivity and economy of the system, what specific work has been done so far to meet this need? The Maritime Administration, in association with various private organizations, has taken or is considering (1) advances in containerization, with rail-truck integration as a major efficiency boost; (2) a proposed new system of barge-carrying ships, increased utilization of bulk loading, (3) an attack on the paper barrier posed by the some 76 documents often necessary to get export cargo through the export maze.

Each of these fresh approaches is potentially beneficial in the export business. Let us take a closer look at the proposals in turn and determine how each one may be advantageously applied to your concern.

Containerization is a primary hope for a new integrated high-speed transportation system from manufacturer to consumer. If a product can be packaged so as to take advantage of the uniform accommodations of the new container truck-rail-ship system, cost savings can be dramatic. They are already proving out.

If you are a shipper with a large door-to-door volume, container may be the cost saver and the sales expanding technique you need. Savings are easy to point out: less danger of pilferage or breakage, lower packaging costs, easier transfer between modes of transportation (railroad to ship to truck, for example), lower insurance rates and, of course, substantially reduced handling costs.

While containers may not be less expensive on all counts than conventional shipping methods, it is as a part of an overall distribution complex that they bring the greatest savings. Distribution costs loom over the exporter on internationally competitive goods as the "make or break" aspect of sales.

For certain types of shippers, the container savings will be even more significant. In a recent study of the cost of transporting military subsistence from a U.S. inland depot to Goose Bay, Labrador, the average cost differential between packing the goods for domestic use or export was about $12 per measurement ton. Sheathed unit loads or containers, it was found, gave the needed protection to permit domestic packing standards and allow savings of more than a third of the average export packaging costs.

We can extend the application of standardization and its efficiency to other areas of the export business as well. If we have standard cargo holds aboard ships designed especially to stow standard containers, we have efficient, economical use of space, and appreciable savings to the shipper and the operator. The Maritime Administration has encouraged the development of more efficiently designed, all-purpose cargo ships, suitable for carriage of both containerized and conventional cargo. The industry's response has been encouraging. Work has already begun by American Export Isbrandtsen Lines toward the world's first international container-ship service. The converted ships will carry 738 containers, with a net container capacity of 812,000 cubic feet. This increased shipping capability is a major step toward the integrated transportation system we look forward to: A system of door-to-door service from our factories to the buyer overseas.

Other proposals for increased productivity in shipping have included barge-carrying ships. This system opens up possibilities for countless towns on lakes and rivers flowing to the ocean to become a seaport, for barges can be preloaded inland at the exporter's plant, and floated down a river, canal, or lake to a central pickup port such as New Orleans or Chicago.

Each of Iowa's Mississippi and Missouri River cities is a potential ocean port once the barge-carrying ship proposal becomes reality. Barges will be loaded and unloaded in Iowa's cities, floated down the rivers, loaded on to the barge-carrying ships, and carried overseas. Iowa's total of 15,000 miles of rivers and streams might very well add other ocean port Iowa cities to this system.

Barge carriers would greatly increase the economic feasibility and practicality of container shipping from Iowa to foreign markets. While not all cargo out of the Midwest is suited for container loading there are possibilities that Iowa exports such as corn, soybeans, vegetable oils and fats, and feeds can be containerized.

On trade route 13, gulf coast to Mediterranean, last year, bulk carrier records show that we exported 300,960 tons of soybeans—but none on U.S. ships; 195,540 tons of animal feeds—but none on U.S. ships; 20,545 tons of vegetable oils and fats—but none on U.S. ships.

Obviously, both Iowa and the United States would benefit if these cargoes were carried by a competitive U.S. bulk fleet. An efficient fleet means savings to you.

It means service in time of emergencies.

It brings protection from foreign rate hikes.

It further benefits the economy of your country through balance of payments.

The bulk-carrier fleet offers great economic potential. It will require development and support—and it is very much in your interest, as cost-conscious businessmen, that you become an active part of that essential support.

But this carries us only as far as a loaded ship ready for departure. To get the cargo out of the port, the exporter runs smack up against what has been for many years one of the major difficulties in export cargo operation—the "paper barrier." This is the mountain of documents necessary to get the ship's cargo past the official checkpoints.

On the basic form for ocean shipping, the bill of lading, the shipper is required to give a variety of information such as destination, consignee, weight, a description of goods, etc. This sounds simple enough, and it should be.

Once more, however, there is the problem of lack of standardization. There are 300 variations of the basic documents used in the United States alone, and perhaps a like number in other parts of the world. They vary not only in layout and in necessary information; they differ widely in size, shape, and color. Furthermore, each one requires a varying number of typing operations to complete.

The Maritime Administration, working in cooperation with other Government agencies and with industry, has taken the first step toward breaking the paper barrier. With the possibility that 76 different combinations of forms may be necessary, it was obvious that the widespread use of a standard short-form ocean bill of lading could be a major breakthrough.

As a result of these efforts, a master duplicator form has now been developed, with eight related forms compatible with it. The master can be filled out in a single typing operation, and the other documents quickly reproduced from it by many of the office machines presently in common use.

Early estimates by shippers and carriers appear to promise spectacular results from use of the new system when one considers that at the present time, on the New York to Southampton route, cargo frequently arrives at the dock before the paperwork is completed.

This is only one example of President Johnson's leadership in the drive to cut redtape, reduce unnecessary Government regulation of business, and economize Government operations.

The savings anticipated through a document simplification program will only be possible through wide U.S. exporter acceptance. Your support of the program can mean time and dollar savings and a wider volume of sales, made possible by lower costs and faster delivery. The savings are possible—today—and as businessmen you should make it your concern to see that they become a reality.

So far we have discussed standard containers and standardization of documentation for more efficient cargo flow. Once this has been achieved, the businessman can add one more plus to his overseas sales program: the adoption of the standard quotation used in international trade.

This standard quotation is the CIF (price of goods—"cost"—including insurance and freight) quotation, used by businessmen in nearly every other country in the world. Yet 80 percent of American businessmen quote f.o.b. (free on board—or cost without insurance or freight at the U.S. dock) prices. Why the disparity? And does this difference make a difference?

Let us look at the background of the practice. After World War II, American exporters could more or less dictate the terms of their overseas sales. With the worldwide economic resurgence of the 1950's, the competition in foreign commerce has stiffened. The American exporter now must meet the demands of his customers, and the prices of his competitors.

A major service he can extend to the foreign importer is the quotation of CIF rather than f.o.b. rates on his commodity. The citing of f.o.b. rates means that the importer must go to the trouble of arranging for his shipment to be delivered from the exporter's port. When a foreign businessman receives, say, five quotations, four CIF and one American f.o.b., he may very well simply save himself the headache, and buy from an exporter with the CIF quotation. Thus CIF is more than a service. It is a major determinant of who gets the trade. It can mean the difference between a sale and no sale.

In the quotation of CIF rates the American exporter can gain certain advantages if he chooses American business partners. There are, as you know, three major areas involved in the oceanborne commerce business before the importer takes delivery of the goods: banking, insurance, and shipping. The U.S. businessman can protect his investment by being certain that he has control over every part of the transaction. American international banks can give the shipper the benefit of their years of experience in ascertaining credit ratings of importers; by designating an American underwriter, he can keep track of the goods and any claims much more easily than otherwise. By designating American-flag ships, the exporter can reap the benefits of the U.S.-flag lines' knowledge of their trade routes, their cargo handling experience, their international trade contacts, and the latest container-ship services at rates no higher than those of foreign ships. If the exporter is interested in quick transit he need only be reminded that the American merchant marine has more ships capable of speeds in excess of 20 knots than the rest of the world put together. American companies call at ports around the world on regularly scheduled trade routes; you can be sure that the buyer's port is on call.

Yes; standardization is one key to efficiency and economy in the flow of commerce from U.S. manufacturers to markets all over the world. With standard containers and standard documentation, the businessman can realize benefits in dollar savings, time savings, and sales. With an integrated, efficient transportation system as a business asset, he can designate the most efficient, economical flow of his product, and easily give an accurate door-to-door delivery quotation.

The Maritime Administration has a great interest in seeing this sort of good business practice in oceanborne trade. The sea is a part of the highway of commerce from the United States to consumers abroad. Savings in shipping costs means savings to businessmen.

We have only begun to see what America can do in transportation innovation. A nation that can send two astronauts around the earth at thousands of miles an hour and bring them home safely ought to be able to design a transportation system better than the automobile, which imprisons millions of commuters for hours each day, and jeopardizes their safety more than any other mode of transportation. We ought not to have to look to Japan for high-speed railways, to Sweden for new shipbuilding techniques, to West Germany for small cars. All America has a stake in our Nation's transportation research and leadership—most especially Iowa.

Only last week in Washington I went to see what was billed as the "world premiere of the world's newest and largest freight car." It is the Southern Railway's "Southern 100"—an all-aluminum innovation in structure coupling, unloading, and suspension, as well as size, that can carry 260 tons of coal and dump 12,000 tons in 30 minutes. As Southern's President D. W. Brosnan said, "The car seems truly to hold great promise for reducing transportation costs and saving people money." He adds to this straightforward statement the businessman's observation, made to the coal producers, "You lose markets—and we lose business—when it costs too much to get coal to points of consumption." What holds true for coal is equally true for corn, soybeans, cattle and hogs, and all the many manufactured goods of Iowa's factories.

Here is but one example of what improved transportation has meant to one section of our country:

For years, agricultural economists have been predicting a livestock boom in our Southern States. This boom has been retarded by the high cost of transporting feed grains from the Midwest to the South. Recently, however, the railroads introduced the "Big John" covered hopper car—an early ancestor of the Southern 100—specially designed as a grain carrier with a capacity twice that of the conventional rail car. As a result, the rates on grain in the South have been cut as much as 60 percent. What does this mean to the South? It will add, in increased hog and cattle production, between $3 and $4 billion per year to that area's share of the gross national product. Think about that for a moment. An industry created where none existed before, at least $3 billion added to our economy, and the standard of living for millions of Americans raised, all because somebody had the really rather simple idea that a larger car might provide a more economic way to haul grain.

Suppose, overnight, we had the equivalent of the cost cutting made possible by the "Big John" or "Southern 100" in every mode of transportation. What would it mean to Iowa's economic growth, to your profits? What would it mean to America?

What would our exports be next year? Our gross national product? How many new industries would we create? How many jobs? What raw materials could we import we now cannot afford? How many new export markets could we enter with finished products suddenly competitive? How many plans to build plants out of Iowa, or overseas, would be abandoned? How much more cargo would move on American ships? How many more seamen would we need to do the job? How many pockets of poverty would disappear? How would the savings affect our economic growth—in the way our tax cuts have? (Our $120 billion transportation bill is, after all, more than our entire Federal, tax-supported, budget.) How much extra leisure would come to us all?

Iowa has untapped markets the world over. It is your business and that of all Americans to be interested in means of cutting transportation costs in order to open up new markets overseas—and to bring to reality the President's prediction and hope of trebling or quadrupling our foreign commerce during the next 10 years. It has always been characteristic of the American businessman to recognize opportunity. I am confident that Iowa will continue to lead in America's coming upsurge in transportation innovation and overseas trade.

ATTEMPTS TO UNDERMINE U.S. EFFORTS ABROAD

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Tuck] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. TUCK. Mr. Speaker, I wish to call to the attention of my colleagues an address recently delivered by the Honorable Edwin E. Willis, chairman of the House Committee on Un-American Activities, before the National Americanism Commission of the American Legion at Portland, Oreg.

Mr. Willis, in this erudite and well planned discussion, points up many of the things which are happening now, both overseas and at home. His statements are so current and so significant in this time when our soldiers are fighting abroad in an effort to block the inroads of the Communists and to sustain a free world that I think every American should read them in order to have a better understanding of what our present troubles are all about. Especially does he bring into better focus the unrest among our young people of the college level.

Under permission to extend my remarks in the Record, I include this address, as follows:

Address by Mr. Willis

Officers and members of the National Americanism Commission of the American Legion, it was a pleasure for me to accept the invitation of your chairman, Dan O'Connor, to address this meeting. Today I am going to talk about attempts which are being made to undermine our effort to defeat Communist aggression abroad and about the quality and the integrity of the education on which our survival as a free nation depends.

We are at war again today—in Vietnam. Again, it is not a war of our own choice.

And it's a nasty, dirty, and difficult war we are fighting there— similar in many respects to the Korean war in which we lost over 33,000 of our youth and suffered over 150,000 casualties. This war is being fought on two major fronts—the foreign military front and what we might call the domestic propaganda front. Great as our military problems are in Vietnam, we cannot afford to close our eyes to our problems on the domestic front— because they could have a bearing on our military operations.

During the Korean war, there was only one significant subversive group in this country that tried to sabotage our effort—the Communist Party. Some of the activities it engaged in were treasonous.

The same situation prevails today—except that the Communist Party is not the only group engaging in such activity. It has the support of many others. I would like to review some of the developments that have taken place in the last year or so which are highly disturbing to me and, I am sure, to you and the great majority of the American people.

The founding convention of a new national Communist youth organization, the W.E.B. DuBois Clubs, was held in San Francisco, June 1964. Since early 1957, when the Labor Youth League disbanded, the Communists have been without a national youth group. In the intervening years, they made several attempts to establish a new one. They failed each time. But conditions in this country have changed, and Communist strength has increased, to the point where it could succeed in establishing such an organization.

Several years ago, a new Communist organization, the Progressive Labor Movement, was formed by a small number of Communists who had been thrown out of the main Communist Party because of their ultraradical views. This organization of Communist firebrands has made considerable headway in recruiting young Americans into its ranks. At a convention early this year, it constituted itself the Progressive Labor Party.

At a conference on Socialism in America, held at Yale University in February 1964, which was attended by some 400 students, leaders of the Progressive Labor Party succeeded in bringing about the creation of the May 2 committee. The original purpose of this group, which is still controlled by the Progressive Labor Party, was to organize demonstrations in various parts of the country on May 2, 1964, protesting the action the United States was undertaking to prevent South Vietnam from being enslaved by communism. The May 2 committee not only staged demonstrations in a number of major cities on that day but, like the W.E.B. DuBois Clubs, has since been doing everything it can, by propaganda and agitation, to sabotage the U.S. effort in Vietnam.

One of the leaders of this group, which has concentrated on student activity, has recently revealed that it is going to try to spread its influence into the labor movement for the purpose of doing far greater damage to our war effort. This is what he wrote:

"Students need not think they are powerless to hurt the Government's war effort. Every one of us acting against the war is a defector. But workers, a much larger segment of the population, are of more basic importance in maintaining imperialist wars. They manufacture the weapons of war, the machines that make the weapons, the metal that goes into them . They load, transport and unload them. They are a major part of the army. It is hard to see how a movement without them could ever be powerful enough to stop the war in Vietnam. * * *

"Production and transport workers still occupy the central position in the economy and will continue to do so for the foreseeable future. A few hundred thousand steel workers, or auto workers, or longshoremen, or teamsters can paralyze the entire economy, even more so with the increased demands of war. Millions of salesmen, TV repairmen, white collar workers, etc., could not have an equal effect. * * *

"Because of their basic role in making the system go, an alliance with workers strengthens any movement."

The ultraradical Progressive Labor Party, which sides with Peiping in its dispute with Moscow, has been successful in setting up another important front—the Student Committee for Travel to Cuba. In the past 2 years, in flagrant violation of the laws of the United States, this group has gotten approximately 130 young Americans, the majority of them college students or graduates to travel to Cuba. While in Cuba, these students made statements viciously attacking the United States. They watched a moving picture produced by the Vietcong in North Vietnam, and cheered when, in it, they saw an American plane shot down.

In the spring of last year, one of the leaders of the May 2 committee set up an organization called the Student Committee to Send Medical Aid to the Front of National Liberation of South Vietnam. This organization, again made up almost wholly of students, would aid the enemies of our country, the Vietcong, even while they are killing American soldiers.

In the fall of 1964, the so-called free speech movement was organized at the University of California in Berkeley. In December of last year it staged a massive sit-in at the university, leading to the arrest of almost 800 persons. One of the leaders of this movement is Bettina Aptheker, who is also a leader of the Communist W. E. B. DuBois Clubs. Moreover, she is one of the organizers of the Free Student Union, which has succeeded the free speech movement, at the university. This union is sponsoring a 5-day student conference at Berkeley which will open in just a few days—on August 25. Its purpose is to form a nationwide association of so-called free students. The Free Student Union has already drawn up its own bill of rights in which its members claim— and I now quote their exact words—"the right to govern our own internal affairs; to set our own standards of conduct; and jointly with the faculty to determine the form and nature of our own education."

It is not difficult to foresee the kind of agitation that will develop on our campuses about subjects to be studied and conduct to be condoned if a national student union is established under Communist leadership or influence.

The Students for a Democratic Society is a self-proclaimed radical organization which claims about 2,000 members, organized in 70 chapters, principally on college campuses. This group has become extremely active on the issue of Vietnam. It initiated the teach-ins, and organized the April 17 March on Washington, which was supported by Communist organizations of all kinds and brought about 17,000 persons to our Nation's Capital to protest our defense of South Vietnam.

A so-called declaration of conscience is now being circulated throughout the country. Sponsored by four radical pacifist organizations—the Catholic Worker, Committee for Nonviolent Action, War Registers League, and Student Peace Union—it is also being promoted by various Communist organizations.

What is the declaration of conscience? It is a document whose signers make five pledges:

First. They declare their conscientious refusal to cooperate with the U.S. Government in the effort to save Vietnam from Communist enslavement.

Second. They encourage all those who can conscientiously do so, to refuse to serve in our Armed Forces, or to ask for a discharge, if they are already in them.

Third. Those signers who are subject to the draft, declare their intention to refuse to serve.

Fourth. They state that they refuse, and they urge others to refuse, to take part in the manufacture or transportation of our country's military equipment, or to work in the fields of military research and weapons development.

Fifth. They proclaim that they will encourage other nonviolent acts, including civil disobedience, to prevent American soldiers and munitions from reaching Vietnam.

Early this month a 4-day so-called assembly of unrepresented people was held in Washington. The call to this assembly was signed by a mixed group of radical pacifists, Communists, fellow travelers, and civil rights activists. Originally they announced they would invade the White House grounds if the President did not agree to meet all the signers of the declaration of conscience who were in Washington for the assembly. They also stated they would invade the Chamber of the House of Representatives in order to "deny that Congress has the right to declare war in our names." This assembly, too, won the endorsement of the Communist Party, the Progressive Labor Party, the Socialist Workers Party, and other Communist and fellow-traveling organizations. The thousand or so participants in the assembly, most of them young people, did not carry through on their threat to invade the grounds of the White House or the House Chamber. They realized that the police were well prepared to prevent them from doing so.

Some of them, however, did stage a civil disobedience sit-in, blocking White House gates. Thirty-six were arrested. The following day, almost 300 were arrested when they sat down on the Capitol Grounds and refused to move. It was the largest mass arrest ever made in the Capital of the United States.

On August 12, another demonstration took place—this time in Berkeley, Calif. Three hundred singing, chanting agitators, most of them in their teens and twenties, tried to halt a Vietnam troop train. Also on the same day, there was still another demonstration in neighboring San Francisco. It was held on pier 39 of the Embarcadero to protest the sailing of a ship carrying military supplies to Vietnam. This demonstration was sponsored by the Students for a Democratic Society, Progressive Labor Party, May 2 movement and Young Peoples Progressive Alliance of Napa Junior College, among others, operating under the name Alliance for Action.

Time will not permit me to go on mentioning other developments, most of them relating to youth, which are very real cause for concern. The important thing, I believe, is to try to find out what can be done to end this alienation which is developing among the youth of our country.

I want to make one thing clear. I am not concerned about the overwhelming majority of our young people who are completely loyal, completely American, in the best sense of the word. It is only a minority that is engaging in the activities I have mentioned. But, even a small minority doing things like this, feeling about their country the way they do, is more than we can afford.

The actions of these youths cannot be attributed to any one cause; a variety of factors have made them what they are. But I do believe that if we are realistic about it, we will face the fact that we, the adults of the country, are more to blame than they are. Somewhere along the line, there has been a failure in their overall education as Americans.

I do not believe that our colleges are ridden with Red professors or anything like it. I know it is not so. But the point is that even a few of them in some of our educational institutions are too many. And I have been struck by the fact that most of the young people who have been engaged in the activities I have described have been college students and graduates. They are not the poor, the underprivileged; they are not the sons and daughters of poverty-stricken workers. For the most part, they have had what is usually described as the best our educational systems have to offer.

For this reason, I can't help thinking that our educational institutions, to some degree, have failed their students, specifically by placing them under the influence of certain instructors and professors whose devotion to this country and its institutions is, to say the least, open to question.

Why do I say this? Let me give a few examples of what I have in mind:

Eugene D. Genovese was a leader of the American Youth for Democracy and the Young Progressives of America, Communist Party youth fronts, in the years 1946–50, while a student at Brooklyn College. He was also a Communist Party member, but was expelled from the party in 1950. In recent years he had been a member of the editorial board of Science and Society, the Communist philosophical quarterly, and has contributed a number of articles and book reviews to it. He is currently an editor of "Studies on the Left", a magazine which welcomes left-extremist, radical, and Communist views of all types. He has also written at least one book review for the "National Guardian", and has spoken at a function of the Socialist Workers Party, the Trotskyist Communist organization in this country, which is on the Attorney General's list of subversive organizations.

Two years ago, the Communist Party's official monthly directive, Political Affairs, denounced Genovese for his "ultraleftism." If he is too far to the "left" for the Communist Party, I do not see what contribution he can make to our educational system.

Yet, today, Genovese is teaching history at Rutgers, the State university of New Jersey. He was invited to join the faculty in 1963 after teaching at Brooklyn Polytechnic Institute for 5 years.

Genovese was a speaker at the teach-in on Vietnam held at Rutgers on April 23 of this year under the sponsorship of the Students for a Democratic Society. In the course of his remarks that night, he made the following statement:

"Those of you who know me know that I am a Marxist and a Socialist. Therefore, unlike most of my distinguished colleagues here this morning, I do not fear or regret the impending Vietcong victory in Vietnam. I welcome it."

Naturally, there was a strong reaction to his remarks. Demands were made that he be dismissed, but he was not. He remained on the faculty and is now helping arrange a series of conferences featuring Socialist scholars, which will be held at Rutgers next month. Inasmuch as they will feature a number of speakers who have been highly critical of the United States for years, it can hardly be expected that their effect will be to foster devotion to country on the part of the students who attend them.

Staughton Lynd teaches history to students at Yale University. Like Genovese, he has written for Science and Society, spoken before gatherings held under the auspices of the Trotskyist Socialist Workers Party and is an editor of Studies on the Left. He was one of the initiating sponsors of a memorial tribute to the late Dr. W. E. B. DuBois, who publicly proclaimed several years ago that he had joined the Communist Party, and then renounced his U.S. citizenship to go to Ghana where he died after doing what he could to help communize that country.

Following the assassination of President Kennedy, Professor Lynd took part in the Communist effort to clear Lee Harvey Oswald of guilt for his crime.

Professor Lynd has taken part in several university teach-ins on Vietnam. At the teach-in in the University of California on May 22, he referred to United States actions in Vietnam as "murder" and then made a number of suggestions. He proposed the burning of draft cards, refusal to pay income taxes, the establishment of a citizens' "war crimes commission" in Washington to review American crimes in Vietnam.

He made two further proposals: that there be a speak-in at the Pentagon and a congress of unrepresented people in Washington to protest the war in Vietnam. Both of these proposals were subsequently put into effect. He added that he favored civil disobedience in our Nation's Capital, because it would have "international visibility." The meaning of that statement is all too clear.

Other examples could be given, but I think these two are sufficient to illustrate my point.

It is sometimes claimed that radical professors do not use their classroom lectures for propaganda purposes. As far as actual party members are concerned, we know—because it has been openly stated in Communist publications—that they are ordered to use their classroom instruction for this purpose. Moreover, common sense tells us that this is what they would do.

As regards others, I would like to quote from an article published in a recent issue of Free Student, the publication of the May 2 committee which, as I have indicated before, is controlled by the ultra-revolutionary Progressive Labor Party. The activities of an English instructor at a midwestern university, a man I will call Mr. Blank, are described in this article. It is quite revealing of the manner in which some professors, in fact, work to influence students.

"Mr. Blank availed himself of every opportunity, and there were many, to speak out against U.S. aggression in Vietnam and the Dominican Republic.

"Mr. Blank distinguished himself in another respect also. The time that Mr. Blank spent in class was only a small fraction of the time that he spent with his students. Mr. Blank enjoyed being with, talking with, and working with students. Mr. Blank punctured a very big hole in the wall between the students and the faculty.

"So * * * Mr. Blank was setting a very dangerous precedent as far as the university administration was concerned. He was attempting to undermine the cold-war mythology which is the rationale of the present-day university."

Because of his efforts to influence the university students in the above-described manner, Mr. Blank was notified that he would have to resign, or he would not be re-hired for the coming school year. But neither happened. Students and faculty members organized a protest movement in his behalf. They circulated petitions, planned a free speech rally and other more militant moves.

The administration retreated. Mr. Blank will be back at the university again next year and, encouraged by his victory, will undoubtedly continue his efforts to propagandize his students.

What can be done to correct this situation? As I said before, our colleges and universities are by no means Red, but I do feel that some of them have a rather unrealistic view of what constitutes academic freedom. I believe in academic freedom, and I am sure that everyone in this room does. But we must distinguish between academic freedom and academic license. Academic freedom does not include the right to use a classroom or lecture hall for psychological warfare against the United States, for inciting our youth to sabotage U.S. foreign policy and violate the laws of this land.

I believe that many educational administrators would be more firm and forceful in eliminating questionable professors if they felt confident the American people would support them. Too often it happens that when they do act, a storm of agitation and protest is raised by Communist and radical student organizations and a certain segment of their own faculties. The great majority of the people who support the action taken, do and say nothing. The administration feels alone and outnumbered. It caves in to the pressure of the leftist agitators.

Some years ago, we faced a somewhat similar problem in this country. It had to do with the failure of our educational institutions to provide instruction about communism to the students of America, principally on the high school level. The American Legion saw the seriousness of this problem and took commendable action. It got together with the National Education Association, which represents some 900,000 high school teachers and administrators, formed a special committee, and drew up, jointly with the NEA, a pamphlet entitled "Teaching About Communism: Guidelines for Junior and Senior High School Teachers." This pamphlet has been most helpful, it has played a significant role, in promoting intelligent instruction about communism in our schools.

Could something along the same lines be done to help solve the problem I have been discussing?

Our universities must remain forever free to run their own affairs. But wouldn't it be helpful and reassuring for them to know that they have the backing of responsible organizations representing the American people—the National Education Association, American Bar Association, the American Legion, and the American Alumni Council—in enforcing a policy of true academic freedom in the best tradition, while refusing to permit any professor unbridled license in this area?

In view of the recent on-and-off campus, in-and-out-of-classroom activities of certain professors, could the Association of American Universities be encouraged to draft a statement on academic freedom and its proper limits with the knowledge that, in doing so, it would have the formal support of such organizations as I have mentioned and, if desired, any assistance they could render?

I urge that serious exploration of this possibility be made because, as I indicated in the beginning of my talk, we are dealing here with a problem that goes to the very basis of our continued existence as a free nation. In too many places today, in many areas of activity, we see flagrant violation of our laws, as well as failure to know and comprehend the basic principles on which our Government is founded—the concept of the rule of law and the preeminence of the law over the will and whims of any individual or group.

We can build, and are building, powerful military forces to protect our national security—the most powerful military forces in the world. But, ultimately, the security of this Nation rests not on the number or quality of our troops, guns, bombs, planes, and ships. It rests rather on the unswerving devotion of its citizens to the concept of the rule of law and their loyalty to the institutions and the Government created under our Constitution.

These do not come naturally. They are the product of education—education in the homes, schools, and particularly, with more and more people getting higher education, our colleges and universities.

We can be the best-armed Nation in the world and go down to defeat. But we will never be defeated if, seeing clearly the difference between academic license and academic freedom, we take steps to insure that our youth are not indoctrinated in disloyalty, but rather that, in all stages of their education, they receive the best that can possibly be given them in instruction on true Americanism.

POWERLINES AND PUBLIC SAFETY

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the main thrust behind the drive to put powerlines underground is the growing national desire to preserve and enhance the natural beauty of America. This is an important goal and reason enough to act for, as the President said in his message on natural beauty:

> We have not chosen to have an ugly America.

There are, however, a number of other important reasons for getting these lines underground as quickly as possible.

Overhead lines and towers are far more vulnerable than their underground counterparts. My friend and distinguished colleague, the gentleman from Florida, CLAUDE PEPPER, has described the effect of the most recent hurricane, Betsy, on powerlines in the South and Gulf States. Each succeeding hurricane knocks down lines and interrupts service just at a time when electric power is most urgently needed. It is worth noting that it does not take a hurricane to disrupt electric service. A good hard thunderstorm can tie up the Nation's largest Metropolitan center as the following story from the Yonkers, N.Y. Herald Statesman of August 30, 1965, proves:

CON ED CLEANS UP AFTER STORM

After 45 hours of struggling with downed and shorted powerlines, Con Edison officials said that Saturday morning's storm damage had been completely repaired at 12:30 a.m. today.

The storm, which packed winds of up to 30 miles per hour felled trees and rattled windows in all parts of the county. Con Ed officials said damage was most severe along a line running eastward from Ossining to Mount Kisco. Areas above and below that line were moderately hit by the storm.

A Con Ed spokesman said that disrupted power service to 20,000 consumers in Westchester was reported in the first hour after the storm, at 3:30 Saturday morning. By 7:30 yesterday morning 1,500 consumers were still out of power, after a 1,000-man crew had labored through a full day.

"Every available man from Westchester, and a number of crews from New York City participated in the repairs," the spokesman said.

In all 300 lines, including 17 high-power transmission lines, 200 street wires, and 95 house-services lines, were felled by branches falling and high wind. Additionally, 10 utility poles were broken and transformer fuses were blown in 40 locations. Street light service was disrupted in 50 areas.

I share my distinguished colleagues inability to understand why, after years of experience and expense sorting out the lines and putting them back up again, no better alternative has been found or even given serious consideration.

Less generally appreciated is the extent to which these high-voltage wires are a danger to the lives of citizens.

Under a headline "Three Electrocuted," the Washington Daily News today reported:

> Telephone repairman Ivan Edler was quickly killed by the surge of 6,900 volts when a weight he tossed over a tree at Mansfield, Ill., struck a powerline. Howard Lippincott, rushing to tear Mr. Edler away from the wire, was killed, too. Then his wife was electrocuted as she attempted to help.

Grim tragedies such as this are familiar to all, but they are only part of the story.

The September issue of the AOPA Pilot features an unusually informative and well-researched article dealing with another aspect of this hazard, the threat that overhead lines around airports pose to the lives and safety of pilots. This article is particularly important because of the documentation it presents regarding the attitudes of the utility industry and various Government agencies. From past experience we have every reason to expect the utilities to be insensitive to what they consider to be "other people's problems." But the indifference of Federal agencies such as the FPC and the FAA is harder to understand and impossible to justify.

I urge everyone who is interested in the problem of overhead powerlines to read this excellent article which, with unanimous consent, I now submit for the RECORD.

WHY NOT BURY POWERLINES?

(By Robert L. Parrish)

Although general aviation's ranks probably include greater numbers of utilitarians than esthetics, the majority can be expected to aline with the minority on one current national issue—that of burying powerlines.

When President Johnson spoke out recently against the blot created on the U.S. landscape by overhead utility lines, AOPA and most light plane pilots were quick to agree that something should be done to rid the skies of the growing maze of those strands. But the reasons for ridding powerlines from view were vastly different.

To President Johnson and the architects concerned with the esthetic aspects of his Great Society, snake strung powerlines are distasteful because of the unsightly mar they place above the rocks and rills. To the light plane user they represent a too frequently unsighted hazard to life and limb.

The number of pilots who have found themselves ensnared by power or telephone lines before crashing to death or injury over the years cannot be easily calculated, but it is no mean number. Those who have undergone the heartstopping experience of colliding with the unseen but death-laden cords on takeoff or landing and who have lived to recount that terrifying instant can be found at any airport. Statistically, the powerline problem deserves more than passing notice.

In the most recent 2 years for which complete reported figures are available (1962–63), CAB records show that 293 planes collided with utility lines or poles. These accidents resulted in 66 deaths and 72 serious injuries, destruction of 129 aircraft and substantial damage to 164. Although CAB's figures show that the majority of these accidents occurred in flight—indicating that they may have been the result of agricultural operations, or unwarranted low flying—a review of specific accident reports reflects that a sizable percentage of powerline entanglements occur during takeoff and landing phases of flight.

It is more than a little probable that reportable powerline mishaps represent only a small portion of those that actually occur. At a small rural airport near Washington, D.C., for example—which, incidentally, offers an excellent turf runway—nine pilots have tangled with a four-strand pole line that blocks one end of the runway. Only two of those accidents resulted in reportable damage or injury, but it is a safe bet that all pilots involved emerged with a few new gray hairs. And they have shelled out an estimated $1,500 as a penalty for "trespassing" into the midst of those almost invisible strands of wire.

Since 1939, AOPA has waged a continuing fight to bring about the burial or removal of powerlines adjacent to airports, but with scant success. A study of the 1965 AOPA Airport Directory indicates that they are more numerous today than ever before. Out of approximately 8,300 hard-surface landing places in the 50 States, 2,366 list utility lines or poles as runway obstructions. Because the presence of such potential death traps is hardly a matter to boast of, it is likely that even more of the spidery sinews lurk in airport approach and departure paths.

Another factor that makes that 28½-percent obstruction figure appear conservative is the explosive infringement of suburbia on previously rural locations of some airports. Approaches and clear zones that may have been unobstructed by manmade hazards yesterday might today be liberally cluttered by the electrical webs that accompany demographic shifts.

In many locations, according to the Flight Safety Foundation, farsighted and public-minded utility companies have marked some lines considered potentially dangerous to aircraft. But in many more, the attitude seems to be "Let the flyer beware."

Until wires are marked by attention-commanding discs or made more visible by some process in original manufacture, the foundation believes, telephone and powerlines will remain the hidden quantity capable of downing an aircraft, sometimes as surely as if it had been shot from the skies. In AOPA's opinion, burial of lines in the vicinity of airports is preferable to marking.

Depressingly, until the President's recent fixation on natural beauty, there appeared to be little that could be done to impede the ivy-like spread of powerlines in the vicinity of airports. A few years ago, for instance, when the Potomac Electric Power Co. announced its intention to erect a high-voltage transmission circuit near Freeway Airport in Mitchellville, Md., FAA's Obstructions Evaluation Branch determined that it would constitute a definite hazard to the more than 100 aircraft based there and to transient traffic using the field.

Too bad, responded PEPCO, but that's the most economical location for our line. And that is where it went up. AOPA sought to intercede in the case, claiming that FAA had the authority to prevent construction of such a hazard. FAA's Office of General Counsel, however, didn't see it that way and decided that nothing further could be done.

The issue of overhead powerlines as obstructions to airport approaches has been a discouraging one to AOPA and other organizations in countless similar cases. In the late 1940's AOPA mounted a fullscale drive to eliminate the hazard by circularizing the country's leading utility companies. It was pointed out that the potential disruption of service and increased maintenance costs posed by highlines near airports should be as distasteful to utility company officials as the hazard created by such structures was to the general aviation industry. Only in rare instances were those pleas even acknowledged by the omnipotent utility company czars.

When—as happened more than infrequently—one of the metal webs claimed the life of an airman or put his plane out of operation, AOPA flooded the community concerned with posters, boldly captioned: "Bury the wires * * * not the pilot."

In a few cases such postmortem, graphic pleas resulted in aroused public indignation that drove the powerlines underground or to new locations. All too frequently, however, the campaign met with more powerful propaganda from the utility companies and public indifference on the part of all except family and friends of the departed pilots.

The question of legal liability in collisions with powerlines is becoming more unsettled as increasing numbers of such accidents occur. A few years ago, the pilot was generally held liable for any damage inflicted on the metal threads. Wear and tear on him and his plane were unfortunate but not compensable through the courts, because obviously he was the trespasser who violated the stationary and therefore innocent powerline.

More recently, however, the scale of justice seems to have tilted the other way. Two California cases tested the theory of "absolute liability," meaning the pilot must pay for damage to powerlines, regardless of circumstances. In one of these cases, the power company sued to collect damages from a pilot who had struck its line. The court refused to render such a decision, pointing out that it was up to the utility company to prove to the court's satisfaction that destruction of the wires was caused by negligence of the pilot.

Insurance companies have pointed to that ruling with increased regularity and almost uniform effect in States that are not saddled with "absolute liability" statutes. In those States in which such outmoded laws still exist, strong efforts are being made to remove them from the books.

Through the continuing efforts of AOPA and others, the Federal Power Commission appears to have reluctantly faced up to the extent of the problem and the need to do something about it, even before the President's pronouncement on natural beauty. In its two-volume National Power Survey 1964, the Commission acknowledged that "Public insistence for placing (power) lines underground is increasing. Remarkable strides are being made toward reducing the cost of underground facilities. On one system, the extra cost in new (housing) developments as compared with overhead service is one-fifth the excess cost required in 1947."

Earlier an advisory committee to the FPC had claimed peevishly: "For appearance reasons, utilities are being subjected to increasing pressures to place their facilities in uneconomic locations, to install them underground, or to use more costly types of aboveground construction. If they are to continue in the future to supply adequate and reliable service at low rates, solutions must be found to this problem.

"On the part of public authorities this requires that they recognize the public interest in the economical distribution of electricity and resist the pressures from minority groups and special interests to force utilities to use uneconomical locations and forms of construction."

In another portion of the National Power Survey 1964, it is stated: "In some circumstances buried cables are advantageous, but the usual cost is 5 to 10 times that of overhead circuits.

"Likewise, there are technical limitations on the use of high voltage underground cables * * * and it is uncertain as to whether present technologies allow for adequate insulation at * * * high voltages."

Nonsense, says Stanley Hiller, Sr., of Berkeley, Calif. An aviation pioneer who built his first plane in 1910, a noted business leader and inventor, he has waged a long and bitter feud with utility companies that claim underground transmission and distribution of electricity is more costly and problem-laden than overhead lines. To the contrary, Hiller said, underground cables can be laid at just two-thirds the cost and in one-third of the installation time for all utilities that overhead systems require. And the state of cable protection technology today is such that continuing maintenance costs will be greatly reduced by underground installation.

After retiring from the business world some years ago, Hiller decided to develop family land on the hills overlooking Oakland, Calif., as a housing area. He was adamant that the view of San Francisco Bay and surrounding cities would not be marred by unsightly powerlines and devised a system to consolidate utility cables underground. He set up a corporation, Coordinated Utilities, that provides installation franchises and engineering consultation on the subject. Since 1962, he has spoken widely on his single-trench system, with winning results. Community planners in various parts of the country are beginning to awaken to the fact that they have been hoodwinked for years by the power lobby's pressure tactics and reluctance to change.

When President Johnson last February delivered to Congress his message on preservation of natural beauty, the previously impervious power trust was shocked to its highest strands. He announced his intention of calling a White House Conference on Natural Beauty in mid-May, one subject of which would be discussion in depth of underground installation of utility transmission lines.

"It is my hope that this conference will produce new ideas and approaches for enhancing the beauty of America," Johnson said. "It will look for ways to help and encourage State and local government, institutions and private citizens, in their own efforts. It can serve as the focal point for the large campaign of public education which is needed to alert Americans to the danger to their natural heritage and to the need for action."

Just recently, Johnson got the opportunity to examine the other side of the coin—that of the hazard posed to flying by powerlines. In mid-July, a military helicopter making a reconnaissance flight over the area around the weekend White House at Johnson City, Tex., preceding the President's arrival, hit a powerline and crashed. A Secret Service man aboard the 'copter was uninjured, but the pilot and copilot sustained minor injuries and the craft was washed out.

The President's pitch for scenic beauty alone was enough to command rapid action. In May, Federal Power Commissioner Joseph C. Swidler announced the establishment of a national power survey industry advisory committee on underground transmission. The committee, comprised of representatives from 10 public utilities companies, was charged with investigating and preparing a report on the "state of the art" of underground transmission. Its report, to be completed within the next 2 years, is supposed to include an outline of the technical and economic problems involved; progress in overcoming those problems; and recommendations for accelerating research and development on the subject.

An argument put up by the power companies against undergrounding of utilities is that not enough research has yet been done to prove that underground transmission is either economically or technologically feasible. Yet, interestingly, a recent conference of the Institute of Electrical and Electronic Engineers brought forth some 25 separate papers dealing with recent progress in undergrounding of utilities.

Chaired by Harold A. Peterson, head of the University of Wisconsin Electrical Engineering Department, the committee held its first meeting on May 19. Task groups were designated to report at a second meeting on June 23 on preliminary data being collected for an initial report, due to be drafted this month. Unfortunately, according to sources within the FPC, the early blush of enthusiasm that attended the urge to preserve natural beauty already seems to have lost much of its luster.

FPC employees who staff the project reportedly regard it as a low-priority item and expect the report—if and when it is completed—to merely gather dust on obscure library shelves.

With an opportunity presented now for the first time of possibly throttling the unbridled spread of these manstrung tendons of potential aeronautical disaster, AOPA is taking a firm stand behind the preservation of natural beauty through elimination of overhead powerlines. The lives, health and planes of general aviation pilots that may also be preserved or lengthened through such action are more than just incidental.

CONGRATULATIONS TO THE REPUBLIC OF MALI ON ITS INDEPENDENCE DAY

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the Republic of Mali celebrates the fifth anniversary of its independence on the 22d of September.

This vast landlocked country, located in the heart of former French West Africa, is a nation of brave and independent peoples who can trace their ancestries back to the great Mali Empire of the 13th century.

Once a quiet pastoral nation of farmers, fishermen, and herdsmen, Mali has begun to tackle the long climb toward modernization. Long self-sufficient agriculturally, Mali has begun new efforts, through the Office du Niger, to intensify cultivation and increase the stock of those agricultural surpluses that will enable her to build an effective local food processing industry.

Although she is making a concerted effort to build the industrial sector of her economy as well, it is to the credit of the Republic of Mali that economic growth has been expressed in terms of increasing the prosperity and well-being of the Malian people. In fact, in the realm of labor legislation and social welfare, Mali's accomplishments are equal to those of many nations which would otherwise be considered much more developed.

Although it has only been 5 years since the people of Mali received their independence from France, the efforts that they have already made, socially as well as economically, demonstrate that they possess the necessary resolution to make the difficult transition to modernization.

It is a pleasure for me to extend my congratulations to the Republic of Mali on this fifth anniversary of her independence.

BILL TO ESTABLISH ACADEMY ON FOREIGN AFFAIRS

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, I have just introduced a bill to establish an Academy of Foreign Affairs for the United States. In this increasingly complex world, virtually every department of Government is concerned with foreign affairs in some way. With our worldwide mission of promoting peace and justice, of aiding other nations of the world to become self-sustaining and independent, it is essential that we have a well trained diplomatic force. It is also essential that we have an institution where we can coordinate the advanced studies of our foremost educational institutions in the field of foreign affairs. The Academy of Foreign Affairs, with its college and graduate school is intended to provide these services to the Nation. My bill should make the Foreign Service of our Nation a highly respected career, to be eagerly sought, with years of studious preparation.

Throughout much of modern history, Great Britain and France have been admired and envied for their diplomacy. Even when we may have disagreed with their motives, we have admired their diplomatic skills. Mr. Speaker, the bill I have just introduced is intended to give the United States of America diplomatic education second to none, and a growing tradition of high attainments of scholarship in the affairs of nations.

I would respectfully urge the earnest attention of my colleagues to this pressing problem.

MEANINGFUL HOME RULE FOR THE DISTRICT OF COLUMBIA

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. MULTER] is recognized for 20 minutes.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, as the Members of the House well know, for many long days and hours the gentleman from New York [Mr. HORTON], the gentleman from Maryland [Mr. MATHIAS], the gentleman from Maryland [Mr. SICKLES], and I have been engaged in a bipartisan effort to bring to the District of Columbia home rule which will be meaningful home rule to the District.

We have just introduced a bill which we believe accomplishes that purpose and meets most of if not all of the objections raised to the bill due to be called up on Monday next. At that time I will offer the bill introduced today as an amendment. I urge all of our colleagues to read the bill and acquaint themselves with its terms. We will in the meantime send to each Member a brief explanation outlining the changes.

CALL OF THE HOUSE

Mr. WAGGONNER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 317]

Abbitt
Abernethy
Anderson, Ill.
Andrews, George W.
Ashley
Baldwin
Baring
Battin
Belcher
Berry
Betts
Blatnik
Bolling
Bolton
Bonner
Bow
Brock
Broomfield
Broyhill, N.C.
Burton, Utah
Cahill
Casey
Clark
Clausen, Don H.
Colmer
Conyers
Curtis
Denton
Diggs
Dowdy
Duncan, Oreg.
Edwards, Calif.
Erlenborn
Everett
Evins, Tenn.
Farnsley
Farnum
Findley
Fino
Fisher
Ford, Gerald R.
Frelinghuysen
Fulton, Tenn.
Goodell
Griffin
Griffiths
Gubser
Halleck
Hanna
Hansen, Wash.
Harris
Harsha
Harvey, Ind.
Herlong
Hicks
Holifield
Holland
Hosmer
Howard
Joelson
Johnson, Okla.
Jonas
Jones, Ala.
King, N.Y.
Kluczynski
Landrum
Latta
Lindsay
Lipscomb
Long, Md.
McClory
McEwen
McFall
McMillan
Machen
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Miller
Mize
Moeller
Moorhead
Morris
Morton
Murray
Nix
O'Brien
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Pool
Powell
Price
Reid, N.Y.
Resnick
Rogers, Tex.
Roosevelt
Ryan
Schweiker
Scott
Senner
Smith, Calif.
Smith, Va.
Stalbaum
Steed
Stephens
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Thomson, Wis.
Toll
Tupper
Udall
Utt
Vivian
Walker, N. Mex.
Whitten
Widnall
Wilson, Charles H.

The SPEAKER. On this rollcall 307 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. DINGELL. Mr. Speaker, I reserve the right to object.

The SPEAKER. The Chair has announced that without objection further proceedings under the call will be dispensed with.

Mr. DINGELL. Mr. Speaker, I was on my feet at the time seeking recognition.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. Without objection, it is so ordered.

Mr. DINGELL. Mr. Speaker, I still reserve the right to object.

The SPEAKER. The gentleman from Michigan reserves the right to object.

Mr. DINGELL. Mr. Speaker, I wish to ask whether or not it is the intention of the leadership to adjourn.

Mr. ALBERT. Yes; we have only two or three unanimous-consent requests.

Mr. ARENDS. Mr. Speaker, will the gentleman from Michigan yield to me?

Mr. DINGELL. I yield.

Mr. ARENDS. Mr. Speaker, the gentleman from Michigan has yielded to me. I move that the House do now adjourn.

The SPEAKER. If the gentleman from Illinois will withhold that for a moment——

Mr. ARENDS. Mr. Speaker, the gentleman from Michigan has yielded to me.

The SPEAKER. I do not think the gentleman yielded for that purpose.

Does the gentleman from Michigan yield for that purpose?

Mr. DINGELL. Yes, I do.

Mr. ARENDS. Mr. Speaker, I make the motion that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Illinois.

The question was taken; and the Speaker announced that in his opinion the "noes" had it.

Mr. ARENDS. Mr. Speaker, I demand tellers.

Tellers were ordered; and the Speaker appointed as tellers Mr. ALBERT and Mr. ARENDS.

The House divided, and the tellers reported that there were—ayes 58, noes 104.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER (after counting). Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 90, nays 204, not voting 138, as follows:

[Roll No. 318]

YEAS—90

Adair
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bell
Berry
Bray
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Callaway
Carter
Chamberlain
Clawson, Del
Cleveland
Collier
Conable
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dingell
Dole
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Fulton, Pa.
Gathings
Griffin
Gross
Grover
Gurney
Haley
Hall
Hansen, Idaho
Harvey, Mich.
Hutchinson
Johnson, Pa.
Jonas
Jones, Mo.
Keith
Laird
Langen
Lipscomb
McClory
McCulloch
McDade
MacGregor
Mailliard
May
Michel
Moore
Morse
Nelsen
Pelly
Pirnie
Quie
Quillen
Reifel
Reinecke
Rhodes, Ariz.
Robison
Roudebush
Rumsfeld
Saylor
Schneebeli
Shriver
Skubitz
Stafford
Tupper
Walker, Miss.
Watkins
Watson
Whalley
Williams
Wilson, Bob
Wyatt
Wydler
Yates
Younger

NAYS—204

Abbitt
Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Bandstra
Beckworth
Bennett
Bingham
Boggs
Boland
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Cabell
Callan
Carey
Chelf
Clevenger
Cohelan
Conte
Conyers
Cooley
Corman
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Donohue
Dorn
Dow
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Friedel
Fuqua
Gallagher
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Hagan, Ga.
Hagen, Calif.
Halpern
Hamilton
Hanna
Hansen, Iowa
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keogh
King, Utah
Kluczynski
Kornegay
Krebs
Long, La.
Love
McCarthy
McDowell
McFall
McGrath
McVicker
Madden
Mahon
Marsh
Mathias
Matsunaga
Matthews
Meeds
Mills
Minish
Mink
Morgan
Morrison
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Pucinski
Purcell
Race
Randall
Redlin
Reid, N.Y.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Schisler
Schmidhauser
Secrest
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stratton
Stubblefield
Sweeney
Taylor
Teague, Tex.
Tenzer
Todd
Trimble
Tuck
Tunney
Tuten
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Willis
Wilson, Charles H.
Wolff
Wright
Young
Zablocki

NOT VOTING—138

Abernethy
Anderson, Ill.
Andrews, George W.
Ashmore
Aspinall
Baldwin
Baring
Barrett
Bates
Battin
Belcher
Betts
Blatnik
Bolling
Bolton
Bonner
Bow
Broomfield
Burton, Utah
Byrne, Pa.
Cahill
Cameron
Casey
Cederberg
Celler
Clancy
Clark
Clausen, Don H.
Colmer
Dent
Denton
Diggs
Dowdy
Dwyer
Edwards, Calif.
Erlenborn
Evins, Tenn.
Fallon
Farnsley
Farnum
Findley
Fino
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Fulton, Tenn.
Garmatz
Goodell
Griffiths
Gubser
Halleck
Hanley
Hansen, Wash.
Harris
Harsha
Harvey, Ind.
Hébert
Herlong
Hicks
Holifield
Holland
Hosmer
Joelson
Johnson, Okla.
Kelly
King, Calif.
King, N.Y.
Kirwan
Kunkel
Landrum
Latta
Leggett
Lennon
Lindsay
Long, Md.
McEwen
McMillan
Macdonald
Machen
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Miller
Minshall
Mize
Moeller
Monagan
Moorhead
Morris
Morton
Mosher
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Hara, Ill.
Olsen, Mont.
O'Neal, Ga.
Passman
Poff
Powell
Price
Reid, Ill.
Resnick
Reuss
Rooney, Pa.
Roosevelt
Rosenthal
Scheuer
Schweiker
Scott
Senner
Sickles
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stalbaum
Stanton
Stephens
Sullivan
Talcott
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Toll
Udall
Ullman
Utt
Walker, N. Mex.
Whitten
Widnall

So the motion was rejected.

Mr. TEAGUE of Texas changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

By unanimous consent, further proceedings under the call were dispensed with.

TEACHING FACILITIES FOR VETERINARY MEDICAL PERSONNEL

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY], is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, I rise to introduce a bill that will provide grants for the construction of teaching facilities for veterinary medical personnel and establish loan funds for veterinary students. Although in the past we have provided support for training physicians, dentists, nurses, and other health personnel, for too long we have neglected the needs of the veterinary student—a no less important member of the public health team.

Perhaps this oversight has occurred because too many of us still regard the veterinarian only as a horse doctor or as someone we call on when the family pet is sick. Of course, many veterinarians remain true to this traditional function. However, today's veterinarian is also engaged in a wide range of other activities which directly serve the cause of public health, safeguarding the well-being of our Nation's human—as well as animal—population.

Veterinarians work as meat inspectors, assuring us of wholesome meat and poultry. They are concerned with the health inspection of imported animals, the development and testing of drugs and biologics for both human and animal use and the care of experimental animals used in medical studies of air pollution, pesticides, radiation, space travel, and the effects of biological warfare on living organisms.

Certainly then, as specialists in animal health, well-trained veterinarians are essential to the life of any modern nation. And it is estimated that twice as many veterinarians as are practicing today will be needed in this country by 1980. This means a total of approximately 44,000 in 15 years. Veterinarians are needed in so many research and preventive medical areas that the present rate of graduation from schools of veterinary medicine must be substantially increased.

The American Veterinary Medical Association estimates that between 1975 and 1980 the number of veterinarians will increase by 1,211 or only 242 a year—a rate declining in pace with the needs of the rising population. In 1980 even the absolute number of veterinarians will begin to decline. As the association has said:

> With the continued growth of the population, incomes, livestock, products, and small animal numbers, the outlook for the veterinary profession appears to be one of rapid change and increasing complexity in the nature of veterinary medical service.

The association suggested, and I quote:

> Stronger and more effective efforts than in the past will be needed to enlarge and expand veterinary education facilities in order to increase the number of veterinary medical graduates and to encourage veterinarians to avail themselves of programs of continuing education so as to increase their efficiency and achieve a higher output of services per veterinarian.

The bill I place before you today is a measure designed to help meet this need. In its first part the bill would authorize the appropriation of $2 million for the fiscal year beginning July 1, 1965 and for each of the two succeeding fiscal years for grants to assist in the replacement or rehabilitation of existing teaching facilities for the training of veterinary medical personnel; and $15 million for the fiscal year beginning July 1, 1965, and for each of the 2 succeeding fiscal years, for grants to assist in the construction of new or expanded teaching facilities for the training of veterinary medical personnel.

In a project for a new school, or new facilities in an existing school where such facilities are of particular importance in providing a major expansion of training capacity, the amount granted may not exceed 66⅔ percent of the cost of construction. In any other grant such amount may not exceed 50 percent of the necessary cost of construction. An additional sum of not more than $25,000 may be granted for the cost of preparing initial plans.

Applicants for these grants must be accredited public or other nonprofit schools of veterinary medicine or if a new school there must be reasonable assurance that the school will meet accreditation standards. The bill also outlines certain other restrictions and considerations in the awarding of grants under this part.

The second part of the bill would authorize the Secretary of Health, Education, and Welfare to enter into agreements for the establishment and operation of student loan funds with an accredited public or other nonprofit school of veterinary medicine. Each school receiving Federal funds for this purpose will be required to allocate an additional amount from other sources equal to not less than one-ninth of the amount deposited by the Federal Government. Loans not to exceed $2,000 per student for any academic year may be made only to students needing such funds in order to pursue a full-time course of study at the school leading to a degree of doctor of veterinary medicine. According to provisions of the bill, loans shall be repayable in equal or graduated installments over the 10-year period which begins 3 years after the student ceases to pursue a full-time course at a school of veterinary medicine.

To establish these loan funds the bill further provides that the Secretary be authorized $510,000 for the fiscal year ending June 30, 1965, $1,020,000 for the fiscal year ending June 30, 1966, $1,540,000 for the fiscal year ending June 30, 1967, and such sums for the fiscal year ending June 30, 1968, and each of the two succeeding fiscal years as may be necessary to enable students who have received a loan for any academic year ending before July 1, 1967, to continue or complete their education. The bill outlines certain other conditions, exceptions, and consideration in establishing these loan funds.

In considering the adoption of the provisions of this bill, one fact should be remembered—animal and human health are inseparably and fundamentally linked together. Throughout history man has shared with animals the disastrous effects of epidemic diseases. Animals are also stricken with much the same genetic and degenerative diseases as man, and therefore any finding that may contribute to a solution of these animal problems may be directly beneficial to man.

I wonder how many of my colleagues in the House are aware of the medical advances of the past that were based on veterinary medical discoveries. These include the development of the drug used against human hookworm; the development of a potent anticoagulant drug which has helped save many coronary victims; the perfection of a method of anesthesia; and the observation that insects may transmit disease between animals and between animals and humans—a discovery that laid the groundwork for the conquest of yellow fever.

Today, veterinarians are working in at least 25 major research centers and many smaller laboratories with other specialists, seeking similarities between animal and human disease. Many grants from the Public Health Service and other Federal agencies support veterinary research in cancer, heart disease, gastric ulcer, and other chronic diseases in an effort to throw light on human pathology. Veterinarians are also on the forefront in space medicine and bioengineering.

These few examples serve to illustrate the scope of activities in which veterinarians participate. Because the achievements of the veterinarian are not familiar enough to all of us, the education and training of this valuable professional has been passed over in previous assistance bills.

The provisions of the bill I introduce here today are a sensible approach to a significant manpower shortage we have overlooked for too long. I have often in the past come before this assembly to seek its support for health manpower training, and have subsequently been proud of the fine record Congress has made in acting on these proposals.

Today, I urge each of my colleagues in the House to provide the veterinary profession with the same opportunities we have already provided for others in the health fraternity. With the public-health team, the stakes are too high to warrant anything but full support of all its members. In the era of modern medicine, veterinary science has come of age in realizing and developing its wide-ranging potential. It is time for us, too, to acknowledge the vital role of today's veterinarian and to act swiftly to help meet his needs.

PRICE SCHEDULES OF GENERAL MOTORS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I have not seen all the details, but it appears that the General Motors Corp. in its announced price schedules for the 1966 models is living up to the hopes and expectations of the Congress and the American consumer.

Mr. Speaker, I understand there are reductions ranging between $50 and $100 which reflect our own excise tax reduction.

Mr. Speaker, I want to congratulate the management of the company for its contribution to price stability.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HICKS, for Wednesday, September 22, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MICHEL, for 60 minutes, Thursday, September 23; to revise and extend his remarks and to include extraneous matter.

Mr. MULTER, for 20 minutes, today.

Mr. ASHBROOK (at the request of Mr. REID of New York), for 5 minutes, today.

Mr. FOGARTY (at the request of Mr. JACOBS), for 10 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. TENZER (at the request of Mr. JACOBS), for 15 minutes, September 23; to revise and extend his remarks and to include extraneous matter.

Mr. WHITENER (at the request of Mr. JACOBS), for 30 minutes, September 25; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. REID of New York) and to include extraneous matter:)

Mr. GROVER.

Mr. BRAY.

Mr. ROUDEBUSH.

(The following Members (at the request of Mr. JACOBS) and to include extraneous matter:)

Mr. POWELL.

Mr. HELSTOSKI.

Mr. IRWIN in two instances.

Mr. HANNA.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1357. An act to revise existing bail practices in courts of the United States, and for other purposes; to the Committee on the Judiciary.

S. 1758. An act to provide for the right of persons to be represented in matters before Federal agencies; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 4. An act to amend the Federal Water Pollution Control Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, and for other purposes;

S. 450. An act for the relief of William John Campbell McCaughey;

S. 664. An act to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes;

S. 1111. An act for the relief of Pola Bodenstein; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1221. An act for the relief of Betty H. Going;

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.;

H.R. 4152. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes;

H.R. 4603. An act for the relief of Lt. (jg) Harold Edward Henning, U.S. Navy;

H.R. 7090. An act for the relief of certain individuals;

H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross;

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remo certain restrictions on the American Hospital of Paris; and

H.R. 10323. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2694. An act for the relief of John Allen;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3062. An act for the relief of Son Chung Ja;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 5903. An act for the relief of William C. Page;

H.R. 6294. An act to authorize Secret Service Agents to make arrests without warrant for offenses committed in their presence, and for other purposes;

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss;

H.R. 8212. An act for the relief of Kent A. Herath;

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States; and

H.R. 8469. An act to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 23, 1965, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1614. A letter from the Secretary of the Army, transmitting the semiannual report of contracts for military construction awarded without formal advertisement, covering the period January 1 through June 30, 1965, pursuant to section 605 of Public Law 88-390; to the Committee on Armed Services.

1615. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes; to the Committee on Banking and Currency.

1616. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with acompanying papers and an illustration, on a review of the reports on Essex River, Essex, Mass., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 16, 1958; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee of Conference. H.R. 8283. An act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964 (Rept. 1061). Ordered to be printed.

Mr. TUCK: Committee on the Judiciary. S. 2273. An act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes; without amendment (Rept. No. 1070). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITENER: Committee on the Judiciary. H.R. 1781. A bill to amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the Eastern District of North Carolina shall be held at Clinton; without amendment (Rept. No. 1071). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2627. A bill for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions; with amendment (Rept. No. 1072). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 2653. A bill to provide that the U.S. District Court for the District of Connecticut shall also be held at New London, Conn; without amendment (Rept. No. 1073). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 7446. A bill for the relief of certain civilian employees and former civilian employees of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Va.; with amendment (Rept. No. 1074). Referred to the Committee of the Whole House on the State of the Union.

Mr. KING of California: Committee on Ways and Means. H.R. 7723. A bill to amend the Tariff Schedules of the United States to suspend the duty on certain tropical hardwoods; without amendment (Rept. No. 1075). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 8436. A bill to amend the Tariff Schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States; with amendment (Rept. No. 1076). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 8317. A bill to amend section 116 of title 28, United States Code, relating to the U.S. District Court for the Eastern and Western Districts of Oklahoma; with amendment (Rept. No. 1077). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEOGH: Committee on Ways and Means. H.R. 327. A bill to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations and associations operated to provide reserve funds for domestic building and loan associations; with amendment (Rept. No. 1078). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLUCZYNSKI: Committee on Public Works. S. 2084. An act to provide for scenic development and road beautification of the Federal-aid highway systems; with amendment (Rept. No. 1084). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 322. An act for the relief of Choy-Sim Mah; without amendment (Rept. No. 1047). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 343. An act for the relief of Paride Marchesan; without amendment (Rept. No. 1048). Referred to the Committte of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 779. An act for the relief of Henryka Lyska; without amendment (Rept. No. 1049). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1397. An act for the relief of Vasileos Koutsougeanopoulos; without amendment (Rept. No. 1050). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1775. An act for the relief of Erich Gansmuller; without amendment (Rept. No. 1051). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. Senate concurrent resolution 49. Concurrent resolution, favoring the suspension of deportation of certain aliens; without amendment (Rept. No. 1052). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2768. A bill for the relief of Emilia D'Addario Santorelli; without amendment (Rept. No. 1053). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3689. A bill for the relief of Juanita Ceréguine de Burgh; with amendment (Rept. No. 1054). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 3875. A bill for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis; with amendment (Rept. No. 1055). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on the Judiciary. H.R. 4743. A bill for the relief of Ralph Tigno Edquid; with amendment (Rept. No. 1056). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 5231. A bill for the relief of Jack Ralph Walker; without amendment

(Rept. No. 1057). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska; without amendment (Rept. No. 1058). Referred to the Committee of the Whole House.

Mr. HUTCHINSON: Committee on the Judiciary. S. 711. An act for the relief of Mrs. Hertha L. Wohlmuth; without amendment (Rept. No. 1059). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 1240. A bill for the relief of Harry C. Engle; without amendment (Rept. No. 1060). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 2303. A bill for the relief of Ernest J. Carlin; with amendment (Rept. No. 1062). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 3537. A bill for the relief of Albert Carter; without amendment (Rept. No. 1063). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 7667. A bill for the relief of Donald F. Farrell; without amendment (Rept. No. 1064). Referred to the Committee of the Whole House.

Mr. HUTCHINSON: Committee on the Judiciary. H.R. 3758. A bill for the relief of Mary F. Thomas; with amendment (Rept. No. 1065). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 5838. A bill for the relief of Osmundo Cabigas; without amendment (Rept. No. 1066). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 10612. A bill for the relief of Capital Transit Lines, Inc., of Salem, Oreg.; without amendment (Rept. No. 1067). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 5973. A bill for the relief of Edwin F. Hower; with amendment (Rept. No. 1068). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 10878. A bill for the relief of Anderson G. Matsler, senior master sergeant, U.S. Air Force, retired; without amendment (Rept. No. 1069). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3905. A bill for the relief of Bibi Daljeet Kaur; without amendment (Rept. No. 1079). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 8135. A bill for the relief of Jennifer Rebecca Siegel; without amendment (Rept. No. 1080). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 5213. A bill for the relief of Winston Lloyd McKay; with amendment (Rept. No. 1081). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 6655. A bill for the relief of Pieter Cornelis Metzelaar; without amendment (Rept. No. 1082). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 6720. A bill for the relief of Ping-Kwan Fong; without amendment (Rept. No. 1083). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H.R. 11204. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 11205. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA:

H.R. 11206. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

By Mrs. REID of Illinois:

H.R. 11207. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 11208. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHITE of Texas:

H.R. 11209. A bill to provide for the establishment of the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. WIDNALL:

H.R. 11210. A bill making appropriations for the Delaware Water Gap National Recreation Area, and for other purposes; to the Committee on Appropriations.

By Mr. BINGHAM:

H.R. 11211. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 11212. A bill to provide for the acquisition of an official residence for the Vice President of the United States; to the Committee on Public Works.

By Mr. CELLER:

H.R. 11213. A bill to amend section 301(a)(7) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 11214. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 11215. A bill to provide for the establishment of the Hudson Highlands National Scenic Riverway in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 11216. A bill relating to the tariff treatment of articles assembled abroad of products of the United States; to the Committee on Ways and Means.

By Mr. GRIFFIN:

H.R. 11217. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 11218. A bill to provide for the District of Columbia an elected mayor, city council, board of education, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. HORTON:

H.R. 11219. A bill to provide for the District of Columbia an elected major, city council, board of education, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. SICKLES:

H.R. 11220. A bill to provide for the District of Columbia an elected mayor, city council, board of education, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. MATHIAS:

H.R. 11221. A bill to provide for the District of Columbia an elected mayor, city council, board of education, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. FOLEY:

H.R. 11222. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H.R. 11223. A bill to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.J. Res. 670. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. REINECKE:

H.J. Res. 671. Joint resolution to authorize the President to proclaim the month of November as Water Conservation Month; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.J. Res. 672. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII:

368. The SPEAKER presented a memorial of the Legislature of the State of Nebraska, relative to calling a convention for the purpose of proposing an amendment to the Constitution of the United States, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 11224. A bill for the relief of Dr. Pedro Raphael; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 11225. A bill for the relief of Andreas (Andrew) Anastassiades, Mrs. Aglaia Anastassiades, Anna Anastassiades, Stellakis Anastassiades, and Mrs. Anna Stylianou; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 11226. A bill for the relief of Hee Sook Kim; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 11227. A bill to authorize the Honorable Eugene J. Keogh, of New York, a Member of the House of Representatives, to accept the award of the Order of Isabella the

Catholic; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H.R. 11228. A bill for the relief of Vito Milazzo; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 11229. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of the Algonac Manufacturing Co., and John A. Maxwell against the United States; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11230. A bill for the relief of Juliana Kovak de Lazarevic; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

271. By Mr. SCHWEIKER: Petition of the Council of the City of Philadelphia requesting enactment of House Concurrent Resolution No. 465 relative to designating Philadelphia as the host city for the 1976 national bicentennial celebration commemorating two centuries of independence; to the Committee on the Judiciary.

272. By the SPEAKER: Petition of City Council, Philadelphia, Pa., requesting enactment of House Concurrent Resolution No. 465 relative to designating Philadelphia as the host city for the 1976 national bicentennial celebration commemorating two centuries of independence; to the Committee on the Judiciary.

SENATE

WEDNESDAY, SEPTEMBER 22, 1965

(Legislative day of Monday, September 20, 1965)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Father, we come to Thee at the beginning of our deliberations as from the Nation's beginning our fathers have turned aside to seek Thy face. Commissioned to be peacemakers for a war-torn world, we first need a peace within our own hearts far deeper than the world can give—for never does a new day find us fit for the highest service until we have cleansed and strengthened ourselves by communion with Thee.

We come with confession and contrition. There haunt us memories of duties unperformed, noble promptings disobeyed, deeds of kindness and pity that we have left too late, perhaps words untrue, acts unkind, thoughts impure. The stain of these is on us all. Make us brave enough to bear the truth even about ourselves and sincere enough to rise with our dead selves as stepping stones to higher things, with our climbing feet upon the path of the just and our faces bathed with the shining light that groweth more and more unto the perfect day.

In the Redeemer's name we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 21, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1409. An act for the relief of Louis W. Hann;

H.R. 1484. An act for the relief of Mrs. Loneta Hackney;

H.R. 2578. An act for the relief of Maxie L. Rupert;

H.R. 4928. An act for the relief of Chizuyo Hoshizaki;

H.R. 7608. An act to provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Okla.;

H.R. 8085. An act for the relief of Harvey E. Ward;

H.R. 9351. An act to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota;

H.R. 9587. An act to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.;

H.R. 9588. An act to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.;

H.R. 10097. An act for the relief of North Counties Hydro-Electric Co.; and

H.R. 10404. An act for the relief of Lt. Col. James E. Bailey, Jr., U.S. Air Force (retired).

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 450. An act for the relief of William John Campbell McCaughey;

S. 664. An act to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes;

S. 906. An act to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes;

S. 1111. An act for the relief of Pola Bodenstein;

S. 1190. An act to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska;

S. 1588. An act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource;

S. 1764. An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; and

S. 1988. An act to provide for the conveyance of certain real property of the United States to the State of Maryland.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1409. An act for the relief of Louis W. Hann;

H.R. 1484. An act for the relief of Mrs. Loneta Hackney;

H.R. 2578. An act for the relief of Maxie L. Rupert;

H.R. 4928. An act for the relief of Chizuyo Hoshizaki;

H.R. 8085. An act for the relief of Harvey E. Ward;

H.R. 10097. An act for the relief of North Counties Hydro-Electric Co.; and

H.R. 10404. An act for the relief of Lt. Col. James E. Bailey, Jr., U.S. Air Force (retired); to the Committee on the Judiciary.

H.R. 7608. An act to provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Okla.;

H.R. 9351. An act to provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota;

H.R. 9587. An act to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.; and

H.R. 9588. An act to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.; to the Committee on Finance.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF STATE

The legislative clerk proceeded to read sundry nominations to the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

AMENDMENT OF THE LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 742, H.R. 5842.

The PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 5842) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 757), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF MEASURE

The purpose of H.R. 5842, which is a companion bill to S. 1378, sponsored by Senator Moss for himself and Senators Harris, Monroney, Church, Metcalf, and Carlson, is to extend the lead-zinc small producers program established by Public Law 87–347 (75 Stat. 766) for a period of 4 years to December 31, 1969. Absent legislation, the program would terminate at the end of this year.

The bill also increases the tonnage a small operator may produce and still qualify for participation in the program to 1,200 tons of each metal from the present limit of 600 tons and it amends the definition of "small domestic producers" to simplify administration.

No new or additional appropriations are authorized nor contemplated. A total of not to exceed $16¼ million over a 4-year period was authorized by the 1961 act, but payments to date have amounted to only $2,132,305.

BACKGROUND AND NEED

The Lead-Zinc Small Producers Stabilization Act provides a program of payments for assistance to small domestic producers of lead and zinc. Payments are based on the difference between the market price of lead and zinc and the statutory stabilization price of 14½ cents per pound. The act limited total payments to $4.5 million during calendar years 1962 and 1963, $4 million during 1964, and $3.5 million during 1965. It defined the term "small domestic producer" so as to limit qualification to those who have not in any 1 year since 1956 produced or sold more than 3,000 tons of lead and zinc combined. A 1963 amendment (act of July 23, 1963; 77 Stat. 92) added a proviso that the principal product or products of such producer must be either lead or zinc or a combination of lead and zinc, thereby precluding those whose major product is other metals or minerals from participating in a program that was established to help small lead and zinc producers.

While the act of October 3, 1961, helped many small producers to continue operations or to reopen closed mines, the number participating in the program has not reached the level anticipated at the time of enactment. Payments during calendar year 1962 totaled $1,012,501; during 1963 they were $766,730; and during 1964 dropped to $310,973. During calendar year 1965 there have been no payments because lead and zinc prices have been at or above the stabilization price of 14½ cents per pound.

The committee has concluded that, at the current rate of consumption and considering existing producers and consumers stocks, the price of lead and zinc will probably remain at or above the stabilization price of 14½ cents per pound for a period of time. However, increased production, coupled with uncertainties related to imports and future consumption, indicate the probability that supplies of lead and zinc will be more than adequate within the next year or two. As a result, unless permanent legislation achieving a long-range stability of the entire lead-zinc industry has been adopted, prices of lead and zinc probably will again fall and many small domestic producers will be forced to close their mines.

In this connection the committee reiterates its belief that a long-range solution to the problems in the lead-zinc industry resulting from violent price fluctuations and their effect on production must be developed for the benefit of the entire industry and the country. Such a long-range solution was worked out in the 87th Congress by the committee in Senator Anderson's S. 1747 which would have provided a flexible quota system affording stability and security to both domestic and foreign producers. This measure was favorably reported by the Interior Committee after comprehensive public hearings. Attention is directed to Senate Reports 867 and 1040 of the 87th Congress. A successor bill by Senator Anderson S. 564, of this Congress, is pending before the Committee on Finance.

NEED FOR BROADENING SMALL PRODUCER'S PROGRAM

While reaffirming its conviction of the need for a long-range permanent program for the domestic lead-zinc industry such as that envisioned in Senator Anderson's S. 564, the committee also believes that the Small Producers Act itself needs to be broadened. Experience with the law shows that the requirement that at least 50 percent of a mine's production must be lead and zinc has excluded from the program many bona fide small producers of lead and zinc in States where such metals are found for the most part in conjunction with other metals. An example is Colorado in which mine operators have received no payments under the program although the State is a leading producer of metals.

The committee considered an amendment proposed by Senator Allott to H.R. 5842 to correct this patent inequity, but in view of the necessity from prompt action if the Small Producers Act is not to terminate, decided to report the bill without amendment. The members are in accord that early consideration should be given further amendment to the act early in the second session of the 89th Congress to extend its benefits to bona fide small producers not now eligible.

COST

As stated, enactment of H.R. 5842 will not result in an increase in budgetary requirements. The 1961 act authorized a total program of $16,500,000 over a 4-year period; payments to date have amounted to $2,132,305.

Under the Small Producers' program as modified by H.R. 5842 payments would not exceed $10 million over a 4-year period. Assuming as the committee does, based on information furnished to it, that there will be no payments during calendar year 1965 because of the present price level, and assuming that the maximum payments are made during calendar years 1966 through 1969, inclusive, the total program (including payments already made) will amount to less than $10.2 million as compared with the $16.5 million estimated when the program was authorized by the 87th Congress in 1961.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETING DURING SESSION OF THE SENATE

On request of Mr. Dirksen, and by unanimous consent, the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Plans for Works of Improvement in Various States

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Zeigler Creek, Nebr., Elko watershed, Nevada, Swan Quarter watershed, North Carolina, Frogville Creek, Okla., and Chocolate, Little Chocolate, and Lynn Bayou watersheds, Texas (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Title I Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954 (with accompanying papers); to the Committee on Agriculture and Forestry.

Reports on Reapportionment of Appropriations

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Civil Service Commission for "Salaries and expenses," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation, "Limitation on salaries and expenses, Railroad Retirement Board," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Compensation and pensions," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Report on Export-Import Bank Insurance and Guarantees on U.S. Exports to Yugoslavia

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of insurance and guarantees on U.S. exports by that Bank to Yugoslavia totaled $594,970, for the month of August, 1965; to the Committee on Appropriations.

Report on Military Construction Contracts Awarded Without Formal Advertising

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on military construction contracts awarded without formal advertising, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

Federal Deposit and Share Account Insurance Act of 1966

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Reports of Acting Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on readiness of combat and combat support equipment assigned to the 2d Marine Division and force troops, Camp Lejeune, N.C., U.S. Marine Corps, Department of the Navy, dated September, 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings by direct rather than indirect procurement of selected subsystems for F-4 type of aircraft, Department of the Navy, dated September, 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for improvement in pricing of change orders for construction of naval vessels, Department of the Navy, dated September 1965 (with an accompanying report); to the Committee on Government Operations.

Report on Tort Claims Paid by Federal Aviation Agency

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Agency, during the fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

Plans for Works of Improvement in Louisiana and Pennsylvania

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Bayou Boeuf watershed, Mauch Chunk Creek, Pa., Middle Creek, Pa., and Oil Creek, Pa. (with accompanying papers); to the Committee on Public works.

RESOLUTION OF LEGISLATURE OF NEBRASKA

The PRESIDENT pro tempore laid before the Senate a resolution of the Legislature of the State of Nebraska, which was referred to the Committee on the Judiciary, as follows:

Legislative Resolution

A resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

Be it resolved by the members of the Nebraska Legislature in the 75th session assembled, That this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within 7 years from the date of its submission." Be it further,

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1967, this application for a convention shall no longer be of any force or effect; be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted by the clerk of the legislature to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to each Member of the Congress from this State.

PHILIP C. SORENSEN,
President of the Legislature.

Attest:

HUGO F. SRB,
Clerk of the Legislature.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes (Rept. No. 763).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1855. A bill to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes (Rept. No. 764).

By Mr. McGOVERN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes (Rept. No. 766).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2091. An act relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes (Rept. No. 765).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H.J. Res. 309. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House (Rept. No. 768);

S. Res. 145. Resolution to provide for responding to invitations from foreign parliamentary bodies (Rept. No. 769); and

S. Con. Res. 53. Concurrent resolution authorizing the printing of the report of the proceedings of the 42d biennial meeting of the Convention of American Instructors of the Deaf as a Senate document (Rept. No. 770).

By Mr. PELL, from the Committee on Rules and Administration, with amendments:

H.R. 7059. An act to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes (Rept. No. 771).

HEMISFAIR 1968 EXPOSITION—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 767)

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably with an amendment the bill (S. 2167) to provide for participation of the United States in the HemisFair 1968 exposition to be held at San Antonio, Tex., in 1968, and for other purposes, and I submit a report thereon.

I ask unanimous consent that the report be printed together with minority views of the Senator from Ohio [Mr. LAUSCHE] and the Senator from Delaware [Mr. WILLIAMS].

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arkansas.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for Mr. ANDERSON):

S. 2551. A bill for the relief of Enrique Coscollar Serrano and his wife, Maria-Luz Gonzales de la Cruz Coscollar; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2552. A bill to amend the Internal Revenue Code of 1954 with respect to the deductibility of contributions by self-employed individuals under qualified pension and profit-sharing plans, and for other purposes; to the Committee on Finance.

S. 2553. A bill for the relief of Dr. Elvira Rey de Garcia; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 2554. A bill for the relief of Jose Ureta; to the Committee on the Judiciary.

By Mrs. NEUBERGER:

S. 2555. A bill for the relief of Kim Kin Soon; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2556. A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 2557. A bill to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale; to the Committee on Armed Services.

By Mr. CURTIS (for himself and Mr. HRUSKA):

S. 2558. A bill to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebr.; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2559. A bill for the relief of Nachum E. Braverman, his wife Ariela Braverman, and their children, Gedaya Braverman and Yuvan Braverman; to the Committee on the Judiciary.

By Mr. CURTIS (for himself and Mr. HRUSKA):

S.J. Res. 112. Joint resolution authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs; to the Committee on Rules and Administration.

(See the remarks of Mr. CURTIS when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, RELATING TO POWERS OF CIVIL AERONAUTICS BOARD

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings. I ask unanimous consent that a letter from the Vice Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of purpose and need, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 2556) to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., August 25, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate, U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings."

The Board has been advised by the Bureau of the Budget that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the administration's program.

Sincerely yours,

ROBERT T. MURPHY,
Vice Chairman.

Enclosure.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings

One of the most persistent problems the Board has encountered, particularly in large area route proceedings, has been the contention of applicants at the consolidation stage, based on the doctrine of *Ashbacker Radio Corp.* v. *FCC*, 326 U.S. 327 (1945), that they are entitled as a matter of legal right to consolidation of particular applications. Such an applicant usually asserts that the grant of an application which the Board proposes to hear will preclude a subsequent grant of its own application, and that the Board therefore must also hear its application in the proceeding and accord it comparative consideration. In many instances in the past, a refusal by the Board to consolidate has resulted in an appeal to the courts from the consolidation order, with a request that the court stay further procedural steps in the Board proceeding pending disposition of the petition for review.

This matter was the subject of consideration and action by the Administrative Conference of the United States. The Conference recommended (Recommendation No. 20) in its final report that the Federal Aviation Act be amended so as to provide that (1) contemporaneous consideration of applications, when required, may be accomplished by assigning various of the applications for separate evidentiary hearings and then consolidating them for simultaneous decision by the Board, provided that applicants excluded from a particular hearing are allowed to participate therein as intervenors, adduce evidence, and cross-examine adverse witnesses, (2) contemporaneous consideration of applications is not required when the Board conducts a proceeding to consider applications for a particular type of service within a defined area or over a described route segment and excludes applications (or portions of applications) not proposing service of the particular type within the area or over the segment so described, provided that new authorizations granted in any such proceeding are subject to a mandatory stop at any point common to any application (or portion of an application) excluded from the proceeding, and (3) the Board is not required to hold a preliminary hearing on the issue of consolidating applications.

These recommendations are consistent with prior legislative proposals submitted to the Congress by the Board and are encompassed in the present proposal. The present proposal also incorporates the substance of those heretofore advanced by the Board in areas not specifically dealt with by the recommendations of the Administrative Conference. Thus, the Conference recommendations are silent as to when a party denied consolidation should be permitted to seek judicial review, and also with respect to who should have the burden of proof in connection with requests for consolidation. The Board believes that it is preferable for legislation to be explicit on both of these points.

Accordingly, the Board's proposal provides that an order refusing consolidation or contemporaneous consideration shall not be subject to judicial review until a final order is entered in the proceeding. This is in accord with the Board's consistent position that legal error in consolidation, like any other that may be committed in a particular case, should not be judicially reviewable except as an incident to judicial review of the Board's final order entered at the conclusion of the proceeding. The bill similarly provides that the party making a request for the consolidation of application shall have the burden of establishing that such applications should be considered.

The proposal does not provide, as recommended by the Conference, that applicants excluded from a hearing in connection with contemporaneous consideration of applications shall be allowed to participate therein as intervenors, adduce evidence, and cross-examine adverse witnesses. Such a provision is unnecessary since existing case law requires that applicants in such circumstances be given such rights.

PROPOSED LEGISLATION RELATING TO FATHER FLANAGAN AND BOYS TOWN, NEBR.

Mr. CURTIS. Mr. President, today I am introducing, for myself and my colleague, Senator HRUSKA, two pieces of proposed legislation which seek to honor a man who founded a city. It was a city which was unique at its inception and has now become the model for others around the world. In order to become a citizen, any boy, regardless of his race, nationality, religion, or place of origin who has reached the fifth grade can qualify if he is homeless, abandoned, neglected, or underprivileged.

The city is Boys Town, Nebr., and the founder was the late Right Reverend Monsignor Edward J. Flanagan. He is better know throughout the world as Father Flanagan of Boys Town.

In December of 1917 with a borrowed $90 and overriding belief that "there is no such thing as a bad boy," he began a journey which was to culminate with his death in Berlin, Germany, in 1948 while serving his country studying child welfare problems in Europe at the request of General MacArthur and the U.S. War Department.

From its humble beginnings, Boys Town has become a city of "little men" which has reclaimed over 9,000 youngsters and turned them into useful and upright citizens. Relying wholly on charity and with no Federal, State, city, or church aid it has grown and flourished. It now comprises 1,500 acres of land, of which 900 are under cultivation, with more than 50 buildings.

The joint resolution and bill which I introduce to honor and commemorate this man seek two things. The joint resolution will authorize Father Flanagan's Boys Home of Boys Town, Nebr., to erect a memorial on public grounds in the District of Columbia or its environs. All that is asked of the Federal Government is to provide an appropriate site. Boys Town would then bear all the expense incurred in both designing and erecting a suitable mounment.

The bill provides for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Boys Town.

While a living memorial to this good and humble man is to be found in the hearts of the thousands of young men who have become full members of society through the vision of Father Flanagan, I feel it is appropriate that our Nation's Capital should be the site of a monument for this man who refused to give up on any child merely because someone said he was a bad boy.

For this reason I hope that this legislation will be acted on promptly and favorably.

Mr. President, I ask unanimous consent that the joint resolution and bill be printed at this point in the Record.

The PRESIDENT pro tempore. The bill and joint resolution will be received and appropriately referred; and, without objection, the bill and joint resolution will be printed in the Record.

The bill (S. 2558) to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebr., introduced by Mr. Curtis (for himself and Mr. Hruska), was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp in commemoration of the fiftieth anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebraska. The stamp shall be of such design, submitted on behalf of Father Flanagan's Boys' Home, as the Postmaster General shall approve. The stamp shall be of such denomination as the Postmaster General shall determine, shall be first placed on sale at Boys Town, Nebraska, on November 6, 1967, and shall be sold thereafter for such period as the Postmaster General shall determine.

The joint resolution (S.J. Res. 112) authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs, introduced by Mr. Curtis (for himself and Mr. Hruska), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Father Flanagan's Boys' Home of Boys Town, Nebraska, is authorized to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of Father Edward J. Flanagan, founder of the world famous home for underprivileged and homeless boys.

Sec. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this joint resolution. If the site selected is on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission, and the United States and the District of Columbia shall be put to no expense in the erection thereof.

Sec. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

Sec. 4. The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

CHANGE OF REFERENCE

Mr. MANSFIELD. Mr. President, at a recent meeting of the Committee on the Judiciary, S. 2104, a bill for the relief of Harriet C. Chambers, was considered. Following its consideration the committee determined that inasmuch as this bill concerns the conveyance of all right, title, and interest of the United States in and to a tract of certain land, it was a matter more properly within the jurisdiction of the Committee on Interior and Insular Affairs.

Accordingly, on behalf of the Committee on the Judiciary, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2104, and that it be referred to the proper committee.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The bill (S. 2104) was referred to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSORS OF BILLS

Mrs. NEUBERGER. Mr. President, I ask unanimous consent that at the next printing of the bills I introduced, September 8, S. 2507 and S. 2508, directing the Secretary of the Interior to institute the study, research, and development of underground transmission lines, that the name of the junior Senator from Wisconsin [Mr. Nelson] be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 2532) to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes, the name of the Senator from Montana [Mr. Metcalf] be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 2495) to amend titles 10 and 37 of the United States Code, the name of the senior Senator from New York [Mr. Javits] be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Donald M. Statton, of Iowa, to be U.S. attorney, southern district of Iowa, term of 4 years, vice Donald A. Wine, resigned.

Theodore L. Richling, of Nebraska, to be U.S. attorney, district of Nebraska, term of 4 years—reappointment.

Emmett E. Shelby, of Florida, to be U.S. marshal, northern district of Florida, term of 4 years—reappointment.

Donald F. Miller, of Washington, to be U.S. marshal, western district of Washington, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, September 29, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 22, 1965, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 4. An act to amend the Federal Water Pollution Control Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, and for other purposes;

S. 450. An act for the relief of William John Campbell McCaughey;

S. 664. An act to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes;

S. 906. An act to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes;

S. 1111. An act for the relief of Pola Bodenstein;

S. 1190. An act to provide that certain limitations shall not apply to certain lands patented to the State of Alaska for the use and benefit of the University of Alaska;

S. 1588. An act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource;

S. 1764. An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission;

S. 1988. An act to provide for the conveyance of certain real property of the United States to the State of Maryland; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

AMERICAN FOREIGN POLICY IN THE DOMINICAN REPUBLIC

Mr. AIKEN. Mr. President, since the chairman of the Foreign Relations Committee [Mr. FULBRIGHT] made a speech on the floor of the Senate last week relative to our operations in the Dominican Republic, many words have been spoken in reference to that speech in the Chamber. However, as might have been expected, the reception given the speech outside the halls of Congress was somewhat warmer than the reception given it by certain Senators.

I ask unanimous consent to have printed in the RECORD at this point an editorial which appeared in the Bennington Banner, of Bennington, Vt., on September 20, entitled "Senator FULBRIGHT'S Unpleasant Truths."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR FULBRIGHT'S UNPLEASANT TRUTHS

It will be surprising if Senator FULBRIGHT'S blockbusting statement of last week on U.S. policy in the Dominican Republic doesn't produce a profound chill in his relations with the White House.

Senator FULBRIGHT, to be sure, was careful to blame what he considers gross mishandling of the Dominican crisis on the President's advisers. Yet it is hardly flattering to President Johnson to say that he was pushed by his subordinates into an unjustified military adventure, and into misrepresenting the facts to the American people.

The burden of the Senate foreign policy chairman's argument is that the marines were sent into Santo Domingo last April not, as the President claimed, to save American lives but to prevent "a return to power of Juan Bosch or of a government controlled by Bosch's party, the Dominican Revolutionary Party."

He contends further that estimates of Communist influence in the revolutionary movement were grossly exaggerated and that evidence doesn't verify the administration's assertion that the revolution was in danger of being taken over by Communist elements when we intervened.

Senator FULBRIGHT also raised other important questions that our Latin American policymakers would do well to ponder before they advise the President to intervene in another revolution. Most important, Senator FULBRIGHT asks whether the administration's reaction to the Dominican crisis is part of a broader shift in its attitudes toward Latin American countries.

He makes it clear that social revolution is inevitable in Latin America, and that the United States can use its power to influence the choice the Latin Americans make. This choice, more often than not, will be between corrupt military dictatorships and social revolutionary parties.

"Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning," the Senator declared, "the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere."

The United States must decide, he suggested, "whether, by supporting reform, we bolster the popular non-Communist left, or whether, by supporting unpopular oligarchies we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro."

Predictably, the words had hardly left Senator FULBRIGHT'S mouth before he was accused of being soft on communism, but these charges in no way detract from the importance of the issues he has raised. Intervention in the affairs of another nation, as the United States often loudly proclaims, is an extreme and not easily justified course of action. The lessons learned in the Dominican Republic should make us think twice before trying it again.

Under normal circumstances, one might perhaps question the propriety of such a frontal attack by the Democratic chairman of the Foreign Relations Committee on the policies of a Democratic president. But the circumstances in this case are not normal, first, because the Republican leadership in Congress is too illiberal to make the point that FULBRIGHT has made, and second, because the issue raised by our Dominican adventure is far too important to be stifled by a senseless consensus.

It can be argued, perhaps, that the Senator does not make sufficient allowances for the political dilemma which the Johnson administration faced in the Dominican crisis. Obviously the President and his advisers were strongly motivated by a morbid fear of what would happen to the Democrats' political fortunes if they permitted the establishment of "another Cuba." No doubt they reasoned that even in a 1-in-20 chance of a Communist takeover was a risk to be avoided at any cost.

But this is a pretty poor excuse for a decision that alined us with the enemies of reform, violated our solemn treaty obligations, and rendered our Latin American aims deeply suspect among liberals everywhere. FULBRIGHT is right when he says the Johnson administration should have had the sense and the courage to take the minimal risk entailed in casting our lot with the forces of social justice.

Mr. AIKEN. The Bennington Banner, it may be recalled, won first prize last spring for being the best made-up and best established newspaper in the United States, regardless of circulation. I believe the editorial, whether one agrees with all it contains or not, is a fine example of how this small Vermont newspaper happened to win over all the other publications in the United States, both large and small.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. AIKEN. I yield to the Senator from Pennsylvania.

Mr. CLARK. Is the Senator putting in the RECORD an editorial about the Dominican situation from a Bennington, Vt., newspaper?

Mr. AIKEN. That is correct. It is a well written editorial, and it relates to the speech which was made by the Senator from Arkansas, the chairman of the Senate Foreign Relations Committee [Mr. FULBRIGHT], last week.

Mr. CLARK. I have found myself in complete agreement with the editorial, which I thought was very constructive. I wonder if the Senator from Vermont is also in accord.

Mr. AIKEN. I made a few remarks the other day to the effect that while I thought the President was justified in taking some action that night—I think he would probably have been negligent had he not taken some action—I agreed with the Senator from Arkansas that there were a good many unnecessary mistakes made before a temporary government was finally established, primarily by backing the wrong——

Mr. CLARK. Horse?

Mr. AIKEN. The wrong personality to start with, and certain other mistakes which I do not intend to itemize.

Mr. CLARK. I thank my friend from Vermont.

PEACEMAKING IN ASIA

Mr. CHURCH. Mr. President, the immediate reaction of the United States to the war between Pakistan and India, and to the Chinese border demands upon India, has been one of admirable restraint. President Johnson and his foreign policy advisers are to be commended for the finesse and sophistication they have shown in dealing with this grave crisis in the Asian subcontinent.

In this morning's edition of the Washington Post, Mr. Joseph Kraft contributes a brilliant article, entitled "Peacemaking in Asia," in which he gives the Johnson administration the credit due it for the initial steps taken thus far in dealing with the delicate diplomatic problems posed by this unfortunate war.

I ask unanimous consent that the Kraft column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACEMAKING IN ASIA

(By Joseph Kraft)

Victory a la Hitler and Napoleon, victory that means seized capitals and subdued countries, is not in the cards in the Indian subcontinent. Given the terrain, the size of the forces, and the state of the local art, the worst likely military trouble is intensified fighting ending in the kind of nonend that has characterized almost all frontier struggles in the postwar era.

But there is a serious diplomatic danger that could materialize within a month. It would be possible for Russia to emerge from the present troubles as the dominant diplomatic power in India. China could emerge as the dominant diplomatic power in Pakistan. It is against that awful outcome that American diplomacy must be mobilized.

So far it can be said that the administration has met the test with remarkable sophistication. It has shown a clear appreciation of what has been going on. It has scrupulously avoided panicky reactions and unilateral moves that could only make matters worse. It has even avoided that fatal combination that has been the hallmark of American diplomacy through the decades—the combination of force and unctuous rectitude.

On one side, the Indian side, of the quarrel, this country has for once resisted the temptation to indulge in an orgy of China-baiting. Unlike the Pakistanis, Indians, and Russians who have all been doing the kind of things that make the Chinese look 10 feet tall, the United States has been patient and moderate.

The strongest official statement about Chinese intervention made by the United States was a remark made last week by the Secretary of State after giving testimony to the Congress. Because it produced banner headlines of an American warning to Peiping, the statement is worth reproducing in full.

Mr. Rusk was asked about charges that Communist China has been "egging on" the fight on the subcontinent. In a reply of studied mildness, he said: "I think there are those who feel that China is trying to fish in troubled waters here. Our own advice to Peiping would be not to do that and to stay out of it and give the Security Council of the United Nations a chance to settle this matter."

On the other side of the quarrel, the Pakistani side, this country has resisted the itch to make moral judgments about the Kashmir issue. Instead of trying, as the Pakistanis put it, to solve the problem rather than the symptoms, Washington has kept its righteousness under firm control. The closest this country has come to a pronouncement on Kashmir was again the comment made by the Secretary of State after testimony on the Hill last week.

His words were remarkable for measured care. And once again, because they were widely misinterpreted, they are worth citing.

Mr. Rusk was asked about a plebiscite that would achieve self-determination on Kashmir. He said: "We have expressed our views on that subject over the years. That is part of a general problem of solution of outstanding issues between India and Pakistan. We believe that these matters should be taken up and resolved by peaceful means. We do not believe they should be resolved by force."

With this country keeping its tone measured, the Russians and Chinese, far from scoring great gains as the beaky hawks would assert, have overreached themselves. The Chinese, fearful that a settlement of sorts might be in the works, issued their ultimatums in the evident hope of preventing Pakistan from coming to terms. Lacking the capacity for truly serious action on the ground, they have been obliged to extend the ultimatum. It is now not easy to see how they will emerge without a simultaneous loss of prestige, and a new confirmation of their role as chief international troublemaker.

For their part, the Russians, after issuing the kind of warnings bound to incite Peiping, have pulled the grandstand play of calling for a meeting of Indian and Pakistani representatives in Moscow. If it comes off at all, which is extremely doubtful, it is hard to see how a Moscow meeting can yield concrete results. Far from making the most of an opportunity, the Russians seem merely to be underlining their own limitations. They may end up with egg all over their face.

The lesson here is not simply Milton's homily that "they also serve who only stand and wait"; that, after all, was an ode to blindness. The true lesson, the lesson for those who would see in the dark, is that in this country's contacts with the Chinese Communists, the bellicose reaction is almost always the wrong reaction. The right policy is to turn to account against the Chinese the miasmic political swamps that fringe the Asian heartland. And nowhere is that more true than in that other Asian trouble spot that we all know in our bones is dimly related to the crisis in the subcontinent—Vietnam.

SPECIAL INDEMNITY INSURANCE FOR MEMBERS OF THE ARMED FORCES SERVING IN COMBAT ZONES

The **PRESIDENT** pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2127) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes, which was to strike out all after the enacting clause and insert:

That (a) chapter 19 of title 38, United States Code, is amended by redesignating "Subchapter III—General" thereof as "Subchapter IV—General" and by inserting immediately after subchapter II thereof the following new subchapter III:

"SUBCHAPTER III—SERVICEMEN'S GROUP LIFE INSURANCE

"§ 765. Definitions

"For the purpose of this subchapter—

"(1) The term 'active duty' means full-time duty as a commissioned or warrant officer, or as an enlisted member of a uniformed service under a call or order to duty that does not specify a period of thirty days or less.

"(2) The term 'member' means a person on active duty in the uniformed services in a commissioned, warrant, or enlisted rank or grade.

"(3) The term 'uniformed services' means the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, and Environmental Science Services Administration.

"§ 766. Eligible insurance companies

"(a) The Administrator is authorized, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), to purchase from one or more life insurance companies a policy or policies of group life insurance to provide the benefits specified in this subchapter. Each such life insurance company must (1) be licensed to issue life insurance in each of the fifty States of the United States and in the District of Columbia, and (2) as of the most recent December 31 for which information is available to the Administrator, have in effect at least 1 per centum of the total amount of group life insurance which all life insurance companies have in effect in the United States.

"(b) The life insurance company or companies issuing such policy or policies shall establish an administrative office at a place and under a name designated by the Administrator.

"(c) The Administrator shall arrange with the life insurance company or companies issuing any policy or policies under this subchapter to reinsure, under conditions approved by him, portions of the total amount of insurance under such policy or policies with such other life insurance companies (which meet qualifying criteria set forth by the Administrator) as may elect to participate in such reinsurance.

"(d) The Administrator may at any time discontinue any policy or policies which he has purchased from any insurance company under this subchapter.

"§ 767. Persons insured; amount

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure any member of the uniformed services on active duty against death in the amount of $10,000 from the first day of such duty, or from the date certified by the Administrator to the Secretary concerned as the date Servicemen's Group Life Insurance under this subchapter takes effect, whichever date is the later date, unless such member elects in writing (1) not to be insured under this subchapter, or (2) to be insured in the amount of $5,000.

"(b) If any member elects not to be insured under this subchapter or to be insured in the amount of $5,000, he may thereafter be insured under this subchapter or insured in the amount of $10,000 under this subchapter, as the case may be, upon written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator.

"§ 768. Termination of coverage; conversion

"Each policy purchased under this subchapter shall contain a provision, in terms approved by the Administrator, to the effect that any insurance thereunder on any member of the uniformed services shall cease (except in the case of members absent without leave) one hundred and twenty days after his separation or release from active duty, and that during the period such insurance is in force the insured upon request to the administrative office established under subsection 766(b) of this title shall be furnished a list of life insurance companies participating in the program established under this subchapter and upon written application (within such period) to the participating company selected by the insured and payment of the required premiums be granted insurance without a medical examination on a plan then currently written by such company which does not provide for the payment of any sum less than the face value thereof or for the payment of an additional amount as premiums if the insured engages in the military service of the United States, to replace the Servicemen's Group Life Insurance in effect on the insured's life under this subchapter. In addition to life insurance companies participating in the program established under this subchapter, such list shall include additional life insurance companies (not so participating) which meet qualifying criteria, terms, and conditions established by the Administrator and agree to sell insurance to members and former members in accordance with the provisions of the preceding sentence. In the case of any member who is absent without leave for a period of more than thirty-one days, insurance under this subchapter shall cease as of the date such absence commenced. Any such member so absent without leave, upon return to duty, may again be insured under this subchapter, but only if he complies with the requirements set forth in section 767(b) of this section.

"§769. Deductions; payment; investment; expenses

"(a) During any period in which a member is insured under a policy of insurance purchased by the Administrator under section 766 of this title, there shall be deducted each month from his basic or other pay until separation or release from active duty an amount determined by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under such policy, less any cost traceable to the extra hazard of active duty in the uniformed service. Any amount not deducted from the basic or other pay of a member insured under this subchapter while on active duty, if not otherwise paid, shall be deducted from the proceeds of any insurance thereafter payable. The initial monthly amount determined by the Administrator to be charged under this subsection for insurance under this subchapter may be continued from year to year, except that the Administrator may redetermine such monthly amount from time to time in accordance with experience. No refunds will be made to any member of any such amount properly deducted from his basic or other pay to cover the insurance granted under this subchapter.

"(b) For each month for which any member is so insured, there shall be contributed from the appropriation made for his pay an amount determined by the Administrator and certified to the Secretary concerned to be the cost of such insurance which is traceable to the extra hazard of active duty in the uniformed services. Such cost shall be determined by the Administrator on the basis of the excess mortality suffered by members and former members of the uniformed services insured under this subchapter above that incurred by the male civilian population of the United States of the same age as the median age of members of the uniformed services (disregarding a fraction of a year) as shown by the records of the uniformed services, the primary insurer or insurers, and the Department of Health, Education, and Welfare, together with the most current estimates of such mortality. The Administrator is authorized to make such adjustments regarding such contributions from pay appropriations as may be indicated from actual experience.

"(c) An amount equal to the first amount due on any such insurance may be advanced from current appropriations for active-service pay to any such member, which amount shall constitute a lien upon any service or other pay accruing to the person from whom such advance was made and shall be collected therefrom if not otherwise paid. No disbursing or certifying officer shall be responsible for any loss incurred by reason of such advance.

"(d) (1) The sums withheld from the basic or other pay of members under subsection (a) of this section, and the sums contributed from appropriations under subsection (b) of this section, together with the income derived from any dividends or premium rate adjustments received from insurers shall be deposited to the credit of a revolving fund established in the Treasury of the United States. All premium payments and extra hazard costs on any insurance policy or policies purchased under section 766 of this title and the administrative cost to the Veterans' Administration of insurance issued under this subchapter shall be paid from the revolving fund.

"(2) The Administrator is authorized to set aside out of the revolving fund such amounts as may be required to meet the administrative costs to the Veterans' Administration of insurance issued under this subchapter and all current premium payments and extra hazard costs on any insurance policy or policies purchased under section 766 of this title. The Secretary of the Treasury is authorized to invest in and to sell and retire special interest-bearing obligations of the United States for the account of the revolving fund. Such obligations issued for this purpose shall have maturities fixed with due regard for the needs of the fund and shall bear interest at a rate equal to the average market yield (computed by the Secretary of the Treasury on the basis of market quotations as of the end of the calendar month next preceding the date of issue) on all marketable interest-bearing obligations of the United States then forming a part of the public debt which are not due or callable until after the expiration of four years from the end of such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligation shall be the multiple of one-eighth of 1 per centum nearest such market yield.

"(3) Notwithstanding the provisions of section 782 of this title, the Administrator shall, from time to time, determine the administrative costs to the Veterans Administration which in his judgment are properly allocable to insurance issued under this subchapter and shall transfer such cost from the revolving fund to the appropriation 'General operating expenses, Veterans' Administration'.

"§ 770. Beneficiaries; payment of insurance

"(a) Any amount of insurance under this subchapter in force on any member or former member on the date of his death shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date of his death, in the following order of precedence:

"First, to the beneficiary or beneficiaries as the member or former member may have designated by a writing received in the uniformed services prior to such death;

"Second, if there be no such beneficiary, to the widow or widower of such member or former member;

"Third, if none of the above, to the child or children of such member or former member and descendants of deceased children by representation;

"Fourth, if none of the above, to the parents of such member or former member or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such member or former member;

"Sixth, if none of the above, to other next of kin of such member or former member entitled under the laws of domicile of such member or former member at the time of his death.

"(b) If any person otherwise entitled to payment under this section does not make claim therefor within one year after the death of the member or former member, or if payment to such person within that period is prohibited by Federal statute or regulation, payment may be made in the order of precedence as if such person had predeceased the member or former member, and any such payment shall be a bar to recovery by any other person.

"(c) If, within two years after the death of the member or former member, no claim for payment has been filed by any person entitled under the order of procedure set forth in this section, and neither the Administrator nor the administrative office established by the insurance company or companies pursuant to section 766(b) of this title has received any notice that any such claim will be made, payment may be made to a claimant as may in the judgment of the Administrator be equitably entitled thereto, and such payment shall be a bar to recovery by any other person. If, within four years after the death of the member or former member, payment has not been made pursuant to this section and no claim for payment by any person entitled under this section is pending, the amount payable shall escheat to the credit of the revolving fund referred to in section 769(d).

"(d) The member may elect settlement of insurance under this subchapter either in a lump sum or in thirty-six equal monthly installments. If no such election is made by the member the beneficiary or beneficiaries may elect settlement either in a lump sum or in thirty-six equal monthly installments. If the member has elected settlement in a lump sum, the beneficiary or beneficiaries may elect settlement in thirty-six equal monthly installments.

"§ 771. Basic tables of premiums; readjustment of rates

"(a) Each policy or policies purchased under section 766 of this title shall include for the first policy year a schedule of basic premium rates by age which the Administrator shall have determined on a basis consistent with the lowest schedule of basic premium rates generally charged for new group life insurance policies issued to large employers, this schedule of basic premium rates by age to be applied, except as otherwise provided in this section, to the distribution by age of the amount of group life insurance under the policy at its date of issue to determine an average basic premium per $1,000 of insurance. Each policy so purchased shall also include provisions whereby the basic rates of premium determined for the first policy year shall be continued for subsequent policy years, except that they may be readjusted for any subsequent year, based on the experience under the policy, such readjustment to be made by the insurance company or companies issuing the policy on a basis determined by the Administrator in advance of such year to be consistent with the general practice of life insurance companies under policies of group life insurance issued to large employers.

"(b) The total premiums for the policy or policies shall be the sum of the amounts computed according to the provisions of subsection (a) above and the estimated costs traceable to the extra hazard of active duty in the uniformed services as determined by the Administrator, subject to the provision that such estimated costs traceable to the extra hazard shall be retroactively readjusted annually in accordance with section 769(b).

"(c) Each policy so purchased shall include a provision that, in the event the Administrator determines that ascertaining the actual age distribution of the amounts of group life insurance in force at the date of issue of the policy or at the end of the first or any subsequent year of insurance thereunder would not be possible except at a disproportionately high expense, the Administrator may approve the determination of a tentative average group life premium, for the first or any subsequent policy year, in lieu of using the actual age distribution. Such tentative average premium rate shall be redetermined by the Administrator during any policy year upon request by the insurance company or companies issuing the policy, if experience indicates that the assumptions made in determining the tentative average premium rate for that policy year were incorrect.

"(d) Each policy so purchased shall contain a provision stipulating the maximum expense and risk charges for the first policy year, which charges shall have been determined by the Administrator on a basis consistent with the general level of such charges made by life insurance companies under policies of group life insurance issued to large employers. Such maximum charges shall be continued from year to year, except that the Administrator may redetermine such maximum charges for any year either by agreement with the insurance company or companies issuing the policy or upon written notice given by the Administrator to such companies at least one year in advance of the beginning of the year for which such redetermined maximum charges will be effective.

"(e) Each such policy shall provide for an accounting to the Administrator not later than ninety days after the end of each policy year, which shall set forth, in a form approved by the Administrator, (1) the amounts of premiums actually accrued under the policy from its date of issue to the end of such policy year, (2) the total of all mortality and other claim charges incurred for that period, and (3) the amounts of the insurers' expense and risk charge for that period. Any excess of the total of item (1) over the sum of items (2) and (3) shall be held by the insurance company or companies issuing the policy as a special contingency reserve to be used by such insurance company or companies for charges under such policy only, such reserve to bear interest at a rate to be determined in advance of each policy year by the insurance company or companies issuing the policy, which rate shall be approved by the Administrator as being consistent with the rates generally used by such company or companies for similar funds held under other group life insurance policies. If and when the Administrator determines that such special contingency reserve has attained an amount estimated by the Administrator to make satisfactory provision for adverse fluctuations in future charges under the policy, any further excess shall be deposited to the credit of the revolving fund established under section 766 of this title. If and when such policy is discontinued, and if after all charges have been made, there is any positive balance remaining in such special contingency reserve, such balance shall be deposited to the credit of the revolving fund, subject to the right of the insurance company or companies issuing the policy to make such deposit in equal monthly installments over a period of not more than two years.

"§ 772. Benefit certificates

"The Administrator shall arrange to have each member insured under a policy purchased under section 766 of this title receive a certificate setting forth the benefits to which the member is entitled thereunder, to whom such benefit shall be payable, to whom claims should be submitted, and summarizing the provisions of the policy principally affecting the member. Such certificate shall be in lieu of the certificate which the insurance company or companies would otherwise be required to issue.

"§ 773. Forfeiture

"Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to Servicemen's Group Life Insurance under this subchapter. No such insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

"§ 774. Advisory Council on Servicemen's Group Life Insurance

"There is hereby established an Advisory Council on Servicemen's Group Life Insurance consisting of the Secretary of the Treasury as Chairman, the Secretary of Defense, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, and the Director of the Bureau of the Budget, each of whom shall serve without additional compensation. The Council shall meet once a year, or oftener at the call of the Administrator, and shall review the operations under this subchapter and advise the Administrator on matters of policy relating to his activities thereunder.

"§ 775. Jurisdiction of District Courts

"The district courts of the United States shall have original jurisdiction of any civil action or claim against the United States founded upon this subchapter.

"§ 776. Effective date

"The insurance provided for in this subchapter and the deductions and contributions for that purpose shall take effect on the date designated by the Administrator and certified by him to each Secretary concerned."

(b) Section 211(a) of title 38, United States Code, is amended by inserting "775," immediately before "784".

Sec. 2. The analysis of chapter 19 of title 38, United States Code, is amended (1) by redesignating "Subchapter III—General" as "Subchapter IV—General" and (2) by inserting after

"760. Waiver of premium payment on due date."

the following:

"SUBCHAPTER III—SERVICEMEN'S GROUP LIFE INSURANCE

"Sec.
"765. Definitions.
"766. Eligible insurance companies.
"767. Persons insured; amount.
"768. Termination of coverage; conversion.
"769. Deductions; payment; investment; expenses.
"770. Beneficiaries; payment of insurance.
"771. Basic tables of premiums; readjustment of rates.
"772. Benefit certificates.
"773. Forfeiture.
"774. Advisory Council on Servicemen's Group Life Insuranec.
"775. Jurisdiction of District Courts.
"776. Effective date."

Sec. 3. (a) In the case of each veteran who died or dies—

(1) as a direct result of actions of hostile forces;

(2) as a direct result of an accident involving a military or naval aircraft or an aircraft under charter to the Department of Defense, Army, Navy, or Air Force;

(3) as a direct result of an explosion of an instrumentality of war; or

(4) while performing service for which incentive pay for hazardous duty or special pay is authorized by section 301, 304, or 310 of title 37, United States Code;

while in the active military, naval, or air service during the period from January 1, 1957, to the date immediately preceding the date on which the Servicemen's Group Life Insurance program is placed in effect pursuant to section 776 of title 38, United States Code, both dates inclusive, the Administrator of Veterans' Affairs shall pay a death gratuity to the widow or widower, child or children, or parent or parents of such veteran, as provided in subsection (b), in an amount not exceeding $5,000, determined as provided in subsection (c), but only if (A) application is made for such death gratuity within one year after the date of enactment of this Act and (B) the person or persons receiving a death gratuity under this section waive all future rights to death compensation and dependency and indemnity compensation, under title 38, United States Code, on account of the death of such veteran.

(b) The death gratuity authorized by this section shall be paid to the following classes of persons and in the order named—

(1) to the widow or widower of the veteran, if living;

(2) if no widow or widower, to the child or children of the veteran, if living, in equal shares;

(3) if no widow, widower, or child, to the parent or parents of the veteran who last bore that relationship, if living, in equal shares.

(c)(1) The death gratuity authorized by this section shall be $5,000 reduced by the aggregate amount of (A) United States Government Life Insurance and National Service Life Insurance paid or payable on account of the death of such veteran and (B) any death compensation or dependency and indemnity compensation received on account of the death of such veteran by the person or persons who receive such death gratuity.

(2) In any case where two or more persons are eligible for a death gratuity under this section on account of the death of the same veteran but one or more of such persons do not waive future death compensation or dependency and indemnity compensation payable under title 38, the Administrator shall pay his or their share of such death gratuity to the person or persons waiving such compensation. However, the death compensation or dependency and indemnity compensation payable to any other person shall not be increased solely as the result of an election and waiver under this section.

(3) The right of any person to payment of a death gratuity under this section shall be conditioned upon his being alive to receive such payment. No person shall have a vested right to any such payment and any payment not made during the person's lifetime shall be paid to the person or persons within the permitted class next entitled to priority, as provided in subsection (b).

(d) Any terms used in this section which are defined in section 101 or 102(b) of title 38, United States Code, shall, for the purposes of this section, have the meanings given to them by such section 101 or 102(b), except that (1) the term "veteran", as used in this section, includes a person who dies while in the active military, naval, or air service and (2) the term "child" shall not be limited with respect to age or marital status.

(e) Appropriations made to the Veterans' Administration for "Compensation and Pensions" shall be available for the payment of death gratuities under this section.

Mr. TALMADGE. Mr. President, I offer an amendment to the House amendment and ask that it be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The Legislative Clerk. On page 17, line 26, of the attached bill, S. 2127, as passed by the House, strike out "as a direct result of an explosion of an instrumentality of war; or" and substitute in lieu thereof "as a direct result of the extra hazard of military or naval service, as such hazard may be determined by the Administrator; or".

Mr. TALMADGE. Mr. President, this amendment has been discussed with the distinguished chairman of the House Veterans Affairs Committee [Mr. Teague], and also with the distinguished chairman of that committee's Subcommittee on Insurance. It was considered by them and me as being a necessary provision, which broadens the scope of the House amendment.

The original bill, S. 2127, was offered by the distinguished junior Senator from Florida [Mr. Smathers], the distinguished senior Senator from Delaware [Mr. Williams], and myself.

Hearings were held before the Senate Committee on Finance. The bill was reported unanimously to the Senate by the Committee on Finance, and passed unanimously by the Senate. The bill was sent to the other body. The House decided to broaden the scope of the bill, and the House language has greatly improved the Senate bill.

I therefore ask that the Senate adopt my amendment and concur in the House amendment as thus amended.

Mr. SMATHERS. Mr. President, on June 11 of this year, my very able and distinguished colleague from the State of Georgia [Mr. Talmadge] introduced S. 2127, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones. I was indeed happy to cosponsor this legislation with him. It was also cosponsored by the very able and distinguished Senator from Delaware [Mr. Williams].

On August 19 the Senate unanimously passed this measure, and it was referred to the Committee on Veterans' Affairs in the House of Representatives.

After the Committee on Veterans' Affairs made improvements in the legislation sponsored by Senator Talmadge, Senator Williams and myself, the House unanimously passed this legislation.

As it is true in the legislative process of the Congress each body makes improvements in legislation before it is finally enacted.

I would like to compliment the chairman of the Committee on Veterans' Affairs of the House [Mr. Teague] and the members of his committee, for doing a remarkable job in further improving this legislation so that today we have before us a bill to provide needed protection for those serving in our Armed Forces.

In discussing the improvements and changes made by the House of Representatives with Senator TALMADGE and Senator WILLIAMS, I urge my colleagues to accept the House amendments and send the measure forthwith to the President hopefully for his approval.

The bill as presently before us provides a group life insurance plan for all members of the uniformed services on active duty on and after the effective date designated by the Administrator of Veterans' Affairs.

Coverage is automatic with the serviceman being required to take affirmative action to remove himself from the program.

The coverage provided is $10,000 or $5,000. Premium rates for the servicemen are expected to be $2 a month for the $10,000 policy and $1 per month for the $5,000 policy. These premiums would be deducted from the pay of the servicemen by the Department of Defense and remitted to the Veterans' Administration.

All costs traceable to extra hazards of servicemen will be borne by the Government, otherwise the program would be self-sustaining with the deductions that I have previously referred to.

Under the provisions of the measure, if an individual has a service-connected disability, he would be eligible for a commercial policy without medical examination, and in addition would be eligible for a $10,000 disabled veterans' insurance policy administered by the Veterans' Administration. In the latter case he must apply for the policy within 1 year of the date of the establishment of the service-connected disability.

Another important improvement made in the bill as passed by the Senate provides for the period January 1, 1967, and continuing until the effective date of the group insurance plan a maximum death gratuity of $5,000 to a widow, child or children and the parents of individuals who served during this period in one of the branches of the Armed Services and who lost their lives under certain hazardous conditions as a result of such service.

This gratuity would be reduced by the amount of any dependency and indemnity compensation, National Service Life Insurance, or U.S. Government life insurance payable in the particular case.

I feel that this much-needed legislation warrants the prompt and final action by the Congress to provide for those in the Armed Forces who are making great sacrifices in defending this country's freedom as well as that of the free world.

Knowing that we care at home about the future welfare of our Armed Forces personnel and their dependents certainly would do much toward bolstering their spirits at times when many of us have a tendency to forget and take for granted the freedoms which we enjoy today as a result of the services they are rendering to our country.

I cannot urge too strongly that the Senate accept the House amendments and send the bill forthwith to the President for signature.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. TALMADGE].

The amendment to the House amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on concurring in the House amendment as amended.

The amendment of the House, as amended, was agreed to.

CEASE-FIRE IN THE INDO-PAKISTAN DISPUTE

Mr. MANSFIELD. Mr. President, the cease-fire which appears to have been achieved in the Indo-Pakistan dispute is an event of great magnitude for the orderly and peaceful management of international conflicts. It brings renewed hope in the efficacy of the United Nations Security Council as a major instrument for the maintenance of peace. To be sure, the basic problem of Kashmir remains to be resolved. To be sure, the cease-fire may not hold indefinitely. But neither factor detracts from the achievement. The cease-fire reflects, may I say, great credit both on India and Pakistan and on the policies of every government represented on the United Nations Security Council. It is the best possible response not only to the immediate fighting between India and Pakistan but to those who would fish in troubled waters.

On the part of the United States, I want to say, further, that President Johnson has guided our limited but significant part in this matter with policies of exceptional wisdom and great good sense.

In their cautious and restrained approach to this problem, the President, the Secretary of State, and our outstanding Ambassador at the United Nations, Mr. Arthur Goldberg, have made a highly significant contribution to the restoration of order in the Indo-Pakistan subcontinent, to the forestalling of the rapid spread of chaos in Asia and to the general strengthening of the prospect for international action for peace through the United Nations Security Council.

Mr. JAVITS. Mr. President, I join with the Senator in expressing gratification over what has happened. It is especially significant because it again establishes the importance of the role of the United Nations, which seemed for the moment to have fallen into a state of desuetude because of its financial troubles.

We are all indebted to President Johnson and to United Nations Ambassador Arthur Goldberg for the part they played in avoidance of what could have led to the terrible conflagration of a war much broader than the conflict between India and Pakistan, and in the revival of the role of the United Nations in a most significant way.

I am grateful to the Senator from Montana for his comments.

Mr. MANSFIELD. I agree completely with the distinguished Senator from New York. Furthermore, I believe that the outcome of the difficulties between India and Pakistan indicates quite strongly the wisdom of the President's approach through the United Nations and, in effect, emphasizes that the idea of unilateral intervention on our part was not the correct procedure but, rather, that it was multilateral intervention, in a sense, through dependence on the Security Council of the United Nations, which, in this instance, I am informed, was unanimous in its outlook.

Mr. JAVITS. I am grateful to the Senator for his remarks.

Mr. GORE. Mr. President, I rise to commend the United Nations, Secretary General U Thant, President Johnson, the Soviet Union, Great Britain, and the many other nations who have participated in bringing about a cessation of the murderous hostilities between India and Pakistan.

This action illustrates the power of concerted effort by men and nations of good will. It also illustrates once again the vitality and urgent necessity for a world organization such as the United Nations. I commend that organization and the principle of collective security.

I applaud the existence of a world organization where debate and consultation among nations can occur—indeed, where debate even between nations engaging in hostilities on the battlefield can occur.

I also applaud the existence of a world organization in which the power of world opinion can be focused. Once again it seems to me that the success of the United Nations and the members thereof, in bringing about a cessation of hostilities, demonstrates the necessity and the urgency for the existence of such an organization.

DEDICATION OF EISENHOWER COLLEGE, SENECA FALLS, N.Y.

Mr. JAVITS. Mr. President, yesterday, an event occurred in the State of New York which I believe deserves the attention of Congress. The first college named after our former President, Dwight D. Eisenhower, was dedicated at Seneca Falls, N.Y., which lies in the center of the State, near beautiful Cayuga Lake, some 30 miles from Syracuse.

The college is headed by Dr. Earl J. McGrath, former Federal Commissioner of Education.

Speaking at the dedication were many distinguished leaders, including, of course, former President Eisenhower, and Governor Rockefeller, of our State.

I had planned to be there but was unable to do so because of the possibility of a vote on the immigration bill, which is of critical importance to my State, and the need for various negotiations in that respect.

Mr. President, the college is most enterprising. It is a voluntary college—an independent college, as it were. It will operate in a completely nonsectarian way. It proposes to pursue an accelerated year-round, trimester plan, giving unusual opportunities to its students. It will emphasize not only the liberal arts but also political science, and as we would expect world affairs.

Mr. President, I join with millions of other Americans in gratification over the fact that such a college has been initiated in the name of President Eisenhower and to wish for it—as I am sure will all Americans—a future of prosperity, success, and eminence in the field of higher education.

In this connection, I ask unanimous consent to have printed in the Record an Associated Press news story of the ground-breaking which appeared in today's Baltimore Sun, and an explanation of the college's purpose as contained in the booklet, "A College of Special Promise."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Baltimore (Md.) Sun, Sept. 22, 1965]

Proud Ike Breaks Ground for Eisenhower College

Seneca Falls, N.Y., September 21.—Former President Dwight D. Eisenhower broke ground today for a college named after him and pronounced it an honor that "will be with me every day of my life."

Speaking at ceremonies on the site of Eisenhower College, the former Chief Executive said "the liberal arts college is the key to the understanding and exercise of real citizenship. I feel we must have more of them."

NO GREATER HONOR

Eisenhower College, scheduled to open in 1967, is to be a 4-year, liberal arts institution.

The one-time President told an estimated 12,000 persons gathered at the 265-acre site east of here, that he could think of no greater honor than having the college named for him.

"This honor that is accorded me will be with me every day of my life," he said.

The 74-year-old former Chief Executive said he disagreed with those who prophesied that small liberal arts colleges are a thing of the past. He said the liberal arts college should "seek its natural habitat in the rural areas. Let the big universities go to the cities."

He said such colleges would develop in the student moral standards and "a feeling of accommodation for understanding his fellow citizens."

President Johnson sent a telegram of congratulations praising officials who named the college in honor of "a man who has spent his lifetime in educational endeavor."

GREETED BY ROCKEFELLERS

Mr. Eisenhower flew here from his Gettysburg, Pa., farm and was greeted by Gov. and Mrs. Nelson A. Rockefeller.

He was introduced by his friend and occasional golfing companion, comedian Bob Hope. The former President laughed heartily in response to several quips by Hope.

"This is a great idea, this college," Hope said, adding:

"Our future Republicans have to come from some place. Where else but in America could a man in command of our armies, leader of our country, and a leader in the field of education, wind up in Seneca Falls shoveling dirt."

Dr. Earl J. McGrath, former U.S. Commissioner of Education, will serve as chancellor of Eisenhower College. The college, which overlooks Cayuga Lake, eventually will provide for an enrollment of about 1,500 students.

Six Special Emphases

First, last, and always, the main objective of Eisenhower College will be high quality education. Lessons from the past will be applied; the mistakes avoided. In six main areas of policy and procedure, the focus will be on new contemporary keys for quality education.

1. World outlook: "The entire corporate life of Eisenhower College will reflect the fact that we live today in an international community in which provincial thought and behavior are as outmoded as Ptolemaic astronomy. The graduates of Eisenhower College will live in a world completely different from that of their grandfathers. Already they can travel to Cairo, Buenos Aires, or Tokyo more quickly than their forebears could travel from Seneca Falls to Albany; and when they arrive, they are confronted with a culture and a way of life arrestingly different from their own. On transoceanic television they see events in distant lands as rapidly as they happen.

"An American who knows little or nothing about the politics, economics, religion, industry, commerce, ambitions, and needs of other peoples has had an education which has failed to prepare him to live intelligently in the world of today and tomorrow."

So writes Dr. Earl McGrath. And he adds:

"Yet a recent report, entitled 'Undergraduate Education in Foreign Affairs,' reveals that few students in the 175 institutions studied understood the facts of international life. The causes of their ignorance and indifferences are doubtless many, but an analysis of college courses disclosed little real effort on the part of institutions to prepare students for the roles they will have to play as members of the international community.

"There were courses in international politics, economics and culture, but these were few and designed for the small percentage of students specializing in some aspect of international affairs. The author concluded that if all students were to gain an interest in, and understanding of, events and peoples in other parts of the world and our relations to them, all departments would have to be involved. Indeed the entire campus life should reflect the institution's concern with the world scene."

Eisenhower College will make international studies part of every student's curriculum. Under a program coordinated by a dean of world studies, there will be insistence on a foundation for all: on extracurricular influences working on all; on a world view which will find practical or philosophic expression in every department of the curriculum.

Many institutions have excellent courses on international relations; or on the history, literature and culture of certain other nations; or excellent programs of study in depth for some special geographic area. As a rule these are optional, or only for the future specializer. Only a limited proportion of most student bodies is touched by these studies. When change and improvement are sought, internal solidification is a hindrance and only limited extensions can be grafted on. But Eisenhower College starts new and unencumbered. Its potential for success is immensely advanced. The means for reaching its goal is built in from the start, not tacked onto something existing and different.

2. Select curriculum: "The achievement of the liberal arts purpose requires far fewer courses than are common today. With few exceptions liberal arts colleges have allowed the several departments to expand beyond any defensible limit. Studies of a number of curriculums in such institutions disclose broad arrays of instructions, sometimes nearly as many courses as students, much of which is so highly specialized and technical that it should be reserved for graduate departments or professional schools. This excessive proliferation usually results in a large percentage of small and expensive classes (sometimes over 40 percent of all courses enroll fewer than 10 students). These extravagances proportionately dissipate the efforts of the faculty, commensurately reduce their salaries, and make the student's education a collection of fragmentary and disjointed intellectual experiences."

Again so writes Dr. McGrath.

Eisenhower College will keep waste out of its curriculum from the start. It can do this successfully because it starts with a basic curriculum and has no vested faculty interests to combat. Eighteen academic departments (instead of the frequent 25 to 30) will offer fewer than 250 courses plus four interdisciplinary courses (instead of the usual 500–600 courses or more), totaling 840 credit hours (compared with the usual 1,500–2,000 hours).

From this select curriculum will come:

Greater concentration on liberal arts essentials;

Better teaching;

Fewer wasteful small classes;

Smaller faculty and higher salaries;

All leading to a better faculty and a spiral of increasing quality.

3. Year-round operation: Year-round operation will be brought about through use of the trimester plan. Each year will comprise three 14-week terms. Normally, therefore, the Eisenhower College student will complete his degree work in eight terms, or 2⅔ years, although exceptions will be made, of course, in cases of illness or other interruption.

This system of year-round operation embodies numerous advantages:

Gross annual income increase of 30 to 40 percent.

Combined with a smaller faculty as a result of reducing the curriculum to proper dimensions, this enables significantly higher salaries.

The college plant does not stand relatively idle for a quarter of the year.

The student's education is speeded. This is a growingly important consideration for the rapidly increasing numbers who are planning an additional 3 or 4 years of postgraduate or professional education. Also more than a year is added to the student's period of earning power.

Many colleges and universities have considered full-time year-round operation, and a few have introduced it in one form or another. Almost inevitably its advantages have not been fully realized since it represents a choice and not the norm, and because the traditional system is too entrenched. At Eisenhower College, three trimesters per year will be the standard.

4. An outstanding teaching faculty: College teachers are in short supply. The best college teachers are far too few. Eisenhower College intends to be one of the places to which they gravitate. (Keen interest has already been expressed by established teachers in leading institutions across the country.) Elements which produce this gravitational pull include an academic environment which is stimulating to the keenest mind; a challenge to teach well, but with opportunity for research, publication, study and travel; a sound, but unbiased, Christian outlook; an academic calendar so constructed as to provide refresher breaks three times each year and a regular 4-month leave every 3 years; a curriculum trimmed of frills and irrelevancies so that concentration may be centered on essentials; salaries competitive from the very beginning with the wealthiest colleges; the stimulus of a new program, a share in the direction of educational policies; and such fringe attractions as residence in an attractive region near metropolitan centers.

5. A broad range of student opportunity: Whatever the background of circumstances and pre-college achievement—it is the promise of the applicant that will determine his admission to Eisenhower College. A common false index of "excellence" has been the limitation of admissions to students in the top 10 percent or even 5 percent of their high school classes. This excludes many talents of significant promise. Under these

standards, many of the most distinguished graduates of our ivy-covered institutions could not gain admission to those same colleges today.

Admission to Eisenhower College will represent not solely a reward for past performance, but also a challenge for the future. Potential motivation will count heavily in the balance of qualifications. Eisenhower College believes that students of promise are distributed widely throughout at least the top 40 percent of high school achievers and not confined to the top 10 percent. Therefore, while maintaining unremittingly high standards, its doors will be open to a much broader range of promise than is usual.

6. An efficient college plant: Education often suffers in quality because of an inadequate, poorly planned, wasteful plant. At Eisenhower College, the plant will be planned from the start, and in its entirety, to serve the highest intellectual uses. Kinds of buildings, size, arrangement and location will all be designed as integral parts of the educational program itself. Administrative, academic and living quarters will be interrelated for maximum use and impact. The plant, like the curriculum, will be designed to serve as a demonstration model. Preliminary architectural studies are proceeding, and it is Eisenhower College's uncompromising aim to bring the leading architectural insights to the service of its high academic goals.

These are the six outstanding features of quality at Eisenhower College: World outlook, select curriculum, year-round operation, an outstanding teaching faculty, a broad range of student opportunity, and an efficient college plant.

Certain of these, alone, might make Eisenhower College a noteworthy undertaking. Added together, they form a truly unique profile, significant for the future of higher education, with a real potential for greatness.

APPOINTMENT OF ELMER HOEHN AS HEAD OF OIL IMPORT PROGRAM: AN INSULT TO AMERICAN CONSUMERS

Mr. PROXMIRE. Mr. President, at 9:30 this morning, Mr. Elmer Hoehn was sworn in as head of the Oil Import Administration.

If the administration tried to find a man who would be least likely to protect the interests of the millions of American consumers of oil, it could not have done worse.

Mr. Hoehn was executive secretary of the Independent Oil Producers & Land Owners Association, Tristate. This organization represents producers in Indiana, Illinois, and Kentucky.

It has played an active role in advocating the cutting of imports proposed by the Independent Petroleum Association of America.

As Oil Import Administrator, Hoehn will have the top responsibility for adjusting imports of petroleum and petroleum products in the United States in accordance with the Presidential proclamation of March 10, 1959. Hoehn will run this operation under the Secretary of the Interior.

The 1959 Presidential proclamation in the interest of national security imposes restrictions on the importation of crude oil, unfinished oil and finished petroleum products.

As Administrator Hoehn will allocate imports of oil among qualified applicants. He will issue import licenses on the basis of such allocations.

Thus, a man who had been hired to represent the oil interests fighting quotas will now sit in the driver's seat to determine how big those quotas will be.

It would be difficult to imagine a more unethical betrayal of the consumers' interests, or a more deliberate insult to the American oil consumer.

Elmer Hoehn is the same man reported by Oil Daily as active in discussions with the Democratic Platform Committee last Fall regarding depletion and oil imports.

Hoehn appears to have proved his effectiveness to the oil industry then.

The 1960 Democratic platform had denounced depletion as a conspicuous loophole that is inequitable. But the 1964 platform—showing the influence of Hoehn—does not mention this most notorious of oil tax loopholes.

UNITED STATES HANDLING OF INDIA-PAKISTAN WAR EXCELLENT TO DATE

Mr. PROXMIRE. Mr. President, there is always a carload of brickbats thrown at the administration when anything goes wrong with our foreign policy. In the kind of world in which we live, with America as the unquestioned leader of the free world and the pre-eminent military force in the world, this Nation—and specifically the President of this Nation—is blamed for almost everything that happens throughout the world. The India-Pakistan war is no exception.

Thoughtful and careful observers now are coming to agree that the way the President and Secretary of State have handled the India-Pakistan war has won very high marks for professional competence.

Of course, we can never be sure what is going to happen tomorrow or an hour from now, but at present it appears that the quiet, steady, but powerful, influence of this Nation may be the big element in winning a peaceful resolution of the tragic India-Pakistan clash.

In the course of this development, the rough and ready willingness of China to exploit the war has been met by the Johnson administration quietly but very effectively indeed. The consequence for our position in Vietnam as well as elsewhere in Asia, and indeed in the world, has been all to the good.

One of the most thoughtful and perceptive appraisals of this American foreign policy success, an analysis by Joseph Kraft, appeared in this morning's Washington Post. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACEMAKING IN ASIA

(By Joseph Kraft)

Victory a la Hitler and Napoleon, victory that means seized capitals and subdued countries, is not in the cards in the Indian subcontinent. Given the terrain, the size of the forces, and the state of the local art, the worst likely military trouble is intensified fighting ending in the kind of non-end that has characterized almost all frontier struggles in the postwar era.

But there is a serious diplomatic danger that could materialize within a month. It would be possible for Russia to emerge from the present troubles as the dominant diplomatic power in India. China could emerge as the dominant diplomatic power in Pakistan. It is against that awful outcome that American diplomacy must be mobilized.

So far it can be said that the administration has met the test with remarkable sophistication. It has shown a clear appreciation of what has been going on. It has scrupulously avoided panicky reactions and unilateral moves that could only make matters worse. It has even avoided that fatal combination that has been the hallmark of American diplomacy through the decades—the combination of force and unctuous rectitude.

On one side, the Indian side, of the quarrel, this country has for once resisted the temptation to indulge in an orgy of China-baiting. Unlike the Pakistanis, Indians and Russians who have all been doing the kind of things that make the Chinese look 10 feet tall, the United States has been patient and moderate.

The strongest official statement about Chinese intervention made by the United States was a remark made last week by the Secretary of State after giving testimony to the Congress. Because it produced banner headlines of an American warning to Peiping, the statement is worth reproducing in full.

Mr. Rusk was asked about charges that Communist China has been "egging on" the fight on the subcontinent. In a reply of studied mildness, he said: "I think there are those who feel that China is trying to fish in troubled waters here. Our own advice to Peiping would be not to do that and to stay out of it and give the Security Council of the United Nations a chance to settle this matter."

On the other side of the quarrel, the Pakistani side, this country has resisted the itch to make moral judgments about the Kashmir issue. Instead of trying, as the Pakistanis put it, to solve the problem rather than the symptoms, Washington has kept its righteousness under firm control. The closest this country has come to a pronouncement on Kashmir was again the comment made by the Secretary of State after testimony on the Hill last week.

His words were remarkable for measured care. And once again, because they were widely misinterpreted, they are worth citing.

Mr. Rusk was asked about a plebiscite that would achieve self-determination on Kashmir. He said: "We have expressed our views on that subject over the years. That is part of a general problem of solution of outstanding issues between India and Pakistan. We believe that these matters should be taken up and resolved by peaceful means. We do not believe they should be resolved by force."

With this country keeping its tone measured, the Russians and Chinese, far from scoring great gains as the beaky hawks would assert, have overreached themselves. The Chinese, fearful that a settlement of sorts might be in the works, issued their ultimatums in the evident hope of preventing Pakistan from coming to terms. Lacking the capacity for truly serious action on the ground, they have been obliged to extend the ultimatum. It is now not easy to see how they will emerge without a simultaneous loss of prestige, and a new confirmation of their role as chief international troublemaker.

For their part, the Russians, after issuing the kind of warnings bound to incite Peiping, have pulled the grandstand play of calling for a meeting of Indian and Pakistani representatives in Moscow. If it comes off at all, which is extremely doubtful, it is hard to see how a Moscow meeting can yield concrete results. Far from making the most of an opportunity, the Russians seem merely to be underlining their own limitations. They may end up with egg all over their face.

The lesson here is not simply Milton's homily that "they also serve who only stand and wait"; that, after all, was an ode to blindness. The true lesson, the lesson for those who would see in the dark, is that in this country's contacts with the Chinese Communists, the bellicose reaction is almost always the wrong reaction. The right policy is to turn to account against the Chinese the miasmic political swamps that fringe the Asian heartland. And nowhere is that more true than in that other Asian trouble spot that we all know in our bones is dimly related to the crisis in the subcontinent—Vietnam.

THE DOMINICAN CRISIS

Mr. YOUNG of Ohio. Mr. President, in recent weeks I have tried to read all testimony available regarding the situation in the Dominican Republic last spring. Having heard the discussion in the Senate in the course of the debate regarding the judgment, or lack of judgment, of our Ambassador to the Dominican Republic, Mr. Bennett, Jr., I have reached my own conclusion that the greater weight of the evidence justifies the conclusion that the recent statement of Chairman J. WILLIAM FULBRIGHT, of the Senate Committee on Foreign Relations, was corroborated and sound.

It is to be noted that following the time Ambassador W. Tapley Bennett, Jr., made his frantic call to the White House pleading for the immediate sending in of American marines to save American lives, his plea was immediately complied with. Instead of a few thousand marines being sent in to maintain order and save the lives of American civilians, allegedly in danger according to Ambassador Bennett, more than 30,000 men of our Armed Forces were sent in. This would seem almost enough to sink that little island.

I said on May 12, and I consider it a sound statement, that the threat of a Communist takeover was misrepresented and exaggerated. A theatrical touch was added with the statement that our Ambassador, Mr. Bennett, was making his plea from beneath his desk while our Embassy was being fired on. Of course our President is not to be blamed for relying upon the statements of his Ambassador.

It is noteworthy that not one American civilian was killed or wounded in the fighting that took place either before or after Ambassador Bennett made the frantic plea for help. Unfortunately there was fighting between the forces of the military junta and those who were referred to as rebels. The first American killed was a marine who was accidently shot by a fellow marine.

It is noteworthy also that practically all dispatches made public by our State Department and by our President following the initial plea of Ambassador Bennett, Jr. referred to U.S. Ambassadors Martin or Bunker. Ambassador Bunker had apparently taken over. Fortunately, the leader of the junta, Wessin y Wessin, has recently been deported from that unhappy island and is now voicing his complaints from the safety of Florida. Disorder and rioting have ceased, civil authority has been restored. This is all to the good. I am hopeful that free elections in the Dominican Republic will be held as promised.

It is an unfortunate fact that we have in our State Department some officials who seem to denounce as Communists Latin American leaders who take action in opposition to the wealthy economic royalists of any Latin American country. I observed this firsthand while with a factfinding study group in South America for some weeks. Personally, I consider that W. Tapley Bennett, Jr. is one who indicated sympathy for and agreement with leaders of the Dominican junta, and considered the democratic elements and supporters of Juan Bosch as infiltrated or controlled by Communists. There was no justification for that conclusion.

Dr. Juan Bosch, during his 7-month administration as elected president of the Dominican Republic, commenced to give that little island and its people their first experience in democratic government instead of tyranny. He was ousted by a military junta aided by one of the assassins of the despot Trujillo. In Brazil, Venezuela, Chile and other Latin American countries there are those leaders who are seeking to release the people from the stranglehold of absentee landlordism and to break up huge estates and distribute a part of their huge landholdings to the impoverished, underprivileged laborers and peasants and free them from misery and squalor. Even though such expropriation proceedings are proposed by legal action, it appears that some of our Ambassadors to Latin American countries have in the past almost automatically regarded such leaders as Communists or Communist sympathizers. On the basis of evidence I have read, I believe there is clear and convincing proof that Ambassador Bennett, Jr., failed to distinguish between truly democratic elements in the citizenry and the Communist elements. He showed prejudice in favor of the military junta and against democratic elements of the Dominican Republic.

I am convinced that the views of Chairman FULBRIGHT, that the rebel forces were not controlled by Communist elements, are correct. I am convinced that Ambassador Bennett's conclusions lacked justification. Furthermore, as an indication that Chairman FULBRIGHT's conclusions have basis in fact, it is well known that almost immediately our President dispatched as special envoy John Bartlow Martin and a little later Ellsworth Bunker, to take over in the Dominican Republic. Following that time, order was restored. Citizens of the Dominican Republic seem to have confidence in Ambassador's Martin and Bunker when many had apparently lacked confidence in Ambassador W. Tapley Bennett, Jr. It is evident that our President felt the same way.

Mr. President, it seems to me irrefutable that our President's reliance, directly after the start of the rioting and the sending in of Marines responding to the plea of Ambassador W. Tapley Bennett, Jr., upon John Bartlow Martin and Ellsworth Bunker and apparent disregard of Bennett, Jr., is further verification of the soundness of Chairman FULBRIGHT's conclusions. In my opinion our colleague, Chairman FULBRIGHT, had the greater weight of the evidence in support of his conclusions.

Certainly the Dominican Republic is within our sphere of influence in the Western Hemisphere. We cannot tolerate any Communist takeover of authority in that little island and I assert there was no evidence of any Castro-like takeover. No Communist was a leader in the revolt. In my judgment there was no preponderance of the evidence available or adduced that such a Communist takeover was even remotely in prospect.

Dan Kurzman, staff writer of the Washington Post, reported that Col. Francisco Caamaño Deno of the so-called rebel forces stated that Ambassador Bennett laughed at him when he asked the Ambassador's help to end the bloodshed. Colonel Caamaño stated he was ready to agree to a cease-fire and to negotiate with the military junta but that Ambassador Bennett refused to mediate and laughed scornfully at him. It is to be noted that Ambassador John Bartlow Martin, directly after his arrival in the Dominican Republic, encouraged mediation efforts between the two factions.

It has seemed to me that there was never an occasion for us to have approximately 30,000 men of our Armed Forces in Santo Domingo. This could be likened to wielding a sledgehammer to drive in a tack.

Fortunately, instead of aiding and abetting General Wessin y Wessin and other junta leaders as apparently was done by Ambassador Bennett at the outset, our policy was reversed, and wisely. Wessin y Wessin is in exile and civilian authority is now in charge.

Very likely more of our Marines will shortly be withdrawn as law and order seem to have been restored. Recognition, although belated, was given to the Organization of American States and small military components of some members of that organization have been and are presently helping uphold civilian authority.

ANNOUNCEMENT BY CHRYSLER CORP. OF PRICE INCREASE IN 1966 AUTOMOBILES

Mr. HART. Mr. President, today I would like to comment on the recent announcement by Chrysler Corp. of price increases for their 1966 model cars.

To me, as one outside the corporation, Chrysler's new price schedule is—in the light of profit figures—both surprising and disturbing. As the table, which I shall ask be made part of the RECORD at the conclusion of my remarks, demonstrates, in 1964 the Chrysler Corp. reported profits, after taxes, of $214 million—equal to a return of more than 19 percent of its invested capital. The Ford Motor Co. earned more than half a billion dollars in profits, after taxes. And the General Motors Corp. reported the greatest profits of any corporation in U.S. history, more than $1.734 billion—equal to a return of 23 percent on its invested capital.

The company cites increased costs of new equipment as the reason for the boost. Certainly everyone applauds the installation of safety equipment on the new car models, and most certainly the present occupant of the chair [Mr. KENNEDY of New York]. But we would not want this to be a smokescreen for unjustified price increases.

In its price increase announcement Chrysler made no mention of increased productivity. That would appear to cancel out at least part of any increases in cost of the added safety features.

Productivity—output per man-hour—in the auto industry is increasing at a very rapid rate—by as much of 5 percent according to some sources, by at least 3.5 percent according to very conservative estimates. This means that the same number of cars can be built this year as a year ago, with somewhere between 3.5 and 5 percent fewer man-hours. The savings in costs per unit of output are obvious.

Another real concern is whether the other auto firms will follow traditional practice and match the increases. In the past the auto companies generally have followed the highest price leader. In 1956, for example, Ford initially announced an average price increase on its 1957 models of 2.9 percent. Two weeks later General Motors increased its 1957 model prices by an average of 6.1 percent. Promptly Ford and Chrysler revised their prices upward to match almost dollar for dollar the higher GM prices.

A demonstration of parallel pricing—in this period of unparalleled profits—would naturally generate increased concern about a lack of price competition within the industry.

If this price pattern is repeated and the other auto firms follow Chrysler's lead, the impact on the consumer and the entire economy could be great. Based on an anticipated sale of 9 million cars in the 1966 model year, a price hike following the lines of the Chrysler announcement—averaging more than $50 a unit—would cost the American consumer half a billion dollars in higher prices.

Further, an increase in car prices viewed in light of recent price rises in other basic industries, could touch off an inflationary spiral.

I need not elaborate on the possible adverse consequences of inflationary moves at this time. But it is a consequence which we must continually be on guard to prevent.

It is true that all the economic factors of this price boost are not yet in. But on the face of it, justification is doubtful at best.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I ask unanimous consent that I may have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. When General Motors and Ford sit at their respective conference tables to decide how to react to the Chrysler action, I hope that the consumer view will also be heard.

I ask unanimous consent that a statistical table using July's Fortune magazine statistics and a news article from the Wall Street Journal of September 22 be included at this point in the RECORD.

There being no objection, the table and article were ordered to be printed in the RECORD, as follows:

Profits in the auto industry, 1964

Company	After tax net profit	Profit as percent of invested capital
General Motors	$1,734,782,000	22.8
Ford	505,642,000	12.6
Chrysler	213,770,000	19.1
American Motors	26,227,000	9.4
Average, all industries		10.5

Source: Fortune, July 1965.

MOST OF CHRYSLER PRICE INCREASES EXCEED COST OF ADDED SAFETY ITEMS BY $10 TO $35

Price increases posted by Chrysler Corp. on its 1966 models generally exceed the cost of safety equipment added to the cars by $10 to $35, with most increases in the higher end of the range.

Chrysler announced prices late Monday for cars that go on sale September 30, becoming the first auto company to list 1966 price tags. The company raised base prices on most of its 128 models by 2.1 to 3.6 percent.

There were indications in Detroit that General Motors Corp. also may announce prices soon, although GM's divisions won't put new cars on sale until October 7–14. Ford Motor Co. and American Motors Corp. said they don't expect to announce prices until shortly before they start selling new models, October 1 for Ford and October 7 for AMC. None of the other companies would comment on Chrysler's price increases or their own price plans.

Industry sources were surprised at Chrysler's decision to announce 1966-model prices so early, especially in view of indications from Washington officials that they expected the auto industry to hold the price line. Chrysler said yesterday that it hadn't received any comment from Federal officials on its decision to raise prices.

ADMINISTRATION NONCOMMITTAL FOR NOW

A Washington official said yesterday that unless there's an abrupt change of plans, the Johnson administration expects to remain noncommittal on the Chrysler price changes until late November or early December.

It will take until then, he explained, for the Bureau of Labor Statistics to evaluate the changes in its usual manner as it prepares the consumer price index. The announcement by Chrysler came too late this month to be included in the index of September, he explained, so it will be reflected in the index for October.

Also, the administration has decided it must wait because the Bureau has a long-established procedure for determining to what extent quality improvements offset any increases in auto prices, and because the Bureau is known for being "immune from politics and pressure of all kinds."

REUTHER DENOUNCES ACTION

Walter P. Reuther, president of the United Auto Workers, denounced Chrysler's price increases, charging they had "absolutely no economic justification." He alleged that production efficiency was so high in the auto industry that prices could be cut and still allow the companies "handsome profits."

"If the price increase announced by Chrysler is a forerunner of similar action by the balance of the industry," Mr. Reuther said, the UAW will ask Congress to "initiate a searching investigation of auto costs, prices and profits."

Mr. Reuther hinted strongly that the UAW will urge the Johnson administration to pressure Chrysler and other companies on their pricing plans. "It isn't yet too late to turn back this profiteering assault on the consumer and on national price stability," Mr. Reuther said. "Chrysler can be persuaded to back down if General Motors and Ford refuse to go along, just as U.S. Steel was persuaded to rescind its unjustifiable 1962 price increase" by President Kennedy.

One Congressman attacked Chrysler's price increases yesterday. Noting that the Federal excise tax was reduced from 10 percent to 7 percent last summer, Representative VANIK, Democrat, of Ohio, charged: "It looks as though the auto industry is reneging on its promise of less than a year ago to pass the excise tax reduction on to the American consumer."

The 10-percent factory tax on autos was cut to 7 percent retroactive to May 15 and is to drop to 6 percent next January 1; it is to fall to 4 percent a year later and to 2 percent on January 1, 1968, leveling off at 1 percent on January 1, 1969.

TAX SAVINGS PASSED ALONG

To reserve judgment until the bureau's analysis is completed, more than 2 months hence, could reduce the Government's chances of countering through publicity any price increase that might prove to have occurred. But the matter is too important to warrant "going off half-cocked," as one official put it.

Chrysler maintained, however, that it was continuing to pass along excise tax savings to customers and added that it will also pass along future reductions in the tax which Congress has scheduled.

Price increases were necessitated by the addition of five safety items as standard equipment and certain other improvements in the cars, Chrysler said. The safety items, which previously were offered only as options on most models, added an average of $49 to the retail prices of 1966 cars, Chrysler indicated.

Most of Chrysler's price increases fell in a range from $59 on a typical Valiant compact to $84 on a typical Plymouth. Thus it was indicated that $10 to $35 of the price increases couldn't be attributed to additional safety equipment, which was placed on all cars after congressional prodding.

There were exceptions to the general pattern. Prices of some Dart and Valiant models were increased only by an amount approximately equal to the former optional retail price of currently standard safety equipment. On the other hand, the price of the sporty Barracuda was increased by $103, or more than $50 above the apparent cost of additional safety equipment.

Big Chryslers and Imperials, which carried safety equipment as standard in 1965, will cost $42 to $84 more than in 1965. But bigger engines and certain other features have been made standard in these cars, Chrysler said. On the basis of 1965 optional prices for the larger engines and other than optional features, Chrysler said it has actually cut prices by as much as $152 for a comparably equipped Imperial. Based on the company's figuring, some other Chrysler and Imperial models were effectively reduced in price. But prices of some luxury cars were increased by as much as $59, by the company's own figuring.

OTHER COMPANIES' ITEMS

The safety package Chrysler has added to all its cars doesn't include some items other companies have said will be standard on their models. The other three companies will offer the same safety items as Chrysler plus padded sun visors and, in the case of American Motors and Ford, four-way flashing systems for emergency use.

Based on present optional prices, padded visors and flashing systems would add about $25 to the price of a car. Accordingly, if Ford and AMC increase prices for their added safety equipment as expected, they may find that their models are at about the same price level as competitive Chrysler models—but without the $10 to $35 Chrysler will get on most of its models above the price of safety equipment.

Chrysler said it will make padded sun visors standard equipment on all its cars in January; this item costs $5 to $6 as an option. Chrysler and GM will offer flashing systems only as options in 1966; this item costs $19 to $20 as an option.

Chrysler apparently feels the auto market is strong enough to absorb price increases without dampening buyer interest, although in the past Chrysler officials have credited general price stability over the past 6 years as a strong factor in rising sales. But along with other auto companies, Chrysler has said recently that it expects 1966 sales to at least equal this year's record volume.

Chrysler said retail prices of options and accessories remain generally unchanged in 1966.

Following are representative retail prices of Chrysler Corp. cars. They include the 7 percent Federal excise tax for both years and certain other charges, but exclude non-Federal taxes, freight charges and optional equipment.

Chrysler-Plymouth Division

	1965	1966 [1]	Increase
Valiant (compact):			
4-door 200 sedan	$2,167	$2,226	$59
Signet convertible	2,526	2,527	1
Barracuda 2-door hardtop	2,453	2,556	103
Belvedere (intermediate):			
Belvedere I, 2-door sedan	2,198	2,277	79
Belvedere II, 4-door sedan	2,321	2,405	84
Satellite V-8, 2-door hardtop	2,612	2,695	83
Fury (standard):			
Fury I, 2-door	2,348	2,426	78
Fury II, V-8, 4-door sedan	2,604	2,684	80
Fury III, V-8, 4-door sedan	2,753	2,823	70
Chrysler:			
Newport, 4-door sedan	2,968	3,052	84
New Yorker,[2] 2-door hardtop	4,098	4,157	59
Imperial:			
4-door hardtop [2]	5,691	5,733	42

[1] Chrysler-Plymouth 1966 cars include the following items as standard equipment, which were options on most Plymouth models in 1965: Backup lights, outside left rear-view mirrors, padded instrument panels, and variable speed windshield wipers and washers. Chrysler Corp. said the 1965 retail price for these items as options averaged $49, varying from $47.50 to $52.05, depending on the model. The manufacturer's wholesale price was $40.20, according to industry sources.

[2] Chrysler and Imperial cars carried the previously listed items as standard equipment in 1965, but for 1966 certain other items have been added as standard equipment on these models. Chrysler New Yorkers now have a 440-cubic-inch engine as standard equipment replacing a 413-cubic-inch engine. Imperials also have the larger engine, along with reclining seats and integral headrests as standard equipment.

NOTE.—All cars sold in California will carry an antismog device as standard equipment in compliance with State law. The devices will increase base price of 6-cylinder cars by $18 and 8-cylinder cars by $25, Chrysler Corp. said.

Dodge Division

	1965	1966 [1]	Increase
Dart (compact):			
4-door sedan	$2,112	$2,158	$46
270 4-door station wagon	2,472	2,533	61
GT V-8 hardtop	2,500	2,545	45
Coronet (intermediate):			
4-door sedan	2,227	2,302	75
Deluxe 4-door station wagon	2,556	2,631	75
440 convertible	2,586	2,672	86
Polara (standard):			
318 4-door sedan	2,695	2,763	68
4-door hardtop	2,874	2,948	74
Monaco (called Custom 880 in 1965):			
2-door hardtop	3,043	3,107	64

[1] Dodge 1966 cars include the following items as standard equipment, which were options on most Dodge models in 1965: Backup lights, outside left-hand rear-view mirror, padded instrument panel and variable speed wipers and washers. Chrysler Corp. said the 1965 retail price for these items as options averaged $49, varying from $47.50 to $52.05, depending on the model. The manufacturer's wholesale price was $40.20, according to industry sources.

NOTE.—All cars sold in California will carry an antismog device as standard equipment in compliance with State law. The devices will increase base prices of 6-cylinder cars by $18 and 8-cylinder cars by $25, Chrylser Corp. said.

BIG BROTHER: IRS SNOOPING

Mr. LONG of Missouri. Mr. President, I would like to call the Senate's attention to some recent newspaper articles which I think indicate a growing public awareness of the big brotherism which threatens our freedoms.

I welcome this growing awareness, Mr. President. I think the American people are beginning to realize what some of the agents in the IRS and the FDA and some of our other Government agencies are up to. And when enough of them realize that, I think they are going to demand that we do something about it.

The first of these articles is an excerpt from the very fine statement of Dr. William M. Beaney, a professor of political science and law at Princeton University, printed in the June 17, 1965, issue of the Newark Evening News.

The second article, by Mr. Robert Waters, is from the Hartford, Conn., Courant of August 2, 1965. It reports that U.S. Attorney Jon O. Newman has instructed Federal law-enforcement agencies in Connecticut to obey the Federal ban on wiretapping and to limit their bugging activities to those types permitted by law. This is an admirable step in the right direction and I want to commend Mr. Newman for it; but I would also point out that it is a sad state of affairs when Federal agencies must be reminded to obey the law.

Finally, I have three articles from the Chicago papers, all dealing with the same case. In this recent case, a Federal judge dismissed indictments against two men alleged to be gamblers because the Internal Revenue Service had used one of its electronic snooping devices to obtain evidence against them. Now, the IRS has been saying that the hearings of the Subcommittee on Administrative Practice and Procedure have been hurting the organized crime drive. I think these articles indicate that one thing that hinders the organized crime drive is the illegal and unconstitutional tactics used by IRS agents.

Mr. President, I ask unanimous consent to have these articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, July 30, 1965]

BOOKIE INDICTMENTS VOIDED—PHONE SNOOPER HELD ILLEGAL

A Federal judge delivered a blow to the Government's war on bookies Thursday as he dismissed two indictments on the ground that they were based on evidence gathered by a telephone snooper device.

Freed were Nick Guglielmo, 34, of 4824 West Rice, and Joseph B. (Joey D.) Delmonico, 46, of 5918 Park, Cicero.

They were arrested August 21, 1964, in a basement at 2501 South Gunderson, Berwyn, which raiding authorities said was a wireroom center. They were charged with failure to possess Federal wagering stamps and failure to register as bookmakers.

Chief Judge William J. Campbell, of U.S. district court, ruled the use of a pen register system by the Illinois Bell Telephone Co. to record the dial pulses of all telephone numbers called from a phone in the basement was a violation of the Federal Communications Act.

FIRST COURT RULING

A phone company spokesman said Judge Campbell's ruling was the first of its kind. Though the pen register system had been used to develop hundreds of cases, the company's legal department was unaware, he said, of any pending cases that might be affected by the decision.

U.S. Attorney Edward V. Hanrahan declined immediate comment. The pen register has been used by State as well as Federal authorities to obtain search warrants for raids.

The phone company emphasized that the pen register is a recording device at the central office which cuts out after the dialing process is completed, without indicating whether or not the call was completed.

It is used in the regular course of business, the spokesman said, to trade lewd and nuisance calls and to further the company's studies of traffic. It was developed originally to test the dialing accuracy of subscribers using dial phones for the first time.

ACT'S PROVISIONS CITED

Judge Campbell, in issuing his ruling which threw out the indictments, said the Federal Communications Act provides:

"No person transmitting any interstate or foreign communication by wire or radio, shall divulge or publish the existence, contents, substance, purport, effect or meaning thereof, except through authorized channels, to any person other than the person called."

"This language," said Judge Campbell, "is clear and unequivocal. The existence of a communication was divulged (in this case) without the consent of the sender or other party to the call."

Without the use of the snooper device, the judge added, "it is clear * * * no warrant would have been issued, and no indictment would have been returned.

"The fruits of such a violation are, of course, inadmissible in evidence, much as proper investigation and alert detection of crime should be encouraged."

[From the Chicago (Ill.) Daily News, July 30, 1965]

TWO GAMBLERS FREED BECAUSE IRS SNOOPED

Federal indictments against two Chicago gamblers were dismissed Thursday because the Internal Revenue Service obtained evidence against them through the use of a telephone snooping device.

Chief Judge William J. Campbell of the U.S. district court dismissed the indictments against Nick Guglielmo, 34, of 4824 West Rice and Joseph DelMonico, 46, of 5918 Park Avenue, Cicero.

They had been arrested in a cleanup, August 21, of 10 major wire rooms and were charged with failing to possess Federal wagering stamps and with failing to register as bookmakers.

Judge Campbell held that the IRS had obtained information against the two after the tax agency asked Illinois Bell Telephone Co. to place a "pen register" on a phone line that the IRS suspected was being used for bet taking.

A "pen register," sometimes called a dial pulse register, is a device clamped on the wire feeding a telephone subscriber's phone to record all telephone numbers dialed from the phone.

Judge Campbell's ruling came after a hearing April 5 on a motion by the defense to suppress the evidence because it was obtained through use of the device.

Edward J. Calihan and Anna Lavin, attorneys for the defendants, contended at the hearing that use of the pen register violated the Federal Communications Act, which provides that "no person * * * shall divulge or publish the existence" of phone calls except to a telephone subscriber who requests such information.

"The language of this statute is clear and unequivocal," Judge Campbell said in his written ruling.

"The existence of a communication was divulged without the consent of the sender or other party to the call."

Dismissed for Phone Bugs

The U.S. Solicitor General will be asked Friday to order an appeal of a decision that freed two accused gamblers because the Internal Revenue Service used electronic snooping devices on their telephone.

U.S. Attorney Edward V. Hanrahan said he will submit a report on the decision, handed down Thursday by Chief Judge William J. Campbell of the U.S. district court here, and a request that the decision be appealed.

Hanrahan said that he will ask the Government's highest ranking civil law attorney, Acting Solicitor General Ralph Spritzer, "as soon as paperwork is completed sometime Friday."

Judge Campbell handed down a written order Thursday dismissing indictments against the two men, who were arrested in an IRS raid on an alleged horse-betting parlor in Berwyn.

Nick Guglielmo, 34, of 4824 West Rice, and Joseph DelMonico, 46, of 5918 Park, Cicero, had been charged with failing to possess a Federal wagering stamp and with failing to register as bookmakers.

Judge Campbell held that the IRS got the information used to obtain indictments against the men by using a "pen register."

The device, when clipped on the wire feeding a telephone, records the numbers of all outgoing calls.

Judge Campbell held that use of the device violated the Federal Communications Act, which provides that "no person * * * shall divulge or publish the existence" of telephone calls except to a telephone subscriber who requests such information.

"It is clear that but for the above described violation * * * no warrant would have issued, and no indictment would have returned," he ruled.

"The indictments against the defendants tied ineluctably (inescapably) with the illegal wiretapping must be and accordingly are hereby dismissed."

Hanrahan said that if a higher court reverses Judge Campbell's ruling, "the door will be open to reindict Guglielmo and DelMonico."

He said that on June 1, Judge Campbell handed down an oral ruling in the case that dismissed charges against the two men.

"I was under the impression that the judge merely disallowed the evidence obtained through the use of the pen register," Hanrahan said.

"It was not until I read the written ruling handed down Thursday that I realized the judge had dismissed the indictments against these two men."

Campbell said he had decided to issue a written order after he had handed down the oral ruling because the IRS use of wiretapping and other snooper devices has since become the subject of a Senate subcommittee investigation and hearing.

[From the Evening News, Newark, N.J., June 17, 1965]

Constitution and Right of Privacy—Princeton Professor Finds Four Amendments Limit Invasion

(Note.—The following is from a statement by Dr. William M. Beaney, professor of political science and Cromwell professor of law at Princeton University, before a recent Washington session of the House subcommittee investigating invasion of privacy.)

In many ways, the term privacy is an unfortunate way of capsulizing an effort to define limits on the intervention of governmental and nongovernmental actions into the affairs of individual citizens or their lawful associations. There is a coldness, an antiseptic quality associated with the term that fails to convey its importance as an individual and social value.

I think that the great Justice Brandeis came closest to identifying the true nature of privacy as a right in his famous Harvard Law Review article, written in collaboration with Charles Warren, published in 1890, and in his powerful dissent in the Olmstead case in 1928.

In his article, Brandeis thought that the prying of scandal-mongering newspapers into the private social life of prominent citizens violated their right to privacy. Although the authors seem in retrospect to have given insufficent weight to the values and traditions that surround freedom of press, their sensitive and imaginative perception of the threats to privacy arising from "the intensity and complexity of modern life" and their call for legal protection through legislation and court action mark the beginning of serious awareness of the problem. The tort of privacy has now been recognized in a majority of States and there have been over 350 decided cases involving the civil wrong of invasion privacy.

SLOW EVOLUTION

But of greater significance, in my opinion, is the slow, halting evolution of a constitutional right to privacy stimulated by Brandeis' prophetic opinion in dissent in Olmstead. You will recall that this case arose out of the Federal Government's efforts to convict a large-scale bootlegger in the State of Washington, and specifically, the use of evidence obtained by the tapping of his telephone line, this in a State which had a law forbidding wiretapping. By a 5 to 4 vote the majority of the U.S. Supreme Court held that wiretapping was not an unreasonable search and seizure, and hence not prohibited by the fourth amendment.

While Holmes, dissenting, decried the role of the Federal authorities in the dirty business of breaking State law, Brandeis, dissenting, stressed what to me is clearly the proper principle in interpreting constitutional grants of power and limitations in power.

Pointing out that the Court had construed powers broadly to meet conditions unanticipated by the framers, he argued that "clauses guaranteeing to the individual protection against specific abuses of power must have a similar capacity of adaptation to a changing world."

Decrying the narrow, mechanical approach of the majority, Brandeis argued that the framers "recognized the significance of man's spiritual nature, of his feelings, and of his intellect * * * they sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred, as against the Government, the right to be let alone—the most comprehensive of rights and the right most valued by civilized man."

WOULD BE STRICT

Brandeis concluded that "to protect that right, every unjustifiable intrusion by the Government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the fourth amendment."

In research which is not yet completed, I have tried to show that if "freedom to travel" is part of liberty, "the right of privacy," a guarantee against unjustifiable intrusion into one's thoughts, emotions, sensations—the right to be let alone unless there is a rational and important countervailing interest—can be spelled out of a combination of several clauses of the Constitution, including the 1st, the 4th, the 5th and the 14th amendments.

And one can make a good case that a freedom from unjustifiable intrusion is central to the very notion of a constitutional order in which the importance and dignity of every individual is central, in a political system based on the concept of Government derived from the consent of the governed.

But wholly apart from the constitutional basis (or assuming for the moment that there is no constitutional basis of a right to privacy), I would suggest that a government devoted to freedom and recognizing the dignity and importance of every individual should seek to safeguard all reasonable claims to privacy against private invasions, should avoid intrusive action on its own part, except where strong justification existed.

I am not suggesting a once-and-for-all definition of the rights nor is it appropriate to catalog all the possible claims that can be made and which may deserve protection. What is required is an inventory of the activities of public and private agencies that raise privacy and dignity issues, in each instance the justification for the intrusive action should be made explicit so that it may be evaluated, while at the same time alternative, less intrusive measures may be substituted.

[From the Hartford (Conn.) Courant, Aug. 2, 1965]

Heads of Federal Agencies in State Instructed To Obey Wiretapping Ban

(By Robert Waters)

The heads of all Federal law enforcement agencies in Connecticut have been instructed to obey the Federal ban on wiretapping and limit eavesdropping by electronic "bugging" to only that type permitted by law.

U.S. Attorney Jon O. Newman, the chief Federal prosecutor in Connecticut, in a memorandum effective today, urged the top Federal law enforcement men to guard against violations of defendants' rights that might jeopardize otherwise valid convictions.

In what may be the first reaction of its type in the Nation, Newman told the agency heads that the recent disclosures before a congressional subcommittee of illicit "bugging" and wiretapping in Boston and Pittsburgh "demonstrates that instances of impropriety can happen in well-run and well-supervised offices."

The Federal prosecutor said he was certain that the policies of each agency in Connecticut are designed to guard against improper investigations but he warned that even isolated cases of failing to observe the legal limits brings the risk of discredit to all law enforcement activities.

Newman's directive contained three main points:

First. There must be no wiretapping "unless and until Congress sees fit to make any changes" in the statutes.

Second. Eavesdropping through electronic bugging must not violate the rule of "no technical trespass" into the premises under surveillance.

Third. No attempt must be made to overhear surreptitiously conversations between a suspect and his lawyer.

The "no technical trespass" rule, as interpreted in Federal court decisions, usually means that electronic listening devices must be outside the premises under surveillance.

Newman cited the Goldman case in the Supreme Court in 1943 which is still regarded as the basic law in this area. The case permitted agents to overhear a conversation from an adjoining room through a listening device that was hung on the wall of the agent's room.

CITES NEW CASE

In a new case this year, Newman also pointed out that the U.S. Court of Appeals for the 2d Circuit, which includes Connecticut, gave its blessing to an investigation where agents taped a microphone over the keyhole of a common door between two hotel rooms after the metal plate covering the keyhole had been swung aside.

The judges deciding this new case included U.S. Circuit Judge J. Joseph Smith and U.S. District Judge M. Joseph Blumenfeld, both of Hartford.

In citing the permissible limits of bugging, Newman observed:

"Detection of criminal activities is a difficult task that requires a variety of investigative techniques including visual and aural surveillance. The fact that a person's privacy must be invaded is not sufficient reason for curtailing investigation of crime. The right of privacy is not a sanctuary for the concealment of crime."

The memorandum has been sent to agency heads of the FBI, the Secret Service, the Intelligence Division of the Internal Revenue Service, the Postal Inspection Service, the Federal Bureau of Narcotics, the Alcohol and Tobacco Tax Division of the IRS, Immigration and Naturalization Service and the U.S. marshals.

TRIBUTE TO SENATOR ERVIN BY THE FEDERAL BAR NEWS

Mr. ROBERTSON. Mr. President, I am happy to call to the attention of the Members of the Senate a richly deserved tribute paid by the Federal Bar News to Senator SAM J. ERVIN, JR., the senior Senator from North Carolina.

This tribute outlines the numerous accomplishments of Senator ERVIN during his many years of dedicated public service, and deals specifically with his "outstanding accomplishments in the field of citizens' rights under the U.S. Constitution."

The concluding paragraph of the Federal Bar News article perhaps sums up the feeling his colleagues have for Senator ERVIN's diligent and unselfish performance of his duty to the Senate, the country, and to his beloved Constitution. It reads:

> Of this dedicated lawyer, jurist, legislator, and patriot it can truly be said he is an example of the fulfillment of the late President Kennedy's admonition to us all: Ask not what your country can do for you; ask what you can do for your country.

I know that this tribute will come as no surprise to the Members of the Senate. We recognize Senator ERVIN's great ability and we are guided constantly by his wise counsel. He is indeed an eminent lawyer, a dedicated public servant, and a great humanitarian. He is an American of whom we are all proud. As we know, Senator ERVIN serves as a distinguished member of the Judiciary Committee and as chairman of its Subcommittee on Constitutional Rights.

It is indeed appropriate that the Federal Bar News should choose the outstanding constitutional lawyer of the Senate as the first Member of Congress to be honored in this manner.

Mr. President, I ask unanimous consent that the article, entitled "The Honorable SAM J. ERVIN, U.S. Senator—Lawyer, Jurist, and Legislator," which appeared in the January 1965 issue of the Federal Bar News be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HONORABLE SAM J. ERVIN, U.S. SENATOR—LAWYER, JURIST, AND LEGISLATOR

(A sketch by the Federal Bar News editor)

SAM J. ERVIN, JR., chairman of the Constitutional Rights Subcommittee of the Senate Judiciary Committee, is identified in the minds of those familiar with his career as one of the foremost constitutional lawyers in the country. Born in Morganton, N.C., on September 27, 1896, Senator ERVIN later received his undergraduate degree (A.B.) from the University of North Carolina (1917) and his bachelor of laws (LL.B.) from Harvard Law School (1922). He was admitted to the North Carolina Bar in 1919 and practiced law in Morganton until present except for periods of service on the bench.

During the First World War the Senator served in France with the 1st Division. He was twice wounded in battle, twice cited for gallantry in action, and awarded the French Fourragere, the Purple Heart with Oak Leaf Cluster, the Silver Star, and the Distinguished Service Cross.

The people of Burke County, N.C., chose him as their representative to the North Carolina Legislature, 1923, 1925, and 1931.

His distinguished career as a jurist began in 1935 when he served as judge on the Burke County criminal court from 1935 to 1937; from 1937 to 1943 he served as judge, North Carolina superior court. His talents and dedication to the law were recognized in his appointment on February 3, 1948, as an Associate Justice of the North Carolina Supreme Court. He continued on the bench until June 11, 1954, when he qualified as a U.S. Senator from North Carolina under appointment of Gov. William B. Umstead. Senator ERVIN was returned to the U.S. Senate at the elections of 1954, 1956, and 1962 for additional terms ending on January 3, 1969.

Prior to his service on the State supreme court, he served as a member of the North Carolina State Board of Law Examiners (1944–46) as a representative to the U.S. Congress, 79th Congress, 1946–47; as chairman of the North Carolina Commission for the Improvement of the Administration of Justice (1947–49).

As a legislator Senator ERVIN has gained national prominence principally for his outstanding achievements in the field of citizens' rights under the U.S. Constitution. As chairman of the Constitutional Rights Subcommittee the Senator has conducted public hearings, field studies, investigations, and background research in five major areas relating to constitutional rights: (1) the rights of persons subject to military jurisdiction; (2) rights of the American Indian; (3) rights of the mentally ill; (4) literacy tests and other voting requirements; and (5) the regard for the rights in the administration of criminal justice.

Areas of particular significance to lawyers with which his subcommittee has been concerned are current rules and practices governing arrest, detention, investigation, bail, discovery, venue, and right to counsel. A result of this study prompted the Senator to introduce three bail bills in the 88th Congress, which were again introduced in the 89th Congress, which would carry the war on poverty to the field of administration of criminal justice. "Present bail laws," declared Senator ERVIN, "discriminate against the poor in violation of the spirit of the sixth amendment which prohibits excessive bail. Presently, only the defendant who has money can be free before his trial to prepare his defense. Such antiquated laws, to my mind, contradict our heritage of equal justice under law."

Another area of special interest to lawyers is his inquiry into the right to counsel in proceedings of the various Federal agencies. All agencies submitted replies to his request for their practices in this respect which the committee has under study. It might be noted, in this context, that the Senator praised the Federal Trade Commission for a recent change in its rules to guarantee the right of witnesses to be represented by counsel at the Commission's hearings.

The Senator has also championed the cause of the mentally ill in the District of Columbia by sponsoring a measure, which resulted from a 3-year study by the Constitutional Rights Subcommittee, and which was signed by the President last September. In describing the purpose of the bill the Senator stated: "The purpose of the bill is to encourage voluntary hospitalization, to define and protect the rights of patients, and to insure that there is no stigma attached to the fact that a person has been hospitalized for a mental illness." He continued: "Under present District law, a patient automatically becomes legally incompetent and loses his rights when he is committed to a hospital for treatment."

Attorneys should also be made aware of the Senator's cosponsorship of a bill to authorize all attorneys, licensed in their home State, to practice before administrative agencies without separate admission by the agency involved.

Neither the last nor the least of his zealous pursuit of the means to safeguard individual liberties is his current inquiry into Federal employees rights in firings, hirings, and personnel practices.

Of this dedicated lawyer, jurist, legislator, and patriot it can truly be said he is an example of the fulfillment of the late President Kennedy's admonition to us all, "Ask not what your country can do for you; ask what can you do for your country."

THE RECENT CIVIL DISTURBANCES IN LOS ANGELES

Mr. HARRIS. Mr. President, much has been written and said about the recent violent disturbances in Los Angeles, but I think nowhere have such unfortunate occurrences been put in better perspective than they were in a statement of Prince Hall Grand Masters, made in San Francisco, Calif., in August 1965.

Amos T. Hall, a good friend and a good man, has relayed this statement to me.

Believing that it will be of interest to all Senators, Mr. President, I ask unanimous consent that the statement may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF PRINCE HALL GRAND MASTERS, AUGUST 1965, SAN FRANCISCO, CALIF.

Prince Hall Masonry with a membership of approximately one-half million, reaffirms its historical position of protest in seeking to eliminate the inequities of citizenship and every form of discrimination from the American scene.

We deplore the recent violent disturbances which have resulted in the loss of lives and the destruction of millions of dollars worth of property in cities of the United States without regard to sectional location.

We direct attention to the courageous leadership of President Johnson, which has resulted in the enactment of advanced civil rights legislation by the Congress of the United States and to his expressions and proclamations regarding the public acceptance of the fact that all citizens of our Nation are entitled to, and should have, equal protection and application of the law, irrespective of their race, color, or religious affiliations.

We call upon every Prince Hall Mason as a leader in his community to use his influence to keep this protest nonviolent as he strives to eliminate injustice and discrimination. We urge that violence be avoided and solutions sought within the framework of the Constitution and laws of the United States.

AQUIA QUARRY REVISITED

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of the attached editorial from the Richmond News Leader of September 21, 1965, entitled "Aquia Quarry Revisited."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Richmond News Leader, Sept. 21, 1965]

AQUIA QUARRY REVISITED

Last week we reported on the strange tactics of those who were asserting that George Washington, the Father of his Country, was a common crooked politician. The story was that he had finessed a little deal to gyp the Federal Government by selling second-rate Aquia stone for building the U.S. Capitol. But ever-alert researchers up at Mount Vernon had quickly shown from letters that Washington never owned the quarry at Aquia Creek; and that in fact the Federal Government bought the quarry outright from other owners and cut the stone itself.

Today the mail brings to hand a year-old issue of Lawyers Title News, giving a complete history of the ownership of the Aquia quarry—and its confused tangle of titles. The article backs up the Mount Vernon research with the expert legal scholarship of an associate counsel for Lawyers Title Insurance Co., Marvin C. Bowling, Jr. It's clear from Mr. Bowling's study that Washington had nothing to do with the quarry.

Lawyers Title got into the problem a couple of years ago, when after a routine search, it insured a seemingly perfect title to the island where the quarry is located. The abstract showed an unbroken title running back to the Commonwealth of Virginia in 1877. At that time, the State had granted the island to two individuals on a land office warrant. The overgrown quarry which provided stone for the U.S. Capitol and the White House was forgotten and undetected. Then one day the new, 20th century owner discovered signs on the island warning: "U.S. Government property—keep off." Soon an official advertisement appeared indicating that the land would be sold by the General Services Administration at public auction.

The supposed owner grew alarmed. Lawyers Title was appalled. After running down a number of U.S. Government agencies that handle property, Mr. Bowling finally found the right one. Yes, they had a title, officials explained; it went straight back to Charles II, and the U.S. Government had the paper to prove it.

In 1678, the island was granted by the "Governor and Captain General of Virginia" to two individuals who had performed services for the King. The next instrument, dated 1694, stated that the first grant was void; the new instrument transferred the land to a George Brent. And the grantors were the successors to the original proprietors, the successors being Margaret Lady Culpeper, Thomas Lord Fairfax, Catherine, his wife, and Alexander Culpeper, Esq. Thus the interest in the property went back all the way to the original grant of the entire Northern Neck to the Culpepers in 1669. For upon the death of Lord Culpeper, his interest became vested in his daughter Catherine, wife of Lord Fairfax. The family then sold to Brent.

The property remained in the Brent family, famous Catholic recusants from Maryland, for 97 years. In 1791, another George Brent conveyed the island to Peter Charles L'Enfant—the man who laid out the terrifying complexity of Washington streets—for 1,800 pounds. The title was confirmed in the name of the trustees for the commissioners appointed to establish a "seat of government of the United States." The stone was cut, the Capitol built, the quarry abandoned, and the very ownership of the island forgotten. Many records in the Stafford County courthouse were destroyed by Union soldiers. And in 1877, the State of Virginia, blissfully unaware that it possessed no right to the land, granted it anew.

Through the peculiar precedence of royal and Federal sovereignty, Lawyers Title's client lost the land, and was left with the proceeds of the title insurance. Eventually the GSA disposed of the historical plot of land as surplus. Despite the complexity of the ownership of the quarry, it is evident that George Washington's detractors have no title to their false claim.

PLIGHT OF THE JEWS IN THE SOVIET UNION

Mr. WILLIAMS of New Jersey. Mr. President, on Sunday, September 19, American Jews assembled in Lafayette Park across from the White House to call world attention to the plight of the Jews of the Soviet Union.

The Jews of that country are subjected to discrimination. Like other peoples in the Soviet Union, they are regarded as a nationality group. They are named as Jews on their passports. But they are not permitted the rights accorded to other nationalities. Their schools, their theater, their culture, their books, their learning, their newspapers—all these have disappeared. For almost half a century, ever since the Soviet revolution of 1917, this great community, which was once a reservoir of learning for world Jewry, has been cut away and isolated from Jews of other lands, from its own historic pact. Gradually, but inexorably, it will be cut away from its identity and it will cease to exist.

Officials of our own country are aware of this injustice and have joined with the American Jewish community in appeals to the Soviet Union for a rectification of this wrong. Our own body has spoken twice on this subject during the last 2 years and, during the last few months, President Lyndon B. Johnson has twice expressed his own views publicly.

Last Sunday, on September 19, as Jews began a vigil in Lafayette Park to attest their concern and to protest against the gradual disappearance of the Jewish people of the Soviet Union, the President addressed a message to that demonstration, and I ask unanimous consent that the President's message be included in the RECORD at this point.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

SEPTEMBER 17, 1965.

I greet my fellow Americans of all faiths gathered today in a vigil for Soviet Jewry. Your cause is the cause of all men who value freedom.

History demonstrates that the treatment of minorities is a barometer by which to measure the moral health of a society. Just as the condition of the American Jew is a living symbol of American achievement and promise, so the conditions of Jewish life and other religious minorities in the Soviet Union reveal fundamental contradictions between the stated principles and the actual practices of the Soviet system.

I once again express my hope for an end to the restrictive practices which prevent Soviet Jews from the full enjoyment of their heritage. I join all men everywhere who through vigilance maintain freedom's eternal light.

LYNDON B. JOHNSON.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed; and the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act.

The Senate resumed the consideration of the bill.

Mr. DIRKSEN. Mr. President, I submit for the RECORD, a statement prepared by the Senator from Texas [Mr. TOWER], and ask unanimous consent that they may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TOWER

There can be little doubt that the pending immigration bill is not nearly so objectionable as it was when it was first introduced as an administration measure at the beginning of the year. However, I remain opposed to its enactment because I do not believe that in the long run it will promote the general welfare of the United States. On the contrary, I am of the opinion that if we enact this proposed legislation, we will be adding unnecessary weight to the burdens that will have to be borne by future generations of Americans.

A number of basic changes were made in the bill before it was passed by the House of Representatives. These changes, along with other additional amendments made by the Senate Committee on the Judiciary, have made it an entirely different measure from the one that was recommended in the President's January 13 message to Congress. The bill's provisions regarding basic changes in the quota system were drastically altered. The provisions for a Presidential commission, which would eventually have been responsible for formulating immigration policy, I am glad to say, have been deleted. Stronger controls against immigration that would displace American workers from their jobs and adversely affect wages and working conditions in this country have been incorporated into the bill. These are noteworthy improvements, but they do not, in my opinion, justify the bill's enactment.

STATEMENT BY SENATOR TOWER

Under the provisions of this bill, the volume of immigration into this country would be bound to significantly increase. The estimates that have been made concerning the size of this increase vary from 60,000 to 100,000 or more. Considering that an average of 300,000 immigrants have been admitted annually in recent years, this means that we will have upwards of 400,000 immigrants a year under the bill.

I do not believe that it is wise for us to be increasing immigration at the present time. Notwithstanding its provisions, which are supposed to safeguard domestic workers, this bill will increase the size of our labor force, both immediately and even more markedly in the years ahead when the younger immigrants and the offspring of those admitted reach working age.

Moreover, I am not at all assured that the intended safeguards of workers in this country will prove effective with respect to the immigrant to whom they are intended to apply. Frankly, I see nothing but a tremendous bureaucratic nightmare in attempting to put these provisions into effect. Under the bill, a job clearance would be required for each individual applicant for an immigration visa, stating that the applicant will not displace a qualified American worker or have any adverse effect on wages and working conditions of domestic workers. The job clearance would be required for every immigrant except those granted preference under the bill by reason of their relationship to a U.S. citizen or an alien admitted for permanent residence.

The enactment of these provisions would, in my opinion, cast an impossible burden upon the Labor Department if it is to administer them effectively. Imagine, if we will, the involved decisions that would have to be made in applying these restrictions to thousands upon thousands of prospective immigrants each year. In my opinion, the provisions are utterly unworkable and give every indication of being inserted in the bill merely to provide an answer to those who would raise questions concerning the bill's effects on our labor market.

Each generation of Americans has a responsibility to those that will follow after it. That responsibility is now ours, to leave our children and their children a country in which to live which will be free of any difficulties or problems of our making that we ourselves would not want to face.

I firmly believe that if we enact this proposed legislation increasing immigration, we will be abdicating this responsibility for the shortsighted and transient goals of political expediency. Many of the social and economic problems we face today may well be inconsequential in comparison to those of future generations with our vastly expanding populations.

Certainly, it is impossible to say at what precise point a country becomes overpopulated. This does not mean, however, that we cannot clearly recognize when we are faced with population problems. I believe we are facing them now. We have reached a point when our water resources are being taxed severely in order to meet present needs in many parts of the country, for example. Many of our rivers and streams have become polluted to the degree that they no longer afford the recreational facilities, or meet the needs for domestic and industrial water consumption that they did just a few years ago. One of the Great Lakes, we are told, is now in the process of dying from such pollution. New York and other cities in New England and Middle Atlantic States are now experiencing the serious problems that arise from lack of clean, fresh water. Water problems are numerous in my area of the country. In the face of such problems like these, and others, I feel that we must move most cautiously in considering legislation which would add stimulus to the pace of our population growth.

There are several provisions of the bill which I would support, but not at the expense of increasing the volume of immigration, which would be the major effect of its enactment. I strongly support, for example, the abolishment of the Asia-Pacific triangle which has been especially discriminatory. I also lend my support to the committee amendment to the bill providing a numerical limitation on Western Hemisphere immigration. I do not view this amendment as an affront to our Western Hemisphere neighbors. I doubt that in their mature judgment they would view it as such either. The family reunification and skill requirement provisions of the bill are most meritorious.

It is evident that the national origins quota system has in some ways been discriminatory, and that it has not always worked as it was intended to. These claims, of course, have some merit, but that does not justify enactment, in my opinion, of legislation to greatly increase the numbers of immigrants that will be admitted into the country. Certainly, it is possible to reform the basic law without increasing immigration. That is what I would prefer to do.

Mr. KENNEDY of Massachusetts. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOURTH ANNIVERSARY OF THE PEACE CORPS

Mr. KUCHEL. Mr. President, just 4 years ago today on September 22, 1961, President John F. Kennedy approved Public Law 87-293, the Peace Corps Act. This historic measure, which was enacted with overwhelming Democratic and Republican support in both Houses of Congress, has continued to justify the hopes and the dreams of those who gave it their faith.

Peace Corps volunteers are now located in 46 countries. At the end of the 1964 program year the Peace Corps had 10,494 volunteers and trainees in service. At the end of the August 31, 1965, program year, the Peace Corps had 12,000 volunteers and trainees in service. Legislation recently approved by Congress will authorize 15,110 volunteers and trainees by August 31, 1966. An overwhelming number of these trainees are devoting themselves to education. Others are helping in community action, agriculture, and health among others.

The example they have set by personal conduct has truly demonstrated that Americans are a helpful and compassionate people. The spirit of 1776 as exemplified in the Declaration of Independence called upon our people "to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitled them." That declaration held the following truths to be self-evident that:

> All men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

Peace Corps volunteers have sought to bring this hope of 1776 to the developing nations of 1965. And they are succeeding. In Afghanistan when the Peace Corps first went to help the people there they were limited to 15 volunteers—9 actually went—located only in the capital city of Kabul. We now have 190 Peace Corps volunteers there serving in many parts of that land. In Colombia Peace Corps volunteers are producing educational television programs which are bringing the benefits of education and culture to many people of that land.

The projects are innumerable and worthwhile, but it is the spirit and representations which these Americans, men and women, young and old, make for a free way of life that is most meaningful. They do not live in Embassy compounds. They do not shop at the PX. They live with the people. They eat their food. They share their life as they work to understand and help them help themselves.

When the Peace Corps started with the verve and enthusiasm which it combined, many Washington cynics thought that it would not be long before the Peace Corps went the way of all bureaucracy and became encrusted in bureaucratic procedure and staid in outlook. Despite great expansion to the point of where 8,600 are now in training and a little less than 10,000 are now abroad—and Congress has completely endorsed this expansion—the Peace Corps has not become stultified. Indeed, what other Government agency in the history of this country or, indeed, in the history of any country in the world, has ever successfully sought legislation which would limit to 5 years an individual's eligibility to remain with the Peace Corps professional staff? The Peace Corps has. That is exactly what S. 2054, which was approved by the President on August 24, 1965, did in amending the Peace Corps

Act. Congress provided, at the Peace Corps' request, that those in higher grades than GS–8 be restricted to appointments which may not exceed a total of 5 years. I like the language of the Senate report where it stated as follows:

> For some time the Peace Corps has been considering the desirability of a personnel system which would place the Peace Corps staff in essentially the same position as that of the volunteer; serving for a limited period of time and then moving on to give the same opportunity of service to others. The application of Foreign Service Act authorities to the Washington staff would permit a constant inflow of new blood and ideas by allowing administrative flexibility which is not possible under the restrictions of the civil service system.

I like to think that the spirit of modernization which the Peace Corps has brought to many emerging lands will perhaps infuse the public and private bureaucracies of our own Nation so that the hopes and needs of people will be met with expedition. I hope we can look back on future anniversaries and note that this was done. Perhaps the contribution made by the Peace Corps to the conduct of American foreign policy was best summed up in a letter I received from a young Californian, not a member of the Peace Corps, who spent his summer in various Latin American countries. He said:

> Senator, one Peace Corps volunteer in my judgment is worth $500,000 of American aid.

I close by saying that as an American citizen I am intensely gratified that these young people have dedicated themselves to the American system in promoting freedom and the cause of decency and justice all around this melancholy globe.

FEDERAL-STATE TAX-SHARING PLAN

Mr. KUCHEL. Mr. President, I was intensely interested in the comments made by the senior Senator from New York [Mr. Javits] with respect to his specific proposal by which the Government would pay to the States of the Union certain of the revenues coming into the Federal Treasury under Federal revenue statutes.

I applaud and salute the careful manner in which the Senator developed his subject as a basis for introducing legislation on the matter when he spoke yesterday before the New York State County Officers Association at the Hotel Astor in New York City.

This morning the great Capital newspaper, the Washington Post, editorially commended the Senator on the subject.

I ask unanimous consent that the text of the address which Senator Javits delivered yesterday in New York, together with a copy of the editorial comments in the Washington Post and a column in that same newspaper by Frank Porter on the subject, all be included in the Record at this point.

There being no objection, the text, editorial, and article were ordered to be printed in the Record, as follows:

Federal Tax Sharing With the States

(Address by Senator Javits)

Before the end of the current congressional session, I intend to introduce legislation implementing a tax-sharing plan to distribute to the States, and through them to local government, a portion of Federal tax revenues.

The general outlines of a proposal to distribute Federal tax revenues to the States was first imprinted on the consciousness of official Washington in 1961 by Dr. Walter Heller, then Chairman of President's Council of Economic Advisers. I think it is now generally agreed that some form of Federal assistance to State and local government is necessary, but there has been a lack of serious discussion. Despite the administration's reported acceptance of its basic principles and the fact that a Presidential study of the problems involved was submitted to the White House about a year ago, nothing concrete has been done about it.

The problem, of course, is that while this plan sounds uncomplicated and on first mention receives widespread acceptance, it is in reality extremely complex, and every aspect of its implementation contains the seeds of controversy. Nevertheless, I feel that the Congress should have before it a carefully drawn proposal embodying this plan. Debate should begin, and decisions should be made on a tax-sharing plan before State and local governments become completely inundated in the flood of demands for new services and facilities, particularly in the fields of health, education, and welfare. This would weaken further State and local government's ability to cope with these problems and impair irretrievably the opportunity and authority of local government.

The proposal I will offer would include:

1. Establishment of a trust fund in which 1 percent of the current individual income tax base would be deposited. Under present conditions this would amount to about $2.5 billion a year, and it would grow regularly through the years as the tax base grows. Experience has shown that only Federal taxing sources can practically provide the necessary added resources for State and local government because of the economic competition between the States which is growing more acute daily.

Where would the money come from? The fact is that at present tax rates, Federal revenues grow by about $6 billion a year along with the growth of our dynamic economy. With continued economic expansion, this amount will grow larger with the years. We need to make constructive use of this dividend, otherwise it could act as a fiscal drag on the economy by siphoning off larger and larger amounts of purchasing power from the private sector and blunting our driver to reach full employment.

I believe that the appropriate use for these increasing revenues can be found in further tax cuts, in meeting the pressing needs for increased Federal programs, in debt reduction, and by a plan, such as this one, to return a portion to our hard-pressed State and local governments. In addition, careful planning would be, and should, permit a part of the dividend to be used for reducing the present deficit in the Federal budget.

2. These moneys would be allocated to the States, and through them to local governments, on the basis of population, the needs of the individual States, and would be conditioned on maintenance of effort to meet their own financial requirements.

Briefly, about 80 percent of the moneys allocated each year out of the trust fund would be assigned to the States on the basis of population. On this basis, New York with 9.3 percent of the population would receive 9.3 percent of this portion of the allocation. The amount received by the State, however, would be increased or decreased, depending on the maintenance of the State's own tax effort as measured by using the ratio of the relation of State-local general revenues to personal income in the State compared to the national average ratio.

The remaining 20 percent would be distributed to the 12 or 15 States with lowest per capita incomes. Congress, of course, would maintain control over the allocation of these funds through periodic review of the formula through which they are distributed.

3. I will include in my bill the proviso that these funds be used by the States only in the fields of health, education, and welfare. There is one school of thought that believes these moneys should be distributed to the States without any restriction whatsoever. I do not agree. I feel that these moneys should be used by the States without the constant Federal supervision and red tape now endemic in the grant-in-aid programs, but that this type of program should be designed to benefit directly the greatest number of people in a State.

4. In addition, the following restrictions will be written into the bill: (a) The funds must be shared with local governments in an equitable manner. The percentage of Federal funds which the State must distribute to local governments might be defined as nc less than the average of that State's distribution of its own revenues to local governments over the previous 5 years. (b) States should be required to certify that all applicable Federal laws, such as the Civil Rights acts, have been complied with in the State and local activities financed by these grants. (c) A detailed audit report on the actual uses of these funds would be required.

Certainly I do not have to tell you ladies and gentlemen about the financial difficulties facing State and local governments today. You are the people on the front line, who have to fulfill the needs of our citizens. And those needs are immediate: for better schools and educational services, for hospitals and clinics and for health and welfare services.

During the decade between 1954 and 1964 expenditures of all State and local governments doubled, while their indebtedness increased even more rapidly, from $38.9 billion to $86.4 billion or about 121 percent. In the same period, Federal budget expenditures increased 45 percent, while the public debt increased from $291 billion to $312 billion, or about 15 percent. State and local governments have been increasing their outlays much more rapidly than the Federal Government during the past few years in an attempt to meet mounting obligations. They are currently spending about $75 billion a year, a figure that may increase to about $120 billion a year by 1972.

It may be argued by some that State and local governments will not use these Federal funds wisely if they are granted or that they will reduce their own taxes and expenditures for necessary programs. Experience of the past, however, indicates that such fears are groundless, and that this will not be the case. A large proportion of total State and local outlays over the past years have been used for educational, health, and welfare purposes, an indication that local governments are cognizant of the needs of their people in these areas and are attempting to meet them.

Grants made to State and local governments under a plan such as this will enable these bodies to operate more independently.

Local officials will be free of Federal domination, and the spread of a growing Federal bureaucracy may be halted. State and local governments will be in a stronger financial position, and a better fiscal balance will be achieved between Federal, State, and local governments.

Now, let me direct one word to those on the other side of the political spectrum who may feel that the sort of tax-sharing plan I propose would mean further incursion on State prerogatives. Of course, there is always a possibility that this can happen, but the choice we face is not between State dollars and Federal dollars, but between Federal dollars bound by strings and conditions, and funds which are relatively unconditional and can help buttress the responsibility of local government.

For we have to look to the days and years ahead when the demand for more and better local governmental services will increase.

Critics on the left side of the political spectrum are suspicious of the States and seemingly convinced of Federal infallibility; critics on the right are suspicious of Washington and defend local government. But mutual suspicions should not produce a deadlock, for this country cannot be governed well unless government is imaginative and active and responsible and works at all levels in a Federal-State system.

I feel that this proposal can help prepare our governmental system to meet needs of the coming decades, and can help us to put into practice cooperative federalism for the benefit of all our people.

[From the Washington Post, Sept. 22, 1965]

JAVITS BREAKS THROUGH

Senator JACOB K. JAVITS deserves a burst of applause for introducing a bill that would provide for the sharing of surplus Federal revenues with the States. The prospect for tax legislation sponsored by a member of the minority party cannot be regarded as auspicious. But Mr. JAVITS is performing the necessary task of bringing a controversial proposal to the attention of Congress for the first time.

Mr. JAVITS' point of departure has already been amply discussed by proponents of revenue sharing. The Federal Government, under conditions of high employment, will collect more tax moneys than it can wisely spend. The State and local governments will be spending more money than they can raise through efficient measures of taxation. Both problems—the embarrassing affluence of the Federal Government and the pressing needs of State and local governments—can be neatly solved through a program of Federal revenue sharing.

In the Senator's thoughtful proposal, 1 percent of the current income tax base—about $2.5 billion—would be deposited in a trust fund. The proceeds of the fund would then be allocated to the States. Each year 80 percent would be distributed on the basis of population and 20 percent would be divided among the 12 or 15 States with lowest per capita incomes.

The Federal grants would be used only to support programs in the fields of health, education and welfare. This constraint would leave the States and localities ample freedom of action, while precluding the support of programs such as highway construction that are already heavily funded by the Congress.

The revenue sharing plan was first proposed by Walter W. Heller, former Chairman of the Council of Economic Advisers. But the President, seemingly piqued by a premature leak, has maintained an air of chilly disdain. It would be ironic indeed if this important proposal, the brainchild of a Democrat, should become the property of the opposition.

[From the Washington Post, Sept. 22, 1965]

UNITED STATES-STATE TAX-SHARING PLAN REVIVED BY JAVITS

(By Frank Porter)

A leading Republican Senator plucked a controversial Federal-State revenue-sharing plan off the administration's back burner yesterday and said he will offer it as legislation before the end of the current session.

"I think it is now generally agreed that some form of Federal assistance to State and local government is necessary, but there has been a lack of serious discussion," said Senator JACOB K. JAVITS, Republican, of New York.

"Debate should begin, and decisions should be made on a tax-sharing plan before State and local governments become completely inundated in the flood of demands for new services and facilities, particularly in the fields of health, education and welfare," JAVITS told the New York State County Officers Association in New York City.

JAVITS thereby stole a march on the White House itself, which put the plan under wraps last fall after its leaked details aroused intense opposition, particularly in labor and liberal circles.

Since then, however, it has attracted widespread grassroots interest, particularly among State and local officials feeling a financial pinch.

Republicans have made political capital of it. During last fall's presidential campaign, even Barry Goldwater embraced the concept, fathered 5 years ago by Walter W. Heller shortly before he became President Kennedy's chief economic adviser. It was a prime topic of discussion at the Republican Governors conference earlier this year.

But the administration is apparently unmoved by the JAVITS initiative. A White House source said last night that the revenue-sharing plan is a "dead duck" and that there is no present intention of reviving it.

The JAVITS bill would follow closely the Heller concept as developed last year by a presidential task force headed by Joseph A. Pechman, of the Brookings Institution. The White House has never released the Pechman report.

The carefully drawn measure also contains a number of safeguards and limitations which should go far to concilate both conservative and liberal critics.

It would create a special trust fund of 1 percent of the individual income tax base—or about $2.5 billion annually under present conditions.

Eighty percent of these funds would be allocated the States in proportion to their population. To maintain State efforts to raise their own revenue, however, these amounts would be increased or diminished by the amount the ratio of State-local general revenues to personal income in the State exceeded or lagged the national ratio.

The other 20 percent would be distributed to the 12 or 15 States with the lowest per capita incomes.

The funds could be used only for health, education, and welfare to benefit directly the greatest number of people in a State. Earlier critics had opposed a no-strings type distribution on grounds the funds might be misused—say for an ornate Governors' mansion, or for highways at the expense of education.

The bill also would require an audit of how the funds are used, the equitable sharing of funds by the States with local governments, and certification that projects financed by these revenues comply with all Federal laws such as the Civil Rights Act.

THE "HAWAIIAN MONARCH"

Mr. INOUYE. Mr. President, today in Honolulu—more than 5,000 miles from this Chamber—a versatile and unusual cargo ship, formerly a U.S. troop transport, is being rechristened by Matson Navigation Co. which has just introduced the vessel to the west coast-Hawaii trade. And soon a second vessel of the same type will follow this one into the service.

The first ship, formerly the SS *Marine Dragon*, a C–4 transport built during World War II, is being renamed the SS *Hawaiian Monarch*. Matson acquired the ship, together with the second vessel, the *Marine Devil*, from the Maritime Administration's "mothball fleet" at Suisun Bay, Calif., last year. The ships were obtained under the Ship Exchange Act which permits nonsubsidized U.S. operators to exchange certain obsolete vessels for Government reserve fleet ships. Acquisition of the big carriers and their conversion cost Matson a total of nearly $17 million.

The two ships have been converted into highly automated combination container-automobile-bulk sugar carriers. Their entry into service will have considerable impact on the State of Hawaii. But they provide only part of the story of pioneering in the Pacific by Matson Navigation Co., which was launched by Capt. William Matson 83 years ago. Matson, led today by Stanley Powell, Jr., its president, has played a leading role in development of cargo containerization in the steamship industry.

Today's rechristening of the first of the two new cargo carriers marks the latest advance by the company which has had a tradition of "firsts" in the Pacific since the days of Captain Matson. The *Hawaiian Monarch* and the *Hawaiian Queen* are unique ocean carriers, tailored to the special characteristics and requirements of the Hawaii trade. Each vessel was lengthened, or "jumboized" by addition of a 110-foot midbody section, making them 630 feet long and providing tremendous cargo capacity.

On the westbound trip, each ship will have a capacity of 650 containers and 192 automobiles. Eastbound, they can carry 12,800 tons of sugar and 537 containers, 403 of them empty, or 3,800 tons of molasses and 789 containers, 319 of them empty. The containers, incidentally, are 24 by 8 by 8½ feet.

The ships, which have a displacement of 29,300 tons, are divided into four main cargo-carrying compartments. Westbound, the No. 1 hold in the narrowing forebody is used to stow automobiles in eight levels. A combination crane-elevator can lift a car, with its motor running to a deck where it is driven off and stowed.

Three other compartments are divided into 11 cells which permit Matson's cargo containers to be stacked six high and six across below deck while additional containers can be stacked three high and eight across on deck after hatches are covered through pushbutton means. Below deck, container space is used for bulk sugar cargo on eastbound trips from Honolulu to California.

The *Hawaiian Monarch* and *Hawaiian Queen* have highly automatic central engine room control stations that house instruments for governing steam generating equipment, propulsion turbine throttles and boiler controls.

With these two ships in its California-Hawaii fleet, Matson expects to have an annual capacity for more than 60,000 container round trips. With the *Hawaiian Monarch* and the *Hawaiian Queen*, Matson will have the capacity to meet substantially all of the container demands by Hawaii's civilian and military population of more than 700,000.

Let us look at Matson's accomplishments in recent years.

Since 1958 Matson has plowed $58 million of its own and privately financed capital into its unique Pacific Coast-Hawaii fleet containerization system.

Matson's program and the economies of its effective use helped the company to roll back its freight rates last year on almost the entire range of consumer items. This generally lowered rate structure, saving shippers several million dollars annually, is directly related to the improvements resulting from Matson's investment in its container system and fleet.

By gradually changing its fleet since 1958—from carriers of bulk cargo involving piecemeal freight handling in small lots to specialized cargo carriers such as the "jumboized" *Hawaiian Monarch* and *Hawaiian Queen*—Matson has improved its vessel utilization by nearly half. And Hawaii's rate-payers have been major beneficiaries because, had Matson not changed the configuration of its fleet for specialized services, the State's annual freight bill would be substantially higher than it is today.

I am sure that those who share my interest in American shipping will join me in congratulating Matson Navigation for its achievements in 83 years of Pacific steamship service.

FEED GRAIN SALE TO SPAIN

Mr. SYMINGTON. Mr. President, we were glad to read, in an announcement last week from the Department of Agriculture that the Secretary, in his capacity as Chairman of the Board of the Commodity Credit Corporation, had signed an agreement with Spanish co-op federation for the sale of about 600,000 metric tons of U.S. feed grains, for dollars, to be paid in 10 annual installments with interest at 4⅛ percent per year.

This is the type of sale, made under title IV of Public Law 480, in which we should be really interested. It decreases our agricultural surpluses, improves our balance of payments and helps our producers.

We commend Secretary Freeman and the Department of Agriculture on the sale and ask unanimous consent that a copy of the Department's announcement entitled "Spanish Co-op To Buy $35 Million of U.S. Feed Grains on Credit" and the statement made by the Secretary of Agriculture at the time he signed the agreement be inserted at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SPANISH CO-OP TO BUY $35 MILLION OF U.S. FEED GRAINS ON CREDIT

Secretary of Agriculture Orville L. Freeman announced the signing today of a $35 million title IV, Public Law 480 private trade agreement which will enable a Spanish federation of agricultural cooperatives to buy over a 3-year period a total of about 600,000 metric tons of U.S. feed grains.

The market development agreement was signed on behalf of the Department's Commodity Credit Corporation by Secretary Freeman, Chairman of the Board. It was signed on behalf of the co-op federation, COES (Spanish Cooperative for the Commercialization of Farm Products), by Tomas Montero Tirado, general manager.

The agreement, which provides for export financing by CCC, was negotiated under the private trade section of title IV, Public Law 480 which authorizes long-term supply and dollar credit sales contracts for U.S. agricultural commodities. The agreement calls for purchase by COES of 125,000 metric tons of U.S. feed grains in fiscal year 1966, with approximately 200,000 metric tons to be purchased in fiscal year 1967 and 275,000 metric tons in fiscal year 1968. CCC will be repaid by the co-op federation in dollars in 10 annual installments with interest at 4⅛ percent per year.

The Spanish co-op federation consists of over 900 local and provincial cooperatives who represent more than 200,000 member farm families. COES will sell the feed grains to its member cooperatives for resale to their individual farmer members.

"This is an excellent dollar sale for U.S. producers and a highly useful purchase for the Spanish co-op members who will use the feed grains both in their feeding operations and as a source of capital in improving their livestock and meat marketing operations," Secretary Freeman said.

"Under the agreement with COES we will be selling feed grains to its beef, lamb, and hog producers who have not been using any significant amount of feed grains in their operations.

"This is our largest title IV sales agreement to date. It reflects our new emphasis on private trade transactions and is our third such agreement.

"This is a fine example of how title IV is helping to build new and larger foreign markets for our farm products."

COES, in addition to the $35 million credit purchase of U.S. feed grains, has agreed to buy commercially during the next 3 years a minimum of about $18 million worth of U.S. feed grains (321,000 metric tons) plus an additional $7.4 million worth (134,000 metric tons) from free world sources, including the United States. Also it plans to buy substantial amounts of U.S. soybean meal and other feed ingredients, live cattle, and supplies and equipment needed in carrying out its livestock production and distribution program.

COES will sell the title IV feed grains, or mixed feeds made from the feed grains, to its local cooperatives on a short-term credit basis. It will use the proceeds of such sales to finance various facilities for feed grain and mixed feed processing and distribution, and facilities for livestock production and marketing. These, in turn, will earn revenue that will be used in repaying the Commodity Credit Corporation. The COES program calls for building and/or modernizing 5 feed grain port storage and handling facilities; constructing and equipping 4 feed processing plants, 7 livestock fattening centers, 10 slaughterhouses, 4 refrigerated meat distribution facilities, and 10 livestock demonstration farms; and buying a fleet of trucks and trailers for marketing feed grains, mixed livestock feeds, and meats.

Sales of U.S. feed grains under the agreement will be made by private U.S. traders. Purchase authorizations will be announced later. U.S. suppliers of title IV feed grains and equipment to be purchased from sales proceeds will be given ample opportunity to participate under public tenders to be announced by COES.

General information on the title IV, private trade agreement program is available from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C.

Specific information on issuance of purchase authorizations and related operational details on this agreement are available from the Program Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Phone DUdley 8-6211 or DUdley 8-5433. (Please refer to press release USDA 2835-65.)

BACKGROUND

COES has achieved quick success as a Spanish farm marketing and service federation since its organization in 1961. Its membership has grown rapidly. Its sales volume in 1964 came to approximately $60 million. Its members are estimated to own between 10 and 15 percent of all cattle, sheep, and hogs in Spain. It is working actively with members on a program "to improve on existing practices in all phases of livestock production and distribution."

COES services a national economy which has improved rapidly in recent years. Spain's annual per capita income has increased from $85 for a population of 27 million in 1950 to a current level of about $500 for a population of over 31 million. With economic growth, demand for higher level diets—particularly meats—is strong. Although Spain's per capita consumption of red meats has risen from 37 pounds average in 1956-60 to 51 pounds in 1964, this still is among the lowest in Western Europe.

Spain is an example of a nation that is moving in the direction of full status as a major cash buyer of U.S. farm products. During the early years of Public Law 480 (food for peace) programs, special sales arrangements with Spain under title I involved more than $450 million worth of U.S. wheat, feed grains, cotton, tobacco, and fats and oils paid for in pesetas rather than dollars. Today Spain is one of the large commercial buyers of such U.S. farm products and pays in dollars. During fiscal year 1965 Spain bought, commercially, nearly $120 million worth of a wider variety of U.S. farm products.

STATEMENT BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

It gives me great pleasure to sign this agreement. This is a trade-expanding transaction which helps both of our countries.

The agreement calls for the sale by American sellers of very substantial quantities of U.S. feed grains through the Commodity Credit Corporation to COES—the Spanish Cooperative for the Commercialization of Farm Products. Trade expansion in this agreement at a level of 600,000 metric tons of U.S. feed grains sold for $35 million—including transportation—lends new vigor to the private sector of the economy in each country.

In another sense, this agreement is a significant accomplishment. It marks the largest use to date of new trading machinery—title IV of Public Law 480, as amended in 1963—now available to American agriculture. Title IV enables us to sell our farm products on long-term dollar credit to private citizens or organizations in eligible countries that are showing marked improvement.

Spain eminently meets this requirement. Spain's economy, in marked contrast to the situation a few years ago, is displaying new vigor, new strength, and substantial growth. Spain is moving ahead economically—and we think this agreement will add one more helpful step to that movement.

This transaction—linking the private sectors of the two countries rather than being government to government—will be of great assistance to the Spanish livestock industry. Under the agreement with COES, we will be selling our feed grains to the co-op's 200,000 farm families who produce beef, lamb, and hogs and who have not been using any significant amount of our grain in their operations. Proceeds from the sale will be used by the co-op as a source of capital to improve their livestock and meat marketing operations which in turn will earn the revenue to repay the Commodity Credit Corporation. Through this imaginative but practical agreement, the resourceful farmers of Spain will improve their production and marketing of livestock—and their incomes. Consumers of Spain will have more red meat, and better meat, in their food stores at more stable prices, if COES objectives are fully realized.

For U.S. producers this agreement will accelerate development of a permanently larger market for our farm products. COES, in addition to the $35 million credit purchase, which will be repaid in dollars in 10 annual installments, also has agreed to buy commercially during the next 3 years a minimum of about $18 million worth of U.S. feed grains, plus an additional $7.4 million worth from free world sources, including the United States. The co-op also plans to buy substantial amounts of U.S. soybean meal and other feed ingredients, live cattle, and supplies and equipment.

At a time when so many of our thoughts are concerned with the strife and discord of world affairs, the constructive private trade that we are making possible here today is in healthy and reassuring contrast.

There is an old familiar statement about "eating one's cake and having it, too." I mention this because the United States is interested in trade and it is interested in aid. This agreement is helping Spain's developing agriculture, through trade, to help itself. And that's the way Spain wants it.

By fortunate coincidence, this agreement is being signed just 3 weeks before the United States begins its observance of an annual occasion known as Cooperative Month. The month of October has been dedicated to national recognition of the important role of cooperatives in bringing a better life to people. Across our country we are reminding our citizens that through cooperative effort, and within our free enterprise system, millions of our people are voluntarily working together to bring to themselves and their families an abundance of goods and services which, without cooperation, they might never be able to obtain. It is fitting and proper that our largest single transaction under title IV should be with a foreign farmer cooperative consisting of over 900 local and provincial co-ops, representing more than 200,000 member farm families.

Again, let me say that it is a great pleasure to sign this agreement. It is a gratifying and timely example of how the people of two countries, by putting their minds to it, can match their resources and their needs in a way that is mutually helpful.

SOCIAL SECURITY BONUS

Mr. SMATHERS. Mr. President, evidence that the recently passed increase in social security benefits is having a marked effect across the Nation is already beginning to develop. In voting a 7-percent across-the-aboard increase in social security benefits, Congress approved a retroactive payment to January 1, 1965. Lump sum checks covering that time period are now being mailed to social security beneficiaries all over America. It is clear that for many oldsters, Christmas is taking place in September. To these retirees living on few dollars, the retroactive payment check is truly a bonus which helps them buy clothes, pay overdue bills or perhaps pay for a dinner in a restaurant. These payments not only help the senior citizen, they help the community in which he lives.

An example of the impact of these retroactive payments in one community is well-reported in the September 22 edition of the Wall Street Journal, which sent Kenneth G. Slocum to St. Petersburg, Fla., a well-known retirement city, to find out how the money was being spent. Mr. Slocum did a thorough job and I ask unanimous consent that his report in the September 22 Wall Street Journal be inserted in the body of the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Aged Quickly Spend Social Security Bonus To Make Life Easier—Checks for Retroactive Boost Go for Clothes, Food, Rent; Bonanza in St. Petersburg

(By Kenneth G. Slocum)

St. Petersburg, Fla.—William Wilkins, a retired bricklayer, has already spent his social security "bonus." "Nineteen dollars for a car repair job, $10 for some overdue bills and a few dollars at the drugstore."

Gifford Adams, a former bookkeeper, will use his check "to put some new rags on the old frame."

And a frail old couple here will use the money to change hotel rooms. "Instead of a $10-a-week room with cockroaches on First Street we're getting a clean $13-a-week room on Sixth Street, where we also hope to meet a better class of people."

The money that is paying bills and changing plans in this retirement city is the 7 percent increase in social security payments, retroactive to January 1. The initial batch of checks covering the back payments began pouring in here—and across the Nation—Saturday morning, and by Saturday afternoon cash registers were zinging and the thousands of oldsters who daily sit on the tree-shaded benches lining St. Petersburg avenues were abuzz with talk of their new plans.

SURE LOOKS MIGHTY GOOD

"That extra $5.90 a month wouldn't mean a thing to a guy making $10,000 a year. But, boy, when you're 70 and everything is going out and nothing is coming in that extra sure looks mighty good," says Lonnie Hutchins, a former New York truckdriver.

The money is already providing a spur to the economy of this typical city, where 28 percent of the 215,000 residents are 65 or older. "Our sales Saturday were the best in a long time," says the manager of a Food Fair supermarket. At Webb's City, a complex of stores catering to the elderly, Saturday sales of toothpaste, patent medicines, and sundry items were $5,000 above normal.

The impact of the extra social security disbursement can be seen most quickly here, where life is geared to the needs of the elderly, where sidewalks slope to street levels at each corner and where drug and dime stores advertise blood-pressure readings for 50 cents. But the impact isn't limited to this sunny city. Nationwide, about 9 percent of the population is 65 or older, and the retroactivity checks are supplying these people immediately with a hefty $885 million in additional buying power.

Talks with scores of old folks here and studies by authorities on the problems of the aged indicate the recipients will spend the money as fast as they get it. Indeed, only 1 in 10 of the people interviewed expressed any thought of saving the money. "Most of it is already spent, but, shucks, isn't that what it's for?" says one retired man here. Adds George Malis, a retired steelworker: "At 72, there's no use saving money."

FOR THE ECONOMY, $1.2 BILLION

In addition to the back payments, the regular monthly social security checks for the 20.5 million recipients, mostly oldsters, will be fatter beginning with the September payment, to be mailed out early next month. This rise, plus the retroactivity payments, will channel an estimated $1.2 billion into the economy in the next 4 months, and another $100 million a month thereafter. The money is being counted on by Johnson administration experts to provide a major stimulus to the already booming economy.

The retroactive payments covering the months from January through August will average about $48 for single retired workers, $80 for aged couples, $40 for aged widows, $112 for a widow with two children, $56 for disabled workers and $104 or more for a disabled worker with a wife and at least one child. The monthly increase for a retired worker ranges from $4 to $8.90; a widow's monthly increase ranges from $3.30 to $7.40.

For many persons, the money will provide some basic necessities which they have been going without. Consider, for instance, the straits of Anthony Souza, 79, a retired carpenter from Rhode Island who lives entirely on his social security payment. The check was $100 before the increase.

"My hotel room costs me $40 a month, and, if I watch it, I can eat in cafeterias for $2 a day," he explains. "So I can scrape by—except in those months with 31 days." The increase, which will lift Mr. Souza's check to $107 a month, "will make life a little easier," he says.

A silvery haired widow of 70, sitting on the front porch of the old Detroit Hotel, is asked what she will do with her retroactivity check and pension increase. Reaching over to feel the quality of a visitor's suit coat, she asks: "Sonny, when was the last time you chewed gum for breakfast?"

On Saturday, the prescription drug department at Webb's City reported business was 15 percent above normal, "indicating that some of these people had been unable to pay for prescriptions until the retroactive checks arrived," says James Webb, executive vice president. The store also posted "very substantial" gains in the eyeglass and hearing aid departments, he says.

Most of the money seems to be going for food, clothing, and other ordinary, everyday expenses, however. "I've cashed so many blue Government checks today I'm blue in the face," says Willie Houchins, an executive at a huge Grandway Department Store here. "Most of them seem to be spending it for household items such as pots and pans, and clothes—a housedress for her and a pair of slacks for him," he adds.

Holding up two fistfuls of Government checks, the manager of the Food Fair says: "This is all I've been doing. I've cashed over 500 retroactive checks in 2 days. It's apparent that a good part of the retroactive checks is going for food."

At Webb's City Saturday, gains of 17 percent were posted in the ladies' ready-to-wear department, 11 percent in men's wear, and 1 percent in household furnishings, in comparison with normal Saturday business. By contrast, the jewelry and landscaping-nursery departments had no gains.

Some of the money, however, will go for increased prices, at least in this west Florida area. "Six months ago I paid 10 cents in a local cafeteria for a dish of grated carrots. Now I pay 18 cents," complains Clarence Wahlers, a retired toolmaker of 79. "A year ago I could get a decent meal for $1; today it costs me $1.25."

Eggs in the favorite restaurant of William Luth, a 73-year-old former construction laborer, now are 14 cents, up from 12 cents a week ago, he says. And Mr. and Mrs. Fred Weber complain that the "budget bacon" that cost them 35 cents a pound a few months ago now costs 70 cents.

The owner of a grocery store confirms that prices have been inching up the past few months because of higher costs to us. A restaurant owner says he has raised prices because of an expected minimum-wage law governing the restaurant business.

Not all the elderly, of course, are living such a hand-to-mouth existence. For the nonimpoverished, the new social security money will just mean a windfall, to be frittered away in one manner or another. "It's nice, sure," says William Wright, a 71-year-old with a scampish grin. "But I didn't need it. I have a nice pension from Bethlehem Steel and a few bucks tucked away." Mr. Wright feels he is so sound financially that he recently married, even though his 42-year-old bride isn't old enough for social security.

But for others, it will, as Mr. Souza says, make life a little easier. For Manly Corbin, 68, the money will mean "my first new suit in years." For John Morrow, 71, a $40 retroactive check will help buy an old car.

For still others, however, the money won't be enough, especially to cover medical expenses. These people, though, look to medicare to help solve their problems and generally figure their ailments can wait to be treated next July, when the Government program of medical care for the elderly takes effect.

"I have a tumor on my back but I figure both it and I can last until next year when medicare goes into effect," says John Doran, a gravel-voiced man of 70 who used to buy food for a Buffalo, N.Y., restaurant chain. "I just can't spare the dough so Uncle Sam is going to pay for most of the operation."

Harvey Jackson, 79, concurs. "Several of my friends are putting off kidney and bladder operations until medicare goes into effect," he says. "Some don't have the money and others don't want to spend what they have."

ATLANTA CONSTITUTION NARRATES HOW EXPERIENCE POINTS TO NEED FOR NEW GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the unparalleled success of the GI bills of World War II and the Korean conflict provided the necessary financial impetus to enable some 10 million veterans to enroll for education and training at a cost to this Government which has been more than repaid. Indeed, information supplied by the Department of Labor and the Department of Commerce indicates that incomes of veterans who received GI bill assistance in education averaged from $1,000 to $1,500 a year more than the incomes of those who failed to take advantage of this educational aid. If we do not grant our approval to a new GI bill this session this Congress will be rejecting one of the greatest opportunities to provide for the future intellectual and economic strength of America.

Mr. President, I ask unanimous consent that an article by the widely read Mr. George Boswell, which appeared in the September 17, 1965, issue of the influential and prestigious Atlanta, Ga. Constitution be printed at this point in the Record. The article is entitled "GI Bill Helped Build a Stronger Nation."

There being no objection, the article was ordered to be printed in the Record, as follows:

GI Bill Helped Build a Stronger Nation

(By George Boswell)

The proposed cold war GI bill is a reminder of the remarkable results of the original GI bill of World War II. The bill was unprecedented. It was motivated largely by fears of what might happen to the country and its economy by the rapid dismantling of our military force, which at its peak numbered about 16 million men and women. This was accompanied, of course, by the reconversion of our gigantic industrial complex from a war basis to peace.

Whether or not it was justified, there was great worry about how these veterans—with average time in service of 2½ years—would readjust to civilian life. It was recalled that Mussolini and Hitler had risen to power with the support of disgruntled veterans. American veterans did not react that way, of course, but turned themselves into a mighty force to create a greater America. How much was due to the GI bill is impossible to measure but by any yardstick its cost was negligible compared to the benefits which have accrued to the Nation because of it.

No other country had ever attempted to aid veterans in readjustment on such a scale. Millions were put on the road to becoming self-reliant citizens and leaders of the Nation and their communities. Under its educational program, almost 8 million took advantage of opportunities to improve skills or to learn new ones.

More than 6.7 million home loans and 300,000 other loans with a face value of $65 billion were made under guaranteed VA loans under the World War II and Korean GI bills. About 3 million of these already have been paid in full. Less than 3 percent have been terminated with claims.

To aid in the adjustments, the original GI bill allowed payments to veterans of $20 per week for 52 weeks. This so-called "52–20" club was the most controversial feature of all, its critics claiming it would result in millions of loafers. They did not understand the returning GI. Among all veterans, an average of only 19 weeks of the allowance was used. Most were too busy finding better jobs, improving their future opportunities through education and training, creating new businesses and entering expanding trade fields.

Perhaps the greatest achievement was in the educational field. As a group, veterans who entered the Nation's schools and colleges proved themselves to be the best students in their respective institutions. They did not waste their opportunities and as a result the Nation was enriched by millions of college-trained leaders in business, science, skilled trades, and the professions with earnings that exceed those of nonveterans of the same age group.

The performance of these veterans confounded the critics who called the GI bill a senseless handout and socialism. They responded to the aid with individual zeal to become more independent and productive citizens in an economy that had to grow. The feared class of dependent veterans did not materialize.

THE IMMIGRATION BILL

Mr. BYRD of West Virginia. Mr. President, yesterday I inserted in the Congressional Record five editorials which appeared in West Virginia newspapers in support of my opposition to the immigration bill. I have now received a sixth editorial, this one having appeared in the Weirton, W. Va., Daily Times on Tuesday, September 21.

I call attention to the following paragraphs taken from the editorial:

> Certainly it is difficult to understand why we would want to encourage massive migration to the United States at the very time when our Nation is confronted with critical problems of unemployment, poverty, depressed areas, automation, integration, increasing crime, and a skyrocketing welfare bill.
>
> The advocates of the change state that under the proposed legislation it will be easier for people "of special skills" to come into the country and help the U.S. economy. Yet, under the new legislation there would be an increase in quotas for such countries as Trinidad, Jamaica, Tanzia, Malawi, Yemen, and Nepal, and it would seem that persons with special skills needed in the United States might be very hard to find in those countries. Besides, these countries need the services of their talented and trained people more than we do if they hope to build a better economy.
>
> The United States need make no apologies for its immigration policies which already are far more liberal than other countries and in view of the fact that other advanced nations are selective in dealing with immigrants * * *.

Mr. President, I ask unanimous consent to insert in the Record at this point the entire editorial from the Weirton Daily Times.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Hold the Line

U.S. Senator Robert C. Byrd has taken a very reasonable and sound stand in opposing the administration's proposed new immigration bill which would scrap the basic national origins quota system first drawn in 1924.

Admittedly there are some weaknesses in the present system as it applies no limitations on immigration from South America and other Western Hemispheric countries, yet it has served the interests of the United States well in the past. The proposed legislation now being considered, however, would pose grave problems for our country and in a way could lessen the effectiveness of current U.S. policy to help other countries improve their economic conditions.

Certainly it is difficult to understand why we would want to encourage massive migration to the United States at the very time when our Nation is confronted with critical problems of unemployment, poverty, depressed areas, automation, integration, increasing crime and a skyrocketing welfare bill.

In many parts of the country, including our own, joblessness remains a nagging problem. As stated by Senator BYRD, sooner or later we are going to have to recognize the realities of this situation and admit to ourselves that our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world.

The advocates of the change state that under the proposed legislation it will be easier for people of special skills to come into the country and help the U.S. economy. Yet, under the new legislation, there would be an increase in quotas for such countries as Trinidad, Jamaica, Tanzia, Malawi, Yemen, and Nepal, and it would seem that persons with special skills needed in the United States might be very hard to find in those countries. Besides, these countries need the services of their talented and trained people more than we do if they hope to build a better economy.

Under the present system, it is true that relatively larger quotas are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population. As pointed out by the West Virginia Senator there are fine human beings in all parts of the world, but peoples do differ widely in their social habits, their levels of ambition, their mechanical aptitudes, their inherited ability and intelligence, their moral traditions, and their capacities for maintaining stable governments.

The United States need make no apologies for its immigration policies which already are far more liberal than other countries and in view of the fact that other advanced nations are selective in dealing with immigrants.

The time is here when we must begin thinking about our own national interest without being influenced by foreign nationals. We fully support the stand of Senator BYRD on this vital issue.

ORDER OF BUSINESS

Mr. KENNEDY of Massachusetts. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. MILLER. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 29, line 4, change the period to a semicolon and add the following: "*Provided*, That for all fiscal years after the fiscal year ending June 30, 1968, said 170,000 shall be reduced by the number of special immigrants, exclusive of special immigrants defined in section 101(a)(27)(A), and immediate relatives admitted to the United States for permanent residence during the fiscal year."

Mr. MILLER. Mr. President, my amendment would not affect the application of the bill to the increased immigration prior to June 30, 1968. It is my understanding that there is a backlog of immigrant applications which should be taken care of. I understand from the distinguished Senator from Massachusetts [Mr. KENNEDY], the Senator in charge of the bill, that it is anticipated that after 3 years the backlogs of impending immigrants will be eliminated in all instances except for one category of Italians, and that the situation will be rectified shortly thereafter. So during the next 3 years, the backlog of immigrants can be substantially cleaned up.

I believe we ought to focus our attention on what will happen after that. What will happen on July 1, 1968? My amendment is concerned with what will happen after that date.

I am aware of how complicated the whole subject of immigration is. Much confusion exists with respect to it. There are quota immigrants, there are nonquota immigrants, and there are specially exempt categories. If one tries to concern himself with these groups, he may end by seeing only the trees, and not seeing the forest. I believe we ought to be concerned with the forest; namely, the total number of immigrants, regardless of their quality, whether they are called quota, nonquota, or exempt categories. The question should be, How many immigrants are coming into the United States, and how many will be coming into the United States?

The national origins policy which has existed for many years leaves much to be desired. Probably the principal thrust of the bill is to do away with the national origins policy and to treat all people alike, regardless of the country from which they come, so long as they can satisfy the category requirements provided in the bill. My amendment has nothing to do with that. It has only to do with the total number of immigrants that will be coming into the United States starting on July 1, 1968.

The record shows that in 1960, the total number of immigrants into the United States was 265,000; in 1961, 271,000; in 1962, 283,000; in 1963, 306,000; and in 1964, 292,000. To all intents and purposes, it appears that the bill provides for 290,000 immigrants, 170,000 from the world at large and 120,000 from the Western Hemisphere.

But the bill goes further: It provides for certain exempt categories in addition to the 290,000. According to the record it is estimated that over and above the 290,000, we can expect 50,000, 60,000, or 70,000 more immigrants a year. No one knows with certainty what the number in the exempt categories will amount to. But as I recall, the Attorney General estimated that 62,500 more immigrants a year would come in starting on July 1, 1968, than are coming in now.

With respect to the confusion to which I referred earlier, considerable point has been made concerning the present annual quotas which some countries have and how low they are. For example, Greece has been mentioned as having an annual quota for 1964 of only 849. However, the record should show, so that the people will know exactly what is taking place, that while 849 quota immigrants were authorized for Greece in 1964, there were 3,060 nonquota immigrants admitted from Greece. This immigration was entirely legal but was in addition to the regular quota.

There are other examples. Last year, Italy was authorized 5,950 immigrants; yet 7,295 nonquota immigrants were admitted over and above the quota immigrants. So perhaps the way the present program has been working, so far as certain countries are concerned, there may not be so much hardship as the plain quota figures would indicate. The total number of persons who have been legally admitted is what really counts.

To return to my amendment, it seems to me that if the policy cf Congress is to do away with the national origins system and at the same time preserve the total number of immigrants at about the same rate at which they have been admitted during the last few years, the target ought to be somewhere around 290,000 to 300,000. Assuming that the target is 290,000, I have left the figures of 170,000 and 120,000 undisturbed; but my amendment provides that the 170,000 quota immigrants for the world at large shall be reduced by the number of special immigrants who are exempted under the bill; and that after the 170,000 is reduced by the number of special immigrants who are admitted into the United States, the remainder would be quota immigrants.

My amendment is not intended to reduce the 120,000 total number of immigrants. The intention is to retain the 170,000 figure and to start by taking the exempt categories off the top. Then, after they have been admitted, we shall know how many quota immigrants can be taken in.

If the exempt categories amounted to 10,000 immigrants in 1 year, we would have 160,000 quota immigrants. If the exempt categories amounted to 20,000, we would have 150,000 quota immigrants.

There is no intention of reducing the number of immigrants in any one year below 290,000—170,000 from the world at large and 120,000 from Latin America.

On the other hand, if it is the intention of the administration and the policy of Congress not only to do away with the national origins system, but also to increase the total number of immigrants coming into the United States by 50,000, 60,000, or 70,000 a year, starting on July 1, 1968, then my amendment should be rejected and the bill should be passed in its present form.

Mr. President, I see no reason for any further explanation of my amendment. It is very simple. I believe that the issue is clear.

I yield the floor.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. MILLER] to the committee amendment in the nature of a substitute.

Mr. KENNEDY of Massachusetts. Mr. President, I should like to review with the Senator from Iowa the intention of his amendment. I believe I understand from the remarks of the Senator from Iowa what he is attempting to do in general, but I am not sure that the language of his amendment is fully clear on its face. The amendment reads in part:

> *Provided*, That for all fiscal years after the fiscal year ending June 30, 1968, said 170,000 shall be reduced by the number of special immigrants—

Special immigrants have been defined under the bill to apply to those coming from the Western Hemisphere, which number has been set at 120,000; I read further from the amendment—

> exclusive of special immigrants defined in section 101(a) (27) (A), and immediate relatives admitted to the United States for permanent residence during the fiscal year—

It seems to me, if I read the amendment correctly, that it would provide that, for all fiscal years after the fiscal year ending June 30, 1968, the figure of 170,000 shall be reduced by the number of special immigrants—which, as defined by this bill, would mean those from the Western Hemisphere, as well as immediate relatives admitted to the United States for permanent residence during the fiscal year.

So as I read the amendment, what the Senator is attempting to do is to reduce the figure of 170,000 by the number of special immigrants. It would also include those defined in the McCarran-Walter Act as having a particular immediate family relationship, who would be admitted to the United States for permanent residence during the fiscal year.

I wish to ascertain whether I read that language correctly before I address my comments to the relative merits of the amendment of the Senator from Iowa. I do so because I have not seen this amendment before and received it but a few brief minutes ago.

Mr. MILLER. Mr. President, I appreciate the statement of the Senator from Massachusetts. I believe that we ought to be in agreement on the language before we enter into a discussion of the merits.

I would be the last one in the world to suggest, in dealing with a complex subject such as this, that this amendment is letter perfect. I believe that it is accurate. The language which states that the 170,000 shall be reduced by the number of special immigrants does not relate to Western Hemisphere people at all. The term "special immigrants" refers to the special category born in the Western Hemisphere, children, spouses, and parents of immigrants previously admitted to the United States for permanent residence, but who have temporarily been abroad, former U.S. citizens who are now eligible to reapply for citizenship, ministers, and their spouses and children, employees, and retired former employees of the U.S. Government.

Some people who have been born in the Western Hemisphere are residents of the United States and of other countries in the world at large outside the Western Hemisphere. However, this is the group which is referred to and covered by the phrase "special immigrants."

I have in my amendment specifically excluded special immigrants defined in section 101(a)(27)(A). These are the people from the Western Hemisphere, concerning which the 120,000 limitation is placed in the bill.

I suggest to the Senator that my amendment would provide that the 170,000 shall be reduced only by the special categories to which I have referred, and that it would not include the 120,000 Western Hemisphere people referred to or covered by section 101(a)(27)(A).

Mr. KENNEDY of Massachusetts. Mr. President, I refer to the committee report and the description contained in the report concerning section 8 of the bill. It reads as follows:

> Section 8 of the bill amends section 101 of the Immigration and Nationality Act.
>
> Section 101(a)(27) of that act, which defines "nonquota immigrant," is amended to eliminate the term "nonquota immigrant," and insert in lieu thereof "special immigrant." Therefore, natives of independent countries of the Western Hemisphere, returning resident aliens, certain former citizens of the United States, ministers of religion, and certain retired employees of the U.S. Government abroad previously referred to as "nonquota immigrants," will henceforth be referred to as "special immigrants."

Before we get into the question of the merits of this amendment, I wish to be absolutely sure of what we are talking about. Are we sure that under this amendment we would not take the figure of 170,000 and reduce it by the number of special immigrants, which for the general purpose of discussion includes Western Hemisphere and certain others under section 101? Are we sure that we would not be taking the 170,000 and reducing it by 120,000, because that number of Western Hemisphere immigrants would fall within the definition of special immigrants as defined by the legislation?

If that is not correct, I believe that the amendment would be a bit unrealistic at this point. If I correctly understand what the Senator is trying to do—and perhaps we could have a discussion of it—it is the intent of the Senator to provide that those who have a special family relationship may be included within the 170,000—sons and daughters, brothers and sisters, and parents of American citizens.

Mr. MILLER. The Senator is correct.

Mr. KENNEDY of Massachusetts. I believe that is the fundamental point of the Senator from Iowa. I should like to comment briefly on that point.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MILLER. I must insist that the language contained in the amendment which says "excusive of special immigrants defined in section 101(a)27(A)" refers to the 120,000 Western Hemisphere people.

If the Senator will look at section 101(a)27(A), I am sure that he will find that this is the section that covers the Western Hemisphere people on which the 120,000 limitation is placed in the bill. I fully intend to say, and I believe the amendment does say, that we will not take those people into account at all. They would be excluded from the coverage of my amendment.

We are not meddling with the Western Hemisphere 120,000 figure at all. All I want to do is to subtract or deduct from the 170,000 those special categories to which the Senator has just referred.

I invite the attention of the Senator to page 28 of the committee report. Down near the bottom of the page, there appears section 101(a)(27) which defines special immigrants. However, section 101(a)27(A) would be specifically excluded under my amendment. So the other categories are included. Those would be the family-type relationships to which the Senator has been referring.

If there is any difficulty over the legislative drafting of this amendment, I am sure that we can get together on it. However, I should like to have a little discussion with the Senator about the objectives of my amendment. I assume that we can get together on the legislative drafting.

Mr. KENNEDY of Massachusetts. Mr. President, the Senator from Iowa [Mr. MILLER] has raised a point which is basic and fundamental to the legislation the Senate is considering this afternoon whether we will have a figure of 170,000 numbers for the world, and whether it will be 120,000 numbers for the Western Hemisphere, all exclusive of immediate relatives as deferred in the bill. These are figures arrived at in a way that should be reviewed, and I shall review it very briefly.

At the time of legislative consideration prior to the passage of the 1924 Immigration Act, the figure of 150,000 was established. It was based on an annual total number of immigrants equal to one-sixth of 1 percent of the population of the United States in 1920. Quotas were then assigned on the basis of the nationality of the U.S. white population at that time.

The figure of 150,000 was gradually raised as new independent countries were recognized by the United States, until it reached 158,561, which is the figure today. The figure of 170,000 represents these 158,561 numbers plus the inclusion of 10,200 numbers set aside for refugees, which would make a total of 168,761. That figure was rounded off at 170,000. For the Western Hemisphere countries, the figure of 120,000, exclusive of immediate relatives, was reached on the basis of experience during the past 5 to 10 years.

Thus, Mr. President, we arrive at the figures that we are talking about, 170,000 for countries throughout the world exclusive of the Western Hemisphere, and 120,000 for countries in the Western Hemisphere.

The Senator from Iowa raises the question, Should not the immediate family relationships be included in the 170,000?

Mr. President, that would attack the very basis of the pending legislation, aside from the elimination of the national origins system and the Asian-Pacific triangle.

The McCarran-Walter Act, under its preference system, assigns 50 percent of all quota members to skilled aliens who have particular skills which are urgently needed in the economy of the United States.

That entire preference concept has been changed in the pending legislation to one emphasizing the reunification of families. The preferences in this bill have thus been changed to provide that preferential consideration shall be given to family reunification. The first preference is for those who would come to the United States as unmarried sons and daughters of American citizens, the second preference is for family relatives of aliens, the third, and only the third preference—and this is only 10 percent—to those who have skills at the professional level. The fourth preference is given to married sons and daughters of U.S. citizens. The fifth preference is given to brothers and sisters of U.S. citizens; the sixth preference is given to labor needed here because of a short supply in certain types of labor, the seventh to the refugees; and the eighth is left for what are called new seed immigrants.

In this legislation, therefore, those who have particular skills are reduced to third and sixth preferences. The bill recognizes the basic human concern which Americans have for the reunification of families. We know, even looking at today's situation under the McCarran-Walter Act, referring to figures from the Department of State, Bureau of Security and Consular Affairs, that there are numbers of instances of family separation caused by our immigration laws. For instance, in the Asia Pacific triangle, under the second preference of the McCarran-Walter Act, covering parents of U.S. citizens 21 years of age or over and unmarried sons and daughters of U.S. citizens, there are 52 parents of American citizens who would like to come to the United States; there are 1,300 people of Chinese extraction; there are 376 Greek family separation cases; 29 from India, 39 from Iran, 25 from Iraq, 231 from Panama, 151 from Japan, 49 from Korea, 615 from the Philippines, 166 from Portugal, 318 from Turkey, and so on.

These are typical examples. It was because of these examples that such serious consideration was given by the subcommittees in both the House of Representatives and the Senate to the importance of the reunification of families.

I recognize, as the Senator from Iowa has stated, that with the exception of some special family relationships—such as those of certain categories of Italians, we would in the next 3 years reunify the families now awaiting reunification. Nonetheless, under this amendment, the problem would arise repeatedly in the future. It is well to consider the basic concept and philosophy of this legislation. It would be regressive to change the special consideration for which the bill provides, and I would hope that the Senator from Iowa would reconsider his proposal.

Mr. MILLER. Let me say to my friend the Senator from Massachusetts that I agree with him in all he has said about reunification of families. However, I invite his attention to the fact that the figures he has quoted are figures which have arisen under the backlog created under the present law, which should be taken care of in the next 3 years. I cannot believe that 3 years from now he will be able to show any such figures as he has given us, because the intention of the bill is that these cases be taken care of in the next 3 years. My amendment has nothing whatsoever to do with that period of time so far as the bill is concerned.

I suggest further that another reason why the figures the Senator from Massachusetts has given us exist is the unfortunate national origins policy under which this country has been operating. The pending bill would abolish that; and there again, I cannot imagine that 3 years from now there will be any figures of such magnitude available, because the national origins system will be out, and we shall have much more flexibility in handling family reunification problems.

Are we going to make a decision on the total number of people per year that will be coming into the United States starting July 1, 1968? If we are going to make a decision on that total, what is the total to be?

My amendment would leave the total at 290,000, which is almost exactly what the figure was last year, 170,000 for the world at large and the 120,000 for the Western Hemisphere.

The way the bill is now written, it would not be 290,000, but, rather, 290,000, plus whatever number would come in under the exempt categories. We are told this figure could be 40,000, 50,000, 60,000 or 70,000 a year. The Attorney General has testified that his estimate was 62,500 a year. However, no one knows.

We do know, however, that it would be more than we are taking in now.

I believe it would be better, if the Senator from Massachusetts believes that 290,000 is too low, to make the figure 180,000, instead of 170,000; and we could make the Western Hemisphere figure 120,000 or 130,000. Then we would have 310,000 immigrants a year, and we would know what the ceiling would be. We could then adapt my amendment to that situation, by providing that the various exempt categories should come off the top, and the other categories should be divided. We are not talking about a hardship situation. The bill is designed to deal with the hardship situation.

What is involved is a policy decision that should be faced. The American people should know exactly what is being done. I know of no one who is not in favor of doing away with the national origin system. I believe all Senators are in agreement on that point.

The question is what we should do about numbers. Let us not get down to quotas, and so forth. Let us know where we are going.

Under the bill we shall have perhaps 365,000 a year. It is roughly 290,000 a year now. Perhaps that is what we should do. I am not necessarily saying that we should not do it, but I believe it would be a good idea to get at the figures that we have now and clean up the figures in the next 3 years, and say that they ought to be cleaned up. Then we could start on July 1, 1968, knowing exactly where we are going.

At that time, if it is decided to be in the national interest to increase our immigrant total over 300,000 and make it 365,000, that is the time for Congress to make that decision. I believe that it is a little premature at this time, particularly in the case of such an important piece of legislation, to make that anticipation. It seems to me that what we should do is to stay with the figure of approximately 290,000, so that everyone will know that the 290,000 immigrants will be admitted into the United States, starting July 1, 1968; and that is exactly what my amendment would do.

I ask the Senator from Massachusetts if he is satisfied with the language of my amendment. I would feel unhappy about having the amendment go off on the basis of a dispute over the drafting of the amendment. I believe that it really should go off on the basis of a decision as to whether we are to have a ceiling on the total number we are admitting now.

Mr. KENNEDY of Massachusetts. The amendment offered by the Senator may still be open to interpretation, but that thought aside, we could certainly work out language to include what the Senator from Iowa is attempting to do. It is open to different interpretations, but it would be fair to say that it could include what the Senator from Iowa has mentioned.

I go back to the fact that through the Bureau of Security and Consular Affairs, we have been able to determine that we can expect over time, given the present legislation which is now being considered by the Senate, between 50,000 and 60,000 people who will come in and take advantage of our new immigration laws. This is based upon similar conditions in the past, the knowledge of present demands, and anticipation for future demands.

I do not believe that there is any Senator who does not recognize that this bill establishes a worldwide quota, exclusive of the Western Hemisphere.

There is also a number that will be given to the Western Hemisphere, and that has to be exclusive of those which have close family relationships. Families are excluded by the announced policy of those who have supported the proposed legislation that they should be given special consideration.

We recognize that there will be between 50,000 and 60,000 people—the best figures we have been able to acquire—who will come in. Thus, I would feel that if the Senator from Iowa has an amendment to restrict the total number—as I would gather from the colloquy this afternoon by establishing a worldwide quota—I believe that this would be something for Senators to study. I feel, however, that this question has been debated, both by the proponents and the opponents of the bill. It has also been specifically determined, and defended in committee that those who have a particular family relationship will not be considered the same as other immigrants.

This is the whole concept of the bill. The reunification of families is provided for by the new preference system and the immediate relative category.

Thus, I submit, as worthy as the amendment may appear to the Senator, and notwithstanding the great respect I have for the Senator from Iowa, I believe that his amendment would attack the fundamental concept of the bill—that is, to guarantee the unification of families. If the Senate is interested in putting a fixed worldwide quota in our laws, that is one thing, but I believe this amendment would do a great disservice to the concept embodied in the proposed legislation. I believe that that concept is good and should continue. I would certainly be opposed to any alteration of that very basic and fundamental principle in the proposed legislation.

Mr. MILLER. I am not particularly interested in disrupting family relationships. That is not the intention behind my amendment. I take it that is the basic difficulty the Senator from Massachusetts finds with the amendment.

As I understand, the bill would establish a list of seven preference priorities: Unmarried sons or daughters of U.S. citizens; husbands and wives, unmarried sons or daughters of alien residents; members of professions; married sons or daughters of U.S. citizens; brothers and sisters of U.S. citizens; skilled and unskilled persons capable of filling labor shortages; and refugees from communism.

I should like to ask this question of the Senator from Massachusetts: Assuming that we have the 170,000 world-at-large figure, and there are 170,000 people in the categories which are set forth as preferences in the bill; would he anticipate that those who did not meet the preference categories would come in under nonpreference?

Mr. KENNEDY of Massachusetts. That is the final preference category.

Mr. MILLER. All right.

Mr. KENNEDY of Massachusetts. There are provisions for visa numbers to spill down from preference category to preference category. Those that run out of the first preference go to the second. Those that run off the second go to the fourth. They do not go to the third, which deals with the professionals. In the final analysis, all unused numbers go to what is called the new seed preference.

Mr. MILLER. If what the Senator is concerned about is the family group and some of the professions, for example, I wonder whether we could not get into the bill the purpose of my amendment, by providing that the reduction shall come only from the nonpreference categories, so that if we had 170,000 for the world at large, and we would subtract from that the number that would come in under the exempt category 20,000, if 150,000 were embraced in the seven preference priorities, in that way we would have a total of 170,000 which would include the exempt categories and the preference categories—the family relationship people, and the skilled and unskilled people, but there would not be any preference people admitted in that situation.

Would the Senator have any objection to an amendment which would provide that the categories in the preference section, which he is obviously concerned about—and which I am also concerned about—are protected, so that the only result of my amendment in a given situation would result in a reduction of the nonpreference categories.

Mr. KENNEDY of Massachusetts. Is the Senator now referring to the last preference category?

Mr. MILLER. Yes.

Mr. KENNEDY of Massachusetts. The Senator would reduce the new seed category. May I ask to what extent?

Mr. MILLER. To the extent that the exempt categories total——

Mr. KENNEDY of Massachusetts. How does the Senator know the situation in any given country?

The Senator realizes, does he not, that there is a restriction on each country?

Mr. MILLER. I know that there is a restriction. It is a fairly liberal restriction.

Mr. KENNEDY of Massachusetts. Does the Senator believe that it could possibly apply to Italy, with the great emphasis on family relationships, with the given restrictions which are even in this bill. It is unrealistic.

Mr. MILLER. It would not apply at all, because in my suggestion, all the family relationships I am talking about would be left unimpeded under the 170,000 figure. I would provide that with respect to categories, that particular total would be reduced, if necessary, by the total number of the exempt categories who are admitted over and above the 170,000.

Mr. KENNEDY of Massachusetts. Mr. President, we have been having hearings since February of this year, in which each of these preference categories was considered in great detail. We worked them out on the basis of experience, needs, and demands. The Senate committee considered them. The House committee considered them. I think what we eventually come down to in this dialog with the Senator from Iowa is whether we ought to be establishing a worldwide quota.

This question is basic to the subject. We have had months of hearings on this particular subject. Members of the committee considered it in detail. The amendment of the Senator from Iowa takes us back to a fundamental decision, and that is the particular relationship of the available numbers to the world and the Western Hemisphere, as well as the considerations that we will give to the close family relationships.

Now the Senator from Iowa comes in at the final hour with a proposal to alter the basic structure of the bill. I do not believe the amendment should be favorably considered. I oppose the amendment.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. KENNEDY of New York. I have a question to ask the Senator in charge of the bill. Is it correct that in considering this legislation the committee did look into the figure of 170,000 and the figure of 120,000 with respect to Latin America, and the question of special immigrants? Is it not correct that those matters were considered in great detail?

Mr. KENNEDY of Massachusetts. The Senator is correct. Not only that, but in considering the allocation under section 203, we considered the question whether those to be admitted were to be unmarried sons or daughters of American citizens, or unmarried sons or daughters of alien residents. We considered how it would affect immigrants with special skills, and how and whether they should benefit from spillovers from subsections (1) and (2). We considered the question of what percent should be given to refugees and so forth.

The whole question has been given a great deal of concern and consideration by the voluntary agencies which have been concerned with these matters. Members of Congress who are concerned as a result of the constant examples being brought to the attention of their offices in this field have considered it. After reviewing all those factors, we worked this matter out. In the final hour, to alter the bill or to give different priorities would not be the course of wisdom.

Mr. KENNEDY of New York. Therefore, as the committee considered the bill, instead of arriving at the figure of 170,000, it could have arrived at the figure of 120,000. However, it was decided by the committee to arrive at the figure of 170,000, but that the other would be left flexible. Was that factor considered?

Mr. KENNEDY of Massachusetts. It was considered. There was considerable discussion as to whether there should be a worldwide quota. We did not think it would be worthwhile.

Mr. KENNEDY of New York. Is it anticipated that any immigrant who comes in under that category will be a charge to the United States?

Mr. KENNEDY of Massachusetts. No. As the Senator from New York knows, because he testified on this matter, that the labor provisions have been strengthened. The public health charge provisions are still in existence. The other broad provisions which deal with security, health, and all the rest, have been carried through from the old McCarran Act. They are worthwhile, and were retained, and in some instances strengthened.

Mr. KENNEDY of New York. Was there a feeling in the committee that the United States, with a working population of some 70 million, could not afford to bring in this group of immigrants who have special skills or special relationships here in the United States? Was that question gone into by the committee?

Mr. KENNEDY of Massachusetts. It was. As the Senator from New York knows, the total number who will be admitted into this country under the bill will be a lesser percentage in relation to our population in 1965 than the number of people who came into this country in 1924, when this very restrictive legislation was adopted. So, for many reasons, some of which I have gone into, the committee reached a certain figure. I believe it would be unfortunate to tamper with it at this late hour.

Mr. KENNEDY of New York. What the amendment of the Senator from Iowa actually amounts to, in substance, is the reduction of the number of persons who may come into this country by 40,000 or 50,000 or 60,000. Is that correct?

Mr. KENNEDY of Massachusetts. That is what it amounts to.

Mr. KENNEDY of New York. This question was considered. It was gone into in great detail, based on what we have done in the past, and what we can do in the future. There are restrictions imposed as to the people who will come into this country, so that they will not become public charges but can contribute to and aid our economy, or who have close relatives in this country. The entire question was gone into by the committee. I do not think it appropriate now to say that we should cut that quota by 25,000 or 30,000.

Mr. KENNEDY of Massachusetts. The Senator has touched on the fundamental point of the amendment offered by the Senator from Iowa—the idea that between 40,000 and 50,000 shall be cut out of the total number of people who could come into this country. That is what the amendment of the Senator from Iowa attempts to accomplish. As the Senator from New York mentioned, the figures which are set forth in the bill have been carefully considered. I believe they are basically meritorious and that they should be supported.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MILLER. Three points should be made. First, with respect to the question of the Senator from New York, as to whether this amendment would cut anything, it ought to be made very clear that it is not going to cut anything from what we are doing. My amendment would leave in all 290,000. We admitted 292,000 last year. We admitted fewer before that. I have given the 5-year average. The average for the past 5 years is well under 290,000. I do not see how anyone can say that my amendment would cut anything. If the Senator tells me that we are going to admit 65,000 people a year more than we are admitting now, my amendment is calculated to prevent that, but it is not going to cut anything over and above what we are doing now.

That is the first point.

The second point——

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield on that point, before he goes to another point?

Mr. MILLER. Yes.

Mr. KENNEDY of Massachusetts. That point has been understood. It was brought out by me, when I introduced the bill. The Senator from North Carolina [Mr. Ervin] has strong feelings on the matter. The Senator from Mississippi [Mr. Eastland] has opposed it in the past 4 or 5 days of debate during which the bill has been before the Senate—namely, that we are going to have an increase of 40,000 or 50,000 immigrants under this bill. That is recognized, and if there is any Member of the Senate who is under the impression that that has not been brought out, I would like to clear the air on that point right now. If the Senator from Iowa says he wants to include immediate relatives under the other categories, his amendment would in effect cut down the total number of people who will be affected by H.R. 2580.

Mr. MILLER. And will come in under the bill starting in 1968.

I wish to make it clear that my amendment is not designed to cut down any numbers we have been admitting up through 1964, or that the amendment would reduce the figure to 290,000.

I have no objection to making it 300,000. I do not want to become bogged down with a feeling that we are cutting 200,000 or 300,000—300,000 is all right with me.

The point is that we are going to increase the total number under this bill, starting in July 1968, by 40,000, 50,000, 60,000, or 70,000. I believe that is a point that ought to be clearly brought out.

I regret that I was not acquainted with the total increase that would come in under the bill until day before yesterday. It may be that these figures were all brought out in the hearings. Senators sitting in those hearings would be familiar with it, but I do not believe it is easily found in the committee report. It can be found, but it takes quite a bit of digging to do it.

The press releases and newspaper articles on this subject have all dealt with the national origins system, and there has been discussion about putting a limitation on the Western Hemisphere. All I have seen in the press is the increase over and above what we are talking about now.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. KENNEDY of Massachusetts. I would feel that I had performed a disservice to Senators unless I made clear the implication of the bill.

We introduced the bill. It came before the Senate last Friday. I made a speech to enlighten the American people on the subject. During that speech I said that there would be some increase in total immigration to the United States of 50,000 to 60,000 a year. This would result by changing the law to a worldwide system from a nation-by-nation system. These are the numbers that go unused each year. Many quotas are going to countries where they are not utilized.

We shall use about 60,000 more for immediate relatives. It is the 60,000 for immediate relatives that is the subject of the Senator from Iowa. These are family people—brothers and sisters; husbands and wives; fathers and sons.

This subject was gone into by the committee. If the Senator from Iowa failed to appreciate that fact and did not recognize that fact I am sorry but, it is a matter which has been clearly outlined in the Record.

I believe we have examined this subject. I have no further comments to make.

If the Senator is interested in a vote, I am prepared to vote.

Mr. MILLER. Before we vote, I would like to continue with what I was saying.

Before I do, I say to the Senator from Massachusetts that my comments were not directed at him in any form of criticism regarding the increase under the pending bill.

But I point out to him that there are many Senators not yet familiar with this matter. He made the point that I came in at the last minute with an amendment.

I want him to understand why. While I do not care if an amendment comes in at the last minute, a day before, or a year before, the important thing is the amendment. If it is a good amendment, it ought to be adopted. I do not believe that the fact that it is brought in at the last minute necessarily means it is not a good amendment.

I am sorry that because of the nature of things, I did not know about this increase. My lack of appreciation of this fact is shared by many Senators. This is not said in criticism of the Senator from Massachusetts. It is in the nature of things that arise in complicated pieces of legislation.

As I understand, in the contemplation of the Senator from New York [Mr. Kennedy], it is not envisioned that any people coming in under this bill are to become public charges. They will have their skills; otherwise they will not be admitted. I recognize that there is no intention to bring in people who will be public charges.

This question is not at issue in this amendment. All of this has been gone into in the course of this legislation and the Sentor from Iowa is satisfied on this point. It has nothing to do with my amendment.

But I would suggest that when it comes to considering whether or not we can absorb some of these people into our employment picture, there is involved only 10 percent of the 17,000 or 170,000 people we are talking about.

I would not find too much difficulty if only 17,000 people were involved. We are talking about 290,000 plus another 65,000 people.

Finally, I wish to make it clear with respect to relatives, children, and spouses of our citizens, that my amendment has nothing to do with them, because they come off the top; they are the first to come in under the 170,000. They are not the last ones, and they are not left off. Then, after that, there are those other preference priorities who come in.

As a result of our conversation, so that objections of the Senator from Massachusetts may be fully met, and so that it may be made clear that other family relationships are not interfered with by my amendment, I modify my amendment by striking the period at the end of the amendment and inserting a semicolon and adding the following: "and provided further that such reduction shall only affect the numbers admitted under section 203(a)(8)."

The **PRESIDING OFFICER** (Mr. Kennedy of New York in the chair). The Senator so modifies his amendment.

Mr. **MILLER**. This makes clear that if there are any reductions, they will come only from the nonpreference category and have nothing to do with family relationships whatever—with the sons and daughters, husbands and wives, or any of the others about whom the Senator from Massachusetts and the Senator from Iowa are concerned. Nor would it affect members of the professions and skills and refugees from Communists.

Mr. President, I believe that the amendment is a fair amendment. I would hope that the Senator from Massachusetts would see fit to take the amendment to conference and see what can be done about it, because I do believe it relieves the problems with which he and I are both concerned.

Mr. **KENNEDY** of Massachusetts. Mr. President, I have commented earlier on the thrust of the amendment of the Senator from Iowa. I am opposed to it.

The percentages we are discussing were the subject of hearings and discussions. They have been allocated as mentioned in the bill, as follows: The first category, 20 percent, or 34,000 members to unmarried sons or daughters of U.S. citizens; second category, 20 percent, or 34,000 for spouses, unmarried sons or daughters of aliens; third category, 10 percent, or 17,000 for professionals; fourth category, 10 percent, or 17,000 for married sons or daughters of U.S. citizens; fifth category, 24 percent, or 40,800 for brothers and sisters of U.S. citizens; sixth category, 10 percent, or 17,000 for skilled or unskilled labor in short supply; seventh category, 6 percent or 10,200 for refugees; the remainder is for nonpreference or "new seed" immigrants.

These are the percentages which have been arrived at by the subcommittee and the committee after extensive and exhaustive hearings.

I do not depreciate the importance of bringing an amendment to the floor in the final hour, if it is a worthwhile amendment. However, one so basic to the whole structure of the bill and the allocations of visa numbers does a disservice to the concern and consideration that the subcommittee and the full committee gave to these allocations.

Therefore I urge that the amendment not be adopted.

The **PRESIDING OFFICER**. The question is on agreeing to the modified amendment offered by the Senator from Iowa [Mr. Miller] to the committee amendment in the nature of a substitute.

The amendment to the committee amendment was rejected.

Mr. **KENNEDY** of Massachusetts. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **KUCHEL**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AMENDMENT NO. 458

Mr. **THURMOND**. Mr. President, I send to the desk a revised version of my amendment No. 458 and ask that it be considered in place of the original amendment.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read as follows:

> At an appropriate place in the bill, insert the following:
>
> "Sec. —. Notwithstanding any other provision of law, no person involuntarily brought physically into the United States by the United States Government or its agents shall subsequently be deported from the United States, except prisoners of war as defined by the Geneva Convention Relative to the Treatment of Prisoners of War dated at Geneva, August 12, 1949."

Mr. **THURMOND**. Mr. President, under this amendment, I propose to add to the law the following provision:

> Notwithstanding any other provision of law, no person involuntarily brought physically into the United States by the U.S. Government or its agents shall subsequently be deported from the United States, except prisoners of war as defined by the Geneva Convention Relative to the Treatment of Prisoners of War dated at Geneva, August 12, 1949.

The modification has added at the end of the original amendment a provision which excepts prisoners of war who may be brought into the United States such as occurred during the Second World War. Other than this modification, the amendment remains as it was originally introduced.

This amendment means precisely what it says. No person, except a prisoner of war, who is brought involuntarily into the United States by the U.S. Government could be subsequently deported. The amendment would not be limited to cases of extradition, but would be specifically directed at cases in which, not extradition, but direct force is the method used to bring persons into the United States.

There is now nothing on the law books which deals in any way with situations of this type. Insofar as I know, there has been no occasion in past years in which the U.S. Government has engaged in activity which would be covered by this amendment. Unfortunately, it appears from newspaper reports that such an incident did occur on approximately September 8 of this year.

The incident, if accurately reported, is one of the most shameful exhibitions ever charged against the U.S. Government.

According to press reports, the following sequence of events occurred in the Dominican Republic. A proposal advanced by the Organization of the American States, which the press has characterized as bearing the stamp, "Made in U.S.A.," was signed by the rebel forces in the Dominican Republic. Those opposing the rebels refused to sign it. This agreement, in addition to establishing an interim government under Mr. Garcia-Godoy, provided that the rebels turn in their weapons to the provisional government. After the agreement was signed, the rebels refused to carry out the agreement so long as General Wessin y Wessin remained in the Dominican Republic. General Wessin was commander of the Armed Forces Training Center of the Dominican Republic. On September 8, the press reports revealed that an attempt had been made by U.S. personnel, identified as David Phillips, of the Central Intelligence Agency, and Lt. Col. Joseph William Wersick, U.S. Army, to bribe Gen. Wessin y Wessin to leave the Dominican Republic. According to the press reports, General Wessin rejected the attempt and denounced it. On the following day, the press reported that General Wessin was arrested by American personnel and, while under arrest, was taken to an American military aircraft, by which he was transported first to Panama and subsequently to Miami, Fla. At the same time, the press reported that General Wessin would be Dominican Consul in Miami. Subsequently, in Miami, General Wessin refused to accept the appointment as Dominican Consul and charged that he had been arrested by U.S. Army personnel and deported to the United States by U.S. officials.

Mr. President, there has appeared no convincing denial by the U.S. Government of these press accounts.

Mr. President, I ask unanimous consent that a series of news articles, which I have briefly summarized, be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. There being no objection, it is so ordered.

(See exhibit 1.)

Mr. **THURMOND**. Mr. President, there are many factors surrounding the recent events in the Dominican Republic, and the action taken against General Wessin y Wessin, which raise fundamental questions concerning the current policy of the United States of America on the Dominican Republic. One cannot avoid the conclusion that the United States is joining in a policy of appeasement of the rebel forces in the Dominican Republic, and is taking steps which strengthen the hands of the Communists in that island Republic. Quite obviously, the policy of appeasement and accommodation of the Communist forces is continuing to work to our disadvantage.

Despite General Wessin's removal, the press still reports that the Dominican rebels continue in their refusal to surrender their weapons.

Regardless of the wisdom or lack of wisdom which characterizes our current policies in the Dominican Republic, or the degree of the incident's effect on such policy, the heavy-handed treatment of General Wessin constitutes a shameful blot on the record of our Nation in foreign affairs. The circumstances reported, if the act had been committed by private parties, would support a criminal charge of kidnaping. There was not even a pretense of legality under the law of any nation or the law of nations.

The status of General Wessin in the United States is a tenuous one. From the press reports, it would appear that General Wessin was brought into this country prior to the issuance to him, or for him, of any passport or visa. It would appear that a diplomatic visa, if one had been subsequently issued, would have been in order had General Wessin accepted the post of Consul in Miami. This was invalidated, if it ever existed, by his refusal to accept the post. Under the circumstances, it would appear that he is subject to a deportation action by the U.S. Government, should the U.S. Government decide to initiate a deportation procedure. The amendment which I offer would prevent any deportation of General Wessin, or any person in similar circumstances, upon a showing by them that they had been brought involuntarily into the United States by the U.S. Government or its agents.

This amendment would in no way, of course, prevent General Wessin, or other persons similarly situated, from departing voluntarily from the United States. If they should so voluntarily depart, the amendment would not in the future apply if they subsequently also voluntarily returned to the United States.

This amendment would, of course, be little in the way of mitigation of the offense which reportedly has been committed by the U.S. Government against General Wessin. Its adoption, however, would at least indicate to the world that the Congress of the United States was not sympathetic to, and did not endorse, the abusive type of activity reportedly committed by the U.S. Government in this instance.

Mr. President, I do not know General Wessin y Wessin. I have never met him, nor have I ever been in contact with him, directly or indirectly. I do feel that the Congress has an obligation to require of the officials and agents of the U.S. Government that the rights of individuals be respected, whoever the individuals are, and of whatever nationality they may be.

Mr. President, I urge that the Senate adopt this amendment.

EXHIBIT 1

[From the New York Times, Sept. 10, 1965]

SHOWDOWN NEARS IN SANTO DOMINGO—REGIME AIDE CALLS WESSIN OBSTACLE TO NORMALCY

(By Paul Hofmann)

SANTO DOMINGO, DOMINICAN REPUBLIC, September 9.—Suspense gripped Dominicans today as a showdown between the new provisional government and armed forces chiefs seemed to be approaching.

At the center of uncertainty was Brig. Gen. Elias Wessin y Wessin, commander of the controversial Armed Forces Training Center. The center's brigade of firstline troops and at least a dozen tanks were still a formidable factor in the Dominican situation after having fought the rebels in the civil war, which formally ended last week.

Provisional President Hector Garcia-Godoy conferred most of the day with U.S. officials and Dominican military commanders at his private residence, discussing how to assert his authority over all the Dominican Armed Forces.

An aide to Dr. Garcia-Godoy said that "General Wessin is the obstacle" to normal Government activity. The aide declared that as long as the general's status was undefined, "much Government business remains at a standstill." The official suggested that the Provisional President's "private talks" might lead to an arrangement with General Wessin.

Rebel leaders have served notice on the provisional government that they consider General Wessin's removal the price of their collaboration in disarming civilians. The reconciliation accord signed here last week under Organization of American States auspices provided that the recovery of arms in the hands of civilians in the rebel zone of Santo Domingo start immediately, and it did not mention any condition.

Virtually no rebel arms have so far been surrendered to the provisional government. The rebels insist they feel threatened as long as General Wessin and like-minded military chiefs remain in command of well-armed troops.

Last night there was some shooting in the rebel zone but nobody appeared to have been hurt. The Inter-American Peace Force received a telephone call assuring it that the rebels meant no harm and were just firing their rifles into the air to celebrate their "farewell to arms." However, the arms remained in rebel hands today.

During the night it was rumored that General Wessin had been or was about to be arrested at his headquarters at the San Isidro air base, 10 miles northeast of Santo Domingo. The rumors were unfounded.

HE DISCLOSES OFFER

General Wessin had alleged that U.S. officials tried to bribe him to leave the country. This morning he disclosed that Dr. Garcia-Godoy had summoned him to the Presidential Palace during the night to offer him "any diplomatic post abroad" if he was ready to leave the country.

The General said that a U.S. official had been present when the Provisional President pleaded with him to go abroad. He added that he had promised an answer today after consulting with his troops.

Those consulted by President Garcia-Godoy during the day included Ellsworth Bunker, the U.S. member of the OAS peacemaking commission, and the U.S. Ambassador W. Tapley Bennett, Jr.

In the rebel sector about 200 youngsters demonstrated against alleged brutality by Dominican Armed Forces officers.

The rebellion erupted April 24 with the proclaimed * * * restoring Juan Bosch, who had been ousted in 1963, to the Presidency. The government of Donald Reid Cabral was deposed during the revolt and the rebels and their military opponents both set up regimes, which resigned under the reconciliation accord in favor of the provisional government.

In the early days of the revolt the United States landed troops in the Dominican Republic. The troops later were incorporated into an Inter-American Peace Force.

[From the Baltimore (Md.) Sun, Sept. 9, 1965]

DOMINICAN REPORTS U.S. BRIBE OFFER—GENERAL SAYS OFFICIALS WANT HIM TO GET OUT OF COUNTRY

SANTO DOMINGO, DOMINICAN REPUBLIC, September 8.—Gen. Elias Wessin y Wessin said today two U.S. Embassy officials told him he would lack for nothing if he agreed to leave the Dominican Republic.

The rebels are trying to get Wessin, who led the armed forces against them when the revolution broke out last April, out of the country.

The general said the Embassy officials offered to purchase his home for $50,000, and said he could have military attaché jobs in Paris or Madrid. He said he declined the offer.

The U.S. Embassy said there would be no comment immediately but it might have something to say later.

REBELS DEMAND REMOVAL

Wessin emphasized he would not retire from the Army until the Dominican situation had become normal and an elected government was in power.

Wessin's remarks came amid speculation the provisional government headed by President Hector Garcia-Godoy was about to retire him or transfer him to some diplomatic job abroad.

Rebel leaders and sympathizers are demanding the removal of Wessin, 42, claiming he ordered the bombing of innocent civilians at the height of the Dominican fighting last April. Wessin has said only rebel military positions were attacked.

DISARMING AT STANDSTILL

Top rebel officials recently have said the success of the civilian disarmament program under the Organization of American States peace formula depends on Wessin's future status. The disarming of civilians in the rebel zone is reported to be at a standstill.

The general, who entered the service as a private in 1944, said four different attempts at what he called bribery were made by American officials, the last one during the past week.

Talking to reporters at his headquarters at San Isidro Air Base, the general declined to reveal the identity of the two persons involved in the first two attempts because, he said, he held them in the highest esteem.

IMPROPER HOUR

The persons calling him last week, he said, were David Phillips, whom he identified as an agent of the Central Intelligence Agency, and Lt. Col. Joseph William Weyrick, Army attaché.

"They came at midnight," said Wessin, "an improper hour to call on a humble Dominican home. Phillips did not say he was with the CIA, but I checked that later and was told that he was.

"He offered to purchase my home and said I would be a guest of honor at the American installations in Panama. He said I could visit all U.S. Army posts and proposed that I could be military attaché in Madrid or military attaché in Paris. He assured me I would lack nothing.

"It's interesting to point out that I am quite willing to sell my home to anyone who wants to give me $50,000 for it because it isn't worth it. But with that money I would immediately build another home in this country."

[From the Baltimore (Md.) Sun, Sept. 10, 1965]

WESSIN OUSTED, REPORTED NAMED CONSUL IN MIAMI

SANTO DOMINGO, DOMINICAN REPUBLIC, September 9.—Gen. Elias Wessin y Wessin was taken by armed escorts to a waiting U.S. military plane tonight and flown out of the Dominican Republic.

President Hector Garcia-Godoy then took to radio and television to announce he had appointed the militant anti-Communist leader consul-general in Miami, Fla.

IN LINE WITH OFFER

The new job appeared to be in line with the President's offer yesterday to give Wessin y Wessin, leader of the coup that ousted President Juan D. Bosch in 1963, any job he wanted abroad if he would get out of the country.

At the same time, Garcia-Godoy said there would be no further changes in the country's armed forces. This was taken to mean that Commodore Francisco Rivera Caminero had been confirmed as Secretary of the Armed Forces.

The provisional government had puzzled all day over what to do with Wessin y Wessin, who had refused the President's job abroad offer.

The rebels had demanded his ouster as commander of the armed forces training center as part of their price for a peace settlement. Rebel leaders said they could not undertake disarmament on their side until he left.

The rebels accused Wessin y Wessin of having ordered the bombing of Santo Domingo during last April's fighting, and they called it genocide. Wessin y Wessin denied the charge.

ESCORTED TO CAR

The climax came during the evening when the top officers of the inter-American peace force here, Brazilian Gen. Hugo Panasco Alvin, and U.S. Lt. Gen. Bruce Palmer, Jr., called on Wessin y Wessin at his home.

They were accompanied by Commodore Rivera.

They all talked together for about 50 minutes.

Wessin y Wessin emerged in his green fatigue uniform, hatless and unarmed, and was escorted to a waiting car filled with unidentified Dominican army officers.

They drove him to U.S. 82d Airborne Division headquarters at San Isidro Air Base and from there he was whisked to the four-engine transport which had been waiting 6 hours.

He tried to hide his face as he was escorted to the plane. Four Dominican officers went as far as the plane's door with him then returned.

A spokesman said the plane's destination was the Panama Canal Zone.

In his speech, Garcia-Godoy said Wessin y Wessin had retired from the armed forces and accepted the consular position.

RELUCTANT TO MOVE

Garcia-Godoy was reluctant to move against the general because of his wide following among the military and among politicians who regarded him as a bulwark against communism.

Authoritative sources said Ellsworth Bunker, U.S. Ambassador, and General Palmer were present when the President offered the diplomatic job. Wessin y Wessin himself claimed two members of the U.S. Embassy offered him $50,000 for his home plus a job abroad if he would get out of the country. He said his home was worth only half that.

[From the Washington (D.C.) Star, Sept. 13, 1965]

WESSIN BLAMES REDS FOR OUSTER

MIAMI, FLA.—Brig. Gen. Elias Wessin y Wessin, charging that Communists were responsible for his ouster, has agreed to assume duties here in a diplomatic post for the Dominican Republic's provisional government.

Stripped of his command of the armed forces training center, Wessin arrived Friday night after an abrupt and unceremonious departure from his home in Santo Domingo. He flew here in a U.S. Air Force plane from Panama.

In his first meeting with newsmen since the provisional government ousted him as part of the price of peace, Wessin said his removal was "a victory for the Communists." He added, "They haven't knocked me out yet.

"I will serve (as consul general) but in the meantime we are not finished with the Communists in the Dominican Republic, so I can't be happy."

Wessin led the 1963 military coup that overthrew President Juan D. Bosch. He commanded the army during last April's revolution.

Insurgent leaders accused him of ordering the indiscriminate bombing of civilians in the rebel sector of Santo Domingo. Wessin denied the charge, saying military targets only were bombed.

His ouster was demanded by the insurgents as part of their price for a peace settlement.

[From the Baltimore (Md.) Sun, Sept. 15, 1965]

WESSIN BLASTS AMERICAN POLICY

MIAMI, FLA., September 14.—The Dominican Republic's Gen. Elias Wessin y Wessin said tonight he was expelled from his country by a U.S. Army lieutenant who held a bayonet at his back.

The militant anti-Communist said he was not even given time to get his passport or see his family.

In his six-page letter to the new government in Santo Domingo announcing he would not take a job as consul general here, Wessin y Wessin also blasted U.S. policy in his homeland.

"The American official who ordered my expulsion in such a humiliating way has given the coupe de grace to the fight for democracy in Latin America," said Wessin y Wessin.

"Can you imagine how the Latin military men feel now?" Wessin y Wessin asked.

The letter was dated September 10, the day he arrived in Miami on a forced trip from Santo Domingo via Panama in a U.S. Air Force plane.

"An elementary sense of honor as a military man prevents me from accepting the appointment of general consul in Miami from a government which has used foreign troops to exile me by force," he said.

He said he didn't want to criticize all Americans, "but I hope and I trust that very soon there will be a change in the American policies concerning my country."

[From the New York Times, Sept. 11, 1965]

REBELS UNMOVED BY WESSIN'S EXILE—THEY REFUSE TO YIELD ARMS TILL OTHER GENERALS LEAVE

(By Paul Hofmann)

SANTO DOMINGO, DOMINICAN REPUBLIC, September 10.—Dominican leftist leaders said today that the departure of Brig. Gen. Elias Wessin y Wessin from the country was not a sufficient concession for the surrender of their arms to the provisional government.

La Patria, newspaper of the rebel movement, charged in an editorial that the provisional President, Dr. Héctor Garcia-Godoy, had "rewarded" General Wessin by appointing him consul general in Miami. General Wessin has been the leftists' leading enemy since last April and May, when he rallied rightwing forces to combat the revolution.

La Patria criticized Dr. Garcia-Godoy for his declaration, issued last night in a broadcast to the nation, that for the time being no other military leaders would be replaced.

General Wessin left the country last night aboard a U.S. transport plane. U.S. officials and military officers had been increasingly active in the last few days in persuading the general to go abroad.

OTHER COMMANDS INTACT

The cooperation of other Dominican military chiefs was obtained with an understanding that they would, at least provisionally, retain their commands. Dr. Garcia-Godoy and his advisers appeared to hope that the departure of General Wessin would prompt leftist civilians to give up their arms.

Under the reconciliation act that was signed last week by the rebels and the Dominican junta, the provisional government was charged with starting "at once" to recover the many weapons in the hands of civilians, most of them in the downtown rebel sector of Santo Domingo.

In the last few days, public displays of weapons in the downtown area have gradually diminished. Some military and paramilitary rebel formations have withdrawn the arms from their members, but none of the weapons have been handed over to the new government.

In his broadcast, Dr. Garcia-Godoy pledged to safeguard civil rights and disclosed that he had ordered the armed forces to withdraw to their quarters. The order affects especially the troops that were under General Wessin's command. Some of the forces have started leaving the northern parts of the capital, where they had been stationed a short distance from the rebel zone.

While Communists and other extreme leftists kept pressing the provisional government for more measures to curb the armed forces, moderate leaders appeared willing to give Dr. Garcia-Godoy credit for having tried to assert his authority and bring about a reconciliation. An attempt to stage an anti-Government demonstration in the rebel zone in the morning attracted only a few dozen youngsters.

There are signs that the Dominican Revolutionary Party of former President Juan Bosch is appraising Dr. Garcia-Godoy's efforts more positively than are the rebel extremists. Dr. Bosch was expected to return from exile Sunday, but it is now suggested that he may prefer to return September 25, on the second anniversary of his ouster by the armed forces.

[From the New York Times, Sept. 11, 1965]

WESSIN IN CANAL ZONE

BALBOA, CANAL ZONE, September 10.—Brigadier General Wessin arrived in the Canal Zone from Santo Domingo today aboard a U.S. Air Force plane. He later left for Miami after staying at a U.S. Army guest house in Fort Amador, on the bank of the Panama Canal near Balboa.

[From the Pompano Beach (Fla.) Sun Sentinel, Sept. 15, 1965]

WESSIN SAYS OUSTER BACKED BY BAYONET—UNITED STATES ROLE IN SWITCH BLISTERED

MIAMI.—Ousted Dominican Gen. Elias Wessin, breaking a 4-day silence since his arrival here, Tuesday night rejected the post of consul in Miami and released a blistering attack on the United States.

In a 6-page letter to provisional President Hector Garcia-Godoy, Wessin said he was "deported from my country with a bayonet at my back" by American forces last Thursday night.

"The American officials who ordered my expulsion from Dominican territory in such a humiliating manner have given the coup d'grace to the fight for democracy in the Americas," the letter said.

"Can you imagine the impact this action against my person on the part of the OAS

(Organization of American States) and the U.S. Government will have on Latin American military men?" the letter asked.

The letter, dated September 10, was written shortly after Wessin's arrival here last Friday night aboard a U.S. military plane from the Panama Canal Zone. Wessin had been mysteriously flown to the Canal Zone from Santo Domingo in another U.S. military plane 24 hours before.

Wessin said he withheld release of the letter until now to assure time for its delivery to Garcia-Godoy by a personal courier.

Copies of the letter also were sent to Brazilian Gen. Hugo Panasco Alvin, commander in chief of the inter-American peace forces in Santo Domingo; Lt. Gen. Bruce Palmer, the top U.S. military commander there; Elsworth Bunker, U.S. member of the special OAS negotiating team, and to the commander of the U.S. airborne forces in the Dominican Republic.

Wessin said that Generals Alvin and Palmer told him that he was to become consul in Miami.

"An elementary sense of honor as a military man prevents me from accepting the post of consul general in Miami from a government which has allowed foreign troops to send me into exile by force," he said in the letter.

"I told this to Generals Alvin and Palmer when they told me that I was consul in Miami.

"The afternoon when Generals Alvin and Palmer informed me that I had to go and a U.S. Army lieutenant prevented me from going to my home to get my clothes and my passport I firmly decided not to serve your government, not in the Miami Consulate or in any other post."

By ousting him, Wessin said American troops were guilty of "making common cause with the enemies (the Communists) of democracy" and said the action did not befit "those who say they are the leaders in the fight for the survival of the Western World."

The general said he was here without money and without passport. "But I maintain my dignity and my name."

"My departure from our country portends grave happenings for the cause of democracy," he warned. "What Dominican military man, who respects himself, will be willing to assume responsibilities when communism launches its final attack against our nation?"

To accept the consulate here, he said, "would be to place myself at the service of a government which has betrayed Dominican democracy and would constitute disloyalty to those brave soldiers and officers who stood by me in those tragic days when blood soaked the soil of our fatherland."

Despite his angry blast at the United States, Wessin said he did not want to give "ammunition" to the Communists to use against the United States.

He said he "repudiates the action of those bad Americans who are causing this great nation to lose prestige, and I trust there soon will be salutary rectification concerning the mistaken policy which has been followed in my country."

Wessin cautioned García that any "injustices" against members of the Dominican Armed Forces will bring two consequences.

[From U.S. News & World Report]

DOMINICAN PUZZLE—HAS UNITED STATES TURNED OVER A NATION TO THE REDS?—TWO SIDES

(NOTE.—In April, President Johnson rushed marines to the Dominican Republic to save American lives, prevent Reds from taking over a revolution. Five months later, a temporary Dominican President is in office. United States has exiled the leader of anti-Communist military forces. The Communists continue to wield considerable power. And American troops are still there to guard an uncertain truce. This question is raised: Who really won in the Dominican Republic—United States or Communists? Howard Handleman of U.S. News & World Report, who has covered the Dominican crisis from the start, gives the inside story.)

SANTO DOMINGO.—This is the story of the first days under the new Government of the Dominican Republic. That Government, headed by Héctor García Godoy, was set up on September 3 under a compromise arranged by the Organization of American States.

During the days that followed, the rebels seemed to be having things all their own way. They retained control of their own zone—downtown Santo Domingo. Government police and troops didn't even try to get in. They retained control of their arms—thousands of rifles and machineguns that they captured in the first days of the revolution, back in April.

The antirebel station run by the military at the San Isidro airbase was ordered off the air. There was no other voice to counter the Communist propaganda of the newspaper Patria, published in the rebel zone.

Rebel officials got jobs in the Government of García Godoy, including Cabinet posts. Rebels made demands on García Godoy—he made no public demands on them.

Brig. Gen. Elías Wessin y Wessin, dedicated anti-Communist, was hustled out of the country in an American Air Force transport plane.

The General was put aboard under the watchful eye of five armed FBI agents and a large detachment from the 82d Airborne Division.

The whole atmosphere was one of rebel, or Communist, victory.

Downtown, in the rebel zone, people sang revolutionary songs. Groups of rebel warriors marched through the streets chanting revolutionary slogans.

In contrast, outside the rebel zone, there were no such celebrations or victory claims.

Instead, there was gloom. Some American businessmen pulled up stakes and left. Others requested transfers, or tried to settle their affairs so they could leave. Dominican anti-Communists, too, were down in the mouth. Some diplomats, from Europe and Latin America, were convinced that all was lost to the Communists.

As an example of the general gloom, an American resident told me: "You are here for a historic event—the first time that the American Army occupied a country in order to turn it over to the Communists."

A DIPLOMAT'S VIEW

One important Ambassador of a non-Latin country said:

"Please tell me one single thing that is better for your country now than it was last April, when you sent in the marines. The Communists are stronger now than they ever have been in this country. They have come out in the open, publish their own newspaper, hold conventions, even call themselves Communist. openly.

"All the concessions are being made to the Communists—none to the other side. The rebels signed the compromise agreement to settle the civil war—but now they ask for more concessions before they will live up to their agreements. First it was Wessin y Wessin. Next it will be the other military chiefs. Already, the street mobs are demanding that they go. They are calling your Ambassador, Mr. W. Tapley Bennett, a Nazi—and demanding that he be kicked out.

"Their gall is enormous. In one edition of Patria, the Communists bragged in one statement that they were the power in the revolution—and, in another column, attacked Mr. Bennett for saying in April that Communists were threatening to seize control of the revolution.

"In these months of revolution, the Communists have built up their political and military apparatus far beyond anything they ever had here before.

"Also, the rebels now have the mystique—the glamor and prestige that go with standing up to the giants of the hemisphere and the world—the Yankees. They have the heroes and the legends and the slogans and the songs. They think they have won this revolution.

"I am afraid they are right."

This Ambassador knows what the Americans are trying to do here—divide the rebels and then conquer them. He just doesn't think it will work. The Americans believe their formula does have a chance to work.

WHAT THE REBELS DIDN'T GET

To American officials, rebel gains at this point seem more apparent than real. The first job was to clean house on the right. Now the rebel turn is coming.

Rebels have not been granted any one of their fundamental demands.

The America's officials say this:

When talks about a compromise settlement opened, the rebels plopped six basic demands on the table. Not a single one was accepted. The demands were:

Withdraw the Inter-American Peace Force immediately.

Fire all Dominican military chiefs of staff.

Name a rebel officer as Dominican Army Chief of Staff.

Let the military men who joined the rebels return to their services with the advanced ranks to which the rebels promoted them.

Restore the 1963 constitution of Juan Bosch.

Reseat the Congress elected in the Bosch sweep of 1962.

Acceptance of these demands would have meant a rebel victory. The United States is pleased that a compromise was signed—without giving in on any one of these demands.

The Inter-American Peace Force troops stay, indefinitely. The military chiefs of staff stay, at least for now. Wessin was not a chief of staff.

The Juan Bosch constitution is not accepted—and a new one is to be written.

No rebel officer gets high command. Officers who fought for the rebels return to the military—with the ranks they held on April 24, not with the ranks the rebels gave them. A new Congress is to be elected.

Biggest thing working against the Communists, in the U.S. view, is the continued presence of 82d Airborne Division troops. American officials here, privately, express the hope that the troopers will be kept here at least for the 9 months that the provisional government of García Godoy is in power.

A START BY GARCÍA GODOY

American officials are pleased with the start García Godoy has made. He is anti-Communist. He is consolidating his position with the military and explained to officers in advance why he had to get rid of Wessin. He is firming up ties with the influential "Santiago group" of businessmen. Early in the summer, United States tried to help this group form a provisional government. Now the United States is pleased that the group is helping García Godoy.

Among the things U.S. officials like about García Godoy are:

His firm stand against General Wessin. One U.S. official summed up American objections to Wessin by saying, "He is so rigidly anti-Communist that he creates more Communists than he destroys."

García Godoy's efforts to weaken the rebel side by giving good Government jobs to rebels who show signs of concern about

Communist power downtown. These former rebels are watched carefully during their period of "rehabilitation." One already has been kicked out of the job of running the Government radio-TV station.

García Godoy's care to avoid actions so drastic that they carry too much risk of touching off new fighting.

The U.S. objective is to destroy the Communist power—without getting into another shooting war. Idea is to break the rebel hold on the downtown section, and have as many guns collected as possible, before even considering armed action. García Godoy shares these objectives.

United States is willing to wait a week or two to break the rebel hold on downtown, and collect guns. But it is recognized that, in the end, it may be necessary to send in Dominican troops and search every house for weapons.

Possibility of a pitched battle between Communist and non-Communist forces inside the rebel camp is not ruled out. There have been gunfights between these forces inside the rebel zone from time to time.

ACE IN THE HOLE?

As a result, there now is a tendency among American officials to look on the rebel "president," Col. Francisco Caamaño Deño, as an ace in the hole, on our side.

Conviction is that Caamaño doesn't want the Communists to grab power any more than García Godoy does.

Caamaño pledged that he would begin delivering guns soon. He also, according to U.S. officials, has gone back into the Army—and accepts García Godoy as his commander in chief.

Others share the growing conviction that Caamaño will turn out to be an important factor against communism.

A Dominican nationalist, prorebel and anti-Yankee, says: "One of the strange things about this situation is that the only man who can save this country from communism, for you Yankees, is Caamaño—and I think he will."

A ROLE FOR REVOLUTIONISTS?

The role of Caamaño is just one of the things that make the Dominican problem so complicated. Ambassador Ellsworth Bunker, member of the OAS ad hoc committee that arranged the compromise settlement, has confided to several people that this has been the most complex problem which he ever has tackled.

The reasons are multiple—and obvious.

Thirty years of Trujillo's dictatorship, to start with, sapped the spirit of the whole people. It was difficult to find anybody who would make a decision or take a stand.

The rebel forces were split into a number of splinter groups—moderates and non-Communist nationalists of various persuasions, plus Communists who follows the Chinese, Moscow or Castro lines and fight among themselves.

On the other side, there was a lack of political effectiveness.

Old Trujillistas tried to muscle in, and did gain influence over the junta president, Gen. Antonio Imbert Barreras. Old militarists jealously guarded their power and privilege.

Economically, the country is shot.

Cheating on the Government was a national pastime. Contraband was smuggled in by the military—and merchants. For political reasons, leaders who came after Trujillo inflated wages. At the same time, the props were knocked from under the Dominican export business by the collapse of world market prices for sugar, coffee and cacao.

To straighten out the mess, it now seems clear, the United States will have to remain deeply involved in Dominican internal affairs for a long time to come.

Economically, the United States is going to have to keep the country afloat.

Politically, the United States already is deeply involved. President García Godoy already is getting political advice from U.S. officials here—although he does not accept it all.

As an example, U.S. officials have objected to several appointments García Godoy has made to his Cabinet, or to other high Government jobs. García Godoy has rejected the U.S. protests, for the most part.

One of his main explanations to American officials who object is this: Non-Communists in the rebel camp must not be isolated, forced to side with the Communists. They must be given another way to go. He wants to offer them that "other way."

Therefore, he says, he is appointing as many moderates and non-Communists, from the rebel camp, as he can.

American officials are not 100 percent satisfied that this tactic will work—but are willing to let García Godoy give it a try. After all, American troops still are in the country, as insurance against a Communist takeover.

The García Godoy tactic is to divide and conquer—which is the U.S. tactic here, too.

THE DOUBLECROSS: A WAY OF LIFE

Involved in this tactic, of course, is the grand old practice of the doublecross. And the doublecross is a grand old Dominican habit, from way back. It is even contagious. Americans have caught the spirit, here, from time to time.

Some examples of the doublecross in this revolution:

Before the revolution, Imbert feared that former President Joaquín Balaguer, his political enemy, planned a coup. Imbert, though an anti-Communist, made a deal with the Castroite 14th of June movement—even gave it arms.

During the first week in May, the U.S. decided Imbert was the man to form an anti-Communist junta. Former Ambassador John Bartlow Martin was sent in to persuade Imbert—who really was reluctant, wanted no part of the mess. Mr. Martin denies it now, but some U.S. officials believe that he promised Imbert that the United States would recognize his junta, and help it. The United States had no such intention.

Once the junta was formed, Imbert and the military chiefs vowed to stand together to the end. Then, by accident, Imbert learned the chiefs were talking to Mr. Bunker—the OAS negotiator—behind Imbert's back.

The rebels signed two cease-fire agreements—and kept neither.

The rebels signed the compromise peace—then made new demands before they would live up to the agreement.

It's a way of life in Santo Domingo—this doublecross.

The doublecross has to be stressed for one reason. If the tradition of the doublecross is not kept firmly in mind, too much weight might be given to the present promises and agreements.

Ambassador Bunker and his OAS colleagues found this out during the months that they worked to get a compromise political settlement. Promises made one day were broken the next.

For this reason, Americans discussing the chances of getting a settlement in fact, as well as on paper, always preface their discussions with the assurance that the American Army is in the country to protect American interests, if it has to.

U.S. officials make no bones about the fact that they hope the American Army stays in the Dominican Republic for at least 9 months—the full term of the García Godoy government. Some say they hope the troops stay even longer than that.

ANTICOMMUNISTS, TOO, COULD MAKE TROUBLE

Elements of future trouble are present almost everywhere. Not only are the Communists organizing action groups around the country, and stockpiling weapons, but so are anti-Communist followers of Wessin y Wessin.

In this situation, President Garcia Godoy is moving slowly. He has to, in order to avoid touching off new fighting that will blow up the whole effort to restore law and order and set up a stable government.

He would like to crack down on the Communist newspaper, Patria, for example. But he can't risk it right now. Instead, he hopes the two big papers, El Caribe and Listin Diario, can resume publishing as soon as possible, so the people have something to read other than Communist propaganda. The two big papers have not published since the start of the revolution. Now the unions, presumably following Communist orders, are keeping them shut down by making exorbitant demands. Unions are demanding full pay for the 4 months that the papers were closed and had no income. Extremists in the unions also talk of handing the papers over to worker ownership and control—although they call it "people's" ownership.

Other things, too, bother U.S. officials.

Asked whether the Dominicans would be ready for elections in 9 months, one official gave a one-word answer: "No." Juan Bosch bothers the United States, too. To the U.S. Embassy people, Bosch is bad news. They blame him for much of what has gone on this summer. To them, he was a poor administrator, as president in 1963. He did things that helped Communists, like letting some of the most dangerous return from exile. Officials say his constitution of 1963 is a horror, with wording so vague that it gives the President almost any powers he wants to assume. He is anti-Yankee. He pits class against class. The bill of particulars against him goes on and on. Right now, it is thought, Bosch has lost a lot of political popularity. But Bosch is a spellbinder, who, in the opinion of U.S. diplomats, can win back much of his former popularity with a few speeches. Also disturbing to Americans is the return of exiled revolutionaries.

Concern was centered on Maximo Lopez Molina, president of the Chinese-line MPD, or Popular Dominican Movement. Lopez Molina had spent some time in Japan, recently moved to China, and had left China for the Dominican Republic when the provisional government was formed—or seemed certain to be formed. The Institutional Act of the provisional government, written jointly by the OAS ad hoc committee and Dominicans of both sides, bans deportation or exile. By September 7, Lopez Molina had reached Kingston, Jamaica. A way was found, next day, however, to block him. Lopez Molina was shipped to Paris, where he maintains his permanent home in exile. Other key Communists, however, have returned.

Garcia Godoy is working hand in glove with the Americans, and his goals apparently coincide with the main U.S. goals—unless, of course, there is another doublecross in the works.

U.S. officials here in Santo Domingo still talk about the beating they took from some of the U.S. press at the outset back in April, when Ambassador Bennett issued a call for the marines.

They continue to point out newly revealed evidence of Communist power within the rebel camp, to support their conclusion that U.S. intervention was necessary to save lives and keep the Communists from grabbing power.

U.S. intelligence now can demonstrate that nearly all the Communists who were listed as active when the revolt started still are important in the rebel zone.

AN INTERVIEW WITH WESSIN

Now we come to the case of Gen. Elias Wessin y Wessin. On Tuesday, September 7, the story broke that American officials had offered Wessin a bribe to leave the country.

That morning an anti-Communist Dominican newspaperman got me in to see Wessin—when four carloads of other newsmen were stopped at the outside gates.

The general said that two Americans had offered to buy his $18,000 home—at any price he named—if he would leave the country and take a tour, as honored guest, of military establishments in Panama and the United States. Wessin said his reply was that he would sell his home for $50,000, gladly, but that he would use the money to build another and better home, right in front of the old one.

Later that day, another high-ranking Dominican officer told me more about the case. He said that the CIA chief in Santo Domingo and an American military attaché went to Wessin's home at 2:30 a.m. on Sunday, September 5, with the bribe offer.

Next day, high U.S. officials told me a different story. They said no bribe had been offered, that Wessin initiated the meeting—but it was not at 2:30 in the morning. "It was much earlier than that." There had been other meetings, too. But Wessin asked for each of these, too.

Piecing these two stories together with some things American officials told later, I think the story is this:

United States through Garcia Godoy, put the pressure on Wessin to get out of the country. Wessin dickered, explained he was a poor man, would have to sell his home, liquidate other assets. During the negotiations Wessin initiated individual meetings. Wessin did tell me that he, himself, set the price of $50,000 on his home.

The story of the physical ouster of Wessin, at 8:05 on the evening of Thursday, September 9, reads like a paperback spy novel. Sometime during the night of September 8–9, Wessin began moving his tanks from the northern part of Santo Domingo back toward his base. He did not inform the Inter-American military headquarters in advance.

There was panic. Ambassador Bunker was pulled out of bed before 4:30 on Thursday morning. He was out of the hotel before 7. He didn't return until 5 in the afternoon.

Wessin's moves were confusing. On Wednesday morning he went before NBC cameras and made his bribe charges openly—the same charges that he had confided secretly to me only 24 hours earlier.

At the same time, Wessin seemed to be yielding to Garcia Godoy's urging that he accept a post abroad for the good of the country. Godoy offered him his choice of several posts. Wessin said, on Wednesday, that he would consider them, and made a date to visit Godoy and give his answer on Thursday morning.

Wessin didn't show up for that date with his commander in chief.

Somebody ordered the Inter-American Peace Force into action—presumably Mr. Bunker. Brig. Gen. John R. Deane, assistant division commander of the 82d Airborne, was sent to Wessin's office. By all accounts, there was a scene. Then, Wessin was escorted to General Deane's headquarters. He was hustled out, an American officer on each arm, and whisked back to his own headquarters, a few miles away.

Later, in the afternoon, an American Air Force C–130 landed at San Isidro. Some baggage was put aboard. U.S. soldiers and plainclothesmen, presumably FBI, guarded the plane. After dark, just before 8 p.m., Wessin arrived by U.S. helicopter, was rushed aboard the airplane, and flown off to Panama. His family was left behind. One of his aides, a major, was the only Dominican to see him off.

The "bum's rush" for Wessin had some bad effects.

American residents, as well as Dominicans, began recalling how Wessin had led the forces against the rebels in the first days. A legend began to grow. Wessin was credited with saving the country from communism in the days before the marines landed. Wessin began to seem 9 feet tall.

American military officers have a more solid, less emotional, objection. Most of them had liked Wessin, and admired him as a military man. Generally, they agree his military did hold off the Communists in April until the marines landed. It is the diplomats who criticize his military actions during the first days.

But the main concern the American military men feel, as expressed by an officer who was brought in for a special high-level job, is this: For years, United States has been training Latin-American officers at Fort Gulick in Panama. These officers are indoctrinated with the idea that the United States depends on them as bulwarks against communism. What, asks the officer, are these Latin-American officers going to think about the word of the United States now?

THE REBELS CELEBRATE "VICTORY"

Meanwhile, as General Wessin was being stripped of his military rank, retired from the Army and forced out of the country by the Americans, the rebels were celebrating their "victory."

At rebel headquarters, in the Copello Building on the main business street, El Conde, I talked with Bill Bailes, an American airplane pilot who has been with the rebels almost from the start.

We commented on how the guns had all but disappeared from the streets of the rebel zone. Mr. Bailes said the guns were still there—that the night before, when rumors spread that Wessin was going to invade, guns sprouted everywhere in the streets.

Mr. Bailes was exuberant with what he believes is a rebel victory. He praised the job that had been done by the "American press."

He said, "You reporters saw through the brainwashing of the American Government," and then added, jokingly: "I am recommending that we strike a medal for the American reporters who covered this story."

One of the sources of strength Garcia Godoy hopes to keep, as a counter to the Communists in the rebel forces, is the military.

As of mid-July, the Dominican armed forces had the following strength figures: 10,000 army; 3,800 air force; 3,600 navy; more than 10,000 in national police; 1,700 in Wessin's armed forces training center.

I talked with high-ranking military officers, many of whom were gloomy.

One in particular I had seen several times, in May and July, when the purely military situation was much worse than it is now. But never had I seen him so gloomy.

This officer said:

"The situation is worse than anytime since April.

"During April and May, and into June, you at least could have faith in something—the military effort against communism. Now, even that faith has been shattered. United States seemed to be against the Communists then. Now it doesn't seem to be. United States instead seems to be protecting the Communists.

"Exiled revolutionaries are coming back. Arms are not being collected.

"One provisional government, Imbert's, is out and another one is in—but still the Communists keep their control of downtown Santo Domingo. What did the compromise agreement accomplish?

"The Communists publish their newspapers—but the anti-Communists are ordered off the air, and have no newspapers."

The officer was puzzled by the United States—and said that he felt betrayed, adding:

"We cannot understand your Government. You send thousands to fight communism in Vietnam—but give in to the Communists here."

Neither does this officer think that all the rebel guns will be surrendered or found. He said 2,500 weapons were found in the northern part of the city, after the junta victory in May—but that many others still are there, hidden too well or too deeply to be detected. How many more are being hidden downtown, or in the rest of the country the officer would not try to guess.

AN ECONOMIC PROBLEM

United States now has not only the political and military problems, but the formidable economic problem as well.

Here are some aspects of the aid problem:

Government budget runs $15 million a month. Collections fell to $2 million in May, got up to $9 million in September, are not expected to reach $15 million before many months.

Sugar Corporation, Government-owned, loses money and has to borrow $16 to $18 million a year to operate. Production costs are higher than the low world prices.

Coffee, a prime export, is in trouble. A few years ago, the Dominican Republic cheated on the World Coffee Agreement, exported more than its quota. Now, it is being penalized. In addition, coffee prices on the world market are very low. Result is that the little coffee growers, out in the countryside, aren't able to sell their coffee beans—and don't understand why. That poses a political problem of Garcia Godoy—and the United States.

Cacao prices are down on the world market.

Since Trujillo, the Dominican Republic has been importing more than it can afford. Trujillo was killed in 1961. He had kept a tight rein on imports, showed a yearly favorable balance in current trade accounts. The figures tell the story. Current trade balances, year by year, were: 1960—plus $42.6 million; 1961—plus $41.8 million; 1962—minus $13.5 million; 1963—minus $22.8 million; 1964—minus $55.7 million.

All these problems are manageable, however, compared to the really big one:

This has been a country of easy living. People didn't need peso incomes to live. They could pick bananas and get along. But now that's not good enough for them. They want TV sets, and pesos in their pockets. They want schools for their children, and hospitals. Other people have these things, and they want them too. Only problem is that, while they want the benefits that come from a money economy, they don't really understand yet that they have to work for what they get.

Against these problems, and others, the U.S. mission for the Agency for International Development went to work on estimates of what was needed.

The mission came up with an estimate of 30 millions, to start with. It recommended that United States chip in 20 millions, the Dominican Republic the other 10 millions. President Johnson agreed, announced his $20-million aid program.

Initial planning calls for use of the money in these ways:

Help make up the budget deficits, in monthly operating costs.

Pay half the 1-month salary bonus that all Government employees get in December.

Throw in some money to help rehabilitate manufacturing and business, generally—but not to help commerce.

Finance public works projects. Many already are underway, like the new water system being constructed for Santo

Domingo. But in addition, Garcia Godoy is being given a "pot" of 2 millions to throw into public works in areas where it will do the most good politically. Idea is that United States wants Garcia Godoy to succeed, so U.S. money is being given to him to use for semipolitical purposes.

On September 5, 2 days after the Garcia Godoy government took office, the AID people went over the books with the government. The Dominicans were surprised. They were "wealthier" than they had imagined.

They hadn't heard about President Johnson's promise of $20 million—because there are no newspapers of general information in the capital.

But, in addition to that, they found that they had: 32 millions in loans negotiated by previous governments, but never drawn; 20 to 30 millions in new loans that will be available to finance projects the AID mission now is developing; 6.5 millions in OAS emergency aid that has not been spent yet.

Total aid given since April 24 ran to 42 millions. This was U.S. money, most of which was funneled through OAS.

One reason that 6.5 millions of this aid money has not yet been spent is that United States now is keeping a closer watch than ever on what is done with aid dollars in the Dominican Republic. In the past, officials say, much of the aid money went down the drain, in stopgap measures.

Now, the United States intends to be tougher, and make certain that aid extended will help make it possible to end aid later.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. THURMOND] to the committee amendment in the nature of a substitute.

Mr. ERVIN. Mr. President, I sincerely hope that my good friend the senior Senator from South Carolina will not press his amendment.

The Senator from South Carolina makes out a fairly strong case in favor of General Wessin y Wessin. His amendment, however, is an illustration of the fact that it is unwise to pass a general law based on one specific instance.

Under the amendment of the Senator from South Carolina, any person who is involuntarily brought into the United States by the United States or its agents cannot be deported. This amendment would cover all persons brought into the United States under those circumstances except prisoners of war.

Frequently the U.S. Coast Guard has the task of preventing smuggling. We have statutes against piracy on the high seas. The way in which this amendment is phrased, it would go far beyond the case of General Wessin y Wessin.

If the Coast Guard were to catch smugglers off the U.S. Coast, against whom they had a case based upon evidence of prior acts, and if the smugglers were brought to our country against their will, even though the smugglers were aliens, they could never be deported from the United States under this amendment.

The same thing would apply to pirates who were aliens and happened to be apprehended by agents of the American Government off the coast of the United States or elsewhere on the high seas.

I suggest to my good friend, the Senator from South Carolina the advisability of withholding his amendment and introducing a separate bill to cover the case of General Wessin y Wessin.

The Subcommittee on Immigration and Naturalization of the Committee on the Judiciary has jurisdiction of bills which are introduced in behalf of special individuals who are subject to deportation under the general laws. The subcommittee constantly acts on such bills for special individuals in individual cases.

I sincerely hope that the Senator from South Carolina will withdraw his amendment and introduce a special bill to cover General Wessin y Wessin.

There are several members of the Subcommittee on Immigration and Naturalization present in the Chamber. I am certain that they will join me in assuring the Senator from South Carolina that we would give careful consideration to the case of General Wessin y Wessin in the event the Senator were to see fit to introduce a special bill to take care of his situation. I believe that would be a safer course to follow.

The amendment has not been considered by the subcommittee. The subcommittee has had no opportunity to study the amendment. Certainly the amendment would be subject to the interpretation which I mentioned. This interpretation would prevent the United States from deporting people who are brought into the U.S. waters or into our country in violation of the laws against smuggling or piracy, if we were to apprehend them on the high seas.

I hope the Senator from South Carolina will not press his amendment, but, on the contrary, will introduce a special bill for the benefit of Gen. Wessin y Wessin.

I give the Senator my assurance as a member of the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary that I shall give consideration to the merits of the case of Gen. Wessin y Wessin.

Mr. THURMOND. Mr. President, I invite attention to the fact that the Coast Guard may arrest anyone within our 3-mile limit. That is considered within the waters of the United States, and it would appear that the persons in the Senator's example would be voluntarily within the area of the United States. If they are beyond the national waters of the United States, I do not know of any authority we have to bring them in here. In view of that lack of authority, I do not believe such an amendment would be necessary.

However, if there is any question about it, if the Senator wishes to offer an amendment or would support such an amendment if I offered it, I should be pleased to hear from the manager of the bill as to his views with regard to such an amendment.

Mr. ERVIN. Mr. President, in spite of the suggestion of the Senator from South Carolina, the Senator, by his act in modifying his own amendment, has shown that his amendment is subject to further scrutiny and should be further scrutinized.

We have in our laws the doctrine of hot pursuit, relating to smuggling; and under the Senator's amendment, if we followed smugglers outside the 3-mile limit into the ocean and captured them and brought them back here for trial in our courts, they would have a right to remain in the United States, under the amendment, until they shuffled off this mortal coil.

I am not sufficiently gifted in drafting to draft an amendment on the spur of the moment. I only wish the Senator from South Carolina would save us further labor on the point by withdrawing his amendment, and then introducing a special bill for the relief of one man. Whether or not we are able to develop a good case for the relief of Gen. Wessin y Wessin, I do not think we can make out a good case for the proposition that smugglers and pirates involuntarily brought into the United States by U.S. law-enforcement agencies should be allowed to remain in this country forever, and not be subject to deportation.

Mr. THURMOND. Mr. President, the purpose of the amendment is not solely to prevent General Wessin from being deported. The Wessin matter is merely an incident which illustrates well what our Government has done in this case. Our Government, at the point of a bayonet, with pistols in the man's back, forced him to come into the United States. From all indications, he did not want to come. He was brought in involuntarily.

Our position is that when our Government does that, the victim of such actions should not be forced to leave unless he wishes to do so.

The Senator has raised a technical question and is, I think, taking a very dubious position. But I should be glad to hear from the manager of the bill as to how he feels about this matter.

Mr. ERVIN. If the Senator will pardon me and if I may be recognized 1 more minute, I remember a relatively short time ago when U.S. law enforcement forces caught a Cuban fishing trawler poaching in the waters off the coast of the United States. They were arrested and brought into the United States against their will, to be tried in court.

Under the Senator's amendment, those poachers would have the right to stay in the United States forever. Many situations of that kind arise. People on rafts are picked up and brought into the United States, sometimes against their will. No matter how undesirable their character, they would have the right to remain in the country. It seems to me that this is an illustration of what I have observed heretofore: We ought not to pass general law on the basis of one instance.

I agree with the Senator from South Carolina that if all the things which have been recounted in the press are true, Gen. Wessin y Wessin has not been fairly dealt with, and a bill for his relief might be appropriate if he wishes to remain in the United States. But I do not believe the special remedy for such a situation is to tell all the others that they can stay here if they wish, from now on.

I do not know whether the facts reported in the newspapers are true, because I find newspapers sometimes are like the CONGRESSIONAL RECORD in that they contain about as much fiction as fact. That is the reason why we ought to have a special bill, referred to an appropriate committee, which could then investigate the truth of the press reports.

Mr. THURMOND. Of course, Mr. President, there is no intention to protect smugglers or criminals, but the Cubans to whom the Senator refers were already within U.S. waters, and they were taken to jail.

I should be pleased to hear from the manager of the bill as to his reaction to my amendment.

Mr. KENNEDY of Massachusetts. Mr. President, the Senator from North Carolina has raised a number of different points which cast doubt on the total effect of this amendment. I think all of us can remember back, not many years ago, to the time when there was a seizure of a Portuguese ship, and countries throughout the world were notified about the act of piracy which had been committed, and navies all over the world went in search of the ship.

There were people of nine different nationalities aboard that ship, being pursued by units of the U.S. Navy. What would have happened, for example, had that ship been seized and brought to the United States? Could any of the individuals who happened to be on that ship have declared that they were involuntarily brought to the United States, and take advantage of the proposed provision?

Other questions, too, have been raised by the Senator from North Carolina. What I should like to do, knowing how strongly the Senator from South Carolina feels about the issue, is respectfully suggested that the Judiciary Committee hold a hearing on this matter next year, at least to develop, expand, and evaluate it, to see whether this is an appropriate matter for the concern and deliberation of the Senate.

I would be more than delighted to attend such a hearing and to participate in it. I have only been acting chairman of the particular subcommittee that is involved. Final determination would have to be made by our chairman.

However, I recommend to the chairman that he hold such a hearing and extend such a courtesy to the Senator from South Carolina, so that we could examine the subject in some detail and consider it and evaluate it.

I feel that the distinguished chairman of the committee will accord this courtesy to the Senator from South Carolina and to the points that he has raised.

Mr. THURMOND. Mr. President, I have no desire to force action on the amendment at this time. I wished to focus attention on the subject. It involves the action by our Government in bringing a man into our country from the Dominican Republic at the point of bayonets, against his wishes, and to keep him here at the Government's will, whether he wishes to remain here or not. It is one of the most dastardly acts that has ever been committed by the U.S. Government. Those who committed the act should be required to explain it.

If the Senator in charge of the bill gives assurance that the subject will receive attention at a hearing, and the distinguished Senator from North Carolina, who is a member of the Judiciary Committee, feels the subject will receive full exploration—and I should like to hear from him on that point—I shall be willing to withdraw the amendment, to allow the Judiciary Committee to hold full hearings on the subject.

Mr. ERVIN. Mr. President, I assure my good friend from South Carolina that I shall do everything in my power to see to it that a hearing is held on such a bill if it is introduced, and that serious consideration be given to the facts to which he has referred in presenting his amendment.

Mr. THURMOND. Mr. President, in view of the assurance given by the manager of the bill, the Senator from Massachusetts [Mr. KENNEDY], and by the distinguished senior Senator from North Carolina [Mr. ERVIN], a member of the Judiciary Committee, I withdraw the amendment. I am sure the Judiciary Committee will consider the subject, as both Senators have indicated.

The PRESIDING OFFICER. The amendment is withdrawn.

The committee amendment is open to amendment.

Mr. RUSSELL of South Carolina. Mr. President, I wonder whether the Senator in charge of the bill will yield to me for a moment for a question?

Mr. KENNEDY of Massachusetts. I am glad to yield to the Senator from South Carolina.

Mr. RUSSELL of South Carolina. I am very much interested in this bill. I am impressed with its objectives. I sympathize with all of them. I was deeply impressed with the remarks made yesterday by the Senator from Rhode Island.

In my State, many Greek and Italian families are making great contributions to the progress of South Carolina. They are outstanding citizens.

As I understand the provisions of the pending bill, it would be possible for many additional immigrants from both Greece and Italy to come into the United States—perhaps many of them to settle in South Carolina.

I recall that it was stated on the floor of the Senate yesterday that many great scientists have made valuable contributions in connection with the development of the atomic bomb; but also, when we came to the period of the hydrogen bomb, there was another distinguished Hungarian refugee, Dr. Edward Teller, who was responsible for that as well as many other great contributions to science.

For that reason, I am sympathetic with the goals established in the pending bill. One point disturbs me a great deal. I fear that the number of immigrants would be substantially increased under the provisions of the pending bill, and I wonder whether it would be possible for the Senator in charge of the bill to consider any reduction from the 170,000 as now contemplated to be authorized under the provisions of the pending bill.

Mr. KENNEDY of Massachusetts. Early today, I analyzed how we arrived at the 170,000 figure. Briefly, we traced it back to 1924, when the immigration bill was being considered, and the figure set then was 150,000, representing one-sixth of 1 percent of the country's population at that particular time. That figure was increased by some 8,000 as this country recognized newly independent countries and accorded them a small minimum quota. On top of the 158,000 figure, this bill increased by 10,200 the total quota numbers to take care of refugees as defined in the bill, those fleeing from Communist persecution, or fleeing from the Middle East, or natural calamities. This brought the total close to the 170,000 figure.

As the Senator from South Carolina has recognized, this figure does not include those who have close family relationships, so it probably would mean not only 170,000 but also 40,000 or 50,000 in addition because of the close family relationships.

The stress of the bill is on the reunification of families. There was a great deal of debate in the subcommittee at the time of the hearings as to what the figure should be. The figure of 170,000 was arrived at after a considerable amount of "pulling and hauling," so to speak, as to exactly what the figure should be. I believe that it really reflects, not a substantial increase in the numbers that will come in, but the need to reunify and bring families together, as well as people of merit and ability.

At this time, I would hesitate to support any kind of amendment which would alter the basic formula of the 170,000 figure. I might mention to the Senator from South Carolina that the number of immigrants who came into this country in 1924, when this legislation first established the national origins system, represented six-tenths of 1 percent of the U.S. population.

In 1964, the number of immigrants coming into this country in relation to the population was only one-tenth of 1 percent. Therefore, I believe, as related to the total population, that the total number of immigrants has been decreasing. I would expect, with the ceilings which have been established for the 170,000, and the other restrictions which have been applied, that the percentage would constantly decrease—that is, that the number of people who will come in as immigrants compared to the total population of the United States will constantly decrease in the years ahead.

I hope that this explanation will be of some interest to the Senator from South Carolina, but at this time I would hesitate to consider any change in the total figure of 170,000.

Mr. RUSSELL of South Carolina. Mr. President, I can appreciate the work which the committee has put into this legislation and in arriving at the figure of 170,000. However, I still have grave doubts about whether we should at this time increase the number of immigrants allowed into our country annually. We have an unemployment problem which we must deal with, and we should limit immigrants to those who have a real reason for coming into this country for family reasons or other pressing humanitarian reasons.

While I have an open mind about altering the national origins quota system, I do have such grave doubts about the wisdom of increasing total immigration, as this bill would do, that I will have to consider seriously casting my vote against the bill unless an amendment is adopted substantially reducing the total number of immigrants.

I thank the Senator from Massachusetts.

Mr. HART. Mr. President, will the Senator from Massachusetts yield?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. KENNEDY of Massachusetts. I am glad to yield to the Senator from Michigan.

Mr. HART. Mr. President, earlier in debate the Senator from Massachusetts, the Senator in charge of the bill, as well as the Senator from New York [Mr. KENNEDY], made comments about the attitude that they and I share with respect to the numerical ceiling on admissions from the Western Hemisphere. I believe that our views, expressed in the filed separate views in the committee report, are adequate and illustrative of our reasoning.

However, as we approach final passage of the pending bill, I wish to acknowledge concerns which have been voiced, particularly by public officials and editorials in the Dominion of Canada, Michigan, and other Northern States, which find that the Canadian who has decided to become an American makes a magnificent American citizen. There is a great community of interest on this unguarded border. I would hope that some reassurance could be voiced, as we approach a vote, to allay the fears of our Dominion neighbors.

First of all, let me say that the distinguished Senator from North Carolina [Mr. ERVIN] has been magnificent in working out the evolution of the bill through trying months of hearings. He was quick to respond to the basic concern of the Canadians. Initially, it had been the suggestion of the Senator from North Carolina that the Western Hemisphere ceiling be applicable to the numerical limitation on each nation in the Western Hemisphere. This would have been, indeed, a jolt to our Canadian neighbors. When I presented this problem to the Senator from North Carolina, he quickly responded—and prudently, I believe—by eliminating the 20,000 ceiling with respect to a national limitation in the Western Hemisphere.

This in itself should ease considerably the concern of our Dominion neighbors, but I believe that additionally I should make the point that I trust that the bill we are about to enact would not affect in any way the day-to-day exchange of visitors across our respective borders. Indeed, it would not affect the day-to-day entry of Canadians employed in this country. It applies only to those who would seek permanent residence and ultimate citizenship in the United States.

We shall have a thorough study made by the Select Commission on Western Hemisphere Immigration in the next 2 years. As the Senator from Massachusetts has said, I share the hope that that Commission will give proper consideration to the implications of a Western Hemisphere ceiling.

Finally, I believe that it would be useful for the RECORD, and I ask unanimous consent to have printed in the RECORD, some editorials and expressions of opinion from outstanding Dominion newspapers and the Canadian Embassy, which expressions are most temperate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CANADIAN EMBASSY.

The Canadian Embassy presents its compliments to the Department of State and has the honor to refer to the proposed changes in the U.S. immigration laws currently under consideration in the Congress.

The Canadian Government has followed with close attention the course of discussions on the proposed new legislation in the Congress. The intimate relationship and community of interest between the Governments and people of the United States and Canada have provided the basis for a unique degree of freedom of movement of citizens of the two countries across the international border in both directions. In keeping with the traditional lack of any numerical restriction on these movements, the Canadian Government has noted with satisfaction the strong stand taken by the administration to prevent the imposition of a ceiling of a kind which might change this situation.

It is, therefore, a matter of anxiety to Canadians that an amendment has been introduced in the Senate to limit immigration into the United States of America from the Western Hemisphere, including Canada. The adoption of such a measure by the U.S. Government would be a matter of serious concern to the Canadian Government. It would seem to place potential quantitative limitations on the movement of Canadians emigrating to the United States. It could cause particular uneasiness among persons living in border areas who may seek in future, as many have often done in the past, to take advantage of employment opportunities in neighboring parts of the other country.

It is, of course, the intention of the Canadian Government that Canadians should increasingly find full scope in Canada for the application of their talents and skills. The Canadian Government's concern is not only with the practical effect which the proposed measure might have on Canadians emigrating to the United States but also with the widespread anxiety and misunderstanding which it may cause. Moreover, the introduction of such a numerical limit would be regrettable in principle and could be regarded as setting an unfortunate precedent.

The Canadian Government finds it difficult to understand the need for a restriction of this nature and could only view it as a regressive development in the general relations between our two countries.

In the light of these considerations the Canadian Government hopes that the U.S. Government will continue to oppose strongly any proposals in the immigration legislation now under consideration in the Congress which might be regarded as having a restrictive effect on the movement of peoples between our two countries.

WASHINGTON, D.C., *September 3, 1965.*

[From the Toronto Globe & Mail, Aug. 31, 1965]

THE QUIET DIPLOMAT

The central theme of the Heeney-Merchant Report was that there should be free and easy consultation between the Governments of Canada and the United States before either became publicly committed to any one position, that it is in the interests of both countries that whenever possible divergent views be expressed and resolved in private through diplomatic channels. Mr. Arnold Heeney, coauthor of the report, enlarged upon this theme at Banff last week. But he had hardly finished his speech before President Lyndon B. Johnson knocked it flat. Mr. Johnson acted as if he had never heard of the Heeney-Merchant Report. In fact, by abruptly changing his administration's position on immigration from Canada and other Western Hemisphere countries, President Johnson embarrassed not only his own State Department, but left two Canadian Cabinet Ministers publicly contradicting each other. Perhaps without realizing that it was the President's go-ahead which made possible the vote by the Senate Subcommittee on Immigration to limit immigration from all countries in the Western Hemisphere to 120,000, External Affairs Minister Paul Martin said the move would be "a regressive factor in our traditional arrangements with United States insofar as the movements of our peoples are concerned." On the other hand, Mr. John R. Nicholson, Minister of Citizenship and Immigration, welcomed the bill, figuring it would slow down the emigration of Canadians to the United States, now running at about 40,000 a year.

The bill is not likely to affect the Canadian migration to the United States very much, one way or another. No national quotas are being written into the bill, so that Canadians possessing the education, skills and training demanded of all immigrants should have little trouble competing with Latin Americans for the 120,000 annual openings. The point, however, is that President Johnson has taken action in the exceedingly sensitive field of immigration, solely on the dictates of domestic policy, and apparently without any prior consultation with Canada. It comes down to this: despite the well-intentioned recommendations of the Heeney-Merchant Report, the only quiet diplomacy is to be practiced by ourselves; the only consultation we may expect will be ex post facto.

[From the Montreal (Canada) Star, Aug. 28, 1965]

LARGELY IN THE MIND

If the proposed restriction on immigration into the United States to 120,000 annually from the Western Hemisphere becomes law, Canadians would be affected not entirely but mostly in their feelings. We are so used to going to the United States almost at will that the right to do so seems as if it were based on a law of nature. Natural law says that the people of the Western Hemisphere are all so nearly alike as makes no difference, and Canadian ideas of superiority are not relevant. Any other position amounts to discrimination, which we try to avoid in our own immigration regulations.

The practical effects of legislation on the point are difficult to forecast. They could be felt by several different classes of Canadians, those crossing the border daily to work in the United States, those crossing for periods of a few days at a time to work, those transferred by employers to plants in the United States for training, and those entering to take up permanent residence, sometimes to work sometimes to live in retirement where small incomes go further.

But a person entering and leaving the United States daily is not an immigrant. A seasonal worker goes in because his labor is needed, persons in line for transfer by industries big enough to do that sort of thing have influential sponsors, all considerations which would tend to limit the extent of changes in existing practices.

And quite apart from these aspects of the case, it appears that there is a general error in regard to the amount of Canadian emigration to the United States. It is said to be about 10,000 annually under present conditions, some of those persons who enter the United States by way of Canada not being Canadians at all but birds of passage.

Form requires our Government to make representations, but they will not have much content.

[From the Calgary (Alberta) Herald, Sept. 2, 1965]

U.S. Immigration Changes

The Minister of Immigration, Hon. J. R. Nicholson, is undoubtedly right in his assessment of U.S. plans which would limit immigration from Western Hemisphere countries, including Canada, to a total of 120,000 people a year.

It is, as Mr. Nicholson suggests, hard to see how the new legislation, which has been approved by a U.S. Senate Judiciary Subcommittee, can hurt this country.

Indeed, Canada may have suffered to some extent because it was so easy for Canadians to emigrate to the United States. The financial and other types of opportunities available in the United States have been a constant attraction for well-educated and highly skilled Canadians. The migration of this type of citizen to the United States has come to be regarded deploringly in this country as the "brain drain."

The restrictions contemplated in the United States do not seem likely to bar this type of Canadian in large numbers from U.S. citizenship. The proposed ceiling appears high enough to admit those with the highest qualifications. But, if it has the effect of encouraging at least some of the "brains" to remain and make the best of opportunities here, this country should benefit in the long run.

With these factors in mind, it is puzzling to detect an apparent difference of opinion within the Federal Cabinet on this question. Mr. Nicholson sees no harmful effects for Canada in the bill, but the External Affairs Minister, Hon. Paul Martin, regards it with misgivings.

[From the Sun (Vancouver, British Columbia), Aug. 28, 1965]

U.S. Quota—Good or Bad?

It is understandable that there should be mixed reaction within the Canadian cabinet to the shape the U.S. new immigration policy is taking.

It comes as a shock to learn that for the first time—and with surprise approval from President Johnson—Canadian immigration to the United States may be put on a quota. This explains the affront obviously felt by External Affairs Minister Martin and his promise that representations against the proposed immigration bill will be made by Ottawa to Washington.

On the other hand we are told by Immigration Minister Nicholson that the quota "certainly would not hurt Canada." Mr. Nicholson's department has been working on a program to halt the Canadian brain-drain to the United States, so it hardly can be angry with Congress if the program is helped from that quarter.

Once we accept that in principle we would have no different status in connection with United States entry than other countries of the Western Hemisphere, we probably would find that little or nothing is changed in practice.

The United States will continue to admit all the Canadians it wants and needs according to their skills and education. Canada, if we are to believe the warnings of some most knowledgeable people, will continue to lose those citizens it needs the most.

Yet the brain-drain as a sap on the Canadian economy is not unchallenged.

A recent McGill study says the 1,000 to 1,500 Canadian professionals who emigrate south each year equal a dollar loss of $50 to $75 million—and that's just the cost of their training, not their possible contribution to our growth. Yet the Economic Council, balancing immigration of professionals against emigration, is confident that we come out on top.

But the Council does warn that, unless we expand efforts to attract and keep the best-trained people, the swap might not always remain favorable.

This, surely, is of larger Canadian concern than proposed U.S. immigration legislation theoretically relegating us to just another one of the crowd.

In this regard, MacMillan Bloedel's, J. V. Clyde has suggested such stay-at-home incentives to young professionals as special tax deductions; it's the take-home pay that isn't competitive, he says, not salaries.

And that sort of equalizer is something we cannot leave to the U.S. Congress.

[From the Toronto Daily Star, Aug. 30, 1965]

Why U.S. Barriers to Canadian Emigration?

President Johnson may seriously damage Canadian-American relations by his surrender to Senate pressure for a quota system on Western Hemisphere people wishing to emigrate to the United States.

The President apparently has dismissed protests from Ottawa and from his own State Department in approving a Senate subcommittee amendment to an otherwise liberal immigration bill. The amendment would limit to 120,000 a year the number of people from Latin America and Canada who want to become U.S. citizens.

This is the first time any quota has been put on Western Hemisphere immigration and presumably reflects the fear among some Republican leaders that without such restrictions the United States, in time, will be flooded with immigrants from Latin America's exploding population.

Some 40,000 Canadians emigrate to the United States each year, their entry now subject only to financial responsibility and good moral character. Canada, in return, takes in about 11,000 Americans annually without any thought of limiting their numbers.

Why should Canadian emigrants to the United States be subject to quota restrictions that are not imposed on Americans coming here?

More important is the fact that a quota system will reduce the mobility of Canadians and Americans wishing to move between our two countries, a privilege—and a useful stimulation—that has existed since the founding of the two nations.

External Affairs Minister Paul Martin noted in Canada's protest to Washington that a quota system would be a "regressive factor" in arrangements between the two countries on the movements of their citizens.

It is unfortunate that his cabinet colleague, Immigration Minister Jack Nicholson, felt compelled to make the singularly asinine comment that he welcomed the restrictions because "we've been increasingly concerned with migration to the United States and my department had intended to take steps to reverse the flow."

Just what did Mr. Nicholson intend to do? Build a Berlin wall across 3,000 miles of undefended border?

Canada's so-called "brain drain" to the United States is more than compensated by the entry of talented immigrants to this country from overseas. And, in any case, the only way to keep Canadians from leaving is to make Canadian living and working conditions more attractive.

There is no doubt the Senate bill was aimed at Latin America and not at Canada but Ottawa cannot take any particular satisfaction from that. The fact is that on a first-come-first-served basis, the Western Hemisphere quota can be filled by Latin Americans before Canadians get to the border.

Canada cannot argue against restrictions from a high moral plane in light of our own immigration laws which discriminate on an economic basis. But we can ask that the quota section of the bill be removed and that restrictions be imposed no broader than our own—that is, immigrants must have skills that will contribute to the economy.

Because it removes previous racial barriers to American immigration, President Johnson's bill will be widely approved. But it will leave a bad taste if the price of Senate passage of the bill is the downgrading of those of us who live in the rest of the Western Hemisphere.

Mr. ERVIN. Mr. President, will the Senator from Michigan yield?

Mr. HART. I am glad to yield to the Senator from North Carolina.

Mr. ERVIN. First, I thank the Senator from Michigan for his very gracious remarks concerning my activities in connection with the hearings and development of this bill.

The matter to which the Senator from Michigan has alluded illustrates, about as well as anything that has occurred, how this bill was fashioned. Personally, I am a great believer in the wisdom of the national origins quota system of the McCarran-Walter Act, and was opposed to its abolition. Frankly, I would still oppose its abolition if I had any hope of success. At the same time, I felt that there was a defect in the McCarran-Walter Act in that it provided no limitation on immigration from the Western Hemisphere. Therefore, I proposed a limitation upon immigrants from the Western Hemisphere, which, as the Senator from Michigan has so well stated, contemplated that countries of the Western Hemisphere would be placed under the same national limitation, in each case of 20,000, that the bill places upon the nations of the Eastern Hemisphere.

The Senator from Michigan called my attention very eloquently to the fact that Canada, our nearest neighbor to the north, was sending into this country in the neighborhood of 40,000 immigrants a year.

As a result of that fact, and his eloquent presentation of that fact, I did not press my proposal that, in addition to placing an overall limitation on all the nations of the Western Hemisphere, there should be a specific one of 20,000 for the people of each nation in the Western Hemisphere.

The Senator from Michigan [Mr. HART], the senior Senator from New York [Mr. JAVITS], and the junior Senator from Massachusetts [Mr. KENNEDY] did not favor any limitation of any kind at this time on the nations of the Western Hemisphere. The junior Senator from New York [Mr. KENNEDY] has also strongly expressed his disagreement with my amendment.

In order to devise a bill that would pass, these Senators, I think with great reluctance, have not pressed for the repeal of my amendment to place a 120,000 limitation upon the Western Hemisphere.

In deference to the eloquent presentation of the cause of Canada by the Senator from Michigan, I did not press my proposal that would place a limitation of 20,000 on each nation in the Western Hemisphere, in addition to the total Western hemispheric limitation of 120,000, plus families of American citizens.

As I stated to the Senate the other day, this bill represents the legislative process working in its very finest fashion. This bill is a composite bill, contributed to by many Senators on the subcommittee and the full committee.

If any one of us had written the bill by himself, he would have some changes in it. But we have a situation in which we have given and taken and adjusted our views in order to get a bill.

I honestly believe the bill in its present form as it went from the subcommittee to the full committee and as it has come from the full committee to the Senate is the very best bill obtainable at this time on this very emotional and crucial subject, the subject of immigration.

As I said the other day, the junior Senator from Massachusetts [Mr. KENNEDY], the junior Senator from Michigan [Mr. HART], the senior Senator from New York [Mr. JAVITS], and the minority leader, all of whom are now in the Chamber, and other members of the subcommittee and the full committee made most significant and substantial contributions to the presentation to the Senate of a bill which, as I said a moment ago, represents the very finest bill attainable at the present time on this subject.

Mr. HART. I appreciate very much the completely accurate description of the evolution of this bill given by the Senator from North Carolina, and all of us are grateful to him.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Does the Senator from Michigan yield to the Senator from New York?

Mr. HART. I yield.

Mr. JAVITS. First, I should like to join my colleague the Senator from Michigan in the comments he has made about the words just spoken by the Senator from North Carolina. That is exactly the way the matter went. They are exactly the reasons, as referred to in the kind of references made by the Senator, for our restraint, notwithstanding our deep feelings on the subject.

I point out that not only Canada, but Mexico also is involved. Attorney General Katzenbach testified at page 16 of the House hearings that "70,000 of the 125,000 immigrants from the Western Hemisphere come from Canada and Mexico." The Senator from North Carolina had that fact in mind. Mexico sends into our country approximately 30,000 a year. It is a sensitive and important point to that country to the south of us.

I take this moment to express a plea to our neighbors in Latin America. We have not heard a great deal about this matter from Latin America. We may. Demagogs may seek to use what may result from the conference at a later time.

Let it be said, first, that there is no diminution of any kind or character in the highest rate of immigration from Latin America in recent years. The figure is now about 135,000. It has averaged at 110,000 per year for the past 10 years. As the Senator from Massachusetts [Mr. KENNEDY] pointed out, the addition provided for brings the number beyond the current range, which in 1964 was about 140,000.

Second, we are engaged in a great immigration reform. I hope our friends in Latin America, whom we number in the millions, will understand they are helping us in achieving an important reform for America's position in the world. With all due respect to the Senator from North Carolina [Mr. ERVIN] in what he has said about the national origins quota system, it has been one of the most distasteful aspects of American foreign policy, so far as the nations of the world are concerned. Some persons may say, "What do we care what they think of us if we are right?" But, Mr. President, we are wrong. I hope the people of Latin America will understand this.

This is not a country-by-country limitation, I say to our friends in Latin America. It is a hemispheric limitation, because we consider the whole hemisphere as our partner.

Even with that limitation, we are providing for a Select Commission on Western Hemisphere Immigration composed of 15 members to study this matter in the Senate version of the bill so that if dictates of policy or other ideas are deemed necessary within the next few years, the Senate is opening the door wide to discussion and to considerations which may occur in that period of time and leaving the door open as to what may be dictated by the interests not only of this country, but of the hemisphere.

We cannot stop demagogs and people who are here to disturb the relationship of the American States, but at least we can set the record straight, that within the context of this new, and I think noble, immigration policy, we have tried in every way to accommodate the special relations, affection, and friendship which exist between the United States and the people of Latin America.

I have never heard the Senator from North Carolina [Mr. ERVIN] say that there has been any abuse of the immigration policy from the other American Republics or from Canada, but in accordance with his view, and that which has prevailed in the totality of the proposed new law, as we are approaching a new policy, let us make it a new policy across the board.

Mr. ERVIN. Mr. President, if the Senator from Michigan will yield, I concur in what the Senator from New York has said to the effect that there has been no abuse in immigration from any of the countries of the Americas.

I might also state that the first bill which proposed to place a limitation upon the nations of the Western Hemisphere was introduced by one of the Senator from New York's predecessors, Senator Herbert Lehman, in 1955. At that time he said:

> I say to those who criticize placing Western Hemisphere nations under the quota system—let's be fair to all. The same criteria should apply to all peoples, regardless of the place of their birth. I believe our Latin American neighbors will respect us for such a policy.

I sincerely trust that his belief will be justified.

Of the contributions made by Senators on the subcommittee and the full Judiciary Committee, some of them were contributions of omission as well as contributions of commission.

The Senator from New York deserves special praise on that point, because he was very much concerned about certain provisions of the naturalization law and certain provisions with respect to procedure in deportation cases; but he withheld amendments on those proposals because he was anxious to process a bill concerning the receipt of immigrants for permanent residence and eventual citizenship. I think his is one of the significant contributions made to this bill in that respect.

Mr. JAVITS. I thank the Senator.

There is a liberal provision with respect to refugees from Cuba, enabling them to regularize their status. That is an indication of the warm disposition of sympathy and favor of the United States toward other American states in the matter of immigration.

Mr. HART. I thank the Senator from North Carolina and the Senator from New York for this exchange. It clarifies the matter, it ought to reassure the Nation that we recognize the seriousness of the steps we take.

We have created a commission which I hope will, without overwhelming pressure in time, report to us an objective evaluation on the desirability or undesirability of imposing a Western Hemisphere ceiling when 1968 arrives.

Mr. KENNEDY of Massachusetts. Mr. President, a parliamentary inquiry. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

ADDRESS OF MADAM CHIANG KAI-SHEK AT SENATE LUNCHEON

Mr. SPARKMAN. Mr. President, many Members of the Senate had the privilege today of attending a luncheon in the Senate Conference Room and to hear an address by Madam Chiang Kai-shek. She is, as everyone knows, a very intelligent and gracious lady. She gave a rather brief address, but one that is thought provoking.

I ask unanimous consent that there be printed in the RECORD at this point the address of Madam Chiang Kai-shek.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I remember with pleasure it was some 6 years ago that I had the honor of being invited by the Senate Foreign Relations Committee to lunch and to meet its members. Today I am again so honored by my Senate hosts and friends, and the presence here of so many solons who have taken the time and trouble to greet me so cordially fills my heart with warm gratitude.

In the intervening 6 years since I was last here in the United States the world has not been uneventful as you ladies and gentlemen only know too well. But, fortunately, the Republic of China, thanks to your help, has remained the guardian rock in the Western Pacific standing watch in a tossing, churning, treacherous sea.

The years before 1958 were even more parlously eventful for the Republic of China and for all that it stands for; yet through it all you, our friends, have held on to the principles of freedom, of decency, and of morality.

Somehow in the correlation of thought and events my mind seemed to run effortlessly in focusing onto two trivia from introspective reflection of insignificant recollection, both seemingly of little import in themselves; yet they have shaped and will shape and test our manhood in the moment of truth. I give them to you here as I recall them.

Last Monday morning after laying a wreath on the tomb of the Unknown Soldier at Arlington, and the strangely haunting notes of taps pervading the quiet vastness below brought to mind the inscription on a memorial in Kohima, Burma, erected to an ungainly, lonely, unprepossessing youth, Lance-Corporal John Harmon, who won posthumously the Victoria Cross in World War II. And these were the words:

"When you go home tell them of us and say
For your tomorrow we gave our today."

The other day whilst reading a newspaper, I came across a drawing done in charcoal showing a primitive grave with a rifle stuck into the mound by the bayonet mounted onto the barrel of the gun. And on top of the butt of the rifle was a GI's steel helmet tilted and slightly askew with the chin straps dangling loosely downward and flapping somewhat in the desolate wind, as if saying with silent eloquence, "Well, I have given my best, my all, my ultimate to this worthy cause." It took but a trice for anyone looking at the picture to know what the sketch was meant to convey. Yet should there be any hesitation as to its meaning, the caption: "Nowhere Does Freedom Come Cheap" dissipated any doubt once and for all.

Not having at all times a lazy mind, the little wheels in my head began to spin, and my memory raced back to the moments in history and events seeking to pick out one—just one instance where I could find an exception to those words in the caption "Nowhere Does Freedom Come Cheap."

Could an exception be found in some of the many epitaphs of struggles of yesteryear for freedom? Or perhaps in the tears and blood spilt during the French Revolution? Or in the strivings for representation and justifiable national identity in the American Revolution? And how about our own revolution in China with its attendant miseries, heartbreaks, and sacrifices leagued with undaunted grandeur of spirit?—to cite but a few instances. My mind refused to yield one single exception where freedom had been obtained cheaply; and I should be much obliged if someone—anyone—could give me one exception—just one exception—to this inexorable and frightening truth.

For some unexplainable reason, this truth, this thought which is nothing new, often regarded by the blase, the cynical, the deliberately biased and purposed as being trite and shopworn, has passed through my mind on innumerable occasions. Yet it never fails to leave a certain sadness upon my being. The stark reality is that neither wanting to wish it away, nor resorting to escapism, nor casuistry, nor groveling cowardice can buy freedom cheaply.

How poignantly sad, but true, are these words: From nowhere, but nowhere does freedom come cheap.

Mr. KENNEDY of Massachusetts. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. DIRKSEN. Mr. President, I am deeply indebted to the distinguished Senator from Massachusetts [Mr. KENNEDY], the Senator in charge of the pending bill, for making it possible for me to make some concluding remarks on it. I felt that perhaps there were some historic items that ought to be made a part of the record, because we shall hear more and more about our immigration problems in the light of the population expansion.

I have said on occasions that I doubted whether we would ever be able to draft another immigration bill without giving top consideration to the question of expanding populations all over the world.

For the moment, however, I should like to go back to set a little background for what is being contrived here today.

I support the bill. I supported it in the subcommittee. I supported it in the full committee. I shall vote affirmatively when the roll is called on it.

However, I invite attention to the fact that the problem of immigration goes back to the days of the American Revolution. One of the remonstrances that Thomas Jefferson wrote into the Declaration of Independence against King George III was that, among other things, he obstructed naturalization and discouraged migration from the Old World to the New World.

It was, in fact, on the very day of the Declaration of Independence, in 1776, that the Continental Congress passed a resolution covering into citizenship all persons who were in the Colonies.

In the Articles of Confederation, on the 2d of March 1781, it was declared that the "free inhabitants shall be entitled to all privileges and immunities of free citizens." When, finally, the Articles of Confederation gave way to the Constitution of the United States, the Constitution, among other things, in its delegation of power to the legislative branch provided Congress with the power "to establish a uniform rule of naturalization." Naturalization, of course, connotes the very fact that people will be coming here from foreign shores. As a consequence, the problem was how to cover them into the citizenship of the country. That is a power that lies in the legislative branch and should be exercised when the occasion calls for it.

We lived with the problem of migrants and immigration even in the days of the War of 1812, because the British undertook to impress what they thought were British subjects from American vessels and take them back to England. Even in 1858, this practice prevailed, and President Buchanan had to send the American Navy into the Gulf of Mexico in order to stop it. It was not until 1870, when Queen Victoria was on the throne of Great Britain, that we finally managed to have an understanding and secure rights, whereby a British subject, if he so desired, could expatriate himself.

With citizenship and naturalization pretty well settled, we could expect greater immigration of people from other countries. It is rather interesting to take a look at the various forces that sent people here. Of course, some of them probably came with romantic notions as to what the new land offered; but there were other reasons besides that.

From 1770 to 1820, it is estimated that perhaps not more than 250,000 people came to this country, largely from Europe. It was estimated that in the year 1820 about 20,000 persons came to these shores.

Then came the Irish famine, with its hunger and misery; and it was thought that perhaps more relief could be obtained by coming to this land of freedom. Largely as a result of that famine—and that was in 1855—400,000 came to this country. We were not particularly immigration conscious at that time.

Beginning in 1871, there was a need for railroad workers, because America was in an expansionary mood. Labor was needed to work on the railroads that went to the Pacific and finally closed the frontier. In that year, we brought in 400,000 people. But in 1878 the number dropped back to 150,000.

In 1882 came a continuance of the Irish famine, together with the rise of militarism in Germany. These events accounted for the largest number of immigrants, and in that year 800,000 came to this country.

In 1898, when we were still in the tail end of the depression of 1893, which was probably the fifth or sixth major economic dislocation in this country, there came, even then, 200,000 immigrants. But a peak was reached in 1905, for in that year 1,250,000 people came from foreign shores.

When the depression struck after black Friday in 1929—and, as I recall, October 19 of that year was on a Friday, so it was not unlike the black Friday of 1873—people abroad knew full well the difficulties that we were experiencing, and our immigration fell to about 40,000. The number has shuttled from that time on, generally in the area of 250,000 a year.

So we became immigration conscious, and Congress began to take note. In 1924, we heard the very first effort to develop the so-called national origins concept. In that year—and that was during the Coolidge administration—the so-called origins concept was offered on two different occasions in the House of Representatives and was defeated on both occasions. It remained for the Senate to take the initiative and to write that idea into an immigration act in that year. At first, it was felt that by using a factor of 2 percent based on the number of any given nationality in this country, as determined in the 1890 census, that would be a broad formula to determine the number that should come in from abroad. Since that time, the formula has been revised. Instead, the 1920 population census was used, and one-sixth of 1 percent has been used as the mathematical formula for determining the number of each nationality that should come to these shores.

At long last, an overall ceiling of roughly 157,000 was hit upon. It is rather strange how from that ceiling number, on a quota basis, a national origins concept was finally distributed. Eighty-two percent of that whole number came from Western and Northwestern Europe; 16 percent came from Southeastern Europe; and only 2 percent came from countries in the rest of the world.

So in 1952 we first heard about the McCarran-Walter Act.

I go back to 1933. In that year I came to Congress. After being frustrated and disappointed over committee assignments, having won in a year in which there was a presidential landslide, I thought that I should have first call on the leading committees in the House. Instead, I found myself assigned to the Committee on the District of Columbia, to the Committee of Insular Affairs, and to the Committee on Immigration. I served a great many years on the Immigration Committee on the House of Representatives.

I recall so well the individual cases and the individual bills which were introduced every year in hardship cases, and other cases which were presented to Members of Congress in every corner of the country.

In 1952 there was an overall survey of the whole problem, and out of it came the McCarran-Walter Act. It laid down the so-called national origins concept and fixed the quotas. It repealed what was sex discrimination at that time in the existing law. It repealed the Oriental Exclusion Acts that were on the books.

Every country received a quota of at least 100. Then we dealt with the so-called Asia-Pacific triangle. That is an area in the Pacific that runs roughly from Pakistan to Japan, and then to the Polynesian Islands. Those were the intrusions on our immigration policy at that time.

One may well wonder how the McCarran-Walter Act actually worked. I believe that these figures are substantially correct, and they are yearly averages for the years from 1959 to 1963. By averages, for each of those 4 years, we received 98,000 quota immigrants. We received 180,000 nonquota immigrants.

There were an estimated 27,000 alien departures in each year. The net number of immigrants could be set at the figure of 250,000. That figure, of course, included the nonquota immigrants from this hemisphere. Generally speaking, they were divided about like this: 40,000 from Mexico, 32,000 from Canada, and 20,000 were accounted for mainly as being the wives of citizens of the United States who, as such, enjoyed a special preference.

The character of immigrants who came to our country in the period from 1952 to 1961 is, I suppose, of considerable interest, and probably will be, because of the preferential status which we have established in the pending bill.

The figures which I have show that in that 9-year period we received 8,600 who could be identified as skilled craftsmen. We received 14,000 doctors, 28,000 nurses, 12,000 technicians, 9,000 machinists, 4,900 chemists, 1,100 physicists, 30,000 engineers, and 7,000 tool and diemakers.

It has been a long time since an organized effort got underway to change the whole origins concept; and one can see the logic of it. In the first place, about 56 percent of the quota numbers were never used and, under existing law, they lapsed. They could not be transferred to another year in which all of the quota numbers had been used. That was one argument that could be well made.

Second, the smaller quotas were frightfully oversubscribed. In some cases, the number was oversubscribed by as many as 9 years. I believe that in one case it was oversubscribed to the extent of 90 years. In one case, if one were to file an application with an American consular office abroad, he could expect to wait 5 years before his application was reached; and at the other extreme, a person could expect to wait 90 years before his application would be processed.

There are still other problems and other factors. I remember cases arising out of my own experience in working on the problem of reuniting families.

A Member of this body who does not have a large metropolitan center in his State cannot quite realize how many immigration cases involving family hardship ultimately come to the attention of the Representatives and Senators; and they are tearful cases. Indeed, it would require almost the wisdom of a Solomon to undertake to solve some of the problems.

I mentioned to our policy committee on Tuesday a case that always entranced me. The master of a freighter steamship jumped ship, his own ship, in New York, mingled with the crowd, and finally found his way to Chicago. He eventually came to my hometown. Nobody paid too much attention to him. He was a very thrifty, able, frugal worker. He got himself a dinner bucket job in a factory and, by dint of sheer diligence and devotion to his job, he finally became one of the top foremen. In a short space of time, he was being invited to come to luncheon clubs and other organizations to give speeches.

Back in those days, or at about that time, I was a district commander in the American Legion, and the Legion post in that area used to invite this man to tell about his war experiences. He had a fabulous record.

This man addressed many of the luncheon clubs. Nobody ever worried about his identity. Nobody cared whether he had a social security number. We took him into the bosom of the municipal family.

One night there was a knock on my door and there he stood. When he came into my study and told me his story, here was a man with broad shoulders, a mature man, weeping like a baby.

His problem was that his wife and youngsters were still in the old country and he wanted to get them here. He said, "I will build a new house; I can pay for it in cash. I will buy the finest furniture; I can pay for it in cash. I want my family."

Mr. President, it took me over a year, sometimes by devious effort, to work it out. However, I was there the day that that family was reunited, and what a blessed thing it really was.

That is a single instance. I do not know how many hundreds—I was going to say thousands—of times that same kind of problem came to my attention. The subject has been before Congress for many years. That was perhaps another reason for re-evaluating the concept on which we work and the concept that we followed in respect of immigration bills.

There was a question of skill. A representative of one of the largest brewing companies in this country came to me and said, "We need an alemaker. We are going into the ale business." I said, "Why don't you go and get yourself one?" He replied "It is not that easy. We found one. He is in Czechoslovakia, but how can we get him here?"

We find that often labor organizations will go before the Immigration Board and resist an application on the ground that there ought to be alemakers among our own citizens.

They were in business. They knew the product that they had to brew to sell to the American people. They knew it required a topflight alemaker. It took some doing to get him here; but, Mr. President, I finally brought him over.

There we have an example of skills that we can use, that are identified in various corners of the world. But how to bring them here is quite a problem, unless we give them a preferential status.

Then there were the pressures from abroad. When, at long last, Sukarno finished with the Dutch in Indonesia, there were thousands of refugees, thousands of whom had to go back to Holland. In Holland, they have difficulty reclaiming land from the sea and holding back the sea so that it would not impregnate their soil and destroy its fertility. It is a little country. They can take care of only so many.

The Dutch Ambassador has been to see me several times, pleading, "Can't you possibly do something so that we can get 10,000 of them into this country? For us, it is a burden to sustain them." That is another problem that we deal with when we face up to immigration policies and how to do equity in every case.

It is no secret that a good many people feel that southeastern Europe is the object and the victim of discrimination. When one looks at the one-sided quotas, one can readily come to that conclusion. For, under these various enactments in other years, 82 percent of the entire quota from northwestern Europe, only 16 percent from southeastern Europe, and 2 percent from the rest of the world, one can easily see the foundation for the charge that there has been discrimination.

Then there is the fact that we have been constantly patching our immigration laws. Over here sits a former distinguished Governor from Idaho. We were discussing the problem the other night.

I remember, Governor, if I may affectionately call you that, the fuss that we had about bringing Basque sheepherders to this country. I was delighted, the other night, to hear you tell the story about their frugality and assimilability into the population, and how they have graduated from sheepherding into profitable businesses in Idaho and some other Western States. They are among the best citizens there, as the Governor can so well testify. It was a job to bring them in, but it was a piece of patchwork we accomplished.

I remember the difficulty we had when we tried to patch up the law so far as orphans are concerned. Is there a heart that does not bleed for orphans? But bringing them in was quite another question. All of that had to be considered in the preparation of the bill.

Then, of course, there were the refugees. Anyone who has ever inspected refugee camps—and I have inspected them in the Levantine States like Lebanon and Syria, in Palestine, in India, and in Europe; I have seen Berlin virtually ringed with refugee camps, to the point where finally they become professional refugees.

That is not difficult to understand. When I said to the officials of Syria, "Why not issue these people work cards, so that they can go to work?" and obviously they could not without a work card. They said, "Our own labor is opposed to it." So, no work card, no work. No work, they fall back upon their refugee status. A second generation of professional refugees has not gotten out of some of the camps in various parts of the world. It is a problem that we cannot blink. In this bill, we provide for 10,200 refugees, but within the ceiling of 170,000 for all of the world except the Western Hemisphere.

I add to all this the individual relief bills that we were continually called upon to introduce. It should not have to be done. But it had to be done, and it takes time to process every one.

There are other factors that I think dictated the need for a new approach to the whole problem of immigration. There is one item in the bill that is my particular baby, and that is the Commission, three from the Senate, three from the House, and nine appointed by the President, to make a 3-year study, not only of immigration, but of the population explosion generally and its impact on employment and unemployment as well. That Commission is to make its first report on the 1st of July, 1967. That will be 1 year before the transition from our present system to the new system becomes entirely complete. The final report will be made on the 30th of June 1968, when the transition is completed.

I have given some attention to the problem; and it, too, is a problem we cannot blink. Down on Massachusetts Avenue there is a privately endowed population reference bureau which works in this field. The figures I have here, I have obtained from them. The world population will increase and is increasing now by the fantastic number of 65 million every year. Sixty-five million mortals are born into this world every year at one place or another. In Latin America—and these figures are obtained from the same source—the present population is about 200 million. By 1980—and that is only 15 years away—it is estimated that the figure will be 374 million.

What will they do? They will be beating upon the doors of this country. Under a nonquota system, so long as they can satisfy consular officers that they can sustain themselves, and that they will not become public charges, they can come into this country.

I presume, as a rounded figure, that we can say that 120,000 come in as nonquota immigrants from the Western Hemisphere every year. In the bill we have set a ceiling of 120,000.

I do not believe our Canadian neighbors will become too excited, because, insofar as I know, they would prefer to keep their people at home instead of having them migrate to the United States for residence purposes.

I doubt whether we shall have any difficulty so far as the adjoining Republic of Mexico is concerned. We get at the present time, I believe, about 40,000 from Canada and about 32,000 from Mexico.

Then there is the figure of, roughly, 20,000 spouses and perhaps children of those who are already legally in this country.

In the bill, there is a quota of 120,000 for the Western Hemisphere. The origins concept is repealed. Going back to consider how it was devised, I presume it served a purpose in its time, for want of something better. However, I am sure it is an outmoded system today, and cannot well be logically sustained.

We have repealed the so-called Asian-Pacific triangle. It is estimated that when we total up the score, there may be an additional 50,000 or 60,000 people who will come into this country over the averages that we have had before.

I puzzled about it. I have received telephone calls and letters, scolding, and resisting the idea, and urging me not to support the pending bill.

A few years back, we passed a bill which had the rather sweet title of "The Fair Share Act." In this modern world, I fancy we must make allowances for our fair share. As population crowds in other countries, we can scold, we can say, "Go down to Brazil, to that vast area." Some of it is primitive, and I have flown over most of it, but the Brazilians are likely to say, "You do your share and we will do ours."

We might then say, "Go to the Argentine. There is a great deal of space there." They are likely to say, "You do your share and we will do ours."

It is in that spirit that we must approach the pending bill today; and I believe that that idea was constantly in the minds of the members of the committee in undertaking to put the final touches on the measure. It is a workmanlike job. The Senator from Massachusetts [Mr. KENNEDY] deserves generous praise for the diligence with which he has pursued this matter, the long hours and the hard work which he has devoted to it.

For a time, it appeared that perhaps we might have difficulty ever getting a bill. There were many differences concerning it. I remember a significant meeting in my office at which three persons were present—I shall not name them; but, I will say that after we got through we had a fair understanding, and with that understanding the bill began to move. So it is on the floor of the Senate today for consideration.

Now, Mr. President, a word about some of the opposition's argument, some of the criticism—and the appropriate answers.

It has been alleged that we shall be flooding the labor market of the country. In the first place, there is a 170,000 world ceiling, and a 120,000 Western Hemisphere ceiling. In addition, if a person wishes to come into this country only for the purpose of getting a job, he not only requires consular clearance, but also clearance by the Secretary of Labor as labor.

It has been said that we shall be opening up the gates to a vast flood from some particular country. That is the reason the pending bill contains a ceiling of 20,000 from any 1 country—no more.

It has been said that we are opening up the floodgates generally. All I can do is point to the ceilings which have been imposed and invite attention to the fact that the additions over the ceilings are based essentially upon reunification of families.

It has been said that we shall get a great number of undesirables. None of the screening process which has been carried in existing law has been forfeited in the pending bill. Applicants still have to be screened. There is still power in American consular offices in every part of the world to look a person over, to look his application over, and to determine whether he fits within the frame of the pending bill and would be a desirable addition to this free land of ours.

It has been said that we might encourage so-called ship-jumping or crew drop-offs. Of course, there is a provision in the pending bill under which bond can be required in order to hold that to a minimum.

It has been said that unless we do something about the Western Hemisphere, we may be inundated. The 120,000 ceiling is there.

I believe that we should pay tribute to the distinguished Senator from North Carolina [Mr. Ervin] who was the author of that ceiling and who insisted upon it—and I insisted along with him; because as our population expands I can foresee what the problem will be, not in the remote future, but in the near future.

Thus, that is a protection. I know of nothing else that we can write into the bill in order to satisfy those who might have been critical or who are opposed to the bill; but, I have said on occasion to some Members who have not been confronted with these problems of family reunification, and skills, that if they had a metropolitan center in their State they would soon find out what it means, and the many cases which would come across their desks in the course of a year.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am glad to yield.

Mr. JAVITS. In the course of the interesting colloquy just had with the Senator from Michigan, the Senator from North Carolina, and myself, it was said that we wished to make it clear—and all of us join in this—to our friends and brothers in all of the Americas, Canada, Mexico, and the other American states, that this bill represents an effort to do something globally for the immigration policy of the United States which, to many of us, has been so unsatisfactory that we are proceeding to reform this across the board. We have tried to do this within the confines of the pending bill. It represents a contribution to the totality of a great and constructive reform in American immigration policy.

The greatest solicitude has been shown in many parts of the bill, in the regularization of the status of Cuban refugees, and in other ways to show that we propose to continue this special relationship, this solidarity, with the people of all the Americas.

The Senator from North Carolina [Mr. Ervin] was gracious enough to join in that, and I address the same suggestion to the Senator from Illinois.

Mr. DIRKSEN. I could point out, in addition, that since this transition does not become complete until July 1, 1968, we still have room for maneuvering. Obviously, when we provide for an arbitrary ceiling, we cannot expect everyone to like it, we cannot expect other countries and their officials, particularly, to like it; but this will be an opportunity to make a try and see what we can accomplish. In that 3-year period, we may have to make some modifications, but we will then have better figures at hand, and if modifications are required, they can be made.

Mr. JAVITS. Would the Senator from Illinois also join us—and I shall detain the Senate for only 30 seconds more—in the statement that we do not feel that Latin America has abused the unrestricted immigration privilege, that the pending bill is not the result of any such feeling, but rather the feeling of the Senator from Illinois, the Senator from North Carolina, and other Senators, as regards international policy; that we should reform our immigration policy across the board.

Mr. DIRKSEN. That is it.

Mr. JAVITS. I thank the Senator from Illinois.

Mr. MORTON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. MORTON. The Senator pointed up the population explosion in this hemisphere with some dramatic figures.

I do not wish anything placed in the bill which would affect our relationships with our friendly neighbors in this hemisphere, but I approve of the Ervin amendment, or something along that line. I believe that it is much easier, in view of the figures the Senator has submitted, that we do something now, than that we should be forced to do something 5 years from now, and the Secretary of State and the President at that time are forced to place into law a policy which would then be really a curtailing policy, whereas this is more of a limiting policy.

Mr. DIRKSEN. That is correct. We have in mind, of course, those who see our own population growth and who become concerned about the impact of migration from abroad on the labor market of this country. We have not been insensitive of that fact. So out of this same reference bureau—and I think I may as well put the full name in the Record; it is the Population Reference Bureau, Inc., 1755 Massachusetts Avenue NW., Washington, D.C.—we get some very interesting figures.

Our population today is growing at the rate of 7,200 every 24 hours. If that rate continues, it will take only 700 days to accumulate a 5-million increase.

Those people are experts in their field, because they have been so bold as to forecast that in the month of May 1967, our population will reach 200 million.

So while other countries grow, our country grows, too. That is another factor to be kept in mind. We do not want to be arbitrary, but we want to meet every challenge, every consideration, every problem as we may conceive it. Who knows what modifications will have to be made in other days? If they are to be made, I am sure the Congress will be willing to make them.

Mr. MORTON. Mr. President, if the Senator will yield, I am sure Congress will do that. My point was that it is easier to do it today in the bill than, in view of the figures to which the Senator has referred, as well as other figures which are available, to do it 5 or 6 or 7 years from now. We can always modify, but it seems to me the time has come to do something today, which is not restrictive today, but which would prevent us from having to do something that might be catastrophic in the future.

We are to have a sugar bill, which is being considered by the Finance Committee, next week, if the other body should dispose of it. I have received numerous calls from those who represent sugar interests in other countries with reference to the bill. I have had no inquiries with respect to the Ervin proposal. Perhaps there could be a difference of 10,000 or 20,000 in the figure, but if the good Lord and the people of Kentucky permit me to be in this body, say, 10 years from now, and there were a need to place restrictions in immigration at that time, I am sure we would have many calls.

Mr. DIRKSEN. The point the Senator makes is so proximate to the problem before us now. Representatives of a country from South Africa were in my office only 2 weeks ago. I said, "You are far away from home. Why are you interested in getting a bigger share of the sugar quota?" I was told, "For the reason that we have heavy unemployment, and we think an expansion of our quota is the only thing we can do to provide some jobs to relieve the growth pressure." So the question before us is a fabric of many dimensions.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. I yield.

Mr. KENNEDY of Massachusetts. With respect to the discussion about hemispheric restrictions, which was referred to in the dialog between the Senator from Illinois and the Senator from Kentucky, the provisions which were considered in the House did provide some restrictions on the Western Hemisphere. The House bill which was considered and acted upon provided a sort of sliding ceiling, so that in any one year the number coming from the Western Hemisphere could not exceed the mean of the preceding 5 years by 10 percent without causing the President to report to Congress.

The labor provisions were also tightened with relation to those who sought to come into this country and enter the labor ranks.

For the record, those of us who had serious reservations in accepting the restriction of 120,000, exclusive of immediate family relationships, felt that the provisions included in the House bill were sufficiently restrictive to take into consideration the growth of population in the Latin American countries or any other factors related to hemispheric immigration.

I wanted the record to be clear, at this point in the dialog, for the benefit of Senators who may still have reservations about the ceilings, that we are on firm ground and we do not believe this measure will open unlimited immigration to this country from the Western Hemisphere or anywhere else.

Mr. MORTON. Mr. President, if the Senator will yield on that point, I did not mean to imply that what was done was absolutely correct or proper. I, too, have reservations about the way we are approaching the problem. I am not unsympathetic toward the position the Senator has expressed.

Mr. DIRKSEN. Mr. President, the distinguished Senator has rather consistently on all occasions embraced the idea he has just expressed. Others of us like myself felt that there ought to be an unequivocal provision in the law, and it ought to be an ascertained figure. I like that approach infinitely better, and that is why I joined the Senator from North Carolina with respect to the provision he wanted to have inserted in the bill. I think it is a good ceiling and that we should try it. We are flexible enough to be able to deal with it in the days ahead.

Mr. President, in connection with my remarks, I ask unanimous consent to have inserted in the RECORD at this point a rather interesting publication of the Population Reference Bureau called "Population Profile."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POPULATION PROFILE

In 165 years the daily U.S. population increase has grown 16 times: About 1800, daily increase 450; mid-1965 daily increase 7,200.

ONE HUNDRED AND NINETY-FIVE MILLION AMERICANS

Anyone contemplating a big celebration for the day when the U.S. population reaches 200 million should start planning fairly soon. According to the Population Reference Bureau, there are only about 21 months to go.

The 195-million mark is expected to be reached in late August of this year. At the present rate of growth the next 5 million needed to top 200 million would be added around May 1967.

Currently, U.S. population is growing by about 7,200 a day, requiring some 700 days to accumulate a 5-million increase. The first U.S. Census in 1790 enumerated 3.9 million persons. For two decades thereafter the Nation's growth averaged only about 450 persons a day, requiring 30 years to add 5 million. The U.S. birth rate around 1790 was more than twice as high as it is now. However, today's larger population base of 195 million can roll up a 5-million increase much faster than a base of 3.9 million.

BIGGER, NOT BETTER

Once a country's population passes the 100-million mark, even a moderate fertility rate produces a sizable numerical increase. India's population, for example, is increasing by 5 million every 150 days. If India suddenly cut both her birth rate and death rate in half, making them roughly equal to the U.S. rates (21.2 births and 9.4 deaths per 1,000 population), her population would still increase at well over 5 million a year. This is what comes of having a population of nearly half a billion. If population growth in the United States continues at the present rate, in just over 60 years this Nation will have as many people as India has today.

Japan, to take another example, has cut her birth rate to among the lowest in the world, 17.2. With a population just under 100 million, Japan will still realize a 5-million increase in 5½ years. In Canada, on the other hand, where the population is less than 20 million, it would take over 10 years at the current rate of growth to reach a total of 25 million.

MORE PEOPLE, LOWER BIRTH RATE

Around 1800, when the U.S. birth rate was over 50, the annual population increase was about 165,000. Today, with a moderate birth rate of 21.2, the increase is over 2.6 million each year.

The uncertainty of the family-size preferences of upcoming parents makes the future of U.S. population growth difficult to predict. During the post-World War II baby boom, the U.S. birth rate reached 26.6 in 1947—the highest since 1921. Although the rate has declined somewhat in recent years, the population gain for the intercensal decade (1950–60) was an unprecedented 28 million—almost identical to the 28.5-million increase for the 20-year period, 1930–50.

While the U.S. birth rate has gone down since 1957 and shows no signs of leveling off, the rising tide of young women just entering the high-fertility age group, 20 to 29, is expected to make an impression on the total fertility of the Nation.

"The 195-million mark in August may become a turning point in U.S. population growth," according to Robert C. Cook, president of the Population Reference Bureau.

In view of the very large fertility potential which now confronts us, the decades immediately ahead must be viewed as crucial ones," said Cook. "Even with a leveling off of the birth rate, we will be adding nearly 3 million a year to our population. If present trends continue, we will reach a growth level of 5 million a year during the last decades of the century." The highest projection of the Bureau of the Census, based on a return to the high-fertility rates of the postwar years, shows the U.S. population increasing by 7.5 million per year between 2000 and 2010.

SHIFTING AGE STRUCTURE

At present, American parents of a newborn baby can expect their child to live past the age of 70. In 1900, life expectancy at birth was less than 50 years. The U.S. population aged 65 and over has increased by almost 500 percent since 1900, from 3 million to nearly 18 million. The number of children under 19 has risen from 34 million in 1900 to 77 million today.

The median age of the population is now 28.5 years and could drop to 25 years if U.S. fertility reverts to the postwar pattern. Thus, over half the population is in the dependent age groups of under 19 and over 65.

"Urban concentration is adding to the problems created by this socially demanding age structure," Cook said. "Over 70 percent of all Americans live in cities. Already we are nationally distraught by the perplexing problems of urban congestion, water shortage, juvenile crime, chronic deficiency in educational facilities, and inadequate care of the aged.

"Those who think growth to 195 million Americans should be celebrated with noisemakers and paper hats might well prepare their children to celebrate the 400-million mark with padlocked personal water bottles and oxygen masks."

Mr. DIRKSEN. Mr. President, I also ask unanimous consent to have printed in the RECORD as a part of my remarks a table giving a summary of immigrant and nonimmigrant visas issued for the fiscal year 1964.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Summary of immigrant and nonimmigrant visas issued, fiscal year 1964*

[Nonimmigrant visas by country of nationality; quota immigrant visas by country or area of quota or subquota chargeability; nonquota visas by country or area of birth or presumed quota chargeability]

Country	Annual quota	Immigrant visas				Nonimmigrant visas			Total, immigrant and nonimmigrant
		Quota	Nonquota	Special nonquota symbol K	Total, immigrant	Issued	Revalidated	Total, nonimmigrant	
Europe:									
Albania	100	95	6	1	102	17		17	119
Andorra	100					2		2	2
Austria	1,405	1,299	265	2	1,566	7,630	883	8,513	10,079
Belgium	1,297	981	54	2	1,037	8,499	765	9,264	10,301
Bulgaria	100	86	26		112	300	7	307	419
Czechoslovakia	2,859	1,876	87	31	1,994	2,363	55	2,418	4,412
Danzig, Free City of	100	92	34		126				126
Denmark:									
Government country		1,147	224		1,371	8,225	1,022	9,247	10,618
Greenland									
Denmark, total	1,175	1,147	224		1,371	8,225	1,022	9,247	10,618
Estonia	115	102	12		114	62	85	147	261
Finland	566	536	105		641	4,487	309	4,796	5,437
France:									
Governing country		2,713	1,471	5	4,189	42,821	3,771	36,592	50,781
Algeria		2	3		5				5
French Guiana		3			3				3
Guadeloupe		98	1		99				99
Martinique		46			46				46
Reunion		1			1				1
Comoro Islands									
French Polynesia		2	4		6				6
French Somaliland		1			1				1
French Southern Island									
New Caledonia		4			4				4
St. Pierre and Miquelon									
New Hebrides									
France, total	3,069	2,870	1,479	5	4,354	42,821	3,771	46,592	50,946
Germany	25,814	23,751	4,932	8	28,691	69,459	7,646	77,105	105,796

TABLE 1.—*Summary of immigrant and nonimmigrant visas issued, fiscal year 1964*—Continued

[Nonimmigrant visas by country of nationality; quota immigrant visas by country or area of quota or subquota chargeability; nonquota visas by country or area of birth or presumed quota chargeability]

Country	Annual quota	Immigrant visas				Nonimmigrant visas			Total, immigrant and nonimmigrant
		Quota	Nonquota	Special nonquota symbol K	Total, immigrant	Issued	Revalidated	Total, nonimmigrant	
Europe—Continued									
Great Britain and Northern Ireland:									
Governing country		29,444	865	15	30,324	131,628	10,797	142,425	172,749
Aden		31			31				31
Antigua		100	68	4	172				172
Bahamas		100	128	2	230				230
Barbados		100	259	13	372				372
Basutoland									
Bechuanaland									
Bermuda		100	5		105				105
British Guiana		67	60	28	155				155
British Honduras		61	81	3	145				145
British Solomon Islands									
British Virgin Islands		100	51	1	152				152
Brunei									
Cayman Island		100	20	5	125				125
Dominica		99	3		102				102
Falkland Islands		1			1				1
Fiji		4	6		10				10
Gambia		1			1				1
Gibraltar		17			17				17
Gilbert Islands									
Grenada		100	36		136				136
Hong Kong		99	9		108				108
Kenya		25	2		27				27
Maldive Islands		1			1				1
Malta		98	125	8	231				231
Mauritius		14	2		16				16
Montserrat		99	9		108				108
North Borneo		1			1				1
North Rhodesia		55			55				55
Nyasaland		4	2		6				6
Pitcairn Island									
St. Christopher-Nevis		100	56		156				156
St. Helena		2			2				2
St. Lucia		100	8		108				108
St. Vincent		100	23		123				123
Sarawak									
Seychelles		3	1		4				4
Singapore		18	3		21				21
Southern Rhodesia		94	9		103				103
Swaziland									
Tonga		2			2				2
Turks Island		20	2	3	25				25
Uganda		2			2				2
Zanzibar		3			3				3
Great Britain and Northern Ireland, total	65,361	31,265	1,833	82	33,180	131,628	10,797	142,425	175,605
Greece	308	224	1,858	320	2,402	9,661	1,183	10,844	13,246
Hungary	865	711	228	56	995	4,746	314	5,060	6,055
Iceland	100	85	77		162	827	108	935	1,097
Ireland	17,756	6,256	72		6,328	7,973	334	8,307	14,635
Italy	5,666	5,390	4,217	1,612	11,219	37,299	6,085	43,384	54,603
Latvia	235	215	32	5	252	36	48	84	336
Liechtenstein	100	11			11	20		20	31
Lithuania	384	343	44	5	392	48	24	72	464
Luxembourg	100	87	6		93	452	25	477	570
Monaco	100	10	1		11	14	4	18	29
Netherlands:									
Governing country		2,836	313		3,149	21,834	3,610	25,444	28,593
Netherlands, New Guinea									
Netherlands Antilles		99	56	1	156				156
Surinam		81	10		91				91
Netherlands, total	3,136	3,016	379	1	3,396	21,834	3,610	25,444	28,840
Norway	2,364	2,170	53		2,223	10,985	590	11,575	13,798
Poland	6,488	6,170	1,008	57	7,235	3,230	118	3,348	10,583
Portugal:									
Governing country		373	1,025	317	1,715	4,814	552	5,366	7,081
Angola		1	1		2				2
Cape Verde Islands		19	23		42				42
Guinea, Portuguese									
India, Portuguese		1			1				1
Macao		1	1		2				2
Mozambique		1	1		2				2
Principe and Sao Tome									
Timor									
Portugal, total	438	396	1,051	417	1,764	4,814	552	5,366	7,130
Rumania	289	200	136	71	407	641	16	657	1,064
San Marino	100	100	6		106	23		23	129
Spain:									
Governing country		159	1,469	72	1,700	12,565	1,670	14,235	15,935
Fernando Po									
Ifni									
Rio Muni									
Spanish Sahara									
Spain, total	250	159	1,469	72	1,700	12,565	1,670	14,235	15,935
Sweden	3,295	2,165	72		2,237	14,575	897	15,472	17,709
Switzerland	1,698	1,610	128	1	1,739	12,444	927	13,371	15,110
Union of Soviet Socialist Republics	2,697	2,590	102	11	2,703	1,906	17	1,923	4,626
Yugoslavia	942	724	348	36	1,108	2,945	379	3,324	4,432
Europe, total	149,372	96,732	20,344	2,695	119,771	422,531	42,241	464,772	584,543

TABLE 1.—*Summary of immigrant and nonimmigrant visas issued, fiscal year 1964*—Continued

[Nonimmigrant visas by country of nationality; quota immigrant visas by country or area of quota or subquota chargeability; nonquota visas by country or area of birth or presumed quota chargeability]

Country	Annual quota	Immigrant visas				Nonimmigrant visas			Total. mmigrant aind non-immigrant
		Quota	Nonquota	Special nonquota symbol K	Total, immigrant	Issued	Re-validated	Total, non-immigrant	
Asia:									
Afghanistan	100	29			29	289	7	296	325
Arab Peninsula	100	15	1		16	82	1	83	99
Asia Pacific	100	86	575		661				661
Bhutan	100								
Burma	100	86	5		91	205	21	226	317
Cambodia	100	3	5		8	170	12	182	190
Ceylon	100	87	10		97	329	45	374	471
China	100	79	170	23	272	8,225	594	8,819	9,091
Chinese persons	105		2,177	197	2,374				2,374
Cyprus	100	88	50	4	142	268	9	277	419
India	100	51	102	41	194	9,703	1,728	11,431	11,625
Indonesia	150	127	71	19	217	2,382	156	2,538	2,755
Iran	100	46	83	32	161	5,846	460	6,306	6,467
Iraq	100	44	55	53	152	1,338	208	1,546	1,698
Israel	100	42	142	23	207	14,848	870	15,718	15,925
Japan	185	101	3,159	65	3,325	39,299	891	40,190	43,515
Jordan	100	87	195	55	337	873	20	893	1,230
Korea	100	37	2,166	44	2,247	4,660	236	4,896	7,143
Kuwait	100	6			6	247	21	268	274
Laos	100	7			7	224		224	231
Lebanon	100	56	135	20	211	2,740	915	3,655	3,866
Malaya	50	15	3		18	302	6	308	326
Malaysia	200	29	18		47	675	19	694	741
Muscat and Oman	100					3	1	4	4
Nepal	100	3			3	122	13	135	138
Pakistan	100	45	26	8	79	2,830	69	2,899	2,978
Palestine	100	71	32		103	14	4	18	121
Philippines	100	36	2,378	193	2,607	12,828	2,140	14,968	17,575
Saudi Arabia	100	9	1		10	754	22	776	786
Syria	100	69	49	3	121	865	126	991	1,112
Thailand	100	85	54		139	2,468	19	2,487	2,626
Turkey	225	87	159	184	430	2,843	249	3,092	3,522
Vietnam	100	47	143		192	2,192	34	2,226	2,416
Yemen	100	92	2		94	33	4	37	131
Asia, total	3,715	1,665	11,966	964	14,595	117,657	8,900	126,557	141,152
Africa:									
Algeria	287	78	8		86	76		76	162
Burundi	100					2		2	2
Cameroon	151	2			2	122	8	130	132
Central African Republic	100					18	3	21	21
Chad	100					28	2	30	30
Congo	100	1			1	37		37	38
Congo, Republic of the	100	28	2		30	253	21	274	304
Dahomey	100					51	4	55	55
Ethiopia	100	78	3		81	480	49	529	610
Gabon	100					39	38	77	77
Ghana	100	58	4		62	478	57	535	597
Guinea	100		1		1	183	13	196	197
Ivory Coast	100	2			2	100		100	102
Kenya	20	10	1		11	314	23	337	348
Liberia	100	39	3		42	482	63	545	587
Libya	100	93	16		109	217	5	222	331
Malagasy Republic	100	4	1		5	103	3	106	111
Mali	100					63	2	65	65
Mauritania	100					34		34	34
Morocco	100	66	113	2	181	714	47	761	942
Niger	100	1			1	62	13	75	76
Nigeria	149	85			85	3,120	83	3,203	3,288
Rwanda	100					15	1	16	16
Senegal	100	6			6	97	7	104	110
Sierra Leone	100	13	1		14	305	35	340	354
Somali Republic	100	4	1		5	104	11	115	120
South Africa	100	57	69		126	4,438	553	4,991	5,117
South-West Africa	100	9	21	5	35	15	11	26	61
Sudan	100	75	1		76	317	22	339	425
Tanganyika	100	40			40	233	2	235	275
Togo	100	1			1	75	8	83	84
Tunisia	100	90	14	3	107	285	14	299	406
Uganda	50	4			4	109	5	114	118
United Arab Republic	100	47	74	22	143	2,393	636	3,029	3,172
Upper Volta	100					24	2	26	26
Africa, total	3,657	891	333	32	1,256	15,386	1,741	17,127	18,383
North America:									
Canada			38,604		38,604	747	69	816	39,420
Costa Rica			2,690		2,690	4,574	115	4,689	7,379
Cuba			16,088		16,088	2,033	545	2,578	18,666
Dominican Republic			7,206		7,206	23,828	2,118	25,946	33,152
El Salvador			1,345		1,345	4,524	115	4,639	5,984
Guatemala			619		619	5,817	1,744	7,561	8,180
Haiti			2,155		2,155	3,562	500	4,062	6,217
Honduras			1,815		1,815	3,652	238	3,890	5,705
Jamaica	100	90	1,393	153	1,636	13,489	653	14,142	15,778
Mexico			31,324		31,324	124,436	82,392	206,828	238,152
Nicaragua			1,100		1,100	3,674	412	4,086	5,186
Panama			1,835		1,835	3,226	480	3,706	5,541
Trinidad and Tobago	100	100	238	20	358	4,926	528	5,454	5,812
North America, total	200	190	106,412	173	106,775	198,488	89,909	288,397	395,172
South America:									
Argentina			6,404		6,404	16,904	558	17,462	23,866
Bolivia			780		780	1,837	98	1,935	2,715
Brazil			2,276		2,276	13,443	1,598	15,041	17,317
Chile			1,231		1,231	6,375	418	6,793	8,024
Colombia			10,090		10,090	21,053	1,610	22,663	32,753

TABLE 1.—*Summary of immigrant and nonimmigrant visas issued, fiscal year 1964*—Continued

[Nonimmigrant visas by country of nationality; quota immigrant visas by country or area of quota or subquota chargeability; nonquota visas by country or area of birth or presumed quota chargeability]

Country	Annual quota	Immigrant visas				Nonimmigrant visas			Total, immigrant and nonimmigrant
		Quota	Nonquota	Special nonquota symbol K	Total, immigrant	Issued	Re-validated	Total, nonimmigrant	
South America—Continued									
Ecuador			3,600		3,600	6,234	349	6,583	10,183
Paraguay			203		203	639	67	706	909
Peru			2,195		2,195	10,841	1,580	12,421	14,616
Uruguay			316		316	2,416	111	2,527	2,843
Venezuela			897		897	20,095	9,674	29,769	30,666
South America, total			27,992		27,992	99,837	16,063	115,900	143,892
Oceania:									
Australia:									
Governing country		51	228	4	283	19,523	1,623	21,146	21,429
Christmas Island									
Cocos Island									
Papua, Territory of									
Australia, total	100	51	228	4	283	19,523	1,623	21,146	21,429
New Guinea	100					1		1	1
New Zealand:									
Governing country		76	117		193	6,600	386	6,986	7,179
Cook Islands									
New Zealand, total	100	76	117		193	6,600	386	6,986	7,179
Pacific Islands	100	69	42		111	242		242	353
Western Samoa	100	53	1		54	194	3	197	251
Nauru	100								
Oceania, total	600	249	388	4	641	26,560	2,012	28,572	29,213
No nationality						4,194	1,108	5,302	5,302
Grand total	157,544	99,727	167,435	3,868	271,030	884,653	161,974	1,046,627	1,317,657

Mr. DIRKSEN. Mr. President, those are the latest data I have seen on that subject.

Finally, Mr. President, from the same source, I ask unanimous consent to have printed in the RECORD at this point a table entitled "Population Information for 129 Countries," broken down to show increases, decreases, and so forth.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

World population data sheet[1]*—Population information for 129 countries*

Continent and country	Population estimates mid-1964 (millions)	Annual rate of increase since 1958 (percent)	Birth rate per 1,000 population (latest [2])	Death rate per 1,000 population (latest [2])	Population projections 1980 (millions [3])
Africa:					
Northern Africa			(45)	(22)	
Algeria	12.0	2.1	45–49		19.5
Ethiopia	21.0				29.0
Libya	1.3	1.9			1.9
Morocco	13.1	3.0			22.4
Somalia	2.3				2.9
Sudan	13.2	2.8	50–56		19.3
Tunisia	4.7	1.4	45–49	25–27	6.5
United Arab Republic (Egypt)	28.7	2.6	40–44	22–24	46.8
Tropical and southern Africa			(47)	(24)	
Angola [4]	5.1	2.1			6.0
Burundi	2.7				4.2
Cameroon	4.6	1.9	36–44	24–30	5.4
Central African Republic	1.3	1.9	39–47	26–32	1.6
Chad	2.8	1.1	44–52	25–31	3.8
Congo (Brazzaville)	.9	1.3			1.1
Congo (Léopoldville)	15.4	2.4	40–46		21.5
Dahomey	2.3	2.3	45–53	20–26	3.0
Gabon	.5	2.1			.5
Ghana	7.5	2.7	48–54		12.3
Guinea	3.5	3.0	53–57	33–35	5.0
Ivory Coast	3.7	2.2	49–55	33–37	5.0
Kenya	9.1	2.9	46–54		13.6
Liberia	1.0				1.2
Madagascar	6.1	2.8	43–49	17–21	7.6
Malawi [5]	3.8	2.1			6.1
Mali	4.5	2.1	55–63	26–32	6.4
Mauritania	1.0				
Mauritius [4]	.7	3.1	39.9	9.7	1.1
Mozambique [4]	6.9	2.0			91.0
Niger	3.2	3.0	49–57	24–30	4.5
Nigeria	56.0		45–53		91.0
Rwanda	2.9	2.6			3.5
Senegal	3.5	2.7	39–47	23–29	4.4
Sierra Leone	2.2				3.7
South Africa	17.5	2.6			26.8
Southern Rhodesia [4]	4.1	3.3			7.1
Tanzania [6]	10.3	1.9	46–50		14.4
Togo	1.6	2.6	51–59	26–32	2.3
Uganda	7.2	2.5	46–50		10.0
Upper Volta	4.8	3.3	43–49	27–31	6.3
Zambia [7]	3.6	2.8			5.7
Asia:					
Southwest Asia			(47)	(24)	
Cyprus	.6	1.0	24–28		.7
Iran	22.6	1.9	42–48	23–27	33.1
Iraq	7.0	1.8	47–51		13.8
Israel	2.5	3.5	24.6	6.2	3.1
Jordan	1.9	2.3	43–47		3.4
Kuwait	.3		37–43		.3
Lebanon	1.8				3.1
Saudi Arabia	6.6				9.4
Syria	5.4	3.2			9.3
Turkey	30.8	2.6	44–48		48.5
Yemen	5.0				6.9
South-central Asia			(43)	(21)	
Afghanistan	14.9		45–53		22.1
Bhutan	.7				1.0
Ceylon	10.9	2.7	35.8	8.5	18.3
India	468.5	2.3	39–43	21–23	661.5
Nepal	9.9	1.6	46–54	34–40	14.1
Pakistan	100.7	2.1	43–46	16–17	153.6
Southeast Asia			(49)	(23)	
Burma	24.2	2.1	47–53	33–37	35.0
Cambodia	5.9		47–53		9.8
Indonesia	102.2	2.2	40–46	19–23	152.8
Laos	2.0	2.5			2.9
Malaysia	10.9	3.3	40.9	8.6	18.1
Philippines	31.2	3.2	44–48		55.8
Thailand	29.7	3.0	40–44	19–21	47.5
Vietnam, North	17.8	3.4			24.5
Vietnam, South	15.9	3.7	40–48		21.9
East Asia			(42)	(19)	
China (mainland)	690.0	2.1			840.0
China (Taiwan)	12.1	3.6	36.3	6.1	17.2
Hong Kong [4]	3.8	4.5	32.1	5.5	5.5
Japan	96.8	.9	17.2	7.0	111.1
Korea, North	10.7				15.4
Korea, South	28.0	3.3	39–43	11–13	43.4
Mongolia	1.1	3.1			1.7
America:					
Northern America:					
Canada	19.3	2.1	24.8	7.8	26.3
United States	192.1	1.6	21.6	9.6	240.9
Middle America:					
Costa Rica	1.4	4.3	49.9	8.5	2.4
Cuba	7.3	2.0	30–34	9–13	10.0
Dominican Republic	3.5	3.6	48–54	16–20	6.2

See footnotes at end of table.

World population data sheet [1]*—Population information for 129 countries*—Continued

Continent and country	Population estimates mid-1964 (millions)	Annual rate of increase since 1958 (percent)	Birth rate per 1,000 population (latest [2])	Death rate per 1,000 population (latest [2])	Population projections 1980 (millions [3])
America—Continued					
Middle America—Continued					
El Salvador	2.8	3.6	48.6	10.8	4.6
Guatemala	4.2	3.2	47.7	17.3	6.9
Haiti	4.5	2.2			6.9
Honduras	2.1	3.0	45–50	15–20	3.7
Jamaica	1.7	1.5	39.6	9.1	2.1
Mexico	39.6	3.1	45.0	10.4	70.6
Nicaragua	1.6	3.5	45–52	12–17	2.8
Panama	1.2	3.3	40.1		2.0
Puerto Rico [4]	2.6	1.7	30.9	6.9	3.1
Trinidad and Tobago	.9	3.2	35.6	7.3	1.5
South America:					
Argentina	21.7	1.6	21.8	7.9	29.0
Bolivia	3.7	1.5	41–45	20–25	6.0
Brazil	79.8	3.0	43–47	11–16	123.7
British Guiana [4]	0.6	3.0	42.3	7.9	1.0
Chile	8.4	2.4	34.2	11.8	12.4
Colombia	15.4	2.2	43–46	14–17	27.7
Ecuador	4.8	3.2	45–50	15–20	8.0
Paraguay	1.9	2.4	45–50	12–16	3.0
Peru	11.9	3.0	42–48	13–18	17.5
Uruguay	2.6		21–25	7–9	3.1
Venezuela	8.4	3.4	45–50	10–15	14.9
Europe:					
Northern and Western Europe:					
Belgium	9.3	.5	17.2	12.7	10.1
Denmark	4.7	.8	17.7	9.9	5.2
Finland	4.6	.8	18.1	9.3	5.3
France	48.4	1.2	18.2	11.7	53.3
Europe—Continued					
Northern and Western Europe—Continued					
Iceland	.2	1.9	25.8	6.8	.2
Ireland	2.8	−.3	22.2	11.8	2.9
Luxembourg	.3	.9	16.0	12.5	.4
Netherlands	12.1	1.3	20.8	8.0	14.1
Norway	3.7	.8	17.5	10.0	4.3
Sweden	7.6	.5	14.8	10.1	8.4
United Kingdom	54.1	.8	18.5	12.2	57.3
Central Europe:					
Austria	7.2	.6	18.7	12.7	7.3
Czechoslovakia	14.0	.7	16.9	9.5	15.8
Germany, East	16.1	−.3	17.5	13.7	17.6
Germany, West [8]	56.2	1.3	18.5	11.4	58.5
Hungary	10.1	.4	13.1	9.9	10.7
Poland	31.1	1.3	19.0	7.5	38.0
Switzerland	5.9	2.1	18.9	9.6	6.3
Southern Europe:					
Albania	1.8	3.2	39.3	10.7	3.0
Bulgaria	8.2	.9	16.4	8.2	9.3
Greece	8.5	.8			9.5
Italy	50.8	.6	19.1	10.2	56.4
Malta	.3	.5	20.4	8.9	.4
Portugal	9.1	.7	23.5	10.8	9.8
Rumania	19.0	.9	15.7	8.3	22.3
Spain	31.3	.8	21.5	9.0	36.0
Yugoslavia	19.3	1.1	21.4	8.9	22.8
Oceania:					
Australia	11.1	2.1	21.6	8.7	14.6
New Zealand	2.6	2.2	25.5	8.8	3.7
U.S.S.R.	228.6	1.7	22.4	7.5	277.8

[1] Compiled from United Nations and other sources.
[2] Latest available year. In no case before circa 1960.
[3] Medium projection (provisional U.N. estimates, 1964).
[4] Non-self-governing country.
[5] Formerly Nyasaland. Gained independence July 6, 1964.
[6] Formerly known as the United Republic of Tanganyika and Zanzibar.
[7] Formerly Northern Rhodesia. Gained independence Oct. 24, 1964.
[8] Excludes West Berlin, population 2,200,000 (1964).

NOTE: Parentheses indicate regional vital rates. Blank space indicates lack of reliable statistics.

World and continental population estimates

[In millions]

	Mid-1964	1980 projection [1]
World total	3,283	4,274
Africa	303	449
Asia	1,843	2,404
North America	211	267
Central and South America	236	374
Europe	443	479
Oceania	18	23
U.S.S.R.	229	278

[1] Medium projection (provisional U.N. estimates, 1964).

Population increase at various rates of growth

	Number of years to double population	In 1 century 10,000,000 increases to—
Annual increase rate (percent):		
0.5	139	16,000,000
1	70	27,000,000
1.5	47	44,000,000
2 (world rate)	35	72,000,000
2.5	28	118,000,000
3	23	192,000,000
3.5	20	312,000,000
4	18	505,000,000

Mr. DIRKSEN. So, Mr. President, the third reading having been had, I am prepared to vote, and I hope the bill will pass.

Mr. ELLENDER. Mr. President, immigration and naturalization laws developed in the 18th and 19th centuries with the spread of nationalism. Since the concept of the modern nation state goes back only to the Protestant Reformation, it is understandable that laws governing the movement of large numbers of people would come about only with the growth of this concept and the improvement of transportation facilities. The states of Europe which emerged from the religious schism had the effect of giving an identity to local populations which made up the whole of Christendom. The demise of the Holy Roman Empire and the diminished authority of the papacy brought about a strong sense of nationalism to the principalities of Europe and increased the temporal and spiritual authority of local princes.

With the discovery of the Western Hemisphere and the improvement in transportation, the emigration of large populations became a matter of state policy for the first time. European countries bordering on the North Atlantic had a decided interest in colonizing their territorial claims in this hemisphere. The competition among the colonial powers further developed a sense of nationalism which spread to the Americas.

Nationalism is a feeling on the part of a citizen that his country is a living entity which will continue on after his death and that it is his duty to protect its existence and work for its continuation in the same form that he has known it. Nationalism engenders a spirit of unity among a people and a homogeneous population is one of its earmarks.

However archaic and antiquated nationalism is today, it must be recognized as a driving force in the world which still must be contended with. The vast gulf of cultural, racial and economic differences tends to further drive nations apart, especially in this day of rapid transportation and communication.

It is in this historic context that the United States as the primary recipient of European immigration has had to examine its policy of admitting aliens. The problems did not become acute nor was it a matter of great concern, until the middle 1800's, when this Nation began to industrialize, and at the same time, large numbers of South Europeans began to come here.

As long as we had free lands and the population remained culturally and racially the same, there was little need for immigration laws. When that situation began to change in the early 20th century, it became necessary for the United States to protect itself by the enactment of restrictive legislation on immigration. It is with this background in mind that I propose to discuss House bill 2580.

Mr. President, the purpose of H.R. 2580, a bill to amend the Immigration and Nationality Act is: First, to abolish the national origins quota system; and second, the repeal of the so-called Asia-Pacific triangle;

Since 1924, the United States officially established a policy of admitting immigrants to this country on the basis of national origins already represented in the United States. It was the purpose and intention of Congress in 1924 to maintain and continue the racial, ethnic and cultural traditions of the United States by admitting immigrants in proportion to their American counterparts. It was the intention of Congress that the United States should continue to be a Christian nation, populated primarily by those nationalities which compose Western Europe today.

It is now proposed that we change this system of immigration in favor of a "first come, first served" basis. It has been said that we are a nation of immigrants.

This is, of course, true, with the exception of the American Indian. However, the United States is no longer in the age of infancy or adolescence, nor is it a vast continental area largely unpopulated. The United States is today a mature, sophisticated, highly industrialized and densely populated nation. Today, only the politicians are aware of the hyphenated Americans. The great mass of American people consider themselves only American, and this is true whether their name is "Jones" or "Janowsky."

It is contended by the advocates of immigration policy change that since 1924 the United States has abandoned its traditional concept that all are welcome and that our historic plea has been in the words of the old invitation, "give us your suffering, your homeless masses."

I submit, and history will bear me out, that the United States, from its earliest beginnings, at no time encouraged the indiscriminate migration of foreigners to our shores. The Immigration and Nationality Service states that:

> Thomas Jefferson thought it unwise to encourage immigration from monarchial governments. George Washington viewed unrestricted immigration with caution. When John Quincy Adams was Secretary of State in 1819, he stated that the Government had never officially encouraged immigration from Europe. Adams declared that immigrants were not to expect favors.

The Alien Act of 1798 empowered the President to deport any alien whom he considered dangerous to the Government. Although no immigration laws governing immigration of aliens to the United States were passed until 1875, no one advocated the opening of the floodgates to unrestricted immigration from Asia, Africa, Latin America or other areas of the world with populations dissimilar from our own. In 1875, Congress passed the first law preventing the physically and mentally ill from immigrating to the United States.

In 1882, Congress enacted the first general immigration law and excluded the mentally incompetent, convicts, and those likely to become public charges. In that same year, Congress also adopted a Chinese exclusion policy.

With rapid industrialization following the War Between the States and the beginning of the emergence of the United States as a great power, it is not at all surprising that Congress wished to protect the citizens of this country by being more selective in those whom it permitted to immigrate here. This was a period of the burgeoning technological growth and advancement of organized labor. This was a period when it became the duty of Congress to protect the American workingman from the importation of Chinese coolie labor and other cheap labor supply. There is a strange attitude in this country today on the part of some people who feel that this land and its material wealth do not rightfully belong to the citizens of this country, but in effect belong to the world's population at large.

American citizens have been taxed untold billions of dollars to support foreign governments and foreign peoples. Now we are being asked to surrender the country itself to the world's hordes who are just waiting for the immigration barriers to be lowered. Every public official in this Government knows the power of bloc voting. Bad as it is today, I dread that time which will come in the near future, if this bill is passed, when aliens will dominate the political process in this country.

Literacy is no longer a prerequisite to voting in this country, particularly in the South, and it has been strongly urged that a knowledge of the English language is not necessary. Those who wish to denounce me as a bigot may do so, but I for one want this Nation to remain Christian and civilized in the Western European and American sense of the word.

For those who worry about our image overseas and in the eyes of foreigners, I will have more to say about that in a few minutes.

To return to the historical development of immigration in the United States, in the 32 years between 1850 and 1882, more than 200,000 Chinese immigrated to the United States, which almost approximated the same number of immigrants from all over the world who came to these shores in the first 70 years of our Colonial existence. The famine in the Canton region of China is said to be responsible for the huge Chinese immigration in the latter half of the 19th century. Who knows what future famine may occur in northern Brazil, in India or in Asia, which may cause similar mass migration to this country if the national origins system is abandoned.

We have become a Nation highly industrialized, highly urbanized, with a rural population dwindling swiftly with each passing year. With our vast amount of land in this country our coastal areas are being swamped with population increases. I do not have the figures available, but I believe it is almost a certainty that most of the immigrants who have come to this country in the last 20 or 30 years have settled in the large urban areas of the Nation, particularly the east and west coasts.

I am reminded of Thomas Jefferson's partiality for an agrarian system, when he wrote to James Madison in 1787. He said:

> This reliance cannot deceive us as long as we remain virtuous; and I think we shall be so as long as agriculture is our principal object, which will be the case while there remain vacant lands in any part of America. When we get piled upon one another in large cities as in Europe, we shall become corrupt as in Europe, and go to eating one another as they do there.

Who can look at our great cities today and say unequivocally that Jefferson was wrong? Make no mistake about the immigrants who come to this country. They are not going to go down on the farm; the farm does not need them. They are going to install themselves in the Harlems, the Watts, the South Bostons and other over-crowded areas, plagued by poverty, ignorance and disease. The attempt to diffuse and assimilate the Hungarian refugees of 1956 failed miserably. By and large they returned to the big cities.

In 1891, Congress passed the second general immigration law and provided for the medical inspection of all newly arrived immigrants. It barred paupers, polygamists and those suffering from contagious diseases. That law also provided for the deportation of all aliens illegally admitted to the United States, and further created the Office of Superintendent of Immigration. Between 1893 and 1907, Congress passed several laws to further tighten the restrictions on the admission of the insane, professional beggars, anarchists and other undesirables. It was also during this time that Congress empowered the President to enter into international agreements regulating immigration, and this led to the so-called gentlemen's agreement which Theodore Roosevelt made with Japan.

In 1917 Congress codified all previous provisions which applied to the exclusion of aliens and included in this list of ineligibles, persons who were illiterate, psychopathic, chronic alcoholics, vagrants, and persons entering for immoral purposes. The law also prevented immigration of persons coming from the geographical area known as the Asiatic barred zone.

In 1921 Congress enacted the first quota law and it limited the number of any nationality entering the United States to 3 percent of foreign-born persons of that nationality who lived in the United States in 1910. Under this law, approximately 350,000 aliens were permitted to enter the country each year.

In 1924, Congress enacted the first permanent quota law and provided for the national origins system which, however, did not become effective until July 1929. From 1924 to 1929, the quota was set at 2 percent of the foreign-born residents in the United States in 1890. This reduced the yearly quota to about 164,667 persons. Under the national origins provisions, a quota was set up for each nationality. All quotas were a certain percentage of the foreign-born residents of each nationality in the United States in 1920. From 1929 the annual quotas totaled 153,714. Under the 1924 act, certain aliens were admitted as nonquota immigrants. Persons entitled to be admitted as nonquota under that act included those born in Western Hemisphere countries, their wives, husbands, and children.

The Western Hemisphere countries included Canada, Mexico, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Cuba, Dominican Republic, Haiti, Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, and Venezuela. The law further provided that wives, husbands, and children of U.S. citizens would be admitted as nonquota immigrants, together with clergymen and their families, and persons who previously had been American citizens.

In 1940, Congress passed the Alien Registration Act which required the registration and fingerprinting of all aliens who were in the United States and those who sought to enter.

In 1943, the Chinese Exclusion Act was repealed.

In 1945, the War Brides Act was passed to permit special entry of wives of Armed Forces personnel.

The following year Congress permitted Filipinos and persons belonging to races native to India the privilege of admission to the United States. Also in 1946, the Congress enacted the G.I. Fiances Act which permitted entry into the country of fiances of Armed Forces personnel.

The Displaced Persons Act of 1948 permitted the immigration of 205,000 displaced persons over a period of 2 years.

It should be remembered that these special acts passed by Congress during and after the war permitting additional immigration were over and above those admitted under the yearly quota system.

In 1952, Congress enacted the Immigration and Nationality Act, which is better known as the McCarran-Walter Act. This law repealed all existing immigration and nationality laws and revised and codified all legislation dealing with immigration.

Under this act, the total immigration quotas remained substantially the same as in previous acts; however, the first 50 percent—first preference—of the quota was reserved to certain highly skilled or educated persons whose immigration would be of advantage to the United States. Second preference was given to alien parents of U.S. citizens and third preference to spouses or children of aliens who had been admitted as immigrants. The act also set up maximum quotas of 100 each for colonies and dependent areas of parent countries. The McCarran-Walter Act is still the basic law today, and it is this legislation which we are now considering for revision by the proposals contained in S. 500.

Since 1952, Congress has amended the McCarran Act and also passed special legislation for the admission of refugees. In 1953, the Refugee Relief Act authorized 209,000 persons to enter the United States as nonquota immigrants.

Further changes were made in 1957; and in 1958, Congress made it possible for the Hungarian refugees to come to the United States under Public Law 85-559. Minor changes were made in 1961, and in 1962 Congress enacted the Migration and Refugee Assistance Act and provided for assistance to refugees in the appropriation of funds to assist those who came from the Western Hemisphere countries.

This was specially designed to assist the Cuban refugees fleeing Communist persecution on that island. Also in 1962, other minor changes were made in the Immigration and Nationality Act which affected preference and priority provisions of the law.

At this point in my remarks I would like to introduce a table prepared by the Immigration and Naturalization Service which contains the figures on the numbers of immigrants admitted since 1946 through June 30, 1964.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Immigrant aliens admitted to the United States by classes under the immigration laws, years ended June 30, 1946–52

Class	1946-59	1946	1947	1948	1949	1950	1951	1952
Total immigrants admitted	3,114,168	108,721	147,292	170,570	188,317	249,187	205,717	265,520
Total quota immigrants	1,500,425	29,095	70,701	92,526	113,046	197,460	156,547	194,247
Immigration Act of May 1924, and Immigration and Nationality Act	1,093,134	29,006	70,618	92,426	73,075	64,769	58,356	74,037
Displaced Persons Act of 1948, as amended (quota)	405,535	------	------	------	39,899	132,577	97,960	119,982
Other acts	1,756	89	83	100	72	114	231	228
Total nonquota immigrants	1,613,743	79,626	76,591	78,044	75,271	51,727	49,170	71,273
Immigration Act of May 26, 1924, and Immigration and Nationality Act	1,221,378	33,809	49,128	54,603	52,337	49,479	48,157	68,881
Wives of U.S. citizens	200,508	2,904	5,962	8,132	7,297	10,735	8,680	16,058
Husbands of U.S. citizens	49,576	208	478	553	3,168	1,453	822	793
Children of U.S. citizens	57,886	598	5,087	5,129	3,175	2,393	1,946	2,464
Natives of Western Hemisphere countries, their spouses and children	886,588	29,502	35,640	37,968	36,394	33,238	35,266	48,391
Persons who had been U.S. citizens	1,342	63	91	136	110	86	39	32
Ministers of religious denominations, their spouses and children	9,560	432	1,336	1,592	1,233	833	731	578
Professors of colleges, academies, or universities, their wives and children	4,180	102	534	997	869	603	457	297
Other nonquota immigrants	11,738	------	------	96	91	138	216	268
War Brides Act of Dec. 28, 1945	119,693	45,557	27,212	23,016	22,214	1,694	------	------
Displaced Persons Act of 1948, as amended (nonquota)	4,157	------	------	------	314	233	595	1,982
Refugee Relief Act of 1953	188,950	------	------	------	------	------	------	------
Act of Sept. 11, 1957 (Public Law 85-316)	49,301	------	------	------	------	------	------	------
Act of July 25, 1958, Hungarian parolees adjusting status	25,424	------	------	------	------	------	------	------
Act of Sept. 2, 1958, Azores and Netherlands refugees	1,187	------	------	------	------	------	------	------
Other acts	3,653	260	251	425	406	321	418	410

Immigrants admitted to the United States by classes under the immigration laws, years ended June 30, 1953–64

Class	1953-64	1953 [1]	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Total immigrants admitted	3,197,857	170,434	208,177	237,790	321,625	326,867	253,265	260,686	265,398	271,344	283,763	306,260	292,248
Quota immigrants, total	1,140,479	84,175	94,098	82,232	89,310	97,178	102,153	97,657	101,373	96,104	90,319	103,036	102,844
Immigration and Nationality Act	1,124,863	78,053	88,016	79,617	88,825	97,084	102,077	97,651	101,352	96,074	90,305	102,995	102,814
1st preference quota:													
Selected immigrants of special skill or ability	30,600	77	1,429	1,776	1,946	2,992	3,941	3,518	3,385	3,460	3,313	2,288	2,475
Their spouses and children	28,676	45	1,027	1,236	1,420	2,739	3,179	3,109	3,681	3,758	3,721	2,374	2,387
Skilled agriculturalists, their wives and children (1924 act)	321	321	------	------	------	------	------	------	------	------	------	------	------
Parents or husbands of U.S. citizens (1924 act)	4,290	4,290	------	------	------	------	------	------	------	------	------	------	------
2d preference quota:													
Parents of U.S. citizens	35,847	983	2,783	2,394	2,843	3,677	2,608	3,406	3,451	3,381	2,252	4,006	4,063
Unmarried sons or daughters of U.S. citizens [2]	2,409	------	------	------	------	------	------	------	376	931	341	392	369
Wives and children of resident aliens (1924 act)	4,133	4,133	------	------	------	------	------	------	------	------	------	------	------
3d preference quota:													
Spouses of resident aliens	28,450	291	3,180	2,604	2,902	2,848	2,719	3,409	2,767	2,132	1,786	1,832	1,980
Unmarried sons or daughters of resident aliens [3]	36,618	220	2,824	2,821	4,064	3,783	2,668	4,134	3,225	3,265	2,419	3,266	3,929
4th preference quota:													
Brothers or sisters of U.S. citizens	22,406	63	1,556	1,955	1,690	1,715	2,903	2,162	1,956	2,346	2,162	2,187	1,711
Married sons or daughters of U.S. citizens [2]	7,928	22	374	1,120	431	1,443	2,029	1,275	425	244	205	199	161
Spouses and children of brothers or sisters, sons or daughters of U.S. citizens [4]	11,580	------	------	------	------	------	------	------	1,044	2,572	2,548	2,887	2,529
Adopted sons or daughters of U.S. citizens [2]	137	------	------	------	------	------	------	------	55	62	16	1	3
Nonpreference quota	911,468	67,608	74,843	65,711	73,529	77,887	82,030	76,638	80,987	73,923	71,542	83,563	83,207
Special legislation (quota immigrants)	15,616	6,122	6,082	2,615	485	94	76	6	21	30	14	41	30
Displaced persons, Displaced Persons Act of 1948 (quota)	15,121	5,759	6,082	2,615	485	94	76	6	------	------	3	1	------
Skilled sheepherders, act of Apr. 9, 1952 (quota)	363	363	------	------	------	------	------	------	------	------	------	------	------
Foreign government officials adjusted under sec. 13, act of Sept. 11, 1957 (quota)	132	------	------	------	------	------	------	------	21	30	11	40	30

See footnotes at end of table.

Immigrants admitted to the United States by classes under the immigration laws, years ended June 30, 1953–64—Continued

Class	1953–64	1953[1]	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Nonquota immigrants, total	2,057,378	86,259	114,079	155,558	232,315	229,689	151,112	163,029	164,025	175,240	193,444	203,224	189,404
Immigration and Nationality Act	1,681,285	85,015	112,854	126,135	156,808	147,243	125,591	111,341	133,087	152,382	169,346	183,283	178,200
Wives of U.S. citizens	236,980	5,916	17,145	18,504	21,244	21,794	23,517	22,620	21,621	20,012	17,316	17,590	19,701
Husbands of U.S. citizens	73,418	3,359	7,725	6,716	5,788	5,767	5,833	6,913	6,140	6,059	6,646	6,035	6,437
Children of U.S. citizens	70,896	3,268	5,819	5,662	4,710	4,798	5,970	6,869	6,454	6,480	6,354	6,981	7,531
Natives of Western Hemisphere countries	1,227,778	58,985	78,897	92,620	122,083	111,344	86,523	66,386	89,566	110,140	130,741	144,677	135,816
Their spouses and children	27,482	2,114	1,629	1,654	1,949	2,144	2,052	1,810	2,135	2,696	2,764	3,067	3,468
Persons who had been U.S. citizens	902	104	427	87	44	58	43	22	36	15	25	23	18
Ministers of religious denominations, their spouses and children	5,107	387	385	307	350	403	435	558	485	406	451	462	478
Employees of U.S. Government abroad, their spouses, and children	205	2	4	9	2	8	23	24	27	10	3	32	61
Children born abroad to resident aliens or subsequent to issuance of visa	12,117	326	358	348	412	701	926	1,228	1,458	1,411	1,495	1,611	1,843
Aliens adjusted under sec. 249, Immigration and Nationality Act[5]	22,795	----	----	----	----	----	----	4,321	4,773	5,037	3,399	2,680	2,585
Other nonquota immigrants	3,605	[6] 554	465	228	226	226	269	590	392	116	152	125	262
Special legislation (nonquota immigrants)	376,093	1,244	1,225	29,423	75,507	82,446	25,521	51,688	30,938	22,858	24,098	19,941	11,204
Displaced persons, Displaced Persons Act of 1948 (nonquota)	1,030	1,030	----	----	----	----	----	----	----	----	----	----	----
Orphans, act of July 29, 1953	466	----	399	67	----	----	----	----	----	----	----	----	----
Refugees, Refugee Relief Act of 1953	189,021	----	821	29,002	75,473	82,444	1,012	198	43	9	15	3	1
Skilled sheepherders, act of Sept. 3, 1954 (nonquota)	385	----	----	354	31	----	----	----	----	----	----	----	----
Immigrants, act of Sept. 11, 1957	61,948	----	----	----	----	----	24,467	24,834	6,612	3,982	1,809	213	31
Hungarian parolees, act of July 25, 1958	30,701	----	----	----	----	----	----	25,424	5,067	122	51	20	17
Azores and Netherlands refugees, act of Sept. 2, 1958	22,213	----	----	----	----	----	----	1,187	8,870	5,472	4,796	1,888	----
Immigrants, secs. 4 and 6, act of Sept. 22, 1959	29,337	----	----	----	----	----	----	----	10,314	13,255	5,488	280	----
Immigrants, act of Sept. 26, 1961	15,525	----	----	----	----	----	----	----	----	----	11,912	2,848	765
Other nonquota immigrants, special legislation	412	214	5	----	3	2	42	45	32	18	27	12	12
Refugee escapees, act of July 14, 1960	6,111	----	----	----	----	----	----	----	----	----	----	2,005	4,106
Immigrants, act of Oct. 24, 1962	18,944	----	----	----	----	----	----	----	----	----	----	12,672	6,272

[1] In 1953, figures include admissions under Immigration Act of 1924.

[2] Prior to act of Sept. 22, 1959, all sons or daughters of U.S. citizens over 21 years of age were classified as 4th preference quota under the Immigration and Nationality Act. Adopted sons and daughters with petitions approved prior to Sept. 22, 1959, remained 4th preference.

[3] Prior to act of Sept. 22, 1959, included only children under 21 of resident aliens. Adult sons or daughters of resident aliens were classified as nonpreference quota.

[4] Prior to act of Sept. 22, 1959, classified as nonpreference quota.

[5] Not reported prior to 1959.

[6] Includes 321 professors of colleges and universities and their wives and children.

Mr. ELLENDER. Mr. President, the figures are broken down into two basic groups of quota immigrants as authorized under the national origin provision of the McCarran-Walter Act and nonquota immigrants who were admitted under other provisions of the McCarran-Walter Act or special legislation enacted by Congress. In the period from 1946 to 1959, some 3,146,168 immigrants were admitted to the United States. Of these, less than half, 1,500,425, were admitted as quota immigrants. The balance were admitted under special legislation or under other provisions of the McCarran-Walter Act which did not contain the limitation of national origins.

I believe that the record will bear out the fact that few countries have been as generous as the United States in accepting the displaced and the homeless peoples of the world.

I cannot understand those who attack our basic law simply because it attempts to continue the cultural heritage, political and social traditions of this Nation. The Congress has been more than generous in departing from the basic law of national origins to take care of special hardship cases such as the Hungarian and Cuban refugees. We have more than met our international responsibilities as a great world power in helping to alleviate the suffering of oppressed people in distressed areas of the world.

It has been argued that, because the United States contains a large land mass, it can absorb countless millions of the world's population. When the vast land area of Alaska is added to that of the U.S. mainland, it is argued that we can easily accommodate many millions more.

The fact of the matter is the total population of Alaska today is not sufficient to maintain a good-sized town and there is no indication that immigrants coming into this country desire to move to Alaska. I do not have the figures available, but I seriously doubt that any of the Cuban, Hungarian, or other refugees have migrated to Alaska. The truth of the matter is, as I have pointed out earlier, that new immigrants to this country move into the huge urban areas primarily on the east and west coasts and add further to the population explosion problem with which we and the rest of the world are faced. There are no new frontiers in the United States where pioneers can settle and establish homes for themselves and their children. Using Samuel Lubbell's definition—that a frontier exists where a man faces a fact—the only frontiers remaining in this Nation are those which exist in the sprawling urban areas where the poor and culturally backward groups must fight to maintain a subsistence living. Changes in our immigration law would only add to the ghettos which already abound in our great cities.

I have prepared a table which I am introducing at this point in my remarks, showing a comparison from 1920 through 1964 of the annual immigration figures in relation to the numbers of unemployed in this country.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Immigration, 1920–64

	Annual immigration	Unemployment (in thousands)
1920	430,001	(1)
1921	805,228	(1)
1922	309,556	(1)
1923	522,919	(1)
1924	706,896	(1)
1925	294,314	(1)
1926	304,488	(1)
1927	335,175	(1)
1928	307,255	(1)
1929	279,678	1,550
1930	241,700	4,340
1931	97,139	8,020
1932	35,576	12,060
1933	23,068	12,830
1934	29,470	11,340
1935	34,956	10,610
1936	36,329	9,030
1937	50,244	7,700
1938	67,895	10,390
1939	82,998	9,480
1940	70,756	8,120
1941–45	(2)	(2)
1946	108,721	2,270
1947	147,292	2,142
1948	170,570	2,064
1949	188,317	3,395
1950	249,187	3,142
1951	205,717	949
1952	265,520	----
1953	170,434	1,871
1954	208,177	3,580
1955	237,790	2,905
1956	321,625	2,825
1957	326,867	2,936
1958	253,265	4,681
1959	260,686	3,813
1960	265,398	3,971
1961	271,344	4,807
1962	283,763	4,008
1963	306,260	4,166
1964	292,248	3,876

(1) Unavailable.

(2) Figures for war years are not significant because small immigration and small unemployment were due to wartime conditions.

Mr. ELLENDER. Mr. President, it makes little sense to me to continue to accept large numbers of immigrants when we have almost 4 million unemployed in the United States at the present time. I am personally in favor of halting all immigration for 5 years in order that the problem may be thoroughly studied, with a view to determining the effects of immigration upon the labor market, the success or failure of assimilation of these foreign groups coming into the country, and the effects upon our urban areas. It should always be remembered that immigration is a privilege to be conferred upon foreign persons by the Congress of the United States. No one has a right to become a citizen of this country, and the people of the United States are under no obligation either moral or legal to admit anyone who wishes to enter. As I have stated previously, we are no longer a small group of colonies with a small population where European and other powers have the right to dump their excess population which includes debtors, criminals, and others.

This is a mature country with a complicated social structure requiring citizens with great technical skills who can not only support themselves but who can make worthwhile contributions to the Nation.

I have read with great interest the statements of those who oppose our present immigration policy. They are, as I said before, those persons who apparently feel that the natural resources of this Nation do not belong to its citizens exclusively. They seem to be racked with guilt feelings over the fact that Americans are, by and large, much better off materially and spiritually than most of the world's population.

When the Secretary of State, Mr. Dean Rusk, appeared before the Senate Subcommittee on Immigration and Naturalization, he made the point that, because of our national origins quota system, it was embarrassing to him to conduct our foreign policy because we showed a peculiar preference to maintain our cultural and political institutions as they have been for almost 200 years.

Mr. Rusk seems to feel it is discrimination on our part because we do not let untold numbers of orientals come into this country. I had always thought that it was the duty of the Secretary of State and his Department to conduct our foreign policy in a way which was most advantageous to the country and to represent the American people to the rest of the world for what we are and what we believe and what we wish for others. It would appear from Mr. Rusk's statement that we might have to change the whole composition of the Nation in order to make his job easier so that when he holds these interminable and innumerable conferences he cannot be accused of representing a system which discriminates. If we examine Mr. Rusk's complaint and the complaints of those foreign elements who criticize our immigration policy, it seems apparent that there is no basis at all for criticism.

He says that, when a foreigner sits down and reads our immigration law, he is immediately appalled by the fact that we prefer immigrants from western and northern Europe. Let us examine that for a moment; just how many immigrants sit down and read our Immigration Act? Mr. Rusk says that they are not aware of the fact that we have passed innumerable pieces of legislation which have permitted several million people to come into this country without regard to national origin. I suspect that these foreigners are more aware of that than the national origins provision of the McCarran-Walter Act. If they are not sufficiently aware of this legislation, it is a failure on the part of the Department of State to adequately present our position to the peoples of the rest of the world. We spend a vast amount of money to maintain an agency called the U.S. Information Agency.

If our vast bureaucracy cannot adequately inform the peoples of the world of what we have done for the sake of humanity in admitting countless millions of Hungarian, Cuban, Polish, and other foreign groups into our society, then I believe it is time to question the qualifications of those who purport to head this bureaucracy.

Secretary Rusk is vague as to who these foreigners are who find discrimination in our immigration policy. Could it be the Liberians who permit only Negroes to immigrate to their country? Could it be the Australians who bar all Negroes and orientals from entering the country "down under?" Could it be the Arabs who do not allow the infidel Christians to approach closer than 12 miles to Mecca and Medina? I was recently informed that the National Broadcasting Co. is going to establish a TV system for Saudi Arabia and that they first had to train Saudian nationals in the operation of technical equipment because only the faithful could enter these holy cities of Mecca and Medina.

Could the foreigners who criticize the United States be Africans, particularly from those new countries who do not admit any Westerners except under limited conditions? Could it be those black nationalists who are crying "Africa for the Africans?" I must say that I am at a loss to know who these foreigners are who the Secretary of State shows such deference to and whose criticism makes his job so burdensome.

According to the administration's new immigration proposals, the national origins quota system would be phased out over a 5-year period. Mr. Rusk says that this is necessary because if we did not do that those countries in Western and Northern Europe which now have priority would be swamped by the Asians and Africans coming into the United States, and that, because we must be respectful of the sensibilities of our allies—England, Germany, France, Italy—we cannot abruptly terminate this preferential treatment.

In other words, our NATO alliance might encounter difficulties if the immigration bars are suddenly lowered on a first-come, first-served basis. This system of first-come, first-served would completely push Western Europe to one side. Mr. Rusk goes on to say that we are going to show preferential treatment to the highly skilled and the superbly trained. In admitting immigrants on a first-come, first-served basis, does he expect these people to come here from Tobago, the Congo, or Indonesia? I respectfully submit that the superbly trained will come either from western and northern Europe or they will not come at all.

Secretary Rusk says in his statement before the Senate subcommittee:

> The governments of these newly independent nations (Jamaica and Trinidad-Tobago) have made strong representations to our Government, asking to be placed on equal footing with other American states.

It is interesting to note that Trinidad-Tobago has banned practically all immigration into that country, especially from Jamaica and Barbados. It makes one wonder. I sincerely regret that these "strong representations" from Tobago have caused our Secretary of State to tremble in the exercise of his office.

Mr. Rusk goes further in saying:

> As a leader in the struggle for freedom, we are expected to exemplify all that freedom means. We have proclaimed again and again, from the Declaration of Independence until the present day, that freedom is the right of all men. The rest of the world watches us closely to see whether or not we live up to the great principles we have proclaimed and promoted. Our blemishes delight our enemies and dismay our friends.

I do not see how any reasonable or responsible foreigner could gain the impression from our Declaration of Independence or from any of our other statements of principle that there is a legal or moral right for the world's population to move into our country. I am very much afraid that the Secretary of State has permitted Communist propaganda attacks upon our country to sway his good judgment. It is unfortunate that some foreigners may also have been taken in by these attacks upon American principle. I cannot see how anyone of reasonable intelligence can really blame the American people for wishing to maintain their cultural, ethnic, and political traditions in their historic context. My experience in traveling in the countries of the world has been that these people are not so naive or unsophisticated as to expect us to change the composition of this country to satisfy some criticism at this moment in history.

In considering the charge that American immigration policy discriminates, it is only necessary to examine the policies of other nations to readily establish that they all show a strong preference for people culturally and racially similar to their own. Some nations exclude immigrants strictly on the basis of race and religion. However, other than those nations which have these outright bans on certain groups, most countries empower a Cabinet officer, usually the Minister of Labor or Immigration, with total discretion in admitting immigrants. The laws of other countries are usually vague and the particular immigration official is guided only by considerations of labor supply, the health and character of the immigrant and the ability to become readily assimilated into the native population. It is this wide discretion which other nations use to maintain an unofficial national origins system.

Persons of foreign races are always most difficult to assimilate and, therefore, constitute a moral basis for the Minister of Labor to exclude them.

The 1952 Immigration Act of Canada, while not distinguishing specifically between races, empowers the Canadian officials with the right to exclude anyone who indicates a probable inability to become readily assimilated, or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their admission.

The Scandanavian countries show a decided preference in their laws for their own kind. Germany and Austria have special arrangements governing the interchange of citizens. There are a number of countries in the world which have no immigration policy whatever, and this is due to the fact that they are overpopulated and have been primarily concerned with emigration.

I am not at all critical of the immigration policies of other countries because of the fact that they are similar to our own. I submit that they have a reasonable basis for showing a preference for their own and that no country can be expected to import problems approaching the insoluble.

It is easily understandable to me why Britons prefer to chance the destruction of the Commonwealth rather than the destruction of the United Kingdom by passing by the Commonwealth Immigrants Act of 1962. One need only look at the present India-Pakistan war, or the secession of Singapore from Malaysia to appreciate the valid and legitimate reasons for making distinctions of race and religion in immigration policy.

I would like to quote a short excerpt from Kenneth Rivett's book "Immigration: Control or Colour Bar," Melbourne, 1962, in which he discusses the 1952 Immigration Act of Canada.

I have selected this reference material as indicative of most nations' policy on immigration and naturalization. The quotation from this book is as follows:

> The 1952 Immigration Act (of Canada) did not distinguish specifically between European and Asian migrants, but left the government power to issue regulations governing the admission or exclusion of migrants (under art. 61) on grounds of:
>
> I. Nationality, citizenship, ethnic origin, occupation, class or geographical area of origin;
>
> II. Peculiar customs, habits, modes of life, or method of holding property;
>
> III. Unsuitability having regard to climatic, economic, social, industrial, educational, labor, health, or other conditions * * * in Canada.
>
> IV. Probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after admission.
>
> In general, these powers have been applied to limit nonwhite immigration very drastically, so that there is clearly a "racial" basis to Canada's policy, just as there is to Australia's. Yet it has not given rise to anything like the same degree of offense. One reason has been the negotiation of agreements with India, Pakistan and Ceylon, from which 300 (originally 150), 100 and 59 immigrants are admitted respectively each year.
>
> It is significant that the quota for Ceylon has generally not been filled, whereas in India over 20,000 people applied for the 150 places.

Mr. President, when the McCarran-Walter bill was sent to the White House in 1952 for approval by President Truman, he vetoed it. I voted to override the Presidential veto.

I have since resisted any substantial changes in that act, and I am not now willing to vote for all the changes proposed. I would be willing, as I said earlier, to suspend our immigration laws for, say, 5 years. I know that Congress is unwilling to take such a step in the light of the hearings had on the pending bill and expressions heretofore made by Members of Congress. I applaud the action taken by the Committee on the Judiciary in limiting immigration from the countries in the Western Hemisphere, but I cannot see my way clear to supporting the pending measure, and I shall vote against it.

Mr. HOLLAND. Mr. President, would the distinguished Senator from Massachusetts yield to me so that I may address certain questions to him at this time relating to the pending bill?

Mr. KENNEDY of Massachusetts. I am delighted to yield to the Senator.

Mr. HOLLAND. I thank the Senator. I have received what amounts to almost a flood of mail from the people of my State opposing the enactment of this bill.

I have tried to express in the form of a few questions matters which seem to be disturbing them most. It is as to those questions which I will address my friend, the distinguished Senator from Massachusetts, believing that it might be a good thing to have the answers to these questions assembled in one place in the RECORD so that they can be easily furnished to the many people who have these particular objections to the proposed bill.

First, I have many letters stating that it is understood that under this bill, according to the best estimate, the number of immigrants to our Nation will be increased by something like 60,000 to 70,000 per year over the current volume of immigration.

I wish to ask the Senator if that is correct. I heard him the other day and I believe I heard him mention 60,000 people.

Mr. KENNEDY of Massachusetts. Yes. It would be between 50,000 and 60,000 and it might go up to 70,000 to 80,000. The best judgment of the people concerned with this matter is an estimate between 50,000 and 60,000.

Mr. HOLLAND. Apparently there is a good estimate running as high as 70,000 from various well-informed sources that have reached me.

Let us say the distinguished Senator is of the feeling that the number will be increased. As I understand him he believes the best estimate is between 50,000 and 60,000.

Mr. KENNEDY of Massachusetts. That is correct. I might add to that that under the present law there are about 55,000 quota numbers which are authorized and not used.

I believe last year between 102,000 and 103,000 came in under the quotas, which left about 55,000 not used.

So we expect between 50,000 and 60,000 people to come in over current experience. And this number is about equal to the quota numbers now authorized but wasted.

Mr. HOLLAND. Then the total would approximate 350,000.

Mr. KENNEDY of Massachusetts. I believe that would be correct.

Mr. HOLLAND. The second question that has been raised is this: Under the present condition of continuous unemployment, which apparently is disturbing industry, labor, and Government, and all of us in this Nation, why is it deemed desirable to bring in a substantially increased number of immigrants each year?

Mr. KENNEDY of Massachusetts. I would respond to the distinguished Senator from Florida in two ways.

We had an earlier dialog with the Senator from Iowa relating to this to some extent.

Under the present McCarran-Walter Act, 50 percent of the preferences are given to professionals. That is under the first preference. We have changed that under H.R. 2580 and the first two preferences would go to those with family relationships. Only in the third category, 10 percent of the total, are those that come in as professionals. The fourth and fifth preferences come down to different family relationships. The sixth preference is for skilled and unskilled labor. The seventh preference goes to refugees.

Even those who will come in under the third and sixth preferences, it should be noted that the provisions that will be applied to them will be more stringent than those applicable under the requirements of current law.

I believe we have been able to give assurances, certainly to the AFL-CIO and all the other groups that have been interested and have the responsibility of looking after the welfare of the jobs of American industry, that they will be not only protected in the labor market, but those who come in under these categories would not affect labor standards or conditions under which they would work.

We have had considerable testimony on this subject in committee. The case on it has been very convincing. I read from page 15 of the committee report:

> Under the provision of existing law contained in section 212(a)(14) of the Immigration and Nationality Act, foreign labor is subject to exclusion only when the Secretary of Labor certifies that either (1) there are sufficient workers in the United States who are able, willing, available, and qualified at the alien's destination to perform the skilled or unskilled labor, or (2) that the employment of the alien will adversely affect the wages and working conditions of the workers in the United States. This has the effect of excluding any intending immigrant within the scope of the certification who would likely displace a qualified American worker or whose employment in the United States would adversely affect the wages and working conditions of workers similarly employed in the United States. Under the instant bill, this procedure is substantially changed. The primary responsibility is placed upon the intending immigrant to obtain the Secretary of Labor's clearance prior to the issuance of a visa establishing (1) that there are not sufficient workers in the United States at the alien's destination who

> are able, willing, and qualified to perform the skilled or unskilled labor and (2) that the employment of the alien will not adversely affect wages and working conditions of U.S. citizens similarly employed. The provision is applicable to immigrants from the Western Hemisphere, other than immediate relatives, nonpreference immigrants, and those preference immigrants who seek entrance into the United States for the primary purpose of gainful employment, whether in a semiskilled or skilled category or as a member of the professions, arts, or sciences. The certification must be obtained in individual cases before a visa may be issued to the intending immigrant.

These are the safeguards which are provided so far as the working people are concerned.

Mr. HOLLAND. The Senator from Massachusetts does not believe that the admission of 60,000 more immigrants a year will increase the unemployment problem. Is that correct?

Mr. KENNEDY of Massachusetts. The Senator is correct. I would add that only about 45 percent of new immigrants, on the basis of past immigration experience, would go into the work force. The remainder would be consumers.

As the Senator from Hawaii [Mr. FONG] has pointed out, those who would come in under the third preference would possess particular skills which are needed in the United States. They could fill jobs which today are not filled sufficiently with trained people. By filling these jobs, these people will create more jobs for American workers.

In response to the question of the Senator from Florida, I do not believe that we are endangering either the jobs or the livelihoods of American workers.

Mr. HOLLAND. I thank the Senator. The third question which seems to disturb an undue number of my people, as reflected in the correspondence which I have received, is that they note that the immediate members of a family joining a former immigrant to the United States are not included in the quota.

I believe that applies to the spouses and children, and the father and the mother, and may even go further; but certainly a sizable number of the immediate family are not included in the quota.

Was there any reason for their being excluded from the quota?

Mr. KENNEDY of Massachusetts. It is based upon the fundamental belief that in our immigration policy we should put a high premium on keeping families together. We feel that if an individual is sufficiently qualified to meet the other criteria, criteria which have been detailed in the bill, he should not be separated from his family, a condition which exists today under the present McCarran-Walter Act.

I refer the Senator to the Bureau of Security and Consular Affairs, which lists, under the second preference, the number of people, going into the thousands, who have family relationships and are separated from their families. We believe that preference ought to be given to them, and that they should be permitted to come into the country.

We have estimated, as the Senator from Florida has accurately determined, that the number would be between 50,000 60,000. They are included in the overall figure, which, as the Senator has indicated, is about 330,000.

Mr. HOLLAND. The fourth question I wish to ask—and I think I know the answer—is this: Is any distinction made between the members of families of immigrants already in the United States and those who would come in as new immigrants? Would they be included in the quota or not?

Mr. KENNEDY of Massachusetts. High preference would be given to unmarried brothers and sisters of U.S. citizens. The first category is unmarried brothers and sisters of aliens. Then the preference goes to professional groups, which is the third preference. The fourth relates to married brothers and sisters. The fifth preference is to brothers and sisters of U.S. citizens. They are the ones who have close family relationship but are not given nonquota status. Therefore, a special nonquota status is given to those who are members of families of U.S. citizens.

Mr. HOLLAND. I do not believe the Senator clearly understood my question. My question was this: Is there any difference between relatives of migrants who are already here, whether citizens or not, and relatives of migrants who will be coming in under the bill, as to their being charged or not charged to the quota?

Mr. ERVIN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ERVIN. As I understand the bill, every person who comes as an immigrant is charged to the limitation, except certain relatives of one who is already here as an American citizen.

Mr. KENNEDY of Massachusetts. That is exactly correct.

Mr. ERVIN. In other words, if an alien is living here as a permanent resident but has not yet become a citizen, relatives may still come in as a part of the quota. Persons who come in outside the limitations are those who are relatives of American citizens.

Mr. KENNEDY of Massachusetts. Relatives of aliens would come in under a lower preference.

Mr. ERVIN. Under the bill, the only persons who could come in from the Eastern Hemisphere, outside the limitation of 170,000, are children, spouses, and parents of citizens of the United States. There is a further limitation that parents must be the parents of a citizen who is at least 21 years of age.

Mr. HOLLAND. Then there is a difference in the charging to the quota or not charging to the quota as between immigrants already in the United States seeking to bring their relatives in, and those who seek to bring them in with them after the passage of the law.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. PASTORE. The Senator from Florida is making a good point. His question may be misunderstood. His question is this, as I understand: If a person who comes into the United States let us say, in 1970, has relatives abroad, under what condition may he bring the relatives in? It is my understanding that under the bill, whoever comes in in 1970 will have to come in under the overall number.

Mr. HOLLAND. Regardless of how close the relationship is.

Mr. PASTORE. Regardless of how close the relationship is. In other words, the exception is being made as to the people already in the United States; and at the time of the signing of the bill there will be the authority, the exemption, in order to provide for family unification. But beyond that point, any relatives who come in new, so to speak, will come in as immigrants and must be counted among the number.

Mr. HOLLAND. If the family came in under the new law, each one would count regardless, and each would be charged to the quota.

Mr. PASTORE. To the number, not the quota.

Mr. HOLLAND. To the quota.

Mr. PASTORE. I detest the word "quota."

Mr. HOLLAND. I do not share that feeling; but they would be chargeable to that limited number and then would be permitted to come in.

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. But that is not the case with reference to some people, where the immigrant is already here under existing law.

Mr. PASTORE. That is correct.

Mr. HOLLAND. That is what I wanted to bring out.

My next question is this: A great many people in Florida have moved there from Canada, and we are glad to have them. Many of them have come from Latin America, as the Senator from Massachusetts knows, because he has checked the situation in that State.

We have received numerous complaints from Canadian residents—many of them are citizens now—with reference to what they say would be the first restrictions ever to be imposed upon immigration from Canada, other than restrictions of health, character, and those classifications. Why were the Canadians restricted in the pending measure?

Mr. KENNEDY of Massachusetts. The Canadians are not restricted as a nation, except as they are included in the hemispheric quota.

Mr. HOLLAND. I understand that, but the result is exactly the same.

If there is a limitation in part that applies to Canada and the Caribbean nations, such as Mexico and Central America, and to all of South America, that means that the restriction in part applies to all. The question is, Why was that deemed necessary, considering the very great likeness between the Canadians and ourselves, and the fact that there is no problem at all about assimilating Canadians into our communities?

Mr. KENNEDY of Massachusetts. I was not generally in sympathy with that amendment, so I shall ask the sponsor of the amendment to respond.

Mr. ERVIN. The majority of the subcommittee and the majority of the full committee imposed the limitation of 120,000 on the Western Hemisphere because they felt that if this were to be a bill to abolish discrimination, the bill ought to abolish the most obvious discrimination—that which provided that all the people of the Western Hemisphere could immediately move into the United States, so far as any limitation upon numbers was concerned, whereas only 170,000 could come in from the Eastern Hemisphere.

We who favored a limitation upon immigration on the Western Hemisphere felt that the limitation should be placed now rather than be left open to a future time, when the increase in immigration from the Western Hemisphere might endanger employment. In other words, we felt that the nations of the Western Hemisphere should not be allowed to move en masse to the United States, when the nations of the Eastern Hemisphere could not.

Mr. HOLLAND. Mr. President, I thank my distinguished friend for answering that question.

The other horn of the dilemma arises from complaints of those who have come from Latin America. We have perhaps 200,000 to 300,000 of these people in our State at the present time. Many of them are among our finest people. They say that they see no reason or no justification at a time when we are moving ahead with the Alliance for Progress and are setting ourselves up as big brothers of Latin America, in particular, for a restrictive provision relating to Latin American immigration.

I should like to have this question answered, if the distinguished Senator from Massachusetts will answer it, as to why we should, for the first time, propose restriction.

Mr. KENNEDY of Massachusetts. Mr. President, as I stated, I am not in sympathy with that provision. Therefore, I should like to have the Senator from North Carolina respond.

Mr. ERVIN. Mr. President, the majority of the committee felt that we had reached a point in our Nation's history at which we can no longer have unrestricted immigration from any part of the earth. The figures show that immigration from the Western Hemisphere is now in the neighborhood of 140,000 or 145,000 a year. It has been constantly increasing. Immigration from South America alone has increased by 400 percent in the past 10 years. It is necessary, if we are to have restrictions on immigration, that we should have a restriction on immigration from all areas of the world, and that we ought not to invite all the people of the Western Hemisphere to come into the United States immediately. This defect was the result of the McCarran-Walter Act placing no limitation upon immigration from the Western Hemisphere.

A majority of the subcommittee and a majority of the full committee felt that we ought to place a limitation upon immigration from the Western Hemisphere at this time before the problem became as acute as that which existed in immigration from the Eastern Hemisphere, in 1920, when we received approximately 1,500,000 immigrants in an 18-month period.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator. If I understand the situation, the result of that limitation would be to place an immediate reduction on the number of possible immigrants from Canada and the rest of the Western Hemisphere, which limitation would come to a head in about 3 years.

Mr. ERVIN. It would not take effect until July 1, 1968. There would be a period of adjustment, and the number fixed would be approximately the number that comes from the Western Hemisphere at this time.

Mr. HOLLAND. I thank the distinguished Senator.

The last question which has been posed by a good many people is, Why for the first time, are the emerging nations of Africa to be placed on the same basis as are our mother countries, Britain, Germany, the Scandinavian nations, France, the Mediterranean nations, and the other nations from which most Americans have come?

Mr. KENNEDY of Massachusetts. They are sovereign nations. They are recognized by the United States. There does not appear to be any reason why we should not do so.

Mr. HOLLAND. The Senator feels that we have not learned anything at all about the difficulties which have arisen from the racial admixtures in our country, and, to the contrary, we are going to open the immigration doors equally to the African nations in the same way that we opened the immigration doors to the Western European nations.

Mr. KENNEDY of Massachusetts. The Senator is correct if he is suggesting that we are going to accept immigrants, regardless of whether they come from Africa or any other country on the basis of what they can contribute to the United States, and not on the basis of their origin or the origin of their parents.

If the question of the Senator is whether we are including the countries of Africa on the same basis as other nations, I am happy to state that the countries of Africa are so included.

The individuals from African nations who apply for admission to the United States will be considered in exactly the same way as individuals coming from Great Britain, France, Ireland, the Scandinavian countries, or any other nation.

Mr. HOLLAND. If I may interpret that statement, the African nations would be placed on exactly an equal status with the nations of Western Europe.

Mr. KENNEDY of Massachusetts. The Senator has stated that accurately.

Mr. HOLLAND. I thank the Senator.

Mr. ERVIN. Mr. President, I say to the Senator from Florida that I believe the answer to that last question arose from the fact that the President of the United States and a great majority of the Members of the Senate and a great majority of the Members of the House do not entertain the same sound views on immigration that I do. They do not believe that we should continue in existence the national origins quota system of the McCarran-Walter Act.

Mr. HOLLAND. Mr. President, I am sorry that the distinguished Senator has not been able to prevail in the committee, of which he is a most able member.

I fully agree that the last answer in particular demonstrates a situation which I do not believe is in accord with the experience which we are having in this country and which, to the contrary, runs in the face of the most unpleasant domestic experience which we have ever had, at least within my lifetime, in the United States.

Mr. ERVIN. Mr. President, I will answer that question from the standpoint of those who did not entertain my own sound views on this subject. This provision was placed in the bill because a majority of the subcommittee and a majority of the full committee felt that all the nations on earth—that is, all the nations of the Eastern Hemisphere—should be placed in a position of equality in respect to the privilege of immigrating to the United States.

Mr. KENNEDY of Massachusetts. Mr. President, the Senator from North Carolina has stated his position and his reservations about the elimination of the national origins quota system. However, I should like to respond to the Senator from Florida that the provisions of this bill received the overwhelming support of the members of the full committee, with some notable exceptions.

We would not be assuming our full responsibility under this particular bill, nor would we be achieving the aims and aspirations of the people who are concerned with the measure and the American people as a whole unless we clearly provided that our policy on any immigration bill would be based upon the individuals involved and not upon the country from which they came.

I believe that one of the most laudable aspects of the entire bill is the elimination of the racist factor. We have eliminated the Asia-Pacific triangle which was based solely on the basis of origin. I do not see how anyone can stand on the floor of the Senate in 1965 and oppose this legislation after looking at our present legislation which contains the crude Asia-Pacific triangle which provides "If 51 percent of your blood can be traced to that area of the world, you will be chargeable to that area regardless of your birth."

This is the very basic root of this legislation. I am delighted to be asked that question by the Senator from Florida. It is my interpretation, and I believe the interpretation of the majority of the members of the committee, and those who have read the proposed legislation, that the provisions of this bill eliminate all references to race considerations. After we pass this bill—and it will be passed—we shall consider individuals on the basis of their own merit and not consider them solely upon the basis of which country they come from or the basis of their last name, or on the basis of their religion, or the color of their skin.

As many Senators have pointed out, this is a historic occasion. The bill we will pass today will be considered, in the light of history, as one of the most important accomplishments of this Congress.

There was a time when the drawing of distinctions among immigrants on the basis of nationality was a popular concept. But we have learned something since the 1920's. We have learned that there is no difference between people who participate in the life of our Nation. The refugee scientists who fled Nazi Germany taught us this. The Japanese-Americans who fought and died in our Armed Forces taught us this, and the 400 or more aliens currently fighting in Vietnam are continuing this fine tradition. The displaced persons who have become our community leaders reinforce this point each day. And the hundreds of thousands of immigrants who have come here in recent years, who have prospered and become good Americans and who have strengthened our economy is the final proof. Today we are going to vote the lessons we have learned from them.

And I think it is extremely appropriate that this action is taken this year. It is a natural and logical extension of the increasing quality that we are bringing to our domestic and foreign policy. This is the year we have assured the equal right to vote. This is the year we have assured equality in educational opportunity. This is the year we have eliminated discrimination against the poor and the aged and the members of minority groups who are American citizens. It is only appropriate then that we eliminate this discrimination against people who want to be American citizens.

For if there is one guiding principle to this bill, it is that we are going to treat all men and women who want to come to this country as individuals, equal in the eyes of the law and subject to the same standards. We are not going to ask where they come from or who their fathers were. We will only ask, in the words of President Kennedy, what they can do for this, their new country.

Let us erase forever today the stereotype of the immigrant in our history. The cities of America no longer have the foreign neighborhoods, the cultural islands, separate, unassimilated, a drag on the Nation. They are gone and policies based on them should be gone. The immigrant of today can do a great deal for his country and he should be admitted on that basis.

This bill will also bring our immigration policy in line with the foreign policy of our country.

We have sent tens of thousands of American soldiers to Vietnam to defend the people of that country because we believe that as free people they are worthy of our support. But if the finest citizen of Vietnam wanted to come and live in America today, he would have to wait for many years.

We have made a mighty effort in the United Nations to end the dispute between Pakistan and India, because we admire the Indian people and we admire the Pakistani people and we want them to live in peace. But if the finest citizen of India or Pakistan wanted to come here to live in America, even if he were a doctor, or a scientist or a professor, or the parent of an American, he would be told, as so many have been told, that they would have to wait for many years.

We poured billions of dollars into the reconstruction of countries like Italy and Greece because we believed in the future of those countries. But even their best qualified citizens today are told that they must wait for many years, if they want to come and make a contribution to this country.

How long can we continue to show these two faces of our foreign policy? How long can we continue to say to the people of these countries "we admire you and respect you and we will help you; but if you want to live among us, we will reject you." I say we can do this no longer. We must conform our immigration policy to our policies as a Nation and our principles as a people.

The numbers involved in this bill are very small compared to the principle which it establishes. The people who will be admitted under it will continue to adjust to our country with the speed and dispatch of past immigrants. New immigrants will make more jobs than they will take. This bill will show the world that in this country by giving opportunity to some, we do not take it away from others, but expand it for all.

I strongly believe that this bill goes to the very central ideals of our country. If there is one principal characteristic that has distinguished us throughout our history it is that we are the land of opportunity. Our streets may not be paved with gold, but they are paved with the promise that men and women who live here—even strangers and new newcomers—can rise as fast, as far as their skills will allow—no matter what their name is, no matter what their color is, no matter what their place of birth. We have never fully achieved this ideal. But by striving to approach it, we reaffirm the principles of our country. Where we depart from it we reject those principles. Today we have a chance to reaffirm them.

Mr. HOLLAND. Mr. President, I thank the Senator for his very clear answer. I want the RECORD to show that the many people from my State who have complained to me about this matter are correctly informed. As I understand it now, all nations on earth, including our mother nations of Western Europe, including the emerging nations of Africa, including the subcontinent, including the oriental nations, including Latin America, and including Canada, are placed on exactly the same basis because they are nations, and their people would be on exactly the same basis in hoping to come into our country as immigrants to join our own population.

I believe that there could not be a clearer statement of that fact than the statement made by the Senator. While he has made it with considerable fervor, I can understand that, and I believe the RECORD should show what has been brought out.

I do not believe that what we are being asked to do has been brought out in the RECORD heretofore. We are being asked to forget about origin, to forget about the percentage of people who are now here as our nationals and who are being assimilated in the bloodstream of America, to forget about the racial difficulties through which we have passed, not only during the recent clash between the people of the white and the black races, but also during World War II in the other field, as between the white race and the yellow race. We are being asked to forget about any question of that kind. Certainly I shall not find fault with anybody who has come to that conclusion. I do not question the good conscience of anybody who has come to that conclusion. However, insofar as the Senator from Florida is concerned, I believe that we have the complete right as a nation to safeguard ourselves and our own traditions and our own people.

So far as the Senator from Florida is concerned, he will never vote for a bill which would place all the nations on earth and the people from all those nations on exactly an equal status as to admission to citizenship in our country.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from New York.

Mr. KENNEDY of New York. I heard the Senator refer to the countries of our origin—our mother nations.

Mr. HOLLAND. Yes.

Mr. KENNEDY of New York. Does the Senator agree that there are many citizens in the United States—and they are citizens of the United States—whose mother country or country of origin was one of the countries of Africa, and that they also have a right to be here, as much as somebody who came from one of the Scandinavian countries?

Mr. HOLLAND. The Senator from Florida understands that about one-tenth of the citizenship of our Nation now have African origin. The Senator from Florida, after having talked with a great many people of that origin, has not been able to find many of them who have the slightest idea as to what tribe or nation or area or geographic region their people came from. It is not at all a comparable situation to that of the distinguished Senator from New York, who knows perfectly well where his people came from—Ireland—or to that of the Senator from Florida, who knows perfectly well where his people came from, Germany and England, or to the situations of most of us, or I suppose every one of us.

I see on the floor my distinguished friend from Washington [Mr. MAGNUSON] whom we all love so deeply, whose ancestry does not have to be announced, because he so clearly comes from wonderful Scandinavian stock. I see other Senators who are very proud to be able to tell where they came from. I am looking at a former Governor from Maine, with whom I talked just the other day, who was exceedingly proud of his background; I believe his people came from Poland. He is a fine representative of that country.

We are all linked to the countries which gave our parents or our ancestors birth. But the same situation does not obtain at all, I say to my distinguished friend, with the people of whom I speak.

I know a great many people of the colored race, and I suspect I have more friends among that race than the Senator would believe. I have yet to find one, in recent years, who has been able to give me much information on the subject which I am discussing.

Mr. KENNEDY of New York. May I ask the Senator from Florida a question? Perhaps he could suggest to the Senate why it is that those who came from Africa are unable to say where they came from.

Mr. HOLLAND. They did not come as immigrants; let us put it that way. They were generally brought in on ships that were based in England, which brought in slaves to the Southland or elsewhere; and, of course, there was no way to check that situation. I have no fault to find with them. I am only stating what is the fact, that those good people have no nationality now, no race to look to, and no home country to look to except the United States, whereas the distinguished Senator from New York has a mother country to which he can look, as I think every Senator present has.

I see in the Chamber my distinguished friend from Rhode Island [Mr. PASTORE], a very great Italian-American, who has been Governor of his great State. Each of us has that sort of situation.

Mr. PASTORE. Will the Senator yield on that point?

Mr. HOLLAND. I shall be happy to yield in a minute, but just now I am engaged in a discussion with my friend from New York.

Mr. KENNEDY of New York. I believe it is correct that my family and my brothers, who are now serving in Government, were aware of the fact that our family originally came from Ireland.

Mr. HOLLAND. Is the Senator not proud of that fact?

Mr. KENNEDY of New York. May I finish?

Mr. HOLLAND. Is the Senator proud of that fact?

Mr. KENNEDY of New York. May I finish?

Mr. HOLLAND. I hope the Senator will say he is proud of that fact.

Mr. KENNEDY of New York. If the Senator will let me finish, I think he will find that I am.

Mr. HOLLAND. All right.

Mr. KENNEDY of New York. I am very pleased and proud of the fact that our family came from Ireland. I think some of the people the Senator has described to us, whose mother countries are the Scandinavian countries or perhaps Ireland or England or some other countries, were responsible for bringing the people from Africa to the United States in the first place, as slaves. So when the Senator says, after we have performed that kind of unforgivable act, that we should penalize them because they do not know where they came from, nor where in Africa their grandfather was born, as I am fortunate enough to know, I am surprised to hear the Senator from Florida suggest such a philosophy, and that is why I rise, in the back row of the U.S. Senate to speak.

As the Senator from Massachusetts [Mr. KENNEDY] has said, we are past that period in the history of the United States when we judge a person by his last name or his place of birth or where his grandfather or grandmother came from, or how much money he has or what clubs he belongs to. I hope we shall start anew, to judge people on what their merit is, on what they can contribute to the country, on what they can contribute to their communities, on what they can contribute to their families. That is the whole philosophy of the immigration bill, and that that was the whole philosophy of the civil rights bills of 1963 and 1964 and the voting rights bill of 1965.

I had hoped that the Senator from Florida would accept that point of view. I am very much surprised to hear such a philosophy raised so blatantly on the floor of the U.S. Senate, concerning the fact that we do not know where these Africans came from, that they cannot tell whether they came from the east coast or the west coast, and that therefore they should not be permitted to come here any more.

Mr. HOLLAND. Mr. President, the Senator from Florida was not stating a philosophy; he was merely stating a fact. Our Negro citizens are American citizens. The Senator from Florida has done more in his own State than the Senator from New York has done in his recently adopted State to see that Negro citizens are qualified to vote and that they do vote. He has done many other things to advance their status. But he knows what the fact is. They cannot tell where they came from, and they are not interested in going back anywhere, to a home State or a mother country, as my distinguished friend from New York, of course, takes pride in going back to a particular area of Ireland.

Mr. KENNEDY of New York. That does not make me any better person.

Mr. HOLLAND. Certainly not.

Mr. KENNEDY of New York. The fact that I might know I came from Ireland does not make me any better than a Negro.

Mr. HOLLAND. Mr. President, the Senator may not be, but I shall let him be the judge of that. The Senator from Florida is stating what is a fact, namely, that the bill, as it is now disclosed on the floor, assumes to open the door to immigration to this country equally wide to people from all the countries of the world, making no distinction between them, except on the basis of communism. I do not believe my distinguished friend excluded that, and that is an excluded situation that I think we should state for the RECORD. Except for that, the Oriental, the African, the Malayan, and various other people from all parts of the earth are to be equally accepted for immigration into this country and for admission to citizenship.

All I am calling attention to is that many people in my State of Florida do not agree with that principle, and they have objected to it.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall yield in a moment. It appears from the RECORD that that is the principle upon which the pending bill is based.

The attitude of opposition to the pending bill by several thousand people in Florida who have written to me is rather fully justified now by the answers which have been put in the RECORD. I am grateful to my distinguished friends for making clear exactly what the bill means, exactly what Senators are asked to vote for, exactly how we are going to open the gates to all the people, disregarding the fact that our background is largely European and that we have gone so very far in the development of ourselves and of our resources, in giving gifts to others, and in helping all the races of the earth, whereas many of the other people have not been able to show anything comparable to that.

A nation that does not give some attention to the protection of its own rights, to the protection of its own citizenship, is a very unwise nation.

I have heard it said on the floor by one of my friends that some nations will be angry at us if we do not take the actions proposed in the pending bill. I do not believe that is true. I do not believe the nations of the earth are angry at Australia because of its restrictive immigration laws. Australia insists not only on selected nations, but also on selected individual capacities.

Australia is to be admired for its protection as it moves forward to greater status.

We shall regret it if we take this step, which is different from anything we have ever done before.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I am delighted to yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I believe we misunderstand the concept of what we are trying to do. Is the Senator from Florida saying that if Nigeria tomorrow were able to produce a scientist who could find a way that would make it possible for us to get to the moon before the Russians did, he should be excluded because he was black? Would the Senator do that, because he was black?

Mr. HOLLAND. Certainly not.

Mr. PASTORE. Well, that is what the pending bill in effect would be doing. The bill is saying, in effect, that it does not make any difference where one comes from, that it does not make any difference what the color of one's skin might be, if he can add to the glory of America he will be welcome to come into this country. That is what we are trying to do here, but the Senator is saying that many people in Florida object to anyone coming in if he is black, no matter how smart, no matter what his contribution can be, that because he is black he cannot come in.

I ask the Senator, is that what we understand to be Americanism?

Mr. HOLLAND. Mr. President, who has the floor?

Mr. PASTORE. The Senator from Florida has it.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Florida has the floor.

Mr. HOLLAND. I thank the chair. Let me say to the distinguished Senator from Rhode Island that I do not have to be reminded what Americanism is. I have fought on foreign soil, and in foreign skies for this Nation. I know what it is to be shot down in combat. I wonder whether my distinguished friend from Rhode Island has had any such experience?

Mr. PASTORE. I know that. I appreciate that. I applaud it. But the Senator from Florida has made the point that we have to look to the mother country because Negroes cannot look back to their tribes, or wherever they came from, because, of course, their ancestors came to America as slaves. The Senator is making the point that it is not good for the development of America, that if we allow Negroes to come into this country, as Negroes, under the standards of the pending bill, it would mean that they would have to prove that they can make a contribution to America. But because he is black, many people in Florida do not like the idea. That is the substance of the argument being made in the Chamber at this moment by the Senator from Florida. I cannot accept that as a good American argument.

Mr. HOLLAND. In the first place, my enthusiastic friend from Rhode Island is no judge as to what a good American argument is. In the second place, let me say that my position is in no sense against the admission of anyone from anywhere. My objection is to taking a position under which we open our doors equally wide to all the people on the face of the earth, when we know perfectly well where the roots of our own background lie, where our own traditions came from, where our own inspiration comes from, and where our progress is based. We know perfectly well where we can gain people who will add instead of subtract from our opportunity to move forward.

So far as the admission of individuals of great skill is concerned, we found no difficulty at all with that at any time. The provisions of the present law, for that matter, have permitted just that kind of operation. I certainly would wish to have that kind of operation permitted in the future.

What I object to is imposing no limitations, insofar as areas of the earth are concerned, but saying that we are throwing the doors open and equally inviting people from the Orient, from the islands of the Pacific, from the subcontinent of Asia, from the Near East, from all of Africa, all of Europe, and all of the Western Hemisphere, on exactly the same basis. I am inviting attention to the fact that this is a complete and radical departure from what has always heretofore been regarded as sound principles of immigration.

That is the only point to which I invite attention. I am thoroughly within my rights in doing so. The people of my State are very much concerned about this matter. My mail also indicates that not only my people but a great many people from many other States are deeply concerned about it.

I might say to my distinguished friend from Rhode Island, who has talked about Americanism, that highly patriotic bodies such as veterans' groups have gone on record as being decidedly against this radical change in our system of immigration. I invite attention to that. I have no objection to any Senator voting his convictions, and I hope that every Senator will vote his convictions—whatever they may be.

I hope the Senators will be representing their constituents when they vote on the bill. I shall be trying to do just that. I believe that is what the fundamental objective and requirement of representative government should be.

I am trying to say clearly, so that there can be no question about it, that by the questions raised by many people in Florida, I could not vote for this radical departure in our immigration policy—and I shall not do so.

Mr. McGEE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Wyoming.

Mr. McGEE. Mr. President, I have listened with interest to the remarks of the distinguished Senator from Florida as he speaks for his constituents and their views on liberalizing our immigration policies. It is for that reason that I feel compelled to speak out for some of my constituents in Wyoming, namely, the more than 4,000 American Indians that live in my State. Through the eyes of the Indian, there is not a member of this body that is not an immigrant; and it ill behooves any of us immigrants to look down our noses at others who would seek but to do what our forefathers did—find a new opportunity in a new world.

Save for the voice of the Red Man in our country, no other voices raised against immigrants should be heeded or can speak with naught but ill grace.

My ancestors came from Western Europe. I believe that we should set a policy which will exemplify the kind of thing we should hold out to all the rest of the world.

Scientists have shrunk the world. Man's genius has so shriveled distance and time that we are, literally, sitting in each other's lap.

It is time that as Americans we realize that we have little right, in my judgment, to slam closed the door, once we ourselves get in the "club."

Mr. KENNEDY of New York. Mr President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from New York.

Mr. KENNEDY of New York. Does the Senator from Florida remember, during the Second World War, what was the most highly decorated U.S. unit as a group?

Mr. HOLLAND. I have heard that the unit most decorated was the one in which the junior Senator from Hawaii [Mr. Inouye] served so well and so valiantly. It was, perhaps, the most highly decorated.

Mr. KENNEDY of New York. Is the Senator from Florida aware that the men who made up that unit could be described as orientals—that they were of Japanese origin?

Mr. HOLLAND. Certainly—I know that.

Mr. KENNEDY of New York. The Senator from Florida is aware of the great contribution which they made to victory by the United States?

Mr. HOLLAND. I know that perfectly well. I have frequently expressed, publicly and privately, my great affection for the junior Senator from Hawaii [Mr. Inouye]. I was the first southerner to sign a bill for statehood for Hawaii. I also had the honor to be invited to come out to Hawaii for its statehood celebration.

I am proud of Hawaii as our 50th State. I have no disposition at all to inveigh against anyone there. I merely state that when we open our doors wide to all the oriental nations of this earth, with some 700 to 800 million in 1 country alone, and with countless other millions in other nations, and when we offer to admit them on terms of exact equality with people from our own forefather nations, we are making a radical departure of which I cannot, and do not approve. That is the point.

Mr. KENNEDY of New York. The Senator talks about opening the doors wide. The doors are open only to those who can make a contribution. The fact that someone came from Japan or China originally, the fact that someone comes from Italy, Poland, or Nigeria, makes no difference. They are all going to be considered equally as to whether they are going to be accepted into the United States. The person who comes from Japan can make quite as much of a contribution as anyone who comes from Europe, and I do not believe that he should be excluded merely because he is Japanese.

Mr. HOLLAND. I have considerable familiarity with that subject. Not only did I take the position I did with reference to Hawaii, but I had a classmate at the university who was a Chinese immigrant to this country in the old days. I saw him in later years, and was entertained by him when I went out to San Francisco. His chief claim to fame as an American was that he had been foreman of the jury which had convicted Harry Bridges in San Francisco.

The Senator from Florida has a great deal of appreciation for a great many of our people who have come from other places, but he does not want to see—and this is what it amounts to—this fruit basket turned over by having the whole world invited on the same basis to come to our land, which is the place where almost everyone else on earth wants to come, because the Senator from Florida can see the most dire consequences as a result of that policy. The Senator from Florida agrees with the expressions with respect to many people who are here. We have many people whose ancestors were Irish. We have many whose ancestors were Polish. We have many whose ancestors were Italian. We have many whose ancestors were Greek. We are proud and happy to have them. I believe this bill is a radical change in our whole immigration policy. It is unjustified, and I am only saying that I cannot vote for it.

Mr. ERVIN. Mr. President, like the Senator from Florida, I entertain the opinion that the national origins quota system is a wise formula on which to base our immigration law. Instead of its being founded upon prejudice, it was based upon the assumption that we should welcome to this country for permanent residence and eventual citizenship immigrants with cultural backgrounds similar to those of people already here, because such immigrants could be most readily assimilated into our population and into our life.

As Senator McCarran said, the national origins quota system held up a mirror to America and reflected America as we know it.

Mr. President, as a member of the Subcommittee on Immigration and Naturalization and as a member of the Committee on the Judiciary, I have had to study this problem since February. In my study I found that the majority of the Members of the U.S. Congress do not entertain my conviction about the wisdom of the national origins quota system of the Walter-McCarran Act. So, as a member of the Subcommittee on Immigration and Naturalization and a member of the Senate Committee on the Judiciary, I was confronted by two possible courses of action. First, I could have spent my time and my energy in fighting a lost cause for the preservation of the national origins quota system, and suffered defeat without anything constructive. That was my first possible course of action.

My second possible course of action was to recognize the inevitable, which was the abolition of the national origins quota system by a majority of the Congress, and assist other Members of the Senate who happened to be members of the Subcommittee on Immigration and Naturalization to try to process the very best immigration bill we could for the United States under the circumstances, at a time when a majority of the Congress was going to abolish the national origins quota system, which I cherish, as does the Senator from Florida.

I believe I can truthfully say, as a member of the Subcommittee on Immigration and Naturalization that, in my judgment, it has brought to the Senate a good immigration bill. The bill does not open the doors for the admission of all the people all over the face of the earth. It specifically restricts immigration to three groups of people. It extends the privilege of immigration to America to the relatives of American citizens already here, people who possess not only residence in America, but the right of citizenship in America, and it restricts those relatives to certain close relatives—not to cousins who may be all over the world, but to certain specified degrees of relationship.

That is the first group to which the bill grants the privilege of immigration to the United States.

The second group is composed of near relatives of persons who have already been received into the United States as permanent residents for the eventual purpose of becoming citizens of the United States.

The third group the bill admits to the United States, from whatever country they may come, is immigrants who are able to contribute something to either the economic or cultural advancement of the United States because of their skills or because of their willingness to work in areas in which we have a short supply of labor in the United States.

The bill does abolish the national origins quota systems, which I personally would like to keep, because I think it is wise, for the reasons I have stated; but it does something to restrict immigration which has never been done before. It puts a limitation on all immigration we receive from the Western Hemisphere, and by so doing extends to the Western Hemisphere the same policy which we have extended to the Eastern Hemisphere.

The bill does one thing which I personally would not have done if I had had a majority, and that is to abolish the national origins quota system of the Walter-McCarran Act. Nevertheless, I think the bill is a good bill which is designed to restrict our immigration while extending the privilege of immigration to all on the face of the earth. However, I emphasize that it is designed to restrict immigration to near relatives of those who are already in the United States either as citizens or as immigrants who have been admitted for permanent residence and eventual citizenship, and to those persons who have something to contribute to the economic and cultural development of the United States.

So I can say that notwithstanding the fact that I regret the bill does abolish, instead of retain, the national origins quota system, in my honest judgment it is a good measure. The bill should protect America and contribute substantially to the future development of our country.

I am sorry that my good friend from Wyoming [Mr. McGEE] has left the Chamber. I started to say, in jesting guise, although it is not that—it is the truth, that I cannot take too much pride in the way our first immigrants acted in this country. A great historian said that the first thing the first immigrants did when they got to America was to fall on their knees, and the next thing was to fall on the aborigines. So for that reason I do not take any great pride as an American in the conduct of our early immigrants to this country in their relations with the Indians.

Mr. MUSKIE. Mr. President, I hesitate to make the comment that I rise to make because my presence in the Senate may be an excellent argument for the point that perhaps the national origins quota system should have been in effect when my father came to this country. I believe it is undoubtedly true that if it had been in effect at that time his prospects for entering this country would have been substantially reduced to the point where he might not have entered it, I might not have been born here, might not have become Governor of my State, and might not have become a U.S. Senator.

So my entire life is testimony to my conviction that the philosophy of the bill before the Senate is the right one.

I do not believe that at any time in the first century of our national existence, or at any time prior to that, immigration into this country was in accordance with any fixed relationship of numbers as between peoples from different parts of the globe or from different countries. And so the base of our population was established without any such pigeon holes, without any such fixed guidelines.

I believe that what we should have learned from that experience is not that we had accidentally found the magic formula for the relationship between national backgrounds in this country, but rather that, without any magic formula, we have been able to bring into this country people from all over the globe, and that without exception our national experience demonstrates that each of them, whatever his origin, whatever the color of his skin, was able to make a positive contribution to the advancement of this country reflecting his individual merit.

So I am convinced, as I was when my father used to tell me of his own experience at his knee, that this country is a living, dynamic, growing illustration of the fact that all of God's children, when given the opportunities of freedom, can make freedom work, not only for their own advancement, but for the benefit of the society of which they are a part.

Mr. KENNEDY of Massachusetts. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. ROBERTSON. I heard with interest the remark of the Senator from North Carolina that the first settlers fell on their knees. That is true.

The first colonial settlers landed at Cape Henry in 1607 and fell on their knees to give thanks—a little before Plymouth. They gave thanks for their safe deliverance.

Later they erected a cross there, and we still have a cross there, where they gave thanks for their deliverance.

They did not fall on the aborigines. The aborigines fell on them. The aborigines murdered my ancestor there in 1622, and he had not bothered them at all.

The distinguished Senator made this bill better by his amendment. He says he will now cooperate with the inevitable.

I shall vote against the inevitable because I still believe in two principles. First, we were wise in adopting the original plan to have people of a like kind come in that could be absorbed. Second, insofar as concerns our 3 or 4 percent unemployed, I have no confidence whatever in the so-called screening process; that we will only get the cream and the skilled. The cream and the skilled stay at home. They have no reason to leave and are not coming to a new country. We will not get that type.

I regret to say that we will be in a minority, but I feel I am honored to represent a State where I believe the majority of the residents share my viewpoint.

Therefore, I am not misrepresenting the State when I say I shall vote against the bill.

Mr. RANDOLPH. Mr. President, the Immigration and Nationality Act of 1952, enacted under a very different political and moral climate from that which prevails today, was established on the false assumption of the superiority of northern Europeans over the other racial, cultural, and national categories of mankind. Though this doctrine is seldom overtly acknowledged by proponents of the present immigration statutes, this is the major rationale for the attempt to maintain the inequities in our current quota system. This quota system was neither wise nor equitable when it was established in 1952, and it is completely anachronistic in this year of 1965.

During the past 2 years, the American people and the American Congress have made a final and irrevocable commitment to the principle that equal opportunities shall not be denied a citizen of this country for reasons of race, color or national origin. The actions of this Congress and the actions of the prior 88th Congress repeatedly asserted that the talents and individual capabilities of a person are not determined or limited by his national or racial origins. The pending measure, H.R. 2580 extends this principle, and rightly so, to individuals of all races and nationalities in their opportunity to become American citizens.

Mr. President, it would be an evident contradiction for this Congress, which has enacted the most effective civil and voting rights legislation since the Reconstruction era, to maintain our present immigration quota system and thereby deny the validity of the basic principles we have previously enunciated. The present quota system, which would within 3 years be eliminated by enactment of H.R. 2580, is not only unwise and inequitable; it is also shortsighted and self-defeating of the national interest. The only criteria which should be applied to immigrants to this country are those which are addressed to the capabilites and talents of the individual and not to the country of his origin. For only in this way will we be assured that new citizens of this country will bring potential enrichment to our society rather than mere uniformity with the present population balance.

Mr. TYDINGS. Mr. President, since its adoption in 1920, the national origins quota system has been a stain on the fabric of American democracy. I am proud to have cosponsored and worked for the adoption of this bill to abolish the national origins quota system for the allocation of immigrant visas.

The junior Senator from Massachusetts [Mr. KENNEDY] has performed a distinguished service for our Nation in shepherding this bill through hearings and through the Judiciary Committee, and guiding it to the point of final passage.

In place of the discriminatory national origins system, this bill will substitute a new system based on preferences for close relatives of American citizens and resident aliens, for aliens who are members of the professions, or skilled in the arts or sciences, to workers whose skills are needed in our country and for certain categories of refugees.

Last year the Congress took a great step toward the elimination of racial discrimination against American citizens here at home. This year the Congress has passed legislation to do away with the last remaining obstacles to the attainment of the right to vote. This immigration reform bill is no less a civil rights measure. It will end four decades of intolerance toward those who seek shelter on our shores, and who, until they have actually sought entrance, have looked upon our Nation as a refuge and a haven from intolerance.

The present national origins quota system is completely inconsistent with the principle of equality of opportunity, upon which our Nation was founded, and with our historic tradition prior to 1920. It is sheer hyprocrisy to extol the virtues of the Declaration of Independence and the Constitution, and at the same time to uphold an immigration system which is based on the principle of racial superiority.

Mr. President, when we began limiting immigration on the basis of race or national origin, we had forgotten that the very name "America" was given to our continent by a German mapmaker, Martin Waldseemueller, to honor an Italian explorer, Amerigo Vespucci. In his book, "A Nation of Immigrants," President Kennedy reminded us that the three ships that discovered America flew the Spanish flag, sailed under an Italian captain, and included as members of their crew an Irishman, a Negro, an Englishman, and a Jew.

I could list some of the many contributions which immigrants and the children of immigrants have made and are making to our society, but such a listing would be pointless. For it can truly be said that immigrants and their descendants, Americans all, are responsible for almost all that our Nation has accomplished. In every endeavor, from the world of music to the world of art, of statecraft, of scholarship, of commerce and industry, immigrants and their children have left their indelible mark on our Nation.

Mr. President, while this bill abolishes the discriminatory national origins quota system, and establishes a preference system to unite families and to expedite the admission of skilled, professional men into this country, it is not a radical measure. This bill includes strengthened safeguards to protect our economy from job competition and from adverse working standards as a consequence of immigrant workers entering the job market. An intended immigrant, under the provisions of the immigration reform bill, will have to obtain from the Secretary of Labor certification that his entrance will not adversely affect the American job market. There are no grounds for apprehension that this bill will disadvantage American workers.

The total authorized immigrants, under the most favorable conditions, will not exceed 355,000 per year, or less than two-tenths of 1 percent of our population. Thus this immigration reform bill will not permit more people to enter our country than our society and economy can absorb. However, instead of allocating quotas based on race, available spaces will be apportioned on the basis of individual worth, and the contribution which the individual can make.

My State of Maryland is a heterogeneous one, which has profited from the contributions of individuals of many races and nationalities. Indeed, Maryland was founded as a proprietary colony, under a grant to Cecilius Calvert, Lord Baltimore, to provide a haven, an area where people could settle, free from fear of religious persecution. Our Articles of Religious Toleration was the first such declaration adopted in this hemisphere.

But I do not support this bill solely because of Maryland's heritage of religious toleration. I do not support this bill solely on account of the great contributions which citizens of other than northern European descent have made to the development of my State. I support this bill because it is just, and fair, and American to judge a man by his skills, by his potential contribution, and not by irrelevant criteria such as race, or place of origin.

Let us adopt this immigration reform bill, so that our laws will conform to our needs, and our traditions, and our ideals.

Mr. RIBICOFF. Mr. President, I strongly support the immigration reform bill of 1965.

Our land is a land of opportunities. Today we in the Senate have a chance to extend these opportunities to those who can make the most valuable contributions to American life.

We can never have enough talent. And we will gain more talent when the immigration reform bill becomes law.

We can never have enough new ideas. And we will have many more when the immigration reform bill becomes law.

Our present immigration laws were enacted in 1924. They did not make sense then, and they make even less sense now in today's rapidly changing world. For the national origins quota system asks only when a man was born, not what he can do. If he is lucky, and happens to live in a country with a large quota, he may be able to emigrate to the United States. If he is unlucky, and happens to be from a country with a small quota, his chances are slimmer, no matter how badly he may want to come. This is true if he is from eastern or southern Europe, or from Asia. For the national origins quota discriminates against people from nations in these areas.

The national origins quota system does not make sense for another reason. In many countries stipulated quotas go unfilled. For example, the quota for British subjects is 65,000. Yet, only 25,000 British subjects emigrate to the United States each year. Elsewhere, people eagerly await an opportunity to come. In Italy, 265,000 people have registered for admission. But the quota is only 5,666. It is clear that the prospects for legal entry into the United States are small, indeed, for citizens of a country with such a small quota.

Mr. President, I am proud to be a cosponsor of S. 500.

Our American tradition—our tradition of opportunity—demands that we change our immigration laws.

The requirements of a nation which is reaching for the Great Society compel us to change our immigration laws.

S. 500 will do this.

The bill gives preference to people with professional, scientific or artistic ability—who will enrich our national life.

It gives preference to families of immigrants who are already here—reuniting relatives separated long before.

This bill will finally reopen the gates of America for people who should be allowed to come to our shores. Let no one think we are displacing U.S. workers from their jobs. The Secretary of Labor must certify that an immigrant's presence here will have no effect on working conditions, wages or employment.

This bill must be passed. We can no longer afford to deprive our Nation of new talent and brains. Nor can we continue to show the world a prejudicial system of admissions to our shores that contradicts everything this Nation stands for.

We have a proud tradition. Let us show we practice what we preach by making our immigration procedure more American.

Mr. McCARTHY. Mr. President, I support Senate passage of H.R. 2580, as reported by the Committee on the Judiciary, although I wish to express my opposition to the provision which would modify the current nonquota status of nations of the Western Hemisphere and impose a quota of 120,00 annually, effective July 1, 1968.

I was pleased to be a sponsor of S. 500, the original proposal to amend the Immigration and Nationality Act, which is similar in general to the bill being considered today.

This measure will provide a much needed and long overdue change in immigration policy. It is a limited measure, since it does not make any substantial increase in the number of immigrants who can enter each year. Its significance lies in its abolition of the quota based on national origins—a system which for the past 40 years has imposed a discriminatory procedure based on the assumed desirability or undesirability of certain ethnic and racial groups.

It is unfortunate that the national origins system was ever approved and unfortunate also that it was not removed sooner.

Times have changed and history has moved swiftly. We have in recent years, and again in this Congress, enacted significant legislation to safeguard civil and human rights and to protect the equality of all before the law. There have been Supreme Court decisions and executive orders to eliminate segregation and discrimination based on race. The bill now before the Senate is consistent with these measures and restores to our immigration policy the fundamental principle that persons are to be judged as individuals and not on the basis of race or ethnic origin. In this respect H.R. 2580 is not a new departure; rather, it represents a return to the nondiscriminatory policy which existed at the beginning of our Nation. Many of the immigrants who came to the United States in the 19th century were impoverished and unskilled; others were religious or political refugees, outcasts from their homeland. They and their children proved themselves. Immigrants have demonstrated that opportunity and individual effort, rather than racial or ethnic origin, are the essential qualities of citizens.

The bill has many other provisions which are commendable. It removes the mechanical and rigid procedures which have operated to keep families separated. It reflects positively our concern for the importance of the family. The present laws have been unworkable as regards the problem of refugees, and the bill adjusts this situation. The mentally retarded and those who have suffered mental illness will be considered in a similar manner to those who are classified as tubercular, and the bill removes the total exclusion of those afflicted with epilepsy. In these and other provisions the bill reflects understanding and concern for the dignity of the individual person.

I believe that the committee amendment to place a ceiling on immigrants from nations of the Western Hemisphere is unnecessary and unwise. There is no pressing problem of numbers which requires this limitation and in any case the qualitative controls applying to all immigrants have set adequate limitations in the past. Of course, there is no reason in theory why we could not have worldwide or hemispheric quotas, but there are many reasons based on tradition why we should not impose a numerical quota by law on immigrants from the Western Hemisphere. Mexico and Canada are neighbors with whom we have thousands of miles of common border and there is no need to place their citizens who wish to emigrate to the United States under a general quota limitation. All the nations of the Western Hemisphere share with us the settlement of the New World and a common effort to develop free and independent governments. Our nonquota policy of the past was never intended and never interpreted as discriminatory against nations outside the Western Hemisphere; rather, it was and is a mark of mutual respect and friendship and a symbol of the good neighbor policy.

A HISTORIC STEP FORWARD FOR AMERICA

Mr. WILLIAMS of New Jersey. Mr. President, passage of this amendment to the Immigration and Naturalization Act will be a historic step in the progress of the United States toward a society of equal opportunity for all. Just as we have struggled to eliminate the barriers of poverty and race within our borders, now we are ending a system of arbitrary discrimination based on nationality and directed at future Americans. We are ending a futile effort to preserve an imaginary America by arbitrary quotas, a system which has never worked and has been honored more in the breach than the observance. Since 1952 two out of three immigrants have entered this country outside of quota limitations. When this bill becomes law, we can face the world honestly and without hypocrisy. Although we obviously cannot accept every person who wishes to be an American citizen, we can say that those who are admitted will be judged by fair and humane criteria. The report of the Judiciary Committee puts it well:

> It is the basic objective of this bill to choose fairly among the applicants for admission to this country.

Immigrants will be admitted on the basis of family relationship and needed skills; they will not be admitted or denied admission solely because of an accident of birth.

One of the fundamental purposes of this legislation is to reunite families. Parents and children of U.S. citizens or lawful resident aliens will be given a high priority preference status. This provision will end one of the cruelest hardships of the quota system, the separation of families and the disruption of family life. During my service in the Congress, hundreds of hardship cases were brought to my attention. In some instances we were able to obtain relief through the slow and difficult means of a private bill. But this procedure could not be used in every case. There are many cases in my office files now of men and women kept apart from their families. I know the often tragic hardship involved in these individual cases. The cold figures in tables of quota numbers do not tell the whole story, as my colleagues and I know it from personal experience. Passage of this bill will bring new hope and new happiness to thousands of American families.

This bill will not raise the overall numbers of immigrants, and provides clear protection for the American workingman. But it will allow skilled and talented men and women to enter this country on the basis of their abilities. Our great and varied culture has grown and flourished as it blended many nationalities and cultures into our unique American way. This bill will open the doors of our country to quality and to skill, so that men and women from every part of the world who can make a real and valuable contribution to the Great Society can come to this country to join with us in building it.

In summation, the administration bill will make it far more possible for highly qualified foreign citizens to immigrate to the United States, do away with our present discriminatory practices, and assure the fullest use of the quota numbers available. In addition, the refugee reform provisions in the bill will make it easier for people who are fleeing from tyranny to be welcomed to the United States as refugees.

The Judiciary Committee deserves the highest praise for the fine work they have done on a difficult and complex bill. Our distinguished colleague, Senator KENNEDY of Massachusetts, has our praise and thanks for his able management of this long-awaited reform of the immigration law.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

The Senator from Iowa [Mr. MILLER], the Senator from Wyoming Mr. SIMPSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "yea."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Utah would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 76, nays 18, as follows:

[No. 266 Leg.]

YEAS—76

Aiken
Allott
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Clark
Curtis
Dirksen
Dodd
Dominick
Douglas
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hickenlooper
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Smathers
Smith
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—18

Byrd, Va.
Byrd, W. Va.
Cooper
Cotton
Eastland
Ellender
Hayden
Hill
Holland
Jordan, N.C.
McClellan
Robertson
Russell, S.C.
Russell, Ga.
Sparkman
Stennis
Talmadge
Thurmond

NOT VOTING—6

Anderson
Bennett
Miller
Scott
Simpson
Tower

So the bill (H.R. 2580) was passed.

Mr. KENNEDY of Massachusetts. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JAVITS and Mr. PASTORE moved to lay on the table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the bill was passed.

The motion to lay on the table was agreed to.

Mr. KENNEDY of Massachusetts. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. EASTLAND, Mr. MCCLELLAN, Mr. ERVIN, Mr. KENNEDY of Massachusetts, Mr. HART, Mr. DIRKSEN, Mr. FONG, and Mr. JAVITS conferees on the part of the Senate.

Mr. KENNEDY of Massachusetts. Mr. President, I express my deep appreciation to the distinguished junior Senator from Michigan [Mr. HART], who initially introduced the bill which formed the basis of the action that the Senate has taken this afternoon, for his constant help during the subcommittee meetings and hearings and for his participation in the debate on the floor of the Senate.

Mr. President, I also extend my great appreciation to, and express my great admiration for, the Senator from North Carolina [Mr. ERVIN] who has, because of his constant attendance at the hearings and his constant intelligent questioning, brought out a number of very important and strategic facts during the course of the debate. The bill is a better bill because of his contribution.

I know that the Senator from North Carolina felt strongly about maintaining the national origins quota system. While he feels that way he nonetheless directed his full attention to the other provisions of the bill. I had some reservations on some of the suggestions he made, but the bill that was considered and passed by the Senate is a better bill because of his interest and participation.

I also express my appreciation to the senior Senator from New York [Mr. JAVITS], who attended the hearings constantly and brought to the attention of the members of the committee some extremely important immigration and naturalization matters. The Senator from New York was extremely helpful in the subcommittee and in the full committee. He has been concerned about this matter, I know, for a great many years.

The Senator from New York has been in the forefront of all the fights on the floor of the Senate. The bill is a better bill because of his interest, his constant concern, and his invaluable contributions.

The Senator from Hawaii [Mr. FONG] has brought to the debate an understanding of the implications and ramifications of the previous legislation of 1924 and 1952, as it applied to the Far East. He has made a study of the problem and showed an intimate understanding of it. His speech which urged support of this legislation was one of the most exhaustive and comprehensive studies of this legislation made by any Member of this body. The Senator was in constant attendance at the hearings before the subcommittee and the full committee. He brought a unique background and experience to the discussion.

The makeup of this committee was of such a nature that we would not have been able to get the bill out of the subcommittee unless we had the leadership of the minority leader, the Senator from Illinois [Mr. DIRKSEN], who rendered invaluable assistance in the crucial hours of the bill. He assisted when many of us were wondering whether this Congress was going to have an opportunity to act this year on a matter consistent with the other actions which have been taken in other legislation dealing with equality of opportunity. The equal right to the vote, equal opportunity for our young people in education, and a better opportunity for those who live in poverty, all these measures and the immigration bill stand out as the mark of a Congress concerned with the quality of American life.

Many of us felt that it was the responsibility of this Congress to speak out on this issue. At a critical time, the minority leader, the Senator from Illinois, brought forth an understanding and comprehension of the issue and rendered invaluable assistance in having the bill passed.

Mr. President, I am deeply indebted to all of these Senators and to the Senator from Connecticut [Mr. DODD], the Senator from Missouri [Mr. LONG], the Senator from Indiana [Mr. BAYH], the Senator from North Dakota [Mr. BURDICK], the Senator from Maryland [Mr. TYDINGS], the Senator from Nebraska [Mr. HRUSKA], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Florida [Mr. SMATHERS], all of whom were interested in the legislation and participated in the work of the committee. They were in constant contact with me during the course of the debate. They were extremely helpful.

Mr. President, I should like to add one very important name that will always be associated with this bill. The deep concern and conviction of the President of the United States, Lyndon B. Johnson, is attested to by the fact that we have been able to act successfully here today. He was concerned with it, he has been interested in it, he has followed our progress closely, and I think that his interest and his concern in designating the legislation as one of his priority measures had a great deal to do with the action of the Senate this afternoon.

Mr. President, I could not let this opportunity pass without recognizing the occupant of the chair and without saying how much I recognize the contribution that the Vice President of the United States has made in bringing this legislation to the point at which this Congress and this Senate could pass the measure today.

I know that the Vice President of the United States was in the forefront of the battle in 1952. He has been interested in the problem and concerned with it. I know that he shares with all Senators the joy experienced by virtue of the passage of the bill before the Senate today.

The passage of this bill is also to the credit of the Attorney General, Mr. Katzenbach, and the Secretary of State, Mr. Rusk. They, with their able assistants, such as Norbert Schlei, the Assistant Attorney General, and Abba Schwartz, Director of the Bureau of Security and Consular Affairs, worked long and hard for this victory today. I would also commend Mr. James Hines, of State, and

Mr. Robert Salasion, of Justice, and Mr. Gene Krizek, of the State Department.

Last, but not least, Mr. President, we are indebted to the staff members of the Senate Immigration Subcommittee, Mr. Fred Mesmer and Mr. Drury Blair.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. JAVITS. Mr. President, the Senator has spoken about everybody but himself. I think that it is very appropriate for someone on the minority side to speak of him.

He is a young man. However, this is the second time that he has shown his outstanding ability in handing a matter on the floor of the Senate.

I just discussed with the majority leader the very extraordinary point that a highly controversial bill went through to passage without it being necessary—and I emphasize that word—to vote on a single amendment.

That is a most extraordinary record.

I, too, should like to join in the tribute paid by the Senator from Massachusetts to the other Senators.

I should like especially to emphasize the triumph of the legislative mind and the ability of the rest of us to agree on important points with the Senator from North Carolina [Mr. ERVIN] who indicated an objectivity and understanding of the legislative process which was most admirable.

Mr. President, I believe that the Senator from Massachusetts can write this event down as one of his finest hours, whatever Senators may think on the questions involved, or his views or mine, or the views on the other side.

The RECORD is very clear on that. The clearest thing in the RECORD is the vote. I am very proud of the Senate that, this afternoon, has taken, by such an enormous affirmative vote, a historic step forward in the foreign and humanitarian policy of the United States.

I think the Senator for the rest of his life will have every reason to look back at his role of Senator in charge of this bill with the greatest of gratification.

I join with the Senator from Massachusetts in thanking the minority leader, the Senator from Illinois, for his assistance in this matter. I am confident that, without him, we would not be where we are. We are all very grateful to him. The country is most grateful to the minority leader.

Mr. ERVIN. Mr. President, I thank the Senator for his most gracious remarks. If it had not been for the tact and the understanding and the devotion which the Senator from Massachusetts gave to this bill, the bill would never have come from the subcommittee or the full committee in such fine form.

I am also deeply grateful to the senior Senator from New York, not only for his gracious remarks, but also for his contributions to the bill.

Mr. HART. Mr. President, I, too, join in expressing praise and thanks to the junior Senator from Massachusetts for his magnificent performance.

Two Presidents of the United States have played a historic role in the passage of this legislation. I believe that we should nail that fact in the RECORD. John Kennedy had no higher priority than the achievement of the elimination of the national origins quota system. He must be very proud to see the Senate, and more particularly, the Senator in charge of the bill, at this moment.

I doubt very much if this hour would have arrived except for Lyndon Johnson.

Some day some Ph. D. may write a thesis on how it is that a man from Texas put together all the forces and brought to bear the conscience of a country on an issue which really has very little significance constitutionally, but is on a very high moral plane. I know that any historian will seek to find the answer as to him more than anyone else.

I suggest that it may very well prove to be the combination of the two Presidents who were responsible for this moment.

Mr. MANSFIELD. Mr. President, it was most gracious of the distinguished junior Senator from Massachusetts [Mr. KENNEDY] to say what he has just said about the President of the United States.

It is obvious to all, I believe, that both our late, beloved President, John F. Kennedy, and the present Chief Executive of this Nation, Lyndon B. Johnson deserve an accolade for their efforts in this field. It is in no small measure due to the efforts of both of these Presidents that we have arrived today at the historic point of passage of an immigration reform bill which abolishes the national origins quota system. I join now with those who give deserved credit to President Johnson and our late President Kennedy.

Mr. President, a cherished hope of many Members of this body, as well as many of the people of this great Nation, was realized today in the Senate's strong affirmative vote abolishing the national origins quota system in our immigration laws. This is, indeed, a historic occasion marking the culmination of the efforts of many, including all of our recent Presidents.

The national origins quota system was inequitable. But the mere abolition of that system was not enough; a workable and just substitute had to be found. Mr. President, in this bill, through the unselfish efforts of many, such a substitute is embodied. The new system of allocation is based on a system of preferences extending equal opportunity to all nationalities, demonstrating the humanity of this great nation and its continuing dedication to freedom, and yet—and this is of prime importance—fulfilling the needs of or own country. Priority in the issuance of immigrant visas is given to close relatives of U.S. citizens and aliens lawfully admitted for permanent residence, to aliens who are members of the professions, arts or sciences, to skilled or unskilled laborers who are actually needed in the United States, and to refugees fleeing religious or political persecution or seeking refuge from the chaos of natural disasters.

Mr. President, not enough can be said in support of these goals. I will, however, conclude these brief comments on the substance of this bill by saying that through it America will continue to be a beacon to the world. It will continue to merit the praise of the German farmer who, as quoted in the late President Kennedy's perceptive book, "A Nation of Immigrants," wrote from his new home in Missouri in 1834:

> If you wish to see our whole family living in * * * a country where freedom of speech obtains, where no spies are eavesdropping, where no simpletons criticize your every word and seek to detect therein a venom that might endanger the life of the state, the church, and the home, in short, if you wish to be really happy and independent, then come here.

It is especially appropriate, in view of the very particular interest of the late beloved President Kennedy in reform of our immigration laws, that this measure should be managed by the junior Senator from Massachusetts [Mr. KENNEDY]. But as the Senator from Massachusetts has more than amply demonstrated, there were also excellent reasons on the merits why that assignment was so made. Senator KENNEDY has proven himself to be one of the most well prepared and skilled of floor managers. He is, indeed, a veteran of the Senate who has come through with flying colors under the responsibility of managing a very important and very complex piece of legislation.

A little earlier this afternoon, during discussion of this bill, we were treated to another of the sensitive, eloquent speeches of the junior Senator from Illinois [Mr. DIRKSEN], the very distinguished and cooperative minority leader. The minority leader played no small part in the passage of this bill and I thank him, as always, for the part he has played.

Both the junior Senator from Massachusetts and the junior Senator from Illinois are members of the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, which worked for many, many days to put this very important measure in shape and present it to the Senate. During those long, hard efforts and even for many years in the past, the proponents of this bill included in the forefront the other members of that subcommittee, from both sides of this aisle. Of special significance were the efforts of the junior Senator from Michigan [Mr. HART], who earlier this year sponsored, together with 33 other Senators, the bill which served as the blueprint for the Senate's work on the measure passed today, and the senior Senator from New York [Mr. JAVITS] who has gained preeminence among the leaders in this country who have with perseverance and patience sought an end to the national origins quota system. I am proud that we have crowned their efforts with success today.

The subcommittee and the committee could not have succeeded without the undaunted effort and unselfish cooperation of the senior Senator from North Carolina [Mr. ERVIN] and the senior Senator from Hawaii [Mr. FONG]. The Senator from North Carolina devoted his unmatched legal skills to hammering out the provisions of this bill, and the Senator from Hawaii brought to the bill the in-depth analysis of a true scholar as well as the special sensitivity required for adequate treatment of this most significant immigration bill.

Others lent their special skills and devoted their sharp analysis as well as eloquent remarks to this measure. Many of these have time and again over the years spoken out forcefully in favor of the goals of this legislation. I commend them all. I especially want to congratulate the senior Senator from Oregon [Mr. MORSE], the senior Senator from Massachusetts [Mr. SALTONSTALL], the Senators from Rhode Island [Mr. PASTORE and Mr. PELL], the junior Senator from New York [Mr. KENNEDY], and the senior Senator from Colorado [Mr. ALLOTT].

This bill has been, Mr. President, a model of deliberative treatment by the Senate. It is, without question, one of the most important measures treated by the Senate in this most productive Congress. It restates this country's devotion to equality and freedom. I am happy to be a part of the Senate which has taken affirmative action on this truly historic legislative measure.

Mr. FONG. Mr. President, as a member of the Judiciary Committee, which has worked on this bill, I join my colleagues in highly commending the junior Senator from Massachusetts [Mr. KENNEDY] for his dedicated effort in seeing the bill through. He has worked very hard on the bill. He has sat through many meetings and listened to a large number of witnesses with great patience. He has brought considerable knowledge to bear upon this extremely complex legislation, and it is through his dedication and very excellent leadership that the Senate has at long last passed the bill.

No doubt great credit should be given our great late President, John F. Kennedy, and our present President Johnson, for their support of the bill. But it was primarily through the untiring efforts of the junior Senator from Massachusetts that the bill has finally been brought to the floor and passed.

As a descendant of those people who came from the Far East, and as one who has felt the sting of the discriminatory features of present immigration laws, I want to say that this is a great day for the Senate of the United States. This is a bright moment in history in which so many of the Senators agreed, by their 76 affirmative votes, that this bill is just, fair, and equitable. Again I should like to commend the junior Senator from Massachusetts for his indefatigable managing of this very meritorious bill, which is far-reaching in its purview and which will stand as a beacon light to the humanitarianism, to the fair play, and to the greatness of this Nation. The distinguished Senator from Massachusetts has done a magnificent job. He should be very proud that he has played such a critically important part in bringing the measure to fruition.

Mr. PELL. Mr. President, I congratulate the junior Senator from Massachusetts [Mr. KENNEDY] on his skill, tact, and tenacity in managing this exceedingly complicated and far-reaching immigration bill.

It is an excellent bill and one that combines our basic ideas of man's equality to man and the needs of compassion with the realities of our political process and of our national interest.

Senator KENNEDY, in managing and fighting for this bill and its principles in the Senate, has shown an awareness of all these qualities—man's equality, compassion, our political process and national interest.

The senior Senator from North Carolina [Mr. ERVIN] is to be congratulated on his sense of fair play and justice in helping this bill along to final passage. I thank him, too, for his role in the writing of this legislation.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 4. An act to amend the Federal Water Pollution Control Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, and for other purposes;

H.R. 1221. An act for the relief of Betty H. Going;

H.R. 2414, An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.;

H.R. 4152. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes;

H.R. 4603. An act for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy;

H.R. 7090. An act for the relief of certain individuals;

H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross;

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American hospital of Paris;

H.R. 10323. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

LEGISLATIVE PROGRAM—HEALTH SCIENCE LIBRARY ASSISTANCE ACT OF 1965

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the plans for the remainder of the day and the schedule for tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question asked by the distinguished minority leader, first I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 741, S. 597.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 597) to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 3, after the word "the", to strike out "Medical" and insert "Health Science"; after line 4, to strike out:

SEC. 2. Title III of the Public Health Service Act is amended by inserting at the end thereof the following new part:

"PART I—ASSISTANCE TO MEDICAL LIBRARIES"

And, in lieu thereof, to insert:

SEC. 2. Title III of the Public Health Service Act is amended as follows:

(1) By striking out the part heading "Part H—National Library of Medicine" and inserting in lieu thereof

"PART I—HEALTH SCIENCE LIBRARIES

"Subpart 1—National Library of Medicine";

(2) By redesignating as sections 381 through 387 the sections (relating to the National Library of Medicine) now numbered 371 through 377 and references thereto, and by striking out (wherever they occur in such sections) the words "this part" and inserting in lieu thereof "this subpart"; and

(3) By inserting at the end of such title III the following new subpart:

"Subpart 2—Assistance to Health Science Libraries"

On page 2, line 24, after the word "necessary", to strike out "adequately"; in line 25, after the word "disseminate", to insert "adequately"; on page 3, line 9, after the word "this", to strike out "part" and insert "subpart"; in line 10, after the word "the", where it appears the second time, to insert "expansion, remodeling, alteration, or"; in line 11, after the word "renovation", to strike out the comma and "expansion, or rehabilitation,"; in line 12, after the word "existing", to strike out "medical" and insert "health science"; in line 14, after the word "of", to strike out "medical" and insert "health science"; in line 17, after the word "of", to strike out "special"; in line 18, after the word "physicians", to insert "other health science practitioners,"; in line 22, after the word "to", to strike out "scientific, social and cultural"; in line 25, after the word "in", to strike out "the field of medical" and insert "health"; on page 4, line 5, after the word "of", to strike out "medical" and insert "health science"; in line 8, after the word "regional", to strike out "medical" and insert "health science"; in line 10, after the word "other", to strike out "medical" and insert "health science"; in line 15, after the word "this", to strike out "part" and insert "subpart"; after line 18, to strike out:

(2) the terms "National Medical Libraries Assistance Advisory Board" and "Board" means the Board of Regents of the National Library of Medicine established under section 373(a) of this Act.

And, in lieu thereof, to insert:

(2) the terms "health science library" and "library" mean a library in one or more of the fields of the sciences related to health;

At the top of page 5, to insert:

(3) the term "health library science" means library science in one or more of the fields of the sciences related to health, and the term "health science librarian" means a person trained in health library science;

At the beginning of line 5, to strike out "(3)" and insert "(4)"; in line 6, after the word "any", to strike out "medical" and insert "health science"; in line 9, after the word "remodeling", to strike out "and"; in the same line, after the word "alteration", to insert "and renovation"; in line 13, after the word "remodeled", to strike out "or"; in the same line, after the word "altered", to insert "or renovated"; in line 17, in the heading, after the word "National", to strike out "Medical" and insert "Health Science"; in line 18, after the word "Assistance", to insert "Advisory"; in line 20, after the word "section", to strike out "373" and insert "383"; at the beginning of line 22, to strike out "373" and insert "383"; in the same line, after the word "National", to strike out "Medical" and insert "Health Science"; in line 24, after the word "this", to strike out "part" and insert "subpart"; on page 6, line 4, after the word "this", to strike out "part" and insert "subpart"; in line 7, after the word "this", to strike out "part" and insert "subpart"; in line 14, after the word "this", to strike out "part" and insert "subpart"; in line 17, after "(d)", to strike out "Appointed" and insert "Section 383 (d) shall apply to appointed"; in line 20, after the word "Board", to insert "traveling,"; in line 22, after the word "this", to strike out "part," and insert "subpart."; in the same line, after the amendment just above stated, to strike out "shall be entitled to receive compensation, per diem in lieu of subsistence, and travel expenses in the same manner and under the same conditions as that prescribed under section 373(d), when attending conferences, traveling, or serving at the request of the Surgeon General in connection with the administration of part H which deals with the National Library of Medicine."; on page 7, line 9, after the word "any", to strike out "medical" and insert "health science"; in line 18, after the word "a", to strike out "medical" and insert "health science"; on page 8, line 1, after the word "improved", to strike out "medical" and insert "health science"; on page 9, at the beginning of line 7, to strike out "medical" and insert "health science"; on page 10, line 16, after the word "nonprofit", to insert "agency or"; in line 18, after the word "for", to strike out "medical" and insert "health science"; on page 11, line 8, after the word "appropriated", to strike out "for each fiscal year" and insert "over a period of four fiscal years"; in line 9, after the word "ending", to strike out "June 30, 1966" and insert "June 30, 1967"; in line 10, after the amendment just above stated, to strike out "and ending with the fiscal year ending June 30, 1970,"; in line 11, after the word "exceed", to strike out "$10,000,000 for any fiscal year," and insert "$50,000,000 in the aggregate,"; in the heading in line 13, after the word "In", to strike out "Medical"; in line 14, after "Sec. 394.", to strike out "(a)"; in the same line, after the word "order", to strike out "to enable the Surgeon General"; in line 15, after "section 390(b) (2),", to strike out "there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $1,000,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by"; in line 21, after the words "Surgeon General", to strike out "in making" and insert "may make"; in line 23, after the word "to", to strike out "accept" and insert "pursue programs of study"; in line 24, after the amendment just above stated, to strike out "traineeships and fellowships"; in line 25, after the word "in", to strike out "the field of medical" and insert "health"; on page 12, line 5, after the word "sciences", to strike out "relating" and insert "related"; in line 12, after the word "in", to insert "health"; at the beginning of line 13, to insert "in"; in line 14, after the word "sciences", to strike out "relating" and insert "related"; in line 16, after the word "in", to strike out "established medical" and insert "health science"; after line 18, to strike out:

(b) Payment pursuant to grants made under this section may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

In line 24, after the word "to", where it appears the first time, to strike out "enable the Surgeon General to"; in line 25, after "section 390(b) (3),", to strike out "there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $500,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by"; on page 13, line 6, after the words "Surgeon General", to strike out "for the establishment of special" and insert "may establish and maintain"; in line 7, after the word "fellowships", to insert "(with such stipends and allowances, including traveling and subsistence expense, as he many deem necessary)"; in line 9, after the word "physicians", to insert "other practitioners in sciences related to health,"; in line 12, after the world "contributions", to insert "(including historical studies)"; in the same line, after the word "to", to strike out "scientific, social, or cultural,"; in the heading in line 20, after the word "In", to strike out "Medical"; in line 22, after "Sec. 396.", to strike out "(a)"; in the same line, after the word "order", to strike out "to enable the Surgeon General"; in line 23, after "section 390(b) (4),", to strike out "there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $3,000,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by"; on page 14, line 5, after the words "Surgeon General", to strike out "in making" and insert "may make"; in line 7, after the word "and", to strike out "entering" and insert "may enter"; in line 8, after the word "for", to strike out "purposes of carrying out"; in line 9, after the word "in", to strike out "the field of medical" and insert "health"; in line 11, after the word "storing,", to strike out "and"; after line 13, to strike out:

(b) Payment pursuant to grants made under this section may be in advance or by way or reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

In the heading, in line 19, after the word "Of", to strike out "Medical" and insert "Health Science"; in line 21, after the word "to", to strike out "enable the Surgeon General to"; in line 22, after "section 390(b) (5)", to strike out "there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $3,000,000, for any fiscal year, as may be necessary.

"(b) Sums made available under this section shall be utilized by"; on page 15, line 4, after the words "Surgeon General", to strike out "for making" and insert "may make"; at the beginning of line 6, to strike out "medical" and insert "health science"; in the same line, after the word "and", to insert "functionally"; in line 8, after the word "basic", to strike out "medical" and insert "health science"; in line 11, after the word "following", to strike out "(A)" and insert "(1)"; in line 13, after the word "materials", to strike out "(B)" and insert "(2)"; in line 16, after the word "instrumentality", to strike out "and (C)" and insert "(3)"; in line 20, after the word "and", to strike out "(D)" and insert "(4)"; at the beginning of line 21 to strike out "medical" and insert "health science"; at the beginning of line 22, to strike out "(c)" and insert "(b)"; in line 23, after the word "any", to strike out "medical" and insert "health science"; on page 16, line 3, after the word "any", to strike out "medical" and insert "health science"; in line 9, after the word "physicians", to insert "and other health science practitioners"; in line 19, after the word "affiliated", to strike out "and"; in line 22, after the word "of", to strike out "medical" and insert "health science"; in line 23, after the word "instrumentalities", to strike out the period and insert a semicolon and "and"; after line 23, to insert:

(G) such other factors as he may determine to be relevant.

On page 17, at the beginning of line 2, to strike out "medical" and insert "health science"; in the same line, after the word "instrumentality", to strike out "during" and insert "with respect to"; at the beginning of line 4, to strike out "lesser" and insert "less"; in line 10, after the word "instrumentality", to insert "or"; in line 11, after "(ii)", to strike out "or,"; in the same line, after the word "if", to strike out "lesser" and insert "less"; in line 16, after the word "instrumentality", to insert "or"; in line 17, after "(ii)", to strike out "or,"; in the same line after the word "if", to strike out "lesser" and insert "less"; in line 22, after the word "instrumentality", to insert "or"; in line 23, after "(ii)", to strike out "or,"; in the same line, after the word "if", to strike out "lesser" and insert "less"; on page 18, line 4, after the word "instrumentality", to insert "or"; in line 5, after "(ii)", to strike out "or,"; in the same line after the word "if", to strike out "lesser" and insert "less"; on page 19, after line 2, to insert:

(c) No grant shall be made under this section unless the application therefor contains or is supported by satisfactory assurance that the amount of such grant will be so used as to supplement the level of funds that would, in the absence of such grant, be made available by the applicant for the purposes of this section, and will in no case supplant such funds.

After line 8, to insert:

Financial Support of Biomedical Scientific Publications

Sec. 398. (a) In order to carry out the purposes of section 390(b) (7), the Surgeon General may, with the advice of the Board, make grants to, and enter into appropriate contracts with, public or private nonprofit institutions of higher education, nonprofit professional scientific organizations, and individual scientists for the purpose of supporting biomedical scientific publications and to procure the compilation, writing, editing, and publication of reviews, abstracts, indices, handbooks, bibliographies, and related matter pertaining to scientific works and scientific developments.

(b) Grants under this section in support of any single periodical publication may not be made for more than three years.

At the top of page 20, to insert:

Limitation on Appropriations for Sections 394, 395 396, 397, and 398

Sec. 399. For the purpose of carrying out sections 394, 395, 396, 397, and 398, there are hereby authorized to be appropriated not to exceed $4,000,000 for the fiscal year ending June 30, 1966, $7,000,000 for the fiscal year ending June 30, 1967, $10,000,000 for the fiscal year ending June 30, 1968, $12,000,000 for the fiscal year ending June 30, 1969, and $12,000,000 for the fiscal year ending June 30, 1970.

In the heading in line 11, after the word "Regional", to strike out "Medical" and insert "Health Science"; at the beginning of line 13, to change the section number from "398" to "399A"; in the same line, after the word "order", to strike out "to enable the Surgeon General"; in line 14, after "section 390(b) (6)", to strike out "there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $2,500,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by"; in line 20, after the words "Surgeon General", to insert "may"; in line 21, after the word "Board", to strike out "to"; in the same line, after the word "to", where it appears the second time, to strike out "existing" and insert "established"; in line 22, after the word "nonprofit", to strike out "medical" and insert "health science"; in line 23, after the word "regional", to strike out "medical" and insert "health science"; in line 25, after the word "grants", to strike out "made"; on page 21, line 1, after the word "be", to strike out "employed" and insert "made"; in the same line, after the word "limited", to strike out "to, the following" and insert "to"; in line 3, after the word "journals,", to insert "photographs, motion picture and other films,"; in line 6, after the word "other", to insert "services and"; in line 9, after the word "devices", to insert "facsimile equipment, film projectors, recording equipment,"; after line 12, to insert:

(4) introduction of new technologies in health science librarianship;

At the beginning of line 15, to strike out "(4)" and insert "(5)"; at the beginning of line 19, to strike out "(5)" and insert "(6) effective with respect to fiscal years beginning after June 30, 1966,"; in line 20, after the word "construction", to strike out the comma and "renovation, rehabilitation, or expansion of physical plant considered"; in line 22, after the word "necessary", to strike out "by" and insert "in order that"; in the same line, after the word "library", to strike out "to" and insert "may"; on page 22, line 1, after the word "to", to strike out "medical" and insert "health science"; in line 4, after the word "services", to insert "and"; in line 7, after the word "qualified", to strike out "requestors" and insert "requesters"; in line 9, after the word "to", to strike out "medical" and insert "health science"; in line 10, after the word "potential", to strike out "of fulfilling the needs"; in line 11, after the word "for", to insert "functioning as"; in the same line, after the word "regional", to strike out "medical" and insert "health science"; in line 12, after the word "any", to strike out "medical" and insert "health science"; in line 14, after the word "need", to strike out "of" and insert "for"; in line 15, after the word "and", to strike out "medical," and insert "other"; in line 16, after the word "activities", to insert "in sciences related to health"; in the same line, after the amendment just above stated, to strike out "of the" and insert "in support of which such"; in line 17, after the word "library", to insert "is utilized,"; at the beginning of line 18, to insert "health science"; in the same line, after the word "and", to strike out "medical" and insert "related"; in line 22, after the word "regional", to strike out "medical" and insert "health science"; in line 25, after "(d)", to insert "(1)"; in the same line, after the word "construction", to strike out the comma and "renovation, rehabilitation, or expansion of physical plant"; on page 23, line 4, after the word "grant", to strike out "would" and insert "shall, in lieu of the criterion set forth in section 393(b)(2)"; in line 6, after the word "the", where it appears the second time, to insert "need for such"; in the same line, after the word "construction", to strike out "requirements of" and insert "in order to enable"; in line 7, after the word "library", to strike out "so as to be able"; in line 8, after the word "regional", to strike out "medical" and insert "health science"; in line 9, after the word "for", to strike out "basic resource materials to a library" and insert "purposes set forth in subsection (b) (1) through (5) of this section"; in line 11, after the word "exceed", to insert "(A)"; in line 13, after the word "this", to strike out "part" and insert "subpart"; in the same line, after the word "or", to insert "(B)"; in line 15, after the word "for", to strike out "basic resource materials" and insert "such purposes"; after line 20, to insert:

(2) No grant shall be made under this section for purposes set forth in subsection (b) (1) through (5) unless the application for such grant contains or is supported by satisfactory assurance that such grant will be used as to supplement the level of funds that would, in the absence of such grant, be made available by the applicant for such purposes, and will in no case supplant such funds.

One page 24, after line 2, strike out:

(e) Payment pursuant to grants made under this section may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

After line 6, to insert:

(e) Whenever the Surgeon General, with the advice of the Board, determines that—

(1) in any geographic area of the United States, there is no regional health science library adequate to serve such area;

(2) under the criteria prescribed in the preceding subsections of this section there is a need for a regional health science library to serve such area; and

(3) there is located in such area no health science library which, under the provisions of the preceding subsections of this section, can feasibly be developed into a regional health science library adequate to serve such area,

he is authorized to establish and maintain, as a branch of the National Library of Medicine, a regional health science library to serve the needs of such area. The provisions of sections 381 through 386 of subpart 1 shall, so far as applicable, apply for the purposes of this subsection, subject to subsection (f).

(f) For the purpose of carrying out this section, there are hereby authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1966, $3,000,000 for the fiscal year ending June 30, 1967, $5,500,000 for the fiscal year ending June 30, 1968, $6,000,000 for the fiscal year ending June 30, 1969, and $6,500,000 for the fiscal year ending June 30, 1970.

On page 25, after line 6, to strike out:

Financial support of biomedical scientific publications

Sec. 399. (a) In order to enable the Surgeon General to carry out the purposes of section 390(b) (7), there are hereby authorized to be appropriated for each ficsal year beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $1,500,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General, with the advice of the Board, in making grants to, and entering into appropriate contracts with, public or private nonprofit institutions of higher education and individual scientists for the purpose of supporting biomedical scientific publications of a nonprofit nature and to procure the compilation, writing, editing, and publication of reviews, abstracts, indices, handbooks, bibliographies, and related matter pertaining to scientific works and scientific developments.

(b) Grants under this section in support of any single periodical publication may not be made for more than three years.

(c) Payment pursuant to grants made under this section may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

On page 26, at the beginning of line 8, to change the section number from "399a" to "399B"; in line 9, after the word "this", to strike out "part" and insert "subpart"; in line 10, after the word "available", to insert "for obligation"; in line 12, after the word "appropriated.", to insert "Payments pursuant to any section of this subpart may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe after consultation with the Board."; after line 15, to strike out:

Regional branches of the National Library of Medicine

Sec. 3. Part II of title III of the Public Health Service Act which deals with the National Library of Medicine is amended by adding at the end thereof the following new section:

"*Regional branches of the National Library of Medicine*

"Sec. 378. (a) Whenever the Surgeon General, with the advice of the Board, determines that—

"(1) in any geographic area of the United States, there is no regional medical library adequate to serve such area;

"(2) under the criteria prescribed in section 398, there is a need for a regional medical library to serve such area; and

"(3) because there is located in such area no medical library which, under the provisions of section 398, can feasibly be developed into a regional medical library adequate to serve such area,

he is authorized to establish, as a branch of the National Library of Medicine, a regional medical library to serve the needs of such area.

"(b) For the purpose of establishing branches of the National Library of Medicine under this section, there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $2,000,000 for any fiscal year, as may be necessary. Sums appropriated pursuant to this section for any fiscal year shall remain available until expended."

On page 27, at the beginning of line 24, to change the section number from "4" to "3"; in the same line, after the amendment just above stated, to strike out "Part II of title III" and insert "Subsection (d) of the section"; in line 25, after the word "which", to strike out "deals with the National Library of Medicine" and insert "is redesignated as section 383 by section 2 of this Act"; on page 28, line 2, after the word "out", to strike out the comma and "in section 373(d) thereof,"; and, after line 3, to insert a new section, as follows:

Other authority not affected

Sec. 4. Nothing in this Act shall be construed as limiting the authorities and responsibilities, under any other provision of the Public Health Service Act or any other law, of the Surgeon General, the Public Health Service, or the Secretary of Health, Education, and Welfare.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. This Act may be cited as the "Health Science Library Assistance Act of 1965".

Sec. 2. Title III of the Public Health Service Act is amended as follows:

(1) By striking out the part heading "Part H—National Library of Medicine" and inserting in lieu thereof

"PART I—HEALTH SCIENCE LIBRARIES

"*Subpart 1—National Library of Medicine*";

(2) By redesignating as sections 381 through 387 the sections (relating to the National Library of Medicine) now numbered 371 through 377 and references thereto, and by striking out (wherever they occur in such sections) the words "this part" and inserting in lieu thereof "this subpart"; and

(3) By inserting at the end of such title III the following new subpart:

"*Subpart 2—Assistance to Health Science Libraries*

"Declaration of Policy and Statement of Purpose

"Sec. 390. (a) The Congress hereby finds and declares that (1) the unprecedented expansion of knowledge in the health sciences within the past two decades has brought about a massive growth in the quantity, and major changes in the nature of, biomedical information, materials, and publications, (2) there has not been a corresponding growth in the facilities and techniques necessary to coordinate and disseminate adequately, among health sicentists and practitioners, the ever increasing volume of knowledge and information which has been developed in the health science field; (3) much of the value of the ever increasing volume of knowledge and information which has been, and continues to be, developed in the health science field will be lost unless proper measures are taken in the immediate future to develop facilities and techniques necessary to collect, preserve, store, process, retrieve, and facilitate the dissemination and utilization of, such knowledge and information.

"(b) It is therefore the policy of this subpart to—

"(1) assist in the construction of new, and the expansion, remodeling, alteration, or renovation of existing health science library facilities;

"(2) assist in the training of health science librarians and other information specialists in the health sciences;

"(3) assist, through the awarding of fellowships to physicians, other health science practitioners, and scientists, in the compilation of existing, and the creation of additional, written matter which will facilitate the distribution and utilization of knowledge and information relating to advancements in sciences related to health;

"(4) assist in the conduct of research and investigations in health library science and related activities, and in the development of new techniques, systems, and equipment for processing, storing, retrieving, and distributing information in the sciences related to health;

"(5) assist in improving and expanding the basic resources of health science libraries and related facilities;

"(6) assist in the development of a national system of regional health science libraries each of which would have facilities of sufficient depth and scope to supplement the services of other health science libraries within the region served by it; and

"(7) provide financial support to biomedical scientific publications.

"Definitions

"Sec. 391. As used in this subpart—

"(1) the term 'sciences related to health' includes medicine, osteopathy, dentistry, and public health, and fundamental and applied sciences when related thereto;

"(2) the terms 'health science library' and 'library' mean a library in one or more of the fields of the sciences related to health;

"(3) the term 'health library science' means library science in one or more of the fields of the sciences related to health, and the term 'health science librarian' means a person trained in health library science;

"(4) the terms 'construction' and 'cost of construction', when used with reference to any health science library facility, include (A) the construction of new buildings, and the expansion, remodeling, alteration, and renovation of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings (whether or not expanded, remodeled, altered, or renovated) for use as a library (including provision of automatic data processing equipment) but not with books, pamphlets, or related material.

"National Health Science Libraries Assistance Advisory Board

"Sec. 392. (a) The Board of Regents of the National Library of Medicine established pursuant to section 383(a) shall, in addition to its functions prescribed under section 383, constitute and serve as the National Health Science Libraries Assistance Advisory Board (hereinafter in this subpart referred to as the 'Board').

"(b) The Board shall—

"(1) advise and assist the Surgeon General in the preparation of general regulations and with respect to policy matters arising in the administration of this subpart; and

"(2) consider all applications for construction grants under this subpart and make to the Surgeon General such recommendations as it deems advisable with respect to (A) the approval of such applications, and (B) the amount which should be granted to each applicant whose application, in its opinion, should be approved.

"(c) The Surgeon General is authorized to use the services of any member or members of the Board, in connection with matters related to the administration of this subpart, for such periods, in addition to conference periods, as he may determine.

"(d) Section 383(d) shall apply to appointed members of the Board who are not otherwise in the employ of the United States, while attending conferences of the Board, traveling, or otherwise serving at the request of the Surgeon General in connection with the administration of this subpart.

"Assistance for Construction of Facilities

"Sec. 393. (a) In carrying out the purpose of section 390(b)(1), the Surgeon General may, upon application of any public or private nonprofit agency or institution, make grants to such agency or institution toward the cost of construction of any health science library facililty to be constructed by such agency or institution.

"(b) A grant under this section may be made only if the application therefor is recommended for approval by the Board and is approved by the Surgeon General upon his determination that—

"(1) the application contains or is supported by reasonable assurances that (A) for not less than ten years after completion of construction, the facility will be used as a health science library facility, (B) subject to subsection (c), sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the purpose for which it is being constructed;

"(2) the proposed construction is necessary to meet the demonstrated needs for additional or improved health science library facilities in the community or area in which the proposed construction is to take place;

"(3) the application contains or is supported by adequate assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on the construction of the facility will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(c) Within such aggregate monetary limit as the Surgeon General may prescribe after consultation with the Board, applications which (solely by reason of the inability of the applicants to give the assurance required by clause (B) of subsection (b)(1)) fail to meet the requirements for approval set forth in subsection (b) may be approved upon condition that the applicants give the assurance required by such clause (B) within a reasonable time and upon such other reasonable terms and conditions as he may determine after consultation with the Board.

"(d) In acting upon the applications for grants under this section, the Board and the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in meeting demonstrated needs for additional or improved health science library services, and shall give priority to applications for construction of facilities for which the need is greatest.

"(e) The amount of any grant made under this section shall be that recommended by the Board or such lesser amount as the Surgeon General determines to be appropriate; except that in no event may such amount exceed 75 per centum of the necessary cost of the construction of such facility as determined by him.

"(f) Upon approval of any application for a grant under this section, the Surgeon General shall reserve, from any appropriation available therefor, the amount of such grant as determined under subsection (e), and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. Such payments shall be made through the disbursement facilities of the Department of the Treasury. The Surgeon General's reservation of any amount under this subsection may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

"(g) In determining the amount of any grant under this section, there shall be excluded from the cost of construction an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to the construction which is to be financed in part by grants authorized under this section, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"(h) If, within ten years after completion of any construction for which funds have been paid under this section—

"(1) the applicant or other owner of the facility shall cease to be a public or nonprofit agency or institution, or

"(2) the facility shall cease to be used for health science library purposes, unless the Surgeon General determines, in accordance with regulations prescribed by him after consultation with the Board, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"(i) For the purposes of carrying out the provisions of this section, there are hereby authorized to be appropriated over a period of four fiscal years, beginning with the fiscal year ending June 30, 1967, such sums, not to exceed $50,000,000 in the aggregate, as may be necessary.

"Grants for Training in Library Sciences

"SEC. 394. In order to carry out the purposes of section 390(b)(2), the Surgeon General may make grants—

"(1) to individuals to enable them to pursue programs of study leading to postbaccalaureate academic degree in health library science, in related fields pertaining to sciences related to health, or in the field of the communication of information;

"(2) to individuals who are librarians or specialists in information on sciences related to health, to enable them to undergo intensive training or retraining so as to attain greater competence in their occupations (including competence in the fields of automatic data processing and retrieval);

"(3) to assist appropriate public and private nonprofit institutions in developing, expanding, and improving, training programs in health library science and in the field of communication of information pertaining to sciences related to health; and

"(4) to assist in the establishment of internship programs in health science libraries meeting standards which the Surgeon General shall prescribe.

"Assistance to Special Scientific Projects

"SEC. 395. In order to carry out the purposes of section 390(b)(3), the Surgeon General may establish and maintain fellowships (with such stipends and allowances, including traveling and subsistence expense, as he may deem necessary) to be awarded to physicians, other practitioners in sciences related to health, and scientists for the compilation of existing, or writing of original, contributions (including historical studies) relating to advancements in sciences related to health. In establishing such fellowships, the Surgeon General shall make appropriate arrangements whereby the facilities of the National Library of Medicine and the facilities of libraries of public and private nonprofit institutions of higher learning may be made available in connection with the projects for which such fellowships are established.

"Research and Development in Library Science and Related Fields

"SEC. 396. In order to carry out the purposes of section 390(b)(4), the Surgeon General may make grants to appropriate public or private nonprofit institutions, and may enter into contracts with appropriate persons, for projects of research and investigations in health library science and related activities and for the development of new techniques, systems, and equipment for processing, storing, retrieving, and distributing information pertaining to sciences related to health.

"Grants for Improving and Expanding the Basic Resources of Health Science Libraries and Related Instrumentalities

"SEC. 397. (a) In order to carry out the purposes of section 390(b)(5), the Surgeon General may make grants of money, materials, or both, to public or private nonprofit health science libraries and functionally related scientific communication instrumentalities for the purpose of expanding and improving their basic health science library or related resources. The uses for which grants so made may be employed include, but are not limited to, the following: (1) acquisition of books, journals, photographs, motion picture and other films, and other similar materials, (2) cataloging, binding, and other sevices and procedures for processing library resource materials for use by those who are served by the library or related instrumentality, (3) acquisition of duplicating devices, facsimile equipment, film projectors, recording equipment, and other equipment to facilitate the use of the resources of the library or related instrumentality by those who are served by it, and (4) introduction of new technologies in health science librarianship.

"(b)(1) The amount of any grant under this section to any health science library or related instrumentality shall be determined by the Surgeon General on the basis of the scope of library or related services provided by such library or instrumentality in relation to the population and purposes served by it. In making a determination of the scope of services served by any health science library or related instrumentality, the Surgeon General shall take into account the following factors—

"(A) the number of graduate and undergraduate students making use of the resources of such library or instrumentality;

"(B) the number of physicians and other health science practitioners utilizing the resources of such library or instrumentality;

"(C) the type of supportive staffs, if any, available to such library or instrumentality;

"(D) the type, size, and qualifications, of the faculty of any school with which such library or instrumentality is affiliated;

"(E) the staff of any hospital or hospitals or of any clinic or clinics with which such library or instrumentality is affiliated;

"(F) the geographic area served by such library or instrumentality and the availability, within such area, of health science library or related services provided by other libraries or related instrumentalities; and

"(G) such other factors as he may determine to be relevant.

"(2) In no case shall any grant under this section to a health science library or related instrumentality with respect to any fiscal year exceed $200,000, or if less, an amount equal to—

"(A) 60 per centum of the annual operating expenses of such library or related instrumentality, if such fiscal year is the first fiscal year with respect to which a grant under this section is made to it;

"(B)(i) 50 per centum of the annual operating expenses of such library or related instrumentality, or (ii) if less, five-sixths of the amount of its first year grant under this section, if such year is the second fiscal year with respect to which a grant under this section has been made to it;

"(C) (i) 40 per centum of the annual operating expenses of such library or related instrumentality, or (ii) if less, four-fifths of the amount of the second year grant under this section, if such year is the third fiscal year with respect to which a grant under this section has been made to it;

"(D) (i) 30 per centum of the annual operating expenses of such library or related instrumentality, or (ii) if less, three-fourths of the amount of the third year grant under this section, if such year is the fourth fiscal year with respect to which a grant under this section has been made to it; and

"(E) (i) 20 per centum of the annual operating expenses of such library or related instrumentality, or (ii) if less, two-thirds of the amount of the fourth year grant under this section, if such year is the fifth fiscal year with respect to which a grant under this section has been made to it.

The 'annual operating expense' of a library or related instrumentality shall, for purposes of the preceding sentence, be an amount equal (if such annual operating expense is to be determined with respect to the first grant to be made to such library or instrumentality under this section) to the amount of the average of the annual operating expenses of such library or instrumentality over the three fiscal years preceding the year in which such grant is applied for; and if such library or related instrumentality has been operating for less than three years prior to applying for such grant, its 'annual operating expense' shall be an amount determined by the Surgeon General pursuant to regulations prescribed by him. For the second or succeeding fiscal year in which a grant is made to a library or related instrumentality, the 'annual operating expense' of such library or related instrumentality shall, for purposes of such sentence, be equal to its operating expense (exclusive of Federal financial assistance under this part) for the preceding fiscal year.

"(c) No grant shall be made under this section unless the application therefor contains or is supported by satisfactory assurance that the amount of such grant will be so used as to supplement the level of funds that would, in the absence of such grant, be made available by the applicant for the purposes of this section, and will in no case supplant such funds.

"Financial Support of Biomedical Scientific Publications

"Sec. 398. (a) In order to carry out the purposes of section 390(b) (7), the Surgeon General may, with the advice of the Board, make grants to, and enter into appropriate contracts with, public or private nonprofit institutions of higher education, nonprofit professional scientific organizations, and individual scientists for the purpose of supporting biomedical scientific publications and to procure the compilation, writing, editing, and publication of reviews, abstracts, indices, handbooks, bibliographies, and related matter pertaining to scientific works and scientific developments.

"(b) Grants under this section in support of any single periodical publication may not be made for more than three years.

"Limitation on Appropriations for Sections 394, 395, 396, 397, and 398

"Sec. 399. For the purpose of carrying out sections 394, 395, 396, 397, and 398, there are hereby authorized to be appropriated not to exceed $4,000,000 for the fiscal year ending June 30, 1966, $7,000,000 for the fiscal year ending June 30, 1967, $10,000,000 for the fiscal year ending June 30, 1968, $12,000,000 for the fiscal year ending June 30, 1969, and $12,000,000 for the fiscal year ending June 30, 1970.

"Grants for Establishment of Regional Health Science Libraries

"Sec. 399A. (a) In order to carry out the purposes of section 390(b) (6), the Surgeon General may, with the advice of the Board, make grants to establish public or private nonprofit health science libraries so as to enable each of them to serve as the regional health science library for the geographical area in which it is located.

"(b) The uses for which grants under this section may be made include, but are not limited to—

"(1) acquisition of books, journals, photographs, motion picture and other films, and other similar materials;

"(2) cataloging, binding, and other services and procedures for processing library resource materials for use by those who are served by the library;

"(3) acquisition of duplicating devices, facsimile equipment, film projectors, recording equipment, and other equipment to facilitate the use of the resources of the library by those who are served by it;

"(4) introduction of new technologies in health science librarianship;

"(5) acquisition of mechanisms and employment of personnel for the speedy transmission of materials from the regional library to local libraries in the geographic area served by the regional library; and

"(6) effective with respect to fiscal years beginning after June 30, 1966, construction necessary in order that such library may carry out its proper functions as a regional library.

"(c) (1) Grants under this section shall be made only to health science libraries which agree (A) to modify and increase their library resources so as to be able to provide supportive services to other libraries in the region as well as individual users of library services, and (B) to provide free loan services to qualified users, and make available photo-duplicated or facsimile copies of biomedical materials which qualified requesters may retain.

"(2) The Surgeon General, in awarding grants under this section, shall give priority to health science libraries having the greatest potential for functioning as regional health science libraries. In determining the priority to be assigned to any health science library, he shall consider—

"(A) the need for such library, as determined by the levels of research, teaching, and other activities in sciences related to health in support of which such library is utilized, in relation to other existing health science library and related communication services in the region;

"(B) the adequacy of the library (in terms of collections, personnel, equipment, and other facilities) as a basis for a regional health science library; and

"(C) the size and nature of the population to be served in the region in which the library is located.

"(d) (1) Grants under this section for construction shall be made in the same manner and subject to the same conditions as are provided for grants made under section 393, except that the eligibility for any such grant shall, in lieu of the criterion set forth in section 393(b) (2), be determined on the basis of the need for such construction in order to enable the library to serve as a regional health science library. Grants under this section for purposes set forth in subsection (b) (1) through (5) of this section may not exceed (A) 50 per centum of the library's annual operating expense (exclusive of Federal financial assistance under this subpart) for the preceding year; or (B) in case of the first year in which the library receives a grant under this section for such purposes, 50 per centum of its average annual operating expenses over the past three years (or if it had been in operation for less than three years, its annual operating expenses determined by the Surgeon General in accordance with regulations prescribed by him).

"(2) No grant shall be made under this section for purposes set forth in subsection (b) (1) through (5) unless the application for such grant contains or is supported by satisfactory assurance that such grant will be so used as to supplement the level of funds that would, in the absence of such grant, be made available by the applicant for such purposes, and will in no case supplant such funds.

"(e) Whenever the Surgeon General, with the advice of the Board, determines that—

"(1) in any geographic area of the United States, there is no regional health science library adequate to serve such area;

"(2) under the criteria prescribed in the preceding subsections of this section there is a need for a regional health science library to serve such area; and

"(3) there is located in such area no health science library which, under the provisions of the preceding subsections of this section, can feasibly be developed into a regional health science library adequate to serve such area,

he is authorized to establish and maintain, as a branch of the National Library of Medicine, a regional health science library to serve the needs of such area. The provisions of sections 381 through 386 of subpart 1 shall, so far as applicable, apply for the purposes of this subsection, subject to subsection (f).

"(f) For the purpose of carrying out this section, there are hereby authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1966, $3,000,000 for the fiscal year ending June 30, 1967, $5,500,000 for the fiscal year ending June 30, 1968, $6,000,000 for the fiscal year ending June 30, 1969, and $6,500,000 for the fiscal year ending June 30, 1970."

"Continuing Availability of Appropriated Funds

"Sec. 399B. Funds appropriated to carry out any of the purposes of this subpart for any fiscal year shall remain available for obligation for such purposes for the fiscal year immediately following the fiscal year for which they were appropriated. Payments pursuant to any section of this subpart may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe after consultation with the Board."

Compensation of Members of the Board of Regents of the National Library of Medicine

Sec. 3. Subsection (d) of the section of the Public Health Service Act which is redesignated as section 383 by section 2 of this Act is amended by striking out "$50" and inserting in lieu thereof "$75".

Other Authority Not Affected

Sec. 4. Nothing in this Act shall be construed as limiting the authorities and responsibilities, under any other provision of the Public Health Service Act or any other law, of the Surgeon General, the Public Health Service, or the Secretary of Health, Education, and Welfare.

Mr. MANSFIELD. Mr. President, it is anticipated that the Senate will be able to dispose of the health science library bill today. The distinguished senior Senator from Alabama [Mr. Hill] is on the floor, prepared to give the Senate an explanation as to why his committee voted out the measure unanimously. When it is disposed of, it is anticipated that Calendar No. 693, H.R. 10871, a bill making appropriations for foreign assistance and related agencies, will be laid before the Senate and made the pending business this evening. There will be no action taken on that bill, once it is laid down. It is the hope of the leadership—and we have discussed this with interested Members on both sides—that it will be possible, when the foreign aid appropriations bill is laid down, to enter into a unanimous-consent agreement.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is it in order, ahead of time, to make a unanimous-consent request about a bill which will be laid before the Senate subsequently?

The **PRESIDING OFFICER.** By unanimous consent, it may be done.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at the conclusion of the prayer tomorrow morning, there be a time limitation of 1 hour on each amendment on the appropriation bill, the time to be equally divided between the sponsor of the amendment and the manager of the bill, the distinguished Senator from Rhode Island [Mr. PASTORE], and that there be 2 hours on the bill.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

Mr. JAVITS. Mr. President, reserving the right to object, and I shall not object, I have a fairly important speech I had scheduled for tomorrow. Would the Senator allow me 10 minutes to make that speech?

Mr. MANSFIELD. Yes, indeed.

Mr. JAVITS. I thank the Senator.

Mr. MORSE. Mr. President, reserving the right to object, and I shall not object, but if the unanimous-consent request is agreed to, the senior Senator from Oregon will wish to make a few remarks tonight as to his reasons for agreeing to the agreement.

The **PRESIDING OFFICER.** The Chair hearing no objection, it is so ordered.

The text of the unanimous-consent agreement is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, September 23, 1965, after the prayer, during the further consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Rhode Island [Mr. PASTORE]: *Provided,* That in the event he is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

ORDER FOR RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 11 o'clock tomorrow morning, September 23, 1965.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. MORSE, Mr. McINTYRE, Mr. KENNEDY of New York, Mr. TYDINGS, Mr. PROUTY, and Mr. DOMINICK conferees on the part of the Senate.

DICKEY-LINCOLN SCHOOL HYDROELECTRIC PROJECT

Mrs. SMITH. Mr. President, the action of the House of Representatives today in knocking the Dickey-Lincoln School hydroelectric power project out of the public works bill is a stunning setback, after the smooth sailing of this project in the Senate without opposition. It is unbelievable that the House would knock the project out. It is even more unbelievable that a member of the President's own political party would offer the amendment and lead the successful opposition to this project. It is now up to President Johnson to save the project by exerting his personal persuasion on the conferees. That is the only hope for the project at this time.

HEALTH SCIENCE LIBRARY ASSISTANCE ACT OF 1965

The Senate resumed consideration of the bill (S. 597) to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities.

Mr. HILL. Mr. President, the Committee on Labor and Public Welfare has approved S. 597, the Health Science Library Assistance Act of 1965.

Over the past two decades we have developed more new information in the field of health than we have in the entire history of medicine. This new knowledge, if it is to be fully utilized, must be made available to physicians, dentists, and other practitioners, to hospitals, and to institutions for training health manpower.

The testimony presented to the Committee on Labor and Public Welfare at hearings on S. 597 showed the plight of our health science libraries. The American Medical Association presented the findings of a 1964 study that showed:

Only 15 of the 87 medical school libraries have sufficient space;

More than one-half of the medical school libraries were built prior to 1933;

As long ago as 1957 more than one-half of the medical school libraries were filled to capacity or had exceeded their capacity;

Only 14 of 87 existing medical schools have the recommended level of 100,000 volumes on their library shelves; and

There are 6,000 health science libraries but only 3,000 librarians with specialized training or experience in the health science library field.

The rapid rate at which we are accumulating new medical knowledge makes it imperative that we take action now to strengthen and expand our health science libraries.

CONSTRUCTION

S. 597 would authorize an aggregate of $50 million over a 4-year period, 1967–70, for grants to nonprofit institutions to pay up to 75 percent of the costs of constructing health science library facilities.

TRAINING, RESEARCH, BASIC RESOURCES

The legislation would also authorize appropriations of $45 million for the 5 years 1966–70 to finance first, training of health science library personnel; second, assistance to special scientific projects dealing with advancements in the sciences related to health; third, research and development in health library science; fourth, improvement of basic library resources; and fifth, temporary support for scientific publications.

REGIONAL HEALTH SCIENCE LIBRARIES

To supplement health science library services, the bill authorizes appropriations of $22.5 million over the fiscal years 1966–70 to establish and maintain regional health science libraries. The need for regional service has become acute with the growth in the size of the medical literature. It is neither economically feasible nor necessary for each medical library to try to build its collection to encompass even a sizable part of the whole of medical literature.

In total S. 597 authorizes appropriations amounting to $117.5 million over the 5 years 1966–70. The legislation is supported by the Medical Library Association, the Association of Research Libraries, the Special Libraries Association, the Chairman of the Board of Regents of the National Library of Medicine, the Association of American Medical Colleges, the American College of Physicians, the American Heart Association, the American Medical Association, the American Dental Association, and the Medical Library Center of New York. Many other associations, universities, colleges, and individuals contacted the committee in writing to express their support for S. 597.

Mr. DOMINICK. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. DOMINICK. I am happy to join the Senator from Alabama, who has done such great work in this field. As the Senator knows, I have been active in title II of the Higher Education Act, trying to do something in connection with library facilities. This is another step in the same area, which I congratulate the Senator on accomplishing.

I raised one question prior to this time, which is a fundamental principle, so far as I am concerned, whether we had a limiting authorization for each year, or whether the authorization was open ended. My understanding is that the committee changed it so that it is a limiting authorization; is that not correct?

Mr. HILL. The Senator is correct.

Mr. DOMINICK. I thank the Senator.

Mr. HILL. Let me take this opportunity to express my appreciation to the Senator from Colorado for the fine help which he gave in having the bill acted upon by the committee.

Mr. DOMINICK. I am happy to have been able to cooperate.

Mr. MORSE. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I wish to express my congratulations and compliments to the Senator from Alabama [Mr. HILL] for his leadership in carrying through the present bill before the Senate to the point of passage, which is about to take place.

As the Senator from Alabama knows, we on the Committee on Labor and Public Welfare, which has jurisdiction over all education legislation, are very much concerned with the problem which confronts us in connection with the libraries of the United States.

There are various educational institutions, as the Senator from Colorado has just pointed out, in the higher education bill, S. 600—in regard to which we go to conference with the House tomorrow—which has a title devoted to the question of providing Federal assistance to institutions of higher learning in this country, in an endeavor to raise library standards and to provide more adequate facilities for the students of the country.

One of the features of that kind of bill is a provision that will be of assistance to the Library of Congress, providing funds and facilities so that the Library of Congress can be of assistance to the college libraries of the country—public libraries also for that matter—in helping them to improve their library services.

The need, however, for assistance to medical libraries is just as great, and it falls under the jurisdiction of the subcommittee of the Senate committee, over which the chairman of the full committee also serves as chairman of the subcommittee.

The bill the Senate is considering stands in the same class, in my opinion, with the title of the higher education bill which provides similar assistance to the libraries of the country. I am very glad that the Senator has been persistent in regard to this matter.

Let me say to the medical profession that this is another example of Federal aid which the medical profession has received from the taxpayers of the country for decades. This is another example that proves the position I have taken over many years, when I have listened to doctors opposing medical care legislation, that their memories are short, that the assistance and aid which the Federal Government has given them over the years, in payment of part of their medical expenses, and providing the laboratories and facilities so that they could become doctors, puts them, in my judgment, in an untenable position when Congress seeks to come to the health assistance of the needy and aged of this country with a medical care bill.

Be that as it may, I wish the doctors of this country to know that once again I can be counted upon to come to their assistance in seeing to it that facilities are provided so that we can continue to train the best doctors in the world. I say that because American doctors are the best doctors in the world. The trouble is that a great many of them lack a social conscience.

Mr. HILL. Let me say to the Senator from Oregon that he has rendered a great service in behalf of having the committee report the bill favorably to the Senate. He is here now to vote for passage of the bill. He has rendered outstanding service in the passage of the higher education bill, which does so much for libraries generally throughout the country, and which will be of vast significance and great help to these libraries.

I express my appreciation to him for what he has done to help in the passage of the pending bill, and also for the great work he did in passage of the higher education bill, which will do so much for libraries generally.

Mr. MORSE. I thank the Senator.

Mr. HILL. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc; and, without objection, they are agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "An Act to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate health science library services and facilities."

Mr. HILL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MORSE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949 RELATING TO CERTAIN CLAIMS AGAINST THE GOVERNMENT OF CUBA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of the bill (H.R. 9336) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 9336) to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? Without objection, the Committee on Foreign Relations is discharged from further consideration of the bill.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I move to strike out all after the enacting clause in H.R. 9336 and substitute certain language therefor.

I should add, the language in the amendment which I am proposing is identical to that which is contained in S. 1826, the Cuban claims bill passed by the Senate on September 21.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and substitute the following:

That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended—

(1) by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; and

SEC. 2. Section 503(a) of such Act (22 U.S.C. 1643b(a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

SEC. 4. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided*, That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

SEC. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"APPROPRIATIONS

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying cut its functions under this title."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PERSECUTION OF JEWS IN SOVIET RUSSIA

Mr. BYRD of West Virginia. Mr. President, I wish to express my support of Senate Concurrent Resolution No. 17, as previously passed by the U.S. Senate, which is now awaiting concurrence by the Senate with House amendments. This resolution, expressing the sense of the Congress in condemnation of the persecution of Jewish citizens by the U.S.S.R., is a measure of the indignation aroused in many areas of the world by the discriminatory treatment being accorded its Jewish minority by the Soviet Government.

By focusing the attention of the world on the restrictive treatment accorded to Russian Jewry, there may be some hope of greater relaxation of the rigid regulations on the religious practices of that faith and other faiths.

It is not surprising to me when the U.S.S.R., as a basically atheistic nation, acts to repress those who profess religious beliefs. I can but hope that the Soviet Government, in an effort to enhance its public image abroad, may make it easier for Jewish citizens and others to practice their respective faiths. Actually, I am told that action in recent times to permit the printing of approximately 10,000 Yiddish prayerbooks represented some concession, although, admittedly, a small one in view of the approximately 2½ million Jews in Soviet Russia. I am also informed that representatives of the Yiddish theater groups have been permitted some travel among parts of the Soviet Union. Unfortunately, all church groups are heavily restricted in Russia, although, perhaps, the Russian Orthodox Church fares better than others as it does have an organization in Russia.

Visitors to that country report that while the synagogues are poor in appearance, the Baptist Church also is in poor condition.

Again, I wish to associate myself with the pending resolution condemning the persecution of persons by Soviet Russia because of their religion. I am proud to have served as one of its cosponsors.

THE PRESIDENT'S LAWYER

Mr. HARTKE. Mr. President, the Attorney General of the United States, Nicholas Katzenbach, has won the respect and admiration of a great many people both in and out of Washington. His efforts on behalf of the Voting Rights Act passed this year, as well as other actions on behalf of justice for all our citizens, have won acclaim from leaders in the race relations field across the Nation. We are fortunate to have such a competent man of convictions and skills as head of the Justice Department.

A recent issue of the Indianapolis Star presented a profile view of Mr. Katzenbach in an appraisal written by Joseph E. Mohbat, of the Associated Press. I ask unanimous consent that this article, subtitled "The President's Lawyer," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S LAWYER—NICK KATZENBACH OUTLINES HIS FOUR MAIN GOALS

(By Joseph E. Mohbat)

WASHINGTON.—One of the newest weekend visitors to President Johnson's retreat at Camp David, Md., is a bald-pated, tall, somewhat dishevelled man who—according to Washington gossip—wasn't supposed to last long enough to get his name on the big office door in the Department of Justice.

Nicholas deBelleville Katzenbach, the 65th Attorney General of the United States, has by all signs won the esteem of the Chief Executive.

The President, according to some, looks upon the 43-year-old lawyer as one of the brainiest men in government today.

Yet, for 5 months Nicholas Katzenbach cooled his heels, holding the title of Deputy Attorney General and hearing the stories that Lyndon Baines Johnson would most certainly bring in another man to replace ROBERT F. KENNEDY. KENNEDY was leaving last year to run for the Senate from New York, and the notion was that Mr. Johnson felt Katzenbach was too closely identified with Kennedy.

But in January Katzenbach got the word. He was going to be Attorney General. As such, he became a member of the Cabinet, "the President's lawyer" so to speak, and head of the Department of Justice. The Department, with 30,000 employees, runs such wide-ranging affairs as the FBI, the Immigration and Naturalization Service, antitrust prosecutions, enforcement of civil rights legislation, the Bureau of Prisons, and the U.S. marshals.

What does Katzenbach have to say about his job? What are his goals as the Nation's highest law officer?

"It's hard to talk about it generally," he says, "except for my obvious feeling that it's terribly important to achieve an evenhanded administration of justice, and that it be done entirely on merits.

"I guess there are four things I'd really like to accomplish, if I have enough days, months, or years allotted to me here:

"I think our fiscal and administrative system in the Department is outmoded, and I'd like to do something like Secretary McNamara did over at Defense. I'd like to know how much it costs us to administer justice, and thus I'd know a lot more about my Department. I'd like to know, for instance, to what extent we could use computers on the Immigration Service or the FBI.

"I'd like to come as near as possible to clearing up civil rights problems enough so that you almost wouldn't need a civil rights division in this Department to insure that Constitutional guarantees are being enforced. This would be best for the country, certainly.

"It would be hard to find anything more important than the job to be done on the crime front. (Katzenbach heads the newly formed National Crime Commission.) We're going to step up the drive against organized crime. I want to see what we can do with crime in the streets.

"And I'd like to see whether we can come up with a good, rational, coherent, effective, and understandable antitrust policy. Perhaps we simply haven't articulated it well enough in the past. But I think the influence of our antitrust division should go far beyond actual cases; it should influence and reflect the economic policies of the Government."

The President's lawyer pauses a moment, then says:

"I don't know—perhaps I've bitten off more than I can chew. But I'd sure like to try it."

As a public official, Katzenbach is admired by his supporters for two main reasons: his gift as a conciliator, and his willingness to stand up and be counted when he feels it's required of him.

The Voting Rights Act of 1965, the 1964 Civil Rights Act, the Communications Satellite Act—these and other legislative milestones are in many ways monuments to the long hours Katzenbach spent in Capitol Hill, conciliating the sharply divergent views of lawmakers as the bills ground through Congress. As a result, it is easy to find responsible officials in Congress and the administration who feel, as one government lawyer of 25 years put it, that "Nick Katzenbach was the civil rights bill."

"If I had to name my own skills," Katzenbach admits, "I'd have to list first my ability to get people to agree to something."

On 2 consecutive days, Nick Katzenbach stood up when he could have played it cozy by staying away.

He fully backed the appointment of James P. Coleman, a Mississippi segregationist with whom he had been in sharp opposition, as a Federal judge in the South. Without Katzenbach, Coleman would have had to go it alone in convincing the Senate he would adhere to the law in his decisions as a judge.

Katzenbach also strongly defended Internal Revenue Service agents who had been caught with their wiretaps showing. His own department wasn't directly involved, but the IRS has contributed mightily to the Justice Department's drive on organized crime, and Katzenbach wasn't forgetting it.

"I could have told you he'd do that," says Katzenbach's wife, Lydia. She contends she can accurately predict his reaction to any given situation.

'He feels that a person operates from an inner core that develops and solidifies as he grows older," she explains. "And so he feels that when he's confronted with a difficult choice, he really, deep within himself, doesn't have much choice."

He also has a reputation as being slow to anger.

"I guess I get mad only when I feel my honor has been impugned, or if I been had," he says. On one occasion, a business group hinted it would bring high-level political pressure to bear on him if he opposed a merger important to the group.

"'If I decide to go ahead with this suit,'" he says he told them "political pull won't do you any good unless another Attorney General is in this office." He later went ahead with the suit.

He has also demonstrated he can keep cool in the most trying of circumstances. Millions of TV viewers were bystanders when Katzenbach had his famous confrontation with Alabama Gov. George Wallace at the door to the University of Alabama in 1963. In a fascinating 13-minute scene, Katzenbach told the Governor that under the Constitution two Negroes seeking entrance had every right to enroll in the university. Then Governor Wallace responded with a long statement in which he said State law would prevail. The Negroes were denied entrance then, but the school has since been integrated.

Later when Katzenbach spotted Wallace at an inaugural ball for President Johnson, he murmured to a companion, "I've got a mad urge to go over and say, 'Governor, I'm Nick Katzenbach. I don't think we've ever been formally introduced.'"

"As a result of that confrontation," says Roy Wilkins, executive secretary of the NAACP, "and his general conduct in office, the Negro community has complete confidence in his understanding of its problems and his attitude toward them."

By the yardstick, Nicholas Katzenbach measures 6 feet 2 inches, but he gives the appearance of being much larger. He weighs 232 pounds, has brawny shoulders, a thick and powerful neck and large hands. One might expect a booming, thundering voice, but instead it is soft and soothing.

His suits are forever rumpled, although his wife insists he spends good money on clothes and would like—in the rare moments when he gives it any thought—to look neat. His garish, unmatching ties have become a trademark. His shirts, with few exceptions, are out at the elbows. His shoes rarely show a shine, and the fringe of light brown hair surrounding his bald dome often approaches his frayed collar.

Even among those who are closest to Katzenbach, there are few who have noticed—or know why—the right elbow of his shirts wears out first. Or why he chainsmokes his king-size filter cigarettes with an awkward, half bending of the right arm.

To grasp that elbow is to feel solid, swollen bone. Katzenbach is a victim of Page's disease—"Osteitis deformans"—a painful bone condition that usually attacks older men and results in an enlargement and deformity of the affected bones. The ailment—which was discovered in 1959 and frequently causes him intense discomfort—seems to be localized—although there's another touch of it in one hip.

Characteristically, he dismisses the ailment with: "It's a mess. But I don't think about it much."

Katzenbach suffers acute discomfort when he feels he is trapped in a crowd. Sometimes, says Lydia Katzenbach, he feels close to fainting.

During the President's state of the Union address to Congress last January Katzenbach sat in the front row with the Cabinet. Bathed in television lights, surrounded by sweltering human beings, he was so distressed that he made it through the evening only by a mental game in which he fixed in his mind the precise location of every exit from the House Chamber.

INDEPENDENCE DAY OF THE REPUBLIC OF MALI

Mr. KENNEDY of New York. Mr. President, today is the Independence Day of the Republic of Mali. It is the fifth anniversary of the day when French Sudan became the Republic of Mali and withdrew from the French community.

I know other Senators join me in wishing Mali well at this time of celebration in that West African country. Mali's relations with its neighbors have been strengthened as time has passed, and we all hope that, under the administration of President Keita, Mali will continue to grow and develop successfully.

I hope, too, that Mali can continue to have relations with the United States which are as friendly as possible within the framework of Mali's policy of nonalinement in world affairs.

On this Independence Day, then, I know that other Senators join me in wishing to see Mali achieve its aspirations in harmony with the other developing nations of Africa.

THE GOVERNMENT BOND MARKET

Mr. HARTKE. Mr. President, the Government bond market is not only a critical and massive component of the complex of capital markets which have developed in the United States. The Government bond market has also historically been a crucial leading indicator of fundamental economic trends. In a special article on the front page of the August 30 Wall Street Journal, George Shea has provided precise documentation of the way in which the behavior of the Government bond market has called the turn on the business cycle during the past 10 years. In each case—1956–58, 1959–60, and 1961–62—a downturn in the Government bond market has been followed by a decline in stock prices and, finally, by a general turn toward recession.

As Mr. Shea points out, the Government bond market has shown marked weakness during the summer months of this year. On the one hand, this cannot be taken as any sort of clear signal that serious trouble is ahead for the U.S. economy; in the past, downturns in the market for Governments have gone on for many months before the economy has suffered. But, on the other hand, we must be constantly vigilant and aware of any and every indication of weakness amidst the general, unprecedented strength of our economy.

I ask unanimous consent that the Wall Street Journal article by George Shea be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

(By George Shea)

Since the final week of July the bond market, led by prices of U.S. Government bonds, has been declining almost every day. The significance of such a decline, if it persists, is that it often, though not always, precedes a decline in stock prices, followed by a downturn in general business.

This sequence of events is well established in both economic theory and in the economic records. The late Leonard P. Ayres more than 30 years ago wrote a book in which he traced this sequence in the business and financial cycles of the previous 100 years. And Arthur F. Burns, president of the nonprofit National Bureau of Economic Research, in 1950 wrote a description of the typical business cycle—a description used again with minor revisions in a 1961 bureau publication—from which the following relevant sentences are quoted:

"Let us then take our stand at the bottom of a depression and watch events as they unfold. Production characteristically rises in the first segment of expansion. Indeed, every (economic) series moves upward except bond yields and bankruptcies. In the second stage the broad advance continues, though it is checked at one point—the bond market where trading begins to decline. Bond prices join bond sales in the next stage; in other words, long-term interest rates—which fell during the first half of the expansion—begin to rise. In the final stretch of expansion, declines become fairly general in the financial sector. Share trading and stock prices move downward.

"These adverse developments soon engulf the economic system as a whole, and the next stage of the business cycle is the first stage of contraction."

Within the past 10 years, furthermore, the sequence of downturns in bonds, then stocks, then business has been repeated more than once. Instances of it took place in 1956–58, 1959–60, and to a partial extent 1961–62.

In the 1956–58 case, U.S. Government bond prices began to slip off in the first half of 1956, edged down further in the second half and lost ground steadily after February 1957. Stock prices turned down in the second half of 1956, recovered in the first half of 1957 to about the 1956 high—reaching 521 for the Dow-Jones industrial average in July—then fell 100 points as measured by that average in 3 months. Business started losing ground in August 1957 and declined until April 1958.

In the 1958–60 business expansion Government bond prices declined pretty steadily throughout, thus not conforming to the standard pattern of rising bond prices in the first stage of a business expansion. But otherwise the pattern was normal. The fall in bond prices continued until January 1960, and in that very month stock prices started their decline, which lasted into October, falling nearly 120 points from a top of about 685 as measured by the industrial average. Business turned down after May 1960, bottoming out in February 1961.

The 1961–62 experience differed in that although the bond-stock sequence was the usual one business didn't follow with a downturn only leveling off from spring to fall in 1962. Government bond prices fell from May 1961 to February 1962; and stock prices skidded from December 1961 to June 1962, with the industrial average losing 200 points from a top of 735.

Obviously, a decline lasting 1 month in bond prices, such as the one since late July, cannot be compared by itself with these previous instances when bond prices fell for months on end. However, the latest decline doesn't stand by itself; it can be regarded as an extension of mild downtrends which have taken place in the past couple of years.

These downtrends can be identified as having started with the year 1963, following the recovery in bond prices that came after the bond-stock decline of 1961–62. The monthly average yield of U.S. Government bonds with maturities of 10 years or more has been going up, with substantial interruptions, since December 1962.

At the top of the 1962 bond price recovery, in December, this monthly average yield was 3.87 percent. From there the yield rose slowly to an April 1964 high of 4.20 percent, after which it receded to 4.12 percent last November. Then it rose again to 4.16 percent in February this year, after which it held just below that figure through July. Since late that month it has gone up again, with the daily average reaching 4.21 percent at the end of last week.

That this trend may persist is suggested by several factors in the general economic background. Capital-spending plans of American industry, the rising expenses of the Vietnam war, and the normal rising trend of State and local government outlays all suggest that demand for credit is likely to continue strong, putting upward pressure on the cost of borrowing money.

How the credit resources of the Nation are being strained is reflected in banking statistics. In the year ended August 18 the banks that report weekly to the Federal Reserve System sold $3.2 billion of U.S. Government securities in order to obtain the money to make loans and other investments.

If the various forces pressing on the credit supply continue to cause bond prices to fall and yields to rise, this trend will have to be recognized as one of the same general magnitude as those which preceded stock and business declines of the past. Up to the present the rise in yields cannot yet be regarded as having definitely gone above the 4.20 percent average for the whole month of April 1964, as the figure of 4.21 percent late last week reflected the closing prices of only 1 day.

Furthermore, the problem of timing is difficult. There is no standard duration for the bond-price drops that foreshadow stock and business declines. The 16-month rise in bond yields to April 1964 was not followed by any general decline in stock prices or business. Quite the contrary, the industrial average continued to move up with only minor interruptions for a year, and business has continued rising through July of this year. Still, the warning being given by the direction in which bond prices and yields are moving is worth keeping in mind.

THE U.N. TRIUMPH

Mr. CHURCH. Mr. President, this is a day to count our blessings. A cease-fire has been achieved in the dangerous war between India and Pakistan, thanks to the effective work of the United Nations.

Congratulations are due Secretary-General U Thant for his determined efforts to arrange a truce, and to the Security Council for the vital role it played in bringing about a cessation of the hostilities. We can be proud also of the contribution made by Mr. Arthur Goldberg, our distinguished Ambassador to the United Nations.

From the beginning, President Johnson directed American policy in an astute and skillful manner. His decision to refrain from provocative declarations, his insistence that the United States observe a neutral posture, and his refusal to intervene directly in the war, are welcome indications that our diplomacy was tempered with discretion and restraint.

Most of all, we have reason to be thankful that the United Nations retains the vitality to do such great work in the cause of peace. The hands of the clock which were moving toward general war have again been stopped. A halt to the conflict, so imperative to world peace, has been achieved by the one organization to which all nations can repair.

In this country, there has been far too much tendency to deplore the failures of the United Nations, as though we had some right to expect miracles. By demanding too much from the U.N., we have often given it credit for too little.

President Johnson and U.N. Ambassador Goldberg, however, have never made the mistake of underestimating the importance of the world organization. They have continued to give strong U.S. support to the United Nations. Understanding the important role of the U.N. in the maintenance of world peace, the administration cooled down the simmering article 19 crisis earlier this summer, and thus helped to keep the U.N. intact.

Because the U.N. had been getting too little credit in our country, I introduced, in June of this year, a resolution in the Senate—Senate Concurrent Resolution 36—which reaffirmed American support of the U.N. Joining me in sponsoring this resolution were Senators FULBRIGHT, HICKENLOOPER, CLARK, AIKEN, and COOPER. This resolution passed both Houses of Congress before the President journeyed to San Francisco to address the U.N.'s 20th anniversary celebration. The expression of congressional support contained in the resolution has been rewarded well.

The United Nations has a history of extensive accomplishment in damping brushfires which might have led to bigger wars. In helping mediate various crises such as Berlin in 1948 and Cuba in 1962, the U.N. has also helped avert possible war between the great powers. In its role in the Korean war of 1950, the Suez crisis of 1956, and in the conflicts in the Congo and Cyprus in this decade, the U.N. has played a vital part in the restoration of peace.

Now, in its 20th anniversary year, the United Nations may well have achieved its most important peacekeeping success on the subcontinent of Asia. In doing so, it gives even greater validity to Beardsley Ruml's famous 1945 prediction:

> At the end of 5 years you will think the U.N. is the greatest vision ever realized by man.
>
> At the end of 10 years, you will find doubts within yourself and all through the world.
>
> At the end of 15 years, you will believe the U.N. cannot succeed. You will be certain that all the odds are against its ultimate life and success. It will only be when the U.N. is 20 years old that you will revere and laud the dedication of those who devote their energies to it throughout its turbulent course. For then we will know that the U.N. is the only alternative to the demolition of the world.

The course of the United Nations will continue to be turbulent, but we should pause today to pay tribute to those who have devoted their energies to its maintenance. The necessity for a United Nations has never been clearer than in the early morning hours today when the cease-fire was arranged between India and Pakistan. A tense world can now pause to breathe at least a momentary sigh of relief.

Mr. MORSE. Mr. President, I yield to the Senator from Tennessee [Mr. GORE] without losing my right to the floor.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS FOR 1966

Mr. GORE. Mr. President, on behalf of the distinguished majority leader [Mr. MANSFIELD], I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 693, H.R. 10871.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

FOREIGN AID AND THE BALANCE OF PAYMENTS

Mr. McGEE. Mr. President, the concern of Senators regarding U.S. balance of payments is proper. But to judge whether foreign aid is justified by looking at its balance-of-payments impact is like determining the necessity of an operation by measuring its probable pain. Of course, there will be some balance-of-payments outflow from foreign aid, but the necessity of the program in terms of U.S. security and long-term U.S. interests is sufficient justification for its costs—both in terms of dollar appropriations and balance of payments.

It is highly ironic that as foreign economic aid has become a small and decreasing factor in the current U.S. balance of payments, charges have increased that the AID program is a major cause of our dollar deficit abroad.

Since 1959, in response to the changed situation of the U.S. balance of payments, the U.S. Government has taken measures respecting the use of assistance funds. Before this time, our aid dollars had not been tied to expenditures in the United States, and as the European economies revived and prospered, these countries became increasingly effective competition for U.S. aid purchases.

With only a few exceptions, funds provided by the current AID program can only be spent in the United States for goods and services produced in this country. Many people still think that AID simply ships bundles of U.S. dollars to the less developed countries, and that these countries then spend the dollars wherever and on whatever they choose. The fact is, of course, the overwhelming portion of funds appropriated to AID stay right here in the United States to finance exports of the machinery, equipment, spare parts, and so forth which the developing countries require in their efforts to grow.

This new policy of tying assistance funds is responsible for the substantial decrease in the effect of these programs on the balance of payments.

Let me be specific in regard to this improvement: David Bell testified before the Senate Banking and Currency Committee this year that AID's preliminary estimates for the calendar year 1964 showed that AID payments abroad had dropped to about $400 million—less than half the figure in fiscal year 1962.

The current expenditure rate under our economic assistance program is almost exactly $2 billion per year. Thus in 1964, for every dollar of economic aid extended, 20 cents showed as a current adverse impact in our balance of payments—not considering current or future receipts.

Put the other way round, 80 percent of AID's expenditures last year were spent right here in the United States for American goods and services.

Moreover, the proportion of AID appropriations spent in the United States is rising. Eighty-six percent of newly appropriated AID funds are now being committed for direct expenditure in the United States.

I am not just talking about the AID funds which finance purchases of commodities in the United States, I am talking about all AID expenditures—expenditures on U.S. services as well as U.S. products. These include items such as the costs of participant training in the United States, freight payments to U.S. shippers and administrative expenses. These latter costs constitute roughly one-third of all AID expenses.

Mr. Bell also testified that AID payments abroad in calendar 1964 were offset by repayment of past assistance extended by AID and the predecessor foreign assistance agencies of over $150 million. This means, Mr. President, that the net adverse effect of the AID program on the balance of payments in 1964 was only $250 million.

The total U.S. balance-of-payments deficit in fiscal year 1964 ran to about $3 billion. Clearly, the AID program was only a small factor in this total deficit.

Overseas expenditures of AID dollars, Mr. President, are a price that America must pay for conducting a foreign aid program.

They are part of the price we pay in our continuing efforts to raise the standard of living in the less-developed countries, and help create the conditions necessary for a stable world community of free and independent nations. In short, they are a price of leadership. U.S. soldiers are stationed throughout the world to preserve the peace.

We must spend dollars abroad to maintain these soldiers, but we rightfully do not resist these costs. I believe that the AID funds which necessarily must be spent abroad are likewise a necessary cost of promoting the U.S. interest.

There are, of course, indirect effects of the AID programs which cannot be recorded so easily on the accountants' ledgers. Very often dollars which enter the economy of a less-developed country from offshore AID expenditures may be used later by that country to buy needed goods in the U.S. market, or may go through trade channels to a third country, which will use the dollars for purchase of goods and services in the U.S. market. This is the so-called feedback effect. It means that the negative effect of the AID program on the balance-of-payments accounts is overstated.

In some cases, however, imports available under tied U.S. aid procurement are substituted for imports that would otherwise have been purchased with free foreign exchange in commercial channels. Of course, to the extent this occurs, U.S. commercial exports decline as U.S.-financed exports increase. But many of these dollars will also come back to the United States through third countries. The fact is U.S. commercial exports are rising—not declining—in the less-developed countries where AID maintains economic assistance programs. Between 1959 and 1964, U.S. commercial exports rose in 9 far eastern countries from $428 to $623 million; in 12 near east and south Asia countries, U.S. commercial exports rose from $466 to $692 million; they rose in 17 African countries from $260 to $265 million; and in 19 Latin American countries, they rose from $2,739 to $3,252 million.

Even more impressive is the fact that the total U.S. share of the worldwide export market is rising, despite the increased prosperity and competitiveness of other developed countries.

The fact that U.S. export trade in the less-developed countries is improving and not deteriorating should not be surprising. The evidence is plain that countries which we aid and help achieve steady economic growth better markets for U.S. exports are more attractive places for U.S. investment abroad. Over the last 15 years our exports to Europe have doubled and our exports to Japan have tripled. As other countries—Spain, Greece, and Taiwan, for example—gain economic momentum and our aid comes to an end the same kind of result is evident. And because the aid program introduces and familiarizes the less-developed countries with U.S. products and services, I regard the AID program as one of our best long-run export promotion mechanisms.

It has also been claimed that AID expenditures are a direct cause of our gold flow. This is not correct. In fact, current AID recipients are selling more gold to the United States than they are purchasing. During 1964, these AID recipients sold $89 million worth of gold to us for dollars, and purchased $26 million of gold. The U.S. gold problem lies with the industrial countries of Europe, not in our relations with the AID recipient nations.

In conclusion, not only has AID successfully reduced the impact of its programs on the balance-of-payments deficit to a minimum, but the present programs will have a long-range positive impact on our balance of payments. This positive impact will result from increasing amounts of dollar repayments on previous AID development loans, expanding markets for our exports and improving opportunities for our private investment abroad.

Under these circumstances, Mr. President, a cut in the AID appropriations would have only a very small impact on our balance of payments. The real result would be injury to our own interests and to our efforts to influence the course of the future in the less-developed countries. I support the AID program. It is good policy; it is also good business.

AGREEMENT BETWEEN UNITED STATES AND CANADA ON AUTOMOBILES AND AUTOMOBILE PARTS

Mr. GORE. Mr. President, the Senate Finance Committee today reported a bill to approve the agreement between the United States and Canada with respect to automobiles and automobile parts carried thereupon.

An extremely important part of this deal is the side agreements between the Big Four automobile manufacturers in the United States and Canada and certain Canadian interests.

I shall take occasion to call attention to these unusual features when the bill is on the floor of the Senate. This is special interest legislation—very special—for the exclusive benefit of the Big Four, or rather Big Three and a Half automobile manufacturers in the United States and the Canadian economy.

The victims will be the automobile parts manufacturers and the labor employed in that industry in the United States, the U.S. economy, and our balance-of-payments position.

I hold in my hand an editorial entitled "That Auto Pact," appearing in the Washington Post of today. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THAT AUTO PACT

In January President Johnson and Prime Minister Pearson of Canada signed an agreement that was widely heralded as a measure to establish "free trade" in automobiles between the two countries. In later releases the term "freer trade" was substituted. And now, with House hearings completed some time ago and a parade of witnesses still appearing before the Senate Finance Committee, the public is learning that words do not always mean what one wants them to mean.

The pending legislation and supporting agreements provide for elimination of Canadian and U.S. import duties on all shipments of new automotive products—but not replacement parts—from one qualified manufacturer to another. The major Canadian manufacturers, which are subsidiaries of U.S. corporations, are to guarantee that they will schedule operations so as to maintain a fixed proportion between jobs in Canada and Canadian auto sales.

The agreement is defended by the administration as a workable solution for a most difficult problem. Canada, anxious to improve her trade balance, attempted to increase her auto exports by a tariff remission scheme that clearly violated the spirit, if not the letter, of the General Agreement on Tariffs and Trade (GATT). This country, in order to avoid levying a countervailing duty and risking the possibility of a Canadian reprisal, agreed to a plan under which Canada is awarded a much greater share of the total automotive employment than she would have under the present tariffs or in a genuine common market for automobiles.

The proponents of the bill place great emphasis on the economies of large-scale production that will be realized, but they are silent about the prices that Canadian consumers will pay. Auto prices are substantially higher in Canada, and so long as the "free" trade is confined to producers and denied to consumers, the price differential will remain and the putative economies of scale will not be fully realized. Canadian consumers, in short, will be paying a rather high price for a dubious guarantee of auto employment in their country.

Beyond the welfare of Canadian consumers, the implications of the measure for international trade policy are clearly disquieting. An agreement confined to the two countries violates the most-favored-nation (MFN) principle of GATT under which a tariff concession granted to one country must be extended to all. The State Department feels sure that a waiver can be obtained from GATT. But such waivers are just what undermines the principles on which a liberal international order rests. Why not amend the bill so as to extend the duty-free treatment to all countries on an MFN basis? The question of reciprocity could then be placed on the agenda of the Kennedy round.

The debate over the auto agreement has been conducted in an atmosphere of urgency that is not justified by the cold facts. Contrary to the impressions harbored in certain Government quarters, the Canadians are not in a strong position to precipitate a trade war. Therefore, before this country consummates a radical agreement in violation of the MFN and other principles that it has consistently espoused, another effort should be made to resolve the auto tariff problem by more orthodox means.

UNITED NATIONS INTERVENTION IN WAR THREATS

Mr. MORSE. Mr. President, as was just pointed out by the Senator from Idaho [Mr. CHURCH], in the past couple of hours the press tickers of the AP and UP have been carrying stories announcing that, through the intervention of the United Nations, a cease-fire agreement has been entered into between India and Pakistan. Of course, that brings great relief to the world.

There are those who point out, and quite properly so, that, of course, the procedures of the United Nations are vital when they are used in a good-faith endeavor to substitute the rule of law for the jungle law of military might.

I am very proud that my country joined with other members of the Security Council in supporting a United Nations intervention in the war between Pakistan and India.

For more than 2 years the senior Senator from Oregon has stood shoulder to shoulder with the great Senator from Alaska [Mr. GRUENING]. We have been the two voices in the Senate who have consistently and persistently urged that the United States live up to its treaty obligations under the United Nations Charter in respect to its outlawry in Asia. For those 2 years we have been urging that the United States carry out its treaty commitments and obligations under the United Nations Charter by calling upon the United Nations to take jurisdiction over the threat to the peace of the world, in which the United States was a participant.

Praiseworthy as our course of action has been in urging and participating in the exercise of United Nations jurisdiction over the threat to the peace of the world in Pakistan and India, history will show the disgraceful conduct of the United States in regard to the undeclared, unconstitutional, and illegal war in Asia and the failure on the part of the United States to ask for the application of the articles of the United Nations Charter to intervene in this threat to the peace of the world, in which the United States is part of the cause.

O, consistency where art thou?

What a chapter we are writing. I join in praising the President and the Ambassador to the United Nations, Mr. Goldberg, for their course of action, vis-a-vis the United Nations and the war between Pakistan and India.

But there is no praise due them for their failure to follow a consistent course of action in respect to the war in South Vietnam.

I hope that perhaps the precedent they have now set in respect to U.S. action, through the United Nations, in respect to the war between Pakistan and India, may cause them formally and officially to address the Security Council asking it to take jurisdiction over the war in Asia, as the charter requires.

I say to my President, my Ambassador in the United Nations, and my Secretary of State that I am not interested in their repeating the argument we have heard for some 2 years that we probably would not have unanimity of support on the Security Council if we followed that course of action.

My answer has continued to be the same answer I have given to the Senate for 2 years: We never know until we try, and we cannot justify not trying on the basis of a belief that if we try the resolution will be vetoed.

The American people are entitled to know what nation or nations refuse to live up to their commitments under the Charter of the United Nations.

If it is true that Russia and France would veto such a resolution, we have a clear moral duty and a legal obligation to show to the world what countries really do not want to abide by their commitments under the United Nations Treaty, other than the United States.

We are a self-convicted Nation in world history at this hour. We are a Nation which has convicted itself of a willful and knowing violation of its treaty obligations. Neither the President, nor the American Ambassador to the United Nations, nor the Secretary of State can erase that indelible recording that our violation of the treaty has written on the pages of history.

It is a great hour that announces a cease-fire in India and Pakistan. But I would like to see my country continue to write a glorious chapter of American history by proceeding forthwith to file the official resolution that the leaders of my country are bound to file under the charter, asking that the United Nations take jurisdiction over this shocking war in Asia.

If it did, I am satisfied it would also lead to an early cease-fire, followed by early negotiations for an honorable peace settlement under the auspices of the United Nations, bringing to an end this killing of increasing numbers of American boys and increasing numbers of Asians.

What a terrible page of history we are writing. We pick up the newspapers each day and read of the massacring that is going on in South Vietnam through the military might and power of the United States.

Each day we are increasing by the hundreds of thousands the Communists throughout Asia and the underdeveloped areas of the world. Each day, by this course of military action of the United States in Asia, we are jeopardizing future generations of American boys and girls, because if we continue to leave naught but a heritage of intense hatred to millions of people of the next generation and the generation to follow, what is the end?

As I have been heard to say before, there is no question that we can level North Vietnam and the Vietcong areas of South Vietnam.

They are without airpower. They are without any substantial military might. In a sense, our course of action of conducting war in Asia is similar to shooting fish in a barrel. We will win, as I have said so many times, every military engagement. Oh, yes; let me repeat, we can also go beyond North Vietnam and we can level the nuclear installations of Red China, which the dangerous war crowd in the Pentagon, composed, in my opinion, of the most desperate men in all the world, I believe have as their ultimate objective.

We can destroy the cities of Red China. We can bomb out what industrial complex she has. We can kill with our military airpower millions of her citizens, and leave to future generations of American boys and girls the certainty of the undying hatred of Asians for the United States.

What will that profit us? After we shall have devastated all the areas of Asia that we attack, we shall have to maintain for many decades to come large American military forces in Asia, to continue our domination.

Eventually, like every other Western power, we shall be driven out of Asia, for the yellow races will never surrender to domination by the United States, any more than they have been willing to surrender to domination by Great Britain, France, the Netherlands, Belgium, and every other Western power that has sought to maintain a colonial foothold on their land.

It may be said quickly in reply that we have no colonial designs on Asia. But we have, Mr. President. This form of military domination is naught but a form of colonial power. There is no doubt that the desperate men in the Pentagon seek to maintain a military foothold in southeast Asia, to the everlasting discredit and disgrace of our country.

I am at a complete loss to understand why, as a religious nation, we think it is morally justified to kill and kill and kill in southeast Asia on the pretext that we advance in justification and rationalization of our policy.

Mr. President, for every picture that we see in the American press, we can see many times that number of pictures in the foreign press, for the American people are being fed a censored journalism. If one wants to know what the United States is doing in southeast Asia, he cannot learn it from the American press; he must read it in the foreign press. If he really wants to see adequate pictorial coverage of American killing and of Americans being killed in Asia, he must look, for the most part, at the pictures in the foreign press.

With all that killing, I am aghast and at a loss to find the answer to the question: For what purpose? What is our objective? What do we think it will profit us, and in what values will the profits be measured? For at long last, as a result of multiple causes, most of which are yet to develop, this war, too, will end. On what basis will it be settled?

After all the devastation, after all the loss of American and Asiatic life, how will the war be settled? I submit that it will be settled much on the same basis that it could and should be settled now, if the United Nations were called upon to exercise its jurisdiction, and if the United States would take that legal course of action that would require the United Nations to take jurisdiction either through the Security Council or the General Assembly. If we were to exercise the same kind of leadership we have just exercised with respect to the Indian and Pakistani war, the United Nations would take jurisdiction through one of its two great branches, either the Security Council or the General Assembly.

If we let the war in Asia run its military course, to end in the devastation of much of South Vietnam and North Vietnam, and I fear the potential is great for the devastation of Red China, too, we shall lack both the economic resources and the manpower to sustain the military victory. We shall win the war, but lose the peace. Of course, the value that really counts is the value of an honorable peace.

I realize that the propaganda forces in this country in these hours are so strong, and the misinformation that my Government is feeding the American people is so overwhelming, that it is difficult to impress such basic principles upon the American people. But I am satisfied that eventually American history will record that we who have for the past 2 years consistently raised our voices in the cause of an honorable peace, in the cause of keeping our treaty commitments and our treaty obligations, and in the cause of keeping faith with our professed ideal of substituting the rule of law for the rule of military might will be sustained. It is not important what history will record about us. What is important is whether my country, without further delay, will stop its unjustifiable killing of human beings, when it has, first, the clear duty to exhaust every procedure available to it under existing treaties and under the procedures of international law.

So I applaud the President, the Ambassador to the United Nations, and the Secretary of State for the great statesmanship they have displayed in connection with the Pakistani and Indian war. I express again my strong disappointment in their failure to apply the same duties of statesmanship in respect to our country's course of action in making war in Asia.

FOREIGN WASTE UNABATED

That leads me to comment, as I said a few moments ago I would comment, on my reasons for agreeing to a unanimous-consent request to consider, by way of a limitation of debate, the report of the Committee on Appropriations now pending before the Senate in respect to foreign aid. I shall vote against that appropriation for it should, in my opinion, have been cut by a minimum of $500 million. Much of our military aid is against the interests of a peaceful world; so much of our military aid around the world is giving support to forces that are trampling the cause of freedom under the iron heel of military oligarchies. As chairman of the Subcommittee on Latin American Affairs, I wish to say that most of our military aid to Latin America is unjustifiable, for it is sent there to keep down freedom.

As I have said so many times, I am perfectly willing to vote $2 for economic aid properly administered for every dollar of military aid that Congress will subtract from its military aid program.

I shall vote against the foreign aid appropriation bill tomorrow also because there is such waste and inefficiency in the administration of our economic foreign aid in country after country.

However, what can be gained by the senior Senator from Oregon refusing to enter into a unanimous-consent agreement to limit debate on the foreign aid appropriation bill, when I know the die is cast, and when year after year I have talked hour by hour in the presentation of one unanswerable fact after another on the abuses of foreign aid and the waste and inefficiency?

Let the Record show again that not once in 3 years has any Senator rebutted even one finding of fact of the Comptroller General of the United States, who in report after report has supplied the senior Senator from Oregon and every other Senator with unanswerable factual data concerning the mismanagement and the waste and the inefficiency, and the cause of corruption in many a government in the world as a result of the mismanagement of American foreign aid.

Every Member of the Senate is fully familiar with those arguments. I wish I could say that every Senator had gone down to the committee rooms to read the top secret reports of the Comptroller General of the United States, which I have piled high each year on my desk and measured for the benefit of the Senate with a ruler. This year they reached higher than 24 inches, each document the dimensions of a Time magazine.

Many a Senator has not been willing to read the facts. Obviously by their votes Senators have not been willing to face the facts.

No lengthy argument by the senior Senator from Oregon on a foreign aid appropriation bill this year will change that fixed attitude of Members of the Senate, or of an overwhelming majority of them.

I have been encouraged somewhat by the increasing number of votes that we have been receiving in opposition to at least parts of the foreign aid bill, and the increasing number of votes that we have received on the passage of the bill.

However, I never knowingly fool myself, and I know that the attitude that exists in this body in regard to the pleas that the administration has made, including the great lobby conference that was held in this Capitol, not far from where I speak, convened at the request of the Vice President of the United States, at which top administration spokesmen presented the administration's position in support of the passage of the appropriation bill without change.

Mr. President, I am fully aware that, as a result of that kind of lobbying, the Senate will pass tomorrow this appropriation bill by an overwhelming majority, but not with my vote.

Let me make it very clear that I do not question the sincerity, the public dedication, the patriotism, and the honest beliefs of the Vice President of the United States or the President of the United States or Mr. Bell, the Administrator of the foreign aid program. My opposition to their point of view is completely impersonal. They are dead wrong in the course of action into which they are leading this Nation in respect to foreign aid.

The overwhelming majority of the Senate of the United States is thoroughly wrong in its failure to insist upon a reform of foreign aid and the elimination of the waste and the inefficiency and the corruption that is caused by it.

I have been heard to say in the major debates on the bill that, in my judgment, our foreign aid program is probably the greatest assistance to the Communists in the world that could possibly be provided because, as a result of its mismanagement, its waste, its inefficiency, and its causing of corruption, it strengthens the hand of the Communist forces in many countries of the world.

Mr. President, that just happens to be, as far as the bill which will be before the Senate tomorrow is concerned, an ugly political reality.

I shall make a brief speech against the bill tomorrow. I am planning at the present time, for the Record, to offer a few amendments, unless, upon further reflection, I decide that that might just be a wasteful exercise. Then I shall vote against the bill and wait for the American people to take their accounting at the ballot boxes in 1966 and 1968 in respect to candidates for Congress and candidates for office in the executive branch of the Government. There is no other answer.

If the American people are willing to support this program at the ballot boxes of America, it is their democratic right. But I am satisfied that eventually those in Congress who have, by and large, been supporting the foreign policy course of action of our Government in recent years will find that, at long last, American public opinion will repudiate their policy. That is, they will unless, as one of the results of maintaining this kind of policy, this country goes all the way to the end of the road of government by executive supremacy, for, when the Senate votes tomorrow on this bill, it will be voting in part as the result of the growing development in this country over the past few years of a government by executive supremacy in which, more and more, Congress is becoming naught but a rubberstamp for the White House, the State Department, and the Pentagon building. If the American people travel the full length of that road, they will then have written the history of the decline and loss of freedom in the United States.

I regret very much that my conscience and my convictions compel me to make this speech tonight, for I am perfectly aware of the interpretations of parts of it that some will make. But so long as I serve in this body, I will continue to tell the American people what I honestly believe the facts are in regard to any issue that confronts the people through the Congress of the United States.

So I have agreed to a limitation of debate on the foreign aid appropriations bill tomorrow, for I am satisfied that under the time element that is allowed, the points of both those who support the bill and those who oppose it can be made for the RECORD; and once made, I know of no good purpose that could be served by prolonging the debate.

That does not mean that the senior Senator from Oregon, on other issues, will not agree to engage in a prolonging of debate and opposing of a unanimous consent agreement to limitation of debate. For there are issues, Mr. President, in which a prolonged debate can change Senate opinion, and can provide the necessary time for public opinion to work its will upon the Members of the U.S. Senate.

But I have become satisfied that this is not one of those issues. For I think that at this time of war hysteria, not stalking but galloping abroad in the land, there is no hope, at the present time, for public opinion to stop, look and listen long enough to work its will on the Senate of the United States. Therefore, I consider it to be my clear course, and duty, to cooperate with the majority leader, by agreeing to the unanimous-consent agreement for a limitation of time to express my views on the matter tonight, as I have just done, briefly express them tomorrow, and then go to a vote.

I wish to say, as I close, that I am very appreciative to the U.S. Senate that at least it stopped the steamroller enough in its consideration of the foreign aid bill this year, to approve the Fulbright amendment and the Morse amendment to the foreign aid bill. These amendments provided for a 2-year authorization of foreign aid, with the understanding that during that 2-year period, the Morse amendment would work its will on the record of foreign aid; and the Morse amendment, as the Senate knows, was one that provided that at the beginning of fiscal 1967, the foreign aid program would be ended and a new foreign aid program would start, and that foreign aid program thereafter would be the result of the findings of a special committee that the Morse amendment provided for. During that 2-year period the special committee would make a complete analysis, survey, review and investigation of foreign aid, and make recommendations to the appropriate committees of the Congress as to the type of foreign aid that should be adopted in replacement of the wasteful, inefficient and corruption-causing foreign aid program that is now characterized by the foreign aid program that the Senate tomorrow is going to appropriate money to continue, but which I shall vote against.

I appreciate, Mr. President, that we made that much progress this year, and that for 2 months the junior Senator from Arkansas [Mr. FULBRIGHT], as chairman of the Senate Foreign Relations Committee and chairman of the Senate conferees handling the foreign aid bill, in conference with the House of Representatives, stubbornly resisted the demands of the House conferees to drop the Fulbright and Morse amendments. But at long last, the majority of my colleagues on the conference decided that the wishes of the administration should be met, and voted to recede from the Senate's position.

I do not criticize them for it; I simply disagree with them. I do not castigate them for it; I merely express disappointment that they yielded. I think it would have been much better, Mr. President, if we had remained in deadlock. There was no great hurry. The pipeline is full. Foreign aid has more money than it can spend for months ahead.

Eventually, if we had not yielded, I believe there would have been a change of attitude at the administration level, because if the administration had changed its attitude, the House conferees would have changed theirs.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I shall yield in a moment. The House conferees sat there, knowing that they had the administration behind them. Therefore, so far as I was concerned, it was not a contest between the Senate conferees and the House conferees, but a contest between the Senate conferees and the Secretary of State and the Director of AID and the Secretary of Defense. Senators know how long I would have had to wait. It would have been for the proverbial length of time until a snowball would have frozen in a hot oven. That is where the mistake was made. We had the Secretary of State before the Committee on Foreign Relations. We had the Director of AID before us, and we got some semantics, but not one rock-ribbed commitment did we get from either the Secretary of State or the Director of AID.

It is very easy to say to a group of Senators: "We are concerned, too. We want to assure you that we will cooperate with you. If you have a survey or a study made by the committee, we will cooperate with you."

Not once did we get a commitment from the Secretary of State or from the Director of AID that they would make any of the changes that the Comptroller General reports very clearly dictated should be made.

So I never would have yielded. I would have insisted that the administration should first come forward with some commitments to remedy foreign aid in respect to some of the abuses in foreign aid which no one can dispute if he is willing to read the RECORD.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, I wish the RECORD to show that I extend to the Senator from Louisiana [Mr. LONG] my very sincere regrets that I did not yield to him when he asked me to yield. I was in the midst of a thought which I wished to complete, and some emergency developed which made it necessary for him to leave the Chamber.

I am sure that he will understand I intended no discourtesy to him, as I never intend any discourtesy in extending to my colleagues every parliamentary consideration that I can.

Mr. President, I close my remarks by saying that I hope, in the next session of Congress, the facts will not dictate a speech such as this one. I hope that next year I will find myself in a position where I can support a foreign aid bill and a foreign aid appropriation, which I will do whenever foreign aid is reformed along the lines for which I have battled many years in the Senate, and which increasing numbers of Congressmen and Senators have started to support.

RECESS UNTIL 11 A.M. TOMORROW

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock tomorrow.

The motion was agreed to; and (at 6 o'clock and 11 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, September 23, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 22 (legislative day of September 20), 1965:

U.S. ATTORNEY

Donald E. O'Brien, of Iowa, to be U.S. attorney for the northern district of Iowa for the term of 4 years. (Reappointment.)

Cecil F. Poole, of California, to be U.S. attorney for the northern district of California for the term of 4 years. (Reappointment.)

John T. Curtin, of New York, to be U.S. attorney for the western district of New York for the term of 4 years. (Reappointment.)

POSTMASTERS

I nominate the following named persons to be postmasters:

ALABAMA

Gordon B. Roden, Pisgah, in place of V. B. Gross, deceased.

ARKANSAS

Blount Hohn, Diaz, in place of C. E. Parsley, retired.

Douglas Stroud, Huntsville, in place of L. T. Lewis, transferred.

Clark Walker, Springdale, in place of G. L. Sanders, retired.

CALIFORNIA

Norman J. Pope, New Almaden, in place of C. B. Perham, resigned.

GEORGIA

Woodrow W. Gay, Cordele, in place of W. H. Johnston, retired.

James A. Howard, Jr., Dearing, in place of A. S. Mitchell, retired.

IOWA

Coline L. Morisky, Fostoria, in place of W. W. Terry, deceased.

Gerald F. Siebels, Minden, in place of G. R. Patterson, Jr., transferred.

Clarence L. Busch, Persia, in place of J. M. Kuster, resigned.

KANSAS

Louise L. Atwell, Kismet, in place of Ethel Prater, retired.

Earl K. Pennington, Rantoul, in place of E. D. Medlen, transferred.

KENTUCKY

Dallas L. Crace, Campbellsville, in place of L. H. Tarter, retired.

Mildred J. Jackson, Mayking, in place of M. E. Webb, retired.

MAINE

Wesley G. Oliver, Nobleboro, in place of S. P. Oliver, deceased.

NEBRASKA

Veronica E. Walsh, Ulysses, in place of W. R. Byam, retired.

NEW YORK

William M. Fleckenstein, Colden, in place of G. W. Miller, retired.

NORTH CAROLINA

Billy V. Overman, Rockwell, in place of F. W. Kluttz, retired.

OKLAHOMA

James A. Maddux, Cheyenne, in place of J. W. Chalfant, transferred.

PENNSYLVANIA

Woodrow W. Clapper, Bedford, in place of C. W. Allen, retired.

James E. Pontious, Edinboro, in place of Allan Rye, retired.

SOUTH CAROLINA

Stanmore T. McClain, Williston, in place of N. B. Birt, retired.

TEXAS

Orveta D. Generaux, Addison, in place of E. B. Lewis, retired.

Narvie L. Caperton, Cameron, in place of J. R. Hays, retired.

Frank N. Simpson, McLean, in place of B. R. Reeves, transferred.

Wynell C. Watson, Troy, in place of H. E. Weir, deceased.

Margaret L. Cooke, Waskom, in place of P. P. Pollard, retired.

VIRGINIA

Richard E. Durham, Millboro, in place of J. S. Clarkson, retired.

WISCONSIN

Donald E. Peters, Juneau, in place of P. A. Panetti, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 22 (legislative day of September 20), 1965:

DEPARTMENT OF STATE

Richard H. Davis, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Rumania.

John H. Burns, of Oklahoma, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

EXTENSIONS OF REMARKS

The New Republic

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. GROVER. Mr. Speaker, last spring my colleague, Hon. OTIS PIKE and I sponsored two famous institutions in the House dining room; namely, strawberries and Long Island duckling. Today, I would like to say a few words about another famous Long Island institution—Republic Aviation Corp. and its current famous product, the F–105 Thunderchief fighter-bomber.

I am very proud of Republic and the F–105, which is doing such an outstanding job in Vietnam. In some 2,000 sorties, the F–105 has had less than 3 percent air and ground aborts, and it is operating on a close to 90 percent in-commission rate. The Thunderchief is not only on the job, it is doing the job.

Some months ago, my attention was drawn to Republic by stories of the impact that the withdrawal of the F–105 from production was having upon the local economy. With the phase-out of production of that aircraft, it became necessary to reduce employment drastically. It also was necessary to consolidate facilities to control the cost of doing business and to remain competitive. However, when I looked into the matter, I was gratified to find that Republic was facing up realistically to the problems caused by the loss of F–105 production. The company was already hard at work to retain its reputation as a quality designer and manufacturer of military aircraft, meanwhile seeking new business in many other areas.

I was amazed and delighted to learn of some of these new projects. For example, in its research laboratories, Republic has developed a tiny pump—no larger than a half-dollar—that can be implanted into the head of a child suffering from hydrocephalus, a dreaded disease of childhood known as "water on the brain." The pump substitutes for the impaired body function and relieves the fluid pressure. As a result, there is now hope for the thousands of new cases of hydrocephalus occurring in this country each year. I understand that the principle involved can also be extended to other conditions, such as the automatic metering of insulin in diabetic patients. Products like this are being developed at Republic as byproducts of the work it is doing for the manned space effort.

Just as striking is the fact that Republic's new attitude plus the excellence of its retained technical capability are beginning to show signs of producing multifold benefits for the Nation. Again, for example, last July it was announced that Republic had won the phase II hardware development program for the advanced orbiting solar observatory; also, more recently, Republic qualified along with three other weapon system manufacturers to receive a study contract that will lay the groundwork for the development of an advanced vertical takeoff aircraft. And Republic is a senior member of the team that helped General Electric to win its role in the manned orbiting laboratory program. Beyond these, the next weapon system is somewhere on Republic's many drawing boards, and these development efforts are being heavily directed toward advanced V/Stol fighter-bombers, tactical aircraft and hypersonic vehicles.

Though these recent successes are a long way from replacing what was lost by the phaseout of the F–105, they are a giant step in the right direction. Republic has reacted positively to a reverse of fortune in the best tradition of American enterprise by realistically assessing itself and its situation. Not unlike strawberries and duckling, this is another Long Island institution I confidently expect is going to be around a long time.

Community Believes in Self-Help

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. BRAY. Mr. Speaker, last Saturday the community of Ellettsville in Monroe County, Ind., dedicated a new firehouse.

It was understandably a festive occasion, for they not only have an excellent new building for their fire trucks, but space was provided for an excellent community hall as well.

What is truly commendable about this new structure however is the way it came into being. Every cent for the construction of the building was donated by local people—none came from taxes of any variety.

In addition the townsmen contributed their labor for the construction, so that the money collected went primarily for the building materials.

For many years the town of Ellettsville has been known as a wonderful community, exemplifying the best in Hoosier smalltown life. This latest achievement fits very well with the record of Ellettsville.

It is also refreshing, in this age when most cities and towns anxiously pursue every possible grant and each type of assistance, that this community provides for itself without even considering seeking State or Federal aid.

Salute to the Republic of Mali

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. POWELL. Mr. Speaker, the people of Mali celebrate today their fifth independence day. On this memorable occasion, we wish to extend warm felicitations to His Excellency Modibo Keita, the President of the Republic of Mali; and to His Excellency Moussa Leo Keita, the Mali Ambassador to the United States.

Mali is usually considered a very young nation by the traditional measuring rods of international politics; however, the history of its people extends far back to the great Mali empire of West Africa which began in the 11th century and lasted through the middle of the 1800's. Those were the days when the great warrior emperor, Mansa Musa, led a mighty army to conquer the ancient city of Tombouctou and the vast territories situated around the middle Niger. The legends of the old empire still relate his fantastic pilgrimage to Mecca, when he distributed 50,000 ounces of gold along the way and brought back scores of Muslim scholars to enhance the culture and learning of his newly conquered cities.

Things have changed considerably since the exotic days of Mansa Musa; yet the traditions of the proud and independent warriors of the Mali empire have survived in the people of the Mali Republic today. Some can still remember the courageous 16-year war waged by Samory's Mandingo army against the French colonialists at the end of the last century; others have served with valor alongside of French forces in two World Wars.

Today the Republic of Mali faces the future with the determination and independence which have distinguished its proud people in the past. Already agriculturally self-sufficient, the country is undertaking an extensive industrial development program to begin development of a modern economy. A close economic relationship has been pursued with Ghana and Guinea in the Union of African States as well as close ties with the French and association with the European Economic Community.

In some ways the Government of Mali has demonstrated it has already provided for some of the most important advantages of a modern state. The Labor Code, passed in 1962, provides for such progressive measures as a 40-hour working week, arbitration, the right to strike, children's allowances, annual leave, and retirement with a pension at age 55. Other programs provide for special maternity allowances and even classes in prenatal and infant care.

No doubt the road ahead for Mali will not always be a smooth one. The country's rapid political and economic evolution and the consequent detribalization of its people have brought many of the inevitable problems of social change and modernization. Nonetheless, the past history of Mali, both ancient and modern, indicates that the people of Mali will continue to face the future with the independent courage and determination that distinguish their heritage. It is a pleasure for me to extend my congratulations to the Republic of Mali on its independence day.

Barringer-Walker Post 139

EXTENSION OF REMARKS

OF

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. HELSTOSKI. Mr. Speaker, I take this opportunity to pay tribute to a group of fine young men from my district who recently reached the finals of the national American Legion baseball championships.

Among the many worthwhile projects conducted by members of the American Legion, their baseball program stands high on the list. It provides healthy, wholesome activity for young men at a very critical period in their lives. As a byproduct, many have graduated from American Legion baseball to fame in the major leagues.

Recently, the Barringer-Walker Post 139 team from Lyndhurst, N.J., made a determined bid for national honors and came very close to reaching that goal. Lyndhurst, incidentally, is a sports-minded community and always has produced outstanding teams and athletes. As an example, on three previous occasions Lyndhurst teams went as far as the State finals in the American Legion tournament.

This year, the team won even higher laurels. After winning the Bergen County district and State championships, they swept past three other State champions to become eastern champions.

They finally faltered upon reaching the national finals at Aberdeen, S. Dak., but it is to their credit that team members did not bemoan the loss of their best pitcher and an outstanding infielder when they returned home. They arrived home not victorious, but nevertheless welcomed by a large crowd of friends and neighbors delighted with their accomplishments.

I take this opportunity to congratulate these fine boys, their coach, Lyndhurst Patrolman Bob Muhleisen, and John Hartigan, well-known Legionnaire and team manager, for a job that has made New Jersey quite proud. We cannot emphasize too much the value of the fine adult leadership given these young men and feel that their accomplishments should be noted before this distinguished Congress.

Remarks of Hon. Richard L. Roudebush, of Indiana, Before the Federal Bar Association

EXTENSION OF REMARKS

OF

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. ROUDEBUSH. Mr. Speaker, the Federal Bar Association has just completed its annual convention in the city of Chicago. The association's meetings were well attended with excellent discussion concerning many legal problems that we face as a nation. I am proud of the fact that I was invited to address the distinguished panel of the Patent, Copyright, and Trademark Committee. I feel that my remarks there concerning our American patent system, and purchasing practices of our Government, should be of interest to the Members of this House. I therefore include them in the RECORD of this date:

REMARKS OF THE HONORABLE RICHARD L. ROUDEBUSH, REPUBLICAN, OF INDIANA, BEFORE THE FEDERAL BAR ASSOCIATION, SEPTEMBER 17, 1965

Thank you so very much, Mr. Chairman. I think that you will agree that it is somewhat unusual for a nonprofessional man—whose knowledge of law was garnered during a few hours of business law courses in college—to address such a group as I see before me. My degree from the university is somewhat humble—as it is a mere BS degree in business administration.

Then why in heaven's name would such a nonprofessional attempt to address your group in the complex field of patent rights? For that matter, why would a nonlawyer even be interested in this field? I am sure that you will agree that this requires some explaining.

My interest in patent rights preceded my service in Congress. I have always admired the inventive mind and the role it plays in the free enterprise system in our Nation. I recall suffering through the accounts of the Kefauver hearings. That appeared in the public press. I recalled the vast contributions of the pharmaceutical companies during the time that I served in World War II, and the fact that many of these companies made drug products for our Nation and processed blood and at their exact costs. I felt this this was a vast and patriotic demonstration.

I have always felt that America's preeminence as a nation—and much of its prestige throughout the world—came through the worldwide acceptance of its products.

I have felt that the patent system and the right of copyright are the very heart of our free enterprise system. It is not hard to envision—without certain guarantees for the exclusive use and licensing of various new processes—that there would be little incentive for the expression of inventive genius. Similarly, there would be little incentive for many companies to invest untold millions in research to develop new products.

When I came to Congress—now 5 years ago—I was amazed to find that there was well-defined effort among some to neutralize our patent guarantees. I found Government actually purchasing materials made by sources that used bona fide patents, without licensing from their proper owners, on the flimsy argument that they were cheaper or the owner of the patent was gouging the Government for their products. The lack of ethics of those who use the peculiarity of their own Nation's patent laws or lack of laws on certain type products, was compounded by our own Government purchasing these products.

I have combated this in every way that a Member of Congress can, by amendments, by the introduction of legislation, by repeated speeches on the floor of Congress, by appearances on television, via radio and the press. I have found many friends that support my stand, and conversely I have found many opponents. Regardless, I shall continue my efforts and, I might add, my admiration for those individuals or those vast companies which simply cannot be satisfied with things as they are, and know, in their individual or collective minds, that it is possible to make a better product, or it is possible to find a better way to do some task.

In order to promote the progress of science and useful arts, our forefathers made provision in the Constitution (art. 1, sec. 8, clause 8) for the granting to inventors of exclusive rights for a limited time to their inventions.

The good life that we all share in this country is certainly due, in significant part, to our remarkable technological progress stimulated by the patent system. The wisdom of the drafters of our Constitution, in providing for such an incentive system, is, therefore, apparent to us all.

How paradoxical it is that the patent system is being weakened by the purchasing policies of certain agencies of the Federal Government. These agencies have, on a number of occasions, deliberately infringed U.S. patents in order to obtain lower prices on certain purchases of goods.

This blatant conflict between the Constitution's patent provisions and such purchasing policies has led me, during the past three congressional sessions, to introduce bills which were intended to prevent deliberate infringement of U.S. patents by the Federal Government, except where required by national security. My current bill, H.R. 150, was introduced on the opening day of this session. I am honored by the fact that 17 of my fellow congressmen have introduced similar bills in this session.

In the Senate my bill has been introduced by Senator WILLIAMS of New Jersey as S. 1047. The subcommittee on Patents, Copyrights and Trademarks of the Senate Judiciary Committee, chaired by Senator JOHN MCCLELLAN, has recently concluded a series of hearings on the Williams bill. I was privileged to testify in support of that bill.

The Government agencies which have been buying patent infringing materials cite subsection (a) of 28 U.S.C., section 1498, as authority for such purchases. As I am sure you all know, this subsection provides that, whenever an invention covered by a U.S. patent is used for manufacture the same, the patent owner's remedy shall be action for damages against the United States in the court of claims. It is contended, in effect, by these Government agencies that this statute constitutes a blanket authorization for the Federal Government to infringe U.S. patents, and this position of the agencies finds some support in an opinion of the Comptroller General (38 Comp. Gen. 276). The words of this statute, however, do not contain any such specific authorization, and its legislative history does not reveal a congressional intent to authorize willful disregard of such patent rights.

My bill would make it clear that this statute is not intended to authorize the infringement of U.S. patents, except where required by the national security. By adding to the end of this subsection (a) the following language:

"Nothing in this subsection shall be construed to authorize the use or manufacture by or for the United States of any invention described in and covered by a patent of the United States, which has not previously been held invalid by an unappealed or unappealable judgment or decree of a court of competent jurisdiction. Without license of the owner, thereof, unless the Secretary of Defense, or his delegate, shall determine in the case of each invention that that national security of the United States requires such use of manufacture."

BACKGROUND OF 28 UNITED STATES CODE 1498

The original Federal Statute (Act of June 25, 1910, c. 423, 36 Stat. 851) was enacted in 1910 not for the purpose of authorizing the Federal Government to infringe U.S. patents, but to entitle the owner of a patent infringed by the Government to sue for compensation in the court of claims. Without such a statute, of course, such a suit would have been barred by the doctrine of sovereign immunity.

The House Report (H. Rept. No. 1288, 61st Cong., 2d sess.) accompanying the bill (H.R. 24649, 61st Cong.) which became the Act of 1910 explained the purpose of the legislation (at p. 2):

"The United States cannot be sued except where it has consented thereto by statute. And unless this or some similar bill shall be passed the owners of patents will continue to be the only persons who are outside the protection of the fifth amendment to the Constitution. Which provides: 'Nor shall private property be taken for public use without just compensation.'"

By the act of July 1, 1918 (c. 114, 40 stat. 705) Congress amended the 1910 law to provide:

"That whenever an invention described in and covered by a patent of the United States shall hereafter be used or manufactured by or for the United States without license of the owner thereof or lawful right to use or manufacture the same. Such owner's remedy shall be by suit against the United States in the court of claims for the recovery of his reasonable and entire compensation for such use and manufacture."

In *Richmond Screw Anchor Co.* v. *United States* (275 U.S. 331, 343 (1928), the Supreme Court of the United States explained the purpose of this statute as follows:

"The intention and purpose of Congress in the Act of 1918 was to stimulate contractors to furnish what was needed for the war. Without fear of becoming liable themselves for infringements to inventors or the owners or assignees of patents."

That 1910 statute underwent other amendments not material to this discussion and now appear as 28 U.S.C.A., section 1489.

Thus, the statute which Congress enacted to give a remedy to patentholders for the Government's inadvertent infringement of their patents, and which Congress amended to "stimulate contractors to furnish what was needed for war" has, over the years, come to be treated as an eminent domain statute encouraging the Federal Government to infringe any patent it chooses.

REASONS ADVANCED FOR GOVERNMENT PATENT INFRINGEMENTS

Patent infringing purchases by agencies of the Federal Government have attracted the most attention in the case of drugs imported from abroad, generally from Italy. The principal reason that has been advanced for such purchases is that prices quoted by the U.S. patent owners and their licensees. There is, of courses, nothing surprising in that for the following reasons: Italian and domestic infringers have incurred no research expenditures for these drugs, and are exploiting a market developed at considerable expense by the U.S. patent owners. Furthermore, in the case of the Italian producers, they pay wages that are about one-quarter of the prevailing U.S. wage rates, and I understand that they have lower overall costs generally.

As most of you know, Italy alone among the major countries of the free world provides no patent protection for either drug products or processes. Surely, we cannot ignore the message clearly conveyed by that fact that Italy has produced not a single important drug discovery during, at least, the last 15 years, whereas the United States has become the world leader in the discovery of new drugs. Under the purchasing policies of certain Federal Government agencies, the U.S. patent owner finds himself in this remarkable situation—the U.S. Government issues him a patent which it says is the embodiment of the right to exclude others from making, using or selling that invention, but it adds parenthetically "except, of course, in the case of the U.S. Government."

Then, a foreign manufacturer copies the invention and since he incurred no research or market development expenses, and is not subject to U.S. social security or income taxes. Nor to other laws enacted to improve the situation of the American working man. He is in a position to offer the product of the invention to our Government at a price lower than that quoted by the U.S. patent owner. The U.S. Government purchases from the foreign supplier assert that lower prices are the justification.

If the U.S. patent owner can afford to bring action in the court of claims and wait 2 to 4 years for a decision. And then possibly await the outcome of an appeal. He may be awarded limited damages. Meanwhile, the infringement of his patent continues by the very Government which granted the patent to him.

Such a situation cannot help but discourage American research, the very opposite effect from that intended by the drafters of our Constitution. I feel very strongly that legislation such as the bill which I have introduced, should be enacted promptly to correct this deviation from the original constitutional purpose.

THE SENATE HEARINGS

The majority of the testimony before the McClellan subcommittee was favorable to the provisions of my bill—or here I should say the Senate version of my bill—H.R. 150 and S. 1047—being exactly similar.

The three Government agencies which commented on the bill, however, opposed it in varying degrees. All three asserted that the Federal Government should have across-the-board rights to infringe patents. The principal argument advanced seemed to be that, without such rights, the Government would have the burden of ascertaining whether any patents are involved in contemplated purchases and the extent of coverage of such patents.

It is difficult to see how the portion of that argument concerning the burden of discovering the existence of patents is any answer at all to the deliberate infringement of known patent rights. against which my bill is primarily directed. Furthermore, as to the burdens of interpreting the coverage of patents, why should the Federal Government be in a more favorable position than the private citizen who must make such determinations in connection with his everyday business affairs? It was surprising to find that the Departments of Commerce and Defense expressed diametrically opposed views as to what the effect of this corrective legislation would be. The Commerce Department said that this legislation would take away the patent owner's rights under 28

U.S.C.A., 1498 to sue for compensation where the Government has infringed a patent. On the other hand, the Department of Defense testified that this legislation would enable the owner of the infringed patent to obtain an advantage.

I submit that both Departments are in error as to the effect of this legislation. It would not remove from 28 United States Code section 1498 any rights granted to patent owners so that, should a Government agency after enactment of this legislation, through inadvertence or otherwise, infringe a patent—the patent owner could sue for compensation under this statute. He would not, however, be able to enjoin the Federal Government. Furthermore, if there is any doubt as to the intended effect of this legislation, and I do not think there is, all such doubt could be removed by use of appropriate language in the committee reports.

CONCLUSION

The American economy is strengthened by its patent system and that system is weakened by the existence of deliberate infringement of U.S. patents by certain Government agencies. As the result of such infringements, incentive for research is discouraged. Where the infringing purchases involve imports, the result is loss of jobs by American labor, loss of American tax revenues and an adverse impact on the country's overall balance-of-payments situations.

I commend to you the pending House and Senate bills which are intended to prevent such infringement, except where required by the national security.

Rosh Hashana and Yom Kippur

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. IRWIN. Mr. Speaker, Sunday night marks the start of the Jewish High Holy Days of Rosh Hashana and Yom Kippur. And I wish to take this occasion to wish my colleagues of the Jewish faith and my constituents who are of that faith a happy and prosperous new year.

Rosh Hashana ushers in the year 5726 on the Jewish calendar. And it is a time that brings to mind how, through the centuries, people of the Jewish faith have followed the Lord's word, in the face of the most punishing and servile forms of tyranny. Despite their long suffering, they have never wavered in their stubborn attachment to ideas of strict morality, intellectual integrity, religious faith, and cultural identity.

America must never forget the prominent role Jews have played in our history. Jewish people played active roles in the founding of our Nation. Jewish people have fought with valor in every one of our wars. The Old Testament principles, handed down to us by the Jewish people, figured in the thinking of those who formed our colonies, those who worked for our independence, and those who drew up our Constitution.

It is therefore not to strangers or visitors that we speak, but to brothers among us when we extend our best wishes to all Americans of the Jewish faith.

Legislation To Establish an International Home Loan Bank

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. HANNA. Mr. Speaker, I am today introducing legislation to establish an International Home Loan Bank with the hope that hearings may be held on this important measure in the near future and that the proposed bank will be enacted into law in 1966.

The purpose of the legislation is to create a central organization to provide a limited pool of capital from the United States to provide "seed" capital loans for the creation of thrift and home financing institutions in the less developed nations of the world. The proposed bank would secure its funds from savings and loan associations in the United States authorized by this legislation to invest up to 1 percent of their assets in the stock of the international bank.

Recently, in the Housing and Urban Development Act of 1965, Congress authorized federally chartered savings and loan associations to invest up to 1 percent of their assets in housing loans guaranteed under the foreign assistance program. Unfortunately, the amount of loan guarantees available from the Agency for International Development for this purpose amounts to no more than $20 million. Moreover, the loan guarantee program has been regarded as only a stopgap approach to the objective of tapping savings institutions in the United States to help develop sister-type associations in the overseas areas of the world.

As of the present time, the AID agency working with savings and loan executives in this country has through persistence developed a modest but amazing savings and loan program in less developed nations. At the end of May 1965, there were 88 savings and loan associations operating in 7 nations of Latin America, Ethiopia, and eastern Nigeria. The Latin American nations included Chile, the Dominican Republic, Ecuador, El Salvador, Guatemala, Peru, and Venezuela.

These 88 institutions had accumulated the equivalent of $81,509,000 in local savings funds from 282,713 savings account holders, according to statistics compiled by the National League of Insured Savings Associations. These funds, together with loans from the AID agency, had enabled the new savings institutions to provide the equivalent of $147,508,000 in mortgage loans on 32,888 dwelling units in these countries. Incidentally, the average sales price on these homes was $5,600.

The record achieved by the new savings institutions is truly remarkable when one considers that private thrift institutions were nonexistent only a few short years ago in the underdeveloped areas of the world and there was no real hope that savings of the people could be attracted to these institutions to stimulate home construction operations. Bear in mind that the people of these nations historically have had little faith in savings institutions and were, in fact, totally unfamiliar with our concepts of private thrift and homeownership.

With the experience of the last several years, it has become increasingly evident that savings money can be institutionalized and put to work to help stimulate the development of many nations in Latin America, Africa, and Asia. The bill I am introducing today would hasten the achievement of this objective by harnessing the great savings and loan business of the United States on a limited basis to provide an increasing flow of "seed" capital loans to new savings institutions in these and other underdeveloped nations of the world. Mr. Speaker, it is my belief that we have barely scratched the surface in bringing the realities of private home ownership to these people.

My bill to establish an International Home Loan Bank represents to a large extent the thinking of Mr. David Bell, the Administrator of the Agency for International Development. In testimony before the House Committee on Banking and Currency on September 12, 1963, Mr. Bell, representing the viewpoint of the administration, stated the following:

> First we fully endorse legislation to permit private U.S. savings and loan associations to invest, by pooling their resources, in similar home financing institutions abroad. We recommend only that these investments be limited to underdeveloped countries. Two considerations—the U.S. balance of payments and the potential impact on the domestic U.S. home financing market—cause us to oppose any measure permitting substantial investments in the developed countries of Europe and elsewhere.
>
> Second, we also endorse legislation to encourage greater contacts between the U.S. home financing industry and its counterpart in underdeveloped countries. The experience and technical skills possessed by U.S. associations can make a vital contribution to the growth of adequate credit facilities for home financing in underdeveloped areas of the world.
>
> Equally important to the long-term interests of the United States is the establishment of continuing personal contacts on a working level between private American businessmen and businessmen abroad.
>
> Third, while endorsing the objectives of the bills before the committee, we question the advisability of carrying out those objectives by establishing an International Home Loan Bank in the manner and form proposed. Rather, we would suggest an alternative approach.
>
> Instead of establishing a quasi-governmental institution, organized under governmental sponsorship, with permanent U.S. Government representation on the board of directors, and extending to the bank certain tax exemptions and the protection of certain criminal statutes generally reserved for the protection of U.S. Government agencies, we suggest that the means best designed to achieve the objectives of the bill is to have private capital, under private management, take the normal risks of a private business venture.
>
> We, therefore, recommend for consideration by the committee permissive legislation whereby two or more savings and loan associations or home loan banks could, at their own initiative, establish under Federal charter a wholly private institution to invest

> in home financing institutions in underdeveloped countries. Limitations on any one association's investment in a federally chartered international institution would, of course, be appropriate and necessary.
>
> Likewise, provision should be made for appropriate Federal Home Loan Bank Board regulation of each international institution—similar to the Board's regulation of federally chartered savings and loan associations in the United States. In essence, we believe that the vehicle chosen to carry out the objectives of the bill should reflect what seems to us the single, most important feature of the bill: The use of U.S. private capital under private management working with private business abroad to meet a very real need.

Mr. Bell's position has been embodied in the proposed International Home Loan Bank bill with the single exception that the bill provides for only one institution of this type. From the beginning, the sponsors of the International Bank in the savings and loan industry have advocated a single institution to serve as a channel for the investment of the available supply of funds and this approach is incorporated in my bill. I believe that if experience proves a need for additional institutions of this type, the legislation may be amended subsequently by the Congress.

I call attention to the fact that the proposal for an International Home Loan Bank has wide endorsement in the United States and overseas. President Johnson in his foreign aid message to the Congress on January 14, 1965, noted that the Alliance for Progress had generated the development of savings and loan associations and declared:

> We are placing increasing emphasis on the role of private institutions and private enterprise in the development process, and we shall continue to do so. Foreign aid cannot succeed if we view it as a job for Government alone. For Government can only do a small part of the job. We must bring to bear on the problems of the developing world, the knowledge and skills and good judgment of people from all walks of American life. The Agency for International Development provides the means for utilizing the resources of private business, of our universities and colleges, of farm groups, labor unions, banks, cooperatives, savings and loan associations, and professional groups.

It is also significant, I think, that the AID Housing and Urban Development Advisory Committee has endorsed the concept of an International Home Loan Bank. The AID housing committee is made up of individuals representing the various segments of our housing economy, including educators, city planners, savings and loan management, and labor unions. Overseas, the proposed International Home Loan Bank has received strong endorsement from the International Union of Building Societies and Savings Associations and the Inter-American Savings and Loan Conference which consists of savings and loan managers from the United States and throughout Latin America.

Finally, the concept of the International Bank has been endorsed by the United States Savings and Loan League and the National League of Insured Savings Associations which together represent the Nation's savings and loan industry. In this respect, the proposed bank would, I believe, be supported by the savings and loan business in the United States and would make a valuable, long-term contribution to the future development of Latin America and other areas of the world.

Mr. Speaker, I call attention to an article in the Washington Evening Star of August 19, 1965, in which Charles Bartlett in an article on the Alliance for Progress points out that the establishment of savings and loan institutions in Peru has stimulated local initiative and action in improving housing conditions as contrasted with other approaches to this problem.

I include the text of the bill, together with a section-by-section analysis in the Record at this point.

A bill to provide for the establishment of an International Home Loan Bank, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Home Loan Bank Act".

DEFINITIONS

Sec. 2. As used in this Act—

(a) The term "Bank" means the International Home Loan Bank incorporated under this Act.

(b) The term "Board" means the Federal Home Loan Bank Board.

(c) The term "member", except where used with respect to a member of a Federal Home Loan Bank, means a member of the Bank.

(d) The term "stock" means capital stock of the Bank.

INTERNATIONAL HOME LOAN BANK

Sec. 3. The Board is hereby authorized and directed to provide, without regard to any other provision of law, for the incorporation and organization of a corporation to be known as the International Home Loan Bank under a charter to be issued by the Board. The Board shall have authority to make and publish, as provided in the Administrative Procedure Act, regulations implementing this Act. The Board shall also have authority to supervise the Bank and to require that the Bank conform to law and applicable regulations designed to encourage the development of thrift and home financing in less-developed countries in order to carry out the purposes of this Act. The Board shall have authority to examine the books and records of the Bank at such times as the Board determines, and the Bank shall make available to the Board upon its request for examination at the place where they are usually kept for business purposes all pertinent books and records of the Bank.

BOARD OF DIRECTORS

Sec. 4. (a) The Board of Directors of the Bank shall consist of sixteen persons who, at the time of taking office, are citizens of the United States, and who shall be nominated and initially elected by the subscribing members at the organization meeting of the Bank and thereafter shall be nominated and elected by the members. Persons serving on the Board of Directors shall receive no compensation as directors other than reimbursement for travel and per diem expenses for attendance at regular or special Board meetings. A term on the Board shall consist of two years. The nomination and the election of directors shall be in accordance with such provisions, including without limitation such provisions with respect to classification of members, as the Board may prescribe and each member shall be permitted to cast one vote for each $100,000, or fraction thereof (but not less than $25,000) of the par value of stock held by such holder: *Provided*, That no member shall be permitted to cast more than 10 votes. The exercise of such voting rights shall be as the Board may prescribe.

(b) The Board may provide as to (1) the exercise, through meetings or otherwise, of functions of the Board of Directors or of any committee or body of said Board or of the Bank, and (2) the nomination of directors where members fail to nominate and the appointment of directors in case of vacancies. The Chairman shall be elected by the Board of Directors. Any function of the Board under this Act may be exercised by such person or persons as the Board may provide, and, to such extent as the Board may provide, but subject to such prohibitions, restrictions, and limitations as the Board may prescribe by regulation, any function of the Bank or of the Board of Directors or of the Chairman thereof may be exercised by such person or persons as the Bank may provide. Any such function or any function under this Act may be exercised without regard to whether any place at which it is exercised in whole or in part is or is not within the United States or subject to the jurisdiction of the United States.

CAPITAL STOCK

Sec. 5. The Bank shall have such capital stock as the Board shall authorize, and such stock shall be issued, and may be retired, at such times, under such circumstances, and at such price or prices as the Board may prescribe. All stock shall be without preference or priority as to dividends or assets. Stock shall be evidenced in such manner, and shall be transferable only to such extent, to such transferees, and in such manner, as the Board may prescribe.

ELIGIBLE STOCKHOLDERS

Sec. 6. (a) Subject to such restrictions, requirements, and exceptions as the Board may prescribe, (1) stock of the Bank may be purchased or otherwise acquired and held by any member of a Federal Home Loan Bank, or any State-chartered savings and loan association or building and loan association authorized by the law of that State to be a member of a Federal Home Loan Bank, and any mutual savings bank duly chartered by any State, or any trustee or trustees of pension funds as defined under section 401 of the Internal Revenue Code of 1954, or any insurance company licensed by any State and supervised by a regulatory agent or agency of such State, and (2) while holding such stock any such holder shall automatically be a member of the Bank.

(b) Notwithstanding and without regard to any provision of any other law, but subject to such restrictions, requirements, and exceptions as the Board may prescribe, legal authority to be a member of the Bank and to purchase or otherwise acquire and to hold stock, obligations or other securities of the Bank is hereby conferred to the extent possible under Federal law on any Federal savings and loan association, or any State-chartered savings and loan association or building and loan association authorized by the law of that State to be members of a Federal Home Loan Bank, or any mutual savings bank duly chartered by any State, or any trustee or trustees of pension funds as defined under Section 401 of the Internal Revenue Code of 1954, or any insurance company licensed by any State and supervised by a regulatory agent or agency of such State, and on any other Federal Home Loan Bank member, but nothing in this sentence shall (1) authorize any Federal savings and loan association or any State-chartered savings and loan association or building and loan association authorized by the law of that State to be a member of a Federal Home Loan Bank, or any mutual savings bank duly chartered by any State, or any such Federal Home Loan Bank member to invest any of its funds in the purchase of any such stock if, immediately after such purchase, the par value of the total amount of such stock owned by such association or member or savings bank would exceed 1 per centum of the assets of such association or such member, or savings bank; or (2) authorize any Federal savings and loan association or any such Federal Home Loan Bank member to invest any of its funds in the purchase of any such stock if, immediately prior to such purchase, its reserves and surplus are not at least equal to 5 per centum of its insured savings accounts.

OPERATIONS OF THE BANK

SEC. 7. (a) As used in this section, the term "foreign thrift and home-financing institution" means an institution as to which there is outstanding a determination by the Bank that such institution (1) has as primary purposes the receipt of savings and the financing of homes in less-developed countries, (2) is chartered for this purpose by an appropriate government agency of a less-developed country, and (3) does not have in the United States, or at or within any place subject to the jurisdiction of the United States, any office or agency, or any agent, for the receipt of savings or the making of loans, and the term "foreign home loan bank" means an institution as to which there is outstanding a determination by the Bank that such institution (1) is organized or incorporated by or under the laws of a less-developed country and (2) has as a primary purpose the making of loans or advances to, or investments in, institutions organized or incorporated under the laws of such country and engaged, or authorized to engage, in such country in the receipt of savings and the financing of homes.

(b) The Bank shall have (1) authority to invest in loans at reasonable rates of interest or advances to, or in shares, accounts, deposits, or certificates of indebtedness of, foreign thrift and home-financing institutions and foreign home loan banks, or in interests in any of the same; (2) all the powers and authority customary or appropriate to conduct an international banking organization to serve such institutions and banks; (3) authority to promote and assist in the establishment and development in less-developed countries of institutions having as primary purposes the receipt of savings and the financing of homes and the establishment and development in less-developed countries of credit and financing facilities for such institutions; (4) authority to make or procure such studies and investigations and such reports as it may deem to be necessary or appropriate to assist in carrying out the purposes or provisions of this Act; and (5) authority to arrange for the training and education of persons from other countries in the principles of thrift and home financing. Funds of the Bank not invested pursuant to the foregoing provisions of this subsection may be invested in such investments as the Board may approve. The Bank shall also establish reasonable reserves for losses or currency devaluation.

(c) The Bank is hereby made eligible to apply for guarantees of investments made under this Act under the guaranty program authorized by part I, chapter 2, title III, of the Foreign Assistance Act of 1965, amending the Foreign Assistance Act of 1961.

BORROWINGS AND SECURITIES

SEC. 8. (a) The Bank is hereby authorized, upon such terms and conditions as the Board may prescribe, to borrow, to give security, to pay interest or other return, and to issue notes, debentures, bonds, or other obligations, or other securities. The Bank shall not make any public offering of its obligations for sale, or sell any of its obligations otherwise than by private placement, except with the approval of the Federal Home Loan Bank Board, but the provisions of this sentence shall not be applicable to any offering or sale confined to Federal Home Loan Banks or Federal Home Loan Bank members or stockholders of the Bank itself, provided that no Federal Home Loan Bank shall be eligible to purchase or hold any stock of the Bank. Any obligation or security of the Bank shall be valid and binding notwithstanding that a person or persons purporting to have executed or attested the same may have died, become under disability, or ceased to hold office or employment before the issuance thereof.

(b) Obligations of the Bank shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public, private, or other funds the investment of which shall be under the authority or control of the United States, the District of Columbia, Puerto Rico, or any territory or possession of the United States, any public, private, or other corporation incorporated by or under any law of any of the foregoing, any county or municipality of any of the foregoing, any political subdivision of any of the foregoing, any court or any corporate or other agency or instrumentality of any of the foregoing, or any officer or officers, employee or employees, or agent or agents of any of the foregoing. Nothing in the sentence next preceding shall authorize the investment of funds of any Federal Reserve bank in such obligations or securities, and nothing in said sentence shall authorize any national bank, in the exercise of any power vested in it pursuant to subsection (k) of section 11 of the Federal Reserve Act, as amended, to make any investment in contravention of any regulation of the Board of Governors of the Federal Reserve System issued pursuant to said subsection (k).

(c) Except as otherwise provided in this Act, no provision or requirement of or under any law relating to securities, securities exchanges, investments, or proxies or powers, with respect to securities, shall be applicable to or with respect to any stock, obligation, or other security of the Bank.

(d) Every obligation issued by the Bank shall state on its face that it is neither issued nor guaranteed by the United States.

MISCELLANEOUS PROVISIONS

SEC. 9. (a) (1) The Federal Reserve Banks and the Federal Home Loan Banks are hereby authorized to act as depositaries and fiscal or other agents of the Bank, and the Bank is hereby authorized to use them as such and to pay them compensation therefor; (2) when designated for that purpose by the Secretary of the Treasury, the Bank shall be a depositary of public money, under such regulations as may be prescribed by the Secretary of the Treasury, and may also be employed as fiscal or other agent of the United States, and it shall perform all such reasonable duties as such depositary or agent as may be required of it.

(b) Any expenses of the Board or of the Federal Savings and Loan Insurance Corporation in connection with services rendered to the Bank, and any expenses of the Board in connection with the exercise of any function vested in or exercisable by the Board under this Act, shall be considered as nonadministrative expenses. Nothing in this Act or any other provision of law shall be construed to prevent or affect the appointment, employment, or provision for compensation or benefits, as an officer, director, employee, attorney or agent of the Bank, of any officer, director, employee, attorney, agent or member of the Board or of such Corporation or stockholder of the Bank.

(c) All notes, bonds, debentures, or other obligations of the Bank, or other securities (including stock) of the Bank, and the interest, dividends, or other income therefrom, shall be exempt for twelve (12) years beginning with the date of incorporation from all taxation (except estate, income, inheritance, and gift taxes) now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The foregoing exemption from taxation, except as to taxation imposed by the United States, shall include exemption from taxation measured by such obligations or securities or by such interest, dividends, or other income, and from inclusion of such obligations or securities, or such interest, dividends, or other income, in the measure of any such taxation.

(d) The Bank, including its franchise, activities, capital, reserves, surplus, and income, shall be exempt for twelve (12) years beginning with the date of incorporation from all taxation now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Bank shall be subject to State, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed. Nothing in this subsection shall affect the applicability of the Public Debt Act of 1941, as amended. The provisions of this subsection shall be applicable without regard to any other law, including, without limiting the generality of the foregoing, section 3301 of the Internal Revenue Code of 1954, except laws hereafter enacted by Congress expressly in limitation of this subsection.

PENAL PROVISIONS

SEC. 10. (a) Except as expressly authorized by statute of the United States or by regulations of the Board, no individual or organization (except the Bank) shall use the term "International Home Loan Bank", or any combination of words including the words "International" and "Home", as a name or part thereof under which any individual or organization does any business, but this sentence shall not make unlawful the use of any name under which business is being done on the date of the enactment of this Act. No individual or organization shall use or display (1) any sign, device, or insigne, prescribed or approved by the Bank for use or display by the Bank or by members of the Bank, (2) any copy, reproduction, or colorable imitation of any such sign, device, or insigne, or (3) any sign, device, or insigne reasonably calculated to convey the impression that it is a sign, device, or insigne used by the Bank or prescribed or approved by the Bank, contrary to regulations of the Bank prohibiting, or limiting or restricting, such use or display by such individual or organization. An organization violating this subsection shall upon conviction for each violation be punished by a fine of not more than $10,000. An officer or member of an organization knowingly participating or knowingly acquiescing in any violation of this subsection shall upon conviction be punished by a fine of not more than $5,000 or imprisonment for not more than one year, or both. An individual violating this subsection shall upon conviction for each violation be punished as set forth in the sentence next preceding this sentence.

(b) The provisions of sections 220, 658, 1011, and 1014 of Title 18 of the United States Code are hereby extended to apply to and with respect to the Bank, and for the purposes of said section 658 the term "any property mortgaged or pledged" as used therein shall, without limitation on its generality, include any property subject to mortgage, pledge, or lien acquired by the Bank by assignment or otherwise. The terms "agency" and "agencies" shall be deemed to include the Bank wherever used with reference to an agency or agencies of the United States in sections 201, 202, 216, 283, 286, 287, 371, 506, 595, 602, 641, 654, 701, 872, 1001, 1002, 1016, 1017, 1361, 1505, and 2073 of said title 18. Any officer or employee of the Bank shall be deemed to be a person mentioned in section 602 of said Title 18, within the meaning of section 603 of said title, and shall be deemed to be one of the officers or employees mentioned in section 602 of said title, within the meaning of section 606 of said title.

(c) The term "bank examiner or assistant examiner" as used in section 655 of said title 18 shall include any examiner or assistant examiner who is an officer or employee of the Bank and any person who makes or participates in the making of any examination of or for the Bank, and the term "bank" as used in said section 655 shall, without regard to any provision of said section with respect to membership or insurance, include the Bank and any institution examined by or for the Bank; and the last sentence of said section 655 shall not be applicable to said section 655 as extended by this sentence. The term "bank" as used in subsection (f) of section 2113 of said title 18 shall include the Bank, and any building used in whole or in part by the Bank shall be deemed to be used in whole or in part as a bank, within the meaning of said section 2113.

(d) The terms "obligation" and "security," whenever used (with or without the words "of the United States"), whether in the singular or in the plural, in sections 471 to 476, both inclusive, and section 492 of said title 18 are hereby extended to mean and to include any obligation or security of or issued by the Bank. Any reference in sections 474, 494, 495, and 642 of said title 18 to the United States, except in a territorial sense, or the Secretary of the Treasury is hereby extended to include the Bank. Section 477 of said title 18 is hereby extended to apply with respect to section 476 of said title as extended by the first sentence of this subsection (d), and for this purpose the term "United States" as used in said section 476 shall include the Bank.

(3) References in this section to sections of title 18 of the United States Code shall be deemed to be references to said sections as now or hereafter in force.

CONSTRUCTION AND SEPARABILITY

SEC. 11. Except as otherwise provided in this Act or as otherwise provided by the Board or by laws hereafter enacted by the Congress expressly in limitation of provisions of this Act, the powers and functions of the Board, the Bank, or the Board of Directors of the Bank shall be exercisable and the provisions of this Act shall be applicable and effective without regard to any provision of any other law. Notwithstanding any other evidence of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

ANALYSIS OF AUGUST 18, 1965, DRAFT BILL ON INTERNATIONAL HOME LOAN BANK

Section 1, short title: International Home Loan Bank Act.

Section 2, definitions: Bank, Board, member, stock.

Section 3, International Home Loan Bank: The Federal Home Loan Bank Board is directed to provide for the incorporation and organization of a corporation to be known as the International Home Loan Bank. The Bank will operate under supervision of the Board to see that it conforms to law and regulations designed to encourage development of thrift and home financing in less-developed countries.

Section 4, Board of Directors:

Section 4(a). A 16-man Board of Directors, all initially elected by the subscribing members of the Bank, shall thereafter be elected by the members when the initial directors' terms expire. Voting rights of members are prescribed.

Section 4(b). The Board is granted authority to provide for the filling of vacancies and to determine the functions of and the exercise thereof by the Board of Directors. Provides authority for the Board, the Bank, and the Board of Directors to delegate certain functions.

Section 5, capital stock: The Bank shall have capital stock, all of which shall be without preference. The amount, how it shall be evidenced, transferability, price at time of issue and retirement shall be determined by the Board.

Section 6, eligible stockholders:

Section 6(a) makes the following eligible as stockholders: present Federal Home Loan Bank members or those eligible for membership, mutual savings banks, pension funds, and insurance companies. A holder of stock of the Bank is automatically a member thereof.

Section 6(b). A Federal savings and loan association and any member of a Federal home loan bank, other than an insurance company, may purchase stock if its reserve and surplus equal 5 percent of savings accounts.

Associations and other members or associations eligible to become members of a Federal home loan bank are limited in their purchase of stock to 1 percent of assets.

Section 7, operations of the Bank:

Section 7(a) defines "foreign thrift and home-financing institution" and "foreign home loan bank."

Section 7(b). The Bank is authorized to invest in or lend to foreign mutual thrift and home-financing institutions in less developed countries and foreign home loan banks in such countries which have as their primary purpose loans and advances to mutual thrift and home-financing institutions within the country in which organized.

The Bank is also granted the powers necessary to promote and assist in the establishment and development in less developed countries of mutual thrift and home-financing institutions together with credit and financing facilities for such institutions.

Section 7(c). The Bank is made eligible to apply for AID guarantees.

Section 8, borrowings and securities:

Section 8(a). Under regulations prescribed by the Board, the Bank is authorized to borrow and otherwise finance its activities but any offering or sale of its obligations to other than Federal home loan banks or members thereof must be approved by the Board.

Section 8(b). Obligations of the Bank are made lawful investments but authority to so invest is denied to Federal Reserve banks, and national banks may invest only if the Board of Governors of the Federal Reserve System so authorizes.

Section 8(c). The Bank is exempted from Securities and Exchange Commission laws.

Section 8(d). Each Bank obligation must state it is not issued or guaranteed by the United States.

Section 9, miscellaneous provisions:

Section 9(a)(1). Federal Reserve banks and Federal home loan banks authorized to act as depositaries and fiscal agents of the Bank.

Section 9(b). Expenses of the Board and FSLIC in connection with the exercise of any function under this act are to be considered nonadministrative. Board and FSLIC officials and employees as well as Bank stockholders may be officers, directors, employees, attorneys or agents of the Bank.

Section 9(c). Except for estate, income, inheritance and gift taxes obligations of the Bank and the income therefrom are exempt from taxation for 12 years.

Section 9(d). The Bank and its assets are exempt from all taxation for 12 years.

Section 10, penal provisions:

Section 10(a). The use of the term "International Home Loan Bank" or the insigne of the Bank contrary to statute or regulations of the Board is subject to a fine of $10,000 if an organization and $5,000 fine or imprisonment for not more than 1 year or both if a person.

Sections 10(b)(c)(d)(e). Various provisions of title 18 of the United States Code are extended and applied to the Bank, bank examiner or assistant examiner, obligations and securities of the Bank.

Section 11, construction and separability: This section would assure that the provisions of other laws would not limit the operation of the new act and would provide a separability provision in customary form.

American Airpower in South Vietnam

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1965

Mr. IRWIN. Mr. Speaker, I wish to call the attention of my colleagues to remarks made this morning by Congressman PIKE, of New York, chairman of the Special Subcommittee on Tactical Air Support of the House Armed Services Committee. Mr. PIKE's well-reasoned statement at the opening of subcommittee hearings on the question of why American airpower has been unable to find and destroy the Vietcong in South Vietnam sets the tone for the hearings. As he said in his statement:

> They (the hearings) will not be accompanied by spectacular press releases, nor will any of the issues to which we direct our attention be prejudged. It is our purpose to study, and if we can, to help solve them.

Congressman PIKE's statement follows:

STATEMENT BY HON. OTIS G. PIKE, CHAIRMAN, SPECIAL SUBCOMMITTEE ON TACTICAL AIR SUPPORT OF HOUSE ARMED SERVICES COMMITTEE, AT OPENING OF HEARINGS, SEPTEMBER 22, 1965

In January 1961, in a report to a Communist Party conference, Chairman Nikita Khrushchev set forth the doctrine by which Communist conquest was to be governed in the future. He described four kinds of war: (1) World wars, (2) local wars, (3) liberation wars, and (4) popular uprisings.

Mr. Khrushchev announced to the world that international communism was opposed to both world wars and local wars as being too dangerous for profitable utilization in a world armed with nuclear weapons.

With regard to what he referred to as wars of national liberation, however, he stated that the Communist movement would recognize and support such wars. With specific reference to the war in Vietnam, he said: "It is a sacred war."

For 4½ years we have been forewarned. What Khrushchev referred to as wars of national liberation and described as "sacred" in Vietnam have been translated on the battlefield and in the cities and countryside into attacks by terrorists at night, the blowing up of restaurants and buses as well as bridges and barracks. In a jungle environment attacks on government outposts are carried on most frequently by platoon or company-sized units at night. These small units are armed with mortars, recoilless rifles, machineguns, and automatic weapons. They do not have tanks or armored personnel carriers, and they walk into battle. They would be hard to find in a jungle environment in the daytime. They are harder to find during the nighttime, which they claim for their own.

Arrayed against these small and elusive units is the military power of America. We have all the tanks that there are in South Vietnam. We have all the armored personnel carriers that there are in South Vietnam. We have almost all of the artillery, and we retain complete mastery of the skies. Over 20 different models of American aircraft, undisturbed by enemy aircraft, roam the skies of South Vietnam at will, subject only to the danger of ground fire from conventional small arms.

Many voices have been raised asking why our airpower is unable to find and destroy the Vietcong in South Vietnam. Chairman L. Mendel Rivers has asked this subcommittee to look into this question. Due to the present pressing congressional obligations of the members and staff of the subcommittee, we will have limited opportunities to travel for the purpose of field investigations until recess of this session of Congress. In addition, the time allotted to the subcommittee is not sufficient to allow us at this time to inquire into every detail related to tactical air support, and therefore we must limit our investigations to the following aspects:

1. The adequacy of our close air support during the course of the war in Vietnam and today;

2. The availability of close air support 24 hours a day under all weather conditions;

3. The quantities available, the cost and effectiveness of the various tactical aircraft being used in South Vietnam today;

4. The adequacy of liaison and communications between the air forces and the ground forces in Vietnam;

5. The adequacy of existing logistic and support facilities for tactical aircraft in Vietnam;

6. The development of new tactics and techniques for close air support;

7. Whether any progress has been made in developing and producing a new type aircraft for close air support in limited war situations;

8. The adequacy of our training environment to simulate conditions such as those found in Vietnam.

For the purpose of the subcommittee during these investigations we have adopted the Joint Chiefs of Staff definition of close air support: "Air action against hostile targets which are in close proximity to friendly forces and which require detailed integration of each air mission with the fire and movement of those forces."

I believe that these hearings have a significance beyond our current confrontation in Vietnam. As we look at the globe we can see over much of its land surface other peoples who must be considered amenable to Communist propaganda, to Communist subversion, to Communist terror. We see people who remain hungry, who remain ill clothed, ill housed, and uneducated. We can see at the outset that no amount of military power of any kind is the answer to their problems. We would be blind indeed, however, if we could not also see, as we see in Vietnam, that no government can attack and solve these problems when it is the steady victim of armed terror and armed insurrection aimed not at the solution of the people's problems, but at the domination of the people themselves. As we look at the globe we also find countless other areas where not only the economic and social problems are the same as those in Vietnam, but where the geography is the same. We find countless regions where small bands of armed guerrillas can operate effectively in jungles, as the Vietcong do in Vietnam, as Castro did in Cuba, and as is being done on the continents of Africa and South America today.

The question before us is, having been forewarned, have we adequately forearmed ourselves? Have we used too much of our resources in preparing for the kind of warfare which Khrushchev has described as intolerable, and not enough of our resources in preparing for the kind of warfare he described as inevitable?

These hearings will of necessity be held almost exclusively in executive session. They will not be accompanied by spectacular press releases, nor will any of the issues to which we direct our attention be prejudged. It is our purpose to study and, if we can, to help solve them. We are starting our hearings not with the testimony of planners in the Pentagon, who would tell us how our system should work; we are starting our testimony instead with witnesses who have been on the firing line in Vietnam and can tell us how it does work. Today we will hear witnesses who have been on the ground, and who have needed air support; tomorrow we will hear those who have been in the air and have tried to provide it. It is obvious that any weaknesses in our system of close air support have not proved fatal to those whom we will hear from. What others who called for air support and failed to receive it might have testified we can never know. In future sessions we will hear from the men who plan our tactics, procure and manufacture our planes, and train our pilots. We will visit the bases and places where these activities are conducted.

I say to each of the witnesses that before we can help you, you will have to be candid with us. I enjoin each of the witnesses to speak freely and in his own words, to give an account of his personal combat experiences in Vietnam during which close air support was requested. We are particularly interested in your personal evaluation of what happened, or what should have happened.

SENATE

Thursday, September 23, 1965

(Legislative day of Monday, September 20, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. Donald Russell, a Senator from the State of South Carolina.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, high over all, pilgrims of the night, we would reach for Thy hand in the darkness. Even as the busy tribes of flesh and blood, with all their cares and fears, are carried swiftly onward by the flood of this tempestuous day, lead us who seek Thy face to still waters and green pastures where in some shrine of the spirit we may be assured of those values which are excellent and permanent and which assert their sovereignty in all life's changing scenes.

Etch deep in our hearts the suffering and pain of shepherdless multitudes, so wearied by the burden and the stress of life. Grant us such a vision of our needy world in this great day of our opportunity as shall make us instant and eager sharers with Thee in its redemption. Redeem our failures, pardon our transgressions, transform every task into a throne of service and crown this day of labor with the benediction of Thy "well done."

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., September 23, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Donald Russell, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. RUSSELL of South Carolina thereupon took the chair as Acting President pro tempore.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS FOR 1966

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MANSFIELD. Mr. President, I yield myself 2 minutes under the bill. It is my understanding that the floor manager of the bill will then yield 10 minutes to the distinguished Senator from New York [Mr. Javits].

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 22, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on September 21, 1965, the President had approved and signed the following acts and joint resolutions:

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes;

S. 135. An act for the relief of Elizabeth Kam Oi Hu;

S. 136. An act for the relief of Angel Lagmay;

S. 454. An act for the relief of Lee Hyang Na;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 828. An act for the relief of Cha Mi Hi;

S. 879. An act for the relief of Kim Sa Suk;

S. 971. An act for the relief of Mrs. Elena B. Guira;

S. 1084. An act for the relief of Shu Hsien Chang;

S. 1170. An act for the relief of Chung J. Clark;

S. 1186. An act for the relief of Kris Ann Larsen;

S. 1209. An act for the relief of Specialist Manuel D. Racelis;

S.J. Res. 89. Joint resolution extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; and

S.J. Res. 102. Joint resolution to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law enforcement.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SESSION OF THE SENATE

On request of Mr. MANSFIELD, and by unanimous consent, all Senate committees were authorized to meet during the session of the Senate today.

THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the following calendar measures were considered and acted upon as indicated, and excerpts from the reports thereon were ordred to be printed in the RECORD, as follows:

SOOK JA KIM, AI JA KIM, AND MIN JA KIM

The bill (S. 2126) for the relief of Sook Ja Kim, Ai Ja Kim, and Min Ja Kim was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sook Ja Kim, Ai Ja Kim, and Min Ja Kim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 20, 1959.

EXCERPT FROM THE COMMITTEE REPORT (No. 759)

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiaries to file petitions for naturalization.

TONY BOONE

The bill (H.R. 2358) for the relief of Tony Boone was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE COMMITTEE REPORT (No. 761)

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States. The bill also waives the limitation of two orphan petitions.

KSENIJA POPOVIC

The bill (H.R. 2772) for the relief of Ksenija Popovic was considered, ordered to a third reading, read the third time, and passed.

EXCERPT FROM THE COMMITTEE REPORT (No. 762)

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by a citizen of the United States.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

Mr. PASTORE. Mr. President, I yield 10 minutes on the bill to the senior Senator from New York [Mr. JAVITS].

CONFUSION OVER UNITED STATES LATIN AMERICAN POLICY MUST BE ENDED

Mr. JAVITS. Mr. President, I shall speak today about the debate that has been going on with respect to the actions of the United States in the Dominican Republic last April. In view of my longstanding concern with the problems of Latin America, I feel it is very important to make these comments today, since the debate on the subject is unfortunately creating confusion about what our policy toward Latin America really is.

The main point, I believe, that has failed to emerge clearly from this discussion is that U.S. policy with respect to Latin America has not been changed by the action taken in the Dominican Republic, but remains the policy of the good neighbor, the policy of the good partner, the policy of the Alliance for Progress.

I suggest there are two ways in which this point needs to be made and emphasized. It is especially essential—and this I have from personal knowledge and contacts—to reassure our millions of friends in Latin America.

First. I believe that we should act now in the Senate on Senate Concurrent Resolution 56, which I introduced with Senator CARLSON on September 2.

Second. I believe that we should now sponsor certain reforms in the inter-American system which the Dominican incident and the ensuing debate indicate to be desirable.

First, as to the resolution which I sponsored with Senator CARLSON, this resolution would reaffirm the faith of Congress in the Alliance for Progress as the framework for nonviolent, but accelerated, social and economic development of Latin America; would seek to improve the authority and capability of the inter-American system to deal with Communist or ultra-rightist subversion or efforts to take over democratic governments; and would encourage and support common efforts to strengthen constitutional, democratic, and progressive government in the Americas.

I point out that this resolution now becomes supremely important because on Monday last, the House of Representatives passed a resolution which, in effect, is being construed throughout Latin America as supporting unilateral action by any nation of the hemisphere to combat Communist subversion within the territory of another nation. Right or wrong, that is what Latin America is thinking and saying about it.

The State Department has already rebutted the proposition, but, nonetheless, the resolution of the other body remains on the books and gives an added impetus to the action required here in the Senate to counter that impression. The resolution which I have suggested, which has already been introduced, is a very suitable framework for consideration by the Committee on Foreign Relations to that effect.

Now, as to reforms of the inter-American system, I suggest the following:

First. The representatives to the Council of the Organization of American States in Washington should be vested with authority equal to that held by ambassadors to the United Nations. This would allow the representatives to the Council to act with greater authority and dispatch without being forced into inaction while they seek instructions from their respective capitals.

Second. Improved procedures for the prompt OAS handling of emergencies should be established.

Third. And this is very important, Mr. President—that a representative of the Organization of American States should be posted as an observer in each of the capitals of the American States.

There are only 19 other capitals. It makes sense to have an OAS observer in each, so that an immediate report as to any revolutionary or subversive situation may be obtained from an OAS representative who is there all the time and is acquainted with the local situation.

Fourth. Serious efforts should be made to bring Canada into the Inter-American system, to give completeness to hemispheric action and to provide an added measure of confidence in the system. I think Canada can be of great assistance to the hemisphere as a bridge between the United States, a great country called "the colossus of the North," and the Latin American countries, and would be a very fine addition to the totality of the inter-American system.

Now a word about the debate which was led off by the Senator from Arkansas [Mr. FULBRIGHT], in his now famous and highly controversial discussion of our actions in Santo Domingo. He said much with which I feel I and many of my colleagues can agree about the desire of the United States to aid in bringing about much needed social, economic, and political change in Latin America; but he questioned whether our action in Santo Domingo did not indicate a change in our policy toward Latin America.

I feel that in view of the debate concerning Senator FULBRIGHT's speech, and in view of the resolution to which I have already referred adopted in the House last Monday, it is particularly necessary for Congress to clear up the confusion as to our policy that these developments have undoubtedly caused in Latin America. We must remember that the confusion was created by what took place in Congress, not in the executive department, and therefore it is something we should contribute to clearing up promptly.

Senator FULBRIGHT's central thesis in discussing the Santo Domingo action is that "the administration acted on the premise that the revolution was controlled by Communists—a premise which it failed to establish at the time and has not established since."

Therefore, he continues—

> Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning, the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt obligarchies of the hemisphere.

From that he concludes:

> Another theme that emerges from the Dominican crisis is the occurrence of a striking change in U.S. policy toward the Dominican Republic and the possibility—not a certainty, because the signs are ambiguous, but only the possibility—of a major change as well in the general Latin American policies of the United States.

The Senator from Arkansas [Mr. FULBRIGHT] believes that our policy toward Latin America should continue to be based on support for the principles and goals of the Alliance for Progress, on advancement of the cause of popular democracy, and on the viewing of reform movements—even reform revolutions if democratically based and directed—as in basic accord with the interests of the United States. However, the Senator asserts that our handling of the Dominican crisis called forth hoary historical ghosts of U.S. intervention, lent credence to the idea that the United States is the enemy of social revolution in Latin America, and created serious suspicions that our policy has changed.

I do agree with the Senator from Arkansas that our true friends in Latin America must not be left in doubt that our policy remains unchanged and that their social revolutions will have our sympathy and support. We are a Nation created by revolution, we can understand revolution, and we have no desire to suppress the determination of any people to improve their lot in life. But I am greatly concerned that questioning the steadfastness of our Alliance for Progress policy as a result of the Dominican situation may serve only to reinforce such doubts as may exist and give rise to new ones. That is why I speak today.

I would consider it a great mistake to shake the confidence of the people of Latin America in the desire of the United States to adhere to this basic policy and to work for the security of the hemisphere through collective responsibility and multilateral action by the organs of the inter-American system.

In this connection, the House of Representatives resolution passed Monday strikes me as particularly unfortunate. Indeed, if our policy were as stated in that resolution, the concerns of the Senator from Arkansas would have been borne out. But the State Department has denied that the House resolution represents U.S. policy.

Mr. President, how much time have I remaining?

The ACTING PRESIDENT pro tempore. Two minutes remain to the Senator from New York.

Mr. JAVITS. I thank the Chair.

Mr. President, the Senator from Arkansas, in his detailed discussion of the Dominican crisis, neglected to offer his suggestions on how the nations of the Americas should deal in the future with situations in which the Communist takeover of a Latin American Republic through aggression or subversion appears likely or imminent, while the House resolution supports an almost unlimited range of action, including unilateral action, which is not and should not be in accord with our Latin American policy.

As I made clear when the Senator from Kansas [Mr. CARLSON] and I introduced our resolution, I feel that collective action is the only wise and reasonable way to handle situations of this kind. The House of Representatives resolution supports essentially unilateral action. The resolution of the Senator from Kansas and myself, and the suggestions which I have made, are directed toward multilateral action. I believe that we should definitely go on record to that effect.

The applicable treaties of the inter-American system contain prohibitions against intervention in the internal affairs of the member states. Article 15 of the OAS Charter provides:

> No state of group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state.

Article 17 of the charter provides further:

> The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any grounds whatever.

But the Rio Treaty also contains provisions applicable to such situations. Article 6 of that treaty states:

> If the inviolability or the integrity of the territory or the sovereignty or political independence of any American state should be affected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

These provisions are broad enough to be applied to any situation in which it is collectively determined that the peace of the hemisphere might be endangered.

With the OAS legitimization of the Dominican intervention, by a 14-to-5 vote of the meeting of consultation of the OAS foreign ministers on May 6, the inter-American system rose to the test and met it. That system is sound, but it needs to be strengthened and given the means with which to act promptly and effectively in emergency situations.

Certainly there is room for dispute as to whether or not the U.S. assessment of the likelihood of Communist takeover of the Dominican revolution was justified. The Senator from Arkansas invokes the alleged failure of the United States to evaluate properly the possibility that the Communists supported, but were not likely to take over, the revolution. The Senator from Connecticut [Mr. DODD] points to the findings of the five Ambassadors of the other American Republics appointed by the OAS as a special committee to investigate the Dominican situation and other evidence to prove the contrary.

The ACTING PRESIDENT pro tempore. The time of the Senator from New York has expired.

Mr. PASTORE. Mr. President, I yield 1 more minute to the Senator from New York.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized for 1 additional minute.

Mr. JAVITS. Mr. President, but this dispute may never be satisfactorily settled. What actually happened in April 1965 is a matter for history. Our real concern now must be our policy in the days and years ahead, and we cannot ourselves contribute to eroding confidence in our policy.

For that reason, I urge action on the resolution introduced by the Senator from Kansas and myself to assure the people of the Americas that our policies have not changed and that we continue to support their quest for social and economic advancement under free institutions.

It is for that reason that I have urged the State Department to get behind needed reforms in the inter-American system. If we act in the Senate on the resolution of the Senator from Kansas [Mr. CARLSON] and myself—which is a concurrent resolution—it will allow action by the other body, should the other body choose to act, thereby dealing with a rather disagreeable situation created by the resolution of the other body, which the State Department almost immediately denied represents U.S. policy.

What the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Connecticut [Mr. DODD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Georgia [Mr. RUSSELL], and other distinguished Senators have done is to put us on the road to a challenge to make clear to the Americas that our policy is constant. Today, I have suggested a means by which we may effectively accept that challenge and put it to good use in the interests of peace, freedom, and the development of the Americas.

Mr. President, I am grateful to the Senator from Rhode Island for yielding to me.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. PASTORE. Mr. President, I yield 5 minutes on the bill to the Senator from Missouri [Mr. LONG].

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized for 5 minutes.

Mr. LONG of Missouri. Mr. President, during the past 20 years, the United States has made progress in the task of combating the grim conditions in which communism thrives—poverty, hunger, disease, and economic stagnation.

Our dollars have been encouraging economic development in countries which 20 years ago were called hopeless and "distined forever to underdevelopment."

Today, the fires of freedom are burning. Through our assistance program, millions of people have been given an alternative to communism, an alternative to hopelessness and despair.

Children who might have died in infancy are today alive and in school because the United States sent dollars, doctors, and nurses to start village health programs.

Mr. President, the aid program we are considering today concentrates our economic aid in the few countries where it will do the most good. Around 72 percent of our military aid is going to 11 countries which face the day-to-day pressure of communism. These 11 countries border on the Communist bloc. Nearly 80 percent of our economic aid is going to only 11 countries which have the ability and the desire to lick their most pressing problems.

Two-thirds of our development loans are going to countries which are using substantial amounts of their own money and resources. For every American dollar the major U.S. aid countries allocate an average of $6 from their own resources.

The appropriations which we are considering today will be largely spent in the purchase of American goods. Over 85 percent is tagged specifically "to be spent only in the United States."

Four years ago, just 40 percent of our aid dollars was used to buy U.S. products. In 1960, only 26 million U.S. aid dollars were spent buying American farm and industrial machines. Last year however, 170 million U.S. aid dollars were spent for U.S. machines. Last year, five times as many U.S. aid dollars were spent on American chemicals than were spent in 1960. Four times as many U.S. aid dollars were spent on American fertilizer than were spent in 1960.

Much of this aid money, therefore, helps to build U.S. export trade. Aid program purchases in the United States build trade ties for the future. Take for example the results of our postwar aid to Japan and Germany. These two countries, once devastated and impoverished, are today among our biggest trading partners and, may I add, these countries are more and more taking on themselves the burden of assisting less-developed peoples.

We have made great strides in getting other strong free world countries to build their aid programs. Today over one-third of all free world aid comes from our allies. Each year they increase their share.

The great question before the Senate today is this: Are we going to keep fighting communism with American dollars and American know-how? The answer we give is basic to the future of the free world. If we do not fight communism with American dollars and exports today, we may miss as opportunity to prevent Communist aggression, we may miss an opportunity to prevent another Vietnam tomorrow.

I believe, if we do not fight communism with American dollars, that we may have to fight communism with more and more American boys. I much prefer to spend an American dollar instead of the life of an American boy.

Let us continue the aid program begun by President Harry Truman. Just as Harry Truman's Marshall plan aid turned back the tide of communism in Turkey and Greece, so today we must turn back the Communist tide in other countries.

Mr. President, I support the foreign assistance appropriation bill of 1966 because it will provide a vital tool for the cause of peace, freedom, and prosperity around the world.

THE MOST IMPORTANT WAR

Mr. McGOVERN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. Mr. President, I yield 15 minutes to the Senator from South Dakota, to be taken out of the time of the opposition. I have received permission to this effect from the minority leader, the Senator from Illinois [Mr. DIRKSEN].

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized for 15 minutes.

Mr. McGOVERN. Mr. President, the most challenging crisis for the rest of this century will be the accelerating race between food and people. We are faced with the specter of widespread hunger and starvation on a scale the world has never before known unless we begin today to plan for tomorrow's food needs. The nations of the earth must do more than they are now doing to meet future food demands or major starvation will be the most painful fact of life on this planet within 10 years.

Even today, human hunger is a much more serious problem than is generally realized. Half a billion people suffer from inadequate quantities of food. Another billion subsist on improperly balanced diets, most notably a shortage of protein foods. Three million children die each year from diseases induced by malnutrition. Countless human beings go through life permanently crippled physically, mentally, and emotionally because of inadequate protein, vitamins, and minerals in their formative years. The ever present companions of malnutrition—lethargy, disease, and premature death—breed a vicious circle of listless human beings powerless to break out of their misery and yet capable of breeding more misery for their children and for generations yet unborn.

During 1961 and 1962, when I was privileged to serve as food-for-peace director for the late President Kennedy, I developed a growing conviction that the most overwhelming paradox of our time is to permit half the human race to be hungry while we struggle to cut back on surplus production and overeating. Science has broken the space barrier, but not the bonds of hunger. Today's hunger, however, is only a mild indication of the enormous food gap that looms on the horizon.

Writing in 1789, Dr. Thomas Malthus, of England, observed that man's capacity to reproduce his kind was so much greater than his capacity to produce food that population would soon exceed available food supplies. Starvation would then be man's lot unless his numbers were kept down by war, pestilence, or other drastic developments.

> I think I may fairly make two postulata—

Wrote Malthus.

> First, that food is necessary to the existence of man. Secondly, that the passion between the sexes is necessary, and will remain nearly in its present state.

As for the hope expressed by his contemporary, Mr. Goodwin, that "the passion between the sexes may in time be extinguished," Malthus observed:

> Toward the extinction of the passion between the sexes, no progress whatsoever has hitherto been made. It appears to exist in as much force at present as it did 2,000 or 4,000 years ago.
>
> Assuming then, my postulata as granted, I say—

Continued Malthus—

> that the power of population is indefinitely greater than the power in the earth to produce subsistence for man.
>
> Population, when unchecked, increases in a geometrical ratio. Subsistence increases only in an arithmetical ratio. A slight acquaintance with numbers will show the immensity of the first power in comparison of the second.

Although it has been intellectually respectable to scoff at the predictions of Malthus in view of the unforeseen increases in food production during the past 150 years, his warnings may yet prove to be valid. Certainly, one cannot look at the projection of current food production and population growth without a sense of genuine alarm for the future. Multitudes of people are now on a collision course with starvation.

What are the facts behind this disturbing prospect?

Fact No. 1: The population of the world is now accelerating at a faster rate than is food production. It has taken the entire history of the human race from the Garden of Eden to the year 1960 to reach a global population of 3 billion people. But the most careful projection indicates that by the end of this century—35 years hence—the population of the globe will be double its present size, or 6 billion. What required thousands of years to achieve will be duplicated in 35 years.

These figures testify to the marvels of modern medicine, sanitation, and scientific achievement in extending human life. But they also present an arresting outlook because they are not accompanied by a proportionate increase in food production. Because food production is now lagging behind a burgeoning world population, there are more hungry people in the world today than any previous time in recorded history.

Fact No. 2: The prospects for substantial increases in food production in the areas of greatest need, most notably Asia and Latin America, are not encouraging. In three regions of the world—first, the United States and Canada; second, Western Europe; and, third, Australia-New Zealand, plus parts of Argentina and southeast Asia—there are adequate food supplies. These regions have utilized modern technology, an educated rural population, concerned government, economic incentives and fertilizer, pesticides, hybrid seed and other innovations to increase the productivity of the land faster than their population growth.

But the combined population of these food surplus regions includes only one-fifth of the world's people. The other four-fifths live in Asia, Latin America, Africa, and the Middle East. These areas are increasing their populations faster than either the supply of arable land or the productivity of their presently cultivated acreage. There is today only 0.4 of an acre of cropland per person in Asia, as compared to 1.2 acres per person in the United States and Canada—a ratio three times more favorable for North America than for Asia.

This imbalance between people and arable land is greatly complicated by two other factors. First, underdeveloped regions, such as Asia—with the exception of Japan—have not significantly increased the productivity of their cultivated acreage. Primitive farming methods, improper irrigation techniques, the lack of an educated rural population, inadequate credit and land ownership structures, ineffective political leadership, the absence of rural extension services, a shortage of capital, the lack of farm-to-market roads or a cash market for produce, and the generally low priority which many countries have attached to rural development—all of these deficiencies have held agriculture in a primitive state characterized by static productivity in most parts of the world. Secondly, population growth rates are the greatest in the regions that have the least favorable food productivity. In the 1930's Latin America exported more grain than any other region of the world, including North America. Today, three decades later, Latin America imports much more grain than it exports. Its per capita production of grain is down 16 percent from the 1930's level. Yet, before another three decades have passed, the exploding population of Latin America will increase two and a half times. By the year 2000, nearly 600 million Latin Americans will compete for the resources that now inadequately feed 250 million. Much the same situation prevails in Asia.

Given the combination of inadequate arable land, low agricultural productivity, and swift population growth of the underdeveloped areas, the prospect for adequate diets is not encouraging. Consider the problem of India. This nation of 450 million inhabitants is now subsisting on a nearly static local production supplemented by 3 or 4 million tons a year in food-for-peace shipments from the United States. Yet, within the next 15 years India's population will increase by an amount equal to the present population of the United States. Six hundred and thirty-seven million Indians will be claiming in 1980 the strained resources that now inadequately feed 450 million. Highlighting recent findings of U.S. Department of Agriculture expert, Dr. Lester Brown, the editors of U.S. News & World Report write:

> In Asia, merely to maintain present meager diets, yields per acre must increase by more than 50 percent between now and 1980. An increase of this magnitude amounts to more than 240 million tons of grain. It would require application of 24 million tons of fertilizer a year to get such yields. In the entire world today, total production of fertilizer is only 28.6 million tons a year.

Fact No. 3: Food reserves in the United States and other food surplus countries are not as large as commonly believed. Even if the United States could find some quick and effective method of utilizing our food surpluses abroad, they would be quickly swallowed in the deepening sea of human need around the globe. So much public attention has been focused on the problem of U.S. farm surpluses that few people are aware that the surpluses are all but gone. Government acreage controls, cropland retirement, increased exports including an expanded Food for Peace effort have worked down surplus stocks in recent years to a level little above that needed for our own national reserves. Dried milk, a high protein food essential to school lunch and other child feeding programs, is in such short supply that our food-for-peace officials have curtailed the programs abroad of voluntary agencies, such as CARE, Church World Service, Catholic Relief Services, and Lutheran World Relief.

Wheat stocks, which constitute the main body of the U.S. food-for-peace program, have been worked down from 1.4 billion bushels in 1960 to 800 million bushels today. Corn and other feed grain supplies have been sharply reduced. Indeed, the composite wheat and feed grain reserve of the United States would scarcely meet our own consumption needs for 6 months if a catastrophe should wipe out our crops in a single growing year.

Recently, President Johnson suggested that the Congress consider setting aside a national strategic food reserve. If we were to carry out this suggestion and establish food reserves sufficient for 6 months consumption, we would have to end our food-for-peace program immediately or launch much greater production

If we were to distribute our present food stocks evenly to the needy multitudes of the world, they would be exhausted in a few weeks time. We have been shipping approximately 3 million tons of wheat each year to India which is a sizable flow, but one must remember that India consumes 80 million tons of grain yearly and she will need twice that amount in another three decades. Even if we could supply the entire world with food—which we cannot—there would be difficulties to overcome including the necessity of protecting the farm markets of the local producers and the markets of other exporters. Furthermore, in underdeveloped countries we are confronted with limited port facilities, inadequate storage, a lack of roads and other problems of distribution. It is not an easy task to distribute food effectively even when a well-meaning Government wants to give it away.

In spite of the magnitude of the problem, however, there is no escaping the challenge of world hunger. Neither our national security nor our moral and political position in the world will permit us to turn our backs on this No. 1 problem of the last third of the 20th century. Furthermore, in spite of difficulties, a nation that can send a man to the moon can unlock the doors to food production and distribution.

Eighty percent of the people of the globe live in rural areas. The majority of them are still scratching a subsistence from the soil with methods little changed in thousands of years. These are the multitudes that provided the seedbed for the sweeping Communist revolutions that seized Russia and China after the First World War. Marx thought that communism would come as the logical next step after the advanced stages of capitalism. Instead, it came to the primitive peasant societies of China and Russia while largely losing its appeal to the industrialized urban areas of the Western World.

Guided by these historical developments rather than by Marxist ideology, the ambitious leaders of China are now calling—not for the industrial workers of the world to unite, but for a long-term struggle of rural people against the urbanized Western World. It is significant that the French were driven out of Indochina—not because they lost the cities, but because they lost their support in the countryside. The same situation has plagued U.S. efforts to stabilize South Vietnam for the past decade. Likewise, Castro came to power through the hills and back country of Cuba even while the Batista government held a seemingly firm grip on the urban centers.

The great contest of our time now turns on whether we or the Communists can develop the most acceptance and effective pattern for meeting the hunger and misery of the uncommitted rural world. I firmly believe that we have the capacity to win that contest and in the process to improve our relations even with those peoples who have fallen under the sway of communism in Russia, China and elsewhere.

I believe that we ought to declare an all-out war against hunger for the balance of this century. We should call on our farmers and our agricultural technicians to enlist for the duration in the war against want. We should announce to the world now that we have an unused food producing capacity which we are willing and anxious to use to its fullest potential. Our Government should leave no doubt that we will bend every effort to see that no nation—friend or foe—starves while we permit land and surpluses to remain idle.

Communist China has called for a people's war in Asia, Africa, and Latin America to win the world over to communism. But Red China has failed on the agricultural front and the situation has been worsened by drought and other natural hazards. She cannot win a people's war against the developed world if we will place the welfare of people above short-term goals of military maneuvering and cold war strategy. So let us take the lead in a people's war with corn instead of cannon, with farmers instead of marines, with agricultural technology instead of battle plans, with food instead of fear.

The attack on world hunger must move on two fronts. First is the short-term effort over the next 10 or 15 years to make more effective use and distribution of our farm abundance abroad. This will require not only stepping up our production at home, which is the easy part of the task; it will require more technical guidance to the receiving countries in building up their port unloading and handling facilities, their storage structures, and the entire system of food distribution. I believe that we can profitably double our existing food-for-peace program within less than 10 years if we will preface this buildup with improved distribution facilities abroad.

It must be recognized that deliberately producing farm commodities for use overseas represents a departure in past policy. Present food-for-peace efforts are based largely on the distribution of surpluses that have accumulated in spite of farm program efforts to prevent them. It must also be recognized that in most cases it is preferable if not essential for the developing countries to supply most of their own food needs. But the fact remains that for the foreseeable future, the people of Asia, Latin America, and elsewhere cannot increase their production fast enough to meet their needs without food shipments from the United States and other surplus food areas. I cannot believe that the American people would want to leave good cropland idle at public expense while they watched hunger spread across the world.

The second and more fundamental front in the war against hunger is the urgent need for a rapid acceleration of food production abroad. We and other advanced states must assist the developing world to undertake the kind of agricultural revolution which we have experienced in the last 100 years. There is an urgent need for the knowledge and skills of our agricultural technicians, research scientists, extension workers, and experienced farmers. An American Farmers Corps consisting of retired farmers or working farmers willing to take leave of their own farms for a time could perform an invaluable service abroad. There is great need, too, for more fertilizer, pesticides, irrigation development, hybrid seed, and feed-mixing equipment. Enlightened landownership and tax policies and low-cost credit are essential to rural development. So is an improved system of rural education.

This type of aid is not cheap nor is it easy to implement. But food and agricultural assistance are less costly than military hardware and they are much more constructive and helpful to the peoples we assist. As one watches our two impoverished friends, India and Pakistan, shooting at each other with American arms, it is difficult to avoid the conclusion that both countries need our food and our farm know-how more than they need our guns.

Much of the tension and unrest that opens the way for Communist inroads and violent upheavals have roots in hunger and misery. Food abundance, on the other hand, is a powerful instrument capable of replacing despair with hope and converting the seeds of violence into the foundations of peace.

Aside from the political and moral gains that would come from a broad-scale attack on world hunger, the economic benefits to the American economy would be great. We are now spending over $2 billion a year to reimburse farmers for retiring cropland and reducing production. By strenuous, expensive programs we have managed to take 50 million acres of farmland out of production. If we began now to divert a portion of the farm control budget into the purchase, shipment, and distribution of farm commodities abroad, we could double our food-for-peace effort with little increase in overall expenditures. The impact on the American economy would be much better than our present cropland retirement programs. Idle farms and idle acres and idle farm labor mean a loss of income to every farm community. On the other hand, full farm production leads to the purchase of more farm machinery, more gasoline and tires, more trucks and automobiles, more seed, fertilizer, lime, and equipment of all kinds. Thirty million tons of additional business for the merchant shipping industry would be generated by a doubled food-for-peace program.

I have supported acreage controls combined with price supports because such programs are essential until we develop greatly improved distribution methods to utilize our abundance abroad. It will doubtless continue to be necessary to have a farm price stabilization program, given the unorganized pattern of American farm producers. But large-scale cropland retirement is not a viable permanent farm policy for the United States in a hungry world.

Furthermore, the strengthening of the diets and the agricultural economy of the developing countries—far from removing them as potential American markets—would open the way for new U.S. long-range markets. Those nations with advancing agricultural and industrial productivity are also our best commercial customers. Canada with a tiny fraction of the population of India is a larger American customer than India. After assisting postwar Japan develop its agricultural and industrial economy, we discovered that she has become the largest purchaser of American farm produce.

To accomplish the objectives of a 10-year war against want, I introduced on June 17 the International Food and Nutrition Act. That measure would authorize the expenditure of half a billion dollars the first year to first, purchase needed nutritious foods in U.S. markets for use overseas; second, increase the capacity of the developing countries to receive and distribute such food aid efficiently; and third, strengthen the food producing capacity of farm people in the developing world. The bill would authorize a half billion dollars increase for these purposes each year for 7 years to a maximum of $3½ billion.

The bill would authorize the President to create an International Food and Nutrition Office, perhaps an expanded role of the existing food-for-peace office, to administer the proposed program. Also, the legislation authorizes an expanding role for the United States in the United Nations Food and Agriculture Organization Freedom from Hunger Campaign and its related experimental world food program. As director of food for peace and U.S. delegate to the Food and Agriculture Conference in Rome in April 1961, I was permitted to make the initial U.S. offer which led to the establishment of the $100 million, 3-year world food program. The cooperating nations are hoping to continue and expand this multilateral food assistance program when it is reviewed later this year. Certainly, it is to our advantage and to those we seek to assist, to coordinate our food aid within the family of nations and with full respect for the interests of other concerned countries.

The respected editor of the conservative Farm Journal put the case cogently for using more fully our agricultural abundance to feed the hungry when he wrote recently:

> There will doubtless be times when we will wonder whether anybody could help such people, or should try. But we'll have to try, and keep trying. We're spending decades—and $20 billion—to put a man on the moon. It seems at least as important to help the human race eat.

Then, Editor Carroll P. Streeter added:

> With half the world hungry now, and sure to be a lot hungrier before long, we haven't a moment to lose. We must comprehend this frightening prospect and think about what we will do, both with regard to our farm plant and our program of helping the hungry world.—(October 1965 Farm Journal).

In a brilliant new book, "The United Nations at Work," a noted authority on development problems, Joseph M. Jones, described the worldwide effort to drive hunger from the face of the planet as "the most hopeful enterprise of our time." To enlist in that enterprise is to enlist on the side of health and hope and life for mankind. It is indeed, the most hopeful enterprise and the most important war of our time.

Mr. President, I ask unanimous consent to have printed in the Record certain supporting material.

There being no objection, the supporting material was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Jan. 6, 1964]

WHY HUNGER IS TO BE THE WORLD'S NO. 1 PROBLEM

What is a greater threat than nuclear war? Famine, says the U.S. Department of Agriculture.

For the first time, a careful study of world food supplies has been matched against the facts of expanding world population. The conclusion: In most of the world, creeping hunger looms.

Disturbing trends show up, the study finds in latest reports on grain output, land use, imports.

Hunger is to emerge as the No. 1 problem for the world in the years immediately ahead.

In the foreseeable future, famine looms as a prospect that can become more serious than the threat of nuclear war.

Unless a way soon is found to control the problem of worldwide population explosion, starvation will take over as a partial solution to that problem.

These are hard conclusions drawn from an official study just completed by the U.S. Department of Agriculture.

In the Agriculture Department's study—for the first time—facts of population growth are set down alongside the prospects for increasing the world's supply of food.

Findings of the study are described as startling by experts who make it their business to chart population growth. These findings confirm what has been a growing worry for leaders of the world: Food production, barring some development not now in sight, can no longer match the proliferation of the world's people.

This new analysis is entitled "Man, Land, and Food: Looking Ahead at World Food Needs." The author is Lester R. Brown, an economist in the Agriculture Department's Economic Research Service.

Of the population increases now in sight, the author says: "Man has scarcely begun to assess their long-term impact."

Findings in Mr. Brown's study are of importance to Government officials, politicians, and businessmen in America and around the world.

Land for food production—the third factor in Mr. Brown's study—is found to be in short supply when related to future need. Land not now under cultivation is, for the most part, rated marginal in terms of usefulness in production of food.

RUSSIA'S PROBLEM

Seriousness of the Russian farm problem that is forcing Khrushchev to divert money from guns to butter is clearly outlined in the study.

But Russia, compared to Communist China, is shown to be well fed. Mr. Brown's analysis reveals the Red Chinese on the brink of a food problem apparently without solution.

In only three regions of the world is assurance seen of adequate food for the future. These regions are North America, Western Europe, and Australia-New Zealand. Combined, the three areas hold only one-fifth of the world's people.

Thus, for four-fifths of the world's people, food outlook for the future is seen to be bleak at best.

The prospect of expanding export markets for farmers of the United States, Canada, and Australia is stressed in the study. But projections show that grain surpluses in these countries will be hardly more than crumbs when related to future needs of the world as a whole.

WHAT WORLD'S FARMS NEED

Also stressed is a worldwide need for more fertilizer, more farm machinery, improved seeds, increased quantities of chemical pesticides.

If capital were available to finance the best farm technology on all the cropland of the world, the author believes it possible to sustain present population growth for a time—possibly to the end of this century.

As shown in the chart on page 30, population growth of the world is picking up speed. Increases in this century are shown by 20-year periods.

In 1900, one and a half billion people were living on earth. Between 1900 and 1920, additions were 261 million. In the next 20 years, 400 million were added. In 1940–60, population grew by 701 million. That increase will be almost doubled in the present 20-year period, 1960 to 1980, by a projected growth of 1,306,000,000.

By the end of the century—the year 2000—the world's population will have reached an estimated 6.2 billion, more than double the 2.9 billion in 1960.

In Mr. Brown's view, the world cannot cope with a continued population growth of such proportions. He says in the study: "The old equilibrium [between births and deaths] has been destroyed but a new equilibrium has not yet been developed. That the current disequilibrium cannot continue indefinitely is certain. Until a new balance is created, however, man must seek to accelerate the supply of food to match the increase in numbers."

Long before the turn of the century, the study finds, the food problem is to reach serious proportions in many parts of the world. Some specific examples cited by the author of the study:

India today has close to 450 million people. In 15 years, that population will increase by 187 million. Thus a country in which the average diet is now deficient has only a few years to find a way to feed an added population equal to that of the entire United States.

In Asia, merely to maintain present meager diets, yields per acre must increase by more than 50 percent between now and 1980. An increase of this magnitude amounts to more than 240 million tons of grain. It would require application of 24 million tons of fertilizer a year to get such yields. In the entire world today, total production of fertilizer is only 28.6 million tons a year.

The population of Communist China is estimated to be increasing at the rate of 2 percent or more per year. At this rate, Red China is adding 12 to 15 million people annually. That number is approximately equivalent to Australia's total population.

In the relatively short span since World War II, Latin America has been forced to stop exporting and to begin importing grain. Even so, the average Latin American today is poorly nourished. And, by 1980, population in Latin America will be 75 percent larger than in 1960. By the year 2000, Latin America will hold nearly three times as many people as in 1960.

Population projections used in the study by Mr. Brown are those developed by U.N. experts in 1958. The medium range of projections, between the high and low estimates, was used.

In Mr. Brown's study, the world is divided into seven major regions, and growth is projected for each.

North America, Latin America, Africa, and Western Europe each form a region. A fifth region is made up of Eastern European countries and all of Russia. A sixth region is designated Asia, but excludes Russian Asia and includes countries of the Middle East. The seventh region comprises Australia and New Zealand.

IMPORTANCE OF GRAIN

To measure the ability of each region to feed itself, Mr. Brown used grain production. He points out that, around the world, grains provide more than half the energy in the average diet. And most of the remaining energy in the average diet is provided indirectly by grain fed to livestock used for meat and to produce dairy products.

Khrushchev's empire—Russia and the countries of Eastern Europe—is characterized as "once the breadbasket of all Europe."

The study says: "The Soviet Union and countries of Eastern Europe * * * maintained a sizable net regional surplus (of grain) until as recently as 1934–38. Since World War II, this enviable position has been lost and the Soviet bloc, in spite of its vast land resources, became a grain-deficit area in the late 1950's."

Western Europe is shown by the study to have its food situation well in hand for the future. Population growth is termed "modest," and capital is seen available to finance increased yields per acre and necessary imports.

The have-not nations of the world are found in three regions—Asia, Africa, and Latin America. There are some 50 of these less-developed countries.

Of the have-not nations, the author says: "Population has simply outraced food production, and the number of people suffering from malnutrition has actually gone up since the early 1900's.

THE EXPORTERS

The two countries of North America—United States and Canada—are found to be the only major breadbaskets remaining in the world today. Australia produces, and will continue to produce, surplus grain for export. Australia, however, is not seen as a big exporter of grain because it has such a small share of the world's cropland.

There has been sharp change in the grain-export situation in the period since World War II. Before World War II, Latin America was the world's largest exporter of grain.

Before World War II, combined grain exports of United States and Canada averaged 5 million tons a year and made up only 22 percent of the world's total grain trade.

Now, latest available figures show that United States and Canada export 39 million tons of grain a year. That amounts to 86 percent of the world's total grain exports.

Today, Agriculture Secretary Orville L. Freeman has pointed out, it is the grain that comes from the breadbaskets of North America that is the only barrier to starvation in large parts of the world.

Surplus Canadian grain has staved off famine in Communist China for 3 years. This year, Canadian grain is helping Khrushchev meet a food crisis in his empire.

Surplus U.S. grain is easing hunger in India, Pakistan, South Korea, and many nations of the Middle East, Africa, and Latin America.

Tomorrow, projections of the Brown study show, there will be even bigger grain surpluses available from the United States and Canada. The study adds this: "Present trends indicate net exports of 58 million tons in 1980 and 94 million tons by 2000."

But even if a way can be found to finance the export of grain from the United States and Canada to the have-not nations, the supplies that are available for export will represent only a fraction of needs.

Asia alone is now consuming close to 400 million tons of grain a year. And the population of Asia, if projections are borne out, will increase about 2½ times by the year 2000.

OUTLOOK: MORE HUNGER

Thus, the forecast for the near future is for more hunger in the world. This comes at a time when many of the world's leaders are saying that a way must be found to upgrade diets in have-not nations, if hungry people are to be kept from exploding into open revolt.

In an analysis of his study, Mr. Brown asks: "What will it take to raise the per capita food supply of the less-developed world * * * 20 percent by the year 2000?"

The answer, in Mr. Brown's view, is that the less-developed world would have to: (1) add to present food output an amount approximating the current food production of the entire world, (2) achieve, with limited resources, an annual rate of increase in food output considerably higher than that ever attained by the affluent societies of North America and the rest of the industrialized West.

"Moreover," says Mr. Brown, "the less developed world will have to accomplish all this in less time than man has spent developing a single variety of high-yield grain—hybrid corn."

If forecasts of this new analysis of the world's food problem hold true, Thomas Malthus may, after all, have the last word. Malthus was an English clergyman who, around 1800, foresaw a world in which starvation would be widespread because population would outstrip food supply.

WHERE PEOPLE ARE MOST PLENTIFUL, FOOD OUTPUT IS LAGGING

In Latin America and Asia, except U.S.S.R., where nearly two-thirds of the world's people live and population is rising fastest, the output of grain per person—a basic indicator of food supply—has been declining in recent decades.

Output of grain per person, mid-thirties[1] to 1961: Asia, down 2 percent; Latin America, down 16 percent.

In Africa and Eastern Europe, with all of Soviet Russia, where about one-fourth of the world's people live, the output of grain per person has inched up, but it started from a low level.

Output of grain per person, mid-thirties[1] to 1961: Eastern Europe and Russia, up 5 percent; Africa, up 8 percent.

Only in North America, Western Europe, and Australia-New Zealand, where less than one-fifth of the world's people live, has grain output per person really jumped in recent years.

Output of grain per person, mid-thirties[1] to 1961: Australia-New Zealand, up 51 perpercent; North America, up 44 percent; Western Europe, up 19 percent.

[From the Philadelphia (Pa.) Farm Journal, October 1965]

Crisis Ahead and We Can't Duck

(By Carroll P. Streeter, editor)

The most urgent question of our time is one we haven't waked up to: how to keep half the world not just from being hungry but from the threat of actual starvation. It's a new danger, far greater and more imminent than we've heard about.

It's urgent not just for the people who may perish, but for us. Urgent both from the standpoint of what we will have to do about it, and for its implications for our future farm policy.

These people aren't going to starve quietly. They're the same people Communist China has her eye on. With them on her side she boasts that she'll "encircle the capitalist world." If we don't get a move on, she might. If large parts of the world are going to be hungry, as now appears likely, the desperate chaos that could result could make Vietnam look like a neighborhood argument.

What's happened to pose any such a threat? The underdeveloped part of the world (Asia except for Japan and Taiwan, Africa except for the southern tip, and northern Latin America except for Mexico) has suddenly begun to lose the race to feed its people. "Suddenly" means since 1960, but the further into the sixties we get the more frightening the picture becomes. You'll soon be hearing more about it.

During the 1950's per capita food production in the world gained a little, but the gain was temporary. DDT had knocked out malaria in large regions, letting more land be farmed. Big irrigation projects had opened up other land.

Opening up new land has always been the chief means of getting more food in needy areas. But now the hungry half of the world is running out of new land to farm. That's the first big happening. The second is that since World War II the boom in population—in the same part of the world that's out of land—has been fantastic. Much lower death rates plus higher birth rates account for it.

We've heard about this, of course, but have little idea of how startling it is. This statement from Lester Brown, staff economist in the USDA and an expert in these matters, makes the picture clear:

"From the beginning of the human race until 1960 world population built up to a little more than 3 billion people. Barring something drastic, by the year 2000—35 years from now—we'll have another 3 billion. We will double what it took millennia to produce. In just 35 years we will need to double world food output, even to continue at today's inadequate dietary levels."

We might do it if the land were where the people will be, but it isn't. Asia, for example, has 56 percent of the world's people, only 31 percent of its arable land.

Moreover, the underdeveloped part of the world has increased yields per acre only 7 percent, as compared with 107 percent in North America. In the 1930's six big regions had grain to export. Today only two have any to spare—North America and Australia-New Zealand.

The effect on our own farm program, once we wake up to this, could be tremendous. We certainly won't just sit here, fat and content, while vast numbers of people face starvation.

Not only would our Christian consciences not permit it, but our own peace and security would be directly threatened.

Besides, it is just beginning to dawn on us that U.S. farmers' best prospect for "new business," their best possibilities for growth, lie not in the United States but elsewhere in the world.

This vast future market will come partly from our stepped-up donations for the hungry. Partly it will lie in increased cash sales for U.S. dollars—provided we continue to subsidize farm exports. (Our subsidy on wheat amounts to 21 cents a bushel, on rice $2.20 per hundredweight, on dried milk 6.6 cents per pound, on cotton $28.75 a bale, to cite some examples.)

Currently we're paying farmers directly around $2 billion a year to produce less. Through one program and another, we've idled 50 million acres. Most of it could come back into crops in a hurry. One of these days we may stop planning to produce less and start thinking about raising more.

It isn't generally realized that because of land retirement on the one hand and Government subsidies on farm exports plus huge food donations on the other, we've largely worked off our food surpluses. We're short right now of dried milk, rice and anything containing protein (except soybeans in which we have a sizable carryover—perhaps 100 million bushels).

Despite a big feed grain crop this year, our feed supplies are no longer the burden they once were, although they are still well above what we need for a reserve.

The wheat picture has changed. About a year ago Farm Journal carried an article by Karl Hobson, of Washington State University, a leading authority on the wheat situation, reporting that the world wheat surplus was disappearing. It was news that surprised most of us.

In a new dispatch to Farm Journal, Hobson now warns that the day of a severe world wheat shortage is drawing closer. In fact, he says, "The world right now is eating on borrowed time.

"Russia, Red China and Australia, which produce 40 percent of the world's wheat, have short crops. North America will have a record crop this year, providing Canada gets good late-harvest weather. Western Europe has a large crop, but much of it will be fed to livestock because of persistent wet summer weather which hurt feed grains.

"When we add up all the prospects," Hobson continues, "it is evident that total world production will be down sharply—probably down to the 1962 level of 8.76 billion bushels. Last year the world crop hit 9.17 bushels. It was a new record by a big margin. But it wasn't enough. Use exceeded production.

"World use of wheat is also likely to be down some this year. It usually is when the crop is short. But taking production and consumption both into account, the carryover in 1966 in the four major exporting countries—the United States, Canada, Australia and Argentina—will be 1.2 billion bushels, nearly all of this in the United States and Canada.

"In the view of many, this is about as low as we dare let the carryover get in today's world.

"As for the United States," Hobson says, "our carryover next July 1 (providing shipping restrictions are removed) would be about 650 million bushels. This is about what we need for a strategic reserve, an amount below which we should never allow our wheat stocks to fall.

"Looking farther ahead, unless wheat production can be stepped up rapidly, many of the world's people will have to tighen their belts. Nearly all countries (but us) are straining to increase output. Yet the world is falling behind."

Already we are the world's leading exporter of wheat (we send three-fourths of our crop abroad). We are second in rice, could be first any time we choose to take off the lid. We supply 59 percent of the world's corn exports, 75 percent of the grain sorghum and 17 percent of the barley. We furnish practically all of the soybean exports, 63 percent of the dried milk, 40 percent of the poultry.

With half the world hungry now, and sure to be a lot hungrier before long, we have not a moment to lose. We must comprehend this frightening prospect and think about what we will do, both with regard to our own farm plant and our program of helping the hungry world.

[From the October 1965 issue of Farm Journal]

Next: The War on Hunger

If you haven't read the article on page 33, stop right now and do it. It reports the frightening prospect that the threat of starvation lies not far ahead for multitudes in vast regions of the world.

How can we help prevent it?

Well, first we can't solve the problem just by sending food from here, although we'll have to send even more than now. Largely it must be solved where the problem exists. Let's consider both aspects.

The very label "food for peace" quite unintentionally gives us a false sense of comfort. It implies that if we'll just write a big enough check, and send enough food somewhere we will somehow have "peace," and all will be well. Perhaps we ought to discard this lulling phrase for something that really pictures the emergency, like "The War on Hunger," or "The Fight for Food."

To fight this war successfully we've got to be a lot tougher than we have been. We've handed out $21 billion worth of food in the last 10 years, too often saying "Here it is, do what you want with it," simply because our overcautious State Department has been scared witless for fear of offending somebody.

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[1] Average for 1934–38.

Many a hard-pressed Government, figuring we would continue to take care of the food problem, has diverted scarce resources away from agriculture to industrial or military uses. This only perpetuates their food problem.

Tying strings to our aid will win us no popularity contests, but if we are to continue to buy time for hungry countries, we'll have to require that they turn their own energies to their first need—food. We'll be glad to help them do it if they will.

Second, we could use our food in the war on communism much more effectively than we're doing. Wars aren't gentle. Food is a mighty potent weapon. It's one we have in abundance and one that the Communists lack and cannot get.

Why not use it instead of meekly handing it out to those who tell us to go jump in the sea? When a hungry man comes to our door we feed him, but we can let him chop a little wood first.

The food we do send can well be directed chiefly to feeding young children, and for charitable purposes, and for emergencies. Nutritionists say that a child seriously malnourished up to age 6 is maimed for life, mentally as well as physically.

We're currently fortifying the dried milk we send with vitamins A and D, and we're mixing protein concentrates and vitamins with native grains.

These things we can do, and need do in even greater measure, but having done them we will have met but a small part of the problem. We can't dump much more food on needy countries—we're sending about all they can take in and distribute now. Suddenly to flood them with more would demoralize their own struggling agriculture and compete with our own dollar sales.

What, then, can be done on the spot? Two things, neither of them quick or simple, but both absolutely imperative: increase yields per acre (since these regions can't bring in many new acres) and slow down the birth rate. Farm Journal will soon report further on some new developments that will sharply affect the world's population problem.

What can be done to step up crop yields?

Not much can happen without such basics as stable government, education, and a system of incentives that lets a man keep enough of what he earns.

Farmers anywhere need good seed, fertilizer, pesticides, machinery, experiment stations, extension services, good farm magazines and farm radio, good roads, farm credit, and a system of markets that lets them sell something, rather than just feed themselves.

We've done quite a bit about some of these, but this is the area where we need to step up our efforts sharply. Sending food is a necessary emergency aid. Helping build agriculture on the spot is the only real solution.

There will doubtless be times when we will wonder whether anybody could help such people, or should try. But we'll have to try, and keep trying. We're spending decades—and $20 billion—to put a man on the moon. It seems at least as important to help the human race eat.

Mr. McGOVERN. Mr. President, the junior Senator from Minnesota [Mr. MONDALE] planned to join with some comment on the world food situation at this time, but he is unable to be present because of a prior commitment. He has asked me to insert in the RECORD a brief comment he has prepared on the subject.

I ask unanimous consent to have printed in the RECORD the statement of the junior Senator from Minnesota [Mr. MONDALE].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MONDALE

My distinguished friend, the Senator from South Dakota, has once again performed an invaluable public service in delivering this magnificent speech to the Senate today.

The worldwide war against hunger is without doubt, as he points out, "the most important war." And it is the most urgent war. As the Senator has so clearly demonstrated 3 million children every year are dying from hunger or malnutrition. And if population continues to increase faster than food production—and present indications are that it will, if we do not act—this massive human catastrophe will grow far worse.

I do not believe that we can let it grow worse. I am convinced, just as the junior Senator from South Dakota is convinced, that we must enlarge our efforts, by expanding our food for peace program and giving increased agricultural assistance to argiculture in developing countries. I stated my conclusions at length on the Senate flocr last July 29. * * * But the basic truth, it seems to me, is simple. The world needs food, and we in the United States have an unmatched, untapped agricultural potential.

I hope that the day may come when we can concentrate our greatest efforts not on idling acres and storing surpluses, but on feeding hungry peoples instead.

Mr. DODD. Mr. President, I want to commend the distinguished Senator from South Dakota [Mr. McGOVERN] for his cogent presentation on world food problems.

I share his conviction that the most overwhelming paradox of our times is the fact that we permit half the human race to go hungry while we struggle to cut back on surplus production and to cope with the problem of national obesity.

I also share his conviction that we have paid far too little attention to this problem.

A few months ago, as chairman of the Subcommittee on Economic and Social Policy of the Foreign Relations Committee, I took testimony on this subject from Mr. Tom Ware, chairman of the Freedom From Hunger Foundation.

Mr. Ware also underscored the point that the world's population was growing far more rapidly than the production of food; and he said that the entire situation was further complicated by what he described as "the spread of the Communist incentive desert."

This testimony has recently been published by the Foreign Relations Committee. And I must say that it supports and confirms in every respect the arguments which the distinguished Senator from South Dakota has so forcefully advanced in his statement today.

I was particularly gratified to note the Senator's statement that our food surpluses are all but gone and that "the United States would scarcely meet our own consumption needs for 6 months if catastrophe should wipe out our crops in a single growing year."

This was a point which I also sought to make in my speech on the floor of the Senate on September 9, questioning the wisdom of large-scale grain shipments to the Communist bloc, in the absence of certain elementary political concessions.

I also argued—although the distinguished Senator has done so much more forcefully and in greater detail than I did—that we should be thinking in terms of expanding our food production to meet the growing world food crisis, rather than in terms of retiring croplands.

I believe it unwise to enter into quickie deals with Communists or any other would-be purchasers, inspired by a false concern over a wheat surplus which would be inadequate to meet a major national emergency, let alone a world emergency.

In this same speech, I expressed the belief that—and here I would like to quote from my own remarks:

> Our own Nation and the other three grain-exporting nations of the free world should organize themselves into a consortium for the purpose of planning future grain exports in a manner that most effectively copes with the problem of hunger and which, at the same time, gives maximum political support to the cause of freedom, to our own security, and to the peace of the world.

I wholeheartedly support the objectives of the International Food and Nutrition Act which the very able Senator from South Dakota has introduced.

I agree with him, too, that our own economy would benefit greatly from a doubled food-for-peace program, and that such a program could do much to alleviate the problem of world hunger over the coming critical period.

Mr. President, I believe that, although the Senator and I have approached the problem from different directions, we have arrived at very similar conclusions. To illustrate what I mean by this, I ask unanimous consent to insert into the RECORD at the conclusion of my remarks that portion of my September 9 speech in the Senate which was captioned "The Fallacy of the World Grain Glut."

I commend the Senator again for an outstanding contribution. He deserves the gratitude of all of us.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE FALLACY OF THE WORLD GRAIN GLUT

The second argument advanced in favor of agricultural sales to the Communist bloc is that this is the only serious way in which the major grain producing nations of the free world can relieve themselves of the serious internal problem posed by the heavy grain surpluses of recent years.

This argument, too, is false, because it relates to a situation that may have existed a decade or so ago, but which no longer exists today.

Over the past decade, more than 400 million people have been added to the world's population. Although much of the world still goes hungry, the increase in population has inevitably resulted in a major increase in grain exports, and this tendency is bound to continue over the coming period.

With a rate of population increase that now stands at some 50 million annually, it would require an additional 10 million tons of food grains each year to maintain the current level of caloric intake.

And the sad fact is that, as of this juncture, the increase in agricultural production is lagging sadly behind the world's increase in population.

This was the subject of some very dramatic testimony which I recently took from Mr. Tom Ware, president of the Freedom From Hunger Foundation, in a hearing of the Foreign Relations Committee Subcommittee on Economic and Social Affairs, over which I presided.

Mr. Ware also made the point that one of the chief factors in the world food crisis is the spread of what he called the Communist incentive desert.

He said that the spreading blight of collectivized agriculture over so much of the world's surface had probably cost the world more in terms of total food output than all the natural calamities put together.

A rational agricultural export policy for the coming period would require that we take inventory of the anticipated food requirements of the so-called hungry nations.

If we did so, I am certain that it would immediately become apparent that the era of undisposable grain surpluses has now come to an end and that we have entered into a new era characterized by growing food shortages in many parts of the world, Communist and non-Communist alike.

The only countries in the world with sizable surpluses of food grains, at the present juncture and over the foreseeable future, are the United States, Canada, Argentina, and Australia.

It is my belief that our own Nation and the other three grain-exporting nations of the free world should organize themselves into a consortium for the purpose of planning future grain exports in a manner that most effectively copes with the problem of hunger and which, at the same time, gives maximum political support to the cause of freedom, to our own security, and to the peace of the world.

I believe that it would be possible to get the backing of Canada, Argentina, and Australia for such a consortium if we could provide the governments of these countries with a firm assurance that, if circumstances at any time require that they forego sales to the Communist bloc, they will not be left holding the bag on undisposable grain surpluses.

I believe that a careful setting forth of the facts would help to win support for this proposal.

If Canada, Australia, and Argentina could be persuaded that the era of undisposable gluts has come to an end and that the grain-exporting nations must start thinking in terms of expanding production rather than curtailing production, and if they could be persuaded to expand their storage facilities and to join us in a number of other measures designed to take the pressure off the world market, such a concert of policy would soon produce tangible economic benefits in the form of a more realistic price for wheat in the markets of the world.

It is an anomaly that surpasses understanding that the price of wheat should be $2 per bushel in the United States and $2.20 in Europe, while it is only $1.50 in the world market. It puts the U.S. Government in the position of subsidizing everyone, friend and foe alike, who buys our wheat.

I would even be prepared to consider committing ourselves to purchase from Canada, Australia, and Argentina any surplus remaining after a period of several years, in consequence of any decision by the consortium to suspend sales to the Communist bloc.

There are some who may object that such an arrangement might cost us hundreds of millions of dollars before we were through. I think this estimate is exaggerated, because ultimately the surplus we purchase would be disposed of, and, because the cost of the program would be largely offset by the increased price of wheat.

But even if it did cost us some hundreds of millions of dollars, this is a very small price to pay compared with the price we are today paying to stem the tide of Communist aggression in southeast Asia, in Latin America, and elsewhere.

The creation of such a free world consortium would enormously enhance our bargaining power with the Communist world, especially in coping with crisis situations like Vietnam.

But this is not the only reason why we must seek to enter into a joint understanding with the three other major grain producing nations.

Even if there were no cold war, such a consortium would be necessary for the purpose of planning the most effective possible distribution to the areas of greatest need.

And the mere existence of the consortium would automatically result in a substantial increase in world grain output by raising the world price of wheat to a more realistic level.

U.N. VICTORY

Mr. McGOVERN. Mr. President, the achievement of a cease-fire by the United Nations in the Pakistan-India conflict, is a most encouraging victory. This highly dangerous conflict threatened to destroy the peace of the world. Only the careful, courageous intervention of the Secretary General and other U.N. officials brought about a cease-fire. All those nations and peoples of the earth who believe in peace are indebted to the U.N. for this effective action.

I wish to pay special tribute to our great President, Lyndon Johnson, for the magnificent manner in which he has led our Nation throughout this crisis. The dignity, the restraint, and the wisdom manifested by the President was a key factor in making a cease-fire possible. One precipitous or rash action by the leader of the most powerful nation in the world could have converted the Pakistan-India fighting into a much more tragic development. But by firm backing of the U.N. and his brilliant Ambassador Arthur Goldberg, President Johnson contributed mightily to the cessation of hostilities in the Indian subcontinent.

Any lingering doubts that we might have had as to the absolute importance of the U.N. in today's world should be dispelled by this recent victory for peace which is only one of a series of such victories achieved by the United Nations over the years.

Mr. President, the current issue of the New Republic for September 25, 1965, carries four brief articles which I think shed considerable light on the India-Pakistan crisis, including the possible role of Red China in this and other Asiatic crises.

These articles are as follows: "The Opinion in Paris: China Won't Fight," by Philip Ben; "India and Pakistan at War," by Charles Burton Marshall; "If There Is No Cease-Fire Soon," by Stephen Barber, and excerpts from testimony before the Senate Foreign Relations Committee, May 6, 1959, including an interesting colloquy on the part of our colleague, Senator GORE, and former Secretary of Defense McElroy.

I ask unanimous consent that the articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE OPINION IN PARIS: CHINA WON'T FIGHT

(By Philip Ben)

Few recent diplomatic initiatives have been so misreported as General de Gaulle's probes of Chinese intentions. It has been reported, for instance, that André Malraux, whose trip to Peiping was in connection with a forthcoming Chinese art exhibit, returned appalled by Chinese leaders' lack of realism and by their childish disregard for American power.

I investigated those reports in Paris and found them wholly untrue. Not only Malraux but other Frenchmen recently returnd from China report a keen Chinese appreciation of the immensity of U.S. military might and the swiftness with which it can be put in operation at any point on the globe. While they refer publicly to the United States as a "paper tiger," in private Chinese leaders say that they will do everything to avoid a head-on clash with the Americans. While giving aid to North Vietnam and to the Vietcong, so they told Malraux, they are determined not to engage any of their troops there. Moreover, this is hardly necessary, in their judgment, because the Vietnamese are capable of bearing the brunt of the fighting. The Chinese have also made it plain that they are determined not to give the Americans any pretext for air raids on China.

But the Chinese leaders have no interest in the speedy end of the war in Vietnam or in any negotiation. They disparage all would-be mediators—the Soviets, U Thant, Nasser. When offering to mediate say the Chinese, all such parties have only one thing in mind—boosting their own prestige. This may explain why, after Malraux's return to Paris, any idea of French mediation was shelved by De Gaulle.

The French now feel that the Chinese are willing to fight the Vietnamese war up to the last Vietnamese, believing that the longer the war lasts the greater the political reverses for both the United States and Soviet Russia; the United States because it is involved in the fighting, Russia because it is not, though for years it has said it would crush any imperalistic aggressor who dares to raise his hand again any socialist country.

The Chinese leaders have told the French that all problems of southeast Asia will finally have to be thrashed out in bilateral talks between Peiping and Washington, but that a modus vivendi between these two powers could be achieved only if the United States agrees to leave Asia. This does not mean that the Chinese foresee the possibility of ending the war in Vietnam by such bilateral negotiation. That war, they hope, will peter out in a year or two, or 5 years. The Americans will then withdraw. Only after such humiliating withdrawal, they think, will the Americans be ready to discuss with Peiping an overall settlement for eastern and southeastern Asia.

I should point out that this view is fully shared by French officials right up to De Gaulle. They know, of course, that the Americans will not be defeated. But they believe that as the war goes on the structure of Vietnamese society, north and south, will be shattered, leaving in the end only ruins and homeless refugees. The Americans will never be able to revive or run a Vietnamese state. Sooner or later they will leave. Who will move in? The Chinese. The only barrier to that takeover has been the Vietnamese nation and the Vietnamese states, anti-Communist and Communist alike. But they will be no more.

French officials now have an excellent knowledge of what is going on in the minds of the North Vietnamese leaders, who are said to be much closer to Moscow than they were even a few months ago, and who are increasingly irritated by Peiping's uncompromising attitude. The reason is simple: lately Soviet aid to North Vietnam has been arriving in serious quantities; not only military aid but also economic. If there is at present no acute starvation in North Vietnam, though shortages are very grave, it is due to Russia. China still gives very little. In addition, the leaders in Hanoi look with mounting concern on the destruction of their country by U.S. air raids. One is told in Paris that most Hanoi leaders now fully accept Moscow's opinion, expressed only in private, that they have everything to gain and nothing to lose from negotiations and a peaceful settlement. But neither Moscow nor Hanoi is yet willing to make the slightest move in that direction, if there is the slightest risk that Peiping will denounce it as a betrayal and a "surrender to American imperialists." Will the time ever come when Hanoi could be induced to disregard Peiping's advice? French officials constantly discuss that question. They are not sure whether an affirmative reply is warranted. They ask themselves how Peiping could be induced to give up its virtual veto power over negotiations. China's price is not known. And when it is, who will be willing to pay it? Not the United States in its present mood.

Thus, the French conclude, there is no alternative but for the war to continue. That conclusion is reinforced by the findings of qualified Frenchmen, who have been to China lately and report that conditions are infinitely better than at any time in the last decade. This year's harvest is said to be satisfactory; food supplies are sufficient for the meager diet. And as the Chinese leaders told their French visitors, an outside war for which China's two most powerful foes, the United States and Russia, are paying heavily is the best guarantee that China will be left in peace to pursue her domestic tasks.

French visitors have been struck too by the degree of contempt which the Chinese leaders display towards Soviet Russia; and by their exuberant confidence that the Chinese-Soviet feud has now turned to their benefit. They are determined to continue harassing the Soviet leaders, and they are equally disparaging about India. For them the Indian state is as rotten as Kuomintang China once was. And they forecast that it will have a similar fate. But again the Chinese have not the slightest intention of getting involved in a military adventure against India, though they will relentlessly push their cold war against the southern neighbor that once was their competitor for the title of Asia's first power.

India and Pakistan at War—Neither Side Could Concede and Survive

(By Charles Burton Marshall)

A long and complex past lies behind the subcontinent's new war. In the applicable time scale, Islam is a relative novelty, for its advent dates back a mere twelve and a half centuries to the Arab conquest of Sind. A series of invasions from Afghanistan followed three centuries later. Their eventual and enduring result was the Delhi Sultanate, 1206-1526, during which Afghans subdued Bengal, Islam was carried into the Himalaya and Kashmir conquered, and Muslim outposts were spread into the south. In the sixteenth century, these positions were overrun by a further Muslim conquest from the northwest—that of the misnamed Moguls.

Islam's adherents, thus deposited widely over India, came to aggregate about a fourth of a population preponderantly Hindu. They were concentrated more in the north and formed majorities only in the northwest and northeast extremes. Great ethnic, lingual, and regional differences divided them.

Besides being heavily outnumbered, Muslims were generally at a competitive disadvantage in important vocations. A main exception was the military profession. The Bengalis aside, Muslims generally did well at soldiery. They also enjoyed the prestige of religious identity with the establishments ruling over large portions of the subcontinent at the Mogulate's zenith and through its long decline. But with the Mogulate's final collapse and the advent of the British raj in 1857, Muslim thought had to meet the problems of a disadvantaged and highly self-conscious minority. The response was to emphasize connections with the great body of Islam outside the subcontinent. Insecurity was redressed by invoking a community, part mystical and part real, epitomized in the caliphate which combined religious with temporal authority in the Turkish sultan.

Humiliation of the caliphate with the defeat of Turkey in World War I and the secular-minded Ataturk's subsequent outright abolition of the institution amounted to a spiritual amputation for the subcontinent's Muslims. A movement developed to restore the caliphate as their anchor of significance. Meanwhile, eventual independence for India, prefigured in Britain's grant of a small measure of self-rule in the 1919 Government of India Act, became a growing prospect. The caliphate movement found a new name as the Muslim League and a new purpose in demands for autonomy, and then for separate statehood for Muslims in the event of independence for India. In dreams spun by this movement, a Muslim state in the subcontinent, as the Islamic world's most numerous and powerful, would be looked to for leadership by Muslims everywhere and would thereby gain an importance rivaling or even excelling India's. But there were secular considerations too. Proponents of Pakistan sought a polity of their own so as to escape political subordination to a majority from which they felt alienated.

Specifically, two factors appear to have been indispensable in the resulting emergence of Pakistan. One was the driving personality of Mohammed Ali Jinnah—a man of no strong religious impulse but of implacable resolve not to be ruled by Hindus. The second was a determination to preserve the professional identity of Muslim officers fearful of being submerged or eliminated when the British Army in India should become the Indian Army.

The new state of Pakistan took form in two territories, with a population differentiated in language, personality, and outlook. A thousand unfriendly Indian miles separated them. A governing apparatus had to be assembled from scratch: Trained talent was woefully short, for much of the Muslim component of the Indian civil service opted for India. The new army was infected by a conspiracy hatched between Communists and hothead officers. The founding father soon died. His lieutenant was assassinated. No unifying figure was at hand. The economy was in a bog. Pakistan's survival through its initial years seemed improbable.

External relations gave no comfort. The anticipated ascendancy among Muslim states proved a pipedream. Pakistan seemed outclassed. Besides its numerical advantage, India had the prestige of an ancient historic name and a world renowned leader, Jawaharlal Nehru. Pakistan's name was synthetic and unfamiliar, and its leaders were scarcely notable even at home. The most bedeviling frustration related to a dispute over a former princely state in the Himalaya.

Under agreed principles for dividing up the subcontinent, princely states would adhere to Pakistan or India at their rulers' option—a provision included at the instance of the negotiators for Pakistan-to-be, with an eye to Deccan Hyderabad, with its rich Muslim Nizam in sway over a mostly Hindu populace. They expected to finesse the situation in Kashmir, where for a century a Hindu dynasty had been misruling a mostly Muslim populace. These expectations went awry. The Indians preempted Hyderabad in force. Kashmir's shaky maharaja, who had probably nursed futile dreams of autonomy, summoned India's help against armed intrusions from Pakistan and signed an accession to India, only to be soon displaced for unfitness.

Pakistan and India tottered to a mountain war beyond their means. Then a U.N. commission arranged a cease-fire under continuing international supervision. The outcome left India's Army holding the bulk of the contested area, including the coveted Vale of Kashmir, and Pakistan's forces in the margins. India, as well as Pakistan, agreed or at least said it agreed to a plebiscite rather than force as a means for settlement. For the time being, both states refrained from annexations within their lines. Perhaps India's declared intentions were sincere. Perhaps its design was to delay long enough to predetermine, if possible, a favorable tally. In any event, India soon began to renege, especially after its 1952 elections brought a nationalist upsurge uncompromisingly against any concession to religious identities within India and for annexation in Kashmir. Thereafter India shifted ever more unequivocally to a thesis holding the status of Kashmir to be a domestic concern, a settled issue, no business of Pakistan's. Obviously, Pakistanis felt that they were being patronized and scorned.

A half dozen years after independence, Pakistan's need of something to anchor to outside, of some substitute for the extinct caliphate, was desperate. It was then, in the wake of stalemate in Korea, that the United States began shopping for Asian members for an alliance hopefully designed to ward off further attempted Communist conquests in southeast Asia. Pakistan responded. Its Foreign Minister tried to get the Manila Treaty amended to focus it against India. Secretary of State Dulles said no; the pact would be confined to anti-Communist purposes. Otherwise, the Senate would not concur. Pakistan signed on as a recruit anyway. Its new ally was a big country and a big spender. Pakistan would get aid to quicken its economy and to expand and to update its armed forces. U.S. military aid would be subject to provisos requiring the concurrence of Washington for its use against foreign enemies. The insistent neutrality of the United States on issues of high moment to Pakistan might be modified in time and by persuasion. At least, Pakistan could so hope. It joined another regional pact, sponsored but not adhered to by the United States, and in 1958 the United States came through with a bilateral agreement specifying concern for Pakistan's security. Pakistan's forces made a good showing with the aid they received. In return, the United States was using Pakistani locations for its strategic observations.

Perennially petitioning at the U.N. and elsewhere, Pakistan continued to elicit from others, including its big ally, homilies about negotiation and settlement of its dispute with India—as if the solution depended on trading parcels of territory, distributing waters, and adjusting local anomalies. But Kashmir stood as a classic instance of an unnegotiable issue, because it bears on the very raison d'etre of both parties.

India is a congeries of faiths—Muslim, Christian, Buddhist, Jainist, Parsi, and Sikh, as well as Hindu, and the Hindu system itself is riven into a complex of exclusory castes. India could not exist as a modern state except on a secular basis. India must fight for its national life against ever-latent disintegrative forces. It has small margins. It professes to see a mortal risk in making concessions to the idea of a religious basis for allegiance. But Pakistan's existence rests on religious identity, which compels it to uphold self-determination for Kashmir. Pakistan-to-be was fickle to its own premise in the 1947 gambit on the right of princes to opt for their subjects. In any event, a choice exercised by an unfit, precarious ruler seems a sorry basis on which to foreclose such an issue. Each disputant understands fully, even if it cannot accept, the other side's position. Further parleying became pointless long ago.

Short of being forced into submission, it is hard to see how either could accept terms acceptable to its adversary. Probably neither regime could concede and survive. Pakistan could not possibly back down. It could only trouble the issue along, growing increasingly restive but still unable to break out of a status quo in which India held the advantages. The possibility of an alternative approach, in explicit or tacit conjunction with Red China, was probably long entertained by the Pakistanis. I so surmised on observing the lionizing of Chou En-lai in Karachi in December 1956.

Three years ago India announced with great flourish a decision to oust the Chinese from a disputed zone on her borders. The Chinese responded militarily with shattering effect on a limited front. Without even waiting to get terms signed, the United States began rushing military aid to India. It made no stipulations about Kashmir. One can suppose India would not have budged anyway on Kashmir. Subsequently, a number of visiting U.S. emissaries made ritualistic appeals for the disputants to negotiate some more. India stuck to its position. So did Pakistan.

For Pakistan the United States must have lost all its value as surrogate to the caliphate, at the moment of beginning military aid to India. Pakistan responded by doing the analytically logical thing, warming up to China. Whatever terms, if any, may have been agreed between them, Pakistan now has a partner with whom it is alined respecting India. Boxed in, India finds it difficult to marshal forces against Pakistan. My impression from afar is that Pakistan's moves in the initial stages of the renewed war have reflected comprehensible military purposes, but that India's have been frantic and feckless, as when bombers were sent against East Pakistan cities, with no probable result except solidifying Pakistan's Bengalis behind a war for which they otherwise might have scant enthusiasm, or when an ill-prepared Indian thrust was made toward Lahore.

Pakistan, economically more of a going concern than formerly, has been doing relatively better than India. It might well make it, militarily preempting the position in Kashmir and forcing India's regime beyond its political resources. The disintegrative effect on India would delight China. The effect on U.S. interests would be deleterious. It would be bad to have it demonstrated that an Asian country, trammeled while alined with the United States, can score a large success after shifting its alinement to China.

If There Is No Cease-Fire Soon

(By Stephen Barber)

Neither the Indian nor the Pakistani armed forces have the capacity to sustain a long war against the other. Although both have domestic munitions plants, and India has a fledgling aircraft industry, and both have substantial accumulations of American, British, French, and Russian materiel, a point must soon be reached where each side will be forced to husband its resources. Short of some master-stroke, and despite the fact that the Indian army comprises 17 divisions against Pakistan's eight and that in population terms the balance is 4½ to 1, the regular forces are unlikely to achieve more than a stand-off.

But when that happens, if not before, irregulars may very well keep up the fight; more alarmingly, communal violence is liable to break out on a 1947 scale, when between 500,000 to 1 million perished.

Communalism is the curse of the subcontinent. It is not limited to Hindu-Moslem antagonism. Sikhs in the Indian Punjab, who were driven out of their ancient settlements around Lahore in 1947 almost to the last man, have never got along well with their Punjabi Hindu neighbors. This has led to bloody clashes.

The language issue in India has led to riots again and again—the most recent being in South India this summer where Madrassis objected violently to the imposition of Hindi in place of English as the nation's official language.

New Delhi has run into similar troubles in Assam, and the volatile Bengalis have constantly been rioting about something—whether politics, bread, religion, or language. In caste-ridden India, it has been enough to set off bloody uproars for an untouchable to draw water from a village well, thus defiling it in the eyes of those higher in the Hindu scale.

As if that were not enough, clashes have regularly taken place between Indians and so-called tribals—primitive hill folk. For years the Indian army and air force has tried and failed to subjugate the Nagas, who demand independence from Delhi. This has soaked up battalions of troops.

India's 50 million Moslems form one-ninth of its population; the Moslem pockets isolated in a Hindu mass are an easy mark. It is hard to say whether they are more vulnerable in the big cities, such as Delhi, Calcutta, and Bombay, where Moslems are apt to be shopkeepers and artisans and are better off than their Hindu neighbors and on that account alone a target for hatred, or in isolated village communities.

For 17 years the armed forces on both sides have been preparing for this war. If it now ends in a standoff, as I believe it must, what happens to the reputations of the military? Could Field Marshal Ayub Khan survive as President? And if not, what will follow him? Obviously for the moment the armed forces loom large on the New Delhi scene. But they took a nasty knock in terms of popular prestige in the Himalayas when they were put to flight by the Chinese nearly 3 years ago. If they cannot now inflict a clinching defeat on Pakistan, one wonders what their title to leadership will be.

The longer the war goes on and the more the threat gathers momentum of its degenerating into interreligious knife-play by undisciplined fanatics on a wide scale, the more dangerous the entire picture becomes.

Anyone who has mixed with educated Pakistanis and Indians over the age of 40, soldiers or civilians, notes that they rub along amicably enough together just so long as Kashmir is not mentioned. They are products of the same school, figuratively and often literally. The tragedy is that so many of these folk now stand a very good chance of being swept aside.

There is going to be a well-nigh irresistible tendency in both camps, of course, to blame Britain and America for the entire calamity. It may be academically interesting for military experts to see whether the U.S. Patton is really a better tank than the British Centurion or the Hawker Hunter more maneuverable than the Lockheed Lightning, but you can take it for certain that the West will catch it in the neck either way.

The chorus will be: "You let us down."

Attempts by the American Congress to apply pressure by cutting off civilian aid along with military to both sides, which was voted down on President Johnson's say-so, will certainly be remembered as attempted blackmail. Aid to both has been frozen.

For all these reasons, then, I foresee the upshot of this war as being the emergence of a new India-Pakistan. New leaders will appear, and unless we are very lucky, careful or both, the prospect is that they will be an even more prickly lot to deal with.

The odds look to me about even as between military dictatorship and a Marxist-based takeover. The only thing that can stop this, and save the existing power elite in both countries, is to agree on a cease-fire while each enjoys sufficient domestic prestige to hang on. But at this writing the chances of such a recourse to reason and self-interest do not look good.

The Uses of Military Aid

(Testimony before the Senate Foreign Relations Committee, May 6, 1959)

Senator Gore. I find it difficult to defend giving a vast amount of military assistance to Pakistan and then providing economic aid to India with which she buys Canberra bombers. We are paying the bill on both sides.

Secretary of Defense McElroy. This defense, of course, is not against India. This is allocated to Pakistan for defense against Russia and China.

Senator Gore. Well, that may be your purpose, but our official who is there with the program day to day says that insofar as the Pakistanis are concerned, they want it as armament against India.

Secretary McElroy. Well, we don't agree with them.

Senator Gore. But you give it to them, nevertheless, and they are the ones who will use it, not you.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. PASTORE. Mr. President, I yield myself whatever time may be necessary to make an opening statement on the bill.

Mr. President, the foreign aid and related agencies appropriation bill for fiscal year 1966, which is now before the Senate, recommends appropriations of new obligational authority in the amount of $3,907,188,000. This amount is $281,735,000 under the budget estimates and $94,265,000 under the amount allowed by the House.

In reporting this bill to the Senate, the committee took into consideration the will of the Senate when it acted upon the authorization bill in the first instance and approved the sum of $3.243 billion for title I of that bill, relating to economic and military assistance. In comparison with the ceiling of $3.243 billion in the authorization act as it passed the Senate, the committee total for title I is $3.193 billion, or $50 million below the Senate authorization ceiling. This recommendation of $3,193 million for title I, "Economic and military assistance," is $92 million below the House allowance and $266,470,000 under the amounts requested in the budget.

A summary of the bill, printed on page 2 of the committee report, sets out the comparisons of the three titles of the bill, including the budget estimates, the bill as it passed the House, and the amounts recommended by the Senate committee. I ask unanimous consent, Mr. President, to have this table printed in the Record at this point.

There being no objection, the table was ordered to be printed in the Record.

Summary of the bill

Title	Item	Budget estimates (amended)	Bill as it passed House	Recommended by Senate committee	Increase (+) or decrease (−), Senate bill compared with—	
					Budget estimate	Bill as it passed House
I	Foreign assistance	$3, 459, 470, 000	$3, 285, 000, 000	$3, 193, 000, 000	−$266, 470, 000	−$92, 000, 000
II	Foreign assistance (other)	729, 453, 000	716, 453, 000	714, 188, 000	−15, 265, 000	−2, 265, 000
III	Export-Import Bank of Washington (limitations)	(1, 190, 172, 000)	(1, 190, 172, 000)	(1, 190, 172, 000)		
	Total	4, 188, 923, 000	4, 001, 453, 000	3, 907, 188, 000	−281, 735, 000	−94, 265, 000

Mr. **PASTORE**. For "Technical cooperation and development grants" under title I, the committee has concurred with the House recommendation of $202,355,000, which is $16,645,000 under the budget request. The funds provided hereunder will be used principally to hire experts and technicians to help less-developed nations help themselves in such fields as education, health and sanitation, communications, transportation, and public administration. These funds also finance ocean freight charges on relief shipments by approved American nonprofit voluntary agencies.

The appropriation item, "American schools and hospitals abroad," has been recommended at the budget figure of $7 million, which is the same as the House allowance. This is a reduction of $9,800,000 under the 1965 appropriation, occasioned largely by the completion of financing for the new medical center at the American University at Beirut.

For "International organizations and programs," an appropriation of $144,755,000 is recommended, which is $800,000 under the budget estimate. Under this appropriation, funds are provided to permit the continued participation of the United States in the following United Nations and other international programs:

U.N. expanded program of technical assistance and Special Fund	$65, 000, 000
U.N. technical and operational assistance to the Congo	5, 000, 000
U.N. relief and works agency for Palestine refugees	15, 200, 000
U.N. Children's Fund	12, 000,000
U.N. Food and Agriculture Organization—world food program	2, 000, 000
International Atomic Energy Agency—operational program	1, 000, 000
Indus Basin Development Fund	43, 100, 000
International Secretariat for Volunteer Service	120, 000
World Health Organization, medical research	100, 000
U.N. peacekeeping: U.N. Emergency Force (Near East)	835, 000
U.N. Training and Research Institute	400, 000
Total	114, 755, 000

Two of these—World Health Organization, medical research; and U.N. Training and Research Institute—are now cooperative activities designed to promote the dissemination of information on cancer research and to encourage research in promising areas, in the first instance, and to provide advanced training for present members of the U.N. Secretariat, as well as for citizens of new nations for service with the U.N. or with their own national administrations, in the latter case.

The next item in title I is "Supporting assistance." For this item, the committee has recommended an appropriation of $369,200,000, which is the same as the House allowance but $80 million under the budget estimate.

Supporting assistance is economic aid which is employed to advance and protect U.S. national security and foreign policy objectives by assisting those nations which need help in maintaining their defensive forces against Communist expansion and in preserving their economic and political stability under such pressures. The objective of supporting assistance is to move a country out of this aid category as rapidly as conditions within the country permit. Nearly 90 percent of the aid under this appropriation will be concentrated in four countries: South Vietnam, Laos, Korea, and Jordan; and about half of this will go to Vietnam alone.

Over the past decade there have been three phases through which a number of countries have moved in recovering from political and/or military upheavals with external help. In the first phase, external security and a minimum of internal law and order are established. In the second, political and economic institutions are strengthened and the economy is stabilized. In the third phase, economic growth picks up speed, and dependence on extraordinary assistance is gradually reduced and then eliminated. Good illustrations of countries which have moved from one phase to another are Greece and Taiwan. While these countries depended heavily upon supporting assistance in the past, they are no longer recipients of such aid.

For the "Contingency funds"—both general and southeast Asia—the committee recommends the full budget estimate, $50 million in the first instance, and $89 million for southeast Asia. These funds are necessary for the successful attainment of the total objectives of the foreign assistance program. They are used to meet urgent and unforeseen needs, or needs which could not be defined with reasonable accuracy at the time the budget estimates were presented to the Congress. In the pending bill, the $89 million for southeast Asia is a case in point. On June 3, in a budget amendment, the President requested this sum for mutual defense and development programs in southeast Asia. The full amount was authorized by the Congress in Public Law 89-171, and the committee has concurred with the House in allowing the full estimate.

Contingency funds are used in several different types of situations. First, there are the cases in which there is an urgent need to expand assistance to a country, the security of which is threatened by new or intensified Communist attack, threat, or subversion. Past examples of this type of use have occurred in both Laos and Thailand.

The second type of situation, and for which by far the most frequent use of the contingency fund is made, is to alleviate conditions of suffering wrought by earthquakes, floods, or other disasters.

The third type of situation is in those cases where unexpected economic or political crises occur and where prompt economic aid—even though it may not meet the criteria of development assistance—must be used to protect both the short- and long-run U.S. interests in the country aided. Thus, whether it be used for preventing Communist infiltration, to relieve people afflicted by disaster, or to protect the U.S. interests in a particular country, there is no question that a prompt and flexible U.S. response in meeting a legitimate assistance need has been attained through the use of the contingency fund.

Under the Alliance for Progress, there are two separate appropriation items: First, "Technical cooperation and development grants," and second, "Development loans." For "Technical cooperation and development grants," the committee has recommended $75 million, the same as the sum contained in the House bill. For "Development loans," the sum of $435,125,000 has been approved, which is $10 million below the House allowance and $60 million under the funds requested in the budget. Together with the $29,686,000 in unobligated balances and other funds which will be available, the committee recommendation of $435,125,000 will provide a program of $477,811,000.

The Alliance for Progress record makes it clear that the performance by the United States and Latin America requires mutual fulfillment of Alliance projects. United States aid to Latin America is going to those countries which are taking the necessary steps to effect social, land, and tax reforms, and which are employing the necessary self-help measures. While there is much to be done by many of the countries in Latin America along these lines, testimony presented to the committee indicated that there is visible evidence of progress in most Latin American countries which have committed themselves to the policies, reforms, and improvements developed under the programs of the Alliance for Progress.

For "Development loans, worldwide," the committee has recommended $593,225,000, which is $82 million below the House allowance and $187,025,000 below the estimates for fiscal year 1966. However, it has been determined from recent information that $91,292,000 of unobligated 1965 funds will be carried forward into fiscal 1966, and this, together with the new funds recommended and $60 million to be derived from receipts, reimbursements, and estimated recoveries will provide a total program availability of $744,517,000.

Under this item in the bill, the House language prohibited use of development loan funds to implement section 205 of the authorization act. This language has been deleted by the committee and, in lieu thereof, the committee has provided that not to exceed 10 percent of the development loan funds may be made available to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use in accordance with laws governing U.S. participation in such institutions. The Agency for International Development proposes to use this authority on a matching basis so that any additional funds the United States contributes to these institutions would be accompanied by an increase in the funds contributed by others. This could be a useful instrument to persuade other donor countries to increase their levels of aid.

For the last two items funded under "Economic assistance"—namely, administrative expenses for the Agency for International Development and administrative expenses to be reimbursed to the State Department—$54,240,000 has been allowed for the former and $3,100,000 has been approved for the latter.

For "Military assistance," the committee recommends the full amount of the budget estimate, $1,170 million which is the same as the House allowance.

In view of the grave threat of Communist expansion and of internal subversion by nationalistic or communistic extremists which faces many nations of the world, the committee believes it to be judicious and in the best interests of this country and of the free world to appropriate the full amount requested for military assistance. In southeast Asia and the Far East, our military assistance program is of special importance and urgency, as Senators well know.

Turning to title II of the bill, which includes funds for the Peace Corps, administration of the Ryukyu Islands, various activities relating to assistance to refugees, and financing for the Inter-American Development Bank and the International Development Association, the sum of $714,188,000 is recommended. Of this amount, $102 million is recommended for the Peace Corps, together with unobligated balances remaining available on June 30, 1965, in the amount of $12,100,000, which will provide a total of funds available for fiscal year 1966 of $114,100,000. This will allow all but $900,000 of the $115 million requested by the Peace Corps. The $900,000 was eliminated by Congress during the authorization process.

The committee has recommended the full amount of the budget estimate, $14,733,000, for the administration of the Ryukyu Islands, which is the same as the House allowance.

For "Assistance to refugees in the United States," $30 million is recommended. This is $2,265,000 under the House allowance and the revised budget estimate. During the hearings, departmental officials advised the committee that their estimates of need for fiscal year 1966 had just recently been determined to be lower than anticipated and requested the reduction of $2,265,000. Senators may be interested to know that the cost of this program have decreased from a high in fiscal 1963 of $56 million to $46 million in 1964, $36.6 million in 1965, and an estimated $30 million for fiscal 1966.

For "Migration and refugee assistance, Department of State," the committee recommends the budget estimate, $7,575,000, the same as the House allowance. This is a $625,000 reduction from last year's appropriation, and is made possible, the committee was informed, by continuing progress in the solution of refugee problems and greater contributions by other governments toward refugee and migration costs.

For the "Investment in the Inter-American Development Bank and the subscription to the International Development Association," the committee has recommended the full budget estimate, $455,880,000 and $104 million, respectively. The committee report, which is before the Senate, explains the purposes for which these funds were appropriated.

Under title III of the bill, the Export-Import Bank of Washington, the committee has allowed the full budget estimates for the limitation on operating expenses and the limitation on administrative expenses.

There is one language amendment in the bill which might best be brought to the attention of the Senate at this point.

Section 116, on page 12 of the bill, was inserted by the Senate committee and relates to the transportation of strategic items and other materials to North Vietnam. The House in its version of the bill had amended section 107, prohibiting assistance to any country which sells, furnishes, or permits any ships under its registry to carry items to Castro's Cuba, by adding the words "or to North Vietnam." The committee has prepared an entirely new general provision relating to North Vietnam rather than to attempt to legislate on North Vietnam in the language relating to Cuba, which has been in the law for many years.

Under this provision, the intent of Congress is clear that aid should be denied to any country which fails to take appropriate steps to prevent its ships from transporting strategic items, items of economic assistance, or other equipment, materials, or commodities to North Vietnam.

That concludes my presentation, Mr. President, and I now ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be regarded as original text for the purpose of amendment; provided that no point of order shall be considered to have been waived by reason thereof.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 25, after "section 252", to strike out "$445,125,000" and insert "$435,125,000".

On page 3, line 5, after "section 202(a)", to strike out "$675,225,000" and insert "$593,225,000"; and, in line 8, after the word "expended", to strike out "*Provided*, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended" and insert "*Provided*, That not to exceed 10 per centum of this appropriation shall be available to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended".

On page 7, line 12, after the word "regime", to strike out "or to North Vietnam,".

On page 8, line 1, after the word "regime", to strike out "or to North Vietnam,".

On page 12, after line 7, to insert:

"SEC. 116. In determining whether the funds appropriated or made available pursuant to this Act for assistance under the Foreign Assistance Act of 1961, as amended, may be used for assistance to any country, the President shall take into account such steps as that country has taken to prevent ships under its registry from transporting strategic items, items of economic assistance, or other equipment, materials or commodities to North Vietnam. If any country receiving assistance fails to take appropriate steps to prevent its ships from transporting such items, it is the sense of the Congress that assistance should be denied to that country."

On page 15, line 8, after "(5 U.S.C. 55a)", to strike out "$32,265,000" and insert "$30,000,000".

Mr. PASTORE. Mr. President, even though I have read the statement hurriedly, I stand ready to answer any question on the bill.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. ELLENDER. Mr. President, I send to the desk three amendments. The first reduces the amount for the military assistance program by $100 million; the second reduces the amount of the contingency funds by $30 million; the third amendment reduces the amount for the general development loan fund from $593 million-plus to $543 million-plus, or a total of $50 million.

Mr. PASTORE. Mr. President, do I correctly understand that the amendments of the Senator from Louisiana are to lie at the desk until they are called up by him?

Mr. ELLENDER. The Senator is correct.

Mr. President, I should like to propound a unanimous-consent request. I have sent three amendments to the desk. I understand that under the present agreement I am entitled to 30 minutes on each amendment.

Mr. PASTORE. That is correct.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. ELLENDER. I ask unanimous consent that the time allotted to me on the three amendments be consolidated, so that I may make a general statement on the amendments, the time to be charged equally to each amendment.

Mr. PASTORE. In other words, the Senator is asking that the hour and a half allotted to him to be charged generally to the three amendments.

Mr. ELLENDER. That is correct.

Mr. PASTORE. I have no objection.

Mr. ELLENDER. I may not use all of that time.

The ACTING PRESIDENT pro tempore. The three amendments will be considered together.

Mr. ELLENDER. Yes; and such time as I may consume in making my general statement will be charged to all three amendments.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. PASTORE. I have no objection.

Mr. COTTON. Mr. President, reserving the right to object, if the three amendments are to be considered together, does that mean that the Senate will vote on them together?

The ACTING PRESIDENT pro tempore. No; they will be discussed at the same time.

Mr. ELLENDER. They will be discussed at the same time, but acted on separately.

The ACTING PRESIDENT pro tempore. Without objection, the request of the Senator from Louisiana is agreed to.

Mr. SALTONSTALL. Mr. President, has the Senator from Rhode Island yielded the floor?

Mr. PASTORE. I yield the floor.

AMENDMENTS NO. 449

Mr. SALTONSTALL. Mr. President, I call up my amendments No. 449 and ask that they be stated.

The ACTING PRESIDENT pro tempore. The clerk will read the amendments.

The LEGISLATVE CLERK. On page 2, line 10, delete "$202,355,000" and insert "$182,355,000".

On page 2, line 14, delete "$144,755,000" and insert "$134,755,000".

On page 2, line 16, delete "$369,200,000" and insert "$349,200,000".

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum, the time to be equally divided between both sides.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. SALTONSTALL. Mr. President, my amendments are very simple. This concerns a subject which all Senators have discussed for years and know about.

Primarily the committee, on the recommendation of the chairman of the committee, discussed informally, but did not agree upon, a cut of $42 million. Ten million dollars of this cut was to be from the Alliance for Progress development loan funds and $32 million from the development loans. This would restore the amount to that provided for in the Senate authorization bill.

Several Senators, including myself, proposed to eliminate $100 million from the bill. This would make a total cut of $142 million, which would be a comparatively small percentage.

The committee, by a very close vote, sustained a further cut of $50 million, making a total of $92 million. That is the form in which the bill has just been discussed by the acting chairman of the committee, the distinguished Senator from Rhode Island.

My amendments relate to further cuts. One proposed reduction is a $20 million cut from technical cooperation, or approximately an 8.5-percent cut. There is a proposed reduction of $20 million from supporting assistance, approximately a 5-percent cut. There is also a proposed reduction of $10 million from the international programs, or approximately a 7-percent cut.

My amendment would not in any way affect the Alliance for Progress funds, in which so many of us are interested.

I call attention to the fact that, from the information which we have received—and I believe that it is accurate—this bill is overfunded by approximately $6,800,000 in the economic sections. When we consider this amount, my additional cut would be approximately $43 million, rather than $50 million.

I have always supported and been on the generous side concerning foreign aid. I believe that we must cooperate with other countries. In the pending legislation, there was no cut, by either the House or Senate committee, in the amount of funds recommended by the administration with relation to military aid.

One billion, one hundred and seventy million dollars is provided in the bill for military assistance. While the figures are classified, I can assure the Senate that a substantial additional amount of military assistance must be provided if we are to support our services and assist the Vietnamese people in South Vietnam.

In addition—and again the figures are classified—I assure the Senate that we shall have to appropriate a substantial sum, hundreds of millions of dollars, to support our own forces in Vietnam and to increase the amounts of procurement for our forces around the world in order to take care of procurement of materiel that must be sent to Vietnam for our troops.

Mr. President, I proposed this additional small cut in the committee. Because I sincerely believe that we shall have tremendous additional military expenses and responsibilities around the world on an increasing rather than on a decreasing scale, I believe that we should cut a little more from supporting assistance, which is where the cut would primarily be, and from the development grants.

These are small additional cuts, amounting in all to $50 million, or approximately 1.5 percent of the total economic aid bill in supporting assistance, technical cooperation, and international programs.

I believe that the funds that we would appropriate, if these amendments were agreed to, would be sufficient to carry out our responsibilities under those three programs of our foreign aid in the next fiscal year.

Mr. President, this bill is now $50 million below the Senate authorization and, if my amendments are agreed to, it will be $100 million below the Senate authorization. I believe that sufficient funds will be provided to carry out our responsibilities.

I feel confident that our military assistance to Vietnam will be greatly increased in addition to the amount provided in the bill. The increase will be taken care of by means of supplemental appropriations for the support of our own troops and operations, maintenance accounts, procurement accounts for materiel, and all accounts that are necessary to support our forces in Vietnam.

There will be substantial increases in the supplemental budget that will be submitted to us in January.

We have already increased our expenses over there, first by $700 million and then by an additional $1.7 billion, so we know that to that extent our original budget figure has been increased; and we know there are going to be further expenditures to carry out our obligations in Vietnam.

Therefore, Mr. President, I ask that my amendments cutting $50 million more from the figure in the committee report be agreed to.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. PASTORE. I yield myself 5 minutes, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. PASTORE. I wish to say at the outset that no Senator has been more loyal to this program than my distinguished colleague the senior Senator from Massachusetts. No Senator has higher respect and admiration than have I for his judicious treatment of the matter, especially before the subcommittee, but also before the full committee.

However, the Senator should understand today that, with the exception of the year 1955, when the request was $11 million less than it is for the fiscal year 1966, this is the smallest amount ever requested by any administration in the entire life of the foreign aid program.

That means what, Mr. President? It means that the Senate committee which is held responsible for scrutinizing and exhaustively investigating every request made has cut the bill down to the marrow of the bone. What we do not want to do today is to get into the marrow, and destroy the program.

Every single item that was presented to our committee was scrutinized and gone over with a fine-tooth comb, and, as a result, we have cut the House bill by $92 million. That is quite a feat for the Senate, because the process has usually been the other way. The Senate has always granted reclamas; we have always granted new requests to increase amounts over the amount allowed by the House.

Mr. CARLSON. Will the Senator yield?

Mr. PASTORE. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. I believe the Senator from Rhode Island made the statement that this is the lowest request ever made for this particular program. I happen to be a member of the Senate Foreign Relations Committee and somewhat familiar with our foreign operations.

Would not the Senator agree that the reason for the reduction is not necessarily the way we have closely scrutinized the program, but may very well be because at one time, over 100 nations were receiving our aid, but the number has now decreased to about 76? That should have some effect.

Mr. PASTORE. It will have some effect. But the Senator must realize that when we had some 100 nations, we did not have a situation such as we have experienced within recent weeks between Pakistan and India. We did not have the situation in the Dominican Republic. We did not have the situation in Vietnam. These things, of course, also have an effect.

The argument that is being made here is that we have a tremendous responsibility in Vietnam. No one challenges that statement. We must do everything we possibly can to stop the encroachment of communism anywhere in the world, because we realize that if we do not do it 3,000 or 7,000 miles away from our own shores, the possibility is that we might have to do it on our own threshold. We wish to avert that if we possibly can.

The Senator's proposed cut comes at a dangerous time. Let us remember that within 1 day there has been a cease-fire in India and Pakistan. Much credit for that must go to the international world forum, the United Nations.

What has the Senator from Massachusetts in mind? As I understand, he proposes to take $20 million out of technical assistance; he proposes taking $10 million out of the agencies in the United Nations. There we are, taking it out of the United Nations. He also proposes a cut of $20 million or more out of supporting assistance.

I say to the Senator from Massachusetts that if that is what he is proposing, it should not be done. This is not the time for it. At this time we should be giving to the United Nations and its agencies the morale, the assistance, and the support that is necessary.

I heard only today on television, on the Today program, that because of the splendid achievement in bringing about a cease fire under the auspices of the United Nations, there is a good possibility that some kind of negotiated agreement might be achieved in Vietnam.

We are going to try. Is it not much better to spend a few dollars to stabilize the economies of underprivileged nations, to avert these situations that compel us to spend money by the millions when we begin to send our boys to troubled areas?

Mr. SALTONSTALL. Will the Senator permit a brief observation, or would he prefer not to be interrupted?

Mr. PASTORE. I am always happy to yield to my gracious colleague from Massachusetts.

Mr. SALTONSTALL. I thank the distinguished Senator from Rhode Island.

I point out that in the United Nations, which the Senator was discussing—that is my reason for interrupting him—the Indus Basin Development Fund has $43 million, and the United Nations Special Assistance and Technical Fund $65 million, out of the total contribution of $144 million. My cut, of course, is only $10 million, which could very well, under present circumstances, come out of the Indus Basin Development Fund.

Mr. PASTORE. I realize that. But all of that was taken into account by the House, by our committee, and by the administration.

I say it is dangerous to do it now. We are being pennywise and pound-foolish. I admit that there are situations throughout the world which are regrettable, which are deeply disappointing. But let us not get into a position where we begin to lament the fact that we bought fire insurance on our house, and feel that we had to pay the premiums and therefore made a bad investment. We are sorry, it would seem, only because the house did not burn down. That is the philosophy we are adopting here.

The money we have spent has represented protection. Not only does it help other nations; it secures America. Yes, there is benevolence in the program. There should be, because America has always had a compassionate heart. But there is the interest of America as well in this program.

Today we are the most affluent society in the world. We have 6 percent of the population. We occupy 7 percent of the land mass of the world. But we have 40 percent of the wealth of the world. If this world falls apart, who has the most to lose? The United States of America. That is the reason why we have this program. It is our insurance.

Of course, it does not work out perfectly. It cannot be humanly perfect. But I am sure my fellow Senators will admit that administratively speaking, it is on a sound basis, the soundest basis it has ever been in the history of the program.

We have as administrator a man by the name of David Bell. He is one of the finest administrators in all our experience. When he comes before the committee, he has already been cautioned to be careful not to ask for one penny more than he can use.

To be more specific, what are the unobligated funds? I understand that the unobligated funds with reference to the technical assistance program are about $10 million. which is a very small sum when one realizes that after all, it must be committed judiciously. There are no unobligated funds with reference to the international agencies, if we consider them all together. There is a slight unobligated amount, I think about $3 million—$3,812,000—under the supporting assistance programs.

Mr. President, what I am saying is this: I have been selected by the Appropriations Committee to assume the responsibility of chairing these hearings and managing the bill on the floor. In doing so, whether I am a great success or a failure, I bring no bouquets or brickbats back to Rhode Island. This is the highest program——

Mr. SALTONSTALL. Will the Senator yield?

Mr. PASTORE. If I may complete my eloquence. I am at a moment of drama now. Spare me that.

There will be no flags flown for PASTORE because I saved the bill. It is the one job in the Senate that everyone runs away from, but it is the job that needs to be done.

Not long ago there was a meeting at the White House which was attended by Republican and Democratic Senators. We were addressed by the Secretary of State, the Secretary of Defense, and the Representative of the President at the United Nations. We were talked to by the head of the World Bank. We were talked to by almost every high official, including the President of the United States himself.

The President made it abundantly clear that so far as he is concerned, when it comes to spending foreign aid money, he is going to be a hard-nosed negotiator.

I have no fear. I saw Lyndon Johnson operate when he was chairman of subcommittees on the Appropriations Committee. I followed him directly on that committee. I know how careful he has been to make sure that we do not spend any more than we necessarily must. He wants the taxpayers to get 100 pennies' worth for every tax dollar spent. I have great confidence in that man.

Mr. President, the bill has been cut below the figure the President asked. We have already cut it $92 million. It is not that we have added anything, and now the Senator from Massachusetts [Mr. SALTONSTALL] wishes a cut. We have already cut it by $92 million, which is $50 million less than the Senate authorized only a few weeks ago.

I believe that we have gone the limit. Please do not throw out the baby with the bath water.

Mr. ALLOTT. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. Mr. President, I yield 8 minutes to the distinguished Senator from Colorado.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Colorado is recognized for 8 minutes.

Mr. ALLOTT. Mr. President, I support the amendments now pending before the Senate, despite the eloquence of our distinguished chairman, to whom we all listened on at least two occasions in committee on this question.

We must consider other factors at this time which, in my opinion, are going to be of overwhelming importance.

First, let me state that as everyone knows, I have always supported a foreign assistance program. To me, it is the height of stupidity to say that the President do the job he is supposed to do if he does not have any kind of foreign economic assistance program.

However, I have been concerned for a long time about the size of the program. I have been concerned about falling into the trap of looking for places to spend money.

It is significant that this year we finally dropped an item from the budget called "Surveys of Investment Opportunity." We even had our own people out looking for places to spend money, until this year. Fortunately, that has now been dropped from the budget.

Because I do not wish my position to be misunderstood I will say that I agree with the distinguished chairman of the subcommittee—and I am sure the ranking senior member of the Republicans would also say it is true—that Mr. Bell is an efficient and a good administrator. What I shall have to say will in no sense be a reflection upon him personally, or upon his administration of foreign aid funds, because I believe that he has done a fine job, and I would be remiss in my duty if I did not state that fact.

I ask unanimous consent to have included at the conclusion of my remarks several tables to which I shall refer as I speak.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **ALLOTT**. Mr. President, the first one I wish to have included is U.S. contributions to the United Nations special programs, shown on page 56 of the hearings.

There is no question that we are spending approximately $7.5 billion a year for foreign aid. This takes in a great number of programs, as shown in the hearings. That is what we wish to avoid.

On page 65 of the hearings, when I asked Mr. Bell about the $7.5 billion, he said:

> A figure of between $5 and $6 billion is not in my opinion a misleading figure.

The only difference between the $7.5 billion figure and his figure is the noninclusion of certain items, such as Export-Import Bank loans and Public Law 480 funds.

The second table I should like to have included at the end of my remarks is the table shown on page 67 referring to International Affairs and Finance.

The table on page 63 shows the new foreign aid funds requested in 1965, and it is one that I wish to have included in the RECORD at the conclusion of my remarks, together with subsequent tables.

What will be available this year in funds carried over? Mr. Bell, on page 69 of the hearings, stated that on June 30, 1965, there was $6.321 billion unexpended, which will be available this year. The table on page 69 shows $10.6 billion unexpended, and I would like that table also to appear at the conclusion of my remarks. Again, the difference between the figures is the noninclusion of such items as Export-Import Bank loans and Public Law 480 funds.

Even using the lower figures which Mr. Bell used, we have $9.7 billion available for expenditure this year. It will be at least that much, including the carryover from last year.

As the distinguished Senator from Massachusetts has pointed out, the cuts he has proposed amount to less than 1½ percent. Can any Senator seriously contend that a cut of 1½ percent in foreign aid funds cannot be imposed without crippling the expenditures of those funds and without tying the hands of the President?

I do not believe that such a contention can be successfully made. This is a large amount. It is a large fund. To cut it in these respects, certainly is reasonable.

Where are the proposed cuts?

Twenty million dollars in technical cooperation and development grants.

Ten million dollars in international organizations and programs.

Mr. President, I believe that the proposed cut of $10 million in international organizations and programs might well be larger than that. This is a wholly reasonable cut.

The proposed cut of $20 million in supporting assistance makes a total of $50 million. We have left the Alliance for Progress funds and our Latin American friends in good shape in the bill. The cut which was made in committee for the Alliance for Progress funds was only $10 million, and that was left in good shape.

By Mr. Bell's own statement, he said that he would prefer that cuts be assessed to the development loans generally; not to the Alliance for Progress loans but, rather, to technical assistance.

Mr. President, there comes a time when we have to look hard at these programs.

The Senator from Massachusetts spoke of problems that we shall have to face to finance the war in Vietnam during the coming year.

I cannot repeat the figures which were given to us, but we are going to spend a great deal of money over there next year.

When the Congress comes back in January, the first thing we are going to be faced with will be a supplemental appropriation bill to finance the war. The figures will astound most people in the United States. Knowing this is coming, it behooves the Senate of the United States to act with every precaution, to act as a reasonable man would and to cut this amount, and thus insure that the program carried on under AID will be a hard program, with no softness in it, and no feathers in it.

I cannot believe—and I am sure no one else will believe—that cutting the amount in this area by a mere 1½ percent is going to hinder the President or tie his hands or keep us from doing a meaningful job in support of our military forces that are now in Vietnam. For those reasons, and for the additional reason that I do not think it can be contended that this cut is sufficient to cripple anyone in the program, and that there is money there sufficient to do the job in support of our purposes and in support of our foreign policy, I hope my colleagues in the Senate will agree to the amendments offered by the Senator from Massachusetts.

EXHIBIT 1

U.S. contributions to the United Nations special programs, calendar years 1961–65

[In thousands of dollars]

	1961		1962		1963		1964 estimate		1965 estimate	
	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent
Peacekeeping (assessed and voluntary):										
United Nations Emergency Force:										
Assessed	6,116		3,122		3,037		5,665		5,485	
Voluntary	1,800		1,322		372		872		850	
Subtotal, UNEF	7,916	41.66	4,444	45.58	3,409	35.88	6,537	36.82	6,335	36.82
United Nations operation in the Congo:										
Assessed	32,204		25,616		10,550		4,787			
Voluntary	15,305		11,401		1,768		704			
Subtotal, UNOC	47,509	47.51	37,017	46.27	12,318	37.33	5,491	30.17		
United Nations Force in Cyprus [1] (voluntary)							7,596	46.06	4,000	34.40
Peacekeeping	55,425		41,461		15,727		19,624		10,335	

See footnotes at end of table.

U.S. contributions to the United Nations special programs, calendar years 1961–65—Continued

[In thousands of dollars]

	1961		1962		1963		1964 estimate		1965 estimate	
	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent
Special programs (voluntary):										
United Nations Children's Fund	12,000	46.00	12,000	44.00	12,000	42.00	11,809	40.00	12,000	40.00
U. N. economic assistance to the Congo	17,950	(²)	53,000	(²)	29,400	(²)	5,000	(²)	5,000	(²)
U.N. expanded program of technical assistance	17,627	40.00	19,642	40.00	21,620	40.00	22,509	40.00	22,500	40.00
U.N. Special Fund	19,525	40.00	25,111	40.00	30,799	40.00	36,492	40.00	37,500	40.00
U.N./FAO world food program					1,200	40.00	2,438	40.00	1,362	40.00
U.N. High Commissioner for refugees program	1,300	33.33	1,200	33.33	700	24.30	600	33.33	600	33.33
U.N. Relief and Works Agency for Palestine refugees in the Near East	23,500	68.49	24,700	70.00	24,700	70.00	24,700	70.00	24,700	70.00
WHO—Community water development program	175	100.00	400	100.00						
WHO—Malaria eradication program	4,000	89.60	2,500	80.89						
WHO—Medical research program	500	100.00	500	100.00	500	100.00			100	20.00
Special programs	97,577		141,553		120,919		115,548		103,762	
Total	153,002		183,014		136,646		135,172		114,097	

[1] The amount shown for 1964 covers the initial 9-month period only. The amount shown for 1965 covers 6 months only, and includes airlift services amounting to $996,450.

[2] Since July 1960 the United States has provided about 56 percent of the total economic assistance which has been made available to the Congo from both multilateral and bilateral sources.

International affairs and finance

[Fiscal years. In millions]

Program or agency	Payments to the public			Recommended new obligational authority for 1966
	1964 actual	1965 estimate	1966 estimate	
Administrative budget funds:				
Conduct of foreign affairs:				
Department of State	$279	$296	$306	$318
U.S. Arms Control and Disarmament Agency	6	10	10	12
Tariff Commission	3	3	3	4
Foreign Claims Settlement Commission	9	37	2	2
Economic and financial programs:				
Agency for International Development:				
Development loans	768	862	870	780
Technical cooperation	226	190	205	210
Alliance for Progress	272	365	398	580
Supporting assistance	371	370	390	369
Contingencies and other	360	263	237	271
Subtotal, Agency for International Development	1,997	2,050	2,100	2,210
International financial institutions:				
Present programs	112	62	10	310
Proposed legislation		258	25	250
Peace Corps	60	80	105	125
Export-Import Bank	−702	−645	−480	
Other	12	15	21	12
Food for peace [1]	1,704	1,661	1,661	1,658
Foreign information and exhcnage activities:				
U.S. Information Agency	161	164	161	173
Department of State	46	52	59	62
Subtotal, administrative budget	3,687	4,043	3,984	[2] 5,136
Trust funds	62	−106	258	[2] 115
Intragovernmental transactions and adjustments for net cash issuances or withdrawals by international financial insitutions (deduct)	256	301	89	
Total	3,492	3,636	4,153	

[1] General notes:

1. The estimates in the budget cover requirements under existing legislation and under legislation which is proposed for enactment by the Congress.
2. Unless otherwise indicated, all references to years in this volume are to fiscal years ending June 30.
3. Details in the tables and charts may not add to the totals because of rounding.
4. Pursuant to Public Law 88–638, approved Oct. 8, 1964, the food-for-peace program authorized by Public Law 83–480 is treated in this budget as part of the "International affairs and finance" function. In prior budgets, sales of agricultural commodities under titles I and IV of Public Law 83–480 were included in the function "Agriculture and agricultural resources."

[2] Compares with new obligational authority for 1964 and 1965, as follows:
Administrative budget funds: 1964, $4,457,000,000; 1965, $6,759,000,000.
Trust funds: 1964, $57,000,000; 1965 $32,000,000.

New foreign aid funds requested in 1965

Foreign assistance requests, as amended (mutual security) ’	$3,459,470,000
Receipts and recoveries from previous credits	209,770,000
Military Assistance Advisory Group	76,000,000
Export-Import Bank (long-term credits)	900,000,000
Public Law 480 (agricultural commodities)	1,658,000,000

New foreign aid funds requested in 1965—Continued

Inter-American Development Bank (Latin America)	$705,880,000
International Development Association (IDA)	104,000,000
Peace Corps	115,000,000
Contributions to international organizations	96,953,000
Permanent construction overseas (military)	85,986,000

New foreign aid funds requested in 1965—Continued

Education (foreign and other students)	$69,200,000
Ryukyu Islands	14,733,000
Migrants and refugees	7,575,000
Atomic Energy Commission (overseas)	5,900,000
Inter-American Highway (Latin America)	4,000,000
Total new foreign aid requests, first 6 months of 1965	7,512,467,000

Estimated unexpended balances July 30, 1965

[In thousands]

Foreign aid programs:	
Economic assisstance (AID):	
Budgeted programs	$3,956,803
Social Progress Trust Fund [1]	321,000
Special revolving funds:	
Advance acquisition of property	2,449
Investment guarantee program	281,263
Military assistance program:	
Appropriated funds	1,922,909
Total	6,484,424
Pay and allowances for U.S. military personnel abroad (military assistance advisory group)	2,000
Export-Import Bank (long-term loans)	1,415,000
Public Law 480 (agricultural commodities—unshipped amounts against titles I, II, and IV of the agreements)	1,107,500
Inter-American Development Bank	[2] 905,057
International Development Association (IDA)	[3] 495,664
Peace Corps	77,836

[1] Program administered by the Inter-American Development Bank (IDB).

[2] Includes $405,880,000 for callable capital stock.

[3] As of June 30, 1965, the unexpected balance for the U.S. Treasury accounts will be zero since the last installment of the initial subscription to the Association was paid in November 1964. U.S. subscriptions become merged with resources provided to the Association and disbursements cannot be identified as to source of funds. This amount represents 41.6 percent of the total unexpended balance of the IDA.

Estimated unexpended balances July 30, 1965—Continued

[In thousands]

Contributions to International Agencies (state)	$1,332
Permanent construction overseas (military)	29,500
Education exchange activities (state)	47,676
Ryukyu Islands (Army-civil)	4,385
Migration and refugee assistance	4,527
Atomic Energy Commission ("Euratom")	8,037
Inter-American Highway (Commerce)	22,800
Total	10,605,738

Mr. SALTONSTALL. Mr. President, does the Senator from Rhode Island [Mr. PASTORE] wish to speak?

Mr. PASTORE. I thought the Senator from South Dakota [Mr. MUNDT] was to speak.

Mr. SALTONSTALL. I know the Senator from South Dakota wishes to speak, but I thought the Senator from Rhode Island might wish to make a few remarks now.

Mr. PASTORE. Mr. President, I will not take much time. Many Members of the Senate are at the White House to say farewell to the Postmaster General, Mr. Gronouski. If the Senator from South Dakota [Mr. MUNDT] wishes to speak, I shall be glad to hear what he says.

Mr. SALTONSTALL. Mr. President, how much time have I on my side?

The PRESIDING OFFICER. The Senator from Massachusetts has 10 minutes remaining.

Mr. PASTORE. Mr. President, how much time have I remaining on my side?

The PRESIDING OFFICER. Sixteen minutes.

Mr. PASTORE. I will give the Senator from South Dakota 6 minutes from the time on my side.

Mr. SALTONSTALL. Mr. President, I yield 8 minutes to the Senator from South Dakota. I understand the Senator from Rhode Island has yielded 6 minutes to him.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 14 minutes.

Mr. MUNDT. Mr. President, it seems to me that the only thing wrong with these amendments, if there is anything wrong with them, is that they represent too modest a reduction in this year's appropriation bill for AID. I honestly believe that, instead of asking for a $50 million reduction it should have been larger. Considering the $42 million cut suggested and accepted by the chairman of the committee, the additional $50 million cut agreed to by the committee of the $100 million which the Senator from Massachusetts [Mr. SALTONSTALL] and three or four of the rest of us recommended at that time, and the additional $50 million cut now sponsored on the Senate floor by the same group; namely, Senators SALTONSTALL, YOUNG of North Dakota, MUNDT, HRUSKA, ALLOTT, and COTTON as an additional reduction at this time, it will amount to a total saving of $142 million out of a multibillion dollar appropriation for AID.

I happen to be one of those who have been struggling with the foreign aid economic assistance program from its inception. The first really exciting congressional hearing in which I participated, was held on H.R. 1776, when I was a Member of the House and a member of the Foreign Affairs Committee of that body, headed at that time by Sol Bloom of New York.

At that time we started down the road which has taken us well over $100 billion, which has provided economic aid or assistance of some kind or other to well over 100 countries of the world. We apparently continue to act as though the U.S. Congress and the administration had lost all of their genius for new ideas, with very much the same kind of formula of operations with which we started with H.R. 1776, and the Marshall plan, and the successor programs.

I have joined in the amendment to reduce the bill by another $50 million to bring a total reduction of $142 million because it appears that that might be the best we would be able to work out in this body with a single successful amendment.

We may of course have an opportunity to work on other cuts later. I see on the floor the Senator from Louisiana [Mr. ELLENDER], who in years before led very informative and determined battles to reduce the bill further. I see no other amendments at the desk. I do not know whether the Senator is going to offer similar amendments. So we must wrestle with the problem in the dimensions in which we find it now.

Normally, in years past, a pretty good screening job on these appropriations was done in the House of Representatives Appropriation Subcommittee under Representative OTTO PASSMAN. In years past the House of Represnetatives has been successful in paring the legislation and reducing the amount. But something appears to have happened in the House subcommittee. Either there has been a change of faces or philosophy. Representative PASSMAN has tried with his customary vigor, but the results on the House side have been disappointing. So our full committee on this side of the Capitol has a new responsibility in this field. We can no longer depend on the House to reduce these amounts. They will be reduced here or nowhere, because what used to be a good screening process in the House has now become primarily a funnel for transmitting to the Senate almost the full administration request.

I hope Senators will therefore measure up to their responsibilities when they consider this annual appropriation, which apparently has not been as carefully scrutinized and as judiciously reduced by the House as was the case in the past, and that we can bring about at least a total reduction of $142 million. If we do so, we shall be serving America well.

In the first place, this program of reduction is important from the standpoint of selectivity. We tried hard in the Foreign Relations Committee, the legislative committee which brings the foreign aid authorization bill to the floor, and upon which the Appropriations Committee has to work, to provide some selectivity in administering these funds. In the original bill as it passed the Senate there was a terminal date 2 years in advance. We had provided a recommendation that when a new program was proposed it could not include more than 70 countries, instead of nearly 100.

Our recommendation included the appointment of a high-level commission to take a new look at America's responsibility in this entire area of foreign assistance and that was eliminated again by House action responding to the suggestions of the administration.

So now, unless this body and the Committee on Appropriations begin to tailor this financial load to actual needs, we are going to be found guilty of malfeasance of our responsibility.

The first reason we suggest this cut, as I said, is selectivity. When there are fewer dollars with which to operate, the areas which need it are more carefully selected. It is not scattered around willy-nilly, where there are so many countries and everybody wants a part of it. The applicant has to be told to slow down because we are running out of money for this legislation.

Second, it would provide a greater degree of efficiency in this program. No Senator will stand in the Senate and say that the program has been efficiently operated. There are too many examples of inefficiency, such as concrete roads built to nowhere, highways in areas which lack automobiles, and electrical refrigerators in areas which have no electricity. There are many mistakes.

I suppose our genial chairman would say that we cannot help but make mistakes in a program such as this. I agree. I am not agitating for a complete ending of the program and I am not scalping any public official. I point out that the program will have to operate more efficiently.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. PASTORE. I am personally willing to admit that mistakes have been made, but I made the statement that I do not believe we have ever had a man at the head of this program who had more administrative and conscientious ability than David Bell.

All that the Senator from Rhode Island said was, "Let us not throw out the baby with the bath water."

I hope that because we made some mistakes in this program in the past that we do not take it out on this program and the foreign assistance program.

Mr. MUNDT. I have admiration for David Bell. I recognize that he is trying to do his best. I recognize in the past there have been great manifestations of inefficiency and that they are still cropping up.

We could not expect him to deal with them all, but he could deal with them more directly and effectively if he were given less money with which to work.

The Senator from Rhode Island talked about throwing out the baby with the bath water. I am not even throwing out the bath water.

We could be working on reductions of $300 million or $500 million but we are temperate individuals and we have to work in areas of practicality. We simply ask the Senate to make this additional reduction so we can get better results with less money.

We are merely trying to reduce this bill enough to save important dollars for our taxpayers and to incite some additional efficiency in the program.

One of the great weaknesses of the program now is that foreign leaders can see astronomical figures appropriated. They can see what is written in black and white. They figure they can come here, tin cup in hand, and say, "We want our share of the dollars."

But if Mr. Bell were able to say, "The Congress is cutting us back; we did not get all we asked for; we must limit some programs in some areas," they will have to make their request pretty persuasive or will learn that we are not going to be able to provide the money.

There must be stimulated effectiveness, along with efficiency, and along with selectivity, in a program which for too long has operated with guidelines which are too vague, too ambiguous, and too ineffective.

In a way, Uncle Sam has become a sort of quack doctor operating on the global economy and political situation; a sort of economic and political quack doctor who would be ruled out of the apothecary arts in this country, if he provided the same kind of pill for every ailment of every individual in any area; a sort of quack doctor approach with the same prescription, "Dish out the dollars" for all problems abroad. It is the same prescription for every problem of every country, be it a young country suffering from problems of youth and adolescence, or some archaic area suffering from the aches and pains of old age. It is the same pill, the same prescription, the same kind of approach, which worked pretty well a long time ago in Greece and Turkey. They were given the aid and they stood up against communism. But that some formula will not work in every country and in the curing of every problem.

Sometimes it becomes counterproductive; we also can bring disturbance, and distress with our doctor and our dollars.

We are in trouble with Sukarno. We have a great deal of equipment there. We help him with the problems there and then he gives his neighbors fear from his aggressive actions. Then, both the Pakistanians and Indians start shooting at each other with American provided arms and ammunition.

When they ran out of American ammunition and supplies in these two countries they were amenable to reason. It is a good thing we did not give them a couple billion dollars worth of ammunition or they would still be fighting.

This creates problems. It has been the same old procedure too long. The same old prescription will not work too long. That is why our legislative committee said, "Let us take another look at it." Let us terminate this AID program in 2 years and take a new look at our responsibilities.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. I request 5 minutes on the bill.

Mr. SALTONSTALL. How much time is remaining?

The PRESIDING OFFICER. The Senator from Massachusetts has 2 minutes remaining on the amendments.

Mr. SALTONSTALL. I yield to the Senator from South Dakota 2 minutes on the amendments and 3 minutes on the bill.

Mr. MUNDT. I believe it is important that we give consideration to a revamping of this program. We cannot abandon our international responsibility. Nobody is advocating that. A reduction of another $50 million would bring dividends in terms of its psychological impact, far beyond the money it would save in terms of actual dollars, because it would indicate a desire to revamp and reorganize a program that has gone into over a hundred billion dollars. They are still busy spending money they do not have. It is time to prepare new plans, new approaches, and ideas.

They have neither the time nor the inclination to properly train the people in charge of the program overseas. They object to some kind of American institutional training, so that we could send professionals over there, to compete with the highy trained professional Communists on the other side.

We send starry-eyed idealists. We send high-minded amateurs. We send people whose minds have not been tutored and trained, who have pockets full of gold out into the world trying to win the war for freedom in the cold war.

Perhaps if we sent people with fewer dollars to spend, they might be better trained and better organized.

A great many things could be done to improve the program.

I am one of the coauthors of Public Law 480, the food-for-peace program, passed under the chairmanship of our good friend from Louisiana [Mr. ELLENDER] during the Eisenhower administration. It was a good piece of legislation when it was passed. It has given a great deal of assistance to people abroad. It has served America and the free world well. But it could and should do better.

That program needs some new concepts. We must not operate it as though it were a part of a free pancake day at the county fair, and call out to the world, "Come and get it."

Our surplus food should be judiciously utilized in areas where it will do the most good. It should be used to influence human behavior, politically, as well as helping the physical well-being of people, people who are interested in being not only strengthened and well fed, but also want to be politically free.

We do not serve too well the cause of freedom by strengthening the bodies of individuals only to have them become slaves in the Communist army.

There, too, we need some guidance, some new thinking.

There is too much of a tendency, because we have surplus food, to dispense it without careful planning and without determining in advance the results we desire to obtain.

I should like to see additional and larger amounts of our surplus foods and fibers used to help to make the world a better place in which to live. All these reforms hinge upon the determination of whether this body and Congress as a whole desire to analyze, study, and reduce extravagant spending to the point that we will compel, along with belt-tightening, a little studious research, replanning, and revamping of the approach. We cannot abandon our responsibilities, but we shall have to improve our operation so that we may start winning victories in the cold war.

This additional $50 million of savings, if the Senate will approve it, may well help to push those in power in the direction of doing a better job of American leadership in the highly complicated business of waging a cold war.

Mr. SALTONSTALL. Mr. President, I yield myself 1 minute.

The amendment does not take 1 cent away from the Alliance for Progress. The amendment does not take 1 cent off the $1.17 billion provided for military assistance. I believe and am confident that we shall have to ask for many hundreds of millions of dollars more to provide military assistance and for direct military expenditures to fulfill our obligations in South Vietnam.

My amendment takes 1.5 percent from the economic programs. It is cut down by cutting $20 million from technical cooperation, $10 million from international organizations, and $20 million from support assistance, or approximately 2 percent out of a $3 billion bill.

I hope the amendment, which was almost adopted in committee, will be agreed to by the Senate.

Mr. PASTORE. Mr. President, I shall make a short observation. It is my understanding that I have 10 minutes remaining. I shall speak briefly and then yield back the remainder of my time.

I wish to impress upon the Senate that the committee carefully scrutinized every item contained in the bill. The Senate, beginning on June 7 and ending on June 14, took a number of votes, and after prolonged debate passed a bill providing $50 million more than is provided in the bill before the Senate today.

The argument of the Senator from Rhode Island is that the bill has been cut as far as we think it may well be cut and preserve the security of this Nation. That is our fundamental and sincere conviction.

The argument that the additional $50 million is only a bare percentage of the total amount is fallacious. If that logic is used, why not cut the amount by $500 million? Why not by $1 billion? Why not remove the entire amount?

The question is, Is this program essential to our posture in the world today? If it is realistic, how far should we go in appropriating money? The idea that to cut off a man's arm makes the other arm stronger does not appeal to the Senator from Rhode Island. The suggestion that if the guts are cut out of a bill, the administration of the program will be improved, does not appeal to me. To my way of thinking, that is not logical.

This bill is $50 million less than the amount that we authorized in the Senate only a few months ago. The bill was cut by the House under the amount that was agreed upon in conference and the Senate committee has reduced the House bill further by $92 million.

The argument that because Otto Passman's views do not prevail in the House subcommittee, the bill now before us is ruinous, does not appeal to me. To begin with, Mr. Passman does not believe in foreign aid. I say that if Senators do not believe in foreign aid, they should vote against the bill.

The committee labored and labored. We have cut where we thought we could cut judiciously. We have reduced the amount below the figure that came to us from the House. It is $50 million less than the bill that was passed only a short while ago after prolonged debate.

I say that a further cut of $50 million is absolutely unnecessary. I hope the Senate will defeat the amendments.

Mr. HOLLAND. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. HOLLAND. I agree completely with the position of the Senator from Rhode Island. Congress only recently passed the authorization bill. That bill represented the consolidated opinion of the two Houses of Congress. We have now moved to a position in appropriations that is well under the amount of the authorization.

We know that the world is in a confused condition. We have seen only recently the benefits of this program in various parts of the world, where at least we appear to have strong influence in preserving the peace. Some of that influence, I believe, is chargeable to our long continued effort in the field of judiciously providing foreign assistance.

Of course, mistakes have been made, but I do not see how a better job could possibly have been done than has been done after the months of effort in committee. To rewrite the bill on the floor of the Senate would be a mistake. I therefore strongly back the position of the Senator from Rhode Island.

Mr. PASTORE. I thank the distinguished Senator from Florida. I shall end with this observation: The problem of Kashmir is 17 years old. The underlying cause of the problem in Kashmir is older than the life of this Republic. It is steeped in religious hatred and may well never be solved. Who knows? But it was because we were kind and benevolent to Pakistan and provided her with substantial aid, beginning in 1946, and because we were good and benevolent to the people of India, that the lines of communication were kept open; and now, today, there is a cease-fire agreement. How different it could have been. Who knows what might have happened?

We talk about Vietnam as our responsibility. I am told that it will cost the United States $11 billion to carry on the war in Vietnam next year, unless it is resolved soon.

Who knows whether the settlement of the India-Pakistan dispute may not be the spark to ignite a beacon light for the United Nations to bring about a negotiated peace in Vietnam?

Yes, you may say that we shovel out our aid by the bushelful when we vote as we shall on this bill. But the world is in ferment. Its crises have deep roots. They are older than we are as a republic. The idea that this program is a failure because there are still sensitive spots in the world does not appeal to the Senator from Rhode Island.

I repeat: Do not cry over the premiums paid to buy fire insurance even if the house does not burn down. The United States is still intact. Ours is still the most affluent society in the world. If to preserve the security of a gross national product of $665 billion means to spend in foreign aid and military assistance some $3 billion, what better insurance can we buy to keep our society free and affluent?

I yield back the remainder of my time.

Mr. SALTONSTALL. Mr. President, no one is more desirous of seeing a peaceful settlement to the Kashmir conflict than is the senior Senator from Massachusetts.

The $50 million for economic loans—not grants—will not interfere in any way, in my judgment, with our ability to solve the serious problem to which the Senator has referred.

Mr. President, I yield back the remainder of my time.

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

The VICE PRESIDENT. All time having been yielded back, the question is on agreeing to the amendments offered by the senior Senator from Massachusetts [Mr. Saltonstall] on behalf of himself and other Senators. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from New Hampshire [Mr. McIntyre], the Senator from Florida [Mr. Smathers], and the Senator from Mississippi [Mr. Stennis] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Connecticut [Mr. Dodd], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. McCarthy], the Senator from Minnesota [Mr. Mondale], the Senator from Maine [Mr. Muskie], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Florida [Mr. Smathers], and the Senator from Connecticut [Mr. Dodd] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis], the Senator from Kansas [Mr. Pearson], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Pennsylvania [Mr. Scott] is absent on official business.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Nebraska [Mr. Curtis], the Senator from Pennsylvania [Mr. Scott], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 45, nays 35, as follows:

[No. 267 Leg.]

YEAS—45

Aiken
Allott
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gruening
Harris
Hickenlooper
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Morse
Morton
Mundt
Murphy
Neuberger
Prouty
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Smith
Symington
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—35

Bartlett
Bass
Bayh
Case
Church
Clark
Douglas
Hart
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McNamara
Metcalf
Monroney
Montoya
Moss
Nelson
Pastore
Pell
Proxmire
Ribicoff
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—20

Anderson
Bennett
Brewster
Curtis
Dodd
Fulbright
Gore
Kennedy, Mass.
Kennedy, N.Y.
McCarthy
McIntyre
Mondale
Muskie
Pearson
Scott
Simpson
Smathers
Sparkman
Stennis
Tower

So the amendments offered by Mr. Saltonstall and other Senators were agreed to.

Mr. SALTONSTALL. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. AIKEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DODD subsequently said:

Mr. President, on the earlier vote on the amendments offered by the senior Senator from Massachusetts [Mr. Saltonstall], I regret to state that I was in the cloakroom when the vote was taken, did not hear the bell, and was not notified. Had I been present, I should have voted "nay."

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 84-689, appoints Senator FRANK E. MOSS, of Utah, to be an alternate delegate to the 11th NATO Parliamentary Conference, to be held in New York City between October 4-9, 1965.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 2127) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 30. An act to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; and

H.R. 9247. An act to provide for participation of the United States in the HemisFair 1968 exposition to be held at San Antonio, Tex., in 1968, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were each read twice by their titles and referred or placed on the calendar, as follows:

H.R. 30. An act to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; to the Committee on Foreign Relations.

H.R. 9247. An act to provide for participation of the United States in the HemisFair 1968 exposition to be held at San Antonio, Tex., in 1968, and for other purposes; placed on the calendar.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MORSE. Mr. President, I send to the desk an amendment and ask that it be read.

The VICE PRESIDENT. The amendment will be stated.

The legislative clerk read as follows:

> On page 4, line 25, strike out "$1,170,000,000" and insert in lieu thereof: "$1,145,000,000: *Provided*, That not to exceed $52,264,000 of this appropriation shall be available for military assistance to Latin American countries".

The VICE PRESIDENT. How much time does the Senator yield?

Mr. MORSE. I yield myself such time as I may need.

Mr. President, in considering this appropriation bill, I would have the Senate keep in mind two factors that bear directly upon the amount of money involved:

First. That with the carryovers available from previous years, the funds the bill makes available for purposes of foreign aid are not the $3.2 billion of new obligational authority, but $3.5 billion; and

Second. That with all the various foreign aid functions that have been funded separately, the total being requested for the forthcoming fiscal year is not the $3.5 billion in the foreign aid request, but a grand total of $7.5 billion.

In particular, I would call attention to the fact that for many years, the entire aid program specifically for Latin America was included in the foreign aid bill. Now, we have provided separate funds for the Inter-American Development Bank, thus removing a very large segment of Latin American aid from the traditional foreign aid bill.

So there is no genuine comfort in the thought that this bill carries only $3.2 billion. That is only one drop in the bucket of foreign aid Congress is furnishing.

There is no better analysis of the failures and shortcomings of the current aid program that I could present that would improve on the one submitted in the House of Representatives in the minority views of the House Appropriations Committee. It states, and summarizes, the basic objections to the program which should have been corrected by Congress many years ago. I quote:

> Our examination of foreign aid spending requests for fiscal 1966 reveals that responsible cuts can be made without endangering U.S. foreign policy or its commitments to other nations. The American people are entitled to know, and this report outlines in considerable detail the following:
>
> 1. The magnitude of foreign aid spending is not fully known by the average taxpayer. Total requests for foreign assistance purposes have been submitted to Congress this year amounting to over $7½ billion.
>
> 2. The unexpended balance (pipeline) as of June 30, 1965, is estimated to be over $10.6 billion.
>
> 3. Our commercial trade balance with aid-recipient countries has dropped sharply since 1960. The Latin America commercial trade balance is particularly alarming.

Mr. President, on the Senate's time, I pause for order in the Senate.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senate will be in order.

Mr. MORSE [continuing the quotation]:

> 4. There is a definite relationship between the gold outflow and the Federal Government's programs of spending in foreign countries.
>
> 5. We are frequently told not to worry about the dollars spent for foreign aid because most of them are spent in this country. Close examination reveals we are talking about only total commodity purchases. For example, in fiscal year 1963, $855 million was spent on commodities out of a total of foreign grants and loans of $5.17 billion.
>
> 6. There is too much flexibility given AID in the use of appropriated funds with a lack of congressional control over foreign aid projects.
>
> 7. We are squandering too much of our national resources in what is vaguely called the "national interest" without a close examination by the Congress and the people of this country.
>
> 8. There is strong evidence of a lack of concern for congressional intent specifically expressed in some instances in the hearings and sometimes in the foreign aid law itself.
>
> Greater emphasis must be placed upon (1) energizing and encouraging private development resources of our own and in the developing countries; (2) initiating projects of a grassroots nature such as feeding the hungry and education programs in which there are assurances of reaching the mass of people.

The minority views are devoted to an examination of those points. They are points that have never been answered nor corrected by the majority which continues to pass the same defective aid program year after year. They are the reasons why public confidence in foreign aid is almost nonexistent.

I ask unanimous consent that the minority views, and the additional views of Mr. CONTE and Mr. ROBISON, from the House Appropriations Committee, be printed in full at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. The amazing thing about the debate and action on foreign aid year after year is the oblivion of the majority which supports this program to the concrete instances where it has failed utterly to do what is claimed for it in the congressional debates. What more can be said about the value of foreign aid to the United States after the debacle between two recipients of huge amounts of aid, India and Pakistan? Only Korea and Taiwan of the underdeveloped world have received more aid from us than have these two countries. They have received all this economic and military aid on the basis of their serving as a bulwark against Communist China.

Instead, they used the hundreds of millions of dollars worth of military equipment we had given them against each other. By so doing, they not only weakened themselves, and thus undermined the value of our even more extensive economic aid, but they have gravely weakened the peace and stability of all of non-Communist Asia. The net result of our shortsighted aid policy to these two countries has been a considerable gain for Communist China. Communist

China is the winner of the India-Pakistani war, and she is the chief beneficiary, to date, of our policy of indiscriminate military aid to two hostile neighbors.

That is why I have said that our current aid program is making hay for the Communists, not for the United States.

Yet the Congress refuses to face these facts. The Congress refuses to admit that much of the basis for aid simply is not supported by what is really going on in the world. We prefer to live in the dream world conjured up for us by the aid agency, the Pentagon, and the Department of State.

Take the theory that military aid and supporting assistance are a substitute for U.S. soldiers. Nowhere have we sent more military aid and supporting assistance, relative to population, than to South Vietnam. It has not replaced American soldiers. American soldiers have had to go over to Vietnam to try to retrieve the damage done by years of indiscriminate U.S. aid that did little more than line the pockets of a few corruptionists in the South Vietnam Government. In the case of military aid, we have sent our soldiers over there to fight against the very same weapons we have been sending to the South Vietnam Government for 10 years.

The same situation is going to prevail in Thailand. Thailand is never going to save itself with American military aid and budget support. If our present policy persists, and events continue unaltered on their present course, American soldiers are going to have to be sent to Thailand, too, to undo the mistakes of our misguided aid policy in that country, for in Thailand, too, we are sponsoring corruptionists and furnishing them with the goods and cash that is making them the ideal target for unrest and resentment among the people.

And never will the fantasies of the military aid advocates be disproved more completely than they have been disproved in the Dominican Republic. In the year and a quarter that we sent aid to the junta headed by Donald Reid Cabral, it totaled $61 million, for one of the largest per capita aid programs anywhere in the world. A great deal of it was military aid. Did it stabilize the country? Did it contribute to internal security? Did it relieve American soldiers of the task of policing the hemisphere, as we police the entire world?

Not at all. The heavy military program we sponsored in the Dominican Republic helped fan the flames of resentment against the junta. When the opportunity presented itself, large numbers of the guns and even the tanks we had furnished the Dominican armed forces were turned over to the rebels. Our weapons were turned on the people they were supposed to keep in power. And once again, more than 20,000 American troops had to be sent to the country in order to retrieve what we believed were American security interests. When they got there, they faced the very guns and weapons that Congress and the administration, in their ignorance, had furnished so freely to a government that should never have had them.

It is a conservative estimate that more than half of what we are currently furnishing to Latin American military establishments is in the same class with that we furnished to the Dominican Republic. In many cases, it is helping to create a military establishment that becomes only a target for all those among the masses of the people who seek far-reaching changes in their economic conditions. Only luck, not wisdom, will save the United States from facing our own guns in Latin America many times over, in country after country.

That is why I have an amendment putting a ceiling of $52,264,000 on the total of military aid to the hemisphere. This ceiling applies to all military programs, both grant equipment and training.

As chairman of the Subcommittee on American Republics Affairs, I wish to provide adequate military aid to Latin American countries, in order to keep down Communist coups. But they do not need the kind or extent of military aid we are sending to Latin America to keep down Communist coups. They do not need tanks, heavy materiel, or heavy equipment. They do not need submarines, or jet fighters, or hardware in large amounts to keep down Communist coups. What that kind of military aid does is build up military oligarchies and a military class throughout Latin America. That military class, in country after country, is keeping down freedom and playing directly into the hands of the Communists. The military aid we send should be military aid which is usable by free governments, in order to help preserve the freedom of their governments against potential Communist coups. Some of the governments of this hemisphere should have little or no military aid from us at all.

Mr. President, my amendment provides for a reduction of $25 million in what is programed for hemisphere grants and training, as outlined in the reports of the House and Senate Appropriations Committee.

I could cite no better endorsement, justification, and explanation of my amendment than the paragraphs submitted to the House by Representatives CONTE and ROBISON, when they said:

> In a new or reinforced program of selectivity in our assistance efforts, we recommend that one area of emphasis be Latin America. The potential and the need for development there have been long overlooked and shortchanged. There are pressing needs for agrarian and tax reform in Latin America.

And I would say parenthetically that our military aid is doing much to thwart the agrarian and tax reform without which turmoil in Latin America is going to get much worse—

> We are just beginning to see the results of the progress that has been made possible under the Alliance for Progress. Latin America is truly on the march and we must insure that momentum is maintained. We can do so by more selective and intensified economic assistance efforts.
>
> NEED FOR A NEW APPROACH TO MILITARY ASSISTANCE FOR LATIN AMERICA
>
> We do not support the continued high level of military assistance to Latin America. The appropriation request for this funding category has systematically increased with each passing year despite a materiel limitation of $55 million. We are not convinced that, in every instance, these funds are applied only toward the intended goal—the maintenance of the internal security of the individual Latin American countries.
>
> These funds could well be an enabling factor in any Latin American country's buildup of military capabilities for external aggression and in many of the coups that have taken place in Latin America.
>
> We recommend that early and serious consideration be given to a regional military defense organization for Latin America similar to NATO. The value of such a regional organization would be manifold. It would enable us to eliminate or curtail the grants of military assistance to individual Latin American countries. It would provide an identification of interest and purpose, common to all of the Latin American countries, for the defense of Latin America.
>
> It is essential that these nations realize that the Communist threat affects all Latin American nations, not just a few. While these countries are, of course, independent entities, the successful resistance of any one country to this threat may well be dependent upon the combined efforts of all, singularly and forcefully brought to bear on the common foe.

We have had the lesson of India and Pakistan, the lesson of Greece and Turkey, and the lesson of the Dominican Republic. Yet like the Bourbons, the American overseas aid programs forget nothing, and learn nothing. Congress and the administration have learned nothing from the experience with aid of the last 2 years. But I think the American people are learning a lot. It may be that the only history we will ever learn from will be the lesson taught at the ballot box.

Mr. President, I offer my amendment because I am satisfied that it is a sound amendment. I offer it because I believe it will greatly strengthen the progress of economic aid in Latin America. The great need for strengthening economic programs in Latin America is to reduce the military aid program. I have stated many times in committee, and on the floor of the Senate, that I would be willing, for every dollar we take away from military aid, to give $2 for economic aid that would help raise the standard of living of the people in Latin America.

Now, my amendment offers the Senate the opportunity to reduce by $25 million the military aid to Latin America. I am satisfied that by so doing we would strengthen the ability of Latin America to protect itself internally, country by country, because we would put the cash where it belongs, into the kind of military aid necessary to meet threats of Communist coups.

EXHIBIT 1

MINORITY VIEWS

For many years some very basic reasons have been presented to the Congress setting forth the need for redirecting our whole foreign aid program. American taxpayers in growing numbers have expressed dissatisfaction with many aspects of the foreign aid program. It is to be hoped that a reshaping of this program soon will be implemented.

The Congress and the American people have the right to know the magnitude of U.S. programs of foreign assistance. It might be said that foreign aid comes in "assorted sizes and shapes." This appropriations bill calls for over $3 billion in expenditures. But foreign aid is scattered throughout 10 bills presented to the Congress. Total requests of approximately $7.5 billion for foreign assistance purposes have been submitted.

We believe that further substantial reductions can and should be made in the present programing of the 1966 foreign assistance appropriations bill. We certainly do not advocate the denial of any necessary military or economic assistance to the South Vietnamese which would help hasten a Communist defeat and speed the return of U.S. servicemen from that theater of war.

However, in view of the war in Vietnam and the growing American commitment there, it is incumbent upon the administration and the Congress to review every program, both foreign and domestic, and either postpone or eliminate unnecessary spending.

Our examination of foreign aid spending requests for fiscal 1966 reveals that responsible cuts can be made without endangering U.S. foreign policy or its commitments to other nations. The American people are entitled to know, and this report outlines in considerable detail the following:

1. The magnitude of foreign aid spending is not fully known by the average taxpayer. Total requests for foreign assistance purposes have been submitted to Congress this year amounting to over $7½ billion.

2. The unexpended balance (pipeline) as of June 30, 1965, is estimated to be over $10.6 billion.

3. Our commercial trade balance with aid-recipient countries has dropped sharply since 1960. The Latin America commercial trade balance is particularly alarming.

4. There is a definite relationship between the gold outflow and the Federal Government's programs of spending in foreign countries.

5. We are frequently told not to worry about the dollars spent for foreign aid because most of them are spent in this country. Close examination reveals we are talking about only total commodity purchases. For example, in fiscal year 1963, $855 million was spent on commodities out of a total of foreign grants and loans of $5.17 billion.

6. There is too much flexibility given AID in the use of appropriated funds with a lack of congressional control over foreign aid projects.

7. We are squandering too much of our national resources in what is vaguely called the "national interest" without a close examination by the Congress and the people of this country.

8. There is strong evidence of a lack of concern for congressional intent specifically expressed in some instances in the hearings and sometimes in the foreign aid law itself.

Greater emphasis must be placed upon (1) energizing and encouraging private development resources of our own and in the developing countries; (2) initiating projects of a grassroots nature such as feeding the hungry and education programs in which there are assurances of reaching the mass of people.

MAGNITUDE OF FOREIGN AID PROGRAM

There is an apparent lack of knowledge on the part of the average taxpayer on the magnitude of our total foreign spending. During the subcommittee meetings the Honorable OTTO PASSMAN, chairman of the Subcommittee on Foreign Operations, presented charts and other information which are based on the hearings held this year by the subcommittee. This information should be made known to the Congress and the people of the country who have the right and are entitled to know the facts as presented by the informational charts and tables which follow.

The dollar figure most widely quoted for the cost of the foreign assistance program is $3.4 billion. However, the President is requesting during this session of the Congress approximately $7.5 billion for foreign assistance purposes. The table below indicates the various foreign assistance programs contained in the President's amended January budget:

New foreign aid funds requested in 1965

1. Foreign assistance requests, as amended (mutual security)	$3,459,470,000
2. Receipts and recoveries from previous credits	209,770,000
3. Military Assistance Advisory Group	76,000,000
4. Export-Import Bank (long-term credits)	900,000,000
5. Public Law 480 (agricultural commodities)	1,658,000,000
6. Inter-American Development Bank (Latin America)	705,880,000
7. International Development Association (IDA)	104,000,000
8. Peace Corps	115,000,000
9. Contributions to international organizations	96,953,000
10. Permanent construction overseas (military)	85,986,000
11. Education (foreign and other students)	69,200,000
12. Ryukyu Islands	14,733,000
13. Migrants and refugees	7,575,000
14. Atomic Energy Commission (overseas)	5,900,000
15. Inter-American Highway (Latin America)	4,000,000
Total new foreign aid requests, first 6 months of 1965	7,512,467,000

The unexpended balance as of June 30, 1965, for the above-named programs or activities is estimated to be $10,605,738,000. This is commonly referred to as the foreign aid "pipeline."

Complaints about the bottomless pipeline of unspent money and unobligated authority nearly always fall on deaf ears. However, this report should at least mention the Congress has approved virtually all of the $7.5 billion requested for the foreign aid program as indicated in the foregoing table and thus approximately $7 billion should be added to the $10.6 billion in the pipeline.

We want to emphasize that this appropriation bill does not contain the funds for Public Law 480 (agricultural commodities), $1.7 billion; military assistance advisory group, $76 million; contributions to international organizations, $97 million; permanent construction overseas (military), $86 million; education, $69.2 million; Atomic Energy Commission (overseas); $5.9 million; or Inter-American Highway, $4 million.

At one point in the hearings the contention was made and not challenged that 53 international groups or subgroups are engaged in some form of activity which contributes to our total foreign aid effort.

We are helping 98 countries and 4 territories in fiscal year 1966. We think the American people ought to insist on a continuing objective analysis of the so-called "barebones" foreign assistance program.

U.S. COMMERCIAL TRADE BALANCE WITH AID-RECIPIENT COUNTRIES

Annually the committee has been told that the aid program helps develop markets for our exports. This year Secretary Rusk testified:

"There are substantial future markets in the developing nations. As development picks up momentum, the peoples of these nations will be able to buy more from us and from other countries. The less developed countries are determined to grow—to buy more and to sell more. The United States can reasonably expect to get its fair share of these expanding markets. In addition, as these economies grow, there will be an increase in returns on growing American private investment in the less developed areas. Thus, foreign aid is a minor adverse factor in the current balance-of-payments problems; it is a strong positive factor over the long run."

It is important that the commercial trade balance be considered. Like a checking account, the balance in black is the most important factor. It is encouraging to make large deposits but if we make larger withdrawals, the balance goes into the red and we are in trouble.

The subcommittee chairman converted data obtained during the hearings into a worldwide graph and four regional graphs which portray our commercial trade balance which is the net of U.S. exports (excluding economic assistance-financed exports) and U.S. imports.

Inasmuch as we have been extending aid for many years—some of the countries included in the graph have been in the program since the Marshall plan era—it would appear, if foreign aid opens the way for U.S. trade, that our commercial trade balance should be on a rising trend. Instead, our commercial trade balance is on a very significant downward glide, as evidenced in the worldwide graph.

It is clearly obvious from the first graph that our commercial trade balance with aid-recipient countries has dropped sharply since 1960 and, of the four regional graphs, the only area that seems to indicate a rising trend is the Far East (excluding Japan) where the commercial trade balance has increased from —$209 million in 1959 to +$7 million in 1963. The Latin America commercial trade balance is alarming as our imports from Latin America exceeded our exports by $159 million when we started the Alliance for Progress program in 1960. In 1963 our imports from Latin America exceeded our exports by $670 million.

PURCHASE OF U.S. GOLD BY FOREIGN COUNTRIES RECEIVING U.S. AID

We are concerned about the outflow of gold. It will be argued by some that it has no bearing, but we feel there has been a definite relationship between the gold outflow and the Federal Government's programs of spending in foreign countries—in other programs as well as the part of the foreign aid program which is now under consideration.

We are frequently told not to worry about the dollars spent for foreign aid—that most of them are spent in this country. Former Treasury Secretary Dillon said at a White House conference on February 18, 1965, "Today a full 85 percent of our foreign aid commitments go for American goods and services."

During our hearings we received testimony that the 85 percent applies only to total commodity purchases—in fiscal year 1963, $855 million was spent on commodities out of a total of foreign grants and loans of $5.17 billion. The rest was spent for overseas products, for foreign labor and for the almost 3,500 personnel who were stationed overseas to administer aid. In 1963, 78 percent of the aid which was spent for commodities was spent in the United States, but for the total program of grants and loans only 16.5 percent was spent in this country. In 1964 the percentage of commodity purchases made in this country was 87 percent—but this was only 18.5 percent of the total, or less than $1 billion. The profit on $1 billion in sales is probably between $100 and $150 million (10 to 15 percent)—a high cost to all the taxpayers in addition to the harm to the balance of payments for the $100 million profit.

The following table is an updating of the one included in the committee report last year and reflects the gold purchases of 57 countries who have received military and/or economic assistance during the 7-year period, 1958–64:

Net sales of U.S. gold to foreign aid program recipients

[In millions of dollars—Negative figures represent net sales by the United States; positive figures represent net purchases]

Country	1958	1959	1960	1961	1962	1963	1964	Total
Algeria						−15.0		−15.0
Argentina	+67.2		−50.0	−90.0	+85.0	−30.0		−17.8
Austria	−84.2	−82.7	−1.1		−142.5	−32.1	−55.4	−398.0
Belgium	−329.4	−38.5	−140.9	−144.4	−63.0		−40.1	−756.3
Burma			−3.8		−20.9			−24.7
Cambodia			−12.0	−3.1	−1.7	+3.2		−13.6
Cameroon Republic						−1.9		−1.9
Central African Republic						−.7		−.7
Ceylon		−7.5						−7.5
Chad						−.7		−.7
Chile	+3.0	−1.3	−2.0	−6.6			−2.3	−9.2
Congo (Léopoldville)						−3.1	+1.6	−1.5
Costa Rica				−2.3	−.5			−2.8
Cyprus				−2.0				−2.0
Dahomey						−.8		−.8
Denmark	−17.0	−15.0	−15.0	−35.0	+15.0			−67.0
Dominican Republic				−3.0			−2.6	−5.6
Ecuador					−3.2	−2.3		−5.5
Egypt			−7.5	−7.8	−1.2	−2.2	−10.8	−29.5
Country A		−4.7	−3.0				−5.0	−12.7
France		−265.7	−173.0		−459.1	−517.7	−405.1	−1,820.6
Gabon						−.7		−.7
Germany (West)			−33.8	−22.5			−225.0	−281.3
Ghana			−5.6					−5.6
Greece		−15.0	−47.0	−10.2	−19.1			−91.3
Guinea						−2.8		−2.8
Honduras			−.8					−.8
Indonesia		−11.0	−24.9					−35.9
Iran	−2.3		−.4	−16.1		−5.9		−24.7
Iraq			−29.8					−29.8
Israel		−4.4			−10.0	−7.0	−2.0	−23.4
Italy	−348.8			+100.0			+200.0	−48.8
Ivory Coast					−1.5			−1.5
Japan	−30.1	−157.4	−15.2					−202.7
Korea		−1.6						−1.6
Laos				−1.9				−1.9
Lebanon				−21.0	−32.1		−10.5	−63.6
Mauritania						−.8		−.8
Mexico		−30.0	−20.0			−4.0		−54.0
Morocco			−21.0					−21.0
Netherlands	−260.9	−29.9	−249.4	−24.9			−60.0	−625.1
Niger						−.8		−.8
Nigeria				−20.0				−20.0
Pakistan			−12.5					−12.5
Peru			−15.0	−5.0	−.6	−10.6		−31.2
Portugal	−20.0	−10.0						−30.0
Salvador							−2.2	−2.2
Saudi Arabia			−11.3	−47.5	−12.6			−71.4
Senegal						−1.7		−1.7
Somalia					−1.9			−1.9
Spain	+31.7		−113.7	−156.2	−146.1	−130.0	−32.0	−546.3
Syria			−2.1		−1.3	−.4	−3.1	−6.9
Tunisia			−.5		−.5	−.5		−1.5
Turkey			−6.1	−2.5	−1.1	+2.0	+1.3	−6.4
United Kingdom	−900.0	−350.0	−550.0	−305.7	−387.0	+329.3	+617.7	−1,545.7
Upper Volta						−.8		−.8
Yugoslavia		−1.5	−15.9		−1.5	−1.9	−2.5	−23.3
Net sales of gold	−1,890.8	−1,026.2	−1,583.3	−827.7	−1,207.4	−439.9	−38.0	−7,013.3

In addition to the purchase of $7,013,300,000 of U.S. gold stocks, 14 of the above-listed countries purchased an additional $769,100,000 of our gold during the first quarter of calendar year 1965.

Data furnished to the committee by the Treasury Department covering most of the 57 countries listed in the preceding table indicates that these countries also increased their short-term dollar holdings, official and private, from $9.73 billion on December 31, 1957, to $14.541 billion on December 31, 1964.

During the 7-year period the 57 countries listed in the foregoing tabulation received $14,434,900,000 in military and/or economic assistance from the United States. (In addition there were hidden benefits, such as favorable tariffs on beef imports, coffee agreements, and world sugar quotas.) This leads us to conclude that our financial assistance to those countries enabled them to accumulate over $4.811 billion in short-term dollar credits and to purchase over $7 billion of our gold.

MORE MONEY AVAILABLE FOR ECONOMIC PROGRAM IN 1966

The committee recommendation of $2.115 billion for economic aid for 1966 compared with the 1966 budget estimate indicates a cut of $174,470,000.

That is only part of the story. A comparison of the amount available for the program, including carryover of unobligated balances, etc., reveals that there will be $45,842,000 more available for 1966 than 1965.

There are three large increases in 1966 over 1965: International organizations and programs category is up $10.4 million; Alliance for Progress development loans show an increase of $16.5 million and the development lending program, exclusive of the Latin American area, will have $14 million more.

The following table indicates the detail:

Economic assistance

[In thousands of dollars]

	Total available, 1965	Total available, 1966	Comparison—Total available
Technical cooperation and development grants	230,510	234,000	+3,490
American schools and hospitals abroad	17,596	7,000	−10,596
Surveys of investment opportunities	2,186	1,976	−210
International organizations and programs	134,392	144,755	+10,363
Supporting assistance	442,468	384,012	−58,456
Contingency fund:			
General	60,364	52,858	−7,506
Southeast Asia		89,000	+89,000
Alliance for Progress:			
Technical cooperation and development grants	95,164	84,562	−10,602
Development loans	471,314	487,811	+16,497
Development loans	812,556	826,517	+13,961
Administrative expenses, AID	57,189	57,031	−158
Administrative expenses, State	3,041	3,100	+59
Total, economic assistance	2,326,780	2,372,622	+45,842

NO-YEAR FUNDS

Of the amount requested for fiscal year 1966 for economic aid, 58 percent are "no-year appropriations." In other words, of the administration's request, $1.3 billion will not expire on June 30, 1966, if not obligated. In fact, the $1.3 billion will never expire. At the request of Mr. GARNER E. SHRIVER, the following information was presented by AID:

Amount of fiscal year 1966 request for economic assistance (AID) appropriations to be provided on a no-year basis

[In thousands]

	Requested appropriations	Percent of total economic appropriations requested
Development loans	$780,250	35.5
Alliance for Progress loans	495,125	22.5
Total	1,275,375	58.0

EMPLOYMENT

There are three types of employees in the economic aid program:

1. Direct hire employees—the regular Federal employees, including U.S. nationals and foreign nationals—the employees shown in the personnel tables issued by the Administration and printed in the budget.
2. Other than direct hire employees—U.S. nationals, and foreign nationals who are contract employees or employees borrowed from other agencies on a reimbursable basis.
3. Foreign national trainees.

During the hearings, at the request of the distinguished chairman of the subcommittee, a table was inserted in the record on employment in both the economic and military assistance programs.

It was astonishing to learn there were 33,139 employees in the economic aid program on June 30, 1965, a net increase of 370 in 15 months. Employment of U.S. nationals increased at the amazing rate of 1,536 in those 15 months, while employment of foreign nationals and foreign national trainees was cut 1,166.

The subcommittee was told there were 15,600 regular direct hire employees on June 30, 1965. That was an increase of 50 over the January budget. To arrive at the 15,600, U.S. nationals were cut only 61—to 6,719—

below March 31, 1964, but a much larger cut of 745—to 8,881—was assigned to foreign nationals.

"Other than direct hire" of U.S. nationals jumped to 5,208, an increase of 1,597, while foreign nationals for the same period decreased by 12 people—to 847. Foreign national trainees were cut in the same period by 409 to 11,484.

Strong supporters of the aid program argue that foreign national trainees are not employees of the United States on a technical basis. Regardless of semantics, they receive the benefit of the funds of the United States.

The following table was prepared from data submitted by the administration during the hearings:

Foreign Assistance Act program, military and economic—Summary of personnel

	Economic					Military		
	Mar. 31, 1964	Mar. 31, 1965	June 30, 1965	Comparison		Mar. 31, 1964	Mar. 31, 1965, and June 30, 1965	Comparison
				Mar. 31, 1964, and Mar. 31, 1965	Mar. 31, 1964, and June 30, 1965			
U.S. nationals:								
Direct hire	6,780	6,634	6,719	−146	−61	10,172	11,153	+981
Other than direct hire	3,611	3,966	5,208	+355	+1,597	134	100	−34
Total, U.S nationals	10,391	10,600	11,927	+209	+1,536	10,306	11,253	+947
Foreign nationals:								
Direct hire	9,626	8,688	8,881	−938	−745	1,991	1,454	−537
Other than direct hire	859	847	847	−12	−12	5,031	4,053	−978
Total, foreign nationals	10,485	9,535	9,728	−950	−757	7,022	5,507	−1,515
Foreign national trainees	11,893	11,484	11,484	−409	−409	21,319	16,968	−4,351
Total:								
Direct hire	16,406	15,322	15,600	−1,084	−806	12,163	12,607	+444
Other than direct hire	4,470	4,813	6,055	+343	+1,585	5,165	4,153	−1,012
Foreign national trainees	11,893	11,484	11,484	−409	−409	21,319	16,968	−4,351
Total	32,769	31,619	33,139	−1,150	+370	38,647	33,728	−4,919

Total economic and military employees:	
Mar. 31, 1964	71,416
Mar. 31, 1965	65,347
June 30, 1965	66,867

INITIATION OF PROJECTS NOT PRESENTED TO CONGRESS

Testimony this year again confirmed the statement that the foreign aid program is presented to the Congress on an "illustrative" basis—that is, the agency requests funds for a project in one country but may spend the funds for a different type of program in another country.

For example, Chairman PASSMAN asked, "You could actually testify for funds for a road in Pakistan, and build a brick building in India, and still be within the law, could you not?"

Mr. Macomber, assistant administrator, Bureau for Near East and South Asia, answered, "That is correct."

Chairman PASSMAN asked a similar question of Mr. William D. Rogers, deputy U.S. coordinator, Alliance for Progress:

"You could, under the law, testify for a building and loan bank in Guatemala and build a mountain resort with that money in Brazil if it qualified, could you not?"

Mr. ROGERS. Yes, sir.

The flexibility under the authorization for use of appropriated funds is a primary factor in the ability of the administration to initiate projects that have never been presented to the Congress—even on an illustrative basis. It is our opinion that very few of these projects are of such vital importance to our national interest that they must be initiated without having first been presented to the Congress. The following table indicates the extent and cost of the practice in the past 3 years:

Project initiation	Number of unjustified projects	First year cost	Estimated cost to complete
Fiscal year 1963	82	$17,753,000	$50,905,000
Fiscal year 1964	60	7,202,000	21,967,000
Fiscal year 1965	83	14,302,000	44,625,000

MISDIRECTION

The following is an example of the misdirection of the economic aid program.

One of the Members of the House of Representatives received a letter from a young man in the Peace Corps in Ecuador telling how the town of Bahia, a coastal village of some 8,000 inhabitants, was an excellent farming region until the midfifties when it was hit by a severe drought, and since then people had been leaving the area. The rains returned last year and the harvests were nearly as abundant as prior to the drought.

US–AID has a project called "Asimow" to provide technical assistance to underdeveloped countries to help set up small locally owned industries. Last year Bahia was selected as the site to be studied for development of a small industry. The natives were very hopeful as the town has a completely agricultural economic base and not one industry. US–AID hired a university staff to make the study, but instead of assigning highly trained technical experts, a group of undergraduates was sent. The natives were skeptical but accepted them and raised $60,000 to begin a corn products industry as was suggested. Late last fall came word the study was incomplete and the industry suggested would fail if tried.

When Mr. Garner E. Shriver read the letter to AID Administrator Bell on May 4, he promised to submit a statement for the records. An explanation had not arrived by the time the hearings went to press. In fact a reply was not received until June 30. The lack of available information in Washington, and slow transmittal of a reply from the area is a further example of the inefficient operation of the program.

DAIRY DEVELOPMENT IN JAMAICA

Last year the committee and subsequently the Congress approved in the Foreign Assistance Appropriation Act the so-called Whitten proviso which reads as follows:

"Of the foregoing amounts for economic assistance, $300 million shall be available for obligation only through the apportionment review and approval procedure prescribed by law in such amounts and at such times as may be determined by the President to be in the national interest that funds otherwise available for the purposes of programs under this title are insufficient to meet the cost of additional authorized projects or programs."

On June 22, 1965, the President signed a determination in accordance with the above requirement, releasing $182 million for use in the Development Loan and Alliance for Progress loan accounts. Subsequent to that date, using the funds released by the President and other uncommitted funds in the loan accounts—all of which had been taken into account when the recommendation for releasing part of the Whitten proviso reserve was made to the President—the following loans were authorized prior to the end of the fiscal year:

[In thousands of dollars]

Loan No.	Name	Amount
615-H-003	Kenya—Polytechnic Institute	550
664-H-025	Tunisia—Highway Equipment and Maintenance.	6,750
386-H-143	India—Dhuvaran Thermal Power.	32,300
386-H-144	India—Durgapur Projects (II)	16,500
271-H-112	Israel—Telephone Equipment	4,000
278-H-003	Jordan—Damiya Junction-Northshovna Road.	1,640
277-H-061	Turkey—Demirkoy-Ayancik Sawmills.	2,750
277-H-062	Turkey—Feasibility Studies	4,000
277-H-063	Turkey—Keban Hydro Electric Project.	40,000
512-L-051	Brazil—São Paulo Electric. Distrib.	15,000
512-L-050	Brazil—Rio Light Electric. Distrib.	25,000
504-L-001	Br. Guiana—Atkinson Field-MacKenzie Road.	5,500
513-L-026	Chile—I.F.I. Coop. Dev. Bank	3,650
513-L-027	Chile—C.O.R.F.D. Dev. Bank	6,000
513-L-028	Chile—Fertilizer Import Prog	3,600
515-L-015	Costa Rica—Rural Electrification.	3,300
518-L-026	Ecuador—C.O.F.I.E.C.-Private Dev. Bank.	3,000
518-L-027	Ecuador—Primary Education Improvement.	5,300
519-L-009	El Salvador—Rural Road Construction.	1,200
532-L-005	Jamaica—Dairy Development	3,800
524-L-011	Nicaragua—Tax Improvement & Resources Study.	5,400
	3 loans authorized but not yet announced.	16,300
	Total	205,540

One of the items listed above is for $3.8 million for dairy development in Jamaica. Was that expenditure of taxpayers' money in the national interest? These words "national interest" are greatly overused. Any giveaway could conceivably be argued to be in the national interest.

Witnesses for the AID keep returning to the "national interest" theory. We are for the national interest, too, but we do not feel it is served by squandering our resources.

The list of weaknesses in the foreign aid program area is almost without end. Two related defects, one of them chargeable to Congress itself, are: 1. The increasing willingness of the Congress to abdicate its responsibility to control foreign aid funds, and 2. Strong evidence of lack of concern for congressional intent specifically expressed in some instances in the hearings and sometimes in the foreign aid law itself, despite occasional devices such as the Whitten proviso which placed $300 million in escrow until such time as AID officials clearly demonstrated they had no more money to carry out an authorized program of economic assistance.

REPORT OF PRESIDENTIAL ADVISORY COMMITTEE ON PRIVATE ENTERPRISE IN FOREIGN AID

"Foreign aid, unless it is amplified by private initiative, is doomed to be a costly palliative that will go on indefinitely. The fundamental difficulty lies not in the idea of foreign aid, nor its execution by the Agency for International Development, but in the vast gap between the human and financial resources actually going into the developing nations and the resources they need to grow at an acceptable rate."

The foregoing quotation is from a summary report released on August 26, 1965, by the President of the United States. Its author is Arthur K. Watson, chairman, IBM World Trade Corp., and chairman of the Advisory Committee on Private Enterprise in Foreign Aid.

The undersigned minority members of the Appropriations Committee subscribe substantially to the aforesaid doctrine. Elsewhere in the letter transmitting the 53-page report, Mr. Watson says: "No matter how carefully our aid dollars are invested and no matter how wise and energetic AID's personnel may be, there is still not enough money nor people to accomplish the vast task the United States has undertaken."

The report goes on to urge that our foreign assistance efforts put increasing stress on energizing and encouraging private development resources, our own and those of the developing countries.

This document might appear self-serving if the advisory committee were comprised only of persons engaged in international commerce. But such is not the case; the makeup of the committee shows educators, a labor executive, a jurist, and a farm co-op leader.

There is almost no certain place at which to begin and clearly no place whatsoever to end a critique on our foreign assistance programs.

We are told foreign aid is a tool of our foreign policy. That suits us fine, but here again we feel AID management misses the mark too many times.

In the matter of serving up aid to countries whose leaders have clearly demonstrated inimical feelings toward the United States, we think the Congress should insist in the strongest terms that such countries be denied any form of aid.

The American public must be puzzled when it reads about the following exchange between the subcommittee chairman and Mr. Edmond C. Hutchinson, Assistant Administrator, Bureau for Africa, AID:

"Mr. Hutchinson. We do not like to provide aid to people who spit in our faces.

"Mr. Passman. Then why do you give it to them?

"Mr. Hutchinson. There are circumstances in which there is a balance of U.S. interest involved."

Now, how often do we have to turn the other cheek?

In the Senate during this year's debate on Foreign Assistance, Senator Jack Miller reoffered his amendment to withhold U.S. foreign aid from those nations more than 1 year in arrears in their U.N. dues and assessments, reserving reasonable exceptions to be made by the President. It was once more opposed by the administration, and consequently defeated.

It is difficult to place oneself in the position of going against so much "blue chip" testimony that any reduction in foreign aid would damage the vital interest of the United States. But in prior years such reductions have been made without impairing our image. Our image may have suffered some impairment around the world but not on account of a reduced foreign aid program.

EFFICIENT MANAGEMENT ESSENTIAL

Even so, we are not talking so much about reduction per se as efficient management.

Three billion dollars or even more in foreign aid could well be supportable if our country and our aims in the world affairs were getting that much good out of it. But even one-third of that much money would be too much if it were being wasted, as much of these funds are at the present time.

Much has already been said about the great infrastructure flexibility of the AID funds, so we won't belabor that again. But the AID personnel should not abuse their transferability privileges so flagrantly. As was said on the House floor during last year's debate on this bill: "There is looseness in control and application of funds and programs. Only after the money is spent and gone do we learn of bungling, mismanagement, and waste." There must be some way to provide tighter congressional control over these programs, before the money has been wasted and the chance to gain support abroad dissipated.

The AID Administrator praised the quality of his overseas project personnel. We are pleased he has such a high regard for them, but has any one of them ever tried to justify a project's cost/benefit ratio to the U.S. Corps of Engineers and the appropriate congressional committees? If these projects were submitted to the same tests of feasibility applied to similar projects constructed in the United States, we'd have fewer roads to nowhere, dams that impound no useful water, and worthless irrigation projects. These projects could well be the catalyst enabling other nations to help themselves, much as they serve that purpose in the United States. But they certainly should be subjected to the same criteria that projects constructed within our own borders must meet.

At least two congressional committees, the Foreign Affairs Committee and the Joint Economic Committee, are presently conducting hearings on the best use of our enormous holdings of foreign currencies around the world. We look forward to their reports with interest and hope their studies, will result in better and more economical management of those funds, to the end that those currencies will be expended in place of dollars.

DIRECTION OF PROGRAM

The foreign aid program needs a major revamping, and the bulk of the American people are thoroughly in accord with this feeling. Our taxpayers would take a far better view of the program if they could see that the accomplishments were more favorable to the people of the recipient countries. Certainly the focus of our foreign aid program should be upon:

1. Responsive projects using our abundance of food to feed the unfortunate peoples of the world where starvation is all too prevalent, and

2. Initiation of educational programs to help the people of newly emerging nations to better enable them to take their place in a continually more complex civilization.

It occurs to us that much of the foreign aid program has been misdirected. We have given cash grants to dictators, and to neutral and even unfriendly governments, with little of the benefits reaching the people. Emphasis has to be placed on keeping this a "people to people" program. By genuinely giving this impression to the people of the world, a foreign aid program could well be the most significant program for world peace and understanding in our entire Government.

Everyone knows no one can buy friends. As the House minority report on the 1965 foreign assistance authorization bill states, "Foreign aid has not halted either the expansion of communism or the drift of many aid recipient nations toward Communist ideologies."

Witnesses testified before the committee on the need for separating the military assistance program from the economic aid program. We agree that the time has come for the program to be reexamined.

We support the minority views contained in the committee report on this bill of last year which are as follows:

"We feel that as legislators (1) we are disinterested judges, looking only at the facts as we see them; (2) we are interested in saving money for the taxpayers of the United States; and (3) we are interested in furthering the purposes of the foreign aid program as set forth in authorizing legislation."

We also feel major changes in its direction and application must be made if we are to realize its potential.

Few Members of Congress question the fact that something is definitely defective in the present structure of a foreign aid program which can consume so much money and yield such minimal results.

The time has come for a major overhauling. This should well be one of the major duties of this 89th Congress.

Garner E. Shriver, Mark Andrews, Frank T. Bow, Charles R. Jonas, Melvin R. Laird, E. A. Cederberg, Glenard P. Lipscomb, John J. Rhodes, William E. Minshall, Robert H. Michel, Odin Langen, Ben Reifel, Glenn R. Davis, Joseph M. McDade.

Additional Views of Mr. Conte and Mr. Robison

We, the undersigned, are committed to the idea and the spirit of foreign aid as a vital arm of our foreign policy; to it we give our full support as we have done consistently during the years it has been our privilege to serve in the Congress. One of the undersigned, Mr. Conte, has served 7 years on this important committee.

We are charged by the American people with the responsibility of carefully scrutinizing and evaluating the proposed program and expenditures of our foreign assistance efforts. The discharge of that responsibility is an awesome and commanding task, one to which we have all devoted many hours. A recent study of our foreign aid program expressed it in this way:

"The efforts of advanced countries to help less developed nations toward economic growth and political maturity will go on. From time to time, there will be doubts and misgivings about the wisdom or the effectiveness of the effort. Nevertheless, most Americans understand very well that the effort should continue and our political and economic interests are best served by building up the productive capabilities and democratic institutions of the less developed countries. What Americans do demand, and what they are entitled to have, is the assurance that their resources and support are applied with intelligence, skill, and dedication. ('Foreign Aid Through Private Initiative,' Report of the Advisory Committee on Private Enterprise in Foreign Aid, Agency for International Development, Washington, D.C., July 1965.)"

Any judgments which are to be made concerning foreign assistance should be made with the history and experience of our programs firmly in mind. It is no fairer to expect the countries receiving our aid to advance to the level, that it has taken this country nearly two centuries to achieve, in less than 20 years, than it is to say that our aid administrators have failed in their assignments because the job is not yet completed and our assistance efforts must go on.

However, support for foreign assistance legislation must be neither blind nor indifferent. We do not contend that we have reached the apogee or the perigee of possible implementing programs for foreign assistance. In these additional views, we do not intend to malign the program or its participants in a spirit of negativism. We seek only to present our constructive criticisms of the program and to set forth our proposals and endorsements for what we consider would be the improvement of our assistance efforts.

NEED FOR A RADICAL REVISION OF THE PROGRAM

We feel that it is time to make a comprehensive reevaluation of our program of assistance, revamping it to meet the needs of the developing countries in a manner that does not merely duplicate of the past.

There is something new in the foreign aid program this year—the increasing introduction of planned selectivity. Today, we are proposing aid to 72 countries, with 95 percent of our assistance going to 31 of these countries.

However, what we need today is not something new in the program so much as a new program. The total impact of our aid program remains diluted and weakened by the fact that we have still spread ourselves too thin. We should no longer attempt to do a little bit for everybody within a constrained budget, even on the reduced scale of 72 countries.

The 80th, a Republican Congress, acting in the wake of the destruction and devastation of World War II under the able leadership of then Congressman Christian Herter and Senator Arthur Vandenberg, established high standards for all future assistance programs in the Marshall plan and the Truman doctrine. The success and the indomitable spirit of these men were reflected in the programs which they had advocated and the new hope for the world which they provided. In many respects, the challenge with which we are faced today in our assistance efforts is as great as faced the 80th Congress. We must pick out of the sea of generalizations, a program of specialization. It will require basic and fundamental changes in our approach to assistance, in the scope and character of that program. What we must maintain is the drive and spirit of the efforts of those who have preceded us.

We have witnessed exciting successes in our assistance efforts of the past, as we have also experienced disappointing failures. In retrospect, we believe that the tally sheet is more than balanced in favor of the efforts that have been made. We have seen the substantial eradication of malaria in vast areas of the world where it had afflicted generation after generation; we have witnessed the worthwhile work done by the Peace Corps; we have brought educational institutions of all levels to people who would otherwise have been unable to train as technicians and develop professional skills enabling their countries to go forward with their own self-help programs. The list could go on and on. However, the mere duplication and proliferation of what has proved successful in the past does not insure continued success in the future.

At this time, we do not recommend a substantial reduction in the efforts we are making nor a shrinking away from the task which is before us. We do recommend increased emphasis upon and the further implementation of the program of carefully planned selectivity. By concentrated and intensive efforts in a small number of countries with development potential and promise, coupled with the will of the people of the country to be partners in the assistance efforts, rather than a part of a giver-getter relationship, we can bring the country up to the level of achievement and continuing progress that it can join with us in aiding others. If a sound and diversified economic base can be established in underdeveloped countries, they, in good time, will have the means to offer their help to their lesser developed neighbors.

We will be able, then, to build an assistance program from a limited base that will ultimately reach all the developing nations of the world. The program will, at the same time, place even less of a burden upon this country and will rely more on regional identification of interest and the concern of neighboring nations, one for the other. Other developed nations of the free world are joining with us now in the fight against hunger, disease, and despair. During 1963 commitments by other free world nations for economic development increased, while U.S. commitments declined to less than half the free world total. The nations we helped after World War II are now helping others.

We have the basis for such selectivity in this year's program. In the development loan program, 74 percent of all the loans will go to only 7 countries. These countries are all engaged in strong, self-help development programs. Their potential role in future development efforts should not be lost in the miasma of too many programs and too many projects, in too many countries.

The new program of selectivity which we propose is one of two degrees. First, we must be selective in the number of countries in which we have an aid involvement. Second, we must be selective in the choice of the countries in order to assure that those countries in the program have the desire and ability to make the best use of our aid. We can spare no funds, especially in a program of a limited number of countries, for the support of marginal activities or for costs that aid-receiving nations are able to carry themselves. The helping hand that we offer must be grasped by the people of the country to whom it is extended.

NEED FOR INCREASED EMPHASIS ON ASSISTANCE TO LATIN AMERICA

In a new or reinforced program of selectivity in our assistance efforts, we recommend that one area of emphasis be Latin America. The potential and the need for development there have been long overlooked and shortchanged. There are pressing needs for agrarian and tax reform in Latin America. We are just beginning to see the results of the progress that has been made possible under the Alliance for Progress. Latin America is truly on the march and we must insure that momentum is maintained. We can do so by more selective and intensified economic assistance efforts.

NEED FOR A NEW APPROACH TO MILITARY ASSISTANCE FOR LATIN AMERICA

We do not support the continued high level of military assistance to Latin America. The appropriation request for this funding category has systematically increased with each passing year despite a materiel limitation of $55 million. We are not convinced that, in every instance, these funds are applied only toward the intended goal—the maintenance of the internal security of the individual Latin American countries. These funds could well be an enabling factor in any Latin American country's buildup of military capabilities for external aggression and in many of the coups that have taken place in Latin America.

We recommend that early and serious consideration be given to a regional military defense organization for Latin America similar to NATO. The value of such a regional organization would be manifold. It would enable us to eliminate or curtail the grants of military assistance to individual Latin American countries. It would provide an identification of interest and purpose, common to all of the Latin American countries, for the defense of Latin America.

It is essential that these nations realize that the Communist threat affects all Latin American nations, not just a few. While these countries are, of course, independent entities, the successful resistance of any one country to this threat may well be dependent upon the combined efforts of all singularly and forcefully brought to bear on the common foe.

NEED FOR BETTER UTILIZATION OF EXCESS FOREIGN CURRENCIES

We must stop merely planning how to use the growing amounts of United States-owned foreign currencies in the eight excess currency countries, and start using them. We have more than one and a half billion dollars worth of these currencies. Within the past month, we have seen the value of the excess currencies which we hold in Yugoslavia decrease by the devaluation of the dinar.

It is not, however, only inimical to the interests of the United States to maintain these holdings of excess currencies. The countries where these currencies are held criticize this country for these excess accumulations and express concern that they might be put to a use seriously affecting the internal financial and economic interests of the particular country.

Proposals for the use of these funds have been rejected for lack of definiteness by the Congress and the agencies that could put these funds to use seem reluctant to request them as part of their dollar appropriations. However, it is in the interest of both this country and the host countries that these idle currencies be put to work.

India is one of the eight excess currency countries. As of June 30, 1964, the United States had accumulated nearly $980 million worth of Indian rupees from Public Law 480 sales proceeds, from payments of principal and interest on past development loans to India, and from interest on U.S.-owned rupee bank deposits in India. Of this amount, $392 million is earmarked for exclusive U.S. use and $588 million is reserved for India's use in the form of development loans and grants. The amount of U.S.-use currency is expected to increase to about $611 million by the end of fiscal year 1966.

The amount being presently spent for U.S. uses in India is about $25 million annually. It has been estimated that at current rates of expenditure, U.S.-owned rupees in India represent roughly a 28-year supply of estimated requirements for our general purposes in that country.

The excess currency in India, as in other excess currency countries, is not readily available for the purchase of goods and services, nor is it freely convertible into other currencies. Under these circumstances, it would be desirable for the United States to find ways to put to use some of its rupee holdings. We can do so in such a way as to help the Indian economy and the educational structure. However, there has been no development of constructive programs to use sufficiently these funds to strengthen the assistance efforts of this country or to implement our foreign policy.

We single out India because it is the country in which we hold the largest amount of U.S.-owned foreign currencies. At the same time, it is the country where the greatest effort has been made by American officials, under Ambassador Chester Bowles, to try to put this idle currency to work for us. These efforts have been of no avail and signal the need for the action of the committee and Congress. Mr. Conte, together with Ambassador Bowles, has proposed the use of the U.S.-owned rupees to strengthen our administrative operations in India, to establish a binational educational foundation, and to strengthen our programs and activities within that country.

The programs of the foundation could include:

1. Establishing scholarships for outstanding Indian students.
2. Strengthening selected institutions of technology, agriculture, teacher training, and multipurpose high schools to make scholarship programs more effective.
3. Grants for improvement of textbooks and other teaching material at primary and secondary levels.
4. Additional support to existing American institutions in India such as those at Hyderabad and Poona.
5. Promotion of Indian literature, art, music and dance in the form of grants to the three national academies located in New Delhi.
6. Development of public libraries and student reading centers which 100 Indian cities urgently need.

We could achieve similar purposes in all of these countries with these idle funds, to the mutual benefit of the excess currency countries and the American image around the world.

NEED FOR PRIVATE ENTERPRISE IN THE FOREIGN AID PROGRAM

We endorse "The Report of the Advisory Committee on Private Enterprise in Foreign Aid."

The gap between the resources that have in the past gone into the developing countries and the resources that the people of these countries need, as well as the fact that there does not seem to be enough money to accomplish the task that this country has undertaken, should not prompt our resignation to a futility of our assistance efforts nor invite us to abandon them. It is rather, a call to meet the challenge before us through the enlistment of the private resources in which this Nation so plentifully abounds.

We are a Nation built upon individual initiative and private enterprise. We have, then, no better spokesmen for the freedom of choice and the economic advantages of the opportunities afforded by a democratic society than the very people who have, as a part of such a society, grown and developed to the point where they can now offer their assistance to those eager to set out on the long road for themselves.

We have seen the application of private initiative on a small scale reap large-scale benefits for the participants from both this and the developing country with the small businessmen's project in Tunisia which was financed, in part, by AID. If we are going to emphasize a people-to-people program in our aid efforts, we should encourage it on that level.

We recommend concerted efforts to enlist the help of private enterprise and private initiative, remembering that money alone will not do the job that must be done. Our universities, business enterprises, labor unions, and professional societies are a vast and virtually untapped reservoir of capital, skills, and human resources that must be motivated and applied to assist the world's developing countries. While the eventual success or failure of our foreign assistance programs may not be determined by the contributions made by American private initiative, we are convinced that the earliest possible successful accomplishment of the goal depends upon their participation.

NEED FOR A NEW PERSONNEL PROGRAM

There has been very little congressional action taken regarding the special personnel problems encountered by AID. The administrators are responsible for the operation of an international business, but find themselves forced to apply differing standards to a single position or person. The personnel policy is administered in part under the Foreign Service Act and in part under the civil service system. This involves a change in status for every employee who is sent from Washington, where he is a civil servant, to one of the overseas posts, where he assumes Foreign Service Reserve status. A similar change operates in reverse for the employee returning to this country from an overseas assignment.

As a result, it is a difficult procedure merely to make the changes essential to upgrade the personnel of the Agency. David Bell, the extremely capable and dedicated administrator for AID, declares the lack of personnel authority specifically designed for the Agency is the No. 1 problem with which he is faced. In his testimony before the subcommittee, he indicated that the continuation of the stopgap system has accounted for the accumulation of a number of people, under the protective umbrella of civil service, who are not qualified to meet the rigorous requirements of the program as it is carried to the developing nations of the world today.

We recommend enactment by the Congress of a personnel statute drawn specifically to meet the unique requirements of the Agency for International Development in its employee relations and policy.

CONCLUSIONS

Remarks made by one of the undersigned, Mr. Conte, during the debate on this legislation 1 year ago on the floor of the House, express the purpose and intent of these, our views, and are as timely today as when they were presented. We cite them in conclusion of these views:

"Every Member of this House wants to see improvements made in the foreign aid program. There is not a Member who does not have his own ideas about how this could be accomplished. Some of the criticisms and suggestions of Congress have been put into effect and have helped to improve the program. It is important for Congress to continue to suggest changes and improvements. If anything, there is need for even greater congressional examination of the strengths as well as the weaknesses of foreign aid. But there are any number of ways in which Congress can influence the course of foreign aid without casting doubt on the concept, undermining the confidence in the program, and creating a negative political climate which favors restrictions and reductions rather than healthy, constructive criticism and support."

Silvio O. Conte.
Howard W. Robison.

Mr. MORSE. Mr. President, let me say to my friend the Senator from Rhode Island that in my desire to hasten consideration aid disposal of the pending bill as quickly as possible, I forgot, before Senators left the Chamber to ask for a yea-and-nay vote.

As the Senator knows, I have a gentleman's understanding with the majority leader that he will endeavor to assist me in obtaining a yea-and-nay vote. Therefore, because I cooperated yesterday in agreeing to the unanimous consent agreement which would limit debate today, I hope that before the Senator from Rhode Island finishes whatever comments he is going to make, he will extend me the courtesy of a quorum call just long enough to get sufficient Senators into the Chamber to ask for the yea-and-nay vote.

Mr. PASTORE. That is absolutely satisfactory to the Senator from Rhode Island. The Senator from Arkansas [Mr. McClellan] has a speech of 20 or 25 minutes.

I yield 20 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I shall vote against the pending foreign aid appropriation bill. It represents an extravagant waste of American tax dollars in furtherance of misguided or confused policies. The American people are increasingly opposed to this vast program of waste, and I have been opposed to it since shortly after the end of the Marshall plan era.

I think most would agree that the aid and assistance furnished under the Marshall plan to countries devastated by war was a graphic demonstration of America's humanitarian concern for the welfare of the peoples of the world, and certainly was in the best tradition of our concept of democracy in action. I supported it. But that program had guidelines, definite goals, and cooperation by the recipients. It served a worthy purpose and was successful.

Today, more than $100 billion later, we find an aimless foreign aid program floating about in a sea of bewilderment that is at odds with reality. The most tangible, realistic thing about the program is its excessive cost, while its intangible results have been increased involvement with more and more countries, growing resentment by the recipients of our aid, and deepening concern over the direction in which this drifting program is taking the United States.

Since fiscal year 1946, the United States has been engaged in an outpouring of American tax dollars at alarming proportions under the guise of foreign aid. Some 110 countries and territories of the world have been served by it. Today, anyone would be hard pressed to demonstrate any concrete, constructive results achieved during the past few years as a consequence of this folly.

In the post-World War II period, the public debt of this Nation has risen by almost $50 billion. This means that we have been borrowing money to finance this foreign aid program.

The Russians have said that they will bury us. The only way we will be buried is to bury ourselves by the simple expedient of continuing deficit spending that will be followed by inflation and economic chaos.

The best hope for the free world in the long run is a strong America—strong both militarily and economically. All too often we rely only on our military might and tend to forget the vital importance of maintaining a strong economy and sound fiscal policies. In fact, it has become fashionable and sophisticated to think only in terms of deficit spending and larger indebtedness.

Many feel—and our Government is now proceeding on the theory—that in relation to the rise in the gross national product, an increase in the national debt of $4 or $5 billion annually is of no consequence; that this excessive spending is a healthy stimulant; that large annual deficits create no inflationary pressures.

Mr. President, with that premise, I do not agree. Heavy habitual deficit spending cannot possibly continue indefinitely without detrimental effects. This, coupled with the critical balance-of-payments deficit and related factors, could cause serious trouble, and I believe will do so, if not remedied.

The deficit for the fiscal year 1965 was $3.474 billion, and our debt limit now stands at $329 billion. I suggest that one means of reducing the deficit of $3.474 billion would have been to eliminate the foreign aid program—or at least a portion of it.

The pending bill seeks appropriations of $3.907 billion for foreign assistance, but the agriculture appropriations request includes $1.658 billion for the food-for-peace program, so we are dealing with total foreign aid expenditures of more than $5.5 billion.

According to Congressman OTTO PASSMAN, chairman of the House Foreign Operations Subcommittee of the Appropriations Committee, there are now some 22 Federal agencies dispensing some type of aid in 99 foreign nations and 9 territories. Moreover, he indicates that there were unliquidated foreign aid funds, old and new, available for expenditure in fiscal year 1965 amounting to more than $11 billion. These are funds previously appropriated and which are not yet expended. The administration disputes this figure and suggests that only some $6.3 billion was in the pipeline as of June 30, 1965. But even using this figure and adding to it the pending requests for an additional $5.5 billion, we find that almost $12 billion will be available for foreign aid expenditure in the current fiscal year. This is a very imposing reservoir of funds and we have no moral right to waste it—to spend it uselessly. Surely this huge amount could be reduced by half, and our interests would still be fully protected and our obligations could be fully met.

Mr. President, I was disappointed that efforts to end the present foreign aid program did not prevail earlier this year when we considered the authorization bill. The American people have been saddled with this burdensome program long enough, and it is regrettable that Congress failed to grasp the opportunity offered at that time to impose a deadline on this program and call for a reexamination of objectives that our national self-interest dictates we should pursue in this field.

We have given repeated expressions of this Nation's humanitarian concern for the welfare of the peoples of the world, but in so doing, I wonder if we have not lost sight of the reason why we took the initiative in offering foreign aid following World War II. Was it not then our purpose to rebuild countries torn asunder by war—was it not to resurrect suffering economies—and was not this latter goal tied explicitly to our own self-interest in promoting world markets? But how is the interest of America served under today's program? Surely America's welfare and future destiny are not dependent upon our perpetuating this useless and fruitless policy of indiscriminate foreign aid spending.

If this Nation has something to contribute to mankind—as I am convinced that it does—then it must surely be something a bit grander than mere benevolence. The greatest gift that this country can ever hope to offer other nations of the world is the simple notion of self-government—the simple notion of individual freedom—and the simple principles of the free enterprise system. And, Mr. President, these are precious commodities that gold alone cannot buy. Nor are they exportable in instant form. For these simple notions to take root and flourish they must fall on receptive soils. Therein, I think, lies the fault with much of our previous efforts with foreign aid. We have sought to sow before the grounds were prepared—and in many instances before the fields were even cleared. We tend to forget, or overlook, that what this great country achieved in just a few short years has not been equaled by other countries boasting civilizations extending back centuries before America was discovered. The significant technological advances made in our space program are ample evidence of the fact that we are able on occasion to "leapfrog," as it were, in attaining even more advanced and sophisticated levels. But I think we err when we think we can apply this leapfrogging technique to the developing nations of the world by simply giving them money.

And how will the future historians assay the role our foreign aid program played in the bitter struggle between India and Pakistan? Two neighboring nations have been locked in combat, using American-supplied weapons and money furnished under the guise of foreign aid, testify to the crying need for a reappraisal of this program. At the moment a cease-fire agreement is in effect, but at most it is fragile and insecure.

Billions of dollars and untold weapons of war have been poured into both countries. Almost $8 billion in economic aid alone has been dumped into these countries since World War II; $5.2 billion for India and $2.6 billion for Pakistan. And to what end? Certainly not so that they could afford to fight like spoiled children. A nation with the resources of America should exercise the greatest possible caution and prudence in any program to share its bounty with the less fortunate countries of the world.

The combatants in that struggle cannot afford the burdensome toll that war exacts. And one wonders if that conflagration would have flared and spread without the aid furnished by us. But this much we can foresee, that regardless of the outcome, more raids will be made on America's treasury.

Americans seem increasingly to be geared to a credit-card way of life, but I seriously doubt America's capacity—great as it is—can long honor credit-cards for all the nations of the world.

Mr. President, we have all read of the waste and inefficiency associated with the foreign aid program so much over the years that we tend to accept it—waste—as inevitable. However, this year, no less authority than the General Accounting Office, the auditing agency for the Congress, indicted the program by saying that there is more waste in the foreign aid agency than in any other civilian agency in the Government. Testifying before the Senate Foreign Relations Committee, the Comptroller General, Mr. Campbell said:

> The aid program is in a class by itself with respect to waste.

And in this instance he was not referring to the shipment of TV sets for jungle villages with no electric power, or to shipment of "royal bee" sex rejuvenator for Nationalist China. The Comptroller General was speaking in terms of waste on a much larger scale. For example, the Comptroller pointed out that the Agency for International Development, the bureau handling the foreign aid program, unnecessarily spent almost $4 million to finance goods produced in one aid-receiving country for shipment to other aid-receiving countries, even though such purchases could have been made with U.S.-owned foreign currencies in those countries rather than with dollars.

Also, some $7 million in interest was lost in the Republic of China in a 2-year period because someone neglected to get an agreement whereby the Chinese Government should pay interest on the large holdings of U.S.-owned foreign currency in that country.

The Comptroller reported that the Turkish bituminous coal industry continued to suffer from inefficient operations despite U.S. dollar and foreign currency aid of at least $68 million. In addition, about $18 million had been provided to three enterprises for the procurement and erection of facilities—grain storage facilities, meatpacking plants, and a coal-drying plant—which were barely used, although they had been completed for 2 or more years.

The assistance furnished had contributed little toward improving operations of the enterprises.

Also, the General Accounting Office reported that about $54 million in grant-in-aid assistance for development projects in the Philippines had been furnished which substantially exceeded Philippine capabilities to effectively absorb, maintain, and utilize with the limited country funds allocated for this purpose. As a result, the projects, involving highways, dredges, piers and wells, had not achieved the economic development benefits that could have been reasonably expected had adequate levels of support been made available by the Philippine Government.

Added to these wasteful examples are, of course, the oft-repeated incidents of providing countries with equipment far too sophisticated for adaptation and use by the recipient, and the many failures to get firm commitments from recipient countries whereby proper maintenance and use will be made of equipment and/or facilities furnished with American dollars.

Mr. President, I pause to cite two instances in one country. There are others in the same country, and I am sure that if a thorough investigation were made into this program and could be made thoroughly, we would immediately discover similar instances.

In Iran a total of $609,000 in grant funds have been obligated for the construction of a modern slaughterhouse. The project was originated in 1952, 13 years ago, and still is not completed.

This unsatisfactory rate of execution was the result of several revisions of project plans, delay in plans, engineering services, and procurement of equipment.

I understand that when it is completed it is proposed to send people to England to train them how to operate it. They have not reached that point, although they have had it for 13 years.

There are other instances. I call attention to one other instance.

A total of $597 million in grant funds was obligated for a sawmill project in Iran. This began in 1952. Construction of the sawmill was finally completed in June of 1962. A half million dollars worth of equipment laid out on the port for many years before it was assembled, all after a series of delays. The start of the full operation was delayed 2 years more while the Government of Iran tried to work out problems of managing and operating a sawmill.

They finally came to this country and induced an American firm to enter into a contract and operate the mill. It did. Americans went over there and organized it, organized the help, and made it operate profitably.

Immediately when this was done, the government went down there with its bayonets, and drove it away, and the sawmill stands there today, operating one-third of the time.

This program is shameful in the way it is administered and the results obtained from it.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may have 5 minutes longer than the time allotted to me.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. MORSE. I shall be brief. I thank the Senator from Arkansas for this speech. The Senator from Arkansas and the Senator from Louisiana [Mr. ELLENDER] who will be offering amendments later that I shall support, are two Senators who have stood shoulder to shoulder with me in my efforts of recent years to clean up and reform the foreign aid program.

No Senator has stood on the floor of the Senate in the past several years and denied what the Senator has been pointing out; namely, the devastating findings of the Comptroller of the United States.

Until the Senate is willing to make a finding of fact as to the Comptroller of the United States, the senior Senator from Oregon will never vote for a foreign aid bill.

Mr. McCLELLAN. I thank the Senator.

Mr. President, I remember that my attention first came to waste in the program when I was heading an investigating committee, a subcommittee of the Committee on Government Operations. I do not remember the year. We found that millions of dollars had been spent creating an irrigation project in Bolivia.

When it was finished there was no water. I do not know what happened to that operation. I presume the project is still there.

These problems are bad enough, but they reflect primarily on the administration of this program. Another area that to me is intolerable reflects primarily on the policy of the foreign aid program. And that intolerable situation is where American property has been attacked, burned, and destroyed in the very countries receiving our aid. In Pakistan just this week a mob of several thousand attacked our Embassy in Karachi and burned a USIS library. And other anti-American demonstrations occurred in Lahore and Dacca.

I was pleased to note that language was added to the authorization bill declaring it to be the sense of the Congress that assistance under this or any other act to any foreign country which permits or fails to take adequate measures to prevent the damage or destruction by mob action of U.S. property within such country should be terminated and should not be resumed until the President determines that appropriate measures have been taken by such country to prevent a recurrence thereof.

But I feel we should go one step further and impose an absolute prohibition on aid in such instances.

We seem to have engendered a widely held view that this country owes an obligation to aid every less developed country in the world and we certainly are not helping to dispel this misconception by tolerating continued abuses of our personnel and property abroad.

Earlier this year a tabulation of such incidents printed in the CONGRESSIONAL RECORD listed 51 occurrences of this nature between July 1962 and December 1964. We are all familiar with these insufferable abuses, Mr. President, and yet we continue to tolerate them.

In his state of the Union message, President Johnson said:

> We are prepared to live as good neighbors with all, but we cannot be indifferent to acts designed to injure our interest, or our citizens, or our establishment abroad. The community of nations requires mutual respect. We shall extend it—we shall expect it.

The reaction? American establishments continued to suffer attacks around the world in the days following this statement.

Consider the situation with Nasser of Egypt who says we can take our aid and jump in the lake, and yet we give him more. Or Sukarno of Indonesia who says he does not need our foreign aid and then he confiscates our rubber plantations and libraries. Each of these countries has received U.S. aid amounting to nearly $1 billion since World War II.

And what of France, a country owing us billions in war debts, while General de Gaulle seeks to embarrass the United States by making repeated calls on our gold reserves.

We provide no direct aid to France now, but it would appear that the unprecedented—nearly $10 billion—we have extended to France over the years since 1946 has gone for naught so far as General de Gaulle's gratitude is concerned. Perhaps we should require that France repay her World War I debts of $6.5 billion in gold. Certainly this would be in keeping with De Gaulle's principles, and his peculiar passion for gold.

Burned American libraries and smashed embassy windows stand as stark reminders that the billions of dollars this Nation has contributed are not enough to buy friendship. Indeed, they furnish ample evidence that dollar diplomacy has never and will never prove a successful substitute for establishing and maintaining, on the basis of justice and reciprocal respect, effective international relations.

This country—the wealthiest Nation the world has ever known—is still not so abundantly rich that it can rely solely on the dollar to promote and protect our interests and position abroad.

Moreover, Mr. President, I am deeply concerned over the deleterious impact that the continuing foreign aid program has on our balance-of-payments deficit.

Members are well aware of this situation, and will recall that only a short time ago Congress was asked to enact the gold cover bill in order to afford time for the administration to take steps to reduce the continuing U.S. balance-of-payments deficit. I have long been a critic of policies which contributed greatly to the predicament this deficit has presented, particularly in the area of foreign aid. However, I supported the gold cover legislation on the basis of the President's assurances of taking affirmative action to reduce and eliminate this deficit by taking advantage of the opportunity afforded by that measure.

The result today is not altogether reassuring in that regard, Mr. President. I realize that it is perhaps still too early to expect any significant or sustained reversal of the trend that gave rise to this problem, but it is a serious matter and we should not lose sight of the consequences it may bring. The United States has had 14 balance-of-payments deficits in the past 15 years, totaling $35 billion and we cannot afford to relax our efforts to arrest and reverse this trend.

And I think it is clear, Mr. President, that foreign aid will continue to adversely affect our balance-of-payments position.

In this connection we might do well to heed the warnings recently issued by

Federal Reserve Chairman William McC. Martin on the similarities of the conditions today with those of the 1920 era. At that time, just as now, he said, Britain and the United States were both in balance-of-payments difficulties and France decided to convert its payments' surplus into gold.

We need to bear this in mind as we consider the pending foreign aid bill, Mr. President. And we need improvement in the clarity and meaningfulness of our policies to the end that confusion will be eliminated and misunderstandings will be avoided. We should endeavor to provide a more positive leadership, defining our purpose and objectives in language that will hardly permit misinterpretation and in terms that neither friend nor foe should misunderstand.

Mr. President, if we were to shut off any further assistance this very minute we would still find the foreign aid pipeline clogged with many unspent billions of American dollars. I think that it is time to turn off the spigot and clear the pipeline, and then chart a clear course before we dare set sail again on the expensive expanse of the foreign aid sea.

Let us not pave the road to economic chaos with ill-conceived programs contrived and peddled aboard with the zeal of a missionary. If we are to remain in this foreign aid business—and this now seems as certain as death and taxes—then let us be a bit more hardheaded in our transactions and promote the formula that made America great—a formula of self-help, self-reliance, and self-interest.

Mr. PASTORE. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 8 minutes remaining on the amendment.

Mr. PASTORE. I suggest the absence of a quorum, the time for the quorum call to be charged to the time allotted to me.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, the Senator from Rhode Island is opposed to this amendment.

I suggest the absence of a quorum, the time for the quorum call not to be charged to either side.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, the pending amendments would provide for a cut of $25 million under the military assistance program. While this amount may be considered small with reference to the $1.17 billion for the entire military assistance program for all the nations of the world to which we are committed, the $25 million is one-third of the entire military assistance program for Latin America.

This amendment would reduce the military assistance program for one particular region, Latin America, by more than 30 percent. It would be a drastic, dangerous, and tragic cut. I hope that the Senate will reject the amendment.

I yield back the remainder of my time.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the senior Senator from Oregon [Mr. MORSE]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Tennessee [Mr. GORE], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Minnesota [Mr. MONDALE], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. KENNEDY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr CURTIS], the Senator from Kansas [Mr. PEARSON], the Senator from Wyoming [Mr. SIMPSON] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT] would vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 41, nays 43, as follows:

[No. 268 Leg.]

YEAS—41

Bartlett
Bayh
Bible
Boggs
Burdick
Byrd, Va.
Church
Clark
Cooper
Cotton
Dirksen
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
McGovern
Morse
Morton
Mundt
Murphy
Nelson
Neuberger
Pell
Proxmire
Robertson
Russell, Ga.
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—43

Aiken
Allott
Bass
Byrd, W. Va.
Cannon
Carlson
Case
Dodd
Dominick
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McNamara
Metcalf
Miller
Monroney
Montoya
Moss
Muskie
Pastore
Prouty
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Smathers
Smith
Stennis
Thurmond
Yarborough

NOT VOTING—16

Anderson
Bennett
Brewster
Curtis
Gore
Kennedy, Mass.
Kennedy, N.Y.
Lausche
McCarthy
McIntyre
Mondale
Pearson
Scott
Simpson
Sparkman
Tower

So Mr. MORSE's amendment was rejected.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HAYDEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I send to the desk another amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 4, line 25, strike out the figure "$1,170,000,000" and insert in lieu thereof the following: "and provided further that military assistance to India, Pakistan, Greece, and Turkey shall be limited to not to exceed fifty percent of the cost of equipment and training which those countries received from the United States during the last fiscal year, $1,000,000,000."

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, my proposed amendment does two things.

First. It specifies that military assistance to the named countries of India, Pakistan, Greece, and Turkey shall be reduced by 50 percent from the amounts those countries received in the last fiscal year.

Second. The amendment reduces the military assistance appropriation by roughly the amount that would be saved if those specific programs were each reduced by 50 percent, namely, $170 million. It leaves still an appropriation of $1 billion—far too much.

I pick out these countries because they have used military equipment and training supplied by the United States in military action against each other. I picked out these countries as a warning to others who might do the same thing. I picked out these countries as an example to our military leaders of the criticism of this body of the indiscriminate arming of any nation that will accept our military equipment and to try to show how ill advised and irresponsible have been our actions.

Mr. President, we have learned during the last few weeks that U.S. military assistance has been spread too far, too wide, and too thick. It has been spread so widely that there are few border skirmishes in which the participants are not shooting U.S. manufactured military hardware at each other, guided by the training we have given them.

Mr. President, I would wager that during recent hostilities between India and Pakistan that American military advisers were not far behind the front on both sides.

What have we come to?

The time will soon come when the munitions makers which the former Senator Gerald Nye exposed years ago will seem like a group of lily-white, small businessmen.

Today the munitions makers, the munitions distributors, and the military trainers are employees of the U.S. Government.

The amendment I have sent to the desk calls for a specific limitation on military assistance to named countries—countries which have shown that they do not take seriously the admonitions of our military agreements that this equipment is not to be used against nations friendly to the United States.

I predict that without adoption of this amendment, it will be only a matter of days until fresh military supplies from the United States, in full replacement of their losses, will be on the high seas on the way to both India and Pakistan. After all, if we do not send new tanks to the Pakistani, their military men will not have equipment to keep them occupied. If we do not send additional assistance to India, the men in its armed forces may have to use wooden guns. Would not that be awful?

What a tragic situation to which we have come. We will soon be the most hated Nation in the world if we continue to give free reign to our military advisers who can only advise that these new underdeveloped nations receive more and more military assistance.

Let me state parenthetically that one of the great purposes of my amendment would be to start turning the trend of the military economy in this country back to a free economy. For every American today is living, not under a free economy, but under a defense economy. If we stop the subsidy to every American businessman who directly or indirectly is the beneficiary of the terrific defense economy that has been built up, in no small measure as the result of our military aid program, we shall have some small chance of returning to a free economy. We shall also have some chance of changing the trend of our Government from a government in which the military is more rapidly coming into power and the civilian powers are rapidly going out of control.

Mr. President, we are not going to face up to this problem of returning to a free economy unless we are willing to come to grips with the type of amendment that I am advancing.

I noted in the press a few days ago that the Pakistani armed forces had made limited use of napalm in their attacks on the Indian forces. I wonder where they learned of that civilized war-making device. I wonder where they obtained their napalm. I wonder who taught them their techniques.

We talk about being a moral nation, but much of the world knows that we fall far short of practicing our alleged moral principles. Millions of people know the chasm, the abyss, the great difference between the religious professings of Americans and the practices of American foreign policy.

I know that I must expect to be attacked—as I am in certain places—because I hold fast to my upbringing, because I believe that the religious principles I was taught should be lived up to not only by individuals, but also by governments. For a people, in the long run, will be no more moral than the moral principles they are willing to insist shall constitute the practices of their government. I find it difficult to reconcile a great many facets of the military aid program with religious teachings.

If the United States is not willing to be the nation to begin to hold back on military shipments to these new nations, no one will take the lead. Of that we can be sure.

I predict that if Congress does not take the lead in stopping this nefarious traffic, it will be only a matter of time until we shall find fiery outbreaks all over Africa—the spear having been replaced by the machinegun, manufactured in the United States; the arrow having been replaced by the rocket, manufactured in the United States. And we call ourselves civilized.

I hope that my amendment will be adopted and that we shall have the audacity to begin to put a stop to this.

Mr. President, let me say to the Governments of India and Pakistan, Turkey and Greece, that no one in Congress would be more willing than I to vote for economic aid for them on a project-to-project basis, on a sound business loan basis which would help to prepare the seed beds of economic freedom in their countries, and make it possible for the masses of their people to be economically free, and to have their standards of living raised.

There will be no real political freedom assured for future generations in those countries until we do a better job of preparing the seed beds of economic freedom in the underdeveloped countries of the world, out of which, interestingly enough, political freedom will always take root and grow.

We shall never lead mankind to peace through military aid.

Our military aid has reached outrageous proportions. It is the greatest aid to the Communists, because it stirs up hatred and resentment against the United States around the world, not only in the countries which receive the aid, but also among millions of people who form public opinion in countries that do not need military aid.

I do not believe that my ideals and convictions can be better expressed than to repeat what I have said in meetings of the Foreign Relations Committee, and on the Senate floor: That if we really wish to be a great flaming torch, lighting the way to freedom and peace, we will export not military aid, but bread, by way of economic freedom to millions of people in the world who are hungry for economic freedom but can only be annihilated by American military aid.

Mr. PASTORE. Mr. President, I shall take only 4 or 5 minutes, and then I will be ready to yield back the remainder of my time and have a vote on the amendment. I do not believe that the United States is an aggressive monster; nor do I believe for one moment that the United States is leading the parade in trafficking in armaments in order to cause aggression in the world, and in order to add to the strife which already exists in the world. Nor do I believe that we are an uncivilized government because we give military aid to those who are trying to resist the bullying monster of communism trying to stay free.

Mr. President, if the Senate adopts this amendment today, it will have laid the foundation for destroying NATO. NATO is in sorry enough condition already, with the attitude of General de Gaulle. If we stop military aid to Turkey and Greece, whose peoples live directly under Russia and near China, we shall see the whole of the NATO complex dissolve and die.

America will then have to stand alone. We have not been giving military aid to Pakistan and India, as I understand, since last April.

I do not believe that the President of the United States is ready to give any further military aid if it does not serve the security of this country and the peace of the world. But, do not forget, Pakistan is still a member of SEATO and CENTO. To carry out the provisions of the amendment pending today, we would break SEATO and CENTO as well. America would once more stand alone against the new bully, Red China, which has already successfully set off two explosions of a nuclear device.

I realize that there are troubles in the world, but they are not of our making. The Kashmir problem is a thousand years old. We cannot solve it overnight. We are not happy about the conflict between Greece and Turkey over Cyprus. We have intervened as best we could to try to bring the strife to a halt. We are not a party to what is happening in Kashmir. That is a religious problem, a conflict of the ages. Yet we realize that we are caught in the paradox of our time. We are posed between perils.

Today, we are being placed in a position where we have to judge between two evils. The only reason why we sit on the court of judgment, as I said before, is that we wear the mantle of responsibility.

Does anyone believe that the man in the White House loves America less than does the Senator from Oregon?

Does anyone believe that the Senator from Oregon loves peace more than does President Johnson or did President Kennedy?

Let us face the facts of life, as they are.

There are many problems in the world that will take many long years to solve. Some of them may be insoluble in our lifetime. I am not happy about Kashmir. I am not happy about Cyprus; but, if we adopt the pending amendment, we will tear the free world apart in one stroke.

I do not believe that the Senate is ready to mete out that kind of judgment today.

Therefore, the pending amendment is a crucial one, and involves a great deal of drama and evokes much emotion.

There is the repeated question. Why should we help other nations which are fighting one another? The answer is obvious. But look at the panorama of the world. Look at what has brought us to this point. Consider where we stand. Look at what we have to maintain and protect. We try to close the door to encroachment by the Soviets and by Red China. Do not give the key to the door to the Kremlin today. Do not give the key to the door to Peiping today. Khrushchev said at one time, "NATO is the bone in my throat." And today the Senate will remove that bone from the throat of the Kremlin if it votes the amendment. I hope the amendment will be defeated.

I yield back the remainder of my time.

Mr. JAVITS. Mr. President, before the Senator does that, will he yield me 3 minutes?

Mr. PASTORE. I yield 3 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I am chairman of a special committee of the NATO Parliamentarians' Conference which was created to encourage closer economic cooperation between Greece and Turkey. Notwithstanding the tensions and strains between those two countries and what is going on at this time, I believe we shall realize useful results from that project. In spite of the present Greek Government crisis, I believe that that trouble will be settled. There is also hope of settling the Cyprus problem.

In connection with this project of the NATO Parliamentarians' Conference, I have had an opportunity to travel to Greece and Turkey and to meet the leaders of the parties of both the Government and the opposition.

I shall vote against the amendment of the Senator from Oregon, notwithstanding that I have the greatest respect and affection for him, and with whom I am often alined, because I believe it would be exactly the wrong way to deal with the sensibilities of these countries and the determination by both the party of the Government and the opposition party to stay, by and large, within the context of the free world, indeed, of the Western World.

It would be an unnecessary affront to these countries for the United States to spank them as though they were little boys quarreling with each other. Adoption of an amendment like this would say that we regard their nations not as adults, but as adolescents. We must regard them as adults. Therefore, in the exercise of the subleties and delicacies of foreign policy, that decision should be left with the President. I would say that whether the President were a member of my party or that of the opposition party, as he is at this time.

Just as students rioted in Karachi against the USIS building because they instinctively felt that the United States was an influence in the balance of the U.N., I think we should instinctively feel that the U.N. has had a great victory. Let us not jeopardize it, the day after it has had such a victory, this country being the United Nations' greatest supporter, by spanking some of its participants. Perhaps they should be spanked, but it would be unwise for us to do it.

Therefore, I hope, in the interest of the United States, that the amendment will be defeated.

I would not have stood and made this statement, were it not for the fact that I had this familiarity with the Greek and Turkish situation.

Mr. MORSE. Mr. President, I had not intended to make a further statement, but after hearing the Senator from Rhode Island and the Senator from New York, I would not want some student in the years ahead wondering why the Senator from Oregon had remained silent after hearing what I consider to be a chain of non sequiturs raised by the Senators from Rhode Island and New York. So I will make a rebuttal statement.

My friend, the Senator from Rhode Island, talked about SEATO and CENTO, to the effect that we would be undercutting our allies under those two pacts. What allies? How does one judge an ally? He judges an ally by whether or not an ally stands with him. Where have Pakistan and India been in regard to the crisis in southeast Asia? Outside, looking in.

The Prime Minister of Pakistan, standing in Washington, D.C., before the Washington Press Club some months ago, when asked whether they were going to be of assistance to us in Vietnam, at first made the categorical answer "No." Then he proceeded to say:

> It is a U.S. problem, not a Pakistani problem. Our problem is with India.

The sad fact is that the SEATO Treaty has been naught but a worthless paper to the United States from the very time it was signed. What most people do not know is not contained in the SEATO Treaty, but controlling the administration of the SEATO Treaty is a protocol side agreement entered into whereby the parties agreed that, unless they were unanimous in a program calling for administration under SEATO, no country was obligated.

I have said in the Foreign Relations Committee and on the floor of the Senate many times that, in my opinion, the SEATO Treaty was an exercise in deception, and it has deceived the American people as to what it really can accomplish.

India is not a treaty ally at all, so nothing said by the Senator from Rhode Island about treaty allies applies to India.

CENTO likewise has been worthless to the United States.

But let me move to Greece and Turkey for a moment. I point out that neither the economy of Greece nor of Turkey could maintain the military establishments in those countries.

I happen to believe that we cannot justify a military program in a country if the economy of that country cannot maintain the military forces there.

The weapons we have supplied Greece and Turkey, the weapons we have supplied India and Pakistan, would be of no assistance to us whatsoever in case of a war with Russia or Red China.

What would be of assistance would be to keep the economies of India and Pakistan viable so that in a time of war with Russia, if that came, we would not have to be pouring into Pakistan and India the additional millions of dollars necessary for their economic assistance while we were in an all-out war with Russia.

In the event of a war with Russia neither Greece nor Turkey in the Mediterranean, nor Pakistan or India in Asia, would be of assistance to us in such a war, for it will be a nuclear war. It would be over in a relatively short time. Unfortunately, there will be no winner.

I am very much interested in the discussion of the Senator from New York about the economies of Greece and Turkey. They are very weak economies because so much of their economies are going into oligarchies. With respect to Turkey in particular, the Senator from New York, and I have stood shoulder to shoulder in trying to get the economic part of our program channeled into administration by the private segment of the economy. Much economic aid money going into Turkey is controlled, directed, and operated under a form of state socialism, and an incredibly corrupt and inefficient state socialism. Communist-style socialism could not be much more inefficient than the state socialism of Turkey, but we keep it going with our foreign aid subsidies.

As a liberal, I do not intend to support state socialistic enterprises in the economy. In Greece, instead of seeing conditions improve, we see a declining economy. Not only that, but we see now a Greece far removed from the Greece we helped after the adoption of the Truman doctrine.

The record is clear that the senior Senator from Oregon, sitting on the other side of the aisle at that time, spoke on the floor of the Senate for 2 days, and was the first Senator who supported President Truman in the Truman doctrine. It was needed.

The Truman doctrine, in my judgment, helped to give Greece the opportunity to become a free society, and was of great assistance to Greece in establishing the independence she had for a time prior to the present political debacle that now wracks that country.

The huge military aid program made possible the conflict over Cyprus, which in the process of undermining and destroying much of what had been accomplished with our economic aid.

Lastly, I wish to make a brief comment with regard to NATO, referred to by the Senator from Rhode Island. NATO cannot be preserved, and my amendment does not have the slightest connection with NATO. NATO will get a complete revision. The military aspects of NATO are almost passé. We need NATO and the military alliances in connection with it, but we need a NATO that is basically an economic alliance, for the need of NATO countries has become a need for economic alliance and not military alliance. Neither the House of Representatives nor the Senate can save NATO from being drastically revised.

I am interested in the ad hominem references to the stands of the President of the United States and the senior Senator from Oregon. I say to my friend the Senator from Rhode Island [Mr. Pastore] that the senior Senator from Oregon has never intimated nor suggested that he is more for peace than is the President of the United States. I am satisfied that the President of the United States is a man of peace. But I believe that in connection with military aid, and in connection with what I consider to be his unconstitutional, undeclared war in Vietnam, he is mistaken in judgment.

Have we really reached the point in the Senate where an argument is made that if the President wants something, we automatically vote for it, as a rubber-stamp?

I believe the President is dead wrong in regard to his position on military aid and much of foreign aid. I believe he is dead wrong in his position in regard to his undeclared war in southeast Asia.

I am perfectly willing to let the people of the country answer the question whenever they decide it is necessary to make clear what foreign policy shall be.

But my answer to those constantly seeking to give the impression that because one does not agree with the President, he must be wrong, is that foreign policy does not belong to him; it belongs to the people of this country.

And Presidents have been wrong, they will be wrong occasionally in the future. That is why we have a Congress which is supposed to make a judgment of its own in these matters.

As a Senator representing the people of my State, I intend to continue the exercise of independent judgment on the basis of facts. However, when those facts do not support the President, I do not intend to vote with him on an issue.

In my judgment, the facts relating to my amendment, do not support the President. Therefore, I urge adoption of my amendment.

Mr. PASTORE. I yield back my time.

Mr. MORSE. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Tennessee [Mr. Gore], and the Senator from New Hampshire [Mr. McIntyre] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. McCarthy], the Senator from Minnesota [Mr. Mondale], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

On this vote the Senator from Maryland [Mr. Brewster] is paired with the Senator from New York [Mr. Kennedy]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from New York would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis], the Senator from Kansas [Mr. Pearson], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Pennsylvania [Mr. Scott] is absent on official business.

If present and voting, the Senator from Utah [Mr. Bennett] would vote "yea."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 32, nays 54, as follows:

[No. 269 Leg.]

YEAS—32

Bartlett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Clark
Cooper
Cotton
Douglas
Eastland
Ellender
Fong
Fulbright
Gruening
Hruska
Jordan, Idaho
Kennedy, Mass.
McClellan
McGovern
Montoya
Morse
Morton
Mundt
Pell
Randolph
Robertson
Symington
Talmadge
Williams, Del.
Williams, N.J.
Young, Ohio

NAYS—54

Aiken
Allott
Bass
Bayh
Boggs
Cannon
Carlson
Case
Dirksen
Dodd
Dominick
Ervin
Fannin
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McNamara
Metcalf
Miller
Monroney
Moss
Murphy
Muskie
Nelson
Neuberger
Pastore
Prouty
Proxmire
Ribicoff
Russell, Ga.
Russell, S.C.
Saltonstall
Smathers
Smith
Stennis
Thurmond
Tydings
Yarborough
Young, N. Dak.

NOT VOTING—14

Anderson
Bennett
Brewster
Curtis
Gore
Kennedy, N.Y.
McCarthy
McIntyre
Mondale
Pearson
Scott
Simpson
Sparkman
Tower

So Mr. Morse's amendment was rejected.

Mr. PASTORE. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 5842. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; and

H.R. 9221. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

RIVER AND HARBOR ACT OF 1965

Mr. McNAMARA. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2300.

The PRESIDING OFFICER (Mr. McGovern in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, which was, to strike out all after the enacting clause and insert:

TITLE I—NORTHEASTERN UNITED STATES WATER SUPPLY

Sec. 101. (a) Congress hereby recognizes that assuring adequate supplies of water for the great metropolitan centers of the United States has become a problem of such magnitude that the welfare and prosperity of this country require the Federal Government to assist in the solution of water supply problems. Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with Federal, State, and local agencies in preparing plans in accordance with the Water Resources Planning Act (Public Law 89–80) to meet the long-range water needs of the northeastern United States. This plan may provide for the construction, operation, and maintenance by the United States of (1) a system of major reservoirs to be located within those river basins of the Northeastern United States which drain into the Chesapeake Bay, those that drain into the Atlantic Ocean north of the Chesapeake Bay, those that drain into Lake Ontario, and those that drain into the Saint Lawrence River, (2) major conveyance facilities by which water may be exchanged between these river basins to the extent found desirable in the national interest, and (3) major purification facilities. Such plans shall provide for appropriate financial participation by the States, political subdivisions thereof, and other local interests.

(b) The Secretary of the Army, acting through the Chief of Engineers, shall construct, operate, and maintain those reservoirs, conveyance facilities, and purification facilities, which are recommended in the plan prepared in accordance with subsection (a) of this section, and which are specifically authorized by law enacted after the date of enactment of this Act.

(c) Each reservoir included in the plan authorized by this section shall be considered as a component of a comprehensive plan for the optimum development of the river basin in which it is situated, as well as a component of the plan established in accordance with this section.

TITLE II—FLOOD CONTROL

SEC. 201. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct, operate, and maintain any water resource development project, including single and multiple purpose projects involving, but not limited to, navigation, flood control, and shore protection, if the estimated Federal first cost of constructing such projects is less than $10,000,000. No appropriation shall be made to construct, operate, or maintain any such project if such project has not been approved by resolutions adopted by the Committees on Public Works of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Secretary shall transmit to Congress a report of such proposed project, including all relevant data and all costs.

(b) Any water resource development project authorized to be constructed by this section shall be subject to the same requirements of local cooperation as it would be if the estimated Federal first cost of such project were $10,000,000 or more.

SEC. 202. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law, the authorization for any flood control project authorized by this Act requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 203. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

SEC. 204. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein. The necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program. The projects authorized in this title shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements. Penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

Saint John River Basin

The Secretary of the Army is hereby authorized and directed to make a survey for flood control and allied purposes of the Saint John River, Maine, separate and apart from the Passamaquoddy Tidal Power Project, which survey shall include a detailed study of alternative methods of providing power, including thermal power development using nuclear energy, and to submit a report thereon to the Congress not later than March 30, 1966.

Housatonic River Basin

The projects for flood protection on the Housatonic, Naugatuck, and Still Rivers at Derby and Danbury, Connecticut, are hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 324, Eighty-eighth Congress, at an estimated cost of $5,100,000.

New England-Atlantic coastal area

The project for hurricane-flood control protection at Westerly, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 85, Eighty-ninth Congress, at an estimated cost of $3,287,000.

Long Island Sound area

The project for hurricane-flood protection at Stratford, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 292, Eighty-eighth Congress, at an estimated cost of $4,340,000.

Hudson River Basin

The project for flood protection at Yonkers, Saw Mill River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 258, Eighty-ninth Congress, at an estimated cost of $1,924,000.

New York-Atlantic coastal area

The project for hurricane-flood protection and beach erosion control at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 215, Eighty-ninth Congress, at an estimated cost of $32,620,000.

The project for hurricane-flood protection and beach erosion control at Staten Island, Fort Wadsworth to Arthur Kill, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 181, Eighty-ninth Congress, at an estimated cost of $6,230,000.

Elizabeth River Basin, New Jersey

The project for hurricane-flood protection on the Elizabeth River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 249, Eighty-ninth Congress, at an estimated cost of $9,769,000.

Rahway River Basin, New Jersey

The project for flood protection on the Rahway River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 67, Eighty-ninth Congress, at an estimated cost of $1,514,000.

Neuse River Basin

The project for the Falls Dam and Reservoir, Neuse River, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 175, Eighty-ninth Congress, at an estimated cost of $18,600,000.

The project for hurricane-flood protection at New Bern and Vicinity, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 183, Eighty-ninth Congress, at an estimated cost of $10,400,000.

Middle Atlantic Coastal Area

The project for hurricane-flood protection and beach erosion control at Ocracoke Island, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 109, Eighty-ninth Congress, at an estimated cost of $1,636,000.

Flint River Basin

The project for the Lazer Creek Reservoir, Flint River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $40,378,000.

The project for the Lower Auchumpkee Reservoir, Flint River, Georgia, is hereby authorized substantially, in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $48,275,000.

Central and Southern Florida Basin

Comprehensive Plan

The comprehensive plan for flood control and other purposes in central and southern Florida approved in the Act of June 30, 1948, and subsequent Acts of Congress, is hereby modified to include the following items:

The project for flood protection in Hendry County, west of levees 1, 2, and 3, Florida, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 102, Eighty-eighth Congress, at an estimated cost of $4,986,000.

The project for flood protection in Southwest Dade County, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 20, Eighty-ninth Congress, at an estimated cost of $4,903,000.

South Atlantic Coastal Area

The project for hurricane-flood protection on Biscayne Bay, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 213, Eighty-ninth Congress, at an estimated cost of $1,954,000.

Phillippi Creek Basin, Florida

The project for flood control on Phillippi Creek, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 156, Eighty-ninth Congress, at an estimated cost of $4,592,000.

Lower Mississippi River Basin

Comprehensive Plan

The project for flood control and improvement of the lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534), as amended and modified, is hereby further modified and expanded to include the projects and plans substantially as recommended by the Chief of Engineers in House Documents Numbered 308 and 319, Eighty-eighth

Congress, at an estimated cost of $181,109,000, and the authorization for the lower Mississippi River project is hereby increased accordingly, except that (1) any modified easements required in the improvement of the Birds Point-New Madrid, Missouri, Floodway shall be acquired as provided by section 4 of the Act of May 15, 1928, (2) the pumping plant in the Red River backwater area shall be operated and maintained by the Corps of Engineers, (3) the recommendations of the Bureau of the Budget shall apply with respect to improvements for fish and wildlife, and (4) the requirement of local cooperation for the improvements in the Saint Francis Basin, Arkansas and Missouri, shall be the same as is required by paragraph (q) under the heading "Lower Mississippi River" in section 10 of the Flood Control Act of 1946.

The project for the Saint Francis River, Missouri and Arkansas, within Drainage District No. 7, Poinsett County, Arkansas, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 57, Eighty-ninth Congress, at an estimated cost of $1,372,000.

General Projects

The project for hurricane-flood protection at Grand Isle and vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 184, Eighty-ninth Congress, at an estimated cost of $5,500,000.

The project for hurricane-flood protection at Morgan City and vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 167, Eighty-ninth Congress, at an estimated cost of $3,049,000.

The project for hurricane-flood protection on Lake Pontchartrain, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 231, Eighty-ninth Congress, except that the recommendations of the Secretary of the Army in that document shall apply with respect to the Seabrook lock feature of the project. The estimated cost is $56,235,000.

Ouachita River Basin

The project for flood protection on the Ouachita River at Monroe, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of $520,000.

Red River Basin

The proviso in the paragraph under the center heeading "Red River Basin" in the Act of December 30, 1963 (77 Stat. 840, Public Law 88–253) relating to the Waurika project, Oklahoma, is amended to read as follows: "*Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized to acquire lands and interests therein required for the establishment of a national wildlife refuge at the reservoir as described in Senate Document Numbered 33, Eighty-eighth Congress, at an estimated cost of $418,000, whenever the Secretary of the Interior approves the establishment of such a refuge.".

The project for flood protection on Bayou Bodcau and tributaries, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 203, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for Caddo Dam and Reservoir, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in Senate Document Numbered 39, Eighty-ninth Congress, at an estimated cost of $1,934,000.

The project for Sanders, Big Pine, and Collier Creeks, Texas, as authorized in the Act of October 23, 1962 (76 Stat. 1187), is hereby modified in order to provide for a highway crossing Pat Mayse Reservoir to replace the present FM Highway 1499 across Sanders Creek, at an estimated cost of $310,000. Such crossing shall be constructed under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with such plans as may be recommended by the Chief of Engineers.

Gulf of Mexico

The project for flood protection on the Buffalo Bayou and tributaries, White Oak Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 169, Eighty-ninth Congress, at an estimated cost of $1,800,000.

The project for flood protection on Highland Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 168, Eighty-ninth Congress, at an estimated cost of $3,500,000.

The project for flood protection on Taylors Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 206, Eighty-ninth Congress, at an estimated cost of $5,004,000.

Rio Grande Basin

The project for flood protection on the Rio Grande at El Paso, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 207, Eighty-ninth Congress at an estimated cost of $12,493,000.

Arkansas River Basin

Comprehensive Plan

The multiple-purpose plan for improvement of Arkansas River and tributaries authorized by the River and Harbor Act of July 24, 1946, as amended, is hereby modified to authorize the Secretary of the Army acting through the Chief of Engineers, to provide replacement outfall facilities for the Kansas Street outfall sewer in the city of Pine Bluff, Arkansas, including such new pumping facilities as may be necessary, at the most economical Federal expense, but including in the Federal expense the reasonable capitalized cost of operation and maintenance of the pumping facilities over the cost of pumping now required in the existing system.

General Projects

The project for flood protection on the Arkansas River at Las Animas, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 165, Eighty-ninth Congress, at an estimated cost of $1,541,000.

The project for flood protection on Lee Creek, Arkansas and Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 270, Eighty-ninth Congress at an estimated cost of $10,000,000.

The project for flood protection at Little Rock, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 55, Eighty-ninth Congress, at an estimated cost of $363,000.

The project for flood protection on the Arkansas River at Great Bend, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 182, Eighty-ninth Congress, at an estimated cost of $4,030,000.

The project for establishment of a national wildlife refuge at the John Redmond Dam and Reservoir, Grand (Neosho) River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 27, Eighty-ninth Congress, at an estimated cost of $730,000.

The project for flood protection on the Walnut River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-ninth Congress, at an estimated cost of $66,036,000.

The project for the Shidler Dam and Reservoir, Salt Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 242, Eighty-ninth Congress, at an estimated cost of $6,150,000.

The project for flood protection on Crutcho Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 47, Eighty-ninth Congress, at an estimated cost of $1,801,000.

The project for Trinidad Dam on Purgatoire River, Colorado, House Document Numbered 325, Eighty-fourth Congress, authorized by the Flood Control Act of 1958 (72 Stat. 297) is hereby modified to provide that in lieu of the local cooperation recommended in paragraph 2(a) of the report of the Chief of Engineers dated July 22, 1954, published in said document, local interests shall maintain the channel of Purgatoire River through the city of Trinidad. The conditions set forth in paragraphs 2(b) and 2(c) of said report shall be applicable to the project.

The John Martin Reservoir project (formerly known as Caddoa Reservoir), Arkansas River, Colorado, as authorized by the Act of June 22, 1936 (49 Stat. 1570), is modified to authorize and direct the Chief of Engineers to use not to exceed ten thousand acre-feet of reservoir flood control storage space for the purpose of establishing and maintaining a permanent pool for fish and wildlife and recreational purposes, at such times as storage space may not be available for such permanent pool within the conservation pool as defined in article III F, Arkansas River compact (63 Stat. 145) except that—

(1) The State of Colorado shall purchase and make available any water rights necessary under State law to establish and thereafter maintain the permanent pool.

(2) The rights of irrigators in Colorado and Kansas to those waters available to them under the terms of the Arkansas River compact and under the laws of their respective States shall not be diminished or impaired by anything contained in this paragraph.

(3) Nothing in this paragraph shall be construed so as to give any preference to the permanent pool over other project purposes.

(4) No permanent pool as herein defined shall be maintained except upon written terms and conditions acceptable and agreed to (A) by the Chief of Engineers in the interest of flood control, and (B) by the Colorado State Engineer, the Arkansas River Compact Administration, and the Colorado Water Conservation Board, in the interest of establishing, maintaining, and operating the permanent pool for recreational and fish and wildlife purposes.

(5) Nothing in this paragraph shall be construed so as to limit the authority of the Chief of Engineers to operate John Martin Reservoir for the primary purposes of the prevention of floods and the preservation of life and property.

Missouri River Basin

The project for flood protection on Big Creek at Hays, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 22, Eighty-ninth Congress, at an estimated cost of $2,702,000.

The project for flood protection on the Little Nemaha River and tributaries, Nebraska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 160, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for flood protection on the Big Sioux River and tributaries, Iowa and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 199, Eighty-eighth Congress, at an estimated cost of $6,400,000, except that such portion of the project as relates to the area above the city limits of Sioux City, Iowa, shall be compatible with a fish and wildlife mitigation plan and also a flood control plan for the upper basin of the Big Sioux River, both to be approved by the States of Iowa and South Dakota.

The project for flood protection on the James River and tributaries, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 266, Eighty-ninth Congress, at an estimated cost of $3,083,000.

The project for flood control on the Fishing River and tributaries, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 281, Eighty-ninth Congress, at an estimated cost of $7,260,000.

The project for flood protection on the Chariton and Little Chariton Rivers and tributaries, Iowa and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers and the Secretary of the Army in House Document Numbered 238, Eighty-ninth Congress, at an estimated cost of $9,167,000.

The project for flood protection on the Grand River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 241, Eighty-ninth Congress, at an estimated cost of $218,009,000. Nothing in this Act shall be construed as authorizing the construction of Linneus Reservoir on Locust Creek, St. Catherine Reservoir on East Yellow Creek, the Honey Creek-No Creek local protection works, nor hydroelectric power facilities at Pattonsburg Reservoir on Grand River.

The project for flood protection on the Platte River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 262, Eighty-ninth Congress, at an estimated cost of $26,889,000.

The project for flood protection on the Sun River at Great Falls, Montana, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 297; Public Law 85–500) is hereby modified to waive the requirement that local interests contribute in cash 2.16 per centum of the actual construction cost of all items of work provided by the United States.

Ohio River Basin

The project for flood protection on Chartiers Creek, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 302, Eighty-eighth Congress, at an estimated cost of $12,207,000.

The project for flood protection on Sandy Lick Creek at Du Bois, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 185, Eighty-ninth Congress, at an estimated cost of $1,654,000.

The project for the Hocking River, Ohio, in the vicinity of Athens, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 287, Eighty-ninth Congress, at an estimated cost of $4,520,000.

The project for the Lincoln, Clifty Creek, and Patoka Dams and Reservoirs, Wabash River, Indiana and Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 202, Eighty-ninth Congress, at an estimated cost of $72,900,000.

The project for the Lafayette and Big Pine Dams and Reservoirs, Wabash River, Indiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 29, Eighty-ninth Congress, at an estimated cost of $44,800,000.

The project for the Rowlesbury Dam and Reservoir, Cheat River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 243, Eighty-ninth Congress, at an estimated cost of $133,548,000: *Provided,* That the power features of this project shall not be undertaken until such time as the Federal Power Commission has completed action on any applications that may be pending before that agency for private development of the pumped-storage facility of the project: *Provided further,* That should the Federal Power Commission act in the affirmative on any pending applications, the authority for such project shall not include Federal power features and the estimated cost of such project shall be $88,402,000: *And provided further,* That in the event the Federal Power Commission dismisses any pending applications, Federal construction of such pumped-storage power facilities is hereby authorized and approved.

The project for the Martins Fork Reservoir, Upper Cumberland River Basin, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 244, Eighty-ninth Congress, at an estimated cost of $4,860,000.

The Yatesville, Paintsville, and Panther Creek Reservoir projects and the Martin, Kentucky, local protection project on the Big Sandy River and Tug and Levisa Forks of Kentucky, West Virginia, and Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 246, Eighty-ninth Congress, at an estimated cost of $51,491,000. Prior to initiation of construction the Secretary of the Army shall prepare an analysis of benefits and costs of the proposed projects, including such reformulation as may be necessary to comply with the Federal Water Project Recreation Act.

Red River of the North Basin

The project for flood protection on the Roseau River, Minnesota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 282, Eighty-ninth Congress, at an estimated cost of $2,550,000.

Upper Mississippi River Basin

The project for flood protection at East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 329, Eighty-eighth Congress, at an estimated cost of $6,180,000.

The project for the Kaskaskia River, Illinois, authorized by the Flood Control Act of 1958 (Public Law 500, Eighty-fifth Congress), in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-fifth Congress, is hereby modified substantially as recommended by the Chief of Engineers in House Document Numbered 351, Eighty-eighth Congress, to provide for the deletion from the items of local cooperation the requirement of a cash contribution due to changed land use, at an estimated increased Federal cost of $3,498,000, if local interests make a cash contribution of an amount equal to the full cost of acquisition of flowage easements in those lands which are no longer needed for construction, operation, and maintenance of Carlyle Reservoir.

The project for the Wood River Drainage and Levee District, Madison County, Illinois, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 150, Eighty-eighth Congress, at an estimated cost of $179,000.

The project for Ames Dam and Reservoir, Skunk River, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 267, Eighty-ninth Congress, at an estimated cost of $12,893,000.

The projects for flood protection at Marshalltown and Waterloo on the Iowa and Cedar Rivers, Iowa, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 166, Eighty-ninth Congress, at an estimated cost of $17,570,000.

The project for the Zumbro River, Minnesota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 246, Eighty-eighth Congress, at an estimated cost of $975,000.

The project for the Big Stone Lake and Whetstone River, Minnesota and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 579, Eighty-seventh Congress, and House Document Numbered 193, Eighty-eighth Congress, at an estimated cost of $3,885,000.

The project on the Des Moines River for flood protection of Des Moines, Iowa, House Document Numbered 651, Seventy-eighth Congress, authorized by the Act of December 22, 1944 (58 Stat. 887), is hereby modified to eliminate the requirement recommended in paragraph 10(a)(2) of the report of the Chief of Engineers dated December 13, 1943, that local interests bear the expense of repairs and provision of gates on existing drains.

Great Lakes Basin

The project for flood control and navigation on the Chagrin River, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 35, Eighty-ninth Congress, at an estimated cost of $2,200,000.

The project for flood protection on the Grand River at and in the vicinity of Grandville, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 157, Eighty-eighth Congress, at an estimated cost of $1,373,000.

Little Colorado River Basin

The project for flood protection on the Little Colorado River at and in the vicinity of Winslow, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 63, Eighty-eighth Congress, at an estimated cost of $2,775,000.

Gila River Basin

The project for flood protection on Indian Bend Wash, Maricopa County, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 303, Eighty-eighth Congress, at an estimated cost of $7,250,000.

The project for flood protection on the Santa Rosa Wash, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 189, Eighty-ninth Congress, at an estimated cost of $6,430,000, except that the development of recreation and fish and wildlife facilities shall be in accordance with the Federal Water Project Recreation Act.

The project for flood protection at Phoenix, Arizona, and vicinity, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 216, Eighty-ninth Congress, at an estimated cost of $58,310,000.

Eel River Basin

The project for flood protection on the Eel River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 234, Eighty-ninth Congress, at an estimated cost of $13,732,000.

Sacramento River Basin

The project for the New Bullards Bar Dam and Reservoir, Yuba River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 180, Eighty-ninth Congress, at an estimated cost of $8,979,000.

The project for the Lakeport Dam and Reservoir with supplemental channel improvements, Scotts Creek, Cache Creek Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 259, Eighty-ninth Congress, at an estimated cost of $9,360,000.

San Francisco Bay area

The project for flood protection on Sonoma Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 224, Eighty-ninth Congress, at an estimated cost of $9,400,000.

The project for the Napa River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 222, Eighty-ninth Congress, at an estimated cost of $14,950,000.

Whitewater River Basin

The project for flood protection on Tahquitz Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 223, Eighty-ninth Congress, except that the amount of local contribution required due to enhancement of land shall be reduced by the amount of contribution determined on lands under Indian ownership at the time of project authorization and not subject to taxation due to Federal statutory restrictions. The amount of contribution on this basis is presently estimated at $508,000. The estimated cost is $3,442,000.

Santa Ana River Basin

The project for flood protection on Lytle and Warm Creeks, San Bernardino County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 53, Eighty-ninth Congress, at an estimated cost of $9,750,000.

San Diego River Basin

The project for flood protection on San Diego River (Mission Valley), California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 212, Eighty-ninth Congress, at an estimated cost of $14,600,000, except that the Secretary of the Army is authorized to credit local interests against their required contribution to such project for any work done by such interests on such project after the date of enactment of this Act, if he approves such work as being in accordance with the project as otherwise authorized.

Columbia River Basin

The projects for the Lower Grande Ronde and Catherine Creek dams and reservoirs, Grande Ronde River and tributaries, Oregon, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 280, Eighty-ninth Congress, at an estimated cost of $20,440,000. The Chief of Engineers shall construct, operate, and maintain such projects.

The project for flood protection on Willow Creek, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 233, Eighty-ninth Congress, at an estimated cost of $6,680,000.

The project for acquisition of additional lands for waterfowl management at John Day lock and dam, Oregon and Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 28, Eighty-ninth Congress, at an estimated cost of $706,000, except that the parcels of land, in Oregon, between the Columbia River and the management area boundary within sections 3, 4, 10, and 11 of township 4 north, range 25 east, Willamette meridian, as shown on plate 1 of Senate Document Numbered 28, Eighty-ninth Congress, estimated at 611.02 acres, shall not be part of the management area, and the Secretary of the Army is authorized to purchase such additional lands in sections 22, 27, 29, and 30, township 5 north, range 26 east, Willamette meridian, outside the present indicated management area boundary on plate 1, as he determines necessary to replace the lands so excluded.

SEC. 205. That the flood control project for the Scioto River, Ohio, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the construction of the local protection works at Chillicothe, Ohio, at such time as the reservoirs on Alum, Mill, Big Darby, and Deer Creeks are under construction. In the event the Mill Creek and Alum Creek Reservoirs are constructed by an agency other than the Federal Government, the Federal Government shall not construct such local protection works at Chillicothe, Ohio, until said agency shall furnish assurances satisfactory to the Secretary of the Army that (1) it will provide flood control storage in those reservoirs equivalent to that proposed for the Federal reservoir projects, as authorized by the Flood Control Act of 1962, in accordance with the plan set forth in House Document Numbered 587, Eighty-seventh Congress, and (2) that such reservoirs shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army.

SEC. 206. (a) That the Secretary of the Army is hereby authorized and directed to prepare under the direction of the Chief of Engineers, a comprehensive plan for the development and efficient utilization of the water and related resources of the region drained by streams which discharge, within the State of Michigan, into the Saint Clair River, Lake Saint Clair, the Detroit River and Lake Erie. Such plan may provide for importation of water from points not located within the region as defined above.

(b) Said comprehensive plan shall be designed to meet the long-range needs of the region for protection against floods, wise use of flood plain lands, improvement of navigation facilities, water supplies for industrial and municipal purposes, outdoor recreational facilities, the enhancement and control of water quality, and related purposes; all with a view to encouraging and supporting the optimum long-rang economic development of the region and enhancing the welfare of its people.

SEC. 207. That the project for flood protection on the Minnesota River at Mankato and North Mankato, Minnesota, authorized in section 203 of the Flood Control Act of 1958 (Public Law 85-500, 72 Stat. 297) is hereby modified to authorize the Secretary of the Army to credit local interests against their required contribution to such project for any work done by such interests on such project after April 1, 1965, if he approves such work as being in accordance with such project as authorized.

SEC. 208. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the localities specifically named in this section. After the regular or formal reports made on any survey authorized by this section are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions.

Watersheds of streams in the North Atlantic region draining northward in New York toward the Saint Lawrence River below the international boundary and draining directly into the Atlantic Ocean above the Virginia-North Carolina State line with respect to a framework plan for developing the water resources of the region.

All streams flowing into the sounds of North Carolina between Cape Lookout and the Virginia line except those portions of the Neuse, Pamlico, and Roanoke Rivers above the estuarine reaches.

Watersheds of streams in the South Atlantic region draining directly to the Atlantic Ocean below the Virginia-North Carolina State line and draining directly into the Gulf of Mexico east of Lake Pontchartrain with respect to a framework plan for developing the water resources of the region.

The Rio Grande and its tributaries with respect to a framework plan for flood control and other purposes.

Watersheds of streams, washes, lakes, and their tributaries, which drain areas of the great basin region of Oregon, California, Nevada, Utah, Idaho, and Wyoming with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries above Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries below Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

Watersheds of streams in the Pacific Northwest region which drain directly into the Pacific Ocean along the coastlines of Washington and Oregon with respect to a framework plan for developing the water resources of the region.

Watersheds of streams in California which drain directly into the Pacific Ocean and of streams, washes, lakes, and their tributaries, which drain areas in the eastern portion of the California region with respect to a framework plan for developing the water resources of the region.

Kaneohe-Kailua area, Oahu, Hawaii.

Terrebonne Parish, Louisiana (water supply).

Boyer River, Iowa.

Keokuk, Iowa.

Mississippi River, north of Dubuque, Iowa.

Black Hawk Creek, Iowa.

Mount Vernon, Indiana.

Orange Lake Basin, Florida.

Mayfield Creek, Kentucky.

Hatchie River and Tributaries, Tennessee and Mississippi.

Spoon River, Illinois.

Grand (Neosho) River, Oklahoma and Kansas (including navigation).

Verdigris River, Kansas.

Verdigris River, Oklahoma and Kansas (including navigation).

Arkansas River and tributaries at and above Tulsa, Oklahoma.

Sanderson, Texas.

Abbeville, South Carolina.

All streams which drain directly to Pacific Ocean from San Mateo County, California.

Big Mineral Creek, Texas, particularly with reference to construction of a highway bridge.

Irondequoit Creek, New York, and tributaries, including Allens Creek, New York.

Coasts of Washington, Oregon, and California to determine advisability of protection work against storm and tidal waves.

SEC. 209. Notwithstanding the first proviso in section 201 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes", approved May 17, 1950 (64 Stat. 163), the authorization in section 204 of such Act of projects for local protection on the Yakima River at Ellensburg, Washington, shall expire on June 10, 1970, unless local interests shall before such date furnish assurances satisfactory to the Secretary of the Army that the required local cooperation in such project will be furnished.

SEC. 210. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to replace the roads described and set forth in the provisions of their contract numbered DA-41-443-eng-939 with Hill County, Texas, which are subject to flooding; such roads being a part of the Whitney Dam and Reservoir project, Whitney, Texas, authorized by the Flood Control Act of December 22, 1944, at an estimated cost of $130,000.

SEC. 211. (a) The Secretary of the Army is authorized and directed to convey to the Tennessee Society for Crippled Children and Adults, Incorporated, subject to the provisions of this section, all of the right, title, and interest of the United States in and to that portion of the tract of land lying above elevation 454 feet mean sea level now occupied by such Society at the Old Hickory lock and dam, Cumberland River, Tennessee, under a lease executed by the Secretary of the Army and dated February 10, 1958.

(b) The conveyance authorized by this section shall be made upon payment to the United States of the fair market value of the property as determined by the Secretary of the Army, and upon such terms, conditions, reservations, and restrictions as he shall deem necessary to protect the interests of the United States. In determining the fair market value of the property, the Secretary shall exclude the value of any improvements made by or at the expense of the Tennessee Society for Crippled Children and Adults, Incorporated.

(c) The cost of any surveys necessary as an incident of the conveyance authorized by this section shall be borne by the Tennessee Society for Crippled Children and Adults, Incorporated.

(d) Title to the property authorized to be conveyed by this section shall revert to the United States, which shall have the right of immediate entry thereon, if the Tennessee Society for Crippled Children and Adults, Incorporated, shall ever cease to use such property for recreation and camping purposes.

SEC. 212. The authorized Justice Reservoir on the Guyandot River, West Virginia, hereafter shall be known and designated as the R. D. Bailey Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which the authorized Justice Reservoir is referred to shall be held to refer to such reservoir as the R. D. Bailey Reservoir.

SEC. 213. In recognition of the flood control accomplishments of the water resource project proposed to be constructed on Calispell Creek, Washington, by the Pend Oreille County Public Utility District Number One, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such project and the amount of such contribution shall be determined by the Secretary of the Army, subject to a finding by him approved by the President, of economic justification for allocation of the amount of flood control, such funds to be administered by the Secretary of the Army. Prior to making the monetary contribution or any part thereof, the Secretary of the Army and the Pend Oreille County Public Utility District Number One, shall have entered into an agreement providing for operation of the proposed project in such manner as will produce the flood control benefits upon which the monetary contribution is predicated, and such operation of the project for flood control shall be in accordance with rules prescribed by the Secretary of the Army pursuant to the provisions of section 7 of the Flood Control Act of 1944 (58 Stat. 890). Unless construction of the project is undertaken within three years from the date of enactment of this section, the authority for the monetary contribution contained herein shall expire.

SEC. 214. The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with the State of New York, political subdivisions thereof, and appropriate agencies and instrumentalities thereof, and with other departments, agencies, and instrumentalities of the United States, in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins within the State of New York, and to submit to Congress reports and recommendations with respect to appropriate participation by the Department of the Army in carrying out such plans.

SEC. 215. The Act entitled "An Act to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities at reservoir areas", approved September 14, 1961 (75 Stat. 509), is hereby amended by striking out "before November 1, 1956,".

SEC. 216. The Secretary of the Army is hereby authorized and directed to cause to be made, under the direction of the Chief of Engineers, an investigation and study of San Francisco Bay, California, including San Pablo Bay, Suisun Bay, and other adjacent bays and tributaries thereto, with a view toward determining the feasibility of, and extent of Federal interest in, measures for waste disposal and water quality control and allied purposes.

SEC. 217. The Secretary of the Army shall pay to any bona fide lessee or permittee owning improvements, which are or which were totally situated or partially situated on a railroad right-of-way, the fair value of such improvements, which have been or will be rendered inoperative or be otherwise adversely affected by the construction of the Milford Dam and Reservoir project on the Republican River, Kansas, as determined by the Secretary, or by the United States District Court for the District of Kansas on which is conferred jurisdiction for this purpose. In no case shall the owner of such improvements receive dual compensation for any part of said improvements as a result of this section or otherwise. The Secretary of the Army is authorized to provide the funds necessary to carry out the provisions of this section from any moneys appropriated for the construction of the Milford Dam and Reservoir project.

SEC. 218. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the years 1965 and 1966 along the banks of the Eel River, California, to deter recurrence of damage to such banks by floods or high waters, but such reimbursement shall not exceed $3,000,000.

SEC. 219. The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to accept orders from other Federal departments and agencies for work or services and to perform all or any part of such work or services by contract.

SEC. 220. Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking out "$1,000,000" and inserting in lieu thereof "$2,500,000".

SEC. 221. The Joanna Dam proposed for construction at or near mile 63 of the Salt River near Joanna, Missouri, and the Joanna Reservoir to be created by such dam, authorized to be constructed by section 203 of the Flood Control Act of 1962 (76 Stat. 1180), shall be known and designated hereafter as the Clarence Cannon Dam and Reservoir. Any law, regulation, map, document, or record of the United States in which such dam and reservoir are referred to as the Joanna Dam and Reservoir shall be held to refer to such dam and reservoir as the Clarence Cannon Dam and Reservoir.

SEC. 222. Title II of this Act may be cited as the "Flood Control Act of 1965".

TITLE III—RIVERS AND HARBORS

SEC. 301. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated. The provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full.

Navigation

Weymouth-Fore and Town Rivers, Boston Harbor, Massachusetts: House Document Numbered 247, Eighty-eighth Congress, at an estimated cost of $12,500,000;

Providence River and Harbor, Rhode Island: Senate Document Numbered 93, Eighty-eighth Congress, at an estimated cost of $13,900,000;

Rondout Harbor, New York: House Document Numbered 288, Eighty-ninth Congress, at an estimated cost of $20,000;

New York and New Jersey Channels-Entrance to Kill Van Kull from Upper New York Bay: House Document Numbered 108, Eighty-ninth Congress, at an estimated cost of $2,581,000;

New York Harbor, New York (Anchorage Areas): Senate Document Numbered 17, Eighty-ninth Congress, at an estimated cost of $44,852,000;

Shrewsbury River, New Jersey: House Document Numbered 274, Eighty-ninth Congress, at an estimated cost of $4,090,000;

Tred Avon River, Talbot County, Maryland: House Document Numbered 225, Eighty-ninth Congress, at an estimated cost of $323,000;

Potomac and Anacostia Rivers—Removal of Drift in the Washington Metropolitan Area: House Document Numbered 286, Eighty-ninth Congress, maintenance;

Channel to Newport News and Norfolk Harbor, Hampton Roads, Virginia: House Document Numbered 143, Eighty-ninth Congress, at an estimated cost of $7,095,000;

Channel to Newport News, Norfolk Harbor, and Thimble Shoal Channel, Virginia: House Document Numbered 187, Eighty-ninth Congress, at an estimated cost of $25,600,000;

Hampton Creek, Virginia: House Document Numbered 201, Eighty-ninth Congress, modification of items of local cooperation;

Cape Fear River, North Carolina: House Document Numbered 252, Eighty-ninth Congress, at an estimated cost of $1,510,000;

Savannah Harbor, Georgia: House Documents Numbered 226 and 263, Eighty-ninth Congress, at an estimated cost of $13,569,000. The plan recommended by the Chief of Engineers in House Document Numbered 263, Eighty-ninth Congress, shall include facilities to mitigate damages to presently improved areas southeast of the Savannah Wildlife Refuge at an estimated additional cost of $40,000. The Chief of Engineers may include additional facilities to mitigate damages to additional lands southeast of the Savannah Wildlife Refuge if he determines them to be necessary and justified, at an estimated additional cost of $60,000. All such facilities to mitigate damages shall be maintained by local interests.

Jacksonville Harbor, Florida: House Document Numbered 214, Eighty-ninth Congress, at an estimated cost of $8,484,000;

Ponce de Leon Inlet, Florida: House Document Numbered 74, Eighty-ninth Congress, at an estimated cost of $1,104,000;

Broward County and Hillsboro Inlet, Florida: House Document Numbered 91, Eighty-ninth Congress, at an estimated cost of $1,093,000;

East Pass Channel From the Gulf of Mexico into Choctawhatchee Bay, Florida: House Document Numbered 194, Eighty-eighth Congress, at an estimated cost of $1,151,000;

Perdido Pass Channel, Alabama: Senate Document Numbered 94, Eighty-eighth Congress, at an estimated cost of $625,000;

Bayou La Batre, Alabama: House Document Numbered 327, Eighty-eighth Congress, at an estimated cost of $262,000;

Mermentau River, Louisiana: House Document Numbered 239, Eighty-ninth Congress, at an estimated cost of $2,690,000;

Alpena Harbor, Michigan: House Document Numbered 151, Eighty-eighth Congress, at an estimated cost of $806,000. In order to compensate for existing low water levels in Lake Huron, an additional increment of one foot in channel depth is hereby authorized;

Frankfort Harbor, Michigan: Senate Document Numbered 16, Eighty-ninth Congress, at an estimated cost of $237,000;

Lexington Harbor, Michigan: House Document Numbered 301, Eighty-eighth Congress, at an estimated cost of $570,000, except that the modified recommendations of the Chief of Engineers and the Secretary of the Army, contained in letter of April 5, 1965, from the Department of the Army to the Committee on Public Works of the United States Senate, shall apply with respect to recreational fishing facilities on the main breakwater;

Saginaw River, Michigan: House Document Numbered 240, Eighty-ninth Congress, at an estimated cost of $437,000;

Cedar River Harbor, Michigan: House Document Numbered 248, Eighty-ninth Congress, at an estimated cost of $664,000;

Ashtabula Harbor, Ohio: House Document Numbered 269, Eighty-ninth Congress, at an estimated cost of $1,840,000;

Rocky River Harbor, Ohio: House Document Numbered 352, Eighty-eighth Congress, at an estimated cost of $235,000;

The project for Lorain Harbor, Ohio, authorized in section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 480) is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct a steel bulkhead at cut numbered 1. Local interests shall contribute to the cost of the project an amount equal to the value of the land on the date of the original authorization of this project that would have been required for cut numbered 1, but for this modification.

West Harbor, Ohio: House Document Numbered 245, Eighty-eighth Congress, at an estimated cost of $544,000;

Indiana Harbor, Indiana: House Document Numbered 227, Eighty-ninth Congress, at an estimated cost of $96,000;

Burns Waterway Harbor, Indiana: House Document Numbered 160, Eighty-eighth Congress, at an estimated cost of $25,000,000. In view of the willingness of the State of Indiana to construct, maintain, and operate a deep-draft public harbor in that vicinity, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such a harbor according to a design agreed upon by the Secretary of the Army and the State of Indiana, subject to the following conditions: (1) The amount of such contribution shall be determined by the Secretary of the Army, in cooperation with the State of Indiana, and approved by the President; (2) such amount shall not exceed the cost to the United States of constructing an equivalent Federal harbor at the same site; (3) prior to the time that the monetary contribution, or any part thereof, is made available to the State of Indiana the Secretary of the Army and the State of Indiana shall have entered into an agreement providing for the operation of the harbor essentially as it would be operated by the Secretary of the Army had it been constructed as a Federal harbor; (4) no fees or tolls shall be charged for entrance to the outer harbor; (5) any other fees or charges collected by the State of Indiana shall not be used to cover any part of the contribution made by the Federal Government under this Act; (6) any funds appropriated under this authorization shall be administered by the Secretary of the Army and made available to the State of Indiana over the period of construction in proportion to the proposed annual expenditures of the State for construction of the outer harbor; and (7) at least sixty days prior to the date on which the Secretary of the Army makes available to the State of Indiana the initial installment of the monetary contribution authorized by this Act, he shall submit to the Committees on Public Works of the Senate and the House of Representatives a letter report setting forth the basis for his determination under clause (1) above. Unless construction of the harbor is initiated within five years from the date of the enactment of this Act, the authority for the monetary contribution contained in this paragraph shall expire. Neither this paragraph nor the construction authorized by this paragraph shall adversely affect or otherwise prejudice the establishment of all or any part of the Indiana dunes as a national lakeshore.

Chocolate Bayou, Texas: House Document Numbered 217, Eighty-ninth Congress, at an estimated cost of $1,254,000;

Houston Ship Channel (Greens Bayou), Texas: House Document Numbered 257, Eighty-ninth Congress, at an estimated cost of $470,000;

Trinity River and tributaries, Texas: House Document Numbered 276, Eighty-ninth Congress, including navigation, except that the recommendations of the Board of Engineers for Rivers and Harbors, dated March 14, 1963, shall apply, and there is hereby authorized $83,000,000 for initiation and partial accomplishment of the project.

San Francisco Bay to Stockton, California: House Document Numbered 208, Eighty-ninth Congress, at an estimated cost of $46,853,000. The works for wavewash protection within the limits of the modified San Joaquin River navigation project shall be repaired or restored by the United States as determined to be necessary by the Secretary of the Army over the life of the project.

Crescent City Harbor, California: House Document Numbered 264, Eighty-ninth Congress, at an estimated cost of $1,980,000;

Bodega Bay, California: House Document Numbered 106, Eighty-ninth Congress, at an estimated cost of $853,000;

Port San Luis, San Luis Obispo Harbor, California: House Document Numbered 148, Eighty-eighth Congress, at an estimated cost of $6,360,000;

Oceanside Harbor, California: House Document Numbered 76, Eighty-ninth Congress, maintenance. The Secretary of the Army is authorized to reimburse local interests for any work done by such interests on such project after August 1, 1965, if he approves such work as being in accordance with the project as otherwise authorized.

Port Orford, Oregon: Senate Document Numbered 62, Eighty-eighth Congress, at an estimated cost of $696,000;

Chetco River, Oregon: Senate Document Numbered 21, Eighty-ninth Congress, at an estimated cost of $1,308,000;

Tillamook Bay and Bar, Oregon: Senate Document Numbered 43, Eighty-ninth Congress, at an estimated cost of $9,000,000;

Edmonds Harbor, Washington: House Document Numbered 147, Eighty-eighth Congress, maintenance;

Coasts of the Hawaiian Islands, harbors for light-draft vessels, Hawaii: House Document Numbered 353, Eighty-eighth Congress, at an estimated cost of $4,737,000;

Honokahau Harbor, Hawaii: House Document Numbered 68, Eighty-ninth Congress, at an estimated cost of $680,000;

Honolulu Harbor and Barbers Point Harbor, Oahu, Hawaii: House Document Numbered 93, Eighty-ninth Congress, at an estimated cost of $9,928,000;

Kawaihae Harbor, Hawaii: House Document Numbered 75, Eighty-ninth Congress, at an estimated cost of $2,291,000;

Beach erosion

Cliff Walk, Newport, Rhode Island: House Document Numbered 228, Eighty-ninth Congress, at an estimated cost of $340,000;

Perth Amboy, New Jersey: House Document Numbered 186, Eighty-ninth Congress, at an estimated cost of $82,000;

Atlantic City, New Jersey: House Document Numbered 325, Eighty-eighth Congress, periodic nourishment;

Hunting Island Beach, South Carolina: House Document Numbered 323, Eighty-eighth Congress, at an estimated cost of $319,000;

Duval County, Florida: House Document Numbered 273, Eighty-ninth Congress, at an estimated cost of $2,266,000;

Fort Pierce, Florida: House Document Numbered 84, Eighty-ninth Congress, at an estimated cost of $220,000;

Evanston, Illinois: House Document Numbered 159, Eighty-ninth Congress, at an estimated cost of $392,000;

Haleiwa Beach, Oahu, Hawaii: House Document Numbered 107, Eighty-ninth Congress, at an estimated cost of $572,000;

Waikiki Beach, Hawaii: House Document Numbered 104, Eighty-ninth Congress, at an estimated cost of $2,490,000.

Sec. 302. Section 104 of the River and Harbor Act of 1958 (72 Stat. 297, 300), as amended by section 104 of the River and Harbor Act of 1962 (76 Stat. 1173, 1180), is hereby further amended to read as follows:

"Sec. 104. (a) There is hereby authorized a comprehensive program to provide for control and progressive eradication of water-hyacinth, alligatorweed, Eurasion watermilfoil, and other obnoxious aquatic plant growths, from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army, in cooperation with other Federal and State agencies. Local interests shall agree to hold and save the United States free from claims that may occur from control operations and to participate to the extent of 30 per centum of the cost of such operations. Costs for research and planning undertaken pursuant to the authorities of this section shall be borne fully by the Federal Government.

"(b) There are authorized to be appropriated such amounts, not in excess of $5,000,000 annually, as may be necessary to carry out the provisions of this section. Any such funds employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based upon the urgency and need of each area, and the availability of local funds."

Sec. 303. The consent of Congress is hereby granted for the purposes of section 9 of the Act of March 3, 1899 (33 U.S.C. 401), to the State of Pennsylvania, to construct a dam on the Susquehanna River, downstream from the Bainbridge Street Bridge at Sunbury, Pennsylvania.

Sec. 304. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

Jonesport Harbor, Maine.

Blue Hill Harbor, Maine.

Great and Little Bays and their tributaries, New Hampshire, and adjoining tributaries of the Piscataqua River, New Hampshire and Maine, with a view to determining the advisability of providing improvements in the interest of navigation and allied purposes.

Popponesset Bay, Massachusetts.

Niagara River, New York, with respect to nature and extent of measures necessary to preserve and enhance the scenic beauty of the American Falls.

Great Lakes and Saint Lawrence Seaway: Investigation and study of means of extending the navigation season on the waterways at an estimated cost not to exceed $75,000. Report to include a full and complete investigation and study of waterway deicing systems, including a review of any previous pertinent reports by the Department of the Army, any available information from any of the other departments of the Government, and waterway deicing methods in use by private concerns and foreign governments, for the purpose of determining the practicability, means, and economic justification for extending the navigation season on the Great Lakes (including connecting channels and harbors) and the Saint Lawrence Seaway by eliminating ice conditions to the extent possible. The Chief of Engineers may submit such interim reports as may be deemed advisable, and shall submit his final reports, together with his recommendations for such legislation and administrative actions as he may deem advisable, not later than two years after funds are made available for the study.

Lake Dauterive and Chareton Floodgate, Louisiana.

Dickinson Bayou, Texas.

Manchester Harbor, Washington.

Gulfport Harbor, Mississippi.

Calumet River, Illinois.

Gulf Intracoastal Waterway, from about mile 29 West of Harvey Lock to U.S. Highway No. 90 in vicinity of Boutte, Louisiana.

Intracoastal Waterway from the Caloosahatchee River to the Withlacoochee River, Florida, with a view to determining the advisability of modifying the project, with particular reference to provision for a side channel or connecting channel improvement through Cross Bayou to Old Tampa Bay, in the vicinity of Howard Frankland Bridge, for navigation, flood control, and related purposes.

San Francisco County, California (beach erosion).

Lake Michigan Shoreline, Milwaukee County, Michigan (beach erosion).

Indian River County, Florida (beach erosion).

Marquette County, Michigan.

Sec. 305. The first proviso in the paragraph which begins "James River, Virginia:" in section 101 of the River and Harbor Act of 1962 (Public Law 87–874) is amended by striking out "after a period of five years from the date of approval of this Act unless the Governor of Virginia has endorsed the project within that time" and inserting in lieu thereof "October 23, 1971, unless the Governor of Virginia has endorsed the project by that date".

Sec. 306. Section 107 of the River and Harbor Act of 1948 (62 Stat. 1174) is amended by striking out "$5,000" and inserting in lieu thereof "$22,000".

Sec. 307. That portion of the East River, in New York County, State of New York, lying between the south line of East Seventeenth Street, extended eastwardly, the United States pierhead line as it existed on July 1, 1965, and the south line of East Thirtieth Street, extended eastwardly, is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States.

Sec. 308. The old channel of the River Raisin in Monroe County, Michigan, lying between the Monroe Harbor range front light and Raisin Point, its entrance into Lake Erie, is declared to be not a navigable stream of the United States within the meaning of the Constitution and the laws of the United States, and the consent of Congress is hereby given for the filling in of the old channel by the riparian owners on such channel.

Sec. 309. Section 111 of the River and Harbor Act of 1958 (72 Stat. 303) is amended to read as follows:

"Sec. 111. Whenever, during the construction or reconstruction of any navigation, flood control, or related water development project under the direction of the Secretary of the Army, the Chief of Engineers determines that any structure or facility owned by an agency of government and utilized in the performance of a governmental function should be protected, altered, reconstructed, relocated, or replaced to meet the requirements of navigation or flood control, or both; or to preserve the safety or integrity of such facility when its safety or usefulness is determined by the Chief of Engineers to be adversely affected or threatened by the project, the Chief of Engineers may, if he deems such action to be in the public interest, enter into a contract providing for (1) the payment from appropriations made for the construction or maintenance of such project, of the reasonable cost of replacing, relocating, or reconstructing such facility to such standard as he deems reasonable but not to exceed the minimum standard of the State or political subdivision for the same type of facility involved, except that if the existing facility exceeds the minimum standard of the State or political subdivision, the Chief of Engineers may provide a facility of comparable standard, or (2) the payment of a lump sum representing the estimated reasonable cost thereof. This section shall not be construed as modifying any existing or future requirement of local cooperation, or as indicating a policy that local interests shall not hereafter be required to assume costs of modifying such facilities. The provisions of this section may be applied to projects hereafter authorized and to those heretofore authorized but not completed as of July 3, 1958, and notwithstanding the navigation servitude vested in the United States, they may be applied to such structures or facilities occupying the beds of navigable waters of the United States."

Sec. 310. (a)(1) Subsection (a) of section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended by striking out "$2,000,000" and inserting in lieu thereof "$10,000,000".

(2) Subsection (b) of such section 107 is amended by striking out "$200,000" and inserting in lieu thereof "$500,000".

(b) Section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946, as amended (33 U.S.C. 426g), is amended (1) by striking out "$3,000,000" and inserting in lieu thereof "$10,000,000", and (2) by striking out "$400,000" and inserting in lieu thereof "$500,000".

(c) The amendments made by this section shall not apply to any project under contract for construction on the date of the enactment of this Act.

Sec. 311. The project for Calumet Harbor and River, Illinois and Indiana, as authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), is modified in order to authorize the Chief of Engineers, under the direction of the Secretary of the Army, to provide at Federal cost (1) such protection for the Elgin, Joliet, and Eastern Railway bridge over the Calumet River, Chicago, Illinois, as is necessary to permit dredging of the full width of the south draw to the depth of twenty-seven feet, (2) such temporary protection for the center pier and the south abutment of the New York, Chicago, and Saint Louis Railroad bridge (Nickel Plate) as is necessary to permit dredging of the full width of the south bridge draw to the depth of twenty-seven feet prior to its replacement, and (3) such modification of the channel limits as is necessary to insure full use of each such draw.

Sec. 312. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a complete investigation and study of water utilization and control of the Chesapeake Bay Basin, including the waters of the Baltimore Harbor and including, but not limited to, the following: navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation. In order to carry out the purposes of this section, the Secretary, acting through the Chief of Engineers, shall construct, operate, and maintain in the State of Maryland a hydraulic model of the Chesapeake Bay Basin and associated technical center. Such model and center may be utilized, subject to such terms and conditions as the Secretary deems necessary, by any department, agency, or instrumentality of the Federal Government or of the States of Maryland, Virginia, and Pennsylvania, in connection with any research, investigation, or study being carried on by them of any aspect of the Chesapeake Bay Basin. The study authorized by this section shall be given priority.

(b) There is authorized to be appropriated not to exceed $8,500,000 to carry out this section.

SEC. 313. (a) The Act approved December 21, 1944 (58 Stat. 846), authorizing the City of Clinton Bridge Commission to acquire, construct, maintain, and operate a bridge or bridges, including approaches thereto, across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Illinois, is hereby revived and reenacted. This section (including the amendments made by this section) shall be null and void insofar as it authorizes the construction of a bridge or bridges unless actual construction thereof be commenced within three years and completed within five years from the date of the enactment of this section.

(b) Section 5 of such Act is amended to read as follows:

"SEC. 5. (a) The commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge, or bridges as may be acquired, reconstructed, or constructed, as herein provided, and approaches (including the approach highways, which, in the judgment of the commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connections with existing improved highways) and the necessary land easements and appurtenances thereto, by an issue or issues of negotiable bonds of the commission, bearing interest, payable semiannually, at the rate of not more than 6 per centum per annum, the principal and interest of which bonds shall be payable solely from the funds provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registrable as to principal alone or both principal and interest, shall be payable as to principal within not to exceed twenty-five years from the date thereof, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the commission may determine, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired or constructed, and approaches and the land easements, and appurtenances used in connection therewith, when added to any other funds made available to the commission for the use of said purposes. The commission may reserve the right to redeem any or all of said bonds before maturity in such manner and at such price or prices not exceeding 105 and accrued interest as may be fixed by the commission prior to the issuance of the bonds. Subject to the provisions of any prior contracts or obligations the commission may disburse any available bridge revenues or other funds or borrow money and issue its negotiable interest-bearing notes in evidence thereof to defray the cost of designing, engineering, and planning a new bridge or bridges under this Act and acquire lands for the location and approaches thereto, provided that all notes evidencing the funds so borrowed, if not previously paid from such bridge revenues, shall be repaid from the proceeds of the bonds of the commission when issued for account of such new bridge or bridges. In the event the commission issues notes as hereinbefore in this section provided and said notes have not been otherwise paid and a new bridge or bridges are not built, said notes shall be paid from revenues derived from the operation of any other bridge or bridges owned by the commission, subject to the obligation of payment of all outstanding indebtedness for which said revenues have been theretofore pledged. The commission when it deems it advisable may issue refunding bonds to refinance any outstanding bonds, and to pay any other indebtedness of the commission, at maturity or before maturity when called for redemption, and may include, as a part of an issue of bonds to provide for the cost of a bridge to be constructed under this Act, sufficient additional bonds bearing interest at a rate or rates not exceeding 6 per centum per annum to refinance any outstanding bonds and notes at maturity or before maturity when called for redemption. The commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the commission in respect to the acquisition, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

"(b) Such bonds may be sold at not less than par after public advertisement for bids to be opened publicly at the time and place stated in such advertisement and at the price bid which will yield the greatest return to the commission for the bonds to be sold. Such advertisement for bids shall be published at least once each week for at least two consecutive weeks in a newspaper or financial journal having recognized circulation among bidders for bonds of the type and character offered. The price to be paid for the bridge or bridges acquired hereunder shall not exceed the reasonable value thereof as determined by the commission at the time of acquisition. The cost of the bridge to be constructed as provided herein, together with the approaches and approach highways, shall be deemed to include interest during construction of the bridge and for twelve months thereafter, and all engineering, legal, financing, architectural, traffic surveying, condemnation, and other expenses incident to the bridge and the acquisition of the necessary property, including the cost of acquiring existing franchises and riparian rights relating to the bridge, as well as the cost of abandonment or dismantlement of any existing bridge to be replaced thereby. If the proceeds of the bonds shall exceed the cost as finally determined, the excess shall be placed in the fund hereafter provided to pay the principal and interest of such bonds. Prior to the preparation of definitive bonds the commission may, under like restrictions, issue temporary bonds or may, under like restrictions, issue temporary bonds or interim certificates without coupons, of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery."

(c) Subsection (a) of section 8 of such Act of December 21, 1944, as amended, is amended by striking out "the bonds and interest," and inserting in lieu thereof: "the bonds, the notes issued under section 5 of this Act, and the interest,".

(d) The right to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 314. The Act entitled "An Act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois", approved July 26, 1956 (70 Stat. 669), as amended by the Act of April 27, 1962 (76 Stat. 59), is amended by inserting immediately after section 14 the following new section:

"SEC. 15. The Commission and its successors and assigns are authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois, subject to the provisions of this Act; except that the authority granted by this section shall cease and be null and void unless the actual construction of such bridge is commenced within three years and completed within five years from the date of enactment of this section."

SEC. 315. The Secretary of the Army shall transmit to the Committees on Public Works of the Senate and the House of Representatives not later than June 30, 1968, a suggested draft of legislation revising and codifying the general and permanent laws relating to civil works projects by the Corps of Engineers for navigation, beach erosion control, flood control, and related water resources development. The Secretary shall also submit a report explaining the proposed legislation, and making specific reference to each change in or omission of any provision of existing law.

SEC. 316. The Secretary of the Army, acting through the Chief of Engineers, shall make a study of the need for, and the feasibility of, the Federal Government reimbursing States, political subdivisions thereof, and other public entities, for expenditures incurred by them in connection with authorized projects for improvement of rivers and harbors and other waterways for navigation, flood control, hurricane protection, beach erosion control, and other water resources development purposes, to the extent that such expenditures are incurred after the initiation of the survey studies which form the basis for such authorized projects. The Secretary shall report to Congress, not later than January 31, 1967, the results of such study together with his recommendations in connection therewith.

SEC. 317. Title III of this Act may be cited as the "River and Harbor Act of 1965".

Mr. McNAMARA. Mr. President, I move that the Senate disagree to the amendment of the House and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. McGOVERN in the chair) appointed Mr. McNAMARA, Mr. RANDOLPH, Mr. MUSKIE, Mr. GRUENING, Mr. MOSS, Mr. COOPER, and Mr. FONG conferees on the part of the Senate.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 4, line 25, it is proposed to strike out "$1,170,000,000" and insert in lieu thereof "$878,000,000".

Mr. **MORSE.** Mr. President, on my amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **MORSE.** Mr. President, the amendment would reduce the amount to be appropriated for military assistance by 25 percent. It would reduce the appropriation from $1,170 million to $878 million. The amendment would leave to the discretion of the President the way in which he would apply the reduced amount.

I would be willing to apply to economic assistance the amount saved by a reduction of military assistance. That would mean that approximately $292 million additional would be available for economic assistance. I say to the administrators that $292 million for economic assistance would be worth billions in goodwill and understanding.

I hope that there will be a reduction in the wasteful, inefficient military aid program. Again, I merely cite and stand on the authority of the reports of the Comptroller General of the United States which, over the years, have been filed with the Senate, but which I fear too few Senators have read, although I bring them to the floor of the Senate each year.

I have presented other Comptroller General reports on the floor of the Senate each year and called them to the attention of the Senate. As I said in my speech last night, the reports this year measured over 24 inches high. Each report is the dimension of Time magazine so far as the size of the report is concerned. The reports contain devastating findings in regard to the inefficiency and waste and the cause of corruption in both our military and economic aid all around the world.

Most reports on military aid are marked "confidential" and "secret." We cannot make them available to the American people, who are entitled to know what is contained in the reports. However, under the rules I have been able in the last 2 years to read the titles of the reports. The titles will be found in the speeches that I made against foreign aid this year. All one has to do is to read the titles. Let me say that the contents of the reports bear out the titles. The titles indicate very clearly the great abuse that exists in connection with foreign aid.

The Comptroller General in testimony this year spoke of the serious criticism of the Comptroller General's findings in regard to the Defense Establishment in respect to the military foreign aid. All I ask is that we start to eliminate this great waste.

My proposal to reduce the military aid by 25 percent would not at all, in my judgment, weaken either the security of the United States or the security of any ally, real or potential.

Next year, when the foreign aid bill is before us, I hope that I shall be able in good conscience to recommend an increase in economic aid, not only by the dollar amounts that I am seeking to eliminate from military aid now, but also, if Congress would go along with an economic aid program—based not on a giveaway program, based not on a soft currency program to any degree, based not on a program that involves too high a percentage of grants—based upon an economic program related to hard loans dealing with economic projects that would help raise the economic standard of living of the people, and help the beneficiaries of those projects. I would be willing to vote $2 in that kind of economic aid for every dollar of savings that we make for the American taxpayer in military aid.

In my judgment our military aid is not helping to protect freedom. It is helping to spread communism in the world. If the $292 million is spent for military assistance, in my judgment it will buy the American people the equivalent of billions of ill will. It is time now for us to start the process of trimming military assistance at every opportunity.

If we were ever to begin to reduce these military appropriations and shift them to economic development purposes, I would still insist that new economic aid be handled on a better basis than is now the case. However, in case someone may not fully understand my amendment, my amendment bears no relationship whatever to any expenditures in South Vietnam. My amendment would leave it to the President to distribute the savings in military aid.

I well know, Mr. President, that if we continue this unconscionable war in South Vietnam, we shall have to appropriate hundreds of millions, and probably billions of dollars, in the next few years to give adequate protection by way of equipment and supplies to American boys who have been sent over there to fight, and many of them to die, in this undeclared war.

A few weeks ago in the debate on the defense appropriation budget, some Senators were raising the question, "I wonder what the senior Senator from Oregon is going to do now. It will be interesting, will it not, to see whether the senior Senator from Oregon will vote for this military appropriation bill." I answered those Senators who thought they were raising an embarrassing argument. I said that I would continue to do everything I could to try to get my country to change its ill-advised course of illegal warmaking in southeast Asia. However, as long as we are sending boys into Asia to die for a cause that I think we never should have started in the first place, I intend to vote for whatever appropriations are necessary to give them the maximum amount of protection. I intend to continue working as hard as I can, and later today I shall have some comments on a law memorandum, prepared by a group of American lawyers, which soundly criticizes—and sets forth the legal answers in support of its criticism—America's position in southeast Asia from the standpoint of our international law obligations.

Mr. President, I oppose the war in southeast Asia in the absence of a declaration of war until the President of the United States decides to get back inside the Constitution of the United States and decides that he has an obligation to live up to the obligations of the Constitution. Woodrow Wilson taught that lesson on the night of April 17, 1917, when he came before a joint session of the Congress and told Congress that he was without constitutional authority as a President of the United States to conduct a war in the absence of a declaration of war. Franklin Roosevelt taught the present President of the United States—if he would learn the lesson—when he came before a joint session of the Congress after Pearl Harbor and made it perfectly clear that, under the Constitution, the President of the United States is obligated to recommend a declaration of war before sending American boys to die in a war.

That has been my position as I have battled away on the floor of the Senate for more than 4 years for the substitution of a rule of law for the jungle law of the claw that my Government is applying in an undeclared war in southeast Asia.

Let me make it very clear that my amendment would not in any way affect the expenditure of funds in southeast Asia in the protection and defense of American boys. However, it would say to the President, "Mr. President, we think the military aid program contained in this bill is excessive, and we vote to reduce it by 25 percent; but we leave it up to you to make the decisions as to where the savings in military aid shall be made."

The interests of the United States demand that we stop arming the world against itself, that we start helping people to better their lives, and, finally, that we provide the help not on a dole basis, but on the basis of giving recipients a chance to be proud of their own effort toward self-help.

It was necessary for the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT] to leave the floor of the Senate momentarily because of official business elsewhere. If he were present, he would verify what I now say. I see the Senator from Idaho [Mr. CHURCH], and the Senator from Missouri [Mr. SYMINGTON], both of them members of the Committee on Foreign Relations, present on the floor.

The objectives of the amendment I am offering this afternoon were discussed at great length time and time again in the Committee on Foreign Relations during this session. For example, on April 1, 1965, the Committee on Foreign Relations, while considering a markup on the foreign aid bill, voted by a vote of 11 to 3 to cut the military aid section of the bill by $115 million.

The Pentagon went to work. We received calls from their top lobbyists, seeking to restore the $115 million.

An interesting discussion ensued. At a later meeting of the Foreign Relations Committee, a motion to reconsider was made. It was perfectly proper to make it. After a long discussion, the $115 million was restored, by a vote of 10 to 8. By a vote of 10 to 8, but with a considerable number of proxies used in getting the vote of 10 to restore it.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CHURCH. I am highly pleased that the Senator from Oregon has brought this matter up once again. He is quite right when he observes that the reversal of the committee's initial action, in this particular case, was brought about by the use of proxies from Senators who did not have the full benefit of the discussion that had preceded the first action taken by the committee.

The distinguished Senator from Oregon will remember that when the authorization bill came to the Senate, I attempted to amend the bill on the floor, as we had initially amended it in the committee, and that effort failed on a vote of 43 to 38, but only after a determined effort was made by the State Department and the Pentagon against the amendment.

The argument that was then made by those who favored the amendment had to do with the very matter that the senior Senator from Oregon has stressed on the floor this afternoon, namely, that to enlarge the military assistance program, as was proposed, could only mean that greater quantities of armaments would be given to countries which would not use the weapons as a shield against potential Communist aggression, but rather against one another. We have seen this happen in the recent war between India and Pakistan.

In the new issue of Newsweek magazine, we read of the first repercussions of our policy of arming India and Pakistan. It is apparent that the harvest will be bitter.

Newsweek quotes an Indian officer in the field, fresh from battle, saying:

> Everything we have captured is made in the U.S.A.—first-aid kits, sleeping bags, parachutes, weapons, bullets, and tanks.

Before we are finished, we shall find both India and Pakistan pointing to the United States as the scapegoat. I commend the Senator from Oregon for the effort he is making to cut back a program which, in the estimate of the senior Senator from Idaho, has done us damage in many parts of Asia, Africa, and Latin America. He knows that some of us on the committee have attempted to hold the line, to cut the program back, and to impose a reasonable ceiling on it; and it has always been a very frustrating fight, but a fight that must be made. If ever there was dramatic proof of the soundness of that fight, it was laid out upon the battlefields of Kashmir.

So I commend the Senator. I believe he has reviewed very well the situation in the Foreign Relations Committee. I thank him for his efforts in vindicating the position we took then and the position that we take again in the Senate this afternoon.

Mr. MORSE. Mr. President, I thank the Senator from Idaho for the position he has taken in support of this view. The RECORD should show that the senior Senator from Idaho, as much as any other Senator on the Foreign Relations Committee, has been out in front of the effort to cut military aid. Time and time again, the Senator from Idaho has offered amendments in the committee seeking to cut the military aid program. In debates on the Senate floor, when the foreign aid bill has been before us over the past several years, the senior Senator from Idaho has been among those offering amendments to cut the military aid part of the bill. He is very kind to commend me for my efforts. The Senator from Idaho has been one of my leaders on this matter, as we have joined forces in the Foreign Relations Committee, trying to bring what we considered to be reason to bear with regard to the military aid program.

I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I shall support the pending amendment, as I have suported the other amendments of the Senator from Oregon this afternoon. He is dead right in his effort to cut military aid to Latin America, India, Pakistan, Greece, Turkey, and southeast Asia, for the reasons so eloquently stated by the Senator from Oregon and the Senator from Idaho.

However, I wish the RECORD to show that I do not go along with the Senator in his efforts to cut economic aid. I believe the United States is serving its own best interests, as well as meeting a compassionate obligation as the greatest and richest country in the world, by maintaining a substantial economic aid program. I do not wish to get into an argument with my friend from Oregon, but I wish to state that I support him wholeheartedly in his military aid position.

Mr. MORSE. I thank the Senator from Pennsylvania very much. There is one difference between us as to economic aid; that is as to how we can improve it. I believe that we should be voting more money for economic aid. The Senator from Pennsylvania could carry me along, if he could be a little more successful in convincing the majority of the committee that we could do something about making economic aid more effective.

Mr. SYMINGTON. Will the Senator yield?

Mr. MORSE. I yield to my friend from Missouri.

Mr. SYMINGTON. First, I would commend the able senior Senator from Oregon for the conscientious and intensive analysis he has given the program in recent years. My interest in said program was aroused by his discussion in the past of the so-called soft loan window of the World Bank, the International Development Association. To my best recollection, the rationale presented for creating that soft loan window was that although not too much money was required in the future in Europe and Asia, considerable would be needed in South and Central America. As developed by the Senator from Oregon, 60 percent of all the aid in IDA loans the previous year had gone to India, and 80 percent had gone to India and Pakistan. Actually, only one loan, and that a relatively small one, went to a Caribbean country.

As a result, many of us voted against increasing the amount available to this soft loan window, IDA.

Then there is the soft loan window of the Inter-American Development Bank, the Social Progress Trust Fund.

And as I understand it, we are now planning to set up a new bank for the Far East. I hope this bank will not also have a soft loan window.

Mr. MORSE. Mr. President, I doubt if it will even be soft currency. It will probably be script or coupons.

Mr. SYMINGTON. That might well be the case. I back the apprehension of the able Senator from Oregon because the last great power left in the world capable of resisting totalitarianism lies in the American economy. In our way of life our physical strength can come only from economic strength.

For nearly 15 years, in every year since 1949 except 1957, we have run a heavy unfavorable balance-of-payments deficit. If this is not corrected, and corrected soon, the value of the dollar could be jeopardized.

If that should happen, in turn it could be the greatest single economic action against what is best for all free people.

Mr. MORSE. I thank the Senator from Missouri very much. As he knows, he has offered amendments and I have cosponsored his amendments to carry out his objectives, seeking to improve foreign aid from the standpoint of what mismanagement of foreign aid is doing to the whole balance-of-payments problem that confronts us.

Mr. SYMINGTON. I pay tribute—and I know the Senator from Oregon does also—to the able present Administrator, David Bell. The fact is, however, that personnel handling our foreign programs has grown in this century from under 100 to many thousands. As the Senate knows, I do not believe the State Department has given full and adequate recognition to the importance of training all this new personnel necessary to handle such vast programs.

That is another reason I join the Senator in his apprehension. But the chief reason to me is the growing problem of our monetary position.

Let me again commend him for the thorough work he has done in this field.

Mr. MORSE. The best way to give David Bell a hand is to change our policy on foreign aid so that he can administer a foreign aid program under a policy which is defensible.

I close by saying that if we are to have a military aid program, it should be greatly reduced under its present level. If we are to provide help, it should be provided not on a dole basis, but on the basis of giving the recipient country an opportunity to be proud of its own efforts toward self-help.

There should be a great reduction in the grant features of the military aid program. I do not believe that we should be helping to build up a military machine, or a program, in any country that is beyond the level its economy can support.

By following the course of action we are following in Greece and Turkey, Pakistan, India, and other countries, where we are pouring in aid beyond the ability of those countries to support it from their economic resources, we shall weaken their economic fabric. Instead of helping them, we shall be injuring them. We shall be playing into the hands of the leftist elements which are a constant threat to the survival of free governments in those parts of the world which we wish to sustain.

If a war comes, they will be able to fight only to the extent that the United States decides to pour billions more into their economies and defense establishments.

The way to sustain them is not by way of military aid, but the way to sustain them is to do something to help their people enjoy the fruits of economic freedom.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McGovern in the chair.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, needless to say, I am opposed to the pending amendment. One prime fault I find with it is, Why the $292 million figure? Why not make it easier for bookkeeping purposes and make the figure $300 or $400 million? Make it an even figure.

The rationality being used is that the percentage is 25 percent. Why 25 percent? Why not make it 30 percent? Why not make it 35 percent?

Vote against the whole program, if we wish to do so.

No Senator yearns more for peace than I do.

I have been a member of the Joint Committee on Atomic Energy since 1953, and I have followed all the discussions with Russia with reference to the Nuclear Test-Ban Treaty. I was one of those designated by President Kennedy to go to Moscow to witness the initialing of the Nuclear Test-Ban Treaty.

Mr. President, no Senator longs more than I for the day when we can convert all of our guns into plowshares. But, we live in a sorely troubled world. We live in a world where we are becoming more and more conscious of the fact that we cannot stand alone, that the responsibility is not ours alone, but that of many other friends and allies who have their own internal problems as well.

The figure that was submitted to Congress and attested to by the Chairman of the Joint Chiefs of Staff—men who are responsible for the security of this country—was $1,170 million. That is the figure which was given in the House, which was scrutinized and studied by the House, and finally came over to the Senate. The Senate held hearings on it day in and day out.

I must regretfully say that there were times in committee when I stood alone, almost as I stand alone on the floor of the Senate today.

I have often wondered why the chairman of the full committee chose me to be the Senator in charge of the foreign aid bill.

When I listen to the Senator from Oregon [Mr. Morse], whom I have admired and respected, and with whom I have stood shoulder to shoulder on many common problems, when I see my own colleagues such as the Senator from Pennsylvania and the Senator from Idaho falter by the wayside, I begin to wonder.

They must have picked me out because they figured I was so small a fall would not hurt me that much.

This is a thankless job, one might say. But, it is an important job.

The Senate is a body of 100 Senators. We can guess today and be wrong and take another guess tomorrow. But the man who sits in the White House has to be right the first time. He does not have a second guess. He is responsible for the security of the Nation. And today he is entrusted with the responsibility of insuring peace in the world. I am beginning to feel that there are some Senators who have an idea that the military assistance program is a Santa Claus program, a giveaway program. That is primarily where the misconception lies. Remember, for every gun that is shouldered by a Greek or a Turk or anyone else to whom we give military aid it means that an American boy does not have to go there.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GRUENING. Does the Senator apply this argment to the military aid that has been given to India and Pakistan? Does he think that is a worthy cause? Does he think it has worked out there? The aid was given to them to fight communism—Red China. Does the Senator approve that program as it has worked out in fact? Should we continue to give them such aid when they use it to fight each other? The only reason they have stopped fighting now is that we have temporarily withdrawn the military aid.

Mr. PASTORE. The Senator speaks as if the Kashmir problem was started by the Senator from Rhode Island. I have nothing to do with that problem. That problem has to do with the Moslems and the Hindus. But when we began to give aid to Pakistan after World War II under Harry Truman, and we continued it under Dwight Eisenhower, and under John F. Kennedy, and continued it under Lyndon Johnson, why did we do it? Because we wanted Pakistan to fight India? Of course not.

Mr. GRUENING. How has it worked? It has not.

Mr. PASTORE. Wait a minute. The Senator asked me a question. I will give him a full answer. If I am remiss in any way, the Senator may ask me another question.

We gave all this money to that country because we wanted to stop the onslaught of communism. I am saying to my distinguished friend from Alaska, Stop the military aid program and creeping communism will become galloping communism.

It is easy enough to stand here and condemn. I do not like the conflict. But does the Senator ever stop to think that it was the benevolence of the United States toward Ayub Khan, Shastri, and Nehru that made them listen and satisfy the demand of the United Nations, so that today we have a cease-fire in effect? If that result cost every single dollar we gave, it was worth the price. If the mood we inspired the other day and yesterday, which brought about a cease-fire and will cause the United Nations to bring about a negotiated peace in Vietnam, it will be worth every American dollar that has been spent.

Oh, yes, India did fight Pakistan. And who likes it? I do not like it. What did we do? We stopped giving them military assistance.

Mr. GRUENING. Correct at long last.

Mr. PASTORE. We stopped it. But the President has said—and do not forget, he cannot afford to be wrong—"Do not take the aces out of my deck now." That is what the Senator is suggesting today. He is taking the aces out of the deck and putting the jokers in.

Mr. GRUENING. I have not done that.

Mr. PASTORE. The Senator is trying to do it, when he votes "yea" on this amendment.

Mr. GRUENING. The Senator is quite mistaken.

Mr. PASTORE. That is a difference of opinion.

Mr. GRUENING. I will tell the Senator what I am going to propose when he is through.

Mr. PASTORE. That is a difference of opinion. I am saying to my colleagues that this is a meataxe cut. They did not analyze it. They merely said, "Knock off 25 percent. Let the President take it off where it pleases him. Let the President stay up until 12 o'clock, 1 o'clock, 2 o'clock, 5 o'clock, 6 o'clock, to figure out where he is going to take out the $292 million." They did not even make it easy for him by providing a $300 million cut. He would not have had to figure it so closely, because a $300 million cut would have been easier. So he has to figure out where he is going to cut the $292 million. Why? Because the Senator from Oregon has never agreed with the Vietnam policy, and has not agreed with the foreign aid program. He has a perfect right to disagree. Does not the Senator think I like an economic program better than I like a military assistance program? Does not the Senator believe that I, with three children, look forward to that bright day of peace? Of course I do. My boy's service time is on the verge now. His medical studies will be finished soon. There is nothing bellicose about me. Does the Senator think I am trying to promote the trafficking in arms by the United States of America? Of course not.

But we have a difficult task. We are living in a world in ferment. As I have said before, these problems have their genesis in a time before this country was a republic. Because those problems have not been straightened out overnight, some of us will not wait and work for the dawn of another day. But the Senator has one thing on his side. If he is wrong today, he can make another guess tomorrow. That is the privilege of a Senator. That is not the prerogative of the President, whether it be President Johnson, President Kennedy, President Truman, or President Eisenhower.

The bill was voted on from June 7 until June 14. This question was thrashed out. This is a warmed-over tune today. It is the same record. We play it over and over and over again. The Senator puts it in here, and it comes out there. It is the same old story.

I find no pleasure in this particular responsibility, the management of this bill. I do my duty, according to my good conscience, as well as I can. I did not even shed a tear when the bill was cut by $50 million. I thought, if that is the conscience of the Senate, let it be. When the Senate refused to cut $25 million, or 30 percent, from military assistance to Latin America, and that cut was rejected by two votes, I did not jump with joy. There was no occasion for it. Here we are. The decision is that of Senators. I have done my job as best I could. Now the Senator summarily tries to cut it 25 percent, and the only argument he has is this: Let the President sweat it out and worry where he is going to take it off. If we cut it down this much, the administration will have to do a better job.

If that is the way the Senator feels about it, why not cut it all out? If we cannot take the word of the Joint Chiefs of Staff, if we cannot take the word of the Commander in Chief, whose word are we going to take? To whom will the American people look? To whom will the free world look if the free world cannot look to the Chief Executive of the United States?

I am not saying or pretending for one moment that we should be a rubberstamp. But we have already acted on this matter. We did it several months ago. We went over all this in committee. Not a single Member of the Senate came before the committee to testify. They were saving their salvos for the floor. Now we are at the Rubicon. We either cross—or turn back from decision and destiny.

Mr. President, I yield back the remainder of my time.

Mr. GRUENING. Mr. President, I want to say that I have listened to the wonderful eloquence of my colleague, the Senator from Rhode Island, but I do not agree with what he said. He said we went through this months ago. But something happened only a few days ago. That was that the arms which we had been pouring into India and Pakistan for years to help them resist possible Chinese aggression were used to fight each other. We had been saying that they would do that, but we did not have the proof that this was being done until then. The lavish aid was not being used for the purposes intended. It is not being used to fight communism. It is being used to fight each other.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GRUENING. May I finish my statement?

Mr. PASTORE. Very well.

Mr. GRUENING. Right now, while we have been pouring in this money, Pakistan is steadily moving closer to Red China.

Is the Senator from Rhode Island prepared to face the fact that the situation has changed, and that if we temporarily cut down this program to see whether they behave themselves for the next year, if it seems advisable, it can and should be done?

As the distinguished senior Senator from Idaho [Mr. CHURCH], pointed out, the tanks, guns, sleeping bags, ammunition, equipment, and everything found on the field of battle in the tragic war between Indian and Pakistan, now suspended, was of American make.

Why did they stop fighting? It was not because we have been giving them aid, but because we suspended it. If we restore aid now they are likely to resume fighting.

Mr. PASTORE. The amount in the bill is $1,170 million. The Senator would cut it by 25 percent, not taking it from India or Pakistan, according to this amendment. The amendment that would have affected these two countries was rejected.

There is nothing in the bill that prohibits the President, the State Department, or the Military Establishment of this country from using the money for that purpose.

I say to the Senator that there would have been the Kashmir problem even if we had given no military assistance. We did not give them arms to fight over Kashmir. They might have been fighting with broomsticks.

Mr. GRUENING. That would have been better.

Mr. PASTORE. That is all right. But the fact is that if Peiping saw they had broomsticks they might have moved in and taken over. Where would we be if India were taken over by Red China? Does that not give the Senator concern? Of course it does. There are over 500 million people there. If we can save that country we are going to save it.

We shall have many aches and pains. Things are not always going to come out our way.

I am not condoning the fight between Pakistan and India. All I am saying is, thank God, as a result of the cease-fire, there may be a rule of benevolence for those people. It helped there and it may be that it will help in Vietnam.

That is all I am saying. I do not condone the fighting between Pakistan and India. The President made a strong plea that we not give this help and military assistance unless we are sure it is going for the peace of the world. He made that statement. I am willing to trust him.

We have not been giving them military aid or even economic relief since July. The only thing we gave was help under Public Law 480.

If a little economic aid at this point can bring about tranquility in that part of the world that is in ferment, with Red China grasping every chance she gets, does not the Senator think we have something to lose?

Does the Senator believe the Secretary of Defense is Santa Claus, giving this money away? Does the Senator think the four Presidents under whom we served want to give it away?

We are not satisfied with everything that has happened. But mankind is complex. With a little calmness and patience and little help, perhaps this program can save the world when it could have been destroyed by fire.

Mr. GRUENING. I have one word to say. This amendment is moderate. It cuts 25 percent from the overall amount.

The PRESIDING OFFICER. Will the Senator suspend while the Chair determines who yields time?

Mr. PASTORE. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 10 minutes remaining.

Mr. PASTORE. I yield 5 minutes to the Senator from Alaska.

Mr. GRUENING. I thank the Senator from Rhode Island. I do not need that much time.

Mr. PASTORE. The Senator may use whatever time he needs.

Mr. GRUENING. We have a far-flung military program of over $1 billion. All this amendment would do would be to reduce it by 25 percent, giving the President the opportunity to decide where the reduction should be made. It is easy for him to decide. He should withdraw military aid from India and Pakistan for a few months until it is clear that they are not going to resume their folly, and in Latin America where would-be dictators are attempting to overturn established governments.

Does not the Senator believe we in the Congress have something to say in this matter? Is it not about time that we stood up and be counted to show how we feel? Are we going to give a blanket endorsement to everything that comes from the Pentagon? I say, "No." It is time that we show we have an opinion, and that we object to continuing past follies.

Mr. MORSE. Mr. President, I shall use my remaining time.

I judge from the remarks of the Senator that he does not like the legislative process of the Senate because he is concerned and disturbed about the fact of having to meet the issue again in connection with the passage of the appropriation bill. After we go through all the process of passing an authorization bill, we go through the process of appropriation.

The Appropriations Committee has available to it the entire record that has been made in connection with the authorization bill.

If it is said that people have not come in to testify, the answer is that judicial notice can be taken of the fact that every member of the Appropriations Committee was well versed, on the basis of what had been submitted, on the authorization bill and the discussion of it, and what the criticisms of the military aid and economic aid programs were.

Let us not worry about the problem that would be presented to the President of the United States in making the reductions. The Senator from Alaska [Mr. GRUENING] has alluded to the aides that are available to the President. He has available to him also what the record shows to be the unconscionable and inexcusable waste of military aid in country after country. If he followed only the recommendations of our own Comptroller General, he could save much more than the 25 percent that is covered by the pending amendment.

The President of the United States has a responsibility, as the Commander in Chief, if Congress decides that we ought to cut back on military aid, to proceed to make the cut in accordance with the decision of Congress. That is our legislative process. It becomes the duty of the President of the United States.

Let us not worry about his problem in regard to it.

In my first speech this afternoon, and in other speeches I have made on foreign aid, I have already pointed out what is in the pipeline. We could cut 25 percent, the amount called for in my amendment, and we would still not spend in those countries what will be remaining in the pipeline.

As I said earlier, this has nothing to do with Vietnam.

The issue is whether the Senate at every point in the legislative process, when we are called upon to vote, will again consider the facts involved in this issue.

I cannot escape the conclusion, when listening to the Senator from Rhode Island, that he believes, once we vote on the authorization bill, that ought to be the end of it and that we should accept without question what comes to the Senate from the Appropriations Committee.

That is not our legislative process. We still retain—and sometimes I wonder how much—some check on the Appropriations Committee. However, after I have listened to some of the managers for various bills in the Senate, I wonder if we are not guility of some kind of wrong if we question the decision of the Appropriations Committee, and do not take it for granted when the Appropriations Committee brings to the floor of the Senate a bill and its report.

Lastly, Mr. President, we have all heard the representatives of the Appropriations Committee and some Foreign Relations Committee representatives, talk about the thankless job on the floor of the Senate of handling foreign aid authorization bills and foreign aid appropriation bills. I wonder if their moans and groans are not occasioned by the fact that they cannot defend the present AID program, they find little good to say for it, and that is why they consider it a thankless job.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. PASTORE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. GORE], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Minnesota [Mr. MONDALE], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. KENNEDY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. CURTIS], the Senator from Kansas [Mr. PEARSON], the Senator from Wyoming [Mr. SIMPSON], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 30, nays 56, as follows:

[No. 270 Leg.]

YEAS—30

Bayh
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Clark
Cotton
Douglas
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Hruska
Jordan, Idaho
Long, La.
McClellan
McGovern
Morse
Mundt
Nelson
Proxmire
Randolph
Robertson
Russell, Ga.
Symington
Talmadge
Young, Ohio

NAYS—56

Aiken
Allott
Bartlett
Bass
Boggs
Brewster
Cannon
Carlson
Case
Cooper
Dirksen
Dodd
Dominick
Eastland
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
McNamara
Metcalf
Miller
Monroney
Montoya
Morton
Moss
Murphy
Muskie
Neuberger
Pastore
Pell
Prouty
Ribicoff
Russell, S.C.
Smathers
Smith
Stennis
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—14

Anderson
Bennett
Curtis
Gore
Kennedy, N.Y.
McCarthy
McIntyre
Mondale
Pearson
Saltonstall
Scott
Simpson
Sparkman
Tower

So Mr. MORSE's amendment was rejected.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, I yield myself 30 seconds on the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 30 seconds.

FIFTY EXAMPLES OF AUTHORIZATIONS AND APPROPRIATIONS IN THE 89TH CONGRESS

Mr. DIRKSEN. Mr. President, the staff of the Senate Republican policy committee has prepared a sample list of 50 examples of estimated authorizations for appropriations, which either already have become law or are being considered, in this session of the Congress.

The examples give an estimated first year authorization, the number of years for a program or programs in the measure or law, and the estimated amount authorized for the total number of years. Of course, as bills follow the traditional course through committees, and action in the Senate and House and possible conference consideration, some figures may change, but in most cases not substantially.

The 50 examples, however, give a graphic account of the amount of money being authorized for possible future authorizations. In these 50 examples alone, I believe, the total is in excess of $112 billion. The staff deserves credit for pointing out these examples—without comment one way or the other—to show the direction in which we are moving. The list undoubtedly will be of considerable use to all Senators.

I ask unanimous consent the tabulation be printed at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD.

Fifty examples of estimated authorizations for appropriations

Example of legislation	Estimated costs		
	1st year	Years	Cumulative amount
1. Housing, rent subsidies, and urban development (Public Law 89-117)	$935,000,000	4	$7,400,000,000
2. Community health services and immunization (Public Law 89-109)	28,000,000	4	112,000,000
3. Rapid rail transit, Washington, D.C. (Public Law 89-173)	431,000,000	------	431,000,000
4. Poverty program expansion (H.R. 8283)	1,800,000,000	3	5,400,000,000
5. Federal aid to higher education (H.R. 9567)	672,000,000	5	4,700,000,000
6. Area redevelopment, public works acceleration (Public Law 89-136)	760,000,000	5	3,250,000,000
7. Community health, mental facilities, and staffing (Public Law 89-105)	45,000,000	4	235,000,000
8. Social security, medicare, and public assistance (Public Law 89-97)	6,500,000,000	5	32,500,000,000
9. Regional medical centers (S. 596)	50,000,000	4	650,000,000
10. Appalachia assistance (Public Law 89-4)	365,000,000	6	1,092,400,000
11. Water Resources Planning Act (Public Law 89-80)	11,700,000	10	117,000,000
12. Manpower development and training (Public Law 89-15)	454,000,000	4	1,810,000,000
13. Federal aid to elementary, secondary schools (Public Law 89-10)	1,340,000,000	5	6,600,000,000
14. Older Americans Act (Public Law 89-73)	6,500,000	5	49,000,000
15. High speed rail service research (S. 1588)	20,000,000	3	90,000,000
16. Military pay raise (Public Law 89-132)	1,040,000,000	5	5,240,145,000
17. Federal pay raise (H.R. 10281)	621,600,000	5	6,821,000,000
18. National Arts-Humanities Foundation (H.R. 9460)	20,000,000	3	60,000,000
19. Highway beautification (S. 2084)	160,000,000	2	320,000,000
20. State Technical Services Act (Public Law 89-182)	10,000,000	3	60,000,000
21. Rivers and harbors projects (S. 2300)	1,989,000,000	------	1,989,428,500
22. Peacetime GI cold war benefits (S. 9)	338,000,000	5	1,930,000,000
23. Water pollution control (S. 4)	170,000,000	4	380,000,000
24. Saline water (Public Law 89-118)	35,000,000	5	185,000,000
25. Air pollution (S. 306)	20,000,000	3	60,000,000
26. Additional cost of river basin projects (Public Law 89-42)	944,000,000	2	944,000,000
27. Pension increase for Federal employees (H.R. 8469)	101,900,000	5	559,500,000
28. Vocational rehabilitation programs (H.R. 8310)	$400,000,000	3	$1,414,250,000
29. Health professions education (H.R. 3141)	200,000,000	4	800,000,000
30. Arms control and disarmament (Public Law 89-27)	10,000,000	3	30,000,000
31. Pesticides research (S. 1623)	3,200,000	3	13,200,000
32. Health research facilities extension (Public Law 89-115)	93,600,000	3	280,000,000
33. Veterans rehabilitation cost-of-living increase (Public Law 89-137)	1,600,000	5	8,100,000
34. Training seriously disabled veterans (Public Law 89-130)	3,200,000	5	16,000,000
35. Ship construction subsidies (H.R. 4346)	124,900,000	------	124,900,000
36. International Coffee Agreement (Public Law 89-23)	150,000,000	------	150,000,000
37. Water Resources Research Act (S.22)	5,000,000	5	39,000,000
38. Peace corps extension (Public Law 89-134)	115,000,000	3	345,000,000
39. National Teacher Corps and fellowship for elementary, secondary schools (H.R. 9627)	35,000,000	3	236,000,000
40. National Aeronautics and Space Administration (Public Law 89-53)	5,109,000,000	5	26,000,000,000
41. Conservation program for Great Lakes fish (H.R. 25)	5,000,000	5	25,000,000
42. Crime control training (H.R. 8027)	2,000,000	3	10,000,000
43. National wild rivers system (S. 1446)	1,800,000	5	9,000,000
44. Teacher sabbaticals (H.R. 10622)	50,000,000	3	150,000,000
45. Cape Lookout National Seashore (S. 251)	9,300,000	------	9,265,000
46. St. Croix Scenic Railway (S.870)	6,500,000	------	6,500,000
47. Ellis Island National Monument (H.J. Res. 454)	6,000,000	------	6,000,000
48. Assateague Island National Recreation Area (Public Law 89-195)	24,000,000	------	24,015,000
49. Spruce Knob (W. Va.) Recreation Area (S. 7)	19,800,000	------	19,780,000
50. Juvenile delinquency program (Public Law 89-64)	6,500,000	2	16,500,000
Estimated total authorizations	------------	------	112,717,983,500

NOTES

1. The above list does not include a number of other important authorization measures, such as the multibillion, 4-year farm bill, presently in conference; the foreign aid authorization bill; authorization for expenditures from the highway trust fund for interstate highways; increases in the U.S. quota to the International Monetary Fund and Inter-American Development Bank Fund (both of which are now public law); the increase in Small Business Administration loan funds; various projects listed in such authorization measures as for the Interior Department, military procurement, Health, Education, and Welfare Department, and other departments, as well as a number of other separate authorization measures for public works projects, studies of crime, the metric measure system, etc.

2. Some of the authorizations in the list of 50 were selected only to show the wide variety of bills.

3. In some instances, the 1st year authorization in the above list is increased for the following years and thus the cumulative amount will be greater than the 1st year figure multiplied by the number of years. In the case of a few bills, like the NASA authorization measure, the 5-year total is based on the recent yearly average authorization. On the other hand, it should be noted that where some programs, like Federal pay raises, show only a 5-year total authorization, they actually will continue for years.

Mr. DIRKSEN. Mr. President, I yield 30 seconds under the bill to the distinguished minority whip.

The **PRESIDING OFFICER.** The Senator from California is recognized for 30 seconds.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

FOREIGN AID: PUBLIC LAW 480 AND SOUTH VIETNAM

Mr. KUCHEL. Mr. President, during the consideration of the foreign assistance appropriations for fiscal year 1966 by the Senate Committee on Appropriations, I submitted several questions for the administration to answer. These questions concerned the utilization of the soft currencies accumulated in foreign countries as a result of transactions under Public Law 480, the need for more imagination and initiative to prevent a decline in the value of these soft-currency deposits as a result of devaluation, and the need to utilize these soft currency deposits to offset our balance-of-payments deficit. I also raised questions regarding our land reform policies in South Vietnam and suggested that we improve our health program there by taking some of our Second World War hospital ships out of mothballs and staffing them to aid the great concentration of South Vietnamese people who live along the coast. Answers to these questions were submitted by the Department of State.

I ask unanimous consent that the questions and answers be printed at this point in the RECORD.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

Question. I have long been concerned with the utilization of our Public Law 480 funds abroad. On July 14, 1965, I wrote Assistant Secretary of State MacArthur inquiring as to the possible use of these funds to purchase real estate in the countries where they are on deposit with the idea that such an investment would appreciate and that at some future date land could be sold or utilized in order to provide adequate housing and office space for American employees. On July 30, 1965, Mr. MacArthur replied and noted that the Department's acquisition, construction, and improvement of properties is based entirely upon funds appropriated under section 104(1) of Public Law 480 which provides unlimited authorization for appropriations which the Department of State annually seeks from the Congress. He noted that the following countries currently have currencies on deposit which in the judgment of the Treasury Department are excess to normal requirements: Burma, Ceylon, Guinea, India, Israel, Pakistan, Poland, Tunisia, United Arab Republic, and Yugoslavia. Mr. MacArthur then notes: "While the Congress does not attempt to preclude the Department from acquiring properties having a potentially higher resale value, it expects and requires the Department to justify requests for funds for facilities on the basis of current program needs. To this extent, therefore, the Department would refrain from acquiring real estate which it does not need but which, because of an expanding market, it could sell or exchange for more suitable property at a later date."

I wonder, in view of the large deposits of soft currencies which we have abroad, if you do not think that the Department of State and the U.S. Government, including the Congress, should have a more imaginative policy as to how these funds might be used in a land and building acquisition program? I would like your comments of this.

Answer. The Department is considering an expanded use of foreign currencies in countries where U.S. currency holdings are in excess of the Government's need.

The Department has canvassed U.S. missions and the headquarters of appropriate agencies of the Government for additional worthwhile programs, including overseas sites and buildings, that could be funded entirely or largely with these funds. The results are currently under review by the executive branch for fiscal year 1967. If this materializes, the building program in those excess-currency countries will be greatly accelerated to the extent that the U.S. Government's real property requirements will be satisfied in the next several years.

It should be noted that, particularly in India, rising land values reflect the growing shortage of desirable unimproved real estate and it is to be expected that efforts on the part of the U.S. Government to purchase acreage that could not realisticaly be related to future requirements of an official nature undoubtedly would be opposed by the local government. Some other governments may likewise oppose such action.

Question. I noted that we have excess currencies on deposit in Yugoslavia. On June 11, 1965, my legislative assistant, who had learned from a traveling American in Yugoslavia that there would be possible devaluation of the dinar, called Frederick L. Deming, the Under Secretary of the Treasury for Monetary Affairs, and urged that Public Law 480 funds be put to use on schools and equipment for schools before their value was greatly reduced as a result of devaluation. In a reply of June 16, Mr. Deming noted that, at the then current rate of exchange (750 dinars equals $1), the U.S. Government had on deposit $61 million. Mr. Deming noted that "utilization of these balances is restricted under the foreign exchange control law of Yugoslavia and is limited to specified purposes as set forth in agreements between the United States and Yugoslavia." He then goes on to say that dinars are being used to pay all U.S. Government official expenses, including payments to U.S. Government contractors there. This amounts to $3 million annually.

On July 26, 1965, Yugoslavia announced various currency-stability measures. One of the major changes was the devaluation of the dinar. From 1961 until the change in late July, as I have noted previously, the U.S. dollar-Yugoslav dinar exchange rate was $1 to 750 dinars. It is now $1 to 1,250 dinars. On January 1, 1966, present dinars will be exchanged for new ones at the rate of 100 to 1.

This action has obviously affected the value of our Public Law 480 funds which are on deposit. When sufficient warning was given, cannot our Government make some plans to utilize these funds at their highest value or convert them into land and buildings which would withstand devaluation? I would also like your comments and a summary for the hearing record of the various foreign exchange regulations which are imposed on our soft-currency deposits abroad.

Question A. When sufficient warning was given, cannot our Government make some plans to utilize these funds at their highest value or convert them into land and buildings which would withstand devaluation?

Answer. The executive branch has long been concerned over losses in the purchasing power and value of U.S.-held foreign currencies through devaluations, and has, where feasible, moved to minimize losses of this nature. However, it must be remembered that the use of U.S.-use foreign currencies is subject to the appropriation of dollars with which Treasury is reimbursed for currency used. Even in emergency situations where prompt action is necessary to prevent loss through devaluation, executive branch agencies may not exceed their appropriations, in which there are no provisions for such emergencies. Regular appropriation requests generally include only relatively high-priority projects, the funds for which could not normally be reprogramed in any magnitude within the fiscal year for the relatively lower priority projects mentioned. This is the more true when the situation arises late in the fiscal year after appropriations are largely committed, as in this case.

Efforts have continued over a period of years to find additional uses for these excess currencies. Dinars are being used for local operating expenses of the U.S. Embassy and missions; for allowances and partial salary payments to American employees; for travel, subsistence, and transportation within the country, for international air travel; and after months of effort, for payments to U.S. annuitants resident in Yugoslavia. The latter use has greatly increased the normal annual requirements of the United States for dinars, reducing the number of years supply from 26.5 at the fiscal year 1964 expenditure rate to 9. Every effort is being made to increase the use of dinars and other excess currencies, and to avoid or minimize losses by devaluation.

Question B. I would also like your comments and a summary for the hearing record of the various foreign exchange regulations which are imposed on our soft-currency deposits abroad.

Answer. Foreign exchange regulations imposed on the use of local currencies on deposit vary in intensity and method depending on the general provisions governing foreign trade and exchange transactions established by the different foreign governments and on procedures set forth in bilateral agreements. Latest surveys of the exchange systems and applicability of exchange control of all member countries of the International Monetary Fund are published in the 16th Annual Report on Exchange Restrictions, 1965, issued by the fund, which we are making available to the committee.

Question. With regard to the use of Public Law 480 funds in reducing our balance-of-payments difficulties, I wonder what progress has been made, country by country, in urging American tourists to exchange dollars for local currencies at our Embassy. Do or could not the airlines, steamship companies, our immigration and customs officials cooperate in notifying all American travelers abroad (perhaps a slip of paper sent out with their passport from the Department of State) that local currencies could be secured at our Embassy?

Answer. Notices calling the attention of American tourists to the availability of U.S. Government-owned foreign currencies for sale to them are enclosed in the passports issued to tourists indicating an intention of visiting countries where these currencies are available. Examples of notices for U.S. travelers to India, Israel, and the United Arab Republic are shown below:

"ATTENTION U.S. VISITORS TO: INDIA

"Here is how you can aid the U.S. balance of payments.

"When you arrive in India, you may buy your local currency (rupees) requirements from the American Embassy in New Delhi, or from the American Consulates General in Bombay, Calcutta, and Madres. You are assured the official rate of exchange.

"The Indian rupees available for purchase at the American Embassy and the American Consulates General are owned by the U.S. Government and are available for expenditure only in India. When you buy your rupees from the U.S. Diplomatic or Consular posts, as arranged by agreement with India, in effect your dollars stay home and you help the U.S. balance of payments.

"Payment may be made by cash, personal check, or traveler's check.

"Addresses

"Embassy: Shanti Path, Chanakyapuri, (Diplomatic Enclave) New Delhi.

"Consulates: 78 B. Desai Road, Bombay; 5/1 Harington Street, Calcutta; 150–B Mount Road, Madras.

"Selling hours (Monday to Friday): 10 a.m. to 12:30 p.m., 2:30 p.m. to 4 p.m."

At present currencies are for sale in Israel, United Arab Republic, and India under Public Law 480, section 104(s). Sales for business purposes are made in Israel and India under 104(t). To extend the potential effectiveness of the program of sales of U.S.-owned foreign currencies in those countries where agreements to do so exist, the Secretary of the Treasury is revising the present criteria for determining which currencies are available for sale to U.S. citizens under section 104 (s) or (t) of Public Law 480 so that additional amounts will become available. Sections 104(s) and 104(t) have been included in all title I, Public Law 480 agreements since section 104(t) was added to the Public Law 480 legislation last October and are being included in all new title I agreements.

"ATTENTION U.S. VISITORS TO: ISRAEL—EGYPT

"Here is how you can aid the U.S. balance of payments.

"When you enter either of these two countries, visit the American Embassy and buy your local currency requirements there. You are assured the official rate of exchange and that your dollars used to buy local currency from the Embassy will not become a claim against the U.S. gold supply.

"These two currencies, available for purchase at the respective American Embassies, are owned by the U.S. Government, acquired under conditions preventing the United States from spending them outside the country of origin. Under special arrangements with the local governments the American Embassy is authorized to sell these currencies to U.S. tourists.

"Payment may be made by cash, personal check, or traveler's check.

"American Embassy address

"Israel

"71 Hayarkon Street, Tel Aviv (9 a.m. to 1 p.m., selling hours).

"Egypt

"5 Sharia Latin American, Garden City, Cairo (9 a.m. to 12 noon, selling hours)."

Question. Turning to Vietnam, as Mr. Bell will recall we discussed our AID program there in my office on April 5, 1965. In response to various questions which I raised, he furnished me with material concerning the AID program as it relates to the Vietnamese peasantry on April 8. I have carefully gone over that material. While it seems we are giving the Vietnamese peasant free agricultural instruction, free seed, free fertilizer, and free tools we do not seem to be giving him a fundamental stake in his country; namely, free land or the opportunity over time to purchase at a reasonable cost such land. I would like for the record just how many acres have been turned over to the peasantry as a result of American efforts. I think nothing is so important to our winning the war there as giving the peasant an economic stake in his country as well as a political stake by training him in community participation at the local level.

Answer. Land reform and the distribution of land under permanent or provisional title is, of course, the function of the Government of Vietnam. U.S. assistance and advice has been instrumental in helping the Government to carry out its land programs, and our recommendations have been adopted in many cases.

Under the provisions of the original land reform legislation enacted by the Diem administration, 264,000 hectares (652,000 acres) of ordinance 57 land (i.e., expropriations of Vietnamese-owned landholdings of over 100 hectares (247 acres)) have been distributed to 115,000 new owners. This distribution was accomplished by provisional land certificates with payments at reasonable rates over a 12-year period.

Another category of riceland, formerly owned by French landlords, has been largely undistributed because of insecurity and surveying problems. However, the new land-reform program approved by the Government on August 9 provides for the eventual distribution of 225,000 hectares (555,750 acres) of land in this category with payments over 12 years, and with assistance in water control and irrigation devices. The GVN plans to begin immediate distribution of 23,000 hectares (56,800 acres).

The new program also provides for full and clear title to ordinance 57 land previously distributed with a Government lien held until payments have been completed.

Question. One last question pertaining to Vietnam: In order to improve our relations with the people there, could we not get some of our Second World War hospital ships out of mothballs and staff them with Public Health Service or military or private volunteer doctors and nurses and run them up and down the coast where they could serve the millions of people who live in the 5- to 10-mile coastal strip?

Answer. The USOM health program is in the process of expansion, especially due to higher numbers of civilian casualties and refugees as a result of increased military operations during the summer months. For example, 20 U.S. volunteer doctors, on a 60-day rotation basis, will greatly augment our capabilities of caring for the Vietnamese civilian population; and an increasing number of free world nations are considering supplying medical personnel to especially assist the refugees located along the coast of the central part of the country. The idea of equipping a hospital ship which would make runs along the coast will be considered among other measures which soon will be taken to increase our medical assistance to Vietnam.

Mr. DIRKSEN. Mr. President, I yield, under the bill, 1 minute to the distinguished senior Senator from New York.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, I call the attention of the Senate to the fact that an enormous refugee problem in South Vietnam is not dealt with in the bill. It has been estimated that there will be approximately one million refugees in South Vietnam within the next few months. There are now about half that many.

The junior Senator from Massachusetts [Mr. KENNEDY] has been conducting a series of hearings in the Refugee Subcommittee of the Committee on the Judiciary, of which I am a member, which hearings demonstrate the serious character of the problem.

There are funds now available in an indirect way through the sizable commercial import program and the counterinsurgency program for Vietnam. However, they are quite inadequate. In addition, the President's contingency fund could have been made available, but it is my understanding that this fund is fully committed.

I make this statement for the purpose of suggesting to the manager of the bill that it should be a matter of record that this is a problem which the Senate will have to meet. This problem will have to be met through supplemental appropriations. We should take cognizance of the fact that this problem is not being met in this particular appropriation bill.

LEGISLATIVE PROGRAM—ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I yield myself 1 minute under the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the program for the remainder of the day, for tomorrow, and, if possible, for early next week.

Mr. MANSFIELD. Mr. President, first I ask unanimous consent that, when the Senate completes its business this afternoon, or this evening, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, if I may have the attention of the distinguished Senator from Michigan [Mr. MCNAMARA], the chairman of the Committee on Public Works, it is anticipated that at the conclusion of the prayer tomorrow the Senate will take up the conference report on the antipoverty measure (H.R. 8283).

It is hoped that we shall complete the consideration of that conference report sometime during the day. I believe it is anticipated that there will be a rollcall vote on the conference report. When the rollcall vote is disposed of and the unobjected-to items on the calendar have been disposed of, it is then anticipated that the Senate will go over until the following Tuesday.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1966

The Senate resumed the consideration of the bill (H.R. 10871) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. GRUENING. Mr. President, I send to the desk an amendment to H.R. 10871 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. An amendment is proposed by the Senator from Alaska [Mr. GRUENING], as follows:

On page 12, between lines 18 and 19, insert the following new section:

"SEC. 117. None of the funds appropriated or made available in this act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for assistance to Indonesia.

Mr. GRUENING. Mr. President, this seems to be where we have come in again and again.

In the consideration of the foreign aid authorization bill, an amendment introduced by the distinguished junior Senator from Oklahoma [Mr. HARRIS] was agreed to in this body by a vote of 72 to 13. We had been given assurances that in view of the disgraceful performance of the dictator of Indonesia, we would not have to bring up this question again.

Sukarno has denounced us. He has vilified the United States. He has gotten into bed with the Communists. He has burned our libraries. He has confiscated and expropriated the property of American citizens. He has allowed mobs to attack our Embassy. He has told us to go to hell with our aid. He is making war on the friendly nation of Malaysia. We have given this man close to a billion dollars.

Yet we have the surprising news that we are now negotiating—if, indeed, we have not already done so—to give him atoms for peace for the next 5 years. How utterly ridiculous in view of his past performance and when he wants to make an atomic bomb.

This amendment would merely withhold all financial aid from him for the next year.

I hope that the amendment will be agreed to.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. CHURCH. I have a great deal of sympathy for the position of the Senator. I share his concern about Mr. Sukarno's relentless slide toward communism in Indonesia. However, the difficulty that I encounter with an amendment of this kind relates to how we can know whether Sukarno will remain as the head of the Indonesian Government. What if a revolt in the palace guard were to overthrow him tomorrow? What if, a month from now, he were to pass on to his reward and some new regime were to take control of Indonesian affairs? If we were to write into the bill, and into the law itself, a prohibition against the extension of any aid to Indonesia, then we will have blocked the President at the very time when we would no longer want to prohibit the extension of possible assistance to Indonesia. The delay, the difficulty in then striking the provision from the law might well paralyze American policy for an extended period of time.

Mr. GRUENING. Mr. President, would the Senator, therefore, find the amendment acceptable if it were worded to provide that it be effective for so long as lawless Sukarno remains in power?

Mr. CHURCH. Even then, much as I feel that Sukarno's views toward this country will not change, I always hope that he will see the light, that he will understand the peril involved in alining his country with Communist China, and that he might change his attitude and policies. If that were to happen, we would then have this prohibition riveted into the law. That is the reason why I cannot support the amendment.

Mr. GRUENING. Mr. President, my friend from Idaho exhibits the optimism worthy of Voltaire's Dr. Pangloss and Pollyanna.

Mr. PASTORE. Mr. President, there is not a penny involved in the pending bill for aid to Indonesia.

Mr. GRUENING. Then what is the objection to the amendment?

Mr. PASTORE. The objection is to stop the giving of money that is not being given anyway.

Mr. GRUENING. Mr. President, there is no assurance that a way may not be found. I believe that we can give a great feeling of security and comfort to the United States if, by agreeing to my amendment, we give the definite assurance that the folly of giving aid to Sukarno has ceased for at least 1 year.

I yield to the senior Senator from Louisiana.

Mr. ELLENDER. Although funds are not specifically earmarked for Indonesia the President could make some funds available out of the contingency fund.

Mr. GRUENING. From the emergency fund.

Mr. CLARK. Will the Senator yield?

Mr. GRUENING. I yield to the Senator from Pennsylvania.

Mr. CLARK. My views are identical with those of the Senator from Idaho. I do not like Sukarno any better than he does. I would like to see the President free to utilize this money where he thinks the national security is involved. For several years, we have had amendments that indicated that we do not like Sukarno. However, I should like to see the amendment of the Senator from Alaska modified, as it has been in previous years.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. PASTORE. We voted on this question once before by an overwhelming vote. If the Senator from Alaska will modify his amendment to read "unless the President, in the national security, feels it is advisable," I shall take it to conference, as I think was suggested by the Senator from Oklahoma [Mr. HARRIS]. If it is corrected in that fashion, although I have not consulted with other members of the committee, I can say I have no personal objection to it. It can be put to a voice vote.

Mr. GRUENING. How would the President like the amendment changed?

Mr. PASTORE. I did not ask the President. I am only suggesting.

Mr. GRUENING. How would the manager of the bill——

Mr. PASTORE. I am a bigger man than I thought. Now I speak for the President. I am completely overwhelmed.

Mr. GRUENING. Mr. President, will the Senator yield for a moment?

Mr. PASTORE. I yield.

Mr. GRUENING. May I ask the distinguished manager of the bill how he would like to have the amendment modified?

Mr. PASTORE. Exactly as we adopted it in the authorization bill. Perhaps we can duplicate that language. It was suggested by the Senator from Oklahoma.

Mr. GRUENING. While I have no faith in such permissive language based on repeated past experience, I shall accept the amendment, because I think it is a step forward.

Mr. PASTORE. I yield time on the bill to the Senator from Oklahoma.

Mr. HARRIS. Will the Senator from Alaska yield to me for a moment?

The PRESIDING OFFICER. Will the Senator send his modified language to the desk, please?

Mr. HARRIS. I was about to suggest that the Senator might wish to lay his amendment aside briefly, until we can prepare an amendment.

Mr. GRUENING. If that is agreeable to the manager of the bill, very well.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question? Is it the intent to modify the language so that aid will be given only when the President determines that it is in the interest of our national security?

Mr. PASTORE. The Senator is correct.

Mr. GRUENING. Mr. President, I send to the desk another amendment, and ask that it be stated.

The PRESIDING OFFICER. Does the Senator withdraw his previous amendment?

Mr. GRUENING. Yes, I withdraw the amendment in favor of the amended amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

> On page 12, between lines 18 and 19, insert the following new section:
>
> "SEC. 117. None of the funds appropriated or made available in this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for assistance to the United Arab Republic."

Mr. GRUENING. Mr. President, this is a similar amendment, but, instead of singling out Indonesia, which is under Sukarno's rule, it sets out the United Arab Republic, under Mr. Abdel Gamal Nasser.

I take it the same compromise would be acceptable to the manager of the bill. We are engaging in a rather foolish performance, because for years we have had an amendment denying aid to aggressors, but it has not been denied in this particular case. We make it specific as to the United Arab Republic. If the manager of the bill, the distinguished senior Senator from Rhode Island, will accept the amendment with the same modification, "provided the President considers it in the national interest," I shall be glad to accept that language.

Mr. PASTORE. Will the Senator yield?

Mr. GRUENING. I yield.

Mr. PASTORE. On the authorization bill, in conference, when the matter of wheat was discussed language was adopted to read:

> No sale under title I of this Act shall be made to the United Arab Republic unless the President determines such sale is essential to the national interest of the United States.

Now, rather than use the word "sell," it could be made to read "No aid shall be given under the provisions of this law." If we can use such language, I am perfectly willing not to resist it.

Mr. GRUENING. I send to the desk another amendment, and ask that it be read.

Mr. PASTORE. Are we going to dispose of this amendment first?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alaska [Mr. GRUENING], as modified. The amendment will be stated.

The LEGISLATIVE CLERK. On page 12, between lines 18 and 19, it is proposed to insert the following new section:

> SEC. 117. None of the funds appropriated or made available in this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for assistance to the United Arab Republic, unless the President determines that such availability is essential to the national interest of the United States.

The PRESIDING OFFICER. All time having been yielded back the question is on agreeing to the amendment, as modified.

The amendment, as modified, was agreed to.

Mr. HARRIS. If the Senator from Alaska will yield to me about 15 seconds, I ask unanimous consent that I be shown as cosponsor on the amendments of the Senator from Alaska having to do with Indonesia and the United Arab Republic, as modified.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. GRUENING. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

> On page 12, between lines 18 and 19, insert the following new section:
>
> "SEC. 117. None of the funds appropriated and made available in this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for military assistance to India or Pakistan."

Mr. GRUENING. Mr. President, this subject has been discussed before, but it had not come up formally on the floor before this particular amendment was offered. I feel very definitely that we are at a crossroads. For many years we have poured billions of dollars in military aid into two neighboring countries that were born out of the division of what was once India.

Two years ago I pointed out on the floor of the Senate that Pakistan was a member of the Southeast Asia Treaty Organization and was obliged under it to assist us in southeast Asia.

At that time I received a communication from the Ambassador of Pakistan to the United States, in which he said, in effect, "We do not intend to use this money to fight communism. We are going to use it to fight India."

I spoke about it on the floor of the Senate 2 years ago, and again last year. Now it has happened. The intent was always there, and we did nothing about it. Now it has happened. We have witnessed a bloody war, which has been stopped only because we have withdrawn our military aid to those two countries.

While this was going on, while we have been pouring this economic aid in billions of dollars into this country and also a large sum of money in military aid, Pakistan has moved closer and closer to Communist China.

It is important that we cease this folly, or at least say that the Senate is opposed to the folly of continuing to subsidize countries for purposes which they do not follow and, instead, use our money to make war on each other, putting upon us the obligation—which we will undoubtedly have to assume, unless we do something—of repairing the damage that we have done with our weapons.

Mr. President, I have stated my case. I shall not ask for the yeas and nays on the pending amendment.

We have already heard the able arguments in opposition made by the Senator in charge of the bill, although I would point out that his arguments were used in opposition to the amendment which made a blanket cut of 25 percent in all military assistance. In this particular case, my amendment would withdraw military aid to those two countries which have ceased fighting each other. In my judgment, they have ceased fighting each other because we have withdrawn our military aid. If we wish to keep them from fighting each other, the best thing is for the Senate to go on record, this year anyhow, that there will be no more military aid. If India and Pakistan wish to fight each other, they can use broomsticks, and that will be a vast improvement.

Mr. CLARK. Mr. President, I have just read the Senator's amendment, and my understanding is that the cuts apply to economic aid as well as military aid.

Mr. GRUENING. Military aid only. Let me make sure.

Mr. COOPER. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. My amendment states:

> None of the funds appropriated or made available in this act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for military assistance to India or Pakistan.

Mr. CLARK. Mr. President, the amendment at the desk has the words "military aid" scratched out.

Mr. GRUENING. I am sorry. Mr. President, I ask unanimous consent that those two words "military aid" be restored to my amendment, so as to read:

> None of the funds appropriated or made available in this act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for military assistance to India or Pakistan.

Mr. President, that is the amendment I am offering.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

Mr. GRUENING. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment was rejected.

Mr. HARRIS. Mr. President, I should like to advise the Senator from Alaska that I have been informed by the Parliamentarian that no action was taken on the Indonesia amendment. Action was taken only on the United Arab Republic amendment, as modified. I am advised that the Senator from Alaska will have to offer his Indonesia amendment again.

Mr. GRUENING. Mr. President, I reoffer my modified amendment at this time.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 12, between lines 18 and 19, insert the following new section:

> SEC. 117. None of the funds appropriated or made available in this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be available for assistance to Indonesia, unless the President determines that such availability is essential to the national interest of the United States.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Alaska, as modified.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield time on the bill to the Senator from Florida.

The PRESIDING OFFICER. How much time?

Mr. PASTORE. As much time as the Senator needs.

Mr. HOLLAND. I thank the Senator from Rhode Island. I should like to address some questions to him, to clarify a point in the RECORD which I believe should be clarified. I wish to ask the Senator in charge of the bill a few questions relative to the paragraph at the top of page 15 of the printed bill, which deals with assistance to refugees in the United States.

Mr. PASTORE. I would most respectfully suggest to the Senator from Florida that, rather than ask me questions, he explain exactly what the committee did, because he was responsible for what it did; and I would appreciate it very much if he woud make the explanation.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. President, I wish the RECORD to show clearly that the reduction from $32,265,000 to $30 million, in the first paragraph on page 15 of the bill, did not relate to education at any level in the Miami area, as far as education of the children of refugees is concerned, or the education of adults, or any other factor relating to education.

Mr. President, I ask unanimous consent to have printed in the RECORD the first paragraph on page 15 of the bill.

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

> DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
>
> *Assistance to refugees in the United States*
>
> For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, including hire of passenger motor vehicles, and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), [$32,265,000] $30,000,000.

Mr. HOLLAND. Mr. President, in order to make the explanation clear, I ask unanimous consent to have printed in the RECORD, the last three columns in the tabulation on page 202 of the hearings, which shows the 1966 original presidential budget and current estimates which had been reduced in certain amounts, and the increases or decreases of the estimates as comparing the original budget and the current budget, the original budget having been granted by the House before the current budget came down.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

WELFARE ADMINISTRATION ASSISTANCE TO REFUGEES IN THE UNITED STATES

Summary—Budget request

	1966		Increase or decrease—1966 current estimate compared with President's budget and House allowance
	President's budget and House allowance	Current estimate	
I. Direction and coordination of program	$883,000	$883,000	
II. Welfare assistance and services:			
Financial assistance to needy refugees in the Miami area	8,272,000	7,585,000	−$687,000
Transitional resettlement allowances	200,000	116,000	−84,000
Assistance to resettled refugees who become needy	5,101,000	4,200,000	−901,000
Unaccompanied children	3,800,000	3,800,000	
Distribution of surplus commodities	60,000	54,000	−6,000
Hospitalization	1,038,000	850,000	−188,000
State administration	1,146,000	1,146,000	
Total, welfare assistance and services	19,617,000	17,751,000	−1,866,000
III. Refugee resettlement	1,690,000	1,350,000	−340,000
IV. Education:			
Assistance to Dade County public schools	4,156,000	4,156,000	
Vocational training	1,385,000	1,326,000	−59,000
Assistance to college students	3,200,000	3,200,000	
Professional training	400,000	400,000	
Total, education	9,141,000	9,082,000	−59,000
V. Health services:			
Refugee health clinic	588,000	588,000	
Outpatient services	120,000	120,000	
Maternal and child health and school health services	100,000	100,000	
Hospitalization for long-term illness	126,000	126,000	
Total, health services	934,000	934,000	
Total obligations	32,265,000	30,000,000	−2,265,000

Mr. HOLLAND. Mr. President, it is clear, from looking at those figures, that the total reduction of $2,265,000 related to other items in caring for refugees and their families, resulting in the main from a speeding up of the resettlement of the refugee families, and did not relate at all to the educational group of appropriations which were as follows:

For assistance to Dade County public schools, $4,156,000; for vocational training, $1,385,000—there was a reduction there to $1,326,000 due to the fact that some adults had been resettled; an appropriation for assistance to college students—the number of college students was the same, and that appropriation remained at $3,200,000; and the professional training allowance of $400,000 remained the same.

I make this clarification for the RECORD because some persons in the public school system of Dade County, which has been reimbursed in part for the education of Cuban refugee children there, have been understandably anxious to be sure that the reductions in this field of the appropriation did not apply to education because they have worked out a very careful and full arrangement with the appropriate officials in the Department of Health, Education, and Welfare in Washington, D.C., as to the allowance for those educational purposes. There was no reduction as to those educational appropriations, except in the one field of vocational training, and only because of the resettlement of certain adults.

I thank the distinguished Senator from Rhode Island for yielding to me, because I believe that this matter should be clarified for the RECORD.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, I call up my amendment which deals with cuts in the military and ask that it be stated.

The PRESIDING OFFICER. Which page and which line is the Senator referring to?

Mr. ELLENDER. Page 4, line 25.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, line 25, it is proposed to strike out "$1,170,000,000", and insert in lieu thereof "$1,070,000,000."

Mr. ELLENDER. Mr. President, I regret that because I was engaged on the Senate floor discussing the farm bill, I was unable to participate in the hearings held by the Senate Appropriations Committee with the Senator from Rhode Island presiding. I am confident that if I had been able to participate in those hearings, I could have made a good case which would have led to further cuts in the pending measure.

It will be recalled that the committee reduced the bill below the amount allowed by the House by $94,265,000. The distinguished Senator from Massachusetts submitted an amendment earlier, which was voted favorably, which cut from the bill an additional $50 million.

Mr. President, pursuant to the unanimous-consent agreement which I obtained a while ago, as I understand the situation, I have offered three amendments and am entitled to 30 minutes on each one. I have consolidated that time so that I can now make a presentation covering all amendments, with the time that I shall use to be taken from each of the three amendments, and the remainder of the time to be used by me to speak specifically on the amendment before the Senate for a vote.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the allotted time may be handled by the Senator from Louisiana in the manner in which he has described.

The PRESIDING OFFICER. That has already been agreed to.

Mr. ELLENDER. Mr. President, quite a number of suggestions have been made today for cutting back on the military program. One of the amendments failed by only two votes.

What I propose to do is cut back military aid by $100 million, which is equal to the amount of the increase proposed in the 1966 budget for countries not presently engaged in conflict, such as Taiwan and Ethiopia.

Unfortunately, under the rules of the Senate, all of this data I hold in my hand is secret. I cannot let the American taxpayer know where his money will be used because there is a rule which prevails that, on all foreign aid appropriations made for fiscal year 1966, even the Senator in charge of the bill cannot give to the public the amounts that are being appropriated for various countries.

In any event, I hasten to point out that my amendment does not cut a penny from South Vietnam. It affects only those countries where no strife or crisis exists.

A considerable amount of the increased military aid is going to Taiwan. Why this is so, I just cannot understand. There is no country that we have helped more up to now that has made a greater recovery than has Taiwan, but here we are adding—I cannot give the amount—quite an amount to modernize its army. For what purpose? Every Senator ought to know that even if we furnished Taiwan the most modern equipment we produce, Taiwan still could not succeed in attacking the Chinese mainland.

So far as I know, it has been our hope that no effort would be made by Free China to attack the mainland, because anybody with commonsense knows, or should know, that this little island, which one can almost jump across, could certainly not conquer or take over the mainland of China.

For many years now—and the record will show it—I have been trying, by every means at my disposal, not only to reduce this military assistance, but to cut it out altogether except as it may be necessary for internal security.

I have made a considerable effort in the past to reduce the military assistance program because I firmly felt that it has done our country more harm than good. While it may have served a useful purpose in the early fifties, it has long since ceased to serve any salutary end.

In the year 1956, I offered amendments on the floor of the Senate to the mutual security bill to reduce the military assistance program, but unfortunately my efforts were not productive of any reductions.

In 1957, I tried to reduce military assistance at the markup of the mutual security bill by Senate Appropriations Committee, and once again my amendments were voted down.

Once again, my attempt to bring some sanity to the military aid program was thwarted in 1958, but in 1959 I finally met with some success to taper off the military aid program. I tried to cut the program by $500 million and was defeated. But on my next effort to reduce the program $300 million, from $1.6 billion to $1.3 billion I was successful.

When I returned from Africa in December of 1962, I feared that the military assistance program we carried on there was going to be considerably expanded. To prevent this eventually from coming to pass, I authored language, which is now section 512 of the Foreign Assistance Act of 1961, as amended, limiting the granting of assistance to the African countries. Specifically, section 512 provided that military aid to all African countries shall not exceed $25 million, and it shall be furnished only to meet internal security and civic action requirements.

Strange as it may seem, the additional $110 million in military equipment that the committee has proposed in this bill includes increases for Pakistan—I cannot give the amount—and also for Turkey. The amounts are in excess of what these countries received in fiscal year 1965.

I hope and pray that the Senate will not vote to give more and more equipment to the countries of this world, particularly where those countries are not in danger now, and where they are not engaged in any conflict.

This amendment would not affect any country which is now involved in any conflict, such as South Vietnam.

It would seem to me that the Congress would do well to say to our Administrator of this program, "Let us leave well enough alone. We are providing so much for these countries now, let us not increase it."

When we give military equipment to countries, particularly to countries such as those to the south of us, we can be sure that some day we shall come to rue the time when we made available military equipment to those countries, in the same manner that we should now rue the day we gave military assistance to India and Pakistan, over and above what was necessary for their internal security.

Mr. President, as you will recall, in March of 1963, a report was made by the Committee To Strengthen the Security of the Free World, more commonly known as the Clay Committee. The Clay Committee made a number of recommendations to President Kennedy. I thought those recommendations would have a salutary effect if implemented. I am sure they would have made the foreign assistance program a more formidable tool in achieving the objectives of our foreign policy.

The Clay Committee made no attempt to translate its recommendations into a precise amount of dollars that should be cut from the foreign aid program. But the tenor of its report made it clear that the foreign aid program recommended at the time of the Committee's report for fiscal year 1964 was highly inflated. The Committee also indicated in its report that it would be difficult for the administration to implement its recommendations.

In this connection, on page 20 of its report, the Committee said:

> The Committee recognizes that its recommendations to decrease or abolish aid in an [sic] number of countries and otherwise tighten standards will be difficult to implement and provoke charges that they are "politically impossible" in terms of good U.S. relations with countries concerned. The Committee recognizes as well that the political problems of pulling back from ongoing aid programs are much greater than those created by U.S. refusals to extend aid where none previously has been given. Nonetheless, we believe these actions must be undertaken and can be effected by diligent diplomatic effort over a 1- to 3-year period.

The Committee said that "these actions must be undertaken and can be effected by diligent diplomatic effort over a 1- to 3-year period." I regret to state to Senators and the people of the United States that this diligent diplomatic effort has not been accomplished; and the same foreign aid program that existed at the commencement of fiscal year 1964 still exists today and is being proposed for the fiscal year 1966.

Congress appropriated $3 billion for foreign assistance in fiscal year 1964. That was the year the Clay report was made. This sum was divided into two parts, $1 billion of which was for military assistance and $2 billion for economic assistance. In the next fiscal year, the foreign aid program's dollar cost was increased instead of decreased, as the Clay report suggested. For fiscal year 1965, just 1 year after the Clay Committee had made its recommendations to President Kennedy, Congress increased the amount appropriated for foreign assistance to $3,250 million, which was divided between military and economic assistance and amounted to $1,055 million and $2,195 million respectively. For the fiscal year of 1966 the President requested $3,459,700,000, which was an increase of $209 million over the amount appropriated by Congress in fiscal year 1965. And this fiscal year 1966 budget has been called a barebones budget by the administration.

It seems that the time spent by the Clay Committee in studying the foreign assistance program was a complete waste of time, money, and effort because it appears that its recommendations have been ignored by both the President and the Congress. To prove that is so, we need only look at certain phases of the program. Let us start with the military assistance program.

The Clay Committee reported, in March of 1963:

> The military assistance program should be reduced progressively as the economic capacities of recipient nations improve.

It went further to say:

> We believe that in a few years, the basic need for such assistance can be served by an annual appropriation of $1 billion.

Congress reached this goal of $1 billion for military assistance in fiscal year 1964, but instead of following through with the recommendations of the Clay committee in the past 2 years, Congress has been retrogressing because, as I previously pointed out, in fiscal year 1965 we appropriated $1,055 million for military assistance, and for fiscal year 1966 we are making available in the bill presently before the Senate $1,170 million for a program that has brought nothing but grief to many countries.

I do not have to tell Senators what is happening in India and Pakistan today. The news media are doing a good job. Whose weapons are being used to destroy hundreds of lives, on both sides, in the unfortunate subcontinent of Asia? Mr. President, it is no secret. It is military weapons furnished through the U.S. military assistance program that is financing the death and destruction being wrought there today. The weapons bear the same label "Made in America."

No doubt that the weapons are the same ones that were sent, presumably, for internal security.

The even sadder facts of life about our military assistance program is that when evil is not effected directly through it, it manages to be perpetrated indirectly. For example, just recently we learned that the military arms we furnished Turkey are now being used by Pakistan to kill Indians.

I submit, Mr. President, that if the military assistance program is to be continued in the future, we should try to learn some lessons from the past. Let us not indiscriminately give potent arms to those who will not use them for the purpose intended. The military assistance that we furnish any nation is presumably to be used to oppose our common enemy, the Communists, and primarily for internal security. It was never intended that they be used against those allied with us.

Mr. President, I heartily concur with those who say that military assistance is necessary in South Vietnam. We have gone too far to retreat. There, we are meeting Communist aggression head on, and we should pull no punches in doing whatever is necessary.

I emphasize that my amendment would not take a copper cent from the appropriations provided in the bill for South Vietnam. I believe that some military assistance to South Korea is necessary. The Korean war was intended to be carried on by the United Nations, but our allied friends have left us holding the bag. As a result, we have assumed the entire cost of the war. Not only are we doing that. I wish I could give the figures for economic aid to that area. It amounts to many millions of dollars. We are carrying that load all alone. Those sums and the military assistance we have provided take care of the supplying of 19 divisions of local troops.

The assumption was that if, as, and when we provided South Korea with those divisions, some day we might be able to pull out. We have been there many years. In addition to supplying all the divisions with food, clothing, and military equipment, two American divisions are tied down in that area.

As I have said, the assistance to South Korea is supposed to be a United Nations action. The record shows that of all the boys who died on the battlefields, outside of Koreans, almost 96 percent were Americans. The record further shows that the cost of that war was borne, almost in toto, by none other than Uncle Sam.

In that area, as the record of last year shows, are two Britishers, two Australians, two New Zealanders, a few Greek troops, and a few Ethiopians, to give the action the color of being a United Nations action. But to add insult to injury, the United States is paying for the logistics of all the soldiers in South Korea, including our own, except the two Britishers, two New Zealanders, and two Australians.

Is it necessary to increase military assistance to nine countries in Latin America to the tune of approximately $8 million in fiscal year 1966? That is exactly what we are doing in this bill. My amendment would strike out that increase.

Senators who vote for the bill recommended by the committee will be increasing military assistance to nine countries in Latin America to the tune of approximately $8 million, because the increased Latin American program is included in the $1,170 million budget estimate for military assistance.

During fiscal year 1965, the President transferred from the contingency fund, which was established solely for economic assistance purposes, $55 million to a military assistance program that was already $55 million more than the $1 billion recommended by the Clay Committee. This amount was taken out of the contingency fund, a fund which was established to supplement, if necessary, economic aid. This transfer of funds was justified to the Congress as being necessary to maintain the security of the free world and as being in our own national interest.

Mr. President, for security reasons I am not able to disprove on the Senate floor that these transfers of funds were unnecessary. However, I can say that during fiscal year 1965, 17 countries received military assistance from us; yet when the fiscal year 1965 program was presented to the Congress, not one of those countries was programed to receive any funds for military purposes.

The money that I now seek to cut from the bill is money that we have given to countries which were not even mentioned during the hearings. Some of those countries received funds for military purposes from the contingency fund.

In the Near East and in Africa, we furnished military assistance to Guinea, Indonesia, and Iraq. As I recall, 7 or 8 years ago we furnished about $60 million worth of military equipment to Iraq.

What did Iraq do with that equipment? They fought our friends. Yet, today, knowing that they did that, we are again making military equipment available to them. I think it is shameful.

Lebanon is to receive military equipment, as will Saudi Arabia, Malaysia, Nepal, Nigeria, Sudan, Syria, and Tunisia.

In Europe we furnished a small sum, but imagine furnishing anything to the Netherlands. The Netherlands is a country that certainly is able to supply itself with such equipment as it needs.

We could not neglect some of the countries of Latin America because Mexico, Pan America, and Venezuela—countries which were not programed to receive $1 of military assistance when the fiscal year of 1965 presentation was made to Congress—received some military assistance during the past fiscal year.

Was a transfer of contingency funds necessary to give military assistance to those countries? Of course the answer is no. That fund was supposed to have been used solely, wholly, and only for economic aid. Yet, this sacred fund was used to furnish military assistance to some of those countries. Some people worry because we get in trouble now and then, as we have in Pakistan and in other places. But trouble for us is inevitable if we continue to increase military aid to countries that are receiving more aid than is necessary to provide for their internal security.

Mr. President, I could continue talking about the blunders that are made in the interest of military security or the national interest through the use of the military assistance program. However, much of the military assistance program is classified secret, and there are other phases of the foreign aid program to which I wish to address myself, under the limited time I have available.

Mr. President, I have an amendment at the desk which I shall call up later. As I stated a while ago, I intended to discuss it now and reserve some of my time to discuss the amendment when more Senators were present. I notice that there are only two or three Senators present in the Chamber now.

In my opinion, the foreign aid program most prone to further reduction is the Development Loan Fund. I wish that my good friend the junior Senator from Maryland, who is now presiding, would listen to this.

Prior to last year, when Congress insisted on an increase in interest rates, this fund was making so-called loans at terms which provided for three-fourths of 1 percent interest for 40 years, with a 10-year grace period. Of course, Mr. President, I grant that it is not necessarily wasteful to make these so-called loans to underdeveloped countries if the funds are being used to attain sound economic objectives in the particular country. However, I believe it is becoming increasingly difficult for the Agency for International Development to find the type of projects that will enhance the economies of the underdeveloped nations. Evidence of this can be found in the large amount of deobligations and decommitments of loans previously made and also in the huge unobligated balances that existed in the development loan account at the end of fiscal year 1965.

Let us see what has been happening in the development loan account insofar as decommitments and deobligations are concerned. Through December 31, 1964, a total of $271,511,672.16 had been decommitted or deobligated out of the Development Loan Fund, both old and new, and out of the Alliance for Progress loans. During the first 3 months of calendar year 1965—that is, January through March 31, 1965—a total of $56,471,089.57 had been decommitted and/or deobligated in these same accounts. Mr. President, all one has to do is project what deobligations and decommitments will be for the remaining 9 months of calendar year 1965 to obtain the possible annual rate of deobligations and decommitments. If this computation is made, it will be found that during the coming year approximately $225 million of loans previously made will be decommitted or deobligated. This means, then, that over and above the $744 million which the committee is recommending for development loans in the bill before the Senate, another quarter of a billion dollars will be made available to finance loan programs in the coming fiscal year because of deobligations and decommitments.

Mr. President, I have here some examples of these deobligations. I do not want to read them all or put them all in the RECORD. However, I cite a few examples.

In the Philippines, we authorized $5,300,000 for a pulp and paper mill. That money has not been spent because the sponsors withdrew the application. Thus that money is now available for reobligation and may be used in place of new funds.

In the same country, there was a return of an obligation of $9,850,000. The reason for the decommitment is that it represented an unused balance of a fiscal year 1955 project commitment for $50 million, which was terminated in June of 1961.

Also in the Philippines, there was a program for an industrial explosion plant. Loaned out was $2,100,000—$1,769,432 of that amount was returned because the company that obtained the grant was dissolved. It could not proceed further. That means that our country will probably lose the difference because this company is now dissolved.

Mr. President, there are countless examples, I could cite, but I do not have time.

I ask unanimous consent that a few samples which are indicative of the amounts that have been first obligated, deobligated, and then decommitted be printed at this point in the RECORD.

There being no objection, the samples were ordered to be printed in the RECORD, as follows:

EXHIBIT A

AGENCY FOR INTERNATIONAL DEVELOPMENT

Listing of amounts canceled, terminated, or reduced on old DLF liquidating account, new DLF, and Alliance for Progress loans

[As of Dec. 31, 1964]

Country and loan No.	Purpose	Amount authorized	Amount of agreement	Amount expended	Amount deobligated and/or decommitted		Remarks
					Decommitted	Deobligated	
LATIN AMERICA							
Argentina:							
510-A-003	Economic development	$24,750,000	$24,612,828.38	$24,612,828.38		$137,171.62	Project completed.
510-A-004	Road loan—Routes 18 and 126.	6,000,000	667,149.38	667,149.38		5,332,850.62	Inadequate performance by the contractor.
Bolivia:							
511-A-001	Sugar mill	2,500,000	2,498,149.17	2,498,149.17		1,850.83	Project completed.
511-H-022	Edible-oilseed mill and animal-feed plant.	2,000,000			$2,000,000		Canceled because of the question of the market, and the withdrawal of interest on the part of the management firm.
Brazil:							
512-A-003	Resettlement project	240,000	210,266.36	210,266.36		29,733.64	Project completed.
DLF 52	do	300,000			300,000		Remarks will be furnished subsequently.
Chile:							
513-A-005	Airport design	300,000	103,237.00	103,237.00		196,763.00	Originally 3 airports were to be designed Borrower used DLF funds for 1 and its own funds for the other 2.
Colombia	Housing, resettlement, and penetration roads.	5,000,000			5,000,000		Portion of a $25,000,000 DLF allocation for establishment of a housing bank for which the COC did not enact legislation establishing the institution.

Listing of amounts canceled, terminated, or reduced on old DLF liquidating account, new DLF, and Alliance for Progress loans—Con.

[As of Dec. 31, 1964]

Country and loan No.	Purpose	Amount authorized	Amount of agreement	Amount expended	Amount deobligated and/or decommitted		Remarks
					Decommitted	Deobligated	
LATIN AMERICA—con.							
Costa Rica:							
DLF 211	La Libertad Rd	$125,000			$125,000		Loan made contingent upon an IDB loan for colonization. The IDB loan was never consummated.
515-A-002	Resettlement project	300,000	$299,883.18	$299,883.18		$116.82	Project completed.
Guatemala	Kenafi bag factory	400,000	399,217.15	399,217.15		782.85	Do.
Haiti:							
521-A-001	Irrigation	4,300,000	4,251,675.23	4,251,675.23		48,324.77	Do.
521-A-002	Highway engineering	300,000	298,720.00	298,720.00		1,280.00	Do.
DLF 108	Sugar mill	3,000,000			3,000,000		Remarks will be furnished subsequently.
Nicaragua:							
524-A-001	Public utilities	600,000	585,278.11	585,278.11		14,721.89	Project completed.
524-L-007	Rural electrification	450,000	400,000.00		50,000		Remarks will be furnished subsequently.
Paraguay:							
526-A-004	Road improvement	2,500,000	2,499,936.65	2,499,936.65		63.35	Project completed.
526-A-005	Modernization of operations	2,600,000	2,574,410.37	2,574,410.37		25,589.63	Do.
526-A-008	Road improvement	7,750,000	7,100,000.00	6,353,592.03	650,000		Original project costs overestimated; revised before obligation.
Peru:							
DLF 119-A	Savings and loan association	1,000,000			1,000,000		Association was not willing to assume maintenance of value.
(—)	Housing, resettlement, and penetration roads.	6,700,000			6,700,000		Portion of $25,000,000 DLF allocation to be used in establishing a public institution to support private saving and loan associations; legislation never enacted.
527-A-019	Penetration roads	1,800,000	1,347,812.26	1,330,733.48		452,187.74	Project overestimated; now completed.
Total, Latin America.		72,915,000	47,848,563.24	46,685,076.49	18,825,000	6,241,436.76	
FAR EAST							
China:							
484-A-004	Cement plant	3,000,000	2,992,220.97	2,992,220.97		7,779.03	Project completed.
484-A-006	1st railway loan	3,200,000	3,026,024.34	3,026,024.34		173,975.66	Do.
484-A-007	Expansion of shipyard	2,000,000	212,981.31	212,981.31	1,100,000	687,018.69	Loan reduced to $900,000 in 1961. Company sustained heavy losses in construction of 2 oil tankers. It became apparent that it could not repay the loan and disbursements were stopped and the residual deobligated.
484-A-009	Improvement of fishing	686,000	683,374.65	683,374.65		2,625.35	Project completed.
484-A-010	Production of aluminum	1,350,000	1,342,559.52	1,342,559.52		7,440.48	Do.
484-A-012	Small industry loan fund	2,500,000	2,483,182.11	2,483,182.11		16,817.89	Do.
484-A-014	2d railway loan	5,900,000	5,896,413.99	5,896,413.99		3,586.01	Do.
484-A-020	Nanpu thermal power	20,500,000	14,910,000.00	14,273,941.82		5,590,000.00	Procurement of equipment cost less than estimated due to competitive market.
484-A-024	Tachien Reservoir	40,000,000	234,417.94	234,417.94		39,765,582.06	Original project changed for engineering reasons. Funds used for lower Tachien hydroplant and Linkou thermal plant under separate loans.
484-A-039	Shen Ao III thermal plant	21,500,000	20,600,000.00	5,106,216.84		900,000.00	Cost less than estimated.
Indonesia:							
497-A-006	Railway rehabilitation	3,000,000	2,694,636.51	2,694,636.51		305,363.49	Project completed.
497-A-009	Automotive parts plant	2,600,000	2,469,486.80	2,469,486.80		130,513.20	Do.
Korea:							
DLF 95	Building materials	1,100,000				1,100,000.00	Borrower (TEC PAN) proposed project changes with which AID did not agree.
DLF 182	Chemical plant	3,300,000			3,300,000		Political difficulties of borrower (Puk Sam) precluded further AID involvement.
489-A-001	Cement plant	2,140,000	2,139,599.93	2,139,599.93		400.07	Project completed, residual deobligated.
489-A-002	Telecommunications	3,500,000	3,491,279.69	3,491,279.69		8,720.31	Do.
489-A-003	Chung Ju hydroelectric	1,500,000	1,114,631.44	1,114,631.44		385,368.56	Do.
489-A-012	Nylon plant	3,200,000	3,138,000.00	3,130,464.65		62,000.00	Do.
489-A-014	Pusan thermal electric power	20,900,000	20,310,881.00	18,964,419.92		589,119.00	Do.
489-H-016	Procurement of diesel locomotives.	8,300,000	6,388,391.10	6,388,391.01		1,911,608.90	Do.
Philippines:							
DLF 101	Pulp and paper mill	5,300,000				5,300,000.00	Sponsors withdrew application.
(—)	(Project commitment)	9,850,000			9,850,000		Represents unused balance of a fiscal year 1959 project commitment for $50,000,000 which was terminated in June 1961.
492-A-004	Small industry loan funds	5,000,000	2,691,034.25	2,582,116.90		2,308,965.75	Funds were not being utilized because other sources of funds became available.
492-A-005	Roads and bridges rehabilitation.	18,750,000	15,235,305.00	7,493,316.37		3,514,695.00	Project was reorganized.
492-A-009	Industrial explosive plant	2,100,000	330,567.75	330,567.75		1,769,432.25	Company (Orval Chemical) dissolved.
Thailand:							
(—)	Thermal power	3,000,000			3,000,000		Remarks will be furnished subsequently.
Vietnam:							
430-A-004	Vietnam Railway System	9,700,000	7,800,000.00	7,154,059.54		1,900,000.00	Loan project completed. AID is continuing assistance to VNRS.
430-A-005	Saigon-Cholon Water District System.	19,500,000	17,500,000.00	8,315,323.78	2,000,000		Remarks will be furnished subsequently.
Total, Far East.		223,376,000	137,684,988.30	102,519,627.87	19,250,000	66,441,011.70	
NEAR EAST AND SOUTH ASIA							
Afghanistan:							
DLF 146	Aircraft acquisition	700,000			700,000		Remarks will be furnished subsequently.
Ceylon:							
383-A-002	Irrigation and land development.	1,600,000	1,475,942.29	1,475,942.29		124,057.71	Aid to Ceylon discontinued.
383-A-003	Highway development	900,000	894,495.25	894,895.25		5,504.75	
383-A-004	Rehabilitation of highways	750,000	726,000.00	726,000.00		24,000.00	
383-A-007	Airport construction	3,200,000	165,080.00	165,080.00		3,034,920.00	
DLF 103	Ceylon cement plant	4,500,000			4,500,000		

Listing of amounts canceled, terminated, or reduced on old DLF liquidating account, new DLF, and Alliance for Progress loans—Con.

[As of Dec. 31 1964]

Country and loan No.	Purpose	Amount authorized	Amount of agreement	Amount expended	Amount deobligated and/or decommitted		Remarks
					Decommitted	Deobligated	
NEAR EAST AND SOUTH ASIA—con.							
Cyprus:							
233-H-001	Equipment to consultants	$2,275,000			$2,275,000		The recent hostilities resulted in deobligation.
Greece:							
(—)	Athens-Thessalonica Highway.	13,000,000			13,000,000		Project application withdrawn by Government of Greece.
India:							
386-A-006	Railway modernization	40,000,000	$29,990,755.78	$29,990,755.78	10,000,000	$9,244.22	When loan of 40,000,000 was negotiated GOI anticipated this amount would suffice for steel procurement; however, due to price decreases the steel needed was covered by 30,000,000.
386-A-007	Roads, cement, and jute	35,000,000	34,939,161.14	34,939,161.14		60,838.86	Project completed; deobligation represents unused balance.
386-A-010	Railway modernization	35,000,000	34,991,053.12	34,991,053.12		8,946.88	Do.
386-A-011	Steel imports, public	18,000,000	17,908,152.49	17,908,152.49		91,847.51	Do.
386-A-012	Steel imports, private	22,000,000	21,924,345.96	21,924,345.96		75,654.04	Do.
386-A-014	Capital equipment, private	15,000,000	14,865,060.41	14,865,060.41		134,939.59	Do.
386-A-016	Steel imports	20,000,000	19,506,925.57	19,504,933.89		493,074.43	Do.
386-A-019	Thermal power	3,900,000	3,779,624.07	3,770,553.00		120,375.93	Do.
386-A-023	Road transport	13,100,000	13,072,990.08	13,072,990.08		27,009.92	Do.
386-A-029	Kanpur thermal power	1,600,000	1,512,587.74	1,512,587.74		87,412.26	Do.
386-A-046	2d Sharavathi hydroelectric	21,500,000	18,400,000.00	5,273,715.18		3,100,000.00	Government of India decided to finance turbines with French credit.
386-H-076	West coast papermill	6,300,000			6,300,000		This was a private project and after loan was authorized the private investor had a disagreement and the project collapsed.
Iran:							
265-A-005	Plan organization, economic development.	47,500,000	45,912,478.24	45,912,478.24		1,587,521.76	Project completed.
DLF 181	Bandar Abbas port	12,000,000			12,000,000		Canceled at the request of the Government of Iran, which decided because of financial difficulties to postpone the project until the 3d plan.
Israel:							
271-H-063	Development program (1st)	10,000,000	9,995,983.50	9,991,714.96		4,016.50	Project completed.
Jordan:							
278-A-001	Electric power project	1,200,000	1,198,090.97	1,198,090.97		1,909.03	Project completed; deobligation represents unused balance.
278-A-002	Phosphate mine expansion	2,500,000	1,269,026.36	1,269,026.36	1,000,000	230,973.64	Government of Jordan elected to repay amount drawn down and refinance the project through other sources.
DLF 160	Development bank	1,000,000			1,000,000		Remarks will be furnished subsequently.
Lebanon:							
268-A-003	Aluminum plant	400,000	369,590.05	369,590.05		30,409.95	Project completed; deobligation represents unused balance.
DLF 96	Electric powerplant	500,000			500,000		Remarks will be furnished subsequently.
(—)	Project commitment	12,000,000			12,000,000		Do.
Pakistan:							
391-A-006	Water and sewerage	5,500,000	4,000,000.00	3,705,072.96		1,500,000.00	Karachi Development Authority notified AID that $4,000,000 satisfied requirements for equipment under this project. Karachi Development Authority desired to use $1,500,000 left for a balancing works. AID declined; considered not feasible at this time.
391-A-013	Power transmission lines	14,700,000	12,214,775.32	11,637,086.03		2,485,224.68	Project virtually completed; deobligation represents unused balance.
391-A-018	Jet runway	4,800,000	3,045,130.30	3,045,130.30	1,000,000	754,869.70	Project completed. Decommitment for $1,000,000 based on decision that borrower did not need all of equipment.
391-A-022	Expansion gas treating plant	2,000,000	1,993,693.59	1,993,693.59		6,306.41	Project completed; deobligation represents unused balance.
391-A-035	3d railways	6,500,000	6,499,369.57	6,499,369.57		630.43	Do.
391-H-041	PICIC—4th	7,500,000			7,500,000		Decommitted because bank would not be able to fully utilize loan at this time. Sufficient funds still available under previous loans.
391-H-042	Thermal power generating station.	26,000,000	18,900,000.00	13,628,472.79		7,100,000.00	Reduction in the amount of the loan is due to an increased contribution by the borrower from its own resources to cover rising local costs.
391-H-044	Sui Gas Transmission, Ltd.	2,800,000			2,800,000		Borrower requested revisions which changed the scope of the project.
391-H-061	Dacca International Airport	4,300,000			4,300,000		The Government of Pakistan is proceeding with project with their own funds.
391-H-067	Balancing works, water and sewerage.	3,100,000			3,100,000		Karachi Development Authority decided that the return on the investment would be insufficient to repay debt.
DLF 69	Port of Chalna	2,000,000			2,000,000		Loan was authorized but subsequent to sending the letter of advice, the Government of Pakistan advised U.S. AID they desired certain items changed and substituted. DLF replied requested change, changed scope of project. Required justifications economic and technical were not submitted and loan offer was rejected.
(—)	Grain storage	2,500,000			2,500,000		Funds were earmarked but DLF received no application from the Government of Pakistan.
Syria:							
276-A-001	Textile mill	1,000,000	699,997.00	699,997.00	300,000	3.00	Project completed; $300,000 decommitted when DLF discovered that suppliers' credit had been available to finance some of the equipment which initially was to be financed by DLF 90.
276-A-003	Telecommunications	5,000,000	259,902.08	259,902.08		4,740,097.92	This was a loan to Development Bank for a private business. The nationalization of industry killed off the need.

Listing of amounts canceled, terminated, or reduced on old DLF liquidating account, new DLF, and Alliance for Progress loans—Con.

[As of Dec. 31, 1964]

Country and loan No.	Purpose	Amount authorized	Amount of agreement	Amount expended	Amount deobligated and/or decommitted		Remarks
					Decommitted	Deobligated	
NEAR EAST AND SOUTH ASIA—con.							
Turkey:							
277-A-008	Aerial mineral survey	$900,000	$543,974.16	$543,974.16		$356,025.84	Loan completed, deobligation represents unused balance.
277-A-015	Electric power distribution	7,000,000	6,153,218.00	6,027,753.04		846,782.00	Project completed. Borrower submitted request to utilize balance; however, AID considered the request beyond the scope of the loan, and since the TDD had expired deobligated this balance.
277-A-019	Railway construction	6,000,000	4,300,000.00	3,964,491.31		1,700,000.00	Local funds substituted for foreign exchange.
277-H-037	Seflon nylon plant	1,800,000			$1,800,000		The private investor could not satisfy requirements for equity. Project canceled.
DLF 71	Plastics and carbide plant	6,100,000			6,100,000		Letter of advice authorizing a loan amount of $6,100,000 was forwarded Dec. 26, 1959; however, proposed partnerships between Monsanto Chemicals and Sicedison and De Nora of Italy was not consummated and therefore proposed borrower corporation was not formed. DLF could not execute loan agreement.
United Arab Republic (Egypt):							
263-A-006	Development bank	7,000,000	2,500,000.00	2,282,472.63		4,500,000.00	Private business has been nationalized and since there are no longer any potential borrower the loan was canceled.
263-A-007	Canning and freezing plant (Edfina).	450,000	200,000.00	170,061.28	250,000		$250,000 was reserved for the manufacture of cans by Edfina. Equipment had to be purchased in the United States. Egypt decided against this wanting to make use of a canning plant already existing.
DLF 142	Telecommunications	1,300,000			1,300,000		United Arab Republic decided it did not want the project.
Total, Near East and South Asia.		463,675,000	334,207,403.04	314,213,603.65	96,225,000	33,242,596.96	
AFRICA							
Congo Republic:							
679-H-001	Road maintenance equipment.	2,700,000			2,700,000		Deauthorized due to change in planned project scope and Congo (B) political instability.
Ethiopia:							
663-A-001	Cotton textile mill	500,000	499,999.94	499,999.94		.06	Project completed.
663-A-003	Forestry development	180,000	20,965.37	20,965.37		159,034.63	Borrower defaulted.
China:							
675-H-003	Electrification project	2,400,000			2,400,000		Deauthorized due to change in planned project scope.
Liberia:							
669-A-002	Telecommunications	3,000,000	150,000.00	150,000.00		2,850,000.00	DLF canceled loan due to unsatisfactory contractual arrangements.
Nigeria:							
620-A-001	Warehouse construction	800,000	663,600.00	663,600.00		136,400.00	Project completed.
620-A-002	Track relaying project	3,100,000	2,997,198.21	2,997,198.21		102,801.79	Do.
Nyasaland:							
(—)	Trans-Zambesia Railway	10,700,000			10,700,000		Loan refused due to U.S. procurement requirement.
Sudan:							
650-A-001	Textile mill	10,000,000	9,978,133.70	9,978,133.70		21,866.30	Project completed.
Tanganyika:							
616-A-001	Mwanza-Musoma Rd	1,900,000	1,898,400.00	1,898,400.00		1.600.00	Do.
Total, Africa		35,280,000	16,208,297.22	16,208,297.22	15,800,000	3,271,702.78	
EUROPE							
Spain:							
152-A-047	Hydroelectric plant	3,900,000	1,679,359.28	1,679,359.28		2,220,640.72	Project completed.
152-A-048	Electric switch gear	350,000	340,274.44	340,274.44		9,725.56	Do.
DLF 50	Irrigation equipment	7,700,000			7,700,000		Canceled since Government of Spain failed to contribute local currency for project.
(—)	GE Espanola—power generation.	1,200,000			1,200,000		Canceled since financing subsequently became available from other source.
Yugoslavia							
158-A-011	Diesel locomotives (1st)	5,000,000	4,992,250.34	4,992,250.34		7,749.66	Project completed.
158-A-014	Diesel locomotives (2d)	14,800,000	14,748,552.88	14,748,552.88		51,447.12	Do.
158-A-021	Diesel locomotives (3d)	5,200,000	5,174,639.10	5,174,639.10		25,360.90	Do.
Total, Europe		38,150,000	26,935,076.04	26,935,076.04	8,900,000	2,314,923.96	

SUPPLEMENT

Remarks for certain loans not provided in Dec. 31, 1964, report of cancellations, reductions of DLF and Alliance for Progress loans

Region, country, and loan No.	Purpose	Remarks
LATIN AMERICA		
Brazil:		
DLF 52	Resettlement project	The prospective borrower rejected the offer due to (1) pending lawsuits against its firm, (2) indefinite delay in obtaining roads and other utilities, and (3) increased costs of the new project.
Haiti:		
DLF 108	Sugar mill	After the loan approval was granted, the DLF Corporation discovered the borrower intended to sell the project and the offer was withdrawn.
Nicaragua:		
524-L-007	Rural electrification	Borrower increased its contribution to the project and the loan authorization was accordingly reduced.

SUPPLEMENT—Continued

*Remarks for certain loans not provided in Dec. 31. 1964, report of cancellations, reductions of DLF and Alliance for Progress loans—*Con.

Region, country, and loan No.	Purpose	Remarks
FAR EAST		
Thailand:		
(No loan number)	Thermal power	Export-Import became interested in financing the loan and it was agreed to cancel the funds earmarked for this project.
Vietnam:		
430-A-005	Saigon-Cholon water distribution system.	Engineering reports indicated loan amount was overestimated and authorized amount reduced by $2,000,000.
NEAR EAST AND SOUTH ASIA		
Afghanistan:		
DLF 146	Aircraft acquisition	Loans not implemented since it proved impossible to reach agreement with RGA concerning the utilization of the local currency to be repaid by the prospective borrower.
Jordan:		
DLF 160	Development bank	Banking facilities nationalized. DLF Corporation withdrew offer of loan.
Lebanon:		
DLF 96	Electric powerplant	Project independently financed by BCAIF (development bank) funded by DLF loan No. 99.
(No loan number)	Project commitment	USAID and officials of the Government of Lebanon recommended that the funds be dearmarked.

EXHIBIT B

Listing of amounts canceled, terminated, or reduced on all DLF liquidating account, new DLF and Alliance for Progress loans for the period Jan. 1 through Mar. 31, 1965

Country and loan No.	Purpose	Amount authorized	Amount of agreement	Amount expended	Amount deobligated and/or decommitted		Remarks
					Decommitted	Deobligated	
LATIN AMERICA							
Bolivia:							
511-L-016	La Paz-El Alto highway	$3,900,000.00	$3,900,000.00			$3,900,000.00	New Bolivian Government determined the project not to be of highest priority in its development program.
Brazil:							
512-L-013	Feasibility studies	1,500,000.00			$1,500,000		Borrower requested cancellation and will request a loan for technical assistance to train Brazilians to make feasibility studies.
Colombia:							
514-L-024	Procurement of commodities.	60,000,000.00	59,954,026.09	$59,953,368.21		45,973.91	Terminal date expired.
Ecuador:							
518-A-006	Highway construction	4,700,000.00	4,700,000.00	3,704,184.19		500,000.00	Loan agreement project overestimated.
Unannounced loan authorizations.		24,950,000.00			24,950,000		Decommitted for political reasons.
Total, Latin America.		95,050,000.00	68,554,026.09	63,657,552.40	26,450,000	4,445,973.91	
FAR EAST							
China:							
484-A-016	Telecommunications	2,000,000.00	2,000,000.00	1,978,876.73		16,123.27	Project completed and funds not needed.
484-H-026	Taiwan telecommunications.	5,200,000.00	5,200,000.00	320,878.56		1,014,453.04	Requirements less than original estimate.
Korea:							
489-A-012	Nylon plant	3,138,000.00	3,138,000.00	3,130,464.65		7,535.35	Project completed and funds not needed.
489-H-015	Cement project	4,250,000.00	4,250,000.00	3,872,865.33		218,036.24	Requirements less than original estimate.
Philippines:							
492-A-004	Small industry loan fund	2,691,034.25	2,691,034.25	2,588,055.96		27,183.76	Project completed and funds not needed.
Total, Far East		17,279,034.25	17,279,034.25	11,891,141.23		1,283,331.66	
NEAR EAST AND SOUTH ASIA							
Ceylon:							
383-A-007	Airport construction	165,080.00	165,080.00	93,002.39		72,077.61	Assistance to Ceylon discontinued.
Greece:							
240-H-021	Development bank	5,000,000.00	5,000,000.00			5,000,000.00	Greece has reached a development stage where it can get loans and credits from regular international sources without the necessity of relying on foreign assistance or concessionary terms.
240-H-022	do	5,000,000.00	5,000,000.00	82,682.05		4,917,317.95	
India:							
386-A-019	Thermal power project	3,779,624.07	3,779,624.07	3,770,553.00		9,071.07	Project completed. Deobligation represents unused balance.
386-H-128	Ramgarh coal mine and coal washery.	8,500,000.00			8,500,000		GOI unable to give assurances that coal from Ramgarh would not be utilized by the Soviet-financed steel mill at Bokaro.
Israel:							
271-A-052	Telephone development	6,000,000.00	6,000,000.00	5,979,895.12		20,104.88	Project completed. Deobligation represents unused balance.
Pakistan:							
391-A-006	Water sewerage disposal	4,000,000.00	4,000,000.00	3,771,579.30		228,420.70	Do.
391-A-010	Railway rehabilitation	9,100,000.00	9,100,000.00	9,019,399.86		80,600.14	Do.
391-A-011	Karnafuli multipurpose dam.	20,250,000.00	20,250,000.00	17,969,652.00		2,097,000.00	Do.
391-A-012	Land reclamation	15,200,000.00	15,200,000.00	14,962,035.38		229,560.66	Do.
391-A-017	Inland waterways	1,750,000.00	1,750,000.00	1,719,994.27		30,005.73	Do.
391-A-019	Development bank	10,000,000.00	10,000,000.00	9,903,279.11		96,720.89	Unused balance deobligated because PICIC has available funds under the more recent loan PICIC III.
391-A-020	Railway rehabilitation	22,000,000.00	22,000,000.00	21,870,695.39		129,304.61	Project completed. Deobligation represents unused balance.
391-H-039	Iron and steel imports	90,000,000.00	90,000,000.00	89,055,008.80		944,481.65	Do.
391-H-046	General commodity imports.	42,000,000.00	42,000,000.00	41,326,934.69		644,193.90	Do.

EXHIBIT B—Continued

Listing of amounts canceled, terminated, or reduced on all DLF liquidating account, new DLF and Alliance for Progress loans for the period Jan. 1 through Mar. 31, 1965—Continued

Country and loan No.	Purpose	Amount authorized	Amount of agreement	Amount expended	Amount deobligated and/or decommitted		Remarks
					Decommitted	Deobligated	
NEAR EAST AND SOUTH ASIA—con.							
Turkey:							
277-A-019	Railway construction	$4,300,000.00	$4,300,00.000	$3,964,491.31	----------	$316,610.70	Project completed. Deobligation represents unused balance.
Total, Near East and South Asia.	----------	247,044,704.07	238,544,704.07	223,489,202.67	$8,500,000	14,815,470.49	
AFRICA AND EUROPE							
Ethiopia:							
663-A-005	Jet aviation facilities	3,100,000.00	3,100,000.00	2,638,512.22	----------	461,487.78	Project completed.
663-A-006	Road maintenance	3,600,000.00	3,600,000.00	3,311,558.50	----------	248,742.29	Do.
Yugoslavia:							
158-A-012 (DLF 84)	Kosovo thermal electric, phase I.	9,000,000.00	9,000,000.00	8,733,916.56	----------	266,083.44	Do.
Total, Africa and Europe.	----------	15,700,000.00	15,700,000.00	14,683,987.28	----------	976,313.51	

Mr. ELLENDER. Mr. President, here is another nice amount that we made available to Iran, oil rich Iran, for the purpose of constructing a port at Bandar Abbos, we made a loan of $12 million. The sum was later decommitted. The reason given was, "Canceled at the request of the Government of Iran. It was decided, because of financial difficulties, to postpone the project until the Third Plan."

What that means is that we offered that sum on certain conditions, and Iran was unable or unwilling to meet those conditions. I presume we had asked them to pay so much, but they could not pay it. Probably they wanted us to grant the entire amount. Anyway, it was canceled.

There are any number of programs and projects similar to the ones I have cited, which have been decommitted or canceled; and all that money is now available for loaning. That sum will be added to the huge sum now requested and provided for in the pending bill.

As I pointed out, further evidence of the inability of the Agency to find sound economic projects to be funded by loan can also be found in the huge unobligated balance which existed in the development loan account at June 30, 1965.

It is indicated in the committee report that these balances amounted to $91,292,000 at the end of fiscal year 1965. In this connection, I should point out that at April 30, 1965, the AID had been able to obligate only 55 percent of the funds available for development loans during that fiscal year. During the last 2 months of fiscal year 1965, approximately $271 million was obligated for development loans, out of a total availability of $822 million. Thus, approximately 33⅓ percent of the funds available were obligated in the last 2 months of the fiscal year.

It was possible for the Agency to obligate such a large amount of funds in the last 2 months of the fiscal year because section 103 of the general provisions of the bill now before the Senate does not apply to the development loan account. As Senators know, section 103 provides that not more than 20 percent of any appropriation item made available by this title shall be obligated and/or reserved during the last month of availability.

But I submit that, notwithstanding it being within the law to obligate more than 20 percent of the development loans in the last 2 months of the fiscal year, the actual obligation of 33⅓ percent of the funds of the development loan account in the last 2 months indicates poor programing and great inefficiency in administration.

I reiterate that that is why so much of this fund has been decommitted. However, the money was obligated in advance before the year expired, so that it could be said that the money left over was little or nothing. Yet, as I pointed out, for them to have obligated a third of the full amount appropriated during that fiscal year in the last 2 months of the program showed, in my opinion, poor management.

I am confident that a considerable amount of this 33⅓ percent that has been obligated in May and June of 1965 will be deobligated during fiscal year 1966 simply because the obligations were really never firm and the agency is having difficulty finding worthy economic projects requiring development loan financing.

Mr. President, let us not kid ourselves. The development loan program that is submitted to Congress each year is completely illustrative. There is hardly anything in it that will really come to be. Those programs that eventually come into being bear little resemblance to the evanescent illustrative programs presented to Congress each year.

In some of the countries for which development loan funds are requested, the amount of development loan assistance seems to be deliberately understated. This understatement usually takes place in countries which are highly developed and really should not even be on the dole. An outstanding example of a country in this category is Israel.

In fiscal year 1965, the AID program for Israel which was submitted to the Congress indicated that the development loan program would amount to a low range of zero and a high range of $10 million. Actually, development loans made to Israel in fiscal year 1965 amounted to $20 million.

The money is supposed to help underdeveloped countries. The people in Israel are as well provided for as are our own people. The people in Israel have a high per capita income. The economy of Israel is patterned after our own economy. Yet we are making soft loans to a country that is very well developed.

An $8 million loan was made to Israel to meet the foreign exchange costs of imports, of capital equipment, and materials for the country's investment program. Another loan was made to this country in the amount of $12 million to assist the Government of Israel implement its agricultural development plan by providing foreign exchange for machinery and equipment to increase mechanization of farming and control of irrigation water.

Mr. President, there is no excuse for making these loans to Israel out of the Development Loan Fund. I concede that the loans were made for worthy purposes. I grant that they were made to obtain excellent economic objectives, but the bank that should have financed these loans was the Export-Import Bank and not the Development Loan Fund. Israel is a prosperous country and able to service loans from the Export-Import Bank. There is no need to make soft loans out of the Development Loan Fund to this highly developed nation.

In fiscal year 1964, the development loan presentation to the Congress indicated that the loan program contemplated for Israel was a low range of zero to a high range of $20 million. Loans finally made in fiscal year 1964 aggregated $45 million. In this connection, I would like to refer to the foreign assistance hearings held before the Senate Appropriations Committee last year; not the hearings just recently concluded by the committee.

On page 437 of last year's hearings, the acting chairman, Senator PASTORE, interrogating Mr. Gaud of AID, stated:

> Senator PASTORE. Looking back to the Israel loan of last year, it was contemplated

to be $15 or $20 million and finally ended up under the revised program of $45 million.

Mr. Gaud. Yes, sir.

Senator Pastore. Why was that increased? What accounted for that?

Mr. Gaud. As you know, Mr. Chairman, these requests are made a long time in advance and in February of 1962 when we made up that request we were hopeful that $15 or $20 million would fill the need as far as Israel was concerned, but we were persuaded before the fiscal year was out that Israel's foreign exchange, balance of payments, and her entire economic position was such as to justify $45 million, which was the same amount we had given her the year before.

Mr. President, it is the same old story year after year: to deliberately understate the loan program for some of the prosperous countries, and to overstate the program in those countries where there is a need for development loan funds; a need—I might add—that is not difficult to justify to Congress. Countries falling in this category—just to name two—are India and the Philippines.

The Philippines, for instance, was scheduled to receive $15 million of development loans in fiscal year 1965 but, subsequently, after Congress had acted on the AID program the Philippines loan program was revised downward to zero. In taking this action, the Agency for International Development pointed out:

> The Philippine development loan applications, which were expected to be received during fiscal year 1965, did not materialize because the preliminary surveys had not been completed and the Philippine Government could not raise the local funds required for other potential AID loan projects.

In the case of India for fiscal year 1965, this huge country was programed to receive $385 million of development loans. This sum was later revised downward to $350 million.

Mr. President, I submit that the Agency for International Development should be admonished to cease and desist deceiving Congress. The way to effect this admonishment is to cut back the development loan funds in this bill. I believe that programs presented in the justifications to Congress, while being illustrative, should really square with the intent of the Agency instead of being meaningless window dressing in order to get the Congress to act favorably on the requests for appropriations. The practice of understating aid to be granted to prosperous countries, and overstating aid to be granted to those in dire need, must end immediately.

I believe that AID has really been in the business long enough now to have obtained sufficient experience and it has on hand a sufficient number of loan applications to present to Congress a sound and meaningful aid program for development lending. There really is no excuse for inflating and deflating the request for loan funds, which appears to be done solely for the purpose of manipulating votes in Congress.

Mr. President, another appropriation account in this bill that is overfunded is the general contingency fund. Mr. President, we must call this contingency fund the general contingency fund because, for the first time in the foreign assistance appropriation bill, we now have a second slush fund, which is known as the special contingency fund for southeast Asia. Lest anyone be confused, I am not now addressing my remarks to the special contingency fund for southeast Asia, which is also in this bill and is funded to the tune of $89 million. Rather, I am addressing my remarks to the general contingency fund, which is funded to the extent of $50 million.

Mr. President, for years, I, along with other Members of Congress and especially of the Senate, have put forth considerable effort to stop the abuses in the uses of the general contingency fund. This fund was initially established in 1958 to give the President the funds he required to provide help in any economic, political, or natural emergency abroad, in order to further the general objectives of the then existing mutual security program. It was not to be used for military contingencies. The same language contained in the Mutual Security Act was brought forth as section 451 of the Foreign Assistance Act of 1961, as amended, and it reads as follows:

> Sec. 451. Contingency Fund.—There is hereby authorized to be appropriated to the President for the fiscal year 19__ not to exceed $__________ for use by the President for assistance authorized by part I in accordance with the provisions applicable to the furnishing of such assistance, when he determines such use to be important to the national interest.

Part I referred to in section 451 is that part of the Foreign Assistance Act of 1961, as amended which is concerned with economic assistance to foreign countries. Part I of the Foreign Assistance Act has absolutely nothing to do with the granting of military assistance, which is provided for in part II of the aforesaid act. Nevertheless, a review of the uses to which the section 451, contingency fund, has been put over the past 2 fiscal years would lead one to conclude otherwise.

Let us take a look at the uses of the resources of the contingency fund during these years, bearing in mind that since its creation 6 years ago the contingency fund has been similarly abused.

In fiscal year 1964, there were funds available in the general contingency fund of $184,774,000. During the course of that year, these funds were put to use in both the military and economic areas notwithstanding the fact that the contingency fund was supposed to be used for economic purposes only.

During fiscal year 1964, $75 million was transferred to the military assistance program; $50 million was loaned to Brazil for the procurement of essential commodities; $38 million was made available to Vietnam for commodities for the counterinsurgency program and commercial import program; $8,850,000 was made available for air support costs and subsistence and other commercial consumables; $2,724,000 was made available for U.N. peacekeeping in Cyprus; $3,400,000 was made available to Bolivia for budgetary support; and only $4 million was made available for the relief of victims of natural disasters and civil strife in countries throughout the world. By the end of fiscal year 1964, a small unobligated balance of only $800,000 remained in the contingency fund.

Mr. President, I ask unanimous consent to have printed in the Record exhibit C, which explains this point.

There being no objection, the exhibit was ordered to be printed in the Record, as follows:

Exhibit C

Status of fiscal year 1964 contingency fund as of June 30, 1964 (preliminary)

[In thousands of dollars]

RESOURCES	
Appropriation	$50,000
Other availabilities:	
Unobligated carryover	127,099
Reimbursements	2,400
Recoveries (deobligations)	5,275
Total	134,774
Total available	184,774
USES	
Sec. 610 transfer to other appropriations:	
To military assistance program	75,000
To American schools and hospitals abroad	1,600
Total	76,600
Obligations [1]	107,428
Unobligated balance	746
Total	184,774

[1] Contingency fund obligations:

	Amount
Laos: Air support costs and subsistence, and other commercial consumables	$8,850
Thailand: Costs in connection with U.S. Army portable transmitter loaned to Thai Government	300
Vietnam: Commodities for counterinsurgency program and commercial import program	38,028
Bolivia: Funds for budgetary support	3,412
Brazil: Loan for procurement of essential commodities	50,000
Panama: A and E services shortfall for school construction	150
U.N. peacekeeping—Cyprus: To meet U.S. pledge to U.N. peacekeeping force in Cyprus	2,724
Disaster relief: Relief of victims of natural disasters and civil strife	3,966
Total	107,428

Mr. ELLENDER. In fiscal year 1965, Congress appropriated $99,200,000 for the general contingency fund and with the carryover of $800,000 from fiscal year 1964, a total of $100 million should have been available for fiscal year 1965. But because of deobligations, the $800,000 unobligated balance was swollen to a figure of $6,800,000 so that in excess of $106 million was available for the contingency fund in fiscal year 1965.

And how were these funds used, Mr. President?

Remember, as I have said, that this contingency fund was to be used, as I understand the law and the rules, for economic assistance. But listen to how it was used.

Once again, a transfer was made to the military assistance program. This time the amount was $55 million: $5,800,000 was used in British Guiana; almost $21 million was used in the Dominican Republic; $5½ million in Panama for budgetary support; $15 million in Vietnam; once again, $5 million for peacekeeping in Cyprus; and a little over $4½ million for natural disasters. It would appear to me that the bulk of these funds has been used to fund situations that were not contemplated in section 451 of the Foreign Assistance Act of 1961, as amended.

I ask unanimous consent that there may be printed in the RECORD at this point an exhibit marked "D" which explains the situation.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

There being no objection, the exhibit was ordered to be printed in the RECORD, as follows:

EXHIBIT D

ECONOMIC ASSISTANCE

Status of fiscal year 1965 contingency fund as of June 20, 1965 (preliminary)

[In thousands]

RESOURCES	
Appropriation	$99,200
Other availabilities:	
Unobligated carryover	3,160
Recoveries (deobligations)	13,004
Total	16,164
Total available	115,364
USES	
Sec. 610 transfer to other appropriations:	
To military assistance program	55,000
Obligations	[1] 57,506
Unobligated balance	2,858
Total	115,364

[1] Contingency fund obligations:

	Amount
British Guiana	$5,800
Dominican Republic	20,710
El Salvador	2,000
Panama	3,500
Panama	500
Tunisia	145
Vietnam	15,000
U.N. peacekeeping—Cyprus	5,052
Dominican Republic	133
Disaster relief	4,666
Total	57,506

REMARKS

Rehabilitation and maintenance of roads, seawalls, and the international airport.

Relief and rehabilitation to prevent economic deterioration.

Budgetary support to facilitate emergency earthquake reconstruction efforts.

Loan for budgetary support.

Grant for budgetary support.

Rehabilitation of railroad bridge washed out by floods.

Provision of essential commodities for the civil economy.

U.S. pledge for emergency peacekeeping in Cyprus.

U.S. contribution to special OAS fund for emergency assistance.

Relief of victims of natural disasters and civil strife.

Mr. ELLENDER. But even if all of the obligations in the various countries could be justified, surely the transfers to military assistance aggregating $130 million over the past 2 years from the contingency fund cannot possibly be sanctioned. Because the fact is that there is a source of funds already provided under the Foreign Assistance Act to take care of any military contingency that may fortuitously occur during the year.

Section 510(a) of the Foreign Assistance Act gives the President special authority to use up to $300 million for contingencies that may develop in any particular year should he determine that it is vital to the security of the United States that such be done. And section 510(b) provides that:

> The Department of Defense is authorized to incur, in applicable appropriations, obligations in anticipation of reimbursements in amounts equivalent to the value of such orders under subsection (a) of this section. Appropriations to the President of such sums as may be necessary to reimburse the applicable appropriation, fund, or account for such orders are hereby authorized.

The authority granted to the President under section 510 has been available since the passage of the Foreign Assistance Act of 1961 but has never been used until just a few months ago when, for the first time, $75 million of military assistance was furnished under section 510. The reason why the President had to use section 510 this time was that he ran out of the funds provided for contingencies for economic assistance.

In this connection, I wish to point out that such would not have been the case if I had not offered an amendment last year on the floor of the Senate to reduce the contingency fund by $50 million. I submit that if this $50 million had not been cut from the contingency fund, it would have been transferred to military assistance by the President in fiscal year 1965.

Bear in mind that this money was transferred to countries that were never named in the Foreign Assistance Act.

In the past, rather than use section 510 and thereby be compelled to justify it to the Congress—even though it is true it will be after the fact—any uses of funds for military contingencies, the President has consistently thwarted the initial intent of Congress and made transfers to military assistance from funds that were appropriated for uses in the economic aid area.

Just how does it become possible for the intent of Congress to be circumvented by the President if section 451 funds are supposed to be used for economic purposes? How can he make transfers to military assistance? It is really not a simple matter and a considerable amount of legal gymnastics is employed to effect the transfer of large amounts of contingency funds to military purposes. To understand the tortuous process, it is necessary to review other sections of the Foreign Assistance Act.

One can start with section 610 of the Foreign Assistance Act of 1961, as amended, which permits only up to 10 percent transfer of funds from one appropriation account to another. Thus, during fiscal year 1965, if one looks only at section 610 it would seem that it would have been possible to transfer approximately $10 million from the contingency fund to military assistance since only $106 million was available in the contingency fund. Nevertheless, the President was actually able to transfer, and did transfer, $55 million in fiscal year 1965—and that in direct contravention of the law. To understand this, we must go to the next step in the legal labyrinth which is found in section 614(a) of the Foreign Assistance Act. This section, when read in conjunction with section 610, gives the President all the flexibility he needs in the obligation of foreign aid funds and permits Congress to abdicate any responsibility it may have under the Constitution to control our Nation's purse strings.

Mr. President, I would like to read to Senators the precise language of section 614(a) of the Foreign Assistance Act of 1961, as amended:

> SEC. 614. Special Authorities.—(a) The President may authorize in each fiscal year the use of funds made available to use under this Act and the furnishing of assistance under section 510 in a total amount not to exceed $250,000,000 and the use of not to exceed $100,000,000 for foreign currencies accruing under this Act or any other law, without regard to the requirements of this Act or the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 et seq.), in furtherance of any of the purposes of such Acts, when the President determines that such authorization is important to the security of the United States. Not more than $50,000,000 of the funds available under this subsection may be allocated to any one country in any fiscal year.

It should be clear that this language gives the President carte blanche to shift funds from any appropriation account of the foreign assistance bill to any other appropriation accounts for the foreign assistance bill just as long as no one particular country is granted more than $50 million of the funds transferred.

I might point out, Mr. President, that it is for this reason that the amount loaned to Brazil from the contingency fund in fiscal year 1964 was limited to $50 million. If the limitation of $50 million were not written into section 614 (a) of the Foreign Assistance Act of 1961, as amended, chances are that this loan would have been for a considerably larger sum.

In view of what has been done with the contingency fund over the years, I am firmly convinced that the contingency fund should be minimal, and I feel that for fiscal year 1966 not more than $20 million should be allowed to take care of the disasters that occur throughout the world, whether they be economic, political, or natural. Thus, I feel that the $50 million recommended by the committee for the contingency fund is $30 million more than is required.

If funds and equipment are needed to provide internal security where Communist subversion threatens, then the President can use the $300 million provided in section 510(a). In addition, if the funds provided under section 510 (a) should prove insufficient, there are available under section 610 and section 614(a) of the Foreign Assistance Act of 1961, as amended, authorities to make further millions available for use in the event that disaster or subversion threatens any nation of the free world.

It is time for us to put into effect many of the sound recommendations made by various committees and individuals to improve the foreign assistance program. To tighten up on the general contingency fund is an excellent place to make a beginning to improve the foreign aid program.

Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator has 17 minutes remaining.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum, with the time for the quorum call to be charged to my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on the first amendment of the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. I ask that the yeas and nays be ordered on all three amendments. If Senators will remain here for the next 10 or 15 minutes we can dispose of all three amendments.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered on the three amendments.

Mr. PASTORE. The first amendment that is pending would provide for an across-the-board cut of $100 million in military assistance. As I have indicated this afternoon—and I do not wish to repeat myself—this would be a disastrous cut. The Senate has just rejected the amendment which would have provided for a larger reduction of $292 million. This is $100 million, across the board.

I sincerely hope that the Senate will reject it.

Mr. ELLENDER. Mr. President, I yield myself 5 minutes.

I spoke for over an hour trying to explain the three pending amendments, but there were only about four Senators present.

This cut that I am seeking to make now would reduce the military assistance in 17 countries to what it was last year.

We would increase the military assistance to certain Latin American countries under the pending bill. It would be increased in those countries by $7,806,000 over last year.

With respect to Ethiopia and Spain, my amendment, if adopted, would prevent an increase of $17 million.

As I said before, I am not proposing to reduce by one nickel the amoust provided for South Vietnam. That amount is not touched at all. The $100 million cut would affect only the increases that the bill would make to certain countries. I cannot state the amounts to be increased for each country because that is secret. But if Senators knew the amounts that were added to the various countries and the reasons for so doing, I feel certain that they would vote for my amendments.

I hope the amendment will be adopted. It would save much needed money.

I reiterate that this cut would not affect any country that is now at war. It will affect only countries that we have been assisting for the past 15 or 20 years and some countries that have been newly added to the list.

I hope the amendment will be adopted.

Mr. PASTORE. Mr. President, the Senator from Louisiana has just put his finger on the reason why his amendment should not be adopted. When the Secretary of Defense, through his assistant, appeared before the committee, together with the Chairman of the Joint Chiefs of Staff, the Senator from Rhode Island took each of the classified figures that have been mentioned by the Senator from Louisiana and asked for a detailed, line-by-line explanation of why certain small increases were being made. It is too bad that we cannot speak of secret or classified figures on the floor of the Senate. Possibly much of the confusion that exists on the floor of the Senate could be avoided if Senators, at any time the committee holds a meeting in executive session of highly classified matters, would attend such meeting to learn firsthand why some of the projects are being recommended by the subcommittee and by the Committee on Appropriations itself.

A question has been raised about Taiwan. I cannot say what kind of equipment is necessary for Taiwan or speak about some of the things that are being done over China. It is unfortunate that we cannot talk about that.

All I say is that if we create the impression in Peiping that we will allow Taiwan to have obsolete equipment, we will see a move by Peiping toward Taiwan. We will begin to see pressures applied in the cunning, subtle way that only Communists know how to employ. Let the Communist world begin to think that we will lie down and relax with respect to modernizing some of the equipment our friends have to hold back an onslaught of communism, and we will begin to see the penetration and probing to which Communists are accustomed.

The committee has examined into this subject thoroughly. Senator PASTORE does not favor the squandering of money. I asked for explanations. When Senators read the hearings and come to important parts which read "Deleted, Deleted, Deleted," and ask, "Why?" the answer is that the information is secret. After all, if any Senator has a need to know, I urge him, I implore him, I beg him to visit with the Secretary of Defense and with the Chairman of the Joint Chiefs of Staff to get the answers.

Every nickel that we have recommended for this purpose in the budget has been thoroughly and completely justified. If it is the conscience of the Senate to reduce the amount by $100 million, I suppose that will be the verdict. But I say, as I said with respect to the amendment to cut $292 million, do not handcuff the President now. It is too important in the history of mankind. Do not handcuff or handicap foreign aid here. Do not start to make meat-ax cuts.

Senators may say that a certain amount of money is in the pipeline. So much the better. I say that money will always have to be in the pipeline. We know that. When we return next year, God willing, there will still be a pipeline. This money is for the security of the free world and for the security of America. Let us not this afternoon indiscriminately make a cut of $100 million merely because we think we can go home and boast, "I voted to cut $100 million." Do Senators know what their constituents will say? They will say, "If you were that smart, why did you not kill the whole foreign aid bill?"

There is no glory, political or otherwise, in piecemeal cuts. There is no personal glory in this bill for PASTORE.

As I said earlier today, when I go home, no matter how successful I am, no flags will be flown at my house.

But my home will be more secure if we keep our land secure.

This cut would be a crucial, serious, dangerous cut. Speaking as the manager of the bill and speaking for the administration, I urge Senators not to do it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. I wish to make one observation about military aid to South America. The $78 million provided in the appropriation bill is less than the amount provided 5 years ago. That issue has been argued in the Committee on Foreign Relations.

Mr. PASTORE. An attempt was made in committee to cut the amount by $25 million. It lost by only two votes.

Mr. LAUSCHE. The $78 million is less than the amount provided for South American countries 5 years ago. The argument has been: Do not give to the South American countries any money for military purposes. To do so would be harmful to our country.

In the Committee on Foreign Relations we have reduced the amounts so that the amount that has now been recommended is less than it was a half decade ago.

Mr. PASTORE. Mr. President, I yield to the Senator from Iowa.

Mr. MILLER. Mr. President, the Senator from Iowa is not clear on this amendment. The amendment at the desk would cut the figure of $1.070 billion for military assistance.

Mr. PASTORE. It would cut it from $1.170 to $1.070 billion. It would be a reduction of $100 million.

Mr. MILLER. The Senator is correct. That is all it would do. Now we talk about Taiwan and some of the other countries. I fail to understand how the amendment which would merely cut the figure is necessarily related to Taiwan or any other foreign country.

Mr. PASTORE. I used Taiwan as an example. The same thing would apply to other countries.

What the Senator from Rhode Island is saying is that if we were to create the impression abroad among the Communist world that we were relaxing our modernization program for our allies, we would be inviting encroachment on the part of communism. As I said today, creeping communism would become galloping communism.

Mr. MILLER. I share the viewpoint of the Senator from Rhode Island and the feeling that it would create such an impression in Communist China. However, when $100 million is cut out of this total—and nothing more is said in the amendment—I do not quite understand how we can conclude that Taiwan, or any particular country, would be affected by this cut.

I thought that perhaps the Senator from Rhode Island could tell us why.

Mr. PASTORE. The Senator from Louisiana made that argument. He made the argument that we are adding more money for Taiwan; and it is more money than last year. I explained why it should be so. I gave that as an example. We can run down the list, and the same argument would apply.

Mr. MILLER. Mr. President, if the Ellender amendment were to carry, would there be discretion in the administration as to the allocation of the $1,070 million, so that the administration could use it wherever it thought desirable?

Mr. PASTORE. The Senator is correct. However, somebody's toes would have to be stepped on. When we take 1 quart out of a gallon, we end with only 3 quarts. Let us face it; it must be taken out of somewhere.

Mr. ELLENDER. Mr. President, to answer the Senator, nine of the countries in South America received $37,922,000 in fiscal year 1965. This measure would give them almost $8 million more than last year.

Mr. LAUSCHE. It would be an increase over last year?

Mr. ELLENDER. The Senator is correct. It has increased by almost $8 million.

Mr. LAUSCHE. But it is not an increase over what it was 5 years ago.

Mr. ELLENDER. In the Far East, we are increasing the amount of military aid to countries other than South Vietnam.

In the Near East, in Greece, Iran, Pakistan, and Turkey, we are giving them now a quarter of a billion dollars. The plan is to increase that amount.

My plea is that the amount which we have given them in the past should be enough. I point out again that not one single solitary dime is proposed to be taken away from South Vietnam.

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

The VICE PRESIDENT. All time having been yielded back, the question is on agreeing to the first amendment offered by the senior Senator from Louisiana. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Louisiana [Mr. LONG], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. FANNIN], the Senator from Kansas [Mr. PEARSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Arizona would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 35, nays 47, as follows:

[No. 271 Leg.]

YEAS—35

Bayh
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Clark
Cotton
Douglas
Eastland
Ellender
Ervin
Fong
Fulbright
Gruening
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
McGovern
Miller
Morse
Morton
Mundt
Nelson
Prouty
Proxmire
Randolph
Robertson
Russell, Ga.
Symington
Talmadge
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—47

Aiken
Allott
Bartlett
Bass
Boggs
Brewster
Cannon
Carlson
Case
Cooper
Dirksen
Dodd
Dominick
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
McNamara
Metcalf
Monroney
Moss
Murphy
Muskie
Pastore
Pell
Ribicoff
Russell, S.C.
Smathers
Smith
Stennis
Thurmond
Williams, N.J.
Yarborough

NOT VOTING—18

Anderson
Bennett
Curtis
Fannin
Gore
Long, La.
McCarthy
McIntyre
Mondale
Montoya
Neuberger
Pearson
Saltonstall
Scott
Simpson
Sparkman
Tower
Tydings

So Mr. ELLENDER's first amendment was rejected.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MORTON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, if the Senators will remain in the Chamber, we have two more votes coming up in rather rapid succession. Then I hope we can proceed to the third reading.

Mr. ELLENDER. Mr. President, I call up my second amendment, and ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The legislative clerk read as follows:

On page 3, line 5, strike out "$593,225,000," and insert in lieu thereof "$543,225,000."

Mr. ELLENDER. Mr. President, the effect of this amendment——

The VICE PRESIDENT. How much time does the Senator yield himself?

Mr. ELLENDER. I yield myself 5 minutes.

Mr. President, the effect of this amendment is to cut from the general development loan fund, the sum of $50 million.

I have explained at length why I believe the amendment should be adopted. In the first 3 months of this year, deobligations amounted to $56 million. Over the past years, there has been deobligated and decommitted almost $300 million.

We are providing for a sum of $744,517,000, which, with the deobligated amount, will mean that the AID Administrator will have in excess of $1 billion to lend, in fiscal year 1966.

Considering the fact that so much of these funds has been deobligated, I think we could easily cut this program by at least $50 million.

I shall cite a couple of examples which are included in the data I previously included in the RECORD. In the Philippines, there was obligated $5,300,000, and that sum remained idle for some time, but was finally deobligated overnight. All that money, of course, was returned to the development loan fund for relending.

Also in the Philippines, we loaned $2,100,000 to an industrial explosives plant which was later deobligated, because the company that had borrowed the money was dissolved.

Mr. President, as I pointed out during my presentation, we have actually decommitted almost $300 million in loans previously made, and as I pointed out further, in the last 2 months of the last fiscal year, only a third of the money available for loans was obligated.

There is no question in my mind that by obligating these sums so swiftly that mistakes are bound to be made. I urge Senators to vote for my amendment so that we may at least save $50 million.

Mr. PASTORE. Mr. President, I shall need only 2 or 3 minutes to reply. I would hope that the amendment would be defeated. I realize that there has been some deobligation. But there has been some deobligation every year. This has been true in previous years more so than this year. It is usual practice and common knowledge. But the committee took all of that into account. It cut the development loan generally, from the estimates of the administration, by $132 million.

The job has been done by the committee. It has not come up with an astronomical figure over and above anyone else's estimate. The committee cut it below the estimate. It cut it even below the estimate of the House figure on the development loan. I say that we have cut it down to the bare bone. Now we will be getting into the marrow.

A long time ago we decided that the answer was loans, not grants, not giveaways, but borrowing and lending.

I realize that we make many concessions when it comes to the interest element. I have heard all these arguments time and again, but I am saying to the Senate this afternoon that we are aware there has been deobligation, as there should be. That is good administration. We took that all into account, and that is why we cut the development loan by $132 million.

The committee did its job. It did not do its job by cutting the $132 million so that it could be compromised down further and sliced another $50 million. The committee did the job as it saw it, and cut it down to the bone.

I believe that it would be dangerous and serious to cut it any further, and I hope that the amendment will be defeated.

Mr. SYMINGTON. Mr. President, will the Senator from Louisiana yield?

The VICE PRESIDENT. Who yields time to the Senator from Missouri?

Mr. ELLENDER. I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. I would ask a question of the Senator from Louisiana [Mr. Ellender]. Are we talking about loans of 40 or 50 years' duration, with no interest charge, and no repayment of principal for 10 years?

Mr. ELLENDER. The Senator is correct.

Mr. SYMINGTON. Then actually we are not talking about loans at all. We are talking about grants.

The VICE PRESIDENT. The question is on agreeing to the second amendment of the Senator from Louisiana.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long], the Senator from New Hampshire [Mr. McIntyre], the Senator from Oregon [Mrs. Neuberger], and the Senator from Virginia [Mr. Robertson] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Robertson] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis], the Senator from Arizona [Mr. Fannin], the Senator from Kansas [Mr. Pearson], the Senator from Massachusetts [Mr. Saltonstall], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Pennsylvania [Mr. Scott] is absent on official business.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Nebraska [Mr. Curtis], and the Senator from Arizona [Mr. Fannin] would each vote "yea."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Massachusetts [Mr. Saltonstall]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Massachusetts would vote "nay."

The result was announced—yeas 29, nays 53, as follows:

[No. 272 Leg.]

YEAS—29

Bartlett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fong
Gruening
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
Morse
Mundt
Murphy
Russell, S.C.
Russell, Ga.
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—53

Aiken
Allott
Bass
Bayh
Brewster
Cannon
Carlson
Case
Church
Clark
Cooper
Dodd
Douglas
Fulbright
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McNamara
Metcalf
Miller
Monroney
Morton
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Smathers
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—18

Anderson
Bennett
Curtis
Fannin
Gore
Long, La.
McCarthy
McIntyre
Mondale
Montoya
Neuberger
Pearson
Robertson
Saltonstall
Scott
Simpson
Sparkman
Tower

So Mr. Ellender's amendment was rejected.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I call up my third amendment, on page 2, line 18.

The VICE PRESIDENT. The amendment offered by the Senator from Louisiana will be stated.

The Legislative Clerk. It is proposed, on page 2, line 18, to strike out the figure "$50,000,000" and insert in lieu thereof the figure "$20,000,000".

Mr. ELLENDER. Mr. President, this is the last amendment I have to offer. It is very simple. All of us voted for the contingency fund. That fund was supposed to be used by the President to finance emergency needs that could not be foreseen in advance.

In the 1964 program less than $4 million was used out of the total amount appropriated for natural disaster. Most of the rest of it was used for military assistance.

As I pointed out in debate, this contingency fund was created, not to furnish military assistance, but to provide economic aid in those situations which could not be foreseen.

In 1965 the sum of only $6 million-odd was used to provide economic relief from disasters that could not be foreseen, but in that year $55 million was used directly for military assistance. It was never conceived that emergency funds would be used for anything else but economic aid, but here, in 2 years, the President has used that fund to give military assistance to many countries that were not named in the presentation which was made to the committee.

I hope my amendment is adopted.

Mr. PASTORE. Mr. President, this is what I call a genuine handcuff amendment. This is the amendment that really handcuffs the President of the United States. I dare say I could name five Governors who have a contingency fund greater than $20 million. Yet here is the President, who is responsible for the security of the Nation in a sensitive world. Here is the President, who is responsible for peace in our time, with all his resources he cannot know today what is going to happen tomorrow. He cannot foretell where or when the emergency may be. Yet, on the floor of the Senate, we are being asked to handcuff the President by reducing this fund from $50 million to $20 million because, it is said, we cannot trust the President to use that fund in case of an emergency.

If any amendment should be defeated, this one certainly should.

I yield back the remainder of my time.

Mr. ELLENDER. Mr. President, the President has two other sources he can use in case of emergency. He has as much as $300 million that he can use under section 510. He has another fund of $250 million that he can muster under sections 610 and 614 of the Foreign Assistance Act.

I pointed out in my main speech that the emergency fund is to be used solely and only for events that cannot be foreseen. Here the President has used that fund for military purposes. I think it is wrong. It is directly in opposition to what the Congress intended.

Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time on the amendment has been yielded back.

The question is on agreeing to the third amendment of the Senator from Louisiana. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. **SMATHERS.** I announce that the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Louisiana [Mr. LONG], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. ROBERTSON] would vote "yea."

Mr. **KUCHEL.** I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. FANNIN], the Senator from Kansas [Mr. PEARSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent on official business.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "nay".

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Arizona would vote "nay".

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Texas would vote "nay".

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Massachusetts would vote "nay".

The result was announced—yeas 18, nays 63 , as follows:

[No. 273 Leg.]

YEAS—18

Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Eastland
Ellender
Ervin
Gruening
Hruska
Jordan, N.C.
Jordan, Idaho
Miller
Morse
Mundt
Murphy
Russell, Ga.
Talmadge
Thurmond

NAYS—63

Aiken
Allott
Bartlett
Bass
Bayh
Boggs
Brewster
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Fong
Fulbright
Harris
Hart
Hayden
Hickenlooper

Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McClellan
McGee
McGovern
McNamara
Metcalf
Monroney
Morton
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Smathers
Smith
Stennis
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—19

Anderson
Bennett
Curtis
Fannin
Gore
Hartke
Long, La.
McCarthy
McIntyre
Mondale
Montoya
Neuberger
Pearson
Robertson
Saltonstall
Scott
Simpson
Sparkman
Tower

So Mr. ELLENDER's amendment was rejected.

Mr. **PASTORE.** Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. **KUCHEL.** Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **ELLENDER.** Mr. President, I yield 5 minutes on the bill to the Senator from Nebraska.

Mr. **HRUSKA.** Mr. President, we again undertake the annual appropriations for some of the foreign aid programs this year amid dark signs that threats to world peace are still with us. Indeed, in many respects they are graver than last year. An acceptable solution to the crisis in Vietnam eludes us while our military and economic commitments to that beleaguered nation steadily rise. Castro still exports his brand of Communist revolution to other countries of Latin America—as is evidenced by his very recent efforts to gain control of the Dominican Republic. The United Nations faces what is probably the sternest test so far of its ability to function effectively as an instrument of international law and order. Dictators of certain countries who have been substantial recipients of our foreign aid resources continue to insult us, destroy and confiscate our property and even take the lives of our citizens. We are witnessing the spectacle of recipients of our military and economic aid using it to wage war against each other.

It is in this setting that we examine the administration's foreign aid appropriations request.

The request this year, as in past years, is misleading and presents a seriously distorted picture to the American people as to the nature and extent of our multifarious foreign assistance programs. Though no one really knows for sure—not even the General Accounting Office—the $3.907 billion of appropriations called for in the bill before us represents only a fraction of what this country will actually spend on foreign aid for fiscal year 1966. For, in addition to this bill, there are numerous other separate programs including the food-for-peace—a $1.7 billion item in the forthcoming Agriculture budget—and the foreign expenditures of the Defense Department for another $3 billion. Of course, the figures I have just alluded to do not include the more than $6 billion in the so-called foreign aid pipeline for potential use in fiscal year 1966. By rough estimate there are at least 20 organs of the Federal Government that are involved in the foreign aid business. This effort utilizes the talents of at least 70,000 employees.

THE SALTONSTALL AMENDMENT

Mr. President, I fully supported the effort by the senior Senator from Massachusetts [Mr. SALTONSTALL] to cut another $50 million from this appropriation. This is in addition to the $94 million already lopped off in the Senate Appropriations Committee. This additional cut is most reasonable and can hardly be asserted to shake the foundations of a $4 billion program. In an agency having pipeline funding of at least $6 billion, it would seem reasonable that this modest sum can be absorbed without much difficulty. As such, this Senator was happy to cosponsor this amendment.

SACKING AND BURNING OF EMBASSIES AND LIBRARIES

Since the Senate last considered foreign aid 1 year ago, we have witnessed shocking and irresponsible behavior by Messrs. Nasser and Sukarno directed against U.S. citizens and their property and indeed outright insults against our Government and wanton destruction of U.S. Government property. Just this week a similar situation occurred in Pakistan.

In the view of this, Senator, the limitations provided for in the authorization bill giving the President discretion to cut off aid to countries who repeat such behavior, though a halting step in the right direction, fall short of the firm stand which is demanded by the outrages to which I have alluded.

The Senate Foreign Relations Committee report on the authorization bill quite properly stated that a number of less developed countries "need to be informed" that they have no inherent right to U.S. assistance. But the message must be made plainly simple and without qualifications: those who would stand idly by while undisciplined mobs destroy our property, those who would go out of the way to insult this country, those who would take the lives of our citizens and expropriate their property are not to continue to participate in our assistance programs so long as they pursue that kind of reckless course.

Flexibility and freedom of action would lie in a firm course. But the choice would rest in the hands of those who would accept our aid. They should be told: "Treat us with respect and common decency, allow our citizens and their property the same courtesies that peaceable men should be accorded in any civilized country or forget about our help."

Long gone is the naive idea that we can buy friendship with our aid dollars, but at least we do not have to pay for criminality, insults, or useless waste.

CUT OFF SUPPORT FOR THE UNITED NATIONS?

The financial difficulties which now beset the United Nations are truly the most serious threat to the viability of the world body since its inception. Although a final showdown has been averted temporarily by a major retreat by the United States, the result has been that now the U.N. Charter can be flouted at will by any nation that chooses to do so. While Russia, France, and others refuse to honor their just obligations, U.S. foreign aid dollars provide the financial transfusions to keep the U.N. afloat. We are giving over $144 million for the year—and I am sure that will be only a starter. This is to be added to the $2.4 billion already contributed or loaned by the United States—a whopping 45 percent of the 20-year spending record of the U.N.

If the member nations cannot meet their commitments, if the charter becomes but a scrap of paper, then it is high time for the United States to sit back to reassess and reconsider its participation in or at least such heavy support of the United Nations.

VIETNAM AND SOUTHEAST ASIA

We are considering in this bill economic and military aid requests for Vietnam of more than $340 million, about evenly divided between the two kinds of support. This is in addition to the $700 million blank check supplemental we have voted earlier for the remainder of fiscal year 1965 in military aid. Included is the $89 million southeast Asia contingency fund. Presumably this $89 million is the first installment of the billion-dollar carrot offered by President Johnson in his Johns Hopkins speech this spring.

This sum would be merely the pump primer for a massive, multilateral aid effort.

Mr. President, it is inconceivable to me that we should even consider, let alone appropriate such huge sums for economic development when the military and political conditions in Vietnam are so unsettled. In spite of our efforts to the contrary, there is a possibility that South Vietnam will go under or become neutralized. There is a good possibility that all that our economic aid at the present time might accomplish would be to fatten up the goose for Communist takeover.

Now I am not for 1 minute suggesting that we abandon our military efforts in Vietnam or southeast Asia. Indeed, I favor taking whatever steps are necessary to rid the area of Communist influence. To be sure, we must express our willingness to help in all practical ways to build for a bright future free from foreign domination, but it hardly makes sense to pour in hundreds of millions of economic aid dollars when the political and military situations are so fraught with danger and uncertainty.

BALANCE OF PAYMENTS AND FOREIGN AID

To say that our gold stocks are being reduced at a rapid rate and are now at dangerously lower levels is perhaps an understatement of the present state of affairs of our balance-of-payments situation. The Nation's gold stocks have declined from $24.6 billion in 1949 to a low of $13.97 billion on August 31 of this year. This is a $1 billion outflow in the last 6 months alone.

Of course, many factors are responsible for this deplorable situation. But one of the most important has been the nature and extent of our foreign aid operations. Many of the nations that we were so generous in helping are now repaying us by helping themselves to our gold stocks. The most notable example is France. She has received close to $10 billion in postwar U.S. aid. She has refused to honor her World War I debt to us of over $6 billion and we have not pressed the claim. But now she is taking the lead in converting her dollar holdings into gold from our stocks.

We have heard in recent testimony by high administration witnesses that as much as 85 percent of new AID commitments are now tied to U.S. goods and services and therefore not adversely affecting our balance-of-payments situation. But there are several things wrong with that figure.

In the first place, it is based only on AID operations. What about the billions of other U.S. assistance in one form or another? That percentage does not necessarily apply, for example, to the programs of the Inter-American Development Bank, or the World Bank, or particularly the International Development Association. In some cases, it is impossible to tie these expenditures to U.S. goods and services.

This is particularly important when we realize that section 205 of the authorization act permits up to 20 percent of title I money for development lending to be made available for the use of the World Bank and its affiliates.

Finally, this claim that most foreign aid expenditures are earmarked for U.S. procurement is less than fully candid. During recent congressional hearings administration witnesses have conceded that many foreign aid projects are of a type involving primarily payments for local labor and materials in the country aided. In such cases, the dollars cannot be spent here, of course; they may be put in a special fund and supposedly used subsequently for the purchase of American goods.

Here is the catch in that arrangement. The foreign countries tend to buy with those aid dollars the products that they would have bought from this country anyway. In that way, other U.S. dollars they have are freed for use in paying for purchases from Europe or other sources.

It seems incredible that we should have to be considering proposals to penalize the American tourist abroad, and choke off worthwhile investments overseas by American business corporations, while we make virtually no effort to stanch the massive hemorrhage of our gold represented by this foreign aid program.

The diversion of our money into a multilateral lending program as provided for in the Authorization Act has other undesirable consequences also. Besides being freed from the tie to U.S. procurement, it would also be freed from the Hickenlooper amendment—section 620 (e)—for the protection of the U.S. investor abroad against expropriation. It would not be subject to policy directives as to restrictions on aid to Cuba. It would not be subject to other restrictions such as cargo preference. But most important, it would not be subject to congressional review.

An area in which the administration can help to relieve the balance-of-payments situation is in the use of the U.S.-owned foreign currencies, most of which were generated under the Public Law 480 program. As of the end of last year we held almost $3 billion in so-called soft currencies. While there has been a feeble attempt to make these moneys available to U.S. tourists and others who may have a requirement for them, it has been a miserable failure so far, with only $2 million being converted for use to date. Several Government Accounting Office recommendations have been made as to the possible use of these currencies. The Authorization Act incorporated some into law. It is my hope that these provisions will now be effectively carried out.

Mr. President, in conclusion, I want to state that while I will support sensible foreign aid programs that advance U.S. foreign policy and commercial interests, I cannot in good conscience support this bill. Recently, a special commission established to study the role of private enterprise in foreign aid made its report. This report contains several recommendations, which, if effected, could have a significant impact on foreign aid programs. It is my hope these recommendations will be implemented.

Mr. PASTORE. Mr. President, I yield 5 minutes on the bill to the Senator from South Dakota.

DAC COUNTRIES INCREASING AID TO UNDERDEVELOPED NATIONS

Mr. McGOVERN. Mr. President, one of the principal aims of U.S. foreign policy in recent years has been to persuade other more prosperous countries to share more equitably in the task of providing assistance to the underdeveloped world.

Presidents Kennedy and Johnson have given strong support to this policy; Members of both Houses of the Congress, from both sides of the aisle, have been explicit in their belief that this country has been bearing a disproportionate share of the aid burden.

No one would argue that we should not have carried the full responsibility in the years following World War II. But our earlier job of rebuilding Western Europe and Japan has now been successfully completed. As we turn to the job of long-term assistance to the developing nations of Latin America, Asia, and Africa, the countries of Western Europe and Japan are joining with us. But they can and should do more, and we have been working toward that goal.

The progress that has been made has been obscured in the rush of events. It is ironic that amid a deadlock in the House-Senate conference on the foreign aid authorization bill and continuing argument about the program, so little attention was paid to a major success in the field of foreign aid—the ministerial meeting of the Development Assistance Committee—DAC—of the Organization for Economic Cooperation and Development—OECD—held in Paris on July 22-23, 1965.

A most encouraging sign was the increased participation by member nations. The level of attendance was greater than ever before. Cabinet members were present from Britain, Germany, France, Japan, and the Netherlands. Mr. David Bell, the distinguished Administrator of AID, led the American delegation. Mr. George Woods, President of the World Bank, also attended along with high representatives of the International Monetary Fund and the Inter-American Development Bank.

Perhaps most significant of all was the fact that, in contrast to prior years, other DAC members and the World Bank—not the United States—led the discussion of important issues. This is heartening evidence of the increased interest and concern of other free world nations, and a sign that they are recognizing the United States cannot be expected to do the job alone.

However, the results of the meeting represent a signal success for U.S. policy.

SOFTER TERMS PLEDGE

A major goal of U.S. policy in recent years has been to induce other nations to provide more aid on softer terms; that is, at lower interest rates, with longer maturities and grace periods.

The United States, as reflected in the Development Loan Fund in 1957 and the Foreign Assistance Act of 1961, has long been a leader in this effort.

A recent study of the Agency for International Development on the subject of "Loan Terms, Debt Burden, and Development," restated the U.S. position with clear analysis and a wealth of factual information.

I have no doubt that this study has a strong impact on some of the decisions taken at the Paris meeting.

The meeting adopted two resolutions, both of which represent a wider application of policies which the United States has strongly advocated to DAC and has practiced in its foreign-aid program.

The first set a specific target for softening loan terms. The target set by the DAC is that 80 percent of each member's aid should be in the form of grants or of loans with at least 25 years' maturity, not over 3 percent interest rate, and an average grace period of 7 years. Softening of terms will be required of Britain, Germany, Japan, Italy, Austria, Portugal, and Canada. The United States and the remaining countries already meet the standards established by the resolution.

The resolution, if followed, can result in a major increase in net inflow of resources to the less-developed countries. It represents a vindication of congressional and executive branch policy, in asserting U.S leadership in the field of aid by the example of our own soft terms on development loans, coupled with persuasion of others to bring down their own terms of assistance.

The meeting also was marked by announcements by several nations of concrete steps to soften terms and increase their levels of aid: the Netherlands announced that it was lowering interest rates; Britain repeated its recent announcement, and stated that, despite difficulties at home, it would not cut aid. France, which primarily extends grantlike assistance, has adopted a policy of extending aid beyond the franc zone. Germany has agreed to soften its loan terms, while Japan is taking a strong interest in Asian development, promising to subscribe $200 million to the capital of the Asian Development Bank. Canada has increased its aid levels and is providing assistance on very soft terms.

This is encouraging progress.

SELF-HELP CONDITIONS STRENGTHENED

The second resolution adopted at the DAC meeting carried forward a principle that has been an integral part of the U.S. aid program since enactment of the Foreign Assistance Act of 1961.

It called on the member nations to relate the level and composition of their assistance to the performance of the recipient countries. This means that other donor countries are pledged to follow the lead of the United States in measuring the self-help efforts of the recipient countries—in terms of how much of their money the recipients are putting up, the effectiveness with which a country is mobilizing its own economy, labor force, tax structure in support of development, and the encouragement which a country gives to private enterprise.

We have learned from our own experience that aid from the outside can only do a small part of the job. The real effort must come from the people and the government of the recipient nation. AID which is conditioned upon and related to what is done by the recipient is most effective—in fact, it is the only kind of aid that will succeed.

The DAC resolution thus marks a major step, by the donor nations, to increase the effectiveness and impact of their aid.

CONCERN OVER PROGRESS OF DEVELOPMENT—NEED FOR MORE AID

Mr. Woods, of the World Bank, the Ministers from Great Britain and the Netherlands, and the American Chairman of DAC, Dr. Willard Thorp, expressed great concern over the lagging growth rate of the developing countries at the midpoint in the U.N. decade of development. They underlined many serious problems such as declining export receipts, growing debt service liabilities, rising population, and need for greater self-help efforts. They expressed equal concern over the failure of total net official aid from the DAC countries—including the United States—to rise above a 4-year plateau of about $6 billion per year. Mr. Woods stated his deep conviction that the present volume of aid was wholly inadequate. He expressed the World Bank's view that the developing countries are increasing their capacity to employ foreign resources effectively and could productively use $3 to $4 billion annually in aid above present levels between now and 1970.

Mr. Woods, in his address to the meeting on July 22, spelled out the problem and pointed out that the flow of assistance to the developing countries has actually been declining. He said:

> The total net official flow of long-term capital from the DAC countries has remained at about the same level since 1961. This is despite a rise in GNP of the industrialized countries, over that period, at a rate of about 4 to 5 percent annually—in other words, by perhaps $40 billion a year—with the result that the constant amount of net official aid represents a declining percentage of the aid-givers' national income. Similarly, there has been no significant increase in the total annual net flow of public and private financial resources from the DAC countries to the developing world, a flow which has in recent years remained about $9 billion. This amounts to about nine-tenths of 1 percent of the GNP of those countries. However, if receipts of profits, dividends and interest are taken into account, the annual net contribution to the developing countries by the DAC countries has been about $6 billion, or about six-tenths of 1 percent of their GNP. And from the developing countries' standpoint, the level amount of assistance provided has represented a declining amount per capita—due to the increase in their populations by some 2 to 3 percent a year.

Mr. Woods also issued a stern warning to the more fortunate nations:

> A preliminary Bank inquiry based, for each country, on the judgment of the Bank's country specialist and area economist, suggests that between now and 1970 the less-developed countries might productively use an additional $3 to $4 billion a year. I myself see little point in arguing about precise figures, since although analyses and estimates of the developing countries' needs for external capital are a necessary background for decision, in the end the amount of aid which will be made available will be determined by practical and political realities. What I want to make clear, however, is my deep conviction that the present level of finance is wholly inadequate, whether measured by the growth rate which the advanced countries say they are willing to facilitate or in terms of the amount of external capital which the developing countries have demonstrated they can use effectively. The whole order of magnitude of external capital flows to the developing countries wants changing. If, to achieve that, we need to change political climates—in the industrialized countries, to permit a much greater flow of official capital, and in the developing countries, to encourage a much greater private investment from abroad—then ways of doing so must be explored, must be agreed upon, and must be implemented.

The case cannot be stated more effectively. And I know of no man more qualified than the distinguished president of the World Bank who was formerly a leading figure in American finance.

These are not the words of a dreamer; these are the words of a tough analyst and practical businessman. I urge all my colleagues to read his thoughtful address.

In view of the importance of Mr. Woods' address to the DAC meeting, I ask unanimous consent that it be printed in full at the conclusion of my remarks, as well as a perceptive report of the meeting by Mr. Felix Belair, Jr., distinguished journalist of the New York Times.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

RESULT: MORE EQUITABLE SHARING, GREATER CHANCE OF SUCCESS

Mr. McGOVERN. Mr. President, I hope that the news of our success can come to the attention of more Americans. For they would see that amid the controversy and, yes, even distortion about the subject of foreign aid, a great deal is being done. They would see that the United States has developed a coherent, effective policy—one that is gaining greater support throughout the free world.

We have recognized the responsibilities of leadership in the field of foreign aid, as we have in so many areas of international affairs. We have developed an intelligent policy, one that is showing results.

But at the root of this policy is a recognition that other more fortunate nations must join with us; and that these nations must shape their own aid programs on the basis of sound development of principles such as softer terms and self-help.

Although little noted at the time, the recent Ministerial Meeting of the Development Assistance Committee marked a major success for U.S. policy and a major step forward in the efforts of free men everywhere to offer, in the words of President Johnson:

> Strength to those who would be free;
>
> Hope for those who would otherwise despair;
>
> Progress for those who would help themselves.

All Americans can be proud of our leadership and be encouraged by our success, as reflected in the recent meeting in Paris.

EXHIBIT 1

STATEMENT OF MR. GEORGE D. WOODS, PRESIDENT OF THE WORLD BANK GROUP, TO THE MINISTERIAL MEETING OF THE DEVELOPMENT ASSISTANCE COMMITTEE, PARIS, JULY 22, 1965

Mr. Chairman, I should like to join, enthusiastically, in the commendations which have been extended to the Chairman's report and which it so well deserves. The Chairman has lucidly, cogently and comprehensively reported on developments which are of keen interest to all those concerned with economic progress. I am sure that the document will be immensely useful not only as a record of the past year, but as a focus for the discussion of the very serious issues which face this meeting.

When I say that this meeting faces some very serious issues, I am not speaking lightly. For I firmly believe that unless the countries represented here take some bold decisions about the volume and character of development aid—and take those decisions soon—the climate of economic development, which by and large has been reasonably good, is going to change markedly for the worse. And by "decisions," I do not mean speeches or resolutions, I mean actions.

If we look around the world at what has happened recently, the record indicates that the GNP of the developing countries increased in 1963 and 1964 at about 4 to 5 percent, or perhaps 2 percent per capita. This growth was in large part achieved by reason of the rise, during 1963 and 1964, in the prices of the developing countries' exports—a useful reminder of the essential role which trade plays in the whole development business. Unfortunately, in the latter months of 1964, the prices of agricultural primary products began to weaken and in the case of some of these products—particularly cocoa, sugar, and coffee—the decline has been precipitous.

In some important individual countries, we can see some cheering examples of progress, often achieved in the face of serious obstacles, both economic and political. On the side of the aid givers, too, there have been some favorable developments over the past year. There has been evolving a healthy disposition to concentrate attention on those countries which have performed satisfactorily and which have been following sound economic, financial, and development policies. As the Chairman's report notes, there appears now to be a greater readiness to coordinate aid, both its objectives and its terms, in the interest of increasing its impact. Although some of the established consortia and consultative groups have been more effective than others in achieving such coordination, on the whole I am convinced that these mechanisms can and will prove to be an instrument, enabling aid givers to assess the potential performance and needs of the recipient countries, to adapt the character and terms of aid to those countries' requirements, and to identify development priorities. As you know, the Bank has decided to step up substantially its own coordinating activities. We have in mind the organization of five or six new consultative groups within a matter of months and we have been in touch with a number of governments represented here to ascertain their willingness to join in these endeavors. We shall soon be sending to governments notification of our plan to convene a high-level meeting at the time of the Bank's annual meeting. We expect to set in train at that time the formation of new groups for those countries for which priority attention is appropriate. We also intend that the work of the consultative groups already organized by the Bank will be intensified.

So much for some of the highlights on the asset side of the ledger. It would not have been fair to paint a picture which ignored the significant progress which is being made on many fronts. But what I really want to emphasize here are the serious problems which confront those whose business is development finance.

Many of the less developed countries themselves have the power, if they have the will, to overcome particular difficulties or to change particular circumstances which slow down their economic growth—continuing political instability which forecloses effective development even with official funds, and completely discourages the flow of all-important private investments; excessive administrative or defense expenditures, which preempt already limited resources without contributing to economic growth; unrealistic exchange rates; and so on. Each of our could draw up the list.

But this is not the forum in which to concentrate on the deficiencies of the less-developed countries. We are considering here how to make our own performance, as aid givers, more effective. Since it is fashionable nowadays to talk of a "gap," let me use that term to describe a situation which seems to me of growing concern as we judge our performance. That is the variance, the very marked variance, between what the developed countries—the DAC countries, if you will—say about development and what they do about it. Unless that gap is narrowed and quickly narrowed, I believe that what lies ahead is an inevitable and a heartbreaking slowdown in economic development and even in international trade.

UNCTAD debates and resolutions are a rich source of official assurances that economic development is at the forefront of the advanced countries' political concerns, and of agreement in principle that they should provide enough assistance to enable the less-developed world gradually to achieve more satisfactory standards of living. These assurances of help to the developing countries for the realization of their development potential are always made, I know, in all sincerity. But if we look at the figures, we find that in fact aid is now on a plateau. The total net official flow of long-term capital from the DAC countries has remained at about the same level since 1961. This is despite a rise in gross national product of the industrialized countries, over that period, at a rate of about 4 to 5 percent annually—in other words, by perhaps $40 billion a year—with the result that the constant amount of net official aid represents a declining percentage of the aid givers' national income. Similarly, there has been no significant increase in the total annual net flow of public and private financial resources from the DAC countries to the developing world, a flow which has in recent years remained about $9 billion. This amounts to about nine-tenths of 1 percent of the gross national product of those countries. However, if receipts of profits, dividends, and interest are taken into account, the annual net contribution to the developing countries by the DAC countries has been about $6 billion, or about six-tenths of 1 percent of their gross national product. And from the developing countries' standpoint, the level amount of assistance provided has represented a declining amount per capita—due to the increase in their populations by some 2 to 3 percent a year.

While the amount of external finance has tended to remain static, the capacity of the developing countries to make productive use of resources has not. Despite differences in performance of individual countries, the absorptive capacity of the developing countries has been steadily expanding as their institutional structures become more firmly established, as education and skills become more widespread, as administrative and managerial abilities improve and as project preparation becomes more effective. While agreement is quite general, I believe, that absorptive capacity can be expected to continue its growth—and probably at a faster rate than has prevailed up to now—there are, as the Chairman's report notes, widely ranging estimates of the figures for external aid requirements into which that capacity should be translated. A preliminary Bank inquiry based, for each country, on the judgment of the Bank's country specialists and area economists, suggests that between now and 1970 the less-developed countries might productively use an additional $3 to $4 billion a year.

I myself see little point in arguing about precise figures, since although analyses and estimates of the developing countries' needs for external capital are a necessary background for decision, in the end the amount of aid which will be made available will be determined by practical and political realities. What I want to make clear, however, is my deep conviction that the present level of finance is wholly inadequate, whether measured by the growth rate which the advanced countries say they are willing to facilitate or in terms of the amount of external capital which the developing countries have demonstrated they can use effectively. The whole order of magnitude of external capital flows to the developing countries wants changing. If, to achieve that, we need to change political climates—in the industrialized countries, to permit a much greater flow of official capital, and in the developing countries, to encourage a much greater flow of private investment from abroad—then ways of doing so must be explored, must be agreed upon, and must be implemented.

I suggest, in addition, the desirability of a new perspective on the part of donor countries. The less developed countries are urged to plan their development for a reasonable period ahead. Since every development program necessarily assumes some measure of finance from abroad, the realism of a national development plan would be greatly enhanced, and therefore the likelihood of its achievement greatly facilitated, if the country in question could formulate its program with some broad notion of the amount of finance which might be extended over the plan period. This would require the donor countries themselves to take a long-term view, agreeing for planning purposes on assistance targets over perhaps a 3- or 5-year period, for at least those developing countries which are recipients of major amounts of aid. These targets would, of course, not be firm or irrevocable commitments. Not only would they be subject, on the part of the donors, to yearly legislative authorization, but the availability of the amounts projected would in every case depend upon convincing demonstration, in annual reviews, that the recipient country's economic performance had been satisfactory.

Orderly development would be immensely facilitated, too, if the developing countries could have some measure of assurance that their development programs will not be disrupted by sharp declines in export earnings due to unpredictable fluctuations in commodity prices. We are studying what contribution the Bank and IDA might make in this connection pursuant to the UNCTAD resolution on the United Kingdom/Swedish proposal for supplementary financing, and I hope we may have some proposals to put forward on this matter this fall.

Let me turn now to the question of the terms of aid—a problem, as the Chairman's report notes, which is inseparably linked to the magnitude of aid. While the capacity to use foreign capital has been growing and will continue to grow, the ability of many developing countries to service additional external debt on conventional terms is declining. You are all familiar with the relevant data, but they bear repeating.

Present total external public debt—long and short term—of the developing countries as a group, is estimated at about $33 billion, and amortization and interest payments on this debt may be as high as $3.5 billion a year. This debt amounts to about 15 percent of the combined GNP of the developing countries. Service charges on it have been rising by more than 10 percent per year, despite a few important rescheduling operations, and they now amount to about 12 percent of the developing countries' total export earnings. These levels of debt service are dangerously high. They mean that a good deal of the proceeds of new loans must be devoted to servicing previously contracted obligations, rather than being invested in new productive development. Indeed, when all service and dividend payments on both public debt and private investment are taken into account, the backflow from the developing countries offsets about half the entire gross capital inflow which these countries receive from all sources.

Notwithstanding these facts and despite the general recognition of the importance of relating aid to the circumstances of recipient countries, there has been overall only a modest improvement in the terms of aid. A recent study by the U.S. Government has, indeed, noted that there has been a steady hardening of the terms of U.S. assistance—a shift in emphasis from grants to loans and from loans repayable in local currency to loans repayable in dollars, together with an increase in the minimum interest rate on dollar-repayable loans. Other aid-giving countries, which previously offered aid on terms much harder than those of the United States, have softened those terms somewhat, but not yet sufficiently—on average, they do not yet approach even the hardened U.S. terms. The problem of aid-tying, as the report of the Chairman notes, remains a serious and a difficult one. As we all know, the harder the terms of lending, the larger will be the amount of gross capital transfers necessary to assure a given net transfer of resources, and the longer it will take for the developing world to be assured of the gradual but steady growth which the DAC members have in principle undertaken to assist. The recent announcement of the United Kingdom that it will make long-term development loans free of interest or management charges to selected developing countries reflects a commendably long-range view, all the more to be applauded because it has been taken by a country which is itself confronted by difficult and pressing problems in its own economy. We can only hope that this policy will prove a lodestar for other countries.

If the considerations I have mentioned are taken together—the leveling-off of aid notwithstanding the increasing absorptive capacity of recipient countries, the tendency toward a hardening of aid terms notwithstanding the increasing magnitude of the debt burden—and if they are viewed against the background of a certain boredom, at the least, and disillusionment, at the worst, with the subject of development finance in most of the countries represented here, you can see why I am so concerned about the prospects for economic development. You can see, too, why I consider it so urgent that the governments represented at this meeting should take a firm decision to reverse recent trends, not only by very substantially increasing the amount of their aid but also, and importantly, by making an even larger proportion of it available on very easy terms.

This brings me logically and, I daresay, not unexpectedly, to a more parochial and institutional point. Governments have at hand a ready vehicle for avoiding the threatened slow-down of economic development and for moving in the direction of the objectives subscribed to at the 1964 UNCTAD Conference—I refer to the forthcoming IDA replenishment. The amount of that replenishment is of course a matter for the collective judgment of governments. But there is no doubt that there are useful, productive and high priority opportunities which would enable IDA to invest at a rate several times that permitted by the resources which have been available to it up to now.

There are a number of advantages to investing in development through IDA. It is devoted to encouraging countries to follow appropriate economic policies. Its credits are used to finance only those projects and programs which are soundly conceived and which can be efficiently executed. IDA's financing terms are concessionary, but no concessions are made in the project standards which it applies. Through IDA, the aid-giving countries can achieve their objectives—and here I quote from papers before this meeting—of "relating the financial terms and the appropriate mix of hard loans and soft loans or grants on a case-by-case basis to the circumstances of each underdeveloped country or group of countries, of seeking greater comparability among contributing countries in the terms and conditions of aid, and of achieving further overall softening of terms." The DAC countries have recognized the desirability of keeping the tying of bilateral aid to the minimum consistent with political and balance of payments considerations. Aid extended through IDA is freed of procurement restrictions—to the full extent of the amount contributed, automatically and, most important of all, by simultaneous and concerted action of all the contributing countries. IDA thus not only affords a means of making untied aid politically more palatable but it assures that the funds provided will buy the greatest amount of development.

In saying this, I recognize that I may not be wholly free of institutional bias, but I am convinced, after some years of experience, that it is development finance provided through multilateral channels and invested solely on the basis of economic considerations which proves in the long run most beneficial to developing and developed countries alike.

[From the New York Times, Aug. 4, 1965]

DONOR NATIONS SEEN SPURRING AID TO UNDERDEVELOPED LANDS

(By Felix Belair, Jr.)

WASHINGTON, August 3.—A major advance that may reverse the present slowdown in economic development aid to underdeveloped areas was observed by officials today in several little-noted decisions of the 14 leading donor nations.

Resolutions adopted by the Development Assistance Committee of the Organization of Economic Cooperation and Development pledged member countries to provide at least 1 percent of their national incomes for development grants and loans.

Terms and conditions would be more lenient than a majority of them now provide for such assistance.

In addition to working toward increased aid, the committee established late last month as a goal, to be realized in 3 years, that 80 percent of all government aid should be provided as grants or as loans maturing in 25 years or more.

The loans would bear interest at 3 percent or less and would have an interest-free grace period of at least 7 years.

ADDITIONAL $1 BILLION AVAILABLE

Foreign aid officials said the easier average terms, if applied to the present level of aid to the non-Communist world, would make an additional $1 billion for development financing.

The action followed a warning by George D. Woods, president of the World Bank, to the ministerial delegates that underdeveloped countries could "productively use" from $3 to $4 billion a year more than the $6 billion now being provided by donor governments.

Unless a major part of this existing gap is abridged and on "very easy terms," Mr. Woods said, "I believe that what lies ahead is an inevitable and a heartbreaking slowdown in economic development and even in international trade."

U.S. participants regarded Mr. Wood's talk as the strongest speech ever delivered on the subject by the head of an international institution.

Mr. Woods observed that while the committee members had long since adopted the goal of 1 percent of gross national product in development aid, their long-term capital contributions had remained constant at about $6 billion since 1961.

This plateau of official aid had prevailed, he said, despite a rise in the gross national product of industrialized countries of 4 to 5 percent annually, or about $40 billion a year—"with the result that the constant amount of net official aid represents a declining percentage of the aid-givers' national income."

FLOW OF RESOURCES STATIC

"Neither had there been any significant increase in the total annual net flow of public and private financial resources from the D.A.C. [Development Assistance Committee] country to the developing world, a flow which has in recent years remained about $9 billion," Mr. Woods went on.

"This amounts to about nine-tenths of 1 percent of the G.N.P. (gross national product) of those countries," he continued. "However, if receipts of profits, dividends and interest are taken into account, the amount net contribution to the developing countries by the DAC countries has been about $6 billion, or about six-tenths of 1 percent of their GNP.

"And from the developing countries' standpoint, the level amount of assistance provided has represented a declining amount per capita—due to the increase in their populations by some 2 to 3 percent a year," he noted.

To hammer home the need for a larger volume of economic aid, Mr. Woods asserted that developing countries as a group now had a total external public debt—long- and short-term—of about $33 billion, on which amortization and interest payments ran as much as $3.5 billion a year.

SERVICE CHARGES RISING

This was about 15 percent of the combined gross product of the developing countries.

Service charges on it had been rising by more than 10 percent a year and were now about 12 percent of the export earning of the developing countries.

"These levels of debt service are dangerously high," said Mr. Woods. "They mean that a good deal of the proceeds of new loans must be devoted to servicing previously contracted obligation, rather than being invested in new productive development.

"Indeed, when all service and dividend payments on both public debt and private investment are taken into account, the backflow from the developing countries offsets about half the entire gross capital inflow which these countries receive from all sources."

Despite Mr. Woods' dismal portrayal, U.S. officials found encouragement in the fact that the international body was able to take decisions at the ministerial level on new and higher goals for the development effort.

FURTHER REVISION SEEN

The resolution contemplates a further upward revision of goals after 3 years in the light of progress made by that time. The more liberal terms and conditions to which member countries pledged their support at the Paris meeting will have little effect on the United States effort in aiding developing countries. Minimum terms provided by the Agency for International Development include 40-year maturities, a 2½ percent interest rate and a 10-year grace period at 1 percent.

Thus the United States is well within the DAC target. Some member countries provide easier terms and some much harder than those now proposed. The weighted average terms for all DAC members excluding the United States include 16 years maturity, 4.8 percent interest and a 3-year grace period.

Within that weighted average, however, Germany's development loans have an average maturity of 18.1 years, a 3.9 percent interest rate and a grace period of 4.5 years. Italy requires an average maturity of 9.5 years and an interest rate of 4.77 percent. Japan provides an average maturity of 9.7 years and interest rate of 5.9 percent.

All three countries told the Paris meeting that the more liberal terms posed serious difficulties for them, but they voted for the resolution. Japan said its acceptance of the more liberal terms would mean a reduced volume of development lending and was advised that this would be preferable to its present terms.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. COTTON. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass? The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT (when his name was called). Present.

Mr. MORTON (when his name was called). Present.

The rollcall was concluded.

Mr. DIRKSEN. Mr. President, I heard the clerk announce that two Senators had voted "present," whoever they are.

The VICE PRESIDENT. The Senator is correct.

Mr. DIRKSEN. I am not aware that there is a rule of the Senate under which a vote of "present" can be cast.

The VICE PRESIDENT. The Senator's point refers to rule XII of the Standing Rules of the Senate, which the Chair will read:

> When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote.

The other portion of the rule which applies in the circumstances states:

> When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator for the reasons assigned by him, be excused from voting?" which shall be decided without debate; and these proceedings shall be had after the rollcall and before the result is announced; and any further proceedings in reference thereto shall be after such announcement.

I believe those are the provisions of the rule which apply to the Senator's inquiry.

Mr. DIRKSEN. I must assert, on the basis of the rule, that unless a Senator is excused, he is required to vote; and that the Senate cannot entertain a vote of "present" without an excuse.

The VICE PRESIDENT. The rule would so provide, unless a Senator wishes to assign reasons for his unwillingness to assent or dissent; then the Senate will have to vote as to whether or not to excuse the Senator from his responsibility of voting.

Mr. DIRKSEN. I raise the question only in the interest of the integrity of the rules of the Senate.

The VICE PRESIDENT. The Senator's question is well raised. The rule is that a Senator must either vote "yea" or "nay" or ask to be excused from voting. To be excused he must assign reasons, and the Senate must vote on that question.

Mr. FULBRIGHT. Mr. President, I am prepared to state the reasons why I voted "present." After conferring with the Parliamentarian, I was informed that it was perfectly proper to vote "present" unless a Member of the Senate wished to raise a question; if not, my action would be accepted by the Senate. But the Senator from Illinois [Mr. DIRKSEN] has quite properly raised the question, and I am prepared to offer the reasons why I do not desire to vote.

Mr. RUSSELL of Georgia. Mr. President, is a motion in order that Senators may be permitted to vote "present"?

The VICE PRESIDENT. No; such a motion is not in order until such time as a Senator who seeks to vote "present" assigns his reasons; and then the question is, "Shall the Senator, for the reasons assigned by him, be excused from voting?"

Mr. RUSSELL of Georgia. Does the Chair rule that a Senator is compelled to state his reason for not voting?

The VICE PRESIDENT. The rule so requires.

Mr. RUSSELL of Georgia. I was of the opinion that the Senate could, without prolonged discussion, permit a Senator to vote "present" if he desired to do so, and could grant that permission by a vote. I think there is a precedent for that in the passage of the original Social Security Act of 1935.

Mr. FULBRIGHT. Mr. President, I am prepared, within the course of 3 or 4 minutes, to state my reasons. The Senate may then vote. But it must vote without debate. As I understand, according to the rule, there can be no debate on the question.

The VICE PRESIDENT. The Senator is correct.

Mr. FULBRIGHT. I am prepared to state my reasons, if that is the order of the Chair.

The VICE PRESIDENT. The Senator may ask to be excused, and the Senate can reach its decision upon that request; or the Senator may assign his reasons.

Mr. MORTON. Mr. President, I am one of the two Senators who voted "present." I know that the Senate does not want to be delayed, so I ask that I be recorded as voting "nay."

Mr. FULBRIGHT. Mr. President, I ask to be excused from voting.

I have decided to vote "present" on the foreign assistance appropriation bill for fiscal year 1966. I do so not because of the provisions of the appropriation bill, although there are features of it which I think could be improved, but primarily because of the failure of the Congress this year to give the foreign aid program a new philosophy and direction.

Over the past year and longer I have made the best case I could for three major reforms in the foreign aid program. I have recommended; first, that the funds be authorized on a long-term basis so as to permit orderly economic planning in recipient countries; second, that economic and military assistance, which in fact are separate programs serving different purposes, be governed by both separate legislation and separate administration; third, and most important, that increasing amounts of U.S. development lending be channeled through such international bodies as the International Development Agency of the World Bank.

I have repeatedly stated my reasons for believing that an increasing portion of the U.S. development lending be administered by international agencies. The essence of the case for multilateralization is the need to put foreign aid on a more objective and businesslike basis. It is inherent and all but inevitable in aid programs that the relationship between donor and recipient will be marked by constant suspicion of irrelevant political pressures on the part of the recipient and a no less corrosive feeling on the part of the donor as to the ingratitude of the recipient. The administration of aid by international agencies which have no interest except economic development can remove the destructive elements of suspicion, resentment, and anger from the programs by which the rich nations help the poor nations. I am confident that fewer libraries will be burned and embassies stoned if this change can be made.

I have not insisted that all of the three reforms which I have described be realized this year, but it did seem to me reasonable that some progress be made toward the realization of one or more of these changes. The Senate adopted an authorization measure providing for a 2-year authorization and granting the President authority to divert up to 15 percent of development loan funds to international agencies. This seemed to me a reasonable compromise representing modest progress toward reform of the program. After an extended deadlock for several weeks in conference, however, the Senate conferees were forced to yield to their colleagues from the other body who insisted on a single-year authorization. Also lost in conference was a very wise proposal, initiated by the Senator from Oregon, for a general review of the foreign aid program by a high-level, executive-legislative committee.

There remained the matter of the diversion of development lending funds to international agencies. This authority was disallowed in its entirety by the House appropriations bill as it has been disallowed in previous years. The Senate Appropriations Committee retained the authority but reduced it to 10 percent. I am indeed grateful to my colleagues on the Appropriations Committee for retaining this important provision, albeit at a reduced level. I shall be surprised if it is returned in conference with the other body.

We have thus reached the point where virtually all of the reforms I thought necessary have been abandoned at least for this year. I am hopeful that reasonable progress toward realizing them will be made next year, in which event I shall certainly reconsider my position on this legislation. This year, however, for lack of meaningful progress toward reform, I have decided to vote "present" on the foreign assistance appropriation.

The VICE PRESIDENT. Because this is a matter of import for the record of the Senate and as a precedent, the Chair wishes first to state the pertinent part of rule XII.

> When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate—

In terms of the precedent relating to the question posed by the Senator from Georgia [Mr. Russell], the Chair will read from "Senate Procedure," by Charles L. Watkins and Floyd Riddick, page 715, the chapter entitled "Voting," relating to the subject "Excused From Voting." The fourth paragraph under that heading reads:

> A motion to excuse Senators from voting is not in order, and a Senator not only has a right but is required to assign his reasons for not voting; but he must confine his statements to those reasons. The question of excusing him is decided by the Senate.

So the question before the Senate, without further debate, is: Shall the Senator, for the reasons assigned by him, be excused from voting? [Putting the question.] The Senator from Arkansas is excused from voting.

Mr. SMATHERS. I announce that the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long], the Senator from New Hampshire [Mr. McIntyre], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Minnesota [Mr. McCarthy], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that the Senator from Arkansas [Mr. Fulbright] was present but not voting. The Senator, for reasons stated by him, was excused by the Senate from voting.

I further announce that, if present and voting, the Senator from Louisiana [Mr. Long] would vote "yea".

On this vote, the Senator from Minnesota [Mr. Mondale] is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from New Hampshire [Mr. McIntyre] is paired with the Senator from Arizona [Mr. Fannin]. If present and voting, the Senator from New Hampshire would vote "yea," and the Senator from Arizona would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Nebraska [Mr. Curtis], the Senator from Arizona [Mr. Fannin], the Senator from Kansas [Mr. Pearson], the Senator from Massachusetts [Mr. Saltonstall], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Pennsylvania [Mr. Scott] is absent on official business.

The Senator from New Jersey [Mr. Case] is detained on official business.

On this vote, the Senator from New Jersey [Mr. Case] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Saltonstall] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Scott] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Texas would vote "nay."

On this vote, the Senator from Utah [Mr. Bennett] is paired with the Senator from Minnesota [Mr. Mondale]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Minnesota would vote "yea."

On this vote, the Senator from Arizona [Mr. Fannin] is paired with the Senator from New Hampshire [Mr. McIntyre]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from New Hampshire would vote "yea."

On the question, Shall the bill (H.R. 10871) pass? the yeas and nays resulted—yeas 59, nays 22, as follows:

[No. 274 Leg.]

YEAS—59

Aiken
Allott
Bartlett
Bass
Bayh
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Douglas
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McNamara
Metcalf
Miller
Monroney
Moss
Mundt
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Smathers
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—22

Bible
Byrd, Va.
Cotton
Eastland
Ellender
Ervin
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
Morse
Morton
Murphy
Robertson
Russell, S.C.
Russell, Ga.
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

PRESENT—1

Fulbright

NOT VOTING—18

Anderson
Bennett
Case
Curtis
Fannin
Gore
Long, La.
McCarthy
McIntyre
Mondale
Montoya
Neuberger
Pearson
Saltonstall
Scott
Simpson
Sparkman
Tower

So the bill (H.R. 10871) was passed.

Mr. PASTORE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MOSS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. Pastore, Mr. Hayden, Mr. Russell of Georgia, Mr. Ellender, Mr. Magnuson, Mr. Holland, Mr. Saltonstall, Mr. Young of North Dakota, and Mr. Mundt conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, it is not frequent that the foreign aid appropriation bill passes in this body in 1 day's time. It is an important bill. It involves almost $4 billion. It is vital to the existence of the free world.

Mr. President, it is a very high compliment, indeed, that this body has paid to the senior Senator from Rhode Island [Mr. PASTORE], the exceedingly skillful and knowledgeable manager of this bill, by decisively approving this bill today. It is a thoroughly well-deserved compliment to which I am proud to add an additional commendation in this short statement.

Everyone in this Senate realizes the complexity of the foreign aid appropriation bill, especially the military aid provisions; everyone knows that it can be no great pleasure for the Senator from Rhode Island to assume responsibility for management of the bill. But he does so without shirking. He merits the thanks of this entire body, indeed, the entire Nation, and I join in that vote of thanks.

But, Mr. President, this body thrives on differing views and debate thereon. We saw today a classic example of that debate. It is this factor which makes the acts of the Senate both sensible and deliberative. It is on this basis that we owe an equal vote of thanks to other Senators who proposed and pressed amendments or otherwise participated actively in debate. I refer, with special thanks and congratulations to the able senior Senator from Massachusetts [Mr. SALTONSTALL], the ranking Republican on the Appropriations Committee; to the ever able and articulate senior Senator from Oregon [Mr. MORSE], and the distinguished junior Senator from Alaska [Mr. GRUENING], who, although both harbored serious doubts about certain appropriations, cooperated fully in working on this measure; and to the senior Senator from Louisiana [Mr. ELLENDER] who, thankfully, keeps an especially careful eye on all appropriations.

Others who participated in the debate on this measure and who deserve an equal measure of thanks include the senior Senator from Missouri [Mr. SYMINGTON], the senior Senator from New York [Mr. JAVITS], the senior Senator from Idaho [Mr. CHURCH], the senior Senator from Pennsylvania [Mr. CLARK], the junior Senator from Oklahoma [Mr. HARRIS], and the senior Senator from Florida [Mr. HOLLAND].

It is encouraging to observe the Senate conduct its business in such an efficient and expeditious manner.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 2469. A bill amending sections 2 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a new sea level canal connecting the Atlantic and Pacific Oceans (Rept. No. 773).

By Mr. MAGNUSON, from the Committee on Commerce, with an amendment:

S. 2434. A bill to clarify authorization for the approval by the Administrator of the Federal Aviation Agency of the lease of a portion of certain real property conveyed to the city of Clarinda, Iowa, for airport purposes (Rept. No. 772).

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H.R. 10516. An act authorizing the disposal of vegetable tannin extracts from the national stockpile (Rept. No. 778);

H.R. 10714. An act to authorize the disposal of colemanite from the supplemental stockpile (Rept. No. 777);

H.R. 10715. An act to authorize the disposal of chemical grade chromite from the supplemental stockpile (Rept. No. 776);

H.R. 10748. An act to authorize the transfer of copper from the national stockpile to the Bureau of the Mint (Rept. No. 775); and

H.J. Res. 330. Joint resolution to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile (Rept. No. 774).

By Mr. SYMINGTON, from the Committee on Armed Services, with an amendment:

H.R. 6852. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile (Rept. No. 779).

By Mr. SYMINGTON, from the Committee on Armed Services, with amendments:

H.R. 10305. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 124,200,000 pounds of nickel from the national stockpile (Rept. No. 780).

By Mr. RUSSELL of Georgia, from the Committee on Armed Services, with an amendment:

H.R. 7812. An act to authorize the loan of naval vessels to friendly foreign countries, and for other purposes (Rept. No. 781).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

U. Alexis Johnson, of California, a Foreign Service officer of the class of career Ambassador, to be a Deputy Under Secretary of State.

By Mr. JACKSON, from the Committee on Armed Services:

Robert A. Brooks, of Massachusetts, to be Assistant Secretary of the Army; and

John S. Foster, Jr., of California, to be Director of Defense Research and Engineering.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mrs. SMITH. Mr. President, from the Committee on Armed Services I report favorably the nominations of Vice Adm. Paul D. Stroop, for appointment to the grade of vice admiral on the retired list, and Lt. Comdr. Charles Conrad, Jr., for permanent appointment to the grade of commander. I ask that these names be printed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, placed on the Executive Calendar, are as follows:

Vice Adm. Paul D. Stroop, U.S. Navy, when retired, for appointment to the grade of vice admiral; and

Lt. Comdr. Charles Conrad, Jr., U.S. Navy, for permanent appointment to the grade of commander in the Navy.

Mrs. SMITH. Mr. President, in addition I report favorably 4,680 promotions in the Navy in the grade of captain and below, and 8 promotions in the Marine Corps in the grade of second lieutenant. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Lynn "W" Adams, and sundry other officers, for promotion in the U.S. Navy;

Kenneth A. Gaines, and sundry other Naval Reserve officers, for assignment in the U.S. Navy;

Glen W. Poore (U.S. Navy retired officer), to be a permanent lieutenant in the line of the Navy, limited duty only;

George A. Danchuck, Jr., and sundry other candidates, for permanent assignment in the Navy;

George R. Fitzgerald, and John C. Maynard (Naval Reserve Officers Training Corps), for permanent assignment in the Marine Corps; and

Ronald L. Czarnecki, and sundry other meritorious noncommissioned officers, for permanent appointment in the Marine Corps.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSS:

S. 2560. A bill for the relief of Dr. Ralph R. Stevenson; to the Committee on the Judiciary.

By Mr. ROBERTSON (by request):

S. 2561. A bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

FEDERAL DEPOSIT AND SHARE ACCOUNT INSURANCE ACT OF 1966

Mr. ROBERTSON. Mr. President, I introduce, at the request of the Secretary of the Treasury, a bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, and for other purposes, the proposed Federal Deposit and Share Account Insurance Act of 1966. This is a major bill which the affected industries will wish to study with great care and attention. In order to give a full explanation of the bill to these industries and to the public, I ask unanimous consent that the transmittal letter from the Secretary of the Treasury and the Treasury Department's section-by-section analysis of the bill be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and analysis will be printed in the RECORD.

The bill (S. 2561) to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and analysis presented by Mr. ROBERTSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill, "To provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to safeguard against conflicts of interest, and for other purposes." The proposed legislation is similar to a draft bill submitted by this Department to the 88th Congress and introduced as S. 1799. Changes have been made, however, incorporating the results of 2 years additional study and consideration by the concerned agencies. Because the bill is complex and the Congress may wish to give it extensive consideration, I am transmitting it now in the hope that this will afford time for favorable consideration by the current Congress.

The proposed legislation is designed to accomplish two interrelated objectives. First, the maximum insurance coverage for deposit accounts in a commercial or savings bank insured by the Federal Deposit Insurance Corporation, and for share accounts with a savings and loan association insured by the Federal Savings and Loan Insurance Corporation, would be raised from $10,000 to $15,000. At the same time, a number of steps would be taken to protect further the safety and liquidity of those financial institutions whose ability to attract funds from the public would be enhanced by the increase in deposit and share insurance coverage, thus bulwarking the stability of the financial system as a whole. These objectives are fully supported by the conclusions of the Committee on Financial Institutions, which reported to the President on April 9, 1963.

The proposed bill recognizes that deposit and share insurance performs an important role in our financial system, and that increases in the maximum limit for insurance coverage of individual accounts are justified from time to time to assure that the basic purposes of this insurance will continue to be served effectively. These purposes include the preservation of public confidence in those financial institutions responsible for maintaining the bulk of our money supply and for handling most of the liquid savings of our citizens, and particularly in their ability to discharge their responsibility for providing cash to account holders fully and promptly.

Without adequate deposit and share insurance, the failure of even a single institution potentially can seriously disrupt the economy of community and bring individual hardship. Moreover, there would also be a danger that failure, or even the suspicion of failure of one institution might set off contagious and disruptive runs which even fundamentally sound institutions could not readily withstand. Another purpose of deposit and share insurance is to provide families and individuals of moderate means, frequently unable themselves to appraise accurately the soundness of available outlets for their funds, with an opportunity for fully and conveniently protecting their savings.

Clearly, these purposes can be met with full effectiveness only if the maximum limits of deposit and share insurance are high enough to provide full protection for the bulk of all accounts and for a large share of the total liabilities or share capital of the institutions concerned. While judgments may reasonably differ on the precise proportion of accounts and total funds that must be covered to assure an effective insurance program, it seems clear that prudent limits in this respect are not in danger of being breached today. But, it is also clear that maintenance of appropriate relationships may require increases in coverage from time to time in response to such factors as significantly higher price levels or increases in average income or wealth, changes in average deposit or share account balances, and similar factors; and these increases should be made before any critical problem becomes evident. A limit of $15,000 will be ample to take account of any changes in these factors since the insurance limit was last raised from $5,000 to $10,000 in 1950, and will assure maintenance of a level of protection over the foreseeable future clearly adequate by standards of past experience and practice.

However, because of a number of recent events, we are also particularly conscious of the need to introduce measures to strengthen the supervisory framework. These measures are desirable in themselves and would provide needed protection against certain possible dangers associated with an increase in insurance coverage. In particular, pressures to maximize the immediate returns that can be offered to customers, at the expense of liquidity and safety, might be increased by an increase in insurance ceilings since potential large depositors and account holders would then have less incentive for carefully appraising the safety, stability, and investment practices of the institution holding their funds.

The Committee on Financial Institutions urged, and we strongly believe for the preceding reasons, that increases in insurance coverage be considered jointly with complementary action to strengthen the supervisory framework within which these institutions operate, and to enable the responsible Federal authorities to oversee more effectively certain practices with important implications for the safety and liquidity of financial institutions. To this end, the bill would provide additional safeguards in three broad areas:

(a) Added authority would be provided the Federal Home Loan Bank Board to assure maintenance of liquidity by member and insured institutions in amounts and forms appropriate to assure their soundness and to meet the specific circumstances of that industry. Changes from existing authority are designed to remedy a number of inadequacies in present law that limit its effectiveness. The Board would, under the terms of the bill, be able to define more precisely and fully the kinds of liquidity instruments eligible for fulfilling the specified general liquidity requirement; the accounting and enforcement provisions would be substantially improved; the upper limit of the general liquidity requirement would be set at 10 percent instead of the 8-percent limit for the analogous provision in current law; and this general liquidity requirement, ranging at the discretion of the Board from 4 to 10 percent, would be applied to the total of withdrawable accounts and borrowings rather than to withdrawable accounts alone.

In addition, the Board would be permitted to impose an additional special liquidity requirement on any member or members if required, on the basis of specified criteria, to protect further the safety of such member or members. Thus, the Board would be provided with explicit supplementary powers of a kind that have, in practice, long been exercised in the banking industry on the basis of established traditions and supervisory authority. In no case, however, could such special liquidity requirement, in combination with the general requirement applicable to members generally, exceed 15 percent of withdrawable accounts and borrowings.

(b) The current authority of the Federal Reserve with respect to establishing ceilings on payment of interest on time and savings accounts of Federal Reserve member banks, and of the Federal Deposit Insurance Corporation with respect to insured nonmember commercial and savings banks, would be placed on a standby basis. This is consistent with the conclusion of the Committee on Financial Institutions that continuous regulation of rates paid by commercial banks, as practiced since the mid-1930's, is no longer necessary or desirable. However, current regulations of the Federal Reserve and the FDIC would remain in effect until modified or removed by the agencies.

Similar standby authority would be provided to the Federal Home Loan Bank Board for establishing ceilings over the rates of interest or dividends that may be paid by members of the Federal Home Loan Bank System (other than those insured by the Federal Deposit Insurance Corporation). This would provide protection against the possibility that, at some point, unsound banking practices in that industry could arise and so erode lending standards as to undermine the safety and stability of the effected institutions.

In each case, it is contemplated that the standby authority provided will be exercised only when the authorities determine that such ceilings are required by general credit conditions or to prevent unsound banking practices in bidding for funds. In view of the need for awareness of the possible implications of such ceilings for general credit flows and for competitive relationships among financial institutions, an agency would impose limits only after consultation with the other agencies with responsibilities for comparable controls and the Comptroller of the Currency. The authority would, of course, be available for use in time of emergency conditions.

(c) New safeguards would be provided against possible conflicts of interest of directors and officers of insured nonmember banks similar to those now in force for member banks, broadened to include substantial stockholders of both member and nonmember banks; the discretionary regulatory powers of the supervisory authorities with respect to conflict of interest situations for both member and nonmember banks would be further strengthened; and roughly analogous safeguards would be instituted for member and insured savings and loan associations, tailored to the special conditions of that industry. The proposed safeguards for member and insured savings and loan associations are, insofar as criminal penalties are not involved, modeled in large part on regulations now applicable only to Federally chartered savings and loan associations. Existing provisions in the criminal code applicable to member and insured nonmember banks, as well as to a number of other credit agencies operating under U.S. laws, would be extended to include member or insured savings and loans.

In addition, existing limits on loans to officers of the member banks or to bank examiners would be liberalized in certain instances where current provisions are unduly restrictive and where dangers of abuse appear limited or nonexistent. The definition of bank affiliates would be tightened for purposes of limitations on loans to such affiliates, and restrictions on transactions with affiliates now applicable only to member banks would be extended to all insured banks.

The provisions of the proposed bill are summarized more fully in the attached section-by-section analysis of its provisions. In addition to the substantive areas covered above a number of technical changes are included that would bring affected existing legislation up to date, and in certain other respects ambiguities or deficiencies in existing law are remedied.

It would be appreciated if you would lay the proposed bill before the Senate. An identical bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that enactment of the draft bill would be consistent with the administration's objectives.

Sincerely yours,

HENRY H. FOWLER.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED "FEDERAL DEPOSIT AND SHARE ACCOUNT INSURANCE ACT OF 1966"

Section 1 would entitle the bill the "Federal Deposit and Share Account Insurance Act of 1966."

COVERAGE OF INSURANCE

Sections 2 and 3 would increase from $10,000 to $15,000 the maximum amounts of insurance coverage per deposit or share account provided by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.

Section 2 would also provide that in the case of a bank closing prior to September 21, 1950, the maximum amount of the insured deposit of any depositor shall be $5,000, and in the case of a bank closing on or after September 21, 1950, and prior to the effective date of the proposed legislation, the maximum amount of the insured deposit of any depositor shall be $10,000.

Section 3 would provide that the higher coverage for Federal savings and loan insurance shall not be applicable to certain claims arising from default prior to the effective date of the bill.

INTEREST AND DIVIDEND RATES

Sections 4 and 5 would change from a mandatory to a standby basis the authority of the Board of Governors of the Federal Reserve System to limit the rates of interest that may be paid by member banks on time and savings deposits and the authority of the Board of Directors of the Federal Deposit Insurance Corporation to limit the rates of interest or dividends which may be paid by insured nonmember banks (including insured mutual savings banks) on time and savings deposits. The authority could be invoked if required by general credit conditions or to prevent unsound banking practices. However, current regulations would remain effective until modified or rescinded by the Federal Reserve Board or the Federal Deposit Insurance Corporation. Such sections further provide for the exercise by the Board of Governors of its limiting authority after consultation with the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Federal Home Loan Bank Board and the exercise by the Board of Directors of the Federal Deposit Insurance Corporation of its limiting authority after consultation with the Federal Reserve Board, the Comptroller of the Currency, and the Federal Home Loan Bank Board. However, foreign official deposits, which presently are exempted from limitation until 1968, would not be subject to this standby authority until expiration of this existing exemption. Any limitations on interest rates established under these sections could differ for different classes of deposits or banks on various bases, including the location of the depositors.

Section 6 would grant standby authority to the Federal Home Loan Bank Board, after consultation with the Federal Reserve Board, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, to limit the rates of interest or dividends which may be paid by members of any Federal home loan bank (other than those insured by the Federal Deposit Insurance Corporation), and by institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The criteria for invoking such authority would be the same as for the Federal Reserve Board and Federal Deposit Insurance Corporation. There is no existing statutory authority in the Federal Home Loan Bank Board to limit the rates of such interest or dividends.

LIQUIDITY REQUIREMENTS

Section 7 would revise and improve the present liquidity requirement for institutions which are members of a Federal home loan bank or the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The present general liquidity requirement of 4 to 8 percent in cash and obligations of the United States of a member's obligations on withdrawable accounts would be replaced by a general liquidity requirement of not less than 4 percent nor more than 10 percent of a member's obligations on withdrawable accounts and borrowings. The Federal Home Loan Bank Board is also accorded clearer and broader authority to specify the proportion of cash and the type and maturity of obligations eligible for meeting the general requirement. The accounting and enforcement provisions are improved and made more explicit.

In addition, the Board is authorized to impose a special liquidity requirement on an institution or group of institutions if, in the Board's opinion, the asset composition or quality, the structure of the liabilities and withdrawable accounts, or the ratio of nonwithdrawable capital, surplus and reserves to withdrawable accounts of the institution or institutions, requires a further limitation of risk to protect the safety and soundness of the institution or institutions. The total of the general and special liquidity requirements could not exceed 15 percent of withdrawable accounts and borrowings. Thus, the Board would be provided with explicit supplementary powers of a kind that have, in practice, long been exercised in the banking industry on the basis of established tradition and supervisory authority.

The provisions of section 7 would continue the present authority accorded to the Federal Home Loan Bank Board by section 5A of the Federal Home Loan Bank Act over mutual savings banks which become members of a Federal home loan bank. Similarly, the Federal Deposit Insurance Corporation, for those mutual savings banks insured by it, would continue to be the primary authority in the examination, supervision, or regulation of any such bank, and nothing in this bill is intended to affect or alter this situation.

RESERVES AND DIVIDENDS OF FEDERAL HOME LOAN BANKS

Section 8 would amend the present law relating to the reserves and dividends of each Federal home loan bank so as to limit dividends to not more than 6 percent per annum on paid-in capital. It is the intent of this section that the excess net earnings of a Federal home loan bank, after its reserves have reached 100 percent of paid-in capital and all allocations and chargeoffs required by the Board have been provided for and all dividend claims have been fully met, should be paid into the Treasury of the United States.

CONFLICTS OF INTEREST

Section 9 would extend comparable statutory noncriminal conflict of interest and related restraints now applicable to member banks, and as strengthened by section 10, to insured nonmember banks, subject to supervision and regulation by the Federal Deposit Insurance Corporation. (Conflict of interest restraints for insured nonmember banks are now effectuated by administrative action of the Federal Deposit Insurance Corporation.) The statutory restraints provided pertain to specified transactions between insured nonmember banks and their directors, officers, employees, attorneys, or affiliates, including the purchase or sale of securities or other property, loans or extensions of credit and investments, and preclude, except in limited classes of cases allowed by the Federal Deposit Insurance Corporation, certain persons primarily engaged in the sale or distribution of securities from serving at the same time as officers, directors, or employees of such banks. In addition to the specific statutory prohibitions, the Federal Deposit Insurance Corporation would also be authorized to establish rules and regulations at their discretion (1) to assure that directors and officers do not participate in transactions that would result in a conflict of their personal interest with those of the bank they serve, and (2) to require the disclosure of potential conflicts of interest by substantial stockholders as well as by directors and officers. Such section, however, would permit a nonmember insured bank to extend credit to any executive officer thereof in an amount not exceeding $5,000 or, $30,000 in the case of a first mortgage loan on a home owned and occupied or to be owned and occupied by such officer, provided that the terms of any such loan are not more favorable than those extended to other borrowers.

Section 9(c) of the bill adds a new section 20 to the Federal Deposit Insurance Act dealing with transactions with affiliates. The term "affiliate," with respect to any insured State nonmember bank is defined so as to include any organization that would be an affiliate or holding company affiliate of such bank under section 2 of the Banking Act of 1933, even though such bank is not a member bank to which the definition in the Banking Act of 1933 is limited.

Section 10 would strengthen the noncriminal conflict of interest restraints with respect to transactions between National and State member banks and their directors, officers and affiliates subject to supervision and regulation by the Comptroller of the Currency and the Federal Reserve Board, respectively, principally by adding a paragraph permitting the relevant supervisory authority to establish rules, and regulations supplementing specific present statutory prohibitions, at their discretion, in conflict of interest situations. This authority corresponds to that vested in the Federal Deposit Insurance Corporation with respect to member banks. Limitations on loans by member banks to their affiliates would be tightened in certain respects and for this purpose the definition of affiliates would be broadened. (Similar limitations would be made applicable to nonmember insured banks under provisions of section 9.) Such section, however, would increase from $2,500 to $5,000 the amount of credit that could be extended by a member bank to any executive officer and permit a first mortgage loan from a member bank to any executive officer on a home owned and occupied or to be owned and occupied by such officer in an amount not to exceed $30,000, provided that the terms of such loan are not more favorable than those extended to other borrowers.

Section 10 also provides exemptions with respect to limitations on investments that member banks may make in their affiliates. (Sec. 9 would provide like exemptions for insured State nonmember banks.)

Section 11 would provide for noncriminal conflict of interest restraints with respect to transactions between institutions which are members of any Federal home loan bank (other than those insured by the Federal Deposit Insurance Corporation) or institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation and officers, directors, or attorneys of such institutions. Prohibited transactions would include the making or purchase of any loans, and the purchase or sale of securities or other property, between the institution and any such party, or any partnership or trust in which they have any interest, or any corporation in which any such party owns, controls, or holds with power to vote more than 15 percent of the outstanding voting securities, or in which all such parties own, control, or hold with power to vote more than 25 percent of the outstanding voting securities. An institution would be permitted to make loans on the security of a first lien on a home owned and occupied by a director, officer, or attorney of the institution, in such amount as may be permitted by regulation of the Board, and to make other loans of a type that it may lawfully make to any such party, in an aggregate amount not exceeding $5,000, provided that the terms of any such loans are not more favorable than those extended to other borrowers.

Section 11 would incorporate into law applying to the above member and insured associations much of the substance of current conflict of interest regulations governing Federal savings and loan associations, and it is also roughly analogous to the noncriminal conflict of interest provisions which sections 9 and 10 would extend to member and nonmember banks. In addition to the restraints specified in this section, the Federal Home Loan Bank Board is extended the right to establish rules and regulations to assure that directors and officers do not participate in transactions that would result in a conflict of their own personal interests with those of the institution which they serve.

Section 12 would extend to examiners appointed by the Federal Home Loan Bank Board the same requirements, responsibilities, and penalties as are applicable to examiners under the National Bank Act and the Federal Reserve Act. Subject to such limitations as the Federal Home Loan Bank Board may prescribe, they would have in the exercise of their functions the same powers and privileges as are vested by law in such examiners.

Section 13 would make certain criminal provisions relating to conflict of interest now applicable to insured banks also applicable to officers, directors or employees of institutions which are members of any Federal home loan bank or the accounts of which are insured by the Federal Savings and Loan Insurance Corporation and to examiners appointed by the Federal Home Loan Bank Board. This section would permit public examiners to obtain home loans from insured institutions, but would explicitly prohibit participation by an examiner in any examination of an institution with which he has an outstanding loan.

THE CALENDAR

On request of Mr. Mansfield, and by unanimous consent, the following Calendar measures, starting with Calendar No. 748, were considered and acted upon as indicated:

The bill (H.R. 8035) to authorize the Secretary of the Interior to accept a donation of property in the County of Suffolk, N.Y., for addition to the Fire Island National Seashore was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 763), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 8035 is to authorize the Secretary of the Interior to accept two donations of land totaling 611 acres in Suffolk County, N.Y., and to administer this land as a detached portion of the Fire Island National Seashore, the establishment of which was provided for in the act of September 11, 1964 (78 Stat. 928).

NEED

The two parcels of land to be donated under H.R. 8035 are commonly known as the William Floyd Estate. William Floyd (born 1734, died 1821) was a Delegate to the Continental Congress during the years 1774–77 and 1778–83 and was a Member of the first Congress from 1789 to 1791. He was also a major general in the New York militia, a member of the State senate (1777–78, 1784–88, 1808), and a presidential elector in 1792, 1800, 1804, and 1820. The estate has remained in the hands of his descendants ever since his death. Included in the proposed donation is the original manor house, built in the early 18th century, which was William Floyd's home. The estimated value of the two pieces of property, the committee was advised, is $1,300,000.

Acquisition of this property on Long Island will be a welcome addition to the Fire Island National Seashore. The William Floyd house and the 34-acre tract on which it is situated has obvious historic value, and the larger tract (577 acres) has for years been used for wildlife habitat.

The bill provides for a leaseback arrangement between the United States and the present owners for not more than 25 years, a period the same as that which has been authorized in connection with property acquisitions in a number of other recent National Park Service bills. The terms of the lease must be satisfactory to the Secretary of the Interior and have due regard to the public interest. During the term of the lease the wild lands will be open to organized groups on a limited basis, maintenance and repairs will be at the expense of the lessees, and the Park Service will provide certain custodial services.

ROGER WILLIAMS NATIONAL MEMORIAL, PROVIDENCE, R.I.

The Senate proceeded to consider the bill (S. 1855) to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 3, after line 9, to strike out:

Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

And in lieu thereof, to insert:

Sec. 4. There are hereby authorized to be appropriated not more than $700,000 for the acquisition of lands and interests in land and for the development of the Roger Williams National Memorial, as provided in this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may acquire by gift, purchase with appropriated or donated funds, transfer from any Federal agency, exchange, or otherwise, not to exceed five acres of land (together with any buildings or other improvements thereon) and interests in land at the site of the old town spring, traditionally called Roger Williams Spring, in Providence, Rhode Island, for the purpose of establishing thereon a national memorial to Roger Williams in commemoration of his outstanding contributions to the development of religious freedom in this country: *Provided,* That property owned by the city of Providence or the Providence Redevelopment Agency may be acquired only with the consent of such owner.

Sec. 2. The property acquired pursuant to the first section of this Act shall be established as the Roger Williams National Memorial and the Secretary of the Interior shall publish notice of such establishment in the Federal Register. Such national memorial shall be administered by the Secretary subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666).

Sec. 3. (a) The Secretary is authorized to cooperate with the city of Providence, local historical and preservation societies, and interested persons in the maintenance and operation of the Roger Williams National Memorial, and he may seek the assistance of and consult with such city, societies, and persons from time to time with respect to matters concerning the development and operation of the memorial.

(b) The Secretary may accept on behalf of the people of the United States gifts of historic objects and records pertaining to Roger Williams for appropriate display or other use in keeping with the commemoration of the founding of religious freedom in the United States and of the historical events that took place in the city of Providence in connection therewith.

Sec. 4. There are hereby authorized to be appropriated not more than $700,000 for the acquisition of lands and interests in land and for the development of the Roger Williams National Memorial, as provided in this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report, No. 764, explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 1855, by Senators Pell and Pastore, is to authorize the Secretary of the Interior to establish a national memorial to Roger Williams at Providence, R.I.

NEED

Roger Williams (born 1603, died 1683) was one of the great leaders of American thought during the early colonial days. "Colonial thinker, religious liberal, and earliest of the fathers of American democracy, he owes his fame to his humanity and breadth of view and to his long record of opposition to privilege and self-seeking," is the summary of account of him given in the "Concise Dictionary of American Biography." Or, as V. L. Parrington put it in his "Main Currents in American Thought," he was "the most provocative figure thrown upon the Massachusetts shores by the upheaval in England, the one original thinker amongst a number of capable social architects" in the New World.

Although Roger Williams' best-known contributions to the development of America lie in his complete insistence on religious freedom and the separation of church and state at a time and in an area where both were vigorously denied, his thinking went far beyond these two principles. In one of his writings he put his position thus:

"From this Grant I infer * * * that the Soveraigne, originall, and foundation of civill power lies in the People * * *. And if so, that a People may erect and establish what forme of Government seemes to them most meete for their civill condition: It is evident that such Governments as are by them erected and established, have no more power, nor for no longer time, then the civill power or people consenting and agreeing shall betrust them with. This is cleere not only in Reason, but in the experience of all commonweales, where the people are not deprived of their naturall freedom by the power of Tyrants."

In a very real sense, then, he was a progenitor of many of the ideas that were later written into the Declaration of Independence and the Constitution and a person to whom all Americans owe a debt of gratitude.

The terms of S. 1855 provide for the acquisition by the Secretary of the Interior of not more than 5 acres of land in the city of Providence and for the establishment thereon of a memorial. The tract to be acquired is that on which the old town spring, commonly referred to as the Roger Williams Spring, is located. Acquisition will be from the Providence Redevelopment Authority which, after demolishing the present structures on the land and rough grading it, has agreed to sell it to the United States at its raw-land value. This is approximately $105,000 or about 50 cents per square foot. Development costs are estimated at $530,000 and annual operating costs at $60,500 a year after the memorial is in full operation.

The committee is glad to note the willingness and desire of the Providence Preservation Society and the Rhode Island Historical Society to participate in operation of the memorial, the establishment of which is recommended not only by them and the Secretary of the Interior but also by the Advisory Board of National Parks, Historic Sites, Buildings, and Monuments.

Mr. PASTORE. Mr. President, I commend the majority leader for bringing this bill to the attention of the Senate at this time. Roger Williams settled Rhode Island. He was the father of religious liberty which all of us enjoy and cherish.

Mr. MANSFIELD. Mr. President, I believe that the credit should go, not to the majority leader, but to the two Senators from Rhode Island, the senior Senator from Rhode Island, and his colleague, the junior Senator from Rhode Island. They have each rendered excellent service to the Senate in their joint management of the bill which just passed.

Mr. PELL. Mr. President, I believe that credit should go to my illustrious predecessor, Senator Theodore Francis Green. This was his last legislative action and there could be no more fitting tribute to his memory.

I am extremely pleased at the Senate's action today in approving my bill S. 1855 which authorizes the Secretary of Interior to establish a small national memorial park commemorating Roger Williams, the founding father of the State of Rhode Island and Providence Plantations.

The Senate's action is the culmination of a great deal of effort by many people, going back to 1960 when a measure similar to S. 1855 was passed by the Senate as the last legislative act of my distinguished predecessor Senator Theodore Francis Green. In fact the passage of this bill is a wonderful salute to our beloved Senator Green. Unfortunately, Senator Green's original Senate-passed bill failed to win approval by the House in the waning hours of the 86th Congress, and although subsequent versions of the bill have been introduced in each succeeding Congress, there have been technical impediments to passage until now.

I am happy to report that the bill passed today represents the concensus of all interested parties, including the National Park Service, the Providence Redevelopment Agency, the city of Providence and the Providence Preservation Society. Under the terms of the bill, the Park Service will acquire approximately 4 acres of land after the land has been cleared as part of an urban renewal project being conducted by the Providence Redevelopment Agency. Agreement has been reached on the essential points of size, cost and location of the land. The Providence Preservation Society will then enter into a cooperative arrangement whereby the Park Service will establish a modest information center and the society will reconstruct a small authentic 17th century Rhode Island house on the scene. Aside from these two small facilities, the memorial will be entirely devoted to landscaped greenspace, thus returning the historic heart of the Providence community to its original state, and in the process conforming admirably, I believe, to President Johnson's interest in bringing natural beauty to our urban landscape.

As I have noted, the area involved is as fraught with historic significance as any in Rhode Island, or indeed in the whole country. It was in this small 4-acre area that Roger Williams lived and worked when he established Rhode Island as "a lively experiment that a most flourishing civil state may stand and best be maintained with full liberty in religious concernments." Within the boundaries of the national memorial lay the approximate location of the spring from which Roger Williams' household drew its water, which spring in time became a gathering place for the original settlement at Providence.

This historic area is surrounded by a unique residential area comprising some of the best preserved specimens of early American and Federal period dwellings, and it is in this area that our venerable colleague, Senator Green still lives today, himself a monument to the values and traditions of our ancient city. The Senate's action today thus is a double commemoration for it honors Senator Green as well as Roger Williams.

Finally, Mr. President, I wish to say that there has been encouraging concurrent action on a companion bill in the House. My able colleague from Rhode Island's First Congressional District, Representative ST GERMAIN, has introduced and effectively advanced his bill H.R. 7919 which has been favorably reported and is now pending on the House Calendar. It is my sincere hope that the House may complete action on this legislation before adjournment so that the agencies involved can proceed with condemnation and clearance of the park area next year.

NATIONAL PARK SERVICE CONCESSION POLICIES

The bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 765), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 2091 is a companion measure to S. 396 introduced by Senator METCALF on January 12, 1965. Similar legislation had been introduced by Senator METCALF in the 88th Congress.

The principal purpose of all of these bills is to put into statutory form policies which, with certain exceptions, have heretofore been followed by the National Park Service in administering concessions within units of the national park system and in writing contracts for concessionaire services there. These policies have been in force since 1950 by virtue of an understanding between the Committee on Interior and Insular Affairs and the then Secretary of the Interior. Among other things, they deal with the subjects of a concessioner's possessory interest in improvements constructed or acquired by him on national park land, the compensation to which he is entitled if, in various circumstances, he wishes or is obliged to give up this possessory interest, and the granting of preferential rights to established concessioners to furnish additional facilities and services when needed and in the renewal and extension of contracts. H.R. 2091 also deals with many other matters related to concessions which are outlined hereinafter.

NEED

The Secretary of the Interior has authority under section 3 of the act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C. 3), to grant "privileges, leases, and permits for the use of land for the accommodation of visitors in the various parks, monuments, or other reservations [within the national park system] * * * for periods not exceeding thirty years."

Contracts relating to such privileges, leases, and permits may, under the same act, be entered into "with responsible persons, firms, or corporations without advertising and without securing competitive bids."

These contracts, leases, permits, and privileges may be assigned or transferred only with the written approval of the Secretary of the Interior who, in addition, is specifically authorized to allow the contracting party "to execute mortgages and issue bonds, shares of stock, and other evidences of interest in or indebtedness upon their rights, properties, and franchises, for the purposes of installing, enlarging, or improving plant, and equipment and extending facilities for the accommodation of the public within such national parks and monuments."

Under section 1 of the act of July 31, 1953 (67 Stat. 271), as amended (16 U.S.C. 17b-1) "all proposed awards of concession leases and contracts involving a gross annual business of $100,000 or more, or of more than 5 years in duration" must be reported to the President of the Senate and the Speaker of the House of Representatives 60 days in advance of award.

The Government now depends heavily, and must continue to depend heavily, on private entrepreneurs to provide visitors to the national park system with necessary facilities and services. Because this is so, the provisions of law just recited need to be supplemented by a clear statement in statutory form of the authority of the Secretary of the Interior to deal with various matters in the field of concession policy such as those mentioned above.

This need has been growing year by year. Visitation to the various units of the national park system has expanded steadily since World War II. In 1964 it reached an alltime high. The various units of the national park system attracted more than 102 million visitors last year and 29 of these areas (not counting the National Capital parks) attracted more than 1 million visitors each and another 22 between 500,000 and 1 million visitors each.

Particularly in the case of the larger parks at which visitors expect to stay overnight, an increasing strain is being put on accommodations and other facilities for services to visitors. While simple campsites are enough for some and can often be provided through the expenditure of appropriated funds, many other visitors expect the sort of accommodations and services that only private capital can be expected to finance. The multimillion-dollar expansion and modernization program that is needed can be undertaken only by resort to fairly large-scale financing. Credible testimony before the committee during its hearings on the subject of concessions both in the 88th and in the 89th Congress indicated that lending institutions have been reluctant and even unwilling to make long-term financing available to concessioners and would-be concessioners. This arises, first, from their unfamiliarity with the way in which the concession system actually operates within the national park system, and, second, from what they believe to be the lack of adequate security for loans that they might make. The latter stems from the facts that legal title to any improvements on national park lands is in the Government and that the location, types, quality, extent, and prices of services which concessioners render must necessarily be subject to Government supervision.

Enactment of H.R. 2091 will help to overcome these financing difficulties in these ways:

First, the bill grants to concessioners a "possessory interest" in any structure, fixture, or improvement which they acquire or construct with the approval of the Secretary of the Interior on land owned by the United States within the national park system. While legal title to the improvement will continue to be in the United States, the bill specifically recognizes that the possessory interest may be assigned, transferred, and encumbered by the concessioner. Provision is also included in the bill for relinquishment of a possessory interest; this will permit waiver if, in particular circumstances, the concessioner and the Secretary agree that such is proper. The possessory interest, it will be noted, is an interest in physical structures and is separate and apart from a right to do business within the area in which the structures are located. It does not terminate, and the bill specifically so provides, upon termination of the concession contract.

Second, the bill recognizes that compensation must be paid for the possessory interest if it is taken by the Government for its own use. Unless otherwise agreed upon by the parties the compensation will be "an amount equal to the sound value of such structure, fixture, or improvement at the time of taking by the United States determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value."

The committee recognizes that in the usual situation fair market value would be appropriate. In the cases to which H.R. 2091 pertains, however, there is frequently no market in the usual sense of the word either because of the location of the development, because of its nature, or because of the conditions under which it is operated. It is for these reasons that it was necessary to resort to the standard stated in the bill, this being the nearest equivalent to fair market value that the committee could arrive at in the circumstances under which concessionaires necessarily operate. It will be noted, in addition, that the parties may, if they choose, adopt another standard by explicit provision in their contract. During its discussion of this matter in the 88th Congress, the committee was supplied by representatives of the National Park Service and the concessioners with a brief memorandum in which their understanding of the term "reconstruction cost" was set out thus:

"The Department and the concessioners are agreed that the terms 'reconstruction cost' and 'reproduction cost' are synonymous, and that the terms have the meaning given on page 188 of 'The Appraisal of Real Estate,' prepared by the American Institute of Real Estate Appraisers; namely, 'Reproduction cost is the present cost of replacing [the improvement] with as nearly an exact replica as modern materials and equipment will permit.'"

Third, the bill authorizes the Secretary of the Interior to include in concession contracts provisions assuring concessioners of "adequate protection against loss of investment" in certain circumstances. In general the committee recognizes that what constitutes "adequate protection" will vary with the circumstances of individual concessions and must necessarily be left to be worked out by negotiation, contract by contract. If necessary, the protection which may be given will extend to an obligation on the part of the United States to compensate the concessioner for such loss. ("Loss of investment," it will be noted, does not include loss of anticipated profits, and the amendment to the bill so provides.) The circumstances covered by this provision are those in which, as a result of discretionary acts, policies, or decisions of the Secretary which occur after the contract has come into force, the concessioner's authority to conduct business ceases or his improvements have to be removed, abandoned, or demolished or are required to be transferred to another party. The present standard form of concession contract provides that if a concessioner ceases to be authorized to conduct operations and if such operations are to be conducted by a successor, the Secretary will require the successor to purchase the concessioner's interests at their "sound value"; that if operations are to be discontinued at a given location and are not to be replaced, the concessioner is to receive their "book value"; and that if they are to be discontinued at a given location and are to be replaced elsewhere, he is to receive their "sound value."

Fourth, the bill confirms the authority of the Secretary of the Interior to limit the number of concessioners operating in any unit of the national park system. Without being required to do so, he may allow a single concessioner, if he finds this to be in the public interest, to handle all visitor services throughout the park, or to handle all visitor services of a specified kind throughout the park, or to handle all visitor services in one portion of a park, or to handle all visitor services of specified kind in one portion of a park.

Fifth, the bill provides that the Secretary may grant to an established concessioner what is, in effect, a right of first refusal to provide additional facilities when they are needed within a park area.

Sixth, the bill provides that established concessioners who have performed satisfactorily shall be given preference in the renewal of old contracts and in the negotiation of new contracts. The Secretary may also, if circumstances suggest the desirability of such a course of action, extend or renew existing contracts upon or before their expiration. Extensions or renewals before expiration are sometimes necessary to enable a concessioner to raise capital for expanded improvements or, in cases of contracts due to expire within a year or two, to permit both the Government and the concessionaire to know where they will stand in the future and thus to assure continuity of park operations.

Neither the preference just spoken of nor the right to extend or renew is absolute. The bill requires the Secretary to give public notice of his intentions to extend or renew and to consider and evaluate all proposals received as a result thereof. This is not, and is not intended to be, a bidding procedure, with the award automatically going to the high bidder, but it is intended to bring to the attention of the public, the Secretary, and all interested parties the situation and to assure all concerned that in negotiating the new contract all relevant factors are taken into account. One of these factors, of course, and a very important one, is the desirability of continuity of operations and operators.

REVISION OF BOUNDARY OF JEWEL CAVE NATIONAL MONUMENT

The bill (H.R. 9417) to revise the boundary of Jewel Cave National Monument in the State of South Dakota was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 766), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 9417, a companion measure to S. 2812, introduced by Senator MCGOVERN on June 23, 1965, is to revise the boundaries of the Jewel Cave National Monument, S. Dak., by transferring approximately 1,120 acres of land which are now within the monument to the Black Hills National Forest and by adding to the monument a comparable acreage which is now within the national forest.

NEED

Jewel Cave National Monument was established by Executive order in 1908. It contains 1,275 acres in all. The land adjacent to it in the Black Hills National Forest has been found to be underlain by caverns which are of great scientific and public interest. The formation in these caverns include two that are unique—scintillites, which were described to the committees as "quartz bodies which have been dissolved and reformed into a material which, in both color and form, resembles a bowlful of spaghetti or coral," and hydromagnesite bubbles, which are "small translucent sacs of mineral deposits formed on calcite popcorn." Enactment of H.R. 9417 is needed in order to permit the new area to be opened up and made accessible to visitors as a part of the national monument. At the same time, the relinquishment to Forest Service control of approximately the same acreage now within the national monument will relieve the National Park Service of responsibility for administering land which is of no great importance for its purposes.

The long-range development plans of the National Park Service for the revised Jewel Cave National Monument include providing a ¾-mile access road and parking area, elevators, an emergency exit tunnel, underground lighting, a visitors' center, employees' quarters, and related facilities. The total cost of these installations is estimated at about $1,646,000.

Entrance fees are being and will be charged for admission to Jewel Cave as provided in the Land and Water Conservation Fund Act. During 1964, 55,000 persons visited the area. With increased accessibility and the revision of the boundaries of the national monument, as provided in H.R. 9417, this figure is expected to increase to 200,000 annually.

Mr. McGOVERN. Mr. President, the bill we have just passed to revise the boundaries of Jewell Cave National Monument is going to lead to availability to the public of the most breathtaking, and probably the largest known cave in the world.

Jewell Cave monument was established in 1908—a 1,275-acre site believed to encompass an unusually beautiful but not outstandingly large cavern, which has attracted a good many visitors.

In recent years, a South Dakota couple, Jan and Herb Conn, have been exploring the cave. They have mapped 13 miles of previously unknown caverns. They have measured the air currents at the mouth of the cave, correlating the volume of air moving in and out with measured barometric pressures. On the basis of these measurements, the size of the caverns appear to be 3 to 4 times that of any known cave in the world. If unexplored caverns average the size and capacity of known halls and corridors, there is indicated to be several hundred miles of caverns.

The exchange of lands authorized in the bill we have passed will permit the development of a new public entrance into a large hall—Pennsylvania Station—discovered by the Conns. The public may then view some of the hitherto unknown wonders the cave contains. Explorers can then establish a new advanced base for further explorations.

In recommending the development, Assistant Secretary of the Interior Stanley A. Cain advised the committee of some of the newly discovered attractions. He writes:

Recent exploration has uncovered over 13 miles of hitherto unknown caverns in the Jewel Cave vicinity. The newly discovered sections contain numerous formations of scenic and scientific interest. Among them are two unique mineral deposits—scintillites and hydromagnesite bubbles. Scintillites are quartz bodies which have been dissolved and reformed into a material resembling a bowlful of spaghetti or coral in both color and form. They have a drusy quartz appearance which gives a dazzling sparkle to the formation. The hydromagnesite bubbles are small translucent sacs of mineral deposit formed on some calcite popcorn. Experts are still puzzled as to how they are formed; it appears that they have not been previously described.

The large rooms and passageways with a coating of large calcite crystals and delicate dripstone formations in recently discovered sections give Jewel Cave a much greater significance. Here may be found rooms as large as 100 to 150 feet in length, with ceilings 75 feet high. Dogtooth spar lines vugs—the jewels from which the cave derives its name—are displayed in breathtaking fashion. An unusual geologic story is exhibited in several flowstone and dripstone formations which were at one time fractured, probably by an earthquake, and later healed by additional deposition. Other interesting new features found in the cave are hollow stalagmites. These standing columns covered with a coating of popcorn calcite are not commonly found in other caves in the country. These and other features occur in abundance and in many colors which makes Jewel Cave a fascinating attraction.

I am convinced, Mr. President, that Jewel Cave is one day going to be one of the great national park units—an underground wonderland rivaling Yellowstone and the new Canyonlands National Park in Utah.

South Dakota has long been known as the "Land of Infinite Variety."

Jewel Cave will soon add greatly to that variety.

SENATE DELEGATIONS TO FOREIGN PARLIAMENTARY BODIES

The resolution (S. Res. 145) to provide for responding to invitations from foreign parliamentary bodies was considered and agreed to, as follows:

Resolved, That the President of the Senate is authorized to appoint as members of official Senate delegations such Members of the Senate as may be necessary to respond to invitations received officially from foreign governments or parliamentary bodies during the Eighty-ninth Congress, and to designate the chairmen of said delegations.

Sec. 2. The expenses of the delegations, including staff members designated by the chairmen to assist said delegations, shall not exceed $25,000 for each such delegation, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairmen of said delegations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 769), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 145 will, for the duration of the 89th Congress, authorize the President of the Senate to respond to invitations officially received from foreign governmental or parliamentary bodies by naming official Senate delegates to accept such invitations. The resolution also authorizes the expenses of such delegations to be paid from the contingent funds of the Senate and specifies that the expenses of no single delegation shall exceed $25,000.

It should be noted also that the provisions of Senate Resolution 145 would not obviate the necessity for the resolutions traditionally introduced for the purpose of paying the expenses of Senate or congressional delegations to parliamentary associations, such as the Commonwealth Parliamentary Association.

A more detailed explanation of the purposes of Senate Resolution 145, excerpted from the report by the Foreign Relations Committee thereon (S. Rept. 700, 89th Cong.), is as follows:

From time to time the Senate has received invitations from foreign governments or parliamentary bodies to send senatorial groups to visit in their countries. Invitations of this type have normally been referred to the Committee on Foreign Relations which, in consultation with the majority and minority leadership, has informally prepared appropriate responses to these invitations.

When invitations have been accepted, and provided there is a sufficiently large Senate delegation, the Department of Defense has been able to provide transportation. Furthermore, under the terms of the Foreign Assistance Act of 1961, as amended, members of such delegations, if properly authorized by the chairmen of appropriate committees, have been able to meet their expenses by the use of U.S.-owned foreign currencies.

However, instances occur in which the foreign policy interests do not require that all members of these delegations be selected from committees with foreign policy jurisdiction, and in these instances problems have arisen about making foreign currencies available to meet delegates' expenses while abroad. Furthermore, in some cases foreign currencies are not available.

In order therefore to be sure that the expenses of Senate members of these delegations can be met in these special cases, the Foreign Relations Committee believes adoption of this resolution would be helpful.

At the present time, the Senate is in receipt of official invitations from two foreign parliamentary bodies and it is hoped that delegations may be sent to respond to these official invitations.

The committee takes this occasion to emphasize that response to invitations of this kind should be undertaken only during periods of congressional adjournment so that there will be no interference with the conduct of the business of the Senate.

The committee also notes that adoption of this resolution in no way eliminates or abridges present limitations upon per diem amounts made available to meet expenses of individual members of the delegations and does not affect requirements for timely and public reporting of such expenditures which may be made under the terms of this resolution.

PRINTING OF REPORT OF PROCEEDINGS OF 42D BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF AS A SENATE DOCUMENT

The concurrent resolution (S. Con. Res. 53) authorizing the printing of the report of the proceedings of the 42d biennial meeting of the convention of American Instructors of the Deaf as a Senate document was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the report of the proceedings of the forty-second biennial meeting of the Convention of American Instructors of the Deaf, held in Flint, Michigan, June 21–25, 1965, be printed with illustrations as a Senate document; and that five thousand additional copies be printed and bound for the use of the Joint Committee on Printing.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 770), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 53 would authorize the printing with illustrations as a Senate document of the report of the proceedings of the 42d meeting of the Convention of American Instructors of the Deaf, held in Flint, Mich., June 21–25, 1965, and further would authorize the printing of 5,000 additional copies of such document for the use of the Joint Committee on Printing.

The American Instructors of the Deaf was organized in 1850. Its purpose, as expressed in its constitution, is as follows:

"(1) To secure the harmonious union in one organization of all persons actually engaged in educating the deaf in America;

"(2) To provide for general and local meetings of such persons from time to time, with a view of affording opportunities for a free interchange of views concerning methods and means of educating the deaf; and

"(3) To promote by the publication of reports, essays, and other writings, the education of the deaf on the broadest, most advanced, and practical lines."

The organization was incorporated as the Convention of American Instructors of the Deaf by the act of January 26, 1897, which act provided in part that "said convention * * * shall report to Congress * * * such portions of its proceedings and transactions as its officers shall deem to be of general public interest and value concerning the education of the deaf."

As is the case with several organizations which have been incorporated by Congress, no provision was contained in the statute for the printing of the required report.

The reports of the convention, however, have traditionally been ordered printed by Congress. Statistics supplied by the Senate Library show that during the past 35 years all but two of the reports of the biennial meetings of the organization have been printed as Senate documents. Such printing was authorized by simple Senate resolution, except for the last two reports, which because of increased printing costs and the need for more copies required a concurrent resolution. In prior years the Joint Committee on Printing used its administrative authority to obtain a nominal amount of additional copies of the document for the use of the convention, but authority for printing the additional copies is now expressed in the resolutions. The additional copies are sent to the organization for distribution to its delegates, to libraries, and to other interested institutions and individuals.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$10,443
5,000 additional copies, at $803 per thousand	4,015
Total estimated cost, S. Con. Res. 53	14,458

ELECTRIC TYPEWRITERS FOR MEMBERS OF HOUSE OF REPRESENTATIVES

The joint resolution (H.J. Res. 309) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 768), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The joint resolution of March 25, 1953 (Public Law 10, 83d Cong.; 2 U.S.C. 112a–1), as amended, authorizes the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members of the House of Representatives.

House Joint Resolution 309 would further amend that joint resolution to increase the number of electric typewriters which could be furnished to Members of the House of Representatives from 3 to 4 for Members from districts with a population of less than 500,000 persons, and from 4 to 5 for Members from districts with a population of more than 500,000 persons. The joint resolution also provides that one of those electric typewriters may be an automatic typewriter.

SMITHSONIAN INSTITUTION

The Senate proceeded to consider the bill (H.R. 7059) to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes which had been reported from the Committee on Rules and Administration with an amendment, on page 1, line 7, after the word "sums", to insert "not to exceed $350,000,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An Act to amend the Act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), so as to increase the amount authorized to be appropriated to the Smithsonian Institution for use in carrying out its functions under said Act, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 771), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION

The purpose of H.R. 7059 as referred is to remove an outmoded $10,000 limitation on the annual appropriations authorized for the Canal Zone Biological Area at Barro Colorado Island on Gatun Lake in the Canal Zone.

The facility there, for the past 19 years under the Smithsonian auspices, is the only tropical biological research area under the U.S. flag in the Latin American tropics, and was established in 1940. In 1946, the functions of this facility, together with the original statutory limitation on the funding involved, were transferred to the Smithsonian Institution under Reorganization Plan No. 3 of that year.

COMMITTEE AMENDMENTS

While the Committee on Rules and Administration concurs in the general purpose of H.R. 7059, to repeal the obsolete $10,000 limitation on annual appropriations for the Canal Zone Biological Area, it believes, however, that a reasonable financial limitation should be placed upon this activity. Consequently, the committee has amended H.R. 7059 to limit the authorization for the purpose to $350,000 per annum. That figure is considered realistic and appropriate by the committee on the basis of testimony it received from Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution. The title of the bill has been amended also, to reflect the committee action.

LEGISLATIVE BACKGROUND

On July 23, 1964, after favorable report from the Committee on Rules and Administration, the Senate passed S. 808, similar in concept to H.R. 7059. The measure, however, failed of House approval during the 88th Congress.

S. 808 was introduced by Senator Leverett Saltonstall (for himself and Senator Clinton P. Anderson and Senator J. W. Fulbright); and in the 89th Congress a bill (S. 1294), identical to H.R. 7059, was introduced by Senator Saltonstall with the same consponsors. All three Senators serve as Regents of the Smithsonian Institution.

H.R. 7059 was passed by the House of Representatives on May 10, 1965. In view of the House action, the committee reports favorably on this measure.

Senate Report No. 1231, accompanying S. 808, demonstrated that the research activities of the Smithsonian in the Canal Zone have been increased since 1946, and that sums in excess of the statutory limitation have been budgeted and approved since 1951.

The legislation is needed so that a point of order may be avoided on this item in the Smithsonian's annual budget, and so that the important research activities of the Smithsonian in the Canal Zone can be conducted and administered in conformance with current procedures.

DEPARTMENTAL REPORTS

In his report to Senator Claiborne Pell, chairman of the Subcommittee on the Smithsonian Institution of the Committee on Rules and Administration, Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution, stated in part:

"The act of July 2, 1940, established the Canal Zone Biological Area as an independent Government entity with its own Board of Trustees and an annual appropriations limitation of $10,000. In 1946, the functions and authority of the independent Board were transferred as a whole to the Smithsonian Institution by Reorganization Plan No. 3, and the Canal Zone Biological Area became an integral part of and an important center for the Smithsonian's programs in tropical biology. Although it was not the intent or effect of this transfer to place a $10,000 limitation on the Smithsonian's expenditures for tropical biology, it was not possible, using the Reorganization Act power, to remove this inappropriate portion of the original legislation. Consequently, at the request of the Board of Regents, S. 1294 is proposed for the purpose of removing this limitation and making clear that the appropriations authority for Smithsonian activities associated with Barro Colorado Island is the same basic authority underlying appropriations for other longstanding Smithsonian research programs * * *.

"The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administrations' program."

The report (H. Rept. No. 280) from the House Committee on Merchant Marine and Fisheries accompanying H.R. 7059 contains the following pertinent statement from a departmental report of the Panama Canal Company, relating to H.R. 7059, and signed by W. M. Whitman, the Company's secretary.

"The act of July 2, 1940, is administered by the Smithsonian Institution pursuant to Reorganization Plan No. 3 of 1946 and neither the Panama Canal Company nor the Canal Zone Government has any function or responsibility for the operation of Barro Colorado Island. Neither agency of the canal enterprise, however, has any objection to the enactment of H.R. 7059 which relates solely to the program carried on by the Smithsonian Institution in the Canal Zone.

"The Bureau of the Budget advises that there is no objection to the submission of this report."

THE BRITISH LEAP FORWARD

Mr. JAVITS. Mr. President, I want to call to the attention of my colleagues a very thoughtful and perceptive editorial, written by Walter Lippmann, which appeared in today's Washington Post.

In the editorial Mr. Lippmann makes a sober appraisal of the newly issued British 5-year plan and the problems it attempts to deal with in the British economy.

He expresses doubt whether any British Government—whether led by Labor or the Conservatives—could make this plan workable. He makes this statement not on the grounds that the plan is ineffective or too ambitious or out of tune with the times but because Britain's special situation—its global military responsibilities and the international reserve currency role of the pound sterling—which makes its domestic economic problems vastly different from that of other European nations. Because of these special factors and the simultaneous need to modernize the British economy Britain has not been able to play an effective role as our ally. Mr. Lippmann takes the position that it is essential for us to have Britain as a strong ally and that for this reason the British situation should be of serious concern to the United States.

I share Mr. Lippmann's concern over Britain and on August 12 I addressed myself to analyzing Britain's economic situation on the floor of the Senate and made several recommendations how the United States in cooperation with continental Europe can assist Britain to help itself. I am pleased that Mr. Lippmann sees Britain's situation very much the same way as I do and I hope that the United States will take the lead in marshaling economic support for Britain so that Britain can take the necessary steps to modernize its economy and thereby continue to play its very constructive economic and military role in the world. And as a close ally of the United States.

I ask unanimous consent that Mr. Lippmann's editorial be printed in the Record at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Today and Tomorrow: The British Leap Forward

(By Walter Lippmann)

Although the large volume published in London last week is called "The National Plan," Americans who read it will have to bear in mind that it is less an announcement of government policy than a statement of intentions and hopes. The plan is in effect a theoretical consensus, put together by expert civil servants after extensive study of the economy and questioning of managers and labor leaders. The plan is a national estimate of what could be done in the course of the next 10 years to modernize the British economy. It carries with it the commitment of the Government to take such measures as will help, will prod, pull, and compel managers, labor leaders, investors, bankers, and public servants to carry out the plan.

Compared with the customary behavior of British industry since World War II, the plan seems very ambitious. For example, it proposes a 25-percent increase in the national output before 1970. This means that the rate of output of each worker must rise by 3.4 percent per year instead of by 3 percent as it now may be rising. Though the difference looks small, it would in fact require a great leap forward in technology and habits of work. While no one is in a position to say that the leap forward cannot be made, it is not at all certain that Britain has in the present Labor government, or could have now in a Conservative government, the kind of government which is strong enough to make the national plan workable.

As against this, it can be said that the principles of the plan have in fact been carried out successfully in France, originally under the leadership of M. Jean Monnet, and that the French recovery and reconstruction which began in the pre-Gaullist years has been carried on under General de Gaulle too. In fact, it would be fair to say that this kind of planning in what the French call the "concerted economy" belongs to advanced, highly developed economies in democratic societies, and that variants of it, in greater or lesser degree, have in the modern world replaced socialism as a method of reforming the abuses and the weaknesses of laissez faire capitalism.

The plan is, one might, say in tune with the times. But, applied in Britain, there are certain special conditions which must give us pause. Britain has difficulties which are not shared by the great West European powers. Thus, as a matter of fact, all the West European countries, except Portugal, have liquidated their prewar empires; none has the kind of global responsibility which Britain still bears from Aden to Singapore. It is a very serious question whether the British Isles can provide the economic basis to support this remnant of the old imperial system.

Britain differs also from the flourishing West European states in another important respect. The Europeans do not have the burden, as well as the benefits, of having a currency which is an international reserve asset.

To carry on the remainder of empire in Asia and to keep the pound sterling as an international reserve currency the combination of these two enormous commitments makes the reconstruction and recovery of Britain different in kind as well as in degree from that of France, Germany, Italy, and the rest.

Yet, it is this very combination which concerns us in America very deeply. Britain today is not filling, is not able to fill, the role of a first-class power. The British Government has felt itself to be so weak at home and abroad that it has not been able to play the part of a true ally. A true ally has to be an independent friend and supporter. The problem of working out the relations between the Western World and the Asian Continent cannot be done by American military and economic power alone. For it is beyond the experience and wisdom of any one power to play so great a part. President Johnson has had little or none of the kind of help that a true ally, especially an old and experienced one like Britain, can and should give him.

More than that, just beyond the horizon lies the possibility that if Britain cannot play her role in the East, we shall be called upon to provide the replacement.

Thus, we have a positive interest in British recovery and reconstruction, and we must insist on hoping that what France, Germany, and Italy have done, the British people will find a way to do also.

THE UNITED NATIONS' FINEST HOUR

Mr. JAVITS. Mr. President, I suggest that the United Nations, as Ambassador Goldberg has said, saw its finest hour when it arranged the cease-fire between India and Pakistan which went into effect yesterday. The United Nations played the essential role in bringing under control a conflict that could, if it had not been checked through the efforts of that body, been a disaster for Asia and the world. The United States was indeed wise to puts its full weight behind the U.N. cease-fire efforts. The U.N. and the diplomats who through that organization brought about the cease-fire have done a truly spectacular job for which the world has cause to be very grateful. The settlement is proof that the U.N., whose vitality had so recently been called into doubt in some quarters, is still very much alive, and remains an essential instrument of peace.

Now that the U.N. has surmounted this test—which is certainly one of the most rigorous it has ever had to face—it must undertake the further task of settling the underlying dispute over Kashmir. Let no one be blinded by the cease-fire into believing that the trouble is over—the resolution of the Kashmir problem confronts the U.N. now with an even more severe test. Our full energies must be devoted to assisting the U.N. to meet that test too, through the negotiation of a peaceful settlement of the dispute, so that the two great nations of the subcontinent may not feel called upon to turn to armed conflict once again.

Mr. President, I ask unanimous consent that there be printed at this point in the Record the unedited text of my column, "Main Stream," which appeared in the September 9, 1965 edition of the New York Journal American; an editorial from yesterday's Washington Evening Star; an article and an editorial from today's Washington Post; and an editorial from today's New York Post.

There being no objection, the column, articles, and editorials were ordered to be printed in the Record, as follows:

Vital Test for U.N. in Kashmir War

(By Senator Jacob K. Javits)

The India-Pakistan fighting has presented the United Nations with a severe test as well as an opportunity to confirm its usefulness as a peacekeeping organization. It has also underlined the necessity of the United Nations as the prime international agency for peacemaking.

The United Nations has taken a leading role in the attempt to stop the fighting at a time when its viability as an effective international peacekeeper is still being questioned as a result of the hassle over who should pay for past peacekeeping operations. The international body is again in the middle of a difficult and possibly catastrophic confrontation which the weight of world opinion wants settled immediately. It has become involved—as it should—in an issue which almost every power in the world—except the leading enemies of world peace, the Communist Chinese—would like to see resolved without further bloodshed and without further escalation.

The question is: Can the United Nations succeed in ending the fighting and then in fashioning the means necessary to maintain peace on the Asian subcontinent? Can the United Nations, so recently beleaguered, again prove its usefulness as a force for peace in the world?

The questions are not academic, and the answers will be written in history in a painfully short time. For India, Pakistan and the world, the stakes are just too high to allow a continuation or escalation of the fighting that could ultimately lead to the destruction of one or both of the adversaries and virtually invite Communist China to interfere in a major way in the affairs of the subcontinent.

Both the United States and the Soviet Union have chosen to work through the United Nations to bring this conflict under control, without taking sides on the substance of the dispute. The Security Council has twice voted unanimously to call for a cease-fire, and has sent Secretary-General U Thant to the scene in an attempt to obtain it. The very fact that the United Nations has intimately involved itself in efforts to end this fighting is a sign that it is very much alive. The interests of the United States and the U.S.S.R. coincide in this case, creating unanimity in the Security Council and giving the United Nations an opportunity to move strongly, if need be, to restore peace. The individual and collective efforts of the United States, the Soviet Union, Great Britain, of SEATO and CENTO—in fact, every available resource—must be brought to bear to effect a cease-fire. But the main responsibility properly belongs in the first instance to the United Nations.

The main lesson of this conflict so far is that the United Nations, to be effective, must not only be able to put out fires after they start, but must also have the ability to prevent them. Kashmir has been a point of contention between India and Pakistan since the partition of the subcontinent 18 years ago. Attempts to bring about a final settlement have been fruitless, even though it was obvious that grievances—whether real or illusory—were not disappearing with the passage of time and showed no inclination to disappear in the future.

Yet the United Nations and the world seemed unable to do anything but watch and wait until the explosion came and tanks and planes crossed national frontiers.

Now the United Nations must not only be able to halt the fighting, but must evolve some mechanism to prevent explosive pressure from building again along the Indian-Pakistan border. This will mean increased emphasis on methods of adjusting disputes before they erupt into violence. That is what the United Nations was designed to do, and it is significant that Great Britain has recently proposed a broad study of the methods and machinery which might be used by the United Nations in achieving the peaceful settlement of disputes before the parties try to solve them by force.

The next few weeks will be difficult ones for the United Nations. It deserves and needs full backing from the United States and every other peacekeeping nation. But a decisive United Nations victory in this critical confrontation would give new hope to the millions who like us feel that the United Nations is still the best hope for peace in an imperfect world.

[From the Evening Star, Sept. 22, 1965]

The Cease-Fire

The cease-fire in the Indian-Pakistan conflict, scheduled to begin at 6 o'clock this evening, is undoubtedly the most dramatic example to date of the United Nations' ability to stabilize a spreading crisis. Coming as it does during the U.N.'s 20th anniversary—when so many internal problems bedevil the world organization—the truce is a good omen.

The acceptance of a cease-fire by the warring parties came in part because of economic and political pressures brought to bear by the United States and the Soviet Union. But it is obvious that both New Delhi and Rawalpindi were forced to a belated realization of the enormous dangers inherent in a drawn-out war over a disputed territory.

These dangers were compounded by Red China's threatened intrusion into the conflict—a threat which also is now eased by a Chinese assertion that India has dismantled military installations it supposedly was maintaining on the Tibet side of the Sikkim border.

The truce itself may be nothing more than a breather. But it does indicate that neither India nor Pakistan can envision, at this point, a victory sufficient to overshadow the mounting war losses and the combined pressures of those powers anxious to end the crisis.

Now begins the more difficult task of finding an equitable solution to the problem of Kashmir. In his acceptance of the cease-fire order, Pakistan's Ayub Khan threatened to withdraw from the United Nations altogether unless the U.N. can come up with a "fair and honorable settlement" of the Kashmir question. But the mere fact that Pakistan—and, inferentially, India—has decided to shift the responsibility for such a solution to the U.N. itself is some cause for optimism.

U.S. Ambassador Arthur Goldberg said this morning that "the Security Council has addressed itself to perhaps the gravest problem in U.N. history." And it addressed itself with authority and dispatch. The basic limitation on the powers of the U.N. is that it must find a consensus among the major powers on any specific peace-keeping mission. But when it has such a consensus, it can function. Hopefully, its demonstrated ability to function in this difficult case will build new confidence in the future of the world organization.

[From the Washington Post, Sept. 23, 1965]

U.N. Makes Peace in Its Finest Hour

(By Louis B. Fleming)

United Nations, N.Y., September 22.—There was a glow of satisfaction and the return of a long-lost sense of confidence at the United Nations today following the early morning agreement on a cease-fire between India and Pakistan.

The United Nations had made peace. And so had Arthur J. Goldberg. Corridors buzzed about both.

Only a handful of hearty diplomats had been on hand in the Council chamber at 3 a.m. to hear Pakistan Foreign Minister Zulfikar Ali Bhutto read the cease-fire agreement.

Only eight reporters had stood in the corridors an hour later to hear U.S. Ambassador Goldberg say: "This is a great moment in the history of the United Nations."

CLOSE SHAVE FOR PEACE

And only a few persons knew how close to disaster the path to peace had come in the tense hours between 1:45 a.m. Monday, when the Council demanded a cease-fire, and 3 a.m. Wednesday, when Bhutto agreed.

There was almost universal agreement among diplomats that this was the Security Council's finest hour. The threat of this war, with the backstage role of Communist China, had an importance that most thought greater than earlier council peace actions.

Most of the delegates agreed that much of the credit belonged to Goldberg, even though he had risked a mutiny by some of the members, and even though the final agreement was threatened by a walkout of some of the same angry members early today.

Goldberg himself was convinced that the agreement early Monday morning was the fruit of continuous negotiations he had demanded as Council president.

SIX THREATENED TO QUIT

At the crucial moment in these negotiations Monday, the six nonpermanent members of the Council handed Goldberg a letter threatening to walk out and challenging his extended talks alone with France, the Soviet Union and Britain while they cooled their heels outside. Fortunately, he had just won agreement from the Big Four on a resolution almost identical to one he had negotiated earlier in the day with the six.

Their mutiny was abandoned and the Council adopted the resolution.

Council members themselves were kept in a state of suspense by Pakistan until Bhutto read the agreement of his government at the exact hour set for the cease-fire in the Council's Monday resolution.

At 2:36 a.m. Goldberg invited Bhutto to address the Council. At this point, no one on the Council yet knew what the Pakistani would do.

BITTER CHARGES

For 20 minutes, the Foreign Minister gave a traditional Kashmir dispute speech, ringing oratory, bitter charges against India, protests of absolute innocence on the part of Pakistan, a threat to fight for 1,000 years if necessary to defend the right of self-determination for the people of Kashmir.

But he kept looking at the clock. Just at 3 a.m., the hour of the cease-fire deadline, he halted his speech, pulled out a piece of paper, and carefully read the following message from Pakistani President Ayub Khan: "Pakistan considers Security Council resolution 211 of September 20 as unsatisfactory. However, in the interest of international peace and in order to enable the Security Council to evolve a self-executing procedure which will lead to an honorable settlement of the root cause of the present conflict, namely the Jammu and Kashmir dispute, I have issued the following order to the Pakistan armed forces * * *"

Pakistan would stop shooting in 5 minutes, he informed the Council.

Council members recessed to draft their acceptance. The final cease-fire deadline was postponed for 15 hours to give both armies time for implementation.

Elation over the peace agreement was tempered with a realization that, as Goldberg said, the cease-fire was just the beginning. Pakistan obviously was dead serious when it said it would quit the United Nations if the Council allows the question of Kashmir to drift as it has for 16 years.

But it was impossible to exaggerate the achievement in terms of revived prestige for the organization. It was a credit to Secretary General U Thant, whose 9-day peace mission to India and Pakistan laid the foundation for the cease-fire agreement.

And for the Council, it was a moment particularly significant for the unity of the big four that succeeded in isolating the conflict from the opportunism of Peiping.

[The U.N. General Assembly's steering committee recommended—without taking a formal vote—that the Assembly again take up the issue of a seat for Red China, Associated Press reported. U.S. Ambassador Charles Y. Yost said the United States had no objection to full-scale Assembly debate, but added that in the light of recent events he believed the debate "would serve no useful purpose." The steering committee also overrode Communist objections and recommended that the Assembly again take up the Tibet issue.]

[From the Washington Post, Sept. 23, 1965]

The Fragile Cease-Fire

Peace prospects have taken a dramatic upward turn with Indian and Pakistani agreement to a cease-fire and the easing of Chinese pressure on New Dehli. For the halt to the fighting great credit is due the United Nations Security Council and Secretary General U Thant personally. Here is an encouraging demonstration that the international machinery can work when both the Soviet Union and the United States cooperate to keep the matter out of the cold war.

That there was a tacit understanding on this point is evident from what happened, even though for ideological reasons Moscow cannot publicly proclaim a common interest with the United States. Both countries were careful to work through the U.N. and not to impede its efforts. Soviet Premier Kosygin refrained from taking sides over Kashmir but made clear his country's concern with halting the fighting. President Johnson is known to have exchanged personal letters with both Indian Premier Shastri and Pakistani President Ayub while focusing on the U.N.

No doubt all of this had its influence in Peiping, where the significance of the unwritten Soviet-American cooperation to forestall Chinese intervention must have been fully understood. If China now wants to proclaim that India backed down on the border dispute about which the Peiping Government had been so blustery, this sort of facesaving is inexpensive.

Indeed, the Indian Government appears to have played its cards skillfully. It appears to have yielded no point of much substance respecting the border. But in view of its conciliatory attitude, the Chinese would have looked both sinister and ridiculous if they had pressed a military action for the return of 59 yaks. Of course the Chinese aim of degrading India and encouraging political fractionalization remains, but this time the Indians are in a much stronger position than during the humiliation of 1962.

This relative success of India tends to make the outlook for Pakistan more troubled. The Pakistani guerrilla activity and the later military thrusts plainly failed to achieve their objective of forcing a Kashmir settlement. To whatever extent Pakistan relied on a diversion by China it had no very great success either, although the Chinese threat may have made a cease-fire seem more urgent to New Delhi. For Pakistan, with its goal unfilled, the acceptance of a cease-fire unquestionably was difficult even if necessary. All the same, Pakistani Foreign Minister Bhutto was foolish to threaten withdrawal from the U.N. if no Kashmir solution is found. Incidentally, some diplomats believe that President Ayub may have sent his firebrand foreign minister to New York in order to get him out of Rawalpindi while important decisions were being made.

Irrespective of any nationalist considerations, it ought now to be apparent in both countries that the bloodshed will have been in vain unless there is a harmonization—which means some sort of Kashmir accommodation. The Security Council formula for further talks is very vague. Much will now depend upon the reasonableness of both parties, especially India. There can be no patience with any all-or-nothing formula on either side.

For India to concede anything about Kashmir, in view of the fear of communal disorders and the state of feeling against Pakistan, would take a large measure of statesmanship. But India can either face a continually frustrated neighbor or help build stability in Pakistan by acknowledging the merit of at least some of the Pakistani case in Kashmir. Much again will depend upon how well the United States and the Soviet Union, each with an eye on China, can continue working together privately and through the United Nations to emphasize that this time a Kashmir solution is imperative.

[From the New York Post, Sept. 23, 1965]

Reprieve in Asia

Mankind has won another reprieve. Thanks to the U.N. and skillful great-power diplomacy in support of its effort, the danger of a great Asian conflagration has been at least temporarily averted.

But the silencing of the guns brings no automatic guarantee that the voice of reason will begin to be heard on the subcontinent. The postwar diplomatic agenda is littered with cease-fires that have not been converted into permanent settlements. The Kashmir time bomb has been ticking away since 1947, when the U.N. arranged its first cease-fire. The full explosion did not come this time, but the fuse is still lit.

The cease-fire command of the Security Council to which India and Pakistan deferred recognizes the peril of allowing the Kashmir question to revert to the agenda status of an old chestnut. Paragraphs 4 and 5 of the resolution envisage a truce as the first step toward the settlement of the political problem underlying the present conflict. U Thant is requested to exert every possible effort to give effect to the whole resolution.

President Johnson's expression of pleasure over the cease-fire noted the precariousness of the truce.

"The job of the U.N. has just begun," he said, adding that the United States would "fully support it every step of the way by our actions and our words."

President Johnson rightly paid tribute to U Thant's fairness and firmness in the service of peace, as well as to the role of America's U.N. team, headed by Ambassador Goldberg.

The tributes were merited, but it must also be underscored that the U.N. was effective in this crisis, because member states, and especially the great powers, resolutely backed up its commands.

The U.N. never showed itself more indispensable than at this moment when voices in many capitals were writing it off as a failure. India and Pakistan, especially the latter, were able to yield to a cease-fire order from the U.N., which they would have been unable to accept from any single nation or group of nations.

The great powers, especially the United States, Russia, and Britain, were able to unite their cease-fire efforts through the U.N. in a fashion that might have been impossible.

If this cooperation continues, if the United States, the U.S.S.R., and Britain now support U Thant's conciliation moves with the same vigor they manifested in bolstering his cease-fire efforts, there may be some hope of a permanent settlement.

TRIBUTE TO HON. EUGENE M. ZUCKERT

Mr. STENNIS. On September 30 the Honorable Eugene M. Zuckert will retire as Secretary of the Air Force and return to private life. He then will have served continuously as Secretary for more than 4½ years, longer than any man in history.

Mr. Zuckert, at the age of 54, has already had a long and distinguished career, most of it devoted to public service. He has served as Assistant Secretary of the Air Force under our distinguished colleague, the senior Senator from Missouri [Mr. Symington], as a member of the Atomic Energy Commission, and in various other positions of trust and responsibility. The honors and assignments which have come his way were in just recognition of his talent, ability, and dedication.

I have come to know Mr. Zuckert well during his tenure as Secretary of the Air Force. We have worked together on many important defense matters involving the security of this country and, while we have not always agreed upon the means, we have always shared the mutual goal of enhancing the national defense posture of this country. I have nothing but respect for his achievements, his ability, his zeal, and his devotion to the public welfare. It was under his guidance that the Air Force missile program came from almost nothing to its present overwhelming might and power.

I am delighted to take this opportunity, Mr. President, to commend Mr. Zuckert for his outstanding service and to wish him well in all of his future endeavors.

A SOLDIER'S VIEW: JUSTICE IS A NEW GI BILL

Mr. YARBOROUGH. Mr. President, with the conclusion of open hearings on cold war GI bill proposals by the House Veterans' Affairs Committee the House could act upon this worthy legislation this year. Time is of the essence in this matter, for there are at present hundreds of thousands of young men and women emerging from 2 to 4 or more years of military service who are in desperate need of educational readjustment assistance, as pointed out in Lieutenant Ford's letter; privates in the Army get less pay than a Job Corps trainee.

Mr. President, I ask unanimous consent that a letter from Lt. William T. Ford, of Leesville, La., dated September 13, 1965, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Leesville, La.

Hon. Ralph W. Yarborough,
Senate Office Building,
Washington, D.C.

Your Honor: This letter is written from deep in the boondocks and bayous of Fort Polk, La., and it is rather dusty and hot.

The purpose of this letter is to indicate my approval of the GI cold war bill.

As one who is a soldier at the present time, I would like to offer you a soldier's view of this bill.

We in the service are rapidly falling behind our civilian counterparts in both education and longevity in our careers. Many of the men with whom I graduated in college are now graduating with a master's degree. For one who plans a career of teaching, it means that I am already a year behind my colleagues in my graduate studies and I still have a year of service left.

What about the privates of this Army? Many of these young kids—and they are kids of 17 and 18—are making less than they would in the Job Corps. This hardly seems like justice.

Few of us here like the Army but we do feel a sense of duty to our country. It would seem that the country could afford to give us a little help to catch up with our peers when we terminate our enlistments.

In closing, I would like to say that there are a lot of future college students, graduate and undergraduate, out here with our fingers crossed that the bill will pass and Senator, there are also a lot of soldiers in Vietnam hoping that it will pass.

Respectfully yours,

William T. Ford,
Second Lieutenant, Infantry.

THE BOBBY BAKER CASE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "The Baker Coverup Continues," published in today's issue of the Chicago Tribune.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BAKER COVERUP CONTINUES

The Johnson administration has committed two wrongs in order to make what it considers one right; namely, the prevention of any further embarrassing disclosures in the Bobby Baker case.

The first wrong was the appointment of David Bress, a former lawyer for Baker's Serv-U Corp., as U.S. attorney for the District of Columbia. This is the office which would normally handle the prosecution of Baker, if he is indicted in connection with his various influence-peddling schemes. The proceedings would be public, and a good many influential brows might perspire.

Senators WILLIAMS of Delaware and MILLER of Iowa, both Republicans, objected to the nomination of Bress, pointing out that as an erstwhile lawyer for Baker it would be unethical for him to make available all of his knowledge of Baker's affairs and that this would prevent him from properly carrying out his duties.

Instead of withdrawing the nomination, Attorney General Katzenbach came up with a neat alternative—one which looks suspiciously like what the White House intended to do all along. Mr. Katzenbach told the Senate committee considering the appointment that there was no need to worry: Bress wouldn't have to handle the Baker case. The Justice Department would bypass him and handle the case in its own criminal division. Here, needless to say, it would be directly under the watchful eye of the administration. The lid could be clamped down quickly whenever any unpleasant information threatened to arise linking the Johnson clique with Baker's affairs.

We have to admire the ingenuity of the administration troubleshooters in devising means of keeping the Baker case out of public sight, but it's getting a little tedious. We shudder to think how bad the truth must be to warrant all this hocus-pocus. Senator WILLIAMS has all the more reason to keep up his investigations.

THE VETERANS OF FOREIGN WARS AND FREE MAILING PRIVILEGES TO U.S. SERVICEMEN IN VIETNAM

Mr. COTTON. Mr. President, this Senate is, I am confident, well aware of the continuing and beneficial influence of the Veterans of Foreign Wars in matters pertaining to our national security. The contributions of the VFW toward the strengthening of our Nation have been frequent and important.

The VFW, consisting of 1,300,000 oversea combat veterans has taken in recent years an increasingly active interest in matters pertaining to the man in our armed services. The result has been that the VFW is widely recognized as the spokesman for the man in uniform. It is good for the men in uniform and it is good for our country that the VFW performs this extremely important role, because as all who have served in the military well know, the man on active duty is, by the very nature of military service, unable to effectively speak up for his own interest.

This the VFW is doing most effectively for our fighting men.

One of the latest examples of how the VFW helps look after our men in uniform and, thus, strengthens our country in the process, is the matter of free mailing privileges for our servicemen in the Vietnam war. There had been considerable talk, but not much in the way of results as to free mailing until last May. At that time the then commander in chief, Mr. John A. Jenkins, of the Veterans of Foreign Wars, and Brig. Gen. James D. Hittle, U.S. Marine Corps, retired, the VFW director of national security and foreign affairs, made an official visit to our forces in South Vietnam. Buck Jenkins and General Hittle got out into combat areas far distant from Saigon. They visited our troops in the forested mountain country along the Cambodian border and they were one of the first to visit the then newly seized marine beachhead at Chu Lai. They quickly saw the necessity of free mailing privileges for our fighting men in Vietnam, and what is more they did something about it.

Immediately upon their return to the United States, then Commander Jenkins wrote the President of the United States urging free mailing for our troops in Vietnam. At the same time, as Members of this Senate are aware, General Hittle, the VFW national security and foreign affairs director, met with Members of this Senate, as well as Members in the House, to discuss the matter of free mailing privileges.

It was my privilege to introduce a bill in the Senate to accomplish this objective. Subsequently, in order to expedite matters, I offered the same measure in the form of an amendment to the military pay bill which was under consideration by the Senate. That amendment was adopted unanimously, and when the President signed the military pay bill into law, free mailing privileges for our military personnel in Vietnam became a reality.

The alert and skillful efforts of the VFW in support of this worthy cause deserve full recognition. It is one more example of the effective work performed by our great veterans organizations in support of our armed services. Recently, a story of what the VFW did in obtaining free mailing privileges was the subject of a nationally syndicated column by the distinguished writer for the Hearst Headline Service, Mr. Bob Considine.

At the conclusion of my remarks, I include Bob Considine's column as it appeared in the New York Journal-American and many other daily newspapers throughout the United States.

Also, because of its importance, I include the text of the letter by then VFW Commander Jenkins to the President of the United States with reference to free mailing for our servicemen in Vietnam.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 17, 1965.

THE PRESIDENT,
The White House,
Washington, D.C.:

During my recent trip to South Vietnam, I was fortunate to be able to visit our fighting men in various parts of that embattled country. I can report to you, Mr. President, that our fighting men are performing their duty with a dedication, loyalty, and degree of efficiency that has historically been the hallmark of those in our Armed Forces. As a result of my visits to fighting fronts in South Vietnam, I take this opportunity to respectfully recommend that free mailing privileges be authorized to all those in our Armed Forces in South Vietnam. On the basis of my personal observations, I am convinced that it is an unnecessary burden for men engaged in a life and death conflict to have to travel to a postal branch, line up for stamps, and then go back to their combat assignments. It is impossible for our troops living, for instance, in primitive conditions of the mountainous frontier, and in the deep and drifting sands of the Chu Lai beachhead to keep their postage stamps in a usable condition until they have time to write to their loved ones at home. It is also respectfully submitted, Mr. President, that in the long run, the granting of free mailing privileges to our forces in South Vietnam would prove to be an economical step. The merchandising of stamps and maintenance of even rudimentary postal facilities seem to be an unnecessary expenditure under the existing circumstances. Hoping that this recommendation merits your favorable consideration, I am

Respectfully,

JOHN A. JENKINS,
Commander in Chief, VFW.

[From the New York (N.Y.) Journal-American, Sept. 15, 1965]

PEOPLE—PLACES—POSTAGE

(By Bob Considine)

Washington dragged its feet, and other portions of its anatomy, on the question of providing free mailing privileges to U.S. military in the hellhole of Vietnam, until the Veterans of Foreign Wars went to work.

Last May the then national commander in chief of the VFW, Buck Jenkins, of Birmingham, Ala., and Brig. Gen. James Hittle, U.S. Marine Corps, retired, visited combat troops at Ban Me Thuot in the Montagnard tribal country along the mountainous Cambodian frontier.

"While there we saw Army special forces men, directly in from the bush, go up to the improvised mail orderly window for stamps, put them in the pockets of their combat uniforms, and head back to the bush again. It was obvious they would have a ball of glue and paper after the next rain shower."

The VFW men saw several other similar mailing impositions placed on men under constant combat conditions. They came back to Washington fighting mad. The first Congressman to pick up their cause was BOB WILSON, of California, a member of the House Armed Services Committee. Senator NORRIS COTTON, of New Hampshire, swung quickly in line, proposed the amendment to grant free mailing to the troops in Vietnam on the shirttail of the military pay bill.

And that's why you'll be hearing more often from men engaged in the dirtiest war into which the flag has ever been carried.

BIG BROTHER: PUBLIC AWARENESS

Mr. LONG of Missouri. Mr. President, on September 13, 1965, the executive board of the Communications Workers of America passed a resolution on containing "Big Brother." This action by one of our largest and finest unions is a great help to those of us who want to preserve the citizens' right to privacy. I commend the CWA and ask unanimous consent that this resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Invasions of Privacy

Invasions of privacy by business, governments, and other interests by means of hidden microphones, cameras, one-way mirrors, wiretaps, psychological testing, mail surveillance, questionnaires and computers are now so common that they have entered into the folklore of contemporary life.

The general public seems indifferent to what is happening, and totally unaware of its consequences. This is tragic, in the historical sense, because of the stakes involved: nothing less than the foundation of our Western civilization. Americans must be aroused to the total threat to privacy that now exists in our everyday lives—not just the snooping, the spying and the eavesdropping, but the collection of secret information by all sorts of organizations. These include credit bureaus, market researchers, fundraisers, insurance companies—even our schools.

The time has come to recognize the fact that when privacy is infiltrated, individual liberty is threatened; and when individual liberty goes, so goes democracy itself.

The Communications Workers of America, as an integral part of our modern world, recognizes that some practices which fall into the category above are considered necessary evils by responsible and fully aware persons. It is obvious that we cannot go back to an economy without credit, without insurance, without equality. But guidelines—perhaps even new laws—are necessary.

One encouraging sign that this serious problem is receiving serious attention has been the investigation conducted in 1965 by Senator Edward V. Long, chairman of the subcommittee of the Judiciary Committee looking into administrative practices. Senator Long has made an immense contribution to the solution of the problem through his careful and exhaustive investigation. Although some testimony delivered before hearings conducted by Senator Long made the headlines, there was no public outcry against practices of corporations and governments revealed thereby, and for a while it appeared that the Senator's crusade was a lonely one.

However, just last week, President Johnson himself moved into the picture. He instructed the Justice Department to survey wiretapping practices throughout the Federal Government and to set up guidelines.

We commend this action of the President and earnestly hope that the survey to be conducted by the Justice Department may be extended to eavesdropping as well as wiretapping and from there to the consciousness of an aroused American public.

Only in this way can we stop the mounting attack on privacy and individual liberty.

A TRIBUTE TO SCORE—SERVICE CORPS OF RETIRED EXECUTIVES

Mr. RIBICOFF. Mr. President, we all know of the fine work of the Small Business Administration, but I would like to take a moment to shed some well-deserved praise on SCORE, one of its most imaginative and successful programs.

SCORE stands for Service Corps of Retired Executives. It is made up of retired executives who voluntarily donate their experience and expertise to struggling businesses. They are volunteers who work without compensation.

Mr. President, I would like to salute Thomas E. Higgins, regional director of the Small Business Administration, who has helped make this program such a success in Connecticut.

I ask unanimous consent to have inserted in the Record at this point an article by Mr. Higgins published in the August issue of Connecticut Industry which describes this imaginative program which harnesses ability and experience which would otherwise be lost for the ultimate benefit of the entire community.

There being no objection, the article was ordered to be printed in the Record, as follows:

Small Business Hears the SCORE

(By Thomas E. Higgins, Regional Director, Small Business Administration, Hartford, Conn., Office)

(Editor's Note.—The author, a member of the New York Bar and of the Bar of the Supreme Court of the United States, was employed by the Small Business Administration in 1958 and now resides with his family in Glastonbury, Conn. He became the SBA's acting branch manager at Hartford in 1962, was appointed branch manager the following year and, with designation of Hartford as a regional office, was named regional director on April 30, 1965. Mr. Higgins is executive secretary of the Small Business Advisory Council for Connecticut and a member of the American and Federal Bar Associations and of the Export Development Committee, Greater Hartford Chamber of Commerce. He is a director of the Greater Hartford Small Business Development Corporation.)

Alphabetic symbols sometimes obscure as well as describe.

To the average man, for example, SBA is likely to stand for financial assistance to struggling small business enterprises. SCORE is something he finds in the sports section of his daily paper.

Financial assistance is, indeed, one of the major functions of the Small Business Administration. There are others, however. SBA symbolizes far more than the last resort of a troubled entrepreneur.

This is a business-oriented agency dedicated to its job of promoting the economic health of relatively small business firms and the communities in which they operate. It can be and wants to be helpful in a great variety of ways. More and more businessmen, although not in trouble and unlikely to be, find the SBA a good outfit with which to become better acquainted.

As for SCORE, limited public awareness is understandable. This SBA-directed activity is scarcely a year old. The letters stand for Service Corps of Retired Executives. It is made up of men with years of practical experience and top executive skills in the field of successful business management, both large scale and small. They are volunteers. Their mission is to provide effective, sympathetic management counsel to small firms which cannot presently afford to engage a consultant on a fee basis.

TALENT WELCOMES CHALLENGE

Why should they take on new problems when they might be taking life easy? Obviously not for money. But they have an abundance of energy and talent—plus time which had not been available to them before. They feel, and the Small Business Administration agrees, that they can make significant personal contributions to small businesses in their areas and thus to the prosperity of their State and the communities.

The talent, incidentally, need not be taken on faith alone. Every retired executive who makes his services available to the SCORE program has a record of managerial experience which is verified before he takes his first assignment. Whatever his special field, it is known that he has been doing a professionally competent job for years. This habit of competence now is carried to his volunteer work for others.

The Service Corps of Retired Executives was initiated by SBA in the fall of 1964. It is nationwide in scope and limited in specific areas only by the number of qualified men who volunteer to serve. Connecticut provides an excellent case history, both of the need for such an organization and of the manner in which it functions.

It is estimated, for instance, that more than 400 small businesses may be expected to fail each year in this State. There may be other contributing factors but many failures are caused by deficiencies in the area of management. The shortcomings often are slight—perhaps lack of experience in a single phase of the operation—and many failures are considered an avoidable waste of money and human resources.

Connecticut, too, is a growing State with approximately 75,000 small concerns now and an estimated 10,000 more expected. Historically, one out of two new businesses will fail before the end of its first year and we can ill afford such heavy economic casualties.

While directed by and responsible to the Small Business Administration, SCORE is encouraged to be as autonomous and self-operating as circumstances permit. Sections where sufficient manpower is available may organize chapters which work closely with small enterprises in their own areas, requiring minimum supervision by the SBA regional office and relieving it of much administrative detail work.

In Connecticut, for understandable reasons, the southwestern part of the State has the greatest number of retired executives able and willing to engage in this activity. It has the State's first independent SCORE chapter—the Fairfield County area, chapter No. 41—which was formed on May 12, 1965. As do all others, this operates under SBA sponsorship and its first chairman is Robert Vollenweider, 44 Burchard Lane in Rowayton, Conn.

Mr. Vollenweider states that the new Fairfield County group, in addition to answering specific requests for help, intends to explore all avenues to assist eligible small firms in its area. He has urged retired executives and managers of small business to volunteer and join the chapter, contacting him at the Rowayton address indicated.

POLICY FRAMEWORK

Qualified men also serve elsewhere although not yet in sufficient numbers to permit equally complete chapter organizations. If the need and eligible personnel are greatest in the State's larger cities, there are opportunities to serve in all sections of Connecticut.

In expanding SCORE in all areas, the SBA will welcome more inquiries from retired executives in other counties. Prospective volunteers can present their qualifications to the staff of the Hartford regional office with interviews arranged to suit their convenience.

The Hartford office, at 450 Main Street, also may be contacted by small concerns wishing to avail themselves of this consultant service. It is limited at present to firms having 25 or fewer employees on the assumption that larger companies are in a better position to afford paid professional counseling.

No charge is made for these services rendered during the first 90 days (unless the volunteer counselor is put to some out-of-pocket expense in the firm's interest). If further services are required of the counselor after this 90-day period provided by SCORE, they often can be arranged by private negotiation between the individual parties concerned and under terms to which they are mutually agreeable.

MORE THAN MONEY

The Small Business Administration was established by the Congress in 1953 and charged with responsibility to "aid, counsel, assist, and protect insofar as possible the interests of small business concerns, in order to preserve free competitive enterprise."

This does include financial assistance. Not long after the agency was established, for example, approximately $15 million in loans payable over terms up to 20 years at interest of 3 percent per annum were granted to victims of Connecticut's 1955 flood disaster. SBA also supplements through long-term business loans, the commercial financing made available by local area banks.

In addition, the agency conducts a broad program of management and technical assistance, seminars, and help to small firms seeking government contracts. It locates subcontracting opportunities for many, assists in new product development, and on marketing problems.

The Small Business Administration, in fact, touches all everyday problems of such companies. Decentralization and the reduction of red tape have given SBA a depth of understanding and increasing flexibility in adapting its diverse facilities to the changing needs of Connecticut small businesses.

SCORE is one and could not have been created by legislation alone. Wholly dependent upon willing contribution of personal effort by volunteer counselors, it simply channels into genuinely useful areas the broad experience and still sharp managerial skills of these men who, although officially retired, have a spontaneous wish to continue significant roles in the economic health of State and Nation.

SCORE dos its work quietly but with impact which clears up any air of alphabetic mystery.

Mr. RIBICOFF. Mr. President, I would like to further insert at this point in the RECORD this list of names and addresses of Connecticut retired executives who "would rather light a candle than curse the darkness."

There being no objection, the list of names and addresses were ordered to be printed in the RECORD, as follows:

SERVICE CORPS OF RETIRED EXECUTIVES

Aldrich, C. W., Darien, Conn.
Alvord, C. H., West Hartford, Conn.
Anderson, A. H., Bridgeport, Conn.
Armstrong, H. W., Short Beach, Conn.
Barnum, Starr, New Haven, Conn.
Bauce, Fred D., Orange, Conn.
Berthold, Robert, Wethersfield, Conn.
Black, Malcolm, Greenwich, Conn.
Blanchard, Stanley A., West Granby, Conn.
Blum, Walter C., Stamford, Conn.
Bonia, Edward C., Norwalk, Conn.
Brown, Jarvis W., West Hartford, Conn.
Brundick, Ralph W., Canton, Conn.
Bushman, Robert, Greenwich, Conn.
Collins, William H., Darien, Conn.
Cooper, Donald B., Westport, Conn.
Cordley, Christopher M., Colebrook, Conn.
Cronham, Evert, Stamford, Conn.
Downs, F. R., Kensington, Conn.
Dubitzky, Joseph, West Hartford, Conn.
Dufty, L. Edward, Greenwich, Conn.
Eckstrom, Lawrence, Essex, Conn.
Eplett, Albert, Stratford, Conn.
Finger, William L., New Canaan, Conn.
Fraser, J. MacGregor, West Hartford, Conn.
Funke, Rudolph, Greenwich, Conn.
Gilbert, John H., Waterbury, Conn.
Hughes, Harold V., New Haven, Conn.
Hurley, W. Miller, Woodbridge, Conn.
Krajcik, Paul, Fairfield, Conn.
Martin, W. A., Westbrook, Conn.
McKay, Hugh M., Mystic, Conn.
McNeil, Ronald S., Easton, Conn.
McNeill, Winfield I., West Hartford, Conn.
Meullendyke, S. L., Wilton, Conn.
Miller, Paul B., Redding, Conn.
Newton, Floyd I., Madison, Conn.
Osias, Jack I., Cheshire, Conn.
Pelton, Henry V., Kensington, Conn.
Prentiss, A. M. (General), Hartford, Conn.
Reinhold, Frank M., Watertown, Conn.
Robins, Joseph M., Stamford, Conn.
Robinson, Mathew, Stamford, Conn.
Santillo, William, Stamford, Conn.
Seligmann, Sidney, Newtown, Conn.
Simpson, Herbert, Stamford, Conn.
Skelly, John F., Jr., Greenwich, Conn.
Spencer, George H., Litchfield, Conn.
Springer, Rudolph O., Norwalk, Conn.
Stewart, Walter, Greenwich, Conn.
Swenson, Oscar J., Killingsworth, Conn.
Thompson, Nelson, West Redding, Conn.
Tomkinson, Charles, New Canaan, Conn.
Vollenweider, R. W., Rowayton, Conn.
Wachtel, Arthur S., West Hartford, Conn.
Warner, Sidney E., West Hartford, Conn.
Wentworth, Howland, Sherman, Conn.
Winer, Jack A., West Hartford, Conn.
Worth, Arthur, Hartford, Conn.
Young, Gustaf, Branford, Conn.

THE POVERTY PROGRAM

Mr. MURPHY. Mr. President, perhaps two of the best descriptions of the Senate debate on the poverty program are articles by Fulton Lewis, Jr., and Holmes Alexander, two highly respected columnists on the Washington beat. As the conference report is due in the near future on this bill, I think it would be to the advantage of every Senator to review the crucial points of our debate by reading Mr. Lewis' and Mr. Alexander's comments and for that reason, I ask unanimous consent that the articles be inserted into the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

DOMINICK ATTACKS JOB CORPS BUDGET

(By Fulton Lewis, Jr.)

WASHINGTON.—The Great Society is a sick society.

Senator PETER DOMINICK last week told his colleagues about an Indiana youngster who graduated first in his high school class. The boy is now serving under enemy fire in South Vietnam.

The soldier's brother is a high school dropout who has repeatedly been in trouble with the police. He is now enrolled in the Job Corps, running a power mower.

The GI makes $78 a month; the high school dropout, $200.

DOMINICK marshaled opposition to the Economic Opportunities Act of 1965, a fancy-titled piece of legislation that gives Sargent Shriver more than $1.6 billion with which to fight the war on poverty.

On several occasions, the Colorado Senator very nearly won substantial improvements in the administration bill. But the votes of two Republicans, JACOB JAVITS and CLIFFORD CASE, repeatedly gave the Democratic leadership narrow victories.

DOMINICK, considered by many the most impressive young Republican in Congress, fought a gallant fight to slash $630 million from the antipoverty budget. Had the Dominick amendment been approved, Sargent Shriver would still have had 38 percent more money than he was given last year.

But administration lobbyists cracked the whip and defeated the Dominick amendment by 11 votes. There is no doubt, however, that Shriver's Office of Economic Opportunity has become a national scandal, that millions of dollars have been squandered in shameless fashion.

DOMINICK revealed that lavishly paid bureaucrats have found a haven in the OEO. One of every 19 antipoverty staffers makes over $19,000 a year. In the Department of Defense, by comparison, the figure is one in 1,000. In the Department of Agriculture, it is one in 500.

Republican members of the Senate Labor and Education Committee learned that plush antipoverty jobs are dispensed as virtual political patronage. One loyal Democrat now occupying a war on poverty command post in the Far West was jailed in 1960 for violation of election laws. A year later, in 1961, he was again imprisoned this time for falsifying documents.

Waste is rampant throughout the program. For instance, Senator JOHN WILLIAMS, of Delaware, revealed that antipoverty officials in New York City received $230,000 in Federal funds last December.

The bureaucrats then adjourned to a plush resort for a lavish celebration at which plans were mapped to curb juvenile delinquency. In 2 days, the antipoverty officials spent $2,168.26 in Federal funds for food, booze, and accommodations.

One of the bureaucrats charged $63.20 in flowers to the Government. Another, a $12-500-a-year man, found himself without a tuxedo. Hence he ran out and rented one, with Uncle Sam picking up the $12.85 fee.

Senator WINSTON PROUTY, Vermont Republican, told of waste in the highly touted Job Corps centers:

"Seamstresses are hired to remake clothes for Job Corps girls who are supposed to be learning to sew, maids are hired to make the beds of Job Corps girls who are supposed to be learning practical housemaking, and construction gangs are hired to spruce up abandoned forest camps for boys who are supposed to be learning basic skills in carpentry and plumbing."

Senator DOMINICK terms disgraceful the $80 "bounties" the Government pays private employment agencies for recruiting Job Corps members. He cites one report that "some agencies, in order to collect as many $80 fees as possible, often conceal from Government 'screeners' the fact that some applicants have criminal records."

In case after case, DOMINICK says, Job Corps enrollees are later discovered to have imposing criminal records. Discipline is a major problem at Job Corps centers throughout the country.

Five enrollees at Texas' Camp Gary were arrested in connection with the holdup shooting of two young airmen they had never seen before. Seven Corpsmen at Indiana's Camp Atterbury were arrested and charged with a sexual attack upon another enrollee. Indiana newspapers report that youths from Camp Atterbury have attempted to buy guns while on leave from the camp.

COLORADO'S PETER DOMINICK—REPUBLICAN WORTH WATCHING

(By Holmes Alexander)

Senator PETER DOMINICK, Republican, of Colorado, is a straight-as-a-lance, salt-and-pepper-haired product of New England, Yale University, 1937, and the World War II Air Force. He hopes to run for Senate reelection in 1968, and does not take any more seriously than Barry Goldwater did in the early 1960's the suggestion that a GOP presidential nomination might seek him out.

DOMINICK first came to national attention at the Republican Convention of last year, when he was one of the standup fighters against resolutions to water down the high proof content of the GOP platform. Just prior to the convention he had engaged in a slugfest against the Senate peacemongers, notably another World War II Air Force product, Senator GEORGE MCGOVERN, Democrat, of South Dakota, who had been elected on ban the bomb contributions. Early in the present session, DOMINICK took on the administration juggernaut in extended debates—one on gold coverage and one on the extravagance of an education bill—in which he was supported in each case by only 16 Senate votes.

But here in August, as leader of the opposition to President Johnson's pet project, the antipoverty Office of Economic Opportunity Act, DOMINICK has been consistently getting an average of 40 Senate votes to reform the runaway program.

In order to see the general proposition on which the Colorado Senator has been carrying all but one or two of his Republican colleagues and bringing over a dozen or so of the 68 Senate Democrats, let us briefly analyze the indictment he has leveled against the war on poverty.

He has said that he would like to support any bill that offered a workable "mechanism" to abolish poverty. But he found he could not vote $1.650 billion (an increase of $700 million over last year's figure) to endorse a program that he found "blatantly political" and "fraught with blunders." He said his own State had not been hit with the scandals that took place in Florida, Indiana, Oregon and elsewhere, but that many Colorado communities did not care to risk the "violence and immorality" that Job Corps centers had brought into other regions.

DOMINICK thought it a mockery that poverty administrators were getting plush salaries of around $20,000 a year while so very little was being accomplished for the needy. He found the ratio of supervisors-to-workers to be 1 to 18 in the war on poverty, while it is only 1 to 1,000 in the Defense Department, and only 1 to 500 in the Agriculture Department, where supervisors of farm programs are getting to be almost as numerous as farms.

The Senator thought that much of the trouble came from having a part-time poverty czar in Sargent Shriver, who is also director of the Peace Corps, and from the overcentralization of power in Shriver's office. DOMINICK blamed the Los Angeles riots, in part, on the vacuum created by the power struggle between Washington and the poverty-hit communities. The next day Los Angeles Mayor Sam Yorty, Democrat, fired a telegram to Shriver which confirmed the Dominick diagnosis of the riots.

With DOMINICK'S bill of particulars before them, the Senators began voting on corrective Republican amendments—to cut the funds, to investigate the poverty program, to divest Shriver of one of his jobs, to restore the gubernatorial veto.

SENATOR BYRD OF WEST VIRGINIA WRITES ABOUT ADULT EDUCATION

Mr. HARTKE. Mr. President, our colleague from West Virginia, Senator ROBERT C. BYRD, is properly noted as a "distinguished alumnus" of American University in that institution's alumni magazine, Lodestar. He was undoubtedly the most distinguished member of the graduating class of 1963, when he received the degree of bachelor of laws, cum laude, at a time when the problems of securing additional formal education while so heavily and responsibly occupied as is any Member of the Senate would have deterred many another man.

Senator BYRD was the speaker at an alumni day luncheon on the American University campus in May, choosing as his topic "Adult Education Now." His address pointed up the growing need for programs of continuing education, and for their development through our universities themselves. He noted the formation at American University of its new College of Continuing Education, which is performing an important service to the Washington area. But more importantly, he made some wise and pertinent observations on the necessity in the midst of change for such developments.

Mr. President, I ask unanimous consent that the summation of his remarks, now appearing in print in the summer issue of Lodestar, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADULT EDUCATION NOW—CHALLENGE FROM A DISTINGUISHED ALUMNUS

(By Senator ROBERT C. BYRD)

Thousands of years ago, an aged and wise Greek philosopher sat in his garden deeply engaged in studying geometry. One of his pupils, in amazement, approached the philosopher, Lacydes, and asked him why at his extreme age, he should study the subject. He replied: "If I should not be studying now, when should I be?"

Lacydes answer was, it is true, given many centuries ago in a country very different and very far from modern America. Yet this answer as to why an old man should continue learning sounds as new and up-to-date as if it had been given in 1965.

Today the idea of education has expanded far beyond something which is necessary only for children or college students who must prepare for professional careers. Today, we in America are more and more considering learning as a formal process which can, and should, continue into adulthood, and even until and through old age.

Institutions of higher learning and communities throughout the land are starting and expanding adult education programs of every type. And, it seems to me that American University is particularly committed to this idea of continuing learning. As evidence, this year, American University opened a new school which testifies to this commitment—the College of Continuing Education.

This college is not brandnew. For many years, American University's division of general and special studies has helped to meet the great need for adult education in the Washington area by offering a variety of courses on and off campus. This new college was, I understand, quite naturally an outgrowth of this division. Yet I do not think it is highly significant that this year the division was finally made into a separate college.

By creating the College of Continuing Education, I believe the university, in effect, has raised the status of continuing education by making it clear that adult education, far from being an educational "stepchild," is a legitimate and valuable university activity.

Continuing education is a concept which, as American University's school so well illustrates, is going to grow increasingly important in American education. Along with many others, I feel the need of adults to learn is going to be more and more considered by those who plan for educational programs both in colleges and universities and in communities at large.

There are excellent reasons for thinking today about adult education because the whole subject is growing and will continue to grow in importance in American education. Why is this so? And what will this mean for American learning? Why is continuing education becoming important?

Basically the answers lie in the changing character of our social and economic life that causes our Nation to be in such great need, at this very day for educated citizens. The times are changing at such a rapid pace it is hard to keep up with the basic things that are happening, much less what is best to do in order to adjust.

There are rapid changes, too, in ideas. The very structure of our economy is so complex now that it staggers the imagination. Old words like "supply and demand" and "production and distribution," that once neatly fitted in pairs, have become too intertwined for any differentiating analysis except by the most intricate formulas.

Our scientific progress in the past 50 years has been phenomenal. As President Johnson points out:

"The National Science Foundation tells us that of all the scientists who have lived since the dawn of history, more than 80 percent are living and working today. Of all the research that has been published, more than half has been produced since 1950. The big commercial jet passenger airliners extend from nose to tail a greater distance than the entire first flight of the Wright brothers' plane."

In the humanities, too, we are rapidly changing our outlook. There was a time when the material in an ancient history book could fairly well be considered established fact, but not any more. The constant discoveries made by archeologists and anthropologists are causing us frequently to reinterpret not only recent history, but even the earliest civilizations.

The arts are changing not only in the ideas they reflect, but also with the invention of new techniques and mediums. Concrete has become a standard building material for architects; musicians are working on electronic arrangements, and photography and films have won an accepted place as full-fledged art forms.

The field of world politics has become increasingly complex with the development of new nations, with power struggles through economies and propaganda, and with increasingly closer knit communications, travel and trade.

If our Nation is to keep anywhere near the pace of these changes in industry, economy, and culture, it must have citizens who constantly expand their knowledge through education. The questions now facing us as a Nation and as individual citizens are: What can education do to supply our country with this kind of people? What can we as individuals do to keep pace educationally?

To keep up with rapidly accumulating information in almost every field, professional and semiprofessional personnel in a host of occupations will need, in future years, to have available to them advanced courses and learning opportunities.

These continuing educational needs will probably be met, in part, by the field and industries themselves. For example, in-service training and industry seminars may be conducted to keep people in the field abreast of new advances. But these sources alone will not be able to do the whole job. Universities, colleges, and other community learning agencies will have to assume much of the responsibility for arranging and running new professional programs.

Vocational and professional training is not the only function of adult education. Citizens in all occupations increasingly are searching to broaden their general knowledge. They wish to be better informed; they want to fulfill their civic obligations more progressively; and they feel the obligations of their social consciousness.

Housewives who left the schoolroom long ago and who are finished with the major part of child rearing are eager to return to the classroom and catch up with new knowledge. Older people and retired citizens are interested, now that they have time, in going back to school to study the things they never had a chance to study when they were working fulltime. And even hard-working men and women want to pursue education to learn new skills and deepen their general understanding by acquiring new knowledge.

The learning that continued education makes possible for these groups can be of great benefit to the individual. It may broaden his knowledge and make him a more aware and intelligent person. But it can also do a great deal for our Nation for it provides the country with a way of assuring that its adult citizenry remains alert and well-informed. Such a citizenry is a prerequisite for the continued health of our Republic.

Continued learning can also add to the spiritual or human health of our Nation. As we have more leisure time, as we surely will have in the coming decades, people are going to have more time both to think and act. There is at present a great danger that much of this time for many people will become wasted time, or time spent on unrewarding and essentially empty triviality. If this happens, I believe the human quality of our national life will suffer greatly and, eventually, our Nation will suffer.

Education can do much to avert this danger. Through continued learning, people can use their new-found time constructively. They can learn skills and develop interests that can lead to creative and rewarding avocations. And they can be led to discover the deeper and richer values which will make them happier individuals and make our country a richer Nation.

To meet these needs colleges and universities will have to expand their programs of continuing education, as American University has done this year. Community colleges will have to add appropriately advanced courses. High schools will be pressured to expand their night work. And elementary schools will have to grow into community schools where persons of all ages will be provided with learning opportunities.

Much of the cost of this increased adult education will undoubtedly be borne by the colleges and universities themselves and in case of public schools, by the States and local communities. But the Federal Government is also ready to assume its part of the responsibility for supplying financial support and leadership for this kind of education.

In recognition of the growing importance of adult education Congress would provide a generous amount of aid for a 5-year program to build university extension and continuing education in the proposed Higher Education Act of 1965.

Under this legislation approximately $25 million would be spent in fiscal year 1966 alone to help universities build extension programs. These programs would, among other things, be designed to help universities run courses that would assist communities in solving some of their problems in housing, poverty, government, transportation, recreation, employment, and providing youth opportunities. Money would be spent in making grants and contracts to aid colleges and to develop more effective methods of teaching these areas, particularly in their continuing adult education extension programs.

With continued support of its program in continuing education this university can become a living testimonial to the truth that learning need never stop—that the commitment of the academic community is to see to it that there should be opportunities for education always. Because of its ideal location, American University could well become a model institution for continuing education in the Nation.

(Editor's Note.—Senator Robert C. Byrd, Democrat, of West Virginia, addressed the Alumni Day luncheon on campus in May, and the preceding article is a summation of his remarks.

(Senator Byrd, who received his law degree cum laude from American University in 1963, was elected to the Senate in 1958. He has held more elective legislative offices than any other West Virginian in the State's history, serving first in the West Virginia House of Delegates, then in the West Virginia Senate. He became a U.S. Representative in 1952 and is currently serving his second term as U.S. Senator.

(While rising in the legislative ranks, Byrd has maintained another career—that of a student.

(Twenty-nine years after the 16-year-old Stotesbury boy picked up his valedictorian's diploma, he won his law degree. The years in between tell the usual story of marriage, family, and job promotions, but with an added dimension. The young man kept going to school. Apparently, each time he won new elective office he enrolled in another institution:

(Legislator Byrd studied at West Virginia's Beckley Junior, Morris Harvey, and Concord Colleges and Marshall University; Congressman Byrd went to George Washington University and Senator Byrd went to American University.)

SEEK OUT TO SAVE

Mr. BREWSTER. Mr. President, the Baltimore Sun carried an editorial yesterday praising President Johnson's new doctrine of conservation.

The praise is well deserved, because the President has demonstrated his keen interest in conservation matters.

As the Sun points out, the President has correctly stated the problem that exists and he has clearly outlined his program—"to seek out what can be saved."

I was privileged to hear the President's remarks to which the editorial refers. I, too, was impressed by his total dedication to the ideals of conservation and his awareness of the need for adequate recreation areas.

There can be no doubt that in a country where our urban growth consumes millions of acres of farms and forests annually we have little time to lose if we are to preserve green open spaces and park lands for the future.

Mr. President, I ask unanimous consent to have printed in the Record this editorial entitled "Seek Out To Save" praising President Johnson's conservation policy.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Seek Out To Save

The process of acquiring some land is still to be gone through, and certain development plans, including a strictly limited private development, will take time, but with a presidential signature yesterday Assateague Island is saved. Its saving is important not only to this State and this densely peopled region—it was the only remaining undeveloped stretch of seashore between Massachusetts and North Carolina—but is significant also for the country, as an omen.

"We are declaring a new doctrine of conservation," Mr. Johnson said at the signing ceremonies. "I intend to seek out what can be saved."

Rarely can a national policy be stated so well and so fully in so few words. That is what the policy must be: not to try to turn the whole United States into a vast recreation area, which would be impossible, and not even necessarily to preserve everything that could be called by stretching the imagination a "natural scenic wonder," but to seek out selectively the unique places which simply must be saved, lest we become history's most affluent junkpile.

Such a unique place is Assateague, and the struggle to save it has been so long, and has drawn so much attention, that its clean winds today can reasonably be said to blow over the country.

CRITICISM OF USE OF FUNDS BY JOB CORPS

Mr. WILLIAMS of Delaware. Mr. President, it appears that the Job Corps has taken on a new responsibility. On September 16 and 18, 1965, the Missoulian-Sentinel published articles calling attention to the fact that the Job Corps had advanced the money for a $2,500 bond and employed an attorney to defend Manuel Martinez, one of its trainees, who had been charged with assault involving the shooting of a woman in a South Billings barroom and later firing at a Billings policeman.

The articles criticize the Job Corps for advancing the $2,500 bond plus attorney fees to defend this individual as compared with the treatment which would have been extended to a member of the Armed Forces under similar circumstances.

This is another example of the contempt which the officials of the Great Society have for the taxpayers when we find them using taxpayers' money for any such unauthorized purposes.

I ask unanimous consent that both of the articles published in the Missoulian-Sentinel by printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Missoulian, Sept. 16, 1965]

Attorney Questions Bond for Job Corps Trainees

Billings.—Yellowstone County Attorney John Adams charged Wednesday that bonds posted by the Federal Government for Job Corps trainees constituted a "questionable precedent" of granting a special privilege to a select group.

Adams was commenting on a $2,500 bond posted by the Job Corps for Manuel Martinez, 18, a trainee charged with first- and second-degree assault in district court here. "The attorney's fee (which the corps is also paying) isn't an issue," Adams said.

"Montana will appoint a paid lawyer for any man charged with a felony," he said.

Adams said the posting of a bond for any man by the Government, State or Federal, is something completely new in his judicial experience. "I recognize that Washington is the great white father," Adams said, "But I didn't realize that its responsibilities to its children went this far.

"It's an extension of a privilege to members of a group which to my knowledge is not extended to any other group of people under the patronage of Washington," Adams said.

The county attorney said it made no difference to him as the prosecutor who posted the bond, but he said he privately thinks that the action constitutes a misuse of tax dollars.

Police Chief John Bevens feels the same way. "I'm stumped," he said when asked to comment on the bond. "It came as a surprise to me," said Beven, who wondered why the same courtesy isn't accorded a member of the Armed Forces. "Nobody bails out a soldier who's been charged with fighting in a bar," the chief said.

District Judge Guy C. Derry declined comment on the action because he felt it improper for a judge to do so, but Derry did say that he understood the Job Corps has asked Lawyer Arnold Berger not only to defend Martinez, but to appeal if necessary.

[From the Missoulian-Sentinel, Sept. 18, 1965]

Job Corps Officials Defend Bond Posting

Billings.—Federal posting of bond and paying attorney fees for a Billings member of the Federal Job Corps accused of assault is defended by antipoverty officials here.

They say the Job Corps is obligated to protect the rights of corpsmen.

The Job Corps sent $2,500 bond to release Manuel Martinez, 19, charged with the first-degree assault. He was accused of shooting a woman in a southside Billings bar and firing at Billings policeman Robert Pace 2 weeks ago.

Robert Furman, youth center director in Billings, said it is correct for the Job Corps to provide legal service for Martinez. The volunteers are sworn in much like military personnel, he said.

But Furman said he has seen no regulations which specifically state the Job Corps can post a freedom bond.

Yellowstone County's Community Action Director Carl Taute believes publicity given the Martinez case is wrong. He said the Job Corps is doing no more than the military would do for its members.

Clarence Nybo, Montana unemployment office manager for the Billings area, said the Martinez incident is not the first for the Job Corps.

Nybo said it is a question of protecting an individual's rights.

"They don't do that in the military service," he said about posting bond.

County Attorney John Adams called it a precedent. He said he didn't think responsibility for Job Corps youths should include posting bond.

Some believed it is a misuse of tax dollars.

TAX CREDIT FOR COLLEGE EXPENSES

Mr. RIBICOFF. Mr. President, the basic need for S. 12, providing tax credits for college expenses, receives added emphasis by the September 20, 1965, issue of U.S. News & World Report. That issue contains the estimates of the College Scholarship Service that will be widely used by the colleges and universities in considering applications for scholarships and other financial aid. You will note that a man with a gross income of $6,000 with a wife and one child in college and no other dependents, is expected to contribute $790 a year from his income before his child is entitled to scholarship assistance. When you consider that such a person earning $6,000, taking the standard deduction, pays an income tax of $552, leaving only $5,448, you can imagine the burden on such a person.

The same person earning $8,000 has a net income of $7,114, out of which he is expected to pay $1,290 toward college expenses.

I am sure that an examination of this table will show most graphically, the average American family's real need for relief from the tremendous burden of growing college expenses. Sixty-two percent of the benefits under S. 12 goes to families earning between $3,000 and $10,000.

I ask unanimous consent that this article be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Washington, D.C.—How much can a family afford to spend on a child's college education, in relation to income and other dependent children still living at home? You get an idea from a new set of estimates that will be widely used by colleges in considering applications for scholarships and other financial aid.

SPENDING ON COLLEGE

The estimates are those of the College Scholarship Service. The CSS assists many major universities and colleges in determining which students are entitled to first call on available financial help. The following table shows amounts that families are expected to contribute annually from current income if they have only one child in college:

Income before taxes	Number of other dependent children in family—				
	None	1	2	3	4
$4,000	$290	$100	------	------	------
$6,000	790	550	$350	$220	$130
$8,000	1,290	980	740	570	440
$10,000	1,860	1,490	1,150	920	750
$12,000	2,450	2,050	1,650	1,370	1,130
$14,000	3,200	2,680	2,220	1,890	1,590
$16,000	3,970	3,360	2,850	2,470	2,130

OTHER FACTORS

The table is used only as a general guide, and each college has its own set of rules. Adjustments are made for other factors; such as a student's summer earnings, family savings, or other assets, more than one child in college at the same time, or unusual medical expenses.

GUIDE

A new guide by the College Scholarship Service on budgeting for college costs, and ways of financing them, will be available free within a week or two from public and private high schools throughout the Nation. Ask for: "A Letter to Parents: Financial Aid for College."

TRIBUTE TO EUGENE M. ZUCKERT, ON HIS RETIREMENT AS SECRETARY OF THE AIR FORCE

Mr. McNAMARA. Mr. President, at the end of this month, Eugene Zuckert will retire as Secretary of the Air Force.

For more than 4½ years, Secretary Zuckert has guided the Air Force and has contributed much to making it a powerful arm of our military strength.

I have not had the good fortune to work with Secretary Zuckert on legislation, as I am not a member of any committee dealing with defense matters.

However, there have been frequent opportunities to contact his office on matters involving the Air Force in my State, and I have always found Secretary Zuckert helpful and cooperative.

I am pleased to join his many friends in Congress and the Defense Department in thanking him for his service, and wishing him every good fortune in the future.

SALUTE TO THE REPUBLIC OF MALI

Mr. HARTKE. Mr. President, I wish to offer my compliments and best wishes to the Republic of Mali as it celebrates the fifth anniversary of its founding and independence.

Mali, however, is hardly a "new nation," for its people have a long and rich history. Indeed, the Republic takes its name from the old Kingdom of Mali which reached its height in the 14th and 15th centuries, before the discovery of America.

Today under the leadership of President Keita, Mali as a sovereign state exercises her rights and responsibilities in the international community, committed to a positive policy of nonalinement and an active participation in African regional affairs. In October 1963, for example, President Keita hosted a meeting of Moroccan and Algerian leaders which led to a cease-fire agreement in the border conflict between the two countries. Such constructive efforts in foreign relations can only receive applause from those dedicated to a peaceful world community.

It is my sincere wish that our two nations may enjoy friendly relations based upon mutual respect. I know that many Americans share this wish and join with me in saluting the people of Mali as they celebrate the anniversary of their Republic.

WHY VIETNAM?

Mr. INOUYE. Mr. President, at 5:45 a.m., daybreak on the first day of September 1939, German armies poured in mass across the Polish frontier and moved toward Warsaw. That is the date upon which history records as the beginning of the calamity of World War II. The war soon established a record of man's inhumanity against himself; it lasted 6 years and killed over 6 million men, women, and children.

But it is a mistake to remember September 1 as the beginning of the war, for the movement of events which began as dawn broke on the low-hanging clouds of that gray and sultry day had been set in motion several years before. The events which decide what men will later call fate, because of the fact they are irrevocable once set in motion, had long since taken place. The decisions had been made. All that remained to be done on that September 1 was to play out the tragedy, the inevitability of which had already been determined. It began, perhaps, on March 7, 1936, again at dawn, when a small force, no more than three battalions, crossed a river and entered the demilitarized zone of the Rhineland. The German troops engaged in this maneuver were under orders to retreat across the Rhine if they met any resistance whatsoever. They met none. General Gamelin, of the French High Command, it is reported, "advised that a war operation, however limited, entailed unpredictable risks and could not be undertaken without decreeing a general mobilization." And when the French Foreign Minister flew to London to beg the British Government to support a military counterattack in the Rhineland, his pleas were ignored. As the British Foreign Secretary told the House of Commons:

> Occupation of the Rhineland by the Reichswehr deals a heavy blow to the principle of the sanctity of treaties. Fortunately, we have no reason to suppose that Germany's present action threatens hostilities.

Two years later came the anschluss, the so-called rape of Austria; then the Munich agreement wherein the Western

Powers surrendered Czechoslovakia to the Fuehrer in return for his promise that it was to be his last territorial demand in Europe.

At any of these points, although with increasing difficulty at each one, I think most historians would agree the Western Powers could have stopped Germany by the use of readily available force. The failure to respond to each aggression when it came, insured that there would be further aggression, and that the price, when ultimately paid, would be high.

Yet the actions of well-meaning leaders which we see as so clearly mistaken today, surely must have seemed to many at the time as the course of patience and of reasonable accommodation with a man who might have taken what he was given and been satisfied.

The meaning of all this, when related to the present situation in Asia, is of great significance and has been remarked upon before. The lesson, I believe, constitutes the essential reason for our presence in Vietnam. In the debate on Vietnam we have heard that this small country is not within our sphere of vital interests, strategically or militarily. We also hear that the Vietnamese people themselves would rather we were gone and would prefer to be ruled by their northern comrades than to suffer a continuation of the brutal civil war which they have suffered under for as long as most of them can remember. "Of course, we must stop the Communists," we are told, "but why in Vietnam? The location puts us at a severe military disadvantage, the chance of real success is slim, and even if we are successful, geographical realities makes eventual Chinese domination inevitable." Some of these things, perhaps, are true. When one fights a war, it is generally in the wrong place and at an inconvenient time, and the people who live on the battlegrounds understandably grow weary of hunger, blood, and death. As far as being strategically or militarily important, my own judgment would be that Vietnam is neither of these things to us, and defined in these terms, is clearly not within our sphere of vital national interests. As to the other argument, that even if we achieve some kind of military and political stability there, China is so near that eventual Chinese Communist domination is certain, I would not agree, and I doubt whether those who make this argument would be as willing to say that Cuba will one day be a democracy as well.

If there has been a mistake in Vietnam, and I am not yet willing to admit that there has been a mistake, it was made at the beginning; at the point when the number of Americans and the extent of our financial and other involvement made it appear that the United States had decided a serious effort would be made to keep the country from falling under Communist control. I say this because one can reach that point without having made the decision of a full commitment. Nevertheless, if the enemy then engages you and an issue is made, you will never have the opportunity to decide on a full commitment; you are committed in the eyes of the world, and you only decide whether to fight and stand by that commitment or to back down. That is what happened in Vietnam. The decision was made that a serious effort would be expended to keep the country independent. At that point we placed ourselves at the whim of developments, and when the issue was made, we had no choice, except to fight to an acceptable solution, or to back down. The decision to make a substantial effort in the first place was where the error, if any, was made. We could have ignored Vietnam from the beginning. We could have avoided sending money and "advisers" and have let the country's future be determined by other forces, which would have been communistic, of course. We could have done what we did in Tibet, and when that country was invaded in one of the most arrogantly criminal international acts since the Second World War, we could have protested and forgotten about it. Tibet, my almanac says, is seven times larger than South Vietnam, but the first decision was never made there, the decision to support a substantial effort to protect the country's independence. Consequently, when that independence was attacked and destroyed, we were free to let it happen or to fight. Vietnam, of course, is different from Tibet in many ways, and we are in a far better position to bring our military strength into account there.

If we had not focused attention on Vietnam by furnishing money and advisers, it is possible no great importance would have attached to an unopposed Communist takeover. But we were in opposition and to have left when faced with a fight would have revealed a lack of reliability to our allies and a lack of determination to our enemies. The point is this: We are not in Vietnam because of the territory. We are there for two other reasons: The first is because we were committed; the second, because if we did not fight there, we would have to fight elsewhere. Vietnam is not a war over land or strategic position. It is a war of will, a test of the character of the American Nation, and it does not matter that we may think the outcome is not important, for our adversary does, and so do other nations hesitant to commit themselves.

The reaction of England and France to the Rhineland led to Austria; their reaction to Austria, to the Sudetenland; their reaction to the Sudetenland to the takeover of the rest of Czechoslovakia and to World War II.

As Churchill spoke to the American people on October 16, 1938, after Munich, the totalitarian leader, whether Communist or Fascist—"must seek, from time to time, and always at shorter intervals, a new target, a new prize, a new victim. He can go forward; he cannot go back. He must blood his hounds and show them sport, or else, like Actaeon of old, be devoured by them."

Vietnam, perhaps India; and there will be others, until those who live by force come to understand that force no longer works—or until they are destroyed. The willpower of a nation, just as the willpower of a man is the measure of its strength. There is no rest and there will be no rest, no time when we may rest secure as long as there are powerful nations whose policies are opposed to ours. We do not like war, but it appears that force and war is the only argument our opponents comprehend. Consider the admitted political philosophy of the Chinese leaders who have written that, "political power comes out of the barrel of a gun." Consider the concepts of a government of laws, self-determination, and the dignity of the individual as they relate to such a philosophy.

If we do not fight this war, there will be another, and if we do not fight that one, there will come a time when there is no choice; and the price will be increased accordingly.

The trouble with this war, as with the war in Korea, is that it is an abstract war for the men who fight it and for their families when they die in it. How difficult it must be to leave a country nine-tenths at peace, and go to a hot and uncomfortable land where death is always waiting. How does a soldier feel who must fight, and die perhaps, in a war like that, a war that most of his neighbors and countrymen need not fight in or even think about? How does a man feel to be the one called upon to give that "last full measure of devotion" when the Nation's safety seems secure and the meaning of the war is buried even deeper in incomprehensibles than the meaning of war usually is? But the complaints are not coming from the men who are called upon to carry these burdens.

It seems to me the time has come for an end to the debate on Vietnam, and the time has certainly come for us to accept a responsibility which is now ours and which we could not with integrity or with safety avoid. We are at war and we have no choice except to win it.

Abraham Lincoln said of another war, the meaning and outcome of which had at the time he said it become to many Americans uncertain, that it was a war which tested whether this Nation or any nation conceived in liberty could long endure. The war we are presently engaged in is as great a test of that question as was the war that Lincoln spoke of. Our determination to fight and our will to prevail are in the long view as necessary to the survival of this Nation and its ideals as they were a century ago.

There were many who said then that the war was not worth the price, there were grumblings and even riots against the draft, and there were those who desired peace on any terms.

Freemen have always had to fight to remain free, and there have always been those who saw freemen as their greatest enemy. If this Nation is to fulfill its promise, if it is to confirm its destiny of bringing a greater opportunity toward the fulfillment of men everywhere, we must stand ready for this and every other test. The war in Korea and in Vietnam are the alternatives which tyranny has found in an age where total confrontation means total annihilation. But they are just as much a test of our will to remain free as total war was before. We must meet that test, for if the United States should ever lose its ability to bring to bear upon the play of world events the determination of men to be free, the force of modern totalitarianism would have it within its power to plunge mankind in a dark age of so great a depth that centuries need pass before the spirit of man could free itself again.

U.S. BALANCE OF PAYMENTS AND THE DOLLAR

Mr. MUSKIE. Mr. President, one of the most important problems facing this country during the past year has been the continuing large deficit in our balance of international payments. This deficit in other recent years has been balanced by a buildup of holdings of dollar assets by foreigners. These assets have been acquired in part by private individuals and business abroad and in part by foreign governments and central banks. To some degree their increase represented the accumulation of essential working balances and liquidity reserves. At times, however, foreign dollar holdings have moved into the hands of central banks and governments, which have chosen to convert them into gold. In 1965, these conversions have been particularly large, and the U.S. gold stock declined by $1.5 billion in the first 7 months of this year.

Such a depletion of our gold reserves, following a loss of about $7 billion in the preceding 7 years, cannot continue indefinitely without endangering the position of the U.S. dollar as the most important and useful instrument of international exchange and monetary reserves for the entire world. The increased foreign claims on dollars have developed from the deficit in our international balance of payments. Last February the President inaugurated a program, based largely on voluntary actions by American businesses, financial organizations, and individuals to reduce the outflow of dollars.

To probe the causes of the continuing deficit and appraise possible measures for correcting it, the Subcommittee on International Finance of the Senate Committee on Banking and Currency has conducted a series of hearings in the course of this session of the Congress. The results of these hearings, together with other background material on the subject of the balance of payments have been published by the committee in two volumes.

An excellent summary of this situation, an appraisal of the results of measures adopted to correct it, and an astute analysis of the world monetary situation and of some of the problems that lie ahead have recently been set forth in a speech by the Honorable Joseph W. Barr, Under Secretary of the Treasury, before a meeting of the National Association of Manufacturers at Hot Springs, Va. Mr. Barr points out that although there has been a remarkable reduction in our payments deficit since early this year, this accomplishment has been in part the result of special factors and cannot be used as a basis for relaxing efforts to maintain a more sustainable state of equilibrium in our international accounts.

I ask unanimous consent to have printed in the RECORD at this point Secretary Barr's speech.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY THE HON. JOSEPH W. BARR, UNDER SECRETARY OF THE TREASURY, BEFORE THE NATIONAL ASSOCIATION OF MANUFACTURERS, AT THE HOMESTEAD, HOT SPRINGS, VA., TUESDAY, SEPTEMBER 21, 1965

Time was when international finance was a subject confined for the most part to the officials of the larger banks, central banks, and the Treasury. Not many people outside this small group understood or cared much about it. Not so today. It is one of the hottest topics going. It seems as though every publication has something to say at one time or another about our balance of payments, gold losses, and international liquidity.

This is a mixed blessing to us in the Treasury. On the one hand, a widespread interest among the public in this important national problem is an encouraging sign of an alert citizenry and ultimately it will be those outside the Government who will be responsible for the solution to our balance-of-payments problem.

On the other hand, the Treasury Department, having the primary responsibility for this area, is the focusing point for this intense public spotlight and we are frequently taken to task and called upon to account for our actions or inactions—as the case may be.

This is fair enough—6 years in American politics has convinced me that criticism and debate can be especially helpful in formulating our national financial policies. But I am concerned that this debate sometimes gets off the rails because the subject matter is novel and complex.

I would suppose that nearly every man and woman in this room has had some academic background in economics. I would suppose that most of us can carry on a good reasonable argument on monetary policy and on fiscal policy. But I wonder how many are fully grounded in the concepts of the international financial mechanism that has largely developed since World War II?

I would venture that most of us could discourse reasonably on the old gold standard that we were taught in college. But how many understand the workings of the International Monetary Fund, the concepts of liquidity and the role of the dollar in international finance? I would suggest to you that these subjects are not academic curiosities. They are on the contrary issues that have an intensely practical application to your businesses and to the role this Nation will play in the world.

Therefore, my address today can be considered more as a paper on fundamentals rather than a statement of policy. Specifically, I will discuss the role of the dollar in the world today, the problem of our balance of payments, its relationship to world liquidity, the administration's approach to these matters, and where we stand today.

As this address is designed more for information than for policy, I shall be delighted to answer any questions that may occur to you at the conclusion of my formal remarks.

THE ROLE OF THE DOLLAR

When we discuss the American dollar, I think it is important to bear in mind that the dollar serves three roles: as a national currency, as a key (sometimes referred to as a vehicle) currency, and as a reserve currency.

THE DOLLAR AS A NATIONAL CURRENCY

The first role, as a national currency, is I think obvious to everyone. The dollar in this historic role is our domestic medium of exchange, designed to meet the needs of our domestic financial transactions. Also, I think most people understand that our domestic money supply must grow over the years as our economy grows. There is some limit on how many times a year you can use a dollar for different transactions, and as the economy grows and transactions increase there is an obvious need for more dollars to keep things moving.

There is not such a clear understanding, however, of the second and third roles, and discussions of our balance of payments and world liquidity sometimes confuse the two.

THE DOLLAR AS A VEHICLE CURRENCY

We speak of the dollar as a vehicle currency, we refer to its use in financing international trade and payments. The dollar in this capacity is held by private banks, businesses, and individuals throughout the world as a medium of exchange for their international transactions; they use it just as they use their own currencies for their domestic transactions.

Dollars held for this purpose—what we call private foreign dollar holdings—amount to over $11 billion.

How did it come about that the dollar should serve this role more than any other currency? Robert Roosa puts it succinctly in his new book:

"Because of the importance of the United States in world trade was itself very large, as seen from most other countries;

"Because there were ample and versatile credit facilities available from which supplemental supplies of dollars could be obtained at short term;

"Because accumulations held for transactions purposes could be readily invested in liquid form at reasonable rates of return;

"Because foreign transactions form so small a part of the vast U.S. markets that foreign holders have little reason to fear that their operations would become conspicuous or subject to interference; and

"Because the dollar had an established tradition—honored through various periods of stress—of maintaining open markets free of the dictation and the intrusions characteristic of exchange control;

"And lastly a purely technical reason. There are 102 members of the IMF. If financial transactions were denominated in the currencies of every nation, a little simple arithmetic will show that you would raise the 102 currencies to the second power or a figure of 10,404 to arrive at the different methods in which a transaction could be accounted for. To avoid this chaotic situation, when a businessman in country A sells to a customer in country B the transaction usually will work like this: The customer in country B buys dollars; with the dollars he buys the national currency of country A and uses these funds to pay the seller."

This is why we sometimes refer to the role of the dollar as a vehicle currency. It is a crucial role and it acquired this role for the reasons I have listed above. Like its role as a domestic or national currency, the need for dollars as a vehicle currency increases as world trade and financial transactions increase.

To summarize, the dollar is available, it is safe, and it is enormously convenient to have one or (or if one includes the British pound and French franc) two or three currencies that many countries can use, in an infinite variety of bilateral trade transactions, as a kind of common denominator.

THE DOLLAR AS A RESERVE CURRENCY

The dollar's third role—that of a reserve currency—has developed for many of the same reasons that have made it a vehicle currency.

By a reserve currency we mean that dollars are held by governments and central banks as a highly liquid and dependable asset that they can use along with gold to carry them over times of temporary imbalance—precisely the way you, as businessmen, keep reserves for contingencies. But there is an important distinction between the role of the dollar as a vehicle currency and its role as a reserve currency. I have mentioned that probably the principal factor in the dollar's role as a vehicle currency is convenience. I believe that the principal factor in the dollar's role as a reserve currency is confidence—confidence in the ability to use it quickly and at an assured price. These are approximately the criteria most businessmen use in acquiring and holding assets as contingent reserves.

Those who hold the dollar as a reserve currency, central banks and treasuries, do so in the knowledge that these dollars are freely convertible into gold at the fixed price of $35 an ounce. The fact that we have not varied from this policy and this fixed price for over 30 years plus the fact that we are the only country which stands ready to exchange gold for holdings of its currency has made the dollar second only to gold as an international reserve asset.

Foreign monetary authorities hold about $14 billion in their reserves. These dollars are used to finance their balance-of-payments deficits and surpluses and as a cushion for the future.

While these two international roles of the dollars are interdependent—dollars flow back and forth between official and private hands—changes in the world's holdings of its vehicle currency dollars can have quite different implications than changes in the world's holdings of its reserve currency dollars.

To illustrate, the amount of dollars (or any other vehicle currency) held by banks and businesses for trade and finance will probably grow as world trade grows and develops. The dollars held for reserves can vary with the judgment of central banks and governments on (a) what amount of reserves they need and (b) their judgment as to the potential value and usefulness of the dollar.

One final note on our dollar liabilities. While the large amounts of dollars which foreigners now hold represent liquid liabilities and potential claims on our gold reserves, the fact that the world is willing to hold such large amounts of dollars is testimony to their confidence in the dollar.

The program to which I refer next is designed to make sure that the integrity of—and international confidence in—the dollar are maintained.

THE TWIN PROBLEMS OF BALANCE OF PAYMENTS AND WORLD LIQUIDITY

Most of the current discussions of international finance concerns twin problems: our balance-of-payments deficit and world liquidity.

I do not mean to insult your knowledge, but let's make certain of our definitions. First of all let's define the balance of payments. It is not as easy as it might seem because it is an accounting of our private and Government transactions with the rest of the world. In dangerously simplified terms the major transaction would be like this:

WHAT FUNDS GO OUT

1. Money spent to buy imports (including shipping costs to foreign lines).
2. Money spent by tourists.
3. Money spent by the United States in maintaining troops overseas.
4. Money loaned by banks and the Goverment to foreign borrowers.
5. Money invested in industries in foreign nations.
6. Money given as untied grants under our foreign aid program.
7. Money sent abroad as payment of interest and principal due by U.S. borrowers.
8. Money remitted as dividend payments to foreign holders of U.S. securities, or as branch income of foreign corporations.

WHAT FUNDS COME IN

1. Money spent by foreigners to buy our exports.
2. Money spent by foreign tourists in the United States.
3. Money loaned by foreign banks and governments to U.S. borrowers.
4. Money invested by foreigners in U.S. industries.
5. Remittances of interest and principal payments on debts foreigners owe to U.S. lenders.
6. Remittance of dividend income and income of U.S. overseas branches to U.S. investors and corporations.

I have warned you that this is highly oversimplified accounting, but it does include the major items.

When the outgoing items exceed the incoming, we say that we have a deficit; when the reverse is true we say that we have a surplus.

Now some one at this juncture will say, "It is nonsense to keep accounts like these. You have current items such as funds spent on imports or money spent by tourists lumped together with capital items such as long-term loans and investments."

This is very true indeed and that is where the question of liquidity enters the picture. Just what do we mean by liquidity? The corporate explanation of liquidity is the relation between short-term liabilities and short-term assets. It seems to me that the international economists are much less precise in their definition. When they speak of liquidity, they usually refer to the official (government and central bank) holdings of gold and convertible currencies and the credit available on a rather automatic basis in the IMF. The relation of these assets to short-term liabilities is usually meaningless to most countries because their currencies are not used as a vehicle in commercial transactions or held as reserves.

However, in the United States the corporate definition of liquidity that relates liquid assets to near-term liabilities is more appropriate. It is in fact crucial because as I have pointed out $11 billion are held by private foreigners for trade and finance and $14 billion by official foreigners as reserves.

Thus, the proper definition of liquidity would probably be in three parts. For most nations it could be defined as their holdings of convertible foreign currencies, gold, and their IMF position. For the United States it is more precise to define liquidity as the relation between these assets and our short-term liabilities. For the world as a whole, you would probably define liquidity as the amounts of acceptable international resources (gold, convertible currencies, and automatic credit at the IMF) available for trade, finance, and reserves.

Now let's look at our balance of payments. In essence, the balance-of-payments problem is one of U.S. liquidity. Our overall financial position is good and improving but our international liquidity has been deteriorating. To illustrate, at the end of 1964 our private foreign investments alone exceeded the total of all foreign claims on us—official and private—by over $18 billion. The comparable figure in 1958, when our balance of payments first became a serious problem, was less than $7 billion. This is without taking any account of our gold stock which at the end of 1964 amounted to over $15 billion and our Government claims on foreign countries which amounted to over $23 billion. Our overall position, therefore, is obviously immensely strong.

But in the process of building up these tremendous foreign assets, most of which are long-term assets, we have incurred large short-term liquid liabilities, which, while much smaller than our long-term assets, have been large in relation to our gold reserves.

At the beginning of 1958 our holdings of gold came to almost $23 billion. They now stand at less than $14 billion. Over the same period our dollar liabilities to foreign official institutions rose from less than $9 billion to over $14 billion.

It is obvious that this process of lending long and borrowing short cannot go on indefinitely, and I think that most responsible observers are agreed that our balance of payments must be brought into equilibrium to bring it to an end. But at this point the second of our twin problems comes into focus. If the dollar outflow from the United States is ended, how will the world's needs for a key currency and a reserve currency be met?

You will remember that I have earlier indicated that net outflows of dollars have not always been turned back to the United States. Some of these dollars have been retained by foreigners to increase working balances to finance an expanding level of trade and finance and some of these additional dollars have been held to build up official reserves.

On its face, it appears that we are faced with a dilemma. Actually, careful analysis leads us to believe that the ending of our deficit may not create a world liquidity problem for sometime to come.

Over the past 4 years, while we have not changed the basic structure of the international payments mechanism, we have substantially fortified it. Just this year, the members of the International Monetary Fund agreed to support a general increase in IMF quotas of 25 percent or about $5 billion. In 1961, the 10 major industrial nations, known as the Group of Ten, negotiated with the International Monetary Fund a so-called general arrangements to borrow whereby the 10 nations agreed to lend to the IMF up to $6 billion should this be necessary "to forestall or cope with an impairment of the international monetary system."

Added to this multilateral source of funds are the various bilateral arrangements whereby the major countries stand ready to swap their currencies with one or more of the other countries in time of need. The substantial support which the IMF and the leading countries have extended to the pound sterling in recent months is testimony to the strength of the present system.

In noting these strengths of the present international payments system, I am not aruging that nothing further needs to be done. I note them only because in recent months some people have unjustifiably jumped to the conclusion that an ending of the U.S. balance-of-payments deficits will immediately bring about a shortage of world liquidity and a crisis.

In addition to overlooking the very real strength of the current system, those who make the oversimplified argument that we should continue our balance-of-payments deficit to maintain world liquidity, overlook two other basic points. First, the dollar cannot continue to be a reserve currency if we continue a balance-of-payments deficit of the magnitudes that have prevailed in the past. Sooner or later our liabilities will become so large in relation to our gold reserves that foreign central bankers will no longer believe that the dollar is, in fact, as good as gold and they will not be willing to hold it.

Second, a deficit in our balance of payments does not necessarily and automatically increase world liquidity if the countries which are receiving the dollars cash them in for gold. Their reserves go up but ours go down, and the world total remains the same. To illustrate the point, in the first quarter of this year the deficit in our overall balance of payments, seasonally unadjusted, was $180 million. But these dollars did not become new additions to total world reserves. Rather, they came right back to the U.S. Treasury Department to be exchanged, along with dollars accumulated in past periods, for some $800 million worth of gold. A continuance of the dollar outflow would lead to more of the same, a transfer of gold from the United States to the European surplus countries with little or no gain for world liquidity as a whole but with continual decreases in our liquidity.

THE ADMINISTRATION'S APPROACH

The administration's approach to these twin problems is to move quickly and certainly to balance-of-payments equilibrium and at the same time to move forward in discusions on improving the world's monetary system.

I have pointed out why it is imperative for us to restore equilibrium in our balance of payments. But what, it is asked, do we mean by equilibrium? Is it an exact balance or does it allow for some deficit, say $500 million, $1 billion, or even more?

Our feeling in the Treasury is that equilibrium cannot be defined solely in terms of a figure; it is importantly a matter of confidence. Whether a given figure for the overall balance of our international transactions represents equilibrium depends on the particular circumstances at the particular time. But while we may not be able to define in precise numerical terms what equilibrium is, we can say that it does not exist when the United States is continually losing gold. Perhaps, then, the best indication of what equilibrium in the U.S. balance of payments is, is what the rest of the world thinks it is. The extent to which they cash in their dollars for gold is, in short, a very useful indicator.

We are seeking the long-run, basic solution to our balance-of-payments deficit through measures which are consistent with our domestic objectives and our foreign policy objectives, and consistent with a growing volume of world trade and capital movements. In brief, our longrun approach is to:

1. Continue to minimize the balance-of-payments impact of Government expenditures abroad.

2. Strive to increase our exports and receipts from foreign tourists.

3. Encourage other developed nations to take on more international financing to relieve us of a disproportionate share.

4. Take measures to encourage more foreign investment here.

To gain the necessary time for these longer run measures, we have undertaken shorter run measures which President Johnson outlined in his message last February 10. These consist of efforts to reduce foreign travel expenditures by U.S. citizens; the extension and broadening of the interest equalization tax; and, most importantly, the request that banks and corporations curtail or adjust their activities to lessen the balance of payments impact of capital outflows.

The key to success in this program, both in the short run and in the long run, is the business community. For the short run, we must have the effective cooperation of the business community to give us the time for our longer run measures to take effect. And in the long run, the competitive position of American business in relation to the other major trading countries will be critical.

First of all, we must maintain our good record of relative price stability. Secondly, American business must become more energetic and effective in finding and exploiting foreign markets for American exports.

Shortly after President Johnson announced his new balance-of-payments program on February 10, there was an encouraging swing to a surplus in our balance of payments. It is far too early, however, to conclude that this represents a permanent trend toward equilibrium. Some of the gains were due to special factors, some were one time gains. We are by no means out of the woods yet. But we do feel that we have a program which is sound and can bring us to equilibrium if all of us follow through on it.

While the subject of world liquidity has only recently come into public prominence, the United States several years ago, joined with other major countries in comprehensive studies of the international monetary system, its recent evolution, its present effectiveness and its future. On June 1 of this year, this multilateral study group issued a report which exhaustively examines the possible ways to strengthen the system. In July, Secretary Fowler announced that the United States stood prepared to participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements.

On September 10, Secretary Fowler returned from a 10-day trip to Europe during which he exchanged views with officials of seven countries on how we might move ahead to improve the workings of the international monetary system. Secretary Fowler had earlier conferred in Washington with Canadian and Japanese officials.

He found agreement that present circumstances call for a reexamination of the free world's monetary arrangements; that we should begin contingency planning for the possible time ahead when new ways of providing for growth in monetary reserves will become necessary; and that active discussions on negotiations should begin in the near future at the level of policymaking officials.

The annual meeting of the International Monetary Fund beginning next week offers a logical opportunity to start putting the negotiating machinery in motion.

In both the case of the problem of the U.S. balance of payments and that of international monetary reform, therefore, there are signs of progress. I would rather close, however, on a note of caution. A basic change in the world's monetary system will not come about quickly or easily. To reach agreement among all the nations involved on anything so basic will require time and enormous effort.

A lasting improvement in our balance of payments—lasting enough to be meaningful in the context I have described—will also require time and effort.

The President's program is broad-gaged, requiring some sacrifice of many elements of the population but no unreasonable sacrifice, in our judgment, of any one element. Of course, more tourists would like to bring back more goods duty-free from abroad; of course, banks and other lenders would like to lend as freely as possible abroad; of course, businessmen would like to take advantage of every attractive overseas investment opportunity. Essentially, we are asking these groups to adjust—not halt—these practices, so that confidence in the dollar will be sustained.

If confidence in the dollar is sustained, if the international monetary system evolves in a sensible way, we will have created the best possible environment for the American economy—American businessmen—to demonstrate their formidable competitive strength in the world at large, in the years ahead.

PARTICIPATION BY UNITED STATES IN HEMISFAIR 1968

The ACTING PRESIDENT pro tempore (Mr. METCALF). The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, pending before the Senate is S. 2167, a bill to provide for participation of the United States in the HemisFair 1968, a domestic exposition to be held in San Antonio, Tex., in 1968.

This bill, if passed, would provide authority for the United States to build a structure in San Antonio to be used as a part of the fair.

The Senator from Delaware [Mr. WILLIAMS] and I have filed minority views against this legislation.

Mr. President, our reasons are set forth for our dissenting view which I believe support the judgment that we reached in opposing passage of the bill.

We do not concur with the recommendation of the Foreign Relations Committee that the Senate approve S. 2167, as amended, a bill to provide for participation of the United States in the HemisFair 1968 domestic exposition to be held in San Antonio, Tex., in 1968.

While we recognize the merits of such domestic expositions, we are deeply concerned about the frequency of Federal participation in local fairs of this type.

Domestic expositions can play a limited cultural and economic role in the field of foreign affairs, but the Federal Government should encourage such enterprises with caution and discretion.

Our international commitments include enormous amounts of Federal funds for military expenditures and foreign aid. This fact requires the Government to review with great care the priorities for which Federal money should be spent. It is quite clear that the promoters of this HemisFair of San Antonio are looking forward to a substantial appropriation of Government money to be invested in this enterprise, an amount in excess of approximately $8½ million. The United States has given generously to two domestic fairs in the past several years, one in Seattle and one in New York, and is now being asked to give to three more—the San Antonio, the Florida State show, and the genuine international exhibition to be held in Montreal, Canada, in 1967.

The participation of the United States in the "Century 21" Exposition in 1962 in Seattle, Wash., and the New York World's Fair in 1964–65, involved expenditures of $9.9 million and $17.5 million respectively. At each of these fairs the Federal Government constructed huge and costly exhibition halls.

The proponents of the HemisFair of San Antonio point out, in support of their cause, that the people of San Antonio have approved a $30 million bond issue, and the State of Texas has appropriated $4.5 million with an additional $3 million expected for next year, as their contribution to this exposition, the 250th anniversary of the city.

The $30 million in San Antonio is to be used for the acquisition of land and the construction of a large civic center. The funds appropriated by the State are also to be used in constructing buildings of a permanent nature. Although the promoters want a Federal building which will continue to be of utility after the conclusion of the HemisFair, experience from the Seattle fair indicates that a structure built for exhibition purposes is not suitable for permanent use by the United States. It is practically certain that such a Government building will only be used for local functions in the future although financed by the taxpayers of the United States.

Thus, what begins as a celebration of local interest becomes a massive plan whereby the Federal Government is called upon to provide funds to promote the construction of facilities to be used as a part of a permanent civic center. The Federal Government is committed to and must contribute to the Universal International Exposition in Montreal, Canada, in 1967.

To make the cost still less defensible requests have already been received for U.S. participation in an added interama exposition in Florida. Plans are now also being initiated for a U.S. World's Fair in celebration of the 200th anniversary of the United States in 10 years.

This multitude of past and future investments asked for committals has serious implications and unjustified costs.

The high expenses incurred by the promoters of the New York Fair, both public and private, have served to make large investors review their plans for participation in the Montreal fair scheduled for 1967. An invitation to foreign nations from the President of the United States would only encourage foreign governments to make an investment they can ill afford since this is hardly an appropriate time for Latin American capital to be invested in the United States. An invitation to participate in the San Antonio fair, therefore, would not be met with much enthusiasm, and those nations who do decide to participate would, in all likelihood, not be able to meet their expenses. In the end, it would be the American taxpayer who will carry the financial burden. This can hardly be called a way in which to improve our balance-of-payments standing, as the promoters suggest.

In the case of HemisFair and other State expositions, a direct relationship is involved between the exposition and a series of urban civic removal projects. This urban removal is already supported by Federal funds. Therefore, this same money is indirectly involved in the promotion of this exposition.

Further Federal commitment might very well result in an angry outcry from other cities carrying out urban removal, and it would place the U.S. Govenment in the awkard position of being discriminatory.

American endorsement in any international undertaking has profound ramifications throughout the world. Certainly international fairs involve an aspect of foreign policy. If our foreign policy is to be effective, we must make sure that it does not lose its influence. Over-indulgence in one type of commitment will only result in the loosening of its impact.

For the foregoing reasons, we oppose passage of the bill.

Mr. YARBOROUGH. Mr. President, will the Senator wield?

Mr. LAUSCHE. I yield.

Mr. YARBOROUGH. Subject to the approval of the leadership, it is the understanding of the Senator that the legislation will be taken up in the morning hour on Tuesday?

Mr. LAUSCHE. Mr. President, I have no objection to it being taken up at the earliest date consistent with the expeditious disposition of the Senate business. If Tuesday at noon is an appropriate hour, I shall raise no objection.

Mr. YARBOROUGH. Mr. President, the junior Senator from Texas [Mr. TOWER] requested that the matter be put off until then.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that Calendar No. 756 (S. 2167) a bill to provide for participation of the United States in the HemisFair 1968 exposition to be held at San Antonio, Tex., in 1968, and for other purposes, will be brought up on Tuesday.

The next order of business will be the conference report on the poverty program. That will be the order of business immediately after the prayer tomorrow.

I thank the distinguished Senator from Oregon for him unfailing courtesy and consideration at this late hour.

Mr. MORSE. I yield to the Senator from Oklahoma.

TRIBUTE TO FORMER U.S. SENATOR ELMER THOMAS

Mr. MONRONEY. Mr. President, one of Oklahoma's great men, former U.S. Senator Elmer Thomas, died Sunday, and on the following day the Senate adopted a resolution of sorrow and extreme regret, which my colleague, Senator HARRIS, was kind enough to submit during my unavoidable absence.

Oklahoma owes the late Senator Thomas a debt of gratitude for his extraordinary contributions during a period of service longer than any other man ever elected to major public office in Oklahoma. It was most fitting that the resolution which my colleague presented was agreed to unanimously.

Senator Thomas began his public service when Oklahoma became a State in 1907, serving as a member of the first Oklahoma State Senate. He continued in the State senate until 1920, and in 1923 was elected to the Congress, where he served until elected to this body in 1927.

Senator Thomas dedicated his years to causes that helped bring Oklahoma from infancy to maturity faster than probably any other member of the sisterhood of States. But the benefits and the accomplishments of Senator Thomas and his policies and programs can be seen not only in Oklahoma but throughout the Nation.

He served here on Capitol Hill as a ranking member of the Military Appropriations Committee, as chairman of the Agricultural Committee, and as an expert in fiscal policy, Indian affairs, and natural resources development.

Senator Thomas' long-range vision for the development of the Nation's water resources were bolstered in later years by the added championship of our great mutual friend, the late Senator Robert S. Kerr.

As a Member of the House of Representatives, it was my honor to work with Senator Thomas and Senator Kerr in giving Oklahoma its tremendous momentum in the development of its soil and water resources.

Through many years of diligent application of superb leadership talents, Senator Thomas earned a place of enduring honor in our State and Nation. It was with deep regret that we learned of his passing, and the resolution which the Senate adopted upon this sad occasion was altogether appropriate to the memory of this great American.

I thank the Senator from Oregon for his courtesy in yielding to me.

CHANGE OF REFERENCE

Mr. MOSS. Will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Utah.

Mr. MOSS. Mr. President, I ask unanimous consent that Senate Concurrent Resolution 55, to express the sense of Congress relative to certain water problems confronting the United States and Canada, which was referred to the Foreign Relations Committee, be rereferred to the Committee on Public Works, for the reason that this matter is a matter with which the Public Works Committee is currently engaged. The matter has been cleared with the chairmen of both committees, and is in full agreement on both sides, with the simple reservation by the chairman of the Foreign Relations Committee that if any treaty or if anything of that sort should grow out of it, the Foreign Relations Committee would not lose any jurisdiction.

The PRESIDING OFFICER. Without objection, the Foreign Relations Committee will be discharged, and the resolution will be referred to the Committee on Public Works.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield me one-half minute?

Mr. MORSE. I yield.

EXPANSION OF WAR ON POVERTY—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MANSFIELD. This conference report will be the pending business tomorrow, at the conclusion of the prayer.

Mr. MORSE. I yield to the Senator from Michigan, without losing my right to the floor.

AUTOMOBILE PRICES, 1966

Mr. HART. Mr. President, yesterday I took the floor to voice my concern that the higher prices for 1966 model cars announced by Chrysler Corp. might indicate that consumers would be handed an across-the-board increase by the auto industry.

Late yesterday General Motors Corp.—by announcing their 1966 prices—assured me that my fears of a general upswing were not to be realized. As I felt I would have been remiss in not speaking out yesterday, so do I feel it right that I speak today.

General Motors in its press release—which I ask unanimous consent to have entered in the RECORD at the conclusion of my remarks—says its 1966 prices amount to a reduction in consumer prices. Some—who feel more at home with complicated statistics than I—have raised the question if in fact the company could not have cut prices more.

These observers have in mind, of course, the increased productivity and high profit rates of the industry. They also argue that by making last year's optional safety equipment standard on the 1966 cars, the companies should realize lower installation costs and—because of the increased volume—a higher dollar return on sales of that equipment.

The theoretical economic ground for that argument is sound. Unforuntately, for one not in possession of the cost figures for General Motors—such as myself—it is impossible to carry that argument beyond the theoretical stage.

Therefore, I am inclined to count the blessings in hand and not mourn for the "might have been."

The fact is that the consumer will pay no more for a 1966 General Motors car—with identical equipment—than he would have for the 1965.

My primary concern yesterday was that auto prices—in spite of record profits—would go up across the board—contributing to inflationary pressures and opening the issue of just how much price competition there is within the industry. General Motors' action eases that concern and is welcome news to the American consumer.

I ask unanimous consent that a copy of the General Motors press release dated September 22, 1965, be printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

DETROIT.—The manufacturer's suggested retail prices on all 1966 model General Motors passenger cars will be lower than those of similarly equipped 1965 models, chairman Frederick G. Donner and president James M. Roche announced today.

The manufacturer's suggested retail price (which is shown on each car on the "sticker") includes list price, dealer delivery and handling charges and reimbursement for Federal excise tax, but does not include destination charges or State and local taxes.

All 1966 models include as standard equipment six safety items which have been available as extra cost options on most models during 1965—rear seat belts, padded instrument panel, backup lights, outside left-hand rearview mirror, dual speed windshield wipers and washer, and padded sunvisors. Furthermore, improved penetration resistant windshield glass will be standard on all 1966 General Motors cars.

Reductions in the manufacturer's suggested prices for 1966 model General Motors passenger cars range from $52 to $136 as compared with the introductory prices for similarly equipped 1965 models in September 1964 (the average reduction is $72). The major part of the overall reduction reflects the full amount of the excise tax reduction. The remainder of the reductions includes decreases for the safety items made standard equipment which range up to $19 as compared with the 1965 option prices for the various features. (The safety items sold as optional equipment on the average 1965 General Motors car were priced at $56. On 1966 models, these items have been reduced to $50—a reduction of more than 10 percent.)

The Federal excise tax on new passenger cars was reduced from 10 to 7 percent by legislation which became effective June 22, 1965. On that date the manufacturer's suggested retail prices for all General Motors passenger cars were reduced to reflect this reduction in excise tax. The 1966 manufacturer's suggested retail prices continue to reflect fully the reduced excise tax.

"This will be the 8th consecutive model year in which our prices have remained substantially constant or have been reduced," Mr. Donner and Mr. Roche said. "Our prices have not been increased since the fall of 1958 when the 1959 models were introduced. This is a significant accomplishment, particularly in view of the fact that over this period our hourly employment costs have increased by 40 percent, the consumer price index has risen by about 9 percent, tooling costs and prices of machinery have advanced as have prices of some basic materials and services, and State and local taxes are higher.

"We have been able to maintain prices at a level substantially unchanged since the fall of 1958 through constant emphasis on the development of improved manufacturing methods, processes, equipment and through innovations in design. At the same time, the quality and structural strength of our cars, and the reliability and durability of such key components as engines and transmissions, and braking and steering systems have been advanced each year. As a result, our cars are safer and easier to drive. Moreover, General Motors cars today are more attractively styled, and better engineered than ever before. They also satisfy more effectively the increasingly diverse needs and desires of our customers.

"Our market continues to be characterized by a strong desire for individuality on the part of buyers—and we are meeting this demand for personalized products with a wide variety of models and optional equipment. As a result, General Motors products today represent even greater values for the consumers' dollars."

It was also announced that the General Motors air injection reactor system designed to control exhaust emission and installed on cars sold in California will be priced at $45.

Following is an example of the 1966 General Motors prices, related to 1965 prices for a similarly equipped Chevrolet Chevelle "300" six-cylinder, four-door sedan:

[Manufacturer's suggested retail prices]

Price for 1965 model prior to excise tax reduction (Sept. 24, 1964 through June 21, 1965) [1]	$2,193.00
Add six optional safety items of equipment—made standard in 1966—at 1965 option price	70.60
Total 1965 price prior to excise tax reduction, June 21, 1965	2,263.60
Less excise tax reduction effective June 22, 1965 [1]	48.65
1965 model price since June 22, 1965	$2,214.95
1966 model price, effective October 7, 1965	2,202.00
Reduction excluding excise tax reduction	12.95
Total reduction from introductory 1965 model price excise tax reduction—June 22, 1965 [1]	48.65
Price reduction, effective October 7, 1965	12.95
Total price reduction since introduction 1965 model	61.60

[1] Retroactive to May 15, 1965.

Prices for individual makes and models will be announced shortly by each General Motors car division.

Mr. HART. I thank the Senator from Oregon for yielding to me.

MEMORANDUM OF LAW OF LAWYERS' COMMITTEE ON AMERICAN POLICY TOWARD VIETNAM

Mr. MORSE. Mr. President, one of the great changes in U.S. foreign policy which has taken place in the last 5 years has been the reversal of our earlier determination to advance the rule of law in world affairs. No nation was more deeply involved in the creation of the United Nations than was the United States; and no nation in the world has preached to others more than we have that peaceful settlement of disputes among nations must be practiced, preferably under United Nations auspices.

In Vietnam, we have totally flouted the rule of law, and we have flouted the United Nations Charter. This lipservice given by the United States to the United Nations and its international law provisions and procedures has done our country great injury among many international lawyers around the world. Our waging an undeclared war in southeast Asia in flagrant violation of our oft-expressed pretense that the United States stands for the substitution of the rule of law for the jungle law of the military claw in meeting threats to the peace of the world, has done great damage to our reputation for reliability in international affairs. Our good reputation in world affairs previously held by millions of people in the underdeveloped areas of the world has been tarnished by our unjustified warmaking in southeast Asia.

We have lost much more prestige and so-called face among the masses of the people of Asia, Africa, Latin America, and for that matter, the Western World, than we possibly could have suffered if we had forthrightly admitted years ago that it was a mistake for us to unilaterally intervene militarily in southeast Asia.

Ever since our first violations of the Geneva Accords, starting with the imposition of our first puppet regime in South Vietnam, the Diem regime, we have violated one tenet after another of international law and one treaty obligation after another, and the world knows it. For more than 10 years, we have written on the pages of history with the indelible ink of U.S. violations of the Geneva Accords of 1954, as well as article after article of the United Nations Charter and even article I, section 8 of the Constitution of the United States, a sad and shocking chronicle of our repudiation of the rule of law in our foreign policy practices.

Our unilateral intervention in Vietnam has continued unabated, even while we were addressing pious letters to the Secretary General of the United Nations, suggesting that he might, perhaps, find some way to interest the members of the United Nations in trying to restore peace in southeast Asia. Unfortunately, even our diplomatic gestures toward the United Nations were so couched in empty semantics that the world knew that the United States was not offering to have the United Nations take complete jurisdiction over the threat to the peace of the world in Asia on United Nations terms but only in the last analysis, upon U.S. terms.

Whenever Senator ERNEST GRUENING and I have urged that the United States, in accordance with the peacekeeping procedures clearly authorized by the United Nations Charter, should file with the Security Council a formal resolution calling upon the Security Council, in behalf of the United Nations, to take jurisdiction over the threat to the peace in Asia, the officials of our Government rejected our proposal with the lame excuse that they thought either Russia or France would veto such a resolution in the Security Council. Sometimes they would add to their limping rationalization in opposition to our proposal that they had reason to believe that the nonpermanent members of the Security Council preferred not to have the United States call upon the members of the United Nations Security Council to live up to their treaty obligations.

As I have argued so many times with the officials of the administration and with the Senate of the United States, our country can never justify a violation of its treaty obligations simply because other signatories to the United Nations Charter may not want to live up to their treaty obligations. World public opinion is entitled to know what nation or nations are unwilling to make full use of the peacekeeping procedures of the United Nations Charter in a good-faith endeavor to end a threat to the peace of the world in southeast Asia or anywhere else.

The failure of the United States to submit by way of formal resolution to United Nations' jurisdiction in the Vietnam was in marked contrast to our support of the United Nations' intervening in a good-faith attempt to negotiate a cease-fire agreement in the Indo-Pakistani war. Yet the capacity of the United Nations to deal with breaches of world peace is being eroded by the American policy of ignoring the peacekeeping procedures of the United Nations Charter in its own war in Vietnam.

Our preachments to other powers that they submit their disputes to United Nations' jurisdiction are already being met with much cynicism. Other countries know it is a case of our saying: "Do as I say, but not as I do."

Our highest policy officials insist that American honor and commitments are at stake. Yet, the American honor and the commitments we pledged to respect when the United States signed the charter of the United Nations 20 years ago have been thoroughly debauched. It is not the United Nations and pacific settlement of disputes that we are honoring in Vietnam, but a narrow, national interest of the United States. Like so many nations before us, and like many in our own time, we find it easier to call upon our tremendous military power to sustain a mistaken political judgment than to do what we have always urged others to do; namely, submit the entire matter to the United Nations' jurisdiction for the application of the appropriate rules of law as set forth in the articles of the charter.

A memorandum on the international law aspects of the Vietnam war has been prepared by a group of lawyers, acting under the leadership of Mr. Joseph Crown, of New York City. Organized as the Lawyers' Committee on American Policy Toward Vietnam, they have produced a written statement of some of the legal issues posed by our military intervention in southeast Asia. In this legal memorandum they have discussed the ways in which that intervention violates not only the position we have previously taken in cases of breaches of the peace but the text of the United Nations Charter, itself.

Senator GRUENING and I are pleased to have this document printed in the CONGRESSIONAL RECORD, because it raises questions about our responsibilities under international law that have been evaded by the administration for many years.

The memorandum projects constructive proposals for the peaceful resolution of the tragic Vietnamese conflict. They are proposals which are in conformity with the rule of law and the principles of the United Nations Charter. The committee is to be commended for its exploration of the legal issues and treaty violations posed by the war in Vietnam.

By inserting in the CONGRESSIONAL RECORD the legal memorandum prepared by the Lawyers' Committee on American Policy Toward Vietnam, it should not be inferred that Senator GRUENING and I endorse or underwrite every detail of the legal arguments made by its authors. However, we do agree that it represents a legal analysis of many of the international law problems raised by the U.S. unilateral military intervention in southeast Asia that is most deserving of study and careful consideration not only by the officials of our Government and the public, generally, but also by those members of the American bar who believe in the substitution of the rule of law in place of resort to war for the settlement of threats to the peace of the world.

Senator GRUENING and I have been advised that the Lawyers' Committee on American Policy Toward Vietnam will welcome responses from members of the American legal profession and also invites all lawyers interested to join the Lawyers' Committee on American Policy Toward Vietnam in its plans for arousing a nationwide interest among lawyers and the general public in seeking to persuade our Government to make greater use within its foreign policy of an international law approach to the threat to the peace of the world that has been created by U.S. warmaking in southeast Asia.

Senator GRUENING and I also wish to add our personal plea to members of the legal profession dedicated to the rule of law to interest themselves in the work of such lawyers' groups as the Lawyers' Committee on American Policy Toward Vietnam and the work of the World Peace Through Law Conference which met in Washington, D.C. from September 12–18. The proceedings of the World Peace Through Law Conference which will be published in the near future, as well as the legal memorandum prepared by the Lawyers' Committee on American Policy Toward Vietnam, are deserving of the study of the members of the legal profession.

The Lawyers' Committee that prepared this legal memorandum asks those members of the bar, the bench, law teachers and professors who share the major international law objectives expressed in the memorandum to communicate with the committee for the purpose of helping the committee further its endeavor to create a greater public opinion interest in American foreign policy.

As I have said so many times, American foreign policy under our constitutional system belongs to the American people. Only an alerted and enlightened public opinion can help the officials of our Government in both the executive and congressional branches of Government mold and administer a foreign policy that will be in keeping with the best interests of our people.

Senator GRUENING and I believe that such a provocative legal treatise as this one prepared by the Lawyers' Committee on American Policy Toward Vietnam should be widely disseminated, debated and considered in connection with proposals for needed modifications in American foreign policy in southeast Asia.

I am informed that among those legal authorities who have endorsed the memorandum are Prof. Thomas Emerson of Yale, Prof. David Haber of Rutgers, and Osmond K. Fraenkel, general counsel for the American Civil Liberties Union.

Therefore, Mr. President, in behalf of Senator GRUENING and myself, I ask unanimous consent that the following memorandum of law, including its title page, prepared by the Lawyers' Committee on American Policy Toward Vietnam, be printed in the CONGRESSIONAL RECORD.

There being no objection, the memorandum and title page were ordered to be printed in the RECORD, as follows:

AMERICAN POLICY VIS-A-VIS VIETNAM, IN LIGHT OF OUR CONSTITUTION, THE UNITED NATIONS CHARTER, THE 1954 GENEVA ACCORDS, AND THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

MEMORANDUM OF LAW

(Prepared by Lawyers Committee on American Policy Toward Vietnam, Hon. Robert W. Kenny, Honorary Chairman)

Executive committee

William L. Standard, Chairman; Carey McWilliams, Vice Chairman; Joseph H. Crown, Secretary.

Lawyers Committee on American Policy Toward Vietnam, 38 Park Row, New York, N.Y.

American Policy Vis-a-Vis Vietnam

The justification of American involvement[*] in Vietnam has troubled lawyers in the light of the literal language of our Constitution and the United Nations Charter. Though the United States initially entered South Vietnam only to advise, American troops, now numbering 125,000,[1] have moved from a passive to an active combat role. American forces have mounted repeated air strikes against targets in North Vietnam. Is such action, raising the threat of large-scale war, consonant with our Constitution, our obligations under the United Nations Charter, the provisions of the southeast Asia collective defense treaty?

Observance of the rule of law is a basic tenet of American democracy. Hence it is fitting that American lawyers examine the action pursued by our Government to determine whether our Government's conduct is justified under the rule of law mandated by the United Nations Charter, a charter adopted to banish from the earth the scourge of war.

We shall explore and assess the grounds advanced to justify the course of conduct pursued by our Government vis-a-vis Vietnam. In section I, we examine American policy in the light of the United Nations; in section II, in the light of the Geneva accords and the southeast Asia collective defense treaty; and in sections III–IV in the light of our Constitution. Mindful of the grave importance of the issues, we have exercised the maximum diligence in the preparation of this memorandum which is fully documented.

I.—THE UNITED STATES IN VIETNAM: THE UNITED NATIONS CHARTER

The Charter of the United Nations was signed on behalf of the United States on June 26, 1945, by the President of the United States, and was ratified on July 28, 1945, by the Senate.[2] Thus, the United States became a signatory to the Charter, along with 55 other nations (there are now 114), obligating itself to outlaw war, to refrain from the unilateral use of force against other nations, and to abide by the procedures embodied in the Charter for the settlement of differences between states. In essence, the obligations assumed by member nations under the United Nations Charter represent the principles of international law which govern the conduct of members of the United Nations and their legal relations.

The Charter of the United Nations is a presently effective treaty binding upon the Government of the United States because it is the "supreme law of the land."[3] Indeed, the Charter constitutes the cornerstone of a world system of nations which recognize that peaceful relations, devoid of any use of force or threats of force, are the fundamental legal relations between nations. The following provisions of the Charter are relevant:

(a) "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the purposes of the United Nations" (ch. I, art. II(4)).

(b) "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations or shall decide what measures shall be taken * * * to maintain or restore international peace and security." (Ch. VII, 39.)

It is thus plain that signatory members of the United Nations Charter are barred from resorting to force unilaterally and that only the Security Council is authorized to determine the measures to be taken to maintain or restore international peace (apart from the question as to whether or not the General Assembly has any residual authority by virtue of the "Uniting for Peace" resolution for this purpose when the Security Council is unable to meet its responsibilities[4]).

It may be recalled that in 1956, Israel justified its attack on the Egyptian forces in the Sinai Peninsula "as security measures to eliminate the Egyptian Fedayeen 'Commando' bases in the Sinai Peninsula from which raids had been launched across the Israeli frontier." Starke, "Introduction to International Law," fourth edition, London, 1958, at page 83 et seq.

When Great Britain and France introduced their troops into the Sinai Peninsula, under claim of a threat to their vital interests, the "preponderant reaction of the rest of the world was to condemn this action as inter alia, a breach of the United Nations Charter." Starke, "Introduction to International Law," fourth edition, London, 1958, at pages 85–88.

When the Soviet Union suggested a joint military operation with the United States to restore the peace in the Middle East, Secretary of State John Foster Dulles rejected this proposal as "unthinkable" (New York Times, November 6, 1956). Dulles declared:

"Any intervention by the United States and/or Russia, or any other action, except by a duly constituted United Nations peace force would be counter to everything the General Assembly and the Secretary General of the United Nations were charged by the charter to do in order to secure a United Nations police cease-fire."

At a news conference on November 8, 1956, President Eisenhower, answering an announcement of the Soviet Union at that time, declared that the United States would oppose the dispatch of Russian "volunteers" to aid Egypt, saying that it would be the duty of all United Nations members, including the United States, under the clear mandate of the United Nations Charter to counter any Soviet military intervention in the Middle East. The President said:

"The United Nations is alone charged with the responsibility of securing the peace in the Middle East and throughout the world." United Nations Action in the Suez Crisis, Tulane Studies in Political Science, volume IV entitled "International Law in the Middle East Crisis."

To the fundamental, substantive and procedural requirements and conditions vesting sole authority in the United Nations to authorize utilization of force, there are only two exceptions set forth in the charter. The first exception is found in article 51 of chapter 7:

"Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures to maintain international peace and security."

Article 51 of the charter marked a serious restriction on the traditional right of self-defense. As was stated by Prof. Philip C. Jessup in his work, "A Modern Law of Nations," published in 1947 (at pp. 165–166):

"Article 51 of the charter suggests a further limitation on the right of self-defense: it may be exercised only 'if an armed attack occurs.' * * * This restriction in article 51 very definitely narrows the freedom of action which states had under traditional law. A case could be made out for self-defense under the traditional law where the injury was threatened but no attack had yet taken place. Under the charter, alarming military preparations by a neighboring state would justify a resort to the Security Council, but would not justify resort to anticipatory force by the state which believed itself threatened."[5]

The traditional right of self-defense, even prior to the adoption of the United Nations charter, was limited. As stated by Secretary of State Daniel Webster in the Caroline case,[6] and as adopted in the Nuerenberg Judgment in 1945, any resort to armed force in self-defense must be confined to cases in which "the necessity of that self-defense is instant, overwhelming and leaving no choice of means and no moment of deliberation."[7]

In expressly limiting independent military action to instances of armed attack, the founding nations explicitly and implicitly rejected the right to the use of force based on the familiar claim of "anticipatory self-defense," or "intervention by subversion," or "pre-emptive armed attack to forestall threatened aggression," and similar rationale. Such concepts were well known to the founding nations if only because most of the wars of history had been fought under banners carrying or suggesting these slogans. More importantly for our purposes here, however, the United States was aware of these precepts before the Senate ratified the United Nations Charter and consciously acquiesced in their rejection as a basis for independent armed intervention.[8]

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[*] For a historical background, see Robert Scheer, "How the United States Got Involved in Vietnam" (A Report to the Center for the Study of Democratic Institutions, Post Office Box 4068, Santa Barbara, Calif., 93103); sample copy free.

[1] President Johnson, in his news conference of July 29, 1965, stated:

"I have today ordered to Vietnam the Air Mobile Division and certain other forces which will raise our fighting strength from 75,000 to 125,000 men almost immediately. Additional forces will be needed later, and they will be sent as requested." (Presidential Documents, vol. 1, No. I, p. 15, Aug. 2, 1965.)

[2] See Historical Note under title 22, United States Code, sec. 287. By the act of Dec. 20, 1945, c. 583, 59 Stat. 619 (22 U.S.C. 287–287e), Congress enacted "The United Nations Participation Act of 1945," empowering the President to appoint representatives to the United Nations and to render various forms of assistance to the United Nations and the Security Council under specified terms and conditions.

[3] The treaties to which the United States is a signatory are a part of the fundamental law, binding upon all officials and all governmental institutions. Art. I, sec. 2, clause 2, of the U.S. Constitution confers power upon the President to make treaties with the concurrence of two-thirds of the Senate. Art. VI, clause 2, of the U.S. Constitution provides that treaties so made, together with the Constitution and the laws of the United States made pursuant thereto, are "the Supreme Law of the Land." *Missouri* v. *Holland*, 252 U.S. 416, 432–434; *Hines* v. *Davidowitz*, 312 U.S. 52, 62–63; *United States* v. *Pink*, 315 U.S. 203, 230–231; *Clark v. Allen*, 331 U.S. 503–508.

[4] The constitutional validity of the "Uniting for Peace" resolution adopted in 1950, is disputed.

[5] In support of his views, Professor Jessup noted:

"The documentary record of the discussions at San Francisco does not afford conclusive evidence that the suggested interpretation of the words 'armed attack' in Article 51 is correct, but the general tenor of the discussions, as well as the careful choice of words throughout Chapters VI and VII of the Charter relative to various stages of aggravation of dangers to the peace, support the view stated." (Jessup, "A Modern Law of Nations," p. 166.)

[6] See, Louis Henkin (Professor of Law and International Law and Diplomacy, Columbia University), 57 "American Society of International Law Proceedings," 1963, at p. 152, Moore's "Digest of International Law," vol. II, p. 412.

[7] Henken, ibid.

It has been authoritatively said that the exceptional circumstances stipulated in article 51 are "clear, objective, easy to prove and difficult to misinterpret or to fabricate".[9] The wording was deliberately and carefully chosen.[10] [11]

Hence article 51 can under no circumstances afford a justification for U.S. intervention in Vietnam, since the Saigon regime is indisputably not a member of the United Nations and, indeed, under the Geneva Accords of 1954, South Vietnam is merely a temporary zone not even qualifying politically as a state (See Section II infra), even if it be assumed that an "armed attack," within the meaning of article 51, has occurred against South Vietnam. For, as has been shown, article 51 is operative only in the event of "an armed attack against a member of the United Nations." Hence, neither the right of individual self-defense nor the right of collective [11] self-defense can become operative.

It has been claimed that United States intervention in Vietnam is sanctioned under article 51 on the ground (1) that South Vietnam is an independent state; (2) that South Vietnam had been the victim of an armed attack from North Vietnam and (3) that the United States, with the consent of South Vietnam, was engaging in "collective self-defense" of that country, as claimed by the United States in a communication to the United Nations Security Council in March, 1965 (U.N. Chronicle, vol. 2, p. 22). To sustain this claim, all three elements must be satisfied.

This claim is untenable, however, on several grounds. First, South Vietnam was not recognized as an independent state at the 1954 Geneva Conference (see sec. II, infra). Even if it had become a de facto state in the course of events since 1954, the infiltrations from North Vietnam cannot be deemed to constitute an "armed attack" within the purview of article 51.

Since the Geneva Accords recognized all of Vietnam as a single state, the conflict whether of the Vietcong or Ho Chi Minh against South Vetnam is "civil strife" and foreign intervention is forbidden, because civil strife is a domestic question—a position insisted upon by the United States in its civil war of 1861. Ho Chi Minh can compare his position in demanding union of Vietnam with that of Lincoln, when Britain and France were threatening to intervene to assure the independence of the Confederacy (and with the added point that the national elections mandated for 1956 in the Geneva Accords were frustrated by South Vietnam with apparent support of the United States; see sec. II, infra). Nor should it be overlooked that Lincoln had very little support from the people of the South, who generally supported the Confederacy, while Ho Chi Minh has a great deal of support from the people in South Vietnam organized in the National Liberation Front whose military arm is the Vietcong. There is, therefore, a basic issue whether the hostilities in Vietnam constitute external aggression (by North Vietnam) or "civil strife." Here it should be noted that the United Nations is authorized to intervene where civil strife threatens international peace, as the United Nations did in the Congo, in accord with article 39 of the charter—but individual states are not permitted to intervene unilaterally.

The third element requisite for the invocation of the right of collective self-defense under Article 51 presupposes that the nations invoking such right are properly members of a regional collective system within the purview of the United Nations Charter. The point here involved is: Can the United States validly be a genuine member of a regional system covering southeast Asia. Article 51 and Article 53, dealing with regional systems, were interrelated amendatory provisions intended primarily to integrate the inter-American system with the United Nations organization (see fn. 8, 13, 15). The concept that the United States—a country separated by oceans and thousands of miles from southeast Asia and bereft of any historical or ethnic connection with the peoples of southeast Asia—could validly be considered a member of a regional system implanted in southeast Asia is utterly alien to the regional systems envisaged in the charter. The "Southeast Asia Collective Defense Treaty"—connecting the United States with southeast Asia, architectured by Secretary of State Dulles, is a legalistic artificial formulation to circumvent the fundamental limitations placed by the United Nations Charter on unilateral actions by individual members. However ingenuous—or disingenuous—the Dulles approach, SEATO is a caricature of the genuine regional systems envisaged by the U.N. Charter. A buffalo cannot be transformed into a giraffe however elongated its neck may be stretched. The Dulles approach to collective defense treaties employed legal artifice to circumvent the exclusive authority vested in the United Nations to deal with breaches in the peace. Articles 51 and 53 were intended to make a bona fide integration of regional systems of cooperation with the world system of international security—but these envisaged regional systems which historically and geographically developed into a regional community—not contemplating a regional system which fused a region like southeast Asia with a country on the North American Continent. SEATO is not a regional agency within the letter or spirit of the U.N. Charter as to authorize the United States to claim the right of collective self-defense even if there had been an armed attack on a member of the United Nations geographically located in southeast Asia. If artifices like SEATO were sanctioned, the path would be open for the emasculation of the United Nations organization and the world system of international security assiduously developed to prevent the scourge of war.

Hence article 51 cannot be properly invoked for (1) South Vietnam does not have the political status of a state; (2) even if South Vietnam were deemed a de facto state, the infiltrations do not constitute an "armed attack" within the purview of article 51; and (3) the United States cannot claim the right of "collective self-defense" in respect of a regional system involving southeast Asia.

Apart from article 51 (inapplicable to the situation here), the only other exception to the renunciation of the "threat or use of force" by member states is found in chapter VIII of the charter dealing with regional arrangements. Article 53 of said chapter contains two paragraphs of particular significance:

(a) "The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against an enemy state, as defined in paragraph 2 of this article." (Ch. VII, art. 53(1).)

Paragraph two of that article provides:

(b) "The term enemy state as used in paragraph 1 of this article applies to any state which during the Second World War has been an enemy of any signatory of the present charter."

With respect to regional arrangements therefore, it is clear that no enforcement action may be undertaken without the authorization of the Security Council of the United Nations, save and except in only one instance; against any state which, during World War II, was an enemy of any of the charter,[12] to wit, Germany, Italy and Japan. Since Vietnam was manifestly not an "enemy state" within the purview of article 53(b), enforcement action under SEATO is unauthorized and cannot be justified in view of the express restrictions set out under article 53(a) of the United Nations Charter.

In summary, the United Nations Charter obligates all of its signatory members to refrain from the threat or use of force, and only the Security Council (apart from the residual authority (see footnote 4) granted the General Assembly under the "uniting for peace" resolution) is authorized to determine the existence of any threat to the peace, breach of the peace or act of aggression and to determine the measures to be taken to maintain or restore international peace. To these salient provisions, there are only two exceptions: the first, the right to self-defense if an armed attack occurs against a member of the United Nations; and, the second, the right of nations to enter into appropriate "regional arrangements," subject, however, to the provision that no enforcement action shall be taken under such arrangements without the authorization of the Security Council, the only exception to the latter requirement being with respect to measures against an enemy state, as defined in the charter.

We have shown that none of the aforestated exceptions can be invoked by the U.S. Government with respect to its conduct in Vietnam. It follows therefore that the fundamental requirements of the United Nations Charter with respect to the renunciation of force and the threat of force are directly applicable to the actions of the United States.

One other noteworthy charter provision is article 103 which subordinates all regional and treaty compacts to the United Nations Charter.

"In the event of a conflict between the obligations of the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail." (Ch. XVI, art. 103.)

This supremacy clause was drafted to meet the predictable reassertion of dominance by the great powers within their respective geographic zones or hemispheres. Because of the unhappy history of a world fragmented by such "spheres of influence," the supremacy clause and the restrictions on the use of force under regional agreements emerge as limitations upon the superpowers even within their own geographic zones. It is significant that the United States not only accepted these limitations, but actively supported their incorporation within the charter.[13]

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[8] Hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., July 9–13, 1945, at p. 210.

[9] Henkin, ibid.

[10] [11] "* * * at the Conference itself, every word, every sentence, every paragraph of the Charter's text was examined and reconsidered by the representatives of 50 nations and much of it reworked." (Report to the President on the results of the San Francisco Conference [by the Chairman of the U.S. Delegation, i.e., the Secretary of State, June 26, 1945], hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong. 1st Sess., at p. 41.)

[12] The reason for this exception appears clear. When the charter was signed in San Francisco on June 26, 1945, peace treaties had not yet been finally signed by the allied nations with each of the enemy states. Reparations, sanctions, territorial changes, had not then been finalized. And so, in order to permit necessary flexibility in these respects, this sharply limited exception, permitting action against an enemy state in World War II by an allied government, was spelled out.

Article 103 makes clear that the obligations of the United Nations Charter prevail vis-a-vis the obligations of the SEATO treaty. Indeed, article VI of the SEATO expressly recognizes the supremacy of the United Nations Charter (see sec. II, infra). Moreover the frequent citation by President Johnson of the pledges given by Presidents Eisenhower, Kennedy, and himself to aid South Vietnam afford no justification for U.S. intervention in Vietnam.[14] In the first place, these pledges or commitments do not even have the status of treaties, for these Presidential pledges have not been ratified by the Senate. And even if these Presidential pledges had been solemnly ratified by the Senate, any obligations thereunder must yield to the obligations imposed under the United Nations Charter by virtue of the supremacy clause embodied in article 103. Nor would the illegality of U.S. intervention in Vietnam be altered by the circumstance that the Saigon regime may have invited the United States to assume its role in the Vietnam conflict. The supremacy clause of the charter manifestly prevails and cannot be annulled by mutual agreement of third parties.

It is by virtue of the supremacy clause that the Secretary General of the United Nations has called the world's attention to the emasculation of the authority of the United Nations resulting from actions taken by regional agencies without reference to the Security Council.

We believe that any fair study of the United Nations Charter will affirm the observations of Prof. Lewis Henkin, of Columbia University, when he speaks "of the law of the charter":

"So far as it purports to prescribe for the conduct of nations, it consists, basically, of one principle: Except in self-defense against armed attack, members must refrain from the threat or use of force against other states * * * the rule of the charter against unilateral force in international relations is the essence of any meaningful concept of law between nations and the foundation on which rests all other attempts to regulate international behavior. It is a rule which all nations have accepted and which all have a common interest essential to law."[15]

It appears difficult to escape the conclusion therefore, in the light of the aforesaid, that the action of the U.S. Government in Vietnam contravenes essential provisions of the United Nations Charter. The U.S. Government has decided for itself to use armed forces in South Vietnam and to bomb North Vietnam without authorization of the Security Council or the General Assembly of the United Nations. The failure of the United States to honor its obligations under the United Nations Charter is a regrettable but inescapable conclusion which we as lawyers have been compelled to reach. We, as lawyers, urge our President to accept the obligations for international behavior placed upon us by our signature of the United Nations Charter.

II—THE UNITED STATES IN VIETNAM: THE 1954 GENEVA ACCORDS AND THE SEATO TREATY

Officials of the U.S. Government have nevertheless asserted, on different occasions, that the actions of the United States in Vietnam are consistent with the U.S. duties and obligations under the United Nations Charter and sanctioned by the treaty creating the Southeast Asia Treaty Organization (SEATO).[16] The conduct of the U.S. Government has been justified as support of a legitimate government defending itself against insurrection from within and aggression from without. We have demonstrated above that even if this latter position were accepted on its face, unilateral conclusions and actions taken by the Government of the United States upon the basis of such conclusions are violative of the firm obligations under the United Nations Charter. However, we do not let the matter rest with this assertion, but proceed to an examination of the validity of the claims made by the U.S. Government in support of its conduct in Vietnam.

The Geneva agreement, under which the war between Vietnam and the French was terminated, effected the division of Vietnam into north and south, at the 17th parallel. The said "agreement on the cessation of hostilities in Vietnam," entered into in Geneva on July 20, 1954, provided that the division of Vietnam at the 17th parallel was only "a provisional military demarcation line," on either side of which the opposing forces could be "regrouped"—"the forces of the Peoples Army of Vietnam to the north of the line and the forces of the French Union to the south" (ch. I, art. 1).[17]

The Geneva agreement makes plain that the division of the 17th parallel was to be temporary and a step in the preparation for a general election to elect a government for a unified nation. Pending such election, "civil administration in each regrouping zone [was to] be in the hands of the party whose forces are to be regrouped there" [art. 14(a)].

The day after the aforesaid cease-fire agreement was entered into, representatives of Cambodia, the Democratic Republic of Vietnam (Vietminh), Laos, France, the Peoples Republic of China, the U.S.S.R., and the United Kindom affirmed The Final Declaration of the Geneva Conference on the Problems of Restoring Peace in Indochina, July

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[13] Hearings on U. N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong. 1st sess., supra, n. 6, at p. 306.

On May 15, 1945, Secretary of State Stettinius issued a statement at the San Francisco Conference regarding the Act of Chapultepec vis-a-vis the United Nations organization which declared (so far as here pertinent); Hearings on U. N. Charter, op. cit., p. 306;

"As a result of discussions with a number of interested delegations, proposals will be made to clarify in the charter the relationship of regional agencies and collective arrangements to the world organization.

"These proposals will—

"1. Recognize the paramount authority of the world organization in all enforcement action.

"2. Recognize that the inherent right of self-defense, either individual or collective, remains unimpaired in case the Security Council does not maintain international peace and security and an armed attack against a member state occurs. Any measures of self-defense shall immediately be reported to the Security Council and shall in no way affect the authority and responsibility of the Council under the charter to take at any time such action as it may deem necessary to maintain or restore international peace and security.

"3. Make more clear that regional agencies will be looked to as an important way of settling local disputes by peaceful means."

The first point is already dealt with by the provision of the Dumbarton Oaks proposals (ch. VIII, sec. C, par. 2) which provides that no enforcement action will be taken by regional agencies without the authorization of the Security Council. It is not proposed to change this language.

The second point will be dealt with by an addition to chapter VIII of a new section substantially as follows:

"Nothing in this chapter impairs the inherent right of self-defense, either individual or collective, in the event that the Security Council does not maintain international peace and security and an armed attack against a member state occurs. Measures taken in the exercise of this right shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under this charter to take at any time such action as it may deem necessary in order to maintain or restore international peace and security."

The third point would be dealt with by inclusion of a specific reference to regional agencies or arrangements in chapter VIII, sec. A, par. 3, describing the methods whereby parties to a dispute should, first of all, seek a peaceful solution by means of their own choice.

The United States delegation believes that proposals as above outlined if adopted by the Conference would, with the other relevant provisions of the projected charter, make possible a useful and effective integration of regional systems of cooperation with the world system of international security.

This applies with particular significance to the long established inter-American system.

[14] President Johnson, in his news conference of July 28, 1965, declared:

"Moreover, we are in Vietnam to fulfill one of the most solemn pledges of the American Nation. Three Presidents—President Eisenhower, President Kennedy, and your present President—over 11 years have committed themselves and have promised to help defend this small and valiant nation" (Presidential Documents, vol. 1, No. 1, p. 15). President Eisenhower has stated that his administration had made no commitment to South Vietnam "in terms of military support on programs whatsoever" (the New York Times, Aug. 18, 1965, p. 1).

[15] Henkin, in 57 "American Society of International Law Proceedings," 1963, supra, n. 6, at p. 148. See also in further explication of Professor Henkin's succinct conclusion: Statements of Hon. Edward R. Stettinius, Jr., Secretary of State, the testimony of Senator Millikin, and the testimony of Mr. Pasvolsky, Special Assistant to the Secretary of State for International Organization and Security Affairs, in hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., supra, n. 8, at pp. 34–147, 210, 95–100 and 304–307; Jessup, "A Modern Law of Nations" (1947); Proclamation of Athens and Declaration of General Principles for a World Rule of Law, adopted by the First World Conference on World Peace Through Law, Athens, Greece, July 6, 1963; Francis T. P. Plimpton, U.S. Representative to the United Nations, State Department Bulletin, vol. XLIX, No. 1278, Dec. 23, 1963, pp. 978–979.

[16] Geneva Conf. Doc. No. IC/42/Rev. 2, in 1 "American Foreign Policy"; 1950–55 Basic Documents 750; New York Times, July 24, 1954, p. 4.

[17] It is relevant to note that at the time this provision was agreed upon, the Vietminh occupied all but a few "islands" of territory to the north of the 17th parallel as well as approximately two-thirds of the territory south of that line. See map showing areas of South Vietnam under Vietminh control at end of May 1953 in Henri Navarre, "Agonie de L'Indo-Chine" (1953–54) (Paris, 1956) p. 37. Thus, by the cease-fire agreement the Vietminh gave up substantial areas of territory in what is now called South Vietnam.

An article in the New Republic, May 22, 1965, p. 29, by the Honorable Henry W. Edgerton, senior circuit judge of the U.S. Court of Appeals for the District of Columbia, brilliantly delineates the provisional character of the "Government" of South Vietnam and casts doubt on the juridical claim to the existence of that government.

21, 1954.[18] The declaration emphasized that the north-south division was solely a means of ending the military conflict and not the creation of any political or territorial boundary. Article 6 of the declaration stated:

"The Conference recognizes that the essential purpose of the agreement relating to Vietnam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and shall not in any way be interpreted as constituting a political or territorial boundary."

This constitutes a recognition of the historical fact that Vietnam is a single nation, divided into two zones only temporarily for administrative purposes pending an election. This being so, the action of the North Vietnamese in aiding the South Vietnamese, to the extent that it has taken place, neither affects the character of the war as a civil war nor constitutes foreign intervention. It cannot be considered an armed attack by one nation on another.

The United States is in fact a foreign nation vis-a-vis Vietnam; North Vietnam is not. The latter by the Geneva Agreement was to participate in an election not to determine whether North and South Vietnam should be united, but to select a government of the nation of Vietnam, constituting all of Vietnam—north, south, east, and west. It was the refusal on the part of the Diem regime and the subsequent "governments" of the south, supported by the United States, to participate in such elections that opened the door to the present conflict.

It was also stated in the declaration that the clear objective of settling political problems and unifying the nation was to be by means of free general elections. Article 7 of the declaration provided:

"The Conference declares that so far as Vietnam is concerned, the settlement of political problems effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Vietnamese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to insure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, national elections shall be held in July 1956, under the supervision of an International Commission."[19]

The reference to "national elections" reinforces the evidence of the historical status of Vietnam as a single nation. To present the picture, as the United States repeatedly has done, as though North Vietnam were an interloper having no organic relationship to South Vietnam is to ignore both the applicable legal principles and treaties and the facts of history.

Although the United States participated in the discussion leading up to the Geneva accords, it did not sign the final declaration. Instead, the U.S. Government, through its Under Secretary of State, Walter Bedell Smith, made its own unilateral declaration[20] on July 21, 1954. In this declaration, the United States took note of the Geneva agreements and declared that the United States would "refrain from threat or the use of force to disturb them, in accordance with article 2(4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force."

Referring to free elections in Vietnam, the United States declaration stated:

"In the case of nations now divided against their will, we shall continue to seek to achieve unity through elections supervised by the United Nations to insure that they are conducted fairly."[21]

Thus the United States recognized the fact that Vietnam was a single nation. Nevertheless the justification of United States policy today ignores this admitted fact. The United States persists in its denial that it is intervening in a civil war. It seeks to justify the bombing of North Vietnam by the United States on the basis that North Vietnam is a foreign aggressor in South Vietnam.

Nor is this all. The United States further pledged "that it will not join in any arrangement which will hinder" the reunification of Vietnam, and concluded with the hope that:

"The agreement will permit Cambodia, Laos, and Vietnam to play their part, in full independence and sovereignty in the peaceful community of nations, and will enable the peoples of the area to determine their own future."

No election was ever held pursuant to the Geneva Accords, although both the International Control Commission (composed of India, Poland, and Canada) and the United Nations announced readiness to supervise such elections. South Vietnam announced that it did not regard itself obliged to take part in the elections because the participation of North Vietnam would render such elections not free, a position apparently supported by the State Department.[22] In 1955, following the Geneva Accords, then Prime Minister of State Diem repudiated the Geneva Agreements and refused to hold the elections. Former President Dwight D. Eisenhower, in his Memoirs, suggests a further reason for Diem's refusal to hold elections pursuant to the Geneva Accords:

"I have never talked or corresponded with a person knowledgeable in Indo Chinese affairs who did not agree that had elections been held at the time of the fighting possibly 80 percent of the population would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai.[23]

The consequences of the repudiation of the Geneva Accords were delineated by Senator Ernest Gruening in a speech to the Senate on April 9, 1965:

"That civil war began—let me repeat, because this is crucial to the issue—when the Diem regime—at our urging—refused to carry out the provision contained in the Geneva Agreement of 1954 to hold elections for the reunification of Vietnam. That was one of the underlying conditions of the Geneva agreement. The civil war began and has continued with intensified fury ever since * * *. For over 800 years, before its conquest by France, Vietnam was a united country. After defeating the French in 1954, the Vietnamese went to the conference table at Geneva, agreeing to a settlement only on condition that reunification elections be held. Yet, nowhere in President Johnson's speech of April 7, 1965, at Johns Hopkins University is there held out a hope of ultimate reunification of Vietnam. He conditioned the ultimate peace 'upon an independent South Vietnam instead'."

In view of all of the aforesaid, the assumptions and justifications for our governmental policy in Vietnam do not appear to have support, either in law or in fact. The conduct of the U.S. Government in Vietnam appears plainly to violate the terms of the Geneva Accords and to repudiate solemn pledges to "refrain from the threat or the use of force" to disturb the Geneva Accords.

Moreover, nothing in the provisions of the southeast Asian Collective Defense Treaty would appear to justify the conduct of the U.S. Government in Vietnam. The SEATO Treaty was signed in Manila some 7 weeks after the signing of the Geneva Agreement on the Cessation of Hostilities in Vietnam. The SEATO Treaty became effective in February 1955, following the treaty ratification by eight member states—the United States, France, Great Britain, Australia, New Zealand, Thailand, Pakistan, and the Philippine Islands.

By the preamble and by Article I of the SEATO Treaty, the parties acceded to the principles and supremacy of the United Nations Charter in accordance with article 103 thereof, which it will be recalled, provides as follows:

"In the event of a conflict between the obligations of the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail."

The supremacy of this provision was expressly reiterated by the eight SEATO nations under article VI of said treaty, in which each solemnly agreed that the SEATO Treaty:

"* * * does not affect the rights and obligations of any of the parties under the Charter of the United Nations, or the responsibility of the United Nations for the maintenance of international peace and security."

The key provisions of the SEATO Treaty are to be found in article IV. Paragraph 1 thereof permits the use of force by one or more member states only in the event of "aggression by means of armed attack." But where the integrity or inviolability of any territory covered by the treaty is threatened "by other than armed attack" or "by any fact or situation which might endanger the peace of the area," then, paragraph 2 of article IV requires, as a prerequisite to intervention, that "the parties shall consult immediately in order to agree on the measures to be taken. * * *"

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[18] See "Further Documents Relating to the Discussion of Indo-China at the Geneva Conference" June 16–July 21, 1954 (London) (Her Majesty's Stationery Office, Cmd 9239), 1954 (referred to as "Geneva Accords"). The French-sponsored Bao Dai regime, which was not endowed as yet with any real political substance, did not sign the Geneva accord; not until 1956 did France relinquish control over South Vietnam; the Republic of Vietnam was proclaimed on Oct. 26, 1955, but French troops were not completely evacuated from the country until Nov. 1, 1956.

[19] Note that article 7 stipulates that the elections were to be antecedent to and a necessary condition for the "fundamental freedoms, guaranteed by democratic institutions" and that the elections were to be held "in order to insure * * * that all the necessary conditions obtain for free expression of the national will." This particular portion of the Geneva Accord has frequently been quoted out of context, with the key phrases in reverse order, in order to justify the refusal to hold elections on the grounds that the necessary conditions did not exist.

[20] See "Extracts From Verbatim Records of Eighth Plenary Session," Geneva Accords.

[21] Nowhere in its own declaration did the United States recognize the political partition of Vietnam; insofar as it referred to the country, it designated it as "Vietnam," not "South Vietnam" and "North Vietnam."

[22] See, Question No. 7, "Questions and Answers on Vietnam," Department of State publication No. 7724, August 1964, p. 8. See also footnote 19, George McT. Kahin and John W. Lewis, professors of government at Cornell University, in their article, "The United States in Vietnam," which appeared in the June 1965 issue of the Bulletin of Atomic Scientists, note (op. cit. p. 31):

"When on July 16, 1955, the Diem government announced, with American backing, that it would defy the provision calling for national elections, it violated a central condition which had made the Geneva Accords acceptable to the Vietminh. Regardless of what sophistry has been employed to demonstrate otherwise, in encouraging this move the United States departed from the position taken in its own unilateral declaration. And France in acquiescing abandoned the responsibility which she had unequivocally accepted a year earlier."

(Citing—Allan B. Cole, ed., "Conflict in Indo-China and International Repercussions," a documentary history, 1945–1955 (Ithaca, N.Y.) 1956, pp. 226–228; and Donald Lancaster, "The Emancipation of French Indo-China" (Oxford, 1961), pp. 370–372.

[23] Dwight D. Eisenhower, "Mandate for Change: The White House Years, 1953–1956" (London, 1963), p. 372.

The consent of all eight SEATO nations was originally required before any military action under article IV could be undertaken by any of them (New York Times, May 28, 1962). Later, this rule was modified so that action could be undertaken if there was no dissenting vote—i.e., an abstention would not count as a veto (New York Times, April 19, 1964). At the last two annual meetings of the Ministerial Council of SEATO, France has refused to support a communique pledging SEATO backing for South Vietnam against the Vietcong (New York Times, April 15–16, 1964; May 3–6, 1965; see also, Los Angeles Times, May 3–4, 1965). It would appear that with the threat of a French veto a formal SEATO commitment in Vietnam has not been sought by the United States. However, even if there had been unanimity among the SEATO nations, the provisions of article 53 of chapter VIII of the United Nations Charter will still prevail:

"But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council. * * *"

Manifestly, no such authorization has ever been conferred, either by the Security Council of the United Nations, or by the General Assembly, from which it follows that American action in Vietnam clearly cannot be supported by reference to SEATO.

So long as the United States remains a member of the United Nations, our right to intervene is circumscribed by the provisions of the United Nations Charter. As members of SEATO, our right to intervene is limited, both by the requirement for unanimity among all of the eight treaty nations and, in addition, by the superseding requirement of article 53 of chapter VIII of the United Nations Charter, prohibiting any enforcement action under a regional arrangement without the authority of the Security Council. Our justification for acting contrary to our solemn obligations under the United Nations Charter appears tenuous and insubstantial. The fact of the matter is that the U.S. Government has simply acted as its own judge of its own interests in patent disregard of the fundamental law embodied in the United Nations Charter.

III—CONSTITUTIONAL ASPECTS OF UNITED STATES INTERVENTION IN VIETNAM

This disregard of the rules of the charter, inherent in U.S. intervention in Vietnam, is compounded by the fact that such intervention is also violative of our own Constitution. Whatever doubts may have existed prior to the President's "Report to the Nation Following a Review of U.S. Policy in Vietnam"[24] (set out at his news conference on July 28, 1965), as to whether U.S. action in Vietnam constituted the conduct of a war, the President in that report made it explicitly clear that "this is really war," noting that "our fighting strength" was being raised from 75,000 to 125,000 "almost immediately" and that "additional forces will be needed later, and they will be sent as requested." Can the President's conduct be squared with our Constitution (apart from the obligations imposed upon member states by the United Nations Charter)?

It is the genius of our constitutional system that ours is a government of checks and balances. A dangerous concentration of power is avoided by the separation—in Articles I, II, and III of the Constitution—of the legislative, executive, and judicial powers. The doctrine of "separation of powers" is fundamental to, and is one of the "great structural principles of the American constitutional system."[25] The Supreme Court has recently characterized this "separation of powers" as "a bulwark against tyranny." *United States* v. *Brown*,—U.S.—, 33 Law Week 4603 (June 7, 1965). The Supreme Court had earlier said:

"The power to make the necessary laws is in Congress; the power to execute in the President. Both powers imply many subordinate powers. Each includes all authority essential to its due exercise. But neither can the President, in war more than in peace, intrude upon the proper authority of Congress, nor Congress upon the proper authority of the President." Ex parte Milligan, 4 Wall 2, 139 (1866).

Classically stated by Blackstone[26] and derived from Plato, Aristotle, Polybius, Cicero, Machiavelli, Harrington, Locke, and Montesquieu,[27] this constitutional separation of powers was deliberately carried over by the Framers into the conduct of foreign affairs. For, contrary to widely held assumptions, the power to make and conduct foreign policy is not vested exclusively in the President, but is divided between him and Congress, with each endowed with complementary, but separate[28] powers and responsibilities.[29]

Thus, in making and carrying out general foreign policy, Article II, Section 2 requires the President to have the "Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur." And the President also requires the advice and consent of the Senate to "appoint Ambassadors, other public Ministers and Consuls."

When statecraft fails and the question becomes the ultimate one of war or peace, the Constitution imposes a tight rein upon the President. His participation ends at the threshold of the decision whether or not to declare war. Under Article I, Section 8, Clause 11, that power is confided exclusively to the Congress.[30] There is no mention of the President in connection with the power to "declare war." Under the Constitution, Congress alone must make this decision. The Clause does not read "on recommendation of the President," nor that the "President with advice and consent of Congress may declare war." As former Assistant Secretary of State James Grafton Rogers has observed: "The omission is significant. There was to be no war unless Congress took the initiative." Rogers, "World Policing and The Constitution," p. 21 (Boston, 1945).

"Nothing in our Constitution is plainer than that declaration of war is entrusted only to Congress." *Youngstown Sheet and Tube Company* v. *Sawyer*, 343 U.S. 579, 642 (1952) (Jackson, J.).

That the President lacks constitutional power to make war is underscored by the historic statement made by President Woodrow Wilson on the night of April 2, 1917 when he addressed the Congress in a joint session:

"I have called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making."[31]

President Franklin Roosevelt also heeded his constitutional responsibilities and was also mindful and sensitive of the constitutional limitations applicable to the President when, before a joint session of the Congress on December 7, 1941, he requested the Congress for a declaration of war following Pearl Harbor.

The decision to place the responsibility for declaring war exclusively in Congress as the direct representative of the people, and not even to provide for the President's participation in that decision was a most deliberate one by the Framers.

The Constitutional Convention had been urged to rest the power to declare war, the "last resort of sovereigns, ultima ratio regum," in the executive, or, alternatively, in the Senate. 3 Story, "Commentaries on the Constitution," par. 1166. The arguments were made that "large bodies necessarily move slowly" and "despatch, secresy, and vigor are often indispensable, and always useful towards success." Story, ibid.

When the issue was debated at the Convention, Mr. Gerry stated that he "never expected to hear in a republic a motion to empower the Executive alone to declare war." Madison and Gerry "moved to insert 'declare,' striking out 'make' war; leaving to the Executive the power to repel sudden attacks." The motion carried. Farrand ed., "Records of the Federal Convention" (New Haven, 1911), II, pp. 318–319.[32]

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[24] Presidential Documents, vol. 1, No. 1 (Aug. 2, 1965), pp. 15–19. See also State Department bulletin, April 26, 1965, p. 606; State Department bulletin, May 24, 1965, passim; State Department bulletin, May 31, 1965, p. 838, Krock, "By Any Other Name, It's Still War," New York Times, June 10, 1965.

[25] Corwin, "The President: Office and Powers" (New York, 1957), p. 9.

[26] Blackstone, "Commentaries on the Law of England," 146 (7th ed. 1775).

[27] Cf., Sharp, The Classical American Doctrine of "Separation of Powers", 2 U. of Chi. L. Rev. 385 (1935).

[28] "One of the most striking facts in the institutional philosophic history of the United States (is) that the legislative-executive quarrels during the colonial period convinced the colonists of the desirability of a separation of powers rather than a union of powers." Wright "Consensus and Continuity," p. 17 (Boston, 1958).

"The doctrine of separated powers is implemented by a number of constitutional provisions, some of which entrust certain jobs exclusively to certain branches, while others say that a given task is not to be performed by a given branch." *United States* v. *Brown, supra*—U.S. at p. —, 33 Law Week, at p. 4605.

[29] Story, "Commentaries on the Constitution" (Boston, 1833), passim, Dahl, "Congress and Foreign Policy" (New Haven, Conn., 1950); Robinson, "Congress and Foreign Policy-Making: A Study in Legislative Influence and Initiative" (Ill., 1962).

[30] Article I, Section 8, Clause 11 of the Constitution reads:

"The Congress shall have the power:

* * * * *

"1. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

[31] President Wilson went on to say:

"With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war."

Nowhere in the debates is there support for the view that the President can wage a war or "commit" our Nation to the waging of a war. On the contrary, warmaking was to be a purely legislative prerogative The only use of force without a declaration of war that was contemplated as the debates clearly show, was "to repel sudden attacks."[33]

These constitutional provisions that only Congress shall have the power to declare war and that Congress has the sole responsibility to raise and support the armies, to provide for a navy, and to impose the taxes to provide the funds to carry on a war, reflected a profound distrust of executive authority and a corresponding reliance upon the legislature as the instrument for the decisionmaking in this vital area. Bemis, "The Diplomacy of the American Revolution" (New York, 1935), pp. 29–35.

These provisions reflected things painfully learned during the early colonial period, when every major European war had its counterpart on the American frontiers. The Colonies were therefore determined to end the imperial authority to decide for them what wars they should enter and what the outcome of those wars should be. Savelle, "The American Balance of Power and the European Diplomacy 1713–78," in Morris ed., "The Era of the American Revolution" (New York, 1939), pp. 140–169.

The Convention was not only determined to deny warmaking power to the President, but was also unwilling to entrust it to the Senate alone. To assure the fullest consideration, the Framers therefore provided that the House of Representatives, larger and more representative than the Senate, should also be brought in to decide this vital question. The action and decision of the whole Congress were therefore constitutionally made necessary to this fateful undertaking.

"The Constitution says, therefore, in effect, 'Our country shall not be committed formally to a trial of force with another nation, our people generally summoned to the effort and all the legal consequences to people, rights and property incurred until the House, Senate and the President agree.' " Rogers, "World Policing and the Constitution" (Boston, 1945), p. 35.

Concededly there have been many instances when the President has sent U.S. Armed Forces abroad without a declaration of war by Congress.[34] These have ranged from engagements between pirates and American ships on the high seas to the dispatch of our Armed Forces to Latin American countries.

These precedents cannot justify the present actions without bringing to mind Swift's comment on "precedents" in Gulliver's Travels:

"It is a maxim among these lawyers, that whatever hath been done before, may legally be done again; and therefore they take special care to record all the decisions formerly made against common justice and the general reason of mankind. These, under the name of precedents, they produce as authorities to justify the most iniquitous opinions; and the judges never fail to directing accordingly."

Here it is important to distinguish our country's involvement in the Korean war. For the United States fought under the aegis of the United Nations pursuant to a definitive resolution of the Security Council authorizing and directing the employment of Armed Forces of member states, so that the United States was thus performing its solemn obligations undertaken in becoming a signatory of the United Nations Charter, a treaty which is the "Supreme Law of the Land." But in the Vietnamese situation, there has been no authorization by the Security Council; indeed the Security Council has not even been seized of the matter, has not been requested to entertain jurisdiction of the present conflict.

It is therefore unfortunately vitally necessary, although trite, to recall that "the Government of the United States has been emphatically termed a government of laws, and not of men." *Marbury* v. *Madison*, 1 Cr. 137 (1803). Under a government of laws, the President is not free from the checks of the Constitution of the United States; the President is not free to assume the powers entrusted solely to the Congress. Ours is not a government of executive supremacy.[35]

Here it is fitting to recall that on May 6, 1954, at a time when the fall of Dien Bien Phu was imminent, then Senator Lyndon Johnson, as Democratic leader of the Senate, at a Jefferson-Jackson dinner, criticized the Eisenhower administration in these terms:

"We will insist upon clear explanations of the policies in which we are asked to cooperate. We will insist that we and the American people be treated as adults—that we have the facts without sugar coating.

"The function of Congress is not simply to appropriate money and leave the problem of national security at that."[36]

A New York Times survey (June 14, 1965) reports widespread "uneasiness" over the President's foreign policies: that the American academic world "is intellectually and emotionally alienated from the President, to whom it gave such strong support in the election"; that there is "increasing—and mutual—hostility between the President and many segments of the press"; that many Democratic Members of Congress are "restive and unhappy * * * over what they regard as [the President's] high-handed manner of making and carrying out decisions in foreign affairs"; that many friendly governments abroad "are apprehensive about Mr. Johnson's use of national power"; that among these views are expressions of "dismay," the unreliability of CIA and FBI reports which the President accepted, the lack of clear policy, the disregard of "principles, support or advice."

It is therefore imperative that Congress guard zealously against any executive usurpation of its exclusive power to declare, or to decline to declare war.

President Johnson has not been unmindful of the damaging consequences inherent in the violation of the separation of powers. As recently as August 21, 1965 the President vetoed a $1.7 billion military construction bill, calling it "repugnant to the Constitution." In a stern message to Congress, the President described certain sections of the bill as clear violations of the "separation of powers"; warned Congress to stop meddling in the prerogatives of the executive branch (New York Times, August 21, 1965, p. 1). Yet the President has not hesitated to intrude upon the exclusive power vested in Congress to declare war.

IV—CONGRESS HAS NOT DECLARED WAR IN VIETNAM; ITS JOINT RESOLUTIONS ARE NEITHER A SUBSTITUE FOR A DECLARATION OF WAR NOR DO THEY MAKE PRESIDENT JOHNSON'S WARMAKING CONSTITUTIONAL

Congress has not declared war in Vietnam and the President does not claim that any declaration of war supports his actions in Vietnam. In fact, the President is reported to be extremely reluctant to ask Congress directly to declare war.[37] Instead, the President is reported (New York Times, June 19, 1965, p. 10) to believe that authority for his actions may be inferred or extracted from the Tonkin Bay Joint Resolution of August 6–7, 1964 (H.J. Res. 1145; Public Law 88–408, 78 Stat., 384, 88th Cong., 2d sess.) and the Joint Resolution of May 7, 1965 (H.J. Res. 447; Public Law 89–18; 79 Stat. 109, 89th Cong., 1st sess.) making a supplemental appropriation to the Defense Department for the Vietnam operations.

The Tonkin Bay resolution is not a declaration of war. At most, it is an ultimatum—if that. It "approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." It goes on to express the view that "the maintenance of international peace and security in southeast Asia 'is vital' to the national interests of the United States" and declares the readiness of the United States to take all necessary steps, including the use of armed forces, to assist any member or protocol SEATO state to defend its freedom. The resolution, however, provides that all such steps shall be "consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty."

It is clear that Congressmen who voted for the Tonkin Bay Joint Resolution were not voting a declaration of war in Vietnam. The resolution does not mention North Vietnam nor China; indeed it does not even mention

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[32] The Framers concluded and provided "that the power of declaring war is not only the highest sovereign prerogative; but that it is in its own nature and effects so critical and calamitous, that it requires the utmost deliberation, and the successive review of all the councils of the nation. War, in its best estate, never fails to impose upon the people the most burdensome taxes, and personal sufferings. It is always injurious and sometimes subversive of the great commercial, manufacturing, and agricultural interests. Nay, it always involves the prosperity, and not infrequently the existence of a nation. It is sometimes fatal to public liberty itself, by introducing a spirit of military glory, which is ready to follow, wherever a successive commander will lead; and in a republic whose institutions are essentially founded on the basis of peace, there is infinite danger that war will find it both imbecile in defense, and eager for contest. Indeed, the history of republics has but too fatally proved, that they are too ambitious of military fame and conquest, and too easily devoted to the views of demagogs, who flatter their pride and betray their interests. It should therefore be difficult in a republic to declare war; but not to make peace." Story op. cit., § 1166.

[33] Manifestly the residuary power left to the President—"to repel sudden attack" contemplated attacks on the country's geographical territory—not "sudden attacks" in far-off lands, such as southeast Asia. Cf. Tonkin Bay Joint Resolution of Aug. 6–7, 1964, discussed in section IV, infra.

[34] See U.S. Senate Committee on Foreign Relations and Committee on Armed Services, hearing, "Situation in Cuba," 87th Cong., 2d sess., Sept. 17, 1962 (Washington, G.P.O., 1962), pp. 82–87; Rogers, op. cit., especially pp. 93–123.

[35] "With all its defects, delays, and inconveniences, men have discovered no technique for long preserving free government except that the executive be under the law, and that the law be made by parliamentary deliberations," Mr. Justice Jackson, concurring in *Youngstown Sheet and Tube Company* v. *Sawyer*, supra, 343 U.S. at 655 (1952).

[36] Jackson, "Role and Problems of Congress with Reference to Atomic War," May 17, 1954, publication No. L 54–135, Industrial College of the Armed Forces.

[37] Wall Street Journal, June 17, 1965, "The U.S. May Become More Candid on Rising Land-War Involvement," pp. 1, 16.

Vietnam. It was "passed in the fever of indignation that followed reported attacks by North Vietnamese torpedo boats against U.S. fleet units in Tonkin Bay." CONGRESSIONAL RECORD, June 9, 1965, page 12990. There is no evidence that Congress thought or understood that it was declaring war. It took no contemporaneous action which would have implemented a declaration of war. And the remarks of several Members of the House and Senate during and since the debate on the resolution reinforce the conclusion that the Tonkin Bay Resolution was not regarded as a declaration of war. Congress manifestly cannot delegate to the President its exclusive power to declare war; and even under the specific terms of the Tonkin Bay Resolution, the President's actions neither conform nor are consonant with the Constitution—and, as we have seen in the earlier analysis, the President's actions are not consonant with the Charter of the United Nations, nor with the SEATO Treaty.

In passing the May 7, 1965, resolution, authorizing a supplemental appropriation for the Vietnam operations, Congress was confronted with a fait accompli which severely circumscribed its action. Its constitutional check on the will or errors of the Executive was by the President's message, reduced to its power of the purse. Such a circumscription will not necessarily prevent unwise or unpopular decisions or allow for the exercise of the full discretion which the Constitution intended Congress to have, and for it alone to exercise. Nevertheless, a resolution authorizing an appropriation does not constitute a declaration of war, nor can it constitutionally authorize the President to wage an undeclared war.

The presidential assumption of powers vested exclusively in the Congress concern arrogations of power which convert republican institutions, framed for the purpose of guarding and securing the liberties of the citizen, into a government of executive supremacy. If the Constitution has such elastic, evanescent character the provisions for its amendment are entirely useless; presidentially-determined expediency would become then the standard of constitutional construction.

Under the rule of law, compliance with the forms and procedures of the law are as imperative as compliance with the substance of the law. A lynching is a totally inadequate substitute for a trial, regardless of the guilt of the victim. What Mr. Justice Frankfurter wrote in another context is equally applicable here: "The history of liberty has largely been the history of observance of procedural safeguards." *McNabb* v. *United States,* 318 U.S. 332, 347 (1947).

Under our system, constitutional powers must be exercised in a constitutional manner by constitutionally established institutions. Disregard of fundamentals in an area concerning the highest sovereign prerogative affecting the very lives and fortunes of its citizens in the interest of a short term expediency undermines " 'constitutional morality' to such an extent that the maintenance of the order itself is endangered." Friedrich, "The Philosophy of Law in Historical Perspective," p. 216 (Chicago, 1963).

Finally, it cannot be over emphasized that even a declaration of war by the Congress would not negate the violations of our obligations assumed under the United Nations Charter or negate the violations of international law inherent in United States intervention in Vietnam.

Conclusion

A learned authority in international affairs has stated:

"Bluntly, all the rules about intervention are meaningless if every nation can decide for itself which governments are legitimate and how to characterize particular limited conflict. Unless we are prepared to continue a situation in which the legality of intervention will often depend upon which side of the fence you are on, and in which, therefore, our policy becomes one of countering force with force. we must be willing to refer questions of recognition (i.e., legitimacy of the government involved) and characterization of a disorder (i.e., whether an armed attack from abroad or a civil war) to some authority other than ourselves. The United Nations is the most likely candidate for the role." [38]

The United States has not observed the letter or spirit of its treaty obligations with respect to the action taken in Vietnam. World order and peace depend on the willingness of nations to respect international law and the rights of other nations. The United Nations is a symbol of the rejection of fatal policies which led to World War II, and an acceptance by the peoples of the world of the principles of collective security, and the avoidance of war and the use of armed forces in the settlement of differences between nations. The United Nations was intended to insure the preservation of international peace, security, and justice, through rules of law, binding upon all member nations. The fundamental condition for the effective functioning of the United Nations is the observance on the part of all signatory nations of the obligations assumed under the charter. Only in this way can the awesome potential of a third world war be prevented.

We have concluded that the U.S. Government is in violation of its treaty obligations under the U.N. Charter. We urge upon the Government that all steps be immediately taken to undo this illegality by an immediate return to an observance of the letter and spirit of the provisions of the U.N. Charter.

This is a solemn hour in history. We have a moral obligation to history to return to the high purposes and principles of the United Nations—to honor the pledges we solemnly assumed—to settle international disputes by peaceful means—to refrain in international relations from the threat or use of force.

At this fateful hour, we do well to recall the prophetic dream of President Franklin D. Roosevelt, the architect of the United Nations, who upon his return from the Yalta Conference in his last address to the Congress in March 1945, said:

"The Crimea Conference * * * ought to spell the end of the system of unilateral action, the exclusive alliances, the spheres of influence, the balances of power, and all the other expedients that have been tried for centuries—and have always failed. We propose to substitute for all these, a universal organization in which all peace-loving nations will finally have a chance to join."

Should we not, 20 years after President Roosevelt's hopeful dream—20 years after the advent of the nuclear age with the awesome potentiality of incineration of our planet and the annihiliation of our civilization and the culture of millenia—should we not "spell the end of the system of unilateral action * * * that has been tried for centuries—and has always failed"?

RECESS UNTIL 11 A.M. TOMORROW

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 16 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, September 24, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 23 (legislative day of September 20), 1965:

U.S. ATTORNEY

Thomas L. Robinson, of Tennessee, to be U.S. attorney for the western district of Tennessee for the term of 4 years. (Reappointment.)

Merle M. McCurdy, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years. (Reappointment.)

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 23, 1965

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of Scriptures: I John 3: 11: *This is the message that ye heard from the beginning, that we should love one another.*

Eternal God, in these moments of prayer, may we come nearer to Thee and cling to Thee with greater love and faith and that we may have Thy light and love to solve our problems and perform our appointed duties.

We beseech Thee to enter our minds by ways known only to Thyself and send us into the crowded ways of life with hearts of compassion and as servants of Thy holy will and teach us that the hope of the world lies in the realization of God and the practice of brotherhood.

Help us to understand that we give proof of our religion when we resolve to make it strong enough to overcome our apathy, our antipathy, our unkindness, and strong enough to unite us in a fellowship and a willingness to serve the needs of humanity.

Let us never be content with toleration, but give us insight, understanding, and appreciation. May we reveal love where now there is hatred; where there is rancor, may there be concord. May we lead and lift ourselves and others into a more radiant faith in Thy love and goodness.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 597. An act to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate health science library services and facilities.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

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[38] Roger Fisher, professor of law at Harvard University, "Intervention: Three Problems of Policy and Law" found in Essays on Intervention, a publication of the Marshon Center for Education in National Security, Ohio State University Press, pp. 19–20.

H.R. 2580. An act to amend the Immigration and Nationality Act, and for other purposes; and

H.R. 9336. An act to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2580) entitled "An act to amend the Immigration and Nationality Act, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. MCCLELLAN, Mr. ERVIN, Mr. KENNEDY of Massachusetts, Mr. HART, Mr. DIRKSEN, Mr. FONG, and Mr. JAVITS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 5688) entitled "An act relating to crime and criminal procedure in the District of Columbia," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. MORSE, Mr. MCINTYRE, Mr. KENNEDY of New York, Mr. TYDINGS, Mr. PROUTY, and Mr. DOMINICK to be the conferees on the part of the Senate.

AMENDING TITLE 38, UNITED STATES CODE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2127) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes, with a Senate amendment to the House amendment, and concur therein.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 17, lines 11 and 12 of the House engrossed amendment, strike out "as a direct result of an explosion of an instrumentality of war; or" and insert "as a direct result of the extra hazard of military or naval service, as such hazard may be determined by the Administrator; or".

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ADAIR. Mr. Speaker, reserving the right to object, I wonder if the gentleman from Texas would give us a brief explanation of the Senate amendment? In advance of that I will say, Mr. Speaker, speaking for myself and I think for all minority Members, we are completely in accord with it, and that an excellent result was achieved. But I do wish the gentleman would tell us briefly what has happened.

Mr. TEAGUE of Texas. Mr. Speaker, when this bill was being considered by the House, last Monday, the case of a young soldier was discussed. He was killed in a vehicle which turned over on the way back to camp from the training area where the young soldier had been engaged in a training maneuver. The question was raised whether this man would be covered by section 3 of the bill—the $5,000 death gratuity section. We believed that the language used in the bill, as reported to the House, would cover such a case.

After the bill was passed by the House, the Veterans' Administration informed me that it would not cover him. So this language merely broadens the death gratuity section.

Mr. ADAIR. Mr. Speaker, I should like briefly and simply to say I do feel, and I am sure this is the opinion of many people as expressed when this legislation was before the House a few days ago, that this is first of all highly desirable protection for the men who are now in uniform and their families.

Second, Mr. Speaker, the insurance program represented in this legislation is a prime example of private enterprise combining with and cooperating with the Federal Government in providing a benefit to a segment of our population—a most deserving segment, I might add. It offers living proof that the Federal Government and private enterprise represented by the insurance industry can enter into a partnership with the result of benefiting the Nation's citizens. It is most unfortunate that we in the Congress too frequently are called upon to vote upon social reforms in which Government undertakes the entire program with free enterprise stifled or being given little opportunity to demonstrate its potential or its ability to solve the problem. In this instance, it appeared desirable to make life insurance protection available to members of the uniformed services. Our committee did not respond by drafting a measure authorizing a new government life insurance program. Instead, the insurance industry was consulted to see whether or not they could solve the problem without the Federal Government entering further into the insurance business. The Subcommittee on Insurance, as well as the entire Committee on Veterans' Affairs are to be commended for taking this unprecedented step. The insurance industry responded nobly to the call for assistance. The result is the partnership represented in the measure before you today, with the insurance industry issuing and underwriting the insurance program and the Government bearing the costs associated with extrahazardous deaths. This is an excellent program which serves to perfect a sound structure of veterans' benefits.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of the motion offered by the distinguished chairman of the Committee on Veterans' Affairs to accept the Senate amendment to S. 2127. Members will recall that last Monday the House amended this measure that passed the Senate with a $10,000 indemnity limited to men who died in combat. The House amendment increased the scope of the Senate bill by offering $10,000 worth of insurance to every member of the armed services, not just those who were killed in combat. The fact that this was a considerable improvement over the Senate bill is attested to by the fact the Senate accepted the amendment yesterday without controversial debate. The Senate amendment is designed to eliminate some of the inequities with respect to the payment of the death gratuities for deaths occurring between January 1, 1957, and the effective date of this bill that was brought out during the House debate on this measure.

I urge the adoption of the chairman's motion.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. TEAGUE]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING SECTION 510 OF THE MERCHANT MARINE ACT, 1936

Mr. GARMATZ submitted a conference report and statement on the bill (H.R. 728) to amend section 510 of the Merchant Marine Act, 1936, which was ordered to be printed.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 319]

Anderson, Ill.
Andrews, George W.
Ashley
Bolton
Bonner
Buchanan
Burton, Utah
Clausen, Don H.
Clevenger
Colmer
Craley
Dawson
Diggs
Dowdy
Edmondson
Farnsley
Farnum
Fino
Frelinghuysen
Giaimo
Green, Oreg.
Halleck
Harris
Harsha
Herlong
Hicks
Holifield
Holland
Hosmer
Howard
Johnson, Okla.
Landrum
Lindsay
McEwen
Mackie
Minshall
Moeller
Morton
Murray
O'Brien
O'Hara, Ill.
Passman
Resnick
Scott
Senner
Smith, N.Y.
Springer
Thomas
Thompson, Tex.
Toll
Wright

The SPEAKER. On this rollcall 378 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

Mr. POWELL. Mr. Speaker, I call up the conference report on the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1061)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: "In lieu of the matter proposed to be inserted by the Senate amendment insert the following: 'That this Act may be cited as the 'Economic Opportunity Amendments of 1965.'

"AMENDMENTS TO TITLE I—YOUTH PROGRAMS

"Job Corps—Displacement of workers

"SEC. 2. Section 103 of the Economic Opportunity Act of 1964 is amended by inserting after 'SEC. 103.' the following new sentence: 'The Director of the Office shall prescribe regulations to prevent programs under this part from displacing presently employed workers or the impairment of existing contracts for services.'

"Job Corps—Payments to certain individuals or organizations prohibited

"SEC. 3. Subsection (e) of section 103 of the Economic Opportunity Act of 1964 is amended by striking out the period and adding after the word 'terminated' the following: ': *Provided, however*, That the Director shall make no payments to any individual or to any organization solely as compensation for the service of referring the names of candidates for enrollment in the Corps.'

"Job Corps—Cuban refugees

"SEC. 4. Section 104(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following: 'For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States.'

"Job Corps—Enrollee affidavits

"SEC. 5. Section 104(d) of the Economic Opportunity Act of 1964 is amended to read as follows: '(d) Each enrollee (other than an enrollee who is a native and citizen of Cuba described in section 104(a) of this Act) must take and subscribe to an oath or affirmation in the following form: "I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic". The provisions of section 1001 of title 18, United States Code, shall be applicable to the oath or affirmation required under this subsection.'

"Job Corps—Application of Federal Employees' Compensation Act

"SEC. 6. Section 106(c)(2)(A) of the Economic Opportunity Act of 1964 is amended retroactive to January 1, 1965, to read as follows:

" '(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty) authorized by or under the direction and supervision of the Corps.'

"Job Corps—Enrollee work activities

"SEC. 7. Section 110 of the Economic Opportunity Act of 1964 is amended by inserting the word 'male' before the word 'enrollees' in the first sentence.

"Work training programs—Cuban refugees

"SEC. 8. Section 114(a) of the Economic Opportunity Act is amended by adding at the end thereof the following new sentence: 'For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States.'

"Work training programs—Limitations on Federal assistance

"SEC. 9. The first sentence of section 115 of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three', and by striking out ', or June 30, 1966, whichever is later,'.

"Work-study programs—Limitations on Federal assistance

"SEC. 10. Section 124(f) of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three,' and by striking out 'or June 30, 1966, whichever is later,'.

"AMENDMENTS TO TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

"Community action programs—Public information

"SEC. 11. Section 202(a) of the Economic Opportunity Act of 1964 is amended by striking out 'and' at the end of paragraph (3), by striking out the period at the end of paragraph (4) and inserting in lieu thereof '; and', and by adding at the end thereof the following new paragraph:

" '(5) which includes provision for reasonable access of the public to information including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups, and reasonable public access to books and records of the agency or agencies engaged in the development, conduct, and administration of the program, in accordance with procedures approved by the Director.'

"Types of programs

"SEC. 12. The last sentence of section 205(a) of the Economic Opportunity Act of 1964 is amended by inserting after 'including' the following: ', but not limited to,'.

"Special programs for the chronically unemployed poor

"SEC. 13. Section 205 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (e) and adding after subsection (c) a new subsection (d) as follows:

" '(d) The Director is authorized to make grants under this section for special programs (1) which involve activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs, (2) which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, and (3) which are conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise consistent with policies applicable under this Act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment.'

"General community action programs—limitations on Federal assistance

"SEC. 14. (a) The first sentence of section 208(a) of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three', and by striking out ', or June 30, 1966, whichever is later,'.

"(b) Section 208 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting a new subsection (b) as follows:

" '(b) The Director is authorized to prescribe regulations establishing objective criteria pursuant to which assistance may be reduced below 90 per centum for such community action programs or components as have received assistance under section 205 for a period prescribed in such regulations.'

"(c) Section 208(c) of such Act (as so redesignated by subsection (b) of this section) is amended by adding at the end thereof a new sentence as follows: 'The requirement imposed by the preceding sentence shall be subject to such regulations as the Director may adopt and promulgate establishing objective criteria for determinations covering situations where a literal application of such requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes sought to be achieved.'

"Participation of State agencies

"SEC. 15. Section 209(a) of the Economic Opportunity Act of 1964 is amended by inserting before the period the following: 'including, but not limited to, consultation with appropriate State agencies on the development, conduct, and administration of such programs'.

"Disapproval of plans

"SEC. 16. Section 209(c) of the Economic Opportunity Act of 1964 is amended by (1) inserting 'of part B' before 'of title I' and (2) striking out 'and such plan has not been disapproved by him within thirty days of such submission' and inserting in lieu thereof 'and such plan has not been disapproved by the Governor within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and found by him to be fully consistent with the provisions and in furtherance of the purposes of this part'.

"Notices

"SEC. 17. Section 209 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

" '(d) When the Director receives an application from a private nonprofit agency for a community action program to be carried on in a community in which there is a community action agency carrying on a number of component programs, he shall, within five days, give notice to such community action agency and the Governor of the State in which the community is located of the receipt of such application. When the Director determines that a separate contract or grant is desirable and practical and that good cause has been shown, he is authorized to make a grant directly to, or to contract directly with, such agency.'

"Adult basic education programs—Payments; Federal share

"Sec. 18. Section 216(b) of the Economic Opportunity Act of 1964 is amended by striking out 'and the fiscal year ending June 30, 1966,' and inserting in lieu thereof 'and each of the two succeeding fiscal years,'.

"Adult basic education programs—Teacher training

"Sec. 19. Part B of title II of the Economic Opportunity Act of 1964 is amended—

"(1) by striking out 'From the sums appropriated to carry out this title' in section 213(a) and inserting in lieu thereof 'From so much of the sums appropriated or allocated to carry out this part as is not reserved pursuant to section 218'; and

"(2) by redesignating section 218 as section 219 and inserting immediately after section 217 the following new section 218:

" 'Teacher training projects

" 'Sec. 218. Not to exceed 5 per centum of the sums appropriated or allocated to carry out this part for any fiscal year may be reserved and used by the Director to provide (directly or by contract), or to make grants to colleges and universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide, training to persons engaged or preparing to engage as instructors for individuals described in section 212, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Director may by or pursuant to regulation determine.'

"Voluntary assistance program for needy children

"Sec. 20. Title II of the Economic Opportunity Act of 1964 is amended by striking out the second sentence of section 220(a) of part C thereof.

"AMENDMENTS TO TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

"Sec. 21. Title III of the Economic Opportunity Act of 1964 is amended by striking out 'Grants and' in the heading, and by striking out the dash after the word 'make' in the first subsequent sentence and the subsequent number '(1)'.

"Cooperative association—Prohibition of loans to assist manufacturing

"Sec. 22. Section 305(f) of the Economic Opportunity Act of 1964 is amended by inserting immediately before the period at the end thereof the following proviso: ': *Provided,* That packing, canning, cooking, freezing, or other processing used in preparing or marketing edible farm products, including dairy products, shall not be regarded as manufacturing merely by reason of the fact that it results in the creation of a new or different substance'.

"Assistance for migrant and seasonally employed agricultural employees

"Sec. 23. Section 311 of the Economic Opportunity Act of 1964 is amended to read as follows:

" 'Migrants and seasonally employed agricultural employees

" 'Sec. 311. The Director is authorized to develop and implement a program of loans, loan guarantees, and grants to assist State and local agencies, private nonprofit institutions, and cooperatives in establishing, administering, and operating programs which will meet, or substantially and primarily contribute to meeting, the special needs of migratory workers and seasonal farm laborers and their families in the fields of housing, sanitation, education, and day care of children.'

"Indemnity payments to dairy farmers

"Sec. 24. Section 331(c) of the Economic Opportunity Act is amended by striking the words 'January 31, 1965' and inserting in lieu thereof the words 'June 30, 1966'.

"AMENDMENT TO TITLE V—WORK EXPERIENCE PROGRAM

"Sec. 25. Section 502 of the Economic Opportunity Act of 1964 is amended (1) by inserting after the first sentence thereof the following new sentence: 'Workers in farm families with less than $1,200 net family income shall be considered unemployed for the purpose of this title.', and (2) by striking out of the last sentence the following: 'for the fiscal year ending June 30, 1965,'.

"AMENDMENTS TO TITLE VI—ADMINISTRATION AND COORDINATION

"Vista volunteers—assignment; application of other provisions and Federal laws

"Sec. 26. (a) Subsection (a) of section 603 of the Economic Opportunity Act of 1964 is amended by striking out everything in paragraph (2) following the clause designation '(C)' and inserting in lieu thereof 'in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act.'

"(b) Subsection (d) of such section is amended to read as follows:

" '(d)(1) Each volunteer shall take and subscribe to an oath or affirmation in the form prescribed by section 104(d) of this act, and the provisions of section 1001 of title 18, United States Code, shall be applicable with respect to such oath or affirmation; but, except as provided in paragraph (2) of this subsection, volunteers shall not be deemed to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, and Federal employee benefits.

" '(2) All volunteers during training and such volunteers as are assigned pursuant to paragraph (2) of subsection (a) shall be deemed Federal employees to the same extent as enrollees of the Job Corps under section 106 (b), (c), and (d) of this act, except that for purposes of the computation described in paragraph (2)(B) of section 106(c) the monthly pay of a volunteer shall be deemed to be that received under the entrance salary of GS–7 under the Classification Act of 1949.'

"National advisory council

"Sec. 27. Section 605 of the Economic Opportunity Act of 1964 is amended by striking 'fourteen' in the second sentence and inserting in lieu thereof 'twenty'.

"Programs for the elderly poor

"Sec. 28. Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

" 'Programs for the elderly poor

" 'Sec. 610. It is the intention of Congress that whenever feasible the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act.'

"Affidavits

"Sec. 29. Title VI of the Economic Opportunity Act of 1964 is amended by striking out section 616 thereof and substituting a new section 616, as follows:

" 'Transfer of funds

" 'Sec. 616. Notwithstanding any limitation on appropriations under any title of this Act, not to exceed 10 per centum of the amount appropriated or allocated from any appropriation for the purpose of enabling the Director to carry out programs or activities under any such title may be transferred and used by the Director for the purpose of carrying out programs or activities under any other such title; but no such transfer shall result in increasing the amounts otherwise available under any title by more than 10 per centum.'

"Authorization of appropriations

"Sec. 30. (a)(1) The first sentence of section 131 of the Economic Opportunity Act of 1964 is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $412,500,000 for the fiscal year ending June 30, 1965, and the sum of $700,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(b)(1) The first sentence of section 221 of such Act is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $340,000,000 for the fiscal year ending June 30, 1965, and the sum of $850,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(c)(1) The first sentence of section 321 is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $35,000,000 for the fiscal year ending June 30, 1965, and the sum of $55,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(d)(1) The first sentence of section 503 of such Act is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $150,000,000 for the fiscal year ending June 30, 1965, and the sum of $150,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(e)(1) The first sentence of section 615 of such Act is amended by striking out 'two' and inserting in lieu thereof 'three'.

"(2) The second sentence of such section is amended to read as follows: 'For the purpose of carrying out this title (other than for purposes of making credits to the revolving fund established by section 606(a)), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1965, and the sum of $30,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law.'

"(f) Title VI of the Economic Opportunity Act of 1964 is further amended by inserting at the end thereof a new section as follows:

"Distribution of benefits between rural and urban areas

" 'Sec. 617. The Director shall adopt appropriate administrative measures to assure that benefits of this Act will be distributed equitably between residents of rural and urban areas.'

"AMENDMENT TO NATIONAL DEFENSE EDUCATION ACT—MORATORIUM ON STUDENT LOANS TO VISTA VOLUNTEERS

"Sec. 31. (a) Paragraph (2)(A) of section 205(b) of the National Defense Education

Act of 1958 (20 U.S.C. 425(b)(2)(A)) is amended by striking out 'or' before '(iii)' and by inserting before the proviso and after 'Peace Corps Act' the following: ', or (iv) not in excess of three years during which the borrower is in service as a volunteer under section 603 of the Economic Opportunity Act of 1964'.

"(b) The amendments made by this section shall not apply to any loan outstanding on the effective date of this Act without the consent of the then obligee institution."

And the Senate agree to the same.

Adam C. Powell,
John Brademas,
Hugh L. Carey,
Augustus F. Hawkins,
Sam M. Gibbons,
William D. Ford,
Managers on the Part of the House.

Pat McNamara,
Wayne Morse,
Ralph W. Yarborough,
Gaylord Nelson,
J. K. Javits,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964 submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

The differences between the House bill and the substitute agreed upon in conference are described in this statement, except for incidental minor, technical, and clarifying changes. References to the "act" are to the Economic Opportunity Act of 1964.

DISAPPROVAL OF PLANS

The present act provides that no assistance can be made available for work-training programs or community action programs until the Governor of the State in which they are to be carried on has been given notice of the plan for the assistance and has not disapproved it within 30 days.

The House bill amended this provision so that, in the event of the disapproval of a plan by a Governor, the Director could reconsider it, and if he found it fully consistent with the provisions and in furtherance of the purposes of this act, could override the Governor's disapproval.

Pursuant to the instructions of the House, your managers have insisted on the inclusion of the House provision in the conference report. The conferees expect that the procedures established by the Director of the Office of Economic Opportunity under section 209(a) will include provision for informal hearings held by the Director at the request of the Governor of a State or other interested parties.

JOB CORPS—DISPLACEMENT OF EMPLOYED WORKERS

The Senate amendment contained a provision, which had no counterpart in the House bill, which prohibited the Director from authorizing a Job Corps program which would result in the displacement of employed workers or impair existing contracts for services. The conferees have agreed upon a compromise under which the Director is required to prescribe regulations to prevent Job Corps programs from displacing presently employed workers or the impairment of existing contracts for services.

JOB CORPS—PAYMENTS TO RECRUITERS

The Senate amendment prohibited the Director from making payments to any individual or organization for the service of referring candidates for enrollment in the Job Corps or names of such candidates. The House bill contained no similar provision. The conference report contains a substitute which provides that the Director shall make no payments to any individual or organization solely as compensation for the service of referring the names of candidates for the Corps.

OATH OF ALLEGIANCE BY CUBAN REFUGEES

Both the House bill and the Senate amendment contained a provision permitting Cuban refugees to serve in the Job Corps and in work-training programs carried on under part B of title I. The Senate amendment also provided that the requirement that Job Corps enrollees take an oath of allegiance to the United States shall not apply in the case of Cuban refugees. The conference substitute includes this provision of the Senate amendment.

COMMUNITY ACTION PROGRAMS—ACCESS OF PUBLIC TO INFORMATION

The Senate amendment provided that community action programs must include provisions for feasible access of the public to information, including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups. The House bill contained no comparable provision. The conference agreement adopts the Senate provision, except that the word "feasible" is changed to "reasonable".

COMMUNITY ACTION PROGRAMS—TYPES OF PROGRAMS

The present act contains examples of programs which fall within the purposes of community action programs. The Senate amendment added to the list the fields of family planning, consumer credit education, and consumer debt counseling programs. It also gave emphasis to the fact that the list is merely to give examples by providing that the programs falling within the purpose of the part include, but are not limited to, the listed fields. The House bill contained no comparable provision. The conference substitute omits the listing of additional examples of types of permissible programs. It adopts, however, the Senate provision insuring that the listed fields are not the only ones in which programs may be carried. The managers on the part of the House wish it to be understood that the omission of the Senate provison in no way indicates that it is their intention or the intention of the Senate conferees to discourage the continuation and expansion of these programs. Programs in these fields are now being carried on and are to be encouraged.

SPECIAL PROGRAMS FOR THE CHRONICALLY UNEMPLOYED POOR

The Senate amendment authorized the Director to make grants for special programs directed at the needs of those chronically unemployed poor persons who have poor employment prospects, and are unable, because of age or otherwise, to obtain appropriate employment or training assistance under other programs. These programs, in addition to other services, would enable such persons to participate in projects for the betterment or beautification of the community served by the program, including activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands. The programs must be conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise consistent with policies applicable under the act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment. It was also provided that $150,000,000 of the funds appropriated for carrying out title II of the act for the fiscal year 1966 could be used for this purpose. The House bill contained no similar provision. The provisions for these special programs are retained in the substitute agreed upon in conference. However, the provision for earmarking a portion of the funds appropriated for title II for this purpose was not retained.

GENERAL COMMUNITY ACTION PROGRAMS—SELF-HELP HOUSING REHABILITATION

The Senate amendment contained a provision requiring the Director to give special consideration to programs which would, through self-help, rehabilitate substandard housing and provide instruction in basic skills associated with such rehabilitation. This provision is not included in the substitute agreed upon in conference. However, programs in these fields are now being carried on and are to be encouraged.

PARTICIPATION OF STATE AGENCIES

The Senate amendment required that the procedures established by the Director to facilitate participation of the States in community action programs must include continuing consultation with appropriate State agencies on the development, conduct, and administration of such programs. The House bill did not contain any comparable provision. The conference substitute adopts this provision, except that required consultation need not be "continuing."

COMMUNITY ACTION PROGRAMS—PRIVATE NONPROFIT AGENCIES

The House bill provided that when the Director receives an application for a community action program to be carried out in a community in which a community action agency is carrying on a program consisting of several component programs, he must give notice to that agency. The Senate amendment added a requirement that the Director also give notice to the Governor of the State. The Senate amendment also provided that when the Director determines that a separate contract or grant is desirable and practical and that special cause has been shown, he may make a grant directly to, or contract directly with, such agency.

The conference substitute includes both of these Senate provisions, except that the requirement that "special" cause must be shown before the Director may contract directly has been altered to require "good" cause to be shown.

POLITICAL ACTIVITIES

The Senate amendment contained provisions, which had no counterpart in the House bill, relating to the application of the Hatch Political Activities Act to persons employed by agencies administering or carrying on community action programs and to persons serving in the Vista volunteers.

The managers on the part of the House wish to make it clear that their insistence on the exclusion of these provisions was based upon the difficulty of applying the existing statutory restrictions to organizations and agencies for which they were not designed. They in no way intend to depart from the principle that these programs must be conducted on a nonpolitical basis, free of any activity designed to further the election or defeat of any candidate for public office.

VOLUNTARY ASSISTANCE PROGRAM FOR NEEDY CHILDREN

The House bill struck out part C of title II of the act providing for the establishment in the Office of Economic Opportunity, a center to encourage voluntary assistance for deserving and needy children. The Senate amendment retained part C but deleted the provision under which the center was directed to collect the names of persons who voluntarily desire to assist such children financially, and to obtain information concerning deserving and needy children from social welfare agencies.

The conference report adopts the Senate provision.

INDEMNITY PAYMENTS TO DAIRY FARMERS

The Senate amendment extended until June 30, 1966, the program provided for by the act for making indemnity payments to dairy farmers who have been directed to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use at the time of such use. The conference substitute adopts the Senate provision.

PROGRAMS FOR THE ELDERLY POOR

The Senate amendment added a provision to the act stating the intention of Congress that whenever feasible the special problems of the elderly poor should be considered in the development, conduct, and administration of programs under the act. The conference report retains this provision of the Senate amendment.

The Senate amendment also provided for the establishment in the Office of Economic Opportunity of a Task Force on Programs for the Elderly Poor. The conference substitute does not include this provision.

TRANSFER OF FUNDS BETWEEN TITLES

The Senate amendment added a section to the act permitting up to 10 percent of the amount appropriated or allocated for any title to be transferred for use in carrying out other titles, but the amount available for use for any title could not be increased by more than 10 percent. The conference substitute includes this provision.

EQUITABLE DISTRIBUTION OF BENEFITS BETWEEN URBAN AND RURAL AREAS

The Senate amendment required the Director to adopt such administrative measures as are necessary to assure that benefits of the act will be distributed equitably between residents of rural and urban areas. The substitute agreed upon in conference contains a modification of the Senate provision under which the Director is required to adopt appropriate administrative measures to assure such equitable distribution.

AUTHORIZATIONS OF APPROPRIATIONS

The House bill authorized the appropriation for fiscal year 1966 of $825,000,000 to carry out title I of the act. The Senate amendment authorized the appropriation for such year of $535,000,000 for such purpose. The amount fixed in conference is $700,000,000.

The House bill authorized the appropriation for fiscal year 1966 of $680,000,000 to carry out title II of the act. The Senate amendment authorized the appropriation for such year of $880,000,000 for such purpose. The conference substitute authorizes the appropriation for such purpose for such year of $850,000,000.

The House bill authorized the appropriation for the fiscal year 1966 of $70,000,000 to carry out title III. The Senate amendment authorized the appropriation for such year of $55,000,000 for such purpose. The conference substitute adopts the Senate figure.

The House bill authorized the appropriation for the fiscal year 1966 of $300,000,000 to carry out title V. The Senate amendment authorized the appropriation for such year of $150,000,000 for such purpose. The conference report contains the Senate figure.

The House bill authorized the appropriation for the fiscal year 1966 of $20,000,000 to carry out title VI. The Senate amendment authorized the appropriation for such year of $30,000,000 for such purpose. The substitute agreed upon in conference adopts the Senate figure.

ADAM C. POWELL,
JOHN BRADEMAS,
HUGH L. CAREY,
AUGUSTUS F. HAWKINS,
SAM M. GIBBONS,
WILLIAM D. FORD,
Managers on the Part of the House.

Mr. POWELL (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Speaker, I bring before the House today the second conference report on H.R. 8283, extending the war on poverty legislation.

The House had voted to recommit the conference report with instructions to retain the House language under title II, section 209(c), which stated that any community action program and Job Corps program in a State would go into effect if a Governor had not vetoed the proposals within 30 days, and if so disapproved can be reconsidered by the Director of the Office of Economic Opportunity and "found by him to be fully consistent with the provisions and in furtherance of this part."

In the second Senate-House conference, the Senate receded and agreed to accept the House language in place of the Senate language on the Governor's vote which had been included in the first conference report. The Senate amendment had required the Director to provide for an informal hearing at the Director's office to entertain any Governor's objections to any application from his State.

The substitution of the House amendment for the Senate amendment of the Governor's veto was the only change delineated in the conference report at the second House-Senate conference on September 22, thus carrying out the precise instructions of the House to this committee.

I yield to the gentleman from Minnesota [Mr. QUIE], who has done a very fine job on the committee of conference.

Mr. QUIE. Mr. Speaker, I thank the chairman for yielding. I merely wish to report to the House that in the conference the Senate accepted the exact House language that was in the House bill with regards to the Governor's veto. While it was not adequate in the bill for me, that was all that the House passed, and therefore we could not put in any more or any stronger Governor's veto provision.

I can say that the House gained all that it could possibly ask for in the conference that was held yesterday.

The remainder of the conference report was debated at the time when it originally came before the House. During that debate, the minority pointed out that even with the Senate language which was accepted the bill was not acceptable to us. There are basic faults in this legislation and I will enumerate them briefly. First, it does not provide for adequate State administration of the program. In previous debate I pointed out examples where this type of administration has enabled other programs to work well and receive strong acceptance in State and communities. An example of this was the Vocational Rehabilitation Act. Secondly, there is no guarantee of adequate participation on the part of the poor and it is possible to circumvent local government officials and the agencies which have traditionally been helping the poor. Unless the glaring forthcomings of this legislation are remedied I believe that the antipoverty program will continue to be the most controversial and least productive of any Federal venture to date.

Mr. BANDSTRA. Mr. Speaker, I rise to urge adoption of the conference report on H.R. 8283, which amends the Economic Opportunity Act of 1964 so as to expand the war on poverty.

I would like to point out that one amendment to the existing law is of particular importance to rural areas in America. This amendment, approved by the conference committee, adds to title VI of the 1964 law a section reading as follows:

> The Director—

Meaning the Director of the Office of Economic Opportunity—

> shall adopt appropriate administrative measures to assure that benefits of this Act will be distributed equitably between residents of rural and urban areas.

As a Representative from a predominately rural area, I have become aware in the last several months that a special effort is needed by the Office of Economic Opportunity to assist rural communities in developing antipoverty programs.

By their very nature, rural areas present problems in administration and organization. There are problems with respect to geographical distance, communication of information and, in some cases, a lack of trained specialists to aid those interested in the war on poverty.

But these are problems that must be overcome, not ignored, if the war on poverty is to have a successful influence in diminishing rural poverty.

This amendment gives the Director of the Office of Economic Opportunity wide latitude in developing the administrative procedures necessary to assure equitable treatment for rural residents. But it does instruct him to act.

I am hopeful that, once this amendment becomes law, the Office of Economic Opportunity will begin as quickly as possible to take steps aimed at overcoming administrative problems in rural areas.

And I think the Congress, as it reviews the antipoverty effort in the future, should keep this amendment in mind and make sure that it does not become simply a dead letter on the statute books.

Mr. POWELL. Mr. Speaker, I thank all the conferees, the Speaker, and all other Members.

I yield back the remainder of my time.

I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 days to revise and extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

TO AMEND THE BANK HOLDING COMPANY ACT OF 1956

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7371, with Mr. O'HARA of Michigan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 2 hours, and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 2 hours.

The Chair recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I yield myself 5 minutes.

I realize that 4 hours is a long time to debate the bill. It would be satisfactory to those of us on our side, I believe, to reduce the time, with the understanding that we shall not try to restrict time on amendments. I believe the time allowed on the amendments is more important than time for general debate on the bill. That is my personal feeling. I shall be glad to talk to the gentleman who represents the minority, the gentleman from New Jersey [Mr. WIDNALL], on the question of reducing time allowed on the bill.

Mr. Chairman, when Congress passed the Bank Holding Company Act of 1956, it did so with the conviction that such legislation was necessary to preserve the traditional American system of locally owned and operated independent banks, competing to serve the needs of their communities, and to avoid the dangers of concentrating control of bank credit in a few large institutions.

The regulation of bank holdings companies under the 1956 act has been a great step forward in the economic development of the United States. No longer could a bank holding company monopolize a town, county or regional area by controlling both banking and nonbanking enterprises, for the act prohibits ownership of both banking and nonbanking interests.

It has been suggested by Members of this body that H.R. 7371 is class or punitive legislation aimed at the Du Pont estate. Such a thought could not be further from the truth. What this bill does is correct a glaring weakness in the Bank Holding Company Act that, if left untouched, could wreak havoc on the basic principles of the act. If the loophole is allowed to exist, individuals or corporations wishing to monopolize banking and nonbanking industries could set up testamentary trusts, partnerships, or use some form of religious, charitable, or educational institution to accomplish their purposes. We have been extremely fortunate in that only one organization has hit upon this scheme as a method of advancing its interests. I challenge any Member of this body to guarantee that the failure to close this loophole in the Bank Holding Company Act will not result in other companies taking advantage of this legislative oversight. It has already been brought to my attention that several organizations are waiting in the wings to see if the loophole is closed. If it is not, they plan to form unregistered bank holding companies and, thereby, flaunt the objectives of the Bank Holding Company Act. I am certain that no Member of this body endorses such tactics.

A REVIEW OF ALL BANK HOLDING COMPANY EXEMPTIONS PROMISED

Mr. Chairman, the Banking and Currency Committee is not unsympathetic to removal of all bank holding company exemptions. Shortly another bill will be before this body which will remove a second objectionable exemption to the act. The report on that legislation carries the following paragraph:

> Your committee, after considering H.R. 7372 and H.R. 7371, feels strongly that Congress should review all exemptions granted to the Bank Holding Company Act of 1956.

I can assure the Members of this body that such a study will be made. However, the exemptions to the act were not granted on a "blanket basis." They were granted one by one. It would, therefore, be unfortunate, if not poor legislative policy, to remove them with one stroke of the pen. Until we have studied all of the exemptions, we cannot in good faith and conscience endorse such a move.

COMPANIES TO BE COVERED IF EXEMPTION IS REPEALED

It has been suggested by some Members of this body that the Committee is not certain what groups, companies, and other organizations would be covered if the exemption to the Bank Holding Company Act were removed. In explaining the reason that we have been unable to obtain the names of all which would be covered, let me say that this is one of the bases for the legislation—the fact that we do not know who owns many of our banks. I want to make it clear that companies which are not covered by the Bank Holding Company Act are not governed by, nor are they required to make any reports to any Federal banking agency. Thus, since these groups are not required to make known their ownership, it is impossible to determine who would be covered by this legislation. However, by passing this legislation, these companies would have to register and we would no longer be in the dark as to who was operating under preferential treatment. The argument that we are not certain who would be covered by the legislation is a valid one and it is one of the reasons why we should pass H.R. 7371. We would then not be forced to operate in the dark.

Mr. Chairman, in order to show how the Bank Holding Company Act has prevented banking concentration, I would like to briefly discuss the major requirements of the Bank Holding Company Act.

FRB REGISTRATION REQUIRED

The act requires any company owning 25 percent or more of the voting stock of two or more banks to register with the Board of Governors of the Federal Reserve System; prohibits the formation of such a company without the Board's approval; prohibits any such company from acquiring any additional bank, or as much as 5 percent of the voting stock of any bank, without such approval; prohibits banks that are a subsidiary of a holding company from lending to or investing in the parent company or other subsidiaries; and prohibits bank holding companies, subject to certain limited exceptions, from engaging in nonbanking businesses.

The Bank Holding Company Act is an excellent piece of groundbreaking legislation. But the Bank Holding Company Act in its original form was not designed to stand the test of time. Rather, it was designed as a stopgap measure to prevent unwholesome concentration of banking and nonbanking enterprises which could eventually do away with the independent banking system that helped to mold this Nation into its economic greatness. The fact that the Bank Holding Company Act of 1956 was not considered a complete legislative answer to the overall problem of concentration and conflicts of interest in banking is made clear in Senate Report No. 1095, 84th Congress, 1st session, page 19 in the following manner:

> It represents a compromise to meet acceptance of proponents of this type of legislation, while at the same time being fully fair to the companies to which the provisions of the bill will apply. In view of the lack of adequate legislation concerning the formation and operation of bank holding companies, your committee strongly urges the passage of this bill. Perfecting amendments may then be considered upon their merits by any subsequent Congress.

The act itself directed the Board of Governors of the Federal Reserve System to report to the Congress within 2 years, and each year thereafter in the Board's annual report, "the results of the administration of this act, stating what, if any, substantial difficulties have been encountered in carrying out the purposes of this act, and any recommendations as to changes in the law which in the opinion of the Board would be desirable."

RECOMMENDED BY FRB

The legislation before this body today, H.R. 7371, is a product of both of those congressional directives. It is easily justified as a perfecting amendment to the Bank Holding Company Act and has been consistently recommended by the Federal Reserve Board since 1958. Basically, H.R. 7371 would amend the

Bank Holding Company Act of 1956 by broadening the coverage of the act. The act presently excludes from coverage partnerships and trusts, other than business trusts, as well as nonprofit religious, charitable, or educational organizations. The bill before you today would repeal these unjustified exemptions, except for trusts established for individual beneficiaries and which must terminate within 25 years, or upon the death of a named beneficiary; such "family type" trusts would continue to be exempt from the act.

When the Bank Holding Company Act was passed, several exemptions were granted because it was felt necessary to do so in order to get a basic bank holding company law passed. These exemptions were not granted to provide competitive inequality in the bank holding company field. In short, it was not the intent of Congress to make it easier for some bank holding companies to operate while making it more difficult for others to compete in the same field.

A HYPOTHETICAL VIEW

Let us for a moment look at a hypothetical case of how the competitive advantage would work in favor of an exempt company. If company A, a registered bank holding company, and company B, an exempt company, were both interested in purchasing bank C, company A would have to obtain permission from the Federal Reserve Board before making the purchase. Such approval would take weeks, if not months, and would be subject to extensive review by the Board. However, company B, the exempt company, would not have to obtain permission from the Federal Reserve Board and could purchase bank C without any form of approval from higher authority except for the stockholders of the bank and the bank holding company. Similarly, an exempt company could sit back and wait for a registered company to make its move to purchase a bank and apply for such purchase authority from the Federal Reserve Board. Prior to approval by the Federal Reserve Board the exempt company could move in, make a better offer to the bank and sew up the deal while the registered bank holding company was still trying to obtain clearance from the Federal Reserve Board. Certainly, this is not the type of competitive equality that Congress envisioned when it passed the Bank Holding Company Act.

There are other dangers in allowing a bank holding company to hold both banking and nonbanking company interests. These were brought out in the Banking and Currency Committee's report on the 1956 act dealing with the divestment provision of the legislation. The report in part stated:

> The reasons underlying the divestment requirement are simple. As a general rule, banks are prohibited from engaging in any other type of enterprise than banking itself. This is because of the danger to the depositors which might result when a bank finds itself in effect the borrower and the lender. It is for this reason, among others, that statutes limiting the investments by banks have been passed by both Congress and the State legislatures.
>
> The bank holding company is under no such restriction. It may acquire and operate as many nonbanking businesses as it has funds and a disposition to acquire. There are in the country today, as has been pointed out previously, bank holding companies which, in addition to their investments in the stock of banks, also control the operation of such nonbanking businesses as insurance, manufacture, real estate, mining, and a number of others.
>
> Whenever a holding company thus holds both banks and nonbanking businesses, it is apparent that the holding company's nonbanking business may thereby occupy a preferred position over that of their creditors in obtaining bank credit. It is also apparent that in critical times the holding company which operates nonbanking businesses may be subjected to strong temptation to cause the banks which it controls to make loans to its nonbanking affiliates even so such loans may not at the same time be entirely justified in the light of current banking standards. In either situation the public interest becomes directly involved.

GREAT POTENTIAL FOR ABUSE

In short, the potential for abuse was so great if holding companies were allowed to delve into multiple fields, it was felt that such diversification should not be allowed. The fears were well founded in 1956, and they are well founded in 1965, for if a bank through its parent holding company is associated with other businesses in its trading area, then the association of the bank and a nonbanking enterprise puts other banks and industry in that area at a competitive disadvantage. Deposits of the captive industry, which normally would be sought in a competitive market would automatically go to the affiliate bank. There could be a freeze-out on lines of credit from the captive bank to businesses and industries that competed with the companies that were controlled by the bank holding company. The potentials for abuse are unlimited if such situations are allowed to continue.

The legislation before you today, when it was originally introduced in the 88th Congress, would have applied to only two testamentary trusts, only one of which would have been seriously affected, because the other had only minor nonbanking interests. The 1 trust principally affected controls 31 banks in a single State with deposits of more than $60 million, plus a number of important nonbanking interests, including railroads, paper mills, and sizable real estate interests. Most of the income from the trust now goes to the testator's widow, but upon her death it will go to a charitable foundation. However, the concentration of banking assets combined with substantial nonbanking businesses would, in this case, continue to exist in perpetuity.

During hearings on H.R. 7371, members of the Banking and Currency Committee felt that legislation should be broadened so as to close other loopholes in the Bank Holding Company Act. The expanded version of H.R. 7371 now removes from the exempt category partnerships, nonprofit religious, charitable, or educational organizations.

It is impossible to determine what companies would be covered under the expanded legislation, since exempt companies are not required to report to the Federal Reserve Board, nor for that matter are they subject to any bank supervisory agencies' control. However, during the multiple hearings that were held on H.R. 7371 and its predecessor bill, only one witness appeared in opposition to the measure which would seem to indicate that only a limited number of organizations would be subject to registration under bank holding company status.

Given two choices, this legislation would not automatically require such registration but would give the affected organization a choice of either (1) registering as a bank holding company, or (2) divesting itself of most of its banking interests. It would be able to retain some of its banking interests by reducing these holdings to acceptable minimums of the Federal Reserve Board. If the company chose to register as a bank holding company, it would have to divest itself of all nonbanking businesses. In the past, the Federal Reserve Board has ruled that businesses which are closely related to the business of banking and which deal solely with the operation of the bank, may be held by the bank holding company. Included in this category are data processing firms which handle the accounting work for the banks.

Mr. Chairman, H.R. 7371 is truly a bipartisan measure. It was reported favorably from the Banking and Currency Committee by a vote of 21 to 4. In the past, Congress has been criticized for not taking action until a problem arose. This is not the case with the legislation before you today. As I stated earlier, the potential for abuse in the areas of unregulated holding companies which control both banks and nonbanking enterprises is unlimited. We can correct that situation today and practice preventive legislation by passing H.R. 7371.

Mr. BROCK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I intend to be very brief. We have covered this subject fairly completely in extensive hearings over 2 years. We discussed it thoroughly when we debated the rule 2 weeks ago.

The Bank Holding Company Act is an act to prevent conflict of interest, in that it prohibits a bank holding company from owning nonbanking assets. The purpose I think is fairly clear.

Mr. Chairman, if we got into a difficult economic situation there might be a tendency for a parent company to ask its bank to give special consideration to loans on other banking facilities to another nonbanking subsidiary, thereby creating a dangerous situation for the depositors in that bank.

Mr. Chairman, the particular bill which we have before us is an attempt to remove one of the exemptions from that law which was granted some 8 or 9 years ago, in 1956.

In 1956 when the Bank Holding Company Act was passed several exemptions were written into that act. For instance, we exempted labor unions and agricultural cooperatives, and we exempted charitable foundations. The bill we have before us is an attempt to remove one category of exemption, that of charitable foundations or testamentary trusts.

Mr. Chairman, as a matter of fact, it only strikes at one foundation, the Du Pont Foundation for Crippled Children. I do not believe in committee many of us argued against the fact that exemptions should be removed. There is a possibility of conflict of interest. There is a possibility of unfortunate adverse economic effects. I do not believe such effects have occurred as a result of these exemptions, but the possibility does exist. Therefore, we should legislate in order to eliminate such potential danger.

Mr. Chairman, we felt that if we were going to attack the problem at all, we should look at the total problem, at the total Bank Holding Company Act and at all exemptions.

Now, Mr. Chairman, the chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. PATMAN], will say that we held no hearings on all of the exemptions relating to charitable foundations, but as a matter of fact, we had substantial hearings on removing the exemptions.

Mr. Chairman, in the last 7 years the Federal Reserve Board of Governors has on 25 separate occasions asked the Congress to remove all exemptions under the Bank Holding Company Act. We held hearings on their request. We have considered it thoroughly.

Mr. Chairman, during the hearings on the bill and in executive session I asked whether it might not be possible to hold hearings on removing all further exemptions if we were going to pass this one particular segment and was assured that we would. This was 3 or 4 months ago and we have had no hearings whatsoever.

Mr. Chairman, as far as I am concerned the Congress of the United States has a unique responsibility, the responsibility to do what we can through the legislative process not only to insure equity but to insure ourselves against further potential damage.

Mr. Chairman, it is our contention on the minority side that if we are going to pass a bill removing exemptions, we should remove all exemptions.

This is the thrust of an amendment which will be offered by the gentleman from Florida [Mr. BENNETT] and I would urge that we all support it.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New York.

Mr. CELLER. Does the gentleman think we should follow the recommendation of the Federal Reserve System, which was to the effect that all exemptions now pertaining to banking holding companies should be eliminated? Should we develop comprehensive legislation with respect to those exemptions as advocated by the Federal Reserve System, and not pick off like the leaves of an artichoke, one by one, these so-called exemptions? Am I correct in that?

Mr. BROCK. The gentleman is entirely correct.

Mr. CELLER. Is it not also a fact that if a farm organization or a labor organization or a horticultural organization or a charitable organization owns and operates a chain of banks, the danger of bank concentration is present in all those organizations owning those chains of banks; is that correct?

Mr. BROCK. That is correct.

Mr. CELLER. It is no different than the ownership of a bank by a so-called foundation that is aimed at in this bill, is that correct?

Mr. BROCK. That is correct.

Mr. CELLER. Therefore, does it not seem logical that a bill should be immediately brought before the Congress taking care of all those exceptions; that we should not approach this difficult problem, this vexatious problem, ad hoc—one by one. Am I correct?

Mr. BROCK. I agree with the gentleman.

Mr. CELLER. Does not the gentleman think it is rather naive to believe that the Committee on Banking and Currency will attempt, for example, to divest the trust company of Atlanta, Ga., from its operation of the Coca-Cola International Co? The Federal Reserve System said that company should be separated from nonbanking facilities. Here you have the reverse, which is an exception also, in the Bank Merger Act to leave this huge bank in Georgia operating a commercial endeavor that traverses the whole world?

Does not the gentleman think it is rather naive that the Committee on Banking and Currency will come forward with this comprehensive approach and force the trust company of Georgia to divorce itself from the Coca Cola Co.? Is it not rather naive for us to believe that?

Mr. BROCK. As the distinguished chairman of the Commitee on the Judiciary knows well, we will not take time to go through these.

Mr. CELLER. There are also labor organizations in the banking field, and I am a laboring man. I have always fought for labor. Does the gentleman think it would be naive or not to think that the Committee on Banking and Currency as constituted is going to come in here and force a labor organization to give up its banks? Does the gentleman think it is naive to believe that?

Mr. BROCK. I agree with the gentleman.

Mr. CELLER. Because of the power of the labor organizations.

Furthermore, does the gentleman think a farm organization or a horticultural organization which owns banks should be compelled to come under the Bank Merger Act?

Do you not think it is naive for us to believe that the Committee on Banking and Currency would bring legislation forth to accomplish that?

Mr. BROCK. I certainly do. I thank the gentleman for his contribution. This is the entire thrust of the opposition to the bill as it is presently constituted.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. LAIRD. I appreciate very much hearing the gentleman's explanation of this bill. I have looked over this report and I note that the committee report does not include any report from the Treasury on this bill. I asked my office staff to look into this matter and I find a report was rendered by the Treasury Department on this bill, a bill that was the initial version of the bill that is before us today, H.R. 10668. I intend to put that report in the RECORD at this point.

The report says:

THE GENERAL COUNSEL
OF THE TREASURY,
Washington, May 26, 1964.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on H.R. 10668, "To amend the Bank Holding Company Act of 1956, and the Federal Deposit Insurance Act, as amended."

The proposed legislation would amend the Bank Holding Company Act of 1956 and the Federal Deposit Insurance Act to include within the definition of the "bank holding company" any testamentary trust controlling bank assets of $100 million or more.

The proponents of this legislation are frank to admit that it is aimed at only one existing situation, the Alfred I. du Pont Estate, a testamentary trust which owns control of 31 banks in the State of Florida and numerous other corporations including a large paper manufacturing operation and the Florida East Coast Railway. The railway has been the subject of a bitter strike for the past several months.

It is the expressed intent of the proponents to subject the Du Pont Estate to the provisions of the Bank Holding Company Act. This would require the estate to dispose of either its nonbanking corporations or of the 31 banks.

The technical provisions of the bill are three, as follows:

1. The definition of "company" in the Bank Holding Company Act of 1956 (12 U.S.C. 1841(b)) would be amended to include "any corporation, business trust, testamentary trust, which at the end of the most recent calendar year controls bank assets of $100 million or more."

2. The present exemption in the Holding Company Act for charitable corporations would be amended to exclude any charitable foundation which controlled bank assets of $100 million or more.

3. The Bank Merger Act (12 U.S.C. 1828(c)) would be amended to include in the subjects which the approving agency had to consider on any merger "possible inconsistency with the purposes and objectives of the Bank Holding Company Act of 1956, should the transaction result in the removal of any company from the purview of that act."

The intent of the third amendment in relation to the Du Pont Estate seems remote. The explanation given by the sponsor in his remarks introducing the bill was along the following lines. The Florida Legislature at some time in the future may remove restrictions on statewide branching. If this happens, the Du Pont Estate would be in a position to merge its 31 banks into 1 large bank. The agency, having to approve such a merger, would be required under amendment No. 3 to reject such a merger as inconsistent with the "purposes and objectives of the Bank Holding Company Act of 1956." The reasoning behind this seems a bit attenuated since it is problematical whether it can be said that one of the purposes and objectives of the Bank Holding Company Act is the preservation of an existing bank holding company over some other form of combination.

Amendment No. 3, unlike the other two proposals could, we believe, have unintended effect in the case of proposed mergers of banks controlled by an existing bank holding company having no relation to the Du

> Pont Estate situation. For this reason alone, and also because of its vagueness and obscurity, we would object to proposal No. 3.
>
> With regard to the intent of the bill as a whole, we do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation. The Federal Reserve Board and others have suggested amendments to the act of general application, having much greater importance in our opinion than the Du Pont Estate situation. Any unsolved problems of Government regulation inherent in the Du Pont Estate situation should, we believe, be handled only in the context of legislation which would have general application.
>
> The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

This is signed by the General Counsel of the Treasury Department.

It seems to me that the Committee on Banking and Currency has not fulfilled all of its requirements by making no mention of this adverse report. It would seem the committee has gotten out a stiletto to go after one group without facing up to the problem that exists from one end of this country to the other.

It is the most recent report from the Treasury Department which was requested by the committee at the time the overall hearings were held on this bill.

Was this Treasury Department report considered by your committee?

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. PATMAN. I would like to know the date of that letter. It does not sound like this particular bill. What is the date of the letter?

Mr. LAIRD. I refer you to the committee report.

Mr. PATMAN. What is the date of the letter?

Mr. LAIRD. I will answer the gentleman's question in due time. Mr. Chairman, will the gentleman from Tennessee yield?

Mr. BROCK. I yield to the gentleman.

Mr. LAIRD. Your report which is dated June 21, 1965, states as follows and I quote from page 4 of that report:

> The initial version of the bill (H.R. 10668, 88th Cong.)—

You refer in this report at some length to this bill and in your report use as the basis of a great portion of your report the hearings which were held on that bill. Those hearings were held in the second session of the 88th Congress. This report was dated May 26, 1964, and refers to the very same bill that is used as the basis for the discussion of this bill by the Committee on Banking and Currency. I have here the hearings which were held on the bill which are the basis for this report which is given to us today as the basis for the enactment of this legislation.

Mr. PATMAN. Mr. Chairman, will the gentleman yield to me at this point?

Mr. BROCK. I yield to the gentleman.

Mr. PATMAN. I would like to invite the gentleman's attention to the fact that he should read on just a few more lines and I think his criticism is answered. In this report it says, and I am quoting from page 4 of the committee report:

> H.R. 10668 was criticized as "class legislation" aimed at one particular organization. Partly in response to this criticism and partly in recognition of the strong arguments advanced for closing other loopholes in the Holding Company Act, your committee has broadened the bill.

In other words, the gentleman is talking about a different bill in a different context, not one like the bill that we now are considering.

I should like to make one further statement. The Treasury Department does not supervise the banks. We have supervisory agencies, three in number, but none of them is the Treasury Department.

Mr. BROCK. In reply, let me say, first, that one of the supervisory agencies is a department of the Treasury Department and is under the direct control of the Treasury Department.

Mr. PATMAN. That is correct.

Mr. BROCK. The point that we are ducking around here is this. The chairman has said that we broadened the bill. The letter which the gentleman refers to relates to the fact that the bill covers only one category of exemptions. When we broadened the bill, we did not broaden the category of exemptions. The first bill provided that we would remove those exemptions from charitable foundations with assets in excess of $100 million. The only way we broadened the bill was to reduce that amount of money. That did not cover any other exemptions under the Bank Holding Company Act, including agriculture, labor and other activities. The chairman knows that.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Florida.

Mr. SIKES. We heard about a broadened bill. How broad is the bill? Does it cover anyone except the Du Pont estate?

Mr. BROCK. It is hard to see how the bill was broadened when it covered only one company before, and it still covers only one company today. The terminology might be broadened but not the application.

Mr. LAIRD. Mr. Chairman, will the gentleman yield at that point?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman from Texas cannot name a single other party that would be affected by this legislation.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. If the exemption was obtained by mistake in 1956 for one company—and that was a mistake—why should we be criticized for merely aiming at one company when a bill is brought forth to repeal that one exemption? As the gentleman from California [Mr. HANNA] has often pointed out, yes, it was a single shot bill when they got it; it is a single shot bill when we remove it. It is obviously that way.

Mr. BROCK. The point that we are trying to make is that if there is a case for removing exemptions under the Bank Holding Act which apply to many groups so that we have an equitable situation and an honest application of the law, then the Congress of the United States has no right to single out one and ignore the other exemptions. That is exactly what we are doing under this bill. That is our objection to the bill.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. I believe it was the gentleman from California [Mr. TALCOTT] who raised this point in committee. I asked him to find out and, with the support of the committee, he made an effort to find out and he came up with about 10 different companies that are included in the bill. Those are 10 that the gentleman did not know about. I have their names here. But they did not complain. They are willing to take it, and although it will affect them, since the language is as broad as it is, they just cannot afford to come forward and say that the bill ought not to pass, because the law is reasonable and the bill ought to be passed.

Mr. BROCK. The chairman knows full well that these same 10 people who were named, when contacted, said, "We have read the new bill and do not feel that we are covered under the broader applications." There still is only one company under this bill.

Mr. WELTNER. Mr. Chairman, will the gentleman yield to me?

Mr. BROCK. I yield to the gentleman from Georgia.

Mr. WELTNER. Is there anything in the Bank Holding Act which would prevent any estate at this point from acquiring both banking and nonbanking interests? Is there anything that would prevent duplication of the DuPont situation?

Mr. BROCK. Rather than "estate," the gentleman means testamentary trusts?

Mr. WELTNER. That is correct. Is there not some value in considering not only what the situation is but what the situation might become through the existing language in the bill?

Mr. BROCK. I agree completely with the gentleman. I think there is substantial value in precluding potential danger.

The same answer would apply in the case of other exemptions now allowed under the Bank Holding Company Act.

Mr. WELTNER. Is it the gentleman's feeling that without considering the effect of removal of all exemptions upon companies or entities which might be affected by such removal, we should proceed to do so at this point?

Mr. BROCK. Not at all.

I would reply to the gentleman in this fashion: We have had substantial consideration of the removal of all exemptions by several regulatory agencies, specifically the Board of Governors of the Federal Reserve System. They have testified several times in this behalf.

They have submitted several requests to the Congress to remove all exemptions. We have had hearings on this subject.

I see no reason why we are not in a position to act on the Bennett amendment, or some modified version thereof.

Mr. WELTNER. Does the gentleman feel that at this stage of the game we are prepared to enact that portion of the Bennett amendment which would change the 2-bank definition to a 1-bank definition and apply the provisions of the Bank Holding Company Act thereby to some 341 banks all over the country?

Mr. BROCK. I would say, as is the case with respect to most legislation we pass these days, I have some area of disagreement with it. I have my own amendment which I would prefer to offer, which is different in substance from the Bennett amendment. It would remove these other exemptions. I would prefer that. I am supporting the Bennett amendment in an effort to make an honest attack on the problem.

Mr. WELTNER. The gentleman is saying, in effect, that the Congress needs to give full and careful consideration to each exemption. I submit that Congress has done that in connection with the present exclusion from the coverage of the Bank Holding Company Act of testamentary trusts. It has done it with respect to those companies affiliated with companies registered under the Bank Holding Company Act, as in the case of the Financial General Co.

I believe the chairman indicated—and I can be corrected by the chairman—that the Committee on Banking and Currency will proceed to consider exemptions. I believe he has made quite plain that that is the case. I would submit that the time to act upon this exemption is now and the committee and the Congress have a full opportunity to know all of the ramifications.

Mr. BROCK. I thank the gentleman.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the chairman.

Mr. PATMAN. I believe the gentleman made a mistake. I know he did not intend to. He said we have had hearings on all exemptions. I believe that is a mistake. We did not have hearings on all the exemptions for the obvious reason that just 1 exemption would involve 341 different banking chains and institutions in 44 States. All would want to be heard. It would take 2 or 3 months to hear that. We did not hear them all before.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I have before me the legislative calendar for the Banking and Currency Committee for the 2d session of the 88th Congress. I turn to page 130. We look at docket No. 448, a bill by the gentleman from Texas [Mr. PATMAN], by request, April 14, 1964. This happens to be the bill the Federal Reserve recommended—a so-called Federal Reserve bill—H.R. 10872, to amend the Bank Holding Company Act of 1956, and for other purposes.

Action, as shown in the committee calendar:

> April 28, 1964, hearings held by the full committee.

Here are the hearings which were held by the full committee on the recommendation of the Federal Reserve Board, and they cover the same items exactly as referred to by the gentleman from Georgia, particularly as to the one-bank amendments, which is the simplest part of the recommendations of the Federal Reserve Board.

I believe this record shows that hearings were held. This hearing document, which was published by the committee, shows that those were very exhaustive hearings held on the removal of all exemptions.

Mr. BROCK. The gentleman is entirely correct.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Florida.

Mr. HALEY. Of course the gentleman is correct. The gentleman is pointing out the fact that this is punitive legislation. If you want to apply this in the overall picture that is one thing, but why put the bill on one man's back. That is exactly what is involved.

These people have committed many sins of omission and commission. I do not defend those, but this organization has done more for the economy of my State than anybody that I know of. I think that the Congress is doing a great disservice when they come here with punitive legislation directed at just one organization in this great United States. It is wrong and you should defeat this bill or amend it and take everybody in under the same umbrella.

I thank the gentleman for yielding to me.

Mr. BROCK. I thank the gentleman for his contribution.

Mr. PATMAN. Mr. Chairman, will the gentleman yield to me?

Mr. BROCK. I yield to the chairman of the committee.

Mr. PATMAN. I would like to invite the gentleman's attention to the fact that the gentleman is correct in saying hearings were called on H.R. 10668 and also included another related bill for hearings, H.R. 10872. However, there were no hearings on the latter bill at all. All the testimony was on 10668. I think the gentleman will be convinced of that when he examines the testimony.

Mr. LAIRD. Mr. Chairman, will the gentleman yield once more?

Mr. BROCK. I yield to the gentleman.

Mr. LAIRD. If the chairman of the Committee on Banking and Currency will examine the testimony of the Federal Reserve Board that was given at these hearings, he will see that they constantly refer to this bill. The Committee on Banking and Currency quite properly on the front of the cover of these hearings states that the hearings were on H.R. 10668 and H.R. 10872. I would suggest most respectfully the chairman of the committee read the Federal Reserve Board's testimony in this particular matter, which dealt with it quite thoroughly.

Mr. PATMAN. Will the gentleman yield briefly?

Mr. BROCK. Certainly I yield.

Mr. PATMAN. I would like to suggest that not one witness requested an opportunity to be heard on that bill. That is the reason why we did not have hearings. The fact that the Federal Reserve Board made some reference to it I do not think would be sufficient to say that the committee had hearings on the bill. The committee did not have hearings on the bill, H.R. 10872.

Mr. KEITH. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I am glad to yield to the gentleman.

Mr. KEITH. I would like to ask as to the reason for these exemptions at the time of the passage of the act in 1956. There must have been some logic to these exemptions. I realize that you were not on the committee at that time. Perhaps the chairman of the committee could enlighten us as to the reason for these exemptions.

Mr. BROCK. I yield to the chairman for that purpose if he wishes to answer the question.

Mr. PATMAN. I did not hear the question. I am sorry. Mr. REUSS, who has heard the question, will answer it.

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. REUSS. I heard the question, which was, what was the purpose of the various exemptions in the 1956 act? Since I, like the distinguished chairman, was a member of the committee at that time, I can answer this by saying, just as the other day the wise and witty gentleman from Virginia [Mr. SMITH], the chairman of the Committee on Rules, conceded on the House floor that the great Committee on Rules was not always without sin, so I would have to be the first to admit that in 1956 we of the House Committee on Banking and Currency, in putting forth this bill, unwittingly left undone some things that we ought to have done and we did some things that we ought not to have done. Now, in all humility, we come before the House to say that a rather egregious loophole in granting an exemption to testamentary trusts, after full and fair hearings before the Banking and Currency Committee, ought to be closed.

Let me say, in addition—and I am speaking for myself—that I am by no means convinced there are not other loopholes in that 1956 Holding Company Act which also ought to be closed. Although I am a friend of labor, I see no reason under the sun why a labor union which is a holding company and which controls as the Ball estate does, a number of banks plus a number of industrial operations—I see no reason why such an organization should not be subject to the Bank Holding Company Act.

I am equally partial to horticulture, and was even before the current interest in beauty, but even a horticultural organization which is a holding company and which controls 31 banks, a railroad, and some papermills and has real estate interests, ought to be also subject to the Bank Holding Company Act. I am ready to go to hearings on that and extend the withdrawal of the exemption for those.

But in answer to the very fair question of my friend, the gentleman from Massachusetts [Mr. KEITH] I would say in all humility that the Committee on Banking and Currency erred, and even this body erred, in 1956. I hope Members will be charitable to us now that we have come in and tried to repair the wrong that we did.

Mr. KEITH. Mr. Chairman, if the gentleman will yield further, I would like to ask another question on the same line. There must be some economic hardship that would be felt by others who would be disturbed by this change in the status quo. It would have in some areas of our country, certainly, adverse effects upon the economy of those areas. I realize that you maintain that in the long run there would be beneficial effects and greater security for the investors in these banking institutions. But it seems to me that business builds on confidence that the rules of the game will not be changed, and investors have put their money into these holding companies in years past feeling that the Congress in its wisdom established these exemptions and that there were some safeguards with reference to the formation of new holding companies where they had to go to the Federal Reserve Board.

Now if we are going to change the rules in the middle of the game, has consideration been given to the adverse effect of amending this bill by making it broader in its application and, in fact, removing all exemptions?

Mr. REUSS. Mr. Chairman, if the gentleman will yield further, the gentleman from Massachusetts, as always, has a point. This is in a sense changing the rules of the game that were written in 1956, but I can assure the gentleman that very full consideration was given to this by the committee and it was the judgment of the committee that these 31 banks would continue, this railroad would continue, these papermills and other industrial interests would continue. But they should continue while recognizing a valid principle of our banking laws—that by and large our banks in America, and our industrial and commercial organizations, ought to be kept separate.

As I said to the gentleman, I will be the first to concede that we should have done this right in 1956, but I think the public good will be served now by doing what we should have done then, and I do not believe that the hardship consideration comes anywhere near equaling the public interest consideration.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield.

Mr. HALEY. What assurance has the gentleman from Wisconsin that these banks will continue, that these railroads will continue, that these various plants that these people own will continue to operate? If I were in their position and this kind of legislation were directed at me, I would pull out and put the money in good tax-exempt bonds and forget about the economy of the State or the community.

Mr. REUSS. Mr. Chairman, I shall try to answer the gentleman, if the gentleman from Tennessee will yield again to me, by saying that the assurance is contained in the commonsense of Members of this body. The fact is that the great State of Florida needs adequate banks, it needs railroads, it needs paper mills and it needs the other elements in this great testamentary trust organization. I cannot believe that the various banking and nonbanking organizations exist solely because of the lack of arm's-length dealing by putting them all under one testamentary trust umbrella.

I would like to think that the economy of the great State of Florida is sound enough so that it can support these disparate banking and nonbanking activities without giving them the unfair advantage which organizations in other States do not have.

So I would conclude by saying that I have great confidence in the economy of the State of Florida. I think it needs good banks; it needs good railroads and industrial organizations; but it does not need them under the same umbrella, and no other State in the Union has it that way.

Mr. BROCK. I would say to the gentleman from Florida that I would have to agree that these banks probably will continue, although with perhaps a less degree of incentive than they have had in the past. But I believe the gentleman from Wisconsin [Mr. REUSS] is somewhat arguing against his own case when he says that we must deal with this problem in this particular area with testamentary trusts. He agrees that we perhaps would find it difficult to justify a case for a horticultural cooperative or an agricultural cooperative or labor organizations. Why did the committee not meet its responsibility to consider the whole thing? If the chairman is correct in saying that we did not hold hearings, then we cannot agree with the gentleman that we are meeting our responsibility in the entire area of the Bank Holding Company Act.

Mr. REUSS. Mr. Chairman, will the gentleman yield further?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. REUSS. I would hope that the gentleman from Tennessee or another member of the committee would introduce a bill, or a series of bills——

Mr. BROCK. I would advise the gentleman from Wisconsin that I have done this.

Mr. REUSS (continuing). Directed at these particular problems, I certainly will pledge my ardent attention to them, because I could not agree more with the gentleman that if one loophole is closed attention ought to be given to other loopholes.

I would call to the attention of the gentleman, however, the fact that very frequently our House Committee on Ways and Means comes to the floor of the House with a bill designed to close certain tax loopholes.

I do not believe it wise or in our province to say that we are against the House Committee on Ways and Means for trying to close loophole A, because on the same day they do not come in and try to close loopholes B, C, and D. Let us take what the committee produces and act on it and then, following the good advice of the gentleman from Tennessee, get moving on any other loophole.

Mr. BROCK. I would advise the gentleman that I have introduced a bill to this effect. I would be absolutely shocked and chagrined if I saw the Committee on Ways and Means coming before the House of Representatives and asking us to remove a loophole on Ford Motor Co. and not on General Motors and the Chrysler Corp. That is exactly what we are attempting to do today.

Mr. KEITH. Mr. Chairman, will the gentleman yield further?

Mr. BROCK. I yield further to the gentleman from Massachusetts.

Mr. KEITH. When this railroad company has its financial difficulties, does it turn to the Federal Government for assistance or does it turn to this holding company for assistance?

Mr. BROCK. To my knowledge, I would reply that it has turned to neither. The railroad was in receivership for approximately 30 or 31 years. It came out of receivership in the early 1960's, 1960 or 1961. It has since operated in the black.

Mr. Chairman, I would state in defense of the foundation and their banks and the other industries, that I know of no single case where these corporations have received special loans or any loans from the banks owed by the same holding company. They are on the open market seeking funds from any source; that is, the railroad is, and so are the other subsidiaries.

Mr. Chairman, we have no evidence whatsoever of any conflict of interest in this instance. We are attacking a problem which is a potential problem and not a present problem.

Mr. KEITH. If the gentleman will yield further, does the gentleman feel that the long-range implications of removing all these exemptions, have been studied and understood? It is not apparent, as yet, to me that you have proved that we should take such action, but neither do I feel that we have explored deeply enough thus far as a Congress the long-range implications with reference to an amendment that would remove all exemptions and change the status quo so substantially.

Mr. BROCK. Sometimes it is difficult for the Congress to know the total impact of its action. When we asked in this particular bill of the Federal Reserve and the other agencies what charitable foundations would be affected by removing this exemption, they did not know. I asked the chairman if the committee staff would take the time and responsibility of finding out what other charitable foundations and testamentary trusts would be affected under this bill and the chairman said no.

Mr. KEITH. When you fool around with testamentary trusts, it is a very serious matter, and one that needs thoughtful study.

Mr. BROCK. I agree with the gentleman.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. POOL. This is the same railroad that was bombed down in Florida at the time Mr. Johnson made a speech a few miles away. Then he comes back and condemned the railroad. That is the same railroad?

Mr. BROCK. The gentleman is correct.

Mr. POOL. This railroad is now operating in the black over the years, and has made money since 1961, that is correct?

Mr. BROCK. That is correct.

Mr. POOL. It is the same outfit that could not bomb it out of existence, and now they are trying to bomb it out of existence by getting the Congress to vote it out of existence, is that correct?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New York.

Mr. CELLER. With reference to the claim that entities other than the Du Pont Foundation are embraced in this bill, it is interesting to call attention to page 4 of the report, part of which reads as follows:

> During the hearings it was attempted to ascertain what organizations would be brought under the broadened bill, but your committee was unable to develop this information. Vice Chairman Balderston of the Federal Reserve Board pointed out that the Board has no means of requiring exempt organizations to report their holdings, and he informed the committee that the Board's efforts to find out from the Reserve banks what other trusts might be covered had produced only incomplete and unsatisfactory information.
>
> Since only one witness came forward to oppose the bill, it may be inferred that very few organizations are affected. But whether there are at present few or many, the potential for abuse persists in these unjustified exemptions.

This is an admission in the report that the committee was unable to disclose whether there was or was not any other organizations embraced in this bill other than the so-called Du Pont Foundation?

Mr. BROCK. That is correct.

Mr. CELLER. Does the gentleman think that is the proper way to legislate?

Mr. BROCK. No, sir; I do not.

Mr. CELLER. Is it not very much like a blind man looking for a dark hat in the dark, when the committee itself does not know whether or not the bill will affect other entities?

Mr. BROCK. I think so.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. I understand the gentleman from New York is going to support the Bennett amendment, so called.

I would like to ask the gentleman how can he support this amendment unless he knows what is involved and who is involved?

Mr. CELLER. I have read the amendment to be offered by the gentleman from Florida. It is a good amendment, and I hope it will prevail. I asked the gentleman from Florida whether he had conferred with the Federal Reserve Board as to his amendment. He said he had, and the Federal Reserve Board approved the language, and that it would embrace 25 exemptions that now exist in the Bank Holding Act which, as was indicated by my congenial friend, the gentleman from Wisconsin, for whom I have an abiding affection and great respect, who made sort of a confession in avoidance when he admitted that the committee was in error in not addressing itself more expeditiously and suitably to these other situations existing in the Bank Holding Act.

Now he comes in on behalf of the committee, confessing the error, and he seeks to avoid the responsibility. But I fear he cannot avoid the responsibility by just bringing in one of these exemptions and disregarding the other 24 exemptions—and those 24 may be just as baneful, just as mischiefmaking and just as disastrous to banking as the one entity that is contained in the instant bill. I cannot swallow a bill of that sort. It is a bone in my throat and it should be a bone in the throat of all those who want logic and cogency in the legislation that they approve.

Mr. BROCK. I thank the distinguished gentleman and the chairman of the Committee on the Judiciary for his contribution.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. PATMAN. But the gentleman did not name any of the companies that would be affected. He criticizes the committee for not naming them, but only names exemptions in general. I think if we were to name all the cases that would be involved in his broad blanket exemption, we would not have an opportunity of passing any bill in this Congress. We could not pick out an isolated case of injustice to all the people and get it passed because you would have so many in there affecting so many different districts that we probably would not have an opportunity to get it passed.

Mr. CELLER. If the gentleman from Tennessee will yield so that I may answer the distinguished gentleman from Texas whose zeal and enthusiasm I admire and who has done a great deal to prevent bank concentrations in this country. Although I may differ with him on this matter, it does not detract from my admiration for the fine work he has done

Mr. BROCK. I yield to the distinguished gentleman.

Mr. CELLER. Mr. Chairman, I have before me an office memorandum from the Comptroller of the Currency. I also have a letter here which clearly indicates the opposition of the Treasury Department. The Comptroller of the Currency also disapproves of this bill. Before I go into detail in answering the question of the gentleman from Texas, let me read what the Comptroller of the Currency says.

This letter is dated September 20, 1965. It is addressed to Congressman Sikes. It reads as follows:

> The proponents of this legislation are frank to admit that it is aimed at only one existing situation, the Alfred I. du Pont Estate, a testamentary trust corporation * * *.
>
> With regard to the intent of the bill as a whole, we do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation. The Federal Reserve Board and others have suggested amendments to the act of general application, having much greater importance in our opinion than the Du Pont Estate situation. Any unsolved problems of Government regulation inherent in the Du Pont Estate situation should, we believe, be handled only in the context of legislation which would have general application.

That letter is signed by James J. Saxon, Comptroller of the Currency.

Now the Comptroller of the Currency has indicated to me which exemptions of the Bank Holding Company Act would be cancelled out by the amendment that will be offered by the gentleman from Florida. These are the exemptions. The memorandum from the Comptroller of the Currency's office reads as follows:

> There are five more or less arbitrary exceptions in the act which are currently being used. Three of the exceptions are contained in the definition section and are therefore complete; that is to say, entities within such exceptions are not subject to any of the provisions of the act.
>
> The other two excepted categories in use are exempt only from the provisions requiring divestment of nonbanking functions, but are subject to the requirements for advance approval of acquisition of additional banks.
>
> The three categories of complete exemption are as follows:
>
> 1. Companies which are registered under the Investment Company Act of 1940, or which are affiliated with a company so registered. This is the exemption which Financial General Corp. enjoys. Manuel F. Cohen, chairman of the SEC said, in his testimony on H.R. 7371, that to his knowledge Financial General was the only company getting the benefit of this exemption.
> 2. Testamentary trusts such as the Du Pont Estate. The exemption is not express in the statute but is implied because the definition of "bank holding company" does not include testamentary trusts but only business trusts.
> 3. Any corporation or foundation organized and operated exclusively for religious, charitable, or educational purposes.

The bill we are now considering would not touch any of the foundations organized and operating exclusively for religious, charitable, or educational purposes.

Continuing to read from the memorandum:

> The two exceptions from the divestiture requirements are:
>
> 1. Interests acquired "by a bank which is a bank holding company" prior to the date of enactment of the Bank Holding Company Act.
> 2. A labor, agricultural, or horticultural organization which is exempt from taxation under section 501 of the Internal Revenue Code of 1954. The Amalgamated Clothing Workers of America controls one bank in New York and one in Chicago.

That operation would be unaffected by this act as would, in No. 1, the Trust Co. of Georgia, which has acquired the controlling stock interest of the Coca-Cola International Co.

I mentioned that earlier.

Those are some of the organizations that would be covered under this umbrella, under the amendment that will be offered by the gentleman from Florida [Mr. Bennett].

I say with all humility to the gentleman from Texas, if you are going to attack these organizations, do not do it piecemeal. Do not do it with an ad hoc approach. You have got to do it with some semblance of equality.

On the facade of the Supreme Court Building we read, "Equality before the law." This bill is a nullification of that equality, because it says to A, "The hex is placed upon you. A bar sinister is placed on you. But 24 other organizations, because of our inactivity and our failure to act, can go scot-free. There is no bar sinister on you. Therefore, what you are doing meets with our indirect approval."

That is not equality under the law. That is the very thrust of my objection to this bill.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. If the gentleman voted for the original act—and I think he did—he helped put the inequalities in, or he voted to keep those in that were in the original bill. We cannot take the word of the Comptroller of Currency because he does not control holding companies. He does not supervise holding companies. Only the Federal Reserve Board has the responsibility for supervising holding companies.

Mr. BROCK. That is exactly correct.

Mr. PATMAN. This is the only holding company in the United States like this.

Mr. BROCK. And the Federal Reserve Board has requested that we remove all exemptions.

Mr. PATMAN. The Federal Reserve unanimously endorsed this bill. They said it was a good start, a good approach.

Why should we try to put everything in without adequate hearing and kill the bill? Do you want to kill the bill? Why should you not want to remove this one exemption that does not exist in any other State? I am not against it because Florida is involved. Not at all. But why should anyone have a special privilege like this? The proposal involves a lot of money—over the years, millions of dollars. I can see why it would excite a great deal of interest.

Mr. BROCK. If the Congress should decide to enact legislation of this type from now on, we should forgo all recesses and go on a straight 24-hour day, if we are going to treat each case with a specific piece of legislation, rather than enter into the problem by general legislation.

We are in a situation in which one case has achieved a certain degree of notoriety. Rather than initiating responsible legislation, we react to the pressures involved and pass a bill that would affect only that special situation. We do not meet our responsibilities in the broad scope of the Bank Holding Company Act and consider all of these exemptions. That is my objection.

Mr. JOHNSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. JOHNSON of Pennsylvania. Is it not true that the testimony of Mr. Balderston on behalf of the Federal Reserve Board was to the effect that they agree they favor removing all exemptions, and because this bill is just a narrow step in the right direction they are for it—but it was a rather feeble endorsement of the bill?

Mr. BROCK. He also pointed out that he wanted the bill broadened, if possible, to include the other exemptions. He was very specific on this point.

Mr. JOHNSON of Pennsylvania. I believe it was pointed out that one of the reasons for this narrow bill is that it would afford the Du Ponts an opportunity to discriminate because they own 31 banks. Was any testimony presented to the committee—I do not recall any—which showed one single instance of any discrimination by these banks in Florida against anybody, and anything other than a good faith job of building up that great State and helping to make Florida the great State it is today?

Mr. BROCK. None whatsoever.

Mr. JOHNSON of Pennsylvania. Has the gentleman in his congressional career ever seen a bill before this Congress which had for its sole purpose discriminating against one firm and using the instrumentalities of the Congress to accomplish a result against one firm? Is not a bill like this wholly inconsistent with sound legislative processes? It is not befitting the Congress to pinpoint one firm like this. Has the gentleman ever seen a bill like this come before Congress previously?

Mr. BROCK. I have not.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Hanna].

Mr. HANNA. Mr. Chairman and ladies and gentlemen, I have listened to the argument here on the floor, and it was very reminiscent of the excellent presentation made by Mr. Ball when he was before our committee.

On that committee, at the time we considered this legislation, I had a seat way off at the end. This indicates that I come to you as a rather inexperienced Member, not well versed and not deeply experienced either in the well of this House or before this great body.

Having made that recognition of fact, with some hesitancy I will proceed to tell you what my experience was, way off on the end of the line, when I had the opportunity to listen to the tremendous exchanges before that great committee. I must say Mr. Ball was a great witness.

It was kind of like watching a bunch of dogs chasing a goose. They all try to get a piece of that goose. I tell you, as I watched the proceedings, there was no one who had more than a mouthful of feathers when they got through with Mr. Ball.

So when the time came for my small contribution, I made it. I see it here in the hearings, as reported. I said to Mr. Ball:

> Mr. Ball, I am brought to remember a little thing I saw on a coffeeshop wall in my district. It goes something like this: "As you go through life, my brother, no matter what your goal, keep your eye upon the doughnut and not upon the hole."
>
> Now, as you have presented your testimony, I have attempted to keep my eye upon the doughnut.

I have attempted, during this debate, to keep my eye upon the doughnut.

Where does it lie? The gentleman from Massachusetts [Mr. Keith] asked an excellent question. The question here is on the public policy as expressed in the Bank Holding Company Act itself. That public policy, simply stated, is that it is not good for people in business activity to own banks and to own competitive businesses within the same community. The feeling is that if they have a competitive business and they have a bank they have a financial advantage that is not fair. That is the public policy.

So Members will understand that when I proceeded with Mr. Ball I said:

> I should like to have some expression from you as to what overriding public policy demands the exemption of a testamentary trust.

Now to show you what an expert does. Whenever you do not want to answer a direct question and do not want to fight in the other guy's field, you create your own new field. Notice how Mr. Ball does this with an excellence which is a match for anybody here on the floor, and we have some great ones here. He said, he thought it would be upsetting to Mr. Du Pont if he were alive today to find that his will was against the public interest. I said:

> Well, it may be some succor to you to know that my preacher has indicated to me that the transmigration of souls to the world beyond is said to have a beneficial and clarifying effect on the powers of human reasoning and understanding, and that we might therefore expect that Mr. Du Pont will be in a position to appreciate that this Congress is talking about not his will but the public interest.

Let us get back to that. I asked, "Where is there an overriding public interest for the testamentary trust to be exempt from the great public policy expressed in the Bank Holding Company Act" We got no answer to that, because that was back in the ball park where we wanted to play the game. Then I said that it seems to me that we have—and let me say at this juncture Mr. Ball raised what has already been raised many times on the floor of this House, "Why do you pick on me, Charley Brown? Why is everybody picking on me?" He said, why don't you bring in the labor unions or why don't you bring in these shippers, and why don't you bring in everybody else?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PATMAN. I yield the gentleman 5 additional minutes.

Mr. HANNA. He said, Why don't you bring in these other people who are exempt? I said this to him, and I say it to you, that it seems to me you have to look at this in terms of the realities in life. The realities in life are that although there may be others, even in this area, requiring the Bank Holding Company Act policy to apply, you have to make certain distinctions in this world. I reminded Mr. Ball and I remind you of the fact that just because something carries the same name as another thing, it does not indicate it is in the same class. I pointed out to that because a thing is a horse that does not necessarily mean it has the same care and feeding. Suppose I asked you to give me one standard policy for the feeding and care of saw horses, clothes horses, show horses, plow horses, and race horses. Now, because I have called them all horses, are you going to be able to take care of them with the same standard of feeding and care? I suggest to you it would be a little troublesome. So it is here on this floor where the big question is being insinuated but never stated. This question is, who is going to name the dragon that we are going to slay? Is it going to be the great Committee on Banking and Currency that heard these bills or is it going to be somebody else on the floor of this House? Is that the way you want to play this game? I suggest to you these dragons are plenty tough to slay. Whether we are talking about a clothes horse or a saw horse, this is an entirely different grade of horse and he should be handled differently. If you think we can slay all of these dragons on the floor of this House all at once, then blessings on you, but I do not believe you really mean it when you say that.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Georgia, a member of the committee.

Mr. WELTNER. I thank the gentleman from California for yielding. Would the gentleman say whether or not it would be in the power of a testamentary trust to operate vast economic interests toward an evil end as well as a beneficient end?

Mr. HANNA. I should hope it would not happen, but it is within the power.

Mr. WELTNER. Is there anything about a testamentary trust that places it beyond the same temptations for abuse of economic power than those that might come to a corporation?

Mr. HANNA. Admitting to the vagaries and the susceptibilities of the human flesh, there are none. I would further say in answer to the question of the gentleman, and a very excellent question raised by the gentleman from Massachusetts [Mr. KEITH], if I might, as to what would be the result of this thing, may I go to the exchange in the testimony between Mr. Ball and myself. I said to Mr. Ball, Is there any policy that you are carrying out now insofar as the will is concerned that you could not carry out in the event we passed this legislation?

I said, "Remember, we are not taking anything away from you in this bill." And he said, "Well, Mr. Congressman, as I see it, a good part of it, even though you do not take it away from us, depends on the market price, what I could get for it, whatever it is you divest yourself of and the conditions under which you have to divest yourself of it."

I said, "We will give you plenty of time to divest, but" I said, "you have impressed me, Mr. Ball, as the kind of man if he has a certain amount of money in his hands, it will be wisely invested and there will be a good return from it."

And, believe me, you had to see that man operate to appreciate that that is true. This is what I said at that time:

> Mr. HANNA. Let me say on that score, Mr. Chairman, and that is my last comment on this thing, that I have been singularly impressed, Mr. Ball, with your outstanding ability and candidness, and I am sure that the amount of money that you would get for the divestiture will be in good hands and will certainly be invested in a way in which it will make a very justifiable return.

If he impressed me with anything, Mr. Chairman, he impressed me with that.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman.

Mr. WELTNER. Can the gentleman tell us from his perceptive participation in these hearings, whether there is any cause, whereby in the State of Florida, two groups of banks should be under the general Bank Holding Act, and one substantial group, the largest group in that State should be excluded from the provisions of the Bank Holding Company Act?

Mr. HANNA. Mr. Chairman, I will say to the gentleman, we strongly solicited such testimony and there was none.

Mr. WELTNER. Can the gentleman suggest one?

Mr. HANNA. I have wracked my brain trying to be as fair to Mr. Ball and the estate of Mr. Du Pont as I could be, and I have found none.

Mr. WELTNER. Mr. Chairman, if the gentleman will yield further, does he consider it to be a wise procedure to offer to any person or interest that might be affected by amending the Bank Holding Company Act the opportunity to be heard and present his views before our committee?

Mr. HANNA. Absolutely.

Mr. WELTNER. And would he consider it somewhat less than the congressional concept of due process to pass wholesale, far-reaching changes and to bring vast new interests under this act without the opportunity to be heard?

Mr. HANNA. I certainly do. I think the gentleman and I both have had considerable experience in law, in handling legal matters before a court, to know that the fact that you ask the same question does not mean that you get the same answer, because it depends on whom you ask it. Somebody may ask me how much my house is worth, but it depends on whether the questioner is the tax collector or whether he is a man who is going to sell the house what your answer is going to be. It seems to me that the fact that you ask the same question does not mean that you are going to get the same answer. It depends on whom you ask the question.

The general policy must be very carefully weighed in each instance.

Mr. WELTNER. Does the gentleman think, after holding extensive hearings in the 88th Congress and in the 89th Congress, and after examining carefully a substantial area that excludes vast economic interests and after concluding that there was no substantial justification for that exclusion, the time to act is now to foreclose that exemption.

Mr. HANNA. I think the gentleman is absolutely correct. We simply asked this question: Is the Bank Holding Act policy right? And then we asked the question, Is the elimination of the testamentary trust justified on an overriding policy? The answer to the first question was "Yes" and the answer to the second question was "No." The only other question before this body is how many dragons do you want to slay, in asking these questions on the floor of this House, when you know that you are going to get different kinds of testimony from different kinds of witnesses, depending upon whom you ask the question.

I would predict, Mr. Chairman, that at conclusion of all testimony, there will be no showing of a public policy served by the single exemption of the testamentary trust. There will be no showing of harm to the legitimate activities of an eleemosynary kind of the trust by the change in law.

Let us examine other exemptions as carefully as we have this one. Give those exempted the same ample opportunity to justify their exemption or to show unjust results by being covered by the excellent, well proven, general policy of the Bank Holding Act.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. BROCK. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. CELLER. Mr. Chairman and Members of the Committee, I hold no brief for or against the Alfred I. du Pont Foundation. The thrust of my argument is as follows: I condemn no entity, no foundation, no labor organization, I condone no such entity and I praise no such entity, nor do I dispraise such entity. All I desire is uniformity of treatment. I want no disparity of treatment. Treat all alike.

Mr. Chairman, I maintain this bill, and I repeat, is a one-shot proposal. It is not fair, it is not just, it is not equitable. It is very much like an approach to the abolition of the so-called 14(b), the right-to-work bill. It would be like passing a separate bill which would apply to each different right-to-work State. Or, it might be like applying that provision to each separate labor organization, today in favor of the steelworkers and a month from now in favor of the United Auto Workers, and so forth. We would shun such a procedure. Why use it here?

Mr. Chairman, that is no way to legislate and we never do legislate that way. So I do not see either the efficacy of this legislation, I do not see the justice of the legislation.

Mr. Chairman, it has been stated that the Treasury Department disapproves this bill. There has been some argument to the effect that the letter which was read—and I have a copy of it before me—spoke of the Treasury's disapproval referred to a previous bill. But, no matter how you slice this piece of bologna, it still smells of garlic, it still smells the same way. It is exactly the same. The previous bill is no different than the bill now before you.

Mr. Chairman, the Treasury Department said:

> With regard to the intent of the bill as a whole we do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation.

Now, Mr. Chairman, the bill as framed may be a little different merely in verbiage than the previous bill. But it still only covers the Du Pont Foundation.

You know, Mr. Chairman, words can be shuffled around in any way you wish. I have learned that art many years ago. When I would want to get a bill referred to my Committee on the Judiciary, I would shuffle the words around so that they would come under the jurisdiction of the Judiciary Committee and would not go to any other committee. That is an art I have learned many years ago. I am sure the very amiable and distinguished gentleman from Texas [Mr. PATMAN] has learned likewise. He knows how to juggle words.

Now, Mr. Chairman, there is need to set forth a standard, a criterion, a pattern under general legislation, and then any organization that falls within that pattern shall be deemed guilty.

It is unfair to say one is guilty and all the rest are not guilty.

This bill simply, in a very cavalier fashion, points only to one testamentary foundation and says that "you are guilty."

That is unfair because all other testamentary foundations that may be operating in the same fashion go scot-free.

Mr. Chairman, I read portions of the report which indicate that no one seems to know whether the bill covers the others or not, and these others may be doing exactly the same thing as this Du Pont Foundation does.

Mr. Chairman, this reminds me very much of the teacher singling out one pupil of the entire class for punishment, while the numerous others of the class may be just as guilty of the mischief. That is wrong, it is dead wrong.

It is very easy to ignite the flame of prejudice. It is easy when you refer to the Du Pont Foundation to conjure up an idea of wrongdoing. But I hope the Members of the House will not do that. I hope the daylight of reason will prevail. Only light can conquer darkness, only the light of logic can conquer the darkness of prejudice. I hope prejudice will not prevail here because a Du Pont is involved. I do not care whether it is a Celler, a Du Pont or a Vanderbilt, or a Patman—it makes no difference. I am interested in a principle here. Nor can we overlook—I cannot overlook—the fact this is a charitable organization.

I have been interested in charity all my life, as director of hospitals, eleemosynary institutions, children's home, family welfare, and so forth. I therefore have an interest in charity foundations in general. I do not know much about this one, about the Du Pont Foundation, except it was founded many years ago, long before the Bank Holding Act went into effect, decades ago. It provides that the wife of the testator shall have a life interest and after her death the money shall go to homes for destitute children and crippled children.

I know of no charity that is more worthy than that kind of charity.

We cannot lose sight of the fact, Mr. Chairman, that this is a worthy charity. There is not a blemish against the operation of this trust. Nobody has come forward with any accusation of any sort, no accusation against the operation of the banks which are controlled by a regulatory body in the State of Florida.

I was told at my mother's knee that there was "hope, faith, and charity, and that the greatest of these was charity." I was also told by my father about the 10 hard things of life. He said the mountain is hard, but fire melteth the mountain. We know how devastating a conflagration can be, but there is something with even more power than fire. That is water. We know how horrible and devastating any flood can be. We know, also that the air can waft it away. And if the air is terrifying, we know in this age of man that he can conquer the wind, that is, with jets, airplanes, rockets, and so forth. And if a man is inexorably cruel at times, as he has been, we know that wine can overcome man. And the effects of wine can be conquered by sleep, and if sleep is hard and inexorable, there is something stronger than sleep. That is death. And death is terrifying. But there is something even that can control death, and lives after death—that is charity. Charity can live even after death.

Therefore, when you consider this whole matter do not lose sight of the fact this is a testamentary trustee devoted to wholehearted charity.

Mr. MULTER. Mr. Chairman, I yield myself 10 minutes.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I am happy to yield to the gentleman.

Mr. WELTNER. Mr. Chairman, the distinguished dean of this House always has something to say that is worth hearing. Today is no exception. I was particularly impressed with his statement that we should treat all alike. Certainly no man in the U.S. Congress has stood more firm for equal treatment and equal opportunity that the gentleman from New York.

I think this bill offers an opportunity to realize that great principle of treating all alike. I think this bill offers an opportunity to the Members of the House to equalize the treatment of the two other bank holding companies in Florida with the Alfred I. du Pont estate. I think it offers an opportunity to bring them all under the same provisions and under the same restrictions and with the same privileges and opportunities.

Further I think it offers an opportunity to provide equal treatment for bank holding companies throughout the Nation. If there is only one instance such as the testamentary trust of the Du Pont estate, then that matter should be changed so that all stand on an equal footing. I think this bill accordingly is certainly in line with the great principle of equality so eloquently espoused for so many years by the gentleman from New York.

Mr. MULTER. Mr. Chairman, I dislike taking issue with our very distinguished dean. I have sat at his feet for many years. I think I have learned a great deal from him, and a part of that is the art of compromise.

If I may refer to the fact that he felt this was a bone in his throat, I would like as a student of that great surgeon to perform a little painless surgery and possibly remove that bone from the gentleman's throat.

I must remind my colleagues that our distinguished dean has addressed himself to the bill that was introduced last year and to the bill that was introduced originally and considered by the committee. He has not addressed himself to the bill that has been reported by the committee to the House.

I am one of those who during the course of the original hearings on the Bank Holding Company Act fought against any exemptions being written into the bill. I went along with it at that time so far as the exemptions are concerned, because I felt that was the only way we could get a bill to the floor of the House and get it passed.

All through these years, even though many times I have taken issue with the Federal Reserve Board on many important matters of principle, this is one matter of principle where we have stood side by side through the years against any exemptions from the Bank Holding Company Act.

Now what we are trying to do by the Bank Holding Company Act is not to put anybody out of business. You must bear in mind, originally the banking acts of every State in the Union as well as the national banking acts have always provided that they shall be brought into being by incorporators who will be identified as individuals. The reason for that was to keep corporate control and the cloak of corporate secrecy from the operation and control of banks. We wanted to know who the individuals were who are running the banks and who own the banks and who operate and control them. For years we were trying to tear down the mask of secrecy that was surrounding the operation of banks through the ingenious creation of the bank holding company. When we could not prohibit the bank holding company from getting into this business and staying in it, we took the next best step and that was to regulate them. That is what the Bank Holding Company Act does—and nothing more. It improves the regulation of the banks owned by the bank holding company and tries to regulate the bank holding company to the same extent as we regulate banks. No one who knows anything about banking will espouse the cause or the idea that the bank holding company, owning and operating and controlling banks, should be immune from the same regulations that we impose on the banks themselves.

That is all we seek to do by the Bank Holding Company Act. That is all we are seeking to do by this bill, to bring under its control more of the bank holding company operators whether they be in the form of a partnership, corporation or a group of individuals, or a joint venture or a trust.

Now there has been considerable said as to why we should not at this time go all the way and provide in this bill for taking away all of the exemptions in existing law.

It has been said that we do not know who these people are who may also be affected. That is true. But we do know who some of them are.

The Federal Reserve Board has, on a confidential basis, given to us a long list of names. They include some foundations, a college, university, and a school. All of these have been invited to appear before the committee and testify as to how the measure would adversely affect them if they were included within this legislation. None of them availed themselves of that privilege. Undoubtedly there are others whom we have not been able to put our finger on. The Federal Reserve Board tells us in so many words that undoubtedly there are others operating banks, and unless we require their registration under the Bank Holding Company Act, we shall never be able to control them. We shall never know who they are. We shall never know what they are doing.

If that is what Members would like to have, then, of course, they will reject this bill. But I do not believe there is any Member of this House who takes that view. If there are some labor organizations that own some banks—and we are told that there are—our committee should bring them in and have them state their case before the committee. If they cannot make out a good case for exemption—and I doubt whether they can—let us take the exemption away. I think we ought to hear them first.

It does not matter who it is, what it is, or what form of legal entity they take. They are entitled to no exemption from regulations unless they can make out a good case for it.

The trustee in this case has not made out such a case. He can show no harm. Bear in mind, when we enacted the first Bank Holding Company Act, in cooperation with the Ways and Means Committee, we had a title added to that bill that gave to these companies that would be required to divest either their banking or their nonbanking facilities, certain tax privileges. Bear in mind, we did not make the choice for them. We said to these holding companies, "You make the choice. If you want to run banks, and be a holding company, divest yourself of everything else. If you want to engage in any other field of activity—manufacturing or anything else—that is fine. Do that. You make the choice. But then either get rid of the banks or get rid of the nonbanking operations."

We do not want them operated together any more than we want banks to own and operate any kind of commercial venture, whether it be a merchandising company, a manufacturing company, or an import or export company.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield very briefly to the gentleman from North Carolina.

Mr. JONAS. I think the gentleman from New York is making out a good case for the elimination of all exemptions. What concerns and disturbs me is that the committee, in its support of this bill, is picking at one entity to deal with and leaving 25 others untouched.

I agree that if the labor unions own banks and are involved, they ought to have a hearing. But what I cannot understand is why the great Committee on Banking and Currency would not have heard of all these people at the same time and then brought a bill in for consideration by this body that would eliminate all the unwarranted exemptions instead of attacking the problem piecemeal.

Mr. MULTER. I am afraid the only way we would ever be able to accomplish the desired result is by doing it piecemeal.

I should like to call attention again to the fact that the bill is not aimed solely at one company. It may be that the hearings were prompted by the DuPont Co. acting as a bank holding company. But the bill before the House is not the bill introduced. I should like to read it. It is very brief.

The bill which was introduced, was amended and if enacted, as amended will define the word "Company" as follows:

> "Company" means any trust, or any corporation, association, partnership, or similar organization, but shall not include—

And then we define the Government-owned corporations.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. MULTER. So we do broaden it. It is true that this does not yet include the labor unions. It does not include foundations. It does not include colleges and universities.

I believe we ought to have hearings on such a bill. Possibly we should have addressed ourselves to that, but we did not.

There is another bill, H.R. 7372, on which we conducted hearings. That has been reported. That covers another facet of the Bank Holding Company Act, and will take away another exemption.

Let us not talk about taking away exemptions; let us talk about bringing under the control of the banking authorities those who are doing a banking business. That is what we seek to do by this bill.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from North Carolina.

Mr. JONAS. I could be wrong—the gentleman will correct me, if I am—but I was under the impression that the gentleman in the well has for several years introduced bills in the Congress which have been pending before this very committee, to bring other organizations under the purview of the Bank Holding Company Act, and the gentleman could not even get a hearing on them. Is that correct?

Mr. MULTER. It is not fair to say I could not get a hearing.

Mr. JONAS. Has the gentleman introduced such bills?

Mr. MULTER. The gentleman is correct in stating my philosophy. I say there should be no exemption from regulations of the Bank Holding Company Act.

Mr. JONAS. I asked the gentleman whether he has introduced such bills?

Mr. MULTER. Yes. Mine has been the minority view on the committee. It was the minority view in 1956.

We are attacking this, it is said, piecemeal. We are taking it piece by piece. We have reported from the Banking and Currency Committee this year two bills which will bring within the inclusion of the provisions of the act two situations. I hope that by the time we adjourn this Congress next year, there will be other bills passed to broaden the field and to bring more of them under the effectiveness of the act.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the Chairman.

Mr. PATMAN. I believe that Vice Chairman Balderston brought out a good point, as shown on page 9 of the hearings:

> The Board welcomes the interest your committee is showing in amendments to the Holding Company Act. I hope that your hearings both on this bill and on H.R. 7372 will convince you of the merits of these two bills, and lay the groundwork for subsequent action on the other recommendations of the Board.

Mr. MULTER. The distinguished chairman, in the report on H.R. 7372, inserted in the committee report, in accordance with the request of the committee, the following language:

> Your committee—

Meaning the entire committee—

> after consideration of H.R. 7372 and H.R. 7371—

The bill before us now—

> feels strongly that Congress should review all exemptions granted to the Bank Holding Company Act of 1956.

That is what the chairman is committed to. I know we will have full and complete hearings to consider all of the implications, no matter who may be affected, of those situations now outside of the operation of the Bank Holding Company Act.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield briefly to the gentleman from Iowa.

Mr. GROSS. The gentleman still has not answered the specific question as to why we should take up this type of legislation piecemeal.

Mr. MULTER. I believe the reason why we take it up piecemeal is the same as taking up a bill to outlaw the Arab boycott. Why do we take such things up piecemeal?

Mr. GROSS. That is not the same.

Mr. MULTER. In the foreign aid authorization bills time after time we aim specific limitations at one country. Not too long ago one was aimed at the United Arab Republic. We have seen them offered against Yugoslavia and against Indonesia.

We attack it piecemeal because the alleged evil has been demonstrated by a particular act. When that is called to our attention we try to deal with it.

Time after time the Committee on Ways and Means has brought to this body a bill dealing with a single item, under a closed rule, so as not to open up the whole act to consideration of matters not considered by the committee and thus limiting our action to the precise problem to which the committee addressed itself.

That is what we are trying to do now.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield briefly to the gentleman from Michigan.

Mr. GRIFFIN. The gentleman just said that there was an evil act which brought the committee's attention to this particular exemption. I have been sitting here on the floor, trying to evaluate this. I wonder just what evil act the gentleman makes reference to.

Mr. MULTER. I think the gentleman is misinterpreting what I said.

Mr. GRIFFIN. I did not think so.

Mr. MULTER. I was referring to evil acts in connection with foreign aid bills when we were pointing a finger at the United Arab Republic and at Indonesia and at some of these other countries, where some of us felt there was something wrong.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. Will the gentleman get some more time?

Mr. MULTER. Will you let me have some time from your side?

Mr. JOHNSON of Pennsylvania. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GRIFFIN. If the gentleman will yield further, I think this gets to the very heart of the problem bothering many of us. If there has been some particular evil with respect to this particular exemption, then obviously it would make sense for the committee to single this exemption out for their first action. However, if there has been no particular evil or abuse with respect to this exemption, then why deal with it separately and not deal with all of the exemptions at the same time? That is my question, and the gentleman's remarks about evil prompted me to ask the question.

Mr. MULTER. The reason for proceeding in this manner is that when we discover there are people or companies that are operating without any regulation, we try to bring them within the regulation. Whether this particular trustee that we have heard so much about is doing ill or good is beside the point. The point is nobody can give you a single reason why this trustee or any other trustee or any corporation or any partnership should be exempted from regulation under the Holding Company Act.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. Yes. I yield to the gentleman from Georgia.

Mr. WELTNER. Does the gentleman recall a former Member of Congress who was often quoted as saying it is far better to use a rifle than a shotgun?

Mr. MULTER. I have heard it many times.

Mr. WELTNER. Do you think it is appropriate?

Mr. MULTER. I would rather take it piecemeal and not scatter our shots and maybe hurt somebody who should not be covered. In the State of Rhode Island we have savings banks. There are at least four of them, each of which is a mutual bank and each owns a commercial bank. They are technically bank holding companies. I am not prepared to take that exemption away from them until we have a bill directed at them and we hear from them as to whether or not they are now being sufficiently regulated by the banking authorities both as a savings bank and a commercial bank. If it is necessary to submit them to the additional regulation as a bank holding company, then let us do it, but let us hear them first.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. Chairman, will the gentleman yield?

Mr. MULTER. Yes. I yield to the chairman.

Mr. PATMAN. The gentleman from New York [Mr. Celler], mentioned about a handicapped child being helped. Of course, there is a small amount comparatively that goes to crippled children, but there is no mention about handicapped children. I guess they would probably be considered such. We certainly want all of the help possible to go to them, but the particular wording of the trust is for the care and treatment of crippled children but not incurables, or the care of old men or old women and particularly old couples. So it is very much restricted. In addition to that, the amount of money that goes for that purpose is very much restricted. The principal beneficiary last year received $7,584,000, but only a small bit went to the foundation which even provided for the handicapped people.

Mr. MULTER. What we are seeking to do by this amendment to the Bank Holding Company Act is to permit the banking authorities to go in and find out how this holding company is acting with reference to the banks. That is all we seek to do here. Should this enormous sum have been spent out of earnings on depositors' moneys? The moneys of these commercial banks may be used only as permitted by law. Has it been properly spent, and are they operating these banks as they should be operated in accordance with all of the standards written into the banking acts? It is not a matter of going to them and saying get rid of your banks but of saying do not hide behind the trustee but tell the banking authorities what you are doing. That is all we seek to do.

Mr. PATMAN. Is it not a fact that holding companies have a special privilege throughout the United States and this is one which has an additional special privilege in that it is not subject to the Bank Holding Company Act although it owns 31 different banks in different parts of the State of Florida? It is not subject to the Bank Holding Company Act and it should be. So this is just a question of making the company comply with what the Congress has done for others in the past whether it be in nonrelated businesses or in the banking business. It must choose one or the other, and whoever owns the bank should be subject to the Bank Holding Company Act.

Mr. MULTER. And the choice will not be made by us or the banking authority but by those who are in the business.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, I quote the following statement made by the gentleman now in the well, the gentleman from New York, in a colloquy with Mr. Gettys and others in the hearings appearing on page 16, where the gentleman from New York [Mr. Multer], said:

> I have been introducing bills to repeal all exemptions ever since the Holding Company Act has been enacted. This was long before the Du Pont strike or the strike involving the railroad. So while the Patman bill was introduced in 1964, we had hearings then, that was a continuation or rather—not a continuation, a part of what I had been proceeding on. I was originally opposed to any exemptions being written into the Holding Company Act. I still am opposed to any exemptions.

I do not quarrel with that.

Mr. MULTER. That is an accurate statement, and I still stand by that statement.

Mr. JONAS. I am asking the gentleman to tell us why he has not been fighting to get hearings on his bill and why we are asked to act today on eliminating one exemption when there are 25 or more organizations similarly affected that are not even brought within the purview of this bill.

Mr. MULTER. Frankly, I will say to the gentleman, the plain legislative facts of life are that we take this piece by piece. We will get it piece by piece. We may never get it all at one time. I am willing to compromise and take as much as we can get when we can get it and move forward accordingly.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. Bennett].

Mr. BENNETT. Mr. Chairman, at the expense of being somewhat repetitive I would like to adhere throughout my remarks entirely to the question of principle. This is a legislative debate which has to do with principle. It is much more important that we look at that than that we look at the specific items as illustrative of the principle. The principle is well enunciated in the committee report itself on page 2, where it says why the banks were prohibited from going into nonbanking businesses. It says that this is because of the danger to depositors. Then down at the bottom it says that it "may be subjected to strong temptation to cause the banks which it controls to make loans to its nonbanking affiliates even though such loans may not at that time be entirely justified in the light of current banking standards."

So the principle involved in this legislation is the principle that it is against the public weal to allow banking and nonbanking businesses to be owned by the same concern. Let us keep that in front of us.

I remember, when I was a little boy, living a little bit in the country—part of my life in Kentucky, in a very rural area, with no electric lights—when I would go outside at night to the barn, or somewhere like that and, I would carry an old kerosene lantern. It used to scare me to death, all the shadows that I would see around me. I told my grandmother about that and she said:

> If you will hold that lamp in front of you, and look at the light, you will have no trouble with the shadows.

And so I think in this debate we ought to look at the principle; that is the light in this debate, and the shadows will go away.

I have already mentioned the reason for this bill. The reason is the temptation to bail out or to assist nonbanking businesses at the expense of the depositors. A violation of this principle would be a violation of a trustee relationship, a fundamental relationship that banks have with people who place money in their hands.

The 1933 law decided, made the edict, that no bank should be allowed to own a nonbanking business. It was as clear as that, as clear as crystal. Nobody could fight with that principle. It went back to the original principle. But by 1956 it was said that a good number of people had decided that a nice technique was to have a bank holding company, to own a bank and also to own a business. They were not then included in the banking bill, because the banking bill only referred to a bank owning a nonbanking business.

So in 1956 we enacted a law which provided that a company could not hold a bank or own a bank and also own a nonbanking business.

It just goes right back to that original principle that it is against the public interest to have a banking and a nonbanking business in the same hands because there might be a temptation or tendency on the part of those who operate it to take care of the nonbanking business at the expense of the depositors of the bank.

Mr. Chairman, there are a number of exceptions to this law. It is rather interesting to me to hear one which has been talked about quite a bit.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I shall not yield until I finish my remarks.

Mr. PATMAN. I shall be glad to yield the gentleman additional time.

Mr. BENNETT. I am not the orator that the gentleman from Texas is. I would rather complete my thoughts and then I shall be glad to yield to the gentleman from Texas.

Mr. Chairman, in 1956 we passed this law. That passage was preceded by the passage in 1955, in the House of Representatives of a bill that said that there was no reason to exempt labor unions at all. It came from the House Committee on Banking and Currency with no exemption there for labor unions.

There were very few exemptions at all in that bill. Some of the Committee on Banking and Currency say that they ought to have a lot of hearings and discussions about this matter; but that committee has already decided, in 1955, long ago, a decade ago, that these exemptions should not exist. They decided then and they had hearings then. They have had continuous hearings since which deal with the general subject. They have had report after report from the Federal Reserve Board asking them to eliminate the exemptions that passed in 1956. So the Banking and Currency Committee now asks for further hearings. This is a little late. They had already had hearings in 1955. They asked this House of Representatives to vote for a bill then that left out those exemptions.

Also, Mr. Chairman, I would say to the members of the committee that they were of sound judgment in 1955 when they left the exemptions out and that they ought to leave them out today.

Mr. Chairman, the Federal Reserve Board has prepared the amendments which I plan to offer to this bill today. The amendments have come from the Bank Holding Company Act.

I did not draft these amendments. These amendments, for the information of the Members of the Committee appear on the last page of the CONGRESSIONAL RECORD of yesterday. And the insertion which I placed in the CONRESSIONAL RECORD at that time will tell the Members of the Committee what the amendments propose to do and the effect of them. The effect of those amendments which will be offered to this bill pending before us today is to eliminate all exemptions.

Mr. Chairman, I think the bill is an improvement over the law as it now exists and I expect to vote for this bill when it comes out for a vote whether or not it comes out with the amendments which I propose.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I would really rather complete my remarks before yielding.

Mr. SIKES. I merely wanted to call attention to the fact that the statement to which the gentleman referred appears on page A5345 of the daily RECORD of September 21, not September 22.

Mr. BENNETT. I thank the gentleman from Florida for that correction.

Mr. Chairman, on page 5 of the report which we have before us, let us see whom we are taking out of the exemptions by this bill. We are not taking out the labor unions, the Goodyear Tire & Rubber Co., not Macy's, not the Manufacturers Trust Co. and not the company which has a controlling interest in the Coca-Cola Co.; but this great committee came to this great conclusion that instead we should remove the exemptions for "Any corporation or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, or educational purposes."

Well, Mr. Chairman, that is really laboring over a lot and coming up with something, is it not? In other words, for some reason there is more equity in allowing a labor union, and allowing Macy's, or Goodyear or Manufacturers Trust or any of these gargantuan, tremendous organizations which greatly exceed the size of Du Pont, in allowing them to do these things. In other words this bill says there is much more virtue in letting them do these things than letting the churches and philanthropic organizations do these things.

Mr. Chairman, this bill now pending before us today does take out an exemption in this law which I think should be removed.

I think obviously it is not the most important part to take out. I strongly urge that the amendments should be adopted.

What do the amendments do specifically? There is just one amendment with several sections. It says that we should eliminate first of all the exemption where there is only one bank involved. What is the difference between one company and several companies? There is not a particle of difference. This is not a question of merger or a question of monopoly; this is a question of its being inconsistent under the trust operation to have ownership of a bank and nonbanking business at the same time.

The second point I would like to make is with reference to the companies under the Investment Banking Act of 1940. There was not a particle of reason why the people under that law should be excluded from the principle. As a matter of fact, this committee has brought in a bill to eliminate this exemption.

The third one refers to a company with 80-percent assets in agriculture. That is an astonishing sort of exemption. There was only one, and it was in my congressional district, the Consolidated Naval Stores Co., that was involved. It is now out of existence. But we should not continue this open-door for others to approach.

Fourth, there is an exemption for shares owned prior to 1956 by what? By a bank which is also a bank holding company that has acquired these shares prior to 1956. That was written for the Trust Co. of Georgia, which controls the Coca-Cola Co.

The principle involved applies just as much there as it does anywhere, because we have a merger of a great nonbanking and banking institution. The reason behind it was just as strong in that case as in the case of the Du Ponts, Macy's, the Manufacturer's Trust, or any of these great organizations.

The last point is where a bank holding company is a labor, agriculture or horticulture organization and is exempt from taxes under section 501 of the code of 1954. There is obviously no reason for such an exemption.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. BROCK. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BENNETT. Mr. Chairman, obviously the principle underlying these amendments is the same. There should never have been these exemptions in the first place. The Banking Committee so found in 1955 when it brought out that bill, and we in the House of Representatives also created that bill. The report and hearings are ample.

The Federal Reserve Board wrote my amendments. Now, referring to what I said originally, when we look at a problem like this we should not look solely at the question of whether or not a particular constituent or somebody like this is affected. We should work on a basic principle. We should not have a merger of nonbanking interests with banking interests. That principle runs throughout all this legislation, and all of these exemptions should be eliminated.

Someone has said that I am trying to kill this bill by my amendment. I am not. I hope my amendment is added but I am not trying to kill the bill. I shall be for the bill even without the amendment but I think it will be a much better piece of legislation with my amendment added.

Some remarks were made about some banks in Florida, and as to why the law should not be equally applied. This is not a question of being equal as between the banks of Florida, this is a question of being equal to all citizens. It does not stop at the St. Mary's River.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. Weltner].

Mr. WELTNER. Mr. Chairman, as always I am impressed by the intelligent presentation the gentleman from Florida [Mr. Bennett] makes on every occasion when he raises his voice in this Chamber.

I think he is right that we should proceed on principle. As a broad matter of principle, I believe, unless there is some countervailing reason to the contrary, all bank holding companies should be subject to the provisions of the act. I agree with his broad outline of principle. I submit, however, there is another great principle involved, which is not contradictory to the principle outlined by the gentleman from Florida. That principle is that in this Congress we do not proceed to enact sweeping changes in the legislation of the United States without affording to those interests and to those persons directly concerned the opportunity to appear and to be heard. I submit that is a principle of equal import with the principle that banking interests and nonbanking interests should not be unduly conjoined.

But let us examine, if we might, just exactly what Mr. Bennett's amendment might do, and I commend him for having the courtesy to place this amendment in the Record so that all of us might have an opportunity to examine it prior to this debate today.

The first thing his amendment would do would be to change the "two bank" requirement of the Bank Holding Company Act to a single-bank requirement.

Can any Member of this House tell me just what that would mean and how many banks would be affected? Has any "one bank" company come before the Congress to have an opportunity to be heard? The fact of the matter is, Mr. Chairman, that if this first section of the amendment offered by the gentleman from Florida is adopted, then 341 companies throughout the country would be subjected to the provisions of the Bank Holding Company Act.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Texas.

Mr. POOL. How would that affect the trust companies in the State of Georgia? Would there be any effect on them?

Mr. WELTNER. I shall answer that in a subsequent portion of my remarks. I will say this: There are six banks in the State of Georgia having 34 percent of the deposits that would be brought in under this act pursuant to that provision. However, in the State of Florida there are 23 such banks with total assets of $682 million and in the State of Texas the gentleman will be interested to know that there are 40 separate banks having combined assets of $2,216,000,000 that would in one fell swoop be brought under the provisions of the Bank Holding Company Act.

Not a single one of them has come before this Congress to be heard. Not a single one has been advised of what this House is considering doing. Not a single one of them has had an opportunity to show what they consider would be the effects of extending the two-bank rule to a one-bank rule. I think that is a principle which we need to bear in mind.

The second thing that the gentleman's amendment would do is exactly what this bill, H.R. 7371 does, and that is, remove totally the unwarranted exemption for testamentary trusts. Why? Because we have had hearings during two sessions of the Congress and not a single iota of evidence has been offered to show any sound basis or logic for treating testamentary trusts which happen to be bank holding companies any differently from corporations which are bank holding companies. That is the second thing the gentleman's amendment would do.

The third thing it would do would be to eliminate the present exemption under section 2(b) of the Bank Holding Company Act that permits a vast billion dollar industrial-commercial complex to exist in this country, unregulated by the Bank Holding Company Act because it happens to be affiliated with the company that is registered under the Investment Act of 1940. That is the Financial General Co. We held lengthy hearings on that. These hearings took many weeks and many Members spent many hours studying that question, we have come to the very firm conclusion in our Committee that there is no reason for that exemption. Consequently we have a bill, H.R. 7372, that will soon be before this House, the Members of the House willing, which repeals that exemption.

That is the second thing that the amendment of the gentleman from Florida [Mr. Bennett] would do. But bear in mind that that comes before the House after weeks of hearings and after all parties had an opportunity to be heard.

The third thing that the amendment of the gentleman from Florida [Mr. Bennett] would do would be to eliminate the exemption existing to companies that are 80 percent, by virtue of their assets, agricultural companies.

The gentleman states—and I am sure his statement is well founded—that there was but one company that was under that rule, Consolidated Naval Stores. It is no longer in existence. Perhaps that is true. I have no reason to doubt his word. But there may be others. We do not know. We may, by adoption of the amendment, foreclose the right to be heard of some other company on the other side of our Nation. We have no way of knowing at this point.

The fourth thing that his amendment would do would be to affect the Trust Co. of Georgia specifically and I am advised perhaps one other bank that happens also to be a bank holding company. But bear in mind that at this point we have come beyond that portion of the act that would require registration under the Bank Holding Company Act, and we have proceeded to a subsequent portion of the act, which provides certain exemptions from the divestiture provisions. That is very important. It has been stated that labor unions are not subject to the Bank Holding Company Act. That statement is only in part true. Labor unions, if they happen to be bank holding companies, are subject to the act insofar as the regulations are concerned. They are not subject to it only insofar as the divestiture proceedings contained in section 4 of that Bank Holding Company Act are concerned.

I can think of no reason at this point why one bank or another bank that held assets lawfully acquired by it prior to the passage of the Bank Merger Act should not be required to dispose of those assets if those assets are nonbanking assets. It does not occur immediately to me, but it occurred to the Members of this Congress when the act was passed, and certainly we should not at this stage of the game affect the interest and the holdings of the stockholders of those banks that come under that provision, without giving them an opportunity to be heard.

I read in the report of the hearings held in the other body that witnesses came before the committee and supported those exemptions. Maybe the situation has changed, but certainly we should not act at this point and deprive them of what the law has provided, nor should we subject to the act at this point organizations that are exempt from the divestiture proceedings without hearing from them, without having them before our committee and giving them an opportunity to be heard, and without enabling them to communicate with the Members of the House who are not members of that committee. It simply is not in accord with the principles of a great deliberative body to pass legislation of such sweeping and unknown effect without giving all parties concerned an opportunity to be heard.

Ladies and gentlemen, there is one principle: That banking and nonbanking activities should be kept apart. That is a sound principle.

There is another principle: That the interests of the citizens of the United States should not be adversely affected without their full and fair opportunity to appear and state their case.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, the gentleman has made a very effective plea for not taking this measure up at this time because certain interests have not been considered before the committee. Is it not true that at the time we had the committee hearings on the bill, Members of the minority sought to have other people come in and testify in connection with the Bennett proposal and they were foreclosed from having any opportunity to do that because of the desire to put the bill through just as it was? Is that not true?

Mr. WELTNER. In response to the gentleman from New Jersey, it is my recollection that at the Executive hearings, at which time the bill H.R. 7371 was considered, there was a suggestion that the committee consider further exemptions and whether or not they should be retained in the law. It is my further recollection that there was a consensus that it would be wise indeed to consider further hearings on other exemptions, and that matter should come before our Committee in this Congress; that the hearings having been concluded and every possible avenue fully explored, it was time to act on H.R. 7371.

I might say also, as I indicated before, and as the Chairamn of our Committee has indicated, the matter of the Bank Holding Company Act will not rest with the passage of this bill, nor will it rest with the passage of the subsequent bill, H.R. 7372.

It is my firm understanding that our committee will proceed to consider the full range of this legislation and the full effect of present exemptions and exclusions.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. WIDNALL. Mr. Chairman, I yield to the gentleman 1 additional minute.

Will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Is it not true that not one word of testimony was taken before our committee with respect to the change affecting partnerships?

Mr. WELTNER. I believe it is true that the reports received from the agencies having regulatory power over banks, bank holding companies, and bank interests in the United States indicated they knew of no partnership who would be interested. I may be in error on that, but I believe that appears in the Record and in the report.

Mr. WIDNALL. I believe it also appears in the Record that they did not know what banks were included.

Mr. WELTNER. I believe it is true the agency said it was unable to state which religious or educational activities might be covered because of the absence of reports pertaining to those organizations.

These hearings have not been conducted in the still of night or under a cloak of secrecy. They have been conducted in the full light of public knowledge, and they have been proceeding for many months.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WELTNER. The proceedings have been well imparted to members of the public, and certainly there is a solid foundation upon which to proceed to assume that those persons who might be affected should come forward and make their interests known.

In summation, when this legislation was passed, the President of the United States stated that "as a result of various exemptions and other provisions the legislation falls short of achieving its objectives."

The Senate report from the other body went on to say:

> Perfecting amendments may then be considered upon their merits by any subsequent Congress.

I submit that is exactly what we are doing today. That is what the committee bill is, a "perfecting amendment." It is known full well what its scope might be. All interests in any way connected with it have been fully heard.

It is time now to perfect the Bank Holding Company Act by the exclusion and repeal of a totally unwarranted and unsubstantiated exemption.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia, [Mr. Broyhill].

Mr. BROYHILL of Virginia. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Chairman, I am reminded of the old saying "the chickens are coming home to roost."

We are witnessing an amazing spectacle wherein the proponents of an alleged "perfect" home rule bill now admit that they have a bad bill which needs corrections and changes in order to lure enough additional votes to obtain its approval by this body.

We hate to say "We told you so," but we did tell you so over and over again. We tried to explain that this was a complicated and confusing problem which should have the full benefit of committee study and hearings. Yet the proponents ignored our pleadings and were successful in discharging our Committee on the District of Columbia from jurisdiction while we are actually in the process of carrying out this responsibility.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. Not until I finish my statement.

Mr. PATMAN. A point of order, Mr. Chairman. We wish to finish debate on this bill.

Mr. BROYHILL of Virginia. Mr. Chairman, I do not yield.

The CHAIRMAN. Does the gentleman from Texas make a point of order?

Mr. PATMAN. The discussion is supposed to be on the bill.

The CHAIRMAN. The gentleman from Virginia obtained unanimous consent to speak out of order.

Mr. BROYHILL of Virginia. In order to point out and explain the defects and dangers in the bill under the discharge petition, we had to attack it through a committee report on another bill and by individual efforts on the part of several Members who had studied this problem.

Now we find the proponents of this monstrosity employing patchwork, piecemeal tactics in a desperate last-minute attempt "to make a silk purse out of a sow's ear," in what the Washington Post calls a bipartisan compromise. A new bill has now been introduced which you are going to be asked to accept as a substitute on Monday for the alleged perfect bill which 218 Members discharged from our committee.

The statement that this is a bipartisan bill is not true. No one among the Republican leadership authorized or approved the action taken by the sponsors of this new bill. The ranking Republican member of the Committee on the District of Columbia was not even consulted. The misleading proposals held out as compromises are clear admissions that the bill discharged from the committee is bad legislation, fraught with pitfalls. It fails to meet the objections as outlined by the Republican policy committee. The fact that the proponents will now back off from their demand for an automatic appropriation clearly acknowledges their fear that this odious procedure will not be swallowed by their colleagues in the House. But it is a trap unless they recede from their formula demand. That is the serious problem and defect in this bill. You give them authority to assess a tax against the Capitol Building and other Federal buildings. Once this is done, then the trap places the monkey on the back of the Committee on Appropriations who can then be blackjacked by the city council. The council could demand that we put up the money we have authorized, or else. They could threaten the Congress to reduce the police force and neglect the avenues and streets or cut off funds in the areas of most vital Federal interest.

The question of self-rule and self-determination should be decided here and in the committee and not on the pages of a crusading local newspaper.

What better evidence do we need to prove that this whole subject should be recommitted to our District of Columbia Committee for clearing up and cleaning up?

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Minnesota, the ranking minority member of the Committee on the District of Columbia.

Mr. NELSEN. Mr. Chairman, I wish to add to the statement that the gentleman has made, with reference to the so-called bipartisan bill's treatment of the Hatch Act. I have been trying to search for a description of what has been done in this bill. The only kind of a description that I find that meets the action of the so-called bipartisan group is that the language now becomes just plain gobbledegook. There has been nothing cured by the change of language. I shall continue to object to the butchery of the civil service laws of the land and the Hatch Act, which I believe is important to our civil service system. I intend to continue my battle in that direction. It could have been cured by a nonpartisan election, but somehow or other there seems to be an insistence to hang on to the partisan feature. I have today prepared a letter dealing with this feature which I wish to insert at this point.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 23, 1965.

DEAR COLLEAGUE: Much has been made of a late inning so-called compromise over the de-Hatching provision in the home rule bill. In my opinion, absolutely nothing is being compromised except the entire civil service system. The obnoxiously dangerous de-Hatching provision still remains in the bill.

The only honest way to deal with this issue and its serious ramifications is to (1) make all the local elections nonpartisan, and (2) continue the protections of the Hatch Act over the activities of both the Federal and local District employees—both of whom are presently covered.

The so-called compromise version would switch the mayor-council (4-year terms) elections to the off-election years, thus theoretically avoiding intermingling the de-Hatched local elections with the Hatched presidential elections. However, the de-Hatched mayor-council elections would coincide with the Hatched election for delegate. How does one keep separate the campaign and funds for the mayor-council-delegate elections inasmuch as all three elections will be conducted by one and the same political parties?

Though the compromise version purports to de-Hatch purely for the local elections, it would be imposssible to prevent the wholesale fund solicitation of Federal employees—and all that that implies—presumably for the local elections but the lion's share of such funds would—in fact—go into the national party coffers. Solicitation of Federal employees through lists provided sub rosa by a national administration would be made on a local and even national scale supposedly seeking funds for a local election but the funds actually would be destined elsewhere.

In addition to solicitation, the de-Hatching for purely local elections would result in wholesale coercion of Federal employees to engage in partisan campaigns to insure the building of a District party machine favorable—of course—to the administration in power to insure holding the District's three electoral votes on which a future presidential election might hinge. Neither party would be without sin.

Can you see, for instance, a Federal worker actively helping the party which is out of power nationally? It is my unshakeable belief that the de-Hatching provision advanced by its proponents—under the guise of allowing Federal employees to participate in a purely local election campaign is a malignancy which will corrupt the entire civil service.

The Hatch Act is designed to provide security of our civil service against the reincarnation of corruption. It protects our civil servants against political exploitation, including assessment, coercion, intimidation, political clearance, and kickbacks; and insures the efficiency, impartiality, objectivity, and faithfulness of our Government employees to their duties. The act must not be tampered with.

A number of years ago, the president of the National Federation of Federal Employees testified concerning the Hatch Act that the act is the:

"Strong bulwark of the career civil service system * * *. We do not share the view of those who assert that it * * * makes second-class citizens of Federal employees. The Hatch Act, on the contrary, protects the career employees from the kind of improper pressures which have no place in career public service, and it does so without doing violence to their basic rights and indeed duties as American citizens."

In closing, may I urge your attendance Monday on the floor so that you may participate in a full discussion of the provision I have alluded to and the bill in its entirety.

Sincerely,

ANCHER NELSEN,
Member of Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. ROUDEBUSH. I certainly agree with and commend the gentleman from Virginia for his statement. It is a real paradox for the members of this committee that they would sign a discharge petition to take home rule legislation from the committee especially when that committee was actively considering such legislation and hearings were actually being conducted and witnesses actually being heard. Like many others, I do not object to a discharge petition if the committee fails to consider legislation, but here we have a bill during which an actual witness asked to be excused before the committee during the hearings on it so that he could sign a discharge petition for this bill. This was done while he was actually testifying before the committee. Now we hear about this compromise legislation. It is difficult to understand why the legislation discharged by a majority of this House must be changed and compromised. The answer is that the bill was not ready to be reported to this House and a dedicated committee under our great chairman has been embarrassed and ridiculed by this action.

I thank the gentleman from Virginia for yielding.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I might say at the outset that technically what I wish to talk about might be considered slightly out of order, but it relates to this subject and is in response to statements made on this floor by the distinguished chairman of the great Committee on Banking and Currency on September 13, 1965, when the 21-day rule was invoked in order to bring this measure before the House of Representatives.

I have always been impressed by the ability of the gentleman from Texas to expound at length on the subject of high interest rates; depressions; the evils of the Federal Reserve System; the defects of our national banking system; and related subjects that come under the jurisdiction of that most important committee of the House.

I listened to him on September 13 make some remarks along this line which shocked me because they were not in accordance with my understanding of the facts, but I did not have an opportunity to respond to him then because he moved the previous question. I would like to take advantage of the opportunity today to comment on his statements on that occasion to the effect that the Federal Reserve Board and Government agencies kept interest rates down until the Eisenhower administration came along, that Government bonds were supported at par under administrations previous to the Eisenhower one, and that upon the advent of the Eisenhower administration interest rates began to go up, and up and up. And the fantastic statement was made that if that administration had continued in power we would have a debt of $600 billion instead of $318 billion that it is today.

Because I was shocked at those statements, as they were not in accordance with my understanding of the facts, I took the trouble of making a little investigation on my own. I did not go to the Republican Congressional Committee or the Republican National Committee or any other partisan sources to get these facts. I turned to the Economic Report of the President of the United States filed with the Congress in January of 1965.

I find on page 248 in table B–49 of that Economic Report that during the Eisenhower 8 years the average interest or cost to the Government on 90-day Treasury bills was 2.34 percent. But during the 4 following years under administrations of the late President Kennedy and President Johnson the average interest on 90-day Treasury bills amounted to 2.96 percent, an increase of more than one-half of 1 percent over the average of the 8 Eisenhower years.

These are not long-term commitments that were made by the previous administration; these are 90-day Treasury bills. If you want to consider long-term bond yields you will find a similar situation. Over the 8 Eisenhower years you can see from the table, in the President's Economic Report, that the average interest paid by the U.S. Government on 3- to 5-year bond issues amounted only to 3.09 percent, while the average during the next 4 Kennedy-Johnson years increased to 3.73 percent.

And if you consider taxable bonds you will find that during the 8 Eisenhower years the interest averaged 3.30 percent whereas during the following 4 Kennedy-Johnson years the average interest paid by the Government on taxable bonds increased to 4 percent.

So, Mr. Chairman, the members of the committee can see from that table, if they will look at it, that instead of reducing interest upon the change of administrations, interest rates have gone up and have continued to go up and we are paying today, on September 15, 1965, the latest date on which I could get any figures, interest on long-term issues at the average rate of 4.30 percent.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I shall yield to the gentleman from Texas when I conclude my statement. I would prefer not to be interrupted right at this time. But I shall yield to the gentleman after I finish this statement.

Mr. Chairman, I also find the facts to be that it was under the administration of President Truman in 1951 when the Federal Government, through the Treasury Department and the Federal Reserve Board, entered into an accord which discontinued the price support of U.S. bonds at par. It was that accord, which was entered into under the administration of President Truman, that caused bonds not to be redeemable at par on a moment's notice. The purpose was to have U.S. bonds sell on the open market at the market price rather than be supported at par by the Government.

But my point is that the statement made by the distinguished chairman of the Committee on Banking and Currency would indicate that the Federal Reserve Board, up until the Eisenhower administration, kept the interest cost down and the price of Government bonds at par. But the fact is that the Government discontinued the support of U.S. bonds at par in 1951 under the administration of former President Truman.

I also would call attention—and I believe the record should show—that President Truman appointed Mr. Martin Chairman of the Federal Reserve Board. Mr. Eisenhower did not discover him or bring him out of nowhere and put him in charge of the Federal Reserve Board. He was designated Chairman of that Board by President Truman, was continued in that position by President Eisenhower, and continued in it again by President Kennedy.

So, Mr. Chairman, if the gentleman from Texas has any critical comments to make about the Chairman of the Federal Reserve Board, and I certainly do not, I say to him that Mr. Martin was first brought to the Federal Reserve Board chairmanship by President Truman, and the late President Kennedy continued him in that high office.

I would also like to comment apropos of the statement of the gentleman from Texas that the Federal debt would probably be $600 billion now if the Eisenhower administration had remained in power, that the truth of the matter is that on January 22, 1961, when the Eisenhower administration went out of power, the interest-bearing public debt of the Government of the United States, was $290 billion, and just 4 years later it had gone up to $319 billion.

I would further comment that on January 22, 1961, we had gold assets in this country amounting to $17.504 billion. Those gold assets on July 1, 1965, are down to $13.9 billion, about $4 billion less in gold.

I would call attention to the fact that the interest on the national debt has gone up during these past 4½ years from about $9 billion to about $11.5 billion. So when discussion about who is responsible for increasing the national debt and for high-interest rates, the whole record should be considered instead of oratory and unsupported charges.

In conclusion, I would like to call the attention of the committee to the fact that on August 10, 1965, Mr. Eugene Foley, Administrator of the Small Business Administration, issued a circular stating that the Small Business Administration will soon announce a decision to sell direct and immediate participation loans to private purchasers, and I quote this sentence from his announcement:

> Buyers will be permitted to charge up to 7½-percent interest, but in accordance with regional rates determined by SBA.

I would like to ask the gentleman from Texas, the guardian of low-interest rates in this country, is he going to stand for the Small Business Administration permitting private investors to charge small business concerns who obtain small business loans 7½-percent interest? No such interest as that was charged under the Eisenhower administration by the Small Business Administration.

I think the entire record on this subject of interest rates ought to be considered. I may say to the gentleman from Texas I have great respect for him but, unfortunately, I cannot agree with the statements he made in his speech on the floor on September 13, and I have cited the record to show how erroneous some of his statements were.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Texas.

Mr. PATMAN. I hope the gentleman will not question the fact that from the time the Eisenhower administration came in there was a demand to increase interest rates quickly, and by reason of that it caused three depressions in 8 years by increasing interest rates.

Mr. JONAS. I may say to the gentleman that is his opinion. I am quoting figures. If the gentleman has figures to show interest rates have gone down under the Kennedy-Johnson administration, I would like to see them.

If the gentleman has figures to show average interest rates have gone down since Eisenhower left office, I will be glad to have them put in the RECORD; but the mere statement by the gentleman that interest policies under the Eisenhower administration caused depressions is subject to debate. The figures I have cited speak for themselves and need no debate to sustain them.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Missouri.

Mr. CURTIS. The gentleman from North Carolina is giving statistics. The gentleman from Texas is confused by the statistics, and resorts to argument and disregards those statistics. I say to the gentleman, put your figures in occasionally.

Mr. PATMAN. I will be glad to do that. And if Mr. Eisenhower had kept interest rates as they were when he came in, over a period of 15 years our national debt would have been $40 billion less. The interest rate would be $6 billion a year.

Mr. JONAS. Then why did not the interest rates go down when the Kennedy administration assumed office?

Mr. PATMAN. Because you cannot turn too quickly that way on interest rates. It requires time to do it.

Mr. JONAS. On 90-day Treasury notes?

Mr. PATMAN. That was because the Congress passed a law making average interest rates apply in certain agencies.

Mr. JONAS. Who was in charge of that Congress?

Mr. PATMAN. The Congress did that.

Mr. JONAS. I mean who was in control?

Mr. PATMAN. I do not know—but you probably voted for it.

Mr. JONAS. I am sure the gentleman knows that his party has controlled Congress since January 1955.

Mr. PATMAN. I did not say the gentleman did but the Congress passed the law, then the Federal Reserve established the interest rates that enabled the average rate to go up to nearly as much as long-term rates, which I think was terrible.

I would like now to answer the statement about Mr. Truman appointing Mr. Martin and also Mr. Kennedy appointing him.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. JONAS] has expired.

Mr. PATMAN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to refer to the statement about Mr. Truman's appointing Mr. Martin and Mr. Kennedy also appointing him Chairman of the Federal Reserve Board. This goes back to 1951. The only time a President ever called the Open Market Committee into his office was Mr. Truman. He called them in and said, "You cannot increase these interest rates as you claim you are going to do." They promised not to.

After they gave that promise not to increase interest rates, Mr. Truman selected Mr. Martin as Chairman of the Board. I think he did so purely under a misapprehension of the facts as to Mr. Martin's true intentions. Later on when Mr. Kennedy was President, Mr. Kennedy was also called upon to select a Chairman of the Board. Every President should have his own Chairman and the term of office of the Chairman of the Board should be coterminous with the President. Even though some big people in the Federal Reserve agree with me on this, but it has never been arranged that way.

So when President Kennedy was called upon to select a Chairman, he could not go out and pick the best man in the United States to be Chairman. The law had been fixed by a series of amendments from time to time so that a President could only select one of the seven members already on the Board to be Chairman. He could not go out and pick any other individual.

Mr. JONAS. But he did not have to pick Mr. Martin, did he?

Mr. PATMAN. The President was in a straitjacket. He was handicapped. He did not have freedom of choice. He had to pick one of those seven. Naturally, Mr. Martin had had the longest experience and was one of the members of the Board.

Mr. JONAS. On raising the interest rates—and that suited President Kennedy? Is that what you want us to believe?

Mr. PATMAN. I can state that others increased the rate. So I do not know whether he could do better himself or not, but anyway President Kennedy did not have a freedom of choice. He could not select anybody he wanted to. That law should be amended and the gentleman should support an amendment to the law that would permit the President of the United States to have the freedom of choice in the selection of a Chairman of the Federal Reserve Board.

The **CHAIRMAN.** The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Todd].

Mr. TODD. Mr. Chairman, I have tried to follow the debate as a member of the committee and to put some of the remarks together that have been made by those who have been seeking an enlargement of the bill as well as those of us who, I believe, support the bill as it is written.

It seems to me in the first place, no one has an objection to removing this particular exemption to the Bank Holding Company Act. Everyone seems to agree that it is wise to plug loopholes. Everyone seems to agree it is wise to plug up this one loophole that we are trying to plug up. The objection as I understand it is that we are not plugging all the loopholes at once. This it seems to me, Mr. Chairman, to be similar to not passing a law against one crime because you would not be eliminating all crime at once.

I think, in substance, my feeling toward the bill is that we would do better to eliminate any loophole that we can eliminate as we move along, rather than wait until we can eliminate all loopholes. I feel we should pass this bill now. This to me, Mr. Chairman, is what we are discussing here today—whether we are going to go ahead and close this loophole or whether we are going to leave this loophole open.

I should like to make one further observation. It appears to be much easier to get a loophole into a bill than to get the loophole out.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. Sikes].

Mr. SIKES. Mr. Chairman, a lot of things have been riding for this bill.

The Du Ponts were found guilty by association, hanged, drawn, and quartered, even before the trial started. The sponsor of the legislation before the House is one of the most adroit and skillful in the annals of Congress, and I have a great deal of personal admiration for him.

When the rule was adopted on H.R. 7371—and that had to be done by bypassing the Rules Committee—we did not hear much about the merits and the demerits of the bill. We heard about Herbert Hoover and the great depression, and in some way the Florida Du Pont organization became responsible for it all.

A vote for H.R. 7371 automatically became a vote against the misery and the hardship that still are remembered in that period.

Now we find that the Du Ponts somehow are responsible for high interest rates. If that is not cross enough to bear, we must face the forces of organized labor. Now a vote against H.R. 7371 becomes a vote against labor. Why? The bill does not have anything to do with labor. I do not know why labor should be injected into it. The bill does not determine wages, hours, or working conditions. I would think that labor would have enough to do in looking after its own people and their conditions without getting involved in the question of who owns banks.

This much I do know: There is only one Du Pont organization in my district and that is the St. Joe Paper Co. That company provides employment for people in my district. That is why I am interested in this bill and against the bill, and the only reason. But I have not heard one word from the employees of the St. Joe Paper Co. union. They have not asked me to support the bill. They are the only union members in my district that have a legitimate interest in it. Maybe my words are falling on deaf ears. Perhaps the pattern has been established. Here is an opportunity to kill an economic giant. Everybody can take home a little piece of the pelt and say, "I killed a giant." It does not make any difference whether it is a good giant or a bad giant. Here is a chance to kill a giant.

Whether it is worth while or not, I am going to talk about the merits of the bill. Please remember that the only legal entity affected by the bill is the Alfred I. du Pont estate of Jacksonville, Fla. Some of my colleagues have gone astray in assuming that there is a connection between this company and the E. I. du Pont de Nemours Co. of Delaware. There is not. Mr. Alfred du Pont, before his death, was a significant contributor to the economic development of Florida, and he was a public-spirited citizen of whom my State was proud. His will created the estate in question, including a charitable foundation which cares for crippled children and elderly people.

Now the ugly whisper has gone around that the Du Pont estate in Florida does not pay Federal income taxes and that it receives specialized treatment. The facts are that the bulk of the income of the Du Pont estate is derived from dividends on stock owned by the estate itself. When dividends are paid to the estate, each of the companies in which it owns stock has paid taxes—income taxes, State taxes—on the money earned.

The trustees of the estate, under the terms of the trust agreement, then distribute the dividends earned to the named beneficiaries. There are two primary beneficiaries: Mrs. Jessie Ball du Pont, the widow, who receives 88 percent of the income for the remainder of her life; and the Nemours Foundation, which receives 12 percent.

The foundation is a tax-exempt, nonprofit charity.

The income which Mrs. du Pont receives is subject to Federal income taxes and State taxes, and she pays taxes just as you and I on her income. Only the foundation, which receives 12 percent of the total, pays no taxes; and it will not pay any taxes even if this bill is passed. That will not change a thing.

This bill does not propose to change tax laws or regulations; it proposes to change the Bank Holding Company Act by removing one—just one—of the exemptions to the act.

It has been discussed here all day. Members know the story. The Bank Holding Company Act of 1956 prohibited bank holding companies from owning both banking and nonbanking interests. When the Congress passed the act—and it came from the gentleman's Banking and Currency Committee—in 1956, it contained a number of exemptions. All right. The Congress instructed the Federal Reserve to submit annual reports on how the act could be improved.

The Federal Reserve Board's first report was submitted in 1958, and it contained 25 suggested revisions which, in the opinion of the Board, would make the administration of the act more efficient. That is what my distinguished colleague from Florida [Mr. Bennett], is going to try to add to the bill in a little while, and I am going to support his amendment.

This matter has been before the Banking and Currency Committee since 1958. Well, the recommendations have been resubmitted every year, but only last year was an action taken to legislate.

Normally, it has been my experience that a committee chairman will introduce legislation to carry out the recommendations of administrative agencies. But finally last year the only bill that was introduced on this subject would have changed one exemption only, the one affecting the Du Pont estate. That bill did not get out of the committee.

This year the distinguished chairman introduced the bill we are considering today, and it is substantially the same as the bill of last year. We have been told that it would broaden the act, but nobody can tell us how it would broaden it. It would not broaden it enough to bring in any other companies, so it is not very broad.

Let us see what the Government agencies think about the Patman bill. Last year, when requested for an opinion on the bill then before the Congress, the Comptroller of the Currency reported against the bill, so apparently the committee does not have an interest anymore in what the Comptroller thinks. But I do, so I asked the Comptroller for his opinion on the current bill. That opinion already has been discussed. Here it is. I put it in the Record as a part of my remarks:

SEPTEMBER 20, 1965.

Hon. Robert L. F. Sikes,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Sikes: This is in response to your request of our views on H.R.

> 7371. This bill is substantially similar to H.R. 10668 of the 88th Congress. The bill would amend the definition of "company" in the Bank Holding Company Act of 1956 so as to include, in addition to the corporations, business trusts, and similar organizations now covered, any other trust "unless by its terms it must terminate within 25 years, or not later than the death of a named beneficiary."
>
> The proponents of this legislation are frank to admit that it is aimed at only one existing situation, the Alfred I. du Pont estate, a testamentary trust corporation including a large paper manufacturing operation and the Florida East Coast Railway. The railway has been the subject of a bitter strike for the past several months.
>
> It is the expressed intent of the proponents to subject the Du Pont estate to the provisions of the Bank Holding Company Act. This would require the estate to dispose of either its nonbanking corporations or of the 31 banks.
>
> With regard to the intent of the bill as a whole, we do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation. The Federal Reserve Board and others have suggested amendments to the act of general application, having much greater importance in our opinion than the Du Pont estate situation. Any unsolved problems of Government regulation inherent in the Du Pont estate situation should, we believe, be handled only in the context of legislation which would have general application.
>
> Sincerely,
>
> JAMES J. SAXON,
> *Comptroller of the Currency.*

I shall not read the whole statement. It is a full page letter from the Comptroller of the Currency in which he says:

> With regard to the intent of the bill as a whole, we do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation. The Federal Reserve Board and others have suggested amendments to the act of general application, having much greater importance in our opinion than the Du Pont estate situation.

Well, a similar request was made by the committee last year to the Treasury Department for an opinion on the bill before the committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. SIKES. The report from the Treasury Department also was unfavorable to the bill. Well, it never appeared in the committee report or the hearings. That is a strange sort of thing.

Mr. PATMAN. Mr. Chairman, will the gentleman yield on that point?

Mr. SIKES. In just a few moments. I just want to go a little further. I do not think that my distinguished friend means me any good, and I learned a long time ago that it makes no sense to fatten frogs to feed snakes. If my distinguished friend will allow me to continue until I have told a little bit more about this bill, then I will be glad to yield to him.

Mr. PATMAN. It will just be a brief observation.

Mr. SIKES. Not just now.

The request for an opinion by the Department of the Treasury was not repeated this year. I wonder why? Was it because it was unfavorable last year?

But here is what the Department of the Treasury had to say about the bill last year. It is substantially the same bill. Again I am not going to read all of this, but I am going to see that it goes into the printed RECORD. There are two pages on the bill from the Treasury Department, and it is signed by the General Counsel, telling why Treasury does not think this is a good bill:

> THE GENERAL COUNSEL
> OF THE TREASURY,
> *Washington, D.C., May 26, 1964.*
>
> The Honorable WRIGHT PATMAN,
> *Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.*
>
> DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on H.R. 10668, "To amend the Bank Holding Company Act of 1956, and the Federal Deposit Insurance Act, as amended."
>
> The proposed legislation would amend the Bank Holding Company Act of 1956 and the Federal Deposit Insurance Act to include within the definition of "bank holding company" any testamentary trust controlling bank assets of $100 million or more.
>
> The proponents of this legislation are frank to admit that it is aimed at only one existing situation, the Alfred I. du Pont Estate, testamentary trust which owns control of 31 banks in the State of Florida and numerous other corporations including a large paper manufacturing operation and the Florida East Coast Railway. The railway has been the subject of a bitter strike for the past several months.
>
> It is the expressed intent of the proponents to subject the Du Pont estate to the provisions of the Bank Holding Company Act. This would require the estate to dispose of either its nonbanking corporations or of the 31 banks.
>
> The technical provisions of the bill are three, as follows:
>
> 1. The definition of "company" in the Bank Holding Company Act of 1956 (12 U.S.C. 1841(b)) would be amended to include "any corporation, business trust, testamentary trust which at the end of the most recent calendar year controls bank assets of $100 million or more."
>
> 2. The present exemption in the Holding Company Act for charitable corporations would be amended to exclude any charitable foundation which controlled bank assets of $100 million or more.
>
> 3. The Bank Merger Act (12 U.S.C. 1828 (c)) would be amended to include in the subjects which the approving agency had to consider on any merger "possible inconsistency with the purposes and objectives of the Bank Holding Company Act of 1956, should the transaction result in the removal of any company from the purview of that act."
>
> The intent of the third amendment in relation to the Du Pont estate seems remote. The explanation given by the sponsor in his remarks introducing the bill was along the following lines. The Florida Legislature at some time in the future may remove restrictions on statewide branching. If this happens, the Du Pont estate would be in a position to merge its 31 banks into 1 large bank. The agency, having to approve such a merger, would be required under amendment number three to reject such a merger, as inconsistent with the "purposes and objectives of the Bank Holding Company Act of 1956." The reasoning behind this seems a bit attenuated since it is problematical whether it can be said that one of the purposes and objectives of the Bank Holding Company Act is the preservation of an existing bank holding company over some other form of combination.
>
> Amendment number three, unlike the other two proposals, could we believe, have unintended effect in the case of proposed mergers of banks controlled by an existing bank holding company having no relation to the Du Pont estate situation. For this reason alone, and also because of its vagueness and obscurity, we would object to proposal number three.
>
> With regard to the intent of the bill as a whole, we do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation. The Federal Reserve Board and others have suggested amendments to the act of general application, having much greater importance in our opinion than the Du Pont estate situation. Any unsolved problems of Government regulation inherent in the Du Pont estate situation should, we believe, be handled only in the context of legislation which would have general application.
>
> The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.
>
> Sincerely yours,
>
> G. D'ANDELOT BELIN,
> *General Counsel.*

In substance they say substantially as the Comptroller of the Currency said, with regard to the intent of the bill as a whole, that they do not believe it appropriate or desirable for Congress to amend a piece of legislation as important as the Bank Holding Company Act in order to take care of a single situation.

Normally in the Congress when the affected agencies of the Government recommend against a bill, that is it. That is the end of the bill. You seldom hear any more about those bills, because normally when that situation prevails, if a bill is passed and goes to the White House, it gets vetoed.

Now, Mr. Chairman, this is what the affected Government agencies have to say about this bill. They say it is bad procedure.

Mr. Chairman, the Du Pont estate is an important contributor to Florida's economy. Its holdings in Florida include the Florida National Bank group, the St. Josephs Paper Co., and the Florida East Coast Railroad. The unions are on strike against the Florida East Coast Railroad, so you understand why they are involved here. Now I hold no brief for the railroad or the union. I do not know who is right or wrong in that dispute. However, I do not think that dispute has a thing in the world to do with the consideration of H.R. 7371. It just proposes to modify the Bank Holding Company Act. It does not change any labor laws. It is in that context alone that this House should consider it. This bill is single-purpose legislation, and it should be defeated.

The Federal Reserve has submitted 25 proposals for modification. We are being asked here to pass on one. All right. If the Bank Holding Company Act needs modification, then let us make all of the modifications at one time. That is the normal way to do these things. Surely the claim is not going to be seriously made that we should consider these exemptions separately, each of them in a separate bill. That would not make much sense and it would take forever. Of course, we would never get around to doing it.

The Federal Reserve did not send its recommendations to the Congress in individual packages. They came in one comprehensive report. The same recommendation has come back to us year after year. Now, surely this emphasizes the fact that this is punitive, single-purpose legislation, which does not deserve to be on the floor of the House.

It is punitive to the Du Pont estate, to the foundation which was created; and punitive to the general public. If exemptions are wrong and if the public interest is to be served, then we should remove them all at once. To remove this exemption and allow the others to remain would be like compelling General Motors to install seat belts and speed governors on Chevrolet automobiles while everybody else would be allowed to produce cars without them. That kind of legislation would be unjust and contrary to the public interest. Let us be fair. Let us not use the power of Congress to pick on one organization just because someone in power does not like them. It is bad legislation.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield.

Mr. PATMAN. To dispel any apprehension that any effort might be made to get Members to vote against the bill on account of this amendment, I wonder if the gentleman will say that if the amendment is not adopted he will vote for the bill or if it is adopted he will vote for the bill.

Mr. SIKES. I have made that statement before—I made it when the rule was before us. I have no reluctance whatever to say that I am going to vote for the Bennett amendment. If the Bennett amendment is adopted I am going to vote for the bill. Otherwise I am going to vote against it.

Mr. PATMAN. Mr. Chairman, I should like to say that we have an understanding with the other side that we will conclude debate in 5 minutes. I now yield 5 minutes to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. I yield to the chairman.

Mr. PATMAN. Something was said about the labor organizations not supporting this bill, including the paper-plant in Florida. I assume that the plant employees belong to the recognized labor organizations headed by George Meany, who is president. Mr. Meany has endorsed this bill. He said:

> There is no reason why a loophole in the law, unintentionally created by Congress, should allow one man privileges which are not available to any other similar group or individual.
>
> We will continue to support legislation which would bring the Florida national banks under the provisions of the Bank Holding Company Act of 1956.

This is in a statement by George Meany, president of the American Federation of Labor and CIO.

Also, the city council of the city of Miami endorsed this bill.

Mr. ANNUNZIO. Mr. Chairman, I rise against the Bennett amendment, and in wholehearted support of H.R. 7371.

The legislation before this body today is a product of exhaustive study by the Banking and Currency Committee and is the first step in a program of strengthening the laws dealing with bank holding companies. I might also add that it is preventive legislation, or I might term it a bill to close the barn door before the horse escapes.

H.R. 7371 cannot be considered class or discriminatory legislation. It is designed merely to close a loophole which is available to any organization or institution that can qualify for the exemption. If we do not close this loophole, we cannot say for certain that it will not be taken advantage of by persons seeking to monopolize both banking and nonbanking businesses.

We have a choice here today of either adding a perfecting amendment to the Bank Holding Company Act or giving the green light to widespread dilution of the principles of the Bank Holding Company Act.

It seems strange to me that Congress in passing the Bank Holding Company Act would allow some groups to obtain a competitive advantage over others with a legislative blessing. Many of the exemptions to the Bank Holding Company Act are bona fide and in the public interest. However, it is not in the public interest to create an exemption for an organization that will use it to create its own power structure and perpetuate its policies.

As Chairman PATMAN has stated, the committee is sympathetic toward a review of all exemptions to the Bank Holding Company Act, aimed primarily at determining which exemptions are still in the public interest and which are being used for competitive gain over companies that are required to register as bank holding companies. It would be a mistake to remove all exemptions to the Banking Holding Company Act without adequate hearings. For instance, just in my home State of Illinois, there are at least 30 companies brought under the Holding Company Act without an opportunity to appear and state their case—if Mr. BENNETT's amendment is adopted. We have conducted adequate hearings on H.R. 7371 and the legislation was reported nearly unanimously by the full committee. The hearings were open to any group, company or individual that wished to testify on the legislation, and the hearings were conducted in an extremely fair and proper manner. Certainly, this is the proper way to legislate, as opposed to the broad brush treatment proposed by some Members of this body in removing all exemptions.

It may well be that all exemptions should and may be removed, however, this should be determined on the basis of hearings and careful study. The legislative process is what has given Congress the greatness and respect that it commands throughout the world.

I ask my colleagues: Is it logical to forsake the tried and true, traditional legislative process to vote for full-scale amendments which have not been subject to one word of testimony?

Mr. HECHLER. Mr. Chairman, there are some aspects of this legislation, and the discussion which has ensued which puzzle me. I believe that in general this legislation is aimed in the right direction and I will probably support it on final passage. One of the proposed amendments concerns me, however. I agree with the arguments which have been advanced by the Federal Reserve Board that a holding company holding a single large bank might well be included under the terms of the act, because of the danger that credit may be refused to competing industrial interests.

Yet it seems to me, Mr. Chairman, that there are many small family corporations around the country, particularly in small towns. Lots of these are small "holding companies" where the owner's father or grandfather has founded the business, and there is not such an issue about their suppressing competition. Now where a family owns a bank and perhaps a local clothing store or something like that, I do not believe that they should now be forced to divest themselves of their nonbanking business.

Perhaps one way to handle such a situation would be to limit the application of any amendment to banks with deposits over $50 million, or with $5 million of capital and surplus. Actually, this would cover more than 80 percent of all the bank deposits, but would exempt about 80 percent of the banks. Personally, I think any amendment along the lines of the Bennett amendment goes too far, but if my colleagues insist on such an approach, I would hope that the very small banking business is not thereby penalized.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 7371

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 2(b) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(b)) is amended to read as follows:

"(b) 'Company' means any corporation, business trust, association, or similar organization, or any trust unless by its terms it must terminate within twenty-five years, or not later than the death of a named beneficiary, but shall not include (1) any corporation the majority of the shares of which are owned by the United States or by any State, or (2) any corporation or community chest, fund, or foundation, organized and operated exclusively for religious purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, or (3) any partnership."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That section 2(b) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(b)) is amended to read:

"'(b) "Company" means any trust, or any corporation, association, partnership, or similar organization, but shall not include—

"'(1) any corporation the majority of the shares of which are owned by the United States or by any State, or

"'(2) any trust which by its terms must terminate within twenty-five years or not later than the death of a named beneficiary, and which is for the benefit of named individuals or for the benefit of identifiable individuals related by blood or marriage to the settlor.'"

Mr. WAGGONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and Members of the Committee, I believe we have reached the point of debate on this matter where Members are entitled to some explanation, which we have not had during the course of general debate, as to exactly what has prompted this legislation.

I would like to ask the chairman or any member of the Committee on Banking and Currency or any Member of the Committee of the Whole House on the State of the Union to explain for my benefit and the benefit of other Members of the House why we have this legislation pending before us today. What abuses have brought about this proposal? What is the need for the legislation? Is there an explanation? I ask these questions as one who has made no decision on this bill. As a general rule I agree that banks should be prohibited from engaging in any other type of enterprise than banking itself for obvious reasons.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield, yes, there is a good explanation. This is just like Mr. Meany said, "Congress did not intend to pass this special privilege exception to this particular group." It permits them to operate industrial plants, paper mills, railroads, and everything else along with banks, and 31 banks in this case, and not be under the supervision and direction of the Federal Reserve Board which is charged with the duty of supervising holding company legislation.

This is to bring them back into the same position where they should have been all the time and the exemption should never have been granted in the State of Florida. I am not saying it because it is in Florida, but if it were in the State of the gentleman from Louisiana or my own State, I would say that they are not entitled to that special exception and that special exemption.

Mr. WAGGONNER. Does the gentleman who chairs the full committee share this same attitude toward those others who have been granted such exemptions?

Mr. PATMAN. Well, I think that the exemptions will be considered at the right time.

Mr. WAGGONNER. Well, will the gentleman just answer the question, whether or not he shares that same attitude with regard to the other exemptions?

Mr. PATMAN. For consideration, yes. I cannot tell what I would do in each case.

I certainly say that they were given consideration. These 25 exemptions were put in there after months of hearings. Each one of them stood on its own feet.

Mr. WAGGONNER. Would the gentleman explain to me and the other Members of the House why hearings were not held in the other instances where exemptions have been granted?

Mr. PATMAN. We were just considering one exemption.

Mr. WAGGONNER. Getting back to my original question: What prompted hearings on just one exemption, and not all of them?

Mr. PATMAN. Because it was pointed out by the Federal Reserve for years they should have been taken off.

Mr. WAGGONNER. I do not understand your use of the word "they." Did not the Federal Reserve Board point out that the others were no more entitled to their exemption and loopholes in their case should have been closed too?

Mr. PATMAN. We have another bill. We are getting to them as fast as we can. We cannot put them in at one time. You have to take them one at a time. That is what we are doing. That is what Mr. Balderson meant when he recommended taking them up.

Mr. WAGGONNER. Which is the next one?

Mr. PATMAN. H.R. 7372 is the next one. We hope later on we wil get to others. But we have to take them as we can. You cannot have hearings on 25 exemptions in probably a whole session of Congress. It takes too much time.

Mr. WAGGONNER. Why is it these recommendations, having been before the Committee on Banking and Currency since 1958, some action was not taken before now?

Mr. PATMAN. We had other things to do.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Georgia.

Mr. WELTNER. I would like to point out to the gentleman this is not one exemption as I see it in H.R. 7371. It also removes an exemption presently existing in the law on charitable organizations. That involves some 10 entities that we know of. They have been contacted, and expressed no desire to attend. There is only one testamentary matter which has created such economic power in this country; it constitutes a bank holding company under the amended provision.

Mr. WAGGONNER. Could the gentleman tell me whether these 10 other organizations, religious and charitable, are using their exemption presently?

Mr. WELTNER. They are included.

Mr. WAGGONNER. Are they now utilizing their exemptions?

Mr. WELTNER. With the passage of H.R. 7371 they will be in there.

Mr. WAGGONNER. It goes without saying I still do not have an answer to any of my questions.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bennett: Page 2, add the following at the end of the bill:

"Sec. 2. (a) The first sentence of section 2(a) of such Act is amended by changing 'each of two or more banks' to read 'any bank' each place it appears therein.

"(b) The first sentence of section 3(a) of such Act is amended by changing 'company becoming a bank holding company' to read: 'bank becoming a bank holding company or of any other company becoming a bank holding company with respect to more than one subsidiary bank'.

"Sec. 3. The second sentence of section 2(a) of such Act is amended (1) by striking 'no company shall be a bank holding company which is registered under the Investment Company Act of 1940, and while so registered prior to May 15, 1955 (or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such Act), unless such company (or such affiliated company), as the case may be, directly owns 25 per centum or more of the voting shares of each of two or more banks, (C)', (2) by changing '(D)' to read 'and (C)', and (3) by striking ', and (E) no company shall be a bank holding company if at least 80 per centum of its total assets are composed of holdings in the field of agriculture'.

"Sec. 4. (a) Section 4(c) of such Act is amended—

"(A) by striking ', or to shares lawfully required and owned prior to the date of enactment of this Act by a bank which is a bank holding company, or by any of its wholly owned subsidiaries' from paragraph (4).

"(B) by adding 'or' at the end of paragraph (6).

"(C) by striking:

"'(7) to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954; or'.

"(D) by redesignating paragraph (8) as paragraph (7).

"(b) Section 4 of such Act is further amended by adding at the end thereof the following new subsection:

"'(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after two years from the date of the repeal of such exemption, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date of repeal of such exemption'."

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Bennett].

Mr. BENNETT. Mr. Chairman, I do not want to take up very much more time. I would like to emphasize the things that I have already tried to emphasize in this debate.

The amendments which I have introduced are 100 percent from the Federal Reserve Board—every one of them was written by the Federal Reserve Board. They have all been requested over the period of the last 5 or 6 years by the Federal Reserve Board.

Second, the things that have been raised here with regard to the exemptions really have already been handled by the Committee on Banking and Currency in 1955 when that committee brought out a bill to the floor of the House in which these exemptions did not exist. They had hearings and they decided there was no reason for the exemptions so they left the exemptions out. So the Committee on Banking and Currency as a matter of fact after deliberate hearings has already decided that these exemptions should not exist. We have not only had a long time elapse but we have had department report after department report favorable to this. We have had witnesses and long hearings and we have a legislative history on this matter showing that the House of Representatives itself has gone on record in favor of leaving these exemptions out.

So let us return now to the cardinal thing that we ought to have in our minds in regard to this legislation. That is the reason, the principle behind it. The principle caused the 1933 law. It was not to allow banking and nonbanking businesses to be controlled by the same interests.

That principle runs counter to every one of the exemptions. If we do not have these exemptions stricken, we will have a violation of those principles upon which the banking law that was passed in 1933 is based. In 1955 they discovered that just prohibiting a bank from holding a nonbanking business did not close the door entirely because somebody thought up the idea of the bank holding company to own a bank and own a business. So the Congress had to pass a bank holding company act, and the House of Representatives went on record as opposing those exemptions.

There is no reason why any of these exemptions should exist. They all violate the basic principle of the law. A trustee for the depositors in a bank should not be allowed to have those funds available to do anything that is contrary to the depositing purposes of the bank. He should not be allowed, for instance, to conduct the Coca Cola Co. or conduct Macy's department store or the Goodyear Tire & Rubber Co. All of these examples are involved in the legislation before us. Neither should he be running a labor organization or a labor union. There is no sense to that. That is contrary to principle. A labor union could use those funds to see to it that a business that was going out of existence and which was favorable to labor was helped. As a matter of fact, an article in the News & World Report sometime back went into a specific case somewhat like that.

For labor organizations to do that is just as bad as it would be for a church or any other kind of organization to do it.

The bill before us today, the so-called Du Pont bill is not just a Du Pont bill. The bill says that churches cannot do this, and it says that religious organizations, and the Community Chest and all of those very fine organizations cannot do this. So this committee in its profundity has come up here and said,—We suspect you churches and we suspect the Community Chest—and of course Mr. Du Pont's estate for the crippled children and the elderly. But organized labor? We are not suspicious about them. We will allow them to continue to have the exemption.

How ridiculous can you be?

Gentleman, I hope you will give thought to the amendment I have offered. It is a meritorious amendment and adds value to the bill. If the amendment is put into the bill, you can chalk this bill up as the finest piece of legislation that this entire Congress will have passed, because it will take political courage to do it.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Florida.

Mr. HALEY. As I understand the amendment offered by the gentleman, all it would do is not single out one particular organization or one particular group, but it would put all the "cats in one bag." Is that correct?

Mr. BENNETT. Exactly.

Mr. WIDNALL. Mr. Chairman, I rise in support of the amendment.

Under the Bank Holding Company Act, the Federal Reserve Board is required to report to the Congress annually on any recommendations it may have for changes in the Bank Holding Act which, in the opinion of the Board, would be desirable changes. For the past several years, the Board has so reported to the Congress and submitted a draft bill to effect a number of changes in the bank holding company law. The report this year was transmitted to the chairman of our committee on March 15.

When the Bank Holding Company Act was passed, it included a number of exemptions from the act designed to lessen opposition to the bill. The Board repeatedly called attention to these exemptions and consistently has taken the view that they should be removed from the act. This was true in their prior recommendations and it is true in their report of this year.

As many of you will recall, the Bank Holding Company Act was passed on the premise that expansion of bank holding companies should be subject to Federal regulation and that, generally speaking, bank holding companies should be divorced from nonbanking activities. In general, a bank holding company is an organization that owns 25 percent or more of the stock in two or more banks. But the original act made exemptions to this general provision. For instance, a company with 80 percent or more of its holdings in the field of agriculture could control two or more banks and yet, by definition, be exempt from the Bank Holding Company Act. Nonprofit religious, charitable, or educational organizations, likewise could control two or more banks and by definition were exempted from the act. By definition, partnerships controlling two or more banks were exempted from operation of the act. Although a business trust controlling two or more banks was included under the act, no provision was made for coverage of a testamentary trust controlling two or more banks. Another exemption relieved registered investment companies owning banks from operation of the act.

In the section of the act dealing with divestiture of nonbanking activities, two exemptions were provided which the Federal Reserve Board has recommended be repealed. One of these relates to nonbanking shares of stock acquired by a bank holding company prior to enactment of the act. The other exempts labor, agricultural, and horticultural organizations from the divestiture requirements of the act.

The Federal Reserve Board, year after year, has recommended removal of all of the above-mentioned exemptions with the exception of the exemption for partnerships. The bill before us today would remove but three of the exemptions; namely, the exemption for nonprofit religious, charitable, or educational organizations, the exemption for partnerships, and would modify the trust exemption so that any trust controlling two or more banks would be subject to the act unless it had a duration of less than 25 years.

Our colleague, the gentleman from Florida, Congressman BENNETT, has offered an amendment to remove the other exemptions as repeatedly recommended by the Federal Reserve Board. These are the exemptions for registered investment companies with 80 percent or more of their holdings in agriculture and the two divestiture exemptions applying to previously acquired shares owned by a bank holding company and the exemption from divestiture by labor, agricultural, and horticultural organizations holding bank stocks. In addition, Congressman BENNETT's announced amendment contains another recommendation of the Federal Reserve Board to make applicable a one-bank rather than a two-bank definition. Presently, the act is only applicable in the case of an organization controlling two or more banks. A provision in the Bennett amendment would make the act applicable to an organization controlling one or more banks.

The Federal Reserve Board position is that if it is wrong to mix banking and nonbanking activities, then the potential for abuse exists whether the company controls one or a dozen banks. In the case of a nonbanking company controlling a large bank in fact, the abuse potential might be even greater than in the case of a holding company controlling only small banks.

What the situation boils down to is this; the bill with the Bennett amendment will once and for all get rid of the unjustified exemptions in the act. Without the Bennett amendment, the bill only removes part of these exemptions and is open to the charge that it is special legislation essentially directed at but one situation, namely, the Du Pont estate, which control 31 banks in Florida.

Personally, I think the Bennett amendment should be adopted so that there is an overall approach to the elimination of these exemptions rather than the limited approach embodied in the bill as reported by the committee.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a unanimous consent request?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. On this side we have about four speakers, three from the committee and the gentleman from New York [Mr. CELLER]. I believe if we were to agree on a 20-minute limitation that would certainly cover all the time indicated to me to be needed by the speakers.

Could we have a unanimous-consent agreement to limit debate to about 25 minutes?

Mr. WIDNALL. Twenty minutes will be sufficient.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that debate close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentlewoman from Missouri [Mrs. SULLIVAN], so she can close debate for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Chairman, reserving the right to object, I wish to propound a parliamentary inquiry as to whether, in the Committee of the Whole House, one can reserve time for the purpose of closing debate, on either side?

The CHAIRMAN. The gentleman from Texas asked unanimous consent to yield his time to Mrs. SULLIVAN.

Mr. HALL. There was an additional unanimous consent involved.

The CHAIRMAN. Recognition is a matter under the discretion of the Chair. The Chair does not conceive that to be included within the gentleman's request.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. BROCK].

Mr. BROCK. Gentlemen, I think the case has been made clearly today. The thrust of the amendment of the gentleman from Florida is to treat all groups in the same fashion whether they be labor or agricultural organizations or charitable foundations. The case has well been made in the committee. We have had substantial hearings and the committee as early as 1956 voted out a bill. The House of Representatives passed that bill, which did not include these exemptions. They were put in on the Senate side by and large. To say that we have had no adequate consideration is not entirely true. The case has been made clearly and cogently, and I hope that the Members of the House will support the Bennett amendment. If that amendment is not adopted, then we should vote against final passage on the grounds that we have no right to pass single-purpose punitive legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise in support of the Bennett amendment.

I, too, do not believe—regardless of what the feelings may be of some members of the Committee on Banking and Currency with regard to specific organizations—I do not believe in class legislation, either. I think the gentleman from Florida has taken the sound and equitable and proper approach that if you are going to delete these exemptions, consideration should be given to doing it across the board. I agree with my distinguished chairman of the Committee on the Judiciary who takes the same position. His logic is equally sound, I think. I hope that the Bennett amendment will prevail. Otherwise, and properly so, this Congress and the Committee on Banking and Currency could be charged with trying to legislate punitively on a class basis.

The committee was wrong in voting such a punitive bill out in the first place without considering the executive agency's request on all exemptions.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. WELTNER].

Mr. WELTNER. Mr. Chairman, I oppose the Bennett amendment. I believe that the Congress ought to know what it is about in enacting legislation. It is true that the Bennett amendment removes all the exemptions. But the main thrust of that amendment is not to remove exemptions but to change definitions. The first portion of that amendment would bring into the provisions of the Bank Holding Company Act 341 holding companies located in 44 States and the District of Columbia. Those holding companies own 331 banks. Those holding companies control through those banks 521 branches, making a total of 851 banking facilities which we are about to sweep in under this Bank Holding Company Act—with no prior consideration, and with no opportunity to be heard. Those holding companies control in banking assets, deposits of $13,553 million.

If we are going to legislate soundly, we cannot do so by changing a definition which no one had presupposed, and we cannot do so by sweeping legislation today which affects 341 holding companies in 44 States and the District of Columbia. Those companies have no earthly idea of what is contained in this amendment. They have the right to be heard, and we have the duty to hear them.

For that reason I oppose the Bennett amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS] for 2 minutes.

Mr. CURTIS. Mr. Chairman, as one who is not on this committee, but, like many of the rest of the Members of the House, is very much concerned about the Bank Holding Company Act, I am distressed at the way this legislation is before us. I would suggest that we might do a little thinking back on the fact that this comes out under the 21-day rule, and why did this not get a rule before the Committee on Rules? It becomes very apparent to me why a rule was not granted.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. No, I am not going to yield. I only have 2 minutes. You cut the time down so we could not debate this, and I want the 2 minutes in order to state my position.

The matter would not have been granted a rule, in my judgment, after listening to this and looking at the hearings. If I have ever seen single-purpose legislation directed at one institution, this is it. I have heard the word used that it is punitive, and there is great merit to that description.

I am impressed somewhat by the point made by the gentleman from Georgia [Mr. WELTNER] that the committee has not had the studies or given us the information necessary to act on the Bennett amendment. Of course, the broad thrust of the Bennett amendment does appeal to me over the narrow scope of the bill before us. We should have had legislation out of the Committee on Banking and Currency long before this on the recommendations of the Federal Reserve System to close the loopholes in the Bank Holding Act. But that is not before us. I shall probably vote for the Bennett amendment but, in my judgment, what really should happen is that this matter, the bill itself, should be recommitted to the committee and let us have an end to it and then have the committee, after adequate study, report out broadly based legislation.

From the practical standpoint I understand the Bennett amendment is one way of killing the special legislation bill and I would do anything I could to do that as long as it is proper. I only hope that in the future we will pay a little more attention to what the Committee on Rules can do for us if it follows, as it has in most instances, its policy of going into the question whether or not a bill should be on the floor for debate.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. STEPHENS].

Mr. STEPHENS. Mr. Chairman, I rise in opposition to this amendment. There were reasons for putting all exemptions into the Bank Holding Company Act originally. There has been no evidence in hearings that would cause me to change my mind, either to vote to take away the exemption granted in the main bill or to vote to take away exemptions covered by the amendment of the gentleman from Florida [Mr. BENNETT]. There was no evidence placed before me to indicate that these things should be changed but complete hearings were had on the original act when those exemptions were put in. We are in the same position of that jury that came out with a verdict: "We find the defendant guilty although we do not believe he committed this crime. We have found him guilty because we believe that if he had been there he would have done it." That is the way it is with this amendment.

There is no evidence upon which to convict every single company that has been granted an exemption. So far as evidence is concerned, a vote for the Bennett amendment would be to convict on no evidence. Until there is such evidence before this House in the form of hearings before our committee, then there is no reason to write legislation on the floor without evidence. This amendment seems to be simple but it is not. It is far reaching in its effect all over this country, with over 300 institutions that might be affected by this without having had their day in court.

These reasons are why I am opposed to this particular amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I am not a member of the Committee on Banking and Currency, but I am very much interested in the concentration of banking power, especially the concentration of banks. That has always enlisted my interest. The undue concentration in one form is as good as or as bad as concentration in any other form. Concentration among the labor unions with reference to banks is just as bad as concentration by an eleemosynary group or a religious group or a horticultural group.

I think all these excemptions that are in the act now must be removed. Here is a golden opportunity to remove these exemptions. If you adopt the Bennett amendment, you will at one fell swoop do what probably would take months and months, if not years, to do. I say seize this opportunity now. If there is any doubt in anybody's mind with reference to the bill itself I think he should take the advice of experts. The Treasury Department says it is opposed to the original bill.

The Comptroller of the Currency said he is opposed to the bill. The Federal Reserve says, "We want all of the exemptions taken out."

Therefore, Mr. Chairman, I would say that the Federal Reserve System is somewhat opposed to the bill and I am sure it would be in favor of the bill I am sure wholeheartedly with the Bennett amendment. The Bennett amendment is exactly what the experts want, the experts being; namely, the Treasury, the Comptroller of the Currency, and the Federal Reserve.

Therefore, Mr. Chairman, I hope the amendment will prevail.

The CHAIRMAN. The Chair recognizes the gentlewoman from Missouri [Mrs. SULLIVAN] for 4 minutes.

Mrs. SULLIVAN. Mr. Chairman, I urge that this amendment be rejected.

Mr. Chairman, just as Rome was not built in a day, we cannot expect in one fell swoop to completely overhaul the regulations of group banking.

Mr. Chairman, it is clearly the intent of the Committee on Banking and Currency that we look into all of the exemptions contained in the Bank Holding Company Act and that we consider each exemption on its own merits.

Mr. Chairman, this is the only way to legislate sensibly in this area.

We, in committee, agreed that there was no good reason and no purpose to be served by delaying correction of glaring weaknesses brought out by full and complete hearings. After hearing all parties wishing to testify, the committee carefully considered the excellent record made under the chairman's leadership and we voted out a broadened bill by an overwhelming vote of 21 to 4.

Using the same deliberate and careful procedure, we also reported out unanimously H.R. 7372, a bill to remove the investment company exemption. The report filed on this bill specifically stated that we would hold further hearings on all of the exemptions in the act.

Mr. Chairman, I believe the House may have full confidence that we will do just that, giving all affected parties an opportunity to be heard. If the House insisted upon closing all the loopholes, and I am not arguing that these loopholes should not be closed, without hearings to determine the merits of each, then we lay ourselves open to a charge of engaging in star chamber proceedings unworthy of this House.

Mr. Chairman, may I suggest that the Members go to the committee table and look up the holding companies listed in their own State. In Missouri alone we have 24 companies which would become bank holding companies controlling bank assets exceeding $1 billion, without an opportunity to be heard, if the Bennett amendment is adopted.

Mr. Chairman, any company should have an opportunity to be heard before we accept such an amendment of this impact.

Mr. Chairman, I urge that the amendment be defeated.

Mr. ANNUNZIO. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURPHY of New York. Mr. Chairman, I want to join in the remarks of the gentlewoman from Missouri, the chairman of the Subcommittee on the Panama Canal of the House Committee on Merchant Marine and Fisheries, on the floor of the House today.

In my 3 years of service on this committee, the gentlewoman has been the subcommittee chairman for that entire time. I traveled to Panama on several occasions with the chairman, not only to inspect the site and operation of the canal, but to confer with the Governor General and his staff, our military leaders, our diplomatic leaders, our American businessmen, and civic, veterans and religious groups.

On our most recent trip in January of this year, we met with the Secretary of the Army; the then Assistant Secretary of State for Inter-American Affairs, now Under Secretary of State for Economic Affairs, Thomas C. Mann; and the then Ambassador to Panama, now Assistant Secretary of State, Jack H. Vaughn. We expressed at that time as a committee that the sense of the Congress was that the canal and the treaty with Panama with its sovereignty provisions should not be changed and that the United States must remain in control of this canal until such time as a new sea-level canal is constructed, in operation, and under the control of the United States.

I also feel that the rash of press speculation at the present time that the canal is about to be given away, is evidence enough that our foreign policy and our treaties need careful and considered scrutiny in the Congress. I join with the gentleman from Pennsylvania [Mr. FLOOD] in his assertion that the House of Representatives should be a ratifying body for U.S. treaties in the future.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 53, noes 36.

So the amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956, pursuant to House Resolution 499, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. PATMAN. Mr. Speaker, I demand a separate vote on the Bennett amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 2, add the following at the end of the bill:

"SEC. 2. (a) The first sentence of section 2(a) of such Act is amended by changing 'each of two or more banks' to read 'any bank' each place it appears therein.

"(b) The first sentence of section 3(a) of such Act is amended by changing 'company becoming a bank holding company' to read: 'bank becoming a bank holding company or of any other company becoming a bank holding company with respect to more than one subsidiary bank'.

"SEC. 3. The second sentence of section 2(a) of such Act is amended (1) by striking 'no company shall be a bank holding company which is registered under the Investment Company Act of 1940, and while so registered prior to May 15, 1955 (or which is affiliated with any such company in such manner as to constitute an affiliated company within the meaning of such Act), unless such company (or such affiliated company), as the case may be, directly owns 25 per centum or more of the voting shares of each of two or more banks, (C)', (2) by changing '(D)' to read 'and (C)', and (3) by striking ', and (E) no company shall be a bank holding company if at least 80 per centum of its total assets are composed of holdings in the field of agriculture'.

"SEC. 4. (a) Section 4(c) of such Act is amended—

"(A) by striking ', or to shares lawfully acquired and owned prior to the date of enactment of this Act by a bank which is a bank holding company, or by any of its wholly owned subsidiaries' from paragraph (4).

"(B) by adding 'or' at the end of paragraph (6).

"(C) by striking:

"'(7) to any bank holding company which is a labor, agricultural, or horticultural organization and which is exempt from taxation under section 501 of the Internal Revenue Code of 1954; or'.

"(D) by redesignating paragraph (8) as paragraph (7).

"(b) Section 4 of such Act is further amended by adding at the end thereof the following new subsection:

"'(d) With respect to shares which were not subject to the prohibitions of this section as originally enacted by reason of any exemption with respect thereto but which were made subject to such prohibitions by the subsequent repeal of such exemption, no bank holding company shall retain direct or indirect ownership or control of such shares after two years from the date of the repeal of such exemption, except that the Board is authorized upon application by such bank holding company to extend such period of two years from time to time as to such holding company for not more than one year at a time if, in its judgment, such an extension would not be detrimental to the public interest, but no such extensions shall extend beyond a date five years after the date of repeal of such exemption.'"

The SPEAKER. The question is on the amendment.

Mr. PATMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 199, nays 178, answered "present" 3, not voting 52, as follows:

[Roll No. 320]

YEAS—199

Abbitt
Abernethy
Adair
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Bandstra
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Boland
Bow
Bray
Brock
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Cahill
Carter
Cederberg
Celler
Chamberlain
Clancy
Clawson, Del
Cleveland
Collier
Conable
Conte
Cooley
Corbett
Craley
Cramer
Curtin
Curtis
Daddario
Dague
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole
Dorn
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fascell
Findley
Fisher
Fountain
Fulton, Pa.
Fuqua
Gathings
Gettys
Giaimo
Gibbons
Griffin
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halpern
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harvey, Ind.
Harvey, Mich.
Hays
Henderson
Horton
Hull
Hutchinson
Jennings
Johnson, Pa.
Jonas
Keith
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, Md.
McCarthy
McClory
McCulloch
McDade
McDowell
McMillan
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
May
Michel
Mills
Minshall
Mize
Moore
Morris
Morse
Mosher
Murray
Nelsen
O'Konski
Passman
Pepper
Pickle
Pike
Pirnie
Poage
Poff
Pool
Purcell
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rivers, S.C.
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Secrest
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stafford
Stanton
Stubblefield
Sweeney
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Thomson, Wis.
Tuck
Tupper
Ullman
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Charles H.
Wolff
Wyatt
Younger

NAYS—178

Adams
Addabbo
Albert
Annunzio
Ashley
Aspinall
Barrett
Beckworth
Bingham
Boggs
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Carey
Casey
Chelf
Clark
Clevenger
Cohelan
Conyers
Culver
Cunningham
Daniels
Davis, Ga.
Delaney
Dent
Denton
Dingell
Donohue
Dow
Dulski
Dyal
Edmondson
Edwards, Calif.
Fallon
Farbstein
Feighan
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gilbert
Gilligan
Gonzalez
Grabowski
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hamilton
Hanna
Hathaway
Hawkins
Hébert
Hechler
Helstoski
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Krebs
Leggett
Long, La.
Love
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Matsunaga
Meeds
Miller
Minish
Mink
Moorhead
Morgan
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Perkins
Philbin
Price
Pucinski
Race
Randall
Redlin
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Shipley
Sickles
Sisk
Slack
Staggers
Stalbaum
Steed
Stephens
Stratton
Sullivan
Taylor
Thompson, N.J.
Todd
Trimble
Tunney
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Weltner
White, Idaho
White, Tex.
Wright
Wydler
Yates
Young
Zablocki

ANSWERED "PRESENT"—3

Callaway
Pelly
Roncalio

NOT VOTING—52

Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Blatnik
Bolton
Bonner
Burton, Utah
Clausen, Don H.
Colmer
Corman
Dawson
Diggs
Dowdy
Ellsworth
Evans, Colo.
Farnsley
Farnum
Fino
Ford, Gerald R.
Frelinghuysen
Goodell
Gray
Halleck
Harris
Harsha
Herlong
Hicks
Holifield
Holland
Hosmer
Johnson, Okla.
Landrum
Lindsay
McEwen
Moeller
Monagan
Morton
O'Brien
O'Hara, Ill.
Olsen, Mont.
Powell
Resnick
Rhodes, Ariz.
Roosevelt
Scott
Senner
Springer
Thomas
Thompson, Tex.
Toll
Utt
Wilson, Bob

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hosmer for, with Mr. Holifield against.

Mr. Halleck for, with Mr. Toll against.

Mr. Colmer for, with Mr. Olsen of Montana against.

Mr. George W. Andrews for, with Mr. Farnum against.

Mr. Scott for, with Mr. Farnsley against.

Mr. Hicks for, with Mr. Diggs against.

Mr. Harsha for, with Mr. Moeller against.

Mr. Herlong for, with Mr. Roosevelt against.

Mr. Bob Wilson for, with Mr. Senner against.

Mr. Frelinghuysen for, with Mr. Corman against.

Mr. Rhodes of Arizona for, with Mr. Dawson against.

Mr. Bonner for, with Mr. O'Hara of Illinois against.

Mr. Don H. Clausen for, with Mr. Powell against.

Mr. Burton of Utah for, with Mr. O'Brien against.

Mr. Anderson of Illinois for, with Mr. Resnick against.

Mr. Goodell for, with Mr. Holland against.

Mr. Morton for, with Mr. Anderson of Tennessee against.

Mrs. Bolton for, with Mr. Blatnik against.

Mr. Ellsworth for, with Mr. Landrum against.

Mr. McEwen for, with Mr. Monagan against.

Until further notice:

Mr. Thomas with Mr. Gerald R. Ford.

Mr. Harris with Mr. Springer.

Mr. Dowdy with Mr. Fino.

Mr. Evans with Mr. Lindsay.

Messrs. CASEY, LONG of Louisiana, DONOHUE, PHILBIN, WRIGHT, ROBERTS and ADAMS changed their vote from "yea" to "nay".

Messrs. McMILLAN and RUMSFELD changed their vote from "nay" to "yea".

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 2300) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McNAMARA, Mr. RANDOLPH, Mr. MUSKIE, Mr. GRUENING, Mr. MOSS, Mr. COOPER, and Mr. FONG to be the conferees on the part of the Senate.

AMENDING PUBLIC HEALTH SERVICE ACT

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 590, Rept. No. 1090) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3142) to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed and include relevant extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING THE CLEAN AIR ACT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 587, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 306) to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Indiana [Mr. MADDEN] is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may require and pending that I yield 30 minutes to the gentleman from California [Mr. SMITH].

Mr. Speaker, House Resolution 587 provides an open rule with 2 hours of general debate on S. 306, a bill to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

S. 306, as reported, would broaden the present authority of the Department of Health, Education, and Welfare in two areas affecting the public health and welfare: First, air pollution; and second, solid waste disposal.

The bill would add a new title II to the Clean Air Act providing for control of air pollution from motor vehicles. This title would authorize the Secretary to prescribe by regulation as soon as practicable performance standards applicable to new motor vehicles and new motor vehicle engines with regard to air pollution which endangers the health or welfare of any person.

In addition, the bill would amend the Clean Air Act so as to permit a foreign country in the case of air pollution emanating from the United States which endangers the health or welfare of persons in such foreign country to participate in conferences called by the Secretary of HEW and, for the purposes of such conferences and proceedings resulting therefrom, have all the rights of a State air pollution control agency. This privilege is conditioned, however, upon the foreign country granting reciprocal rights to the United States.

Finally, the bill provides for the conduct and acceleration of research programs relating to means of controlling air pollution caused by motor vehicles in two respects: First, hydrocarbon emissions resulting from the evaporation of gasoline; and second, emissions of oxides of nitrogen and aldehydes. Such research is to be directed toward the development of improved low-cost techniques designed to reduce emissions of oxides of sulfur produced by the combustion of sulfur-containing fuels.

Mr. Speaker, I urge the adoption of House Resolution 587 in order that S. 306 may be considered.

Mr. Speaker, I yield 7 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

(By unanimous consent, Mrs. SULLIVAN was given permission to speak out of order.)

UNITED STATES-PANAMA RELATIONS

Mrs. SULLIVAN. Mr. Speaker, up to now I have expressed my views on United States-Panama relations only in executive sessions, or in private talks with the Secretary of the Army, or with ranking officials of the Department of State.

But I now feel that some plain talking needs to be done about this relationship which too often gets out of proper prospective.

However, as chairman of the Subcommittee on Panama Canal of the House Committee on Merchant Marine and Fisheries, I have grave doubt that this kind of talking, necessary as it is, will get very far with the Department of State.

The aim seems always to be, let us not offend the sensibilities of others, regardless of how our own may be mistreated.

Now that the United States and Panama are engaged in negotiations for a new treaty—a revision of the old 1903 treaty—I believe that plain and unmistakably clear talk could have a salutary effort on the responsible leaders of Panama, and on our own.

I admit that during the 60-year-old relationship between Panama and the United States both countries have committed many errors which, perhaps, should never have occurred. But it is wicked of anyone to hold that the United States has deprived Panamanians of their birthright.

Because of Panama's association with the United States it enjoys greater prosperity than that experienced by any other country in this region of Latin America. Unfortunately the wealth generated by the Panama Canal and its appurtenant installations has not been shared by the leaders of that country with the Panamanian masses.

The upshot of it all is that our Government has been made the scapegoat for the lack of economic, educational, and social opportunities which, over the years, should have been made available to the people of Panama by their own ruling classes.

Contrary to what may be said or written, the big and powerful United States has neither exploited nor neglected its little and less developed neighbor. Even the average citizen of Panama would be surprised to learn of the benefits his country derives from the United States through the Panama Canal Company Canal Zone Government activities.

In this connection, I invite attention to the following facts:

Panama's present high level of gross national product is due largely to the increasing revenues from transactions in goods and services with the Canal Zone.

Panama's foreign trade deficit has been greatly aided by increased direct economic support received from the Canal Zone.

Panama has been able to avoid a heavy burden on its economic resources because it does not have to organize, maintain, and equip its own armed forces for national defense purposes. This is one advantage of the U.S. military presence in the Canal Zone. Presently, only the Guardia Nacional or national police force is maintained.

Various U.S. grants for development projects have also made a strong impact on the social and economic life of the country.

In ways too numerous to detail, the operation of civil and military installations in the Canal Zone furnishes job opportunities, a market for supplies and services, and other economic advantages of tremendous benefit to Panama. The Canal Zone is the principal source of external aid to Panama.

I stand for giving the utmost help to the people of Panama to bring them into the 20th century of living standards. Since 1953 when assigned to the subcommittee dealing with United States-Panama relations, I have fought for attaining these goals.

However, I am opposed to yielding fundamental American rights in any concessions or grants which the United States may consider for Panama.

In the U.S. Congress, I, and my colleagues, reject even the slightest trace of blackmail which may be employed by any politicians to force our Government into making certain concessions to their countries. As a matter of fact, this rejection holds good with all Americans, regardless of whether the politicians are from Panama or elsewhere.

The canal itself would never be able to provide all the people of Panama with a standard of living sufficient to meet their every need and desire. Responsible leaders in that country, then, have the obligation of making this fact clear so as to avoid building up false hopes on false premises.

I note the rising tide of opposition in Latin America and other underdeveloped areas to the concentration of power and wealth in the hands of a few at the expense of the masses.

Countries with leaders who have been heedful of the need for social reform and equality of opportunity for all of its citizens have been creating an environment of progress and stability which strengthen the democratic order.

On the other hand, where this type of leadership has been absent, violent upheavals and chaos have resulted, setting back the democratic causes while imposing tyrannical and authoritarian regimes.

Under the 1955 treaty many valuable properties and parcels of land were turned over to Panama, little of which has been put to any worthwhile use by that nation up to now.

Some properties were even abandoned after being sacked by vandals, while others are being misused and permitted to deteriorate.

Certain concessions obtained by Panama in the 1955 treaty resulted in thousands of our canal employees losing their jobs in the Canal Zone and since remaining jobless. Many of the Panamanian workers have been coming to this country to become readjusted.

Responsible leadership in Panama should concern itself that measures will be sought in the present treaty negotiations to stabilize the economy of the entire country and promote its industrial development. This would result in political peace.

I am for granting substantial technical aid and economic assistance that will enable Panama to assume a new order, not one in which the masses will continue to be exploited by a selfish minority; not one in which special families will continue to have all the social controls; but a new order in which the vital interests of the Panamanian nation and the people will be genuinely consulted and fully respected.

Top officials in Washington should call for an end to the monopolistic privileges accorded to certain families in Panama. They should also insist that poverty, disease, illiteracy, and despair be removed from the lives of the Panamanian masses, to the same extent that we are doing here in the United States.

This kind of straight, unequivocal talking is absolutely necessary if the United States is to secure for the struggling peoples of the Americas a more prosperous and decent welfare.

I fear that those in charge of negotiations for revision of the 1955 Treaty propose to share authority for the operation of the canal with the Republic of Panama. If I were convinced that this would in any way benefit the little people of Panama I would be one of the first to approve. However, the establishment of a joint authority for canal operation would only serve to satisfy the asperations of the few families who have controlled the Republic since its beginning. In fact, if we were to turn the canal over to the Republic of Panama, lock, stock and barrel, I am convinced that it would not benefit the masses, and it clearly would not be sufficient to meet the needs of the people of that Republic for more jobs and general improvement in its economy. Those can only be obtained by a better distribution of the help presently being rendered by the United States to the Republic, and a lessened dependence upon the canal as a source of unlimited money for the use of the few.

As I said previously—my arguments and my remarks on the Panama Canal situation have previously always been in executive session. I have not wanted to add fuel to the fire in our relations with Panama.

However, in the past 2 weeks detailed news items concerning the negotiations now going on between the United States and Panama have appeared in several newspapers and magazines. Therefore I feel I am violating no confidences by speaking out today. I can see no good either to the people of Panama or to the people of the United States, if we turn over or share authority of the operations of the present Panama Canal with the Panama Government and a handful of families who have controlled and stymied the progress of the people of Panama.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time. I should like at this point to thank our colleague from Missouri [Mrs. SULLIVAN] for bringing this very important subject matter to our attention. It has been kept secret too long, Mr. Speaker.

As a member of the Committee on Foreign Affairs I should like to say at this time that I am deeply concerned over the renegotiations of the treaty between the United States and Panama. I feel that the national security of the United States is deeply involved. I feel that the security of the free world is involved and the guarantee that the United States must give shipping in this area is in jeopardy. The United States must continue to maintain its responsibility in the area by continuing the administration and control of the Panama Canal until we have built a new canal under complete U.S. control.

It is beyond comprehension that the administration give to Panama any control of the canal without a firm review and discussion of this entire issue in the House of Representatives as well as in the other body.

Mr. CASEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, the gentlewoman from Missouri is known by this House to be one of our reserved and levelheaded Members and certainly, not an alarmist.

I know the reluctance she had with regard to expressing her concern over the developments in Panama, as she has just done on the floor of the House. I wish to compliment her for making her views known and calling to the attention of the Members the developments now taking place on the renegotiation of the Panama treaty.

I have had the privilege of serving with her on the Panama Canal Subcommittee of the Merchant Marine and Fisheries Committee for approximately 7 years, and know the diligence with which she goes into the problems of Panama and her desire to better the conditions of the Panamanian people. So, it is not with any degree of misgivings that I wholeheartedly endorse the concern that she has expressed for, I, too, have observed the manner in which we are slowly but surely trading off the Panama Canal and not obtaining any benefits for the people of Panama, as a whole.

It is my hope that the President will find the time, with all of his other tremendous responsibilities and duties, to take a personal interest in the negotiations that are now going on and to review closely the proposals that are being offered, for I am sure that he, too, might determine what it should be with caution that we consider turning over the canal or sharing the responsibility of the canal at this time with the Panamanian Government.

I wish to commend our colleague, Mrs. SULLIVAN, on her diligence and devotion to the Subcommittee on the Panama Canal, as well as her devotion to the best interests of our country. It is indeed my pleasure to associate myself with her.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 587 provides an open rule with 2 hours of general debate for the consideration of the bill S. 306, to amend the Clean Air Act, and so forth.

Mr. FLOOD. Mr. Speaker, will the gentleman yield for just 1 minute to make an observation on the subject touched upon by the gentlewoman from Missouri [Mrs. SULLIVAN]?

Mr. SMITH of California. I am happy to yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, I do not intend to go into the details of this subject. I have spoken on it for many, many years, as many of the Members know. But if ever I heard a reason why there should be a constitutional amendment to permit the House of Representatives to act with the other body on ratification of treaties, I just heard it from the gentlewoman from Missouri.

I thank the gentleman for yielding.

Mr. CRAMER. Mr. Speaker, will the gentleman yield to me?

Mr. SMITH of California. I am glad to yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I will say to the gentlewoman from Missouri, to the gentlewoman from New York, and the gentleman from Pennsylvania that I consider these negotiations going on at the present time, having to do with giving up U.S. sovereignty over the Panama Canal as among the most serious matters facing this Nation and the free world today. It has become common knowledge, at least through the press, that these negotiations are going on, that there is consideration being given to giving up a good portion of U.S. sovereignty over the Panama Canal. This discussion and these remarks should alert all Americans, including all Members of this House, to the fact, in that we are responsible for the security of this hemisphere, the security of future shipping in this hemisphere in which the Panama Canal is an integral and major and important part, that this administration is wrongly considering seriously giving up U.S. sovereign control over the Panama Canal. I think the people of this Nation should be alerted to this fact. This matter should be thoroughly debated.

In my opinion the people of America would not approve, and would voice themselves overwhelmingly in opposition to any such proposal.

Further let me say that it is my opinion relating to the Panama Canal Commission established for the determination of a sea level canal route that there is a great risk that any such new canal constructed as proposed would negate U.S. sovereignty over that canal too. Certainly as evidenced by the President's negotiations underway relating to the present canal this is to be suspected. That new canal, too, could become subject to the sovereignty and jurisdiction of another nation. I believe spending American dollars on this is wrong. I am glad to see this matter out in the open now. I think it is time it did come out in the open. I am delighted that the matter is being debated on the floor of the House today and that these negotiations are publicly exposed today for all America to know.

Mr. GROVER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, as ranking Republican on the Panama Canal Subcommittee of the Merchant Marine and Fisheries Committee, I wish to associate myself with the remarks of the gentlelady from Missouri.

I recognize the difficulties of negotiating a new treaty with Panama since their internal economy and their internal politics are intricately involved with our presence and control of the Canal under the present treaty. I do concur with the gentleman from Florida that the overwhelming consensus of American citizens would oppose our abdication of sovereignty and bilateral control of the Canal Zone and Canal with the Republic of Panama.

The matter is being resolved with undue haste to accommodate the political hierarchy of Panama, since its legislature will soon be in session.

I would hope that considerably more study will be given this problem and the negotiations, since most serious considerations of national defense and maritime convenience are involved.

Mr. SMITH of California. Mr. Speaker, two new titles are added to the Clean Air Act by S. 306. Title I covers the problem of auto exhaust caused by internal combustion engines. The Secretary of HEW is required to prescribe as soon as possible standards applicable to the emission of pollution from new automobiles which contribute to the endangering of the public health. He is also to set the date when such standards are to take effect. Automobile manufacturers are or will be prohibited from selling or importing for sale any new motor vehicles or engines which do not conform to the standards prescribed. Federal district courts will have jurisdiction of violations and may levy fines of up to $1,000 for each violation. Appropriations authorized are $470,000 for fiscal 1966, $845,000 for 1967, and $1,195,000 for 1968, and $1,470,000 for 1969 or approximately $4 million.

Mr. Speaker, I am in support of this particular title of the bill and, to be perfectly honest, I am not certain just what the legislation can do with regard to this problem, because it is primarily a problem in my area of Los Angeles, Calif., and vicinity. We passed laws in our State legislature there relating to this and we have been investigating this problem. We had a number of tests and examinations made. Cars will have to be provided with certain devices in the near future in order to be sold in California. In any event, I am happy to see the Government come into it if they can be of help. I say that because 2 years ago we had the Clean Air Act, which was first passed on the floor. The biggest problem with regard to this is in California. I supported that act and voted for it and presented the rule. A few days later a few of my conservative constituents said, "If you are going to spend money like this, I am no longer going to support you. Take me off your newsletter list." Politics are sometimes strange indeed.

Now, I am for title I, and I hope that it works out.

Title II is another question, because this provides for a national program of research and development of new and improved methods of waste disposal. The Secretary of Health, Education, and Welfare is authorized to conduct, encourage, and render financial assistance to Federal, State, interstate, and local authorities, private institutions, and individuals who are conducting research or related studies of the problem of disposal. Grants are authorized to such agencies. They may be up to two-thirds of the cost of construction of the facility.

Additionally, grants of up to one-half may be made to State and interstate agencies for surveys of practices and problems with regard to waste disposal. To qualify for such grants the agency must be the sole agency designated by the State or interstate group for the purpose of making such a study and have a program prepared under which the grant will be expended, and have fiscal controls and accounting procedures to assure proper disbursement.

Appropriations are authorized under this in the following amounts: $7 million for fiscal year 1966, $14 million for fiscal year 1967, $19.2 million for 1968, and $20 million for 1969. These are controlled by the Secretary of HEW. The Secretary of the Interior has the following authorizations: $3 million for 1966, $6 million for 1967, $10.8 million for 1968, and $12.5 million for 1969.

This new disposal program added to the clean air bill will cost around $96 million. There are minority views signed by seven Members. Their objection is to the solid waste disposal program as just mentioned in title II. They do not believe that the Federal Government should be involved in the financing of this program. It was not in the bill as passed by the other body but was added in the full committee after hearings were completed at the suggestion of the Department of HEW. Also the minority views object to the solid waste program being tied to a bill to control air pollution.

Mr. Speaker, I would like to support the first title of the bill, but I do not believe the second title should be in this particular bill.

Mr. Speaker, I have no request for time, but I do reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AMEND THE PUBLIC HEALTH SERVICE ACT TO ASSIST IN COMBATING HEART DISEASE, CANCER, STROKE, AND OTHER MAJOR DISEASES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 586 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 586

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3140) to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Members may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 3140, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 596, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 3140 as passed.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. SMITH] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 586 provides for consideration of H.R. 3140, a bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases. The resolution provides an open rule with 3 hours of general debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment. After passage of H.R. 3140, the Committee on Interstate and Foreign Commerce shall be discharged from further consideration of S. 596, and it shall be in order to move to strike out all after the enacting clause of the Senate bill and insert in lieu thereof the House-passed language.

The principal purpose of H.R. 3140 is to provide for the establishment of programs of cooperation between medical schools, clinical research institutions and hospitals by means of which the latest advances in the care of patients suffering from heart disease, stroke, cancer, and related diseases may be afforded through locally administered programs of research, training, and continuing education and related demonstrations of patient care.

The program authorized would provide support for cooperative arrangements which would link medical schools and affiliated teaching hospitals, with their highly developed capabilities in diagnosis, training, and treatment, with clinical research centers, local community hospitals and practicing physicians.

These cooperative arrangements would be planned and established locally with the participation of existing institutions and medical practitioners. These cooperative arrangements would permit the interchange of personnel and patients and would provide for the more effective flow of information concerning the latest advances in diagnosis and treatment.

The bill authorizes appropriations of $50 million for the current fiscal year, $90 million for fiscal year 1967, and $200 million for fiscal year 1968.

Mr. Speaker, in his health message of January 7, 1965, President Johnson said:

> In these years of the 1960's, we live as beneficiaries of this century's great—and continuing—revolution of medical knowledge and capabilities. Smallpox, malaria, yellow fever, and typhus are conquered in this country.
>
> In our struggle against disease, great advances have been made but the battle is far from won. While that battle will not end in our lifetime—or any time to come—we have the high privilege and high promise of making longer strides forward now than any other generation of Americans.

Toward this purpose he called for a system of hospital insurance for the aged—which became Public Law 89-97 with his signature on July 30, 1965.

He also called for better health services for children and youth through the maternal and child health and crippled children's program and the public assistance medical program—which have also been realized as a part of Public Law 89-97—the Social Security Amendments of 1965.

He asked for improved community mental health services, and improved services for the mentally retarded, and the Community Mental Health Centers Staffing Act is now the law of the land.

He recommended grants to help cover basic operating costs of our health profession's schools so that they can significantly expand both their capacity and the quality of the educational programs, and this legislation has passed the House and the Senate has concluded hearings.

He called for an expansion of health research and research facilities, and this measure has been enacted.

And he recommended the establishment of multipurpose regional medical centers to master the three killers which alone account for 7 out of 10 deaths in the United States each year—heart disease, cancer, and stroke—the bill which is before us today.

Very briefly the bill provides grants for the planning and the establishment of programs of cooperation between medical schools, clinical research institutions, and hospitals by means of which the latest advances in the care of patients suffering from heart disease, stroke, cancer, and related diseases may be afforded, through locally administered programs of research, training, and continuing education and related demonstrations of patient care.

The bill authorizes appropriations of $50 million for the current fiscal year, $90 million for fiscal year 1967, and $200 million for fiscal year 1968.

Mr. Speaker, in this opportunity to round out the President's ambitious health program, I hope the House will permit me to reminisce a little for, as many of you know, good health legislation has long been my concern.

Sometimes, I realize, I have been a little intense about this subject but I would like people to know first of all that I never lived in towns where there were hospitals until I lived in the town where I went to college. In the capital of my State there was no real hospital until after World War II, when the Army moved out of an airbase and left a little hospital out there. Until that time there was only a little converted residence with, I think, 12 or 15 rooms in it, which was the hospital for the capital of my State. In my youth I saw the most pitiful conditions with rural people coming in with dead babies in their arms because they could not get anybody to administer medical care. This is one of the reasons I have devoted so much of my time in Congress to health legislation.

My first big opportunity came in a period when this country was deeply involved in World War II. On the basis of information that the draft statistics were revealing evidence of some serious problems as to the health status of our young men, I determined that we must first get better information about health needs and resources in this country, for it was sadly lacking. In July 1943, the Senate took cognizance of the Nation's health needs by passing Senate Joint Resolution 74, which I had the honor to introduce, empowering the formation of a Special Subcommittee on Wartime Health and Education, of the Committee on Education and Labor. The distinguished Senator from Utah, Elbert D. Thomas, then chairman of the committee, did me the honor of appointing me chairman of the subcommittee which was composed of a very able group of Senators. For 2½ years, with the brilliant assistance of a devoted and able staff, we studied the state of the Nation's health through hearings in the field and in Washington. We looked into health conditions in war industry and extra-cantonment areas, selective service data on rejections for physical and mental disabilities, medical research needs, hospital and health center requirements, the health needs of veterans, dental and mental health care and other subjects too numerous to mention and published reports as to the conditions we found.

On December 16, 1944, with findings embracing more than 2,300 pages, the so-called Pepper committee issued a report which not only pointed up critical shortages of physicians and medical services during the war but produced evidence that seemed to show widespread deficiencies in prewar medical care as well. The country learned that of the 22 million men of military age, 40 percent could not meet the requirements of general military service; and that from the time the United States entered the war to July 1944, the lowest monthly rejection rate reached 31.4 percent of registrants examined while the highest rate climbed to nearly 47 percent in December 1943.

A third interim report issued by the Pepper subcommittee used the evidence assembled as the basis for a series of recommended actions. It reported that:

> The Nation has been deeply impressed by the fact that approximately 4½ million young men in the prime of life have been found unfit for military service because of physical and mental defects. In addition more than a million men have been discharged from service because of defects other than those sustained in battle.

While we recognize rejection did not necessarily mean that these men were unfit for participation in the civilian war effort, we pointed out that such defects often reduce initiative and working capacity and that they also meant that it was necessary to call into military service hundreds of thousands of men better fitted for essential civilian tasks—trained mechanics, skilled technicians, and teachers in scientific and technical schools.

This third interim report, then, asked not only "What do these figures mean?" but also "What must we do about it?" It recommended among other things, the expansion of public health services, increased attention for child health, especially among school children, stepped-up programs for mental health, aid for medical education to overcome the shortage of doctors, a program for the construction of hospitals and health facilities, a large expansion of medical research and, prophetically, I like to think of the bill we are now considering, the establishment of medical centers which would combine the preventive, diagnostic, and curative services of medicine in centers using "outpost clinics."

It may surprise some people to know that, as a result of these findings, I believe, I was invited to address the fourth regional conference of the Council on Medical Service and Public Relations of the American Medical Association which was held in Atlanta, Ga. on February 23, 1946. I described the work of the committee which then consisted of five Democrats (THOMAS, Tunnell, Murray, HILL and PEPPER) three Republicans (Smith of New Jersey, Taft and AIKEN) and one Progressive (La Follette). I told them how happy I was that Dr. Fishbein had been one of the first to write me a letter commending the report. I expressed my pride in the fact that the committee on Education and Labor, of which I was a member, would soon start hearings on the Hill-Burton bill for the construction of a national system of hospital facilities as a first step in improving the health of the American people. I said that when we got enough hospitals and doctors I thought we should consider a plan of health insurance. I added:

> When I started into this subject, some thought it was an effort on the part of PEPPER of Florida to inflict socialized medicine on the country. I reiterate that I have never favored socialized medicine. I live in the field of politics and am not angry with any of my doctor friends who misinterpreted my views. I have no desire to impair the integrity of the profession or the right of the patient to make a free choice of doctor, dentist or nurse or anything else we think of as Americanism. I think we are making real progress in this field.

I have always been particularly proud of the fact that, in his health message to the Congress in 1945, President Truman referred specifically to the findings of our subcommittee with respect to the health needs of the American people as revealed through our study of Selective Service data. Calling for a broad program of health care which incorporated most of our recommendations and included health insurance, the President stated:

> The people of the United States received a shock when the medical examinations conducted by the Selective Service System revealed the widespread physical and mental incapacity among the young people of our Nation. We had had prior warnings from eminent medical authorities and investigating committees. The statistics of the last war had shown the same condition. But the Selective Service System has brought it forcibly to our attention recently in terms which all of us can understand.

He repeated some of the findings and added:

> We should resolve now that the health of this Nation is a national concern; that financial barriers in the way of attaining health shall be removed; that the health of all its citizens deserves the help of all the Nation.

I was also honored when, in opening the hearings on the President's Health Insurance proposal S. 1606, in 1946 the Chairman of the Committee, Senator MURRAY, referred particularly to the work of our subcommittee:

> The hearings held by the subcommittee, and the reports prepared by Senator PEPPER and his able committee, will long continue to be invaluable sources of information and helpful guides for constructive health plans.

He continued with a broad program for improved health care, which, in brief, called for:

First. Assistance to increase the number and distribution of doctors and hospitals.

Second. Development of public health services and maternal and child care.

Third. Federal assistance for medical research and professional education.

Fourth. Assistance in meeting the high cost of individual medical care which could be met by a national health insurance program.

Fifth. A program to provide for loss of earnings when sickness or disability strikes.

The first segment to be enacted came in 1946 with the passage of the Hill-Burton Hospital Construction Act. The importance of this legislation is illustrated by statistics which show that from July 1, 1947, when the program first went into effect, through May 31, a total of 7,750 projects have been approved at a total cost of $7.3 billion, of which the Federal share was $2.3 billion.

Another segment, the disability insurance benefits plan, became law with the enactment of the 1956 Social Security Amendments, and we have just incorporated the principle of health insurance by the enactment of medicare for people 65 and over in connection with the Social Security Amendments of 1965.

I was, incidentally, happy to see that these amendments also approached my earlier hope for the broad expansions of the important maternal and child health programs. Back in 1945 I introduced a bill—S. 1318—calling for authorizations of $50 million to finance this program—at a time when the total authorization was only $5,820,000. The 1965 amendments call for an authorization of $50 million in 1967—but this amount is hardly in 1945 dollars.

I have been proud, through the years, to sponsor other legislation which has become—and with the legislation passed by this Congress—will become, the law of the land. On July 22, 1947, almost 10 years before it was enacted, I introduced a bill providing a disability benefit insurance system, and in the same year a bill to provide for a National Institute of Dental Research.

In 1949 I introduced a bill—S. 1453—to provide aid to schools of medicine—largely realized over 10 years later by the Health Professions Education Assistance Act of 1963. In the same year I introduced a bill—S. 2584—which called for a National Health Survey, a goal reached in 1956, so that we now have much more complete data on the state of American health than was the case when our subcommittee began its studies back in 1943.

I cite this somewhat personal experience, in connection with the legislation before us today to make the point that it, too, is part of this broad-scale attack on America's health problems, and I add that legislation directed at curing cancer and heart disease is as essential as the other segments of that attack which I have mentioned. For behind this legislation is a long history of aspiration and experimentation. Going back again to the Truman health message of 1946 we find these words:

> Cancer is among the leading causes of death. * * * Though we already have the National Cancer Institute of Public Health Service, we need still more coordinated research on the cause, prevention, and cure of this disease. We need more financial support for research and to establish special clinics and hospitals for diagnosis and treatment of the disease especially in its early stages.
>
> The money invested in research pays enormous dividends. If anyone doubts this let him think of penicillin, plasma, DDT powder, and new rehabilitation techniques.

It was my privilege for most of my years in the other body to participate in the establishment of and the expansion of appropriations for the National Cancer Institute, established in 1937, and the National Heart Institute which was established in 1948. One year earlier, in 1947, I had introduced a bill to authorize and request the President to undertake to mobilize at some convenient place or places in the United States an adequate number of the world's outstanding experts and to coordinate and utilize their services in a supreme endeavor to discover new means of treating, curing, and preventing diseases of the heart and arteries. And one of the most poignant memories in connection with these efforts came on May 5, 1947, when I rose on the floor of the Senate to protest a Senate cut of some $5 million in the amounts authorized for the expansion of the National Cancer Institute, with the able support of Senator Robert A. Taft, of Ohio. In concluding my remarks urging that this amount be restored, and it was, I said:

> Surely it would not hurt to follow the House in this matter and let those agencies have this additional $5 million, to remain available until it can be wisely expended; but with which they could plan a research program that might result in the saving of

the lives of Senators sitting this afternoon in this Chamber.

On July 31, 1953, as you all know, Senator Taft was the tragic victim of cancer.

Mr. Speaker, the bill before us today thus draws heavily on past aspirations and past experience, while it looks to the future in its method of attack on dread diseases we have not yet conquered. It grows out of the President's appeal to his Commission on Heart Disease, Cancer, and Stroke in late 1964 for boldness and imagination as well as realism. This blue-ribbon panel, headed by Dr. Michael E. DeBakey, called for an unprecedented merger of medical practice, research and education to combat what it calls the "tragic lag" in the application of new discoveries.

This concept recognizes that the newest and most effective diagnostic methods and the most recent and most promising methods often require very expensive or very scarce equipment—such as are required for open heart surgery as well as advanced disease detection methods. Multipurpose medical programs can meet these needs. They would, as the President pointed out in his health message, also "speed the application of research knowledge to patients care, so as to turn otherwise hollow laboratory triumphs into healthy victories."

The services provided under such programs would be of particular help in enabling the practicing physician to keep in touch with the latest medical knowledge, and make available to him the latest techniques, specialized knowledge, and the most efficient methods. In the words of the President's Commission:

> The proposed national network is based on the long-accepted fact that the best patient care is associated with research. It will, in effect, link every private doctor and every community to a national and, indeed, worldwide network, transmitting the newest and best in health service. At the same time, it will make each doctor, a contributor to the worldwide research effort, for his observations will add to the total knowledge accumulated by the stations, centers, and research institutes.

Dr. DeBakey, the Commission's Chairman, emphasizes that their findings do not call for a one-man show directed from Washington, but rather for a cooperative national effect involving health leaders, voluntary organizations, and State and local governments as well as health agencies. He also notes that the 27-member panel, which included Marion B. Folsom, former Secretary of the Department of Health, Education and Welfare, does not presume to say how medical care should be provided in the proposed centers. It also realizes that an undertaking as vast as it proposed must be developed in stages.

Mr. Speaker, we have an opportunity substantially to round out the broad and interrelated health program outlined by the President in his health message of January 7, 1965, by enacting this legislation promptly. And, as I have tried to show this afternoon, we shall also be drawing upon past experience and past goals—goals which go back to the dark days of World War II when, with the cooperation of the Army and other branches of the military, our subcommittee was able to draw upon the records and experiences of that war to get more precise data on the nature of our health problems than had been available for a decade—as a prelude to action. We have, simultaneously, of course, made much progress through the years. Smallpox, malaria, yellow fever, and typhus are conquered in this country. Infant deaths have been reduced by half every two decades. Poliomyelitis, which took 3,154 lives as recently as 1952, cost only 5 lives in 1964. Death rates for influenza have been reduced by 88 percent during the past 20 years, while over the same period death caused by tuberculosis has dropped by 87 percent and rheumatic fever by 90 percent.

Now the challenge facing our research facilities, as outlined by the President, arise because of the facts that—

Forty-eight million people now living will become victims of cancer.

Nearly 15 million people suffer from heart disease and this, together with strokes, accounts for more than half the deaths in the United States each year.

Twelve million people suffer arthritis and rheumatic disease and 10 million are burdened with neurological disorders.

Five and one-half million Americans are afflicted by mental retardation and the number increases by 126,000 new cases each year.

The President has said:

> The 88th Congress wrote a proud and significant record of accomplishments in the field of health legislation. I have every confidence that this Congress will write an even finer record that will be remembered with honor by generations of Americans to come.

It is a call to destiny. I am sure we cannot fail to respond to this high responsibility and great opportunity. I urge the enactment of this segment of health legislation with all the conviction at my command.

Mr. Speaker, I urge the adoption of House Resolution 586 in order that H.R. 3140 may be considered.

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this will be the shortest response to a rule that I have ever made. I agree with every statement the gentleman from Florida has made, and concur in those statements, and urge adoption of the rule.

Mr. PEPPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 580, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10232) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After passage of H.R. 10232, the Committee on Agriculture shall be discharged from the further consideration of the bill S. 1766, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 10232 as passed.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA] and at this time I yield myself such time as I may consume.

Mr. Speaker, House Resolution 580 provides for consideration of H.R. 10232, a bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes. The resolution provides an open rule, waiving points of order, with 2 hours of general debate. After passage of H.R. 10232, the Committee on Agriculture shall be discharged from further consideration of S. 1766, and it shall be in order to move to strike out all after the enacting clause of the Senate bill and insert the House-passed language in lieu thereof.

The establishment of adequate water and waste disposal system is one of the crying needs of rural America. City dwellers take these facilities for granted. If a rural resident wants these conveniences, he must provide them for himself—at great expense and often with the frustrating result of having systems which just do not quite work.

The purpose of H.R. 10232 is to establish for rural communities a program of Federal assistance in the construction of water and sanitation systems comparable to the Federal programs which are available under several statutes for urban communities.

The bill would implement this program by expanding the Farmers Home Administration insured loan authority and providing means of making such loans more attractive to investors through better yields and repurchase agreements.

Mr. Speaker, I urge the adoption of House Resolution 580 in order that H.R. 10232 may be considered.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Illinois.

Mr. COLLIER. Mr. Speaker, is there any particular reason that this rule provides for a waiver of all points of order?

Mr. SISK. It is my understanding that in the Farmers Home Administration you have a revolving fund, and I am assuming that is the reason for the waiving of points of order, because the revolving fund is involved.

The gentleman from Texas [Mr. Poage] is here, and if the gentleman wishes to make a further comment on the reasons for waiving points of order, I yield to him for that purpose.

Mr. POAGE. We did not ask that points of order be waived. That was something that was just given to us without any request on our part. But I suppose the gentleman from California is probably correct that the Committee on Rules felt that when one of these revolving funds is involved, it would probably be better to waive points of order on the bill. I am sure that it is desirable, but we did not ask for that.

Mr. SISK. I might say to the gentleman, it is my understanding that this is the normal procedure in dealing with these revolving funds where they are involved in a grant and loan program and that there would be a question of points of order. As the gentleman indicates, it has been quite some time since this rule was granted. I do not really remember exactly what was said but as the gentleman has indicated, they probably did not ask for it but apparently we did feel it was to their advantage that points of order be waived.

Mr. COLLIER. May I say that merely because it has been normal procedure, it hardly seems quite a sufficient reason for having this waiver of points of order in the resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. GROSS. I would like to ask the gentleman a question with regard to one of the rules which was just adopted here on one of these bills—which are not available at the desk and I do not know how we are supposed to proceed this afternoon on all these bills unless we get some bills and some reports here—but let me ask the gentleman on one of these rules whether it was not stated that there was a garbage disposal provision in the bill which was reported out of the Committee on Interstate and Foreign Commerce? I note that in this bill we are going to dispose of some more garbage and that is to be found on page 2 of the bill, the consideration of which would be made in order under the pending resolution. Is there any garbage left that has to be disposed of anywhere?

Mr. SISK. May I say to the gentleman that, of course, the bill he is referring to deals with an entirely different type of garbage. I think here we are concerned with the problems concerning sewer systems and other disposal systems in rural communities. The gentleman knows that there have been a number of pieces of legislation passed providing for certain types of loans and grants with reference to the need for constructing sewage disposal plants and so on. The bill which would be made in order by the adoption of this rule is to authorize the Farmers Home Administration to help rural communities, that is, those communities with under 5,500 population to carry out certain types of programs if they can be justified to the department and meet the criteria which will be established in the legislation and under the regulation of the Farmers Home Administration.

Mr. GROSS. I thank the gentleman, but I still do not have an answer to my question. Why should we need garbage disposal in two bills coming from two different committees?

Mr. SISK. Well there are different types of garbage involved, may I say to the gentleman.

Mr. GROSS. Along with the gentleman from Illinois [Mr. Collier], I do not understand why points of order are waived without some request on the part of the legislative committee. I am wondering, if this has become standard procedure for the Rules Committee to just waive points of order without any request on the part of the standing committee, where this pressure for this kind of business is coming from?

Mr. SISK. Normally the Committee on Rules does not waive points of order unless there is a specific request or specific reasons for doing so. I will say that generally on bills dealing with revolving funds, I think it has been the normal procedure to waive points of order. I want to say quite frankly here that that is the only justification I know of at the moment, and I am being quite frank in saying that this rule was granted some days ago and I will admit that my memory is not as good as it should be as to exactly what transpired during the actual granting of the rule. I note my friend, the gentleman from California [Mr. Smith] is on his feet and I will be glad to yield to him if he wishes to comment on this matter.

Mr. SMITH of California. I appreciate the gentleman yielding to me, but if my recollection is correct, we originally heard this bill on September 1 and we deferred action at that time. On September 9, it was brought up and granted an open rule of 2 hours. Nothing was ever mentioned about waiving points of order and I did not vote for that in the committee. Having read the resolution here now this is the first time I have ever seen all points of order waived.

Mr. SISK. I may say to my friend, the gentleman from California, I certainly cannot recall at the moment the discussion on this matter as to what was included in the rule which, of course, was checked by the Parliamentarian and I suppose this action was taken simply on the basis of the revolving fund being involved.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The reason is that there is a revolving fund, and they are using money out of these funds for administrative purposes. That is the only reason.

Mr. SISK. Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may require.

I concur with the statements made by my friend from California [Mr. Sisk], on the rule and also the statement made by my friend from California [Mr. Smith]. Insofar as I remember, nothing was said about waiving points of order when the matter was before the Rules Committee. Frankly, I do not know of any objection to the rule as presented other than this matter of waiving points of order.

I believe it is in order to say a few more words about this bill, H.R. 10232, which seeks to amend the Consolidated Farmers Home Administration Act of 1961 in two important areas. First, it would inaugurate, as the gentleman from California [Mr. Sisk] has pointed out, a program of Federal assistance to rural communities not over 5,500 in population for the construction of water, sewage, and sanitary systems comparable to those programs already in being for our urban areas.

The amount of any grant cannot exceed 50 percent of the development cost of the project. It cannot be made to any area where the population is likely to decline below that for which the facility is being designed.

The bill would authorize the Secretary to make grants aggregating not more than $50 million annually.

In view of the fact that the report itself reveals that these facilities have an average cost of approximately $120,000, $50 million per year will not begin to meet the needs of the 30,000 rural communities now in need of new water and sanitation systems, as revealed in the report itself.

I might say, in commenting upon this matter that has been raised by the gentleman from Iowa [Mr. Gross], that I disagree with the inclusion in this bill of granting authority for collection, treatment, or disposal of waste in rural areas, and I would hope that when this matter is considered under the amendment procedures, that provision will be stricken out.

The second section of the bill would increase the real estate and related loan authority of the Farmers Home Administration of $200 million per year to $450 million per year. It would repeal provisions prohibiting agreements by the Secretary to purchase such insured loans in less than 3 years from the date of the note. It would permit the Secretary to fix the insurance charge retained by him from the power payments, and would increase the amount of loans made from the insurance fund which the Secretary can hold at any one time for future sale from $25 to $50 million.

In passing, let me say that I was disappointed to learn during the hearings on the bill before the Rules Committee that the Farmers Home Administration had made approximately 160 recreational loans under this act. I do not hesitate to say that I cannot see how our farmers of the Nation have benefited by such loans as the loans for the construction of golf courses. I would hope that the administration would pay a little closer attention to the intent of Congress in making these loans in the future.

Mr. Speaker, I have no further requests for time.

Mr. GROSS. Mr. Speaker, will the gentleman yield to me?

Mr. LATTA. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I do not like this rule waiving points of order. I hope the previous question will be voted down so that an amendment can be offered to the rule to take out the provision waiving points of order in the rule. I expect that there will be a vote on the rule.

Mr. LATTA. Mr. Speaker, I have no further requests for time. I yield back the remainder of my time.

The SPEAKER. The question is on the resolution.

Mr. SISK. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 280, nays 70, not voting 82, as follows:

[Roll No. 321]

YEAS—280

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashley
Ashmore
Aspinall
Baldwin
Bandstra
Baring
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Bingham
Blatnik
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Cameron
Carter
Casey
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Cooley
Craley
Culver
Cunningham
Curtin
Daddario
Daniels
Davis, Ga.
de la Garza
Delaney
Dent
Denton
Dingell
Donohue
Dorn
Dow
Dulski
Dyal
Edmondson
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Hagan, Ga.
Hagen, Calif.
Haley
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harvey, Ind.
Hathaway
Hays
Hechler
Helstoski
Henderson
Horton
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kornegay
Krebs
Leggett
Lennon
Long, La.
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McMillan
McVicker
Machen
Mackay
Mackie
Madden
Mahon
Marsh
Mathias
Matsunaga
Matthews
May
Meeds
Miller
Mills
Minish
Mink
Mize
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Selden
Shipley
Shriver
Sickles
Sisk
Slack
Smith, Iowa
Smith, Va.
Stafford
Staggers
Stalbaum
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wolff
Wright
Yates
Young
Zablocki
Stanton
Talcott
Thomson, Wis.
Walker, Miss.
Watkins
Watson
Wydler

NAYS—70

Adair
Arends
Ashbrook
Bates
Betts
Bow
Bray
Broyhill, N.C.
Buchanan
Byrnes, Wis.
Carey
Cederberg
Chamberlain
Clancy
Collier
Cramer
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Duncan, Tenn.
Dwyer
Edwards, Ala.
Erlenborn
Findley
Gross
Grover
Gurney
Hall
Hansen, Idaho
Harvey, Mich.
Hutchinson
Keith
King, N.Y.
Kunkel
Laird
Langen
Latta
Lipscomb
McClory
McCulloch
Macdonald
MacGregor
Martin, Ala.
Martin, Nebr.
Michel
Moore
Morse
Mosher
Nelsen
Pelly
Poff
Quillen
Reid, Ill.
Roudebush
Rumsfeld
Schneebeli
Skubitz
Smith, Calif.
Smith, N.Y.

NOT VOTING—82

Abbitt
Anderson, Ill.
Andrews, George W.
Ayres
Barrett
Boggs
Bolton
Bonner
Brock
Broomfield
Burton, Utah
Callaway
Celler
Clausen, Don H.
Clawson, Del
Colmer
Corbett
Corman
Dawson
Diggs
Dowdy
Downing
Duncan, Oreg.
Edwards, Calif.
Ellsworth
Fallon
Farnsley
Farnum
Fino
Ford, Gerald R.
Frelinghuysen
Goodell
Gubser
Halleck
Harris
Harsha
Hawkins
Hébert
Herlong
Hicks
Holifield
Holland
Hosmer
Johnson, Okla.
Keogh
Kluczynski
Landrum
Lindsay
McEwen
Mailliard
Martin, Mass.
Minshall
Moeller
Monagan
Morton
Nix
O'Brien
O'Hara, Ill.
Olsen, Mont.
Patman
Reinecke
Resnick
Rhodes, Ariz.
Rivers, S.C.
Roberts
Roosevelt
Scott
Senner
Sikes
Springer
Steed
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Toll
Utt
Wilson, Bob
Wilson, Charles H.
Wyatt
Younger

So the previous question was ordered.

Mr. CAREY changed his vote from "yea" to "nay."

Mr. MIZE changed his vote from "nay" to "yea."

Mr. CONABLE changed his vote from "nay" to "yea."

Mr. GRIFFIN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RURAL WATER AND SANITATION FACILITIES

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10232) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10232), with Mr. DANIELS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] will be recognized for 1 hour and the gentleman from Indiana [Mr. HARVEY] will be recognized for 1 hour.

The Chair recognizes the gentleman from North Carolina.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. POAGE] who is chairman of the subcommittee which handled and reported out the bill.

Mr. POAGE. Mr. Chairman, it will be my purpose, as soon as we get back in the House, to ask unanimous consent that all Members may extend their remarks at this point in the RECORD. I do that in the hope that we may expedite the consideration of this legislation because I know there are many Members who will want to speak in favor of it. We want them to do so, but we do not want to detain the House. Consequently, I am only going to review what we have to offer in this bill and how it came before us.

For a long time we have had a program of loans by the Farmers Home Administration to water facilities in rural areas. The program has not had very much money, and it has needed, from time to time, as usual, increased appropriations or authorizations for the Farmers Home Administration.

Last year the House passed a bill to increase the authority of the Farmers Home Administration to guarantee loans from $200 to $450 million. The other body did not do anything with that bill.

This year, on the 16th of March, the House passed a similar bill. The other body has not done anything with that bill.

There was introduced in the other body another bill which does what these House bills did and some more. Finally, the other body did pass a bill which included authority to guarantee additional loans, word for word as the House has passed it, and provided additional lending authority to the Farmers Home Administration to make grants for rural water facilities. There were several similar bills introduced in the House. Our colleague, Mr. BANDSTRA, of Iowa, introduced a very comprehensive bill.

The Senate bill came to our committee, and we decided to improve it. We enlarged the scope of the Senate bill and made it conform to the programs which are now in effect for our urban areas.

To do this we provided that the Farmers Home Administration may make loans or grants—grants up to 50 percent—for aid to nonprofit public organizations for both water and waste disposal systems. Exactly that authority exists now for the Housing and Home Finance Agency in regard to the larger cities of this country.

All we have done is to extend to the rural areas and to corporate areas of up to 5,500 this same authority. The reason we took the upper figure of 5,500 was because that is the lower limit at which the Housing and Home Finance Agency makes this type of loans and grants.

So we will have no gap from the most distant point up at the head of the creek to the top of the Empire State Building, we have tried to provide a program for the same kind of help to the country village which is available to the largest city. We believe this is fair, this is right, and this is treating all sections of America alike.

We hope the House will agree that we should extend to every citizen of the United States, regardless of where he lives, the same opportunity to borrow money and to receive grants under the same types of conditions and at the same rates. That is exactly what this bill will do. That is the extent of the bill.

I have no desire to trespass on the time of the House.

I, therefore, yield back the balance of my time.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. Wherein does this garbage provision differ from that in S. 306, on which we just adopted a rule?

Mr. POAGE. S. 306 relates to solid waste. This does not involve solid waste.

Mr. GROSS. What is the difference between some of the waste to be disposed of under this bill and the waste to be disposed of under the other? Is it because one involves interstate commerce?

Mr. POAGE. No. The difference is that under our bill we recognize that particularly in rural areas the water used is from shallow wells or surface reservoirs. Practically every bit of water for the rural systems comes from either one or the other of these sources. When there is not an adequate waste disposal system it jeopardizes the health of every customer of the water system. In order to try to protect the health of the American people we have provided that along with the water system we will attempt to provide a safe and sanitary waste disposal system.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Chairman, I strongly support H.R. 10232. I believe that the gentleman from Texas [Mr. POAGE] has advanced some convincing arguments in support of this legislation. I believe that this bill will unlock many new opportunities for rural America, and I certainly hope that the more liberal terms of the House bill may prevail as the bill moves along toward final passage. In fact, if more restrictive terms of the legislation should prevail, West Virginia would be deprived of benefits under the bill and I am certain that vast sections of the rural areas of the Nation would find themselves in the same predicament.

The 1960 census in the State of West Virginia reveals that 55.3 percent of our population is composed of nonfarm rural residents. These rural communities are now undernourished and need broader opportunities to solve their urgent community problems. I believe that the Farmers Home Administration can help provide these opportunities.

I think that the greatest problem hindering full community growth in West Virginia's rural communities is the lack of a good water supply. I would estimate that there are at least 700 rural communities in West Virginia that lack adequate water supplies, and there are many other small villages where their water systems need repairs and extensions.

The attempts which have been made to bring adequate and safe water supplies to our rural communities have proven complex and expensive. Many of our streams are polluted by chemicals, human and industrial wastes, and acid mine drainage. Frequently, it is impossible for a small community to pay for the sophisticated equipment necessary to develop pure water supplies.

Often it is not expedient to drill wells inland because the land has been so completely destroyed it is virtually impossible to find water of usable quality. But when a safe well is drilled, the water must be pumped from 300 to 500 feet up bluffs and over mountains. This is an expensive process. Not a week goes by without our receiving letters from villagers who seek to have water lines extended over the hill to their homes.

However, this cannot be done without a program of grants as provided in H.R. 10232 to supplement loans, because many people in our villages are too poor to pay the cost.

In West Virginia, we must find streams away from polluted areas. Somewhere along these streams we must build reservoirs along with treatment plants to remove dirt and pollution from the water. These water storage centers would sell water to nearby communities without water. Projects like this are held up because our communities cannot finance such systems.

In situations like this, grants would be well justified to help rural communities overcome the initial expense of developing a safe and reliable water supply. What single step could be more worthwhile to get a lagging rural community off dead center than to create a modern system and liberate that area from old, never-ending struggle for water?

West Virginia's problem is but typical of all rural America. Last fiscal year, the $200 million loan insurance authority of the Farmers Home Administration was not half enough. From coast to coast, some 30,000 smaller towns and rural neighborhoods are still without modern water systems. Already about 1,500 good and worthwhile applications are being held by that agency. Next year, ever-increasing hundreds of new applications will be added to this carryover.

Another program that would be enlarged by H.R. 10232 is the development of recreation areas to forestall disaster and rebuild prosperity in the great rural segment of our society. I can point to Mountain Top Vacationland in West Virginia and many other fine recreational complexes to show how the transfer of land to recreational use has proved a dynamic program to strengthen rural community life, increase the attractiveness of rural towns as sites for industrial development, and cast a new light on the rural hometown as a place for the young family to seek the good and prosperous life.

H.R. 10232 will bring these programs and the family farm ownership program up from the level of "half enough," more nearly to the point of sufficiency, by raising the overall insured lending authority to a more realistic ceiling of $450 million, the limit of a single loan to $4 million, the population of a rural area served to 5,500, and authorizing grants aggregating $50 million a year.

I wholeheartedly support and urge the passage of H.R. 10232 retaining these essential improvements.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I share the gentleman's concern that the rural people should be treated just like the others, and I want to support the bill. I do have this question, however, on the matter of duplication. In our Committee on Appropriations, the Subcommittee on the Department of Commerce, we are holding hearings on funds for the Economic Development Administration and the Regional Development Administration. The EDA takes over from the ARA. Will we get into a duplication here? If a community or county qualifies under either EDA or RDA, does it also qualify under this? Where will an individual township organization go to that needs a loan or a grant for water facilities? Can it come to this group if it qualifies under EDA or RDA? I am getting a little confused because we have so many of these organizations.

Mr. POAGE. I can only speak of those organizations over which our committee has jurisdiction. REA cannot make any loan of this kind.

Mr. CEDERBERG. Why not? RDA?

Mr. POAGE. You are not speaking of REA? The Rural Electrification Administration?

Mr. CEDERBERG. No. RDA.

Mr. POAGE. I beg your pardon. I am speaking of REA.

Mr. CEDERBERG. The Regional Development Administration.

Mr. POAGE. I would not want to suggest to the gentleman what any of these emergency or regional or special groups can do, because this does not involve one of those special groups but a regular agency of the U.S. Government. Farmers Home Administration does, under this bill, acquire jurisdiction up to and only up to the point at which the Housing and Home Finance Administration is making loans today; that is, we are told, $5,500. We only go up to that point, and there is no duplication there.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. HULL].

Mr. HULL. Mr. Chairman, I am in strong support of H.R. 10232.

Mr. Chairman, on the strength of a great record by the Farmers Home Administration in its service to my home State and district of Missouri, I have the fullest confidence in what will be done to put new strength into the farmlands and towns of rural America when we pass the new authorizations provided for in this bill (H.R. 10232).

The whole position of Missouri, the great agricultural region of northwest Missouri which I represent, might be drastically borne down with trouble if it were not for the resources we have been able to use and build upon, through farm ownership credit supplied or endorsed by the Farmers Home Administration.

Nearly 8,000 Missouri farms have been saved for family ownership through this one program of Farmers Home and its predecessor agencies.

These loans have totaled some $90 million.

As a measure of the soundness of doing business with rural Missourians, the balance sheet shows that about $62,000 has had to be written off, as against interest collections totaling more than $16½ million.

Presently our State leads the Nation in use of credit through the Farmers Home Administration for family farm ownership and new rural homes.

The great bulk of the loans made for farm ownership in Missouri not only are insured private loans, but they are made by Missouri banks, with which Farmers Home has established a fine working relationship.

These and other programs of the Farmers Home Administration resulted in loans in Missouri totaling over $35 million last fiscal year. Families served totaled more than 10,000. The present staff of the Farmers Home Administration has been able to double the number of families served in our State in the past 5 years.

And in spite of recent hardship from drought or flood in many parts of the State, collections of loan installments due by the close of the fiscal year were 99.7 percent on time.

By no distortion or stretch of imagination can anyone fault that record of what has been accomplished with the resources at hand.

But there is a need for the broader authority provided in this bill.

On July 31, nearly 900 Missouri farm families were waiting for action on farm ownership loans, and nearly 800 for action on their applications for rural housing loans. That backlog represented more farm ownership loans, and nearly as many housing loans, as were made in all the last fiscal year. It was a backlog built up due to insufficient authority to meet the need. Allocations for fiscal 1965 were exhausted in April.

Missouri also provides prime examples of the benefits arising from rural community improvements through Farmers Home Administration financing, and also the great need for acceleration of this program.

Twenty-nine community water system loans were approved in Missouri last year; but rural water development has been moving less than half as fast as it might. In fiscal 1965, applications sufficient to use up the entire fiscal year's authority of the Farmers Home Administration were on hand after 6 months.

At present 115 rural community water system projects are in process of formation throughout the State. Whether these additional communities can proceed when they are ready depends in large measure on the passage of this legislation.

Mr. Chairman, possibly the greatest single public concern at the State level in Missouri and all the States with large rural areas is to check the decline that has plagued so many of our rural towns and counties in recent decades.

We hardly need be told that safe and dependable water may mean the difference between prosperity and failure on the farm, or the difference between progress and decline in the rural town.

This will be demonstrated again in my own district when service begins in about 30 days from the new system of Public Water Supply District No. 3 in Platte County, Mo. This is one of the many rural water districts that have been organized under Missouri law, this one by 115 families who have never had central water service. Water will be piped house-to-house and farm-to-farm. The people on this rural system will have the same assurance of constant, pure water at the turn of a tap as the people in "St. Joe." And the families and businesses served along this new rural system will pay every dime of the cost, by retiring the loan from proceeds of their monthly water bills. The cost of service will be within the range that every family in the district can afford.

What this system means to the people who have built it—what the system either installed or contemplated in scores of other northwest Missouri communities will mean—is that these rural people have finally arrived at 20th-century standards in one of the vital utility services for homes, schools, churches, businesses, and industry.

Highways and electric lights were only part of the modernization long overdue in thousands of rural areas. Any community labors under a disadvantage which is indefensible in America if it cannot supply its people and offer new residents or new industry the basic facilities of clean and constant water, modern sewer facilities, and other fundamental advantages of the modern American community—including the self-supporting community recreation centers, converted from surplus cropland, further provided for in this bill.

Mr. Chairman, I commend the distinguished gentleman from Texas and his colleagues on this bill. It is one of the soundest and most constructive measures for progress in rural communities, farming areas that I have had the privilege to vote for in the Congress.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, the authority for additional funds for the Farmers Home Administration to make insured loans is long overdue. These funds are urgently needed. I voted against this legislation in the subcommittee and in the full committee for the reason that it had been amended over here to include waste sewage disposal systems. I talked with a Member from the other body who stated he had talked with the President and was advised that the bill would be vetoed if it is put on his desk as amended by the House to include sewage disposal systems. So I opposed the legislation on that account. The legislation is badly needed for both water supply and waste disposal in rural America.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Oklahoma, the majority leader.

Mr. ALBERT. It is my understanding, and I think I am correct in this understanding, that the administration, including the President, supports this bill.

Mr. GATHINGS. I thank the gentleman. I was under the impression that he would veto the legislation. So I opposed it both in the subcommittee and in the full committee. I am glad to get your assurance that the bill containing both water and sewage disposal systems would be approved by the President.

You want to know what you are doing here. This is the effect of it: you are providing an absolute grant up to 50 percent of the total cost of a waterworks system and sewage in towns under 5,500 in population and we are providing $50 million in authorization. That is all. I want to say to you that that $50 million is pretty skimpy and will not go very far.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the chairman of our committee.

Mr. COOLEY. Have we not been doing just about the same thing in larger cities for many years? This is so as to help some of the small communities in this country.

The GATHINGS. Yes. I am in agreement that these rural communities have been denied those services in legislation previously passed by Congress. The $50 million ceiling is entirely inadequate.

Mr. COOLEY. I agree with the gentleman that it is probably inadequate, but that is only in one fiscal year. It is $50 million only in one fiscal year.

Mr. GATHINGS. That is true. It is for one fiscal year, but the applications will be pouring in and you will find probably in the State of North Carolina we will have applications for more than $50 million. The ceiling should be raised appreciably—I support the legislation and hope the House will approve the bill as brought to the floor from the Committee on Agriculture. I felt that if we were to include sewage and get a veto we had better take the Senate bill which would limit waterworks at least and bring in a bill for sewage when we were certain it could be enacted.

Mr. COOLEY. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, as I understand, this bill will cover unincorporated areas or any incorporated areas or towns that do not exceed 5,500; is that correct?

Mr. COOLEY. That is correct.

Mr. CASEY. It will cover all the unincorporated areas?

Mr. COOLEY. Yes.

Mr. CASEY. I thank the gentleman.

Mr. HARVEY of Indiana. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, permit me to say first of all that I think it is rather unfortunate in the discussion on the rule on this bill that the impression was left with some of the Members that the House Committee on Agriculture had something to do with approving a waiver of points of order in the rule. As a matter of fact we did not. I want to make it plain to all the Members that so far as that waiver was concerned, it was not requested by the committee.

Mr. Chairman, I rise in support of H.R. 10232. The purpose of this bill is twofold.

First. It would establish a program for Federal assistance to rural communities of 5,500 persons or less for the development and construction of water and sewer facilities.

Second. It would reenact the provisions of H.R. 5075, a bill passed by the House earlier this year, increasing the Farmers Home Administration's insured loan fund from $200 million to $450 million and making several other changes in the FHA law. These changes are set forth at page 5 of the committee report.

HISTORY OF BILL

After the House passed H.R. 5075, the other body incorporated it into S. 1766, a bill introduced by the distinguished senior Senator from Vermont and cosponsored by some 92 other Members of the other body.

S. 1766, as it passed the Senate, also included provisions for the establishment of a program to assist local rural communities develop and maintain water facilities.

The bill was then referred to the Committee on Agriculture and to the Subcommittee on Conservation and Credit of which I serve as the ranking minority member. The subcommittee then conducted further hearings and after thorough consideration made several changes which are reflected in H.R. 10232.

These changes include the following:

The committee bill includes waste disposal systems. The Senate bill dealt only with water systems.

The committee bill increases the annual matching grant authority from $25 million to $50 million.

The committee bill defines rural communities as those with 5,500 persons or less. The other body had defined these communities as those with 5,000 or less. This change was made in order to bring this program into line with our various urban renewal programs.

Another change made by the committee bill is to allow loans or grants to certain nonprofit associations serving rural communities. S. 1766 had limited this authority to governmental units.

The committee bill also contains a provision which is designed to place the maximum emphasis on local cooperation and participation. We have all heard of many instances in the administration's poverty program where local units of government were bypassed by the poverty planners in Washington. A number of activities have been reported where local officials did not even know of the proposed poverty plans. H.R. 10232 seeks to avoid this situation by requiring the Secretary to give adequate notice to local officials and to permit them, within a specified time, to submit their views on a proposed water or sewerage project. This, together with the 50–50 matching requirement, should give local officials an influential voice in the management of their own local affairs.

Finally, the committee bill also requires that when there are competing requests for this Federal assistance from associations and local governmental units, the local governmental unit shall, in the absence of strong evidence to the contrary, receive preference. This, again, was done to maximize local governmental participation.

NEED FOR WATER

Let me point out, too, that this legislation is of immediate importance this very day to many small communities which are experiencing severe problems in the acquisition of sufficient water.

There can be no question that in the years ahead the efficient use of water will be of greater and greater importance. This bill represents an effective step toward using—and I might add—reusing our water resources.

There is not any more water around today than there was a million years ago, and there will never be any more created. We have a population that is growing rapidly, and we must learn how to better use and share this invaluable resource. H.R. 10232 establishes a system which will, in my opinion, help meet the pressing water problem.

NEED FOR BIPARTISAN SUPPORT

Yes, Mr. Chairman, this bill has been thoroughly and carefully considered. It has overwhelming bipartisan support, both in the House and in the other body. I would hope that in view of the fact that this legislation was born in an atmosphere of bipartisanship, it would mature and grow in that same environment.

There will, no doubt, be many requests from rural communities throughout the Nation for the benefits provided by this bill. Let us hope that in approving the several projects, the administration will consider each of them solely on their merits and not on the basis of the political affiliation of the incumbent Member of the House or the Senate.

In summary, Mr. Chairman, this is a good bill, it deserves the support of the House, and it deserves careful and fair administration by the Department of Agriculture.

The gentleman from Ohio asked me to yield for a question, and I am glad to yield to him at this time.

Mr. LATTA. I thank the gentleman for yielding. I should like to ask this question as a matter of legislative history. It is not the intent and purpose of this bill to include the collection of garbage under this bill; is that true?

Mr. HARVEY of Indiana. The intent of this bill has to do with sewage disposal. This deals, let me say, with provision for water supply in small rural communities. In many instances from my own observation—and I am going to assume part of the responsibility for this provision in the bill—there are a great many rural communities where they have installed water supply systems but have made no provisions for sewage disposal of any kind. I think that is a mistake. For us, a division of the Federal Government, to encourage any community to put in a water supply system without at the same time making provision for disposal of this waste is a mistake.

Mr. LATTA. Mr. Chairman, what caused me to raise this question was the language on page 2, line 15 where it says: "treatment, or disposal of waste."

Mr. HARVEY of Indiana. I am very happy that the gentleman raised the question. As a matter of legislative history I think it is a splendid opportunity to correct that misapprehension.

Mr. LATTA. With that legislative history and the understanding that collection of garbage is not included, I could support the bill.

Mr. HARVEY of Indiana. I do not want to take too much time of the Committee this afternoon. I am going to revise and extend my remarks. The chairman of this subcommittee, the gentleman from Texas [Mr. POAGE], gave a very accurate and thorough discussion of the provisions of the bill. As he indicated, it is a twofold type of bill. It has a provision for increasing the loan authority of the Farmers Home Administration and then it has a provision for water supply systems for rural communities.

Let me say at this point, so far as I know, this bill could have no possible application in my community, in my district, and possibly not even in my State. I think it is important that we make this clear, Mr. Chairman, however. There are certain areas and communities, certain rural parts of this country where a person cannot economically establish an adequate water supply system, and neither can a small community.

But they can collectively do such a project and do it not only with success but in many cases many of our rural areas suffer loss of population and the drifting of the people from the rural communities into larger ones comes about because they do not have in these communities adequate facilities to make life there and a standard of living worthy of their residents there.

So, Mr. Chairman, I commend to the Members of the Committee this legislation. I believe it has a great deal of merit.

Mr. Chairman, the question has been raised that there is not much money proportionately in it. I say to the Members of the Committee that I do not know how widely used the facilities provided for under this bill may become and, certainly, being a very conservative individual, I do not want to get it off on too large a footing.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding, and I would like to associate myself with what the gentleman has said.

I rise in strong support of this bill because I think it fills a gap that we have long needed to be filled through an agency that is making a 100-percent commission on its loans in the State of Missouri.

Do I understand that there is a 50-percent limitation on any one sanitary or water system, as per line 17 on page 2 of the bill?

Mr. HARVEY of Indiana. Yes; that is correct.

Mr. HALL. Does this apply to individuals as well as to communities?

Mr. HARVEY of Indiana. Yes, it conceivably can, although it is very difficult for me to see how in any instance it could really apply to an individual.

Mr. HALL. If the gentleman will yield further, I was a little bit concerned about a remark which was made by the gentleman from Indiana, a distinguished member of the Agriculture Committee, when he said he could not conceive of it applying to anyone in his district.

I can think of many rural people who live in rural communities and who farm lands lying around there where they might have individual disposal systems that meet the requirements of the regulations hereunder as to sanitary disposal of waste and had a centralized urban community water system approved by the State health department in a community of less than 5,500 population.

Could the gentleman conceive of this, and each one pay his own way with the 50-percent subsidy?

Mr. HARVEY of Indiana. I believe it is conceivable, yes.

Mr. HALL. If the gentleman will yield further, is that the intent of the bill, I will ask the gentleman?

Mr. HARVEY of Indiana. Possibly I did not thoroughly understand the question. Would the gentleman restate his question please?

Mr. HALL. Let me try to summarize it and restate it: Could an individual participate in the waste disposal portion and get a 50-percent subsidy in a less than 5,500 community water system?

Mr. HARVEY of Indiana. I would think not; that is, it is my concept that at least in granting a water supply system the committee has made provision that no water supply system grant shall be made or loan shall be made that does not also include a provision for sewage disposal.

Mr. HALL. But if it met the requirements of the implementing legislation, the question is, Could the individual farmer participate and have the 50-percent matching fund or subsidy?

Mr. HARVEY of Indiana. Yes.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Texas.

Mr. POAGE. There is no provision in this bill to lend them money or to make grants to individuals. There is authority to establish individual units if the governmental agency running the organization decides that that is the cheapest way of providing the facilities.

In other words, under the RDA at the present time there is authority to go out on some ranches and in some parts of the West—and it is done where the REA itself establishes a rural telephone system on a ranch and pays for it and charges that individual a monthly rate for the system that is on his own place, but puts it in as a part of the whole system—under this they can do the same thing. If they find an individual is too far away from the central system to make it practical to lay pipes to him, they can go out and drill a well for one house, two houses or three houses, for instance.

It is all a part of the system. The system will charge rates all over the whole system that will pay for all of them, and each individual will pay, and the repayment to the United States will not be by the individual but will be by a cooperative or governmental agency that gets the loan, and any grants made will be to the governmental agency or the cooperatives as a whole, and not to an individual.

Mr. HALL. I thank the gentleman.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Kansas.

Mr. DOLE. I think it is well to point out one of the key provisions of this bill was taken care of earlier this year. It passed the House in March without a dissenting vote. In that bill we increased the lending authority from $200 million to $450 million. That went to the Senate, and the Senate tacked on the water provision. It came back to the House and that is when we get into a question of sewage facilities.

Mr. Chairman, I rise in support of H.R. 10232. This legislation could assist in opening up a new and better life for untold thousands of people in the State of Kansas and throughout America.

There is an old saying:

> Men learn the price of water when the well runs dry.

Many in Kansas have found this statement to be true, and the price is mighty high. According to the testimony offered by USDA witnesses, there are still about 30,000 rural towns without central water systems.

Because this situation can be corrected with a broader base under the U.S. Department of Agriculture's water loan program, I support this legislation to increase the loan authority to $450 million for rural improvement facilities and farm ownership. I would remind my colleagues that a similar measure passed the House earlier this year, on March 16, without a dissenting vote.

As the provider of a fundamental resource—ample, clean water supplies—the loans, if prudently made, can stimulate local business and help raise the level of family living. There are many examples of how this program has helped turn the tide in Kansas, but the need can be multiplied a hundredfold when the total number of rural communities across the country is taken into consideration. There are a number of communities in my own district sorely in need of increasing their water supply and improving their water facilities.

One shortcoming of the credit service of the Department is that the waiting line of individual farmers and rural communities is too long. Another shortcoming is that the Department's authority to insure loans is limited to $200 million.

The situation is acute. Funds for these projects in the past year were exhausted when only a portion of the application had been filled.

In Kansas alone, an estimated $9 million would be needed this fiscal year to meet the demand and this estimate does not include the improvements in the rural community facility loans that would evolve from the passage of H.R. 10232.

It may be of interest to my colleagues to learn how extensively the present program is being utilized in western Kansas.

In a number of instances, the loans have been approved, the projects completed, and water is now being delivered. Some examples are:

Weskan District in Wallace County, serving 230 rural residents, and the loan was $57,000.

Antonino District in Ellis County, serving 200 rural residents, and the loan was $40,000.

District No. 2 in Ellis County, serving 75 rural residents, and the loan was $18,450.

District No. 1 in Reno County, serving a rural area adjacent to Hutchinson of 105 users, and the loan was $18,600.

Examples where loans have been tentatively approved are:

Stockton in Rooks County, serving farmers between Woodston and Stockton—about 250—and the loan application is $81,500.

Falun Rural District in Saline County, serving 155, and the loan application is $37,800.

Pilot Knob in Harper County, serving an area at the edge of the city of Harper and other rural residents, and the loan application is $52,000.

The present law also provides for association loans and, of course, one requisite for completing many of the applications now pending is additional funds. A few examples of Kansas applications now pending are:

Barber County Water Association in Barber County, and the application is $25,000.

Rural Water District Loba Creek in Mitchell County, and the application is $75,000.

Rooks County Water Association in Rooks County, and the application is $60,000.

To limit assistance for the development of water systems and waste disposal facilities to communities of 2,500 population or less—which is true of the program now administered by an agency of the Department of Agriculture—is to exclude many hundreds of larger communities, essentially rural in character, and in desperate need of these services. H.R. 10232 would enable loans to be made to rural communities having populations of 5,500 or less.

There is no denying the fact that our country has become predominantly urban in its character, but rural America should not be forgotten.

This bill will not provide all the answers, but the measures provided by H.R. 10232 would be a major step in the right direction.

I strongly urge favorable consideration of the proposed legislation.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Chairman, I rise in support of H.R. 10232.

Last July I introduced a similar bill—a bill that would increase the loan authorization of the Farmers Home Administration from $200 to $450 million for the purpose of financing rural water systems. It also gave to the Secretary of Agriculture the authority to make grants up to $25 million to finance storage, treatment, and purification facilities.

The bill before us today has an added feature. It provides grants for the construction of sewage systems as well as water, and it raises the grant authorized from 40 to 50 percent in order to bring such grants in line with those made in urban areas.

Mr. Chairman, when I introduced my bill, I pointed out that some 30 years ago the Congress of the United States passed and the President signed a bill which created the Rural Electricification Administration. At that time 9 out of every 10 farmers in the Nation were without electricity to light their homes and to provide power to operate their equipment. Today 5,400,000 farmers have been provided electricity at a reasonable rate, thanks to the rural electrification program.

But more must be done if rural America is to survive, Federal assistance must be provided to provide adequate water facilities.

The need for this type of legislation is overwhelming. Rural water use, excluding irrigation, has more than doubled in the past 5 years. Thousands of small rural communities are withering on the vine because they lack water. Without a central water system, without a waste disposal system—no community can hope to attract industries or encourage others to settle in them.

Statistics show that 30,000 communities with populations of less than 5,000 do not have an adequate water supply. There are 600 such communities in the State of Kansas. In my own congressional district there are 125 towns that would be eligible for assistance should this measure be enacted into law.

In my lifetime I have seen at least a dozen small rural communities slowly wither and die largely because they lacked basic community facilities. But happily, I have seen other rural communities in my district—seemingly doomed to a slow death—suddenly revived by the installation of a community water system and then prosper and grow. In every instance, these little rural towns were saved by a loan from the Farmers Home Administration which made it possible to construct a water system.

Back in 1951, Tom Reagan, county FHA supervisor in my home county, and Ralph Johnson, State engineer for Farmers Home Administration, met with 76 farmers and residents from the little village of Chicopee, Kans. These two men explained how the community could get a loan to build their own water supply system. The group formed the nonprofit Chicopee Cooperative Water Corp.

A few skeptics said that since the town had no future, they predicted that the water system would fail because there would be less than 10 water users left in town within a decade. But the community got a $27,000 loan from Farmers Home Administration and installed the system. Today, 14 years later, there are 109 water users. New houses have been built, many others have been remodeled. Bathrooms and modern kitchens have been added. Houses and property values have tripled. Not one building lot is up for delinquent taxes.

And the community continues to grow. A church, public school and three business firms get water from the system. Natural gas came to town in 1962. A new country club has been built with an 18-hole golf course nearby also served by the water system.

My good friend, Francis Flynn, now president of the Chicopee Water Corporation Board of Directors, said:

> This water system, financed by the Farmers Home Administration, has saved our little town. Without it, we would have surely died. What's more, we will soon have our loan paid off—far ahead of schedule and then we can cut the water bills in half.

Mr. Chairman, what the Farmers Home Administration water system loan program has done for Chicopee can be done for every little rural community in America. And it should be done.

We are presently supplying funds for water and sewage facilities for our urban dwellers through the Community Facilities Administration. It seems only fair and equitable that the same opportunity be provided for our small rural areas. Many of our senior citizens who now live in such communities are forced to leave because of inadequate sewage and water facilities. They are forced to take up residence in larger communities where living costs and taxes are much higher. Most of them would sooner stay in the smaller towns because of their limited incomes. Attractive rural communities bring people back to them. Business will follow—new opportunities for our young people will be created.

I have letters in my file from Mulberry and Galena, Kans., once prosperous mining communities, and Helper, Kans., where Jess and I started our lives together—all asking me to assist them secure funds to develop water facilities.

Mr. Chairman, the health and welfare of these rural citizens is just as important to our national interest as the welfare of our city dwellers who cry for larger dams and bigger reservoirs to take care of their water requirements.

This is no rural welfare program. This is basically a loan program. It is the soundest investment we can make for that part of America where there is great potential for new economic expansion if only these communities are given a chance to construct basic community facilities.

I hope Congress will give them this chance by passing this legislation.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Chairman, I appreciate this opportunity to speak in support of the measures contained in H.R. 10232, which is very similar to my bill, H.R. 8234, because North Dakota is united as never before in demanding substantially better farm income and improved opportunities for growth in our rural communities.

The rising cost of farm operations and the necessity for more efficient management makes it necessary for more adequate low-cost credit for family farmers.

The Farmers Home Administration's present authorization of $200 million under the insured loan program is completely inadequate. It already has caused too many small family farmers to leave the land. The small farmer who needs to enlarge his acreage to become more efficient or who needs to adjust his farming operation to take advantage of technological and marketing changes is doomed unless he can obtain sufficient credit. The young farmer who wants to get a start in agriculture is shut out because of lack of credit.

More and more family farmers in North Dakota are being driven into competition for jobs with the unemployed in cities and towns, just like their fellow tillers-of-the-soil across the country. There are fewer farms in North Dakota than at any time since the turn of the century, according to the Federal-State Crop Reporting Service. Families have been quitting farm ownership at a rate of more than 1,000 a year. Among the departures have been many casualties of hardship, defeat, and losses undeserved, suffered by honest and hard-working families simply unable to cope with forces beyond their control.

At least one factor working against this alarming exodus from the farm has been the farm ownership program of the Farmers Home Administration.

More than 4,600 farm families who might otherwise have been forced to leave their farms and seek employment in the cities made use of $84.5 million since the program started in 1937, to survive financial hardship, get a new start and stay in business.

It is significant to note the division of these loans between the categories "direct" and "insured." Since inception of the program, there have been 1,341 direct loans totaling $20 million. There have been 3,267 insured loans by private lenders totaling $64.5 million, since the insured loan program began in 1947.

This fiscal year there has been a need for $28 million in farm ownership loans through the Farmers Home Administration in North Dakota; but due to limitations on its insured lending authority, the agency has been able to meet only about one-third of that demand.

This trend is expected to continue, for with land market prices steadily increasing from pressures of absentee land investors, with prices of machinery, equipment and facilities rising year after year, the need for more farm credit becomes even greater.

I can see no turnabout at this time. The demand for farm ownership loans far exceed the present authorization all across the country. If the present rate of loan requests continues, the Farmers Home Administration will have more than $500 million in requests or more than 2½ times the present authorization of $200 million. This not only denies a well-deserved extension of credit to the farmer, but also curtails a legitimate field of operation by private lending institutions operating in rural communities.

Loss of family farmers from the countryside punches a profound dent into the economy of rural America. Farm ownership borrowers are good customers in our country's small towns. They spend $254 million a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

These borrowers spend $764,673,400 a year for goods and services to produce crops and livestock. Each year the borrower's debt payments and purchases include $254,892,800 in new farm tractors and other motor vehicles, machinery, and equipment.

Not only does rural America feel the impact of the loss of just a small amount of this business, but also our Nation's total economy is dealt a serious blow.

The provisions of H.R. 10232 to adjust the Farmers Home Administration's insured lending authority upward from $200 million to $450 million, is a reasonable and conservative response to the need for these loans as manifest by the great backlog of applications accumulated this fiscal year for farm ownership, rural community facilities, and other eminently worthy purposes.

Another reason for increasing the authority is that more and more communities are now prepared to carry through the type of self-help projects which can only be accomplished with the support of these insured loan funds.

Primarily, I am speaking about the development of community water systems. A community with good land, good potential, industrial sites and excellent recreational possibilities but without running water is doomed to further decline.

Public funds for public facilities should not stop at the boundary edge of cities but should be available to all rural areas. This is what H.R. 10232 does.

The bill would enable the Farmers Home Administration to advance credit and to share part of the cost when a community is unable to carry the whole burden.

With the new and necessary emphasis to revitalize rural America, to shift land to new uses, to make rural communities more attractive, to raise standards of living and to meet the growing urban demand for more recreation areas, the demand for the type of credit called for in H.R. 10232 is growing by leaps and bounds. I wholeheartedly support and urge the passage of H.R. 10232 as vital to the security of our beautiful countryside.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Chairman, I rise in strongest support of H.R. 10232.

The Northeast has experienced a crisis this year in shortage of water.

Even great cities have discovered they were not immune to drought.

They have undergone the discouragement known all too well to the farmer and small townsman who lives in a precarious dependence on shallow wells, streams and ponds that will fail him, if the weather turns dry for a very long time and denies him rain.

The highest councils of national and State leaders have been convened in an effort to determine how the metropolitan millions of the Northeast can avert another crisis in the next cycle of drought.

This is not an exaggerated show of concern.

Water is the most fundamental necessity. The difficulties this year have underscored how imperative it is that we insure a safe and abundant supply.

Today we are acting on a bill that represents fulfillment of that need in the rural Northeast, and indeed for all rural America.

Across the South and the Middle West, a substantial beginning has been made in the modernization of rural water supplies. This has been done through loans to towns, public water districts and nonprofit associations of rural people, these loans made or insured by the Farmers Home Administration.

Congress initiated this program and meant it to be nationwide. Over 800 rural water systems already have resulted from it.

Few, however, in the Northeast.

The reason my State and others with similar problems of rural water supply have yet to benefit from this program is not indifference, nor lack of need.

Rather, in our case, the reason is that present limitations of the Farmers Home lending authority have proved to be insufficient in a situation such as we have in Vermont.

The present authority limits any other rural system to the size and design that can be built for a maximum loan of $1 million.

These are not feasible limits in Vermont.

We have the difficult problem of striking large reservoirs of water in the limestone substrata that underlies the State.

We need to build larger than $1 million systems, so that several communities can tap each of the relatively few deep-well sources available.

We may need to move lake water considerable distances, especially in the dairying sections of Vermont.

These requirements can be met under the provisions of this bill, which will enlarge the Farmers Home Administration's insured lending authority and raise the limit on a single water system project loan to $4 million.

One of the virtues of the rural water program, as developed through the Farmers Home Administration, is that basically these systems are financed on a self-paying basis—loans repaid from earnings of the systems.

Another equally high virtue is that such fine efficiency has been achieved in design, construction, and operation of far-flung rural systems, the cost of service—the monthly water bill—is held within the range of low- and middle-income rural people.

No family should be shut out. Water is so vital a commodity to the health, safety, and economic progress of all our people as to constitute a public necessity.

Vast amounts of public funds have been used in this country to help provide such public facilities for the urban population.

In this bill, a modest and reasonable provision is made for assistance to the rural population—equally in the public interest.

To overcome unusually costly problems of laying pipe through difficult terrain—of building adequate water treatment plants, or reaching out to now sparsely settled areas where the need is great and future growth is possible—this bill provides for grants toward that portion of costs which exceed the norm for rural water system construction and loan financing.

This in no way dilutes the responsibility of the community to finance a project by the insured loan route to the best of its ability, to the fullest extent consistent with the public interest.

Mr. Chairman, this bill has evolved especially through the efforts and wisdom of two men in Congress who have infinite understanding of the character and problems of rural America.

For this service I salute the distinguished gentleman from Texas, BOB POAGE, of the House Agriculture Committee, and the great senior Senator from my own State of Vermont, GEORGE AIKEN, ranking minority member of the Senate Agriculture Committee, whose original concept inspired this bill.

It is unlikely that any bill we can pass in this Congress will contribute more to the relief of burdens now saddled on farm families and rural communities.

The larger part of the total new insured loan authority provided in this bill will be used to secure farm ownership for more families who are struggling against the odds in their efforts to succeed as independent farmers.

The rest of this new authority will support the enterprise and self-reliance of rural communities as they work to supply themselves with water, and other fundamental needs for adequate community standards of living based on soil and water resources.

Without water, without capital, without freedom, the farmer has a hard row to hoe no matter how good his land.

The rural community may be endowed with great traditions, good people, good potential sites for industry and commerce, excellent recreation possibilities; but without water, without credit resources that square with its ability to pay, that community nevertheless will find it hard to hold its people and retain its vitality in the future.

I will vote for this bill with confidence that it will be diligently carried out by the Farmers Home Administration. That agency has a record for sound and creative operation of public credit programs in cooperation with the lending institutions of private enterprise, as called for in this bill.

This is the right plan to fulfill one of the great needs of rural America and thereby strengthen all the Nation.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I favor the reasons that this bill is brought out, and the objectives desired to be attained. I have a serious question about the duplication of this type of activity that is carried on in other agencies of the Government. In the hearings we went specifically into the question of where these same projects could be financed by other agencies.

Mr. HARVEY of Indiana. Let me say to the gentleman we did not specifically cover that, but it would seem to me very difficult to imagine circumstances where all of the other agencies, with the exception possibly of Appalachia, are directed entirely at urban or semiurban areas. This is directed to rural areas. I cannot believe for that reason there would be duplication. I would likewise say to the gentleman I have no definite proof that could not happen.

Mr. CEDERBERG. The reason I bring this matter up is because we are holding hearings in our Subcommittee on Appropriations for the Department of Commerce request to fund the Economic Development Administration and the Regional Development Administration. In these hearings we have developed the fact that this very type of program is available to these areas. In addition, it is my understanding that under the new Housing and Farm Agency Administration they can do the same thing that is being done under this bill.

As a matter of fact, in our hearings we have requested that the agency let us know all of the other agencies that are involved in water and sewerage specifically. The gentleman from New York [Mr. ROONEY] mentioned that this is exactly what we have been discussing in our subcommittee. In order to get rid of this confusion, the Bureau of the Budget has even requested a coordinating Committee on Agriculture and Commerce, and the new Urban Affairs Committee, as to whether or not they are involved in the same kind of a program.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Indiana yield?

Mr. HARVEY of Indiana. I yield to the gentleman from New York.

Mr. ROONEY of New York. May I say to the distinguished gentleman from Michigan [Mr. CEDERBERG] that the duplication and the number of agencies engaged in this very same matter of assistance in sewerage construction is appalling. I suggest that the gentleman from Indiana read the Appropriations Committee hearings when they are printed and released.

Mr. HARVEY of Indiana. Mr. Chairman, I call particular attention to the report on this bill, page 2, near the bottom of the page, where it reads as follows:

> H.R. 10232 is comparable to but does not duplicate any of the authority of the various statutes and programs designed to provide modern water and santitation systems for urban areas. On the contrary, it is carefully designed to pick up where those statutes and programs leave off and provide comparable assistance to rural communities.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from North Carolina.

Mr. JONAS. I certainly join those who have expressed approval of what we are trying to do here. I think there is as much reason to assist rural communities in providing adequate water supplies and sewage disposal facilities as there is to help urban communities.

But on the question raised by the gentleman from Michigan and the comment made by the gentleman from New York and apropos the section of the report just read by the gentleman from Indiana, I would like to read the following section from the bill that became law on August 10, 1965, and ask the gentleman from Texas, the author of the present bill, to convince us that there is no duplication.

Here is what Section 702(a) of that bill says:

> SEC. 702. (a) The Housing and Home Finance Administrator (hereinafter in this title referred to as the "Administrator") is authorized to make grants to local public bodies and agencies to finance specific projects for basic public water facilities (including works for the storage, treatment, purification, and distribution of water), and for basic public sewer facilities (other than "treatment works" as defined in the Federal Water Pollution Control Act): *Provided,* That no grant shall be made under this section for any sewer facilities unless the Secretary of Health, Education, and Welfare certifies to the Administrator that any waste material carried by such facilities will be adequately treated before it is discharged into any public waterway so as to meet applicable Federal, State, interstate, or local water quality standards.

That section does not confine itself to urban communities. How is the authority granted here to the Housing and Home Finance Agency different than the authority that is proposed to be vested in the Farmers Home Administration.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman.

Mr. POAGE. The testimony before the committee was that the Housing and Home Finance Agency although having the authority, as I carefully pointed out a few moments ago when I was in the well, although having the authority to make such loans, had a policy of not making the loans anywhere where there were less than 5,500 population. That was the reason and I explained it a while ago That is the reason we adopted the 5,500 population limitation because of the practice of this agency not to go into communities of under 5,500 population.

Mr. JONAS. My point is this. Does the gentleman from Texas say that the Housing and Home Finance Agency does not have authority to make these loans and grants in rural communities?

Mr. POAGE. I said it twice before and I will say it now for the third time—the Housing and Home Finance Agency does have the authority but it has the practice, a self-imposed limitation, of 5,500 as being their lower limit, which is the upper limit in this bill.

Mr. JONAS. Under the second section and I will not read it because it is a long section, it makes the break off at 10,000. It provides for loans and grants to public bodies and agencies in communities "under 10,000 in population." They have not had time to ask for any money yet to implement that bill but the authority is conferred upon the Housing and Home Finance Agency—new authority which was just granted this year, to make the identical type of loans and grants that are proposed to be made under this bill. I am just wondering if we should not be very careful that we are not duplicating the authority here? We do not want to have every agency of Government involved in these loans and grants.

If so, we will have a bureaucracy that will absorb a great deal of the money in administrative costs.

Mr. HARVEY of Indiana. Mr. Chairman, I do not desire to prolong this debate. I appreciate the concern of the gentleman from North Carolina [Mr. JONAS], and his bringing the matter to the attention of the committee. It is my personal pledge to you that I shall make a definite effort, within my limitations, to make sure that if the bill is passed, there is no duplication.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. I believe the gentleman from Michigan and the gentleman from New York made a point that there is a duplication in this field. I think the thing that the House must realize is that despite the fact that we have all this duplication, none of it filters down to the small rural communities. The specific aim of this legislation is to give rural communities the break which the larger cities have in all the other bills which we have passed and which, in some cases, overlap. This bill will do just that and give our rural communities and their people the ability to share in these programs so long available only to the big cities.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Indiana. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I believe the point should be made that this other legislation is designed for depressed areas. Many areas which would be eligible under this bill would not be eligible under the ARA.

Mr. HARVEY of Indiana. Mr. Chairman, I have no further requests for time on this bill. I reserve the balance of my time.

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I shall not take but a part of the 3 minutes. I would like to point out that in our congressional district there is a perfect illustration, in relation to the discussion which has just taken place. In rural Jackson County which is in west central Missouri a public water supply district is nearing completion. The farmers in this area could not get a Housing and Home Finance loan from Community Facilities because the area was wholly an unincorporated area. They made application to Farmers Home Administration and were able to get an FHA loan. Today a rural water district, is now proceeding toward the final stages of construction, made possible under the old enactment. This bill today will expand the insured loan authority and provide the means to make loans more attractive to investors through better yields and repurchase agreements.

This is a worthwhile amendment. Beyond a doubt there are dozens of other places close to metropolitan areas which are situated in unincorporated areas and which house commuters who come back and forth, from work, but live on tracts of small acreage 25 to 35 miles from work. In this same general area there are people who have family farms of 100 to 150 acres who would not be covered by any other program.

It is a privilege to support H.R. 10232. Later I shall ask consent to include in the RECORD some communications that I have received on the subject.

Recently I received a letter which proved the value of Federal assistance in the construction of a water supply district in a rural area, which reads as follows:

SEPTEMBER 7, 1965.

Representative WILLIAM J. RANDALL,
House of Representatives,
Washington, D.C.

DEAR MR. RANDALL: We are enclosing herewith a copy of a letter addressed to Mr. Howard Bertsch, Administrator, Farmers Home Administration, which will be of interest to you. As you will note, we have attempted to express our appreciation to some of the people concerned in prosecuting this project.

We will remember for a long time the assistance we received from you and your office. In the beginning it was your office that helped us to get the area approved for the project, and later, you helped us in placing idle funds so that something like $4,500 was realized to add to our "kitty" which will be quite handy in tiding us over the first lean years.

It strikes us that this is one service rendered by our Government which results in handsome returns to everyone concerned, including the people who receive the water service, those who earned wages on the project, and "Uncle Sam" who will also receive reimbursement manifold not only in money but in the good will of the people affected.

Thank you again.

By order of the Board of Directors, Public Water Supply District No. 13 of Jackson County, Mo.

MAURICE HARTMAN,
H. J. HARTVIGSEN,
DON I. MONTGOMERY,
CECIL RANDALL,
JOHN W. JOHNSON.

The group of progressive, forward-looking farmers who banded together to form Public Water Supply District No. 13 were so grateful to the Farmers Home Administration for the excellent service rendered during the construction of water mains in the rural areas that they recently composed a letter and forwarded it to the Administrator at the Central Office here of Farmers Home Administration over at the Department of Agriculture, which reads as follows:

SEPTEMBER 7, 1965.

Mr. HOWARD BERTSCH,
Administrator, Department of Agriculture,
Farmers Home Administration,
Washington, D.C.

DEAR MR. BERTSCH: You will be pleased to know that the system of Public Water Supply District No. 13 of Jackson County, Mo., is substantially complete, and a number of patrons are now receiving water service. Due to the fact that we received a very favorable bid on the project, substantially below estimates, and due to the able assistance and cooperation of many people we accomplished much more than originally planned. In fact, we were able not only to reach every residence, farm, school, church or business in the 25-mile square area comprising the district, who wanted water service, but to increase the size of mains, build a loop tying them together, and to double the size of our elevated storage tank. All told we have slightly more than 43½ miles of mains and distribution lines reaching all but six homes (who did not want service) and a sizable reserve fund out of which to finance additions and to help carry us through the first year or two during which time we anticipate that about every one in the district will become a water user.

The purpose of this letter is to express our sincere appreciation in behalf of all of the residents of the area for the unstinting work done by the people attached to the Columbia and Liberty, Mo., office of the Farmers Home Administration. Mr. Jose was most helpful with overall advice and suggestions which not only enabled us to accomplish this project, but to do so expeditiously and at substantial savings. Messrs. Tise and Mussman gave us invaluable help with detailed engineering problems as well as financial matters, and at all times lent us every help we required of them.

We are especially indebted to Mr. Henry Smith of your Liberty, Mo., office who has been at our side during the many months the project has been developing, with every kind of help, including interpreting the rules and regulations, assisting with the minute details of which there are, of course, a multitude. He is, and has from the beginning made himself available at any time, day or night, to assist in the development and completion of the project. He has attended many meetings, speaking at general ones, at which the public was invited, explaining and interpreting the procedures to be followed, etc. In other words, explaining how to accomplish our purpose as expeditiously as possible. All of these meetings, including board meetings, of necessity, were held "after hours", but Mr. Smith is always available. Now we know that Mr. Smith has the responsibility of this duty, but we are sure he has done much more for us than could reasonably be expected even of a good public servant.

In conclusion, we wish to say that we are convinced that without the assistance available through the Farmers Home Administration, and its people, this project, so sorely needed, could not have been brought to a successful conclusion.

By order of the Board of Directors, Public Water Supply District No. 13, of Jackson County, Mo.

MAURICE HARTMAN,
H. J. HARTVIGSEN,
DON I. MONTGOMERY,
CECIL RANDALL,
JOHN W. JOHNSON.

In the words of the report which accompanied H.R. 10232 it is pointed out that the establishment of adequate water and waste disposal system is one of the crying needs of rural America. Our city dwellers turn a faucet or push down on a handle to flush a toilet. From the first, water appears and from the second, waste disappears. It is really almost like magic but either these city dwellers don't realize or else never stop to think that there is no such magic in most of the rural areas. A rural resident can try to build such a system at great expense to himself, but many times with frustrating results.

In many areas there is adequate water of some kind but not an ample supply of pure water because today not just any water will do. It must be pure and chemically acceptable if it is to be used in dairy areas and for truck gardening purposes.

It is estimated there are 30,000 rural communities in America today who need new water and sanitation system, and until some way is enacted that will permit these communities to install such systems they will be denied the water and sanitation facilities city residents take for granted.

H.R. 10232 does not duplicate any of the authority of the various statutes and programs designed to provide for urban areas. The bill specifically provides that a definition of rural areas shall not include any part of any area in a city or town which has a population in excess of 5,500 inhabitants.

It is difficult to envision the great good that can come from the enactment of a bill such as H.R. 10232. Only the passage of time will reveal the great development that will come about in both the closely settled and the sparsely settled rural areas of America. One does not need a crystal ball to predict that new rural water and sanitation facilities made possible under this enactment will be a boon and a blessing to rural citizens in terms of improved health and expanded economy in the years that lie ahead.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. REDLIN] 1 minute.

Mr. REDLIN. Mr. Chairman, most of my city colleagues very likely take it for granted that running water and modern sewage facilities are available in nearly all American homes. Such is not the case in many rural areas, such as those I represent in western North Dakota.

Comprehensive programs to encourage sanitary and healthful living conditions in urban areas have been in operation for several years. We badly need a program tailored to the specialized conditions of rural agricultural areas.

As a member of the Committee on Agriculture, I consider it a privilege to have participated in the decisions that resulted in the legislation before us, H.R. 10232. Because, Mr. POAGE, the able vice chairman of the Agriculture Committee, has made a fine presentation, I will not take up additional time detailing its provisions.

I will only say that, through loans and grants to local governments or groups of rural residents, it would take significant strides toward improving the overall living standards in our rural communities, utilizing to good advantage the experience, background and knowledge of the Farmers Home Administration.

I urge the support of my colleagues for H.R. 10232.

Mr. COOLEY. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I first want to congratulate and commend our colleague the gentleman from Texas, BOB POAGE, the chairman of the Subcommittee on Conservation and Credit, and our colleague, the gentleman from Indiana, RALPH HARVEY, the ranking minority member of that subcommittee, and all of the other members of the subcommittee, upon all of the splendid work they have done on this bill. The subcommittee worked long and hard on the bill now before you. They considered all of the pertinent facts and circumstances involved, and my recollection is that the report of the subcommittee was unanimously accepted and approved by the full committee.

Mr. Chairman, I also want to commend the officers and directors of the Farmers Home Administration upon the splendid manner in which that agency of the Government has administered all programs which that agency has by law been directed to administer. The Farmers Home Administration has been remarkably free from criticism. Those in charge of this program have discharged the duties assigned to them in magnificent fashion. Perhaps the officials of this agency of the Government have not done all things right and perhaps they have not pleased all people, but certainly all of us know that they have at all times been prompted by the purest of motives and dealt with all problems frankly, fairly, forthrightly, and with great impartiality and integrity.

I urge the passage of this bill.

The bill deals with problems of great importance. More than 30,000 communities in this country need and want the relief which will be provided in this bill when it is enacted into law. The chairman of the subcommittee, who, as you know, is the vice chairman of the full committee, has presented the bill to the Members of the House in a very brief and comprehensive manner. I hope that the bill will be passed, that it will become law, and I know that the program will be beneficial to the rural areas of America. Certainly we must provide some relief for the citizens of our country who are living in the rural areas of the Nation just as we have provided relief for those citizens living in urban areas.

I yield 3 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I sincerely believe that the passage of H.R. 10232 is essential to assuring the economic survival of literally thousands of undeveloped rural areas. This is because it will help many farm and rural families and business firms obtain much needed water and sanitation facilities for the first time.

This legislation would establish for rural communities a Federal assistance program comparable in scope to programs which are available to urban communities under several statutes.

One section of H.R. 10232 authorizes the Department of Agriculture's Farmers Home Administration to make or insure loans to rural associations, including corporations not operated for profit and public and quasi-public agencies to provide for the installation or improvement of facilities for the use and control of water.

This includes the installation of improvement of waste disposal facilities. Such facilities must be primarily designed to serve farmers, ranchers, farm tenants, farm laborers and other rural residents. The agency would also be authorized to furnish financial assistance or other aid in planning projects for such purposes.

Another section of H.R. 10232 authorizes the Farmers Home Administration to make grants not to exceed a total of $50 million in any fiscal year to agencies and associations to assist in financing specific projects for the development, storage, treatment, purification or distribution of water or the collection, treatment or disposal of waste in rural areas. The amount of any such grant cannot exceed one-half of the project's development cost.

Mr. Chairman, another section of the bill would implement this program by expanding the Department of Agriculture agency's insured loan program authority and provide means of making loans more attractive to investors through better yields and more flexible repurchase agreements.

Members of this body should not overlook the fact that establishment of adequate water and waste disposal systems is presently one of rural America's most crying needs.

These facilities are ones that have been taken for granted during recent years by most city dwellers. During most of their lives they have simply turned on a faucet or opened a drain and a system provided by the community made water appear or wastes disappear.

Mr. Chairman, there are still some 30,000 U.S. rural communities that urgently need water and sanitation systems. And until this need is met, these communities cannot grow and make their contribution to this great Nation's overall economic growth. The sad part of this situation is that thousands upon thousands of rural residents are being denied ordinary, everyday water and sanitation facilities available to practically all urban area residents.

One need only to observe the Farmers Home Administration community water system program at work in rural areas to realize the important role such a program can play toward helping make a given rural community a better place to live.

I am gratified to report that four much needed community water systems have been financed in my district since late 1962 by loans from this U.S. Department of Agriculture credit agency.

The loans—ranging in amount from $132,200 to $644,000—totaled close to $1.5 million and have or will soon make possible systems serving over 6,000 rural people with an adequate supply of safe water for the first time.

It should be remembered that these 6,000 rural folks are ones that have been obtaining water from ponds, creeks, cisterns, and even contaminated shallow wells.

The first of these loans—one for $132,200 made November 18, 1962, to the Fallston Water System, Inc., in the district's Cleveland County—brought about construction of a system that pumped new life into the community in which it is located.

Besides furnishing water to some 500 farm and rural residents, the system's presence attracted a new industry to the community soon after it was built. And now a consolidated district high school is being built at Fallston because running water is now a reality. The new industry employs over 50 Cleveland County residents on a full-time basis.

The four systems should also be credited with furnishing close to 16,000 man-days of employment to sections of the 10th district where water systems were or are now being constructed.

There is indeed an urgent need for this legislation to help the Farmers Home Administration to do the job that they are capable of doing with the help of authority and loan funds H.R. 10232 carries.

In North Carolina the funds available fall far short of meeting the need. This is true throughout the country.

Mr. Chairman, with the passage of H.R. 10232, water development, such as that cited in my district, will continue and so will our steady march toward the Great Society.

I want to emphasize that this is a vital bill. One, that if enacted, will bring about new opportunity and hope for thousands of rural Americans. It indeed offers to rural America a new dimension for expansion. I join with my colleagues in asking your approval and endorsement of this legislation.

Mr. CLEVELAND. Mr. Chairman, I strongly support passage of H.R. 10232, which would provide a program of grants and increased loans for water facilities in rural agricultural areas. I testified in favor of the bill during hearings before the Agriculture Committee at which time I made clear my prefrence for certain provisions of this bill over the S. 1766, a comparable bill approved by the Senate. The main reason is that the House bill provides somewhat broader population limits than the Senate's, the limit in H.R. 10232 being a population of 5,500 as opposed to the limit of 5,000 set by the Senate. While I would have preferred extending the limit slightly more—to 6,000—this is satisfactory. I would like to point out, in this connection, that, on the basis of information from the staff of the Committee and from Administration authorities who will be administering this legislation, the population figures are to be determined by using the findings of the 1960 Census. In addition I prefer the better definition of rural area contained in H.R. 10232.

The need for this legislation is imperative and has been intensified in my area by the drought afflicting the Northeast. This 4-year drought has been having a severe impact. We are all aware of the severity with which the drought has fallen on the large metropolitan areas such as New York but it is every bit as severe on rural areas. In some ways, the impact on small, rural communities is greater than on the cities because of their great dependence on farming and because they do not have the financial resources available to the big cities.

I commend the Committee for its prompt action on this legislation and for the completeness of its report. This legislation will provide invaluable assistance to many hard-pressed communities in my district and I can assure the House that the assistance will be used to the best possible effect, returning the investment many times over in farms, crops, and jobs that will be saved or improved. I urge the House to approve this legislation.

Mr. KEE. Mr. Chairman, I fully support the provisions of H.R. 10232, amending the consolidated Farmers Home Administration Act of 1961.

In this connection, Mr. Chairman, the members of the Committee on Agriculture of the U.S. House of Representatives under the able leadership of Chairman COOLEY are to be highly commended for this measure which will definitely benefit rural America.

It should be noted that the Housing and Home Finance Agency, which has done an excellent job, has centered its attention on, and its experience is limited to urban areas. The Farmers Home Administration, on the other hand, is oriented to the problems faced by rural America.

The enactment of H.R. 10232 will actually result in a saving to those residents of rural areas, that is, with a population of 5,500 or less, simply because these areas in need of an adequate water system as well as adequate sewerage systems can combine the construction of both essential facilities at the same time.

Therefore, Mr. Chairman, I respectfully recommend to the Members of the House that H.R. 10232 be passed.

Mr. PERKINS. Mr. Chairman, I rise in support of H.R. 10232, a bill to amend the Consolidated Farmer's Home Administration Act of 1961 which authorizes the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas. The bill likewise authorizes grants to aid in rural community development planning and for construction of both water systems and sanitation facilities. The bill further increases the annual aggregate of loans insured. Legislation of this type is long overdue, and to my way of thinking, the rural areas of many sections of the country and particularly eastern Kentucky have been overlooked. This legislation bridges the gap that is very much needed and it is a great pleasure for me to support such a worthy bill. By making these communities livable, we will be able to keep our good people at home in many sections where we now have too much outward migration. For many years I have urged the passage of legislation of this type. I now urge all Members to do likewise.

Mr. SCHMIDHAUSER. Mr. Speaker, I urge approval of the Rural Water and Sanitation Facilities Act of 1965. There is no measure of more vital importance to the orderly growth of rural communities than this measure. For far too many years, residents of rural America have found that it is increasingly difficult to get the adequate clean water supplies that they need and found it exceedingly costly to develop sanitation systems necessary for growth.

It is estimated that 30,000 rural communities need new water and sanitation facilities. I know that several of these are located in southeast Iowa. There are many people throughout my district who prefer to live in rural communities rather than move to cities, but find it difficult to do because they cannot find adequate water and sanitation facilities in many of the smaller communities. Communities like Morning Sun and Columbus Junction have indicated their need for more adequate sanitation facilities. Farsighted community leaders in St. Paul in Lee County have indicated they have a tremendous potential for growth but need help in establishing a sound water system. Examples such as this could be repeated in every community throughout the First District of Iowa.

In fairness to our rural residents, let us extend to them the same opportunities for adequate water and sanitation facilities that have been afforded in other legislation to our large cities. I urge passage of the Rural Water and Sanitation Facilities Act of 1965.

Mr. ALBERT. Mr. Chairman, I would like to speak in behalf of H.R. 10232.

I am here to urge the House to act favorably on this legislation because I am firmly convinced that it will bring many benefits to the rural areas of my great State of Oklahoma, to other States in the Southwest, and to rural areas across the Nation generally.

For some years now, the Farmers Home Administration—working as the credit arm of the U.S. Department of Agriculture—has been extending loans accompanied by technical assistance to rural families.

This credit program has helped to build family farms and strengthen rural communities.

However, the need for this unique type of service has been so great and the programs which the agency administers have been so popular, that there have never been enough funds to go all the way around. Consequently, farm families who may have otherwise succeeded have been forced off the farm and into the city, and communities which may have survived have been allowed to die.

H.R. 10232 takes a bold and imaginative step in remedying the unfortunate limitation on funds which has drastically handicapped the Farmers Home Administration in carrying out its important work.

It would—among other things—increase from $200 million to $450 million the annual authorization for insured loans for farm ownership and association or community facility purposes, increase to $4 million the amount of financing available to a rural group to develop a rural community water or other community facility, authorize grants for certain community water systems up to 50 percent of the cost, and adopt 5,500 as the maximum population of a community designated as rural.

I am personally interested in and support all sections of this proposed legislation. However, I would especially like to direct some of my remarks at what this bill would do to strengthen rural communities.

A review of applications for Farmers Home Administration assistance from many communities in my district and throughout the State of Oklahoma clearly indicates that the current $1 million limitation on a loan to help finance a water system or other group facility is severely handicapping rural development.

I have had letters from smalltown mayors, ministers, businessmen, ranchers, and other leaders which point up the problems caused by this low loan ceiling.

My contacts with Secretary Freeman and with Howard Bertsch who administers the Farmers Home Administration programs reveal that the Department is continually receiving inquiries from communities in all sections of the country which must be turned away because of the low credit ceiling.

Since the Farmers Home Administration is the court of last resort for rural financing, some communities are simply forced to continue without making needed improvements. A feeling of despair and hopelessness sets in. They have nothing to offer industries and new businesses which are looking for a place to locate.

Young people who have grown up and were educated in these communities go elsewhere to earn their livelihood.

The communities, themselves, wither and die because they are boxed in economically. They are the victims of a combination of economic and social circumstances from which there is no escape.

Other communities are going ahead with development plans despite the low credit ceiling. But they are finding that if adequate funds were available they could build a far better and more efficient system for their area.

Raising the loan limit to $4 million would help solve this problem.

I strongly favor the provisions of H.R. 10232 which would provide grants when necessary to help finance community water systems.

Many rural communities in Oklahoma and in other States cannot afford to construct a system even under a long-term low interest loan program.

Such a water system is beyond the means of some communities because of the low income of potential water users.

In certain communities costs run higher because of the great distance between families, and grants are necessary to help get the monthly water bill down to a reasonable figure which the users can afford.

In still others communities are barred from a water system because of high costs where water treatment plants must be installed.

Oklahoma has about 175 upstream flood control watershed projects either built, planned or with applications pending. More than 1,000 dams have been constructed in these watersheds so far. Most of these dams back up water that could be used for domestic purposes. But it has to be adequately treated and filtered and plants for these purposes are expensive.

Some progress has been made in moving water from these reservoirs, when feasible, and piping it to farms, ranches, and rural towns, or creating rural water distribution systems from other sources of water.

Thirty-four such community projects have now been developed over the past couple of years, put under construction or approved for financing through the Farmers Home Administration. Twenty-one other projects have been tentatively approved. Sixty-one additional project applications are being considered; and hundreds of other small towns and nontown rural areas of Oklahoma have shown their interest in mobilizing local forces to duplicate what has been done in the projects already completed.

However, there still remains in these water-rich areas, communities which cannot afford the cost of developing surface water even when loans are available. Some grant aid is necessary.

These communities are continuing without water. Yet studies show that many have great potential for growth.

The water situation in Oklahoma and the Southwest has been acute for some time. Despite this problem, our population has been increasing at a tremendous rate.

During the period 1950 to 1960, population increased in my State at the rate of 4.2 percent a year and a recent estimate by the Department of Census shows that in the last 4 years this rate has speeded up to a growth rate of 5.9 percent a year. The trend that concerns me, however, is that while our total population is increasing our rural population is decreasing.

People are ending up in the cities which have the means to support good water and other facilities.

During the 1950–60 10-year period, for example, when our total State population went up by 100,000 persons, our rural population in Oklahoma dropped some 300,000 persons.

An estimated 25,000 to 50,000 of this loss in rural areas was due to cities annexing surrounding fringe areas but the remainder of this loss can be charged to the migration into the cities by farm families and families from small towns.

I mentioned earlier in my statement that the Farmers Home Administration consistently lacks adequate funds to meet the demand for loans from family farmers and rural communities.

H.R. 10232 would remedy this problem by increasing the annual insurance authorization by $250 million.

In Oklahoma we have nearly 100,000 farms and ranches and account for an important quantity of the Nation's food production. My State ranks 4th in wheat, 10th in cattle.

Operators of these farms should not be cut off from sources of credit. However, I started receiving information early in December—less than one-half way through the 1965 fiscal year—that the Farmers Home Administration already had enough loans in advanced stages of processing throughout the Nation to utilize their annual insured loan authorization of $200 million. The program, so far as serving new applicants for water systems and family farms, was forced to a halt.

In March 31 of 1965, 3 months before the fiscal year was ended, the Farmers Home Administration had on hand 17,500 applications for farm ownership loans and 1,400 for water systems and other facilities.

The dockets that the Farmers Home Administration had on hand at that time, the applications on file, and the general trend of the insured loan program indicates a demand well in excess of $450 million a year which H.R. 10232 would authorize.

I hope that I have made clear my feelings on the necessity for this legislation.

Personally, I believe that passage of this bill would be one of the most valuable services which this session of Congress could provide to our rural people.

I strongly urge the committee's favorable consideration of H.R. 10232.

Thank you.

Mr. BANDSTRA. Mr. Chairman, of considerable importance to the rural sector of our economy is an adequate source of credit. First, of course, and I think we all agree, this credit should be furnished whenever possible through our private lending institutions.

However, there comes a time and there comes a place when because of mitigating circumstances of one kind or another, banks, insurance companies, and other investors are unable to fill the credit needs.

To fill this credit gap the Congress some years ago designed an insured loan program that would enable a USDA agency, the Farmers Home Administration, to take funds provided by private investors and make loans that conventional credit institutions were not in a position to handle.

This insured program has proved its worth but it is too limited in scope and a credit gap still exists.

H.R. 10232 proposes to alleviate the loan fund shortage by raising from $200 to $450 million the annual insurance authority of the Farmers Home Administration. This is the authority by which the agency can make loans to tenant families to buy farms of their own and to rural communities up to 5,500 population to install water systems and other needed facilities.

Farmers Home Administration loans are extremely important to farm families and communities in my district, and to Iowa and rural America in general.

I believe it pretty well known, at least among my rural colleagues in the Congress, that our farm population is growing older.

The average farmer today is 51 years of age, some 3 years older than his counterpart of a decade ago.

Many farmers are pushing retirement and are moving out of farming.

Their farms are coming on the market and the Farmers Home Administration is carrying out a vital role in helping younger farm families acquire them.

Farmers Home Administration is often the only credit source available to many young families. With a small down payment of their own plus a knowledge of farming, willingness to work, and a burning desire to own their own farm, they can obtain Farmers Home Administration credit to begin the road to farm ownership.

Within 8 to 10 years many of these families make such progress that they completely retire their loans or are able to refinance them through local banks, insurance companies, or other lenders.

These loans are important to Iowa if it is to remain a great agricultural State with family farms as far as the eye can see. Under the expert leadership of Gene Hoffman, FHA State director in Iowa and the help of his dedicated staff, farm ownership loans have been on the increase. My State now ranks second in the Nation, following closely behind first-place Missouri in volume of farm ownership loans.

Last year, Iowa farm families used some $11 million in FHA loans to buy farms of their own—a tremendous increase over previous years such as in 1960 when only $1 million in loans were made.

Even with this substantial loan volume, however, we are only seeing the beginning of the huge transfer of farms that is going to have to take place as the bulk of today's farmers move into retirement.

Mr. Chairman, also important to the future of our rural families in Iowa and to rural people across the Nation is an adequate water supply. Without the assurance of a good and dependable water system, no community can expect to develop its full potential.

If it lacks a modern water supply system, a community's chances of attracting new industry are slim indeed.

Unfortunately, this is a plight in which many rural communities now find themselves.

The Department of Agriculture estimated recently that more than 30,000 rural communities lack good water. People in these areas are forced to rely on shallow wells, rainwater cisterns, streams or ponds, and in some cases these water sources are badly polluted.

Four years ago, when the Congress enacted the Consolidated Farmers Home Administration Act of 1961, it greatly expanded the agency's authority to help rural families bring good water and other facilities to their communities.

This program has proven highly successful. Between January 1, 1961, and August 31, 1965, the FHA made or insured more than $161 million to finance work in 43 States. Nearly 46 percent of this money loaned to rural groups occurred during the past fiscal year.

Secretary Freeman estimates that—besides the critical demand for more farm ownership money—some $361 million in funds are needed for the current fiscal year to process association loans authorized for water systems and other community facilities.

The success of this loan program—based on the projects already in service or under construction together with the large number of applications on hand, clearly demonstrates its popularity and worth.

Much work remains to be done in providing the credit tools to rural communities so that they may secure good water.

H.R. 10232, in addition to expanding the existing loan program, would provide the FHA with the authority to make Federal grants to nonprofit groups for the development of water systems.

These grants would be an excellent investment. Water is a basic necessity to families in any community, but it is also essential for economic growth. Lacking a good water supply, many rural communities are without a sound financial base; and lacking a sound financial base, they are without the economic resources to obtain a good water supply system.

Grants are also needed in some communities to lower the water system's cost. Farmers Home Administration's loan is repaid from sale of the water. The monthly water bill must be within the reach of the family's pocketbook.

However, in many of our smaller rural towns there are a high percentage of older families, some relying almost entirely on social security retirement benefits.

Appanoose County in my district, for example, has a population, 20 percent of which is 65 years of age and older. Some of these families must try to exist on social security checks as small a $70 a month. They cannot pay rent, buy food and medical supplies and still afford a $10 to $12 monthly water bill. A program of Federal grants for rural water development is the most promising method of solving this dilemma.

With these considerations in mind, I respectfully urge passage of H.R. 10232, a bill with many of the features contained in H.R. 10052 which I earlier introduced in this session of Congress.

Mr. MARTIN of Nebraska. Mr. Chairman, I will be proud to have the record show my support for H.R. 10232.

We have few opportunities to vote for so constructive and sound a bill strengthening free enterprise and community initiative in the rural area. This is neither a partisan measure nor the implement of any special privilege.

Certain great regions of the United States still thrive on the tradition of the family ranch and family farm.

Central and western Nebraska is such an area.

Under the terms of this bill, farm families and towns making up three-fourths of the population of our district will qualify for these rural services of the Farmers Home Administration.

It suits Nebraskans that this bill extends to them no special advantage, no easy bonuses—simply a better opportunity to build on their own resources and pay their own way.

In Nebraska, the heaviest benefits of the bill may lie in the broader authority for the Farmers Home Administration to arrange and endorse the private lender's financing of family ownership of ranches and farms.

Independent family farm enterprise remains the staff of life in the great plains and hills of Nebraska; and the need for a larger volume of credit to support free agriculture in Nebraska is clear.

Of more than 1,100 applications for initial farm ownership loans received through Farmers Home Administration offices in the State during the past fiscal year, 664 were still on hand awaiting action at the end of the year, last June 30. Insured loan authority of the agency under present limitations, was used up by April.

This bill will double the authority of the Farmers Home Administration to insure private loans for family farm ownership.

No action introduced or suggested in this Congress could go further to secure the future of a prosperous rural economy, in which the farm family meets its problems and works its way to financial stability on the land.

At the same time, no measure introduced or suggested improves upon this bill as a way to accomplish that end without resort to public spending. This is a plan relying entirely on private capital, advanced on the endorsement of the Farmers Home Administration.

We have confidence in the success of this program because of its past good effect and good administration. On more than $1.6 billion of long-term family farm ownership loans extended through this agency the past 30 years, repayments of principal stand on schedule at more than $600 million, writeoffs at a mere $5 million, and interest collections $300 million.

Nebraska has long set an example for the participation of its private lending institutions in this program. Banks of our State and other private lenders have provided 60 percent of the $47 million in family farm ownership credit over the years, as against a 50-percent national average.

The resources made available through this bill will also speed the fulfillment of urgent needs in many of our rural towns, through community improvements carried out on a self-paying basis.

Expanding the broad field of opportunity for rural people represented by this bill will be one of the distinguished actions of this Congress.

Both in its special application to our needs, and in its overall contribution to strength and progress in the vast community of rural America, we wholeheartedly support this bill.

Mr. ROBISON. Mr. Chairman, I expect to vote for this bill—H.R. 10232—for it is designed to meet a very real need in a neglected problem field.

However, Mr. Chairman, I must point out that we have here a perfect example of the hazards of legislating in haste, at the end—we hope—of a long and tiring session when we are simply not able or willing to give our time and attention to insuring that our legislative products are the best we can make them.

There will—despite all the pro and con talk here a few minutes ago—most certainly be a duplication of Federal effort and programs in this field as a result of the passage of this bill. One can only hope that, somehow, through the appropriation process, perhaps, that duplication can be controlled until the legislative confusion we are creating can be corrected.

There is one other point that should also be mentioned. The Federal aid moneys, here, are evidently going to go directly from the Secretary of Agriculture to the public or private agency or corporation to be assisted. This means that, once again, we are bypassing the State governments and especially the State public health agencies that also ought to be consulted and asked to approve or disapprove of any particular water or sanitation project that might be built under this program.

One of the reasons that the existing antipollution program has worked as well as it has, is that the funds thereunder go through the State authority. I think they ought to do so here, but it is apparent the House is in no mood to consider any further amendments nor to longer discuss this bill, so I can only hope that we do not repent in leisure what we are doing here in unnecessary haste.

Mr. EDMONDSON. Mr. Chairman, I strongly support this bill, which is urgently needed in many of the Nation's smaller towns and communities—the very backbone of the country.

The loan and grant provisions of this bill will literally bring the 20th century into being for millions of Americans who live today in areas where good water and sewage disposal facilities are unavailable.

The Farmers Home Administration is admirably equipped to administer this program and FHA personnel are in a position to move it forward effectively in all of the States.

I hope and trust the bill will be overwhelmingly approved and swiftly signed into law by the President.

Mr. STRATTON. Mr. Chairman, I rise in strong support of this legislation, and have been proud to join in cosponsoring it. Few pieces of legislation considered by this Congress would go farther in meeting the urgent needs of the upstate New York district I have the honor to represent than this bill to provide funds for the construction of needed water and sanitation facilities in rural areas. Not only will this bill be responsive to a demand that has been building up rapidly in recent years as increased home construction and industrial development have been moving into suburban and rural areas. It will also prove to be one very helpful step in meeting the serious drought which New York and other Northeastern States have been suffering again this year.

During the 2 years in which the accelerated public works legislation was in operation I came to realize just how urgently hundreds of small communities in my area desperately need help in the construction of water and sewer facilities. Six of the eight counties in my district were eligible for accelerated public works help by virtue of their rate of unemployment. And in almost every case their eligibility under this act was used to apply for help in building water lines or sewer lines and disposal facilities. Nothing quite like it had ever been available to these communities before. Villages and towns that for years had spurned any thought of turning to the Federal Government for help and assistance suddenly flooded Washington with applications for accelerated public works help in building facilities in these two categories.

The Accelerated Public Works legislation was so effective, Mr. Chairman, that in my area all but 1 of these 6 eligible counties are no longer eligible for Accelerated Public Works help. Their unemployment problem has greatly improved. Yet their need for water and sewage facilities remains acute. And their inability to finance these projects is also acute, because it is really not related to any particular level of unemployment at all. The fact is that with limited taxing powers rural areas simply cannot raise the very substantial capital funds that are required to meet pressing water and waste disposal needs. The Accelerated Public Works bill helped them begin to catch up. But the Accelerated Public Works program ran out too rapidly. And in any case the needs of the rural communities continue regardless of the unemployment factor.

Consequently this legislation is a must. It will help these communities keep on catching up. It will provide this help in those areas which are least able to pay. We have recognized the desirability of help along these lines for urban communities for many years. But we have been slow to recognize a similar need in smaller communities. Just this year, for example, in the 1965 Housing Act, we increased the total amount which can be spent for sewage facilities under the bill for large metropolitan areas. Some of us feared that this increase in funds for the bigger cities might well mean that the portion of funds under the Housing bill that would be left for rural areas would be very limited indeed. Fortunately H.R. 10232 will now fill this gap, and we will be able to do as much for our smaller communities as we have been seeking to do for our large cities.

Mr. Chairman, there is no doubt but that interest in this rural water and sanitation facilities legislation was greatly heightened because this summer the northeastern part of the country went through the fourth consecutive summer of serious drought. The damage which this drought has done is so severe that the Federal Government must join with State and local governments to ease its impact. This bill is one step in that direction. It gives local communities a means of developing the new and expanded water facilities that the drought has demonstrated to them they need. But it will not by itself take care of all the problems created by the drought. We also need legislation that will allow farmers to add in the heavier costs of production resulting from the drought in computing the price they receive for their product under Federal marketing orders. We need facilities that will help the farmers get water to their crops more efficiently in periods of drought—some form of irrigation that is. If this drought persists for another year or more that is what I believe we may have to come to. We also need legislation to push research on the possibilities of encouraging rainfall artificially. Much of the emphasis on the effects of the drought has been placed on the serious water supply needs of our major cities, and these are indeed severe. But the drought has also created very heavy problems for our rural areas as well, problems of the type I have described.

This legislation before us today, recognizing the special needs of rural communities in connection with water supplies, as well as sewage facilities, will make it possible for us to focus more sharply on the problems of our rural communities, and I am hopeful that in months to come we can deal as forcefully and effectively with these other problems resulting from the drought as this bill deals with the particular problem to which it is addressed.

I am especially glad that the bill as drafted also protects the rights and interests of those who may need to depend on private water supply systems. We must protect our existing private water supply industry.

I am proud to support the legislation, and I urge its prompt enactment into law.

Mr. HANSEN of Iowa. Mr. Chairman, I rise in support of H.R. 10232 and wish to associate myself with the members of the committee in urging its passage.

There is a great need for the legislation that is included in H.R. 10232. This bill provides for water and sanitation facilities for rural areas. The provisions are quite similar to those which have been accorded to the city dweller in the recently passed housing and urban renewal bill. This bill establishes for rural communities a program of Federal assistance in the construction of water and sanitation systems comparable to the existing programs which have been available under several statutes for urban communities.

The establishment of adequate water and waste disposal systems is one of the crying needs of rural America. City dwellers have taken these facilities very much for granted. Throughout their lives, city dwellers have merely turned a handle and a system existed which made water appear or waste disappear. Most city dwellers have not realized the extent to which such magic was nonexistent in our rural areas. Historically, rural citizens have been forced to provide their own water supply and disposal systems, in some instances at very great personal expense. Often these systems for waste disposal are completely inadequate.

The enactment of this legislation will further serve to help solve the serious problem of water pollution that is plaguing so many parts of our country. Water, as we all know, is one of our most precious resources. Without it, the production of fruits, fresh vegetables, and dairy products for a hungry market is exceedingly difficult. All of these depend on an ample supply of pure water and adequate sanitation facilities. Water must be pure to do its job correctly today.

The need for this type of new water and sanitation system is exceedingly great. There are perhaps 25,000 to 30,000 rural communities that lack the sanitary and health needs that are so elementary. This need must be met if these communities are to grow and make their overall contribution to the growth and welfare of the Nation. The development of adequate sanitation and water supply systems in our rural communities will assist in relieving the pressures of population in our urban centers by causing at least a partial reduction in the influx of people from rural areas into the urban communities. It is with a sense of fairness for our rural residents that we propose this measure so that they will no longer be denied the ordinary everyday facilities of water and sanitation which city dwellers have for so many years taken for granted.

Because of my deep concern, I introduced a bill similar to H.R. 10232 and have been pleased to work for the adoption of this measure.

Mr. MOORE. Mr. Chairman, I rise in support of H.R. 10232, which would establish for rural communities throughout our Nation a program of Federal assistance which has been desperately needed for too long a time. This legislation would establish a program of Federal assistance for the construction of water and sanitation systems comparable to other programs already available under Federal law for urban communities.

I firmly believe that this legislation is necessary in order to pick up where the other programs such as the Housing and Urban Development Act of 1965 and the Public Works and Economic Development Act leave off. In other words, now that we have approved legislation providing Federal assistance for water and sanitation facilities for those in the big cities, I believe that it is high time our rural citizens obtain the same assistance for they certainly have as great a need.

Many of our rural communities today simply cannot afford the cost of needed water supply and distribution facilities for many reasons. Low income of many of the prospective users or the high cost of providing distribution systems are indeed severe handicaps. And, of course, the same reasons apply as to why many rural communities could not afford the cost of needed waste disposal systems.

Of particular significance, I think, is the fact that this legislation authorizes the Secretary of Agriculture to make grants to assist in financing up to 50 percent of the cost of these specific projects, which include the development, storage, treatment, purification, or distribution of water or the collection, treatment or disposal of waste in rural areas. This is indeed a step in the right direction. Making this applicable to communities up to 5,500 population is indeed another step in that same direction.

The passage of this rural water and sanitation facilities bill will make it possible for thousands of our communities to have an ample supply of pure water and truly adequate sanitation facilities. Small communities which at present cannot possibly grow due to inadequate water and sanitation systems will have their well-deserved opportunity to make their contribution to the future growth of our Nation.

Mr. Chairman, there is a pressing need for the type of assistance offered by this bill. I know of many communities in my own congressional district of West Virginia which can and will make very good use of this assistance. I wholeheartedly urge the passage of this legislation.

Mr. CALLAN. Mr. Chairman, throughout my State of Nebraska, rural communities are working to the fullest extent of their resources to bring about a new era of recovery and growth.

We believe that such an era is now in sight. These hopes are alive because broader opportunities are now in the making for smaller towns and the farms surrounding to bring themselves fully up to 20th century standards in the equality of living facilities they can offer their people.

In times past, piped-in pure water, sanitary sewer systems, and varied outdoor recreation facilities may have been reserved as special embellishments of city life. But today they are recognized as minimum necessities for revitalizing any community that lacks them, rural or urban.

The opportunity to march ahead is clearly in prospect for thousands of communities as we look toward the passage of H.R. 10232. This bill would more than double the rate at which the Farmers Home Administration can support these improvements in enterprising and self-reliant rural communities.

Some already have succeeded in developing projects under the direct and insured lending authority available the past 5 years. But many more are ready and still waiting for their chance to proceed.

Under H.R. 10232 this great expansion will be carried out with private loans insured by Farmers Home and paid back by revenues of the projects. This is a way for community enterprise to work its will without burden on the Public Treasury.

As the House considers this bill today, its objectives and provisions are hardly in question. Support in the Congress has been overwhelmingly bipartisan.

Its best effects will vary from State to State according to the needs outstanding in each rural region. In Nebraska, one of the most salutary benefits may be to speed the development of rural community recreation facilities.

Certainly the business and civic leaders and other citizens who devote themselves to practical plans for advancement of our rural communities would scorn any depreciation of recreation centers as a vital factor in community growth.

In 2 counties of my district, 4 more in Nebraska and over 150 localities in numerous other States, projects already have been developed within the present authority of the Farmers Home Administration to help shift land not needed for farm production into recreation use.

Beemer, Nebr., offers an example. The Cuming County Recreation Center has come into use this summer—a 215-acre farm converted into what the Omaha World-Herald has pronounced "one of the finest recreational areas in the State." It offers the families of Cuming County an 18-hole golf course, swimming pool, tennis courts, skeet and archery range, picnic area, and lake. It was made possible by a $250,000 loan that will be paid back with interest entirely from membership and user fees.

The tricounty center near Leigh in Colfax County is the next such project under development in our district of Nebraska. Farther west, the community of Blue Hill in Webster County has celebrated the opening of its recreation center. Franklin, Merrick, and Sheridan Counties have also developed projects. Many other counties and communities are in the process of organizing recreation centers which they hope can be brought to reality, under the insured loan plan provided by the bill before us today.

The testimony of community leaders wherever such development has come about is that nothing does more than a modern recreation center to bring a town into the up-and-coming class.

Our projects in Nebraska are new, but we have every reason to believe they will profit our communities in the same way as rural recreation centers established earlier in other States through the support of Farmers Home Administration credit.

Looking to this eastern part of the country, we know the example of Duplin County, N.C. A large new textile industry plant has located there, and one of the three principal reasons given by the company for selecting that location is that living conditions there were more attractive than other possible sites, because the company's personnel and their families can enjoy a recreation center nearby.

The State of North Carolina thus far has developed 18 of these projects authorized for financing through the Farmers Home Administration plan. Its neighbor South Carolina has 14 to date; Virginia, 5; West Virginia, 6; upstate New York, 9.

In our western part of the country, Iowa already has organized and gained authorization of 18 projects; Colorado, 13; Minnesota, 10; South Dakota, 9.

The expanded financing of rural community recreation centers contemplated in H.R. 10232 will be accomplished entirely through the use of private capital on an insured loan basis.

Mr. Chairman, these are self-supporting community enterprises which pay their own way, and they are truly a boon to rural community family life. The past summer at Beemer and at other rural recreation areas already in use, it could be seen that preteen and teenage young people of the community predominated in use of the swimming pools, golf facilities, lakes and target ranges, tennis courts, and ball fields.

Rural recreation development such as this is proving a dynamic program to strengthen rural community life, boom the attractiveness of rural towns for industry, and cast a new light on the rural hometown as a place for the young generation to seek the good and prosperous life.

Not only on the community scale, but on many private farms, the conversion of idle land to recreation use also is paying dividends as a way of improving rural family income. A Farmers Home Administration survey of 83 farmers who took out loans to develop recreation enterprises showed an average gain of approximately $1,500 in net income from the first full season of operation.

Many more benefits of profound importance to the families and communities of rural America will accrue from this bill which I am confident we will pass today. It will strengthen not only the future resources of our towns, but also the use of private credit insured by the Farmers Home Administration to secure the position of family farmers on their land.

It moves rural America another step toward parity of opportunity, to the immeasurable benefit of all interests in our Nation and State.

Mr. GREIGG. Mr. Speaker, I associate myself in support of this measure with my very distinguished subcommittee chairman, Congressman POAGE, of Texas, the author of this measure. Serving on the House Agriculture Committee, and specifically the Subcommittee of Conservation and Credit, I fully appreciate the importance of this measure and why it is so essential to my rural district in the State of Iowa. Having heard the testimony on this measure and coordinating various facts and statistics with the Department of Agriculture, I wish to call to the attention of my colleagues some pertinent information.

No doubt the establishing of water systems in such a goodly number of communities during the past 4 years approaches the intent of the 87th Congress which launched this program in 1961.

However, the fact remains that some 30,000 rural communities will lack dependable supplies of unpolluted water.

The passage of H.R. 10232 goes a long way toward bringing an adequate supply of safe water to the residents of rural America.

The bill raises the annual insurance authority of the Farmers Home Administration to the point where double the amount of funds would be available for water systems, has increased by four times the size of a loan available to any one community, eliminates the credit gap faced by some of the larger rural towns by making loans available to them for the first time, and provides grants to help defray unusually high costs of community water systems which the residents themselves could not hope to offset from water revenues alone.

That many rural communities have a critical need for water systems, there can be no doubt.

In Iowa, alone, U.S. Public Health Service figures show that some 290 rural towns of 100 to 1,200 population are without communitywide water systems.

Many larger towns above this population category have systems in dire need of new water mains, pumping stations, and other improvements.

And hundreds of crossroad communities dependent on shallow wells and beset with pollution problems could better meet their needs piping water to their few stores, churches, and surrounding farms from a central water system.

At the current time, some 15 communities in my State are in various stages of obtaining financing from the Farmers Home Administration for central water systems.

Some are plagued with nitrate fertilizers leaching into wells 150 to 200 feet in depth.

Some communities are troubled with wastes polluting shallow wells that one time provided only good clean water. Some communities can no longer find any water at a reasonable depth.

The cost of drilling a well ranging from several hundred to a few thousand feet is prohibitive for individual families. Their only alternative is to band together and develop a central water system.

The passage of H.R. 10232 helps provide financing for such a project.

The grant provision contained in this bill is important to certain Iowa communities populated by a high proportion of older people living out retirement.

Like many agriculturally based States, Iowa has witnessed a tragic loss of younger people from its farms and small towns. Whereas our total population increased by 5.2 percent during the period 1950–60, our rural population dropped by some 75,000 persons.

Iowa has the highest proportion of senior citizens—12.2 percent of our citizens are age 65 or over.

Nearly one-fifth of our people in some rural counties are senior citizens and rural towns in these counties have an even higher ratio.

The dilemma faced by these communities in obtaining a good water system may be characterized by a small town in the northern end of my district. With a population of slightly over 200 the town is now finding that its shallow wells are becoming polluted

In the process of searching for credit to finance a central water system, the community applied for an FHA loan. Subsequent planning however revealed that no money was available in the local community to determine if a good source of water was available. Besides lacking funds to explore a source of water, the town finds that it lacks an economic base to repay costs of an expensive system since many of its citizens are of retirement age receiving social security checks of $100 or less. Faced with these problems, its residents have no choice but to continue to use contaminated water. Some of the luckier few who can afford it haul in their drinking water from a large city system several miles away.

Frequently, some communities needing water are clustered together and located near a larger town which could well improve its present system if funds were available. One system involving a larger investment and serving the entire area could meet all their needs and be far more efficient than a number of individual smaller systems, each with its own well and water treatment, storage, and pipeline facilities.

H.R. 10232 wisely makes provision for such a situation by raising the ceiling of FHA loans from $1 million to $4 million.

Mr. Speaker, the Poage bill also contains additional loaning ability for more farmownership loans.

Currently, nearly 3,000 families in Iowa are buying their own farms through this good program. But for the $55 million in loans which they are now using from the Farmers Home Administration, many of these family farmers would still be tenants and chances are some would not even be engaged in farming.

A strong farmownership program, adequately funded, is an important bulwark against the onslaught of those who would see us arrive at a monopoly in agriculture by destroying all farmers but a few hundred thousand integrated corporations.

Mr. Speaker, I say in summary, that passage of this bill has answered some of the basic needs of rural America.

Mr. ROBERTS. Mr. Chairman, I am happy to support H.R. 10232, a bill to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas, and to make grants to aid in rural community development planning and in connection with the construction of such community facilities.

This bill is identical to one that I introduced, H.R. 10359, and I am proud that the Committee saw fit to consider it and to recommend this bill.

The purpose of the bill is obvious—to extend to rural communities the same kind of loans and/or grants that are now available to larger cities. The upper population limit of 5,500 contained in this bill is the lower limit at which the Housing and Home Finance Agency can make this same type loan or grant.

Today the establishment of adequate water and waste disposal systems is one of the pressing needs of rural America. Necessities that a city dweller takes for granted a rural resident many times must provide for himself at great cost.

Not only is the need for water and sanitation facilities for household consumption great, but dairy farmers as well as fruit and vegetable farmers are finding it increasingly necessary and increasingly more difficult to have an ample supply of pure water and adequate sanitation facilities for the handling of their products.

Today there are at least 30,000 rural communities in need of water and sanitation facilities. This need must be met if these communities are to grow and make their continuing contribution to the Nation. This bill will go a long way toward facilitating the need and allowing the growth and contribution that rural America has made—and will continue to make.

I enthusiastically endorse this bill.

Mr. COOLEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 306(a) of the Consolidated Farmers Home Administration Act is amended to read as follows:

"(1) The Secretary is also authorized to make or insure loans to associations, including corporations not operated for profit, and public and quasi-public agencies to provide for the application or establishment of soil conservation practices, shifts in land use, the conservation, development, use, and control of water, and the installation or improvement of drainage or waste disposal facilities, and recreational developments, all primarily serving farmers, ranchers, farm tenants, farm laborers, and other rural residents, and to furnish financial assistance or other aid in planning projects for such purposes.

"(2) The Secretary is authorized to make grants aggregating not to exceed $50,000,000 in any fiscal year to such associations to finance specific projects for works for the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas. The amount of any grant made under the authority of this paragraph shall not exceed 50 per centum of the development cost of the project to serve the area which the association determines can be feasibly served by the facility and to adequately serve the reasonably foreseeable growth needs of the area.

"(3) No grant shall be made under paragraph 2 of this subsection in connection with any facility unless the Secretary determines that the project (i) will serve a rural area which is not likely to decline in population below that for which the facility was designed, (ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonably foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water or sewer development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located. Until October 1, 1968, the Secretary may make grants prior to the completion of the comprehensive plan, if the preparation of such plan has been undertaken for the area.

"(4) a. The term 'development cost' means the cost of construction of a facility and the land, easements, and rights-of-way, and water rights necessary to the construction and operation of the facility.

"(b) The term 'project' shall include facilities providing central service or facilities serving individual properties, or both.

"(5) No loan or grant shall be made under this subsection which would cause the unpaid principal indebtedness of any association under this Act and under the Act of August 28, 1937, as amended, together with the amount of any assistance in the form of a grant to exceed $4,000,000 at any one time.

"(6) The Secretary may make grants aggregating not to exceed $5,000,000 in any fiscal year to public bodies or such other agencies as the Secretary may determine having authority to prepare official comprehensive plans for the development of water or sewer systems in rural areas which do not have funds available for immediate undertaking of the preparation of such plan.

"(7) Rural areas, for the purposes of water and waste disposal projects shall not include any area in any city or town which has a population in excess of 5,500 inhabitants."

Sec. 2. (a) Section 308 of the Consolidated Farmers Home Administration Act of 1961 is amended by—

(1) striking out "$200,0000,000" and inserting in lieu thereof "$450,000,000";

(2) in clause (a) striking out "except that no agreement shall provide for purchase by the Secretary at a date sooner than three years from the date of the note"; and

(3) striking out clause (b) and inserting in lieu thereof "(b) may retain out of payments by the borrower a charge at a rate specified in the insurance agreement applicable to the loan".

(b) Section 309(e) of such loan is amended by striking out "such portion of the charge collected in connection with the insurance of loans at least equal to a rate of one-half of 1 per centum per annum on the outstanding principal obligations and the remainder of such charge" and inserting in lieu thereof "all or a portion, not to exceed one-half of 1 per centum of the unpaid principal balance of the loan, of any charge collected in connection with the insurance of loans; and any remainder of any such charge".

(c) Section 309(f)(1) of such Act is amended by striking out "$25,000,000" and inserting in lieu thereof "$50,000,000".

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, line 10, strike out the period and insert: "and the Secretary shall establish regulations requiring the submission of all applications for financial assistance under this Act to the county or municipal government in which the proposed project is to be located for review and comment by such agency within a designated period of time."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 4, following line 12, insert the following new paragraph:

"(8) In each instance where the Secretary receives two or more applications for financial assistance for projects that would serve substantially the same group of residents within a single rural area, and one such application is submitted by a city, town, county, or other unit of general local government, he shall, in the absence of substantial reasons to the contrary, provide such assistance to such city, town, county, or other unit of general local government."

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Dingell: On page 5, after line 3, add a new section (9) as follows: "*Provided further,* That no Federal funds shall be authorized for use unless it be certified by the appropriate State water pollution control agency that the water supply system authorized will not result in pollution of waters of the State in excess of standards established by that agency.

"In the case of sewers and waste disposal systems, no Federal funds shall be advanced hereunder unless the appropriate State water pollution control agency shall certify that the effluent therefrom shall conform with appropriate State and Federal water pollution control standards."

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am happy to yield to the distinguished chairman.

Mr. COOLEY. While I have not been authorized by the committee to accept the amendment, I say to the gentleman that I see no objection to it. So far as I am concerned, I am willing to accept it.

Mr. DINGELL. I thank the distinguished chairman.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am happy to yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. This certainly complies with the spirit of what we had in mind. So far as I know, there would be no objection on the minority side.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I say to the gentleman that I got into a lot of trouble yielding yesterday, but I am happy to yield to the gentleman from Florida.

Mr. CRAMER. I do not want to get the gentleman in trouble, but I do not want the amendment to cause trouble, either.

The Water Pollution Control Act was passed by both bodies only the day before yesterday. I wonder if the gentleman appreciates the fact that the standards to which his amendment is directed have not yet been established and are not contemplated to be established until 1968 at the earliest.

The functioning of the agency to set up the establishment of such standards in each State will not even take place until that date.

The standards the gentleman is talking about and the requirement he will impose could not be met by these communities today, and it is not expected it could be met for some 2 or 3 years.

I question whether the gentleman is not crippling the program by not providing for compliance with such standards when and at such locations as they are provided in the future.

Mr. DINGELL. Since I yielded to the gentleman, I should like to tell him he is entirely mistaken in his understanding of the amendment.

The amendment is offered as a friend of the bill, not as an enemy.

I point out to the gentleman that the question of certification is to be left in the hands of the State agencies. If the State agencies certify there are no Federal or State standards which deal with the question of water pollution, they may so do.

It would be my interpretation, as the author of the amendment, that the amendment simply would not enforce any certification as to standards.

Further, I point out to my good friend that many States do now have standards. There are many States which actually catalog their streams according to different types. The only thing this would require would be that for the States which do so catalog their streams or which do have standards—or after Federal standards go into effect, as a result of the bill referred to, passed yesterday—then the standards would apply. It would be expected that they would comply with whatever standards the States or the Federal Government would have in effect. If there were none, I point out to my friend, there would be no standards the State agency could say had to be complied with.

The amendment would not prevent the instrumentality, the State or local subdivision, from getting money under the bill.

Mr. CRAMER. Mr. Chairman, will the gentleman yield further?

Mr. DINGELL. No. I have yielded and tried to explain to the gentleman. I would now like to yield to the gentleman from Montana.

Mr. BATTIN. Mr. Chairman, may I ask the gentleman, does your amendment cover a situation where a State does not have a control agency?

Mr. DINGELL. Every State, I would say to my good friend, has a water pollution control agency. There is not a State that is not drawing money under Public Law 660 through some appropriate agency. Some of them call it a department of health and some of them call it a State water resources commission or something of that kind, but every State has an appropriate agency.

Mr. BATTIN. That is my point. The agency of the State that has the authority that the gentleman contemplated.

Mr. DINGELL. The gentleman is correct. There are State agencies which are now drawing Federal funds. There is no State, to my knowledge, that does not have a State agency in charge of this program.

Mr. CRAMER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the reason I take this time is I realize the gentleman's amendment is friendly and my remarks are not intended to be unfriendly, I will say to the gentleman. I think I worked as hard as anyone else did, and so did other Members of the House in order to try to get an adequate water pollution control bill. I would hate to see it used now as a basis for crippling this program under this bill if we are going to enact it. As I read the amendment of the gentleman, it says, and I quote:

> In the case of sewers and waste disposal systems, no Federal funds shall be advanced hereunder unless the appropriate State water pollution control agency shall certify that the effluent therefrom shall conform with appropriate State and Federal water pollution control standards.

Federal standards will not be established for a number of years under the terms of the water pollution control bill, S. 4. Would the gentleman object to an amendment to his amendment to the effect that this condition shall come into play relating to standards "when and where established"? This will prevent the Dingell amendment from destroying the bill before us unnecessarily and in this hurried fashion.

Mr. DINGELL. I have no objection to it. I do not think it would be necessary particularly.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that the Dingell amendment be amended by adding at the end thereof the words "when and where established" by striking the period and adding those words to the amendment now at the desk and I send such an amendment to the amendment to the clerk's desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The question is on the amendment of the gentleman from Michigan as amended.

The amendment as amended was agreed to.

PROGRAM FOR BALANCE OF THE WEEK

Mr. ARENDS. Mr. Chairman, I move to strike out the requisite number of words in order that I might ask the majority leader if he will kindly inform us as to the program for the balance of the week.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. This, of course, is the last legislative business for today. Tomorrow we have the conference report on H.R. 728 to extend exchange provisions with respect to vessels, which comes from the Committee on Merchant Marine and Fisheries, and S. 306, to amend the Clean Air Act, and H.R. 3140, the Heart, Cancer, and Stroke Amendments of 1965, the rules for which have both been adopted today. I might advise that if we finish this program tomorrow, it will be my intention to ask to go over until Monday.

Mr. ARENDS. I thank the gentleman.

Mr. ALBERT. We will probably take up the heart, cancer, and stroke bill first.

Mr. ARENDS. I thank the gentleman from Oklahoma.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DANIELS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10232) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes, pursuant to House Resolution 580, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on passage of the bill.

The question was taken.

Mr. BATTIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 326, nays 10, not voting 96, as follows:

[Roll No. 322]

YEAS—326

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Baring
Bates
Battin
Beckworth
Belcher
Bennett
Berry
Betts
Bingham
Blatnik
Boland
Bow
Brademas
Bray
Brooks
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Cooley
Craley
Cramer
Culver
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dulski
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Erlenborn
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harvey, Ind.
Harvey, Mich.
Hathaway
Hechler
Helstoski
Henderson
Horton
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kornegay
Krebs
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch

McDade
McDowell
McFall
McGrath
McMillan
McVicker
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Mize
Moore
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Shipley
Sickles
Sisk
Skubitz
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Tex.
Tenzer
Thomson, Wis.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—10

Bell
Cameron
Curtis
Derwinski
Macdonald
Nedzi
O'Hara, Mich.
Rooney, N.Y.
Smith, Calif.
Wydler

NOT VOTING—96

Abbitt
Anderson, Ill.
Andrews, George W.
Bandstra
Barrett
Boggs
Bolling
Bolton
Bonner
Brock
Broomfield
Burton, Utah
Callaway
Celler
Clausen, Don H.
Clawson, Del
Colmer
Corbett
Corman
Dawson
Diggs
Dowdy
Downing
Duncan, Oreg.
Edwards, Calif.
Ellsworth
Evins, Tenn.
Fallon
Farnsley
Farnum
Findley
Fino
Ford, Gerald R.
Frelinghuysen
Fulton, Tenn.
Goodell
Gubser
Halleck
Harris
Harsha
Hawkins
Hays
Hébert
Herlong
Hicks
Holifield
Holland
Hosmer
Johnson, Okla.
Jones, Ala.
Karth
Keogh
Kirwan
Kluczynski
Landrum
Leggett
Lindsay
McEwen
Mailliard
Martin, Mass.
Minshall
Moeller
Monagan
Morse
Morton
Nix
O'Brien
O'Hara, Ill.
Olsen, Mont.
Olson, Minn.
Reinecke
Resnick
Rhodes, Ariz.
Rivers, S.C.
Roberts
Roosevelt
Saylor
Scott
Senner
Shriver
Sikes
Smith, N.Y.
Smith, Va.
Springer
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Toll
Tuck
Utt
Wilson, Bob
Wolff
Wyatt
Yates
Younger

So the bill was passed.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Goodell.

Mr. Kirwan with Mr. Bob Wilson.

Mr. Hébert with Mr. Martin of Massachusetts.

Mr. Toll with Mr. Corbett.

Mr. George W. Andrews with Mr. Callaway.

Mr. Thomas with Mrs. Bolton.

Mr. O'Brien with Mr. Smith of New York.

Mr. Thompson of Texas with Mr. Brock.

Mr. Farnum with Mr. Del Clawson.

Mr. Celler with Mr. Gerald R. Ford.

Mr. Colmer with Mr. Anderson of Illinois.

Mr. Farnsley with Mr. Findley.

Mr. Scott with Mr. Utt.

Mr. Boggs with Mr. Halleck.

Mr. Moeller with Mr. Ellsworth.

Mr. Hicks with Mr. Morse of Massachusetts.

Mr. Roosevelt with Mr. Mailliard.

Mr. Senner with Mr. Don H. Clausen.

Mr. Olsen of Montana with Mr. Reinecke.

Mr. Wolff with Mr. Fino.

Mr. Bandstra with Mr. Broomfield.

Mr. Holifield with Mr. Hosmer.

Mr. Evins of Tennessee with Mr. Minshall.

Mr. Sikes with Mr. Burton of Utah.

Mr. Barrett with Mr. McEwen.

Mr. Nix with Mr. Lindsay.

Mr. Olson of Minnesota with Mr. Springer.

Mr. Rivers of South Carolina with Mr. Younger.

Mr. Downing with Mr. Rhodes of Arizona.

Mr. Roberts with Mr. Gubser.

Mr. Harris with Mr. Frelinghuysen.

Mr. Herlong with Mr. Teague of California.

Mr. Thompson of New Jersey with Mr. Harsha.

Mr. Smith of Virginia with Mr. Morton.

Mr. Monagan with Mr. Wyatt.

Mr. Tucks with Mr. Shriver.

Mr. Kluczynski with Mr. Diggs.

Mr. Fallon with Mr. Leggett.

Mr. Corman with Mr. Dawson.

Mr. Bonner with Mr. O'Hara of Illinois.

Mr. Hays with Mr. Resnick.

Mr. Yates with Mr. Karth.

Mr. Jones of Alabama with Mr. Edwards of California.

Mr. Landrum with Mr. Duncan of Oregon.

Mr. Fulton of Tennessee with Mr. Holland.

Mr. Abbitt with Mr. Dowdy.

Mr. Fulton of Tennessee with Mr. Johnson of Oklahoma.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 580, the Committee on Agriculture is discharged from further consideration of the bill (S. 1766).

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 306(a) of the Consolidated Farmers Home Administration Act is amended to read as follows:

"(1) The Secretary is also authorized to make or insure loans to associations, including corporations not operated for profit, and public and quasi-public agencies to provide for the application or establishment of soil conservation practices, shifts in land use, the conservation, development, use, and control of water, and the installation or improvement of drainage facilities, and recreational developments, all primarily serving farmers, ranchers, farm tenants, farm laborers, and other rural residents, and to furnish financial assistance or other aid in planning projects for such purposes.

"(2) The Secretary is authorized to make grants aggregating not to exceed $25,000,000 in any fiscal year to such associations to finance specific projects for works for the storage, treatment, purification, or distribution of water in rural areas. The amount of any grant made under the authority of this paragraph shall not exceed the lesser of (i) 50 per centum of the development cost of that portion of the facility necessary to enable the project to serve the area which can be feasibly served by the facility and to adequately serve the reasonable foreseeable growth needs of the area, or (ii) that portion of the development costs which are above the probable ability of the association to repay a loan for such purposes from income or assessments levied at a rate or charge for service within the ability of a majority of the users to accept and pay for such service and maintain a reasonable standard of living: *Provided, however,* That in determining the ability of a public body to repay, consideration shall be given to any applicable legal debt ceiling or tax or assessment limits and to any other improvements contemplated to be financed within those limits.

"(3) No grant shall be made under paragraph 2 of this subsection in connection with any facility unless the Secretary determines that the project (i) will serve a rural area which is not likely to decline in population below that for which the facility was designed, (ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonable foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located. Until October 1, 1968, the Secretary may make grants prior to the completion of the comprehensive plan, if the preparation of such plan has been undertaken for the area.

"(4) The term 'development cost' means the cost of construction of a facility and the land, easements, and rights-of-way, and water rights necessary to the construction and operation of the facility.

"(5) No loan or grant shall be made under this subsection which would cause the unpaid principal indebtedness of any association under this Act and under the Act of August 28, 1937, as amended, together with the amount of any assistance in the form of a grant to exceed $4,000,000 at any one time.

"(6) The Secretary may make grants aggregating not to exceed $5,000,000 in any fiscal year to public bodies or such other agencies as the Secretary may determine having authority to prepare official comprehensive plans for the development of water systems in rural areas which do not have funds available for immediate undertaking of the preparation of such plan.

"(7) Rural areas, for the purpose of water systems, shall include any area primarily engaged in or associated with agriculture and not having a population in excess of five thousand inhabitants."

SEC. 2. Section 308 of the Consolidated Farmers Home Administration Act of 1961 is amended by—

(1) striking out "$200,000,000" and inserting in lieu thereof "$450,000,000";

(2) in clause (a) striking out "except that no agreement shall provide for purchase by the Secretary at a date sooner than three years from the date of the note"; and

(3) striking out clause (b) and inserting in lieu thereof "(b) may retain out of payments by the borrower a charge at a rate specified in the insurance agreement applicable to the loan".

(b) Section 309(e) of such Act is amended by striking out "such portion of the charge collected in connection with the insurance of loans at least equal to a rate of one-half of 1 per centum per annum on the outstanding principal obligations and the remainder of such charge" and inserting in lieu thereof "all or a portion, not to exceed one-half of 1 per centum of the unpaid principal balance of the loan, of any charge collected in connection with the insurance of loans; and any remainder of any such charge".

(c) Section 309(f)(1) of such Act is amended by striking out "$25,000,000" and inserting in lieu thereof "$50,000,000".

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike out all after the enacting clause and insert the following:

"That section 306(a) of the Consolidated Farmers Home Administration Act is amended to read as follows:

"'(1) The Secretary is also authorized to make or insure loans to associations, including corporations not operated for profit, and public and quasi-public agencies to provide for the application or establishment of soil conservation practices, shifts in land use, the conservation, development, use, and control of water, and the installation or improvement of drainage or waste disposal facilities, and recreational developments, all primarily serving farmers, ranchers, farm tenants, farm laborers, and other rural residents, and to furnish financial assistance or other aid in planning projects for such purposes.

"'(2) The Secretary is authorized to make grants aggregating not to exceed $50,000,000 in any fiscal year to such associations to finance specific projects for works for the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas. The amount of any grant made under the authority of this paragraph shall not exceed 50 per centum of the development cost of the project to serve the area which the association determines can be feasibly served by the facility and to adequately serve the reasonably foreseeable growth needs of the area.

"'(3) No grant shall be made under paragraph 2 of this subsection in connection with any facility unless the Secretary determines that the project (i) will serve a rural area which is not likely to decline in population below that for which the facility was designed, (ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonably foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water or sewer development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located and the Secretary shall establish regulations requiring the submission of all applications for financial assistance under this Act to the county or municipal government in which the proposed project is to be located for review and comment by such agency within a designated period of time. Until October 1, 1968, the Secretary may make grants prior to the completion of the comprehensive plan, if the preparation of such plan has been undertaken for the area.

"'(4) a. The term "development cost" means the cost of construction of a facility and the land, easements, and rights-of-way, and water rights necessary to the construction and operation of the facility.

"'(b) The term "project" shall include facilities providing central service or facilites serving individual properties, or both.

"'(5) No loan or grant shall be made under this subsection which would cause the unpaid principal indebtedness of any association under this Act and under the Act of August 28, 1937, as amended, together with the amount of any assistance in the form of a grant to exceed $4,000,000 at any one time.

"'(6) The Secretary may make grants aggregating not to exceed $5,000,000 in any fiscal year to public bodies or such other agencies as the Secretary may determine having authority to prepare official comprehensive plans for the development of water or sewer systems in rural areas which do not have funds available for immediate undertaking of the preparation of such plan.

"'(7) Rural areas, for the purposes of water and waste disposal projects shall not include any area in any city or town which has a population in excess of 5,500 inhabitants.'

"(8) In each instance where the Secretary receives two or more applications for financial assistance for projects that would serve substantially the same group of residents within a single rural area, and one such application is submitted by a city, town, county or other unit of general local government, he shall, in the absence of substantial reasons to the contrary, provide such assistance to such city, town, county, or other unit of general local government.

"(9) Provided further, That no Federal funds shall be authorized unless it be certified by the appropriate State water pollution control agency that the water supply system authorized will not result in pollution of waters of the State in excess of standards established by that agency.

"In the case of sewers and waste disposal systems, no Federal funds shall be advanced hereunder unless the appropriate State water pollution control agency shall certify that the effluent therefrom shall conform with appropriate State and Federal water pollution control standards, when and where established.

"SEC. 2. (a) Section 308 of the Consolidated Farmers Home Administration Act of 1961 is amended by—

"(1) striking out '$200,000,000' and inserting in lieu thereof '$450,000,000';

"(2) in clause (a) striking out 'except that no agreement shall provide for purchase by the Secretary at a date sooner than three years from the date of the note'; and

"(3) striking out clause (b) and inserting in lieu thereof '(b) may retain out of payments by the borrower a charge at a rate specified in the insurance agreement applicable to the loan'.

"(b) Section 309(e) of such loan is amended by striking out 'such portion of the charge collected in connection with the insurance of loans at least equal to a rate of one-half of 1 per centum per annum on the outstanding principal obligations and the remainder of such charge' and inserting in lieu thereof 'all or a portion, not to exceed one-half of 1 per centum of the unpaid principal balance of the loan, of any charge collected in connection with the insurance of loans; and any remainder of any such charge'.

"(c) Section 309(f)(1) of such Act is amended by striking out '$25,000,000' and inserting in lieu thereof '$50,000,000'.

"Amend the title so as to read: 'An Act to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes.'"

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An Act to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject matter of H.R. 10232.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, I make the usual inquiry. Has this been cleared?

Mr. ALBERT. This was cleared with the gentleman from Illinois [Mr. ARENDS], the Republican whip.

Mr. HALL. Did I correctly understand the distinguished majority leader to say that we will consider H.R. 3140 first?

Mr. ALBERT. We will take up a conference report first and then the heart, cancer, and stroke bill.

Mr. HALL. After that, if we complete the now scheduled bills, the one on wheat having been put over——

Mr. ALBERT. It will not be called up this week.

Mr. HALL. Then we will or we will not have a meeting on Saturday?

Mr. ALBERT. If we finish the program tomorrow, we will not meet on Saturday.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTOMOBILE AND BEAUTIFICATION FUND

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, proposals to set up an automobile and beautification fund through retention of a portion of the present excise tax on new cars should be considered seriously by this Congress before the end of the present session. An accumulation of from 30 to 40 million old cars has produced thousands of unsightly junk piles around the country, and something has to be done about them and the 5 million other cars that are being assigned to auto graveyards each year.

Among the suggestions for disposing of old cars are those to dump them into lakes and oceans or bury them underground. While these ideas may have merit, I would question the advisability of disposing beyond recovery of a commodity whose manufacture required the use of irreplaceable natural resources. Rather, let us have science and research take a good look at the problem and find out whether it might not be possible to salvage the steel and whatever other parts might still have economic value.

I recognize that because of the use of richer raw materials in blast furnaces, scrap prices have dropped to a point where junk dealers find it unprofitable to dismantle the cars in order to get to the steel. Yet there may come a time when scrap will again be in great demand and, in fact, vital to the national security. When a country depends upon foreign sources for a substantial part of its iron ore supplies in a period of international crisis, it must be prepared for the cutoff that would come at a moment's notice. Regardless of how friendly we may be with those nations rich in iron ore, a general outbreak of hostilities could completely interrupt ocean traffic. I assume that the various departments and offices of Government charged with dealing in production and supply problems during emergencies are prepared to answer all questions relating to steel output, but what we need to establish is whether plans include the salvaging of old automobiles that are now available in just about the most accessible places next to our towns and highways.

This information should be developed at hearings on auto junkyard legislation. At the same time it would be possible to determine just how effective and economical are the various methods of reducing scrapped autos into compact cubes of steel that could be easily stored for emergency purposes. Congress will also be interested in hearing about the process that turns car bodies into steel shavings, as well as the "prolerization" of stripped cars into pellets that can be used in steel production. I am including as a part of my remarks an article from Consol News on this subject, entitled "Cash in Those Eyesores":

CASH IN THOSE EYESORES

There's gold in those automobile graveyards—potentially, at least. That's the word from the U.S. Bureau of Mines, which has a process under development that may be used to convert these national eyesores into assets. And there's certainly no scarcity of rusty automobile bodies. They litter America's roadsides from coast to coast.

The new process holds hope for a practical method of using metal from junked autos in treating a now useless type of iron ore to make it a suitable feed for blast furnaces. The ore is called nonmagnetic taconite. If the Bureau's process can be used to bring it into production, millions of tons of unsightly scrap cars will be consumed each year.

Nonmagnetic taconite isn't currently used by the iron industry because it doesn't respond to magnetic separation, the most widely accepted method of removing iron oxide from associated ore minerals. Norwood B. Melcher, research director of the Bureau's Metallurgy Research Center in Minneapolis, explained how the process would make the taconite magnetic through chemical reaction with scrap metal.

Mr. Melcher told the Institute of Scrap Iron and Steel at Miami, Fla., that Bureau metallurgists have capitalized on the tendency of scrap iron to assume an ugly coat of rust. When mixed with nonmagnetic taconite and heated, the scrap "rusts" rapidly. That is, it absorbs oxygen from the ore, causing the latter to change its molecular structure and become magnetic.

In addition, Mr. Melcher said, the rust itself can be removed magnetically when the treatment is over and sent to a blast furnace for ironmaking. The rust is chemically identical to the iron oxide portion of the ore. This "rust bonus" will increase the value of scrap sold for ore treatment purposes. He estimates that every ton of scrap used in the process would form 1.4 tons of valuable rust.

Our roadside clunkers have enemies in high places. No less a personage than President Johnson has publicly called for their elimination. He said that the First Lady is even more impatient than he about cleaning up our littered highways. And coal men have more than casual interest in getting rid of our abandoned automobiles. The scrapped car bodies are mixed with a coal product (coke), among other things, for feeding the blast furnaces. The fact that the process was developed by the U.S. Bureau of Mines is also significant.

Mr. Melcher estimates that one medium-sized plant using the Bureau of Mines process would produce 5 million tons of taconite ore concentrate per year and would consume about 600,000 tons of scrap annually. This is welcome news to scrap dealers because their markets have been reduced greatly since the peak years of the 1950s. Metal producers often find that it costs more now to sort scrap and remove alloy constituents than to start from scratch with ore.

As a result, scrap prices fall as supplies pile up. The piles of old cars are a double liability whose esthetic appeal is even lower than their market value. Public criticism of auto graveyards is increasing, and efforts are being made to find some way of eliminating them.

Development of a sizable market for these metal hulks will go a long way toward solving the problem. And Secretary of the Interior Stewart L. Udall said, "As a conservation dividend, the process also can be a valuable weapon in our war against ugliness and in the development of the beautiful America called for by President Johnson."

Mr. Speaker, I support the legislation to divert 1 percent of the excise tax on new car purchases for the establishment of a fund to get rid of auto junk piles, but I would recommend that as much as half of the $200 million raised by this method be used for research to determine whether these old cars have further economic value. We must do away with the auto graveyards, but we cannot afford to bury economic potential in the process.

THE KU KLUX KLAN, THE INVISIBLE EMPIRE

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, on September 21, millions of Americans watched the excellent television documentary produced by "CBS Reports" entitled "The Ku Klux Klan, the Invisible Empire." It was a revealing and sometimes shocking portrait of the secret terror society that has plagued the Nation over the last century.

"CBS Reports" has performed a valuable public service in producing and exhibiting this authoritative film, and I wish to commend Producer David Lowe, Executive Producer Palmer Williams, Associate Producer Noel Parmental, and Correspondent Charles Kuralt.

Anyone who saw that report saw the truth about the Ku Klux Klan. And the truth should destroy any illusion about the Klan's pretense of patriotism, democracy, Christianity, and devotion to law and order.

The Klan is as faithful to the ideals of America as the Communist Party, and as true to the democratic process as the John Birch Society. It displays as much Christian concern for mankind as the Black Muslims, and as much devotion to law and order as the American Nazi Party.

Early next month, the House Un-American Activities Committee will begin public hearings on the Ku Klux Klan. The Klan will then be bared for all to see.

Truth, amply imparted to the people, will be an effective remedy.

DISTRICT OF COLUMBIA HOME RULE

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, before the necessary signatures were obtained to discharge the District of Columbia home rule bill, I announced to the House that, however much I would like to support home rule, unless the annual Federal payment to the District was subject to a congressional appropriation as provided by the Constitution, I would have to vote against the bill.

Since then frankly, I have been active in opposition to this provision in the bill.

The announcement yesterday that a bipartisan bill had been agreed to which would provide that the annual Federal payment to the District would be subject to regular congressional scrutiny and appropriations, is good news indeed.

If this new language is substituted for the original bill when the matter comes up on Monday, my objection will have been overcome. In that case, consistent with the historic position and platform of the Republican Party, I will vote for the bill.

DEAN RUSK AND U.S. POLICY

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. DICKINSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKINSON. Mr. Speaker, I am shocked that the Secretary of State has not apologized to the Congressman from San Diego, the Honorable BOB WILSON, for writing him a caustic letter denying that he, Dean Rusk, had likened the Red Chinese to the American patriots of 1776 in a Philadelphia speech during 1950.

Secretary Rusk apparently has taken the stand that the fact both competing papers—the Philadelphia Bulletin and the Inquirer—printed at the time that Mr. Rusk said just that does not make it true. The Secretary of State, in effect, takes the line that these newspapers do not report the truth.

So, Mr. Speaker, I want to note that Mr. Rusk's boss at the time, President Harry Truman, wrote in his memoirs—page 426, volume II, Signet edition—that Dean Rusk, then Assistant Secretary of State for Far Eastern Affairs, took the lead in preventing MacArthur's bombing of the Yalu River bridges over which the Red Chinese were pouring to kill and maim American boys. President Truman wrote:

> Dean Rusk pointed out that we had a commitment with the British not to take action which might involve attacks on the Manchurian side of the river without consultation with them.

Mr. Speaker, there is a deadly significance in how history repeats itself.

Dean Rusk presided over the Korean war stalemate which he helped create as Assistant Secretary of State and he stood against bombing the Yalu bridges. Today, that same Dean Rusk presides over the unending Vietnam war and we are not bombing the Red installations on the outskirts of, and in, Hanoi where the Red supply effort centers. Why? Because Dean Rusk thinks the Red Chinese are like our boys of '76?

Mr. Speaker, this is a deadly parallel because again American boys are dying and being maimed.

Mr. Speaker, in my one district I have, in the past 2 weeks, had the unhappy duty of writing the mother of one boy killed in action in Vietnam and to another whose son is completely paralyzed as a result of wounds.

May I note that in 8 years of the Eisenhower administration, we did not lose a single American by combat. We maintained peace with honor and even took one country, Austria, back from behind the Iron Curtain.

DISTINGUISHED CITIZENS OF WASHINGTON FAVOR THOUGHTFUL CONSIDERATION OF CHANGE IN SITE OF KENNEDY CENTER OF PERFORMING ARTS

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, at many sessions of Congress I have expressed my concern over the inadequate site that is presently planned for the John F. Kennedy Center for the Performing Arts. Yesterday, the press and broadcast media reported the issuance of a remarkable petition addressed to the trustees of the Center and signed by 78 of Washington's most distinguished citizens. The signers include some of those who have worked vigorously and successfully to raise funds for the Cultural Center and those who have themselves given generously. The citizens who have signed this thoughtful petition are not the sort who ordinarily lend their names to controversies. Therefore, we can be sure that their motives are lofty and their purpose serious. Following my remarks I include the petition and explanatory press release.

I want to take a moment to comment on the significant presence of one name on this honor roll of public-spirited residents of the Washington area. I refer to Mrs. Marjorie Merriweather Post. It is well known that this very great American lady is the foremost individual benefactor of the performing arts in the United States today. In addition, she has been devoted to the welfare and beautification of the Nation's Capital, to whom she is giving her splendid home, Hillwood, through a bequest to the Smithsonian Institution.

Mrs. Post has given long and loyal service to the Nation's music lovers as vice president of the Washington National Symphony, and for 10 years she has made possible some 30 free National Symphony concerts, played each spring to high school students who visit their Capital.

Mrs. Post was appointed by President Eisenhower to the Advisory Committee of the National Cultural Center. In that capacity in recent years she presented a major proposal to the chairman of the Center. Recognizing the shortcomings of the Potomac riverfront site which had been hastily designated by Congress in 1958, Mrs. Post investigated alternate possibilities in the heart of the city and developed a plan for the conversion of the centrally located Union Station into a major component of a performing arts center. Apparently, this imaginative proposal was given short shrift by the Cultural Center officials. Now, I do not know, and possibly Mrs. Post does not either, what practical engineering and economic problems might be involved in such a move and such a conversion. But I do know that if the subject of the site of the Kennedy Center of the Performing Arts reopened for responsible hearings, that this and other proposals in the public interest could be explored before it is too late.

Of one thing I am sure: A site at Union Station would have a subway station that will be served by mass rapid transit forming our new system all the way to Boston under President Johnson's imaginative rail plan, but the present Kennedy Center site is not even on the route of the newly authorized local subway.

I think that we are very fortunate that a great lady who has devoted her entire life to the promotion of progress for human beings should be willing to lend her prestige, attention, and energy to the burning problem of helping the people of the United States and of Washington have an appropriate memorial to President Kennedy, situated where it can be enjoyed by the most people for all time.

The material referred to follows:

WASHINGTON, D.C.,
September 20, 1965.

Chairman and Members of the Board of Trustees of the John F. Kennedy Center for the Performing Arts, Washington, D.C.

DEAR SIRS: We, representing the persons listed thereon, request that you consider and respond to the enclosed petition.

Yours very truly,
E. FULTON BRYLAWSKI,
Mrs. W. JOHN KENNEY,
Rear Adm. NEILL PHILLIPS.

A PETITION RELATING TO THE LOCATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Whereas the location of the John F. Kennedy Center for the Performing Arts is of utmost importance to the future of the city and to its inhabitants and visitors, and

Whereas questions have been raised about the suitability of the river site as proposed,

We, whose names appear below, urge a 60-day moratorium on work toward the construction of the Center to enable a review committee, appointed for the purpose, to hear, study, and make recommendations concerning all questions relating to the location of the Center.

SIGNERS

Alice S. Acheson, Mr. and Mrs. Charles Arrott, Mrs. Christopher Bramwell, E. Fulton Brylawski, Mrs. Douglas Burden, B. Bernei Burgunder, Edward Burling, Jr., Mr. and Mrs. Albert B. Carter, Jr.

Aldus H. Chapin, David Sanders Clark, Mr. and Mrs. Jack Coopersmith, Andre de Limur, James A. Donohoe, Jr., Mr. and Mrs. Richard Dudman, Mr. and Mrs. Clive L. Duval II, Mr. and Mrs. Robert Eichholz, Mr. and Mrs. Edward Finkenstaedt, Jean Friendly, Mr. and Mrs. Gerhard A. Gessell, Mrs. John Timberlake Gibson, Charles C. Glover III, John R. Immer, Mr. and Mrs. Andrew Keck, Mrs. W. John Kenney, Katharine McCook Knox, Sidney Lansburgh, Mrs. Casanove Lee, Mrs. Newbold LeGendre, Miss Janet LeGendre, Mr. and Mrs. H. Gates Lloyd, Alice Longworth, Arthur T. Lyon, Mrs. Edward Macauley, Mrs. Atherton Macondray, Arthur K. Mason, Mr. and Mrs. Frank W. McCulloch, Constance Mellen, Rt. Rev. Paul Moore, Jr., Mr. and Mrs. Edward P. Morgan, Mr. and Mrs. Leroy Morgan.

Mr. and Mrs. James Newmeyer, Jr., Laughlin Phillips, Rear Adm. Neill Phillips, Mr. and

Mrs. John A. Pope, Mrs. Merriwether Post, Robert Rosenthal. Mr. and Mrs. David Rust, John H. Safer, Richardson Sinclair, Mr. and Mrs. Francis Spalding, Mr. and Mrs. Philip M. Stern, Mr. and Mrs. John Stillman, Mr. and Mrs. Carlton Swift, Jr., A. Lloyd Symington, Mrs. Cyrus Vance, Mr. and Mrs. DeForest Van Slyck, Morton H. Wilner.

Press Release on Location of John F. Kennedy Center for the Performing Arts

1. The subscribers to the petition are donors to and supporters of the Center, or representatives of organizations which have made donations.

2. Questions have been raised and opinions expressed about the suitability of the proposed location, and about the desirability of a downtown location. These questions and opinions are of sufficient import to justify careful consideration by a review body before any construction is begun at the proposed site. The request for such a review is the basis for the petition signed by Center supporters and the subject of three bills introduced in the House (Representatives Widnall, Curtis, and Mathias) and one in the Senate (Senator Mundt), with the probability of more forthcoming.

(a) Critics have raised the following objections to the proposed location:

(1) Physical site: Now that the roadway system and the large Watergate complex are partially completed, it is apparent that the Center structure (which could house two Dulles terminals with room to spare) would crowd its site, and create a wall between the city and the river. The building and its access roads would destroy the park-like setting. The Center site would be little more than a "traffic island."

(2) Road system: Access and egress to and from the Center present "tricky problems of design." New Hampshire Avenue—the only apparent access to the Center—will be choked with traffic before and after performances. Though it appears that the approach from Virginia is direct, in fact, it too must funnel into New Hampshire Avenue. New Hampshire Avenue, an important boulevard, terminates as a garage ramp. To accommodate the Center, the existing parkway must be relocated and rebuilt. The Los Angeles Cultural Center approach system is so inadequate that it takes as much as 1½ hours to get to it, and as much to leave. Washington should avoid a similar mistake.

(3) Parking: According to congressional testimony, the 1600 underground parking spaces will be inadequate to serve its full capacity of 7,000 patrons. No relief parking is available on the surrounding streets. The garage, located in a relatively isolated area, would serve only the Center. There is no pedestrian approach.

(4) Rapid transit: No subway stop in the recently approved rapid transit plan will serve the Center. The nearest stop is one-half mile away at 23d and H Streets.

(5) Air traffic: Because the Center is in the path of planes serving National Airport, excessive measures must be taken to insulate the Center against this noise.

(b) Downtown location: Several persuasive arguments have been advanced for a downtown location for the Center. It would be more central to the city and therefore more convenient to reach from most areas. It would greatly reinforce current efforts to revitalize the central city area, drawing people downtown, particularly at night. It would be easily accessible to all, would be served by the new proposed subway system.

3. Late hour criticism: It is believed that there are several compelling considerations which fully justify the raising of these 11th-hour questions. When the site was selected, the physical reality of the highway complex and the Watergate development were not yet apparent. The Pennsylvania Avenue plan, opening up site possibilities, had not come into being. Assistance for downtown construction under urban renewal was not then available, as it now is. Finally, the mass transit plan, which provides for no stop at the river site, was not in existence.

4. Location: While the petitioners feel that a specific site should not be chosen without careful review of all factors by the review committee, the best arguments so far presented support a downtown location. With the current intensive interest in the Cultural Center, the time loss should be minimal. Primarily, the petitioners urge that expediency and hurried decisions not be allowed to squander this unique opportunity for a great experiment. Because of the overwhelming criticism of the Kennedy Center as now planned, a final review of its merits and liabilities in the light of the developments mentioned above is imperative.

The petitioners will welcome additional support from all who are interested in insuring that the Kennedy Cultural Center, when built, will be the great national institution it should be.

THE 18TH ANNIVERSARY OF THE ASSASSINATION OF NIKOLA PETKOV

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, we observe today, September 23, the 18th anniversary of the assassination of Nikola Petkov, a leader of the Bulgarian patriots who fought the Communist takeover of their country, by Soviet-directed Communists in Bulgaria.

Petkov remains an inspiration to Bulgarians today who maintain their dedication to the restoration of an independent, free government in that captive land. We in the free world must never forget that peaceful-appearing moves by the Communists cannot obscure the violent nature of Communist takeovers of free countries and the cruel oppression exercised over them.

The Johnson administration policies of accommodation and appeasement of communism are arousing great fear among the peoples subjected to this oppressive system that it will become a permanent plague. We must never accept Communist regimes and Soviet control of once free nations as an enduring fact and we must never forget that the Soviet Union is the greatest colonial power in the world today.

I am hopeful that the Bulgarian people and the Bulgarian leaders in exile will continue their efforts toward and their faith in the eventual victory of justice over tyranny and the reestablishment of a free, independent government in Bulgaria.

I am pleased to point out to the House that the Bulgarian spokesmen in exile are effectively maintaining the aspirations of their people for this goal. They recognize that the Communist tyranny that enslaves their homeland is a threat to the peace and freedom of the entire world. They draw strength from the support which they rightfully received in these just aspirations.

ASIAN PEOPLES ANTI-COMMUNIST LEAGUE CONFERENCE

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on September 7–12, the 11th Annual Conference of the Asian Peoples Anti-Communist League was held in Manila. I was privileged to attend and head one of the American observer units which participated in this meeting, the Committee of 1 Million Against the Admission of Red China to the U.N. I was struck by the dedication of these people in resisting Communist military encroachments as well as political subversion on their continent. In fact, it was very apparent to me that they are far more alert to the threat of the world Communist conspiracy than their American friends.

One of the fine speakers of the conference was the former chairman of APACL, Hon. Ku Cheng-kang of the Republic of China. I thought his message was particularly incisive and I am including it with these remarks. A fine conference in every respect, this was indeed a wonderful opportunity for me to meet with these leaders, young and old, and to learn of their particular problems as they face up to the Communist challenge.

Address by Mr. Ku Cheng-kang

Mr. Chairman, distinguished guests, delegates, observers, ladies and gentlemen, it is of epochal importance that we here gathered in the Philippines, a democracy firmly dedicated against the evils of communism, for the 11th Conference of the League in a very critical period of time for Asia, working for the preservation of freedom and world peace. We are here to pool our wisdom and experiences, to formulate policies, and to adopt action against communism. First of all, in my capacity as former chairman of the league council, I want to express on behalf of all the delegates and observers from all areas of the world, our highest respects and sincere appreciation to the Philippine people and their great leader, President Macapagal, who are contributing immensely to our common struggle for freedom and peace.

Since the 10th conference, drastic developments have taken place on account of a number of factors: the fact that the Chinese Communists furthering their objective to eventually subjugate all Asia, have actively pursued their line of revolutionary wars in directing an expansion of aggressive activities through the Communist regime in North Vietnam, instigated the aggravation of conflict between India and Pakistan over Kashmir, and continued nuclear testing in their designs for political blackmail; the fact that the United States has taken a stronger policy in Vietnam, showing her firm and just determination to safeguard the independence and freedom of Vietnam, thereby winning the support of the Asian peoples and strengthening their will to fight communism; and the fact that the people in Asia have increased their vigilance toward

Communist aggression and strengthened their desire to help themslves through helping one another. We peoples of Asia are now aware: freedom and peace in Asia hinge on our own solidarity and endeavor.

The center of gravity of the fight against communism has shifted to the Orient. The core of disturbance is in Asia. The key to world stability is also in Asia. In the prolonged struggle in Asia between the forces of freedom and the forces of communism, especially in Vietnam, a few salient features have emerged before all eyes. Firstly, freedom cannot coexist with slavery. Secondly, appeasement cannot remove the threat of communism. Thirdly, containment cannot stop Communist aggression. Fourthly, negotiations are Communists means and tactics to win at the conference table what they fail to get on the battlefield. Fifthly, without a unified effort the free nations will evenually suffer defeat in detail. So it is apparent that the Communist regime on China mainland endangers no only security in Asia but also world peace.

The recent development of events has shown that the problem of peace in Vietnam can no longer be solved in Vietnam, either in the southern or northern half of it. We see also clearly that the will and strength of the nations and peoples in Asia will be among the deciding factors for victory in Vietnam. Thus I advocate:

1. That the free countries of Asia support the firm policy and courageous action of President Lyndon B. Johnson toward Vietnam, and fight side by side with the Western democracies for victory in Vietnam to insure that country's independence and freedom, through the active development of the will and strength of the Asian countries.

2. That the United States, as leader of the free world, dealing with trouble at its source, support actively the Republic of China in the recovery of the China mainland, the Republics of Vietnam and Korea in opening new fronts in the Red-subjugated northern parts of these countries, so as to free all the enslaved peoples for a lasting peace in Asia.

The destruction of the Iron Curtain in Asia has been the consistent object of the League, and the thorough means for eradicating the Red plague in Asia. There are, however, those who are worried. Some worry over the ability of the forces of the Republics of China, Korea, and Vietnam to tackle the Chinese Communists who control over 600 million people and 3 million troops. Others worry over Soviet Russia's entry into the scene following Republic of China's counteroffensive against the mainland or military action in Communist-controlled areas on the part of the Republic of Vietnam or the Republic of Korea, thus leading to a worldwide nuclear war.

To the first group of worriers we want to say that the people on China mainland suffering intensely from privations and political oppression have demonstrated their strong desire for freedom and the strength to resist. Since the failure of the communes enforced in 1958, and the cessation of Russian aid in 1961, resistance and rebellion have been widespread and great masses have fled to free countries. Even recently there have been large-scaled armed revolts in Sinkiang Province and in Tibet. Furthermore, the Communist armed forces of antiquated equipment and low morale as the result of the withdrawal of Russian aid and economic difficulties, are scattered in deployment. There are simply too many fronts to watch: the Taiwan Straits, Vietnam, Korea, India, Sinkiang, and the ubiquitous front of the people's widespread revolts. The majority of the 600 million people and 3 million troops, upon the Republic of China's counteroffensive, instead of serving as the support force of the Chinese Communist regime, will rise to overwhelm it.

To the second group of worriers we want to give our reasons for stating so solemnly that Soviet Russia will not enter into the arena:

1. Soviet Russia has no desire to strengthen the Chinese Communists as its arch rival for leadership in world communism, and the Chinese Communists will decline Russian help for fear of infiltration and subversion.

2. Hard pressed by the forces of liberation in Eastern Europe and the collective strength of the NATO countries, Soviet Russia is not in a position to open a second front in Asia.

3. Fully aware of the destructive nature of a nuclear war, she will not start one while the United States still possesses the nuclear advantage.

We Asians must realize that now is the hour for the free Nations in Asia to accept our responsibility of saving ourselves through unity. Now is the hour for the free Nations of Asia through the determination of the people, to safeguard freedom in Asia with the combined strength of all our countries. We, the nations and peoples of Asia, must rally together to go to the aid of Vietnam and to pull down the Iron Curtain in Asia. It is high time for the countries most directly under Communist aggression and threat, for the Republic of China, Republic of Korea, Republic of the Philippines, Thailand, and the Republic of Vietnam to establish an Asian Anti-Communist Alliance, for closer military, political, and economic cooperation.

We firmly believe this alliance will be able to contain Chinese Communist aggression and expansion, and will lead to the destruction of the Iron Curtain in Asia. We shall look forward to the United States to give timely support to the free Nations in Asia in our historic endeavor for self-help through unity.

THE DOMINICAN SITUATION: SEPARATING MYTHS FROM REALITIES

The SPEAKER. Under previous order of the House, the gentleman from Alabama [Mr. SELDEN] is recognized for 60 minutes.

Mr. SELDEN. Mr. Speaker, I deeply regret the necessity for requesting this hour today to discuss certain aspects of the Dominican situation. But the current debate in the Senate has convinced me that it is imperative to set the record straight—to separate fact from fiction, myth from reality.

In July, the Senate Foreign Relations Committee published a document entitled "Background Information Relating to the Dominican Republic." Part A purports to be a chronology, 25 pages of which are devoted to events beginning with the April 24 uprising. This so-called chronology is crammed with grossly biased quotes, overwhelmingly gleaned from the New York Times, the New York Herald Tribune, and the Washington Post. A footnote on the first page states that the chronology was compiled primarily on the basis of "Deadline Data on World Affairs."

"Deadline Data" is a service for quick reference on world events. It is a brief digest, on cards, of a handful of newspapers, and makes no pretense of having checked for accuracy the reports which it quotes.

Mr. Speaker, the Senate document—bearing the imprimatur of the Committee on Foreign Relations—goes out to schools, universities, and private citizens throughout the country. The fact that a footnote attributes the quotations used to "Deadline Data," which in turn attributes the quotations to the original sources, by no means exonerates the Committee on Foreign Relations from responsibility for the accuracy of the material selected. In fact, although official statements are inserted, the almost unanimous selection of quotations from articles critical of the administration's intervention in the Dominican Republic creates the impression that all the press of the Nation was critical.

In effect, the so-called chronology reads: "Official U. S. spokesmen said; but intrepid journalists, on the other hand, gave the lie to the official position."

Nowhere in the so-called chronology is there is a quote from the eloquent phrases of Eric Sevareid, from Marguerite Higgins, from Hal Hendrix, Jules Dubois, Jerry O'Leary, or others whose views differed from those of the Washington Post, the New York Times, and the Herald Tribune.

Nowhere in the so-called chronology is there mention of the report of the five-member OAS Special Committee which conducted an investigation on the scene, and on May 8 released the full text of their 4-hour testimony before the OAS Council.

Nowhere in the so-called chronology is there mention of the findings of former Ambassador John Bartlow Martin, friend and sympathizer of former President Juan Bosch.

One wonders why all reports which corroborated the administration's evaluation of the Dominican situation were excluded from the committee print.

When I first saw the grotesquely distorted "chronology" in August, I considered having the Subcommittee on Inter-American Affairs compile a point-by-point refutation. By that time, however, negotiations for a provisional government were well underway in the Dominican Republic. Bernard Collier of the New York Herald Tribune, Tad Szulc of the New York Times, and Dan Kurzman of the Washington Post were no longer covering the story. The reporting out of Santo Domingo had become less emotionally involved. The truth seemed to be catching up with the fictions which had emanated from the Dominican Republic. Hence, it seemed to me no longer necessary to have to take this action.

The reopening of debate in the Senate, resurrecting arguments corresponding to the highly colored reporting in the earlier stages of the Dominican Republic, substantially changes the picture. I noted in Monday's debate on House Resolution 560, that several Members alluded to the remarks of the distinguished chairman of the Senate Foreign Relations Committee. His remarks do indeed carry weight, since it is assumed that he is privy to information not generally available. As chairman of the Subcommittee on Inter-American Affairs, I can assure you that I too have had access to all the documentation. For that reason, I feel an obligation to clarify some of the points which have been raised.

Throughout the tragic turmoil in the Dominican Republic, I was frequently asked by worried colleagues about our policy in the Dominican Republic. Their concern invariably stemmed from something they had read in the newspaper that morning or had seen on television. This was evident because their remarks were usually prefaced with something like "The New York Times says," or "according to the Washington Post," or "the Trib reporter wrote."

The fact that three major morning newspapers, as well as several networks, all took the same critical position regarding U.S. policy in the Dominican situation lent credibility to their views.

In brief, the argument ran:

First, that there was doubt that American lives, or those of other foreigners, were ever in real danger;

Second, the United States intervened in the Dominican Republic only on a pretext of saving American lives, but really to block the return to power of former President Juan Bosch;

Third, the U.S. Embassy grossly exaggerated the danger of a Communist takeover and panicked;

Fourth, the United States collaborated with the corrupt Dominican military and the most retrograde elements in Dominican society, and against the legitimate aspirations of a long oppressed people for political freedom and social justice;

Fifth, the United States turned belatedly to the Organization of American States to provide a cover for its intervention;

Sixth, the intervention engendered widespread indignation and anti-Americanism in Latin America, and could wreck the OAS.

The quality of some of the reporting suffered from inexperience on the part of the reporters, some of whom knew little of the complex background of the situation unfolding around them. In justifying their speculations, they complained that they could not check with Embassy officials. The lack of contact between reporters and U.S. officials was, indeed, a drawback. But the beleaguered Embassy and military staffs could hardly have been expected to cope with the almost 200 foreign journalists who descended upon little Santo Domingo in the midst of anarchy. During the chaotic period when Dominicans fled in and out of asylum, when fortunes changed hourly, when thousands of troops were being deployed, and when delicate negotiations to end the turmoil were being conducted, is it not reasonable to assume that U.S. officials were too engaged in vital matters to keep several hundred reporters informed?

But not all the slanted reporting can be chalked up to inexperience or to the inability to clarify impressions and rumors. Bernard Collier stated categorically in the New York Herald Tribune that no diplomats in other missions in Santo Domingo agreed with the U.S. evaluation of the Dominican situation. From that statement, it must be assumed that Mr. Collier did indeed interview a goodly number of Western diplomats on the scene. Presumably, Mr. Collier's inexperience in Latin American affairs would not be a limitation on his ability to report so clear-cut a matter which needs no interpretation.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I would prefer to complete my statement before yielding.

Mr. REID of New York. I ask the gentleman just one question before he proceeds. I have noticed a series of remarks impugning the integrity of the press, the accuracy of the reporting, and the quality of the reporting.

Is the gentleman trying to raise a series of questions as to the integrity of the New York Times, the Washington Post, and the Herald Tribune?

Mr. SELDEN. I stand on my statement. May I continue? I am in the middle of a quote, if the gentleman will allow me to continue.

Mr. REID of New York. Mr. Speaker, will the gentleman yield? The House should not have to sit here and listen to both the Times and the Herald Tribune being castigated in this way.

Mr. SELDEN. I might say to the gentleman he will have to listen unless I yield to him. I will be happy to yield to him, however.

Mr. REID of New York. Does the gentleman make a distinction between the straight news reports and the editorial page?

Mr. SELDEN. If the gentleman will let me finish my statement, I will be glad to attempt to answer his questions.

Yet, curiously, State Department records are replete with applause for the intervention from the diplomatic corps in Santo Domingo. Unfortunately, since it would be a breach of confidence and protocol to disclose names, I can only assure you that practically all of the heads of mission in Santo Domingo have expressed their belief that the intervention was timely and necessary. For instance, one Western European diplomat stated that presence of U.S. marines was "certainly the only solution to a serious situation." Another stated that he considered local events to be following the classic Communist pattern. Another believed Caamaño to be completely dominated by hard-core rebels. Another applauded the presence of U.S. marines as the only solution to a serious situation.

Peter Chew, writing in the May 17, 1965, edition of the National Observer, told of his conversation with a "high-ranking Western diplomat," as follows:

> Many of the rebels, he said, sought visas from him in the past in order to make their way to Cuba and Iron Curtain countries, and he had refused to grant them. They had managed to get out anyway.
>
> The Western diplomat, who fought as a high-ranking officer in the Second World War, said many of the street fighters of the rebel side had shown evidence of the most sophisticated urban guerrilla warfare training. It's not the sort of training that the ragtag Dominican armed forces, whence many of the rebels came, ever receive.

Now, it is possible to doubt the evaluation of the entire diplomatic corps in Santo Domingo as well as the same evaluation by the U.S. team. But to say, as Mr. Collier did, that no foreign diplomats agreed with the U.S. appraisal goes even beyond distortion of the truth.

The New York Times correspondent, Tad Szulc, makes no mention whatsoever of the opinions of the Western European and Latin American diplomatic corps regarding our intervention in the Dominican Republic. I find it hard to believe that so seasoned a reporter, with his own European background and his experience in Latin America, would not query the other ambassadors. Meanwhile, the New York Times castigated the United States for its action, leaving the impression that we stood alone in Santo Domingo on our evaluation of the situation. One wonders whether Szulc simply neglected to report views which ran counter to his own, or whether the editorial policy in New York was to censor such views.

Similarly, Dan Kurzman in the Washington Post—while ridiculing U.S. evidence of Communist influence in the rebel movement—left a vast silence with regard to the position of the diplomatic community on the degree of Communist infiltration.

All three—Collier, Szulc, and Kurzman—were also vociferous in their claims that the United States was helping the Imbert junta defeat the rebels in the northern sector. Said Collier in the Herald Tribune on May 20:

> U.S. marines and paratroopers gave both direct and indirect help to Gen. Antonio Imbert Barreras' junta forces yesterday as Imbert troops nearly completed a cleanup of "constituionalist" rebels in northern Santo Domingo.

Said Szulc in the New York Times on May 21:

> The U.S. policy was reported on high authority to be one of allowing the Imbert forces to complete the cleanup of the northern area, but to halt them at the security corridor.

At the time of the battle in the northern sector, both the Times and the Herald Tribune resorted to distorted editorializing by pictures. The New York Times printed a picture of two armed marines marching a file of seven or eight Dominicans with their hands folded behind their heads, with a caption which read: "U.S. Troops Arrest Dominicans Suspected of Insurgent Activity in Santo Domingo. Washington Spokesmen Have Denied Aiding Forces of the Junta." Under the picture, in small print, I noticed that the photo credit listed the U.S. Air Force. So I called to find out where the picture was taken, when, and what the Dominicans were arrested for. I learned—by now, not to my amazement—that the picture had been taken 8 days before, in the international security zone which had been established by the OAS, and that the Dominicans had been picked up for sniping. You will recall that the marines had an OAS mandate at that time to defend the international zone.

Clearly, the intent of the Times, in printing that picture with that caption, was to leave the impression that the arrests were connected with the then current battle in the northern sector, in which Timesman Szulc charged we were helping the junta forces.

The Tribune ran a photo with a similarly slanted caption. It showed a marine sitting on a fence firing his rifle.

The caption to this one read: "On the Fence in Santo Domingo, an American Marine, Under Orders To Stay Neutral, Fires at a Sniper." The fact that the marines were permitted to shoot back when shot at from outside the international zone somehow escaped the Tribune. The implication that the marines, by firing in self-defense and to maintain the international zone secure, were not being neutral, is obviously an intentional distortion.

The impression that the United States was aiding the Imbert forces in the battle in the northern sector was also fostered by a CBS news special, on May 31, entitled "Santo Domingo—Why Are We There?" Perhaps you recall seeing it. Films were shown purporting to show junta reinforcements moving through U.S. roadblocks in the security zone. They were followed on the program by a press conference with Deputy Secretary of Defense Cyrus R. Vance and General Palmer, who both stated that to the best of their knowledge, there had been no deliberate U.S. violations of neutrality.

The viewer, having just seen the film clip of Dominican troops waved past the roadblocks by U.S. forces, naturally was skeptical of the statements by Secretary Vance and General Palmer. Next, CBS Correspondent Charles Kuralt said:

> The very next day we watched dozens of trucks loaded with armed junta troops and policemen, both of them in battle against the rebels, roll through American checkpoints without even slowing down.

The viewer was shown pictures of this event.

The impression left upon the viewer was one of U.S. duplicity. Again, I checked to find out what really happened. I am informed that a full-scale investigation by the Department of Defense established that the first film clip dated from May 5, when the Imbert junta was not even in power, and not May 15 as charged, when the battle in the northern sector was taking place. The next pictures were not of Dominican Army troops, but of police who, according to the OAS's cease-fire agreement, had the right to move freely in and out of the security zone.

Clearly, the duplicity did not originate with U.S. officials.

I could go on for hours enumerating the incredible misrepresentations foisted upon the American people by certain sectors of the news media. Rather than trying to shoot down the many detailed distortions, I would prefer to establish for the record certain general truths regarding our involvement in the Dominican imbroglio.

Myth No. 1: American lives were never really endangered. That was only an excuse to land troops to head off the return to power of former President Juan Bosch or an alleged Communist takeover.

Reality: On April 26, 2 days after the outbreak of the revolt, Americans began to ask for evacuation. Standby plans were put into operation. Both sides in the fighting gave the Embassy assurances that they would agree to a cease-fire to permit our evacuation program to be carried out.

At first, evacuees were gathered at the Hotel Embajador in Santo Domingo, taken by truck to the Haina port, and there boarded American Navy craft.

On April 27 armed rebel mobs, many of them teenagers, roamed the streets. Radio Santo Domingo was inciting the people to take reprisals against specific individuals. The radio announced that a well-known antirebel was at the Hotel Embajador. So were 1,000 Americans, who had collected there to await evacuation. A mob of rebels arrived and fired shots inside the hotel. That day, despite the terrifying incident at the hotel, the evacuation from Haina was completed.

By the night of April 27, various rebel leaders of the pro-Bosch faction—including Molina Urena, the "provisional president"—took asylum in foreign embassies.

At this point, the Embassy believed that the evacuation could still be effected. Gen. Wessin y Wessin, of the antirebel military forces, held overwhelming military force and it was believed that he could put an end to the anarchy in Santo Domingo.

On April 28, the police chief in Santo Domingo reported that law and order had broken down completely and he could no longer offer protection to foreigners. At the same time, the armed forces under command of Gen. Wessin y Wessin did not move. Colonel Benoit, head of the three-man military junta established at San Isidro that day, also informed our Embassy on the morning of April 28 that he believed American lives to be in danger in Santo Domingo, and that junta forces were unable to extend any protection. Meanwhile, many Americans began to gather at the Hotel Embajador for evacuation at Haina scheduled for 3 in the afternoon. But around 10 a.m. the Embassy was notified that the road to Haina was being fired upon by snipers.

The fact that the Haina road was closed, that the Dominican authorities could no longer safeguard foreigners in Santo Domingo, and that the Dominican Army was sitting out at San Isidro base doing nothing, finally convinced the Embassy that the time had come to protect our nationals. At that time, there were about 1,000 people waiting for evacuation, many of them women and children.

The Ambassador requested helicopter service from the aircraft carrier, *Boxer*, to evacuate the Americans at the Hotel Embajador and a small force to protect the chancery. Some 450 marines were landed to establish a safety perimeter around the hotel where the evacuees were boarded on helicopters. At the time the marines landed, Embassy guards and other Americans were under fire at the Hotel Embajador and the Embassy grounds. Eventually, more than 5,000 persons, Americans and citizens of 45 other different nationalities, were evacuated.

In the rapidly disintegrating situation in Santo Domingo on April 28, the U.S. Ambassador would have been derelict not to have requested protection for U.S. citizens and anybody else asking for it.

The argument that has been raised that no Americans were killed in Santo Domingo, hence no protection was needed, is specious. None was killed because of the swift decision to protect them. I cannot understand the reasoning that would have had us wait until some Americans were killed to prove that protection was necessary. How many deaths should we have waited for? Ten? Fifty? One hundred?

Expressions of thanks by people of other nationalities for evacuating them from the lawless, chaotic situation have been profuse. At the conclusion of my remarks, I shall put in the RECORD testimony to this effect.

The initial marine landings were intended solely to provide protection for U.S. citizens and others who requested it.

Myth No. 2: We intervened in support of the military, halting a social revolution. The danger of a Communist takeover was grossly exaggerated.

Reality: The fact that the President ordered the marines to land solely to protect innocent lives does not exclude the additional fact that we were aware of the growing Communist strength and influence on the rebel side.

Before proceeding, Mr. Speaker, it is essential to understand the background and nature of the Dominican revolt. After more than 30 years of one of the most brutal tyrannies in the hemisphere, the Dominican Republic is a country rent by suspicions and hatreds.

The triumvirate Government, ultimately headed by Reid Cabral, had come to power after a coup d'etat and was very narrowly based. Although efforts were made against graft and corruption in the military establishment, the military budget was cut in 1965, and a considerable number of the more unsavory military officers were removed from the scene, the armed forces continued to exercise an oppressive weight on the country and was a source of popular discontent. The same considerations applied to the police force.

Economically, the country had been much buffeted. The price of sugar had fallen from over 11 cents to around 2 cents a pound, a disastrous blow to a country more than 50 percent of whose foreign exchange earnings come from sugar. Cacao prices also were low, and there was overproduction of coffee. A severe drought affected other products. The U.S. shipping strike in January and February heavily depressed the Government's income through the lack of receipt of customs duties for imports and the lack of ships to carry away exports of sugar and other products. Payment of Government accounts was behind schedule, and laborers on public works and road projects were in many cases months behind in receiving their wages.

These developments intensified the strains on the fragile Dominican institutions. By late fall of 1964, it was apparent that the situation was declining. Broadcasts over the many Dominican radio stations grew more and more violent. The Embassy began to report plotted coups and intrigues.

Meanwhile, known Communists began to return, often secretly, from training in Iron Curtain countries and Cuba.

The April 24 revolt began with a variety of participants for a variety of motives. On that day, Reid sent his military chief of staff and a deputy to the 27th of February military camp outside Santo Domingo to cancel the commissions of four officers for plotting against the Government. Elements of the army, led by disaffected middle grade and junior officers, seized control of the 27th of February camp and made prisoners of General Rivera and his deputy. That sparked the revolt.

Word of these actions quickly spread to Santo Domingo and was broadcast over two radio stations. Shortly thereafter, a group of civilians seized the two radio stations and announced the overthrow of the Reid government.

While sentiment ran high against the Reid regime, there was no consensus of what or who should take its place. Some army officers supported Juan Bosch and wanted his return. They were joined by Bosch's PRD and by three Communist parties: the MPD—Peiping oriented; the PSP—Moscow oriented; and the 14th of June Movement—APJC—which had been taken over by Castro-Communist-trained leadership.

Some military officers favored the return of former President Balaguer. Still others were against Reid because of his efforts to reform the armed forces, but they were also opposed to Bosch. Others were merely opportunists looking for personal gain. Others wanted a military junta in order to oust some of the senior officers who blocked their promotions.

The struggle for power began. The following day truckloads of arms were sent into Santo Domingo from the 27th of February camp and distributed, largely by Communist leaders, among civilians. Armed mobs, urged on by the anti-Reid broadcasts, seized the national palace. Throughout the day, armed marauding bands of looters roamed the city, shooting at police and private citizens. MPD leaders were particularly active distributing bottles and gasoline to be used in making molotov cocktails.

With the distribution of machineguns and rifles to civilians, what had begun as an essentially military uprising changed to anarchic disorder. The superior organization and training of the Communists shortly found them in key positions among the rebels.

At the height of the rebel strength, early in the course of the revolt, there were no more than 1,000 officers and enlisted men. At that time, there were also between 2,500 and 5,500 armed civilians. Of these armed civilians, as many as 1,500 at the outset of the revolt were members of the three Dominican Communist-dominated parties under direct command of Communist leaders. From the very beginning of the revolt, then, armed Communist-led elements were greater in number than the organized military on the rebel side. There were, in addition, several thousand more armed civilians who were not Communists, ranging from patriotic Dominicans who sincerely believed in what they were doing, to kids—some only 12 years old—who were in the fight for a thrill, to thugs who were out to kill policemen and to loot. Although many of these non-Communist civilians probably never came under Communist control and discipline, they were dependent in varying degrees upon the Communists for leadership and for arms and ammunition.

Mr. Speaker, at the conclusion of my remarks, I shall append the names and backgrounds of the principal Communist leaders in the Dominican revolt.

As John Bartlow Martin reminded us in his article in the May 28, 1965, issue of Life magazine, "Communists no longer make revolutions, they take them over." That is what happened in the Dominican Republic. The fact that the organized, trained Communist agents were few in number compared with the total Dominican population is no measure of their capability. It is not only the strength of the Communists that counts, but the weakness of those with whom they have allied. Where there is a weak non-Communist component and a strong Communist component, the Communists can seize the apparatus. In the Dominican revolt, the non-Communist rebels were in disarray. The Communist leadership, on the other hand, acted with purpose and calculation.

Here, the naivete of some journalists merits mention. With the emergence of Caamaño Deno as rebel figurehead, some reporters leaped to paint him as the symbol of "constitutionalism," much as the New York Times had been instrumental in creating the image of Fidel Castro as the Robin Hood of the Sierra Maestra. Caamaño became leader of "the good guys," anybody who opposed him—and what loomed behind him—was automatically "a bad guy."

What, exactly, were Caamaño Deno's "constitutional" qualifications? His father had been a much-feared Trujillista; Caamaño had been bounced out of several branches of the armed services and the police. Several months before the revolt, he had become involved in an intrigue against a general and had been removed from his post by President Reid. He hated Reid. When the revolt began, Caamaño—now in the air force—joined it. But Caamaño's respect for the niceties of constitutional procedure had never been evident in the past. He made no objection to the overthrow of Bosch, in whose name he later rose to defend "constitutionalism."

Maybe Caamaño got religion, but the pretense that he was a "constitutional" descendant from the Bosch regime is a travesty. The constitution which Caamaño claimed as the source of his legitimacy does provide a line of command in case the President, Vice President, and so forth, are unable to exercise authority. The constitution provides that the Congress shall elect a provisional president from the ranks of the party of the absent President. The constitution also provides, however, that no military man can belong to a political party. Hence Caamaño—whom the Times, Tribune, and Post wanted us to accept as the "constitutional President" of the Dominican Republic—having been a military officer his entire adult life, was disqualified.

In brief, the disorganization and contrary motives of the non-Communist rebels facilitated the rise of hard-core Communists to key positions in the rebel forces. Some people now say that, had we thrown our support behind Molina Urena, Bosch's deputy, we would have struck a blow for freedom and democracy. But, how do they know what the Dominican people wanted, beyond an end to the state of affairs existing under Donald Reid Cabral? I would remind Members that there was not even a murmur from the Dominican people when Bosch was overthrown. Despite our protests, our break in relations and cutoff of aid, the Dominican people showed little regret at the loss of President Bosch. This is not to say that the overthrow of the first constitutionally elected President in the Dominican Republic after three decades of tyranny was not a tragic event for the establishment of democratic institutions in that troubled land. But it does indicate that in April 1965 we had no way of knowing whether the Dominican people wanted Bosch reimposed, with U.S. assistance, or Balaguer, or some other Dominican figure.

One thing is certain, however. When Molina Urena became "provisional president" on April 25, the rebel movement immediately broke into two camps. Many moderate political leaders and military officers resisted Bosch's return. The military officers, who had been reluctant to use their forces in support of Reid, immediately mobilized to prevent Bosch's return.

It is clear that Bosch could not have been brought back to power without violent civil strife. U.S. diplomatic efforts could hardly have overcome this opposition. Use of U.S. military force to reimpose Bosch would have meant U.S. marines fighting Dominicans. In sum, putting Humpty Dumpty together again would not have been a viable policy.

I shall comment later on the legal basis of the U.S. action. I want to note here, however, that some critics of U.S. action have not been notably consistent. On the one hand, the United States is criticized for not intervening in behalf of Juan Bosch; on the other hand, it is criticized for intervening to give the Dominican people a chance to elect their own leaders. I do not think we can be on both sides of the fence at once.

U.S. intervention not only prevented a Communist takeover, but there is every reason to believe it also will provide the Dominican people another chance to let their wills be known at the ballot box.

Myth No. 3: The United States collaborated with the corrupt Dominican military and the most retrograde elements in Dominican society and against the legitimate aspirations of a long oppressed people for political freedom and social justice.

Reality: From the voluminous documentation at the Department of State, it is clear that the United States never wavered from a single goal: the establishment of some form of viable authority to prevent the complete breakdown of public order which in turn would create conditions conducive to a Communist takeover. The Embassy was bombarded with appeals to take one side or the other. Throughout, Ambassador Bennett urged a negotiated settlement. As stated above, to have intervened to impose Molina Urena would have been untenable. To have intervened to wipe out the Communist stronghold would have meant killing thousands of innocent Dominicans.

Contrary to rebel propaganda—echoed by a sector of the press—the United States did remain neutral throughout. The following paragraph from John Bartlow Martin's article in Life states:

> If, as the rebels charged, our intention had been to defeat them, we would not have pressed for the cease-fire. For the cease-fire left the rebels in control of the city's center, the telephone company and the main radio station. Nor did we completely seal off the rebel stronghold in Ciudad Nueva—we permitted noncombatants to cross the corridor and, far from starving them out, we fed the rebels and gave them medicines and water. In short, the cease-fire benefited the rebels. We had promoted it to save lives.

Myth No. 4: The number of U.S. troops far exceeded the amount necessary for the declared purpose of protecting American lives. This is another variation of myth No. 2, that the danger to American lives was only a pretext for the intervention. The buildup of forces came later, with the recognition that a restoration of peace and order could halt a Communist takeover.

Reality: On May 4 there were some 20,000 U.S. troops in the Dominican Republic, deployed as follows: 2,013 guarding the Hotel Embajador area, 3,888 guarding the remainder of the safety zone, 4,416 securing the communications corridor, 4,416 guarding the road to San Isidro airfield and the approaches to the Duarte Bridge, and 4,416 stationed at the San Isidro airfield.

The number of troops was a military decision. It was by no means out of proportion to the necessity. On a normal day in Santo Domingo, a police force numbering over 6,000 men preserves the peace. Those were not "normal" days in Santo Domingo. Furthermore, it must be remembered that U.S. troops had several missions to perform; the 20,000 men were not all lined up, as the critics would have us believe, bayonets ready to charge the poor rebels. Troops in the safety zone protected that area from continual attacks and, at the same time, conducted the evacuation of some 5,000 people. Troops stationed in the communications corridor were charged with maintaining a safe route for evacuation and with distributing food and medical supplies to Dominicans of both factions. Moreover, these troops acted as a de facto buffer zone subject to frequent sniper fire and direct attack.

Myth No. 5: The United States turned belatedly to the Organization of American States to provide a cover for its illegal intervention.

Reality: At 5:14 p.m., April 28, 1965, when Ambassador Bennett called for Marines to protect American lives, there was no time for hesitation or debate. Of course, those who cling to myths Nos. 1 and 2—that there never was any real danger to American lives but that this was used solely as a pretext—must perforce follow their theory of diabolic machinations to its logical conclusions: to wit, that the whole exercise was pulled off intentionally behind the back of the OAS.

This is sheer nonsense. The initial intervention, as I have shown, was indeed humanitarian. The President of the United States knew the risks of intervening unilaterally in a Latin American Republic—knew the memories this would stir, and the propaganda advantage it would give the Communists. Nevertheless, in the swiftly disintegrating situation in the Dominican Republic, President Johnson could not wait for the OAS to intervene, to debate, and to await instructions from 18 different capitals.

As the depth of Communist penetration became apparent, the OAS was kept fully advised of the matter. Continued presence of U.S. troops in Santo Domingo was intended to permit the OAS to function in the manner intended by its charter.

Much has been made of articles 15 and 17 of the OAS Charter, which stress the obligation of member states not to intervene in the internal affairs of other member states. In conjunction with those two articles, standing alone out of context, it is essential to remember that the purpose for which the American Republics established the OAS, as set forth in article I of the charter is "to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity and their independence." U.S. troops were fulfilling this role until such time as the OAS could assume responsibility.

I find it curious indeed that the very commentators who deplore our initially unilateral intervention in the Dominican Republic as a breach of OAS agreements are the very same ones who studiously ignore the existence of the report to the OAS 10th Meeting of Consultation by its own five-member Special Committee. Interestingly, every one of the five Ambassadors had previously expressed—in speeches and comments in the OAS—doubts concerning the wisdom of U.S. intervention in the Dominican Republic. When the obviously shaken ambassadors returned from their on-the-spot investigation, they demonstrated understanding of the necessity of U.S. intervention, both to save lives and to prevent an extremist takeover.

The reaction of the members of the five-man Special Committee is recorded in the text of the minutes of the Fourth Plenary Session of the 10th Meeting of Consultation of the Organization of American States, which I am including in the RECORD at the conclusion of my remarks.

The critics cannot have it both ways. On the one hand, they decry U.S. unilateral intervention; on the other hand, they choose to disregard an official OAS committee sent to the Dominican Republic to ascertain the situation. As far as I have been able to ascertain, neither the Washington Post, the New York Times, the Herald Tribune, nor Senate critics have ever acknowledged the existence of the Special Committee's enlightening report. I venture to state that had the Special Committee come back from Santo Domingo damning U.S. intervention, the Post, the Times, and the Tribune would have headlined the news.

Myth No. 6: The intervention has caused widespread disaffection for the United States in Latin America.

Reality: Initially, as might be expected, editorial criticism in Latin America was widespread. But, as the facts began to filter out, a degree of understanding developed. Many acknowledged that this intervention was unrelated to the old-time protection of U.S. property interests; that, in fact, it was a tragic necessity in defense of the entire hemisphere.

Had all the major news media in the United States been telling the truth, it is likely that the message would have spread faster and further.

Myth No. 7: That our intervention in the Dominican Republic marks a turn of the goals of the Alliance for Progress toward a policy of military force to stem communism.

Reality: Support for reformist governments in Latin America continues unabated. We only wish there were more of them, backed by institutional structures sufficiently strong to undertake thoroughgoing reforms. But as the Subcommittee on Inter-American Affairs noted in its report in April 1964 on Communist subversion in the Western Hemisphere:

> Success of the Alliance for Progress and hemispheric plans for economic and social developments of Latin America will be endangered by continuing Castro Communist efforts to increase the political tensions and dangers of the region. Hence, long-range economic and political plans must be complemented by immediate steps to meet the threat of subversive aggression.

Mr. Speaker, I have spoken today in an effort to clarify the obfuscations in the Dominican situation brought about by the irresponsible reporting of some segments of the press and echoed by highly placed foreign policy spokesmen. I am not primarily interested in the motivation or reason behind the bias shown in connection with the Dominican situation by some of our news media—although that in itself should be of interest. But what I am interested in is that such misrepresentation of our Nation's foreign policy role be understood for what it is—not the responsible report of a free press, but the irresponsible propaganda of some who, under the protective cloak of journalistic rights, have sought to undercut and reshape our national policy to suit their own preconceived views of the story they have been assigned to cover.

Especially dangerous, however, is the practice by those in high positions of Government—highly placed foreign policy spokesmen—of embracing as the basis of their statements, the incredibly slanted reports of some journalists. It is time that the pretensions of these spokesmen be recognized for what they are and what they are not.

To dissent out of what one believes to be the Nation's interests is an act of courage, but to dissent on the basis of grossly biased information undermines our Government's extremely difficult task of combating our Nation's enemies.

At the outset, I stated that my purpose today was to separate fact from fiction, myth from reality, regarding the events which occurred during the recent crisis in the Dominican Republic. In the past, some spokesmen have talked in terms of old myths and new realities regarding our Nation's foreign policy. I would recommend that some time be given by these spokesmen—and by the news media with whom they collaborate in criticism of U.S. policy—to reexamine some of their own precious myths, in the light of the violent realities of the world in which we live today.

APPENDIX 1

MAY 12, 1965.

PERSONAL INTERVIEWS WITH EVACUEES FROM THE DOMINICAN REPUBLIC

(NOTE.—Following are excerpts from personal interviews made with some of the evacuees by VOA staffers.)

Argentine engineer Lorenzo Dotta, interviewed in Buenos Aires on May 8, 1965, said: "The reception (in San Juan) was unforgettable. Every possible facility was offered to the refugees. They helped us establish communication with our countries of origin and medical attention was given those who needed it." Senor Dotta also said that those who criticize the action of the United States undoubtedly were ignorant of what was happening in the Dominican Republic. "There, there is no respect for the life of any human being," he declared, "and only the presence of the marines was a guarantee of security, a cause for tranquility for the foreigners."

In an interview at the Red Cross Center in San Juan (date not available), Argentine citizen Enrique Rodriguez voiced his gratitude to U.S. Marines "for having saved my family." He described the rescuing helicopters as being punctured with bullets from ground fire. "The U.S. participation has been marvelous. Some countries critized the North Americans for their intervention, but it is more than intervention; it is a help. The U.S. forces are not concerned in being occupying forces, but only interested in saving lives." Senor Rodriguez left the Dominican Republic with his wife and two children. He had been a resident in Santo Domingo for 3 years.

A Peruvian university professor, Rafael Reategui, interviewed in San Juan (date not available), declared: "I do not have words to express how grateful we are to the North American authorities for having evacuated us. The evacuation could not have been more opportune, and thanks to that measure, we are here safe and sound. Really, one could not have asked for more, because from the moment we boarded the transport ship *Wood County* to leave Santo Domingo, we have received nothing but kindness."

A Haitian citizen who was evacuated from the Dominican Republic was interviewed in Puerto Rico on May 4. He requested that his name not be used for personal reasons. He said, "From the moment that I was under the protection of the U.S. flag I felt secure, not only for my life but in every way."

Thomas Paniagua, a Dominican refugee, was interviewed in Puerto Rico on May 8. He said the North Americans "with their skill and compassion * * * were helping the Dominican people [and] were providing a water filter [system] * * *. We are grateful to the American people."

Brazilian Professor Joa Soares Veiga, director of the Institute of Zootechnics of Peracununca in the state of Sao Paulo, and Brazilian delegate to the meeting in Santo Domingo of the Inter-American Society of Agricultural and Livestock Development, was interviewed in Sao Paulo on May 9, 1965. "The presence of the North American forces produced tranquility among the residents and foreign visitors, many of whom felt threatened, if not by the rebel forces themselves by elements foreign to the revolution who possessed arms. The treatment received by those who wanted to leave, before embarking and during their stay on the North American ship and arrival in San Juan, was of indescribable kindness, from the commander of the *Boxer* down to the last sailor. The desire to help the refugees, especially the women and children, was notable."

In an interview at the Red Cross Center in San Juan, Senora Maria Rosa Pinero de Barrera, an Argentine citizen whose husband had a photographic studio in Santo Domingo, declared that U.S. forces "very much saved lives, especially mine and those of my family." Senora de Barrera left the Dominican Republic with five members of her family. (Date of interview not available.)

In an interview on May 6 Alfredo Ballestas, a Colombian airplane mechanic, declared that "the arrival of U.S. forces was the salvation of all foreigners" in Santo Domingo. He noted that the evacuees were "royally" treated on the U.S.S. *Boxer* where the Marines treated the evacuees as their "guests." Medical treatment was provided children on the *Boxer*. "U.S. forces did not take sides in the conflict, their only role was to save lives."

Giovanni Constantino, an Italian musician who has been with the symphony orchestra of Santo Domingo for some years, was interviewed at Fort Buchanan, Puerto Rico on May 9. He recounted his desperate attempts to bring his family from the dangerous center of the city to the neutral zone. After arriving in the zone they were evacuated in the last American ship leaving Santo Domingo (from then on the evacuation has been carried out by air.) Mr. Constantino praised the work of the North American soldiers and recounted how from the first moment of their arrival in Santo Domingo they had started to distribute medicine and food regardless of which side the recipients were on. At the same time the soldiers were fulfilling the task of evacuation and protection of foreign residents. He ended by saying, "I am convinced that without the presence of the Marines the situation would have degenerated into irreparable chaos."

A young Italian singer, Antonio Sciortino, resident in Caracas but fulfilling a singing engagement in Santo Domingo, was caught by the revolution in the most dangerous part of the city. Finally, he persuaded one of the rebels to guide him to the refugee zone from which he was evacuated by the American forces. He said on May 10, "all of us who were evacuated feel grateful to the United States—in the first place for the protection which they gave us in the midst of the danger, and afterward for their treatment of us from the moment that we placed ourselves in their hands."

Mrs. Maria de Badelt, born in the Argentine but resident for some years in Santo Domingo where she was professor of Spanish at the university, was one of the first group of refugees to be evacuated from Santo Domingo. She is now in Puerto Rico serving as a volunteer with the Red Cross. She commented particularly on one of the Marine barbers. "I do not remember his name, but I shall never forget the untiring dedication that he showed in preparing hundreds of baby bottles when we were on board the *Boxer*." She added, "There is not enough money to pay those pilots of the helicopters. Once on board we were overwhelmed with attention * * * from the officers down to the least of the sailors." Mrs. Badelt said that the thing that probably impressed the refugees most was to see the officers on board give up their staterooms to the women and children.

Guiseppe Bonasera of Sicily, who had been in Santo Domingo on business, was interviewed in San Juan on May 3. He said, "Because of the North Americans I am safe here in Puerto Rico."

In an interview in Miami on May 7, Roberto Garcia Serra, a Cuban, declared that, "If the U.S. officials had not exercised the proper authority, lives lost (in the Embajador Hotel) would have run into the thousands." Mr. Garcia had resided in the Dominican Republic for a year and a half and was employed in the public relations field.

In an interview in Miami on May 8, Juan Gonzalez Clemente, a Cuban journalist in exile and a resident of the Dominican Republic, declared that, "If President Johnson had not ordered the landing of the Marines it would have been disastrous to the Dominican people." In addition, Gonzalez noted the Communist danger. "If the Marines had not intervened I believe that within 3 or 4 days (of the beginning of the coup), Fidel Castro would have been speaking in the Parque de Independencia in Santo Domingo."

On May 5, a Dominican lady who had been evacuated from her country was interviewed in San Juan. She asked that her name not be mentioned. She said of the situation there when she left, "It was somewhat calmer due to the assistance which the North Americans were giving us. If it had not been for the aid which arrived from the United States the Dominican people already would have been taken over by communism." She said that "the evacuation was conducted very well and we received very great help from the American consul and others, and were treated well." She concluded that "without the food and medicines distributed by the Americans many Dominicans would have perished."

In an interview in Miami on May 6, Carlos Manuel Gutierrez, a Cuban exile businessman, observed that during the conflict "I saw much food and supplies being landed by U.S. vessels and helicopters. In addition I saw many medical aid men being landed."

Cuban Alfredo Rubio, general manager of the Hotel Embajador in Santo Domingo, interviewed on May 6 in Miami said: "For the Americans we were not foreigners, we were all Americans. We were treated as if—we were helped to evacuate in a manner as effective as if—we had been born on North American territory. In this evacuation all of us—all in general from Latin America, Europe, Canada, England, from wherever, who arrived at the Embassy office established in the Hotel Embajador—were immediately provided with the papers necessary for evacuation. I want to thank the United States for this in the name of all the persons who were evacuated. They have treated all of us as if we were sons of North America."

Mexican Performing Artist Fernando Baladez, was interviewed in Miami on May 6. "I am very grateful to the U.S. Government because I owe it my life. As soon as I get to Mexico I am going to publicize what happened—not what I was told, but what I saw, what I suffered, what I lived. I will be grateful for the rest of my life."

OTHER EXPRESSIONS OF APPRECIATION

(The following comes from a letter to the editor appearing in the Daily Gleaner of May 4): "I should very much appreciate it if, through the medium of your paper you would allow me to express my appreciation to the Government of the United States of America for my recent evacuation from Santo Domingo. I was with my husband and three other Jamaicans on a business trip to the Dominican Republic when the revolution started at Saturday noon. Although the Embajador Hotel was not in the heart of the city where the fighting was concentrated we were able to see the frequent aerial bombing of the town, army barracks, ammunition dumps, and also to hear regular bursts of machinegun fire nearby. The most welcome sight after 4 days of confinement was two ships of the U.S. Navy steaming in to take us to safety. Once aboard, every facility of the ship was ours. Sleeping quarters were turned over to us while the sailors and marines slept on deck. The comfort of the chaplain or the assistance of the doctor were ours for the asking. We were given a very sumptuous dinner and entertained by movies, but the greatest gift of all was the knowledge that we were out of danger. On arrival at the U.S. base in San Juan, we were offered accommodations, transport, medical attention, and money. Nothing had been forgotten for our care and comfort. I am sure I express thoughts of all the evacuees when I say thanks to God, America, and the gallant marines and sailors who, with confidence and speed, efficiently landed to rescue us from our plight.

"Gloria Kelley.

"Kingston, Jamaica."

In an interview in Miami on May 7, Luis Roberto Flores, Salvadorean Ambassador to the Dominican Republic, expressed his "most sincere gratitude to the U.S. Government and people for having saved all the elements of the Salvadorean colony in the Dominican Republic."

In spite of her 102 years, Dona Victorina de la Cruz, director and moving spirit of the Santo Domingo orphanage Blessed Joseph of Cadiz, spent the first days of the revolution with all her 120 orphans isolated within the orphanage. After a few days the food supply was exhausted and Dona Victorina despaired of help. However, the news of her situation reached the U.S. soldiers of company 42 from Fort Gordon, Ga. They immediately delivered 300 pounds of rice to the orphanage and promised to continue supplying food. Dona Victorina said, "It was like manna from heaven * * *. These are my heroes."

Mr. Edgar Arias Chinchilla, a Costa Rican citizen, was interviewed by a reporter from the Costa Rican newspaper La Nacion on May 8. Mr. Arias had been in Santo Domingo on problems related to rural youth. He and others were taken from the dangerous center of Santo Domingo in trucks to the Hotel Embajador and from there by helicopter to the aircraft carrier *Boxer*. "What organization," he said. "We received marvelous, unbelievable attention. There were specialists in the care of children and even help for the women who were pregnant." When they reached San Juan, after being transferred to another ship, everything was ready to receive them, he said. "There were some who had no money, no passport, nothing. They were taken to the Red Cross for special attention to resolve their problem." He added that among the refugees of numerous nationalities their comment was unanimous: "How wonderful are these North Americans, and how many lives they have saved in Santo Domingo."

El Tiempo of Bogota published a front-page interview with Mr. Jaime Pradilla on May 5 entitled, "A Colombian in Santo Domingo." Mr. Pradilla said that "I and thousands more owe our lives to the North Americans." We were saved, he said, "by the opportune and necessary intervention of the American forces * * *. The rebels lost control of the situation and it degenerated into a massacre in which no one knew why he was fighting or killing." Mr. Pradilla escaped to the Colombian Embassy which at that time had neither electricity nor water. He added, "When the North Americans landed they commenced immediately the rescue operation. Thousands of persons of all nationalities were evacuated without delay * * *. If the North Americans had not arrived in time and put an end to the killing, I believe that I would not have been alive today nor would many of those who were with me."

Appendix 2

Communists Participating in the Dominican Rebellion

1. Abel Hasbun, Amin: Member of the executive committee of the APCJ and a leader of the Communist-controlled student union at the University of Santo Domingo. Attended the second meeting of the (Communist-front) International Union of Students in Hungary in 1964. Was active in organizing Communist activities in the Dominican revolt on April 24, 1965. He was seen at the National Palace on April 25.

2. Abreu, Fritz Antonio: APCJ member. In September 1963, left the Dominican Republic for Cuba, later going to the Soviet Union. He returned to the Dominican Republic in October 1964. Active Communist from the outset of the Dominican revolt on April 24, 1965. As of May 2, there was at his home a radio station which broadcast exhortations to shoot Americans on sight. Arms and ammunition were stored in his house.

3. Bernard Vasquez, Maximo: Former high-level member of the APCJ; was an APCJ liaison man with a subversive faction of the Dominican military in connection with the APCJ guerrilla uprising in December 1963. Early in 1965 plates and negatives for PSPD propaganda were made in his printshop. On April 25, 1965, was active in the distribution of arms to APCJ and PSPD members in the Dominican revolt. On April 26, was observed at a Communist strongpoint and garrison. As of May 3, was active in propaganda work.

4. Blanco Genao, Moises Augustin: APCJ member; observed with other Communists attending meetings at the National Palace on April 25.

5. Botello Fernandez, Norge Williams: APCJ member; in September 1963, went to Cuba where he received guerrilla training. Active among Communists from the beginning of the April 24, 1965 Dominican revolt. Was among those at one of the principal APCJ strongpoints and headquarters with Juan Miguel Roman Diaz.

6. Bujosa Mieses, Benjamin: PSPD member; identified on April 30, 1965, as active in the street fighting in the Dominican revolt.

7. Calventi Gavino, Jose Vinicio: APCJ member. In August 1961 he visited the Soviet Union with his brother, later visiting East Germany and Czechoslovakia. In August 1963 he left the Dominican Republic for Cuba. He took part in the seizure of the Prensa Libre plant on April 25, 1965.

8. Conde Sturla, Alfredo: PSPD member who received special training in Cuba during 1962. Identified as among Communists active in the Dominican revolt as of April 30, 1965.

9. Conde Sturla, Amadeo: APCJ member; active in subversive activities at the University of Santo Domingo. Among leaders of armed civilian group which seized Prensa Libre, anti-Communist newspaper, on April 25, 1965. He was one of the more active terrorists in the first days of the rebellion.

10. Conde Sturla, Pedro: PSPD member, active in Communist-front student group at the University of Santo Domingo. As of April 30, 1965, identified among Communists active in the Dominican revolt.

11. Cuello Hernandez, Jose Israel: PSPD member; student and editor of Communist-controlled newspaper at University of Santo Domingo. He was seen with other Communists who attended meetings at the National Palace on April 25, 1965. On April 27, armed with automatic weapon, was part of group which seized Listin Diario newspaper and prepared to publish Communist propaganda. He was also seen distributing Communist flysheets.

12. De la pena Santos, Julio: APCJ member. Was second in command of a rebel post early in Dominican revolt.

13. Deschamps Erickson, Miguel Angel: MPD member; traveled to Cuba and bloc countries in 1962–63 on a false passport. Received guerrilla training in Cuba. Among Communists active since outbreak of Dominican revolt on April 24, 1965; was captured by loyalist forces.

14. Despradel Roque, Fidelio: A founding member of the APCJ; adheres to Chinese Communist line. Received guerrilla training in Cuba in 1963. A leader of abortive APCJ uprising in late 1963. Was captured and deported to Europe in May 1964. Returned illegally to Dominican Republic in October 1964. Received large sum of money from Chinese Communists. Participated in April 25, 1965, distribution of arms to civilians in Dominican revolt. Commanded an APCJ post of armed Communists set up on April 26. One of top rebel leaders as of May 3.

15. Dominiguez Guerrero, Asdrubal Ulises: PSPD propaganda chief and active student leader. Has received money from Castro regime. Received bloc training in 1962. Active in revolt from outset, and, as of April 25, 1965, led an armed group which seized offices of Listin Diario newspaper on April 27. As of May 3, one of top leaders of rebel movement.

16. Dore Cabral, Carlos: PSPD member and official of the pro-Communist student federation, FED. On April 26, 1965, was among those Communists in charge of the production of Molotov cocktails; was seen during the rebellion at a Communist-controlled strongpoint.

17. Ducoudray Mansfield, Juan: He and his family figure prominently in the top leadership of the PSPD. In 1962, was in Cuba working on the preparation of scripts for broadcasts by radio Havana beamed to the Dominican Republic. His foreign travel since 1957 includes the U.S.S.R., Communist China, Poland, and Cuba.

He has had contact with the Soviet Embassy in Havana. On April 25, 1965, was among those active in the distribution of arms to PSPD and APCJ members. As of May 3, was among the top leadership group of the rebel movement.

18. Ducoudray Mansfield, Felix Servio, Jr.: One of the directors of the PSPD; has lived in the Soviet Union; in Argentina in 1959, had close contact with leaders of Argentina Communist Party. In 1960 he was in Cuba where he was employed by the New China News Agency, and in October 1960, went to China, traveling under a Cuban passport. In April 1963 he returned to the Dominican Republic from Cuba. On April 25, 1965, participated in distribution of weapons to civilians in Dominican revolt. As of May 3, was identified as one of the top leadership group of the rebel movement.

19. Duran Hernando, Jamie: Important leader of the APCJ; in 1964 received guerrilla warfare training in Cuba; later went to Soviet Union with other trainees. He was arrested in Santo Domingo on April 24, the first day of the Dominican revolt, but was released on April 26. Immediately took over command of an armed Communist post.

20. Erickson Alvarez, Tomas Parmenio: Member of the MPD Central Committee who was secretary for rural affairs in 1963. He has gone to Cuba on at least three occasions in 1961, 1962, and 1964. On the last visit, he received guerrilla training. Identified as of April 30, 1965, as among the Communists active in the Dominican revolt.

21. Escobar Alfonseca, Manuel: Prominent PSPD member; received bloc training in 1963; was in Czechoslovakia in 1963. In the first days of the Dominican revolt, was active in distributing weapons to civilians, and in moving arms into strongpoints in

Ciudad Nueva. Associate of Manuel Gonzalez Gonzalez in directing military activities of the Communists.

22. Estevez Weber, Gerardo Rafael: PSPD member, on the party's Central Committee. On April 25, 1965, was among those distributing arms to PSPD and APCJ members in the Dominican revolt. On April 26, was observed at Communist (PSPD) strongpoint. The PSPD Central Committee met in his home the night of April 27. As of May 3, was active in Communist propaganda work.

23. Evangelista Alejo, Rafael: PSPD member. Attended meetings at the National Palace on April 25, 1965, with other Communists.

24. Felix Rodriguez, Manuel Demostenes: APCJ member; fought in the guerrilla uprising in late 1963. He was deported to France and from France went to Mexico; later returned clandestinely to the Dominican Republic. Identified with the rebel forces in Ciudad Nueva during the Dominican revolt.

25. Franco Pichardo, Franklin Jose de Jesus: PSPD member; in 1963 he attended the 26th of July celebrations in Havana. In December 1964, was in the Soviet Union, and in January 1965 was in Czechoslovakia. On February 1, 1965, returned to the Dominican Republic. Identified among Communists active in the current fighting in Santo Domingo.

26. Garcia, Porfirio "Rabeche": PSPD member; on April 25, 1965, was among those Communists directing the production of Molotov cocktails.

27. Garcia Castillo, Edmundo: PSPD member. On April 25, 1965, was seen distributing Communist propaganda. On May 2, made an anti-American speech to a crowd of people in Parque Independencia.

28. Genao Espaillat, Luis Bernardo: APCJ leader; was in Cuba in 1962; participated in guerrilla uprisings in late 1963 and was subsequently arrested and deported. From 1963 to early 1965, sent books to Dominican Republic from Paris for use in APCJ training courses. Identified among Communists in current fighting in Santo Domingo. On May 3, he departed Santo Domingo for Santiago, and was later captured by loyalist forces.

29. Giro Alacantara, Luis Felipe Valentin: MPD leader: was in Cuba from September 1963 to March 1964. Identified on April 29, 1965, as among Communists active in current Dominican rebellion. On April 29, participated in the attack on Ozama Fortress.

30. Gomez, Facundo: PSPD member; part owner of the *Scarlet Woman*, a fishing boat which landed three MPD leaders, with arms and ammunition from Cuba, in the Dominican Republic during the 1963 guerrilla movement. On April 25, 1965, conferred with top leaders of the Dominican revolt at the National Palace.

31. Gomez, Perez Luis: Member of PSPD Central Committee and formerly a member of the APCJ; studied in the U.S.S.R. on a scholarship; known to have traveled to Cuba and in 1963 he received training in Czechoslovakia. Among those Communists attending meetings in the National Palace on April 25, 1965.

33. Gonzalez Gonzalez, Manuel: Member of PSPD Central Committee: Spanish national who participated in the Spanish Civil War; also reported to be a Cuban intelligence agent. A military leader of the Communist forces under PSPD control in the Dominican revolt. On April 25, was seen bearing arms at a PSPD gathering at Parque Independencia; later that day set up a Communist commando group. On April 26, was in charge of an arms depot, where he was issuing arms to civilians and instructing them in using these weapons. Was among those attending the PSPD Central Committee meeting the night of April 27.

33. Guerra Nouel, Jose Bienvenido: APCJ member, active in Communist-controlled cultural group at the University of Santo Domingo. Was in Cuba in 1963 where he received guerrilla training. Identified as among prominent APCJ fighters in the current Santo Domingo revolt. On May 3, he set up a Communist command post in the Ciudad Neuva area.

34. Hernandez Vargas, Hector Homero: APCJ member; recently returned to the Dominican Republic secretly from Paris where he had been in exile since his deportation in May 1964 for participation in the guerrilla movement of late 1963. He received guerrilla training in Cuba in late 1964; a leader of the APCJ travel committee arranging for clandestine return of APCJ exiles to the Dominican Republic. In late March 1965 was one of group preparing propaganda for a possible armed uprising. Among active APCJ leaders in the present revolt in Santo Domingo. On April 29, participated in the attack on Ozama Fortress.

35. Houellemont Roques, Eduardo "Piti": APCJ member; student agitator in 1961, organizing disorders at University of Santo Domingo. Known as pro-Castro; was treasurer of the FED Student Federation. Was in Cuba in 1963. On April 25, 1965, was among the Communists participating in the distribution of arms to civilians in Dominican revolt. Was among armed mob which seized offices of anti-Communist newspaper Prensa Libre on April 25.

36. Isa Conde, Antonio Emilio Jose: PSPD member; pro-Castro student leader and agitator. He attended the 26th of July celebrations in Havana in 1963 and received guerrilla warfare training in Cuba the same year. He received financial assistance from the Czechs in Prague later in 1963. Was among PSPD group attending meetings at National Palace on April 25, 1965. Member of the PSPD–APCJ group that seized control of the plant of the anti-Communist newspaper Prensa Libre on April 25. Seen distributing Communist Party flysheets calling on the people of Santo Domingo to arm themselves and fight for "workers' rights". As of May 3, was identified as one of the top leadership group of the rebel movement.

37. Isa Conde Narciso: Brother of Antonio. PSPD leader, central committee member. Among those Communists active on April 24, 1965; part of armed PSPD group at Parque Independencia on April 25, and later that day was among prominent Communists attending meetings at the National Palace. On April 26, was identified as one of armed PSPD members on the streets; one of the leaders of the armed group that seized the plant of the newspaper Prensa Libre. Was active on May 1, distributing propaganda.

38. Johnson Pimentel, Buenaventura: PSPD leader and a member of the party's central committee; also reported to be a member of the APCJ. On April 25, 1965, was active in the distribution of weapons to PSPD and APCJ members in Dominican revolt. Johnson's truck was used to distribute arms to civilians in the Ciudad Nueva area. His house on Espaillat Street in Santo Domingo used as a rebel garrison in the present rebellion. Molotov cocktails stored there and machineguns mounted on roof. On May 1, 50 members (probably a high command group) of all three Communist parties—the PSPD, APCJ, and MPD—met at his house.

39. Lajara Gonzalez, Alejandro: APCJ member, named deputy director of investigation during 2-day regime of Molina Urena. Arranged for the supply of additional arms to the Communists during the morning of April 27.

40. Licairac Diaz, Alexis: Member of APCJ youth section and a student at the University of Santo Domingo. He was a delegate to the Communist-dominated Latin American Youth Congress held in Santiago, Chile, in March 1964. Active in fighting in Cindad Nueva during the Dominican revolt and, on May 3, 1965, was stationed at a Communist command post in that area.

41. Lora Iglesias, Josefina: APCJ member, active in pro-Castro student group at the University of Santo Domingo. She participated in guerrilla activities in the Dominican Republic in late 1963 and was subsequently deported to Europe.

In October 1964 she was in Cuba, where she received political training. She returned to the Dominican Republic in March 1965. Among the Communists active in the April 24, 1965 rebellion in Santo Domingo and in rebel radio broadcasts.

42. Lora Vicente, Silvano: PSPD member; received guerrilla warfare training in Cuba from late 1963 to early 1964. Lora visited Moscow in late 1964. On April 25, 1965, was one of the leaders of an armed Communist group at the National Palace. Later that same day attended meetings between Communists and rebel leaders at National Palace. On May 3, was identified among rebel forces and was observed leading a group of PSPD members to collect ammunition for distribution among the armed mobs.

43. Macarrulla Reyes, Lisandro Antonio: PSPD and APCJ member; one of the organizers of the APCJ Communist cells in the Ozama section of Santo Domingo. Took a course in Marxism-Leninism in Havana in June 1962. On April 26, 1965, was observed armed with machinegun at PSPD strongpoint and garrison.

44. Maldonado Belkis: PSPD member. Identified as of May 3, among active Communists taking part in the Dominican revolt.

45. Martinez Howley, Orlando: PSPD member and student leader; active in organizing street agitation and stirring up anti-U.S. sentiment.

46. Matos Rivera, Juan Jose: APCJ member who attended the 26th of July celebration in Havana in 1963. He participated in the APCJ guerrilla uprising in late 1963. He was deported to Europe and returned secretly to the Dominican Republic in January 1965. On May 3, 1965, he was active among Communists fighting in the Ciudad Nueva area.

47. Mejia Gomez, Juan Bautista: Leading APCJ member who served in 1964 on APCJ Central Committee; formerly in charge of legal matters for Agrupacion Patriotica 20 de Octobre, an APCJ front group.

Identified as an active Communist, participant in the Dominican revolt from the outset. On May 2, a telephone interview with him on the APCJ's role in the revolt appeared in the Havana newspaper Hoy.

48. Mejia Lluberes, Rafael de la Altagracia ("Baby"): APCJ member; secretary of youth affairs of the party; received political indoctrination and guerrilla warfare training in Cuba in 1963. Returned clandestinely to the Dominican Republic in January 1964. On April 30, 1965, was among Communists working closely with rebel officers in the Dominican revolt. On May 2, he was active in the Ciudad Nueva area, and was at one of the principal APCJ command posts with Juan Miguel Roman Diaz.

49. Mella Pena, Francisco Xavier ("Pichi"): APCJ member and a known Cuban intelligence agent in Santo Domingo. He received training in Cuba as a "frogman" for an unknown mission in the Dominican Republic. Active rebel fighter since the outbreak of the Dominican revolt and observed at APCJ commando headquarters and at an APCJ supply center.

50. Mercedes Batista, Diomedes: PSPD member who traveled to Cuba in July 1963; attended the Communist-dominated Second Latin American Youth Congress in Chile in March 1964. Active from outset of revolt on April 24. Was seen haranguing civilian crowd at Parque Independencia on April 25, and later that day was operating a sound truck urging the people to revolt. On April 25, was also among Communists attending meetings at National Palace. Was also identified at a PSPD stronghold leading an armed PSPD unit.

51. Mir Valentino, Pedro Julio: PSPD Central Committee member; close personal friend of Fidel Castro. A frequent traveler to Cuba (1961 through 1963). Traveled to Moscow in 1959. In 1961 he was sponsoring a daily radio program originating in Cuba, beamed to the Dominican Republic.

Mir brought large amounts of money to the Dominican Republic in 1963. Identified on April 30, 1965, as among the Communists actively participating in the Dominican revolt.

52. Montas Gonzalez, Luis Adolfo: Member of the APCJ Central Committee and political committee. He was a delegate to the Communist-dominated Latin American Youth Congress held in Santiago, Chile, in March 1964. Identified as among Communists active in the Dominican revolt.

53. del Orbe, Henry Wilson: PSPD member who received guerrilla warfare training in Cuba in 1963. He had previously lived 13 years in Cuba, and has traveled to the U.S.S.R. On April 30, 1965, was identified among the Communists participating in the Dominican revolt.

54. Ortiz Desangeles, Manuel: PSPD member and pro-Castro student agitator; has conducted indoctrination courses for University of Santo Domingo students, seen on April 26, 1965, directing the production of molotov cocktails. Later captured by loyalist forces and held prisoner.

55. Ozuna Hernandez, Daniel: Prominent APCJ leader, who figured prominently in the 1963 APCJ guerrilla fighting; has given weapons familiarization instructions to APCJ members. On April 25, 1965, was among those distributing arms to civilians in Dominican revolt, and attended meetings with rebel leaders at National Palace later that day. Was captured by loyalist forces on May 2, and held prisoner.

56. Perez Mencia, Ignacio: PSPD member. On April 26, 1965, was observed directing the production of molotov cocktails. Later identified at a Communist stronghold during the fighting.

57. Perez Perez, Milvio: PSPD member; owns a bookstore specializing in Communist literature in Santo Domingo and has done photographic work for the PSPD. On April 25, 1965, was among a group of armed Communists at the National Palace. He has been observed distributing arms and molotov cocktails to civilians. As of May 5, was engaged in preparing false identity cards for Communist leaders.

58. Pichardo Vicioso, Nicolas: PSPD member; an officer of the Movimiento Cultural Universitario (a Communist front group). He was a member of the group which seized anti-Communist newspaper Prensa Libre on April 25, 1965, preparing immediately to publish propaganda leaflets. Was engaged in the production of molotov cocktails on April 26, and was observed taking weapons to a PSPD center on Calle Espaillat. On April 29, participated in the attack on Ozama Fortress.

59. Pinedo Mejia, Ramon Agustin: MPD leader who traveled from Czechoslovakia to Cuba in 1962. He was involved in APCJ guerrilla activities in the Dominican Republic in late 1963. During the Dominican revolt was MPD representative at a meeting with the APCJ on April 25, 1965, and later stationed at an MPD command post.

60. Pumarol Peguero, Catalina: APCJ member and student at the University of Santo Domingo; close friend of Ema Tavarez Justo. She has been active in organizing street agitation and stirring up anti-U.S. sentiment.

61. Ramos Alvarez, Benjamin: High-level member of the APCJ, and head of the District Committee for Santo Domingo. All three Communist Party leadership groups met with him on April 29, 1965, to discuss future tactics.

62. Restituyo Apolinar: PSPD member and student agitator; active in organizing street agitation.

63. Ricart Ricart, Gustavo Federico: MPD Central Committee member, and the most prominent MPD leader in the Dominican Republic at the outbreak of the Dominican revolt. Was in Cuba 1962–63 and brought back approximately $50,000 to fund MPD activities. Commanded a rebel stronghold as early as April 26, 1965.

64. Rodriguez Acosta, Jose Francisco: Member of PSPD Central Committee. Was trained in Cuba in 1962. Known to have been in Prague prior to February 1963; has also been in the Soviet Union. He was active in the party's military buildup early in the rebellion. One of the leaders of a PSPD armed group at a Communist strongpoint on April 25, 1965.

65. Rodriguez del Prado, Carlos: PSPD member and cousin of Cayetano Rodriguez del Prado, one of the principal leaders of the MPD. On April 25, 1965, he met at his house with other armed Communists active in the Dominican revolt.

66. Rodriguez del Prado, Cayetano: Member of the MPD Central Committee and secretary of propaganda. Participated in Cuban attempt to cache arms and ammunition, as well as infiltrate three top level MPD members into the Dominican Republic during the APCJ guerrilla uprisings. Deported from the Dominican Republic in May 1964 and traveled to Communist China. Wrote a pamphlet outlining methods by which MPD could use Dominican students in the Chinese manner to carry out a successful revolution. Was in police custody when Dominican revolt broke out, but was released on April 25. Was known to be in contact with PSPD and other Communists during the course of the revolt, but did not participate in active fighting because of ill health.

67. Rodriguez Fernandez, Orlando: APCJ member; active among Communists in the Dominican revolt; working energetically to organize anti-U.S. sentiment.

68. Roman Diaz, Juan Miguel: Member of APCJ Central Committee; participated in guerrilla activities in the Dominican Republic in late 1963. Deported in May 1964 to Lisbon; returned clandestinely to the Dominican Republic in January 1965. One of the top rebel Communists from the outset of the revolt, and leading military figure of the APCJ. Commanded one of the largest rebel strongholds which served as a command post, arsenal, and prison. (Note: killed in rebel assault on National Palace on May 19, 1965.)

69. de la Rosa Cano, Jesus: PSPD member; former ensign in the Dominican Navy. On April 25, 1965, was inciting crowds to burn and destroy property.

70. Sanchez Cordoba, Luis Rene: MPD member; in 1964 was interim secretary general of MPD. Identified as among Communists actively participating in the Dominican revolt; was captured by loyalists on May 3.

71. Santamaria Demorizi, Miguel Angel: Communist agitator; involved in Dominican subversive activities since at least 1961. In 1963, was in charge of making hand grenades for Communist groups. Was deported from both the Dominican Republic and France; returned to the Dominican Republic in late 1963 from Venezuela. Identified among Communists active in the Dominican revolt. He was at the National Palace on April 25, with other Communists.

72. Sosa Valerio, Ariosto: PSPD member. On April 25, 1965, was with the armed Communist group at the National Palace, and later in the day attended meetings there.

73. Tavarez Justo, Ema: APCJ member and student agitator; she is the sister of Manuel Tavarez Justo who was killed while leading the APCJ guerrilla movement in late 1963. She was among the Communists at the National Palace on April 25, 1965, and was active in Communist propaganda activities from the outset of the revolt.

74. Tavaras Rosario, Rafael Francisco "Fafa": Member of Central Executive Committee of APCJ; received guerrilla warfare training in Cuba in late 1963 and early 1964. Returned to the Dominican Republic from Cuba in December 1964 using a false passport. As of April 30, 1965, was identified among those Communists working closely with rebel military leadership. On May 2, was at one of the main Communist command posts.

75. Tolentino Dipp, Hugo: PSPD member; chief of a Dominican guerrilla unit trained in Cuba. Was deported in February 1962 and received training in Soviet bloc countries. Returned clandestinely to Dominican Republic. Participated in distribution of arms to civilians in Dominican revolt on April 25, 1965. As of May 3, was one of the top leadership group of the rebel government.

76. Valdez Conde, Nicolas Quirico: PSPD member; in 1959 was member of the executive body of the PSPD. Employed in Cuba as Russian interpreter for Fidel Castro in June 1963. Lived in Moscow for 3 years. Identified among Communists active in the Dominican revolt.

77. Vicioso Gonzalez, Abelardo Sergio: PSPD member who has been active in student affairs. Was in Cuba in 1960, and again in 1962 and 1963; attended a student congress in Cuba in August 1961, and then went to Czechoslovakia and the U.S.S.R. While in Cuba in 1962 was training for subversive activity in the Dominican Republic. Identified as of April 30, 1965, among Communists active in the Dominican revolt.

APPENDIX 3

MINUTES OF THE FOURTH PLENARY SESSION (CLOSED)

(Document 46 (Provisional) May 7–8, 1965)

Chairman: His Excellency Ambassador Guillermo Sevilla Sacasa, special delegate from Nicaragua.

Secretary general of the meeting: Dr. William Sanders.

Present: Their Excellencies Alfredo Vázquez Carrizosa (Colombia), Roque J. Yó dice (Paraquay), Alejandro Magnet (Chile), Ramón de Clairmont Dueñas (El Salvador), Rodrigo Jácome M. (Ecuador), Juan Bautista de Lavalle (Peru), Ricardo A. Midence (Honduras), Enrique Tejera Paris (Venezuela), José Antonio Bonilla Atiles (Dominican Republic), Humberto Calamari G. (Panama), Raúl Diez de Medina (Bolivia), Ricardo M. Colombo (Argentina), Carlos García Bauer (Guatemala), Rafael de la Colina (Mexico), Gonzalo J. Facio (Costa Rica), Emilio N. Oribe (Uruguay), Ellsworth Bunker (United States), Fern D. Baguidy (Haiti), Ilmar Penna Marinho (Brazil).

Also present at the meeting was Mr. Santiago Ortiz, assistant secretary general of the meeting of consultation.

Recording secretary: José F. Martinez.

REPORT OF THE COMMITTEE

The PRESIDENT. Your Excellencies, I have the honor of opening the 4th plenary session of the 10th meeting of consultation of ministers of foreign affairs, which has been called for the principal purpose of receiving a confidential report from His Excellency, Ambassador Ricardo M. Colombo, Representative of Argentina and Chairman of the Special Committee that went to the Dominican Republic, which has prepared a confidential report. Ambassador Colombo addressed the following note to me today:

"Your Excellency, I have the honor of transmitting to you the first report of the Special Committee of the 10th meeting of consultation of ministers of foreign affairs of the member states of the Organization. I respectfully request you to direct that this report be distributed to the Special Delegates to this Meeting of Consultation. Accept, Sir, the assurances of my highest consideration. Ricardo M. Colombo, Ambassador of Argentina, Chairman of the Special Committee."

First of all, I wish to express to His Excellency Ambassador Ricardo M. Colombo and to his distinguished colleagues on the Committee, Their Excellencies Ambassador Ilmar Penna Marinho, of Brazil, Ambassador Alfredo Vázquez Carrizosa, of Colombia, Ambassador Carlos García Bauer, of Guatemala, and Ambassador Frank Morrice, of Panama, the deep appreciation of the meeting, and especially of all of their colleagues, for the magnificent and efficient work they have done in carrying out the delicate mission entrusted to them by the Meeting. We have followed their work with a great deal of attention and interest, and feel proud of having appointed them; and we are sure that the Americas, our people and our governments, applaud that work, and this Meeting expresses its appreciation and praise for it. In accordance with the Regulations, plenary sessions are public. When I spoke this morning with our colleague Chairman of the Committee, it seemed to me appropriate that this meeting be closed, precisely because the report to be presented by Ambassador Colombo, in behalf of the Commission of which he is Chairman, is, precisely, of a confidential nature. This decision by the Chair, that this meeting be closed, I am sure will not be objected to by the Representatives. I am happy that everyone agrees that this meeting should be closed. This will be recorded in the minutes. I recognize the Ambassador of Argentina, His Excellency Ricardo Colombo, Chairman of the Special Committee, so that he may be good enough to present the report referred to in the note I had the honor of receiving this morning. The Ambassador has the floor.

Mr. Colombo (the Special Delegate of Argentina). Thank you very much, Mr. President. I should like to make clear, before beginning to read the report, that it begins by referring to the very time of our arrival, or rather, to our departure from Washington, for which reason we do not record here the fact, which we do wish to point out, that at the time of our arrival, and in compliance with a resolution of the Council of the OAS, the Secretary-General of the Organization of American States, Dr. Mora, was already there carrying out his duties, regarding which he will give his own report.

[Reads the first report of the Special Committee.][1]

Mr. Colombo. May the meeting consider the report to have been presented in behalf of the Committee duly appointed. Thank you very much, Mr. President; thank you very much, gentlemen.

The President. I take note of what Ambassador Colombo has just said, and, clearly, we have been most pleased with the report. Your Excellencies will have noticed its fine quality.

Mr. García Bauer (the Special Delegate of Guatemala). If the President will allow me, I should like to recommend to all the Delegates that they take the following note with respect to the documents that contains the report of the committee that has just been read, and has also just been distributed, pardon me. On page 9 there are certain errors that were made in transferring the text to the stencil. In the last line on that page, where it says "guardia de policia militar," the word "mixta" should be added, so that it will say "una guardia de policia militar mixta." On page 12, in the next to the last line from the bottom, where it says "y de que éstra mantendria," it should say "y de que mantendria los contactos." On page 13, at the end of the second paragraph, it is necessary to add "En la ultima parte de la entrevista estuvo presente el General Wessin y Wessin a solicitud de la Comisión" at the end of the paragraph. And on page 26, second paragraph, where it says "la resolución del 30 de abril" it should be "resolución del 1.° de mayo." [These corrections were taken into account before the English text of the document was issued.]

The President. The Chairman asks the distinguished members of the Committee whether they accept and consider incorporated in the text of their valuable report the observations made by His Excellency the Ambassador of Guatemala. The Chairman of the Committee.

The Chairman of the Committee. I fully accept them, Mr. President.

The President. Undoubtedly we shall receive a second edition of this report containing precisely the amendments already accepted by the Chairman of the Committee.

Mr. García Bauer. Mr. President, they are not things to accept, but rather the question is that in the report of the Committee these points were omitted.

The President. That is just what I was referring to, that the Chairman of the Committee has precisely accepted the incorporation of the omitted matter, the clarifying of the points. He has accepted, as Chairman of the Committee, in behalf of all its members, that the observations should be taken into account in the new edition that is to be made of the report. In other words, they are corrections of form.

Mr. García Bauer. No, Mr. President, those are not corrections of form, they are omissions made in copying the report of the Committee.

The President. Precisely, the Chair was mistaken, they are omissions of form, precisely. Gentlemen of the Special Committee, the report, which has just been read by your distinguished Chairman, Ambassador Ricardo M. Colombo, of Argentina, reveals a job done that the Chair would describe as extraordinary, very worthy of the sense of responsibility and the personal capabilities of the distinguished Ambassadors who make up this historic Committee in the inter-American system. Being extraordinary, it is a job worthy of our appreciation, of the appreciation of this Meeting of Consultation and of those of us who are honored to call ourselves colleagues of the Ambassadors who make up the Special Committee. In saying this, I am honored to confirm to you what I said to His Excellency Ambassador Ricardo Colombo in the message that I had the honor to address to him today, which reads:

"The Honorable Ricardo M. Colombo, Chairman of the Committee of the Tenth Meeting of Consultation of Ministers of Foreign Affairs: I am pleased to express to you and to your colleagues on the Committee of the Organization of American States established by the 10th Meeting of Consultation of Ministers of Foreign Affairs the appreciation of the Meeting for the prompt and interesting information furnished in your two messages received on May 3 and 4. The Meeting has taken note of the messages and hopes that the important tasks being undertaken with such dedication and efficiency may soon be completed with full success. Accept, Sir, the renewed assurances of my highest consideration. Sevilla-Sacasa, President of the 10th meeting."

I have the satisfaction of informing you regarding a communication the Chair has received from His Excellency Emanual Clarizio, Papal Nunzio, dean of the diplomatic corps accredited to the Government of the Dominican Republic. It reads:

"Guillermo Sevilla-Sacasa, President of the Tenth meeting of Consultation of Ministers of Foreign Affairs"—this communication is dated May 5—"I thank you with deep emotion for message Your Excellency sent me on behalf of Tenth Meeting of Consultation of Ministers of Foreign Affairs. I have sincere hopes that providential assistance by Organization of American States quickly begun in Santo Domingo by Secretary General Mora and happily assumed by Special Committee of worthy members headed by Ambassador Colombo will soon achieve for the beloved Dominican nation the humanitarian ideals of peace and well-being that inspire that high and noble institution." It is signed by Emmanual Clarizio, Papal Nunzio of His Holiness.

I said at the beginning that naturally this meeting is of a closed nature, which indicates that, at the proper time, a public plenary session should be held, in order publicly to take cognizance once again of the text of the report and the opinions expressed regarding it. It seems logical for the first step to be to obtain the second edition, as I call it, of this report, in which the omitted matter so correctly mentioned by our colleague from Guatemala will appear: in order that the General Committee of the Meeting of Consultation may take cognizance of the report and then submit its decision on it to the plenary. This is what the Chair has to report on the matter for the present, but naturally, we would like in this closed meeting, in the private atmosphere in which we are now, to hear some expression by some distinguished Representative on the text of the report that was read by the distinguished Chairman of the General Committee. The representative of Mexico, Ambassador de la Colina, has asked for the floor, and I recognize him.

Mr. de la Colina (the Special Delegate of Mexico). First of all I wish to express, or rather, join in the comments that you, Mr. Chairman, have made in appreciation and deep recognition of the distinguished members of the Committee we took the liberty to appoint, in recognition of not only this wonderful report they have presented us, but also the efforts they doubtlessly have made under most difficult conditions and with great efficiency and dignity. Now I would like to know, Mr. Chairman, whether it would be possible to ask some questions, especially since we are meeting in executive session, for clearly our governments surely are going to want to know the very learned opinion of our distinguished representatives regarding some aspects touched on only incidentally in this most interesting report, with the reservation, naturally, that perhaps in a later session, also secret, we could elaborate on some other aspects that, for the moment, escape us. Would that be possible, Mr. President?

The President. I believe the question is very important. The President attaches great importance to the question put by the Ambassador of the Republic of Mexico regarding our taking advantage of this executive session to ask the distinguished Committee some questions.

Mr. Colombo. I ask for the floor, Mr. President.

The President. You have the floor, Mr. Ambassador.

Mr. Colombo. The Committee is ready to answer, insofar as it can, any questions the representatives of the sister republics of the Americas wish to ask its members.

The President. Very well. Is the Ambassador of Mexico satisfied? You have the floor.

Mr. de la Colina. Thank you, Mr. Chairman. For the time being I would like to know whether it is possible, after having listened closely to everything our distinguished colleague, the Representative of Argentina, has told us. I have the perhaps mistaken impression from the technique as well as from the quick reading I was giving this document we just corrected, that there seems to have been a certain consensus between the opposing sides as to the possible elimination of the generals. Perhaps I am mistaken, but it seems to follow from that reading and from this idea that on both sides the colonels were more or less disposed to create, let us say, a high command, other than the one that has remained thus far. I wonder whether it would be possible for you gentlemen to elaborate on this, or whether you simply have no idea on the matter.

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[1] The first report of the Special Committee with the corrections indicated below by the Special Delegate of Guatemala and accepted by the other members of the Committee, has been published as Document 47 of the meeting.

The PRESIDENT. Would the Chairman of the Committee like to respond to the concern of the Representative of Mexico?

Mr. COLOMBO. With great pleasure. As the report states, Mr. President, the request to exclude the seven military men, whose names I have read in the Committee's report, was a complaint by the junta led by Colonel Caamaño and transmitted by the Committee to the military junta led by Colonel Benoit. The Act of Santo Domingo, furthermore, is clearly written, and the stamped signatures of the parties ratifying it are affixed. I believe I have responded to the concern of the Ambassador of Mexico.

Mr. DE LA COLINA. Another point now, if I may.

The PRESIDENT. With pleasure.

Mr. DE LA COLINA. I would like to know, if this is also possible, whether the distinguished representatives could give us their impressions regarding the degree of Communist infiltration in the rebel or constitutional forces, or whatever you want to call them. For example, there was the reference to this Frenchman * * * who came from Indochina, and who trains frog men * * * etc.; perhaps there is some thought that this person might have close ties, for example, with other Communists; or do they have the impression at least that, in the high command of that group, the rebel group, there is now definite and significant Communist leadership. Thank you, Mr. President.

Mr. COLOMBO. As for myself, I, as a member of the Committee, not as Chairman, have no objection to answering the question by the Ambassador of Mexico, but as a matter of procedure for answers, I wish to provide an opportunity for the Chairman to speak in general terms in order not to deny the distinguished members of the Committee their legitimate right to answer as members of the Committee, which we all are; that is, I would not want to be monopolizing the answers because, without prejudice to a given answer, we can give another of the members of the Committee an opportunity to give the reply that, in his judgment, should be given. Thus, in order to respect fair treatment and not find myself in the middle of the violent and inelegant position of monopolizing the answers—and I ask the members of the Committee whether some of them want to answer, then I ask you to give the floor first to Ambassador Vázquez Carrizosa, of Colombia.

The PRESIDENT. The Ambassador of Colombia, members of the Special Committee, will answer the question by the Ambassador of Mexico.

Mr. CARRIZOSA (the Special Delegate of Colombia). Mr. President, the Representative of Mexico asks what the opinion is.

I will state mine, because I am not going to answer on behalf of the Committee, as to the degree of Communist infiltration on both sides. Of course, the question must refer to the command or sector led by Colonel Francisco Caamaño, because I do not think it refers to any Communist leanings by General Wessin y Wessin, Colonel Saladin or any of his colleagues. With regard to the sector led by Colonel Francisco Caamaño, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamaño, whom I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend is prevalent in Cuba.

Mr. DE LA COLINA. Thank you, Mr. Ambassador.

The PRESIDENT. Does any member of the Committee wish to add to the answer requested by the Representative of Mexico? Is the Representative of Mexico now satisfied with the information given to him? The Ambassador of Guatemala.

Mr. COLOMBO. If the President will allow me, I do not know what system the President may have to gage the kind of questions.

The PRESIDENT. Well, your Excellency said that he wanted his colleagues to participate in the answers in their, let us say, personal status, in order to distribute the task of answering, and, naturally, the President took note of the fact that your Excellency had invited his colleague from Colombia to answer the question put by the Ambassador of Mexico. I, by way of courtesy, am asking your Excellency whether any other colleagues would like to express their opinions on the same question the Ambassador of Mexico asked. I request your Excellency to tell me whether any other of his colleagues would like to ask any questions.

Mr. COLOMBO. I am going to add very little, of course, to what the Ambassador of Colombia, with his accustomed brilliance, has just said, by saying that this report, affirmed by a large number of representatives of the Diplomatic Corps, is public and well known to anyone who cares to make inquiry. But despite the respect that I owe to the opinion of the Diplomatic Corps, in order to establish this in precise terms—for I was concerned as much as was the Ambassador with being able to verify this question—I wanted to go to the source; and we spoke with the different men who were in this rebel grouping and, a notable thing, from the head of the revolution, Colonel Caamaño, to some one known as Minister of the Presidency, they recognized that they were their great problem, they explained to a certain extent briefly the process of the history of the Dominican Republic, they confessed to us how gradually a number of elements were being incorporated with them whom they called Communists, and that their problem was to avoid infiltration for the purpose of springing a surprise and seizing control. They said this clearly, and even at one point—I in the sometimes difficult task of dividing this formal nomination of the chairmanship in which there is no merit greater than that of anyone else, because perhaps in the other four members there is much talent for doing what the Chairman did—I spoke with Colonel Caamaño and asked him in a friendly way whether he honestly believed that such infiltration existed. He confirmed this to me, but he gave me the impression that he had the courage to face it. He said to me: "They are not going to grab the movement, and my concern is that in their losing the possibility of control they have stayed behind the snipers, today there are those that do not wish a solution for the Dominican Republic," and already he put the political label on a good part of the snipers on both sides. It should be said, Mr. Ambassador, that you will understand the extent of responsibility of the answers and the depth of the questions, and I would like to satisfy your own concern; but I have fulfilled with loyalty by reporting the conversation to you objectively, telling you that I believe that those who have the answer to this question is to be found among the actors, the protagonists of this hour who are living in the Dominican Republic. This is what I wanted to say now, Mr. Chairman.

The PRESIDENT. Very well, Mr. Ambassador.

Mr. DE LA COLINA. Mr. Ambassador of Colombia, I greatly value this reply; I wanted both, but naturally with reference to the reply whereby you explain one more aspect. Many thanks, Mr. Ambassador.

The PRESIDENT. Would the Ambassador of Guatemala like to say something on the question put by the Ambassador of Mexico?

Mr. GARCÍA BAUER (the special delegate of Guatemala). Mr. Chairman, for the moment, no; certainly this point was discussed in the Committee; the Committee also had a series of things, and since there is not yet any criterion of the Committee, I do not for the moment wish to present any viewpoint.

The PRESIDENT. The Ambassador of Brazil.

Mr. PENNA MARINHO (the Special Delegate of Brazil). Mr. President, I should like to corroborate the statements made by my colleagues from the Colombia and Argentina, and add one more aspect that I believe could help to clarify the approach that could be given to the problem. I should like to add, gentlemen, that with the complete collapse of public authority—since neither the forces of the Government Junta of Benoit, Santana, and Saladin nor those of Colonel Caamaño were in control of the situation—the Dominican state practically disappeared as a juridical-political entity, and the country became a sort of no man's land. The arsenal had been given to the people and an entire disoriented population of adolescents and fanatics was taking up modern automatic arms, in a state of excitation that was further excerbated by constant radio broadcasts of a clearly subversive character. Neither do I believe that I am, nor does any of the members of this Committee believe that he is, in a position to state with assurance that the movement of Colonel Caamaño, inspired by the truly popular figure of former President Bosch, is a clearly Communist movement. But one fact is certain: in view of the real anarchy in which the country has been engulfed for several days, especially the capital city, where bands of snipers have been sacking and killing and obeying no one, any organized group that landed on the island could dominate the situation. For that reason, and our understanding coincides with that of a majority of the depositions of the chiefs of diplomatic missions accredited there, all of the members of the Committee agree in admitting that the Caamaño movement, fortunately truly democratic in its origins, since none of us sincerely believes that Caamaño is a Communist, could be rapidly converted into a Communist insurrection; above all it is seen to be heading toward becoming a government of that kind, susceptible of obtaining the support and the assistance of the great Marxist-Leninist powers. Therefore, Mr. President, we do not believe that Colonel Caamaño and his closest advisers are Communists. Meanwhile, as the entire Caamaño movement rests upon a truly popular basis, by certain areas escaping from the control of that democratic group of leaders it would be quite possible for that movement to be diverted from its real origins and to follow the oblique plan of popular-based movements, which can be easily controlled by clever agents and experts in the art of transforming democratic popular movements into Marxist-Leninist revolutions. Thank you, Mr. President.

The President. The Representative of Ecuador, Ambassador Jácome, has requested the floor.

Mr. Jácome (the Special Delegate of Ecuador). I wish to adhere with all sincerity and warmth of the words of the Representative of Mexico, praising the selflessness and the arduous work as well as the spirit of sacrifice with which the Committee performed its functions, and for having succeeded, by the time of its departure, in leaving a somewhat more favorable situation than the one it found upon arrival. Now that we are asking for the opinions of the distinguished colleagues on the Committee, I would like to know if they have any impression as to a formula, or if there is any desire on the part of the two factions to bring about peace by transforming the cease-fire, the truce, into a peace that will permit the political organization of the Dominican Republic and the natural process that should be followed in order to have a constitutionally stable system? It has been gratifying to hear this opinion, at least on one side, that the so-called constitutional government of Colonel Caamaño is certain that it can at a given moment control and capture the infiltrators that are determined to block peace, and, in order to take advantage of that situation, to continue the chaos that has prevailed in Santo Domingo up to now. But if that command hopes to keep and is confident that it can keep control it is natural that whatever the command thinks with regard to the possibility of a formula for stable peace through an understanding with the others—the present enemies—would be very useful and constructive to know because we would then, with a little tenacity, through friendly, fraternal mediation, have a favorable prospect of arriving, within a reasonably short time, at an understanding between the two combatants. This would be the best guarantee that the Americas, as well as the Dominican Republic, could have that those infiltrators and those elements that wish the chaos to continue, would be eliminated and hence definitely neutralized.

I would like to know what opinion the Committee formed, after it succeeded in talking with the parties in conflict, what impression does it have of the opinion or of the formulas or of the hopes they have regarding a final agreement that may return the situation to normal?

The President. Would the Committee like to answer the question raised by the Representative of Ecuador? One of the colleagues on the Committee; the Chairman, Ambassador Gorcia Bauer, Ambassador Vázquez Carrizosa, Ambassador Penna Marinho, the Chairman of the Committee, Ambassador Colombo, in his capacity as Representative of Argentina?

Mr. Colombo. Perhaps this is the question that I shall answer with the greatest Americanist feeling, Mr. Chairman. I cannot deny, Mr. Ambassador, gentlemen, that I also, like the Ambassador of Mexico, have confessed to him that I shared and still share the concern expressed in his question and that, perhaps, it was the question that caused me the greatest concern. The most urgent problem when we left was not to find ideological banners distinguishing the parties, but to put an end to the conflict that was already becoming bloody and that could become a blood bath in the Americas. We talked with the two parties and believe me, Mr. Chairman, I at first had the feeling that law was dead; it was chaos in the Dominican Republic. We all shared it—all members of the Committee, the military advisers, the General Secretariat, our civilian advisers—and when we arrived we found chaos, such as we had never seen or even imagined. I felt that law did not exist, and we all thought there was little hope that they wanted to find a solution that would be feasible, despite the moral authority that we represented. We were only a very few, as men, as individuals, but we bore the weight of the historic tradition of the system whose 75th anniversary we celebrated, and this inspired all the members of the Committee. From the first man of the rebel band with whom we spoke, Colonel Caamaño, to the first man with whom we spoke from the Command of the Military Junta, Colonel Benoit, we found that they were both weary of the conflict that darkened the Americas. We found in both of them a desire to achieve peace that was equal to ours.

It would be untrue, Mr. President, if I were to say that I found the wish to continue the fight at this stage of the tragedy in the Dominican Republic. There was a longing for peace and we were caught in the enthusiasm to achieve it. But we were completely surprised, Mr. Ambassador, by something more important than this objective which is essentially what we all desire; the two parties said that the solution lay in the inter-American system. Nobody assumed the right to impose peace because—and let there be no misunderstanding—the side that wishes to triumph in Santo Domingo is stabbing the sister Republic. Both factions understood the intensity of the tragedy that was unfolding in Santo Domingo; both placed their faith in the inter-American system.

During the course of conversations, when all members of the Committee asked them if they would be faithful to remaining within the system, they answered yes; with all their faith. But it was more than that, Mr. Ambassador; it was what Colonel Caamaño said, voluntarily. A newsman asked him, "If your cause was denounced in the United Nations, what would you do?" and he confessed to us that he answered that he would in no way accept that channel because he was within the system and the answer had to be found within the system. For that reason he was happy to see the Committee sent by the OAS. He placed his faith in the Organization of American States to find the solution. And when we spoke with Colonel Benoit he gave us the same affirmation; his faith is in the system.

I believe that in the midst of the agony of the Dominican Republic, this system that among ourselves we have talked so much of strengthening was more alive than ever and in an hour of testing, in the midst of a struggle more fierce than any I remember within the system, I could see that both sides felt this to be the only possible solution that could maintain peace in the Americas. Both took into account the possibility that it was being compromised: they knew that the peace of the hemisphere might be endangered if the conflict wasn't soon stopped. This, Mr. Ambassador, is what I can tell you, with great satisfaction, and I look to the system for the solution just as all of us are going to look, and you will see that the system will find that solution.

The President. The Representative of Guatemala will contribute to the answer that the Representative of Ecuador has requested.

Mr. García Bauer. Mr. President, I wish to add a few words to what the Ambassador of Argentina has said, in reply to the question asked by the Ambassador of Ecuador. I, as a member of the Committee and as Ambassador of Guatemala, confirm the statements made by the Ambassador of Argentina, as to the faith that the inter-American system can help in solving the problem that, so unfortunately, is faced in the Dominican Republic today. Obviously, that country is weary of struggle and would like to arrive at some solution. I, at least, found that there certainly is a basic desire to reach an understanding between the parties and overcome present difficulties. We were surprised, for example, when we began conversations with the Rebel Commander, that a colonel was present who was a liaison officer between the Military Junta of San Isidro and the Papal Nuncio. And the manner in which he was treated, by Colonel Caamaño as well as the other members of the Rebel Command, surprised us because he was in a group completely opposed to the one he represented. We did not see the hatred that might have been expected in such circumstances. We can bear witness, therefore, to that deference, to the treatment that was shown. Also the Rebel Commander offered to the Committee itself to deliver about 500 prisoners so that it might take charge of them; that is, acts such as these indicate how they wish to end this situation that is dividing the people of the Dominican Republic; from these acts, and from others that we have seen, I have reached the conclusion that at bottom there is a desire, a keen desire to reach an understanding. The question is to find the formula for making this understanding a reality.

The President. Other representatives have asked to speak. I ask the members of the Committee if any of them wishes to join in the reply to the question raised by the Representative of Ecuador. The Representative of Ecuador.

Mr. Jácome. Yes, thank you, Mr. Chairman. I am infinitely grateful for this reply which is truly promising because it has confirmed the suspicion that every human being has who knows the tragedy of a civil war; that those persons who have stained their country with blood and caused so many deaths, who have seen so much suffering and caused so much suffering, would now have reached the moment of longing for peace and perhaps each of them feeling remorse for the sufferings and the misfortunes they have caused. This is an eminently human reaction that we all know. But I am equally satisfied to hear that both parties rest their faith in the inter-American system, but I have now seen a report, a report concerning the statements made by Colonel Caamaño to the effect that he will not accept the Inter-American Force established by the last resolution of this Meeting of Consultation. We have already seen that it also seems that Colonel Caamaño and his partisans have not accepted the present state of affairs, the presence of foreign troops in Santo Domingo. Hence, would not perhaps Colonel Caamaño, and in the end all Dominicans, whatever their ideologies and whatever the barricade on which they have stood, prefer a mission of peace to a mission of guns? We might think of a permanent peace mission of the Organization of American States, which would receive the same impressions but which would be seeking a concrete formula to bring those parties together who wish to reach an understanding and give them the opportunity of not feeling pressured by arms or not having the inward suspicion that those arms are playing the game of their adversaries. I should like and I venture to put this question to the members of the committee, and I beg your pardon, as tired and fatigued as you all must be, for still abusing your time with these question. Thank you very much.

Mr. Colombo. I said something, a little circumstantially, in replying to the question posed by the Ambassador of Mexico, regarding this concern that troubles the Ambassador of Ecuador. Here is the most important instance for telling the whole truth, not part of it. And I am going to tell how I saw it. The effort—I said—is mutual and so is the desire to attain peace, Mr. Ambassador, but it is not that I suspect but that I am certain that the two sides in the struggle are not controlling their movement, because the cease-fire was accepted by the fighting groups; but an uncontrollable ingredient conspired against the carrying out of the act of Santo Domingo, an element that history shows does not find a solution by peaceful means and that grows larger whenever attempts at reaching peace are made, because what will happen, to a great extent, is what happened to us, in parleying for peace, with an absolute cease-fire by the commands so as to talk with the peace mission, but we had to parley for 2½ hours under incessant machinegun and rifle fire. Who did that? Colonel Caamaño? I think not, categorically, no.

It is the sniper ingredient, because in a town where arms are handed out to civilians, there can be only two forms of control: either when the civilians lay down their arms and surrender them willingly, or when this is achieved by a force superior to the civilian force. Let all of you ponder the difficult task of imagining a peace attempt, in which we again have the signatures of the two parties, we have the security zone, and the incident is being provoked as a factor breaking out into a tremendous catastrophe. I honestly confess that until now I could not explain how something much worse did not occur. The provocation of the snipers is constant. There are among them, no doubt, the two classes of snipers that there are in such events: those who grab a gun and continue using it with a resentment that no reasoning will lead them to lay it down, and those who continue using it with the resentment of one who cannot control the revolt. That is, these are factors that cannot be controlled by a mission no matter what flag of peace it carries.

The Government of Santo Domingo will not achieve peace until it can be imposed in a climate where conditions in a peaceful Santo Domingo exist for the recovery of institutional normality in the country. Sincerely, Mr. Ambassador, in the choice that you have given me I sacrifice my wish—which is equal to yours—to a realistic concept that one can only appreciate, unfortunately, by having been there. We wished, and we five Ambassadors who were on the mission mentioned it many times to one another, that all of you could have been there, that not one had been missing, Mr. President. That you could have been at the scene of events to see what we were seeing. In the tremendous confusion, in which it is difficult to find the thread that would open the knot we were trying to untie, where there is political and military confusion, economic disaster, confused people, general anguish, no one can find the ingredient for guidance. I believe, Mr. Ambassador, that it is urgent to seek peace in the Dominican Republic and to tarry as little as possible in discussion, because every hour of discussion is an hour you give to someone who, with good or evil intentions, could still pull the trigger that would prevent the Act of Santo Domingo from being fulfilled. This is my personal impression.

The PRESIDENT. The Representative of Ecuador has nothing more that he wants to say? I recognize the Representative of Uruguay, Ambassador Emilio Oribe.

Mr. ORIBE (the Special Delegate of Uruguay). Mr. President, first of all, I want to adopt the words of the distinguished Ambassadors who have spoken before me in congratulating the Committee on its work and expressing the admiration of my delegation for the way in which they have performed this first part of their task. And so, our warmest congratulations to all of them. Since it is late, Mr. President, I would like to confine myself to some very specific questions. The first of the questions is as follows: for this Meeting of Consultation to be competent to take measures to bring peace and to carry forward the work begun, it is necessary, above all, in the opinion of my Delegation, to ascertain whether the situation in the Dominican Republic is a situation that can endanger the peace and security of the hemisphere. This is the requirement of Article 19 of the Charter for carrying out collective action in matters that normally are within the domestic jurisdiction of the states. As is known, Article 19 states: "Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in Articles 15 and 17," which are those that refer to nonintervention. Hence my Delegation believes that a pronouncement must be made by this Meeting of Consultation to the effect that the events in the Dominican Republic constitute a situation that endangers the peace and security of the hemisphere. Departing from that basis, I should like to ask the Committee if it is of the opinion that this is the case, that is to say, that the situation in the Dominican Republic constitutes a threat to the peace and security of the hemisphere. That is the first question.

The second question is as follows, Mr. President: the first part of the task with which the Committee was entrusted has been carried out, and we all congratulate them. We have received a very complete report, which will be studied by the delegations and the foreign ministries. There remains, then the second part of the Committee's task, under the letter b, which reads as follows: "to carry out an investigation of all aspects of the situation in the Dominican Republic that led to the convocation of this Meeting." Naturally, my Delegation understands very well that this cannot be done in one afternoon or one day. However, I should like to ask simply if the Committee believes that there is sufficient evidence to issue a report on this point within a reasonable period of time. Thank you very much, Mr. Chairman.

The PRESIDENT. One of the distinguished members of the Committee would like to refer to the first question put by the Representative of Uruguay. Ambassador Vásquez Carrizosa, Representative of Colombia.

Mr. VÁSQUEZ CARRIZOSA (the Special Delegate of Colombia). Thank you, Mr. Chairman. The first question is this: Is the situation such that it can endanger peace and security? My reply is yes. Yes, there is a situation that endangers the peace and security. The reasons are very clear. A disturbance or even a guerrilla action in a member state where the elements of order and constituted authorities exist is not the same as in a state where the absence of the state is noted, evaluated, and recorded. What is to be done, Mr. Delegate, in the absence of the state? What does the system do when the state does not exist? What happens when blood is running in the streets? What happens, Mr. Delegate, when an American country—and I am going to speak quite frankly so that you may think about this with all the perspicacity we know you to have—is, under these conditions, in the neighborhood of Cuba? Do we sit on the balcony to watch the end of the tragedy?

Do we all sit down as if we were at a bullfight waiting for the crew to come? What are we to do, Mr. Delegate? We are in a struggle against international communism; and we are in a world, Mr. Delegate, in which America is not even separated from the other continents even by the ocean. We form part of the world, and we form part of the conditions existing in the world. The Dominican Republic, like any other country in the Americas, is a part of the system, and it is the system that will suffer from the lack of a head of state in any of its members. The matter and the problem cannot be expressed in juridical terms, in hermeneutics, needed to fit an act into a lawyer's criterion. The problem is one of deep political meaning, of profound significance, of hemisphere importance much more serious than any of the other American revolutions could be.

There have been many revolutions in America. There have been revolutions in my country; there have been some, I believe, in yours, and I do not believe that a revolution in itself justifies the intervention of the inter-American system. That has not been my theory; that has not been the theory of my country. However, the acephalous condition of the state constitutes a problem that has occurred on very few occasions. What are we to do, Mr. Delegate, when, as the report states, the president of a junta says: "I cannot maintain order with respect to the diplomatic missions"? And what are we to do, Mr. Delegate, when the Chief presents a note in which he requests the assistance of another country and confesses with the sincerity that we have heard: "Gentlemen of the Special Committee, have the diplomatic representatives asked me for protection and I did not have the elements with which to protect them?" That is the answer to his first question. Now we have the second question: What is happening to the investigation? It is very clear, Mr. Delegate. The complex political events, the multitudinous situations are very difficult to investigate. All of us who have had contact with problems of criminology know about mob psychology; everything that is studied in the classroom, which is very simple, an investigation of a local event, an individual event, let us say.

However, when there are mobs, when they are in the midst of great movements an investigation can be conducted, investigations must be carried out. But they are obviously difficult investigations. I would spare no effort to support any machinery, agency, or committee that would carry forward that investigation. It would be very desirable. But, of course, such investigations of complex events are not very easy, because many things have happened. Actually, two or three revolutions have taken place. There was the first revolt of colonels. Then there was a revolt of a party; and after that, a revolution of a whole series of guerrilla groups, so that each one may have a different impression of the same event.

I think that, rather than an investigation of the past, what is of interest to the Meeting of Consultation and what is of interest to America is not the investigation of the past, but the investigation of the future. It is the investigation of the future that interests us. The problem is not to stop to fix responsibility, to ascertain who began to shoot first, who entered the National Palace first, who opened the windows, who got out the machinegun, who saw, who heard; all that would be an interminable process that would fill many pages and many records of proceedings. The important thing is not to look backward, but to look ahead.

The PRESIDENT. The Representative of Uruguay.

Mr. ORIBE. I thank Ambassador Vázquez Carrizosa for his remarks. He has told me just what I wanted to know.

The PRESIDENT. The Ambassador of Brazil.

Mr. PENNA MARINHO (the Special Representative of Brazil). Yes, Mr. President. And I also want to say to the Delegates that my reply is also yes. There are two governments, but each one is weaker than the other, completely incapable and powerless to control the situation that prevails in the country. Peace was made on uncertain terms. The Act of Santo Domingo is not a definitive peace; it is a difficult truce, a temporary armistice that may dissolve at any moment. Therefore, the Committee suggests, among the measures that in its judgment might be adopted immediately by the Tenth Meeting of Consultation, the appointment of a technical military group in the city of Santo Domingo to supervise the cease-fire, as well as other measures agreed to by the parties to the Act of Santo Domingo. We must keep watch over that peace and create conditions to prevent the struggle from breaking out again—because it could start again, Mr. President, at any moment. Thank you.

The PRESIDENT. Does any other member of the Committee wish to speak on this question? The Chairman of the Committee, Ambassador Colombo.

Mr. COLOMBO. The truth is, Mr. Chairman, that after the words of my distinguished colleagues, the Ambassadors of Brazil and Colombia, there is very little that I might be able to add; but the responsibility involved and the importance of the question, so ably phrased by the Ambassador of Uruguay, compel all of us to make clear our position on this question. When, among the powers and duties, the duty of investigating was decided upon, I cannot conceal the fact that I felt the same as I always feel whenever an investigating committee is named. Generally it investigates nothing; few, indeed, are the investigating or factfinding committees which, in the parliamentary life of all of our countries, show any fruitful jurisprudence in their results. But this Investigating Committee did have the possibility of good results. And that was because it was aimed at two fundamental objectives that were governing events in the Dominican Republic.

I understood, first, that the investigation was to determine the scope of the danger resulting from the events, which are a matter of concern to the Ambassador of Uruguay. If this was a situation that did not threaten the peace, we would verify that immediately. If the situation was under the control of groups intent on stirring up tension in the Americas, in a struggle in the history of America, which is full of struggle between brothers, in this incorrigible vocation that is periodically written into the history of our countries, that delays the advance of law and democracy, then we would verify it immediately; and we have verified it.

This could be the beginning of a struggle confined to the two well-defined groups. But the presence of those uncontrollable factors, which I urge the Ambassadors to analyze in detail, in the evaluation of facts in order to reach conclusions, they are going to be impressed, as we ourselves were impressed, without seeing them; they have become more dangerous than the groups themselves put together. To my mind, they have become the element that will determine the fate of what is going to be done. If those groups did not exist, and if those responsible for the struggling movements had not confessed that they cannot control them, in view of the existence of a security zone, freely agreed upon by both parties, with a U.S. military force that is engaged basically in the process of keeping custody over the diplomatic zone, I would also believe, Mr. President, that perhaps we might be able to delimit the process and trust that the peace would not be so obviously jeopardized as it is in this process; because in all revolutions, even a small local one, there is the possibility that there may be the spark of a process that will affect the peace of the Americas.

But the dimensions of this situation, with elements of disturbance on both sides, who are constantly lashing out against the protection offered by the security zone, and in which, Mr. President—and this struck my attention—there is still control to prevent confrontation in a struggle that could technically be called a military struggle; or in other words, there is no military confrontation between the defenders of the zone and the contending groups of the civil struggle. And that struggle is capable of being unloosed, because of the constant harassment by those who are seeking a way to unloose it. Hence, Mr. Ambassador, this matter urgently demands that all of us succeed in finding the way to resolve this situation; that we find the way to dispel the undeniable danger that threatens the peace in this hemisphere, which is the purpose of our organization. Because all of these things are important; economic development, social tranquillity, justice, the progress of the countries; but all of them are built on peace; without peace there is no possibility for the triumph of the inter-American system. There cannot be the slightest doubt, Mr. President, that the peace of the hemisphere is in grave peril.

But with respect to the second part of the investigation, which is also a matter of anxiety, we have contributed something in the time we had to make our investigation; more than the investigation is the word of the leaders themselves. This act is a confession, and a partisan confession without proof, Mr. Ambassador. It is not a matter of our characterizing the ideology, nobody goes about trying to do that when, actually, it has already been characterized by the leaders of the governments themselves. If necessary, that should be left to the last. I have said at previous sessions: my delegation is willing to make and is going to make an exhaustive investigation of the facts, in order to determine the blame according to the action. We shall do nothing to cover up a sharing of responsibility. But in the matter of priorities, investigation has been well placed by the Ambassador of Uruguay. The first thing to be investigated was the projection of the episode, the possibility of its affecting the peace of the hemisphere, the need for urgent action in case it is proved. We five members of the committee shared that opinion when we were there, and we reaffirm it now. The peace of the hemisphere is in such danger, Mr. President, that if the system does not respond to the call of both parties to the struggle, I believe that the peace of the Americas would not be in danger, that peace will be broken. This urgency is shown by the way we have tried to answer the concerns of the Ambassador of Uruguay.

The PRESIDENT. I ask His Excellency the Ambassador of Guatemala if he would like to speak on this point.

Mr. GARCÍA BAUER. Mr. President, I would like to add my voice and my opinion to those of my distinguished colleagues on the Committee. I shall also reply, rather emphatically, as was done by the Ambassador of Colombia, that the peace and security are in danger. As was already said, we in the Committee often asked ourselves and commented on the advisability of having all of the members of this meeting visit the Dominican Republic in order to see, on the scene itself of the events, the situation prevailing in that country: in a state of war, when we arrived, without water, without lights, without telephones, without public services. The lobby of the very hotel where we stayed was a scene of war—children and women sleeping in the lobby itself. The Diplomatic Corps, which met with us, also told us of the serious situation which they had gone through and were going through; anarchy ruled; the attacks that the diplomatic missions themselves had suffered; the wounded, including the diplomatic missions that had given asylum to wounded persons; and this was something that went on hour after hour.

Undoubtedly, peace and security are seriously affected when there is no authority that is respected, for although there are those who proclaim that they represent authority in each sector, it may be seen later that they do not possess it to such a degree that peace prevails; and although they sign documents, such as the cease-fire that was arranged before we arrived, or the Act of Santo Domingo, which we signed; nevertheless, it can be seen that they have no absolute control over the situation when the spectacle of wounded and dead persons is seen. We asked how many had died, how many had been wounded; and I believe that I can say, as an opinion gathered from persons of whom it can be said, insofar as this is possible, that they are better informed on the matter, that at least 1,500 persons have died in Santo Domingo. And how are the forces distributed? How is the country? Fighting has taken place so far only in the city of Santo Domingo itself, but who can assure us that it will not spread throughout the country?

The rebel command states that they have maintained peace there, because they have not wished to arouse feelings in the rest of the country, and the military junta in San Isidro states that they control the rest of the country. What is the real situation? The Committee did not have time to travel through all of the Dominican Republic; but it is evident that chaos exists, that the situation is deteriorating; it changes from one hour to the next; that is clear. The day after we had an interview under the fire of snipers, as has been said here—with the constitutionalist military command, the next day, I repeat, the chief of that command was proclaimed President of the Republic, Constitutional President; and the military junta of San Isidro, which we had talked with and which signed the act of Santo Domingo, does not now exist, according to reports arriving today through the news agencies. The teletype has just brought for example, a cable reading: "Domingo Imbert, president of the new five-member junta, quickly convened a press conference and called for a peacemaking effort to rebuild the country and restore national unity without discrimination on account of political affiliation." He described Colonel Caamaño as a good personal friend.

The other members of the new junta are: Julo Postigo, 61 years old, a lawyer whom some people consider a militant in the Revolutionary Party of Juan Bosch; Carlos Crisella Polomey, 51 years old, governor of one of the provinces under the deposed regime of Donald Reid Cabral; Alejandro Seber Copo, 41 years old, an engineer; and Colonel Benoit, a member of the previous military junta of three. Imbert did not explain how or why the earlier junta resigned, or how the new one was formed. Although Caamaño could not be found to give us a statement, the leader of the Revolutionary Party, José Francisco Peña Gómez, stated over the rebel radio that the new group represented an underhanded maneuver against the interests of the Dominican people. In the Dominican Republic we constantly heard rumors, stories that got to us, to the effect that they were inciting to arms over the radio, even during the cease-fire.

The circumstances prevailing in Santo Domingo are most difficult, tremendously difficult; it would be a good thing if the representatives were to go and see how things are developing there and how, in the report we have submitted, we cannot give an exact picture of the prevailing situation, which has disturbed us deeply. The situation undoubtedly endangers peace and security, and not of the Dominican Republic alone. The representative of Uruguay also referred to the missions of investigation; and indeed, among the duties entrusted to the Committee was the duty of making an investigation of all aspects of the situation existing in the Dominican Republic that led to the calling of the Meeting. But the kind of investigation that was asked is not one that can be made in a few hours. The Committee had to give priority to what demanded priority, and the first thing was to try to restore peace and conditions of safety, to restore things as much as possible to normal, under prevailing conditions, in order that it could carry out an investigation such as we believed the Meeting of Consultation had requested.

We are in agreement that this investigation should be carried as far as it is desired; but in the short space of time we were there, and with all the tasks we had; and although we sought opinions and points of view on various sides; although we asked all members of the diplomatic corps to give us their views in writing; that is, their views on the situation as they saw it; although we asked the disputing groups also to explain to the Committee and to the Meeting what they considered the truth about the Dominican Republic, and also asked the Governors of the Provinces whom we interviewed to do the same, and did likewise with everyone with whom we had an opportunity to talk and question; although we sought all of the evidence that might serve as a basis for this investigation and to enable the Committee to offer its conclusions to this Meeting of Consultation; despite all this, the time was very short and we cannot give conclusions in the report we have just submitted, not even if we were to be able to change them a little later.

Points of view have been given and information collected, sometimes in personal conversations, as mentioned by the Ambassador of Argentina with respect to his conversation with Colonel Caamaño, or in conversations the members of the Committee had with various persons on the scene; but we should also listen to all parties concerned, to all who want to say something; and such an investigation takes some time. This is the reply we must give to the Ambassador of Uruguay. With respect to this second point, we have done all that we could within the short time available, in an attempt to make the cease-fire effective for the protection of refugees and those who had taken asylum, and so that food distribution could be undertaken, to bring in food, medicines, etc., that can be distributed with the necessary safety. We did a vast amount of work in a very short time, but in regard to investigation, we can say that we have scarcely begun. And despite the little that was seen, the Committee has been able to contribute something in reply to the questions that have been asked here.

The PRESIDENT. I understand that the representative of Uruguay is very well satisfied with the thorough manner in which the interesting questions put to the members of the Committee have been answered.

Mr. ORBIE. Of course, Mr. President, I would like to express my appreciation once again, and I believe that what has now been said here is fundamental; because the conviction of the members of the Committee will surely allow us, through consultation, to take appropriate measures without getting into the problem of intervention.

The PRESIDENT. I recognize the special delegate of Paraguay, Ambassador Yódice.

Mr. YÓDICE. Thank you, Mr. President. First, I wish to join in the words of appreciation that have been spoken here to the ambassadors who composed our special committee that traveled to Santo Domingo and completed the great task of which we are so proud. I am very happy that from the first time the floor was requested until now we have had a series of statements from the distinguished ambassadors on the Committee, and their statements make my congratulations even warmer. As the Chairman of the Committee, the illustrious Ambassador of Argentina, Dr. Ricardo Colombo, has said, this is the moment of truth and the delegation of Paraguay is quite pleased with the action of the members of the Committee.

The delegation of Paraguay, Mr. President, is proud of this Committee because it has, in the first place, effectively carried out the peacemaking aspect of its mission as fully as is possible; it is proud of this Committee because it has justified the confidence of the Paraguayan delegation placed in it, inasmuch as the distinguished ambassadors who composed it, whose ability and inter-American spirit all of us know, as was said when the Committee's membership was approved, would determine whether or not international communism had a part in the bloody events in the Dominican Republic. If the distinguished representative of Mexico had not raised the question he did on the matter, I would have done so. I might, however, have put it differently, since I would not have confined myself to inquiring as to the possibility of Communist intervention in a specific group, but would have extended the inquiry to all aspects of the serious conflict that the Dominican people are undergoing today.

The Government of Paraguay, as I stated clearly when approval was given to the establishment of the collective inter-American force, believed from the beginning that continental security was at stake. The replies by the Ambassadors composing the Committee reporting today on certain questions regarding these delicate aspects of the Dominican situation have been categorical. My government was right. Continental security is threatened. The danger existed, and still exists, that chaos and anarchy will permit international communism to transform the Dominican Republic into another Cuba. With his customary clarity, courage, and energy, the Ambassador of Colombia, Mr. Alferdo Vázquez Carrizosa, has categorically mentioned the highly political nature of the problem we are facing. In reply to a question of the Ambassador of Uruguay, he has rightly said that the peace of America is threatened, that the security of the hemisphere is threatened, and that there is a possibility that another Cuba, another Communist government in the hemisphere will arise out of the chaos and anarchy in the Dominican Republic.

We are proud of the action of our Committee, because, as the Ambassador of Uruguay said, it is helping to clarify the problem we are facing. Paraguay had no doubts when it voted on the resolution for the establishment of the inter-American force. As I said: "The Government of Paraguay approves the sending of U.S. forces to the Dominican Republic, considering that this does not imply armed intervention prejudicial to the right of self-determination of the Dominican people, but, on the contrary, that it is a measure of hemispheric defense against the intervention of Castro-Communist forces. The Government of Paraguay is aware that U.S. armed intervention has been necessary in view of the urgency of preventing extracontinental and Cuban forces and funds from annulling the Dominican people's right of self-determination, since it was evident that it would be difficult for the inter-American system to act rapidly and energetically. The Government of Paraguay reaffirms its support of the proposed establishment of a hemispheric force and will participate in it if a substantial majority of the governments of the member states do likewise."

Mr. President if there is anything to regret it is that, for the time being, this valuable, clear explanation of the seriousness of the Dominican problem furnished to us by our committee is known only to the delegates of this Meeting of Consultation.

Obviously we are going to come to a moment when the enlightened judgment of the President and of the Delegates, in my opinion, will decide that these vital conclusions reached by our Committee should be known by all of the Americas, by all of the people of the hemisphere. Because for my Delegation, Mr. President, these conclusions which appear in the written report and in the replies to the questions posed here, should not be known only by the Delegates; they should be known by all the people. I emphasize this point because I am proud that my Delegation, from the very beginning, has been concerned and has established a position with regard to the seriousness of the conflict, in view of the intervention of international communism in the Dominican events.

Once more, I congratulate the members of our Committee; I am confident that the conclusions they now bring to us from their trip to Santo Domingo and that they will continue to bring will greatly help this Meeting of Consultation. The inter-American system must find the permanent solution referred to by the distinguished Ambassador of Ecuador in order to bring about a return of constitutionality in the sister Dominican Republic, a return of the reign of representative democracy and of human rights, and of all those inalienable principles of sovereign peoples that motivate the resolutions of this Meeting of Consultation in dealing with the Dominican problem. I believe, Mr. President, that with the clarity of the conclusions of the Committee we shall be walking on firmer ground. The basic conclusion that I want drawn from this statement I am now making is that we should act on the basis of these important conclusions furnished to us by the Committee; not only the conclusions appearing in the report that has been distributed, but also those verbally expressed tonight by the members of the Committee. I repeat my congratulations to the ambassadors and my confidence that these highly important conclusions will shortly be brought to the attention of all the Americas. Many thanks, Mr. President.

Mr. TEJERA PARIS (the Special Delegate of Venezuela). Mr. President, I wish to make a motion.

The PRESIDENT. What is the motion of the Ambassador of Venezuela?

Mr. TEJERA PARIS. Mr. President, 2 days ago when it was desired to undertake a thorough analysis of the problem, I asked this distinguished meeting to await the return of the Committee, so that we might question it and hear what proved to be an excellent and highly important report. On behalf of my government, I wish to express appreciation for the work that has been done and the sacrifices that have been made. I now wish to call attention to the following point: perhaps this session should devote itself exclusively to questions and answers, so that by speeding things up we can obtain the information as precisely as possible, leaving basic statements and studies of possible solutions until tomorrow's plenary; otherwise, we shall have to repeat many of the things already said here. This is my motion, Mr. President.

The PRESIDENT. Mr. Ambassador, the Chair entirely agrees with you. It would really be interesting to devote ourselves to questioning the honorable Committee and its distinguished members, and the answers that they give us will be very edifying.

Time goes on, and we must take advantage of the privacy of this meeting precisely to present this type of questions and, in this same confidential setting, to obtain the answers of the distinguished Committee members. Naturally, the occasion will come for us to make detailed statements on behalf of our governments on the text of the important report presented by our colleagues on the Committee. I offer the floor to the Representative of Chile.

Mr. MAGNET (the Special Delegate of Chile). Thank you, Mr. President. The opinion that the President has just expressed so wisely is in complete accord with what I am about to say now. Although, for reasons clearly explained at the time, the Delegation of Chile abstained from voting for the establishment of the committee that has now returned to our midst, I can do no less than corroborate, briefly but sincerely, the expressions of praise that the committee has earned. Moreover, the position taken by my country does not inhibit me, for everyone's benefit, from asking some questions that are of interest to my country, and, as I understand, to the others as well. In the Act of Santo Domingo, referred to by the President in his statement, mention is made of a security zone in that city, whose limits would be indicated in a plan appended to this document. Mr. President, I believe that this security zone is a highly important factor in the cease-fire that has been obtained and that a clear delineation of this zone and knowledge of it, not just by the parties involved but by everyone, will be very helpful in forming an idea of what might happen if, as may be feared, this security zone were violated. If acceptable to the Committee, I would request, Mr. President, that this plan not only be incorporated into the Act, but also circulated by the secretariat as soon as possible.

The PRESIDENT. I ask; I imagine that the Chairman of the Committee wishes to reply to Ambassador Magnet's question.

Mr. COLOMBO. The Committee, through me, reports that the map is now being distributed, and I apologize to the Ambassador of Chile because it was not attached to the report when this was distributed. The explanation may lie in the undeserved expression of appreciation for the Committee's work, on the part of the Ambassador. Material difficulties prevented distribution, but I now present the map to the Chair so that, as the Ambassador of Chile has wisely requested, it may be distributed as soon as possible, since it is necessary for the proper information of the Ambassadors.

The PRESIDENT. The Chair will proceed accordingly, Mr. Chairman, Ambassador Colombo.

Mr. MAGNET. I wish to explain that my words did not imply the slightest criticism or reproach of the Committee.

Mr. COLOMBO. I wish to make quite clear that I have not even remotely suspected such an attitude from one whom I know to be a gentleman and distinguished ambassador who honors the inter-American system.

The PRESIDENT. Your second question, Mr. Ambassador.

Mr. MAGNET. It is more than a question, Mr. President, to try to achieve some kind of friendship. I think it is quite clear both from the text and the context of the report we have just had the pleasure of hearing, especially the act of Santo Domingo—with which we were already acquainted and which is contained in the report signed on May 5—that there is not, nor was there on that date a constituted government in the Dominican Republic able to represent the country, but two parties or conflicting factions. The committee, with the knowledge it gained through its on-the-spot activity, and with its spirit of impartiality, deemed it necessary to hear the two parties or factions in order to reach some useful result. I would like to ask the Chairman of the Committee, through you, Mr. President, if the evidence that has been gathered corresponds to the truth.

The PRESIDENT. Shall I refer the question to the Chairman or to the distinguished members of the Committee?

Mr. COLOMBO. I think that, in substance, we have already answered the Ambassador's question. That is, all of us Committee members have confirmed the impression of chaos that we found in the Dominican Republic, the complete lack of authority, the existence of two groups that appeared to be standard-bearers in the conflict and with whom we felt impelled to establish immediate contact. I do not know if this will satisfy the Ambassador, and I wish he would let me know if he has any doubts that I can clear up.

The PRESIDENT. What does the Ambassador to Chile have to say?

Mr. MAGNET. It seems to me that what the Ambassador has said confirms what I——

Mr. COLOMBO. I think it is the same thing, Mr. Ambassador.

The PRESIDENT. Is there any other question? Mr. Ambassador.

Mr. MAGNET. If it is not an imposition on you or on the meeting, Mr. President, I wonder if it would be too much to ask the Committee to tell us how many asylees or refugees still remain in the embassies in Santo Domingo, if it has been able to obtain this information.

Mr. COLOMBO. The truth is that at this time, Mr. Ambassador, it is impossible to answer your question because, fortunately, the evacuation of asylees has already started. I have information regarding the asylees at my embassy: there were 14 who have already been able to leave. That is, this changes according to the help received, food and other, because the asylees take advantages of arriving planes in order to arrange their transportation; therefore, at this moment it would be practically impossible—because of the time that has elapsed since our arrival—to say how many asylees have been able to leave the country. Fourteen have left my embassy.

The PRESIDENT. Is the Ambassador satisfied?

Mr. MAGNET. I hope I am not being too insistent, Mr. President, but perhaps with the testimony of the other members of the Committee we might obtain an approximate figure, at least.

The SPECIAL DELEGATE OF BRAZIL. Mr. Ambassador of Chile, I wish to inform you that in the Embassy of Brazil there was 38 asylees, of which only 6 wished to leave the Dominican Republic. The other 32 told us that they would prefer to await the return of normal conditions in their country. Therefore, only six asylees in our embassy left the Dominican Republic.

The PRESIDENT. Does Ambassador Vásquez Carrizosa wish to contribute anything?

Mr. VASQUEZ CARRIZOSA (the Special Delegate of Colombia). There were about 30 asylees in the Embassy of Colombia in Santo Domingo, some of whom did not wish to leave Dominican territory. Many of them, especially women and children, left on May 5 on the plane that brought in food, medicine and medical equipment.

The PRESIDENT. The Ambassador of Guatemala.

Mr. GARCÍA BAUER. There were 28 asylees at the Embassy of Guatemala, of whom 9 left. There are now 19 asylees at present who will be evacuated as soon as possible on the plane arriving from Guatemala with food and medicine. The Secretariat has already been informed of this.

Mr. MAGNET. Mr. President, I wish to leave on record my gratification and to pay public tribute to the patriotism of the Dominicans, since so many of them have chosen not to abandon their country, in spite of the prevailing chaos.

The PRESIDENT. We give the floor to the Representative of El Salvador, Ambassador Clairmont Dueñas.

Mr. CLAIRMONT DUEÑAS (the Special Delegate of El Salvador). Thank you Mr. President. I am going to ask a question, but I wish at this time to express my government's appreciation for the excellent work of the Committee in the face of the tragic events in the Dominican Republic. Our thanks, gentlemen. The question is as follows, and I wish to refer to the distribution of weapons to the civilian population. I wish to ask the members of the Committee whether they then had sufficient time to investigate how this distribution was made, what was the source, if it is known, whether distribution was made indiscriminately or to persons of any special tendencies, and who were the originators of this distribution. Thank you very much.

The PRESIDENT. I refer the question to the members of the Committee. The Ambassador of Brazil, if you please.

Mr. PENNA MARINHO. Mr. President, I wish to reply to the question posed by the Ambassador of El Salvador, and I do this on precarious bases, because the information we received was precarious, and, above all, contradictory. There was, however, a common consensus in these replies, that the arsenal of weapons had been opened, access to it was given to the population, and that the civilian population, a part of which was controlled by Colonel Caamaño, was armed with automatic weapons considered by several authorities we interviewed as the best and most modern existing in the Dominican Republic. And we were able to ascertain, when we opened negotiations with the group led by the Commander of the Revolutionary Government, Colonel Caamaño, we were able to see various persons, teenagers, women, all armed with machineguns, forming small groups in the streets of the neighborhoods of Santo Domingo that were under the control of the rebels. And so there was a distribution made of all the weapons that were stored in the arsenal of the Dominican Republic to the civilian population that supported Colonel Caamaño's group. This is the information we were able to gather by means of the contacts we had with the various authorities of the Dominican Republic.

The PRESIDENT. Ambassador Vázquez Carrizosa, Special Delegate of Colombia.

Mr. VÁZQUEZ CARRIZOSA. I cannot, of course, give an opinion on the way in which the weapons were distributed, but the truth is that in the sector of the city where Colonel Caamaño's command was located, the presence of weapons, of machineguns, was visible and clear; of all citizens in the streets and of all who were around us, each citizen carried a machinegun, so that weapons were as numerous as the persons who were around us. Thank you.

The PRESIDENT. Does the Ambassador of Guatemala wish to give any opinion in this respect?

Mr. GARCIA BAUER. Yes, of course it could be seen in the city, as far as we could see, that automatic and other weapons were in the hands of many young civilians, and even of women. Now, according to information I received early Sunday morning, April 25, many young civilians were armed with automatic weapons from the 16 de Agosto Camp.

The PRESIDENT. The Representative of El Salvador, Mr. Clairmont Dueñas.

Mr. CLAIRMONT DUEÑAS. Thank you, fellow delegates. I have a second question, if the President will permit me. I wish to ask the members of the Committee if they have seen, foreseen, or gathered, according to how we use the term, the possibility that the sector controlled by Colonel Caamaño is receiving weapons supplied by another country, not the Dominican Republic—from another country, let us say, Cuba—or is it using the weapons that they have there at this time.

The PRESIDENT. The Representative of Colombia, Ambassador Vázquez Carrizosa.

Mr. VÁQUEZ CARRIZOSA. There is such a profusion of machineguns in the sector of the city that we visited that in reality the importation of this item is unnecessary.

The PRESIDENT. The representatives who may wish to add something to the reply. The Representative of Venezuela, Ambassador Tejera París, has the floor.

Mr. TEJERA PARÍS. Mr. President, I should like to ask the Committee two questions, the first precisely about arms. Did the Committee learn of the existence, or was it able to verify that there is some system of distribution or some inventory whereby, in the forthcoming peacemaking activities, it could check what part of the arms has been returned? My experience in such matters has been that it is possible to have a very large part of the arms given to civilians returned. and then, by a supplementary house-to-house search they can be controlled. In general, the military are very good bureaucrats; they generally make inventories, and so the question I ask is not absurd.

The PRESIDENT. I refer the question to Ambassador Colombo, Chairman of the Committee.

Mr. Colombo. Mr. President, the question asked by the distinguished Ambassador of Venezuela I have also asked the various bands or groups in Santo Domingo. All of them were very sorry that they could not provide me with accurate pieces of evidence, which would have been very valuable. When we were about to leave, in connection with the activities reported on in our dispatch, our report, the only part on which we obtained a reply that would help allay the Ambassador's fears was given by the United States, when the Ambassador of the United States in Santo Domingo told me that many of those who are arriving in the security zone bring arms with them and turn them in. I tried to go further into this question to ascertain the number of arms. The reply was not definite. I was told merely that this was a report that he had received from General Palmer, who had told the Ambassador of the United States that they had a certain amount of arms that were being turned in by people who were arriving in the zone for diverse reasons, many of whom were coming in search of food or medical care and who were voluntarily turning in their weapons. This is the only thing I can say, but I believe that I have contributed something to allay your fears, Mr. Ambassador, nothing more.

Mr. Tejera París. Thank you very much, Mr. President. The other question would be this: I was very favorably impressed and feel optimistic at the fact that the Committee noted among both the Constitutionalists and the rebels a fervent desire to have the OAS intervene to seek a solution; and that even, according to what I think I heard the Chairman of the Committee say, Colonel Caamaño himself said that he rejected the Security Council solution and preferred an OAS solution, because it belongs to the system. Now I should like to ask you this: Did the Committee explore the possibility, or did it hear of any methodology of any special system, for example, the presence of a high commission of eminent persons or a high commission of good offices that could assist in returning the country to constitutional normalcy now? Does the Committee believe that there would be some possibility that such a solution would be acceptable to all the bands in conflict? I understand that now there is another change in the country.

The President. I refer the questions to the Committee members. Mr. Vázquez Carrizosa, please.

Mr. Vázquez Carrizosa. It is still premature to go into that. Of course, we can find evidence of contact, points of common reference, but within an atmosphere of tension and anxiety such as surrounded us, it is difficult right now to think of formulas for a government that might unite the two parts. I do not exclude it as a possibility for the future, but apart from a similar reference to the Organization of American States, I think it is impossible for the Committee (although my colleagues may believe otherwise) to answer that question more precisely. No system came into view. The thing is it was not our job to investigate political conditions of a new government. Our mission, which was precisely set forth by the resolution of May 1, was to obtain a cease-fire, guarantees for the departure of refugees, and safe conditions for the embassies, and also to organize humanitarian aid. Moreover, the terms of the resolution of May 1 did not authorize us to enter into discussions of matters that are the concern of the Dominican people, and personally, my theory is that our mission was essentially to bring about peace—not to prejudge the will of the Dominicans regarding their own future; at least, that is my reasoning.

The President. The floor goes to the Representative of Guatemala, member of the Committee, to reply to certain aspects of the question raised by Mr. Tejera Paris.

Mr. García Bauer. There is no better way to answer the question raised by the Ambassador of Venezuela than to refer him to the terms of reference of the May 1 resolution of this meeting. The work mentioned by the Representative of Venezuela is not found in the terms of reference, and consequently, the Committee was prohibited from entering into that area. Undoubtedly, and this we have already said, there is a desire for understanding; there is an evident wish for peace, since a number of relationships are involved; there are people, friends of one side and of the other. The dean of the Diplomatic Corps told us of how, through him, splendid acts of humanitarianism had been performed. People asked him about their friends rumored to be wounded or dead, and he was able to give them explanation and set their minds at rest. In other words, that atmosphere has existed, and if the Ambassador of Venezuela, for example, remembers the cable that I read earlier, it mentioned one of the members of this new junta who described Caamaño as a personal friend, and also mentioned a lawyer, whom some think to be a militant partisan of the revolutionary party of Juan Bosch. In other words, it shows that there is a desire for understanding, that that desire is evident, and, of course, that there is faith in the inter-American system. How is that desire to be channeled? How can the OAS help to solve that problem that essentially must be solved by the Dominicans themselves? That is something that must be considered at the opportune time by the system, by the organs of the system. I yield the floor to Ambassador Tejera Paris.

The President. The Special Delegate of Venezuela has the floor.

Mr. Téjera París. I first want to explain that my question was not intended as criticism of the Committee, nor did I think that it could have wished to go beyond its terms of reference. I was only referring—perhaps I did not explain myself clearly—to the idea proposed informally by the Delegation of Costa Rica—I don't know if all of you know about this—for setting up a delegated committee, a committee that, by delegation of this conference, would go to the Dominican Republic for the purpose of carrying out the second part of the task of reestablishing peace—that is, the administration of the mechanics of reestablishing peace and a return to institutional normality, not the formation of a government and other such matters. Then I asked myself if such an idea had already occurred to other countries in some form or other, since such ideas are normal. That was my question. Now, I have a third one.

The President. The Chairman of the Committee, Ambassador Colombo, will be so kind as to answer these questions.

Mr. Colombo. I want to say a couple of words regarding this concern of the distinguished Ambassador of Venezuela. I share the opinion just expressed by Ambassador García Bauer that our immediate job was to obtain a prompt peace. Also, we were obsessed with the fact—as undoubtedly everyone else was, without exception—that the solution to the Dominican Republic's political problem should be in complete keeping with the principle of self-determination of peoples, and that in the last analysis it was the Dominicans who must determine the direction of their institutional life. For us, it has been enough to know that they respect the jurisdiction and authority of the system and that the system assures the solution. But, Mr. President, with all respect to the Ambassador of Venezuela, neither do I think that this is the time to start discussing these matters, since precisely for the reasons given by the Ambassador earlier, we should concentrate on the report and on the questions and answers from the Ambassadors and the Committee members respectively.

The President. The Special Delegate of Venezuela has the floor.

Mr. Tejera París. I just want some personal information, as all of us do. And another thing. From my own country's experience, especially during the dictatorship of Pérez Jiménez, Communist infiltration is generally chaotic everywhere and tries to produce chaos in the various factions. Experience shows us that it is much easier and more common for Communists to ally themselves with elements of the extreme right than with liberal ones. And so I ask whether the Committee noted or inquired as to the presence of agents and provocateurs on the side of Benoit, Wessin y Wessin, and company, or whether they investigated the presence of Communists from the other side, because some of their actions seem—give the impression of being—provocations rather than judicious acts.

The President. Would the Chairman of the Committee like to say something in this regard?

Mr. Colombo. Thank you, yes. That also is a very pertinent question, and I think that we answered it to a certain extent when we acknowledged the existence of snipers on both sides. That is, there are snipers everywhere; they are a general disturbing element throughout the country, although we cannot attribute to them the particular ideology mentioned by the Ambassador. But it is apparent that anyone who plays the part of a sniper and has escaped the normal command of either of two groups is following his own ideology. That is all, Mr. President.

The President. Would Ambassador Penna Marinho like to comment on the question presented by Ambassador Tejera Paris? Ambassador Vásquez Carrizosa? Ambassador Bauer? Would you like to, Mr. Ambassador?

Mr. Vásquez Carrizosa. Well I just have this thought: if there are snipers in both parties, why can't they be snipers of the Wessin Communists, or snipers of the Caamaño rightists, or simply nationalists?

The President. Is there any comment on these last statements, Mr. Chairman?

Mr. Colombo. I should not like to continue this dialog because that would lead us into a maze of conjectures, Mr. Ambassador, but I believe, and I will say, that there is a fundamental difference: Colonel Caamaño's commands recognized the existence of Communist elements that were seeking to infiltrate and to gain control of his movement—an affirmation that I did not hear, nor do I believe that any of the members heard it, from Colonel Benoit.

Mr. Tejera París. Maybe they are not so politically sensitive.

The President. Well, reportedly so, according to some opinions.

Mr. Tejera París. I thought as much, but I just wanted to make sure. Thank you very much, Mr. Ambassador.

The President. Our thanks to you, Mr. Ambassador. We shall now hear from the Ambassador of the United States, Mr. Bunker.

Mr. Bunker. I would like to express on behalf of my delegation, and indeed on behalf of my Government, appreciation and praise to all of the members of the Committee of the Meeting, individually and collectively, who, under the brilliant leadership of my friend and colleague, Ambassador Colombo, have accomplished so much in so brief a period, and under, as they have described to us, the most difficult and trying circumstances. We have heard the report of the committee this evening, and I am confident that this meeting will agree with me, that the act of Santo Domingo marks an outstanding achievement in what has been our priority objective under the terms of the resolution, an agreement on an effective cease-fire in the Dominican Republic. As Ambassador Colombo has reported, the Secretary of State has communicated to the committee that the United States supports its work in Santo Domingo, and pledges to cooperate fully in the observance of the provisions of the act of Santo Domingo.

Mr. Colombo. Mr. President, something has gone wrong with the interpreting equipment because I heard the English spoken by the Ambassador much more loudly than the Spanish interpreter to whom I was listening.

The President. Is the Ambassador's speaker turned too high?

Mr. Bunker. Shall I proceed? Well, it seems to me, Mr. Chairman, that the questions which have been put by my distinguished colleague to the Committee, and the answers of the members, have shed further light and have made a very great contribution toward a greater understanding of the situation existing in the Dominican Republic; a contribution so valuable that I think it should become public knowledge, Mr. Chairman. I believe that it was agreed at our previous meeting that the proceedings of the private meetings and the records would become public. I trust that that will be so in this case, because I think the record is extremely valuable to provide a much wider public knowledge of the actual conditions in the Dominican Republic.

The Committee has succeeded in taking this first step of major importance. It seems to me that this meeting can now move to a second major stage of the task, for I think we can all agree that much remains to be done before conditions return to normal in that tragic and torn country. It is quite obvious, from what the Committee has said, that there is today no effective national government in the Dominican Republic. There are contending forces, each in control or perhaps quasi-control in separate areas, but no political grouping or faction can lay a well-founded claim to being the government of the country. I say quasi-control because we had word from our Embassy in Santo Domingo today that the palace inside the rebel zone, in which 400 people, I believe, have taken refuge, had been attacked three times during the day. This may be indeed a violation to the cease-fire.

But it remains, Mr. Chairman, for the Dominican people, with the help of the OAS to which I understand they are looking, from the words of the Committee, to organize a government and to provide for future constitutional arrangements of their own choosing. It seems to me that it is of the greatest importance that the OAS should endeavor to assist patriotic and outstanding citizens of the Dominican Republic, and I am sure they can be found, to establish a provisional government of national unity, which could eventually lead to a permanent representative regime through democratic processes.

Mr. Chairman, we must now seek to find paths of peace and to build on the base which has been established by this act of Santo Domingo. I want again to express the appreciation of my government for the splendid work of this Committee because they have established, through what they have done here, really the first and essential base for any further progress. Thank you, Mr. Chairman.

The President. I recognize the Representative of Uruguay, Ambassador Oribe.

Mr. Oribe. Mr. President, I would like to second what the Ambassador of the United States has said with regard to making the minutes of this session public. I do this with the understanding, naturally, that they will be published as is usual; that is, that they will be complete, verbatim minutes. Thank you, Mr. President.

The President. It is so agreed. Ambassador Facio, Special Delegate of Costa Rica.

Mr. Facio. First, I would like to join in the congratulations given the distinguished members of the Special Committee for their splendid work. Second, the question I am going to ask is to clarify a concern I have with repsect to the possibility of securing an effective peace in the Dominican Republic. I wish to ask the members of the Committee if they interviewed Colonel Caamaño or any members of his group after that band was established as what they allege to be the Constitutional Government of the Dominican Republic?

Mr. Colombo. The value of the Act of Santo Domingo is precisely that it was signed after the establishment of Colonel Caamaño's group as the titular Constitutional Government, nothing more.

Mr. Facio. Then, you had the opportunity to discuss with them their claim to be the only constitutional government of the Dominican Republic, because whether or not this claim can be maintained in either relative or absolute terms depends on there being peace through mediation between the two groups.

The President. The Chair again recognizes the Ambassador of Argentina.

Mr. Colombo. Mr. President, replying to the important question asked by the Ambassador of Costa Rica, I am pleased to tell him that the Committee delivered the Act previously to Colonel Caamaño for consideration, in order that he would have the opportunity of going into the intricacies of its legal implications, because what we wished to achieve was the first step that would lead all of us to achieve peace in the Dominican Republic, and if you read the beginning of the Act of Santo Domingo, it sets forth what Colonel Caamaño and Colonel Guerra thought of the Act and the opinion of the parties. I recall simply that it reads: "The Parties signing below who declare that they represent, in the capacities mentioned," that is, in the act of signing they declared their capacity and as we had no authority to pass judgment on the titles, which would have implied a dangerous incursion into a territory that was forbidden to us, we limited ourselves to record the capacity of each one of the groups and with all loyalty to say so frankly and without any legal doubt at the beginning of that Act which would, undoubtedly, be the road to begin working seriously to bring definitive peace to Santo Domingo.

The President. Ambassador Facio wishes to ask another question.

Mr. Facio. Many thanks. No, I am satisfied and, of course, the question did not imply any criticism whatsoever or any desire that they depart from the norm.

The President. Ambassador Vázquez Carrizosa, the Special Delegate of Colombia.

Mr. Vázquez Carrizosa. The Ambassador of Costa Rica asks whether the constitutional government invokes the qualification of government for the whole country and whether it authorizes the presence of another government.

Mr. Facio. No. Naturally it is evident that each one of the parties which proclaims that it is the government aspires to this, but did you, specifically from this contract, reach the conclusion that Colonel Caamaño was in an irreducible position; not to yield. And I ask this question because after the signing of the Act of Santo Domingo, Caamaño has insisted that he does not accept the participation of an inter-American force and that the solution is that he is the President, and that he be recognized as Constitutional President, and that he represents legality.

Mr. Colombo. First of all, Mr. Ambassador, I would like to know whether this statement by Colonel Caamaño has been officially communicated.

Mr. Facio. No, it is a publication.

Mr. Colombo. That is why I was very surprised that Colonel Caamaño transmitted that note.

Mr. Facio. No, no, Doctor, it is a statement made in a newspaper.

Mr. Colombo. If we follow the newspapers in this process, Mr. Ambassador.

The President. The Representative of Colombia.

Mr. Vázques Carrizosa. What the newspapers say is one thing and what really happened is another, but it should be noted that many news items that are published should be investigated or it should be known to what extent they correspond to what was said or to what is done. I can only say the following: the demarcation of the zone and the existence of a corridor communicating the San Isidro zone with the center of the city were discussed personally with Colonel Caamaño. There was even a doubt regarding the conditions of the guard in the corridor. An incident had occurred the day before—many incidents occur—regarding some patrol that had entered farther than the two blocks that on one side and the other were authorized by the regulations in order to safeguard this public road; and Doctor Héctor Arístides maintained that it was intolerable that United States patrols should go beyond the limits. The military adviser who accompanied us—he was the military adviser of the Ambassador of Guatemala—who had had the occasion to read the regulations and the truth regarding the incident, explained in perfectly fair terms the truth of the fact, rectifying Doctor Arístides' understanding, but as Doctor Aristides insisted, Colonel Caamaño intervened, with some vigor, to say "no, this is something between the military and we understand one another. I believe that what the military adviser says is true; I believe that it is acceptable; I have no objection." I am stating this fact in case it clears up your doubts.

The President. The Special Delegate of Guatemala, Mr. García Bauer.

Mr. García Bauer. I only wish to mention, with regard to something that has been discussed before, especially by the Ambassador of Costa Rica and also with respect to a question that was asked before, that in Document 17 Add. 3, in which the fourth radio-telephone message of the Secretary General of the OAS, Dr. José A. Mora, reports—you all have the document before you—that the Military Junta has already traveled to Santo Domingo and is installed in the National Congress, it states, Center of the Heroes, then——

The President. Of the Military Junta that traveled to Santo Domingo? The fifth or the——

Mr. García Bauer. Yes, the Military Junta that was in San Isidro. It doesn't say here whether it was the five-man Junta or the three-man Junta, because I don't know if it was done before the five-man one was established, and then, in today's May 7 document, it says: "as to what is happening here, the situation continues to be very delicate, since the cease-fire agreement is being enforced with great difficulty. It is particularly affected by radio broadcasts that confuse and excite the population. Every effort is being made to stop the Santo Domingo station from issuing messages that excite the people. If this is achieved it would prevent a state of violence. The same is true with respect to the San Isidro Radio. Yesterday I went to the two broadcasting stations and transmitted a message intended to calm feelings and calling upon the Dominican people to comply with the agreements in the Act of Santo Domingo. Nevertheless, Radio Santo Domingo and Radio San Isidro continue sending messages that aid in inflaming spirits and maintaining the situation of violence." And this same document mentions the asylees who have left and gives up-to-the-minute information regarding them. This is important in relation to the questions that we were asked previously.

The President. Thank you very much. Is Ambassador Facio satisfied?

Mr. Facio. Thank you very much.

The PRESIDENT. The Representative of Honduras, Ambassador Midence.

Mr. MIDENCE. My delegation wishes to join in the congratulations extended to the Committee for its magnificent work under such difficult circumstances. My Delegation feels sure that the report that has been presented today will be of immense value to this Tenth Meeting of Consultation of Ministers of Foreign Affairs. Thank you very much.

The PRESIDENT. Ambassador Bonilla Atiles, Special Delegate of the Dominican Republic.

Mr. BONILLA ATILES. Mr. President, Delegates: I think that of all the delegates present here none can feel the pain that I have at what I have heard tonight. Words were too few to express my appreciation to the members of the Committee. I have just had a long-distance telephone conversation, from Santo Domingo, with Mr. Antonio Imbert, and he told me that in a search for possible solutions the Military Junta had turned its power over to a civilian-military junta composed of: Antonio Imbert, president; Julio Ortigo, Alejandro Seller, Carlos Grisolia Paloné, and Colonel Pedro Benoit. This junta will try to cooperate with the mission from the Organization of American States to find solutions, which are still premature to discuss. He also informed me that the Junta has discussed with Dr. Mora the problem of the radio broadcasts, and it has been proved that Radio San Isidro has not made any inflammatory broadcasts. As to the last attack on the National Palace, of which Ambassador Bunker spoke, he confirmed to me that there are civilian refugees there.

I am not mentioning this as accusation but as fact. What interests me most at the moment, since it involves my own responsibility and that of the government, whichever it may be, and that of the Dominican people, is that out of this meeting shall come the necessary and imperative declaration that what is happening in Santo Domingo threatens the peace of the hemisphere. After knowing the facts, this is the only justification this body has for having taken the steps that it has. I do not propose that this problem be dealt with or discussed tonight because it seems to me that we are all sufficiently tired, morally and physically, so as to be unable to face this problem immediately; but I do urge the Tenth Meeting of Consultation as soon as possible to make emphatically this decision, so that the fire will not be extinguished, not only in the Western Hemisphere but in all political quarters of the world. I have nothing more to say.

Mr. PENNA MARINHO. Mr. President, before ending this session and to a certain extent supplementing the report of the special committee, which has just been submitted by its chairman, Ambassador Ricardo Colombo, allow me to mention one point that ought to be brought to the attention of this Meeting of Consultation. I wish to refer to the magnificent activities of Monsignor Emmanuel Clarizio, the Papal Nuncio in Santo Domingo. He is an exceptional figure, a veritable Don Camilo on a grand scale, with free entrée into all political areas of Santo Domingo. With astonishing ease, he leaves the headquarters of Colonel Caamaño to go to the Government Junta and from there to the American Embassy. He is a respected friend of Caamaño, as he is of Benoit and of Ambassador Bennett. They all like him and they all have the same high regard for him. It is due to his thorough understanding of things, to his moving spirit of human solidarity, and to his profound love for the Dominican people, that the drama in that country did not assume more terrible proportions. I know that the Meeting of Consultation has already paid just tribute to Monsignor Emmanuel Clarizio, but it never will be too much to point out, for the eternal gratitude of America, the admirable labor of this extraordinary prelate in behalf of peace and tranquility in the troubled Dominican Republic. The Delegation of Brazil, expressing sentiments that I know are those of all of the Special Committee of the Tenth Meeting of Consultation, manifests its deep appreciation and above all its admiration for the continuous and tireless collaboration rendered by Monsignor Emmanuel Clarizio, Papal Nuncio in Santo Domingo, to the Special Committee of the Tenth Meeting of Consultation during its stay in the Dominican Republic. Thank you very much.

The PRESIDENT. Ambassador Ricardo Colombo has the floor.

Mr. COLOMBO. Mr. President, with deep feeling the Delegation of Argentina wishes to add to the words of the Ambassador of Brazil concerning the outstanding work of the Dean of the Diplomatic Corps, that messenger of peace in the Dominican Republic. The only tribute—because everything has already been said—that I can pay under the circumstances, is to repeat here, Mr. Chairman, before the entire meeting, his final words of goodby to us: Take—he said to me—my blessing to the Meeting of Foreign Ministers that they may achieve the high objectives of peace; the peace that, at all costs, must be preserved in this Republic where I hold this apostleship. Nothing more, Mr. President.

The PRESIDENT. Ambassador Vázquez Carrizosa, Special Delegate of Colombia, has the floor.

Mr. VÁZQUEZ CARRIZOSA. Mr. President, it is only right to say a few words, as my colleagues from Brazil and Argentina have already done, to emphasize the merits of the Dean of the Diplomatic Corps, the Papal Nuncio, in the face of such a difficult situation. There is more; none of our action would have been possible without the advice, without the help of that eminent diplomatic representative. And still more, for the future—for it would be very difficult to think about the future of the Dominican Republic without speaking of him who so perfectly represents the ideal of Pope John XXIII concerning the coexistence of men of good will. But I have asked for the floor to speak on a point which may not be appropriate at this time but would be at another. Our report ends with several recommendations, which I do not propose to discuss at this session, but I do want to point them out to the Chair so that at the time and in the way provided for in the regulations or when it is considered opportune, they may be submitted to the Tenth Meeting of Consultation for discussion, because they do not deal with political questions, such as those we have discussed intensely, but specific points on the future organization of activities in the Dominican Republic. They are specific points of the greatest urgency, such as supervision of the cease-fire, the appointment of a group qualified to organize the relief measures for the Dominican people and evaluate their needs, the study and planning of an Inter-American Force and the coordination of all its services. Detailed, careful, and immediate consideration of these points seems to me absolutely necessary. Thank you very much.

The PRESIDENT. The Special Delegate of Guatemala, member of the Committee, has the floor.

Mr. GARCÍA BAUER. At this time I only wish to refer to the tribute that my colleagues, the members of the Committee, have already paid to the Papal Nuncio and Dean of the Diplomatic Corps in Santo Domingo, Monsignor Emmanuel Clarizio, for the great work that he has performed since this grave conflict began in the Dominican Republic. The Papal Nuncio was exceptionally kind to the Committee, offering it every facility within his power, and it was through his great services that the Committee was able to accomplish what it did. He was present, tirelessly, at our interviews with Colonel Caamaño's command and with the Military Junta and, because the confidence both parties have in him, the act of Santo Domingo was signed. He always used persuasion to the effect that the purposes for which the Organization of American States was in Dominican territory should be borne in mind. As the Ambassador of Brazil has said, the Papal Nuncio was respected in every area, regardless of which authority was in power. He is a person who has the confidence of the different parties and through his good offices, because of the great collaboration he rendered, the Committee was able to accomplish its task. Hence the Committee was moved and felt that its own wishes were fulfilled when, at the Papal Nunciate in Santo Domingo, we delivered to the Dean of the Diplomatic Corps the message from the President of the 10th meeting, Mr. Sevilla Sacasa, notifying him of the action of this meeting some days ago concerning Monsignor Clarizio's work.

The PRESIDENT. Ambassador Colombo, Special Delegate of Argentina has the floor.

Mr. COLOMBO. I only wish to add one remark that seems to be strictly justifiable. In order to be able to act with the urgency that the case requires, the five-member Committee had to move up its return so that the 10th meeting could be as thoroughly informed as possible with all available data, but we were deeply concerned that before our departure the fundamental problem of the faith in the system as stated by the two sides in the struggle would not have been resolved, and the Committee was the link, at the scene of action, during the emergency, remaining in order to be able to carry out the powers accepted by both parties. It was for this reason that the Delegate of Panama, in an act that honors him, and which I cannot ignore, remained at the center of action, representing our mission. In this way, according to the conversations we held with the parties, it would be as though the Committee were present and together with military advisers and the civilian personnel he could undertake to solve whatever it might be possible to solve, to the extent that we are able—to solve the difficulties arising from the events that have taken place and that are taking place in the Dominican Republic. I want this generous act of the Delegate of Panama, from a country that has so many reasons for counting on the tradition of brotherliness in solving basic problems, to be recognized at this session. Panama is with us on the Committee, represented by its distinguished Delegate. Ambassador Calamari also wanted to be here physically with the Committee but was not able to do so. I want to stress this act of the Delegate of Panama because it is eminently fair to do so—to take note of one who has firmly carried the banner of the inter-American system into the midst of the fight. Nothing more.

The PRESIDENT. We are sure that our colleague, Ambassador Calamari, must be gratified by the eulogy given by his compatriot and our dear colleague, Ambassador Frank Morrice. [Sic]

Ambassador Diez de Medina, Special Delegate of Bolivia, has asked for the floor; and then Ambassador Tejera Paris, Special Delegate of Venezuela.

Mr. DIEZ DE MEDINA. Mr. Chairman, I have not asked for the floor to pose any question: I have no questions to ask. I have only words of praise—of warm praise and congratulations—for the distinguished members of the Special Committee of the Tenth Meeting of Consultation, for the intelligent and devoted manner in which they carried out the delicate mission entrusted to the Committee. I only wish, Mr. President, to add my wish that the minutes of this plenary session should also include words of congratulation and appreciation for the task being so successfully performed in the Dominican Republic by Dr. José Antonio Mora, Secretary General of the Organization of American States. Thank you very much.

The President. Very well, we shall do so. Ambassador Colombo, the Special Delegate of Argentina has the floor.

Mr. Colombo. The Ambassador of Bolivia is quite right in proposing formal recognition of the fact that the Committee was able to fulfill its mission because of the brilliant efforts that were begun by Dr. José A. Mora before our arrival in the Dominican Republic. Appreciation should also be expressed to the Secretariat, which, although few in number, gave much in efforts and efficiently contributed to the success of our actions. Therefore, I second the Ambassador of Bolivia's proposal but would like to point out that we had intended to submit this matter during the session.

The President. The Ambassador of Bolivia and the Committee have interpreted the feelings and thoughts of the Chair and of all our colleagues very well. Ambassador Tejera Paris, Special Delegate of Venezuela has the floor.

Mr. Tejera París. The Delegate of Bolivia anticipated what I was thinking and what is certainly the thought of all of us here. My intention was, I now confirm it, to ask the Chair to ask this Tenth Meeting of Consultation to give to the Committee, to the Secretary General, and to the members of the General Secretariat a vote of applause for the work they have done. The test that the Committee has passed has been hard both there and here, and I believe that since this is a problem that affects the whole security of the hemisphere, these colleagues deserve not only our thanks but the thanks of our governments and of their peoples, and, at this moment, enthusiastic applause which I am sure the President will be the first to begin. [Applause.]

The President. All of us join in the praise and tribute the Special Committee has given to the prelate Emmanuel Clarizio, Papal Nuncio in the Dominican Republic and Dean of the Diplomatic Corps in Santo Domingo. We share in this with real appreciation, with affection, as our common duty. His services for the peace of the Americas, his vows and his blessings we applaud with emotion; with emotion, I say, which corresponds to the emotion that he experienced when he received our expression of deep gratitude for his magnificent labor for the peace of the Americas and for that people that we all love so well: the Dominican Republic. This closed plenary session has been highly important. We have heard the interesting report of the Special Committee. We have posed broad questions; we have obtained splendid and very clear replies, from which we can appreciate even more the extraordinary task accomplished by the Committee. Our repeated applause and eulogy for it and its members, all of whom we are honored to call our colleagues and friends. Unless you think otherwise a plenary session of the Tenth Meeting of Consultation should be indicated to consider the report in the aspects noted by the Committee, so that the meeting may act on that report. We have asked questions and have obtained answers; now comes the job of considering the report and analyzing the action to be taken by the Tenth Meeting of Consultation on the recommendations proposed by the Special Committee and the conclusions that it reached.

I ask you only whether tomorrow's plenary session should be open—I understand that it should be. It should be open so that the public will know everything that we have said, both with respect to the work of the Committee and to the contents of its interesting report. I would call another closed meeting, if the Committee so wishes, but the meeting I am going to convoke for a little later today, should be public and its purpose will be to consider the report of the Special Committee, discuss it and propose decisions concerning the recommendations it makes. The delegates have already seen and have in your briefcases for later reading the fourth radio-telephone message from our Secretary General, Dr. Mora.[3] It is not necessary to have the Secretary read it, since I am sure all of you have read it. With respect to the minutes of this plenary session, I ask you to take note that you have 24 hours in which to give the Secretariat your corrections of style. I ask you to take note of that time period so that the Secretariat can speed up the final edition of the minutes of the plenary session.

Mr. Colombo. Mr. President, I should like you to repeat the last part as to the time and place, according to the Chair's plan, as was suggested. Please do me the great favor of repeating it.

The President. Yes, sir. We are going to adjourn the session and meet again in a few hours, let's say, perhaps this afternoon. It will be a plenary session of the Tenth Meeting, public, for the purpose of considering the report of the Special Committee. To consider it, analyze it, discuss it, and decide on the recommendations and conclusions reached by the Committee. It is assumed that this session should be public. The next plenary session will not be closed like this one; it will be public, so that public opinion of the hemisphere will be informed, but not just of what is in the report of the Special Committee, because I am hereby suggesting that the report should be made public, unless for some reason the members of the Committee indicate to the Chair that it should not be made public but that we ought to wait until tomorrow's session.

Mr. Colombo. Absolutely, Mr. President.

The President. Therefore, gentlemen, as of now the report of the Special Committee is public. Consequently, it can be turned over to the press and sent to anyone wishing it. Naturally, if at tomorrow's meeting we reach conclusions on the suggestions made by the Committee, we shall feel highly gratified. In any case I think that the time has come for the Meeting of Consultation to make concrete statements on the chaotic situation that seems to grow worse every hour. Therefore, within 5 or 6 hours, possibly for 4 or 5 o'clock this afternoon, I am going to convoke the fifth plenary session of the Tenth Meeting of Consultation to meet in this same place and take up the report of the Committee.

The Representative of Venezuela.

Mr. Tejera París. Mr. President, only to ask if you would be good enough to include in the order of business two specific points that I believe are relevant to the announcement you have just made: first would be consideration of whether or not the present situation in the Dominican Republic affects the security of the hemisphere; second, establishment and implementation of measures to help the Dominican people return to full constitutional democracy.

The President. Very well; it seems to me there is no objection to discussing these two points in the public session we shall hold shortly—the one suggested by the distinguished Representative of Uruguay and supported by the Representative of Venezuela, and the other just mentioned by the distinguished Ambassador Tejera París. I recognize the Representative of the Dominican Republic.

Mr. Bonilla Atiles. Mr. President, I shall wait until tomorrow to formally present a draft resolution on my proposal that the Organ of Consultation declare the situation in the Dominican Republic to be a threat to the peace of the hemisphere.

The President. Very well. The Representative of Paraguay has requested the floor.

Mr. Yódice. I only wish to ask two questions, Mr. President. I understand, or rather, I actually heard you mention a decision on the request of the Delegate of the United States that the minutes of today's session be made public. This request was seconded by the distinguished Representative of Uruguay. From this I assume, that is, I hope, because the suggestion is also mine, that it will be agreed to make public the minutes of this session.

The President. The Chair has so resolved.

Mr. Yódice. I beg your pardon. Thank you.

The President. That's quite all right.

Mr. Yódice. Now, I have another question to ask of the distinguished Representative of Costa Rica, arising from an earlier statement by the Ambassador of Venezuela, because it refers to the matter of considering measures to bring democratic normality to the Dominican Republic, and during this 10th meeting of consultation, I don't recall having heard any informal proposal by the distinguished Ambassador Facio regarding the establishment, as the distinguished Ambassador of Guatemala said, of a committee of statesmen, or something similar. Therefore, I would like to ask if Ambassador Facio did or did not make such an informal proposal, because I would not want to fail to inform my foreign ministry of something that had been proposed here. Thank you.

The President. Thank you. The Delegate of Costa Rica.

Mr. Facio. Mr. Representative of Paraguay, I have not yet made any proposal of this sort. Perhaps it can be clarified in this way: there has been some discussion of a proposal, but not one of mine, to put some of the recommendations of the Committee into effect. I shall be very happy to give you a copy at the end of this session. But the proposal was not made by Costa Rica; it has been discussed among several delegations but is nothing specific.

Mr. Yódice. I understand. Thank you. I wanted to know if it was proposed here.

The President. Ambassador Tejera París.

Mr. Tejera París. I would like to ask the Committee on Credentials if it would be possible to have a meeting early tomorrow to reexamine all our credentials, because it appears there are certain doubts that should be clarified in the light of the information transmitted in the cable that the Ambassador of the Dominican Republic reported on a short time ago.

The President. Ambassador Jácome, the Representative of Ecuador.

Mr. Jácome. As Chairman of the Committee on Credentials I can report that I have called a meeting of the Committee for tomorrow at 3:30 p.m. Any representative who has any doubt as to himself or to his colleagues may present his complaints to the Committee.

The President. Gentlemen, we have taken note of the announcement just made by our colleague, the Chairman of the Committee on Credentials, and it is now the time to adjourn the session and to announce that the 5th plenary session of the 10th meeting of consultation will be held here this afternoon at 4 p.m. The session is adjourned.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. REID of New York. As I listened to the gentleman further comment and to his characterization of the intent of the New York Times, he subsequently said, if I understood him correctly, it was similarly slanted with regard to a caption I believe in the Herald Tribune.

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[3] The complete text of the fourth message of the Secretary General is published as Document 17 add. 3.

Might I ask the gentleman by what special competence he is in a position to judge the integrity of a great newspaper such as the New York Times with regard to the full and fair reporting of the news. Does he have any basis for the allegations that he made of the intent of the New York Times?

Mr. SELDEN. I think it was obvious from the statement I made as to what I believed was the intent of the New York Times in this instance.

Mr. REID of New York. How do you know what the intent of the New York Times was. The New York Times is one of the great papers of America and indeed of the entire free world. If the gentleman is familiar with newspapers at all, he knows that the decisions on the placement of news stories and reporting and the accuracy thereof are matters of the highest concern to any newspaper. Their overall concern is very simply with the integrity of the news and I know of no major newspaper or any newspaper in these United States that ever deliberately and knowingly tries to slant the news.

Mr. SELDEN. I do not agree with the gentleman, I have made these charges and if these particular newspapers would like to answer them, I would be interested in hearing their answer.

Mr. REID of New York. Will the gentleman answer my first question—by what special information or competence does he feel he is able to characterize what he calls, and I quote him: "the intent of the New York Times."

Mr. SELDEN. I am an average newspaper reader, and I feel sure that others have gotten from its reporting the same impression as I.

Mr. REID of New York. I thank the gentleman for his clarification because he now says it is his impression and therefore I take it he retracts his earlier charge with regard to the intent of the New York Times.

Mr. SELDEN. I do not retract anything I have said. I stand on the statement I have made.

Mr. REID of New York. As I understand the gentleman, he stands by the clarification that this was his impression?

Mr. SELDEN. I stand by the statement I have made, I will say to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, will the gentleman yield for a question?

Mr. SELDEN. I yield to the gentleman.

Mr. REID of New York. With respect to the OAS matter, I ask the gentleman whether the administration informed the OAS of the United States intention to land troops prior to the actual landing of our forces?

Mr. SELDEN. I understand that the individual members of the OAS were informed immediately following the order to land troops.

Mr. REID of New York. The question I have asked the gentleman——

Mr. SELDEN. I answered your question. You asked me whether the administration informed the OAS members before the landing of troops and I said it is my understanding that they were informed immediately thereafter.

Mr. REID of New York. But not before?

Mr. SELDEN. That is correct.

Mr. REID of New York. Might I ask the gentleman a second question?

Mr. SELDEN. I might add that in connection with our intervention in the Cuban missile crisis that troops had been deployed as well as naval and air force units prior to our notification of the OAS members.

Mr. REID of New York. That is not my understanding in talking with Senator KENNEDY, but let me ask a second question of the gentleman. Was there any attempt by the administration to request that observers accompany our forces and particularly that observers accompany our forces pending any dispatch of an OAS peacekeeping force?

Mr. SELDEN. As I pointed out in my statement, this was done in a matter of hours, and there was no time to send an OAS force since no OAS force was in existence.

Mr. REID of New York. The question I was asking the gentleman is whether the administration has considered a request to have a few observers—not an OAS force, but a few observers—accompanying our forces, pending a possible dispatch of OAS forces?

Mr. SELDEN. I am not aware that such a request was made. Is the gentleman telling me that such a request was made and not granted?

Mr. REID of New York. It is my understanding that there was no attempt, as I understand the facts, either to inform the OAS prior to the decision and consult with them prior to the decision, or was there any attempt to have observers accompany our forces. This in my judgment was in contravention of the OAS charter. It might also have been, and in my judgment it was, a matter that was deeply resented by many of the Latin American states—not that we acted and not that we acted promptly which I think all Americans supported, but we did not take the extra time to inform the OAS to request observers.

Does the gentleman feel that it was so impossible that a telephone could not be picked up?

Mr. SELDEN. I understand that immediately after the landing all Latin American Ambassadors were called. The order to deploy troops was given immediately, however, when it looked as though the lives of Americans in Santo Domingo were in danger.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentlewoman from New York.

Mrs. KELLY. I would like to make this very brief observation at this point. I believe it is very clear that the time was too important at this point to do anything other than what our Government did. I believe that and I am sure that an endeavor was made to notify the members of the OAS, but perhaps they did object at that time. I am not sure of that, but I know this for a fact, that now they are very glad that we did move as we did.

I refer to the countries of Latin America, for the reason that they now realize we had information as to what was taking place and took place, and we were defending not only their people but our people, and the free world.

Mr. Speaker, I want to take this time to compliment my colleague for his statement on the U.S. action in the Dominican Republic. There has been a lack of actual reporting concerning U.S. activities in many parts of the world. That was portrayed, and very unfavorably, including pictures, of what our desire is. I think we should realize at this moment that we are doing these things for the protection of all people, for the protection of our civilization, for the protection of our way of life.

I think there is a point that the media, including all newspapers, should consider at this moment. They have a grave responsibility not only to us, but to the free world. I realize the tremendous coverage they have around the world, and they should endeavor to give an impression of that which we seek and that which they know by seeing the media in this country, and that whatever wrong impression is created by the media can be harmful.

I ask the gentleman if it is not true the reason he is taking this time today is to emphasize to a large degree what we think is factual reporting, as I hope all newspapers and media endeavor to do, that the impressions conveyed by a picture or any other means can be detrimental.

I want to give one illustration. A serviceman was seen lighting a match to a hut in Vietnam. That appeared in many papers. That picture portrayed a picture that the United States was inhuman; but they did not portray the fact that under that hut was secured, and down in the ground, many weapons of war for the destruction of our side. That is why I say the importance of today's impressions created by media or newspapers, or anything, is so vast that I urge them to consider more carefully their responsibility.

Am I right in endeavoring to seek factual reporting?

Mr. SELDEN. I think the gentlewoman from New York is correct, and I thank her for her contribution.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Massachusetts the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. It so happens that I was at a meeting with the President when this question was discussed. It was a very important meeting. I was also present at the Cuban meeting, and I have been to many others. It is very easy to be a critic when one does not have the responsibility—and this observation is not made with anyone in mind—but I ask myself many times, what would you do if you had the responsibility? I was faced with that situation for a number of months, and I thank God it never came about. But being a human being, I did ask myself, "Well what would you do, JOHN MCCORMACK, if you were in a certain position where you had the responsibility of making a decision and had to do it—would you have the courage to do what you had to do?"

I might say that in Santo Domingo in the Dominican Republic, there were at least 5,000 American nationals and nationals of other countries there. If I were President of the United States at such a time when a decision had to be made, I would say that I had a primary obligation to protect the lives of the citizens of my country and that I also had another obligation to protect the lives of the nationals of other countries.

We must keep in mind the situation that existed there at that time—with mobs roaming the streets of Santo Domingo. We all know what can happen as a result of mob psychology particularly when trained minds are directing the mob and influencing it. We know the dreadful results that can follow therefrom.

I think it is only fair to say that if the President of the United States had stated even 1 hour before the marines and our forces landed that they were going into the Dominican Republic, there could have been hundreds of Americans and other nationals killed and wounded. There would have been bloodshed there that would be too terrible to picture.

It is very easy to look back and say—well, nothing happened—but the decision had to be made, looking to the future as to what could happen. President Johnson was faced with that decision and the others who were at the meeting that I referred to had our responsibility at that time. I think the President made the right decision. The question of notifying the other countries could not be resolved as it was in the case of Cuba. In Cuba we were faced with the fact that there were military installations there and possibly inter-continental ballistic missiles. At that time if Khrushchev had not backed down, it would have taken us 10 days or 2 weeks to be prepared. We would have had to bring our troops to certain parts of the United States. We would have had to bring our Air Force. We had to bring other necessary equipment—tanks and so forth—in order to be prepared. But more than that we had to make arrangements for at least 100 ships to do the transporting. So at that time there was a period of 10 days to 2 weeks at least where we had to prepare in case the situation arose where we had to do so.

So without entering into any controversy with anyone, all that I say is that this should be considered, having in mind the situation that confronted the President of the United States when he had to make the decision. In other words, it is a question of making a decision on what might be termed before the fact. We should view it that way and not from the perspective that pertains after the fact and with knowledge of the masterful job that was done by our Armed Forces where not one single civilian was killed or injured as a result of the action that was taken in connection with the Dominican Republic.

As I said, I was one of those at that meeting. I know of no dissenting voices at that meeting and we all supported the President. I think subsequent events have completely justified the decision that was made on that occasion.

Mr. SELDEN. I thank the distinguished Speaker of the House and certainly agree with his assessment of this situation.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the distinguished gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I want to associate myself with everything that the great Speaker of this House of Representatives, the gentleman from Massachusetts [Mr. MCCORMACK] has just said.

I think he has demonstrated once again that his vision, his long years of experience and knowledge are of such immeasurable value not only to this legislative body but to our country. His words spoken here tonight should be considered very carefully and seriously by everyone.

Mr. Speaker, the gentleman from Alabama [Mr. SELDEN] is a conscientious, hard-working, dedicated and serious-minded Member of this body. As chairman of the Inter-American Subcommittee he has labored long and hard to know and understand the complex foreign policy problems of the Americas. His approach has always been cautious. In all the years that I have worked with him he has been very thorough and has shown deep understanding of the public responsibility which he bears. The reports of his subcommittee have always received strong bipartisan support and have always been overwhelmingly well received by this House.

As a member of the Committee on Foreign Affairs, I too sat earnestly many, many hours listening to and trying to get to the facts to make a decision during those hectic and fast-moving events that took place in the Dominican Republic.

We listened most carefully to the presentation of all our Government officials.

But none of us accepted everything that was said at face value. We questioned and we questioned deeply and very penetratingly, as anyone would in our position. We also had reflected many differing viewpoints on the committee. As I say, we spent a long time.

Mr. Speaker, in tranquil times, it is difficult enough to get all the facts in any given situation in order to form an objective judgment; but it is particularly difficult to get the facts to make the judgments in times of stress and fast-moving events, such as took place in the Dominican Republic.

Based upon all the information I could get, as with the gentleman from Alabama, it was my judgment that President Johnson did the right thing, and the only thing, at that time. I fully support everything that he did in order to protect Americans and other nationals and in order to prevent a takeover in the Dominican Republic by a group not representative of the Dominican people.

Therefore, in conclusion, I should like to say that the gentleman from Alabama, in bringing this report to the House, is performing his public trust as he sees it in the highest sense of service to his country. I commend him for it.

Mr. SELDEN. I thank the distinguished gentleman from Florida [Mr. FASCELL] for his remarks and I am grateful to him for his contribution.

Mr. Speaker, I yield to my colleague from Alabama.

Mr. MARTIN of Alabama. Mr. Speaker, my distinguished colleague, the gentleman from Alabama, has presented tonight a factual case, and I thank him for it. I would also like to thank him for setting the record straight. It is vital that men who have this knowledge and determination to set the record straight should do so.

I am also aware that the gentleman has dealt with the facts and the twisting and the slanting of the press. As an Alabaman who read the Washington Post during the trying months that have passed, I have witnessed the distortion of the press. I have watched the slanting of news. I have seen the vicious cartoons that depicted lies in this country and that twisted and distorted the events. I commend my colleague for setting the record straight.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent for 5 additional minutes, and I thank my colleague from Alabama [Mr. MARTIN] for his remarks.

The SPEAKER pro tempore. Is there objection? The Chair hears none and it is so ordered.

Mr. SELDEN. I yield to the distinguished gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Speaker, I rise to commend my chairman on the statement he has made, and to emphasize what the gentleman from Florida [Mr. FASCELL] has just mentioned. Our chairman always proceeds in a cautious, sincere, and conscientious manner, and he undertakes to be sound in that which he does.

Certainly I applaud our illustrious Speaker on what he has said this evening. I know he has done his best at all times to keep the facts straight. His is a great contribution here this evening.

Mr. SELDEN. I thank the distinguished gentleman from Texas.

Mr. Speaker, I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I thank the gentleman for yielding.

I should like to address a question, if I may, to the distinguished gentleman from Massachusetts.

First, I am very responsive to the seriousness with which the gentleman has discussed the subject in the meetings which he has held and the distinguished service which he has rendered this body and the country over the years.

The point I was trying to make was not the need to act promptly. I think that was clear. It was not to do anything but to support the President's steps that he thought essential in our national security to protect nationals in the area and for other purposes.

But there is one point I would raise; it is this: I address this to the gentleman in equal seriousness. I am not persuaded, that it was not possible to take 5 minutes, 15 minutes, a half-hour, or even an hour to have consulted with the OAS, and at least to have informed them at the highest level of our thinking and to consult with them with regard to the decision that we are planning to take. To say that we did not have the time is to suggest that there was an immediacy that was instantaneous. To suggest further that had we informed them of our intention to act, it might have resulted in the loss of the lives of Americans does not particularly do credit to the OAS, which I am sure would treat a communication of that kind with the importance and the security which it deserves.

My question is simply this: Diplomacy, starting back with Franklin Roosevelt, and for many years since, and for every American President since then, has been concerned with consultations. It has been concerned with upholding our treaty rights. It has been trying to convince our sister republics in Latin America that we would consult and that we would work together.

Do you not believe, Mr. Speaker, we could have found at least 5 minutes to have tried to consult before we made the final decision? I believe this would have meant a great deal in Latin America It would have been wholly within the spirit of our treaty rights.

As someone somewhat interested in diplomacy, it is my conviction it would have made a signal and significant difference to the reception of the actual decision by some of these governments.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Let me ask the gentleman from New York a question. Assuming you were President of the United States, and assuming you were faced with the decision which confronted the President of the United States—with 5,000 Americans and other nationals faced with possible death; with the knowledge of what the slightest publicity would do, if it became known among tens of thousands of emotionally moved people, many of whom had weapons; and with trained minds there to exploit, to engineer and to direct emotionalism—the gentleman knows what I have in mind—with those 5,000 lives in peril, what would you have done under the circumstances?

Mr. REID of New York. In response to the distinguished Speaker, it is my understanding that there was a period of time—at least an hour; certainly 30 minutes—and it is my conviction that during that period of 30 minutes it would have been possible to have informed the OAS of our intention.

I took the liberty of asking the White House that question, and I was informed that they could have done it, that it would have been possible within the span to have informed the OAS.

Mr. McCORMACK. What would be the conscience of the gentleman today? We will assume there was no information conveyed, although the representatives of all the countries are very thankful for what was done. We will assume that there was no information conveyed. What would be the gentleman's conscience, if he were President of the United States and as a result of advance information given, which had to be only for a short time, hundreds of Americans were killed or wounded? What would the conscience of the gentleman speak to him under those circumstances?

Mr. REID of New York. I believe there are two responses to that question.

First, if the President was convinced that action had to be immediate——

Mr. McCORMACK. You would agree with that, would you not?

Mr. REID of New York. If I may be permitted, I should like to finish the sentence.

Mr. McCORMACK. We want to see where we have an area of agreement.

Mr. REID of New York. If the President was convinced that action had to be immediate—that is to say, instantaneous—to protect a significant number of American lives and nationals, then I believe the President, in all the seriousness of his office, should act promptly. If, however, the President had been advised that he had a period of a few minutes at least, that the marines could not land for a certain number of minutes and that he had time to inform without any danger of loss of life——

Mr. McCORMACK. Ah, that is the question—without any danger of loss of life. How would you know it? It is a big question. There is the big factor and the gap; and the gentleman, with his usual honesty, has stated it. However, I do not want my remarks to the gentleman from New York to be misinterpreted as to his motive or intent.

In this colloquy I want the record to show that I have profound respect for my friend from New York. I believe he is a great American.

The SPEAKER pro tempore. The time of the gentleman from Alabama has again expired.

(By unanimous consent, Mr. SELDEN was allowed to proceed for 5 additional minutes.)

Mr. McVICKER. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the distinguished gentleman from Colorado.

Mr. McVICKER. I echo the sentiments which have been placed on record here, and properly so, by the chairman of the Inter-American Subcommittee, on which I have the honor to serve. During the hearings on this matter, the gentleman from Alabama has shown deep concern for giving fair treatment not only to the witnesses and to the members of the committee but also to bringing the facts properly and fully to light.

I would say, if I may, to the gentleman from New York that the main question arising from our investigation and from the criticism which arose—and criticism is always healthy whether it is against the press or from the press against us—the question which we focused upon was this: Should there have been an American declaration of its position and its possible action prior to the President's decision? I take it that the gentleman from New York feels that under the circumstances, as the President saw these circumstances, that this is really not the question; instead that the question is: Should there have been a phone call from the President immediately after his decision was made to responsible Latin officials or to the OAS? My own very strong impression, gained sitting on the subcommittee and asking similar questions to those which the gentleman from New York is propounding here this evening, is that the President of the United States did, at the earliest possible moment, when the action phase of his decision was no longer pressing upon him and absorbing all his attention and his being, immediately contacted the leaders, not only of the OAS, of our own diplomatic service in the Latin countries, but of the major Latin countries, to advise them of his action and to consult with them as to the necessity for his action and for the followup action which he hoped would be undertaken by ourselves and by our allies and friends in the Latin countries.

A question of which split second should the President have called the OAS or the Latin leaders is merely one of splitting hairs, of begging the question. The real issue is what was in the President's mind and did he, in good faith and concordant with his responsibilities, act as he should have acted. I believe the answer to this question is as clear as a bell. The President did so act faithfully and responsibly. The principle upon which our policy with regard to the Americas has been founded is still the policy of this country—namely, that ourselves with our equals who are our friends and allies in the Latin countries, acted in concert to bring into being a police force to secure to the Latin countries, to all of the countries of these two continents security from internal chaos and aggression. When chaos and killing threatened, the immediate use of our forces was justified and, in fact, became the basis for the present existence of an OAS force in the Dominican Republic. This fact is proof of the rightness of our policy.

Mr. SELDEN. Mr. Speaker, I might say to the gentleman also I think it might be quite difficult to call and contact and locate 18 ambassadors within a period of an hour let alone 30 minutes or 5 minutes. It would be extremely difficult to contact all of them in that period of time.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from New York.

Mr. REID of New York. The point I was trying to make was not one of splitting a hair but of our sovereign obligations under the treaty. Here, wherever we can do it, it seems to me we should practice consultation and not just talk about it. I was not trying to talk about the question of timing solely but of what has been built into our diplomacy and our relations in Latin America.

I would say to the gentleman that the information I have been given by the White House very simply was and is—and I may say also by the Department of State—that we could have informed the OAS prior to the action we took. I think it might have taken only one telephone call to the Secretary General of the OAS.

Mr. McVICKER. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Colorado.

Mr. McVICKER. If the gentleman will yield further, if I may respond to the point that the gentleman from New York just made, again these questions were very closely delved into in the hearings which were held under the chairmanship of the distinguished gentleman from Alabama. There should be no question of an impression being left from this colloquy or from the debate that has been taking place in either of the two Houses, that the leaders or the people of any country in the Latin Americas were not aware of the developing situation in the Dominican Republican, or were not in close contact with the administration of this country.

The SPEAKER pro tempore. The time of the gentleman from Alabama [Mr. Selden] has again expired.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. ANNUNZIO. Mr. Speaker, reserving the right to object, I do not want to object, but I would like to ask the gentleman from Alabama a question. I, too, have a special order. The gentleman has had 10 extra minutes. Is this going to be the last 5 minutes' request?

Mr. SELDEN. I do not plan to request additional time.

Mr. ANNUNZIO. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for an additional 5 minutes.

Mr. McVICKER. Mr. Speaker, will the gentleman yield further?

Mr. SELDEN. I yield.

Mr. McVICKER. Mr. Speaker, in answer further to the gentleman from New York, this country was in consultation with the major leaders of the Latin American countries and with the OAS as to the events which were unfolding during the few days prior to the decision made by the President. I think that the criticism that has been leveled at the President by certain individuals is not justified if it leaves the impression that all of a sudden, out of the blue, the President made a decision and said, "Friends and allies, I will now tell you what I did." That is not the truth. That is not a statement of the facts. A statement of the facts would report that the President of our country in the days preceding his decision, kept in close contact with the Latin American leaders and with the OAS, discussing the situation as it was unfolding.

So far as I am personally aware—and that is as far as I can speak—he did not discuss specifically the action that he took or the time that he was going to take it, because I am positive that he did not know specifically that he was going to have to take such action. He did not know the specific time. But the possibility of certain actions including use of our forces to guarantee the safety was discussed with the leaders of the Latin American countries.

Mr. Speaker, my own impression, gained from the hearings conducted by the Inter-American Committee, is that this country tried in every possible way to act in good faith with its allies in the OAS and in the Latin American countries.

Mr. SELDEN. Mr. Speaker, I might add that from the evidence presented to the subcommittee, no one indicated that a phone call in 5 minutes would have been sufficient to notify all the members of the Organization of American States. Am I correct in that statement?

Mr. McVICKER. I certainly think so.

Mr. REID of New York. Mr. Speaker, will the gentleman yield for one question?

Mr. SELDEN. Mr. Speaker, before I do so, I ask unanimous consent that all Members who have participated in this debate may have permission to revise and extend their remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SELDEN. Mr. Speaker, I yield to the gentleman from South Carolina, who has been waiting, and then I shall be glad to yield to the gentleman from New York.

Mr. DORN. Mr. Speaker, I want to congratulate and commend my distinguished colleague from Alabama [Mr. Selden] for his timely presentation of these facts about the Dominican crisis to the House. It has been my privilege over the years to consult with the distinguished gentleman from Alabama in reference to Latin American affairs. I cannot recall a single instance when the gentleman's advice was not only official but was pertinent to the situation at that time and proved to be correct. I remember the advice that he gave me on Venezuela and the Panama Canal and the Cuban crisis.

So, Mr. Speaker, I want to commend the gentleman as strongly as I know how for the splendid job he has done as chairman of this great subcommittee. Also I would like to say that at the time of the Dominican crisis I was in the company of the distinguished chairman of the committee on Armed Services of this House, touring bases in the Southeastern part of the United States. I shall never forget how gratified, how proud civilian and military people were, for the first time in quite some time, over the action which was taken, over the decision made with allacrity by the President of the United States to preserve not only the integrity and freedom and independence of this country from any subversive movement through the soft underbelly of this hemisphere, but to protect the Western Hemisphere and all states that believed in freedom and those principles and ideas that made the Western Hemisphere what it is.

Mr. Speaker, I commend the President; I commend him for his action in Vietnam. And I say, Mr. Speaker, that we are fortunate in this country, the American people are fortunate in having a distinguished Speaker with his experience, who served in this House with the President of the United States, and who is in touch with the Members of this great body; and how fortunate we are to have a man of his experience and ability to sit with the President of the United States when making these momentous decisions affecting the lives of millions of people on this globe.

So, again, I want to congratulate and commend my distinguished friend from Alabama [Mr. Selden] for his great service to this country as chairman of this subcommittee.

Mr. SELDEN. I thank my friend, the distinguished gentleman from South Carolina, for his kind remarks.

Mr. REID of New York. Mr. Speaker, would the gentleman agree to yield for 1 minute?

Mr. SELDEN. I yield to my colleague, the gentleman from New York.

Mr. REID of New York. I just want to ask the gentleman from Alabama—and I am troubled by a part of the earlier colloquy, as he may know, and I feel the gentleman has every right to question the accuracy of any news story, but I do not feel that the gentleman would want to leave the impression that he would question the integrity of the reporters themselves or of the newspapers themselves, because I think the press and the newspapers in this country are very interested in and concerned with presenting the news as straight and fairly as possible.

I believe the gentleman might want to make a distinction as to the act of news reporting and the integrity of the news reporters themselves.

Mr. SELDEN. As I pointed out earlier, I am not primarily interested in the motivation or the reason behind the bias shown in connection with the Dominican situation by some of our news media, although that in itself should be of interest. But what I am interested in is that such misrepresentation of our Nation's foreign policy role be understood for what it is—not the responsible report of a free press, but the irresponsible propaganda of some who, under the protective cloak of journalistic rights, have sought to undercut and reshape our foreign policy to suit their own preconceived views of the story they have been assigned to cover. Perhaps I am wrong, but certainly some newspaper reports that I have seen indicate to me that such was the case in some instances in the Dominican Republic.

The SPEAKER pro tempore (Mr. Rooney of New York). The time of the gentleman from Alabama has again expired.

AMERICAN FOREIGN POLICY IN THE DOMINICAN REPUBLIC

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. **GREEN** of Oregon. Mr. Speaker, in a rare and refreshing insight into American foreign policy, questions were raised by the distinguished Senator from Arkansas [Mr. FULBRIGHT] on the floor of the Senate last week. He felt compelled to raise these questions following 2 months of closed door sessions of the Senate Foreign Relations Committee in which the administration presented testimony on this Government's role in the Dominican crisis. The ultimate questions raised about American foreign policy in light of our policy in Latin America was an attempt to forestall another Santo Domingo—an attempt to explore the long-term implication of Dominican action in terms of our future foreign policy.

I call to the attention of my colleagues editorials in recent days which point up the necessity for legitimate debate.

These editorials come not only from the highly respected New York Times and Washington Post but also from such distinguished newspapers as the Christian Science Monitor, the Louisville Courier-Journal, the San Francisco Chronicle, and the Benington Banner.

[From the Christian Science Monitor, Sept. 18, 1965]

THE FULBRIGHT SPEECH

It will be a great pity if Senator FULBRIGHT's Senate speech on the handling of the Dominican crisis leads simply to a fierce public argument about the past. As he himself says, analysis of the past is useful only if it helps to avoid mistakes in the future.

There is validity in Senator FULBRIGHT's charges of initial "overtimidity" and subsequent "overreaction." But he is careful to say that his assessments are made with the advantage of hindsight. Yet even if one concedes that there were mistakes during those early weeks of the upheaval, we believe that the U.S. Government has since done a good job in trying to pick up the pieces which it perhaps helped to shatter—albeit involuntarily.

Only the first wobbly steps have been made toward normalcy in Santo Domingo. But Ambassador Ellsworth Bunker, tireless and resourceful, would never have been able to encourage those steps if he had not had Washington's backing. It has been a little bit like Macmillan furiously repairing the damage done by Eden at Suez, protesting all the time that no damage had been done. But over the Dominican Republic, the Macmillan and Eden roles are combined in one man—and he wears a Texas hat.

As we have already said, however, we think that what is important now is to eschew the same kind of mistake in the future. Senator FULBRIGHT uttered a few home truths, among them:

"The movement of the future in Latin America is social revolution and the choice which the Latin Americans make will depend in part on how the United States uses its great influence."

"Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning, the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere."

"It should be very clear that the choice is not between social revolution and conservative oligarchy; but whether, by supporting reform, we bolster the popular non-Communist left or whether, by supporting unpopular oligarchies, we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro."

Admittedly all this is easier to preach than to practice. To begin with, effective communication has to be established with that rising generation—and their confidence won. Their language will differ from ours in many ways. But most of them want for themselves what we have won and want—and the overwhelming majority of them would still prefer not to turn outside the American hemisphere or to alien tyrannies to try to get it.

[From the Washington (D.C.) Post, Sept. 16, 1965]

STEMWINDER

Those who admire the analytical powers of Senator FULBRIGHT have come to expect penetrating truths from the chairman of the Senate Foreign Relations Committee that cut through the veneers of cant and illusion. He has done it again with his incisive speech about the American military intervention in the Dominican Republic. What he says about initial overtimidity, later overreaction, and lack of candor throughout is sure to lacerate a lot of feelings. But essentially his point is that with the information available to him President Johnson could have taken no other course.

The pertinent question, of course, is why the advice to the President was so bad. Beyond this the Senator asks several ancillary questions: Why, for example, did the United States veer so far from its general support for Juan Bosch, the elected President ousted by a military coup in 1963, as to oppose his return? Was this part of a more ominous shift against reform movements in Latin America out of fear that the Communists would dominate them? Do we lack confidence in our own ability to influence the course of revolution?

For social revolution, Mr. FULBRIGHT contends, is the course of the future in Latin America, and by seeming to oppose it blindly we only drive those who are dissatisfied with the oligarchical status quo into the arms of the Communists. His characterization of this country's role is acid:

"We are not, as we like to claim in Fourth of July speeches, the most truly revolutionary nation on earth; we are, on the contrary, much closer to being the most unrevolutionary nation on earth. We are sober and satisfied and comfortable and rich."

In another reproach Mr. FULBRIGHT contends that the administration broke international law and damaged its own reputation in not seeking a collective decision by the Organization of American States before its own unilateral action. His point is well taken, but he might well have addressed himself further to the fundamental need for improved machinery in view of the utter inability of the OAS to reach a decision quickly in emergency.

Happily, the situation in the Dominican Republic now seems to be turning out better than might have been expected from the sorry beginning, and for this recovery the administration deserves a share of credit. In any effort to derive lessons from the experience, however, Mr. FULBRIGHT's questions deserve some frank answers, not merely anguished screams from wounded policymakers.

[From the New York (N.Y.) Post, Sept. 16, 1965]

FULBRIGHT'S HISTORY LESSON

Senator FULBRIGHT's review of U.S. policy in the Dominican crisis deserves study by responsible Americans. It is as certain as anything in the area of foreign affairs can be certain that last April's revolution in Santo Domingo is not the last of such upheavals in Latin America. Unless there is careful, courageous analysis of where our policy failed, such as Mr. FULBRIGHT presented to the Senate yesterday, the mistakes will be repeated.

FULBRIGHT, perhaps too generously, absolved President Johnson. U.S. failures in Santo Domingo were principally the result of the faulty advice given the President by U.S. representatives on the spot, FULBRIGHT said. But Ambassador Tapley Bennett, Jr., it should be noted, is still at his post in Santo Domingo.

The danger to American lives was "more a pretext," FULBRIGHT concluded on the basis of his committee's inquiry, than a reason for our intervention. It was the threat of communism rather than the danger to American lives that produced the massive landings, he asserted.

"In their panic lest the Dominican Republic become another Cuba," continued FULBRIGHT in the most significant part of his commentary, "some of our officials seem to have forgotten that virtually all reform movements attract some Communist support, that there is an important difference between Communist support and Communist control of a political movement, that it is quite possible to compete with the Communists for influence in a reform movement rather than abandon it to them, and, most important of all, that economic development and social justice are themselves the primary and most reliable security against Communist subversion."

The Fulbright formula lacks the simplicity and he-man quality of landing the marines. But it is based on a more accurate reading of Latin American realities. It is sound counsel for the explosive future.

[From the Bennington (Vt.) Banner, Sept. 20, 1965]

SENATOR FULBRIGHT'S UNPLEASANT TRUTHS

It will be surprising if Senator FULBRIGHT's blockbusting statement of last week on U.S. policy in the Dominican Republic doesn't produce a profound chill in his relations with the White House.

Senator FULBRIGHT, to be sure, was careful to blame what he considers gross mishandling of the Dominican crisis on the President's advisers. Yet it is hardly flattering to President Johnson to say that he was pushed by his subordinates into an unjustified military adventure, and into misrepresenting the facts to the American people.

The burden of the Senate foreign policy chairman's argument is that the marines were sent into Santo Domingo last April not, as the President claimed to save American lives put to prevent "a return to power of Juan Bosch or of a government controlled by Bosch's party, the Dominican Revolutionary Party."

He contends further that estimates of Communist influence in the revolutionary movement were grossly exaggerated and that evidence doesn't verify the administration's assertion that the revolution was in danger of being taken over by Communist elements when we intervened.

Senator FULBRIGHT also raised other important questions that our Latin American policymakers would do well to ponder before they advise the President to intervene in another revolution. Most important, Senator FULBRIGHT asks whether the administration's reaction to the Dominican crisis is part of a broader shift in its attitudes toward Latin American countries.

He makes it clear that social revolution is inevitable in Latin America, and that the United States can use its power to influence the choice the Latin Americans make. This choice, more often than not, will be between corrupt military dictatorships and social revolutionary parties.

"Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning," the Senator declared, "the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere."

The United States must decide, he suggested, "whether, by supporting reform, we bolster the popular non-Communist left, or whether, by supporting unpopular oligarchies we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro."

Predictably, the words had hardly left Senator FUBRIGHT's mouth before he was accused of being soft on communism, but these charges in no way detract from the importance of the issues he has raised. Intervention in the affairs of another nation, as the United States often loudly proclaims, is an extreme and not easily justified course of action. The lessons learned in the Dominican Republic should make us think twice before trying it again.

Under normal circumstances, one might perhaps question the propriety of such a frontal attack by the Democratic chairman of the Foreign Relations Committee on the policies of a Democratic President. But the circumstances in this case are not normal, first, because the Republican leadership in Congress is too illiberal to make the point that FULBRIGHT has made, and second, because the issue raised by our Dominican adventure is far too important to be stifled by a senseless consensus.

It can be argued, perhaps, that the Senator does not make sufficient allowances for the political dilemma which the Johnson administration faced in the Dominican crisis. Obviously the President and his advisers were strongly motivated by a morbid fear of what would happen to the Democrats' political fortunes if they permitted the establishment of "another Cuba." No doubt they reasoned that even in a 1-in-20 chance of a Communist takeover was a risk to be avoided at any cost.

But this is a pretty poor excuse for a decision that alined us with the enemies of reform, violated our solemn treaty obligations, and rendered our Latin American aims deeply suspect among liberals everywhere. FULBRIGHT is right when he says the Johnson administration should have had the sense and the courage to take the minimal risk entailed in casting our lot with the forces of social justice.

[From the San Francisco (Calif.) Chronicle, Sept. 17, 1965]

A DEVASTATING POLICY BLAST

After having conducted a 2-month inquest into the Dominican Republic affair, Senator J. W. FULBRIGHT has delivered in the Senate a devastating arraignment of the Johnson administration's course of action.

It is a highly effective example of the duty of a Senator to criticize and lay bare the follies of Government policy when he profoundly disagrees with it.

We sent troops into Santo Domingo last April, he said, from "overtimidity and overreaction" which is not yet ended; the administration acted with a "lack of candor."

The intervention a decision that the revolution launched by the Dominican rebel movement "should not be allowed to succeed."

It rested on exaggerated estimates of Communist influence on the rebels and it failed to perceive that if we automatically oppose any reform movement the Communists adhere to, we shall end up opposing every reform movement, "making ourselves the prisoners of reactionaries."

Senator FULBRIGHT let the President down easy by saying he had beeen given faulty advice which exaggerated the Communist danger. That is true, for the President does have to base decisions on advice, yet it remains a fact—though FULBRIGHT politely refrained from saying so—that basing foreign policy too much on the advice of CIA and FBI agents, as the President did, can be fatal to the proper ends of that policy.

As the chairman of the Senate Foreign Relations Committee, FULBRIGHT has not only struck a very hard blow at the President's excuses for "forcibly and illegally" invading Santo Domingo, but he has also raised the ultimate question about American policy toward Latin America. His words were:

"The direction of the Alliance for Progress is toward social revolution in Latin America; the direction of our Dominican intervention is toward the suppression of revolutionary movements which are supported by Communists or suspected of being influenced by Communists. * * *

"We simply cannot have it both ways; we must choose between the Alliance for Progress and a foredoomed effort to sustain the status quo in Latin America."

This needed to be said. As Senator FULBRIGHT remarked after dropping his bomb: "I think maybe they'll stop and think a bit before rushing into more military interventions."

[From the Louisville (Ky.) Courier-Journal, Sept. 17, 1965]

WISE COUNSEL AND PLAIN TALK AGAIN FROM SENATOR FULBRIGHT

It is possible that if there were no Senator FULBRIGHT in the Senate he might have to be invented. Time and again he expresses the opinions of moderation—of what he likes to call "flexibility"—against all the zigs and zags of a foreign policy that seems to him to respond too much to mood and not enough to reason.

Senator FULBRIGHT's observations on our intervention in the Dominican Republic could hardly be expected to bring the open approval of President Johnson. But if the President is willing to listen to counsels of moderation, and recent events indicate this willingness in increasing proportion, he must acknowledge the wisdom and justice of the Senator's criticism.

Mr. FULBRIGHT attributes what he calls the "failure" of our Dominican intervention to faulty advice given the President. And in particular he warned against the tendency in this country to overreact against any suspicion of communism in Latin American efforts for social change. This attitude, he feels, makes impossible any effective cooperation from this country in the social revolutions so necessary in nations to the south of us.

Mr. FULBRIGHT, as he freely acknowledged, spoke from hindsight. But it was informed hindsight, gathered after 13 hearings of the Senate Committee on Foreign Relations held in the past 2 months. If it can help rechart our policies, not only in Latin America but toward the Western World, the Senator's warning will have great value. What he is trying to tell us, after all, is that the word "Communist" no longer sums up one monolithic evil to which we must react by instinct. The currents and divergences of communism are as great in their way as the differences between democracies. All of them are not potentially deadly to us and many of the people who have been labeled Communist in struggling Latin American republics are homegrown revolutionaries struggling to right their own homegrown injustices.

If we are to intervene in every such situation because people the CIA calls Communists are in the forefront of rebel movements, we have already lost touch with the needs and the desperation which are pushing all Latin America toward change.

Senator FULBRIGHT is an effective example of the duty of a member of a representative government to open doors for this legitimate discussion. I am reminded of the words of Senator Vandenberg that "free debate is indispensable to ultimate unity. Every foreign policy must be totally debated—and the loyal opposition is under special obligation to see that this occurs." We cannot avoid public discussion.

Senator FULBRIGHT counsels a return to consistency in our relations with our neighbors in Latin America.

Senator FULBRIGHT counsels American involvement on the side of the people instead of on the side of oligarchy.

He counsels well and wisely.

DOES THE DEPARTMENT OF DEFENSE REALLY CARE?

The SPEAKER pro tempore. Under previous order of the House the gentleman from Illinois [Mr. ANNUNZIO] is recognized.

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that my distinguished colleague, the gentleman from Wisconsin [Mr. KASTENMEIER] be permitted to extend his remarks immediately following my own remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, recently, this body voted to increase the pay of members of our Armed Forces. However, by paying the serviceman higher wages, we solved only one portion of the problem of debt management, which is growing more acute among our Armed Forces.

It is not enough to give the serviceman more money in his monthly paycheck, if, at the same time, we stand by and allow loan sharks, sharp-practice finance companies, and other such operators to gouge the serviceman with assorted illegal and unethical tactics.

For far too long the serviceman has been a second, if not a third-class citizen in the area of consumer finance. The proof of this statement is in the type of establishments that habitually thrive at the entrances to military bases in this country and to a large part overseas. There is usually a pawnshop, finance company or small loan operation, insurance offices, and an assortment of used car lots. These operations offer credit, merchandise, or cash with little redtape and a minimum of waiting time. To compensate for their so-called advantages, the front-gate operators charge servicemen enormous interest rates, pad the contract with unnecessary extras, and move with unusual quickness at repossessing any goods purchased on an installment basis if the borrower falls behind in his payments.

HIGH BRASS USED AS FRONT

Not all of the operations which are predicated on the premise of getting as much from the serviceman as quickly as possible, are lodged at entrances to military installations. Many function in respectable business districts or hide behind the guise of fancy facades such as prominent figures on the board of directors. It is particularly fashionable for military finance companies to install retired high-ranking officers on the board.

The existence of these operations is of great concern to me. But of greater concern is the reluctance of the Department of Defense to take action to protect the servicemen. This has been brought home clearly during the hearings conducted by the Domestic Finance Subcommittee, of which I am a member, into the operations of Federal Services Finance Corporation, a worldwide lending institution which deals primarily in personal and automobile loans to the members of our Armed Forces.

Of the 12-member board of directors of Federal Services, eight are retired admirals or generals, many of whom held high military posts, such as Arleigh A. Burke and Gen. Frederic H. Smith, Jr. Most of the company's top operating personnel are also former or retired military officers. It would appear that such a company with its predominately military orientation would go out of its way to protect the interests of the servicemen. However, the subcommittee was shocked to learn the number of ways that Federal Services had abused the serviceman's trust and confidence.

A STUDY IN UNETHICAL PRACTICES

I would like to briefly list some of the practices that Federal Services has engaged in in dealing with servicemen:

Charged interest rates that amounted to 100 percent of a 2-year loan.

Charged military customers for automobile insurance and did not notify the serviceman that the insurance had been purchased.

In some cases the serviceman was charged for insurance but no insurance was placed on his automobile. In other cases the serviceman had already purchased insurance on his automobile and thus was forced to pay not only for his own policy, but for a policy supposedly purchased by Federal Services. In other cases Federal Services would not supply the serviceman with copies of the policy that the company purchased on the automobile.

A $30 charge was levied against cars purchased overseas for what the company termed marine insurance. This is insurance which covers a vehicle being shipped back to the United States. A number of witnesses told the subcommittee that Federal Services did not notify the serviceman that he was being charged with this marine insurance. It is interesting to note that automobiles shipped at Government expense are fully insured by the Government, thus negating the need for additional marine insurance. The subcommittee has not learned of a single instance where a serviceman has been shown a copy of the marine insurance policy.

Servicemen attempting to obtain the payoff prices on their automobiles were quoted one price by Federal Services and when they made payment in that amount were later informed that the serviceman still owed additional funds in many cases amounting to several hundred dollars. These extra charges were never fully explained nor documented to the serviceman.

AUTO REPOSSESSIONS MOST SHOCKING

But, perhaps, the most shocking abuse is in the area of repossessions. In order to increase its profit, Federal Services established several years ago its own used car lot in Fort Walton Beach, Fla., and since then has added other outlets in Alabama. Many of the top-grade used cars that Federal Services repossessed were shipped to these wholly owned outlets for resale. In order to insure that Federal Services used car lots were able to purchase the automobile, the company used phony bids so that it would appear to the serviceman that the company had obtained three bids on his automobile and that the Federal Services outlet was the high bidder. A former Federal Services employee testified before our subcommittee that the Columbus, Ga., Federal Services office wrote dummy bids on repossessed cars, that is, bids that were concocted by the office personnel. A Columbus automobile dealer added in testimony that he gave Federal Services signed blank bids on numerous occasions so that the company could fill in its own amount and place this in the serviceman's file. Prior to submitting these signed blank bids, the dealer told the committee, he had bid on a number of repossessed cars held by Federal Services but was unable to purchase any of them even though on occasion he bid well above the market price of the automobile. When he questioned company officials as to the reason why he had not submitted the winning bid, he was told that no matter what bid he submitted he could not buy the car, since it was already ticketed for Federal Services' own used car lot.

Another former Federal Services employee told a subcommittee investigator that when he first went to work for the company he was given a large folder and instructed to make dummy bids on each repossessed car contract in the folder. When he left for lunch he asked his secretary to continue the task of writing phony bids. The secretary asked what names she should place in the folder as submitting bids.

"Use any out-of-town motor company you can think of," her boss replied. When he returned from lunch he found that the secretary had listed as the bidding company, "Out-of-Town Motors, Inc."

DEFICIENCY BALANCES ADD PROFIT

An employee of an overseas affiliate of Federal Services recently sent the subcommittee a letter further outlining the repossession operations of Federal Services, with particular emphasis on the deficiency balance aspect of these transactions. The deficiency balance is the difference in the amount owed on the car by the serviceman and the price that Federal Services obtains from selling the vehicle. In cases where the car is sold to Federal Services used car lots which deal under the tradename, Wheels, Inc., the serviceman is not given credit for the retail price of the vehicle when it is sold off the Wheels lot, but is only credited for the artificially low sale price that Wheels pays to the parent company.

I would like to read a case history on a repossession that was submitted by the overseas employee of Federal Services. I am omitting the name of the individual involved in this transaction so as to avoid him embarrassment:

> On January 8, 1964, Sp4 ——— purchased a 1964 Porsche S-75 from the Porsche distributor at ———, Germany, for the reduced military rate of $3,889. Sp4 ——— deposited $925 as downpayment and the balance was to be financed by Federal Services. After the usual charges, which are exhorbitant to say the least, an application of marine insurance, the customer was faced with the total note of $4,462.68, payable in 36 monthly installments of $123.13.
>
> Admittedly, the serviceman fell in arrears with the payments shortly after the inception of the contract. Therefore, on June 8, the vehicle which was in immaculate condition was repossessed and appraised by the DAT officials, a state-operated German appraisal office. The DAT appraisal sheet revealed a current market value of $3,050. However, this does not necessarily mean that the vehicle is not worth more, since the DAT values are usually approximately 10 to 15 percent below the market value. Nevertheless, the firm of ——— or one of its employees offered to purchase said vehicle for $3,050, if not for more. Our office, however, was under strict orders to ship the vehicle to Wheels for purchase.
>
> Wheels did in fact purchase the Porsche, however, not for the high bid amount of $3,050, but rather for the ridiculous low price of $2,400.
>
> It is unknown for what amount the automobile was sold by Wheels but it can safely be assumed that the vehicle brought at least $4,000, inasmuch as the automobile was merely a few months old and especially since such a unit costs approximately $5,500 new, f.o.b. east coast. As previously mentioned, the vehicle was in excellent condition and only had been driven approximately 4,000 miles.
>
> The sales proceeds of $2,400 was applied to Sp4 ———'s account and the customer was then faced with a deficiency balance of $914, which, according to the contract, he was liable to liquidate. At this point the thought comes to mind: why was the automobile not sold for the high bid of $3,050 in Germany, which would have saved shipping costs to the United States, and so forth. Had the vehicle been sold for the high bid as it is called for in the contract, then it would have reduced the customer's deficiency balance from $914 to $264, a sizable reduction to say the least.
>
> As previously stated, it is unknown for what amount Wheels sold the vehicle but $4,000 would be a safe assumption. Provided that the $4,000 figure is correct it can clearly be seen that Federal Services could have made a profit of $627 over the amount which was actually due them on the original note.
>
> The overseas employee adds as a footnote, "The above is only one example of many similar cases."

AN $880 CHARGE FOR PHANTOM REPAIRS

Mr. Speaker, the subcommittee has received numerous letters outlining abuses charged against Federal Services, and subcommittee investigators have seen more than 1,000 complaints that servicemen have lodged against this company. Typical of the complaining letters is one received by the subcommittee from a sergeant in which he describes his dealings with the company. The language in the letter is not grammatically perfect, but I am certain that the sincerity in the letter is genuine. In part the letter reads:

> I bought a 1956 Plymouth and was financed by this corporation, for some financial problems I was advised by my commanding officer to turn the car back to the corporation at their offices in Frankfurt, Germany which I did. The condition of the car at that time was excellent and with four new tires, requirement in Europe by the vehicle inspections. Eleven months after the car was turn in I receive a letter that I was owing them a bill of approximately $880 worth of repairs in order they can sell the car. I went to their office in Frankfurt, Germany, and tried to find out where the car was and to whom was sold, and they denied all this information to me. I keep trying to locate the car and finally I locate it in Stuttgart, Germany, talked to the person who bought the car and none of the repairs were done. In other words, they took advantage of the contract and send me a big jacked up repairs bill. I am still paying this bill at the rate of $3 a month. I would appreciate if this committee extend this investigation, especially overseas agencies.

Not only do the unscrupulous activities of Federal Services cause hardship on the individual serviceman and his family and also affect military morale, but they also cause additional problems throughout the military services. This can best be described by another letter received by the subcommittee concerning a sergeant first class whose commanding officer had been sent numerous letters by Federal Services concerning alleged late payments by the soldier on his account. The soldier satisfactorily proved to his commanding officer that he was not in arrears on any payments, but still the letters poured in from Federal Services. In explaining the effect of these letters on the performance of his military duty the sergeant wrote:

> Each time I received a letter from the Federal Services, I had to spend 1 whole day away from my military duties, as we were stationed about 50 miles from the office of the staff judge advocate, and waste 1 hour of his time and then 1 hour with the stenographer typing the letter, etc. Having received over 50 letters from Federal Services of which 20 are enclosed, you can see that the Army lost many hours of my services plus many hours of the staff judge advocate's time and that of the stenographer and multiply that by 600 to 800 and only one command; that is a tremendous loss of time. If the services can declare houses of ill repute off limits to military personnel in cities in vicinity of military installations, why cannot they investigate companies like this that we are forced to deal with in order to have our cars with us overseas and declare them off limits?

Mr. Speaker, the sergeant and I both have the same question. Why cannot, or perhaps I should say, why will not the Department of Defense declare Federal Services off limits? Surely, they do not condone the actions of this company.

Since 1956, the activities of Federal Services have been questioned by various members of the legal assistance offices of our military services. However, no action has been taken to protect the serviceman. A former legal officer in the Army told investigators from the subcommittee that in August 1963, he made a special trip to the Pentagon to request that they contact Federal Services concerning the abuses that he had uncovered on his military post. He was assured that the Army would investigate the charges. After returning to his post, he made several phone calls to the Pentagon and was informed that Federal Services officials had been contacted about the abuses. However, nothing further was heard about an investigation.

NO PLAN FOR OFF-LIMITS DESIGNATION

Mr. Speaker, at this time, I do not want to go into the other areas where the services have been neglected in dealing with Federal Services. It is clear to me that the Department does not intend to place Federal Services off limits to military personnel, even though such action has been recommended by former legal assistance officers of the Army, present legal assistance officers in the Army, as well as enlisted men in the various branches of the military services.

This lack of action by the Department of Defense unfortunately adds to my feeling that the Department is, perhaps, more worried about pressure and lobbying tactics of the finance industry than the welfare of the serviceman.

Any action by the Department of Defense against Federal Services at this late date would be moot, since it is apparent that Federal Services plans to merge with a Kansas City, Mo., corporation called Interstate Securities. I am not certain of the reasons for this merger, but if one of the reasons is to avoid further investigation by the Domestic Finance Subcommittee, I would merely state that you cannot remove the smell from a garbage dump by calling it a rose garden.

We have seen the position that the Department of Defense has taken in dealing with Federal Services. However, we should also look at the Department's attitude toward the finance industry in general. Recently the Department published a directive endorsing credit unions for military establishments in the United States and pledged cooperation in the operations of these fine institutions. I have also been informed that the Department is planning other actions to combat loan shark and sharp practice finance companies. These are admirable steps forward, but they are only the beginning, particularly when we look at the overall inroads that some profit-above-all operators have made in the field of military finance.

A publication of a finance company trade association, in discussing lending to military personnel, reports:

> During 1964 there were 28,399 letters received in the office of the Adjutant General of the Army, Washington, D.C., dealing with credit problems of military personnel. Nearly 50 percent of these letters were from lending institutions.

Similar experiences were reported among the other branches of the military services, although because of their smaller number of personnel, there were not as many letters. The same publication reports that Army legal assistance officers counseled more than 81,000 individuals on personal financial problems in the fiscal year 1964, and the other services reported similar experiences.

In other words—

The pamphlet adds—

> the handling of credit problems is becoming a big operation in the military—so big that the services want and intend to do something about it.

A CALL FOR WOLVES TO GUARD THE SHEEP

What has the military done to correct this problem? The finance company trade association booklet tells us on later pages, of posts where finance companies have been contacted by the military to counsel the serviceman on debt problems, as well as to present troop information programs on the use of credit. Chairman WRIGHT PATMAN of our committee, in describing the use of finance companies as credit counselors, said in a recent speech.

> They are the same companies who preach the sound use of credit one day and the very next day try to grab as much of the serviceman's pay check as possible.

It does not make sense to me that if the Department realizes there is a credit problem, it uses the very people who create the problem to try to solve it. It would make more sense to me to have the credit counseling performed by a disinterested party, such as the post legal affairs officer or credit union officials.

Another service which the military has performed to protect servicemen from loan sharks and sharp-practice finance companies was undertaken in the South Texas Armed Forces Disciplinary Control Board, which is centered around San Antonio. In order to prevent the continued abuses of the servicemen, the control board, with the help of finance companies in the area, adopted a policy on personal loans, and drafted it in the form of a directive. The finance companies are proud of their part in drafting this document, and well they might be, since a close study of the document reveals that the military is actually endorsing the practice of loansharking in the south Texas area. I will quote a few example to back up this charge.

On automobile loans, the board adopted the following maximum rates: New cars $7.50 per hundred per annum; 1-model-year-old car $9.50 per hundred per annum; 2-model-year-old car $11 per hundred per annum; 3-model-year-old car $12 per hundred per annum; 4-model-year-old car $13.50 per hundred per annum. Breaking these figures down into simple interest rates, we find that on new cars the serviceman could be required to pay, with the endorsement of the military, a rate of 15 percent a year, on a 1-year-old car the rate would be 18 percent; 22 percent on a 2-year-old car; 24 percent on a 3-year-old car; and nearly 27 percent on a 4-year-old car. In the area of personal loans the directive is even more ridiculous. It authorizes loan sharks to charge servicemen interest rates ranging from nearly 35 percent on a hundred dollar 1-year loan to more than 22 percent on a 2-year $1,000 loan. In short, the loan companies have used the military to force the servicemen to pay exorbitant rates. If the serviceman should balk at paying these enormous fees, the finance company merely points to the directive and says, "You're out of luck soldier, the higher-ups have already signed your life away."

Mr. Speaker, it is time for the Department of Defense to take a position. It must decide if it is primarily interested in the morale and well-being of its soldiers or dedicated to helping finance companies show a profit. If the Department allows companies such as Federal Services to continue operations unhindered, there can be no doubt as to which interest the Department is seeking to protect.

FINANCE COMPANIES AGAINST WHOM COMPLAINTS HAVE BEEN LODGED WITH AIR FORCE ACTIVITIES

1. (a) Household Finance Corp.—operating interstate.

(b) Address: Various locations.

(c) Type of complaints: Excessive interest rates and large deficiencies after repossession. Mailing procedures cause hardships. Individuals in overseas areas receive notice of indebtedness by regular mail and airmail letters are dispatched asking assistance in collecting the payment.

2. (a) Federal Services Finance Corp.—operating worldwide.

(b) Address: Various locations.

(c) Type of complaints: Hidden finance charges, improper indebtedness letters alleging nonreceipt of loan payments, demanding large sums of money after repossession.

3. (a) Federal Services Acceptance Corp.—operating worldwide.

(b) Address: Various locations.

(c) Type of complaints: Insurance charges and deficiency judgments after repossession, resale of repossessed property far below fair value.

4. (a) Dial Finance Co.—operating interstate.

(b) Address: Various locations.

(c) Type of complaints: Excessive interest and costs, irregular repossession procedures, exorbitant finance charges.

5. (a) General Acceptance Corp.—operating interstate.

(b) Address: Various locations.

(c) Type of complaints: Payments not acknowledged, auto title not furnished when contract satisfied, evasive answers or no answer to inquiries, failure to credit insurance refunds.

6. (a) American Finance Co.—operating worldwide.

(b) Address: Various locations.

(c) Type of complaints: Exorbitant interest rates, addition of service charges not specified in contract.

7. (a) Jet Finance Co.—operating interstate.

(b) Address: Various locations.

(c) Type of complaints: Exorbitant interest rates.

8. (a) National Finance Co.—operating interstate.

(b) Address: 973 Market Street, San Francisco, Calif.

(c) Type of complaints: Exorbitant interest rates and true cost of loans not explained.

9. (a) Commercial Credit Corp.—operating interstate.

(b) Address: Various locations.

(c) Type of complaints: Irregular repossession procedures involving automobiles.

10. (a) Universal C.I.T.—operating interstate.

(b) Address: 650 Madison Avenue, New York, N.Y.

(c) Type of complaints: Misrepresentation by company agents on repossession procedures.

10 finance companies against whom most complaints have been lodged (other than Federal Services Finance Corp.), Department of the Army

Name and address	Interstate or intrastate	Type of complaints
American Finance Co., Paris, France; Arlington, Va.; New York, N.Y.	Interstate and worldwide	(1 5 6 7).
American Mutual Services Corp., Hempstead, N.Y.; France and Germany	do	(1 2 7).
Associates Discount Corp., South Bend, Ind	Interstate	(1 7).
Beneficial Finance Co., Colorado, Virginia, and California	do	(1 2 3 4 7).
General Acceptance Corp., Allentown, Pa	do	(1 2 3 5 7).
Household Finance Corp. (many States in United States)	do	(1).
Laurentide Finance Co., Monterey and Los Angeles, Calif	do	(1 3).
Liberty Loan Co., Pennsylvania, Louisiana, Missouri	do	(1 2 3).
Overseas Credit Service, France and Switzerland	Overseas	(1 3 5).
Pacific Finance Co., El Paso and Austin, Tex	Interstate	(1 3).

[1] Exorbitant interest rates and finance charges.
[2] Insurance charges.
[3] Irregular repossession procedures.
[4] Deficiency judgment after repossession.
[5] Inadequacy of sales price after repossession.
[6] Finance company agreed with insurance company on settlement unfavorable to serviceman.
[7] Failure to credit borrower with payments made.

Department of the Navy

Name of finance company	Address	Scope of operation	Most frequent types of complaints
1 Federal Services Finance Corp. and subsidiaries.	Worldwide	Worldwide	See Under Secretary of Navy memo to Assistant Secretary of Defense (M) serial 170P008 of May 18, 1965.
2 Associates Discount Corp	Associates Bldg., South Bend, Ind	Interstate	Misleading letters to commands regarding nonexistent monetary deficiency; excessive interest rates; unethical practices in repossessing automobile.
3 Household Finance Corp	Nationwide	do	Excessive interest rates and add-on charges.
4 Beneficial Finance Corp	do	do	Excessive interest.
5 Laurentide Finance Corp	1540 Fulton, Fresno, Calif.; 612 W. 7th, Hanford, Calif.; 1501 Fremont Blvd., Seaside, Calif.	Intrastate	Faulty payment records; unethical practices in repossessing automobiles; threatening dependent wives while husbands are deployed.
6 Lee Investment Co	1927 Reynolds Ave., Charleston, S.C	do	Excessive add-on charges, corresponds directly to command before contacting service member; writes contracts with minors and wants command to enforce them.
7 Local Finance Co	7057 Post Rd., North Kingston, R.I	do	Advertise personal loans of $50. When service member attempts to borrow this amount, only write loans for minimum of $300.
8 Crescent Credit Corp	2 West 20th St., New York, N.Y	do	Poor payment records. Corresponds directly with command before contacting service member.
9 Liberty Finance Co	113 West Freemason, Norfolk, Va	Interstate	Excessive interest rate.
10 Universal C.I.T. Credit Corp	Nationwide	do	Excessive add-on charges; poor payment records; unethical practices in repossessing automobiles.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., September 22, 1965.
Hon. FRANK ANNUNZIO,
House of Representatives,
Washington, D.C.

DEAR MR. ANNUNZIO: Secretary McNamara has asked that I reply to your letter of September 14 concerning certain conclusions you have evidently reached as a result of the recent hearings conducted by the Domestic Finance Subcommittee of the House Banking and Currency Committee.

I did state during the course of the hearings that the Secretary of Defense has the power to declare credit loan companies off-limits. Obviously, prescribed procedures are necessary to insure the proper exercise of such power. Otherwise the action would undoubtedly be successfully challenged in court.

Mr. Jackson was entirely correct in his statement that at the present time we have no such procedures. The proposed directive which is now in the final stages does set forth procedures to implement the Secretary's inherent power to declare a widespread operation of a credit or loan business off-limits.

It is entirely incorrect to state that no action has been taken in this field in the last 3 months. We have been very busy on the complicated subject and as far as I know Chairman PATMAN has been satisfied that we are doing our best in this critically important area. I believe when you see the final document we have developed you will appreciate the many considerations inherent in its construction.

The Department of Defense has not "adopted a position of defending Federal Services." However, it would be highly improper to promise any adverse Department of Defense action at this time or after the directive is published, since it would be incumbent upon us to dispose of any complaint of this kind through independent investigation and hearings with opportunity for all interested parties to appear in accord with procedures prescribed in such directive.

Sincerely,

NORMAN S. PAUL.

Mr. DOW. Mr. Speaker, will the gentleman yield?

Mr. ANNUNZIO. I yield to the gentleman from New York.

Mr. DOW. Did I understand the gentleman to say that retired military officers serve on the boards of these companies?

Mr. ANNUNZIO. I will say to the gentleman from New York I shall name some of the high-ranking retired military officers who serve.

Mr. DOW. Can the gentleman advise me whether these officers are drawing retirement pay at the same time they are serving with these companies?

Mr. ANNUNZIO. I cannot answer that question. I assume they are drawing their pensions while serving on those boards.

Mr. DOW. It might be well if the gentleman from Illinois would seek to find out that fact, because I think it would be vital.

Mr. ANNUNZIO. In the hearings conducted by our committee that question was asked of a retired general and a retired admiral, and they admitted they were drawing their retirement pay.

Mr. DOW. I thank the gentleman.

Mr. KASTENMEIER. Mr. Speaker, I want to take this opportunity to commend the gentleman from Illinois [Mr. ANNUNZIO] as well as the gentleman from Texas [Mr. PATMAN] and his Domestic Finance Subcommittee for the sustained effort made to bring to light the practices of Federal Services and other companies like it.

I am personally aware of the advantage that Federal Services has taken of the serviceman and the procedures followed by the military in handling indebtedness problems. My legislative assistant, Paul Zurkowski, recently came off active duty as an Army judge advocate. As the gentleman from Illinois is aware, Mr. Zurkowski had numerous dealings with Federal Services while in the Army and testified before the committee on his experiences.

As I have frequently observed, the interests of servicemen, particularly in the enlisted ranks, are not always fully presented to Congress—they lack an effective lobby, whether on issues of pay or other matters.

The effort of the Domestic Finance Subcommittee is all the more important therefore, since it has done for the serviceman what he could not do for himself. It has publicly exposed the disreputable credit practices of this company which has grown to immense size primarily from doing business with the serviceman.

Since the home office of CUNA International is located in my district in Madison, Wis., I was particularly gratified that these hearings resulted in a strong policy statement by the Defense Department in support of credit unions. Such encouragement should increase the number of credit unions in operation on military bases and should reduce the harmful effects on the lives of our servicemen which the practices of such loan companies as Federal Services can have.

Some may be surprised to find the Defense Department endorsing so strongly what at first blush may appear to be a private organization. A close examination of the credit union, however, clearly shows that it is based on the cooperative movement. Members of individual credit unions benefit directly—when they borrow, from lower interest rates, and when they save, from the interest their money earns.

It is a far cry from the dealings evidenced in the hearings between servicemen borrowers and Federal Services.

Defense Department emphasis on credit unions is particularly significant at this time when increased draft calls are bringing into military service young men who, in more quiet times, would not have been called to active duty for 3 to 4 years.

As a result many men will be caught with large bills and will have to resort to borrowing to adjust to the reduced pay of a private E–1 in the Army. It is a time when the military services must pay close attention to the financial problems of their members. The strong policy statement emphasizing full credit union privileges for low ranking men as well as the availability of skilled credit counseling service, thus, is of critical importance. It comes none too soon for the men entering service now.

Much remains to be done, however, since the hearings demonstate that most of Federal Services activities are connected with servicemen stationed overseas. Since the Defense Department directive only extends to the continental United States, the big problem of overseas financing remains to be resolved.

I trust the subcommittee is directing particular attention to this aspect of the problem and I am sure the answer will be found in large measure in the institution of the credit union. Again, let me say, Mr. Speaker, that I am pleased to associate myself with the remarks of the gentleman from Illinois.

WE MUST MAKE JUSTICE AVAILABLE FOR THE INDIGENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 30 minutes.

Mr. FEIGHAN. Mr. Speaker, the Preamble to the U.S. Constitution states only five basic goals for our Nation, and our Government. And one of these is summed up in the ringing phrase: "To establish justice." But for the greater part of our history that goal has stood far off because justice carried a price tag in this country. Without it a person could not file a case, employ a lawyer, or even demand a jury trial in many jurisdictions. Only in this century were the beginnings of a new attitude reflected in the creation of a few legal aid organizations. Generally, however, these organizations have been understaffed and underfinanced. Recognition of the establishment of justice as a concern of the Government has been slow in coming despite the mandate of the Preamble. And, therefore, justice has been almost unknown to the inhabitants of the slums. Unknown, that is, until the war on poverty focused attention on this problem and brought new vitality to the movement to bring justice to the poor.

Recently I had the opportunity to visit with a group of men and women who are at the forefront of the effort to bring justice to the poor. This group is the Neighborhood Legal Services project. It is a part of the war on poverty here in the District. I watched the lawyers employed by the project handling clients in their offices. I read their reports and statistics and talked to them about the problems they were handling: the legal problems of the poor. They told me about a 12-year-old boy whose case was brought to one of the neighborhood offices just 2 days before he was scheduled to appear at his disposition hearing in Juvenile Court. The court social worker was recommending that this 12-year old be committed to a juvenile detention facility for an indeterminate period. Ordinarily the court would have followed this recommendation without question. However, in the short time available before the hearing, the neighborhood lawyer put together a plan for rehabilitation of the boy within his community. The plan involved supervision and assistance from a school counselor, several recreation leaders and other social agencies near the boy's home. The Juvenile Court Judge listened to the conflicting recommendations of the court social worker and the neighborhood lawyer representing the boy. The judge decided to experiment with the community rehabilitation effort for a 30-day probationary period and the boy was released from custody. After the hearing, the boy and his parents told the neighborhood attorney that this was the first time they felt anyone was really on their side.

Thirty days later, the rehabilitation plan was working out so well that the judge extended the probationary period for another 6 months.

The organization which brought hope and maybe a different future to this 12-year-old boy had its start in the autumn of 1964. By January 7, of this year, the first neighborhood office was opened about 2 miles northwest of the Capitol at 1411 Ninth Street NW. Twenty-five persons trickled into the office that first month. But it did not take long for the word to spread in the neighborhoods that they now had some lawyers close at home to augment the centrally located Legal Aid Society. During June, the sixth month of operation, the Neighborhood Legal Services project had six offices open and served 475 clients. That is a sixfold increase in offices and a nineteenfold increase in clients over the first month's statistics. Of special interest is the fact that the ever-increasing volume of clients handled by the neighborhood law offices did not result in a loss of clients by the Legal Aid Society which has served this community for over 30 years. It appears that the neighborhood offices are reaching people who previously did not seek a lawyer's aid when in legal difficulty, those who do not leave their confining but familiar neighborhood for any purpose. In any event the combined total of clients served by the two organizations may upset all previous estimates of the maximum potential need for legal services for the poor.

Four of the six neighborhood offices are located in the Northwest section of the city; two in the Southeast. In the near future two additional offices are scheduled to open in the Northeast.

The staff members I spoke with said that evictions and other landlord-tenant problems were their largest single category of cases, amounting to over 30 percent of the business at the neighborhood offices. Sometimes there is little the neighborhood lawyers can accomplish in these cases other than obtain a stay of eviction. A stay at least gives the tenant an opportunity to look for a new apartment. But often the lawyers can do more. In some instances, they have been able to establish that the landlord was dead wrong. Several landlords, for instance, have sued for rent which already had been paid by the tenant. Others have attempted to institute evictions with defective notices. One landlord decided to circumvent the entire judicial eviction process. He merely changed the lock on the door of the apartment while the tenants were gone. The tenants, a family of four including two young children, returned on the day before Thanksgiving to find themselves barred, not only from their apartment, but from the clothes, pots and pans and other personal belongings it contained. They had to impose themselves upon friends and relatives for the holiday, locate a new place to live, and borrow money to buy substitute clothing, pots and pans, and other essentials of everyday life.

A neighborhood lawyer now is representing this family in a suit against the landlord. They are seeking both compensatory and punitive damages. Already their personal belongings have been returned to them and the suit for damages awaits trial.

Although the problem of evictions is a central concern of the poor, it is not the only legal problem they face. The neighborhood lawyers here in Washington relate instances where their clients have fallen prey to unscrupulous appliance stores and door-to-door salesmen. In one case, a couple was induced to purchase an ordinary 21-inch black and white television set for $395 plus $108 in carrying charges. Later, this couple became clients of one of the neighborhood law offices. Investigation revealed that this set had a manufacturer's suggested retail price of $199.95, and that it could be purchased from legitimate dealers in the Washington area for as little as $170. This meant that this impoverished family was paying $503 for a set that you and I could purchase for $170, or at the most $200. The neighborhood lawyers also speak of $115 portable television sets being sold for $369, and the door-to-door salesmen who sell $300 freezers for over $800.

In many instances, neighborhood lawyers have been able to extricate their clients entirely from these sales contracts. In other cases, the price to be paid by the client has been cut in half to match the manufacturer's list price. But the case that both the dealers and the neighborhood lawyers are watching most closely is the one which currently is in litigation. The neighborhood lawyer is asserting that the gross overcharging in that case renders the installment credit contract unenforcible against his client, the purchaser. He contends that the price is so far out of line that it is legally unconscionable. The outcome of that case may have ramifications for impoverished citizens throughout the Nation as well as within the District.

After learning what could be done and what was being done to make justice a living reality in the ghettos of this city, I became interested in learning more about the lawyers who were attached to this cause. I discovered that the staff was chosen from over 175 applicants. Although several were young and only recently graduated from law school, others were in their forties and fifties and had 10 or 15 years or more of legal experience. Of the 20 attorneys presently on the staff, 8 were on law review, and 10 graduated in the upper quarter of their law school class, including 4 who graduated in the upper 10 percent of their class. The staff is comprised of graduates of Harvard, Howard, Yale, Georgetown, Cornell, the University of Iowa, Boston College, Catholic University, and the University of Chicago. Many took substantial reductions in income to accept positions with the Neighborhood Legal Services project.

It is their feeling that the poor should be entitled to the same quality of legal representation as the rich. And they show a determination to make that goal a reality in the District of Columbia.

I think we in Congress have some lessons to learn from the Neighborhood Legal Services project and its underlying philosophy. First, one of the great disabilities accompanying poverty is the lack of opportunity for equal justice. I learned it is a disability which leads directly or indirectly to many other deprivations: unjust evictions, overcharging in commercial transactions, arbitrary school expulsions, unreasonable denials of public assistance and unwarranted incarceration of innocent persons. And it is a disability which none calling himself an American, no one sworn to uphold the Constitution of the United States can tolerate.

The second lesson is that the opportunity for equal justice can be guaranteed to the poor through the dedicated efforts of men and women like those I met during my tour of the Neighborhood Legal Services project.

As long as the offices are located in the low-income neighborhoods, they will reach the clients. And as long as the offices are supplied with enough lawyers to allow each client's case the same attention a private attorney would devote to a paying client, the men and women I saw will provide the loyalty to clients and the legal skills which insure their treatment to their clients.

A final lesson to be learned from the project here in the District is the important role which lawyers can play in the war on poverty throughout the Nation. It is my understanding that organizations similar to the Neighborhood Legal Services project are being considered by the Office of Economic Opportunity for many other cities. From what I saw and heard during my tour, this is a phase of the antipoverty effort with which there cannot be much quarrel.

Good legal representation is basic to the dignity of the individual who is poor; providing that good legal representation is essential to the dignity of our Nation.

ONE MORE STEP DOWN THE ROAD TOWARD NATIONAL TESTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 60 minutes.

Mr. MICHEL. Mr. Speaker, Members of the House, if you had a grandson or son in the sixth grade, on September 30 of this month he may be handed a test under the aegis of the Office of Education in which he will be asked:

> Think now of your close friends. How many of them are white?
>
> Who acts as your father?
>
> Think now who you would like most to have as your classmates. How many of them would be white?
>
> Does your family have a television set * * * a telephone * * * a record player, hi-fi or stereo * * * a refrigerator * * * a vacuum cleaner?

Now if you had a daughter or granddaughter in the 12th grade, she may be asked:

> If you could be in the school you wanted, how many of the students would you want to be white * * * how many of the teachers would you want to be white?
>
> How do you and your friends rate socially in the school?
>
> Do you agree or disagree "People who accept their condition in life are happier than those who try to change things"?

To use a shopworn phrase of the day, they are pretty far out, are they not? Well, the Office of Education does not think so. These are some of the questions they are using to determine the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions, as called for in section 402 of the Civil Rights Act of 1964. This is the so-called educational opportunity survey.

As I said on this floor last week while discussing Federal textbooks:

> It seems if the Federal Government cannot do it one way, they will do it another, and I say this is nothing but a reprehensible attempt to use our concern for the civil rights of the Negro as a vehicle for taking another step in the direction of the control of education.

They took "Uncle Remus" out of the schools and then turned around and gave him a key to the back door by way of this testing program. This flies in the face of everything the Congress has tried to do in the area of civil rights. Industry no longer records a person's color. Most States prohibit such distinctions on its records. The Federal Government has up until now brought pressure to remove such designations. But now, in addition to the questions I have already mentioned, we find:

Are you a Negro?

Are you white?

Are you an American Indian, an oriental, Puerto Rican, Mexican American?

Now I should like to propound a question or two: Will this further racial equality and understanding? Will this fulfill the intent of Congress in section 402 of the Civil Rights Act of 1964, which called for this million and a half dollar educational opportunities survey? I say "no," and am inclined to think most of you agree. What then is being attempted here? Educators all over the country who have seen these tests are asking the same questions. I understand the educators in a number of the larger cities of the country—as a matter of fact 10 percent—have refused to participate in this testing program. And just this afternoon I received a call from Mr. Robert Burt, the director of pupil services of the Peoria School District advising me that he had "never seen such a piece of loaded material in all my life" and the Peoria schools are therefore declining to participate in this testing.

Mr. Burt phoned the decision to ETS at Princeton, N.J., and was referred to Mr. Robert York, Project Coordinator for the U.S. Office of Education.

I believe it very interesting that Mr. York was disturbed to get the decision of the Peoria school system and said, "We were instructed to put these questions into the test by Congress."

Well, Mr. Speaker, there is just no validity to this statement whatsoever.

Since the Office of Education has been less than candid with the Congress, I have made inquiry and have done some searching to come up with startling facts to convince me that the real purpose of these tests is to lay the cornerstone for a national testing program in elementary and secondary schools.

The Carnegie Corp. of New York was invited by Commissioner Keppel to conduct a study of the feasibility of making a national assessment of educational achievement. At the time this was done, Dr. John Gardner, our new Secretary of Health, Education, and Welfare, was president of the corporation. In April of this year Mr. Gardner said that:

> Until now, educational testing has been aimed at evaluating the individual: his grasp of a certain subject matter, his eligibility for advanced education—in short, how well he measures up to a given standard. A national assessment, on the other hand, would not be concerned with the individual.
>
> Instead, it would assess the general performance of groups of people—not in order to do anything with them individually, but to obtain information about them as a group.

I wish to draw your attention to the fact that when Mr. Gardner talks about an individual, he calls it educational testing; but when he talks about a group of individuals, he calls it "Assessing the general performance." He admits that national assessment will not be concerned with the individual. But he goes even further than this. He states that:

> A national assessment must reflect fairly the aims of education in the United States. The tests, therefore, should cover both the traditional and modern curriculums and include some measurement of such areas beyond subject matter as degree of motivation, values, and health. In short, the project would assess the total educational picture in a community. To do this would probably require the gathering of some input data—for example, socioeconomic information on the community—to indicate what resources the school is working with.

I would like to underline the words that Mr. Gardner uses: Reactivation, values, health, input data, socioeconomic information. These certainly are strange words he is using, especially since the following words appeared in the Senate HEW Supplemental Appropriations Report of 1966 which reads:

> In conformity with the assurances given to the committee by the Commissioner of Education during hearings on the bill, the committee recommends that the Office of Education take no steps toward any national testing program, directly or by contract, until the Congress has had an opportunity to determine such a policy is advisable through its regular legislative committees.

Now, if these tests I have here today are not concerning socioeconomic problems, then what is their major concern?

It does not end here, however. There are other alarming aspects. I understand the Educational Testing Service which has the contract for making this school survey has also been given a contract to follow through with the formulating of a national testing program, based on Dr. Gardner's "National Assessment of Educational Progress." I might add that at the time this was done, Dr. Gardner was on the Board of Directors of Educational Testing Service. At the present time, he is "on leave" from the Carnegie Corp.

Mr. Speaker, the Office of Education has used the Civil Rights Act of 1964 to establish a benchmark for National Testing. I can visualize next year, or the year after that, Secretary Gardner and Commissioner Keppel, coming to the Congress with the established precedents of these school surveys, requesting a more formal type of survey. Probably something with the euphemistic title: "National Assessment," but well known to those knowledgeable in this field as "National Testing." Let me repeat—without the prior approval of Congress—the Office of Education has proceeded with a national testing program.

Mr. Speaker, I just cannot bring myself to believe the mass of educators—school superintendents, principals, teachers, school boards, and yes, the all-important parents, too—are in favor of what is going on in this regard and possibly some form of concurrent resolution, expressing a consensus of this Congress would be in order to stay any further action until the Congress has had an opportunity to express itself clearly and concisely on this issue.

I would hate to see the day when the intellectual community which is always in the forefront when it comes to espousing freedom of expression, the right to dissent, and the protection of the rights of minorities would be reluctant to speak out for fear of losing a Federal grant or Federal appropriation of funds. The dangling carrot of Federal aid can be most persuasive. And unless at this juncture—when there is still time—we have some open and free expressions on this issue, there will be no turning back and we'll be headed hell-bent down the road toward a giant, monolithic, federalized educational system.

Mr. Speaker, let me relate some of the specifics of this educational opportunity survey. The superintendent of a school district participating will get a copy of the school survey test. A packet will be sent to the school principal and it will include the following:

First. A principal's questionnaire which will be similar to the one for school superintendents.

Second. A questionnaire to go to all teachers in the building, regardless of whether their children are being tested or not.

This includes a verbal ability test which most educators consider to be a correlation with an IQ test.

Third. Tests for students in grades 1, 3, 6, 9, and 12. This includes a general IQ test, a test of reading and mathematics ability, various questions on achievement and various subjects, an opinion section, and a factual personal section.

All of these packets and tests are coded. Supposedly, only 5 percent of all of the schools in the United States will participate, on a so-called voluntary basis. The sample that they are using is very biased. It compares in many cases highly rated academic schools with the very lowest academic or vocational schools. The emphasis is being placed on the extremes. This certainly will not show the real differences of educational opportunities in our schools.

Mr. Speaker, the portions of the test that I have been able to attain so far follow. I have also included the statement of John Gardner entitled "A National Assessment of Educational Progress" which was printed in the ASCD News Exchange, dated May 1965:

> SCHOOL SURVEY TESTS, COLLEGE SURVEY TESTS, SCHOOL PRINCIPAL'S MANUAL, COLLEGE COORDINATOR'S MANUAL
>
> (Please check all survey materials immediately against your shipment notice and against the checklist in the Survey Administrator's Manual. Notify ETS at once if there is any error in count.)
>
> INTRODUCTION
>
> The Civil Rights Act of 1964 directed the U.S. Office of Education to conduct a survey to examine the availability of equal educational opportunities for minority group children in public schools throughout the United States. The results of the survey are to be reported to the President and Congress by July 1966.
>
> The survey is being carried out through the joint efforts of local and State school

systems with the Office of Education. This school system and this school have been chosen for the sample, which will represent all American schools, North, South, East, and West.

The survey will aim to obtain as complete a picture of schools in this country as possible. Students in selected grades will be given a battery of tests and questionnaires to be administered by their teachers. Teachers, principals, and superintendents are asked to answer questionnaires, in order to complete the picture of the school.

To assure the privacy of each individual's responses, students and teachers are asked not to write their names on response sheets. To preserve the school's anonymity, no identification of schools or school systems will be made in the report to the President and Congress.

The results of this survey will make an important contribution to the educational opportunities of all American children. Your efforts, and the efforts of persons in other sampled schools throughout the country are what will make this contribution possible.

Proctorial assistance: If you have more than 25 students being surveyed by a single administrator, it is suggested that you secure one proctor for each additional 25 students to assist in distributing and collecting survey materials and in general survey supervision.

Duties of proctors: Proctors are to walk about the room frequently during the course of the survey to guard against irregularities and to ensure that every student is following directions at all times.

Proctors should give strict attention to their duties. They should not read or engage in conversation while the survey is in progress. If a proctor pauses behind a student, he should take care not to remain there long enough to disturb or embarrass the student.

Information on guessing: If a student asks you about guessing, tell him that his score will be the number of correct answers he marks.

Pencils: For first grade students, ETS will provide pencils. All other students being surveyed should be instructed to bring several No. 2 pencils with erasers with them to the survey administration. Answer marks should be black and should fill the answer spaces completely. Ink or ballpoint pens, colored pencils, or pencils with extremely soft lead should not be used. Failure to use No. 2 pencils may result in inaccurate scoring.

Prohibition of aids:

The use of books, slide rules, compasses, rulers, dictionaries or papers of any kind is prohibited during the survey. Students should be instructed that such aids will not be permitted in the survey room. Administrators and proctors must insist on the immediate removal of such aids.

The use of scratch paper is also prohibited. If preliminary calculations are necessary, they may be done in the margins of the survey booklet, but not on the answer sheet.

Students should be asked to remove all unnecessary materials from their desks before the survey begins.

Irregularities in administration: Various kinds of irregularities may occur during the administration. Survey administrators should be instructed to record any irregularities on the irregularity report at the back of each administrator's manual. An irregularity report should be returned only if an irregularity occurs.

School Survey Tests—Teacher Questionnaire

This questionnaire should be completed by all persons in the schools in which students are tested who fall into either of the two following categories: (a) Teachers teaching one or more classes this year; and (b) anyone who spends more than 5 hours per week in guidance counseling.

Mark the space on the answer sheet that is correct for you for each question. Mark only one answer for each question. You may omit any question which you would prefer not to answer, but please answer them all if you possibly can.

PART I

1. What is your sex? (a) Male; (b) female.

2. How old were you on your last birthday? (a) Under 26; (b) 26 to 35; (c) 36 to 45; (d) 46 to 55; (e) 56 to 65; (f) 66 or older.

3. Where have you spent most of your life? (a) In this city, town, or county; (b) in this State outside this city, town, or county; (c) in another State in the United States; (d) in Puerto Rico or another U.S. possession; (e) in Mexico; (f) in Canada; (g) in a country other than the United States, Canada, or Mexico.

4. In what type of community have you spent most of your life? (Give your best estimate if you are not sure.) (a) In the open country or in a farming community; (b) in a small town (less than 10,000 people) that was not a suburb; (c) inside a medium size city (10,000 to 100,000 people); (d) in a suburb of a medium size city; (e) inside a large city (100,000 to 500,000 people); (f) in a suburb of a large city; (g) in a very large city (over 500,000 people); (h) in a suburb of a very large city.

5. Are you—(a) Negro; (b) white; (c) American Indian; (d) Oriental; (e) other.

6. Are you of Puerto Rican or Mexican-American background? (a) Puerto Rican; (b) Mexican-American; (c) neither of these.

7. Where did you graduate from high school? (a) A high school in this city, town, or county; (b) a high school in this State, but outside this city, town, or county; (c) a high school in another State in the United States; (d) a high school in Puerto Rico or another U.S. possession; (e) a high school in another country.

46. Below is a list of current school issues on which we want the judgments of teachers throughout the country. Please answer each in terms of your judgment of the best educational practice.

(a) Which of the following policies on neighborhood elementary schools represents the best educational practice, in your estimation? (A) Neighborhood elementary schools should be maintained regardless of any racial imbalance produced. (B) Neighborhood elementary schools should be maintained, but where possible a device, such as reducing the grade span of schools, "pairing" schools, or another practice, should be used to promote racial balance. (C) The idea of neighborhood elementary schools can be abandoned without significant loss.

(b) Which of the following policies on bussing of elementary schoolchildren represents the best educational practice in your estimation? (A) Children should not be bussed to a school other than their neighborhood school. (B) Children should be bussed to another school but only to relieve overcrowding. (C) Nonwhite children should be bussed to another school in order to achieve racial balance. (D) Both white and nonwhite children should be bussed into schools with a predominantly different racial composition, to achieve racial balance.

(c) Do you believe there is a sound basis in educational policy for giving compensatory programs to culturally disadvantaged students at extra per pupil cost? (A) Yes; (B) no; (C) undecided.

(d) What type of faculty do you believe is best for a school with an all nonwhite or predominantly nonwhite student body? (A) An all white faculty; (B) predominantly white faculty; (C) about equal number of white and nonwhite faculty; (D) predominantly nonwhite faculty; (E) all nonwhite faculty; (F) doesn't matter; (G) selected without regard to race; (H) some degree of integration, but ratio doesn't matter.

(e) What type of faculty do you believe is best for a school with a racially heterogeneous student body? (A) An all white faculty; (B) predominantly white faculty; (C) about equal number of white and nonwhite faculty; (D) predominantly nonwhite faculty; (E) all nonwhite faculty; (F) doesn't matter; (G) selected without regard to race; (H) some degree of integration, but ratio doesn't matter.

(f) What type of faculty do you believe is best for a school with an all white or predominantly white student body? (A) An all white faculty; (B) predominantly white faculty; (C) about equal number of white and nonwhite faculty; (D) predominantly nonwhite faculty; (E) All nonwhite faculty; (F) doesn't matter; (G) selected without regard to race; (H) some degree of integration, but ratio doesn't matter.

47. Surveys of school problems show a number of things reported by teachers as reducing the effectiveness of the school. Below is a partial list of these problems. Mark Y (yes) for those situations that constitute a problem in your school. Mark N (no) for those that do not constitute a problem in your school.

(a) The home environment of the students is not good.

(b) Pupils are not well fed and well clothed.

(c) The different races or ethnic groups don't get along together.

(d) Parents attempt to interfere with the school.

(e) There is too much competition for grades.

(f) There is too much emphasis on athletics.

(g) There are too many absences among students.

(h) The classes are too large for effective teaching.

(i) There should be a better mixture, the students are all too much of one type.

(j) Too much time has to be spent on discipline.

(k) The students aren't really interested in learning.

(l) There is a lack of effective leadership from the school administration.

(m) The parents put too much pressure on the students for good grades.

(n) The teachers don't seem to be able to work well together.

(o) Teachers have too little freedom in such matters as textbook selection, curriculum, and discipline.

(p) There is too much student turnover.

(q) The parents don't take enough interest in their children's school work.

(r) We have poor instructional equipment, supplies, books, laboratory equipment, etc.

(s) There are too many interruptions during class periods.

(t) There is too much teacher turnover.

(u) There is too much turnover of administrators.

48. Are you a member of any teachers' associations? (a) No; (b) Yes, an officer; (c) Yes, an active worker; (d) Yes, a member but not an active worker.

49. Do you read regularly any national educational or subject matter journals such as the NEA Journal, the Nation's Schools, the English Journal, etc.? (a) No, not regularly; (b) Yes, 1 regularly; (c) Yes, 2 regularly; (d) Yes, 3 or more regularly.

50. Do you expect to remain full time in public education until you reach retirement age? (a) Definitely yes; (b) Probably yes; (c) Probably no; (d) Definitely no.

51. About how many hours a day do you spend outside of your scheduled workday in preparation for teaching or counseling? (a) None; (b) 1; (c) 2; (d) 3; (e) 4 or more.

52. How many hours a day do you spend in classroom teaching this year? (a) None (skip to question 63); (b) 1; (c) 2; (d) 3; (e) 4; (f) 5; (g) 6 or more.

NOTE.—If you spend no time in classroom teaching, omit questions 53 through 62 and continue with question 63.

53. On the average, how many students do you have per class this year? If you teach only one class, answer for that one. Write the number in the spaces at the top of the answer area. If the number is less than 100, put a 0 in the first space, then write the number; if the number is less than 10, put 0's in the first and second spaces, then write the number in the third space. Now blacken the spaces below the three numbers you have written which correspond to those numbers.

54. (Omit if you teach only fifth grade or below.) How many different subjects are you teaching this term? Count different levels of a subject as different subjects. For example, 9th- and 10th-grade English are two subjects; and 3d- and 4th-year French are two subjects. (a) 1; (b) 2; (c) 3; (d) 4; (e) 5; (f) 6; (g) 7; (h) 8 or more.

PART II

The final part of the questionnaire consists of a short test of verbal facility. It is voluntary and anonymous, as is the remainder of the questionnaire. It is included to obtain a simple measure of verbal facility of teachers throughout our Nation. Here, as in the survey as a whole, your help is essential for assessing the educational opportunities of American children in 1965.

Most people finish these questions in 15 minutes or less. Please do not refer to any book or discuss these questions with anyone before you answer them.

Each question consists of a sentence in which one word is missing; a blank indicates where the word has been removed from the sentence. Beneath each sentence are five words, one of which is the missing word. You are to select the missing word by deciding which one of the five words best fits in with the meaning of the sentence.

Sample question

We had worked hard all day so that by evening we were quite ------ (a) Small; (b) tired; (c) old; (d) untrained; (e) intelligent.

If you understand the sample sentence, you will realize that "tired" is the missing word, because none of the other words fits in with the meaning of the sentence. Next, on the answer sheet, you find the space numbered the same as the question and blacken the space which has the same letter as the missing word.

73. Dick apparently had little ------ in his own ideas, for he desperately feared being laughed at. (a) Interest; (b) depth; (c) confidence; (d) difficulty; (e) continuity.

74. No money should be wasted on luxuries until all ------ have been provided for. (f) Assets; (g) opportunities; (h) resources; (j) proceeds; (k) necessities.

75. France is still, if not the only country in the world where ------ is an art, at least the only one where the dressmaker and the milliner are artists. (a) Democracy; (b) behavior; (c) society; (d) dress; (e) conversation.

76. The ------ of the animals was astounding; they would sit unmoving as we walked about and took their pictures. (f) Stupidity; (g) tameness; (h) grace; (j) shyness; (k) photography.

77. He told the story apparently with indifference, yet with ------ enough to fix the words in his hearers' memory. (a) Jurisdiction; (b) literacy; (c) emphasis; (d) insight; (e) ecstasy.

78. Down with them all. I am taking my ------ for all the humiliation I endured in my youth. (f) Revenue; (g) punishment; (h) reward; (j) time; (k) opportunity.

79. At sea he was an amateur, not an expert, and thus for the first time became an ------ instead of a man of action. (a) Authority; (b) instigator; (c) onlooker; (d) outcast; (e) inspiration.

80. Science, art, literature, philosophy, and religion are the institutions that ------ great civilizations from mere groups of villages. (f) Regulate; (g) extricate; (h) distinguish; (j) release; (k) save.

81. As often happens to those in a bad humor, it seemed to him that everyone regarded him with ------ and that he was in everybody's way. (a) Aversion; (b) curiosity; (c) respect; (d) understanding; (e) fear.

82. People in temperate climates, faced with many ------, gain resources within themselves which eventually lead to a greater prosperity than that possessed by people where living conditions are easier. (f) Obstacles; (g) directions; (h) advantages; (j) possibilities; (k) experiences.

83. He was fired from a job sorting oranges because he was not able to ------ well enough. (a) Produce; (b) sample; (c) walk; (d) discriminate; (e) dye.

84. During the course of the trial he exhausted every form of ------ in an attempt to prove his innocence. (f) Camouflage; (g) intrigue; (h) appeal; (j) credit; (k) insistence.

85. To make you understand my point I must go back a bit and seem to change the subject, but the ------ will soon be plain. (a) Correction; (b) effect; (c) origin; (d) controversy; (e) connection.

86. In pace, the industrial revolution has been not a revolution at all but a ------, change, dependent on the energy and ingenuity of individuals and limited by the scarcity of men possessing these qualities. (f) Gradual; (g) sudden; (h) deliberate; (j) doubtful; (k) debatable.

87. The shortage of wage labor in the farming districts ------ the invention of labor-saving devices. (a) Delayed; (b) threatened; (c) determined; (d) quickened; (e) characterized.

88. You deplore heresy only if you accept an orthodoxy; you talk of damnation only if you believe in the possibility of ------. (f) Recantation; (g) salvation; (h) heresy; (j) perfection; (k) error.

89. Because of the system of growing crops until the land was ------, cotton culture was ever on the move in quest of fresh and fertile soils. (a) Exhausted; (b) cleared; (c) reclaimed; (d) improved; (e) satiated.

90. The paper currency did not depreciate to a great degree, but it tended to ------ with the success or failure of allied armies and with the conditions of the crops and trade. (f) balance; (g) diminish; (h) circulate; (j) stabilize; (k) fluctuate.

91. Himself a man who had vainly striven against ------, he readily accepted the dollar sign as the hallmark of success. (a) Graft; (b) materialism; (c) suppression; (d) defeat; (e) poverty.

92. To be dependent upon them would embitter my whole life; I should feel beggging to be far less ------. (f) Criminal; (g) degrading; (h) restricting; (j) mistaken; (k) crucial.

93. Even when the profession is fairly lucrative, its gains are ------ by the fact that the work must all be done by the practitioner's own hand. (a) Obscured; (b) exaggerated; (c) increased; (d) developed; (e) limited.

94. The early Puritans sought to fortify themselves against ------ by acquiring the habit of self-denial. (f) generosity; (c) temptation; (h) happiness; (j) life; (k) persecution.

95. Consumption of protein declines in periods of economic stress because it is the most ------ of all essential food elements. (a) desirable; (b) nutritious; (c) concentrated; (d) stable; (e) expensive.

96. They could tell from the dark funnel-shaped cloud coming their way that a tornado was probably ------ (f) present; (g) crucial; (h) normal; (j) over; (k) imminent.

97. The diplomatic remonstrance was so ------ that it was almost equivalent to a declaration of war. (a) well-worded; (b) astute; (c) strong; (d) intentional; (e) clever.

98. When the ------ of universal suffrage based on universal ignorance was perceived, education was given a new significance. (f) equality; (g) danger; (h) loss; (j) usefulness; (k) success.

99. The art of reading comes without undue pains to a great many of us, but it is a gift which is certainly not ------. (a) exclusive; (b) profitable; (c) appreciated; (d) universal; (e) refused.

100. Assuming that most writing problems are within the scope of the sentence, the author concentrated on the ------ as the focal point of his freshman English textbook. (f) paragraph; (g) theme; (h) sentence; (j) topic; (k) grammar.

101. The ------ of living, the arrangement of the day so that he might be on time everywhere and leave no detail unattended, absorbed the greater part of his vital energy. (a) necessity; (b) adventure; (c) awareness; (d) exhaustion; (e) mechanics.

102. In trying to build up a new style of design in opposition to the technical potentialities of the century, he was just as much an ------ as the architect who disguises a modern town hall as a Greek temple. (f) explorer; (g) atheist; (h) introvert; (j) escapist; (k) optimist.

This is the end of the questionnaire. Thank you for your cooperation.

SCHOOL SURVEY TESTS—GRADE 6

PART VII QUESTIONNAIRE

Mark the space on the answer sheet corresponding to the answer that is correct for you for each question. Mark only one answer for each question. You may leave out any question you prefer not to answer.

1. Are you a boy or girl? (a) Boy; (b) girl.

2. How old are you now? (a) 9 or younger; (b) 10; (c) 11; (d) 12; (e) 13 or older.

3. Where were you born? (a) In this city, town, or county; (b) somewhere else in this State; (c) in another State in the United States; (d) in Puerto Rico; (e) in Mexico; (f) in Canada; (g) in some other country; (h) I don't know.

4. Which one of the following best describes you? (a) Negro; (b) white; (c) American Indian; (d) Oriental; (e) other.

5. Are you Puerto Rican? (a) Yes; (b) no.

6. Are you Mexican-American? (a) Yes; (b) no.

7. How many people live in your home? Count mother, father, brothers, sisters, aunts, uncles, grandparents, and any others who live with you. Count yourself but don't count your pets. (a) 2; (b) 3; (c) 4; (d) 5; (e) 6; (f) 7; (g) 8; (h) 9; (i) 10; (j) 11 or more.

8. How many children (under 18) are in your family? Count yourself. (a) 1—only me; (b) 2; (c) 3; (d) 4; (e) 5; (f) 6; (g) 7; (h) 8; (i) 9; (j) 10 or more.

9. Who acts as your father? (a) My real father, who is living at home; (b) my real father, who is not living at home; (c) my stepfather; (d) a foster father; (e) a grandfather; (f) other relative (uncle, etc.); (g) other adult; (h) no one.

10. Who acts as your mother? (a) My real mother, who is living at home; (b) my real mother, who is not living at home; (c) my stepmother; (d) a foster mother; (e) a grandmother; (f) other relative (aunt, etc.); (g) other adult; (h) no one.

For all questions about your mother and father, answer them for the persons you said were acting as your mother and father in questions 9 and 10.

11. How far in school did your father go? (a) None, or some grade school; (b) completed grade school; (c) some high school, but did not graduate; (d) graduated from high school; (e) vocational or business school after high school; (f) some college, but less than 4 years; (g) graduated from a 4-year college; (h) attended graduate or professional school; (i) I don't know.

12. What kind of work does, or did, your father usually do? If it is not in the list below, mark whatever seems to be the closest for his main job. (a) Draftsman or medical technician; (b) banker, company officer, or government official; (c) store owner or manager, office manager; (d) sales clerk, office clerk, truckdriver, waiter, policeman, bookkeeper, mailman, barber; (e) salesman; (f) farm or ranch manager or owner; (g) farmworker on one or more than one farm; (h) factory worker, laborer, or gas station attendant; (i) doctor, lawyer, clergyman, engineer, scientist, teacher, professor, artist, accountant; (j) carpenter, electrician, mechanic, tailor, or foreman in a factory; (k) don't know.

13. Where was your mother born? (a) In this State; (b) in another State in the United States; (c) in Puerto Rico; (d) in Mexico; (e) in Canada; (f) in some other country; (g) I don't know.

14. How far in school did your mother go? (a) None, or some grade school; (b) completed grade school; (c) some high school, but did not graduate; (d) graduated from high school; (e) vocational or business school after high school; (f) some college, but less than 4 years; (g) graduated from a 4-year college; (h) attended graduate or professional school; (i) I don't know.

15. Does your mother have a job outside your home? (a) Yes, full-time; (b) yes, part-time; (c) no.

16. Does anyone in your home speak a language other than English most of the time? (German, Italian, Spanish, etc.) (a) yes; (b) no.

17. Do you speak a language other than English outside of school? (a) yes; (b) no.

18. Did anyone at home read to you when you were small, before you started to school? (a) No; (b) once in a while; (c) many times, but not regularly; (d) many times and regularly; (e) I don't remember.

19. Does your family have a television set? (a) yes; (b) no.

20. Does your family have a telephone? (a) yes; (b) no.

21. Does your family have a record player, hi-fi, or stereo? (a) yes; (b) no.

22. Does your family have a refrigerator? (a) yes; (b) no.

23. Does your family have a dictionary? (a) Yes; (b) no; (c) I don't know.

24. Does your family have an encyclopedia? (a) Yes; (b) no; (c) I don't know.

25. Does your family have an automobile? (a) Yes; (b) no.

26. Does your family have a vacuum cleaner? (a) Yes; (b) no.

27. Does your family get a newspaper every day? (a) Yes; (b) no.

28. Did you read any books during the last summer? (Do not count magazines or comic books.) (a) No; (b) yes, 1 or 2; (c) yes, about 5; (d) yes, about 10; (e) yes, more than 10.

29. On school days, how much time do you watch TV at home? (a) None or almost none; (b) about ½ hour a day; (c) about 1 hour a day; (d) about 1½ hours a day; (e) about 2 hours a day; (f) about 3 hours a day; (g) 4 or more hours a day.

30. How many different schools have you gone to since you started the first grade? (a) One—Only this school; (b) 2; (c) 3; (d) 4; (e) 5 or more.

31. Last year how many of the students in your class were white? (a) None; (b) a few; (c) about half; (d) most of them; (e) all of them.

32. About how much time do you spend each day on homework? ("Homework" means school assignments that you do at home.) (a) I have no homework; (b) about ½ hour a day; (c) about 1 hour a day; (d) about 1½ hours a day; (e) about 2 or more hours a day.

33. If I could change, I would be someone different from myself. (a) yes; (b) no; (c) not sure.

34. I can do many things well. (a) Yes; (b) no; (c) not sure.

35. I would go to another school rather than this one if I could. (a) Yes; (b) no; (c) not sure.

36. I like school. (a) Yes; (b) no.

37. I sometimes feel I just can't learn. (a) Yes; (b) no.

38. People like me don't have much of a chance to be successful in life. (a) Agree; (b) not sure (c) disagree.

39. Most of my classmates like me. (a) Yes; (b) not sure; (c) no.

40. How good a student are you? (a) One of the best students in my class; (b) above the middle of my class; (c) in the middle of my class; (d) below the middle of my class; (e) near the bottom of my class.

41. How good a student does your mother want you to be in school? (a) One of the best students in my class; (b) above the middle of the class; (c) in the middle of my class; (d) just good enough to get by; (e) don't know.

42. How good a student does your father want you to be in school? (a) One of the best students in my class; (b) above the middle of the class; (c) in the middle of my class; (d) just good enough to get by; (e) don't know.

43. Did you have a nonwhite teacher last year (for example Negro, American Indian, Oriental)? Don't count substitute teachers. (a) Yes; (b) no.

44. Think now of your close friends. How many of them are white? (a) None; (b) a few; (c) about half; (d) most of them; (e) all of them.

45. Did you go to kindergarten? (a) Yes; (b) no.

46. Did you go to nursery school before you went to kindergarten? (a) Yes; (b) no; (c) I don't remember.

47. What grade were you in last year? (a) Fourth; (b) fifth; (c) sixth.

48. About how long does it take you to get from your home in the morning to school? (a) 10 minutes or less; (b) 20 minutes; (c) 30 minutes; (d) 45 minutes; (e) 1 hour or more.

49. How do you usually come to school in the morning? (a) By automobile; (b) walk or bicycle; (c) schoolbus; (d) train, trolley, subway, or bus other than schoolbus; (e) other.

50. Is there another public school with your grade as close or closer to your home than this one? (a) Yes; (b) no; (c) don't know.

51. Mark the highest grade you want to finish in school. (a) Grades 6 or 7; (b) grades 8 or 9; (c) grades 10 or 11; (d) grade 12; (e) college.

52. Think now who you would like most to have for your classmates. How many of them would be white? (a) None; (b) a few; (c) about half; (d) most of them; (e) all of them; (f) it doesn't matter.

53. When you finish school, what sort of job do you think you will have? Pick the one that is closest.

Boys answer from the selections below

(a) Draftsman or medical technician.

(b) Banker, company officer, or government official.

(c) Store owner or manager, office manager.

(d) Sales clerk, office clerk, truckdriver, waiter, policeman, bookkeeper, mailman, barber.

(e) Salesman.

(f) Farm or ranch manager or owner.

(g) Farmworker on one or more than one farm.

(h) Factory worker, laborer, or gas station attendant.

(i) Doctor, lawyer, clergyman, engineer, scientist, teacher, professor, artist, accountant.

(j) Carpenter, electrician, mechanic, tailor, or foreman in a factory.

(k) Don't know.

Girls answer from the selections below

(a) Housewife only.
(b) Doctor, lawyer, scientist.
(c) Beautician.
(d) Bookkeeper or secretary.
(e) Waitress or laundry worker.
(f) Schoolteacher.
(g) Nurse.
(h) Saleslady.
(i) Maid or domestic servant.
(j) Factory worker.
(k) Don't know.

54. How often do you and your parents talk about your school work?

(a) Just about every day.
(b) Once or twice a week.
(c) Occasionally, but not often.
(d) Never or hardly ever.

If you finish before time is called, check your work on this part only. Do not work on any other part in the test.

SCHOOL SURVEY TESTS—GRADE 12

61. On an average schoolday, how much time do you spend studying outside of school? (a) None or almost none; (b) about one-half hour a day; (1) about 1 hour a day; (d) about 1½ hours a day; (e) about 2 hours a day; (f) about 3 hours a day; (g) 4 or more hours a day.

62. About how many days were you absent from school last year? (a) None; (b) 1 or 2 days; (c) 3 to 6 days; (d) 7 to 15 days; (e) 16 or more days.

63. During the last school year, did you ever stay away from school just because you didn't want to come? (a) No; (b) yes, for 1 or 2 days; (c) yes, for 3 to 6 days; (d) yes, for 7 to 15 days; (e) yes, for 16 or more days.

64. Think now of your close friends. How many of them are white? (a) None; (b) less than half; (c) about half; (d) more than half; (e) all.

65. If you could have anyone you wanted for your close friends, how many would be white? (a) None; (b) less than half; (c) about half; (d) more than half; (e) all; (f) don't care.

66. If you could be in the school you wanted, how many of the students would you want to be white? (a) None; (b) less than half; (c) about half; (d) more than half; (e) all; (f) don't care.

67. If you could be in the school you wanted, how many of the teachers would you want to be white? (a) none; (b) less than half; (c) about half; (d) more than half; (e) all; (f) don't care.

68. What was the first grade you attended with students from another race in your classes? (a) 1st, 2d, or 3rd; (b) 4th, 5th, or 6th; (c) 7th, 8th, or 9th; (d) 10th, 11th, or 12th; (e) I have not had classes with students of another race.

69. Are you a member of a club for future teachers? (a) yes; (b) no; (c) there is not one in this school.

70. Were you on any school athletic team last year as a player or manager? (a) yes; (b) no; (c) we didn't have any athletic teams in my school.

71. Were you a member of the student council last year? (a) yes; (b) no; (c) we didn't have a student council.

72. Did you participate in any debating, dramatics, or musical clubs last year? (a) no; (b) yes, I was an active member; (c) yes, but I wasn't very active; (d) our school does not have such clubs.

73. Did you participate in any hobby clubs at school last year, such as photography, model building, crafts, etc.? (a) no; (b) yes, I was an active member; (c) yes, but I wasn't an active member; (d) our school does not have such clubs.

Beginning with 9th grade, including all this school year, how much course work will you have had in each of the subject areas listed below? (a) None; (b) one-half year; (c) 1 year; (d) 1½ years; (e) 2 years; (f) 2½ years; (g) 3 years; (h) 3½ years; (i) 4 years; (j) more than 4 years.

74. Science courses such as biology, chemistry, general science, and physics.

75. Foreign language courses such as French, German, and Latin.

76. Social studies courses such as history, civics, and economics.

77. English courses including grammar, literature, drama, speech, and journalism.

78. Mathematics courses such as algebra, geometry, trigonometry. Do not include commercial arithmetic or shop mathematics.

79. Industrial arts courses such as general shop, woodworking, metalworking, drafting. Do not include job-training courses.

80. Vocational education, trade education, and job-training courses such as auto mechanics, foundry, distributive education, and health occupations.

81. Commercial courses such as typing, shorthand, and bookkeeping.

82. Agriculture courses.

83. Home economics courses.

84. What is the average grade that you made in your English courses during the last 2 years? If your school does not use letter grades, estimate as closely as possible: (a) A (either A−, A, or A+); (b) B (either B−, B, or B+); (c) C (either C−, C, or C+); (d) D (either D−, D, or D+); (e) failed; (f) haven't taken any courses in English.

85. What is the average grade that you made in your mathematics courses during the last 2 years? If your school does not use letter grades, estimate as closely as possible: (a) A (either A−, A, or A+); (b) B (either B−, B, or B+); (c) C (either C−, C, or C+); (d) D (either D−, D, or D+); (e) failed; (f) haven't taken any courses in mathematics.

86. What ability group or track are you in in your English class? (a) The highest group or track; (b) the middle group; (c) the lower group; (d) our school does not have ability grouping or tracks; (e) don't know.

87. Are you now repeating any English course which you took last year? (a) Yes; (b) no.

88. What is your grade average for all your high school work? (a) A (either A−, A, or A+); (b) B (either B−, B, or B+); (c) C (either C−, C, or C+); (d) D (either D−, D, or D+); (e) don't know.

89. During the last school year about how many hours a week did you work for pay? Do not include chores done around your own home. (a) None; (b) about 1 to 5 hours; (c) about 6 to 10 hours; (d) about 11 to 15 hours; (e) about 16 to 20 hours; (f) about 21 hours or more.

90. How do you and your friends rate socially in this school? (a) At the top; (b) near the top; (c) about in the middle; (d) near the bottom.

91. How bright do you think you are in comparison with the other students in your grade? (a) Among the brightest; (b) above average; (c) average; (d) below average; (e) among the lowest.

92. Do you feel that you can get to see a guidance counselor when you want to or need to? (a) Yes; (b) no; (c) we have no guidance counselor.

93. How many times did you talk to a guidance counselor last year? (a) Never; (b) once; (c) two or three times; (d) four or five times; (e) six or more times; (f) we have no guidance counselor.

94. Has your teacher or counselor encouraged you to take further training after high school? (a) Yes, to go to college; (b) yes, for technical or advanced job training; (c) yes, for business or commercial training; (d) yes, other training; (e) no.

95. Would you have enrolled in a vocational (job training) program if one that interested you were offered in your high school? (a) I am already in a vocational (job training) program; (b) yes, I would have enrolled in such a program; (c) no, I would not have enrolled in such a program.

If you answered B or C on question 95, skip to question 100.

96. Here is a list of the kinds of job training courses vocational students take in schools around the country. Mark the number of the program that comes closest to the one you are taking the most work in during high school.

1. Agriculture.
2. Air conditioning.
3. Airplane mechanics.
4. Auto body mechanics.
5. Automotive mechanics.
6. Brick or stone masonry.
7. Cabinet making.
8. Carpentry.
9. Commercial art.
10. Cooperative office or business training.
11. Cosmetology (beauty culture).
12. Diesel mechanics.
13. Distributive education.
14. Electricity.
15. Food trades.
16. Foundry.
17. Industrial cooperative training.
18. Machine shop.
19. Maid training (domestic service).
20. Needle trades.
21. Painting and decorating.
22. Plumbing (pipe fitting).
23. Practical nursing (health).
24. Printing.
25. Radio-TV repair.
26. Sheet metal work.
27. Welding.
28. Other.

97. When you finish high school, how many half years of schoolwork will you have completed for the job you are taking the most training in? (a) One-half year; (b) 1 year; (c) 1½ years; (d) 2 years; (e) 2½ years or more.

98. Are you in a work-study program in which the school and local employer cooperate to give students on-the-job training? (a) Yes; (b) No.

99. Are you in training for the job you really want to work at when you finish high school? (a) yes; (b) no, I was not able to qualify for it; (c) no, the course was full and I had to take something else; (d) no, I did not try to take it; (e) there is no training for that job in this school.

100. How good a student do your teachers expect you to be? (a) one of the best students in my class; (b) above the middle of the class; (c) in the middle of my class; (d) just good enough to get by; (e) don't know.

On each of the following items, mark (a) if you agree; mark (b) if you are not sure; and mark (c) if you disagree.

101. People who accept their condition in life are happier than those who try to change things. (a) agree; (b) not sure; (c) disagree.

102. Good luck is more important than hard work for success. (a) agree; (b) not sure; (c) disagree.

103. Every time I try to get ahead, something or someone stops me. (a) agree; (b) not sure; (c) disagree.

104. If a person is not successful in life, it is his own fault. (a) agree; (b) not sure; (c) disagree.

105. Even with a good education, I'll have a hard time getting the right kind of job. (a) agree; (b) not sure; (c) disagree.

106. I would make any sacrifice to get ahead in the world. (a) agree; (b) not sure; (c) disagree.

107. If I could change, I would be someone different from myself. (a) agree; (b) not sure; (c) disagree.

108. I sometimes feel that I just can't learn. (a) agree; (b) not sure; (c) disagree.

109. I would do better in school work if teachers didn't go so fast. (a) agree; (b) not sure; (c) disagree.

110. People like me don't have much of a chance to be successful in life. (a) agree; (b) not sure; (c) disagree.

111. The tougher the job, the harder I work. (a) agree; (b) not sure; (c) disagree.

112. I am able to do many things well. (a) agree; (b) not sure; (c) disagree.

113. About how long does it take you to get from your home in the morning to school? (a) 10 minutes or less; (b) 20 minutes; (c) 30 minutes; (d) 45 minutes; (e) one hour or more.

114. How do you usually come to school in the morning? (a) By automobile; (b) walk or bicycle; (c) school bus; (d) train, trolley, subway, or bus other than school bus; (e) other.

115. When you finish your education, what sort of a job do you think you will have?

(a) Technical, such as draftsman, surveyor, medical, or dental technician, etc.

(b) Official, such as manufacturer, officer in a large company, banker, Government official or inspector, etc.

(c) Manager, such as sales manager, store manager, office manager, factory supervisor, etc. Properietor or owner, such as owner of a small business, wholesaler, retailer, contractor, restaurant owner, etc.

(d) Semiskilled worker, such as factory machine operator, bus or cab driver, meat cutter, etc. Clerical worker, such as bankteller, bookkeeper, sales clerk, office clerk, mail carrier, messenger, etc. Service worker, such as barber, waiter, etc. Protective worker, such as policeman, detective, sheriff, fireman, etc.

(e) Salesman, such as real estate or insurance salesman, factory representative, etc.

(f) Farm or ranch manager or owner.

(g) Farm worker on one or more than one farm.

(h) Workman or laborer, such as factory or mine worker, fisherman, filling station attendant, longshoreman, etc.

(i) Professional, such as accountant, artist, clergyman, dentist, doctor, engineer, lawyer, librarian, scientist, college professor, social worker, etc.

(j) Skilled worker or foreman, such as baker, carpenter, electrician, enlisted man in the Armed Forces, mechanic, plumber, plasterer, tailor, foreman in a factory or mine, etc.

(k) Don't know.

116. What kind of school did you attend when you were in the eighth grade? (a) A public school; (b) a private Catholic school; (c) a private Jewish school; (d) a private Protestant school; (e) another private school including military school.

Educational Opportunities Survey—School Survey Tests

This test book is divided into several parts, or tests, and a questionnaire. The tests are to find out how well you can do certain types of problems; the questionnaire is to find out certain facts about you.

Your teacher will tell you the time limit for each of the tests. During that time you are to work on that test only. The teacher will tell you when to begin and when to end each test. If you finish a test before time is called, you may check your work on it; but you may not work on any of the others.

Do not worry if you are unable to finish a test or if there are some questions you cannot answer. Many students leave questions unanswered and no one is expected to get everything right. You should work as rapidly as you can without sacrificing accuracy.

If a question seems too difficult for you go on to the next question rather than waste your time. Your scores will be determined by the number of correct answers. You are to indicate all of your answers on the separate answer sheet that has been given to you. You may use the margins of the test book for scratchwork, but no credit will be given for anything written in the test book. Be sure that all your marks are black and that they completely fill the answer space; do not make any stray marks on your answer sheet. If you erase, do so completely; an incomplete erasure may be considered as an intended response. Mark only one answer to each question.

The last part is a questionnaire. It asks questions about you and your family. Whatever is true for you is the right answer for each question. Therefore, you probably know the answer to all of the questions on the questionnaire. If there are any questions you prefer not to answer, you may leave them out.

Your test answers and scores, and answers to the questionnaire will be private. Do not write your name on the test book or the answer sheet.

Do not open this test book until you are told to do so.

A FURTHER REPORT ON PROPOSALS TO ASSESS EDUCATIONAL ACHIEVEMENT

The April News Exchange reported briefly on the status of a study of the feasibility of making a national assessment of educational achievement. The Carnegie Corp. of New York was invited by U.S. Commissioner of Education Frances Keppel to conduct the study. Dr. John W. Gardner, president of the corporation, has prepared a statement about the study and what may be the purposes and nature of such a project. I believe that all members of ASCD will be interested in his statement. We are indebted to him for this contribution to our understanding of a matter of great interest to curriculum workers.

GALEN SAYLOR,
President, ASCD.

A NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

Representatives of private and public institutions concerned with education have recently been discussing the possibility of assessing the achievements of American education. An exploratory committee on assessing the progress of education, made up of leading educators and laymen (see list following), has been considering how a national assessment of American education might be made. Public knowledge about the quality and progress of American education is not commensurate with public interest in and support of education. This is not a question of what individual students are learning, but, rather, what our educational system as a whole is accomplishing.

OBJECTIVES

A well-conceived and well-executed assessment would, it is hoped, serve several important purposes. First, it would give the Nation as a whole data on the strengths and weaknesses of the American educational system. Thus, it might constitute a much more accurate guide than we currently possess to the allocation of public and private funds—where they are needed, what they achieve—and to many other decisions affecting education. Second, assessment results, especially if coupled with auxiliary information on characteristics of various regions, communities, schools, etc., would provide data necessary for research on educational problems and processes which cannot be undertaken now. Third, when sampling and testing procedures are adequately developed, international comparisons might be possible. And finally, it is hoped that a national assessment of education would make all groups more vitally interested in the educational system—not just in where it stands, but also in what its goals should be and how it might be improved.

METHODS

Until now, educational testing has been aimed at evaluating the individual: his grasp of a certain subject matter, his eligibility for advanced education—in short, how well he measures up to a given standard. A national assessment, on the other hand, would not be concerned with the individual. Instead, it would assess the general performance of groups of people—not in order to do anything with them individually, but to obtain information about them as a group. For this reason, the individual participant need not be identified. Also, the tests and other measures would differ in content from tests designed for an individual; those designed to assess an educational system would cover content that most of the Nation's students are known to have mastered. The tests would show what percentage of students at given levels and in different parts of the country have actually mastered this material.

Further, to learn something about a group, information need not be gathered on all members of that group. Through probability sampling a representative sample of a population can be chosen and from this sample we can learn what is characteristic of the entire population. The political polltakers have used sampling techniques to determine the opinions of large groups; a national assessment would use substantially the same techniques. Thus, to learn something about the educational system of a given region it would be necessary to administer tests in only a small number of schools within that region. To obtain comparative data over time, the tests could be readministered to the same number of, but not necessarily the same, students and schools within the region.

The use of probability sampling would minimize certain undesirable effects of testings on the students, their teachers, and the curriculum. Unlike, say, the New York State regents examinations, the national assessment tests need not be administered to all students or all teachers within the tested region; thus, teaching for the tests and revising curriculums to conform to test content would not be stimulated.

TEST CONTENT AND ADMINISTRATION

A national assessment must reflect fairly the aims of education in the United States. The tests, therefore, should cover both the traditional and modern curriculums and include some measurement of such areas beyond subject matter as degree of motivation, values, and health. In short, the project would assess the total educational picture in a community. To do this would probably require the gathering of some input data—for example, socioeconomic information on the community—to indicate what resources the school is working with.

The tests and other measures used should be flexible enough to allow for changes in instructional methods and educational goals. The whole range of possible achievement should be included from that attainable by 90 percent of students at a given level to that attainable by only the top 10 percent at the same level.

The measures would probably be administered to given age rather than grade levels to avoid the effect of differences in promotion policy within the schools and to reach those who are not in school. At present four groups are being considered: (1) children around age 9; (2) children around age 13; (3) young people around age 17; and (4) adults. If the assessment is to be truly national, private and parochial as well as public schools should be invited to participate.

CURRENT STATUS OF THE PROJECT

With funds provided by Carnegie Corp., the exploratory committee on assessing the progress of education sponsored several conferences during 1964 where school superintendents and administrators, members of school boards, and other interested people discussed the feasibility of a national educational assessment program. During the course of these discussions it became apparent that the committee, whose work had originally been projected for a 6-month period, was the body most suited to monitor the project as it moved from a speculative stage to one of test development and administration.

In February 1965, a seminar was held in Palo Alto, Calif., with representatives of the country's leading test-development agencies and individuals prominent in this field. At this seminar the exploratory committee explained the distinctive nature of the tests and other assessment devices required, outlined a comprehensive set of areas in curriculum, and asked each agency to make a proposal for test development in one or more curriculum areas. These proposals were submitted to the committee by April 1, 1965, for review by a technical committee appointed by it. Then, at a meeting in New York on April 10, the exploratory committee began awarding contracts for phase 1 (the first 6 months) of test development.

Later in the year the exploratory committee is to consider the future of the project after the present phase is completed.

Members of exploratory committee on assessing the progress of education:

Ralph W. Tyler, chairman, director, Center for Advanced Study in the Behavioral Sciences, Stanford, Calif.

Melvin Barnes, superintendent of schools, Portland, Oreg.

John J. Corson, Woodrow Wilson School of Public and International Affairs, Princeton University, Princeton, N.J.

Paul F. Johnston, superintendent of public instruction, Des Moines, Iowa.

Devereux C. Josephs, New York Life Insurance, New York, N.Y.

Roy E. Larsen, Time, Inc., New York, N.Y.

Katherine E. McBride, president, Bryn Mawr College, Bryn Mawr, Pa.

Paul C. Reinert, president, St. Louis University, St. Louis, Mo.

Mabel Smythe, principal, New Lincoln School, New York, N.Y.

Jack C. Merwin, staff director, Minneapolis, Minn.

Ralph W. Tyler, chairman of the exploratory committee on assessing the progress of education, stated in a recent letter to Dr. Saylor, "* * * Actually, the only addition I would make to the statement John Gardner sent you is to let you know that contracts have now been let with the Educational Testing Service, and two or three other test publishers, which involves their working with the schools in seeking to prepare testing instruments that are appropriate for the objectives of the schools. Part of the provision is that these instruments shall be tried out in the schools and found helpful to the schools before they are recommended for wider usage. I think this will take care of a good deal of the concern which Harold Hand expressed. My own feeling is that thoughtful and careful assessment of educational progress is necessary in order to deal intelligently with matters that are now too largely dealt with by innuendo and uninformed or partially informed positions. People are evaluating the work of the schools in inadequate fashion and I think a careful effort to make an assessment is a necessary way to provide sound information on which intelligent decisions may be based."

A PROPOSAL FOR A LONG ISLAND NATIONAL WETLANDS RECREATION AREA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. TENZER] is recognized for 15 minutes.

Mr. TENZER. Mr. Speaker, I am today introducing a bill to establish a national wetlands recreation area for the south shore of Long Island, the first so designated area of our Nation. The purpose of this legislation is to preserve the natural resources of the coastal wetlands of Hempstead-South Oyster Bay; to conserve and propagate the fish, shellfish and wildlife, including migratory birds which use these wetlands and waters as habitat; and to promote broad outdoor recreational use of these wetlands. The area within the boundaries is approximately 16,000 acres.

The principal provisions of the bill are; first, authorization to acquire lands within the boundaries of the Long Island National Wetlands Recreation area; second, authorization for the Secretary of Interior, pursuant to agreements, to administer publicly owned lands for the purposes set forth in the bill, in lieu of actual purchase; third, authorization for a study of additional lands for recreational use; and, fourth, a requirement that the cost of any improvements constructed on publicly owned lands administered, but not purchased, by the Secretary of the Interior shall be shared—50–50—by the State or local governmental agency.

On July 27, 1965, as recorded in the daily CONGRESSIONAL RECORD—page A4121—I commended the Nassau County Planning Commission of Long Island for their farsighted resolution of July 13, urging that the coastal wetlands of Nassau County be preserved in the public interest. I commend all organizations, officials and individuals who endorse plans for the preservation of the wetlands area. Such action on the part of local officials is solid foundation for the eventual achievement of that objective. But, we must go further. We must make preservation a certainty, and we must do it now. I propose a partnership of our State, county and town governments to make a concerted effort in cooperation with the Federal Government to establish a national wetlands recreation area on Long Island's south shore.

The wetland area, about 15 miles long and about 3½ miles wide, extends from the Queens-Nassau County line on the west to the Nassau-Suffolk County line on the east. East Rockaway Inlet on the western extremity and Jones Inlet at about midpoint lead to the open Atlantic.

I recommend the establishment of a Long Island National Wetlands recreation area because I see no other practical way to assure the protection of these valuable marshes and tidal areas and all of the great natural resources dependent upon them. I make such a recommendation not to preempt the plans of the town of Hempstead—or the county of Nassau, or the great State of New York, but to bring together all these very plans—to unite them and utilize the best thinking in each.

I was born in and have been a resident of the State of New York all of my life. I have resided in Long Island's Nassau County since 1936, first in the village of Lynbrook and since 1947 in the village of Lawrence. Prior to my moving to Long Island and since, I have shared with my family and my neighbors the sheer natural beauty of the south shore bay waters and wetlands, boating, fishing and hunting and the enjoyment of the wildlife whose natural habitat is in the marshy islands out in the bays and the shoreline marshes which extend back to dry land along the parkways and mud flats.

In 1936, the population of Nassau County was less than 400,000; today, 30 years later, the population has increased to 1,450,000, an increase of over 250 percent. During the same period the population of the United States increased only 50 percent. With this great increase in population in suburban Nassau County both from the result of an exodus from New York City and from the growth and development of family life in what has become one of the finest residential counties in the United States, there is an increased need for additional recreational facilities.

This need was recognized in a report dated September 1961, entitled "Preservation of Hempstead and South Oyster Bay Long Island Wetlands" which was prepared following an extensive survey conducted jointly by the U.S. Fish and Wildlife Service and the New York State Conservation Department.

The establishment of a Long Island national wetlands recreation area is a natural extension of the Fire Island National Seashore and provides insurance that the character and purpose of that seashore will be maintained.

The total bay complex on the south shore of Long Island is one ecological unit. The massive numbers and varieties of fish, shellfish and wildlife know no specific geographical barrier. They use the entire complex and its products.

The depletion of our Nation's natural resources by the repetitive rape of our wetlands by either dredging, development or deterioration must be stopped. The habitat of wildlife on our seashores has been depleted over the years with very little remaining. The great seashore area sought to be preserved by this legislation is considered by the U.S. Fish and Wildlife Service of the Department of the Interior and by the Division of Fish and Game of the New York State Conservation Department as an essential part of breeding, migration and wintering in the Atlantic flyway. It is deemed to be vital to the survival of water birds and shore birds—a valuable waterfowl area.

In the September 1961 joint report, the following statement appears:

> The south shore bay complex of Long Island, with its shallows, is the most important coastal waterfowl area in the North Atlantic States. It is also vital to the survival of other water birds and shore birds. Hempstead and South Oyster Bay are a major part of this valuable waterfowl area.

The joint report also revealed the gradual destruction of the wetlands:

> In 1959, a survey of the wetlands of Long Island was made by the New York State Conservation Department and the U.S. Fish and Wildlife Service to determine wetland losses and vulnerability. It revealed that 12.5 percent of these high and moderate value wetland habitat areas had been destroyed since 1954, when the wetlands had originally been inventoried. The survey also showed that 30 percent of the remaining wetlands are in danger of being destroyed in the next 5 years, and an additional 39 percent of the remainder are likely to be destroyed within the foreseeable future. Although these figures apply to all of Long Island, the losses and vulnerability of Hempstead and Oyster Bay wetlands are roughly of at least the same magnitude, and are quite probably higher.
>
> If future needs are to be met, this trend must first of all be reversed and perpetuation of wetlands assured.
>
> If these lands can be preserved, fish and wildlife resources can be saved from destruction. Therefore, we recommend that the two towns set aside a major portion of these wetlands and dedicate them to the purpose of fish and wildlife conservation and use.

These wetlands extend the entire length of the island—thousands of acres of tidal flats, shallow pools, and marshy islands, interlaced with numerous inlets and streams. They form a natural and unique ecological zone between the fresh water streams of the uplands and the salt waters of the Atlantic beyond the dunes. Increasingly, we are impressed with the overall value of these wetlands to finfish, shellfish, waterfowl, and many other birds and animals which in turn are of great importance to people.

For too long, we have considered, studied, discussed, and been completely frustrated while piece by piece, coastal wetlands have been filled or dredged and otherwise destroyed. We have been too often frustrated by areas of responsibility; too often we have given in to the demands of developers. We have failed to recognize and face up to the facts—the glitter of quick profits has blinded us from the truth of the real value of these natural resources. Yet the great variety of tangible and intangible values that flow from wetlands preservation is only now becoming known.

The simple fact is that coastal wetlands of Long Island's south shore are tremendously important to the very reason we call it home. I propose to give wide circulation to the facts of the situation as I promised during 1964. I will seek to enlist not only the citizens of the South Shore—but all the citizens of Long Island and of the State of New York and my colleagues in the House of Representatives to support this legislation.

Now, more than ever before, people are concerned with these wetlands; their interest intensified by pressures of an increasing population and its concomitant increases in water pollution, housing development, industrial complexes, marinas, parks, and recreational areas. These factors have already destroyed large amounts of wetlands and constitute a serious threat to the remainder. Although individually, projects involving wetlands may seem inconsequential, collectively, the total effect has been disastrous. What are the values of these wetlands? Just how does dredging, drainage, and the disposition of spoil affect wetlands? Let us look at the facts.

Shellfish of importance to both sport and commercial interests depend upon the shallow bay waters and mud flats. The blue-claw crabs, mussels, oysters, scallops, bank mussels, soft-shell clams, and quahogs are all sought by the public. These resources must be protected.

Tidal areas are vitally important to the early life stages of fish species like striped bass, fluke, winter flounder, and Atlantic menhaden. Bay habitat is also the place for sportsmen to catch the above species and others, like black sea bass and summer flounder. These resources must be protected.

Long Island's wetlands and bays have long been a most important migration and wintering grounds for the great waterfowl and other bird populations which sweep southward from northern breeding grounds each fall and back again each spring. From mid-October to mid-March, up to 20 percent of the Atlantic brant, 8 percent of the diving ducks, and 5 percent of all ducks of the total Atlantic Flyway population rests and feeds in the waters of Long Island. Many species of other waterfowl and rails, herons, and shore birds frequent these wetlands. These resources must be protected.

And what of the thousands of people who need and want an opportunity to recreate their minds and bodies with a few hours or a day or 2 out-of-doors? Such opportunities must be within a short distance of their homes to be truly meaningful. A chance to walk, to row a boat, to fish, to hunt, to swim, to picnic, or to merely observe the natural world—all these must be provided for, and can be, even within close range of the asphalt jungles we know so well. What I am referring to now are human resources. These resources must be protected.

Otherwise, what heritage will we leave to our children other than a filled-in bay, a polluted stream, or bone fragments in a museum? Men can do better—men must do better—so let us begin now.

The destruction of water and wetlands habitat will end only when a majority of the people recognize the problem and insist that these habitats and all their related natural resources be preserved and restored. This is partly a matter of education, in which direction some progress has been made. The growing interest in conservation in general, and wetlands in particular, is evidence of this fact. Long Island has been fortunate in having so many dedicated workers. Interest must, of course, be translated into action through the town, county, State and national governments. There is no substitute for the combined forces of able and active officers backed by an aroused citizenry.

I propose that the wetlands of the towns of Hempstead and Oyster Bay, along the south shore of Nassau County, be established as the Long Island national wetlands recreation area, the first so designated area of our Nation. The primary purpose will be to preserve the salt marshes and bays so necessary to our recreational resources. The secondary purpose will be to provide for an orderly planning of the public's use of the area, and the management of its natural resources.

I propose to explain and discuss this new legislative concept in conservation with local, State and Federal officials and with my constituents to assure bipartisan support and a spirited public interest in preserving Long Island's heritage.

The gradual deterioration of the wetlands is adequate proof that legislation is needed to put an end to this disregard for conservation and the needs of the community.

I have introduced legislation today to establish the Long Island national wetlands recreation area in order to make this south shore outdoor area an assured resource for the benefit of all the people of the south shore of Long Island, the county of Nassau, the State of New York and of the Nation.

The establishment of a fish and wildlife preserve and recreation area under national auspices will serve for the benefit of all of the people, who live and who come to visit Long Island; therefore it will serve the additional purpose of improving and promoting the economic development of Long Island.

I will work closely with the members of my local advisory committee on conservation and water resources, with civic association, village, town, county, and State officials and all organizations and individuals interested in conservation and in the preservation of the natural resources of the south shore of Long Island. I respectfully urge bipartisan support for the proposed Long Island national wetlands recreation area project and invite all who are interested to contact me for additional material and information and to send me their endorsement or other comments on the proposal.

By a concerted and determined effort, we can preserve the heritage of the south shore and dedicate to the generations to follow the benefits of a Long Island national wetlands recreation area—the first of its kind in the era of the "new conservation."

TRADE ACT DISTORTION THREATENS DOMESTIC INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, I am moved to introduce legislation designed to modify and moderate the Trade Expansion Act of 1962 for several reasons. One of these is the current plan to reduce virtually all existing tariff rates another 50 percent. This represents an extreme position in respect to our tariff, which has already been reduced some 80 percent in the past 30 years.

Another reason is that some industries—I am thinking of the glass industry in particular—already face great difficulty in meeting import competition even without further tariff reduction. Such industries are already lagging and should have a more reliable remedy than the Trade Expansion Act of 1962 provided. I think all members must know by now that the adjustment assistance provisions of that act, which were adopted as a substitute for or supplement to—really a substitute for—the old escape clause, have resulted in no remedy of any kind and it is indeed a poor remedy in principle. All 17 cases that have been processed under the new law have been negatively decided.

TRADE BILL OFFERS NO REMEDY

This being the case there is no remedy against serious injury today under the trade program. Our industries have been stripped of what there was in the form of a remedy. On top of that the tariff is to be cut another 50 percent.

I was one of those who vigorously opposed the so-called Trade Expansion Act which delegated to the Executive life and death control over American industry. It has been obvious for many years that liberal philosophy subordinates American interests to their foreign policy decisions. Quite often these trade policies are little more than foreign aid through the backdoor. With the increasing reluctance of Congress to appropriate billions of dollars through the front door there has been an increasing tendency to grant price supports and premiums to foreign countries for their coffee, sugar, and so forth through the backdoor. We saw last year the gratuitous granting of a substantial increase in the quota for residual oil dumping in our country which has had a very adverse affect on our domestic coal industry. All of these policies and programs tend to burden the taxpayer and threaten business and labor. It is time that we start thinking about our interests. We cannot carry the world on our shoulder and indeed we cannot remain as a powerful leader of the free world if we continually weaken our domestic industry.

The Trade Expansion Act did pass and despite its shortcomings, the Congress certainly did not intend anything as radical as what has been proposed by way of tariff cutting under the Kennedy round in Geneva. The debates on this bill establish a clear legislative record on this.

That there was obviously no intent to authorize a tariff cut of 50 percent across the board, as now proposed, was made clear in the act by providing for hearings in the course of which a great amount of information was to be gathered by the Tariff Commission to help shape its judgment on each of several thousand items on the President's list. If the tariff were to be cut 50 percent in any case nothing but frivolity and deception could be attributed to Congress, since all the time spent on the hearings by the Tariff Commission, which as it turned out ran for 4 months, and in preparation for the Geneva negotiations, would have been wasted. This certainly was not the intent.

Mr. Speaker, the fact is that Congress in the 1962 act detailed the data the Commission was to collect far beyond anything it had previously required. Never before had Congress spelled out in as great detail as in the Trade Expansion Act of 1962 all the factors, trends, and developments that the Commission was to examine and take into account in advising the President of the "probable economic effect of modification of duty or other import restrictions."

How ironic then that this legislation should be ignored and an approach adopted that would cut all items 50 percent with "a bare minimum of exceptions."

The Commission was to "investigate conditions, causes, and effects relating to competition between foreign industries producing the articles in question."

It was to "analyze the production, trade, and consumption of each like or directly competitive article, taking into consideration employment, profit levels, and use of productive facilities with respect to the domestic industries concerned" plus other relevant factors, "including prices, wages, sales, inventories, patterns of demand, capital investment, obsolescence of equipment, and diversification of production."

This was not all of the obligation laid on the Commission in making its investigation but it is more than enough to support what I have said, namely, that the instructions were the most elaborate ever laid down by Congress to the Tariff Commission.

CUTS OF FIFTY PERCENT IMMINENT?

There can be little doubt that these onerous instructions helped gain votes for the bill, since the appearance was one of a cautious and prudent approach to any further tariff reduction. That is no doubt what appealed to many Members although I frankly was never taken in. The 50-percent authorization was obviously to be regarded as a maximum, as in the past. Some items might be cut the full amount if the hearings and investigation provided such an indication; but there was no point in going into all the details required by the law if all items were to be cut 50 percent.

Yet that is exactly what the President's special representative for trade negotiations agreed to in May 1963 in concert with the General Agreement on Tariffs and Trade popularly known as GATT. Everything was to be cut 50 percent with a few minor exceptions.

Mr. Speaker, while it seems unthinkable that the President's representative would so far ignore the clear intent of Congress, that is nevertheless what happened. The only reason why the 50-percent cut has not yet been carried out lies in the delays in Geneva, caused, not by us, but by members of the European Common Market. As it is, there is still time to reinstruct the executive branch.

The language of the act, as I have already said, apparently was written as it was in order to attract votes. The bill having been passed with the language unchanged the executive branch elected to do what some of its enthusiasts have been wishing to do for years. The way to accomplish this lay in simply ignoring the legislative intent, clear as it was, and slashing the tariff without regard to the findings of the Tariff Commission.

Under the circumstances there is every reason why Congress should make it clear that its intent as clearly revealed in the act should be carried out. We are indeed more than justified in legislating unmistakably. H.R. 10293, which I have introduced in association with other members, would be more specific.

First. It would restore in specific form, though not in so many words, the "peril point" of preceding legislation that was dropped in the 1962 act. In place of the peril point as such detailed instructions to the Tariff Commission are provided in my bill. The intent of Congress having up to this day been ignored, there is good reason to set it forth in terms of actual percentages so that there can be no further evasion. For example, if imports have reached as high as 7½ percent of domestic production and have increased as much as 75 percent since 1958, the item must come off the list if the Tariff Commission so certifies to the President on application of an industry or labor organization. Again, if imports in any year since 1958 had reached as high as 20 percent of domestic production and have increased more than the domestic production since 1958, or if the number of domestic production workers has declined at least 10 percent since 1958 while imports have increased—under these circumstances the item will also be taken off the list under certification by the Commission to the President.

There are several other criteria for removal of items from the list. One is that the item has been the subject of a tariff increase or an import quota limitation under section 7 of the Trade Agreement Extension Act of 1951, as amended. Several such instances exist.

Second. The bill would also eliminate the word "major" where it appears in the act of 1962 as a requirement in a finding of injury. A tariff cut must have been the "major" cause of the increased imports complained of and these increased imports must have been the "major" cause of the injury. To date, as I have said, this offending word is blamed for the 17–0 negative record of the Tariff Commission under the adjustment assistance provision. It would be eliminated in my bill.

This word was apparently inserted to narrow the likelihood of obtaining assistance toward overcoming the ravages of import competition. I believe that the injury should be prevented in the first place, but if it takes place nevertheless the remedy should be available under reasonable conditions and not made a virtual impossibility.

INDUSTRY WILL BE HURT IN 17TH DISTRICT

Mr. Speaker, the 17th District of Ohio has a major glass industry and has suffered from imports which have been steadily increasing. You may recall that in 1961 a number of us fought for escape clause action to assist the sheet, drawn and cylinder glass industry. Imports of glass were shown to have reached a peril point. I might add that they have increased steadily since that time. On May 17, 1961, the Tariff Commission in a timely decision wiped out a series of seven separate reductions which had been imposed since the Reciprocal Trade Act of 1934. This order became final on July 17 because we were able to prevail upon President Kennedy to overrule State Department advice and approve this finding.

This action helped the industry against sure attrition by imports; but imports in 1964 took nearly as large a share of the market as in 1962 when the higher duties took effect or 23.9 percent in 1964 as compared to 24.6 percent in 1962. It was therefore a shock when on March 30, 1964, President Johnson requested the Tariff Commission to examine the flat glass industry and to advise him of the probable effect of dropping the duty back to the lower level of 1962. I appealed to the President to not take this action and to date it is pending. It is likely he will accept the 3 to 2 decision of the Tariff Commission and roll back this tariff which will induce further imports to the detriment of this industry and the many American workers who are skilled in this field. The President took this action under section 351(d)2 of the 1962 act.

Since the request to the Tariff Commission was on the initiative of the President and not of the Commission itself although it could have done so this would seem to indicate that Mr. Johnson would expect to reduce the duty. Otherwise the duty would remain at its present higher level since the Tariff Commission had made no request for an investigation. I personally was shocked at the President's action since every sign pointed to the fact that the glass industry was in trouble.

The Commission sent its report to the President on June 11, 1965. Three of the five sitting Commissioners said they believed that lowering of the duty would have "only slight effect on the domestic sheet glass industry in the present and immediate foreseeable future, aside from some slight impact of the kind which can usually be expected from tariff reductions."

Two of the Commissioners took a more serious view. The duty reduction, they thought, would "exert a downward pressure on prices; lead to an increase in the share of consumption supplied by imports; contribute toward a decline in employment and profits, and idle productive facilities."

GLASS INDUSTRY FUTURE IS UNCERTAIN

Mr. Speaker, I believe that our industries should be freed from the uncertainty overhanging them as a result of lodging such great discretionary powers in the hands of the President. It puts them at his mercy and he achieves powers of discipline over them that should not be in his hands, regardless of who occupies the White House.

My bill would remove this threat from the sheet glass industry. Beyond preventing a further tariff reduction it would make it possible to impose import quotas if imports reach the level of 7½ percent of domestic production and if they have increased as much as 75 percent since 1958. Imports, upon certification to this effect by the Tariff Commission to the President, would be held to the average level of the past 3 years with a leeway to grow in proportion with domestic production.

This would bring some much needed stability into the domestic market, which is always subject to enough fluctuation as it is, without an assist from imports. It is highly dependent on automobile production and on the homebuilding and construction industry and therefore subject to the fluctuations that characterize these industries.

In recent years imports from Japan have climbed considerably. They went from 12 percent of total imports from 1955 to 1962 to 17 percent during 1963–64. This represents an ominous development for the industry and accents the need for an import quota that allows for an orderly growth.

SUMMARY

Mr. Speaker, there is the further circumstance that six of the plants "accounting for more than half the U.S. production of sheet glass are in the heart of Appalachia," according to the minority report of the Tariff Commission—Commissioners Talbot and Sutton. Also, it is noted that producers' inventories of sheet glass were at an alltime high at the close of 1964.

The outlook for the domestic industry will be clouded indeed if the duty is reduced, no matter by which route—either by the President's decision or by trade agreement under GATT. The interest of the industry is closely integrated with the state of the economy as a whole. If the trade program and the proposed tariff cuts would retard the economy as a whole they would also retard the sheet glass industry. I believe that the legislation is imperative if the industry is to prosper and to contribute its share to the buoyancy of the domestic economy both in terms of output and employment. This latter is a most important consideration and should be given the greatest weight. If the glass industry falls behind in its quota, of employment, so to speak, some other industry must make it up or unemployment will climb. No industry should be prevented by low-cost imports from continuing to provide good, steady employment for workers in step with the increase in population. Our economy cannot grow if trade policies destroy jobs and place workers on public welfare.

I think it would be a great error to ignore the claims of domestic industry and labor to fairness of import competition not only because of the threat to profitable operation but because of the pressure on an industry to displace workers with ever more productive machinery. This will become necessary as a means to remain competitive but it will throw workers out of jobs faster than they can be absorbed elsewhere, especially in Appalachia, where unemployment is already such a serious problem.

The sheet glass industry's output per man-hour has increased from 95 to 115—where 1957–59 equals 100—from 1958 to 1964, according to the Tariff Commission report. This was a gain of 20 percent, and indicates that the industry's difficulty in competing is not attributable to inefficiency of machinery or productivity of our labor force.

If no steps are taken to defend the industry and these workers against the pressing imports the next move will be to invest in other countries rather than increasing the capacity in this country. Many other industries have done and are doing this very thing to the detriment of American labor and the American taxpayer.

Mr. Speaker, this is a serious matter not to be brushed aside. My proposal to amend the Trade Expansion Act to bring it into line with the original congressional intent and to conform it to a commonsense approach to the tariff question is very urgent and should be given early attention. I sincerely hope that H.R. 10293 will be enacted into law.

EXPANSION OF SERVICES OF TELEVISION AND OTHER TRANSMISSION MEDIA IN HIGHER EDUCATION

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CAREY. Mr. Speaker, the Senate has included in its version of H.R. 9567, the Higher Education Act of 1965, my bill, H.R. 11165, a new title VI, which provides Federal matching funds for the purchase of modern instructional equipment and materials at the college level and for the retraining of faculty personnel for the effective use of these materials.

In discussing the House version of H.R. 9567 with some of my constituents who are in the higher education field, I have found that they very enthusiastically approve of this provision passed by the Senate, and they have urged me to work for inclusion of this title in the final act.

After considerable study of this matter, I have come to the conclusion that such a title will meet a definite need, and I have therefore proposed a bill which contains substantially the same wording as title VI of the Senate version of H.R. 9567.

There is no question that our institutions of higher education face rapidly increasing student loads in the coming years. As the chairman of our subcommittee brought out in the debate on the higher education bill, college enrollments in this country have increased from 2.4 million students 11 years ago to 4.8 million in 1964, and by 1973 there will be an estimated 8 million students in institutions of higher education.

Further, there is no question that our colleges and universities are having a difficult time finding qualified instructional personnel, and that this will worsen during the coming years; we simply are not graduating enough people who are qualified to serve in this important function.

And third, there is a definite need for a general increase in the quality of undergraduate instruction in our colleges. Much of the recent student discontent has been traced to the fact that the students feel they are receiving instruction which is of questionable quality.

For these reasons, I would like to commend to the consideration of the House the program which I have sponsored. Briefly, this provides for the following:

First. Matching funds for the purchase of instructional equipment and materials, the same items which generally are covered under title III of the National Defense Education Act for use in institutions of higher education, both public and private. Expenditures are limited to the following subject areas:

Science, mathematics, foreign languages, history, geography, government, education, the arts, English and other humanities.

Second. There is 50/50 matching except that the State Higher Education Commission can increase the Federal share to as much as 80 percent for institutions proving inability to match. Further, in allocating funds, special consideration is to be given to the need of the institution.

Third. Two equipment programs are provided:

(a) Science laboratory equipment, audiovisual equipment and materials, and printed materials other than textbooks.

Authorization: $35 million, fiscal year 1966; $50 million, fiscal year 1967; $60 million for each of the 3 succeeeding fiscal years.

(b) Closed-circuit television equipment and materials, including 2,500-megacycle equipment.

Authorization: $2.5 million, fiscal year 1966; $10 million for each of the 4 succeeding fiscal years.

Fourth. Administration at the State level is by State commissions, presumably—but not necessarily—the same commissions which administer the Higher Education Facilities Act at the State level.

Fifth. To insure proper utilization of equipment and to help modernize college instruction, a 5-year program of institutes and workshops is authorized at an annual cost of $5 million. Grants or contracts for these are made by the Commissioner directly to the sponsoring institution.

PHILADELPHIA DESIGNATED AS HOST CITY FOR 1976 NATIONAL BICENTENNIAL CELEBRATION

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, under unanimous consent, I include in the RECORD a resolution which was unanimously adopted by the council of the city of Philadelphia, at a meeting held September 16, 1965, pertaining to designating Philadelphia as the host city for the 1976 National Bicentennial Celebration.

RESOLUTION No. 148

(A resolution memorializing the House of Representatives of the United States to enact House Concurrent Resolution No. 465, which expresses the sense of Congress that Philadelphia should be designated the host city for the 1976 national bicentennial celebration commemorating two centuries of independence)

Whereas the President of the United States has declared that a national celebration shall take place in 1976 to commemorate our Nation's 200 years of independence; and

Whereas our Nation was born in Independence Hall in Philadelphia and it was here the Declaration of Independence was signed and first announced to the people in 1776 and these buildings are still standing and have become a national shrine; and

Whereas no other city is as rich as Philadelphia in historical background connected with the founding of our Nation; and

Whereas Philadelphia was the site of the Nation's centennial celebration in 1876 and the sesquicentennial in 1926; and

Whereas while Philadelphia is rich in history, it is also modern in the accommodations and entertainment which could be offered to visitors; and

Whereas a Philadelphia bicentennial committee of prominent citizens has been formed and its studies show that a national celebration would be artistically successful and would financially benefit all Pennsylvanians; therefore

Resolved, by the Council of the City of Philadelphia, That we hereby memorialize the Members of the House of Representatives of the United States to enact House Concurrent Resolution No. 465, which expresses the sense of Congress that Philadelphia is the Nation's most qualified city to host a national celebration commemorating 200 years of independence in the United States of America and the two Houses of Congress view with enthusiasm and encouragement the efforts of Philadelphia citizens to plan a national celebration in Philadelphia in 1976.

Resolved, That certified copies of this resolution be forwarded to the Speaker of the House of Representatives and to the Members of Congress representing the Commonwealth of Pennsylvania.

PAUL D'ORTONA,
President of City Council.

Attest:

NATHAN WOLFMAN,
Chief Clerk of the Council.

RESOLUTION OF THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PEPPER. Mr. Speaker, as a part of the monumental work of the recent Washington World Conference on World Peace Through Law a resolution was adopted encouraging the formation of regional judicial conferences of which the Judicial Conference of the Americas is an example. Many of us are particularly interested in the establishment of regional judicial conferences of the Americas which comes within the scope of this resolution. Favoring as I do not only a regional judicial conference of the Americas but also a Court of the Americas patterned after the World Court for the judicial settlement of disputes among the nations and peoples of the Americas and believing that this resolution of the Washington World Conference on World Peace Through Law furthers those high objectives, I ask unanimous consent to insert in the body of the RECORD, following these remarks, the resolution to which I have referred, together with the high court judges who are signatories to this resolution.

RESOLUTION

In view of the importance of the principle of judicial independence to the rule of law in guaranteeing world peace through law, and the importance to this end of judges of various countries cooperating, particularly in their own regions,

Resolved, That the World Peace Through Law Center encourage the formation of regional judicial conferences, of which the Judicial Conference of the Americas is an example, to foster judicial independence and international judicial cooperation throughout the world.

Luís M. Boffi Boggr, Head Justice Supreme Court of Argentina; O. Tlvesto Bessley, Justice, Supreme Court of Chile; Martin Aguillo, Chief Justice, Supreme Court of Nicaragua; Tering, Chief Justice, Supreme Court of Guatemala; J. Cartiucalle, Chief Justice, Supreme Court of Paraguay; M. A. Graz, Chief Justice, Supreme Court of Panama; James Ham, Jr., President, Inter-American Bar Association; Puegerot Vodee, Chief Justice of Puerto Rico and Chairman, Judicial Conference of the Americas; Consuelo Banicouto Sestief, Justice, Supreme Court of Colombia; Fabiol Serillo Diaz, Chief Justice, Supreme Court of Honduras; Jareel O. Mael, Justice, Supreme Court of Venezuela; Jose Agustin Mendes, Vice President, Supreme Court of Venezuela; William Roy Vallance, Secretary-General, Inter-American Bar Association.

INTERNATIONAL HOME LOAN BANK

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PEPPER. Mr. Speaker, there is today in Latin America and other parts of the world a great industry being born. While this industry is no newcomer to the United States, the savings and loan business in Latin America was virtually nonexistent a decade ago.

This is no longer the case. Through the efforts of the State Department's Agency for International Development and those of literally hundreds of dedicated savings and loan officials from the United States, the savings and loan industry is beginning to flourish in developing nations all over the world.

The legislation I am introducing today is designed to spur this development even more.

My bill would create an international home loan bank, which would act as a central organization to provide "seed" capital loans for the establishment of thrift and home financing institutions in the developing countries.

The proposed bank's funds would be secured from savings and loan associations in the United States, which would be authorized by this legislation to invest up to 1 percent of their assets in the international bank's stock.

Mr. Speaker, the job already accomplished in this field in Latin America and other parts of the world truly is amazing. At the end of May 1965, 88 savings and loan associations were operating in 7 nations of Latin America, Ethiopia, and eastern Nigeria. These associations had savings accumulations of $81,509,000 from 282,713 account holders, according to data of the National League of Insured Savings Associations. However, the job of promoting thrift and homeownership in these countries has barely begun.

The objectives of the AID and of private industry to achieve a greater percentage of homeownership in these nations will be aided by the bill I am introducing today.

The concept of this legislation has already won wide support in industry and the Government. AID Administrator David Bell's position has been embodied in the proposed International Bank bill. The proposed Bank has also received a strong endorsement from the International Union of Building Societies and Savings Associations, and the Inter-American Savings and Loan Conference, made up of savings and loan managers from the United States and Latin America. The bill's concept is also supported by the U.S. Savings and Loan League and the National League of Insured Savings Associations. Together, these two groups represent the Nation's savings and loan industry.

I believe, therefore, Mr. Speaker, that the proposed Bank will be strongly supported by the savings and loan industry of the United States, and that its ultimate contribution to the economic wellbeing of developing countries of the world will be great.

HOME RULE IN WASHINGTON

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MULTER. Mr. Speaker, on Monday, the 27th of September, this body will begin consideration of legislation to give home rule to the District of Columbia.

The following editorial from the Cleveland, Ohio, Plain Dealer of September 20, 1965, is most apropos:

HOME RULE IN WASHINGTON

Residents of Washington, D.C., now have the right to vote for President of the United States. It was given them by the 23d amendment to the Constitution and exercised for the first time last November.

Soon, if all goes well, they will be able to elect their own city council and mayor instead of being governed by a committee of the U.S. House of Representatives.

A home rule bill, already passed by the Senate, comes to a vote in the House early next week.

The Senate has approved home rule bills 5 times since 1949 but always until this year, when President Johnson strongly intervened, they have died in the District Committee of the House.

The present bill was blasted out of that South-dominated committee by 218 signers of a discharge petition, 25 of them Republican.

For a time after scheduling of the bill for floor action its passage seemed certain. Chances still are good but there is some fear of Republican defections because the city is considered about 2 to 1 Democratic.

But Republican failure to support the measure could prove shortsighted indeed, even as a matter of party politics. Through such a failure, Republicans would be allying themselves with Dixiecrats in a matter clearly verging on civil rights. Washington is now more than half Negro.

The Republican Party hopes to regain strength in the Nation's large cities, particularly in Negro areas of those cities. The party will lose strength where it needs it most if it fails to support home rule for the Capital.

The GOP should vote solidly for this measure—both for the justice of the cause and the good of the party itself.

THE NEW HOME RULE BILL, H.R. 11218

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MULTER. Mr. Speaker, yesterday I introduced a new home rule bill for the District of Columbia, H.R. 11218. I was joined in the sponsorship of this bill by our colleagues, the gentleman from Maryland [Mr. SICKLES], the gentleman from New York [Mr. HORTON], and the gentleman from Maryland [Mr. MATHIAS]. The four of us have agreed upon this proposal and we intend to offer it as an amendment to H.R. 4644 when the latter bill comes to the floor on Monday, September 27.

The following letter detailing the new additions and changes to the home rule bill was sent to each of our colleagues today:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 23, 1955.

DEAR COLLEAGUE: This is to acquaint you with proposed amendments to the District of Columbia home rule bill that we introduced yesterday as a clean bill (H.R. 11218—H.R. 11221) to meet the objections to earlier versions raised by Members on both sides of the aisle. We also solicit your support for the measure when it comes before the House next week.

As you know, our motion to discharge the committee will come before the House on Monday, September 27. House Resolution 515, the resolution under which the home rule bill will be considered, is an open rule, providing for 5 hours of general debate. Our new bipartisan home rule bill will be offered as an amendment to H.R. 4644, the measure being discharged.

For your information, we are enclosing a copy of the Senate report on S. 1118. Our new proposal incorporates this language, but makes several important changes to meet the objections voiced by the Republican Policy Committee and by a number of other Members. They are:

1. The new bipartisan bill provides for annual congressional appropriation of the Federal payment to the District, eliminating the so-called "automatic" payment provisions, while retaining the basic formula to determine the amount of the payment.
2. The new bipartisan bill meets objections raised to possible encroachment on Hatch Act protections or undue partisanship in District of Columbia elections by providing for a 4-year term for mayor and District council members, to be held in the even-numbererd (non-presidential) election years.
3. The new bipartisan bill eliminates the provision for age 18 voting (raising it to age 21) and requires a 1-year District residence for voting (instead of 6 months).
4. The new bipartisan bill gives the President authority to use Federal troops or to take over the local police force when he deems it necessary to protect the Federal interest or to preserve order.

We feel that these amendments provide House Members the opportunity to vote for a truly bipartisan, meaningful, and workable home rule bill that can be enacted into law this year. We hope that you will join with us on Monday, September 27, in voting for the motion to discharge, for the adoption of the rule, and that when the bill is read for amendments in the Committee of the Whole, that you will vote with us against efforts to gut or cripple the bill. Finally, we hope that you will vote for passage of the home rule bill to restore self-government to the people of the District of Columbia. Your help and cooperation will be most appreciated.

ABRAHAM J. MULTER,
Member of Congress.
CARLTON R. SICKLES,
Member of Congress.
FRANK J. HORTON,
Member of Congress.
CHARLES McC. MATHIAS, Jr.,
Member of Congress.

The main differences, as will be noted, are that while the formula for computing the Federal payment remains, the District will have to come to the Congress to get the money; the voting age is raised from 18 to 21; the elections for mayor and city councilmen would be held in even-numbered years in which there is no national election and Federal and District employees would be allowed to participate only in the campaigns for mayor and city council, and the President would be given authority to take command of the Metropolitan Police whenever he deemed it necessary in the national interest.

This bill is the kind of a home rule bill that can give the residents of the District of Columbia a real voice in their government while retaining the constitutional authority of the Congress over Washington. I would strongly urge all of our colleagues to look at this bill very closely and vote for it next week.

I received today from the Committee on the District of Columbia a document labeled a committee print, a so-called staff synopsis of home rule legislation. Pages 58 through 71 contain what is referred to as "Some Pertinent Questions Raised in the Senate District Committee Hearings Respecting Provisions of S. 1118." The staff synopsis, however, fails to include the answers to these questions.

For the information of our colleagues the answers to these questions can be obtained by referring to pages 300–321 of hearings held by the Senate Committee on the District of Columbia on S. 268 and S. 1118 on March 9 and 10, 1965. Copies of these printed hearings are available for those who desire to spend the time reading the answers.

A word of caution to those who do—the questions are out of date. They refer to the bills introduced before action by the Senate committee or by the Senate.

The questions do not refer to the bill as passed by the Senate nor to H.R. 11218 which the House will consider next week.

For the benefit of those of our colleagues who would like to have the technical language, I would refer them to the following changes made in H.R. 11218:

H.R. 11218, H.R. 11219, H.R. 11220, and H.R. 11221 are all identical. These bills are word for word the same bill—S. 1118—the Senate passed on July 22, 1965, except for the following:

First. Table of contents—page 4—add:

Sec. 905. Federal control of police force; special police.

Second. Title VII, part 4—pages 54–55: New section 741(a) to read as follows:

In recognition of the unique character of the District of Columbia as the Nation's Capital City, regular annual payments are hereby authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District. The annual payment authorization shall consist of an amount computed pursuant to subsection (b) of this section, as follows:

Third. Title VII, part 4—page 58—a new section 741(b) to read as follows:

On or before January 10 of each year the Mayor shall, with the approval of the Council, submit to the Administrator of General Services a computation of the amount of the Federal payment authorized to be appropriated under this title. After review by the Administrator of General Services of the Mayor's computation and certification by the Administrator on or before April 10 of the fiscal year preceding the fiscal year for which the authorization for the annual Federal payment is being computed that such computation is based upon a reasonable and fair assessment of real and personal property of the United States and a proper and accurate computation of the factors referred to in subsection 741(a)(1) and is in conformity with the provisions of this section, the Administrator shall certify the amount of such authorization to the Mayor, who shall submit to the Congress, together with any request for the appropriation of such payment.

Fourth. Title VII, part 4—page 59—section 741(d), insert after the words "Federal payment" the following:

"authorized to be appropriated."

Fifth. Title VIII—page 65—section 803(b) strike all after the word "election".

Sixth. Title VIII—page 68—section 805(d) strike the word "secretary" in line 5 and insert in lieu thereof the word "Clerk".

Seventh. Title VIII, section 807—page 70—in line 9 strike the words "six-month" and insert in lieu thereof "one-year". At line 12 strike the word "eighteen" and insert in lieu thereof the words "twenty-one."

Eighth. Title VIII, section 810(c)—page 75: strike all after the word "applicable" in line 19 and insert in lieu thereof the following: "to any election held under this act for the office of mayor or for the office of member of the District Council or to political management or political campaigns in connection with any such election."

Ninth. Title IX—page 84—new section 905:

FEDERAL CONTROL OF POLICE FORCE; SPECIAL POLICE

Sec. 905. (a) Whenever the President deems it necessary or appropriate in order adequately to protect the Federal interest in the maintenance of public order in the District of Columbia, he may, through such official or agency as he may designate and until he otherwise directs, assume command of the police force of the District of Columbia. Such action shall not affect the status of the members of the police force as employees of the District of Columbia or the authority vested in them by law.

(b) Whenever the President deems it necessary or appropriate in order adequately to maintain public order in the District of Columbia, he may designate such persons as he may deem appropriate, including members of the Armed Forces of the United States, as special policemen in the District of Columbia. Such special policemen shall serve under the command of such official or agency as the President may designate and shall have the same powers as members of the police force of the District of Columbia and the United States Park Police.

Tenth. Title XV, section 1501(c)(1)—page 95: At line 10 strike all after the words "as amended" and insert in lieu thereof the following:

(2 U.S.C. 31), is amended by inserting immediately after "Representatives in Congress," the following: "The delegate from the District of Columbia."

THE LATE MARSHALL FIELD

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Ronan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RONAN. Mr. Speaker, it was a sad and shocking thing to learn of the untimely death of Marshall Field, publisher and editor of the Chicago Sun-Times and the Chicago Daily News, who succumbed to a heart attack at the age of 49.

In the heartland of the Midwest, the name of Marshall Field has a rich and proud legacy acquired through four generations of extensive efforts and accomplishments in the areas of publishing, merchandising and philanthropy. True to his family heritage, Mr. Field also gave generously and untiringly of himself in civic and community affairs.

Under his leadership, the Sun-Times and Daily News grew in stature and excellence. It is due mainly to his work and influence that these two great daily newspapers have played a prominent part in the revival of Chicago during the past decade and he would have undoubtedly made even greater contributions in the future.

The whole metropolitan area of Chicago shares with the family and friends of Marshall Field the loss of such an outstanding member of the community and I wish to take this occasion to extend to all of his loved ones my heartfelt sympathies.

BANK HOLDING ACT AMENDMENT

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I oppose the amendment of the gentleman from Florida [Mr. Bennett] to the Bank Holding Act amendment before the House, not because I disagree with him that all the loopholes in the act should be plugged, but because the effects of his amendment are uncertain. The amendment would remove all exemptions from the act, affecting more than 340 small banks and untold charitable funds, pension trusts, and other interests without giving them any opportunity to be heard. We do not know what mischief this amendment might inadvertently bring along with the good. It is a dangerous practice to pass such far-reaching legislation on the floor of the House without any committee consideration or hearings.

While I would strongly tend to support the results which the gentleman seeks by his amendment, commend his motives and agree in principle that all exemptions to the act should be eliminated, I cannot agree to take this action without adequate committee consideration and without the opportunity for those affected to be heard.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Aspinall, from September 24 to October 9, on account of official business.

Mr. Kirwan, for September 24 and 25, 1965, on account of death in family.

Mr. Adams, from September 24 to September 27, on account of official business.

Mr. Kee, for September 27, 1965, on account of official business.

Mr. Jones of Alabama, Mr. Gray, Mr. Johnson of California, Mr. Dorn, Mr. Roberts, Mr. Everett, Mr. Kee, Mr. Schmidhauser, Mr. Howard, Mr. Hébert, Mr. Morrison, Mr. Boggs, Mr. Willis, Mr. Waggonner, and Mr. Long of Louisiana (at the request of Mr. Jones of Alabama), from September 24 through September 26, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ashbrook (at the request of Mr. Reid of New York), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Haley (at the request of Mr. Annunzio), for 60 minutes on September 25; and to revise and extend his remarks and to include extraneous matter.

Mr. Rooney of New York (at the request of Mr. Annunzio), for 60 minutes, on November 8; and to revise and extend his remarks and to include extraneous matter.

Mr. Waggonner (at the request of Mr. Annunzio), for 60 minutes, on September 25; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Saylor and to include extraneous matter.

Mr. Sikes and to include certain documents and tables referred to in his speech in the Committee of the Whole on H.R. 7371.

Mr. Randall (at the request of Mr. Annunzio) to extend his remarks during debate on H.R. 10232 and to include extraneous matter.

Mr. Young.

Mr. Poage.

Mr. Laird to revise and extend the remarks he made during consideration of H.R. 7371 and to include extraneous matter.

(The following Members (at the request of Mr. Annunzio) and to include extraneous matter:)

Mr. Wolfe in two instances.

Mr. Rodino.

Mr. Whitener in two instances.

Mr. Morrison.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5842. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; and

H.R. 9221. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

ADJOURNMENT

Mr. ANNUNZIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 38 minutes p.m.) the House adjourned until tomorrow, Friday, September 24, 1965, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1617. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on the Intracoastal Waterway, Broward County, Hollywood, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted January 6, 1950, and February 17, 1950; to the Committee on Public Works.

1618. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated August 20, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Clinton River, Mich., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 30, 1960. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

1619. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated June 30, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on Filberts Creek, Chowan County, N.C., authorized by the Flood Control Act approved May 17, 1950; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee of conference. H.R. 728. An act to amend section 510 of the Merchant Marine Act, 1936; (Rept. No. 1085). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 10198. A bill to amend the requirements relating to lumber under the Shipping Act, 1916; without amendment (Rept. No. 1088). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 10327. A bill to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information; with amendment (Rept. No. 1089). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 590. Resolution for the consideration of H.R. 3142, a bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities; without amendment (Rept. No. 1090). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Post Office and Civil Service. House Joint Resolution 569. Joint resolution requiring a cost-of-living survey to be made by the Bureau of Labor Statistics before the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands may be reduced; without amendment (Rept. No. 1091). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENNETT: Committee on Armed Services. H.R. 7329. A bill to provide for the conveyance of certain real property of the United States to the city of San Diego, Calif.; with amendment (Rept. No. 1092). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. Senate Joint Resolution 106. Joint resolution to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums"; without amendment (Rept. No. 1093). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. S. 1407. An act for the relief of Frank E. Lipp; without amendment (Rept. No. 1086). Referred to the Committee of the Whole House.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 5217. A bill to permit the vessel *Little Nancy* to be documented for use in the coastwise trade; without amendment (Rept. No. 1087). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 11231. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 11232. A bill to amend the Housing Act of 1937 to reduce from 62 to 60 the age at which widows may be occupants of low-rent public housing units; to the Committee on Banking and Currency.

By Mr. GERALD R. FORD:

H.R. 11233. A bill relating to the tariff treatment of certain machines for sorting agricultural products; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 11234. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments under the Social Security Amendments of 1965; to the Committee on Veterans' Affairs.

By Mr. HALPERN:

H.R. 11235. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. TENZER:

H.R. 11236. A bill to provide for the protection, conservation, and development of the natural coastal wet lands of Hempstead-South Oyster Bay, Long Island, for fish and wildlife and outdoor recreation purposes, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WHALLEY:

H.R. 11237. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late General of the Army Douglas MacArthur on one side, and for other purposes; to the Committee on Banking and Currency.

By Mr. BINGHAM:

H.R. 11238. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. CAHILL:

H.R. 11239. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. WHITENER:

H.R. 11240. A bill to amend the Tariff Schedules of the United States to provide that certain tapes wholly of textile fibers be classified as slide fastener parts; to the Committee on Ways and Means.

By Mr. JONAS:

H.R. 11241. A bill to amend the Tariff Schedules of the United States to provide that certain tapes wholly of textile fibers be classified as slide fastener parts; to the Committee on Ways and Means.

By Mr. ABBITT:

H.R. 11242. A bill to amend the Internal Revenue Code of 1954 to remove certain limitations on the amount of the deduction for contributions to pension and profit-sharing plans made on behalf of self-employed individuals and to change the definition of earned income applicable with respect to such plans; to the Committee on Ways and Means.

By Mr. HANSEN of Iowa:

H.R. 11243. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. KORNEGAY:

H.R. 11244. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

By Mr. OTTINGER:

H.R. 11245. A bill to provide for the protection, conservation, and development of the natural coastal wetlands of Hempstead-South Oyster Bay, Long Island, for fish and wildlife and outdoor recreation purposes, and for other purposes; to the committee on Merchant Marine and Fisheries.

By Mr PEPPER:

H.R. 11246. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCHMIDHAUSER:

H.R. 11247. A bill, Veterans Equality Act of 1965; to the Committee on Veterans' Affairs.

By Mr. WHITE of Texas:

H.R. 11248. A bill authorizing a survey on Cibolo Creek, in or near the community of Presidio, Tex., in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. WHALLEY:

H. Con. Res. 514. Concurrent resolution favoring the holding of a national celebration in Philadelphia in 1976 to commemorate the 200th anniversary of the independence of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 11249. A bill for the relief of Crescencia C. Valdes; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 11250. A bill for the relief of Dr. Montserrat de Miquel; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 11251. A bill for the relief of Hubert J. Kupper; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11252. A bill for the relief of Constantin Andreopoulos; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 11253. A bill to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 11254. A bill for the relief of Julieta Gloria Galura; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 11255. A bill for the relief of C.W.O. Bernard Vollmer, U.S. Navy, retired; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Trinity River Basin

EXTENSION OF REMARKS

OF

HON. JOHN YOUNG

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. YOUNG. Mr. Speaker, the Trinity River Basin project, by any standard, is a huge undertaking. It is enormous in size, cost, vision, ambition, benefit, and merit. When completed, it will have cost $1 billion and will be a fitting complement to the many other greatly meritorious and costly, multimillion-dollar projects which in our time have become a measure of our Nation's greatness. I refer to the Arkansas River, Puget Sound, the Missouri River, the Intracoastal Canal, the Mississippi River, the Cross Florida Canal, New York Harbor, and many others of which we can be and are justly proud.

I suppose, Mr. Speaker, if there is anything more tempting to a Member of Congress than voting for a public works project in his own district, it is the temptation to vote against a public works project in the other Member's district. Yet, yielding to either temptation would be irrational and destructive of the Nation's well-being if our judgments were not based strictly on the question of the merits of each individual public works project. It is with this in mind that I wish to examine the Trinity River Basin project.

This great river basin encompasses some 17,845 square miles of land and stretches some 360 miles from above Fort Worth, past Dallas, Corsicana, Palestine, and Liberty on down to the gulf coast near Houston. The basin is more than 100 miles wide above Fort Worth and furnishes livelihood and residence to 3 percent of the total population of our country. It has more people than are to be found in any one of 32 States of the United States.

The potential of the Trinity River Basin has long been recognized by the people of this great area as well as the people of the Nation. There are presently seven Corps of Engineers projects in various stages of planning and construction—four completed, two under construction, and one in planning stage; several local flood-protection projects are in existence, and quite a few others have been authorized. State, local, and private funds in the amount of $500 million have been spent or will be spent—$269 million spent, and $256 million pledged to be spent by reliable State, local, and private sources. Mr. Speaker, if there is anything that would distinguish this great project from the other great projects throughout our country, it would be the investment of such large sums of State, local, and private funds.

The Trinity River Basin project is a great and worthwhile project. Like all meritorious public works projects, it is an investment in the future of our great Nation; and, more important, it is an expression of the confidence we have in ourselves and the future of our country.

A Tribute to Constitution Week

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. WOLFF. Mr. Speaker, the national attention is turned this week to a document of grand purpose and noble design—the Constitution of the United States. For this is Constitution Week, established by presidential proclamation, to encourage citizens to learn more about our Constitution and to build and cite good citizenship.

Ours is a country dedicated to law and order and respect for individual rights, which our Constitution guarantees. It is this alone that sets us apart, as the luckiest people on the face of the earth.

It is appropriate, therefore, that 7 days of the year, at least, should be set aside in honor of that great and glorious instrument, the Federal Constitution.

The democratic experiment launched on these shores almost two centuries ago, has provided us with many blessings. At the basis of that experiment and those blessings stands our Constitution.

Democracy remains the greatest experience of all mankind, and the American Constitution is. in many respects, the father of democracy as it is known to the world today. Let us hail this week that great, remarkable declaration of human rights, the Federal Constitution. Long may it prevail.

Data on Farmers Home Administration Loans

EXTENSION OF REMARKS

OF

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. POAGE. Mr. Speaker, believing it might add to an understanding of the activities of the FHA in connection with the loans authorized by the bill H.R. 10232, which the House has just approved, I present the following tables:

Insured loan obligations by fiscal year[1]

Fiscal year	Insured loan ceiling	Amount of obligations
1961	$150,000,000	$26,777,298
1962	150,000,000	149,928,255
1963	200,000,000	199,999,708
1964	200,000,000	199,970,710
1965	200,000,000	199,999,540

[1] Includes farm ownership and soil and water loans to individuals; also to associations for community water systems, other soil and water purposes, and for shifts in land use.

NEED FOR FUNDS

The Department has advised that applications for $84,024,395 in farmownership loans were held over from fiscal 1965 because of lack of funds, and that it estimates new applications in fiscal 1966 for farmownership loans which would be made but for lack of funds at $345,975,605, or a total demand for farmownership loans for 1966 of $430 million. It also estimates applications for association loans under section 306 in its present form during fiscal 1966 at $361,071,850, making a total demand by qualified applicants of over $791 million.

RECORD OF REPAYMENT

Association loans: As of January 1, 1965, the most recent date for which we have figures, there were 883 association loans outstanding in the amount of $77,825,180, and 97 percent of the maturities due on that date had been met. Of the $85,588,010 loaned to 933 associations—the reason for the difference being that some have paid in full—since the inception of this program in 1938, only $5,769 has been charged off as a loss. At the same time, associations have repaid more than $7 million in interest.

Farmownership loans: As of March 31, 1965, the most recent date for which we have figures. there were 79,992 farmownership loans with an outstanding balance of $1,038,519,400. These borrowers have met 102 percent of the maturities due. Of the $1,651,286,521 loaned to 150,181 borrowers (the reason for the difference being that some have paid in full) since the inception of the program in 1938, a principal amount of only $4,937,365 has been charged off as a loss. During this same period $305,522,717 in interest has been repaid.

U.S. Department of Agriculture,
Farmers Home Administration.

Insured loans made by type of loan during 1965 fiscal year

	Amount
Farmownership loans	$137, 591, 300
Soil and water loans:	
To individuals	2, 003, 140
To associations:	
For water systems	37, 103, 760
For recreation	9, 842, 800
For grazing	12, 978, 280
For irrigation	445, 510
For soil conservation	34, 750
Total to associations	60, 405, 100
Total farm ownership and soil and water	199, 999, 540

Farmers Home Administration—Farmownership loans, fiscal year 1966 (estimated)

STATISTICAL WORKSHEET BY STATE OFFICES

		Number of farm ownership loans	Amount of funds
01	Alabama	900	$10, 500, 000
02	Arizona	50	1, 000, 000
03	Arkansas	1, 780	15, 800, 000
04	California	250	5, 120, 000
33	Nevada	30	600, 000
61	Hawaii	25	500, 000
05	Colorado	490	10, 620, 000
09	Florida	520	9, 660, 000
10	Georgia	1, 140	14, 100, 000
12	Idaho	680	11, 620, 000
13	Illinois	830	15, 050, 000
15	Indiana	630	13, 000, 000
16	Iowa	870	21, 310, 000
18	Kansas	810	11, 000, 000
20	Kentucky	960	11, 430, 000
22	Louisiana	830	10, 620, 000
23	Maine	520	6, 940, 000
06	Connecticut	10	120, 000
25	Massachusetts	10	130, 000
34	New Hampshire	80	1, 200, 000
45	Rhode Island	5	30, 000
53	Vermont	190	3, 050, 000
24	Maryland	70	1, 050, 000
07	Delaware	25	500, 000
26	Michigan	400	6, 280, 000
27	Minnesota	1, 170	18, 200, 000
28	Mississippi	1, 300	13, 490, 000
29	Missouri	1, 540	$22, 070, 000
31	Montana	360	6, 410, 000
32	Nebraska	710	16, 590, 000
35	New Jersey	60	910, 000
36	New Mexico	170	2, 470, 000
37	New York	650	9, 500, 000
38	North Carolina	1, 170	17, 480, 000
40	North Dakota	940	17, 490, 000
41	Ohio	200	4, 380, 000
42	Oklahoma	630	10, 720, 000
43	Oregon	250	4, 060, 000
60	Alaska	25	700, 000
44	Pennsylvania	230	4, 510, 000
46	South Carolina	380	5, 440, 000
47	South Dakota	800	16, 200, 000
48	Tennessee	1, 180	17, 960, 000
49	Texas	890	20, 090, 000
52	Utah	160	2, 950, 000
54	Virginia	80	1, 540, 000
56	Washington	420	8, 200, 000
57	West Virginia	130	2, 330, 000
58	Wisconsin	990	17, 460, 000
59	Wyoming	290	4, 000, 000
63	Puerto Rico	350	3, 620, 000
64	Virgin Islands	------	------
	Total requirements	27, 180	430, 000, 000

U.S. Department of Agriculture, Farmers Home Administration

Estimated number of loans and amount of funds required during 1966 fiscal year to process Association loans authorized under sec. 306 of the Consolidated Farmers Home Administration Act

State and territory	Loans approved or authorized for approval as of June 30, 1965		Loan funds needed for applications on hand as of June 30, 1965		Loan funds needed for applications expected during 1966 fiscal year		Total loans and funds needed for 1966 fiscal year	
	Number (1)	Amount (2)	Number (3)	Amount (4)	Number (5)	Amount (6)	Number (7)	Amount (8)
U.S. total	341	$58, 055, 850	951	$168, 161, 000	825	$134, 855, 000	2, 117	$361, 071, 850
Alabama	5	1, 932, 000	32	11, 966, 000	20	6, 000, 000	57	19, 898, 000
Alaska	0	0	0	0	2	300, 000	2	300, 000
Arizona	0	0	6	750, 000	7	875, 000	13	1, 625, 000
Arkansas	8	464, 850	37	2, 220, 000	25	2, 100, 000	70	4, 784, 850
California	0	0	10	1, 400, 000	10	1, 400, 000	20	2, 800, 000
Colorado	1	58, 850	16	6, 400, 000	17	6, 800, 000	34	13, 258, 850
Connecticut	0	0	1	250, 000	4	1, 000, 000	5	1, 250, 000
Delaware	0	0	1	150, 000	3	500, 000	4	650, 000
Florida	9	1, 288, 560	24	3, 600, 000	18	2, 700, 000	51	7, 588, 560
Georgia	5	280, 000	13	1, 040, 000	14	1, 120, 000	32	2, 440, 000
Hawaii	0	0	0	0	1	130, 000	1	130, 000
Idaho	3	271, 150	15	1, 350, 000	7	630, 000	25	2, 251, 150
Illinois	9	953, 400	24	3, 300, 000	20	2, 500, 000	53	6, 753, 400
Indiana	16	4, 665, 925	24	9, 600, 000	18	4, 500, 000	58	18, 765, 925
Iowa	8	750, 300	11	1, 100, 000	13	1, 300, 000	32	3, 150, 300
Kansas	36	3, 938, 755	22	2, 640, 000	19	2, 280, 000	77	8, 858, 755
Kentucky	11	3, 576, 000	37	12, 210, 000	26	6, 500, 000	74	22, 286, 000
Louisiana	7	748, 500	9	990, 000	13	1, 430, 000	29	3, 168, 500
Maine	1	417, 000	3	750, 000	5	1, 450, 000	9	2, 617, 000
Maryland	0	0	3	450, 000	3	450, 000	6	900, 000
Massachusetts	0	0	0	0	3	625, 000	3	625, 000
Michigan	2	361, 000	5	900, 000	9	1, 720, 000	16	2, 981, 000
Minnesota	1	71, 000	7	700, 000	8	800, 000	16	1, 571, 000
Mississippi	41	4, 629, 000	101	12, 120, 000	86	10, 320, 000	228	27, 069, 000
Missouri	34	11, 279, 000	36	10, 800, 000	34	7, 000, 000	104	29, 079, 000
Montana	3	41, 000	12	2, 400, 000	7	1, 400, 000	22	3, 841, 000
Nebraska	5	627, 000	7	875, 000	9	1, 125, 000	21	2, 627, 000
Nevada	0	0	6	750, 000	6	750, 000	12	1, 500, 000
New Hampshire	0	0	2	400, 000	3	600, 000	5	1, 000, 000
New Jersey	0	0	4	600, 000	7	1, 050, 000	11	1, 650, 000
New Mexico	2	683, 260	10	1, 400, 000	12	1, 680, 000	24	3, 763, 260
New York	0	0	25	5, 000, 000	14	2, 600, 000	39	7, 600, 000
North Carolina	8	1, 541, 590	58	10, 440, 000	39	7, 020, 000	105	19, 001, 590
North Dakota	3	73, 920	11	500, 000	9	450, 000	23	1, 023, 920
Ohio	2	261, 000	11	1, 430, 000	9	1, 170, 000	22	2, 861, 000
Oklahoma	19	3, 240, 450	58	9, 860, 000	38	6, 460, 000	115	19, 560, 450
Oregon	5	364, 780	12	1, 000, 000	13	1, 100, 000	30	2, 464, 780
Pennsylvania	1	154, 650	20	3, 000, 000	15	2, 250, 000	36	5, 404, 650
Rhode Island	0	0	0	0	3	300, 000	3	300, 000
South Carolina	1	45, 000	31	3, 100, 000	21	2, 100, 000	53	5, 245, 000
South Dakota	7	551, 150	20	3, 000, 000	20	3, 000, 000	47	6, 551, 150
Tennessee	7	1, 878, 000	33	8, 150, 000	23	5, 520, 000	63	15, 548, 000
Texas	62	8, 543, 110	113	15, 820, 000	117	16, 380, 000	292	40, 743, 110
Utah	5	613, 000	6	750, 000	10	1, 250, 000	21	2, 613, 000
Vermont	0	0	5	2, 000, 000	6	2, 400, 000	11	4, 400, 000
Virginia	0	0	10	1, 400, 000	10	1, 400, 000	20	2, 800, 000
Washington	4	1, 750, 100	11	2, 200, 000	12	2, 400, 000	27	6, 350, 100
West Virginia	6	1, 073, 600	27	4, 050, 000	12	1, 920, 000	45	7, 043, 600
Wisconsin	4	928, 950	12	2, 400, 000	10	2, 000, 000	26	5, 328, 950
Wyoming	0	0	9	2, 700, 000	11	3, 300, 000	20	6, 000, 000
Puerto Rico	0	0	1	250, 000	3	750, 000	4	1, 000, 000
Virgin Islands	0	0	0	0	1	50, 000	1	50, 000

Capt. William J. Couperthwaite Awarded Citation

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. SAYLOR. Mr. Speaker, Capt. William J. Couperthwaite, a native of Windber, Pa., who is now director of the police academy and training section of the District of Columbia's Metropolitan Police Department, was recently awarded the following citation by the Washington Chapter of the American Society for Training and Development:

To Capt. William J. Couperthwaite for his remarkable record of successful initiative and foresight in identifying new and important training needs and in obtaining support and resources to add to the training programs of the Metropolitan Police Department such important and valuable subjects as foreign languages, police-race relations, emergency child delivery, driver education for police officers, police administration, and others, and in advancing the professional status of police training through enlisting the assistance and support of universities, reestablishing a police academy library and numerous other impressive and striking accomplishments.

He was also nominated and selected for a distinguished service award of the Training Officers Conference. This award is given annually to individuals who have made outstanding contributions to management improvement through successful training activities.

We are proud of Captain Couperthwaite, and we should pause for a moment after reading these citations to consider the many facets of modern police work. In addition to risking his personal safety on and off duty, today's police officer must in emergencies serve as doctor, minister, marriage counselor, and youth leader.

With the sudden outbreak of physical and verbal attacks on our guardians of the law, we need to devise countermeasures to create greater respect for our police officers. While Law Day and Police Week are observed during periods of May, promoting this respect has unfortunately become a year-round job because Communist influences are attempting to use isolated instances of police misdeeds as a reflection on the character of every policeman in the country.

As in every profession, there are some clowns and bad apples wearing police uniforms, but the overwhelming number of our policemen are intelligent, courageous, and scrupulously fair individuals. As protectors of our families and our homes against the criminal element, these men have more than won the respect that is due them, and it is time that everyone—particularly our youth—get the message.

It is my hope that civic, religious, educational, and business groups undertake programs designed in this direction. I am confident that schoolteachers are aware of the new necessity for developing a better appreciation of the duties and responsibilities of policemen, but special emphasis needs to be given the subject in speeches, sermons, newspapers, radio, and television.

In this regard, Mr. Speaker, I trust that our colleagues will take advantage of every speaking engagement in their home constituencies once we get out of Washington this fall to give this cause the promotion it merits.

Home Rule Issues

EXTENSION OF REMARKS

OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. WHITENER. Mr. Speaker, the September 16, 1965, edition of the Charlotte Observer, Charlotte, N.C., had an editorial entitled "Nation's Capital Deserves Its Home Rule Opportunity."

In the editorial the editor of the Observer discussed my position with reference to the whole so-called home rule issue. I wrote the editor of the Observer on September 20, 1965, making my position clear with reference to the points raised in his editorial.

With the thought that my colleagues in the House might be interested in reading it, I request that the Observer editorial of September 16, 1965, be inserted in the Appendix of the Record, together with my letter of September 20, 1965, to the editor of the Observer.

The editorial and letter follow:

Nation's Capital Deserves Its Home Rule Opportunity

Grassroots opposition to a system of home rule in the District of Columbia is not surprising in view of the one-sided information or misinformation that is being disseminated.

Home-rule legislation now before Congress may need several changes. There will have to be a reconciliation of differences between Senate and House bills on the subject. But there is no real evidence that the legislation is unconstitutional. Neither does it set any startling precedent.

All "home rule" amounts to is that the residents of the District of Columbia will receive the local citizenship privileges that we in other communities take for granted.

Special arrangements will have to be made for payments from the Federal Government because it owns 43 percent of the city's land area. Fifty-four percent of Washington's total acreage is tax exempt. But the Federal payments anticipated in home rule do not amount to direct ad valorem taxation. Furthermore, the formula for Federal payments is tied in with local tax collections so that Washingtonians could never collect more money from Uncle Sam without contributing more personally.

HISTORICAL PRECEDENT

The suggestion that Congress is about to do something the Founding Fathers wanted to avoid is disproved by history. The District of Columbia had local self-government from 1802 until 1874 when an influx of newly freed slaves from the South resulted in economic stresses and created friction between the city and the Congress.

The real precedent being dealt with is that of Congress having denied the people of the District the right to elect their own officials for the past 90 years.

Beyond that, James Madison's explanation (The Federalist, No. 43, 1788) of the constitutional clause providing for a District of Columbia is this:

"A municipal legislature for local purposes, derived from their own suffrages, will of course be allowed them."

The fundamental reason for returning home rule to District residents, aside from the democratic principle involved, is that Congress has not in many years been faithful enough in its stewardship. Scores of local problems have languished, or suffered from too little attention, because Congressmen as a group and the House District Committee in particular realized that it cost them little, and even benefited them in some respects, to be miserly or tardy where appropriations for the District were concerned.

More than that, the House District Committee was for too long dominated by the kind of Southern Congressman who hesitated to turn his hand constructively to the problems of a city whose Negro population was growing every year.

CHANGE TOO LATE

The impetus of racial change in the last decade has brought some improvement. For example, Representative Basil L. Whitener of North Carolina, a member of the District Committee, has at last gained approval of a bobtailed subway system for the District. But the change of direction is too little and too late.

Whitener himself warned in 1964, when the first subway bill was defeated, that home rule was sure to come if Congress didn't start taking a more realistic view of Washington's urban problems. This procrastination has been a mixed bag of apathy, political expediency, race prejudice and unwillingness to surrender personal power over the District's affairs.

The time is past for the other way, traditionally and politically the more American way, to be given a try in the Nation's capital. As Representative Edward P. Boland of Massachusetts said of Whitener before the subway was finally approved, "The gentleman rises to the more noble position of doing what should be done for the Nation's Capital."

But even Whitener, in a Sunday night television appearance in Charlotte, appeared to be trying to pull the chestnuts out of the fire for his more apathetic brethren. The Gastonia Congressman may be intellectually persuaded that Congress can do a better job of governing the District through three Commissioners than the people themselves can do. He may also be persuaded that the Constitution forbids home rule for Washington. But this does not justify ignoring the very sound arguments on the other side. Neither does it excuse the implication that there are not reasonable taxation controls where Federal property is concerned.

In other words, the televised explanation of home rule for Washington was woefully inadequate and incomplete. For want of a devil's advocate on that occasion, here are some additional facts:

Both the Democratic and Republican national platforms in 1964 endorsed home rule for Washington. This would end the spectacle of Congress trying to act as Washington's city council and the President as its mayor.

Washington has serious tax problems. Its fiscal shortcomings are due to an inadequate tax rate, and the loss is not entirely made up by Federal contributions to the city. This contribution is now running about $37.5 million a year, so it is specious to argue that the rest of the country would be "taxed without representation" for Washington's benefit.

Washington now has more than 800,000 residents, and Metropolitan Washington is growing faster than any other metropolitan area in the country. Now ninth in size among U.S. cities, Washington's ability to provide local services is limited because the Federal Government is its biggest industry and is not directly taxable. Furthermore, the city cannot expand and add to its tax base because its boundaries are fixed.

Schools and other local services are suffering under the present sloppily mismanaged system. (In 1963, somebody fixed 15,000 traffic tickets in Washington, or 7 percent of all that were written.) The board of trade has opposed home rule because the low tax rate favors business interests in the Central City and because it gets along well with the House District Committee.

The Federal Government will make an annual payment to the District of Columbia in lieu of taxes. This will be based on a specific formula not subject to annual congressional approval, thus less subject to political manipulation. In the Senate version of the bill, the mayor of Washington would transmit the request to the Treasury every January. The Treasury would forward this to the Administrator for General Services. The GSA would determine if the request was based upon "a reasonable and fair assessment of real and personal property of the United States" and would certify it for payment if he found this to be true. Parks, monuments, museums and the like would not be included in the Federal payment formula. Obviously, where Federal buildings and land occupy 43 percent of the city's area, some kind of assessment guidelines would have to be used to carry out the formula.

ADVISORY RULING

President Johnson, in a letter September 4 to House Committee Chairman JOHN L. MCMILLAN, of South Carolina, said that the Justice Department has ruled that the payment formula does not permit the city to tax Federal property and "does not impose an unconstitutional delegation of the appropriation power of Congress."

Congress would retain power to initiate its own District legislation. It could also revoke or amend city council legislation. The President could veto city legislation if it "adversely affects a Federal interest."

The home rule bill passed by the Senate would provide for a city council of 19 members, of which 5 would be elected at large and 14 by wards. Each political party would be limited to three candidates for the at-large seats in order to assure minority representation. The Senate bill also provides for an elected school board; it would be appointive under the House bill. There is no provision for the school board to levy its own tax supplement.

Hatch Act objections to home rule are worthy of congressional consideration and debate. Since the act forbids Federal employee participation, other than voting, in partisan elections, the nearly one-fourth of all District residents who hold Federal jobs are affected. The home rule plan anticipates that such partisan participation will still be forbidden in Federal elections, but that local election participation will not be forbidden.

UNDULY ALARMED

In view of all this, the national electorate is alarmed unduly when it hears talk to the effect that the people of Washington are getting ready to take over our national shrines and monuments and the seat of our Federal Government.

As an alternate to the bill backed by the administration, the House District Committee has hurriedly brought out legislation that would offer to the State of Maryland all of the District except the old Federal City of Washington as it existed from 1791 to 1871. In case of Maryland's rejection of the offer, the voters of the rejected area would hold a referendum on drawing a home rule charter.

Aside from the fact that this offers Maryland the most rundown and, to local government, the most costly portions of the District, this bill is in the legislative tradition of the House District Committee—too little and too late.

The changing pattern of power in Congress and the changing needs of urban Washington are met now in an hour that is already late. It may be a long time before a home-ruled Washington becomes the "living expression of the highest ideals of democratic government" that President Johnson envisions, but the people of Washington deserve the opportunity to make it so.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 20, 1965.
EDITOR,
The Charlotte Observer,
Charlotte, N.C.

DEAR SIR: Your editorial, entitled "Nation's Capital Deserves Its Home Rule Opportunity" of September 16, 1965, has just been brought to my attention. I believe that your editorial requires an answer in view of some of the positions stated therein.

First, may I thank you for your kind references to my efforts to make the Nation's Capital a city of which all American people may be proud. Since it is the Capital of all the people of the Nation, it has a peculiar status. Each citizen and every Member of Congress should look upon it with a different view from that which he takes of any other city in the Nation.

I believe that the best rebuttal to the position taken in your editorial is found in the words of the late President William Howard Taft in a message to the Congress in 1912, which said, in part, the following:

"From time to time there is considerable agitation in Washington in favor of granting the citizens of the city the franchise and constituting an elective government. I am strongly opposed to this change. The history of Washington discloses a number of experiments of this kind, which have always been abandoned as unsatisfactory. The truth is this is a city governed by a popular body, to wit, the Congress of the United States, selected from the people of the United States, who own Washington. The people who come here to live do so with the knowledge of the origin of the city and the restrictions, and therefore voluntarily give up the privilege of living in a municipality governed by popular vote. Washington is so unique in its origin and in its use for housing and localizing the sovereignty of the Nation that the people who live here must regard its peculiar character and must be content to subject themselves to the control of a body selected by all the people of the Nation. I agree that there are certain inconveniences growing out of the government of a city by a national legislature like Congress, and it would perhaps be possible to lessen these by the delegation by Congress to the District Commissioners of greater legislative power for the enactment of local laws than they now possess, especially those of a police character."

Your quotation of James Madison's "Federalist Papers," in which he advocated a municipal legislature for local purposes, is consistent with the efforts of many home rule advocates to call upon Mr. Madison as a supporter of their position. You and they fail to consider that whatever Mr. Madison's views may have been those views did not prevail in the Constitutional Convention. It is well also to note that Madison's "Federalist Papers" were written after the Constitutional Convention which had adopted article I, section 8, clause 17 of the Constitution providing that Congress shall "exercise exclusive legislation, in all cases whatsoever, over such district." Thus, it will be seen that the express language of the Constitution negates the validity of your position that a provision in the presently proposed home rule bill, which would provide that "the President could veto city legislation if it 'adversely affects a Federal interest,'" brings the proposal in harmony with the Constitution.

The Constitution does not give to the President legislative authority over the District of Columbia. That authority is vested exclusively in the Congress. Other provisions of the Constitution permit the President to veto legislation enacted by the Congress, but nowhere is it provided that the President can exercise the congressional authority so clearly set forth in article I of the Constitution.

Your conclusion that "Congress has not in many years been faithful enough in its stewardship" and that because "Congressmen as a group and the House District Committee in particular * * * have been miserly or tardy where appropriations for the District of Columbia were concerned" is not supported by the record. The following incontrovertible facts given in testimony before committees of the Congress by Government agencies show the error of your conclusions:

1. Local expenditures for personal services in cities of the United States between 500,000 and 1,000,000 population show that in 1965 the District of Columbia spent $166,500,000. St. Louis, Mo., a city most like the District of Columbia in size, spent only $66,050,000. No other city in the category of Washington in population spent nearly so much for this purpose.

2. Expenditures per school pupil in average daily membership in the public school systems of the United States in cities between 500,000 and 1,000,000 population for the school year 1962–63 were lower than the amount of $459 per pupil spent in the District of Columbia, with the exception of San Francisco, where $516 per pupil was spent.

3. Between 1954 and 1965 the number of municipal employees in the District of Columbia increased 47.5 percent. A total of 9,424 employees were added to the payroll in that period, bringing the grand total to 29,242 municipal workers with a gross payroll of $192 million. During that time salary increases for these people were authorized by the Congress in the amount of 38.8 percent for classified personnel, 49.3 percent for police and firemen, 53.1 percent for teachers and school officials, and 43.3 percent wage board personnel.

4. The District of Columbia has more employees per 1,000 population than any other municipal government in the Nation with 34.5 employees per 1,000 population. St. Louis, Mo., a comparable city, has only 12.5 employees per 1,000 population.

5. The Federal payment out of direct appropriations of $37.5 million in 1965 does not of itself show the full extent of Federal expenditures for local purposes in the District of Columbia, as your editorial implies. In addition to this direct Federal payment, the Federal Government made expenditures of $133,432,000 in fiscal year 1964, and it is estimated that in 1965 this amount will be $176,312,000 for services which are essentially local in nature and under various programs for which States and other municipalities may qualify.

6. The District of Columbia in fiscal year 1963, the last year for which such information is available, ranked first in the Nation in

general expenditures among cities of population between 500,000 and 1 million population.

7. During the 10-year period between 1950 and 1960 Washington and the District of Columbia lost 38,222 in population and was not "growing faster than any other metropolitan area in the country," as your editorial stated.

8. Your statement that schools "are suffering under the present sloppily mismanaged system" is an attack upon the present system whereby the members of the board of education of the District of Columbia are appointed by the Federal District judges in the city. It is difficult to visualize that a political type school board member under the proposed home rule legislation would offer an improved system of selection of these individuals.

It is my feeling that the Congress should adhere to the clear language of article I of the Constitution and continue "to exercise exclusive legislation in all cases whatsoever" over the District of Columbia because of the many evidences of the wisdom of our Founding Fathers in so prescribing. Every citizen of the United States has a proprietary interest in the Nation's Capital. That interest should not be diluted by so-called home rule.

Washington is unlike any other city in the Nation. It is our only Federal City. It is the only city to which 70 foreign nations send representatives, consisting of diplomats and 10,000 foreign workers in the diplomatic service. No other city has as many other international groups as does Washington. Representatives of foreign news media, foreign students and educators, world business leaders, and others make regular pilgrimages to Washington and form their opinion of the United States in great measure upon their observation of the city. Projecting the proper image of our Nation to these visitors should not be left in the hands of local political groups and individuals.

While I do not quarrel with your paper having an opinion differing from mine, I did feel that since you had taken such an interest in the matter that some of the views of those of us who oppose so-called home rule for the District of Columbia should be stated on your printed page.

I trust that notwithstanding the length of this communication that you will see fit to print its full text.

Sincerely yours,

BASIL L. WHITENER,
Member of Congress.

Marshall Field: A Real American

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. WOLFF. Mr. Speaker, last week saw the passing of another great American. I refer to the untimely death of one of our great publishers and philanthropists, Marshall Field.

President Johnson, in a telegram of condolence to the widow of Mr. Field, was quoted as saying:

> Marshall Field was in the front rank of those Americans whose life has been spent in keeping this Nation informed. His charity and his purpose will not be forgotten by those who felt the influence of his good works.

Mr. Field will be missed, not only by his family, but by the Nation he loved and gave so much of his time, effort, and resources. No man could have given more.

Our Distinguished Secretary of Agriculture, a Man of Outstanding and Unusual Ability, the Honorable Orville L. Freeman, Delivered an Address Celebrating the 40th Anniversay of Radio Station KWKH of Shreveport, La.

EXTENSION OF REMARKS

OF

HON. JAMES H. MORRISON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. MORRISON. Mr. Speaker, Hon. Orville Freeman who has distinguished himself as one of our greatest agriculture leaders in all of our history delivered a great speech in my home State, entitled, "The Coming Decade in Agriculture," at a most appropriate occasion celebrating the 40th anniversary of station KWKH of Shreveport, La., one of the oldest pioneers and one of the most powerful stations in the South.

His informative speech is as follows:

THE COMING DECADE IN AGRICULTURE

When KWKH began broadcasting, many of the men participating in this birthday anniversary celebration had not been born. And in this entire audience, I fail to find a woman who looks as though she could possibly have been around at the time.

Forty years, of course, is not a ripe old age for either an individual or an institution. But at a young and vigorous 40, KWKH can claim the status of pioneer. It followed the invention of radio by only a few years. There are probably more receivers in cars parked around this area today than there were in homes of this section of Louisiana when the visionary dreamers who launched KWKH decided there was a future in wireless communication.

Like so many American dreams, this one came true.

Perhaps no one appreciates a vital and continuing communications institution more than a public official. He knows that exercise of the people's right to know is the heart of the successful operation in every level of government. For that reason I find it a special privilege to join with the families of the KWKH area in saying "happy birthday."

The nature of this anniversary observance is in itself evidence of the continuing desire of KWKH to provide the people of this area with facts and opinions that will contribute to the decisionmaking process in the years ahead.

I am honored with a part in such a program. And I consider it a special privilege to participate in the company of a man whose leadership I admire and whose friendship I value—Senator ALLEN ELLENDER.

As chairman of the Senate Committee on Agriculture and Forestry, he has been a major architect in the construction of policies that bring farmers and Government together in the operation of purposeful food and agriculture programs that serve the general welfare. He deserves substantial credit for the miraculous progress of American agriculture these past 29 years. His wisdom, diligence, integrity and hard work sets a high standard for every public servant. Personally, I owe him much.

He has never denied me the benefits of his knowledge, experience and vision. He has been kind and tolerant when we have disagreed, generous in sharing credit for achievement and progress. I welcome the opportunity to express my appreciation, my respect, and my most sincere commendations here in his home State.

Today's discussions revolve around the next 10 years in agriculture.

I must admit that while I have often felt the need for one, the equipment in the office of the Secretary of Agriculture does not include a crystal ball.

It has some other equipment.

There's a good, solid stone wall that I've bumped my head against more than a few times—the last 4½ years.

It has a seat that stays hot through the coldest days.

It has a 12-button telephone that seems to handle complaints with greater speed and clarity than it carries congratulations.

But that is not all. The office of the Secretary of Agriculture has some truly delightful accessories.

It has remarkable windows. I can look through them and see— in mind's eye—the farms and the families that produce the abundance of food and fiber on which rests the strength and well-being of this Nation.

I see an efficient and productive system that has banished famine from this country—and from the world. Wherever disaster strikes—American food and fiber is there within hours to help feed people—just as only last week over 200,000 people here in Louisiana were fed in the recovery operations after Hurricane Betsy. It was the largest single disaster feeding operation the USDA has undertaken in this country.

In cities and towns all across the country I see families eating better food, and at less real cost, than families anywhere else in the world. One hour of work today will buy twice as much food on the average as it would 30 years ago.

I see millions of American people whose income is not adequate to provide enough food * * * but who nevertheless get an adequate diet. Each year through direct food distribution and school lunch programs, over $700 million worth of food is made available by Federal, State, and local government. And nearly $60 million is being spent currently through the Food Stamp program so that low-income families may have a more adequate diet.

In port cities on every coast and on the Great Lakes, I see ships loaded with food-for-peace cargoes for 100 million hungry people and for 40 million schoolchildren around the world—and with food and fiber sold for dollars abroad which amounts to more than $4.5 billion.

Through the countryside and in the towns of rural America I see growing efforts to conserve natural resources and beauty—to make use of our land and water to satisfy the new and changing needs of the people.

In the clarity of these sights, the hot seat, the cold telephone and the immovable stone wall fade away. I am proud that rural America and American agriculture are doing great things.

I have no crystal ball, but looking ahead for another decade I feel confident that even greater achievements are ahead.

I speak with optimism about the next 10 years in American agriculture and rural life—for good reason.

Seven months ago President Johnson recommended a bold, dynamic, and comprehensive farm program to the Congress. Today, that program has passed both Houses of the Congress.

Agricultural leaders in both legislative bodies assure me that they expect to resolve in conference—without major difficulty—the differences which exist between the House and Senate versions of the bill.

When President Johnson signs this legislation—the Food and Agriculture Act of 1965—a new chapter in the miraculous success story of American agriculture will begin.

Few people yet realize the enormous significance of this legislation, of what the President and the Congress have achieved in 7 short months.

For more than 30 years, and particularly since the explosion in agricultural productivity after World War II, the farm policy objective of this Nation has been to develop an instrument which would:

Enable farmers to exercise their initiative and skill to efficiently produce an abundance of food and fiber and to receive a fair, or parity, return; and

Enable consumer food prices to take each year a smaller proportion of consumer income; and

Avoid the needless accumulation of costly surpluses.

Every attempt until now to develop a program to meet these conditions has fallen short of the goal. Instead, particularly since 1952, farm income has been persistently low and farm surpluses have been persistently high.

But as we have worked to find the answer, we have been learning. The legislation now moving toward final passage embodies this experience—it is the product of trial and error—and reflects the debate which has been in progress in the Congress and in the Nation over the past 3 decades.

Experience with the feed grain and wheat programs since 1961 has taught us that direct payments to the farmer who voluntarily reduces his production can strengthen farm income, help eliminate surpluses, and maintain a working balance between production and use to enable the marketplace at home and abroad to function efficiently. The legislation now before the Congress will establish this kind of program over a 4-year period for most of the basic commodities—wheat, feed grains, and cotton.

We also have learned the wisdom of diverting land not needed at present to new uses or to conservation purposes for more than a year at a time. The cropland adjustment program in the House and Senate proposals will provide land adjustment contracts for as long as 10 years. These contracts will be less costly, and will enable the farmer to make his plans on a long-range basis. In addition, the program will make land more readily available for new uses, particularly for outdoor recreation and beautification. Even now, conservation, wildlife, and recreation groups are discussing with State and Federal officials on how best to administer the program to serve multiple uses.

The new legislation also recognizes that the marketplace is the best mechanism to determine the flow and pace of commercial agriculture. Most farm products will no longer move in domestic and world markets at artificially high prices. Instead they will be guided by the conditions of supply and demand. At the same time the farmer will be protected from depressed incomes by the payments he receives in return for his cooperation in diverting acres to uses other than the usual crop production.

The new legislation also recognizes the need for farmers to be able to plan their farming operations for more than a year or two ahead, and extends the commodity programs through 1969.

Thus, the Food and Agriculture Act of 1965, as it stands now before the conference committee of the House and the Senate, can provide the flexibility necessary to keep pace with a dynamic and changing agriculture. It can enable this Nation to produce food and fiber in the quantities we need—when we need it for domestic and international purposes—with increasing efficiency—and at a modest cost in terms of the benefits to producers, consumers, and taxpayers alike.

With such a dynamic program, we can anticipate that over the next decade:

1. The American people will be better fed and better clothed at a lower real cost by 1975 than is the case today. American farm families and an efficient food industry will supply 225 million Americans—30 million more than today—with more beef and other meat and more convenience foods of a wider variety than now.

The food abundance necessary to meet whatever commitments your Government makes around the world will be forthcoming. Our super productive farm economy can do all of these things and still fulfill the demand for land for new uses.

2. Nutritional standards for the American people will be vastly improved. Our young people will be bigger and stronger and healthier, and Americans will be living longer. In 10 years, every person in this country will enjoy an adequate and nutritional diet. Where low incomes today shortchange the food budgets of some families, the food stamp program now undergoing rapid expansion will give these families equal access to food abundance.

3. The day of the needless and expensive surpluses in farm commodities will have ended. With the flexibility provided by the new legislation, farmers will be able to match their production with their markets. The surpluses which once existed in wheat and feed grains are already nearly gone. The heavy surpluses we now have in cotton and tobacco will steadily disappear.

4. The American farmer will become increasingly a supplier of world markets. Farm exports have topped $6 billion for the last 2 years, and they will reach $7 billion in the next few years. By 1975, exports will exceed $8 billion as the American farmer is able to compete in world markets at world prices.

5. Food will be of critical importance a decade hence as the struggle for freedom around the world continues. Our Food for Peace program will be even more of a keystone in American foreign policy than it is today. The need for food already is beginning to exceed the productive abilities of the developing nations in country after country. American agriculture will be instrumental in meeting this crisis by making available increasing amounts of food aid. Technical assistance to help the developing countries accelerate their own food production will be even more important than it is today.

6. The farm family with adequate resources will be earning parity of income—a comparable return for the labor and resources used to produce abundance as could be earned in other sectors of the economy. There will be fewer larger than family sized farms, but significantly more adequate size family farms and fewer very small farms.

7. Before the next 10 years are finished, all of rural America will be well into an economic and social renaissance which will bring the people who live in the countryside the parity of opportunity they are now in large part denied.

Today, rural Americans lag 2 years behind urban Americans in educational achievements. Rural children receive one-third less medical attention than city youngsters. One out of four rural homes should be replaced or given major repairs. One out of five rural homes is without running water, and nearly 15,000 rural towns have no central water system. A rural family, on the average, earns $1,000 less a year than a city family.

President Johnson has declared war on poverty, and has called the Nation to action to achieve a higher quality of life and a new dimension of living.

Together with the Congress, he has backed this challenge with a battery of new programs which provide new tools and new resources for the American people to use. They include economic development programs to assist individuals to gain new opportunity and to help local communities and regional areas expand the range of job and income opportunities. Education programs will be available to help local school districts modernize their educational plant and to help colleges and universities to meet the increased demands of the future. Vocational training programs will assist many to gain new skills to increase their earning ability. Loans and scholarships will be more widely available to young people seeking higher education. Medical needs of elderly citizens will no longer be a threat to their economic independence. Increased assistance will be available for housing and for community facilities to improve health and cultural opportunities.

Some of these programs will be available to rural areas directly through the USDA, but the needs of the rural community are so deep and pervasive that the full range of Federal programs will be required to overcome the disparity of opportunity which now exists in rural America.

The President has assigned the Department of Agriculture the task of insuring that these resources—which so often in the past have stopped at the city line—reach out to the people of rural America as well.

To carry out this assignment, we have put into operation in the USDA a rural community development service to coordinate and channel to the countryside the services and programs which can help to make rural America a better place to live and work.

With active and vigorous leaders in local communities now coming aggressively to the front, these resources can be the tools they employ to bring parity of opportunity to rural America over the next decade.

These predictions of what the next decade will bring to agriculture and rural life are more than a statement of hope. They are objectives well within the practical capabilities of the American people. I am confident they will be realized by 1975.

All of the economic, scientific, and technological information we feed into computers comes back in a message that tells us we have the resources and skills to attain these objectives.

But no computer can dream, and no computer can instill in man the desire to make his highest dream come true.

President Johnson put it best when he described his vision of America as a Great Society:

"The challenge of the next half century is whether we have the wisdom to use our wealth to enrich and elevate our national life, and advance the quality of our American civilization.

"The Great Society is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor."

Only men can dream, and only man can transform dreams into reality and desire into progress.

Because I sense the will and the desire and the dedication among the rural people to make dreams come true, I am confident that progress toward a society of greatness will be the hallmark of the next decade in agriculture and rural life.

Nikola Petkov—A Bulgarian Patriot

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. RODINO. Mr. Speaker, on September 23, 1947, there occurred an event in Sofia, Bulgaria, which was both a warning and a lesson to those who love freedom throughout the world. A man who had fought the tyranny of nazism, who believed in the democratic process, and who had refused to become a docile puppet of the dogmatic Communist rulers of Bulgaria was murdered for his political beliefs. Nikola Petkov was hung because he had the courage to lead the futile but defiant stand of people who would not willingly agree to see their country become a satellite in Stalin's growing empire.

His trial was a very revealing example of the Communist idea of justice and law. The law was what the ruling group dogmatically thought it should be. The greatest crime was opposing the creation of a one-party dictatorship. Nikola Petkov provided an example for later freedom fighters in refusing to admit that this was a crime. Despite what must have been terrible pressures to confess and constant harassment and obstacles to presenting his case, he fought valiantly in what was a cruel mockery of a trial.

When he died a martyr to the struggle for freedom and independence for his native land, the world saw in a most dramatic way a sign of the terror and repression which was soon to engulf all remnants of opposition to Communist control in eastern Europe. A warning was given to all those who would dare to fight the tyranny being imported from the Soviet Union. And a terrible but inspiring example was made to men and women that this evil must be fought.

We may still have hopes for an end to the Communist dictatorship when we recall the indomitable will to fight and the courage to sacrifice all for the cause of justice and freedom exhibited by many Bulgarian patriots, of whom Nikola Petkov is one of the most outstanding. I wish to extend to the Bulgarian people my best wishes and hopes for a free and democratic future of the kind for which their national hero, Nikola Petkov, died.

Representative Henderson's Stand

EXTENSION OF REMARKS

OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1965

Mr. WHITENER. Mr. Speaker, our distinguished colleague from North Carolina, the Honorable DAVID N. HENDERSON, is to be commended on his very sound position with respect to so-called home rule for the Nation's Capital.

It is his feeling that our present form of government for the District of Columbia is in keeping with the Constitution and the history and traditions of our great Nation.

The Wilmington News, Wilmington, N.C., carried a very fine editorial on September 12 with reference to Congressman HENDERSON's position on the home rule question. Under leave previously granted, I include the editorial and news release from Congressman HENDERSON's office dated September 8 to be inserted in the Appendix of the RECORD:

REPRESENTATIVE HENDERSON'S STAND

Representative DAVID HENDERSCN of Wallace offers some sound and sensible logic in his opposition to the so-called home rule bill for Washington, D.C., now being pushed strongly by the Johnson administration.

The Tar Heel lawmaker challenges the authority of Congress to provide for the election of a mayor and council for the Nation's Capital. Washington is a Federal city, belonging to no State or particular group of people, but is the seat of National Government, and therefore must be governed by Congress. He points out that to change this concept would require an amendment to the Constitution, and that certainly no act of Congress can presume to enact home rule for the Capital.

Another point made by Representative HENDERSON is that the home rule bill would be taxation without representation. In his analysis of the proposal, Representative HENDERSON explains that the Federal Government would be required to pay to the District such amount of tax for governmental buildings in the area as would be required for private real estate. This, he explains, would be taking Federal money paid by North Carolinians and be given to District residents for operation of the city under limited authority of a mayor and council.

These points deserve to be more closely studied and considered by Members of the House, because they make good sense, and because the Members will be under heavy pressure from the administration to act favorably on the measure.

The home rule bill already has received passage in the Senate, but it is not too late to successfully challenge the right of Congress in this matter. Representative HENDERSON's study and analysis of the bill deserves support from other Members of the House in the hope that the Nation's Capital will continue to be governed by Congress.

Representative HENDERSON's Third District constituents in North Carolina can be pleased by the thoroughness of his analysis of the bill, and his stand on the bill.

WASHINGTON REPORT

(By your Congressman, DAVID N. HENDERSON)

The U.S. Constitution, article I, section 8 provides, "The Congress shall have the power * * * to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States * * *."

Thus was born the concept of a Federal City to be the Seat of our National Government; to belong to no State, to no particular group of citizens, but to the Nation generally and to be governed by the Congress rather than by local authority as is the case in all other cities.

For many years now, persons living within the District of Columbia, have clamored for what they call home rule. They first argued that they were being deprived of their right to vote. By amendment to the Constitution, they were specifically granted the right to vote for President and Vice President (article XXIII) and those desiring to do so exercised that right in 1964.

The argument has persisted, however, that the people in the city of Washington should be entitled to elect their own mayor and city council just as other American cities do and bills to provide for such a procedure have been introduced in every session of Congress for many years. The theory of these bills is that the Congress can, without amending the Constitution, delegate "limited authority" to such an elected mayor and city council to govern the city.

The home rule bill passed by the Senate and which the administration is strongly urging the House to pass, would, among other things, require the Federal Government to pay to the government of the District of Columbia in tax such sum as a private concern or citizen would pay on the property owned by the Government within the District. In effect, this would take Federal tax moneys paid by North Carolinians and pay them over to the government of the District of Columbia, although North Carolina citizens would have no voice in that government. That is taxation without representation.

I oppose the so-called home rule bill. If the constitutional concept of a Federal City is to be abandoned, the appropriate procedure to accomplish such action is a constitutional amendment; not an act of Congress.